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

PARLIAMENTARY DEBATES

RAJYA SABHA

OFFICIAL REPORT (FLOOR VERSION)
(PART-II)

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NEW DELHI

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E-mail : rsedit-e@sansad.nic.in

RAJYA SABHA

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

The House met at eleven of the clock,

MR. CHAIRMAN *in the Chair*

OATH OR AFFIRMATION

MR. CHAIRMAN: Oath or Affirmation.

Dr. Sikander Kumar (Himachal Pradesh)

Shri Manik Saha (Tripura)

PAPERS LAID ON THE TABLE

Notifications of the Ministry of Corporate Affairs

THE MINISTER OF STATE IN THE MINISTRY OF CORPORATE AFFAIRS (RAO INDERJIT SINGH): Sir, I lay on the Table, under Section 30B of the Chartered Accountants Act, 1949, Section 40 of the Cost and Works Accountants Act, 1959 and Section 40 of the Company Secretaries Act, 1980, a copy each (in English and Hindi) of the following Notifications of the Ministry of Corporate Affairs:-

- (i) (1) S.O. 1199 (E), dated the 17th March, 2022, notifying the establishment of a Tribunal consisting of certain persons mentioned therein, to decide disputes in the matter of election to the Council of the Institute of Chartered Accountants of India held in December, 2021.

[Placed in Library. See No. L.T. 6915/17/22]

- (2) G.S.R. 212 (E), dated the 17th March, 2022, amending further the Notification No. G.S.R. 835 (E), dated the 3rd November, 2015, by substituting certain entries in the original Notification.

[Placed in Library. See No. L.T. 6916/17/22]

- (3) G.S.R. 222 (E), dated the 26th March, 2022, amending further the Notification No. G.S.R. 835 (E), dated the 3rd November, 2015, by substituting certain entries in the original Notification.

[Placed in Library. See No. L.T. 7044/17/22]

(ii) A copy each (in English and Hindi) of the following Notifications of the Ministry of Corporate Affairs, under sub-section (3) of Section 63 of the Competition Act, 2002:-

- (1) S.O. 1192 (E), dated the 16th March, 2022, amending the Notification No. S.O. 988 (E), dated the 27th March, 2017 by extending validity of exemptions mentioned therein for five more years.
- (2) S.O. 1193 (E), dated the 16th March, 2022, amending the Notification No. S.O. 2039 (E), dated the 29th June, 2017 by extending validity of exemptions mentioned therein for five more years.

[Placed in Library. For (1) and (2) See No. L.T. 6917/17/22]

(iii) A copy (in English and Hindi) of the Ministry of Corporate Affairs Notification No. G.S.R. 220 (E), dated the 23rd March, 2022, publishing the National Financial Reporting Authority Appointment of Part-time Members, Rules, 2022, under sub-section (4) of Section 469 of the Companies Act, 2013.

[Placed in Library. See No. L.T. 6914/17/22]

I. Notifications of the Ministry of Power

II. MoUs between the Government of India and PGCIL; and PFC

विद्युत मंत्रालय में राज्य मंत्री (श्री कृष्ण पाल) :महोदय, मैं निम्नलिखित पत्र सभा पटल पर रखता हूँ:-

I. A copy each (in English and Hindi) of the following Notifications of the Ministry of Power, under Section 179 of the Electricity Act, 2003:-

- (1) No. L-1/260/2021/CERC, dated the 22nd March, 2022, publishing the Central Electricity Regulatory Commission (Deviation Settlement Mechanism and Related Matters) Regulations, 2022.
- (2) No. L-1/02/2022-CERC, dated the 24 March, 2022, publishing the Central Electricity Regulatory Commission (Payment of Fees) (Third Amendment) Regulations, 2022.

[Placed in Library. For (1) and (2) See No. L.T. 7045/17/22]

II. A copy each (in English and Hindi) of the following papers:—

- (i) Memorandum of Understanding between the Government of India (Ministry of Power) and the Power Grid Corporation of India Limited (PGCIL), for the year 2021-22.

[Placed in Library. See No. L.T. 6867/17/22]

- (ii) Memorandum of Understanding between the Government of India (Ministry of Power) and the Power Finance Corporation (PFC) Limited, for the year 2021-22.

[Placed in Library. See No. L.T. 6868/17/22]

Notifications of the Ministry of Finance

वित्त मंत्रालय में राज्य मंत्री (श्री पंकज चौधरी) :महोदय, मैं निम्नलिखित पत्र सभा पटल पर रखता हूँ:-

(i) A copy each (in English and Hindi) of the following Notifications of the Ministry of Finance (Department of Economic Affairs), under Section 31 of the Securities and Exchange Board of India Act, 1992:-

- (1) No. SEBI/LAD-NRO/GN/2022/65, dated the 24th January, 2022, publishing the Securities and Exchange Board of India (Employees' Service) (Amendment) Regulations, 2022.
- (2) No. SEBI/LAD-NRO/GN/2022/75, dated the 16th March, 2022, publishing the Securities and Exchange Board of India (Alternative Investment Funds) (Second Amendment) Regulations, 2022.

[Placed in Library. For (1) and (2) See No. L.T. 6924/17/22]

(ii) A copy (in English and Hindi) of the Ministry of Finance (Department of Revenue) Notification No. G.S.R. 214 (E), dated the 21st March, 2022, amending the Notification No. G.S.R. 1004 (E), dated the 8th October, 2018, by substituting certain entries in the original Notification, under Section 166 of the Central Goods and Services Tax Act, 2017 and Section 24 of the Union Territory Goods and Services Tax Act, 2017, along with Explanatory Memorandum.

[Placed in Library. See No. L.T. 6925/17/22]

(iii) A copy (in English and Hindi) of the Ministry of Finance (Department of Revenue) Notification No. G.S.R. 232 (E), dated the 30th March, 2022, publishing the Customs (Electronic Cash Ledger) Regulations, 2022, under Section 159 of the Customs Act, 1962, along with Explanatory Memorandum.

[Placed in Library. See No. L.T. 6927/17/22]

MoUs between MNRE and IREDA and SECI

नवीन और नवीकरणीय ऊर्जा मंत्रालय में राज्य मंत्री (श्री भगवंत खूबा): महोदय, मैं निम्नलिखित पत्रों की एक प्रति (अंग्रेजी तथा हिन्दी में) सभा पटल पर रखता हूँ:-

- (i) Memorandum of Understanding between the Ministry of New and Renewable Energy (MNRE) and the Indian Renewable Energy Development Agency Limited (IREDA) for the year 2021-22.
- (ii) Memorandum of Understanding between the Ministry of New and Renewable Energy (MNRE) and the Solar Energy Corporation of India Limited (SECI) for the year 2021-22.

[Placed in Library. For (i) and (ii) See No. L.T. 5687/17/22]

I. Notifications of the Ministry of Health and Family Welfare

II. Reports and Accounts (2020-21) of the Food Safety and Standards Authority of India, New Delhi; CMSS, New Delhi and CNCI, West Bengal and related papers

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (DR. BHARATI PRAVIN PAWAR): Sir, I lay on the Table —

I. (i) A copy each (in English and Hindi) of the following Notifications of the Ministry of Health and Family Welfare (Department of Health and Family Welfare), under Section 38 of the Drugs and Cosmetics Act, 1940:—

- (1) G.S.R. 158 (E), dated the 24th February, 2022, publishing the Drugs (3rd Amendment) Rules, 2022.
- (2) G.S.R. 174 (E), dated the 4th March, 2022, publishing the Medical Devices (2nd Amendment) Rules, 2022.

