

Vol. 240

No. 17



Tuesday

9 August, 2016

18 Sravana, 1938 (Saka)

PARLIAMENTARY DEBATES  
**RAJYA SABHA**  
OFFICIAL REPORT

CONTENTS

Reference by the Chair (page 1)

Papers laid on the Table (pages 1-13)

Message from Lok Sabha —

The Constitution (One Hundred and Twenty-second Amendment) Bill,  
2014 — *Reported* (pages 13-15)

The Employee's Compensation (Amendment) Bill, 2016 — *Laid on the  
Table* (pages 401-402)

Report of the Department-related Parliamentary Standing Committee on Human  
Resource Development (page 15)

Statement by Minister —

Status of Implementation of recommendations contained in the Two  
Hundred and Twenty-fifth Report of the Department-related Parliamentary  
Standing Committee on Transport, Tourism and Culture (page 15)

Motion for Election to the Joint Committee on Offices of Profit (pages 15-16)

Re. Demand for immediate discussion on Kashmir issue (pages 16-36)

[P.T.O.]



RAJYA SABHA SECRETARIAT  
NEW DELHI

PRICE : ₹ 100.00

Matters raised with Permission —

Tapping of telephones of highly placed people in the Government and Private Sector by a corporate house (page 37)

Need to take steps to ensure utilization of cess collected from various sources (pages 37-38)

Proposed merger of Bhartiya Mahila Bank with SBI (pages 39-40)

Concern over the increasing incidents of attacks by *Gau Rakshaks* in various parts of the country (pages 40-41)

Oral Answers to Questions (pages 41-83)

Written Answers to Starred Questions (pages 83-90)

Written Answers to Unstarred Questions (pages 90-312)

Re. Demand for Ruling in respect of holding Meetings of Committees during the Session of Parliament along with a Point of Order raised by the Hon'ble Minister (pages 313-323)

Calling Attention to a Matter of Urgent Public Importance —

The situation arising out of impasse in the appointment of Judges in the High Courts and Supreme Court (pages 324-356)

Government Bill — *Passed*

The Enforcement of Security Interest and Recovery of Debts Laws and Miscellaneous Provisions (Amendment) Bill, 2016 (pages 356-401)

Government Resolution — *Adopted*

Recommendations contained in First Report of Railway Convention Committee (2014) (pages 402-417)

Special Mentions — *Laid on the Table*

Demand to give financial assistance to address the looming threat of cancer in North-Eastern region of the country (page 418)

## RAJYA SABHA

*Tuesday, the 9th August, 2016/18th Shravana, 1938 (Saka)*

*The House met at eleven of the clock,*

MR. DEPUTY CHAIRMAN *in the Chair*:

### REFERENCE BY THE CHAIR

MR. CHAIRMAN: Hon. Members, today, the 9th of August 2016, marks the 74th Anniversary of the historic day on which Mahatma Gandhi, the Father of the Nation, launched the 'Quit India Movement', in the year 1942. The clarion call of 'Do or Die' given by Mahatma Gandhi led to an upsurge of nationalistic sentiments and heralded the attainment of independence.

On this solemn occasion, we pay our humble and respectful homage to all those martyrs who laid down their lives and underwent immense sufferings for the cause of our freedom. The day is a reminder to us to cherish the gift of freedom handed down to us by those brave men and women and reaffirm our commitment to uphold the sovereignty, integrity, unity and diversity of our country. It also exhorts us to draw inspiration from the words and deeds of our freedom fighters to unitedly face the challenges of the changing times and do our bit to ensure inclusive economic development and growth for all strata of society and realise the long cherished dream of a fully developed India.

I request Hon. Members to rise in their places and observe silence as a mark of respect to the memory of the martyrs.

*(Hon. Members then stood in silence for one minute)*

श्री मधुसूदन मिश्री (गुजरात): सर, RSS और हिन्दू महा सभा ...(व्यवधान)...

(MR. DEPUTY CHAIRMAN *in the Chair*)

---

### PAPERS LAID ON TABLE

**Report and Accounts (2014-15) of the Central Council for Research in Ayurvedic Sciences, New Delhi and related papers**

THE MINISTER OF STATE OF THE MINISTRY OF AYURVEDA, YOGA AND NATUROPATHY, UNANI, SIDDHA AND HOMOEOPATHY (AYUSH) (SHRI SHRIPAD YESSO NAIK): Sir, I lay on the Table, a copy each (in English and Hindi) of the following papers:—

- (a) Annual Report of the Central Council for Research in Ayurvedic Sciences, New Delhi, for the year 2014-15.
- (b) Annual Accounts of the Central Council for Research in Ayurvedic Sciences, New Delhi, for the year 2014-15, and the Audit Report thereon.
- (c) Review by Government on the working of the above Council.
- (d) Statement giving reasons for the delay in laying the papers mentioned at (a) and (b) above. [Placed in Library. *See* No. L.T. 3711/16/15]

**I. Notifications of the Ministry of Finance**

**II. Report and Accounts (2015-16) of NABARD, Mumbai and related papers**

**III. Report and Accounts (2016) of Deposit Insurance and Credit Guarantee Corporation and related papers**

**IV. Report and Accounts (2015-16) of various Banks and related papers**

**V. Report and Accounts (2015-16) of various Banks and Life Insurance Corporation of India and related papers**

**VI. Report and Accounts (2014-15) of NHB, New Delhi and related papers along with Report of Public Sector Banks**

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI SANTOSH KUMAR GANGWAR): Sir, I lay on the Table:—

- I. (i) A copy (in English and Hindi) of the Ministry of Finance (Department of Financial Services) Notification No. S.O. 1641 (E), dated the 4th May, 2016, regarding establishment of one more Debts Recovery Tribunal at Ernakulam to be known as Debts Recovery Tribunal-2, Ernakulam, in the State of Kerala with effect from the 9th day of May, 2016 and specifying the areas of jurisdictions of the Debts Recovery Tribunal at Ernakulam, Kerala, under sub-section (3) of Section 36 of the Recovery of Debts Due to Banks and Financial Institutions Act, 1993.

[Placed in Library. *See* No. L.T. 5183/16/16]

- (ii) A copy (in English and Hindi) of the Ministry of Finance (Department of Financial Services), Notification No. PFRDA/12/RGL/139/1, dated the 17th June, 2016 publishing the Pension Fund Regulatory and Development Authority (Retirement Adviser) Regulations, 2016, under Section 53 of the Pension Fund Regulatory and Development Authority Act, 2013.

[Placed in Library. *See* No. L.T. 5175/16/16]



- (iii) A copy (in English and Hindi) of the Ministry of Finance (Department of Revenue), Notification No. G.S.R. 524 (E), dated the 17th May, 2016 seeking to exempt the service tax payable under Section 66B of the Finance Act, 1994, under sub-section (2) of Section 38 of the Central Excise Act, 1944, along with Explanatory Memorandum.

[Placed in Library. See No. L.T. 5186/16/16]

- (iv) A copy (in English and Hindi) of the Ministry of Finance (Department of Revenue), Notification No. G.S.R. 727 (E), dated the 26th July, 2016 amending Notification No. G.S.R. 582 (E), dated the 28th July, 2011 to insert certain entries in the original Notification, under sub-section (7) of Section 9A of the Customs Tariff Act, 1975, along with Explanatory Memorandum.

[Placed in Library. See No. L.T. 5185/16/16]

- II. A copy each (in English and Hindi) of the following papers, under sub-section (5) of Section 48 of the National Bank for Agriculture and Rural Development (NABARD) Act, 1981:—

- (a) Annual Report and Accounts of the National Bank for Agriculture and Rural Development (NABARD), Mumbai, for the year 2015-16, together with the Auditor's Report on the Accounts.

- (b) Performance Review by the Government on the working of the above Bank.

[Placed in Library. See No. L.T. 5178/16/16]

- III. A copy (in English and Hindi) of the Annual Report and Accounts of the Deposit Insurance and Credit Guarantee Corporation, for the year ended 31 March, 2016, together with the Auditor's Report on the Accounts, under sub-section (2) of Section 32 of the Deposit Insurance and Credit Guarantee Corporation Act, 1961.

[Placed in Library. See No. L.T. 5177/16/16]

- IV. (i) A copy (in English and Hindi) of the Annual Report and Accounts of the Industrial Development Bank of India (IDBI), Mumbai, for the year 2015-16, together with the Auditor's Report on the Accounts, under sub-section (5) of Section 18 and sub-section (5) of Section 23 of the Industrial Development Bank of India Act, 1964.

[Placed in Library. See No. L.T. 5179/16/16]

- (ii) A copy (in English and Hindi) of the Annual Report and Accounts of the State Bank of India, for the year 2015-16, together with the Auditor's Report on the Accounts, under sub-section (4) of Section 40 of the State Bank of India Act, 1955, as amended by the Banking Laws (Amendment) Act, 1985.

[Placed in Library. See No. L.T. 5180/16/16]

(iii) A copy each (in English and Hindi) of the Annual Report and Accounts of the following Banks for the year 2015-16, together with the Auditor's Report on the Accounts, under sub-section (3) of Section 43 of State Bank of India (Subsidiary Banks) Act, 1959, as amended by the Banking Laws (Amendment) Act, 1985:—

1. State Bank of Bikaner and Jaipur
2. State Bank of Mysore
3. State Bank of Patiala
4. State Bank of Travancore

[Placed in Library. *See* No. L.T. 5180/16/16]

(iv) A copy each (in English and Hindi) of the Annual Report and Accounts of the following Banks, for the year 2015-16, together with the Auditor's Report on the Accounts, under sub-section (8) of Section 10 of the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1970 and 1980:—

- (i) Allahabad Bank [Placed in Library. *See* No. L.T. 5187/16/16]
- (ii) Andhra Bank [Placed in Library. *See* No. L.T. 5203/16/16]
- (iii) Bank of India [Placed in Library. *See* No. L.T. 5204/16/16]
- (iv) Bank of Baroda [Placed in Library. *See* No. L.T. 5195/16/16]
- (v) Bank of Maharashtra  
[Placed in Library. *See* No. L.T. 5188/16/16]
- (vi) Canara Bank [Placed in Library. *See* No. L.T. 5196/16/16]
- (vii) Central Bank of India  
[Placed in Library. *See* No. L.T. 5189/16/16]
- (viii) Corporation Bank [Placed in Library. *See* No. L.T. 5197/16/16]
- (ix) Dena Bank [Placed in Library. *See* No. L.T. 5190/16/16]
- (x) Indian Bank [Placed in Library. *See* No. L.T. 5198/16/16]
- (xi) Indian Overseas Bank  
[Placed in Library. *See* No. L.T. 5191/16/16]

- (xii) Oriental Bank of Commerce

[Placed in Library. *See* No. L.T. 5199/16/16]

- (xiii) Punjab National Bank

[Placed in Library. *See* No. L.T. 5192/16/16]

(xiv) Punjab and Sind Bank

[Placed in Library. *See* No. L.T. 5205/16/16]

(xv) Syndicate Bank

[Placed in Library. *See* No. L.T. 5200/16/16]

(xvi) Union Bank of India

[Placed in Library. *See* No. L.T. 5193/16/16]

(xvii) United Bank of India

[Placed in Library. *See* No. L.T. 5201/16/16]

(xviii) UCO Bank

[Placed in Library. *See* No. L.T. 5194/16/16]

(xix) Vijaya Bank

[Placed in Library. *See* No. L.T. 5201/16/16]

V. (i) A copy each (in English and Hindi) of the following papers, under sub-section (5) of Section 19 and sub-section (5) of Section 24 of the Export-Import Bank of India Act, 1981:—

(a) Annual Report and Accounts of the Export-Import Bank of India, Mumbai, for the year 2015-16, together with the Auditor's Report on the Accounts.

(b) Report on the Performance of the above Bank, for the year 2015-16. [Placed in Library. *See* No. L.T. 5173/16/16]

(ii) A copy each (in English and Hindi) of the following papers, under sub-section (1) (b) of Section 394 of the Companies Act, 2013:—

(a) Forty-third Liquidator's Report on the Voluntary winding Up of the Industrial Investment Bank of India Limited (IIBI), Kolkata, for the period from 1st January, 2016 to 31st March, 2016, together with the Auditor's Report on the Accounts and the comments of the Comptroller and Auditor General of India thereon.

(b) Review by Government on the voluntary winding up process of the above Bank, for the period from 1st January, 2016 to 31st March, 2016. [Placed in Library. *See* No. L.T. 5029/16/16]

(iii) A copy each (in English and Hindi) of the following papers, under Section 29 of the Life Insurance Corporation Act, 1956:—

(a) Fifty-ninth Annual Report of the Life Insurance Corporation of India (LIC), Mumbai, for the year 2015-16.

(b) Review by Government on the working of the above Corporation. [Placed in Library. *See* No. L.T. 5181/16/16]

VI. A copy each (in English and Hindi) of the following papers:—

- (i) (a) Annual Report and Accounts of the National Housing Bank (NHB), New Delhi, and the Performance Report of the said Bank, for the year 2014-15, together with the Auditor's Report on the Accounts, under sub-section (5) of Section 40 of the National Housing Bank Act, 1987.  
(b) Statement giving reasons for the delay in laying the papers mentioned at (i) (a) above. [Placed in Library. *See* No. L.T. 5176/16/16]
- (ii) Consolidated Report on the Working of the Public Sector Banks (PSBs), for the year ended 31st March, 2015.  
[Placed in Library. *See* No. L.T. 5174/16/16]

### **Notifications of the Ministry of Health and Family Welfare**

THE MINISTER OF HEALTH AND FAMILY WELFARE (SHRI JAGAT PRAKASH NADDA): Sir, I lay on the Table, under Section 93 of the Food Safety and Standards Act, 2006, a copy each (in English and Hindi) of the following Notifications of the Ministry of Health and Family Welfare (Department of Health and Family Welfare):—

- (1) F. No. P.15025/264/13-PA/FSSAI, dated the 4th November, 2015, publishing the Food Safety and Standards (Food Products Standards and Food Additives) (Amendment) Regulations, 2015.  
[Placed in Library. *See* No. L.T. 4735/16/16]
- (2) F. No. P.15025/264/13-PA/FSSAI, dated the 4th April, 2016, publishing Corrigenda to F. No. P.15025/264/13-PA/FSSAI, dated the 4th November, 2015.  
[Placed in Library. *See* No. L.T. 5295/16/16]
- (3) F. No. 1-12/Standards/SP (Sweets, Confectionery)/FSSAI-2015, dated the 15th July, 2016, publishing the Food Safety and Standards (Food Products Standards and Food Additives) Fifth Amendment Regulations, 2016.  
[Placed in Library. *See* No. L.T. 5296/16/16]
- (4) F. No. 11/12/Reg/Prop/FSSAI-2016, dated the 15th January, 2016, publishing the Food Safety and Standards (Food Products Standards and Food Additives) Amendment Regulations, 2016.  
[Placed in Library. *See* No. L.T. 4735/16/16]
- (5) F. No. F.1-61/FSSAI/Tr. Business CAC/Reg/2015, dated the 29th April, 2016, publishing the Food Safety and Standards Authority of India (Procedure for Transaction of Business of the Central Advisory Committee) First Amendment Regulations, 2016.  
[Placed in Library. *See* No. L.T. 5206/16/16]

- (6) F. No. P.15025/264/13-PA/FSSAI, dated the 6th January, 2016, publishing the Food Safety and Standards (Contaminants, toxins and Residues) Amendment Regulations, 2016. [Placed in Library. See No. L.T. 4735/16/16]
- (7) F. No. P.15025/264/13-PA/FSSAI, dated the 4th April, 2016, publishing Corrigenda to F. No. P.15025/264/13-PA/FSSAI, dated the 5th January, 2016 (in English only). [Placed in Library. See No. L.T. 5297/16/16]

#### **I. Notifications of the Ministry of Civil Aviation**

#### **II. MoU (2016-17) between GoI and Airports Authority of India and related papers**

THE MINISTER OF STATE IN THE MINISTRY OF CIVIL AVIATION (SHRI JAYANT SINHA): Sir, I lay on the Table;—

- I. A copy each (in English and Hindi) of the following Notifications of the Ministry of Civil Aviation, under sub-section (3) of Section 14A of the Aircraft Act, 1934, along with Explanatory Note:—
- (1) G.S.R. 399 (E), dated the 5th April, 2016, publishing the Aircraft (First Amendment) Rules, 2016.
- (2) G.S.R. 494 (E), dated the 10th May, 2016, publishing the Aircraft (Second Amendment) Rules, 2016. [Placed in Library. See No. L.T. 5162/16/16]
- II. A copy each (in English and Hindi) of the following papers:—
- (a) Memorandum of Understanding between the Government of India (Ministry of Civil Aviation) and the Airports Authority of India, for the year 2016-17.
- (b) Statement by Government accepting the above Memorandum of Understanding. [Placed in Library. See No. L.T. 5161/16/16]

#### **I. Notifications of the Ministry of Finance**

#### **II. Notifications of the Ministry of Corporate Affairs**

#### **III. Report (2015-16) and Accounts (2014-15) of SEBI, Mumbai, and related papers**

#### **IV. Report and Accounts (2014-15) of NIFM, Faridabad, Haryana and related papers**

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE AND THE MINISTER OF STATE IN THE MINISTRY OF CORPORATE AFFAIRS (SHRI ARJUN RAM MEGHWAL): Sir, I lay on the Table:—

I. A copy each (in English and Hindi) of the following Notifications of the Ministry of Finance (Department of Economic Affairs), under Section 31 of the Securities and Exchange Board of India Act, 1992:—

- (1) No. SEBI-NRO/OIAE/GN/2015-16/003, dated the 5th May, 2015, publishing the SEBI (Issue of Capital and Disclosure Requirements) (Second Amendment) Regulations, 2015.
- (2) No. SEB-NRO/OIAE/GN/2015-16/004, dated the 5th May, 2015, publishing the SEBI (Substantial Acquisition of Shares and Takeovers) (Second Amendment) Regulations, 2015.
- (3) No. SEBI-NRO/OIAE/GN/2015-16/005, dated the 15th May, 2015, publishing the Securities and Exchange Board of India (Mutual Funds) (Amendment) Regulations, 2015.
- (4) No. SEBI/LAD-NRO/GN/2015-16/006, dated the 15th July, 2015, publishing the Securities and Exchange Board of India (Issue and Listing of Debt Securities by Municipalities) Regulations, 2015.
- (5) No. SEBI/LAD-NRO/GN/2015-16/007, dated the 11th August, 2015, publishing the SEBI (Issue of Capital and Disclosure Requirements) (Third Amendment) Regulations, 2015.
- (6) No. SEBI/LAD-NRO/GN/2015-16/008, dated the 14th August, 2015, publishing the Securities and Exchange Board of India (Issue of Capital and Disclosure Requirements) (Fourth Amendment) Regulations, 2015.
- (7) No. SEBI/LAD-NRO/GN/2015-16/009, dated the 14th August, 2015, publishing the Securities and Exchange Board of India (Substantial Acquisition of Shares and Takeovers) (Third Amendment) Regulations, 2015.
- (8) No. SEBI/LAD-NRO/GN/2015-16/010, dated the 14th August, 2015, publishing the Securities and Exchange Board of India (Delisting of Equity Shares) (Second Amendment) Regulations, 2015.
- (9) No. SEBI/LAD-NRO/GN/2015-16/011, dated the 14th August, 2015, publishing the Securities and Exchange Board of India (Alternative Investment Funds) (Amendment) Regulations, 2015.
- (10) No. SEBI/LAD-NRO/G.N.2015-16/012, dated the 14th August, 2015, publishing the SEBI (Issue of Capital and Disclosure Requirements) (Fifth Amendment) Regulations, 2015.
- (11) SEBI/LAD-NRO/GN/2015-16/013, dated the 2nd September, 2015, publishing the Securities and Exchange Board of India (Listing Obligations and Disclosure Requirements) Regulations, 2015.

- (12) SEBI/LAD-NRO/GN/2015-16/014, dated the 4th September, 2015, regarding renaming of “MCX Stock Exchange Limited” as “Metropolitan Stock Exchange of India Limited”, as certified by the Registrar of Companies, Mumbai, with effect from the 20th day of March 2015.
- (13) No. SEBI/LAD-NRO/GN/2015-16/015, dated the 8th September, 2015, publishing the Securities and Exchange Board of India (Regulatory Fee on Stock Exchanges) (Amendment) Regulations, 2015.
- (14) No. SEBI/LAD-NRO/GN/2015-16/016, dated the 8th September, 2015, publishing the Securities Contracts (Regulation) (Stock Exchanges and Clearing Corporations) (Amendment) Regulations, 2015.
- (15) No. SEBI/LAD-NRO/GN/2015-16/017, dated the 8th September, 2015, publishing the Securities and Exchange Board of India (Stock Brokers and Sub-Brokers) (Amendment) Regulations, 2015.
- (16) No. SEBI/LAD-NRO/GN/2015-16/018, dated the 10th September, 2015, publishing the SEBI (Issue of Capital and Disclosure Requirements) (Sixth Amendment) Regulations, 2015.
- (17) No. SEBI/LAD-NRO/GN/2015-16/019, dated the 14th September, 2015, regarding renewal of recognition to the Metropolitan Stock Exchange of India Limited under section 4 of the Securities and Exchange Board of India Act, 1992 for a period of one year commencing on the 16th day of September, 2015 and ending on the 15th day of September, 2016 in respect of contracts in securities subject to the conditions stated in the notification or as may be prescribed or imposed hereafter.
- (18) No. SEBI/LAD-NRO/GN/2015-16/020, dated the 17th September, 2015, publishing the Securities and Exchange Board of India (Procedure for Search and Seizure) Repeal Regulations, 2015.
- (19) No. SEBI/LAD-NRO/GN/2015-16/021, dated the 18th September, 2015, publishing the SEBI (Share Based Employee Benefits) (Amendment) Regulations, 2015.
- (20) No. SEBI/LAD-NRO/GN/2015-16/028, dated the 6th January, 2016, regarding establishment of the Local Office of the Securities and Exchange Board of India at Jammu for the State of Jammu and Kashmir.
- (21) No. SEBI/LAD-NRO/GN/2015-16/029, dated the 11th January, 2016, publishing the Securities Contracts (Regulation) (Stock Exchanges and Clearing Corporations) (Amendment) Regulations, 2016.

- (22) No. SEBI/LAD-NRO/GN/2015-16/030, dated the 12th January, 2016, publishing the Securities and Exchange Board of India (Delisting of Equity Shares) (Amendment) Regulations, 2016.
- (23) No. SEBI/LAD-NRO/GN/2015-16/031, dated the 21st January, 2016, publishing the SEBI (Issue of Capital and Disclosure Requirements) (Amendment) Regulations, 2016.
- (24) No. SEBI/LAD-NRO/GN/2015-16/032, dated the 21st January, 2016, publishing the Securities and Exchange Board of India (Depositories and Participants) (Amendment) Regulations, 2016.
- (25) No. SEBI/LAD-NRO/GN/2015-16/033, dated the 21st January, 2016, substituting the name of "MCX-SX Clearing Corporation Limited" in the Notification No. LAD-NRO/GN/2015-16/024 dated the 1st October, 2015 with the name "Metropolitan Clearing Corporation of India Limited" with effect from the 18th day of August, 2015.
- (26) No. SEBI/LAD-NRO/GN/2015-16/034, dated the 12th February, 2016, publishing the Securities and Exchange Board of India (Mutual Funds) (Amendment) Regulations, 2016.
- (27) No. SEBI/LAD-NRO/GN/2015-16/035, dated the 18th February, 2016, publishing the Securities and Exchange Board of India (Substantial Acquisition of Shares and Takeovers) (Amendment) Regulations, 2016.
- (28) No. SEBI/LAD-NRO/GN/2015-16/036, dated the 18th February, 2016, publishing the Securities and Exchange Board of India (Issue of Capital and Disclosure Requirements) (Second Amendment) Regulations, 2016.
- (29) No. SEBI/LAD-NRO/GN/2015-16/037, dated the 15th March, 2016, publishing the Securities Contracts (Regulation) (Stock Exchanges and Clearing Corporations) (Second Amendment) Regulations, 2016.
- (30) No. SEBI/LAD-NRO/GN/2015-16/038, dated the 15th March, 2016, publishing the Securities and Exchange Board of India (Depositories and Participants) (Second Amendment) Regulations, 2016.

[Placed in Library. For (1) to (30) *See* No. L.T. 5211/16/16]

- II. (i) A copy each (in English and Hindi) of the following Notifications of the Ministry of Corporate Affairs, under sub-section (4) of Section 469 of the Companies Act, 2013:—

- (1) G.S.R. 397 (E), dated the 5th April, 2016, publishing the Companies (Filing of Documents and Forms in Extensible Business Reporting Language) Amendment Rules, 2016, along with delay statement.



- (2) G.S.R. 493 (E), dated the 7th May, 2016, publishing the Companies (Registration Office and Fees) Amendment Rules, 2016, along with delay statement.

[Placed in Library. For (1) and (2) *See* No. L.T. 5212/16/16]

- (3) G.S.R. 540 (E), dated the 23rd May, 2016, publishing the Companies (Corporate Social Responsibility Policy) Amendment Rules, 2016.

[Placed in Library. *See* No. L.T. 5037/16/16]

- (4) G.S.R. 563 (E), dated the 31st May, 2016, publishing the Companies (Authorised to Register) Amendment Rules, 2016.

[Placed in Library. *See* No. L.T. 5212/16/16]

- (5) G.S.R. 639 (E), dated the 29th June, 2016, publishing the Companies (Acceptance of Deposits) Amendment Rules, 2016.

- (6) G.S.R. 646 (E), dated the 30th June, 2016, publishing the Companies (Appointment and Remuneration of Managerial Personnel) Amendment Rules, 2016.

- (7) G.S.R. 695 (E), dated the 14th July, 2016, publishing the Companies (Cost Records and Audit) Amendment Rules, 2016.

- (8) G.S.R. 704 (E), dated the 19th July, 2016, publishing the Companies (Share Capital and Debentures) Third Amendment Rules, 2016.

[Placed in Library. For (5) to (8) *See* No. L.T. 5212/16/16]

- (ii) A copy (in English and Hindi) of the Ministry of Corporate Affairs Notification No. G.S.R. 404 (E), dated the 6th April, 2016, amending Schedule III of the Companies Act, 2013 to substitute/insert certain entries therein, under sub-section (3) of Section 467 of the Companies Act, 2013, along with delay statement.

[Placed in Library. *See* No. L.T. 5222/16/16]

- (iii) A copy (in English and Hindi) of the Ministry of Corporate Affairs Notification No. G.S.R. 593 (E), dated the 10th June, 2016, publishing the Limited Liability Partnership (Second Amendment) Rules, 2016, under sub-section (3) of Section 79 of the Limited Liability Partnership Act, 2008.

[Placed in Library. *See* No. L.T. 5213/16/16]

- (iv) A copy (in English and Hindi) of the Ministry of Corporate Affairs Notification No. S.O. 2264 (E), dated the 30th June, 2016, publishing the Companies (Removal of Difficulties) Third Order, 2016, under sub-section (2) of Section 470 of the Companies Act, 2013.

[Placed in Library. *See* No. L.T. 5212/16/16]

- (v) A copy (in English and Hindi) of the Ministry of Corporate Affairs Notification No. G.S.R. 681 (E), dated the 12th July, 2016, amending Notification No. G.S.R. 38 (E), dated the 19th January, 2011 to substitute certain entries in the original Notification, under Section 30B of the Chartered Accountants Act, 1949.

[Placed in Library. *See* No. L.T. 5221/16/16]

III. A copy each (in English and Hindi) of the following papers, under sub-section (3) of Section 18 and sub-section (4) of Section 15 of the Securities and Exchange Board of India Act, 1992:—

- (a) Annual Report of the Securities and Exchange Board of India (SEBI), Mumbai, for the year 2015-16.

[Placed in Library. *See* No. L.T. 5214/16/16]

- (b) Annual Accounts of the Securities and Exchange Board of India (SEBI), Mumbai, for the year 2014-15, and the Audit Report thereon.

- (c) Executive Summary of the above-said Report.

[Placed in Library. *See* No. L.T. 5210/16/16]

IV. A copy each (in English and Hindi) of the following papers:—

- (a) Annual Report of the National Institute of Financial Management (NIFM), Faridabad, Haryana, for the year 2014-15.

- (b) Annual Accounts of the National Institute of Financial Management (NIFM), Faridabad, Haryana, for the year 2014-15, and the Audit Report thereon.

- (c) Statement by Government accepting the above Report.

[Placed in Library. *See* No. L.T. 5036/16/16]

**I. MoU (2016-17) between GoI and Mazagon Dock Shipbuilders Limited**

**II. MoU (2016-17) between GoI and Mishra Dhatu Nigam Limited**

THE MINISTER OF STATE IN THE MINISTRY OF DEFENCE (DR. SUBHASH RAMRAO BHAMRE): Sir, I lay on the Table, a copy each (in English and Hindi) of the following papers:—

- I. Memorandum of Understanding between the Government of India (Ministry of Defence, Department of Defence Production) and the Mazagon Dock Shipbuilders Limited, for the year 2016-17.

[Placed in Library. *See* No. L.T. 5234/16/16]

- II. Memorandum of Understanding between the Government of India (Ministry of Defence, Department of Defence Production) and the Mishra Dhatu Nigam Limited, for the year 2016-17.

[Placed in Library. See No. L.T. 5235/16/16]

## MESSAGE FROM LOK SABHA

### The Constitution (One Hundred and Twenty-second Amendment) Bill, 2014

SECRETARY-GENERAL: Sir, I have to report to the House the following message received from the Lok Sabha, signed by the Secretary-General of the Lok Sabha:—

"In accordance with the provisions of rule 101 of the Rules of Procedure and Conduct of Business in Lok Sabha, I am directed to inform you that the following amendments made by Rajya Sabha in the Constitution (One Hundred and Twenty-second Amendment) Bill, 2014 at its sitting held on the 3rd August, 2016, were taken into consideration and agreed to by Lok Sabha and the Bill, as amended and passed by Rajya Sabha, was passed by Lok Sabha at its sitting held on the 8th August, 2016, in accordance with the provisions of article 368 of the Constitution of India:—

#### ENACTING FORMULA

1. That at page 1, line 1, *for* the word "Sixty-sixth", the word "Sixty-seventh" be *substituted*.

#### CLAUSE 1

2. That at page 1, lines 2 and 3, *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*.

#### CLAUSE 9

3. That at page 2, *after* line 28, the following be *inserted*, namely:—
  - "(2) The amount apportioned to a State under clause (1) shall not form part of the Consolidated Fund of India.
  - (3) 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.
  - (4) 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.

## CLAUSE 10

4. That at page 2, *for* lines 35 to 39, 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)."

## CLAUSE 12

5. That at page 3, line 3, *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*.
6. That at page 3, line 22, *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 4, *for* lines 15 and 16, 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."

## CLAUSE 14

8. That at page 4, line 34, *after* the word "and", the word "article" be *inserted*.

## CLAUSE 18

9. That at page 5, lines 26 to 40, be *deleted*.

Omission of  
clause 18.

## CLAUSE 19

10. That at page 6, line 1, *for* the word "may", the word "shall" be *substituted*.
11. That at page 6, line 3, *for* the words "such period which may extend to", the words "a period of" be *substituted*.
- 

**REPORT OF THE DEPARTMENT-RELATED PARLIAMENTARY  
STANDING COMMITTEE ON HUMAN RESOURCE  
DEVELOPMENT**

**डा. सत्यनारायण जटिया** (मध्य प्रदेश): महोदय, मैं "राष्ट्रीय खेल विकास निधि का निष्पादन तथा खिलाड़ियों की भर्ती और प्रोन्नति — (भाग-III)" विषय के संबंध में विभाग संबंधित मानव संसाधन विकास संबंधी संसदीय स्थायी समिति का दो सौ इक्यासीवां प्रतिवेदन (अंग्रेजी तथा हिन्दी में) प्रस्तुत करता हूँ।

---

**STATEMENT BY MINISTER**

**Status of Implementation of recommendations contained in the  
Two Hundred and Twenty-fifth Report of Department-related  
Parliamentary Standing Committee on Transport,  
Tourism and Culture**

THE MINISTER OF STATE IN THE MINISTRY OF CIVIL AVIATION (SHRI JAYANT SINHA): Sir, I beg to make a statement regarding Status of implementation of recommendations contained in the Two Hundred and Twenty-fifth Report of the Department-related Parliamentary Standing Committee on Transport, Tourism and Culture on the Demands for Grants pertaining to the Ministry of Civil Aviation.

---

**MOTION FOR ELECTION TO THE JOINT COMMITTEE  
ON OFFICES OF PROFIT**

THE MINISTER OF LAW AND JUSTICE AND THE MINISTER OF ELECTRONICS AND INFORMATION TECHNOLOGY (SHRI RAVI SHANKAR PRASAD): Sir, I beg to move the following Motion:—

“That this House concurs in the recommendation of the Lok Sabha that the Rajya Sabha do elect one Member of the Rajya Sabha to the Joint Committee on Offices of Profit in the vacancy caused by the retirement of Shri K. C. Tyagi from the Rajya Sabha and resolves that the House do

proceed to elect, in accordance with the system of proportional representation by means of the single transferable vote, one Member from amongst the Members of the House to the said Joint Committee, to fill the vacancy.”

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

## RE. DEMAND FOR IMMEDIATE DISCUSSION ON KASHMIR ISSUE

**श्री नरेश अग्रवाल** (उत्तर प्रदेश): माननीय उपसभापति महोदय, कल पूरे विपक्ष ने कश्मीर के मुद्दे पर नोटिस दिया था। सर, यह एक ऐसा मुद्दा है, जिस पर चेयर की रूलिंग थी कि इस पर आज discussion होगा, लेकिन सरकार की ओर से कोई जवाब नहीं आया और न ही कोई सहमति बनी है।

श्रीमन्, अगर चेयर की बात पर सरकार राजी नहीं होती, तो इस से बड़ी चेयर की अवहेलना नहीं हो सकती। हम लोग चाहते हैं कि इस विषय पर आज discussion हो।

**SHRI SITARAM YECHURY** (West Bengal): Sir, you had assured yesterday that we can have the discussion today. All of us have given notices. Then, why is it not listed today?

**विपक्ष के नेता (श्री गुलाम नबी आजाद):** सर, कल मीटिंग में भी यह चर्चा हुई थी और तय हुआ था कि इस विषय पर चर्चा होगी। सरकार से भी कहा गया था कि आप इस विषय पर चर्चा कराइए और सरकार ने भी कहा था कि हमें इस पर चर्चा करने में कोई आपत्ति नहीं है। इस पर बहस हो सकती है।

सर, हम कल से मांग कर रहे हैं कि कश्मीर में गंभीर हालात पैदा हुए हैं। आज वहां कर्फ्यू का 31वां दिन है और मैं इस बात को फिर दोहराना चाहता हूं कि हिन्दुस्तान की तारीख में यह लिखा जाएगा, अब यह किन शब्दों में लिखा जाएगा, मैं कह नहीं सकता कि 31 दिन तक कर्फ्यू जारी था और आने वाले हफ्ते में भी कोई गुंजाइश नहीं है। मैं उन दिनों और dates का जिक्र नहीं करना चाहता हूं। सर, हम खाली गवर्नमेंट पर आरोप नहीं लगाना चाहते, हम तो गवर्नमेंट से कहते हैं कि हम भी मदद करेंगे। सभी अपोजीशन पार्टीज वहां के हालात को काबू करने के लिए सरकार की मदद करेंगी। वहां बच्चे मर रहे हैं, औरतें मर रही हैं, मर्द मर रहे हैं और सेक्युरिटी फोर्सस के लोग भी मर रहे हैं। मैं यह नहीं कहूंगा कि खाली civilians मर रहे हैं, पुलिस और सीआरपीएफ के लोग भी मर रहे हैं, पुलिस और सीआरपीएफ के लोग भी जख्मी हुए हैं। हमें जहां हमारे सिविलियन भाईयों, बहनों और बच्चों का अफसोस है, उतना ही अफसोस हमें सेक्युरिटी फोर्सस के लिए भी है। जहां सिविलियंस और सेक्युरिटी फोर्सस के लोग आमने-सामने या eyeball to eyeball होंगे और एक-दूसरे के दुश्मन हो जाएं, तो मैं नहीं समझता कि यह पार्लियामेंट तमाशाई बनकर रह जाएगी। इस विषय पर कम-से-कम इस हाउस में, दूसरे हाउस में चर्चा होनी चाहिए। सर, अब तो पार्लियामेंट सेशन के दो दिन रह गए हैं। अब या तो गवर्नमेंट time buy करना चाहती है कि इन दो दिनों में टाल दो, उसके बाद सेशन खत्म हो जाएगा और फिर कोई बहस या शोर नहीं होगा।

سر، ہماری مانگ ہے کہ جیسے کل سرکار نے واپس لیا تھا کہ آج اس مسئلے پر بات ہو اور بات میں ہم سب کو ملے گا۔ سر، past میں باتیں ہوئی ہیں، میں جب چیف منسٹر تھا، اس وقت بھی حالات بہت خراب تھے، جب عمر سہیل تھے اور ہماری اور عمر سہیل کی coalition Government تھی، اس وقت بھی حالات خراب ہو گئے تھے۔ میں نے اپنے دفتر میں انسانی حقوق کے سربراہ کو یہ لکھا تھا کہ آپ کو 2008 اور 2010 سے سب سے زیادہ ملنا چاہیے تھا اور جو باتیں شاید ہمارے وقت میں ہم سے ہوئی تھیں، وہ رپورٹ نہیں ہو سکتی۔ جب ہم بات کریں گے، تب 2008 کی بات کریں گے، آپ کو کہنے کی ضرورت نہیں ہوگی۔ ہم ان باتوں کو کہنے میں کوئی ہچکچاہٹ نہیں ہے، جو باتیں ہمارے وقت میں ہوئی تھیں، لیکن آج جو باتیں ہو رہی ہیں، آج کوئی پوچھ ہی نہیں رہا ہے، بات نہیں ہو رہی ہے، all-party meeting نہیں ہو رہی ہے، all-party delegation نہیں جا رہا ہے، اس کے لیے میری انسانی حقوق کے سربراہ سے ایک ہی گزارش ہوگی کہ سب پارٹیز کو اس پر بات کرنے کا موقع دیا جائے اور بات کے لیے آج 2 بجے کا وقت مقرر کیا جائے۔ ہماری یہ مانگ رہی ہے کہ ایک دن کے اندر، یہاں دہلی میں all-party meeting ہو اور دو دن کے اندر ایک all-party delegation کشمیر جانا چاہیے۔ انسانی حقوق کے سربراہ، یہ بہت ہی سنگین مسئلہ ہے اور پورا ہندوستان دیکھ رہا ہے کہ پارلیامینٹ اس پر کیا کرے گی؟ ہماری طرف سے ملک کی آوازیں مل رہی ہیں۔

† قائد حزب اختلاف (جناب غلام نبی آزاد): سر، کل میٹنگ میں بھی یہ چرچہ ہوئی

تھی اور طے ہوا تھا کہ اس موضوع پر چرچہ ہوگی۔ سرکار سے بھی کہا گیا تھا کہ آپ اس موضوع پر چرچہ کرانے اور سرکار سے بھی کہا تھا کہ ہمیں اس پر چرچہ کرنے میں کوئی آہٹ نہیں ہے۔ اس پر بحث ہو سکتی ہے۔

سر، ہم کل سے مانگ کر رہے ہیں کہ کشمیر میں گمبھیر حالات پیدا ہوئے ہیں۔ آج وہاں کرفیو کا 31 واں دن ہے اور میں اس بات کو پھر دہرائنا چاہتا ہوں کہ ہندوستان کی تاریخ میں یہ لکھا جائے گا، اب یہ کن شہدوں میں لکھا جائے گا، میں کہہ نہیں سکتا کہ 31 دن تک کرفیو جاری تھا اور آنے والے ہفتے میں بھی کوئی گنجائش نہیں ہے۔ میں ان دنوں اور dates کا ذکر نہیں کرنا چاہتا ہوں۔ سر، ہم خالی گورنمنٹ پر الزام نہیں لگانا چاہتے، ہم تو گورنمنٹ سے کہتے ہیں کہ ہم بھی مدد کریں گے۔ سبھی ایوزیشن پارٹیز وہاں کے حالات کو قابو کرنے کے لیے سرکار کی مدد کریں گی۔ وہاں بچے مر رہے ہیں، عورتیں مر رہی ہیں، مرد مر رہے ہیں اور سیکورٹی فورسز کے لوگ بھی مر رہے ہیں۔ میں یہ نہیں کہوں گا کہ صرف civilians مر رہے ہیں، پولیس اور سی آر پی ایف کے لوگ بھی مر رہے ہیں، پولیس اور سی آر پی ایف کے لوگ بھی زخمی ہوئے ہیں۔ ہمیں جہاں ہمارے سولینس بھائیوں، بہنوں اور بچوں کا افسوس ہے، اتنا ہی افسوس ہمیں سیکورٹی فورسز کے لیے بھی ہے۔ جہاں سولینس اور سیکورٹی فورسز کے لوگ آئے

[श्री गुलाम नबी आज़ाद]

سامنے یا eyeball to eyeball ہونگے اور ایک دوسرے کے دسٹن بوجائیں، تو میں نہیں سمجھتا کہ یہ پارلیمنٹ تماشائی بن کر رہ جائے گی۔ اس موضوع پر کم سے کم اس ہاؤس میں، دوسرے ہاؤس میں چرچہ ہوئی چاہیے۔ سر، اب تو پارلیمنٹ سیشن کے دو دن رہ گئے ہیں۔ اب یا تو گورنمنٹ time buy کرنا چاہتی ہے کہ ان دو دنوں میں ٹال دو، اس کے بعد سیشن ختم ہو جائے گا اور پھر کوئی بحث یا شور نہیں ہوگا۔ سر، ہماری مانگ ہے کہ جیسے کہ کل سرکار نے وعدہ کیا تھا کہ آج اس موضوع پر بحث ہو اور بحث میں ہم سچاؤ بھی دیں گے۔ سر، past میں غلطیاں ہوئی ہیں، میں جب چیف منسٹر تھا، اس وقت بھی حالات بہت خراب ہوئے تھے، جب عمر صاحب تھے اور ہماری اور عمر صاحب کی کونسلن گورنمنٹ تھی، اس وقت بھی حالات خراب ہو گئے تھے۔ میں نے اپنے خط میں سائنڈے پر دھان منتری جی کو یہی لکھا تھا کہ آپ کو 2008 اور 2010 سے سبق لینا چاہئے تھا اور جو غلطیاں شاید ہمارے وقت میں ہم سے ہوئی تھیں، وہ ریپٹ نہیں ہو سکتیں۔

جب ہم بحث کریں گے، تب 2008 کی بھی بات کریں گے، آپ کو کہنے کی ضرورت نہیں ہوگی۔ ہمیں ان غلطیوں کو کہنے میں کوئی ہچکچاہٹ نہیں ہے، جو غلطیاں ہمارے وقت میں ہوئی تھیں، لیکن آج جو غلطیاں ہو رہی ہیں، آج کوئی بوجہ ہی نہیں رہا ہے، بحث نہیں ہو رہی ہے، آل پارٹی میٹنگ نہیں ہو رہی ہے، آل پارٹی ڈیلی-گیشن نہیں جا رہا ہے، اس کے لئے میری مائنڈ چیمبر میں صاحب سے ایک ہی گزارش ہوگی کہ سبھی پارٹیوں کو اس پر بات کرنے کا موقع دیا جائے اور بحث کے لئے آج 2 بجے کا وقت مقرر کیا جائے۔ ہماری یہی مانگ رہے گی کہ ایک-آدھ دن کے اندر، یہاں دہلی میں آل پارٹی میٹنگ ہو اور دو دن کے اندر ایک آل پارٹی ڈیلی-گیشن کسٹیر جانا چاہئے۔ آپ سبھا پتی جی، یہ بہت ہی گنہگار موضوع ہے اور پورا ہندوستان دیکھ رہا ہے کہ پارلیمنٹ اس پر کیا کرے گی؟ ہماری طرح پورے ملک کی آنکھیں لگی ہوئی ہیں۔



**श्री शरद यादव** (बिहार): उपसभापति जी, कल पक्का तय हो गया था कि आज कश्मीर के मामले पर बहस होगी। मैं आपके माध्यम से निवेदन करना चाहता हूँ कि सरकार और वहां जो alliance है, पीडीपी और कांग्रेस का ...(व्यवधान)... I am sorry, बीजेपी और पीडीपी का, इनको छोड़कर पूरा देश और हम में से कोई नहीं जानता है कि वहां जो विकट परिस्थिति है, जिस पर एलओपी ने अपनी बात रखी है, उस पर पूरा सदन और पूरा देश जानना चाहता है कि सरकार ने, क्यों और कैसे, एक sectarian तरीके से, इस मामले को अपने हाथ में लेकर रखा हुआ है? यह भी पता नहीं है कि आपकी रणनीति क्या है? आप कश्मीर को फ़ौज और पुलिस के दम पर ही ठीक करना चाहते हैं। यानी ये जो सारी चीज़ें हैं, आप इनको अकेले ही ठीक करना चाहते हैं, क्योंकि आपने इस मामले पर केवल अपनी पार्टी, एनडीए या पीडीपी को छोड़कर पूरा देश छोड़ रखा है।

उपसभापति जी, इस पर पूरा देश चिंतित है। वहां pellet guns का सवाल उठा था। आपने सिर्फ़ कमेटी बनाई है। ये guns इतनी खराब हैं कि इनकी वजह से कितने लोग अंधे हो गए हैं। मेरा आपके माध्यम से, सरकार से निवेदन है कि सरकार पूरे देश को विश्वास में लेकर चले। हम लोग, वहां हर तरह की मदद देने को तैयार हैं, सरकार के साथ हर तरह का सहयोग करने को तैयार हैं। वहां हमारे भी बहुत-से लोग हैं, जिनके साथ हम वादा करके रास्ता खोजने का काम करें। हो सकता है कि हम फेल हो जाएं, लेकिन हमारा जो कर्तव्य है, कम से कम उसको करने का मौका तो हमें दिया जाए। यह अजीब बात है कि सरकार हमें यह मौका भी नहीं दे रही है। ...(व्यवधान)...

**श्री सीताराम येचुरी**: उपसभापति जी, यह बात है कि I remember the Leader of the House and I were together in one Delegation in 2010; we went to Kashmir and, after that, he knows, I know and we all know how the situation came under control. Why are you not sending an all-party delegation from the Parliament? Why is an all-party meeting not called? Why is the political process not being started? And for heaven's sake, stop these pellet guns. You, please, right now announce that there will be an all-party delegation as soon as the Parliament Session ends on the 12th.

**श्री शरद यादव**: Pellet guns बंद करो।

**श्री सीताराम येचुरी**: वही तो बोला है। मैं वही बोल रहा हूँ, आप सुन नहीं रहे हैं। You stop that and send this delegation on the 12th itself. Stop the pellet guns immediately. Send this delegation on the 12th. Start the political process. ...(Interruptions)... Start the consultation with all shades of opinion. ...(Interruptions)...

**श्री नज़ीर अहमद लवाय** (जम्मू और कश्मीर): उपसभापति जी, वहां 2010 में क्या हुआ? ...(व्यवधान)... उनकी सरकार थी। ...(व्यवधान)...

†جناب نذیر احمد لوائے: اپ سبھا پتی جی، وہاں 2010 میں کیا ہوا --- (مداخلت) ---  
ان کی سرکار تھی --- (مداخلت) ---

SHRI SITARAM YECHURY: Start the consultation with all shades of opinion in Kashmir and try to restore the normalcy. ...(*Interruptions*)...

MR. DEPUTY CHAIRMAN: Listen. ...(*Interruptions*)...

SHRI SITARAM YECHURY: The Leader of the Opposition has said ...(*Interruptions*)...

MR. DEPUTY CHAIRMAN: They all have given the notice. Sit down. ...(*Interruptions*)...

SHRI SITARAM YECHURY: Sir, therefore,...(*Interruptions*)...

SHRI NAZIR AHMED LAWAY: Sir, this was introduced...(*Interruptions*)...

MR. DEPUTY CHAIRMAN: Sit down. ...(*Interruptions*)... I have allowed him. ...(*Interruptions*)... No, no. Please. ...(*Interruptions*)...

SHRI NAZIR AHMED LAWAY: You introduced the...(*Interruptions*)...

MR. DEPUTY CHAIRMAN: Shri Ram Gopal Yadav...(*Interruptions*)...

SHRI SITARAM YECHURY: Sir, the Leader of the House has made this suggestion. ...(*Interruptions*)... It was agreed yesterday. ...(*Interruptions*)... You were in the chair. ...(*Interruptions*)...

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

SHRI SITARAM YECHURY: You said that there will be a discussion. ...(*Interruptions*)...

MR. DEPUTY CHAIRMAN: All right. You made your point. ...(*Interruptions*)...

SHRI SITARAM YECHURY: Immediately, I want the Government to announce stoppage of pellet guns ...(*Interruptions*)... Send an all-party delegation to Kashmir on the 12th, as soon as this Parliament Session ends. ...(*Interruptions*)... And let us go there and open the dialogue with all shades of opinion. ...(*Interruptions*)... That needs to be done immediately. ...(*Interruptions*)...

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

श्री नज़ीर अहमद लवाय: आपने वहां क्या किया? ...(*व्यवधान*)...

†جناب نذیر احمد لوائے: آپ نے وہاں کیا کیا؟ ---(*مداخلت*)---

MR. DEPUTY CHAIRMAN: Mr. Nazir Ahmed Laway, please sit down. All of you sit down ...(*Interruptions*)...

श्री नजीर अहमद लवाय: क्या किया था आप लोगों ने? ... (व्यवधान)...

†جناب نذیر احمد لوائے: کیا کیا تھا آپ لوگوں نے؟ --- (مداخلت)---

MR. DEPUTY CHAIRMAN: All of you, please listen. The Kashmir issue is not an issue to fight and score political points. It is an issue about which all of us are concerned, and it is to be solved with the cooperation of all the people. I tell you, we all understand the feelings of the people of Kashmir. So, don't get angry. All of them have given notice under Rule 267. So, I have to allow them. Let me listen to them. This is only a discussion. After that, if you have to say anything, I will allow you. Now, please sit down.

प्रो. राम गोपाल यादव (उत्तर प्रदेश): श्रीमन्, कल ही यह लगभग तय हो गया था कि कश्मीर के मसले पर चर्चा होगी, क्योंकि यह इतना ज्वलंत सवाल है। हम जनता के प्रति उत्तरदायी हैं, पूरा देश देख रहा है कि कश्मीर जल रहा है, तो लोग हम लोगों से भी तो यह पूछ सकते हैं कि आप पार्लियामेंट में बैठे हुए क्या कर रहे हैं, आपने क्या किया? जब हम discussion करना चाहते हैं, सरकार से कहते हैं कि वहां delegation भेजिए, कोई कदम उठाया जाए, ताकि जनता को लगे तो कि पार्लियामेंट भी इस पर सचेत है। देश का एक हिस्सा जल रहा है। अगर शरीर का कोई अंग चोटिल होता है, तो पूरे शरीर को कष्ट होता है। ऐसा नहीं कि सिर्फ वहीं दर्द हो, पूरा शरीर उससे दुखता है। सारा देश चिन्तित है और हम यहां बैठे रहें, इस पर चर्चा भी न करें, यह अजीब बात है। अगर आज 2 बजे से इस पर चर्चा का आश्वासन नहीं मिलता है, तो मुझे नहीं लगता है कि ज़ीरो ऑवर वगैरह की कोई कार्यवाही हो सकती है। इसलिए गवर्नमेंट खड़ी हो और बताए कि वह क्या करने जा रही है, वह delegation भेज रही है कि नहीं और इस पर और कोई कदम उठा रही है या नहीं?

सुश्री मायावती (उत्तर प्रदेश): माननीय उपसभापति जी, जम्मू-कश्मीर में पिछले काफी लंबे समय से लगातार कर्फ्यू लगने की वजह से हालात काफी ज्यादा खराब हैं और वहां के लोगों का जीवन काफी अस्त-व्यस्त हो रहा है। ऐसी स्थिति में हमारी पार्टी यह चाहेगी कि इस मुद्दे पर हाउस के अन्दर सभी कार्यों को रोक कर चर्चा होनी चाहिए और चर्चा के दौरान हमारी पार्टी यह भी चाहेगी कि यह अच्छा होगा कि माननीय प्रधान मंत्री जी यहां हाउस में मौजूद रहें और चर्चा का जवाब माननीय प्रधान मंत्री जी खुद दें। इतना ही नहीं, माननीय उपसभापति जी, मैं इसके साथ-साथ यह भी कहना चाहती हूँ कि अभी हाल ही में दो साल के बाद दलित उत्पीड़न के मामले में माननीय प्रधान मंत्री जी ने, जबकि इस समय पार्लियामेंट का सेशन चल रहा है, तो पार्लियामेंट के सेशन के दौरान हाउस के बाहर जाकर उन्होंने जो कुछ बोला है, यदि वही बात वे हाउस के अन्दर, पार्लियामेंट के अन्दर, लोक सभा और राज्य सभा के अन्दर बोलते, तो मैं समझती हूँ कि यह ज्यादा अच्छा होता। उन्होंने यह बात पार्लियामेंट के सेशन के चलने के दौरान यहां न बोल कर पार्लियामेंट के बाहर बोली है, इससे उनकी दलितों के मामले में जो सोच है, जो उनकी नीति है, वह \* पूरी तरह से राजनीति से प्रेरित नजर आती है। पूरे देश के अन्दर कभी दलितों के साथ जुल्म-ज्यादती हो रही है, कभी अन्य वर्ग के लोगों के साथ जुल्म ज्यादाती हो रही है।

† Transliteration in Urdu script.

\*Expunged as ordered by the Chair.

**श्री उपसभापति:** अभी सब्जेक्ट यह नहीं है। अभी दूसरा सब्जेक्ट है।

**सुश्री मायावती:** देश का जम्मू-कश्मीर एक महत्वपूर्ण हिस्सा है, उसकी तरफ सरकार ध्यान नहीं दे रही है। बड़े दुख के साथ कहना पड़ता है। ...**(व्यवधान)**...

**श्री उपसभापति:** वह दूसरा सब्जेक्ट है। You come to the issue of Kashmir. ...**(Interruptions)**... No, please.

**सुश्री मायावती:** हम नेता सदन से चाहेंगे कि इस मामले के ऊपर भी बहस होनी चाहिए और सरकार को इसका जवाब देना चाहिए।

MR. DEPUTY CHAIRMAN: Mr. Roy, you speak on this Kashmir issue.

SHRI SUKHENDU SEKHAR ROY (West Bengal): Sir, a few weeks back when this matter cropped up, when some Members, including the LoP, took up the issue on the floor of this House, our party leader Shri Derek O'Brien categorically stated that due to mismanagement on the part of the Government, the situation had gone out of control. Now, it has been proved beyond doubt that the situation is still alarming. Yesterday, when the matter was again raised by the LoP and other hon. Members, the Government categorically assured this House that the matter would be discussed today. 'The Government is ready for a discussion', these were the exact words uttered by the hon. Minister of State for Parliamentary Affairs.

MR. DEPUTY CHAIRMAN: No, no; it is not like that. There is a slight difference.

SHRI SUKHENDU SEKHAR ROY: He said, 'The Government is ready for a discussion'.

MR. DEPUTY CHAIRMAN: I want to correct it as there is a slight difference. ...**(Interruptions)**... Okay, after you.

SHRI SUKHENDU SEKHAR ROY: Now, since, as many as ten political parties have given notice under Rule 267, I think that it would be wise for the Government to agree for a discussion today itself, say, by 2'o clock. Thank you, Sir.

MR. DEPUTY CHAIRMAN: Now, I want to slightly correct you because the position is like this. Yesterday, many of hon. Members demanded that there should be a discussion yesterday itself, and I remember, lastly, Shri Sharad Yadav was saying 'अभी डिस्कशन हो'। Then, hon. Minister, Shri Naqvi stood up and said, "The Government is ready for a discussion". He didn't say 'yesterday' or 'today'. Then, from the Chair, I said, "Discussion should be as early as possible and, if possible, and, I said, at least, by tomorrow". That was my observation.

SHRI SUKHENDU SEKHAR ROY: You said, "by tomorrow".

MR. DEPUTY CHAIRMAN: 'By tomorrow' means today. I said yesterday, 'tomorrow', which means today. So, that was my view; I don't say it was a direction because I used the word 'at least', so that the Government can try its best to have a discussion today. Therefore, I would like to know what the present position of the Government in this regard is.

SHRI SITARAM YECHURY: Sir, our notice has been prompted by your suggestion.

MR. DEPUTY CHAIRMAN: Yes, correctly. I agree with it. I own that.

SHRI SITARAM YECHURY: So, you are the source as to why we have given the notice.

MR. DEPUTY CHAIRMAN: Yes, I own that.

SHRI SITARAM YECHURY : Sir, please ensure it.

MR. DEPUTY CHAIRMAN: But I have to be correct with the fact, and that is all what I said. So, Naqviji, what is the position now? Naqviji, I will give you a suggestion that if you are agreeing for a discussion, we can have it at 2.00 p.m.

**अल्पसंख्यक कार्य मंत्रालय के राज्य मंत्री तथा संसदीय कार्य मंत्रालय में राज्य मंत्री (श्री मुख्तार अब्बास नकवी):** सर, कल भी इस बारे में चर्चा हुई थी और माननीय नेता विरोधी दल, येचुरी जी और सभी वरिष्ठ नेताओं ने इस बात को कहा था। हमने यह कहा था कि कश्मीर में शांति हो, अमन हो और कश्मीर प्रगति की मुख्य धारा में तेजी से शामिल हो रहा है, उसमें किसी तरह की रूकावट न हो, हम सब यह चाहते हैं। हम इस विषय पर एक बार चर्चा कर चुके हैं, इसी सत्र में कर चुके हैं और मैंने हवाला भी दिया था कि रूल 169 के तहत, क्योंकि एक सत्र में एक चर्चा हो जाती है तो दुबारा नहीं होती, लेकिन सदन की भावनाओं और सदन के नेताओं के इसमें जो विचार हैं, वह हमारी प्राथमिकता है। हमने यह भी कहा था कि हम इस पर चर्चा के लिए तैयार हैं, एक-दो दिन में हम ऑनरेबल होम मिनिस्टर साहब से बात करेंगे। ...**(व्यवधान)**... ऑनरेबल होम मिनिस्टर से एक-दो दिन में हम चर्चा करेंगे। अभी हमने बात ...**(व्यवधान)**...

**श्री उपसभापति:** अभी का आप सुनिए। ...**(व्यवधान)**... सुनिए, सुनिए।

**श्री मुख्तार अब्बास नकवी:** हम जवाब दे दें, तो आप संतुष्ट होंगे। हमने अभी ऑनरेबल होम मिनिस्टर साहब से, चूंकि अभी लोक सभा में क्वेश्चन ऑवर चल रहा है, उनसे जानकारी ली, तो वे कल की चर्चा के लिए तैयार हैं और आप कल चर्चा कर लें। ...**(व्यवधान)**...

**श्री सत्यव्रत चतुर्वेदी (मध्य प्रदेश):** नहीं, नहीं। ...**(व्यवधान)**...

**श्री नरेश अग्रवाल:** माननीय उपसभापति जी, आप नियम 267 देख लीजिए। अगर आप नियम 267 में इसे एक्सेप्ट कर रहे हैं, तो नियम 267 का मतलब है कि अभी सदन की सारी कार्यवाही रोक कर इसको शुरू किया जाए। अब नियम 267 में कल के लिए कैसे हो जाएगा? ...**(व्यवधान)**... वह कैसे हो सकता है? इसको तो अभी शुरू करना पड़ेगा। ...**(व्यवधान)**...

SHRI SITARAM YECHURY: Sir, what he has said is correct but the Minister said, “एक-दो दिन” ।

MR. DEPUTY CHAIRMAN: He has said ‘tomorrow’. He said, ‘positively tomorrow’.

SHRI SITARAM YECHURY: No, Sir, He said just now, “एक-दो दिन”. Yesterday, it was ‘एक दिन’; today, he says, “एक-दो दिन”. तो यह दो दिन में करिए। Now, why postpone it to tomorrow? Sir, every day, it is getting postponed. I don’t understand why

SHRI SATYAVRAT CHATURVEDI: Sir, we need to discuss this issue today. *...(Interruptions)...* The House is unanimous on this issue. *...(Interruptions)...*

SHRI SITARAM YECHURY: Unfortunately, there will be more people dying; more innocent people are being killed. Why do you want to prolong this? This is an agony for the whole country. *...(Interruptions)...*

MR. DEPUTY CHAIRMAN: But, Yechuryji, he has to talk to the Home Minister. The Home Minister should be available here. So, we have to seek the convenience of the Home Minister also. *...(Interruptions)...*

SHRI SATYAVRAT CHATURVEDI: Sir, let the Prime Minister be here.

MR. DEPUTY CHAIRMAN: Understand the practical problem. *...(Interruptions)...* Now, listen. Understand the practical problem. See, I know Rule 267. Yes, the Rule can be suspended, and we can start the discussion. *...(Interruptions)...* But can you have a discussion on this subject without the concerned Minister here? I understand and appreciate the feelings of all Members. I also concede that it is a very, very serious matter to be taken up as quickly as possible. But the Chair cannot allow a discussion to be started when the concerned Minister is not here. Therefore, I am directing the Parliamentary Affairs Minister to contact the Home Minister and find out his availability; if possible for today, or, at least, for tomorrow. *...(Interruptions)...*

SHRI SATYAVRAT CHATURVEDI: No, no. *...(Interruptions)...*

SHRI MUKHTAR ABBAS NAQVI: Sir, I will convey it to the hon. Home Minister. *...(Interruptions)...* He is ready for tomorrow. *...(Interruptions)...*

श्री गुलाम नबी आजाद: सर, आज दो बजे डिस्कशन क्यों नहीं हो सकता है?

† جناب غلام نبی آزاد: سر، آج دو بجے ڈسکشن کیوں نہیں ہو سکتا ہے؟

MR. DEPUTY CHAIRMAN: Tomorrow is okay. *...(Interruptions)...*

SHRI TAPAN KUMAR SEN (West Bengal): Sir, tomorrow, there is a very important Short Duration Discussion. ...(Interruptions)... There is a difficulty in having it tomorrow. ...(Interruptions)... Today is the ideal day to discuss it.

श्री मुख्तार अब्बास नक़वी: सर, मैंने कल कहा था कि इस पर कल या परसों, जब भी appropriate समय मिलेगा, हम चर्चा के लिए तैयार हैं। ...(व्यवधान)... यह रिकॉर्ड पर है। हमने कहा था कि मैं होम मिनिस्टर साहब से बात करूंगा, इस पर कल या परसों जब भी appropriate समय मिलेगा, हम चर्चा के लिए तैयार हैं। ...(व्यवधान)... वैसे हम कश्मीर पर चर्चा कर चुके हैं। ऑनरेबल लीडर ऑफ द हाउस ने उसमें intervene किया था और होम मिनिस्टर साहब ने उस पर रिप्लाई दिया था। उसके बावजूद भी, अगर सदन चाहता है, तो हम चर्चा के लिए तैयार हैं। हम होम मिनिस्टर साहब से बात करेंगे, कल या परसों उस पर चर्चा हो जाएगी। ...(व्यवधान)... This is on record. ...(Interruptions)... This is what I stated here. This is in the record.

MR. DEPUTY CHAIRMAN: He was reading out what he said yesterday. ...(Interruptions)...

श्री मुख्तार अब्बास नक़वी: मैं कोई हवा में नहीं बोल रहा हूँ। ...(व्यवधान)...

MR. DEPUTY CHAIRMAN: He was reading out what he said yesterday.

श्री सत्यव्रत चतुर्वेदी: उसके बाद चेयर का डायरेक्शन आया है कि कल चर्चा होगी। ...(व्यवधान)... आप उसके आगे पढ़ लीजिए। ...(व्यवधान)...

SHRI MUKHTAR ABBAS NAQVI: No direction came from the Chair. ...(Interruptions)...

श्री नरेश अग्रवाल: माननीय उपसभापति महोदय, कल नई शिक्षा नीति पर डिस्कशन लगा है। यह बहुत important matter है। जो नई शिक्षा नीति बन कर आ रही है, उस पर कल डिस्कशन लगा है। अगर आप कल कश्मीर पर डिस्कशन लगा देंगे, तो नई शिक्षा नीति पर डिस्कशन कब होगा? ...(व्यवधान)...

MR. DEPUTY CHAIRMAN: Nareshji, without the presence of the Home Minister here, what is the use of having a discussion? ...(Interruptions)...

SHRI NARESH AGRAWAL: Sir, you call the Home Minister. ...(Interruptions)...

SHRI T. K. RANGARAJAN (Tamil Nadu): Sir, the Leader of the House is here. ...(Interruptions)...

MR. DEPUTY CHAIRMAN: Naqviji, you are saying that the Home Minister will be available tomorrow. ...(Interruptions)... Yes, they can agree for that.

SHRI TAPAN KUMAR SEN: Sir, you take it at 2.00 p.m. today. ...(Interruptions)...

SHRI MUKHTAR ABBAS NAQVI: Sir, you fix the date.

**श्री प्रमोद तिवारी** (उत्तर प्रदेश): सर, लोक सभा में क्वेश्चन ऑवर 11 बजे से 12 बजे तक होता है, 12 बजे क्वेश्चन ऑवर खत्म हो जाएगा और आपने इस चेयर से कहा था कि कल इस पर चर्चा होगी। जब हिन्दुस्तान जल रहा है, कश्मीर जल रहा है, तो सरकार चर्चा से क्यों भाग रही है? ...(व्यवधान)...

MR. DEPUTY CHAIRMAN: That is all correct.

**श्री प्रमोद तिवारी**: सरकार क्यों चाहती है कि कश्मीर जलता रहे? ...(व्यवधान)... विपक्ष चाहता है कि मदद करे, इस समस्या का समाधान हो। ...(व्यवधान)...

**श्री उपसभापति**: कृपया बैठिए, बैठिए। ...(व्यवधान)... Tiwariji, listen. It is not like that. ...(Interruptions)... Please sit down. It is a very serious subject. We should see the practical problem also. Let me say this. If the Home Minister cannot come today... ...(Interruptions)...

**श्री अली अनवर अंसारी** (बिहार): सर, प्रधान मंत्री जी यहां रहें ...(व्यवधान)... इतने अहम सवाल पर वे नहीं रहेंगे, नहीं जवाब देंगे, तो किस विषय पर जवाब देंगे? ...(व्यवधान)...

**श्री उपसभापति**: अंसारी जी, कृपया आप सुनिए। ...(व्यवधान)...

**श्री सत्यव्रत चतुर्वेदी**: सर, आपने कल कह दिया था कि आज इस पर चर्चा होगी, तो होम मिनिस्टर को आज तैयार रहना चाहिए। ...(व्यवधान)...

**श्री उपसभापति**: कृपया आप सुनिए। ...(व्यवधान)...

**श्री सत्यव्रत चतुर्वेदी**: सर, इसमें उनके बाहर होने का कोई मतलब ही नहीं है। अगर किसी वजह से होम मिनिस्टर नहीं आ सकते हैं, तो प्रधान मंत्री जी तो आ सकते हैं। ...(व्यवधान)...

**श्री उपसभापति**: कृपया आप बैठिए। ...(व्यवधान)...

**श्री सत्यव्रत चतुर्वेदी**: सर, प्रधान मंत्री जी को आना चाहिए। ...(व्यवधान)...

MR. DEPUTY CHAIRMAN: That is all. You can demand anything. But the question is, the Home Minister is also an individual like each one of us. So, naturally, if he says, "He can come only tomorrow", why not we agree to that? Nothing will happen in one day. ...(Interruptions)... We will agree for tomorrow.

**श्री अली अनवर अंसारी**: इससे बड़ा क्या engagement हो सकता है? ...(व्यवधान)...

**श्री नरेश अग्रवाल**: सर, कल एजुकेशन पॉलिसी पर चर्चा होनी है। ...(व्यवधान)...

MR. DEPUTY CHAIRMAN: At what time tomorrow, Shri Naqvi?

SHRI MUKHTAR ABBAS NAQVI: Sir, tomorrow at 2.00 p.m. ...(Interruptions)...

SHRI NARESH AGRAWAL: Sir, what about Education Policy? ...(Interruptions)...

**श्री मुख्तार अब्बास नकवी**: सर, आप डिसाइड करिए। ...(व्यवधान)... You decide.



SHRI SATYAVRAT CHATURVEDI: Why tomorrow, Sir? ...*(Interruptions)*...

SHRI SITARAM YECHURY: Sir, why delay it?

MR. DEPUTY CHAIRMAN: What can I do?

SHRI SITARAM YECHURY: No; please understand.

MR. DEPUTY CHAIRMAN: Can I bring the Home Minister here? What are you talking?

SHRI SITARAM YECHURY: Sir, I appeal to you. Please understand. By every day's delay, we are losing innocent lives of our youth in Kashmir. Every day you delay. This is not a normal thing when we say, "What will happens? We can do it tomorrow," But this is an abnormal situation. We are losing lives every day. Is that what we are all supposed to preside over? Is that our job in the Parliament? Sir, please consider the human angle. Therefore, you urge the Minister...

MR. DEPUTY CHAIRMAN: What can I do? I said, "The Chair has no problem in allowing the discussion." All that I am saying is, "When the discussion takes place, the Home Minister should also be there", and the Minister is saying that the Home Minister is available tomorrow. That is the point. ...*(Interruptions)*...

SHRI SITARAM YECHURY: Sir, why are we delaying it? ...*(Interruptions)*... Sir, every day it is postponed.

श्री अली अनवर अंसारी: सर, वहां की चीफ मिनिस्टर होम मिनिस्टर से मिली हैं। ...*(व्यवधान)*... होम मिनिस्टर भी उनको रिपोर्ट करते हैं। ...*(व्यवधान)*... इससे अहम सवाल और क्या हो सकता है? ...*(व्यवधान)*...

SHRI SITARAM YECHURY: Let him come. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: Let the Minister tell us. Is it possible for him to... ...*(Interruptions)*...

SHRI MUKHTAR ABBAS NAQVI: Yes, Sir, tomorrow. Tomorrow, that is, Wednesday, at 2 p.m.

MR. DEPUTY CHAIRMAN: The discussion on Education Policy can be taken up the next day.

SHRI MUKHTAR ABBAS NAQVI: Yes, Sir.

श्री उपसभापति: नेक्स्ट डे एजुकेशन पर चर्चा हो जाएगी। ...*(व्यवधान)*...

श्री सत्यव्रत चतुर्वेदी: उपसभापति जी ...*(व्यवधान)*... सर, एक मिनट ...*(व्यवधान)*...

MR. DEPUTY CHAIRMAN: On Thursday, we will have the discussion on Education Policy. Let us be practical.

SHRI SITARAM YECHURY: On Thursday, Sir?

MR. DEPUTY CHAIRMAN: Yes. Let us be practical. You understand that.

SHRI SATYAVRAT CHATURVEDI: Sir,...

MR. DEPUTY CHAIRMAN: You were also on this side. You know it.

**श्री सत्यव्रत चतुर्वेदी:** सर, आज कश्मीर में जो हालात हैं, वे बहुत खराब हैं। ...**(व्यवधान)**...

**श्री उपसभापति:** मुझे मालूम है, मुझे मालूम है। ...**(व्यवधान)**... मैं भी अखबार पढ़ता हूँ। मुझे भी मालूम है। ...**(व्यवधान)**... I also know these things. ...**(Interruptions)**... Please sit down. Nareshji, please sit down. ...**(Interruptions)**... Yechuryji, the discussion will be taken up tomorrow. The point is, you are very right in demanding an immediate discussion, but the Government should also tell us about the time of the discussion. Government has said, 'tomorrow'. The Chair has to consider both sides. So, the Chair accepted the view and agreed to the suggestions that the discussion would be taken up tomorrow at 2.00 p. m., and the discussion on the Education policy will be taken up the next day.

SHRI T. K. RANGARAJAN: Sir, I have a point of order.

**श्री सत्यव्रत चतुर्वेदी:** इससे ज्यादा चिंता का और क्या विषय हो सकता है? ...**(व्यवधान)**... सारे कामों को छोड़कर इस मुद्दे पर चर्चा क्यों नहीं कर सकते हैं? ...**(व्यवधान)**...

**श्री नरेश अग्रवाल:** सर, मेरा एक प्वाइंट ऑफ ऑर्डर है। ...**(व्यवधान)**...

MR. DEPUTY CHAIRMAN: Yes.

**श्री नरेश अग्रवाल:** सर, मेरा प्वाइंट ऑफ ऑर्डर है। ...**(व्यवधान)**...मेरा प्वाइंट ऑफ ऑर्डर यह है कि यहां पर यह तय हुआ है कि वीक में दो कालिंग अटेंशन लेंगे, एक शॉर्ट ड्युरेशन डिस्कशन लेंगे। आप देखिए कि बृहस्पतिवार को शॉर्ट ड्युरेशन डिस्कशन लगा हुआ है। ...**(व्यवधान)**...

**श्री उपसभापति:** हम करेंगे। ...**(व्यवधान)**... Don't worry. Nareshji,...

**श्री नरेश अग्रवाल:** सर, उसके बाद एजुकेशन पॉलिसी पर चर्चा करनी है। दोनों पर कैसे चर्चा हो सकती है? यह तो सरकार टालने वाली बात कर रही है। ...**(व्यवधान)**...

**श्री उपसभापति:** सुनिए, the House is supreme, and we can take any decision. We can decide; don't worry. ...**(Interruptions)**...

SHRIMATI VIPLOVE THAKUR (Himachal Pradesh): Sir, here, the House is not supreme, they are supreme. ...**(Interruptions)**... Sir, the House may be supreme, but they are not taking it seriously. ...**(Interruptions)**...

MR. DEPUTY CHAIRMAN: We will sit with the hon. Chairman...

श्री नरेश अग्रवाल: सर, रूल 267 में आप हाउस की राय ले लीजिए। ...(व्यवधान)... आप हाउस का ओपिनियन ले लीजिए। ...(व्यवधान)... आप हाउस का ओपिनियन ले लीजिए। ...(व्यवधान)...

श्री उपसभापति: आप सुनिए ...(व्यवधान)... हाउस का ओपिनियन ले लिया ...(व्यवधान)... इसलिए मैंने बोला कि कल दोपहर 2.00 बजे इस पर चर्चा हो जाएगी। ...(व्यवधान)...

श्री नरेश अग्रवाल: आपने उधर का ओपिनियन लिया है, आपने हाउस का ओपिनियन नहीं लिया है। ...(व्यवधान)... आप रूल 267 में हाउस का ओपिनियन ले लीजिए। ...(व्यवधान)...

MR. DEPUTY CHAIRMAN: I know what it is. ...(Interruptions)...

श्री सत्यव्रत चतुर्वेदी: उपसभापति जी ...(व्यवधान)...

SHRI T. K. RANGARAJAN: Sir, I have a point of order. ...(Interruptions)...

श्री मीर मोहम्मद फैयाज (जम्मू और कश्मीर): ऑनरेबल डिप्टी चेयरमैन सर ...(व्यवधान)...

---(مداخلت)--- جناب میر محمد فیاض: آنریبل ڈپٹی چیئرمین سر

MR. DEPUTY CHAIRMAN: I have promised Shri Mir Mohammad Fayaz and I will allow him to speak. ...(Interruptions)... Do you want to say something, Mir Mohammad Fayaz?

SHRI MIR MOHAMMAD FAYAZ: Yes, Sir. ...(Interruptions)...

MR. DEPUTY CHAIRMAN: I have already announced my decision that the discussion will be taken up tomorrow at 2.00 p.m. ...(Interruptions)... What do I do? How can it be today? ...(Interruptions)... Do you want a discussion without the Home Minister? ...(Interruptions)... I would crave the indulgence of the hon. Leader of the Opposition. ...(Interruptions)... You were also Minister. ...(Interruptions)... I will allow you ...(Interruptions)... I will come back to you. ...(Interruptions)... No, no. I am not allowing...(Interruptions)... You were also Minister. You were in the Government ...(Interruptions)... Can the Chair announce and start discussion when the concerned Minister is not available? You tell me, Shri Ghulam Nabi Azad ...(Interruptions)... Can I do that? ...(Interruptions)...

श्री सत्यव्रत चतुर्वेदी: कल आपने जो निर्देश दिया .....(व्यवधान)...

MR. DEPUTY CHAIRMAN: I know ...(Interruptions)... I said, 'at least, by tomorrow.' The word, 'at least' is there. I am sure ...(Interruptions)... I said, 'at least, by tomorrow.' ...(Interruptions)...

SHRI SATYAVRAT CHATURVEDI: No, Sir. This is not correct. ...(Interruptions)... Let me correct ...(Interruptions)...

MR. DEPUTY CHAIRMAN: Please, sit down...(Interruptions)...

श्री सत्यव्रत चतुर्वेदी: आपने कल कहा था। ...(व्यवधान)... उसके बाद शरद यादव जी ने कहा, "उपसभापति जी, मैं इस पर और ज्यादा कुछ नहीं कहना चाहता। दो-तीन माननीय सदस्यों ने कहा है।" इतना कहते हुए उनका व्यवधान हो गया। उसके बाद उपसभापति ने कहा, "कल discussion होगा।" यह प्रोसिडिंग्स में है। ...(व्यवधान)... आपका कहना है कि कल discussion होगा। ...(व्यवधान)...

श्री भूपेंद्र यादव (राजस्थान): कल discussion होगा। ...(व्यवधान)...

MR. DEPUTY CHAIRMAN: Oh! You see; I understood ...(Interruptions)... Chaturvediji, that is the problem when people like me starts speaking in Hindi ...(Interruptions)...

SHRI SATYAVRAT CHATURVEDI: No, no. You speak good Hindi ...(Interruptions)... आप अच्छी हिन्दी बोल लेते हैं। ...(व्यवधान)...

श्री उपसभापति: गुलाम नबी जी। ...(व्यवधान)...

श्री गुलाम नबी आज़ाद: सर, ...(व्यवधान)...

† جناب غلام نبی آزاد: سر --- (مداخلت) ---

SHRI T. K. RANGARAJAN: Sir, I am on a point of order ...(Interruptions)...

श्री उपसभापति: प्वाइंट ऑफ ऑर्डर? अच्छा सुनिए, प्वाइंट ऑफ ऑर्डर। I will allow you after this ...(Interruptions)... Are you on a point of order? ...(Interruptions)... Let us hear him first.

SHRI T. K. RANGARAJAN : Mr. Deputy Chairman, Sir, several times in the House, when we pointed out that the Minister concerned is not there, you had said that the Cabinet is a collective responsibility and there are other Ministers. Now, the hon. Leader of the House is here. The Minister of Defence is here. The Minister of Law and Justice is here. The Minister of Commerce and Industry is here. Why don't you permit the discussion? ...(Interruptions)... What is wrong in it? ...(Interruptions)... You cannot deviate from your words...(Interruptions)... I expect you to keep your words...(Interruptions)...

श्री मुख्तार अब्बास नक़वी: आप बिना होम मिनिस्टर के चर्चा करने के लिए तैयार हैं, तो चर्चा करिए। ...(Interruptions)...

MR. DEPUTY CHAIRMAN: I will allow you. I told you. Sit down. ...(Interruptions)... I don't want to make this discussion a *naam-ke-waste* discussion.

SHRI T. K. RANGARAJAN: No, no. Sir, hon. Leader of the House is not name-ke-waste ...(Interruptions)...

MR. DEPUTY CHAIRMAN: Listen. For discussion, I myself want the Home Minister to be here ...(Interruptions)... What is the point in having Minister of Defence or Minister of Communications or Minister of Civil Aviation? Will they give reply to this debate? ...(Interruptions)... No, no. I ruled out the point of order ...(Interruptions)...

SHRI T. K. RANGARAJAN: Sir, we can have it now ...(Interruptions)...

**श्री उपसभापति:** गुलाम नबी जी, आप इसको सॉल्व करिए।

**श्री गुलाम नबी आजाद:** सर, विपक्ष के जितने नेता हैं और दल हैं, मैं उनको बहुत बधाई देता हूँ कि ये तमाम लोग कश्मीर की पीड़ा को समझते हैं, वहाँ के लोगों और वहाँ की फोर्सज़ के दुख और दर्द को समझते हैं। इसलिए ये सब और हम सब जो विपक्ष में बैठे हैं, ...(व्यवधान)...

†قائد حزب اختلاف (جناب غلام نبی آزاد): سر، وپکش کے جتنے نیتا ہیں اور دل ہیں، میں ان کو بہت بدھائی دیتا ہوں کہ یہ تمام لوگ کشمیر کی پیڑا کو سمجھتے ہیں، وہاں کے لوگوں اور وہاں کی فورسز کے دکھ اور درد کو سمجھتے ہیں۔ اس لیے یہ سب اور ہم سب جو وپکش میں بیٹھے ہیں۔۔۔(مداخلت)۔۔۔

**श्री नरेश गुजराल** (पंजाब): क्या यह सारा दर्द आप लोग ही समझते हो, हम नहीं समझते? ...(व्यवधान)... हम भी समझते हैं। ...(व्यवधान)...

**श्री गुलाम नबी आजाद:** उस पीड़ा में तो आप शामिल ही नहीं हो रहे हैं। उसी पीड़ा में शामिल करने के लिए हम तीन दिन से चर्चा कर रहे हैं, लेकिन आप शामिल नहीं होना चाहते हैं। ...(व्यवधान)... हमने शुरू से ही कहा था कि चर्चा करें और मिलकर ...(व्यवधान)... आप सुनते नहीं हैं। हमने कहा था कि चर्चा करके और सब मिलकर अपनी भावनाएं प्रकट करें, लेकिन आप वह मानते नहीं हैं, इसलिए मुझे मजबूरन आधे हाउस को कहना पड़ता है। हम आपको जो बनाना चाहते हैं, आप उसका हिस्सा नहीं बनना चाहते हैं। हम सब आपको उसका हिस्सा बनाना चाहते हैं, लेकिन आप खुद नहीं बनना चाहते हैं। मेरी यह गुजारिश है, यह ठीक है कि यह तय हुआ था कि आज discussion होना चाहिए, लेकिन हमारे साथियों ने कहा कि गृह मंत्री के बगैर नहीं हो सकता, क्योंकि कश्मीर कॉम्प्लेक्स इश्यू है। जो प्राइम मिनिस्टर और गृह मंत्री को इंटरनल सिक्योरिटी के बारे में मालूम होगा, वह जानकारी दूसरे किसी मिनिस्टर को नहीं हो सकती है। जब हम चर्चा करते हैं, तो उसमें follow-up action भी होगा। तो follow-up action तो केंद्रीय सरकार की तरफ से गृह मंत्री ही करेंगे, दूसरा कोई मंत्री नहीं करेगा। यहां डिफेंस मिनिस्टर हैं, लॉ मिनिस्टर हैं, हम इनका आदर करते हैं, लेकिन जब यहां कोई भी चर्चा होगी तो उसके बाद उसे follow up करना न तो डिफेंस मिनिस्टर का काम है, न लॉ मिनिस्टर का काम है, न पार्लियामेंट्री अफेयर्स मिनिस्टर का काम है और न ही सिविल एंविश्न मिनिस्टर का काम है, वह तो होम मिनिस्टर ही करेंगे। मैं अपने इन सब साथियों की तरफ से गुजारिश कर सकता हूँ, क्योंकि हमने कल भी नोटिस दिया था और आज भी नोटिस दिया है कि क्वेश्चर ऑवर को

[श्री गुलाम नबी आज़ाद]

खत्म कर इस पर चर्चा होनी चाहिए, लेकिन वह कल भी संभव नहीं हो पाया और आज भी मुमकिन नहीं हो पाया। मैं गुज़ारिश करता हूँ कि अगर कल 11 बजे से ही इस पर चर्चा शुरू हो जाएगी तो ठीक होगा, क्योंकि 2 बजे के बाद हाज़िरी thin हो जाती है, स्पीकर्स कम रह जाते हैं, लोगों की मीटिंग्स होती हैं, स्टैंडिंग कमिटीज़ की मीटिंग्स होती हैं, उसमें लोग चले जाते हैं। यह एक ऐसा इश्यू है, जिसमें हम partisan attitude नहीं रखना चाहते हैं। चाहे विपक्षी पार्टीज़ हों या सरकार में शामिल पार्टीज़ हों, हम सब मिलकर इसका हल निकालने की कोशिश करेंगे। मैं नहीं समझता कि सरकार क्यों डर रही है? हम यहां मार-पीट तो नहीं कर रहे हैं! हम अपने शब्दों से ही इस पर बात कर रहे हैं और कश्मीर में जो हालात हैं, उनका हल अपनी-अपनी तरफ से निकालने का प्रयास करने के लिए जमा हो रहे हैं, तो इसमें लड़ाई कहां है? अगर यह कल सुबह 11 बजे शुरू हो जाएगा, तो बहुत अच्छा होगा। उससे गम्भीरता भी लगेगी कि वाकई क्वेश्चन ऑवर — यह ठीक है, मैं चेयर का आदर करता हूँ, माननीय चेयरमैन साहब का भी आदर करता हूँ कि वे कहते हैं कि क्वेश्चर ऑवर कैंसल नहीं होना चाहिए, लेकिन अगर क्वेश्चर ऑवर कभी भी कैंसल नहीं होगा तो फिर रूल 267 ही हमें निकाल देना पड़ेगा, फिर इस रूल की तो कोई जरूरत ही नहीं है! रूल 267 इसीलिए बना है कि जब कोई बहुत जरूरी चीज़ हो, तो उस वक्त इस रूल का इस्तेमाल करना चाहिए। मैं समझता हूँ कि यह एक नेशनल इश्यू है और इसके लिए हमें ज़ीरो ऑवर को खत्म करके कल 11 बजे से इस पर बहस करनी चाहिए।

† جناب غلام نبی ا زاد: اس پیڑا میں تو آپ شامل ہی نہیں ہو رہے ہیں۔ اسی پیڑا میں شامل کرنے کے لیے ہم تین دن سے چرچہ کر رہے ہیں، لیکن آپ شامل نہیں ہونا چاہتے ہیں۔۔۔ (مداخلت)۔۔۔ ہم نے شروع سے ہی کہا تھا کہ چرچہ کریں اور ملکر۔۔۔ (مداخلت)۔۔۔ آپ سنتے نہیں ہیں۔ ہم نے کہا تھا کہ چرچہ کر کے اور سب ملکر اپنی بھاؤنائیں پرکٹ کریں، لیکن آپ وہ مانتے نہیں ہیں، اس لیے مجھے مجبور ا ا دھے ہاؤس کو کہنا پڑتا ہے۔ ہما آپ کو جو بنانا چاہتے ہیں، آپ اس کا حصہ نہیں بننا چاہتے ہیں۔ ہم سب آپ کو اس کا حصہ بنانا چاہتے ہیں، لیکن آپ خود نہیں بننا چاہتے۔ میری یہ گزارش ہے، یہ ٹھیک ہے کہ یہ طے ہوا تھا کہ آج ڈسکشن ہونا چاہیے، لیکن ہمارے ساتھیوں نے کہا کہ گرہ منتری کے بغیر نہیں ہو سکتا، کیوں کہ کشمیر کامپلیکس ایشو ہے۔ جو پرائم منسٹر اور گرہ منتری کو انٹرنل سیکورٹی کے بارے میں معلوم ہوگا، وہ جانکاری دوسرے کسی منسٹر کو نہیں ہوسکتی ہے۔

جب ہم چرچہ کرتے ہیں، تو اس میں follow-up action بھی ہوگا۔ تو follow-up action تو مرکزی سرکار کی طرف سے گرہ منتری ہی کریں گے، دوسرا کوئی منتری نہیں کریگا۔

یہاں ڈفینس منسٹر ہیں، لاء منسٹر ہیں، ہم ان کا آدر کرتے ہیں، لیکن جب یہاں کوئی بھی چرچا ہوگی تو اس کے بعد اسے فالو - آپ کرنا نہ تو ڈفینس منسٹر کا کام ہے، نہ

لاء منسٹر کا کام ہے، نہ پارلیمنٹری افیئرس منسٹر کا کام ہے اور نہ ہی سول ایوٹیشن منسٹر کا کام ہے، وہ تو ہم منسٹر ہی کریں گے۔ میں اپنے ان سب ساتھیوں کی طرف سے گزارش کر سکتا ہوں، کیوں کہ ہم نے کل بھی نوٹس دیا تھا اور آج بھی نوٹس دیا ہے کہ کوٹشچن آور کو ختم کر اس پر چرچا ہونی چاہئے، لیکن وہ کل بھی ممکن نہیں ہو پایا اور آج بھی ممکن نہیں ہو پایا۔ میں گزارش کرتا ہوں کہ اگر کل گیارہ بجے سے ہی اس پر چرچا شروع ہو جائے گی تو ٹھیک ہوگا، کیوں کہ دو ہو جاتی ہے، اسپیکرس بجے کے بعد حاضری thin کم رہ جاتے ہیں، لوگوں کی

میٹنگس ہوتی ہے، اسٹینڈنگ کمیٹیز کی میٹنگس ہوتی ہیں، اس میں لوگ چلے جاتے ہیں۔ یہ ایک ایسا ایشو ہے، جس میں ہم partisan attitude نہیں رکھنا چاہے ہیں۔ چاہے وپکشی پارٹیز ہوں یا سرکار میں شامل پارٹیز ہوں، ہم سب مل کر اس کا حل نکالنے کی کوشش کریں گے۔ میں نہیں سمجھتا کہ سرکار کیوں ڈر رہی ہے؟ ہم یہاں مار پیٹ تو نہیں کر رہے ہیں، ہم اپنے لفظوں سے ہی اس پر بات کر رہے ہیں اور کشمیر میں جو حالات ہیں، ان کا حل اپنی اپنی طرف سے نکالنے کا پریاس کرنے کے لئے جمع ہو رہے ہیں، تو اس میں لڑائی کہاں ہے؟ اگر یہ کل صبح گیارہ بجے شروع ہو جائے گا، تو بہت اچھا ہوگا۔ اس سے گمبھیرتا بھی لگے گی کہ واقعی کوٹشچن آور — یہ ٹھیک ہے، میں چیئر کا آدر کرتا ہوں، مان گئے چیئرمین صاحب کا بھی آدر کرتا ہوں کہ وہ کہتے ہیں کہ کوٹشچن آور کینسل نہیں ہونا چاہئے، لیکن اگر کوٹشچن آور کبھی بھی کینسل نہیں ہوگا تو پھر رول 267 ہی ہمیں نکال دینا پڑے گا، پھر اس رول کی تو کوئی ضرورت ہی نہیں ہے۔ رول 267 اسی لئے بنا ہے کہ جب کوئی بہت ضروری چیز ہو، تو اس وقت اس رول کا استعمال کرنا چاہئے، میں سمجھتا ہوں کہ یہ ایک نیشنل ایشو ہے اور اس کے لئے ہمیں زیرو آور کو ختم کر کے کل گیارہ بجے سے اس پر بحث کرنی چاہئے۔

**श्री मीर मोहम्मद फ़ैयाज:** डिप्टी चेयरमैन सर, मैं सभी पार्टीज़ का, जिन्होंने कश्मीर के बारे में चिंता जाहिर की ...**(व्यवधान)**...

†**جناب میر محمد فیاض:** ڈپٹی چیئرمین سر، میں سبھی پارٹیز کا، جنہوں نے کشمیر کے بارے میں چنتا ظاہر کی ---**(مداخلت)**---

**श्री उपसभापति:** कल डिस्कशन होगा। ...**(व्यवधान)**... That is why, I have allowed him. ...**(Interruptions)**...

**श्री मीर मोहम्मद फ़ैयाज:** इस पर सभी पार्टीज ने चिन्ता जाहिर की, उसके लिए मैं सभी पार्टीज का वेलकम करता हूँ। यहां कल भी एक-दो चीजें कही गईं, जो आज़ाद साहब ने कही और येचुरी साहब ने भी कही कि ऑल पार्टी मीटिंग बुलाई जाए और वहां पर एक ऑल पार्टी डेलिगेशन जाए। सर, मैं कहना चाहता हूँ कि जब वहां इससे पहले, चाहे वर्ष 2008 में हालात खराब हुए या वर्ष 2010 में हालात खराब हुए, ...(व्यवधान)... एक मिनट, ...(व्यवधान)... आप मुझे अपनी बात क्यों नहीं कहने देते? ...(व्यवधान)... मैं जम्मू-कश्मीर का हूँ, मुझे अपनी बात कहने दीजिए। ...(व्यवधान)...

†جناب میر محمد فیاض : اس پر سبھی پارٹیز نے چنتا ظاہر کی، اس کے لئے میں سبھی پارٹیز کا ویلکم کرتا ہوں۔ یہاں کل بھی ایک دو چیزیں کہی گئیں، جو آزاد صاحب نے کہی اور یچوری صاحب نے بھی کہی کہ آل پارٹی میٹنگ بلائی جائے اور وہاں پر ایک آل انڈیا ڈیلی گیشن جائے، سر، میں کہنا چاہتا ہوں کہ جب وہاں اس سے پہلے، چاہے سال 2008 میں حالات خراب ہوئے یا سال 2010 میں حالات خراب ہوئے --- (مداخلت) --- ایک منٹ، --- (مداخلت) --- آپ مجھے اپنی بات کیوں نہیں کہنے دیتے؟ --- (مداخلت) --- میں جموں کشمیر کا ہوں، مجھے اپنی بات کہنے دیجئے۔ --- (مداخلت) ---

MR. DEPUTY CHAIRMAN: Let him speak. ...(Interruptions)... I have allowed him. ...(Interruptions)... Let him speak. ...(Interruptions)... I have allowed him. ...(Interruptions)... सुनिए, I have allowed him. ...(Interruptions)... He is from Kashmir. I have allowed him to speak. ...(Interruptions)... All of you must listen to him. ...(Interruptions)... Please listen to him. ...(Interruptions)... ठीक है, बोलिए।

**मीर मोहम्मद फ़ैयाज:** सर, अगर यह चर्चा इसलिए है ...(व्यवधान)...

†جناب میر محمد فیاض : سر، اگر یہ چرچا اس لئے ہے --- (مداخلت) ---

MR. DEPUTY CHAIRMAN: This is very bad. ...(Interruptions)... I may tell you, this is very bad. ...(Interruptions)... Mr. Kalita, you are a Vice-Chairman. This is very bad. ...(Interruptions)... Please sit down. ...(Interruptions)...

**श्री मोहम्मद अली खान** (आंध्र प्रदेश): सर, वे बोलते जा रहे हैं। ...(व्यवधान)...

†جناب محمد علی خان : سر، وہ بولتے جا رہے ہیں --- (مداخلت) ---

MR. DEPUTY CHAIRMAN: Mr. Mohd. Ali Khan, you please sit down. ...(Interruptions)... You always do this. I don't like it. You sit down. ...(Interruptions)... Mr. Khan, what are you doing? ...(Interruptions)... You should, at least, have semblance of democracy. ...(Interruptions)... If you are sincere, you should listen to him also. ...(Interruptions)...



श्री मीर मोहम्मद फ़ैयाज: आप लोग मुझे बोलने तो दीजिए। ... (व्यवधान)...

†جناب میر محمد فیاض: آپ لوگ مجھے بولنے تو دیجئے --- (مداخلت)---

MR. DEPUTY CHAIRMAN: You should listen to him also. ... (Interruptions)... And, why are you making a noise? ... (Interruptions)... You should listen to him also. I have allowed him because he is from Kashmir. ... (Interruptions)... I want to hear him. ... (Interruptions)... Mr. Rangarajan and Mr. Mohd. Ali Khan, I am warning you. ... (Interruptions)... You always do like this. ... (Interruptions)... This is very bad. ... (Interruptions)... When I have allowed everybody, why not him. ... (Interruptions)... Yes, after him, the hon. Home Minister will speak.

श्री मीर मोहम्मद फ़ैयाज: सर, उसके लिए मैं सभी पार्टीज़ का वेलकम करता हूँ। मैं एक ही चीज़ चाहता हूँ। सर, यहां पर अभी यह बात हुई कि इस पर आज ही डिस्कशन हो, लेकिन अगर होम मिनिस्टर साहब यहां न हों, तो उसका कोई मतलब नहीं होता है। सर, वहां लोग देख रहे हैं कि आज इस पार्लियामेंट में क्या होने वाला है? पिछले दो दिनों से मीडिया में यह आ रहा है कि कश्मीर के लोगों के लिए चर्चा होगी। वे देख रहे हैं कि आज यहां क्या होगा, क्योंकि हम यहां जो बात करेंगे, उसका कोई निचोड़ नहीं निकलेगा। पिछले 10 सालों में जब इनकी सरकार थी, तब वहां ऑल पार्टी डेलिगेशन गया, interlocutors गए, वर्किंग ग्रुप की जो सिफारिश थी, उसको न तो पार्लियामेंट में लाया गया और न ही उस पर कोई बात हुई। आज जो हम भुगत रहे हैं, वह उसी का नतीजा है। आज आप यहां से फिर पार्लियामेंट्री डेलिगेशन भेजेंगे, लेकिन उनको वहां कौन मिलेगा? येचुरी साहब वहां तीन बार गए, उनको वहां कौन मिला? कश्मीर के बारे में आपके पास एक रोडमैप बना हुआ है, उस पर अगर आप चर्चा करेंगे, तो उसका हम वेलकम करेंगे। आज हमें यह लग रहा है कि कश्मीर के बारे में सभी पार्टीज़ ने जो चिन्ता जाहिर की, उससे अगर कुछ हल निकलेगा, तो हम उसका वेलकम करेंगे।

†جناب میر محمد فیاض: سر، اس کے لئے میں سبھی پارٹیز کا ویلکم کرتا ہوں۔ میں ایک ہی چیز چاہتا ہوں۔ سر، یہاں پر ابھی یہ بات ہوئی کہ اس پر آج ہی ڈسکشن ہو، لیکن اگر ہوم منسٹر صاحب یہاں نہ ہوں، تو اس کا کوئی مطلب نہیں ہوتا ہے۔ سر، وہاں لوگ دیکھ رہے ہیں، کہ آج اس پارلیمنٹ میں کیا ہونے والا ہے؟ پچھلے دو دنوں سے میڈیا میں یہ آرہا ہے کہ کشمیر کے لوگوں کے لئے چرچا ہوگی۔ وہ دیکھ رہے ہیں کہ آج یہاں کیا ہوگا، کیوں کہ ہم یہاں جو بات کریں گے، اس کا کوئی نچوڑ نہیں نکلے گا۔ پچھلے دس سالوں میں جب ان کی سرکار تھی، تب وہاں آل پارٹی ڈیلی گیشن گیا، interlocutors گئے، ورکنگ گروپ کی جو سفارشات تھیں، اس کو نہ تو پارلیمنٹ میں لایا گیا اور نہ ہی اس پر کوئی بات ہوئی۔ آج جو ہم بھگت رہے ہیں، وہ اسی کا نتیجہ ہے۔ آج آپ یہاں سے پھر پارلیمنٹری ڈیلی گیشن بھیجیں گے

لیکن ان کو وہاں کون نکالے گا؟ یچوری صاحب وہاں تین بار گئے، ان کو وہاں کون ملا؟ کشمیر کے بارے میں آپ کے پاس ایک روڈ-میپ بنا ہوا ہے، اس پر اگر آپ چرچا کریں گے، تو اس کا ہم ویلکم کریں گے۔ آج ہمیں یہ لگ رہا ہے کہ کشمیر کے بارے میں سبھی پارٹیز نے جو چننا ظاہر کی، اس سے اگر کچھ حل نکلے گا، تو ہم اس کو ویلکم کریں گے۔

MR. DEPUTY CHAIRMAN: Thank you. Hon. Home Minister.

**گृہ منتری (श्री राजनाथ सिंह):** डिप्टी चेयरमैन सर, क्वेश्चन ऑवर के बाद एक छोटे-से काम के लिए जब मैं अपने चैम्बर में पहुँचा तो वहीं राज्य सभा चैनल पर देखा कि राज्य सभा के हमारे नेता प्रतिपक्ष, श्री गुलाम नबी आज़ाद साहब बोल रहे हैं और इन्होंने एक प्रस्ताव रखा है कि कल 11 बजे से इस पर चर्चा प्रारंभ हो। मैं इनके प्रस्ताव से पूरी तरह से सहमत हूँ। मेरा यह मानना है कि कश्मीर की स्थिति निश्चित रूप से बहुत ही गम्भीर है। मैं यह दावा कभी नहीं करना चाहता और किसी को भी यह दावा नहीं करना चाहिए कि कश्मीर जैसे सेंसिटिव स्टेट की जिस प्रकार की इस समय की complicated problem है, उलझी हुई जो समस्या है, उसका समाधान अकेले सरकार करेगी। यदि समाधान करना होगा, तो हम सभी का सहयोग लेकर ही समाधान करना चाहेंगे। यदि सदन चाहता है कि इस पर कल 11 बजे से चर्चा हो तो इस पर कल 11 बजे से चर्चा के लिए मैं पूरी तरह से तैयार हूँ।

MR. DEPUTY CHAIRMAN: Okay. All right. That solves the problem. Now, Zero Hour. Shri Sharad Yadav. ...*(Interruptions)*...

**श्री प्रताप सिंह बाजवा (पंजाब):** सर, प्वाइंट ऑफ ऑर्डर। ...*(व्यवधान)*...

MR. DEPUTY CHAIRMAN: No, no point of order. ...*(Interruptions)*... Zero Hour. Shri Sharad Yadav. ...*(Interruptions)*...

SHRI SITARAM YECHURY: No Question Hour tomorrow? ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: See, the suggestion came from this side that discussion should start at 11.00 a.m. The Government has agreed; the Home Minister agreed. ...*(Interruptions)*...

SHRI SITARAM YECHURY: No Question Hour! ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: That much he said. The rest we will see. Sharad Yadavji. ...*(Interruptions)*... Sharad Yadavji.

## MATTERS RAISED WITH PERMISSION

### Tapping of telephones of highly placed people in the Government and Private Sector by a corporate house

**श्री शरद यादव** (बिहार): उपसभापति जी, मैं एक गंभीर मामले को आपके और इस सदन के सामने उठाना चाहता हूँ। यह एक ऐसी विकट समस्या है, जिसमें देश का एक कॉरपोरेट हाउस, एक पूँजीपति, एक थैलीशाह अपने कर्मचारियों से पूरे देश के बजट को निकलवा लेता है। राष्ट्रीय सलाहकार यानी एनएसए हैं, मंत्री हैं, जज हैं, कैसे appointments हों — जो पूँजीपति है, वह सरकार का जो बजट है, उसको निकाल लेता है। मैं यह बताना चाहता हूँ कि इस गम्भीर घटना पर सरकार ने क्या काम किया। इस सरकार ने किसी तरह से चेहरा बचाने के लिए उसके जो कारकून हैं, उसके जो कर्मचारी हैं, उनको गिरफ्तार कर लिया। महोदय, यह मामला मैंने इसलिए उठाया है, क्योंकि यह आंतरिक सुरक्षा का मामला है, बाह्य सुरक्षा का मामला है, राजनैतिक सुरक्षा का मामला है और हमारी आर्थिक सुरक्षा का मामला है। इस सदन और उस सदन के लोगों को 125 करोड़ लोग चुनकर भेजते हैं। इस टैपिंग कांड का मामला "इंडियन एक्सप्रेस" के माध्यम से पूरे देश के सामने आया। इस सरकार ने उस पर क्या कदम उठाया है? उसने सिर्फ यह कदम उठाया है कि उसके जो कर्मचारी हैं, उनको गिरफ्तार कर लिया। वे किसके कर्मचारी हैं? वे किस कॉरपोरेट हाउस के लिए यहां काम कर रहे थे? वे किस थैलीशाह के लिए काम कर रहे थे? यानी, सीधी बात यह है कि उसको गिरफ्तार करना चाहिए, लेकिन कर्मचारियों, चपरासियों और उन तमाम लोगों को गिरफ्तार करके आप इससे अपना चेहरा नहीं बचा सकते। इसमें और क्या बचा है? आखिर सदन क्यों चल रहा है, चुनाव क्यों हो रहे हैं, संविधान क्यों है? इन सारी चीजों को पार करके, एक ऐसा इन्स्ट्रुमेंट आया हुआ है, जिससे किसी की भी चर्चा और किसी की भी बातचीत को आप टैप कर सकते हैं। सरकार इस मामले को किसी तरह से hush-up करना चाहती है और इस पर बोलने तक को तैयार नहीं है। सरकार की अपनी तरफ से बयान आना चाहिए था, वह नहीं आया। वह इस मामले में सो रही है और लगता है कि वह इन लोगों से मिली हुई है। महोदय, यह एक गंभीर मामला है और जिस आदमी ने यह काम करवाया है, जिसके कर्मचारियों ने करवाया है, उन आदमियों को पकड़ना चाहिए जिससे कि आने वाले समय में, यह जो crony capitalism है और इन पूँजीपतियों का जिस तरह से हौसला बढ़ा हुआ है, उसे तोड़ा जा सके। यही मेरी विनती है।

**श्री अली अनवर अंसारी** (बिहार): महोदय, मैं इस विषय से अपने आप को सम्बद्ध करता हूँ।

**डा. अनिल कुमार साहनी** (बिहार): महोदय, मैं भी इस विषय से अपने आप को सम्बद्ध करता हूँ।

**SHRI MADHUSUDAN MISTRY** (Gujarat): Sir, I too associate myself with the matter raised by the hon. Member.

### Need to take steps to ensure utilization of cess collected from various sources

**SHRI DEREK O'BRIEN** (West Bengal): Sir, while the Government is peddling cooperative federalism, I am very happy that you have allowed this Zero Hour

[Shri Derek O' Brien]

mention. The Finance Minister is also here and so, this would be of interest to him, because this is something that he can address. I want to raise this issue today so that across the States and across the Parties, this issue is one. What is that issue, Sir? It is the cess. The Centre is collecting the cess, here and there. All the time they are collecting a cess of 0.5 per cent, 0.2 per cent and so on, on various services and this fund is coming to the Centre. But listen to how the Centre is under-utilizing these collections.

