

## **RAJYA SABHA**

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### **\*SYNOPSIS OF DEBATE**

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**(Proceedings other than Questions and Answers)**

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**Wednesday, March 4, 2015/ Phalguna 13, 1936 (Saka)**

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#### **Reference on the Occasion of the International Women's Day**

**MR. CHAIRMAN:** March 8, 2015, is the International Women's Day, a day to celebrate and honour the untiring commitment and persistent efforts of women in India and throughout the world to achieve equality, justice and economic development.

The UN Theme for the International Women's Day this year is: "Empowering Women - Empowering Humanity: Picture It!", which visualises a world where women can exercise their choices freely, have an income and live in societies free from violence and discrimination.

We have, over the years, viewed the matter of women's rights and empowerment through the prism of our Constitution, politics, ethical and moral values, progressive societal notions and economic perspective.

It is, however, unfortunate that despite many programmes and vision documents to improve the condition of women, in reality, inequality and discrimination of women is still manifest in the form of

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

violence and crime, including female infanticide, foeticide, honour killing and demand for dowry.

It is high time that we focus a greater attention on women's rights and gender equality. There is an urgent need for self-introspection and shape societal practices, public opinion and perceptions so that women can achieve their potential and lead a dignified life.

On this occasion, I am sure, all Members will join me in re-dedicating ourselves collectively towards making the cherished goal of women empowerment a living reality and thereby ensure progress and sustainable development of the country.

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### **MATTER RAISED WITH PERMISSION OF THE CHAIR**

#### **Release of Funds to Odisha Affected by Cyclones Phailin and Hudhud**

**SHRI BHUPINDER SINGH:** Odisha is a national-calamity-prone State. We had the severest cyclone on in 2013. We again faced severe floods. Last year, there was again Hudhud. The Ministry of Home Affairs has cleared that Odisha should get Rs.399.83 crores, but it has not been cleared by the Department of Expenditure. It is a genuine due to be given to Odisha for the Phailin. We had demanded Rs.777 crores for Hudhud. We appeal that the Government buildings, the roads and other bridges should also be included in the natural calamity zone. I request that the amount demanded by Odisha to face such calamities may be immediately released.

*(Shri Baishnab Parida, Shri Derek O'brien, Shri A. U. Singh Deo and Shri Dilip Kumar Tirkey associated.)*

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### **INFORMATION TO THE HOUSE**

**THE MINISTER OF HOME AFFAIRS (SHRI RAJ NATH SINGH):** A No Objection Certificate (NOC) to shoot the documentary featuring interview of convicted inmates in Tihar jail of

cases related to atrocities against women was given by the Ministry of Home Affairs on 24th July, 2013, and thereafter permissions were given by the jail authorities to shoot the documentary to Ms. Leslee Udwin and Ms. Anjali Bhushan with the following conditions:-

(i) Prior approval of jail authorities is to be taken for publishing the research paper or for releasing the documentary film which is being made for purely social purposes without any commercial interest as conveyed.

(ii) To interview only such convicted prisoners who give written consent.

(iii) The complete unedited footage of shoot in the Tihar Jail premises will be shown to the jail authorities to ensure that there is no breach of prison security.

This documentary inter alia features interview of one of the accused of the Nirbhaya case.

It came to the notice of the jail authorities that the permission conditions have been violated and hence a legal notice was issued to them on 7th April, 2014, to return the unedited footage within 15 days and also not to show the film as it violates the permission conditions.

Subsequently, the documentary film was shown to the jail authorities where it was noticed that the documentary film depicts the comments of the convict which are highly derogatory and are an affront to the dignity of women. It was also noticed that the film shown was the edited version and not the unedited as per permission conditions. Hence, they were requested to provide full copy of the unedited film shootout for further review by the authorities and that they were asked not to release or screen the documentary till it is approved by the authorities.

Now, it has come to notice that on March 8, 2015, BBC Four is going to telecast this documentary film. The Government has taken necessary legal action and obtained a restraining order from the court disseminating the contents of the film.

Our Government condemns the incident of 16th December, 2012 in the strongest possible terms and will not allow any attempt by any individual, group or organization to leverage such unfortunate incidents for commercial benefits. The respect and dignity of women constitute a core value of our culture and tradition. Our Government remains fully committed to ensuring safety and dignity of women.