[Placed in Library. For (1) and (2) See No. L.T. 6907/17/22]

(ii) A copy (in English and Hindi) of the Ministry of Health and Family Welfare Notification No. 18-12/2021-BUSS(SID-UG-MSE), dated the 9th March, 2022, publishing National Commission for Indian System of Medicine (Minimum Standard of Undergraduate Siddha Education) Regulations, 2022, under Section 56 of the National Commission for Indian System of Medicine Act, 2020.

[Placed in Library. See No. L.T. 6909/17/22]

II. (A) (1) A copy each (in English and Hindi) of the following papers, under Section 84 of the Food Safety and Standards Act, 2016:—

(a) Annual Report and Accounts of the Food Safety and Standards Authority of India, New Delhi, for the year 2020-21, together with the Auditor's Report on the Accounts.

(b) Review by Government on the working of the above Authority.

(2) Statement (in English and Hindi) giving reasons for the delay in laying the papers mentioned at (1) (a) above.

[Placed in Library. See No. L.T. 7046/17/22]

(B) A copy each (in English and Hindi) of the following papers:—

(i) (a) Annual Report and Accounts of the Central Medical Services Society (CMSS), New Delhi, for the year 2020-21, together with the Auditor's Report on the Accounts.

(b) Review by Government on the working of the above Society.

(c) Statement giving reasons for the delay in laying the papers mentioned at (a) above.

[Placed in Library. See No. L.T. 6908/17/22]

(ii) (a) Annual Report of the Chittaranjan National Cancer Institute, Kolkata (CNCI), West Bengal, for the year 2020-21.

(b) Annual Accounts of the Chittaranjan National Cancer Institute, Kolkata (CNCI), West Bengal, for the year 2020-21, and the Audit Report thereon.

(c) Review by Government on the working of the above Institute.

(d) Statement giving reasons for the delay in laying the papers mentioned at (a) and (b) above.

[Placed in Library. See No. L.T. 6906/17/22]

Notifications of the Ministry of Ports, Shipping and Waterways

THE MINISTER OF STATE IN THE MINISTRY OF PORTS, SHIPPING AND WATERWAYS (SHRI SHANTANU THAKUR): Sir, I lay on the Table a copy each (in English and Hindi) of the following Notifications of the Ministry of Ports, Shipping and Waterways, under Section 73 of the Major Port Authorities Act, 2021 along with Delay Statement:-

- (1) G.S.R. 511 (E), dated the 28th July, 2021, publishing the New Mangalore Port Trust Employees' (Recruitment, Seniority and Promotion) (Amendment) Regulations, 2021.
- (2) G.S.R. 519 (E), dated the 30th July, 2021, publishing the Cochin Port Trust Employees (Recruitment, Seniority and Promotion) Amendment Regulations, 2021.
- (3) G.S.R. 664 (E), dated the 27th September, 2021, publishing the Paradip Port Trust Employees (Recruitment, Seniority and Promotion) (Amendment) Regulations, 2021.

[Placed in Library. For (1) to (3) See No. L.T. 6194/17/22]

I. Notification of the Ministry of Ayush

II. Report and Accounts (2020-21) of CCRH, New Delhi and related papers

THE MINISTER OF STATE IN THE MINISTRY OF AYUSH (DR. MUNJAPARA MAHENDRABHAI): Sir, I lay on the Table—

I. A copy (in English and Hindi) of the Ministry of Ayush Notification No. L-12015/18/2021-AS., dated the 12th January, 2022, publishing the Institute of Teaching and Research in Ayurveda Regulations, 2021, under Section 29 of the Institute of Teaching and Research in Ayurveda Act, 2020.

[Placed in Library. See No. L.T. 6910/17/22]

II. A copy each (in English and Hindi) of the following papers:—

- (a) Annual Report and Accounts of the Central Council for Research in Homoeopathy (CCRH), New Delhi, for the year 2020-21, together with the Auditor's Report on the Accounts.
- (b) Review by Government on the working of the above Council.

- (c) Statement giving reasons for the delay in laying the papers mentioned at (a) above.

[Placed in Library. See No. L.T. 6731/17/22]

I. Notifications of the Ministry of Finance

II. Reports (2021 and 2022) by NHB, New Delhi

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (DR. BHAGWAT KARAD):
Sir, I lay on the Table—

I. (i) A copy each (in English and Hindi) of the following Notifications of the Ministry of Finance (Department of Financial Services), under sub-section (4) of Section 19 of the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1970:-

- (1) No. AX1/ST/OSR/1325/2021-22, dated the 14th December, 2021, publishing the Bank of Maharashtra (Officers') Service (Amendment) Regulations, 2021.
- (2) No. CO: HRD:I RP:2021-22:236, dated the 28th January, 2022, publishing the Central Bank of India (Officers') Service (Amendment) Regulations, 2021.
- (3) No. HRMD/SUP/177/01/2021-22 (E), dated the 16th February, 2022, publishing the Indian Overseas Bank (Officers') Service (Amendment) Regulations, 2021.
- (4) No. IB/G-9/2021-22 (E), dated the 16th March, 2022, publishing the Indian Bank (Officers') Service (Amendment) Regulations, 2022.

(ii) A copy (in English and Hindi) of the Ministry of Finance (Department of Financial Services) Notification No. PSB:STAFF/OSR/2021, dated the 24th December, 2021, publishing the Punjab and Sind Bank (Officers') Service (Amendment) Regulations, 2021, under sub-section (4) of Section 19 of the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1980.

[Placed in Library. For (i) and (ii) See No. L.T. 6970/17/22]

II. A copy each (in English and Hindi) of the following papers, under Section 42 of the National Housing Bank (NHB) Act, 1987:-

- (i) Report on Trend and Progress of Housing in India, 2020 by the National Housing Bank (NHB), New Delhi.

- (ii) Report on Trend and Progress of Housing in India, 2021 by the National Housing Bank (NHB), New Delhi.

[Placed in Library. For (i) and (ii) See No. L.T. 7047/17/22]

श्री सभापति: श्री पंकज चौधरी, आपके नाम पर दो हैं। सीरियल नम्बर 9 में पंकज चौधरी जी का नाम है। आपको lay नहीं करना है तो इसे छोड़ दीजिए।

MESSAGE FROM LOK SABHA

The Criminal Procedure (Identification) Bill, 2022

SECRETARY-GENERAL: Sir, I have to report to the House the following message received from the Lok Sabha, signed by the Secretary-General of the Lok Sabha:

“In accordance with the provisions of rule 96 of the Rules of Procedure and Conduct of Business in Lok Sabha, I am directed to enclose the Criminal Procedure (Identification) Bill, 2022, as passed by Lok Sabha at its sitting held on the 4th April, 2022.

Sir, I lay a copy of the Bill on the Table.

REPORT OF THE DEPARTMENT- RELATED PARLIAMENTARY STANDING COMMITTEE ON LABOUR, TEXTILES AND SKILL DEVELOPMENT

SHRI M. SHANMUGAM (Tamil Nadu): Sir, I lay on the Table, a copy (in English and Hindi) of the Thirty-third Report of the Department-related Parliamentary Standing Committee on Labour, Textiles and Skill Development on ‘Implementation of National Apprenticeship Promotion Scheme (NAPS)/National Apprenticeship Training Scheme (NATS)’.

REPORTS OF THE COMMITTEE ON PUBLIC ACCOUNTS

DR. M. THAMBIDURAI (Tamil Nadu): Sir, I lay on the Table, a copy each (in English and Hindi) of the following Reports of the Committee on Public Accounts (2021-22):-

- (i) Forty-eighth Report on ‘Levy of Anti-Dumping Duty on Imports’;

- (ii) Forty-ninth Report on ‘Assessments relating to Agricultural income’; and
- (iii) Fiftieth Report on Action Taken by the Government on the Observations/Recommendations of the Public Accounts Committee contained in their 24th Report (17th Lok Sabha) on “Excesses Over Voted Grants and Charged Appropriations (2017-18)”.

