

RAJYA SABHA

***SUPPLEMENT**

TO

SYNOPSIS OF DEBATE

(Proceedings other than Questions and Answers)

Friday, July 25, 2014/ Shravana 03, 1936 (Saka)

PRIVATE MEMBERS' BILLS

The Acts of Parliament (Application to Nagaland) Bill, 2010-Contd.

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI KIREN RIJJU), intervening in the debate, said: Nagas can have their own way of governing the local people. They have their Naga customary law and procedure, and administration of civil and criminal justice. They don't have elected Members under Panchayati Raj system. We understand the unique character of the Naga people and we acknowledge the contributions made by various leaders and personalities from Naga community. We will ensure that the concerns of those smaller communities are also taken care of. The Government is not in any way undermining the sentiments and the issues brought out by the Hon'ble Member. There are some of the very drastic amendment provisions which the Hon'ble Member has moved. I would like to humbly request the Hon'ble Member to withdraw the Bill. At the same time, I share his sentiments also.

***This Synopsis is not an authoritative record of the proceedings of the Rajya Sabha.**

SHRI KHEKIHO ZHIMOMI replying to the debate said:

We cannot be exceptional to other States. There is a need to have an understanding between the Nagas and the Government of India. If the Government of India would like to back out, in a democracy, majority right doesn't mean that it satisfies all sections of the people. I make an appeal to the Government, that the Government can polish this Bill and then bring it back to the House as a Government Bill so that it can be adopted. Women's Reservation Bill was passed in the Rajya Sabha, but it is pending in the Lok Sabha. This is another contentious issue. If a Joint Committee was formed, the misunderstanding between two parties can be easily avoided. Many commitments have been made to the Nagas, but till now, no commitment is fulfilled. Many ceasefire agreements have taken place between Government of India and Naga factions, but there is no solution yet. Regulation is required for it. Forward policy was successful, otherwise Federal Army may have reigned. Simply withdrawing the bill would be detrimental to the Naga people.

The Bill was, by leave of the House, withdrawn.

The Endosulfan Pesticide (Prohibition) Bill, 2011

SHRI P. RAJEEVE, moving the motion for consideration of the Bill, said: Till 1970 Parliament of India had passed 14 Private Members' Bills. Thereafter it has become a tradition to move a bill and then to withdraw it. If the intent of the Bill is for the benefit of the country then the Government should support that Bill.

More than 10,000 people are suffering from the side effects of Endosulfan in Kerala. Kerala had banned the use of Endosulfan one decade ago. It is a very powerful insecticide, but it has killed hundreds of agriculture workers in developing countries. But our Agriculture Ministry has always taken a stand in favour of the MNCs who produce this Endosulfan. Twelve villages in Kasargod district and Hosdurg Taluk are much affected. Hundreds of deaths and disorders have been reported.

The use of endosulfan has adversely impacted humans, birds, butterflies and also fishes and frogs. The Kerala government banned

its use in 2002. The Stockholm Convention decided to ban endosulfan, and 81 countries have already banned the use of endosulfan. On a Public Interest Litigation, the Apex Court also banned the use of endosulfan through an interim order. But the Agriculture Ministry is not ready to impose the ban. Farmers of Kerala and Karnataka are still using this pesticide. Through this Bill, I request that the use of this chemical should be banned. Similarly the import of endosulfan and its alternatives should also be prohibited. I request that the family of any person suffering from the adverse effects of endosulfan be considered as a BPL family and a financial assistance of Rs. 4000 per month be given to it. And the family shall continue to receive financial assistance of Rs.2000 per month for a period of five years after the death of the affected person. The government may constitute a tribunal to govern the matters relating to the use of Endosulfan pesticide. I request the government to consider it as a humanitarian Bill and give maximum compensation to the victims of Endosulfan.

SHRI VIJAY JAWAHARLAL DARDA: Most of the farmers who have committed suicide in Maharashtra, Andhra Pradesh and Punjab, have consumed Endosulfan. The country is not only using this dangerous chemical, but producing it too. This chemical has adversely impacted humans and environment. It is used in the fruits, vegetables and cereals which we consume. This further leads to various health complications. Have we ever tried to assess its impact on human health? We need to look for some safer alternatives to replace its use. We can promote organic farming which is becoming popular the world over. I request the government to support this Bill.