**MS. ANU AGA:** Suggesting death penalty or banning this movie is not the answer. We have to confront the issue that men in India do not respect women. Any time there is a rape, blame is put on the woman, that she was indecently dressed and she provoked the men. They are not just the views of the man in the prison; they are the views of many men in India.

**SHRI JAVED AKHTAR:** It is very good that this documentary was made as the millions of Indian men have realized that their thinking is just like that rapist. If they do not like it, they should change their mentality.

**SHRIMATI JAYA BACHCHAN:** I want to know what justice you are going to give to the memory of this woman who suffered and her family. I don't want any more assurances. Immediate steps need to be taken by the government for the safety of women and to protect the dignity of women.

**SHRIMATI RAJANI PATIL:** Who are they to suggest us which type of dress we should wear and what type of work we should do. I too believe in freedom of expression but in this case press has hurt the feelings of the women. It should not telecast such interviews. Till the mind-set of the people is not changed such cases would keep on repeating.

**SHRIMATI AMBIKA SONI:** In this particular case, we are very surprised as to how those people got permission. I am told that the permission was given as a study case, not to be used outside at all. An inquiry has to be made as to how it all got into the public arena and why was it necessary to give a foreign channel the permission to interview these people? We have been demanding for a long time that there should be quick trials and quick punishments for such people.

**THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND INDUSTRY (SHRIMATI NIRMALA SITHARAMAN):** There may be several men who feel the similar way as the convict has given a statement, but at the same time there are also so many men who are feeling that this is not acceptable. In this matter, I would think that Jayaji's concern has to be addressed but through the courts.

**KM. MAYAWATI:** The Nirbhaya case was really heinous and pathetic one. The immediate steps taken by hon. Minister of Home Affairs with regard to the interview of the main accused of this case, are really commendable. A time bound inquiry against the guilty officers should be made and strict actions should also be taken against them. I would also request the government to make efforts for the speedy disposal of this case and also to ensure that stringent punishment is awarded to the guilty.

**DR. T.N. SEEMA:** The woman in this country is frustrated. The system is not working. Not a single rupee has been spent from Nirbhaya Fund. The mindset reflected in that interview is not only about the convicted or sentenced people or ordinary people; MPs and Ministers also come with derogatory statements on women. The respective parties should give punishment and take action against such people.

**SHRIMATI VIPLOVE THAKUR:** I would like to mention those lawyers are equally responsible for the pendency and denying justice in such cases.

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## SHORT DURATION DISCUSSION

### Losses Suffered by Farmers due to Recent Rains in Various Parts of Country - *Contd.*

**SHRI BHUPINDER SINGH:** Our country is an agriculture based country i.e. 'Krishi Pradhan Desh'. But I feel this 'Krishi Pradhan'

word has become a cliché. On account of this untimely rain, not only farmers are aggrieved but the poor section of the society also. Insurance which is given to farmers must be reconsidered. Prices of fertilizers have gone up; hence the amount of compensation should also be increased. Wages should also be raised.

**SHRI HUSAIN DALWAI:** This untimely rain has left the country in a great trouble. In my district Ratnagiri, mango flowering and ready mangoes are destroyed in toto. The number of farmers who are committing suicide is increased. The Government should extend financial help to them. I don't know why the central government is not taking notice of the problems of farmers?

**SHRI RAM NARAIN DUDI:** The untimely rain of last two days destroyed ready crops of entire country. Inflation and agriculture costs have also gone up. I urge upon the Hon'ble Minister to modify the compensation formulae made for farmers. Compensation should not be uniform but be given on the basis of classification. Those tenants farmers who have taken loan, the accrued interest must be waived off. Those tenants farmers who are irrigating their land on electricity, the bill must be waived off. Due to loan-burden only, farmers are committing suicides.

**DR. CHANDRAPAL SINGH YADAV:** Crops got damaged due to untimely rain in the country. The farmers of Uttar Pradesh are hit the most. The capital of farmers is decreasing day by day and they are being trapped in debt. Lakhs of farmers are compelled to commit suicide. The Government must have a relook over the Insurance policy made for farmers. The agriculture cost has been shooting up. The amount of compensation must be increased. The interest on loan should be waived off. A certain amount of pension for farmers must be ensured.