MOTION FOR ELECTION TO THE CENTRAL SUPERVISORY BOARD (CSB)

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (DR. BHARATI PRAVIN PAWAR): Sir, I move the following motion:

“That in pursuance of Section 7(2)(f) read with Section 8(1)(a) of the Pre-Conception and Pre-Natal Diagnostic Techniques (Prohibition of Sex Selection) Act, 1994, this House do proceed to elect, in the manner as directed by the Chairman, one woman Member from amongst the Members of the House to be a member of the Central Supervisory Board, constituted under the said Act.”

The question was put and the motion was adopted

REGARDING DISPENSING WITH LUNCH HOUR AND VARIOUS NOTICES RECEIVED FROM THE MEMBERS

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS; AND THE MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI V. MURALEEDHARAN): Sir, today, as per the Revised List of Business, we have scheduled discussion on the Chartered Accountants, the Cost and Works Accountants and the Company Secretaries (Amendment) Bill, 2022 and also on the Delhi Municipal Corporation (Amendment) Bill, 2022.

Normally, we meet at 2 o’ clock after lunch and start discussion. But, since we have only three days left for the Budget Session to conclude and we have the Legislative Business to complete, I would suggest — if the House agrees — we may skip lunch and start the Legislative Business at 1 o’ clock. I have had discussion with some of the senior Members and also other party leaders.

MR. CHAIRMAN: Right. Okay. We can start at 1 o' clock.

I have received notice from Shri Vishambhar Prasad Nishad, Prof. Ram Gopalji, Shri Mallikarjun Khargeji, Ms. Sushmita Dev, Smt. Mausam Noor, Shri Abir Ranjan Biswas, Shri Tiruchi Siva, Shri K.C. Venugopal and a separate notice from Shri K.R. Suresh Reddy. Notice received from Shri K.R. Suresh Reddy is about procurement of parboiled rice. The above notices were on price rise which I had already said yesterday that I am not admitting them. ...*(Interruptions)*... I am not admitting them. ...*(Interruptions)*...

SHRI JAIRAM RAMESH (Karnataka): Sir, hon. LoP wanted to say something. ...*(Interruptions)*...

श्री विशम्भर प्रसाद निषाद :सर, यहां पर ...*(व्यवधान)*...

सुश्री सुष्मिता देव (पश्चिमी बंगाल):सर, इन मुद्दों पर अगर सदन में चर्चा नहीं होगी, तो कहां होगी?...*(व्यवधान)*...

श्री सभापति :मैं भी वही पूछना चाहता हूँ कि सदन में चर्चा नहीं होगी, तो कहां होगी? ...*(व्यवधान)*...

SHRI JAIRAM RAMESH: Sir, hon. LoP wants to speak for two minutes. ...*(Interruptions)*...

विपक्ष के नेता (श्री मल्लिकार्जुन खरगे) :सभापति महोदय, हम आपसे रोज-रोज़ inflation के संबंध में रिक्वेस्ट करते हैं कि पेट्रोल, डीज़ल, एलपीजी, सीएनजी, पीएनजी, डीएपी, एनपीके और मेडिसिन्स-इन सब चीज़ों के दाम बढ़ रहे हैं और सरकार डिस्कशन के लिए तैयार नहीं है। अगर आप यहाँ मौका नहीं देंगे, तो हम लोग कहां बोलेंगे?

MR. CHAIRMAN: Khargeji, I heard you. I have already said that we had discussion on some of these issues during the Appropriation Bill and the Finance Bill. I can show you the records also of the Members who have spoken. ...*(Interruptions)*...

SHRI MALLIKARJUN KHARGE: Maybe, Sir. ...*(Interruptions)*...

MR. CHAIRMAN: But, if a section of the Members disturb the House, what is the way out for the Chairman?

श्री मल्लिकार्जुन खरगे :सर, आप बोलिए। ...**(व्यवधान)**... जब डिस्कशन होता है, उसके दूसरे दिन यह फिर बढ़ जाता है।

श्री सभापति : इसमें करें क्या?

श्री मल्लिकार्जुन खरगे :आज दो घंटे पहले 80 पैसे फिर बढ़ाए गए हैं और ये किसी को नहीं छोड़ रहे हैं। किसान को नहीं छोड़ रहे हैं, गरीब को नहीं छोड़ रहे हैं ...**(व्यवधान)**...

श्री सभापति : मैंने तो मेन्शन करने के लिए आपको मौका दिया। ...**(Interruptions)**...No, no. You have already mentioned the issue; I understand.

SHRI MALLIKARJUN KHARGE: No, no; this is not good, Sir. यह अच्छा नहीं है। ...**(व्यवधान)**...

श्री सभापति : खरगे जी, प्लीज़, आप बैठ जाइए।

SHRI K.R. SURESH REDDY (Telangana): Mr. Chairman, Sir, on the...**(Interruptions)**...

MR. CHAIRMAN: Please, please.

SHRI K.R. SURESH REDDY: Mr. Chairman, Sir, on the parboiled rice, we have given notice. It is a very important issue. The whole State of Telangana and other States like Odisha and Andhra Pradesh are totally agitated on this.

MR. CHAIRMAN: There are other provisions under which you can discuss this.

SHRI K.R. SURESH REDDY: We would like to have a discussion on this, Sir. The Government is totally indifferent. ...**(Interruptions)**...

MR. CHAIRMAN: I am not going to suspend the Business of the House for this. You can raise the issue as and when you get an opportunity.

SHRI K.R. SURESH REDDY: Sir, we have no other option but to walk out if a discussion is not allowed on this. ...**(Interruptions)**...

MR. CHAIRMAN: I understand the concern you are expressing but when you are getting an opportunity, you must utilize it properly and then put it before the House. Not allowing the House and, then, getting it adjourned is not going to help anybody. ...*(Interruptions)*... Now, Zero Hour. Shri Md. Nadimul Haque. ...*(Interruptions)*...

SHRI MALLIKARJUN KHARGE: You know very well, Sir, discussion on Supplementary Budget is different from this.

MR. CHAIRMAN: Shri Md. Nadimul Haque. ...*(Interruptions)*..... Khargeji, you have made your point. I have given you an opportunity. ...*(Interruptions)*..... Please...*(Interruptions)*.. I know that. ...*(Interruptions)*..... Shri Sukhendu Sekhar Ray, what is your issue? ...*(Interruptions)*.....

श्री मल्लिकार्जुन खरगे : सर, आप भी हमसे क्यों नाराज़ हैं?

श्री सभापति : मैं आपसे क्यों नाराज़ होता हूँ, आप इतना ...**(व्यवधान)**...

श्री मल्लिकार्जुन खरगे : हम किसानों की बात करते हैं, तो करने नहीं दे रहे हैं, गरीबों की बात करते हैं, तो करने नहीं दे रहे हैं, एलपीजी की बात करते हैं, तो करने नहीं दे रहे हैं, कैरोसिन की बात करना चाहते हैं, तो उसे भी नहीं करने दे रहे हैं। ...**(व्यवधान)**...

श्री सभापति : जब बात करनी थी, तो उस समय आपने बात नहीं की। आपको अभी याद आया और आप अभी बात करना चाहते हैं, तो इसमें मैं क्या करूँ? ...**(व्यवधान)**... Please. ...*(Interruptions)*... Nothing else will go on record except what is permitted by the Chair. Now, Shri Sukhendu Sekhar Ray. Shri Suresh Reddy, please sit down. You have made your point.