Sir, of the ₹ 66,000 crore-cess collected under the Universal Service Obligation Fund, 60 per cent remains under-utilized; out of the ₹ 6,000 crore cess collected under Research and Development, 80 per cent remains under-utilized. Of the cess collected on feature films, 55 per cent is under-utilized; out of ₹ 60 crore cess collected on tea, 100 per cent is under-utilized.

Sir, this is a very important issue. Even the Sarkaria Commission has recommended very strongly that the application of cess should be only for a limited period. That leads us to the bigger question. Talking about GST, will the Government consider subsuming the cess under GST? Unless that happens, it would not be true federalism. The cess has to be subsumed because otherwise, what is really happening is that you are collecting cess and you are under-utilizing it.

Sir, we need to make this a very, very crucial point. Everyone has been quoting the Chief Economic Advisor. He himself is saying this. So, if this Government is true to the spirit of federalism, they should seriously consider absorbing all the cess into the GST.

Sir, while on the subject of cooperative federalism, there are letters going out to Chief Ministers, which are appointing BDOs from the Centre. There are letters going out to Chief Ministers saying, IAS Officers from the State cadre, in my case, Bengal, have to go and spend three months or six months there. Sir, what is happening? This is actually impinging on the independence of the State Governments. So, if it is the Adhaar Card, let us run it the best way we can; don't make it compulsory. Don't send out letters like these. Stop collecting the cess. And, if you want a good GST, Sir, subsume the cess in the GST. If this is discussed in the Empowered Committee of Finance Ministers, they may also have the same opinion, but I can't second-guess them.

Thank you very much, Sir, for the time.

### Proposed merger of Bhartiya Mahila Bank with SBI

**श्री अली अनवर अंसारी (बिहार):** महोदय, भारतीय महिला बैंक भारतीय उद्योग जगत में अपनी तरह का पहला बैंक है। इस की स्थापना नवम्बर, 2013 में महिलाओं के आर्थिक सशक्तिकरण के उद्देश्य से की गई थी, लेकिन अब इस का नामो-निशान मिटाकर इस का एसबीआई में merger किया जा रहा है। महोदय, अच्छी बात है कि वित्त मंत्री जी भी यहां हैं। महोदय, 104 शाखाओं के 550 कर्मचारियों वाली भारतीय महिला बैंक की न सिर्फ पहचान खत्म की जा रही है, बल्कि महिलाओं के आर्थिक सशक्तिकरण के उद्देश्य पर भी ग्रहण लग गया है क्योंकि दूसरे सरकारी बैंकों की नौकरियां छोड़कर अनेक महिला कर्मचारियों/अधिकारियों ने इस बैंक को इसी उद्देश्य से join किया था। वे आज सरकार से आश्वासन चाहते हैं कि एसबीआई में merger के साथ ही वेतन भत्ता, प्रोन्नति की वे तमाम सुविधाएं उन्हें मिलेंगी जो एसबीआई के कर्मचारियों/अधिकारियों को मिलती है। मगर कोई उन्हें ऐसा आश्वासन नहीं दे रहा है, इसलिए वे अपने साथ एसबीआई में संभावित दोयम दर्जे के सलूक को लेकर बहुत चिंतित हैं।

महोदय, निर्भया कांड के बाद इस बैंक की स्थापना की गई थी। इस बैंक में अधिकारियों और कर्मचारियों के पदों पर साठ प्रतिशत महिलाएं कार्यरत हैं। इस बैंक ने निर्भया स्कीम से लेकर एसिड अटैक की शिकार महिलाओं को लोन देने, लड़कियों के लिए education loan देने, महिला उद्यमियों के लिए पुरुष उद्यमियों से कम ब्याज पर लोन देने और महिला मंथली डिपोजिट स्कीम आदि योजनाओं में काफी सहायनीय काम किया है। "अटल पेंशन योजना" में इस बैंक को, देश भर के सभी सरकारी बैंकों में तीसरा स्थान मिला है। ऐसा लगता है कि इस सरकार पर हर तरह की क्षेत्रीय पहचान और विविधता को समाप्त करने की धुन सवार है। हमारी सरकारों ने महिलाओं को संसद और विधान सभाओं में 35 प्रतिशत आरक्षण देने से लेकर न जाने कैसे-कैसे वादे किए, लेकिन उनके ज्यादातर नतीजे अभी तक सिर्फ रहे हैं। महोदय, मैं कहना चाहता हूं कि देश में एक ही महिला बैंक है, कम से कम इसको तो बख्श दीजिए। मैं इस पर एक शेर बोलना चाहता हूं,

"हसरतें सब मिट चुकीं, बाकी रहा सिर्फ एक निशां,  
इसको जलने दो, चिराग उजड़ी हुई मंजिल का है।"

महोदय, बिहार इसकी मिसाल है। हमारे नेता नीतीश कुमार जी ने, हमारी पार्टी की सरकार ने, वहां पर जिस तरह से महिलाओं का सशक्तिकरण किया है, वह सबके समक्ष है। नीतीश जी की सरकार ने शराबबंदी से लेकर, महिलाओं को तमाम नौकरियों में 35 प्रतिशत आरक्षण देने, महिलाओं को नगर निकाय पंचायत चुनावों में 50 प्रतिशत तक आरक्षण देकर एक नज़ीर पेश की है, एक मिसाल पेश की है। देश को इसको भी देखना चाहिए। महिलाओं का एक ही बैंक है, चूंकि अब आप इसको भी खत्म कर रहे हैं, तो वित्त मंत्री जी, कम से कम कुछ आश्वासन तो दे दें।

**श्री पी. एल. पुनिया (उत्तर प्रदेश):** उपसभापति जी, मैं स्वयं को इस विषय से संबद्ध करता हूं।

**डा. अनिल कुमार साहनी (बिहार):** उपसभापति जी, मैं भी स्वयं को इस विषय से संबद्ध करता हूं।

**श्री राम नाथ ठाकुर (बिहार):** उपसभापति जी, मैं भी स्वयं को इस विषय से संबद्ध करता हूं।

श्री शमशेर सिंह डुलो (पंजाब): उपसभापति जी, मैं भी स्वयं को इस विषय से संबद्ध करता हूँ।

श्रीमती कहकशां परवीन (बिहार): उपसभापति जी, मैं भी स्वयं को इस विषय से संबद्ध करती हूँ।

SHRIMATI RENUKA CHOWDHURY (Andhra Pradesh): Sir, I also associate myself with the Zero Hour mention made by the hon. Member.

**Concern over the increasing incidents of attacks by *Gau Rakshaks*  
in various parts of the country**

श्री सीताराम येचुरी (पश्चिमी बंगाल): उपसभापति जी, आपका बहुत-बहुत शुक्रिया कि आपने मुझे बोलने की अनुमति दी है। मैं यहाँ पर एक बहुत ही गंभीर सवाल उठाने के लिए खड़ा हुआ हूँ। जब गौरक्षा के नाम पर इंसानों की जान ली जाती है, तब इसका तीव्र खंडन करते हैं। आखिरकार, प्रधान मंत्री जी उसके बारे में कुछ बोले। वे देर से बोले, लेकिन क्या बोले? वे बोले, "दलितों को मत मारना, मारना है तो हमें मारो" सर, यह डायलॉग हर दूसरी हिन्दी फिल्म में आता है। जब मां कहती है, "बच्चे को बरखा दो, मुझे मार दो।" वह मां कौन है, मतलब एक्टर कौन है, हम सभी लोग वह भी जानते हैं। What is the meaning of saying, "Don't attacks the *dalits*"? Is that the license to attack the non-*dalits*? Is that the license to attack our religious minorities? Remember, in the name of this *Gau Raksha* business, the first person to have died, who has been killed, was Akhlaq and, therefore, this is an issue on which we have been asking the Prime Minister repeatedly standing here. I have been requesting the Prime Minister, for once, please assure us in the House, and, through us, the people of the country, that his Government, this Government, will abide by the rule of the law. If there are people violating the law, action will be taken against them. That assurance, unfortunately, has not come till date. What we want is, what the action that is going to be taken is. Sir, this reminds us one of the Machiavellian dictums, when Machiavelli tells the Prince how to win the hearts of the people. One of the dictums is, "First show the people the worst that is possible under your rule; then proceed with restraint not to do that and people will heave a sigh of relief and say that what a great benefactor he is." What is happening and what the Prime Minister is saying are totally unrelated. We want this assurance from this Government that the law of the land will be protected and action will be taken against those violating this law of the land. That assurance, unfortunately, has not come. The reason why I am raising this issue is that in the name of cow vigilantism today, there is havoc that is being spread in the country; innocent people's lives have been taken away, and we know how the *dalits* are being attacked. So, keeping this in mind, I want, through you, to tell this Government to give that assurance. Once let the Prime Minister come and say in Parliament that those who violate law in our country will be proceeded against and action will be taken. That assurance has not come and that must come now, and that is why I have raised this issue. This cow vigilantism must be stopped now.

MR. DEPUTY CHAIRMAN: Time over. This is the time for Question Hour.

SHRI TAPAN KUMAR SEN (West Bengal): Sir, I associate myself with the matter raised by Shri Sitaram Yechury.

SHRI DIGVIJAYA SINGH (Madhya Pradesh): Sir, I also associate myself with the matter raised by Shri Sitaram Yechury.

SHRI SHAMSHER SINGH DULLO (Punjab): Sir, I also associate myself with the matter raised by Shri Sitaram Yechury.

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

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

SHRIMATI VIPLOVE THAKUR (Himachal Pradesh): Sir, I also associate myself with the matter raised by Shri Sitaram Yechury.

---

(MR. CHAIRMAN *in the Chair*.)

## ORAL ANSWERS TO QUESTIONS

### Use of plastic in food packaging industry

\*241. SHRI DILIP KUMAR TIRKEY: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether it is a fact that the widespread use of plastics in food packaging industry is very harmful for human health; and

(b) if so, whether any study has been done by the Ministry in this regard, if so, the details thereof?

THE MINISTER OF HEALTH AND FAMILY WELFARE (SHRI JAGAT PRAKASH NADDA): (a) and (b) A Statement is laid on the Table of the House:

#### *Statement*

(a) Plastic packaging materials that come in contact with food products can lead to migration of some chemical substances such as residual monomer, additives, plasticizers, pigments, etc., to food when exposed to different temperatures over a longer duration. Conscious of this fact, the Government encourages use of other packaging materials such as jute for packaging food items, where feasible.

All food items cannot, however, be packaged in such alternate materials. Plastic in different forms has, in view of its ability to protect products and extend shelf

life, prevent spoilage and contamination, ensuring better storage and sealing aroma, etc. emerged as a widely used material for packaging and storing food. The plastic material is also temper proof and reduces the chances of adulteration, is corrosion resistant and in most cases, chemically inert.

Keeping the above in view, the Food Safety and Standards (Packaging and Labelling) Regulations, 2011 prescribe Indian Standards for containers made of plastic material of graded specification for packing or storing of food items. These are based on the Bureau of Indian Standards specifications, which also lay down limits of migration of toxic elements. The use of plastics for packaging food in conformity with specified standards is considered safe in the context of contemporary scientific knowledge.

(b) Opinions regarding safety of plastic vary widely and a scientific consensus on the issue is yet to be reached. However, the way forward is to judicially use all available scientific knowledge and technology to mitigate the adverse effects that may emanate from migration of chemicals from packaging material to packaged food and evolve innovative techniques for use of recycled packaging material in an environment friendly manner.

**श्री दिलीप कुमार तिरकी:** सभापति महोदय, माननीय मंत्री जी ने अपने जवाब में खुद कहा है कि प्लास्टिक की सेफ्टी के बारे में, प्लास्टिक यूज के बारे में हमारे साइंटिस्ट्स की राय अलग है और जो प्लास्टिक इण्डस्ट्री है, उनकी राय अलग है। जहां तक मेरा मानना है, अभी भी सिचुएशन कंप्यूजन में है। मैं अपने सवाल के दूसरे भाग में यह जानना चाह रहा था कि कंप्यूजन दूर करने के लिए क्या कोई स्टडी की गई है? इस बारे में मुझे पूरा जवाब नहीं मिला है। तो मैं माननीय मंत्री जी से यही सवाल करना चाहूंगा कि फ्यूचर में अभी भी जो कंप्यूजन है, प्लास्टिक के यूज में या प्लास्टिक के व्यापार को लेकर, क्या इसके लिए व्यापक रूप से स्टडी कराने की आप कोई योजना बना रहे हैं?

**श्री जगत प्रकाश नड्डा:** सर, मैं माननीय सदस्य को प्लास्टिक के यूज के बारे में थोड़ा सा क्लियर करना चाहता हूं। चार तरीके के पैकेजिंग मैटीरियल हैं, एक तो पेपर कार्डबोर्ड, दूसरा metal tins, तीसरा प्लास्टिक और चौथा glass, ये चार तरीके के पैकेजिंग मैटीरियल यूज होते हैं। Plastic accounts for approximately 42 per cent of packaging done globally. और प्लास्टिक वैसे टेम्पर प्रूफ भी है, It reduces the chances of adulteration, corrosion resistant है and in most cases, it is chemically inert. यह FSSAI के 10 standards laid down हैं। उन 10 standards के लेड डाउन जो specification हैं, उसके अंतर्गत जब पैकेजिंग होती है तो वह हैल्थ के लिए हॉर्मफुल नहीं होता है। लेकिन अगर उन स्टैंडर्ड से deviate कर जाएं, तो it will be harmful. जहां तक इसकी स्टडी का सवाल है, there are various theories about it. We have not yet reached at any conclusion, but the study is going on. We all know that up to a particular level, plastic is not dangerous, but beyond that, it is dangerous.



**श्री दिलीप कुमार तिकी:** सर, अभी भी प्लास्टिक पैकेजिंग में phthalates नामक एक एलीमेंट पाया जाता है, जो कि कैंसर का कारण होता है। क्या इसकी मात्रा को नियंत्रित करने के लिए कोई स्टैंडर्ड बनाया गया है और इसके साथ-साथ मैं यह भी जानना चाहूंगा कि बहुत सारी मेडिसिन्स, जो प्लास्टिक में ही पैक होकर आती हैं, तो उनके बारे में इस तरीके से कहीं बैन करने का कोई प्लान है?

**श्री जगत प्रकाश नड्डा:** सर, फिलहाल इस तरीके का कोई प्लान नहीं है। मैंने पहले कहा कि 60 parts per million अगर इससे नीचे रहता है तो प्लास्टिक problematic नहीं है, लेकिन अगर उससे ज्यादा बढ़ जाएगा तो यह problematic हो जाता है। इसलिए ten standards are laid down by FSSAI. उस ten standards के अंदर packaging material के रूप में it can be used. It is not harmful. Beyond that, it is harmful. हमने कोई ban करने का विषय नहीं रखा है। एक कमेटी की रिपोर्ट आई है, उस कमेटी की रिपोर्ट को हम लोगों ने कंसीडरेशन में रखा है। उसके पश्चात हम उस पर विचार करेंगे।

**श्री अमर शंकर साबले:** धन्यवाद सभापति महोदय। मैं आपके माध्यम से स्वास्थ्य मंत्री जी से यह पूछना चाहता हूँ कि क्या प्लास्टिक कप में गरम चाय पीने से कैंसर होने की संभावना है और अगर है तो प्लास्टिक कप के निर्माण पर प्रतिबंध क्यों नहीं लगाते?

**SHRI JAGAT PRAKASH NADDA:** Sir, this question relates to packaging of carry bags and other plastic materials, which come under the Ministry of Environment and Forests. So, they give the specifications and from State to State, they have got their own notifications on that.

**SHRI P. BHATTACHARYA:** Sir, in the reply, it is mentioned, "Keeping the above in view, the Food Safety and Standards (Packaging and Labelling) Regulations, 2011, prescribe Indian Standards for containers made of plastic material of graded specification for packing or storing of food items." Sugar, which is one of the most important food items, is now being packed in plastic containers. Do you not think that packing sugar in a plastic container is harmful for the health of the people? Why are you not using the jute materials? Earlier, we had been using that, but now it has been stopped due to heavy pressure from plastic manufacturers' lobby.

**SHRI JAGAT PRAKASH NADDA:** Sir, it is not a question of why we are not doing it. We have laid the standards. The FSSAI has laid the standards. If the plastic is of that material, it can be used for packaging. If the plastic is not of that material, it cannot be used. That is what we have to understand.

**SHRIMATI KANIMOZHI:** It is known that polyethylene-naphthalate, which is also known as PEN, is widely used in packaging carbonated drinks, water and other drinks. It has lead and potassium permanganate in it. Some countries are thinking of bringing in regulations and restrictions on using PEN. So, are you also thinking of bringing up some standards?

SHRI JAGAT PRAKASH NADDA: Sir, I said that, at this point of time, there are ten types of standards laid down. According to those specifications, packaging material is to be used. Globally, the standards are maintained accordingly, and India also does so. As far as leaching and other things are concerned, it affects only when we do not maintain the standards. If it is below 60 parts per million, it does not affect. So, that is what we have to keep in mind.

### **Engaging young boys and girls in various sports**

\*242. KUMARI SELJA: Will the Minister of YOUTH AFFAIRS AND SPORTS be pleased to state:

(a) the scheme/programme initiated for development of structured system at the grass-root level to engage young boys and girls in the age group of 10-14 in various sports;

(b) whether measures are being taken for ensuring availability of sporting equipments and wholesome nourishment to identified sportspersons; and

(c) whether measures are being taken to set up Sports Science and Sports Medicine Centres to support the sports fraternity, if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF CIVIL AVIATION (SHRI JAYANT SINHA): (a) to (c) A Statement is laid on the Table of the House.

### ***Statement***

(a) and (b) The Ministry of Youth Affairs and Sports is implementing a scheme, namely, “Khelo India – National Programme for Development of Sports” with effect from the year 2016-17. Among other things, this scheme aims at conducting annual sports competitions in three age categories, *i.e.*, Sub-junior, Junior and Senior, to encourage mass participation of children in Sports. The age group for these three categories varies in respect of different sports disciplines. The Ministry, through the Sports Authority of India (SAI), is also implementing the following Sports Promotional Schemes for development of structured system at grass-root level to engage young boys and girls in the age group of 10-14 in various sports:

- (i) National Sports Talent Contest Scheme (NSTC)
- (ii) Army Boys Sports Company (ABSC)
- (iii) SAI Training Centre (STC)
- (iv) Special Area Games (SAG)
- (v) Extension Centre of STC/SAG

- (vi) Centre of Excellence (CoE)
- (vii) National Sports Academies (NSA)

In order to promote sports across the country, SAI has established 12 Regional Centres/Academic Institutions having International Standard Sports infrastructure alongwith other allied facilities to train the potential athletes selected from their jurisdictional States. To ensure availability of wholesome nourishment to identified sportspersons, details of measures being taken are given in Statement-I (*See below*).

(c) The Ministry of Youth Affairs and Sports already has Sports Science/Sports Medicine Centres in the Regional Centres and Academic Institutions of SAI. Details are given in Statement-II.

***Statement-I***

*Details of measures being taken to ensure availability of  
wholesome nourishment to identified sportspersons*

- (i) The nutrient intake of the sportsperson is being studied and thereafter sports specific diet plans are prepared and implemented in SAI centres.
- (ii) Nutritionists are attached to National camps in various SAI Centres to provide technical support and diet management to the sportspersons.
- (iii) Research fellows have been inducted to strengthen research in Sports Nutrition.
- (iv) Regular revision of diet plans at different levels including National Campers, CoE.
- (v) Standardization of recipes and planning sport specific diets.
- (vi) Developed Education material for Athletes based on the inputs and assessments during diet counseling sessions.
- (vii) Large scale dissemination of nutrition education is taken up through articles on sports nutrition in Utkarsh, SAI Newsletter.
- (viii) Regular Individual and Group Counseling sessions are taken up for athletes in SAI centres.
- (ix) Procurement of Equipment to evaluate the nutrient requirement of players is in progress.
- (x) Procurement of Sports Medicine and Sports Science Equipment for SAI centres at Delhi, Patiala, Bangalore, Sonapat, Bhopal, Jagatpur, Aurangabad, Gandhinagar and Lakshmibai National College of Physical Education

(LNCPE), Thiruvananthapuram is commissioned from Head office and the centres are optimally equipped to provide scientific support to sportspersons.

***Statement-II***

*Details of Sports Science/Sports Medicine Centres in the Regional Centres  
and Academic Institutions of SAI*

The following Regional Centres and Academic Institutions under Sports Authority of India have Sports Science/Sports Medicine Centres:

1. SAI Netaji Subhash National Institute of Sports (NSNIS), Patiala.
2. SAI Netaji Subhash Eastern Centre (NSEC), Kolkata.
3. SAI Netaji Subhash Southern Centre (NSSC), Bangalore.
4. SAI Head Quarters, Delhi.
5. SAI Netaji Subhash Western Centre (NSWC), Gandhi Nagar.
6. Lakshmibai National College of Physical Education (LNCPE), Thiruvananthapuram.
7. SAI Central Centre, Bhopal.
8. SAI Regional Centre, Lucknow.
9. SAI Northern Centre, Sonapat.
10. SAI Netaji Subhash North-East Regional Centre (NSNERC), Imphal.
11. SAI Regional Centre (RC), Guwahati.

SHRI JAYANT SINHA: Mr. Chairman, Sir, the hon. Minister is in Rio with the Olympic contingent, so, I shall be answering the questions on his behalf.

**कुमारी शैलजा:** सर, माननीय खेल मंत्री जी रियो गए हैं, जैसा बताया गया है, let us hope कि उनकी हौसला अफजाई से we win some medals and performance is improved by his presence there.

सर, मैंने छोटे बच्चों के बारे में जो सवाल पूछा, from the age group of 0 to 14, आप यह मानेंगे कि आपने संस्थाएँ तो set up की हैं, वह एक अलग बात है और अच्छी बात है, लेकिन इसके साथ-साथ अगर छोटे बच्चों की nurturing स्कूल में ही नहीं होगी, तो ये competitions, ये institutions, ये संस्थाएँ, ये सब बेमानी हो जाएँगी। स्कूलों में, जहां पढ़ाने के लिए टीचर्स तक नहीं हैं, वहां पर बच्चों को खेल-कूद में आगे कैसे बढ़ाया जाए, वहीं पर बच्चों की प्रतिभा को कैसे समझा जाए, उनको कैसे nurture किया जाए, उनको वहां पर कैसे equipment दिया जाए, इन सब बातों के लिए grassroot level पर, गांवों के स्कूलों में और शहरों के प्राइमरी स्कूलों में सरकार क्या कर रही है?

**श्री जयंत सिन्हा:** सभापति महोदय, माननीया सदस्या ने बिल्कुल सही कहा है कि अगर हम लोगों को ओलंपिक जैसे competition में अच्छा करना है, तो हम लोगों को बिल्कुल कम उम्र से बच्चों को सभी resources, सभी साधन देने चाहिए। इसके तहत सरकार ने 'खेलो इंडिया' के द्वारा और सभी राज्यों के सहयोग के साथ कोशिश की है कि जिला स्तर पर जितनी सुविधाएँ, जितने साधन हम दे सकते हैं, हम जरूर दें। जिला स्तर पर competition हो और competition में जो सब-जूनियर, जूनियर और सीनियर खिलाड़ी हैं, उनका चयन करके उनको जो भी सुविधाएँ हों, चाहे वे nutrition की सुविधाएँ हों या facilities की सुविधाएँ हों या कोचिंग की सुविधाएँ हों, हम इन सुविधाओं का प्रावधान करें, जिससे वे उभर कर आएँ और देश का तिरंगा ओलंपिक जैसे competition में बिल्कुल ऊँचा हो जाए।

**कुमारी शैलजा:** सर, मेरा यह सवाल नहीं था। मैंने खुद यह बात कही कि ये सब चीजें तो हैं, लेकिन अगर स्कूलों में छोटे बच्चों को पता ही नहीं चलेगा, अगर उनकी प्रतिभा मालूम ही नहीं पड़ेगी, इसके लिए स्कूल में क्या किया जा रहा है, लेकिन मैं press नहीं करूँगी, क्योंकि यह मंत्रालय माननीय मंत्री जी का नहीं है, वे जवाब देने की कोशिश कर रहे हैं। सर, मेरा दूसरा सप्लीमेंटरी सवाल यह है, I have not understood the reply given in Statement-I. अब यह अंग्रेजी खराब है, या यह क्या बताना चाह रहे हैं? "Part I - the nutrient intake of the sportspersons is being studied, and, thereafter..." I do not understand this. Please आप इसको clarify करिएगा। I am coming to my supplementary. जहां तक सपोर्टिंग इक्यूपमेंट की बात है, रियो ओलम्पिक में, जैसा हम टीवी पर देखते हैं, बहुत से स्पोर्ट्स पर्सन्स के इंटरव्यूज आते हैं, हमारे कुछ खिलाड़ी हैं, जिन्होंने कहा कि वहां पर जो सुविधाएं हैं, हालांकि I am not saying that we are responsible, वह तो वहां के host country की बात है कि जो सीडब्लूजी में सुविधाएं थीं, जो फैसिलिटीज थीं, They were far superior, बहुत ज्यादा अच्छी सुविधाएं मिली थीं, बजाय रियो के। वहां पर उनको सुविधाएं ठीक से नहीं मिल पा रही हैं। इसके साथ ही एक जुड़ी हुई बात यह है कि उन्होंने इक्यूपमेंट की बात भी कही कि चूंकि international Olympic level पर international standard पर कम्पीट करना होता है, तो इस बार भी उनको वहां ओलम्पिक में पार्टिसिपेट करने के लिए क्यों सब-स्टैंडर्ड इक्यूपमेंट मुहैया कराया गया? वहां पर चाहे मंत्री जाएं, चाहे ऑफिशियल्स जाएं, उनके जाने का कोई मतलब नहीं होगा, अगर सब-स्टैंडर्ड इक्यूपमेंट देकर उन्हें वहां पर कम्पीट करने के लिए भेजा जाता है। इसके बारे में आपका क्या जवाब है?

**श्री जयंत सिन्हा:** सर, माननीय सदस्या को मैं थोड़े से और आंकड़े देना चाहूंगा। पिछले जवाब के लिए, जैसा वे कह रही थीं कि मुझे उसमें थोड़ा और व्यापक रूप से जवाब देना चाहिए, फिर जो आपने दूसरा प्रश्न पूछा, उसका भी मैं जवाब देने की कोशिश करूंगा। आज के समय स्पोर्ट्स अथॉरिटी के तहत मैंने जैसा पहले भी कहा कि एक नेशनल स्पोर्ट्स टैलेन्ट कांटेस्ट हो रहा है, जिसके जरिए खासकर जो आठ से चौदह साल के बच्चे हैं, उनको जिला-स्तर पर हम प्रोत्साहन देंगे। इसी तरह एक आर्मी बॉक्स स्पोर्ट्स कंपनी का भी एट टू सिक्सटीन ईयर्स ओल्ड का कॉम्पिटिशन चलता है। स्पोर्ट्स अथॉरिटी ऑफ इंडिया के 58 ट्रेनिंग सेंटर्स हैं, उसमें हमारी कोशिश यही होती है कि स्टेट लेवल पर जो किया जा रहा है, जैसा आपको मालूम है ...(व्यवधान)...

MR. CHAIRMAN: Just a minute. ...(*Interruptions*)... Let him finish. ...(*Interruptions*)...

**श्री जयंत सिन्हा:** मैं जवाब दे रहा हूँ, आप संतुष्ट होंगी, मैं आंकड़े दे रहा हूँ। ...(*व्यवधान*)... राज्य जो कर रहे हैं और गुजरात जैसे राज्य हैं, जिनका बजट ही स्पोर्ट्स के लिए पांच सौ करोड़ रुपए है, तो वहां बहुत अच्छा इंफ्रास्ट्रक्चर बन रहा है। ...(*व्यवधान*)...

**कुमारी शैलजा:** सर, यह क्या जवाब दे रहे हैं? ...(*व्यवधान*)...

MR. CHAIRMAN: Please. ...(*Interruptions*)... Please. ...(*Interruptions*)...

**श्री जयंत सिन्हा:** स्कूलों को बहुत साधन दिए जा रहे हैं। इसके अतिरिक्त इसको सप्लीमेंट करने के लिए स्पोर्ट्स ऑथोरिटी ऑफ इंडिया का जो "खेलो इंडिया" कार्यक्रम है, उससे सप्लीमेंट कर रहे हैं और यह जिला-स्तर पर हो रहा है। फिर माननीया सदस्या का दूसरा प्रश्न था कि जिस ओलम्पिक क्वालिटी फैसिलिटीज का सीडब्लूजी वगैरह में प्रयोजन किया गया था, किस तरीके से उसको और बेहतर बनाकर लोगों के लिए प्रावधान कर रहे हैं, तो माननीय सदस्या को मैं बताना चाहूंगा कि स्पोर्ट्स अथॉरिटी ऑफ इंडिया 13 सेंटर्स ऑफ एक्सीलेंस बनाने की तैयारी में लगा हुआ है, जिसमें से पांच हो चुके हैं। साइकलिंग, इंदिरा गांधी स्टेडियम में साइकलिंग वेलोड्रोम है, वहां हैं, स्विमिंग का तालकटोरा स्टेडियम में है और ...(*व्यवधान*)...

MR. CHAIRMAN: Please. Just a minute. ...(*Interruptions*)... Be patient. Just be patient. Let him finish, please.

**श्री जयंत सिन्हा:** ये सीडब्लूजी की फैसिलिटीज हैं।

KUMARI SELJA: Sir, it is not my question. ...(*Interruptions*)...

**श्री जयंत सिन्हा:** जवाहरलाल नेहरू स्टेडियम में भी ये फैसिलिटीज दी जा रही हैं।

KUMARI SELJA: It is not the answer. What is he saying? ...(*Interruptions*)...

**श्री जयंत सिन्हा:** एथलेटिक्स के लिए तिरुवनंतपुरम में है और मिडल डिस्टेंस एथलेटिक्स के लिए भोपाल में है, गोल्फ के लिए ...(*व्यवधान*)...

KUMARI SELJA: I never asked this. ...(*Interruptions*)... Sir, I need your protection. ...(*Interruptions*)...

SHRI JAYANT SINHA: Thirteen other national academies... ...(*Interruptions*)...

KUMARI SELJA: Sir, I need your protection. ...(*Interruptions*)... I never asked this. ...(*Interruptions*)...

SHRI JAYANT SINHA: ...using the best Olympic facilities are also being provided. ...(*Interruptions*)...

MR. CHAIRMAN: Hon. Member, if the answer is unsatisfactory, please take it up in writing. ...(*Interruptions*)...

KUMARI SELJA: As I said, ... (*Interruptions*)... सर, सवाल कुछ पूछ रहे हैं और जवाब कुछ आ रहा है।

MR. CHAIRMAN: I am telling you the procedure. You have a written answer. Now, if the answer is unsatisfactory, please take it up.

कुमारी शैलजा: सर, आप मुझसे कह रहे हैं, आप मंत्री जी से भी कह सकते हैं। As I said, he is not dealing with it; it is okay. सर, इतना तो न करें, गुजरात का यहां बजट कहां से आ गया? गुजरात ने कभी कोई मैडल जीता है? कुछ बताएं तो सही।

MR. CHAIRMAN: Just listen to me. ...(*Interruptions*)... One minute. If a Member expresses in writing discontent with a written answer, then, that, in itself, is a serious enough matter because it will elicit a more reasoned response from the Government. So, you have made your point, you are not satisfied with the answer. Please take it up in writing and point out specifically where the answer is wrong so that the Government is able to answer.

कुमारी शैलजा: सर, मैं written की बात नहीं कर रही हूँ, जो अभी मैंने सप्लीमेंटरी सवाल पूछा, उसके जवाब की बात कर रही हूँ। यहां गुजरात का बजट कहां से आ गया?

डा. सत्यनारायण जटिया: माननीय सभापति जी, हम रियो ओलंपिक की बात कर रहे हैं, हमारे सामने 'खेलो इंडिया' लक्ष्य है। हम साई सेंटर्स की बात करते हैं, ये सब सेंटर्स विकसित होने की स्थिति में हैं। हम उन खिलाड़ियों की बात कर रहे हैं, जो 10 से 14 साल के हैं। जो 10 से 14 साल के बच्चे हैं, उनको पढ़ना भी पड़ता है और हम उनको खेलने के लिए भी कहते हैं। मैं आपके माध्यम से माननीय मंत्री जी से जानना चाहता हूँ कि ऐसे बच्चों की पढ़ाई भी चलती रहे, जिससे उनका भविष्य और आजीविका सुरक्षित हो सके, उनको अपना भविष्य निर्माण करने में सहायता मिल सके और इसके साथ ही वे खेल में और पारंगत हो सकें, क्या ऐसी प्रतिभाओं की तलाश करके ऐसे खेल स्कूल, जैसे हम सैनिक स्कूल बनाते हैं, उसी प्रकार से खेल स्कूल की स्थापना करने की दृष्टि से सरकार विचार कर रही है?

श्री जयंत सिन्हा: सर, सरकार इस विषय पर विचार कर रही है। जैसा कि मैंने पहले ही बताया कि 'खेलो इंडिया' में यही कोशिश रही थी कि जो तीन अलग-अलग किस्म की स्कीम्स थीं, उनको जोड़ कर एक consolidated scheme हो, जिसमें कि जो स्टेट्स में किया जा रहा है, स्पोर्ट्स स्टेट सब्जेक्ट है, उसको supplement किया जाए। जो आधुनिक से आधुनिक facilities, कोचिंग के जो तरीके होते हैं, वे सब हम उनको दें। इसके साथ ही जिला स्तर पर competition होना चाहिए, उसके द्वारा हम लोग टैलेंट्स का चयन करें और उन टैलेंट्स को जो भी साधन चाहिए, यानी स्पोर्ट्स अकेदमी में और स्कूल्स में जो साधन चाहिए, उसके लिए हम लोग कोशिश कर रहे हैं। हम लोग आर्मी के साथ, आर्मी के सहयोग से भी काम कर रहे हैं। उन्होंने 18 ऐसे आर्मी स्पोर्ट्स स्कूल्स तैयार किए हैं, जहां लोगों को ट्रेनिंग दी जा रही है। जो साई स्पोर्ट्स सेंटर्स हैं, वहां पर करीब 11-12 हजार ऐसे लोगों को सेलेक्ट किया गया है और उनको वहां पर intensive training दी जा रही है। यह कोशिश है कि जो स्टेट्स कर रही हैं और इसलिए मैंने स्टेट के बजट के बारे में जिक्र किया, स्टेट्स के बजट भी काफी होते हैं, उनके भी magnitude

[श्री जयंत सिन्हा]

काफी होते हैं। उनके सहयोग के साथ केंद्र सरकार मेहनत कर रही है, जिसमें हमारे सारे टैलेंटेड स्पोर्ट्स पर्सन्स को सब facilities मिलें।

**श्रीमती कहकशां परवीन:** माननीय सभापति महोदय, 10 से 14 वर्ष की आयु के बालक और बालिकाओं के बारे में यह सवाल है, लेकिन बहुत सारे ऐसे बच्चे भी हैं, जिनके अंदर प्रतिभा रहती है, लेकिन उन्हें अवसर नहीं मिल पाता है। मैं आपके माध्यम से माननीय मंत्री जी यह जानना चाहती हूँ कि क्या ऐसी कोई योजना है, जिसके द्वारा ऐसे बच्चों को खेल-कूद में अवसर मिले?

**श्री जयंत सिन्हा:** सर, हम लोगों की बिल्कुल यह कोशिश है कि जिन बच्चों में स्पोर्ट्स की प्रतिभा है, उनको नेशनल टैलेंट स्पोर्ट्स स्कॉलरशिप दी जाए। इसी कारण हम लोग जिला स्तर पर, ब्लॉक स्तर पर कई तरीके के competitions कर रहे हैं, स्टेट्स अपने competitions कर रही हैं। नेशनल स्पोर्ट्स फेडरेशन्स हैं, वे अपने competitions कर रहे हैं और इस तरीके से meritocratic process के द्वारा जिन लोगों का मेरिट है, जिनकी प्रतिभा है, उन लोगों का चयन किया जाए, उसके बाद उन लोगों को सब सुविधाएं दी जाएं। इसमें हम लोग लगे हुए हैं। नेशनल स्पोर्ट्स डेवलपमेंट फंड है, जिसके तहत हमने कई लोगों को स्कॉलरशिप दिया है, जिसके बारे में मैंने पहले भी बताया है। मैं आपको इसके आंकड़े बता दूँ कि आज तक कितने बच्चों को यह दिया गया है। कुल मिला कर 11,773 talented sportspersons, 8,243 boys and 3,530 girls, are being trained in 27 sports disciplines under residential and non-residential basis in 251 SAI Centres. इस तरीके से लोगों को ये facilities दी जा रही हैं।

**श्री पी. एल. पुनिया:** सभापति जी, यह सवाल 10 साल से 14 साल के बच्चों को खेल के क्षेत्र में प्रतिभा विकसित करने के बारे में है। माननीय मंत्री जी ने अपने उत्तर में योजनाओं का भी उल्लेख किया है। राष्ट्रीय खेल प्रतिभा प्रतियोगिता स्कीम, सेना बाल खेल कम्पनी स्कीम, टारगेट ओलंपिक पोडियम आदि स्कीमों का उल्लेख किया गया है। मैं यह जानना चाहता हूँ कि इन स्कीमों के तहत पिछले दो वर्षों में कितने बच्चों को प्रशिक्षित किया गया और इस पर कितनी धनराशि खर्च हुई?

**श्री जयंत सिन्हा:** सर, मैंने अभी बताया कि स्पोर्ट्स अथॉरिटी ऑफ इंडिया के द्वारा करीब 11,773 स्पोर्ट्स पर्सन्स को स्कॉलरशिप दी गई है और उन लोगों को इसके द्वारा बहुत फायदा हुआ है। मैं आप लोगों को बताऊँ कि जिस तरीके से हमारी सरकार स्पोर्ट्स पर ध्यान दे रही है, हम लोगों का इस समय ओलंपिक का जो contingent है, वह 118 खिलाड़ियों का है, जब कि पिछली बार, यानी 2012 में 81 खिलाड़ियों का था। We have gone from 81 sportspersons to 118 sportspersons which is a growth of 50 per cent. We have provided them with very specialised customised training. We have selected 26 foreign coaches to be able to provide them this kind of support. हम लोग जो-जो facilities दे सकते हैं, वे हम लोग दे रहे हैं।

आपने यह भी पूछा कि इस पर कितना खर्च हो रहा है, कितनी राशि जा रही है? 'खेलो इंडिया' का जो कार्यक्रम है, उस पर 140 करोड़ रुपये की राशि दी जा रही है। जो SAI सिस्टम है, उसमें कुल मिलाकर 451 करोड़ रुपये दिया जा रहा है, जिसमें से 345 करोड़ रुपये प्लान



एक्सपेंडिचर है और 71 करोड़ रुपया नॉन-प्लान एक्सपेंडिचर है। जो NSDF है, नेशनल स्पोर्ट्स डेवलपमेंट फंड है, उसमें विशेष रूप से जो हमारे टॉप प्रोग्राम्स हैं, जो टॉप ओलम्पियन्स हैं, उन लोगों को हम सहयोग देते हैं। उसमें 115 करोड़ रुपये की राशि है।

### **Financial assistance to NE States**

\*243. SHRI SHANTARAM NAIK: Will the Minister of FINANCE be pleased to state:

(a) what is the pattern of financial assistance given to the North-Eastern States from the year 2014;

(b) what was the formula adopted prior to 2014;

(c) the reasons for change in the pattern of assistance made, including the assistance given under Central Schemes;

(d) whether any notification has been issued in this regard; and

(e) if so, text of the notification?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI ARJUN RAM MEGHWAL): (a) to (e) A Statement is laid on the Table of the House.

### ***Statement***

(a) Following the recommendations of the Fourteenth Finance Commission, devolution to the States was increased from 32% to 42%. The horizontal formula adopted by the Fourteenth Finance Commission, for distribution of the divisible pool, among the States is based on the following variables: Population (1971): 17.5%, Demographic Change (1971-2011): 10%, Fiscal capacity/Income distance: 50%, Area: 15%, Forest cover: 7.5%. This led to an increase in the transfer to States from ₹ 337808 crore in 2014-15 to ₹ 523958 crore in 2015-16 (BE), an increase of ₹ 186150 crore.

Due to resulting paucity of resources with the Centre, some schemes were delinked from the Union support and funding pattern for some Centrally Sponsored Schemes was changed. A Sub Group/Committee of Chief Ministers was constituted by NITI Aayog to rationalize Centrally Sponsored Schemes and to recommend the revised funding pattern. The following recommendations have been accepted by the Government.

(i) Core of the Core schemes: funding pattern remains unchanged

(ii) Core schemes: 90:10 for North Eastern States

(iii) Optional schemes: 80:20 for North Eastern States

(b) The horizontal formula adopted prior to 2014 under Thirteenth Finance Commission, for the distribution of the States' share in divisible pool, among the States is based on the following variables: Income distance: 47.5%, Population (1971): 25%, Area: 10% and Fiscal discipline: 17.5%. Pattern of financial assistance for Centrally Sponsored Schemes for North Eastern States was 90:10.

(c) Following the recommendations of the Fourteenth Finance Commission, devolution of the Central Taxes and Duties was increased by 10% amounting to an increase of ₹ 1,86,150 crore in the 2015-16 as compared to the 2014-15. The States have been given significantly more untied resources. They have greater voice in how these funds can be utilized and have the flexibility to adapt it to the local circumstances. In case of North Eastern States, the funding pattern has changed only for 2 optional schemes *i.e* 80:20, reflecting a marginal change in the overall funding pattern.

(d) The Union Cabinet has approved the recommendations of the Sub-Group of Chief Ministers on Rationalization of Centrally Sponsored Schemes (CSSs) on 3rd August, 2016.

(e) A copy of the Press release of the Cabinet approval of the recommendations of the Sub-Group of Chief Ministers on Rationalization of Centrally Sponsored Schemes (CSSs) is placed at Statement-I.

### ***Statement-I***

#### *Cabinet approves recommendations of the Sub-Group of Chief Ministers on Rationalisation of Centrally Sponsored Schemes*

The Union Cabinet Chaired by the Prime Minister Shri Narendra Modi has accepted the major recommendations of the Sub-Group of Chief Ministers on Rationalization of Centrally Sponsored Schemes (CSSs). The Sub-Group had examined 66 CSSs and recommended that the number of CSSs should not normally exceed 30. A consensus was reached on many contentious issues not only between the States represented on the Sub-Group but other States/UTs also through regional consultations and meetings with Union Ministries/Departments.

The rationalization of the CSSs would ensure optimum utilization of resources with better outcomes through area specific interventions. This would also ensure wider reach of the benefits to the target groups.

The Sub-Group was set up in pursuance of the decision taken in the first meeting of the Governing Council of NITI Aayog held on 8th February 2015. The Guiding Principles of the Sub-Group had been to resolve the issues between Union and

the States/UTs and to work as Team India in the spirit of Cooperative Federalism towards realization of the goals of VISION 2022 when we will celebrate the 75th year of Independence. The objectives of the VISION are broadly: (a) providing basic amenities to all citizens in an equitable and just manner for ensuring a life with self-respect and dignity, and (b) providing appropriate opportunities to every citizen to realize his/her potential.

4. The major recommendations of the Sub-Group are as under:
  - (a) No. of Schemes: The total number of schemes should not exceed 30.
  - (b) Categorisation of Schemes: Existing CSSs should be divided into Core and Optional Schemes.
    - (i) Core schemes: Focus of CSSs should be on schemes that comprise the National Development Agenda where the Centre and States will work together in the spirit of Team India.
    - (ii) Core of the Core schemes: Those schemes which are for social protection and social inclusion should form the core of core and be the first charge on available funds for the National Development Agenda.
    - (iii) Optional Schemes: The Schemes where States would be free to choose the ones they wish to implement. Funds for these schemes would be allocated to States by the Ministry of Finance as a lump sum.

List of Centrally Sponsored Schemes in accordance with the National Development Agenda:

Sl. No.	Name of the Centrally Sponsored Schemes (CSSs)
<b>(A) Core of the Core Schemes</b>	
1.	National Social Assistance Programme
2.	Mahatma Gandhi National Rural Employment Guarantee Programme
3.	Umbrella Scheme for Development of Scheduled Castes
4.	Umbrella Scheme for Development of Scheduled Tribes
5.	Umbrella Programme for Development of Minorities
6.	Umbrella Scheme for Development of Backward Classes, Differently Abled and other Vulnerable Groups
<b>(B) Core Schemes</b>	
7.	Green Revolution (Krishi Unnati Schemes and Rashtriya Krishi Vikas Yojana)

Sl. No.	Name of the Centrally Sponsored Schemes (CSSs)
8.	White Revolution (Animal Husbandry and Dairying)
9.	Blue Revolution (Integrated Development of Fisheries)
10.	Pradhan Mantri Krishi Sinchai Yojana
	(a) Har Khet ko Pani
	(b) Per Drop More Crop
	(c) Integrated Watershed Development Programme
	(d) Accelerated Irrigation Benefit and Flood Management Programme
11.	Pradhan Mantri Gram Sadak Yojana (PMGSY)
12.	Pradhan Mantri Awas Yojana (PMAY)
	(a) PMAY-Rural
	(b) PMAY-Urban
13.	National Rural Drinking Water Mission
14.	Swachh Bharat Mission (SBM)
	(a) SBM-Rural
	(b) SBM-Urban
15.	National Health Mission (NHM)
	(a) National Rural Health Mission
	(b) National Urban Health Mission
	(c) Tertiary Care Programmes
	(d) Human Resources in Health and Medical Education
	(e) National Mission on AYUSH
16.	Rashtriya Swasthya Suraksha Yojana ( <i>erstwhile</i> RSBY)
17.	National Education Mission (NEM)
	(a) Sarva Shiksha Abhiyan
	(b) Rashtriya Madhyamik Shiksha Abhiyan
	(c) Teachers Training and Adult Education
	(d) Rashtriya Uchch Shiksha Abhiyan
18.	Mid Day Meal Programme
19.	Integrated Child Development Services
	(a) Anganwadi Services
	(b) National Nutrition Mission

Sl. No.	Name of the Centrally Sponsored Schemes (CSSs)
	(c) Maternity Benefits Programme
	(d) Scheme for Adolescent Girls
	(e) Integrated Child Protection Scheme
	(f) National Creche Scheme
20.	Mission for Protection and Empowerment for Women (beti bachao-beti padao, one-stop centre, women helpline, hostels, swadhar greh, gender budgeting etc.)
21.	National Livelihood Mission (NLM)
	(a) National Rural Livelihood Mission
	(b) National Urban Livelihood Mission
22.	Jobs and Skill Development
	(a) Employment Generation Programmes
	(b) Pradhan Mantri Kaushal Vikas Yojna
23.	Environment, Forestry and Wildlife (EFWL)
	(a) National Mission for a Green India
	(b) Integrated Development of Wildlife Habitats
	(c) Conservation of Natural Resources and Ecosystems
	(d) National River Conservation Programme
24.	Urban Rejuvenation Mission (AMRUT and Smart Cities Mission)
25.	Modernization of Police Forces (including Security Related Expenditure)
26.	Infrastructure Facilities for Judiciary (including Gram Nyayalayas and e-Courts)
<b>(C) Optional Schemes</b>	
27.	Border Area Development Programme
28.	Shyama Prasad Mukherjee Rurban Mission

Funding Pattern would be as follows:

**Core of the Core Schemes:**

Existing Funding pattern of the Core of the Core Schemes would continue.

**Core Schemes:**

- (a) For 8 North Eastern States and 3 Himalayan States: Centre: State: 90:10
- (b) For other States: Centre: State: 60:40
- (c) For Union Territories (without Legislature): Centre 100% and for UTs with Legislature existing funding pattern would continue.

**Optional Schemes:**

- (a) For 8 North Eastern States and 3 Himalayan States: Centre: State: 80:20
- (b) For other States: Centre: State: 50:50
- (c) For Union Territories:
  - (i) (without Legislature) - Centre 100%
  - (ii) Union Territories with Legislature: Centre: UT:80:20

**Flexibility and Flexi-funds to the States/UTs:**

- (a) While designing the CSS, the Central Ministries shall permit flexibility in the choice of components to the States as available under the Rashtriya Krishi Vikaas Yojana (RKVY).
- (b) Moreover, the flexi-funds available in each CSS has been raised from the current level of 10% to 25% for the States and 30% for the UTs of the overall annual allocation under each Scheme so that the implementation can be better attuned to the needs of individual State/UT.

SHRI SHANTARAM NAIK: Sir, in the reply tabled before the House, the Minister has said that due to resulting paucity of resources with the Centre, some schemes were delinked from the Union support, and funding pattern for some Centrally-Sponsored Schemes was changed. Now, I would like to know when this funding pattern was changed. Was a notification issued to that effect. What exactly made you change it? Was there a representation against changing of funding pattern? I would like to know in detail.

श्री अर्जुन राम मेघवाल: सभापति महोदय, केंद्रीय प्रायोजित योजनाएं जो उत्तर-पूर्वी राज्यों के लिए लागू थीं, उनको rationalize करने के लिए नीति आयोग द्वारा मुख्यमंत्रियों की एक सब कमेटी बनाई गई थी। उस सब कमेटी ने जब रिपोर्ट दी, तो केंद्र सरकार ने 3 अगस्त, 2016 को इसे स्वीकार किया। इसमें जो फार्मूला अपनाया गया, जिसके बारे में आप पूछ रहे हैं कि क्यों चेंजिज़ हुए, तो 13वें वित्त आयोग में इन्कम डिस्टेंस का 47.5 परसेंट का वेटेज़ था, जनसंख्या का, 1971 के आधार पर 25 परसेंट का वेटेज़ था, क्षेत्रफल का 10 परसेंट का वेटेज़ था, fiscal discipline का 17.5 परसेंट का वेटेज़ था। उसको लेकर जो 14वा वित्त आयोग था, उसमें जो फॉरेस्ट कवर है, इसमें 7.5 परसेंट का चेंज आया है, लेकिन इसको rationalize करने के लिए ही चेंज किया गया था। फिर भी, मैं यह बताना चाहता हूं कि नॉर्थ-ईस्ट में जो 2014-15 में राशि

गई थी, वह 3,37,808 करोड़ रुपये गई थी। ...**(व्यवधान)**..

SHRI SHANTARAM NAIK: When was it done? ...**(Interruptions)**...

MR. CHAIRMAN: Just a minute. Let him complete.

**श्री अर्जुन राम मेघवाल:** सर, यह वित्त आयोग की रिपोर्ट के आधार पर ही चेंज किया गया। ...**(व्यवधान)**... आप मेरी बात सुन लीजिए। वर्ष 2015-16 में यह बढ़कर 5,23,958 करोड़ रुपये हो गई। इस प्रकार से इस राशि में 1,86,150 करोड़ रुपये की वृद्धि हुई है और नॉर्थ-ईस्ट में ज्यादा पैसा गया है। ...**(व्यवधान)**...

SHRI SHANTARAM NAIK: Sir, he is not replying. ...**(Interruptions)**...

MR. CHAIRMAN: He is giving you the date. ...**(Interruptions)**...

SHRI SHANTARAM NAIK: Sir, you can give a direction. ...**(Interruptions)**...

MR. CHAIRMAN: One minute please. ...**(Interruptions)**...

SHRI SHANTARAM NAIK: I want to know whether there was a representation. ...**(Interruptions)**... What made you change that? ...**(Interruptions)**...

MR. CHAIRMAN: It's not your question. Please sit down. ...**(Interruptions)**..

**श्री अर्जुन राम मेघवाल:** 3 अगस्त, 2016 को। ...**(व्यवधान)**...

SHRI SHANTARAM NAIK: When was it changed? ...**(Interruptions)**... What made you change it? ...**(Interruptions)**..

**श्री अर्जुन राम मेघवाल:** सर, यह 3 अगस्त, 2016 को वित्त आयोग की रिपोर्ट के आधार पर change किया गया है।

MR. CHAIRMAN: Now, second supplementary.

SHRI SHANTARAM NAIK: What is the legal status of Centrally-Sponsored Schemes? We know about Acts, rules and regulations. What is the legal status of the Centrally-Sponsored Schemes? I would like to know whether there is any proposal of the Government to enact a legislation to regulate such Centrally-Sponsored Schemes.

**श्री अर्जुन राम मेघवाल:** सभापति महोदय, मैं माननीय सदस्य को बताना चाहता हूं कि नेशनल डेवलपमेंट एजेंडे के आधार पर 6 स्कीम्स तो Core of the Core Schemes हैं, जिसमें फंडिंग पैटर्न में कोई चेंज नहीं किया गया है। उसके बाद 20 स्कीम्स हैं, जो Core Schemes हैं और two Optional Schemes हैं। लीगल स्टेटस यही है कि ये स्कीमें नॉर्थ-ईस्ट में लागू हैं। इसका फंडिंग पैटर्न भी इसके आधार पर ही लागू होता है। Core of the Core Schemes के फंडिंग पैटर्न में कोई चेंज नहीं है, लीगल स्टेटस है। इसमें कोई चेंज नहीं है। राज्य सरकार पैसा मांग सकती है और 90:10 के अनुपात में पैसा मांग सकती है। ये सारी योजनाएं नॉर्थ-ईस्ट में लागू हैं।

SHRI SHANTARAM NAIK: Please enlighten us on that issue. ...*(Interruptions)*... What is the legal status? ...*(Interruptions)*...

THE MINISTER OF FINANCE AND THE MINISTER OF CORPORATE AFFAIRS (SHRI ARUN JAITLEY): Sir, different schemes are under different administrative and executive decisions of the Government. There may be a Scheme like MGNREGA, which may also have a statutory support.

SHRI BHUBANESWAR KALITA: Sir, for the development of the North-Eastern region, the North-Eastern Council was created with direct funding from the Planning Commission. We understand from the newspaper reports that the Government is thinking of making the North-Eastern Council a regional planning body. The aim of the North-Eastern Council was to develop the North-Eastern region, the North-Eastern States. If it is reduced to as a regional planning body only, the purpose will be defeated and the North-Eastern States will suffer financially. If it is true, then, I would ask the hon. Minister as to whether they are going to keep it as a N.E. Development and Planning Council.

SHRI ARUN JAITLEY: Sir, the Government has not taken any decision, as is anticipated by my learned friend.

**श्री हरिवंश:** माननीय सभापति जी, आपके माध्यम से मैं माननीय मंत्री जी से यह जानना चाहूंगा कि उत्तर-पूर्वी क्षेत्र विकास मंत्री ने कल गुवाहाटी में कहा है कि केंद्र में NDA की सरकार के आने के बाद विकास मामलों में हमने कई ऊंचाइयों को हासिल किया है। उन्होंने उदाहरण दिया कि NDA सरकार के दौरान अरुणाचल प्रदेश और मणिपुर रेल लाइन से जुड़े हैं। हालांकि सब जानते हैं कि रेल लाइन वर्षों के परिश्रम के बाद बनती है।

मेरा माननीय मंत्री जी से सीधा-सीधा यह सवाल है कि नई सरकार के आने के बाद उत्तर-पूर्व के विकास पर अब तक कुल कितनी राशि खर्च हुई तथा रेल, सड़क पर कितना खर्च हुआ? इसके साथ ही यह भी बताएं कि युवाओं को रोजगार देने के कितने काम हुए? कितने युवाओं को रोजगार मिला तथा कितने उद्योग धंधे खुले हैं?

**श्री सभापति:** आपने काफी सवाल एक ही सवाल में पूछ लिए।

**श्री हरिवंश:** सर, यह विकास से जुड़ा मामला है।

**श्री अर्जुन राम मेघवाल:** सर, जैसा मैंने पहले जिक्र किया है कि माननीय सदस्य ने जो डिटेल्स मांगी हैं, इनका इस प्रश्न से कोई सीधा संबंध नहीं है, फिर भी इसकी जानकारी प्राप्त करके, माननीय सदस्य को अवगत करवा दिया जाएगा।

SHRI RIPUN BORA: Sir, I want to know from the hon. Minister a very specific point relating to the 'special category' status given to the eight States of NE region and three States of Himalayan region. Has the 'special category' status ceased or is it continuing? On the basis of the recommendations of the Fourteenth Finance



Commission, the net share of taxes to the States has been increased from 32 per cent to 42 per cent. On the basis of this recommendation, I want to know from the hon. Minister as to whether it is a fact that the 'special category' status has been stopped closed or it is continuing as on today.

SHRI ARUN JAITLEY: The impact of the 'special category' status is that, with regard to the Core-of-Core Schemes, the funding pattern all over the country remains the same. With regard to other Core Schemes, for the North-Eastern States and three Himalayan States, the funding pattern remains 90:10, which, for other States, is 60:40. For Optional Category, for North-East and Himalayan States, it remains 80:20. Therefore, the North-East and the Himalayan States have a special category of funding even under the recommendations of the Fourteenth Finance Commission.

### भत्तों के संबंध में सातवें वेतन आयोग संबंधी समिति

\*244. श्री राम कुमार कश्यप: क्या वित्त मंत्री यह बताने की कृपा करेंगे कि:

(क) सरकार द्वारा सातवें वेतन आयोग की सिफारिशों को लागू किए जाने के संबंध में क्या-क्या कदम उठाए जा रहे हैं;

(ख) भत्तों तथा न्यूनतम वेतन के संबंध में गठित समिति और इसके कार्य-क्षेत्र का ब्यौरा क्या है और तत्संबंधी समय-सीमा क्या है;

(ग) आयोग की वेतन और भत्तों संबंधी सिफारिशों को वास्तव में कब तक लागू किया जाएगा; और

(घ) इस संबंध में विलंब के क्या कारण हैं?

वित्त मंत्रालय में राज्य मंत्री (श्री अर्जुन राम मेघवाल): (क) से (घ) एक विवरण सदन पटल पर रखा जाता है।

### विवरण

(क) से (घ) सरकार ने वेतन, पेंशन और संबंधित मुद्दों के संबंध में 7वें केंद्रीय वेतन आयोग की सिफारिशें लागू करने का निर्णय लिया है। सरकार के निर्णयों से संबंधित संकल्प 25.7.2016 को जारी किया जा चुका है। सरकार द्वारा किए गए निर्णय के अनुसार, वेतन और पेंशन से संबंधित मामले 1.1.2016 से लागू किए जा चुके हैं। 7वें केंद्रीय वेतन आयोग द्वारा भत्तों के बारे में विद्यमान प्रावधानों से बहुत हटकर की गई संस्तुतियों और इस संबंध में कर्मचारी संगठनों तथा अन्य हितधारकों से बड़ी संख्या में प्राप्त अभ्यावेदनों को देखते हुए, सरकार ने निर्णय लिया है कि महंगाई भत्ते से भिन्न भत्तों से संबंधित सिफारिशों पर कोई अंतिम निर्णय लिए जाने से पहले इनकी जांच वित्त सचिव की अध्यक्षता में गठित एक समिति द्वारा की जाए। इस समिति में गृह, रक्षा, स्वास्थ्य और परिवार कल्याण मंत्रालयों, कार्मिक और प्रशिक्षण एवं डाक विभागों के सचिव, रेलवे बोर्ड के अध्यक्ष सदस्य के रूप में शामिल हैं। इस समिति से कहा गया है कि वह चार माह के अंदर अपनी रिपोर्ट प्रस्तुत कर दे। समिति का गठन 22.7.2016 को किया जा चुका है और समिति की पहली बैठक 4.8.2016 को हुई है।

**Seventh Pay Commission Committee on Allowances**

†\*244. SHRI RAM KUMAR KASHYAP: Will the Minister of FINANCE be pleased to state:

(a) the steps being taken by the Government for implementing the recommendations of Seventh Pay Commission;

(b) the details of the Committee constituted regarding allowances and minimum pay, domain and time-limit thereof;

(c) by when the recommendations of the Commission regarding pay and allowances will be actually implemented; and

(d) the reasons for delay in this regard?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI ARJUN RAM MANGWAL): (a) to (d) A Statement is laid on the Table of the House.

***Statement***

(a) to (d) The Government has decided to implement the recommendations of the 7th Central Pay Commission relating to pay, pension and related issues. The resolution on Government decisions has been issued on 25.07.2016. The matters relating to pay and pension, as decided by the Government, have been implemented with effect from 01.01.2016. In view of the significant departure from the existing provisions recommended by the 7th CPC and a number of representations received from Employee Associations and other stakeholders in this regard, the Government has decided that recommendations on allowances, other than Dearness Allowance, be examined by a Committee comprising Finance Secretary as Chairman and Secretaries of Home Affairs, Defence, Health and Family Welfare, Personnel and Training, Posts and Chairman, Railway Board as Members for examination before taking a final decision. The Committee has been asked to submit its report within four months. This Committee has been constituted on 22.07.2016 and the first meeting of the Committee has been held on 04.08.2016.

**श्री राम कुमार कश्यप:** सर, केंद्रीय सरकार ने 7वें केंद्रीय वेतन आयोग की सिफारिशें लागू कर दी हैं। मैं इसके लिए निश्चित तौर से वित्त मंत्री जी को बधाई देना चाहता हूं। सर, अब मैं आपके माध्यम से मंत्री जी से यह कहना चाहता हूं कि अब राज्य सरकारों के कर्मचारी भी केंद्र सरकार के कर्मचारियों की तरह ही यथाशीघ्र वेतन आयोग की सिफारिशों का लाभ लेना चाहते हैं और उनको लाभ मिलना भी चाहिए। राज्य सरकारें भी चाहती हैं कि उनके कर्मचारियों को यथाशीघ्र लाभ दिया जाए, लेकिन सभी राज्यों के वित्तीय संसाधन और आर्थिक स्थिति एक जैसी न होने के कारण कुछ राज्यों ने इस हेतु केंद्र सरकार से वित्तीय सहायता की मांग की

---

† Original notice of the question was received in Hindi.

है। क्या वित्त मंत्री जी राज्य सरकारों की इस प्रकार की मांग पर कोई विचार कर रहे हैं कि किस प्रकार से आप इन राज्यों की सहायता करेंगे? सर, मेरा दूसरा प्रश्न सातवें वेतन आयोग लागू करने के तरीके से संबंधित है। पहली बार वेतन आयोग की सिफारिशों को दो भागों में लागू किया जा रहा है। पहले भाग में, वेतन से संबंधित सिफारिशों को अगस्त माह से लागू किया गया है, जोकि अच्छी बात है। दूसरे भाग में भत्तों के संबंध में अलग समिति का गठन किया गया है। दूसरी समिति के गठन के फलस्वरूप केंद्र सरकार के कर्मचारी भत्तों के लाभ से कई माह तक वंचित रह जाएंगे। महोदय, स्वाभाविक तौर पर इस से यह संदेश जाता है कि केंद्र सरकार इस तरह भत्तों को न देने की अवधि बढ़ाकर अपनी बचत करना चाहती है। मैं मंत्री महोदय से पूछना चाहूंगा कि क्या इन भत्तों का भुगतान भी अगस्त, 2016 से लागू होगा या समिति के निर्णय के आधार पर अधिसूचना जारी होगी? कृपया इस संबंध में स्थिति स्पष्ट करें।

**वित्त मंत्री तथा कारपोरेट कार्य मंत्री (श्री अरुण जेटली):** सभापति जी, जब छठवें वेतन आयोग की सिफारिशें लागू हुई थीं, तो वे सिफारिशें आने के 32 महीने बाद लागू हुई थीं। इस बार नवम्बर के माह में रिपोर्ट आई, दिसम्बर में हमने सेक्रेटरीज की कमेटी बना दी और जून के महीने में कैबिनेट ने पूरा निर्णय ले लिया। उसमें वेतन और पेंशन संबंधी निर्णय, जोकि वित्तीय दृष्टि से मुख्य बोझ होता है, उसे हमने पहली जनवरी, 2016 से लागू किया है। जहां तक भत्तों का प्रश्न है, भत्तों के संबंध में जो सिफारिशें हैं, उसमें 51 भत्ते इस प्रकार के हैं, जिन्हें abolish करने का निर्णय लिया है, 37 ऐसे हैं जिन्हें subsume किया गया है। चूंकि उसे लेकर बहुत radical suggestions हैं, 40 संगठनों ने भी उसके संबंध में अपने representations दिए हैं, इसलिए एक विशेष कमेटी बनायी गयी है, जोकि इस विषय को देखेगी और वह जो निर्णय लेगी, वह मंत्रिपरिषद के सामने जाएगा।

MR. CHAIRMAN: Members are so satisfied with the answer that there are no supplementaries.

#### **Waiver restructuring of company loans above 100 crores**

\*245. SHRI DIGVIJAYA SINGH: Will the Minister of FINANCE be pleased to state:

(a) the details of the companies whose loans of over ₹ 100 crore have been restructured in 2013-14, 2014-15 and 2015-16; and

(b) the details of the amount due and the amount waived and the terms for restructuring along with the names of the directors of each company?

THE MINISTER OF FINANCE (SHRI ARUN JAITLEY) (a) and (b) A Statement is laid on the Table of the House.

#### **Statement**

(a) and (b) Reserve Bank of India (RBI) has informed that in exercise of powers conferred under Section 27 (2) of the Banking Regulation Act 1949, RBI collects credit information from banks under the CRILC reporting system (for borrowers

with credit exposure greater than ₹ 5 crores), which has been operationalised from September, 2014. Under Section 28 of the BR Act 1949, Reserve Bank can disclose information in consolidated form. Accordingly, the number of outstanding amounts in accounts that have outstanding of ₹ 100 crore and above in FY15 and FY16 is enclosed as Statement-I (*See below*). As per Section 45 (E) of RBI Act 1934, RBI is prohibited from disclosing credit information except under certain conditions.

***Statement-I***

*The Number of outstanding amounts*

*Restructured Accounts with funded amount outstanding 100 crore and above*

	March 16		March 15	
	No. of Borrowers	Funded Amount outstanding in ₹ crore	No. of Borrowers	Funded Amount outstanding in ₹ crore
Restructured Standard Advance	366	2,72,152	452	3,34,060
Restructured NPA	225	1,02,891	112	32,786

*Source:* Off-site returns, global operations, Reserve Bank of India

**श्री दिग्विजय सिंह:** सर, आज पूरे देश में बैंकिंग इंडस्ट्री crisis में है और लाखों करोड़ रुपए एनपीए में जा चुके हैं, wilful defaulters की सूची में हैं और restructured loans की योजना के अंतर्गत लिए गए हैं। सर, देश में आज transparency और information sharing का जमाना है। पूरे देश में यह चिंता का विषय है कि जो लाखों करोड़ रुपए के लोन्स दिए गए, उनकी वसूली होगी या नहीं होगी। माननीय मंत्री ने अपने उत्तर में यह कहा है कि आरबीआई के अधिनियम 1934 की धारा 45(ड.) के अंतर्गत, कुछ परिस्थितियों को छोड़कर hidden सूचना का प्रकटीकरण निषिद्ध है। महोदय, मेरा माननीय मंत्री जी से प्रश्न है कि क्या बदली हुई परिस्थितियों में, जहां ट्रांसपैरेंसी आवश्यक है, आरबीआई की इस धारा को amend करने का कोई विचार है?

**श्री अरुण जेटली:** माननीय सभापति जी, ट्रांसपैरेंसी बहुत लोकप्रिय शब्द है और आज पूरे विश्व में इस की स्वीकृति भी काफी हो रही है, लेकिन ट्रांसपैरेंसी को, जब आरबीआई एक्ट बना था, तब भी जिस में बहुत ट्रांसपैरेंसी आई, कुछ विषयों में commercial confidentiality के साथ उसे balance करते हैं। महोदय, कई पुराने कानून अभी भी चले आ रहे हैं, जोकि समय के साथ चल रहे हैं, जैसे कि इनकम टैक्स कानून है कि क्या किसी व्यक्ति की tax assessment या उसकी प्रोसीडिंग्स सार्वजनिक की जा सकती है। उसी प्रकार से क्या उसके banking details क्या सार्वजनिक किए जा सकते हैं। तो अभी तक जो Banking Regulation Act, 1949 का है, और उसके अलावा जो RBI Act, 1944 का है, उसमें यह requirement है कि बैंक्स के संबंध में जो अकाउंट्स हैं, वे किस परिस्थिति में सार्वजनिक किए जाएंगे और नहीं किए जाएंगे। सार्वजनिक

करना, consolidated form में एक amount दिया जा सकता है, यह उस प्रावधान के अंदर लिखा है, इसलिए किसी भी सरकार को कानून के इस दायरे में काम करना पड़ेगा। इस वक्त सरकार के पास उस प्रावधान को बदलने का कोई प्रस्ताव नहीं है।

**श्री दिग्विजय सिंह:** सभापति जी, यह कोई नई बात नहीं है, क्योंकि भारतीय जनता पार्टी शुरु से ही transparency के विरोध में रही है। मैं आपसे अनुरोध करना चाहता हूँ कि इन्होंने restructured standard advance की फिगर्स दिए हैं। Financial Year closing में, मार्च, 2015 में 452 borrowers में 3,00,034 करोड़ रुपये के लोन की restructuring हुई, Financial Year, 2016 में 366 borrowers के 2,72,152 करोड़ रुपये की restructuring हुई है। सर, इसमें restructured NPA है। 2015 में यह restructured NPA 32,000 करोड़ और 2016 में 1,02,000 करोड़ रुपये था। सभापति महोदय, यह चिंता का विषय तो है ही, लेकिन माननीय वित्त मंत्री जी, आज जो समय की मांग है, उसको मानने के लिए तैयार नहीं हैं, उसको सुनने के लिए भी तैयार नहीं हैं। हो सकता है कि इसका कोई कारण हो। सभापति जी, मैं आपके माध्यम से अनुरोध करना चाहता हूँ कि जो restructured standard advance हैं और restructured NPAs हैं, उनकी आरबीआई या वित्त मंत्रालय की ऐसी कौन-सी गाइडलाइन्स हैं, या कौन से ऐसे standard procedures हैं, जिनमें लिखा है कि आप किस हद तक ब्याज में या मूल धन में राहत देंगे?

सभापति जी, हम वित्त मंत्री जी से यह जानना चाहेंगे कि restructured standard advance और restructured NPAs, इन दोनों के बारे में आरबीआई या वित्त मंत्रालय की क्या गाइडलाइन्स हैं?

**श्री अरुण जेटली:** सभापति जी, इसके संबंध में आरबीआई बहुत डिटेल में गाइडलाइन्स देता है। इनमें NPAs के संबंध में, stressed assets के संबंध में बताया गया है कि उनके साथ किस प्रकार से डील करना है, उनकी किस प्रकार से restructuring हो सकती है और बैंक्स को किस प्रकार से उनकी provisioning अपने accounts में और balance sheet में करनी पड़ेगी। इसके लिए आरबीआई की समय-समय पर डिटेल्ड गाइडलाइन्स रही हैं और वे गाइडलाइन्स already पब्लिक डोमेन में हैं, उनके संबंध में कोई secrecy नहीं है।

मैं माननीय सदस्य के लिए इस विषय को दूसरी दृष्टि से रखना चाहूंगा कि किसी भी उद्योग को सेट-अप करने के लिए, उसके विकास और ग्रोथ को सपोर्ट करने के लिए बैंकिंग फायनेंस बहुत आवश्यक होता है। बैंक्स के समर्थन के बगैर कोई भी उद्योग या इंडस्ट्री इस देश के विकास में अग्रसर नहीं हो सकती है। बैंक्स के सामने जो प्रश्न आता है, वह यह है कि जब एक परफॉर्मिंग एसेट, जिस पर ब्याज भी दिया जाता है और उसका मूल भी वापस किया जाता है, किसी कारणवश, घाटे की वजह से या किसी अन्य कारणवश, या अगर पूरा business environment कमजोर हुआ है, उस कारण से वह वापस नहीं कर पाता, तो 90 दिन के बाद, उसका जो प्रॉसिजर है, उस प्रॉसिजर को फॉलो करने के बाद, उस परफॉर्मिंग एसेट को NPA के रूप में क्लासिफाई कर दिया जाता है। जब वह एकाउंट NPA के रूप में फंक्शन करता है, तो उसकी अपनी लिमिटेशनस होती हैं। अब हमारे सामने प्रश्न यह आता है कि क्या उस उद्योग को तुरंत बंद कर दिया जाए, क्या उसमें जो रोजगार है, उसको तुरंत समाप्त कर दिया जाए या फिर एक संभावना ऐसी ढूंढ़ी जाए कि देश के इस प्रकार के उद्योग दुबारा खड़े हो पाएं? यह कौन-सी परिस्थिति में, इसी मैनेजमेंट के अंदर खड़ा हो सकता है, उसकी भी गाइडलाइन्स हैं।

[श्री अरुण जेटली]

दूसरी गाइडलाइन्स भी हैं, जिनमें इसकी कॉरपोरेट डेट रीस्ट्रक्चरिंग होती है, इसमें एसडीआर है, जिसमें आप उसकी equity ले सकते हैं, बैंक्स किसी इंस्टीट्यूशन्स के माध्यम से इसको रन कर सकते हैं या किसी परिस्थिति में थर्ड पार्टी को इसकी मैनेजमेंट हैंड ओवर कर सकते हैं। यदि कुछ भी नहीं हो सकता है, तो नई प्रक्रिया, जो हमने bankruptcy की बनाई है, जिसमें किसी तीसरे को दे भी नहीं सकते हैं, उस परिस्थिति में उसको समाप्त करके, उसके एसेट को नीलाम करके बैंक के पैसे की, कर्मचारियों के पैसे की वसूली करते हैं। ये सारी प्रक्रियाएँ अलग-अलग हैं और इनके संबंध में डिटेल्ड गाइडलाइन्स हैं। ये गाइडलाइन्स सार्वजनिक हैं, ऑनरेबल मेम्बर उनको ले सकते हैं, यदि वे चाहें तो मैं भी उनको भेज सकता हूँ।

DR. SUBHASH CHANDRA: Thank you, Sir, for allowing me to ask a supplementary question. My question to the hon. Minister is this. Are there any corporate houses or companies who have been chargesheeted for criminal offence, and there has been a restructuring of their debts or any waiver of their debts? If there are any, I would like to have some details thereof.

SHRI ARUN JAITLEY: Sir, this would again depend on the principal question which I answered to the hon. Member, Shri Digvijaya Singh. As far as individual cases are concerned, there are limitations on the details we made public. If there are any specific names that the hon. Member has in mind, he can write to me separately, and I will check up those details.

SHRI K. T. S. TULSI: Mr. Chairman, Sir, I wish to ask a specific question that under the Scheme 525, the total amount of loans restructured during 2014-15, according to the information on India.com is ₹ 3,50,000 crores and the total amount of loans restructured in the case of farmers is ₹ 4 crore. Is this true?

SHRI ARUN JAITLEY: Sir, I will have to check up the exact details because that is not relatable to the present question. But let me tell the hon. Member that as far as different sectors are concerned, there has been an experience that in smaller loans, the levels of NPAs have been much lesser. For example, in micro financing etc., the recoveries are to the extent of 99 per cent, and therefore, the NPAs themselves are much lesser. The higher NPAs are in relation to much larger trading and industrial advances.

SHRI K. T. S. TULSI: That is why farmers are killing themselves.

SHRI ARUN JAITLEY: The farmers were killing themselves because the prices were not remunerative; the cost of cultivation has gone up, and they were unable to pay the debt back. This is the principal reason why the farm sector was in distress.

**श्री अजय संचेती:** सर, अभी देश में हर सेक्टर में infrastructure को multi-fold बढ़ावा दिया जा रहा है। सरकार के बहुत प्रयासों के बावजूद बैंकों में infrastructure sector के loan को restructure नहीं करना या उनकी rating improve होने के बाद भी उनको support नहीं करना, किसी कारण से पहले के जो भी NPAs हों, उसके कारण एक slow down आया हुआ है। देश में infrastructure में जितना पैसा pump किया जा रहा है, क्या सरकार बैंकों द्वारा फिर से उसके proportion में कंपनीज़ की मदद करने के लिए इस प्रकार का कोई विशेष प्रावधान करेगी?

**श्री अरुण जेटली:** सभापति जी, यह कहना कि infrastructure companies को banking system बहुत support नहीं कर पा रहा है, अपने आपमें शायद यह एक बहुत accurate statement नहीं होगा। अगर हम सारे NPAs के basket को देखते हैं, तो उसमें infrastructure projects काफी हद तक slowdown से प्रभावित थे। अब कुछ ऐसे सेक्टर्स हैं, जिनके अन्दर balance sheets turn around करने लगी हैं। उदाहरण के लिए स्टील की balance sheets MIP के बाद थोड़ा turn around करने लगी हैं। National Highway Sector, चूँकि यह infrastructure का एक सेक्टर था और उसमें बहुत बड़ा slowdown आया था, पिछले एक-डेढ़ साल में उसकी balance sheets turn around करने लगी हैं, वहां पर सुधार आया है और banking system ने उसको support किया है, लेकिन जो installed projects थे और कई infrastructure companies थीं, आज भी उनके debts काफी high हैं और उस क्षेत्र के NPAs काफी high हैं, लेकिन फिर भी चूँकि infrastructure आवश्यक है, तो बैंकिंग सेक्टर प्रयास करता रहता है कि चाहे management change हो, चाहे कहीं NPA restructuring हो जाए, चाहे उनके साथ third partner आ जाए, तरह-तरह की ऐसी योजनाओं के माध्यम से ये कंपनियां दोबारा अपने पांव के ऊपर खड़ी हो जाएं।

### एयर इंडिया द्वारा यात्रियों को प्रदान की जाने वाली सुविधाएं

\*246. **डा. सत्यनारायण जटिया:** क्या **नागर विमानन** मंत्री यह बताने की कृपा करेंगे कि:

(क) एयर इंडिया की सेवाओं में समय की पाबन्दी सुनिश्चित करने हेतु क्या-क्या उपाय किए गए हैं;

(ख) एक घंटे से अधिक विलम्ब से चलने वाली उड़ानों हेतु प्रतीक्षालयों तथा अन्य सुविधाओं हेतु क्या व्यवस्था की गई है;

(ग) 1 जून से 30 जून, 2016 तक की अवधि के दौरान दिल्ली तथा मध्य प्रदेश के बीच संचालित होने वाली एयर इंडिया की उड़ानों के समय-पालन का ब्यौरा क्या है; और

(घ) एयर इंडिया द्वारा गुणवत्तायुक्त अल्पाहार तथा भोजन उपलब्ध कराए जाने हेतु क्या-क्या उपाय किए गए हैं?

**नागर विमानन मंत्री (श्री अशोक गजपति राजू पुसापति):** (क) से (घ) एक विवरण सभा पटल पर रख दिया गया है।

### विवरण

(क) केबिन तथा कॉकपिट कर्मी दल की उपलब्धता तथा विमानों का अनुरक्षण वायु सेवाओं की समय की पाबंदी/समय पर निष्पादन (OTP) को प्रभावित करने वाले प्रमुख कारक हैं। एयर

इंडिया द्वारा इन समस्याओं के निपटान के लिए निम्नलिखित उपाय किए गए हैं:

- (i) एयर इंडिया द्वारा इस कमी को पूरा करने के लिए पिछले एक वर्ष के दौरान 265 पायलटों की भर्ती की गई है।
- (ii) कुल 902 केबिन कर्मियों की भर्ती की गई है।
- (iii) मंत्रालय द्वारा एयर इंडिया को केवल विमानों के उचित अनुरक्षण के लिए 300 मिलियन डालर का बाह्य वाणिज्यिक ऋण (ECB) उपलब्ध करवाया गया है। इन प्रयासों के परिणामस्वरूप एअर इंडिया का समय पर निष्पादन जनवरी से जुलाई, 2015 में 74% से सुधरकर वर्ष 2016 की इसी अवधि में 78% हो गया है।

(ख) विमान में चढ़ने से मनाही करने, उड़ानें रद्द होने तथा 2 घंटे से अधिक अवधि के लिए उड़ानों में विलम्ब के कारण एयरलाइनों द्वारा यात्रियों को उपलब्ध करवाई जाने वाली सुविधाओं के संबंध में नागर विमानन महानिदेशालय द्वारा जारी नागर विमानन अपेक्षाएं, खंड-3 वायु परिवहन श्रृंखला “एम” का अनुपालन एअर इंडिया द्वारा किया जाता है। यात्रियों को निम्नलिखित मुफ्त सुविधाएं प्रदान की जाती हैं:

- (i) प्रतीक्षा समय के अनुसार भोजन तथा अल्पाहार।
- (ii) आवश्यकतानुसार होटल आवास (परिवहन सुविधा सहित)

(ग) दिल्ली से मध्य प्रदेश के लिए प्रचालित की गई एयर इंडिया की उड़ानों के संबंध में दिनांक 1 जून, 2016 से 30 जून, 2016 के दौरान समय की पाबंदी का ब्यौरा विवरण-1 में दिया गया है (नीचे देखिए)।

(घ) एयर इंडिया द्वारा उड़ानगत भोजन ऐसे प्रख्यात भोजन केटरर्स से प्राप्त किया जाता है जो अन्य अंतर्राष्ट्रीय एवं अंतर्देशीय एयरलाइनों को भी भोजन की आपूर्ति करते हैं। भोजन की गुणवत्ता, मात्रा, स्वाद, प्रस्तुति एवं आकर्षकता को मॉनीटर करने के लिए केटरर्स के परिसर में भोज की औचक जांच की जाती है। भोजन की गुणवत्ता में सुधार लाने के लिए केटरर्स के परिसर में समय-समय पर स्वच्छता से संबंधित ऑडिट भी किए जाते हैं।

### विवरण-1

दिनांक 1 जून, 2016 से 30 जून, 2016 की अवधि के लिए दिल्ली से मध्य प्रदेश के लिए एयर इंडिया की उड़ानों का समय पर निष्पादन (OTP) सारांश

क्षेत्र	अनुसूचित	रद्द	प्रचालित	समय पर प्रस्थान	समय पर निष्पादन (OTP) %
दिल्ली से मध्य प्रदेश	137	1	136	114	84



दिनांक 1 जून, 2016 से 30 जून, 2016 की अवधि के लिए मध्य प्रदेश से दिल्ली के लिए एयर इंडिया की उड़ानों का समय पर निष्पादन (OTP) सारांश

क्षेत्र	अनुसूचित	रद्द	प्रचालित	समय पर प्रस्थान	समय पर निष्पादन (OTP) %
मध्य प्रदेश से दिल्ली	139	3	136	96	71

एयर इंडिया विलंबित उड़ानों का सारांश (> 1 घंटा) 1 जून, 2016 से 30 जून, 2016 तक

क्षेत्र	प्रचालित	विलंबित उड़ानें (> 1 घंटा)
दिल्ली से मध्य प्रदेश	136	10
मध्य प्रदेश से दिल्ली	136	6

#### Facilities offered by AI to passengers

†\*246. DR. SATYANARAYAN JATIYA: Will the Minister of CIVIL AVIATION be pleased to state:

- the measures taken to ensure punctuality of services of Air India;
- the arrangements made for passenger waiting rooms and facilities for flights running late for more than one hour;
- the details of the punctuality of flights of Air India during 1st June to 30th June, 2016 operating from Delhi to Madhya Pradesh; and
- the measures taken to provide quality refreshments and meals by AI?

THE MINISTER OF CIVIL AVIATION (SHRI ASHOK GAJAPATHI RAJU PUSAPATI): (a) to (d) A Statement is laid on the Table of the House.

#### Statement

(a) Major factors impacting the punctuality/On Time Performance (OTP) of air services are availability of Cabin and Cockpit Crew and maintenance of aircrafts. Air India has taken following measures to address these issues:

- Air India has recruited 265 Pilots during the last one year to address the shortage.
- Total 902 Cabin Crew has been recruited.
- An External Commercial Borrowings (ECB) of 300 million dollars has been made available by the Ministry to Air India exclusively for proper maintenance of aircrafts.

† Original notice of the question was received in Hindi.

As a result of these initiatives, the On Time Performance of Air India improved from 74% in the period January to July, 2015 to 78% in the same period in 2016.

(b) Air India complies with DGCA CAR Section 3-Air Transport Series "M Part IV" on facilities to be provided to passengers by airlines due to denied boarding, cancellation of flights and delays in flights for more than 2 hours. Passengers are offered free of charge the following:

- (i) Meals and refreshments in relation to the waiting time.
- (ii) Hotel Accommodation when necessary (including transfers)

(c) The details of the punctuality of flights of Air India during 1st June to 30th June, 2016 operating from Delhi to Madhya Pradesh is attached as Statement-I (See below).

(d) Air India uplifts in-flight meals from reputed caterers who also cater to other international and domestic airlines. Surprise meal checks are carried out at caterer's premises to monitor uplift of meals with regard to quality, quantity, taste, presentation and eye appeal. Periodic Hygiene Audits are also being carried out at caterer's premises to improve the quality of meals.

***Statement-I***

*OTP Summary of Delhi to Madhya Pradesh Air India Flights :  
1 June, 2016 to 30 June, 2016*

Region	Scheduled	Cancelled	Operated	On Time Departures	OTP (%)
Delhi to Madhya Pradesh	137	1	136	114	84

*OTP Summary of Madhya Pradesh to Delhi Air India Flights :  
1 June, 2016 to 30 June, 2016*

Region	Scheduled	Cancelled	Operated	On Time Departures	OTP (%)
Madhya Pradesh to Delhi	139	3	136	96	71

*Summary of Air India Flights Delayed (> 1 Hour)  
1 June, 2016 to 30 June, 2016*

Region	Operated	Flights Delayed (> 1 Hour)
Delhi to Madhya Pradesh	136	10
Madhya Pradesh to Delhi	136	6

**डा. सत्यनारायण जटिया:** सभापति जी, मेरा question एयर इंडिया के संदर्भ में है। National carrier के रूप में प्रसिद्ध यह एयरलाइन, जिसको सरकार समय-समय पर वित्तीय संसाधन और वित्तीय सहायता उपलब्ध कराने का काम करती है, उससे उम्मीद की जाती है कि यह सेवा समय पर चले। कहा गया है कि इसमें पायलट्स और कर्मी दलों की कमी होने के कारण यह नहीं हो पा रहा था, किन्तु यह भी पूरा हो गया है। इसमें बताया गया है कि पहले 74 प्रतिशत सेवाएँ on time हुआ करती थीं, वे अब बढ़ कर 78 प्रतिशत हो गई हैं। मेरा कहना है कि हवाई जहाज के लिए समय में सुधार करना उसकी प्रमाणिकता को प्रख्यात करता है। यदि विलम्ब हो जाता है, तो उसके कारण यात्री परेशान होते हैं और उनकी आगे की सारी योजनाएँ बेकार हो जाती हैं। इसलिए मेरा कहना है कि ठीक समय पर इसको चलाने के लिए आपने जो संसाधन के साथ दूसरे उपाय किए हैं, उसको प्रमाणिक तौर पर लागू करने के लिए आप क्या उपाय करेंगे? साथ ही इसमें मिलने वाला जो भोजन है, उसकी जो क्वालिटी, गुणवत्ता है...

**श्री सभापति:** एक बार में एक सवाल पूछिए।

**डा. सत्यनारायण जटिया:** सर, यह इसी के साथ जुड़ा हुआ प्रश्न है। इसके बिना इसलिए नहीं होगा कि लोग इस पर निर्भर करते हैं। अगर हवाई जहाज की उड़ान दो घंटे से ज्यादा हो जाए, तो निश्चित रूप से ऐसा रहता है। तो उसको बेहतर करने के लिए आप क्या उपाय करेंगे?

**SHRI ASHOK GAJAPATHI RAJU PUSAPATI:** Sir, in my answer itself, I had mentioned, “historically, there have been certain problems; so, we have gone in for recruitment of pilots, cabin crew and we have also given the permission to Air India to take a loan of 300 million dollars by External Commercial Borrowings(ECB)”. And we have already mentioned here that all steps are being taken to turn this around. It is necessary that any airline should perform in time. Service disruptions are the worst things. Then, regarding food also, we cater through caterers of repute. And it is our constant endeavour to improve on it and that is also being done. Probably, the hon. Member will be happy to note this that it is the first year after a long, long gap that Air India has not made an operating loss. So, it is going in the right direction and I think if this effort continues, it will be an airline which we can all be proud of.

**डा. सत्यनारायण जटिया:** माननीय सभापति जी, निश्चित रूप से हमें इसमें गर्व करने की बात है और हम गर्व करना भी चाहते हैं, किन्तु इसकी प्रमाणिकता को स्थापित किए बिना यह संभव नहीं होगा। यदि इसमें आपका प्रयास रहा, तो निश्चित रूप से सफलता मिलेगी, ऐसी में उम्मीद करता हूँ। मेरा सवाल यह है कि मध्य प्रदेश में भोपाल प्रदेश की राजधानी है और इन्दौर औद्योगिक राजधानी की तरह है, लेकिन मध्य प्रदेश से दिल्ली के लिए और दिल्ली से मध्य प्रदेश के लिए जो उड़ानें हैं, उनमें दिल्ली से इन्दौर और भोपाल के लिए केवल एक-एक उड़ान उपलब्ध होती है, तो जिस प्रकार से बाकी के कैरियर्स हैं और यहां उड़ानों के लिए पूरी संख्या में यात्री मिलते हैं, तो मध्य प्रदेश के भोपाल, इन्दौर से एअर इंडिया की उड़ानों की संख्या को बढ़ाने के लिए क्या आप कुछ उपाय करेंगे?

SHRI ASHOK GAJAPATHI RAJU PUSAPATI: Sir, we would like the number of flights to increase and also the number of passengers. As of now, Air India operates about 136 flights, from Delhi to Madhya Pradesh and from Madhya Pradesh to Delhi, also with different destinations, there are 136 flights. All efforts are made to increase these flights.

**डा. सत्यनारायण जटिया:** सर, जैसा उत्तर में बताया गया है कि मध्य प्रदेश के लिए 136 फ्लाइट्स हैं, इसमें दिल्ली से जो मध्य प्रदेश की फ्लाइट्स हैं, वे 1 जून से लेकर 30 जून तक की बताई गई हैं। मोटे तौर पर ये जो फ्लाइट्स हैं, पूरे मध्य प्रदेश के बारे में हैं। हमने पूछा था कि भोपाल, इन्दौर के लिए जो फ्लाइट की संख्या एक मिल रही है, उसे बढ़ाने के उपाय करेंगे?

SHRI ASHOK GAJAPATHI RAJU PUSAPATI: We can put it to the consideration of the Airlines and we will motivate them to increase.

SHRI TIRUCHI SIVA: Sir, people choose to fly by private airlines. One of the reasons is punctuality. The other thing I would like to state is that even those who are staunch supporters of PSUs resort to taking the private airlines because of lack of service. Sir, we have been suggesting and I would like to know from the Minister whether you would be prepared to employ some loaders on contract basis; like GREs, which the private airlines are extending to the passengers. So, whenever they come, they get the service and fly in those airlines very comfortably. Whereas in Air India, even up to the counter, even up to the check-in place, no one takes care. So, people who come with luggages and also old-age people prefer the other airlines. So, if you have to protect the public sector undertakings and that too, Air India, which we have to take care of, would you consider employing some contract labourers as GREs or some loaders, which would not cost much? This would attract more passengers and revenue also would increase. And I would request the Minister to consider this proposal. Thank you, Sir.

SHRI ASHOK GAJAPATHI RAJU PUSAPATI: I will take this as a suggestion and pass it to the management to look into it.

SHRI RAJEEV SHUKLA: Sir, enough time has passed after the merger of Indian Airlines and Air India. I would like to know from the hon. Minister as to what his feedback is about the merger. Has the merger proved fruitful for both the airlines or has it improved the financial condition of Air India as well as Indian Airlines? What is the financial status of the merged company today?

SHRI ASHOK GAJAPATHI RAJU PUSAPATI: Sir, the financial status of Air India is fairly precarious. It has got a lot of loan, and it is running; it is working. Historically, it has come to it, and they are doing their best to keep it afloat and to see that this airline performs second to none. This is what the whole effort is about. We, of course, like Air India, and would want it to survive. So, we are trying that.

From the Government side, we are supporting it.

SHRI RAJEEV SHUKLA: Has the merger produced good results?

SHRI ASHOK GAJAPATHI RAJU PUSAPATI: The merger has happened. It is a historical fact, and the clock cannot be put back.

**श्री अमर शंकर साबले:** सभापति महोदय, मैं आपके माध्यम से माननीय मंत्री जी से यह जानना चाहता हूँ कि मैनपॉवर कम होने की वजह से एयर इंडिया की उड़ान विलंब से चलती है, क्या यह सच है? क्या यात्रियों की आबादी बढ़ने से मैनपॉवर बढ़ाने की सरकार की कोई योजना है?

SHRI ASHOK GAJAPATHI RAJU PUSAPATI: The manpower is being recruited. I have mentioned the number of pilots and cabin crews that have been recruited. This is a continuous process and it will happen.

### One Time Settlement by PSBs

247. SHRI NARESH GUJRAL: Will the Minister of FINANCE be pleased to state:

(a) what were the total Non Performing Assets (NPAs) of Public Sector Banks (PSBs) on 31st March 2016; and

(b) the quantum of One Time Settlement made by PSU banks during the last three financial years, the bank-wise details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI SANTOSH KUMAR GANGWAR): (a) and (b) A Statement is laid on the Table of the House.

### Statement

(a) The Gross NPAs of Public Sector Banks as on 31.03.2016 were ₹ 4.76 lakh crore (9.32%).

(b) The details of quantum of One Time Settlement made by Public Sector Banks (PSBs) during last three years enclosed in the Statement-I.

### Statement-I

*The details of quantum of One Time Settlement made by PSBs*

Data on One Time Settlement of PSBs

(₹ in crore)

Name of Bank	FY 14		FY 15		FY 16	
	No. of OTS accounts	Total O/S	No. of OTS accounts	Total O/S	No. of OTS accounts	Total O/S
1	2	3	4	5	6	7
Allahabad Bank	71,194	707	72,142	1,368	83,819	1,145

1	2	3	4	5	6	7
Andhra Bank	25,164	385	26,439	363	54,810	529
Bank of Baroda	24,161	648	33,829	538	41,867	1,264
Bank of India	657	140	21,673	427	53,203	1,034
Bank of Maharashtra	27,685	366	13,815	224	18,618	740
Canara Bank	42,887	1,565	56,700	1,360	65,330	1,501
Central Bank of India	69,265	802	80,094	513	98,564	1,129
Corporation Bank	7,712	151	7,396	40	9,098	140
Dena Bank	7,780	85	3,611	93	6,458	156
IDBI Bank Limited	639	2,147	2,734	2,864	28	80
Indian Bank	10,012	783	12,429	1,921	5,793	343
Indian Overseas Bank	18,229	766	17,197	506	11,741	403
Oriental Bank of Commerce	20,676	508	28,775	570	14,201	790
Punjab and Sind Bank	1,554	67	1,371	89	1,366	40
Punjab National Bank	61,398	863	57,857	1,773	84,173	2,289
Syndicate Bank	33,029	621	30,776	514	53,049	1,071
UCO Bank	15,965	305	22,710	380	38,535	344
Union Bank of India	37,532	203	1,16,620	560	91,178	403
United Bank of India	32,833	248	44,403	279	46,826	444
Vijaya Bank	7,422	228	4,331	176	8,739	258
State Bank of Bikaner and Jaipur	9,097	152	17,169	391	26,978	541
State Bank of Hyderabad	21,338	215	26,401	386	5,860	109
State Bank of India	1,43,927	3,151	70,390	4,239	89,897	5,198
State Bank of Mysore	7,710	111	8,161	95	3,735	162
State Bank of Patiala	8,193	321	8,640	383	14,412	376
State Bank of Travancore	18,369	68	19,272	297	16,709	287
TOTAL	7,24,428	15,606	8,04,935	20,349	9,44,959	20,776

\*No cases of OTS in Bharatiya Mahila Bank

SHRI NARESH GUJRAL: Sir, there was a Credit Suisse Report in 2012, which stated that 95 per cent of the net-worth of the banking system was loaned to just eight or nine houses in this country. That is a huge concentration of risk in just a few parties. My question is: Has this risk now been reduced, and eight or nine

houses are not enjoying 95 per cent of the net-worth of the banks? Sir, my second question is this. Since many of these have now turned NPAs, would the hon. Minister direct — especially the PSU banks — to order a forensic audit so that it can be found out whether moneys have been diverted from the loans which were given to them? It is because if moneys were diverted, only then had they turned NPAs.

THE MINISTER OF FINANCE (SHRI ARUN JAITLEY): Sir, I think the authenticity of that figure looks a little over-stressed that the entire loan is really between eight and nine people.

SHRI NARESH GUJRAL: Not the entire loan; the net worth of the banking system.

SHRI ARUN JAITLEY: Yes, the net worth of the banking system. The loans are of various categories; various industries get into several lakhs of crores of rupees. But the fact is that the Reserve Bank had ordered an Asset Quality Review of the entire banking system, which has been done. On the basis of that, the NPAs are now being more openly stated, and that is why in each quarterly assessment, a provisioning is being made by classifying the NPAs as NPAs, which was otherwise not being done. Therefore, the accounts and the balance sheets are now being cleaned up under the Asset Quality Review, which has been undertaken by the Reserve Bank of India.

SHRI NARESH GUJRAL: Sir, many big corporates, whose net worth is much less than the loans which they have taken — we see in the media — are trying to acquire companies in India or abroad basically on the basis of the market cap of their companies. Sir, we all know how the markets are played. And to acquire these companies, then, they go back to the banks to borrow more. My question is: What is the Government's stand in relation to such companies where the net worth is less than the loans they have taken, but they keep borrowing only on the basis of their market cap, which is manipulated from time to time?

SHRI ARUN JAITLEY: I think the risk assessment of this is done entirely by the banks. And having learnt from this experience of the past several years in which very large quantities of loans — as your first question was — are today with a number of large corporations, if the loan is there — on the percentage of your question itself I had doubts — I think the banking system will probably, having learnt this lesson, become more careful as far as the future is concerned.

SHRI BHUBANESWAR KALITA: Sir, the hon. Minister, in his reply, has stated that the gross NPAs of the Public Sector Banks as on 31st March, 2016, is ₹ 4.76 lakh crore, which is 9.32 per cent. He has also indicated about One Time Settlement. May I know from the hon. Minister what is the quantum of One Time Settlements

made by Public Sector Banks to the MSMEs because MSMEs are giving the largest employment to the people of this country? I want to know the quantum of One Time Settlements given to the MSMEs.

SHRI ARUN JAITLEY: That figure is not separately available at the moment. If the hon. Member writes to me I can ask him to find those details out, but if you look at the annexure which I have given with the reply itself, the fact is that the number of accounts which have been settled by the OTS in the last three years are ₹ 7,24,428 crores, ₹ 8,04,935 crores and ₹ 9,44,959 crores. Undoubtedly, the fact that ₹ 7 lakh crores, ₹ 8 lakh crores or ₹ 9 lakh crore OTS's are taking place would mean that the smaller and the medium accounts also would be included because the number of large accounts cannot be so many in number.

#### **Fatalities from water-borne diseases**

\*248. SHRI DEREK O' BRIEN: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) the number of people who have contracted water-borne diseases over the last three years, State-wise and year-wise;

(b) the number of such cases that have been fatal;

(c) the steps Government has taken to provide safe potable water in rural and urban areas; and

(d) the funds allocated and disbursed for these efforts in the last three years?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRIMATI ANUPRIYA PATEL): (a) to (d) A Statement is laid on the Table of the House.

#### ***Statement***

(a) and (b) Diseases such as Cholera, Acute Diarrhoeal Diseases (Dysentery and Diarrhea), Enteric Fever (Typhoid) and Viral Hepatitis A and E are caused by consumption of contaminated drinking water. State/UT-wise details of number of cases and deaths reported due to these diseases during 2013-15, as per data compiled by the Central Bureau of Health Intelligence (CBHI), are indicated in the Statement-I (*See below*).

(c) Provision of safe drinking water and health services falls within the remit of the State/UT Governments. However, the Government of India has taken steps both for facilitating availability of safe drinking water and also for ensuring effective surveillance of outbreaks of such diseases and their prevention and management.



As informed by the Ministry of Drinking Water and Sanitation, all States have been informed to commission surface water based piped water supply schemes in all habitations as a long term sustainable solution. However, since these projects have a long gestation period (say 3-5 years) and the rural people cannot be put to the risk of consuming contaminated water, all States have also been advised to install community water purification plants, especially in arsenic and fluoride affected habitations. This has been done with the objective of providing 8-10 litres of safe water per capita per day for drinking and cooking purposes only.

Besides, the Ministry of Health and Family Welfare, through its Integrated Disease Surveillance Programme, helps the States/UTs to effectively detect and respond to disease outbreaks including water borne diseases by providing additional manpower, strengthening of laboratories, Information and Communication Technology (ICT), equipment and funds. The National Centre for Disease Control (NCDC) also helps the States/UTs through surveillance, investigation, laboratory and other facilities. It also helps States in capacity building through training and developmental activities.

(d) The Ministry of Drinking Water and Sanitation has informed that funds amounting to ₹ 22,761.12 crore were released to the States against the allocation of ₹ 22,233.75 crore during financial years 2013-14 to 2015-16. Besides, NITI Aayog has also provided funds to the tune of ₹ 800.00 crore during financial year 2015-16 for commissioning community water purification plants in all remaining arsenic and fluoride affected habitations as a short term/immediate measure. Utilization of resources optimally by the State Governments is critical for effectively reducing the incidence of water-borne diseases.

### ***Statement-I***

#### *State-wise details of number of cases and deaths due to various diseases*

##### (A) State-wise cases and deaths due to cholera in India 2013-2015

Sl. No	State/UT	2013		2014		2015	
		Cases	Deaths	Cases	Deaths	Cases	Deaths
1	2	3	4	5	6	7	8
1.	Andhra Pradesh	31	0	0	0	0	0
2.	Arunachal Pradesh	0	0	0	0	0	0
3.	Assam	0	0	0	0	0	0
4.	Bihar	0	0	0	0	0	0

1	2	3	4	5	6	7	8
5.	Chhattisgarh	2	0	20	0	46	0
6.	Goa	0	0	0	0	0	0
7.	Gujarat	327	1	158	0	52	0
8.	Haryana	16	0	7	0	0	0
9.	Himachal Pradesh	0	0	0	0	0	0
10.	Jammu and Kashmir	0	0	0	0	0	0
11.	Jharkhand	9	0	0	0	36	0
12.	Karnataka	200	0	32	0	14	2
13.	Kerala	23	0	3	0	0	0
14.	Madhya Pradesh	8	0	17	0	104	0
15.	Maharashtra	293	1	252	2	289	1
16.	Manipur	0	0	0	0	0	0
17.	Meghalaya	0	0	1	1	0	0
18.	Mizoram	0	0	0	0	26	0
19.	Nagaland	0	0	0	0	0	0
20.	Odisha	0	0	0	0	0	0
21.	Punjab	0	0	0	0	0	0
22.	Rajasthan	5	0	56	0	54	0
23.	Sikkim	0	0	0	0	0	0
24.	Tamil Nadu	42	3	14	0	15	0
25.	Telangana	NA	NA	NA	NA	0	0
26.	Tripura	0	0	0	0	0	0
27.	Uttarakhand	1	0	0	0	0	0
28.	Uttar Pradesh	0	0	0	0	47	0
29.	West Bengal	120	0	173	0	131	0
30.	Andaman and Nicobar Islands	0	0	0	0	0	0
31.	Chandigarh	0	0	15	0	5	0
32.	Dadra and Nagar Haveli	25	0	28	1	10	1
33.	Daman and Diu	0	0	0	0	0	0

1	2	3	4	5	6	7	8
34.	Delhi	25	0	65	1	59	0
35.	Lakshadweep	0	0	0	0	0	0
36.	Puducherry	3	0	3	0	1	0
TOTAL		1130	5	844	5	889	4

Note: 1. 2014: Andhra Pradesh Excludes data of 10 districts of Telangana from July 2014.

2. 2015: Data is different for different reference period.

3. NA stands for Not Available.

Source: National Health Profile brought out by CBHI, Dte.GHS.