**DR. VIJAYLAXMI SADHO:** Today farming has lost its trade nature. Farmers themselves don't want to indulge their children in farming. Two days back, the nature has hit badly and crops got fully destroyed. Farmers do farming with great difficulties. There must be a proper registration system for farmers in insurance policy. Yesterday in his speech the prime minister did not mention farmers.

**SHRI MEGHRAJ JAIN:** When crops destroy, farmers get disappointed. Subsequently, not only farmers but labourers and small traders associated with agriculture also get affected badly. I demand that in comparison to last years this time the state of Madhya Pradesh should be given appropriate compensation. I am happy that in M.P. Farmers are getting interest free loan. It is my request that compensation should be given to farmers without any further delay.

**SHRI RANJIB BISWAL:** Flood, super-cyclone and drought putting the farmer community in great danger. Agricultural land of our country is diminishing. Farmers are caught between the weather god and the moneylenders. The FCI doesn't buy their food grains. In the situation of calamity they don't get compensation. The recent hailstorm and rain has really affected farmers. Agricultural Minister should be sympathetic to the farmers. The standing crop in Odisha has also been destroyed I would request the Minister to send a team to find out as to what is the extent of damage and, what should be the amount of compensation for that.

**SHRI ANANDA BHASKAR RAPOLU:** The month of March has begun with untimely rains and, it is warranting us to be alert about the fungal diseases. Indian Institute of Wheat and Barley Research indicated that it was going to have very dangerous ramifications for tomorrow. In my State, Telangana, particularly, in Nizamabad and other Districts, there have been continuous rains for the last four days. The climate change is going to harm us. These indicators have to be taken very seriously, and, we should be ready to face these types of situations. I urge upon the Union Government to treat this situation as a natural calamity.

**DR. SANJAY SINH:** In our country situation of farmer is very pitiable. He does not get proper power and water facilities .But still he is feeding the country. It is my request to the Agriculture Minister that the government should issue a white paper on this important issue and assure the farmers that in future they will be compensated properly for such incidents. Whether any policy decision will be taken for their insurance policy? Middleman system should not be there.

**SHRI SHARAD YADAV:** Present situation is very grave. Farmers are affected badly. People are in distress and committing suicides. The agriculture ministers of concerned states should call for a conclave. Our insurance law is not very helpful for farmers. The people concerned with insurance should also meet without further delay otherwise people will not be able to tolerate such a big calamity.

**SHRI BHUPENDER YADAV:** In western Rajasthan and particularly in districts of Badmer, Jaisalmer and Jodhpur cattle rearing is a very big problem. I request the hon. Minister that he should find a way for this problem of Western Rajasthan. The Hon'ble Minister should give some assurance in this regard.

**THE MINISTER OF AGRICULTURE (SHRI RADHA MOHAN SINGH), replying to the discussion, said:** Heavy rainfall has affected many states. Thorough evaluation is being done by the State governments. We have received initial evaluation. I am in touch with the representatives of states and most of the states have already started their work. We have no doubt that farmers have been affected badly. It is an opinion of the whole house that farmers never get justified relief. I am in favour of farmers. We are considering starting new schemes for their benefit. It depends on the states that what kind of schemes they want. Some states have started modified agriculture insurance schemes. I want to tell our farmers that soon we are going to start a new Agriculture income insurance scheme. Some states have adopted weather based insurance scheme and people are taking benefit. State governments can decide that which insurance agencies will operate in their states. States will decide the norms for those agencies.

This rain is not under calamity but the hailstorm is included in it. There are funds with the states and SDRF for this calamity. Many states have been allotted money for calamity funds. The Prime Minister is having the commitment for the farmers of all the states and we are going to launch agriculture insurance scheme on his instructions only. The rain has not been treated as national calamity. We would try to include this also in national calamity. The Government of India is completely ready to provide any kind of assistance and we have sufficient funds. When needed all the states

are provided money for calamity. States are free to utilise all kinds of funds. The government of India is ready to replenish them. The Atal Pension Scheme declared on the occasion of Holi is a gift to the farmers.

