

**RAJYA SABHA**

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**\*SUPPLEMENT  
TO  
SYNOPSIS OF DEBATE**

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

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**Thursday, December 12, 2019 / Agrahayana 21, 1941 (Saka)**

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**GOVERNMENT BILLS**

**The Constitution (One Hundred and Twenty-Sixth Amendment)  
Bill, 2019 - *Contd.***

**SHRI P.L. PUNIA:** We are considering upon 126th Constitutional Amendment through which Article 334 is being amended. This reservation expires on 25.01.2020. Therefore, the Government has brought this Constitution Amendment Bill to amend Article 334. The reservation of SC, ST is being carried forward for ten years by the 126th Constitutional Amendment, but the Anglo Indian has been left out. The statement of objects and reasons of the Bill, which was introduced in the Lok Sabha, includes the Scheduled Castes and Scheduled Tribes but the Anglo Indians have been left out. Therefore, it should be reconsidered. No change has occurred in their circumstances. There have been a lot of improvements. Many schemes have come up. But social inequality still exists today. Honour killing is still happening in the country. If a Dalit boy marries an upper caste girl, his life is always at risk. Several complaints of preventing Dalits from entering the temple are often lodged. They are also prohibited from taking water from special wells. In many schools, if food is cooked by Dalit cooks,

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

then it is boycotted. There have been many incidents of various such persecution of Dalits. Besides, SCs and STs are still laggard with regard to development as compared to other castes. The literacy rate of the Scheduled Castes stands at only 66 per cent. 75 per cent of Dalit women are anaemic. 50 per cent of Dalit women and children are malnourished. More than 50 per cent of SC families are living below the poverty line. The monthly income of 83.5 per cent SC family is less than Rs. 5,000. 67 per cent of SC families are working as casual labourers. Only 3.95 per cent of the people belonging to the scheduled castes are in government jobs and around 2 per cent in private sector. It is evident from all these figures that social and economic inequality still exists. The government has not assured that extending the reservation for ten years will remove economic and social inequality. The government should assess what has been the role of schemes to overcome social and economic inequality and in how many days This inequality will be completely eliminated? Also, the system of reservation should be implemented in the Rajya Sabha and the Legislative Council also. Economic prosperity improves the social status and providing reservation in jobs also brings economic prosperity. The government should restore the SC sub plan and the ST sub plan. Reservation should be maintained in the public sector enterprises and it should also be implemented in private sector. I request that a special campaign should be launched to completely eliminate the economic-social disparities. And nomination of the Anglo-Indians should continue. With this, I support this Bill.

**DR. KIRODI LAL MEENA:** I welcome the move that this Bill will provide for extending reservation for 10 years for the scheduled castes and the scheduled tribes in the country. But a rumour was spread that there would be a threat to the reservation of the Scheduled Castes and the Scheduled Tribes after Modiji would become the Prime Minister. Our ideology has always been in favour of reservation. But, the misleading propaganda that the opposition is promoting is by no means justified. The OBC Commission was given constitutional status after this government came to power. Apart from this, by sending two SC-ST members to the Rajya Sabha out of the 10 Rajya Sabha seats of Rajasthan, the government has given the highest honour to these categories. The opposition considers the SCs and STs as a vote bank. Dr. Ambedkarji had a lot of difficulty in

implementing reservation for the SCs and STs because the provision of reservation was very much opposed at that time. Dr. Ambedkarji had said that the rights given to the Scheduled Castes and the Scheduled Tribes through the Constitution are not enough and these sections need to demand more rights. I would like to thank Modiji that he has taken the bold step to extend this reservation for these classes for 10 years. It is true that there is still discrimination and there is a need to overcome it. With this view, this Bill has been brought in. I would like to give a suggestion to the Minister that reservation for the Scheduled Castes and the Scheduled Tribes in the legislation should be increased in proportion of their increasing population and the percentage of their jobs should also be increased. Besides, provision for reservation should be made in public sector undertakings also. Apart from this, reservation in the judiciary is very important. Efforts should also be made to fill up the backlog vacancies, because now qualified candidates are available. The tribals are largely displaced in the name of building projects. Therefore, the government should arrange for their proper rehabilitation. Despite the order of the Supreme Court, the tribals are being driven out of the forests, so I would like to request the minister that this should be taken appropriate cognizance. The Government has set up Eklavya Model Residential Schools for the education of tribals through English medium. This will facilitate the selection of students from Scheduled Tribes in IIT, NEET and UPSC. By taking advantage of the skill training programme, people belonging to the Scheduled Castes and the Scheduled Tribes are becoming entrepreneurs. The Congress never thought of this. Through the Mudra Yojana and the start ups and stand ups, youths of the SC and the ST have got employment. The Prime Minister has started a special action plan in the Aspirational Districts for development. Most of the people belonging to the Scheduled Castes and Scheduled Tribes will be much benefited through it. Also, the people belonging to the Scheduled Castes and the Scheduled Tribes will have opportunity to get houses under the housing scheme run by the Prime Minister. Through the "Ayushman Bharat Yojana", the maximum number of the people belonging to the Scheduled Castes and the Scheduled Tribes will be provided treatment. Under the "Saubhagya Yojana", electricity will be provided to every household of the Scheduled Castes and the Scheduled Tribes. Apart from this, these sections will also be benefited

from other schemes of the government. The government of Modiji has increased the budget of the Scheduled Castes and the Scheduled Tribes. States should also increase their budget. The government has enacted a stricter law to protect the Scheduled Castes and the Scheduled Tribes. The government has made a provision for reservation in promotion as well. Similarly, the government has built the biggest memorial of Bhimrao Ambedkarji in Delhi. Thus, this government has run a number of welfare schemes for the Scheduled Castes and the Scheduled Tribes. Therefore, I support this Bill.

**SHRI DEREK O'BRIEN:** The Government is extending the reservation for SCs and STs by ten years. This has happened six times before. We welcome it with open arms. We only wish from the All India Trinamool Congress, why only ten years? Make it twenty or thirty years, we will be with you. Bring the Amendment Bill. You are doing all this here. But, in Bengal, you have been humiliating the SCs and the STs for the last one week because we want to pass, in the Assembly, the SC/ST Commission Bill. The highest constitutional authority there has not signed the Bill. I don't need a certificate from anybody, but the National Commission for Scheduled Castes has made Bengal the role model. If the other States follow the role model of SC/ST, we will all be doing well. We will all support this Bill. What is in the Bill is good. What has been left out, is it devious, is it diabolical, is it deceitful? You are not putting something in this Bill. I will withdraw whatever I say, if you try and find the constitutional way to keep the other two reservations, because, otherwise, we know the mask is off. Please do not pit minorities versus minorities. Now, let us come to the specific issues of why this has been left out. As the Minister himself admitted today that if a community is not backward or forward; of course, the Anglo-Indians have never been a backward community. Anglo Indian is a small community, 3.5 lakhs. If the Minister says that we are 295, I would appreciate it. However, we are a small community with a big influence because we run the best schools in this country. You have said that there are 297. I will take your figure. You have said, zero in U.P., zero in Uttarakhand, zero in Jharkhand and zero in Madhya Pradesh. Then, I want to challenge the BJP, how could they nominate four Anglo Indian MLAs there in the last three years? How did you nominate when zero is there? You are not going to renew these two MPs. You are not going to renew the 30 State MLAs. You are also

denying the community, as a result of this, Rs.1,300 crores because these MPs and MLAs would use this money. According to him, we are 297, we will go to the Supreme Court to make it 3,00,000 plus. Now, let us come to vote bank. It is vote bank, not for SC/ST. Does Mamata Banerjee have to do vote bank to send one Anglo Indian elected to Parliament? I am happy to say, only one Anglo Indian in 72 years has been elected. Who made it possible? It is Ms. Mamata Banerjee. In 1947, when the British left because the Bengali freedom fighters worked the hardest for that, the Constituent Assembly had Frank Anthony. They offered the Anglo Indians, whatever the number, 'Go to Andaman Islands; we will make that into a territory'; and the community said, 'No, we are a small community, we are a gallant community, we don't want Andaman Islands; we want to be a part of India.' That was the commitment made. What did Frank Anthony say? He told his community, 'The more we love and are loyal to India, the more will India love and be loyal to you.' you can take away 13 seats. You can take away two MP seats. But you can never take away 'Indian' from the 'Anglo-Indian'. This is not about Anglo-Indian. This is a much bigger issue here. All I want to say that make it 20 years, make it 30 years; and you cannot bring an Ordinance now. They brought this Bill on the last day of legislation. We know the rules. So, there is no chance of an Ordinance coming. So, the reservation is gone. If the motive is not devious, not diabolical, you please bring a Constitutional (Amendment) when Parliament comes into Session. On behalf of my community and not the Trinamool Congress because I have spoken as a Trinamool Congress, when these things happen to any community, when you were betrayed once in 1947 because you stayed back, today, many in the community are feeling betrayed. But, I know that this is a small but gallant community.