(B) State-wise cases and deaths due to Acute Diarrhoeal Diseases reported during 2013-2015

Sl. No	State/UT	2013		2014		2015	
		Cases	Deaths	Cases	Deaths	Cases	Deaths
1	2	3	4	5	6	7	8
1.	Andhra Pradesh	1855496	110	1332145	10	1019612	4
2.	Arunachal Pradesh	30756	3	12657	5	7062	4
3.	Assam	105876	147	83373	73	128392	121
4.	Bihar	550281	24	550038	24	438314	36
5.	Chhattisgarh	104966	37	115561	32	131956	13
6.	Goa	16485	0	16097	4	13204	1
7.	Gujarat	427523	8	504857	3	567123	3
8.	Haryana	168527	27	197898	8	187770	4
9.	Himachal Pradesh	349904	56	350459	52	334168	69
10.	Jammu and Kashmir	591231	1	515013	0	472843	2
11.	Jharkhand	81045	4	81451	17	71887	0
12.	Karnataka	545794	81	810781	12	827942	13
13.	Kerala	372440	12	402106	9	428837	2
14.	Madhya Pradesh	535012	89	768021	112	728261	74
15.	Maharashtra	527115	0	664014	4	822737	27
16.	Manipur	25333	37	29954	32	29159	23
17.	Meghalaya	186023	12	197024	29	75641	20
18.	Mizoram	13518	12	14201	10	14215	11
19.	Nagaland	21672	0	22301	0	11050	0

1	2	3	4	5	6	7	8
20.	Odisha	656838	217	767575	190	692484	79
21.	Punjab	183533	13	170438	22	179211	37
22.	Rajasthan	545293	18	676832	17	767794	13
23.	Sikkim	42410	1	39983	2	25283	0
24.	Tamil Nadu	278701	23	250264	14	310734	8
25.	Telangana	NA	NA	NA	NA	963573	20
26.	Tripura	92826	17	80388	22	70300	4
27.	Uttarakhand	84792	12	90428	14	108974	6
28.	Uttar Pradesh	828367	272	754582	301	774832	320
29.	West Bengal	1830310	302	1896182	200	1663793	166
30.	Andaman and Nicobar Islands	29391	0	23947	2	20841	0
31.	Chandigarh	44664	2	39277	29	45284	47
32.	Dadra and Nagar Haveli	62259	0	63337	0	50907	4
33.	Daman and Diu	8615	2	12831	0	13261	2
34.	Delhi	129367	62	120618	77	148734	82
35.	Lakshadweep	7496	0	6750	0	4029	0
36.	Puducherry	79751	28	87248	11	83172	1
TOTAL		11413610	1629	11748631	1337	12233379	1216

*Note:* 1. 2014: Andhra Pradesh Excludes data of 10 districts of Telangana from July 2014.

2. 2015: Data is different for different reference period.

3. NA stands for Not Available.

*Source:* National Health Profile brought out by CBHI, Dte.GHS.

(C) State-wise cases and deaths due to Enteric Fever (Typhoid) reported during 2013-2015

Sl. No	State/UT	2013		2014		2015	
		Cases	Deaths	Cases	Deaths	Cases	Deaths
1	2	3	4	5	6	7	8
1.	Andhra Pradesh	256458	6	186446	5	131657	0
2.	Arunachal Pradesh	7359	4	4512	3	3563	10
3.	Assam	6521	0	5328	29	10049	0
4.	Bihar	261791	2	283679	4	251818	1

1	2	3	4	5	6	7	8
5.	Chhattisgarh	27457	2	32617	1	47838	1
6.	Goa	355	0	573	0	1603	1
7.	Gujarat	22962	1	29505	0	35362	1
8.	Haryana	27115	0	29990	1	31559	0
9.	Himachal Pradesh	37128	2	48786	6	40630	6
10.	Jammu and Kashmir	70859	0	57537	1	52359	0
11.	Jharkhand	24806	7	36663	7	26333	4
12.	Karnataka	61485	9	92959	1	85376	1
13.	Kerala	4325	3	2269	0	2860	0
14.	Madhya Pradesh	114578	28	155190	25	124244	8
15.	Maharashtra	81458	1	102299	0	128839	0
16.	Manipur	10927	17	10636	10	5422	0
17.	Meghalaya	9134	1	10395	8	3665	0
18.	Mizoram	2765	3	2758	4	2804	0
19.	Nagaland	12736	0	11604	0	5701	0
20.	Odisha	60337	56	90363	39	80658	38
21.	Punjab	35136	5	34651	1	34867	3
22.	Rajasthan	65331	5	83540	4	68323	0
23.	Sikkim	186	0	716	0	174	0
24.	Tamil Nadu	31440	1	29937	0	41125	0
25.	Telangana	NA	NA	NA	NA	163747	0
26.	Tripura	12849	1	10553	0	4022	1
27.	Uttarakhand	25956	0	28939	14	32034	10
28.	Uttar Pradesh	224748	161	225829	203	280746	217
29.	West Bengal	108695	39	90086	42	107949	24
30.	Andaman and Nicobar Islands	1501	3	881	0	803	0
31.	Chandigarh	3251	0	6021	0	12447	52
32.	Dadra and Nagar Haveli	4323	0	2439	0	1406	0
33.	Daman and Diu	888	0	167	0	158	0

1	2	3	4	5	6	7	8
34.	Delhi	32691	29	27339	14	24069	15
35.	Lakshadweep	3	0	3	0	29	0
36.	Puducherry	2591	1	1477	3	1738	0
TOTAL		1650145	387	1736687	425	1845977	393

*Note:* 1. 2014: Andhra Pradesh Excludes data of 10 districts of Telangana from July 2014.

2. 2015: Data is different for different reference period.

3. NA stands for Not Available.

*Source:* National Health Profile brought out by CBHI, Dte.GHS.

(D) State-wise Cases and Deaths due to Viral Hepatitis (All Causes) reported during 2013-2015

Sl. No	State/UT	2013		2014		2015 (Prov.)	
		Cases	Deaths	Cases	Deaths	Cases	Deaths
1	2	3	4	5	6	7	8
1.	Andhra Pradesh	8739	34	3716	1	2531	11
2.	Arunachal Pradesh	588	0	378	6	267	1
3.	Assam	466	0	2033	13	917	7
4.	Bihar	6736	2	20670	3	25808	2
5.	Chhattisgarh	670	5	548	4	532	6
6.	Goa	173	0	182	0	156	0
7.	Gujarat	3676	6	4808	7	3736	0
8.	Haryana	1307	1	1934	13	5020	3
9.	Himachal Pradesh	2023	14	2808	9	1739	1
10.	Jammu and Kashmir	6307	0	5110	0	4028	0
11.	Jharkhand	1444	65	1052	1	1230	1
12.	Karnataka	5415	16	6402	8	6478	21
13.	Kerala	7034	8	5567	4	3894	3
14.	Madhya Pradesh	14055	11	16145	18	12938	25
15.	Maharashtra	5851	13	6753	13	8386	9
16.	Manipur	258	0	443	0	88	0
17.	Meghalaya	518	0	643	0	253	0
18.	Mizoram	419	10	194	0	138	3
19.	Nagaland	119	0	113	0	57	0

1	2	3	4	5	6	7	8
20.	Odisha	3743	90	5069	39	4309	21
21.	Punjab	3099	6	4525	4	9330	8
22.	Rajasthan	2384	10	9719	3	3305	0
23.	Sikkim	692	1	556	0	43	0
24.	Tamil Nadu	1868	0	880	0	1066	1
25.	Telangana	NA	NA	NA	NA	1735	1
26.	Tripura	205	1	177	1	130	1
27.	Uttarakhand	8619	11	9243	9	10242	15
28.	Uttar Pradesh	9079	17	16037	50	11088	62
29.	West Bengal	4967	91	4444	63	3865	81
30.	Andaman and Nicobar Islands	231	11	262	9	80	1
31.	Chandigarh	424	1	766	21	1249	27
32.	Dadra and Nagar Haveli	90	2	32	0	48	6
33.	Daman and Diu	184	7	65	0	64	2
34.	Delhi	8290	131	6965	98	8362	76
35.	Lakshadweep	5	0	16	0	10	0
36.	Puducherry	447	10	299	3	503	2
TOTAL		110125	574	138554	400	133625	397

*Note:* 1. 2014: Andhra Pradesh Excludes data of 10 districts of Telangana from July 2014.

2. 2015: Data is different for different reference period.

3. NA stands for Not Available.

*Source:* National Health Profile brought out by CBHI, Dte.GHS.

SHRI DEREK O'BRIEN: Sir, we have finished eight questions; it is a record. Sir, before I put my supplementary, I would like to congratulate the new Minister. Sir, the question is on the National Rural Drinking Water Programme. The Budget has only shown a marginal increase from ₹ 4400 crores to ₹ 5,000 crores, and the Smart City AMRUT's Budget is about ₹ 7,000 crores. So, my question to the Minister is: In drawing up this Water Programme, why are we only focusing or seem to focus, as shown in the Budget allocations, on exogenous sources? My question is: how does she plan to develop and manage local water resources, besides bothering about the exogenous sources?

SHRIMATI ANUPRIYA PATEL: Sir, the question relates to the fatalities on account of the water borne diseases and, the hon. Member has asked, as to why we are not focusing on developing the local water resources. Sir, provision of safe drinking water is primarily the subject of the State and the Central Government is also supplementing the efforts of the State Governments. We have the Ministry of Drinking water and Sanitation which is advising the States to provide surface based water supply scheme in all the rural areas, and apart from that, these kinds of projects have a long gestation period of three to five years. So, we also have advised the States to commission the community water purification plants in the rural areas for which the NITI Aayog has given ₹ 800 crores to the States. This is how we are trying to set up the local water supply. We are trying to supplement the efforts of the States so that local water is ensured. Another is the community-based water purification plant. We intend to provide eight to ten litres of water for drinking and cooking purposes per capita, that means to every person.

SHRI DEREK O'BRIEN: Sir, I hate to say this, but when it becomes convenient then, the matter goes to States. But anyway, since the Finance Minister is also here; maybe in the answer, I will get some assurance, and we hope to get some assurance from the Finance Minister also.

MR. CHAIRMAN: Isn't that the 'name of the game', anyway?

SHRI DEREK O'BRIEN: Yes, Sir; we all have to go to him, but she has a better chance than I and Shri Nadda is also here. So, they have a double chance to reach out to him. So, the question, Sir, is, given the situation not only in Delhi, but in also many other cities, this Budget of National Rural Drinking Water seems to me too small to solve any of these problems. This Budget should be in the range of about ₹ 8,000 to ₹ 9,000 crores. So, to reach these rural drinking water goals, do the Minister and the Union Minister have a specific plan in mind as to what is the overall Budget so that they can resolve this very basic issue which people need, that is, potable drinking water.

SHRIMATI ANUPRIYA PATEL: Sir, as I have already said, the provision of safe drinking water falls within the remit of the State Governments. The Central Government is only supplementing the efforts of the State Governments to ensure the availability of safe drinking water in the rural and urban areas. For the rural areas, I have already specified the two schemes and there is a heavy Budget that has been given. We have already released ₹ 22,761.12 crores to the States for surface-based piped water supply and the NITI Aayog is also giving ₹ 800 crores for the community-based water purification plants.



And, about the AMRUT Mission,...

MR. CHAIRMAN: I am afraid, Question Hour is over.

SHRI ANUBHAV MOHANTY: Sir, I have given a privilege notice.

MR. CHAIRMAN: Just a minute, just a minute.

SHRI ANUBHAV MOHANTY: Sir, I have given a privilege notice and it is since a week now against the hon. Minister of State in the Ministry of Water Resources. Sir, it is still under examination. When can I get the reply, Sir?

MR. CHAIRMAN: Check with the Secretary-General.

The House is adjourned till 2.00 p.m.

---

## WRITTEN ANSWERS TO STARRED QUESTIONS

### Credit-deposit ratio for Nationalised banks

†\*249. SHRI MAHESH PODDAR: Will the Minister of FINANCE be pleased to state:

(a) whether any criterion has been fixed regarding credit-deposit ratio of Nationalised banks, if so, the details thereof;

(b) whether the Nationalised banks in Jharkhand are not complying with this ratio; and

(c) if so, the details thereof along with the steps being taken in this regard?

THE MINISTER OF FINANCE (SHRI ARUN JAITLEY): (a) to (c) Reserve Bank of India guidelines on improving credit deposit ratio advise Scheduled Commercial Banks including Nationalised Banks to achieve a Credit Deposit (CD) ratio of 60% in respect of their rural and semi-urban branches separately on an all-India basis. The overall credit deposit ratio for the State of Jharkhand is 60.61% as on 31.3.2016 as informed by Bank of India, the convenor bank of State Level Bankers Committee (SLBC) of Jharkhand State. This includes credit sanctioned and utilised by the Scheduled Commercial Banks and Cooperative Banks within the State, credit sanctioned outside the State but utilised within the State and Rural Infrastructure Development Fund (RIDF) funds utilised by the State.

---

† Original notice of the question was received in Hindi.

**Status of Mahila Banks in Odisha**

\*250. SHRI BISHNU CHARAN DAS: Will the Minister of FINANCE be pleased to state:

- (a) number of Mahila Banks presently being run in the country, State-wise;
- (b) the number of Mahila Banks functioning in Odisha, district-wise;
- (c) whether Government is considering to spread the network of Mahila Banks in rural areas of Odisha particularly in Jagatpuri district; and
- (d) if so, the details thereof and if not, the reasons therefor?

THE MINISTER OF FINANCE (SHRI ARUN JAITLEY): (a) and (b) The State-wise list of number of Mahila Urban Co-operative Banks (organised by Mahilas) is in closed as Statement (*See* below).

(c) and (d) Reserve Bank of India has informed that relaxations have been permitted in entry point norms for Mahila Banks to the extent of 50% of the minimum required capital prescribed for general category of Banks.

As informed by Public Sector Banks, there are about 320 all-women branches in the country of which 22 are in Odisha. There are about 8839 bank branches headed by women in the country, out of which 281 are in Odisha.

***Statement******State-wise list of Mahila Urban Co-operative Banks in India***

Sl. No.	State/UT	No. of Mahila Urban Co-operative Banks (organized by Mahilas)
1	2	3
1.	Andhra Pradesh	2
2.	Assam	1
3.	Chhattisgarh	3
4.	Goa	1
5.	Gujarat	9
6.	Karnataka	24
7.	Madhya Pradesh	8
8.	Maharashtra	27
9.	Manipur	1

1	2	3
10.	Rajasthan	6
11.	Telangana	2
12.	Uttar Pradesh	2
13.	West Bengal	2
TOTAL		88

Source: Reserve Bank of India.

### Deaths of children due to preventable diseases

\*251. DR. KANWAR DEEP SINGH: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether India is one of the five countries where highest number of children under five die of preventable diseases, if so, the details thereof and reasons therefor; and

(b) what are the interventions to improve this?

THE MINISTER OF HEALTH AND FAMILY WELFARE (SHRI JAGAT PRAKASH NADDA): (a) As per the State of World's Children report published by UNICEF in 2016, Democratic Republic of the Congo, Ethiopia, India, Nigeria and Pakistan account for maximum number of under-five deaths in the world. The possible reasons for this may be summarised as:

- India's large birth cohort and high neonatal mortality
- Infectious diseases like-pneumonia, diarrhoea and measles
- Non-communicable diseases and injuries
- Malnutrition acts as a contributory factor in child diseases and deaths

(b) The interventions under the National Health Mission (NHM) of Government of India, aimed at reducing child mortality in the country include-Promotion of Institutional deliveries through Janani Suraksha Yojana (JSY) and Janani Shishu Suraksha Karyakaram (JSSK), strengthening of delivery points, ensuring essential newborn care and Facility Based Newborn Care (FBNC) for care of sick and small babies, and newer interventions such as Kangaroo Mother Care (KMC), Antenatal Corticosteroids in preterm labour, Vitamin K injection at birth, Empowering ANMs to provide Injection Gentamicin to young infants with suspected sepsis and establishment of Nutritional Rehabilitation Centres (NRCs) to treat under-5 severe acute malnourished children.

Some other important interventions are Universal Immunization Programme (UIP)

to provide vaccination to children against life threatening diseases, Iron and Folic Acid (IFA) supplementation for the prevention of anaemia among the vulnerable age groups, annual deworming on National Deworming Day (NDD), home visits by ASHAs (Home Based Newborn Care) to promote exclusive breast feeding and early detection and referral of sick newborns and promoting the use of ORS and Zinc for management of diarrhoea in children, screening of all children for birth defects, diseases, deficiencies and development delays under Rashtriya Bal Swasthya Karyakram (RBSK), name based tracking of mothers and children till two years of age through Mother and Child Tracking System (MCTS) and capacity building of health care providers in management of childhood illnesses.

The details are placed at the Statement.

### ***Statement***

#### *Details of Interventions to reduce Child Mortality*

1. Promotion of Institutional deliveries through cash incentive under Janani Suraksha Yojana (JSY) and Janani Shishu Suraksha Karyakaram (JSSK) which entitles all pregnant women delivering in public health institutions to absolutely free delivery including Caesarean section, post-natal care and treatment of sick infants till one year of age.
2. Strengthening of delivery points for providing comprehensive and quality Reproductive, Maternal, Newborn, Child and Adolescent Health (RMNCH+A) Services, establishment of Maternal and Child Health (MCH) Wings at high caseload facilities, ensuring essential newborn care at all delivery points, establishment of 661 Special Newborn Care Units (SNCU), 2321 Newborn Stabilization Units (NBSU), 18323 Newborn Care Corners at delivery points and Kangaroo Mother Care (KMC) units for care of sick and small babies.
3. Early initiation and exclusive breastfeeding for first six months and appropriate Infant and Young Child Feeding (IYCF) practices are promoted in convergence with Ministry of Women and Child Development. Village Health and Nutrition Days (VHNDs) are observed for provision of maternal and child health services and creating awareness on maternal and child care including health and nutrition education.
4. 965 NRCs have been set up at facility level to provide medical and nutritional care to Severe Acute Malnourished (SAM) children under 5 years of age who have medical complications.
5. Universal Immunization Programme (UIP) is being supported to provide

vaccination to children against many life threatening diseases such as Diphtheria, Pertussis, Tetanus, Poliomyelitis, Tuberculosis, Measles, Hepatitis B, Meningitis and Pneumonia due to Haemophilus Influenza type B. The Government of India has also launched Mission Indradhanush in April 2015 to reach unreached children. A total of 208.3 lakh children and 55.4 lakh pregnant women have been immunized till June 2016. In addition, vaccination against Japanese Encephalitis is carried out in endemic districts and vaccination against Rotavirus Diarrhoea is provided in four States (Odisha, Himachal Pradesh, Haryana and Andhra Pradesh).

6. Name based tracking of mothers and children till two years of age is done to ensure complete antenatal, intranatal, postnatal care and complete immunization as per schedule.
7. Rashtriya Bal Swasthya Karyakram (RBSK) for health screening, early detection of birth defects, diseases, deficiencies, development delays including disability and early intervention services has been operationalized to provide comprehensive care to all the children in the age group of 0-18 years in the community.
8. Some other important interventions are Iron and Folic Acid (IFA) supplementation for the prevention of anaemia among the vulnerable age groups, annual deworming on National Deworming Day (NDD), home visits by ASHAs under Home Based Newborn Care to promote community care practices and early referral of sick newborns and promote use of ORS and Zinc for management of diarrhoea in children.
9. Various trainings are being conducted under NHM to train doctors, nurses and ANMs for ante-natal, intra-natal and post-natal care, essential newborn care, early diagnosis and case management of common ailments of children.

### **Cheap airfares under new aviation policy**

†\*252. SHRI NARESH AGRAWAL: Will the Minister of CIVIL AVIATION be pleased to state:

(a) whether it is a fact that under new aviation policy all passengers will be able to fly just for ₹ 2500/- for a period of one hour; .

(b) if so, the air routes on which this facility would be extended and duration of applicability of such a scheme; and

(c) if not, by when it is proposed to provide economic air travel to the passengers?

---

† Original notice of the question was received in Hindi.

THE MINISTER OF CIVIL AVIATION (SHRI ASHOK GAJAPATHI RAJU PUSAPATI): (a) to (c) Government has recently released National 'Civil Aviation Policy (NCAP) 2016 which *inter-alia* envisages Regional Connectivity Scheme (RCS) with a view to achieve better regional air connectivity. This scheme will target an indicative airfare of ₹ 2500 per passenger approximately, indexed to inflation, for a significant part of the capacity of the aircraft for a distance of about 500 kms. on RCS routes (equivalent to about one hour of flight): Airline operators are free to decide the routes connecting the un-served/underserved regional connectivity airports depending upon their assessment on viability. As per NCAP-2016, the Viability Gap Funding would be available for 3 years for an RCS route.

### **Revival of dormant airports**

\*253. SHRI A. K SELVARAJ: Will the Minister of CIVIL AVIATION be pleased to state:

(a) whether it is a fact that Government has put the onus on States to secure commitments from airlines to start operations before dormant airports can be revived;

(b) whether it is also a fact that the first mover to bring a proposal for revival of airports will have advantage as they will have Priority in the limited Central funds under the Regional Connectivity Scheme;

(c) whether it is also a fact that Government has decided to provide subsidy to airlines to set airfares on regional routes at ₹ 2,500 for an hour, 80 per cent of which will be shared by Centre and 20 per cent by the State; and

(d) if so, the details thereof?

THE MINISTER OF CIVIL AVIATION (SHRI ASHOK GAJAPATHI RAJU PUSAPATI): (a) to (d) The Government has approved National Civil Aviation Policy 2016 which *inter-alia* envisages Regional Connectivity Scheme (RCS) for providing air connectivity to un-served and under-served airports/air strips. However, revival of the un-served and under-served air strips and airports will be "demand driven", depending on firm demand from airline operators, as No-Frills Airports will be done at an indicative cost of ₹ 50 crore to ₹ 100 crore, without insisting on its financial viability.

The scheme has provision for Viability Gap Funding (VGF) indexed to ATF prices and inflation for a particular route, on a competitive bidding basis. VGF will be shared between MoCA and the State Government in the ratio of 80:20. For the North Eastern States, the ratio will be 90:10.

**Target on containing inflation set by RBI**

\*254. SHRI DEVENDER GOUD T.: Will the Minister of FINANCE be pleased to state:

- (a) what are the reasons due to which retail inflation has gone up to nearly 6 per cent recently;
- (b) whether higher retail inflation has been impacted by the rate cut by RBI;
- (c) how the Ministry is planning to maintain the target of 5 per cent inflation set by the RBI for 2016-17; and
- (d) the remedial measures taken/proposed to be taken to contain inflation in the country?

THE MINISTER OF FINANCE (SHRI ARUN JAITLEY): (a) to (d) Inflation in terms of the latest Consumer Price Index (combined) for the month of June 2016 was 5.8 per cent. The increase in overall inflation and food inflation in particular was mainly on account of rise in the prices of pulses, vegetables and sugar. Pulses and Sugar Prices have increased due to lower production during 2015-16 and the current spike in vegetables prices is seasonal. The prevailing retail inflation has not been impacted by the last RBI rate cut as the uptick in inflation is mainly driven by supply side constraints.

As per the revised Monetary Policy Framework, the Government has fixed the inflation target of 4 per cent with tolerance level of  $\pm 2$  per cent for the period beginning from 5th August, 2016 to March 31, 2021. If the average inflation is more than or lower than the prescribed tolerance level for three consecutive quarters, it would mean a failure to achieve the inflation target. RBI shall set out a report stating the reasons for failure to achieve the inflation target, remedial actions proposed to be taken by it and estimate of the time period within which the inflation target shall be achieved pursuant to the timely implementation of proposed remedial actions. In order to bring down the inflation, the Government has been holding regular review meetings on price and availability situation at the highest level including at the level of Finance Minister, Committee of Secretaries, Inter-Ministerial Committee and Price Stabilization Fund Management Committee. The Government has already taken a number of measures to control inflation. The steps taken, *inter alia*, include, (i) increased allocation of ₹ 900 crore for Price Stabilization Fund in the budget 2016-17 to check volatility of prices of essential commodities, in particular of pulses. (ii) decision to create buffer stock of pulses through domestic procurement and imports; (iii) announced higher Minimum Support Prices so as to incentivize

production; (iv) issued advisory to States/UTs to take strict action against hoarding and black marketing under the Essential Commodities Act 1955 and the Prevention of Black-marketing and Maintenance of Supplies of Essential Commodities Act, 1980; (v) imposed 20 per cent duty on export of sugar; and (vi) imposed minimum export price (MEP) of US\$ 360 per tonne on potato to increase domestic availability and control prices. All these steps would help to ensure that CPI inflation would remain within the target during 2016-17

### **Mandatory bar-coding of drugs**

\*255. SHRIMATI AMBIKA SONI: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether Government proposes to make bar-coding mandatory for all drugs sold at retail shops in India to ensure patients' safety and curb flow of fake drugs;

(b) if so, the details thereof and the timeline given to the drug companies to comply with it;

(c) whether the technology would help curb trade of spurious drugs into the country, if so, the details thereof;

(d) the progress made to check genuine medicines by way of texting unique number; and

(e) the number of companies which have followed this procedure and why it did not take off and the details thereof?

THE MINISTER OF HEALTH AND FAMILY WELFARE (SHRI JAGAT PRAKASH NADDA): (a) and (b) The Ministry of Health and Family Welfare had, with a view to establish trackability and traceability of drugs, issued a draft notification on 03.06.2015 to make barcoding compulsory on the Primary, Secondary and Tertiary packs to be marketed in the country and invited objections and suggestions from the stakeholders. The notification was, however, not finalized keeping in view the reservations expressed by manufacturers including with regard to the high cost of barcoding and technical difficulties in printing barcodes on primary packs.

(c) to (e) Technology will definitely help to a large extent to reduce the extent of 'Not of Standard Quality' drugs and enhance their trackability and traceability. Some of the larger companies have started barcoding on Secondary and Tertiary packs for export purposes.

---



**WRITTEN ANSWERS TO UNSTARRED QUESTIONS****Preserving medicinal herbs in Chhattisgarh**

2462. SHRI RANVIJAY SINGH JUDEV: Will the Minister of AYURVEDA, YOGA AND NATUROPATHY, UNANI, SIDDHA AND HOMOEOPATHY be pleased to state what steps Government is taking to secure herbs in jungles against fire and mining specially in Jashpur district in Sanna and Pandrapath area and also in Manopa, Bagicha, Duldula, Farsabahar, Kasabel, Palhalgaon and Jashpur blocks of Jashpur district in Chhattisgarh?

THE MINISTER OF STATE OF THE MINISTRY OF AYURVEDA, YOGA AND NATUROPATHY, UNANI, SIDDHA AND HOMOEOPATHY (AYUSH) (SHRI SHRIPAD YESSO NAIK): As per information furnished by the State Government of Chhattisgarh, to secure herbs against fire in forests of Sanna, Pandrapath areas, Manora zone under Jashpur Forest Division and other areas of District Jashpur, the Government is taking necessary steps by performing clearing of existing fire line and control burning every year before 15th February. Thereafter, from 16th February till 15th June, in fire season, the spread of fire is controlled with the help of Fire Watchmen and Plantation Protection Labourers. In addition, the spread of fire is also controlled with the help of Forest Management Committees of Jashpur Forest Division.

To check the illegal mining, the forests staff always remain deployed in the area, as a result of which no instance of illegal mining has been recorded in last two years in Jashpur Forest Division.

**Establishing AYUSH university in Kerala**

2463. SHRI C. P. NARAYANAN: Will the Minister of AYURVEDA, YOGA AND NATUROPATHY, UNANI, SIDDHA AND HOMOEOPATHY be pleased to state:

(a) whether the Ministry will help Kerala Government to establish a separate University for Ayush to promote various disciplines in Ayush and ensure that high research is encouraged in these areas; and

(b) whether Ministry in the process will help Ayush disciplines to discard outdated notions and practices that are still present in these disciplines?

THE MINISTER OF STATE OF THE MINISTRY OF AYURVEDA, YOGA AND NATUROPATHY, UNANI, SIDDHA AND HOMOEOPATHY (AYUSH) (SHRI SHRIPAD YESSO NAIK): (a) The Government of India supports educational activities of AYUSH system by providing assistance under the component of Development of AYUSH Institutions of NAM to facilitate improvement in infrastructure

in AYUSH Institutions for improving quality of education. However, there is no scheme to establish a separate University of AYUSH.

(b) In order to frame standard medical education curriculum of AYUSH discipline as per need of current scenario and taking into consideration modern advances, two Central Councils under this Ministry namely Central Council of Indian Medicine and Central Council of Homoeopathy have been accorded mandate to frame curriculum including contemporary advances in AYUSH discipline.

#### **Universities on AYUSH system of medicines**

2464. SHRI VIVEK GUPTA: Will the Minister of AYURVEDA, YOGA AND NATUROPATHY, UNANI, SIDDHA AND HOMOEOPATHY be pleased to state:

(a) whether there is any established university in the country on the AYUSH system of medicines if so, the details thereof;

(b) whether Government has received any request from the West Bengal Government for the establishment of such university there;

(c) whether Government is planning to come up with such universities in various other parts of the country; and

(d) the steps that Government has taken for the promotion of education on the AYUSH system of medicines?

THE MINISTER OF STATE OF THE MINISTRY OF AYURVEDA, YOGA AND NATUROPATHY, UNANI, SIDDHA AND HOMOEOPATHY (AYUSH) (SHRI SHRIPAD YESSO NAIK): (a) As per information received from University Grant Commission, Universities on AYUSH system in the country at present are as follows:

1. Dr. Sarvapalli Radhakrishnan Rajasthan Ayurveda University Jodhpur, Rajasthan (State University).
2. Gujarat Ayurved University, Dhanwantari Mandir, Jamnagar-361008, Gujarat (State University).
3. Uttarakhand Ayurveda Vishvavidyalaya, Harrawala, Dehradun-248009, Uttarakhand (State University).
4. Guru Ravidas Ayurved University, Jodhamal Road, Hoshiarpur-146001, Punjab (State University).
5. AYUSH and Health Sciences University of Chhatisgarh, Raipur, Chhattisgarh (State University).
6. Homoeopathy University, Saipura, Sanganer, Jaipur-302029, Rajasthan (Private University).
7. S-VYASA University, Bangalore, Karnataka (Deemed University).

8. Lakulish Yoga University, S.G. Highway, Chharodi, Ahmedabad-382481, Gujarat (Private University).

9. Patanjali Yogpeeth, Haridwar, Uttarakhand (Private University)

(b) No.

(c) No.

(d) The Central Government has taken steps to promote education on AYUSH system in the country by approving the regulations for the colleges and notified by the Central Council of Indian Medicine and Central Council of Homoeopathy as per details given below:

- (i) The Establishment of New Medical College, Opening of New or Higher Course of Study or Training and Increase of Admission Capacity by a Medical College Regulations, 2003 read with amendment Regulations of 2013.
- (ii) The Establishment of New Medical College (Opening of New or Higher Course of Study or Training and Increase of Admission Capacity by a Medical College) Regulations, 2011 (for Homoeopathy).
- (iii) The Indian Medicine Central Council (Permission to Existing Medical Colleges) Regulations, 2006.
- (iv) Indian Medicine Central Council (Minimum Standard Requirements of Ayurveda Colleges and attached Hospitals) Regulations, 2012 read with amendment Regulation of 2013.
- (v) The Indian Medicine Central Council (Minimum Standard Requirements of Siddha Colleges and attached Hospitals) Regulations, 2013.
- (vi) The Indian Medicine Central Council (Minimum Standard Requirements of Unani Colleges and attached Hospitals) Regulations, 2013.
- (vii) The Homoeopathy Central Council (Minimum Standards Requirement of Homoeopathic Colleges and attached Hospitals) Regulations, 2013.
- (viii) Indian Medicine Central Council (Minimum Standards of Education in Indian Medicine (Amendment) Regulations, 2012 read with amendment Regulations of 2013 (for Ayurveda).
- (ix) The Indian Medicine Central Council (Minimum Standards of Education in Indian Medicine) Amendment Regulations, 2013 (for Siddha).
- (x) The Indian Medicine Central Council (Minimum Standards of Education in Indian Medicine) Amendment Regulations, 2013 (for Unani).
- (xi) The Homoeopathy (Degree Course) Regulations, 1983.

- (xii) Indian Medicine Central Council (Post Graduate Ayurveda Education) Regulations, 2012.
- (xiii) The Indian Medicine Central Council (Post-graduate Unani Education) Regulations, 2007.
- (xiv) The Homoeopathy (Post Graduate Degree Course) M. D. (Hom.) (Amendment) Regulations, 2012.
- (xv) Indian Medicine Central Council (Post-Graduate Diploma Course) Regulations, 2010 read with amendment Regulations of 2013.
- (xvi) The Indian Medicine Central Council (Post-graduate Diploma Course in Siddha) Regulations, 2015.
- (xvii) The Indian Medicine Central Council (Post-graduate Diploma Course in Unani Medicine) Amendment Regulations, 2015.

One new institute namely All India Institute of Ayurveda, New Delhi is in final stage of completion.

Another new institute namely North Eastern Institute of Ayurveda and Homoeopathy, Shillong is in advanced stage of construction.

Further, the assistance given by the Government of India under the component of Development of AYUSH Institutions of NAM is facilitating improvement in infrastructure in AYUSH Colleges and attached Hospitals and thereby improving quality of existing educational Institutions.

#### **AYUSH Hospitals in Goa**

2465. SHRI SHANTARAM NAIK: Will the Minister of AYURVEDA, YOGA AND NATUROPATHY, UNANI, SIDDHA AND HOMOEOPATHY be pleased to state:

- (a) the number of hospitals proposed to be established in Goa providing for Ayurveda, Yoga, Naturopathy, Unani, Siddha and Homoeopathy treatment;
- (b) if so, which parts of Goa these hospitals are going to be established;
- (c) whether land has been acquired for the purpose; and
- (d) the total amount proposed to be spent on each of the hospitals, if Government proposes to establish more than one hospital?

THE MINISTER OF STATE OF THE MINISTRY OF AYURVEDA, YOGA AND NATUROPATHY, UNANI, SIDDHA AND HOMOEOPATHY (AYUSH) (SHRI SHRIPAD YESSO NAIK): (a) and (b) Under Centrally Sponsored Scheme of National AYUSH Mission (NAM), Central Government has approved two 50 bedded integrated AYUSH hospitals at Dhargal Pernem, North Goa and Macazana, Salcete, South Goa.

(c) and (d) As informed by the State, land has been allotted for this purpose. Further, ₹ 425.52 lakhs has been approved till date for the said two hospitals by the Central Government.

**New guidelines on clinical trials for new Ayurvedic drugs**

2466. DR. PRADEEP KUMAR BALMUCHU: Will the Minister of AYURVEDA, YOGA AND NATUROPATHY, UNANI, SIDDHA AND HOMOEOPATHY be pleased to state:

(a) whether it is a fact that the Ministry is planning to revise the guidelines on clinical trials for new Ayurvedic drugs; and

(b) if so, the details thereof?

THE MINISTER OF STATE OF THE MINISTRY OF AYURVEDA, YOGA AND NATUROPATHY, UNANI, SIDDHA AND HOMOEOPATHY (AYUSH) (SHRI SHRIPAD YESSO NAIK): (a) and (b) New Ayurvedic Drug is not defined in the provisions of the Drugs and Cosmetics Act, 1940 and Rules thereunder. The Government published “Good Clinical Practice Guidelines for Clinical Trials in Ayurveda, Siddha and Unani Medicine (GCP-ASU)” in the year 2013 with the objective that the studies are scientifically and ethically sound and the clinical properties of the ASU medicines under investigation are properly documented. New Ayurvedic Drug is not provided in these guidelines. Presently, Government has no proposal to revise the guidelines on clinical trials specifically for New Ayurvedic Drugs.

**New AYUSH Hospitals**

2467. SHRI RAJEEV SHUKLA: Will the Minister of AYURVEDA, YOGA AND NATUROPATHY, UNANI, SIDDHA AND HOMOEOPATHY be pleased to state:

(a) the number of AYUSH hospitals set up by Government during the last two years, the details thereof State-wise; and

(b) whether there is any proposal to set up multi-speciality AYUSH hospitals in the States of Uttar Pradesh and Maharashtra, if so, the details thereof?

THE MINISTER OF STATE OF THE MINISTRY OF AYURVEDA, YOGA AND NATUROPATHY, UNANI, SIDDHA AND HOMOEOPATHY (AYUSH) (SHRI SHRIPAD YESSO NAIK): (a) The details of upto 50 bedded integrated AYUSH hospitals approved under Centrally Sponsored Scheme of National AYUSH Mission (NAM) during the last two years State/UT-wise is furnished in the Statement (*See below*).

(b) There is no proposal to set up multi-speciality AYUSH hospitals in the States of Uttar Pradesh and Maharashtra.

**Statement**

*Status of 50 bedded integrated AYUSH Hospital approved under National AYUSH Mission (NAM) during 2014-15 and 2015-16.*

Sl. No	State/UT	Proposal approved	Units	Amount Approved during 2014-15	Amount Approved during 2015-16
(₹ in lakhs)					
1.	Andhra Pradesh	50 bedded integrated AYUSH (Ayurveda, Homoeopathy, Unani and Yoga and Naturopathy) Hospital at Kakinada.	1	30.00	50.00
2.	Bihar	50 bedded integrated AYUSH (Ayurveda, Homoeopathy, Unani and Yoga) Hospital at Patna	1	0	102.695
3.	Goa	50 bedded integrated AYUSH Hospital at North Goa. 50 bedded integrated AYUSH Hospital at South Goa	1	0	107.05
4.	Haryana	50 bedded integrated AYUSH (Ayurveda, Homoeopathy, Unani and Yoga and Naturopathy) Hospital at Panchakula	1	0	83.34
5.	Nagaland	50 bedded integrated AYUSH (Ayurveda and Homoeopathy) Hospital at Noklak, Tuensang District	1	0	333.33
6.	Puducherry	50 bedded integrated AYUSH (Ayurveda, Homoeopathy, Unani and Siddha) Hospital at Dhanwantari Nagar, Gorimedu	1	0	70.00
7.	Sikkim	50 bedded integrated AYUSH (Ayurveda and Yoga and Naturopathy) Hospital at Kyongsa, Near Bhanu Shalling Area, Gyalshing, West Sikkim	1	0	444.44

8.	Uttar Pradesh	50 bedded integrated AYUSH Hospital at Kushi Nagar	1	0	83.332
		50 bedded integrated AYUSH Hospital at Bilhour, Kanpur	1	0	83.332
		50 bedded integrated AYUSH Hospital at West Katli, Lucknow	1	0	83.332
		50 bedded integrated AYUSH Hospital at Badrasi, Varanasi	1	0	83.332
		50 bedded integrated AYUSH Hospital at Nawab Ganj, Bareilly	1	0	83.332
9.	West Bengal	50 bedded integrated (Ayurveda, Homoeopathy, Unani and Yoga an Naturopathy) Hospital at Topsikhata, District Alipurduar.	1	300.00	300.00
TOTAL			14	330.00	2014.565

**Reduction in UDF and other charges for cheap air travel**

†2468. SHRI PARVEZ HASHMI: Will the Minister of CIVIL AVIATION be pleased to state:

(a) whether Government is considering a proposal to abolish or reduce User Development Fees (UDF) and a number of other surcharges levied by Ministry of Civil Aviation, and if so, the details thereof;

(b) the details of the steps being taken by Government to provide cheap air travel; and

(c) whether any proposal is under consideration of Government to compensate increasing losses of Government and private air lines, if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF CIVIL AVIATION (SHRI JAYANT SINHA): (a) and (b) Government of India has established Airports Economic Regulatory Authority (AERA) under AERA Act, 2008 for determination of tariff in respect of aeronautical services provided at the major airports in the country. Accordingly, AERA determines aeronautical tariff at major airports considering the investment of airport operator, services provided, cost for improving efficiency, economic and viable operations of the airport etc. While determining tariff for aeronautical services, User Development Fees (UDF) is considered by AERA as a revenue enhancing measure to bridge any revenue shortfall, so that the airport operator is able to get a fair rate of return on investment.

(c) Government has laid down Route Dispersal Guidelines with a view to achieve better regulation of air transport services in the country. Subject to compliance of RDG provisions, airlines are free to provide air services to specific places depending upon the traffic demand and commercial viability. Further, Airports Authority of India (AAI) grants certain concessions/exemptions in airport charges to encourage airline connectivity of remote areas of the country. Besides, the Regional Connectivity Scheme under the National Civil Aviation Policy, 2016 envisages providing affordable connectivity across the country by way of providing Viability Gap Funding (VGF) to the airlines operating in the non-viable routes, concessions from stakeholders viz. State Government, Airport operators etc.

---

† Original notice of the question was received in Hindi.



**Reaction of Civil Aviation Industry Towards new Civil Aviation Policy**

2469. SHRI AJAY SANCHETI:

SHRI RAJKUMAR DHOOT:

Will the Minister of CIVIL AVIATION be pleased to refer to answer to Unstarred Questions No. 142 and 144 dated 19th July, 2016 given in the Rajya Sabha and state:

- (a) how it differs from the earlier policy;
- (b) what is the reaction of the Civil Aviation Industry towards the new policy?

THE MINISTER OF STATE IN THE MINISTRY OF CIVIL AVIATION (SHRI JAYANT SINHA): (a) This is the first time since Independence that a comprehensive integrated Civil Aviation Policy has been announced which covers 22 areas pertaining to the Civil Aviation sector.

(b) The reaction of the Aviation Industry has been positive towards the new Policy.

**Action against pilots for non-adherence to flying rule**

2470. SHRI T. RATHINAVEL: Will the Minister of CIVIL AVIATION be pleased to state:

(a) whether it is a fact that the Directorate General of Civil Aviation (DGCA) issued warnings to pilots for taking selfies in cockpit when the aircraft was airborne, if so, the details thereof;

(b) whether it is also a fact that the DGCA has been taking action against pilots who were not adhering to the rules of flying; and

(c) if so, the action taken by DGCA against pilots during the last two years?

THE MINISTER OF STATE IN THE MINISTRY OF CIVIL AVIATION (SHRI JAYANT SINHA): (a) DGCA has issued warnings to three pilots of M/s Indigo Airlines who have taken selfies when aircraft was on ground.

(b) and (c) The details of the instances where pilots have not adhered to the rules of flying are given in the Statement (*See below*). DGCA has suspended the privileges of licenses or issued warnings in such cases. In addition DGCA has withdrawn the approval of 5 Type Rated Examiners during aforesaid period for not adhering to laid down rules and regulations.

***Statement***

*Number of instances regarding action taken against pilots  
for not adhering to the rules of flying*

Year	Alcohol Positive cases detected during pre-flight medical	Operating flight beyond validity of Pilot Proficiency Check	Allowing unauthorized entry into cockpit	Violation of Cockpit/ Cabin Discipline
2014	26	68	03	01
2015	43	NIL	NIL	NIL
2016 (upto 31.07.2016)	26	01	NIL	01

**Strengthening of airport infrastructure**

2471. SHRI AJAY SANCHETI: Will the Minister of CIVIL AVIATION be pleased to state:

- (a) whether there has been huge growth in air traffic at Indian Airports recently;
- (b) if so, the details thereof;
- (c) whether this has put pressure on the airport infrastructure; and

(d) if so, the steps taken by Government to strengthen airport infrastructure especially in Maharashtra?

THE MINISTER OF STATE IN THE MINISTRY OF CIVIL AVIATION (SHRI JAYANT SINHA): (a) and (b) There is increase in the passenger traffic by 17.6% for the year 2015-16 over 2014-15. During the current year (April-June 2016) also the passenger traffic witnessed the significant growth rate of 17.3% over the same period of 2015.

(c) and (d) The rapid growth of passenger traffic has led to congestion at major airports in the country. In order to strengthen the airport infrastructure, Airports Authority of India (AAI) has modernised and expanded its metro airports including that of upgradation of existing Mumbai Airport to handle 40 millions passengers per annum by way of commissioning of new terminal. Further, Government has granted in-principle approval for 15 greenfield airports under the Greenfield Airports Policy, 2008 which includes Navi Mumbai, Shirdi and Sindhudurg in Maharashtra.

**Termination of Kolkata-Thiruvananthapuram flight by Air India**

2472. SHRI RITABRATA BANERJEE: Will the Minister of CIVIL AVIATION be pleased to state:

(a) whether it is a fact that Air India is not operating Kolkata-Thiruvananthapuram flights though private operators are doing it; and

(b) if so, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF CIVIL AVIATION (SHRI JAYANT SINHA): (a) Yes, Sir. In the existing schedule, Air India is not operating Kolkata-Thiruvananthapuram flights.

(b) As per information available with Air India, the current average traffic between Kolkata and Thiruvananthapuram is not large enough to justify viable commercial operations with the type of aircraft available in Air India.

**Subsidised fare for local Ladakhi people**

2473. SHRIMATI VIPLOVE THAKUR: Will the Minister of CIVIL AVIATION be pleased to state:

(a) whether it is a fact that Government has come up with a draft Civil Aviation Policy to enhance regional connectivity through fiscal support like fare cap of ₹ 2500 for distance between 500-600 km. and infrastructure development, if so, the details thereof;

(b) whether Government has included places like Dharamsala, Leh, etc. in the scheme of subsidised fare of ₹ 2500 in the draft policy, if not, the reasons therefor; and

(c) whether Government has any alternate plan for providing subsidised fare to local Ladakhi, who are disconnected for half of the year from rest of the country, as being provided to islanders of Andamans, if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF CIVIL AVIATION (SHRI JAYANT SINHA): (a) to (c) Government has recently approved National Civil Aviation Policy (NCAP), 2016 which *inter alia* envisages for Regional Connectivity Scheme (RCS) with a view to achieve better air connectivity to un-served and under-served airports/routes including routes connecting Agatti and Leh. This scheme will target an indicative airfare of ₹ 2500 per passenger approximately, indexed to inflation, for a significant part of the capacity of the aircraft for a distance of about 500 kms. on RCS routes (equivalent to about one hour of flight). Airline operators are free to decide the routes connecting the un-served/under served regional connectivity airports depending upon their assessment on viability.

**Impact of change in prices of ATF on passengers**

2474. SHRI HUSAIN DALWAI: Will the Minister of CIVIL AVIATION be pleased to state:

- (a) the share of Aviation Turbine Fuel (ATF) in the total operating cost of an airline;
- (b) the trends in the price of ATF during June, 2015 to June, 2016;
- (c) the components of taxes of the ATF per kilometre;
- (d) whether increase in ATF prices will be passed on by the Airlines to the passengers; and
- (e) if so, whether reduction in ATF prices were passed on by the airlines to the passengers and if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF CIVIL AVIATION (SHRI JAYANT SINHA): (a) Aviation Turbine Fuel (ATF) constitutes about 40-50% of operational cost for an airline in India.

(b) The average ATF prices (per kilolitre) for the period June, 2015 to June, 2016 with respect to Air India Ltd. is given in the Statement (*See* below).

(c) The components of taxes in the ATF duty paid rates per kilolitre as given by Air India is as under:

- (i) Excise Duty of 14% on Basic Price effective 1.3.2016 (earlier Excise Duty was 8%).
- (ii) Average VAT rate of 21% (which varies from State to State from NIL to 30%) on Basic + Excise Price of ATF.

Accordingly, tax components on ATF prices presently works out to around 38% of the average ATF base price.

(d) and (e) Under the provision of sub rule (1) of rule 135, Aircraft Rules 1937, airlines are free to fix different fares having regard to all relevant factors, including the cost of operation, characteristics of service, reasonable profit and the generally prevailing tariff. Since fares are determined by market forces, invariable reduction in ATF costs is passed to the passengers and likewise increase in ATF price may also result in increase in fares to passengers.

**Statement***Details of the average ATF prices*

Month	Duty Paid ATF Price (₹/KL)	Bonded ATF Price (₹/KL)
June, 2015	48466	37427
July, 2015	46362	35916
August, 2015	41448	32645
September, 2015	35935	28347
October, 2015	38216	29215
November, 2015	37961	29182
December, 2015	37828	29301
January, 2016	33100	24902
February, 2016	28510	21776
March, 2016	32715	23535
April, 2016	35823	25298
May, 2016	36439	25971
June, 2016	40324	28959

**Deputing of air marshals in aircrafts**

†2475. SHRI MOTILAL VORA: Will the Minister of CIVIL AVIATION be pleased to state:

(a) the time when the decision to depute air marshal in aircrafts was taken and the reasons therefor;

(b) the number of incidents of aircraft hijacking that occurred in the country since then;

(c) the reasons for not deputing air marshals in aircrafts;

(d) whether Government would install full body scanner to strengthen the security at airports; and

(e) if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF CIVIL AVIATION (SHRI JAYANT SINHA): (a) to (c) Sky Marshals are deployed on certain identified

† Original notice of the question was received in Hindi.

routes. The decision to depute sky marshal was taken after hijacking of IC 814 on 24th December, 1999, in order to strengthen the in-flight security. No incident of aircraft hijacking has taken place since then.

(d) and (e) Presently, no full body scanner is installed at airports. The requirement of security equipment/gadgets is dynamic in nature and is periodically reviewed by Bureau of Civil Aviation Security (BCAS), the regulatory authority for civil aviation security in India, in consultation with the other concerned agencies including Central Industrial Security Force (CISF) and airport operators and corrective measures are taken.

**ATR on safety violations by pilots of an airline**

2476. SHRI T. RATHINAVEL: Will the Minister of CIVIL AVIATION be pleased to state:

(a) whether it is a fact that the Directorate General of Civil Aviation (DGCA) observed serious safety violations by five pilots of a particular airline during its audit this April, 2016;

(b) whether it is also a fact that the mandatory flights operations quality assurance monitoring was not conducted properly by the said airlines' flight safety chief;

(c) whether it is also a fact that the action taken report has been submitted by the airlines to the DGCA on the above; and

(d) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF CIVIL AVIATION (SHRI JAYANT SINHA): (a) DGCA carried out the regulatory audit of a Regional Scheduled Operating Permit (RSOP) holder during the month of April, 2016. During the audit, following observations against the five pilots including the instructor were raised:

1. Proficiency check for FATA (Foreign Aircrew Temporary Authorisation) pilots prior to induction was not carried out.
2. Over logging of flying hours in the logbook for training undertaken.
3. FOQA (Flight Operational Quality Assurance) monitoring was not carried out effectively.

(b) During the audit, it was found that the airline safety department had not followed the guidelines given in CAR Section 5, Series F, Part-I and CAR Section-5, Series F, Part-II for Flights Operations Quality Assurance (FOQA) monitoring.

(c) and (d) Action taken report has been submitted by the Regional Airline Operator on the observations raised during the regulatory audit carried out by DGCA. The details are given in the Statement.

**Statement***Details of the action taken by the airline*

- Approval of Chief of Flight Safety of the organization has been withdrawn by the DGCA for non-compliance of CAR Section 5, Series F, Part-I and CAR Section 5, Series F, Part-II. The organization has appointed a new Chief of Flight Safety.
- Training In-charge Instructor pilot's FATA was cancelled by DGCA. The organization also terminated his service.
- Training records of the pilots has been updated.
- The Flight Safety department of the airline is now closely monitoring/ examining the flight operations quality assurance as per the guideline given by CAR Section 5, Series F, Part-I and CAR Section 5, Series F, Part-II.
- The documentation and record keeping for breath analyser records are maintained as per the requirements laid down in CAR Section 5, Series F, Part-III.
- The organization has issued instructions advising all pilots to record the defects in the techlog whenever they occurred for effective maintenance.

**Achievements and targets of the Ministry**

2477. SHRI DEVENDER GOUD T.: Will the Minister of CIVIL AVIATION be pleased to state:

(a) whether presentation has been made before the Prime Minister about the Ministry's last two years' achievements;

(b) if so, the details thereof;

(c) where the Ministry has fallen short of its targets and where it has excelled;

(d) what are the targets set for the coming three years and roadmap to achieve the same;

(e) the details of difficulties brought before the Prime Minister and suggestions made to overcome them; and

(f) 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 CIVIL AVIATION (SHRI JAYANT SINHA): (a) No such presentation has been made by Ministry of Civil Aviation.

(b), (c) and (e) Do not arise.

(d) and (f) The Ministry has notified National Civil Aviation Policy, 2016 which lays the roadmap for providing safe, secure, affordable and sustainable air travels for passengers and transportation of cargo with access to various parts of India. It covers 22 core policy areas of the civil aviation sector which includes regional connectivity, route dispersal guidelines, bilateral traffic rights, new framework for ground handling, general aviation, development of airports, aviation education and skill development and Maintenance, Repair and Overhaul (MRO), etc.

The core areas receiving the Ministry's focussed attention in next three years are:

- (i) Regional Connectivity Scheme.
- (ii) Revival of 50 un-served/under-served airports in tier-II and tier-III towns/cities as a part of the Regional Connectivity Scheme in a phased manner during 2016-17 to 2019-20.
- (iii) Infrastructure investments by Airports Authority of India in airports as per details are given in the Statement.

### ***Statement***

#### *Proposed infrastructure investment in AAI, Airports in next 3 years*

(₹ in crore)

Sl. No.	Proposed Infrastructure	Number of Airports	Investment
1.	New Projects-upgradation and expansion of airports	10 Nos.	5000
2.	Upgradation work in progress	19 Nos.	2700
3.	Revival of Non-operational airports for VFR operations	10 Nos.	800
4.	Development of airports in tier-II and tier-III cities	05 Nos.	750
5.	CFTs-Rescue Tenders, RIV and Water Tenders		200
6.	Solar Power Projects in Progress (Roof top), Total Capacity 4400 KWp		20
7.	Solar Power Projects in Progress (Ground Mounted), Total Capacity 19,800 KWp		100
8.	Futuristic Telecommunication Infrastructure (FTI)		200
TOTAL			9770



**Fine tuning of Civil Aviation Rule, 2008**

2478. SHRIMATI RENUKA CHOWDHURY: Will the Minister of CIVIL AVIATION be pleased to state:

(a) whether Government has taken any steps to fine tune the Civil Aviation Rule, 2008, in pursuance of the recent directions of the Supreme Court;

(b) if so, the details thereof; and

(c) the fresh steps taken by Government to ensure that no disabled person is offloaded/deboarded from a flight owing to her/his disability?

THE MINISTER OF STATE IN THE MINISTRY OF CIVIL AVIATION (SHRI JAYANT SINHA): (a) to (c) Yes Sir. In order to comply the directions of Hon'ble Supreme Court of India, the Civil Aviation Requirements (CAR) Section-3, Air Transport, Series-M, Part-I on "Carriage by Air-Persons with Disability and/or Persons with Reduced Mobility" was reviewed and Revision 4 was issued by Directorate General of Civil Aviation on 12th July, 2016. The latest revision covers the following aspects:

1. Development of a procedure for making advance request of stretcher and uploading the same on airline's website.
2. Standardization of assistive devices being used to assist persons with disability at airport as per the standards set by Ministry of Social Justice and Empowerment.
3. Provision of towable ramp at airport where ambulift or aerobridge facility is not available.
4. Training aspects for sensitization and development of awareness to all personnel engaged in passenger services at airport for assisting persons with disability or reduced mobility and to ensure that they are well briefed about their responsibilities. Earlier provision of training was applicable for personnel from airport operators and airlines.

**Status of International Airports to Ranchi, Raipur and Jharsuguda**

2479. SHRI RANVIJAY SINGH JUDEV: Will the Minister of CIVIL AVIATION be pleased to state whether Government is planning to make Ranchi, Raipur and Jharsuguda airports International Airports?

THE MINISTER OF STATE IN THE MINISTRY OF CIVIL AVIATION (SHRI JAYANT SINHA): Development of an airport to international standards is a continuous process which is undertaken by Airports Authority of India (AAI) depending upon demand from airlines, traffic potential, economic viability, availability of land for

infrastructure upgradation, etc. Swami Vivekanand airport, Raipur has been upgraded with the necessary infrastructure to international standards. On the request of State Government of Chhattisgarh for declaration of Swami Vivekanand airport, Raipur as an International Airport, the proposal was examined and it was observed that the traffic has not picked up at some of the recently declared international airports such as Imphal, Bhubaneswar, etc. Moreover, expected International Traffic potential at Raipur Airport is also low and thus, the proposal was not found viable. No such proposal has been received for declaration of Ranchi and Jharsuguda airports as International Airports.

**Compensation to passengers for denied boarding**

2480. SHRIMATI AMBIKA SONI:

DR. T. SUBBARAMI REDDY:

Will the Minister of CIVIL AVIATION be pleased to state:

(a) whether Directorate General of Civil Aviation (DGCA) have announced a new rule to pay up to ₹ 20,000 as compensation to passengers for being denied boarding;

(b) if so, the details thereof;

(c) whether cases of overbooking by airlines came to the notice of DGCA recently;

(d) if so, the action taken against such airlines for overbooking and cancelling the confirmed tickets of some passengers; and

(e) if not, whether Government would frame rules for booking of exact number of passengers?

THE MINISTER OF STATE IN THE MINISTRY OF CIVIL AVIATION (SHRI JAYANT SINHA): (a) and (b) DGCA has amended the Civil Aviation Requirements (CAR) Section-3, Air Transport, Series-M, Part-IV issued on "Facilities to be provided to passengers by airlines due to denied boarding, cancellation offlights and delays in flights." As per the amended CAR the airline shall compensate the passengers as per the following provisions:

- An amount equal to 200% of booked one-way basic fare plus airline fuel charge, subject to maximum of INR 10,000, in case airline arrange alternate flight that is scheduled to depart within the 24 hours of the booked scheduled departure.
- An amount equal to 400% of booked one-way basic fare plus airline fuel charge, subject to maximum of INR 20,000, in case airline arrange alternate

flight that is scheduled to depart more than 24 hours of the booked scheduled departure.

- In case passenger does not opt for alternate flight, refund of full value of ticket and compensation equal to 400% of booked one-way basic fare plus airline fuel charge, subject to maximum of INR 20,000.

(c) to (e) Para 3.2.1 of Civil Aviation Requirements (CAR) Section-3, Air Transport, Series-M, Part-IV, specifies that "When the number of passengers, who have been given confirmed bookings for travel on the flight and who have reported for the flight well within the specified time ahead of the departure of the flight, are more than the number of seats available, an airline must first ask for volunteers to give up their seats so as to make seats available for other booked passengers to travel on the flight, in exchange of such benefits/facilities as the airline, at its own discretion may wish to offer, provided airports concerned have dedicated check-in facilities/gate areas which make it practical for the airline to do so".

The number of passengers affected due to denied boarding and status of compensation and facilitation provided by airline from January, 2016 to June, 2016 is placed at the Statement.

### ***Statement***

*The number of passengers affected from January to June, 2016 due to denied boarding and compensation paid to them from January to June, 2016*

(₹ in lakhs)

Sl. No.	Airline	Denied Boarding No. of Pax Affected	Status of Facilities and Compensation
1	2	3	4
<b>January, 2016</b>			
1.	Air India	431	22.42
2.	Jet Airways and JetLite	660	16.83
3.	SpiceJet	Nil	Nil
4.	GoAir	Nil	Nil
5.	IndiGo	Nil	Nil
6.	Air Costa	Nil	Nil
7.	AirAsia	2	0.13
8.	Vistara	9	0.71

1	2	3	4
9.	Air Pegasus	Nil	Nil
10.	TruJet	Nil	Nil
<b>February, 2016</b>			
1.	Air India	233	11.16
2.	Jet Airways and JetLite	476	11.65
3.	SpiceJet	Nil	Nil
4.	GoAir	Nil	Nil
5.	IndiGo	Nil	Nil
6.	Air Costa	Nil	Nil
7.	AirAsia	1	Nil
8.	Vistara	Nil	Nil
9.	Air Pegasus	Nil	Nil
10.	TruJet	Nil	Nil
<b>March, 2016</b>			
1.	Air India	174	8.28
2.	Jet Airways and JetLite	913	26.41
3.	SpiceJet	Nil	Nil
4.	GoAir	Nil	Nil
5.	IndiGo	20	Nil
6.	Air Costa	Nil	Nil
7.	AirAsia	Nil	Nil
8.	Vistara	1	0.04
9.	Air Pegasus	Nil	Nil
10.	TruJet	1	Nil
<b>April, 2016</b>			
1.	Air India	273	14.72
2.	Jet Airways and JetLite	858	25.92
3.	SpiceJet	Nil	Nil
4.	GoAir	Nil	Nil

1	2	3	4
5.	IndiGo	Nil	Nil
6.	Air Costa	Nil	Nil
7.	AirAsia	18	0.1
8.	Vistara	Nil	Nil
9.	Air Pegasus	Nil	Nil
10.	TruJet	1	Nil
<b>May, 2016</b>			
1.	Air India	379	18.16
2.	Jet Airways and JetLite	1376	37.73
3.	SpiceJet	Nil	Nil
4.	GoAir	Nil	Nil
5.	IndiGo	Nil	Nil
6.	Air Costa	Nil	Nil
7.	AirAsia	45	1.19
8.	Vistara	73	0.74
9.	Air Pegasus	Nil	Nil
10.	TruJet	1	Nil
<b>June, 2016</b>			
1.	Air India	252	12.39
2.	Jet Airways and JetLite	873	20.7
3.	SpiceJet	Nil	Nil
4.	GoAir	Nil	Nil
5.	IndiGo	1	0.04
6.	Air Costa	Nil	Nil
7.	AirAsia	19	0.61
8.	Vistara	7	0.21
9.	Air Pegasus	Nil	Nil
10.	TruJet	1	Nil

**Fare equivalent of Rajdhani AC-II fares for unsold tickets of AI**

2481. SHRI A. K. SELVARAJ: Will the Minister of CIVIL AVIATION be pleased to state:

(a) whether it is a fact that Air India will charge Rajdhani second AC fares on flights between various metros in the country for the unsold tickets, if so, the details thereof;

(b) whether it is also a fact that an unsold seat on a flight is a dead loss for airline and managing to sell them at AC-II fares may be a better option than taking off with empty seats; and

(c) whether it is also a fact that the people may also take advantage of the scheme and may opt for buying the ticket at the last moment which may invite loss to the airlines?

THE MINISTER OF STATE IN THE MINISTRY OF CIVIL AVIATION (SHRI JAYANT SINHA): (a) Yes, Sir. During the current lean season, Air India has launched a short term scheme "Spot Fares" to tap last minute air travellers, by offering fares equivalent to Rajdhani Express (IIA) with sale only within 4 hours of departure of the flight. The scheme is valid w.e.f. 9th July, 2016 to 30th September, 2016 on the sector Delhi-Mumbai-Delhi; Delhi-Kolkata-Delhi; Delhi-Bengaluru-Delhi; Delhi-Chennai-Delhi and on the sector Delhi-Ranchi-Delhi; Delhi-Ahmedabad-Delhi; Delhi-Hyderabad-Delhi; Delhi-Bhubaneshwar-Delhi; Delhi-Goa-Delhi; Delhi-Patna-Delhi; Delhi-Raipur-Delhi w.e.f. 11th July, 2016 to 30th September, 2016.

(b) Yes, Sir. Seats are highly perishable and once aircraft has departed cannot be inventoried for future sale. The objective is to generate an incremental revenue.

(c) The scheme is not effecting revenue flow of business. Passengers who are proposing to undertake travel have definite plans and prefer to opt for ticket in advance. This scheme is for short term only and the target audience for this offer are travellers who undertake decision to travel at the last minute. Scheme is applicable on selected domestic sectors in economy class and is being sold only from selected channels *i.e.* City Booking Offices (CTOs), Airport Booking Offices (ATOs), Call Centre and website [www.airindia.in](http://www.airindia.in). As scheme is subject to availability of seats, it does not invite loss to the airline, but on the contrary generates an additional income from seats which would have otherwise perished.

**Revival dormant airports**

2482. SHRI A. K. SELVARAJ: Will the Minister of CIVIL AVIATION be pleased to state:

(a) whether it is a fact that Government is considering to revive 50 dormant airport for around ₹ 100 crore each in the next three years, if so, the details thereof;

(b) whether it is also a fact that there are 304 un-served airports and 16 under served airports in the country at present;

(c) whether it is also a fact that there are 30 airports where flight service can start immediately; and

(d) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF CIVIL AVIATION (SHRI JAYANT SINHA): (a) to (d) Yes, Sir. The newly approved National Civil Aviation Policy, 2016 provides for promoting regional connectivity by way of revival of un-served and under-served airports/airstrips of State Government and Airports Authority of India (AAI). At present there are 305 operational airstrips/airports owned by AAI, State Government, Defence, BSF, CRPF, Private, etc. Besides, at present there are 25 airports of AAI without scheduled flight operations and 31 airports of AAI which are non-operational. However, selection of cities under Regional Connectivity Scheme (RCS) to be 'demand driven', depending on firm demand from the airline operators and where the State Government agrees to provide various concessions envisaged in the policy.

**Air connectivity to Shimla**

2483. SHRI MAJEED MEMON: Will the Minister of CIVIL AVIATION be pleased to state:

(a) whether it is a fact that Shimla, the capital of Himachal Pradesh and a popular tourist destination, is lacking air connectivity on Delhi-Chandigarh-Shimla route;

(b) if it is so, because of the fact that the route has proved to be economically unviable;

(c) what efforts Government has been making to make this air route viable; and

(d) a detailed report on the steps taken by the Government in the matter?

THE MINISTER OF STATE IN THE MINISTRY OF CIVIL AVIATION (SHRI JAYANT SINHA): (a) As per Summer Schedule (SS) 2016, no scheduled domestic airline is operating to/from Shimla.

(b) Directorate General of Civil Aviation (DGCA) has not carried out any study in this regard. It is, however up to the airlines to provide air services to specific places depending upon the traffic demand and commercial viability.

(c) and (d) With repeal of Air Corporation Act in March, 1994, the Indian aviation has been deregulated. Airlines are free to induct capacity with any aircraft type, free to select whatever markets and network they wish to service and operate. However, Government has laid down Route Dispersal Guidelines (RDGs) with a view to achieve better connectivity of air transport services of different regions of the country. As such, the airlines are free to operate anywhere in the country subject to compliance of Route Dispersal Guidelines (RDGs) issued by Government.

The RDG has been modified recently to broaden existing routes connecting stations in Category-II by including States of Himachal Pradesh and Uttarakhand.

#### **Operationalisation of Jalgaon airport in Maharashtra**

2484. SHRI MAJEED MEMON: Will the Minister of CIVIL AVIATION be pleased to state:

(a) whether it is a fact that Jalgaon (Maharashtra) airport exists in the map of aviation industry since 2012;

(b) whether it is also a fact that this airport is lying deserted as not a single commercial flight has landed there;

(c) how much money has been spent on acquiring the land for it and its construction; and

(d) what steps have been taken by Government to bring Jalgaon airport in operation and by what time the process is likely to be completed?

THE MINISTER OF STATE IN THE MINISTRY OF CIVIL AVIATION (SHRI JAYANT SINHA): (a) and (b) Yes, Sir. Jalgaon airport is an operational airport of Airports Authority of India (AAI). At present there is no schedule flight operation by any airlines from Jalgaon airport. Operations of flights to a specific route/city is a commercial decision of the airline operators based on traffic demand, commercial viability etc., as the airlines are free to operate anywhere in the country subject to compliance with the Route Dispersal Guidelines (RDGs) issued by the Government. However, only non-schedule flights are operating from Jalgaon airport.

(c) A Memorandum of Understanding (MoU) was signed on 16.07.2009, between Government of Maharashtra and AAI, land at Jalgaon airport was handed over



free of cost to AAI by Government of Maharashtra through Maharashtra Airport Development Company Limited (MADC) for lease period of 60 years. AAI has completed development of Jalgaon airport at a cost of ₹ 61 crores for operation of ATR-72 type of aircraft operations.

(d) During the Slot Coordination Committee meetings which are held twice a year, AAI requests all the scheduled airlines operators to start flights from the operational airports of AAI where necessary infrastructure is available. However, it is upto the airline operators to provide air services to specific places depending upon the traffic demand and commercial viability. As and when any airlines request to operate from Jalgaon airport, it will be processed on merit.

**Action against airline crews for late arrival**

2485. SARDAR BALWINDER SINGH BHUNDER:

SHRI CHUNIBHAI KANJIBHAI GOHEL:

Will the Minister of CIVIL AVIATION be pleased to state:

(a) whether it is a fact that tardiness and late arrival of crews is one of the main reasons that triggers flight delays of airlines;

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

(c) whether some airlines have paid crores of rupees in compensation over the past one year to passengers stranded at various airports; and

(d) if so, the details thereof and what steps Government is contemplating in order to take action against crews for disciplining them and curbing their late arrival and ensure punctuality of air services?

THE MINISTER OF STATE IN THE MINISTRY OF CIVIL AVIATION (SHRI JAYANT SINHA): (a) and (b) The reasons mainly specified by airlines for flight delays are due to airport, Air Traffic Control (ATC), weather, passenger, ramp, technical, operational, reactionary and miscellaneous. The information specific to flight delays due to tardiness and late arrival of crew is not specified as the reason for flight delays in the monthly data submitted by airlines.

(c) The amount of compensation paid to the passengers due to delays of flights for the period July, 2015 to June, 2016 is given in the Statement (*See below*).

(d) Disciplinary action against a flight crew is subject matter within the ambit of operating airline.

**Statement**

*Compensation paid to the passengers due to delays  
of flights from July, 2015 to June, 2016*

Sl. No.	Airline	Delays Beyond 2 Hrs	
		No. of Pax Affected	Status of facilities (₹ in lakhs)
1	2	3	4
<b>July, 2015</b>			
1.	Air India	26934	29.2
2.	Jet Airways and JetLite	271	Nil
3.	SpiceJet	3095	3.01
4.	GoAir	1001	Nil
5.	IndiGo	7522	Nil
6.	Air Costa	1961	2.93
7.	AirAsia	130	0.22
8.	Vistara	313	Nil
9.	Air Pegasus	91	Nil
<b>August, 2015</b>			
1.	Air India	29672	38.3
2.	Jet Airways and JetLite	1212	Nil
3.	SpiceJet	2245	2.14
4.	GoAir	1187	Nil
5.	IndiGo	2839	Nil
6.	Air Costa	274	2.5
7.	AirAsia	130	0.76
8.	Vistara	Nil	Nil
9.	Air Pegasus	241	Nil
10.	TruJet	Nil	Nil
<b>September, 2015</b>			
1.	Air India	19755	38.05
2.	Jet Airways and JetLite	1542	Nil
3.	SpiceJet	1825	1.89

1	2	3	4
4.	GoAir	1156	Nil
5.	IndiGo	3992	Nil
6.	Air Costa	592	2.98
7.	AirAsia	856	2.24
8.	Vistara	108	Nil
9.	Air Pegasus	864	Nil
10.	TruJet	22	Nil
<b>October, 2015</b>			
1.	Air India	25009	45.41
2.	Jet Airways and JetLite	1203	Nil
3.	SpiceJet	2665	2.78
4.	GoAir	821	Nil
5.	IndiGo	4606	Nil
6.	Air Costa	279	0.2
7.	AirAsia	1764	2.3
8.	Vistara	410	Nil
9.	Air Pegasus	677	Nil
10.	TruJet	34	Nil
<b>November, 2015</b>			
1.	Air India	31658	39.57
2.	Jet Airways and JetLite	2390	Nil
3.	SpiceJet	2465	2.54
4.	GoAir	829	-
5.	IndiGo	23359	-
6.	Air Costa	45	0.22
7.	AirAsia	1972	2.25
8.	Vistara	380	Nil
9.	Air Pegasus	429	Nil
10.	TruJet	Nil	Nil

1	2	3	4
<b>December, 2015</b>			
1.	Air India	65140	77.56
2.	Jet Airways and JetLite	3856	Nil
3.	SpiceJet	2395	2.18
4.	GoAir	1232	Nil
5.	IndiGo	29390	Nil
6.	Air Costa	360	2.46
7.	AirAsia	1795	2.29
8.	Vistara	1556	Nil
9.	Air Pegasus	120	Nil
10.	TruJet	30	Nil
<b>January, 2016</b>			
1.	Air India	83265	103.3
2.	Jet Airways and JetLite	4880	Nil
3.	SpiceJet	3785	3.34
4.	GoAir	2369	Nil
5.	IndiGo	11782	Nil
6.	Air Costa	369	0.72
7.	AirAsia	6158	6.73
8.	Vistara	3085	Nil
9.	Air Pegasus	371	Nil
10.	TruJet	27	Nil
<b>February, 2016</b>			
1.	Air India	24852	23.86
2.	Jet Airways and JetLite	1312	Nil
3.	SpiceJet	5245	4.44
4.	GoAir	1340	Nil
5.	IndiGo	21660	Nil
6.	Air Costa	751	0.7
7.	AirAsia	1004	1.31

1	2	3	4
8.	Vistara	1556	Nil
9.	Air Pegasus	245	Nil
10.	TruJet	14	Nil
<b>March, 2016</b>			
1.	Air India	29019	48.71
2.	Jet Airways and JetLite	1047	Nil
3.	SpiceJet	1250	1.11
4.	GoAir	1134	Nil
5.	IndiGo	14075	Nil
6.	Air Costa	218	1.08
7.	AirAsia	1447	1.51
8.	Vistara	346	Nil
9.	Air Pegasus	145	Nil
10.	TruJet	15	Nil
<b>April, 2016</b>			
1.	Air India	25944	65.39
2.	Jet Airways and JetLite	495	Nil
3.	SpiceJet	1600	1.41
4.	GoAir	692	Nil
5.	IndiGo	10419	Nil
6.	Air Costa	508	0.6
7.	AirAsia	175	Nil
8.	Vistara	266	Nil
9.	Air Pegasus	552	Nil
10.	TruJet	8	Nil
<b>May, 2016</b>			
1.	Air India	43827	72.58
2.	Jet Airways and JetLite	1743	Nil
3.	SpiceJet	3145	3.08
4.	GoAir	1228	Nil

1	2	3	4
5.	IndiGo	31657	Nil
6.	Air Costa	1868	16.51
7.	AirAsia	1049	2.07
8.	Vistara	2396	Nil
9.	Air Pegasus	400	Nil
10.	TruJet	10	Nil

**June, 2016**

1.	Air India	29618	48.62
2.	Jet Airways and JetLite	915	Nil
3.	SpiceJet	4315	4.06
4.	GoAir	1555	Nil
5.	IndiGo	11746	Nil
6.	Air Costa	1425	4.64
7.	AirAsia	Nil	Nil
8.	Vistara	692	Nil
9.	Air Pegasus	120	Nil
10.	TruJet	20	Nil

**Incidents of thefts at various airports in the country**

2486. SHRI SHADI LAL BATRA: Will the Minister of CIVIL AVIATION be pleased to state:

(a) the number of incidents of theft registered at the airport of Delhi, Mumbai, Hyderabad, Kolkata and Chennai during the last three years and the current year, airport/year-wise;

(b) the total loss suffered by passengers due to the theft, airport-wise and year-wise;

(c) whether Government has conducted any inquiry in this regard;

(d) if so, the details thereof; and

(e) the steps taken by Government to check recurrences of incidents of thefts at the airports?

THE MINISTER OF STATE IN THE MINISTRY OF CIVIL AVIATION (SHRI JAYANT SINHA): (a) Details of theft cases reponed/registered at the airport of Delhi, Mumbai, Hyderabad, Kolkata and Chennai during 2013, 2014, 2015 and 2016 (till June, 2016) are given in Statement (*See below*).

(b) to (d) The incidents of theft are a law and order issue, which is a State subject, and Ministry of Civil Aviation do not maintain these data/information. The local police, which are under the jurisdiction of the concerned State Government, register and investigate such cases. The relevant details/data, including the value of stolen articles, property/articles recovered, persons arrested, charge sheets/FIRs filed, status of cases on such thefts pending in courts, penalty awarded to convicts etc. are maintained by the local police authorities.

(e) To prevent incidents of theft at the airports, following steps have been taken:

- (i) Frisking of ground handling staff is being done while leaving the airport.
- (ii) Use of cell phones in the airside by ground handling staff has been prohibited.
- (iii) Deployment of airline security staff in the Baggage Makeup Area (BMA)/Baggage Breakup Area (BBA) around the cargo-hold area of the airline.
- (iv) Photo Identity Cards (PICs) of ground handling staff after completion of shift, are being deposited at the airport.
- (v) Sharing of list of suspects with all concerned agencies.
- (vi) Establishment of CISF help desk counters at the airports for receipt of complaint of thefts from the passengers and to further hand over the complaints to the local police.

### ***Statement***

*Details of theft cases reported/registered at Delhi, Mumbai, Hyderabad, Kolkata and Chennai airports during the last three years and the current year*

S1. Airport No.	Year 2013	Year 2014	Year 2015	Year 2016 (Till June, 2016)
1. Delhi	14	67	60	16
2. Mumbai	13	21	26	07
3. Hyderabad	04	04	03	01
4. Kolkata	14	12	02	-
5. Chennai	01	07	02	-

**Excess baggage charges by private airlines**

2487. SHRI CHUNIBHAI KANJIBHAI GOHEL: Will the Minister of CIVIL AVIATION be pleased to state:

(a) whether it is a fact that all the private airlines are charging ₹ 400 to 500 per kg. of excess baggage;

(b) if so, the complete details of baggage rule and reasons for charging exorbitant prices on excess baggage; and

(c) what steps Government is contemplating to take to cut the excess baggage charge to minimum ₹ 50/- per kg.?

THE MINISTER OF STATE IN THE MINISTRY OF CIVIL AVIATION (SHRI JAYANT SINHA): (a) Excess baggage charges levied by scheduled domestic airlines is given in the Statement (*See below*).

(b) Under the provision of Sub-Rule I of Rule 135, the Aircraft Rules 1937, airlines are required to establish the reasonable tariff having regard to all relevant factors, including the cost of operation, characteristics of service, reasonable profit and the generally prevailing tariff. This includes the charges for excess baggage.

Airlines remain compliant to the regulatory provision of Sub-Rule 2 of Rule 135 as long as the fare charged by them including the charges for baggage does not exceed the fare/charges established by them and displayed on their website.

(c) DGCA has issued Air Transport Circular (ATC) 02 of 2016 on "Unbundle of services and fees by scheduled airlines" in this regard. As per the circular, there is no fees to be paid for the check in baggage up to 15 kgs. and for check in baggage between 15-20 kgs., the charge per kg. shall not be more than ₹ 100.

***Statement******Excess baggage charges levied by domestic airlines***

Sl. No.	Airline	Check in Baggage charges
1.	Air India	₹ 250/kg. for baggage in excess of free baggage allowance
2.	Jet Airways	₹ 100 from 16-20 kg. ₹ 350 from 21 kg. onwards
3.	JetLite	₹ 100 from 16-20 kg. ₹ 350 from 21 kg. onwards
4.	IndiGo	₹ 100 per kg. for first 5 kgs. thereafter ₹ 300 per kg.
5.	SpiceJet	₹ 100 from 16-20 kg. ₹ 300 from 21 kg. onwards



Sl. No.	Airline	Check in Baggage charges
6.	GoAir	₹ 100 from 16-20 kg. ₹ 300 from 21 kg. onwards
7.	Vistara	₹ 100 from 16-20 kg. ₹ 300 from 21 kg. onwards
8.	AirAsia	₹ 100 from 16-20 kg. ₹ 300 from 21 kg. onwards
9.	Air Costa	₹ 100 from 16-20 kg. ₹ 250 from 21 kg. onwards
10.	TruJet	₹ 100 from 16-20 kg. ₹ 250 from 21 kg. onwards

### **Expenditure guidelines in CSR initiatives**

2488. SHRI B. K. HARIPRASAD: Will the Minister of CORPORATE AFFAIRS be pleased to state:

(a) whether Government proposes to bring expenditure guidelines in Corporate Social Responsibility (CSR) initiatives undertaken by the companies; and

(b) if so, the details thereof, if not the reason therefor?

THE MINISTER OF STATE IN THE MINISTRY OF CORPORATE AFFAIRS (SHRI ARJUN RAM MEGHWAL): (a) and (b) Section 135 of the Companies Act, 2013 contains Corporate Social Responsibility (CSR) provisions of the Act. Schedule VII of the Act enlists the subject or area under which the CSR eligible companies can undertake CSR programme/project/activities. The Companies (Corporate Social Responsibility Policy) Rules, 2014 prescribes the manner in which corporates can implement their CSR policies. These have been notified and came into force from 01.04.2014. Further, General Circular dated 18.06.2014 and 12.01.2016 have been issued by the Ministry to facilitate implementation of CSR by companies. All these documents provide broad guidelines within which the Boards of the CSR eligible companies are empowered to spend their CSR funds.

### **Defence agreements with foreign countries**

2489. SHRI P. BHATTACHARYA:

SHRI DARSHAN SINGH YADAV:

Will the Minister of DEFENCE be pleased to state:

(a) whether India has signed any agreements with foreign countries like the United States, France, Russia, Israel, etc. to get access of the defence technologies, if so, the details thereof; and

(b) the benefits likely to be accrued to Indian Armed Forces through such accessibility?

THE MINISTER OF DEFENCE (SHRI MANOHAR PARRIKAR): (a) India has agreements with several friendly foreign countries to facilitate access to defence technologies. These also include project-related arrangements to encourage joint research, development and/or production as well as enabling arrangements to facilitate sharing of technical information between Indian and foreign entities involved.

(b) Access to modern defence technology enhances national security by contributing to indigenization of production of advanced equipment and armaments to meet the operational requirements of our Armed Forces.

### **Critical commands to fight future warfares**

2490. SHRI RAJEEV CHANDRASEKHAR: Will the Minister of DEFENCE be pleased to state:

(a) the status of cyber warfare command, space command and special operations command as mentioned in the Prime Minister's address to the combined commanders in 2014 and 2015; and

(b) the timeline for creation of these critical commands to fight the wars of the future?

THE MINISTER OF DEFENCE (SHRI MANOHAR PARRIKAR): (a) and (b) The process of establishing relevant entities within the armed forces is a complex exercise involving operational, technical, logistical and financial aspects. Keeping in view all dimensions, necessary action has already been initiated for putting in place requisite structures within a reasonable timeframe for enhancing our capability to address related threats.

### **Procuring amphibious aircraft from Japan**

2491. SHRI ANIL DESAI: Will the Minister of DEFENCE be pleased to state:

(a) whether considerable delay has occurred in procurement of Whin Maywa US-2 amphibious aircraft for \$ 1.3 billion;

(b) whether the issue figured in the talks between India and Japan during its Defence Minister's visit to India recently; and

(c) if so, by when India will obtain the amphibious aircraft in view of turbulent atmosphere prevailing in the Indian Ocean and the South China Sea?

THE MINISTER OF DEFENCE (SHRI MANOHAR PARRIKAR): (a) No, Sir.

(b) Yes, Sir.

(c) There is no accord of Acceptance of Necessity (AoN) for the procurement of the US-2 amphibious aircraft.

### **Firings from Pakistan at the borders**

2492. SHRI RITABRATA BANERJEE: Will the Minister of DEFENCE be pleased to state:

(a) whether it is a fact that firing from Pakistan at the borders have increased in the last one year; and

(b) if so, the number of defence and civilian casualties?

THE MINISTER OF DEFENCE (SHRI MANOHAR PARRIKAR): (a) and (b) The details of ceasefire violations during the last two years and the current year are as under:-

Year	Ceasefire violations on Line of Control under operational control of Army	Ceasefire violations on International Border under operational control of Border Security Force
2014	153	430
2015	152	253
2016	30	02
	(till 31st July)	(till 30th June)

The details of Army and civilian casualties during ceasefire violations in Jammu and Kashmir are as under:-

Year	Fatal Casualties suffered by Indian Army	Civilian fatal casualties
2014	01	13
2015	06	16
2016	01	0
	(till 31st July)	(till 30th June)

### **Deviation from set specifications of uniforms**

2493. SHRI BISHNU CHARAN DAS: Will the Minister of DEFENCE be pleased to state:

(a) whether the outer layer (wind proof and waterproof trouser wind cheater) is being supplied since 2002;

(b) the extenuating circumstances to justify deviation in this specification of trousers approved in August, 2014 for use in extreme cold climate by Controller of Quality Assurance; and

(c) the officials involved in it and the action taken on the guilty officials found?

THE MINISTER OF DEFENCE (SHRI MANOHAR PARRIKAR): (a) In the year 2002, there was no concept of outer layer (wind proof and waterproof trouser/windcheater). It was introduced later.

(b) and (c) The governing specification was silent on this aspect. Hence the trouser (Extreme Cold Climate) was accepted considering the urgent requirement by the user. However the governing specification was amended to avoid such situations in future.

#### **Foreign defence companies to set up domestic units**

2494. KUMARI SELJA:

SHRIMATI RAJANI PATIL:

Will the Minister of DEFENCE be pleased to state:

(a) whether the Government has allowed foreign companies to set up industry for manufacturing defence equipment in the country; and

(b) if so, the details thereof along with the places identified in the country for the purpose, State/UT-wise including Haryana and Maharashtra?

THE MINISTER OF DEFENCE (SHRI MANOHAR PARRIKAR): (a) and (b) So far, 36 Foreign Direct Investment (FDI)/Joint Ventures proposals have been approved in defence sector for manufacture of various defence equipment, both with Indian Public and Private companies.

2. The State/UT-wise details of FDI/JV approvals so far are given below:

Sl. No.	State	No. of proposals approved
1.	Haryana	01
2.	Himachal Pradesh	01
3.	Karnataka	12
4.	Maharashtra	09
5.	New Delhi	05
6.	Tamil Nadu	03
7.	Telangana	04
8.	Uttar Pradesh	01

**Defence preparedness along Indo-Pak border**

†2495. SHRI PRABHAT JHA: Will the Minister of DEFENCE be pleased to state:

(a) whether the situation at India-Pakistan border is tense at presents if so, the details thereof; and

(b) whether adequate military preparations have been made to deal with any eventuality and if so, the details thereof?

THE MINISTER OF DEFENCE (SHRI MANOHAR PARRIKAR): (a) and (b) The situation at India-Pakistan border is under control. However, Government is fully seized of the security needs of the country. Government regularly reviews the threat perception to secure our borders and protect national interests. Appropriate measures are taken from time to time to maintain/upgrade the country's defence preparedness to safeguard the sovereignty, territorial integrity and security of India.

**Defence sector clusters in Madurai-Tuticorin corridor**

2496. SHRI MOHD. ALI KHAN: Will the Minister of DEFENCE be pleased to state:

(a) whether Government is setting up defence sector clusters in Madurai-Tuticorin corridor; and

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

THE MINISTER OF DEFENCE (SHRI MANOHAR PARRIKAR): (a) Presently, no such proposal is under consideration.

(b) Does not arise.

**Permanent commission for women in the IAF**

2497. SHRI MD. NADIMUL HAQUE: Will the Minister of DEFENCE be pleased to state:

(a) whether it is a fact that women are not given permanent commission in the Indian Air Force;

(b) if so, details thereof and if not, reasons therefor;

(c) the total number of officers given permanent commission in the Indian Air Force;

(d) the total number of women officers given permanent commission in the Indian Air Force; and

---

† Original notice of the question was received in Hindi.

- (e) the criteria for allotting permanent commission with the Indian Air Force?

THE MINISTER OF DEFENCE (SHRI MANOHAR PARRIKAR): (a) and (b) Eligible women officers who are being inducted into the Ground Duty branches are considered for grant of permanent commission at par with their male counterparts based on a gender neutral policy with uniform Qualitative Requirements (QRs).

(c) Permanent Commission in the IAF (excluding Medical and Dental branch) have been granted to 10262 officers as on 01.08.2016.

(d) A total number of 355 women officers (excluding Medical and Dental branch) have been granted permanent commission till date.

(e) The criteria for allotting Permanent Commission (PC) in the IAF are based on a gender neutral policy. The eligible officers for grant of Permanent Commission are considered by a Board of Officers constituted at Air Headquarters based on their suitability, willingness, medical category, availability of vacancies and position in merit etc.

#### **Bio-toilets developed by DRDO**

†2498. SHRI AMAR SHANKAR SABLE: Will the Minister of DEFENCE be pleased to state:

(a) whether it is a fact that the bacteria from Antarctica are being used in the bio-toilets developed by DRDO, which convert human faces into water and gas with the help of certain bacteria while the fact is that cow dung is being used instead;

(b) if so, whether the use of cow dung in these bio-toilets is causing unpleasant smell and endangering flies and cockroaches; and

(c) if so, the details thereof and the steps taken by DRDO to prevent them?

THE MINISTER OF DEFENCE (SHRI MANOHAR PARRIKAR): (a) Yes, Sir. The bacteria from Antarctica are components of anaerobic microbial consortium that is used for seeding (inoculation) of bio-digesters. The consortium is composed of bacteria belonging to four groups, which work in sequential manner. The Antarctic bacteria which are cold active (work in wide temperature range) constitute the first two groups, *i.e.* hydrolytic and acidogenic.

Cow dung, being abundantly available at low cost, has been used for multiplication of bacteria used in the bio-digester.

(b) The cow dung is used only during multiplication of bacteria in the inoculums generation facility, which is a closed system. Once it is consumed by the bacteria

---

† Original notice of the question was received in Hindi.

and converted into a form that does not have any fly attractant property and rather detract them. Final bacteria fed into the bio-digester do not have any unpleasant odour and get washed away in the bio-digester within few days.

(c) At present, no additional measures are required to prevent them.

**Establishment of offices under the Ministry  
in Amaravati, Andhra Pradesh**

2499. SHRI T. G. VENKATESH: Will the Minister of DEFENCE be pleased to state:

(a) whether the Defence Ministry has initiated for setting up of the offices/departments/institutions that comes under the Defence Ministry like Indian Armed Forces, Inter-Services Organisations, Indian Air Force, Army Public Schools, Sainik School, etc. in Amaravati, the new capital of Andhra Pradesh, if so, the details thereof;

(b) whether any issues relating to procurement of land and infrastructure needed for this purpose have been requested to the Government of Andhra Pradesh;

(c) if so, the details thereof, along with the status thereof; and

(d) if not, the reasons therefor?

THE MINISTER OF DEFENCE (SHRI MANOHAR PARRIKAR): (a) to (d) The information is being collected and will be laid on the Table of the House.

**Landing of air force planes on highways**

†2500. SHRI LAL SINH VADODIA: Will the Minister of DEFENCE be pleased to state:

(a) whether it is a fact that Government is considering allowing small aircrafts of the Air Force to land on National Highways;

(b) if so, whether Government has taken any step in this direction; and

(c) if so, the details thereof and, if not, the reasons therefor?

THE MINISTER OF DEFENCE (SHRI MANOHAR PARRIKAR): (a) to (c) The Indian Air Force (IAF) is taking steps to use National Highway stretches as landing strips during emergency. A landing was carried out by a Mirage 2000 aircraft on the Yamuna Expressway on 21st May 2015. Further, a generic plan for utilisation of National Highways as landing strips by IAF during eventualities has been sent to Ministry of Road Transport and Highways.

---

† Original notice of the question was received in Hindi.

### **Opening of more Military and Sainik Schools**

2501. SHRI R. VAITHILINGAM: Will the Minister of DEFENCE be pleased to state:

(a) whether Government proposes to set up more National Military Schools and Sainik Schools in the country, particularly in Tamil Nadu, if so, the details thereof;

(b) the laid down criteria/guidelines for the opening of more Military and Sainik Schools in the country; and

(c) the details of financial assistance provided to Military and Sainik Schools during the last three years, year-wise?

THE MINISTER OF DEFENCE (SHRI MANOHAR PARRIKAR): (a) There is no proposal to set up more Rashtriya Military Schools in the country. Also, there is no proposal at present to set up any new Sainik School in Tamil Nadu.

(b) There are no laid down criteria/guidelines for opening of Rashtriya Military Schools in the country. Establishment of new Sainik Schools is considered on receipt of a specific request from the State Government, which is required to provide infrastructure in the form of land, educational and residential buildings, games fields etc.

(c) The year-wise details of financial assistance provided to Military and Sainik Schools during the last three years are given in the Statement I and II respectively.

#### ***Statement-I***

##### *Details of Financial Assistance to Sainik Schools during last 3 years*

	(Amount in Rupees)		
Funds	2013-14	2014-15	2015-16
Defence Scholarships	5,06,56,000	5,32,64,000	5,66,40,000
Central Assistance	1,14,39,949	1,14,67,674	1,14,21,201
NDA Incentive	57,45,451	66,42,260	46,07,880
Sharing the Burden	20,10,52,926	20,89,89,478	20,21,90,038
Training Grant	2,40,00,000	2,50,00,000	2,50,00,000
Infrastructure Grant	17,79,20,000	18,63,41,562	0
100% Additionality of Pay and Allowances	17,12,47,829	17,67,89,923	21,26,41,135
TOTAL	64,20,62,155	66,84,94,897	51,25,00,254



**Statement-II***Details of Financial Assistance to Military Schools during last 3 years*

(Amount in Rupees)

Funds	2013-14	2014-15	2015-16
Annual Training Grant	43,60,000	49,40,000	69,65,000
Annual Library Grant	10,35,000	11,20,000	12,05,000
Sports Activity Grant	15,00,000	0	56,68,000
Incidental and Misc. (I&M) Grant	1,81,97,000	1,94,10,000	2,09,65,000
Information Technology Grant	54,08,000	30,75,000	54,47,000
<b>TOTAL</b>	<b>3,05,00,000</b>	<b>2,85,45,000</b>	<b>4,02,50,000</b>

**Defence equipment returned for rectification**

2502. SHRI P. L. PUNIA: Will the Minister of DEFENCE be pleased to state:

(a) the details of defence equipment Returned For Rectification (RFR) in the last three years;

(b) the value of the equipments and the rate of RFR observed and whether the rate of rectification has declined in the last three years;

(c) what steps the Ministry has taken to ensure better quality control of products and reduce the rate of RFR; and

(d) what steps have been taken subsequent to a CAG report three years ago citing inadequate internal quality control in Ordnance Factories?

THE MINISTER OF DEFENCE (SHRI MANOHAR PARRIKAR): (a) Details are given in the Statement-I (*See below*).

(b) to (d) Details are given in the Statement-II.

**Statement-I***Defence equipment returned for rectification in the last three years*

Sl. No.	Store/Equipment Category	Total
1.	Ammunition	50
2.	Weapons	185
3.	Instruments	12
4.	Small Arms	08

Sl. No.	Store/Equipment Category	Total
5.	General Stores	62
6.	Textile Items	84
7.	Vehicle	03
8.	Combat Vehicles	21
9.	Met Discipline	25
10.	ME Discipline	55
11.	Armoured Vehicle Electronic	04
12.	Depth Charge MK-11 MoD-3	209

***Statement-II****Details of the Value of the equipments*

Year	Value of equipments returned for rectification (₹ in crore)	Rate of RFR as %age of VoP (Value of Production)
2013-14	402.60	3.61
2014-15	445.61	3.92
2015-16	483.08	3.69

(c) The steps taken to ensure better quality control of products and reduce the rate of RFR are as follows:

1. **Exclusive QC set up:-** In each Ordnance Factory, Officer of the rank of SAG/JAG have been nominated as Quality Control Officer and dedicated to look after the quality area of the factory.
2. **Creation of Test Facilities for input material inspection and NABL accreditation of labs:-** All the OFs are having ISO 9001 certified QMS. 35 OFs have NABL accredited labs as per factory requirement.
3. **Quality Audit Group (QAG):-** In order to monitor and ensure adherence of the production process to the laid down QA Plans, Ordnance Factory Board has set up an Independent authority in the form of 10 QAG centres headed by SAG level officer. These groups have been mandated to carry out the Audit of existing Quality Control System with respect to Input Material, Manufacturing Process, and adherence to specified acceptance criterion etc. and report directly to OFB.
4. **Audit of manufacturing process:-** At factory level, to check any deviation from the standards, process audits are carried out on a regular basis by

factory. Processes are also audited by QAG of Ordnance Factories and surveillance audit is being carried out by DGQA.

5. **Introduction of NQDBMS (Network Quality Data Base Management System):** For better communication and transparency, NQDBMS has been implemented in all OFs. Details of input material and inspection are uploaded online. Matters related to NQDBMS are reviewed every month with DGQA Representative.
6. **Failure Review Board:** Failure Review Board has been constituted in each factory with DGQA rep as a Member to review and analyse the causes of defects observed during manufacturing and final acceptance inspection and suggest remedial measures. Corrective measures suggested are incorporated in the process to eliminate recurrence of the same in future production.
7. **Other activities:** Apart from the above, other activities like regular training and awareness programmes on Quality aspects for workmen, staff and officers and quality awareness programmes for vendors are being carried out as a measure to further strengthen the Quality set up in Ordnance Factories.

#### **Alloting surplus defence land to private parties**

2503. SHRI PARIMAL NATHWANI: Will the Minister of DEFENCE be pleased to state:

(a) whether surplus/unused defence land is being allotted to the private parties for commercial purposes;

(b) if so, the details thereof and the criteria adopted and the rules framed in this regard;

(c) whether private parties are misusing the land allotted to them; and

(d) if so, the details thereof and the action taken by Government therein?

THE MINISTER OF DEFENCE (SHRI MANOHAR PARRIKAR): (a) Defence lands are not allotted to private parties for commercial purposes.

(b) to (d) Questions do not arise in view of (a) above.

#### **Income-tax avoidance by business community**

2504. SHRI ANIL DESAI: Will the Minister of FINANCE be pleased to state:

(a) whether it is a fact that business community can easily avoid payment of income tax as compared to salaried people;

(b) whether there is laxness on the part of IT authorities which resulted in a huge

number of income tax evaders among trader and business community, which has grown over the years to 58.96 lakh in 2015 if so, the details and reasons thereof; and

(c) whether this is a conservative figure considering the number of millionaires spawned by the new economy?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI SANTOSH KUMAR GANGWAR): (a) Majority of cases selected by the Income Tax Department (ITD) for scrutiny of returns of income pertain to business or profession category. Further, as part of enforcement measures, the ITD conducted searches in 990 groups of assesseees during last 2 years (F.Ys. 2014-15 and 2015-16), seizing undisclosed assets worth ₹ 1,474 crore. These assesseees admitted undisclosed income of ₹ 21,354 crore. During the same period, 9,457 surveys conducted resulted in detection of undisclosed income of ₹ 22,475 crore. Further, there has been significant rise in criminal prosecutions filed by the Income Tax Department in last 2 years and number of cases where prosecution complaints were filed and offences were compounded during F.Ys. 2014-15 and 2015-16 is 3,140 as against 1,690 during F.Ys. 2012-13 and 2013-14. Most of the cases wherein searches or surveys were conducted or criminal prosecutions were instituted pertain to business category and not salary. The inference that flows from these facts suggests that business community cannot evade taxes easily.

(b) and (c) There is no laxness on the part of the Income Tax Authorities in tackling instances of tax-evasion by any segment of taxpayers including the traders and business community. The figure of 58.96 lakhs income-tax evaders in 2015 mentioned in the Question appears to refer to the number of probable non-filers of the Income-Tax Returns (ITR) which were identified by the ITD for further examination based upon certain parameters including information furnished by third party sources. Such examination *per-se* does not imply that the persons concerned have indulged in evasion of tax. Such exercises are more in the nature of mechanisms to bridge the information gap between the taxpayers and the ITD.

While curbing tax evasion is an on-going exercise, in last few years, Government has taken number of important measures such as rationalization of tax-rates, simplification of tax laws, effective use of technology, strengthening of enforcement machinery etc. These measures have led to overall improvement in compliance culture.

#### **Macro-economic stability of Indian economy**

2505. SHRI AJAY SANCHETI: Will the Minister of FINANCE be pleased to state:

(a) whether the Indian economy has continued to consolidate the gains achieved in restoring macro-economical stability;

(b) if so, details in this regard; and

(c) whether Government proposes to manage the economy in the backdrop of uncertain and fragile outlook of the world economy?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI ARJUN RAM MEGHWAL): (a) and (b) The Economic Survey 2015-16 pointed out that the Indian economy has continued to consolidate the gains achieved in restoring macro-economical stability. As per the data released by the Central Statistics Office, the growth rate of Gross Domestic Product (GDP) at constant market prices increased from 6.6 per cent in 2013-14 to 7.2 per cent in 2014-15 and 7.6 per cent in 2015-16. There has been a gradual decline in inflation, measured using the Consumer Price Index (Combined), from 9.5 per cent in 2013-14 to 5.9 per cent in 2014-15 and further to 4.9 per cent in 2015-16; albeit a moderate increase in inflation in the recent months due to elevated prices of certain commodities. The focus of the Government on fiscal consolidation has helped in reducing the fiscal deficit of the Centre as a ratio of GDP from 4.5 per cent in 2013-14 to 4.1 per cent in 2014-15, 3.9 per cent in 2015-16 (provisional actual) and 3.5 per cent in 2016-17 (budget estimate). Foreign exchange reserves increased from US dollar 304.2 billion at end-March 2014 to US dollar 362.7 billion as on 22nd July 2016 and current account deficit as percentage of GDP declined from 1.7 per cent in 2013-14 to 1.1 per cent in 2015-16.

(c) The focus of Government's policy management is to improve growth, foster macro-economic stability including controlling inflation. Despite the unfavorable global demand conditions that led to a sharp decline in India's exports and the uncertain and fragile outlook of the world economy, the economic growth in India has remained robust, supported mainly by the growth-promoting policies of the Government and the strength of domestic demand. The efforts to simplify business and investment-related clearances, fast-track governance reforms and promote skills have helped India significantly improve its ranking in the ease of doing business index, as per the World Bank Group's Doing Business Report, 2016. The comprehensive reforms in foreign direct investment have resulted in the highest ever FDI inflows in 2015-16, indicating positive global investor sentiments towards the Indian economy.

#### **Recovery of bank loan from defaulters**

2506. SHRI RITABRATA BANERJEE:

SHRI RIPUN BORA:

Will the Minister of FINANCE be pleased to state:

(a) the amount borrowed by top 100 borrowers;

(b) whether it is a fact that number of loan defaulters in the country have risen in last three years;

(c) if so, whether the financial institutions have made a survey on the lenders;

(d) whether it is also a fact that about 40 per cent of loan defaulters are wilful defaulters; and

(e) if so, details thereof and action taken by the Government including the action plan for loan recovery from top 100 borrowers?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI SANTOSH KUMAR GANGWAR): (a) The amount outstanding for top 100 borrowers of Public Sector Banks (PSBs) as on March 31, 2016 was ₹ 13,71,885 crore.

(b) The Gross Non Performing Assets (GNPAs) of Public Sector Banks (PSBs) were ₹ 2,16,739 crore (FY 2014), ₹ 2,67,065 crore (FY 2015) and ₹ 4,76,816 crore (FY 2016).

(c) Reserve Bank of India (RBI) as part of the ongoing supervisory assessment process carried out an Asset Quality Review (AQR) exercise to (i) examine the assessment of asset quality at bank's and system level (ii) deal with cases of divergences in identification of NPAs/additional provisioning across banks at Central Office level (iii) ensure early finalisation and communication of divergences in provisioning giving banks more time to plan the additional provisions over the remaining quarters.

(d) The wilful defaulters as a percentage of GNPAs as on 31.03.2016 for PSBs was 16.09%.

(e) The Government has taken specific measures to address issues in sectors such as Infrastructure (Power, Roads etc.), Steel and Textiles, where incidence of NPAs is high. The Government has also approved establishment of six (6) new Debt Recovery Tribunals (DRTs), to speed up the recovery of bad loans of the banking sector, in addition to existing thirty three. Reserve Bank of India (RBI) has also undertaken steps which include (i) Formation of Joint Lenders' Forum (JLF) for revitalizing stressed assets in the system, (ii) Flexible Structuring for long term project loans to Infrastructure and Core Industries, and (iii) Strategic Debt Restructuring (SDR) Scheme. (iv) Scheme for Sustainable Structuring of Stressed Assets (S4A). The Government has recently issued advisory to banks to take action against guarantors in event of default by borrower under relevant sections of SARFAESI Act, Indian Contract Act and RDDB&FI Act, since in the event of default; the liability of the guarantor is co-extensive with the borrower.

**Revealing names of bank defaulters**

2507. SHRI NARESH GUJRAL: Will the Minister of FINANCE be pleased to state:

(a) whether the current bank secrecy laws in the country prohibit banks to name large bank defaulters because of whom banks are saddled with huge NPAs;

(b) whether Government proposes to amend the relevant bank secrecy laws to allow banks to do so; and

(c) if so, what steps are being taken in that directions, if not, reasons thereof?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI SANTOSH KUMAR GANGWAR): (a) to (c) The names and details of borrowers are not disclosed as prescribed under section 45 E of the Reserve Bank of India (RBI) Act, 1934 and Banking Laws, which provide for the obligation of a bank or financial institution to maintain secrecy about the affairs of its constituents.

However, the list of suit filed borrowal accounts of ₹ 1 crore and above, and willful defaulters (suit filed) of ₹ 25 lakh are submitted by Banks /Financial Institutions to all four Credit Information Companies (CICs); viz. (i) Experian Credit Information Company of India Private Limited, (ii) Equifax Credit Information Services Private Limited, (iii) High Mark Credit Information Services Private Limited and (iv) Credit Information Bureau (India) Limited (CIBIL). The details of such defaulters are available on the website of CICs.

