

RAJYA SABHA

***SUPPLEMENT
TO
SYNOPSIS OF DEBATE**

(Proceedings other than Questions and Answers)

Tuesday, April 5, 2022/ Chaitra 15, 1944 (Saka)

**#GOVERNMENT BILLS (*Contd.*)/ AMENDMENT FOR
REFERENCE TO SELECT COMMITTEE OF THE RAJYA
SABHA**

**#(II) THE DELHI MUNICIPAL CORPORATION
(AMENDMENT) BILL, 2022**

THE MINISTER OF HOME AFFAIRS; AND THE MINISTER OF COOPERATION (SHRI AMIT SHAH), moving the motion for consideration of the Bill, said: This Bill has been brought for the purpose of integration of the three Municipal Corporations of the capital Delhi. The total area of Delhi is approximately 1,484 square kilometres. Except NDMC and Delhi Cantt, the civic services of the whole of Delhi rest with three municipal corporations. About 1 lakh, 20 thousand employees discharge the responsibilities of civic services. Inside the capital are the Rashtrapati Bhavan, the Supreme Court, the Prime Minister's Office, the Prime Minister's residence and the residences and offices of ambassadors of many countries. This Municipal Corporation

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

Discussed Together.

functioned under the Punjab District Board Act from the year 1883. The Municipal Administration of Delhi was established by a law in the year 1957. It was amended in the year 1993 and in the year 2011 and in the year 2012 by the Government of National Capital Territory of Delhi by bringing the Municipal Corporation of Delhi Amendment Act, the Municipal Corporation of Delhi was divided into three municipal units, North Delhi Municipal Corporation, South Delhi Municipal Corporation and East Delhi Municipal Corporation. These three Corporations are not functioning properly owing to step-motherly treatment by the AAP Government. It is very important to bring uniformity in the policies of these Corporations and the conditions of service of the employees. It is also very important to strike a balance between the receipt of financial resources and their obligations. That can happen only when these three Corporations are united and restored the seats like earlier. That's why I have brought this Bill. I appeal to all to rise above the party line and discuss on the basis of its merits.

**Amendment For Reference Of The Bill To A Select
Committee Of Rajya Sabha**

SHRI JOHN BRITTAS: I move that the Bill further to amend the Delhi Municipal Corporation Act, 1957, as passed by Lok Sabha, be referred to a Select Committee of the Rajya Sabha, consisting of the following Members:-

1. Shri Bikash Ranjan Bhattacharyya
2. Shri John Brittas
3. Prof. Manoj Kumar Jha
4. Shri Jose K. Mani
5. Shri Tiruchi Siva
6. Dr. V. Sivadasan
7. Shri K.C. Venugopal

with instructions to report by the last day of the first week of the next Session of the Rajya Sabha.

DR. ABHISHEK MANU SINGHVI: I oppose this Bill. It is constitutionally suspect; it is legally untenable; it is administratively blunderous; and it is politically hypocritical. It has nothing to do with the improvement of the plight of the citizens of Delhi. Delhi NCT can make no law at all for three subjects land, law and order, etc. If Delhi makes a law in other areas, then the Central Government, if it acts on the same field will override subject to Presidential assent. But, this Bill constitutionally suspect and unconstitutional? Because, we forget that we are dealing with 'Municipalities'. This subject was created by a special Amendment to the Constitution, the 74th Amendment pursuant to a high-level committee report called the Dr. L.M. Singhvi Committee Report for decentralization of governance. Secondly, if you pick up this Part 9A, you will find that the entire provisions give power to make laws only to a State Government for Municipalities. A first year student of Law knows that a later and a special law overrides an earlier and a general law. So, I call it constitutionally suspect and legislatively incompetent. Thirdly, has the government said anything in this Bill about why the Municipal Corporations' tax for property tax is only for 4,00,000 properties, whereas, in Delhi, the minimum count of properties taxable for property tax is 12 lakhs. This is by no means a reform bill, but rather a delaying and obstructive trick with political rhetoric. It is driven by political fear. It has an indirect purpose, which is not explicitly stated. In what form, by making 272 to 250, this whole MCD even if it's unified, will improve. It is not being told to us. All of you know that you are neither amending 243U, nor you can amend it so easily. You also know that you did not raise the issue of restructuring it for last seven years. You did not even talk about unification. But you have moved this magic wand just before the election to gain an advantage. The unification is merely a pretext. It is legally untenable. In fact, decentralization is another name for federalism. it is interesting that without using the word 'federalism' or 'federal', the Supreme Court has held federalism to be a part of our Basic Structure. The 73rd and 74th Amendments of Constitution give a huge impetus to decentralization and local self-governance. You are excluding the Government, whosoever may be the Government of Delhi, from participatory governance. Here, the word "Government"

