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21 Agrahayana, 1945 (Saka)

PARLIAMENTARY DEBATES

RAJYA SABHA

OFFICIAL REPORT (FLOOR VERSION)

(PART-II)

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NEW DELHI

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RAJYA SABHA

Tuesday, the 12th December, 2023/21 Agrahayana, 1945 (Saka)

The House met at eleven of the clock,

MR. CHAIRMAN *in the Chair.*

BIRTHDAY GREETINGS

MR. CHAIRMAN: Hon. Members, I am pleased to extend birthday greetings to hon. Members of Parliament, Shri Sharad Pawar and Shri V. Muraleedharan.

Shri Sharad Pawar's illustrious political career began in the year 1967 and since then, he has been continually in harness with public life; six terms Member of Maharashtra Legislative Assembly, seven terms Member of Lok Sabha, and, now, in his second term, as Member of this august House. On the executive side, he has been four times the Chief Minister of Maharashtra and had also been a Union Defence Minister and the Minister of Agriculture and Food Processing, Consumer Affairs and Public Distribution.

A recipient of the second highest civilian award Padma Vibhushan in 2017, he was aptly honoured with Outstanding Parliamentarian Award in 2003. His interest goes beyond politics, sports being one such area. He had been the President of ICC, BCCI and Mumbai Cricket Association. Shri Sharad Pawar and his spouse, Shrimati Pratibha Pawar, are blessed with daughter, Shrimati Supriya Sule, who was a Member of this House from 2006 to 2009 and is a third term sitting Lok Sabha Member now.

Hon. Members, I am privileged to know all the three generations of Shri Sharad Pawar's family and recently met his granddaughter Revati. On my own and your behalf, I wish him a long healthy and happy life and wish him to be ever in public life.

Hon. Members, Shri Muraleedharan, Minister of State for Parliamentary Affairs and External Affairs has been a Member of this House since April, 2018. He exemplifies courteous behaviour and instant connectivity. A graduate in English literature, he has always been a committed social political activist.

An active leader since his youth, Shri Muraleedharan, over the years, has engaged in activities with societal interest including as the Director General of Nehru Yuva Kendra from 2002 to 2004. During his tenure, he received national praise for creating Rashtriya Sadhbhavana Yojana. He is married to Dr. K. S. Jayasree, a Sanskrit scholar. On my own and your behalf, I extend heartfelt wishes to Shri Muraleedharan and wish him a long happy life.

PAPERS LAID ON THE TABLE

I. Notifications of the Ministry of Corporate Affairs

II. Report (2022-23) of CCI, New Delhi and related papers

III. Report and Accounts (2022-23) of NILERD, Delhi and related papers

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS; AND THE MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI V. MURALEEDHARAN): Sir, on behalf of Rao Inderjit Singh, I lay on the Table:-

I. (i) A copy each (in English and Hindi) of the following Notifications of the Ministry of Corporate Affairs, under Section 241 of the Insolvency and Bankruptcy Code, 2016:-

- (1) No. IBBI/2023-24/GN/REG102, dated the 20th July, 2023, publishing the Insolvency and Bankruptcy Board of India (Insolvency Resolution Process for Corporate Persons) (Amendment) Regulations, 2023.
- (2) No. IBBI/2023-24/GN/REG103, dated the 20th July, 2023, publishing the Insolvency and Bankruptcy Board of India (Insolvency Professionals) (Amendment) Regulations, 2023.
- (3) No. IBBI/2023-24/GN/REG104, dated the 18th September, 2023, publishing the Insolvency and Bankruptcy Board of India (Insolvency Professionals) (Second Amendment) Regulations, 2023.
- (4) No. IBBI/2023-24/GN/REG105, dated the 18th September, 2023 publishing the Insolvency and Bankruptcy Board of India (Model Bye-Laws and Governing Board of Insolvency Professional Agencies) (Amendment) Regulations, 2023.
- (5) No. IBBI/2023-24/GN/REG106, dated the 18th September, publishing the Insolvency and Bankruptcy Board of India (Insolvency Resolution Process for Corporate Persons) (Second Amendment) Regulations, 2023.

[Placed in Library. For (1) to (5) See No. L.T. 10211/17/23]

(ii) A copy each (in English and Hindi) of the following Notifications of the Ministry of Corporate Affairs, under sub-section (3) of Section 63 of the Competition Act, 2002:-

- (1) G.S.R. 587 (E), dated the 4th August, 2023, publishing the Competition Commission of India (Number of Additional, Joint, Deputy or Assistant Director-General, other officers and employees, their manner of appointment, qualification, salary, allowances and other terms and

conditions of service) Amendment Rules, 2023.

- (2) G.S.R. 732 (E), dated the 11th October, 2023, publishing the Competition Commission of India (Number of Additional, Joint, Deputy or Assistant Director-General, other officers and employees, their manner of appointment, qualification, salary, allowances and other terms and conditions of service) Second Amendment Rules, 2023.
- (3) G.S.R. 795 (E), dated the 26th October, 2023, publishing the Competition (Form of Publication of Guidelines) Rules, 2023.

[Placed in Library. For (1) to (3) See No. L.T. 10209/17/23]

II. A copy each (in English and Hindi) of the following papers, under sub-section (3) of Section 53 of the Competition Act, 2002:-

- (a) Annual Report of the Competition Commission of India (CCI), New Delhi, for the year 2022-23.
- (b) Statement by Government accepting the above Report.

[Placed in Library. See No. L.T. 10465/17/23]

III. A copy each (in English and Hindi) of the following papers:-

- (a) Sixtieth Annual Report and Accounts of the National Institute of Labour Economics Research and Development (NILERD), Delhi, for the year 2022-23, together with the Auditor's Report on the Accounts.
- (b) Review by Government on the working of the above Institute.
- (c) Annual Progress Report of the above Institute.

[Placed in Library. See No. L.T. 10462/17/23]

I. Notifications of the Ministry of Power

II. Reports and Accounts (2022-23) of various Companies and related papers

III. Reports and Accounts (2022-23) of BEE, New Delhi; PSDF, New Delhi and related papers

विद्युत मंत्रालय में राज्य मंत्री (श्री कृष्ण पाल): महोदय, मैं विद्युत अधिनियम, 2003 की धारा 179 के अधीन विद्युत मंत्रालय की निम्नलिखित अधिसूचनाओं की एक-एक प्रति (अंग्रेजी और हिन्दी में) सभा पटल पर रखता हूँ:-

I. (i) A copy each (in English and Hindi) of the following Notifications of the Ministry of Power, under Section 179 of the Electricity Act, 2003:-

- (1) No. L-1/250/2019/CERC., dated the 27th October, 2023, publishing the

Central Electricity Regulatory Commission (Sharing of Inter-State Transmission Charges and Losses) (Second Amendment) Regulations, 2023.

- (2) No. L-1/250/2019/CERC1., dated the 27th October, 2023, publishing the Central Electricity Regulatory Commission (Sharing of Inter-State Transmission Charges and Losses) (Third Amendment) Regulations, 2023.

[Placed in Library. For (1) and (2) See No. L.T. 10487/17/23]

- (3) No. CEA-PS-16/1/2021-CEI Division., dated the 12th June, 2023, publishing the Central Electricity Authority (Measures relating to Safety and Electric Supply) Regulations, 2023.

[Placed in Library. See No. L.T. 10487A/17/23]

- (4) G.S.R. 558 (E), dated the 26th July, 2023, publishing the Electricity (Second Amendment) Rules, 2023.

[Placed in Library. See No. L.T. 10915/17/23]

- (5) No. JERC 8/2009, dated the 3rd August, 2023, publishing the Joint Electricity Regulatory Commission (Appointment of Consultants) (Second Amendment) Regulations, 2023.

- (6) No. JERC: 28/2021., dated the 22nd August, 2023, publishing the Joint Electricity Regulatory Commission for the State of Goa and Union Territories (Generation, Transmission and Distribution Multi Year Tariff) (first amendment) Regulations, 2023.

[Placed in Library. For (5) and (6) See No. L.T. 10486/17/23]

- (7) G.S.R. 649 (E), dated the 1st September, 2023, publishing the Electricity (Third Amendment) Rules, 2023.

[Placed in Library. See No. L.T. 10487/17/23]

(ii) A copy each (in English and Hindi) of the following Notifications of the Ministry of Power, under sub-section (1) of Section 59 of the Energy Conservation Act, 2001:-

- (1) No. BEE/S&L/Chillers/40/2021-22, dated the 21st September, 2023, publishing the Bureau of Energy Efficiency (Particulars and Manner of their Display on Labels of Chillers) Regulations, 2023.

- (2) G.S.R. 788 (E), dated the 20th October, 2023, publishing the Bureau of Energy Efficiency (Appointment of Members, Manner of Filling Vacancies, Fees and Allowances and Procedure For Discharging Their Functions)

(Amendment), Rules 2023.

- (3) No. BEE/S&L/WM/06/22-23, dated the 31st October, 2023, publishing the Bureau of Energy Efficiency (Particulars and Manner of their Display on Labels of Washing Machine), Regulations, 2023.

[Placed in Library. For (1) to (3) See No. L.T. 10151/17/23]

(iii) A copy (in English and Hindi) of the Ministry of Power Notification No. JERC-25/2019, dated the 25th July, 2023, extending the period of applicability of the Joint Electricity Regulatory Commission for the State of Goa and Union Territories (Terms and Conditions for Tariff determination from Renewable Energy Sources) Regulations 2019, issued under sub-section (1) of Section 181 of the Electricity Act, 2003.

[Placed in Library. See No. L.T. 10486/17/23]

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:-

- (i) (a) First Integrated Annual Report and Accounts of the Power Grid Corporation of India Limited (PGCIL), New Delhi, for the year 2022-23, 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 working of the above Company.

[Placed in Library. See No. L.T. 10152/17/23]

- (ii) (a) Annual Report and Accounts of the SJVN Limited, Shimla, Himachal Pradesh, for the year 2022-23, 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 working of the above Company.

[Placed in Library. See No. L.T. 10495/17/23]

- (iii) (a) Forty-seventh Annual Report and Accounts of the NTPC Limited, New Delhi, along with its subsidiaries, for the year 2022-23, 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 working of the above Companies.

[Placed in Library. See No. L.T. 10155/17/23]

- (iv) (a) Thirty-seventh Annual Report and Accounts of the Power Finance Corporation Limited (PFC), New Delhi, for the year 2022-23, 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 working of the above Company.

[Placed in Library. See No. L.T. 10154/17/23]

- (v) (a) Thirty-fifth Annual Report and Accounts of the THDC India Limited, Tehri Garhwal, Uttarakhand, for the year 2022-23, 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 working of the above Company.

[Placed in Library. See No. L.T. 10156/17/23]

- (vi) (a) Annual Report and Accounts of the NHPC Limited Faridabad, Haryana, for the year 2022-23, 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 working of the above Company.

[Placed in Library. See No. L.T. 10161/17/23]

- (vii) (a) Twenty-third Annual Report and Accounts of the NHDC Limited, Bhopal, Madhya Pradesh, for the year 2022-23, 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 working of the above Company.

[Placed in Library. See No. L.T. 10162/17/23]

- (viii) (a) Third Annual Report and Accounts of the TUSCO Limited, Lucknow, Uttar Pradesh, for the year 2022-23, 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 working of the above Company.

[Placed in Library. See No. L.T. 10157/17/23]

- (ix) (a) Forty-seventh Annual Report and Accounts of the North Eastern Electric Power Corporation Limited (NEEPCO), Shillong, Meghalaya, for the year 2022-23, 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 working of the above Company.

[Placed in Library. See No. L.T. 10160/17/23]

- (x) (a) Annual Report and Accounts of the Grid Controller of India Limited (*erstwhile* POSOCO), New Delhi, for the year 2022-23, together with the Auditor's Report on the Accounts and comments of the Comptroller and Auditor General of India thereon.
- (b) Review by Government on the working of the above Company.
[Placed in Library. See No. L.T. 10153/17/23]
- (xi) (a) Eleventh Annual Report and Accounts of the DNH and DD Power Corporation Limited, Silvassa, Union Territory of Dadra and Nagar Haveli and Daman and Diu, for the year 2022-23, 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 working of the above Company.
[Placed in Library. See No. L.T. 10158/17/23]
- (xii) (a) Fifty-fourth Annual Report and Accounts of REC Limited, New Delhi, for the year 2022-23, 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 working of the above Company.
[Placed in Library. See No. L.T. 10159/17/23]
- III. (i) A copy each (in English and Hindi) of the following papers, under Section 24 and sub-section (4) of Section 25 of the Energy Conservation Act, 2001:-
- (a) Annual Report and Accounts of the Bureau of Energy Efficiency (BEE), New Delhi, for the year 2022-23, together with the Auditor's Report on the Accounts.
- (b) Review by Government on the working of the above Bureau.
[Placed in Library. See No. L.T. 10163/17/23]
- (ii) A copy (in English and Hindi) of the Annual Report and Accounts of the Power System Development Fund (PSDF), New Delhi, for the year 2022-23, together with the Auditor's Report on the Accounts.
[Placed in Library. See No. L.T. 10494/17/23]

Notifications of the Ministry of Finance

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (DR. BHAGWAT KARAD):

Sir, I lay on the Table:-

(i) A copy (in English and Hindi) of the Ministry of Finance (Department of Revenue) Notification No. G.S.R. 655 (E), dated the 5th September, 2023, publishing the Tribunal (Conditions of Service) Second Amendment Rules, 2003, under Section 32 of the Tribunal Reforms Act, 2021, along with Explanatory Memorandum.

[Placed in Library. See No. L.T. 10233/17/23]

(ii) A copy (in English and Hindi) of the Ministry of Finance (Department of Revenue) Notification No. S.O. 3252 (E), dated the 20th July, 2023, declaring M/s Alliance Air Aviation Limited as "Designated Indian Carrier" for the purpose of purchase of aviation turbine fuel for international flights, issued under sub-section (5) of Section 5 of the Central Sales Tax Act, 1956, along with Explanatory Memorandum and Delay Statement (in English and Hindi).

[Placed in Library. See No. L.T. 10237/17/23]

(iii) A copy each (in English and Hindi) of the following Notifications of the Ministry of Finance (Department of Revenue), under Section 159 of the Customs Act, 1962, along with Explanatory Memoranda:-

(1) S.O. 3419 (E), dated the 31st July, 2023, amending the Principal Notification No. S.O. 748 (E), dated the 3rd August, 2001, along with Delay Statement.

(2) No. 57/2023-Customs (N.T.), dated the 3rd August, 2023, determining the rate of exchange of conversion of certain foreign currencies, into Indian currency or *vice versa*, for imported and export goods with effect from 04.08.2023, along with Delay Statement.

[Placed in Library. For (1) and (2) See No. L.T. 10916/17/23]

(3) G.S.R. 585 (E), dated the 3rd August, 2023, publishing the Deferred Payment of Import Duty (Amendment) Rules, 2023.

[Placed in Library. See No. L.T. 10228/17/23]

(4) S.O. 3640 (E), dated the 14th August, 2023, amending the Principal Notification No. S.O. 748 (E), dated the 3rd August, 2001, along with Delay Statement.

(5) No. 61/2023-Customs (N.T.), dated the 17th August, 2023, determining the rate of exchange of conversion of certain foreign currencies into Indian currency or *vice versa*, for imported and export goods, with effect from 18.08.2023, along with Delay Statement.

- (6) No. 62/2023-Customs (N.T.), dated the 25th August, 2023, amending the Notification No. 61/2023-Customs (N.T.), dated the 17th August, 2023, along with Delay Statement.
- (7) Ad hoc Exemption Order No. 6 of 2023, dated the 28th August, 2023, exempting import of instruments from payment of duty, received from Switzerland for implementation of a Pilot Project on Glacial Lake Outburst Flood risk in Sikkim, along with Delay Statement.
- (8) Ad hoc Exemption Order No.7 of 2023, dated the 29th August, 2023, exempting import of 1.15 million footballs from payment of duty, received from FIFA for distribution amongst Schools in India, along with Delay Statement.
- (9) S.O. 3851 (E), dated the 31st August, 2023, amending the Principal Notification No. S.O. 748 (E), dated the 3rd August, 2001, along with Delay Statement.
- (10) No. 64/2023-Customs (N.T.), dated the 6th September, 2023, determining the rate of exchange of conversion of certain foreign currencies, into Indian currency or *vice versa*, for imported and export goods, with effect from 07.09.2023, along with Delay Statement.

[Placed in Library. For (4) to (10) See No. L.T. 10916/17/23]

- (11) G.S.R. 670 (E), dated the 14th September, 2023, amending the Principal Notifications No. G.S.R. 85 (E), dated the 1st February, 2022 and G.S.R. 86 (E), dated the 1st February, 2022.

[Placed in Library. See No. L.T. 10094/17/23]

- (12) S.O. 4086 (E), dated the 15th September, 2023, amending the Principal Notification No. S.O. 748 (E), dated the 3rd August, 2001.
- (13) No. 68/2023 - Customs (N.T.), dated the 21st September, 2023, determining the rate of exchange of conversion of certain foreign currencies into Indian currency or *vice versa*, for imported and export goods, with effect from 22.09.2023.

- (14) S.O. 4256 (E), dated the 29th September, 2023, amending the Principal Notification No. S.O. 748 (E), dated the 3rd August, 2001.

[Placed in Library. For (12) to (14) See No. L.T. 10228/17/23]

- (15) G.S.R. 703 (E), dated the 29th September, 2023, amending the Principal Notification No. G.S.R. 796 (E), dated the 31st October, 2022.

[Placed in Library. See No. L.T. 10094/17/23]

- (16) No.73/2023 - Customs (N.T.), dated the 5th October, 2023, determining the rate of exchange of conversion of certain foreign currencies into Indian currency or *vice versa*, for imported and export goods, with effect from 06.10.2023.
- (17) No. 76/2023 - Customs (N.T.), dated the 19th October, 2023, determining the rate of exchange of conversion of certain foreign currencies into Indian currency or *vice versa*, for imported and export goods, with effect from 20.10.2023.
[Placed in Library. For (16) and (17) See No. L.T. 10228/17/23]
- (18) G.S.R. 727 (E), dated the 9th October, 2023, amending the Principal Notification No. G.S.R. 943 (E), dated the 31st December, 2009.
[Placed in Library. See No. L.T. 10917/17/23]
- (19) S.O. 4507 (E), dated the 13th October, 2023, amending the Principal Notification No. S.O. 748 (E), dated the 3rd August, 2001.
[Placed in Library. See No. L.T. 10228/17/23]
- (20) G.S.R. 738 (E), dated the 13th October, 2023, amending the Principal Notification No. G.S.R. 796 (E), dated the 31st October, 2022.
[Placed in Library. See No. L.T. 10228A/17/23]
- (21) S.O. 4631 (E), dated the 23rd October, 2023, amending the Principal Notification No. S.O. 748 (E), dated the 3rd August, 2001.
[Placed in Library. See No. L.T. 10228/17/23]
- (22) G.S.R. 804 (E), dated the 28th October, 2023, rescinding Notification No. G.S.R. 617 (E), dated the 19th August, 2023, except as respects things done or omitted to be done before such rescission.
- (23) G.S.R. 805 (E), dated the 28th October, 2023, amending the Principal Notification No. G.S.R. 153 (E), dated the 1st March, 2011.
[Placed in Library. For (22) and (23) See No. L.T. 10094/17/23]
- (24) S.O. 4752 (E), dated the 31st October, 2023, amending the Principal Notification No. S.O. 748 (E), dated the 3rd August, 2001.
- (25) No. 81/2023 - Customs (N.T.), dated the 2nd November, 2023, determining the rate of exchange of conversion of certain foreign currencies into Indian currency or *vice versa*, for imported and export

goods, with effect from 03.11.2023.

- (26) No. 83/2023 - Customs (N.T.), dated the 15th November, 2023, amending the Notification No. 81/2023-CUSTOMS (N.T.) dated the 2nd November, 2023.
- (27) S.O. 4938 (E), dated the 16th November, 2023, amending the Principal Notification No. S.O. 748 (E), dated the 3rd August, 2001.
- (28) No. 84/2023 - Customs (N.T.), dated the 16th November, 2023, determining the rate of exchange of conversion of certain foreign currencies into Indian currency or *vice versa*, for imported and export goods, with effect from 17.11.2023.
- (29) S.O. 5061 (E), dated the 28th November, 2023, amending the Principal Notification No. S.O. 748 (E), dated the 3rd August, 2001.
- (30) S.O. 5118 (E), dated the 30th November, 2023, amending the Principal Notification No. S.O. 748 (E), dated the 3rd August, 2001.
- (31) G.S.R. 872 (E), dated the 30th November, 2023, amending the Principal Notification No. G.S.R. 328 (E), dated the 30th April, 2022.

[Placed in Library. For (24) to (31) See No. L.T. 10228/17/23]

(iv) A copy each (in English and Hindi) of the following Notifications of the Ministry of Finance (Department of Revenue), under Section 296 of the Income Tax Act, 1961, along with Explanatory Memoranda:-

- (1) G.S.R. 579 (E) dated the 1st August, 2023 publishing the Income-tax (Fourteenth Amendment) Rules, 2023.
- (2) G.S.R. 595 (E) dated the 9th August, 2023 publishing the Income-tax (Fifteenth Amendment) Rules, 2023.
- (3) G.S.R. 604 (E) dated the 16th August, 2023 publishing the Income tax Amendment (Sixteenth Amendment), Rules, 2023.
- (4) G.S.R. 607 (E) dated the 17th August, 2023 publishing the Income-tax (Seventeenth Amendment) Rules, 2023.
- (5) G.S.R. 615 (E) dated the 18th August, 2023 publishing the Income tax (Eighteenth Amendment), Rules, 2023.
- (6) G.S.R. 630 (E) dated the 28th August, 2023 publishing the Income-tax (Nineteenth Amendment) Rules, 2023.
- (7) G.S.R. 636 (E) dated the 29th August, 2023 publishing the corrigendum to the Notification No. G.S.R. 615 (E) dated the 18th August, 2023.
- (8) G.S.R. 637 (E) dated the 31st August, 2023 publishing the Income-tax (Twentieth Amendment) Rules, 2023.

- (9) G.S.R. 685 (E) dated the 25th September, 2023 publishing the Income-tax (Twenty first Amendment), Rules, 2023.
- (10) G.S.R. 697 (E) dated the 27th September, 2023 publishing the Income-tax (Twenty Second Amendment) Rules, 2023.
- (11) G.S.R. 702 (E) dated the 29th September, 2023 publishing the Income-tax (Twenty-Third Amendment) Rules, 2023.
- (12) G.S.R. 728 (E) dated the 10th October, 2023 publishing the Income-tax (Twenty-fourth Amendment) Rules, 2023.
- (13) G.S.R. 740 (E) dated the 16th October, 2023 publishing the Income-tax Amendment (Twenty-fifth Amendment), Rules, 2023.
- (14) G.S.R. 786 (E) dated the 19th October, 2023 publishing the Income-tax (Twenty Sixth Amendment) Rules, 2023.

[Placed in Library. For (1) to (14) See No. L.T. 10235/17/23]

(v) A copy (in English and Hindi) of the Ministry of Finance (Department of Revenue) Notification No. G.S.R. 735 (E), dated the 12th October, 2023, levying Anti-Dumping Duty on imports of "flax yarn of below lea count" originating in or exported from China PR for a period of 5 years from the date of 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. 10098/17/23]

(vi) A copy each (in English and Hindi) of the following Notifications of the Ministry of Finance (Department of Revenue), under sub-section (7) of Section 9A of the Customs Tariff Act, 1975, along with Explanatory Memoranda:-

- (1) G.S.R. 845 (E), dated the 17th November, 2023, imposing anti-dumping duty on imports of "Toughened Glass for Home Appliances having thickness between 1.8 MM to 8 MM and area of 0.4 SqM or less" originating from China PR for a period of 5 years on recommendation of DGTR.
- (2) G.S.R. 853 (E), dated the 21st November, 2023, imposing anti-dumping duty on "Synthetic Grade Zeolite 4A (Detergent Grade)" originating in or exported from China PR for 5 years pursuant to First Sunset Review Final Findings issued by DGTR.
- (3) G.S.R. 860 (E), dated the 22nd November, 2023, amending the Principal Notification No. G.S.R. 590 (E), dated the 26th August, 2021.

[Placed in Library. For (1) to (3) See No. L.T. 10232/17/23]

(vii) A copy each (in English and Hindi) of the following Notifications of the Ministry of Finance (Department of Revenue), issued under sub-section (1) of Section 25 of Customs Act, 1962 and sub-section (12) of Section 3 of the Customs Tariff Act, 1975, along with Explanatory Memoranda:-

- (1) G.S.R. 668 (E), dated the 14th September, 2023, amending the Principal Notification No. G.S.R. 785 (E), dated the 30th June, 2017.
- (2) G.S.R. 674 (E), dated the 15th September, 2023, amending the Principal Notification No. G.S.R. 476 (E), dated the 6th July, 2019.
- (3) G.S.R. 758 (E), dated the 19th October, 2023, amending the Principal Notification No. G.S.R. 785 (E), dated the 30th June, 2017.

[Placed in Library. For (1) to (3) See No. L.T. 10094/17/23]

(viii) A copy (in English and Hindi) of the Ministry of Finance (Department of Revenue) Notification No. S.O. 4291 (E), dated the 30th September, 2023, amending the First Schedule to the Customs Tariff Act, 1975, under sub-section (2) of Section 11A of the said Act, along with Explanatory Memorandum.

[Placed in Library. See No. L.T. 10236/17/23]

(ix) A copy each (in English and Hindi) of the following Notifications of the Ministry of Finance (Department of Revenue), under sub-section (2) of Section 38 of Central Excise Act, 1944, along with Explanatory Memoranda:-

- (1) G.S.R. 672 (E), dated the 15th September, 2023, amending the Principal Notification No. G.S.R. 584 (E), dated the 19th July, 2022.
- (2) G.S.R. 673 (E), dated the 15th September, 2023, amending the Principal Notification No. G.S.R. 492 (E), dated the 30th June, 2022.
- (3) G.S.R. 700 (E), dated the 29th September, 2023, amending the Principal Notification No. G.S.R. 584 (E), dated the 19th July, 2022.
- (4) G.S.R. 701 (E), dated the 29th September, 2023, amending the Principal Notification No. G.S.R. 492 (E), dated the 30th June, 2022.
- (5) G.S.R. 747 (E), dated the 17th October, 2023, amending the Principal Notification No. G.S.R. 584 (E), dated the 19th July, 2022.
- (6) G.S.R. 748 (E), dated the 17th October, 2023, amending the Principal Notification No. G.S.R. 492 (E), dated the 30th June, 2022.
- (7) G.S.R. 810 (E), dated the 31st October, 2023, amending the Principal Notification No. G.S.R. 584 (E), dated the 19th July, 2022.
- (8) G.S.R. 811 (E), dated the 31st October, 2023, amending the Principal Notification No. G.S.R. 492 (E), dated the 30th June, 2022.

[Placed in Library. For (1) to (8) See No. L.T. 10091/17/23]

- (9) G.S.R. 836 (E), dated the 16th November, 2023, amending the Principal Notification No. G.S.R. 584 (E), dated the 19th July, 2022.
- (10) G.S.R. 837 (E), dated the 16th November, 2023, amending the Principal Notification No. G.S.R. 492 (E), dated the 30th June, 2022.
- (11) G.S.R. 871 (E), dated the 30th November, 2023, amending the Principal Notification No. G.S.R. 584 (E), dated the 19th July, 2022.

[Placed in Library. For (9) to (11) See No. L.T. 10231/17/23]

(x) A copy (in English and Hindi) of the Ministry of Finance (Department of Revenue) Notification No. G.S.R. 792 (E), dated the 20th October, 2023, notifying the All Industry Rates of Duty Drawback and the commencement of this notification with effect from 31.10.2023, issued under sub-section (2) of Section 75 of Customs Act, 1962 and sub-section (2) of Section 37 of the Central Excise Act, 1944, along with Explanatory Memorandum.

[Placed in Library. See No. L.T. 10228/17/23]

(xi) A copy each (in English and Hindi) of the following Notifications of the Ministry of Finance (Department of Revenue), under Section 166 of the Central Goods and Services Tax Act, 2017, along with Explanatory Memoranda:-

- (1) G.S.R. 624 (E), dated the 25th August, 2023, amending the Principal Notification No. G.S.R. 699 (E), dated the 10th November, 2020.
- (2) G.S.R. 625 (E), dated the 25th August, 2023, amending the Principal Notification No. G.S.R. 385 (E), dated the 24th May, 2023.
- (3) G.S.R. 626 (E), dated the 25th August, 2023, amending the Principal Notification No. G.S.R. 508 (E), dated the 17th July, 2023.
- (4) G.S.R. 627 (E), dated the 25th August, 2023, amending the Principal Notification No. G.S.R. 452 (E), dated the 28th June, 2019.

[Placed in Library. For (1) to (4) See No. L.T. 10918/17/23]

- (5) S.O. 4073 (E), dated the 14th September, 2023, constituting 31 State Benches of Goods and Services Tax Appellate Tribunal by the Central Government on the recommendation of Goods and Services Tax Council.

[Placed in Library. See No. L.T. 10230/17/23]

- (6) G.S.R. 711 (E), dated the 29th September, 2023, amending the Principal Notification No. G.S.R. 673 (E), dated the 28th June, 2017.
- (7) G.S.R. 759 (E), dated the 19th October, 2023, amending the Principal

Notification No. G.S.R. 690 (E), dated the 28th June, 2017.

- (8) G.S.R. 762 (E), dated the 19th October, 2023, amending the Principal Notification No. G.S.R. 691 (E), dated the 28th June, 2017.
- (9) G.S.R. 765 (E), dated the 19th October, 2023, amending the Principal Notification No. G.S.R. 692 (E), dated the 28th June, 2017.
- (10) G.S.R. 768 (E), dated the 19th October, 2023, amending the Principal Notification No. G.S.R. 694 (E), dated the 28th June, 2017.
- (11) G.S.R. 771 (E), dated the 19th October, 2023, amending the Principal Notification No. G.S.R. 696 (E), dated the 28th June, 2017.
- (12) G.S.R. 774 (E), dated the 19th October, 2023, amending the Principal Notification No. G.S.R. 673 (E), dated the 28th June, 2017.
- (13) G.S.R. 777 (E), dated the 19th October, 2023, amending the Principal Notification No. G.S.R. 674 (E), dated the 8th June, 2017.
- (14) G.S.R. 780 (E), dated the 19th October, 2023, amending the Principal Notification No. G.S.R. 676 (E), dated the 28th June, 2017.
- (15) G.S.R. 783 (E), dated the 19th October, 2023, amending the Principal Notification No. G.S.R. 677 (E), dated the 28th June, 2017.

[Placed in Library. For (6) to (15) See No. L.T. 10095/17/23]

- (16) G.S.R. 846 (E), dated the 17th November, 2023, amending the Principal Notification No. G.S.R. 903 (E), dated the 26th December, 2023.
- (17) G.S.R. 793 (E), dated the 25th October, 2023, publishing the Goods and Services Tax Appellate Tribunal (Appointment and Conditions of Service of President and Members) Rules, 2023.

[Placed in Library. For (16) and (17) See No. L.T. 10230/17/23]

(xii) A copy each (in English and Hindi) of the following Notifications of the Ministry of Finance (Department of Revenue), under Section 166 of the Central Goods and Services Tax Act, 2017 and Section 24 of the Integrated Goods and Services Tax Act, 2017, along with Explanatory Memoranda:-

- (1) G.S.R. 612 (E), dated the 17th August, 2023, amending the Principal Notification No. G.S.R. 609 (E), dated the 19th June, 2017.
- (2) S.O. 3683 (E), dated the 17th August, 2023, appointing common adjudicating authority in respect of show cause issued in favour of M/s United Spirits Ltd.

[Placed in Library. For (1) and (2) See No. L.T. 10919/17/23]

- (3) G.S.R. 689 (E), dated the 26th September, 2023, amending the Principal Notification No. G.S.R. 683 (E), dated the 28th June, 2017.
- (4) G.S.R. 690 (E), dated the 26th September, 2023, amending the Principal Notification No. G.S.R. 684 (E), dated the 28th June, 2017.
- (5) G.S.R. 760 (E), dated the 19th October, 2023, amending the Principal Notification No. G.S.R. 683 (E), dated the 28th June, 2017.
- (6) G.S.R. 763 (E), dated the 19th October, 2023, amending the Principal Notification No. G.S.R. 684 (E), dated the 28th June, 2017.
- (7) G.S.R. 769 (E), dated the 19th October, 2023, amending the Principal Notification No. G.S.R. 687 (E), dated the 28th June, 2017.
- (8) G.S.R. 784 (E), dated the 19th October, 2023, amending the Principal Notification No. G.S.R. 670 (E), dated the 28th June, 2017.

[Placed in Library. For (3) to (8) See No. L.T. 10096/17/23]

(xiii) A copy each (in English and Hindi) of the following Notifications of the Ministry of Finance (Department of Revenue), under Section 24 of the Integrated Goods and Services Tax Act, 2017, along with Explanatory Memoranda:-

- (1) G.S.R. 691 (E), dated the 26th September, 2023, amending the Principal Notification No. G.S.R. 685 (E), dated the 28th June, 2017.
- (2) G.S.R. 712 (E), dated the 29th September, 2023, amending the Principal Notification No. G.S.R. 666 (E), dated the 28th June, 2017.
- (3) G.S.R. 766 (E), dated the 19th October, 2023, amending the Principal Notification No. G.S.R. 685 (E), dated the 28th June, 2017.
- (4) G.S.R. 772 (E), dated the 19th October, 2023, amending the Principal Notification No. G.S.R. 689 (E), dated the 28th June, 2017.
- (5) G.S.R. 775 (E), dated the 19th October, 2023, amending the Principal Notification No. G.S.R. 666 (E), dated the 28th June, 2017.
- (6) G.S.R. 778 (E), dated the 19th October, 2023, amending the Principal Notification No. G.S.R. 667 (E), dated the 28th June, 2017.
- (7) G.S.R. 781 (E), dated the 19th October, 2023, amending the Principal Notification No. G.S.R. 669 (E), dated the 28th June, 2017.

[Placed in Library. For (1) to (7) See No. L.T. 10096/17/23]

(xiv) A copy each (in English and Hindi) of the following Notifications of the Ministry of Finance (Department of Revenue), under Section 24 of the Union Territory Goods and Services Tax Act, 2017, along with Explanatory Memoranda:-

- (1) G.S.R. 713 (E), dated the 29th September, 2023, amending the Principal

- Notification No. G.S.R. 710 (E), dated the 28th June, 2017.
- (2) G.S.R. 767 (E), dated the 19th October, 2023, amending the Principal Notification No. G.S.R. 704 (E), dated the 28th June, 2017.
 - (3) G.S.R. 773 (E), dated the 19th October, 2023, amending the Principal Notification No. G.S.R. 708 (E), dated the 28th June, 2017.
 - (4) G.S.R. 776 (E), dated the 19th October, 2023, amending the Principal Notification No. G.S.R. 710 (E), dated the 28th June, 2017.
 - (5) G.S.R. 779 (E), dated the 19th October, 2023, amending the Principal Notification No. G.S.R. 711 (E), dated the 28th June, 2017.
 - (6) G.S.R. 782 (E), dated the 19th October, 2023, amending the Principal Notification No. G.S.R. 713 (E), dated the 28th June, 2017.
 - (7) G.S.R. 761 (E), dated the 19th October, 2023, amending the Principal Notification No. G.S.R. 702 (E), dated the 28th June, 2017.
 - (8) G.S.R. 764 (E), dated the 19th October, 2023, amending the Principal Notification No. G.S.R. 703 (E), dated the 28th June, 2017.
 - (9) G.S.R. 770 (E), dated the 19th October, 2023, amending the Principal Notification No. G.S.R. 706 (E), dated the 28th June, 2017.
 - (10) G.S.R. 785 (E), dated the 19th October, 2023, amending the Principal Notification No. G.S.R. 714 (E), dated the 28th June, 2017.

[Placed in Library. For (1) to (10) See No. L.T. 10097/17/23]

(xv) A copy each (in English and Hindi) of the following Notifications of the Ministry of Finance (Department of Revenue), under Section 74 of the Prevention of Money-laundering Act, 2002, along with Explanatory Memoranda:-

- (1) G.S.R. 652 (E) dated the 4th September, 2023 publishing the Prevention of Money-laundering (Maintenance of Records) Second Amendment Rules, 2023.
- (2) G.S.R. 745 (E) dated the 17th October, 2023 publishing the Prevention of Money-laundering (Maintenance of Records) Third Amendment Rules, 2023.

[Placed in Library. For (1) and (2) See No. L.T. 10227/17/23]

(xvi) A copy each (in English and Hindi) of the following Notifications of the Ministry of Finance (Department of Economic Affairs), issued under Section 3A of the Government Savings Promotion Act, 1873:-

- (1) G.S.R. 620 (E), dated the 24th August, 2023, publishing the National Savings Time Deposit (Third Amendment) Scheme, 2023.

- (2) G.S.R. 621 (E), dated the 24th August, 2023, publishing the National Savings Recurring Deposit (Second Amendment) Scheme, 2023.
- (3) G.S.R. 818 (E), dated the 6th November, 2023, publishing the National Savings Recurring Deposit (Third Amendment) Scheme, 2023.
- (4) G.S.R. 829 (E), dated the 9th November, 2023, publishing the Senior Citizen's Savings (Fourth Amendment) Scheme, 2023.
- (5) G.S.R. 830 (E), dated the 9th November, 2023, publishing the National Savings Time Deposit (Fourth Amendment) Scheme, 2023.
- (6) G.S.R. 831 (E), dated the 9th November, 2023, publishing the Public Provident Fund (Amendment) Scheme, 2023.

[Placed in Library. For (1) to (6) See No. L.T. 10239/17/23]

(xvii) A copy (in English and Hindi) of the following Notifications of the Ministry of Finance (Department of Economic Affairs), under Section 25 of the Coinage Act, 2011:-

- (1) G.S.R. 699 (E), dated the 27th September, 2023, publishing the Coinage (Issue of Commemorative Coin on the occasion of Centenary Year of Kaivalyadhama) Rules, 2023.
- (2) G.S.R. 716 (E), dated the 3rd October, 2023, publishing the Coinage (Issue of Commemorative Coin to commemorate on the occasion of 500th Birth Anniversary of Rani Durgavati) Rules, 2023.
- (3) G.S.R. 844 (E), dated the 17th November, 2023, publishing the Coinage (Issue of Commemorative Coin on the occasion of Platinum Jubilee Celebration of National Defence Academy, Khadakwasla, Pune) Rules, 2023.
- (4) G.S.R. 855 (E), dated the 21st November, 2023, publishing the Coinage (Issue of Commemorative Coin to commemorate on the occasion of 525th Birth Anniversary of Saint Meera Bai) Rules, 2023.
- (5) G.S.R. 867 (E), dated the 29th November, 2023, publishing the Coinage (Issue of commemorative coin on the occasion of Platinum Jubilee of Armed Forces Medical College, Pune) Rules, 2023.

[Placed in Library. For (1) to (5) See No. L.T. 10238/17/23]

(xviii) A copy (in English and Hindi) of the Ministry of Finance (Department of Economic Affairs) Notification No. IFSCA/2023-24/GN/REG042, dated the 27th October, 2023, publishing the International Financial Services Centres Authority (Investment by International Financial Services Centre Insurance Office)

(Amendment) Regulations, 2023, under Section 29 of the International Financial Services Centres Authority Act, 2019.

[Placed in Library. See No. L.T. 10240/17/23]

(xix) A copy (in English and Hindi) of the Ministry of Finance (Department of Economic Affairs) Notification No. 329/IFSCA/Bullion MIs/2023-24, dated the 27th October, 2023, amending the notification No. 329/IFSCA/Bullion MIs/2021-22, dated the 6th December, 2022, issued under Section 12 of the International Financial Services Centres Authority Act, 2019 and Section 4 of the Securities Contracts (Regulation) Act, 1956.

[Placed in Library. See No. L.T. 10240/17/23]

(xx) 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/LAD-NRO/GN/2023/140, dated the 24th July, 2023, publishing the Securities and Exchange Board of India (Stock Brokers) (Second Amendment) Regulations, 2023.
- (2) No. SEBI/LAD-NRO/GN/2023/154, dated the 9th October, 2023, publishing the Securities and Exchange Board of India (Investment Advisers) (Amendment) Regulations, 2023.
- (3) No. SEBI/LAD-NRO/GN/2023/156., dated the 20th October, 2023, publishing the Securities and Exchange Board of India (Employees' Service) (Second Amendment) Regulations, 2023.

[Placed in Library. For (1) to (3) See No. L.T. 10241/17/23]

(xxi) A copy each (in English and Hindi) of the following Notifications of the Ministry of Finance (Department of Economic Affairs) under sub-section (3) of Section 31 of the Securities Contracts (Regulation) Act, 1956 and Section 31 of the Securities and Exchange Board of India Act, 1992:-

- (1) No. SEBI/LAD-NRO/GN/2023/139, dated the 24th July, 2023, publishing the Securities Contracts (Regulation) (Stock Exchanges and Clearing Corporations) (Second Amendment) Regulations, 2023.
- (2) No. SEBI/LAD-NRO/GN/2023/148, dated the 22nd August, 2023, publishing the Securities Contracts (Regulation) (Stock Exchanges and Clearing Corporations) (Third Amendment) Regulations, 2023.

[Placed in Library. For (1) and (2) See No. L.T. 10234/17/23]

(xxii) A copy (in English and Hindi) of the Ministry of Finance (Department of Economic Affairs) Notification No. SEBI/LAD-NRO/GN/2023/146, dated the 17th August, 2023, publishing the Securities and Exchange Board of India (Facilitation of Grievance Redressal Mechanism) (Amendment) Regulations, 2023, under sub-section (3) of Section 31 of the Securities Contracts (Regulation) Act, 1956, Section 31 of the Securities and Exchange Board of India Act, 1992 and Section 27 of the Depositories Act, 1996.

[Placed in Library. See No. L.T. 10234/17/23]

(xxiii) A copy (in English and Hindi) of the Ministry of Finance (Department of Economic Affairs) Notification No. SEBI/LAD-NRO/GN/2023/147, dated the 22nd August, 2023, publishing the Securities and Exchange Board of India (Depositories and Participants) (Second Amendment) Regulations, 2023, under Section 31 of the Securities and Exchange Board of India Act, 1992 and Section 27 of the Depositories Act, 1996.

[Placed in Library. See No. L.T. 10241/17/23]

Notifications of the Ministry of Health and Family Welfare

स्वास्थ्य और परिवार कल्याण मंत्रालय में राज्य मंत्री (प्रो. एस. पी. सिंह बघेल): महोदय, मैं निम्नलिखित पत्र सभा पटल पर रखता हूँ:-

(i) A copy (in English and Hindi) of the Ministry of Health and Family Welfare (Department of Health Research) Notification No. S.O. 3859 (E) dated the 1st September, 2023 notifying the Members, in respective categories, as mentioned therein, in the UT Board for the UT of Chandigarh, issued under Section 27 (f) of the Surrogacy (Regulation) Act, 2021 and Section 7 of the Assisted Reproductive Technology (Regulation) Act, 2021.

(ii) A copy each (in English and Hindi) of the following Notifications of the Ministry of Health and Family Welfare (Department of Health Research) issued under Section 3 of the Assisted Reproductive Technology (Regulation) Act, 2021 and under Section 17 of the Surrogacy (Regulation) Act, 2021:-

- (1) S.O. 4079 (E) dated the 15th September, 2023 notifying the revised composition of National Assisted Reproductive Technology and Surrogacy Board by modifying Para (f) of the notification of even no. dated 4th May,

2022.

- (2) S.O. 4554 (E) dated the 17th October, 2023 notifying the revised composition of National Assisted Reproductive Technology and Surrogacy Board by modifying Para (d) (ii) of the notification of even no. dated 4th May, 2022.

[Placed in Library. For (i) and (ii) See No. L.T. 10190/17/23]

- I. **Notifications of the Ministry of Finance**
- II. **Reports and Accounts (2022-23) of various companies; and Liquidator's Reports on IIBI. Kolkata and related papers**
- III. **Reports and Accounts (2022-23) of LIC, Mumbai and SBI, Mumbai and related papers**
- IV. **Reports and Accounts (2022-23) of various Banks and related papers**
- V. **Report of the Comptroller and Auditor General of India on SASF**

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (DR. BHAGWAT KARAD):
Sir, I lay on the Table:-

I. (1) A copy each (in English and Hindi) of the following Notifications of the Ministry of Finance (Department of Financial Services), under sub-section (5) of Section 60 of the National Bank for Agriculture and Rural Development Act, 1981:-

- (a) No. NB.Secy/C-4/2018-19., dated the 23rd May, 2018, publishing the National Bank for Agriculture and Rural Development General (Amendment) Regulations, 2018.
- (b) No. NB.Secy/C-4/2018-19., dated the 23rd May, 2018, publishing the National Bank for Agriculture and Rural Development (Additional) General (Amendment) Regulations, 2018.

[Placed in Library. For (a) and (b) See No. L.T. 10267/17/23]

- (c) S.O. 2016., in the Weekly Gazette dated the October 18 - October 24, 2015, publishing the National Bank For Agriculture and Rural Development (Additional) General (Amendment) Regulations, 2015.
- (d) S.O. NIL., in the Weekly Gazette dated the November 8 - November 14, 2008, publishing the National Bank For Agriculture and Rural Development (Amendment) General Regulations, 2008.

(2) A Statement (in English and Hindi) giving reasons for the delay in laying the

Notifications mentioned at (1) above.

[Placed in Library. For (c) and (d) See No. L.T. 10919/17/23]

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:—

(i) (a) Annual Report and Accounts of the National Insurance Company Limited, Kolkata, for the year 2022-23, 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 working of the above Company.

[Placed in Library. See No. L.T. 10266/17/23]

(ii) (a) Annual Report and Accounts of the New India Assurance Company Limited, Mumbai, for the year 2022-23, 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 working of the above Company.

[Placed in Library. See No. L.T. 10265/17/23]

(iii) (a) One Hundred and Thirtieth Report of Liquidator on voluntary winding up of the Industrial Investment Bank of India (IIBI) Limited, Kolkata, for the period from 01.04.2023 to 30.06.2023, together with the Auditor's Report on the Accounts.

(b) One Hundred and Thirty-Third Report of Liquidator on voluntary winding up of the Industrial Investment Bank of India (IIBI) Limited, Kolkata, for the period from 01.07.2023 to 30.09.2023, together with the Auditor's Report on the Accounts.

[Placed in Library. For (a) and (b) See No. L.T. 10269/17/23]

(c) Review by Government of the voluntary winding up process of the above Bank, for the period from 01.04.2023 to 30.06.2023

(d) Review by Government of the voluntary winding up process of the above Bank, for the period from 01.07.2023 to 30.09.2023.

(e) Summary of Liquidator's Report for quarter ending 01.04.2023 to 30.06.2023

(f) Summary of Liquidator's Report for quarter ending 01.07.2023 to 30.09.2023.

[Placed in Library. For (c) to (f) See No. L.T. 10267/17/23]

- (iv) (a) Annual Report and Accounts of the Oriental Insurance Company Ltd., New Delhi, for the year 2022-23, 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 working of the above Company.
[Placed in Library. See No. L.T. 10264/17/23]
- (v) (a) Annual Report and Accounts of the United India Insurance Company Ltd., Chennai, for the year 2022-23, 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 working of the above Company.
[Placed in Library. See No. L.T. 10263/17/23]
- (vi) (a) Fifty-first Annual Report and Accounts of General Insurance Corporation (GIC) of India, Mumbai, for the year 2022-23, 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 working of the above Company.
[Placed in Library. See No. L.T. 10262/17/23]
- III. (A) A copy each (in English and Hindi) of the following papers, under Section 29 of the Life Insurance Corporation Act, 1956:-
- (i) (a) Sixty-sixth Annual Report and Annual Accounts of the Life Insurance Corporation of India (LIC), Mumbai, for the year 2022-23, together with the Auditor's Report on the Accounts.
- (b) Review by Government on the working of the above Corporation.
[Placed in Library. See No. L.T. 10267/17/23]
- (ii) Fifty-third Valuation Report of the Life Insurance Corporation of India (LIC), as on 31st March, 2023.
[Placed in Library. See No. L.T. 10261/17/23]
- (B) A copy each (in English and Hindi) of the following papers, under sub-section (4) of Section 40 of the State Bank of India Act, 1955, as amended by the Banking Laws (Amendment) Act, 1985:-
- (a) Annual Report and Accounts of the State Bank of India, Mumbai, for the year 2022-23, together with the Auditor's Report on the Accounts.

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

[Placed in Library. See No. L.T. 10257/17/23]

IV. A copy each (in English and Hindi) of the following papers listed at (a) (i to x) under sub-section (8) of Section 10 of the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1970 and at (a) (xi) under sub-section (8) of Section 10 of the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1980:-

(a) Annual Report and Accounts of the following Banks, for the year 2022-23, together with the Auditor's Report on the Accounts:-

- (i) Bank of Baroda, Baroda, Gujarat;
- (ii) Bank of India, Mumbai, Maharashtra;
- (iii) Bank of Maharashtra, Pune, Maharashtra;
- (iv) Canara Bank, Bengaluru, Karnataka;
- (v) Central Bank of India, Mumbai, Maharashtra;
- (vi) Indian Bank, Chennai, Tamil Nadu;
- (vii) Indian Overseas Bank, Chennai, Tamil Nadu;
- (viii) Punjab National Bank, New Delhi;
- (ix) UCO Bank, Kolkata, West Bengal;
- (x) Union Bank of India, Mumbai, Maharashtra; and
- (xi) Punjab & Sind Bank, New Delhi.

(b) Review by Government on the working of the above Banks.

[Placed in Library. For (i) to (xi) See No. L.T. 10274/17/23]

V. A copy (in English and Hindi) of the Separate Audit Report of the Comptroller and Auditor General of India on the accounts of the Stressed Assets Stabilization Fund (SASF), for the year ended 31st of March, 2022.

[Placed in Library. See No. L.T. 10264/17/23]

I. Notifications of the Ministry of Health and Family Welfare

II. Reports and Accounts of the AIIMS, Deoghar, Jharkhand; AIIMS, Vijaypur, Jammu for various years and related papers

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (DR. BHARATI PRAVIN PAWAR): Sir, I lay on the Table:-

I. (i) (1) A copy each (in English and Hindi) of the following Notifications of the Ministry of Health and Family Welfare, under sub-section (2) of Section 69 of the

National Commission for Allied and Healthcare Professions Act, 2021:-

- (a) S.O. 2232 (E) dated the 19th May, 2023, publishing the National Commission for Allied and Healthcare Professions 5th (Removal of Difficulties) Order, 2023.

[Placed in Library. See No. L.T. 10920/17/23]

- (b) S.O. 4773 (E) dated the 3rd November, 2023, publishing the National Commission for Allied and Healthcare Professions 6th (Removal of Difficulties) Order, 2023.

[Placed in Library. See No. L.T. 10207/17/23]

(2) Statement giving reasons for the delay in laying the Notification mentioned at (1) (a) above.

[Placed in Library. See No. L.T. 10920/17/23]

(ii) 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), under Section 38 of the Drugs and Cosmetics Act, 1940:-

- (1) G.S.R. 823 (E) dated the 17th November, 2022 publishing the Drugs (Eighth Amendment) Rules, 2022.
- (2) G.S.R. 175 (E) dated the 13th March, 2023 publishing the New Drugs and Clinical Trials (Amendment) Rules, 2023.
- (3) G.S.R. 409 (E) dated the 2nd June, 2023 publishing the Medical Devices (Amendment) Rules, 2023.
- (4) G.S.R. 410 (E) dated the 2nd June, 2023 publishing the Drugs (Amendment) Rules, 2023.

[Placed in Library. For (1) to (4) See No. L.T. 10206/17/23]

II. (1) A copy each (in English and Hindi) of the following papers, under sub-section (4) of the Section 18 and Section 19 of the All India Institute of Medical Sciences Act, 1956 (as amended in 2012):-

- (i) (a) Third Annual Report and Accounts of the All India Institute of Medical Sciences (AIIMS), Deoghar, Jharkhand, for the year 2021-22, together with the Auditor's Report on the Accounts.
- (b) Review by Government on the working of the above Institute.
- (ii) (a) Annual Report and Accounts of the All India Institute of Medical Sciences (AIIMS), Vijaypur, Jammu, for the years 2019-2020 & 2020-2021,

together with the Auditor's Report on the Accounts.