SHRI K.R. SURESH REDDY: Sir, we have no other option but to walk out.

MR. CHAIRMAN: Right. Okay. They have got every right to walk out.

(At this stage, some hon. Members left the Chamber.)

SHRI SUKHENDU SEKHAR RAY (West Bengal): Sir, it is true that during the Appropriation Bill or the Finance Bill, some casual references were made regarding rise in prices of petro-products, etc. But what we want is a structured discussion. If

it is not allowed under Rule 267, then, kindly allow us to give notice for Half-an-Hour Discussion tomorrow or the day after.

MR. CHAIRMAN: Right.

SHRI SUKHENDU SEKHAR RAY: So, please consider that thing, Sir. This is my appeal to you.

MR. CHAIRMAN: Now Zero Hour Mentions; Shri Md. Nadimul Haque.

MATTERS RAISED WITH PERMISSION

Need for confirmation of date for restoration of *Haj yatra*, 2022

श्री मो. नदीमुल हक (पश्चिमी बंगाल) : सर, आपका बहुत-बहुत शुक्रिया। पिछले दो साल से कोविड की वजह से हज यात्रा नहीं हो पाई है। 2020 और 2021 में इंटरनेशनल हज नहीं हुआ। सर, अब जब ऐसा लगता है कि कि हालात मालूम पर आ रहे हैं, तो मुझे उम्मीद है कि इस साल यात्री हज अदा कर सकेंगे। सर, यह लगातार तीसरा साल है कि आजमीन यानी यात्रियों ने फॉर्म भरकर जमा कर दिया है, मगर मिनिस्ट्री ऑफ माइनॉरिटी अफेयर्स, MoMA, यह बताने से कासिर है कि हिंदुस्तान से हज 2022 की अदायगी होगी या नहीं। सारे लोग एक गैर यकीनी सूरत-ए-हाल के शिकार हैं। पिछली हज कमेटी की मियाद के खात्मे के बाद नई कमेटी की तशकील नहीं की गई थी, लेकिन सिर्फ और सिर्फ सुप्रीम कोर्ट की हिदायत के बाद यकूम अप्रैल, Gazette of India, इसमें 1 अप्रैल, अप्रैल फूल्स डे को ...

† **جناب ندیم الحق (مغربی بنگال):** سر، آپ کا بہت بہت شکریہ۔ پچھلے دو سال سے کووڈ کی وجہ سے حج یاترا نہیں ہو پائی ہے۔ 2020 اور 2021 میں انٹرنیشنل حج نہیں ہو۔ سر، اب جب ایسا لگتا ہے کہ حالات معمول پر آ رہے ہیں تو مجھے امید ہے کہ اس سال یاتری حج ادا کرسکیں گے۔ سر یہ لگاتار تیسرا سال ہے کہ عازمین یعنی یاتریوں نے فارم بھر کر جمع کر دیا ہے مگر منسٹری آف مائنارٹی افرس MoMA یہ بتانے سے قاصر ہے کہ ہندستان سے حج 2022 کی ادائیگی ہوگی یا نہیں۔ سارے لوگ ایک غیر یقینی صورت حال کے شکار ہیں۔ پچھلی حج کمیٹی کے میعاد کے خاتمے کے بعد نئی کمیٹی کی تشکیل نہیں کی گئی تھی۔ صرف اور صرف سپریم کورٹ کی ہدایت کے بعد یکم اپریل یعنی اپریل فول ڈے کو The Gazette of India کی تشکیل عمل میں آئی۔

श्री सभापति : नदीमुल हक जी, आपकी डिमांड क्या है? ...(व्यवधान)... इश्यू के साथ न्याय करना चाहिए।

† Transliteration in Urdu script.

श्री मो. नदीमुल हक :सर, मैं बता रहा हूँ। एक नई कमेटी का गठन हुआ है। कमेटी में 11 मेम्बर्स को नॉमिनेट किया गया है।

†**جناب ندیم الحق**: سر، میں بتا رہا ہوں۔ ایک نئی کمیٹی کی تشکیل ہوئی ہے، کمیٹی میں گیارہ ممبران کو نامزد کیا گیا ہے۔

सर, राज्य सभा से भी सैयद जफर इस्लाम साहब को नॉमिनेट किया गया। इस कमेटी में कुछ खामियां रह गई हैं। इसमें चार ज्वाइंट सेक्रेटरीज़ हैं, उनको वोट देने का अधिकार नहीं है और जो नौ मेम्बर्स रियासतों से, अलग-अलग स्टेट्स से चुनकर आते हैं, उनका अभी तक इलेक्शन होना बाकी है।

†**جناب محمد ندیم الحق**: سر، راجیہ سبھا سے بھی سید ظفر اسلام صاحب کو بھی نامنیٹ کیا گیا۔ اس کمیٹی میں کچھ خامیاں رہ گئی ہیں۔ اس میں چار جوائنٹ سیکریٹریز ہیں، ان کو ووٹ دینے کا حق نہیں، اور جو نو ممبر ریاستوں سے، الگ الگ چن کر آتے ہیں، ان کا ابھی تک الیکشن ہونا باقی ہے۔

श्री सभापति : आपको हज यात्रा चाहिए या इलेक्शन चाहिए।

श्री मो. नदीमुल हक : सर, यह मेरा सुझाव है।

†**جناب محمد ندیم الحق**: سر، یہ میرا سجھاؤ ہے۔

श्री सभापति : माननीय मंत्री जी। ...**(व्यवधान)**... प्लीज़।

श्री मो. नदीमुल हक : सर, आप मेरा सुझाव सुन लीजिए।

†**جناب محمد ندیم الحق**: سر، آپ میرا سجھاؤ سن لیجئے۔

श्री सभापति : आपने अभी तक बाकी विषयों पर बात कही है और अब कह रहे हैं कि सुझाव सुन लीजिए।

श्री मो. नदीमुल हक : सर, मैं सुझाव दे रहा हूँ।

†**جناب محمد ندیم الحق**: سر، میں سجھاؤ دے رہا ہوں۔

श्री सभापति : अब माननीय मंत्री जी respond कर रहे हैं। आप सुन लीजिए।

अल्पसंख्यक कार्य मंत्री (श्री मुख्तार अब्बास नक़वी): सर, जैसा कि ऑनरेबल मेम्बर ने कहा है कि pandemic period में पिछले दो वर्षों से हज यात्रा नहीं हुई, मैं बताना चाहता हूँ कि हज यात्रा हुई है, लेकिन जो इंटरनेशनल हज यात्री जाते हैं, वे नहीं गए। इस बार हम कोशिश कर रहे हैं और हमारी तरफ से तैयारियां हैं, लेकिन हज यात्रा हिन्दुस्तान में नहीं, बल्कि सऊदी अरब में होनी है। इसके बारे में सऊदी अरब की सरकार को तय करना है कि हज यात्रा कब होगी, कितने लोग

† Transliteration in Urdu script.

हिन्दुस्तान से जायेंगे। इसी समय, माननीय नरेन्द्र मोदी जी की सरकार के समय में रिकॉर्ड दो लाख से ज्यादा हज यात्री हिन्दुस्तान से हज यात्रा करने गए हैं।

श्री सभापति: ठीक है।

श्री मुख्तार अब्बास नकवी: इसलिए यह pandemic period की वजह से है, जो सउदी अरब की सरकार तय करेगी, हम उसके साथ हैं और हमने पूरी तैयारियां कर रखी हैं। ...**(व्यवधान)**...