refers to " Central Government" alone. Is this decentralization? Before accusing late Sheela Dikshit Ji, please remember that Balakrishnan Committee recommended its trifurcation in 1989. You are calling it a knee jerk reaction of the Government. I am sorry; it was not so in 1987. The Balakrishnan Committee in 1989, the Virendra Prakash Committee in 2001 and a Group of Ministers of the Central Government in 2011 had recommended to further split it into four or five corporations. With all this background, the Statement of Objects of this Bill is full of rhetoric and has got no substance. I have given you the facts that all Municipalities require Central Government's funds. Your Statement of Objects and Reasons says that there was a huge gap in resources available to three Corporations. Then you say that gap had widened increasing the financial difficulties of the MCDs. Do you talk of the corruption in the MCD under your watch? Do you talk of mountains of garbage? Do you talk of annual deficit of Rs.2,200 crore ? Do you talk of non-remittance of the Central Government funds? You don't talk of any of this.

DR. SUDHANSHU TRIVEDI: I stand here in support of the 'Municipal Corporation of Delhi (Amendment) Bill, 2022', introduced by the Hon'ble Home Minister. We are in favour of integration, but they are in favour of division. Today is 5th April and this day has a special significance. Eleven years ago today, on 4th and 5th of April, the Anna movement started. It had a very important place in the politics of Delhi. We have two major opposition parties. One of them was the Congress Party for which he was such a villain who could even be sent to jail. For the other party, which is in power in Delhi today, he was a mentor, a source of inspiration, a virtuous man, but he could be tricked. He said that he could have been tricked. I want to say that both considered him as Guru. Later on, Guru was side lined. I didn't take anyone's name. There are three dimensions to this integration, which should be discussed in this topic. One is constitutional, the other is practical and the third is political. It is being changed here only through the provisions made by the Constitution. The Articles 246 and 256 of the Constitution apply to full-fledged states. Article 239AA of the Constitution is very clear in the context of Delhi. Our Government has done this work according to the rights

given to the Parliament under the system of the Constitution. As far as the powers of the Lieutenant Governor are concerned, according to the Act of the National Capital Territory which was made in 1991, our Government has acted according to the powers conferred on the Governor. These rights have also been reviewed by the Supreme Court. Hon'ble Prime Minister, using the same right, provided permanent houses to 36 lakh destitute people. How honest the court is to the constitutional provisions, it is shown that the same court said that the Finance Commission will be constituted by the government and the MCD will get the money fixed by it. The government which is sitting in Delhi today, its own Finance Commission has recommended that Rs 40,500 crore should be given to run the bodies. Leave that aside, it was proposed in the House that we will not give that much. They said that they will give Rs 17,000 crore, but when it came to giving, only Rs 6,129 crore was given. The Home Minister said that the MCD was treated step-motherly by the state government. When the matter went to the High Court, the honourable Court clearly directed that the Government itself should release the amount as prescribed by the Finance Commission. Some people talk of constitutionalism. I would like to humbly say that the people who passed resolutions in their Legislative Assemblies regarding CAA, was it constitutional? Whether MCDs have the right to pass a resolution in their House against any act proposed by the state government? No! I want to say that when we have made this effort of unification, why have we done it. Today India is an emerging global superpower of the world. This is our national capital. Is there any other country in the world which does not have a single mayor in its national capital, whereas we have three mayors? If the need arises, how will Delhi be represented at the international level? The two corporations were created in such a way that there was little chance of them being established on international standards. Therefore, I would like to congratulate the Home Minister that by uniting all these three, he has now paved the way for the presence of Delhi at the international level in future according to India's global potential. I would like to say here that in the division that has taken place, what kind of imbalanced division of resources has taken place. If you look