- (b) Review by Government on the working of the above Institute.
- (iii) (a) Annual Report and Accounts of the All India Institute of Medical Sciences (AIIMS), Vijaypur, Jammu, for the year 2021-2022, together with the Auditor's Report on the Accounts.
- (b) Review by Government on the working of the above Institute.

(2) Statements (in English and Hindi) giving reasons for the delay in laying the papers mentioned at (1) above.

[Placed in Library. For (i) to (iii) See No. L.T. 10921/17/23]

- I. Notification of the Ministry of Ports, Shipping and Waterways**
- II. Reports and Accounts (2022-23) of various Companies and related papers**
- III. Report and Accounts (2022-23) of the IMU, Chennai; and CDLB, Kolkata and related papers**
- IV. Reports and Accounts (2022-23) of various Ports and related papers**

THE MINISTER OF STATE IN THE MINISTRY OF PORTS, SHIPPING AND WATERWAYS (SHRI SHANTANU THAKUR): Sir, I lay on the Table:-

I. A copy (in English and Hindi) of the Ministry of Ports, Shipping and Waterways Notification No. IMU/HQ/ADM/Notification/2023/01. dated the 21st July, 2023 publishing the Ordinance No 1 of 2023 and Ordinance No 2 of 2023 for general information, under sub-section (2) of Section 47 of the Indian Maritime University Act, 2008 along with delay statement in laying the said Notification.

[Placed in Library. See No. L.T. 10922/17/23]

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:-

- (i) (a) Twenty-third Annual Report & Accounts of the Kamarajar Port Limited, Chennai, Tamil Nadu for the year 2022-23, 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 working of the above Company.
- (ii) (a) Annual Report and Accounts of the Hooghly Cochin Shipyard Limited (HCSL), Howrah, West Bengal, for the year 2022-23, 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 working of the above Company.
- (iii) (a) Annual Report and Accounts of the Udupi Cochin Shipyard Limited (UCSL), (*formerly* Tebma Shipyard Limited), Kancheepuram, Tamil Nadu, for the year 2022-23, 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 working of the above Company.
- (iv) (a) Annual Report and Accounts of the Cochin Shipyard Limited (CSL), Kochi, Kerala, for the year 2022-23, 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 working of the above Company.

[Placed in Library. For (i) to (iv) See No. L.T. 10923/17/23]

III. (i) A copy each (in English and Hindi) of the following papers, under sub-section (3) of Section 32 and sub-section (4) of Section 33 of the Indian Maritime University Act, 2008:-

- (a) Annual Report of the Indian Maritime University (IMU), Chennai, for the year 2022-23.
- (b) Annual Accounts of the Indian Maritime University (IMU), Chennai, for the year 2022-23, and the Audit Report thereon.
- (c) Review by Government on the working of the above University.

[Placed in Library. See No. L.T. 10924/17/23]

(ii) A copy each (in English and Hindi) of the following papers, under Section 5(E) of the Dock Workers (Regulation of Employment) Act, 1948:-

- (a) Annual Administration Report and Accounts of the Calcutta Dock Labour Board (CDLB), Kolkata, for the year 2022-23, together with the Auditor's Report on the Accounts.
- (b) Review by Government on the working of the above Board.

[Placed in Library. See No. L.T. 10925/17/23]

IV. A copy each (in English and Hindi) of the following papers, under sub-section (4) of Section 44 of the Major Port Authorities Act, 2021:-

- (i) (a) Annual Administration Report of the Mormugao Port Authority (MPT), Goa, for the year 2022-23.

- (b) Annual Accounts of the Mormugao Port Authority (MPT), Goa, for the year 2022-23, and the Audit Report thereon.
 - (c) Review by Government on the working of the above Port Authority.
 - (d) Review by Government of the Annual Accounts of the above Port Authority.
- (ii)
- (a) One Hundred Forty-fourth Administration Report of the Mumbai Port Authority, for the year 2022-23.
 - (b) Annual Accounts of the Mumbai Port Authority, for the year 2022-23, and the Audit Report thereon.
 - (c) Review by Government on the working of the above Authority.
 - (d) Review by Government of the Annual Accounts of the above Authority.
- (iii)
- (a) Administrative Report of the Syama Prasad Mookerjee Port, Kolkata, for the year 2022-23.
 - (b) Annual Accounts of the Syama Prasad Mookerjee Port, Kolkata, for the year 2022-23, and the Audit Report thereon.
 - (c) Review by Government on the working of the above Port.
 - (d) Review by Government of the Annual Accounts of the above Port.
- (iv)
- (a) Annual Administration Report of the Cochin Port Authority, Kochi, Kerala for the year 2022-23.
 - (b) Annual Accounts of the Cochin Port Authority, Kochi, Kerala, for the year 2022-23, and the Audit Report thereon.
 - (c) Review by Government on the working of the above Port Authority.
 - (d) Review by Government of the Annual Accounts of the above Port Authority.

[Placed in Library. For (i) to (iv) See No. L.T. 10926/17/23]

Notification of the Ministry of Ayush

THE MINISTER OF STATE IN THE MINISTRY OF AYUSH (DR. MUNJAPARA MAHENDRABHAI): Sir, I lay on the Table a copy (in English and Hindi) of the Ministry of Ayush Notification No. Sec/NCISM/Reg(1)/2023., dated the 28th November, 2023, publishing the National Commission for Indian System of Medicine (Recognition of Qualifications) Regulations, 2023, under Section 56 of the National Commission for Indian System of Medicine Act, 2020.

[Placed in Library. See No. L.T. 10614/17/23]

REPORTS OF THE COMMITTEE ON SUBORDINATE LEGISLATION

डा. लक्ष्मीकान्त बाजपेयी (उत्तर प्रदेश): महोदय, मैं आर्द्रभूमि (संरक्षण एवं प्रबंधन) नियम, 2017 के संबंध में अधीनस्थ विधान संबंधी समिति का दो सौ बावनवां प्रतिवेदन (अंग्रेजी तथा हिन्दी में) प्रस्तुत करता हूँ।

DR. AMAR PATNAIK (Odisha): Sir, I lay on the Table the Two Hundred and Fifty Third Report (in English and Hindi) of the Committee on Subordinate Legislation on the Delay in framing of Rules and Regulations under various Acts by the Ministries/Departments.

REPORT OF THE DEPARTMENT-RELATED PARLIAMENTARY STANDING COMMITTEE ON CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION

श्री सतीश चंद्र दूबे (बिहार): महोदय, मैं उपभोक्ता मामले, खाद्य और सार्वजनिक वितरण मंत्रालय (खाद्य और सार्वजनिक वितरण विभाग) से संबंधित "प्रधान मंत्री गरीब कल्याण अन्न योजना (पीएमजीकेएवाई)" के संबंध में समिति के अट्टाईसवें प्रतिवेदन में अंतर्विष्ट समुक्तियों/सिफारिशों पर सरकार द्वारा की गई कार्रवाई के संबंध में विभाग-संबंधित उपभोक्ता मामले, खाद्य और सार्वजनिक वितरण संबंधी संसदीय स्थायी समिति (2023-24) के चौंतीसवें प्रतिवेदन की एक प्रति (अंग्रेजी तथा हिन्दी में) सभा पटल पर रखता हूँ।

REPORT OF THE DEPARTMENT-RELATED PARLIAMENTARY STANDING COMMITTEE ON EXTERNAL AFFAIRS

SHRI ABDUL WAHAB (Kerala): Sir, I lay on the Table, a copy (in English and Hindi) of the Twenty Sixth Report of the Department-related Parliamentary Standing Committee on External Affairs (Seventeenth Lok Sabha) on 'India and Gulf Cooperation Council (GCC) – Contours of Cooperation'.

REPORT OF THE COMMITTEE ON PUBLIC UNDERTAKINGS

डा. अनिल जैन (उत्तर प्रदेश): महोदय, मैं ऑयल इंडिया लिमिटेड के संबंध में सरकारी उपक्रमों संबंधी समिति (सत्रहवीं लोकसभा) के इक्कीसवें प्रतिवेदन की एक प्रति (अंग्रेजी तथा हिन्दी में) सभा पटल पर रखता हूँ।

**STATEMENTS OF THE DEPARTMENT-RELATED PARLIAMENTARY
STANDING COMMITTEE ON ENERGY**

DR. SUDHANSHU TRIVEDI (Uttar Pradesh): Sir, I lay on the Table, a copy each (in English and Hindi) of the following Statements of the Department-related Parliamentary Standing Committee on Energy:-

- (i) Final action-taken by the Government on observations/recommendations contained in Chapter-I of the Thirty-Seventh Report (Seventeenth Lok Sabha) of the Department-related Parliamentary Standing Committee on Energy on the Action Taken by the Government on observations/recommendations contained in its Twenty-First Report (Seventeenth Lok Sabha) on 'Financial constraints in Renewable Energy Sector'.
- (ii) Final action-taken by the Government on observations/recommendations contained in Chapter-I of the Thirty-Eighth Report (Seventeenth Lok Sabha) of the Department-related Parliamentary Standing Committee on Energy on the Action Taken by the Government on observations/recommendations contained in its Twenty-Seventh Report (Seventeenth Lok Sabha) on 'Evaluation of Wind Energy in India'.

MATTERS RAISED WITH PERMISSION

MR. CHAIRMAN: Hon. Members, one notice under Rule 267, received from Shri Pramod Tiwari, does not merit admittance. ..(*Interruptions*).. We will examine. The House may be divided on both the points. Personally, you are full of merit. Now Matters Raised with Permission. Shri Samirul Islam. Need to initiate welfare programmes for migrant workers.

Need to initiate welfare programs for migrant workers

SHRI SAMIRUL ISLAM (West Bengal): Mr. Chairman, Sir, the issue of migrant workers is not new in our country. They have been moving from one State to another for better livelihood for hundreds of years. Over time, migration has increased which is not new for a developing country like us. In the words of Rabindranath Thakur,

*"The massive crowds walk on different paths in different groups from one point to another for their daily needs." In various paths, in various groups, people move from one era to another for the daily needs of humans. Thakur depicted the struggles of working people in our country capturing the essence of their struggles.

We take pride in the new Parliament House. Even in the construction of this modern building, the sweat and blood of several thousands of workers is intricately woven. However, a broader societal concern arose when the horrifying images of migrant workers came to the forefront during the unprecedented COVID-19 situation. From railway tracks to roads, the nation witnessed the plight of these fellow citizens.

Not long ago, 41 workers were trapped in the Silkyara tunnel that collapsed on November 12 in Uttarakhand. After 17 days, they were rescued. They were mostly migrant workers. This is one of the latest examples. I can go on with dozens of such examples highlighting the plight of such people.

As per the latest Census data from 2011, there are more than 45 crore inter-State migrants, constituting 38 per cent of the total population. By the end of 2023, the number has probably increased by at least ten per cent. According to the Census data, the highest number of migrant workers is in Uttar Pradesh, followed by Bihar. This is not true that the most unemployed are from West Bengal. Migrant workers from Bengal when they go to other States, they are commonly identified as Bangladeshis as they speak in their mother tongue Bengali. But migrant workers from other States always stay in Bengal peacefully and unharmed. Unfortunately, the nation lacks a concrete database of migrant workers with their details and there are no specific schemes dedicated to that community.

I want to refer to West Bengal where Chief Minister Mamata Banerjee formed first such body for the welfare of migrant workers and announced a slew of schemes. *(Time-bell rings.)*

MR. CHAIRMAN: The following hon. Members associated themselves with the mention made by the hon. Member, Shri Samirul Islam: Prof. Manoj Kumar Jha (Bihar), Dr. Fauzia Khan (Maharashtra), Shri A. A. Rahim (Kerala), Shri Sandosh Kumar P (Kerala), Shri P. Wilson (Tamil Nadu), Shri Imran Pratapgarhi (Maharashtra), Shri Kanakamedala Ravindra Kumar (Andhra Pradesh), Shrimati Priyanka Chaturvedi (Maharashtra), Dr. V. Sivadasan (Kerala), Shri Mohammed

* English translation of the original speech delivered in Bengali.

Nadimul Haque (West Bengal), Shrimati Jebi Mather Hisham (Kerala), Ms. Dola Sen (West Bengal), Shri Jawhar Sircar (West Bengal), Dr. Sasmit Patra (Odisha), Shri Abir Ranjan Biswas (West Bengal), Dr. Santanu Sen (West Bengal), Dr. John Brittas (Kerala), Dr. Amar Patnaik (Odisha), Dr. Kanimozhi NVN Somu, Shri M. Mohamed Abdulla (Tamil Nadu) and Shri Binoy Viswam (Kerala).

Shri Kailash Soni. Demand to make military training mandatory for secondary school and university students.

Need to make military training mandatory for secondary school and University students

श्री कैलाश सोनी (मध्य प्रदेश): माननीय सभापति जी, आपने देश के एक महत्वपूर्ण विषय पर बोलने के लिए मुझे अनुमति प्रदान की, इसके लिए आपका धन्यवाद। मान्यवर, वैश्विक परिस्थितियों को देखते हुए, हिंदुस्तान जैसे बड़े देश में जहां भाषाओं, खान-पान, भौगोलिक परिस्थितियों को देखते हुए, इसके साथ ही आजादी के बाद से लगातार हुई घुसपैठ के कारण असम, मणिपुर, पूर्वांचल और छत्तीसगढ़ में नक्सलाइट जैसी समस्या है। साथ ही सारा विश्व एक बाजार है। दुनिया में व्यापार, विचार तथा अन्य तरह के संव्यवहार के लिए सभी तरह के षड्यंत्रों का प्रवेश भी देश में होता रहता है। अभी हाल ही में माननीय उच्च न्यायालय द्वारा असम सरकार से घुसपैठ के संबंध में सारी जानकारी मांगी गई। पूर्व में भी माननीय उच्चतम न्यायालय द्वारा घुसपैठ पर हुई कार्रवाई के संबंध में निर्देश दिए गए हैं। हमारे पड़ोसी देश विशेषकर पाकिस्तान एवं चीन में अस्थिरता पैदा करने के लिए कोई कसर नहीं छोड़ते हैं।

हम जम्मू-कश्मीर में भी छद्म युद्ध का मुकाबला कर रहे हैं। यह बात सही है कि वर्तमान सरकार के 9 वर्षों में राष्ट्रविरोधी गतिविधियों के खिलाफ बहुत ताकत के साथ कार्रवाई हुई है, उनकी फंडिंग रोकੀ गई है, अनेकों संस्थाओं के पंजीयन रद्द हुए हैं, एनजीओ के माध्यम से चलने वाली राष्ट्रविरोधी गतिविधियों पर लगाम लगी है। अभी भी तरीका बदल कर नये-नये ढंग से हमारे दुश्मन प्रयास जारी रखते हैं। इन सबसे निपटने के लिए, एक मजबूत हिंदुस्तान के लिए, देश की आंतरिक सुरक्षा मजबूत करने के लिए स्कूलों की बड़ी कक्षाओं में एवं महाविद्यालय स्तर के विद्यार्थियों को सैन्य शिक्षा अनिवार्य किए जाने की हम भारत सरकार से मांग करते हैं।

महोदय, इसका दूसरा लाभ यह होगा कि हिंदुस्तान का फिजिकल फिटनेस भी बढ़ेगा। आज जिस तरह से बहुतायत में लोग अपने मोबाइल का उपयोग कर रहे हैं, उससे हर घर में सर्वाइकल, आंखों की बीमारियां हो रही हैं और हमारा बहुतायत समय अनुपयोगी कामों में जाता है तथा अनेक बीमारियां सृजित होती हैं, इसलिए फिजिकल फिटनेस के लिए, एक स्वस्थ हिंदुस्तान के लिए और राष्ट्रीय स्वास्थ्य के लिए मैं भारत सरकार से मांग करता हूँ कि सारी परिस्थितियों को देखते हुए अनिवार्य रूप से स्कूल की बड़ी कक्षाओं में और महाविद्यालय स्तर के विद्यार्थियों के लिए सैन्य शिक्षा अनिवार्य की जाए, धन्यवाद।

MR. CHAIRMAN: The following hon. Members associated themselves with the matter raised by the hon. Member, Shri Kailash Soni: Shri Abir Ranjan Biswas (West Bengal), Shri P. Wilson (Tamil Nadu), Dr. Amar Patnaik (Odisha), Dr. Sasmit Patra (Odisha), Dr. Santanu Sen (West Bengal), Shri Deepak Prakash (Jharkhand), Shri Dhananjay Bhimrao Mahadik (Maharashtra), Shrimati S. Phangnon Konyak (Nagaland), Shri Ram Chander Jangra (Haryana) and Dr. Sonal Mansingh (Nominated).

Pro-Khalistani activities on Foreign Soil

श्रीमती प्रियंका चतुर्वेदी (महाराष्ट्र): ऑनरेबल चेयरमैन सर, मैं आपका शुक्रिया करना चाहूंगी कि आपने एक बहुत ही गंभीर और महत्वपूर्ण मुद्दे को ज़ीरो ऑवर में उठाने का मौका दिया है। हाल ही में हमने देखा है कि किस तरीके से खालिस्तानी टेरेरिस्ट्स जो हैं, वे embolden हो रहे हैं, वह भी फॉरेन सायल पर जाकर और हमारे देश को धमकी दे रहे हैं। वे यहां तक कहते हैं कि हम एयर इंडिया की फ्लाइट को बम से उड़ा देंगे, पार्लियामेंट पर अटैक करेंगे, तो इस तरह के जो थ्रैट्स आ रहे हैं, उन पर हमें कहीं न कहीं संज्ञान लेकर नियंत्रण करना जरूरी है। सर, हाल ही में कनाडा के साथ हमारे रिलेशन इसी वजह से escalate हुए थे। वहां पर जो हमारे डिप्लोमैट्स हैं, जो वहां पर कार्यरत हैं, उनको थ्रैटन किया जा रहा था, उनके फोटोग्राफ के साथ billboard लगाए जा रहे थे कि उनको हार्म किया जाए। मैं मानती हूँ कि इस संबंध में हमें पार्लियामेंट के माध्यम से एक स्ट्रॉंग मैसेज देना जरूरी है कि इस तरह की गतिविधियां हमें स्वीकार्य नहीं हैं और हम हर कार्रवाई करेंगे to ensure the safety and security of every single citizen of this country. अमेरिका भी हमसे कह रहा है कि हम जांच करें कि जो अमेरिकन सिटीज़न हैं, जो आतंकवादी हैं, हम MEA के माध्यम से और इंटेलिजेंस एजेंसीज़ के माध्यम से उनके खिलाफ कार्रवाई करें, उनको वापस देश में लाएं, उनको जो सख्त से सख्त सजा दी जा सकती है, वह दी जानी चाहिए। सर, मैं आपके माध्यम से यही कहना चाह रही थी कि हमें इस पर गंभीरता से ध्यान देना चाहिए और इस पर कार्रवाई करनी चाहिए।

MR. CHAIRMAN: The following hon. Members associated themselves with the matter raised by the hon. Member, Shrimati Priyanka Chaturvedi: Shri Sanjeev Arora (Punjab), Dr. John Brittas (Kerala), Shri Sushil Kumar Gupta (NCT of Delhi), Shri Rajmani Patel (Madhya Pradesh), Shrimati Phulo Devi Netam (Chhattisgarh), Dr. Santanu Sen (West Bengal), Dr. Fauzia Khan (Maharashtra), Shri Maharaja Sanajaoba Leishemba (Manipur), Shri Kanakamedala Ravindra Kumar (Andhra Pradesh), Shri Jawhar Sircar (West Bengal), Shri Sandosh Kumar P. (Kerala), Shri A. A. Rahim (Kerala), Shrimati Sulata Deo (Odisha), Shri Abir Ranjan Biswas (West Bengal), Shri P. Wilson (Tamil Nadu), Dr. Sasmit Patra (Odisha), Shri Deepak

Prakash (Jharkhand), Dr. Kanimozhi NVN Somu and Shri Ram Chander Jangra (Haryana).

This is an important issue. I discussed with floor leaders so that a voice from this august Chamber can go to the entire world. Now, Shri Prakash Chik Baraik.

Issue of Provident Fund of North Bengal Tea belt

श्री प्रकाश चिक बाराईक (पश्चिमी बंगाल): सम्माननीय सभापति महोदय, प्रोविडेंट फंड को आधार से जोड़ने की अनिवार्यता के कारण पश्चिमी बंगाल के चाय बागान श्रमिकों को बहुत सारी समस्याओं का सामना करना पड़ रहा है। इस नीति के कारण कर्मचारियों को पेंशन की असुविधा हो रही है और प्रोविडेंट फंड की धनराशि हम लोगों को नहीं मिल रही है।

(MR. DEPUTY CHAIRMAN *in the Chair.*)

महोदय, मैं खुद चाय श्रमिक हूँ और चाय बागान का वर्कर हूँ। मैं आदिवासी सम्प्रदाय से आता हूँ। इसके कारण से 58 साल के बाद चाय बागानों में जो रिटायरमेंट होती है, उस रिटायरमेंट के बाद हम लोगों को प्रोविडेंट फंड का पैसा नहीं मिलता है एवं हमें विभिन्न प्रकार की असुविधाओं का सामना करना पड़ता है। पश्चिमी बंगाल सरकार की माननीय मुख्य मंत्री के सहयोग से बहुत सारे काम, चाय श्रमिकों एवं ग्रामीण चाय मजदूरों के लिए किए गए हैं, जैसे क्रेच, अस्पताल की व्यवस्था, भूमि अधिग्रहण बिल, भूमि का पट्टा देने से लेकर बिना पैसे में राशन, बिना पैसे में स्वास्थ्य एवं विभिन्न प्रकार की परियोजनाएं पश्चिमी बंगाल सरकार की माननीय मुख्य मंत्री की ओर से चाय श्रमिकों के लिए चलाई गई हैं। लेकिन आधार लिंक कंप्लेशन के कारण पैसा नहीं मिल रहा है एवं इस मिसमैच के कारण जो गरीब चाय श्रमिक हैं, वे पैसा नहीं पा रहे हैं, पेंशन नहीं पा रहे हैं। मैं आपके माध्यम से मंत्रालय को अवगत कराना चाहता हूँ कि इसे जल्द से जल्द ठीक करें एवं पश्चिमी बंगाल के प्रति केंद्र सरकार द्वारा जिस तरह की अवहेलना की नीति अपनाई जाती है, उसको विभिन्न प्रकार के सोर्सिंग के माध्यम से ठीक किया जाए। चाय की plucking करने से मजदूरों की, महिला मजदूरों की अंगुलियाँ छिल जाती हैं। ऐसे में आधार की मोनटरिंग नहीं हो सकती है, मशीन मोनटरिंग नहीं कर सकती है। इसके साथ ही बहुत से ग्रामीण इलाके हैं, जहाँ पर नेटवर्क की समस्या है और उन्हें उस सुविधा के लिए भी देखना पड़ता है। मैं आपसे कहना चाहता हूँ कि आधार के कारण जो समस्या है, उसे ठीक करें एवं जब तक ऑनलाइन सभिशन नहीं होता है, तब तक- ऑफलाइन सुविधा को कंटीन्यू रखें, क्योंकि ग्रामीण एवं गरीब श्रमिकों को इससे असुविधा हो रही है।

महोदय, 100-150 सालों से हमारी जमीन के पट्टे की जो डिमांड थी, राज्य सरकार की माननीय मुख्य मंत्री ममता बनर्जी जी ने 10 एवं 11 दिसम्बर को अलीपुर द्वार एवं जलपाईगुड़ी में एक व्यवस्था पास कर दी एवं प्रत्येक चाय श्रमिक को जमीन का पट्टा दिया जा रहा है। इसके साथ ही उन्हें घर बनाने के लिए भी 1 लाख, 20 हजार रुपये दिए जा रहे हैं, जो सराहनीय हैं। महोदय,

भारत में केवल पश्चिमी बंगाल में चाय का प्रॉडक्शन नहीं होता है, बल्कि और स्टेट्स में भी होता है, जहाँ मजदूरों को ये सुविधाएं नहीं मिलती हैं। मैं आपके माध्यम से इस मैटर को संशोधित करने के लिए कह रहा हूँ एवं मंत्रालय से भी कह रहा हूँ कि इस मैटर को जल्द से जल्द ठीक किया जाए ताकि चाय श्रमिकों को इसकी सुविधा मिले। सभापति जी, आपका बहुत-बहुत धन्यवाद, जय हिंद, जय माँ, माटी, मानुष।

MR. DEPUTY CHAIRMAN: The following hon. Members associated themselves with the matter raised by the hon. Member, Shri Prakash Chik Baraik: Dr. Fauzia Khan (Maharashtra), Shri Jawhar Sircar (West Bengal), Shri Sandosh Kumar P. (Kerala), Shri P. Wilson (Tamil Nadu), Shri Mohammed Nadimul Haque (West Bengal), Ms. Dola Sen (West Bengal), Dr. V. Sivadasan (Kerala), Shri Niranjan Bishi (Odisha), Dr. Sasmit Patra (Odisha), Dr. Santanu Sen (West Bengal), Shri Abir Ranjan Biswas (West Bengal), Dr. Amar Patnaik (Odisha), Dr. Kanimozhi NVN Somu Dr. John Brittas (Kerala) and Shri M. Mohamed Abdulla (Tamil Nadu).

प्रकाश चिक बाराईक जी, आपका बहुत-बहुत धन्यवाद। माननीय डा. अमर पटनायक, 'Demand for setting up an Indian Maritime University Campus in Odisha'.

DR. AMAR PATNAIK (Odisha): Sir, I am speaking in Odia.

MR. DEPUTY CHAIRMAN: Please.

Demand for setting up an Indian Maritime University Campus in Odisha

DR. AMAR PATNAIK (Odisha): Sir, I am speaking in Odia. It relates to our demand to the Central Government to establish an Indian Maritime University campus in Odisha.

*"Sir, the Indian Maritime University was established under the Indian Maritime University Act, 2008. The University was established to facilitate and promote maritime studies and research, and to achieve excellence in areas of marine science and technology, marine environment and other related fields. It has six campuses in Chennai, Kochi, Kolkata, Mumbai port, Navi Mumbai and Visakhapatnam. These three campuses are doing good work. Odisha has a vast coastline of 480 kilometers. This coastline has many ports and land has been earmarked for fourteen more ports. Odisha has a rich and acclaimed maritime history. In ancient times, Odisha had overseas trade relations with many South Asian countries. Sir, the hon. Prime

* English translation of the original speech delivered in Odia.

Minister of India, Shri Narendra Modi had mentioned the Baliyatra (voyage to Bali) during his address to the people in Bali and lauded its rich tradition. Odisha was well known for her navy. It not only advanced its economic interests but also had large cultural impact on nations like Sri Lanka, Thailand and Brunei during its overseas trade relations with them. In addition to having a vast coastline, Odisha is rich in natural resources and has the potential to become a hub for mineral transportation. In addition to that, if the Skill development programmes could be linked to that then, a large number of people could be trained, which in turn would create huge employment opportunities. At the 3rd meeting of the National Sagarmala Apex Committee (NSAC) held under the Chairmanship of the Union Minister of Ports, Shipping and Waterways, the Odisha Government emphasized and highlighted the importance of economic and cultural development in the overseas trade relationship, and requested the Centre to examine the proposal and help set-up a university for the future development of the maritime sector in Odisha. These will not only further the development of Odisha but *Bharatvarsh* (India) will also get an opportunity to have collaborations and treaties with many international organizations and an integrated corridor can also be created. I, therefore, urge the Centre to establish an exclusive Indian Maritime University campus in Odisha. We have a Maritime Museum, and adding a campus to the whole set-up will expand it manifolds, benefiting the people of the state and our country."

MR. DEPUTY CHAIRMAN: The following hon. Members associated themselves with the matter raised by the hon. Member, Dr. Amar Patnaik: Dr. Fauzia Khan (Maharashtra), Shri P. Wilson (Tamil Nadu), Shri Niranjana Bishi (Odisha), Dr. Sasmit Patra (Odisha), Dr. Santanu Sen (West Bengal), Shri Abir Ranjan Biswas (West Bengal), Shrimati Sulata Deo (Odisha), Dr. John Brittas (Kerala), Dr. Kanimozhi NVN Somu and Shri M. Mohamed Abdulla (Tamil Nadu).

Shri Masthan Rao Beeda. 'Need to support and enhance the horticulture sector in Andhra Pradesh'.

Need to support and enhance the Horticulture Sector in Andhra Pradesh

SHRI MASTHAN RAO BEEDA (Andhra Pradesh): Thank you, Mr. Deputy Chairman, Sir, for giving me an opportunity to speak on importance of horticulture in the State of Andhra Pradesh. Sir, Andhra Pradesh was amongst the top States for fruit production during 2021-22, producing approximately 1.8 crore metric tonnes of fruits, as per

Ministry estimates. The horticulture sector is critical to the State's agricultural landscape and includes a diverse array of crops with mango, banana, orange and papaya leading in production.

Horticulture is rapidly growing, with Andhra Pradesh aiming to become a significant horticultural hub, exporting its produce globally. This transition to horticulture provides a climate-resilient and higher-income alternative for farmers, contributing to food and nutritional security in the State and country.

However, India's share in the global horticultural market remains a mere one per cent. The sector faces numerous challenges, such as small operational landholdings, irrigation inadequacies, poor soil management, inadequate transportation infrastructure and fragmented supply chains contributing to delays. The perishable nature of produce and the lack of equitable cold storage and warehousing facilities across States lead to wastage, affecting profits. Addressing these issues and taking the required action, such as expanding cold storage facilities, is crucial for unleashing the sector's full potential.

I, therefore, urge the Government to support and enhance the horticulture sector in Andhra Pradesh, boosting its contributions to sustainable agriculture and increasing our country's exports in the global market. Thank you, Sir, for giving me the opportunity.

MR. DEPUTY CHAIRMAN: The following hon. Members associated themselves with the matter raised by the hon. Member, Shri Masthan Rao Beeda: Dr. Fauzia Khan (Maharashtra), Dr. V. Sivadasan (Kerala), Shri Kanakamedala Ravindra Kumar (Andhra Pradesh), Dr. John Brittas (Kerala), Shri Abir Ranjan Biswas (West Bengal), Shri P. Wilson (Tamil Nadu), and Dr. Santanu Sen (West Bengal), Dr. Sasmit Patra (Odisha), Shri M. Mohamed Abdulla (Tamil Nadu), Dr. Kanimozhi NVN Somu and Dr. Amar Patnaik (Odisha).

Now, Shri Niranjana Bishi; request to exempt GST for handloom sector.

Demand to exempt GST for Handloom sector

SHRI NIRANJANA BISHI (Odisha): Thank you, hon. Mr. Deputy Chairman, Sir, for giving me an opportunity to raise the matter of urgent public importance on the matter of urgent public importance to exempt GST for handloom sector.

Sir, the fact that GST has been implemented in the textile sector, especially, the handloom sector after its implementation in 2017, has not produced the desired

results. Cotton fiber, yarn and fabric which were not taxed, attracted five per cent GST and for fabrics from hand-made yarn, it would be 12 per cent for the yarn and five per cent for the prepared fabric. This translates to simply mean that the weaver would now have to pay GST for the yarn they purchase, colour dyes they use, print jobs they complete, and a host of other things that involve materials or processes for the entire process of creating a handloom fabric, in addition to their woven fabric. This will have a declining effect on marketing turnover of handloom products and, therefore, adversely affect the earning of the weavers engaged in this profession.

This had an impact on 43.32 lakh workers and weavers who account for 14 per cent of the total textile production in the country. Even the elementary education level among these workers is very low which makes it difficult for them to comply with GST through filling of forms, observance of procedures and other formalities and to seek out help from professionals dealing with GST, who have an attached cost for their services and additionally would force the weaver to travel to urban areas, adding to their financial misery.

The State of Odisha has a rich culture of handloom and textile. To help the handloom weavers with the financial burden caused through GST, the Government of Odisha led by our hon. Chief Minister, Shri Naveen Patnaik, has enhanced the interest-free loan assistance for the weavers and handloom artisans to Rs. 1 lakh under the Bunakar Assistance for Livelihood and Income Augmentation (BALIA) Scheme. Weavers can avail of working capital as per their requirements to a maximum of Rs. 1 lakh from the bank at zero per cent interest. The BALIA Scheme is being implemented in Odisha both in urban and rural areas.

Therefore, I believe that exemption of GST for the handloom sector can be a major extension of helping hand of these workers and can further help to preserve the rich culture and traditions of our country. Thus, in order to encourage promotion of handloom products, I urge upon the Government of India, through you, to exempt GST from handloom products.

MR. DEPUTY CHAIRMAN: The following hon. Members associated themselves with the matter raised by the hon. Member, Shri Niranjana Bishi: Ms. Dola Sen (West Bengal), Dr. V. Sivadasan (Kerala), Shri Kanakamedala Ravindra Kumar (Andhra Pradesh), Dr. Fauzia Khan (Maharashtra), Shri Jawhar Sircar (West Bengal), Shri A. A. Rahim (Kerala), Shrimati Priyanka Chaturvedi (Maharashtra), Shri Imran Pratapgarhi (Maharashtra), Dr. Sasmit Patra (Odisha), Shrimati Sulata Deo (Odisha), Dr. Santanu Sen (West Bengal), Shri Abir Ranjan Biswas (West Bengal),

Dr. Amar Patnaik (Odisha), Shri P. Wilson (Tamil Nadu), Shri Kamakhya Prasad Tasa (Assam), Dr. Kanimozhi NVN Somu, Shri M. Mohamed Abdulla (Tamil Nadu) and Dr. John Brittas (Kerala).

Now Shri Ram Nath Thakur; demand to have uniform pricing of gas cylinder at Rs.500/- per cylinder throughout the country.

Need for uniform pricing of gas cylinder at Rs.500/- per cylinder throughout the country

श्री राम नाथ ठाकुर (बिहार): माननीय उपसभापति महोदय, आपने मुझे शून्य काल में बोलने का अवसर दिया, इसके लिए आपका धन्यवाद। छत्तीसगढ़ में चुनावी भाषण के दौरान भाजपा द्वारा घरेलू गैस सिलेंडर देने का वायदा किया गया था। यह अच्छी बात है। माननीय प्रधान मंत्री जी के चेहरे पर चुनाव लड़ा गया था। पूरे देश में गैस सिलेंडर के दाम एक समान होने चाहिए। देश में 11 से 12 सौ रुपये प्रति सिलेंडर रसोई गैस मिल रही है, क्या सरकार 6 से 7 सौ रुपये प्रति सिलेंडर वर्षों से मुनाफा कमा रही है? 'प्रधानमंत्री उज्ज्वला योजना' में लाभार्थियों को 500 रुपये से अधिक दर पर प्रति गैस सिलेंडर देश में मिल रहा है। रक्षा बंधन के समय 'प्रधानमंत्री उज्ज्वला योजना' के लाभार्थियों के लिए 200 रुपये और 5 राज्यों के विधान सभा चुनाव के समय 100 रुपये की राहत दी गई, लेकिन अभी भी इस योजना के तहत 600 रुपये से अधिक दर पर 'प्रधानमंत्री उज्ज्वला योजना' की लाभार्थी महिलाएं रसोई गैस खरीदने के लिए बाध्य हैं। दिल्ली में 14.2 किलोग्राम का डोमेस्टिक सिलेंडर 903 रुपये में है और उज्ज्वला बेनिफिशियरी के लिए 603 रुपये में है, कोलकाता में 929 रुपये में है और उज्ज्वला बेनिफिशियरी के लिए 629 रुपये में है, मुंबई में 902 रुपये में है और उज्ज्वला बेनिफिशियरी के लिए 602 रुपये में है, चेन्नई में 918 रुपये में है और उज्ज्वला बेनिफिशियरी के लिए 618 रुपये में है। मेरी मांग है कि सरकार देश में 500 रुपये की दर पर रसोई गैस सिलेंडर देने की नीति अपनाए, यह हमारी आपसे विनती है।

श्री उपसभापति: जो भी माननीय सदस्य एसोसिएट करना चाहते हैं, वे अपना नाम भेज दें। माननीय प्रमोद जी, आप प्रक्रिया जानते हैं। The following hon. Members associated themselves with the matter raised by the hon. Member, Shri Ram Nath Thakur: Shri Jawhar Sircar (West Bengal), Dr. Fauzia Khan (Maharashtra), Shri Kanakamedala Ravindra Kumar (Andhra Pradesh), Dr. V. Sivadasan (Kerala), Shrimati Jebi Mather Hisham (Kerala), Shri Pramod Tiwari (Rajasthan), Ms. Dola Sen (West Bengal), Prof. Manoj Kumar Jha (Bihar), Shri Imran Pratapgarhi (Maharashtra), Shri Rajmani Patel (Madhya Pradesh), Shri R. Girirajan (Tamil Nadu), Shrimati Phulo Devi Netam (Chhattisgarh), Shri Elamaram Kareem (Kerala), Dr. Amar Patnaik (Odisha), Shri Sushil Kumar Gupta (NCT of Delhi), Dr. Sasmit Patra (Odisha), Shri Abir Ranjan

Biswas (West Bengal), Dr. Santanu Sen (West Bengal), Dr. Kanimozhi NVN Somu, Shri M. Mohamed Abdulla (Tamil Nadu) and Dr. John Brittas (Kerala).

Dr. Ashok Bajpai; concern over increase in cases of encroachment in river bed areas.

Rise in cases of encroachment on the river bed areas

डा. अशोक बाजपेयी (उत्तर प्रदेश): माननीय उपसभापति महोदय, मैं आपके माध्यम से सदन का ध्यान एक गम्भीर विषय की ओर आकर्षित करना चाहता हूँ। आज देश के अंतर्गत नदियों के catchment area का निरंतर संकुचन हो रहा है, जिसका नतीजा यह हो रहा है कि नदियां धीरे-धीरे सिमटती जा रही हैं और उनका फैलाव समाप्त हो रहा है, जिससे आये दिन बाढ़ की समस्या पैदा होती है। मान्यवर, राष्ट्रीय नदियों पर सरकारों की थोड़ी चिंता रहती भी है, लेकिन जो क्षेत्रीय नदियां हैं, स्थानीय स्तर पर जो छोटी-छोटी नदियां बहती हैं, उन नदियों का जो भी catchment area है, उन पर आवासीय बस्तियां बनती जा रही हैं। लोग खेती करने का काम कर रहे हैं और नदियां निरंतर सिकुड़ती चली जा रही हैं, जिससे एक गम्भीर संकट उत्पन्न हो रहा है। मान्यवर, इसके चलते हमारा भू-गर्भ जल स्तर निरंतर नीचे जा रहा है, जो देश ही नहीं, बल्कि दुनिया के लिए एक चिंता का विषय है। मान्यवर, यह इतना गम्भीर विषय है कि यदि समय रहते इस पर ध्यान नहीं दिया गया, तो बहुत सी नदियां धीरे-धीरे विलुप्त हो जाएंगी। जो छोटी-छोटी नदियां हैं, उनका अस्तित्व ही संकट में पड़ गया है। लोग उन नदियों के catchment area में खेती कर रहे हैं, तमाम निर्माण कार्य कर रहे हैं और नदियां विलुप्त होती जा रही हैं। मान्यवर, मैं ऐसे गम्भीर विषय की ओर सदन के माध्यम से सरकार का ध्यान आकर्षित करते हुए यह चाहूंगा कि इस पर प्रभावी कार्यवाही हो।

मान्यवर, इतना ही नहीं, स्थानीय लेवल पर जो वाटर बॉडीज थीं, तालाब इत्यादि थे, पोखर थे, उनका भी अतिक्रमण हो रहा है, उनका भराव करके लोग वहां आवासीय बस्तियां बना रहे हैं, जिस वजह से हमारा भू-गर्भ जल स्तर निरंतर नीचे कम होता जा रहा है। हम रेन वाटर रीचार्जिंग आदि तमाम प्रयास कर रहे हैं, लेकिन हमारे पास जो संसाधन हैं, वैदिक काल से हमारी नदियां और तालाब, जो हमारे भू-गर्भ जल स्तर संरक्षण में एक बड़ी भूमिका का निर्वहन करते थे, आज उन पर ही इतना बड़ा संकट छाया हुआ है। अगर इस पर समय रहते ध्यान नहीं दिया गया, तो बड़ा संकट उत्पन्न होगा। आने वाले समय में पीने के पानी का संकट होगा। मान्यवर, इतना ही नहीं, इन स्थानीय नदियों, छोटी-छोटी नदियों पर चेक डैम बनाकर वहां के भू-गर्भ जल स्तर को भी बढ़ा सकते हैं और सिंचाई के संसाधनों को भी बढ़ाने का काम कर सकते हैं। लेकिन जब नदियाँ ही नहीं रहेंगी, तो ऐसा कैसे होगा? आज हो यह रहा है कि स्थानीय प्रशासन बिल्कुल आँखों पर पट्टी बाँध कर बैठा रहता है। लोग नदियों का, तालाबों का अतिक्रमण करते रहते हैं और स्थानीय प्रशासन उनके विरुद्ध कोई कार्रवाई नहीं करता। मेरा आपसे आग्रह है कि सरकार इस पर गंभीरता से विचार करे और वह राज्य सरकारों को भी निर्दिष्ट करे कि उनके अंतर्गत आने वाली जो स्थानीय नदियाँ हैं, उनका संरक्षण किया जाए तथा उन नदियों को, जो विलुप्त हो रही हैं, पुनर्जीवित करने की दिशा में काम किया जाए। आज हम तमाम सड़कों और योजनाओं के ऊपर

लाखों-करोड़ खर्च कर रहे हैं, लेकिन नदियों के संरक्षण के लिए हमारी प्राथमिकता नहीं है। केवल कुछ राष्ट्रीय नदियाँ हैं, जिनके संरक्षण की चिंता होती है, ...(समय की घंटी)... लेकिन स्थानीय नदियों के संरक्षण के लिए मैं चाहूँगा कि सरकार इस पर ध्यान दे।

MR. DEPUTY CHAIRMAN: The following hon. Members associated themselves with the matter raised by the hon. Member, Dr. Ashok Bajpai: Dr. Fauzia Khan (Maharashtra), Shri Kanakamedala Ravindra Kumar (Andhra Pradesh), Prof. Manoj Kumar Jha (Bihar), Dr. Sonal Mansingh (Nominated), Dr. Radha Mohan Das Agrawal (Uttar Pradesh), Shrimati Seema Dwivedi (Uttar Pradesh), Shri Vijay Pal Singh Tomar (Uttar Pradesh), Shrimati Ramilaben Becharbhai Bara (Gujarat), Shri Dhananjay Bhimrao Mahadik (Maharashtra), Dr. Santanu Sen (West Bengal), Shri Abir Ranjan Biswas (West Bengal), Dr. Sasmit Patra (Odisha), Dr. Amar Patnaik (Odisha) and Shri Abir Ranjan Biswas (West Bengal).

धन्यवाद, माननीय डा. अशोक बाजपेयी जी। माननीय श्री रामचंद्र जांगड़ा जी - Demand to provide houses to Gadia Lohars in Delhi and take steps to uplift the social status of this nomadic community.

Demand to provide houses to 'Gadia Lohars' in Delhi and take steps to uplift the social status of this Nomadic Community

श्री रामचंद्र जांगड़ा (हरियाणा): माननीय उपसभापति महोदय, मैं एक गंभीर विषय की ओर सदन का ध्यान दिलाना चाहता हूँ। मान्यवर, कुछ लोग, जो गरीब-हितैषी होने का स्वांग रचते हैं और कुछ पार्टियाँ, जो गरीबों के कल्याण के नाम पर वोट लेकर सत्ता का आनंद लेती हैं, मेरी बात से उनका असली चेहरा व चरित्र देश की जनता के सामने आ जाएगा। मान्यवर, सन् 2001 में दिल्ली में भारतीय जनता पार्टी की सरकार थी, जिसके मुख्य मंत्री, माननीय चौधरी साहिब सिंह वर्मा थे। उन्होंने गरीब घुमंतू, देशभक्त जाति, गाड़िया लोहार के पुनर्वास की योजना बनाई तथा स्वर्गीय अटल बिहारी वाजपेयी की सरकार में तत्कालीन शहरी विकास मंत्री, श्री अनंत कुमार से रोहिणी के सेक्टर-2 में गाड़िया लोहारों के लिए छोटे फ्लैट बनाने की योजना का शिलान्यास करवाया। मान्यवर, 2 वर्ष के कार्यकाल में ये फ्लैट्स बन कर तैयार हो गए, जिनका उद्घाटन तत्कालीन शहरी विकास मंत्री, श्री बंडारू दत्तात्रेय जी ने किया। इन फ्लैट्स में केवल एक रिहायशी कमरा और नीचे उनके काम करने के लिए एक दुकान थी। इसमें इतना ही निर्माण था और 35 के लगभग ये फ्लैट्स थे। मान्यवर, इन लोगों का दुर्भाग्य कहेंगे कि दिल्ली में कांग्रेस नीत शीला दीक्षित जी की सरकार आ गई, जो 2013 तक चली। इसके बाद दिल्ली में आम आदमी पार्टी के श्री केजरीवाल जी की सरकार आ गई, जो अभी भी सत्तारूढ़ है। मान्यवर, 20 सालों से ये फ्लैट्स खाली पड़े हैं और ये खंडहर होने की कगार पर हैं, लेकिन गाड़िया लोहार फुटपथों पर गंदगी के बीच पड़े हैं। मान्यवर, गरीबों के हितैषी होने का स्वांग रचने वाली कांग्रेस और आम आदमी पार्टी का इससे बड़ा संवेदनहीनता का कोई उदाहरण नहीं मिल सकता है।

मेरा भारत सरकार से आग्रह है कि उपरोक्त विषय पर तुरंत संज्ञान लेकर इन फ्लैट्स की मरम्मत करवा कर ये गाड़िया लोहारों को दिए जाएँ और वहाँ बिजली, पानी तथा सीवरेज की सुविधाएँ दी जाएँ। अगर ये फ्लैट्स कम पड़ते हों, तो और फ्लैट्स बना कर उनको पुनर्वासित किया जाए। आपका बहुत-बहुत धन्यवाद।

MR. DEPUTY CHAIRMAN: The following hon. Members associated themselves with the matter raised by the hon. Member, Shri Ram Chander Jangra: Lt. Gen. (Dr.) D.P. Vats (Retd.) (Haryana), Shri Harnath Singh Yadav (Uttar Pradesh), Dr. Sasmit Patra (Odisha), Dr. Santanu Sen (West Bengal), Dr. Amar Patnaik (Odisha), Shri M. Mohamed Abdulla (Tamil Nadu), Dr. Kanimozhi NVN Somu, Dr. Fauzia Khan (Maharashtra) and Shri Abir Ranjan Biswas (West Bengal).

SHRI NARAIN DASS GUPTA: Sir,...

MR. DEPUTY CHAIRMAN: Nothing is going on record. Now, Shri M. Mohamed Abdulla; Demand to constitute Food Processing Ministry to improve cold chain infrastructure in the country. Please speak. That will go and record.

**Demand to constitute Food Processing Ministry to improve Cold Chain
Infrastructure in the country**

SHRI M. MOHAMED ABDULLA (TAMIL NADU): Sir, India suffers from a serious level of unbalanced distribution of food. Something even more worrying is that the country wastes a significant portion, which is approximately sixteen per cent of its farm produce, such as fruits and vegetables due to less availability of cold chain infrastructure. Often, we see the practice of farmers destroying their produce instead of selling it at awfully low prices. Our Indian food processing sector has a tremendous capacity for growth that can improve socio-economic condition of the rural masses. However, the performance of this sector is lagging substantially when compared to other developing nations. India is ranked first in the production of milk, banana, papaya, mango, ginger and pulses globally. Sir, however, the overall processing level of the perishable products stands at just ten per cent, which significantly limits to the processing capacity when compared to other nations, such as the U.S.A., France and Thailand. Despite having the advantage of favourable, agri-climatic condition, the Indian food processing sector lags compared to global food processing supply chain

* Not recorded.

in terms of overall productivity. Many food processing businesses operate in the small and medium enterprises sector, which often lacks the resources needed to upgrade their facilities and machineries to latest technology. Hence, it faces challenges like wastage and contamination. Sir, considering the present situation, the Union Government must take immediate action to improve the cold storage and logistics of farm produce at the village level across the country. I also call upon the Union Government to announce a minimum selling price for all farm produce, and announce special schemes to build more cold storage centres across the country, to benefit the farmers and to prevent unforeseen price hike of the agro products which are badly affecting the common man. Thank you, Sir.

MR. DEPUTY CHAIRMAN: The following hon. Members associated themselves with the Zero Hour mention raised by the hon. Member, Shri M. Mohamed Abdulla: Shri P. Wilson (Tamil Nadu), Dr. John Brittas (Kerala), Shri Abir Ranjan Biswas (West Bengal), Dr. Fauzia Khan (Maharashtra), Dr. Santanu Sen (West Bengal), Dr. Sasmit Patra (Odisha), Dr. Amar Patnaik (Odisha), Shrimati Jebi Mather Hisham (Kerala), Shri A. A. Rahim (Kerala), Dr. Kanimozhi NVN Somu and Shri Ahmad Ashfaq Karim (Bihar).

The next speaker is Shrimati Mamata Mohanta; request to promote Santhali Sarees in the country.

Need to promote Santhali Sarees in the country

श्रीमती ममता मोहंता (ओडिशा): उपसभापति महोदय, आपका धन्यवाद कि आपने मुझे इस महत्वपूर्ण विषय पर बोलने का मौका दिया है।

महोदय, ओडिशा में संथाल समुदाय की बड़ी आबादी है। सिर्फ ओडिशा में ही नहीं, भारत देश के बहुत से राज्यों में इसकी आबादी है। संस्कृति, परम्परा और जीवन-शैली के मामले में यह संथाल समुदाय अपनी विशिष्ट पहचान रखता है। इस समुदाय की भाषा को पहले ही संविधान की आठवीं अनुसूची में शामिल किया गया है। यह समुदाय अपने पहनावे, कपड़ों को लेकर भी काफी चर्चा में रहता है। संथाल समुदाय की महिलाओं द्वारा व्यवहार किये जाने वाले वस्त्र को संथाली, झाल और पंछी साड़ी बोलते हैं। इस संथाली साड़ी को हर कोई बहुत पसंद करता है। यह साड़ी इस समुदाय की परम्परा से भी जुड़ी हुई है। उनके लिए पूजा, पर्व, शादी-ब्याह जैसे विभिन्न कार्यक्रमों में यह साड़ी पहनना अनिवार्य होता है।

महोदय, आपको बता दूँ कि देश की प्रथम नागरिक, महामहिम राष्ट्रपति द्रौपदी मुर्मू जी के शपथ ग्रहण समारोह में यह संथाली साड़ी काफी चर्चा में आयी थी। यह साड़ी हमारी महामहिम राष्ट्रपति जी को भी बहुत पसंद है। वर्तमान समय में इस संथाली साड़ी को संरक्षण और बढ़ावा देने की जरूरत है। इसी से समाज के सामाजिक-आर्थिक विकास में योगदान होगा।

महोदय, मैं आपका ध्यान आकर्षित करना चाहूँगी कि ओडिशा की संबलपुरी साड़ी को काफी बढ़ावा मिला है। विश्व के विभिन्न देशों में संबलपुरी साड़ी लोगों की पसंद बन चुकी है। ऐसे ही संथाली साड़ी को भी प्रोत्साहन की जरूरत है।

महोदय, मैं आपके माध्यम से वस्त्र मंत्रालय से अनुरोध करना चाहूँगी कि संथाली और झाल साड़ी के संरक्षण और विकास के लिए कदम उठाए जाएँ, धन्यवाद।

MR. DEPUTY CHAIRMAN: The following hon. Members associated themselves with the Zero Hour mention raised by the hon. Member, Shrimati Mamata Mohanta: Dr. Sasmit Patra (Odisha), Dr. Amar Patnaik (Odisha), Shrimati Sulata Deo (Odisha), Shri Niranjana Bishi (Odisha), Shri Kamakhya Prasad Tasa (Assam), Ms. Dola Sen (West Bengal), Shri P. Wilson (Tamil Nadu), Dr. John Brittas (Kerala), Shri Abir Ranjan Biswas (West Bengal), Dr. Fauzia Khan (Maharashtra) and Dr. Santanu Sen (West Bengal), Dr. Kanimozhi NVN Somu Shri M. Mohamed Abdulla (Tamil Nadu).

The next speaker is Shri Digvijaya Singh; demand to implement the recommendations of Koshiyari Committee in respect of Employees' Pension Scheme, 1995; not present. The next speaker is Shri G.V.L. Narasimha Rao; need to implement urgent measures for revival of RINL, Visakhapatnam Steel Plant.