श्री सभापति: मो. नदीमुल हक जी ने जो बाकी विषय उठाए हैं, उनके बारे में आप बाद में उनको बुलाकर बात करिए। ...**(व्यवधान)**... Shri Y.S. Chowdary. ...**(Interruptions)**... Please. You know how to make a Zero Hour submission. ...**(Interruptions)**... वे आपको बुलाने वाले हैं, उन्होंने विषय को समझ लिया है और कैसे इसको resolve करना है, वे इसको देखेंगे। ...**(Interruptions)**... Please.

श्री विशम्भर प्रसाद निषाद (उत्तर प्रदेश) :महोदय ,में स्वयं को माननीय सदस्य द्वारा उठाए गए विषय के साथ सम्बद्ध करता हूँ।

MS. DOLA SEN (West Bengal): Sir, I also associate myself with the Zero Hour mention made by the hon. Member.

SHRIMATI SHANTA CHHETRI (West Bengal): Sir, I also associate myself with the Zero Hour mention made by the hon. Member.

SHRIMATI MAUSAM NOOR (West Bengal): Sir, I also associate myself with the Zero Hour mention made by the hon. Member.

SHRI JOHN BRITTAS (Kerala): Sir, I also associate myself with the Zero Hour mention made by the hon. Member.

DR. SANTANU SEN (West Bengal): Sir, I also associate myself with the Zero Hour mention made by the hon. Member.

SHRI P. WILSON (Tamil Nadu): Sir, I also associate myself with the Zero Hour mention made by the hon. Member.

SHRI LUIZINHO JOAQUIM FALEIRO (West Bengal): Sir, I also associate myself with the Zero Hour mention made by the hon. Member.

DR. FAUZIA KHAN (Maharashtra): Sir, I also associate myself with the Zero Hour mention made by the hon. Member.

SHRI ABIR RANJAN BISWAS (West Bengal): Sir, I also associate myself with the Zero Hour mention made by the hon. Member.

DR. KANIMOZHI NVN SOMU (Tamil Nadu): Sir, I also associate myself with the Zero Hour mention made by the hon. Member.

SHRI M. MOHAMED ABDULLA (Tamil Nadu): Sir, I also associate myself with the Zero Hour mention made by the hon. Member.

DR. AMAR PATNAIK (Odisha): Sir, I also associate myself with the Zero Hour mention made by the hon. Member.

MR. CHAIRMAN: Shri Y.S. Chowdary.

Need to expedite Polavaram Project and to prepare a master-plan for water management for entire country

SHRI Y.S. CHOWDARY (Andhra Pradesh): Sir, my Zero Hour mention is regarding the Polavaram Project for the State of Andhra Pradesh. It is generally called the lifeline for the State of Andhra Pradesh, and the history goes like this.

The project was originally planned even before Independence and subsequently in 1980, the foundation stone was laid by Shri T. Anjaiah garu, the then Chief Minister. However, it was totally neglected by consecutive Governments. In 2008 or so, the then Chief Minister, Shri Rajasekhara Reddy garu, just started the project without even taking any approvals. However, unfortunately, he passed away. In 2011 or 2012, the then State Government awarded the contract to an ineligible contractor. However, the project has suffered badly. Subsequently, in 2014, due to Bifurcation Act, the Government of India has agreed to take up that project as a national project and to complete the project in full. But subsequently, Parliament also passed a Bill for handing over seven *mandals* of Telangana to Andhra Pradesh in order to complete the project. In spite of all these things and after Cabinet approval and taking a decision for setting up the PPA, the Polavaram Project Authority, the then State Government was asked to implement the project by the Central

Government. Subsequently, due to lack of coordination or due to lack of clarity about the completion of the project, there is a confusion about the R&R. The R&R Act was amended in 2013, which was originally the 1984 Act, to increase the compensation to the land-losers. Because of the confusion, the project is suffering. By not completing the project, there is going to be a huge loss to the State of Andhra Pradesh. Moreover, about Rs. 25,000 crores worth of agricultural production is likely to come up once it is completed in left and right canals. So, thereby, it contributes about Rs. 1 lakh crore of GSDP which also generates about 4-5 per cent, which means, Rs. 4000-5,000 crores per annum of GST.

So, I request the Central Government to take immediate action to ensure that the project is completed without saying anything about the State Government because there is no point to keep on coordinating with the State Government. It is a Central project. I request that the project may be taken over back by the Central Government and be implemented. Thank you.

DR. SANTANU SEN (West Bengal): Sir, I associate myself with the Zero Hour mention made by the hon. Member.

SHRI KANAKAMEDALA RAVINDRA KUMAR (Andhra Pradesh): Sir, I also associate myself with the Zero Hour mention made by the hon. Member.

SHRI P. WILSON (Tamil Nadu): Sir, I also associate myself with the Zero Hour mention made by the hon. Member.

DR. AMAR PATNAIK (Odisha): Sir, I also associate myself with the Zero Hour mention made by the hon. Member.

DR. FAUZIA KHAN (Maharashtra): Sir, I also associate myself with the Zero Hour mention made by the hon. Member.

SHRI ABIR RANJAN BISWAS (West Bengal): Sir, I also associate myself with the Zero Hour mention made by the hon. Member.

DR. KANIMOZHI NVN SOMU (Tamil Nadu): Sir, I also associate myself with the Zero Hour mention made by the hon. Member.

SHRI M. MOHAMED ABDULLA (Tamil Nadu): Sir, I also associate myself with the Zero Hour mention made by the hon. Member.

MR. CHAIRMAN: Right. Shrimati Rajani Ashokrao Patil.

Need to support the 'Project Lion' mission

SHRIMATI RAJANI ASHOKRAO PATIL (Maharashtra): Sir, lions in India were reduced to less than 50 in the early 1900s when the Nawab of Junagadh prohibited their hunting and invested in their conservation. The lions have increased to 700 plus as per official number. About 60 per cent of these lions are outside of the Gir Protected Area and living with people in the agro-pastoral industrial and railway zone. Sir, though India has been a leader in the scientific census of tigers, the lion population estimate is based on total counts that are not scientifically accepted. Scientific methods are developed by the Wildlife Institute of India and are available, but the Gujarat Government is reluctant to implement them. Since all Asiatic Lions are in a single population, they remain vulnerable to disease, epidemic, cyclone, drought, etc. In the Serengeti National Park (Tanzania and Kenya), one-third of the 3,000 lions died due to the canine distemper virus within a very short span of a few months. Such an epidemic can result in the extinction of the Asiatic Lions. Currently, the distemper virus is killing the Gir lions as well.

For a viable tiger population, a tiger reserve needs to have a human-free space of over 800 square kilometers. The same is true for lions. However, for the only population of Asiatic Lions in the whole world, the exclusive space available is just 250 square kilometers of the Gir National Park. The rest of the Gir Protected Area, forests and Saurashtra landscape have lions sharing space with people and the industrial area. Since the Gir lions were reduced to a very small number and recovered, they are highly inbred. In such inbred populations, the natural process of 'survival of the fittest' is very important, in this case, the new generations of lions, since lions with bad genes do not survive and reproduce.

The MoEFCC, Government of India, have announced 'Project Lion' with the Central Government assistance primarily for Gujarat. However, the major expenditure planned under this project by the Gujarat Government is to build 'lion hospitals'. This is the last thing that lions need for their conservation. To have lion hospitals is the last thing to do. For their conservation, what lions need is a second home.

Sir, through you, I would request that two-thirds of Asiatic Lions, which are very precious for us Indians, should be resettled at two or three more places, rather than just Gir. We should not keep all the eggs in one basket. They need to be kept protected and safe.