at the one year budget of Delhi, it is 75,800 crores, in which the recommendation for MCD is 40,500 crores and the allocation is only 6,129 crores. Simply, this number in itself is enough to explain how justice was done for MCD and why unification of MCD is needed today. The entire burden of beautification of Delhi rests with MCD. It set up 15 thousand parks, 3,700 parks with swings, 5,82,000 LED lights and all beautification and also built a big hospital in Chhatarpur during covid. Thirdly, the situation led to rise of too many administrative paraphernalia for the same type of things. Due to which an additional surcharge of Rs 150 crore is being created on the people of Delhi, which the government has worked to eliminate. Their integration will make the work even better. If the police zones are functioning in the same manner, then the administrative zones can also function in the same manner, so there is no need to impose this surcharge of Rs. 150 crore per annum on the people of Delhi. I just want to tell that the people who used to say that we will bring new politics, how far they have come and changed their guise. On this subject the Chief Minister of Delhi himself has said with reference to MCD that we are afraid, so I am speaking on this subject only, because this reference of fear has been brought by him. In 1953, Shyama Prasad Mookerjee went to Srinagar, laid down his life there, we were not afraid at that time. In the year 1966, in the Gau Raksha movement, bullets were fired under Indira ji's government, we were not afraid. We were not afraid in the dire times of emergency. An attempt was made to tighten the noose on Shri Narendra Modi ji by putting unnecessary cases against him, many types of allegations were made against the Home Minister, we were not afraid then and they are saying that there is a thing to be afraid of. We are not afraid, but we are in pain. MCD employees did not get their dues. The councillor of the party which is in power has been accused of various kinds of bribery, one of its councillors was accused of a big deal in the riots. There is mercy in your heart for everyone but there is no mercy in your heart to pay the salary of MCD's sanitation workers, doctors, nurses, teachers etc. Now Delhi is changing, so maybe that change is not being accepted. If we are asked what was the name of the father of Prithviraj Chauhan ji, perhaps only few people would know. If

someone is asked, even if he is from South India, what was the name of Aurangzeb's father, then the complete genealogy will be known. But now the thinking of Delhi is changing. Qutub Minar is next to where our pillar stands in Mehrauli. The symbol of our metallurgy stands in Delhi. Delhi is the center of India and that form of India's consciousness should not emerge, this is their real fear.

SHRI JAWHAR SIRCAR: We have risen to--because we are duty bound to--stand up for federalism. This country has essentially survived on the spirit of heterogeneity. Don't go in for homogeneity. In 2011 three bodies were trifurcated out of the Municipal Corporation of Delhi. It mentions that they have a revenue deficit. Reunification of three desperate bodies doesn't confer ipso facto any virtue of revenue stability. The second is a question of compactness of administration. But don't bring the size here. The sum and substance of what I have understood is that you desire to postpone the elections. Now it will go in for delimitation and that will take you eighteen months. You are bringing a municipal issue into a national issue. The present Act has a Director of Local Bodies as some sort of an over-watch. In the Amendment, you are wiping out the post of Director of Local Bodies without explanation. Even on revenue, you have not provided an explanation, but just a one-liner saying that 'revenue is deficit'. You need to be more elaborate, more transparent. It does not speak the spirit of local body, its autonomy, its spontaneity, its vibrancy of local decision-making. There is nothing about the curse of scavenging. You have provided for e-Governance. When you merge all these bodies all this seniority and juniority and other things get in. Morale gets affected; I repeat, we got up primarily because the Delhi Assembly was not consulted. My party sincerely believes in consulting with every elected body at every level. This shows an arrogance, for States as if just a pack of people sitting in Delhi, including bureaucrats, would determine the fate of every mohalla of Delhi. When the BSF rules were extended to all States, no consultation was made. It is happening all the time. This is only a ploy to postpone elections and that is dependent upon the prospect of their victory.

SHRI R.S. BHARATHI: This Bill is undemocratic. You have bifurcated the State of Jammu and Kashmir and here, you are unifying the three! You are giving lame excuses to justify it because you wanted to postpone elections. What prevented you from bringing this Bill two years back? You have created some loophole in this Bill and given room for people to go to court and stay the Act, so that elections are postponed further. Local bodies should be given powers. But, the Central Government is trying to usurp all the powers. I request the hon'ble Home Minister to withdraw this Bill and conduct elections to the Municipal Corporations of Delhi at the earliest.

SHRI PRASANNA ACHARYA: Many doubts are being raised about the constitutionality of the Bill. The Government of India has many responsibilities to discharge. Then, what was the necessity for the Central Government for taking over the responsibilities that are discharged by municipalities? I do not understand the argument that after the trifurcation of the Municipal Corporation of Delhi, the financial condition of the Corporations became poor and there was imbalance in revenue collection and streamlining of expenditure amongst the three Corporations. But when it was one Corporation, the financial condition of the Corporation was not very sound. So, there is no logic in saying that after trifurcation, the financial condition of the Corporations went wrong and, after again unification, it will go right. The Fourth Delhi State Finance Commission had recommended for one hundred per cent reimbursement on education sector. But, Delhi Government did not implement that recommendation. The Fifth Delhi State Finance Commission had recommended to give Rs. 40,561 crores to the three Corporations, but Delhi Government sanctioned only Rs. 7,000 crores. Unless you streamline the revenue and the expenditure, you are not going to solve the problem. The fees or rates of revenue collection prescribed in the old Schedule in the DMC Act of 1957 are still continuing. Then, how can we expect the revenue collection of the Corporation, whether it is a unified Corporation or a trifurcated Corporation, to go up? All these things have to be taken into consideration. There is no provision in the Bill about where the Corporation will get the funding, the subsidies or the assistance from? There are more than 1,00,000 employees in the three Corporations.

