RAJYA SABHA

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*SYNOPSIS OF DEBATE

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(Proceedings other than Questions and Answers)

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Thursday, August 05, 2021 / Shravana 14, 1943 (Saka)

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Felicitations to Olympian Boxer Ms. Lovlina Borgohain and Indian Men's Hockey Team

MR. DEPUTY CHAIRMAN: Hon'ble Members, on behalf of the whole House and on my own behalf, I congratulate Ms. Lovlina Borgohain and the Indian Men's Hockey Team for winning Bronze Medal in the Welterweight category of Women's Boxing and Men's Hockey events respectively in Olympic Games 2020 being held in Tokyo, Japan.

With her spectacular performance, Ms. Lovlina Borgohain has become the third Indian Boxer to win a medal at the Olympics. Clinching a medal at her very first Olympics speaks volumes of the hard work and commitment put in by Ms. Borgohain for this achievement.

With their outstanding performance, Indian Men's Hockey team which defeated Germany brought glory to the country by winning a Medal after more than four decades. Their achievement is the culmination of the collective efforts of various stakeholders including the Government of Odisha headed by Shri Naveen Patnaik,

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

hon. Chief Minister, who came forward to sponsor the Men's and Women's Hockey Teams for five years since 2018, for their continued support and unwavering faith showed in our players, topped up by the sheer hard work and determination of each player of the Hockey Team.

I am sure, the achievements of our sportspersons will inspire our budding sportspersons to emulate their achievements and improve upon their performances.

I wish Ms. Lovlina Borgohain and the Indian Men's Hockey Team success in their future endeavours and hope that they will continue to bring many more laurels to the country.

OBSERVATION BY THE CHAIR

MR. DEPUTY CHAIRMAN: Hon'ble Members, yesterday a very unfortunate incident took place after the adjournment of the House for the day. One of the Members of Rajya Sabha, who was earlier suspended from attending the meeting of the House for the day under Rule 255 of Rajya Sabha, tried to enter the Rajya Sabha chamber and on being stopped by the security personnel broke the glass of one of the doors of inner lobby of the Rajya Sabha chamber. A lady security officer from the Parliament Security Service was hit by the glass piece and got injured. She has lodged a complaint and the matter is under consideration of the Hon'ble Chairman. This unbecoming conduct of the Member of Rajya Sabha is highly deplorable and condemnable.

GOVERNMENT BILL

The Constitution (Scheduled Tribes) Order (Amendment) Bill, 2021

THE MINISTER OF TRIBAL AFFAIRS (SHRI ARJUN MUNDA): I move that the Bill further to amend the Constitution (Scheduled Tribes) Order, 1950 to modify the list of Scheduled Tribes

in relation to the State of Arunachal Pradesh, be taken into consideration.

♣DR. BANDA PRAKASH: I rise to support this Bill. A number of times, the Government has been honouring the requests of all the States for inclusion in this list and bringing in such Amendments in the Parliament. I request that the proposal received from the Telangana Government regarding Lambada and Koya community belonging to Scheduled Tribes category may be considered and passed in the Parliament.

DR. M. THAMBIDURAI: This is a very important Bill. Whatever the North-East people demanded, that has been accepted by the hon. Prime Minister. I request that as justice has been given to the tribes of North-Eastern Region, in the same way, in Tamil Nadu also, so many castes have been recommended to the Ministry for inclusion in the Scheduled Tribes list. I request to consider this and I support the Bill.

SHRI SUBHASH CHANDRA BOSE PILLI: On behalf of the YSR Congress Party, I support the Bill.

SHRI K. SOMAPRASAD: Even though I support this Bill but I strongly oppose the attitude of the Government.

PROF. MANOJ KUMAR JHA: We all are standing in support of this Bill.

SHRI SUSHIL KUMAR GUPTA: I am saying that the Bill should be enacted.

DR. FAUZIA KHAN: I welcome the initiative of the Government to give a definite status to the tribal community. They had an ambiguous status for the last 74 years. But, at the same time, these tribals have other needs as well. These tribal men, women and children are going empty stomach because the prices are so high. The tribals need a dignified and decent life.

♣ Also spoke in Telugu.