श्री रेवती रमन सिंह (उत्तर प्रदेश) :महोदय, मैं स्वयं को इस विषय के साथ संबद्ध करता हूँ।

श्री विशम्भर प्रसाद निषाद (उत्तर प्रदेश) :महोदय, मैं भी स्वयं को इस विषय के साथ संबद्ध करता हूँ।

श्रीमती फूलो देवी नेतम (छत्तीसगढ़) :महोदय, मैं भी स्वयं को इस विषय के साथ संबद्ध करती हूँ।

श्री राजमणि पटेल (मध्य प्रदेश) :महोदय, मैं भी स्वयं को इस विषय के साथ संबद्ध करता हूँ।

DR. AMEE YAJNIK (Gujarat): Sir, I too associate myself with the matter raised by the hon. Member.

SHRI JOHN BRITTAS (Kerala): Sir, I too associate myself with the matter raised by the hon. Member.

DR. SANTANU SEN (West Bengal): Sir, I too associate myself with the matter raised by the hon. Member.

SHRIMATI SHANTA CHHETRI (West Bengal): Sir, I too associate myself with the matter raised by the hon. Member.

SHRIMATI MAUSAM NOOR (West Bengal): Sir, I too associate myself with the matter raised by the hon. Member.

SHRI LUIZINHO JOAQUIM FALEIRO (West Bengal): Sir, I too associate myself with the matter raised by the hon. Member.

SHRI ABIR RANJAN BISWAS (West Bengal): Sir, I too associate myself with the matter raised by the hon. Member.

SHRI P. WILSON (Tamil Nadu): Sir, I too associate myself with the matter raised by the hon. Member.

SHRI M. MOHAMED ABDULLA (Tamil Nadu): Sir, I too associate myself with the matter raised by the hon. Member.

DR. KANIMOZHI NVN SOMU (Tamil Nadu): Sir, I too associate myself with the matter raised by the hon. Member.

DR. FAUZIA KHAN (Maharashtra): Sir, I too associate myself with the matter raised by the hon. Member.

DR. AMAR PATNAIK (Odisha): Sir, I too associate myself with the matter raised by the hon. Member.

Need to change the election laws to make political parties accountable for their election manifesto

प्रो. मनोज कुमार झा (बिहार): माननीय सभापति महोदय, मुझे अवसर देने के लिए आपका बहुत-बहुत शुक्रिया। महोदय, बेहद खुशी की बात है कि आपने इस महत्वपूर्ण विषय को रखने की सहमति दी है, इसलिए मैं आपके माध्यम से पूरे सदन से एक आग्रह करना चाहता हूँ कि चुनावी घोषणा-पत्र की प्रासंगिकता लगातार खत्म होती जा रही है। कई जगह पर तो यह चुनाव से एक दिन पहले आता है। चुनावी घोषणा-पत्र की जो गरिमा और महत्ता सन् 1952, 1957 और 1962 में थी - क्योंकि विश्वविद्यालय में हमारे पास एक पेपर हुआ करता था 'Social Policy', जिसमें हम मेनिफैस्टो एनालिसिस करते थे, लेकिन विश्वविद्यालय से अब वह यूनिट ही निकल गया है, क्योंकि मेनिफैस्टो के प्रति पोलिटिकल पार्टियों की जो गंभीरता होनी चाहिए, across the spectrum, उसमें लगातार गिरावट आ रही है। महोदय, हमारा यह मानना है - अगर मैं सन् 1952, 1957 और 1962 की बात देखूँ, अगर मैं बात को वहीं तक रखता हूँ, तो चाहे भारतीय जनसंघ हो, चाहे भारतीय कांग्रेस पार्टी हो, चाहे कम्युनिस्ट पार्टी हो, चाहे सोशलिस्ट पार्टी हो, वे doable things को सामने रखती थीं और केंद्रीय विमर्श पर चर्चा होती थी, लेकिन इन दिनों क्या होता है? सर, इन दिनों यह होता है कि केंद्रीय विमर्श में अधिकांश तौर पर नफरत, घृणा, वैमनस्य और अशोभनीय टिप्पणियाँ होती हैं। मैं समझता हूँ कि 2015 में एक पिटिशन फाइल की गई थी, उसमें जस्टिस दत्तू और जस्टिस अमिताभ राय की बेंच ने कहा था कि चूंकि यह मेनिफैस्टो legally enforceable नहीं है, इसलिए हम इस पर आगे चर्चा नहीं कर सकते हैं। सर, 2013 का एक वाक्या ऐसा है, जब जस्टिस रंजन गोगोई, जो इस हाउस में हमारे साथी भी हैं और जस्टिस सदाशिवम, उन्होंने कहा था कि अगर भारतीय लोकतंत्र की गरिमा और गंभीरता बहाल रखनी है, तो हमें यह तय करना होगा कि मेनिफैस्टो को एक लीगल शेप दी जाए, पार्टियों अकाउंटेबल हों, वे आसमानी मुद्दों की बात न करें। ज़मीन के मसाइल बाकी हैं, लेकिन आसमानी मुद्दों पर चर्चा हो रही है। महोदय, मैं आपके माध्यम से सरकार से एवं सभी पक्षों से पुनः आग्रह करता हूँ कि एक बार सामूहिक रूप से बैठकर इस पद्धति को विकसित किया जाए, ताकि चुनाव

में और उसके केंद्रीय विमर्श में हम क्या करने वाले हैं - वह पॉज़िटिव एजेंडा आए, न कि ऐसी चीज़ें उभरकर आएं जिनसे नफरत की दीवारें खड़ी होती हैं। जय हिंद!

श्री रेवती रमन सिंह (उत्तर प्रदेश) : महोदय, मैं स्वयं को इस विषय के साथ संबद्ध करता हूँ।

चौधरी सुखराम सिंह यादव (उत्तर प्रदेश) : महोदय, मैं भी स्वयं को इस विषय के साथ संबद्ध करता हूँ।

श्रीमती फूलो देवी नेतम (छत्तीसगढ़) : महोदय, मैं भी स्वयं को इस विषय के साथ संबद्ध करती हूँ।

श्री विशम्भर प्रसाद निषाद (उत्तर प्रदेश) : महोदय, मैं भी स्वयं को इस विषय के साथ संबद्ध करता हूँ।

श्री राजमणि पटेल (मध्य प्रदेश) : महोदय, मैं भी स्वयं को इस विषय के साथ संबद्ध करता हूँ।

श्रीमती छाया वर्मा (छत्तीसगढ़) : महोदय, मैं भी स्वयं को इस विषय के साथ संबद्ध करती हूँ।

SHRI SHAMSHER SINGH DULLO (Punjab): Sir, I too associate myself with the matter raised by the hon. Member.

SHRIMATI SHANTA CHHETRI (West Bengal): Sir, I too associate myself with the matter raised by the hon. Member.

DR. SANTANU SEN (West Bengal): Sir, I too associate myself with the matter raised by the hon. Member.

SHRI ABIR RANJAN BISWAS (West Bengal): Sir, I too associate myself with the matter raised by the hon. Member.

DR. L. HANUMANTHAIAH Karnataka: Sir, I too associate myself with the matter raised by the hon. Member.

DR. PRASHANTA NANDA (Odisha): Sir, I too associate myself with the matter raised by the hon. Member.

SHRI SUJEET KUMAR (Odisha): Sir, I too associate myself with the matter raised by the hon. Member.

DR. AMAR PATNAIK (Odisha): Sir, I too associate myself with the matter raised by the hon. Member.

SHRI AJIT KUMAR BHUYAN (Assam): Sir, I too associate myself with the matter raised by the hon. Member.

DR. AMEE YAJNIK (Gujarat): Sir, I too associate myself with the matter raised by the hon. Member.