**SHRI N. GOKULAKRISHNAN:** I wholeheartedly support this Bill. We need reservation because of the oppression that the lower castes had to suffer at the hands of the upper castes. Therefore, some seats are reserved in the Parliament for SC and ST communities. This has been done so that the MPs elected from these constituencies are familiar with dalits' and adivasis' interests and can represent them in Parliament. The Bill proposes to continue the reservation of seats for the SCs and STs for another 10 years that. While representing the Bill in Lok Sabha, the Union Law Minister said that Reservation would

never be removed. The Government would bring reservation in judiciary also. This Bill gives a passage to the reservation provision for SCs and STs in the Constitution, which is to cease on 25th January, 2020. However, the Bill did not mention about the extension of reservation for the Anglo-Indian community, whose reservation will cease on the same date. The Union Law Minister, while speaking on the Bill, had said, "According to the 2011 census, there are only 296 members of the Anglo-Indian community in the entire country. However, he said, I would still maintain that we will not close our minds to revisiting this issue." Hence, I would request the Minister to revisit the issue.

**PROF. RAM GOPAL YADAV:** I support this Constitution Amendment Bill, but I do not support the provision in which the Anglo-Indian community has been left out. There is a provision for reservation of the Scheduled Castes and Scheduled Tribes for the seats of the Legislative Assemblies and the Lok Sabha and I support your move to extend that reservation. If this reservation is not extended, then those contesting elections using money and muscle power cannot allow anyone from these weaker sections to elect them in the Lok Sabha or Legislative Assemblies. Therefore it is very important that the reservation should be extended by this constitutional amendment. Ambedkar saheb and Babu Jagjivan Ram ji felt the ill-treatment meted out to these classes. Also, this reservation is necessary to eliminate the mind set of considering oneself supreme. When there is a case of poor people, the stand of the judiciary goes against them. The government needs to take some revolutionary steps to provide reservation in the judiciary for the Scheduled Castes, the Scheduled Tribes and the Backward Classes. This reservation should remain intact till the snotty mind set is over. The number of people from the Anglo-Indian community is small, so it's representation is very important. If the number of people from a community is small, then there should be a representation of someone who could raise their voice. Today the number is decreasing, so what difference does it make. Therefore, the Lok Sabha of 543 members should have one or two members of the Anglo-Indian community. The provision of reservation for the Anglo-Indian community should be continued. The Amendment to this effect should have been brought in advance. There has been immense contribution of the Anglo-Indian community in this country. The

Scheduled Castes and Scheduled Tribes still have to face atrocities in the country. In a large state like Uttar Pradesh, hardly any officer of the Scheduled Castes or Scheduled Tribes is in the top bureaucracy of the Government.

**SHRIMATI SAROJINI HEMBRAM:** I support this Bill which intends to increase the duration of the system of reservation for SC/ST category for a further period of ten years under Article 334. Otherwise, their reservation would have ended on January 25, 2020. Although, the standard of living of the SC/ST communities has improved a lot since 1950, but the pace of this improvement is not so fast that we could build a caste-free society. The Parliament has, at present, 84 members of the SC community and 47 members of the ST community. The number of members of SC community in the Legislative Assemblies of the country is 614 and the number of members of ST community is 554, which is very less in view of their large population. That is why, it would be appropriate to increase their reservation further to give these communities fair representation in Parliament and Legislative Assemblies. In order to bring a level of equality in the society, it is necessary to give adequate opportunities to the people of the disadvantaged communities for participation in political and economic development. The provision related to reservation in promotion has also not been implemented properly for years. The backlog of vacant posts should be filled as soon as possible. Many schemes of the Central Government have been discontinued, which have adversely affected the development of backward districts and tribal areas. Therefore, these schemes should be reintroduced. I also request the Government to take steps for bringing improvement in the condition of the Anglo-Indian community.

**SHRI RAM CHANDRA PRASAD SINGH:** I support this Bill. But the provision for the representation of the Anglo-Indian community needs to be considered with positive approach, as when someone is denied a right, which was already available, it becomes injustice. This Bill provides for extension of reservation in Lok Sabha and Legislative Assemblies for SC/ST communities for a further period of 10 years. The provision related to reservation in government employment also needs to be implemented properly. The weaker sections are not able to get proper justice, as they do not have their

adequate representation in the judiciary, particularly in the higher judiciary. Therefore, the All India Judicial Service should be commissioned. In this Service, the weaker sections of the society would be able to get the benefit of reservation. I request that a Bill should be brought for commissioning the All India Judicial Service in the upcoming Budget session. This will ensure participation of the weaker sections in the process of democracy, particularly in the judiciary. Passing of the present Bill would send a positive signal in the society. There was no reservation at the Panchayat level before 2005 in Bihar, but today there is 17 percent reservation in total 8326 panchayats of the state. Participation in leadership at lower level will gradually help the weaker sections in entering Legislative Assemblies, Lok Sabha and Rajya Sabha. Gradually their participation in leadership at higher level will increase and it would definitely make the democracy stronger.

**SHRI K.K. RAGESH:** This Bill seeks to extend the reservation of seats for Scheduled Castes and Scheduled Tribes in Lok Sabha and in Assemblies also for another ten years. Hence, I must support this Bill. But, at the same time, the Bill seeks to discontinue the nomination of Anglo-Indians, for which, I have to oppose this Bill. I am in a dilemma. This House should also be concerned about the representation of Scheduled Castes and Scheduled Tribes in this House itself. We have to think about it because there is no reservation for them in this House. I want to know the logic behind discontinuing the reservation for the Anglo-Indians. It has been said that their total population in the country is only 296. But, actually in Kerala alone, more than 80,000 people are there who belong to Anglo-Indian community. On the basis of a wrong perception about their total population, this Amendment has been brought. I am requesting the Government to reconsider it. Our country is the most religiously and ethnically diverse nation. Diversity is the soul of our country.

**SHRI P. WILSON:** Does the Government have any data to suggest that the Scheduled Castes and Scheduled Tribes have made considerable progress in the last seventy years. Our country still has people with orthodox mindset, especially in the rural areas, where untouchability still prevails. Their representation in the Government appointments is also dismal. Why is it that in the Union Government, these weaker sections have not been given due representation at the top

posts of bureaucracy. Anyway, I welcome this Bill. As far as Anglo-Indians are concerned, they are part and parcel of this country. You can see them in large numbers not only in Kerala but also in Tamil Nadu and other parts of the country. You are attempting to divide the country and rule the country.