Many of those are not regular employees. All such employees should be regularised. I suggest that delimitation work should be conducted on the basis of the 2011 Census so that as quickly as possible, elections are held and power is handed over to the local representatives of Delhi.

SHRI AYODHYA RAMI REDDY ALLA: The Municipal governance in Delhi has been inefficient ever since the Congress-led Delhi Government split the Delhi Municipal Corporation into three separate Corporations back in 2012. The positives are that financial inequalities will be removed. The trifurcation problems will be resolved and geographical divisions and revenue-generation sources will improve. There is no parity between resources and obligations of the Corporations. Many development projects, especially, in the financially-starved areas of East Delhi, North Delhi have been long-pending for want of funds. We have to really bring in the best standard under one governance, one rule.

DR. M. THAMBIDURAI: Despite being a single city, Delhi is governed by five separate local bodies, including the Municipal Corporation of Delhi, the New Delhi Municipal Committee and the Delhi Cantonment Board. The Delhi Municipal Corporation used to govern almost 90 per cent of the population till 2012. Unfortunately, this was bifurcated unnecessarily. We are discussing the problems being faced by the Delhi Municipal Corporation. I support the Bill to merge the three Municipal Corporations of Delhi.

SHRIMATI JAYA BACHCHAN: This Bill is an attack on the federal structure. Half of the powers have been taken by the Lieutenant Governor and the other half is going to be taken over now. This taking over makes the elected Government infructuous. Will this Government assimilate and keep the staff working in these after taking over? I oppose the Bill, it is not democratic.

SHRI JOHN BRITTAS: You are denting the federalism; you are denying the democratic rights to the people; you are leaving the States to the mercy of bureaucrats. I oppose the Bill. EPF contribution was diverted. You have allowed those corporations to

stay deep in corruption and mismanagement. I only request the Home Minister to please pay heed to the advice or views of the different political parties. Please withdraw the Bill.

SHRI ABDUL WAHAB: We are always talking about decentralization. Now, in Delhi, we are seeing unification but why cannot we unify all the States Government .We can appeal to the Home Minister to withdraw the Bill.

SHRI G.K. VASAN: The purpose of this Bill is unifying the three corporations of Delhi. Delhi should not become like Andhra and Telangana. The decision was to ensure efficiency in municipal services in Delhi. Unfortunately, in the last ten years, we have witnessed that the trifurcation has not served the purpose. Indeed, the MCD still faces many efficiency and sustainability-related challenges. We need a world class city to live and show a model MCD. The need of the hour is incisive, insightful planning. In the absence of this, investments cannot help the MCD. It is time we decentralize the powers invested with the MPs or MLAs at the municipal level Let there be a bottom-up approach. I support this Bill.

SHRI SANJAY SINGH: The Home Minister has enumerated all its advantages. This happened for the first time in the history of India that any government has stopped the announcement of election dates. This bill is not a bill for the integration of MCD. You are saying that our deposits have been forfeited but turn the pages of history and see for yourself. You are afraid of the government here, that is why you do not want to hold MCD elections. This Bill will write the story of the cowardice of the Government. This Bill will write the story of the fugitiveness of the Government. This Bill will write the story of crushing the Constitution. This Bill will write the story of the abolition of the Election Commission by the Government.

SHRI RAMJI: It is necessary to solve the problems, whether it is with regard to sanitation workers or cleanliness of Delhi. They have not received salary for 5-6 months. Apart from this, even the retired employees have not got the pension of 5 to 6 months. Also, the scavengers do not get any safety equipment. They do not get any

modern equipment, due to which 300 people have lost their lives while working in sewer and septic tanks inside Delhi in the last five years. There should also be a deep thought on how this problem will be solved. Today's governments work as for profit making companies. They mostly hire employees on contract basis. Those employees suffer mental and physical discomfort. They get less money as salary. If they die, their families do not get any compensation. Those employees are made to work more than eight hours. There is also misbehavior with these employees. I urge the Government to deal with them with safety standards. I also urge the Government that in case of death of those employees, at least 50 lakh rupees should be given to their families.

SHRI BINOY VISWAM: The Government has no idea how to make the National Capital Municipality function in a proper way, because this Government has no proper direction of running a State or the country or the Municipality. Crores of people in Delhi suburban area live without safe drinking water and in very, very pathetic conditions. They have no safe air to breathe, no food to eat and this Government has shut their eyes and gave all facilities to the rich and only the rich.