**Impact of withdrawal of customs duty exemptions on drugs**

2508. SHRIMATI VIPLOVE THAKUR: Will the Minister of FINANCE be pleased to state:

(a) whether the prices of at least 74 medicines, including life-saving ones, are likely to go up by 22 to 35 per cent as Government has withdrawn customs duty exemption on their imports;

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

(c) to what extent withdrawal of concessional customs duty for these drugs will adversely impact on patients' interest; and

(d) the steps taken/being taken by Government to keep its commitment to provide life-saving medicines to the patients on a reasonable prices?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI SANTOSH KUMAR GANGWAR): (a) to (d) In consultation with the stakeholders including

Ministry of Health and Family Welfare and the Department of Pharmaceuticals, exemption/concessional customs duties on 76 specified drugs was withdrawn, so as to eliminate the disadvantage to the domestic manufacturers of such drugs. In order to assess the impact of withdrawal of exemption/concessional customs duties on these drugs, a Committee was constituted in the Ministry of Health and Family Welfare.

After consideration of the report of the Committee, Ministry of Health and Family Welfare recommended to restore exemption/concession of customs duties on three drugs, namely, Octreotide; Somatropin; and Anti-Haemophilic factor concentrate VIII and IX. Accordingly, the exemption/concessional customs duties was restored on these 3 drugs *vide* notification of the Government of India, Ministry of Finance (Department of Revenue) No. 10/2016-Customs, dated the 17th February, 2016 [G.S.R. No.177 (E) dated 17th February, 2016].

Further, the price of drugs included in the National List of Essential Medicines (NLEM) is linked to the increase/decrease in the Wholesale Price Index (WPI) in terms of Drugs Price Control Order (DPCO), 2013. Most of the drugs in respect of which custom duty exemption has been withdrawn are included in the NLEM, 2015. Since the WPI for the current year is likely to decline, the price of these drugs will also decline. Also, even in respect of non-scheduled drugs, *i.e* those drugs which are not included in the NLEM and DPCO, the annual increase in the Maximum Retail Price (MRP) cannot be more than 10%.

### **Coercive measures against tax payers in IDS, 2016**

2509. SHRI VIVEK GUPTA: Will the Minister of FINANCE be pleased to state:

(a) how many people have made declaration under the Income Declaration Scheme, 2016 (IDS) till 20th July, 2016, city-wise;

(b) the total amount declared and taxes proposed to be realised thereof, city-wise;

(c) coercive measures and other initiatives being taken by CBDT to pressurise people to make declarations under the scheme; and

(d) whether any penalty is proposed on officers who have done add back of income of honest tax payers to harass them without any proof and substance?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI SANTOSH KUMAR GANGWAR): (a) and (b) The Income Declaration Scheme, 2016 (the Scheme) has commenced on 01.06.2016 and shall be open for declarations till 30.09.2016. The information regarding the number of declarants and the amount disclosed under the Scheme shall be firmed-up after the closure of the Scheme. Since, the Income



Declaration Scheme, 2016 provides for declaration of undisclosed income on voluntary basis, no estimation of taxes proposed to be realised thereof can be drawn.

(c) As the declarations under the Scheme are purely voluntary; there is no question of taking any coercive measure or pressurising the declarants in this regard. The strategy adopted by the Government to enable the declarants to file declarations under the Scheme in a smooth manner include issuing suitable clarifications from time to time regarding the legal, technical and procedural aspects of the Scheme, giving publicity in various available forums so as to suitably inform the potential declarants about the benefits of the Scheme and also effective use of database available with the Income-tax Department regarding financial transactions of taxpayers reported by third party sources, where there is mismatch in such information and data available with Income-tax Department.

(d) The Income-tax Department has a fairly robust system to deal with instances where assessments are not framed in accordance with laid down norms and procedures by the Assessing Officers (AOs). To further make the AOs accountable for their actions, with effect from reporting year 2015-2016, Board has modified the Annual Performance Appraisal Report (APAR) of the AOs to bring about greater accountability in assessment work with objective to ensure that assessments are framed in a judicious manner. Now the performance of AO will also be specifically judged from the perspective of quality of scrutiny assessments being framed and collection of taxes arising from these assessments. Another important initiative taken by CBDT to mitigate the hardship of taxpayers due to frivolous assessments is constitution of Local Committees in each Pr. Chief Commissioner charges to expeditiously deal with taxpayer grievances from high-pitched assessments. This step has been taken with a view to ensure that assessments are framed in a fair and reasonable manner and also act as a deterrent against raising unrealistic demands by the Assessing Officers based upon frivolous additions in assessments (Instruction No. 17/2015 dated 09.11.2015).

### **Sharing of proceeds of Swachh Bharat Cess with States**

2510. DR. T. SUBBARAMI REDDY:

SHRIMATI AMBIKA SONI:

Will the Minister of FINANCE be pleased to state:

(a) what is the total amount estimated to be received under Swachh Bharat Cess in the current year;

(b) whether the proceeds under Swachh Bharat Cess would form part of the divisible pool, if it continues for a long period, if so, what would be the share for the States; and

(c) what is the present share of such divisible pool of taxes shared with the States in GDP, and in total gross revenue receipts of the Union Government for the last three years, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI SANTOSH KUMAR GANGWAR): (a) The revenue estimate of Swachh Bharat Cess for the year 2016-17 is ₹ 10,000 crores.

(b) As per Article 270 of the Constitution of India, Surcharges and Cesses for specific purposes are not shareable with the States. Therefore, 'Swachh Bharat Cess' is not part of divisible pool of Central Taxes and Duties shared with the States.

(c) Share/Ratio of net divisible pool of Central Taxes and Duties to GDP and Gross Revenue (Tax Plus Non-Tax) for current year and last three years are as under:-

	Actual 2013-14	Actual 2014-15	RE 2015-16	BE 2016-17
Net Divisible Pool to GDP	8.64%	8.39%	9.03%	9.01%
Net Divisible Pool to Gross Revenue (Tax plus Non-Tax)	73.39%	73.55%	71.32%	69.50%

#### **Capital infusion in banks**

2511. SHRI D. RAJA: Will the Minister of FINANCE be pleased to state:

(a) whether it is a fact that the Government has released ₹ 22,915 crore as the first installment towards capital infusion in 13 State-owned banks; and

(b) if so, the details thereof, bank-wise?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI SANTOSH KUMAR GANGWAR): (a) and (b) The Bank-wise details of capital allocated to 13 Public Sector Banks on 19th July, 2016 by Government of India are as under:

(₹ in crore)

Sl. No.	Name of the PSBs	Total allocation
1.	Allahabad Bank	44
2.	Bank of India	1784
3.	Canara Bank	997
4.	Central Bank of India	1729
5.	Corporation Bank.	677
6.	Dena Bank	594

Sl. No.	Name of the PSBs	Total allocation
7.	Indian Overseas Bank	3101
8.	Punjab National Bank	2816
9.	Syndicate Bank	1034
10.	UCO Bank	1033
11.	Union Bank of India	721
12.	United Bank of India	810
13.	State Bank of India	7575
TOTAL		22915

#### **Anomaly in pension drawn by PSB bank retirees**

2512. SHRI SHWAIT MALIK: Will the Minister of FINANCE be pleased to state:

(a) whether basic pension of Public Sector Bank retirees is fixed at the time of retirement and remains unchanged throughout life unlike the Central/State Government pensioners whose basic pension is revised at time of wage revision by Pay Commission from time to time;

(b) if so, whether Government proposes to remove this anomaly;

(c) whether family pension of deceased bank pensioner is fixed at 15 per cent of last pay drawn by employee whereas in case of Central/State Government and RBI pensioners it is fixed at 30 per cent of last pay drawn; and

(d) whether Government is thinking of amending pension rules of PSB employees?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI SANTOSH KUMAR GANGWAR): (a) to (c) Pension to bank employees is paid in terms of Pension Regulations of the respective Public Sector Bank (PSB) and is not on the same model available in Central Government.

The pension in Central Government is paid out of Budget provisions, whereas scheme in PSBs is a funded scheme for which corpus is created during the service period of the employee.

In terms of Pension Regulations, Pensioners in PSBs are entitled to draw their pension based on salary that is payable during the relevant wage settlement period, in which the employees have retired. This arrangement is based on the industry-wide settlement with officers/workmen.

The Family Pension in PSBs in terms of 10th Bipartite Settlement is paid as under:-

Scale of pay	Amount of Family Pension
Upto ₹ 11,100	30% of pay (Minimum ₹ 2785)
₹ 11,101 to 22,200	20% of pay (Minimum ₹ 3422)
More than ₹ 22,200	15% of pay (Minimum ₹ 4448, Maximum ₹ 9284)

(d) No, Sir. There is no such proposal under consideration.

### **Revival of Banking Services Recruitment Board**

2513. DR. K. V. P. RAMACHANDRA RAO: Will the Minister of FINANCE be pleased to state:

(a) whether Government is aware that recruitment through the Institute of Banking Personnel Selection (IBPS) is a total failure and has created regional imbalances besides staff shortages; and

(b) if so, will Government consider revival of Banking Services Recruitment Board or undertake campus recruitment?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI SANTOSH KUMAR GANGWAR): (a) Public Sector Banks (PSBs) have managerial autonomy in the matters of human resource including recruitment. PSBs give mandate to Institute of Banking Personnel Selection (IBPS) for recruitment as per their requirement. IBPS does recruitment process for PSBs accordingly inviting applications on All-India basis and makes provisional allotment in a time bound manner. The recruitment in PSBs is an ongoing process and as such, there is no issue of shortage of staff in PSBs.

(b) No, Sir. There is no such proposal under consideration.

### **Disinvestment of PSUs**

2514. DR. K. V. P. RAMACHANDRA RAO: Will the Minister of FINANCE be pleased to state:

(a) whether Government has finalized the list of Public Sector Units (PSUs) for disinvestment in the current year, if so, the details thereof; and

(b) the estimated income to Government from the disinvestment of the above PSUs?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI ARJUN RAM MEGHWAL): (a) and (b) The budget estimate (BE) for disinvestment during the financial year 2016-17 is ₹ 56,500 crore, comprising ₹ 36,000 crore from disinvestment of Central Public Sector Enterprises (CPSEs) and ₹ 20,500 crore from strategic disinvestment.

The Government has identified some CPSEs for disinvestment during the year in sectors like mineral and metal, oil, energy, capital goods as well as some mid-size and small stocks.

### **Current status of PPP Projects**

2515. SHRI ANAND SHARMA: Will the Minister of FINANCE be pleased to state:

- (a) the number of public private partnership projects that have reached financial closure in last three years;
- (b) the current status of PPP projects in the infrastructure sectors; and
- (c) the reasons for delay in implementation?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI ARJUN RAM MEGHWAL): (a) and (b) Public Private Partnerships (PPP) Project in infrastructure means a project based on a contract or concession agreement, between a Government or statutory entity on the one side and a private sector company on the other side, for delivering an infrastructure service on payment of user charges. Further, financial closure is tied up by individual bidders with a bank/lenders' consortium after award of the project. Such projects are being undertaken by various different Sponsoring Authorities at Central and State and Local Bodies level and data is not maintained Centrally.

(c) Since PPP contracts are long term, they are sometimes subject to uncertainties inherent in long term partnerships. Some sectors have seen developments which were not anticipated by either party to the concession, as pointed out by the Committee on Revisiting and Revitalising PPP Model in Infrastructure headed by Dr. Vijay Kelkar in their Report submitted to Government in November 2015. These included factors like over-leveraged balance sheets of the developers, global macro-economic developments, land acquisition, environmental/forest clearances, lack of dispute resolution mechanism, etc. The recommendations of the Committee are available in public domain on URL <http://finmin.nic.in/reports/ReportRevisitingRevitalisingPPPMModel.pdf>

### **Short-term agriculture loans to farmers**

†2516. SHRI RAM VICHAR NETAM: Will the Minister of FINANCE be pleased to state:

- (a) whether Government provides loans at 4 per cent under short-term agriculture loan to those farmers who repay their first loan within the scheduled time and provide loans to other farmers at the rate 7 per cent rate of interest;

---

† Original notice of the question was received in Hindi.

(b) if so, the number of farmers who have been benefited under the said scheme in Gujarat in the last five years; and

(c) the steps being taken by Government to allot requisite funds to the State Government in time under the above said scheme?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI SANTOSH KUMAR GANGWAR): (a) With a view to ensuring availability of short term agriculture credit at a reduced interest rate of 7% p.a. to farmers, the Government of India implements an Interest Subvention Scheme for short term crop loans up to ₹ 3.00 lakh. Under the said scheme, additional subvention of 3% is given to those farmers who repay their short term crop loan in time, *i.e.* within one year of disbursement, thereby reducing the effective rate of interest to 4% p.a. for such farmers.

(b) As reported by the National Bank for Agriculture and Rural Development (NABARD) the number of farmers who have availed crop loans from Cooperative Banks and Regional Rural Banks (RRBs) in Gujarat during the last 5 years at 7% and out of which the number of farmers availed benefit of 3% interest subvention as incentive for past five years are given in the following table below:

Year	Crop Loans provided at 7%		Of which Benefit of 3% interest subvention as incentive for prompt repayment of crop loan provided to no. of Farmers
	No. of farmers	Amount (₹ crore)	
2011-12	1576031	8434.18	869245
2012-13	1817954	11998.23	1118221
2013-14	1479131	13554.63	943119
2014-15	1535987	15320.91	1014896
2015-16	1087338	12357.02	681878

As regards commercial banks, the State-wise data in respect of farmers benefitted under Interest Subvention Scheme is not maintained by Reserve Bank of India.

(c) Government does not allocate funds under Interest Subvention Scheme to State Governments. Government releases funds to settle interest subvention claims of banks through RBI and NABARD. The details of amount released under Interest Subvention Scheme during the last five years are as under:

(₹ in crore)					
Year	2011-12	2012-13	2013-14	2014-15	2015-16
Release	3,282.70	5,400	6,000	6,000	13,000

**Exploitation of provisions of tax arbitration by gold smugglers**

2517. SHRI M. P. VEERENDRA KUMAR: Will the Minister of FINANCE be pleased to state:

- (a) whether Government is aware of the problem of gold smugglers exploiting the provision of tax arbitration;
- (b) has Government planned any step to tackle the gold smugglers; and
- (c) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI SANTOSH KUMAR GANGWAR): (a) In one case of gold smuggling booked by DRI in July, 2013, Settlement Commission, Additional Bench, Mumbai admitted the application and passed an order for settlement of the case.

(b) and (c) In order to tackle gold smugglers and curb smuggling of gold, Customs field formations including Directorate of Revenue Intelligence (DRI) of CBEC have been alerted and strict vigil is kept in sensitive areas at airports/borders; flights from sensitive sectors are scrutinized and the baggage x-rayed and passengers diverted for security through metal detectors, these are also rummaged on random basis. On detection of cases, strict action is taken by way of imposing deterrent fine and penalty as per relevant provisions of law.

**Non-payment of claims under Janshree Insurance Scheme**

†2518. SHRI MOTILAL VORA: Will the Minister of FINANCE be pleased to state:

- (a) whether Janshree Insurance Scheme was launched in year 2000 by Government and is being run by Life Insurance Corporation of India (LIC);
- (b) whether payment of 30,000 rupees on natural death, 75,000 rupees in death in accident and 37,000 rupees in case of disability is made without any delay;
- (c) whether in Chhattisgarh, particularly in Durg district, the families of victims have not been paid the revised amount of insurance from 2006 to 2011 by LIC; and
- (d) if so, the steps taken by Government to provide justice to victims and to penalise the culprits?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI SANTOSH KUMAR GANGWAR): (a) to (d) Janashree Bima Yojana was launched by Government of India with effect from 10.08.2000 and the same is implemented by LIC of India. The original benefits under the scheme are as under:-

---

† Original notice of the question was received in Hindi.

---

On Natural Death	₹ 20,000
On Death or Total Permanent Disability due to accident	₹ 50,000
On Partial Permanent Disability	₹ 25,000

---

The benefits under the scheme were revised with effect from 15.08.2006 as given under:-

---

On Natural Death	₹ 30,000
On Death or Total Permanent Disability due to accident	₹ 75,000
On Partial Permanent Disability	₹ 37,500

---

The above revision is subject to the condition that if the scheme is running in loss, or the premium has been increased due to adverse claim experience, the increased benefits will not be applicable.

LIC has informed that in Raipur unit under Central Zone, losses were made under the scheme and the beneficiaries continued to be paid as per the pre-revised rate for the said period.

The revised rates of benefits are being paid with effect from 2011. Payments of claims are made without delay on receipt of all documents required for processing the claim.

#### **Data on Swiss account holders of Indian origin**

2519. SHRI B. K. HARIPRASAD: Will the Minister of FINANCE be pleased to state:

(a) whether Government proposes to develop a mechanism with Government of Switzerland to provide data on bank account holders of Indian origin;

(b) the amount of money belonging to people of Indian origin held in Swiss Banks at the end of 2015 and 2016; and

(c) if so, the details thereof along with achievement, till date, to bring back the aforesaid money?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI SANTOSH KUMAR GANGWAR): (a) India has Double Taxation Avoidance Agreement (DTAA) with Swiss Confederation under which information is obtained in specific cases on request basis. The Government is in discussions with the Government of Swiss Confederation to enter into an agreement for the implementation of Automatic Exchange of Information (AEOI) between the two countries. Once this agreement is signed, it



will be possible for India to receive, from 2018 onwards, financial information of accounts held by Indian residents in Switzerland on automatic basis.

(b) and (c) No authentic estimate of amount of money belonging to people of Indian origin held in Swiss Banks at the end of 2015 and 2016 is available.

The Government has taken several effective measures, both by way of policy-level initiatives as well as through more effective enforcement action on the ground, to address with the issue of black money, particularly black money stashed away abroad. These include—(i) Constitution of the Special Investigation Team (SIT) on Black Money under Chairmanship and Vice-Chairmanship of two former Judges of Hon'ble Supreme Court, (ii) Introduction of the Benami Transactions (Prohibition) Amendment Bill, 2015 (passed by the Parliament on 02.08.2016) to amend the Benami Transactions (Prohibition) Act, 1988 with a view to, *inter alia*, enable confiscation of Benami property, (iii) While focusing upon non-intrusive measures, due emphasis on enforcement measures in high impact cases with a view to prosecute the offenders at the earliest for credible deterrence against tax evasion/black money; and (iv) Initiation of the information technology based 'Project Insight' by the Income-tax Department for strengthening the non-intrusive information driven approach for improving tax compliance and effective utilization of available information.

#### **Transparency in investigations on black money cases by SIT**

2520. SHRI M. D. NADIMUL HAQUE: Will the Minister of FINANCE be pleased to state:

(a) whether it is fact that the information pertaining to the investigation and development of cases in black money by the SIT constituted by the Supreme Court is not in public domain;

(b) if so, the details thereof and if not, reasons therefor;

(c) whether Government will propose to include the information in public domain on the progress made in black money cases which does not hamper fair trial and investigation; and

(d) the steps taken by Government to ensure transparency and accountability in investigation of cases by SIT?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI SANTOSH KUMAR GANGWAR): (a) to (d) SIT has been constituted in pursuance of the Order dated 4.7.2011 of Hon'ble Supreme Court of India passed in Writ Petition (Civil) No.176 of 2009. The Special Investigation Team is responsible to the Hon'ble Supreme Court and is charged with the duty to keep Supreme Court informed of all major

developments by filing of periodic status reports. The SIT has so far submitted five reports to the Hon'ble Supreme Court. Main recommendations of SIT have been disclosed to media through Press Information Bureau (PIB), from time to time.

### **Target for opening of PSB and private banks**

2521. SHRI A. U. SINGH DEO: Will the Minister of FINANCE be pleased to state:

(a) whether Government has achieved its sanctioned target of opening nationalized and private banks during the current financial year, if so, details thereof, if not, reasons therefor and corrective action, if any, taken; and

(b) the list of banks, both nationalized and private banks sanctioned, to be opened in Odisha and Uttar Pradesh during the financial year (2015-2016), district-wise?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI SANTOSH KUMAR GANGWAR): (a) and (b) To promote financial inclusion and to extend the banking network in unbanked areas, general permission has been granted by Reserve Bank of India (RBI) to domestic Scheduled Commercial Banks (SCBs) including Public Sector Banks (excluding Regional Rural Banks) to open branches at any place in the country, without seeking prior approval of RBI in each case, subject to at least 25 per cent of the total number of branches opened during a financial year being opened in unbanked rural (Tier 5 and Tier 6) centres (population upto 99999). RBI has also specified that the total number of branches opened in Tier 1 centres (population 100000 and above) during the financial year cannot exceed the total number of branches opened in Tier 2 to Tier 6 centres (population upto 99999) and all centres in the North Eastern States and Sikkim.

SCBs have opened 8530 and 6505 bank branches during 2014-15 and 2015-16 respectively across the country. Public Sector Banks and Private Sector Banks have opened 218 branches in various districts in the State of Odisha and 528 branches in various districts in the State of Uttar Pradesh during 2015-16. New branches are opened in those areas where there is potential for business and in underbanked areas. Opening of bank branches is a commercial decision of the banks taken in accordance with the branch opening policy of RBI.

### **Interest free agricultural loan to farmers**

2522. SHRI RIPUN BORA: Will the Minister of FINANCE be pleased to state:

(a) whether Government proposes to extend interest free agricultural loan to farmers;

(b) if so, the details thereof, sector-wise; and

(c) the details of recommendations of the Fourteenth Finance Commission in this regard on “agri-cooperative system”?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI SANTOSH KUMAR GANGWAR): (a) and (b) No, Sir. However, with a view to ensuring availability of agriculture credit at a reduced interest rate of 7% p.a. to farmers, the Government of India implements an interest subvention scheme for short term crop loans up to ₹ 3.00 lakh. Under the said scheme, additional subvention of 3% is given to those farmers who repay their short term crop loan in time, thereby reducing the effective rate of interest to 4% p.a. for such farmers.

(c) The rural cooperative banking system is supervised by the National Bank for Agriculture and Rural Development (NABARD), which has informed that there has been no specific recommendation in the Fourteenth Finance Commission on agri-cooperative system.

#### **Impact of consolidation of PSBs on BASEL-III requirements**

2523. SHRI V. VIJAYASAI REDDY: Will the Minister of FINANCE be pleased to state:

(a) whether Government has formulated a specific programme for the consolidation of PSU banks into five to eight banks;

(b) the proposed schedule of such consolidation;

(c) what would be the impact of such consolidation on the BASEL-III requirements in terms of fulfilling all the conditions required; and

(d) steps proposed to calibrate and fine-tune the mergers and consolidation keeping in view BASEL-III requirements?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI SANTOSH KUMAR GANGWAR): (a) to (d) The guiding principle for the consolidation process of banking in India was suggested by Narasimham Committee. According to which any initiative with respect to merger of public sector banks has to come from the Boards of the banks concerned, the extant legal framework, keeping in view the synergies and benefits of merger and their commercial judgment. Government's/Reserve Bank of India's role in the merger of banks would be that of a facilitator.

The Cabinet in its meeting held on dated 15th June 2016 has approved the proposal of acquisition of assets and liabilities of subsidiary banks *i.e.* State Banks of Bikaner and Jaipur, State Bank of Hyderabad, State Bank of Mysore, State Bank of Patiala, State Bank of Travancore and Bhartiya Mahila Bank (BMB).

State Bank of India (SBI) is compliant with Basel–III requirements for Domestic Systemically Important Bank. As such, there will not be significant impact on Capital Adequacy Requirements as a result of consolidation. Specific adjustments in view of Basel–III requirements may not be necessary.

#### **Policies for revival of PSBs**

2524. SHRI V. VIJAYASAI REDDY: Will the Minister of FINANCE be pleased to state:

(a) whether it is a fact that Government faces a major challenge to evolve a strategy to improve overall performance of State-run banks and reviving stalled projects;

(b) whether there is co-ordination between Government and RBI to fine-tune and calibrate policies and strategies so that both are on the same page on PSU-Banks revival; and

(c) the details of targets set by Government to reduce NPAs and improve performance of banks?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI SANTOSH KUMAR GANGWAR): (a) to (c) Government has prescribed key performance indicators including profitability and reduction in Non-Performing Assets (NPAs) to be achieved by all Public Sector Banks (PSBs).

#### **RBI guidelines on defaulters**

2525. SHRI NEERAJ SHEKHAR: Will the Minister of FINANCE be pleased to state:

(a) whether as per the RBI guidelines, banks cannot extend finance to borrowers who have committed frauds, for five years from the date of full payment of defrauded amount with certain exceptions, under corrective action plan;

(b) if so, the penal action provided against lenders and borrowers, separately, in case of violation of above guidelines;

(c) the details of exceptions in the guidelines; and

(d) the details of losses suffered by Public Sector Banks due to fraud during each of last three years, year-wise and bank-wise?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI SANTOSH KUMAR GANGWAR): (a) to (c) Reserve Bank of India (RBI) has reported that as per Para: 8.12.1 of its “Master Directions (MD) on Frauds–Classification and Reporting

by commercial banks and select FIs” dated July 1, 2016 the penal provisions as applicable to wilful defaulters would apply to the fraudulent borrower including the promoter director(s) and other whole time directors of the company insofar as raising of funds from the banking system or from the capital markets by companies with which they are associated is concerned, etc. In particular, borrowers who have defaulted and have also committed a fraud in the account would be debarred from availing bank finance from Scheduled Commercial Banks (which include public sector banks-PSBs), Development Financial Institutions, Government owned NBFCs, Investment Institutions, etc., for a period of five years from the date of full payment of the defrauded amount. After this period, it is for individual institutions to take a call on whether to lend to such a borrower. The penal provisions would apply to non-whole time directors (like nominee directors and independent directors) only in rarest of cases based on conclusive proof of their complicity.

There are no separate guidelines for imposing penalties on banks for extending loans to borrowers within five years of full payment of the defrauded amount of loan. However, Reserve Bank of India is empowered to impose penalties on banks for violation of its directions/instructions in exercise of the powers vested in the RBI under the provision of section 47A(1) read with section 46(4)(i) of the Banking Regulation Act, 1949.

(d) Data on extent of loss reported by PSBs to RBI in fraud cases of ₹ 1 lakh and above is given in the Statement.

**Statement***Fraud cases of ₹ 1 lakh and above reported by PSBs during last three years (2013-2016)*

Bank Name	2013-14		2014-15		2015-16	
	No of cases	Extent of loss to the bank (₹ in crore)	No of cases	Extent of loss to the bank (₹ in crore)	No of cases	Extent of loss to the bank (₹ in crore)
Allahabad Bank	95	493.69	47	74.10	23	282.59
Andhra Bank	38	205.24	52	499.33	44	249.48
Bank of Baroda	204	423.02	303	1138.98	255	1639.85
Bank of India	100	225.57	131	56.83	156	587.07
Bank of Maharashtra	33	5.85	50	98.72	45	998.29
Canara Bank	81	179.56	114	175.70	94	1588.89
Central Bank of India	156	819.11	214	1953.07	164	174.14
Corporation Bank	77	252.68	73	1051.51	135	1099.32
Dena Bank	36	156.61	41	389.19	21	32.70
IDBI Bank Limited	92	616.60	56	514.33	129	258.98
Indian Bank	54	34.62	95	65.62	87	128.55
Indian Overseas Bank	125	537.77	138	573.45	106	543.37

Oriental Bank of Commerce	92	50.96	127	647.24	114	790.29
Punjab and Sind Bank	29	53.33	30	38.46	12	131.89
Punjab National Bank	239	548.06	180	2200.53	131	350.38
State Bank of Bikaner and Jaipur	43	136.10	41	454.20	48	146.78
State Bank of Hyderabad	27	320.89	31	63.95	34	668.37
State Bank of India	549	862.18	651	1203.02	562	1764.80
State Bank of Mysore	20	92.53	97	88.13	67	20.61
State Bank of Patiala	40	77.73	39	288.29	40	410.75
State Bank of Travancore	33	114.58	34	219.64	19	137.92
Syndicate Bank	102	121.83	208	668.18	175	1354.31
UCO Bank	56	359.24	87	1410.98	85	247.11
Union Bank of India	85	75.39	111	351.09	146	1239.99
United Bank of India	125	348.90	128	390.42	67	142.63
Vijaya Bank	59	56.36	35	350.64	21	97.44
GRAND TOTAL	2590	7168.39	3113	14965.59	2780	15086.50

**Detection of fresh bad loans in PSBs**

2526. SHRI NEERAJ SHEKHAR: Will the Minister of FINANCE be pleased to state:

(a) whether ₹ 2,41,000 crore of fresh bad loans have been detected during the last six months of 2015-16, if so, the details thereof, bank-wise;

(b) the reasons for the detection of fresh bad loans in PSBs;

(c) the details of bad loans in industrial sector and agriculture sector in terms of rupee, bank-wise; and

(d) the details of technical write offs of loans by PSBs during 2015-16 and 2016-17, as on date, bank-wise?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI SANTOSH KUMAR GANGWAR): (a) to (d) The data on Gross Non-Performing Assets (GNPAs) during second half of 2015-16; GNPAs of Industrial and Agriculture sector, Write-Offs (Technical/Prudential), during the year 2015-16 for Public Sector Banks (PSBs) is given in the Statement (*See* below). The data on Technical Write-Offs for 2016-17 is not available with Reserve Bank of India.

Main reasons for increase in NPAs of banks are slowdown in recovery in the global economy and continuing uncertainty in the global markets leading to lower exports of various products like textiles, engineering goods, leather, gems, external factors including the ban in mining projects, delay in clearances affecting Power, Iron and Steel sector, volatility in prices of raw material and the shortage in availability of power have impacted the operations in the Textiles, Iron and steel, Infrastructure sectors, delay in collection of receivables causing a strain on various Infrastructure projects, aggressive lending by banks in past.



**Statement**

*Data on GNPA's reported second half of 2015-16, GNPA's of industry and agriculture sector and write-off due to technical/prudential write-offs/AUCA for PSBs*

Sl. No.	Bank/Bank Group Name	GNPA's reported during second half of 2015-16	Industry-Outstanding GNPA's (2015-16)	Agriculture and Allied Activities- GNPA's (2015-16)	Amount written-off due to Technical/ Prudential Write-offs/ AUCA (2015-16)
1	2	3	4	5	6
1.	Allahabad Bank	10,256	9,612	1,485	1,582
2.	Andhra Bank	4,627	8,690	1,095	598
3.	Bank of Baroda	16,215	20,010	3,028	1,286
4.	Bank of India	21,363	29,199	2,733	1,913
5.	Bank of Maharashtra	2,791	5,376	1,206	820
6.	Bharatiya Mahila Bank Ltd.	1	0	0	0
7.	Canara Bank	18,304	20,625	2,159	3,271
8.	Central Bank of India	13,105	16,342	1,891	1,300
9.	Corporation Bank	8,202	10,861	607	2,453
10.	Dena Bank	4,558	5,099	1,088	594
11.	IDBI Bank Limited	11,428	15,404	1,510	5,459

1	2	3	4	5	6
12.	Indian Bank	4,536	6,173	618	906
13.	Indian Overseas Bank	11,956	16,647	4,811	2,067
14.	Oriental Bank of Commerce	8,000	11,243	1,359	1,668
15.	Punjab and Sind Bank	1,414	2,507	430	335
16.	Punjab National Bank	39,190	39,155	4,380	5,412
17.	Syndicate Bank	7,718	7,453	1,536	1,344
18.	UCO Bank	8,379	14,936	1,651	1,572
19.	Union Bank of India	9,033	13,885	2,370	785
20.	United Bank of India	4,345	6,170	1,127	587
21.	Vijaya Bank	5,836	4,666	448	499
22.	State Bank of Bikaner and Jaipur	1,884	2,274	793	0
23.	State Bank of Hyderabad	4,530	4,991	817	1,158
24.	State Bank of India	45,300	68,376	9,742	0
25.	State Bank of Mysore	3,573	2,760	382	0
26.	State Bank of Patiala	7,400	5,617	442	967
27.	State Bank of Travancore	3,041	2,220	179	387
Public Sector Banks		2,76,983	3,50,290	47,885	36,964

*Source:* Off-site returns, domestic operations

**Funds released under Thirteenth and Fourteenth FCs  
to urban local bodies**

2527. SHRI DEVENDER GOUD T.: Will the Minister of FINANCE be pleased to state:

(a) the details of funds recommended by the Thirteenth Finance Commission to Urban Local Bodies (ULBs), local body-wise;

(b) whether all the funds have been released to ULBs under the Thirteenth Finance Commission;

(c) the details of funds recommended by the Fourteenth Finance Commission to various urban local bodies, local body-wise; and

(d) the details of funds so far released under Fourteenth Finance Commission in the first two years of its award period, local body-wise with a particular reference to Telangana?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI ARJUN RAM MEGHWAL): (a) and (b) Thirteenth Finance Commission (FC-XIII) *inter alia* recommended General Basic Grant equivalent to 1.5 per cent of the previous year's divisible pool of taxes to Urban Local Bodies (ULB), which was worked out to ₹ 15311.42 crore for all States during its award period 2010-11 to 2014-15. Besides, FC-XIII also recommended General Performance Grant for a period of 4 years starting from 2011-12 at the rate of 0.50 per cent and 1 per cent thereafter, up to 2014-15, of the corresponding previous year's divisible pool of taxes which was worked out to ₹ 8075.7341 crore for all States. FC-XIII did not allocate local body-wise funds but States were mandated to distribute these grants to local bodies by using the formula given by the respective State Finance Commissions. Urban Local Bodies grants of ₹ 18980.31 crore including ₹ 13971.03 crore as basic grant and ₹ 5009.28 crore as performance grant was released to States during FC-XIII award period.

(c) and (d) Fourteenth Finance Commission (FC-XIV) has *inter alia*, recommended a Grant-in-aid of ₹ 87,143.80 crore for duly constituted ULBs for its award period 2015-16 to 2019-20, out of which ₹ 69,715.03 crore has been allocated as Basic Grant for 5 year award period and ₹ 17,428.76 crore as Performance Grant for 4 years *i.e.* 2016-17 to 2019-20. FC-XIV has not allocated local body-wise funds but States have been mandated to distribute these grants to Local Bodies by using the formula given by the respective State Finance Commissions. Urban Local Bodies grants of ₹ 10173.18 crore to States including ₹ 291.96 crore to Telangana has been released during 2015-16 and 2016-17 as on 4.8.2016.

**Constitution of committee regarding re-employment  
of ex-servicemen in PSBs**

2528. SHRI MAHANDER SINGH MAHRA: Will the Minister of FINANCE be pleased to state:

(a) whether the Ministry has constituted a Committee consisting of three Members in regarding to the matters pertaining to re-employment of ex-servicemen in SBI and its associate banks;

(b) if so, its legal status and terms of reference thereof and whether it was empowered to interpret the policies enacted by the DoPT/MoD in regard to ex-servicemen;

(c) the validity of its recommendations, which are contrary/violating the existing orders of DoPT/MoD without obtaining ratification of proper authorities in the matter; and

(d) what action Government contemplates for this extra-jurisdiction act?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI SANTOSH KUMAR GANGWAR): (a) No, Sir.

(b) to (d) Do not arise.

**Disinvestment of PSUs**

2529. SHRI NARENDRA KUMAR SWAIN: Will the Minister of FINANCE be pleased to state:

(a) whether Government has identified loss making Central Public Sector Undertakings for strategic disinvestment during current fiscal year, if so, details or these PSUs;

(b) what is the approximate revenue Government will generate from these strategic sale; and

(c) which are the private undertakings who have shown keen interest to invest in these undertakings and the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI ARJUN RAM MEGHWAL): (a) No, Sir.

(b) and (c) Do not arise in view of (a) above.

**Revenue under-invoicing by telecom companies**

2530. SHRIMATI RENUKA CHOWDHURY: Will the Minister of FINANCE be pleased to state:

(a) whether massive under-invoicing of revenue by certain telecom companies during 2006-2012 have come to the notice of Government;

(b) if so, the details thereof, along with the total loss of taxes to the exchequer due to such tax evasion; and

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

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI SANTOSH KUMAR GANGWAR): (a) and (b) As per CAG report No. 4 of 2016 of Comptroller and Auditor General of India; six telecom operators understated revenue by ₹ 46045.75 crores, for four financial years *i.e.* 2006-07; 2007-08; 2008-09 and 2009-10. As per the report the short fall in License fee amounts to ₹ 3752.37 crores, in spectrum usage charges amounts to ₹ 1460.23 crores and interest on short fall upto 31.03.2015 amounts to ₹ 7276.33 crores. The Government has issued regular demands for all the four financial years and Special Audit demands for two financial years 2006-07 and 2007-08. These demands overlap the short falls pointed out in the CAG report. In the case of financial years 2006-07 and 2007-08; CAG had pointed out a short fall of License Fees amounting to ₹ 1269.36 crores. Department of Telecom had already issued demands for License Fees amounting to ₹ 896.07 crores in 2012 itself based upon the report of special auditors.

The details of the cases of under-invoicing etc. of taxable value by certain telecom companies is given in the Statement (*See below*).

(c) Department of Telecom conducted special audit of five major telecom companies in 2009. On the basis of special audit demands of ₹ 1846.51 crores and ₹ 1118.54 crores as License Fees and Spectrum Usage Charges were raised. These demands are *sub judice*.

The demands on the basis of CAG report No. 4 of 2016 are being issued taking into account terms and conditions of the license agreement and pronouncements of Judicial fora.

Further, whenever any information regarding evasion of taxes, including by way of under reporting of revenue, is received, appropriate action is taken under relevant laws. Such action under taxes laws includes searches, surveys, enquiries, assessment of income, levy of taxes, penalties, etc. and filing of prosecution complaints in criminal courts, wherever applicable and show cause notices are being adjudicated.

**Statement***Details of cases of under-invoicing of revenue by telecom companies*

Sl. No.	Name of the telecom company	SCN No. and Date	Period covered by SCN	Amount of Service Tax demanded (₹ in crores)	Issue involved
1.	M/s Vodafone Essar Cellular Ltd.	15/2009 dated 14.10.2009	2004-2007	8.71	SCN issued on the difference between the value shown in trial balance and taxable service billed.
2.	Reliance Communication Infrastructure Ltd.	ST-II/Audit/Gr-5/REL/ 165/2012/Pt./SCN-SIM/ 4535 dated 18.10.13	2008-09 to 2011-12	15.17	SCN issued for non-inclusion of value of SIM Card in taxable value.
3.	Tata Teleservices (Maharashtra) Ltd.	V/ST/Dn. V/Bel/Tata Tele/2012-13 23.10.2012 dated	2006-07 to 2011-12	26.18	SCN issued for non-inclusion of value of SIM Card in taxable value.
		V/ST/Dn. V/Bel/Tata Tele/2012-13 dated 20.05.2014	2012-2013	1.79	
4.	Vodafone Essar Ltd. (formerly known as	V/STC/GR.IX/Tel/ HMT/SIM/2006 dated 11.10.2006	2005 to 2006	0.33	SCN issued for non-inclusion of value of SIM Card in taxable value.

Hutchison Max Telecom Pvt. Ltd.)	V/STC/GR- IX/Tel/HMT/ SIM/2004 Dtd.17.10.2008	2006 to 2007	1.05	
	V/STC/GR. IX/Tel/ HMT/SCN/2004 dated 15.10.2008	2007 to 2008	2.61	
	V/STC/GR. IX/Tel/ HMT/SCN/2004 dated 25.09.2009	2008 to 2009	1.45	
5. Vodafone Essar Ltd., Mumbai	DGCEI/MZU/I&IS'C'/ 30-15/08 dated 01.09.2008	January, 2004 to September, 2006	1.67	SCN issued due to under invoicing of value for the purpose of payment of service tax

**Subscriptions to insurance schemes launched by Government**

2531. SHRI K. T. S. TULSI: Will the Minister of FINANCE be pleased to state:

(a) the total number of persons who have subscribed to the accident insurance scheme and life insurance scheme launched by Government to provide social security to the people; and

(b) the total number of claims which have been settled under the aforesaid schemes, till date?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI SANTOSH KUMAR GANGWAR): (a) and (b) Gross enrolment reported by Banks as on 01.08.2016, subject to verification of eligibility criteria is about 9.61 crore under Pradhan Mantri Suraksha Bima Yojana (PMSBY) and over 3 crore under the Pradhan Mantri Jeevan Jyoti Bima Yojana (PMJJBY).

Claims settled under PMSBY and PMJJBY till 01.08.2016 were 4,711 and 31,654 respectively.

**Profits earned by Peerless General Finance and  
Investment Co. Ltd., Kolkata**

2532. SHRI TAPAN KUMAR SEN: Will the Minister of FINANCE be pleased to state:

(a) the amount of profit earned during last three years through alternative business of Financial Product Distribution of Peerless, General Finance and Investment Company (PGFICL), Kolkata year-wise; and

(b) the quantum of dividend paid to the Members of Board of Directors of PGFICL during last five years, year-wise?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI ARJUN RAM MEGHWAL): (a) The Ministry of Corporate Affairs (MCA) has informed that as per the Balance Sheet and Profit and Loss Account filed by Peerless General Finance and Investment Company Limited (PGFICL) with the Registrar of Companies (RoC), the Profit after tax earned by the company during the last three years is as follows:

Financial Year	Profit after tax (in Rupees crore)
2012-13	118.84
2013-14	104.36
2014-15	110.66



MCA has further informed that as per the report of RoC, Kolkata, no separate figures are available for profit earned through alternative business of financial product distribution in the Balance Sheet and Profit and Loss Account of PGFICL.

(b) MCA has informed that as per the Balance Sheet and Profit and Loss Account filed by Peerless General Finance and Investment Company Limited, the dividend paid to all members of the company during the last five years is as follows:

Financial Year	Interim Dividend*	Final Dividend*	Total Dividend* (approx)
2010-11	8.3	14.9	23.2
2011-12	9.9	13.3	23.2
2012-13	9.9	16.6	26.5
2013-14	9.9	16.6	26.5
2014-15	11.6	18.2	29.8

\* Rupees in crore

MCA has further informed that as per the report of RoC, Kolkata, the quantum of dividend paid to the Members of Board of Directors of the said company cannot be determined specifically from the Balance Sheet and Profit and Loss Account.

### **Indian companies involved in foreign exchange fraud**

2533. SHRI C. P. NARAYANAN: Will the Minister of FINANCE be pleased to state:

(a) whether Government has noted that some Indian companies are involved in some recent foreign exchange frauds recently;

(b) whether Government will enquire into black money parked in Foreign Banks by people of Indian origin and some of the loans from Public Sector Banks (PSBs) which later turned into NPAs are involved in such frauds; and

(c) whether Government will ensure that PSBs deposits do not reach money laundering markets?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI SANTOSH KUMAR GANGWAR): (a) Yes, Sir.

(b) and (c) Cases of manipulation of off-shore transactions such as under-invoicing/ over-invoicing of imports and exports, remittance of foreign exchange for imports without any actual imports, non-realization of export proceeds, compensatory payments etc., non-realization of bank loans including those of Public Sector Banks (PSBs) and undisclosed foreign assets including deposits in foreign banks are investigated and the

investigations are taken to logical conclusion in time bound manner and may result in attachment of laundered assets and filing of prosecution complaint under PMLA or issuance of Show Cause Notice under FEMA.

Further, whenever any information regarding black money within or outside the country is received, appropriate action is taken under relevant laws. Such action under direct taxes laws include searches, surveys, enquiries, assessment of income, levy of taxes, penalties, etc. and filing of prosecution complaints in criminal courts, wherever applicable.

### **Central loans due from Punjab**

2534. SARDAR SUKHDEV SINGH DHINDSA: Will the Minister of FINANCE be pleased to state:

(a) how much loan Punjab Government has to pay to Central Government as on date;

(b) how much loan Punjab Government is paying to the Central Government, annually; and

(c) whether Central Government is considering any proposal to waive/write off the entire loans in view of huge amount being spent by Punjab Government in dealing with terrorist activities especially on borders?

THE MINISTER OF STATE IN MINISTRY OF FINANCE (SHRI ARJUN RAM MEGHWAL): (a) The outstanding Central Government loan of State Government of Punjab as on 31st July, 2016 is ₹ 3811.79 crore.

(b) The repayments of Central Government loan made by State Government of Punjab during 2013-14, 2014-15 and 2015-16 was ₹ 337.94 crore, ₹ 324.66 crore and ₹ 311.39 crore respectively.

(c) No, Sir.

### **Status of interest subvention scheme**

2535. SHRIMATI AMBIKA SONI: Will the Minister of FINANCE be pleased to state:

(a) whether Government approved any interest subvention scheme for farmers who borrowed short-term crop loan during 2016-17, if so, the details thereof;

(b) the amount of loan up to which, the scheme is available; and

(c) what is the total amount that would be spent under the scheme and estimated

number of farmers to be benefitted during the year in the country, particularly in Punjab?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI SANTOSH KUMAR GANGWAR): (a) and (b) Yes, Sir. Government has approved the Interest Subvention Scheme for short term crop loans upto ₹ 3.00 lakh for the year 2016-17 as per details given below:

- With a view to ensure availability of agriculture credit at a reduced interest rate of 7% p.a. to the farmers, the Government of India implements an Interest Subvention Scheme for short term crop loans up to ₹ 3.00 lakh. Besides 2% interest subvention given to banks so that they lend the short term crop loan upto ₹ 3.00 lakh @ 7% p.a., additional 3% incentive is given to the farmers for prompt repayment of the loan, reducing the effective rate of interest to 4%.
- In order to discourage distress sale of crops by small and marginal farmers, the benefit of interest subvention of 2% is extended to such farmers for a further period of up to six months against negotiable warehouse receipts.
- To provide relief to farmers affected by natural calamities, the interest subvention of two per cent is available to banks for the first year on the restructured amount. Such restructured loans may attract normal rate of interest from the second year onwards as per the policy laid down by the RBI.

(c) An allocation of ₹ 15,000/- crore has been made in the Union Budget 2016-17 for implementation of Interest Subvention Scheme. Reserve Bank of India (RBI) and National Bank for Agriculture and Rural Development (NABARD) have reported that they have no information regarding the number of farmers to be benefitted under the Interest Subvention Scheme during the current year.

#### **Measures to relieve debt ridden farmers**

†2536. SHRI HARIVANSH: Will the Minister of FINANCE be pleased to state:

(a) whether it is a fact that despite waiver of loans majority of farmers in the country are debt ridden as of now;

(b) the total amount of loan due on farmers of the country and the position of Bihar in this regard and the details thereof; and

(c) the steps being taken by Government to relieve farmers from the burden of debt, so that they do not commit suicide?

---

† Original notice of the question was received in Hindi.

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI SANTOSH KUMAR GANGWAR): (a) As per Situation Assessment Survey (SAS) of agricultural households conducted by National Sample Survey Organisation (NSSO) in the rural areas of the country, during NSS 70th round (January, 2013-December 2013), for the reference period of the agricultural year July 2012-June 2013, approximately 52 per cent of agricultural households in the country are estimated to be indebted.

(b) As reported by the National Bank for Agriculture and Rural Development (NABARD), the details of State-wise outstanding agricultural bank loans, including Bihar, as on 31 March 2016, are furnished in the Statement (*See* below).

(c) In order to reduce the debt burden of farmers, increase the availability of hassle-free institutional credit for agricultural operations and mitigate the hardships faced by farmers, the following major steps have been taken by the Government:

- RBI has issued directions for relief measures to be provided by respective lending institutions in areas affected by natural calamities which, *inter alia*, include, restructuring/rescheduling of existing crop loans and term loans, extending fresh loans, relaxed security and margin norms, moratorium, etc. These directions have been so designed that the moment calamity is declared by the concerned District Authorities they are automatically set in motion without any intervention, thus saving precious time. The benchmark for initiating relief measures by banks has also been reduced to 33% crop loss in line with the National Disaster Management Framework.
- “Pradhan Mantri Fasal Bima Yojana” was launched on 1 April, 2016 to benefit the farmers. Under the Scheme, uniform premium of 2 per cent of the sum insured is to be charged for all Kharif crops and 1.5 per cent for Rabi crops. The annual premium for horticultural crops will be 5 per cent of the sum insured.
- With a view to ensuring availability of agriculture credit at a reduced interest rate of 7% p.a. to farmers, the Government of India implements an Interest Subvention Scheme for short term crop loans up to ₹ 3.00 lakh. Under the said scheme, additional subvention of 3% is given to those farmers who repay their short term crop loan in time, thereby reducing the effective rate of interest to 4% p.a. for such farmers.
- Loan to distressed farmers indebted to non-institutional lenders is an eligible category of farm credit under the Priority Sector Lending (PSL) directions issued by RBI. This is intended to provide hassle-free institutional credit to farmers for repaying their debt to moneylenders.

- RBI has conveyed to Banks to waive margin/security requirements of agricultural loans upto ₹ 1,00,000/-.

**Statement**

*Details of State-wise outstanding agriculture loans, including Bihar*

Sl. No.	States/UTs	Total Agriculture Loan Outstanding as on 31 March 2016 (Provisional) (Amt. ₹ in lakh)
1	2	3
1.	Delhi	161697.40
2.	Haryana	5331688.56
3.	Himachal Pradesh	690160.55
4.	Jammu and Kashmir	647267.96
5.	Punjab	7988127.64
6.	Rajasthan	7917531.51
7.	Chandigarh UT	240969.91
NORTHERN REGION TOTAL		24432720.96
8.	Arunachal Pradesh	17528.12
9.	Assam	843078.16
10.	Manipur	32410.09
11.	Meghalaya	67185.37
12.	Mizoram	29498.85
13.	Nagaland	38571.27
14.	Sikkim	16486.97
15.	Tripura	140082.58
NORTH EASTERN REGION TOTAL		1184841.41
16.	Andaman and Nicobar Islands	13865.46
17.	Bihar	3137017.09
18.	Jharkhand	732952.19
19.	Odisha	2380299.26
20.	West Bengal	4089135.73
EASTERN REGION TOTAL		10353269.73

1	2	3
21.	Chhattisgarh	1135537.55
22.	Madhya Pradesh	6659013.28
23.	Uttarakhand	883236.73
24.	Uttar Pradesh	12480062.22
CENTRAL REGION TOTAL		21157849.78
25.	Goa	90363.36
26.	Gujarat	6162672.47
27.	Maharashtra	16418783.69
28.	Dadra and Nagar Haveli UT	6104.37
29.	Daman and Diu UT	2009.92
WESTERN REGION TOTAL		22679933.81
30.	Andhra Pradesh	10186047.56
31.	Telangana	5114660.79
32.	Karnataka	11124900.05
33.	Kerala	6060363.93
34.	Puducherry	190200.55
35.	Tamil Nadu	13425780.28
36.	Lakshadweep UT	3876.05
SOUTHERN REGION TOTAL		46105829.21
GRAND TOTAL		125914444.90

Source: NABARD

### **Non-remittance of service tax by Indian Railways**

2537. SHRI SUKHENDU SEKHAR ROY: Will the Minister of FINANCE be pleased to state:

(a) whether Indian Railways are collecting Service Tax from commuters on Tatkal, ticket cancellation and bed roll charges;

(b) if so, whether levying of Service Tax by the Railways are in consonance with the existing laws relating to Service Tax;

(c) how much amount of Service Tax levied by the Railways has not yet been remitted to the Revenue Department and since when; and;

(d) what action initiated by the Government to realise the Service Tax, so levied upon the passengers by the railways?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI SANTOSH KUMAR GANGWAR): (a) Indian Railways are collecting Service Tax from commuters on Tatkal ticket and not on ticket cancellation and bed roll charges.

(b) Yes, Sir. The levy of Service Tax on Tatkal service is in consonance with Service Tax law.

(c) The Service Tax collected by Zonal Railways are accounted for under M.H.0044 and Railway Board sends their account to CGA and the same is adjusted through book adjustment. The amount of Service Tax so collected since 2012-13 to 2015-16 are as under:

Year	Collected as per Current Account of Zonal Railways (₹ crore)	Remitted as per Min. of Railways (₹ crore)
2012-13	1478.10	1478.10
2013-14	3449.34	3449.34
2014-15	3461.91	3461.91
2015-16 (provisional)	4618.66	4618.66

From the above it can be seen that all the amount has been remitted.

(d) Does not arise in view of reply to part (c) above.

#### **Limiting GST rate below 18 per cent**

2538. DR. PRADEEP KUMAR BALMUCHU: Will the Minister of FINANCE be pleased to state:

(a) whether it is a fact that there is a great ambiguity and confusion in the proposed GST Bill with regard to indirect tax laws, if so, the details thereof;

(b) whether the Internet and Mobile Association of India (IAMAI) and Price Water House Coopers (PWC) have suggested limiting GST rate to below 18 per cent, if so, the details thereof;

(c) what are the other recommendations proposed by the IAMAI and PWC suggested in their report, the details thereof; and

(d) the steps being taken by Government to address the issues raised by the e-commerce companies;

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI SANTOSH KUMAR GANGWAR): (a) The Constitution (122nd Amendment) Bill, 2014, has been finalized keeping in view the broad consensus arrived at between the Centre and the States and various stakeholders consultations leaving minimal scope for any ambiguity.

(b) A representation has been received from Internet and Mobile Association of India (IAMAI). No suggestion regarding limiting GST rate to below 18 per cent has been made in the representation. No representation has been received from PWC.

(c) Summary of recommendations of IMAI may be seen in the Statement (*See below*).

(d) To address various issues raised by the e-commerce companies, Committee for handling stakeholder consultations on Model GST Law has been constituted. The report of this committee is yet to be finalised, which shall be taken into account before finalising the Model GST Laws.

### ***Statement***

#### *The Summary of Recommendations of IMAI*

- (1) Rules to define Service Exports may be suitably inserted and all service export transaction to be rated '0' [zero] under GST (without the condition of Address on record)
- (2) Alternatively, the definition of 'address on record' may be reworded to read address on record means the address of the recipient as available in the records of the supplier' and shall include any address provided by recipient that indicates the State or country of such recipient.
- (3) 'Digital/Internet Services' should be recognised as a separate category from the present categorisation of 'telecommunications'.
- (4) The 'Supply of Services' (Schedule II Section 5) and 'Place of Supply' (Section 6) should be suitably amended to make provisions for recognising digital services.
- (5) It is urged that the scope of 'supply' is narrowed down for the purpose of levying GST in consensus with the basic tenet of taxation to not tax any such transaction where there is no consideration accruing to the person who is making supply either of goods or services.
- (6) With regard to stock transfers, while levy of GST is reasonable to ensure movement of credits across State boundaries, a mechanism should be prescribed to re-coup the same if the products remain unsold.



- (7) 'Actionable claims' must be treated as cash equivalents or as money, and must not be qualified as goods or services. Suitable provisions must be incorporated to ensure that issuance of such actionable claims does not tantamount to supply, and must not be subject to levy of GST.
- (8) It is recommended that clarity must be brought to distinguish between the roles of an 'aggregator' *vis-à-vis* the roles of an 'electronic commerce operator'.
- (9) The applicability of provisions of Chapter XIB on aggregators and e-commerce operators must also be clarified.
- (10) There should be consistency and clarity in regulatory interpretation of the activity of intermediaries, in concurrence with existing legal provisions, so as to ensure efficient governance. In case of digital intermediaries, the existing IT Act, 2000 must be the benchmark for interpreting the role of all digital and internet companies.
- (11) TCS for e-commerce must be withdrawn to ensure consistency with existing provisions like FDI norms, IT Act and ensure that the sector is not unduly burdened with compliance burdens. Information about transactions over e-commerce platforms can be submitted in the context of the suppliers effecting supplies through such operator as per section 43C (10) of the Model Law. Therefore, there is no requirement for introduction of the concept of TCS.
- (12) It is recommended that the best practices in majority of the countries be followed in India as well. Malaysia and Singapore treat supplies online and offline sale of goods on par, as is the case with the EU.
- (13) TCS or registration norms for e-commerce must be made at par with offline counterparts to ensure level playing field between platforms.
- (14) The intermediary role played by the digital industry must be given due recognition in registration norms to avoid multiple registrations for centralised service providers like such businesses.

### **Outstanding student loans**

2539. SHRIMATI KANIMOZHI: Will the Minister of FINANCE be pleased to state:

- (a) the details of total amount of student loans disbursed by Public Sector Banks for the last three years, year-wise and State-wise;
- (b) the total amount of student loans disbursed by Private Sector Banks for the last three years, year-wise and State-wise;

- (c) total amount of outstanding students loans until now, State-wise; and
- (d) the percentage of bad loans out of the total amount of outstanding student loans?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI SANTOSH KUMAR GANGWAR): (a) and (b) State-wise data on education loans disbursed by Public Sector Banks and Private Sector Banks, classified under priority sector lending, for 2013-14, 2014-15 and 2015-16 is given in Statement-I and Statement-II respectively (*See below*).

(c) State-wise data on outstanding education loan by Scheduled Commercial Banks as on March 31, 2016 is furnished in Statement-III (*See below*).

(d) As on 31.03.2015, the Non-Performing Assets in the education loan given by Public Sector Banks stood at 5.99%.

**Statement-I***State-wise amount of education loans disbursed by Public Sector Banks during the last three years*

(Amount in ₹ thousand)

Sl. No.	State	2013-14		2014-15		2015-16	
		No. of A/cs	Amount disbursed	No. of A/cs	Amount disbursed	No. of A/cs	Amount disbursed
1	2	3	4	5	6	7	8
1.	Andaman and Nicobar Islands	76	13553	71	14396	74	19576.76
2.	Andhra Pradesh	41324	7491642	44483	10398087	34642	8697452.60
3.	Arunachal Pradesh	98	13035	137	27689	94	20893.14
4.	Assam	3399	404998	3391	397045	2935	478404.42
5.	Bihar	24918	2510264	26846	2912807	22944	2507312.81
6.	Chandigarh	1450	286660	1281	325003	1154	473777.42
7.	Chhattisgarh	4271	438144	5190	572118	5228	672364.45
8.	Dadra and Nagar Haveli	69	9278	57	10223	47	8605.37
9.	Daman and Diu	50	6100	52	10252	54	10351.40
10.	Delhi	8942	1600981	8749	1831291	10033	2441811.90
11.	Goa	855	137304	736	150190	711	152695.01
12.	Gujarat	15073	1919993	10766	2008797	11744	2334562.06

1	2	3	4	5	6	7	8
13.	Haryana	10700	1441036	8117	1415671	8356	2019905.47
14.	Himachal Pradesh	4751	525213	4516	520673	4020	574819.07
15.	Jammu and Kashmir	760	107581	747	103082	650	152269.40
16.	Jharkhand	11405	1166903	10474	1216025	9615	1258011.96
17.	Karnataka	52450	6065338	61797	7413702	67076	9226234.24
18.	Kerala	91405	6927387	81079	7797440	84401	7850008.12
19.	Lakshadweep	7	782	15	3152	11	1727.00
20.	Madhya Pradesh	22683	2125544	20473	2074710	19445	2426575.06
21.	Maharashtra	59381	7695860	52646	6873420	57699	9727963.72
22.	Manipur	214	37410	322	47372	187	40516.16
23.	Meghalaya	179	26986	371	63761	294	40656.05
24.	Mizoram	152	19082	165	18675	129	26312.69
25.	Nagaland	76	12907	110	21636	75	14442.80
26.	Odisha	12518	1313149	12762	1355160	11615	1557293.64
27.	Puducherry	3646	237835	3026	230560	2044	228279.88
28.	Punjab	10595	2299589	8416	2037895	9466	3028925.48
29.	Rajasthan	20831	1950986	17554	1838884	17032	2969103.59
30.	Sikkim	94	15176	147	24975	165	28290.27

31.	Tamil Nadu	203881	16937950	217817	17880267	162498	14528960.69
32.	Telangana	0	0	0	0	23315	8655185.28
33.	Tripura	1008	103510	1210	115210	977	135681.73
34.	Uttarakhand	9377	1122625	8481	1064159	8596	1322036.77
35.	Uttar Pradesh	31177	3778158	27149	3467915	28848	4696235.18
36.	West Bengal	17500	1857037	16128	1948302	15610	2158539.62
	TOTAL	665315	70599996	655281	76190544	621784	90485781.23

Source: RBI.

**Statement-II***State-wise amount of education loans disbursed by Private Banks during the last three years*

Sl. No.	State	2013-14		2014-15		2015-16	
		No. of A/cs	Amount disbursed	No. of A/cs	Amount disbursed	No. of A/cs	Amount disbursed
1	2	3	4	5	6	7	8
1.	Andaman and Nicobar Islands	1	210	3	828	0	0
2.	Andhra Pradesh	836	223646.72	957	215979	668	196613.84
3.	Arunachal Pradesh	0	0	0	0	0	0
4.	Assam	17	5347	17	2667	1916	27125.98

(Amount in ₹ thousand)

1	2	3	4	5	6	7	8
5.	Bihar	20	3108	47	5320	474	24575.98
6.	Chandigarh	10	2828	7	23666	3	660.77
7.	Chhattisgarh	15	2286	45	10395	84	16971.14
8.	Dadra and Nagar Haveli	4	573	3	394	1	87.03
9.	Daman and Diu	10	170	3	150	7	1150.51
10.	Delhi	179	56170	227	67841	204	55825.29
11.	Goa	8	459	25	1161	46	1524.25
12.	Gujarat	430	31228	880	71098	1186	84436.16
13.	Haryana	73	13439	70	14474	70	14973.09
14.	Himachal Pradesh	6	1182	3	414	4	655
15.	Jammu and Kashmir	1791	633049	2318	231284	1911	253503
16.	Jharkhand	43	4677	46	5964	255	11403.94
17.	Karnataka	7509	1055806	4706	584333	4597	495761.45
18.	Kerala	25646	2570690.75	26351	3178358	18027	1838627.26
19.	Lakshadweep	0	0	0	0	0	0
20.	Madhya Pradesh	233	31289	671	74507	1722	73342.68
21.	Maharashtra	2037	142828.94	6778	621239	23235	1222950.63

22.	Manipur	3	391	2	475	3	698.05
23.	Meghalaya	2	659	1	182	4	650.64
24.	Mizoram	0	0	0	0	3	30.00
25.	Nagaland	1	400	0	0	2	228.77
26.	Odisha	54	7343	69	8997	202	27222.24
27.	Puducherry	224	19585.35	135	12794	118	12586.39
28.	Punjab	33	14046	75	22203	58	22705.94
29.	Rajasthan	32	5443	83	4281	655	17145.09
30.	Sikkim	0	0	0	0	308	3124.38
31.	Tamil Nadu	30532	2025178	24535	1641926	22681	1320600.56
32.	Telangana	0	0	0	0	420	171073.75
33.	Tripura	0	0	1	503	13519	135122.17
34.	Uttarakhand	59	11135	193	45191	208	35142.76
35.	Uttar Pradesh	96	20094	194	60628	323	52682.40
36.	West Bengal	51	15852	122	29111	5385	135080.21
TOTAL		69955	6899113.76	68567	6936363	98299	6254281.32

Source: RBI

***Statement-III***

*State-wise number of education loan accounts and amount outstanding  
in ₹ crore as on 31.03.2016*

Sl. No.	State	No. of A/cs	Amount Outstanding
1.	Andaman and Nicobar Islands	447	14.09
2.	Andhra Pradesh	104358	3461.20
3.	Arunachal Pradesh	573	14.68
4.	Assam	23806	432.71
5.	Bihar	101703	3086.26
6.	Chandigarh	4306	155.29
7.	Chhattisgarh	18152	437.51
8.	Dadra and Nagar Haveli	219	6.40
9.	Daman and Diu	230	8.86
10.	Delhi	31223	1061.38
11.	Goa	3028	100.95
12.	Gujarat	46367	1368.60
13.	Haryana	35552	991.62
14.	Himachal Pradesh	14263	341.00
15.	Jammu and Kashmir	11486	273.54
16.	Jharkhand	46209	1439.43
17.	Karnataka	203474	4610.26
18.	Kerala	323433	8385.58
19.	Lakshadweep	36	0.89
20.	Madhya Pradesh	79448	1854.37
21.	Maharashtra	207946	4928.27
22.	Manipur	1099	35.17
23.	Meghalaya	2278	62.67
24.	Mizoram	583	19.81
25.	Nagaland	389	10.16
26.	Odisha	61086	1581.80
27.	Puducherry	13801	282.70



Sl. No.	State	No. of A/cs	Amount Outstanding
28.	Punjab	31682	1026.84
29.	Rajasthan	56895	1411.80
30.	Sikkim	845	13.22
31.	Tamil Nadu	891532	15297.50
32.	Telangana	69390	3300.93
33.	Tripura	20544	98.59
34.	Uttarakhand	31519	843.17
35.	Uttar Pradesh	123581	3300.37
36.	West Bengal	75141	1573.38
TOTAL		2636624	61831.01

Source: RBI

### Cash transfers among currency chests

2540. SHRIMATI KANIMOZHI: Will the Minister of FINANCE be pleased to state:

(a) the maximum limit of cash that could be transferred from one currency chest to another currency chest, both within the State and, inter-State transfers; and

(b) what are the documents that need to be carried by the officials involved in transferring cash from one currency chest to another?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI SANTOSH KUMAR GANGWAR): (a) The banks effect remittances from one chest to another chest in terms of the guidelines issued by the Reserve Bank of India (RBI) on "Receipt and Remittance of Treasure", RBI has further informed that they have not placed any maximum limit that could be transferred from one currency chest to another currency chest.

(b) The officials carry the following document while transferring cash from one currency chest to another:

- A copy of the diversion order issued by RBI.
- Order given to the Transporter Contractor.
- Invoice containing the details of the currency being transported viz. total amount, total number of boxes, box-wise details of cash, originating and destination currency chest, etc.
- Authority given to Police Escort.

Additionally, a potdar *i.e.* employee of the chest remitting the cash also accompanies the remittance.

**Status of ATM machines in the country**

2541. SHRI K. T. S. TULSI: Will the Minister of FINANCE be pleased to state:

(a) the total number of ATM machines available and operational in the country, State-wise, village-wise; and

(b) the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI SANTOSH KUMAR GANGWAR): (a) and (b) Reserve Bank of India (RBI) has informed that as on 31.03.2016, Scheduled Commercial Banks (SCBs) have 198952 ATMs besides 12962 White Label ATMs (WLAs) across the country. State/UT-wise list is given in the Statement.

***Statement***

*State/UT-wise deployment of ATMs as on 31.03.2016*

States	Scheduled Commerical Banks (SCBs)	White Label ATMs (WLAs)	Total ATMs
1	2	3	4
Andaman and Nicobar Islands	111	0	111
Andhra Pradesh	9230	1183	10413
Arunachal Pradesh	216	0	216
Assam	3601	9	3610
Bihar	6593	882	7475
Chandigarh	775	1	776
Chhattisgarh	2967	74	3041
Dadra Nagar Haveli	115	0	115
Daman	105	0	105
Delhi	8729	234	8963
Diu	11	0	11
Goa	1004	12	1016
Gujarat	11421	127	11548
Haryana	6233	154	6387

1	2	3	4
Himachal Pradesh	1752	4	1756
Jammu and Kashmir	2349	9	2358
Jharkhand	3420	198	3618
Karnataka	15905	771	16676
Kerala	8643	346	8989
Lakshadweep	16	0	16
Madhya Pradesh	9342	307	9649
Maharashtra	23125	1420	24545
Manipur	305	0	305
Meghalaya	388	0	388
Mizoram	150	0	150
Nagaland	298	0	298
Odisha	5917	297	6214
Puducherry	615	77	692
Punjab	7071	75	7146
Rajasthan	8387	321	8708
Sikkim	182	0	182
Tamil Nadu	20325	3001	23326
Telangana	8816	985	9801
Tripura	454	0	454
Uttar Pradesh	17039	1757	18796
Uttarakhand	2505	60	2565
West Bengal	10837	658	11495
Total	198952	12962	211914

Source: RBI

### **Bilateral Investment Treaty (BIT) with US**

2542. SHRI ANAND SHARMA:

SHRI SANJAY RAUT:

Will the Minister of FINANCE be pleased to state:

(a) whether India and US have decided to speed up the pending Bilateral Investment Treaty, (BIT) if so, the details thereof;

(b) whether the US is pushing India to wrap up the talks during second round of annual Strategic and Commercial Decalogue (S&CD) or the next round of Trade Policy Forum;

(c) whether the US has been pressurising India to accede to a treaty similar to Free Trade Agreement (FTA) India signed with Japan and Korea; and

(d) if so, what precautionary steps Government is taking to protect indigenous industries in the country and the Government's proposals/offers to conclude the BIT?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI ARJUN RAM MEGHWAL): (a) Technical discussions with the US side have been held on an ongoing basis.

(b) No, Sir.

(c) No, Sir. USA has expressed its desire to sign a treaty similar to the FTA signed with Japan and Korea. However, Japan and Korea FTAs were signed based on the earlier Model Bilateral Investment Treaty (BIT) text of India and the negotiations with US will be on the basis of the new Indian Model Bilateral Investment Treaty (BIT) text.

(d) Does not arise.

#### **Short and long term loans for farmers**

2543. SHRI R. VAITHILINGAM: Will the Minister of FINANCE be pleased to state:

(a) the financial assistance provided by the Central Government to farmers for tilling land and purchasing agricultural equipments and the agencies through which these assistance are provided to them;

(b) the current rate of interest charged on short term and long term loans given to farmers; and

(c) whether Government proposes to waive off the interest on the loans given to farmers and if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI SANTOSH KUMAR GANGWAR): (a) to (c) Banks extend short term and long term agricultural loans to farmers, which, *inter alia*, cover investment credit for tilling land and purchasing agricultural equipments.

The interest rates on loans have been deregulated by Reserve Bank of India (RBI) and they are now linked to the Base Rate fixed by the banks. However, the Government of India implements an Interest Subvention Scheme for short term

crop loans up to ₹ 3.00 lakh with a view to ensuring availability of short term agriculture credit at a reduced interest rate of 7% p.a. to farmers. Under the said scheme, additional subvention of 3% is given to those farmers who repay their short term crop loan in time, thereby reducing the effective rate of interest to 4% p.a. for such farmers.

Interest rate on long term agricultural loans are linked to the Base Rate fixed by respective banks and as such banks have the freedom to charge suitable rate of interest on these loans as per the loaning policy approved by their Board. However, a Long Term Rural Credit Fund (LTRCF) has been set up by the Government in National Bank for Agriculture and Rural Development (NABARD), under which refinance is provided to Regional Rural Banks (RRBs) and Cooperative Banks by NABARD at concessional rate so as to motivate these banks to extend agricultural term loans to farmers at concessional rate of interest.

There is no proposal under consideration of the Government to fully waive off the interest on agricultural loans.

#### **Agricultural loans by private and foreign banks**

†2544. SHRI PRAMOD TIWARI: Will the Minister of FINANCE be pleased to state:

(a) whether private and foreign banks are reluctant to disburse loans to agriculture sector;

(b) if so, the reasons therefor; and

(c) the details of the loan, disbursed by the private and foreign banks to agriculture sector as compared to those given by them to other sectors during the last three years year-wise?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI SANTOSH KUMAR GANGWAR): (a) and (b) Reserve Bank of India (RBI) and National Bank for Agriculture and Rural Development (NABARD) have reported that they have no such information.

(c) As reported by RBI, the details of loans disbursed by private and foreign banks to agriculture sector and other sectors (under Priority Sector), during the last three years, are given in the Statement.

---

† Original notice of the question was received in Hindi.

**Statement**

*Years-wise details of agriculture loans disbursed by banks during the last three years 2013-2016*

Particular	(No. of accounts in absolute terms; Amount in Rupees thousands)									
	Agriculture (Total Priority Sector)		Educational Loans (Total Priority Sector)		Loans to Micro and Small Enterprises (Direct+Indirect)		Housing Loans (Total Priority Sector)		'Others' category under Priority Sector	
	No. of A/c Disbursed	Amt. Disbursed	No. of A/c Disb.	Amt. Disb.	No. of A/c Disb.	Amt. Disb.	No. of A/c Disb.	Amt. Disb.	No. of A/c Disb.	Amt. Disb.
<b>2013-14</b>										
Private Sector Banks	7202795	1168655564	69955	6899113.76	2288168	1512110218	222647	211022213	328257	73505047.39
Foreign Banks	4827	26876796	0	0	67662	2327776288	3269	5686912	3208	1209109908
TOTAL	7207622	1195532360	69955	6899113.76	2355830	3839886506	225916	216709125	331465	1282614955
<b>2014-15</b>										
Private Sector Banks	8975318	1411253484	68567	6936363	3185382	1741679262	248281	144306468	950988	73324571.01
Foreign Banks	28797	46053107	0	0	155273	190704546	1768	653800125	30669	590564295.8
TOTAL	9004115	1457306591	68567	6936363	3340655	1932383808	250049	798106593	981657	663888866.8

**2015-16**

(No. of accounts in absolute terms; Amount in Rupees thousands)

Particular	Agriculture		MSMEs		Education		Housing	
	No. of A/c	Amt. Disb.	No. of A/c	Amt. Disb.	No. of A/c	Amt. Disb.	No. of A/c	Amt. Disb.
Private Sector Banks	14004710	1738461389	6719312	2041873811	98299	6254281.3	276903	154358595
Foreign Banks	22145	55344192.08	84832	278833627.9	0	0	25857	8856893.8
Total	14026855	1793805581	6804144	2320707439	98299	6254281.3	302760	163215489

**2015-16**

(No. of accounts in absolute terms; Amount in Rupees thousands)

Particular	'Others' category under Priority Sector		Social Infrastructure		Renewable Energy	
	No. of A/c Disb.	Amt. Disb.	No. of A/c Disb.	Amt. Disb.	No. of A/c Disb.	Amt. Disb.
Private Sector Banks	993666	74111386.34	340	1062066	683	6485570
Foreign Banks	49847	12613225.74	1	26551.34	20	1136791
TOTAL	1043513	86724612.08	341	1088617	703	7622361

**Delay in Remittance of revised pension by PNB**

2545. SHRI BALWINDER SINGH BHUNDER:

SHRI CHUNIBHAI KANJIBHAI GOHEL:

Will the Minister of FINANCE be pleased to state:

(a) whether it is a fact that Government has done away with the provision of having 33 years service for earning full pension;

(b) whether it is also a fact that all pre-2006 pensioners will be entitled to hike in pension in addition to arrears;

(c) if so, what are the reasons that in spite of instructions issued by Government, Punjab National Bank (PNB) have neither given increase, nor arrears so far to the pensioners having account with PNB branches; and

(d) what steps are being taken to ensure that all pensioners will get increased pension and arrears without any further delay on the part of PNB?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI SANTOSH KUMAR GANGWAR): (a) As per OM dated 02.09.2008 of the Department of Pension and Pensioners' Welfare, once a Government Servant has rendered the minimum qualifying service of 20 years, pension shall be paid at 50% of the emoluments or average emoluments received during the last 10 months, whichever is more beneficial to him/her.

(b) The pension of pre-2006 pensioners was revised with effect from 01.01.2006 *vide* Department of Pension and Pensioners' Welfare's OM No. 38/37/08-P and PW(A) dated 01.09.2008, as amended from time to time. These pre-2006 pensioners are also entitled to arrears of pension with effect from 01.01.2006.

(c) and (d) Punjab National Bank (PNB) is making payments in all central civil cases where "revision authority" is received from CPAO, whereas in case of defence pensioners, PNB has issued directions to all its branches to make payment in eligible cases. Pensioners may approach PNB authority through toll free number 1800 180 2222 or help desk 011-25754671 along with details of PPO for calculating their arrears and enhanced pension. In Central civil cases, PNB is making payments as an ongoing process, as and when authority is received from CPAO. Payment to all eligible defence pensioners are also being made as above.

Instructions to all Public Sector Banks were issued by Department of Financial Services on 02.12.2015 to clear the pending cases of pre-2006 pensioners.



**Dispute Resolution Scheme for tax payers**

2546. SHRI RANJIB BISWAL: Will the Minister of FINANCE be pleased to state:

(a) whether the Government has written/decided to write letters to a large number of taxpayers to avail benefits under the Dispute Resolution Scheme for settling their tax related disputes;

(b) if so, the details thereof along with the response, if any, so far received by the Government;

(c) the details of benefits that will accrue to taxpayers in case they settle their tax related disputes under the said Scheme; and

(d) the time by which this task is likely to be completed and the time period to be given to the taxpayers to settle their disputes?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI SANTOSH KUMAR GANGWAR): (a) Yes, Sir.

(b) The Department has decided to write letters to 2,59,260 tax payers whose appeals were pending as on 29.02.2016. As on 30.06.2016, 42 declarations are reported to have been received, which are under processing.

(c) The details of benefits that will accrue to the tax payers whose declaration are accepted are as under:-

- (i) immunity from instituting any proceedings in respect of an offence under the Income Tax Act or the Wealth Tax Act, as the case may be; or
- (ii) immunity from imposition or waiver, as the case may be, of penalty under the Income tax Act or the Wealth tax Act, as the case may be,
- (iii) waiver of interest under the Income Tax Act or the Wealth Tax Act, as the case may be.

(d) The scheme came into effect on 1.06.2016 and will close on 31.12.2016. The maximum period for processing the declaration of the tax payer is 120 days, and, hence, by 30.04.2017 all the process associated with the scheme will be completed.

Time period of 30 days is given to the taxpayers (whose declarations are accepted) to pay the sum determined by the designated authority to settle their disputes.

**RBI guidelines on ATMs**

2547. SHRI RANJIB BISWAL: Will the Minister of FINANCE be pleased to state:

(a) whether as per a study of RBI, about 33 per cent of banks ATMs remain out of order, if so, the details thereof;

(b) whether it is a fact that banks do not follow the guidelines of RBI in this regard;

(c) if so, the reasons therefor along with the details of guidelines issued by RBI regarding ATMs; and

(d) the steps being taken by Government to ensure that all ATMs function properly for the use and benefit of masses?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI SANTOSH KUMAR GANGWAR): (a) to (d) Reserve Bank of India (RBI) has informed that it has recently conducted a representative sample survey of around 4000 ATMs situated in metro, semi-urban, urban and rural areas across the country. Primary finding of the survey has revealed that around 30% of the ATMs (600 Nos) of Public Sector Banks and 10% (100 Nos) ATMs of Private Sector Banks surveyed were non-functioning/mal-functioning. The major reasons for non-functioning/mal-functioning of ATMs noticed in the Survey were:

- Technical snags,
- Non-availability of network,
- Power failures,
- Non-availability of cash.

The report does not explicitly capture bank-wise data on non-functioning/mal-functioning of ATMs surveyed.

As per extant policy of RBI, all Scheduled Commercial Banks (excluding Regional Rural Banks) do not need to obtain permission of RBI for installation of ATMs at branches and extension counters for which they hold licenses issued by RBI subject to reporting. Scheduled Commercial Banks can also install Off-site ATMs without the permission of RBI subject to certain conditions.

In order to ensure quick uptime and least customer inconvenience, ATMs are regularly monitored by the banks through Board approved policies.

### **Report of Chief Advisor Cost**

2548. SHRI RAM KUMAR KASHYAP: Will the Minister of FINANCE be pleased to refer to the answer to Unstarred Question 2619 given in the Rajya Sabha on 22nd December, 2015 and state:

(a) the reasons as to why a copy of the report submitted by the Chief Advisor Cost cannot be laid on the Table of the House; and

(b) whether the information in respect to rate difference between purchase of stationaries from Kendriya Bhandar and private traders have since been collected, if so, details thereof and action taken thereon?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI ARJUN RAM MEGHWAL): (a) The report of Chief Advisor Cost is a routine administrative report which is usually not tabled in the House.

(b) No, Sir. Information from 11 Ministries/Departments is yet to be collected. Action will be taken after collection of complete information.

### **Waiver of bank loans to farmers in Rajasthan**

†2549. SHRI RAM NARAIN DUDI: Will the Minister of FINANCE be pleased to state:

- (a) the average monthly income of farmers in the State of Rajasthan;
- (b) average loan of each farmer in the State of Rajasthan;
- (c) the steps being taken by Government to waive off the loans of farmers; and
- (d) the steps taken by Government to reduce loans of farmers of desert districts of Western Rajasthan and to enhance their income?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI SANTOSH KUMAR GANGWAR): (a) and (b) As per Situation Assessment Survey (SAS) of agricultural households conducted by National Sample Survey Organisation (NSSO) in the rural areas of the country, during NSS 70th round (January, 2013 – December, 2013), for the reference period of the agricultural year July, 2012 – June, 2013, the average monthly income per agricultural household in the State of Rajasthan is ₹ 7,350/- and the average amount of loan outstanding per agricultural household in the State of Rajasthan is ₹ 70,500/-.

(c) and (d) There is no proposal to waive off the loans of farmers under the consideration of Government. However, in order to reduce the debt burden of farmers, increase the availability of hassle-free institutional credit for agricultural operations and mitigate the hardships faced by farmers, the following major steps have been taken by the Government across the country including the desert districts of Western Rajasthan:

- With a view to ensuring availability of agriculture credit at a reduced interest rate of 7% p.a. to farmers, the Government of India implements an interest subvention scheme for short term crop loans up to ₹ 3.00 lakh. Under the said scheme, additional subvention of 3% is given to those farmers who

---

† Original notice of the question was received in Hindi.

repay their short term crop loan in time, thereby reducing the effective rate of interest to 4% p.a. for such farmers.

- RBI has issued directions for relief measures to be provided by respective lending institutions in areas affected by natural calamities which, *inter alia*, include, restructuring/rescheduling of existing crop loans and term loans, extending fresh loans, relaxed security and margin norms, moratorium, etc. These directions have been so designed that the moment calamity is declared by the concerned District Authorities they are automatically set in motion without any intervention, thus saving precious time. The benchmark for initiating relief measures by banks has also been reduced to 33% crop loss in line with the National Disaster Management Framework.
- “Pradhan Mantri Fasal Bima Yojana” was launched on 1 April, 2016 to benefit the farmers. Under the Scheme, uniform premium of 2 per cent of the sum insured is to be charged for all Kharif crops and 1.5 per cent for Rabi crops. The annual premium for horticultural crops will be 5 per cent of the sum insured.
- Loan to distressed farmers indebted to non-institutional lenders is an eligible category of farm credit under the Priority Sector Lending (PSL) directions issued by RBI. This is intended to provide hassle-free institutional credit to farmers for repaying their debt to moneylenders.
- RBI has conveyed to banks to waive margin/security requirements of agricultural loans upto ₹ 1,00,000/-.

#### **Steps to increase the number of tax payers**

†2550. SHRI RAM NARAIN DUDI: Will the Minister of FINANCE be pleased to state:

- (a) the total number of tax payers in the country at present;
- (b) whether Central Government is taking necessary steps to enhance the number of tax payer and to cover more and more people under it, if so, the details thereof; and
- (c) the stringent steps taken by Government to discourage black money and to control it, details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI SANTOSH KUMAR GANGWAR): (a) The total number of tax payers of income tax in the country for the Financial Year 2015-16 is 5,24,38,971.

---

† Original notice of the question was received in Hindi.

(b) Revenue augmentation through widening and broadening of tax base has been a constant endeavor of the Income Tax Department. The Government has adopted the following strategies to achieve this objective:-

- (i) The Income Tax Department has implemented the Non-Filer Monitoring System (NMS) which analyses and assimilates all in-house information as well as transactional data received from third-parties, including Annual Information Return (AIR), Tax Deduction at Source (TDS) and Tax Collection at Source (TCS) statements, Central Information Bureau (CIB) data etc. to identify such persons/entities who have undertaken high value financial transactions but have not filed return. About 1.36 crore non-filers with potential tax liability have been identified under NMS and more than 52 lakh returns have been filed by the target segment.
- (ii) The Government has also taken several other steps for broadening of tax base in India. The mechanisms for collection and verification of financial information have been broadened and strengthened. These include collection of data in respect of various types of high-value transactions from banks and financial institutions and high-value expenditure from commercial establishments in form of Statement of Financial Transaction (SFT). Besides, various legislative measures have been taken to increase the tax base. These include expansion of scope of TDS and TCS by bringing more and more taxable transactions within their ambit. Moreover, quoting of Permanent Account Number (PAN) has been made mandatory for all transactions above ₹ 2 lakh and for specified transactions in respect of property, shares, bonds, insurance, foreign travel, demat account, etc.

(c) The Income Tax Department has conducted searches in 990 groups of assesseees during the last 2 years *i.e.* Financial Years 2014-15 and 2015-16, which led to seizure of undisclosed assets of ₹ 1,474 crore and admission of undisclosed income of ₹ 21,354 crore. During the same period, surveys were also conducted at 9,457 premises which resulted in detection of undisclosed income of ₹ 22,475 crore.

In the recent past, the Central Board of Direct Taxes (CBDT) has also taken several policy-level initiatives and administrative measures to combat the menace of black money, including the following:-

- (i) Constitution of the Special Investigation Team (SIT) on Black Money under Chairmanship and Vice-Chairmanship of former Judges of Hon'ble Supreme Court.
- (ii) Enactment of a comprehensive law—The Black Money (Undisclosed Foreign Income and Assets) and Imposition of Tax Act, 2015 which has come into

force w.e.f. 01.07.2015 to specifically and more effectively deal with the issue of black money stashed away abroad.

- (iii) Introduction of the Benami Transactions (Prohibition) Amendment Bill, 2015 to amend the Benami Transactions (Prohibition) Act, 1988 with a view to, *inter alia*, enable confiscation of Benami property and provide for prosecution.
- (iv) Proactively furthering global efforts to combat tax evasion/black money by joining the Multilateral Competent Authority Agreement in respect of Automatic Exchange of Information and having information sharing arrangement with USA under its Foreign Account Tax Compliance Act (FATCA).
- (v) Initiation of the information technology based '*Project Insight*' by the Income Tax Department for strengthening the non-intrusive information driven approach for improving tax compliance and effective utilization of available information.
- (vi) Renegotiation of Double Taxation Avoidance Agreements (DTAAs) with other countries to bring the Article on Exchange of Information to International Standards and expanding India's treaty network by signing new DTAAs and Tax Information Exchange Agreements (TIEAs) with many jurisdictions to facilitate the exchange of information and to bring transparency.

#### **PSB loan targets for micro and small industries**

2551. SHRI HISHEY LACHUNGPA: Will the Minister of FINANCE be pleased to state:

(a) whether the target fixed by Government for granting loans to micro and small industries in the country have not been met by most of the Public Sector Banks;

(b) if so, the reasons for these Public Sector Banks for not achieving the target; and

(c) whether Government intends to revise the target in view of performance of Public Sector Banks?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI SANTOSH KUMAR GANGWAR): (a) and (b) Targets for loans to micro and small enterprises (MSEs) have been fixed under Priority Sector Lending (PSL) norms of the Reserve Bank of India (RBI), wherein 7.5% of Adjusted Net Bank Credit (ANBC) is to be given to Micro Enterprises. Further, following the recommendations of Prime Minister's

Task Force on Micro, Small and Medium Enterprises (MSMEs) in January 2010, the Public Sector Banks (PSBs) are required to achieve prescribed growth in number of micro enterprises, credit to MSE sector and ensure that a prescribed segment of total MSEs advances goes to micro enterprises. Most PSBs have achieved the growth in number of accounts of micro enterprises while there has been shortfall on other targets. This is due to, *inter alia*, general slowdown in industrial growth, high incidence of Non Performing Assets (NPAs) in 2015-16, reclassification of Food and Agro Processing Units into agriculture sector from the existing MSME Sector, etc.

(c) No, Sir.

**RBI guidelines for auto financial services**

2552. SHRI CHUNIBHAI KANJIBHAI GOHEL: Will the Minister of FINANCE be pleased to state:

(a) whether it is mandatory to obtain prior approval of Reserve Bank of India (RBI) to commence auto financial services including Non-Banking Financial Services;

(b) if so, what are the details of approvals granted by RBI to a Financial Services Company in Chennai;

(c) whether the said Company is also operating in debit cards, leasing insurance services, banking, etc. in a large scale without the prior approval of RBI; and

(d) if so, details thereof and action taken against the company for violation of RBI guidelines?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI SANTOSH KUMAR GANGWAR): (a) and (b) Auto financial services falls under the category of activity of Financial Institution as stated under Section 45-1 of the Reserve Bank of India (RBI) Act *i.e.* financing, whether by way of making loans or advances or otherwise, of any activity other than its own. If a company intends to carry out business of a non-banking financial institution as defined under Section 45-1 of the RBI Act and its business proposition meets principal business criteria (PBC), *i.e.* its financial assets to be more than 50 per cent of its total assets (netted off by intangible assets) and income from its financial assets to be more than 50 per cent of its gross income, then it is required to get itself registered as an Non-Banking Financial Company (NBFC) with RBI and abide by the regulations as applicable to NBFCs. The list of NBFCs, which are extending vehicle finance in Chennai is furnished in the Statement (*See* below).

(c) and (d) RBI has informed that the company registered with RBI for granting vehicle finance are not operating in debit cards, leasing insurance services, banking, etc.

***Statement***

*List of NBFCs extending vehicle finance in Chennai*

**List of companies in Category 'A' granting vehicle finance:**

1. Deccan Finance Ltd., Chennai
2. Ever Trust Finance (India) Ltd., Chennai
3. Excellent Fin-Invest Ltd., Chennai
4. Galada Finance Ltd., Chennai
5. Gove Investments and Finance Co. Ltd., Chennai
6. GTP Finance Ltd., Salem
7. Indo Asian Finance Ltd., Chennai
8. Karur Gayathri Finance Ltd., Karur
9. New Link Overseas Finance Ltd., Chennai
10. Sakthi Finance Ltd., Coimbatore
11. Selvaganapathy Leasing and Finance Ltd., Salem
12. Seyad Shariat Finance Ltd., Tirunelveli
13. Savery Transport Finance Ltd., Chennai
14. Shriram City Union Finance Ltd., Chennai
15. Shriram Transport Finance Co. Ltd., Chennai
16. Sri Vijayaram Hire Purchase and Leasing Finance Ltd., Salem
17. Sundaram Finance Ltd., Chennai
18. Trancity Finance and Leasing Ltd., Namakkal
19. V.V.D. Finance and Leasing Ltd., Thoothukudi
20. Vijay Hemant Finance and Estates Ltd., Chennai
21. Vasu Senniappa Finance Ltd., Gobichettipalayam

**List of companies in NDSI granting vehicle finance:**

1. Cholamandalam Investment and Finance Company Ltd.
2. Daimler Financial Services India Pvt. Ltd.
3. Equitas Finance Limited
4. Hinduja Leyland Finance Limited
5. Ford Credit India Pvt. Ltd.
6. Nissan Renault Financial Services India Private Limited
7. TVS Credit Services Limited



**List of companies in Category 'B' granting vehicle finance:**

1. Anupam Motor Finance Limited
2. Arcot Finance and Agency Ltd.
3. Bengal Auto Parts Pvt. Ltd. (transferred from Kolkata)
4. Carthic Credits Limited
5. Chhajjer Finance Limited
6. Dugar Automobile Finance Pvt. Ltd.
7. Elders Consultants and Investments Co. (P) Ltd.
8. Gautam Hire Purchase Ltd.
9. L.R.N Finance Limited
10. Mahaveer Finance India Ltd.
11. Prem Hire Purchase
12. Pukhraj Hire Purchase Pvt. Ltd.
13. Rajammal Rangasamy Finance Limited
14. Shree Sarathy Hire Purchase and Finance Private Limited
15. Shri Chakra Finance and Credits (Madras) Pvt. Ltd.
16. Sri Mahaveer Auto Finance (Madras) Ltd.
17. Sushil Hire Purchase P. Ltd.
18. United Overseas Finance Ltd.

**Revive of stalled projects in key infrastructure sectors**

2553. SHRI ANAND SHARMA: Will the Minister of FINANCE be pleased to state:

(a) whether it is a fact that the stressed assets of power, steel and mining sectors have resulted in a spike of NPAs and loan defaults;

(b) if so, the number of stalled major infrastructure projects and the amount of outstanding loans to the banks; and

(c) the steps taken by Government and RBI to revive stalled projects in key infrastructure sectors?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI SANTOSH KUMAR GANGWAR): (a) NPAs of Scheduled Commercial Banks have risen from 5.43% in March, 2015 to 9.32% in March, 2016. The sectors that have high incidence of NPA are mainly Infrastructure (power, roads etc.), steel and textiles.

(b) The total number of stalled infrastructure projects as on 2015-16 are 417 with an outstanding amount of ₹ 66478.61 crore as sourced from Public Sector Banks.

(c) Government has taken a number of steps to revive growth in key sectors which *inter alia* include:

- Revival of stalled projects in road sector through substitution of concessionaire even during construction period, permission for divestment of equity by concessionaire after two years from Commercial Operations Date (COD), award of new road sector projects under Hybrid Annuity Model, etc.
- Import duty on some articles increased, safeguard duty of 20% on hot rolled flat products imposed to protect domestic industry and a Minimum Import Price (MIP) imposed on steel products to shield steel makers from the onslaught of cheap imports.
- Ujwal Discom Assurance Yojana (UDAY) Scheme launched to strengthen financial and operational cost of discoms, E-auction of coal for power projects introduced. For gas-based power projects, the Government has started auctioning Re-gasified Liquefied Natural Gas (RLNG).
- The Mines and Minerals (Development and Regulation) Act, 1957 amended through the MMDR Amendment Act, 2016 to facilitate transfer of captive mining leases.
- Issue of guidelines by RBI for restructuring of loans etc.

#### **Loss of original papers of loanee by banks**

2554. DR. KANWAR DEEP SINGH: Will the Minister of FINANCE be pleased to state:

(a) whether some banks are reported to have lost original property papers submitted by a loanee as guarantee;

(b) is there any policy/guideline to be followed by the banks in this regard;

(c) if so, what action were taken against erring banks; and

(d) what is the duty of banks to reimburse the clients consequent upon settlement of a loan?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI SANTOSH KUMAR GANGWAR): (a) to (d) Banking Codes and Standards Board of India (BCSBI) in collaboration with Indian Bank's Association (IBA) has evolved code of Bank's commitment to customers. As prescribed, in the code in the event of the bank losing the securities/documents it should compensate the borrower for the loss. The

bank is also required to issue a certificate indicating the securities/documents lost and extend all assistance to customer for obtaining duplicate documents.

**Proposal for fixing of professional tax ceilings by States**

2555. DR. KANWAR DEEP SINGH: Will the Minister of FINANCE be pleased to state:

(a) whether there is a proposal to transfer Central Governments' power to fix professional tax ceilings to the States, if so, reasons therefor;

(b) would it require a constitution amendment; and

(c) if so, what would be its implications for the proposed GST?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI ARJUN RAM MEGHWAL): (a) No, Sir.

(b) and (c) Do not arise.

**Technical problems faced in subsidy transfers**

2556. SHRIMATI VANDANA CHAVAN: Will the Minister of FINANCE be pleased to state:

(a) whether Government has taken cognizance of the fact that States like Rajasthan which have implemented Aadhaar for subsidy transfers are facing numerous number of technical glitches like failure of fingerprint authentication etc.;

(b) if so, what are the steps taken by Government to improve the infrastructure required for implementation of Aadhaar Bill at the State level and details thereof;

(c) the funds allocated for the same; and

(d) what are the alternatives that are being considered for the implementation in areas where there are connectivity problem and details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI ARJUN RAM MEGHWAL): (a) to (d) It was brought to the notice of UIDAI by the Rajasthan State Government that they had been facing some technical problems in Aadhaar fingerprint authentication for distribution of subsidized ration at Fair Price Shops (FPS). The technical problems reported by the Rajasthan State Government were studied by UIDAI. It was observed that UIDAI Authentication Services had been working without any interruption during this period. It was further analyzed that the disruption in the Aadhaar authentication services in Rajasthan for distribution of ration at fair price shops were on account of:

- (i) inadequate server capacity of Rajasthan Government
- (ii) insufficient lease-line capacity between servers of Rajasthan Government and UIDAI Data Centres
- (iii) poor mobile signal at PoS devices deployed at fair price shops
- (iv) incorrect seeding of Aadhaar numbers in PDS database
- (v) insufficient number of Iris devices to deal with the cases of poor finger print quality, and
- (vi) lack of proper training to the device operators.

To resolve the issues and to improve the infrastructure required for ration distribution through Aadhaar Authentication, certain action points were suggested to the Department of Food and Civil Supplies, Rajasthan State Government such as deployment of new application server, increase in capacity of leased line connectivity, correct seeding of Aadhaar, deployment of iris device, training of fair price shop operator and installation of signal booster/extended antenna on PoS device etc.

State Government has also been advised to establish connectivity through multiple telecom service providers and install signal boosters and external antenna at Fair Price Shops to ensure maximum uptime. Further, if authentication service is not available due to problems of connectivity or any other reason, State Government has been advised to place an exception handling mechanism at FPS by allowing alternate means of identification so that no beneficiary is denied any service otherwise due to him.

#### **Micro-credit scheme in West Bengal**

2557. SHRI VIVEK GUPTA: Will the Minister of FINANCE be pleased to state:

- (a) whether the Ministry is aware that the State Government of West Bengal has achieved excellent results in the scheme of providing term loans and micro-credit for 2014-15;
- (b) the details of the physical and financial achievements made in the scheme of providing term loans and micro-credit for minorities in the country for the year 2014-15, State-wise; and
- (c) whether the Ministry has taken steps to implement best practices learnt from West Bengal in disbursement of loans and micro-credit to the beneficiaries of minority communities?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI SANTOSH KUMAR GANGWAR): (a) Term loans and micro credit to minorities for self

employment and income generating ventures are provided by National Minorities Development and Finance Corporation (NMDFC) through State Channelizing Agencies (SCAs) nominated by respective State Governments. The schemes of NMDFC, including Term Loan and Micro-Finance Schemes are implemented in West Bengal through West Bengal Minorities Development and Finance Corporation (WBMDFC). During the year 2014-15, WBMDFC had drawn ₹ 185.00 crores out of ₹ 431.20 crores disbursed by NMDFC all over the country. For last 3 years, WBMDFC has drawn maximum funds from NMDFC and its repayment to NMDFC has also been more than 95%, on year to year basis.

(b) State-wise details of funds disbursed and beneficiaries assisted under the schemes of NMDFC to minorities during 2014-15 is given in the Statement (*See below*).

(c) The best practices followed by the SCAs of NMDFC are shared with the officials of other SCAs on a regular basis, with the objective that other SCAs also replicate the same in their States.

*Statement*

*State-wise details of funds disbursed and beneficiaries assisted by State MDFCs,  
National Minorities Development and Finance Corporation (F.Y. 2014-15)*

Sl. No.	State	SCA	Term Loan		Micro Finance		Total	
			Amt.	Benef.	Amt.	Benef.	Amt.	Benef.
1	2	3	4	5	6	7	8	9
1.	Andhra Pradesh	APSMFC					0.00	0
2.	Assam	AMDFC					0.00	0
3.	Bihar	BSMFC					0.00	0
4.	Chandigarh	CHCFDCL	20.00	21			20.00	21
5.	Chhattisgarh	CHACDFC	150.00	158	150.00	667	300.00	825
6.	Delhi	DSCSTFDC					0.00	0
7.	Gujarat	GBCDC					0.00	0
		GMFDC					0.00	0
8.	Himachal Pradesh	HPMFDC	550.00	580			550.00	580
9.	Haryana	HBCKN					0.00	0
		MDA	20.00	21	80.00	356	100.00	377
10.	Jammu and Kashmir	JKSCSTDC					0.00	0

(Amount ₹ in lacs)

	JKWDC	1500.00	1580		1500.00	1580
	JKEDI	500.00	526		500.00	526
11. Jharkhand	JSCSTDC				0.00	0
12. Kerala	KBCDC	2500.00	2631	700.00	3111	5742
	KSCFFDC	350.00	369	3000.00	13332	13701
	KSWDC	1800.00	1895	100.00	444	2339
	KSMDFC	800.00	842	0.00	0	842
13. Karnataka	KMDC	2000.00	2105		2000.00	2105
14. Maharashtra	MAAAVM	1000.00	1053		1000.00	1053
15. Manipur	MTDC				0.00	0
16. Madhya Pradesh	MPBCMIFDC				0.00	0
	MPHDC				0.00	0
17. Meghalaya						
18. Mizoram	MCAB	200.00	211		200.00	211
	ZIDCO				0.00	0
19. Nagaland	NIDC	500.00	527		500.00	527
	NHDC				0.00	0
	NSSWB			350.00	1556	1556
20. Odisha	ORSCSTFDC				0.00	0

1	2	3	4	5	6	7	8	9
21.	Puducherry	PDBCMDC	100.00	105	100.00	444	200.00	549
22.	Punjab	BACKFINCO	1100.00	1159			1100.00	1159
23.	Rajasthan	RSCSTFDCC					0.00	0
		RMFDCC	1950.00	2053	50.00	222	2000.00	2275
24.	Tamil Nadu	TAMCO	700.00	737	3150.00	14000	3850.00	14737
25.	Tripura	TMCDC	1200.00	1263			1200.00	1263
26.	Uttar Pradesh	UPMFDC					0.00	0
27.	Uttarakhand	UMFDC					0.00	0
28.	West Bengal	WBMDFC	7500.00	7895	11000.00	48889	18500.00	56784
TOTAL			24440.00	25731	18680.00	83021	43120.00	108752

Source: Ministry of Minority Affairs



**Trauma centres along National Highways**

2558. SHRI PARVEZ HASHMI: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) the number of trauma centres opened during 2014-15 on National Highways, Delhi-Chandigarh and Delhi-Amritsar; and

(b) the number of Trauma Centres proposed on these Highways in the year 2015-16?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI FAGGAN SINGH KULASTE): (a) Under Centrally Sponsored Scheme namely-‘Capacity building for developing Trauma Care facilities in Government Hospitals on National Highways,’ financial assistance is provided to the State Governments for setting up of Trauma Center at the existing hospital. However, no Trauma Center was opened on these highways in 2014-15.

(b) Proposals have been received from the State of Haryana and Punjab for setting up of Trauma Centers at Sonapat and Ludhiana respectively during the year 2015-16.

**Action against medical negligence cases**

†2559. SHRI NARESH AGRAWAL: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether it is a fact that no national policy has been formulated for taking action against the hospitals and doctors who are involved in carelessness and criminal acts;

(b) if so, the reasons therefor; and

(c) if not, what action has been taken against the Apollo Hospital, Delhi, which is involved in Kidney racket and against the Fortis Hospital, Delhi, which has operated the wrong leg?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRIMATI ANUPRIYA PATEL): (a) and (b) Health is a State subject, it is, therefore, within the remit of State/Union Territory (UT) Government to formulate policy regarding action to be taken against the hospitals and doctors who are found to be careless and involved in criminal acts.

The Government of India has enacted the Clinical Establishments (Registration and Regulation) Act, 2010 and notified Clinical Establishments (Central Government) Rules, 2012 for registration and regulation of the Clinical Establishments based on

---

† Original notice of the question was received in Hindi.

Minimum Standards to ensure standardized level of care. However, the Clinical Establishments (Registration and Regulation) Act, 2010 is applicable only in ten States and all Union Territories except Delhi at present.

Further, in order to regulate the conduct of doctors, the Medical Council of India (MCI), with the approval of the Central Government, has notified Indian Medical Council (Professional Conduct, Etiquette and Ethics) Regulation, 2002. MCI or the appropriate State Medical Councils have been empowered to take disciplinary action against a doctor for violation of the provisions of the aforesaid Regulations.

The complaints related to medical negligence and deficiency of services can also be filed in District/State/National Consumer Disputes Redressal Forum under the Consumer Protection Act. Further, depending upon the nature of carelessness and criminal act, the relevant sections of Indian Penal Code/Criminal Procedure Code are also applicable.

(c) Health is a State subject. It is for respective State Government/UT Administration to take action in such cases. Whenever any such a complaint is brought to the notice of the Department of Health and Family Welfare, the same is forwarded to the concerned State/UT and, if required, also to Ministry of Home Affairs for appropriate action in the matter.

#### **Mandatory labelling of sodium content**

2560. SHRI HISHEY LACHUNGPA: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether Food Safety and Standard (Packaging and Labelling) Rules does not require to give information on the sodium contents on the labels fixed by the manufacturer on the product though a large number of population in the country is suffering from hypertension;

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

(c) whether Government intends to amend the Rules to make information relating to sodium in the label of the product mandatory?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI FAGGAN SINGH KULASTE): (a) and (b) Under clause 32 of sub-regulation 2.4.5 of regulation 2.4 of the Food Safety and Standards (Packaging and Labelling) Regulations, 2011, every package of fruit squash by whatever name it is sold, containing additional sodium or potassium salt, is required to bear the following level:

“It Contains Additional Sodium/Potassium Salt”. However, there is no such requirement for other food products under the aforesaid regulations.

(c) The regulations continue to be reviewed/revisited from time to time keeping in view the contemporary scientific knowledge.