The hon'ble Minister, replying to the debate, said: Most of the population in Arunachal Pradesh belongs to the tribal community, but for the last many years some problems of this population were never taken care of by the previous governments and these problems kept on increasing. Today it is a matter of happiness that under the leadership of Hon'ble Prime Minister, a proposal has been brought in the direction of providing justice to those tribes of Arunachal Pradesh through this Bill. Keeping in view the points mentioned by all the hon'ble members, we are working with a strong will to solve the problems of the tribal community.

The motion for consideration of the Bill was adopted.

Clauses etc., were adopted.

The Bill, was passed.

#STATUTORY RESOLUTIONS/GOVERNMENT BILLS

#I. Disapproval of the Commission for Air Quality Management in National Capital Region and Adjoining Areas Ordinance, 2021 (No.4 of 2021)

SHRI SHAKTISINH GOHIL: I move that this House disapproves the Commission for Air Quality Management in National Capital Region and Adjoining Areas Ordinance, 2021 (No.4 of 2021) promulgated by the President of India on 13th April, 2021.

#II. The Commission for Air Quality Management in National Capital Region and Adjoining Areas Bill, 2021

THE MINISTER OF ENVIRONMENT, FOREST AND CLIMATE CHANGE; AND THE MINISTER OF LABOUR AND EMPLOYMENT (SHRI BHUPENDER YADAV): I move that the Bill to provide for the constitution of the Commission for Air Quality Management in National Capital Region and Adjoining Areas for better co-ordination, research, identification and resolution of

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 # Discussed Together.

problems surrounding the air quality index and for matters connected therewith or incidental thereto, as passed by Lok Sabha, be taken into consideration.

SHRI DEEPENDER SINGH HOODA: NCR, Haryana should be pollution free. We also want to give a good environment to the next generation, but there is also an article in this Bill, which is related to the farmer. Article 15 of this Bill says that the Commission may impose and collect environmental compensation from farmers causing air pollution by stubble burning. The country should be pollution free but not farmer free.

SHRI PRASANNA ACHARYA: No doubt, this is a good Bill. This Bill should have been brought much earlier. The Commission may collect an environmental compensation from farmers for causing pollution by stubble burning. I oppose this provision. Farmers cannot be taken to task. Farmers should be trained so that they know the bad side of stubble burning. It appears that the Government has taken a more scientific approach to air quality management instead of a scientific-cum-social approach. It is a social problem. The Government should take this aspect also into consideration. There is no representation from farmers' bodies or unions. That is the lacuna in the Bill. It is unclear how the Commission's directives would be implemented. No doubt the Bill is a step in the right direction. However, it is focussed only on Delhi-NCR. It should expand its mandate to focus on air quality in adjoining areas in addition to non-attainment cities in States. I support this Bill.

SHRI R.S. BHARATHI: We are having a discussion on quality of air.

DR. M. THAMBIDURAI: We are supporting this Bill. India is committed to create a clean environment and pollution free air as mandated in the Constitution of India. There is a need to evolve and implement a consolidated approach for monitoring, tackling and eliminating the causes for air pollution. I request that not only in the

Delhi city, in other parts also, you should consider how to control pollution. Especially in Tamil Nadu, there is pollution from burning, vehicular pollution and other pollutions. I request that it may be addressed.

SHRI AYODHYA RAMI REDDY: This is a very good Bill. We are supporting this Bill. The adjoining areas of NCR have a major pollution problem. Agriculture, manufacturing industry, services industry and infrastructure, all these four areas are contributing predominantly to air pollution in this region. This Bill is coming out with all the relevant points to address this. This is for the adjoining areas of NCR where the force of pollution may cause adverse impact on air quality. The monitoring and management of air quality in Delhi NCR region has been done by multiple bodies - the State Pollution Control Boards, the State Governments in the region, and the Environment Pollution Prevention and Control Authority . The Bill seeks to create an overarching body to consolidate all monitoring bodies and to bring them on one platform so that air quality management can be carried out in a more comprehensive, efficient and time-bound manner. There is a need to have a similar focus on urban municipal waste management and industrial pollution.With this, we support the Bill from the YSR Congress Party.

SHRIMATI JHARNA DAS BAIDYA: First, I oppose the Bill. The condition of the people in our country is miserable. There are issues of the farmers, laborers, public, woman and other important issues, but they are not being discussed here.