Need to implement urgent measures for revival of RINL, Visakhapatnam Steel Plant

SHRI G.V.L. NARASIMHA RAO (Uttar Pradesh): Thank you, Mr. Deputy Chairman, Sir, for giving me this opportunity. My Zero Hour submission is regarding 'need to support and strengthen RINL, popularly known as Visakhapatnam Steel Plant.

Sir, the steel plant was established in eighties after years of agitation and sacrifice of lives of 32 people. The plant came into production in the year 1989. There has been a demand for preferential allotment of captive iron ore mines. Successive Governments have not provided these mines and as a result, the cost of production of RINL is significantly higher compared to the same in other plants. Sir, for ten years, Congress came to power in Delhi in 2004 only because they won 34 out of 42 seats from Andhra Pradesh. But, despite that, they also had their Government in Andhra Pradesh from 2004 to 2014. But there was a complete neglect. There was no allotment of captive iron ore mines in favour of RINL. On the contrary, they invested over Rs. 2,000 crores in a Forged Wheel Plant in Raebareli, several thousand kilometres away, only to placate their Congress President and also the then and present MP from the same constituency. They also invested at a time when RINL had cash reserves. They invested over Rs. 14,500 crores for expansion which actually put heavy interest burden on RINL.

So, the story of RINL, Visakhapatnam Steel Plant, is a story of complete neglect and injustice. In January 2021, the Government had taken a decision for strategic disinvestment but I am glad that this decision currently is not progressing; it is stalled. Sir, since 2022, the third blast furnace has not been working. The third blast furnace is not functional due to several issues and problems. So, I call upon the Government in this regard. Also, the salaries of the executives, pensioners and contract workers are delayed because of financial difficulties. Suppliers are also not being paid. Executive promotions, particularly even the time-bound promotions for executives, have stopped. Therefore, I call upon the Government to take urgent measures for revival. In 2000, when RINL was referred to BIFR, the Atal Bihar Vajpayeeji's Government bailed it out by giving Rs.1,333 crores. I call upon the present Government to take urgent measures for revival, to provide promotions and to take pro-employee measures. Thank you.

MR.DEPUTY CHAIRMAN: The following hon. Members associated themselves with the Zero Hour matter raised by the hon. Member, Shri G.V.L. Narasimha Rao: Shri Abir Ranjan Biswas (West Bengal), Shri Kanakamedala Ravindra Kumar (Andhra Pradesh), Dr. Fauzia Khan (Maharashtra), Dr. Santanu Sen (West Bengal), Dr. Sasmit Patra (Odisha), Dr. Amar Patnaik (Odisha), Dr. Kanimozhi NVN Somu Shri M. Mohamed Abdulla(Tamil Nadu).

Issue of digitisation of data on India Digital Ecosystem on Agriculture (IDEA)

SHRI ANEEL PRASAD HEGDE (Bihar): Mr. Deputy Chairman, Sir, I thank you very much for giving me time. Sir, the Government is proceeding blindly with digitalisation in agriculture without first putting a legal policy framework in place. Although a draft of the policy paper, India Digital Ecosystem on Agriculture, IDEA, was shared in 2021 inviting feedback, there has been no final draft since. There are also serious concerns if the policy, whenever finalised, will be farmer-friendly because the Committee working on this policy did not have a single farmer representative. This policy vacuum has not stopped the Government from signing one-year MoUs in 2021 with 11 companies to develop proofs of concept of AgriStack. Two years later, there have been no updates about the successes and outcomes of these MoUs and how the Government will proceed in this regard. In the interest of transparency and accountability, the Government needs to share details about the work done under each MoU. As the Government actively promotes digitalisation in agriculture, there are questions if this will benefit farmers or further lead to their exploitation. E-

Sahamati is being touted as the consent manager to help farmers safeguard who all can access their data. While ensuring such consent is extremely vital and necessary, it is not sufficient to ensure that farmers have full control of their data. What is needed beyond consent for meaningful data protection is participatory governance over data. People and farmers should be able to decide what digital services can do with their data rather than digital services making the decision and then using the fig leaf of consent to coerce people to use their services on unfavourable terms. Just like shareholders can vote in the AGM of a company to decide what the company can or cannot do or citizens of a country can vote to decide who will govern them, people who use digital services should be able to vote to decide what the service can or cannot do with their data. In conclusion, I request the Government to ensure that all digital infrastructure is governed in a participatory manner. Thank you, Sir.

MR. DEPUTY CHAIRMAN: The following hon. Members associated themselves with the Zero Hour matter raised by the hon. Member, Shri Aneel Prasad Hegde: Shri Ahmad Ashfaq Karim (Bihar), Dr. Fauzia Khan (Maharashtra), Shrimati Jebi Mather Hisham (Kerala), Shri Abir Ranjan Biswas (West Bengal), Ms. Dola Sen (West Bengal), Dr. Santanu Sen (West Bengal), Dr. V. Sivadasan (Kerala), Dr. Amar Patnaik (Odisha), Dr. John Brittas (Kerala), Shri M. Mohamed Abdulla (Tamil Nadu), Dr. Kanimozhi NVN Somu and Shri Sandosh Kumar P (Kerala).

Need to save great dance forms of India

डा. सोनल मानसिंह (नामनिर्देशित): उपसभापति महोदय, यह एक ऐसा विषय है, which needs the attention of the entire country. We speak of the tangible heritage that we are unable to think of the intangible heritage which has kept our country intact despite so many attacks. Our culture and traditions, civilizational values have remained intact. Especially, Sir, I would like to mention the fine arts of dance and music, which are the USP of India in the world. भारतीय परम्परा में भगवान नटराज, शिव को बहुत महत्ता दी गई है। जी20 के लिए जो नया भव्य कन्वेंशन सेंटर बना है और जो अभी पूरे तरीके से इस्तेमाल हो रहा है, वहाँ पर भी 27 फीट ऊँची नटराज की मूर्ति लगाई गई है। उनको 'नटराज' कहते हैं। न नेता राज, न कवि राज, न वैद्य राज, न गीत राज - नटराज। इसी नाट्य में सभी विधाएं, सभी विज्ञान और सभी विद्याएं शामिल हैं। इस नाट्य शास्त्र से निकली हुई जो परंपराएं हैं, उन्होंने भारत को सुनहरे सूत्र में बांधकर रखा है। Right from Tripura, Manipur, Assam, Arunachal to Gujarat, Rajasthan down to Kanyakumari and Kashmir, this has taken India round the world. यूएसपी में जो सोलो डांस है, एकल नृत्य, जिसको हम तपस्या कहते हैं, मैं भी उसी में ट्रेड हुई हूँ। हम लोग आठ-आठ घंटे रियाज करके, सीख कर पूरे देश में दो-ढाई घंटे audiences को पकड़

कर रखते हैं। मैं as a solo dancer 90 देशों में गई हूँ, हम दो-ढाई घंटे तक audience को पकड़ कर रखते हैं। अब वह सब खत्म हो रहा है। Group choreographies हो रही हैं, जैसे टीवी और बॉलिवुड की फिल्म्स में देखते हैं। यह हमारा यूएसपी है, इसके लिए खास institute होने चाहिए। जो आठ शास्त्रीय विधाएं हैं, उनमें सोलो डांस को सीखने के लिए institute होने चाहिए। यदि यह मर जाएगी, क्षीण होती जाएगी, if we allow this to die, a huge part of our cultural heritage will also die. मैं सरकार से मांग करती हूँ कि 200, 500, 1,500 कलाकार तो हैं, लेकिन जो एक कलाकार की तपस्या, साधना और उसकी कला है, हमारी इस हैरिटेज को, इस धरोहर को हम मरने न दें। ...(समय की घंटी)... मैं मांग करती हूँ कि सरकार इसमें हस्तक्षेप करे।

MR. DEPUTY CHAIRMAN: The following Members associated themselves with the submission made by Dr. Sonal Mansingh: Dr. John Brittas (Kerala), Shri Abir Ranjan Biswas (West Bengal), Shrimati Priyanka Chaturvedi (Maharashtra), Shri Kamakhya Prasad Tasa (Assam), Shri Pabitra Margherita (Assam), Shri Rambhai Harjibhai Mokariya (Gujarat), Dr. Kalpana Saini (Uttarakhan), Shrimati Sulata Deo (Odisha), Dr. Santanu Sen (West Bengal), Dr. Sasmit Patra (Odisha), Prof. Manoj Kumar Jha (Bihar), Dr. Fauzia Khan (Maharashtra), Shri Dhananjay Bhimrao Mahadik (Maharashtra) and Shri Rakesh Sinha (Nominated).

Demand to direct NAFED to take suitable measures for processing the procured Copra and to market the coconut oil as Bharat Coconut Oil

SHRI VAIKO (Tamil Nadu): Sir, the Union Government's agency, NAFED, procured copra coconuts from farmers at Rs. 108 per kilogram and keeping a stock of 1 lakh metric tons from Tamil Nadu alone. It comes to only 10 per cent of total copra production. The remaining 90 per cent of coconuts is sold in the open market.

Copra price in Tamil Nadu has come down from Rs. 90 to Rs. 85 per kg. Taking advantage of the offer for sale through auction by NAFED, big companies formed into syndicate/cartel and planned to bid at Rs. 65 per kg. This brings the cost of copra per kg further down to Rs. 50 per kg and the price of coconut will come down from Rs. 12 to Rs. 5 in the market.

Once this happens, the coconut farmers will be severely affected and they will be at a heavy loss. To protect against such move, the South India Farmers' Association is staging a protest at Jantar Mantar, New Delhi, demanding that the Government agency itself should process and market coconut oil.

Sir, NAFED is procuring wheat from farmers and selling wheat flour under the name 'Bharat Aata.' They also buy dal and sell under the name 'Bharat Dal' and onion under the name 'Bharat Onion.' Therefore, on behalf of the Indian coconut farmers

and their associations, I am urging the Government to make efforts to introduce Bharat Coconut Oil by directing NAFED to get copra processed and sold to public. This way, both farmers and general public will be benefited by removing the middlemen. Thank you.

MR. DEPUTY CHAIRMAN: The following Members associated themselves with the submission made by Shri Vaiko: Shri P. Wilson (Tamil Nadu), Dr. John Brittas (Kerala), Shri Abir Ranjan Biswas (West Bengal), Dr. Fauzia Khan (Maharashtra), Dr. V. Sivadasan (Kerala), Dr. V. Santanu Sen (West Bengal), Dr. Sasmit Patra (Odisha) and Ms. Dola Sen (West Bengal).

Need for increased funds for biodiversity conservation in the Chilika Lake

SHRIMATI SULATA DEO (Odisha): Thank you, Mr. Deputy Chairman, Sir, for giving me the permission. यह एक बहुत important topic है, जो ओडिशा से रिलेट करता है। 'India's best kept secret' जो हमारे ओडिशा के टूरिज्म की टैग लाइन है। एशिया में सबसे बड़ी brackish water lake यह चिल्का लगून है। मैं इसके संदर्भ में कहना चाहती हूँ - despite being the first Indian site to be declared as wetland of importance under the Ramsar Convention in 1971, the status of biodiversity in Asia's largest brackish water lagoon, Chilika, is under threat. अभी देखा जाए, तो चिल्का लेक में बहुत सारे साइबेरियन बर्ड्स आते हैं और अभी चिल्का में विंटर सीज़न चल रहा है। वहां पर बहुत सारे माइग्रेटेड बर्ड्स रेस्टिंग के लिए आते हैं। चिल्का लेक उनके लिए बहुत पसंदीदा जगह है। अगर देखा जाए, तो वहां पर ईरानी डॉल्फिन भी है। चिल्का लेक का ठीक से संरक्षण करने के लिए, उसको ठीक से रखने के लिए, उसकी बायोडायवर्सिटी संरक्षित करने के लिए यह एक वेटलैंड भी है। केंद्र सरकार की तरफ से, गवर्नमेंट ऑफ इंडिया की तरफ से 2022-23 में 30.51 करोड़ रुपए वेटलैंड को कन्जर्व करने के लिए दिए गए हैं। अगर देखा जाए, तो चिल्का लेक के लिए या किसी भी वेटलैंड के लिए एक भी पैसे का प्रावधान नहीं हुआ है। पता नहीं ऐसा क्यों हुआ है? हम टूरिज्म के डेवलपमेंट के बारे में बात करते हैं, वेटलैंड को संरक्षित करने की बात करते हैं, तो उसमें चिल्का लेक पहले आती है, क्योंकि वह एशिया का सबसे largest brackish water lagoon है। पहले से, फैनी के टाइम से तो चिल्का लेक बहुत मुश्किल में थी, अगर हमें उतना पैसा नहीं मिलेगा, जितना पैसा उसके संरक्षण के लिए चाहिए, तो यह कार्य कैसे होगा? ओडिशा गवर्नमेंट की जो चिल्का लेक डेवलपमेंट अथॉरिटी है, वह बहुत सारे काम खुद कर रही है।

महोदय, मेरा आपके माध्यम से सेंट्रल गवर्नमेंट से अनुरोध है कि वह ज्यादा से ज्यादा इसके लिए सेंट्रल असिस्टेंस दे, जिससे कि हम लोग इसको संभाल कर रख सकें, इसकी बायोडायवर्सिटी को संरक्षित कर सकें। बहुत सारी प्रजातियां विलुप्तप्राय हैं, जो सिर्फ चिल्का लेक में मिलती हैं और कहीं नहीं मिलती हैं, उनको हम सहेज कर रख सकें। अभी हम बोल रहे थे कि यह बर्ड रेस्टिंग का पॉइंट होता है, जहां पर विदेश के पक्षी आते हैं। गवर्नमेंट ऑफ

ओडिशा...(समय की घंटी)... हाई कोर्ट के द्वारा जो दिया है - हम लोगों की जो घेरी है, उसको वे कैसे डिमोलिश करते हैं।

MR. DEPUTY CHAIRMAN: The following hon. Members associated themselves with the Zero Hour matter raised by the hon. Member, Shrimati Sulata Deo: Dr. Sasmit Patra (Odisha), Shri Dr. Santanu Sen (West Bengal), Dr. Fauzia Khan (Maharashtra), Ms. Dola Sen (West Bengal), Shri Abir Ranjan Biswas (West Bengal), Dr. John Brittas (Kerala), and Shri Niranjan Bishi (Odisha).

धन्यवाद। माननीय डा. राधा मोहन दास अग्रवाल जी।

Demand to shift Health from State List to the Concurrent list of the Constitution

डा. राधा मोहन दास अग्रवाल (उत्तर प्रदेश): माननीय उपसभापति महोदय, मैं माननीय प्रधान मंत्री और माननीय स्वास्थ्य परिवार कल्याण मंत्री दोनों का आभार प्रकट करना चाहूंगा। इस देश में महिलाओं और बच्चों में खून की कमी के लिए उन्होंने 2018 में एनीमिया मुक्त अभियान चलाया। लेकिन सारे प्रयासों के बाद भी जो रिजल्ट्स हमारे सामने हैं, वे बहुत encouraging नहीं हैं। वर्ष 2015-16 में छह महीने से छह साल के बच्चों में 58.6 प्रतिशत खून की कमी होती थी, जो आज 67.1 प्रतिशत है। गर्भवती महिलाओं में 50.5 प्रतिशत खून की कमी होती थी, आज वह 52.2 प्रतिशत है। किशोर बच्चों में 29.2 प्रतिशत खून की कमी होती थी, आज 31.1 प्रतिशत बच्चों में खून की कमी है। ...(व्यवधान)...

श्री उपसभापति: झा साहब, आप बैठकर बात न करें। प्लीज।

डा. राधा मोहन दास अग्रवाल: किशोर बालिकाओं में 54.1 प्रतिशत खून की कमी होती थी, आज 59.1 प्रतिशत खून की कमी बालिकाओं में है। बहुत से ऐसे राज्य हैं, जैसे बिहार, पंजाब, राजस्थान, तेलंगाना, पश्चिमी बंगाल और जम्मू-कश्मीर राज्य हैं, जहां पर यह कमी बहुत अधिक मात्रा में है, शायद दुनिया में सबसे ज्यादा है।

(सभापति महोदय पीठासीन हुए।)

सर, मैं केरल का उदाहरण दूंगा कि शुरुआती दौर में इन्होंने खून की कमी पर बहुत अच्छा नियंत्रण किया था, लेकिन सच्चाई यह है कि पिछले पांच सालों में केरल में भी खून की कमी 35 प्रतिशत से बढ़कर 39 प्रतिशत हो गई। शैशवकाल में यह 14 परसेंट से बढ़कर 27 परसेंट हो गई और गर्भवती महिलाओं में 22 परसेंट से बढ़कर 31 परसेंट हो गई। ...(व्यवधान)...

सभापति महोदय, यह विषय मैं इसलिए लेकर आया हूँ कि भारत सरकार के, माननीय प्रधान मंत्री जी के और माननीय स्वास्थ्य मंत्री जी के सारे प्रयासों के बावजूद आज भी खून की कमी बढ़ती जा रही है। मैं एक उदाहरण देना चाहूंगा, मैं प्रशंसा करूंगा कि इमरजेंसी ने बहुत सारे

काले इतिहास रचे हैं, लेकिन अनजाने में एक अच्छा काम हुआ। शिक्षा को राज्य सरकार के विषय से हटाकर समवर्ती सूची में लाने का काम किया गया। मैं इस सदन से, इस सरकार से आग्रह करूंगा कि स्वास्थ्य इतना महत्वपूर्ण विषय है, इसलिए इस पर ध्यान दिया जाए।

12.00 Noon

ORAL ANSWERS TO QUESTIONS

MR. CHAIRMAN: Now, Question Hour.

International cruise line in the country

*91. SHRI A.D. SINGH: Will the Minister of PORTS, SHIPPING AND WATERWAYS be pleased to state:

- (a) whether it is a fact that, at present, no international cruise line is touching the Indianshores;
- (b) if so, the reasons therefor;
- (c) whether Government intends to give incentives to attract international cruise lines; and
- (d) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF PORTS, SHIPPING AND WATERWAYS (SHRI SHRIPAD YESSO NAIK): (a) to (d) A Statement is laid on the Table of the House.

Statement

(a) and (b) During 2022-23, 60 port calls and during 2023-24 (upto 31.10.2023), 29 port calls were made at various Indian Ports viz. Mumbai, Mormugao, New Mangalore, Cochin, Chennai and Tuticorin by international cruise liners.

(c) and (d) To attract International Cruise lines, several incentives have been given, as below.

- (i) For berthing, cruise vessel is given priority over cargo vessel.
- (ii) Rationalised cruise tariff has been introduced.

- a. Port charges are recovered @ \$0.085/GRT (fixed rate) and a nominal passenger head tax of \$ 6 for first 12 hours of stay at berth.
 - b. Cruise ships are provided discounts ranging from 10% to 30% based on volume of their calls.
- (iii) Ousting charges have been removed to attract cruise vessels.
 - (iv) E-Visa and on-arrival visa facilities have been extended.
 - (v) Single e-Landing Card has been introduced which is valid for all ports in cruise itinerary.
 - (vi) Cabotage has been waived for foreign cruise vessels. This relaxation allows foreign cruise ships to transport Indian nationals from one Indian Port to another Indian Port during their domestic leg.
 - (vii) In order to promote tourism, conditional IGST exemption has been approved for foreign flag foreign going vessel when it converts to coastal run, subject to its reconversion to foreign going vessel within six months.
 - (viii) During Global Maritime India Summit, 2023 a session on 'Embark on a voyage to attract 50 million Cruise Passengers in India by 2047' and a 'Roundtable with Cruise lines' were organized with participation of stakeholders.
 - (ix) Up-gradation and modernization of Cruise Terminals at New Mangalore, Cochin, Chennai, Mormugao and Visakhapatnam have been completed.

MR. CHAIRMAN: Supplementary No. 1; Shri A.D. Singh.

SHRI A.D. SINGH: Sir, we all know that opening of Indian ports to international cruise lines requires a lot of infrastructure, upgradation and logistic support. You have to develop state-of-art terminals with hassle-free, quick and timely immigration. How many ports are being upgraded to international terminals and what is the status of infrastructure development including road and rail connectivity?

श्री श्रीपाद यसो नाईक: महोदय ,माननीय सदस्य ने जो प्रश्न पूछा था ,उसमें उनका यह कहना था कि हमारे हिंदुस्तान में एक भी इंटरनेशनल कॉल नहीं आई है ,इसके लिए मैं माननीय सदस्य को बताना चाहता हूं कि 23-2022में 60पोर्ट कॉल्स और 24-2023में अभी तक 29 ,पोर्ट कॉल्स और वैसल्स आए हैं। सभापति महोदय ,माननीय सदस्य ने जो प्रश्न पूछा है ,मैं उसके लिए बताना चाहता हूं कि हमारे जो 7मेजर पोर्ट्स हैं ,अभी वहाँ renovation करके ,नए पोर्ट बनाने के लिए उनको रेनोवेट करके ,अच्छी सुविधा देने के लिए हमने काम शुरू किया हुआ है और कम से कम 5 पोर्ट्स का काम कंप्लीट हो गया है और बाकी 2पोर्ट्स का काम भी जल्द से जल्द पूरा हो जाएगा।

MR. CHAIRMAN: Second supplementary; Shri A.D. Singh.

SHRI A.D. SINGH: The Government has just launched India's first international cruise vessel MV Empress to Sri Lanka. What is the response of the tourists to this cruise vessel, particularly the foreign tourists? What are the future plans for India's international cruise lines? Since you are opening up Indian shores to foreign international cruise lines, you will be in direct competition with them. How much are we prepared to compete with these lines?

MR. CHAIRMAN: Hon. Minister.

श्री श्रीपाद यसो नाईक: सभापति जी ,हमारी मिनिस्ट्री माननीय प्रधान मंत्री नरेन्द्र मोदी जी के नेतृत्व में इस क्षेत्र में बहुत आगे जा रही है। आपने गंगा विलास के बारे में सुना था ,उन्होंने जो पहली जर्नी शुरू की थी ,वह 30सितम्बर 2023 ,में शुरू की थी। वह टूर एक महीने से भी ज्यादा अच्छी तरह से चला था और अभी उसकी कम से कम चार साल की बुकिंग आई हुई है। हमारी मिनिस्ट्री इसी तरह के और भी टूर्स बनाने का प्रोग्राम बना रही है। जैसा कि मैंने कहा है कि सभी पोर्ट्स में नया infrastructure हो रहा है ,ताकि उन्हें एक ही जगह पर सभी सुविधाएं मिलें। हम इस तरह का infrastructure हमारे मेजर पोर्ट्स में करते हैं। आपने यह भी सुना होगा कि जो सागरमाला प्रोजेक्ट है ,हमारी जो 7,500किलोमीटर की कॉस्टलाइन है ,हम इस पूरी कॉस्टलाइन को सागरमाला प्रोजेक्ट के अंतर्गत डेवलप करने की सोच रहे हैं और उस पर काम भी शुरू है। हमने उसमें 802प्रोजेक्ट्स लिए थे और कम से कम 200प्रोजेक्ट्स पूरे कर लिए गए हैं। माननीय सदस्य ने जो प्रश्न पूछा है ,उसके लिए मैं उन्हें बताना चाहता हूं कि हमारे जो छोटे-छोटे पुराने पोर्ट्स थे या जहाँ-जहाँ नए चाहिए ,वहाँ नए बनवाएंगे और उन्हें रोड एवं रेलवे की कनेक्टिविटी दे देंगे ,जिससे sea transport अच्छी तरह से चलेगा और pollution कम होगा और उसमें कूज टूरिज्म भी बढ़ेगा। मेरा इस प्रश्न के उत्तर में यही कहना है।

MR. CHAIRMAN: Third supplementary; Shri G.V.L. Narasimha Rao.

SHRI G.V.L. NARASIMHA RAO: Sir, about three months ago, Visakhapatnam Port's International Cruise Terminal was inaugurated by the hon. Minister and the hon. Minister of State. I would like to thank the Ministry and also the Prime Minister for such a great facility to Visakhapatnam. My question is this. So far, no domestic or international cruise operations have started. So, I would like to know as to when these services would begin. Second, as a part of that question, I would like to know what the role of the State and Central Government in introducing these cruise operations from Visakhapatnam is because the pilot operations have had a huge response. I would like to know when the proper operations would begin.

श्री श्रीपाद यसो नाईक: सभापति महोदय, हमने विशाखापटनम में जो पोर्ट शुरू किया है, उसे लेकर मैं माननीय सदस्य का धन्यवाद करता हूँ कि ये भी उस कार्यक्रम में थे। हम हर तरह से बाहर के देशों में सेमिनार्स लेते हैं, उनमें भाग लेते हैं, हमारे रिप्रेजेंटेटिव वहाँ जाते हैं, ताकि इस कूज टूरिज्म का प्रसार सभी जगहों पर हो सके और इंडिया में ज्यादा कूज, vessels आ सकें। जिस तरह से उन्होंने स्टेट के बारे में पूछा, तो पोर्ट उन्हीं की स्टेट में है। जब भी वे यूज करने के लिए माँगेंगे, निश्चित तौर पर, हम उनकी मदद करेंगे। हम जल्द-से-जल्द टूरिज्म बढ़ाने के साथ-साथ, कूज टूरिज्म बढ़ाने के लिए भी हर तरह से प्रयास कर रहे हैं। चाहे वह इंटरनेशनल शिप हो या नदी में जो पर्यटन होता है, वह हो, वहाँ भी हमारी कोशिश जारी है। जो हमारे इंडियन वाटरवेज हैं, हम उनमें भी सभी जगहों पर इसे करने की कोशिश कर रहे हैं।

MR. CHAIRMAN: Fourth supplementary, Shri K.C. Venugopal.

SHRI K.C. VENUGOPAL: Sir, thank you very much for giving me an opportunity.

Sir, tourism is one of the most employment-generating sectors in our country. Of course, cruise tourism is one among the major areas of development. Cochin is one of the best places, the most sought-after destination, for all of us for the cruise tourism. My point is, there are so many stakeholders in this area. One is, of course, Shipping Ministry; another is Tourism Ministry. Definitely, the External Affairs Ministry will also have a role in this thing; and the State Governments also have the role. Because of lack of coordination among these Ministries, the type of enhancement we needed in this area is not happening. I want to know whether the Ministry is planning to have a better coordination of all these Ministries to enhance the potentialities of this cruise tourism.

श्री श्रीपाद यसो नाईक: सभापति महोदय, माननीय सदस्य ने सही कहा है, इसलिए हम पोर्ट का जो रेनोवेशन कर रहे हैं, उसमें कूज टूरिज्म की फेसिलिटी दे रहे हैं, उसमें यह सब भी है। इसमें जो भी कस्टम होगा या बाकी जो भी मिनिस्ट्री होगी, वहाँ एक ही जगह पर उनका सारा clearance, immigration हो जाएगा। इसी तरह से, जैसा कि मैंने बताया, हमने पहली बार सात पोर्ट लिए हैं। इसके साथ ही, जहाँ-जहाँ कूज टूरिज्म बढ़ेगा, वहाँ पर साइट मिलेगी, आगे जाकर हम इसे वहाँ भी करेंगे, इसीलिए हमने यह सब फेसिलिटी उसी एरिया में दी हुई है। निश्चित तौर पर, टूरिस्ट्स के लिए जो प्रोसेस लगता है, वह within a शॉर्ट टाइम पूरा हो जाएगा।

MR. CHAIRMAN: Fifth supplementary, Shri P. Wilson.

SHRI P. WILSON: Sir, Chennai is one of the metropolitan cities and we have a major port, Chennai Port Trust; as well as we have another port in Tuticorin. Is there any idea of developing this cruise tourism in Chennai as well as in Tuticorin? Other minor

ports are also there. If you come to Chennai by flight, you can see the beauty of Chennai while flying the sea-side. So, why don't you have this cruise tourism?

THE MINISTER OF PORTS, SHIPPING AND WATERWAYS (SHRI SARBANANDA SONOWAL): Respected Chairman, Sir, the hon. Member has pointed out about the Chennai Port cruise tourism facilities. For your information, Sir, we have already started our international cruise liners to operate. There is *Cordelia cruise*. About a few months back, I went there, and I did the flag off. The able leadership of hon. Prime Minister, Narendra Modiji, and his vision is ultimately helping all the Ministries to take up exemplary initiatives; not only initiatives but also in achieving the target. So, that is the power of his personality and vision. Because of his holistic transformative policies in the country, now there is increased development and every citizen is getting the benefit of it in all sectors. I now wish to draw the attention of hon. Members to international cruise liners. Hon. Members of this House must have travelled to different parts of the world and experienced travelling in beautiful cruises. There are three categories - ocean cruise, coastal cruise and river cruise. To draw the attention of international cruise liners, the first condition is to create the right ecosystem for the promotion of cruise tourism. To this end, relevant ministries have joined hands with each other in line with the principles of the PM Gatishakti National Masterplan for multi-modal connectivity. Through an integrated approach, we have been creating adequate and globally competent infrastructure and also creating a friendly policy, so that international cruise liners feel at home in our Indian coastal lines. In the year 2022, we had an Incredible India International Cruise Conference at Mumbai. We invited all the leading global cruise liners to that Conference. They participated and we had a detailed interactive session. We wanted to know why they were not coming to India and not utilizing the Indian coastal and river cruises. Their opinion was that we needed to create the right ecosystem and create such a policy that they are able to operate in the Indian coastal waters effectively and promote coastal tourism. That was their view. Accordingly, we made relaxations in many sectors, so that they can easily operate. That is the reason that now leading global players like MSC, Royal Caribbean, Cordelia, Coasta Serena, and many more are coming forward. This has become possible because of the hon. Prime Minister's visionary leadership and his untiring efforts.

To give you information on the growth that has happened in the last ten years, please allow me to cite a few figures to explain what is happening on the ground. From 2004 to 2014, the total number of international cruise calls was 311 and the number of passengers was 2,22,000. During the last ten years -- please pay attention

-- international cruise calls went up from 311 to 682 and we recorded 8,72,496 passengers. That has been the kind of massive growth. That is the reason why now India has become a global destination for river cruise, coastal cruise and ocean cruise. Talking about river cruise, the hon. Prime Minister flagged off the Antara Ganga Vilas that sails from Benares to Dibrugarh, a distance of 3,200 kilometres, covering 27 river systems. At that time, as soon as the event was flagged off, many questions were raised by learned friends here. But later on it was proved that it was a seamless journey; बीच में कोई रुकावट नहीं थी। कई लोगों ने ऐसा सवाल किया ,टिप्पणी भी की कि नदी में पानी नहीं है ,तो जहाज कहीं पर फंस जाएगा। लेकिन यह साबित हो गया कि 50 दिन के सफर में कोई रुकावट नहीं आई और 31स्विस सिटिज़न्स को बड़े कम्फर्टेबल ढंग से बनारस से डिब्रूगढ़ तक ले जाया गया ,following Bangladesh's protocol laws. That was the longest river cruise in the world in recorded history. That is why the Europeans and the Americans are now putting their consideration towards India to enjoy the river cruise. The owner of the MV Ganga Vilas informed me कि सोनोवाल जी ,इसकी तो 2026 तक बुकिंग हो गई है। सब यूरोपियंस और अमेरिकंस ने बुक कर ली। परम आदरणीय प्रधान मंत्री जी ने जैसा कहा ,हिन्दुस्तान की डिस्कवरी के लिए रिवर कूज का मजा लीजिए।... व्यवधान...(उसी हिसाब से)...व्यवधान...(Respected Chairman, Sir, if you allow me, I will continue.

31स्विस सिटिज़ंस ने ,जब उनकी वॉयेज कंप्लीट हुई ,उन्होंने बाद में जो बयान दिया ,ऑन रिकॉर्ड यह बात कही कि हिन्दुस्तान बहुत खूबसूरत है ,it is a beautiful nation in the world. That is the experience that they have got during the river cruise. That is the power of our leader's personality and vision.

MR. CHAIRMAN: Hon. Minister, a good question was raised by Shri K.C. Venugopal. Your response is there. Now, I suggest you to arrange a cruise trip for Members of Parliament so that they can notice what you have traversed here in an impactful manner, and I am sure the hon. Members would also want their Chairman to be with them. Question No. 92.

Steps to tackle rise of anaemia in women

*92. SHRIMATI SULATA DEO: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

- (a) the recent measures taken by Government to address the rise in cases of anaemic women, as per recent NFHS data;

- (b) whether Government has taken steps to increase the percentage of interventions, which has consistently been below 25 per cent across the country; and
- (c) if so, the details of measures taken and if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (DR. BHARATI PRAVIN PAWAR): (a) to (c) A Statement is laid on the Table of the House.

Statement

(a) to (c) The Government of India implements Anaemia Mukht Bharat (AMB) strategy to reduce prevalence of anaemia among six beneficiaring age groups through implementation of six interventions via six institutional mechanisms.

The six beneficiaries age groups are —

- i. Children 6-59 months,
- ii. Children 5-9 years,
- iii. Adolescents 10-19 years,
- iv. Women of Reproductive Age (15-49 years),
- v. Pregnant Women and
- vi. Lactating women

The six interventions are —

- i. Prophylactic Iron and Folic Acid Supplementation in all six target age groups
- ii. Deworming among children 1-19 years, pregnant women and women of reproductive age
- iii. Intensified year-round Behaviour Change Communication (BCC) Campaign for improving compliance to Iron Folic Acid supplementation and deworming tablet, and encouraging increase in intake of iron-rich food through diet diversity/ quantity/ frequency and/or fortified foods with focus on harnessing locally available resources
- iv. Testing of anaemia, using digital methods (Digital Invasive Haemoglobinometer) and point of care treatment.
- v. Provision of IFA fortified food in government funded public health programmes
- vi. Addressing non-nutritional causes of anaemia in endemic pockets with special focus on malaria, haemoglobinopathies and fluorosis

The institutional mechanisms include Intra-and inter-ministerial coordination, setting up of a National Centre of Excellence and Advanced Research on Anaemia Control, AIIMS, New Delhi, engaging in capacity building of health care providers, strengthening Supply Chain and logistics and intensive monitoring-supervision support for States

The progress of Anaemia Mukht Bharat is measured through the coverage of Iron Folic Acid (IFA) supplementation among children 6-59 months, children 5-9 years, adolescent girls, pregnant women and lactating mothers.

The indicators to capture progress on Women of all age groups including Reproductive Age (15-49 years) has recently been added to Health Management Information System (HMIS) and data is monitored for completeness and consistency. The State Nodal Officers have been recently trained on HMIS indicators for measuring progress under the various indicators of Anaemia Mukht Bharat.

Under the Test, Treat and Talk camps (T3 camps) intervention, the women are tested for Haemoglobin level using Digital Invasive Haemoglobinometer. Iron and Folic Acid (IFA) supplementation prophylactic dosage is provided to the women.

If found anaemic, Iron and Folic Acid (IFA) therapeutic dose of twice daily IFA tablets are provided and dietary counselling regarding intake of iron rich food is done. Referral to the nearest Government Health Facility for detailed investigations and management of anaemia is done.

Further ASHAs are provided incentive @Rs 50 per month/ASHA to ensure mobilisation of the Women of Reproductive Age and compliance for due intake of the IFA supplement tablets.

Further, the Government of India is implementing **POSHAN Abhiyaan** and subsequently **Poshan 2.0** to address the life cycle issues of malnutrition, including anaemia. Thus, at large, Poshan 2.0 contributes to and supports the health programmes, schemes and interventions specifically designed for Anaemia. Improving nutrition outcomes through strategies of Social & Behaviour Change Communication (SBCC) and Community Mobilization is an important focus of POSHAN. Under POSHAN, SBCC efforts are geared towards addressing the social determinants of anaemia as well across States, Districts, Blocks and exclusively up to the Anganwadi level.

SHRIMATI SULATA DEO: Sir, I want to know about the recent measures taken by the Government to address the rise in cases of anaemic women as per the recent National Family Health Survey.

डा. भारती प्रवीण पवार: आदरणीय चेयरमैन सर ,मैं धन्यवाद देती हूँ कि माननीय सांसद जी ने बहुत ही अच्छा सवाल पूछा है ,क्योंकि एनीमिया को लेकर सदन में काफी बार हमारी चर्चा होती है ,परंतु हमें ग्राउंड पर जो काम करना है ,उसके बारे में कभी-कभी हमारे प्रयास कम पड़ जाते हैं। इसलिए मैं उनको धन्यवाद देती हूँ। सरकार ने 2018से एनीमिया मुक्त भारत की शुरुआत की है , जिसके तहत अलग-अलग स्ट्रैटेजिक मोड्स पर एज-गुप वाइज़ ,उसमें 6ऐसे एज-गुप्स आइडेंटिफाई किए गए हैं ,जिसे हमने अपने उत्तर में सभा पटल पर रखा है। उसमें चिल्ड्रेन के अलग-अलग एज-गुप्स हैं ,विमेन के हैं ,प्रेग्नेंसी के हैं और लैक्टेटिंग मदर्स के हैं। इस आधार पर अलग-अलग एज-गुप्स को आइडेंटिफाई करके उनकी स्क्रीनिंग की जाती है। उसके बाद अगर वे एनीमिक पाई जाती हैं ,तो ट्रीटमेंट के लिए हमने सरकारी सुविधा की उपलब्धता भी की है। उसके अलावा ,अलग-अलग 6इंटरवेंशंस के आधार पर इस एनीमिया मुक्त भारत का काम चल रहा है , जिसमें हम हर राज्य के लिए एनएचएम के बजट के माध्यम से प्रोफाइलैक्टिक आयरन और फोलिक एसिड सप्लीमेंट उपलब्ध कराते हैं। स्टेट गवर्नमेंट केन्द्र सरकार से जो बजट माँगती है , वह बजट दिया जाता है ,जिसमें हम आयरन और फोलिक एसिड सप्लीमेंट की उपलब्धता कराते हैं। इसके साथ ही ,हम चिल्ड्रेन में 19-1एज-गुप के लिए और प्रेग्नेंट विमेन के लिए डि-वॉर्मिंग करते हैं। उसके अलावा ,आज अगर मैं एनीमिया के बारे में कहूँ ,तो न्यूट्रिशनल एनीमिया भी है और नॉन-न्यूट्रिशनल एनीमिया भी है। न्यूट्रिशनल एनीमिया के कॉज़ेज़ क्या हैं ,क्या डिफिशिएंसी है ,कौन से माइक्रो-न्यूट्रेंट्स की डिफिशिएंसी है ,कौन से मिनरल्स की डिफिशिएंसी है ,उसके बारे में भी थोड़ी अवेयरनेस करने की आवश्यकता है। पेशेंट को भी पता होना चाहिए कि बेसिकली काम किस पर करना है ,न्यूट्रिशनल डिफिशिएंसी है या नॉन-न्यूट्रिशनल डिफिशिएंसी है ,जैसे नॉन-न्यूट्रिशनल डिफिशिएंसी में सिकल सेल है। हमने इसके अलग-अलग पैरामीटर्स भी तय किए हैं ,जिनके आधार पर ट्रीटमेंट की मोडैलिटीज़ हैं। आज मुझे सदन को यह बताने में खुशी है कि आदरणीय प्रधान मंत्री जी ने हमेशा कहा है कि प्राइमरी लेवल पर फोकस करिए ,अभी हम इल्लनेस पर नहीं ,बल्कि वेलनेस पर काम करें। इसके माध्यम से आज भारत में हमारे लगभग 1,60,000से भी ज्यादा आरोग्य मंदिर तैयार हुए हैं ,जिनमें हमने स्क्रीनिंग और ट्रीटमेंट उपलब्ध कराया है। उसमें मैं यह कहूँगी कि अब हम digital technology की मदद से ,digital method से तुरन्त समझ भी पाते हैं कि anaemia का ,Hb का लेवल कितना है। उसके अलावा IFA (Iron and Folic Acid) fortified food के लिए हमने अलग-अलग schemes में provision किया है ,जिसका आज अच्छा रिजल्ट भी आ रहा है। उसके अलावा जो भी कमियाँ हैं ,उनके लिए दूसरी Ministries को भी साथ जोड़ कर ,जैसे -Women and Child Development Ministry को जोड़ कर ,उसके 'पोषण अभियान' या ऐसी अलग-अलग योजनाओं से जोड़ कर आज awareness में काम करना हमारे लिए ज्यादा जरूरी है।

आदरणीय चेयरमैन सर ,मैं इस प्रश्न के जवाब के माध्यम से सदन में सबसे एक तरह का अनुरोध जरूर करूँगी कि हमें इसके grass-root level पर ,awareness पर और screening पर काम करने की आवश्यकता है।

MR. CHAIRMAN: Second supplementary, Shrimati Sulata Deo.

SHRIMATI SULATA DEO: Has the Government taken steps to increase the percentage of interventions which has constantly been below 25 per cent across the country? If so, what are the details of measures taken? If not, what are the reasons?

डा. भारती प्रवीण पवार: आदरणीय चेयरमैन सर, मैंने अभी जो जवाब दिया है, उसमें आपको detail में reply दिया है कि इसमें कौन से steps लिए गये हैं। मैं इसमें और जोड़ना चाहूँगी कि जैसे हमारी आशा बहनें है, उनको भी हम specially incentivise करते हैं। अगर आपने बच्चे को देख कर पाया कि वह anaemic है, तो इसके लिए उसको incentivise करते हैं कि under five-year age group के बच्चों के लिए IFA का syrup देना हो या बड़ों को टैबलेट्स देने हों। उसके अलावा अगर महिलाओं में Hb की कमी है, तो उनके लिए टैबलेट्स हैं, colour code के टैबलेट आते हैं, उसके लिए उनको प्रमोट करें। तो उसमें आशा बहनों के लिए incentivise करने का भी हमारा पूरा प्रोविजन है। इसके अलावा अगर हम अभी के नये initiative की बात करें, तो हमारी जो 'विकसित भारत संकल्प यात्रा' है, प्रधान मंत्री जी ने जिसकी शुरुआत की है, वह आज गाँव-गाँव में पहुँच रही है। वह गाँव-गाँव में पहुँचकर यह assurance दे रही है कि आपके लिए जो भी सुविधा है, जो भी स्कीम है, उसके लिए यह गाड़ी है। हम तो उसको 'मोदी जी की गारंटी वाली गाड़ी' कहते हैं। ऐसा लोग ही कहने लग गए हैं। उसमें हम screening भी करते हैं, यह गारंटी है। लेकिन फिर भी मैं कहूँगी कि यह काम करने के लिए हम सबको मिल कर प्रयास करने की आवश्यकता है, जो आज ग्राउंड लेवल पर हमारे माध्यम से होना आवश्यक है।

MR. CHAIRMAN: Third supplementary, Shri Sandeep Kumar Pathak.

श्री संदीप कुमार पाठक: सर, किसी भी देश की productivity और उसकी happiness उसके जनमानस के स्वास्थ्य से सीधा सम्बन्ध रखती है। इस देश में जिस तरीके से diabetes का spread हुआ है, उसके कारण आज कोई भी परिवार या कोई भी घर ऐसा नहीं है, जहाँ pre-diabetic condition या diabetic condition नहीं है। अगर इसको timely arrest नहीं किया गया, तो यह एक pandemic का रूप ले लेगा। आपके माध्यम से माननीया मंत्री जी से मेरा यह प्रश्न है कि क्या हमारे देश में diabetes related database तैयार किया गया है और क्या इसको timely रोकने के लिए कोई comprehensive plan है?

डा. भारती प्रवीण पवार: आदरणीय चेयरमैन सर, हालाँकि मूल प्रश्न anaemia के आधार पर किया गया है, लेकिन आपकी चिन्ता बिल्कुल सही है कि diabetes के लिए भी चिन्ता है, hypertension के लिए भी चिन्ता हो रही है। इसके लिए जैसा मैंने पहले कहा कि प्रधान मंत्री जी ने कहा है कि preventive काम करो, preventive measures पर ध्यान दो। जो आरोग्य मंदिर की स्थापना हुई है, उसमें आज सरकार diabetes की screening के लिए काम कर रही है। जो लोग 30 वर्ष की आयु के ऊपर के हैं, उनके लिए हम compulsory screening करवा रहे हैं। हमारी आशा बहनें भी उसको आगे लेकर जा रही हैं, 12 diagnostic tests हमारे वहाँ पर compulsory

करवाए जा रहे हैं। हमारा जो survey है, उसमें भी वे details आये हैं कि इसमें screening के लिए नम्बर बढ़े हैं। लोगों को पता चले, इसके लिए सरकार न सिर्फ diabetes, बल्कि diabetes, hypertension और तीन अलग-अलग प्रकार के कैंसर की screening की सुविधा आरोग्य मंदिर में, primary level के health centres पर दे रही है। उसमें हमारे करोड़ों लोगों की screening भी हुई है।

MR. CHAIRMAN: Fourth supplementary, Shri K.T.S. Tulsi.

SHRI K.T.S. TULSI: The question is with regard to the rise in cases of anaemic women but there are two contradictory reports; one that it is declining and the other that it is increasing. The problem is that there is no reliable data provided to be able to see as to what is going wrong with the policy of relieving the country of anaemic women.

The report of the PIB dated 4th February, 2020 says that the measures taken for eradication of anaemia amongst women have not yielded the desired results. It is shocking that anaemia amongst women of adolescent age has risen from 54 per cent to 59 per cent.

MR. CHAIRMAN: What is your supplementary?

SHRI K.T.S. TULSI: Sir, there are 21 States in which it is most common and this research shows that it is prevalent amongst women of a particular tribe.

MR. CHAIRMAN: What response would you like to have?

SHRI K.T.S. TULSI: The point is that the information must come in the public domain so that we know as to what the reality is.

स्वास्थ्य और परिवार कल्याण मंत्री (डा. मनसुख मांडविया): चेयरमैन सर, माननीय सदस्य ने पूछा है कि अलग-अलग डेटा अलग-अलग तरह से रिपोर्ट किया जाता है, तो उसमें एनीमिक किसको माना जाए? सर, सच बात यह है कि आज के दिन हम एनीमिक उसे मानते हैं, जिसके लिए एक इंटरनेशनल स्टैंडर्ड तय किया गया है। इंटरनेशनल स्टैंडर्ड हर ह्यूमन बिइंगवाइज़ अलग-अलग है। उदाहरण के लिए, अगर यूरोप में एक स्टैंडर्ड है, तो वहाँ का क्लाइमेट अलग है, वहाँ के लोगों का रहन-सहन अलग है, उनकी जीवन शैली अलग है और उसका एक पैरामीटर हो सकता है। दूसरा, यह इस बात पर भी निर्भर करता है कि सैम्पल के रूप में ब्लड कहाँ से लिया जा रहा है। उदाहरण के लिए, आज तक हम सब लोगों ने यह देखा है कि अपनी उंगली पर एक टाकनी लगाते हैं और वहाँ से सैम्पल लेते हैं, फिर बाद में उसको एनेलाइज़ करते हैं। बाद में जब

हम डायरेक्टली वेन से ब्लड लेकर उसकी एनीमिक स्थिति को मापते हैं तो उसकी थोड़ी अलग रिपोर्ट आती है। इसके ऊपर ICMR ने एक डिटेल्ड स्टडी करनी शुरू की है कि इंडिया की दृष्टि से इसका क्या रिजल्ट आता है। सर, कई ऐसे पैरामीटर्स थे, जो दुनिया में कुछ थे और इंडिया में कुछ और थे। इसके पैरामीटर्स में सेक्टरवाइज़, कॉन्टिनेंटवाइज़ थोड़ा सा वैरिएशन हो सकता है, लेकिन इंडिया में क्या परफेक्ट हो सकता है, उसके लिए ICMR एक डिटेल्ड स्टडी कर रहा है। आज तक हम NFHS डेटा के लिए सैम्पल केवल उंगली पर टाकनी लगाकर ही लेते थे, लेकिन इस बार हमने ब्लड को वेन से ही सैम्पल के रूप में लेना शुरू किया है, ताकि हम अपने देश में परफेक्ट स्थिति को समझकर उसका इलाज कर पाएँ।

MR. CHAIRMAN: 5th supplementary; Shrimati Darshana Singh.

श्रीमती दर्शना सिंह : सभापति महोदय, माननीय प्रधान मंत्री, श्री नरेन्द्र मोदी जी के नेतृत्व में 'एनीमिया मुक्त भारत' के लक्ष्य को प्राप्त करने के लिए अभूतपूर्व प्रयास किए जा रहे हैं। मैं आपके माध्यम से माननीय मंत्री जी से यह जानना चाहती हूँ कि क्या सरकार आयुर्वेद जैसी भारत की पारंपरिक औषधीय प्रणाली के माध्यम से एनीमिया की समस्या को दूर करने के लिए किसी उपाय पर विचार कर रही है?

डा. भारती प्रवीण पवार : आदरणीय चेयरमैन सर, यह सरकार एक होलिस्टिक एप्रोच को लेकर काम करती है। जैसा मैंने पहले भी कहा कि उसमें अलग-अलग मिनिस्ट्री सहभागिता देती है। इसके साथ, मैं यह भी कहूँगी कि हमारी आयुष मिनिस्ट्री भी उसमें जुड़ी है, चाहे वह स्क्रीनिंग में हो या ट्रीटमेंट मोडैलिटीज़ में हो। आयुर्वेद की हमारी ऐसी कई औषधियाँ हैं, जो एनीमिया के ट्रीटमेंट के लिए अच्छी साबित हुई हैं। आयुर्वेद, होम्योपैथी जैसे अलग-अलग माध्यमों से भी इसके ट्रीटमेंट की सुविधा है। हमने जो 'आरोग्य मंदिरम्' कहा, उसमें आयुर्वेद का भी ट्रीटमेंट मिलता है। उसके साथ ही हमारे AIIMS, New Delhi में भी एक National Centre of Excellence बनाया गया है, जहाँ एनीमिया के लिए advance research भी की जा रही है।

MR. CHAIRMAN: Question number 93, Shri Iranna Kadadi.

Production of fertilizers

*93. SHRI IRANNA KADADI: Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state:

- (a) the details of the various schemes introduced by Government to increase the domestic production of chemicals and fertilizers in the country;
- (b) the steps taken/proposed to be taken by Government for the smooth distribution of fertilizers in rural tribal and remote areas across the country;

- (c) whether any specific mechanism has been initiated by Government to help the producers to become more competitive in global market by ensuring the required standards and demands; and
- (d) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF CHEMICALS AND FERTILIZERS (SHRI BHAGWANTH KHUBA): (a) to (d) A statement is laid on the table of the House.

Statement

(a) With regard to Urea, the Government had announced New Investment Policy (NIP) – 2012 on 2nd January, 2013 and its amendment on 7th October, 2014 to facilitate fresh investment in the urea sector and to make India self-sufficient in the urea sector. Total 6 new urea units have been set up under NIP-2012. Each of these units has installed capacity of 12.7 Lakh Metric Tonne per annum (LMTPA). Therefore, these units have together added urea production of 76.2 LMTPA thereby total urea production capacity has increased from 207.54 LMTPA during 2014-15 to 283.74 LMTPA at present. Further, an exclusive policy for the revival of Talcher unit of FCIL through JVC of nominated PSUs namely Talcher Fertilizers Limited (TFL) by setting up a new Greenfield urea plant of 12.7 LMTPA at coal gasification route has also been approved. In addition, The Government also notified the New Urea Policy (NUP) – 2015 on 25th May, 2015 for the existing 25 gas-based urea units with one of the objectives of maximizing indigenous urea production. The NUP-2015 has led to additional production of urea by 20-25 LMTPA as compared to the production during 2014-15. These steps together have facilitated increase of Urea production from level of 225 LMT per annum during 2014-15 to 284.94 LMT during 2022-23.

With regard to P&K Fertilizers, Government has implemented Nutrient Based Subsidy (NBS) Policy w.e.f. 1.4.2010 for Phosphatic and Potassic (P&K) Fertilizers. Under the policy, a fixed amount of subsidy, decided on annual/semi-annual basis is provided on P&K fertilizers depending on their nutrient content. As P&K fertilizer sector is covered under Open General Licence (OGL), the companies are free to import/produce fertilizers as per market dynamics. Based on examination of requests received, permissions are granted to the fertilizer companies for increasing their manufacturing capacity and for induction of new P&K companies & fertilizer products under NBS, with a view to make the country self-reliant in P&K fertilizer production. Further, to promote indigenously produced fertilizers, freight

subsidy on SSP has been made applicable from Kharif 2022 onwards and Potash Derived from Molasses (PDM) 100% indigenously produced fertilizer has been notified under NBS since Rabi 2021-22.