SHRI BINOY VISWAM (Kerala): Sir, I too associate myself with the matter raised by the hon. Member.

SHRI JOHN BRITTAS (Kerala): Sir, I too associate myself with the matter raised by the hon. Member.

SHRI JOSE K. MANI (Kerala): Sir, I too associate myself with the matter raised by the hon. Member.

SHRI KANAKAMEDALA RAVINDRA KUMAR (Andhra Pradesh): Sir, I too associate myself with the matter raised by the hon. Member.

SHRI P. WILSON (Tamil Nadu): Sir, I too associate myself with the matter raised by the hon. Member.

SHRI M. MOHAMED ABDULLA (Tamil Nadu): Sir, I too associate myself with the matter raised by the hon. Member.

DR. KANIMOZHI NVN SOMU (Tamil Nadu): Sir, I too associate myself with the matter raised by the hon. Member.

SHRIMATI PRIYANKA CHATURVEDI (Maharashtra): Sir, I too associate myself with the matter raised by the hon. Member.

DR. FAUZIA KHAN (Maharashtra): Sir, I too associate myself with the matter raised by the hon. Member.

SHRIMATI ROOPA GANGULY (Nominated): Sir, I too associate myself with the matter raised by the hon. Member.

MR. CHAIRMAN: I see that only a few hands are being raised. शरद जी, क्या यह संभव है? Is it possible? Shri Devegowda, is it possible to make election manifestos legally binding?

SHRI DEEPENDER SINGH HOODA: Sir, ask the Government.

MR. CHAIRMAN: I would ask them. Why are you in a hurry? ...*(Interruptions)*... If they are ready, then you are ready. Is it so? ...*(Interruptions)*... Don't make comments like this that if they are ready, then you are ready.

SHRI H.D. DEVEGOWDA: The only thing is that certain issues need to be discussed on the issue of election manifesto. That is my opinion.

MR. CHAIRMAN: Political parties should meet, think about this issue seriously and then move forward in the larger interest of the country. It is a real issue. What has been raised is an important issue. When we are in Opposition, we say that it should be enforceable. When we are on the ruling side, our position is different. So, all parties should apply their mind and then come to some conclusion. We have, now, the experience of 75 years. That is my appeal. I can only make an appeal as far as that aspect is concerned.

Need to establish Central Government offices including C&AG and RBI regional office in Amaravati in Andhra Pradesh

SHRI KANAKAMEDALA RAVINDRA KUMAR (Andhra Pradesh): Thank you, Mr. Chairman, Sir, for giving me this opportunity to raise an important issue concerning the development of Andhra Pradesh and providing employment opportunities to the people of Andhra Pradesh.

Pursuant to the enactment of Andhra Pradesh Reorganisation Act by the Parliament, the capital had to be established in the State of Andhra Pradesh. Accordingly, the erstwhile Government under the leadership of Shri Chandrababu Naidu, identified Amaravati as the capital. When a new State is formed, it is the usual practice that RBI, C&AG, other Central organisations and PSUs establish their offices

in that region in respect of that particular State. Accordingly, lands were allocated in the capital of Amaravati by the erstwhile Government under the leadership of Shri Chandrababu Naidu to construct houses and to create employment for the people of Andhra Pradesh. In the meanwhile, the present Government took a decision not to continue with Amaravati as the only capital and came up with the idea of three capitals. Subsequently, after due deliberations before the Court of law and outside, the Bill was withdrawn. Later on, the Division Bench of Andhra Pradesh High Court also passed a judgement that Amaravati shall be the capital, directed the Government to continue with it as the capital, create infrastructure and allot the plots to the farmers as per the agreement under the land pooling system. The present Government is directed by the Andhra Pradesh High Court. So, the Andhra Pradesh Government did not prefer an appeal to the Supreme Court. The judgement of Andhra Pradesh High Court is final. The Andhra Pradesh Government also filed an affidavit before the High Court that it requires time to comply with the directions of the High Court to implement them. So, it shows that Amaravati, for all purposes, is the capital. In reply to a question, the RBI sent a reply, "First you decide your capital and then we will establish our office." That is the state of affairs going on now. Since the capital has already been decided by the Government and by the Court, there is no ambiguity with regard to Amaravati as the capital. In view of the present situation, I request the Central Government and all the PSUs, through you, to establish their offices in Amaravati and create employment for the people of Andhra Pradesh. It is for its development. Thank you.

SHRI P. WILSON (Tamil Nadu): Sir, I associate myself with the Zero Hour submission made by the hon. Member.

DR. AMAR PATNAIK (Odisha): Sir, I also associate myself with the Zero Hour submission made by the hon. Member.

SHRI M. MOHAMED ABDULLA (Tamil Nadu): Sir, I also associate myself with the Zero Hour submission made by the hon. Member.

DR. KANIMOZHI NVN SOMU (Tamil Nadu): Sir, I also associate myself with the Zero Hour submission made by the hon. Member.

श्रीमती शांता क्षत्री (पश्चिमी बंगाल) :महोदय, मैं भी स्वयं को माननीय सदस्य द्वारा उठाए गए विषय के साथ सम्बद्ध करती हूँ।

Need to adopt the Mumbai city bus transport model by Delhi

SHRI ANIL DESAI (Maharashtra): Sir, my subject is regarding applying Mumbai city bus transport model in Delhi.

Mumbai is known for lakhs and lakhs commuters travelling by public bus transport, which is the lifeline of Mumbaikars. Commuting by bus is next to only sub-urban local train services. The discipline which is being maintained by the BEST, namely, Brihanmumbai Electricity Supply and Transport is very good and having started in the year 1873, it will be completing 150 years of its public service. Though the BEST Undertaking is a part of the Mumbai Corporation, which has a budget of more than Rs.40,000 crores, regarding commercial viability, if you see, it is not a profit-making undertaking, but it is subsidised to see that the best services are given to the people of Mumbai. It is the fifth consecutive term of Shiv Sena Party, which is ruling there under the able leadership of Shri Uddhav Thackeray, who is also the Chief Minister of Maharashtra.

My suggestion was that the same discipline and the kind of transportation, which takes place in the city of Mumbai, the same model should be applied in Delhi's public transport, that is, DTC. The maintenance part plus the subsidised transport, which is given to the people of Mumbai, the same can be accorded here in Delhi. If you see the Mumbai model, the kind of maintenance done of the entire fleet of the BEST buses, the separate depots for buses and a lot of care which is also taken to a great extent, despite the fact that it is not a profit-making undertaking, it is providing a subsidised service. The State Government and the Municipal Corporation are taking care of the Mumbaikars. In the same way, it should be provided in Delhi. I think, in the time of Covid pandemic, to observe Covid protocols, the buses were not fully loaded with commuters and all. But after the effect of pandemic has come down, the loads have started again. In Mumbai, there is a queue maintained for every bus even in the peak hours also, where a lot of rush is there and every commuter is eager to get into the bus, whatever he gets. But, the conductor inside, along with the driver, arranges and controls and maintains a check on the commuters. A very few commuters are allowed to stand in a row and that discipline itself has contributed towards the progress of Mumbai.

Delhi being the Capital of the country, it needs to have the same kind of model which is there in Mumbai. I will be happy if it is adopted in Delhi also. Thank you, Sir.

MR. CHAIRMAN: I hope, Shri Sanjay Singh is hearing this. It is a suggestion. It is for every State to take their own decision and then follow their own model. Shri Anil Desai just wanted to present the Mumbai transport model and suggested it for Delhi, both being the important cities.

SHRIMATI PRIYANKA CHATURVEDI (Maharashtra): Sir, I associate myself with the matter raised by the hon. Member.

SHRI P. WILSON (Tamil Nadu): Sir, I also associate myself with the matter raised by the hon. Member.