SHRI K.R. SURESH REDDY: I stand to support the Bill but we have certain reservations. This is regarding farmers. I request the Government to reconsider the Clause 15 where there is a provision to penalize the farmer for no fault of his. If you see the record of pollution, the pollution caused by stubble burning in Delhi and surrounding areas is only 4 per cent of the entire pollution. Air quality, be it in Delhi, Mumbai, Chennai or in some remote area has been

deteriorating. So, air quality should be a part of healthcare similar to how we have taken drinking water as part of healthcare.

PROF. MANOJ KUMAR JHA: The problem is that a bill on pollution is coming and this is the first bill of the honorable Minister, but how will we deal with the poison which has been mixed in the air of the country ? Pegasus, a spying device has been delivered to everyone's home.

SHRI G.K. VASAN: I would like to kindly tell the Minister that the Commission appointed today should have enough powers so that they should tackle the situation for the Delhi residents to breathe clean air. They should also tackle this menace in the neighbouring States . The Commission should not hesitate to impose strict penalties for every violation of the pollution laws. With these words, I support the Bill.

SHRI SUSHIL KUMAR GUPTA: I congratulate Bhupendra Yadav ji because he wants to improve the environment. First of all, I congratulate you for the efforts you have taken to improve the environment. Article 15 of this bill talks about punishing the farmer. It is the responsibility of the government not to punish the farmer.

SHRIMATI VANDANA CHAVAN: It is absolutely a shame that the Government has to now come forward to address the issue of pollution after the Supreme Court directed it.

SHRIMATI PRIYANKA CHATURVEDI: This Air Quality Management Bill is related to women. We talk about women's safety, we talk about unemployment, we talk about farmers. It affects everyone. But the saddest part is that a nine-year-old girl has been raped in this National Capital.

The hon'ble Minister, replying to the debate, said: We have brought this bill to set up an independent body to check air pollution in Delhi. Several honourable Members presented some very valid points. I want to say clearly here that our government under the

leadership of Prime Minister, Narendra Modi ji is fully committed to make India's environment clean and that is why we have brought this Bill. Some honourable Members repeatedly referred to section 15 of this bill, by which they brought up the issue of farmers. But I want to tell them that if they look at section 14 before section 15, then section 14 clearly states -

"Provided that the provisions of this section shall not apply to any farmer for causing air pollution by stubble burning or mismanagement of agricultural residue." We have made it completely non-criminal. Prasanna Acharya ji has raised the second issue that there are a large number of farmers around Delhi and farmers should be represented in this bill. In this context, I want to clarify that a person related to agriculture will be a member of this Commission, because we know that if the environment is to be clean, then representatives of agriculture should definitely be included in it. I would like to tell you that this one mechanism that we have come up with, this system will be a permanent and dedicated mechanism to end the air pollution of NCR and will be participatory in nature as well. That participation will be in the sense that while on one hand it will have representatives from experts, farmers, transport sector and industries, on the other hand it will also have representatives from the neighboring state governments of Delhi and NCR. In this way, we are creating this institution through participatory democracy in a way to solve the problem of air pollution. I would like to say that the objective of this institute includes monitoring of air pollution in NCR region, its research, enforcement of rules, enforcement of law etc. Its report will be laid before the Parliament every year. We are fully committed to give clean air and clean environment to Delhi.

I want to submit that we have brought a policy on air pollution in the country. We have also installed different types of plants in different cities, so that we can assess the air pollution in the country in a thorough manner and then we can also take measures regarding it from time to time. India is fully committed to whatever issues are arising in the world regarding climate change. We have fully achieved

the goal of alternative energy in the country under the leadership of Hon'ble Prime Minister. Therefore, I would call upon all the Members to extend their support in passing this progressive bill which has come to control the air pollution of Delhi.

I. The Statutory Resolution was negatived.

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

Clauses etc., were adopted.

The Bill, was passed.

#III. Disapproval of The Essential Defence Services Ordinance, 2021 (No. 7 of 2021)

SHRI ELAMARAM KAREEM: I move that this House disapproves the Essential Defence Services Ordinance, 2021 (No.7 of 2021) promulgated by the President of India on 30th June, 2021.