**SHRI VEER SINGH:** I support the Constitution (126<sup>th</sup> Amendment) Bill, 2019. With this amendment, the period of reservation for Scheduled Castes, Scheduled Tribes in the Lok Sabha and the Legislative Assemblies will be increased by ten years till 25<sup>th</sup> January, 2030. Currently, out of 543 Lok Sabha seats, 84 seats are reserved for Scheduled Castes and 47 seats for Scheduled Tribes. Whereas, out of 4,120 seats in the Legislative Assemblies of all states across the country, 614 seats are reserved for Scheduled Castes and 544 seats for Scheduled Tribes. According to the 2011 census, there are 20.13 crore people in Scheduled Castes and 0.45 crore people in Scheduled Tribes and their literacy rates are 66 percent and 59 percent respectively, while the literacy rate of the country is 75 percent. Today, even after 70 years, we have not been able to make these communities fully literate. The Government should pay attention to this. Today, lakhs of posts are lying vacant in Group A, B and C of government jobs in our country. Till date, these vacancies have not been filled completely. Even, the opportunities for government employment are being abolished gradually by the Government, as the intention of the Government has not been good towards the government employees of scheduled castes and tribes. There is a huge backlog of vacancies. Today, in our country government departments are being handed over to the private sector. I request that while doing privatization of these departments, the system of reservation for weaker sections should be ensured. Injustice and atrocities on the Scheduled Castes and Scheduled Tribes have increased during the last 10 years. Even today, persons of these communities are not getting respect in the society. Privatization of education is also taking place. Children of SC-ST are not getting scholarships; even, they are not getting admission in private educational institutions. The system of admission on zero balance has also been abolished. Children of SC-ST-OBC communities are deprived of education, because the government does not send their scholarship on time. Apart from this, these communities are also not able to get proper

justice. So, I request that there should be a system of reservation in the higher judiciary also.

**SHRI SWAPAN DASGUPTA:** We are bringing the curtain down on Anglo-Indian reservation in this country. After seventy years, this community has ceased to have a basis of an independent existence. It would be unfair to not recognize the seminal contribution this community has made, particularly, in the field of education, running of the railways and earlier in the running of the police also. We should place our appreciation of the role this community has played. Today, unfortunately, we do not have anyone who is elected in the Lok Sabha from that community.

**SHRI V. VIJAYASAI REDDY:** This Bill aims to extend the period of reservation of seats in Lok Sabha and State Assemblies for SC/ST for a further period of ten years. With a view to retain the inclusive character, as envisioned by the founding fathers of the Constitution, the Bill proposes to extend the reservation of seats for SC/ST till January, 2030. Even after 70 years, there is no perceptible change in the status of SCs and STs. It is quite obvious that the Party which has ruled this country for a period of fifty years is responsible for this. Nothing has been done for SCs and STs during the period under their ruling. Now, things are moving and moving swiftly for the betterment. I hope that the present Government would achieve the goals set before it. Delimitation of the constituencies may be determined by the Election Commission. I don't find any difficulty in providing reservation for OBCs in Lok Sabha and State Assemblies. OBCs have been raising it for long. So, I request the Government to fulfill their demand.

**PROF. MANOJ KUMAR JHA:** I am in favour of this Bill. The role of Anglo-Indians community has been very important in our society but they have been put as a marginal group. I would urge the House to revisit the Poona Pact. Probably the idea of Ambedkar on representation was much more progressive than it was treated at that time.

**SHRI BINOY VISWAM:** Political will for the real empowerment of the SCs and STs is missing with this Government. Anglo-Indian is a tiny minority community and their concerns are

totally forgotten. I request the Minister to tell us the number of SCs and STs who are class I and class II officers. MPs and MLAs are not enough. Empowerment means to empower all of them. All over the country, they are being oppressed. Their condition has not changed. Therefore, the reservation for them should be increased for more than ten years.

**SHRI SANJAY SINGH:** I support this Bill. It is a very good thing to increase reservations in the Lok Sabha and the state assemblies for the SC/ST community. But by only becoming the MPs and MLAs from the SC/ST community and Dalit community, whether the feeling of hatred against them is reducing in society? I want to request the government to give them reservation and at the same time make a system to ensure how the mentality of the society will change. The reasons as to why the number of Anglo-Indian community in the country decreased or they left the country should be investigated.

**SHRI D. KUPENDRA REDDY:** On behalf of my party, I wholeheartedly welcome this Bill. This decision taken for the welfare of the Scheduled Castes and Scheduled Tribes in the country has been taken in time. I am sure, it will pave the way for further development and progress of them. I request the Minister to revisit the issue of correct population of Anglo-Indian community in the country.

**SHRI AMAR SHANKAR SABLE:** I am very happy that in the context of reservation of Scheduled Castes and Scheduled Tribes, all political parties have decided to rise above politics and support this Bill. This will convey a message to the entire world that all political parties and all citizens of this country are alert for the welfare and protection of the Scheduled Castes and the Scheduled Tribes in this country. This will strengthen the democracy of this country. The government has taken a major step towards their empowerment through this reservation. That is why I support this Bill and call upon everyone to support it.

**SHRI SHAMSHER SINGH DULLO:** I can say that if Dr. Baba Saheb Bhimrao Ambedkar were not so educated and he had not lead the crores of poor, dalits and backward of India, we might not have got reservation even after independence. Backwards and tribals have

been treated like slaves in this country for centuries. We have not been able to remove this discrimination in 70 years, because there is a need to change this mindset. Unless the inequality at the political, social, religious and economic level is eliminated in this country, there will be no welfare of poor people. Instead of removing social inequality, political parties use the Dalit community only as their vote bank. Till date, the reservation of scheduled castes and scheduled tribes in government departments has not been implemented cent percent. This should be kept in mind.

**THE MINISTER OF CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION, SHRI RAMVILAS PASWAN:** I am confident that this Bill related to reservation of Dalit class will be passed unanimously in Rajya Sabha like Lok Sabha. Baba Saheb Dr. Bhimrao Ambedkar has been our leader. Apart from him, Mahatma Phule Jee, Periyar Jee, Ramaswamy Nayakar Jee have also contributed a lot. Along with this, I will also say that the contribution of the people from the upper caste in this country has not been less. The SC/ST Act was passed in Rajiv ji's time, we notified it. It was further strengthened in this government. An attempt was made to make it weak in the court, then within three days it was restored by Lok Sabha and Rajya Sabha. The issue of reservation had started on 24 September 1932. From 1990 till now, we did whatever we could for the Scheduled Castes. First we started with Babasaheb Ambedkar, then implemented Mandal commission. This government worked in five places connected with Babasaheb Ambedkar. Built a magnificent memorial at Mhow. A museum was made in his house. In Lucknow, in the United States and in England, where he studied, the work of building a national monument has been done. The work of giving Indu Mill land in Mumbai has been done for them. The Prime Minister who is from Most Backward Castes, has implemented 10 percent reservation for the poor people of the upper castes. This is social harmony. I urge that when the issue of atrocities on the scheduled castes and tribes comes, the matter of rights comes, then we should rise above politics and solve this problem.

**DR. BANDA PRAKASH:** Is there any study from the Government side as to what is the status of the SC/STs in the Judiciary or higher education institutions or anywhere? For how long we have to

continue this reservation? In IIMs and IITs, representation of SCs and STs is very nominal. There was none on the faculty side. Why it was ten years and why it can't be made 25 years of reservation. Why no reservations have been made for the Anglo-Indian community Do we have State-wise statistics to support this decision?

**SHRI PRADEEP TAMTA:** At the time of drafting the constitution of the country, the Congress appointed Dr. Ambedkar as the Chairman of the Drafting Committee. Lt. Rajiv Gandhi had made Atrocities Act, SC/ST Act to prevent atrocities on Dalits within this country. The bill for reservation in promotion is lying in the Legislative Assembly it should be brought to Parliament and a law should be made to give reservation in promotion to Scheduled Castes, Scheduled Tribes.

**THE MINISTER OF STATE IN THE MINISTRY OF SOCIAL JUSTICE AND EMPOWERMENT (SHRI RAMDAS ATHAWALE):** There should also be reservation in Rajya Sabha and the Legislative Council. With this, there should be reservation in the cabinet also. Now the population of SCs and STs has become 25 percent, so there is a need to make 25 percent reservation for them. You should think about reserving two seats for Sindhi society. This legislation is very important. Therefore, I support this bill.