The Government should prepare a data of the farmers and labourers who have suffered due to use of this pesticide and they should be given compensation. If there are poor people and marginal farmers in the families of such persons they should be given Government jobs and a big amount of cash. Arrangements should be made for education of their children and financial help should also be provided.

SHRI TIRUCHI SIVA: I rise to support the Private Member's Bill moved by my colleague with a social concern. Endosulfan, which has been banned in 63 countries considering the hazardous effects on human beings and environment, is to be banned in India also. We use pesticides to kill worms, germs or pests on the crops only to make the people live happily, peacefully and healthily. If these pesticides create a hazardous situation and kill the livestock and people, then it has to be considered very, very seriously. If we want to save the crops, we have to find some alternatives. Necessity is the mother of invention. The Government has appealed in the court of law that this ban should be only after 11 years. But within those 11 years, how many lives we are going to lose? So, it is something to be considered very seriously. Government has to ban this endosulfan by giving priority to the human lives which is very, very precious. Across the country, there are so many people who are giving some alternate to such things. So, taking them into consideration, if endosulfan is a must and it cannot be avoided in killing pests, some alternate or substitute should be found. But, the Government has to take steps to ban endosulfan as like other countries.

SHRI MANSUKH L. MANDAVIYA: The use of chemical fertilizers is affecting our soil. It is affecting our air. Not only Endosulfan, other pesticides also affect fruit and vegetables etc. These pesticides affect the life of the people. We had several alternatives. If, 35-40 years back, our science and technology would have been promoted in a proper manner, our air and environment would not have been affected. Our agricultural system was changed and we adopted shortcuts to increase our crops. These shortcuts affected our happy life and our health.

The chemical fertilisers are affecting fertility capacity of our land and due to this nowadays, we are not getting the produce which we were getting earlier. I believe that had we kept in mind our own traditional science then situations would have not been the same. I would like to compliment the Government that it has decided to promote organic fertilisers and marketing of organic produce has

also been considered in the Budget. Organic products should come to market and farmers may be encouraged for producing organic fruits and vegetables. This Bill is good for our own existence, for environmental purification and for saving the future of agriculture. The Government should encourage the use of organic fertilisers and pesticides, bio-fertilisers and bio-pesticides.

SHRI K.C. TYAGI: I support the Bill. India is at the 135th position in human resources. There are 130 drugs which are banned globally but out of them 70 are still in use in the country. India became a trial hub for veterinary drugs, drugs for human usage and field trial of agricultural produce. Endosulfan is one of those banned pesticides which is responsible for deaths of number of people. It has polluted the environment. The Hon'ble Agriculture Minister knows that pesticides and insecticides with expire date are still used in the country and these are claiming life and destroying agricultural yield. I want to know that why such banned pesticides are still in use in the country. People are getting disease from agricultural produce. Endosulfan is being used at large level in Keral, Punjab, Karnataka, Andhara Pradesh and Assam. Therefore, I request that it should be banned with immediate effect. The species of kite and eagle are on the verge of extinction due to use of this. I request that the Government should reconsider on the whole issue of banning of endosulfan with a fresh look over it.

SHRI A. NAVANEETHAKRISHNAN: I support the Bill. The endosulfan killer pesticide must be banned. The Kerala Government has banned the endosulfan because it has caused heavy damage to the people living in cashew plantations and around that area. I am of the humble opinion that manufacturing, storing, selling, or, in whatever form it is kept anywhere, of endosulfan must be made punishable. It has been said that whoever manufactures, sells or exhibits for sale, the prohibited endosulfan pesticide under this Act, shall be liable to be punished with imprisonment of six months which may extend to two years. The punishment proposed is very, very meagre.

The manufacturing, selling and storage of the drug must be punished with life imprisonment with a heavy fine. Further, because of the use of this prohibited Endosulfan, if any death or damage occurs, then surely, the death penalty must be imposed with a heavy fine. If the fine is imposed, it must be recovered and paid to the victims. These two provisions or clauses must be corrected and amended. We need to look into that Supreme Court judgement. It is a very important piece of legislation. Alternative agriculture processes must be encouraged by the Government. This august House must accept this Bill and the innocent farmers, agricultural workers and residents of the locality may be saved. We must have a separate provision for execution on the lines of Consumer Forum under the provisions of the Consumers Protection Act.