**ICMR's cancer report**

2561. SHRI RIPUN BORA: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

- (a) whether Government is aware of the latest ICMR's cancer data report;
- (b) if so, whether it is a fact that average number of cancer possibility above age group of 60 years is 1 out of 9 persons, if so, details thereof; and
- (c) the action proposed by Government to check the average mortality rate therefor?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRIMATI ANUPRIYA PATEL): (a) The Indian Council of Medical Research has released “Three-year report of Population Based Cancer Registries: 2012-2014” and “Consolidated Report of Hospital Based Cancer Registries: 2012-2014”, in May 2016.

(b) As per National Cancer Registry Programme of National Centre for Disease Informatics and Research (ICMR), 1 out of 8 men has the possibility of developing cancer in his lifetime (0-74 years). Similarly, 1 out of 9 women has the possibility to develop cancer in her lifetime (0-74 years).

(c) The Ministry of Health and Family Welfare is running National Programme for Prevention and Control of Cancer, Diabetes, Cardiovascular Diseases and Stroke (NPCDCS). The cancer related components of this programme includes provision of cancer treatment facilities in addition to early detection and prevention activities of cancer across the country for all types of cancers.

**Printing of expiry date on packaged food items**

2562. SHRI DILIP KUMAR TIRKEY: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

- (a) whether it is a fact that on most of the packaged food items date of expiry is printed in such a way that it is illegible; and
- (b) if so, whether Government has issued any guidelines to the industry to follow a uniform norms in this regard?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI FAGGAN SINGH KULASTE): (a) No such case has come to the notice of the Food Safety and Standards Authority of India.

(b) Provision for declaration of 'Best before' and 'Use by Date' on label of pre-packaged food, is prescribed under regulation 2.2.2(10) of the Food Safety and Standards (Packaging and Labelling) Regulations, 2011. Further, regulation 2.2.1 (5) of the said Regulations provides that contents on the label shall be clear, prominent, indelible and readily legible by the consumer under normal conditions of purchase and use. Further, under regulation 2.3.3 of these regulations, minimum height of numerals, in the declaration on the label of packaged food of different weight/volume, has been prescribed. All food business operators are required to scrupulously follow the provisions of the Food Safety and Standards (Packaging and Labelling) Regulations, 2011.

### **PHCs in tribal areas lacking basic facilities**

2563. SHRI MOHD. ALI KHAN: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether it is a fact that Primary Health Centres (PHCs) particularly in the tribal areas and other backward areas are lacking facilities, doctors and nurses;

(b) if so, the details thereof and reasons therefor particularly in Telangana and Andhra Pradesh; and

(c) the funds allocated and spent for each PHCs in the Eleventh and Twelfth Plan periods?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI FAGGAN SINGH KULASTE): (a) and (b) Public Health being a State subject, the primary responsibility to provide quality health care services to the people including in rural, tribal and remote areas lies with State/UT Governments. To supplement the efforts of State Governments for improving the healthcare services, financial and technical support is provided to the States under the NHM, based on the proposals of State Governments. The details of availability of infrastructure, doctors and nursing staff as on 31.03.2015, as per Rural Health Statistics, 2015 are placed in Statements-I, II and III (*See below*).

Some of the reasons attributed to shortage of doctors/specialists/nurses in public health facilities, particularly in rural and tribal areas include overall shortage of doctors/specialists/nurses in the country, feeling of professional isolation among doctors and specialists, and unwillingness on their part to work in these areas.

(c) No funds are allocated PHC-wise under the NHM. Public Health being a State Subject, the information regarding funds spent for each PHC is not maintained by GOI.

**Statement-I***State-wise building position for PHCs in tribal areas*

Sl. No.	State/UT	(As on 31st March, 2015)						
		Total Number of PHCs functioning	PHCs functioning in		Buildings under Construction		Buildings required <sup>1</sup> to be constructed	
1	2	3	4	5	6	7	8	
1.	Andhra Pradesh	130	130	0	0	0	0	0
2.	Arunachal Pradesh#	117	117	0	0	0	0	0
3.	Assam	283	280	3	0	28	**	
4.	Bihar+	6	2	4	0	0	4	
5.	Chhattisgarh	411	344	12	55	26	41	
6.	Goa	8	8	0	0	0	0	
7.	Gujarat	382	293	2	87	31	58	
8.	Haryana*	0	0	0	0	0	0	
9.	Himachal Pradesh	43	36	1	6	17	**	
10.	Jammu and Kashmir	48	46	2	0	0	2	
11.	Jharkhand	160	110	8	42	24	26	

1	2	3	4	5	6	7	8
12.	Karnataka	64	62	2	0	3	**
13.	Kerala	137	137	0	0	0	0
14.	Madhya Pradesh	332	312	20	0	16	4
15.	Maharashtra	315	274	1	40	15	26
16.	Manipur	45	44		NA		
17.	Meghalaya#	110	110	0	0	0	0
18.	Mizoram#	57	57	0	0	0	0
19.	Nagaland#	128			NA		
20.	Odisha	426	407	18	1	18	1
21.	Punjab*	0	0	0	0	0	0
22.	Rajasthan	210	150	0	60	7	53
23.	Sikkim	12	12	0	0	0	0
24.	Tamil Nadu	66	66	0	0	0	0
25.	Telangana	93	93	0	0	0	0
26.	Tripura	45	45	0	0	0	0
27.	Uttarakhand	10	7	0	3	0	3
28.	Uttar Pradesh	NA	NA	NA	NA	NA	NA

29. West Bengal	304	304	0	0	0	0
30. Andaman and Nicobar Islands	4	4	0	0	0	0
31. Chandigarh*	0	0	0	0	0	0
32. Dadra and Nagar Haveli#	7	7	0	0	0	0
33. Daman and Diu	0	0	0	0	0	0
34. Delhi*	0	0	0	0	0	0
35. Lakshadweep#	4	3	1	0	0	1
36. Puducherry*	0	0	0	0	0	0

Note: + Data for 2010 repeated

^ Data for 2013-14 repeated

# States with predominantly tribal areas

\* State/UT has no separate Tribal Area Population

† Required Number = Total functioning - (Government Buildings + Under construction) (ignoring excess).

\*\* Surplus

**Statement-II***State-wise Doctors<sup>1</sup> at PHCs in Tribal area*

Sl. No.	State/UT	(As on 31st March, 2015)				
		Required <sup>2</sup>	Sanctioned	In Position	Vacant	Shortfall
		[R]	[S]	[P]	[S-P]	[R-P]
1	2	3	4	5	6	7
1.	Andhra Pradesh	130	291	270	21	**
2.	Arunachal Pradesh#	117	NA	102	NA	15
3.	Assam	283	NA	200	NA	83
4.	Bihar@	6	1	1	0	5
5.	Chhattisgarh	411	366	156	210	255
6.	Goa	8	19	18	1	**
7.	Gujarat <sup>+</sup>	382	679	271	408	111
8.	Haryana*	0	0	0	0	0
9.	Himachal Pradesh	43	60	45	15	**
10.	Jammu and Kashmir <sup>++</sup>	48	38	76	**	**
11.	Jharkhand	160	160	160	0	0
12.	Karnataka	64	64	38	26	26
13.	Kerala	137	227	229	**	**
14.	Madhya Pradesh	332	360	299	61	33
15.	Maharashtra	315	370	352	18	**
16.	Manipur <sup>^</sup>	45	130	75	55	**
17.	Meghalaya#	110	128	114	14	**
18.	Mizoram#	57	152	49	103	8
19.	Nagaland#	128	108	133	**	**
20.	Odisha <sup>^</sup>	426	426	221	205	205
21.	Punjab*	0	0	0	0	0
22.	Rajasthan	210	293	245	48	-35
23.	Sikkim##	12	20	15	5	**



1	2	3	4	5	6	7
24.	Tamil Nadu	66	128	98	30	**
25.	Telangana	93	211	196	15	**
26.	Tripura	45	135	135	0	**
27.	Uttarakhand	10	10	12	**	**
28.	Uttar Pradesh	NA	NA	NA	NA	NA
29.	West Bengal <sup>+</sup>	304	909	765	144	**
30.	Andaman and Nicobar Islands	4	9	6	3	**
31.	Chandigarh*	0	0	0	0	0
32.	Dadra and Nagar Haveli#	7	6	8	**	**
33.	Daman and Diu	0	0	0	0	0
34.	Delhi*	0	0	0	0	0
35.	Lakshadweep#	4	9	9	0	**
36.	Puducherry*	0	0	0	0	0

Notes: <sup>+</sup> Data for 2013 repeated

<sup>++</sup> Santioned data for 2012 used

# States with predominantly tribal areas

NA Not Available.

@ Data for 2010 repeated

\* State/UT has no separate Tribal Area/Population

\*\* Surplus

## Santioned data for 2011 used

<sup>2</sup> Allopathic Doctors

<sup>1</sup> One per Primary Health Centre

<sup>^</sup> Data for 2013-14 repeated

### Statement-III

#### State-wise nursing staff at PHCs and CHCs in tribal area

Sl. No.	State/UT	(As on 31st March, 2015)				
		Required <sup>1</sup>	Sanctioned	In Position	Vacant	Shortfall
		[R <sup>1</sup> ]	[S]	[P]	[S-P]	[R <sup>1</sup> -P]
1	2	3	4	5	6	7
1.	Andhra Pradesh	207	295	261	34	**
2.	Arunachal Pradesh#	481	NA	319	NA	162

1	2	3	4	5	6	7
3.	Assam	500	NA	609	NA	**
4.	Bihar@	6	8	4	4	2
5.	Chhattisgarh	1006	1081	578	503	428
6.	Goa	15	41	45	**	**
7.	Gujarat##	872	1703	1474	229	**
8.	Haryana*	0	0	0	0	0
9.	Himachal Pradesh	113	63	41	22	72
10.	Jammu and Kashmir	125	NA	185	NA	**
11.	Jharkhand	888	368	577	**	311
12.	Karnataka	113	144	93	51	20
13.	Kerala^	221	235	282	**	**
14.	Madhya Pradesh	1060	1033	555	478	505
15.	Maharashtra	784	684	646	38	138
16.	Manipur^	94	142	119	23	**
17.	Meghalaya#	299	413	413	0	**
18.	Mizoram#	120	NA	224	NA	**
19.	Nagaland#	275	117	378	**	**
20.	Odisha^	1371	318	383	**	988
21.	Punjab*	0	0	0	0	0
22.	Rajasthan	651	1116	888	228	**
23.	Sikkim	12	NA	12	NA	0
24.	Tamil Nadu	206	425	320	105	**
25.	Telangana	254	216	190	26	64
26.	Tripura	94	377	331	46	**
27.	Uttarakhand^	66	36	51	**	15
28.	Uttar Pradesh	NA	NA	NA	NA	NA
29.	West Bengal##	1060	334	239	95	821

1	2	3	4	5	6	7
30.	Andaman and Nicobar Islands	11	33	33	0	**
31.	Chandigarh*	0	0	0	0	0
32.	Dadra and Nagar Haveli#	14	8	37	**	**
33.	Daman and Diu	0	0	0	0	0
34.	Delhi *	0	0	0	0	0
35.	Lakshadweep#	25	52	52	0	**
36.	Puducherry *	0	0	0	0	0

Notes: ## Data for 2013 repeated

^ Data for 2013-14 repeated

# States with predominantly tribal areas

\* State/UT has no separate Tribal Area/Population

<sup>1</sup> One per PHC and 7 per Community Health Centre

@ Data for 2010 repeated

NA Not Available.

\*\* Surplus

### Ban on FDC drugs

2564. SHRI T. G. VENKATESH: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether Government has put a ban on Fixed Dose Combination (FDC) drugs, if so, the details thereof and the reasons therefor;

(b) whether Government is aware that ban on FDC drugs is hurting the growth of the pharma industry;

(c) whether Government has received any representation to lift the ban on FDC drugs as there are several benefits of them; and

(d) the details thereof along with the stand of Government in this regard?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI FAGGAN SINGH KULASTE): (a) and (b) The Government *vide* Gazette Notifications S.O. Nos. 705(E) to 1048 (E) dated 10.03.2016 prohibited the manufacture for sale, sale and distribution for human use 344 FDCs with immediate effect in public interest as these FDCs were likely to involve risk to human beings and safer alternatives were available.

(c) and (d) The Government has received various representations for reviewing the above notifications. In addition to, many pharmaceuticals companies have filed various writ petitions in various courts and obtained interim stay. The matter is *sub-judice*.

### **High percentage of adulterated food**

†2565. SHRI AMAR SHANKAR SABLE: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether it is a fact that apart from fast foods, pulses, oil, milk and ghee are also proving unsafe since one out of five such edible items is adulterated and impure; and

(b) the number of cases of adulteration brought in food safety labs this year and quantum of penalty imposed on them and number of cases in which sentence has been awarded to culprits, and the State-wise details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI FAGGAN SINGH KULASTE): (a) and (b) Some cases of adulteration in food items have come to the notice of the Food Safety and Standards Authority of India (FSSAI). As per the information made available by State/UT Governments to FSSAI, the State-wise details of samples of food articles collected, tested, found not conforming to the prescribed standards and action taken during 2014-15, are given in the Statement.

---

† Original notice of the question was received in Hindi.

**Statement***State-wise details of food samples collected tested found adulterated and action taken on them during 2014-15*

Sl. No.	Name of the State/UT	Total No. of samples received	No. of Samples Analysed	No. of Samples found adulterated and Misbranded	No. of Cases Launched		No. of Convictions/ Amount raised in Rupees	
					Criminal	Civil		
1	2	3	4	5	6	7	8	9
1.	Andaman and Nicobar Islands	17	16	4	0	0	0	14/₹ 4,55,000
2.	Andhra Pradesh	2788	2788	290	338	78	0	₹ 51,63,020
3.	Arunachal Pradesh	292	258	29	2	14		7
4.	Assam	595	595	74	28	32	8	₹ 70,000
5.	Bihar	1763	1320	7		16		5/₹ 38,000
6.	Chandigarh	102	102	5	5			₹ 1,50,000
7.	Chhattisgarh	540	540	195	0	0	0	17
8.	Dadra and Nagar Haveli	9	2		Samples are analysed by Gujarat State Laboratory			
9.	Daman and Diu	65	65	3		3		3/₹ 30,000
10.	Delhi	1484	1484	151				

1	2	3	4	5	6	7	8	9
11.	Goa	798	800	81	1	4	4	₹ 4,35,000
12.	Gujarat	11981	11700	1243	37	464	30	178/₹ 56,13,500
13.	Haryana*	989	989	105	8	114	6	₹ 1,500
14.	Himachal Pradesh	796	725	461	34	42	18	₹ 8,88,500
15.	Jammu and Kashmir	2592	2462	621	17	401	243	₹ 19,76,600
16.	Jharkhand	716	509	112	41	24		
17.	Karnataka	2154	2107	311	56			42
18.	Kerala	3085	2735	464	41	161	0	280/₹ 72,39,700
19.	Lakshadweep							
20.	Madhya Pradesh	9532	9131	1412	127	716	418	418/₹ 43,28,000
21.	Maharashtra	8663	6985	1162	869	1426	75	₹ 1,65,41,499
22.	Manipur							
23.	Meghalaya	47	34	4	0	4	2	1/₹ 10,000
24.	Mizoram							
25.	Nagaland	83	83	11	0	0	0	0
26.	Odisha	544	544	112	0	1		1

27. Puducherry	1946	1946	39	0	0	0	0
28. Punjab	8053	7860	1458	846		82	
29. Rajasthan*	3132	3031	747	158	222	116	₹ 8,45,500
30. Sikkim							
31. Tamil Nadu	2939	2873	1047	64	486	203	₹ 34,99,700
32. Telangana	363	312	32	4	24	11	10/ ₹17,57,100
33. Tripura	933	933	2	0	0	0	0
34. Uttar Pradesh	14173	9605	4119		3489	186	1738/₹ 5,98,08,106
35. Uttarakhand	1971	1356	233	5	117	0	80/₹ 5,06,489
36. West Bengal	120	120	65	0	17	0	1/₹ 30,000
TOTAL	83265	74010	14599	2681	7855	1402	2795/₹ 10,93,87,214

\*Figures based on Half Yearly reports.

**Medical facilities for Government employees**

2566. SHRI RAM KUMAR KASHYAP: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state the details of medical facilities being provided to Central Government employees?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI FAGGAN SINGH KULASTE): (i) Central Government employees drawing their salary from Central Civil Estimates of Government of India are covered under Central Government Health Scheme (CGHS) in the cities where CGHS is in operation.

Facilities available to Central Government employees under CGHS are as under:

1. OPD treatment and medicines from CGHS Wellness Centres.
2. Specialist Consultation at Government Hospitals.
3. Hospitalization at Government and CGHS empanelled hospitals.
4. Investigations at Government and empanelled Diagnostic Centres.
5. Medical consultation and dispensing of medicines in Ayurveda, Homeopathy, Unani and Siddha Systems of medicine (AYUSH).
6. In case of emergency, CGHS beneficiaries can go to any hospital, empanelled or non-empanelled and avail medical treatment.
7. Reimbursement of expenses for treatment in Private unrecognized hospitals in case of emergency.
8. The beneficiary can go to any CGHS wellness centre in the country.
9. Reimbursement of expenses incurred for purchase of medical equipments such as hearing aid, hip/knee joint implants, artificial limbs, pace makers, ICD/Combo device, Neuro implants etc., as per the CGHS ceiling rates and guidelines.

(ii) Central Government employees who are not covered under CGHS are provided medical facilities under Central Service (Medical Attendance) Rules, 1944. They can avail treatment from Central Government/State Government Hospitals and hospitals recognised by the State Government/CGHS/CS (MA) as well as the hospitals fully funded by either Central Government or the State Government with the approval of the Head of the Department on the basis of medical prescription issued by the concerned Authorized Medical Attendant.



**Safety of food preservatives**

†2567. SHRI RAM NATH THAKUR: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether food preservatives added in ice-cream, chips, kurkure and biscuit etc. of various companies are safe for children and other people;

(b) under what rule relaxation has been given to preserve edible item, ice-cream for a long period and whether this is not affecting the health of children and the details thereof; and

(c) whether Government is working on a scheme to reduce period of preservation of said foodstuff and to lower the content of food preservatives from health point of view, if so, by when this scheme would be implemented and the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI FAGGAN SINGH KULASTE): (a) Preservatives added in Food Products like Ice Cream, Chips, Kurkure, Biscuits, etc. need to conform to the provisions laid down in Food Safety and Standards (Food Products Standards and Food Additives) Regulations, 2011. These regulations specify the maximum permissible quantities of each additive that may be added to the food products and if these limits are adhered to, the product is considered safe for consumption.

(b) and (c) No relaxation has been given and Food Business Operators are allowed to use preservatives only as per the provisions of the Food Safety and Standards (Food Products Standards and Food Additives) Regulations, 2011 for manufacture of various food products. Random sampling and testing of food products, etc. is undertaken by officials of Food Safety Departments of the respective States/UTs to check compliance of the Regulations. In cases, where the food samples are found to be non-conforming to the prescribed standards, recourse is taken to penal provisions under Chapter IX of the FSS Act, 2006.

**Merging of Departments at Safdarjung Hospital**

2568. SHRI RAM NATH THAKUR: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether arthroscopy and joint replacement are done in the Central Institute of Orthopaedics (CIO) and Sports Injury Centre (SIC) of Safdarjung Hospital;

(b) what other treatments are available in those Departments;

(c) the reasons for maintaining separate Departments for the same treatments;

---

† Original notice of the question was received in Hindi.

- (d) whether CIO and SIC have facilities of 200 and 35 beds, respectively; and
- (e) whether Government would merge both the Departments in the same building so that patients may be benefited by enlarging the infrastructural facilities thereof?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI FAGGAN SINGH KULASTE): (a) and (b) Arthroscopy and joint replacement are done in the Central Institute of Orthopaedics (CIO) as well as Sports Injury Centre (SIC) of Safdarjung Hospital. Treatment of all Orthopedics diseases and trauma cases are done in CIO, whereas, SIC deals selectively with high end arthroscopic procedures involving multi ligamentous knee injuries, complex shoulder injuries including instability and rotator cuff tears, nerve entrapment, ankle arthroscopies and reconstruction, wrist and elbow arthroscopy, hip arthroscopy, etc. SIC also deals with primary, difficult primary and revision arthroplasties involving hip, knee and shoulder, unicondylar knee arthroplasty and navigation assisted hip and knee arthroplasty.

(c) The Sports Injury Centre (SIC) was established to function as a self sufficient Department providing tertiary and specialized care for management of sports injuries.

(d) Yes.

(e) There is no such proposal under consideration at present.

#### **Reviewing contributions of ASHAs**

†2569. SHRI RAM VICHAR NETAM: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether Government has reviewed the contribution of Accredited Social Health Activists (ASHAs) in the field of spreading health awareness and improving the situation of Institutional childbirth and in bringing down Child Mortality Rate and Maternal Mortality Rate; and

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

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI FAGGAN SINGH KULASTE): (a) and (b) Improvement in health indicators including Infant Mortality Rate and Maternal Mortality Ratio is dependent on a number of factors. However, Review Mission reports and evaluation of ASHA programme in select States demonstrate that ASHAs have been effective in mobilisation for immunisation and in increasing institutional deliveries. An ASHA

---

† Original notice of the question was received in Hindi.

evaluation, commissioned by the National ASHA Mentoring Group and coordinated by National Health System Resource Centre (NHSRC) was conducted in three rounds in 16 States as follows:

---

Round one (2010-11)	Assam, Bihar, Odisha, Rajasthan, Jharkhand, Andhra Pradesh, Kerala and West Bengal
Round two (2011-2012)	Madhya Pradesh, Uttar Pradesh and Uttarakhand
Round three (2013-14)	Delhi, Gujarat, Haryana, Punjab and Maharashtra

---

The evaluation showed variation in findings across States on account of difference in the period of launch of ASHA programme and levels of technical and financial investment made in the programme. The key findings with regard to service provision by ASHAs to pregnant women, newborn and children is as under:

- About 71% of women who delivered in last six months and 61% who reported an episode of childhood illnesses received services from ASHAs.
- About 86% of service users opted for institutional deliveries, of which 67% quoted ASHA as the main motivator. In case of maternal complications 60% respondents contacted ASHA.
- 99% of service users received immunization, of which in 84% cases it was facilitated by ASHAs.
- About 50% of the respondents with a sick newborn sought advice from ASHAs for care. Importance of early initiation of breastfeeding for new born was also found to be very high *i.e.* 95%.
- In cases of diarrhoea and symptoms of ARI, 84% beneficiaries reported that ASHAs helped them.

### **Blood banks in the country**

2570. SHRIMATI JAYA BACHCHAN: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether Ministry has conducted any study to estimate the number of Blood Banks required in the country, if so, details thereof;

(b) how many blood storage facilities are operational at various First Referral Units, Community Health Centres, Public Health Centres, Secondary and Tertiary Health Centres, State-wise details thereof;

(c) how many whole blood and blood components have been issued by these Centres over the last three years, State-wise details thereof; and

(d) whether these Blood Banks have helped in improving healthcare and reducing Maternal Mortality and Child Mortality Rates during last three years and details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI FAGGAN SINGH KULASTE): (a) Public Health is a State subject. No such study has been conducted by the Department.

(b) The State/UT-wise details of Blood Banks/Blood Storage Units established and operational up to July, 2016 as reported by States, in public health facilities at different levels is place at Statement-I (*See* below).

(c) No such data is maintained at Central level.

(d) Effective Blood transfusion services are vital to controlling maternal deaths. Increase in access to blood services through Blood Bank/Blood Storage Units at District Hospital/First Referral Units under NHM is one of the important factors for reduction in Maternal Mortality Ratio (MMR) of India which has shown a decline from 212 per 100,000 live births in the period 2007-09 to 167 per 100,000 live births in the period 2011-13. A comparative decline in MMR in India and State-wise during the past 3 RGI-SRS surveys *i.e.* 2007-09, 2010-12 and 2011-13 is placed at Statement-II.

***Statement-I***

*State-wise details of Blood Banks operational upto July, 2016*

Sl. No.	State/UT	No of blood storages facilities
1.	Andaman and Nicobar Islands	1
2.	Andhra Pradesh	82
3.	Telangana	62
4.	Arunachal Pradesh	5
5.	Assam	34
6.	Bihar	21
7.	Chandigarh	3
8.	Chhattisgarh	54
9.	Dadra and Nagar Haveli	1
10.	Daman and Diu	1
11.	Delhi	30

Sl. No.	State/UT	No of blood storages facilities
12.	Goa	3
13.	Gujarat	99
14.	Haryana	27
15.	Himachal Pradesh	21
16.	Jammu and Kashmir	15
17.	Jharkhand	55
18.	Karnataka	130
19.	Kerala	58
20.	Lakshadweep	0
21.	Madhya Pradesh	113
22.	Maharashtra	219
23.	Manipur	6
24.	Meghalaya	3
25.	Mizoram	8
26.	Nagaland	5
27.	Odisha	69
28.	Puducherry	6
29.	Punjab	57
30.	Rajasthan	132
31.	Sikkim	2
32.	Tamil Nadu	339
33.	Tripura	8
34.	Uttar Pradesh	98
35.	Uttarakhand	13
36.	West Bengal	69
TOTAL		1849

**Statement-II***State-wise Maternal Mortality Ratio in India*

Major State	MMR (SRS) (2007-09)	MMR (SRS) (2010-12)	MMR(SRS) (2011-13)
India Total*	212	178	167
Assam	390	328	300
Bihar	261	219	208
Jharkhand	261	219	208
Madhya Pradesh	269	230	221
Chhattisgarh	269	230	221
Odisha	258	235	222
Rajasthan	318	255	244
Uttar Pradesh	359	292	285
Uttarakhand	359	292	285
Andhra Pradesh	134	110	92
Karnataka	178	144	133
Kerala	81	66	61
Tamil Nadu	97	90	79
Gujarat	148	122	112
Haryana	153	146	127
Maharashtra	104	87	68
Punjab	172	155	141
West Bengal	145	117	113
*Others	160	136	126

\*Includes Others

Source: RGI (SRS) 2007-09, 2010-12, 2011-13.

**TB cases in Assam's tea gardens**

2571. SHRI SANTIUSE KUJUR: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether it is a fact that the Tuberculosis (TB) has become a major problem in Assam's tea gardens often leading to the death of workers;

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

(c) the details of steps being taken by Government and the details of facilities being provided to the patients?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI FAGGAN SINGH KULASTE): (a) and (b) No. The proportion of TB patients reported from tea gardens in Assam in the past two years ranges between 17 to 22 per cent of the total case notification under Revised National Tuberculosis Control Programme (RNTCP), in the said State.

The treatment success rates including mortality rate reported among tea garden TB patients registered under RNTCP in Assam are consistent with the reported State and National treatment success rates.

(c) Under RNTCP, designated microscopy centres are functioning in 8 tea gardens in Assam (Amguri and Mathurapur Tea Garden hospitals in Sibsagar district, Monabarie, Dufflagarh and Dhekiajuli Tea Garden Hospitals in Sonitpur district, Longsual and Margherita Tea Garden Hospital in Tinsukia district and Dimakuchi Tea Garden Hospital in Udalguri district) and are providing free of cost diagnostic services. For functioning of these laboratories all logistics are provided by RNTCP. There is a provision for collection of sputum samples of TB suspects from the tea gardens to the nearest designated microscopy centres for sputum examination.

Treatment Centers for TB patients have been established in the tea gardens, where treatment for TB is provided free of cost.

### **Kidney rackets at dialysis centre**

†2572. SHRI LAL SINH VADODIA: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether it is a fact that the business of selling kidneys is spreading rapidly at most of the dialysis centres in the country;

(b) if so, whether Government is going to take any step to curb this; and

(c) if so, the details thereof and, if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRIMATI ANUPRIYA PATEL): (a) Government is aware of the incidents involving illegal transactions concerning organs and their donations for a price.

(b) and (c) Health is a State subject and steps for prevention and control of any such racket are required to be taken by the State Governments. Whenever a

---

† Original notice of the question was received in Hindi.

complaint is brought to the notice of Department of Health and Family Welfare, the same is forwarded to the States concerned for action. Details of such cases are, however not maintained Centrally. The Transplantation of Human Organs and Tissues Act, 1994 (as amended in 2011) has a provision for imprisonment upto 10 years and fine upto ₹ One crore for commercial dealings in human organs. The enforcement of the provisions of the Act will, however, have to be ensured by the State Governments.

### **Funding of new Medical Colleges in Odisha**

2573. SHRI NARENDRA KUMAR SWAIN: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether any arrangement has been made for making adequate provision in the Union Budget 2016-17 towards nonrecurring capital cost for establishment of five Medical Colleges in the districts of Bolangir, Koraput, Mayurbhanj, Balasore and Puri; and

(b) if not, whether Government will take immediate steps on this score for ruling out the possibility of any delay in the creation of infrastructure which may be caused in future due to paucity of fund?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI FAGGAN SINGH KULASTE): (a) and (b) Under the Centrally Sponsored Scheme for Establishment of new Medical Colleges attached with existing district/referral hospitals, funds to the tune of ₹ 170 crore have been released to the State Government of Odisha till date for establishment of new medical college at Bolangir, Koraput, Mayurbhanj, Balasore and Puri districts. Further funds would be released to the State Government in due course subject to submission of Utilization Certificate and physical progress.

### **High rate of maternal mortality rate in Assam**

2574. SHRI D. KUPENDRA REDDY: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether it has come to the notice of Government that the Maternal Mortality Rate is highest in Assam;

(b) if so, details of Maternal Mortality rate in the country, State/Union Territory-wise;

(c) the reasons for higher rate of Maternal Mortality and action taken to control it;



(d) whether lack of quality care and inequality based on caste, gender and age are the biggest problems of Maternal Mortality cases in some of the States including Karnataka; and

(e) if so, action taken or proposed to eliminate these problems among others?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI FAGGAN SINGH KULASTE): (a) and (b) As per the latest report of the Registrar General of India, Sample Registration System (RGI-SRS-2011-13), Maternal Mortality Ratio (MMR) for Assam is 300 per 100,000 live births and is the highest in the country. As per the same report, MMR for India is 167 per 100,000 live births. State-wise data for MMR (RGI-SRS-2011-13), is given in the Statement (*See below*).

(c) to (e) The reasons for higher rate of maternal mortality includes quality of ante-natal care, access to basic and emergency obstetric care services, timely availability of assured referral transport and availability of critical specialist in rural areas particularly Anesthetists and gynecologists.

Besides the above reasons, there are social factors which also contribute to high maternal mortality such as Illiteracy, low socio-economic status, early age of marriage, poor knowledge on nutritional care during pregnancy and preference for home deliveries through family members or village dais, poor access to health facilities etc.

Under the National Health Mission, the key steps taken by Government of India to address the above reasons among others to accelerate the pace of reduction of MMR across all States including Karnataka irrespective of caste and age are as under :

- Promotion of institutional deliveries through Janani Suraksha Yojana (JSY) wherein JSY incentive is being given to all BPL/SC/ST pregnant women delivering in Government health facilities/accredited private institutions in both High Performing State (HPS) and Low Performing State (LPS) regardless of age of mother and number of children.
- Janani Shishu Suraksha Karyakaram (JSSK) entitles all pregnant women irrespective of caste and age delivering in public health institutions to absolutely free and no expense delivery, including caesarean section. Similar entitlements have been put in place for all sick infants accessing public health institutions for treatment.
- Operationalization of Sub-Centres, Primary Health Centres, Community Health Centres and District Hospitals for providing 24x7 basic and comprehensive obstetric care.

- Capacity building of health care providers in basic and comprehensive obstetric care with a strategic initiative “Dakshata” to enable service providers in providing high quality services during childbirth at the institutions
- Mother and Child Protection Card in collaboration with the Ministry of Women and Child Development to monitor service delivery for mothers and children.
- Mother and Child Tracking System is being implemented to ensure antenatal, intranatal and postnatal care along-with immunization services.
- Engagement of more than 9.15 lakh Accredited Social Health Activists (ASHAs) to generate demand and facilitate accessing of health care services by the community.
- Village Health and Nutrition Days in rural areas as an outreach activity, for provision of maternal and child health services.
- Tracking and Line listing of severely anaemic cases of pregnant women at sub centres and PHCs for their timely management.
- Operationalization of Safe Abortion Services and Reproductive Tract Infections and Sexually Transmitted Infections (RTI/STI) at health facilities with a focus on “Delivery Points”.
- Maternal Death Review (MDR) is being implemented across the country both at facilities and in the community. The purpose is to take corrective action at appropriate levels and improve the quality of obstetric care.
- Establishing Maternal and Child Health (MCH) Wings at high caseload facilities to improve the quality of care provided to mothers and children.
- Availability of assured referral transport through 108/102 toll free call centre based ambulance network of 22100 ambulances.
- Under National Iron Plus Initiative (NIPI), through life cycle approach, age and dose specific IFA supplementation programme is being implemented.
- To tackle the problem of anaemia due to malaria particularly in pregnant women and children, Long Lasting Insecticide Nets (LLINs) and Insecticide Treated Bed Nets (ITBNs) are being distributed in endemic areas.
- Setting up of Skill Labs with earmarked skill stations for different training programs to enhance the quality of training in the States.
- A new initiative of “Prevention of Post-Partum Hemorrhage (PPH) through Community based advance distribution of Misoprostol” by ASHAs/ANMs for high home delivery districts has been implemented.

- Newer interventions to reduce maternal mortality and morbidity by improving quality in ante-natal care and intrapartum care- Diagnosis and management of Gestational Diabetes Mellitus, Hypothyroidism during pregnancy, Training of General Surgeons for performing Caesarean Section, Calcium Supplementation during Pregnancy and Lactation, De-worming during pregnancy, Maternal Near Miss Review, Screening for Syphilis during pregnancy and Dakshata guidelines for strengthening intra-partum care.
- The Pradhan Mantri Surakshit Matritva Abhiyan (PMSMA) has been introduced with the aim of conducting special ANC checkups for pregnant women (in their 2nd/3rd Trimesters of pregnancy) in the country on 9th of every month by Medical Officer/OBGY specialist in the Government health facilities and also through Private sector on voluntary basis.

### *Statement*

#### *State-wise Maternal Mortality Ratio in India*

Major State	MMR (SRS) (2011-13)
India Total*	167
Assam	300
Bihar	208
Jharkhand	208
Madhya Pradesh	221
Chhattisgarh	221
Odisha	222
Rajasthan	244
Uttar Pradesh	285
Uttarakhand	285
Andhra Pradesh	92
Karnataka	133
Kerala	61
Tamil Nadu	79
Gujarat	112
Haryana	127

Major State	MMR (SRS) (2011-13)
Maharashtra	68
Punjab	141
West Bengal	113
Others	126

\*Includes Others

Source: RGI-SRS 2011-13.

**Private diagnostic and imaging facilities  
at SIC, Safdarjung Hospital**

2575. SHRI BASHISTHA NARAIN SINGH: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to refer to answer to Starred Question 499 given in the Rajya Sabha on 30 April, 2013 and state:

(a) the reasons for establishing private diagnostic and imaging centres in Sports Injury Centre (SIC) established as a part of Central Institute of Orthopaedics of Safdarjung Hospital;

(b) the reasons for not utilising these facilities of Central Institute of Orthopaedics and thereby removing those Private Centres therefrom; and

(c) whether there is any preferential treatment in favour of 35 bedded Sports Injury Centre above the 2000 bedded Safdarjung Hospital, and, if so, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI FAGGAN SINGH KULASTE): (a) to (c) The Government has approved establishment of Sports Injury Centre (SIC) at Safdarjung Hospital by upgrading the Sports Injury Unit to function as a self-sufficient Department. While approving the proposal for setting up the SIC, it was decided that equipment for radiological and lab facilities should be obtained on wetlease. There is no preferential treatment given to SIC as the Centre has been created with the aim to provide integrated diagnostic surgical and rehabilitative services for sports injuries under one roof.

**Disparity in calorie consumption**

2576. SHRI DARSHAN SINGH YADAV: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether Government has reviewed the disparity in consumption of food in calorie terms between urban and rural population in the country;

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

(c) the details of per capita consumption of food in terms of calories and proteins, rural and urban area-wise of the country, State/UT-wise?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRIMATI ANUPRIYA PATEL): (a) to (c) The National Sample Survey Office (NSSO) of the Ministry of Statistics and Programme Implementation, Government of India, conducts nationwide household consumer expenditure surveys at regular interval which *inter-alia* provide information on consumption of food in terms of calories and proteins for urban and rural area of the country, State/UT-wise. According to the report Nutritional Intake in India, 2011-12 published in October, 2014 by NSSO, average dietary energy intake per day per capita was 2233 Kilocalorie (Kcal) in rural India and 2206 Kcal for urban India. Per capita per day consumption of food in terms of calories and proteins in rural and urban area of the country, and State/UT-wise from the report is enclosed as Statement.

***Statement***

*State-wise details of per day per capita Caloric and Protein intake in India (2011-12)*

State/UT	Calorie intake (Kcal) per day per capita		Protein intake (gm) per day per capita	
	rural	urban	rural	urban
1	2	3	4	5
Andhra Pradesh*	2365	2281	59.9	59.3
Arunachal Pradesh	2068	2255	55.9	61.2
Assam	2170	2110	55.1	54.9
Bihar	2242	2170	62.9	60.9
Chhattisgarh	2162	2205	51.7	55.8
Delhi	2060	2208	58.4	62.2
Goa	2050	2213	57.2	63.8
Gujarat	2024	2154	53.7	56.3
Haryana	2441	2443	72.8	68.6
Himachal Pradesh	2668	2631	75.5	74.0
Jammu and Kashmir	2482	2466	68.1	67.0
Jharkhand	2138	2175	54.7	60.3

1	2	3	4	5
Karnataka	2164	2245	56.0	59.1
Kerala	2162	2198	61.0	62.7
Madhya Pradesh	2234	2209	65.0	63.1
Maharashtra	2260	2227	60.7	61.2
Manipur	2097	1960	51.8	47.8
Meghalaya	1774	1862	46.0	49.7
Mizoram	2297	2313	56.5	59.8
Nagaland	2068	2042	61.3	60.0
Odisha	2215	2191	53.4	55.9
Punjab	2483	2299	70.0	64.9
Rajasthan	2408	2320	71.9	66.7
Sikkim	2095	1984	53.9	52.7
Tamil Nadu	2052	2112	53.3	55.7
Tripura	2366	2363	59.5	62.1
Uttar Pradesh	2200	2144	62.6	61.1
Uttarakhand	2548	2363	71.0	66.4
West Bengal	2199	2130	55.6	57.9
Andaman and Nicobar Islands	2336	2413	65.3	69.9
Chandigarh	2260	2206	64.5	63.4
Dadra and Nagar Haveli	1715	2177	42.5	54.2
Daman and Diu	2084	1902	56.4	52.5
Lakshadweep	2794	2469	76.9	73.9
Puducherry	2185	2404	58.7	64.5
ALL-INDIA	2233	2206	60.7	60.3

\*including Telangana

### **Regulating use of salt and sugar in fast foods**

2577. SHRI DARSHAN SINGH YADAV: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether it is a fact that fast food, high on salt and sugar content is fuelling the country's hypertension and obesity epidemic;

- (b) if so, the corrective steps Government has taken thereon;
- (c) whether the World Health Organisation (WHO) has also asked Government to regulate the use of salt and sugar in the fast food sector;
- (d) if so, whether Government has negotiated with the fast food companies on cutting down salt and sugar use; and
- (e) if so, the results thereof and, if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI FAGGAN SINGH KULASTE): (a) As per available medical literatures, food high on sugar and salt content is not good for health and contributes to hypertension and obesity.

(b) The Food Safety and Standards Authority of India (FSSAI) has issued draft Guidelines titled “Guidelines for making available wholesome, nutritious, safe and hygienic food to school children in India” on 12.10.2015 wherein the availability of most common HFSS (High in Fat, Salt and Sugar) Foods in schools and an area within 50 meters thereof has been restricted/limited. Further, the stakeholders are made aware of the need to avoid food high in fat, salt and sugar; aerated beverages; promotion of healthy lifestyle and various aspects of food safety through workshops, media campaigns, documentary films, educational booklets, stalls at fairs/melas/events, mass awareness campaigns, etc.

(c) While, the World Health Organisation (WHO) has not asked Government to regulate the use of salt and sugar in fast food sector, it has recently developed guidelines on ‘Sugar intake for Adults and Children’ and the adverse impact of high sugar in foods.

(d) and (e) The Government does not carry out any negotiations on matters relating to food safety. However, depending upon the scientific knowledge and available evidence, the pertinent regulations are revised from time to time.

### **Cancer treatment centres in Rajasthan**

†2578. SHRI NARAYAN LAL PANCHARIYA: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether the Rajasthan Government has sent a proposal to the Centre for setting up a Tertiary Cancer Centre in Jhalawar and a State Cancer Centre in Jaipur, if so, by when approval will be accorded for the same; and

---

† Original notice of the question was received in Hindi.

(b) whether Government proposes to sanction the project regarding Multi Disciplinary Research Laboratory for medical colleges situated at Ajmer and Kota in Rajasthan and to release funds for the same, if so, by when, and if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRIMATI ANUPRIYA PATEL): (a) Under Tertiary Care for Cancer scheme, the proposals were received to set up a State Cancer Institute (SCI) at Jaipur and Tertiary Care Cancer Centre (TCCC) at Jhalawar. The deficiencies found in the proposal of TCCC at Jhalawar have been communicated to the State Government.

The proposal for setting up of SCI at Jaipur was considered by the Standing Committee set up for approval of the proposals. The Standing Committee has recommended the proposal subject to fulfillment of some deficiencies including AERB approvals.

(b) Multi-Disciplinary Research Units (MRUs) were sanctioned at Government Medical Colleges at Ajmer and Kota, as informed by Department of Health Research. However, the funds could not be released due to pending Utilisation Certificates.

#### **Facilities to treat kidney ailments**

2579. SHRI ANUBHAV MOHANTY: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether it is a fact that there had been a constant increase in the kidney related ailments including dialysis;

(b) how many District Hospitals of the States in the country are equipped with facility for treating kidney ailments, dialysis and kidney transplantation;

(c) the proportionate ratio of Nephrologists and kidney patients; and

(d) the manner in which Ministry proposes to bridge the gap of the doctorpatient ratio in this regard?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRIMATI ANUPRIYA PATEL): (a) No Nationwide scientific estimation of number of patients of Chronic Kidney Diseases (CKD) has been carried out to make such an inference.

(b) Public Health is State subject. Hence, data regarding availability of facilities for treating kidney ailments, providing dialysis services and kidney transplantation in



District Hospitals is not maintained centrally.

(c) No data with respect to nephrologist-patient ratio is maintained Centrally.

(d) Public Health is a State subject, however, financial and technical assistance is provided to the States/UTs under the National Health Mission for strengthening existing healthcare facilities including setting up of infrastructure, training of doctors and para medical staff, etc. as per State specific Programme Implementation Plans (PIPs).

The guidelines for National Dialysis Programme under the National Health Mission (NHM) to provide for dialysis facilities in District Hospitals under Public Private Partnership (PPP) mode have been released for implementation by State/UT Governments.

In order to meet the shortage of doctors/specialists in the country, the Government has taken a number of steps which include:

- (i) Relaxation in the norms for setting up of medical college in terms of requirement for land, faculty, staff, bed/bed strength and other infrastructure.
- (ii) Enhancement of age limit for appointment/extension/re-employment against posts of teachers/dean/principal/director in medical colleges from 65-70 years.
- (iii) Financial support to State medical colleges, under the Scheme of “Strengthening and Upgradation of State Government Medical Colleges” to increase postgraduate seats in various disciplines or to start new postgraduate medical courses.
- (iv) DNB qualification has been recognized for appointment as faculty to take care of shortage of faculty.
- (v) The ratio of teachers to students has been revised from 1:1 to 1:2 for all MD/MS disciplines.
- (vi) Post graduate and Graduate medical degrees, when both degrees are obtained from five English speaking countries (US, UK, Canada, Australia and New Zealand) have been recognized in India. Similarly, PG degrees of these five countries are also recognized.

Further, the involvement of private sector in provisioning of dialysis services in PPP mode in district hospitals will help improve availability of services of nephrologist in public facilities.

**New population policy**

2580. SHRI SHANTARAM NAIK: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether Government is proposing to make any changes in the proposed Population Policy;

(b) whether Government has taken any review of the present population and whether Government has taken any feedback from the State Governments; and

(c) which are the new developments Government has noted in the matter of population management and details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRIMATI ANUPRIYA PATEL): (a) No.

(b) Yes. Government has reviewed current Population Policy (NPP 2000) twice through National Commission on Population in its meeting held in 2005 and 2010. At that time feedback from the State Governments and other experts of the field was taken.

(c) Government has taken a number of steps in the matter of population management which are detailed in the Statement.

***Statement***

*Schemes/Initiatives for reducing total fertility rate under  
Family Planning Programme*

**Recent interventions under the Family Planning Programme:**

1. Expansion of basket of choice through introduction of Injectable contraceptives DMPA (Antara), Centchroman pills (Chhayya) and Progesteron Only Pills (POP)
2. Improved Contraceptive Packaging: The packaging for Condoms, Oral Contraceptive Pills (OCP) and Emergency Contraceptive Pills (ECP) has now been improved so as to increase the demand.
3. New Family Planning communication campaign with a new logo and Shri Amitabh Bachchan as the brand ambassador has been launched.
4. Increasing private sector participation through Social Franchising Scheme is being rolled out in the States of Uttar Pradesh and Bihar.

**On-going interventions:**

- Scheme for Home delivery of contraceptives by ASHAs under which ASHAs deliver contraceptives at the doorstep of beneficiaries (HDC Scheme).

- Scheme for ASHAs to ensure spacing in births under which ASHAs are counselling newly married couples to ensure delay of 2 years in birth of the first child after marriage and for ensuring spacing of 3 years after the birth of 1st child (ESB Scheme).
- Compensation scheme for sterilization acceptors has been enhanced for 11 High Focus States with high TFR.
- Compensation scheme for PPIUCD has been introduced under which the service providers as well as ASHAs who escort the clients to the health facility for facilitating the IUCD insertion are compensated.
- Introduction of a new contraceptive device Cu IUCD 375, which is effective for 5 years.
- Boost to spacing methods by introduction of a new method PPIUCD (Post-Partum Intra Uterine Contraceptive Device). Over 20 lakh PPIUCD insertions have been conducted in the country till 2015-16.
- Scheme for provision of pregnancy testing kits at the sub-centres as well as in the drug kit of the ASHAs for use in the communities to facilitate the early detection and decision making for the outcome of pregnancy (PTK Scheme).
- RMNCH (Reproductive Maternal New Born and Child Health) Counselors have been recruited for high delivery facilities, to ensure counseling of clients visiting the facilities, on various Family Planning options.
- Scheme for ensuring 'drop back' services to sterilization clients has been launched whereby funds are provided to the States for facilitating 'drop back' to sterilization clients.
- Compensation scheme for sterilization provides compensation for loss of wages to the beneficiary and also to the service providers for conducting sterilisation operations.
- Increasing male participation and promotion of Non Scalpel Vasectomy.
- Operating a 'National Family Planning Indemnity Scheme' (NFPIS) under which clients are insured in the eventualities of deaths, complications and failures following sterilization and the providers/accredited institutions are indemnified against litigations in those eventualities.
- Observation of World Population Day 11th July and Fortnight: The event is observed over a month long period, split into an initial fortnight of mobilization/sensitization followed by a fortnight of assured family planning service delivery.

- Emphasis on Postpartum Family Planning (PPFP) services including Post-Partum Sterilisation (PPS) and PPIUCD.
- Emphasis on Miniap Tubectomy services because of its logistical simplicity and requirement of only MBBS doctors and not post graduate gynecologists/surgeons.
- Availability of Fixed Day Services at public health facilities.
- Monitoring quality in Family Planning services by establishing Quality Assurance Committees at State and district levels.
- Improving contraceptives supply management up to peripheral facilities.
- Undertaking demand generation activities in the form of display of posters, billboards and other audio and video materials in the various facilities.
- Accreditation of more private/NGO facilities to increase the provider base for family planning services under PPP.

**Strategies adopted by Jansankhya Sthirta Kosh/National Population Stabilization Fund:**

- **Prerna Strategy:** this strategy has been designed to push up the age of marriage of girls and delay in first child birth following marriage and spacing the second child birth in the interest of the health of young mothers and infants. The couple who adopt this strategy are provided cash incentives. This has the potential to change the mind-set of the community.
- **Santushti Strategy:** Under this strategy, sterilization services are delivered through Public Private Partnership. The private hospitals/nursing homes who achieve the benchmark of 10 sterilisation operations in a month are provided incentives as per the scheme.
- **National Helpline:** JSK is operating a call centre for providing free advice on reproductive health, family planning, maternal health and child health etc. It has a dedicated toll free no. i.e. 1800116555

**Increase in surrogate pregnancies in tribal areas**

2581. SHRI C. M. RAMESH: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether the rampant increase in the surrogate pregnancies in tribal areas of the country has come to the notice of Ministry;

(b) whether Ministry is also aware that surrogacy has become a commercial activity by luring women with money;

(c) what has happened to the affidavit filed in the Supreme Court by Government that commercial surrogacy of non-Indians would not be permitted; and

(d) how Ministry is going to implement this assurance strictly?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRIMATI ANUPRIYA PATEL): (a) and (b) In the absence of a statutory mechanism to control surrogacy in the country at present, there could be cases of pregnancies, by way of surrogacy including in tribal areas leading to possible exploitation of women in the vulnerable sections of the society and also making surrogacy a commercial activity. However, such reports have not been received from the State/Union Territory Governments, who are required to monitor such cases in their respective areas in accordance with the technical guidelines and instructions issued to them by the Central Government from time to time. Further, the Government has taken the policy decision not to support commercial surrogacy.

(c) and (d) The matter regarding foreign nationals commissioning surrogacy in India has been examined in consultation with various stakeholders and after consideration of all issues involved in the matter, the Government has taken a conscious decision not to allow foreign nationals, including Overseas Citizen of India (OCI) card holders to avail of surrogacy services in India. This decision of the Government has been conveyed to all States/Union Territories for strict compliance. In response to the affidavit filed by the Government, the Hon'ble Supreme Court of India has issued an order dated 27.04.2016 wherein Government's decision not to allow foreign nationals, including OCI, to commission surrogacy in India, has been endorsed.

#### **Action against synthetic drugs manufacturer**

2582. SHRI ANIL DESAI: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether manufacturing of synthetic drugs is increasing not only in Mumbai but throughout the country, if so, the details thereof and reasons therefor;

(b) whether it could happen without the knowledge of drug authorities; and

(c) if so, the effective steps being taken by Government to identify all illegal drug units and to cancel their licenses?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI FAGGAN SINGH KULASTE): (a) India is known as the pharmacy of world. There is an incremental increase in the production of medicines in the country including through synthetic (chemical and bio-chemical) processes. The term

synthetic drug is sometimes also used to describe narcotics drugs. The Ministry of Health and Family Welfare does not have any information about increase in the manufacture of these drugs.

(b) No.

(c) Does not arise.

### **Quality check of packaged drinking water**

2583. SHRI SANJAY RAUT: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether it is a fact that more than 70 per cent of packaged drinking water bottling units in the country are operating without proper licences such as FSSAI or BIS;

(b) if so, details thereof and Government's reaction thereto; and

(c) whether Government has made any survey over quality and quantity of mineral packaged drinking water and its safety, if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI FAGGAN SINGH KULASTE): (a) and (b) Reports of some Food Business Operators manufacturing/selling packaged drinking water without FSSAI/BIS certification mark have come to notice of the FSSAI. As per Regulation 2.3.14 (17) and (18) of the Food Safety and Standards (Prohibition and Restriction on Sales) Regulations, 2011, no person can manufacture, sell or exhibit for sale packaged drinking water and mineral water except under the Bureau of Indian Standards Certification Mark. As per information made available through Food Licensing and Registration System of the Food Safety and Standards Authority of India (FSSAI), 11044 licenses/registrations have been issued to Food Business Operators for different kinds of business such as manufacturing, distribution, etc. for the category of Packaged Drinking Water/Mineral Water/Bottled Water under the Food Safety and Standards Act, 2006. Regular surveillance, monitoring, inspection and random sampling of food products including packaged drinking water is undertaken by the officials of Food Safety Departments of the respective States/UTs to check compliance with standards laid down under the Food Safety and Standards (FSS) Act, 2006, and regulations thereunder. In cases, where the food samples are found to be non-conforming to prescribed standards, recourse is taken to penal provisions under Chapter IX of the FSS Act. Recently, the FSSAI has sent a communication to State/UT Governments to undertake regular enforcement activities on unauthorized manufacture and sale of packaged drinking water without FSSAI/Bureau of Indian Standards (BIS) mark.

(c) No such survey has been conducted by the FSSAI.

**Survey of Thalassemia patients**

2584. SHRI RAJKUMAR DHOOT: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

- (a) whether Government has conducted any survey about the Thalassemia patients;
- (b) if so, the details thereof, State and UT-wise; and
- (c) what action Government has taken or proposes to take to provide treatment particularly blood transfusion to the Thalassemia patients?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRIMATI ANUPRIYA PATEL): (a) and (b) National Institute of Immunohaematology (NIIH), Mumbai, an institute under ICMR, Ministry of Health and Family Welfare, has conducted study in 6 States of India (West Bengal, Assam, Gujarat, Maharashtra, Punjab, Karnataka) under the Jai Vigyan Science and Technology Mission Program Phase I (2000–05) where the prevalence of  $\beta$ -Thalassemia has been reported to be high according to earlier small studies.

A total of 60,000 individuals were screened of which half were college students and half were pregnant ladies in antenatal clinics. The average prevalence of  $\beta$ -Thalassemia trait was 2.59% with different centers varying from 1.5% to 3.4%.

In Jay Vigyan Programme, Phase II a community control study of Thalassemia has been undertaken to establish molecular characterization of Haemoglobinopathies and for prenatal diagnosis of Thalassemia and Sickle Cell Disease at regional centres (2008–12).

A few other studies have been conducted on the behest of or under the aegis of ICMR through its regional Institutes at Mumbai, Jabalpur, Dibrugarh, Bhubaneswar and also by the National Institutes like AIIMS New Delhi, PGI Chandigarh, SGPIMER Lucknow in order to ascertain prevalence of Thalassemia, screening and to create awareness.

(c) Public Health is a State subject. However under the National Health Mission, the Government of India supplements the efforts of State Governments in providing health care services, including for establishing blood transfusion services.

A Guideline for prevention and control of Haemoglobinopathies (including Thalassemia) has been developed under National Health Mission and disseminated to the States for implementation. As per the Guidelines the blood is to be provided to the patients suffering from Thalassemia, Sickle cell Anaemia and Haemophilia free of cost.

The National Blood Transfusion Council under National Aids Control Organisation (NACO) has issued Guidelines to all State/UTs Administration that patients suffering from Thalassemia, Sickle cell Anaemia and Haemophilia should be provided blood free of cost keeping in view of the frequency with which these patients require blood.

**Rise in childhood cancer cases**

2585. SHRI RAJKUMAR DHOOT: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether it is a fact that cases of childhood cancer are on the rise in the National Capital and NCR, if so, the details thereof;

(b) whether efforts have been made to find out the main reasons for these cancer cases, if so, the outcome thereof; and

(c) what action Government proposes to take to provide best of treatment to children suffering from cancer?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRIMATI ANUPRIYA PATEL): (a) and (b) As informed by Indian Council of Medical Research, the crude incidence rate for childhood cancers in ICMR's Population Based Cancer Registry (PBCR) of Delhi UT urban for different time periods is as follows:

Year	Boys (per 100,000)	Girls (per 100,000)
2006-2008	17.4	8.0
2009-2011	18.5	10.2
2012-2014	22.8	14.9

The details on childhood cancer information in National Capital Region (NCR) is not available.

There are many different types of childhood cancers and each cancer is associated with different causes.

(c) Health is a State subject, however the Government of India supplements the efforts of the State Governments in improving healthcare facilities and services. Early detection, diagnosis and treatment of Childhood cancer facilities are available at various levels in the healthcare delivery system especially in the tertiary care health institutions of State and Central Government.

The Government of India is implementing "Tertiary Care for Cancer" Scheme to assist States to establish/set up State Cancer Institutes (SCI) and Tertiary Care Cancer



Centres (TCCC) in different parts of the country. These institutions will mentor all Cancer related activities including treatment for childhood cancer in their respective jurisdiction.

Oncology in its various aspects has focus in case of new AIIMS and many upgraded institutions under Pradhan Mantri Swasthya Suraksha Yojana (PMSSY). Setting up of National Cancer Institute at Jhajjar (Haryana) and 2nd campus of Chittranjan National Cancer Institute, Kolkata has also been approved and the work has started. All these will enhance tertiary care facility for cancer including for childhood cancer.

**Vanishing of life saving drugs from the market after price control**

2586. SHRI RAJKUMAR DHOOT: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether it is a fact that as per media reports life-savings drugs disappear from the market after Government introduces price control, if so, the details thereof;

(b) whether Government has made any enquiry in this regard, if not, the reasons therefor; and

(c) what action Government proposes to take to ensure that drugs are available in plenty after their prices are controlled by Government?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI FAGGAN SINGH KULASTE): (a) to (c) The term “life saving drugs” has not been defined in the Drugs and Cosmetics Act, 1940 and Rules, 1945 thereunder. However, the medicines listed in the National List of Essential Medicines, 2015 (NLEM) have been included in the First Schedule to the DPCO, 2013. The ceiling prices of drugs in first schedule are fixed by the National Pharmaceutical Pricing Authority (NPPA) under the Department of Pharmaceuticals. As per provisions of DPCO, 2013, no manufacturer of a scheduled formulation can discontinue manufacture of a product without complying with the requirements of para 21 (2) of DPCO, 2013. The permission to discontinue production of a drug is granted only after ensuring that there is no shortage of such drugs. The existing provisions contained under para 3 of DPCO, 2013 empower the Government to take steps to ensure adequate availability of drugs and to regulate their distribution.

**Curbing financial nexus between pharma companies and doctors**

2587. SHRI AMAR SINGH: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether Government is aware of the growing financial relationship between the pharmaceutical companies and healthcare professionals despite the ban imposed

by Government in 2009 to curb the practice of taking any allurements from pharmaceutical companies by the doctors; and

(b) whether Government has cancelled the licenses of such doctors during the last three years on account of the unethical practice, if so, the details thereof and if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI FAGGAN SINGH KULASTE): (a) Reports regarding some unethical practices being adopted by certain pharmaceutical companies by luring doctors for prescribing costly medicines have appeared in the media from time to time. The Department of Pharmaceuticals has, in January 2015, announced a Uniform Code for Pharmaceutical Marketing Practices (UCPMP) for voluntary adoption by them.

(b) MCI or the appropriate State Medical Councils have been empowered to take disciplinary action against a doctor for violation of the provisions of the Indian Medical Council (Professional Conduct, Etiquette and Ethics) Regulations, 2002. As and when complaints are received against violation of the code of ethics for doctors, such complaints are referred by MCI to the concerned State Medical Councils where the doctors/medical practitioners are registered. The MCI is an Appellate Authority. The MCI has received the following number of complaints/appeals on medical negligence and professional misconduct during last three years till 01.12.2015:-

Year	Complaints	Appeals
2013-14	168	65
2014-15	229	90
2015-16	90	51

#### **Impanelling of diagnostic centre for Tilak Nagar, Delhi**

2588. SHRI AMAR SINGH: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether Government is aware that a large number of CGHS beneficiaries have been residing in and around Tilak Nagar area, New Delhi where there is no Diagnostic Centre on the panel of CGHS and as a result thereof these people have to go either to Janakpuri or Moti Nagar for their diagnostic test which are far away from Tilak Nagar area, if so, the reasons therefor; and

(b) by when any such Centre is likely to be empanelled on the CGHS and if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI FAGGAN SINGH KULASTE): (a) Yes. CGHS empanelment of Diagnostic Centres depends upon the tenders/applications received from the interested diagnostic centres for empanelment under CGHS and is subject to their fulfilling the eligibility criteria and signing of Memorandum of Agreement (MOA) as per the terms and conditions of empanelment.

(b) In view of the above, it is not possible to specify any time frame.

**Prevalence of Anaemia among children in urban areas**

2589. SHRI RAJEEV SHUKLA: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether Government is aware about the growing anaemia among children in urban areas;

(b) if so what steps are being taken to prevent this problem so that childhood can be healthy and we can have healthy future citizens; and

(c) whether Government would introduce any nutrition schemes for urban India to deal with Anaemia among children?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI FAGGAN SINGH KULASTE): (a) Yes. The Government is aware of the high prevalence of anaemia among the children in urban areas. The latest National level estimates for anaemia in children from urban areas comes from the National Family Health Survey-3 (2005-06) and as per the survey report, 63 per cent children aged 6-59 months in the urban areas suffers from anaemia.

(b) and (c) Under the National Health Mission, Government has taken several steps to prevent the problem of anemia among all children including urban children, which includes Biweekly iron folic acid supplementation under the National Iron Plus Initiative, Bi-annual Deworming of all children under National Deworming Day, Universal screening of Pregnant women for anaemia and management of anaemia, nutritional counselling during VHNDs and distribution of Long Lasting Insecticide Nets (LLINs) and Insecticide Treated Bed Nets (ITBNs) to prevent malaria in malaria endemic regions.

**Medical facilities under NHM for tea garden labourers**

2590. SHRI SANTIUSE KUJUR: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether healthcare facilities provided in tea garden areas are very poor, if so, details thereof;

(b) whether Government has any proposal for inclusion of all tea gardens in Assam under National Health Mission (NHM) as tea garden labourers of Assam have a long pending demand for better healthcare and medical facilities which they are deprived for many years with no doctors and medicines within tea garden hospitals;

(c) if so, details thereof, if not, reasons therefor; and

(d) the steps taken by Government to provide hospital/health centre per tea garden in the State with minimum health and medical care facilities?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI FAGGAN SINGH KULASTE): (a) to (c) Public Health being a State subject, the primary responsibility of providing health care to its citizens including Tea Garden labourers is that of the State Governments. Under National Health Mission (NHM), financial support is provided to the State Governments to strengthen their health care system, based on the Programme Implementation Plans (PIPs) received from the States/UTs.

As per information received from the State Government of Assam based on a recently conducted preliminary survey on the Tea Gardens, around 50% of the Tea Gardens have functional labour room, emergency room, IPD facility besides the medical officer and ANMs. Some of them also have New Born Care Corner (NBCC). Ambulance service is also available in Tea Garden areas.

(d) Under NHM, support of ₹ 11.25 crore was provided for 150 Tea Garden areas in Assam in year 2015-16 for consumables, drugs, laboratory supplies, ambulance services for referral to the patients free of cost etc.

All the benefits of important programmes like Janani Suraksha Yojana (JSY), Janani Sishu Suraksha Karyakaram (JSSK) etc. are also being provided in the Tea Garden hospitals. The inhabitants of Tea Garden can also access the Government health facilities and receive healthcare.

#### **NAT facility for Amritsar Blood Bank**

2591. SHRI SHWAIT MALIK: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state whether Government proposes a NAT testing facility at Amritsar Blood Bank as there are a large number of people suffering from Thalassemia and Blood Cancer which require continuous treatment and blood transfusion and during blood transfusion, there are chances of Transfusion Transmitted Diseases (TTDs) to the recipient and Nucleic Acid Testing (NAT), a molecular technique for screening blood donations to reduce the risk of TTDs in the recipients, thus providing an additional layer of blood safety?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI FAGGAN SINGH KULASTE): Public Health is a State subject. As per information provided by the State Government, there is no proposal for establishing NAT facility in any of the Government Blood Banks in Amritsar.

**Report on efficacy of Putra Jeevak Vati**

2592. SHRI DIGVIJAYA SINGH: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether it is a fact that a "Putra Jeevak Vati" is being produced and marketed by Patanjali;

(b) if so, whether it has been tested for its efficacy or for its content by any laboratory; and

(c) whether the State Government of Uttarakhand has submitted a report to Government in this regard?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI FAGGAN SINGH KULASTE): (a) Yes.

(b) The Ministry of AYUSH has requested the Government of Uttarakhand to enquire into the matter and send a report.

(c) No.

**WHO's report on healthcare workforce**

2593. SHRI D. RAJA: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether Government's attention has been drawn to the findings of a WHO report that more than half of the practicing healthcare work force in the country do not have any medical qualification; and

(b) if so, the details thereof and Government's reaction thereto?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI FAGGAN SINGH KULASTE): (a) and (b) As per the Indian Medical Council Act, 1956, only the practitioners enrolled on a State medical register can practice medicine. Any person who acts in contravention is liable to be punished with imprisonment and/or fine. Since Health is a State subject, action in such cases is to be taken by the respective State Governments. It may be noted that besides 9.59 lakh registered allopathic doctors in the country, there are 6.77 lakh Ayurveda, Unani and Homeopathy (AUH) doctors.

Assuming 80% availability of doctors, it is estimated that around 7.67 lakh doctors may be actually available for active service. It gives a doctor-population ratio of 1:1681. If the allopathic and AUH streams are considered together, it gives a doctor population ratio of 1:893. Likewise, 7,89,796 Auxiliary Nurse Midwives (ANM) and 17,93,337 Registered Nurse and Registered Midwives (RN&RM) are registered in the country. Assuming 80% availability of ANMs and 60% availability of RN&RMs, there would be 17.10 lakhs nursing personnel in service in the country, which gives a nurse population ratio of 1:748.

### **Patients overload at Central Institute of Psychiatry, Ranchi**

†2594. SHRI MAHESH PODDAR: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether it is a fact that the number of patients at the Central Institute of Psychiatry, Ranchi has increased considerably as compared to the past, if so, the details thereof;

(b) whether it is also a fact that no steps have been taken towards strengthening its capacity and infrastructure in the last three years and the institute has been facing shortage on many fronts; and

(c) if so, the steps proposed to be taken by Government in this regard?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRIMATI ANUPRIYA PATEL): (a) There has been an increase in number of patients at Central Institute of Psychiatry (CIP), Ranchi as per details enclosed as Statement (*See below*).

(b) and (c) Strengthening of infrastructure and capacity is an on-going process. However, the Government has taken various steps in this regard which includes creation of posts for certain categories of manpower, procurement of equipments, human resource training, patient care services etc.

### ***Statement***

#### *Year-wise details of Annual OPD and Admission data of Central Institute of Psychiatry, Ranchi*

Year	Total OPD Attendance	Total Admissions
2001	42295	2677
2002	47018	2900

† Original notice of the question was received in Hindi.

Year	Total OPD Attendance	Total Admissions
2003	48367	3061
2004	53159	2977
2005	55820	3209
2006	62456	3208
2007	55903	3047
2008	59175	3613
2009	61780	4186
2010	65757	4576
2011	69071	4086
2012	70827	4462
2013	74062	4190
2014	73509	4150
2015	77431	4274

#### **Administration of SIC, Safdarjung Hospital**

2595. SHRIMATI VIPLOVE THAKUR: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to refer to answer to Starred Question 363 given in the Rajya Sabha on 16 April, 1999 and state:

(a) whether an Arthroscopy and Sports Injury Clinic had been set up at Central Institute of Orthopaedics of Safdarjung Hospital, New Delhi;

(b) if so, how a separate Director has been appointed for Sports Injury Centre whereas it should have been under the Director of Central Institute of Orthopaedics;

(c) how the Deputy Director, Consultant and HR Manager have been appointed in Sports Injury Centre whereas they should be manpower for Central Institute of Orthopaedics; and

(d) whether a separate website for Sports Injury Centre (SIC) has been allowed by the Medical Superintendent of Safdarjung Hospital and if so, reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI FAGGAN SINGH KULASTE): (a) An Arthroscopy and Sports Injury Clinic was set up at Central Institute of Orthopaedics of Safdarjung Hospital, New Delhi.

(b) The Government approved establishment of Sports Injury Centre (SIC) at Safdarjung Hospital by upgrading the Sports Injury Unit (Arthroscopy and Joint

Disorder) to function as a self-sufficient Department. Sports Injury Centre being a separate Department, the Head of the Sports Injury Unit was designated as Director of SIC.

(c) The posts in SIC have been created to deal with administrative matters relating to the SIC, which is a separate Department in Safdarjung Hospital.

(d) Sports Injury Centre, being a new setup has been covered with computerization of e-Hospital Governance by the National Information Centre. Therefore, a separate website was considered essential for providing better patient care facilities for the sports persons as well as to the patients suffering from sports related injuries.

### **Beneficiaries of JSY**

2596. DR. T. SUBBARAMI REDDY:

SHRIMATI AMBIKA SONI:

Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) the number of pregnant women benefited under Janani Suraksha Yojana (JSY) in the country, in the last two years, year-wise and State-wise;

(b) the concrete steps taken to ensure nutritional benefits under JSY reach all pregnant women in the country and to make this scheme popular; and

(c) whether complaints have been received about many pregnant women not being able to avail benefits under JSY due to scheme not being extended, if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI FAGGAN SINGH KULASTE): (a) The number of pregnant women benefited under Janani Suraksha Yojana (JSY) in the country, in the last two years, year-wise and State-wise is given in the Statement (*See below*).

(b) The Janani Suraksha Yojana is aimed at increasing institutional delivery among pregnant women by providing conditional cash assistance to motivate them to deliver in health facilities and to meet incidental expenses associated with delivery. As such, the scheme does not aim to provide nutritional benefits.

To make the scheme popular, States/UTs have been authorized to utilize upto 5% of JSY budget on administrative expenses including IEC of the scheme. Also, more than 9.3 lakhs ASHA workers who are directly associated with JSY at the community level play a significant role in popularizing the scheme.

(c) No.



**Statement***Your-wise and State-wise number of JSY beneficiaries in the country*

Sl. No.	States/UTs	2014-15	2015-16
<b>A. Low Performing States</b>			
1.	Assam	448143	427557
2.	Bihar	1531020	1526529
3.	Chhattisgarh	321762	331753
4.	Jharkhand	249455	245639
5.	Jammu and Kashmir	116642	106260
6.	Madhya Pradesh	942644	954407
7.	Odisha	498046	478788
8.	Rajasthan	1090012	1031247
9.	Uttar Pradesh	2325010	2353049
10.	Uttarakhand	100261	104307
SUB TOTAL		7622995	7559536
<b>B. High Performing States (Big States)</b>			
11.	Andhra Pradesh	261558	264078
12.	Goa	828	1036
13.	Gujarat	277433	263023
14.	Haryana	45742	30048
15.	Himachal Pradesh	16182	17497
16.	Karnataka	411423	421777
17.	Kerala	114677	143084
18.	Maharashtra	345761	339251
19.	Punjab	103423	75040
20.	Tamil Nadu	470003	473524
21.	Telangana	135652	149767
22.	West Bengal	491356	540721
SUB TOTAL		2674038	2718846
<b>C. High Performing States (UTs)</b>			
23.	Andaman and Nicobar Islands	398	396
24.	Chandigarh	1713	1123

Sl. No.	States/UTs	2014-15	2015-16
25.	Dadra and Nagar Haveli	1241	1043
26.	Daman and Diu	107	88
27.	Delhi	13723	15968
28.	Lakshadweep	1000	939
29.	Puducherry	3527	3361
SUB TOTAL		21709	22918
<b>D. High Performing States (NE)</b>			
30.	Arunachal Pradesh	12906	14199
31.	Manipur	21667	27599
32.	Meghalaya	43334	29707
33.	Mizoram	5605	6096
34.	Nagaland	16430	15368
35.	Sikkim	2278	2824
36.	Tripura	17943	19071
SUB TOTAL		120163	114864
GRAND TOTAL		10438905	10416164

**Permission to doctors with PG degree to practice in the country**

2597. SHRI C. M. RAMESH: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether it is a fact that Government is permitting only doctors who have pursued their PG only from certain countries to practice;

(b) if so, the reasons therefor; and

(c) the reasons for not allowing doctors who have pursued their PG from other countries?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI FAGGAN SINGH KULASTE): (a) to (c) It is submitted that the foreign post-graduate medical qualification which are included in the Second Schedule and Part-II of Third Schedule to the Indian Medical Council Act, are considered to be recognized foreign post-graduate medical qualification for the purpose of Indian Medical Council Act, 1956. Further, as per notification dated 07.03.2008 issued by this Ministry, all post-graduate medical qualification awarded in US, UK, Canada.

Australia and New Zealand and are recognized for enrolment as medical practitioner in the specialty concerned in that country have also been included in the Part-II of Third Schedule to the Indian Medical Council Act.

**Screening test for foreign educated doctors**

2598. SHRI PALVAI GOVARDHAN REDDY: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether it is a fact that the Ministry has given an affidavit before the Bombay High Court that the country is grappling with severe doctors shortage;

(b) if so, the reasons for not permitting foreign educated medical doctors to practice in the country;

(c) whether screening test being conducted by MCI is becoming tougher and tougher for students and it is due to this that the results are coming down year after year; and

(d) if so, whether the Ministry would do away with the screening test so that they can practice and reduce the severe shortage of doctors in the country?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI FAGGAN SINGH KULASTE): (a) Yes, Government had filed an affidavit in the Bombay High Court in WP No. 8611 of 2015. It may be noted that there are 9.59 lakh registered allopathic doctors in the country. Assuming 80% availability of doctors, it is estimated that around 7.67 lakh doctors may be actually available for active service. It gives a doctor-population ratio of 1:1681.

(b) There is no bar on foreign educated medical doctors's to practice in the country. As per Clause 3 of the Screening Test Regulations 2002, an Indian Citizen or a person who has been granted Overseas Citizenship of India possessing a primary medical qualification awarded by any medical institution outside India who is desirous of getting provisional or permanent registration with the Medical Council of India or any State Medical Council on or after 15.03.2002 shall have to qualify a screening test (FMGE).

(c) and (d) National Board of Examinations is the prescribed authority to conduct the FMGE. In view of representations with respect to the difficulty level of FMGE, the Central Government had constituted an Expert Committee under the Chairmanship of Prof. P. K. Julka to look into the issue. The Committee in its report held that the level of FMGE is of appropriate difficulty. Government has since accepted the report.

**Monitoring and surveillance of polio cases**

2599. SHRI PALVAI GOVARDHAN REDDY: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether WHO has declared India 'Polio Free Country' in March, 2014, if so, on what evidence and basis this declaration was made;

(b) whether it is a fact that since March, 2014 the Ministry or any other department/agency under the Ministry is not maintaining data on polio in the country;

(c) since when National Polio Surveillance Project (NPSP) has collected data and figures on polio and displayed the same and present role of NPSP; and

(d) what kind of monitoring and surveillance are done by WHO to ensure polio is totally eradicated from India and what kind of co-ordination Ministry has with WHO?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI FAGGAN SINGH KULASTE): (a) Yes, World Health Organisation (WHO) certified South East Asia Region (SEAR) countries of WHO including India Polio Free on 27 March, 2014.

The evidence was generated by National Certification Committee for Polio Eradication (NCCPE) an independent body which was constituted by Government of India to validate and document polio eradication effort in the country.

The South-East Asia Regional Certification Commission for Polio Eradication, comprising of international experts, reviewed the documentation submitted by each NCCPE of 11 SEAR countries and commission declared that SEAR Region is polio-free on March 2014.

(b) No, it is not a fact. The surveillance system for polio is being maintained in India even after polio-free certification to demonstrate that there is no polio in India.

(c) and (d) Since October 1997, National Polio Surveillance Project (NPSP) has been supporting Government by collected data and figures on Acute Flaccid Paralysis (AFP) surveillance to rule out polio. In addition environmental surveillance for polio started in 2001 and expanded to 30 sites by 2016 to increase sensitivity of the polio surveillance. The data are regularly shared by NPSP on weekly basis with the Government of India at national level and at State level AFP cases are jointly investigated by Surveillance Medical Officer of WHO-NPSP and District Immunization Officer of the State.

In addition WHO-NPSP as independent observers are also monitoring polio campaigns and routine immunization programme to ensure immunization coverage. Ministry organizes regular meetings with partners including NPSP and other stakeholders to review the progress in polio eradication. Ministry also organizes AFP surveillance reviews in three to four States each year in coordination with WHO to assess functioning of the surveillance system.

### **Trading in kidneys of poor people**

†2600. SHRI HARIVANSH: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether it is a fact that the kidneys of poor people are being traded to save the lives of rich people; and

(b) the number of such cases surfaced in the country till date and the action taken thereon, so far and State-wise details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRIMATI ANUPRIYA PATEL): (a) and (b) Health is a State subject and details of such cases are not maintained centrally. Whenever a complaint is brought to the notice of Department of Health and Family Welfare, the same is forwarded to the States concerned for action. The Transplantation of Human Organs and Tissues Act, 1994 (as amended in 2011) has a provision for imprisonment upto 10 years and fine upto ₹ one crore for commercial dealings in human organs. The enforcement of the provisions of the Act will, however, have to be ensured by the State Governments.

### **Awareness about organ donation**

2601. SHRI DEREK O' BRIEN: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) the number of patients in need of organ transplant in India and the number of successful organ transplants conducted;

(b) the policies put in place by Government to increase awareness of the need for organ donation and encourage donation; and

(c) the number of organ donors registered under National Organ and Tissue Transplant Organisation, State-wise?

---

† Original notice of the question was received in Hindi.

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRIMATI ANUPRIYA PATEL): (a) The exact number of patients in need of organ transplants and the number of successful transplants conducted in India is not known. However, as per estimates, the annual need of transplants in cases of organ failure for common organs and tissues is as under:

Organs	Need transplants of new cases of organ failure every year
Kidney	2,00,000
Liver	30,000
Heart	50,000
Cornea	1,00,000

(b) Promotion of organ donation is on high the priority of Government. Hon'ble Prime Minister has highlighted the importance of organ donation in the *Mann Ki Baat* programme broadcast in October and November 2015. This has given impetus to the organ donation in the country. Government is implementing National Organ Transplant Programme (NOTP) with the main focus to improve the donation of organs from deceased donors.

In India, Organ Donation Day is being celebrated since 2010. 6th Indian Organ Donation Day was celebrated on 27th November 2015. On this occasion, National Organ and Tissue Donation and Transplant Registry (NOTTR) was launched. In addition, felicitation of members of donor families from different parts of the country was done and awards were given to the Best Performing State in the area of Organ donation and winners of national competition of slogan on organ donation.

A dedicated website [www.notto.nic.in](http://www.notto.nic.in) has been launched for providing information on organ donation and transplantation and online facility for registration of hospitals for networking and creation of national registry of organ and tissue transplants, organ donation and pledges for organ donation. Online and offline pledging facility for organ and tissue donation is also available. A 24x7 days helpline has been made operational with toll free No. 1800114770.

An Inter-Ministerial Committee has been constituted to coordinate all activities relating to promotion of organ donation in the country and its meeting was organized on 18.02.2016 for actions to be taken by various Ministries for this purpose.

Organ Donation Publicity through print media, Display Boards, Frequently Asked Questions, Mobile SMSes, talks by experts etc. have been undertaken.

As health is primarily a State subject, States are regularly sensitized to promote the cause of organ donation.

(c) The number of persons who have pledged for organ donation and registered with NOTTO are 16192 as on 05.08.2016. However, the State-wise information is not maintained.

**Increasing access to mental health support for all**

2602. SHRI DEREK O'BRIEN: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) the number of mental healthcare institutions set up through Government support in the country, State-wise since 2013;

(b) the efforts taken by Government to increase access to mental health support for all especially economically weaker sections, through Central or State efforts; and

(c) whether Government is undertaking any steps to increase public awareness and understanding of mental health issues and of resources available, if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRIMATI ANUPRIYA PATEL): (a) Health being a State subject, setting up of Mental Healthcare Institutions is the responsibility of the respective State Governments, and therefore, no such information is maintained Centrally. However, Central Government provides financial support to State mental health institutes under different components of National Mental Health Programme (NMHP).

(b) and (c) The Government has taken various steps for improved access to mental healthcare. In this regard, the Government of India is implementing the NMHP and District Mental Health Programme (DMHP). Mental Health Institutes are providing services for mental health, training for manpower development, research and support, etc. under the National Mental Health Programme. For improving the coverage and accessibility of Mental Healthcare, District level activities under National Health Mission have been supported in 241 districts in all States/UTs. Mental Health Policy has been launched on 10th October, 2014 with a vision to promote mental health, prevent mental illness, enable recovery from mental illness, promote de-stigmatization and facilitate socio-economic inclusion of persons affected by mental illness by providing accessible, affordable and quality health and social care to all persons with mental illness.

**Upgradation of mortuary facilities for post-mortem**

†2603. SHRI P. L. PUNIA: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether it is a fact that under National Health Mission, there is no scheme or arrangement for modernisation and upgradation of facility for conducting post-mortem in the mortuaries and keeping dead bodies; and

(b) whether it is a fact that the old process of conducting post-mortem is inhuman and it also causes infection and serious threats for employees, if so, whether Government intends to modernise and upgrade the post-mortem facility under National Health Mission and details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI FAGGAN SINGH KULASTE): (a) Maintaining post mortem facilities is a subject matter of State/UT Governments. There is no scheme/programme under the National Health Mission (NHM) to support strengthening of post-mortem facilities of State/UT.

(b) Post-mortem is done taking all precautions so that infectious diseases do not affect health personnel which include all staff involved in conducting post-mortem. The following steps are taken to safeguard the health of the staff:

- (i) Mortuary is cleaned on regular basis using disinfectants.
- (ii) Bio-medical waste management is strictly adhered to by ensuring proper segregation and disposal.
- (iii) Protective clothing is worn during autopsy for example gloves, apron, mask, gum boots etc. For known HIV/Hepatitis positive cases special precautions are taken for example wearing protective goggles, double gloves etc. The autopsy surgeon takes special precautions against injuries caused by sharp instruments.
- (iv) Exhaust fans are installed in the mortuary.
- (v) After each autopsy the instruments which have been used, are disinfected.

There is no such proposal to modernise and upgrade the post-mortem facility under National Health Mission as support under the NHM is provided to States for strengthening their healthcare systems to improve delivery of healthcare.

---

† Original notice of the question was received in Hindi.



**Eradication of malaria**

2604. SHRIMATI VANDANA CHAVAN: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) the details of the number of deaths due to malaria in the past three years, State/Union Territory-wise;

(b) whether there is any scheme being proposed to eradicate malaria by 2027;

(c) if so, the details thereof and funds allocated towards the same, State/Union Territory-wise; and

(d) the details of schemes which are prevalent now especially in urban areas for the past three years?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI FAGGAN SINGH KULASTE): (a) The details of the number of deaths due to malaria in the past three years, State/UT-wise is given as Statement-I (*See below*).

(b) The National Framework for Malaria Elimination (NFME) in India has been launched in February, 2016 to eliminate malaria in phased manner by 2027 and to sustain thereafter.

(c) The funds allocations are done on yearly basis by Government of India (GoI). based upon the yearly grant approvals by the Government.

However, the Central Assistance provided during last three years for National Vector Borne Disease Control Programme (NVBDCP), including for malaria is given in the Statement-II (*See below*).

(d) Urban Malaria Scheme was approved during 1971 as 100% Centrally sponsored Scheme. From 1979-80 it was changed to 50:50 sharing basis between Centre and State Governments.

At present, Urban VBD Scheme is functional in 131 towns protecting about 116 million population from malaria and other vector borne diseases.

The main objective of Urban VBD Scheme (earlier UMS) is to control malaria and other Vector Borne Diseases (VBDs) by reducing the vector population in the urban areas through recurrent anti-larval measures, since indoor residual insecticidal spray in general is not acceptable to the urban population. The norms for establishment of Urban VBD Scheme are as follows:

- (i) The towns should have a minimum population of 40,000.
- (ii) The Annual Parasite Incidence (API) should be 2 or above.
- (iii) The towns should promulgate and strictly implement the civic by-laws to prevent/eliminate domestic and peridomestic breeding places.

***Statement-I****State-wise and year-wise number of deaths due to malaria in the country*

Sl. No.	States/UTs	2013	2014	2015 (Prov.)
1.	Andhra Pradesh	0	0	0
2.	Arunachal Pradesh	21	9	3
3.	Assam	7	11	0
4.	Bihar	1	0	1
5.	Chhattisgarh	43	53	8
6.	Goa	0	0	1
7.	Gujarat	38	16	1
8.	Haryana	3	1	0
9.	Himachal Pradesh	0	0	0
10.	Jammu and Kashmir	0	0	0
11.	Jharkhand	8	8	4
12.	Karnataka	0	2	0
13.	Kerala	0	6	4
14.	Madhya Pradesh	49	26	16
15.	Maharashtra	80	68	31
16.	Manipur	0	0	0
17.	Meghalaya	62	73	79
18.	Mizoram	21	31	0
19.	Nagaland	1	2	3
20.	Odisha	67	89	78
21.	Punjab	0	0	0
22.	Rajasthan	15	4	0
23.	Sikkim	0	0	0
24.	Tamil Nadu	0	0	0

Sl. No.	States/UTs	2013	2014	2015 (Prov.)
25.	Telangana		0	3
26.	Tripura	7	96	21
27.	Uttarakhand	0	0	0
28.	Uttar Pradesh	0	0	0
29.	West Bengal	17	66	33
30.	Andaman and Nicobar Islands	0	0	0
31.	Chandigarh	0	0	0
32.	Dadra and Nagar Haveli	0	1	0
33.	Daman and Diu	0	0	0
34.	Delhi	0	0	0
35.	Lakshadweep	0	0	0
36.	Puducherry	0	0	1
TOTAL		440	562	287

**Statement-II**

*Central Assistance given to the States/UTs as Grants-in-aid (Releases) during last three years for prevention and control of vector borne diseases*

(₹ in lakhs)

Sl. No.	States/UTs	2013-14		2014-15		2015-16	
		B.E	Release	B.E	Release	B.E	Release
1	2	3	4	5	6	7	8
1.	*Andhra Pradesh	2316.32	650.01	2510.00	767.24	857.00	864.20
2.	Arunachal Pradesh	1876.65	1016.31	1291.00	1166.76	1273.00	1364.27
3.	Assam	5168.19	3813.45	3036.00	2673.04	2591.00	3260.14
4.	Bihar	6038.31	4633.44	4800.00	11474.32	4085.00	9695.23
5.	Chhattisgarh	2999.22	1150.42	2990.00	1343.50	2545.00	561.92
6.	Goa	125.81	55.87	128.00	90.75	98.00	48.49
7.	Gujarat	1612.71	736.94	2380.00	1198.20	1148.00	1159.71
8.	Haryana	203.50	87.49	363.00	247.50	255.00	255.00
9.	Himachal Pradesh	120.55	54.01	140.00	99.75	104.00	0.00
10.	Jammu and Kashmir	110.33	76.11	155.00	89.86	92.00	91.23

1	2	3	4	5	6	7	8
11.	Jharkhand	3836.09	1161.29	4139.50	3162.25	5537.00	5349.94
12.	Karnataka	1630.66	796.39	2320.00	1810.28	1953.00	1843.60
13.	Kerala	745.56	642.94	1007.00	720.75	726.00	726.00
14.	Madhya Pradesh	2053.50	877.79	2390.00	1796.91	2442.00	2150.64
15.	Maharashtra	1557.04	817.05	2187.00	648.41	639.00	652.84
16.	Manipur	1007.41	211.63	1091.00	907.06	917.00	979.13
17.	Meghalaya	1146.96	445.54	1162.00	935.43	966.00	1108.88
18.	Mizoram	1398.49	614.19	1248.00	1199.04	1220.00	1392.69
19.	Nagaland	1678.25	439.32	1533.00	1108.92	1203.00	1314.78
20.	Odisha	4603.18	2483.66	5170.00	2086.05	3888.00	4425.32
21.	Punjab	296.00	53.94	550.00	409.31	398.00	509.29
22.	Rajasthan	652.67	578.36	990.00	1404.50	2615.00	2146.16
23.	Sikkim	50.00	27.36	70.00	51.93	53.00	58.90
24.	Tamil Nadu	1971.75	1971.75	2250.00	1561.50	1619.00	1594.00
25.	*Telangana			*	429.00	486.00	701.47
26.	Tripura	1779.88	735.34	1459.00	1353.85	1400.00	2182.72
27.	Uttar Pradesh	3469.29	2694.72	3905.50	3808.50	4335.00	1783.67
28.	Uttarakhand	117.50	0.71	125.00	127.32	205.00	127.14
29.	West Bengal	3381.03	3057.17	3500.00	1709.53	1801.00	1645.85
30.	Delhi	309.50	232.12	584.00	444.00	171.00	19.00
31.	Puducherry	53.87	7.73	56.00	39.81	49.00	108.25
32.	Andaman and Nicobar Islands	537.20	556.32	250.00	187.08	352.00	611.31
33.	Chandigarh	75.50	63.19	96.00	56.25	80.00	79.49
34.	Dadra and Nagar Haveli	79.44	50.74	98.00	90.50	96.00	96.00
35.	Daman and Diu	54.49	23.56	72.00	62.50	67.00	68.00
36.	Lakshadweep	43.15	6.93	54.00	0.95	47.00	47.00
TOTAL		53100.00	30823.79	54100.00	45262.55	46313.00	49022.26

\*Total BE for undivided Andhra Pradesh and Telengana was ₹ 2510.00 Lakhs in the year 2014-15, after bifurcation of the State in June 2014, 58.32% allocated to Andhra Pradesh and 41.68% allocated to Telengana.

**Restructuring of MCI**

2605. SHRI HUSAIN DALWAI:

PROF. M. V. RAJEEV GOWDA:

Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether the Ministry has accepted the report of Department Related Standing Committee on Functioning of Medical Council of India (MCI);

(b) what measures will be taken by the Ministry to implement recommendation of the report to bifurcate the two major functions of MCI viz. medical education and ensuring ethical conduct by medical professionals; and

(c) what measures will be taken on the recommendation to make the regulatory structure of MCI more participatory to include Public Health Experts, Social Scientists, NGOs and activists working on health rights, legal experts, patient advocacy groups etc. in the governance and executive structure of MCI?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI FAGGAN SINGH KULASTE): (a) to (c) The Central Government had constituted a Group of Experts (GoE) headed by Late Dr. Ranjit Roy Choudhury. The Group has already submitted its report to the Ministry. This report was subsequently examined by the Parliamentary Standing Committee (PSC) and they too have made their recommendations. A four member Committee headed by Vice Chairman, NITI Aayog has been constituted on 28.03.2016 with the following Terms of References (ToRs):

(i) The Committee may examine all options for reforms in the Medical Council of India and suggest way forward.

(ii) The Committee may also visit the features of other regulatory institutions in the field of medical education and suggest suitable reforms.

**Doctors shortage in CHS**

2606. SHRI A. U. SINGH DEO: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether Government is facing a shortage of surgeons in Central Health Services (CHS) across India, if so, the details thereof and corrective action, if any, taken;

(b) whether there are States in the country that do not have any surgeons in their CHS, if so, the details thereof and corrective action, if any, taken by Government; and

(c) the measures Government has taken to ensure that citizens, particularly in rural India are not burdened by costly healthcare provided by the private sector due to a shortage of surgeons in CHS?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI FAGGAN SINGH KULASTE): (a) The incumbency position of surgeons in Central Health Services is as under:-

Sanctioned posts	Filled	Vacancy
110	83	27

Filling up the vacant posts through Union Public Service Commission (UPSC) is a continuous process.

(b) and (c) Health is a State subject. It is the responsibility of the States/UTs to provide necessary healthcare facilities to the citizens of States/UTs. However support is provided to States/UTs by the Central Government to strengthen their health system.

#### **MCI's approval for private medical colleges**

2607. PROF. M. V. RAJEEV GOWDA: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether it is a fact that the Medical Council of India (MCI) has given a second lifeline to 175 private medical colleges that were denied approval by the Ministry; and

(b) if so, the reason for Government not overruling it and if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI FAGGAN SINGH KULASTE): (a) and (b) No. However, the Supreme Court mandated Oversight Committee (OC) on MCI has permitted the applicant colleges for the academic year 2016-17 who have not been offered an opportunity to furnish their compliance to deficiencies communicated by MCI, to submit their compliance report afresh.

#### **Minority groups benefited from welfare measures**

2608. SHRI ANUBHAV MOHANTY: Will the Minister of MINORITY AFFAIRS be pleased to state:

(a) which are the groups that have been defined and listed under the minority category;

(b) whether welfare measures are uniformly applied on all the groups; and

(c) which are the minority groups which have benefited the most from the welfare measures in the last three years ending March 31, 2016?

THE MINISTER OF STATE OF THE MINISTRY OF MINORITY AFFAIRS (SHRI MUKHTAR ABBAS NAQVI): (a) The Central Government has notified six communities as Minority Communities: Muslims, Christians, Sikhs, Buddhists, Zoorastians (Parsi) and Jains under Section 2(c) of the National Commission For Minorities Act, 1992.

(b) and (c) The following Schemes are implemented for the welfare of all the six notified Minority Communities uniformly:

- (i) Pre-matric Scholarship Scheme
- (ii) Post-matric Scholarship Scheme
- (iii) Merit-cum-Means based Scholarship Scheme
- (iv) Scholarship for Meritorious Girl Students implemented by Maulana Azad Education Foundation
- (v) Maulana Azad National Fellowship
- (vi) Support to minority candidates clearing prelims conducted by UPSC/SSC, State Public Service Commission (PSC) etc.
- (vii) Padho Pardesh-Interest Subsidy on Educational Loans for Overseas Studies
- (viii) Seekho aur Kamao
- (ix) Nai Roshni
- (x) Upgrading the Skills and Training in Traditional Arts/Crafts for Development (USTTAD)
- (xi) Nai Manzil—Operationalized in 2016-17.
- (xii) Concessional Loans for self-employment and income generating activities to eligible minorities by National Minorities Development and Finance Corporation through State Channelizing Agencies nominated by respective State Governments.

During the last three years, Muslim Community has benefitted the most from the welfare schemes except for the Scheme 'Padho Pardesh' in which christians have benefitted the most. The percentage of Muslim beneficiaries in Schemes listed at Sl.No. (i) to (iv) remained 77.82%, under the Schemes at Sl.No.(v) and (vi) remained 71.50% and the percentage of christian beneficiaries listed in Scheme at Sl.No.(vii) remained at 46.92%.

Under the Scheme of Multi-Sectoral Development Programme, the assets are created for the welfare of minority as a whole.

In USTTAD, no such project involving beneficiaries has been taken up as on date.

The Scheme for containing population decline of Parsis in the country *viz* Jiyo Parsi is for Parsi Community only.

Community-wise data are not maintained for the Free Coaching and Allied Schemes.

**Under-representation of Muslims in Government organisations**

2609. SHRIMATI JHARNA DAS BAIDYA: Will the Minister of MINORITY AFFAIRS be pleased to state:

(a) whether it is a fact that there is under representation of Muslims in the Ministry, the National Commission for Minorities (NCM) and the National Minorities Development and Finance Corporation (NMDFC);

(b) if so, the reasons therefor; and

(c) the steps being taken to ensure adequate proportional representation of Muslims therein?

THE MINISTER OF STATE OF THE MINISTRY OF MINORITY AFFAIRS (SHRI MUKHTAR ABBAS NAQVI): (a) to (c) There is no criteria of religion-wise representation in the Ministry, National Minorities Development and Finance Corporation (NMDFC) and National Commission for Minorities (NCM).

As per Section 3(2) of the National Commission for Minorities Act, 1992, the NCM consists of a Chairperson, a Vice-Chairperson and five Members, with a proviso that five Members including the Chairperson shall be from amongst the minority communities. Presently out of five filled positions, the Chairperson and one Member are from the Muslim Community.

**Value of land possessed by Waqf Board**

2610. SHRI HUSAIN DALWAI: Will the Minister of MINORITY AFFAIRS be pleased to state:

(a) how much Waqf land is currently available in India and the details of monetary value of this land, State-wise;

(b) how much Waqf land is currently under encroachment in India and the details of monetary value of the encroached land, State-wise with special reference to the State of Maharashtra;

(c) what steps are being taken to prevent encroachment of Waqf land and to reclaim encroached land; and



(d) how much Waqf land has been sold in the open market since January, 2010 till present, the total amount of sale proceed in monetary terms etc., State-wise?

THE MINISTER OF STATE OF THE MINISTRY OF MINORITY AFFAIRS (SHRI MUKHTAR ABBAS NAQVI): (a) and (b) There are 6 lakh acres of waqf land as per the Sachar Committee Report and market value of this land as estimated by the committee is ₹ 1.20 lac crore. However, according to Section 32(1) of the Waqf Act, 1995, the general superintendence of all Auqaf in a State shall vest in the Board established by the State/UT Government and it shall be the duty of the Board to exercise its power under this Act as to ensure that Auqaf under its superintendence are properly maintained, controlled and administered and the income thereof is duly applied to the objects and for the purposes for which such Auqaf were created and intended. Further, as per Section 5 and 37 of the Waqf Act, 1995, the details of Waqf Properties are maintained by the State/UT Waqf Boards. Hence, the extent of land under encroachment and details of monetary value of encroached land in the various parts of the country are not maintained by the Central Government.

(c) Government of India brought amendments in Waqf Act, 1995 by Waqf Amendment Act, 2013 which came into force w.e.f. 1.11.2013. Following major provisions have been added in the Waqf Act, 1995 through amendment to give more power to State/UT Waqf Boards to prevent encroachment and to reclaim encroached land:—

Definition of encroacher has been added. State Government has been mandated to appoint Survey Commissioners and complete the survey of Waqf Properties. Alienation of Waqf Properties without the prior approval of the State/UT Waqf Board has been made punishable with rigorous imprisonment. Any offence of alienation of Waqf Property shall be cognizable and non-bailable. The Composition of Tribunal has been increased from one member to three members and the jurisdiction of Tribunal has also been extended by inclusion of disputes concerning the eviction of a tenant. Sell, gift, exchange, mortgage or transfer of any movable or immovable property which is a Waqf Property has been completely prohibited under the new Act.

(d) As stated in reply to parts (a) and (b) above, no such details are maintained by the Central Government. The details are available with the concerned State/UT Waqf Boards.

### **Multi-Sectoral Development Programme**

2611. SHRI PARIMAL NATHWANI: Will the Minister of MINORITY AFFAIRS be pleased to state:

(a) the areas identified for implementation of Multi-Sectoral Development Programme (MSDP) and the programmes/schemes undertaken since its inception along

with the targets set/achieved during each of the last three years and the current year, State-wise including Jharkhand and Gujarat;

(b) whether Government has restructured the programme to cover more Blocks/Districts in the country; and

(c) if so, the details thereof and the infrastructure created/funds allocated/spent under MSDP during the above period in the country as a whole and in respect of Jharkhand and Gujarat specifically?

THE MINISTER OF STATE OF THE MINISTRY OF MINORITY AFFAIRS (SHRI MUKHTAR ABBAS NAQVI): (a) The Multi-sectoral Development Programme (MsDP) is being implemented in 710 Minority Concentration Blocks and 66 Minority Concentration Town and 13 Clusters of Contiguous Villages falling under 196 districts of the Country. List of the identified areas is enclosed as Statement-I (*See below*). No physical target is fixed by the Ministry under MsDP. Projects are approved on the basis of the project proposals received from the States/UTs as per their requirement and need. The projects approved under MsDP during last three years and current year including Jharkhand and Gujarat is given as Statement-II (*See below*).

(b) Yes, the programme has been restructured during 2013-14 to increase the coverage area. The programme is being implemented in 196 districts during 12th Plan Period in place of 90 districts during 11th Plan Period.

(c) In the restructured MsDP the unit area of planning has been changed to Minority Concentration Blocks/Minority Concentration Towns/Cluster of villages instead of district for sharper focus on the minority communities. The infrastructure created and funds approved under MsDP during the the last three years and the current year including Jharkhand and Gujarat are given in Statement-II and Statement-III respectively.

### ***Statement-I***

*State/District-wise list of blocks and towns covered for implementation of MsDP during 12th Five Year Plan*

Sl. No.	States	District	Name of the blocks/towns	
			Blocks	Towns
1	2	3	4	5
1.	Andaman and Nicobar Islands	Nicobars	Car Nicobar Nancowry	
SUB-TOTAL		1	2	

1	2	3	4	5
2.	Andhra Pradesh	Guntur		Narasaraopet (M)
		Anantapur	-	Kadiri (M)
		Cuddapah	Rayachoti	
				Proddatur (M)
				Rayachoti (CT)
		Kurnool	Nandikotkur	
			Sirvel	
			Atmakur	
			Chagalamarri	
				Adoni (M)
				Guntakal (M)
SUB-TOTAL		4	5	6
3.	Telangana	Nizamabad	Ranjal	
			Yedpalle	Nizamabad (M)
				Bodhan (M)
		Adilabad	-	Adilabad (M)
			-	Kagaznagar (M)
		Rangareddi	-	Rajendranagar (M)
			-	Tandur (M)
		Medak	Nyalkal	
			Zahirabad	
			Kohir	
SUB-TOTAL		4	5	6
4.	Arunachal Pradesh	Tawang	Lumla	
			Tawang	
			Mukto	
		West Kameng	Nafra Buragaon	
			Dirang	
			Kalaktang	
		East Kameng	Seppa	
			Pakke Kessang	

1	2	3	4	5
		Papum Pare	Doimukh-Kimin	
			Sagalee	
		Lower	Chambang	
		Subansiri	Yachuli	
			Palin	
		West Siang	Mechuka	
			Kaying-Payum	
			Basar	
			Gensi	
		U. Siang	Tuting	
		Lohit	Namsai	
		Changlang	Nampong-	
			Manmao	
			Khagam-Miao	
			Bordumsa-Diyun	
		Tirap	Namsang	
			Niausa	
			Pangchao-Wakka	
		East Siang	Ramle Bango	
	SUB-TOTAL	11	26	
5.	Assam	Kokrajhar	Dotoma	
			Kachugaon	
			Hatidhura	
			Gossaigaon	
			Sidli-Chirang Pt.	
		Dhubri	Agamoni	
			Golokganj	
			Rupsi Pt.	
			Gauripur	
			Debitola	

1	2	3	4	5
			Birshingjarua	
			Mahamaya	
			Nayeralga	
			Bilasipara	
			Chapar-Salkocha	
			Jamadarhat	
			South Salmara	
			Fekamari	
			Mankachar	
		Goalpara	Kushdhawa	
			Jaleswar	
			Lakhipur	
			Kharmuja	
			Balijana	
			Krishnai	
			Matia	
			Dudhnai	
		Bongaigaon	Sidli-Chirang Pt.	
			Baitamari	
			Srijangram	
			Tapatari	
			Manikpur	
		Barpeta	Gobardhana	
			Chakchaka	
			Rupsi Pt.	
			Mandia	
			Chenga	
			Gumafulbari	
			Bhawanipur	
			Pakabetbari	

1	2	3	4	5
			Barpeta	
			Sarukhetri	
		Kamrup	Bihdia-Jajikona	
			Bezera	
			Rangia	
			Hajo	
			Goroimari	
			Bangaon	
			Chamaria	
		Nalbari	Barigog-Banbhag	
			Madhupur	
			Barkhetri	
		Darrang	Udalguri	
			Sipajhar	
			Pub-Mangaldai	
			Kalaigaon	
			Bechimari	
			Dolgaon-Sialmari	
			Rowta	
		Marigaon	Bhurbandha	
			Mayang	
			Laharighat	
			Mairabari Pt.	
			Kapili Pt.	
		Nagaon	Pachim-Kaliabor	
			Pakhimaria	
			Raha	
			Bajiagaon	
			Laokhowa	
			Mairabari Pt.	