So far as chemicals are concerned, the Government has notified Plastic Park Scheme to support setting up need based Plastic Parks, with requisite state-of-the-art infrastructure, enabling common facilities through cluster development approach, to consolidate the capacities of the domestic downstream plastic processing industry. The scheme aims to increase investment, production and export in the plastics sector. A policy called PCPIR Policy, 2007 has also been notified to boost manufacturing in Chemicals and Petrochemicals sector, augment exports and generate employment with co-development of downstream industry in cluster based approach. PCPIRs are dedicated investment regions equipped with necessary infrastructure for establishment of manufacturing facilities for domestic and export-led production of chemicals and petrochemicals. At present, three Petroleum, Chemical and Petrochemical Investment Regions (PCPIRs) are being implemented in the States of Andhra Pradesh (Vishakhapatnam), Gujarat (Dahej) and Odisha (Paradeep) to promote investment and industrial development in these sectors under the PCPIR Policy, 2007.

(b) Before the commencement of each cropping season, Department of Agriculture and Farmers Welfare (DA&FW) assesses the state-wise & month-wise requirement of fertilizers. To fulfill this requirement of fertilizers in the states (including rural tribal and remote areas) across the country, as per assessment done by DA&FW, Department of Fertilizers allocates adequate quantities of fertilizers to States by issuing monthly supply plans. The movement of all major subsidized fertilizers is monitored through web-based monitoring system called integrated Fertilizer Monitoring System (iFMS). However, the inter/intra-district distribution of fertilizers is being done by the respective state to meet the field requirement within the state.

(c) and (d) The fertilizers manufactured/imported are governed by the Fertilizer Control Order (FCO), 1985 which prescribes the standards of various fertilizers. The fertilizers are incorporated in FCO on the basis of its agronomic efficacy data of trials conducted under Indian conditions and on the recommendations of Technical Committee that is Central Fertilizer Committee (CFC).

Government introduced the New Urea Policy-2015 on 1st June 2015 to make the old/existing urea manufacturing units in the country global competitive by

ensuring energy efficiency in Urea production. Further, the units set up under the New Investment Policy (NIP)-2012 are based on the best available technologies/standards and are highly energy efficient. In view of our import dependency in the P&K sector, the domestic industry has been encouraged to establish supply linkages through long term agreements at competitive prices with resource rich nations.

श्री ईरण्ण कडाडी: सभापति महोदय, देश के किसानों की आवश्यकता को पूरा करने के लिए आवश्यक मात्रा में नैनो उर्वरक उपलब्ध कराने के लिए हमें घरेलू उत्पाद को बढ़ावा देने की ज़रूरत है। मेरा मंत्री जी से प्रश्न है कि क्या नैनो उर्वरक के उत्पाद की इच्छुक सार्वजनिक और निजी क्षेत्र की कंपनियों के लिए सरकार उत्पादन लिंक प्रोत्साहन योजना शुरू करने पर कोई विचार कर रही है?

श्री भगवंत खूबा: सभापति महोदय, माननीय सदस्य ने किसानों के प्रति बहुत अच्छा प्रश्न किया है। देश के अंदर वर्ष 2014 के बाद मोदी जी की सरकार के आने के बाद देश के किसानों की पूर्ति के लिए उर्वरक का उत्पादन और सप्लाई चेन पिछले 10 साल में बहुत ही शानदार रही है। इसी के अंतर्गत नैनो यूरिया का भी संशोधन हुआ। नैनो यूरिया को किसानों के लिए, प्रकृति के लिए और सरकारी खजाने के लिए बहुत उपयुक्त माना गया है। माननीय सदस्य ने नैनो यूरिया के बारे में जो कहा है, अभी तक करीब 8 नए प्लांट्स में उत्पादन करने की परमिशन ली गई है और उसके साथ ही हर साल करीब 500ml बॉटल की 1,440 करोड़ बॉटल की उत्पादन की capacity हो जाएगी। पिछले तीन साल के अंदर 7.43 करोड़ बॉटल्स की खपत हुई है। इसका अवेयरनेस प्रोग्राम, जैसे कि विकसित भारत की मोदी गारंटी की गाड़ी चल रही है, उसी के अंदर ड्रोन के माध्यम से ज्यादा से ज्यादा नैनो यूरिया का उपयोग कैसे होता है, किसानों को इससे अवगत कराया जा रहा है। नैनो यूरिया की एक बॉटल केवल 260 रुपये की है। किसानों को Granular urea की बॉटल 262 रुपये में मिलती है, लेकिन सरकार उत्पादन में खर्च करने के लिए करीब 2,400 रुपये तक खर्च करके करीब 2,150 रुपये तक की सब्सिडी देती है। महोदय, किसानों को यह ऑलरेडी कम पैसे में मिल रही है।

श्री ईरण्ण कडाडी: महोदय, हमारे देश में प्राकृतिक खेती को बढ़ावा देने में गौशालाएं बहुत मददगार हो सकती हैं। मेरा मंत्री जी से प्रश्न है कि बायोफर्टिलाइज़र के उत्पादन को बढ़ाने हेतु गौशालाओं के farm waste को बायोफर्टिलाइज़र की तरह प्रयोग करने के लिए सरकार द्वारा गौशालाओं को कोई सब्सिडी या इन्सेंटिव दिया जा रहा है?

रसायन और उर्वरक मंत्री (डा. मनसुख मांडविया) : सभापति महोदय, गौशालाओं को प्रोत्साहित करना और गौशालाओं में गोबर का उपयोग करके उसमें से बायोफर्टिलाइज़र बनाना, ऑर्गेनिक फर्टिलाइज़र बनाना और खेती में इन फर्टिलाइज़र्स का उपयोग करके किसान और लोगों को ऑर्गेनिक खाद्यान प्राप्त हो, यह बहुत आवश्यक है। उसके लिए हमने फर्टिलाइज़र सेक्टर में बहुत कुछ बदला है। आज तक हमने ट्रेडिशनल वे देखा है कि हम केवल केमिकल फर्टिलाइज़र में

यूरिया, डीएपी और एनपीके का उपयोग करते थे, इम्पोर्ट करते रहे और यह सालों तक चलता रहा। मोदी जी ने एक नया प्रयास किया। क्यों न हम ऑल्टरनेट फर्टिलाइजर पर जाएं, क्यों न हम इम्पोर्ट डिपेंडेंसी को कम करें, क्यों न indigenous fertilizer plant लगाकर हमारी requirement को हम ही पूरा करें? उन्होंने इस दिशा में काम करते हुए एक पहल की। देश में brain power और manpower की कभी कमी नहीं थी और न ही है। केवल इतना ही सवाल है कि उसको प्रोत्साहित करके opportunity देनी है। इंडिया का एक साइंटिस्ट विदेश में था। वह साइंटिस्ट विदेश से यहां आया और मोदी जी को मिला और उन्होंने नैनो फर्टिलाइजर के बारे में मोदी जी को बताया। तब मोदी जी ने उनसे कहा कि क्या आप यहां पर रिसर्च कर सकते हैं, क्या आप इस देश को कुछ नया नहीं दे सकते हैं? उस साइंटिस्ट ने देश में काम करना चालू किया और देश में नैनो यूरिया और नैनो डीएपी का आविष्कार हुआ। दुनिया में देश ने सबसे पहली बार indigenous नैनो यूरिया बना लिया। सर, 500 एमएल बोतल एक बैग को रिप्लेस करती है। उस बोतल को यूज करने के लिए आपको कोई बैग नहीं लाना पड़ता है, आप आउटलेट पर जाकर 500 एमएल की बोतल लेकर आए, अपने खेत में चले गए और उसको स्प्रे कर दिया। आप जितनी जगह पर एक बैग यूरिया लगाएंगे, उतना एक बोतल स्प्रे से उसको पोषण मिल जाता है, यानी नाइट्रोजन मिल जाता है। आज देश में ऑलरेडी नौ प्लान्ट्स चालू हो चुके हैं और आने वाले दिनों में 2025 के आखिर तक 13 प्लान्ट्स चालू हो जाएंगे। 2025 तक 44 करोड़ बोतल की क्षमता हिंदुस्तान में प्राप्त हो जाएगी। वह हिंदुस्तान की रिक्वायरमेंट को भी पूरा करेगी और दुनिया में हमारे यहां से नैनो यूरिया का एक्सपोर्ट भी होगा। वह गेम चेंजर है। इसलिए ईको सिस्टम क्रिएट करने की आवश्यकता होती है। ईको सिस्टम क्रिएट करने के लिए ड्रोन के द्वारा हम नैनो यूरिया का छिड़काव करें, उसके लिए आज 'विकसित भारत संकल्प यात्रा' में गांव-गांव में किसान के सामने उसका प्रशिक्षण किया जाता है, डेमो किया जाता है। मैं परसों पंजाब गया था। जब मैं पंजाब जा रहा था, तो रास्ते में मैंने देखा कि एक किसान अपने खेत में ड्रोन से छिड़काव कर रहा था। मैंने ड्राइवर को कहा कि गाड़ी खड़ी करो और मैं किसान के पास चला गया। मैंने किसान से पूछा कि किसने आपको ड्रोन से छिड़काव करने के लिए कहा? उस किसान ने मुझसे कहा कि दो दिन पहले मेरे गांव में 'विकसित भारत संकल्प यात्रा' आई थी। उन्होंने हमें डेमो करके दिखाया और सुबह के समय डेमो वाले फ्री होते हैं, तो मैंने उनसे कहा कि मेरे खेत में आकर छिड़काव कर दीजिए। ऑल्टरनेट फर्टिलाइजर के रूप में नैनो यूरिया और नैनो डीएपी का acceptance आज बहुत मात्रा में हो रहा है। सर, गायों की बात है, तो हम गायों के गोबर का उपयोग बायोफर्टिलाइजर के रूप में कैसे करें। हमने तय किया है कि 'गोबरधन योजना' के द्वारा देश में कोई प्राइवेट व्यक्ति, institute या कोऑपरेटिव सेक्टर गोबर का उपयोग करके, चाहे गाय का गोबर हो, all type of organic waste हो, उसका उपयोग करके गैस प्लांट लगाए, तो देश को गैस भी मिलेगी, उससे भी slurry मिलेगी। यदि कोई भी slurry को फर्टिलाइजर बनाकर बेचने के लिए पैदा करेगा, तो उसके लिए हमने एमडीए स्कीम चलाई है। Market Development Scheme के द्वारा एक किलो पर डेढ़ रुपये subsidy चालू कर दी है, ताकि देश में ऐसा प्लांट लगे और किसान को organic खाद मिले, बायोफर्टिलाइजर मिले और उसका उपयोग करके किसान अपना उत्पादन बढ़ा सके तथा जनता को organic खाद्यान्न, फूड और वेजिटेबल खाने के लिए मिल सके।

DR. SASMIT PATRA: Mr. Chairman, Sir, at the outset, I would like to thank the Minister for having an exclusive policy for the revival of Talcher unit of FCIL in Odisha through a JVC through Talcher Fertilizers Limited which leads to setting up of a new greenfield urea plant of 12.7 lakh metric ton which will help the State of Odisha and the nearby States. My specific question is: What is the present status of Talcher Fertilizers Limited revival process? It is a specific gas classification route that has been used which is probably rare and for the first time in this country and for that I also commend the hon. Minister. But what is the present status of this project? And by when can we expect Talcher Fertilizers Limited to be commissioned?

श्री भगवंत खूबा: महोदय, देश के किसानों की यूरिया की डिमांड की पूर्ति करने के लिए 2014 से पहले करीब छह यूरिया यूनिट्स देश के अंदर बंद पड़ी थीं। नेशनल इन्वेस्टमेंट पॉलिसी के तहत यूरिया यूनिट्स को चालू किया गया। 2014 में मोदी जी के आने के बाद जिनको चालू किया गया, उनमें दो प्राइवेट हैं और चार भारत सरकार की हैं। नेशनल इन्वेस्टमेंट पॉलिसी का हर यूनिट 12.7 लाख मीट्रिक टन प्रति वर्ष की क्षमता के साथ, यानी इसको एक्युमिलेट किया जाए, तो 72 लाख से ज्यादा प्रोडक्शन कैपेसिटी बढ़ाने के लिए मोदी जी की सरकार ने निर्णय लिया था। इसमें अभी तक पांच यूनिट्स चालू हो चुकी हैं। तालचर में अभी करीब 50 प्रतिशत काम प्रगति पर है और सितम्बर, 2024 तक का उसका लक्ष्य रखा गया है कि तालचर में जो यूनिट है, वह चालू हो जाए। मोदी सरकार के आने के बाद इतने बड़े पैमाने पर यूरिया का प्रोडक्शन करने की जिम्मेदारी उठाने का काम हमने किया है।

महोदय, इसी के साथ नेशनल यूरिया पॉलिसी, 2015 के तहत जो एक्ज़िस्टिंग प्लांट्स हैं, उनकी कैपेसिटी से भी ज्यादा प्रोडक्शन करने के लिए मोदी सरकार ने उनको बढ़ावा दिया है और एनईपी के तहत करीब 20 से 25 लाख मीट्रिक टन का उत्पादन बढ़ा है, यानी आने वाले दिनों में किसानों को जितनी मात्रा में यूरिया चाहिए, वह हम इसके माध्यम से कर रहे हैं।

MR. CHAIRMAN: Now, fourth supplementary; Shri Syed Nasir Hussain.

SHRI SYED NASIR HUSSAIN: Sir, I thank you for this opportunity. There has been a lot of news about Atmanirbhar Bharat and a lot of tall claim from the Government on the China issue also. I just want to ask the Minister: Is the Government still importing urea and fertilizers from China? If so, what is the value and quantity? What are the measures that the Government is taking to reduce the dependency on the import from China?

डा. मनसुख मांडविया: चेयरमैन सर, देश में कुल मिलाकर प्रति वर्ष सवा तीन से साढ़े तीन सौ लाख मीट्रिक टन यूरिया का consumption है। ये हमें विरासत में 230 लाख मीट्रिक टन यूरिया

का प्रोडक्शन देकर गए थे। मोदी गवर्नमेंट के आने के बाद से हमने हमारे बंद पड़े हुए प्लांट्स को फिर से चालू करने के लिए तैयारी की है। आज गोरखपुर, रामगुंडम, सिंदरी और बरौनी - चार फर्टिलाइजर प्लांट्स आलरेडी चालू हो गए हैं। आज हमारा प्रोडक्शन बढ़कर 285 लाख मीट्रिक टन तक पहुंच गया है। ...**(व्यवधान)**... मैं उसका जवाब दूंगा। बाकी जो हम फर्टिलाइजर इम्पोर्ट करते हैं, उसमें हम टेंडर करते हैं और टेंडर के हिसाब से टेंडरर्स या मैन्युफैक्चरर्स प्राइस क्वोट करते हैं। ...**(व्यवधान)**... चाइना से भी आता है, इसकी चिंता नहीं है। आपने जो परम्परा चालू की थी, आप हमें जो विरासत में देकर गए थे, उस विरासत को पुख्ता करने के लिए, आत्मनिर्भर भारत बनाने के लिए पांच प्लांट्स का शिलान्यास और उनको स्टार्ट हमने किया है। ...**(व्यवधान)**...

माननीय सभापति जी, दूसरे तीन प्राइवेट सेक्टर के प्लांट्स को भारत सरकार ने प्रोत्साहित करके, न्यू यूरिया पॉलिसी लाकर, उसका प्रोडक्शन चालू किया है। पहले हम साढ़े तीन लाख मीट्रिक टन फर्टिलाइजर इम्पोर्ट करते थे, लेकिन आज 200 लाख मीट्रिक टन फर्टिलाइजर ही इम्पोर्ट कर रहे हैं। ...**(व्यवधान)**.. क्या हम अपनी जरूरत के हिसाब से जहां से हमें फर्टिलाइजर मिलता है, हम ग्लोबली टेंडर करके किसान के लिए फर्टिलाइजर न लें, क्या हम किसानों को फर्टिलाइजर से वंचित रखें? सर, पॉलिटिक्स करने की कोई जगह होती है, कोई हद होती है! ...**(व्यवधान)**... सर, हम आत्मनिर्भर भारत की बात कर रहे हैं, तो क्या गलत कर रहे हैं? देश के स्वाभिमान की बात कर रहे हैं, तो क्या गलत कर रहे हैं? ...**(व्यवधान)**... चेयरमैन सर, इन्होंने जो काम नहीं किया है, वह काम मोदी गवर्नमेंट कर रही है। देश को सशक्त बनाने के लिए, आत्मनिर्भरता की ओर आगे बढ़ाने के लिए, जो भी पूर्ति करने की आवश्यकता होगी, वह भारत सरकार करेगी और कर रही है।

SHRI BIRENDRA PRASAD BAISHYA: Sir, thank you for giving me this opportunity. In the interest of the farmer and in the interest of cutting down foreign fertilizer and increasing the domestic production of the fertilizer, it is the call of the hour. Brahmaputra Valley Fertilizer Corporation is the oldest fertilizer corporation of India. Earlier in Indian economy and in agriculture development of India and North Eastern Region specially, Brahmaputra Valley Fertilizer Corporation played a very important role. The project is a very old project. They have everything. They have captive power, gas connectivity from Oil India and there is a market to Myanmar and Bangladesh also. It is a call of the hour to revive the Brahmaputra Valley Fertilizer Corporation which is the oldest corporation. Like the other fertilizer corporations in the Andhra Pradesh which was rectified by the Government, is the Government planning to modify Brahmaputra Valley Fertilizer Corporation of Assam?

डा. मनसुख मांडविया: सभापति महोदय, ब्रह्मपुत्र वैली फर्टिलाइजर प्लांट हमारे असम का एक महत्वपूर्ण प्लांट है। यह प्लांट चल रहा है और इससे प्रॉडक्शन भी आ रहा है। सभापति महोदय, बदलते समय में कैमिकल फर्टिलाइजर का उपयोग कम हो और अल्टरनेट फर्टिलाइजर का उपयोग बढ़े, इसके लिए मोदी गवर्नमेंट द्वारा प्रयास हो रहे हैं और उनमें से ही नैनो यूरिया आया

है, नैनो डीएपी आया है। आज नैनो यूरिया और नैनो डीएपी के प्राइस - हमारा जो कंवेशनल फर्टिलाइजर है, उसके प्राइस से बहुत कम है, इसलिए हम लोगों को प्रोत्साहित करते हैं। मैं एश्योर करना चाहूंगा कि ब्रह्मपुत्र वैली फर्टिलाइजर प्लांट ऑलरेडी चल रहा है और चलता रहेगा, लेकिन हम वहाँ पर नैनो यूरिया का भी प्लांट लगाएंगे और नैनो डीएपी का भी प्लांट लगाएंगे, ताकि इस रीजन की भी रिक्वायरमेंट पूरी हो और वहाँ से - जैसा कि बताया गया है कि पड़ोसी कंट्री से एक्सपोर्ट करने की opportunity प्राप्त हो, तो एक्सपोर्ट भी कर पाएंगे।

MR. CHAIRMAN: Question No. 94.

Per capita income of various States

†*94. SHRIMATI SUMITRA BALMIK: Will the Minister of FINANCE be pleased to state:

- (a) the increase in GST registered during the last three years, month-wise;
- (b) the percentage of GDP of Madhya Pradesh as compared to India's GDP; and
- (c) the per capita income of various States including that of Madhya Pradesh?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI PANKAJ CHAUDHARY): (a) to (c) A statement is laid on the Table of the House.

Statement

(a) The details of month-wise Gross Goods and Services Tax (GST) collection on all supplies (Domestic + Imports) during the last three financial years are given as per **Annexure-I**.

(b) The percentage of GDP of Madhya Pradesh is 4.86% of India's GDP at current prices for FY 2022-23 (estimate).

(c) The per capita income of various States is placed as per **Annexure-II**.

† Original notice of the question was received in Hindi.

Annexure-I

Month-wise details of GST collection on all supplies (Domestic + Imports)

Rs. In Crores

Month	Total	M-o-M growth %	Y-o-Y growth %
Apr'20	32,172	-67.03%	-71.75%
May'20	62,151	93.18%	-38.03%
Jun'20	90,918	46.29%	-9.03%
July'20	87,422	-3.85%	-14.36%
Aug'20	86,449	-1.11%	-11.97%
Sep'20	95,480	10.45%	3.88%
Oct'20	1,05,155	10.13%	10.25%
Nov'20	1,04,963	-0.18%	1.42%
Dec'20	1,15,174	9.73%	11.62%
Jan'21	1,19,875	4.08%	8.17%
Feb'21	1,13,143	-5.62%	7.39%
Mar'21	1,23,902	9.51%	26.96%
Apr'21	1,39,708	12.76%	334.25%
May'21	97,821	-29.98%	57.39%
Jun'21	92,800	-5.13%	2.07%
Jul'21	1,16,393	25.42%	33.14%
Aug'21	1,12,020	-3.76%	29.58%
Sep'21	1,17,010	4.45%	22.55%
Oct'21	1,30,127	11.21%	23.75%
Nov'21	1,31,526	1.08%	25.31%
Dec'21	1,29,780	-1.33%	12.68%
Jan'22	1,40,986	8.63%	17.61%
Feb'22	1,33,026	-5.65%	17.57%
Mar'22	1,42,095	6.82%	14.68%
Apr'22	1,67,540	17.91%	19.92%
May'22	1,40,885	-15.91%	44.02%
Jun'22	1,44,616	2.65%	55.84%
Jul'22	1,48,995	3.03%	28.01%
Aug'22	1,43,612	-3.61%	28.20%
Sep'22	1,47,686	2.84%	26.22%
Oct'22	1,51,718	2.73%	16.59%

Nov'22	1,45,867	-3.86%	10.90%
Dec'22	1,49,507	2.50%	15.20%
Jan'23	1,57,554	5.38%	11.75%
Feb'23	1,49,577	-5.06%	12.44%
Mar'23	1,60,122	7.05%	12.69%
Apr'23	1,87,035	16.81%	11.64%
May'23	1,57,090	-16.01%	11.50%
June'23	1,61,497	2.81%	11.67%
Jul'23	1,65,105	2.23%	10.81%
Aug'23	1,59,069	-3.66%	10.76%
Sep'23	1,62,712	2.29%	10.17%
Oct'23	1,72,003	5.71%	13.37%
Nov-23	1,67,929	-2.37%	15.12%

Annexure-II

PER CAPITA NET STATE DOMESTIC PRODUCT AT CURRENT PRICES; BASE YEAR 2011-12					
(as on 01.08.2023)					
PER CAPITA NSDP AT CURRENT PRICES (In Rs)					
S. No.	State/UT	2019-20	2020-21	2021-22	2022-23
1	Andhra Pradesh	160341	163746	192587	219518
2	Arunachal Pradesh	182171	181684	205645	NA
3	Assam	90123	90482	102965	118504
4	Bihar	44175	42083	47498	54111
5	Chhattisgarh	106603	104788	120704	133898
6	Goa	435949	431351	472070	NA
7	Gujarat	212428	207324	241930	NA
8	Haryana	230563	229065	264835	296685
9	Himachal Pradesh	186559	177924	201271	222227
10	Jharkhand	75016	69963	84059	91874
11	Karnataka	221431	221310	265623	301673
12	Kerala	208879	194432	233855	NA
13	Madhya Pradesh	101909	103654	121594	140583
14	Maharashtra	189889	183704	215233	NA

15	Manipur	78574	75784	91560	NA
16	Meghalaya	87653	90751	103335	112737
17	Mizoram	195365	173521	198962	NA
18	Nagaland	122759	119781	125887	NA
19	Odisha	104633	103203	128181	149902
20	Punjab	154385	150620	168705	181716
21	Rajasthan	115360	115122	135962	156149
22	Sikkim	412627	415045	463509	519964
23	Tamil Nadu	206165	209628	242253	275583
24	Telangana	231326	225663	270839	312398
25	Tripura	121456	118401	137472	159419
26	Uttar Pradesh	65660	61434	73048	83565
27	Uttarakhand	190543	184002	211657	233565
28	West Bengal	110313	106510	124798	141373
29	Andaman & Nicobar Islands	219653	205368	229080	NA
30	Chandigarh	330703	290671	333932	NA
31	Delhi	355798	331112	389529	444768
32	Jammu & Kashmir-UT	101868	101540	120790	136771
33	Puducherry	217937	208453	251344	NA

श्रीमती सुमित्रा बाल्मीक: सभापति महोदय, आपका बहुत-बहुत धन्यवाद। महोदय, आज देश में एक ही गारंटी है और वह है मोदी जी की गारंटी। भारत 2027 तक दुनिया की तीसरी सबसे बड़ी अर्थव्यवस्था बन जाएगा और मैं समझती हूँ कि यह वादा पूरा होगा। महोदय, हमारे प्रधान मंत्री जी यहीं नहीं रुके हैं, बल्कि उन्होंने इससे आगे बढ़कर 2047 तक भारत को विकसित राष्ट्र बनाने का आह्वान किया है। मैं आपके द्वारा माननीय मंत्री जी से जानना चाहती हूँ कि 2047 तक भारत को विकसित राष्ट्र बनाने के लिए सरकार ने क्या-क्या प्रयास किए हैं?

श्री पंकज चौधरी: माननीय सभापति महोदय, मैं आपके माध्यम से सदन को बताना चाहता हूँ कि हमारे युगदृष्टा प्रधान मंत्री जी ने जब से देश का नेतृत्व संभाला है, तब से देश के जन-जन को सशक्त बनाने के लिए विश्व की सबसे बड़ी 'आर्थिक समावेशीकरण योजना' लागू की, जिसमें 'जन-धन योजना' के माध्यम से लगभग 51 करोड़ खाते खोले गए। इतना ही नहीं, देश में जितने अनावश्यक कानून थे, ऐसे 1,500 से अधिक कानूनों को समाप्त किया, बैंक से लोन लेने के मामले में सीमा के निस्तारण के लिए IBC को भी लागू किया और जो 20 से अधिक लेबर कानून थे, जो समय-समय पर बिजनेस के लिए दिक्कत पैदा करते थे, उनको भी समाप्त करके चार श्रम कोड लाने का काम किया। 'एक देश-एक कर' के तहत जीएसटी लाकर टैक्स को ठीक करने का काम

किया गया, आयकर में फेसलैस लाकर लोगों को कहीं न कहीं राहत देने का भी काम किया है। हमारे युगदृष्टा प्रधान मंत्री जी ने औद्योगिक वातावरण बनाने के लिए काम शुरू किया है, इसलिए आधारभूत संरचना पर लगातार विकास का काम किया गया है। महोदय, हाईवे हो, रेलवे हो, एयरपोर्ट हो, आप इनमें विकास होता देख रहे हैं। उन्होंने पूँजीगत व्यय को लगातार बढ़ाकर देश को गति देने का काम किया है। यदि पिछले लगातार तीन बजट देखें, तो पाएंगे कि इसे तीन साल से लगातार 5 लाख, 7.5 लाख और 10 लाख करोड़ करने का काम किया गया है। कॉरपोरेट टैक्स को अंतरराष्ट्रीय स्तर पर प्रतिस्पर्धी बनाया गया है। एफडीआई का सरलीकरण किया गया है। इसके अतिरिक्त, कई योजनाएं लागू की गई हैं, जिन्होंने आर्थिक माहौल को बदल दिया है, जैसे “पीएम गति शक्ति योजना”, “पीएलआई स्कीम”, “नेशनल लॉजिस्टिक पॉलिसी”, “राष्ट्रीय मुद्रीकरण पाइपलाइन”, “राष्ट्रीय अवसंरचना पाइपलाइन”। इसके साथ-ही-साथ, प्रधान मंत्री जी का कहना है – “सबका साथ, सबका विकास, सबका विश्वास और सबका प्रयास”। प्रधान मंत्री जी की सोच है कि हम इसे अकेले नहीं कर सकते हैं। जब तक देश में सबका सहयोग नहीं होगा, तब तक देश विकसित राष्ट्र नहीं बन सकता है। आप देखिए कि प्रधान मंत्री जी ने 2017 में विकसित राष्ट्र बनाने का जो लक्ष्य रखा है, उसमें भारतवासियों का सहयोग चाहिए, इसलिए प्रधान मंत्री जी नागरिकों को हर मूलभूत सुविधा प्रदान करने की योजना लेकर आए हैं, वह चाहे शौचालय हो, बिजली हो, नल से जल हो, सड़क हो, आयुष्मान कार्ड हो, स्वनिधि का ऋण हो, मुद्रा ऋण हो, कारीगरों के लिए विश्वकर्मा योजना हो, स्किल डेवलपमेंट हो। इसके साथ-ही-साथ, 81 करोड़ लोगों को जो अन्न दिया जा रहा है, प्रधान मंत्री जी ने उसे पाँच साल तक आगे बढ़ाने का काम किया है। सरकार के इन्हीं प्रयासों का नतीजा है कि भारत की अर्थव्यवस्था विश्व में तेजी से बढ़ती हुई अर्थव्यवस्थाओं में से एक है।

MR. CHAIRMAN: Second supplementary. Shrimati Sumitra Balmik.

श्रीमती सुमित्रा बाल्मीक: माननीय सभापति जी, जीएसटी के रूप में हमारी सरकार ने एक राष्ट्रीय टैक्स की व्यवस्था दी है। इसी का परिणाम है कि आज अरुणाचल प्रदेश से गुजरात तक तथा कश्मीर से कन्याकुमारी तक, पूरे देश में एक ही टैक्स लगता है। सामान के पैकेट पर भाषा चाहे जो छपी हो, लेकिन टैक्स एक ही लगता है। इससे व्यापार में बहुत सुविधा हो गई है। पिछले कुछ वर्षों में जीएसटी टैक्स में लगातार सुधार हो रहा है। मैं मंत्री महोदय से जानना चाहती हूँ कि जीएसटी सिस्टम में क्या सुधार किए गए हैं? यह सिस्टम और प्रभावी बने, इन सुधारों का क्या परिणाम निकलता है?

श्री पंकज चौधरी: सभापति जी, जीएसटी – वन नेशन, वन टैक्स का सिस्टम अपने आप में एक क्रांतिकारी बदलाव था, क्योंकि जीएसटी ने अपने अंदर 17 टैक्स और तीन सेस को समाहित करके, व्यवसायों को सशक्त बनाने में अत्यंत महत्वपूर्ण भूमिका निभाई है। पिछले कुछ वर्षों में जीएसटी प्रणाली में अनेक महत्वपूर्ण परिवर्तन किए गए हैं, जैसे जीएसटी पोर्टल लॉग-इन किए बगैर पात्र करदाताओं को एसएमएस आधारित निल फाइलिंग की सुविधा प्रदान करता है। जीएसटी रिटर्न 2बी का निर्माण हुआ, जिसमें टैक्सपेयर को जीएसटी रिटर्न के विभिन्न स्रोतों से

इनपुट टैक्स क्रेडिट की जानकारी को ऑटो-पॉपुलेट किया जा रहा है। जीएसटी पंजीकरण की प्रक्रिया में भी आधार के माध्यम से तुरंत वेरिफिकेशन की प्रक्रिया शुरू की गई है। त्रैमासिक रिटर्न और मासिक भुगतान का प्रावधान किया गया है। बिज़नेस इंटेलीजेंस और एनालिसिस सिस्टम के माध्यम से, कर चोरी, बेमेल चालान आदि मामलों का पता लगाया जा रहा है। इन सभी प्रयासों के माध्यम से, जीएसटी सिस्टम दिन-प्रतिदिन सुविधाजनक होता चला जा रहा है। इस सिस्टम को भी कहीं-न-कहीं समय-समय पर इम्पूव किया जा रहा है।

प्रो. राम गोपाल यादव: श्रीमन्, मेरा एक बिल्कुल प्वाइंटेड सवाल है। यह पर कैपिटा इनकम लोगों में बहुत बड़ी गफलत पैदा करती है। इसमें कुछ लोग ऐसे होते हैं, जिनके पास अरबों रुपये हैं और कुछ ऐसे होते हैं, जिनकी आमदनी दस रुपये भी नहीं है। मैं आपके माध्यम से जानना चाहता हूँ कि क्या गवर्नमेंट ने यह सर्वे करवाया है कि देश के निचले 20 परसेंट लोगों की प्रति व्यक्ति आय क्या है?

श्री पंकज चौधरी: माननीय सभापति महोदय, माननीय सदस्य ने जो विषय पूछा है, अगर उसे देखें, तो जो सर्वे रिपोर्ट आती है, उसमें जो नेट जीडीपी होता है, Net GDP divided by population, उसके आधार पर इसका आंकड़ा निकलता है। अगर आप देखें, तो जहाँ 2013 में देश की पर कैपिटा इनकम 89,118 रुपये थी, वहीं 2022-23 में देखें, तो यह 1,72,276 रुपये हो गई है। ...**(व्यवधान)**... वर्ष 2014 में प्रधान मंत्री जी के आने के बाद से नौ वर्षों में प्रति व्यक्ति आय में 118 परसेंट की वृद्धि हुई है। ...**(व्यवधान)**...

MR. CHAIRMAN: Hon. Professor, let the hon. Minister respond. ...**(Interruptions)**... I have understood your question. Fourth supplementary, Shri Saket Gokhale.

SHRI SAKET GOKHALE: Sir, I thank you for the opportunity. Through you, I would like to ask the hon. Minister as to what the total amount of GST dues of States is, especially, West Bengal and other States, that are yet to be released to them. In addition, I would also like to ask about States which have had their dues pending or withheld, what the reason behind that is.

श्री पंकज चौधरी: माननीय सभापति महोदय, अगर देखें, तो किसी भी राज्य का जीएसटी बकाया नहीं है और वह जितना भी था, उसे सभी प्रदेशों को दिया जा चुका है। अभी बहुत से प्रदेशों की AG's Report नहीं आई, उसके बाद भी हमने उनको अनंतिम भुगतान कर दिया है। AG's Report आने के बाद उनको फाइनल भुगतान कर दिया जाएगा।

MR. CHAIRMAN: Shri Rajeev Shukla, fifth supplementary. ...**(Interruptions)**... The hon. Minister wants to intervene. ...**(Interruptions)**... Shuklaji, one minute.

...(Interruptions)... The hon. Minister is responding not only to the last supplementary, but to the earlier one also from Professor.

THE MINISTER OF FINANCE (SHRIMATI NIRMALA SITHARAMAN): Sir, on the question of GST compensation, it is important to understand -- the hon. MoS has explained the AG's certificate, but I just want to put it on the Table so that Members are clear -- that if the AG's certificates don't reach us, we cannot clear. When the AG's certificate reaches us, there are some States which tell us, "Hold on till we tell you to clear it." I want to specifically name the States so that there are no doubts in the minds of the people here. AG's certificates have not been received as yet for some States. For instance, Goa. For 2017-18, 2018-19, 2019-20, the AG's certificates have not been received. And again, Goa for 2021-22 and 2022-23, the first quarter. So, no AG's certificate has come. In fact, for 2022-23, except for Karnataka, no State has given the AG's certificate to us as yet. Now West Bengal; since the hon. Member is from West Bengal; for 2019-20, 2020-21, 2021-22, 2022-23 (first quarter), AG's certificate has not come from West Bengal. So, the amount will not be released. So, call it pending, I am sorry, it is a misnomer. Let them send the AG's certificate, we will clear it. So, also, there are several other States which have not submitted the AG's Report. One State, Kerala, sent the AG's certificate, but also told us to hold on till they reconcile some numbers with the AG themselves. So, we are holding on. That is not again pending from our side. On this narrative which goes around that GST compensation is all pending, no, I am sorry! Let's be clear on that.

श्री राजीव शुक्ला: महोदय, इसका सरलीकरण हो जाए, तो देश भर में इसके सरलीकरण से लोगों को, व्यापारियों को बड़ी सुविधा होगी और बिजनेसमैन और मैन्युफैक्चरर्स को भी बहुत सुविधा होगी। इसके संबंध में बहुत शिकायतें हैं और यह बहुत complicated है। इस तरह से अधिकारी उनको परेशान कर रहे हैं, शायद भाजपा के लोग भी यह जानते हैं कि व्यापारी, अधिकारी इससे कितना ज्यादा परेशान हैं। ये जो complications हैं, यह जो उनका सरलीकरण करने की प्रक्रिया है, उसके लिए आगे जो बजट आने वाला है या वोट ऑन अकाउंट जो भी होगा, तो इस संबंध में क्या आप कुछ सोच रही हैं कि इसका सरलीकरण किया जाए? गिरफ्तारी के प्रावधान का भयानक मिसयूज होता है। उनको डरा-डरा कर गिरफ्तारी करते हैं। क्या आप इसके बारे में कुछ सोच रही हैं कि इसका कुछ रास्ता निकाला जाए?

SHRIMATI NIRMALA SITHARAMAN: Sir, let me again take this opportunity to explain. The GST Council has been approached. The Finance Ministers of States who are seated as hon. members in the GST Council, have all been approached by various communities, business leaders and also by traders. They have been told about the

difficulties that they are facing on the ground. And, the GST Council does discuss these things. Periodically, the forms have been simplified accordingly. As regards complaints where there is misuse of, let us say, authority, where some local officer is exceeding his brief, action has been taken by the Council. And, I would welcome, not just hon. Member, Rajeev Shuklaji, but any Member who thinks there are difficulties faced at the ground, particularly, if officers are exceeding their brief, I am quite happy to receive it and take action on it.

MR. CHAIRMAN: The House is adjourned to meet at 2.00 p.m. today.

[Answers to Starred and Un-starred Questions (Both in English and Hindi) are available as Part -I to this Debate, published electronically on the Rajya Sabha website under the link <https://rajyasabha.nic.in/Debates/OfficialDebatesDateWise>]

The House then adjourned for lunch at one of the clock.

The House reassembled after lunch at two of the clock,

MR. CHAIRMAN *in the Chair.*

RECOMMENDATIONS OF THE BUSINESS ADVISORY COMMITTEE

MR. CHAIRMAN: I have to inform the hon. Members that the Business Advisory Committee, in its meeting held today, that is, on 12th December, 2023, has allotted time for Government Legislative Business as follows:

Consideration and passing of the following Bills, after these are introduced, considered and passed by Lok Sabha:

(i) The Bhartiya Nyaya (Second) Sanhita, 2023	15 hours
(ii) The Bhartiya Nagarik Suraksha (Second) Sanhita, 2023	(To be discussed together)
(iii) The Bhartiya Sakshya (Second) Bill, 2023	
(iv) The Jammu & Kashmir Reorganisation (Second Amendment) Bill, 2023.	2 hours
(v) The Government of Union Territories (Amendment) Bill, 2023	2 hours

(vi) The National Capital Territory of Delhi Laws (Special Provisions) Second (Amendment) Bill, 2023 3 hours

GOVERNMENT BILL

The Chief Election Commissioner and other Election Commissioners (Appointment, Conditions of Service and Term of Office) Bill, 2023

&

Amendments for reference of the Bill to a Select Committee of the Rajya Sabha

MR. CHAIRMAN: Shri Arjun Ram Meghwal to move a motion for consideration of the Chief Election Commissioner and other Election Commissioners (Appointment, Conditions of Service and Term of Office) Bill, 2023.

THE MINISTER OF STATE OF THE MINISTRY OF LAW AND JUSTICE; THE MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS; AND THE MINISTER OF STATE IN THE MINISTRY OF CULTURE (SHRI ARJUN RAM MEGHWAL): Sir, I move:

That the Bill to regulate the appointment, conditions of service and term of office of the Chief Election Commissioner and other Election Commissioners, the procedure for transaction of business by the Election Commission and for matters connected therewith or incidental hereto, be taken into consideration.

MR. CHAIRMAN: There are two amendments by Dr. John Brittas and Dr. V. Sivadasan for reference of the Chief Election Commissioner and other Election Commissioners (Appointment, Conditions of Service and Term of Office) Bill, 2023 to a Select Committee of Rajya Sabha. The Members may move the Amendments at this stage without speech.

DR. JOHN BRITTAS (Kerala): Sir, I move:

"That the Bill to regulate the appointment, conditions of service and term of office of the Chief Election Commissioner and other Election Commissioners, the procedure for transaction of business by the Election Commissioner and for matters connected therewith or incidental thereto, be referred to a Select Committee of the Rajya Sabha consisting of the following Members:

1. Shri Bikash Ranjan Bhattacharyya
2. Dr. John Brittas
3. Prof. Manoj Kumar Jha
4. Shri Elamaram Kareem
5. Shri Jose K. Mani
6. Shri A. A. Rahim
7. Shri Tiruchi Siva
8. Dr. V. Sivadasan

with instructions to report by the last day of the first week of the next (263rd) Session of the Rajya Sabha".

DR. V. SIVADASAN (Kerala): Sir, I move:

"That the Bill to regulate the appointment, conditions of service and term of office of the Chief Election Commissioner and other Election Commissioners, the procedure for transaction of business by the Election Commissioner and for matters connected therewith or incidental thereto, be referred to a Select Committee of the Rajya Sabha consisting of the following Members:

1. Shri Elamaram Kareem
2. Shri A. A. Rahim
3. Shri Sandosh Kumar P
4. Shri Binoy Viswam
5. Dr. John Brittas
6. Dr. V. Sivadasan

with instructions to report by the last day of the first week of the next (263rd) Session of the Rajya Sabha".

MR. CHAIRMAN: Motion for consideration of the Bill and the Amendments moved thereto are now open for discussion. I now call upon the Members whose names have been received for participation in the discussion. Shri Randeep Singh Surjewala; you have twenty one minutes.

The questions were proposed.

SHRI ARJUN RAM MEGHWAL: Sir, I want to say something, if you permit.
...(Interruptions)...

MR. CHAIRMAN: Do you want to make initial comments?

एक माननीय सदस्य: हिन्दी में बोलिएगा।...(व्यवधान)...

श्री अर्जुन राम मेघवाल: जी, मैं हिन्दी में बोलूँगा।...(व्यवधान)... ठीक है।

MR. CHAIRMAN: As Chairman, I tell everyone you have the freedom to speak in a language of your choice. One Member has no jurisdiction to direct another Member to speak in a particular language. Our commitment to a particular language may be too deep-rooted. So, Randeepji, let the hon. Minister make some observations.

श्री अर्जुन राम मेघवाल: चेयरमैन सर, 10 अगस्त, 2023 को इसी सदन में यह बिल 1991 के एक्ट को रिप्लेस करके इंट्रोड्यूस किया गया था। 1991 का जो एक्ट था, उसमें बाकी सब चीजें तो ठीक थीं, लेकिन उसमें अप्वाइंटमेंट का प्रावधान नहीं था, उसमें अप्वाइंटमेंट वाला क्लॉज नहीं था। जैसा कि आपको जानकारी है, 2 मार्च, 2023 को सुप्रीम कोर्ट ने पीआईएल को सुनते समय एक फैसला दिया, '...until the Parliament makes a law in consonance with Article 324(2) of the Constitution,' तो उस फैसले के अनुसरण में सरकार यह बिल लेकर आई है।

MR. CHAIRMAN: What did the Supreme Court direct?

SHRI ARJUN RAM MEGHWAL: The Supreme Court has said, 'until the Parliament makes a law..' जब चर्चा हो जाएगी, उसके बाद मैं बाकी चीजों पर आऊँगा।...(व्यवधान)... इसमें crux यह है कि '...until the Parliament makes a law in consonance with Article 324(2).' हमारे संविधान का जो आर्टिकल 324(2) है, वह कहता है कि अप्वाइंटमेंट के संबंध में पार्लियामेंट एक्ट बनाये, जबकि पहले हमारा एक्ट नहीं था। हालांकि 1991 में एक्ट बना, लेकिन उसमें अप्वाइंटमेंट गायब था। सुप्रीम कोर्ट के तीन-चार ऑब्जर्वेशंस थे और हम यह बिल आर्टिकल 324(2) के तहत लेकर आए हैं। इसमें एक ऑफिशियल अमेंडमेंट भी है। अब तक यह प्रक्रिया थी कि सरकार नाम तय करती थी और अप्वाइंटमेंट्स हो जाते थे, लेकिन अब इसकी सर्व कमीटी भी बनी है, सेलेक्शन कमीटी भी बनी है, इसमें सैलरी का विषय भी आया है, इसमें प्रोटेक्शन भी है। अभी हम जो ऑफिशियल अमेंडमेंट लेकर आ रहे हैं, उसमें तीन-चार चीजें बहुत इम्पोर्टेंट हैं। हमने 10 अगस्त को जो बिल पेश किया था, इसमें सर्व कमीटी के क्लॉज 6 में भी एक ऑफिशियल अमेंडमेंट है, जिसे मैं बाद में मूव करूँगा। इसके क्लॉज 10 में सैलरी को लेकर भी एक अमेंडमेंट है। इसके क्लॉज 15 में कंडिशन ऑफ सर्विस को लेकर भी एक अमेंडमेंट है। फिर, हमने इसमें एक क्लॉज 15(A) भी इन्सर्ट किया है, जो कि प्रोटेक्शन से संबंधित है। यदि कोई चीफ

इलेक्शन कमिश्नर और इलेक्शन कमिश्नर अपनी ड्यूटी करते समय कोई कार्यवाही संपादित करेंगे तो उनके खिलाफ ऐसे प्रकरणों में किसी कोर्ट में कार्रवाई नहीं हो सकती है। वह इस प्रोटेक्शन से संबंधित है।

महोदय, इसमें इस तरह के प्रावधान हैं, इसलिए मैं चाहता हूँ कि सदन इस पर चर्चा करे। उसके बाद जो सुझाव आएँगे, उस पर आप मुझे जैसी अनुमति देंगे, उसके अनुसार मैं जवाब देने का प्रयास करूँगा, धन्यवाद।

श्री रणदीप सिंह सुरजेवाला (राजस्थान): सभापति महोदय, आदरणीय मंत्री जी ने कहा कि सुप्रीम कोर्ट ने कई ऑब्जर्वेशंस दिए हैं, जिनकी चर्चा वे बाद में करेंगे, ठीक है। चुनाव आयोग का आधार प्रजातंत्र की शुचिता है, प्रजातंत्र की निष्पक्षता है। संविधान और डेमोक्रेसी, जिसको हम प्रजातंत्र कहते हैं, उसका आधार ही निष्पक्ष चुनाव है और निष्पक्ष चुनाव करवाने वाली एजेंसी चुनाव आयोग है। जब भी आप चुनाव आयोग की बात करेंगे तो ये चार शब्द - निष्पक्षता, निर्भीकता, स्वायत्तता और शुचिता आपके जेहन में जरूर आएँगे। सर, आप सभापति जी भी हैं और कानूनविद् के तौर पर सुप्रीम कोर्ट के एक काबिल वकील भी हैं। 140 करोड़ लोगों के इस देश में किसी व्यक्ति के जेहन में भी ये चार शब्द आएँगे। यह कानून, जो आज माननीय मंत्री जी और सरकार लेकर आई है, वह इन चारों शब्दों को बुलडोजर के नीचे कुचलने वाला कानून है, यह मेरा विनम्र आग्रह है।

सभापति जी, इससे पहले कि मैं इस बिल के प्रावधानों की चर्चा करूँ, independence of election, जिसे अंग्रेजी में कहते हैं and avoidance of interference of Executive. हमारी इलेक्शन मशीनरी इन दोनों बातों से प्रेरित होगी, यह हमारे संविधान के निर्माताओं ने कहा था। काश, आदरणीय कानून मंत्री जी मेरी, आपकी और इस देश के लोगों की नहीं, बल्कि जो बाबा साहेब अम्बेडकर ने कहा था और संविधान सभा में जो चर्चा हुई थी, उस पर अगर एक नज़र डाल लेते तो शायद ये इस कानून को अभी वापस ले लेते या बनाते ही नहीं अथवा इसे लेकर ही नहीं आते।

सभापति महोदय, बाबा साहेब ने electoral machinery के बारे में क्या कहा था, मैं आपकी अनुमति से उसके कुछ शब्द यहां पढ़ कर बताना चाहता हूँ। 15 जून, 1949 को संविधान सभा के अंदर इलेक्शन कमीशन और electoral machinery, चुनाव आयोग, प्रजातंत्र की शुचिता और स्वायत्तता पर चर्चा हुई। दो अन्य सदस्यों ने बड़ी महत्वपूर्ण बातें कहीं, मैं उनकी तरफ आपका ध्यान आकर्षित करूँगा, पर बाबा साहेब ने क्या कहा, मैं वह पढ़ कर बताना चाहूँगा। And, I quote, 'In a very early stage in the proceedings of the Constituent Assembly, a committee was appointed to deal with what are called Fundamental Rights...' — this is what Baba saheb was saying — ...'That Committee made a Report that it should be recognized that the independence of elections and avoidance of any interference by the executive in the elections to the Legislature should be regarded as a fundamental right and provided for in the Chapter dealing with Fundamental Rights. When the matter came up before the House, it was the wish of the House that, while there was no objection to regard this matter as a fundamental importance, it should

be provided for in some other part of the Constitution and not in the Chapter dealing with Fundamental Rights. But, the House affirmed, without any kind of dissent, that in the interest of purity and freedom of elections to the legislative bodies, it was of the utmost importance that they should be freed from any kind of interference from the executive of the day.’ This is what Babasaheb said. And, I quote Babasaheb Ambedkar further. He said, ‘Therefore, so far as the fundamental question is concerned, the election machinery should be outside the control of the executive Government. There has been no dispute. What Article 289...’ — today it is commensurate to Article 324 — ‘...does is to carry out that part of the decision of the Constituent Assembly. It transfers the superintendence, direction and control of the preparation of the electoral rolls and of elections to Parliament and the Legislatures of the States to a body outside the executive to be called the Election Commission.’ That is what Babasaheb said.

And, Sir, not only Babasaheb Ambedkar, he was reacting to what two other Members were saying and I would like to quote two lines from what was said by two Members of the Constituent Assembly. One was Prof. Shibban Lal Saxena and I quote him, Sir. He said, ‘It is quite possible that some party in power who wants to win next elections may appoint a staunch party man as Chief Commissioner.’ I also quote Pandit Hridaynath Kunzru. I quote, ‘We are going in for democracy based on adult franchise. It is necessary, therefore, that every possible step should be taken to ensure the fair working of the electoral machinery. If the electoral machinery is defective or is not efficient or is worked by people whose integrity cannot be dependent upon, democracy will be poison at the source, nay people. Instead of learning from elections how they should exercise their vote, how by judicious use of their vote, they can bring about changes in the Constitution and reforms in the administration, will learn only how parties based on intrigues can be formed and what unfair methods they can adopt to secure what they want.’ In this context, Babasaheb Said and I quote, ‘That electoral machinery has to be necessarily independent and it has to be necessarily outside the interference of the executive.’ These were the two fundamentals on which the Constituent Assembly was unanimous. The Constituent Assembly was also unanimous that a fair and free election, bereft of the interference of the ruling Executive, is a fundamental right. Though not included, yet the entire spirit of the Constituent Assembly was this. I ask myself. महोदय, मैं खुद से भी, इस सदन से भी और हर वह व्यक्ति, जो इस बात को सुन रहा है, उनसे पूछता हूँ और जब मैं स्वयं से यह सवाल पूछता हूँ कि क्या वह कानून, जो मंत्री जी लेकर आए हैं, क्या बाबा साहेब, संविधान सभा और संविधान सभा ने एक voice, एक मत से जो कहा था, बगैर लाग-लपेट, बगैर राजनीतिक द्वेष के क्या यह उस मापदंड पर खरा उतरता है! मुझे यह कहना पड़ेगा कि यह उस

पर औंधे मुंह गिरता है। Let me now bring your kind attention to the provisions of the Bill. As also the fact that hon. Minister says that there are just some observations of the Supreme Court, अगर आप इस कानून को देखें, इस बिल को देखें, जो मंत्री जी लेकर आए हैं, तो मैं उसकी ओर ध्यान आकर्षित करना चाहूंगा। मेरे एक माननीय साथी ने क्लॉज़ 7 पर अमेंडमेंट भी दिया है। अब चीफ इलेक्शन कमिश्नर और इलेक्शन कमिश्नर्स की नियुक्तियां कौन करेगा? माननीय मंत्री जी, जो कानून का मसौदा लेकर आए हैं, उसके मुताबिक माननीय प्रधान मंत्री जी उस समिति के चेयरपर्सन होंगे, लीडर ऑफ अपोजिशन मेम्बर होंगे। एक यूनियन कैबिनेट मिनिस्टर, जिनको भी प्रधान मंत्री जी चिन्हित करेंगे, वह सदस्य होगा। यानी प्रधान मंत्री जी और उनके एक मंत्री, जो उनकी मर्जी से चिन्हित किए जाएंगे, उन दो लोगों का बहुमत होगा। सुप्रीम कोर्ट ने इसके बारे में क्या कहा था? मैं आपके माध्यम से माननीय मंत्री जी का ध्यान आकर्षित करूंगा। 2 मार्च, 2023 को अनूप बरनवाल के निर्णय में लगभग 230 सफे में सुप्रीम कोर्ट ने जो कहा, मैं उसकी आठ लाइन्स इस सदन में पढ़कर बताना चाहूंगा। उन्होंने पैरा 9 में कहा, I quote, "The Executive alone being involved in the appointment ensures that the Commission becomes and remains, a partisan body and a branch of the Executive. The independence of the Commission is intimately interlinked with the process of appointment". Now, I quote paragraph 165, "The Election Commissioners, including the Chief Election Commissioners, blessed with nearly infinite powers, and who are to abide by the fundamental rights, must be chosen not by the Executive exclusively and particularly without any objective yardstick." सर, दो बातें कही गईं। पहली, executive exclusively चीफ इलेक्शन कमिश्नर और इलेक्शन कमिश्नर की नियुक्ति नहीं कर सकता है। दूसरा, किसी objective yardstick के बगैर यह नहीं किया जा सकता। इसी पैराग्राफ में कोर्ट ने क्वेश्चन भी किया। I quote, "An Election Commission, which does not ensure free and fair polls as per the rules of the game, guarantees the breakdown of the foundations of the rule of law". यानी रूल ऑफ लॉ, कानून के शासन को खत्म कर देगा। एक ऐसा चुनाव आयोग, जो निष्पक्ष नहीं है, जो Executive के द्वारा नियुक्त किया जा रहा है या फिर वह executive के इंटरफेयरेंस से परे नहीं है। I further quote, "Equally the sterling qualities which we have described, which must be possessed by an Election Commission, are indispensable for an unquestionable adherence to the guarantee of equality in Article 14". 230 सफे के जजमेंट में दो बातें साफ हैं। Number one, the CEC and the EC must be at arms' length from the Government. Number two, the process has to be beyond influence or under the dictate of the Executive of the day. Exactly what *Baba Saheb* had said, exactly what the Constituent Assembly had said was reiterated, was reaffirmed by none less than the Supreme Court Judgement to which the learned Minister is referring to. May I say, Sir, that Clause 7 * ... I am deliberately using that word; I hope it is not unparliamentary, Sir. I am subject to correction.