SHRI D.P. TRIPATHI: It is proved Endosulfan brings death, disease, disability and permanent damage to not merely human beings, but animals and birds also. Therefore, to solve this problem and to fight against all these health hazards, it is essential to ban Endosulfan immediately throughout the country. Agricultural scientists have offered various alternatives to all these killer pesticides. Those alternatives can be utilized for agricultural growth and production.

SHRI V.P. SINGH BADNORE: It is proved that Endosulfan effects are very harmful and the Supreme Court gave directions that it needs to be banned. For 11 years, you are saying that it is a killer pesticide; it has its bad effects still it is being used. Our Government supported its ban in the Geneva Convention and 81 countries have banned it. India has been known for organic farming. But this organic farming is still a long way away and it has still to come to India. Overuse is one thing, can you stop them from using it? The farmer today feels that the more the pesticides and the chemicals he uses, the

better the yield he will have. The use of Endosulfan should be banned immediately.

SHRIMATI VIJILA SATHYANANTH: The pesticides like endosulfan, could give good returns to the farmers but it affects their health very badly. I support this Bill. The use of this pesticide has brought disorders and bad impacts on the people all over India. The supply, the stocking, the storage and the selling of this persistent organic pollutant should be banned in whole India. This chemical is rooted into the soil completely and makes the soil contaminated. Not only that but also the incidence of mental retardation is now being visible in the people of the South. I would also like to put forth the major idea of compulsory organic farming or the natural farming. I do want to propose to completely destroy the Parthenium plants all over India and also to save the environment.

SHRI RAMDAS ATHAWALE: The use of endosulfan has saved our crops and it has also been profitable for the farmers but in the Vidarbha region of Maharashtra lots of people have committed suicide by consuming the endosulfan. Birds are also dying because of it. So I think the government should replace endosulfan with some other similar chemical, which is not so dangerous. It is a very good bill, but it should be brought by the Government itself. With these words, I support this bill.

SHRI VISHAMBHAR PRASAD NISHAD: This endosulfan is a pesticide, which has a bearing not only on humans, but will have far-reaching effects on animals and gardening. The suggestions given by the hon. member are very good suggestions. He has emphasized that it should be banned and the punishment clause should also be there. Due to the use of pesticides species of birds are vanishing, fishes have vanished and water has got polluted. I support this Bill.

SHRI ANANDA BHASKAR RAPOLU: Rajeeveji is attracting the attention of the nation. The usage of neem or other neem-based pesticides should be taken up within the farming. (*Speech unfinished.*)

Discussion not concluded.

SPECIAL MENTIONS

1. Demand to Give Licenses to the Opium Poppy Farmers of Ghazipur to Boost Industry in the Area

SHRI ARVIND KUMAR SINGH: In spite of Ghazipur having opium factory, there is no farming of Poppy which is very essential. The government can earn a good income from it. The problems of smuggling can be got rid of. There is availability of transportation. The Indian opium would dominate the world market. So I demand from the Government that licences should be given to opium Poppy farmers of Ghazipur, U.P.

2. Demand for Opening a High Court bench at Bhopal in Madhya Pradesh

CHAUDHARY MUNAVVER SALEEM: I demand from the Government that action should be started to open High Court Bench at Bhopal. The people of Bhopal have been placing their demand to the government since years in this regard. I hope that the government would take a strong decision in this regard and would provide high court bench to Bhopal.

(Shri Ananda Bhaskar Rapolu associated.)

3. Demand for Compulsory Insurance of Life and Property of the People in the Areas Frequently Affected by Communal Violence

SHRI AVINASH RAI KHANNA: There are so many places in the country which witness the communal violence frequently. By identifying such places the people residing there should be compulsorily insured with life and property, premium of which should be paid by the Central-State Governments and by the people there. So that in such a situation the people can be economically helped. The government should consider it.

(Shri Husain Dalwai associated.)

4. Demand for action on the Report of Director Generals of Police Recommending Increase in Representation of Minorities in Police Force

SHRI HUSAIN DALWAI: There is a need to increase representation of Muslims in the police force. I urge upon the Government to take action on various recommendations and suggestions contained in the Report.