**THE LEADER OF THE OPPOSITION (SHRI GHULAM NABI AZAD):** The concept of reservation started from 1935. Dalit oppression continues even after so many laws. I will request the government that wherever there is any incident of such harassment, immediate action should be taken. Backlog should be filled in the future and they should be paid according to their numbers. We and our party fully support this bill. On one hand, I am happy that reservation for Schedule Casts/Schedule Tribes is being extended for 10 years but on other hand I am sorry to say that reservation for Anglo Indians in Parliament and Legislative Assemblies is being abolished. Political empowerment is essential for each community and religion. But, Political empowerment for the community or religion to which I belong, has been abolished. This is the first incident in Indian History that out of 545 MPs of ruling party not even one is from minority. Because no ticket is given to them. I request the Hon'ble Minister to make provision of reservation for Anglo Indians in Lok Sabha and

Legislative Assemblies. In addition to this, a Bill for at least 33 percent reservation for women should be brought.

**THE MINISTER OF SOCIAL JUSTICE AND EMPOWERMENT (SHRI THAAWAR CHAND GEHLOT):** I want to clarify about the sub plan for SCs/STs and welfare scheme as raised by Gulab Nabi Azad ji. As per rule allocation has to be made as per the population. We have taken many historical decisions for the welfare of SCs/STs. During UPA there has never been provision of more than 30-32 thousand crores for this scheme. But, we have increased to it up to 50 thousand crores per year. For second year, it was 56 thousand crores and in this budget there is a provision of 76 thousand crores.

**THE MINISTER OF LAW AND JUSTICE, THE MINISTER OF COMMUNICATIONS AND THE MINISTER OF ELECTRONICS AND INFORMATION TECHNOLOGY (SHRI RAVI SHANKAR PRASAD), replying to the debate, said:** I welcome all hon'ble members for commenting on this important matter. Dr. Ambedkar has a greatest contribution in transforming India through constitution. He was appointed Chairperson of Drafting Committee because he was the most learned person of constitution at that time. He did Ph.D. from Columbia on constitution. The country needs to understand Dr. Ambedkar in a fresh manner. Dr. Ambedkar died in 1956 but, he was conferred Bharat Ratna in the year, 1990. What stopped country to confer Bharat Ratna to Dr. Ambedkar. Sardar Patel died in 1950 but he was conferred Bharat Ratna in 1991, 41 years after his death. That time, Shri Narshimbha Rao was the Prime Minister. How much do you remember Shri Narshimbha Rao now. Had he not been Prime Minister and had somebody been Prime Minister from that family, this job would had to be performed by Atal Bihari Vajpayee Government. Great freedom fighter Maulana Azad died in 1959, but he was conferred Bharat Ratna in 1992. Today is the occasion to remember these historical facts and tell to new generation that every one has contributed in building the country and every one should be respected. Country is watching the work being done for the youth of the community. This is our government only who has increased the Haj quota. Certain issues have been raised about misbehaviour being done towards them. These are the challenges and they must be

addressed. Our government is providing opportunities to Dalit youths on large scale through stand up India. They are getting loan from banks. We want to clarify that Modi government will never abolish the reservation. It is good that full House is cooperating in extending the reservation for next 10 years. I would like to acknowledge the contribution of Anglo-Indian community in the field of education, Armed forces and others. We are considering on them. We have provided Mudra Loan and LPG connections under Ujjwala Yozana and many beneficiaries are from SCs/STs and OBCs. We have constitutional responsibilities towards SCs/STs to extend the limit of 10 years which is expiring 25th January.

*The motion for consideration of the Bill was adopted by a majority of the total membership of the House and by a majority of not less than two-thirds of the Members of the House present and voting.*

*The clauses etc., as amended, were adopted by a majority of the total membership of the House and by a majority of not less than two-thirds of the Members of the House present and voting*

*The Bill, as amended, was passed by a majority of the total membership of the House and by a majority of not less than two-thirds of the Members of the House present and voting.*

### **The Constitution (Scheduled Tribes) Order (Second Amendment) Bill, 2019**

**THE MINISTER OF STATE IN THE MINISTRY OF TRIBAL AFFAIRS (SHRIMATI RENUKA SINGH SARUTA), moving the motion for consideration of the Bill, said:** The Union Cabinet in its meeting held on 20.11.2019 has approved the Cabinet Note of Ministry of Tribal Affairs, dated 18.11.2019 in which there is a proposal to consider and pass the pending Bill namely, The Constitution (Scheduled Tribes) Order (Second Amendment) Bill, 2019 in the Parliament for some amendments in The Constitution ( Scheduled Tribes) Order, 1950 so that the list of Scheduled Tribes of Karnataka may be amended. The following changes will be made in the list of Scheduled Tribes of the state of Karnataka. Inclusion of communities, namely at serial No. 38 "Pariwaar and Talwar" as synonymous with "Nayak" and on serial number-50 in the list of

Scheduled Tribes of Karnataka, along with the existing "Siddi" community of north Kannada district, "Siddi" community of Dharwad and Belagavi districts is to be included in the Scheduled Tribes.

**SHRI B.K. HARIPRASAD:** The Bill amends Part VI of the Order, which specifies the Scheduled Tribes in Karnataka. Karnataka has already got about 49 tribal communities, which have got the richest culture in the country. They are the indigenous people of this country. This country has got three races, Aryan, Mongolian and Dravidian. We have forgotten the African race. African races are very much there in this country. Siddis are of African origin. Even in Karnataka, we have Siddis in Uttar Karnataka, Belagavi and in some three districts. They are the most neglected tribal community in the country. Then, Halumantha community is a synonymous of Kuruba (Coorge District). Another proposal is to include Gangamatha, Kabbaliga and Koli. Coorgis should be included in this Schedule, Article 342 and they should be given tribal status. With these words I support this Bill which is aimed at including some of the major tribals of Karnataka.

**\*SHRI K.C. RAMAMURTHY:** The continuous efforts made by the Members of Parliament for the last 18 years have fructified today. The youth of Parivara, Talawara & Siddhi Community have been unsuccessful in making a mark in the fields of Education and Employment. Now that the Central Government has brought this Bill, there will certainly be hope for them. There are more than 15 lakh people belonging to this community and they are the most backward lot. There is a need for many more subcastes to be recognized as Scheduled Tribes. I request the Central Government to put in more efforts in this direction. I support this Bill.

**SHRI ABIR RANJAN BISWAS:** I rise to speak on The Constitution (Scheduled Tribes) Order (Second Amendment) Bill, 2019. The West Bengal Government has been demanding the inclusion of 11 Gorkha communities since 2014. But it has been rejected each time by the Registrar General of India. If 11 Gorkha communities are included under the Union Government's list of ST communities, it would cover more than 80 per cent of the hill population. The recognition entitles them to reservation in Government jobs, education

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\* Spoke in Kannada.

and special concessions. It is high time that another Amendment Bill should be brought to include the excluded and deprived communities of North Bengal.

**SHRIMATI VIJILA SATHYANANTH:** I support this Bill, which has been brought on the basis of recommendation made by the State of Karnataka. Badagas's oral literature, belief and faith reveal their attachment to Nakkubetta and Nilgiris. There has been a long-pending demand that the Badagas community, living in the Nilgiri district of Tamil Nadu State, are classified as a tribe. They are an agricultural community. The State Government has forwarded the request on behalf of the Badaga community to the Union Government to include this community in the list of Scheduled Tribes. So, I would request the government to amend the Constitution and include the Badagas community in the list of Scheduled Tribes in relation to the State of Tamil Nadu. The Kattunayakan community, the Yerukula community, the Malakkuravan community and the Kurumans have to be considered for inclusion under the list of Scheduled Tribes.

**SHRI VISHAMBHAR PRASAD NISHAD:** The way the government is bringing a Bill to include Scheduled Tribes in Karnataka, similarly they can also bring such type of Bill for 17 castes of Uttar Pradesh. These castes include Majhwar, Beldar, Turaha, etc. castes. I make a demand from the central government that steps should be taken to include these 17 castes of Uttar Pradesh as well.