* Withdrawn by the hon. Member

MR. CHAIRMAN: But, surely, there could be another word.

SHRI RANDEEP SINGH SUJEWALA: Yes. It violates and negates the rigours and the affirmation by the Constituent Assembly, by Babasaheb Ambedkar, by other individuals and hon. Members of the Constituent Assembly; it goes against the very spirit of the Constitution that is enshrined in Article 14; it completely negates and subjugates the Election Commission to the authority of the Executive; and it does away with, may I respectfully say, willingly, -- if I may say 'maliciously' -- the judgement of the Supreme Court *in toto*. That is why this law is *per se* like a still-born child.

Thirdly, I also want to point out, Sir, जैसा माननीय उच्चतम न्यायालय ने कहा, आर्टिकल 14, जो हमारे मौलिक अधिकार का हिस्सा है, जो कि सत्ता में बैठे हुए सत्ताधीशों के बेलगाम कार्यों पर अंकुश लगाने का सबसे बड़ा तरीका है, यह पूरा कानून उस आर्टिकल 14 के letter and spirit के विरुद्ध है और इसलिए मौलिक अधिकारों का उल्लंघन है। जैसा कि माननीय उच्चतम न्यायालय ने भी कहा है। सभापति जी, Appointments Committee है, वह अब एक empty formality है, if I may use that word. Appointment Committee क्या है? माननीय प्रधान मंत्री जी हैं और माननीय प्रधान मंत्री जी द्वारा मनोनीत किए गए उनके एक और मंत्री हैं। गांव की एक कहावत है, क्योंकि मैं ग्रामीण पृष्ठभूमि से हूँ और आप भी हैं,

"अंधा बांटे रेवड़ी, मुड़ मुड़ अपने को दे।"

If Prime Minister and his Minister are going to be the majority in the committee, then, why have the committee? Let the Prime Minister appoint everybody. Why even have this law? It is an empty formality.

Then, Sir, the Supreme Court said, the Constituent Assembly said, the first Law Minister of the country, Babasaheb Ambedkar, said that the ruling regime's two nominees make the entire process ineffective, negatory and redundant. This is what the Supreme Court also said. I want to quote those four lines from para 8 of that judgement. In fact वे एक कदम आगे गए और उन्होंने कहा कि चुनाव आयोग और न्यायपालिका में कोई अंतर नहीं है। I quote, Sir: "Like the Judiciary, the Election Commission must display fearless independence. In the absence of norms regarding the appointments, a central norm, that is, institutional integrity, is adversely affected. An independent appointment mechanism would guarantee eschewing of even the prospect of bias." Sir, this is what the Supreme Court said, this is what the framers of the Constitution said and this is what this Government is afraid of. I am saying it with a sense of responsibility, for they do not want an independent Election Commission, CEC and EC, they want a pocket borough. उन्हें एक जेबी चुनाव आयोग की आवश्यकता

है। यह कानून एक जेबी चुनाव आयोग का गठन करेगा, आप जेब से चुनाव आयोग निकालेंगे और जो आप चाहेंगे, फिर वह प्रजातंत्र के साथ वही करेगा। इस कानून का फाइनल मतलब यही है। यह pick or choose का एक फॉर्मूला होगा। Sir, may I respectfully also say that it does not pass any kind of constitutional muster. We have to be aware. This is an august House. After all, we have to be aware as to what we are doing or saying and what we are passing. This is manifestly arbitrary. These are ill-conceived attempts. This law is an ill-conceived attempt at consolidating undue total executive control over the electoral body, that is, the Election Commission. The process is arbitrary, the intent is malicious and the result is disastrous, if I may say. That is what is going to happen, Sir, and I again want to take the liberty of last time quoting the Supreme Court where they said in Para 119 ...

MR. CHAIRMAN: Before that, let me remind the hon. Member, with highest respect to everyone, the Parliament is the sole repository of law-making, and this is wisdom of the Parliament. Neither the Executive nor the Judiciary nor any other body ...

SHRI RANDEEP SINGH SURJEWALA: Sir, my time may be stopped.

MR. CHAIRMAN: No; I am aware of that. Since majorly you have focussed on Supreme Court judgement as if the reflections therein have to bind us, I would expect the debate to rise to a very high level because this House, this Parliament, to the exclusion of any other entity, be it Executive or Judiciary, is supreme when it comes to law-making, and you are a part of it. Extra thirty seconds. Go ahead. ...*(Interruptions)*...

श्री जयराम रमेश (कर्नाटक): सर, कल तो और कुछ बोल रहे थे।.. **(व्यवधान)**..

श्री सैयद नासिर हुसैन (कर्नाटक): सर, कल तो और कुछ बोल रहे थे Supreme Court की जजमेंट के बारे में। .. **(व्यवधान)**..

MR. CHAIRMAN: I am really surprised. ...*(Interruptions)*... I am really surprised, both of you. It is time we rise to some level, at least. ...*(Interruptions)*... You represent a party that has a great history.

श्री सैयद नासिर हुसैन: सर, कल आप ही बोले थे।... **(व्यवधान)**..

श्री सभापति: क्या बोले? Let the hon. Member rise and indicate what I spoke. Please rise. ...*(Interruptions)*... Take your seat. Indicate what I spoke. What did I say?

SHRI SYED NASIR HUSSAIN: Sir, yesterday, Supreme Court judgement के बारे में आपने बोला कि जब कोई quote कर रहा है, तो ... **(व्यवधान)**..

MR. CHAIRMAN: Would you be good enough to quote me? ...*(Interruptions)*... Do it during the course of the day.

SHRI SYED NASIR HUSSAIN: Sir, I am doing it. You allow me. You are not allowing me.

MR. CHAIRMAN: Mr. Narsir Hussain, during the course of the day, go through the yesterday's proceedings of the House and put it on the Table that you rely on that. It is not a good habit. I am only making a plea to the Members that we are Parliament of one-sixth of humanity. We are supreme when it comes to law-making. We cannot suffer intervention from any other organ, be it Executive or Judiciary. That is what I am saying. Hon. Member may continue. ...*(Interruptions)*... Please take your seat. ...*(Interruptions)*... When your time comes ... *(Interruptions)*... Take your seat. Yes!

SHRI RANDEEP SINGH SURJEWALA: Mr. Chairman, Sir, let me begin by thanking you for your words of wisdom. You are much seasoned both in age and experience, both in law, as also, perhaps, in parliamentary practices. You have held many offices. But with all humility that I have, may I say, Sir? You are hundred per cent right that Parliament is the august body and is the over-arching body. It is the fountainhead of democracy. But even the fountainhead of democracy will have its sanctity when it does not commit arbitrary acts and passes arbitrary laws. The fountainhead of democracy must adhere to the very tenets of democracy out of which it is born. There is a power higher than us and that is democracy itself and the Constitution itself. We may not be the interpreters of Constitution, we are framers of law. It is the Constituent Assembly and the Parliament which continues to amend that Constitution which is enacted by the Constituent Assembly. But there is something called a higher spirit of democracy and an accountability to the constitutional norms. So, as I stand today here, and as I say what I say to my esteemed Minister who is very experienced and I place before you with all your wisdom and experience, I must say, I am conscious, I am duty-bound and I am answerable to that highest spirit of democracy

and the Constitution which was enacted by this very Parliament, and that spirit of the Constitution and that spirit of democracy today tells me that a law is being brought which will tarnish, bulldoze and sabotage that very democracy and undermine the very constitutional practice that you and me and each one of us swear by.

That is my anguish today which I seek to place, through you, Sir, before this august House and the hon. Minister. The Supreme Court only interprets the Constitution. It is also the defender and protector of the Constitution. We have said that many times. May I remind you, Sir, that I did not quote the Supreme Court in the beginning. I am only responding to what the hon. Chair said to me. I began with the words and wisdom of Babasaheb Ambedkar. I began with the wisdom of the Constituent Assembly, and this was the only issue -- independence of Election Commission, lack of interference from the political executive and an electoral machinery, which is answerable only and only to the tenets of democracy and fairness and equity. That is all that the Constituent Assembly was saying. We have seen and we have read through -- Sir, you have read through and I have read through -- many times the debates of the Constituent Assembly on many, many facets. I found -- please correct me because perhaps you have read the Constituent Assembly debates far more times than I have, but I have also done so -- that not even a single member of the Constituent Assembly disagreed that the fountainhead of democracy is fairness of the electoral process and independence of the election machinery. This was the only issue where the entire Constituent Assembly, irrespective of caste, colour, creed, religion, political differences, ideological differentiations, agreed. They were unanimous. That is all that I pointed out to the hon. Minister. That is why, Sir, I did not begin with the judgement of the Supreme Court. I said, the Supreme Court has only affirmed what was said by the Constituent Assembly. ...(*Time-bell rings.*)...

MR. CHAIRMAN: Please conclude.

SHRI RANDEEP SINGH SURJEWALA: Yes, Sir.

Sir, I also want to point out that the law and what the hon. Minister has brought, negates and ignores not one, not two, but the three committees on the subject, two of which were appointed by their Government. May I just quote from the Dinesh Goswami Committee on Electoral Reforms. Perhaps the Chair was also a Minister at that time in that Government. You were a Minister, and that Government was supported by the Bharatiya Janta Party then. I would like to quote from that Report.

MR. CHAIRMAN: It was supported by nearly the entire House except your Party.

SHRI RANDEEP SINGH SURJEWALA: Yes, Sir. What did that Report say? I am only saying कि जो खुद कहा है, कम-से-कम उसे तो मान लीजिए। हाथ जोड़कर इतना ही कह रहा हूँ। हमारी मत मानिए। Para 1.2 on page 9 of the Report says, "For CEC - appointed by the President in consultation with the Chief Justice, the Leader of the Opposition in Lok Sabha, and of course, the Leader of the largest Opposition group; for EC -- Chief Justice, the Leader of the Opposition and the CEC." This was the recommendation made. That has been ignored by the hon. Minister. Again, their own Law Commission Report No. 255 on Electoral Reforms, 2015, headed by Justice A.P. Shah, may I remind the Minister, said... ..(*Time-bell rings.*)...

Sir, I will just take three minutes by the watch.

MR. CHAIRMAN: You are eating into the time of your Party only. Go ahead.

SHRI RANDEEP SINGH SURJEWALA: Sir, I don't think my Party has an objection. I am sure, the Chair has none either.

MR. CHAIRMAN: The total time allocation to your Party is 41 minutes. You have taken 24 minutes. Then, continue up to 41 minutes if they agree.

SHRI RANDEEP SINGH SURJEWALA: Okay, Sir.

Sir, I want to remind the Minister and quote para 6.12.5 of the Law Commission Report No. 255 of 2015, headed by Justice A.P. Shah. It says, "The appointment of all the Election Commissioners including the CEC should be made by the President in consultation with a three-member collegium or selection committee consisting of the Prime Minister, the Leader of the Opposition in the Lok Sabha or the Leader of the largest Opposition party in Lok Sabha and the Chief Justice of India".
मन्त्री जी, जब लॉ कमीशन की रिपोर्ट मानने की बारी आई, तब आप इन दोनों बातों को * जो आपके लॉ कमीशन की रिपोर्ट है और आपके...

MR. CHAIRMAN: Use some other word. * नहीं कहिए।

SHRI RANDEEP SINGH SURJEWALA: I stand corrected.

* Withdrawn by the hon. Member

MR. CHAIRMAN: He has unimpeachable credentials.

SHRI RANDEEP SINGH SURJEWALA: Very well, Sir. I concede it. My next short point is अगर आप बिल के क्लॉज 5 को भी ध्यान से देखें, तो इसमें एक बड़ी यूनीक बात है। पहली बार यह निर्णय लिया गया कि चीफ इलेक्शन कमिश्नर और इलेक्शन कमिश्नर अब हिंदुस्तान का कोई नागरिक नहीं हो सकता, except one category. There is complete reservation now on who can be CEC and EC. He can either be a serving Secretary of the Government of India or a retired Secretary of the Government of India. मतलब कम्प्लीट 100 परसेंट रिजर्वेशन forever आपने कर दिया। मैं माननीय मंत्री जी से केवल यह पूछता हूँ, Sir, if you were not the Chairman, could you not, as a jurist, be a CEC or EC? I believe एक ऐसा व्यक्ति, और मैं ब्यूरोक्रेसी की competence के बारे में नहीं कह रहा हूँ, पर ब्यूरोक्रेट ने तो कभी न सरपंच का चुनाव लड़ा, न पंचायत समिति का चुनाव लड़ा, न जिला परिषद का चुनाव लड़ा, न एमएलए का चुनाव लड़ा, न एमपी का चुनाव लड़ा और न किसी कोऑपरेटिव सोसाइटी का चुनाव लड़ा, तो इलेक्शन की लिस्ट और इलेक्शन का मैनेजमेंट वे करेंगे, जिन्होंने कभी जिंदगी में कोई चुनाव नहीं लड़ा। यह आपने उनके लिए 100 परसेंट रिजर्व कर दिया है। एक शॉर्ट प्वाइंट यह था कि क्या आप इस पर पुनर्विचार करेंगे?

सर, मैं एक और शॉर्ट प्वाइंट के बारे में बोलना चाहता हूँ। एक सर्च कमेटी है, जिसके संबंध में क्लॉज 6 में माननीय मंत्री जी अब अमेंडमेंट भी ले आए हैं। यह सर्च कमेटी बड़ी यूनीक है और हिंदुस्तान में जितने और ऐसे कानून हैं, यह उनसे बिल्कुल अलग है। अगर आप इसमें देखें तो पहले कैबिनेट सेक्रेटरी इसके हैड थे, अब माननीय मंत्री जी खुद इसके हैड बन गए हैं। So, it is now headed by the Law Minister. We have no problem. But the Search Committee is now actually a steering committee. This steering committee will now eliminate candidates. Say, I also apply as former Secretary -- I am saying it hypothetically -- or a serving Secretary. They can eliminate any number of inconvenient people that they want. They will only select five people. For CVC or CBI Director, it is not so. The Search Committee puts up all the names. पर यहां तो यह steering committee है। गांव की एक कहावत है कि "घर की बही काका लिखनिया"। ऐसा राजस्थान, हरियाणा में कहते हैं, तो सर्च कमेटी कानून मंत्री हैं और इलेक्शन कमेटी प्रधान मंत्री हैं और उसके नॉमिनी उनके मंत्री हैं, तो "घर की बही काका लिखनिया", अपनी मर्जी है, जो करेंगे। It cannot be a steering committee that they have to restrict it to five people only. Why? Why not place everybody? I don't know why they want to do so. Clause 17 of this Bill runs contrary to Article 324(3). If you see Article 324(3), it says that the Chief Election Commissioner is the Chairperson of the Commission. The framers of the Constitution categorically recognise so. May I read just two lines?

MR. CHAIRMAN: Go ahead.

SHRI RANDEEP SINGH SURJEWALA: Article 324(3) says, "When any other Election Commissioner is so appointed, the Chief Election Commissioner shall act as the Chairman of the Election Commission." सर, वे चीफ जस्टिस हों, वे प्राइम मिनिस्टर हों, वे चीफ इलेक्शन कमिश्नर हों, उन्हें इलेक्शन कमीशन को रेगुलेट करना है, पर अब आपने यह बोल दिया कि कोई निर्णय हो, *quasi judicial* function हो, administrative function हो, daily functions हों, वे मेजॉरिटी से डिसाइड होंगे, यानी कल को सभापति जी, hypothetically मंत्री जी अगर सीईसी हैं और मुझे इनको नेगेट करना है, तो मैं तीन और मेम्बर्स appoint कर दूंगा और फिर कहूंगा कि आप दफ्तर में अपनी कुर्सी पर नहीं बैठ सकते या आप किसी फाइल पर साइन नहीं कर सकते हैं या आप किसी *quasi judicial* authority के मेम्बर ही नहीं बन सकते हैं, जब सिम्बल का निर्णय मेरे पास आएगा। I find this strange. The procedure and conduct is always done. If I were to say, I am going to regulate the procedure of this House, you will say 'No, even Deputy Chairperson cannot do it; I am the Chairperson.'" So, the Chairperson, inherently, has the powers to regulate. But this Bill does not say so. In the end, I only want to say to the hon. Minister, through your good offices, one thing. There is an old saying of law and I want to reiterate it today. *Mantriji*, however high you may be; however powerful your Government may be; whatever may be the brute majority you may enjoy, the democracy and the Constitution is above you, and you cannot subjugate, bulldoze and trample over it. I also want to say that we, whatever may be our numbers as joint opposition of the INDIA Alliance, are the defenders of the Constitution of India. We are the defenders of the people of India. We are the champions of the voice of the voiceless and we will continue to do so. सर, एक समय था, जब 'E.C.', यह जो 'E.C.' वर्ड है, इसका मतलब था - 'electoral credibility', लेकिन दुर्भाग्य से अब आपने इसको बनाने का निर्णय किया है, 'E.C.' - 'elections compromised'. Don't do that. इस देश में जेबी चुनाव आयोग नहीं चलेगा। अगर आप इस कानून के माध्यम से जेबी चुनाव आयोग बनाएँगे, तो आप संसद, प्रजातंत्र और संविधान, तीनों की शुचिता, निर्भीकता, निष्पक्षता और स्वायत्तता, उन सब का हनन करेंगे। Thank you, Sir.

SHRI JAIRAM RAMESH: Sir, just give me one minute. In the course of my colleague's speech, he referred to the Government that prevailed in 1990. You, in good spirit, good wit and good humour, said that that was a Government supported by all parties except your party.

MR. CHAIRMAN: I correct myself. Your party did not support us.

SHRI JAIRAM RAMESH: Yes, Sir. I want to remind you that also became your party three years later.

MR. CHAIRMAN: No; I told this House that I have been a Member of this party. I have good connections there. They need to reciprocate. I had been on this side also and I had been in NCP also, but Shri Jairam Ramesh will not change himself. He knows I made this statement earlier. All I need to indicate to the House is that when Shri Surjewala said, "We will defend", I would like to say that in togetherness, this Parliament is the ultimate defender of the Constitution, ultimate architect of the Constitution and if anyone seeks to change the architecture of this Constitution, Parliament is the custodian of it. No incursion whatsoever can emanate from any other source except this Parliament and that is why we are debating it. What shape the law takes will be determined by Parliament. The Executive has come up with a Bill. That is the ultimate authority. Shri Ghanshyam Tiwari, you have 15 minutes.

श्री घनश्याम तिवाड़ी (राजस्थान): सर, आप इसको 21-21 तो करिए।

श्री सभापति: यह तो आप अपनी पार्टी को कहिए।

श्री घनश्याम तिवाड़ी: माननीय सभापति महोदय, मैं प्रारम्भ करूँ, इसके पहले मैं यह कहना चाहूँगा कि मेरे सामने एक समस्या आ गई है। जैसे उन्होंने गाँव की दो कहावतें बताई थीं, हमारे यहाँ पर गाँव में एक कहावत है कि "बिना पढ़ा हुआ जजमान पढ़ा बराबर और पढ़ा हुआ जजमान खुदा बराबर"।

श्री सभापति: एक सेकंड। घनश्याम तिवाड़ी जी सही बात नहीं बता रहे हैं। वे रणदीप सिंह सुरजेवाला और मेरा ख्याल रख रहे हैं। कहावत है - "अनपढ़ जाट पढ़े बराबर और पढ़ा-लिखा जाट खुदा बराबर"। तिवाड़ी जी, यह बात सैकड़ों साल पहले की है, अब हालात बदल गए हैं!

श्री शक्तिसिंह गोहिल (गुजरात): सर, यह आज भी लागू हो रही है।

MR. CHAIRMAN: Professor, this is known as expression of pent-up feeling. तिवाड़ी जी, पर आप इस बात का ध्यान रखिए कि यह कहावत बहुत पुरानी है, पानी बहुत बह चुका है, अब आप और हममें कोई ज्यादा फर्क नहीं है।

श्री घनश्याम तिवाड़ी: सभापति महोदय, जब माननीय सुरजेवाला जी बोल रहे थे, मैं उनके मुँह से लोकतंत्र की और चुनाव आयुक्त की नियुक्ति की बात सुन रहा था, तो मुझे बड़ा रस आ रहा था। मुझे अच्छी तरह ध्यान है कि एक बार नवीन चावला, जो कि श्रीमती इंदिरा गांधी जी के सेक्रेटरी थे, उनको ही चुनाव आयुक्त बना दिया गया था और वे आज कह रहे हैं कि सरकार उनको नियुक्त करने जा रही है! उन्होंने ऐसी बात कही है। फिर वह पार्टी लोकतंत्र की बात करे, जिसने

इमरजेंसी लगायी और सारे दूसरे काम किये! तो मैं लोकतंत्र की बात नहीं करूँगा, उन बातों पर मैं नहीं जाऊँगा। मैं इस बिल की ओर जा रहा हूँ।

माननीय सभापति महोदय, मैं इस बिल का समर्थन करने के लिए खड़ा हुआ हूँ। उन्होंने दो बातों की चर्चा की। उन्होंने संविधान सभा की चर्चा की और सर्वोच्च न्यायालय के निर्णय की चर्चा की। पहले तो मैं संविधान सभा के बारे में बताना चाहूँगा कि संविधान सभा ECI की नियुक्ति व्यवस्था को संसद के विवेक पर छोड़ने को सहमत हो गई थी। उसने कहा था कि इस चुनाव का सारा सिस्टम कार्यपालिका के हाथ में तो नहीं होना चाहिए, लेकिन संसद इसके लिए कानून बनाए और यह संसद के विवेक पर है। इसलिए मैं आपकी उस बात की तारीफ़ करता हूँ और आपको धन्यवाद देना चाहता हूँ कि आपने जो कहा कि संसद ही सर्वोपरि है, न तो कोई न्यायालय और न ही कोई और संस्था। इसलिए सर्वोपरि संसद में यह कानून लेकर हमारे अर्जुन राम मेघवाल जी आये हैं।

महोदय, उन्होंने बाबा साहेब अम्बेडकर का जिक्र किया। वे हमारे पूज्य हैं और founder member हैं। उनके बाद अब अगर कोई Scheduled Caste का आदमी कानून मंत्री बना है, तो वह अर्जुन राम मेघवाल जी हैं। तो जब आप उनकी चर्चा करते हैं, तो अर्जुन राम मेघवाल जी की भी चर्चा कीजिए। इसलिए मैं यह निवेदन करना चाहता हूँ कि जो वर्तमान विधेयक है, उसको लाने का कारण क्या है। विपक्ष को हर बात पर सुप्रीम कोर्ट में जाने की आदत पड़ गयी है। इसके कारण जिस सुप्रीम कोर्ट के निर्णय का बार-बार जिक्र कर रहे थे, कल उसी सुप्रीम कोर्ट ने अपने जजमेंट में कहा कि सरकार की हर बात को सुप्रीम कोर्ट में चुनौती देने से अराजकता की स्थिति पैदा हो जाएगी। वे अराजकता की स्थिति पैदा करने का प्रयत्न कर रहे थे।

महोदय, मैं आपसे यह कहना चाहूँगा कि यह विधेयक लाने की आवश्यकता क्यों पड़ी। जब अजीत के केस में सुप्रीम कोर्ट में गए, तो सुप्रीम कोर्ट ने तीन लोगों की समिति बना दी कि भारत का प्रधान मंत्री, प्रतिपक्ष का नेता और सुप्रीम कोर्ट का चीफ़ जस्टिस - ये सब मिल कर यह तय करेंगे, जब तक कानून नहीं बन जाता। तो उस परिप्रेक्ष्य में कानून बनाने के लिए यह विधेयक लेकर हमारे विधि मंत्री जी आज यहाँ पर आए हैं, इसलिए मैं विधि मंत्री जी का स्वागत करता हूँ।

सभापति महोदय, मैं दूसरी बात यह कहना चाहता हूँ कि इस कानून में क्या है। इस कानून में चयन समिति की संरचना की व्यवस्था की गयी है। चयन समिति कैसी होगी, इसमें उसकी संरचना की व्यवस्था की गयी है। चयन समिति में कौन लोग शामिल होंगे, इस बात की व्याख्या की गयी है। इसमें अध्यक्ष के रूप में प्रधान मंत्री रहेंगे, सदस्य के रूप में लोक सभा में विपक्ष का नेता होगा। इसमें इनके लिए और भी ज्यादा रियायत दी गयी है। इसमें आगे चल कर कहा गया है कि विपक्ष के नेता - संख्या के आधार पर यदि विपक्ष का मान्यता प्राप्त दल का नेता नहीं हो, तो वहाँ उससे भी कम संख्या वाली सबसे बड़ी पार्टी का जो नेता हो, उसको भी उसमें शामिल कर लिया जाएगा, इतना concession दे दिया गया, क्योंकि हमें पता है कि परमानेंट रूप से वे कभी भी इस स्थिति में नहीं आएँगे कि उनको मान्यता प्राप्त विपक्ष की भूमिका मिले। इसलिए सरकार ने सहृदयता से यह प्रावधान कर दिया कि वह संख्या न भी हो, तब भी इनका प्रतिनिधि चयन समिति में रहेगा। इसके साथ ही प्रधान मंत्री द्वारा सदस्य के रूप में नामित एक कैबिनेट मंत्री भी उसमें शामिल होगा।

माननीय सभापति महोदय, 70 साल तक जिस आदमी ने इस मामले में कभी चयन समिति की बात ही नहीं की, अपनी इच्छा से उसको बनाते रहे, वह आज इस प्रकार की बात करे, तो यह

मेरी समझ में नहीं आता। महोदय, यह चुनाव आयोग क्या है, यह लोगों के ध्यान में कब आया? मैं याद दिलाना चाहता हूँ कि जब सबसे पहले टी.एन. शेषन भारत के मुख्य चुनाव आयुक्त बने थे, तब लोगों को पता लगा कि चुनाव आयोग क्या होता है। ...(व्यवधान)... वरना पहले तो राज्य ही चुनाव आयोग था। अभी चर्चा हो रही थी कि ये जो सदस्य बनेंगे, ...(व्यवधान)... उनका यह कैडर होगा। ...(व्यवधान)... उनका यह कैडर होगा। ...(व्यवधान)...

श्री सभापति: एक सेकंड। शक्तिसिंह जी, ...(व्यवधान)... आप मेरी बात सुनिए। ...(व्यवधान)... मैं आपको एक राय दे रहा हूँ। ...(व्यवधान)... मैं आपको एक राय दे रहा हूँ। ...(व्यवधान)... मैं विधान सभा में माननीय घनश्याम तिवाड़ी जी के खिलाफ रहा हूँ। मैं प्रतिपक्ष में था, माननीय घनश्याम तिवाड़ी जी मंत्री भी थे। आप इनको जितना टोकेंगे, इनको उतनी ऊर्जा आएगी। यह मत कीजिए, यह मेरी आपको राय है।

श्री नीरज डांगी (राजस्थान): सर, ये पहले कांग्रेस में थे। ...(व्यवधान)...

श्री सभापति: नीरज डांगी जी के पिताजी भी हमारे साथ थे। मैं आपको राय दे रहा हूँ। घनश्याम जी, अब आपको interruption नहीं होगा, तो आप समय में अपनी बात कह पाएंगे। ...(व्यवधान)...

श्री घनश्याम तिवाड़ी: सर, डांगी साहब जयपुर में मेरे पड़ोस में ही रहते हैं। मैं निवेदन कर रहा था कि ये चर्चा कर रहे थे कि जिन लोगों का कैडर बनाया गया है, जो चुनाव आयुक्त बनेंगे या मुख्य चुनाव आयुक्त बनेंगे, उनमें से कभी कोई पंचायत का चुनाव लड़ा हुआ आदमी नहीं होगा। यह माननीय सुरजेवाला जी ने कहा। माननीय सुरजेवाला जी, जिला निर्वाचन अधिकारी डिस्ट्रिक्ट कलेक्टर होता है, मजिस्ट्रेट होता है, वह कब चुनाव लड़ा हुआ होता है? विधान सभा के चुनाव का अधिकारी एसडीएम होता है, वह चुनाव कब लड़ा हुआ होता है? एक भी आदमी चुनाव लड़ा हुआ नहीं होता है और अगर चुनाव लड़े हुए आदमी को बनाते, तो फिर चुनाव आयोग ही नहीं होता। इसलिए सबसे बढ़िया व्यवस्था यह की गई है। आप यह बात तो करते हैं, लेकिन उस समय जो कुछ बात कहनी चाहिए थी, वह आपने नहीं कही। आपको मुख्य बात यह कहनी थी कि भारतीय लोकतंत्र में और इसमें समस्या क्या है? इस समय जो सबसे बड़ी समस्या है, वह है - प्रजातांत्रिक पारिवारिक सामंतवाद। इन्होंने गोस्वामी समिति की सिफारिश की बात की। ये उस पर बोल रहे थे, लेकिन सबसे बड़ी समस्या आज भारतीय लोकतंत्र के सामने है - पारिवारिक प्रजातांत्रिक सामंतवाद। ये बोल रहे थे कि 'इंडिया' इसके खिलाफ खड़ा होगा। यह 'इंडिया' पारिवारिक प्रजातांत्रिक सामंतशाही प्रवृत्तियों का प्रतिनिधित्व करता है। यह मैं आज यहां पर बताना चाहता हूँ। सात-सात लोग एक परिवार के मेंबर और मंत्री हैं। वह प्रजातंत्र और लोकतंत्र के लिए खतरा है। ये उस लोकतंत्र की बात नहीं करते।

सभापति महोदय, चुनाव आयोग की जो व्यवस्था की गई है, वह निष्पक्षता के लिए की गई है, वह केवल सुप्रीम कोर्ट के निर्णय के आधार पर नहीं की गई है। सुप्रीम कोर्ट का डायरेक्शन है, लेकिन एक व्यवस्था करनी थी कि 1991 के कानून में इस प्रकार की कोई व्यवस्था नहीं थी। आर्टिकल 324 के अंतर्गत और 1991 के कानून में ऐसी व्यवस्था नहीं होने के कारण यह व्यवस्था

की गई। यह व्यवस्था उन व्यवस्थाओं से बेहतर है। यूनियन पब्लिक सर्विस कमीशन में जो नियुक्तियां होती हैं, वे नियुक्तियां कैसे होती हैं? उससे बेहतर व्यवस्था इसमें की गई है। इसमें अनुसूचित जाति आयोग से बेहतर व्यवस्था की गई है, राष्ट्रीय पिछड़ा वर्ग आयोग से बढ़िया व्यवस्था की गई है और राष्ट्रीय अनुसूचित जनजाति आयोग से बढ़िया व्यवस्था की गई है। अन्य निकायों में जो नियुक्तियां होती हैं, उससे भी बढ़िया और व्यापक व्यवस्था इसमें की गई है, क्योंकि उनमें तो प्रतिपक्ष का नेता होता ही नहीं है। जब वे सारे संवैधानिक रूप से ठीक ढंग से काम कर रहे हैं, तो फिर ये नियुक्तियां और आयोग ठीक ढंग से काम क्यों नहीं करेगा?

(उपसभापति महोदय पीठासीन हुए।)

माननीय उपसभापति महोदय, मैं निवेदन करना चाहता हूँ कि भारत की दो चीजों का अध्ययन करने के लिए दुनिया भर से लोग आते हैं। उनमें से पहला है, भारत का चुनाव। भारत के जैसा चुनाव विश्व के किसी देश में नहीं होता है। आचार संहिता लगने से पहले जो चीफ सेक्रेटरी और सेक्रेटरी मुख्य मंत्री और मंत्रियों के साथ थे, जिस दिन आचार संहिता लगती है, वे चुनाव आयोग के अधीन हो जाते हैं और चुनाव आयोग के अधीन होकर निष्पक्ष रूप से काम करते हैं। ...**(व्यवधान)**... हमने कहा कि चुनाव करते हैं, हमको शपथ भी दिलवाते हैं।

श्री उपसभापति: माननीय तिवाड़ी जी, प्लीज़ इधर देखकर बोलें।

श्री घनश्याम तिवाड़ी: सर, मैं आपको देखकर ही बोल रहा हूँ।

श्री उपसभापति: कृपया आपस में बात न करें।

श्री घनश्याम तिवाड़ी: सर, मैं यह बात कह रहा था। दूसरी बात यह कि जब मैंने कहा था कि टी.एन. सेशन जैसे आने चाहिए - मैं भुक्तभोगी हूँ, मैं वर्ष 1972 से इन चुनावों से जुड़ा हूँ, चुनाव लड़ रहा हूँ, लड़ा रहा हूँ और अब यहाँ पहुँचा हूँ। मैंने देखा है कि जब चुनाव होते थे, तब सरकार की चलती थी, चुनाव के पहले दिन तक कांग्रेस के नेता ट्रांसफर के लैटर लेकर आते थे, कहते थे कि वोट दो और ये ट्रांसफर के लैटर लो, तब तक काम करते थे। महोदय, आचार संहिता क्या होती है, यह तब पता लगा, जब टी.एन. सेशन ने इतना काम किया। उन्होंने देखा कि यह तो बहुत खतरनाक काम है, तो उसकी संख्या बढ़ा दी, उन्होंने दो कर दिए, अब तीन हो गए हैं, तो जजमेंट के आधार पर निर्णय होगा। चुनाव आयोग की प्रक्रिया को ठीक करने के लिए हम इस प्रकार का काम कर रहे हैं। महोदय, चुनाव सुधार की बहुत बड़ी आवश्यकता है। अभी गोस्वामी समिति की सिफारिश की बात की गई, प्रकाश समिति की सिफारिशें भी आई थीं। उन चुनाव सुधारों के बारे में कुछ नहीं किया गया। अगर किया गया है, तो माननीय प्रधान मंत्री श्री नरेन्द्र मोदी जी के द्वारा किया गया है। उन्होंने वर्ष 1991 में कानून बनाया और खुद नियुक्तियां कर देते थे। तब कमिटी भी नहीं थी, सर्च भी नहीं था और रिसर्च भी नहीं था। ये स्वयं ही बना लेते थे और कर लेते थे, लेकिन जब ये कमिटी बनने लगीं, जब ये विपक्ष में बैठे और जब इसका थोड़ा टेस्ट आने

लगा, तब इनके दिमाम में इस प्रकार की तकलीफ हो गई, इसलिए ये इस प्रकार का काम बार-बार करते हैं। अगर आपको चुनाव सुधार करना है, तो चुनाव में धन के प्रयोग को कम करना चाहिए।

प्रो. मनोज कुमार झा (बिहार): आपने यह बात बिल्कुल सही कही।

श्री उपसभापति: मनोज झा जी, आपको भी मौका मिलेगा।

प्रो. मनोज कुमार झा: सर, आज मैं मौके पर नहीं हूँ।

श्री घनश्याम तिवाड़ी: चुनाव सुधार के लिए पैसा कहां से आएगा? चुनाव में ब्लैक मनी आता है। जब ब्लैक मनी पकड़ा जाता है, तो समस्या आती है। बंगाल में कहीं 58 करोड़ रुपये पकड़े जाते हैं, तो कहीं 350 करोड़ रुपये पकड़े जाते हैं। यह सारा पैसा लोक सभा चुनाव के लिए इकट्ठा किया जाता है, लेकिन इस बार चुनाव आयोग ने इन 5 राज्यों के चुनाव में ऐसी व्यवस्था की कि आज तक जितना पैसा नहीं पकड़ा गया, उतना करोड़ों रुपया इस चुनाव की आचारसंहिता के काल में पकड़ा गया। इस चुनाव में शुद्धता, शुचिता और इतनी पवित्रता कायम की गई।

सभापति महोदय, पार्टियों के अंदर जब तक आंतरिक लोकतंत्र नहीं होगा, तब तक सुधार नहीं होगा। हमारे यहां अटल जी, आडवाणी जी, मुरली मनोहर जोशी जी, वेंकैया जी से लेकर अमित शाह जी और राजनाथ सिंह जी तक हिन्दुस्तान के सारे प्रांतों से लोग आए हैं और एक सामान्य कार्यकर्ता भी भारतीय जनता पार्टी के अध्यक्ष पद तक पहुंच गया है, लेकिन उधर जो पारिवारिक, प्रजातांत्रिक सामंतवादी पार्टियां हैं, उनकी हालत यह है यदि कोई अन्य बन भी जाए, लेकिन चलता उनके कहने पर ही है। मैं समझता हूँ कि जब तक यह टिकट वितरण की व्यवस्था परिवारवादियों के हाथ में रहेगी, तब तक यह व्यवस्था ठीक नहीं हो सकती, इसलिए चुनाव की व्यवस्था को और ठीक करने के लिए पार्टियों के आंतरिक लोकतंत्र को सुधारने की आवश्यकता है। मैं माननीय सभापति महोदय के इस मत से पूर्णतः सहमत हूँ कि कानून बनाने का अधिकार पूर्णतः संसद का है। सुप्रीम कोर्ट कानून बनाने का आदेश नहीं दे सकता, वह निर्देश कर सकता है। जो सुप्रीम कोर्ट ने लिखा है, वही कानून में आए, यह ज़रूरी नहीं है। कानून को लोकतंत्र की भावनाओं के अनुसार और जनोपयोगी बनाने का काम इस संसद को करना है। हम वह काम कर भी रहे हैं। इसलिए उपसभापति महोदय, मैं आपसे एक निवेदन करना चाहता हूँ कि इस कानून में चार बातें प्रमुख रूप से हैं।

श्री उपसभापति: आपकी पार्टी ने जो समय दिया था, वह खत्म हो चुका है। क्या आप अपनी पार्टी का समय लेंगे?

श्री घनश्याम तिवाड़ी: मैं समाप्त ही कर रहा हूँ। मैं तो इतना ही निवेदन कर रहा हूँ कि वे दल जिन्होंने लोकतंत्र का गला घोंटा, वे दल जिन्होंने आपातकाल लगाया...

3.00 P.M.

जिन्होंने अपने सचिव को मुख्य चुनाव आयुक्त बनाया, उनके मुंह से ये सारी बातें शोभा नहीं देती हैं। भारतीय जनता पार्टी आंतरिक लोकतंत्र की पार्टी है और देश के लोकतंत्र को पवित्र रखने के लिए वह यह विधेयक लेकर आई है, इसलिए मैं इस विधेयक का समर्थन करता हूँ।

MR. DEPUTY CHAIRMAN: Now, Shri Jawhar Sircar; you have 18 minutes.

SHRI JAWHAR SIRCAR (West Bengal): Sir, I thank you for this opportunity. I thank my fellow Members for giving me this opportunity. I thank my Party, the Chairperson of my Party, the National General Secretary, for giving me this opportunity. This opportunity is not the discussion of one more Bill. Please try to understand that today we are dealing rather innocuously with the amendment of a Bill which actually seeks to touch, to shake the very foundations of our democracy. Our democracy rests on free and fair election, and today, we are discussing the key component, the structure and the mechanics of that election under the guise of a simple law. Why do we need to bother about Indian election? Why do we need to? I will give just a few examples and statistics. We claim to be the mother of democracy. Maybe, we can expand on this some other time. But we have the largest electorate in the world -- 92 crore at the last count. We have the largest functioning democracy. We have four million EVMs. The management of four million EVMs crisscrossing the country calls for supreme efforts. Sir, I have had the honour of conducting the 1998 and 1999 parliamentary elections as Chief Electoral Officer. I know the extreme difficulties under which officers function. The same officers, the same personnel, who may be slovenly in their daily work, rise to new heights because the surge of national duty overtakes them. It is time to salute their efforts. It is not a question of whether they went through an election process or not.

Sir, for national election, we have 20 lakh policemen drafted from here and there and posted outside of their polling stations. We have three lakh paramilitary personnel. I am just mentioning the statistics. I had 78,000 polling stations and I know what it was. We must salute the machinery that was created by the first founder, Mr. Sukumar Sen, who was drafted from Chief Secretary of West Bengal, to become the first Election Commissioner. He laid down the path so that India's democracy may continue uninterrupted. Now, having said that, I would recommend to friends on both the sides that they read some of the information with pride the amount of elections and the amount of troubles we have gone through. I remember in 1999 elections during the period of Atal Bihariji, there were floods in West Bengal. My Chief Election

Commissioner asked me, "तुम कर पाओगे?" I said, यह floods तो बंगाल में होता रहता है। We held elections on boats. That is where people went and voted. We have to go through this.

Now, I come to the new Bill and why do we stand to oppose? First thing we need to note in the new Bill is that the status of CEC and ECs is being deliberately lowered from that of a Judge to that of a Cabinet Secretary. सर, इसमें क्या है, मैं बताना चाहता हूँ। It is level 17. Under the Order of Reference, a Supreme Court Judge is at number 9 in the Warrant of Precedence; and Election Commissioner was also there. Now, it has been relegated to 9A. ये छोटी-छोटी बातें लगती हैं, But, Sir, on it depends the parity; on it depends the level at which one can call the other. If the Cabinet Secretary is equal to the Election Commissioner, tomorrow the Cabinet Secretary will not listen to the Election Commissioner and may say, हम बराबर हैं। You see, don't put danger through innocuous English words into the Act. Who can summon whom? So, there is a deliberate demeaning of the position of the Chief Election Commissioner and the Election Commissioners; it is being done deliberately under the guise of a few words.

Secondly, the appointment really boils down to that of PM and his Minister. यह 3:2:1, 2:2:1 खेलकर क्या फायदा है। आप फाइल पर ही बैठकर दे दीजिए। Why are we going through a charade? I would submit that after 71 years of conducting elections, God and Parliament have given us an opportunity to rethink. This is not the time to say that Mr. Navin Chawla was this and 'B' was this or Mr. Sunil Arora was that. This is not the time to discuss these. We have had good and bad on both the sides. Mr. Quraishi's book is of immense importance. Now, why I find this Bill so dangerous, let me explain. In Clause 6, it is given that a Search Committee will be headed by the Cabinet Secretary. Fair enough! A Search Committee, ठीक है, in all good spirit. Then, in Clause 7, they say that after the Search Committee has given names, it would be decided by a Selection Committee consisting of the Prime Minister, his own Minister and the Leader of the Opposition. The results are known. Why go through this?

The Supreme Court's Order gave a strong hint that the Chief Justice of India is, perhaps, willing to join a body and bring in a certain degree of legitimacy, sacrosanctity and fairness. That order, that innuendo, has been refused. Now, it doesn't matter who the Leader of the Opposition is at that point of time. I would submit that we have two leaders of the Opposition. दोनों को दे दीजिए। At least, there would be some amount of intelligent discourse before he can have a run-through. The more dangerous Clause is Clause 8. After all this election, and the Search Committee and all that, Clause 8 says that any person can be appointed as Chief Election Commissioner and Election Commissioner. Now, what a dangerous precedent you

are opening! This is a job where I have mentioned about some of the dimensions, where I have said that we have ten lakh polling stations. It is an administrative job and we know what administration is in this. I have also mentioned the degree of fairness that overcomes. Even Tiwariji also mentioned about it कि जब कर्तव्य आ जाते हैं, तब things become different. We are not clerks and officers at that point of time. Having said that, we would insist that you choose the best. There is a sub-Clause here saying who can be shortlisted - Secretary to the Government of India, somebody who has held the post. I would submit that the Secretary to the Government of India is determined by the pay scale. सीधी बात! And tomorrow Chairman of a co-operative society, who has been given that scale and has conducted elections, would fit into the Bill. Do you think that with a huge machinery in every village, in every tehsil, in every block, in every sub division, in every taluk, in every district of India, he would be able to run the elections? You are leaving gaping holes and I would submit that it is being done deliberately. Again, I repeat, in Clause 10, the downgrading of the rank takes place. This downgrading is not a question of what shoulder ranks we have. That's what is in Armed Forces. This downgrading is on the power to instruct during elections कि आपको यह करना ही है। That power is getting diluted by diluting the rank and this is extremely dangerous. I would submit that Clause 8 is very, very dangerous. I will read out to you. The Selection Committee of the Prime Minister may also consider any other person.(Interruptions)...

SHRI SUSHIL KUMAR MODI (Bihar): Sir, I have a point of order.(Interruptions)...

MR. DEPUTY CHAIRMAN: Please let him.....(Interruptions)... He is not yielding.(Interruptions)...

SHRI JAWHAR SIRCAR: Modiji, later.(Interruptions)... You are eating into my time.(Interruptions)...

MR. DEPUTY CHAIRMAN: Yes, please.

SHRI JAWHAR SIRCAR: Okay. So, if you have brought in an Amendment, we shall take a due look at it. Now, taking it in Clause 10, I have mentioned Clause 10 and I shall wait for the Amendment to see what comes up. Now, coming to the Constitution, this is a thing that reflects on Article 324 of the Constitution which gives, after all the debate that has been held, the power of conducting the elections upon this Election Commission.

And, it also makes a subtle difference. It is where I plead to my fellow legislators to have a look at this. It makes a difference between the CEC and the EC where the removal is concerned. In other words, an Election Commissioner can be removed, practically, at will, without protection. Now, you may say कि आप यह थ्योरिटिकल बात क्यों कर रहे हैं? मैं बता रहा हूँ कि यह थ्योरिटिकल बात क्यों कर रहा हूँ। This is practical. Do you remember the episode of Shri Ashok Lavasa when Shri Sunil Arora was the Chief Election Commissioner and was issuing orders that Shri Ashok Lavasa as member refused or had doubts. Shri Ashok Lavasa was going in for conscientious objection. We all know about it. The goings on within the Election Commission is secret and that is what it should be. But, we know from certain acts that Shri Ashok Lavasa was not on the same page with the CEC at that time; when the CEC, at that time, had set new low standards that Shri Naveen Chawla never did, could have never said. That is CEC. We have enough material to talk about it.

Now, what happened is that the removal here is equated to Supreme Court Judge, that is impeachment, which is very difficult. But, the ECs remain unprotected and I thought that this Government would have the largeness of heart and the depth of vision to include this protection to them because an Election Commission means three persons and not only one who is in the better books of the Government. When Shri Ashok Lavasa raised these conscientious questions, he was "promoted". If I may use the words, he was kicked upstairs. He was just removed. His family was raided; his son was raided and his wife was called in for questions. My humble submission is that if this gentleman had certain, you know what I mean, then why did you make him or did you make him, after knowing all these and keeping this information in a pocket कि बाद में इस्तेमाल करेंगे, आगे कभी गड़बड़ करे? Now, this is not playing fair. I now come to the judgement that has also been mentioned in great detail but this judgement is very, very pointed. It points out to whatever I mentioned about the Election Commissioner being at the mercy of the CEC. It refers to various steps taken to amend the present electoral law and then, uses a word, the Supreme Court, "It becomes imperative to shield the Election Commissioners and to insulate them from Executive interference." A word like this being mentioned by the Supreme Court is indication enough that we should be more judicious with the post. Now, coming to the 1991 Act, that it seeks to replace, the 1991 Act, actually, gives them that status that this Act is taking away. So, in a way, the 1991 Act was good enough. The 1991 Act was concentrated mainly on salaries. This one does on the demeaning of status. My humble submission to all the Members.... *...(Interruptions)...*

MR. DEPUTY CHAIRMAN: Let him complete. *...(Interruptions)...* I will give.... *...(Interruptions)...*

SHRI JAWHAR SIRCAR: Sir, I need those extra seconds. My only....
 ...(Interruptions)... Please pause it. ...(Interruptions)... Sir, let me carry on.
 ...(Interruptions)...

SHRI SUSHIL KUMAR MODI: Sir, I have a point of order. ...(Interruptions)...

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS; AND THE
 MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI V.
 MURALEEDHARAN): Sir,... ...(Interruptions)... And, if it is relevant or not, you
 can... ...(Interruptions)...

श्री जवाहर सरकार: अगर आपके पास कुछ है, तो पहले बताना था, not when I am debating.
 ...(Interruptions)... Do not destroy all institutions.... ...(Interruptions)...

MR. DEPUTY CHAIRMAN: Please. ...(Interruptions)... Shri Jawhar Sircar, please
 point of order. ...(Interruptions)... Point of order. ...(Interruptions)...

श्री जवाहर सरकार: सर, pause कीजिए।

MR. DEPUTY CHAIRMAN: Under which rule?

SHRI SUSHIL KUMAR MODI: Sir, it is under Rule 240. उपसभापति महोदय, वह
 अमेंडमेंट, जो सरकार ने मूव किया है, I think, he has not gone through the amended part
 of the Bill. ...(Interruptions)...

SHRI JAWHAR SIRCAR: I am reading it from that. ...(Interruptions)... I am reading
 from that. I am reading it from that. ...(Interruptions)...

SHRI SUSHIL KUMAR MODI: Otherwise, you are saying the old things.
 ...(Interruptions)... वे उसी पुरानी बात को रिपीट कर रहे हैं और जो अमेंटमेंट मूव हुआ है,
 उसको इन्होंने पढ़ा ही नहीं है। ..(व्यवधान)..अगर उसे पढ़ लेते, तो बोलने की आवश्यकता नहीं
 पड़ती। ..(व्यवधान)..उपसभापति महोदय, मैं यह कह रहा हूँ कि सरकार ने जो अमेंडमेंट मूव
 किया है, उसको इन्होंने पढ़ा ही नहीं है और ये पुरानी बात बोल रहे हैं। ..(व्यवधान)..

SHRI JAWHAR SIRCAR: Sir, let me continue. ...(Interruptions)...

MR. DEPUTY CHAIRMAN: Please. ...*(Interruptions)*... Now, Shri Sukhendu Sekhar Ray.

SHRI SUKHENDU SEKHAR RAY (West Bengal): Sir, the hon. Member has referred to Rule 240 while seeking the point of order. What does it say? ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: Rule 240.

SHRI SUKHENDU SEKHAR RAY: Yes, he mentioned about Rule 240. What does it say? I quote, it says, "The Chairman, after having called the attention of the Council to the conduct of a Member who persists in irrelevance or in tedious repetition either of his own arguments or of the arguments used by other Members in debate, may direct him to discontinue his speech." How come this rule has a point of order to stop my Member from delivering his speech? ...*(Interruptions)*...

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

DR. JOHN BRITTAS (Kerala): And the Parliamentary Affairs Minister was supporting ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: Hon. Members, I had to listen what he has to say—the Government has already brought an amendment. ...*(Interruptions)*... Please. ...*(Interruptions)*... बैठिए।

SHRI JAWHAR SIRCAR: Sir, may I continue? ...*(Interruptions)*... थोड़ा बहुत टाइम भी देखिए।

MR. DEPUTY CHAIRMAN: Yes, please continue. ...*(Interruptions)*...

SHRI JAWHAR SIRCAR: My submission was, the hon. Member had mentioned, Mr. Tiwari had mentioned about Mr. Navin Chawla, the Secretary of a very powerful person being made the CEC. I referred to the Secretary of the current Prime Minister being made to hold the most neutral post in the Constitution of India after the Election Commission and that is the CAG. Do not destroy every institution. The man who was his right hand is today the CAG and we don't get any reports. थोड़ी बहुत दो-चार रिपोर्टें भी आ गईं, पर अब बंद कर दी गई हैं।

MR. DEPUTY CHAIRMAN: Please come to the subject. ...*(Interruptions)*...