(Shri Ananda Bhaskar Rapolu, Dr. E.M. Sudarsana Natchiappan, Shri Mahendra Singh Mahra and Shri Narendra Budania associated.)

5. Demand to bring Constitutional Amendment to include Seventeen Backward Castes of Uttar Pradesh under Scheduled Castes Category

SHRI VISHAMBHAR PRASAD NISHAD: The Government of U.P. has sent a proposal to the Central Government to include 17 backward castes of U.P. in Schedule Castes. It is very necessary to include socially, economically and politically backward castes in Schedule Castes which live below the poverty line. I demand the Government should take necessary steps to include certain castes of U.P. in Schedule Castes by making amendment in the Constitution.

(Chaudhary Munavver Saleem associated.)

6. Demand to take Steps to Remove the Problems being faced by Jute Industry in West Bengal

SHRI VIVEK GUPTA: Our jute industry employs labour workforce belonging to the economically lower strata of the society. The industry faces difficult situations due to competition from synthetic packaging, cheap jute imports from Nepal and Bangladesh and inconsistent supply of raw jute. The Jute Packaging Materials Act (JPMA), 1987 supports the survival of the Jute Industry by providing for provisions of compulsory packaging of grains and 20 percent of the sugar production of our country, procured by FCI, in Jute Bags, however, it is not being followed in true spirit. The large orders from the Government to jute mills two years ago, forced by the synthetic industry, was a target difficult to achieve. This is being used as an excuse to dilute packaging orders. To prevent such a scenario from deteriorating any further it is the urgent need of the hour that the Central Government must include potato in the list of items under JPMA to resuscitate the Jute sector. I urge upon the Government to provide training and focus on skill development in this sector along with technology modernization.

7. Demand to follow Reservation Policy of Government of India in the New Railway Catering Policy, 2010

SHRI AMBETH RAJAN: The Government prescribes clear-cut policy regarding reservation. The reservation policy of the Government is equally applicable to Railways. But under New Railway Catering Policy, the reservation Policy is not followed in true letter and spirit. I request the Government to follow the reservation policy of the Government of India in the New Railway Catering Policy for the benefit and upliftment of the SCs and the STs.

(Shri Ananda Bhaskar Rapolu and Shri Narendra Budania associated.)

8. Demand to declare the Practice of Offering Commissions Illegal in the Health Care

SHRI DEREK O'BRIEN: It is an open secret that laboratories, radiology clinics and other institutions offer doctors

commissions for the act of referring a patient. This practice encourages doctors to send patients for unnecessary tests. While there is a regulation that prohibits doctors from receiving commissions from other doctors, this regulation does not cover private hospitals. The rampant corruption in Indian private health care has recently sparked a debate. However, MCI and the Ministry of Health have been slow in taking up the issue. I urge the Government to take urgent steps to declare all commissions in health care illegal.

(Shri Ananda Bhaskar Rapolu associated.)

9. Demand to make a Comprehensive National Road Safety Law to address the issues pertaining to Road Accidents in the Country

SHRI VIJAY JAWAHARLAL DARDA: The frequency of road accidents in India is amongst the highest in the world. According to the Planning Commission of India, road accidents cause an annual economic loss amounting to three per cent of the country's GDP. Yet, a very little has been done to control this epidemic. The causes for India's high number of crashes include a fractured licensing system, insufficient drivers' training, flawed road design and engineering, weak enforcement of traffic laws and the lack of road trauma care.

I demand to enact a comprehensive National Road Safety Law for creating an inclusive legal framework to address the issue and establishment of a dedicated National and State Level Enforcement Agencies to bring co-ordination into the efforts of the various agencies involved in addressing different aspects of road safety.

(Shri Ananda Bhaskar Rapolu, Shri Narendra Budania and Shri Hussain Dalavi associated.)

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Secretary-General.

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**ERRATA TO THE SUPPLEMENT TO SYNOPSIS OF
DEBATE DATED 24th JULY, 2014**

Page No.	Line No.	Correction
216	32	Replace the word 'self-held' with 'self-help'
219-220	37,1-4	Delete the sentences 'Within----- development.'