**‡SHRI BHASKAR RAO NEKKANTI, making his maiden speech, said:** I support this Bill, 2019. There are many Scheduled Tribes in Odisha which should be included in the list by the Central Government. There are 62 Scheduled Tribe communities in Odisha, each one different from the other. The State has the privilege of having the highest number (13) of Particularly Vulnerable Tribal Groups (PVTGs). The Scheduled Tribe communities of our country have suffered from centuries of deprivation, socio-economic exploitation, inequalities and discrimination for historical reasons. This has made them backward and vulnerable. They are substantially facing huge problems due to non inclusion in ST category. The Scheduled Tribes in Odisha have suffered from social, educational and economic

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‡ Spoke in Odiya.

backwardness due to many historical reasons. State government of Odisha had submitted the lists of Scheduled Tribe Communities to the Govt. of India many a times for their inclusion. Hon'ble Chief Minister of Odisha had submitted a letter on 30.05.2011 and 03.11.2019 in this regards. It is a long standing demand of ST many communities for inclusion under ST category. I urge the Government to take immediate measures for inclusion of these communities into the Scheduled Tribe List, for socioeconomic development of these communities.

**SHRIMATI KAHKASHAN PERWEEN:** I support this Bill. This step taken to include Scheduled Tribes of Karnataka State in the list is very commendable. I hail from Bihar and there is a Lohar caste in Bihar, which is in large number there. Due to the slightest mistake of Lohar and Lohara, many of our children, who have passed examination in large number, are not getting jobs. Today my special mention is also on this subject and incidentally this Bill also came today. When the Railway Board asked for information about Lohar and Lohara from this Ministry, the Ministry said that there is no such caste in it. It has been clearly told to your Ministry that there is no such caste in it. But let me tell you that under the Right to Information from the National Museum, Ministry of Culture, Government of India, it is mentioned that 'blacksmith' caste is mentioned in it. When the Election Commission letter is there, the museum letter is there and it becomes different from your Ministry. The Bihar government has repeatedly written a letter for this, but so far no initiative has been taken from your side. You are from Chhattisgarh, we are from very close area. I want you to pay much attention to this, so that the future of our children is not endangered.

**DR. BANDA PRAKASH:** On behalf of our Party, we support the Constitution (Scheduled Tribes) Order (Second Amendment) Bill, 2019. We support the inclusion of particular communities in Karnataka in the Scheduled Tribes. At the same time, I wish to bring to the notice of the House and the hon. Minister that after formation of the State of Telangana, the tribal population there is more than nine per cent. Earlier, it was seven per cent. Since the last two-and-a-half years, a proposal has been pending with the Government of India. Through you, I would request the hon. Minister to take up the issue of Telangana and clear our request. We had constituted the Chellappa Commission to include two more communities in the list of Scheduled Tribe

communities. These are: Boya and Khaithi Lambada. The State also passed the orders and they recommended it to the Government of India. Because of the formation of a new State, our strength has increased. We request the Government of India to clear the pending files and release orders for Telangana.

**SHRIMATI JHARNA DAS BAIDYA:** The Bill amends Part-II of the Order which specifies the Scheduled Tribes in the State of Karnataka. I support this Bill and I would like to suggest some points. Once the Bill becomes an Act, it is required to ensure that all the new categories of communities get the benefits as they were getting earlier. My next suggestion is to increase the funds for their welfare schemes. Every year, thousands of people die in our country while clearing the human waste inside the drains. The final point is about the Dalit Christians and Dalit Muslims should also be brought into the Dalit list.

**SHRI D. KUPENDRA REDDY:** On behalf of my party, I wholeheartedly welcome the Bill aimed at inclusion of "Parivara" and "Talawara" communities as synonyms of "Nayaka" and "Siddi" community of Dharwad and Belagavi Districts in the list of Scheduled Tribes of the State. Again, the Codavas are inhabitants of Coorg region of South West Karnataka. The culture and tradition of Codavas are akin to tribals. The fast dwindling Codavas population is making them microscopic minorities. . Therefore, I again request the hon. Minister, through you, Sir, to consider including Codavas in the ST list for the overall development of Codavas in Karnataka.

**SHRI TIRUCHI SIVA:** I support the Constitution (Scheduled Tribes) Order (Second Amendment) Bill, 2019, to include some communities of the State of Karnataka in the list of Scheduled Tribes. The criteria for finalising Scheduled Tribes list includes certain primitive traits, distinctive culture, geographical isolation, shyness of contact with the community at large, and backwardness. This criteria was not spelt out in the Constitution. There are some communities in Tamil Nadu, especially, the Badagas in Nilgiri District, the Narikuravas across the State and the Kaatunaikas. The Cabinet had approved that Narikuravas be brought into the Scheduled Tribes list but still it has not been done. Hence, the Narikuravas, the Badagas and the Kaatunaikas must be included in the Scheduled Tribes list

**SHRI VEER SINGH:** Sir, I support the Constitution (Scheduled Tribes) Order (Second Amendment) Bill, 2019. In Karnataka, the "family", "Talwar" and "Siddi" castes are being included in the Scheduled Castes. But in view of some castes which are being added to Scheduled Castes and Scheduled Tribes and their numbers are increasing, their reservation should also be increased. People of these castes live in forests and their education should be taken care of. It has been 70 years since the country became independent, even today, lakhs of posts for Scheduled Tribes are lying vacant in government sectors. We are going to increase the Scheduled Tribes, but are not increasing the reservation. My demand is that the reservation of Scheduled Tribes should also be increased in the same proportion.

**SHRI BINOY VISWAM:** Sir, I support this Bill. The descendants of Birsa Munda to Thalakkal Chanthu, are living in very pitiable conditions all over the country. The slogan everywhere is the same: Jal, jameen and jungle. All the resources are stolen by somebody else. The land is given to the mining mafia. The new sections are demanding this right, including my State also. The Forests Rights Act, which came as a helping legislation for the tribes, should also be strictly implemented.

**SHRI SUSHIL KUMAR GUPTA:** I rise to support this Bill. Just as the four castes "Parivar", "Talwar" "Nayak" and "Siddi" have been added in Karnataka. Similarly, I would like to request the government through you that even inside Delhi, the people living alongwith the railway line as well as inside the slums are leading a life worse than scheduled tribes. Many generations of their children were born and grew up there. The Delhi government has provided electricity, health services, schools and water, but the land is under the Ministry of Railways, Government of India. It would be good if their accommodation is built on the railway land. Until they are given accommodation, they should be included in the Scheduled Tribes category. Since their three to four generations have passed there and they are living in the capital of the country in pitiable conditions.

**§DR. PRABHAKAR KORE:** It is a matter of great importance that Siddhi Community in Belgavi and Dharwad Districts in Karnataka and also settled along the Sahyadri mountain range is now being included as Schedule Tribe. I congratulate the Chief Minister of Karnataka, Shri B. S. Yediyurappa and hon. Prime Minister, Shri Narendra Modi for bringing this Bill. The Siddhi tribe has been subjected to injustice and even today after 70 years of independence, this tribe is still waiting for justice. The Siddhi Community till 10 years ago was confined to the forest. They had come from the African Sub Continent during the British period. This Bill will deliver justice to them. Many more communities like, Gondili and Gollaru tribe are also residing in Uttara Kannada District. I hope that, these communities will also get the status of Schedule Tribe.

**THE MINISTER OF PARLIAMENTARY AFFAIRS (SHRI PRALHAD JOSHI):** Sir, this Nayaka community which is called in many names Nayaka, Beda, Bedara. All such communities, they have already been included in the list of ST Order. But, unfortunately, for the last 40 years, I am not blaming anybody, this "Parivara", "Talawara" and "Siddi" Communities from the Uttara Kannada District, they were never considered. Many people ran from pillar to post, but it was not done. Ultimately, the Karnataka Government recommended it, and I should thank the Lok Sabha Member, namely, the M.P. from that area, Shri Pratap Simha, who went to hon. Prime Minister, Amit Shahji and many other people, requested and convinced them with detailed data of the area, how their profession is same and how their activity, area of staying, everything is same. Hon. Home Minister, Shri Amit Shah, and hon. Prime Minister also took interest in that. And, ultimately, after going through the Register of Population and everybody, he continuously followed it up. And, today, it has happened. My last point is, many of the people from this community "Parivara", "Talawara" and also "Siddi" community of Dharwad and Belagavi are extremely happy. Dharwad is my constituency that is why, I am thanking the hon. Prime Minister, the Home Minister and also Shri Pratap Simha. Thank you, Sir.

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<sup>§</sup> Spoke in Kannada.