*Discussion concluded.*

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## I. STATUTORY RESOLUTION

### **Disapproving the Citizenship (Amendment) Ordinance, 2015 (No.1 of 2015)**

**SHRI DEREK O'BRIEN:** I move that this House disapproves the Citizenship (Amendment) Ordinance, 2015 (No.1 of 2015) promulgated by the President of India on 6th January, 2015.

## II. GOVERNMENT BILL

### **Citizenship (Amendment) Bill, 2015**

**THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI KIREN RIJJU):** I move that the Bill further to amend the Citizenship Act, 1955 passed by Lok Sabha, be taken into consideration.

**SHRI DEREK O'BRIEN, moving the resolution, said:** It is a very good idea to merge the PIO and the OCI schemes, and to make it easier for the people to avail of this. We have too many ordinances in this Government. It was not required to bring this Ordinance in such a hurry. Earlier, there were some reasons to bring certain ordinances. The issue of FDI in insurance is the major contention in the Ordinance. All my colleagues have asked you for a ruling on this. Please tread cautiously and please do not bulldoze your way. Let it be known that nobody wants and nobody can make this august House a rubber stamp. I want to also assure the hon. Minister that when the Statutory Resolution is taken up at the end, I won't press for it.

**SHRI VAYALAR RAVI:** This legislation is very important as far as the overseas Indians are concerned. The feeling of Indian-ness is the biggest asset to the Overseas Citizens of India. This legislation

offers them the right to register themselves as citizens of India and, being citizens of India, they could get various benefits, including the right to vote. This Bill may be simple, but it gives recognition to the Indians living abroad. I support this Bill.

**SHRI MEGHRAJ JAIN:** I rise to support Citizenship (Amendment) Bill, 2015. This Bill provides for giving facilities to PIO Card holders like OCI Scheme. After merging, all the people of Indian origin would be permitted to live in India forever. It is certain that they would be able to contribute in the progress of India and they would return towards their roots. This is a very good Bill, therefore I support this Bill.

**SHRI VISHAMBHAR PRASAD NISHAD:** This Bill is very good but it has certain shortcomings. The people of neighbouring countries who started living here give rise to terrorism. This also needs to keep a check. This needs an amendment. The Prime Minister tried to provide citizenship through the Ordinance which is a step in hurry. There is no provision for Bangladeshi migrants in this Bill. This Bill is in the interest of the public, therefore I support this.

**SHRI BHUPINDER SINGH:** I stand here to support this Bill. We have given overseas Indians the right of a citizen, but there is not a single political right. They would not need any visa to come to their own country. That is a good relief. The Government should see to it that they are treated well, and they should feel friendly at every point wherever they go. While drafting this Bill, did the Government think of giving them the voting right? Nowhere do I find any reason to go in for an Ordinance. It is just a formality we are doing here because it is already in force. What was the urgency to bring such an Ordinance?

**SHRI A.W. RABI BERNARD:** I support the Citizenship (Amendment) Bill, 2015. Indians living abroad are equally important to us. The Bill takes care of persons of Indian Origin cardholders and Overseas Citizens of India cardholders. These people contribute a huge amount annually to our economy. So, contribution of these people should be fully recognised and help should be extended to them at the time of any adversity. Kindness should be shown to them on reaching India. Special immigration counters should be opened so

that they need not be made to wait for immigration clearance. Generosity and courtesy should be shown to instil confidence in them. Sri Lankan Tamils residing in India should not be repatriated till their problems are solved.

**SHRI VEER SINGH:** I support this Bill. Lakhs of citizens of our country have been visiting abroad and have been residing there. They are helping in propagating culture and civilisation of our country in the world. This Bill has been brought for taking care of such people. The Constitution of India provides single citizenship throughout the country. It rejects concept of dual citizenship. One year continuous stay in India is mandatory under the present law which can be relaxed in special circumstances by the Central Government which is a commendable step. Conditions have been relaxed regarding registration as overseas citizens of India by a minor whose parents are Indian citizens. Problems regarding providing visa to such people should be solved.

**SHRIMATI JHARNA DAS BAIDYA:** This Bill seeks to merge the PIO and the OCI Cards together. It is welcome, because, if they get long Visas, they would not be forced to go to a police station, stand in a queue and argue with police officials. Some rights have been mentioned concerning election as President, Vice-President, Judge of the Supreme Court, Judge of the High Court, etc. But, apart from these, there are many other positions which OCI Cardholder can hold. This Bill should not be contemplated just for the people of the United States. It should be applicable to other persons also, including those who are working in the Gulf countries. Their plight should also be addressed.