SHRI JAWHAR SIRCAR: Not only this, when I talk of the destruction of institutions, I go before him when we had a hero CAG, none of whose presumptive losses could be proved. We have had a hero who got two to three crores from the BCCI because of whatever. He was followed...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: Please speak on the subject. ...*(Interruptions)*...

SHRI JAWHAR SIRCAR: Sir, I am talking of the destruction of an institution. He was followed by a CAG who was charge-sheeted, who was brought into a CBI chargesheet. ...*(Interruptions)*... A CAG being brought ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: Jawhar Sircarji, we are not discussing CAG. ...*(Interruptions)*... Please. ...*(Interruptions)*...

SHRI JAWHAR SIRCAR: The destruction of institution, look at the way they are destroying institution ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: We are not discussing CAG. ...*(Interruptions)*... Please. ...*(Interruptions)*... You are a senior Member. Please...*(Interruptions)*...

SHRI JAWHAR SIRCAR: I look upon the UPSC. ...*(Interruptions)*... सर, मुझे कहने दीजिए। I talk about the destruction or the demeaning of the UPSC where you have got a...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: Please come to the subject. ..*(Interruptions)*...

SHRI JAWHAR SIRCAR: Sir, it is on the subject, the wider scope. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: It is on the Election Commission. ...*(Interruptions)*... Please confine yourself to Election Commission. ...*(Interruptions)*...

SHRI JAWHAR SIRCAR: The misuse of ED and the CBI for absolutely...

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

SHRI JAWHAR SIRCAR: Okay, Sir. I will now come to the last point in this regard where I would say that the Act had spoken about a fixed tenure. This one also speaks about a fixed tenure; it brings it back at 65. Sir, when I mentioned about the destruction of institutions, all I meant is that among the three constitutional institutions--the UPSC, the CAG and the Election Commission--they are suffering through the same fate. I just wanted to draw the attention of the Ministry and provide empirical proof to prove that they are being hollowed out. Do not touch the Election Commission. CAG on a State, we can tolerate, but the Election Commission will determine the fate of democracy that is coming up. We are all going to be a part of its thinking process. There is a leadership that is called for, a huge number of members from the officers and staff of the Government and Para Government offices come up and, when they see somebody they cannot respect; I have been there again and again, अगर इज्जत नहीं दे पाए, तो कुछ नहीं बनेगा। आप जिस मर्जी को अपॉइंट कीजिए।

Sir, this may lead to what we call legalization of rigging. We have already found the corrosion, the erosion of the office where EVM is a suspect, VVPATs are not stamped, VVPATs are shown to you for a few *jhanki darshan* and then it goes into the pot, it does not validate my vote, where you see electoral bonds take over. There have been many, many things in the functioning of the Election Commission that would warrant a fuller discussion. But today, we concentrate only on the appointment and the consequential disappointment, that this side of the House has, to the process by which the entire foundation of fairness is sought to be shaken.

Sir, I would still submit that with all these operational faults, the Election Commission is still managing. I would submit that please let it function, please let the army of election personnel function, let them not feel that they are led by an obviously political boss for obvious reasons. Do not destroy this provision. ...(*Time-bell rings.*)...

MR. DEPUTY CHAIRMAN: Thank you.

SHRI JAWHAR SIRCAR: And withdraw those Sections that militate against fairness that actually embed unfairness into the system.

MR. DEPUTY CHAIRMAN: Thank you Jawhar Sircarji, your time is over.

SHRI JAWHAR SIRCAR: Do not legalize rigging. Thank you.

MR. DEPUTY CHAIRMAN: Hon. Member, Tiruchi Sivaji, you have seven minutes to speak.

SHRI TIRUCHI SIVA (Tamil Nadu): Sir, I stand to oppose this Bill for it is undemocratic, unethical, unjustifiable, unacceptable, for it undermines the very purpose. ...(Interruptions)...

MR. DEPUTY CHAIRMAN: You please speak. You are losing your time.

SHRI TIRUCHI SIVA: Sir, any nation will have a head, even it may be ruled by a dictator. But, only in a democracy, the people decide who will be the ruler to administer the country. And the unique and supreme indicator or identity of a democratic country is fair and free elections. And the undercurrent of it is the ballot. Sir, ballot is not a fickle choice. It is the soul of the country. It brings poor and rich equal, the educated and uneducated equal. Everyone is equal when they stand in the polling booth. Moreover, we, the Indians gained it after two hundred years of subjugation. It keeps the hope alive in the hearts of 140 crore of people. It is a sad decision. It is a lifeline. And, of course, it is the responsibility of the people. Sir, why I am telling much about the ballot paper! It is a hope for a better future, better life and better India. And the Election Commission is the entity which takes care of the elections, which gives power to the people of this country. And this Bill, the Chief Election Commissioner and other Election Commissioners (Appointment, Conditions of Service and Term of Office), jeopardises this sacred principle of the ballot and values that are part of the constitutional basic structure, such as the rule of law, the right to equality and fair election. It is yet another nail in the coffin of EC's autonomy by paving the path for appointment of a yes man as the as a Chief Election Commissioner to decide the fate of electoral democracy. Sir, the Objects and Reasons very clearly say; the hon. Supreme Court in the W.P. No. 104 of 2015, Anoop Baranwal Vs. Union of India, declared that the appointment of CEC and ECs shall be made by the President on the basis of an advice tendered by a Committee consisting of the Prime Minister, the Leader of the Opposition in the Lok Sabha and in case, there is no such leader, the leader of the largest party in the Opposition in Lok Sabha, having the largest numerical strength and the Chief Justice of India. This is very important, Sir.

[THE VICE-CHAIRPERSON (SHRIMATI JAYA BACHCHAN) *in the Chair.*]

It has been clarified in the aforesaid judgment that the said norm provided by the Supreme Court will continue to hold till a law is made by the Parliament. Now, an attempt is made here. We have brought a Bill to enact a law. But, the Bill does not

serve the purpose what the Supreme Court has directed. Hon. Supreme Court has said that there must be a committee comprising of the Prime Minister, the Leader of the Opposition in Lok Sabha and the Chief Justice of India, whereas this Bill provides for a Search committee and a Selection Committee. The Search Committee consists of only bureaucrats; the Secretary in the Government who may be in the office. They will comprise the Search Committee and they will give a panel of members, and the Bill provides that the Selection Committee shall comprise of the Prime Minister, the Leader of the Opposition or the Leader of the major party in the Opposition side, if at all, there is no Leader of Opposition and a Union Minister appointed by the Prime Minister. Then, everything is over. Further, it says that to select an Election Commissioner or a CEC, there need not be a unanimous decision, the majority will be enough. Then, the intention is very clear. Why have you brought this Bill? You can very well jolly well say that whatever the Government wishes can be done.

Madam, I would like to say one thing that this Government has brought all the Bills, legislated the laws which I have repeatedly said that do not forget that one day or the other you will be in the Opposition and you will face the wrath of all the legislations you have brought. They think that they will forever be in the Ruling Party and sit in the Treasury Benches. Sir, the Prime Minister and the Union Minister appointed by him along with the Leader of the Opposition, what the decision will be! Only what the Prime Minister and the Union Minister will decide; so, that choice will be there. There is one more thing, other than the members suggested by the Search Committee, the Selection Committee can appoint anyone else, then, what is the use of the Search Committee? But, there is a Search Committee consisting of bureaucrats only and the Selection Committee has the majority of the Government that is the Prime Minister and the Union Minister and moreover the Search Committee's recommendations will be thrown off and they will appoint any other person whom they wish. This all is really a farce. So, what is the purpose of a Bill which is going to become a law? The Chief Justice of India, why he is not a member, is a very big question and why you are bypassing him, only you have to say about it. What is wrong or what prevents you or objects you in having the Chief Justice of India as a member of the Selection Committee.

Madam, I would like to quote Dr. Ambedkar, it is very, very pertinent, everyone has to repeat it, no wonder because he is the architect of our Constitution. The episode reminds us on June 16, 1949, during the debates in the Constituent Assembly on a draft Article 289, now, Article 324 of the Constitution, dealing with the Election Commission, he precisely said, "There is no provision in the Constitution to prevent the appointing of either a fool, or a knave or a person who is likely to be under the

thumb of the Executive". It was said by none other than Dr. Ambedkar. A day earlier, on June 15th 1949, while moving the draft Article 289 in the Constituent Assembly for setting up an Election Commission, Dr. Ambedkar had observed, "Without any kind of dissent that in the interest of purity and freedom of elections to the legislative bodies, it was of the utmost importance that they should be freed from any kind of interference from the Executive of the day". But, now, the Executive is having the entire control. The Selection Committee can ignore the recommendations of the Search Committee. In winters, we cannot wear a shawl because of the mike. This has to be taken note of by the officials of the Parliament.

Madam, Article 324 of the Constitution provides that the power of superintendence, direction and control of elections to Parliament, State Legislatures, the office of the President of India and the office of Vice President of India shall be vested in the Election Commission. So, Election Commission is not just another entity in the country, this is the foremost. That is why it has chosen to be autonomous, without the intrusion of the Government or any other forces from outside. So, we expect a lot.

THE VICE- CHAIRPERSON (SHRIMATI JAYA BACHCHAN): Mr. Siva, you have been given seven minutes.

SHRI TIRUCHI SIVA: I know that. ..(*Interruptions*).. I have been given the remaining time only.

THE VICE- CHAIRPERSON (SHRIMATI JAYA BACHCHAN): If I can, I can give you all the time.

SHRI TIRUCHI SIVA: The contravention of the Supreme Court judgment in this Bill, 'in the absence of a parliamentary legislation guiding the selection of the ECI members..', the five Judge Bench, I told earlier, the Supreme Court laid down the interim guidelines, the case challenges the Constitutional validity. Now, the recommendations have totally been overlooked by this Government through this Bill. In 1990, the Dinesh Goswami Committee had made suggestions to ensure independence of the ECI. Number one, removal process of CEC; and the administrative independence of the ECI; so also it has been repeatedly even in the Supreme Court in 1995, ECs are considered to be at par with the CEC in hierarchy. But now what is happening is that the CEC can remove the EC whereas CEC can be removed only by an impeachment. Along with all other things, the CEC who was

earlier on par with the Supreme Court Judge, by way of this Bill, he has been reduced to on par with Cabinet Secretary. ..(Interruptions).. Okay... The Election Commission is a *quasi judicial* body. It has a very big authority. So, that is a very big question. An Amendment has been moved. I think, if it is taken up, it will be very well appreciated. So also the global practices can be adhered to. The UK has a panel of Members of Parliament headed by the Speaker, not from one party only, invariably from all the other parties. So also, South Africa has got another one. So, we can follow those things. Even it is in America where it has been done. I would like to conclude only with one word, Madam. According to the Mr. S. Y. Qureshi, the former CEC, 'To tackle the major downside of the proposed Bill, which is a lopsided Selection Committee, was to make all its decisions unanimous.' That will resolve. But now it says that the majority of the Select Committee means, it is very, very clear that only the Prime Minister and the Union Minister, who is there, will be taking the decision. So, forming the Select Committee becomes meaningless and the Search Committee's recommendations, if they are ignored, that becomes redundant. So, this Bill when becomes a law paves way for constituting a Search Committee and the Select Committee. The Search Committee's recommendations become nothing and the Select Committee's decision will be unilateral. So, the purpose is not solved. So, I would suggest to the Government, I would urge the Government that what this Bill you have brought does not serve the purpose. Better to send it to a Select Committee for a better scrutiny; stakeholders will come and bring it back with suitable amendments and make it democratic, make it ethical, make it justifiable and that the Selection of the CEC and the Election Commissioners is transparent and appreciable. Thank you very much.

श्री राघव चड्ढा (पंजाब): महोदया, क्या बीजेपी भारत देश में निष्पक्ष चुनाव खत्म करना चाहती है, क्या भाजपा की सरकार लोकतंत्र की कोई अहमियत नहीं समझती, क्या भाजपा की सरकार के लिए संवैधानिक संस्थाओं की कोई अहमियत नहीं है, क्या भाजपा सरकार हर संवैधानिक संस्था को अपनी * बनाना चाहती है, क्या भाजपा सरकार सुप्रीम कोर्ट के फैसले का कोई सम्मान नहीं करती, उसकी कोई अहमियत नहीं समझती - ये कुछ सवाल हैं, जो बिल पढ़ने के बाद मेरे जेहन में आये। वे इसलिए आये, क्योंकि इस बिल के माध्यम से यह सरकार चुनाव आयोग को पूरे तरीके से अपने नियंत्रण में लेना चाहती है, यानी चुनाव आयोग पर पूर्ण कब्जा चाहती है।

मैडम, चुनाव आयोग के तीन सदस्य होते हैं - एक मुख्य चुनाव आयुक्त, यानी चीफ इलेक्शन कमिश्नर और दो अतिरिक्त इलेक्शन कमिश्नर्स। इनका चयन और नियुक्ति इस बिल के माध्यम से पूरे तरीके से सरकार के हाथों में आ जाएगी और वह जिसको चाहे - चाहे वह पार्टी का

* Expunged as ordered by the Chair.

शख्स हो, yes man हो, party man हो - जिस man को चाहे, उसको चुनाव आयुक्त बना सकती है।

हमारे देश के चुनावों में चुनाव आयोग की बड़ी महत्वपूर्ण भूमिका है। किसका वोट बनेगा, किसका वोट कटेगा - यह चुनाव आयोग तय करता है। किस तारीख पर चुनाव होगा, कितने चरणों में चुनाव होगा - यह चुनाव आयोग तय करता है। ईवीएम मशीनें कहाँ-कहाँ भेजी जाएँगी, उनका नियंत्रण, उनका मैनेजमेंट, उनका योग, उनका प्रयोग - ये सारी चीजें चुनाव आयोग तय करता है। इसीलिए चुनाव आयोग इस देश के फ्री एंड फेयर इलेक्शंस के लिए एक बड़ी महत्वपूर्ण संस्था है। I will mince no words. This Bill is going to destroy one of the few remaining independent institutions in India i.e., Election Commission and, thereby, dislodge free and fair elections from India. यह बिल तीन व्यक्ति या संस्था का अपमान है। पहला, यह सुप्रीम कोर्ट का अपमान है। क्यों? क्योंकि सुप्रीम कोर्ट की इसी साल 2 मार्च, 2023 को पांच जजों की संवैधानिक पीठ ने सर्वसम्मति से एक फैसला दिया और वह फैसला यह था कि सरकारी हस्तक्षेप, सरकार का कोई भी दखल चुनाव आयोग की नियुक्ति में नहीं होना चाहिए। यह खत्म करने के लिए हम एक समिति का गठन करते हैं। उस समिति के गठन से मुख्य न्यायाधीश को हटाकर, एक कैबिनेट मंत्री को डालकर उसका संतुलन बिगाड़ने का काम और सुप्रीम कोर्ट के फैसले को पलटने का काम इस सरकार ने किया, ताकि एक ऐसी व्यवस्था बन जाए, जिसमें जो शख्स ये चाहें, वही चीफ इलेक्शन कमिश्नर बने। यह सुप्रीम कोर्ट की इंसल्ट इसलिए है, क्योंकि इसी साल के दिए गए संवैधानिक पीठ के सर्वसम्मति के दो फैसलों को इस सरकार ने सदन के भीतर बिल लाकर बदल दिया। उनमें से पहला था - दिल्ली सेवा बिल, जो आठ दिन के भीतर ऑर्डिनेंस लाकर और फिर सदन के भीतर बिल लाकर बदला गया और एक यह बिल, जो 2 मार्च, 2023 के सुप्रीम कोर्ट के फैसले को पलटता है और उस फैसले को पूरी तरीके से रिवर्स करने का काम करता है। मैं आपको यह बताना चाहूंगा कि यह सरकार इस बिल के माध्यम से एक प्रकार से सुप्रीम कोर्ट को खुली चुनौती दे रही है कि आपको जो फैसला देना है दीजिए, अगर हमें पसंद नहीं आएगा तो हम बिल लाकर उस फैसले को पलट देंगे। इस बिल के माध्यम से दूसरी इंसल्ट या अपमान चीफ जस्टिस ऑफ इंडिया का है। सुप्रीम कोर्ट का फैसला कहता है कि चयन समिति के तीन सदस्य होंगे -माननीय प्रधान मंत्री जी ,माननीय नेता प्रतिपक्ष ,यानी कि लीडर ऑफ अपोजिशन और थर्ड ,चीफ जस्टिस ऑफ इंडिया। इस बिल के माध्यम से सरकार ने इस तीन मेम्बरी समिति में से चीफ जस्टिस ऑफ इंडिया को हटा दिया और उनकी जगह एक कैबिनेट मंत्री को बिठा दिया। चीफ जस्टिस ऑफ इंडिया से इतना परहेज कि साफ तौर पर उन्हें इस समिति से हटाने के लिए इस बिल को लाया गया है! मैं सरकार को याद कराना चाहूंगा कि समय-समय पर इलेक्टोरल रिफॉर्म्स के लिए इस देश में कमिटियाँ बनीं और अधिकांश कमिटियों ने यह फैसला दिया ,यह रिपोर्ट दी ,यह सजेशन दिया कि समिति के भीतर चीफ जस्टिस ऑफ इंडिया ,यानी इस देश के न्यायमूर्ति को जरूर होना चाहिए ,चाहे वह तारकुंडे कमेटी हो ,दिनेश गोस्वामी कमेटी हो ,वोहरा कमेटी हो ,इंद्रजीत गुप्ता कमेटी हो ,जीवन रेड्डी कमेटी हो या फिर इसी सरकार के लॉ कमीशन की रिपोर्ट हो।

इस बिल के माध्यम से भाजपा सरकार तीसरी इंसल्ट एक ऐसे शख्स की कर रही है, जो भाजपा के संस्थापक थे, जो आज भी भाजपा के मार्गदर्शक हैं, जो भाजपा के भीष्म पितामह के

नाम से जाने जाते हैं। वह व्यक्ति, जो भारत देश के पूर्व उप प्रधान मंत्री रहे, यानी लालकृष्ण आडवाणी जी। मैडम, मैं राज्य सभा के पटल पर इस लेटर को रखूंगा। 2 जून, 2012 को माननीय लालकृष्ण आडवाणी जी ने उस समय के प्रधान मंत्री, डा. मनमोहन सिंह को पत्र लिखकर कहा कि चुनाव आयुक्त की जो भूमिका है, वह चुनावों में बड़ी महत्वपूर्ण है, उसकी नियुक्ति पर एक बहुत बड़ा प्रश्न चिन्ह लगा हुआ है और उसकी नियुक्ति सरकार के हाथ में नहीं होनी चाहिए। वे लिखते हैं, 'The present system whereby Members to the Election Commission are appointed solely on the advice of the Prime Minister does not evoke confidence in the people. Keeping these important decisions as the exclusive preserve of the ruling party renders the entire selection process vulnerable and open to manipulation and partisanship.' वे कहते हैं कि समिति पांच सदस्यों की हो, जो CEC का चयन करे, उनकी नियुक्ति करें, जिसमें प्रधान मंत्री हों, जिसमें लीडर ऑफ अपोजिशन, लोक सभा हों, जिसमें लीडर ऑफ अपोजिशन, राज्य सभा हों, जिसमें चीफ जस्टिस ऑफ इंडिया हों और कानून मंत्री हों। यानी उसमें दो सदस्य सरकार के, दो सदस्य अपोजिशन के और एक सदस्य न्यायपालिका के हों। यह समिति बड़ी अच्छी है। यानी आडवाणी जी भी चीफ इलेक्शन कमिश्नर की स्वतंत्रता के लिए, चुनाव आयोग की स्वतंत्रता के लिए लड़ते रहे, लेकिन इन लोगों ने आडवाणी जी को भी उनके हक की, उनके अधिकार की बात नहीं दी। आज मैं सदन में दूसरी बार लालकृष्ण आडवाणी जी के हक की, उनके अधिकार की बात मांगने के लिए खड़ा हुआ हूँ। पहला तब, जब उन्होंने दिल्ली सेवा बिल पर कहा था कि दिल्ली को पूर्ण राज्य का दर्जा दिया जाए और आज तब, जब उन्होंने कहा कि चीफ इलेक्शन कमिश्नर की नियुक्ति स्वतंत्रता से हो, निष्पक्ष तरीके से हो।

मैडम, मैं आगे तीन महत्वपूर्ण कारण बताना चाहूंगा, जिनके चलते इस बिल को मैं और मुझे लगता है कि समस्त विपक्ष अपोज करता है। पहला यह कि यह बिल पूरी तरीके से इल्लिगल है, गैरकानूनी है और वह इसलिए है, क्योंकि you cannot reverse a Supreme Court judgment without changing the very basis of it. यानी अगर आपको सुप्रीम कोर्ट के फैसले को पलटना है, तो सुप्रीम कोर्ट जिस फैसले को देते हुए जिस आधार को रेफर करता है, आपको उस आधार को बदलना पड़ेगा, आप सीधा फैसला नहीं पलट सकते। आप सीधे फैसला नहीं पलट सकते हैं, लेकिन इन लोगों ने सुप्रीम कोर्ट के फैसले की मूलभूत भावना को इस बिल के माध्यम से चोट पहुंचाने की कोशिश की है और चुनाव आयोग की निष्पक्षता को भंग किया है। दूसरा कारण यह कि क्यों यह बिल गैर कानूनी है, क्योंकि यह बिल basic structure of the Constitution के खिलाफ है। Basic structure of the Constitution है, free and fair elections, basic structure of the Constitution है, निष्पक्ष चुनाव और डेमोक्रेसी। अगर biased election commission होगा, तो चुनाव भी biased होगा। अगर गैर-निष्पक्ष तरीके से चुनाव आयुक्त चुना जाएगा, तो हिन्दुस्तान में चुनाव भी गैर-निष्पक्ष तरीके से होंगे। इसीलिए यह basic structure of the Constitution को भी पूरी तरह से violate करता है।

महोदया, मैं आगे दूसरा महत्वपूर्ण कारण बताना चाहूंगा कि क्यों यह बिल एक प्रकार से सरकार के हाथ में चुनाव आयोग का पूरा नियंत्रण दे देता है। Why is the Selection Committee biased in the favour of the Government? सुप्रीम कोर्ट ने कहा कि तीन मेम्बर्स की समिति होगी, जो तय करेगी कि चुनाव आयोग में कौन-कौन बैठेगा, जिसमें प्रधान मंत्री, Leader of the

Opposition और Chief Justice of India होंगे। इसमें से Chief Justice of India को बाहर निकाल कर एक कैबिनेट मिनिस्टर को इसमें डालकर इन लोगों ने selection समिति का पूरा नियंत्रण बिगाड़ दिया, जिसके चलते आज इस समिति में सरकार के पास दो वोट हैं, 2:1 से majority से सारे फैसले सरकार ले सकती है। इसमें सर्वसम्मति से फैसला नहीं लेना है, unanimity से फैसला नहीं लेना है, सरकार चाहे तो 2:1 से कोई भी फैसला ले सकती है। यानी कि सारा नियंत्रण - कौन मुख्य चुनाव आयुक्त होगा, कौन चुनाव आयुक्त होंगे - सरकार के हाथ में आ जाता है। यह एक ऐसी व्यवस्था बनाता है कि एक पार्टी मैन, एक यस मैन चुनाव आयुक्त बन सकता है, वह दिन भी दूर नहीं कि यदि कल भाजपा अगर चाहे तो सम्बित पात्रा को Chief Election Commissioner बना सकती है। 2:1 के रेश्यो से सम्बित पात्रा देश के Chief Election Commissioner बन सकते हैं। आप सोचिए कि अगर वे Chief Election Commissioner बन गए, तो यह कितना खतरनाक होगा!

महोदया, सुप्रीम कोर्ट के जजमेंट का पैरा 9 यह कहता है कि The Executive alone, being involved in the appointment, ensures that the Commission becomes and remains a partisan body and a branch of the Executive. The independence of the Commission is intimately interlinked with the process of appointment यानी कि सुप्रीम कोर्ट यह कहता है कि चयन का जो पूरा प्रोसेस है - पूरी तरह से इलैक्शन कैसे होंगे, फ्री होंगे या फेयर होंगे, वह तय करता है।

महोदया, सुप्रीम कोर्ट अपने पैरा 186 में highlight करते हुए यह कहता है, 'A person who is weak-kneed before the powerful cannot be appointed as the Election Commissioner. A person who is in the state of obligation or feels indebted to the person who has appointed him fails the nation and can have no place in the conduct of elections, forming the very foundation of our Democracy. An independent person cannot be biased. It is important that the appointment must be overshadowed even by a perception that a yes-man will decide the fate of the democracy and all his promises.' यानी कि केवल निष्पक्ष चयन होना ज़रूरी नहीं है, निष्पक्ष चयन जनता को नज़र आना भी ज़रूरी है। It must not only be done, it must be seen to be done. यह सुप्रीम कोर्ट कहता है।

महोदया, तीसरा कारण कि हम इस बिल को क्यों oppose कर रहे हैं, वह यह है कि जो proposed selection committee है, उसमें कोई checks and balances नहीं हैं। चेक्स एंड बैलेंसेज इसलिए नहीं हैं, क्योंकि सारे फैसले सरकार के पक्ष में होंगे, उसमें तो मंत्री सरकार के हैं, LoP को मात्र formality के लिए बैठाया गया है। इसमें एक प्रकार का फिक्स्ड मैच नज़र आता है। आप ही सोचिए कि तीन मेम्बर्स की समिति है, जिसमें माननीय प्रधान मंत्री जी हैं, मान लेते हैं कि हमारे सदन के LoP मल्लिकार्जुन खरगे जी हैं, उसके सदस्य हैं और third member कानून मंत्री, अर्जुन मेघवाल जी हैं। इनकी बैठक चल रही है, इसमें माननीय प्रधान मंत्री जी कहते हैं कि मैं रमेश नाम के शख्स को Chief Election Commissioner बनाना चाहता हूँ, खरगे साहब कहते हैं कि मैं रमेश को नहीं, बल्कि सुरेश को Chief Election Commissioner बनाना चाहता हूँ, तो क्या अर्जुन मेघवाल जी, जो इस सरकार के कानून मंत्री हैं, वे प्रधान मंत्री जी को कह सकते हैं कि

प्रधान मंत्री जी, रमेश ठीक नहीं है, खरगे साहब ने जिसको nominate किया है, सुरेश, मैं भी उसी के हक में वोट देता हूँ। उसका चयन हो, वह Chief Election Commissioner बने। वह तो हो ही नहीं सकता, तो सरकार जो चाहेगी, वही होगा। एक प्रकार से यह Chief Election Commissioner निष्पक्षता और स्वतंत्रता को खत्म करने का काम है। हमने बचपन में एक मुहावरा सुना था, 'जिसकी लाठी, उसकी भैंस'। इस बिल में यह पूरी तरह से सिद्ध होता है कि लाठी भी इनकी और इस कानून के माध्यम से भैंस भी इनकी।

मैं आपको एक और उदाहरण के माध्यम से समझाता हूँ। मान लीजिए कि भारत और ऑस्ट्रेलिया का क्रिकेट मैच हो रहा है, उस क्रिकेट मैच में अंपायर कौन होगा, वह एक तीन मेम्बर्स की समिति तय करेगी। उस समिति में एक ऑस्ट्रेलिया के कैप्टन पैट कर्मिंस होंगे, दूसरे ऑस्ट्रेलिया के प्रसिद्ध प्लेयर डेविड वार्नर होंगे और तीसरे भारत के कप्तान रोहित शर्मा होंगे। अब ये तीन मेम्बरी समिति अगर किसी अंपायर को चुनेगी, तो वह अंपायर हमेशा ही ऑस्ट्रेलिया के साथ होगा, क्योंकि दो-एक का बहुमत ऑस्ट्रेलिया के साथ है, तो क्या निष्पक्ष मैच हो सकता है, क्या इंडिया independent मैच खेल सकता है। ऐसा ही कुछ इस चुनाव आयोग के गठन से इस बिल के आने के बाद इस देश में होने जा रहा है। मैडम, मैं आगे चलता हूँ। आप मुझे बोलने दीजिए। ...**(व्यवधान)**... मुझे बोलने दीजिए, मुझे disturb न करें। यह बिल तीन key tests पर फेल होता है, the test of independence, the test of neutrality and the test of constitutionality. ये हमारा constitutional imperative है कि देश में चुनाव आयोग निष्पक्ष हो, ताकि चुनाव निष्पक्ष हों। अगर चुनाव आयोग निष्पक्ष नहीं होगा, तो चुनाव निष्पक्ष नहीं होंगे और लोगों की आस्था इस लोकतंत्र से डगमगा जाएगी। मैं सरकार से कहना चाहता हूँ कि अगर सरकार सुप्रीम कोर्ट के इस फैसले को पलटना चाहती है, अगर सरकार चीफ जस्टिस ऑफ इंडिया को इस समिति से हटाने के लिए इतनी बेकरार है, तो कानून मंत्री जी, मैं यहां सुझाव लेकर आया हूँ। मेरे तीन सुझाव हैं। यदि आप इनमें से कुछ सुझाव स्वीकार कर लें, तो मुझे लगता है कि सारा हाउस एक आवाज़ में आपके इस बिल का समर्थन करेगा। मैं आपके लिए तीन ऑप्शन्स लाया हूँ। पहला option यह है कि चुनाव आयोग में कौन चीफ इलेक्शन कमिश्नर होगा और कौन इलेक्शन कमिश्नर्स होंगे, इसका गठन दो मेम्बर्स की समिति करे। जिसमें दो लोग प्रधान मंत्री और लीडर ऑफ अपोजिशन हों। ये दो मेम्बर्स सर्वसम्मति से, unanimity से फैसला लें, क्योंकि दो लोगों में majority नहीं हो सकती है, तो वे दो लोग सर्वसम्मति से फैसला लें। वे जो भी नाम तय करेंगे, हम सब मान जाएंगे। यह पहला option है। मैं सरकार को Option-2 देना चाहूंगा, जो लालकृष्ण आडवाणी जी ने दिया था। आप लालकृष्ण आडवाणी जी की बात मान लीजिए, मेरी मत मानिए। आपको आम आदमी पार्टी पसंद नहीं है, लेकिन अपने patriarch, founding father आपके पितामह भीष्म लालकृष्ण आडवाणी जी का फार्मूला ले लीजिए। आप पांच मेम्बरी समिति बनाइए और उसमें प्रधान मंत्री, कानून मंत्री, Leaders of the Opposition in Lok Sabha and Rajya Sabha and the Chief Justice of India हों - ये पांच मेम्बरी समिति एक निष्पक्ष चुनाव आयोग का चयन कर लेगी। अगर आपको ये दोनों options पसंद नहीं हैं, तो मैं आपको वह option बताना चाहूंगा, जो Constituent Assembly में Prof. Shibban Lal Saxena ने दिया था। वह था कि जो भी नाम यह चयन समिति तय करेगी, वे नाम सदन के भीतर लाए जाएं, और दो-तिहाई बहुमत से, लोक सभा और राज्य सभा से नाम पास हो जाए और वह आदमी Chief Election Commissioner बन जाए।

मैं सकारात्मक बहस कर रहा हूँ। मैं options लाया हूँ। इन तीनों options में से कोई भी option चुन लीजिए, तो सारे विपक्ष को मनाने की और एकजुट करने की जिम्मेवारी मेरी है। मैं अंत में अपनी बात समाप्त करने से पहले इतना कहना चाहूंगा कि यह बिल हमारे देश की democracy की, लोकतंत्र की * है। इस बिल के माध्यम से भाजपा democracy को हाईजैक करना चाहती है। And, I on behalf of the Aam Aadmi Party, vehemently oppose this Bill because this Bill will ensure that India which is today known as the mother of democracy will tomorrow, unfortunately, be known for mockery of democracy. Mother of democracy से mockery of democracy तक का सफर आप इस बिल के माध्यम से तय करने जा रहे हैं। मैं हाथ जोड़कर आपसे विनती करूंगा कि आप इस बिल को वापिस लीजिए। लोगों की देश के लोकतंत्र में बहुत आस्था है, उस आस्था से खिलवाड़ करने का काम मत कीजिए। आपका बहुत-बहुत शुक्रिया। जय हिन्द, जय भारत।

THE VICE- CHAIRPERSON (SHRIMATI JAYA BACHCHAN): Now, Dr. Amar Patnaik.

DR. AMAR PATNAIK (Odisha): Thank you, Madam Chairperson.

Madam, I will start with the Statement of Objects and Reasons which is mentioned in the Bill, and that would probably settle a lot of the apprehensions that have been expressed by the Members on my right. The hon. Supreme Court in the writ petition no.104 of 2015, Anoop Baranwal Vs. Union of India, declared that the appointment of CEC and EC shall be made by the President, so and so..., everyone has talked about it, but it has clarified in the judgment very clearly, and I want to reiterate it; the hon. Minister also mentioned it while introducing the Bill that this particular composition of the Prime Minister, the Leader of the Opposition and the Chief Justice of India shall continue until and unless a law is made by Parliament. And, unfortunately, a law was not made in Parliament. I used to belong to an organization, which is the Comptroller and Auditor General of India, which had a law in place — Duties, Powers and Conditions of Service of the CAG of India, 1971. So, I must congratulate the Government that, at least, a law has been made. In that law it has been mentioned how the appointments will be made, what will be the conditions of service and what will be the salary of the Chief Election Commissioner and the Election Commissioners.

Having said that, I will come to the second point. A lot of mention has been made about the independence. There are basically four issues — independence, interference and democracy being trampled upon. Basically, we have made these three arguments. Madam, the point is, there is something called a doctrine, which is

* Expunged as ordered by the Chair.

a doctrine of fallacy, ‘fallacy of causation’ that if this happens, this will happen; if this happens, that will happen; and this false causality is the main issue out here.

The Bill talks about the appointments, conditions of service, as I mentioned, whereas the transaction of business in the Election Commission has been mentioned at clause 16, Chapter 4, ‘Transaction of Business of Election Commission’. The transaction of business of an Election Commission is to conduct elections. The appointment process is a completely separate issue altogether. People after being appointed only, they will conduct the election, and 17(1) says that ‘the allocation of work will be done by majority’; 17(2) says, ‘how the business, a decision, will be done by majority, the other one was unanimity.’ Some people say that everything should be unanimous. If that is so, will the Election Commission not function if there is no unanimous decision during an election process? I think, that has to be thought about. There is this situation which says that you completely jeopardise the system just because there is no unanimity among the three members or four members or five members. So, I think, it is absolutely an unacceptable proposition which has been put forward by some of my colleagues.

Madam, I will come to the point relating to the issue that the process outlined in the Bill would inevitably lead to a loss of independence for the Election Commission is a fallacy. If such an assertion is held true, it would raise doubts about the efficacy of all Election Commissioners over the past 76 years, given the appointment of ECs has been within the purview of the Executive. Despite this, they have consistently operated independently. Madam, the Election Commission has overseen completion of 17 national and 317 State elections since Independence in 1947. Even under pressure from the Executive branch and governing parties to bow to the demands fed by their desire for electoral success, the ECI has managed to strengthen its autonomy from year-to-year, election-to-election. Let us not forget ‘1977.’ In the post-Emergency elections in 1977, the Opposition was apprehensive about the election process itself. Let me quote. Charan Singh wrote to Jai Prakash Narayan, both Opposition stalwarts in January, 1977, ‘Mrs. Gandhi is thinking of staging an election. I call it staging because conditions for a real election, free and fair will be lacking’, Raghavan 2017. I can lay it on the Table of the House. As it turned out, Congress was voted out of national office for the first time during these elections, and this was in 1977 when there was a single Chief Election Commissioner. The elaborate process was not there. Now when a process is being brought in through a regular Act of Parliament, I think, it is laudable, extremely praiseworthy to the Government that such a particular process is being brought in.

Madam, now, I will come to the second point relating to a Judge being a part of the process. Now if the Judge was a part of the selection process, what would happen? If the CJI is in the Committee to recommend appointments, it basically raises questions of violation of the doctrine of separation of powers, but I would like to refer to my colleague, hon. Jawhar Sircar, who said, what would happen if in the appointment of CAG, a particular CAG turned out to have a CBI case against him. Now, if this was the situation here, would not the CJI be party to a decision on which he may probably be required to take a decision in the judicial capacity? Would it not be a travesty of justice then? The CJI, being a part of the judiciary, cannot be a part of any selection process in this country.

Now, let me also remind you that under the RTI Act in which most of the States who are represented here have elected the Chief Information Commissioners and Information Commissioners, what the selection process is. The selection process involves the Chief Minister and other senior Ministers and the Leader of the Opposition. All of us have done that. Is all that has been done absolutely trash? Is it something which has been mired in subjectivity, in bias? Absolutely not. So, I think the process is fine and a person from the judiciary cannot be a part of the process.

Madam, I will now come to a point that has been raised quite a bit, which relates to the issue of conduct of elections. After 1989, with no party in a position to win a majority, the ECI faced a few structural constraints on its autonomy. I had mentioned, Madam, that right from the beginning, all Election Commissioners, whether it was a single member or a three-member Commission, have always upheld democracy by conducting free and fair elections. The motive has been to decrease money power, to increase transparency, to increase the number of people having access to the electronic voting machines, access to the booths and, in that process, the model code of conduct was brought out. The model code of conduct does not have any legislative backing. It is a unanimous decision between parties, and that is being enforced by the Election Commission. So, the Election Commission, 1989 onwards, has been holding this model code of conduct as the beacon of democracy and has been holding elections freely and fairly. Of course, there are always allegations and counter-allegations. But I can tell you that in a recent countrywide survey conducted by the Centre for Study of Developing Societies, Delhi, in 1996, after the 11th General Elections, the EC stood as the institution that was trusted the most by people followed by the judiciary, the State Government, local-government, and so on in that order. This was despite not having the advantage or not having the backing of a law to determine the conditions of service, appointments and salaries.

PROF. MANOJ KUMAR JHA: That was in 1996.

DR. AMAR PATNAIK: Yes, Sir. So, this was the opinion way back in 1996. And, since Prof. Manoj Jha has said this, let me say that 1977 is a watermark year in Indian democracy. Democracy was under threat. Even during that time elections were held and Mrs. Indira Gandhi's Government was thrown out. That shows that the Election Commission's transaction of business, which is covered under clauses 16 and 17 in Chapter IV, is not affected by the appointment process that is followed. The appointment process that is followed is something on which I said that the reference is to the RTI Act. Let me also inform the House that insofar as the appointment of the Comptroller and Auditor General of India is concerned, there is not even a Search Committee or a Selection Committee. And, in the Constituent Assembly, Dr. Ambedkar held that the CAG is a functionary that is even more important than the judiciary; still, selection is being done without a Selection Committee and still, it is performing to the best of its abilities in the service of the nation.

Madam, there is one point that I wanted to make in addition which is by way of suggestion. It is mentioned that the Election Commission's Conditions of Service, of Election Commissioner's transaction of business, 1991 is hereby repealed. Now, what happens to the existing Commissioners and the existing Chief Election Commissioner, who have been appointed by the previous Act? If this is repealed immediately, what happens to their conditions of service? I must thank the hon. Minister for the amendment at no. 37. I had a lot of things to say on that. Fortunately, this amendment has been brought and that is the sense of the House that his status should have been kept at the level of the Supreme Court of India. This has been restored. Only one correction here, hon. Minister -- it is written at page 2; it should be at page 3. Whatever has been mentioned from 43 to 45 is well made.

4.00 P.M.

The other query that I have is that the removal of the Election Commissioners has not been made at par with the removal of the Chief Election Commissioner. In this Amendment, the Chief Election Commissioner shall not be removed from his office except in like manner and on the like grounds as a Judge of the Supreme Court. The other Election Commissioners shall not be removed from office except on the recommendation of the Chief Election Commissioner. Does it mean that they would also follow the same procedure and also an additional recommendation from the Chief Election Commissioner or only the Chief Election Commissioner can remove? I

think this clarity has to be brought into this particular Amendment. The Supreme Court and the 1991 Act have already made it very clear that the Election Commissioners and the Chief Election Commissioner should be put on the same footing, except that the Chief Election Commissioner is first among the equals. If that is so, the removal procedure should also be ensured. There is one more point, and this is a very significant point which is related to the independence. The independence of an organisation like Election Commission is more linked to the way their conditions of service are governed. If the conditions of service can be changed after their appointment, if their appointment tenure can be reduced, if their salaries can be reduced and if their removal procedure can be changed, then it is an affront to their independence, not the appointment process. Therefore, in the appointment and conditions of service of the CAG also, it says that none of these can be altered to their detriment after the appointment has been made. Since that has also been maintained in the Bill, I have no hesitation in saying that there is no affront to the independence and interference in the election process that has been argued by many of my colleagues before me. Lastly, the Election Commission is not just a three-member body. It has already been stated eloquently by my colleague, Shri Jawhar Sircar. The whole world observes the election machinery in India, the largest democracy, and they are completely taken aback and surprised that such an election is held without any kind of a problem and transfer of power takes place. This is happening by the support of the machinery right till the municipality level and the panchayat level. If that is the case, how come the independence of only three members is important? Do you mean to say that the Judges of our judiciary are not independent? Do you mean to say that our District Magistrates, who actually are the Returning Officers during the elections, are not independent? Only these three people should be independent! I think this entire argument is fallacious and is based on absolutely an argument which is *non est* in law, I would say. I would, therefore, end by saying that I support the Bill and I would request the hon. Minister to bring in these clarifications. I would thank him again for bringing him at par with Supreme Court Judge and also would request that their removal procedure should be made equal, in which case their independence would actually and truly be preserved. Thank you.

SHRI G.V.L. NARASIMHA RAO (Uttar Pradesh): Madam, Chairperson, I have a point of order. There are some offensive expressions which have been used in the speech of some Members. I did not want to interject in between. Particularly, my reference is to ...*(Interruptions)*...

THE VICE-CHAIRPERSON (SHRIMATI JAYA BACHCHAN): Can you mention the Rule, please?

SHRI G.V.L. NARASIMHA RAO: This is Rule 238(vii). Is it okay? Let me first take Rule 261. I would like the offensive expressions to be expunged. Term like * was used for a constitutional body. The expression '*Kabza on Chunav Aayog*' was used. These are highly objectionable words. Then, another expression, ' * of democracy' was used.

THE VICE-CHAIRPERSON (SHRIMATI JAYA BACHCHAN): You are a bit late. You should have objected before Dr. Amar Patnaik started. He never uses such words. Whoever spoke before him, you should have objected at that time. Now, Subhas Chandra Bose Pilli.

SHRI G.V.L. NARASIMHA RAO: The hon. Member, Shri Raghav Chadha, had used these expressions. I would like these expressions to be expunged.

THE VICE-CHAIRPERSON (SHRIMATI JAYA BACHCHAN): Mr. Bose please. ...*(Interruptions)*...

SHRI SUBHAS CHANDRA BOSE PILLI (Andhra Pradesh): †Honorable Vice-Chairperson Madam, I thank you for giving me the opportunity to speak on this Bill which provides for the appointment of Chief Election Commissioner (CEC) and Election Commissioners (ECs). Respected Madam, on behalf of my party, YSRCP, I support this Bill. Our country is the largest democracy in the world. Conducting free and fair elections is an integral part of our country as provisioned, to the institutions, by the Constitution. The framers of our constitution, in their wisdom, gave the responsibility and duty to the Election Commission to conduct free and fair elections. This Bill provides for rules and procedures for appointing the Chief Election Commissioner and Election Commissioners to the Election Commission and we are discussing this Bill in this House today. Under the chairmanship of the Prime Minister, Leader of Opposition in Lok Sabha i.e. leader of largest Opposition party in Lok Sabha and one Minister as nominated by the Prime Minister from the Union Cabinet, will comprise the Selection Committee, which will recommend names for appointment

* Expunged as ordered by the Chair.

† English translation of the original speech delivered in Telugu.

of Chief Election Commissioner and Election Commissioners to the President of India. The President will issue orders appointing Chief Election Commissioner and Election Commissioners based on the recommendations made by this Selection Committee; this is the aim of this Bill. This Bill also provides for a Search Committee to be constituted to select the eligible candidates. To safeguard the Democratic Rights, conducting free and fair elections is the responsibility of the Election Commission. Respected Madam, this election process will instill more trust in the people and people will protect the Institution of Election, this is the main purpose of this Bill. With these observations, I support this Bill.

PROF. MANOJ KUMAR JHA: Madam, I was listening to the translation. I would like to say that the quality of translation was not good. For instance, 'Search Committee' was referred to as 'Research Committee'. I just thought I should share that.

THE VICE-CHAIRPERSON (SHRIMATI JAYA BACHCHAN): Even I realised that. You are right. Now, Shri A.D. Singh.

SHRI A.D. SINGH (Bihar): Thank you, Madam Vice-Chairman, for giving me the opportunity to participate in this discussion. I am a little surprised by the results of elections which were held recently. Elections in Karnataka were held on 10th and the result came on 13th, just after three days. Elections in Telangana were held on 30th November and result was declared on 3rd December. In both the places, the ruling party lost and wherever there was a gap of a month or half-a-month, the results were different. I am confused and perplexed by this. So far as the independence of the Election Commission vis-à-vis the Executive is concerned, I would like to say about things happened in recent times. There are two things. I am happy that a particular Member compliments the Congress Party for free and fair elections in 1977 but recently we saw the way one of the Election Commissioners was hounded and he had no option but to resign and go to Manila or some other place. The Constituent Assembly Members were concerned about the need to ensure the independence of the Election Commission. B.R. Ambedkar said, "In order that elections may be free in the real sense of the word, they shall be taken out of the hands of the Government of the day and conducted by the independent body called Election Commission." The need to have an independent body was emphasized in courts in number of cases. In T.N. Seshan v. UOI & Others, it was observed that there could be no two options that free and fair elections to our legislative bodies alone would guarantee the growth of a healthy democracy in the country. The proposed Bill jeopardises this

fundamental principle and in today's political context where issues are being raised and allegations are levelled on the Election Commission like never before, it will be another nail in the coffin of the Election authorities.

If the Government is just going on reversing the decision of the Supreme Court in this matter, after the five-Judge Bench judgement -- I do not want to repeat what hon. Members have said -- I think, it will be a very sad day in the history for the democracy of India. Some colleagues are talking about emergency. Today, we have undeclared emergency, which is worse than the one which was imposed by Madam Gandhi. The way, the Selection Committee is supposed to select the Election Commissioner, there is no point that we should have a three-Member committee. Let the hon. Prime Minister select a person. With regard to what my colleague from the Biju Janata Dal said about the CAG and other organisations, I can personally tell him how things work. I do not want to mention things in the House because it will not be good.

In the end, I would say that I vehemently oppose this Bill. Madam, our forefathers have given us a Constitution, which really strikes a balance between judiciary, legislature and executive but the way we are going, most of the institutions are being deprived of their powers and whatever the present ruling Government says they behave like that. I vehemently oppose the Bill. Thank you.

THE LEADER OF THE HOUSE (SHRI PIYUSH GOYAL): Madam, it is wonderful to see you on the Chair.

THE VICE- CHAIRPERSON (SHRIMATI JAYA BACHCHAN): It is a temporary arrangement.

SHRI PIYUSH GOYAL: When I saw it on the television in my room, it was coming across as very elegant and very distinguished. Very privileged to see you holding the Chair today.

THE VICE- CHAIRPERSON (SHRIMATI JAYA BACHCHAN): Thank you.

SHRI PIYUSH GOYAL: Madam, I just want to share one thing with my good friend and esteemed colleague, Mr. Singh. He made a sweeping comment that there is an emergency and it is worse than the emergency of that time. This comment is coming from a person from Bihar -- the land of Lok Nayak Jayaprakash Narayan -- which fought to maintain the unity and integrity of India, which is the repository of knowledge

in this country, which stood up for high principles and values and fought against the emergency so much so that thousands of political workers, for no fault of theirs except that they opposed the then Government, with no allegations of corruption, no allegations of misdemeanour of any sort, were put behind bars indiscriminately across the country. Probably thousands from Bihar also were there. Many, who today are in the JDU or in the RJD or all the various offshoots -- as they are so many, it is difficult to remember their names also -- were a part of the struggle against the Emergency, which was totally unconstitutional, unwarranted and an attack on democracy in the country! ..(Interruptions).. To make such a comment today, when we are all, with great freedom, able to speak in this House, where there is freedom of democracy, freedom of speech, media is vibrant, judiciary is protecting the interests of the people of India, where there is complete freedom across the country and the only people behind the bars are the criminals, are the people in whose houses you find Rs. 353 crores and counting illegally stashed away money, where the only people behind the bars are murderers, criminals, land mafia, sand mafia, liquor mafia, arms dealers, defence dealers.. ..(Interruptions)..

THE VICE- CHAIRPERSON (SHRIMATI JAYA BACHCHAN): Respected Leader of the House, ..(Interruptions).. Excuse me. ..(Interruptions)..

SHRI PIYUSH GOYAL: In this day and age, comparing those days of emergency with today is a blot on the very thinking of your party and the esteemed Member of Parliament.

THE VICE- CHAIRPERSON (SHRIMATI JAYA BACHCHAN): Thank you, the Leader of the House. But if you are talking about freedom, I think he used his freedom. ..(Interruptions).. आप बैठ जाइए। ...(व्यवधान)... Let's now ..(Interruptions).. नहीं। उन्होंने कह दिया, आपने कह दिया। अब आप बैठ जाइए।

प्रो. मनोज कुमार झा: मैडम, एक मिनट। What I wish to convey is that we saw enough of freedom yesterday. That was on display by the gesticulation, by the body language. What reference he made was on a metaphorical sense. If it is not made, what kind of democracy it is. You make new buildings, but there is no idea of democratic discourse. Democracy is never there, Madam. If J.P. were alive today, counterfactually speaking, he would have stitched an alliance of all progressive forces against their kind of politics. Thank you, Madam. ..(Interruptions)..

SHRI A.D. SINGH: He is talking of a long list of leaders of the freedom struggle. There is not a single leader from Pandit Nehru to Sardar Patel to Gandhi, who did not stay in my House in Patna and Muzaffarpur. So, let them not teach me what democracy is. And let me tell you, one of the Russian big oligarchs had come to meet me a month back. While having dinner in my house, he said, "Mr. Singh, you are more unsafe than me in Russia." So, let anybody not teach me what democracy is. I have already been to jail for not being a criminal. I should have also taken Rs. 10,000 crores from the banks and stayed in London. But I decided that I would fight here, whether you put me in jail again, I am not bothered.

THE VICE- CHAIRPERSON (SHRIMATI JAYA BACHCHAN): Now, Dr. Brittas.

DR. JOHN BRITTAS: Madam, there is a tragic paradox that is in full display. You were not here yesterday. Yesterday, the Government was praising the Supreme Court for upholding the abrogation of Article 370. If at all an alien had come from some other planet, he would have been completely taken aback by the way the Government was paying respect to the Supreme Court.

(MR. CHAIRMAN *in the Chair.*)

If at all that alien continued for a day more, he would have been shocked to see that there is no relevance for a Supreme Court five-judge judgement. Sir, this is the classic somersault that is happening in the House. The P.M. has been exhorting everybody, including my dear friend Agrawal ji, to make sure that the weddings are done in India. Sir, there is a marriage of convenience that is happening here now. You want it to be a convenient proposition to make sure that the Election Commission is controlled fully by the Government of India. Sir, it is an absolute fact that the intention of the Government is to circumvent the Supreme Court verdict. What was the spirit and letter of the Supreme Court verdict? It was to make the Election Commission independent, impartial and neutral. But the Bill, which you have brought forward, is contrary to the spirit of independence and fairness. I thought that the Government would be willing and yielding for comprehensive electoral reforms. I am afraid we are not seeing the elephants that are roaming around in our drawing room.

MR. CHAIRMAN: Dr. John Brittas.

DR. JOHN BRITASS: Sir, there are two pillars of the electoral practice now. One is money power and the other is muscle power. I would have reached out to the Government if at all there were comprehensive electoral reforms that were being brought forward so that it would have cleansed the political arena. Now with this Bill that is being passed, I would say that let us close down Nirvachan Sadan; let an outhouse of the Minister be used for accommodating the Election Commission. Why do we want to waste time, energy and money? That is not required.

Sir, the Supreme Court had said that if at all there is no independence for the Election Commission -- Mahesh Jethmalani *ji*, I invite your attention - it would lead to disastrous consequences. What does that mean? This Bill is inviting disastrous consequences because you are making the Election Commission dependent, an appendix of the Executive. Precisely that is your intention.