**The Hon'ble Minister, replying to the debate, said:**

Honorable Chairman, today I have proposed to pass the "The Constitution (Scheduled Tribes) Order (Second Amendment) Bill, 2019" to amend the list of Scheduled Tribes of Karnataka and I am happy that the 15 honorable Rajya Sabha Members have supported it. Today, for the second time in the Rajya Sabha, there has been discussion about SC/ST Reservation Bill. The Constitution of India mandates special responsibility for the state for the protection and development of Scheduled Tribes. According to clause (25) of Article 366 of the Constitution, through this the list of Scheduled Tribes of the State of Karnataka will be revised, whereby "Family and Talwar" as a synonym for "Nayak" at serial number 38 and the "Siddis" existing at serial number 50, which fall under Uttara Kannada district, will be sanctioned to the "Siddi" community of Dharwad and Belagavi districts. Many honorable members here have requested to include the tribal society of their respective states in the Scheduled Tribes community. Proposals to include several tribal communities from 21 states of the country are currently with the Government of India. If there is any caste to be included in the tribal community, then the government has certain criteria for it. On the basis of these criteria, if the State Government makes a proposal to the Ministry of Tribal Affairs, we send the proposal to the Registrar General of the Government of India and the Registrar General examines it in several stages. If it is agreed after the test, it is sent to the Tribes Commission. Then the Tribal Commission also examines it and when there is a positive opinion, it sends it to our Tribal Ministry for inter-ministerial comment and if there is a positive report, then it goes to the cabinet. It is passed in Lok Sabha and Rajya Sabha. Thereafter the approval of the President is taken. I want to inform all the honorable members that as you have mentioned some castes of all the states, you have mentioned here, so I will inform you about the states whose proposals have come here. Will make it available separately. Honorable Members have sought this information and we have also given this suggestion as a suggestion that the scheduled tribes are in a state of extreme poverty. Just as there are "Talwar, Parivar and Siddi" in Karnataka, if they join the Scheduled Tribes, then they will start getting all the benefits of reservation and schemes from the Government of India and from the State Government. Today, I would like to mention through you and the

House that this Bill which we have introduced today, should be passed unanimously.

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

*Clauses etc., as amended, were adopted.*

*The Bill, as amended, was passed. , was passed.*

### **The International Financial Services Centres Authority Bill, 2019**

**THE MINISTER OF FINANCE AND THE MINISTER OF CORPORATE AFFAIRS (SHRIMATI NIRMALA SITHARAMAN), moving the motion for consideration of the Bill, said:** I move That the Bill to provide for the establishment of an Authority to develop and regulate the financial services market in the International Financial Services Centres in India and for matters connected therewith or incidental thereto, as passed by Lok Sabha, be taken into consideration.

**SHRI JAIRAM RAMESH:** I rise to speak very briefly on the International Financial Services Centres Authority Bill, 2019, which seeks to set up an Integrated Financial Regulator for International Financial Centres GIFT, the Gujarat International Financial Hitech City. The GIFT city was set up under the SEZ Act of 2005, to create a Singapore or Dubai like trade centre on the Sabarmati. This regulator will come into being after the Bill is passed. It is meant to regulate economic and commercial activities in the GIFT City. It has been stated that a commercial space less than three million square feet has actually been developed upto now. This abysmal rate of progress at the end of nine years indicates that GIFT can't be termed as a success story. This Bill is going to create one Authority for one agency or entity. My another concern is whether at an international financial centre would be set up and the rupee will be completely convertible. I would also like the Finance Minister to share with us whether there are, in fact, similar proposals to develop Singapores and Dubais in India like GIFT cities. This regulator is going to take over functions of the RBI, SEBI, Insurance Regulator and Pension Regulator. Given the current state of the world economy and the Indian economy, we hope that we will create more such Gandhinagar type GIFT entities. It is going to

remain a mirage. I would like to know from the hon. Minister about the structure of the proposed organization. It would have been better if we had more time to study the implications of this Bill. SEBI was set up in 1988 by an executive order. It got legislative sanction only in 1992. Parliament needs more time to scrutinise this legislation. However, she wants to get this Bill passed today only.

**DR. AMAR PATNAIK:** At the outset, its structural aspect is that it is going to be an inter-regulatory coordination. A performance review Committee is to be set up to review authority's functioning. The authority controls crucial facts/facets regarding the Committee's operation thus creating further scope for conflict of interest. Therefore, greater over-sight may be required. Secondly, one of the key aspects of this centre would be how to ensure contract enforcement in case of repudiation and what would be the dispute resolution mechanism. There is nothing in the Bill about this thing. The position is that the network between the various stock exchanges has not taken place. Another issue is about the rupee derivatives. In terms of GIFT it must be recalled that Dubai, Singapore, one of the pillars of their successful functioning is their strategic location. Market intermediaries and market participants ultimately make this particular authority successful or this particular centre successful. Unless this happens in the SEZs the desired results can not be delivered.

**DR. SANTANU SEN:** I would like to highlight certain issues. What is the idea of bringing this IFSC Authority Bill to regulate the existing IFSC centres in each and every Special Economic Zone. Almost each and every State was supposed to be having demarcated Special Economic Zone. If you go through the history, you will come to know that initially, the first IFSC centre was supposed to be built in Mumbai. It was decided in the Vibrant Gujarat Global Investors Summit 2017 that it is not Mumbai, it is Gujarat which will be getting the GIFT City. It is using 359 acres of land. It has 110 buildings. It is using 6.2 crore sq. ft. area. The land to be used for commercial and residential purposes is clearly defined in the Bill. No official data is available on the current status or the progress made in this regard. I have got some queries about the composition of the Authority. There have been discussions about Performance Review Committee. But it is funny to see that two members of the existing Committee will be

judging the performance of others. We must also make every possible effort to increase India's GDP and then let us try to build up SEZ in each and every State. Our focus has to be to bring more and more IFSCs in the country. Then only the proper utilization of this Bill will take place.

**\*SHRI HUSAIN DALWAI:** I am surprised at this bill. Had I known about it two days earlier, more information could have been collected. In order to give impetus to the country's economy and to develop facilities, International Financial Services Center is being set up in Gujarat instead of being set up in Mumbai. This is an injustice with Maharashtra. There has been no increase in foreign investment by doing this. I request that you rectify this mistake.

**The hon'ble Minister, replying to the debate, said:** It was in 2008 when the Percy Mistry Committee spoke about the need to set up an institution of this kind in this country. In 2011, the then Ministry of Commerce notified the International Financial Services Centre as a multi-service SEZ in GIFT city, in Gujarat. Although it was notified in 2011 yet it was only in 2015 that the regulatory bodies – such as, the RBI, the SEBI, the IRDA, and so on -- issued the performance regulatory guidelines. Then, in 2016, some competitive tax regime was brought in, exemptions were offered in 2017. In 2017, again, a tie up happened with the Singapore International Arbitration for Dispute Resolution. For the sake of arbitration, the IFSC had a tie up arranged in 2017 with the Singapore Arbitration Centre. In 2018, an announcement for setting up a unified regulator was made. In 2019, we are coming up with a Bill for setting up this regulatory authority. In the IFSC, two stock exchanges operating. Daily volume in the Stock Exchanges has crossed 4 billion US dollars. So, a functional International Financial Service Centre is operating there. ECB lendings happen from there. Loan syndications and trade finance also happen from there. As of now, there are 40 operational brokers and 100 plus licensed brokers who are actively engaged in institutional brokerage services and in proprietary trade. There are about 19 plus players in the

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\* Spoke in Marathi.

insurance sector. The sum insured from here is in the range of 30 billion US dollars. Newly IT and IT-enabled services for the financial and legal consultancy firms are also running from there. We are creating a unified authority wherein all these four regulators will be able to operate. That is why amendments will also have to be made in different Acts. I am making the comments on the Authority. All the members in Authority are not part-time. There is one Chairman who is full time. RBI, SEBI, IRDA and PFRDA, each having a member appears to be part-time but they are members anyway of RBI. Then the Government of India appoints two who are nominated members and the two others are taken from open public expertise-based domain and those can either be part-time or full-time. This Bill defines very clearly what financial products are being considered here, what the services which are being included in the IFSC. What are the institutions which can come into this. I am glad to say that the IT, IT-enabled services have given jobs for 10,000 people here. There was a question about rupee convertibility. All transactions are going to be only in foreign currency in the IFSC, and so, no question arises about convertibility. This Financial Services Centres Authority would govern any number of centres or hubs. GIFT city not just for Gujarat; it is for the entire country. The others are welcome whenever they come up. I would speak about the Performance Review Committee. To have a two member-Performance Review Committee may appear like an in-house audit and an in-house oversight committee, but the fact is, it reports to the Board and not to itself. The Authority's Board is actually something which is also going to be looked into by the CAG whenever they look into the Authority's accounts. And it follows the best practices which exist all over the world. The two member-internal committee is the one that constantly reviews the performance. I have spoken about the existing practices on the dispute resolution. Indian courts do have the jurisdiction in this regard. They will have the complete jurisdiction in all concerned matters.