SHRI NARESH GUJRAL: New Delhi Municipal Committee is small in size; so, it caters to the requirements of the people. The Government wants to reduce the number of Corporators. World over, there is a tendency to have smaller Municipalities so that people's problems can be addressed expeditiously. When there is less number of Corporators, it is the people of Delhi who will suffer. So I would urge upon the Government to make them into 500. The Government talked of the revenue stream and I think it will be advisable for the Government to follow the recommendations of the Finance Commission and not just for Delhi Municipalities; for all Municipalities in the country. The Government needs to have a dedicated revenue stream. I think that Municipalities all over the country have become dens of corruption. Our Corporators have become corrupt to the core. In Delhi, one cannot get a plan passed for one's house wherever one may be. Illegal construction are happening

everywhere. I think this is the issue and the Government has to now relook at the powers of the Corporators all over the country because we all know that they are corrupt. We see corruption on a mass scale everywhere because at the bottom we are not tackling the problem.

SHRI SHAKTISINH GOHIL: The report of Bal Krishnan Committee and Virendra Prakash Committee had come that the Municipal Corporation should be divided. Delhi will benefit only when the Municipal Corporation works in small parts. On this basis the Municipal Corporation was divided. The Finance Commission of Delhi had asked to increase the share to 12.5 percent, but the Government did not increase it. Therefore, I request the Government to refer this Bill to the Select Committee.

SHRI G.V.L. NARASIMHA RAO: The main objective of the Bill will be to create a compact Municipality providing more efficient civic services and current wards distribution is uneven in terms of territorial division and revenue generating potential. At one time 13 organizations were working in Delhi. Today we are talking about three, at that time there were 13 such organizations and among these 13 organizations were Municipal Committee Delhi Shahdara, Municipal Committee West Delhi, Municipal Committee South Delhi, Notified Area Committee Mehrauli etc. The Act was enacted in 1957 by aggregating those 13 institutions. There is not much difference between the purview of the Municipal Corporation of Delhi and the Government of Delhi. The report of the Fourth Finance Commission came, followed by the report of the Fifth Finance Commission. The Delhi Government has not implemented the Fourth Finance Commission. Due to this, all the three Municipal Corporations in Delhi have been completely destroyed. There has been a conspiracy to weaken the three Municipal Corporations of Delhi. The money which was to be given by the State Government to the three Municipal Corporations under the basic tax assignment has not been given. That money was not given on time. It hasn't been given to them for months. That's why there are frequent strikes.

DR. FAUZIA KHAN: Sir, Home Minister mentioned about Article 239 AA That any law passed by the NCT of Delhi can be

amended by parliament But according to Article 246, read with seventh schedule, Entry 7 of the State List, says 'The power to constitute Municipal Corporation is with States'. The State Government of Delhi Should have been taken into confidence before bringing this Bill. It would have been proof of Co-operative Federalism. I request the Hon'ble Home Minister to withdraw this Bill and do justice to the nation.

SHRIMATI PRIYANKA CHATURVEDI: According to Articles 243 P, 243 R and 246 S, Constitution of India the power of unification or trifurcation of the municipal Corporations of Delhi vests with the Legislative Assembly of the State, and not with the union Government. So I would like to request Hon'ble Home Minister to reconsider this Bill and also have discussions with Legislative Assembly of Delhi before taking decision.

SHRI VIVEK THATUR: Sir, the Municipal Corporation of Delhi takes responsibilities of civic amenities of 95 percent part of entire NCT region. This Corporation was set-up under Delhi Municipal Corporation Act, 1957. Delhi continued to perform well and nicely under this Act. Then, it was divided into parts by the then Delhi Government of Congress and UPA Government lead by Congress by bringing Delhi Municipal Corporation (Amendment) Bill, 2011. The result was that the entire civic setup of Delhi continued to deteriorate and Delhi became 'Bedil Delhi', keeping in view the experience of last 10 years Government of India has today stepped towards restoring previous position. Delhi Municipal Corporation (Amendment) Bill, 2022 has been brought in accordance with the power conferred by Article 239 AA of Constitution of India. According to which Parliament has the power to make law about NCT Delhi and on any subject related thereto. Due to trifurcation of Delhi Municipal Corporation there happens to be a huge disparity in terms of revenue resources in these three corporations. These three corporations sought the permission to raise their revenue resources from Govt. Of Delhi State, but the same was denied resulting the increasing fiscal deficit of these three corporations. Delhi Municipal Corporation (Amendment) Bil, 2011. The result was that the entire

civic setup of Delhi continued to deteriorate and Delhi became 'Bedil Delhi', keeping in view the experience of last 10 years Government of India has today stepped towards restoring previous position. Delhi Municipal Corporation (Amendment) Bill, 2022 has been brought in accordance with the power conferred by Article 239 AA of Constitution of India. According to which Parliament has the power to make law about NCT Delhi and on any subject related thereto. Due to trifurcation of Delhi Municipal Corporation there happens to be a huge disparity in terms of revenue resources of these three corporations. These three corporations sought the permission to raise their revenue resources from Govt. of Delhi State, but the same was denied resulting the increasing fiscal deficit of these three corporations. After the introduction of this Bill, it is important for everyone to know about the reactions that have come from different sections of the society. The division of the three corporations was wrong and irrational, hence this Bill was introduced. Earlier the term of the mayor and the committees used to be five years, which is now one year each. By the time the mayor and the committees take over, their term is over, so how will the administration run! My point is that it is very important that we all understand this, the government of Delhi understand this and cooperate. Let us take a decision together in the interest of Delhi. I would urge everyone to support this unification bill.