Sir, even the Search Committee the hon. Minister is going to head. Even if the Search Committee decides five or six people, the Selection Committee can pick up somebody outside the Search Committee. They should have been a little more magnanimous towards the Screening Committee. They should at least respect the Screening Committee. Why is it that even the Screening Committee has been treated like that without any courtesy? Clause 8(2) says that the Selection Committee may also consider any other person than those included in the Panel by the Search Committee. It defeats the purpose of the Search Committee.

Sir, Electoral Bond is another contentious issue. It is with the Supreme Court, so I don't want to comment on it. But the Home Minister had said about era of clean politics and claims were made that it will lead to transparency and accountability in political funding while preventing future generation of black money. The same Electoral Bonds are opaque. That is the contention of the general public. According to me, too. So, the scheme is opaque, undemocratic and legitimizes corruption by the ruling dispensation.

Sir, I want to quote former Secretary Subhash Chandra Garg. He was there when Electoral Bond Policy was being brought in. He said, "Why do businesses or companies donate bonds? Because they are hoping for some favour or seeking to protect their businesses." This is what the former Finance Secretary, who was instrumental and part of that team which brought Electoral Bonds, said. What does that mean?

How can we curb money power and muscle power? According to a study by the CMS, the money spent in the Lok Sabha elections in 2019 saw a growth of seven times from 1998 Lok Sabha polls. At that time, it was deemed to be Rs.9,000 crore. In 2019, the study says, at least Rs.60,000 crore have been dumped for electioneering

by the political parties and the major chunk would have been spent by Shri Piyush Goyal's Party. Now in 2024, it is going to double. So any legislation that is being brought forward should be to cleanse the political system, electoral system. Instead of that, you want to make it more opaque rather than cleansing the system. We all know the story of Mr. Ashok Lavasa. (*Time-bell rings.*) What was his fault? Sir, everybody got 3-4 minutes extra.

MR. CHAIRMAN: Please conclude.

DR. JOHN BRITTAS: Yes, Sir, I am concluding.

MR. CHAIRMAN: You have made significant points. Conclude now.

DR. JOHN BRITTAS: Why was an honourable person, Election Commissioner, ejected from his post? Your election department, that is, ED, is very active. There were raids conducted at his house, at his wife's house and son's house. He was ejected. (*Time-bell rings.*) And it is a fact that even the big tech companies are being used to invade into the privacy which has got cascading effects on elections. Sir, I have one more thing. Why does it vitiate in the electoral arena? It is hate and hate. So, in fact, we go down in manufacturing, the manufacturing of fake news is very robust in this country. (*Time-bell rings.*)

MR. CHAIRMAN: Now, Shri Ram Nath Thakur.

DR. JOHN BRITTAS: Sir, I am winding up.

MR. CHAIRMAN: You have made your points.

DR. JOHN BRITTAS: Sir, these are the serious questions which this Parliament and this House needs to look into. Thank you, Sir.

MR. CHAIRMAN: Okay. You have made good points.

Hon. Members, I have got input from various Members. We will have voting at 6 o'clock. That is the sense of the House. And to have it at 6 o'clock, we will give the floor to the hon. Minister at 5.30. Now, Shri Ram Thakur.

श्री राम नाथ ठाकुर (बिहार): सभापति महोदय, आपने मुझे इस बिल पर बोलने का मौका दिया, मैं आपके प्रति कृतज्ञता ज्ञापित करता हूँ। मैं इस बिल के विरोध में बोलने के लिए खड़ा हुआ हूँ। कल सुप्रीम कोर्ट के decision पर सत्ताधारी लोग खुशी मना रहे थे, बोल रहे थे, आज क्या हो गया कि सुप्रीम कोर्ट के decision, उसके आदेश और उसके निर्देश के विरुद्ध बोल रहे हैं। मुझे आश्चर्य हो रहा है। महोदय, सत्ता पक्ष के प्रथम वक्ता ने जेडीयू और आरजेडी के बारे में कहा कि ये लोग पारिवारिक गठबंधन के हैं, परिवार के लोग पार्टी चलाते हैं। मैं जनता दल युनाइटेड का एक साधारण सदस्य होने के नाते उन्हें बताना चाहता हूँ कि नीतीश कुमार जी के परिवार का कोई आदमी राजनीति में नहीं है।...(व्यवधान)... आप सीनियर मेम्बर हैं, मैं आपके बीच में नहीं बोला।

श्री सभापति: ठाकुर साहब, आप बहुत अनुभवी हैं, दो अनुभवी लोग जब बात करते हैं, तो जवाब नहीं देते हैं।

श्री राम नाथ ठाकुर: सभापति महोदय, मैं बहुत चिंतित हूँ। मेरा 58 वर्ष का राजनीतिक अनुभव है। मैं देखता हूँ कि स्कूल्स में हैड मास्टर की क्या स्थिति हो गई है, वाइस चांसलर की क्या स्थिति हो गई है। वही चीज़ मैं आज देख रहा हूँ कि पोलिटिकल लोगों के बीच में इलैक्शन कमीशन को लेकर एक भरोसा था, आस्था थी, उसके बारे में हम क्या सोच रहे हैं, हमारा राजनीतिक भविष्य क्या होगा? मैं यह किसी दलगत भावना से नहीं बोल रहा हूँ, मैं एक पोलिटिकल व्यक्ति होने के नाते बोल रहा हूँ कि आप इस पर सोचिए, विचार कीजिए और शोध कीजिए, फिर बिल लाने की कृपा कीजिए। मेरे से पूर्व वक्ताओं ने कहा था कि जो अम्बेडकर जी की जो सोच थी, उनका जो शोध था, उन्होंने अपने जिन विचारों से संविधान को प्रकाशित करने का काम किया था, उस पर हम विचार क्यों नहीं कर रहे हैं? शोध क्यों नहीं कर रहे हैं, उस पर अमल करके हम उस पर चलने को कोशिश क्यों नहीं कर रहे हैं? हम Supreme Court के निर्देश का पालन क्यों नहीं कर रहे हैं? यह हमारी सोच है। महोदय, आपको याद होगा कि एन.टी. रामा राव की सरकार गिर गई थी। Governor ने उनको हटा दिया था। आंध्र प्रदेश के मुख्य मंत्री सभी एमएलएज़ के साथ बड़े विश्वास के साथ राष्ट्रपति से मिलने दिल्ली आए थे। एक आस्था थी कि राष्ट्रपति हमें न्याय देंगे, विचार देंगे और हम उस पर चलने का काम करेंगे। एन.टी. रामा राव को न्याय मिला और उस पर उन्होंने काम करने का काम किया।

MR. CHAIRMAN: Please conclude.

श्री राम नाथ ठाकुर: सभापति महोदय, मैं आपके माध्यम से सरकार से निवेदन करना चाहता हूँ कि चयन समिति के बारे में हमने देखा है कि कोई भी आदमी चयन समिति में कहता है कि हम घर के guardian हैं और हम जो कहेंगे, वही हमारे परिवार के सदस्य कहेंगे। यदि एक आदमी विरोध में चला गया, तो उसको समझाएंगे कि हम head हैं, हमारी बात मान लीजिए। मैं आपको एक कहानी बताता हूँ। 20 बरस पहले मेरे और मेरी पत्नी के बीच विचारों को लेकर कुछ मतभेद हो गया। उसने गुस्से में कह दिया कि मैं मायके चली जाऊंगी।

श्री सभापति: कब, बीस साल पहले कहा?

श्री राम नाथ ठाकुर: वह 20 मार्च, 2020 को मर गई। वे बार-बार कहती थीं कि मैं मायके चली जाऊंगी। हमें परिवार चलाना था। उन्होंने गुस्से में कह दिया कि मैं मायके चली जाऊंगी। फिर मैंने कहा कि ठीक है, तुम मायके चली जाओ, मैं बाल-बच्चों को ननिहाल भेज देता हूँ और मैं ससुराल चला जाता हूँ। फिर वही स्थिति हो जाएगी। आप जो कर रहे हैं, वह क्या कर रहे हैं?...**(व्यवधान)**...

श्री सभापति: ठाकुर साहब, ठाकुर साहब।

श्री राम नाथ ठाकुर: आप क्या कर रहे हैं? इससे...**(व्यवधान)**...

MR. CHAIRMAN: Hon. Member. ...**(Interruptions)**... प्रमोद तिवारी जी कह रहे हैं कि यह घर-घर की कहानी है। मैं प्रमोद तिवारी जी से असहमत हूँ। मुझे आज तक ऐसी धमकी नहीं मिली है।

श्री राम नाथ ठाकुर: आप भाग्यवान हैं। आप भाग्यवान हैं कि आपको ऐसी परिस्थिति नहीं मिली। मैं आपसे निवेदन करना चाहता हूँ कि आप सरकार को कहें, सरकार सोचे और मैं सरकार से निवेदन कर रहा हूँ कि आप इस बिल को वापस लीजिए। ...**(समय की घंटी)**...इसको वापस ले लीजिए। सर, मैंने तो अभी शुरू किया है।

श्री सभापति: आपके seven minutes हो गए हैं।

श्री राम नाथ ठाकुर: सर, दूसरी बात मैं यह कहना चाहता हूँ कि चुनाव के संचालन में निष्पक्षता और अखंडता सुनिश्चित करने के लिए चुनाव आयोग की स्वतंत्रता महत्वपूर्ण है। चयन प्रक्रिया में Executive का कोई भी कथित प्रभाव बिना पक्षपात के अपनी जिम्मेदारियों को निभाने की चुनाव आयोग की क्षमता के बारे में चिंताएं पैदा कर सकता है - यह Supreme Court का verdict है।

सभापति महोदय, मैं आपसे निवेदन करना चाहता हूँ कि यह बहुत महत्वपूर्ण बिल है और इसको आप ऐसे हल्के में न लें। ...**(व्यवधान)**... मैं यह निवेदन करना चाहता हूँ कि इस बिल को सेलेक्ट कमेटी में भेजा जाए।...**(व्यवधान)**...

MR. CHAIRMAN: Thank you. ...**(Interruptions)**... Prof. Ram Gopal Yadav. ...**(Interruptions)**... Five minutes but since the time has been limited to 5.30 p.m., four minutes. ...**(Interruptions)**... Jayaji knows the difficulty of this Chair.

प्रो. राम गोपाल यादव (उत्तर प्रदेश): सर, मैं केवल दो-तीन बातें कहना चाहूंगा। एक तो यह है कि संविधान निर्माताओं ने संविधान के माध्यम से संसद की सर्वोच्चता की बात कही थी और कार्यपालिका, न्यायपालिका, इन सबको उनकी अपनी सीमाओं में रहने के लिए कहा था।

न्यायपालिका उस स्थिति में, जब कोई संसद के बनाए हुए कानून को चैलेंज करे, तो जुडिशियल रिव्यू के अधिकार का प्रयोग करके, उस पर अपना फैसला दे सकती है। लेकिन न्यायपालिका थर्ड चैम्बर का रूप नहीं ले सकती, जैसे कभी अमेरिका की संसद को कहा गया था। सर, राष्ट्रपति ने कुछ बनाया, उन्होंने रद्द कर दिया। फिर संसद ने कानून बनाया, इस तरह का झमेला वहां पर हुआ था, लेकिन ऐसी स्थिति हमारे यहां पर नहीं है। सर, मैं अपनी बात पर आने से पहले एक बात अवश्य कहना चाहूंगा कि बहुत ज्यादा न्यायपालिका पर rely न करें। *

श्री सभापति: माननीय राम गोपाल जी, माननीय राम गोपाल जी, एक मिनट।

प्रो. राम गोपाल यादव: सर, आप मुझे एक मिनट बोलने दीजिए।

श्री सभापति: न्यायपालिका के न्यायिक आचरण पर टिप्पणी करना...

प्रो. राम गोपाल यादव: सर, मैं न्यायपालिका के खिलाफ नहीं कह रहा हूं।

श्री सभापति: नहीं, नहीं। न्यायपालिका के आचरण पर टिप्पणी नहीं हो सकती है।

प्रो. राम गोपाल यादव: जब न्यायपालिका संसद के खिलाफ जा सकती है, तो क्या मैं संसद के अंदर कोई बात नहीं कह सकता हूं?

श्री सभापति: नहीं, नहीं। वह नहीं। आपने पहले मौलिक बात कही, दमदार बात है। हम सब न्यायपालिका की भी इज्जत करते हैं, कार्यपालिका की भी करते हैं और उम्मीद करते हैं कि न्यायपालिका, कार्यपालिका और विधायिका सशक्त रूप से अपने क्षेत्र में काम करेंगे।

प्रो. राम गोपाल यादव: सर, कर कहां रही है! अगर करे, तब तो ठीक है।

श्री सभापति: लेकिन एक विशेष मामले को लेकर, किसी व्यक्ति का नाम लेकर मैं आपसे अनुरोध करूंगा, आग्रह करूंगा कि..

प्रो. राम गोपाल यादव: सर, ज्युडिशियल अकाउंटेबिलिटी का बिल संसद ने सर्वसम्मति से पारित नहीं किया था?

श्री सभापति: वह मौलिक मुद्दा है। आप उस पर बोलिए।

* Expunged as ordered by the Chair.

प्रो. राम गोपाल यादव: न्यायपालिका ने जनता की इच्छा और संसद की परवाह नहीं की पर जब उनके ऊपर आया तो परवाह की, औरों के ऊपर चाहे जहां तक हस्तक्षेप करने लगेंगे! लेकिन मैं यह कहना चाहता हूँ कि यह सब व्यक्ति के व्यक्तित्व पर निर्भर करता है। टी.एन. शेषन का ऐसा व्यक्तित्व था, उन्होंने लोगों को बताया कि इलेक्शन कमीशन क्या होता है, लेकिन अब इलेक्शन कमीशन ऐसा है कि सामने लोग टी.वी. पर देख रहे हैं कि पुलिस वोट नहीं डालने दे रही है, पुलिस लोगों को मार रही है, हम रिप्रजेंटेशन दे रहे हैं, लेकिन वे आंखें बंद किए हुए बैठे हुए हैं। आपने हर जगह पर देखा होगा, आपने रामपुर में देखा होगा, सब लोगों ने देखा है। मैं इलेक्शन कमीशन से जाकर मिला था, लेकिन कमीशन ने अपनी आंखें बंद कर लीं। सर, इलेक्शन कमीशन की यही ड्यूटी नहीं होती है – अभी वोट बढ़ रहा है, वोट कट रहा है, बूथ चेंज हो रहे हैं, आधा मोहल्ला यहां लगा है, आधा मोहल्ला तीन किलोमीटर दूर लगा है। कुछ नाम ऐसे होते हैं, जिनको जाति और धर्म से पहचान लिया जाता है, उनके नाम के आगे लाइन खींचते चले जाते हैं। करीब 50 हजार वोट काट दिए, मुरादाबाद में कोई सुनने वाला नहीं है, क्योंकि नाम से मुसलमान वोट पहचान लिया जाता है। जिसका चाहे नाम काट दो, कोई सुनवाई नहीं है। अगर इलेक्शन कमीशन में निष्पक्ष लोग नहीं होंगे, अगर वे किसी की बात नहीं सुनेंगे, तो डेमोक्रेसी का क्या मतलब रह जाता है! डेमोक्रेसी का अर्थ ही यह है कि लोग अपनी इच्छा से, अपनी ईमानदारी से free and fair elections के माध्यम से अपने प्रतिनिधियों को चुन सकें, अपने ऊपर शासन करने के लिए सरकार को चुन सकें। ...**(समय की घंटी)**...

MR. CHAIRMAN: Thank you. Thank you, Prof. Ram Gopal Yadav.

प्रो. राम गोपाल यादव: सर, लेकिन ऐसा हो नहीं रहा है, इसलिए मैं शासन में बैठे हुए लोगों से कहना चाहता हूँ कि आप जो कानून ला रहे हैं, वह वैसा ही बनेगा। आपकी नीयत पर भी लोगों को संदेह है, लेकिन ऐसे लोगों को इलेक्शन कमीशन में nominate कीजिए, जिनकी अपनी अंतर आत्मा हो, जो अन्याय न होने दें, धन्यवाद।

MR. CHAIRMAN: Now, Dr. K. Laxman. ...*(time-bell rings.)*... Madam, you have been here. I have given him extra time.

DR. K. LAXMAN (Uttar Pradesh): Thank you Mr. Chairman, Sir, for giving me this opportunity to speak on this Bill on appointment of Election Commission.

MR. CHAIRMAN: Madam, you have been very kind to everyone. You have been very kind. Everyone has appreciated it. So your sitting here has been a great challenge to me.

DR. K. LAXMAN: I stand here in support of this Bill. *Bharat*, is supposed to be the largest democratic country in the world and the mother of democracy. Sir, the

appointment of Election Commissioner, the matter has been brought under the purview of the Supreme Court. The Supreme Court has made it very clear about a temporary Committee constituting the Prime Minister, the LoP and the CJI until a law is enacted in the Parliament. But unfortunately, our friends, colleagues started saying that CJI has been removed from this three-member Committee. मैं हमारे लॉ मिनिस्टर को बता देता हूँ for including apart from the Prime Minister, the LoP, the Leader of the Opposition and a Union Minister. Subject to correction, for LoP, I don't think there is opposition status even to the present Congress party in the Lok Sabha. In spite of that, our hon. Minister is liberal enough to include the largest party's leader also in the three-member Committee. I am sensing that even in future also, it may happen. हमारे मंत्री महोदय भविष्यवाणी भी जानते हैं, इसलिए included the leader of the party which has got the highest number also. ठीक है, आपका समय भी आएगा।

[THE VICE-CHAIRMAN (SHRI SUSHIL KUMAR GUPTA) *in the Chair.*]

So, it is no way a violation of the judgement. They should introspect first. It is purely a meritless criticism against this Government on the appointment of the Election Commissioner. We all should introspect as to what happened all these years, what was the methodology adopted in appointing the Election Commission at the national level and even at the State level and how these Election Commissioners were functioning. I really appreciate one of our colleagues from BJD. They start becoming suspicious even on the Returning Officers; this democracy would not have survived without that. I ask about the appointment of the Chairperson and staff of the tribunals, like the National Green Tribunal. Who is the authority appointing them? It is the same Central Government for the last many decades. Even the National Human Rights Commission where the Prime Minister is supposed to be the Chairperson along with the ministers concerned. These people never brought a holistic law for regulating the appointment of CEC and Election Commissioners; there was a policy paralysis, though they were in power for more than six decades. So, when the matter has been brought to the Supreme Court, the Government has tried its best to make a fillip. One of the comments made by the former Chief Election Commissioner, Shri O.P. Rawat is, and I quote, "The issue before the Supreme Court was not who will be on the Selection Committee. It was that as to why did you, the earlier Government, not enact a law as promised or laid down in the Constitution? So, you make a law; until then, our suggested panel will select CEC and ECs. In the Constitution, the Parliament is the supreme law-making body and the Supreme Court has the power to judicially review the Constitution. So, I don't think there is any issue in this." This is

the statement given by Shri O.P. Rawat, the former Chief Election Commissioner. Sir, people have started showing much respect and regard towards the Supreme Court judgments. I fail to understand what happened when there was a judgement by the Supreme Court on Shah Bano case. What made the Government to bring an Ordinance? Was it not a political motive, superseding the Supreme Court judgement? Even then, when Mr. Seshan was the Chief Election Commissioner, he was the man instrumental in bringing the electoral reforms right from implementing strictly the model code of conduct. And the same, the Congress Government in 1993, have added two more persons to belittle T.N. Sheshanji. Mr. Gill and Mr. G.V.G. Krishnamurthy were added to just belittle the powers of T.N. Sheshanji. This is the attitude of the then Government, Congress Government and they will speak of democracy and they speak of internal democracy. And even in 2009, the Chief Election Commissioner N. Gopalaswami had recommended the removal of the person called Navin Chawla. Earlier, our Member has told who is the Secretary for the former Prime Minister! So, sensing that he is in a partisan attitude, working as a member in the Election Commission, Gopalaswami recommended for his removal. But, unfortunately, the then Government rejected the request of this Chief Election Commissioner. This is the democracy which they adopted. Sir, now, our Government has brought a three-member Committee - apart from the Prime Minister, the LoP and the Union Minister are there in it. So, before these so-called Members of the Opposition Parties opposing this Bill, they should not only introspect, they should also know what measures have they taken during the framing of the constitutional norms of separation of powers, what were the methodology, they have followed. More extensively, even in the quasi-judicial. ...(*Time-bell rings.*)...

THE VICE-CHAIRMAN (SHRI SUSHIL KUMAR GUPTA): Your time to speak is over.

DR. K. LAXMAN: Constitutional bodies like CAG, UPSC, NCSC, NCBC, NCST, and so on, they never bothered. And in practice, it was the Government alone; they have decided that way. Sir, finally, by supporting this Bill, I would like to make some recommendations. The black money is playing a dominant role in the present day politics; you have been witnessing how hundreds of crores of rupees now are stashed. (*Time-bell rings.*) Sir, to eradicate black money from the politics, the Government is also...

THE VICE-CHAIRMAN (SHRI SUSHIL KUMAR GUPTA): Now, Dr. Ameer Jaynik. Thank you, Dr. K. Laxman.

DR. AMEE YAJNIK (Gujarat): Sir, I get up to speak on this very important Bill. But, having listened to all the speakers, especially the hon. Law Minister, I wish they had gone back to Constituent Assembly debates of June, 1949 and seen the extent of the debate that had taken place on this particular issue of Election Commission. And, the only statement that came out of the whole debate was election politics, election machinery and how election should be completely out of the hands of the Executive. There should be no Executive interference and this should be an independent autonomous body.

Having said that, I come back to the Law Commission Report of 2015, where exactly two lines were said by the Law Commission in the Report. It said that there should not be any breakdown of the rule of law. Now, the rule of law which is meant in the democratic setup today is that there should be strong institutions, a vibrant democracy and all institutions should be independently working for the people of this country post-Independence. Now, coming to the Supreme Court and the Apex Court's judgment in the matter of 2015 has been raked up by many. I have also heard some of them saying that there had been selective liking to the hon. apex court judgments and selective non-liking of the hon. apex court's judgments. Sir, the hon. apex court in the matter of 2015 said that there was a constitutional vacuum because there was no procedure which was shown in a particular Bill by Parliament or that there was no law. So, that vacuum should be filled and, hence, this Bill has come today in 2023, the Chief Election Commissioner and other Election Commissioners Bill, 2023. Sir, why is there the necessity for this Bill? I would like to make some observations which I have seen in the public domain. There have been instances where enlightened citizens have written to the hon. President of our country pointing out that there seems to be a crisis of credibility with this particular institution.

We have seen that there have been instances where intelligent people, intellectuals and academicians have written very strongly that this institution needs a robust mechanism of transparency. A mechanism that is responsible to the people of the country. Hence, you again come to a question what does the Election Commission of this country do? Sir, you can start from electoral bonds, you can start from electoral voter-ids, electoral rolls and you can talk about all the dates and the schedules which are set by the Election Commission for every election; Lok Sabha, Rajya Sabha, President, Vice President or State Legislative Assembly elections. But, the most important part is the silent period of the election where the Election Commission plays kind of a supervisory role where the code of conduct comes into picture. It is where the transparent working of the Election Commission becomes completely open to the people of this country. Sir, the elections are meant for the people of this country, and this voting system is meant for the people of this country.

So, when we are talking about setting up of Election Commission of India under this particular Bill, the moot question comes that there is not a set of laws whereby the Election Commission functions. There are certain kind of procedures. It is said that they are replacing the wordings of the strict laws. These procedures need to be transparent. These procedures if they are done transparently, then the accountability can be seen, it will be very visible. For this, the thrust of the Bill should be that the composition of the Election Commission should be such that whatever I have said should be seen to be implemented. Hence, when we come to the composition, we come to the part where the hon. Apex court had put the word 'Chief Justice of India' where the Committee should be of the hon. Prime Minister, the Leader of the Opposition and the Chief Justice of India. In this Bill, you will find that the composition is, the hon. Prime Minister, a Cabinet Minister and the Leader of the Opposition. Sometimes, we start wondering as to why there is a question, an iota of doubt because if the Cabinet Minister is from the Ruling Party, where would the transparency or the accountability go? Where this would be seen to have been exercised under this Bill? Why is there not an independent, an accountable component in this kind of composition? Sir, when you talk about the Election Commission of India, the people of this country and also the world, they are watching that it is a vibrant democracy. When I was going through the Constituent Assembly debates of 1949, it was just a country that had just become Independent after a long rule of subjugation and at that time, the framers of the Constitution wanted a very, very robust, independent and accountable Election Commission which would decide the fate of the voters, the liking of the voters, the intent of the voters to bring in a democracy, bring in some kind of a ruling dispensation that would only cater to the democracy of this country and build democratic institutions and see that this democracy becomes a vibrant democracy. Sir, the institutions are meant to be for the people of the country and not for the Ruling Parties. The institutions are meant to deliver fairness and if an Election Commission will not be able to see that the elections are conducted in a free and fair manner in a transparent manner, then, where is the component of democracy and where is the way in which the governance model is being shown or projected to the world? And that brings us to the moot question, if this Bill needs some rectification; if the Bill needs to be looked into on several other aspects. It has been functioning for a long while, but, as I have said, that there have been instances. I do not want to pin-point instances because suddenly a huge group of people will get up and start shouting but will not understand as to what is the backbone of bringing an Election Commission of India in a way where it caters to the need of the people of this country and that is the transparent mechanism, the rule of

law. Sir, books and books have been written on the rule of law of this country. They are dependent on the independent institutions.

If a Bill weakens the institutions, we have weak institutions in place where anything can be distorted, then the functioning of the democracy cannot be said to be a vibrant functioning. That is why when the Election Commission of India, which is the highest body and the Chief Election Commissioner.. ..(*Interruptions*).. I am not going into the tenure and salary and the period of the tenure. That happens in every other institution. But the composition makes the difference because that composition will decide about the accountability and transparency factor and the performance factor which will tell on these elections. Sir, when I talked about the silent period, nobody has touched upon that. But when there is a silent period, that is the time where the Election Commission has to function very strictly and has to be very vigilant because if that Code of Conduct is breached and when the voters are given the silent period to make up their mind where they want to vote and at that particular time, when a particular ruling dispensation comes up with some kinds of statements that 'we would be doing this, we would be doing that, we have done that' and tries to influence the voters, this falls in the arena of the Election Commission. As there is not a stringent procedure or rule or law, it is governed by its actions and these actions are dependent on who is sitting in that particular Election Commission body. Hence, Sir, coming back to the Election Commission's regulations, procedures and how this Model Code of Conduct and party is being governed, I think, that is the main crux of the whole matter. So, the hon. apex court saw that there is a Constitutional vacuum and this has to go in the arena of the Parliament and the Parliament can only make a Bill or pass a Bill and make a law, hence, that express order was that this should be the composition. But, when the framers, I mean, the Parliamentarians sitting here and bringing a Bill, think that this can be changed, it can be brought in a way where it is not seen as independent composition, where it raises some kinds of doubt and hence this debate and everyone comes out with some point or the other, I think, it is time that the hon. Law Minister looks at this particular point of the composition aspect because anyway the duty is going to be performed. You are in public eye and I don't want to show what has happened in the past. I just mentioned a couple of these issues. Some of them are already pending before the hon. apex court where the Election Commission has been asked a question and that pertains to several factors - party's money, party's intentions, the way the party collects all the money, and how it is not transparent. All these are issues with the Election Commission. It is an administrative function, but yet these matters have gone to the hon. apex court. We should not forget that. Of course, the functions of the Legislature, Executive and Judiciary are all different and the judiciary only interprets what is made by the

Parliament and it is implemented by the Executive. But here we have a body which also functions in a way where it interprets and executes both. So, we have to understand that it is a unique body and how this unique body has to be answerable to the people in order to see that we become a robust democracy. We need to set an example. (*Time-bell rings.*) By shouting, by making sermons, by talking about that we are becoming the world leader that is not going to matter. What you are doing on the ground is the matter before the people of this country. Thank you.

SHRI R. GIRIRAJAN (Tamil Nadu): Mr. Vice-Chairman, Sir, I thank you very much for giving me time to speak. I also thank our party's Floor Leader, Shri Tiruchi Siva. Whenever the hon. Supreme Court intervenes to save the democracy, this Union Government shows its strength through this House and destroys the wishes and views of the Supreme Court. Sir, earlier the National Capital Territory Amendment Bill has been amended by this House. They have done it with a brute majority. Now the Union Government wants to make EC like a puppet. The Bill seeks to exclude the Chief Justice of India from panel to select the Chief Election Commissioner and the Election Commission is deeply flawed. Sir, this Bill undermines the very democratic foundation of picking up very important executives to oversee the election process in an autonomous and neutral roles.

5.00 P.M.

This will provide the worst possible optics to the appointment of election officials from among a set of chosen bureaucrats or others by a panel of Government officials.

Sir, Soviet Premier Joseph Stalin once said, 'It is not the people who vote, it is the people who count the votes.' I think, the present Bill reflects the mindset of the ruling dispensation in execution of the ideas of Joseph Stalin.

In eroding the process of holding elections and counting votes that has been largely done in a fair way to satisfy a large working electoral democracy like India, the present rulers are opening a Pandora's Box may lose forces that may come back to bite.

Sir, this Bill, rather than strengthening the democratic fabric of our nation, poses a risk to the independence and authority of the Election Commission. The proposed legislation undermines a crucial role of the Election Commission which it plays in upholding the democratic principles of our country. I strongly urge every Member of this House to vote against this Bill and, instead, support a fully functioning democracy that India represents.

Sir, now, you are in Treasury Benches. Before 1990, you had only a few Members in this Parliament. Now, you have a brute strength. It will not continue tomorrow. A day will come when your Acts will be amended. Mind it my friends. Thank you.

SHRI KANAKAMEDALA RAVINDRA KUMAR (Andhra Pradesh): Mr. Vice-Chairman, Sir, I am very thankful to you for giving me this opportunity to participate in the discussion. The Bill pertains to appointment, service conditions and term of the Chief Election Commissioner of India and the other Election Commissioners.

Sir, this Bill has been brought before this House to replace the existing Act which lacks certain aspects pertaining to the office of the Chief Election Commissioner and the Election Commissioners. The lacuna has been pointed out by the Supreme Court and it observed that until proper legislative mechanism is put in place the order will prevail in the appointment, service conditions and tenure of the Chief Election Commissioner and the Election Commissioners. This Bill provides Search Committee and a Selection Committee. The function of the Search Committee is to form a panel of eligible candidates to the post of the Chief Election Commissioner and other Election Commissioners. After forming the panel, it will forward the list of persons to the Selection Committee. The Search Committee will be headed by the Cabinet Secretary and two officers not below the rank of Secretary to the Government of India will be its Members. The Selection Committee will recommend to the President the name of the person to be appointed as the Chief Election Commissioner. Accordingly, they will be appointed by the Government. The provisions, at a glance, seem to be fine. But, if one goes into the provisions contained under Clause 8(2) of the Bill which says that 'the Selection Committee may also consider any other person than those included in the panel of Search Committee.' Therefore, provisions relating to appointment of Search Committee becomes infructuous. The other aspect is about powers. The powers are already conferred under Article 324 to the Constitution.

THE VICE-CHAIRMAN (SHRI SUSHIL KUMAR GUPTA): Kindly conclude. You have been given two minutes.

SHRI KANAKAMEDALA RAVINDRA KUMAR: Sir, I have six minutes time.

THE VICE-CHAIRMAN (SHRI SUSHIL KUMAR GUPTA): No. You have two minutes.

SHRI KANAKAMEDALA RAVINDRA KUMAR: I am sure, Sir, I have six minutes.

THE VICE-CHAIRMAN (SHRI SUSHIL KUMAR GUPTA): No.

SHRI KANAKAMEDALA RAVINDRA KUMAR: Sir, I thought I would get six minutes and prepared myself accordingly. I may be permitted.

THE VICE-CHAIRMAN (SHRI SUSHIL KUMAR GUPTA): No.

SHRI KANAKAMEDALA RAVINDRA KUMAR: Sir, Clause 8 has to be amended. Secondly, there is no mention with regard to appointing authority of the Search Committee members. ...*(Time bell rings.)*...

THE VICE-CHAIRMAN (SHRI SUSHIL KUMAR GUPTA): Please conclude.

SHRI KANAKAMEDALA RAVINDRA KUMAR: Conducting of elections in a free and fair manner is most important. Representation of Peoples Act is another important thing. These two have to be looked into in connection with the Andhra Pradesh. ...*(Time-Bell rings.)*... Just one more minute, Sir. ...*(Interruptions)*...

THE VICE-CHAIRMAN (SHRI SUSHIL KUMAR GUPTA): Please conclude. ...*(Interruptions)*... Please conclude. ...*(Interruptions)*...

SHRI KANAKAMEDALA RAVINDRA KUMAR: The voters were deleted at the behest of the State Government. ...*(Interruptions)*... That has to be condemned. ...*(Interruptions)*... The recent reforms have to be looked into; Representation of Peoples Act, changing the voters' list, interference of the State Government, and also disposing of criminal cases against the people's representatives, including the Chief Minister of Andhra Pradesh. Thank you, Sir.

MESSAGES FROM LOK SABHA

- (i) **The Appropriation (No.3) Bill, 2023**
- (ii) **The Appropriation (No.4) Bill, 2023**

THE VICE-CHAIRMAN (SHRI SUSHIL KUMAR GUPTA): Message from Lok Sabha. Secretary-General.

SECRETARY-GENERAL: Sir, with your kind permission, I rise to report that the Lok Sabha at its sitting held on the 12th December, 2023, passed —

- (i) The Appropriation (No.3) Bill, 2023; and
- (ii) The Appropriation (No.4) Bill, 2023.

The Speaker has certified that these Bills are Money Bills within the meaning of Article 110 of the Constitution.

I lay a copy each of the said Bills on the Table.

GOVERNMENT BILL - Contd.

The Chief Election Commissioner and other Election Commissioners (Appointment, Conditions of Service and Term of Office) Bill, 2023

&

Amendments for reference of the Bill to a Select Committee of the Rajya Sabha

THE VICE-CHAIRMAN (SHRI SUSHIL KUMAR GUPTA): Dr. Dinesh Sharma. You have two minutes. ...(*Interruptions*)...

डा. दिनेश शर्मा (उत्तर प्रदेश): मान्यवर, मैं सम्मानित कानून मंत्री जी को बधाई देना चाहूंगा कि ये एक पारदर्शी, निष्पक्ष और संविधान के संरक्षण में लोकतांत्रिक परंपराओं को अक्षुण्ण रखने के लिए यह बिल लाये हैं। मैं समझता हूँ कि इसने सभी पक्षों को छुआ है। पहले का जो बिल था, उसके बारे में इन्होंने पहले ही स्पष्ट कर दिया। उसमें अनुच्छेद 324 के अधीन एक अस्थायी चयन समिति का गठन किया गया था। उक्त अस्थायी समिति माननीय प्रधान मंत्री, नेता प्रतिपक्ष और उच्चतम न्यायालय के मुख्य न्यायमूर्ति से मिलकर बनती है और इस संबंध में विधि बनाए जाने तक माननीय उच्चतम न्यायालय द्वारा किया गया यह अस्थायी प्रबंध है। मैं समझता हूँ कि लोकतांत्रिक परंपराओं को अनुरक्षित करते हुए अब एक स्थायी प्रबंध दिए जाने का दायित्व सर्वोच्च संस्था द्वारा निभाया जा रहा है।

मुझे उन लोगों पर आश्चर्य होता है, जिन लोगों ने संवैधानिक संस्थाओं का कभी भी पूर्णतः सम्मान नहीं किया। इमरजेंसी जैसी स्थितियाँ आईं, शाह बानो के प्रकरण में विभिन्न प्रकार के जो न्यायालय के निर्णय थे, उनको बदला गया, लेकिन आज जब दिए गए तथ्यों के आधार पर, पारदर्शिता के साथ, तमाम संशोधनों के साथ एक पूर्ण व्यवस्था को देने का काम इस विधेयक में किया गया है, तब इन्होंने इसके बारे में तमाम आपत्तियाँ उठाईं। मुझे इस बात को जानकर आश्चर्य होता है और विपक्ष, खास तौर से सामने बैठे हुए ऐसे लोग, जो काफी समय तक सत्ता में रहे, उनके डर को मैं नहीं समझ पाया। जब नेता प्रतिपक्ष चयन समिति में रहेंगे, तब उनको किस बात का डर है? उनके रहते हुए गलत कैसे हो जाएगा? क्या वे अपने नेता को प्रतिपक्ष के नेता के रूप

में कमजोर मानते हैं या वे यह मानते हैं कि अगली बार हमारा नेता, प्रतिपक्ष नहीं हो सकता?
...(समय की घंटी)...

THE VICE-CHAIRMAN (SHRI SUSHIL KUMAR GUPTA): Hon. Member, please conclude.

डा. दिनेश शर्मा: मान्यवर, मुझे पार्टी की तरफ से पाँच मिनट का समय दिया गया था।

उपसभाध्यक्ष (श्री सुशील कुमार गुप्ता): साढ़े पाँच बजे मंत्री जी को बोलना है।

डा. दिनेश शर्मा: मान्यवर, मैं यह कह सकता हूँ कि आज इस विधेयक को लोकतांत्रिक परंपराओं की निष्पक्ष प्रक्रिया को पूर्ण करते हुए और तमाम प्रकार के प्रावधानों को समाहित करते हुए लाया गया है। जो लोग यह समझते हैं कि यह सार्वभौमिक नहीं है, जो यह समझते हैं कि इसमें पक्षपात हो सकता है, तो मैं समझता हूँ कि भ्रम की स्थिति है। ...(समय की घंटी)... कुछ लोग तो ऐसा कहते हैं कि जो लोग आपस में बेमेल गठबंधन में रहे, उनका भी यह कहना है कि अगर आज जेपी होते -- निश्चित रूप से अगर आज जेपी होते, तो कांग्रेस की जो मनोवृत्तियाँ थीं, जो संविधान के विरुद्ध इमरजेंसी लगाने के समय दिखाई, वे उसका विरोध करते। मैं यह मानता हूँ कि आज का यह विधेयक पूर्णतः न्यायसंगत और लोकतांत्रिक परंपराओं का अनुरक्षण करने वाला है और मैं इसका पूर्णतः समर्थन करता हूँ।

THE VICE-CHAIRMAN (SHRI SUSHIL KUMAR GUPTA): Shri Binoy Viswam.

SHRI BINOY VISWAM (Kerala): How many minutes do I have, Sir?

THE VICE-CHAIRMAN (SHRI SUSHIL KUMAR GUPTA): Two minutes.

SHRI BINOY VISWAM: Sir, the total time allocated for this Bill was six hours. According to that, we have a right to get six minutes. ...*(Interruptions)*...

THE VICE-CHAIRMAN (SHRI SUSHIL KUMAR GUPTA): But here two minutes have been mentioned. ...*(Interruptions)*...

SHRI BINOY VISWAM: Sir, please tell me the reason. ...*(Interruptions)*...

THE VICE-CHAIRMAN (SHRI SUSHIL KUMAR GUPTA): Please speak. Your time has already started. ...*(Interruptions)*...

SHRI BINOY VISWAM: How can I put up my points on such an important Bill in two minutes? ...*(Interruptions)*...

THE VICE-CHAIRMAN (SHRI SUSHIL KUMAR GUPTA): Everyone has been given two minutes. ...*(Interruptions)*...

SHRI BINOY VISWAM: No, Sir. Total time allocated for this Bill was six hours. ...*(Interruptions)*...

THE VICE-CHAIRMAN (SHRI SUSHIL KUMAR GUPTA): Your time is running out. Please start. ...*(Interruptions)*...

SHRI BINOY VISWAM (Kerala.): Sir, my time starts from now onwards for five minutes.

Sir, yesterday, this House saw a scene -- our friends from the BJP, all of them, were very vocal in supporting the Supreme Court. In a high esteem, they praised the Supreme Court yesterday. And, today, what do you see? After 24 hours, they say that Supreme Court is nothing! They forgot their words of yesterday. This is the BJP, Sir. Dr. Ambedkar was quoted here very much. Our friend, Shri Tiruchi Siva, quoted him and we all remember those words. That debate in the Assembly was meant for framing of the Constitution and was very clear. The categorical point is that the Election Commission should be free from the Executive interference and control. But they want to bring it under the control of the Executive, the Prime Minister. For them, Dr. Ambedkar is only for certain hours, certain needs. Normally, they are following the footsteps of Hitler. Hitler had a total disregard for Parliament. In 1930s, Hitler even banned the Reichstag, the German Parliament. These people are trying to sabotage the Parliamentary democracy. Free and fair elections are not important for them. That is why they want...

THE VICE-CHAIRMAN (SHRI SUSHIL KUMAR GUPTA): Please conclude. ..*(Interruptions)*...

SHRI BINOY VISWAM: The Election Commission made by the bureaucrats, controlled by the Prime Minister, obeying the diktats of the Prime Minister is going to see 'one nation, one election' theory of the BJP; it is going to make big damage to the country. And, they want to make sure that only one party would do everything here. Sir, in 2018, Shri Amit Shah made a statement for the workers of the BJP.

THE VICE-CHAIRMAN (SHRI SUSHIL KUMAR GUPTA): Please conclude

SHRI BINOY VISWAM: Sir, the last sentence. Shri Amit Shah said, if he wins the election in 2019, then, for the next 50 years, they will control India. For that purpose, they have brought this Bill. They want to make the Election Commission a goat in their farm house.

THE VICE-CHAIRMAN (SHRI SUSHIL KUMAR GUPTA): Thank you.

SHRI BINOY VISWAM: In that way, (*Time-bell rings.*) we object to it, Sir.

THE VICE-CHAIRMAN (SHRI SUSHIL KUMAR GUPTA): Shrimati Mahua Maji.

श्रीमती महुआ माजी (झारखंड): महोदय, इस बिल के पारित होते ही जो सबसे बड़ा धक्का हमारे देश को लगेगा, वह यह है कि विश्व दरबार में 140 करोड़ जनसंख्या वाले भारत को सबसे बड़े लोकतंत्र के रूप में और सबसे बड़ी निष्पक्ष और तटस्थ चुनावी प्रक्रिया के लिए सम्मान की नज़र से देखा जाता था, उस देश के लोकतंत्र की शुचिता संदेह के घेरे में आ जाएगी। मैं अपनी पार्टी की तरफ से इस बिल का पुरज़ोर विरोध करती हूँ। यह अनेतिक है, असंवैधानिक है, बाबा साहेब अम्बेडकर तथा संविधान सभा के सदस्यों की उपेक्षा है, अवहेलना है और असम्मान है।

महोदय, स्वस्थ लोकतंत्र के लिए स्वतंत्र निष्पक्ष चुनाव आवश्यक होता है, जो इस बिल के पारित होते ही असंभव हो जाएगा। यदि Chief Election Commissioner की नियुक्ति में सत्तापक्ष बहुमत में होगा, तो वह चुनाव आयोग को ज़रिये निष्पक्षता और पारदर्शिता से चुनाव कैसे कराएगा? जनता कैसे यकीन करेगी कि ईवीएम और वीवीपैट में गड़बड़ी नहीं हो रही है।

महोदय, आधुनिक दुनिया के एक बहुत बड़े चिंतक फ्रांस के फूकों और इटली के अगम्बेन ने भी कहा था कि जनतंत्र की खिड़कियां खुली रहनी चाहिए, ताकि ताज़ी जनतांत्रिक हवाएं अंदर आ सकें, इससे देश मज़बूत होता है, मगर लगता है कि आजकल मुसोलिनी और हिटलर ज्यादा पढ़े जा रहे हैं।

महोदय, अभी जो चुनाव आयोग है, वह देश का चुनाव आयोग है, जैसे सुप्रीम कोर्ट देश का सुप्रीम कोर्ट है, लेकिन जो बिल है, वह चुनाव आयोग को भारत सरकार का चुनाव आयोग बनाना चाहता है। अगर आप चुनाव आयुक्तों की नियुक्ति के पैनल से मुख्य न्यायाधीश को हटा देंगे और उस कमिटी के अध्यक्ष प्रधान मंत्री द्वारा चुने गए कैबिनेट मंत्री को शामिल करना चाहते हैं, तो आयोग वही करेगा, जो सरकार चाहेगी। आखिर सरकार Chief Justice of India को इस कमिटी से बाहर क्यों करना चाहती है? बिल के अनुसार सरकार उनकी सैलरी भी इस तरह तय करना चाहती है कि वह सरकारी आदमी लगे, अभी उसे सुप्रीम कोर्ट के जज के बराबर सैलरी मिलती है, जबकि सरकार नए बिल में उसे मुख्य सचिव के बराबर रखना चाहती है। लोकतांत्रिक संस्थाओं को कमज़ोर करने और एजेंसियों के दुरुपयोग का इन दिनों सरकार पर लगातार इल्जाम लग रहा है, तो क्या वह चुनाव आयोग को भी अपने नियंत्रण में लेना चाहती है! आखिर इस बिल की

ज़रूरत क्या है? चुनाव आयुक्त के चुनाव में सुप्रीम कोर्ट के चीफ जस्टिस को क्यों नहीं होना चाहिए और इस कमिटी में, जो तीन सदस्यीय कमिटी है, उसमें अगर वोट होगा, तो वोट तो उनके पक्ष में ही होगा, तो फिर नेता प्रतिपक्ष की क्या ज़रूरत है? सरकार को यह कभी नहीं भूलना चाहिए कि दुनिया में कोई ऐसा साम्राज्य नहीं है या कोई ऐसा राजा नहीं है, जिसने अनंत काल तक शासन किया है। सत्ता परिवर्तन यूनिवर्सल ट्रुथ है। यदि हमारे साथियों के पास इसका कोई दृष्टांत है, तो बताएं। ...**(समय की घंटी)**... महोदय, मैं सत्ता पक्ष से आपके माध्यम से यही कहना चाहती हूँ कि हमें यह नहीं भूलना चाहिए कि यह तख्तो-ताज का दौर नहीं, यह राजाओं का दौर नहीं...**(समय की घंटी)**...

THE VICE-CHAIRMAN (SHRI SUSHIL KUMAR GUPTA): Thank you. Thank you very much.

श्रीमती महुआ माजी: यह जनशक्ति का दौर है...**(समय की घंटी)**... यह जनमत का दौर है। सब कुछ सह लेगा, हमारा यह प्यारा सा देश, मगर लोकतंत्र पर प्रहार नहीं।

THE VICE-CHAIRMAN (SHRI SUSHIL KUMAR GUPTA): Ms. Indu Bala Goswami; not present. Shri Abdul Wahab; not present. Shri Neeraj Shekhar; not present. Shri Ajit Kumar Bhuyan; two minutes.

SHRI AJIT KUMAR BHUYAN (Assam): Sir, democracy and fundamental rights are the soul of the Indian Constitution, and the Election Commission has been a very strong instrument to utilize the confidence among people that their democratic rights will be safe by getting elected representatives in a free and fair election process.

Sir, there has been an amendment in the process and the manner of appointment of the Election Commission way back in 1991 when one-member Commission was converted into three-members Commission to avoid monopoly of one individual, and that amendment was supported by all political parties, including the BJP. But now the amendment that has been put for consideration in the Parliament has no consensus component and rather a bulldozing act.

Sir, the Election Commission must be perceived and honoured as independent; then democracy will flourish. I am sorry to say, the selection of an Election Commissioner will be compromised if the Government of the day has a majority monopoly. The removal of the Chief Justice of India from the selection process will certainly create a strong doubt in the minds of the people of opposition that the incumbent Government has malice intent.

Sir, my sincere suggestion will be, if the Government of the day seems to be seen as judicious in amendment of ECI Act, the Prime Minister and leader of two

major opposition parties should be made members of the selection process. Two members from the Government and a third member from the opposition cannot be a fair and unbiased selection committee of the ECI-appointment process. In the wisdom of even a layman, the proposed Bill is nothing but a majority bullet to the soul of the Constitution.

However, the Bill that has been put for consideration is not going to create confidence when already several political parties and individual constitutional experts have expressed doubt about the partiality of the ECI.

Why not two major opposition party leaders in Lok Sabha and the Prime Minister constitute a panel of the selection process to appoint the Election Commission of India?

Sir, I will conclude,

*"करो सब कुछ लेकिन ऐसे न करो कि लोगों का विश्वास ही टूट जाए लोकतंत्र से,
लोकतंत्र रहेगा, तो आओगे-जाओगे, लेकिन अगर नहीं रहेगा लोकतंत्र,
तो कैसे फिर आओगे?"*

Thank you.

उपसभाध्यक्ष (श्री सुशील कुमार गुप्ता): सुश्री कविता पाटीदार। आपके पास दो मिनट का समय है।

सुश्री कविता पाटीदार (मध्य प्रदेश): उपसभाध्यक्ष महोदय, इतने महत्वपूर्ण बिल पर मुझे बोलने का अवसर प्रदान करने के लिए मैं आपका धन्यवाद प्रेषित करती हूँ। मैं अपनी बात की शुरुआत करने से पहले बताना चाहती हूँ कि अभी एक माननीय सदस्य ने बात कही थी कि कोई भी राजा ऐसा नहीं रहा कि जो अनंत काल तक रहा है। मैं उसका जवाब देना चाहती हूँ। राष्ट्र सेवा के लिए समर्पित, बिना किसी भेदभाव के राष्ट्र हित में निर्णय लेने वाले लोगों को इस देश की जनता सिर माथे पर बैठाकर चलती है और अभी जो तीन राज्यों के परिणाम आए, वह इसका प्रत्यक्ष उदाहरण है।

माननीय सभापति महोदय, भारत का चुनाव आयोग भारत में प्रतिनिधि लोकतंत्र को रीढ़ प्रदान करता है। यह चुनावी अखंडता का संरक्षक है। यह विधेयक मुख्य चुनाव आयुक्त और अन्य चुनाव आयुक्तों की नियुक्ति, योग्यता, कार्यकाल और निष्कासन के प्रावधानों को एकरूपता प्रदान करता है।

(MR. CHAIRMAN *in the Chair.*)

महोदय, मैं अभी दो बिंदुओं पर बोलना चाहूंगी। विपक्ष के कुछ सदस्यों ने यह कहा है कि यह बिल सर्वोच्च न्यायालय के निर्णय के खिलाफ है। मैं उनको यह बताना चाहूंगी कि यह विधेयक

चुनाव आयोग की नियुक्ति के बारे में सुप्रीम कोर्ट के फैसले के अनुरूप ही लाया गया है। न्यायालय ने मुख्य चुनाव आयुक्त और चुनाव आयुक्तों की नियुक्ति एक समिति के माध्यम से तब तक करने का प्रावधान किया था, जब तक कि संसद एक कानून पास नहीं कर देती। वर्तमान विधेयक केवल न्यायालय द्वारा फैसले में दिए गए निर्देशों को पूरा करता है, क्योंकि अंतिम कानून बनाने का अधिकार संसद को होता है और चूंकि न्यायालय ने एक तदर्थ समिति बनाई थी न कि स्थाई। सुप्रीम कोर्ट ने यह स्पष्ट कर दिया था कि यह मापदंड तब तक प्रभावी रहेगा, जब तक कि संसद इस मामले पर कानून नहीं बना देती। यह कानून बनाने की प्रक्रिया आज इस संसद में शुरू हो गई है।

महोदय, इस विधेयक का उद्देश्य विभिन्न पहलुओं को सम्बोधित करना है, इस विधेयक में अभिव्यक्तियों की परिभाषा, नियुक्ति की प्रक्रिया, योग्यताएं, खोज और चयन समिति की स्थापना, कार्यकाल की अवधि, वेतन, इस्तीफा, निष्कासन, पेंशन आदि शामिल हैं। ...**(समय की घंटी)** ...

महोदय, मैं एक और प्वाइंट आपकी अनुमति से बोलना चाहूंगी, जो कि बहुत जरूरी है। वास्तव में इस विधेयक के साथ चुनाव आयुक्तों की नियुक्ति में विपक्ष के नेता की भूमिका भी होती है।

MR. CHAIRMAN: Please conclude.

सुश्री कविता पाटीदार: मैं आपके माध्यम से इस सदन में विपक्ष के लोगों से पूछना चाहती हूँ ...

MR. CHAIRMAN: Thank you, Ms. Kavita Patidar. Dr. M. Thambidurai; two minutes.