 # IV. The Essential Defence Services Bill, 2021

THE MINISTER OF STATE IN THE MINISTRY OF DEFENCE; AND THE MINISTER OF STATE IN THE MINISTRY OF TOURISM (SHRI AJAY BHATT): I move that the Bill to provide for the maintenance of essential defence services so as to secure the security of nation and the life and property of public at large and for matters connected therewith or incidental thereto, as passed by Lok Sabha, be taken into consideration.

SHRI SUJEET KUMAR: This is a very important Bill in the interest of national security and in the interest of our country. My party, Biju Janata Dal and my leader Shri Naveen Patnaik have always supported Government of India when it comes to the integrity and sovereignty of our nation. Hence we support this Bill. We are facing a

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 # Discussed Together.

situation in our northern front where we have a hostile neighbour and we also have a possibility of a two-front war with two hostile neighbours. In the prevailing situation, it is essential to have uninterrupted essential defence services and hence the Government should have the power to ensure the maintenance of essential defence services. Hence, we support this Bill.

SHRI M. SHANMUGAM: I would like to know what is the necessity of corporatizing these ordnance factories? Is it for the purpose diverting this money to purchase Pegasus services for espionage against opposition leaders, journalists and human right activists?

♣DR. M. THAMBIDURAI: On behalf of the AIADMK, I am supporting the Bill introduced by the hon. Minister. First of all, it is a very important Bill. The present Government is more concerned about the external threats. For the security of the country, hon. Prime Minister, Modiji, has made a lot of efforts to improve the defence capabilities of this country. For this purpose, this Bill is very important. I am supporting the Essential Defence Services Bill, 2021. It is very important. In order to improve autonomy, accountability and efficiency in ordnance supplies, the Government decided to convert the Ordnance Factory Board into , Government-owned corporate entity. It is essential that uninterrupted supply of ordnance items should be ensured to the Armed Forces as the security of the country is most important. I support this Bill.

SHRI AYODHYA RAMI REDDY: This Bill provides for the maintenance of essential defence services so as to ensure the security of nation and the life and property of public at large. It allows the Central Government to prohibit strikes, lockouts in units engaged in essential defence services. It provides the Central Government power to regulate uninterrupted supply of arms, ammunition and other goods and services to the armed forces in case of strike against the

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♣ Also spoke in Tamil.

decision to corporatize the ordnance factories. It is essential that an uninterrupted supply of ordnance items to Armed Forces be maintained for the defence preparedness of the country. This Bill will certainly help in securing India's defence manufacturing sector that will make us truly Atmanirbhar. With these words, our Party support this Bill.

SHRI ELAMARAM KAREEM: I oppose this Bill. This is a draconian Bill. It is aimed at prohibiting the right of working class of this country by prohibiting the right to strike. This Bill should be sent to the Select Committee for parliamentary scrutiny. This is against the fundamental law; this is against the ILO Convention and this is against all precedents of our country.

PROF. MANOJ KUMAR JHA: I had certain apprehensions about right to protest. Protest is not allowed here; protest shall not be allowed there.

SHRI SUSHIL KUMAR GUPTA: This Bill should also be sent to the Select Committee. In this Bill, a provision of imprisonment for 2 years has been made for abetment.

DR. FAUZIA KHAN: If the purpose of the Bill is to secure the security of the nation and the life and property of people at large, we should not do snooping their.

SHRI BINOY VISWAM: The workers can not be against the country's security. The Government do not have any right to deny them the right to strike.

SHRI ELAMARAM KAREEM: All statutory rights are denied in this House and outside.

THE MINISTER OF DEFENCE (SHRI RAJNATH SINGH), replying to the discussion, said: First of all, I would like to express my gratitude to those honourable members who expressed their views on this Bill. This Bill does not ban on the right to peaceful

protest in any way. We want to improve the autonomy of Ordnance Factory and increase its efficiency. We also want to improve the competitiveness of Ordnance Factory. While taking the decision of corporatization, utmost care has been taken that the service conditions of our employees working in this Ordinance Factory Board should not be affected in any way. I request that this Bill should be passed unanimously.

I. The Statutory Resolution was negatived

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

Clauses etc., were adopted.

The Bill, was passed.

Desh Deepak Verma,
Secretary-General.

rssynop@sansad.nic.in

SYNOPSIS OF DEBATE DATED 4th AUGUST, 2021

Page No.	Line No.	Correction
86	6	Read 'Minister' for 'Member'.
86	10	Remove 'our' before 'resolve'.