The Hon'ble Minister, replying to the combined discussion, said: 20 MPs from both treasury and opposition benches have put forth their views on this Bill. Some clarifications were also sought, some political sarcasm was also made, some of our intentions were also questioned and some constructive suggestions were also given, but in all respects, whatever views have been put forth by all the members in this House, I welcome them. I will try to answer everything one by one before this House. Firstly, the constitutional capacity of the Government of India to bring this Bill has been questioned as to whether the Government of India can bring this Bill or not. First of all, I would like to clarify that this Bill has been

brought in accordance with the powers of the Parliament as provided in Article 239AA of the Constitution. As per Article 239AA as well as Article 239AA(3B), Parliament is empowered to make laws on any matter in respect of the Union territory of Delhi or any part thereof. In addition, under Article 239AA (3C), Parliament has the power to amend, vary or repeal any law made by the Legislative Assembly of the National Capital Territory of Delhi. Everybody talks about federal structure saying that tomorrow it will happen in Tamil Nadu, it will happen in Gujarat, it will happen in Maharashtra. I cannot do that over there, because they are full-fledged states. National Capital Territory of Delhi is not a full-fledged state. It also has a different status than UT and there are separate provisions for this within the Constitution. The Bill does not, in any way, harm the federal structure. The federal structure would have been hit if I had brought a bill in respect of a full state. Everyone knows that Delhi is a union territory and there is a separate law of the government for the capital region, a separate provision has been made for this. I want to read what the then Home Minister of the country had said when this law was brought. He had said that on the basis of the proviso under Article 239AA(3C) of the Constitution, no bill to amend the DMC Act, 1957 can come into force without the assent of the President. Further, the Parliament is vested with concurrent powers to make laws in respect of any matter for the Union Territory of GNCTD. Further, under the second provision of Article 239AA(3)(c) of the Constitution, even if the Amendment Act has been assented, the Parliament can at any time make, amend and repeal any law on the same matter. Further, Delhi Government has completely rejected the recommendations of the Fourth Finance Commission. The Fifth Finance Commission of Delhi had recommended that the Delhi government should pay Rs 40,561 crore to the three corporations on pro rata basis. The Delhi government did not agree to this, reduced it to half, and agreed to pay Rs. 21,000 crores. Even out of that, the government did not give Rs. 19,000 crore.

The government has not given even Rs 21,000 crore in full and has not given the reason for the same. They say that we do not act step-motherly. After five years, the full liability of the three corporations is Rs. 16,415 crore and Rs. 19,000 crore have not been paid. Had these Rs. 19,000 crores been given, today all the three corporations would have been in profit and Rs. 3,000 crores more would have been received by the municipal corporations for other facilities. The three corporations sent a proposal in 2020 to increase the professional tax, but Delhi Government didn't reply. They don't give aid and don't allow to increase taxes either. Further, a proposal was sent by the three corporations to increase the parking charges, it too was not responded to. NDMC proposed for revision of transfer fee, but Delhi Government did not respond. South Delhi Corporation's balance sheet was good. It said that we want to run the corporation according to the rules and regulations of Reserve Bank of India by bringing bonds, that too was not allowed. Revenue earned from increased excise duty on liquor and fuel was also not given to Corporations. A large number of liquor shops have been opened. It does not give share to the Municipal Corporation out of this revenue. Some people raised the question as to how this would increase the income. Of the three corporations, one corporation has the highest income, the second has moderate income and the third has the lowest income. If all the three corporations are unified, the difficulty will be reduced, administrative expenses will be reduced, there will one commissioner, one headquarters, one chief engineer. In this way the expenditure on all the arrangements will also be less. We are being asked as to what we have given to the Delhi government. In the year 2010-11, Rs. 443 crore, in 2011-12, Rs. 582 crore, in 2012-13, Rs. 500 crore, in 2013-14, Rs. 582 crore were given and after that we came. We have not reduced even a single penny, rather we have doubled it as compared to what was being given at the time of Congress government. The government has taken every constitutional responsibility in bringing this bill. We do not have any

intention regarding this bill, nor will we appoint any political Administrator after the implementation of this bill, after the expiry of the date of corporations. There will be a special officer under the act. The same provision was there in the previous act. Elections will also be held on time. This bill is to correct a mistake. I have come up with a proposal to integrate the corporations. So I appeal everyone to support this Bill.