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

*Clauses etc., were adopted.*

*The Bill, was passed.*

## **The Appropriation (No.3) Bill, 2019**

**THE MINISTER OF FINANCE AND THE MINISTER OF CORPORATE AFFAIRS (SHRIMATI NIRMALA SITHARAMAN):** I move that the Bill to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of India for the services of the financial year 2019-20, as passed by Lok Sabha, be taken into consideration.

**SHRI JAIRAM RAMESH:** The Appropriation (No.3) Bill, 2019 seeks appropriation for an additional Rs.21,346 crore. Almost 60 per cent of the amount sought is for internal security . There is an item in the Bill 'Transfers to States' and it is Rs.1,000 crore in the total appropriation. Section 7(2) of the GST Act mandates the compensation payments to States at the end of every two months. So, by the end of November or the beginning of December, you should have cleared your dues for the previous two months. Today, we are on the 12th of December and the States have not been paid their compensation, which is their legal right by a law passed by Parliament. Compensation has not paid not for only two months but for four months. The economic slowdown is affecting the revenue of the Centre. For months, their legitimate dues have not been paid. I request the Government to give this the highest priority. It is also a matter of great regret that the legitimate claim of the States to IGST revenue has not been fulfilled. The Central Government is sitting on a corpus of IGST revenue which is probably in excess of Rs.1,00,000 crore, fifty per cent of which by law is mandated to be shared with the States. But, it has not been shared with the States. The States are facing a problem because of the economic slowdown. States are facing a problem because their legitimate dues under the GST Act and under IGST have not been fulfilled. I can tell you today that once the Fifteenth Finance Commission submits its report, the problems of the States are not going to improve; they are going to worsen. I am making this prediction today because the terms of reference of the Fifteenth Finance Commission were changed and the Fifteenth Finance Commission is not going to give the same bonanza that the Fourteenth Finance Commission gave. We are now in a state of co-operative federalism. I request the Government to please give the States relief. At least, release dues of two months out of the four months.

**SHRI ARUN SINGH:** I support Appropriation Bill, 2019. There is additional allocation of Rs. 1000 crores to the Ministry of Petroleum. Through it, people will have free connection of LPG. It is a government dedicated to the poor. An additional allocation of Rs.2,12,46,16,00,000 has been sought from the Consolidated Fund of India. A lot of money has been demanded in it, so that the schemes which are going on for the general public are implemented properly. The Government places the agenda of the poor paramount. 60 lakh people have received health cards through "Ayushman Bharat". 1,95,00,000 houses are to be built under "Pradhan Mantri Awas Yojana". Similarly, subsidy is reaching 14.50 crore farmers under "PM Kisan Yojana". I am referring to another account. It has allocated Rs 8,820 crore for Jammu-Kashmir and Ladakh. There should be infrastructure. Along with this, roads have to be built there, money has to be spent on education of people. Many administrative tasks also require money. Rs. 4,557 crore will be infused in the IDBI Bank through recapitalisation bond, while Rs. 2,500 crore will go into recapitalisation of State-owned insurance companies. After all, why are these banks and insurance companies are in need of money? This is happening because there is a loss in banks. When the overall lending in the year 2008 was 21 lakh crore rupees, how did it reach 58 lakh crore rupees in 2014. When GDP was 4-5 percent in UPA's time, how was there such a huge mismatch that banks were giving lending portfolios 30 percent, 20 percent, 22 percent. This was the situation. Phone banking used to play the biggest role in this. The loan portfolio thus grew steadily. To emerge from this situation, we will give 70,000 crore rupees through capital to banks. Along with this, steps are also being taken to ensure that the economy runs at a faster pace. There are many things that we can talk about. The supplementary bill that has come, I support it.

**SHRI MANISH GUPTA:** Budgetary allocations, provisions of funds for the Plan and the Non-plan components, etc., are equally important for both the Centre and the States. We need to cooperate with each other as far as collection of revenue and distribution of revenue is concerned. Funding has to be through borrowings or an increase in revenue. The Budget is running a huge deficit of Rs.3 lakh crore at the end of November. It appears that the revenue projections made for the Budget were unrealistic. We should know that the Government's

accounting is on cash basis whereas the corporate sector accounting is on an accrual basis. The revenue expenditure, have been spruced up to show a 3.3 per cent fiscal deficit. This year, it has already crossed Rs.7.1 lakh crore. There are other borrowings. We all know that the FCI borrows from the National Small Savings Fund. This is not shown on the accounts of the Government. This has been going on for many years. This National Savings Fund is a Fund from which monies are withdrawn and not shown on the accounts of the Government. Regarding the recapitalization of banks, already 1.9 lakh crores have been spent on this but we are yet to see the results. The capitalization was done for increasing the investment but that is not happening. This is further aggravating the situation. Now MGNREGA is talked about. It was a popular scheme when it was introduced. Actually, MGNREGA needs, at least, Rs.88,000 crores. We find that a sum of Rs.8,820 crores has been given to J&K and Ladakh. This could have been anticipated in the regular Budget so that it would not have to come in Supplementary Grants. This could have easily been met from the Budget. Regarding the Ujjwala Scheme, Rs.1,000 crores have been increased in the Budget for LPG. Because of this low revenue, Government is disinvesting PSUs. There is nothing in the Supplementary Demand to revive the ordnance factories so that they can contribute meaningfully to the nation's efforts in defence. There is a fund known as National Clean Energy Fund. This Fund is holding Rs.16,000 crores at this point of time. The unemployment is a big issue now in our country. what has happened to this Cabinet Committee on Unemployment. We find that the Navy's share in the Budget is not adequate. There was always a shortfall. 60 per cent of the revenue from GST is for the States. The MSMEs are the backbone of the Indian economy. Therefore, there is lack of credit disbursal by banks. West Bengal stands to lose Rs. 22,000 crores to Rs. 45,000 crores because of the Finance Commission.

**SHRI A. MOHAMMEDJAN, making his maiden speech, said:** I am very fortunate to be a Member of Rajya Sabha in the 250th Session. It is my deep sense of gratitude to convey wishes for Shri Narendra Modiji's Government and pray to render the responsibility of elected Government in all its befitting colours. Tamil Nadu State has respected leaders of all ages. His respect to the people of Tamil Nadu is envisioned alive by giving importance to the costumes and dress code. His disciplined and multi-talented ethics has proved unity in

diversity. It is hoped that the upcoming projects of 100 Smart Cities under his able administration and effective governance will make India one of the developed countries of world in near future. The MPLAD fund should be increased from existing Rs.5 crores to Rs.10 crores. The hon. Chief Minister of Tamil Nadu, presented a Memorandum to the hon. Prime Minister on 15.06.2019, requesting that utmost priority be given to Godavari-Krishna-Pennar-Cauvery link so that water needs of Tamil Nadu are fulfilled. Tamil Nadu also requested to divert about 300 TMC of water from peninsular link. The only solution to provide water to water starved Tamil Nadu is to transfer water from Godavari which is a surplus basin to Cauvery. Our Chief Minister has made a representation to release the GST share to Tamil Nadu immediately. It is an ideal place to start big industries. In Tamil nadu, there is no problem of power, there is no problem of labour and road facilities are excellent. A wing of Janaushadhi Pariyojana of the Department of Pharmaceuticals, Government of India, should be opened in Ranipet so that the poor and backward class people can be easily benefitted. Ranipet is the hub of education. Hajj pilgrimage quota is increased considerably for all the States this year. This year, all the applicants from Tamil Nadu were offered Hajj pilgrimage.