1	2	3	4	5
			Batadrawa	
			Juria	
			Rupahi	
			Khagarijan	
			Kathiatoli	
			Binnakandi	
			Jugijan	
			Dhal Pukhuri	
			Udali	
			Lumding	
		Sonitpur	Chatia	
			Dhekiajuli	
			Gabharu	
			Barchala	
			Balipara	
			Bishawnath	
		Lakhimpur	Lakhimpur	
			Karunabari	
			Nowboicha	
				North Lakhimpur (MB)
		Karbi Anglong	Bokajan	
			Nilip	
		N.C.Hills	New Sangbar	
			Harangajao	
			Jatinga Valley	
		Cachar	Katigorah	
			Salchapra	
			Barkhola	
			Kalain	
			Silchar	

1	2	3	4	5
			Udarbond	
			Sonai	
			Narshingpur	
			Palanghat	
			Baskandi	
			Lakhipur	
			Binnakandi	
		Karimganj	North Karimganj	
			South Karimganj	
			Badarpur	
			Patherkandi	
			Lowairpoa	
			Ramkrishna Nagar	
			Dullavcherra	
		Hailakandi	Algapur	
			Hailakandi	
			Lala	
			Katlicherra	
			South Hailakandi	
	SUB-TOTAL	17	118	1
6.	Bihar	West Champaran	Mainatanr	
			Narkatiaganj	
			Lauriya	
			Sikta	
		Sitamarhi	Bairgania	
			Bokhara	
			Parihar	
			Bajpatti	
			Pupri	
			Nanpur	



1	2	3	4	5
		Madhubani	Kaluahi Madhubani Bisfi	Madhubani (M)
		Supaual	Basantpur	Supaual (M)
		Araria	Narpatganj Raniganj Forbesganj Araria Sikti Palasi Jokihat	
		Kishanganj	Terhagachh Dighalbank Thakurganj Pothia Bahadurganj Kochadhamin Kishanganj	
		Purnea	Krityanand Nagar Purnia East Kasba Srinagar Jalalgarh Amour Baisa Baisi Dagarua	
		Katihar	Falka	

1	2	3	4	5
			Korha	
			Hasanganj	
			Kadwa	
			Balrampur	
			Barsoi	
			Azamnagar	
			Pranpur	
			Katihar	
			Mansahi	
			Barari	
			Manihari	
			Amdabad	
		Darbhangha	Darbhangha	
			Manigachhi	
			Alinagar	
			Hayaghat	
			Jale	
			Singhwara	
			Keotiranway	
			Kiratpur	
			Gora Bauram	
		Gopalganj	Uchkagaon	
			Manjha	
			Thawe	
		Siwan	Hasanpura	
			Hussainganj	
			Barharia	
				Siwan (M)
		Bhagalpur	Sonhaura	
			Jagdishpur	

1	2	3	4	5
				Bhagalpur (M Corp)
		Banka	Dhuraiya	
		Vaishali	Chehra Kalan	
		Samastipur	Tajpur	
		Purbi Champaran	Adapur	
			Ramgarhwa	
			Banjaria	
			Narkatia	
			Dhaka	
		Nalanda		Bihar (M)
		Patna		Phulwari Sharif (NA)
		Rohtas		Sasarm (M)
		Nawada		Nawada (M)
	SUB-TOTAL	20	75	8
7.	Chhattisgarh	Jashpur	Kansabel	
			Duldula	
			Manora	
			Jashpurnagar	
			Kunkuri	
	SUB-TOTAL	1	5	
8.	Delhi	North East Delhi	North East	
	SUB-TOTAL	1	1	
9.	Gujarat	Kachchh	Lakhpat	
			Bhuj	
			Abdasa	
			Gandhidham	
	SUB-TOTAL	1	4	
10.	Haryana	Kaithal	Guhla	
		Fatehabad	Tohana	
			Ratia	

1	2	3	4	5
		Sirsa	Dabwali	
			Odhan	
			Baragudha	
			Ellenabad	
		Gurgaon+Mewat	Taoru	
			Nuh	
			Nagina	
			Ferozepur	Jhirka
			Punahana	
		Faridabad	Hathin	
		Yamunanagar	Sadaura	
			Chhachhrauli	
	SUB-TOTAL	6	15	
11.	Jammu and Kashmir	Leh (Ladakh)	Nobra	
			Leh	
			Khalsi	
			Nyoma	
			Kharoo	
			Durbuk	
		Rajauri	Nowshera	
	SUB-TOTAL	2	7	
12.	Jharkhand	Palamu	Mahuadanr	
		Giridih	Dhanwar	
			Gande	
			-	Giridih (M)
		Deoghar	Palojori	
			Madhupur	
			Karon	
		Godda	Pathargama	
			Mahagama	

1	2	3	4	5
		Sahibganj	Barhait	
			Sahibganj	
			Mandro	
			Rajmahal	
			Udhwa	
			Pathna	
			Barharwa	
		Pakaur	Litipara	
			Hiranpur	
			Pakaur	
			Maheshpur	
		Dumka	Shikaripara	
			Narayanpur	
		Ranchi	Kanke	
			Chanho	
			Bero	
			Mandar	
			Torpa	
			Rania	
			Murhu	
		Lohardaga	Kuru	
		Gumla	Kamdara	
			Basia	
			Chainpur	
			Dumri	
			Raidih	
			Simdega	
			Kurdeg	
			Bolba	
			Thethaitangar	

1	2	3	4	5
			Kolebira	
			Jaldega	
			Bano	
		Garhwa	Garhwa	
		Hazaribag	Katkamsandi	
		Dhanbad	Gobindpur	
				Bhuli (CT)
				Jharia (NA)
				Jorapokhar (CT)
	SUB-TOTAL	13	44	4
13. Karnataka	Bidar	Bidar		
		Homnabad		
	Gulbarga	Chitapur		
	Bagalkot	-	Jamkhandi (TMC)	
		-	Bagalkot (CMC)	
	Raichur	-	Raichur (CMC)	
		-	Sindhur (TMC)	
	Koppal	-	Gangawati (CMC)	
		-	Koppal (TMC)	
	Haveri	-	Haveri (TMC)	
	Bellary	-	Hospet (CMC)	
	SUB-TOTAL	7	3	8
14. Kerala	Wayanad	Panamaram		
		Mananthavady		
		Kalpetta		
		Sulthanbathery		
	Malappuram	-	Ponnani (M)	
	SUB-TOTAL	2	4	1
15. Madhya Pradesh	Sheopur	-	Sheopur (M)	
	Indore	-	Mhow Cantt. (CB)	

1	2	3	4	5
		West Nimar	-	Khargone (M)
		East Nimar	-	Burhanpur (M Corp)
	SUB-TOTAL	4	-	4
16. Maharashtra	Buldana	Shegaon		
		Chikhli		
		Buldana		
		Khamgaon		
	Washim	Mangrulpur		
		Karanja		
	Yavatmal	Ner		
	Hingoli	Hingoli		
	Jalgaon			Chopda (M CI)
	Parbhani			Parbhani (M CI)
	Jalna			Jalna (M CI)
	Bid			Parli (M CI)
	Latur			Latur (M CI)
				Udgir (M CI)
	SUB-TOTAL	9	8	6
17. Manipur	Senapati	Kangpokpi T. D. Block		
		Saitu Gamphazol T. D. Block		
		Saikul T. D. Block		
	Tamenglong	Tousem T. D. Block		
		Tamei T. D. Block		
		Tamenglong T. D. Block		
		Nungba T. D. Block		

1	2	3	4	5
		Churachandpur	Parbung T. D. Block	
			Thanlon T. D. Block	
			Henglep T. D. Block	
			Samulamlan	
			Churachandpur	
			Singngat T. D. Block	
		Thoubal	Thoubal C. D. Block	
		Imphal East	Imphal East-II C. D. Block	
			Jiribam C. D. Block	
		Ukhrul	Chingai T. D. Block	
			Ukhrul T. D. Block	
			Kamjong Chassad T. D. Block	
			Phungyar Phaisat T. D. Block	
			Kasom Khullen T. D. Block	
		Chandel	Machi T. D. Block	
			Tengnoupal T. D. Block	
			Chandel T. D. Block	



1	2	3	4	5
			Chakpikarong T. D. Block	
	SUB-TOTAL	7	25	
18.	Meghalaya	West Garo Hills	Zikzak Selsella	
	SUB-TOTAL	1	2	
19.	Mizoram	Mamit Lawngtlai	West Phaileng Lawngtlai Chawngte	
	SUB-TOTAL	2	3	
20.	Odisha	Sundargarh	Balisankara Gurundia Subdega Kutra Kuanrmunda Nuagaon Rajagangapur Villages not classified (Exact name of the block will be ascertained from State Government)	
		Gajapati	R. Udaygiri Mohana Nuagada Guma Villages not classified (Exact name of the block will be ascertained from State Government)	

1	2	3	4	5
		Kandhamal	Kotagarh Daringbadi Villages not classified (Exact name of the block will be ascertained from State Government) Villages not classified (Exact name of the block will be ascertained from State Government)	
		Rayagada	Chandrapur Gunupur	
		Bhadrak	-	Bhadrak (M)
	SUB-TOTAL	5	19	1
21.	Punjab	Sangrur	Malerkotla-I Malerkotla-II	
		Gurdaspur	Dhariwal Gurdaspur Kalanaur Dera Baba Nanak	
	SUB-TOTAL	2	6	
22.	Rajasthan	Hanumangarh	Hanumangarh	
		Alwar	Lachhmangarh Kishangarh Bas Tijara Ramgarh	
		Bharatpur	Kaman Nagar	

1	2	3	4	5
		Jaisalmer	Sam	
			Sankra	
		Barmer	Chohtan	
		Sawai Madhopur	-	Gangapur City(M)
		Nagaur	-	Makrana(M)
		Tonk	-	Tonk (M CI)
	SUB-TOTAL	8	10	3
23.	Sikkim	North	Mangan	
			Chungthang	
	SUB-TOTAL	1	2	
24.	Tripura	West Tripura	Melaghar	
			Boxanagar	
			Kathalia	
		South Tripura	Karbuk	
			Rupaichhari	
		Dhalai	Dumburnagar	
			Chhamanu	
		North Tripura	Dasda	
			Gournagar	
			Kadamtala	
			Pencharthal	
			Jampuii hills	
	SUB-TOTAL	4	12	
25.	Uttar Pradesh	Saharanpur	Nagal	
			Sadauli Qadeem	
			Muzaffarabad	
			Puwarka	
			Ballia Kheri	
			Sarsawan	
			Gangoh	

1	2	3	4	5
			Deoband	
			Forest Villages	
		Muzaffar Nagar	Un	
			Kandhla	
			Kairana	
			Thana Bhawan	
			Charthawal	
			Purkazi	
			Muzaffarnagar	
			Baghara	
			Budhana	
			Shahpur	
			Morna	
			Jansath	
		Bijnor	Mohammedpur	
			Deomal	
			Najibabad	
			Kiratpur	
			Haldaur	
			(Khari Jhalu)	
			Kotwali	
			Afzalgarh	
			(Kasimpur Garhi)	
			Nehtaur	
			Allahpur	
			Budhanpur	
			Seohara	
			Jalilpur	
			Noorpur	
			Forest Villages	
		Moradabad	Bilari	

1	2	3	4	5
			Panwasa	
			Thakurdwara	
			Dilari	
			Chhajlet	
			Bhagatpur Tanda	
			Moradabad	
			Munda Pandey	
			Dingarpur	
			Asmauli	
			Sambhal	
		Rampur	Suar	
			Bilaspur	
			Saidnagar	
			Chamraua	
			Shahabad	
			Forest Villages	
		Jyotiba Phule Nagar	Dhanaura	
			Amroha	
			Asmauli	
			Joya	
			Gajraula	
		Meerut	Janikhurd	
			Rajpura	
			Sarurpur Khurd	
			Parikshitgarh	
			Machra	
			Meerut	
			Kharkhoda	
		Ghaziabad	Bhojpur	
			Hapur	

1	2	3	4	5
			Garh Mukteshwar	
			Razapur	
			Dhaulana	
			Simbhawali	
		Bareilly	Fatehganj	
			Pashchim	
			Baheri	
			Shergarh	
			Richha	
			Bhojipura	
			Bithrichainpur	
			Nawabganj	
		Barabanki	Fatehpur	
			Sirauli Gauspur	
			Masauli	
		Faizabad	Mavai	
			Puredalai	
		Sultanpur	Kurwar	
			Singhpur	
			Shukul Bazar	
			Jagdishpur	
			Dubeypur	
		Bahraich	Huzoorpur	
			Nawabganj	
			Balaha	
			Risia	
			Chitaura	
			Tajwapur	
			Phakharpur	
			Kaisarganj	

1	2	3	4	5
			Jarwal	
		Shrawasti	Hariharpur Rani	
			Jamunaha	
			Sirsiya	
		Balrampur	Tulsipur	
			Gesari	
			Pachperwa	
			Shri Dutt Ganj	
			Utraula	
			Gaindas Buzurg	
			Rehra Bazar	
		Gonda	Itia Thok	
			Mujhana	
			Haldharmau	
			Babhanjot	
		Siddharth	Shoharatgarh	
		Nagar	Naugarh	
			Mithwal	
			Bhanwapur	
			Barhni Bazar	
			Birdpur	
			Itwa	
			Khuniyaon	
			Domariyaganj	
		Sant Kabir	Sotha	
		Nagar	Baghauli	
			Semariyawan	
		Azamgarh	Sathiyaon	
			Mohammadpur	
			Mirzapur	

1	2	3	4	5
				Mubarakpur (MB)
		Bulandshahr	Gulaothi	
			Bulandshahr	
		Rae Bareli	Singhpur	
			Bahadurpur	
		Baghpat	Chhaprauli	
			Pilana	
		Sitapur	Laharpur	
			Biswan	
			Mahmudabad	
				Laharpur (MB)
		Budaun	Dahgavan	
			Qadar Chowk	
		Basti	Ramnagar	
		Etah	Ganj Dundwara	
		Shahjahanpur	Khutar	
		Kheri	Kumbhigola	
			Bankeyganj	
			Phoolbehar	
		Ghazipur	Bhadaura	
		Maharajganj	Partawal	
		Pilibhit	Amariya	
			Puranpur	
		Gautam Buddh Nagar	-	Dadri (MB)
		Aligarh	-	Aligarh (M Corp.)
		Firozabad	-	Firozabad (MB)
		Hardoi	-	Shahabad (MB)
		Unnao	-	Unnao (MB)
		Kannauj	-	Chhibramau (MB)



1	2	3	4	5
			-	Kannauj (MB)
		Etawah	-	Etawah (MB)
		Kanpur Nagar	-	Kanpur (CB)
		Jalaun	-	Jalaun (MB)
			-	Konch (MB)
		Mahoba	-	Mahoba (MB)
		Fatehpur	-	Fatehpur (MB)
		Pratapgarh	-	Bela Pratapgarh (MB)
		Ambedkar Nagar	-	Tanda (MB)
		Sant Ravidas Nagar Bhadohi	-	Bhadohi (MB)
	SUB-TOTAL	45	144	18
26.	Uttarakhand	Garhwal	Forest Villages	
		Uddham Singh Nagar	Forest Villages Rudrapur Jaspur Kashipur Bajpur Sitarganj	
		Hardwar	Bhagwanpur Roorkee Narsan Bahadrabad Laksar Forest Villages	
		Dehradun	Vikas Nagar	
	SUB-TOTAL	4	14	
27.	West Bengal	Darjiling	Gorubathan Jorebunglow Sukiapokhri	

1	2	3	4	5
			Kurseong	
			Rangli Rangliot	
			Kalimpong-I	
			Kalimpong-II	
			Phansidewa	
		Kooch Behar	Sitai	
			Haldibari	
			Tufanganj-I	
			Cooch Behar-I	
			Dinhata-I	
			Dinhata-II	
			Sitalkuchi	
		Uttar Dinajpur	Chopra	
			Islampur	
			Goalpokhar-I	
			Goalpokhar-II	
			Karandighi	
			Raiganj	
			Hemtabad	
			Itahar	
		Dakshin	Bansihari	
		Dinajpur	Tapan	
			Kushmundi	
			Gangarampur	
			Kumarganj	
			Harirampur	
		Maldah	Maldah (old)	
			Harishchandrapur-I	
			Harishchandrapur-II	
			Chanchal-I	

1	2	3	4	5
			Chanchal-II	
			Ratua-I	
			Ratua-II	
			English Bazar	
			Manikchak	
			Kaliachak-I	
			Kaliachak-II	
			Kaliachak-III	
		Murshidabad	Farakka	
			Samserganj	
			Suti-I	
			Suti-II	
			Raghunathganj-I	
			Raghunathganj-II	
			Lalgola	
			Sagardighi	
			Bhagawangola-I	
			Bhagawangola-II	
			Raninagar-II	
			Jalangi	
			Domkal	
			Raninagar-I	
			Murshidabad	
			Jiaganj	
			Nabagram	
			Khargram	
			Kandi	
			Berhampore	
			Hariharpara	
			Nawda	

1	2	3	4	5
			Beldanga-I	
			Beldanga-II	
			Bharatpur-II	
			Bharatpur-I	
			Burwan	
		Birbhum	Suri-I	
			Mayureswar-I	
			Labpur	
			Mohammad Bazar	
			Murarai-I	
			Murarai-II	
			Nalhati-I	
			Nalhati-II	
			Rampurhat-I	
			Rampurhat-II	
			Suri-II	
			Nanoor	
			Illambazar	
			Dubrajpur	
		Bardhaman	Katwa-I	
			Purbasthali-II	
			Bhatar	
			Galsi-I	
			Burdwan-I	
			Kalna-I	
			Raina-I	
			Mangolkote	
			Ketugram-I	
			Manteswar	
			Khandaghosh	

1	2	3	4	5
		Nadia	Haringhata	
			Karimpur-I	
			Karimpur-II	
			Tehatta-I	
			Tehatta-II	
			Kaliganj	
			Nakashipara	
			Chapra	
			Krishnagar-II	
			Nabadwip	
		North 24	Habra-I	
		Parganas	Sandeskhali-I	
			Swarupnagar	
			Habra-II	
			Amdanga	
			Barasat-I	
			Barasat-II	
			Deganga	
			Baduria	
			Basirhat-I	
			Basirhat-II	
			Haroa	
			Rajarhat	
			Minakhan	
			Hasnabad	
		Medinipur	Keshpur	
			Sutahata-I	
			Nandigram-I	
		Haora	Amta-I	
			Jagatballavpur	

1	2	3	4	5
			Domjur	
			Sankrail	
			Panchla	
			Uluberia-II	
			Uluberia-I	
			Bagnan-I	
	South 24		Kultali	
	Parganas		Budge Budge-II	
			Thakurpukur	
			Mahestola	
			Budge Budge-I	
			Bishnupur-I	
			Bishnupur-II	
			Bhangar-I	
			Bhangar-II	
			Canning-I	
			Canning-II	
			Baruipur	
			Magrahat-II	
			Magrahat-I	
			Falta	
			Diamond	
			Harbour-I	
			Diamond	
			Harbour-II	
			Kulpi	
			Mandirbazar	
			Mathurapur-I	
			Jaynagar-I	
			Jaynagar-II	

1	2	3	4	5
			Basanti	
		Jalpaiguri	Mal	
			Kalchini	
SUB-TOTAL		14	151	
TOTAL		196	710	66





[illegible]



[illegible]

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23
26.	Gujarat	WIP	0	6	90	0	0	0	0	0	0	82	0	0	0	32	62	0	0	0	0	0
		U.S.	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
		U.C.	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
27.	Chhattisgarh	WIP	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
		U.S.	0	0	257	3	203	0	0	0	0	0	0	0	0	176	0	0	65	0	0	0
		U.C.	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
TOTAL		WIP	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
		U.S.	15	960	9966	432	520	77	1171	341	13960	371657	54	3	124605	1416	6627	1362	4362	28130	50	64
		U.C.	0	6	1913	16	8	0	304	0	0	74293	0	0	0	56	2059	374	1760	10547	7	0
		WIP	3	102	1380	35	14	0	296	4	764	14389	7	1	650	162	1789	816	1868	4959	28	237

Abbreviation:

- U.S : Unit Sanctioned,
- U.C. : Unit Completed,
- WIP : Work in Progress
- IAY : Indira Avas Yojana
- AWC : Anganwadi Centres
- ITI : Industrial Training Institute
- DWS : Drinking Water Supply
- ACRs : Additional Classrooms,
- PHC : Primary Health Centre
- CHC : Community Health Centre
- Mis : (IWDP- Integrated Water Development Project, District Institute of Education and Training (DIET), Approach Road, Computer with accessories, Library, Haat Sheds).

**Statement-III**

*State-wise and year-wise funds approved and infrastructure created under MsDP during last three years and in the current year  
(₹ in lakh)*

Sl. No.	State	During 2013-14		During 2014-15		During 2015-16		During 2016-17	
		Projects Approved	Fund Released	Projects Approved	Fund Released	Projects Approved	Fund Released	Projects Approved	Fund Released
1	2	3	4	5	6	7	8	9	10
1.	Uttar Pradesh	40434.2	26074.61	13775.33	13204.81	26725.6	32468	0	2501.83
2.	West Bengal	58120.27	35675.52	22009.95	37590.75	18005.28	20768	0	1073.66
3.	Assam	551.96	3137.52	749.74	1111.98	19632.06	19862.27	0	633.12
4.	Bihar	10410.77	5661.36	14015.18	9808.29	6802.26	4499.36	0	3005.62
5.	Manipur	3251.82	2582.23	540.57	405.44	5697.3	3815.2	0	611.71
6.	Haryana	2513.45	1905.17	0	0	2421.3	1210.65	1171.06	585.53
7.	Jharkhand	1654.74	2283.19	996.05	598.63	44	962.9	0	289.46
8.	Uttarakhand		1080.12	4952.68	2293.18	0	2521.12	0	472.94
9.	Maharashtra		322.24	659.73	329.86	7814.79	3268.2	0	
10.	Karnataka	3819.68	1163.05	4112.51	1635.04	2970	3769.27	0	170.33
11.	Andaman and Nicobar Islands	0	41.3	0	22.22	0	41.34	0	0

1	2	3	4	5	6	7	8	9	10
12.	Odisha	3099.44	1561.32	2370.5	198.75	0	1405	0	0
13.	Meghalaya	599.5	293.86	3.6	534.69	786.93	676.15	0	0
14.	Kerala	2016.12	1014.87	427.3	213.84	1290.72	2021.55	0	0
15.	Mizoram	764.84	1030.81	0	0		422.19	0	0
16.	Jammu and Kashmir	646.72	323.36	0	0	917.33	480	0	448.16
17.	Delhi		352.17	5.52	120.45		113.81	0	0
18.	Madhya Pradesh	503.09	346.54	0	0	893.69	446.84	0	0
19.	Sikkim	581.4	287.2	1233.6	618.6		498.54	0	0
20.	Arunachal Pradesh	6211.37	4182.76	122.32	329.47	2722.26	4330.14	0	673.05
21.	Andhra Pradesh	1798.69	899.45	3505.61	1748.72	0		0	0
22.	Telangana	1512.72	756.57	2718.35	271.79	0	1079.36	0	0
23.	Tripura	3478.7	1722.78	4368.52	3124.13	5042.1	3685.27	0	265.5
24.	Punjab	2143.17	1085.81			683.1	1050	0	0
25.	Rajasthan	2280.32	533.19	4231.94	2625.95	6173.74	2639.36	0	1001.284
26.	Gujarat	0	0	0	0	0	0	0	
27.	Chhattisgarh	2009.46	1004.74	0	0	0	0	0	0
TOTAL		148402.43	95321.74	80799	76786.57	108622.46	112034.51	1171.06	11732.19

**Selection of athletes under TOP**

2612. PROF. M. V. RAJEEV GOWDA: Will the Minister of YOUTH AFFAIRS AND SPORTS be pleased to state:

- (a) the number of selected athletes under the Target Olympic Podium (TOP) scheme;
- (b) whether there is any ongoing process to include more athletes;
- (c) the allocation of funds for this scheme;
- (d) whether there has been a review of the performance of the selected athletes as of now; and
- (e) if so, the details thereof and if not, the reasons therefor?

THE MINISTER OF STATE OF THE MINISTRY OF YOUTH AFFAIRS AND SPORTS (SHRI VIJAY GOEL): (a) As of now, 157 athletes have been selected to provide assistance under the Target Olympic Podium (TOP) Scheme under the ambit of National Sports Development Fund (NSDF).

(b) An Elite Athletes Identification Committee has been set up with Ms. Anju Bobby George, renowned athlete as its Chairperson, Shri Pullella Gopichand and Ms. M C Mary Kom as members among others to evaluate and select potential medal prospects for 2016 and 2020 Olympic Games for support under the Target Olympic Podium (TOP) Scheme.

(c) Adequate funds are available for implementation of Target Olympic Podium (TOP) Scheme and admissible funds are being sanctioned and released as per requirement of athletes included in Target Olympic Podium (TOP) Scheme.

(d) and (e) There is periodic review of the performance of selected athletes under the Target Olympic Podium (TOP) Scheme. The athletes, being assisted under the scheme for Rio Olympics, 2016, who could not qualify for the Olympics, were taken out of the scheme.

**BCCI under RTI Act**

2613. SHRI DILIP KUMAR TIRKEY: Will the Minister of YOUTH AFFAIRS AND SPORTS be pleased to state:

- (a) whether it is a fact that there has been a long standing public demand of bringing BCCI under RTI ambit; and
- (b) if so, what is the stand of the Ministry on this issue?

THE MINISTER OF STATE OF THE MINISTRY OF YOUTH AFFAIRS AND SPORTS (SHRI VIJAY GOEL): (a) and (b) Yes, Sir. Government, in April, 2010, declared all the National Sports Federations (NSFs) receiving grant of ₹ 10.00 lakhs or more in a year from the Government as Public Authority under Section 2(h) of the RTI, 2005. However, the BCCI has been refusing to declare itself as a public authority on the plea that it does not receive any financial grant from the Government.

The matter to bring the BCCI under the RTI Act is pending before the Central Information Commission (CIC) and the Ministry has already submitted its written submission before the CIC, pleading to bring the BCCI under the RTI Act. CIC issued notice to all concerned for adjudicating the matter on 25th and 26th July, 2013. However, Hon'ble Madras High Court *vide* order dated 24.07.2013 issued interim stay on the said proceedings.

#### **Non-participants going to Rio Olympics**

†2614. SHRI MAHENDRA SINGH MAHRA: Will the Minister of YOUTH AFFAIRS AND SPORTS be pleased to state:

(a) the number of participants expected to participate in the Olympic Games to be organised in Rio in August, 2016;

(b) the sports events in which these participants will participate primarily;

(c) the number of non-participating persons accompanying the Indian contingent to Rio; and

(d) the justification of sending non-sportspersons to Rio?

THE MINISTER OF STATE OF THE MINISTRY OF YOUTH AFFAIRS AND SPORTS (SHRI VIJAY GOEL): (a) and (b) As on 5.8.2016, 118 Indian sportspersons are expected to participate in Rio Olympics, 2016. Participation of sportspersons is subject to all requisite clearances including clearance from doping angle. Indian sportspersons and teams have qualified to participate in 15 sports disciplines *viz.*, Archery, Athletics, Badminton, Boxing, Golf, Gymnastics, Hockey, Judo, Rowing, Shooting, Table Tennis, Lawn Tennis, Wrestling, Weightlifting, Swimming.

(c) and (d) The Ministry of Youth Affairs and Sports has approved 80 support personnel including contingent officials, out of which 14 support personnel have been cleared against Training Venue Passes (TVP). Support personnel for different sports disciplines included in the contingent are coaches, physiotherapists, non-playing captain,

---

† Original notice of the question was received in Hindi.



mental trainer, masseurs etc. Support personnel have been included in the contingent to provide coaching and training support to Indian athletes and help them in their recovery and rehabilitation during period of Rio Olympics, 2016.

**Involvement of corporate sector in promotion of  
specific games and players**

†2615. SHRI PRAMOD TIWARI: Will the Minister of YOUTH AFFAIRS AND SPORTS be pleased to state:

(a) whether Government intends to formulate a long-term plan to involve the corporate houses to promote specific games and players, if so, the details thereof; and

(b) the role of private sector in the development of sports in the country?

THE MINISTER OF STATE OF THE MINISTRY OF YOUTH AFFAIRS AND SPORTS (SHRI VIJAY GOEL): (a) and (b) The Government has taken following steps for encouraging the private sector in promotion and development of sports in the country:

- (i) Setting up National Sports Development Fund.
- (ii) Including sports in the list of permissible activities for deployment of Corporate Social Responsibility (CSR) funds, and
- (iii) Instituting Rashtriya Khel Protsahan Puruskar for recognizing contributions of corporate entities.

The Ministry of Youth Affairs and Sports is regularly interacting with the Corporate Sector for making contribution to the National Sports Development Fund (NSDF). They are also encouraged to contribute to the NSDF under CSR (Corporate Social Responsibility). The contributions to the NSDF are eligible for 100% tax exemption under Section 80 G of the Income Tax Act.

Corporate Sector, both public and private, is involved in a big manner in promotion and development of sports in the country. Corporate houses are associated with the leagues for various sports such as Indian Premier League (IPL) for Cricket, Hockey India League for Hockey, Indian Super League for Football, Indian Football League, Pro-Kabaddi League, Premier Badminton League for Badminton, Pro Wrestling League for Wrestling.

Corporate Houses are also involved in giving financial support directly to sportspersons and sports academies.

---

† Original notice of the question was received in Hindi.

**Utilisation of stadiums and sports grounds**

2616. SHRI SACHIN RAMESH TENDULKAR: Will the Minister of YOUTH AFFAIRS AND SPORTS be pleased to state:

(a) whether there is a plan by the Ministry to increase the utilisation of stadiums and sports grounds across the country for public use when no sports event is being held;

(b) the number of such stadiums/facilities which can be utilised by the public, which are not available right now for public use and remain shut or locked; and

(c) whether a nominal fee-based approach can be considered for all such facilities for maintenance and security?

THE MINISTER OF STATE OF THE MINISTRY OF YOUTH AFFAIRS AND SPORTS (SHRI VIJAY GOEL): (a) The Ministry owns 5 stadia located in Delhi namely Jawaharlal Nehru Stadium, Indira Gandhi Sports Complex, Major Dhyani Chand National Stadium, Dr. Shyama Prasad Mukerjee Swimming Pool Complex and Dr. Karni Singh Shooting Range. All these stadia are maintained by the Sports Authority of India (SAI). In these stadia and in various other sports facilities available at SAI Regional centres, Academic Institutions and Field Units, there is a continuous effort to increase the utilisation for sports activities, viz. National Camps, Competitions, Training Centres and Community Sports.

(b) All the sports facilities in SAI stadia, Delhi as well as in its Regional Centres and Field Units across the country are available for general public for organising sports events, without disturbing the training activities.

(c) Yes, Sir. SAI has started schemes to encourage general public to use sports facilities available in SAI stadia, Regional Centres and SAI centres. Very nominal fee is being charged from the general public under 'Come and Play' scheme for use of sports facilities.

**Employment for ex-sportspersons**

2617. SHRI SACHIN RAMESH TENDULKAR: Will the Minister of YOUTH AFFAIRS AND SPORTS be pleased to state :

(a) whether there is a mechanism with the Ministry to ensure employment for ex-sportspersons who have competed at the national and international levels for India as suggested by All India Council of Sports (AICS); and

(b) whether there is a mechanism to ensure employment for sportspersons who are differently abled and have competed for India at the national and international levels?

THE MINISTER OF STATE OF THE MINISTRY OF YOUTH AFFAIRS AND SPORTS (SHRI VIJAY GOEL): (a) Appointment of meritorious sportspersons in Central Government offices against the vacancies reserved for sportspersons is regulated in accordance with the instructions of the Department of Personnel and Training which, *inter-alia*, provide that vacancies upto 5% in the direct recruitment posts in Group 'C' or, erstwhile Group 'D' in Central Government offices can be reserved for sportspersons.

(b) This will be covered either under the provisions as stated in (a) above or through the provision available for disabled persons.

### **Youth hostels in Tamil Nadu**

2618. DR. R. LAKSHMANAN: Will the Minister of YOUTH AFFAIRS AND SPORTS be pleased to state:

(a) whether it is a fact that only 4 youth hostels have been set up in Tamil Nadu, so far, by Government, if so, the details thereof;

(b) whether any proposal is pending with Government to set up more youth hostels in the prominent cities including Viluppuram in the State of Tamil Nadu; and

(c) if so, the details thereof, if not, reasons therefor?

THE MINISTER OF STATE OF THE MINISTRY OF YOUTH AFFAIRS AND SPORTS (SHRI VIJAY GOEL): (a) Five youth hostels have been set up by the Government in Tamil Nadu and not 4 youth hostels. These 5 youth hostels are located in Chennai, Madurai, Thanjavur, Trichy and Ooty.

(b) and (c) There is no proposal with the Government to set up more youth hostels as the erstwhile Planning Commission had advised not to construct any new youth hostel but to complete only ongoing construction of youth hostels and also due to non allocation of funds for construction of new youth hostels.

### **Criteria fixed for selecting youths for IYE**

2619. DR. R. LAKSHMANAN: Will the Minister of YOUTH AFFAIRS AND SPORTS be pleased to state:

(a) whether Government is organizing International Youth Exchange (IYE) with friendly countries to promote exchange of ideas, values and cultures among youths;

(b) if so, the details of criteria fixed for selecting youths for this programme; and

(c) the details of youths selected under this programme from the State of Tamil Nadu during last three years?

THE MINISTER OF STATE OF THE MINISTRY OF YOUTH AFFAIRS AND SPORTS (SHRI VIJAY GOEL): (a) and (b) Yes, Sir. The criteria fixed for selecting youth for International Youth Exchange programmes is as under:

- He/She should be citizen of India.
- He/She should not be undergoing/should not have undergone any civil/criminal case.
- He/She should not have visited any foreign country during the last three years on expenditure of Government of India.
- He/She should not be more than 29 years of age.
- He/She should have excellent track records in his/her field.

(c) The details of youth selected under this programme from the State of Tamil Nadu during last three years are as under:

Financial Year	No. of youth from Tamil Nadu who visited abroad under International Youth Exchange programme
2014-15	3
2015-16	5
2016-17	14 (as on date)

#### **Discrimination between male and female sportspersons**

2620. SHRI KIRANMAY NANDA: Will the Minister of YOUTH AFFAIRS AND SPORTS be pleased to state:

(a) whether it is a fact that in some games like Cricket etc. female players get less remuneration as compared to male players;

(b) if so, the details of such games and amount paid to male and female players; and

(c) whether Government wish to pay equal amount to male and female players?

THE MINISTER OF STATE OF THE MINISTRY OF YOUTH AFFAIRS AND SPORTS (SHRI VIJAY GOEL): (a) to (c) The Ministry of Youth Affairs and Sports does not pay remuneration to players of any sports discipline.

The Ministry provides financial incentives in the forms of cash awards and pension under the 'Scheme of Special Awards to Medal Winners in International Sports Events and their Coaches' and the Scheme of Pension to Meritorious Sportspersons'. Benefits of these schemes are equally applicable to all eligible sportspersons including female sportspersons.

**Development of stadia/playgrounds**

2621. SHRI KIRANMAY NANDA: Will the Minister of YOUTH AFFAIRS AND SPORTS be pleased to state:

(a) the number of stadia/playgrounds developed in last three years, State-wise; and

(b) the number of stadia/playgrounds to be developed, State-wise in next two years?

THE MINISTER OF STATE OF THE MINISTRY OF YOUTH AFFAIRS AND SPORTS (SHRI VIJAY GOEL): (a) and (b) Sports is a State subject and, therefore, promotion of sports is primarily the responsibility of the State Government. The Central Government complements/supplements the efforts of the State Governments. The Ministry of Youth Affairs and Sports was implementing the Panchayat Yuva Krida aur Khel Abhiyan (PYKKA), which provided for development and maintenance of playgrounds, the Urban Sports Infrastructure Scheme (USIS) which *inter alia* provided for construction of Multipurpose Indoor Halls and the Rajiv Gandhi Khel Abhiyan (RGKA) which *inter-alia* provided for construction of Indoor Sports Hall. The Ministry of Youth Affairs and Sports is now implementing a scheme, namely, “Khelo India–National Programme for Development of Sports” with effect from the year 2016-17. This scheme aims at conducting sports competitions, identification of sporting talent and development of sports infrastructure all over the country. This scheme provides *inter-alia* for construction of multipurpose halls and stadia. Since the scheme has been launched from the current financial year 2016-17 only, no stadium has been sanctioned so far.

The PYKKA Scheme was being implemented upto the financial year 2013-14. Details of playfields approved and developed under the PYKKA Scheme in the year 2013-14 are given in the Statement.

**Statement**

*Details of playfields approved and developed under the PYKKA Scheme in the year 2013-14*

Sl. No.	States/UTs	Approved		Total	Developed
		VP	BP		
1	2	3	4	5	6
1.	Andhra Pradesh	-	-	0	-
2.	Arunachal Pradesh	355	32	387	-
3.	Assam	-	-	0	-

1	2	3	4	5	6
4.	Bihar	-	-	0	-
5.	Chhattisgarh	-	-	0	-
6.	Goa	-	-	0	-
7.	Gujarat	-	-	0	-
8.	Haryana	-	-	0	-
9.	Himachal Pradesh	-	-	0	-
10.	Jammu and Kashmir	-	-	0	-
11.	Jharkhand	-	-	0	-
12.	Karnataka	565	18	583	583
13.	Kerala	-	-	0	-
14.	Madhya Pradesh	2304	31	2335	2335
15.	Maharashtra	-	-	0	-
16.	Manipur	-	-	0	-
17.	Meghalaya	-	-	0	-
18.	Mizoram	245	8	253	253
19.	Nagaland	438	22	460	460
20.	Odisha	-	-	0	-
21.	Punjab	-	-	0	-
22.	Rajasthan	-	-	0	-
23.	Sikkim	-	-	0	-
24.	Tamil Nadu	-	-	0	-
25.	Tripura	208	10	218	-
26.	Uttar Pradesh	-	-	0	-
27.	Uttarakhand	1511	17	1528	1528
28.	West Bengal	-	-	0	-
<b>UTs</b>					
29.	Andaman and Nicobar Islands	-	-	0	-
30.	Daman and Diu	-	-	0	-
31.	Lakshadweep	-	-	0	-
32.	Puducherry	-	-	0	-
TOTAL		5626	138	5764	5159

VP = Village Panchayat, BP = Block Panchayat, UTs = Union Territories.

*The House then adjourned at one of the clock.*

---

*The House reassembled after lunch at two of the clock,*

MR. DEPUTY CHAIRMAN *in the Chair.*

**RE. DEMAND FOR RULING IN RESPECT OF HOLDING MEETINGS  
OF COMMITTEES DURING THE SESSION OF PARLIAMENT  
ALONG WITH A POINT OF ORDER RAISED  
BY THE HON'BLE MINISTER**

**श्री नरेश अग्रवाल** (उत्तर प्रदेश): माननीय उपसभापति जी, मेरा एक प्वाइंट ऑफ ऑर्डर है। ...**(व्यवधान)**...

MR. DEPUTY CHAIRMAN: Yes, what is your point of order? ...**(Interruptions)**... When you stand up, by law, it is a point of order.

**श्री नरेश अग्रवाल**: सर, मैं आपसे इस बात पर रूलिंग चाहता हूँ कि अगर सदन चल रहा हो, तो क्या उसी समय सदन द्वारा गठित कमिटियों की बैठक हो सकती है? श्रीमन्, हमने नियम पढ़े हैं। उन नियमों में कमिटी गठित करने के बारे में दिया गया है, कमिटी में सदस्यों की संख्या के बारे में भी दिया गया है, लेकिन उनमें यह नहीं दिया गया है कि कमिटी की बैठक कब होगी। मैंने यह प्रश्न इसलिए उठाया, क्योंकि मैं निरंतर यह देख रहा हूँ कि जब सदन चलता है तो कोई कमिटी की बैठक तीन बजे रख ली जाती है, कोई पांच बजे रख ली जाती है, कोई सुबह 10 बजे रख ली जाती है। श्रीमन्, हमारे लिए प्रॉब्लम यह है कि हम सदन अटेंड करें और सदन की कार्यवाही में भाग लें या कमिटी की कार्यवाही में भाग लें? यह एक अजीब-सी स्थिति पैदा हो गई है। श्रीमन्, आज 3 बजे एक कमिटी की बैठक है, कल 5 बजे दूसरी कमिटी की बैठक है। मैं इस पर चेयर की रूलिंग चाहता हूँ, क्योंकि सेशन के दौरान अगर कमिटियों की बैठक इस तरह बुलाई गई, तो न कमिटीज़ गंभीर होंगी और न हम उतनी गंभीरता कमिटीज़ के प्रति दिखा पाएँगे। इसलिए मैं चाहता हूँ कि इस पर रूलिंग आ जाए।

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

SHRI D. RAJA (Tamil Nadu): Sir, this is the real issue.

SHRI DIGVIJAYA SINGH (Madhya Pradesh): Sir, I totally agree. It becomes very difficult to attend the Committee meetings and also participate in the proceedings of the House. What is the rush? I think, Committees can meet every day on non-Parliament days, if they want to.

SHRI D. RAJA: Sir, this is the real issue, which our colleague, Shri Naresh Agrawal, has raised. It becomes very difficult to run here and there and attend all the meetings during the Parliament session. The Committee meetings can be there after session or when there is no session. It is really an issue. Today, I have a meeting

[Shri D. Raja]

at 3 o'clock. How can I go and attend? Again, at 5 o'clock, I have a meeting. How can I go and attend? Being in the Chair, you please take a decision, Sir, and resolve this problem. ...(*Interruptions*)...

**श्री राम नाथ ठाकुर** (बिहार): सर, आप इस पर एक नियमन दे दें। ...(*व्यवधान*)...

DR. V. MAITREYAN (Tamil Nadu): Sir, during the Session, when no Bills are referred to the Committees, what are the Committees going to do? They can do the regular business during the inter-session also. ...(*Interruptions*)... I suggest that the Commission for Backward Classes be accorded the status of a constitutional body and there should be an exclusive Ministry to look after the affairs of the Other Backward Classes.

SHRI MADHUSUDAN MISTRY (Gujarat): Sir, I have a point of order.

MR. DEPUTY CHAIRMAN: On this subject?

SHRI MADHUSUDAN MISTRY: No, Sir.

MR. DEPUTY CHAIRMAN: Okay. Let me first dispose it of.

SHRI SHANTARAM NAIK (Goa): Sir, I attended a meeting the day before yesterday. Then, one meeting yesterday. I am having a meeting tomorrow also. A meeting was also held eight days back. Meetings have continuously been going on. How can we attend these Committee meetings when the Parliament Session is also going on? I understand that the Speaker of the Lok Sabha has issued instructions not to conduct the Committee meetings during the Parliament Session. I cannot vouch for it, but I have learnt so. In any case, you should direct all the Chairpersons of the Committees not to hold any meeting during the Parliament Session.

**श्री हरिवंश** (बिहार): उपसभापति जी, माननीय सदस्य ने जो यह विषय उठाया है, इससे मैं सहमत हूँ, लेकिन मैं इसमें एक और चीज़ जोड़ना चाहता हूँ। सर, महत्वपूर्ण विषयों पर बैठक होती है, पेपर्स भेजे जाते हैं, लेकिन हमारे पास समय नहीं होता। उनको बिना देखे, बिना तैयारी के हम कमिटी की बैठकों में भाग लेते हैं, जबकि महत्वपूर्ण कानून बनाने हैं। क्या ये गम्भीर चीज़ें इसी तरह से होती हैं? इसलिए मेरा निवेदन है कि आप इन सब चीज़ों पर गौर करें। ...(*व्यवधान*)...

**श्री डी. पी. त्रिपाठी** (महाराष्ट्र): डिप्टी चेयरमैन सर, मुझे एक सेंटेंस कहना है। ...(*व्यवधान*)...

**श्री सतीश चंद्र मिश्रा** (उत्तर प्रदेश): इससे हम लोग भी सहमत हैं। ...(*व्यवधान*)...

MR. DEPUTY CHAIRMAN: Hon. Members, what has been raised is an important matter. I may tell you that I also felt the same problem when I was an ordinary Member because sometimes the Committee meetings would be there along with the Parliament Session. This is a problem which is being faced by all the Members,



some time or the other. That is correct. But for your information, I am telling you that there is a direction of the hon. Chairman, dated 8.12.2000. It is a direction in this regard.

SHRI NARESH AGRAWAL: Under which rule?

MR. DEPUTY CHAIRMAN: It is a direction of the hon. Chairman; I am not saying it is a rule. Chairman's direction is also as valid a rule, as far as we are concerned. Anyhow, I will tell you our present opinion on that. Now, for your information, I would read out that direction. That was bulletined in Part-II, dated 8.12.2000; of course, 16 years back. It says, "Unless the Chairman otherwise permits, no sitting of a Committee shall be held after the commencement of a sitting of the Council, and before 1500 hrs on the days when the Council is sitting." So, according to this direction, the Chairman has given his consent to have a meeting after 3.00 p.m. That is the position. Therefore, I would like to say two things in this connection. Number one, this is the direction of the then Chairman, which has already been circulated. Many of you must have seen it also. Now, this was the position as per this direction that after 3.00 p.m., we can have meetings.

However, I will bring this to the notice of our Chairman and request him that this 3.00 p.m. may be shifted further.

Secondly, my view is that, as far as possible, the Committees should not meet when the House is in Session. That is my view.

SHRI RAJEEV SHUKLA (Maharashtra): Sir, that does not serve the purpose. Why don't you request the Chairman that he should limit the number of the meetings? Suppose, in one Session, one Standing Committee can have one meeting. Otherwise, Members will keep on attending meetings at 5.00 p.m., then, again, at 7.00 p.m. From 11.00 a.m. to 5.00 p.m. they will be tired in any case. Then, again, up to 7.00 p.m., they will be attending the Standing Committee meetings! Why do you accept it?

MR. DEPUTY CHAIRMAN: A final decision on this has to be taken by the hon. Chairman, because Chairman's direction is already there.

SHRI DIGVIJAYA SINGH: Sir, only in extraordinary cases, when an urgent issue is to be taken up by a Committee, the meeting could be held during the Session. But, ordinarily, all Committee meetings should be held when the Council is not in Session.

**श्री जयराम रमेश** (कर्णाटक): सर, हमारी कमेटी के चेयरमैन यहां पर बैठे हुए हैं। आप उनको कहिए कि वे मीटिंग को postpone करा दें। उन्होंने 3.00 बजे मीटिंग में बुलाया है। ...**(व्यवधान)**...

**श्री सुखेन्दु शेखर राय** (पश्चिमी बंगाल): सर, दिग्विजय सिंह जी जो बोले हैं, मैं उनकी बात से सहमत हूँ। आप लोक सभा के मेम्बर रह चुके हैं। So far my knowledge goes, there is a rule in the other House that Committee meetings can be held after 3.00 p.m. during the Session.

MR. DEPUTY CHAIRMAN: Here also, that is the Chairman's direction.

SHRI SUKHENDU SEKHAR ROY: But when it comes to a Joint Parliamentary Committees, that rule persists upon the Members of this House also, who are Members of such Committees. Therefore, as Mr. Digvijaya Singh said, ordinarily, these meetings should not be held during the sitting of the Session.

**श्री नरेश अग्रवाल:** सर, मेरी बात सुन लीजिए। ...*(व्यवधान)*...

MR. DEPUTY CHAIRMAN: That is okay. So, I will convey the feelings of the Members to the hon. Chairman and request him to revisit this issue. On your behalf, I would request him, so that he may take an appropriate decision.

SHRI JAIRAM RAMESH: Sir, what about today's meeting at 3.00 p.m.?

MR. DEPUTY CHAIRMAN: As for today's meeting, that is for the concerned Chairman to decide.

SHRI JAIRAM RAMESH: Sir, the Chairman is sitting here.

MR. DEPUTY CHAIRMAN: I cannot compel him.

SHRI JAIRAM RAMESH: Sir, you direct him.

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

SHRI MADHUSUDAN MISTRY: Sir, I have a point of order.

MR. DEPUTY CHAIRMAN: I said that I would convey the feelings of the Members to the hon Chairman, and request him to revisit this issue, so that he may take an appropriate decision.

**श्री नरेश अग्रवाल:** सर, मैं आपकी रूलिंग से सहमत हूँ। ...*(व्यवधान)*...

SHRI MADHUSUDAN MISTRY: Sir, ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: It is over.

SHRI MADHUSUDAN MISTRY: Sir, it is on another subject.

MR. DEPUTY CHAIRMAN: Is it on another subject?

SHRI MADHUSUDAN MISTRY: Yes, Sir. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: त्रिपाठी जी, आप बोलिए। *...(Interruptions)...* After Mr. Tripathi.

SHRI D. P. TRIPATHI (Maharashtra): I would say, just two things, Sir, with your permission. One, what Shri Digvijaya Singh and Rajeev Shuklaji have said is correct that if these Committee meetings are to be held in the Session, they can be held after 5.00 p.m. That is okay; not at 3.00 p.m., after 5.00 p.m. Supposing some Members have to participate in a discussion, what do they do when they are Members of the Committee?

The second thing that I have to raise very seriously is, all the material concerning the meetings of the Standing Committee, despite repeated requests, come just three hours before the commencement of the Committee meeting. How do the Members prepare? That is the point that I wanted to make.

MR. DEPUTY CHAIRMAN: Okay. That point is also taken note of, and let us see what can be done. *...(Interruptions)...*

श्री नरेश अग्रवाल: श्रीमन, Prevention of Corruption Bill की Select Committee की बैठक इतनी जल्दी-जल्दी बुलाई जा रही है कि रोज हो रही है। कल भी है और दो दिन पहले भी हुई है। इतना important bill है, इस समय बुला रहे हैं। उसको भी postpone करा दीजिए।

MR. DEPUTY CHAIRMAN: You speak to your Chairman. You talk to your Chairman. *...(Interruptions)...*

श्री नरेश अग्रवाल: इतना important bill है, इस समय बुला रहे हैं। उसको भी postpone करा दीजिए।

MR. DEPUTY CHAIRMAN: You talk to your Chairman. Now, Mishraji, what is your point of order?

SHRI MADHUSUDAN MISTRY: Sir, I am Mistry, not Mishra.

MR. DEPUTY CHAIRMAN: Yes, Mistryji, बोलिए। Mishra is not a bad name. Mishra is also a good name.

SHRI MADHUSUDAN MISTRY: Sir, I am Mistry.

श्री उपसभापति: मिस्त्री जी, आप बोलिए।

SHRI MADHUSUDAN MISTRY: Sir, I wanted to draw your attention that on day one...

MR. DEPUTY CHAIRMAN: This is point of order!

SHRI MADHUSUDAN MISTRY: Yes. This is regarding the arrangement of a Business as such. On the very first day, I gave notice of a Short Duration Discussion about the plight of the agricultural labourers, casual labourers, daily wage earners in this country who are in crores and crores. More than 25 to 30 crores people are working like this. On day one, I have given this notice. I would like to know how the Short Duration Discussion is being decided. I want to know whether it is decided on the basis of the subject or whether it is decided on the basis of the person who gives the notice. What is it? For four weeks I have been after it and still the Short Duration Discussion doesn't come. What is this, Sir? ...*(Interruptions)*... Neither we have...

MR. DEPUTY CHAIRMAN: I have understood. If you have given notice, to ask whether it is included or not included and insist for a discussion is your right. That is what you are doing. ...*(Interruptions)*... Let me say. There is no harm in that. ...*(Interruptions)*... I am supporting you. अरे बाबा, I am supporting you. You have raised a very relevant and pertinent point. It is within your right. But it is the prerogative of the hon. Chairman to decide whether a discussion is to be allowed or not. You may meet the Chairman.

SHRI MADHUSUDAN MISTRY: It is fine, Sir. ...*(Interruptions)*... .

MR. DEPUTY CHAIRMAN: Ruling is over. Sit down. ...*(Interruptions)*... No, no, no more. I have to take up this discussion ...*(Interruptions)*...

SHRI MADHUSUDAN MISTRY: Jaya Bachchanji was right when she said that despite giving a notice, if it doesn't come, we, at least, give up giving the notice. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: No; I asked her to repeat her notice. ...*(Interruptions)*... I don't know. ...*(Interruptions)*...

SHRI MADHUSUDAN MISTRY: If we have to go and meet the Chairman on everything...

MR. DEPUTY CHAIRMAN: No, no, I am not saying that. You need not meet the Chairman. I am not saying that. I am only saying that you understand that it is the prerogative of the hon. Chairman to admit or not to admit a motion. That is my point.

SHRI MADHUSUDAN MISTRY: Sir, what a Member is supposed to do? ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: You are doing what you should do. ...*(Interruptions)*... This is what you are supposed to do. ...*(Interruptions)*...

SHRI MADHUSUDAN MISTRY: I want to know the process and the procedure. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: You are raising it. ...*(Interruptions)*... That is what I am saying. ...*(Interruptions)*... This is what you are supposed to do. You are raising it, and I am replying. This is what the Parliament is for. Now, it is recorded that your motion is there, subject is known. This is what you are doing. ...*(Interruptions)*...

SHRI MADHUSUDAN MISTRY: Sir, it means, it will come in December. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: Okay. Now let me come to the subject. ...*(Interruptions)*...

SHRI MADHUSUDAN MISTRY: Sir, \*

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

SHRI JAIRAM RAMESH: Sir, I had given a notice on malnutrition in Odisha. But that notice is not coming at all. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: Jairam Rameshji, all the Members know that ...*(Interruptions)*...

SHRI JAIRAM RAMESH: Sixteen children died in Odisha because of malnutrition. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: I agree. We have already decided. All hon. Members should know. I know they are aware. We have already decided that every week, there will be two Calling Attentions and one Short Duration Discussion. But the demand for discussion is umpteen. So many Short Duration Notices! We get a dozen, more than a dozen Calling Attention Notices! Nobody can do. ...*(Interruptions)*...

SHRI MADHUSUDAN MISTRY: Somebody should work out the system. ...*(Interruptions)*... There should be a system. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: The Chairman has no magical powers. No magician is here. ...*(Interruptions)*... So, what do they do? ...*(Interruptions)*... Are you saying that that discussion is not needed? ...*(Interruptions)*...

SHRI MADHUSUDAN MISTRY: Sir, do we have to lobby for our notice? ...*(Interruptions)*...

---

\*Expunged as ordered by the Chair.

MR. DEPUTY CHAIRMAN: I told you, it is not possible for the hon. Chairman to admit all notices. *...(Interruptions)...* He has to select and admit some notices. *...(Interruptions)...* Even if you are doing it, it can only be done that way. So, your remark that \* is expunged, because that is an indirect aspersion on the Chair or the Chairman. So, that is expunged.

SHRI MADHUSUDAN MISTRY: There should be some system of doing it. *...(Interruptions)...*

MR. DEPUTY CHAIRMAN: Now, Calling Attention to the situation arising out of the impasse in the appointment of Judges in the High Courts and the Supreme Court. *...(Interruptions)...*

**श्री नरेश अग्रवाल:** उपसभापति जी, हमें कोई स्टेटमेंट नहीं मिला है और स्टेटमेंट नहीं मिलेगा तो हम क्वेश्चन कैसे करेंगे?

MR. DEPUTY CHAIRMAN: No, no. The Minister wants to say something. *...(Interruptions)...* I did not call Mr. Tankha. Mr. Minister, please.

THE MINISTER OF LAW AND JUSTICE, AND THE MINISTER OF ELECTRONICS AND INFORMATION TECHNOLOGY (SHRI RAVI SHANKAR PRASAD): Sir, I have to make only one request. Obviously, all the Members of the House have got the complete liberty and freedom to bring any Calling Attention notice.

As far as the present Calling Attention notice is concerned, though in the Bulletin only one line is there on appointment of Judges, in the requisition given by the hon. Member, it is stated, "because of the delay in finalization of the Memorandum of Procedure".

Sir, with your wide parliamentary experience, you are aware that this finalization of the Memorandum of Procedure is a part where the Government and the Judiciary, both, discuss it. It is a process of discussion.

MR. DEPUTY CHAIRMAN: It is going on.

SHRI RAVI SHANKAR PRASAD: Yes, Sir. It is going on. Therefore, I appeal to you and also to the hon. Members, to kindly consider that. I am willing to reply to all the rest of the arguments, but I would not speak, and I should not speak, on anything relating to the Memorandum of Procedure, for the simple reason that the matter is still under discussion. It will neither be prudent nor desirable on my part to say anything about that. I think that limitation of mine needs to be appreciated by this House and the hon. Deputy Chairman. When the whole thing was conveyed to us, I had mentioned that admissibility of this motion must perforce consider this

---

\*Expunged as ordered by the Chair.

aspect of the matter, but now it has come before the hon. Deputy Chairman and the Members; my statement would also be coming very shortly. But as far as this is concerned, Sir, I think this is an issue which requires your consideration, and also consideration by the hon. Member and the hon. LoP.

SHRI SHANTARAM NAIK: Sir...

MR. DEPUTY CHAIRMAN: Let me say it. I would say, you are free not to answer any question which you think will impinge on the dialogue between you and the Judiciary, also which would be an aspersion on the Judiciary or which would go against your process of discussion. You are free not to answer any such question even if it is put. ...(Interruptions)...

SHRI SHANTARAM NAIK: But, Sir, we would like to raise ...(Interruptions)...

MR. DEPUTY CHAIRMAN: Number two, on that proviso, do you agree to ...(Interruptions)...

SHRI SHANTARAM NAIK: Sir, a copy of the Statement... ...(Interruptions)...

**श्री नरेश अग्रवाल:** सर, एक तो स्टेटमेंट नहीं है ..(व्यवधान)..

MR. DEPUTY CHAIRMAN: No, no. Let me.. ...(Interruptions)... Even though the Minister did not say 'point of order', it was a point of order by him. So, I have to deal with that.

**श्री नरेश अग्रवाल:** डिप्टी चेयरमैन सर, मैं दो चीजें कहना चाहता हूं। मिनिस्टर से आपका यह कहना कि आप चाहें तो जवाब दें, चाहें तो न दें, यह तो इस सदन की परंपरा के विपरीत है क्योंकि यहां पर अगर हम कोई चीज उठाते हैं, तो यह सोचकर उठाते हैं कि मंत्री जी जवाब देंगे। सर, यह जवाब पूरे सदन तक नहीं रहेगा, पूरे देश को जाएगा। आप अगर यह कह देंगे कि चाहे जवाब दें या न दें, तो हमारे Calling Attention की कोई value नहीं रह जाएगी। जो आपने कहा है, इसे विद्वां कर लीजिए, यह मेरा आप से अनुरोध है।

MR. DEPUTY CHAIRMAN: The question is... ...(Interruptions)... No, no. Listen. ...(Interruptions)...

**श्री नरेश अग्रवाल:** इसे विद्वां कर लीजिए, यह मेरा आप से अनुरोध है। ...(व्यवधान)...

MR. DEPUTY CHAIRMAN: Listen. ...(Interruptions)... You know, what I said is a statement of facts, because not only in this... ...(Interruptions)...

**श्री नरेश अग्रवाल:** MoP ...(व्यवधान)...

MR. DEPUTY CHAIRMAN: Listen. ...(Interruptions)... आप सुनिए ...(व्यवधान)... आप सुनिए। ...(व्यवधान)...

SHRI SUKHENDU SEKHAR ROY: Sir, I have a point of order. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: I will allow you. Sit down. ...*(Interruptions)*... Nareshji, what I said is only a statement of facts, because the Chair cannot compel the Minister to give a particular answer, or insist upon the Minister to answer a particular question. It is up to the Minister to choose to answer or not to answer. That is the position. ...*(Interruptions)*... Now, let me complete. This is not a new ruling. ...*(Interruptions)*... यह रूलिंग नहीं है।

श्री नरेश अग्रवाल: यह चेयर का काम है। ..*(व्यवधान)*..

MR. DEPUTY CHAIRMAN: That is what I am saying. I agree.

श्री नरेश अग्रवाल: अगर चेयर मिनिस्टर को प्रोटेक्शन देगी, तो हम लोगों का क्या होगा?

श्री उपसभापति: अरे सुनिए, आप सुनिए ...*(व्यवधान)*... This is not a ruling. This is a statement of facts. This is the convention and practice that we are following. What I told him is only this much. He said, a negotiation or a discussion is going on between the Judiciary and the Government with regard to the...

SHRI RAVI SHANKAR PRASAD: Finalization of the MoP.

MR. DEPUTY CHAIRMAN: So, if you ask a question on that, he will not be able to divulge any of those points because that, he feels, may adversely affect the negotiation. For that, I have given him permission. That is all. All other questions, he will answer. Don't worry. ...*(Interruptions)*... Only that I have permitted. ...*(Interruptions)*...

SHRI SUKHENDU SEKHAR ROY: Sir, I have an important point of order. ...*(Interruptions)*...

SHRI SHANTARAM NAIK: Sir, I also have a point of order. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: I will also give you a chance. ...*(Interruptions)*... First, let me listen to Mr. Sukhendu Sekhar Roy; he is on a point of order. Are you also on a point of order?

SHRI SHANTARAM NAIK: Yes.

MR. DEPUTY CHAIRMAN: Let me first listen to him. Then I will come to you.

SHRI SUKHENDU SEKHAR ROY: Sir, see Rule 180. I quote, "A Member may, with the previous permission of the Chairman, call the attention of a Minister to any matter of urgent public importance and the Minister may make a brief statement or ask for time to make a statement at a later hour or date." Based on



this, my point of order is that if the hon. Minister is not in a position today to make any statement, he should assure this House that he will come back and make a statement.

MR. DEPUTY CHAIRMAN: Okay. That he can do. ...(Interruptions)... Now, Shri Shantaram Naik, what is your point of order?

SHRI SHANTARAM NAIK: Sir, first of all, the Judiciary cannot decide... (Interruptions)...

MR. DEPUTY CHAIRMAN: No; I am only allowing a point of order... (Interruptions)...

SHRI SHANTARAM NAIK: Sir, I am saying that the Judiciary cannot decide the scope of our discussion. ...(Interruptions)...

MR. DEPUTY CHAIRMAN: No; that is not a point of order. ...(Interruptions)... What is the point of order? ...(Interruptions)... What is your point of order? ...(Interruptions)...

SHRI SHANTARAM NAIK: Sir, our powers are sought to be curtailed by his statement. ...(Interruptions)...

MR. DEPUTY CHAIRMAN: No. ...(Interruptions)...

SHRI SHANTARAM NAIK: Therefore, discussion cannot be held. ...(Interruptions)... We cannot decide the procedure also. ...(Interruptions)... He is deciding our procedure. ...(Interruptions)...

विपक्ष के नेता (श्री गुलाम नबी आज़ाद): आप बैठ जाइए।

†جناب غلام نبی آزاد: آپ بیٹھ جائیے۔

MR. DEPUTY CHAIRMAN: No; he has not decided anything. You are wrong. He only requested the Chair or informed the Chair that he has certain limitations with regard to a particular aspect of this Calling Attention. ...(Interruptions)... He has sought the permission of the Chair. Don't divert that because that is in the public interest, and the Chair can always, in view of the public interest, permit the hon. Minister. He has to decide; that is all. ...(Interruptions)... Now, I am taking up the Calling Attention; Shri Vivek K. Tankha. ...(Interruptions)... कॉपीज़ सप्लाई कीजिए।

**CALLING ATTENTION TO A MATTER OF URGENT  
PUBLIC IMPORTANCE**

**The situation arising out of impasse in the appointment of Judges  
in the High Courts and Supreme Court**

SHRI VIVEK K. TANKHA (Madhya Pradesh): Sir, I beg to call the attention of the Minister of Law and Justice to the situation arising out of the impasse in the appointment of Judges in the High Courts and the Supreme Court.

THE MINISTER OF LAW AND JUSTICE, AND THE MINISTER OF ELECTRONICS AND INFORMATION TECHNOLOGY (SHRI RAVI SHANKAR PRASAD): Sir, after commencement of the Constitution of India, a fresh Memorandum of Procedure (MoP) for appointment of Judges to the Supreme Court and High Courts was framed. The MoP was revised in 1971 and 1983. This was further revised in 1994 and 1998 after the judgements in the Second and Third Judges' cases respectively with approval of the Chief Justice of India and the Prime Minister. Currently, all appointments to the Supreme Court and the High Courts are made as per the MoP framed pursuant to the Supreme Court Judgment of 6.10.1993, read with the advisory opinion of 28.10.1998.

The Supreme Court of India *vide* its order dated 16.10.2015 *inter alia* struck down the Constitution (Ninety-Ninth Amendment Act) 2014 and the National Judicial Appointments' Commission Act, 2014 as unconstitutional and void. The Supreme Court simultaneously revived the "Collegium System" for appointment of Judges to higher judiciary.

The Supreme Court later invited suggestions for the improved working of the Collegium. The Government of India submitted its suggestions for improving the system for Judicial appointments subject to its reservation about the correctness of the Judgment and it reserved its liberty to take such action as it may deem fit and the Parliament shall have the power within the parameters of the Constitution to govern the criteria and process for appointment of Judges to the Supreme Court and High Courts and nothing in these suggestions or participation should be construed as stopping the Parliament or Union of India from exercising such power.

The Supreme Court appointed two *amicus curie*; Ms. Pinky Anand, Additional Solicitor General and Mr. Arvind Datar, Senior Advocate, for compiling the suggestions received from the Advocates. However, as a large number of advocates prayed for further time to make suggestions, the Supreme Court directed the suggestions to be invited from the public by 1700 hours on 13.11.2015. The suggestions were

invited by Supreme Court in four categories, viz., (i) Transparency, (ii) Secretariat, (iii) Eligibility Criteria, and (iv) Complaints.

Accordingly, Department of Justice, *vide* a Public Notice, dated 06.11.2015 published in all major national/regional dailies, invited suggestions on its website. All the suggestions received by the Department in the time stipulated on its website were e-mailed to the two *amicus curiae*. The *amicus curiae*, in their report filed in the Supreme Court, have stated that about 1,450 suggestions were received within the deadline fixed by the Supreme Court. The suggestions received were classified into one more category apart from the four categories mentioned by the Supreme Court, that is, Miscellaneous category, and were placed before the Supreme Court.

The Supreme Court pronounced its Order on improvement in the “Collegium System” on 16.12.2015. *Vide* this order, they have *inter alia* decided that the “Government of India may finalize the existing Memorandum of Procedure (MoP) by supplementing it in consultation with the Chief Justice of India.” The Chief Justice of India will take a decision based on the unanimous view of the collegium comprising the four senior most puisne Judges of the Supreme Court.

The Department of Justice sought the views of the State Governments for improvement of the Collegium System of appointments *vide* letter dated 23.12.2015 addressed to all the Chief Ministers. The Department received response of 9 State Governments, viz., Meghalaya, Gujarat, Chhattisgarh, Arunachal Pradesh, Jharkhand, Mizoram, Rajasthan, Odisha and Goa.

In view of the importance of the matter, the Government of India constituted a Team of Ministers to deliberate upon on draft MoP for appointment of Chief Justice and Judges of the Supreme Court of India and for appointment and transfer of Chief Justices and Judges of High Courts.

The changes proposed in the draft MoP's were sent to the Hon'ble Chief Justice of India *vide* letter dated 22.3.2016. The response of the Chief Justice of India was received on 25.5.2016 and 01.07.2016. The Supreme Court Collegium has agreed with some of the suggestions made in the revised MoP while it has not accepted some other provisions. The Government, after careful consideration of the matter has sent its response to the Chief Justice of India *vide* letter dated 3.8.2016. The effort of the Government is to supplement the existing MoP by making the appointment process transparent, fair and accountable within the parameters set by various pronouncements of the Supreme Court and, at the same time, ensuring the independence of Judiciary.

While the case was being heard and till the Judgment was pronounced by Supreme Court, only those Additional Judges, whose terms were expiring, were given

[Shri Ravi Shankar Prasad]

extensions of three months as per the Supreme Court orders dated 12.05.2015 and 15.07.2015. No other appointments were made. During this period, 112 Additional Judges were given extension of tenure. As the process of finalizing the MoP is likely to take some time, at the initiative of the Government of India, the matter was taken up with the Supreme Court and the process of appointment of Judges has been resumed. During 2016, 110 Additional Judges have been made permanent and 52 fresh appointments of Judges have been made. The proposals for appointments have been received from High Courts from February, 2016 onwards. The whole process, as per MoP, takes six months as States/Intelligence Bureau and the Supreme Court Collegium are consulted and then the case is processed for approval.

Sir, this is my statement. I have to add only one more thing that about three Supreme Court Judges have also been appointed after this.

MR. DEPUTY CHAIRMAN: Now, Mr. Vivek K. Tankha. Put your questions within three minutes, or, maximum five minutes.

SHRI VIVEK K. TANKHA: Sir, it is my first speech.

MR. DEPUTY CHAIRMAN: That is not applicable here. This is not a speech. You can only put questions.

SHRI VIVEK K. TANKHA: I know that, but just give me a little more time.

MR. DEPUTY CHAIRMAN: No; you have to put the question within three minutes. At maximum, you can take five minutes.

SHRI VIVEK K. TANKHA: I will be as brief as possible. Five minutes are good enough for me.

Sir, this is a matter of utmost public importance. I am only conveying the feelings of the entire Bar of this country, and not only of the Bar but also of the people of India. There is a complete bottleneck which has been created in the appointment of Judges in the last nearly one-and-a-half years. I have the figures in this regard. These figures may be a little old. In this country, the sanctioned strength of High Court Judges, for instance, is 1,079, and 458 vacancies are there. Then, I will quote some more examples. In Allahabad High Court, out of the total sanctioned strength, 81 vacancies are there. In Hyderabad High Court, there are 36 vacancies. In Bombay High Court, there are 30 vacancies. In Calcutta High Court, there are 30 vacancies. In Delhi High Court, there are 24 vacancies. In Guwahati High Court, out of a total sanctioned strength of 24, there are 11 vacancies. In Madhya Pradesh, out of a total sanctioned strength of 53, there are 16 vacancies. Sir, the question which actually

concerns all of us is: Unless these vacancies are filled up, how do we conduct the cases that are being filed and the cases that have to be heard? Look at the figures of backlog. There are three crore cases pending in this country from the level of District Courts to the High Courts. There are more than fifty lakh cases pending in various High Courts. The worry of the system is that the system seems to have collapsed. Now, on the point of Collegium and the MoP, we have a judgement of the Supreme Court, which did not agree with the Constitutional amendment and the Act. Now, that is an issue which the Supreme Court and the Government at some point in time may tackle in a different way but till this law applies, the law has to be followed. Now, there is a problem about the MoP being drafted and finalized. Sir, we only read from newspapers; otherwise, the country does not come to know of it. I am told that it is because of some conditions that the Government is putting. You cannot have a veto power over the Supreme Court judgement. The Supreme Court judgement today says that it is the Collegium that decides. You can look at the parameters, before you send the matter to the Collegium, through the IB reports and other agencies. But once the Supreme Court has cleared the names, they have to be accepted or you give very cogent reasons to the Supreme Court so that the Supreme Court can have a review. For the Government to insist that in public interest, we can say 'no' to anything that the Collegium recommends is something which the Collegium, I believe, will never accept because that is not part of the judgement. Our worry is that instead of reforming the system, for the last one-and-a-half years, we are facing a case of a stalemate, a complete impasse. People are not getting hearing; the Judges are over-stressed. I know, in Madhya Pradesh High Court, five judges have been hospitalized. There, each Judge is hearing 200 to 300 cases a day. So, the problem is there. Where is the point of judicial reforms? As a country, instead of progressing towards judicial reforms, we are staring at a stalemate.

I have five, six points, which may be considered in a larger perspective. We had a system of fast track courts; it has disappeared. We had a system of *ad hoc* Judges; it is no more in vogue. There were proposals to modernize the judicial administration; it is not happening. What happened to the *Gram Nyayalayas*, where enactments had been made; they do not seem to be functioning. Sir, the Judicial Accountability Bill is another very important facet because I know, impeachment is not an answer. That also has not happened. The Law Minister has made so many commitments before this House. That also has not happened.

MR. DEPUTY CHAIRMAN: See, the simple point is, appointment of judges in the High Courts and the Supreme Court. Please confine to that. Otherwise, you will not get time. ...(*Interruptions*)...

SHRI VIVEK K. TANKHA: Ultimately, all this leads to accumulation of cases, all this leads to the system failing, and, today, we have virtually a collapsed system before us. Are we ready to accept this system? This is what I am asking.

MR. DEPUTY CHAIRMAN: Put your question.

SHRI VIVEK K. TANKHA: Otherwise, the Government should speak to the Supreme Court and come to a settlement at the earliest so that, at least, as per the law today, appointments are made and the work gets started. That is what I am trying to say. My question is: How early is the Government going to do this because without the Government finishing this work, it won't happen and the system will not start working? A collapsed system needs to work, and that is what I am saying, Sir.

MR. DEPUTY CHAIRMAN: Hon. Members, there are thirteen names before me. The total time is one hour. So, every Member is requested to please confine to three minutes' time. Now, Shri Satish Chandra Misra.

SHRI SATISH CHANDRA MISRA (Uttar Pradesh): Mr. Deputy Chairman, Sir, straightway I come to the issue of appointment of judges in the High Courts and the Supreme Court, vacancies of judges, and the Memorandum of Procedure (MoP). I believe, as is being said, the Memorandum of Procedure, which is presently there, is being followed. Till the fresh Memorandum of Procedure is finalized, further appointments would be done on that basis. But, as has been stated by the hon. Minister, there has been a stalemate and there were no appointments made during all this period except 52 appointments. It has been indicated here that only 52 new appointments were made. I would like the hon. Minister to inform as to how many vacancies arose during this period when these 52 appointments were made.

Sir, another piece of information, which we can gather from this, is that the discussion is going on with regard to the Memorandum of Procedure, and as it is a lengthy discussion, it is taking a lot of time to be finalized. I am not suggesting that it should be done very hurriedly. You need an independent judiciary. You made three points. There should be transparency in the entire appointment system. I would not use the phrase 'under the table', but there should not be a give and take where I would say this name and you would say this name and then all of them would be appointed. It should be done on the basis of merit. Those persons should be appointed who can give results to the persons who are looking at the Judiciary.

At the same time, I would like to know this from the hon. Minister. During this period, while the Memorandum of Procedure is being decided and the matter is still pending, what is the difficulty in clearing those names which belong to the persons who are in the lower Judiciary? That is 33.13 per cent. One-third is the

quota which is to be filled from the lower judiciary. The appointments are made on the basis of their seniority. They have a retirement age. When they retire at the age of sixty years, they cannot become a High Court Judge. As per the Memorandum of Procedure, which is already in existence, there should be at least one year for their retirement and only then would they be considered. These persons are losing their entire chance of becoming a High Court Judge only because of the delay, in your finalisation of MoP with the hon. Supreme Court, with respect to the procedure. The names have already come. What is the difficulty if the Collegium has cleared those names? If the names are pending with you and the Collegium has cleared those names, why are those names not being cleared? Can we put this category separately?

The other thing, which I would like to know from the hon. Minister, is this. In this country, as has been just pointed out, there are 1,079 posts of judges. Out of that, fifty per cent of the posts are vacant. In the Allahabad High Court, more than fifty per cent of the posts are vacant. Those could not be filled up. I believe that a large number of names, which are pending before the Ministry after being cleared by the Collegium, consist of those names who are from the lower Judiciary. Why are those names not being cleared? If you clear those names, then some backlog would be cleared. The impression that you are retaining those names should not be there.

The last thing which I would like to know from the hon. Minister is this. At present, how many judges are from the Scheduled Castes in the entire country? ...*(Time-bell rings)*... This is the last point. I would like the hon. Minister to clarify it and convey it further. The Memorandum of Procedure, to my knowledge and I am subject to correction by the hon. Minister, which is in existence, says that while names are being finalised, it would be kept into consideration that the Collegium considers the names of the Scheduled Castes, the backward classes and the minorities. The names belonging to the Scheduled Castes are missing throughout the country. There is no Scheduled Caste Judge presently in the entire Allahabad High Court and in the Supreme Court. I am subject to correction by the hon. Minister. And there is no High Court Chief Justice in the entire country. Therefore, this category has literally been excluded. When it reaches the final stage and comes to your end, at the end of the Ministry, does the Ministry send it back on this ground that you have not considered a name with respect to this category which you are otherwise bound to consider? I would like to know this from the hon. Minister.

MR. DEPUTY CHAIRMAN: That is to be noted. That is an important question. I agree that that is an important question.



**श्री नरेश अग्रवाल** (उत्तर प्रदेश) : माननीय उपसभापति जी, विवेक के. तन्खा जी और सतीश चंद्र मिश्रा जी ने बहुत सी चीजें बड़ी साफ की हैं। अब माननीय मंत्री जी कहते हैं कि जब तक एमओपी पेंडिंग है, तब तक हम बहुत सी चीजें नहीं बताना चाहते हैं। मैं माननीय मंत्री जी से दो-तीन चीजें जानना चाहता हूँ। पहला तो यह है कि अनुच्छेद 368, जो हमें संविधान में परिवर्तन करने का अधिकार देता है, क्या सुप्रीम कोर्ट का जजमेंट आने के बाद अनुच्छेद 368 अब संविधान का पार्ट रह गया या नहीं रह गया? यदि रह गया तो जो हमने अमेंडमेंट करके भेजा था, जो हमने सैक्शन 368 के अन्तर्गत लॉ बनाया, उस लॉ को अगर सुप्रीम कोर्ट ने टर्न डाउन कर दिया तो फिर पार्लियामेंट की क्या पोजिशन रह गई, मैं इस पर बड़ा स्पष्ट आपका ज्ञान चाहता हूँ। कम से कम यह ज्ञान दे दें। दूसरा, जो अभी लेटेस्ट पत्र 3.8.2016 को आपने सुप्रीम कोर्ट को भेजा, उसके कंटेंट्स क्या हैं, कंटेंट्स बताने में क्या कोई दिक्कत है? आखिर लोग यह तो जान जाएं कि डिस्कशन के बाद जो आपने लैटर भेजा है, उस लैटर के कंटेंट्स क्या हैं और आप सुप्रीम कोर्ट की कितनी बातों पर राजी हुए या नहीं हुए? मैं कहीं यह पढ़ रहा था कि कॉलेजियम सिस्टम के अंतर्गत देश में सिर्फ 160 परिवार हैं, जिसके ज्यादातर जजेज हुए हैं, क्योंकि उनको विशेषाधिकार प्राप्त है, जैसे हम लोगों के यहां नहीं होता है, बेटा, बेटे का बेटा, वह पारिवारिक होगा वैसे ही। तो क्या आप जजों की कमी देखते हुए जो डिस्ट्रिक्ट जज हैं, उनका 50 परसेंट कोटा हाई कोर्ट के लिए तय करेंगे? क्योंकि यह झगड़ा रहता है कि कॉलेजियम ने क्या नाम भेजे हैं और उसमें हाई कोर्ट, सुप्रीम कोर्ट तैयार हुआ कि नहीं या लॉ मिनिस्ट्री तैयार नहीं होगी। तो यह जो जजों की संख्या हाई कोर्ट में बराबर कम है, क्या आप 50 परसेंट डिस्ट्रिक्ट जज का कोटा फिक्स करने को तैयार हैं, जिससे कि वह ऑटोमैटिक भरता चला जाए और यह जो कॉलेजियम वाला झगड़ा है, वह झगड़ा भी निबट जाए।

आरक्षण की व्यवस्था के बारे में जो सतीश भाई ने पूछा है कि क्या हाई कोर्ट और सुप्रीम कोर्ट में आरक्षण की व्यवस्था होगी या नहीं होगी? इसको भी हम लोग बड़ा स्पष्ट जानना चाहते हैं, क्योंकि जब लोकपाल बना तब भी यह बात आई कि लोकपाल जिस दिन नियुक्त हो वहां पर आरक्षण की व्यवस्था होनी चाहिए। तो क्या एम.ओ.पी. में आपके आरक्षण का प्वाइंट है या नहीं? यदि नहीं है तो क्या आप उसको जोड़ने को तैयार होंगे, मैं यह भी जानना चाहता हूँ। जो Judicial Accountability Bill है, इसकी क्या पोजिशन है? क्या सरकार इस पर विचार कर रही है कि हम इसको लाएं, जिससे कि pendency घटे। जिस तरह तीन लाख मुकदमे पूरे देश में पेंडिंग हैं, उन पर जल्दी-जल्दी जजमेंट हो ताकि देश को सही समय में न्याय मिल सके। धन्यवाद।

MR. DEPUTY CHAIRMAN: Thank you very much for limiting within the time allotted to you. Now, Dr. K. Keshava Rao.

DR. K. KESHA RAO (Andhra Pradesh): Sir, I would be brief because both of them have said the same thing. But, there is a peculiarity in this. I may not agree with Mr. Vivek, who said as to how you can have a veto, which Mr. Naresh and Mr. Misra have already said. In respect of reservation to the Scheduled Castes, there should be a scope or a space for the Government to say 'no' when reservation to the Scheduled Castes is not given notwithstanding the fact that it is not there in the Constitution. The policy of the State is that we will have them.



Now, I am taking it back to the district level, which comes under the States. Since the entire thing comes under the monitoring system of the High Courts and also the Supreme Court, the reservations are not being looked into. Again, the Government comes in.

Sir, the second point is, the wind has been taken out of this entire thing because he said that he will not discuss MoP. It is the very item and the very basis of all these. We know the historic Bill brought forward by the same Minister last time here, on the appointment of Judges, which was passed. It has just been thrown to the wind, thrown into the dustbin. We have done nothing at all. Nareshji, every time, gets up and talks about the rights of this House. What exactly are our rights which are thrown to the wind? Now, against that background, they may take objection to the MoP. We have not read much. But, nonetheless, there are reports about the differences. Nareshji asked about the contents of the letter. Now, against that background, I am saying that the Government must stick, as per the paper reports, to the principles, which were reflected in the original Bill, the Bill which has been rejected. Now, it is high time that you stuck to the Bill. Sir, now I come to the last point. The Minister must understand that there is a peculiarity as far as my State, Telangana, is concerned. Regarding the appointment of judges, like Punjab and Haryana High Court, we have a High Court for two States. I will not go into the details. In the recent appointments to the High Court of Judicature at Hyderabad, 42 were to come from Telangana. The name is 'Andhra Pradesh High Court, Judicature at Hyderabad.' And, out of a total of 61, 19 are from Telangana. But, in the new appointments, only two are from Telangana. But I can't say anything because you are not accepting the existing two States, *vis a vis* the High Court. Now, it is time that the Government must realize that whenever you are thinking of appointments to Andhra Pradesh High Court Judicature at Hyderabad, you must think that they represent two States and do justice to both the States as the A.P. Reorganisation Act has said, *i.e.*, in the ratio of 42:58 for Telangana and Andhra Pradesh. This has to be looked into. The recent appointments are not what you have approved. Out of those 14, two are for Telangana and you have given 12 to Andhra Pradesh!

SHRI RAJEEV SHUKLA (Maharashtra): Sir, everybody is aware about the massive pendency as far as judiciary is concerned. I think if all the cases are to be disposed of, it will take minimum two hundred years. The New York Times had once written that the wheel of justice has come to a standstill in India because of the pendency of the cases. अभी नरेश भाई, सतीश जी और विवेक जी ने जो बातें रखी हैं, उनसे agree करते हुए मुझे दो-तीन चीजें मिनिस्टर साहब से पूछनी हैं। इसमें उन्होंने एक तो

[Shri Rajeev Shukla]

यह लिखा है कि जब उन्होंने सब लोगों से सजेसंस मांगे, उस बेसिस पर गवर्नमेंट ने जो सबमिट किया, उसमें कहा कि पार्लियामेंट की सुप्रीमेसी रहेगी। लेकिन, इसके पैरा 6 में है, “The Supreme Court pronounced its Order on improvement in the “Collegium System”. *Vide* this order they have *inter alia* decided that the Government of India may finalize the existing Memorandum of Procedure by supplementing it in consultation with the Chief Justice of India. The Chief Justice of India will take a decision based on the unanimous view of the Collegium comprising the four seniormost puisne Judges of the Supreme Court.” Whatever the Government has suggested on that also, after taking the advice of everybody, if Collegium is supposed to have the final word, then where is the Parliament’s and where is the Government’s opinion? अभी यह चल रहा है कि पार्लियामेंट यूनैनिमस लॉ पास कर दे, सब कुछ कर दे, लेकिन वहां से turn down कर दिया गया। उसके बाद दूसरा लॉ लाना चाहिए था, लेकिन गवर्नमेंट भी डरकर बैठ गई। उससे एक सुप्रीमेसी कायम हो जाती, लेकिन आप खुद ही पार्लियामेंट को नीचे कर रहे हैं। इसमें यह सजेशन है कि कोलेजियम सिस्टम को इंप्रूव किया जाए, उसमें भी फाइनल वर्ड कोलेजियम का होगा, गवर्नमेंट का उसमें कुछ नहीं होगा। यह करेक्शन बहुत जरूरी है। जब आप उनसे MoP डिस्कस कर रहे हैं, तो यह बात वहां पर रखनी चाहिए।

दूसरा, हिन्दुस्तान अकेला ऐसा कंट्री है, जहां जज को जज तय करते हैं। अमेरिका में यह सीनेट में जाता है। वहां अगर कोई जज गवर्नमेंट को रिकमंड करे तो पार्लियामेंट की कमिटी तय करती है और उसके नाम को कन्फर्म करती है। आपने सुना होगा कि वहां एक इंडियन जज अप्वाइंट होने वाले थे, पर वह सीनेट की कमिटी में गया हुआ है। यहां तो पार्लियामेंट की रही-सही कानून बनाने की जो पॉवर है, वह भी चली जा रही है, उस पर भी हम कुछ नहीं बोल रहे हैं। अगर कोई जे.एस. वर्मा ने flawed, judgment दे दिया, तो इसका मतलब यह थोड़े ही है कि हम लोग हमेशा उसको मानते रहें।

SHRI RAVI SHANKAR PRASAD: Sir, I have to interrupt; ‘fraud judgement’...  
...(Interruptions)...

SHRI RAJEEV SHUKLA: Sir, I said ‘flawed’ not ‘fraud’. ... (Interruptions)...  
सर, इसीलिए मैं कहता हूँ कि वकीलों को लॉ मिनिस्टर नहीं बनाना चाहिए। वे जजों से डरते हैं, क्योंकि उन्हीं के सामने केस लड़ने जाना है। वे जजों से इतना डरते हैं कि वे बात-बात पर झगड़ा करते हैं। ... (व्यवधान)...

MR. DEPUTY CHAIRMAN: Rajeev Shuklaji, is that applicable to him or to every lawyer? ... (Interruptions)...

श्री राजीव शुक्ल: हर गवर्नमेंट में यह myth बन गयी है कि लॉ मिनिस्टर वकील को ही होना चाहिए। यह बदला जाना चाहिए। ... (व्यवधान) ... इस चीज़ को बदला जाना चाहिए। ... (व्यवधान) ... सर, इसके बाद कोलेजियम के जितने डिसीजंस हैं, वे जजेज़ के खिलाफ रहते हैं। उनमें सबसे ज्यादा जजेज़ की criticism आती है, उनमें nepotism की शिकायत होती है।

तमाम ऐसे जज, जिनके साथ injustice हुआ, वे इसलिए रो रहे हैं कि हमारे साथ सही न्याय नहीं होता और हमारे ऊपर तरह-तरह के अत्याचार होते हैं। कोलेजियम के बारे में जजेज़ यह बोलते हैं। ...**(समय की घंटी)**...

MR. DEPUTY CHAIRMAN: Time is over. ...*(Interruptions)*...

**श्री राजीव शुक्ल:** सर, लास्ट है। यह लास्ट है। सर, मेरा कहना यह है कि जजों की भी accountability fix होनी चाहिए, क्योंकि हमने यहां पर accountability का बिल पास किया था, लेकिन वह accountability fix नहीं हुई। उनके अकाउंट्स की कोई ऑडिटिंग नहीं होती है। वे दूसरों को कहते हैं कि वे आरटीआई के अंतर्गत आएँ, लेकिन वे स्वयं आरटीआई के अंतर्गत नहीं आना चाहते हैं। वे ट्रांसपेरेंसी की भी बातें करते हैं। ये चारों चीजें उन पर भी लागू हों, पार्लियामेंट पर भी लागू हो और देश के बाकी लोगों पर भी लागू हो, यह मेरा कहना है।

**श्री जयराम रमेश** (कर्णाटक): सर, बीसीसीआई पर आरटीआई लागू नहीं हुई है। ...**(व्यवधान)**..

**श्री उपसभापति:** श्री डी. राजा।

SHRI D. RAJA (Tamil Nadu): Mr. Deputy Chairman, Sir, I refer to point No.9 of the hon. Minister's statement. I quote, "The effort of the Government is to implement the existing MoP by making the appointments process transparent, fair and accountable within the parameters set by various pronouncements of the Supreme Court and, at the same time, ensuring the independence of Judiciary." Sir, the Indian Judiciary has a glorious history but the Indian Judiciary continues to be having class bias, caste bias. The Indian Judiciary can't claim to be free from corruption.

Sir, in our history, Dr. Ambedkar occupies a unique place. He was the prime architect of the Indian Constitution. He was the Law Minister. Now, you are the Law Minister. We have seen great names in Judiciary like Justice Krishna Iyer, Justice Bhagwati, Justice Chinappa Reddy, Justice Tarkunde, including lawyer Mr. Fali S. Nariman. We have great names but the Judiciary continues to have class bias, caste bias.

For instance, I will tell you about a place called Sundru, Guntur District, Andhra Pradesh; there was a massacre of 13 Dalits. The lower court convicted the accused persons. ...*(Interruptions)*... I stand corrected, it was 17 Dalits. But at the High Court level they were acquitted. In Bihar also 54 Dalits were massacred and in another case 26 Dalits were massacred. All the accused persons were convicted by the lower court. But they were all acquitted at the High Court level. I am asking the Government whether these people were killed or are still alive. Who has killed these Dalits? We talk about Indian jurisprudence, criminal justice system, but where is the justice? Dalits do not get justice. That is why I question the appointment process. Now the time has come for the Indian Judiciary that they must have adequate social

[Shri D. Raja]

representation. Hon. Member, Shri Satish Chandra Misra, has inquired as to how many Judges belonging to Dalits are there in the Allahabad High Court. I am asking in the whole country how many Dalits are there in the Indian Judiciary. How many Judges belonging to the OBC are there in the Indian Judiciary? Yes, including Tribals, Dalits and OBCs. On eligibility criteria, the Supreme Court has invited suggestions from the people. What is the eligibility criterion? Do you mean to say that Tribals, Dalits and OBCs are not eligible to be appointed as Judges?

MR. DEPUTY CHAIRMAN: Nobody has said like that. Time is over. Please conclude.

SHRI D. RAJA: I am concluding. In a society like ours, it is a very serious issue. The time has come for the Government to address this issue. They can't evade this issue for long. Otherwise, you will face revolt. Already there is a revolt. Even if there are one or two Dalit Judicial Officers, they are being harassed. I have complete cases with me. If you want, I can give it to you.

MR. DEPUTY CHAIRMAN: That is a different issue.

SHRI D. RAJA: Will the Minister tell us what the Government's thinking is on all these matters?

SHRI SUKHENDU SEKHAR ROY (West Bengal): Mr. Deputy Chairman, Sir, there are 477 vacancies in all the High Courts in the country. How it has been caused we all know. After this Parliament and State Legislatures passed the Constitution (Amendment) Bill, the 99th Constitution (Amendment) Act and the NJAC Bill... After the Parliament and State Legislatures passed the Constitution Ninety-nine Amendment Bill and the National Judicial Appointments Commission Bill, the Supreme Court set these aside declaring them as unconstitutional. Hon. Minister's statement is there with regard to that.

Now, over a period of time, it has been held that the meaning of the word 'consultation' in Article 366 is 'concurrence'. A new meaning has been imported into our Constitution, and not only in Article 366 but in several other Articles, namely, Articles 124, 127, 217 and 222. Everywhere there is the use of the word 'consultation'. And in all those cases, 'consultation' is binding, and the ordinary dictionary meaning is accepted. But only in case of Article 366, 'consultation' has been taken to be 'concurrence'. कभी हाँ, कभी ना, दोनों जगह यह change किया जा रहा है। Arising out of this situation, now the entire system of appointment of High Court Judges has come to a standstill. The hon. Minister says in his statement, and I quote, "It has been decided that the Government of India may finalize the existing MoP

**3.00 P.M.**

in ‘consultation’ with the Chief Justice of India.” Again, you have this expression of ‘consultation’! ‘Consultation’ again will be interpreted as ‘concurrence’. It would become ‘the concurrence of the Chief Justice of India’. So, it is not ‘consultation’; it is ‘concurrence’. It would have been better for the hon. Minister if he had used the word ‘concurrence’. We have reduced it to that level. The Parliament has been ignored like anything, Sir. When it is in Session, why should the MoP not be discussed here? Why should the Government discuss it only with the Supreme Court and others? Now, suggestions have been invited from the public in general, through the website of the Ministry of Law and Justice in regard to the MoP. But the Parliamentarians have been kept in the dark. Sir, this is a big attempt, according to me, to undermine the importance and the very existence of this Parliament. ...*(Interruptions)*... Why shouldn’t the Members of Parliament discuss it? When the Parliament is in Session, it is incumbent upon the Government to discuss the MoP on the floor of the House. Otherwise, according to my Party’s thinking, the Government is willy-nilly giving a goodbye to one of the greatest traditions of this Parliament; the Parliament is now being kept in the dark about the MoP. Sir, this is a very serious issue because this is not a one-time affair; once this MoP is accepted, in some form or the other, this would continue for years together, and nobody would know how long it would continue.

My last point, Sir, is that there should be an interpretation of the word ‘consultation’, whether ‘consultation’ means ‘concurrence’ or not in each and every Article of our Constitution and, for that, the Government should bring in a legislation defining the word ‘consultation’. Thank you very much, Sir.

SHRI A. NAVANEETHAKRISHNAN (Tamil Nadu): Hon. Deputy Chairman, Sir, the Memorandum of Procedure has not yet been finalised. I hope the hon. Law Minister would protect the rights of State Governments and the Central Government because it is not known when the selection process would commence in High Courts and the Supreme Court. In the Memorandum of Procedure, it must be made clear and the Government must be informed as to when High Courts and the Supreme Court would commence the whole process. Then only, the State Governments and the Central Government can take part in the selection process properly. There is a general demand that the candidates must be from the oppressed and the most backward classes. In the Memorandum of Procedure, there must be some guidelines to that effect because, in our State of Tamil Nadu, 69 per cent reservation is followed in the process of selection of original side judicial officer appointments. Thanks to the efforts made by the hon. Chief Minister, Amma. It is only because of her efforts now that the oppressed community people, candidates, lawyers from

[Shri A. Navaneethakrishnan]

these communities are being selected. I would further like to inform this House that the hon. Chief Minister, Amma, is appointing the law officers ...(*Interruptions*)... I am not bothered about what you say. I am putting forward a very serious matter before this House. The selection of good judges from the lawyers, who know law, is very essential. We cannot get good judges just by magic. The hon. Chief Minister, Amma, is providing good opportunities to the lawyers belonging to the oppressed community and Backward Class community at the grass- root level, to perform as law officers, in the lower courts as well as in the High Court, and they are getting proper training. And their conduct is also being monitored effectively by the Government. So, very good law officers are now available in the State of Tamil Nadu, and because of this process and the good efforts made by the hon. Chief Minister, Amma, now, the Tamil Nadu Original Side Judiciary is properly represented, thanks to the 69 per cent reservation. Hence, I humbly request the hon. Law Minister, who is a very eminent lawyer, who knows the difficulties of lawyers who are from the rural areas or from the oppressed community, that he must protect the interest of the oppressed and backward communities properly, as has been done by the hon. Chief Minister, Amma.

SHRI SHANTARAM NAIK (Goa): Sir, judges are supposed to have allegiance to the Constitution of India, including, the principle of secularism. The Constitution nowadays is interpreted differently by different individuals, parties and organizations. One of the organizations in the country is the guiding force of the Ruling Party. This organization in the country is consulted at every step by the Government to understand this, and therefore, there is every possibility that views of this organization are going to be at the back of his mind when the Prime Minister is going to express his views in the matter of selection process. Now, recently, — why I am saying this, I am telling you — when the former HRD Minister started her consultation process with respect to the new Education Policy, the first organization she visited...

MR. DEPUTY CHAIRMAN: Mr. Shantaram Naik, you come to the point. What is this? You talk on this subject and put your questions.

SHRI SHANTARAM NAIK: Sir, why do you think that this is not the subject? I am asking this thing from you, Sir.

MR. DEPUTY CHAIRMAN: From what you said, I can infer that this is not the subject, and you have got only three minutes.

SHRI SHANTARAM NAIK: You will come to know. Recently, when the former HRD Minister started her consultation process as regards the new Education Policy, the first organization she visited was this organization ...(*Interruptions*)...

MR. DEPUTY CHAIRMAN: That is not relevant here.

SHRI SHANTARAM NAIK: How can you insulate these appointments from the organization? And you know what I mean.

MR. DEPUTY CHAIRMAN: What are you saying? This is all irrelevant.

SHRI SHANTARAM NAIK: If what I said is irrelevant, you expunge it. I am giving this offer.

MR. DEPUTY CHAIRMAN: No, I can expunge if it is unparliamentary, but I cannot expunge it if it is irrelevant. ...*(Interruptions)*...

SHRI SHANTARAM NAIK: I have expressed my views cautiously, and every word I have used cautiously, and you are casting aspersion on me.

MR. DEPUTY CHAIRMAN: You talk about the appointment of judges or the MoP...*(Interruptions)*...

SHRI SHANTARAM NAIK: I have not named that organization.

MR. DEPUTY CHAIRMAN: Don't name the organization. I am not asking you to name the organization.

SHRI SHANTARAM NAIK: \*

MR. DEPUTY CHAIRMAN: I am not asking you to name any organization. We are not discussing any organization. We are discussing the Judiciary. It is irrelevant. It is not going on record. It is irrelevant. ...*(Interruptions)*... Sit down. ...*(Interruptions)*... What are you doing?

SHRI SHANTARAM NAIK : \*

MR. DEPUTY CHAIRMAN: It is irrelevant. Why do you say all these?

SHRI SHANTARAM NAIK : \*

MR. DEPUTY CHAIRMAN: You have a subject for which there is ample scope for discussion and for asking questions. Then, why do you talk about some organization? And you took the name also.

SHRI SHANTARAM NAIK : \*

MR. DEPUTY CHAIRMAN: That is irrelevant. So, I come to the next Member, Shri Anubhav Mohanty.



SHRI ANUBHAV MOHANTY (Odisha): Thank you, Sir. Sir, I remember the first year of my presence in this Parliament. That was in 2014. The National Judicial Commission Bill was passed here in front of me in Rajya Sabha, and I was very disappointed that the Supreme Court had struck down it. Sir, the Collegium System, which was prevalent earlier for Judges, was very much appreciated by the Judges but not accepted by the people at large. Obviously, how can you choose yourself and your brother Judges? It is quite strange. Sir, will the Government open dialogues with the Supreme Court Judges and legal luminaries and solve this crisis? This is my first question. Then, I come to my second question. I will give you an example. I have seen a lot of people, in recent past, coming here from remote areas of Odisha. हमारे लिए दिल्ली पहुंचना बहुत बड़ी बात होती है। ओडिशा से, उसके रिमोट एरियाज़ से जो backward लोग हैं, tribal people हैं, they come to Delhi with a lot of difficulties. उनके लिए दिल्ली पहुंचकर lawyers को ढूँढ़ना और बड़ी बात होती है, उनको इतना पैसा देना और भी बड़ी बात होती है। उसके बाद कब की हियरिंग मिलती है, वह तो भगवान जानता है, उस पर जजमेंट भी महीनों, सालों तक चलता रहता है। जब किसी को जजमेंट नहीं मिलता, तो वह हताश हो जाता है। जिनको जजमेंट नहीं मिलता, उनमें से, फिर भी कुछ लोग ऐसे होते हैं, जो अपना हौसला रखते हैं, अपनी जिद को ठाने रखते हैं और आगे तक लड़ते हैं। But, Sir, I will not take any name here but, in the recent past, a very rich person filed a case on Monday, his case hearing was on Wednesday and the Judgement was on Friday and the brief of judgement was given on Saturday by two leading English magazines. Will the Government deny that the rich get preference in Supreme Court and in High Courts whereas for the poor, it is very difficult to get justice? In Supreme Court, as far as my knowledge goes, — if I am wrong, please correct me and I apologize before I speak anything wrong, — out of 30 Judges there is only one woman Judge and 29 Judges are men. As Shri Satish Chandra Misra also said, there has to be some understanding and some reservation for the Scheduled Castes and Scheduled Tribes. Then, Sir, Shri D. Raja also said about the MoP. So, will the Government consider having to have special reservation for women Judges in Supreme Court and in High Courts because, Sir, हम मानते हैं कि जो हमारे घरों को चलाती हैं, whether I talk about my mother; my wife; my sister or about any woman in this nation, they constitute fifty per cent of the population of India. जो हमारे घरों को इतने अच्छे तरीके से मैनेज करती हैं क्या हमें यह नहीं लगता, क्या हमें उनके मैनेजमेंट पर doubt है? हम हमारी जजमेंट में, जहां पर judges का नंबर है, वहां पर women को क्यों नहीं जोड़ सकते हैं? There is no doubt in their management capabilities. Why can't we have exemption for women, especially...

MR. DEPUTY CHAIRMAN: Time over. ...(*Time Bell rings*)...

SHRI ANUBHAV MOHANTY: And, the final thing which I would like to say



is that it is also a shame for us that India till today has not seen a woman Chief Justice in Supreme Court. We haven't seen a single woman Chief Justice. I urge upon the Government that they should really think very, very seriously on this because, जब हम बोलते हैं, "बेटी बचाओ, बेटी पढ़ाओ, बेटी को आगे बढ़ाओ" ...(व्यवधान)... then it is our responsibility and duty to honour woman through the core of our heart. I think I have asked all questions. I hope the Minister will consider them and reply. Thank you.

MR. DEPUTY CHAIRMAN: Okay You have asked very relevant questions. Now, Shri Ripun Bora.

SHRI RIPUN BORA (Assam): Thank you, Sir. I want to put only three questions to the hon. Minister. The first, we, the Members of Parliament, are the law-makers, and we, law-makers are accountable also. We, all the politicians, Ministers, MPs, are accountable. As law-makers, when we are accountable, then, why is the judicial accountability not there?

Why are the judges not accountable? Sir, in the High Courts and the Supreme Court, hundreds and thousands of cases — I am not speaking about the subordinate courts and lower courts where lakhs of cases are pending — are pending for years together. There is a proverb 'justice delayed is justice denied'. So, in view of that, I would like to know from the hon. Minister as to what steps the Government would take to make the judges accountable. This is number one.

Secondly, so far as the RTI is concerned, my friend, Shri Rajeev Shukla has rightly mentioned, in our country, all departments whether it is Defence or Police, etc., — only the sensitive Departments are barred from RTI — are covered under the RTI. All the judgements of the courts are in public domain. These are available on the Internet and in the social media. Then, what is the difficulty in bringing in the Judiciary within the purview of RTI? This is my second question.

Thirdly, ours is a big country and we have got a very good reputation in the world. But, Sir, 478 posts of judges are lying vacant in different High Courts; and, in the Supreme Court, which is the highest court of the country, three posts of judges are vacant. This is a very bad reflection of our country in the eyes of the world. Sir, my only question to the hon. Minister is this.

MR. DEPUTY CHAIRMAN: Okay.

SHRI RIPUN BORA: My final point to the hon. Law Minister is this. Since we are law-makers, what is the difficulty in making the Memorandum of Procedure known to us? Has the country no right to know about the Memorandum of Procedure? Should

[Shri Ripun Bora]

the Parliament not be taken into confidence about the Memorandum of Procedure? So, my question to the hon. Minister is. Would the Government allow a discussion on the Memorandum of Procedure and take the Parliament into confidence?