The motion for consideration of the Bill, was adopted.

Clauses etc., were adopted.

The Bill, was passed.

The amendment moved by Shri John Brittas for reference of the Bill to a Select Committee was negatived.

OBSERVATION BY THE CHAIR

MR. DEPUTY CHAIRMAN: Let me inform the House. Sanjay Singh ji, First thing is that the bill has been passed, you didn't ask for division in time. You mentioned your amendments; I would like to inform the house that Delhi Municipal Corporation Bill, 2022, was circulated in advance in Lok Sabha on 24th March, 2022. It was introduced in Lok Sabha on 25th March, 2022 and Lok Sabha passed it on 31st March, 2022. Under Rule 95 (1) of the Rules of Procedures and Conduct of Business in Rajya Sabha, 'A notice of an amendment has to be given one day before the day on which the Bill is to be considered'. The above Bill is listed for consideration and passing in today's List of Business, that is, 05.04.2022, while the notice of amendments by Shri Sanjay Singh was received today, 05.04.2022 at 12.45 pm. Accordingly, the notice of amendments could not be admitted.

SPECIAL MENTIONS

1. Crisis in Newspaper industry in the country

SHRI SUSHIL KUMAR MODI: India is the largest importer of newsprint in the world importing 45 per cent from Russia alone. The Russia-Ukraine crisis and related sanctions have resulted in a shortfall in the supply of newsprint. A similar problem has occurred in the past due to factory and truck strikes in Finland and Canada respectively. The freight of import of newsprint by sea route has also increased by 400 per cent in the last two years, which has disrupted the supply of newsprint and greatly increased the import cost of newsprint for the newspapers of our country. Newsprint accounts for 40-50% of the cost of newspapers. The cost of newsprint was \$ 450 per tonne in 2019 which has now increased to \$ 950 per tonne. Newsprint manufacturers in the country are manufacturing packaging material for e-commerce in their factories and very few factories manufacture newsprint. Emerging from the COVID crisis, in which many had stopped taking newspapers and advertisements revenue had dried up, the industry has been suffering since long and needs urgent revival. Most newspapers have stopped sending their copies to rural areas. . Newspapers empower the citizen with information and are essential in a democracy, therefore, the newspaper industry should be given relief by abolishing 5% import duty on newsprint and a scheme should be started to encourage the production of newspapers in the country.

(Shri John Brittas, Dr. Santanu Sen and Shri Abir Ranjan Biswas associated.)

2. Need for Installation of Dr.M.G.Ramachandran Statue at the Entrance of Chennai Central Railway Station

DR. M. THAMBIDURAI: Bharat Ratna, Puratchi Thalaivar, Dr. MGR was the Chief Minister of Tamil Nadu for three consecutive terms and he was a respected leader all over the world. The AIADMK party and the erstwhile AIADMK government had demanded renaming of the Chennai railway station as Chennai MGR railway station to respect him and the sentiments of Tamils living across the

world . This request was accepted by the Hon'ble Prime Minister and Minister of Railways and the name was changed. Now, it would be appropriate that a statue of Dr. MGR should be installed at the railway station. A request in this regard has already been made. Necessary permission may be given by the Ministry of Railways to install the statue of Dr. Puruchi Thalaivar MG Ramachandran at the entrance of Chennai Railway Central Railway Station.

(Dr. Santanu Sen and Shri Abir Ranjan Biswas associated.)

3. Need to Include Meetei/Meetei in the List of Scheduled Tribes

SHRI MAHARAJA SANAJAOBA LEISHEMBA: Since 2013, the Meetei/Meetei have made many representations to the hon. Prime Minister, Home Minister, Minister of Tribal Affairs and other Union leaders for consideration of including Meetei/Meetei in the ST List under Article 343(1), but till today any positive/concrete action has not come out from the Union and the State Governments so far. Unless they are provided with constitutional safeguards, that is, the ST status without further delay, they shall be reduced to minorities being vulnerable to become refugees in their own ancestral land. Therefore, the Government of India is requested to take necessary action in this regard and ask the State Government to take necessary steps as soon as possible.

(Dr. Santanu Sen and Shri Abir Ranjan Biswas associated.)