**SHRI M.P. ACHUTHAN:** I support this Bill which will help in lifting visa restrictions for people working abroad. Problems of overseas Indians residing abroad should be addressed. They are backbone of our economy by contributing maximum to it. So they should be given due respect. Indian embassies situated abroad should care for them. Such people should be allowed to live a decent life in India on their return.

**SHRI TARUN VIJAY:** I support this Bill. Indians working abroad are much respected for their integrity and hard work. India is sensitive to their needs and emotions. We have made a provision of 'visa on arrival' so that more people can pay a visit to India. Power and self confidence regarding India has increased world over. We are taking steps for welcome and facility of such people because India feels proud on its progress. Steps for providing suitable environment to people working abroad are being taken.

**The Hon'ble Minister, replying to the discussion, said:** I extend my gratitude to all the Hon'ble Members who have spoken on this very important Bill named Citizenship (Amendment) Bill, 2015 and have also supported all the provisions of it. It is an issue of sentiment. Provision for getting Indian Citizenship by process of registration, birth, incorporation of territory and for termination of Citizenship has been made in the Bill.

The second point is about the merger of PIO with OCI. In the PIO, the foreigner spouse of an Indian OCI cardholder was not allowed. It has been enabled through this Amendment Bill. Earlier after 180 days the person was required to go to FRO or FRRO. It has now been done away with under the new provision. The question which some of the hon. Members had raised was regarding discrimination or harassment in the process. Let me assure this august House that we will ensure that the entire process is smooth and nobody is made to pass through unnecessary hassles.

*I. The resolution was negatived.*

*II. The motion for consideration of the Bill was adopted.*

*Clauses etc. were adopted.*

*The Bill was passed.*

## **SPECIAL MENTIONS**

### **I. Demand to Take Steps to Take Action for Protection of World Heritage Sites and Scriptures from Destruction by Religious Extremists**

**SHRI TARUN VIJAY:** IS terrorists have ransacked Mosul library, burning over a hundred thousand rare manuscripts. Similarly, large statues from the UNESCO World Heritage site as well as unique artefacts from the archaeological sites have been destroyed in the Mosul Museum. On the other hand, yet another Hindu temple in the United States was attacked recently by some anonymous vandal groups. Now a Sanatan Dharma Temple has been vandalized in the Washington DC State. The another incident of the cowardly killing of a free thinker Avijit Roy occurred along a crowded stretch of sidewalk in Dhaka, as he and his wife, Rafida Ahmed, were returning from a book fair. I demand that External Affairs Ministry take a lead to organize world opinion to protect the heritage sites and provide support to free thinkers.

### **II. Demand to Take Steps to Bring Back Tipu Sultan's Ring Auctioning from London**

**CHAUDHARY MUNVVAR SALEEM:** I want to suggest the Government that it should stop the people taking political mileage on the basis of communalism and remind them of that Tipu Sultan of 1799 who shook the foundation of British rule. When the body of this great soldier of India was found, there was a ring in his hand inscribed with words "*Shri Ram*". This ring in the finger of Tipu Sultan was a sign of love and harmony. That ring has been auctioned in London in May, 2014 for one crore forty two lakh eighty seven thousand two hundred and thirty five rupees. I demand the Government to bring back the historical and heritage ring of this great soldier to India.

*(The entire House associated.)*

### **III. Demand to Give Relief Package Expeditiously to Farmers of Vidarbha and Marathwada**

**SHRI VIJAY JAWAHARLAL DARDA:** I want to raise an urgent matter relating to inadequate compensation and relief package to farmers of Vidarbha and Marathwada. Nearly 90 lakh farmers in these regions were hit by the drought which devastated the Kharif crop. But, at the same time, Rabi crop has also been damaged because of the untimely rain and crop of crores of rupees has been damaged. I urge that an immediate compensation should be given for that. I also demand that Central and State both the Governments should come together to disburse the relief and also announce the long term measures to improve the livelihood of the farmers.

**SHUMSHER K. SHERIFF,**  
*Secretary-General.*

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