**श्री भूपेन्द्र यादव** (राजस्थान): सम्माननीय उपसभापति महोदय, माननीय मंत्री जी ने अपने जवाब के पैराग्राफ नं. 9 में लिखा है कि सरकार का प्रयास है कि उच्चतम न्यायालय के विभिन्न निर्णयों द्वारा स्थापित मानकों के भीतर नियुक्ति प्रक्रिया को पारदर्शी, साफ-सुथरी और जवाबदेह बनाने के लिए वर्तमान प्रक्रिया ज्ञापन को अनुसमर्थित किया जाए और न्यायपालिका की स्वतंत्रता भी सुनिश्चित की जाए। सर्वोच्च न्यायालय में 15 साल वकालत करने के बाद उस पूरी व्यवस्था और प्रक्रिया में मेरा पूरा सम्मान है, लेकिन एक ग्रामीण क्षेत्र से सर्वोच्च न्यायालय में जाने के बाद, सर्वोच्च न्यायालय ने जो चार आधार लिखे हैं, पैराग्राफ नं. 4 में — पारदर्शिता, सचिवालय, पात्रता और शिकायत, मैं बड़ी विनम्रता से यह पूछना चाहूंगा कि विगत 70 वर्षों में जो नियुक्ति की प्रक्रिया रही है, जम्मू-कश्मीर, पंजाब, हरियाणा, राजस्थान, उत्तर प्रदेश, बिहार, झारखंड, मध्य प्रदेश, छत्तीसगढ़, महाराष्ट्र से एक भी दलित आज तक सर्वोच्च न्यायालय में जज बन कर नहीं आया है, एक ओबीसी जज आया है, 7 महिला जज नहीं आ पाई हैं। इसलिए सरकार Memorandum of Procedure के लिए बहुत विनम्रता और बहुत ईमानदारी से काम कर रही है। 70 साल की इस प्रक्रिया में सर्वोच्च न्यायालय को हमने अनुच्छेद 32 और 226 के अन्तर्गत दो अधिकार दिए हैं कि अगर कार्यपालिका नागरिकों के हितों पर कोई भी प्रतिकूल कदम उठाती है, तो न्यायालय को उसमें हस्तक्षेप करने का अधिकार है और अगर इस संसद में जो विधायी कार्य पारित किए जाते हैं, वे संविधान के खिलाफ हैं, तो सर्वोच्च न्यायालय और उच्च न्यायालय को उनको भी निरस्त करने का अधिकार दिया है। हम इसका सम्मान करते हैं, हम चाहते हैं कि देश की न्यायपालिका ने जो मानदंड स्थापित किए हैं, वे मानदंड आगे बढ़ें, लेकिन उन मानदंडों को पूरा करते समय भारत का जो एक व्यापक सामाजिक प्रतिनिधित्व का दृष्टिकोण है, भारत की जो एक व्यापक सामाजिक परंपरा है, उसका भी ध्यान रखा जाए। आखिर इस देश में झारखंड, छत्तीसगढ़, मध्य प्रदेश, राजस्थान, गुजरात एक बड़ा वनवासी इलाका है। जनजातीय समाज है, उनकी अपनी परंपराएं हैं। हमें उन सारे सामाजिक मूल्यों, मान्यताओं और परंपराओं को अपने भारतीय न्याय के दृष्टिकोण में आगे बढ़ाना होगा। हमें न्याय को अपनी उस परिकल्पना के द्वारा आगे लेकर जाना होगा, जो कभी हमारी अपने भारत की सदियों से परंपरा रही है। इसलिए मैं माननीय मंत्री जी के प्रति पूरा विश्वास रखते हुए यह कहना चाहूंगा कि जो उच्चतम न्यायालय ने चार श्रेणियों में सुझाव आमंत्रित किए हैं — पारदर्शिता, सचिवालय, पात्रता और शिकायत, उसमें एक बहुत व्यापक सहमति बननी चाहिए। जब अमरीका में जज नियुक्त होते हैं, तो सदन में उनके बारे में चर्चा होती है। इसलिए एक बार कम से कम वे सारे विषय नियुक्त होने के बाद सामने आने चाहिए और जो अभी न्यायिक नियुक्तियों में रिक्तता है, जिस तेजी से सरकार काम कर रही है, हमें लगता है कि सरकार अपने लक्ष्यों को हासिल करेगी, लेकिन इन लक्ष्यों को हासिल करने के लिए सभी सामाजिक वर्ग का भी उचित प्रतिनिधित्व होना चाहिए।

**SHRI C. P. NARAYANAN** (Kerala): Sir, Judiciary have created an insulation around themselves. We discuss this because we have brought in the legislation to have judicial accountability, but the Judiciary itself has said that it is *ultra vires*. But

we, the people, are concerned because there are lakhs of cases pending in various courts, and corruption and nepotism is rampant. It is also reported in the media and such things are prevalent among these people. We, in Parliament, always quote the Preamble, 'We, the People of India' but the Parliament, which is the creation of the people, does not have any right to touch the Judiciary in India. I think, this anachronism has to be overcome. I join with all my colleagues who have mentioned that the backward sections, whether it is the Scheduled Castes or the OBCs or the women, as a member from Odisha has also said, have all been kept away from the Judiciary; not by the Parliament, not by the Government, but because they have an insulated system. It is they who brought in, 25 years back, this system of a Collegium and they insist that the Parliament has to approve the Collegium. Collegium and the Parliament are to be balanced. A few people sit on one side. On the other side One hundred and twenty-five crores of people as represented by both the Houses. We are considered to be equals. This situation has to be put an end to. Sir, the Members here know more than the law. The aspirations of the people, their hopes and their concept regarding democracy and freedom, all these have all been put to a tangle by the court. I do not say that the court has not given very good judgments. But, all these good judgments come out of a judicial system which is mired in rampant corruption, nepotism, and social inequality. This has to be put an end to. I, and my party, request the Government that we have to take a very bold position on this issue.

SHRI D. P. TRIPATHI (Maharashtra): Sir, while agreeing broadly to the statement of the hon. Law Minister, since many distinguished Members, who are distinguished lawyers, beginning from Shri Vivek K. Tankha to Shri Satish Chandra Misra. Shri Rajeev Shukla, Shri Bhupender Yadav and Shri D. Raja, have made the points that I wanted to make, I would not repeat them.

I begin my questions with a few lines of a very popular Hindi poet who describes the Indian Judicial System.

"ओढ़ कर क़ानून का चोगा खड़ी चंगेज़शाही।  
न्याय का शव तक कचहरी में नज़र आता नहीं है।  
मुश्किलों का खर्च इतना बढ़ गया है जिंदगी में।  
जन्मदिन पर भी खुशी कोई मना पाता नहीं है॥"

This is the understanding about our judicial system!

The system about the appointment of Judges in the Supreme Court and High Courts raised by Mr. Tankha cannot be corrected; this impasse and deadlock will continue, I am telling you. It is because nowhere in the world, as far as I have studied, Judges appoint Judges. I am not a lawyer. But, I have studied and taught

[Shri D. P. Tripathi]

the Indian Constitution. So, even in the Indian Constitution and the debates in the Constituent Assembly, the limits or boundaries of the Judiciary are defined. Sir, the Supreme Court does not mean the most supreme in India. There is Legislature and there is Executive. Therefore, the point raised by Shri Rajeev Shukla is very important – where does the Parliament stands in comparison to the Judiciary. In more than four years of my presence in this House, I have not heard a single discussion on Judiciary of India. The time has now come and we should debate the standing, structure and position of the Indian Judiciary. If we do not reform our Judicial system, we are not going to advance and develop in the 21st Century as an important power in the world. That is my point. Therefore, that has to be debated.

My second point is about the procedural systems of jurisprudence in the country. How old is our I.P.C. and Cr.P.C.? They have not changed, substantially, according to the changing times. Therefore, it is not only appointments, even the execution of justice, delivery of justice is not possible without changing our structural jurisprudence procedures and penal system according to the changing times.

My third point for consideration of the hon. Law Minister is this. Sir, why can't, like other countries, our Parliament debate the recommendations of the Collegium System? Why cannot it debate? You have recommended someone, it is alright. Let us debate and then the Executive decide which recommendation is to accept and which recommendation is not to accept. I can tell you, with full authority of conviction, this kind of Collegium and absolutism continues, then no Dalit or tribal would ever be appointed. It is very difficult ...(Time-bell rings)... I want to inform this august House very briefly, I am telling you, because I witness to one occasion when one of the hon. Presidents of India had to return the recommendation marking a single question, 'Could you not find a single Dalit throughout the country to be Judge?' ...(Time-bell rings)... This is what was written. Then, of course, it came back. A Dalit was found somewhere in High Court in South India.

Last point is, as a Hindi poet said, about the functioning of our judicial system. It is my last sentence.

"जिन्दगी दीवानी मुकदमे की तरह चल रही है।  
और फ़ौजदारी मुकदमे की तरह सो रही है॥"

**प्रो. राम गोपाल यादव** (उत्तर प्रदेश): धन्यवाद सर, जब वकीलों के ऑफिसिज़ से लेकर चौराहों तक यह murmuring होने लगे कि अगर फलां जज के यहां मुकदमा है, तो फलां वकील कर लिया जाए, इसका मतलब यह है कि लोगों को यह एहसास हो गया कि judiciary में भी corruption rampant है। इसीलिए आप "The National Judicial Appointments Commission Bill" लाए थे और पास करवाया था, जिसे रद्द कर दिया गया था। मैं आपसे यह पूछना चाहूंगा

कि जिस तरह आपने जीएसटी पर इन लोगों को तैयार किया, उसी तरह से इनसे बात करके क्या दोबारा इस पर कानून बनाने और संसद की सर्वोच्चता को स्थापित करने के लिए आप इसे फिर से लाएंगे? मेरा दूसरा सवाल यह है कि जब हाई कोर्ट में judges appoint होते हैं और वहां का collegium अपना पैनल भेजता है, तो क्या आप यह mandatory करेंगे कि जो collegium भेजता है, उस पर संबंधित राज्य के मुख्य मंत्री की सहमति आवश्यक हो? अगर यह नहीं होता है तो वहां कोई यह देखने वाला नहीं है। जो वकील या जज deserving हैं, उनको supersede कर दिया जाता है और supersede करके वे जिसको बनाते हैं, उसमें यह भी नहीं है कि उसका character roll भेजें। I know. अपना भेज दिया। जब एमओपी पर आपकी चर्चा चल रही है, तो क्या आप इसको mandatory करने का प्रयास करेंगे?

अभी सतीश चंद्र मिश्रा जी ने कहा, कई और मेम्बर्स ने कहा, भुपेंद्र जी ने कहा, इसको कोई माने या न माने, लेकिन यह सच है कि दलित, ओबीसी या माइनॉरिटी, माइनॉरिटी के तो कुछ जजेज़ हैं, वे हो जाते हैं, लेकिन इन वर्गों के जजेज़ के न होने से कई बार इन वर्गों के लोगों के साथ अन्याय हो जाता है। इलाहाबाद हाई कोर्ट ने deliberately उत्तर प्रदेश के लोक सेवा आयोग के चेयरमैन को, जो कि constitutional post है, कहीं प्रोविज़न नहीं है कि कोई चेयरमैन को हटा सकता है, उसके लिए बाकायदा लिखा हुआ है कि उसको कैसे हटाया जा सकता है, लेकिन उनको सिर्फ इसलिए हटा दिया गया, क्योंकि वह चेयरमैन ओबीसी वर्ग से था। माध्यमिक शिक्षा आयोग और हायर एजुकेशन कमिशन के चेयरमैन और मेम्बर्स ओबीसी या दलित वर्ग के थे, उन सबको हटा दिया गया, जो नॉन ओबीसी या नॉन दलित थे, वे सब बचे रहे। इन वर्गों को राहत कैसे मिलेगी, लोग जिनका चेहरा नहीं देखना चाहते हैं? जिन लोगों को न्यायमूर्ति कहते हैं, अगर वे जाति के आधार पर discrimination करने लगेंगे, फैसला देने लगेंगे, तो यह मांग उठती है कि इसमें दलित और ओबीसी वर्गों को भी होना चाहिए। ...**(समय की घंटी)**... क्या आप इसको बनाते वक्त यह कोशिश करेंगे कि आइन्दा जब पैनल आए, तो उसमें इन वर्गों के भी लोग आए।

SHRI K. T. S. TULSI (Nominated): Sir, the question in the Calling Attention Motion is how to deal with the situation arising out of the impasse in the appointment of Judges. The impasse is not the creation of the Government. This impasse is due to insistence by the Judiciary that no one else can have any say in the matter of appointments. Suggestions have so many times been sent by the Government that if there is certain material against the nominated candidate for a Judge, Government may send that back to them collegium and they may examine that. They say, "No. Even if you have the weightiest reasons for not appointing somebody as a Judge, you cannot send that back." After all, what was the attempt in the National Judicial Appointments Commission? The point was, let there be wider consultation. The Supreme Court does not want the say of anyone in the matter of appointment. That is the impasse. For removal of impasse, there has to be a give and take from both sides. But, here, one side is sticking to its guns. There is no such system anywhere in the world. In fact, in Scotland, there is a Judicial Appointment Commission, consisting of about 24 persons. All of them are laymen. Last year, there was a proposition, let there be two Judges or lawyers. But, the people returned the verdict that they do not

[Shri K. T. S. Tulsi]

want even a single Judge or lawyer in the Judicial Appointment Commission. They are the consumers of justice; hence, they will decide. Here neither the Parliament can have any say nor the Executive can have any say. How is it going to work? The Constitution has been re-written by the Supreme Court. When the Constituent Assembly debated the matter of appointment, they said that the matter could not be left to the Chief Justice alone. The appointment will be by the President on the recommendation of the Government of the day. Now, when the Supreme Court is not willing to concede an inch, how is the Government going to be able to remove the impasse? This is an unfortunate situation. But that is the problem.

SHRI TIRUCHI SIVA (Tamil Nadu): Mr. Deputy Chairman, Sir, the utmost concern of any Government should be the common man. Because of the impasse on appointment of judges, the pendency of cases across the country is increasing and this should be taken note of. I think, none of us are taking serious note of it. Even in Tamil Nadu, the lawyers boycotted courts for about 60 days. So many cases are pending in courts. Litigants are waiting outside. The Government says that it is pending with the Judiciary, with the lawyers, but, actually, the people are being affected. The Government has to take some stand. Sir, every one of us agree that since the Collegium System did not work well with the appointment of judges, we enacted the National Judicial Appointments Commission Act, 2014, by way of amending the Constitution, but this was struck down by the Supreme Court and declared void. What did the Government do after that? We enacted a law by way of establishing the powers of the Legislature, realising the issues faced by the people, but the Supreme Court has struck that down and we are sitting calm! Then, we are discussing about the impasse on the appointment of judges. The population is increasing, the litigations are increasing, and the people are suffering because of the posts of judges lying vacant. So, what are you going to do with that? Sir, I have got two clarifications to seek. Before that, I would like to say that there is pendency of cases across the country. I don't want to quote all the statistics which the Law Commission has given in its Report. Because of the vacancy of judges, lakhs of cases are pending across the country. Sir, the Supreme Court, in order to finalise the existing Memorandum of Procedure, has advised the Government to take a decision. The Department of Justice sought the views of the State Governments for improvement of the collegium system by way of a letter addressed to all the Chief Ministers. Only nine States have responded - Meghalaya, Gujarat, Chhattisgarh, Arunachal Pradesh...

MR. DEPUTY CHAIRMAN: Now, put your question.

**SHRI TIRUCHI SIVA:** Sir, major States like Tamil Nadu have not responded to this very important issue. So, taking serious note of this matter, the Government must do something. My two questions are: While you are trying to set aside the impasse on appointment of judges, firstly, Sir, what are you going to do when the Supreme Court has struck down our efforts taken in enacting a law by way of amending the Constitution? And, while appointing the judges, as all other Members have suggested, follow the reservation policy for the Scheduled Castes, the Scheduled Tribes, the OBCs, women and minorities. Sir, people from South India are coming all the way to the the apex Court in Delhi, the Supreme Court, for any appeal here, but they are taking a lot of time. We have been suggesting that a Bench of the Supreme Court has to be set up in Tamil Nadu for the benefit of the South Indian people. Sir, we have been suggesting this for quite a long time. The Government has to consider that. We need a Bench of the Supreme Court in Tamil Nadu for the Southern States and the reservation policy has to be adopted in appointment of judges. Thank you, Sir.

**श्री रवि शंकर प्रसाद:** माननीय उपसभापति जी, इस कॉलिंग अटेंशन मोशन पर जैसा मैं हमेशा मानता हूँ कि अगर सार्थक बहस करने का मूड बनता है तो राज्य सभा बहुत ऊँचाई पर पहुँच जाती है। पिछले डेढ़ घंटे में जो बहस हुई, इसकी शुरुआत तन्खा जी ने की। सतीश चंद्र मिश्रा जी, राम गोपाल यादव जी, डी. पी. त्रिपाठी जी, मेरे बहुत ही अंतरंग मित्र डी. राजा जी, के. केशव राव जी, भूपेंद्र यादव जी और शिवा जी, इन सभी ने अपनी बात कही, बाकी लोगों ने भी कही, मैं सब का नाम नहीं ले रहा हूँ, लम्बी लिस्ट है। माननीय सदस्य राजीव शुक्ल जी ने एक आपत्ति उठाई कि जब कोई वकील कानून मंत्री बनते हैं तो जज का नाम देख करके परेशान हो जाते हैं। वैसे न्याय की पारदर्शिता के प्रति उनकी चिंता को देखकर थोड़ा सा कौतूहल अवश्य हुआ है, उस विषय पर कभी बाद में चर्चा करेंगे, लेकिन हम उनको बहुत विनम्रता से यह बताना चाहते हैं कि नरेंद्र मोदी जी की सरकार में देश के कानून मंत्री के रूप में कॉलेजियम सिस्टम को बदलने का संवैधानिक प्रस्ताव इसी वकील कानून मंत्री ने लाया था, यह उनको ध्यान रखना चाहिए — यह बहुत विनम्रता से मैं बताना चाहता हूँ और शायद इस खरी बात का उत्तर समझने के लिए वे सदन में उपस्थित नहीं हैं। अगर होते तो उनका भी भला होता और कुछ मेरा भी भला होता। लेकिन यह कहानी कहीं और सही।

**MR. DEPUTY CHAIRMAN:** When he saw you speaking, he has come.

**श्री रवि शंकर प्रसाद:** अब वह रिकार्ड में आ गया है, वे बाद में पढ़ लेंगे। Now, Sir, let me make certain general observations. In fact, I will go issue-wise because issue-wise, a lot of concerns expressed would be allayed. Let me first make a very general point. This Government's commitment to the independence of Judiciary is complete and total, and I say so because this Government is led by the Prime Minister, Shri Rajnath Singh, Shri Arun Jaitley, Shrimati Sushma Swaraj, Shri Venkaiah Naidu, Shri Ananthkumar, Shri Kalraj Mishra and many others, including me, who have



[श्री रवि शंकर प्रसाद]

fought against the Emergency and suffered where three freedoms were involved — (i) individual, (ii) media and (iii) independence of Judiciary. Therefore, this Government today – it is very important to be conveyed to this House – is led by leaders starting from the Prime Minister who have fought for the cause of independence of Judiciary. It is good that independence of Judiciary today has become an integral part of India's polity. That is the first thing that I would like to say.

The second thing, Sir, is, regardless of all the limitations in gap areas, which hon. Ram Gopalji also alluded to, our Judiciary's record is indeed exemplary also, be it in terms of probity or be it in terms of concern for the poor and the underprivileged. Let us not forget that ultimately the Supreme Court led benchmark in many cases of gross impropriety by Governments of any party which led to a new commitment about probity. The same Supreme Court talked about the rights of the poor and underprivileged in various PILs. Therefore, there are gap areas. I know that. But the larger commitment of the Supreme Court to these issues needs to be appreciated. Now, Sir, why are we discussing it today? And I am happy that hon. Sukhendu Sekhar Roy and Mr. K. T. S. Tulsi very rightly pointed it out. Let me tell, hon. Deputy Chairman, Sir, that on 13th of April, 2015, the National Judicial Appointments Commission Act was brought into force. Thereafter, it was challenged. Now, once the law had come, — all the Members would realize immediately and obviously you being an eminent lawyer yourself, Navaneethakrishnanji — the Bill, this Constitutional Amendment has completely removed the Collegium System. For a new system, an Appointment Commission was to come into existence, consisting of the Chief Justice, two senior Judges of the Supreme Court, the Law Minister, two eminent persons, one of SC/ST woman or a minority category person, and those two eminent persons were to be selected by a Collegium of the Prime Minister, the Leader of Opposition or the biggest party in the Lok Sabha and the hon. Chief Justice. But before that could commence, it was challenged and all the appointments got stuck. Therefore, in stalling the appointments – I am grateful to the two hon. Members – the Government did not play any role at all. Thereafter, the judgement comes on 16.12.2015.

Now, Mr. Deputy Chairman, Sir, a lot of my distinguished friends had concerns about the rights of Parliament. I will immediately come to that; and Naresh Agrawalji just talked about Article 368 as well. But even before I could move this Bill — on 26th of May, 2014 I took the oath as a Minister in Shri Narendra Modi's Government and I am grateful he also entrusted me the Law Ministry then; and I would like to tell respected Ram Gopal Yadavji, Shri Satish Chandra Misra and my good friend, Mr. D. Raja, who also espoused this cause about the rights of the



marginalized communities — Mr. Deputy Chairman, Sir, the first letter I wrote to all the Chief Justices of High Courts of India was, on the 21st of July, 2014, and here, I am quoting from that letter. I quote, “The need for giving representation to the Scheduled Castes, the Scheduled Tribes, Other Backward Classes, minorities and women may also please be kept in view while making recommendations for fresh appointments in the High Court.” Therefore, one of the first initiatives I took after I became the Minister was to write like this. Not only me, Mr. Deputy Chairman, Sir, even thereafter, my distinguished successor, Mr. Sadananda Gowda, on 30th of December, 2015 when the whole process commenced again mentioned the same thing. “The need for giving representation to the Scheduled Castes, the Scheduled Tribes, Other Backward Classes, minorities and women may also please be kept in view while making recommendations for fresh appointments in the High Court.” Therefore, I hope, hon. Satish Chandra Misraji, Mr. Navaneethakrishnan, Sukhendu babu, Mr. Tulsi and all others know that the Collegium System is not there in the Constitution. It has also not been created by an Act of Parliament. The Collegium System is a Judge-made institution. This needs to be clearly understood. But then, they said, ‘now we would make recommendations.’

Sir, I would like to make two observations here, and I am not making these observations as the Law Minister of India; I am making these observations as a student of the Indian Constitution and Law. The crux of the judgement of the five-Judge Bench of the Supreme Court is that we are annulling the National Judicial Commission Act, because the Law Minister is a part of this selection process. The law Minister is there and, therefore, a litigant who is appearing before a Judge, who has also been appointed by the Law Minister in that process, will have doubts about the impartiality of that Judge. Therefore, it is violative of the basic structure. And coming to the second part, the ‘two eminent persons’ are also — the same — violating the basic structure.

Sir, Nareshji asked about Article 368. Yes, we have got the right to amend the Constitution. But the hon. Judges say, ‘We have got the right to define what the ‘basic structure’ is. And if any Amendment violates the basic structure, we can annul that.’ And, here, they said, ‘Even though the Parliament has passed this law with a 99.99 per cent support’ — only one Member of the House walked out — ‘we say that it is violative of the basic structure’ That is how it stands. But what is the question that I am asking, Sir? Today, I would like to share it with this hon. House that if the mere presence of the Law Minister leads to doubt about the independence of the Judiciary, it is a loaded statement that is being made; it is a profound statement. We have obeyed the judgement. I will come to that separately. But since the House has asked a lot of questions, Mr. Deputy Chairman, Sir, let

[श्री रवि शंकर प्रसाद]

me say that even in the present regime, all the files that pass through me go to the Prime Minister and to the President. And today, the Prime Minister of India is the central figure in the appointment of the President, the Vice-President, the three Chiefs of the Armed Forces, the CAG, the CVC, the Election Commissioners and the Chief Election Commissioner, after a consultation process. The Prime Minister of India has been given the mandate, by the people of India, to defend India, to maintain the unity and integrity of India. When the Prime Minister can be entrusted with so much of a trust by the people and the polity of India, how is it that the Prime Minister or the Law Minister cannot be trusted in the appointment of a Judge? That is a larger question to be considered. At some point of time, the polity will have to do that. ...(*Interruptions*)...

Mr. Deputy Chairman, Sir, the second thing that I would like to highlight today is this. This judgement came in the year 1993. The Constitution came into being in 1950. From 1950 till 1993, for 43 long years, the Law Minister has been integral to the process. Many a time, the Chief Minister was integral to the process before even the Chief Justice came. That is past. But let me ask a question today. There have been problems, during the Emergency or during the regime of some particular Law Minister. But, Sir, some of the finest Judges of India, who are beacons of Indian Judiciary, were appointed through the same process, where the Law Minister used to play a part. Who are they? Patanjali Shastri, Kania, Gajendragadkar, Hidayatulla, Krishna Aiyar, Venkatachalaiah, Chandrachud, Bhagwati, who led to PIL, or J. S. Verma – all were appointed by the same process! And I would like to ask Satish Misraji, Mr. Tulsi and Sukhendu *babu*, has the Collegium System produced any Judge of that intellectual calibre or intelligence? That is a larger question to be considered at some time in future. But what I am saying today, Sir, is that we have accepted this challenge. Regardless of our reservations, lots of questions were asked: Are you willing to come again with this law? The polity will have to take a call; I cannot make any commitment today. माननीय राम गोपाल जी, GST पर एक सर्वानुमति के लक्ष्य पर पहुंचने के लिए डेढ़ साल तक कितनी मेहनत करनी पड़ी, फिर भी एक पीड़ा होती है। अगर कहीं न कहीं इस देश के राजनीतिक संदर्भ को उस सर्वानुमति की सीढ़ी पर चढ़ने का मन करेगा, तो रास्ता निकलेगा। अभी उसके बारे में कोई टिप्पणी करना मेरे लिए उचित नहीं होगा। But, Sir, we have accepted the Judgement in all humility. Here, I would like to tell, Mr. Vivek Tankha, — hon. Member is a distinguished colleague of mine in the profession; we have appeared together and opposed each other in many cases, but he is junior to me in the Parliament, — at least, allow me to make that indulgence in the Parliament; okay. I came in the Parliament in the year 2000. Now, it is seventeen years; you have come this year only. Therefore, I am

seventeen years senior to him in the Parliament. Having said that, let me say my basic point. We don't intend to have a veto on the Judiciary. Sir, I want to make it very clear with the full authority of the Government and the Prime Minister that we don't wish to have any veto on the Judiciary. *...(Interruptions)...*

SHRI MADHUSUDAN MISTRY (Gujarat): Sir, this statement of the Minister is not fair. *...(Interruptions)...* He may be senior, but *...(Interruptions)...*

MR. DEPUTY CHAIRMAN: That is between them. *...(Interruptions)...* There is nothing wrong. *...(Interruptions)...*

श्री रवि शंकर प्रसाद: सर, अगर विवेक तन्खा जी को इस पर आपत्ति होगी, तो मैं withdraw कर लूंगा, लेकिन इस सदन में सीनियर वकील को जूनियर रखने की इजाजत नहीं है, यह मैं कहना चाहूंगा। Now, Sir, what I was trying to say is that we have accepted the Judgement in all humility. But I want to make it very clear to this House, and it is very important, that the right to reframe the MoP has been given by the Supreme Court to us. It is not a job which we are taking *suo motu*. The Supreme Court had said that the present Collegium System needs improvement. The Supreme Court had said, please take suggestions from the public of India. And, yes, hon. Sukhendu babu, you are right, if you have any specific suggestions to give, I undertake that I will convey it to the Judiciary that these are suggestions from some of my *...(Interruptions)...*

SHRI SUKHENDU SEKHAR ROY: Parliament should decide *...(Interruptions)...*

SHRI RAVI SHANKAR PRASAD: I will come to that. *...(Interruptions)...* I will come to that debate part. *...(Interruptions)...* Therefore, that point is fairly well taken. About 3,500 suggestions came. We collated them and 1,450 have been gone into. Now, Sir, why did the Supreme Court ask us to reframe it? My distinguished colleague, hon. Bhupender Yadav, has very rightly stated that they framed four issues. And, Sir, I have got the Judgement with me. Let me read from the Judgement itself instead of quoting it otherwise. The concluding part of the Judgement says, 'The Memorandum of Procedure may provide for any other matter considered appropriate for ensuring transparency and accountability including interaction with the recommendee by the Collegium of the Supreme Court, without sacrificing the confidentiality....' Earlier, they say, Sir, four issues, which they say very clearly. What the four issues are; '...existing Memorandum of Procedure with the object of considering criteria or benchmark for the appointment of Judges of the higher judiciary, including widening the zone of consideration; to introduce transparency in the matter of appointment; to make the present procedure broad-based, by reducing supporting measures, etc.', and then they say, 'do like this'. Therefore, the Supreme Court itself acknowledges that the Collegium System has a lot of limitations, which need improvement. The second

[Shri Ravi Shankar Prasad]

thing they did acknowledge is that the element of transparency may be missing or maybe not that prominent; therefore, reinforce the transparency mechanism. Thirdly, let the appointment process be more predictable; therefore, come with an eligibility condition in a more proper manner. These are the issues which they themselves stated. Sir, these are not my views. But out of five Judges, one, hon. Justice Chelameswar, was dissenting. Since he was dissenting, I am not reading that. But two hon. Judges of the Supreme Court, who formed the majority of the five Judges, have written in their Judgement, which is a public document, and, Sir, I would like to read that. Sir, this judgment is by hon. Justice Madan B. Lokur. These are not my words; I am quoting it, "But it must not be forgotten that the Executive had an equally-important participative role in the integrated process of appointment of Judges. That the Executive adopted a defeatist or an I-don't-care attitude is most unfortunate. The Collegium cannot be blamed for all the ills in the appointment of Judges. The political Executive has to share the blame equally, if not more, since it mortgaged its Constitutional responsibility of maintaining a check on what may be described as the erroneous decision of the Collegium." A Supreme Court Judge, who is part of the majority, has written this judgment. I want to make it very clear that these are not my words.

The second judgment is by Justice Kurien Joseph, again a distinguished Judge, and this is a little long. Mr. Deputy Chairman, Sir, he comes from your State and he is a very distinguished Judge of India. I have great personal regard for all the Judges. He writes, "All told, all was and is not well. To that extent, I agree with Chelameswar J. that the present Collegium system lacks transparency, accountability and objectivity. The trust deficit has affected the credibility of the Collegium System, as sometimes observed by the civil society. Quite often, very serious allegations, and many a time not unfounded too, have been raised that its approach has been highly subjective. Deserving persons have been ignored wholly for subjective reasons. Social and other national realities were overlooked. Certain appointments were purposely delayed so as either to benefit vested choices or to deny such benefits to the less patronised. Selection of patronised or favoured persons were made in blatant violation of the guidelines resulting in unmerited, if not, bad appointments. The dictatorial attitude of the Collegium seriously affecting the self-respect and dignity, if not, independence of Judges; the court, particularly the Supreme Court, often being styled as the Court of the Collegium, the looking forward syndrome affecting impartial assessment, etc..." These are not my words. These are the words of the Supreme Court and of the majority of the Judges. And, what does he write ultimately? He writes, "The active

silence of the Executive in not preventing such unworthy appointments was actually one of the major problems.”

I would like to remind Mr. Vivek Tankha that the serious concern over the creeping limitation of the collegium has never been expressed by us in such eloquent words, where there is a recurrent recognition by two senior Judges in the majority view that we have a role to play. We don't wish to exercise veto at all. But, in the consultation process, in the very nature of the limitations which the law has given to us, we are trying to emphasise, and we shall continue to emphasise, that MoP needs improvement for making it more transparent and more objective, so that it inspires more confidence. That is what I have to say because I want to make it very clear.

Sir, I will take ten minutes and finish. It is an important issue. Kindly allow me. Sir, the issue of reservation was raised by Shri Satish Chandra Misra. Sir, I recall that while moving this Bill, I had, while replying to a concern raised by him and Behan Mayawatiji, assured the House that a stage would come and we will maintain a proper catalogue of good lawyers of the *dalit* community and the OBC community, so that we can take a pool of those talented lawyers to be pushed up for consideration. Because the Law Minister was to be there, unfortunately, all had been struck down. I can only say that reservation in a single Constitutional post is a larger debate. My good friend, Mr. D. Raja, talked about reservation for the deprived. I am completely with him, as far as the rights of the deprived community are concerned. Yes, I had said this while moving the Amendment Bill in the House, and I repeat it today, that the Judiciary of the day had to acknowledge that today, the Judiciary has come into the focus of India's governance system where those who are marginalised, those who are poor, those who are SC, those who are ST, want to have a stake, and that stake must come for the minorities, who are also competent. I know, in this country, there are a good number of lawyers from these marginalised communities who are competent lawyers. Why are they not being considered? That is the question that has to be answered. I can assure you that it is the focus of this Government that in the whole process, those people, who are ignored, must be given a space. As the Law Minister of India in the Government, I will do whatever I can. I want to assure that this will continue to be our endeavour.

Sir, certain larger questions have been raised. One of them is about the role of the Chief Minister.

SHRI C. P. NARAYANAN: You mentioned nothing about 'women'.

MR. DEPUTY CHAIRMAN: That is also included.

SHRI RAVI SHANKAR PRASAD: Sir, I read it. In my letter itself, 'women' was mentioned. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: Yes, that is mentioned. ...*(Interruptions)*...

AN HON. MEMBER: What about reservation for women? ...*(Interruptions)*...

SHRI RAVI SHANKAR PRASAD: I was coming to that. Since you have raised this issue, I must reply to that. As far as the reservation in the higher Judiciary is concerned, all the distinguished Members, Sukhenduji, Tulsiji, Misraji, Tankhaji and others having knowledge of Constitution, know it very well that as of now, in higher Judiciary, there is no reservation. The view is that, it is a Constitutional post, and, if you think of reservation in a Constitutional post, you can't stop only at the High Court Judges or the Supreme Court Judges, there is the Public Service Commission, there is the Election Commission, there is CAG, there are many other posts, you will have to think about that. But, there must be consistent endeavour to ensure that these marginalized communities are there. Yes, women should also be there. Why not? We will keep on thinking about that.

SHRI TIRUCHI SIVA: What about 'minorities'?

SHRI RAVI SHANKAR PRASAD: My great friend, Siva, in my letter itself, I had mentioned that when I became a Minister in July, 2014. Obviously 'minorities'; why not? Definitely, they should be there.

प्रो. राम गोपाल जी ने मुख्य मंत्रियों की भूमिका के बारे में एक विषय उठाया। मैं आपको बहुत विनम्रता से बताना चाहूंगा कि MoP में अभी मुख्य मंत्री से सलाह का प्रावधान है। हम इस बात की विशेष चिन्ता करते हैं। यह भूमिका राज्यपाल से होकर आती है। आपकी बात बहुत ही सही है, यह चर्चा आई है कि नियुक्ति की प्रक्रिया में मुख्य मंत्रियों को एक प्रभावी भूमिका मिलनी चाहिए, चर्चा होनी चाहिए। यह विषय आगे चल रहा है।

I think, hon. Members will have to acknowledge one thing. Sukhendu *babu*, I am not running away from debate in the Parliament. But you are a very seasoned man who understands the Constitution. When I am discussing the whole MoP with the hon. Judges, it is a process. Let that process be complete. I am dealing with something sensitive. You must understand that, and I want to tell all the Members that we are alive to the concerns that you have reflected here. Let that process be complete. Surely, we will do our best.

SHRI SUKHENDU SEKHAR ROY: Thereafter, it can be discussed.

SHRI RAVI SHANKAR PRASAD: A lot of questions have been asked about accountability and the role of this House. How can I run away from that? As a

**4.00 P.M.**

Member of this House, I want to convey to the hon. Member that when the judgement came, the first comment, which I made as a Minister, was, "While upholding the majesty of independence of Judiciary, the judgement has given a go-by to the majesty of the supremacy of Parliament." I said it publicly. Some time or the other, this Parliament will have to debate that larger issue. Our Constitution has given a very specific role of law-making, governance, accountability to the Parliament; it includes the fact that I am replying to this Calling Attention Motion moved by Mr. Vivek Tankha; and, on behalf of Judiciary, the good points as also the minus points, I am acknowledging. That is the degree of accountability, and I do not think this constitutionally-recognized supreme power of the Parliament can be mitigated. But, yes, one thing is there, the law passed by the Parliament or amendments are subject to scrutiny by the Supreme Court. That is what they have done.

Now, I come to last three quick points. A lot of issues have been raised.

MR. DEPUTY CHAIRMAN: You need to reply in brief.

SHRI RAVI SHANKAR PRASAD: Mr. Tulsi raised the issue of impasse. I want to assure him that there is no impasse.

SHRI SATISH CHANDRA MISRA: Sir, let the reply come. It is a very important issue.

MR. DEPUTY CHAIRMAN: I know it. That is why, two hours have been given. Let us look at the watch. *...(Interruptions)...* How much time was allowed? *...(Interruptions)...* In place of one hour, I have allowed two hours.

SHRI SUKHENDU SEKHAR ROY: Sir, we want to listen to the Minister. *...(Interruptions)...*

SHRI SATISH CHANDRA MISRA: Sir, we will sit one hour extra. *...(Interruptions)...*

SHRI RAVI SHANKAR PRASAD: Sir, I want to assure hon. Member, Shri K. T. S. Tulsi, that there is no impasse. As I said, there is no veto, there is no impasse also. But, yes, if the Supreme Court has asked us to frame this particular MoP, like the previous judgement, in consultation with them, keeping the issue of accountability, objectivity and fairness in mind, it is my duty to convey it in that consultation process keeping that in mind, and, you will continue to have that. *...(Interruptions)...*

Sir, Mr. Raja mentioned about certain acquittals. It is a serious matter. Mr. Raja, with your wide parliamentary experience, I hope, you are aware that in India, we have a principle called 'presumption of the innocence of the accused'. And we have



[Shri Ravi Shankar Prasad]

a Judicial process. It has conviction, acquittal or reversal. But, yes, I take your point that the Judiciary needs to have sensitivity in the case of a massacre. If *Dalits* have been massacred, there has to be certain accountability of fixing the guilt on some persons. That is important. Not only the trial but the investigation should also be free and fair by those who are conducting the investigation. I think these issues will have to be taken into consideration. Sir, I think I have by and large addressed all the issues. ...(Interruptions)... Dr. K. Keshava Rao mentioned about the issue of Telangana. In his own inimitable style, he has always been espousing the cause of Telangana whenever I have had the occasion to hear him on legal issues. I want to assure you that we are in discussion. Your point that Telangana needs to have representation both in the subordinate and higher Judiciary is well taken. We are looking into it. Allow us to have that process. That is all I can assure you. I think with this I have addressed all the issues. ...(Interruptions)...

SHRI SATISH CHANDRA MISRA: Sir, I had raised a question. ...(Interruptions)... Since it was raised in the beginning, it has been left over. You have said that there are more than 450 vacancies. The judges in the lower Judiciary retire at a particular age. Why are their names not being cleared? Two, you have said that the hon. Supreme Court had said that the Executive cannot sit silently when unworthy appointments are being made. Can the Executive sit silently when worthy appointments are not being made? We appreciate your stand and your action of sending letters to them asking to send this category names and their subsequent successors also. But have you returned the names saying that these names do not find place? The Executive cannot sit silently if worthy appointments are not being made.

SHRI RAJEEV SHUKLA: Mr. Deputy Chairman, Sir, just one small question. ...(Interruptions)...

MR. DEPUTY CHAIRMAN: No, no. ...(Interruptions)... I cannot allow all this. ...(Interruptions)... I have to start the debate on the Bill. ...(Interruptions)... No, no. ...(Interruptions)... If I allow...(Interruptions)...

SHRI RAJEEV SHUKLA: Sir, the hon. Minister has said that if there is consensus in Parliament, he is willing to bring this Bill again. ...(Interruptions)...

SHRI RAVI SHANKAR PRASAD: I did not say that. ...(Interruptions)...

SHRI RAJEEV SHUKLA: Who is preventing you from doing that? ...(Interruptions)... You can always bring a Bill. There was consensus in Parliament. Ninety-nine per cent people voted ...(Interruptions)... You bring it again. ...(Interruptions)... We are ready for that.



MR. DEPUTY CHAIRMAN: I have to take up the Bill now. ...*(Interruptions)*...

SHRI RAJEEV SHUKLA: Secondly, if the independence of the Judiciary does not mean surrender to Judiciary ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: That he has explained very well.

SHRI RAJEEV SHUKLA: Judiciary is ensuring probity in public life. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: The Minister has explained it very well. ...*(Interruptions)*...

SHRI RAJEEV SHUKLA: What about probity within the Judiciary? ...*(Interruptions)*... Your comments should also be on that. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: He has already explained it. There is no need for doing that. I have to take up the Bill. ...*(Interruptions)*... No, no. I have to take up the Bill. ...*(Interruptions)*...

**श्री राजीव शुक्ल:** सर, इसका जवाब आ जाए, इसका जवाब नहीं आया है। ...*(व्यवधान)*... आप इसके लिए बिल तो लाइए। ...*(व्यवधान)*...

SHRI VIVEK K. TANKHA: Sir, what I am saying is this. ...*(Interruptions)*... My intent was to ignite a debate. And I have succeeded in doing that. Because nobody was debating this in the country. ...*(Interruptions)*... Two, I am saying that ...*(Interruptions)*...

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

SHRI VIVEK K. TANKHA: Today, the judgement of the Supreme Court as it stands is final. Whatever we have to do, we have to do within the framework of the Supreme Court. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: He has explained that very well. ...*(Interruptions)*...

SHRI VIVEK K. TANKHA: What I am saying today is this. ...*(Interruptions)*... The hon. Law Minister does not have that elbow room of a public interest ...*(Interruptions)*... which the newspapers have been supporting. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: Do you have to say anything? ...*(Interruptions)*...

**श्री रवि शंकर प्रसाद:** सर, माननीय सतीश चंद्र मिश्रा जी ने जो बात कही है, मैं उसकी पूरी चिन्ता करूँगा। मैं आपसे यह भी कहना चाहता हूँ कि जो निचले डिस्ट्रिक्ट जज के नाम आते हैं, उसमें भी काफी समस्या होती है, वरीयता को छोड़ देते हैं, but I would look into it and expedite it. Sir, today, 478 vacancies are there. About 200-plus appointments are in process. The rest also I am expediting. Kindly don't forget that the judgement came in December and in January we told the Chief Justice to kindly initiate the

[Shri Ravi Shankar Prasad]

appointment again. We have taken initiative ourselves. I know that regardless of the reservation of the House, there is a judgement of the Supreme Court which we have accepted in all humility and we are working according to the parameters set by them. Sir, I am deeply grateful to you for providing me this opportunity.

MR. DEPUTY CHAIRMAN: Thank you. I actually congratulate every Member who participated in the discussion. The discussion was of high level. It was very informative for me also. I congratulate the Minister on explaining it very well.

---

### **GOVERNMENT BILL**

#### **The Enforcement of Security Interest and Recovery of Debts Laws and Miscellaneous Provisions (Amendment) Bill, 2016**

MR. DEPUTY CHAIRMAN: Now, we will take up the Enforcement of Security Interest and Recovery of Debts Laws and Miscellaneous Provisions (Amendment) Bill, 2016. Shri Arun Jaitley to move.

THE MINISTER OF FINANCE, AND THE MINISTER OF CORPORATE AFFAIRS (SHRI ARUN JAITLEY): Sir, I move:

That the Bill further to amend the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002, the Recovery of Debts due to Banks and Financial Institutions Act, 1993, the Indian Stamp Act, 1899, and the Depositories Act, 1996, and for matters connected therewith or incidental thereto, as passed by Lok Sabha, be taken into consideration.

*The question was proposed.*

DR. T. SUBBARAMI REDDY (Andhra Pradesh): Mr. Deputy Chairman, Sir, I rise to speak on the Enforcement of Security Interest and Recovery of Debts Laws and Miscellaneous Provisions (Amendment) Bill, 2016, which was passed by Lok Sabha on 1st August, 2016. Earlier, it was referred to a Joint Committee of both Houses for examination, and the Committee submitted its Report in July, 2016.

I am very happy in welcoming this Bill. The Bill aims to strengthen the hands of the banks and financial institutions to recover the money from the debtors, to whom they have given loans, making the banks strong and also taking the initiative to facilitate new investments, which will ultimately lead to higher economic growth. We appreciate that.

Sir, before that, I would like to say that today the banking industry is in a very difficult situation. Stressed assets amount to ₹ 8,00,000 crore. It is actually 5.6 per cent of the GDP. So, the Recovery of Debts due to Banks and Financial Institutions Act was passed in 1993 and, through this Act, Debts Recovery Tribunals were set up for recovery of loans. But, you must be aware that about 70,000 cases are pending in the Debts Recovery Tribunals.

[THE VICE-CHAIRMAN (SHRI SUKHENDU SEKHAR ROY) *in the Chair*]

I would like to draw the attention of the hon. Finance Minister that the banks are in a bad shape and are in dire need of capital infusion from the Government. No doubt, recently, the Government has infused some capital. But, actually, that is not sufficient. Every day, we see that the Government is very much interested in economic growth and the growth of Indian industries. For this, banks should be strong, sound and stable, and should be able to finance new industries. But, since there are high NPAs, they need more capital. So, now, I expect the Government to give such infusion of capital so that in future, all banks become self-sufficient and strong, and play the important role in building the Indian industry. I am also very happy that because of this Bill, there will be exemption of stamp duty on loans advanced by banks and financial institutions to Asset Reconstruction Companies. This is a very important point. To make the hands of banks more strong and recover the assets and loans from the people, they must have the registration system. Stamp duty is very costly. Therefore, I am very happy that you are amending this and giving exemption in respect of stamp duty and levying of charges. Amendment will also enable non-institutional investors to invest in security receipts by Asset Reconstruction Companies. I also welcome this, which is a really good point.

Then, I come to those who are issuing debentures. Even the Government issues debentures. Debenture trustees will also have same rights as secured creditors. It is also a very good point. Then, there are five changes in the DRT Act. In Section 13 of the SARFAESI Act, you went in for serious changes. First, I am very happy to see that they will have to enforce security interest for NPA without intimation to Tribunals. If an asset was declared as non-performing asset, under the SARFAESI Act, they could directly go to an asset reconstruction company. Also, the amendment of the Indian Stamp Act and amendment of the Depositories Act, 1996 will help the banks and financial institutions to recover the bank loans faster. The banks have failed to take notice of early signs of stress on the loans disbursed.

Sir, here, I would like to say that the banks also have to play a very important role. Sir, I draw the attention of the hon. Finance Minister that the banks must take initiative on stressed assets, guide them to a one-time settlement and actually give

[Shri Arun Jaitley]

that to them. Regarding these stress loans, what I would like to say is that it is due to circumstances. There are wilful defaulters and there are defaulters because of the circumstances. For instance, there are some industries like steel, sugar, cement and textiles, which are temporarily sick. Therefore, infrastructure also, today, is in bad shape. They are in bad shape and, because of this, NPAs are going up. So it is the banks which should come forward, guide these borrowers, see that they do quick settlement and make the NPA go down. The Amendment also empowers the Reserve Bank of India to regulate the ARCs (Asset Reconstruction Companies) to carry out audit and inspection of the ARCs and to impose penalty on the ARCs. This also is a very good step and I appreciate the fact that the Reserve Bank has, actually, been empowered now to have control on the ARCs. The RBI is the regulator according to the amendment. What happened earlier is that a lender used to take loan from different banks showing the same property. That is why, a Central Registry has been created, and now, to prevent multiple loaning from different banks on the same immovable property, the Central Electronic Registry has been set up, and I welcome it.

Sir, in the whole Bill, there are four Acts which are being amended. The SARFAESI Act is being amended. The Recovery of Debts due to Banks and Financial Institutions Act is to be amended. The Indian Stamp Act is to be amended. In the Indian Stamp Act, there should be a clarity. Actually, for registration and stamps, the borrower and also the banker must agree. There is no clarity as to whether the banks can straightaway register the assets or both must do. I seek a clarification on this. The Depositories Act also has to be amended. The amendments made in the legislation deal with the following points. One is, expeditious disposal of all applications. Second, it is an important change that there can be electronic filing of applications. Third, priority of secured creditors is enforced through DRT amendment. Fourth, debenture trustees will be treated as financial institutions. Fifth, empowering the Central Government to provide for uniform rules for conduct of proceedings of the DRTs.

Sir, there were a number of changes in the DRT Act. Now, in SARFAESI Act, Section 13 is being amended to enforce security interest for NPAs without intervention of tribunals. That is a very good point, which we welcome and support. There is one more important thing. The entire nation wants economic growth. If industrial growth is there, there may not be frustration among the youths, and employment potentiality will increase. For that, banks and financial institutions have to play a very important role. As on today, the banks are in a difficult stage as they are having NPAs worth ₹ 8,00,000 crores. They are, actually, in a very, very embarrassing stage and they are not coming forward to give loans even to genuine entrepreneurs. Therefore, it is the

duty of the Government to ensure that they do it. I would also like the hon. Finance Minister, to clarify at the time of his reply, as to what efforts they are making to strengthen the banks. On the one side, through this Bill, they are giving strength to the banks to actually recover all these debts from the debtors. Besides that, for the growth of the industry, how are we going to give confidence to the banks, how we are going to enable them to give more loans to new and genuine enterprises?

Sir, another most important point is, today, the banks have a lot of NPAs and they are in bad shape. We have to look at it in two parts. The NPAs have come about because of some wilful defaulters. The NPAs have also come about because, as I already said, some industries became sick temporarily. Sometimes, these industries became sick permanently. So, for those industries which have become temporarily sick, which are going to recover in future, the Government should have a mechanism to see to it that the banking institutions are properly guided and directed in this regard. They should be directed to give a helping hand to those industries which have become temporarily sick. They should, in fact, segregate such NPAs instead of putting everything together and saying that the banks are in bad shape. In the new amendment, there will be registration of creation, modification or satisfaction of any security interest over any property of the borrower by all secured creditors and the provision of integration of the security system. Everything will be registered together in one registry so that, at the push of a button, the authority will know what the properties are which have been given to the bank as a security. This is really a wonderful amendment; we welcome it. It is really going to help the banks and the industry.

Then, Sir, creating central database on security interest over the properties of borrowers is also very good. Then, the Reserve Bank of India is going to have control over the ARCs which I have already mentioned. Then, there will be an exemption of Stamp Duty on loans which is also very important and helpful.

I want to draw the attention of the hon. Minister to one more important thing. Today infrastructure is in a very bad shape. The Parliamentary Standing Committee has given a suggestion to develop a vibrant bond market to finance infrastructure projects. Is it possible to have a vibrant bond market to strengthen the infrastructure sector? Of course, this is not an easy task, and public must also accept to invest in this market. But still I want to mention this thing.

The Parliamentary Standing Committee has also said that banks are not coming forward to guide the borrowers in time and settle the things. I also want the Government to direct the banks to be more alert and take necessary steps to guide the borrowers who are actually struggling. Even though I welcome the Bill and

[Shri Arun Jaitley]

the amendments, there is one more thing which I want to mention. It is mentioned that cases would be disposed of by the Tribunal in 60 days. As on today, the Debt Tribunal is given six months time to dispose of a case. But they are taking years together to dispose of a case because of adjournments and so many other things. In this Bill, you have put the timeframe as 60 days. In this connection, I want to say that if it is beyond 60 days, and if they go to the High Court or the Supreme Court, the Government should make an effort to ensure that the High Court or the Supreme Court gives priority in dealing with bank's request so that they can recover the money from borrowers.

THE VICE-CHAIRMAN (SHRI SUKHENDU SEKHAR ROY): Two more speakers are there from your party. Please conclude.

DR. T. SUBBARAMI REDDY: I want to draw the attention of the hon. Finance Minister to the challenge on industrial development front, on the one side, and recovery of loans on the other side. So, this is a big challenge before him. I want to know from the Minister what efforts the Government is making on industrial development front. Regarding recovery of loans, this Bill is going to help the banks.

In conclusion, I welcome the Bill and the amendments. The hon. Finance Minister is cool. He can speak for a long time with a smile. But I do not know whether he will respond to our questions. However, I am drawing his attention to some of these questions. This is a big challenge for him. With all his skill, dynamism, intelligence and buoyancy he can take up the challenge and ensure how the economy grows, how the industry grows and how banks are going to recover the loans. Both are going together. You are recovering bad loans. Of course, you are giving teeth to the banks through these amendments which are really going to help. You have to see that banks are tutored that they should not simply worry and afraid to participate in the development of new industry. They must participate, make an effort to study whether a new industry is genuine or not and then come forward to give loans. The Government has infused some capital into public sector banks. That is not sufficient, still, banks are struggling. You must infuse more capital because they are Government banks. Even if you infuse more capital into Government banks, it is your money. Once again "लोकोत्तरायणाः संगठनः निरूपमानः सन्निवेशः नद्वितीयः" That means, the economy should be spectacular, phenomenal, matchless and unparallel and hats-off to you. Sir, granting 'Special Category' status to Andhra Pradesh is not the subject of discussion now, but still, I would request the hon. Finance Minister to consider giving Andhra Pradesh the 'Special Category' status. Thank you very much.

THE VICE-CHAIRMAN (SHRI SUKHENDU SEKHAR ROY): Shri Bhupender Yadav.

SHRI BHUPENDER YADAV (Rajasthan): Sir, the present amendment of the Enforcement of Security Interest and Recovery of Debts Laws and Miscellaneous Provisions (Amendment) Bill, 2016, is another step towards economic reforms by the present Government towards facilitating the 'Ease of Doing Business'. The present Bill was examined by the Joint Select Committee of Parliament and, being the Chairman of that Committee, I would like to thank all my colleagues who had deliberated on it in great detail in the Committee. We were able to suggest 21 Amendments to the Bill. I also thank the Government for accepting those Amendments.

Today, we are creating an environment to encourage entrepreneurship in our country for better economic growth. Ease to do business should begin with an easy process to start business; as it goes through the process of getting credit, the procedure should be easy and simple. It should give protection to investor provide an effective process of enforcement of contracts; and lastly the ease of doing business should ensure easy procedures for resolving insolvency.

When the present Government came to power, the financial institutions were suffering due to NPAs and bad loans. The present position being there are 70,000 cases pending in the DRTs, with NPAs worth five lakh crores of rupees, and these have been affecting the economy adversely. The Government realized this fact and started identifying the existing problems in the system. The Government recognized the importance of the regulatory environment in promoting entrepreneurship and undertook the objective of making India one of the easiest places to do business. Undoubtedly, there was scope for improvement in achieving this target. Therefore, the Government started working towards it. Last week, the GST Bill was passed; before that, the Insolvency and bankruptcy Bill was passed. Then, the Benami Transactions Bill was passed. These were the steps that were taken by our Government for introducing economic reforms in the country.

Sir, I want to say that, presently, one of the biggest problems is that of NPAs and bad loans. In order to resolve that issue, the SARFAESI Act empowers secured creditors to take possession of assets against which loans were taken, in case of payment defaults. It is supposed to ensure fast recovery of bad loans, which affects the credit market in the country. The present Bill has made provision for the timely disposal of cases. Earlier, we saw that the CMM used to take a long time for recovery. In the present Bill, we are providing a limit of thirty days. The Bill has also proposed creation of a central database of records, which is to be maintained so that the information is not lost in the plethora of intra-State reports.



[Shri Bhupender Yadav]

Sir, the Amended SARFAESI Act empowers the RBI to conduct audit and inspection of Asset Reconstruction Companies (ARC). We know that the ARCs buy NPAs from the banks. So, it is very necessary to create a mechanism for the regulation of ARCs. The ARCs buy the NPAs from the banks on discount and recover the money. It may penalize the non-complying companies. We have also given powers to the RBI to examine the statements and information about ARCs. The RBI is also allowing banks to absorb their written-off assets in a staggered manner, which would help them in restoring their balance sheets to normal health.

Sir, the present Bill also seeks to empower DRT in the light of the Supreme Court judgement. Recently, the Supreme Court had given a judgement in a tenancy case. The question was whether the third party tenancy right will be decided by the DRT or not. Sometimes, we know that when a recovery process is started against a secured creditor, they immediately create a tenancy. But, sometimes, the recovery gets delayed. For that purpose, in the present law we have provided a mechanism to take care of that. There is one question, Sir. What would be the cause of action? Sir, for debt recovery, we are providing for a time-bound procedure. The Bill also makes provision for restoring possession of secured asset to any aggrieved party, if the action of the bank is invalid. With an amended provision, DRTs can decide the third party rights including tenancy and leasehold right in secured assets. The present Bill has made changes in the jurisdiction as well as also in Section 17. Now banks and financial institutions can file cases within the local limits of the bank, which maintain records of that loan. It is one of the good steps to reduce time of disposal as the record verifications etc. as the lack thereof used to be the reason for adjournments. The Bill also provides for certain procedures, which are to be done electronically; this will save time and money. It will also bring transparency and create an atmosphere of accountability.

Any law requires some time to show its effect and, I believe, in due course of time, the laws enacted for economic reforms, will show the commitment of the Government to make India a strong economy at global platform for the investors also.

The Insolvency and Bankruptcy Code is now enacted, but, it will take some time when complete infrastructure will be ready to enforce the Code. The Code could achieve its target of providing one-stop solution for all insolvency-related issues, or problem of non-payment of debt, and the Government is committed to do so.

A very recent advertisement for the members for the Insolvency Board by the Finance Ministry shows that we have not stopped after passing the law; we are working step-wise to achieve the purpose as soon as we can.



Everyday, the Government is proving its commitment to achieve the goal of becoming a business hub. The prime focus of the Government is to make laws and policy, which ensures higher accountability, transparency and makes access to information easy and delivers of services fast by making best use of the technology.

We also know that the DRT faces the shortage of judges. So, in the present Act, we are enhancing the age of the judges in the DRT, that is, 65 years, and for the DRT, it is of 70 years. You know, sometimes, the vacancies are not filled because the person is not available. So, earlier, there was an amendment made in the Airports Authority Act also that for the Appellate Tribunal, if a person is not there, but a similar-situated Tribunal is there, so, the similar-situated Tribunal Judge will also work in an *ad hoc* capacity in the same Tribunal also. So, that provision is provided in the DRT court also so that our cases do not suffer because the judges are not there. So due to this provision, we will not suffer in future also.

Pending cases in the DRT has been a matter of concern for the Government, and therefore, the Government is concerned with strengthening the DRT in every possible way. Shifting work load towards the NCLT after implementing the Bankruptcy and Insolvency Code is one such step, which will reduce huge work pressure of the DRT because, as per the Insolvency Bankruptcy Code, the NCLT is an adjudicatory authority for cases related to non-payment of debt by a company and an LLP for the default amount notified by the Government, and once application is admitted there, the proceedings in any other court will be stayed for the same cause. Sir, the time-frame is also necessary because if we are not able to dispose of the cases in a time-frame manner, especially, the financial matters, then, it will be a huge loss to the country because investors will not be ready; those who are investing the money, sometimes, may feel that system is not with them. So, a time-frame procedure we are providing by the present amendment also.

I want to say that these amendments made by the Government in the SARFAESI Act as well as the amendment moved by the Government in the DRT Act, is also in harmony with the earlier Bankruptcy and Insolvency law also. In the Bankruptcy and Insolvency Code, we provide one major structure or major institution for resolving the insolvency and all these problems.

I would like to conclude with the firm belief that while identifying the loopholes and simplifying legal procedures, making provisions to assure accountability, transparency and security of investment, India has taken steps to become a place to be one of the few choices to do business. The aim of ease of doing business is to empower competent people to venture out, encourage them to take risks and

[Shri Bhupender Yadav]

facilitate them to compete in the global market. Further, it will provide employment to people at all levels. Again, I would congratulate the Government for attracting the investors, and the multinational companies by providing simple and effective adjudicatory mechanism. It is successfully achieving the dream of Make in India, Start-up India, Digital India, Stand-up India, so on and so forth, which is the vision of our hon. Prime Minister. I congratulate the hon. Prime Minister and the hon. Finance Minister for putting in best efforts to achieve this target at a greater speed and in a committed manner.

SHRI JAIRAM RAMESH (Andhra Pradesh): Sir, economic reforms इस मायने में नहीं हैं कि भुपेंद्र जी अंग्रेजी में बोले। ...**(व्यवधान)**...

THE VICE-CHAIRMAN (SHRI SUKHENDU SEKHAR ROY): Shri Naresh Agrawalji, not there. Now, Shri Ravi Prakash Verma.

**श्री रवि प्रकाश वर्मा** (उत्तर प्रदेश): उपसभाध्यक्ष महोदय, प्रतिभूति हितों का प्रवर्तन और ऋण वसूली विधि तथा प्रकीर्ण उपबंध (संशोधन) विधेयक, 2016 बहुत महत्वपूर्ण बिल है। इसमें Enforcement of Security Interest के issues पर चर्चा हो रही है।

सर, आज की तारीख में पूंजी की कमी सभी जगह पर महसूस हो रही है। यह जानकर हेरत होती है कि हिन्दुस्तान के बैंकों का लगभग 7 लाख करोड़ रुपया bad loans में, खराब loans में फंसा हुआ है। बैंकों के पास अपना पैसा नहीं होता है, वह पैसा पब्लिक का होता है, लोग उसमें पैसा जमा करते हैं और बैंक या financial institutions उस पैसे को आगे बढ़ाते हैं, जिससे कि उसे कारोबार में इस्तेमाल किया जा सके। जो परिस्थितियां सामने हैं, जैसे कि मेरे सामने कुछ फिगर्स हैं कि सितम्बर, 2015 तक 6.2 per cent of total loans of public sector banks have been categorized as bad loans or non performing asset, यह बड़ी चीज है। इसमें एक चीज और लिखी हुई है कि State run bank's portfolio जो write off किया गया है, वह कुल लोन का लगभग 17 परसेंट था।

सर, debt recovery एक बड़ा issue है और इसका आर्थिक विकास पर असर पड़ता है, इसलिए इस कानून की जरूरत पड़ी कि जो वित्तीय बाजार है, उसको रेगुलेट कर सके। जो debt recovery का प्रोसेस है, उसको promote कर सके। यह एक अच्छा कानून है। इससे पहले ज्यादातर मामले अदालतों में जाते थे। मैं एक बात बताना चाहता हूँ कि यह कानून, जो अदालतों में समय बरबाद होता है, उसको बचाने के लिए, अदालतों के बाहर settlement करने के लिए ही प्लान किया गया है। ऐसे प्रकरण हैं, जिनमें अदालतों के माध्यम से settlement करने में पांच साल, दस साल, पंद्रह साल या कहीं-कहीं बीस साल भी लगे हैं। हिन्दुस्तान जैसी विकासशील अर्थ-व्यवस्था में, जो financial institutions हैं, जो बैंक्स हैं, वे बीस साल तक afford नहीं कर सकते कि उनका पैसा bad loan में फंसा रहे, वह productive न रहे और यही कारण है कि कभी-कभी तो लाख-लाख करोड़ रुपया write off करना पड़ा है। अब इस कानून से इसमें मदद मिलने की संभावना है।

सर, insolvency के issues पर भुपेंद्र यादव जी बात कर रहे थे। ये बड़े प्रश्न हैं और insolvency पर भी एक कानून बनाया गया है तथा यह दूसरा कानून बनाया गया है। जो insolvency के issues हैं, उनमें भी जो संस्थाएं हैं, जो कम्पनियां हैं, जो काम नहीं कर पा रही हैं, जो stress assets बन गए हैं, उनके disposal के लिए सरकार ने प्लान बनाया था, लेकिन उसमें जो waterfall है कि कौन-कौन से stakeholders हैं, उनको कैसे-कैसे पैसा मिले और किस तरीके के stakeholders हैं, जिन्होंने पूंजी लगाई है, उनकी पूंजी के हितों की सुरक्षा हो सके। मुझे लगता है कि सरकार ने उस दिशा में भी एक अच्छा काम किया था और यह काम भी लगभग उसी दिशा में आगे बढ़ रहा है। सरफेसी कानून में संशोधन किए गए हैं, जिससे कि जो assets फंसे हुए हैं, जिन assets में प्रॉब्लम्स हैं, उनका जल्दी से जल्दी disposal किया जा सके।

सर, जो खराब loans हैं, जो bad loans हैं, उनके बारे में आज सुबह प्रश्न काल में चर्चा हो रही थी। जब यह बात कही जा रही थी कि बहुत बड़ी तादाद में कई लाख करोड़ रुपया, जो financial institutions का है, वह stressed assets बन चुका है, वह NPA बन चुका है और उसको retrieve करने की जरूरत है, बहुत बड़े पैमाने पर restructuring भी की जा रही है, लेकिन जो बड़े बैंक हैं, जो बड़े ऋणदाता हैं, जो बड़ी-बड़ी कम्पनियां हैं, अभी कुछ समय पहले माल्या जी की चर्चा चल रही थी, वे हमारे सदन के सदस्य भी रहे हैं और एक बड़े बिजनेसमैन भी थे। सर, यह tendency बन रही है कि बड़े-बड़े बिजनेसमैन के जो ब्रांड होते हैं, वे उन ब्रांड्स का मूल्यांकन करा लेते हैं, रेटिंग करा लेते हैं, उसके against जो लोन लेते हैं, उसका हश्र हमारे और आपके सामने है। कहीं न कहीं वित्तीय संसाधनों को भी ...(समय की घंटी)... सर, मैं अपनी पार्टी से अकेला बोलने वाला हूं।

**उपसभाध्यक्ष (श्री सुखेन्दु शेखर राय):** नरेश जी नहीं बोलेंगे?

**श्री रवि प्रकाश वर्मा:** सर, वे नहीं बोलेंगे, I am going to conclude. सर, वित्तीय संसाधनों को retrieve करने के लिए यह जरूरी है कि जो भी assets इसमें लगाए जा रहे हैं, उनका सही मूल्यांकन हो सके। खासतौर से SMEs, जो छोटे और मध्यम दर्जे के उद्योग हैं, यह तर्जुबा है कि उनको बैंक का लोन लेने में या financial institutions से लोन लेने में बहुत दिक्कत होती है। बहुत सारे ऐसे केसेज हैं, जिनमें लोग दौड़ते रहते हैं और छोटा कारोबार लगाना चाहते हैं या मध्यम दर्जे का कारोबार लगाना चाहते हैं। जब तक वे 10 per cent पैसा देकर नहीं आते हैं, उनको लोन मिलता ही नहीं है। सवाल यह पैदा होता है कि जो financial institutes हैं, क्या वे अपना behavior भी बदल पाएंगे या नहीं बदल पाएंगे या उनका ढर्रा ऐसे ही चलता रहेगा या किसी क्षेत्र विशेष के लिए उन्होंने कोई blueprint बनाया हुआ है? कौन-कौन सी इंडस्ट्रीज वहां लगनी हैं और लोग वहां कौन-कौन से कारोबार खड़े करने वाले हैं, कितने बड़े पैमाने पर SMEs के माध्यम से रोजगार पैदा होने वाले हैं— इन लोगों के पास कोई blueprint नहीं है, लेकिन उसके बावजूद भी यह प्रक्रिया चल रही है और कम्पनियां ऋण ले रही हैं। जैसे कभी-कभी अर्थव्यवस्था में मंदी भी आ जाती है, तो उससे भी कम्पनियां गड़बड़ कर रही हैं और वे pay off नहीं कर पा रही हैं। जो बिजनेस हैं, वे फ्लॉप हो रहे हैं और stressed assets बन रहे हैं।

सर, इसमें जो stressed assets हैं, उसमें financial institutions DRTs को अपील कर सकते हैं और वे प्रार्थना कर सकते हैं कि उनके जो collateral assets लगे हुए हैं, उनको बेचने की अनुमति दी जाए। उसमें समय-सीमा कम करने का प्रावधान किया गया है। कोर्ट के माध्यम

[श्री रवि प्रकाश वर्मा]

से बहुत समय लगता था, लेकिन अब DRT आदेश कर देगा तो जिला अधिकारी एक महीने के अंदर ही जो stressed assets हैं, उन्हें बैंक के हवाले कर देगा और बैंक जो ARCs हैं, उन्हें उन stressed assets को बेच देंगे। फिर ARC उनको आर्गेनाइज करने का काम करेगा। जो ड्यूज हैं या तो वह उनको equity में convert कर देगा या फिर अपने खर्च निकालकर, उसको बेचकर के जो भी पैसा मिलेगा, उसको सैटल करने का काम करेगा। यहां एक सवाल पैदा हो रहा है। अभी भूपेंद्र यादव जी भी इस बात का जिक्र कर रहे थे कि जो DRTs तय की गई हैं, उनमें जजेज की कमी है। वहां भी वही स्थिति आ रही है और कई-कई सालों से मुकदमे लम्बित हैं। एक तरफ सरकार यह तय कर रही है कि कम से given time में ये सारे के सारे सैटलमेंट हो जाएं और दूसरी तरफ साल भर से ऊपर हो चुका है, वे DRTs खाली पड़ी हैं। अभी इस बात का प्रावधान किया गया है कि उम्र बढ़ा दी जाए, लेकिन यह तो कोई समाधान नहीं है। इस type के issues को address करने के लिए एक पूरा cadre अलग से होना चाहिए। जो judicial experience रखता हो और इन केसेज का जल्दी डिस्पोजल करने की कोशिश कर सके।

सर, मैं एक बात और कहना चाहता हूं कि कितनी ARCs हैं, मुझे लग रहा है कि इन्डिपेंडेंट ARCs भी इसमें आएंगी, लेकिन जो financial institutes हैं, उनके द्वारा sponsor की हुई ARCs भी आएंगी। यानी एक हाथ से पैसा दो और दूसरे हाथ से उसका डिस्पोजल करो। कभी-कभी मुझे डर लगता है कि हिन्दुस्तान के वित्तीय बाजार में एक किस्म का कोई माफियाकरण तो नहीं होने जा रहा है? मुझे लगता है कि सरकार को इस चीज़ पर बड़ी गहरी निगाह रखनी पड़ेगी कि पूरा का पूरा सिस्टम एक transparent तरीके से चलता रहे और जो stressed assets हैं, निश्चित रूप से वे सारे कारोबार खराब हो चुके हैं। उसमें जो allied issues हैं, उससे संबंधित जो दूसरे मुद्दे हैं, जिनमें policy का भी issue है और agricultural land issues हैं, कई ऐसे issues हैं, जिन पर बहुत ही गहराई के साथ निर्णय किया जाना जरूरी है। सर, stressed assets की जो एक बड़ी समस्या चली आ रही थी मुझे उम्मीद है कि इस कानून के माध्यम से वह हल हो जाएगी। लगभग 7 लाख करोड़ के stressed assets का समाधान हो सकेगा। सर, यह बहुत जरूरी बात है कि assets का पंजीकरण होगा, जब एआरसीज stressed assets खरीदेगी तो उन्हें स्टाम्प ड्यूटी से मुक्ति मिलेगी, लेकिन जैसा मैंने बताया, संपत्तियों की over invoicing एक बड़ा इश्यू है। जब भी ऋण लिए जाते हैं, जहां कहीं मिलीभगत होती है, वहां पर संपत्तियों की over invoicing होती है। एक वह खेल होता है या फिर एक ही संपत्ति से अलग-अलग बैंकों से अलग-अलग कर्ज ले लिया जाता है। इस तरह की irregularities भी आती हैं, जिस कारण इन्हें recovery में बहुत दिक्कत आती हैं। सर, मुझे लगता है कि यह एक महत्वपूर्ण इश्यू है, जिसे address किया जाना जरूरी है।

सर, इस के अलावा मैं सरकार से एक बात और कहना चाहता हूं कि बहुत से हिन्दुस्तानी रिटायर्ड सिटीजंस हैं या वृद्ध सिटीजंस हैं, जिन्होंने अपनी बचत का पैसा एजेंट्स के माध्यम से financial institutions में लगाया है, जोकि सेबी में लिस्टेड हैं। यह personally मेरी जानकारी में है कि टाइम पूरा होने के बाद भी वे कंपनियां उन लोगों को पेमेंट नहीं कर रही हैं, जिस कारण वे individuals बहुत परेशान हैं। सर, यह प्रकरण भी वित्तीय बाजार का ही है। मुझे लगता है कि ऐसे प्रकरणों पर भी बहुत गहराई से विचार करने की जरूरत है और सभी किस्म की

जालसाजी, जो वित्तीय बाजार में चलती हैं, उन्हें पहचानते हुए समाधान करने की दिशा में आगे बढ़ने की जरूरत है। इस से आम आदमी जो चार पैसे बचाता है, वित्तीय संस्थानों के माध्यम से वह हिन्दुस्तान की restructuring की प्रक्रिया में उसकी भागीदारी सुनिश्चित कर सकेगा। इसके साथ ही मैं इस बिल का समर्थन करता हूँ और आशा करता हूँ कि सरकार मेरे द्वारा उठायी गयी चीजों का ख्याल रखेगी।

SHRI A. NAVANEETHAKRISHNAN (Tamil Nadu): Sir, I thank hon. Amma. This Bill, the Enforcement of Security Interest and Recovery of Debts Laws and Miscellaneous Provisions (Amendment) Bill, 2016, has made very good provisions to recover debt. I would like to draw the kind attention of the hon. Finance Minister and the Central Government, subject to correction, that this Act popularly known as the SARFAESI Act is made applicable to all loans which are secured. They have defined what is secured debt and what is secured creditor. So, the definition of secured debt and secured creditor is playing a vital role. I want to raise one doubt with regard to death of a student named Lenin in Tamil Nadu. He has committed suicide. That is why I am raising this issue. Now, as per the details available in the newspapers, he has borrowed a sum of ₹ 1,90,000 which is an educational loan and as per the bank he has to pay with interest a sum of ₹ 2,40,000. But this loan was assigned to ARC. They call it Reliance Asset Reconstruction Company and this loan was obtained from the State Bank of India. Definitely, he is a very poor student. He could not have given any property as security for the loan that he has availed because the amount which he has availed is ₹ 1,90,000 only. So, without any security the loan could have been dispersed to that student, but the loan was assigned to the Asset Reconstruction Company and they have taken coercive steps and they have threatened the student that your educational certificates will be ceased. It will not be given to him. They said that certificates will not be given to him. That is why he had committed suicide. My submission would be: Without being secured debt, how come it was assigned to an ARC-Reliance Company in this case – and my further search on internet reveals that the NPAs were sold for 45 per cent of the outstanding amount! So, bank is not collecting the entire amount from ARC; it is collecting only a certain portion of loan amount. It is not collecting the entire loan amount. So, while ARC is making a partial payment and forcing defaulter to make payment by adopting coercive methods, I think, it is not fair. It is not a fair procedure. Also, the SBI's action, which is definitely a 'State' as per definition under Article 12 of the Constitution, cannot be arbitrary and unreasonable. The loan might have been disbursed by bank to a student. He might have committed a default. There is nothing wrong in it because he was not able to secure employment; whereas, very big defaulters run away from the nation. Of course, that is a different story. So, my humble submission would be: Without being a secured debt, how was it

[Shri A. Navaneethakrishnan]

assigned to M/s Reliance's ARC? And, because of the unreasonable, arbitrary and coercive steps taken to collect money, he committed suicide. So, my submission to the Central Government is that the SARFAESI Act cannot be made applicable to all kinds of loans. There must be some threshold limit. If loan exceeds ₹ 1 crore, then the SARFAESI Act can be made applicable. What is the speciality of the SARFAESI Act? Sir, the speciality is, without intervention of judicial process, property can be taken possession and it can be sold. That is the main objective of the SARFAESI Act. So, that kind of harsh action need not be made applicable to small loans *i.e.*, below ₹ 1 crore. Also, the SARFAESI Act cannot be made applicable to educational loan and loans given to small and medium enterprises. So, you must limit application of the SARFAESI Act depending upon the quantum of loan or quantum of amount defaulted by borrower. So, depending upon the quantum of amount which is in default only then the SARFAESI Act must be made applicable. Otherwise, you are treating unequals equally. A small borrower cannot be equated with a very big borrower. Of course, it is correct that secured creditor, secured debt, mortgaging, immovable property or pledging movable property are very nice principles. And, you have created a Central Registry. It is good; nothing wrong in it. But educational loan and loans given to small and medium enterprises cannot be equated with very big companies which have availed very huge amount as loan from banks. So, the SBI, being a 'State', as per Article 12 of the Constitution, given loan to a student cannot be assigned to any ARC. I think, it is, *per se*, illegal. What had happened to a small boy? He felt that he will not be able to repay the amount, because everybody feels that once money is borrowed it must be repaid. But, in this case, the boy was made to commit suicide, because of coercive, unreasonable and mindless action on the part of bank. Why I am repeating it is: The Central Government must bring an amendment that the SARFAESI Act will not be made applicable to educational loans and also loans given to small and medium enterprises. And, Sir, they must fix the quantum. Suppose, if the default amount exceeds ₹ 1 crore, the SARFAESI Act can be made applicable. So, small borrowers should not be brought under the purview of the SARFAESI Act.

THE VICE-CHAIRMAN (SHRI SUKHENDU SEKHAR ROY): You have made a very good point. Now, please conclude.

SHRI A. NAVANEETHAKRISHNAN: I am deeply obliged, Sir. The concept of NPA should also not be made applicable to the educational loans, the agricultural loans and the loans given to the small and medium enterprises.

Thank you.

**श्री विवेक गुप्ता** (पश्चिमी बंगाल) : वाइस-चेयरमैन सर, आपका बहुत-बहुत धन्यवाद कि आज आपने मुझे इस बिल पर बोलने का मौका दिया। मैं थोड़ा सा समय लूँगा, आपका indulgence चाहूँगा कि आज हम लोग इस बिल पर क्यों बोल रहे हैं, ऐसी क्या समस्या है, जो हम लोग address करना चाह रहे हैं? सर, मई, 2016 तक 76,300 केसेज़ pending पड़े हुए हैं और अलग-अलग कोर्ट्स में बैंकों का करीब 2 लाख करोड़ रुपए का कर्ज फँसा हुआ है। जो बड़े कॉर्पोरेट्स होते हैं, जिनका मैं बराबर नाम सुनता रहता हूँ, उनके एक-एक केस में 500-500 hearings होती हैं, जिसके कारण पूरा process delay होता है। शायद हम लोग इन बिल्स में इन्हीं सब चीजों को address करना चाह रहे हैं, जहां तक मुझे समझ में आया है। इसके अलावा, जैसा हमारे माननीय वित्त मंत्री जी ने पिछले सेशन में कहा था, जब Insolvency Act पास हुआ था, कि ये चारों एक्ट्स आएँगे, जो enabling and continuous legislations हैं। एक और problem बताई गई थी कि Judicial Authorities में जो Recovery Officers काम करते हैं, उनकी ट्रेनिंग कम है। सर, मुझे समझ में नहीं आता है कि problems ये थीं, मगर यहां पर solutions कुछ और दिखाए गए हैं। मैं चाहूँगा कि वित्त मंत्री जी कभी हम लोगों को भी इसके बारे में समझा दें, जब वे भाषण दें।

सर, मैं सबसे पहले उनकी एक quotation पढ़ना चाहूँगा। "The DRT will become country's first online court." यहां गांव में बिजली नहीं है, इंटरनेट नहीं है और हम लोग केवल online, online कर रहे हैं। हमें उन लोगों के बारे में भी सोचना चाहिए, जिनके पास बिजली, online या इंटरनेट की सुविधा नहीं है। मुझे इसके बारे में इस बिल में कहीं देखने को नहीं मिला। हमें उन लोगों को नहीं भूलना चाहिए, क्योंकि जो defend करने वाला होता है, हमेशा उसको victim कहा जाता है। ...**(व्यवधान)**... मैं DRT के बारे में बोल रहा हूँ। DRT में जाने वाला गरीब आदमी है। एक बड़ा बैंक एक गरीब आदमी पर जो attack करता है, मैं उसी के लिए बोलना चाह रहा हूँ। बैंक के पास तो online सुविधा है, DRT के पास online सुविधा है, पर जो victim वहां जाएगा, उसके पास online सुविधा नहीं है। आप इसके बारे में सोचिए।

**उपसभाध्यक्ष (श्री सुखेन्दु शेखर राय)**: आप बाकी points बोल लीजिए, आपके पास टाइम कम है।

**श्री विवेक गुप्ता**: सर, यहां पर एक जो दूसरी problem आई है, वह यह है कि रिसर्च करते-करते मुझे समझ में आया कि बैंक directly guarantors पर चले जाते हैं और borrowers को छोड़ देते हैं। इसलिए बैंक को जो selective powers मिल रही हैं, इसके बारे में भी सोचा जाना चाहिए।

सर, हम बैंक का इतना ख्याल रख रहे हैं, हमें थोड़ा ऐसे private businesses के बारे में भी ध्यान रखना चाहिए, जिनको बैंक से या किसी सरकारी संस्था से चेक मिलता है और cheque bounce होता है। ऐसे जो 3 करोड़ केसेज़ pending हैं, उनमें से कितने सारे cheque bouncing के cases pending पड़े हुए हैं। उनके बारे में इसमें कोई निवारण नहीं है। जब Insolvency Act पास हुआ था, उस समय Finance Minister साहब ने कहा था कि वे Negotiable Instruments Act में भी amendment लाएँगे, ताकि लोगों को cheque bouncing के case से राहत मिल सके, लेकिन वह भी नहीं आया।



[श्री विवेक गुप्ता]

सर, इसे पढ़ते-पढ़ते मुझे यह समझ में आया कि Asset Reconstruction Company के लिए बहुत जगह इस बिल में address किया गया है। यह एक coincidence है कि जैसे ही उनमें 100 per cent FDI किया गया है, जो भी उनकी मांगें हैं, उनको इस बिल में शामिल कर लिया गया है। आप करिए, ARC जरूरी है, देश में प्रगति होनी चाहिए, हम उसके खिलाफ नहीं हैं, मगर हम एक चीज चाहते हैं। जब बैंक्स का NPA होता है, तो आप इतने चिन्तित हो जाते हैं, ऐसे ही हमारी सारी स्टेट गवर्नमेंट्स में इतनी debts की problem हो रखी है, आप थोड़ा उनके बारे में भी सोचिए कि उनका कर्ज कैसे ठीक हो सकता है। हमारी वेस्ट बंगाल गवर्नमेंट 3 लाख करोड़ के कर्ज से गुजर रही है। अगर आप इसके ऊपर थोड़ा ध्यान दें, जितनी आप बैंक्स के बारे में चिन्ता कर रहे हैं, तो बहुत अच्छा होगा। बैंक्स का हल्का सा NPA होता है, तो आप तुरंत उसको recapitalize करने के लिए दे देते हैं, 4-4 Bills modify करने के लिए ले आते हैं। आप थोड़ा सा हमारी स्टेट गवर्नमेंट के बारे में भी सोचिए। क्या स्टेट गवर्नमेंट्स आपकी नहीं हैं? बैंक्स तो profit के लिए, पैसा कमाने के लिए काम कर रहे हैं। उन्होंने पैसा कमाने के लिए लोन दिया था, ब्याज कमाने के लिए लोन दिया था, इसलिए उनको यह घाटा हुआ, जबकि स्टेट गवर्नमेंट्स तो development का काम कर रही हैं। आपका तो स्टेट्स के साथ 100 per cent relation है। बैंक में तो फिर भी 50 परसेंट हिस्सेदारी है, 70 परसेंट हिस्सेदारी है, लेकिन स्टेट्स के साथ तो आपकी 100 per cent Constitutional हिस्सेदारी है। जब स्टेट्स को तकलीफ हो रही है, तो आप स्टेट्स के debt के ऊपर ध्यान क्यों नहीं देते हैं? आप उनको थोड़ी सी मदद क्यों नहीं करते हैं और उनको recapitalize क्यों नहीं करते हैं? सर, मैं आपके माध्यम से माननीय वित्त मंत्री जी से इसका जवाब चाहूंगा।

सर, स्टेट्स का सारा खर्च development और country की growth में होता है, स्टेट्स overall development and social growth करती हैं, लेकिन बैंक जो पैसा देते हैं, उससे industrial growth होती है, इसके बारे में सोचना चाहिए।

सर, हमारे वित्त मंत्री जी का एक भाषण था, जो उन्होंने कुछ दिन पहले इसी सदन में दिया था। मैं उस भाषण की कुछ लाइनें यहां क्वोट करना चाहूंगा। "States have to solve their own problems because of some previous problems they had." Sir, States cannot solve their problems on their own. एक तरफ आप cooperative federalism, federalism, federal structure, Constitution इत्यादि की बात करते हैं, तो क्या जेटली जी के भाषण के बाद हम लोग यह मान लें कि यहां oneway federalism होने वाला है या फिर इसे हम convenient federalism or fake federalism मानें? यह कौन सा federalism है? Spirit of federalism में इस तरह का भाषण तो नहीं होना चाहिए कि स्टेट्स अपनी समस्याओं का समाधान खुद करें। अगर सेंट्रल गवर्नमेंट स्टेट गवर्नमेंट से इस तरह पल्ला झाड़ लेगी, तब तो हो लिया federalism.

सर, in fact, इन सब नीतियों को देखकर, मुझे तो कभी-कभार यह लगता है कि ये camouflaged centralism न हो।

**उपसभाध्यक्ष (श्री सुखेन्दु शेखर राय):** क्या आपका कोई और प्वाइंट बचा है?

**श्री विवेक गुप्ता:** सर, बैंक्स को जो पावर्स दी जा रही हैं, तो उनमें Debt Recovery Tribunals



की बात आई है। जब हम लोग बैंक्स के साथ डील करते हैं, तो उससे संबंधित normal problems को डील करने के लिए एक Banking Ombudsman होता है।

(उपसभापति महोदय पीठासीन हुए)

मुझे लगता है कि जिस तरह बैंकों का Ombudsman होता है, उसी तरह DRT का भी एक Ombudsman होना चाहिए। बहुत बार यह देखा गया है कि बैंक्स अपने रिकॉर्ड्स को ठीक नहीं करते हैं और आगे चले जाते हैं। Sir, recently कोलकाता में एक केस आया है, जो अभी भी कोलकाता हाई कोर्ट में पेंडिंग है। बैंक ने एक प्रॉपर्टी को नीलामी के लिए निकाला, लेकिन उसका inspection नहीं करवाया और उसको नीलाम कर दिया, लेकिन बाद में पता चला कि उसका पैसा बैंक के पास आया हुआ था। सर, इस तरह के और भी मामले हो सकते हैं, तो इस बिल में इसका safeguard कहाँ है, वह हमें नहीं मिला है। सर, आपके माध्यम से अगर वित्त मंत्री जी हमें इसके बारे में बताएंगे, तो हमें बहुत खुशी होगी।

सर, मेरे कुछ सुझाव भी हैं। इसमें DRTs बढ़ाए जाएं, Appellate Tribunals बढ़ाए जाएं और उनमें जो vacancies हैं, उनको भी आप भरिए, लेकिन पहले उनकी proper training करवाइए। इसी तरह जो कर्ज लेने वाला है ...(समय की घंटी)... उसके बारे में भी सोचिए, उसको भी विचार-विमर्श के लिए बुलाइए। कर्ज लेने वाले की भी कुछ genuine तकलीफें हैं, आप उन सबको भी on board लेकर काम करिए। Thank you.

MR. DEPUTY CHAIRMAN: Now, Shri Harivansh. You have six minutes. Stick to your time.

**श्री हरिवंश (बिहार):** सर, पीछे बैठे लोगों को तो आप कभी-कभी टाइम देते हैं।

MR. DEPUTY CHAIRMAN: That is why, you have been given six minutes.

**श्री हरिवंश:** मैं कहना चाहूंगा कि बाकी लोगों को आप अधिक टाइम देते हैं। कभी-कभार आप पीछे वालों को भी समय दे दिया करें।

MR. DEPUTY CHAIRMAN: Nobody will be given more time. Everybody will be given only their Party time.

**श्री हरिवंश:** धन्यवाद माननीय उपसभापति जी ...(व्यवधान)... आपने मुझे बोलने का मौका दिया, इसके लिए धन्यवाद। हाल के दिनों में कई महत्वपूर्ण बिल इस सदन से पास हुए हैं, जिनमें, CAMPA Bill, GST Bill, बेनामी संपत्ति बिल इत्यादि शामिल हैं। इसी क्रम में "The Enforcement of Security Interest and Recovery of Debts Laws and Miscellaneous Provisions (Amendment) Bill, 2016" भी है पहले यह Joint Committee of Parliament के पास गया, अब modified रूप में हमारे सामने है। सामान्य भाषा में कहूं, तो यह डूबे ऋणों की वसूली का बिल है। मैं इसके वैधानिक पक्ष पर बात नहीं कर रहा कि किस तरह इसे comprehensive बनाने की कोशिश हुई है, ताकि बैंकों के ऋण हज़म करने वाले लोग, loopholes का फायदा न लें। आप इस कानून को चुस्त बनाने के लिए चार कानूनों में बदलाव कर रहे हैं। हर पहलू के बारीकी मुद्दों, बदलावों या कानूनी प्रावधानों पर चर्चा के बजाय, मैं कहना चाहूंगा कि बैंकिंग उद्योग को बचाने के लिए यह बहुत जरूरी था।

[श्री हरिवंश]

**5.00 P.M.**

फरवरी, 2015 में आरबीआई गवर्नर, श्री रघुराम राजन ने कहा था कि balance sheet ठीक करने के लिए banks need deep surgery and not mere bandage. महज एनपीए या bad and doubtful का provision करना ही पर्याप्त नहीं था। हमने बैंकों का डूबता लोन देखा, जिसमें crony capitalism का चेहरा दिखा। किस तरह के लोन bad and doubtful हुए? मैं मानता हूँ कि कई उद्योगों की स्थिति genuinely खराब थी, इस कारण उनकी स्थिति खराब हुई, लेकिन crony capitalism के तहत बैंकों के पैसे का दुरुपयोग किस तरह हुआ, यह भी हमने देखा। इस कानून को लागू करने के पहले मेरा आग्रह होगा कि इसका इस्तेमाल बड़े घरानों, बड़ी पूंजी, बड़ा उधार लेने वालों के खिलाफ हो, मामूली कर्ज लेने वाले किसानों, छोटे उद्यमियों और छात्रों इत्यादि पर इसका इस्तेमाल न हो।

दिसम्बर, 2015 में Economic and Political Weekly में मैंने एक लेख पढ़ा था, "Indian Insolvency Regime in Practice." उस लेख के तीन निष्कर्ष थे। पहला, अलग-अलग कानूनों के होने से सिस्टम में मौजूद अंतर्विरोध, inefficiency in system. दूसरा, अलग-अलग कानूनी प्रावधान, कमजोर संस्थान, लम्बी अवधि के बाद भी पैसे नहीं मिल पाना और तीसरा, Debt Recovery Tribunals द्वारा कानूनों की अलग-अलग व्याख्या। इन तीन वजहों से ऐसी हालत बनी। अगर यह कानून दशकों पहले बन गया होता, तो शायद आज बैंकों का पैसा लेकर वापस न करने की...

MR. DEPUTY CHAIRMAN: Mr. Harivansh, just one second. See, we have an Half-an-Hour Discussion to be taken up. If the House agrees, we will take it up after this Bill is disposed of. ...*(Interruptions)*...

THE MINISTER OF STATE OF THE MINISTRY OF MINORITY AFFAIRS; AND THE MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI MUKHTAR ABBAS NAQVI): Let the discussion be over. ...*(Interruptions)*... After the Railway Convention Resolution, we can take up the Half-an-Hour Discussion.

MR. DEPUTY CHAIRMAN: Okay; the House agrees. Mr. Harivansh, you may proceed. ...*(Interruptions)*...

THE MINISTER OF STATE OF THE MINISTRY OF POWER, THE MINISTER OF STATE OF THE MINISTRY OF COAL, THE MINISTER OF STATE OF THE MINISTRY OF NEW AND RENEWABLE ENERGY, AND THE MINISTER OF STATE OF THE MINISTRY OF MINES (SHRI PIYUSH GOYAL): Sir, it is an important issue. On 'Rural Electrification', the whole nation is very concerned. So, why don't have it just now and we can continue this...

MR. DEPUTY CHAIRMAN: Pardon.

SHRI PIYUSH GOYAL: Sir, we can have the five o'clock discussion and then continue this.

MR. DEPUTY CHAIRMAN: Why? ...(*Interruptions*)...

AN HON. MEMBER: Sir, Harivanshji's time must not be counted in this. ...(*Interruptions*)...

MR. DEPUTY CHAIRMAN: Why is the Minister putting me in ...(*Interruptions*)...

**श्री हरिवंश:** सर, इसमें मेरा समय जा रहा है।

MR. DEPUTY CHAIRMAN: Don't worry. I know your time. So, the House has agreed to have it after the Bill. After the Bill, I will again put the question.

SOME HON. MEMBERS: Yes; yes.

MR. DEPUTY CHAIRMAN: Mr. Harivansh, proceed.

**श्री हरिवंश:** सर, मेरा दो मिनट का समय चला गया, आप मुझे दो मिनट का समय और दें। मैं यह कह रहा था कि अगर यह बिल कई दशकों पहले बनता, तो शायद बैंकों का पैसा लेकर वापस न करने की ऐसी प्रवृत्ति या संस्कृति देश में नहीं पनपती। साल 1990 में 15 लाख से अधिक ऋण वसूलने के मामले बैंकों व वित्तीय संस्थाओं ने अलग-अलग कोर्ट में दायर किए। ...(*व्यवधान*)... सर, यह तरीका ठीक नहीं है, या तो हमें बोलने दिया जाए या बैठने के लिए कहा जाए।

**श्री उपसभापति:** बोलिए, बोलिए।

**श्री हरिवंश:** सर, हाउस ऑर्डर में नहीं है। मैं चाहता हूँ कि मैं जो कहूँ, उसे हाउस सुने। सर, मैं डिस्टर्ब महसूस कर रहा हूँ।

MR. DEPUTY CHAIRMAN: Let him speak. ...(*Interruptions*).. No, no; you should not be disturbed.

**श्री हरिवंश:** सर, मैं यह उल्लेख कर रहा था कि यह बिल अगर कई दशक पहले बना होता, तो शायद आज बैंकों का पैसा लेकर वापस न करने की यह प्रवृत्ति या संस्कृति नहीं फैलती। 1990 में 15 लाख से अधिक ऋण वसूलने के मामले बैंकों व वित्तीय संस्थाओं ने अलग-अलग कोर्टों में दायर किए थे, जिनमें महज 6,000 करोड़ रुपए involved थे। आज बैंकों के तकरीबन आठ लाख करोड़ रुपए ऋण बाजार में फंस चुके हैं। अदालतों में वित्तीय संस्थाओं ने रिकवरी के सत्तर हजार मामले दायर किए हैं, पांच लाख करोड़ रुपए से अधिक की राशि डेट रिकवरी ट्रिब्युनल्स में फंसी है। इस नए कानून से वसूली की प्रक्रिया तेज होगी, ऐसी संभावना बनती है। 27 सार्वजनिक क्षेत्र के बैंकों ने मार्च, 2016 तक 59,547 करोड़ रुपए राइट ऑफ किए हैं, यह सरकारी आंकड़ा है। यह वह पैसा है, जिसे बैंक वसूलने में फेल हो गए। इनमें से अधिसंख्य ऋण कॉर्पोरेट घराने के हैं। तीन वित्तीय वर्षों, यानी 2013, 2014 और 2015 में लगभग दो लाख करोड़ रुपए बैंकों को राइट ऑफ करने पड़े हैं। डिपॉजिटर्स के ये पैसे कहाँ गए? मैं उल्लेख करना चाहूँगा कि कानून पहले भी थे, लेकिन व्यवहार में चीजें इम्प्लीमेंट नहीं होती थीं, इसलिए हालात बिगड़े।

[श्री हरिवंश]

सर, मैं यहां यह भी उल्लेख करना चाहूंगा कि बैंकों के पास जब बड़े घराने के लोग लोन के लिए जाते थे, तो उसमें बैंकों के अधिकारी लोग प्रोपर्टी लोन डॉक्युमेंटेशन प्रोसेस को सही ढंग से नहीं देखते थे, पर्सनल गारंटी नहीं लेते थे, बड़े घराने के लोग पर्सनल गारंटी नहीं देते थे, स्टॉक मॉनेटरिंग सही ढंग से नहीं होती थी, उन्होंने जो एफिडेविट में स्टॉक पोजीशन दे दी, उसको बैंक स्वीकार करते थे, एंड यूज ऑफ फंड्स की अच्छी तरह मॉनेटरिंग नहीं होती थी, डिस्बर्समेंट स्टेज पर भी उसकी मॉनेटरिंग नहीं होती थी। इसलिए स्थिति यह बनी कि बड़े पैमाने पर लोन, बैड एंड डाउटफुल होने लगे।

सर, अब मेरे जैसे लोगों के लिए इस कानून की कसौटी क्या होगी? यह सही है कि इसमें सरफेसी एक्ट के माध्यम से आप कई महत्वपूर्ण चीजें कर रहे हैं, जिसमें कॉलेटरल संपत्ति को डीएम के माध्यम से आप तीस दिनों के अंदर ले सकते हैं, पूरे देश की सिक्योरिटी असेट्स का आप डेटाबेस तैयार कर रहे हैं, एसेट रिकंस्ट्रक्शन कंपनीज के ऑडिट और इंस्पेक्शन का आरबीआई को अधिकार दे रहे हैं। RDBFI Act में भी आप कई महत्वपूर्ण बदलाव कर रहे हैं, प्रिंसाइपल ऑफिसर और चेयरमैन की उम्र बढ़ा रहे हैं, उनके रिअपॉयंटमेंट करने का प्रोसेस भी आपने किया है, लेकिन इसकी कसौटी तब होगी, जब इस देश में किंगफिशर की जो घटना हुई, वैसी दुबारा नहीं हो। वह घटना क्या थी? मैं बहुत ब्रीफ में कहकर अपनी बात खत्म करूंगा। किंगफिशर सिर्फ विजय माल्या की संपत्ति नहीं थी, इसमें देश के बैंकों की संपत्ति लगी थी, मामूली शेयर-धारकों की संपत्ति लगी थी और इसमें दस हजार कर्मचारी काम करते थे, किंगफिशर का नेटवर्क इतना बड़ा तैयार हुआ कि इसका काम करने का क्षेत्र एअर इंडिया और जेट से लगभग दो गुना था। किंगफिशर एयरलाइंस की फ्लाइट 30 ऐसे regional airports पर पहुंचती थी, जहां और कोई फ्लाइट नहीं जाती थी, लेकिन आज विजय माल्या बहुत अच्छी तरह से विदेश में है। देश का पैसा डूबा, इसमें काम करने वाले सारे लोग बेरोजगार हो गए और यह कब हुआ? उसके Board of Directors में former Finance Secretary, Government of India, former Air India Chairman, former SEBI Chairman, an internationally renowned Surgeon and a former tennis player थे।

सर, अंत में मैं यही कहना चाहूंगा कि इस कानून की परख का एक ही मापदंड होगा कि यह कानून पास हो, उसके बाद बड़े लोगों के पास जो पैसे डूबते हैं और खास तौर से सरकार उनके खिलाफ कोई कार्रवाई नहीं करती, अब वे पैसे वापस आ पाएंगे या नहीं? धन्यवाद।

MR. DEPUTY CHAIRMAN: Now, Shri Ritabrata Banerjee; five minutes.

SHRI RITABRATA BANERJEE (West Bengal): Sir, the latest RBI Financial Stability Report has once again highlighted the precarious situation of our banking sector. As of March-end, 2016, the Gross Non-performing Assets of all Scheduled Commercial Banks are at ₹ 5,60,822 crore, 7.71 per cent of their gross advances of ₹ 72,73,927 crore. In addition, the restructured standard advances are at ₹ 2,94,729 crore, 4.05 per cent of the gross advances. This means that more than eight-and-a-half lakh crore of rupees of the loans given by our banks have not been returned by the borrowers. Going by their response and the action taken by our Government so far,

it is highly unlikely that these monies will be returned anytime soon. Needless to add, this is every single Indian's money, which has been misappropriated by these borrowers, who are mainly big corporates.

Sir, the asset quality of our Public Sector Banks (PSBs) is even more critical, with a stressed advances rate of 14.5 per cent in March 2016. The provision for doubtful and loss assets of PSBs is also huge, that is, ₹ 1,85,840 crore, resulting in all nationalized banks reporting a net loss of ₹ 20,590 crores. Now, according to a recent report published, the Suisse Report, the top ten corporate houses in our country owe a staggering amount of ₹ 7 lakh crores to PSBs and financial institutions. As per a report last year, the Adani Group had a debt of ₹ 96,031 crore, Essar Group, ₹ 1.01 trillion, the GMR Group, ₹ 47,976 crore, the GVK Group, ₹ 33,933 crore, Jaypee Group, ₹ 75,163 crore, JSW Group, ₹ 58,171 crore, Lanco Group, ₹ 47,102 crore, Reliance, ₹ 1.25 trillion, Vedanta Group, ₹ 1.03 trillion and Videocon Group ₹ 45,405 crore.

Now, Sir, the question which I would like to pose before the hon. Finance Minister is: Who are the real defaulters contributing to these huge Non-Performing Assets in our country? Kindly note that the bad loans in the banks are increasing day by day. Wilful defaulters and other defaulters are entirely different, Sir. Now, herein lie the main questions. My request to the hon. Minister is that wilful defaulters should be treated as criminal offenders. I repeat, Sir, that wilful defaulters should be treated as criminal offenders. That is because they are cheating the country. They are having the money, but they are not paying it. 'Wilful default' means defrauding the bank, misusing the public money, abusing the loan and diverting the money. These kinds of transactions are known as 'wilful default'. So, instead of considering this as a civil liability or a civil dispute, a wilful defaulter should be treated as a criminal offender and it should be treated as a criminal offence.

Sir, coming to the Act, most of the points that have been made here is were in regard to two Acts, that is, the SARFAESI Act and the DRT Act of 1993. Both these Acts have already been discussed. The point is that even after the legislation of these two Acts we are not able to check the increase in Non-Performing Assets and we are not able to recover bad loans.

Sir, I now come to the statistics of the performance of Debt Recovery Tribunals and Debt Recovery Appellate Tribunals. You may kindly see the percentage of realization of amounts through DRT. In the year 2010-11, the money which was recovered compared to the number of cases referred and the money in bad debts was 27 per cent; in 2011-12 it was 17 per cent; in 2012-13, it was 14 per cent; in 2013-14, it was 10 per cent. It is gradually decreasing. Now, here is a request that I would like to make to the hon. Minister. By virtue of the 1993 Act, the banks and

[Shri Ritabrata Banerjee]

financial institutions are having the easiest remedy to recover their loans. However, there are more than 10 lakh cases that have already been transferred to the DRTs and the Appeals Commission. Now, Sir, the point has already been mentioned by Shri Navaneethakrishnan while speaking. He spoke about the suicide of a student called K. Lenin in Tamil Nadu. Sir, it is the poor students who are being punished. The SARFAESI Act is being implemented not against the rich people. It is being applied against farmers, students, and on MSME loans, housing loans, etc. The SARFAESI Act, as well as the DRT Act, has to be implemented in a stringent manner. They should be applied against the rich and the corporate entities. I would again like to know from the hon. Minister whether a list of wilful defaulters will be published and whether he will have the will power to control and check corruption as also contain NPAs by addressing them. Sir, the Government has not put the big business houses under any pressure to return the loans. They continue to flash their lavish lifestyles. That was also seen in Parliament. I don't want to name the person. And their personal wealth remains unaffected. ...*(Interruptions)*...

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

SHRI RITABRATA BANERJEE: Sir, I crave your indulgence; I will take a minute maximum, not more than that. ...*(Interruptions)*...

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

SHRI RITABRATA BANERJEE: Sir, through you, I will urge upon the Finance Minister to put into practice an urgent action plan to start recovery of pending loans from the top 100 borrowers as quickly as possible. To conclude, Sir, I once again urge the hon. Finance Minister to consider initiating an action plan to monetize the assets of all defaulters beginning with making their names and amounts public. ...*(Interruptions)*... Sir, today is the 24th day of *shravan*. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: All right. ...*(Interruptions)*... All right. ...*(Interruptions)*... Please, sit down. ...*(Interruptions)*...

SHRI RITABRATA BANERJEE: Sir, just a minute. ...*(Interruptions)*... Today is the 24th day of *shravan*. Two days ago, it was the 22nd day of *shravan* that happened to be the death anniversary of a multifaceted genius called Rabindranath Tagore. Babul Supriyo is not here today; today is his marriage ceremony. In a recent Bengali film, Babul had sung that fourth stanza in our National Anthem. On 25th January, 1950, we adopted *Jan Gan Man* as our National Anthem. It is a five-stanza poem.

The extract of fourth stanza that Tagore wrote is given in the following lines:

'Oh Loving Mother, you protect the Indians in your lap from every sort of destruction.'

I urge upon the Government to act as a loving mother, not to the fat cats and the corporates but to the suffering millions. Thank you.

SHRI A. U. SINGH DEO (Odisha): Sir, a lot has been said about this particular Bill. So, I won't repeat the matters. The Finance Minister's introductory speech of the Bill in the Lok Sabha mapped out some of the key objectives of the Bill. The Bill, among other things, seeks to enable banks and financial institutions to enforce their securities, simplify procedures. The Bill also provides for changes in various Asset Reconstructions Companies. Sir, this is a welcome Bill and a welcome step taken by the Government. Nobody has any problem with it, except, Sir, there are certain concerns. Much of these concerns have been highlighted by the hon. Members before me.

[THE VICE-CHAIRMAN (SHRI T. K. RANGARAJAN), *in the Chair*.]

But I will just touch upon two or three points. The first being, Sir, this Bill somehow gives an impression that we are giving some sort of a bailout to the banks, which had so far been ridden with irresponsible management and bad decisions of giving loans to the companies which are largely defaulters. The question remains यह होता कैसे है, हम करते क्यों हैं, बैंक करते क्यों हैं? इसके पीछे क्या है, इसे हमें देखना चाहिए। What are the points and how can we stop the banks from taking these decisions? This is a matter of great concern and needs to be looked into. There obviously are pressures on the banks from various quarters for these decisions, but we need to get to the core of these problems to solve them. Sir, up till now, banks have declared 7.6 per cent NPA on the total borrowings. This is likely to rise to 8.5 per cent by March, 2017. Sir, this is a method of erasing these errant methods of banking by removing bad loans from the books altogether by paying the taxpayers' money for the financial irresponsibility of the financial institutions. Sir, the core reasons for this need to be identified and people responsible need to be booked.

The idea of the Asset Reconstruction Companies taking over the collaterals from the defaulting companies and not having to pay anything to the banks, including the Stamp Duty, helps in wiping out the records from the books. The banks, after doing this exercise, don't have any liabilities left. They are transferred to the Asset Reconstruction Companies. Further, Sir, when the ARCs take over the land from the Government, where is this land likely to go? Land is also a State subject. The State Government is involved in any way. There is also a loss of revenue on account of the Stamp Duty. So, all these issues need to be clarified in the Bill, in which the hon. Finance Minister has brought up his Amendments.