DR. M. THAMBIDURAI (Tamil Nadu): Mr. Chairman, Sir, I was the Minister of Law, Justice and Company Affairs during 1998-99. We have seen many Law Ministers. Why the Bill could not have come in the last 71 years, I fail to understand. Now, because of the Supreme Court's intervention recently the Bill has come. I don't understand what the necessity is. That is the first part. Secondly, in the past 71 years, the Election Commission has conducted elections fairly. Otherwise, we would not have come here. Therefore, we cannot blame the Election Commission and bring such a Bill. Also, some Members from that side talked about dynastic politics. As far as the AIADMK Party is concerned, our Party General Secretary, Edappadi Palanisamy made it clear that in the AIADMK Party, there cannot be any dynastic politics. That was followed earlier by *Perarignar Anna*, *Puratchi Thalaivar MGR*, *Puratchi Thalaivi Amma*. We never followed dynastic politics. It is in a democratic way that our Party has been functioning. When I was the Law Minister, Dr. Gill was the Election Commissioner. I never interfered and he functioned independently. Now, Sir, you have appointed me as Chairman of the Committee on Government Assurances. For discussing reforms in the Election Commission, we asked representatives of the

Election Commission to appear before the Committee, but they said that they cannot appear before the Committee because they are an independent body and that we can ask only the Ministry to appear before the Committee. Therefore, the Election Commission still functions independently. The Government is not interfering. Hence, I don't think there is any necessity for his kind of a Bill.

MR. CHAIRMAN: Shri Deepak Prakash; two minutes.

श्री दीपक प्रकाश (झारखंड): सभापति महोदय, मैं इस बिल के समर्थन में बोलने के लिए खड़ा हुआ हूँ। यह विधेयक अमृतकाल में लाया गया है। यह गागर में सागर भरने वाला बिल है। यहां पर 2015 की रिट के बारे में कांग्रेस के कई सदस्यों ने चर्चा की है। वे आधे-अधूरे निर्णय को सदन के सामने ला रहे हैं, लेकिन यह सच है कि यह विधेयक अनूप बरनवाल बनाम भारत संघ के मामले में सुप्रीम कोर्ट के दिए गए निर्णय के अनुसरण में लाया गया। इस सदन को यह अधिकार है कि वह किसी भी कानून को बनाए या किसी भी कानून को निरस्त करे। हम सब लोगों को फ़ख़ है कि हम उस सदन के सदस्य हैं जहां पर कानून बनता है और कानून को निरस्त किया जाता है।

इस पूरे विधेयक में नियुक्ति की प्रक्रिया पारदर्शी है तथा इसमें लोकतांत्रिक ढंग से नियुक्ति की प्रक्रिया बनाई गई है। मैं इस विधेयक के अंतर्गत जानना चाहता हूँ कि कांग्रेस के कालखंड में जब नियुक्ति की प्रक्रिया होती थी, तो क्या पहले सर्व कमेटी होती थी? क्या पहले कोई चयन समिति होती थी? पहले कांग्रेस के समय में न सर्व कमेटी होती थी, न चयन समिति होती थी, बल्कि 'खाता न बही, जो एक परिवार कहे, वही सही' होता था। मैं मेरे सामने बैठे हुए कांग्रेस के मित्रों और विपक्ष के मित्रों से **..(समय की घंटी)..** 1989 में जब चुनाव आयोग में एक सदस्य होता था, तब एक ऑफिशियल ऑर्डर के माध्यम से उस वक्त के तत्कालीन प्रधान मंत्री ने दो लोगों को जोड़ दिया था। मैं पूछना चाहता हूँ कि उस वक्त नियुक्ति की प्रक्रिया कहाँ चली गई थी? 1990 में जब वी.पी. सिंह की सरकार आई, तो उस वक्त **..(व्यवधान)..**सर, मुझे एक मिनट का संरक्षण दे दीजिए। 1990 में जब वी.पी. सिंह की सरकार आई, तो फिर से एक आयुक्त की नियुक्ति हुई, लेकिन 1993 में, जब टी.एन. शेषन द्वारा चुनाव आयोग सुधार की प्रक्रिया तेज हुई, तो नरसिम्हा राव की सरकार ने एक और आयुक्त बनाकर...

MR. CHAIRMAN: Shri G.K. Vasan; you have two minutes.

SHRI G.K. VASAN (Tamil Nadu): Sir, as a modern democracy, the mammoth onus of conducting elections is on the Chief Election Commissioner. We have witnessed ballot boxes being carried through rough areas in this country. As a part of successive exercise of voting for crores of people in this country, my Party feels that, from time to time, it is necessary that we review the functioning of the electoral system, streamline the procedures and also provide adequate resources for the smooth conduct of elections. As a part of this exercise, successive Governments have brought

amendments to electoral laws like the Representation of the People's Act. Today, the law is being enacted with a lot of riders like Election Committee, Selection Committee, Search Committee or Qualification Committee to get the confidence of voters so that free and fair elections can take place in the country. I am sure that the hon. Minister will address the concerns of hon. Members. With this, I conclude. Thank you.

MR. CHAIRMAN: Very effective! The next speaker is Shri Ajay Pratap Singh. You have two minutes. श्री अजय प्रताप सिंह, आपके पास दो मिनट हैं।

श्री अजय प्रताप सिंह (मध्य प्रदेश): माननीय सभापति महोदय, सदन में जो बिल प्रस्तुत हुआ है, मैं उस बिल का समर्थन करता हूँ। हमारे साथियों ने इस बिल के पक्ष और विपक्ष में अपने तर्क दिए हैं। हमारे विपक्षी साथियों ने बहुत अच्छा प्रवचन दिया है, लेकिन मैं उन्हें स्मरण कराना चाहता हूँ कि इस देश में चुनाव में कदाचरण के कारण, अगर किसी का चुनाव निरस्त हुआ है, तो वह देश की पहली महिला प्रधान मंत्री श्रीमती इंदिरा गाँधी थीं, जिनके विरुद्ध इलाहाबाद हाई कोर्ट ने फैसला दिया था और जिसके परिणामस्वरूप देश को एक इमरजेंसी भोगनी पड़ी थी। दूसरा, मैं इन्हें यह भी स्मरण कराना चाहता हूँ कि जब टी.एन. शेषन जी ने देशवासियों को चुनाव आयोग की ताकत का एहसास कराया था कि चुनाव आयोग की निष्पक्षता क्या होती है, चुनाव आयोग की निर्भीकता क्या होती है, तब अगर किसी ने चुनाव आयोग के पाँव में बेड़ी डालने का काम किया है, तो वह तत्कालीन कांग्रेस पार्टी की सरकार ने किया है, इसलिए आज जब ये चुनाव आयोग की निष्पक्षता की बात करते हैं, तो इनकी बातें थोड़ी-सी बनावटी लगती हैं। हमारे साथियों ने इस बहस में भाग लेते हुए कहा है कि यहाँ पर चुनाव आयोग की नियुक्ति के लिए जो प्रावधान किए गए हैं, उनके अंतर्गत जो चयन समिति बनाई गई है, उसमें विपक्ष के नेता को रखा गया है और बहुमत सत्ता पक्ष का रखा गया है। ..(समय की घंटी).. जो वोट की बात करते हैं - अगर विपक्ष के नेता को रखा गया है, सत्ता पक्ष के लोगों को रखा गया है, तो आपस में डिस्कस करके एक अच्छे निर्णय पर पहुँचने के लिए कहा गया है। महोदय, हर समय, हर जगह वोट की बात नहीं होती है। इस डेमोक्रेसी का अर्थ है चर्चा करना, चर्चा के पश्चात निष्कर्ष निकालना और इस देश की बेहतरी के लिए कुछ काम करना। यह जो चयन समिति बनाई गई है, यह इसी उद्देश्य से बनाई गई है, इसलिए सभापति महोदय, मैं इस बिल का समर्थन करते हुए अपनी बात समाप्त करता हूँ, आपका बहुत-बहुत धन्यवाद।

MR. CHAIRMAN: Shri Ramji - not present. Shrimati Priyanka Chaturvedi. You have two minutes. Make the most of it.

श्रीमती प्रियंका चतुर्वेदी (महाराष्ट्र): सर, मैं इतनी लंबी स्पीच बनाकर लाती हूँ, लेकिन टाइमिंग की वजह से लिट्रली सब कुछ बरबाद हो जाता है।

MR. CHAIRMAN: The world record for 100-metre race is 9 seconds. Go ahead.

श्रीमती प्रियंका चतुर्वेदी: सर, इलेक्शन कमीशन की बात हो रही है, इलेक्शन कमीशन का काम सिर्फ फ्री एंड फेयर इलेक्शन कराना, इलेक्टोरल रोलस अपडेट करना, जो एडल्ट्स हैं, जो वोट करते हैं, उन्हें इलेक्टोरल रोलस में एनरोल करना ही नहीं होता है, बल्कि अगर पोलिटिकल पार्टीज़ में कोई डिस्प्यूट होता है या स्प्लिट अराइज़ होता है, तो ऐसे में निर्णायक डिजीज़न और निष्पक्ष डिजीज़न लेने की जिम्मेदारी इलेक्शन कमीशन की होती है। महाराष्ट्र में दो पार्टीज़ का स्प्लिट हुआ, जिनमें से एक का आग्रुमेंट अभी भी इलेक्शन कमीशन में चल रहा है और एक का सुप्रीम कोर्ट में चल रहा है। सर, मैं सिर्फ यही कहना चाहती हूँ कि अगर इलेक्शन कमीशन के डिजीज़ंस 2:1 होंगे, तो ये कहीं से निष्पक्ष नहीं होंगे। हर बार डिजीज़न में एक बायस्ड ही होगा। इसमें जो सेक्शन 8 इंट्रोज़्यूस किया है, उसमें 'one versus none' हो गया है। अगर प्रधान मंत्री जी यह निर्णय ले लें कि यह जो सर्च कमिटी की च्वाइसेज़ हैं, सेलेक्ट कमिटी की च्वाइसेज़ हैं, उन्हें किसी का पालन नहीं करना है, उनका खुद का एक डिजीज़न होगा, as per Section 8 उसे भी मान्य रखा गया है। सर, मेरा मानना है और रिक्वेस्ट सिर्फ यह है, क्योंकि दो मिनट... सर, मेरे पास 50 सेकंड और हैं। सर, अगर सुप्रीम कोर्ट को क्वोट करूँगी, तो यहाँ पर दिक्कत होती है। बाबा साहेब अम्बेडकर जी ने...

MR. CHAIRMAN: Thank you.

श्रीमती प्रियंका चतुर्वेदी: सर, अभी 40 सेकंड हैं।...(व्यवधान)... जब काँस्टीट्यूशनल असेम्बली थी और काँस्टीट्यूशन बना था, तब बाबा साहेब अम्बेडकर जी ने स्पिरिट में कहा था कि इसे गवर्नमेंट के इंटरफेयरेंस से दूर रखना चाहिए। सुप्रीम कोर्ट ने उसी स्पिरिट में अपना वर्डिक्ट दिया था। उसी स्पिरिट को बरकरार रखते हुए सरकार की जिम्मेदारी बनती है कि the Election Commission has to be totally fair and free of bias और यह मैं आपके माध्यम से, लॉ मिनिस्टर से कहना चाहती हूँ।

MR. CHAIRMAN: Shrimati Vandana Chavan. You have two minutes.

SHRIMATI VANDANA CHAVAN (Maharashtra): Sir, the Election Commission plays an exceptionally important role in upholding the democratic structure of our country. The test of credibility of the Election Commission is not only in their efficiency and the fairness of elections, but also in the neutrality where it has to show that it does not bow down to the ruling party. Lately, on the one hand, turning a blind eye by the Election Commission when the ruling party netas delivered hate speeches or resorted to indecent character assassination or quoting false facts and figures, and on the other side putting behind bars members of the opposition even at the slightest slip of

the tongue or which seemed like a slightest slip shows the changing role of the once extremely credible Election Commission.

In my limited time, I will just touch upon three points. First, I would like to ask the hon. Minister as to why the Government has not included the Chief Justice of India in the Selection Committee in spite of a specific directive in the Supreme Court ruling. Second, with so much executive control with the Election Commission, will it not become a 'yes man' of the present dispensation? Third, clause 6 says that the Search Committee is supposed to submit five Members on the panel. I want to ask: Why only five? Why not all the Members? That too, after submitting the five names, it is up to the Selection Committee whether they want to accept it or not, or just shun it totally.

With elections around the corner in 2024, with the sudden introduction of the Bill, that too bypassing the order of the Supreme Court, the move is suspect. This Bill, in the present form, in my submission, is a mockery of the expectations of the people and the democracy as a whole. Thank you, Sir.

SHRI DEREK O'BRIEN (West Bengal): Sir, I have a point of order.

MR. CHAIRMAN: Shri Arjun Ram Meghwal.

SHRI DEREK O'BRIEN: *

MR. CHAIRMAN: You were not here.

SHRI DEREK O'BRIEN: *

MR. CHAIRMAN: Hon. Member, you were not present in the House. ...*(Interruptions)*...

SHRI DEREK O'BRIEN: *

MR. CHAIRMAN: No, it will not go on record. One second...*(Interruptions)*... Nothing will go on record. I have not given the floor. I had taken sense of the House.

* Not recorded.

The leaders had spoken to me. The House had authorized it, and even questioning the House ...(*Interruptions*)...

SHRI DEREK O'BRIEN: *

MR. CHAIRMAN: If you were not present, no one can help you. I am sorry. ...(*Interruptions*)... You are putting on record something which the House has approved. Sense of the House was taken. House is supreme. We cannot allow this. I have gone by the sense of the House.

Now, hon. Minister to reply to the discussion.

SHRI SUKHENDU SEKHAR RAY (West Bengal): Sir, I have a small clarification. ...(*Interruptions*)...

विधि और न्याय मंत्रालय के राज्य मंत्री; संसदीय कार्य मंत्रालय में राज्य मंत्री; तथा संस्कृति मंत्रालय में राज्य मंत्री (श्री अर्जुन राम मेघवाल): धन्यवाद सभापति महोदय ...(*व्यवधान*)... रिप्लाय के बाद क्लेरिफिकेशन हो जाएगी। आदरणीय सभापति महोदय, आज बिल पर जो चर्चा हुई, मैं सभी माननीय सदस्यों का आभारी हूँ, जिन्होंने चर्चा में भाग लिया। चर्चा कांग्रेस से श्री रणदीप सिंह सुरजेवाला जी ने शुरू की और एनसीपी से श्रीमती वंदना चव्हाण जी ने समाप्त की। चर्चा में कुल 26 सदस्यों ने अपनी बात रखी। कुछ सदस्य जल्दी में बोले होंगे, लेकिन सुझाव बहुत शानदार थे, इसलिए मैं आपके माध्यम से सभी का आभार प्रकट करता हूँ।

चेयरमैन सर, 1991 में एक एक्ट आया, जिसमें एक कमी रह गई थी। अदरवाइज़, यह हाउस में चर्चा में ही नहीं आता। अब 1991 में कैसे कमी रह गई, उस विषय में मैं नहीं जाऊंगा। आर्टिकल 324 में पार्लियामेंट एक्ट बनाए, यह संविधान निर्माताओं ने कहा था, लेकिन गलती रह गई कि 1991 तक नहीं बना। जो एक्ट 1991 में बनाया, उसका शीर्षक था - The Election Commission (Conditions of Service of Election Commissioners and Transaction of Business) Act, 1991. जब कोई पीआईएल में गया, तो उन्होंने कहा कि appointment के संबंध में तो आपने एक्ट ही नहीं बनाया। संविधान निर्माताओं ने आर्टिकल 324(2) में यह कहा था कि पार्लियामेंट के द्वारा इसकी appointment की प्रक्रिया को लेकर कानून बनाएंगे। इसलिए यह एक लिमिटेड परपज़ के लिए मैं आपके बीच आज खड़ा हूँ। जब 1991 में इसमें कमी थी, तो फिर सुप्रीम कोर्ट ने कहा कि कानून बनाओ। जब तक कानून नहीं बने, तब तक उन्होंने एक stop-gap arrangement किया, जिसका ये जिक्र कर रहे थे कि सुप्रीम कोर्ट ने एक कमेटी बना दी। ये बार-बार यही जिक्र कर रहे थे कि आप संविधान की धज्जियां उड़ा रहे हो, संविधान में जो कहा गया है, उसको नहीं मानते हो। सर, चूंकि आप संविधान के ज्ञाता हैं, मैं कहता हूँ कि आर्टिकल 324 भी संविधान निर्माताओं ने लिखा, जिसमें उन्होंने कहा कि संसद चीफ इलेक्शन कमिश्नर के लिए

कानून बनाएगी। चेयरमैन सर, मैं आपका ध्यान चाहूंगा, आर्टिकल 50 भी संविधान निर्माताओं ने ही बनाया है, जिसका परपज़ है - separation of powers. ज्यूडिशियरी भी एक्जिक्यूटिव में इंटरफेयरेंस नहीं करेगी और एक्जिक्यूटिव भी ज्यूडिशियरी में इंटरफेयरेंस नहीं करेगी। यह separation of powers भी तो आर्टिकल 50 में है। हम उसके तहत यह बिल लेकर आए हैं।

श्री सभापति: लेजिस्लेचर में भी इंटरफेयरेंस नहीं करेगी।

श्री अर्जुन राम मेघवाल: जी सर, लेजिस्लेचर में भी इंटरफेयरेंस नहीं करेगी। सब अपना-अपना काम करेंगे। एक्जिक्यूटिव अपना काम करेंगे, लेजिस्लेटर अपना करेंगे और ज्यूडिशियरी अपना काम करेगी। यह जो आर्टिकल 50 है, यह संविधान निर्माताओं ने ही तो डाला है, तो संविधान से ऊपर कोई नहीं है। यह हम भी मानते हैं। हमें सुरजेवाला जी ज्ञान दे रहे थे, पता नहीं क्यों दे रहे थे। उन्होंने दो-तीन कहावतें भी कहीं। सर, एक कहावत मैं भी कहूंगा। सर, आप राजस्थानी हैं और मारवाड़ी भी जानते होंगे। वे बैठे भी होंगे। सुरजेवाला जी, शायद आपने हिये में कांछी नहीं फेरी। हिये का मतलब हृदय होता है। इसे कबीर की भाषा में ऐसे कह सकते हैं कि आपने अंदर झाँककर नहीं देखा और अगर अंग्रेजी में बोलूँ - तो आप जो सारी कहावतें बोल रहे थे, वे ठीक नहीं थीं - Those who have not introspected themselves, वे हमें शिक्षा दे रहे हैं! आपने नवीन चावला साहब को कैसे बनाया, एम.एस. गिल साहब को कैसे बनाया, क्या आपको पता है? आइडियोलॉजी सबको पता थी, लेकिन हम उसमें जाना नहीं चाहते हैं। हम आज एक लिमिटेड परपज़ के लिए आपके बीच में हैं। मैं दो-चार जो मौलिक प्रश्न आए, जैसे अमर पटनायक साहब ने बहुत मौलिक प्रश्न उठाए...(व्यवधान)...

SHRI RANDEEP SINGH SURJEWALA (Rajasthan): Sir, I have a point of order since the hon. Minister referred to me.

श्री अर्जुन राम मेघवाल: हिय में कांची नहीं फेरी, मैंने इतना ही कहा था। मारवाड़ी में 'हिय' का मतलब है - 'हृदय' और 'कांची फेरने' का मतलब है कि अगर उसमें कोई गड़बड़ निकलती है, तो फुल इंद्रोस्पेक्शन करो, जैसे कबीर ने कहा कि अंदर झाँक कर देखो। इन्होंने अंदर झाँक कर देखा ही नहीं और हमारे ऊपर आरोप लगाने लगे। इन्होंने कहा कि संविधान से ऊपर कोई नहीं है। संविधान से ऊपर कोई नहीं है, हम भी मानते हैं। आप भी पढ़ लीजिए आर्टिकल 50, आप भी पढ़ लीजिए आर्टिकल 324. आपने 1991 में कानून में कमी क्यों रखी? मैं फिर बाबा साहेब को याद करते हुए कहूँगा, जो बाबा साहेब ने 25 नवंबर, 1949 को कहा था। इन्होंने भी क्वोट किया, मैं भी क्वोट करना चाहता हूँ। उन्होंने कहा, "हम इस बात का संकल्प करें कि जो बुराई हमारे मार्ग में है और जिनके कारण जनता के लिए सरकार को ..., उन बुराइयों को सुलझाने में विलंब नहीं करें।" सर, यह बुराई थी, क्योंकि इसमें कोई भी इंटरफेयरेंस कर जाता था। अब यह तो एग्जिक्यूटिव फंक्शन है, सबको पता है।

अच्छा, ये कह रहे हैं कि इसमें प्रधान मंत्री क्यों होना चाहिए! अब इस देश की जनता ने उन्हें चुना है। "WE, THE PEOPLE OF INDIA", यह हमारे संविधान का पहला वाक्य है। जनता

ने प्रधान मंत्री जी को चुना और सेलेक्शन कमेटी में प्रधान मंत्री नहीं होना चाहिए, मेरी समझ में नहीं आता कि ये कैसा आर्गुमेंट कर रहे थे! क्या एग्जीक्यूटिव फंक्शन में प्रधान मंत्री का कोई रोल ही नहीं है? जो लीडर ऑफ अपोजिशन है, जिसे हमने इसमें सेलेक्शन कमेटी में दिया, उसका तो ज़िक्र ही नहीं किया, जिसने भी बोला!

सर, मैं आपके माध्यम से दो-तीन चीजें कहना चाहता हूँ। यह बिल एक लिमिटेड परपज के लिए है। 10 अगस्त, 2023 को मैंने राज्य सभा में यह बिल इंट्रोड्यूस किया था। हम 1991 के एक्ट को रिप्लेस करके यह बिल लेकर आए हैं। इसमें अपॉइंटमेंट का प्रावधान नहीं था, इसलिए हमने इसमें अपॉइंटमेंट का प्रावधान जोड़ा है। 2 मार्च, 2023 को सुप्रीम कोर्ट का जो फैसला आया था, उसमें यही कहा गया था। उन्होंने कहा कि जब तक संसद कोई कानून नहीं बनाती, तब तक हम यह कमेटी बनाते हैं। इसलिए सुप्रीम कोर्ट के कहने के अनुसार ही हम बिल लेकर आए हैं।

सर, अमर पटनायक साहब ने रिमूवल के बारे में कहा। रिमूवल के प्रावधान के बारे में जहाँ तक मैं समझता हूँ, चीफ इलेक्शन कमिश्नर को उसी तरीके और उसी ग्राउंड के आधार पर हटाया जा सकता है, जिस प्रक्रिया से माननीय सर्वोच्च न्यायालय के न्यायाधीश को हटाया जा सकता है। संविधान के अनुच्छेद 124 के क्लॉज़ 4 में उस प्रक्रिया का वर्णन है, जिसके तहत माननीय सर्वोच्च न्यायालय के न्यायाधीश को हटाने के लिए जिस प्रक्रिया का वर्णन दिया हुआ है, वही प्रक्रिया चीफ इलेक्शन कमिश्नर के लिए होगी। जहाँ तक इलेक्शन कमिश्नर को हटाने की बात है, उसके लिए भी संविधान में लिखा हुआ है। आर्टिकल 324 में लिखा हुआ है। जहाँ तक इलेक्शन कमिश्नर को हटाने की बात है, इसके विषय में संविधान के अनुच्छेद 324 के तहत क्लॉज़ 5 के तहत प्रावधान है कि इलेक्शन कमिश्नर को चीफ इलेक्शन कमिश्नर की अनुशंसा पर हटाया जा सकता है। ये दोनों चीजें क्लियर हैं। आपने यह मुद्दा उठाया था, इसलिए मैंने इसका ज़िक्र किया।

दूसरा, किसी ने कहा कि जो चुनाव नहीं कराते हैं, वे चुनाव को क्या जानते हैं। मैं भी जिले में जिला कलेक्टर रहा। उस समय तो हमने कोई चुनाव लड़ा ही नहीं, तो क्या हम चुनाव नहीं कराते थे? मैं आपके माध्यम से कहना चाहता हूँ कि चुनाव आयोग की जो कार्य प्रणाली है, वह निष्पक्ष है, निष्पक्ष रहेगी और सरकार भी उसे निष्पक्ष रखने के लिए प्रतिबद्ध है। नरेन्द्र मोदी जी के कालखंड में जितनी भी संस्थाएँ हैं, वे निष्पक्ष तरीके से काम करें, इसके लिए हम प्रतिबद्ध हैं। ...**(व्यवधान)**... है ही साहब, इसमें तो कोई शक ही नहीं है। अभी मैंने एम.एस. गिल साहब का नाम लिया, चावला साहब का नाम लिया। अच्छा, अभी किसी ने ज़िक्र किया था, ठाकुर साहब ने कहा या पता नहीं किसने कहा कि अभी जयप्रकाश नारायण होते, तो हमारा विरोध करते। सर, मैं स्पष्ट कहता हूँ कि अगर जयप्रकाश नारायण जिंदा होते, तो वे नरेन्द्र मोदी जी का समर्थन करते। वे 100 परसेंट नरेन्द्र मोदी जी का समर्थन करते, इसमें कोई शक नहीं है। ...**(व्यवधान)**... अच्छा मनोज झा साहब ने कहा था। वे नरेन्द्र मोदी जी का ही समर्थन करते।

सर, मैं एक ऑफिशियल अमेंडमेंट भी लेकर आया हूँ। जब यह मूल बिल आया था, उसमें चर्चा में काफी चीजें आई थीं। सरकार संवेदनशील है, इसलिए सोचती है।

श्री सभापति: माननीय मंत्री जी, रणदीप सिंह सुरजेवाला जी ने कुछ महत्वपूर्ण संकेत दिए थे, आप उन पर तो सहमति व्यक्त कर सकते हैं। इन्होंने खास तौर से four fundamentals of Election Commission कहा था।

श्री अर्जुन राम मेघवाल: हाँ, मैं सहमति प्रकट करता हूँ। "निष्पक्षता, निर्भीकता, पारदर्शिता", मुझे याद भी है, सर।

श्री सभापति: शुचिता।

श्री अर्जुन राम मेघवाल: शुचिता।

श्री सभापति: फिर इन्होंने यह अनुरोध किया था कि इनका संरक्षण कीजिए।

श्री अर्जुन राम मेघवाल: सर, इन्होंने हिय में कांची नहीं फेरी। विषय एक ही था। सर, मैं जो official amendment लेकर आया हूँ, इसमें एक क्लॉज़ 6 जो था, उसमें सर्च कमेटी का विषय था, उसे हमने थोड़ा चेंज किया है। पहले वह कैबिनेट सेक्रेटरी की अध्यक्षता में थी, अब वह लॉ मिनिस्ट्री की अध्यक्षता में है और दो सेक्रेटरीज़ उसके मेम्बर हैं।

महोदय, कई सदस्यों ने सैलरी का विषय रखा, तिरुची शिवा साहब ने भी सैलरी का विषय रखा, लेकिन official amendment के द्वारा सुप्रीम कोर्ट के जज के बराबर सैलरी का प्रावधान कर दिया गया है। Condition of Service - क्लॉज़ 15 में हमने एक official amendment किया है, जिसमें राष्ट्रपति जी रूल्स को नोटिफाई करके निर्धारित करेंगे और अधिसूचित करेंगे, यह प्रावधान हमने कर दिया है। हमने एक क्लॉज़ 15ए जोड़ा है, जो महत्वपूर्ण है। चूँकि महबूब नगर में, तेलंगाना में एक विषय आया था कि चीफ इलेक्शन कमिश्नर और कमिश्नर को किसी ट्रायल जज ने नोटिस भिजवा दिया था, तो प्रोटेक्शन से सम्बन्धित एक क्लॉज़ हमने 15ए जोड़ा है। CEC या EC अपनी ड्यूटी करते समय कोई कार्रवाई सम्पादित करेंगे, ड्यूटी करते समय कोई सुनवाई या कोई भी आदेश देंगे, तो ऐसे प्रकरणों में उन पर कोई कोर्ट कार्रवाई नहीं कर सकेगा, यह प्रोटेक्शन की बात हमने कही है।

महोदय, मैं दो-तीन और चीज़ें कह कर अपनी बात को समाप्त करने की कोशिश करूँगा, क्योंकि आप भी 6 बजे तक वोटिंग का कह रहे थे। आपने एक बात यह कही कि IAS ही क्यों? शायद माननीय सुरजेवाला जी ने कहा था। 1951 और 1952 से लेकर अब तक तो चुनाव हो ही रहे हैं। देश में चुनाव आयोग की साख भी बढ़ी है, तो अब तक तो ऐसी कोई गड़बड़ नहीं हुई है। हमारे चड्ढा साहब अभी शायद बैठे हैं। ये कह रहे हैं कि आप तो किसी को भी बना सकते हैं। साहब, आप बिल तो पूरा पढ़ लीजिए। उसमें क्वालिफिकेशन दिया हुआ है। इसमें जो क्वालिफिकेशन दिया हुआ है, उस क्वालिफिकेशन के अनुसार ही कोई बनेगा, किसी अन्य को हम नहीं बना सकते। सेक्रेटरी रैंक - यह क्वालिफिकेशन दिया हुआ है। आपको तो इस बिल को पढ़ ही लेना चाहिए था।

...(व्यवधान)...

सर, जवाहर सरकार साहब ने कुछ मुद्दे उठाए। आपने अच्छी बात कही है कि कहीं बाढ़ आ गयी थी, तो बोट पर भी चुनाव की प्रक्रिया - यह अच्छी बात है। बोट पर भी चुनाव की प्रक्रिया की बात कही। मैं तो राजस्थान का, रेगिस्तान का रहने वाला हूँ। मेरे यहाँ तो धोरे हैं, sand dunes हैं। मैंने देखा कि लोग ऊँट पर वोट देने जाते थे। चुनाव आयोग की इतनी खासियत है कि हमारा जो दूर का गाँव था, उसके लिए ऊँट रखते थे कि ऊँट पर बैठ कर वोट देने जाओ। तो चुनाव आयोग द्वारा ये सारी प्रक्रियाएँ होती रही हैं। ऐसे हम year to year, election to election सीखते आये हैं। चुनाव आयोग ने अपनी साख भी कमायी है और निष्पक्षता भी बरकरार रखी है।

सर, एक विषय जो शायद चड्ढा साहब ने कहा था, मुझे पता नहीं कांग्रेस पार्टी उसे कैसे लेगी। इन्होंने कहा कि आप कुछ ऐसे अमेंडमेंट्स कर लो, मेरे सुझाव मान लो, मैं सारे अपोजिशन को एक कर दूँगा। क्या ये खरगे साहब का रूप धारण करके बोल रहे थे, यह मेरी समझ में नहीं आया!

MR. CHAIRMAN: Ignore it.

श्री अर्जुन राम मेघवाल: मुझे थोड़ा सा confusion हो गया था। मैंने कहा कि क्या विषय था...(व्यवधान)...

SHRI RANDEEP SINGH SURJEWALA: Sir, I have a point of order. ...*(Interruptions)*... Sir, I have a right to...*(Interruptions)*...

MR. CHAIRMAN: Randeep Singh Surjewala ji, there is no reflection on you. ...*(Interruptions)*... It was not attributed to you. ...*(Interruptions)*... No, No. ...*(Interruptions)*... I have taken note of it. ...*(Interruptions)*... It was attributed neither to you nor to Shri Raghav Chadha.

श्री अर्जुन राम मेघवाल: आपने कहा था। वह मैंने सुना है। ...*(व्यवधान)*... आपने कहा था कि आप मेरे सुझाव मान लें, मैं सारे अपोजिशन को एक कर दूँगा। आप लीडर ऑफ दि अपोजिशन की तरह बोल रहे थे, तो मैंने इतना ही कहा कि क्या आपने खरगे साहब का स्थान ले लिया।

MR. CHAIRMAN: This is a lighter moment. Go ahead.

श्री अर्जुन राम मेघवाल: सर, मैं आपसे अनुरोध करता हूँ कि हम यह जो बिल लेकर आये हैं, यह सुप्रीम कोर्ट के किसी फैसले के खिलाफ नहीं है। सुप्रीम कोर्ट ने जो निर्देश दिये हैं, उनके तहत ही हम इसे लेकर आये हैं; संविधान के आर्टिकल 324(2) में जो प्रावधान हैं, उनके तहत ही हम इसे लेकर आये हैं; आर्टिकल 50 में जो separation of powers है, जो संविधान में लिखा हुआ है, उसके तहत ही हम इसे लेकर आये हैं। इसलिए मैं आपके माध्यम से यह अनुरोध करूँगा कि इस बिल को सर्वसम्मति से पास करें, यह बहुत progressive law है। थैंक यू, सर।

श्री रणदीप सिंह सुरजेवाला: माननीय सभापति जी, ...(व्यवधान)...

MR. CHAIRMAN: There is no provision for clarification. I shall now put...
...(Interruptions)... Nothing will go on record. ...(Interruptions)... Okay.
...(Interruptions)... Mr. Sukhendu Sekhar Ray. ...(Interruptions)... He had
indicated earlier also.

SHRI SUKHENDU SEKHAR RAY: Sir, I have only one constitutional point because
according to my Party, this Bill suffers from unreasonableness and arbitrariness. Why
I am saying so? It is because there is no reasonable nexus between the objects and
the provisions of the Bill in as much as nothing is spelt out in the Bill as to why the
Chief Justice has been replaced by a Minister although the norm set up by the
Supreme Court continued for eight long years and continues to hold good. So, why
is this replacement? There is no clarification from the Minister.

MR. CHAIRMAN: Okay. ...(Interruptions)... I shall now put the amendment moved
by Dr. John Brittas for reference of the Chief Election Commissioner and other
Election Commissioners (Appointment, Conditions of Service and Term of Office)
Bill, 2023, to a Select Committee of the Rajya Sabha to vote.

The question was put and the motion was negatived.

...(Interruptions)...

(At this stage, some hon. Members left the Chamber.)

SHRI ELAMARAM KAREEM (Kerala): Sir, you did not call me personally.
...(Interruptions)... You are only reading. ...(Interruptions)... I moved the
amendment. ...(Interruptions)...

MR. CHAIRMAN: No, no. You are part of a committee. ...(Interruptions)...

SHRI ELAMARAM KAREEM: Each and every Member should be called and asked
whether he is moving it or not. ...(Interruptions)...

MR. CHAIRMAN: Take your seat. ...(Interruptions)... Please take your seat. Hon.
Members, I am scrupulously following the procedure. It was already indicated

whether you wanted to move. That has been moved. Now, it is negatived. The amendment is negatived. ...(*Interruptions*)...

I shall now put the amendment moved by Dr. V. Sivadasan for reference of the Chief Election Commissioner and other Election Commissioners (Appointment, Conditions of Service and Term of Office) Bill, 2023, to a Select Committee of the Rajya Sabha to vote.

The question was put and the motion was negatived.

MR. CHAIRMAN: Now, the question is:

That the Bill to regulate the appointment, conditions of service and term of office of the Chief Election Commissioner and other Election Commissioners, the procedure for transaction of business by the Election Commission and for matters connected therewith or incidental thereto, be taken into consideration.

The motion was adopted.

MR. CHAIRMAN: We shall now take up Clause-by-Clause consideration of the Bill.

Clauses 2 to 4 were added to the Bill.

MR. CHAIRMAN: In Clause 5, there are three Amendments; Amendments (Nos. 1 and 2) by Dr. John Brittas and Amendment (No. 17) by Shri Elamaram Kareem. Dr. John Brittas, are you moving the Amendments? Yes or no.

Clause 5 - Qualifications of Chief Election Commissioner and other Election Commissioners

DR. JOHN BRITTAS (Kerala): Sir, I move:

(No. 1) That at page 2, line 20, ***for*** the words “are holding or have held”, the words “have been a Judge of the Supreme Court or Chief Justice of a High Court or have held” be ***substituted***.

(No. 2) That at page 2, ***after*** line 22, the following proviso be ***inserted***, namely,—

“ Provided that such persons should have completed at

least one year after their retirement without accepting any post-retirement employment in the Central Government or any of the State Governments, immediately preceding the date of consideration of their name for appointment either as Chief Election Commissioner or Election Commissioner.”

MR. CHAIRMAN: Now, Amendment (No.17) by Shri Elamaram Kareem. Is he here?
...(Interruptions)...

SHRI ELAMARAM KAREEM: Sir, I move:

(No. 17) That at page 2, line 20, the words “are holding or”, be *deleted*

MR. CHAIRMAN: I shall now put the Amendments (Nos. 1 and 2) moved by Dr. John Brittas to vote.

The motion was negatived.

MR. CHAIRMAN: I shall now put the Amendment (No.17) moved by Shri Elamaram Kareem to vote.

The motion was negatived.

Clause 5 was added to the Bill.

MR. CHAIRMAN: In Clause 6, there are four Amendments; Amendment (No. 3) by Dr. John Brittas, Amendment (No. 18) by Shri Elamaram Kareem, Amendment (No. 24) by Shri K.C. Venugopal, not present, and Amendment (No. 33) by Shri Arjun Ram Meghwal. Are you moving the Amendments? Amendments moved except Shri K.C. Venugopal who is not present and Shri Elamaram Kareem, not present. Dr. John Brittas, are you moving?

Clause 6 - Search Committee

DR. JOHN BRITTAS (Kerala): Sir, I move:

(No. 3) That at page 2, line 23, *for* the words “Cabinet Secretary”, the words “incumbent Chief Election Commissioner”, be *substituted*.

MR. CHAIRMAN: Shri Elamaram Kareem, not present. Shri K.C. Venugopal, not present. Shri Arjun Ram Meghwal, are you moving?

SHRI ARJUN RAM MEGHWAL: Sir, I move:

(No. 33) That at page 2, *for* lines 23 to 25, the following be *substituted*, namely:-

“6. A Search Committee headed by the Minister of Law and Justice and comprising of two other members not below the rank of Secretary to the Government of India, shall prepare a panel of five persons for”.

MR. CHAIRMAN: I shall now put the Amendment (No.3) moved by Dr. John Brittas to vote.

The motion was negatived.

MR. CHAIRMAN: I shall now put the Amendment (No.33) moved by Shri Arjun Ram Meghwal to vote. The question is:

(No. 33) That at page 2, *for* lines 23 to 25, the following be *substituted*, namely:-

“6. A Search Committee headed by the Minister of Law and Justice and comprising of two other members not below the rank of Secretary to the Government of India, shall prepare a panel of five persons for”.

The motion was adopted.

Clause 6, as amended, was added to the Bill.

MR. CHAIRMAN: In Clause 7, there are eight Amendments; Amendments (No. 4 and 5) by Dr. John Brittas, Amendments (No. 19 and 20) by Shri Elamaram Kareem, not present, Amendment (No. 25) by Shri K.C. Venugopal, not present and Amendments (Nos. 26 and 27) by Dr. V. Sivadasan, not present. ...*(Interruptions)*...

DR. V. SIVADASAN: Sir, I am present.

MR. CHAIRMAN: Good, I have noted your presence. You are very elegantly dressed today. ...*(Interruptions)*... Amendment (No. 30) by Prof. Manoj Kumar Jha, not present. Dr. Brittas, are you moving?

Clause 7 - Selection Committee

DR. JOHN BRITTAS (Kerala): Sir, I move:

(No. 4) That at page 2, line 33, *for* the words “a Union Cabinet Minister to be nominated by the Prime Minister”, the words “the Chief Justice of India or a Judge of the Supreme Court to be nominated by him”, be *substituted*.

(No. 5) That at page 2, lines 38 to 40, be *deleted*.

MR. CHAIRMAN: Now, Amendments (Nos. 26 and 27) by Dr. V. Sivadasn.

DR. V. SIVADASAN (Kerala): Sir, I move:

(No. 26) That at page 2, line 33, *for* the words “a Union Cabinet Minister to be nominated by the Prime Minister”, the words “a Judge of the Supreme Court of India nominated by the Chief Justice of India”, be *substituted*.

(No. 27) That at page 2, lines 38 to 40, be *deleted*.

MR. CHAIRMAN: I shall now put Amendments (No.4 and 5) moved by Dr. John Brittas to vote.

The motion was negatived.

MR. CHAIRMAN: I shall now put the Amendment (No.26 and 27) moved by Dr. V. Sivadasan to vote.

The motion was negatived.

Clause 7 was added to the Bill.

MR. CHAIRMAN: In Clause 8, there are two Amendments; Amendment (No. 6) by Dr. John Brittas and Amendment (No. 31) by Prof. Manoj Kumar Jha. Are you moving the Amendments?

6.00 P.M.

Dr. John Brittas, are you moving the Amendment? No; your voice is loud enough.

DR. JOHN BRITTAS: Sir, at least, I need to say in mic.

MR. CHAIRMAN: Hon. Members, now it is 6.00 p.m. If the House agrees, we may extend the sitting beyond 6.00 p.m. for disposal of the Bill.

Clause 8 --Powers of Selection Committee to regulate its own procedure

DR. JOHN BRITTAS (Kerala): Sir, I move:

(No.6) That at page 3, lines 3 and 4, be *deleted*.

The question was put and the motion was negatived.

Clause 8 was added to the Bill.

MR. CHAIRMAN: In Clause 9, there are five Amendments; Amendments (Nos. 7 and 8) by Dr. John Brittas; Amendment (No.21) by Shri Elamaram Kareem; not present; Amendment (No.28) by Dr. V. Sivadasan and Amendment (No.32) by Prof. Manoj Kumar Jha; not present. Dr. John Brittas, are you moving your Amendments?

Clause 9 --Term of Office

DR. JOHN BRITTAS (Kerala): Sir, I move:

(No.7) That at page 3, line 7 *for* the words, "sixty-five", the word "seventy", be *substituted*.

(No.8) That at page 3, *after* line 12, the following be *inserted*, namely:-

"(4) The Chief Election Commissioner and other Election Commissioners shall not, for a period of one year from the date on which they cease to hold office as such, accept any employment either under the Central Government or under any State Government."

MR. CHAIRMAN: Dr. Sivadasan, are you moving your Amendment?

DR. V. SIVADASAN (Kerala): Sir, I move:

(No.28) That at page 3, *for* lines 8 and 9, the following be *substituted*, namely:-

"The Chief Election Commissioner shall not be eligible for re-appointment or for any other postings under the Central Government or any of the State

Governments, whereas other Election Commissioners shall not be eligible for re-appointment."

MR. CHAIRMAN: I shall now put Amendments (No. 7 and 8) moved by Dr. John Brittas to vote.

The motion was negatived.

MR. CHAIRMAN: I shall now put Amendment (No. 28) moved by Dr. V. Sivadasan to vote.

The motion was negatived.

Clause 9 was added to the Bill.

MR. CHAIRMAN: In Clause 10, there are eight Amendments; Amendments (Nos. 9 to 13) by Dr. John Brittas and Amendments (Nos. 34 to 36) by Shri Arjun Ram Meghwal. Dr. John Brittas, are you moving your Amendments?

Clause 10 --Salary, etc.

DR. JOHN BRITTAS (Kerala): Sir, I move:

- (No.9) That at page 3, lines 17 and 18, **for** the words "the Cabinet Secretary", the words "a Judge of the Supreme Court", be **substituted**.
- (No.10) That at page 3, **after** line 21, the following be **inserted**, namely:-
 "Provided further that conditions of service of the Chief Election Commissioner and other Election Commissioners shall not be varied to their disadvantage after appointment."
- (No.11) That at page 3, line 33, **for** the words "Cabinet Secretary", the words "a Judge of the Supreme Court", be **substituted**.
- (No.12) That at page 3, line 39, **after** the word, "such," the words, "subject to the provisions of section 5, ", be **inserted**.
- (No.13) That at page 3, line 40, **for** the words "Cabinet Secretary", the words "a Judge of the Supreme Court", be **substituted**.

MR. CHAIRMAN: Now, hon. Minister.

SHRI ARJUN RAM MEGHWAL: Sir, I move:

- (No.34) That at page 3, *for* lines 16 to 18, the following be ***substituted***, namely:-
 "10. (1) The Chief Election Commissioner and other Election Commissioners shall be paid a salary which is equal to the salary of a Judge of the Supreme Court: "
 (No.35) That at page 3, line 33, *for* the words "Cabinet Secretary", the words "Judge of the Supreme Court" be ***substituted***.
 (No.36) That at page 3, line 40, *for* the words "to the Cabinet Secretary", the words "in accordance with the rules for the time being applicable to the service to which he belonged before his appointment as Chief Election Commissioner or an Election Commissioner" be ***substituted***.

MR. CHAIRMAN: I shall now put Amendments (Nos. 9 to 13) moved by Dr. John Brittas to vote.

The motion was negatived.

MR. CHAIRMAN: I shall now put Amendments (Nos. 34 to 36) moved by the hon. Minister to vote. The question is:

- (No.34) That at page 3, *for* lines 16 to 18, the following be ***substituted***, namely:-
 "10. (1) The Chief Election Commissioner and other Election Commissioners shall be paid a salary which is equal to the salary of a Judge of the Supreme Court: "
 (No.35) That at page 3, line 33, *for* the words "Cabinet Secretary", the words "Judge of the Supreme Court" be ***substituted***.
 (No.36) That at page 3, line 40, *for* the words "to the Cabinet Secretary", the words "in accordance with the rules for the time being applicable to the service to which he belonged before his appointment as Chief Election Commissioner or an Election Commissioner" be ***substituted***.

The motion was adopted.

Clause 10, as amended, was added to the Bill.

MR. CHAIRMAN: In Clause 11, there are two Amendments; Amendment (No. 14) by Dr. John Brittas and Amendment (No.37) by Shri Arjun Ram Meghwal. Dr. John Brittas, are you moving your Amendment?

Clause 11 --Resignation and Removal

DR. JOHN BRITTAS (Kerala): Sir, I move:

(No.14) That at page 3, *for* lines 44 and 45, the following be *substituted*, namely:-
 "removed from office except in accordance with the manner and grounds for removal of a Judge of the Supreme Court, as laid down in clauses (4) and (5) of article 124. "

MR. CHAIRMAN: Now, hon. Minister.

SHRI ARJUN RAM MEGHWAL: Sir, I move:

(No.37) That at page 2, *for* lines 43 to 45, the following be *substituted*, namely:-
 "(2) The Chief Election Commissioner shall not be removed from his office except in like manner and on the like grounds as a Judge of the Supreme Court.
 (3) The other Election Commissioner shall not be removed from office except on the recommendation of the Chief Election Commissioner. "

MR. CHAIRMAN: I shall now put Amendment (No. 14) moved by Dr. John Brittas to vote.

The motion was negatived.

MR. CHAIRMAN: I shall now put Amendment (No.37) moved by hon. Minister to vote. The question is:

(No.37) That at page 2, *for* lines 43 to 45, the following be *substituted*, namely:-
 "(2) The Chief Election Commissioner shall not be removed from his office except in like manner and on the like grounds as a Judge of the Supreme Court.
 (3) The other Election Commissioner shall not be removed from office except on the recommendation of the Chief Election Commissioner. "

The motion was adopted.

Clause 11, as amended, was added to the Bill.

Clause 12 was added to the Bill.

MR. CHAIRMAN: In Clause 13, there is one Amendment; Amendment (No. 15) by Dr. John Brittas.

Clause 13 --Pension

DR. JOHN BRITTAS (Kerala): Sir, I move:
(No.15) That at page 4, lines 9 to 18, be *deleted*.

The question was put and the motion was negatived.

Clause 13 was added to the Bill.

Clause 14 was added to the Bill.

MR. CHAIRMAN: In Clause 15, there is one Amendment--in the long race, at last, Dr. John Brittas has made an exit--Amendment (No.38) by Shri Arjun Ram Meghwal. ...*(Interruptions)*....

DR. JOHN BRITTAS: Sir, I am there. My amendment is to protect the Election Commission. ...*(Interruptions)*....

MR. CHAIRMAN: Your amendment is not there. ...*(Interruptions)*.... Now, the Minister.

Clause 15- Other conditions of Service

SHRI ARJUN RAM MEGHWAL: Sir, I move:

(No.38) That at page 4, *for* lines 28 to 31, the following be *substituted*, namely:-
"15. Save as otherwise provided in this Act, the President may by rules determine the conditions of service relating to travelling allowance, medical facilities, leave travel concession, conveyance facilities, and such other conditions of service relating to the Chief Election Commissioner and other Election Commissioners."

MR. CHAIRMAN: I shall now put Amendment (No.38) moved by hon. Minister to vote. The question is:

(No.38) That at page 4, *for* lines 28 to 31, the following be *substituted*, namely:-

"15. Save as otherwise provided in this Act, the President may by rules determine the conditions of service relating to travelling allowance, medical facilities, leave travel concession, conveyance facilities, and such other conditions of service relating to the Chief Election Commissioner and other Election Commissioners."

The motion was adopted.

Clause 15, as amended, was added to the Bill.

MR. CHAIRMAN: There is one Amendment (No.39) by Shri Arjun Ram Meghwal for insertion of new Clause 15A.

New Clause 15A-Protection of Chief Election Commissioner and other Election Commissioners

SHRI ARJUN RAM MEGHWAL: Sir, I move:

(No. 39) That at page 4, *after* line 31, the following be *inserted*, namely:-

"15A. Notwithstanding anything contained in any other law for the time being in force, no court shall entertain or continue any civil or criminal proceedings against any person who is or was a Chief Election Commissioner or an Election Commissioner for any act, thing or word, committed, done or spoken by him when, or in the course of acting or purporting to act in the discharge of his official duty or function."

MR. CHAIRMAN: I shall now put Amendment (No.39) moved by hon. Minister to vote. The question is:

(No. 39) That at page 4, *after* line 31, the following be *inserted*, namely:-

"15A. Notwithstanding anything contained in any other law for the time being in force, no court shall entertain or continue any civil or criminal proceedings against any person who is or was a Chief Election Commissioner or an Election Commissioner for any act, thing or word, committed, done or spoken by him when, or in the course of acting or purporting to act in the discharge of his official duty or function."

The motion was adopted.

Clause 15A was added to the Bill.

Clause 16 was added to the Bill.

MR. CHAIRMAN: In Clause 17, there are two Amendments; Amendment (No.16) by Dr. John Brittas and Amendment (No. 29) by Dr. V. Sivadasan. Dr. Brittas, are you moving your Amendment?

Clause 17- Disposal of Business

DR. JOHN BRITTAS (Kerala): Sir, I move:

(No.16) That at page 4, line 39, *for* the words, "All business", the words "Save as provided in sub-section (1), all business", be *substituted*.

MR. CHAIRMAN: Dr. V. Sivadasan, are you moving the Amendment?

DR. V. SIVADASAN: Sir, I move:

(No.29) That at page 4, line 38, after the words "other Election Commissioners", the words, "and as far as possible, written rules shall be laid down for the conduct of the business of the election Commission", be *inserted*.

MR. CHAIRMAN: I shall now put the Amendment (No.16) moved by Dr. John Brittas to vote.

The motion was negatived.

MR. CHAIRMAN: I shall now put the Amendment (No.29) moved by Dr. V. Sivadasan to vote.

The motion was negatived.

Clause 17 was added to the Bill.

MR. CHAIRMAN: In Clause 18, there is one Amendment (No. 22) by Shri Elamaram Kareem; not present.

Clause 18 was added to the Bill.

MR. CHAIRMAN: In Clause 19, there are five Amendments; Amendment (No.23) by Shri Elamaram Kareem and Amendments (Nos. 40 to 43) by Shri Arjun Ram Meghwal. Shri Elamaram Kareem; not present. Now, the Minister.

Clause 19-Laying

SHRI ARJUN RAM MEGHWAL: Sir, I move:

- (No.40) That at page 5, line 8, *for* the words "order made under section 18", the words "rule and order made under this Act" be *substituted*.
- (No.41) That at page 5, line 12, *for* the word "order", the words "rule or order" be *substituted*.
- (No.42) That at page 5, line 13, *for* the word "order", wherever it occurs, the words "rule or order" be *substituted*.
- (No.43) That at page 5, line 16, *for* the word "order", the words "rule or order" be *substituted*.

MR. CHAIRMAN: I shall now put AmendmentS (No. 40 to 43) moved by hon. Minister to vote. The question is:

- (No.40) That at page 5, line 8, *for* the words "order made under section 18", the words "rule and order made under this Act" be *substituted*.
- (No.41) That at page 5, line 12, *for* the word "order", the words "rule or order" be *substituted*.
- (No.42) That at page 5, line 13, *for* the word "order", wherever it occurs, the words "rule or order" be *substituted*.
- (No.43) That at page 5, line 16, *for* the word "order", the words "rule or order" be *substituted*.

The motion was adopted.

Clause 19, as amended, was added to the Bill.

Clause 20 was added to the Bill.

Clause 1, the Enacting Formula and the Title were added to the Bill.

MR. CHAIRMAN: Now, Shri Arjun Ram Meghwal to move that the Bill, as amended, be passed.

SHRI ARJUN RAM MEGHWAL: Sir, I move:

That the Bill, as amended, be passed.

The question was put and the motion was adopted.

MR. CHAIRMAN: The House stands adjourned to meet at 11.00 A.M. on Tuesday, the 13th December, 2023.

The House then adjourned at twelve minutes past six of the clock till eleven of the clock on Wednesday, the 13th December, 2023.

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