**SHRI PRASHANTA NANDA:** While supporting this Bill, some queries are there which should be answered by the Minister. The Appropriation Bill which came to this House was made a speech on by me. The Minister of Finance should take steps to revert back to the sharing pattern of 90:10 in SDRF, State Disaster Relief Fund. The Government of India should appreciate the genuine concerns of the State Government. The Government of India should revise the Central share at the 2016 prices and finance the Central share of the projects. The Government of India should declare Odisha as a Special Category State or a special focus State. The developmental programmes for some of the most vulnerable and backward regions of Odisha have been affected by the discontinuance of the Central Assistance for the Area Development Programme. The Government of India should provide a special package to the State for continuation of these programmes from the Budget provisions available with NITI Aayog. The release under the CSS, especially, PMAY, Swachh Bharat Abhiyan (Rural), PMGSY be made, commensurate with the annual programme.

**SHRI K.K. RAGESH:** While speaking on the Finance Bill, the issue of GST compensation before the hon. Minister was raised. GST compensation is to be paid at the end of every two months. It is December and still that has not been paid. It is not only with the State of Kerala, but also with some other States. These States have a peculiarity. That peculiarity is that these are the non BJP ruled States. Now, you are taking it as an opportunity to push those States into a severe crisis. The Government is not even concerned with the Centre-State relations. The State of Kerala has to face severe floods not for one year but during the last two consecutive years. The compensation is not even paid according to the stipulated norms. The State was always asking for an increase in the borrowing limit for rebuilding the State of Kerala. Kerala has been met with a step-motherly treatment. It is a serious concern of the State.

**SHRI BINOY VISWAM:** For running the finances, such a Bill is a must. We are going through tough times. The basic thing is that this fact should be accepted. It is not the truth of the country. The people are under a different situations. Not only the Kerala State, we talk a lot about cooperative federalism. We should get out rightful share. A reply should come relating to the concerned States.

**SHRI MADHUSUDAN MISTRY:** The Finance Minister has come and requires money for supplementary expenditure to be charged from the Consolidated Fund of India. This is a part of the regular Budget. So that they can show less deficit at the time of presenting the Budget. Grants book gives you an idea where the money will go. Rs. 185 crores has been demanded for tribal development. We had decided to discuss the Budget of some of the Departments. The Demand of Grants is given at the last stage which you can't analyse. So, some of MPs are under the impression as if the entire amount, which is demanded, will be spent on the people. It will be a matter of pleasure if the detailed Demand for Grants book will also be supplied at that time. It is because we never get any chance to see how much money has been given. There are other Heads under Budget. The Detailed Head gives us the idea about where exactly money will be spent. These books should also be given to the Members of Parliament in order to make their point in detail.

**The hon'ble Minister, replying to the debate, said:** It should always be the House's prerogative and the Members should be allowed to know where the money is being spent Today, in a way, that is exactly what you have enabled and facilitated. This is the first batch of Supplementary Demands for Grants for this year 2019-20. When Supplementary Demands for Grants are presented to the House, they are categorized under three broad headings. Under each of these categories, revenue and capital expenditures are very clearly laid out. After the Budget, different departments start spending money. It is because for every small change from what the allocation has been done in the Budget authorization has to be obtained from the House. When cash supplementary was being discussed, I have very clearly explained the Heads under which we are doing it. A question was asked as to why we couldn't anticipate it during the Budget which was presented in July.

This is as a result of the Bifurcation Act of the J&K. Now, therefore, the heads, under which these expenditures will have to be done, will be re-routed from what it was earlier. There is no additional thing at this stage. This is exactly what, before the division of the State had happened. There is a new line and that expenditure has been brought in. It is not in additionality. Under the technical supplementary, again the second heading under which we are talking, there are four different heads. We have brought in these two heads also. It's because the grants for local bodies is about thousand crore rupees. Therefore, you get only one thousand crore rupees where that kind of an adjustment under the technical head has happened. It was also raised by the hon. Member from Odisha. I would also, in my response, talk a bit more on the GST than on the Supplementary Demand for Grants itself. I assure the hon'ble Members that there is no dispute. This government does everything with a spirit of cooperative federalism. The compensation has not been given to any state.

I want to assure that no such differentiation is being made at all. It has not gone to any State. So, there is no differentiation on ideology or political inclination. I am giving the answer for the compensation matter. Just before I get into the detailed compensation-related response, I want to clear the IGST-related issue. The IGST dues has been discussed in the GST Council, and a Group of Ministers

headed by Shri Sushil Kumar Modi has been appointed for this purpose. The Group of Ministers would look into the details. They will come back to report to the Council, and whenever the Committee comes back to me, it is going to be discussed in great detail. When we are talking about the IGST dues, I want to be clear here that we are talking for the year 2017-18, where the IGST amounts were not claimed by the claimants, and for subsequent years, the issue has been resolved. It is only related to the year of 2017-18 and all others have been resolved. After the GoM headed by Shri Sushil Kumar Modi comes back and gives the report, I am sure we will be able to resolve it. It is expected that report from that Group of Ministers will come soon. I want to mention that the outstanding liabilities of the Government, as a percentage of the GDP on an average was 53.7 per cent in 2014. Today, it has come down to 49.4 per cent. I will now come to the GST compensation which seems to be the main issue. It is the GST compensation cess with which we pay the compensation for the States. The GST compensation cess is levied on only five products to compensate the States for the loss of revenue on account of the implementation of the GST. The States were guaranteed a 14 per cent tax revenue growth over their 2015-16 revenue. The 2015-16 revenue was the base for the States over which 14 per cent is being given. Any shortfall in it is compensated by the Centre therefore over 2015-16 revenues. This compensation is to be financed by the means of the GST compensation cess. Now the cess collection flow as revenue receipts into the Consolidated Fund of India, and these have to be transferred then to the Public Account of India from where the GST compensation cess fund has been created and the States have to be compensated from that revenue from the cess which is collected there. In 2017-18, the total cess collected was Rs. 62,596 crores; cess released to the States was Rs.41,146 crores; cess accumulated in the Fund because, what was collected and what is given have a difference, Rs.15,000 crores. So, Rs.15,000 crores got accumulated in the Fund. In 2018-19, cess collected was Rs.95,081 crores; cess released to the States was Rs.69,275 crores; cess accumulated in the Fund was zero. I come to the current year, 2019-20. Cess collected till 31st October, 2019, , Rs.55,467 crores; cess released to the States Rs.65,250 crores. Cess released to the States in excess of the collection is Rs.9,783 crores. Till 31st October, 2019, the Government of India has released Rs.9,783

crores more than the amount raised through cess collections. This release, which is more than the amount raised through the cess collection, was done primarily to honour Government of India's commitment to the States and we are committed to give an honour to the promise made in terms of the compensation. I seek the cooperation of all the Members to pass supplementary demand-for-grants.

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

*Clauses etc., were adopted.*

*The Bill, was returned.*

**Desh Deepak Verma,**  
*Secretary-General.*

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**ERRATA TO THE SUPPLEMENT TO SYNOPSIS OF DEBATE  
DATED 11<sup>th</sup> DECEMBER, 2019  
AND  
SYNOPSIS OF DEBATE DATED 12<sup>th</sup> DECEMBER, 2019**

<b>Page No.</b>	<b>Line No.</b>	<b>Correction</b>
552	28	Read 'refugee' for 'refuse'.
553	9	Read 'of' for 'on'.
581	9-10	Read 'Water Resources Minister' for 'The Minister of Water Resources'.
589	21	Add " <b>THE MINISTER OF LAW AND JUSTICE, MINISTER OF COMMUNICATIONS AND</b> " before " <b>THE MINISTER</b> ".