[Shri A. U. Singh Deo]

Sir, another important point to be noted is the power vested in the RBI to appoint or remove members of the Boards of Asset Reconstruction Companies on grounds of public interest. इसमें favoritism हो सकता है, इसमें करप्शन हो सकता है। हमारे पास इसको सम्भालने के लिए, इसको कंट्रोल करने के लिए, इसको डायरेक्शन देने के लिए क्या मैकेनिज्म है, ताकि ऐसी कोई चीज़ न हो? How do we ensure neutrality in this particular issue? Sir, the Debt Recovery Tribunals, that are required to hear and dispose of the cases under this Act and the ambit of whose functions has been expanded, are highly understaffed and are known to have arrears already. इसे भी हमें ठीक करना पड़ेगा। सर, मैं समझता हूँ कि मेरे कहने से पहले ऑनरेबल मेम्बर्स ने इसमें बहुत कुछ कह दिया है, उसे मैं रिपीट नहीं करना चाहता। मैं चाहता हूँ कि फाइनेंस मिनिस्टर के सामने मैंने जो ये दो-चार concerns रखे हैं, इन्हें ये देखेंगे और इनमें सुधार लाएँगे।

Naturally, Sir, this is a step which is needed to be taken and it is a very welcome step. I am sure, the hon. Finance Minister, who is extremely capable, will remove all the anomalies that have been pointed out today. Thank you, Sir.

THE VICE-CHAIRMAN (SHRI T. K. RANGARAJAN): Now, Shri Veer Singh, you have four minutes.

**श्री वीर सिंह** (उत्तर प्रदेश): महोदय, प्रतिभूति हितों का प्रवर्तन एवं ऋण वसूली विधि तथा प्रकीर्ण उपबंध (संशोधन) विधेयक, 2016 पर आपने मुझे बोलने का मौका दिया, इसके लिए आपका धन्यवाद। इसी के साथ-साथ, हमारी पार्टी की आदरणीय नेता, बहन कुमारी मायावती जी ने मुझे इस महत्वपूर्ण बिल पर बोलने के लिए समय दिया, इसके लिए उन्हें भी बहुत-बहुत धन्यवाद।

महोदय, प्रस्तावित विधेयक चार अधिनियमों, सरफेसी अधिनियम, 2002, the Recovery of Debts due to Banks and Financial Institutions Act, 1993, इंडियन स्टाम्प अधिनियम, 1899 एवं डिपोजिटरीज अधिनियम, 1996 में संशोधन करने का प्रस्ताव करता है, जिससे देश में बढ़ते हुए एनपीए के कारण हमारा बैंकिंग जगत, जो लगातार घाटे की तरफ बढ़ रहा है, उस पर रोक लग सके। महोदय, वर्ष 2008 में एनपीए 56,606 करोड़ रुपये था, जो कि वर्ष 2015 में बढ़कर 3,22,216 करोड़ रुपये हो गया है, जो कुल ऋण राशि का 4.27 प्रतिशत है।

महोदय, स्टैंडिंग कमिटी ऑन फाइनेंस की रिपोर्ट के अनुसार, कुल एनपीए का 21 परसेंट, यानी 64,335 करोड़ रुपए उन लेनदारों की वजह से है, जो स्वेच्छा से अपना ऋण वापस नहीं कर पा रहे हैं। कमिटी के अनुसार DRT के माध्यम से रिकवरी में लगातार कमी आ रही है। जो रिकवरी वर्ष 2010-11 में 21.55 प्रतिशत थी, वह वर्ष 2013-14 में घटकर मात्र 9.83 परसेंट रह गई। इसी तरह से सरफेसी एक्ट, 2002 के माध्यम से रिकवरी 2010-11 में 36.46 प्रतिशत थी, जो कि 2013-14 में घटकर 25.56 प्रतिशत रह गई है। इन्हीं कारणों की वजह से हमें यह संशोधन करने की जरूरत पड़ी है।

उपसभाध्यक्ष महोदय, जब बैंकों का राष्ट्रीयकरण हुआ था, तब बैंकों की संख्या बढ़ी तथा देश



में इनकी असंख्य शाखाएं खोली गईं। उस समय ऐसा लगने लगा था कि सूदखोरों से अब जनता को राहत व मुक्ति मिल जाएगी। परन्तु अनेक कारणों से जैसे कार्यक्षमता की कमी, उत्पादकता की कमी और खराब पोर्टफोलियो आदि के कारण बैंकों की मुनाफा दर कम होती चली गई और सरकारी एवं गैर-सरकारी बैंक अनेक समस्याओं से ग्रस्त होते चले गए तथा इनका आरक्षित नकदी निधि अनुपात बढ़ता चला गया। इससे बैंकों पर अवांछित दबाव बढ़ता चला गया और बैंक अपनी साख बचाने में लगे रहे।

उपसभाध्यक्ष महोदय, वर्ष 2002 में जब सरफेसी अधिनियम आया था, तब उसके माध्यम से इस बात की अपेक्षा की गई थी कि बैंक इतने सक्षम होंगे कि वे अपने पास रेहन रखी सम्पत्तियों को प्राप्त करने के लिए, उनको बेचकर उनसे अपने ऋणों की वसूली कर पाएंगे, परन्तु आज क्या हुआ? दिनों-दिन बैंकों पर एन.पी.ए. का बोझ बढ़ता गया। बड़े-बड़े पूंजीपति और उद्योगपति अभी भी इस कानून के दायरे में नहीं हैं। केवल छोटे देनदारों पर बैंकों का शिकंजा निश्चित रूप से कठोर हुआ है। जैसे छोटे किसान हैं, छोटे व्यापारी हैं, जो छोटे-छोटे लघु उद्योग लगाते हैं, शिक्षित बेरोजगार हैं और कुछ ऐसे व्यक्ति हैं, जिनकी आय का कोई जरिया नहीं है। ऐसे लोग अपने कारोबार के लिए छोटे-छोटे लोन ले लेते हैं, बैंक और सरकार उन पर इतना दबाव डालती है कि उनकी सम्पत्ति की नीलामी होती है, उनकी सरेआम बेइज्जती होती है। मैं माननीय मंत्री जी से कहना चाहूंगा कि जो छोटे ऋणदाता हैं, उनके ऋण की एक मियाद होनी चाहिए, जिन्होंने 50 लाख या एक करोड़ रुपये का लोन ले रखा है, उन ऋणदाताओं को परेशान न किया जाए। उनके बजाय हमारे देश में जो बड़े-बड़े उद्योगपति हैं, जो देश का करोड़ों रुपया लेकर भाग गए हैं, माल्या जैसे लोगों पर शिकंजा कसा जाए। मैं माननीय मंत्री जी से निवेदन करूंगा कि जो छोटे-छोटे व्यापारी हैं, किसान हैं, उनको राहत दी जाए। आज किसान बाढ़ से जूझ रहा है, पहले वह सूखे से जूझ रहा था, तीन साल से उसकी फसल चौपट हो रही है, उसको गन्ने का दाम तीन साल से नहीं मिला है, उन पर जो छोटा-मोटा कर्ज है, जैसे किसी किसान ने ट्रैक्टर लिया है या खेती करने के लिए कुछ पैसा ब्याज पर लिया है, तो उनका कर्जा माफ किया जाए और उनको परेशान न किया जाए। यह मेरी माननीय मंत्री जी से अपील है। ...**(समय की घंटी)**... देश के बैंकों पर बैड डेट और बैड लोन्स का बोझ लगातार बढ़ता जा रहा है। DRT एवं DRAT के अधिकरणों में मुकदमों की संख्या और बोझ लगातार बढ़ता जा रहा है, लेकिन कोई ठोस परिणाम सामने नहीं आ रहा है। आज करीब 70 हजार से ज्यादा मुकदमे DRT एवं DRAT में लम्बित हैं और लगभग 4 लाख करोड़ से ज्यादा का एन.पी.ए. है, जिसमें से 90 प्रतिशत राशि सिर्फ 7,000 लोगों के पास बकाया है। यह अति शोचनीय है। मैं माननीय मंत्री जी से जानना चाहूंगा कि अब तक सरफेसी अधिनियम, 2002 के तहत बैंकों ने कितने ऋण वसूल किए और अगर ऋण वसूली हुई, तो इतना एन.पी.ए. कैसे बढ़ गया? क्या बैंकों द्वारा विलफुल डिफाल्टर्स के नाम उजागर किए जा रहे हैं? यदि हां, तो उनका विवरण क्या है? सरकार बड़े ऋणों की वसूली को तेज करने के लिए क्या विशेष प्रयास कर रही है?

उपसभाध्यक्ष महोदय, मैं अब सदन के माध्यम से इस विधेयक की कुछ महत्वपूर्ण बातों पर चर्चा करना चाहता हूं। ...**(समय की घंटी)**...

THE VICE-CHAIRMAN (SHRI T. K. RANGARAJAN): Please conclude.

**श्री वीर सिंह:** उपसभाध्यक्ष महोदय, बैंकों द्वारा अपने पास रेहन रखी सम्पत्तियों को कब्जे में लेने के लिए पहले डी. एम. या चीफ मेट्रोपॉलिटन मजिस्ट्रेट द्वारा अनुमति मिलने में लम्बा समय लगता था।

THE VICE-CHAIRMAN (SHRI T. K. RANGARAJAN): Please conclude.

**श्री वीर सिंह:** सर, मैं conclude कर रहा हूँ। अब उसके लिए प्रस्तावित कानून में 30 दिन की समय-सीमा निर्धारित की गई है, जो कि एक अच्छी पहल है। साथ ही डी.आर.टी. के क्षेत्र को निर्धारित कर उसे ऑनलाइन करने का प्रस्ताव है। इससे त्वरित कार्रवाई होने, डायुमेंट्स को भेजने, उनकी प्रोसेसिंग आदि में कम समय लगेगा तथा वादों के निष्पादन में भी कम समय लगेगा। यह डाटाबेस की कल्पना की एक सार्थक पहल है। इससे देश भर में ऋण के विरुद्ध, जो सम्पत्तियाँ बैंकों में रखी गई हैं, उनका ट्रैक रखना आसान हो जाएगा और एक बैंक दूसरे बैंक या वित्तीय संस्थानों के सम्पर्क में रहकर आपस में जानकारी हासिल कर सकेगा।

THE VICE-CHAIRMAN (SHRI T. K. RANGARAJAN): Please conclude.

**श्री वीर सिंह:** उपसभाध्यक्ष महोदय, मैं सरकार का ध्यान DRT और DRAT में प्रेजाइडिंग अफसरों व रिकवरी अफसरों के खाली पदों की ओर दिलाना चाहूंगा। मैं चाहूंगा कि वहां खाली पदों को शीघ्रातिशीघ्र भरा जाए, जिससे कि DRT में मुकदमों की संख्या को कम किया जा सके।

उपसभाध्यक्ष महोदय, मैं आशा करता हूँ कि इस विधेयक के पारित होने के बाद सरकार बैंकों के एन.पी.ए. को घटाने और बड़े उद्योगपतियों से ऋण वसूली करने में सक्षम होगी।

THE VICE-CHAIRMAN (SHRI T. K. RANGARAJAN): Please conclude.

**श्री वीर सिंह:** इससे आर्थिक जगत में वांछित परिणाम सामने आएंगे। आपने मुझे बोलने का समय दिया, धन्यवाद।

SHRI PRAFUL PATEL (Maharashtra): Mr. Vice-Chairman, Sir, I will be very brief. I will honour the sentiments of the Finance Minister.

Sir, I was a Member of the Select Committee, so I would not want to spell out too many things except that I feel that this is also one of the continuous, progressive and enabling legislations in the true sense to ensure that our banking sector, our financial services sector remains healthy and strong.

Sir, the problems of our banking sector have been many. Almost all the Members talked about the huge NPAs. It is a genuine concern. It has caused a big stress on the entire sector. We have typically two types of borrowers. One is, of course, the honest borrower. There is the small borrower. He goes for a student loan or a farmer loan. It may be a small MSME. Even a big industrialist who borrows money ...*(Interruptions)*...

SHRI ARUN JAITLEY: Student loan category has high NPAs.

SHRI PRAFUL PATEL: I am saying that these are the kinds of borrowers who one would classify as genuine borrowers who go to the banking sector out of necessity and need. Even in industry, there is a class of borrowers, which can be termed as genuine borrowers. They have contributed greatly to the economic activity, the industrial activity in the country. On the other hand, there is another class of borrowers amongst the biggest borrowers, especially those who have basically *ab initio* treated the entire banking sector as their fiefdom and tried to, I would say, goldplating of funds and projects. It has been very predominant in the banking sector. The Finance Minister need not be told about it because he would have checked by now that for the same type of project of a comparable nature, costing is different. One person sets up a power project at ₹ 5 crore per MW. Another person sets up a power project at ₹ 6 crore per MW. Somebody sets it up at ₹ 7 crore per MW. That itself reflects the intent of the borrower. I may not attribute only *mala fide* but even the lender in a way willy-nilly supports the borrower to borrow at such high rates. We have very high interest rates in the country. If we combine these two things, I am sure that *ab initio* the project is set out to be an NPA. I don't want to name anybody. But the fact is that the Finance Minister is well aware of such class of borrowers. Therefore, strengthening of these laws was very important and it needed to be taken to its logical conclusion.

One of the interesting things which we noted when we were part of the Committee, and the Chairman is sitting here, was this. We asked the RBI officials whether personal guarantees are required for the people who borrow ₹ 10,000-50,000 crore. At the end of the day, the personal guarantees are meaningless when such large amounts of moneys are involved. The answer which we got from the RBI was that personal guarantees are not at all insisted by the RBI. In fact, there is no direction to any bank to have personal guarantees. I would not want to talk about personal guarantees in the context of big borrowers. But when we talk about small farmers or small borrowers in terms of student loans, all I think is that personal guarantees would actually be meaningless. Because whatever little that kind of borrower really has, the bank or the institution can take away his asset in one stroke. But in the case of a big borrower, who has access to innumerable legal options, he can keep on dragging these proceedings for years and years. That is the background. And that is why this legislation is important. It will ensure that the people who have borrowed money are brought to book and moneys can be recovered from them in due course of time. But, Sir, the only limited point that I would like to make is that while all this is fine – though the Finance Minister just mentioned that that is a very large category of NPAs – some consideration, especially, for small entrepreneurs, small businesses, farmers and students need to be given while framing the guidelines once this Act is passed. Thank you, Sir.

THE VICE-CHAIRMAN (SHRI T. K. RANGARAJAN): Thank you. Now, Shri K. T. S. Tulsi, not here. Then, Shri Anil Desai.

SHRI ANIL DESAI (Maharashtra): Sir, I rise to support the Enforcement of Security Interest and Recovery of Debts Laws and Miscellaneous Provisions (Amendment) Bill, 2016. Sir, it seeks to amend four laws the SARFAESI Act, 2002; the Recovery of Debts Due to Banks and Financial Institutions Act, 1993; the Indian Stamps Act, 1899; and, the Depositories Act, 1996. All that is done by way of amendments, which have been brought forward in this Bill, to these four major Acts, has strengthened the legislation than what it was earlier. There is a need to strengthen the banks, obviously, as has been said by all the speakers, considering the position of our nationalised banks, banks and the financial institutions, and the kinds of debts which have come up, debts amounting to ₹ 8,00,000 crore. The Government is doing its best to infuse capital into the banks to see that they do not cross their credit line – otherwise, it would affect the economic activity, which would come to a standstill – and to see to it that efforts are being made. But the things need to be seen in the light of different aspects.

Sir, I would dwell upon one aspect which needs to be stressed upon. It is the implementation and application of the new legislation in letter and spirit. As of today, Sir, Indian insolvency regime has complexities in handling of the cases by various institutions, whether it is a High Court or BIFR or even official liquidators. The institutional infrastructure, that is, insolvency professional tribunals, and other related agencies need precise mandate, sufficient resources and training to ensure that this new legislation is effectively implemented and the timelines provided in it are followed. The legislation is certainly a step in the right direction towards minimising the delays and providing greater predictability for debtors and creditors in both process and outcomes. We have the RBI. Even the RDDBFI Act, which is being amended, under which Debt Recovery Tribunals and Debt Recovery Appellate Tribunals have been set up, provides that banks and financial institutions will be required to file cases in tribunals having jurisdiction over the defendant's area of residence or business. The Bill allows banks to file cases in tribunals having jurisdiction over the areas of bank branch where the debt is pending. The Bill also provides that certain procedures under the Act will be undertaken in electronic form. That is a very good thing. That is online procedure which will come after the enactment of this legislation.

Sir, another good thing is that the Bill creates a Central database to integrate records of properties registered under various registration systems with the Central Registry. This includes integration of registrations made under the Companies Act, the Registration Act and the Motor Vehicles Act. The Bill provides that the secured

creditors will not be able to take possession over the collateral unless it is registered with the central registry. Further, these creditors, after registration of security interest, will have priority over others in repayment of dues.

Sir, another thing is about the amendment which has been brought forward in respect of stamp duty. Stamp duty will not be charged on transactions undertaken for transfer of financial assets in favour of Asset Reconstruction Companies. Financial assets include loans and collaterals. The investment in ARCs has also been provided for. The Bill will allow a sponsor of an ARC to hold up to 100 per cent stake in the ARC, that is, the Asset Reconstruction Company. It will also enable non-institutional investors to invest in security receipts issued by ARCs and lays down a time-line for possession of secured assets. By amending the Stamp Act, no Stamp Duty will be levied where transactions undertaken involve transfer of financial assets in favour of ARCs. And for the exemptions to apply, such transfers must be for the securitization or reconstruction purposes only. This Bill also seeks to amend the Depositories Act, 1996. Amendments in Depositories Act have been proposed for facilitating transfer of shares held in pledge or on conversion of debt into shares in favour of banks and financial institutions. Supplementing the aims of Bankruptcy Code has been also provided in this Bill. The Bill aims to support the Bankruptcy Code and several amendments are in line with its objective. Debenture trustees are accorded same rights as that of security creditors, which aid in a level-playing field for creditors. Banks and financial institutions are permitted to transfer financial assets to ARCs, prior to them being declared as non-performing assets, which aid in early debt detection and resolution of distress. So, overall, this legislation will help the economy to grow faster. The faster the mechanism is, it would be beneficial in the entire economic activity. Thank you, Sir.

THE VICE-CHAIRMAN (SHRI T. K. RANGARAJAN): Shri Bhubaneswar Kalita.

SHRI BHUBANESWAR KALITA (Assam): Sir, I rise to support the Enforcement of Security Interest and Recovery of Debts Laws and Miscellaneous Provisions (Amendment) Bill, 2016. As has been explained, the main object of the Bill is expeditious recovery of loans of banks and financial institutions. Sir, there are approximately 70,000 cases pending in Debt Recovery Tribunals. My first point is that these DRTs have to be strengthened. I have been informed that the number of DRTs has been increased. Six more DRTs have been created but, long pendency in the DRTs or adjournments is creating delay in the process of recovery. Then, there is the issue of shortage of judges which has been already mentioned by some hon. Member. I had the opportunity to be a member of the Joint-Committee headed by Shri Bhupender Yadav. We had discussed these points in the Committee threadbare

[Shri Bhubaneswar Kalita]

and came to conclusions which are incorporated in the amended Bill. The age of the judges of DRT and DRATs had been a problem because there is a shortage of judges and they are not getting judges. Hopefully, the increase in the age bar will help in getting some more judges for speedy trial and speedy recovery process. Sir, the main objective besides the recovery is to facilitate investment leading to higher economic growth and development. This is a broad idea. We have discussed quite a few points on that. Most of them have been resolved in the Committee itself. But there are a few things which I want to mention here. I will not touch upon the long points and restrict myself to the short points. First is the asset or the property. In the Bill, immovable property like land has not been resolved and there were some issues on that. So, I think, that issue has to be addressed by the Government while finalising this Bill. The 'property' has been defined in this Bill as 'immoveable property and moveable property'; and land being a State subject, there have been some issues, I hope the Government while making rules, will look into them. One of the main issues was intangible assets. The intangible assets are like knowhow, patent, copyright, trademarks, licence, franchise which include the brand. There was an issue relating to intangible assets. Of course, brand is an intangible asset. We have come across, at least, one case where the brand was self-valued at ₹ 4,000 crores. The recovery process has started. Now the value that has come for the same brand is totally negligible. So, while determining the intangible asset as collateral or asset – since it is self-valued — I think, the banks have to devise some mechanism so that this area is covered or fully secured.

We had an issue of the ARC. In ARCs, the small loans and corporate debts are equated as one. Sir, small loans means loans given to the students which have been mentioned by the hon. Member, Shri Navaneethakrishnan in detail, I will not go into that. Loans to the small industries are not big amounts. These are small amounts. When you equate these before the ARCs, we see some injustice in that. The issue of loans to the students has already been mentioned. You see in one of the ARCs, the student loans of more than ₹ 800 crore has been given for recovery, with a concession of 40 per cent and repayment in 15 years. As has already been mentioned, if 15 years' period is given to a student for repayment, I think, he will be able to pay that loan. So, I think, the Government must review the recovery of student loans and also recovery of loans from the small industries.

Sir, so far as small industries are concerned, there is no collateral asset. They are given collateral free loans up to ₹ 1 crore. But, I think, we have to make a review on that also because there is a demand that this collateral asset free loan should be increased to ₹ 5 crores. The area of student loans and the area of loans

to the small industries should be reviewed by the Government. Today morning, the hon. Finance Minister has informed the House ₹ 4.70 lakh crores as gross NPAs of the public sector banks which is about 9.32 per cent. That is besides the NPAs of other financial institutions. Here, there are genuine cases. There are cases which have been detected, which have been in the public domain, and those NPAs which are wilful. The Government has to differentiate, as has been mentioned by some other hon. Members also. Wilful defaulters should be tried under the criminal law and not under the civil law. When we talk of wilful defaulters and NPAs of public sector banks, public sector banks have, in many cases, developed vested interests. There are vested interests of loanees; there are vested interests in banks; there are vested interests in allied fields. Altogether, they defeat the very purpose of a loan for which it had been taken; otherwise, this loan could have gone to some other sector and it could have added to the prosperity of the country.

While concluding, Sir, I would request the hon. Finance Minister to look into these two areas, namely, student loans and loans to small industries. I would also request you to devise some measures to bring wilful defaulters under the law. Thank you, Sir.

THE VICE-CHAIRMAN (SHRI T. K. RANGARAJAN): Thank you. Shri T. K. S. Elangovan.

SHRI T. K. S. ELANGO VAN (Tamil Nadu): Thank you, Mr. Vice-Chairman, Sir, for giving me this opportunity.

Sir, this amendment enhances recovery procedures in regard to an NPA. In that sense, just as the SARFAESI Act was made simple earlier, and there were more facilities through other Acts relating to recovery of loans, this amendment too ensures the same in this Bill.

Sir, before taking up the recovery of a loan, the role of bank managers, that is, the lenders, should be monitored to see what they are doing. Now, an NPA is classified as a loan for which neither the payment nor the interest is forthcoming for three consecutive months. That should not be the parameter for assessing an NPA.

Sir, in Tamil Nadu, during the recent floods, about 150 small-scale units were inundated, not because of the failure of the SSI units to protect them, but because of the failure of the administration to take precautionary measures. But these units...

SHRIMATI VIJILA SATHYANANTH (Tamil Nadu): Excuse me, Sir, this is utterly baseless. ...*(Interruptions)*...



THE VICE-CHAIRMAN (SHRI T. K. RANGARAJAN): He is making his point. ...*(Interruptions)*... No, no. Please sit down. ...*(Interruptions)*... Please sit down.

SHRI S. MUTHUKARUPPAN (Tamil Nadu): Sir, he is accusing the administration of Tamil Nadu. ...*(Interruptions)*...

SHRI T. K. S. ELANGO VAN: I am not yielding. ...*(Interruptions)*...

THE VICE-CHAIRMAN (SHRI T. K. RANGARAJAN): He is not yielding. ...*(Interruptions)*...

SHRI T. K. S. ELANGO VAN: I am not yielding. ...*(Interruptions)*...

THE VICE-CHAIRMAN (SHRI T. K. RANGARAJAN): You speak when your turn comes. I will allow you. ...*(Interruptions)*...

SHRI T. K. S. ELANGO VAN: Now, owners of SSI units, who have been in business for more than... ...*(Interruptions)*...

THE VICE-CHAIRMAN (SHRI T. K. RANGARAJAN): He has got the right to say what he wants to say. ...*(Interruptions)*...

SHRI T. K. S. ELANGO VAN: Those who have been doing good business.... ...*(Interruptions)*...

THE VICE-CHAIRMAN (SHRI T. K. RANGARAJAN): Nothing will go on record. ...*(Interruptions)*... Nothing will go on record. ...*(Interruptions)*... Please sit down. ...*(Interruptions)*... Please sit down. ...*(Interruptions)*... Nothing is going on record. Please sit down.

SHRI T. K. S. ELANGO VAN: Sir, proprietors of these 150-odd industries had been in business for more than 20-25 years. It was their livelihood. But after this inundation, they had to reconstruct their industry. Now, before the reconstruction of their industry, if the Asset Reconstruction Company came into action, what would happen to them? Now, bank managers don't use their wisdom and apply their mind. Simply because of this rule of NPA that if no payment is made for three consecutive months, it becomes an NPA, they become inactive and they conveniently transfer these loans to the recovery line-up.

But earlier, they would go to the unit, they would see their past record and ascertain whether this industry could come back; whether the intention of the borrower was to repay the loan because this industry alone is helping his livelihood. So, any small scale industrialist will not allow his industry to be closed down or will not stop payment, both of loan and interest to the bank. These things were decided by the wisdom of the bank managers. Now, these bank managers don't use their wisdom.



They conveniently hide themselves under this rule and make borrowing of all SSI units or small units as Non Performing Assets, borrowing of these units as Non Performing Assets, which has increased the volume of the Non Performing Assets. So, the application of mind by the Bank Manager before transferring borrowing to the recovery line-up should be there. The Bank Manager should be held responsible for the fast recovery, making their own efforts to recover the loan. What had happened in Tamil Nadu? My dear colleague, Shri Ramakrishna Rangasayee, from Tamil Nadu, was also mentioning about the suicide by a student. Likewise, there are many incidents. Sir, in fact, the shameful thing is that the students who had borrowed money from banks for their education, their photos were made big posters and pasted near the bank. What will happen to the life of such a student? What will happen to his future? Banks were resorting to such activities which put the student in great difficulty. The stigma attached will never go. Such things should not happen. So, before taking up any loan to the recovery line-up, you see, the Managers of all lending institutions, who had given loans, based on the merit of the company or the borrower, should ensure that the banks themselves, the lending institutions themselves, try to make attempts to recover the loans. If they could not do it, then it should come to the SARFAESI ACT. So, it is not just bringing all loans to the NPAs and trying to recover the same. There should be some human element in it; there should be some efforts by the lenders to approach the borrower and convince him to repay the loan. With these words, I support the Bill. Thank you.

SHRI VIVEK K. TANKHA (Madhya Pradesh): Sir, thank you for giving me this opportunity. Mr. Finance Minister, I may be new to this House, but, possibly, I am not new to the field of law. There was a comment made earlier that I am new to this House, and somebody with 17 years' experience is also there. But let me say something about the legal aspect.

THE VICE-CHAIRMAN (SHRI T. K. RANGARAJAN): That was a friendly comment. That also you said.

SHRI VIVEK K. TANKHA: Yes, Sir. Now, the point I am making today is three-fold. I am going to talk a little about the DRT, and most of those things must be in your knowledge because these are matters which the Bar Associations have taken up with the Finance Ministry. I am going to speak a little bit about the Securitisation Act and the role of the Reserve Bank. Three issues which I would commend to yourself because, maybe, some improvement in the times ahead, would be good for the system. The first point I want to say about the DRT is, you have power to remove them, you have power to accept their resignations, but you don't have power to transfer them. This has been an issue in the past. I am personally aware of it also.

[Shri Vivek K. Tankha]

It has travelled to the High Court, to the Supreme Court, there were representations. Sometimes, these presiding officers have problems in a particular place, and that I will be transferred under the law. So, they have either to be removed or they have to resign, or if they decide to stay, there is a stalemate with the Bar, and then, it is non-functional DRT. I am personally aware. That is why I am telling this also.

Number two, this situation may have been of some days back that out of the five DRATs, four didn't have the Chairman. These are operational issues. I don't know the situation today. It may have improved but we must ensure that these authorities and appellate bodies have full composition if we want our systems to work well. Thirdly, there was a PIL in Supreme Court in which — I was the Additional Solicitor General at that time and I was appearing at that time — various directions were given for improving the infrastructure of the DRTs. Some of the DRTs even today are in appalling condition. Pursuant to the directions of the Supreme Court, improvements were made in Delhi, for instance, and we shifted it to a new building. Now, in Government, we have no provisions for their maintenance. This DRT is on 4th Floor and you will hear from the lawyers that for half the time the lifts are not working. You have to climb the 4 floors with your bustas and that reduces the efficiency and the seriousness with which we present the arguments in the court. I am also told, subject to correction, that whatever were the staffing patterns of the DRTs in 1993, those staffing patterns are the same, as on today and, in the meantime, you have overloaded them with Securitization Act and some part of insolvency proceedings which would also now come there. So, the number of staff is the same. There is no increase in staff. There has to be augmentation of staff also. This is a standing problem there. The number of cases is going up. Today, the pendency of cases is 70,000. If, with the present strength, we do these cases, it will take seven to ten years to finish these present cases. I am not talking of new filings at all. So, here again, more hands have to be created. A huge issue which has arisen and which was before the Supreme Court also is that some of our officers, especially, Recovery Officers are bankers, Railway employees and employees who are on deputation from various Departments. Now, intricate issues of law are argued before the Recovery Officers. The fact is that they are not able to decipher the argument, and then, it leads to delay; it leads to bad judgements; it leads to appeals, revisions, writ petitions, SLPs. Another Amendment which has been brought this time was that you have to necessarily deposit a minimum of 25 per cent. Earlier, it was 75 per cent but at the discretion of court, it could be waived. Now, I know for certain that there are many hard cases, where people cannot deposit and yet, these are good cases. If we make the deposit compulsory, you are actually denying opportunity to a lot of

**6.00 P.M.**

people to approach the Appellate Tribunal. Somewhere, the constitutionality of this provision will come in question in those hard cases and somewhere like I saw in Sales Tax Act in which we have similar provisions, then, the court stepped in and said, 'No, in hard cases you can pass some orders', giving relief, maybe, under Section 226 if they don't have the power. Banking industry is a separate subject. It is not a subject for today. Today, we are discussing about recovery. Banking industry needs to be improved correspondingly. The way loans are granted; diversification takes place; money-laundering takes place, all that is now a reality and most of the high-net people indulge in that rampantly. So, that issue is a separate issue but that also leads to more cases before the DRT and ADRT. I would also like to point out that somewhere the hon. Finance Minister may like to re-group the Tribunals. Now, the securitization, money-laundering and DRT are, very often, closely inter-related. Maybe the same Judge can do all three. It may commend your thought process. Again, another point that we noticed in these laws is that in the DRT, the bank's branch is not the jurisdiction, but it is the defendant's address.

(MR. DEPUTY CHAIRMAN *in the Chair*)

If I borrowed loan, say, in Delhi and I live in Guwahati, I have to go to Guwahati to file a case. In fact, it should be in Delhi where it was borrowed. It becomes easier for the bank then to approach the court where it is located. So, the branch of the bank, where you have accepted the loan, should be the place of the jurisdiction also. There is an imminent requirement to publish data bank, bank-wise, and also to make a registry of all assets under litigation. The present Bill, while providing for certain steps to further the e-governance, completely fails to address the due disclosure and full information to prospective buyers regarding stressed assets, bank recovery performance, etc., which are vital parameters in debt/credit industry. So, these are some of the issues which I wanted to highlight, which may need improvement in the DRT set-up because without these improvements, you will not get the results which the Government desires or the country desires.

Sir, on the Securitization Act, there are just one or two brief points. Sir, Section 13(2) came under challenge before the Supreme Court in Mardia Committee, and that opportunity part came in. That is Section 13(4). Sir, Section 13(4) is taken as a paper possession; it is not an actual possession; that is why Section 14 was brought in. In Section 14, we have given the jurisdiction to District Magistrates and CMMs. I am sure, and this whole House would know for sure, the DMs and the CMMs have no time for these cases. If you actually go and see there, it is their PAs who decide these cases. This power also should be given into more responsible hands

[Shri Vivek K. Tankha]

who know the subject, who know the field, and who are willing to look at the applications with the data and affidavit in a way that it should be seen.

Sir, recently, there is a judgement of the Supreme Court in the Standard Chartered Bank case, where Section 14 now has created a new problem. As per the judgement of the Supreme Court, unless you hand over the possession, you can't go to the court; you can't go to the tribunal. But the problem is this. There could be an order even against a good person. If I have a house, I have not been able to pay my instalments, and I may be in a position to do it a little later or there could be some other reason. I have to first vacate that house, and then go. It is only multiplying problems. So, somewhere the appeal should come before you are asked to vacate. The law would need to be amended or the Supreme Court judgement will have to be clarified in the context of Section 14.

Sir, the last point that I wish to make is — I don't want to go into the details of each clause — that you have given too much power to the RBI. You involve RBI too much with the ARCs. You have only about 14 ARCs in India today. It should be much more. It is such a regulated industry that not many people can come. Most of the ARCs are created by public institutions. We have given 100 per cent FDI, and we want to regulate it! These cannot go together; they are not in sync. You have to give them a little more liberty. But what are they doing? Actually, they are buying stressed assets, and, then, taking it to the market, as per law, and trying to recover maximum out of it. In this process, the RBI, at every stage, comes in. There is a provision under which the RBI can even cancel their registration. Now, if their registration gets cancelled, then, which foreign investor would invest? In India, in the past, we have seen how courts have interfered. They have cancelled licences after 15 years or 20 years, which has had a very bad effect on foreign investors. So, if you want FDI in this sector, then, you will have to liberalize the ARCs' working. They have to be market-friendly. Of course, accounting, auditing, inspection and all that can be there, but certainly not that you keep them under the clutches of the RBI through guidelines, through directions. There are so many Sections here. I can just read out those Sections, but there is no point in doing that. I am just flagging these points. So, my whole point is, reduce RBI's control, improve and operationalise the DRTs and ARTs, and that may give better results. ...(*Time-bell rings*)... For that, many Bar Associations have also had representations to the Finance Ministry. All these points you would also find in those representations. Thank you, Sir.

**श्री नरेंद्र बुढानिया** (राजस्थान): महोदय, आज हम लोग इन्फोर्समेंट ऑफ सिक्यूरिटी इन्टरेस्ट एंड रिकवरी ऑफ डेब्ट्स लाज एंड मिसलेनियस, प्रोविजंस (अमेंडमेंट) बिल, 2016 पर चर्चा कर रहे हैं। महोदय, इस बिल के द्वारा हम चार कानूनों को चेंज कर रहे हैं, जो सिक्योरिटी

एक्ट, 2002, बैंकों और वित्तीय संस्थाओं को शोधय ऋण वसूली अधिनियम, 1993, भारतीय स्टॉप अधिनियम, 1899 और डिपॉजिटरी एक्ट, 1996 हैं।

महोदय, मैं आज वित्त मंत्री जी को सुन रहा था। वे एक प्रश्न के जवाब में कह रहे थे कि इस देश के विकास के लिए, प्रगति के लिए हमारी अर्थव्यवस्था बहुत अच्छी होनी चाहिए और उसके साथ उन्होंने यह भी कहा कि हमारे बैंकों के एन.पी.ए. भी कम होने चाहिए। महोदय, मैं यह बताना चाहता हूँ कि हम इससे पहले भी एक बिल लेकर आए थे, Bankruptcy -दिवालियापन का बिल लेकर आए थे। महोदय, हम बिल पर बिल ला रहे हैं, तो क्या बिल लाने से, कानून बदलने से जो लोग जानबूझकर पैसा खाते हैं, उनसे पैसा हम निकाल लेंगे? मेरा यह मानना है कि जब तक हम में राजनीतिक इच्छा शक्ति नहीं होगी, तब तक हम चाहे कितने ही कानून बना लें, हम इन defaulters से पैसा नहीं निकाल सकते। वह कैसे न कैसे अपना देश छोड़ कर चले जाएंगे या कोई और तरीके से वे अपना बचाव कर लेंगे। महोदय, जब 2002 में सिक्योरिटी एक्ट लागू हुआ था, तब यह माहौल बना था कि एन.पी.ए. कम होंगे, लेकिन एन.पी.ए. कम होने के बजाए बढ़ते जा रहे हैं। कोई कह रहा है कि आज 4 लाख करोड़ के एन.पी.ए. हैं, कोई 5 लाख करोड़ बता रहा है और कोई 8 लाख करोड़ बतला रहा है। एक अखबार में मैंने पढ़ा कि 2017 में यह 20 लाख करोड़ होने वाला है। यह जो हमारे सामने समस्या है, जो एन.पी.ए. बढ़ता जा रहा है, इस पर हमको पाबंदी लगाने की आवश्यकता है। मंत्री महोदय यह बिल लेकर आए हैं, हम इनका स्वागत करते हैं। इनका इंटेंशन है कि ऐसे लोग जो willful defaulters हैं, उनसे पैसा निकाल कर लाएं। महोदय, मैं यह कहना चाहता हूँ कि यह DRT कानून कौन लेकर आया था — यह 1993 में कांग्रेस लेकर आई थी। उस वक्त भी यह कोशिश की गई थी कि हमारे केसेज कम हों, हमारी रिकवरी ज्यादा से ज्यादा हो। लेकिन आज बहुत ही तकलीफ के साथ कहना पड़ रहा है कि 20 लाख करोड़ रुपए के केसेज पेंडिंग हैं। महोदय, 4 लाख करोड़ एन.पी.ए. या 5 लाख करोड़ जितनी भी राशि है, वह सारी की सारी कुछ लोगों के पास में है। उसकी 90 प्रतिशत राशि कुछ ऐसे लोगों के पास है, मैं समझता हूँ कि इस एक्ट के बनने के बाद उनसे कुछ वसूली होगी।

महोदय, इस बिल के अंदर डी.एम. को बहुत पावर दी गई है। 21 दिन के अंदर वे वाद का निबटारा करेंगे। मैं समझता हूँ कि यह बहुत अच्छी बात है, लेकिन डी.एम. को इतनी पावर देना, कहीं उस पावर का मिसयूज न हो, इसका भी हमको ख्याल रखना पड़ेगा। महोदय, इसमें क्लासिफिकेशन करने की आवश्यकता है। आज हमारे सामने किसान हैं, एजुकेशन लोन है, MSME है उनका अलग क्लासिफिकेशन करना चाहिए। जो willful defaulters हैं उनका अलग क्लासिफिकेशन करना चाहिए। इसके अलावा जो परिस्थितियों के कारण defaulters हैं, उनका अलग क्लासिफिकेशन करना चाहिए। तो हमारे सामने कुछ बातें आएंगी। महोदय, आज मैं यह कहना चाहता हूँ कि हमारी जो किसानी है, वह बहुत मंहंगी हो गई है। आज हमारा किसान बहुत कर्जदार हो गया है। इसके कई कारण हैं — बार-बार अकाल पड़ना, बार-बार प्रकृति का प्रकोप होना। मैं मंत्री महोदय से कहना चाहता हूँ कि किसान ही एक ऐसा है जो आत्महत्या कर रहा है, क्योंकि उसके दिल में शर्म है। आप एक छोटा-सा भी नोटिस देते हैं, तो उसके लिए वह एक बहुत बड़ी तोप के बराबर होता है। फिर या तो वह अपनी जमीन बेचता है ...(समय की घंटी)... सर, दो मिनट। सर, मेरा निवेदन यह है कि आपको कृषि के ऊपर विशेष ध्यान देना होगा, किसानों पर विशेष ध्यान देना होगा। आज ऐसे बड़े-बड़े डिफॉल्टर्स हैं, जो लोगों के लाखों-करोड़ों

[श्री नरेंद्र बुढानिया]

रुपये खा रहे हैं, लेकिन उनमें से कोई आत्महत्या नहीं करता, सिर्फ किसान आत्महत्या करता है, जबकि उसका लोन छोटा होता है। इसलिए आपको इस पर ध्यान देना होगा।

महोदय, एक बहुत इम्पोर्टेंट बात मैं कहना चाहता हूँ, जो सभी लोगों ने कही है और वह एजुकेशन लोन के बारे में है। यह एक बहुत बड़ी समस्या है। आज हमारे नौजवानों के ऊपर इस एजुकेशन लोन का दबाव इतना बढ़ गया है कि उनमें डिप्रेशन आ गया है। उनको रोजगार नहीं मिल रहा है और हमारे युवा लोग कर्ज के तले दबते चले जा रहे हैं। वे अच्छी डिग्री या अच्छी पढ़ाई के लिए महँगे स्कूलों में जाते हैं, महँगी फीस अदा करते हैं, लेकिन उनमें से पढ़कर निकलने के बाद उनको नौकरी नहीं मिलती है। हमारे गवर्नर ने भी कहा कि हमारे युवा अच्छी एजुकेशन के लिए महँगा लोन लेकर आते हैं।...(समय की घंटी)...

**श्री उपसभापति:** ठीक है, बसा।

**श्री नरेंद्र बुढानिया:** सर, एक मिनट। मुझे यह कहने में कोई संकोच नहीं है कि आज कोई स्टूडेंट एमबीए करके आता है, तो उसकी पढ़ाई पर 8 से 10 लाख रुपये खर्च होते हैं, लेकिन इतना पैसा खर्च करने के बाद उसको नौकरी नहीं मिलती है और अगर मिलती भी है तो उसे 8 से 10 हजार रुपये की नौकरी मिलती है। महोदय, मैं कहना चाहता हूँ कि 8 से 10 हजार रुपये हमारे एक कुक और एक ड्राइवर की तनख्वाह के बराबर हैं, जबकि कुक और ड्राइवर को 8-10 लाख रुपये का खर्चा भी नहीं करना पड़ता, क्योंकि उन्हें डिग्री लेने की आवश्यकता नहीं है।...(समय की घंटी)...

**श्री उपसभापति:** ठीक है, अब समाप्त कीजिए।

**श्री नरेंद्र बुढानिया:** लेकिन आज इस सिस्टम में सुधार की आवश्यकता है।...(समय की घंटी).... आप यह बिल लेकर आए हैं। वे लोग जो डिफॉल्टर्स हैं, वे लोग जो बदमाश हैं, जो इस देश के गरीब लोगों की गाढ़ी कमाई को खा रहे हैं, उनको आप निकालने में सक्षम होंगे, धन्यवाद।

**SHRI JAIRAM RAMESH:** Sir, I have requested you for giving me one minute.

Sir, I have one question which, I hope, the hon. Finance Minister will address. This relates to Clauses 32 and 36. Sir, this is a vast improvement on the existing legislation. But my question to the hon. Finance Minister is: Has he not left an escape window in both under Clause 32 and Clause 36? The spirit of Clauses 32 and 36 is welcome. It is very good. But there is a second part that is provided under both the Clauses which, to me, suggests some amount of discretion that will be allowed. I would like the hon. Finance Minister to please have a look at Clause 32 and Clause 36. The purpose was to tighten it. I think, it has been tightened, but there has been an escape window that has also been provided. Perhaps, this could be dealt with under rules if the hon. Finance Minister finds it appropriate.

**SHRI ARUN JAITLEY:** Mr. Deputy Chairman, Sir, even though this Bill is significantly technical in nature, I am extremely grateful because a large number of

hon. Members have spoken on it, predominantly, out of concern toward the health of banks, the large NPAs, and in order to see that firmness coupled with fairness is maintained in the process of recovery of these outstanding loans.

Sir, let me, at the very outset, say that the Government is fully committed to preserving, maintaining and strengthening the health of public sector banks because they have a very important role to play in the economy of this country. When a large number of us used the word 'loan' – loans being given to large industries and loans being given to individuals – I don't think giving loans itself has anything negative about it. Banks are supposed to give loans. Economic activity, whether it is trading, industry, building a house, educating yourself or helping yourself as farmer, all this survives on the strength of bank credit. So, if banks start squeezing the loans, there will be no economic activity left. In fact, one of the measures of an economy doing well is, if the credit off-take of the banks increases, it means a lot more economic activity is taking place. So, loans are a good thing. Loans are not a bad thing for the economy. Nobody sets up an industry by bringing one hundred per cent of capital out of his own pocket. And, in a country like India, which is still a developing country, availability of capital is scarce. After all, how many conventional businesses were there for centuries which had their original capital? A lot of entrepreneurs, who have come up after 1991, have really managed to create some capital of their own. And, then, on the strength of the debt, which they get from banks, they set up businesses, industries, etc., and some of which have been highly successful also. The cause of worry is when these loans become either Non Performing Assets; or, they become stressed assets; or, the activity, in which these loans are invested, itself is not generating enough money. Now, it is true that in some cases – and, these would clearly be the cases of misdemeanor and misconduct – where a bank has given a loan to a person who should not have been given a loan, or, it is given for a wrongful purpose. That would not only attract civil liability, but that would also attract criminal liability. But, I think, one of the pertinent points, which Dr. Subbarami Reddy made while opening the debate, is that in some cases there would be a wilful default. A 'wilful defaulter' is a person who siphons out money; or, who has money and assets, lying concealed somewhere, but is not paying back. These cases will have to be distinguished with cases where – in the context of large industry, just as some people mentioned the cases of farmers and students – the economic environment itself becomes adverse and, therefore, on account of adversity of economic environment, an industry is unable to pay the loans back. The world has been facing a global slowdown. And one of the aspects of the slowdown is that worldwide there is no demand. Now, that absence of demand is globally impacting various sectors. Even though we did



[Shri Arun Jaitley]

not face the kind of slowdown, which the rest of the world had faced, yet we faced certain specific problems in relation to certain select sectors of the economy, and these large NPAs, which we are speaking about. First of all, let us be clear – I told in the morning also in reply to a question – that generally the people, who take small loans, are returning the moneys back. So, micro-finance, in India, is one of the most successful modes of financing where small industries are financed, small businesses are financed, household industries are financed and the recoveries are very high. In Mudra Loans, people take these loans one day and return it on second day and take it back on the third day, and recoveries are very high and that is why the whole cycle of loans is working quite well. There is some problem with regard to farmers, in some cases. But, then, banks are also compassionate enough because these loans are not very large. Therefore, time-bound extensions, etc., are given. And, hopefully, now, with the support of the Crop Insurance Scheme, where the premium is very minor because States are subsidizing the premium, the recovery is going to be very high and part of the problem would be addressed. World over, particularly in higher education, students educate themselves on the strength of student loans. In India, this trend has picked up to a little extent. There are NPAs in student loans. But the apprehension that these loans will be referred for securitization, etc., is not correct because these loans are not supported by any securities. So, you will vote for securitisation action only if there are supporting securities. So securitisation really never gets attracted as far as the student loans are concerned. One concern, which was expressed, was, what happens to the farmers? The securitisation law very clearly states that securitisation does not apply to agricultural land. Therefore, as far as students and farmers are concerned, our fears may be somewhat exaggerated. I mentioned about the problem of bad loans earlier; so, I will, in brief, just repeat it. We had our largest single NPAs in steel. That is the core sector. And that was because cheap low-cost Chinese steel was coming into India. We have taken certain actions, and there is a revival which is seen in the steel industry. If this revival continues for some more time, then, this loan becomes bad, because the companies are running away. They were manufacturing steel, but their demand was low. They were neither able to service interest nor pay back any part of the principal. That is, when a technical entry is changed, when, for 90 days, you have not serviced that loan, then, from a performing asset, which is generating interest, it became a non-performing asset. So, steel was a major sector and power was another sector. In power, one of the contributors was the private sector power companies, because the power demand was low. The cancellation of coal blocks also led to sickness in the power sector. Since a series of State Discoms had very bad health, they were not charging the consumers the market price; instead, they were taking loans from



the banks, the loans which were owed to the State companies. So, after steel, the State Discoms became the second largest contributor to the NPAs. So, when we are speaking in terms of NPAs, it is not only the private sector and big industries, but it is also the State Discoms which have contributed to a large section of these NPAs. The NPAs of State Discoms are also not in thousands of crores; but, collectively, they have gone into lakhs of crores.

Sir, there was a problem in the highway sector, there was a problem in infrastructure, and there was a problem in the textile sector. These are the sectors which were all impacted by various factors, domestic or international. A few of them have revived. Now, the effort is, and that is the choice that the Government has and the banks also have, the moment it is an NPA, do we immediately close that industry? What happens to India's industrial development then? These may be temporarily economic trends, these are economic cycles, the cycle may change, and, therefore, a revival takes place. Do I restructure the loan, give it some more oxygen and allow him to revive the industry? Or, if I find that this company is not able to revive, do I ask him to induct another partner? Should then the banks take over the management? Should they completely oust this management in the case of a wilful default and put somebody else in? If a particular group has five industries, could the banks now ask them to sell one of them to a new person, get the money, and liquidate a part of the debts? These are all different instrumentalities, which are administrative in nature. Through a series of guidelines, you have the corporate debt restructuring, you have the SDR mechanism, and you have the JLF mechanism with the banks, where the banks have been given considerable amount of flexibility by the Reserve Bank, in order to make sure that the industries revive, because that is the preference in a larger national interest. After the revival of these industries, these companies are in a position to pay back the loans. All these activities in relation to various loans are on. Then, comes the next question. How do you legally strengthen the banking system, so that the bank is able to recover the monies against those who persistently default? One of the mechanisms which we created, which was a modern mechanism, was the bankruptcy law. We repealed all our earlier Provincial Insolvency Act and the company law provisions relating to commercial insolvency because of inability to pay debts, and, instead, now, we have a comprehensive Insolvency and Bankruptcy Code in the country. It is a model law. It is internationally compatible. The moment a company is sliding down, the banks will intervene and, therefore, there are various revival methods. There are various instrumentalities which are created by the banking system. Eventually, the management either continues or the management goes out and the assets of the company are saved. That is the last resort. But these are all powers under that law which we have passed in this Act.

[Shri Arun Jaitley]

What is the purpose of the present set of amendments? Originally, if the bank was entitled to recover its dues from any person, it used to move to a civil court. This was an ordinary litigation where all the provisions of the Civil Procedure Code used to apply and you would stand in queue as a banker before the civil courts. Now the civil courts were found to be a time-consuming experience and, therefore, in the year 1993, we had the Debt Recovery Tribunal mechanism which was created. The DRTs were created and the appeal from the DRT used to lie before the DRAT. It was a special court. The provisions of the Civil Procedure Code and the Evidence Act didn't apply except for the specific procedures which were mentioned, and the whole object was that the DRT would expeditiously dispose of these cases. I think, my friend, Shri Vivek Tankha, was right when he said that the infrastructure was poor, there were issues of members, there were issues of vacancies and all the procedural factors that he mentioned.

Now, what are we trying to do by the present amendment? Out of the five DRATs, you said, four were lying vacant. Today, four now have Chairpersons, and it is not a very easy thing to get a Chairperson. A High Court Judge retires at the age of 62. You offer him a job at the age of 63 which goes up to 65. In some cases, you have to dislocate his city at that age. Now, the recommendations which were made, in the fifth case, the gentleman has refused to join. So, now we have again referred it back to the concerned Supreme Court Judge who was chairing the Committee to see if he can request somebody else to go to Chennai. As far as Delhi and Mumbai are concerned, the appointments have been made, and I am told, in Delhi, the person has already taken over and in Mumbai, the person will take over. Similarly, in DRAT also, most of the positions are occupied. There are some vacancies which we are trying to fill up. The object now is that the 1993 object got defeated because DRT and DRAT became like any other court – arrears, inefficiency, and so on. Now, what we have proposed is that these are all banking institutions and there is the mechanism of Lok Adalats for small loans. Supposing somebody owes ₹ 2 lakhs or ₹ 5 lakhs. For that, the bank is not going to waste his energy in going to DRT, etc. These are all settled through Lok Adalats, etc. Thousands of cases are settled. You give and take something and then make some concessions and then settle the amount. Now, the object is that the DRTs will be intended to be electronic courts. I think, we have to be clear in our approach. There has to be fairness, but there has to be firmness as well. So, when Mr. Vivek says, why should a man first vacate his house under the Securitization Act, it is only when business people who are wilful defaulters, have to vacate their house that they pay. Otherwise, if you provide him the special facility that you continue to live in

your house and continue to enjoy your factory and then keep litigating by engaging Mr. Vivek Tankha in the Supreme Court, it becomes difficult. And this is what has happened. The most controversial case going on is of the person who hasn't paid and has now moved on to London. I only hope that the State Bank of India one day comes out with the kind of litigation that the State Bank of India and other bankers had to contest. It is not in five or ten. It is in hundreds. Now, there were unusual facilities that were given even by the Apex Court when they said, even in a hearing for a wilful defaulter, 'don't take it as a precedent, but for this particular person, allow his lawyers to represent him'. The banks never allow lawyers to come up in a hearing on wilful defaulters. What was so special about it? What was the whole object of the DRTs? Now, please tell me this: What are the kinds of defences that people take up in a bank recovery case? Which is the last *bona fide* defence that you came across? There is delaying, then compelling the bank to its knees and finally, settling for concessions! And so, the health of the bank becomes bad. In the last two years, I have already had to take ₹ 50,000 crore out of the Union Budget to support the health of the banks. Now, ₹ 50,000 crore put into irrigation would have done far greater advantage to India, but we put ₹ 50,000 crore there because some of these people have reduced the banks to this situation. Therefore, I don't think we should think in terms of allowing him the privilege of continuing to occupy his house, using Section 14 of the Securitization Act. He could then litigate. It is only when he faces the humiliation of sitting outside his house that he will settle.

Now, the procedure is, the bank will file its claim online, the reply will have to come online, the documents will be filed online and there will be two hearings, one for an interim order and one for a final order. The lawyers may not like it, but at the end of the day, in 180 days, the DRT has to decide whether the money is payable or not. And if you want to file an appeal, pay at least 25 per cent. Now, Mr. Vivek finds something wrong with 25 per cent being paid. ...*(Interruptions)*... Well, I think public interest is suffering harder. Kindly appreciate, I can tell you that 20 people are sitting on bank monies so that the banks are not able to support 20,000 others. Now, all 20 will say, we are hard cases, but aren't those 20,000 cases who want to run businesses on bank support, also hard cases? Now, monies are taken under the honest arrangement that monies will have to be repaid. So, if you want the facility of an appeal, if your appeal is not merely a ploy to delay, then, please pay 25 per cent. Sell some of your assets. You can't have a situation that till the day you get a loan, you work day and night for it; the day you get a loan, the bank Manager has to stay awake and you sleep well! This principle needs to be reversed in India. Therefore, the DRAT Amendments are intended to create this new procedure so that recoveries in DRTs become easier.

[Shri Arun Jaitley]

Now, why was the Securitization Bill brought about? The Securitization Law says that every person who takes large loans from the bank must give a security. Enforcement of that security is the essence of the Securitization Law. Earlier, the law was that the bank will move the court of the DRT, the bank, having received the security, may still ask for attachment of that security, the debtor will keep running and the creditor will keep chasing. Now, because of this principle, in the year 2002, the NPAs had touched 13 per cent, much worse than the present situation. I recollect this because I was the Law Minister at that time and there was a big debate as to whether this law is constitutionally valid or not. In 2002, we came out with the Securitization law and reversed this cat-and-mouse game. The bank will give a Section 13 notice, take possession of the security and throw you out of the property. Now you go to court to show why the bank is not entitled to take this property. This was challenged. But for the clarification on Section 13, the Supreme Court in *Mardia Chemicals* case upheld the validity of this law. So, this was the change in this whole culture and from 13 per cent, thanks to the Securitization Law, the NPAs came down to 2 to 3 per cent because now there was a danger of the banks reentering your factory, plant, machinery, offices or homes, and that is when people started paying the banks back. Today because of various factors again the NPAs are rising. What does the bank do with this property? The bank would ask the Asset Reconstruction Company to come in, take possession of the property, run the factory. The ARC only gets a transient and temporary possession. And after establishing it, it would then sell it off to a third person who would eventually become the owner and the money received will go back to the banks being paid of their dues. Now, you rightly mentioned that currently there are very few ARCs because we have a tight regulated law. Now, to enable the establishment of more ARCs, all this liberalization in the ARC procedure is being done. The RBI has to regulate so that you don't have any fake property agents coming in as ARCs. So, the regulation would be required and the RBI is a responsible regulator. But then you would also allow FDIs so that people with assets for profits also come up and set up ARCs. Transiently, they take possession and then the defaulter loses control and a new person is asked to come in so that the factory can continue, the offices can continue, jobs can be saved and taxes can be saved and the banks can be repaid back. The stand pat amendment is that you will only be adding cost to this whole process if you ask him for this transient position to pay stamp duty also. That will be a disincentive. So, there is a waiver which we are giving. Therefore, all these liberalizations which we have done are really intended in that direction. Just one last question which was raised in the context of Tamil Nadu; whenever natural calamities, take place like floods, etc., banks also have a humane attitude.

They don't say that just because of the flood in the factory we will declare you an NPA; they extend that period which was also being extended in cases of various natural calamities, including in Tamil Nadu, and a reasonable view is taken. There are higher NPAs as far as students are concerned. These are all areas where banks are supporting students to get educated, it is the responsibility of the students to repay back when they start earning. I think, in cases, some more time is granted. An element of compassion will have to be seen in the context of this factor. You cannot waive off the loan. Somebody has to pay for that loan. Eventually, some more time is given; the banks would give that kind of a time even though the NPAs in that category are a little higher at the moment. Sir, the object, overall, of these two amendments is that you empower the banking system legally and expeditiously to be in a position to get those moneys back. There is a public interest in giving loans; there is a public interest in those loans being serviced and there is a public interest that those who default, there is an adequate mechanism to recover the moneys from them. So, I think, all these three factors are in public interest. So far, the system has remained lopsided in favour of the defaulter, these Bills stand to correct that balance. And I commend these Bills for acceptance of the House. Regarding my friend, Mr. Jairam's issue, which he has raised, I will certainly look into that issue and if any clarification in the Rules is required, either in Section 32 or Section 36, I will certainly look into it.

SHRI JAIRAM RAMESH: On the issue of tightening the system in favour of the banks, I am fully with you. But Sections 32 and 36 do provide some element of discretion in favour of the defaulter and I would request you to have a relook at them.

MR. DEPUTY CHAIRMAN: The question is:

That the Bill further to amend the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002, the Recovery of Debts due to Banks and Financial Institutions Act, 1993, the Indian Stamp Act, 1899, and the Depositories Act, 1996, and for matters connected therewith or incidental thereto, as passed by Lok Sabha, be taken into consideration.

*The motion was adopted.*

MR. DEPUTY CHAIRMAN: Now, we shall take up clause-by-clause consideration of the Bill.

*Clauses 2 and 3 were added to the Bill.*

MR. DEPUTY CHAIRMAN: In Clause 4, there is one Amendment (No.1) by Dr. T. Subbarami Reddy. Are you moving the Amendment?

DR. T. SUBBARAMI REDDY: Sir, I am satisfied with the reply of the hon. Minister. So, I am not moving the Amendment.

*Clause 4 was added to the Bill.*

MR. DEPUTY CHAIRMAN: In Clause 5, there is one Amendment (No.2) by Dr. T. Subbarami Reddy. Are you moving the Amendment?

DR. T. SUBBARAMI REDDY: Sir, I am satisfied with the reply of the hon. Minister. So, I am not moving the Amendment.

*Clause 5 was added to the Bill.*

*Clauses 6 and 7 were added to the Bill.*

MR. DEPUTY CHAIRMAN: In Clause 8, there is one Amendment (No.3) by Dr. T. Subbarami Reddy. Are you moving the Amendment?

DR. T. SUBBARAMI REDDY: No, Sir, I am not moving the Amendment.

*Clause 8 was added to the Bill.*

*Clauses 9 to 11 were added to the Bill.*

MR. DEPUTY CHAIRMAN: In Clause 12, there are three Amendments (Nos.4 to 6) by Dr. T. Subbarami Reddy. Are you moving the Amendments?

DR. T. SUBBARAMI REDDY: Sir, I am satisfied with the reply of the hon. Minister. So, I am not moving the Amendments.

*Clause 12 was added to the Bill.*

*Clauses 13 to 17 were added to the Bill.*

MR. DEPUTY CHAIRMAN: In Clause 18, there is one Amendment (No.7) by Dr. T. Subbarami Reddy. Are you moving the Amendment?

DR. T. SUBBARAMI REDDY: Here, I would like to say that the Central Government, as far as practicable, shall implement regulations in an expeditious and timely manner for the linkage of the Central Registry with the Information Utilities. It is only an advice for the hon. Finance Minister's consideration. He can bear it in mind. That's all. I am not moving the Amendment.

*Clause 18 was added to the Bill.*

*Clauses 19 to 43 were added to the Bill.*

MR. DEPUTY CHAIRMAN: In Clause 44, there is one Amendment (No.8) by Dr. T. Subbarami Reddy. Are you moving the Amendment?

DR. T. SUBBARAMI REDDY: Sir, this Amendment is about restricting the exemption only for the purpose of acquisition of financial assets by Asset Reconstruction Company for asset reconstruction or securitization. This is also a suggestion for the hon. Finance Minister. I am not moving the Amendment.

*Clause 44 was added to the Bill.*

*The First Schedule and the Second Schedule were added to the Bill.*

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

SHRI ARUN JAITLEY: Sir, I move:

That the Bill be passed.

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

---

### MESSAGE FROM LOK SABHA — Contd.

#### **The Employee's Compensation (Amendment) Bill, 2016**

SECRETARY-GENERAL: Sir, I have to report to the House the following message received from the Lok Sabha, signed by the Secretary-General of the Lok Sabha:—

“In accordance with the provisions of rule 96 of the Rules of Procedure and Conduct of Business in Lok Sabha, I am directed to enclose the Employee's Compensation (Amendment) Bill, 2016, as passed by Lok Sabha at its sitting held on the 9th August, 2016.”

Sir, I lay a copy of the Bill on the Table.

**श्री नरेश अग्रवाल** (उत्तर प्रदेश): उपसभापति जी, हाफ एन ऑवर को कल पांच बजे के लिए कर दें, तो अच्छा रहेगा।

**विद्युत मंत्रालय के राज्य मंत्री, कोयला मंत्रालय के राज्य मंत्री, नवीन और नवीकरणीय ऊर्जा मंत्रालय के राज्य मंत्री, तथा खान मंत्रालय के राज्य मंत्री (श्री पीयूष गोयल):** सर, कल नहीं, आज ले लें।

**अल्पसंख्यक कार्य मंत्रालय में राज्य मंत्री, तथा संसदीय कार्य मंत्रालय में राज्य मंत्री (श्री मुख्तार अब्बास नकवी):** सर, अगर आप चाहते हैं, तो परसों कर लेंगे।

**श्री पीयूष गोयल:** सर, फिर दो बजे कर लें।

श्री मुख्तार अब्बास नक़वी: सर, अभी रेलवे कन्वेंशन कमेटी का ले लें, इनका परसों कर लें।

MR. DEPUTY CHAIRMAN: Yes, we can take up the Resolution regarding Railway Convention Committee.

SHRI JAIRAM RAMESH (Karnataka): Not now, Sir. ...(*Interruptions*)...

श्री नीरज शेखर (उत्तर प्रदेश): सर, मंत्री जी की शादी है, वहां पर जाना है, इसलिए इसको कल कर कीजिए। ...(*व्यवधान*)...

श्री मुख्तार अब्बास नक़वी: वह तो आठ बजे है। ...(*व्यवधान*)...

MR. DEPUTY CHAIRMAN: Listen. ...(*Interruptions*)... Yesterday, there was a commitment that we would take up the Railways also. Yesterday, you committed to do it. It is of only one hour. We can finish it in half-an-hour. ...(*Interruptions*)...

SHRI MUKHTAR ABBAS NAQVI: Fifteen minutes, Sir. ...(*Interruptions*)...

SHRI JAIRAM RAMESH: No, Sir. ...(*Interruptions*)... Don't push it, Sir. ...(*Interruptions*)...

श्री नीरज शेखर: सर, इसको कल कीजिए। ...(*व्यवधान*)...

MR. DEPUTY CHAIRMAN: Mr. Suresh Prabhu, please move the Resolution.

---

## GOVERNMENT RESOLUTION

### Recommendations contained in First Report of Railway Convention Committee (2014)

THE MINISTER OF RAILWAYS (SHRI SURESH PRABHU): Sir, I move:

That this House approves the recommendations contained in Paras 5, 6, 9, 11, 12, 13, 14, 15, 16, 17, 18 and 19 of the First Report of Railway Convention Committee (2014), appointed to review the rate of dividend payable by the Railway Undertaking to General Revenues and other ancillary matters, which was presented to both the Houses of Parliament on 22nd December, 2015.

*The question was proposed.*

MR. DEPUTY CHAIRMAN: Resolution moved. ...(*Interruptions*)...

SHRI JAIRAM RAMESH (Karnataka): What are you doing, Sir? ...(*Interruptions*)... You are just pushing it through. ...(*Interruptions*)...



MR. DEPUTY CHAIRMAN: Please listen. ...(Interruptions)... Yesterday, we were going to take it up. When we were about to adjourn, this question was raised. Then, it was said that one Bill and Railway Resolution would be taken up today. It was to be taken up yesterday. At that time also, Mr. Jairam Ramesh stood up and said, 'no'. ...(Interruptions)... Now, what is the guarantee that he will not say the same tomorrow? ...(Interruptions)... That is over.

SHRI JAIRAM RAMESH: I have been sitting here from 11 o' clock. I have sat here patiently. Sir, I am willing to sit for another two hours. Let us have an honest discussion. ...(Interruptions)...

MR. DEPUTY CHAIRMAN: We can finish it in half-an-hour. ...(Interruptions)...

SHRI JAIRAM RAMESH: Sir, please have a full discussion. ...(Interruptions)...

MR. DEPUTY CHAIRMAN: Only one hour is allotted. No full discussion on this. ...(Interruptions)... I have only five names, which means that it will take twenty minutes only. ...(Interruptions)...

SHRI JAIRAM RAMESH: Sir, my only request is...

MR. DEPUTY CHAIRMAN: Mr. Jairam, what are you doing? ...(Interruptions)...

SHRI JAIRAM RAMESH: Sir, my only request is, don't short-circuit this.

MR. DEPUTY CHAIRMAN: It is not short-circuiting. ...(Interruptions)...

THE MINISTER OF HUMAN RESOURCE DEVELOPMENT (SHRI PRAKASH JAVADEKAR): Sir, it is like casting aspersions. ...(Interruptions)...

SHRI JAIRAM RAMESH: You are a Minister. ...(Interruptions)... Please behave like a Minister.

MR. DEPUTY CHAIRMAN: Mr. Jairam Ramesh, let me read out the names which I have got. First is, Mr. Narayan Lal Panchariya. Are you willing to speak now? ...(Interruptions)...

THE MINISTER OF STATE OF THE MINISTRY OF MINORITY AFFAIRS, AND THE MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI MUKHTAR ABBAS NAQVI): Sir, we withdraw his name.

MR. DEPUTY CHAIRMAN: Next is, Shri Shankarbhaj Vegad.

SHRI MUKHTAR ABBAS NAQVI: Sir, we withdraw his name also.

MR. DEPUTY CHAIRMAN: Okay, both names are withdrawn. Next is, Shri K. R. Arjunan. ...(Interruptions)... Okay, he will speak. Next is, Shri Derek O' Brien.

[Mr. Deputy Chairman]

He is not here. Next is, Shri Ritabrata Banerjee. Do you wish to speak? Okay. So, only two Members are there to speak. ...*(Interruptions)*... I will allow all of them. So, why should we postpone it? Tomorrow, you will stand up and ask for postponement. ...*(Interruptions)*... What is the guarantee? ...*(Interruptions)*... Yesterday, you said this. ...*(Interruptions)*...

SHRI JAIRAM RAMESH: Sir, I am willing to sit here for one hour. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: In half-an-hour, it will be over.

SHRI JAIRAM RAMESH: My request to you is not to compress it. ...*(Interruptions)*...

SHRI MUKHTAR ABBAS NAQVI: Sir, please call the speaker. ...*(Interruptions)*...

SHRI JAIRAM RAMESH: Sir, please don't compress it. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: This is an unnecessary allegation. ...*(Interruptions)*... Mr. Naqvi, please sit down. ...*(Interruptions)*... I am not compressing it. I have only five names. I am ready to allow all of them to speak. ...*(Interruptions)*... How is it that I am compressing? Yesterday, when it was about to be taken up, then, you said, 'tomorrow'. Now, when it is being taken up, now, you are saying 'tomorrow'. What is the guarantee that tomorrow you will again not say, 'tomorrow'? ...*(Interruptions)*... Mr. Panchariya is not speaking. Mr. Shankarbhai Vegad is not speaking. Now, Mr. K. R. Arjunan. ...*(Interruptions)*... Mr. Arjunan, your time is three minutes but you can speak for five minutes. Take two minutes extra.

SHRI K. R. ARJUNAN (Tamil Nadu): I thank hon. Dr. Puratchi Thalaivi, Amma, for giving me the opportunity to speak. Mr. Deputy Chairman, Sir, please allow me to highlight in this august House the issues regarding Nilgiri Mountain Railway in the Nilgiris District, Tamil Nadu. Sir, I would like to speak in Tamil. \*Hon. Deputy Chairman, Sir, Nilgiris district is hailed as the 'Queen of Mountains'. The Mountain railways which operate from Mettupalayam to Ooty *via* Coonoor has been recognized as a world heritage site by UNESCO. Domestic and foreign tourists who visit Ooty, show great interest in travelling in the mountain railways. This train is always overcrowded. Hence, I request that additional coaches with modern seating arrangements have to be provided to this train, which is operated from Mettupalayam. Moreover, old coaches have to be replaced with modernized coaches. I also request that modern toilets have to be built at Coonoor, Wellington, Aruvangaadu, Ketti and

---

\*English translation of the original speech made in Tamil.

Ooty railway stations for the convenience of passengers. In addition to this, I request the Government to provide a steam engine to operate this train.

Sir, Rail transportation is very important for the development of infrastructure and progress. In the recently presented Railway Budget, many demands were raised on behalf of the Government of Tamil Nadu. Under the leadership of hon. Puratchithalaivi Amma, a document called 'Vision 2023' has been issued enumerating the vision for the industrial development of Tamil Nadu. In this document, ten important railway projects have been included. They are considered to be very crucial for the industrial development of Tamil Nadu.

Complete doubling of Chennai-Kanyakumari line,

Sriperumbudur Guindy freight line

Chennai Thoothukudi freight corridor

High Speed Passenger rail link between Chennai, Madurai and Kanyakumari,

High Speed Passenger rail link between Madurai and Coimbatore

High Speed Passenger rail link between Chennai and Coimbatore

High Speed rail link between Chennai and Bengaluru

Chennai Bengaluru freight corridor

Avadi Guduvancheri rail link

Avadi/Thiruvallur-Ennore Port link

are those 10 projects. Of these,

Chennai Thoothukudi freight corridor

High Speed Passenger rail link between Chennai, Madurai and Kanyakumari,

High Speed Passenger rail link between Madurai and Coimbatore is given high priority by the State Government of Tamil Nadu. The State Government of Tamil Nadu has already indicated that it would be willing, in principle, to enter into a Memorandum of Understanding (MoU) with the Indian Railways to set up a Special Purpose Vehicle to promote these projects. Moreover, a number of projects announced for Tamil Nadu in the earlier Railway Budgets have not commenced so far. More than twenty projects have not commenced. Due to paucity of time, I would like to point out only some of these projects.

New line from Jolarpettai to Hosur *via* Krishnagiri

New line between Mayiladuthurai-Thriukadaiyur-Tharangambadi-Tirunallar and Karaikkal

[Shri K. R. Arjunan]

New line from Ramanathapuram-Kanyakumari *via* Thoothukudi-Thiruchendur

New line between Thanjavur and Ariyalur

New line from Madurai to Karaikudi *via* Melur.

Sir,

All these projects have to be completed as expeditiously as possible.

I would like to rephrase the quote of American poet Robert Frost.

The projects are lovely, momentous and constructive

But you have promises to keep

And miles to go before we sleep

And miles to go before we sleep.

Dear Railway Minister,

Where trains are reaching on time,

Where berths in trains are clean,

Where toilets in trains are cleaned properly,

Where senior citizens are getting lower berths,

Where there is no harm in trains due to rats and bedbugs,

Where passengers reach platform conveniently through escalators at Railway stations,

Where clean platforms, seats, boarding rooms are available at railway stations,

Where frequency of trains are available to avoid congestion to people,

Where children enjoy their food given at trains,

Where women travel safely in trains,

Our dear Railway Minister, lead the people of Tamil Nadu to such a wonderful journey. With these words, I conclude my speech. Thank you.

MR. DEPUTY CHAIRMAN: Now, Mr. Derek O'Brien. Your time is only three minutes. But you may take five minutes. Instead of three, I am giving you two extra minutes. ...*(Interruptions)*...

SHRI DEREK O'BRIEN (West Bengal): Sir, firstly, I am out of breath. ...*(Interruptions)*... Because I saw this happening, I thought you were going to take it up tomorrow and so I came rushing. ...*(Interruptions)*... No, no. I am speaking. ...*(Interruptions)*... I have not brought my notes, but I will speak. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: I can allow you after one or two speakers. ...*(Interruptions)*...

SHRI JAIRAM RAMESH: Sir, I hope you know now why I was requesting you to take it up tomorrow because Mr. Derek O'Brien was not present. ...*(Interruptions)*... Now, he has come running. ...*(Interruptions)*...

SHRI DEREK O'BRIEN: Sir, this is a serious issue. ...*(Interruptions)*... Let me begin. ...*(Interruptions)*... Sir, the Indian Railways is more on time than the Air India. ...*(Interruptions)*...

Sir, the Railway Convention Committee actually has only one item in its agenda for the year and that is to announce dividend. Suresh Prabhuji, the honourable and enthusiastic Railway Minister, is very, very enthusiastic and very earnest in his efforts. We really appreciate that, especially with the way he is coordinating with all the States. We appreciate that, Mr. Suresh Prabhu.

I want to make a few points because this discussion may be for 20-25 minutes, but it is worth ₹ 12,000 crore or ₹ 13,000 crore. I will tell you why it is worth ₹ 12,000 crore or ₹ 13,000 crore. Sir, from 1920s, I think it was in 1924, the Railway Finance was separated from the General Finance. The General Budget and the Indian Railways got separated. So, after that, the Railways became a public sector undertaking to make profit. That was the old colonial leftover or hangover. Now, Sir, the commitment of the Railways has changed. It is not only about profit; it is also about social responsibility. In 1964, on the recommendations of this Committee, an amount of ₹ 100 crore was given as dividend to the Indian Railways, and after that, the Indian Railways used it for whatever projects. In the last few years, this dividend has been seven per cent, six per cent and five per cent, so much so that now, this year, the Committee has recommended that the dividend will have to come down from five per cent to four per cent. But, that still means, Mr. Suresh Prabhu will have ₹ 6,000 crore. ...*(Interruptions)*... Papers have come to me, but let me leave them aside. He will have ₹ 6,000 crore in each pocket – ₹ 6,000 crore in the left pocket and ₹ 6,000 crore in the right pocket. So, my question first is: Why do we need to give even one per cent takeaway from the Railways to the Central Government? Why? Let that money remain with the Railways because that can be used for other social projects. You use it in Kashmir; you use it in places which are unconnected. So, the Standing Committee on Railways made a very serious recommendation this year. My colleague was the Chairman. The Standing Committee on Railways made a recommendation of zero per cent. I understand that if suddenly from ₹ 12,000 crore, we give him zero, then Prabhuji will be very disappointed. However, Sir, I really think, as a parliamentarian, this House should take up this

[Shri Derek O'Brien]

**7.00 P.M.**

issue and reduce it to four per cent, then to two per cent, and it may go like that. The Railways cannot have this extra amount of ₹ 12,000 crore. I will tell you why. Once this money goes to the Railways, with no offence meant to Suresh Prabhuji, then the priorities change. Let me give you one example and that is the problem about giving away this money. What priorities will change? Sir, this is serious. You please give me a few minutes because I am a bit familiar with this. For example, take the case of bullet train. Now, we all want the bullet train. It is very good. But, Sir, the cost of building a bullet train system even if Japan gives us money will be ₹ 90,000 crore to ₹ 1,00,000 crore. What will it do? It is going to connect Mumbai with Ahmedabad. Sir, you put that money of about ₹ 40,000 crore or ₹ 50,000 crore in the National Highways. You will have better roads. You put it into your other programmes. You can increase your safety. Otherwise, this will become one big problem. I don't have any problem with having a bullet train, but I think if you use your money like this, Suresh Prabhuji, it will be a bullet but it will be a misfired bullet. I would rather want you to put it in other projects. Today, you look at the Railways. He has inherited some of it; may not be all through his fault. There is an amount of over ₹ 1,00,000 crore cost overrun on the Railways. If you look at the smaller projects, it is about ₹ 7,000 crore. So, with all this kind of budding, my simple point is the same, like we asked in the morning. Why do you want to impose cess? I would like all parties, Opposition, Government and everyone to consider this old colonial system of giving railway money and sucking out railway money — one Mr. Acworth thought about this system in 1924 — whether we still have to follow the system. If you look at Sarva Shiksha Abhiyan, the fund allocated is ₹ 22,000 crores. The fund allocated to the roads and highways is ₹ 55,000 crores. The thought I want to leave behind is, Sir, since, the concept of the Indian Railways has changed from colonial times and, today, there is social responsibility as well as commercial viability, the only way is not to give money to the Finance Ministry. What is, basically, happening is, Shri Suresh Prabhu is giving Shri Arun Jaitley, ₹ 12,000 crores. That is the bottom line of this, which we are discussing today. Look at the Standing Committee's recommendations. Look at the discussions held in the Railway Convention Committee. I think this is beyond a political issue and, I think, the Indian Railways, and I speak for them, must keep all the money; so no more dividends. This year, जो मिल गया, बस हो गया।

MR. DEPUTY CHAIRMAN: Shri Ritabrata Banerjee. Your time is two minutes, but I will give you two minutes more.

SHRI RITABRATA BANERJEE (West Bengal): Sir, please give me five minutes. For other people you gave three minutes more. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: No, no. Everybody has been given two minutes more. I will give you also two minutes more.

SHRI RITABRATA BANERJEE: Sir, first of all, my party have always had this position that railways is a public transport and the public transport, necessarily, must have Government support and allocation for its running. Looking at the public transport like railways, as a commercial entity, is fundamentally wrong. Unfortunately, this paradigm shift, to a large extent, has taken place in the case of our railways.

Sir, in a country like ours, rail which is the cheapest mode of communications and crores of common people are using them. In such a case, passenger fares cannot be fixed on cost benefit theories. The budgetary support is not sufficient and the support also is decreasing day by day. Railway seeks Supplementary Budget support. Every year we are saying that they seek Supplementary Budget, for more support. We feel that there is no justification for a reverse flow of funds from the Railways to the General Exchequer in the name of dividend. The Standing Committee on Railways has examined the issue of paying dividend by the Railways and they have recommended the practice of paying dividend to the General Revenues be kept in abeyance till the financial health of the Indian Railways improved and the proposed investment plan is implemented in its entirety. I want to point out the observation of the Ministry of Railways in this regard. The hon. Railway Minister is here. The first Memorandum submitted by the Ministry of Railways to the Committee reveals many startling observations. While arguing against payment of dividends, it pleads, (i) "Railways should not be equated with other purely commercial public sector undertakings"; (ii) "a dividend relief at this time would be a strong boost to Railways"; (iii) "a dividend relief will significantly ease out debt servicing burden on a long term basis." Sir, Railways is a socially responsible organisation. We cannot forget that Railways is doing this and giving concessions not to one or two categories of people, but, the Railways is giving concession to 53 special categories of people and incurring heavy revenue loss. Sir, the revenue loss incurred by Railways in view of the concession, actually, should be reimbursed by the Central Government in addition to the gross budgetary support. Total amount of revenue loss to the Central Government by forgoing the dividend will be miniscule. But for the Railways, it will help them to tide over some shortfalls.

My senior colleague, Shri Derek O'Brien, was speaking about Bullet Train.

[Shri Ritabrata Banerjee]

Recently, China has announced that they will be running a Bullet Train at the speed of 380 km/hour. Last year, on the Anniversary of the People's Republic of China, the President there announced that they will be running a train to the base camp of Mt. Everest. This is possible only through the support of the Government. The entire railway system there is publicly-funded. There is no private participation.

Lastly, I want to mention one point. Incidentally, — Mr. Derek O'Brien spoke just now — when I was in school, Mr. Derek O'Brien's father, whom I admire very much, the legendary Mr. Neil O'Brien, who has been the 'Father of Quiz' in our country, had come for the screening of a movie and spoke on Satyajit Ray.

I conclude and reiterate that except for technical reasons and bureaucratic compulsions there is no justification for payment of dividend on the capital owned by Railways. Now, I come to the point that I was making. There was a screening programme of Satyajit Ray's debut film '*Pather Panchali*' and legendary Mr. Neil O'Brien was speaking there. I was the student of class six at that period of time in 1991.

In that film, "*Pather Panchali*", you can see a little boy and a little girl, running along the moving train. That is the most significant scene of the entire film. That film had secured the Golden Carbao Award. Later on Mr. Satyajit Roy got the lifetime achievement award at the Oscar. In that particular portion of the film, a young boy with his elder sister running towards the railways, manifests the dream of the Indian people. If that dream has to live, the Government support has to be in a very big way. As the hon. Member, Shri Derek O'Brien and other Members have said — I also feel and my party feels — this dividend must not go and it should remain with the Indian Railways.

SHRI NEERAJ SHEKHAR (Uttar Pradesh): Sir, I will take 30 seconds to put a question.

**श्री उपसभापति:** पूछ लीजिए।

**श्री नीरज शेखर:** माननीय उपसभापति जी, मेरी समझ में यह आ रहा है कि डिविडेंड तब दिया जाता है, जब प्रॉफिट हो। मैं रेल मंत्री जी से यह जानना चाहता हूँ कि रेलवे को कितना प्रॉफिट हुआ कि 12 हजार का डिविडेंड दे रहे हैं?

**श्री शंकरभाई एन. वेगड़ (गुजरात):** उपसभापति महोदय, रेल अभिसमय समिति द्वारा वर्ष 2014-15 तथा 2015-16 के लिए लाभांश को सुनिश्चित करने के लिए की गई अनुशंसाओं को लागू करने हेतु, इस संदर्भ में प्रस्तुत संकल्प पर चर्चा हेतु आपने मुझे समय दिया, इसके लिए मैं आपका आभारी हूँ।



महोदय, रेलवे राष्ट्र की जीवन रेखा है। यह सामरिक दृष्टि से महत्वपूर्ण होने के साथ-साथ जन-साधारण के मध्य यात्री तथा माल, दोनों प्रकार के यातायात का सुगम तथा सस्ता साधन रही है। भारतीय रेल आम जनता के बीच सरकार की एक चलती-फिरती पहचान है। राष्ट्र के संवर्धन में इसकी क्या भूमिका रही है, यह किसी से छिपी हुई बात नहीं है।

भारतीय रेल देश में 25 लाख से अधिक परिवारों का, जो या तो उसके कर्मचारी हैं या पेंशनर्स हैं, सीधे तौर पर पोषण भी करती है। कुछ समय से सरकार की बदली हुई प्राथमिकताओं के चलते रेलवे को उतनी महत्ता प्रदान नहीं की जा रही थी। हालांकि वर्तमान सरकार ने रेलवे को प्राथमिकता देना प्रारंभ कर दिया है, लेकिन अब भी देश का फोकस मुख्यतः सड़क क्षेत्र पर है, जिसके विकास के लिए न तो संसाधनों की कमी है और न प्राथमिकता की। साथ ही इसे सरकारी मदद तथा निजी क्षेत्र का भरपूर सहयोग मिल रहा है, लेकिन रेलवे के लिए सीमित मात्रा में ही संसाधन उपलब्ध कराए जा रहे हैं। सड़क तथा वायु क्षेत्र द्वारा दी गई प्रतिस्पर्धावश रेलवे का यातायात किसी न किसी हद तक इन क्षेत्रों की तरफ जा रहा है। यह सर्वविदित है कि रेलवे के विकास तथा आधुनिकीकरण के लिए बहुत धन की आवश्यकता होती है, क्योंकि यह एक पूंजी प्रबल क्षेत्र है। अभी तक का अनुभव यह बताता है कि इसके विकास में निजी क्षेत्र का योगदान हतोत्साहित करने वाला रहा है। अगले पांच वर्षों में 8.56 लाख करोड़ रुपए का निवेश प्रस्तावित है, जो अपने आप में महत्वाकांक्षी योजना है। सरकार को देखना चाहिए कि यह योजना पूरी हो।

रेलवे की यात्री सेवा पूरी तरह से घाटे पर आधारित रही है। इस सेवा को चलाने के लिए लागत का मात्र 50 प्रतिशत ही लोगों से वसूला जाता है। भारत की गरीब जनता का ध्यान रखते हुए इससे अधिक वसूला भी नहीं जा सकता, जिस कारण रेलवे को प्रतिवर्ष 30,000 करोड़ रुपए से ज्यादा का घाटा हो रहा है। अभी तक इस घाटे की प्रतिपूर्ति माल भाड़े द्वारा हो जाती थी, लेकिन उसकी भी सीमा है। सड़क तथा वायु क्षेत्र से मिलने वाली चुनौती के कारण यह सेवा और अधिक दुष्प्रभावित हो रही है। अतः रेलवे की जीविका केवल सरकार की संकल्प शक्ति पर ही निर्भर होगी। सरकार को यह देखना होगा कि रेलवे को उत्तरोत्तर कैसे अधिक से अधिक संसाधन मुहैया कराए जाएं। साथ ही रेलवे में सुधार करना भी बहुत आवश्यक है, जिससे कि भारतीय रेल एक आधुनिक रेल बने। उच्च गति रेलें चलाना तथा अधिकाधिक माल ढोने की क्षमता प्राप्त करना एक उच्च प्राथमिकता होनी चाहिए। इसके लिए एक उन्नत तकनीकी अत्यावश्यक है। साथ ही रेल उपभोक्ता बेहतर सुविधा के अधिकारी हों, इन सब के लिए संसाधन उपलब्ध कराना सरकार की जिम्मेदारी है।

हम देखते हैं कि रेलवे विभाग ही केवल ऐसा महकमा है, जो केंद्र सरकार का एक भाग होने के बावजूद केंद्र सरकार द्वारा निवेशित पूंजी पर लाभांश देता है। इसके अलावा कई ऐसी यात्री तथा माल सेवाएं हैं, जिन्हें रेलवे राष्ट्रहित में चला रही है, लेकिन इनके परिचालन में रेलवे को बहुत अधिक घाटा उठाना पड़ता है। रेलवे के लिए संसाधन उपलब्ध कराने हेतु न केवल लाभांशदायिता में भविष्य में पूरी तरह छूट दिए जाने की आवश्यकता है, बल्कि यात्री तथा माल सेवा के परिचालन में होने वाले घाटे की प्रतिपूर्ति भी सरकार द्वारा की जानी चाहिए। इस के अलावा रेलवे की महत्वपूर्ण परियोजनाओं के लिए वित्त-पोषण भी पूरी तरह से केंद्र सरकार द्वारा किया जाना चाहिए। यदि ये सारे कार्य नहीं किए गए तो रेलवे का जीवन संरक्षण कठिन प्रतीत होता है।

[श्री शंकरभाई एन. वेगड़]

महोदय, मैं इस समिति द्वारा की गई अनुशंसाओं के संकल्प पत्र को पारित किए जाने का समर्थन करता हूँ। साथ ही रेलवे के लाभ के लिए एक सुझाव मंत्री जी को देना चाहूंगा। सर, साउथ इंडिया से जो 25-30 ट्रेन्स आती हैं, उनमें इलैक्ट्रिक इंजन होता है। वे अहमदाबाद आकर खड़ी रहती हैं। उन्हें सौराष्ट्र तक यानी अहमदाबाद से वाया सननगर, जामनगर से द्वारका तक, पोरबन्दर और सोमनाथ तक इलैक्ट्रिक इंजन लगाने और इलैक्ट्रीकरण करने के बाद ले जाया जाए। इस का पूरा लाभ सौराष्ट्र को और साथ ही पूरे इंडिया से द्वारका, सोमनाथ और पोरबन्दर आने वाले प्रवासी यात्रियों को भी मिलेगा। महोदय, यह मेरा सुझाव है जिससे रेलवे को भी लाभ मिलेगा।

MR. DEPUTY CHAIRMAN: Mr. Jairam Ramesh, are you speaking?

SHRI JAIRAM RAMESH: Yes, Sir.

MR. DEPUTY CHAIRMAN: Since we are late, take only five minutes.

SHRI JAIRAM RAMESH: Sir, I will be very brief.

Sir, I hope now you know why I wanted this discussion tomorrow. I knew my friend, Derek O'Brien, was very keen on speaking, but he was not here.

MR. DEPUTY CHAIRMAN: But he made a very effective speech.

SHRI JAIRAM RAMESH: Sir, he was not here. So, I was filibustering till such time that he came. So, he should actually thank me for giving this opportunity.

MR. DEPUTY CHAIRMAN: So, I hope you won't filibuster now!

SHRI JAIRAM RAMESH: No, Sir.

Sir, I have only one point to make to the hon. Railway Minister. What we are discussing today is a formality. The Railway Convention Committee, the dividend, are all legacies which we have inherited. It is a formality. But how does this arise? It arises because in 1928, or thereabout, we had a Railway Budget distinct from a General Budget, because capital expenditure on the Railways, at that point of time, accounted for almost 65 per cent of the capital expenditure of the Government of India.

Sir, for the last few years, I have been saying repeatedly, in Parliament and outside, and I have been writing, that the logic of having a separate Railway Budget has gone; the era of having a separate Railway Budget is over, and the Railway Budget should be a part of the General Budget. My question to the hon. Railway Minister is direct and pointed. In the last few weeks, I have been reading, as I am

sure you have been reading too, reports that there have been discussions on doing away with the Railway Budget in keeping with the recommendations of the Bibek Debroy panel. I want to know from the hon. Railway Minister whether this year's Budget would be his last Railway Budget, or if we are going to continue with this antiquated colonial system of having a separate Railway Budget. Now, the single biggest cause for the financial ill-health of the Railways is this separate Railway Budget. If you want to bring the Railways back into health, stop the practice of having a separate Railway Budget.

Sir, I want to ask the hon. Railway Minister if a decision has been taken. What is his thinking? What can we expect as far as the Railway Budget is concerned?

MR. DEPUTY CHAIRMAN: So, you want to deprive him of the privilege and pleasure of presenting a Budget! See, this is his attitude. Look at that!

SHRI JAIRAM RAMESH: Sir, he has already presented two Budgets.

MR. DEPUTY CHAIRMAN: Okay. Now, the hon. Minister may please reply.

SHRI SURESH PRABHU: Sir, I thank all the hon. Members who have spoken and those who have not spoken, but have still supported and participated in the discussion as to why the Railways must run efficiently, why the Railways must be supported and why the dividend should not be paid. It is an argument that everybody has been making. This point has been made and supported by all Members of Parliament from time to time. The Railways is an asset of national importance. It is a strategic asset for the country. Running the Railways means actually running it economically, helping common people to travel using that mode of transportation and thus, helping all sections of the society. So, this is important. Sir, I fully agree with and thank Mr. Derek and also other Members who have supported this. Sir, one of the hon. Members wanted to know whether the Railways have profits or not. Sir, the Railways is bearing completely an unbearable burden, particularly, this year, of almost ₹ 36,000 to ₹ 40,000 crores; depending upon how much will be the burden of allowances. It is a burden coming out of the Pay Commission's report. Sir, this House passed a very progressive law. You see, increasing the ceiling of minimum bonus payable, is the biggest burden because, the Railways is the largest employer in the country. So, the burden comes on the Railways.

Thirdly, the Railways is already carrying on excess burden of almost ₹ 34,000 crores of subsidy. We give public service obligations, plus, as my good friend from West Bengal pointed out that we are also giving concessions to all kinds of

[Shri Suresh Prabhu]

people. In fact, I could be the first Railway Minister requesting everybody not to take concessions because so much of concessions are already built-in in the railway ticket itself that no more concessions are required. But still, this is the legacy. So, all these put together, the Railways is carrying a huge burden. Otherwise, we need money. First, we need surpluses so that we can put this money into new lines, we can modernize, we can use high technology as you have mentioned about China. This is absolutely right that all these high speed railway projects are publicly funded to support a strategic region for the country. Then, there are losses the Railways are suffering of running those lines which are not profitable. But they have been put up because there are necessary strategic regions. I would also like to actually increase the CAPEX. So, this year, we have decided to increase the CAPEX for the next five years, to almost ₹ 8,50,000 crores. That is necessary for the survival of the Railways because, otherwise, how are we going to get revenues? Sir, we have got only two streams of revenue, one is freight, two-thirds, one-third is coming from passengers. That is not sustainable. But even to maintain these two, we need to have more lines so that more cargo can come to the Railways. Today, we are running the railway cargo trains without time table. We started for the first time after announcing the Budget 5 pairs of time-tabled freight trains on identified routes. But still, to run these units, more investment is required. So, all of this would need more money. If you pay dividend, it is actually taking away that rightful money that could have gone into some of these activities. So, therefore, we should not be paying dividend. This is an argument. Of course, the Railway Convention Committee has made recommendations. I will go by the recommendations as well as the final sense of the House. But, this is something which needs to be looked into.

Sir, I just want to give some information because many of you have mentioned, Sir, all over the world — I am not quoting the figures of China — the Railways are highly subsidized, including one of the most market-oriented economies, like in Germany, the subsidy is 19 billion dollars, in France, it is as much as 14.7 billion dollars, in all countries, but interestingly, we inherited a system during the imperial rule within the British rule, the United Kingdom gives a subsidy of 5 billion dollars. It amounts to almost 0.08 dollar per passenger kilometer. And what are you asking for? You are asking for a subsidy which is ₹ 34,000 crores which is actually there, which amounts to only about 0.004 US dollars, not even one cent. So, you can imagine how much of the subsidy we are asking. It is a very miniscule amount. So, we really need this. We have all the Committees, including the Parliamentary Standing Committee. Everybody has recommended dividend should not be paid. So,

Sir, my request would be, if at all, we agree that we have to go by the Committee's recommendations, then, at least, I would request that we should postpone the liability of paying dividend for fourfive years so that at least, to that extent, we get a leeway. That amount can be retained in the Railways. That can be used for CAPEX, that can be used for something better.

As far as the Railway Budget is concerned, I fully agree. In fact, I had written a letter personally to the hon. Finance Minister saying that we are willing for a merger. I don't know the outcome. In fact, I had suggested this even the last year. So, it is not that I just want to present the Budget. I am looking at it from the national interest. That point had been made. But the merger should happen in such a way that the Railways should become a part of the overall Budget so that the CAPEX, the revenue deficit, all this can be taken care of. So, I think, this is something, which should happen, and this will be the long term interest of the Railways, the long term interest of the Indian economy because I feel that the Railways itself can contribute to, at least, 2 to 2.5 per cent of the GDP, and that is a potential the Railways has. But for that, we need investments, we need strategic investments, we need investments in a manner that can really be very interesting. Sir, the China rail spending are as high as 130 billion dollars. That is what China gets. And, Sir, in many of these countries, very interestingly, the Railways had to incur debt when they are expanding and most of the debt is taken over by the General Budget eventually. This has happened in case of Japan also. Of course, I will go by the House and the recommendation of the RCC is already there. But, the Standing Committee and other Parliamentary Committees have said from time to time that Railways should not be subject to dividend. I hope the merger of the Budget will happen in a way like how it normally happens in roads, healthcare and education, how those Demands for Grants come in. I think we should integrate in that manner. That will be good.

SHRI JAIRAM RAMESH: Would you expect the merger to take place this year?

SHRI SURESH PRABHU: I don't know yet.

SHRI DEREK O'BRIEN: Sir, the Resolution here is asking for this dividend to be paid. So, my understanding is that the Railway Minister is not keeping it on a pause. That is going through. That will go through now.

MR. DEPUTY CHAIRMAN: Yes, yes.

SHRI DEREK O'BRIEN: Then, the second point, is, Sir, we are in the middle of August and the Railway Budget is coming up in five-six months. This is a big issue, like a merger is not going to happen in the next five-six months. ...*(Interruptions)*...

[Shri Derek O' Brien]

One minute. The other point which he raised, I want a clarification on that, Sir, because he mentioned something, so I want to take that up seriously. Even this year has passed by or as we are saying, deemed to have passed by. Then, this pause which you are talking about, is that your view on that? The pausing of the dividend for the next....

SHRI SURESH PRABHU: I think we pass the Resolution. That is something which I will request the hon. Finance Minister. I will request him separately but I think that is something which should not be part of the Resolution. That will be something which I will take it up.

MR. DEPUTY CHAIRMAN: Yes, Shri S. Muthukaruppan.

SHRI S. MUTHUKARUPPAN (Tamil Nadu): Mr. Deputy Chairman, Sir, my colleague, Shri K. R. Arjunan raised some points before the hon. Minister. There are so many projects which have not yet started in Tamil Nadu.

MR. DEPUTY CHAIRMAN: No, that is not relevant now.

SHRI S. MUTHUKARUPPAN: Please respond, Sir, there are so many projects which have not yet started.

MR. DEPUTY CHAIRMAN: He may not be having the details now.

SHRI S. MUTHUKARUPPAN: You please consider the Tamil Nadu specific projects. Sir, my party Member has raised that question.

MR. DEPUTY CHAIRMAN: Yes, that is correct. That he will consider but he may not have the details with him now.

SHRI S. MUTHUKARUPPAN: Sir, can I raise these questions before the hon. Minister?

MR. DEPUTY CHAIRMAN: Yes, yes; any request made here will be examined and considered by the Government. Why do you worry about that?

SHRI S. MUTHUKARUPPAN: My party Member raised it, and I am asking a clarification from the Minister.

MR. DEPUTY CHAIRMAN: Yes, yes; no harm in that. But he cannot reply to that as he is not prepared with the details.

SHRI S. MUTHUKARUPPAN: Okay.

MR. DEPUTY CHAIRMAN: This is a different issue. That is it.

SHRI JAIRAM RAMESH: Sir, the hon. Minister has himself given the suggestion for a pause. Why don't we agree to his suggestion?

MR. DEPUTY CHAIRMAN: What is that?

SHRI DEREK O'BRIEN: That is what I am saying. If the Railway Minister himself is saying, then we agree to that suggestion.

SHRI JAIRAM RAMESH: He has himself made the suggestion and we agree to the suggestion.

SHRI DEREK O'BRIEN: We welcome his suggestion.

SHRI JAIRAM RAMESH: Sir, the pause has come from the Minister and we agree with that.

SHRI SURESH PRABHU: Sir, I have moved a Resolution which is recommending for adoption of the Committee's recommendation. In view of this, what all the hon. Members have said in this House as well as in the other House, I will request the hon. Finance Minister about it.

MR. DEPUTY CHAIRMAN: That is it because I have the Resolution which is moved by the Minister himself. It is up to him to decide whether to withdraw it or not. Now, the Resolution is with me, so I have to put it to vote.

SHRI JAIRAM RAMESH: Can I make an amendment to the Resolution?

MR. DEPUTY CHAIRMAN: You could have done that before, but not now. Now, time is over. You could have done it. I shall now put the Resolution moved by the hon. Minister to vote.

The question is:

"That this House approves the recommendations contained in Paras 5, 6, 9, 11, 12, 13, 14, 15, 16, 17, 18 and 19 of the First Report of Railway Convention Committee (2014), appointed to review the rate of dividend payable by the Railway Undertaking to General Revenues and other ancillary matters, which was presented to both the Houses of Parliament on 22nd December, 2015."

*The motion was adopted.*

---

**SPECIAL MENTIONS\*****Demand to give financial assistance to address the looming threat of cancer in North-Eastern region of the country**

MR. DEPUTY CHAIRMAN: Now, Special Mentions. Shri V. Vijayasai Reddy – not present. Shrimati Wansuk Syiem.

SHRIMATI WANSUK SYIEM (Meghalaya): Sir, Indian Council for Medical Research (ICMR) has just released data on Cancer rates in India which serves as abundant caution on the looming threat in the North-East. To facilitate collation of data, registries have now been established in all North-Eastern States. The study shows the highest age-adjusted Cancer rates in India relate to North-East. For certain Cancer sites, the highest rates occur in Meghalaya, my State. The study further reveals that in the North-East, tobacco-related Cancers have the highest rates in the country. Other types of Cancers with known infectious causes are also the highest in the North-East, for example, Cancer of the liver in men and cervix in females.

Experts feel that if we eliminate the use of tobacco, we can reduce the Cancer burden by at least 30 per cent in India. There are numerous organizations in India, that are dedicated to improving awareness and the livelihood of Cancer patients and their families. NEIGRIHMS set up on the lines of AIIMS to serve the North-East does not have adequate infrastructure to treat Cancer patients. No medical professionals with specialization in Oncology are in place and the facility for radio-therapy is still being put in place.

I urge upon the Centre to ensure that NEIGRIHMS is provided all assistance and funds to set up a full-fledged Department of Oncology to address the looming threat of Cancer incidences in the region.

[THE VICE-CHAIRMAN (DR. SATYANARAYAN JATIYA) *in the Chair*]

THE VICE-CHAIRMAN (DR. SATYANARAYAN JATIYA): Shri C. M. Ramesh; not present. Dr. R. Lakshmanan, please lay it on the Table. You only read the subject and then lay it.

**Demand for immediate release of Central funds for creation of more MBBS seats in Government Medical Colleges in Tamil Nadu**

DR. R. LAKSHMANAN (Tamil Nadu): Sir, health infrastructure is an important indicator of the healthcare delivery mechanism in a country. The number of medical colleges and their intake capacity is one of the indicators of healthcare delivery

---

\*Laid on the Table.



system in the country. The higher the intake at MBBS level, the healthier will be doctorpatient ratio in the country.

Our respected leader, hon. Amma, has already taken many initiatives in this direction. There are 22 Government Medical Colleges in the State of Tamil Nadu. The total intake capacity in these colleges for MBBS course is 2,815. Besides, many private medical colleges are also functioning in the State of Tamil Nadu.

The Central Government under 'upgradation of existing State Government/Central Government Medical Colleges' decided to increase the number of MBBS seats in Government Colleges across the country. In response to this scheme, the Government of Tamil Nadu submitted a proposal seeking an additional 345 MBBS seats in four Government Medical Colleges at Kanyakumari, Coimbatore, Tirunelveli and Madurai. The total cost for this proposal is ₹ 451.60 crores. The Central Government's share under this scheme is ₹ 290 crores.

Though the scheme was approved on 29.12.2014, so far only a sum of ₹ 9.50 crores has been released by the Government of India.

Sir, I urge the Government of India to immediately release the remaining amount of ₹ 280.50 crores in lump sum to enable the State Government to put in place the necessary facilities for the additional 345 MBBS seats in the above four medical colleges from the academic year 2017-18.

THE VICE-CHAIRMAN (DR. SATYANARAYAN JATIYA): Shri Husain Dalwai - not present. Dr. Kanwar Deep Singh - not present. Dr. Sanjay Singh - not present. Dr. T. Subbarami Reddy; not present. Shrimati Kahkashan Perween.

**Demand for appointment of translators and interpreters in all the languages as incorporated in the Eighth Schedule to the Constitution in all the Government offices in the country**

**श्रीमती कहकशां परवीन** (बिहार): महोदय, एक तरफ तो सरकार 'सबका साथ, सबका विकास' करने की बात करती है, मगर दूसरी तरफ भारत के विभिन्न हिस्सों में रहने वाले भिन्न भाषा-भाषी तथा मत को मानने वाले लोगों को इसके लिए कोई भी प्रोत्साहन नहीं दिया जा रहा है। आज आवश्यकता इस बात की है कि इन सब भाषाओं को प्रोत्साहित किया जाए। खास करके उन भाषाओं को, जिन्हें संविधान की आठवीं अनुसूची में दर्ज किया गया है। किसी भाषा से जुड़े लोगों को उसी भाषा में कामकाज करने की सुविधा होनी चाहिए। इससे लोगों को रोजगार तो मिलेगा ही, साथ ही साथ उस भाषा का भी संवर्धन होगा तथा उस भाषा का भला होगा।

संविधान की आठवीं अनुसूची में दर्ज सभी भाषाओं में हमें बोलने की आजादी होनी चाहिए, इसलिए मेरा सरकार से अनुरोध है कि सभी सरकारी दफ्तरों में भी इन सभी भाषाओं में कामकाज

की सुविधा के लिए नियमित आधार पर अनुवादकों और भाषांतरकारों की नियुक्त की जाए, ताकि इन भाषाओं में लोगों को रोजगार मिले और इन भाषाओं का और विकास हो सके।

THE VICE-CHAIRMAN (DR. SATYANARAYAN JATIYA): Ms. Dola Sen - not present. Shri Shadi Lal Batra - not present.

The House stands adjourned till 11.00 a.m. on Wednesday, the 10th August, 2016.

*The House then adjourned at twenty-six minutes past  
seven of the clock till eleven of the clock on  
Wednesday, the 10th August, 2016.*

Demand for immediate release of Central funds for creation of more MBBS seats in Government Medical Colleges in Tamil Nadu (pages 418-419)

Demand for appointment of translators and interpreters in all the languages as incorporated in the Eighth Schedule to the Constitution in all the Government offices in the country (pages 419-420)