4. Sanction for Construction of a Short Railway Link Line between Narasaraopet and Nekarikallu in Andhra Pradesh for Connectivity to Hyderabad

SHRI G.V.L. NARASIMHA RAO: Narasaraopet is a prominent trading town and district headquarters of new Palnadu district of Andhra Pradesh. Narasaraopet is connected by rail to Bangalore and Kolkata but not to Hyderabad, the biggest city in the region with which it has strong trade commerce links. Narasaraopet can be connected to Hyderabad by laying a short railway link line to Nekarikallu which is just 18 kilometres away on New Piduguralla-Savalyapuram section of Guntur Railway Division which is part of the

new Nadikudi-Srikalahasti railway line being constructed. A survey report by the Railway Board for constructing a new link line is pending before the Railway Board , which will cost Rs 237 crore . The representatives of the Government of Andhra Pradesh have assured the Hon'ble Railway Minister in my presence that the State Government will provide or acquire land required for the project or may share the cost of the project. Therefore, Railway Board should initiate action on this project.

(Shri Abir Ranjan Biswas and Dr. Santanu Sen associated.)

5. Need to Enact a Law to Protect the Doctors and Health workers from Violence

DR. SANTANU SEN: Despite rendering their best possible services, even at the cost of their lives, doctors often get assaulted though their untiring efforts have been noticed even during Covid. On March 28, a 22-year-old girl was admitted to Anand Hospital under Dr. Archana Sharma in Virat Nagar, Rajasthan As there was a sudden and profuse bleeding, in spite of taking her to the labour room and taking all possible measures, the patient could not be saved. This Profuse bleeding (PPH) is the most common complications of pregnancy. The attendents of the patient took her back to the home initially but under the instigation of some political persons and a journalist, the patient party brought the patient's body back to the hospital again to demand money and to lodge an FIR under IPC 302. On 29th March, that lady doctor, unfortunately, committed suicide. She appealed in her suicidal note to stop harassing the doctors and their families. Therefore, I urge the government to bring a central law for the protection of doctors and healthcare workers.

SHRIMATI MAUSAM NOOR: On 29th March, the country was left in a shock by the news of a female obstetrician committing suicide. She pleaded in her suicide note, 'Don't harass innocent doctors.' The newspapers bear witness to the increasing violence against doctors across the country. No initiative has been taken by the Government to collect data on the issue yet. The need for a

compressive law on the issue has surfaced again. A separate legislation in this regard must be introduced.

DR. KIRORI LAL MEENA: The graph of attack on the doctors in the different parts of the country is on the increase on account of linking the death of patients with the negligence of doctor and the nursing staff. The doctors treats the patients with their full efficiency. According to the verdict of Supreme Court of 2021 if the death of patient happens to be during surgery it won't be construed the negligence of the doctor. It is the demand from the Central Government that a stringent law must be passed to take care of the security of the doctors.

(Shri Abir Ranjan Biswas and Shri John Brittas associated.)

6. Proposed Amendments to the Ancient Monuments and Archaeological Sites and Remains Act, 2010

SHRI JAIRAM RAMESH: There have been some news reports recently that the Union Government is planning to bring amendments to the Ancient Monuments and Archaeological sites and Remains Act, 2010. I have concerns on this move. The Act was unanimously passed and brought within its ambit of Central Legislation a prohibited zone, within 100 metres around protected monuments, where no new construction is allowed. Alongside, there is a regulated zone of a minimum of 200 metres beyond the prohibited zone where any proposed changes to be made would require clearance from a public authority. The purpose of this was to protect precious sites that reflect the wonderful cultural diversity that has defined and enriched India for centuries. 3700-odd monuments, protected by the Archaeological Survey of India as monuments of national importance. The number of protected monuments in India must increase significantly. Laws passed by Parliament must be implemented in letter and spirit. The statutory National Monuments Authority created in 2010 must remain a professional body.

(Shri Abir Ranjan Biswas and Shri John Brittas associated.)

7. Disbursement of loans without the consent of the customers

SHRI ABIR RANJAN BISWAS: An extensive consent scam involving 84,000 loans at the Bharat Financial Inclusion Ltd., reportedly due to a technical glitch, has brought to light the lack of regulatory oversight and proper consent collection systems at financial institutions. Thousands of loans have been taken from banks by fraudsters using the names and PAN details of other people without their knowledge or consent. The issue has been reported by several affected people, including BFIL employees to the RBI and the Board of the IndusInd Bank. The Economic Times, a business daily, had published whistle-blowing reports. Despite this, no concrete action has been taken nor has there been an acknowledgement of the severity of these issues. A similar case had come to the fore in February as well. The ever-increasing reliance on digital banking and transactions has heightened the need for a more robust regulatory system and grievance redressal mechanism. OTP frauds need to be studied and the digital rights of consumers should be strengthened. The Finance Minister should take cognizance of the seriousness and urgency of this issue and take appropriate action.

(Mr. John Brittas and Dr. Santanu Sen associated.)

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