SHRI M. SHANMUGAM (Tamil Nadu): Sir, I also associate myself with the matter raised by the hon. Member.

श्री विशम्भर प्रसाद निषाद (उत्तर प्रदेश) :महोदय, मैं भी माननीय सदस्य द्वारा उठाए गए विषय से स्वयं को सम्बद्ध करता हूँ।

SHRIMATI ROOPA GANGULY (Nominated): Sir, I also associate myself with the matter raised by the hon. Member.

SHRIMATI SHANTA CHHETRI (West Bengal): Sir, I also associate myself with the matter raised by the hon. Member.

PROF. MANOJ KUMAR JHA (Bihar): Sir, I also associate myself with the matter raised by the hon. Member.

DR. SANTANU SEN (West Bengal): Sir, I also associate myself with the matter raised by the hon. Member.

SHRI ABIR RANJAN BISWAS (West Bengal): Sir, I also associate myself with the matter raised by the hon. Member.

DR. AMAR PATNAIK (Odisha): Sir, I also associate myself with the matter raised by the hon. Member.

DR. FAUZIA KHAN (Maharashtra): Sir, I also associate myself with the matter raised by the hon. Member.

DR. KANIMOZHI NVN SOMU (Tamil Nadu): Sir, I also associate myself with the matter raised by the hon. Member.

SHRI M. MOHAMED ABDULLA (Tamil Nadu): Sir, I also associate myself with the matter raised by the hon. Member.

Need to ratify various core conventions of International Labour Organization by India

SHRI M. SHANMUGAM (Tamil Nadu): Mr. Chairman, Sir, I want to raise the important issue of ratification of the I.L.O. Conventions. The International Labour Organisation was constituted in the year 1920. India is also one of the founder members of the I.L.O. During these 100 years, they have passed 190 Conventions. Out of 190 Conventions, only 47 I.L.O. Conventions have been ratified by India.

The Core Conventions, like freedom of association, right to organise, forced labour, child labour, are yet to be ratified the Union Government. With a great labour movement, agitation and sacrifice, labour unions have achieved the basic rights of the labour community. Many democratic countries, including Vietnam recently adopted the I.L.O. Convention-87 regarding freedom of association, and the I.L.O. Convention-98 regarding right to organise and collective bargaining.

There are two types of bodies. One is industries. Their workers form unions under the Trade Unions Act. On the other hand, in the case of Government employees, they form the associations under the Societies Act. Now, both the bodies demand for betterment of wages, bonus and working conditions. When a worker is suspended or dismissed, the dispute is raised and the Disciplinary Committee is constituted. In both the cases, they go to the court, namely, Tribunal. Hence, there is no difference between the union organised by the industry workers and the union organised by the Government employees. However, the bureaucrats stand in the way and do not allow the Government employees to form union under the Trade Unions Act. When Shri Mallikarjun Kharge was the Labour Minister, we, the trade union leaders, convinced him and he agreed for it. But, unfortunately, he was transferred to another Department.

India, being a democratic and welfare state, I would urge upon the Government, especially the hon. Labour Minister, to take initiative to ratify these

important, fundamental and core Conventions of the I.L.O. at the earliest. It will give a good name to our country in the international arena. Thank you, Sir.

THE LEADER OF THE OPPOSITION (SHRI MALLIKARJUN KHARGE): Sir, I associate myself with the matter raised by the hon. Member.

SHRI P. WILSON (Tamil Nadu): Sir, I also associate myself with the matter raised by the hon. Member.

SHRI KANAKAMEDALA RAVINDRA KUMAR (Andhra Pradesh): Sir, I also associate myself with the matter raised by the hon. Member.

SHRI AJIT KUMAR BHUYAN (Assam): Sir, I also associate myself with the matter raised by the hon. Member.

SHRI JOHN BRITTAS (Kerala): Sir, I also associate myself with the matter raised by the hon. Member.

श्री विशम्भर प्रसाद निषाद (उत्तर प्रदेश) :महोदय, मैं भी माननीय सदस्य द्वारा उठाए गए विषय से स्वयं को सम्बद्ध करता हूँ।

श्री नीरज डांगी (राजस्थान) :महोदय, मैं भी माननीय सदस्य द्वारा उठाए गए विषय से स्वयं को सम्बद्ध करता हूँ।

SHRIMATI SHANTA CHHETRI (West Bengal): Sir, I also associate myself with the matter raised by the hon. Member.

MS. DOLA SEN (West Bengal): Sir, I also associate myself with the matter raised by the hon. Member.

SHRI BINOY VISWAM (Kerala): Sir, I also associate myself with the matter raised by the hon. Member.

DR. L. HANUMANTHAIAH (Karnataka): Sir, I also associate myself with the matter raised by the hon. Member.

DR. AMEE YAJNIK (Gujarat): Sir, I also associate myself with the matter raised by the hon. Member.

PROF. MANOJ KUMAR JHA (Bihar): Sir, I also associate myself with the matter raised by the hon. Member.

DR. SANTANU SEN (West Bengal): Sir, I also associate myself with the matter raised by the hon. Member.

SHRI ABIR RANJAN BISWAS (West Bengal): Sir, I also associate myself with the matter raised by the hon. Member.

DR. AMAR PATNAIK (Odisha): Sir, I also associate myself with the matter raised by the hon. Member.

DR. FAUZIA KHAN (Maharashtra): Sir, I also associate myself with the matter raised by the hon. Member.

DR. KANIMOZHI NVN SOMU (Tamil Nadu): Sir, I also associate myself with the matter raised by the hon. Member.

SHRI M. MOHAMED ABDULLA (Tamil Nadu): Sir, I also associate myself with the matter raised by the hon. Member.

MR. CHAIRMAN: When that Government comes, I hope they will remember this suggestion about Kharge ji.

Need to construct/install a memorial in Asirgarh Fort in Maharashtra in honour of Veer Surendra Sai, a freedom fighter of Odisha

SHRI PRASANNA ACHARYA (Odisha): Sir, the freedom struggle of India has a very long history and it is history of dedication, the history of sacrifice and sufferings. Sir, many a patriots participated and led the movement at different points of time to free mother India. Some raised their sword against the Britishers, and, many Indians followed the path of Mahatma Gandhi and fought non-violently to free this country.

Sir, name of one such freedom fighter is Veer Surendra Sai, who belonged to Sambhalpur region of Odisha. He raised his sword against the Britishers at the age of 17 only, and, throughout his life, he fought against Britishers. Sir, we know that Nelson Mandela was imprisoned by the foreign rulers for a long period of 26 years and it is said that it is the highest period of incarceration of any freedom fighter. But, Sir, this great freedom fighter whom I am mentioning spent 36 years in British prison in two phases. He started his war against the Britishers much before the War of Independence of 1857, and, he died in the prison at the age of 74 after he was blinded by the captors, by the Britishers. He spent his last days at the Asirgarh Fort jail, now in Maharashtra. Many memorials have been erected in his honour in Odisha but as yet, there is no memorial in the memory of this great freedom fighter at the place where he spent his last days. He was tortured, he was blinded, and, his whole family was sent to jail. Many were hanged, many were sent to Andamans. Another great freedom fighter, Madho Singh, was a disciple of Veer Surendra Sai. His entire family also made the supreme sacrifice. Some were hanged by the Britishers, some were imprisoned for life and sent to Andamans jail. This freedom fighter spent his last days at the Asirgarh Fort, now in Maharashtra.

Sir, I would request the Central Government, and, through you and through the Central Government to the Government of Maharashtra, to kindly construct a memorial in the Asirgarh Fortress where this great son of India spent his last days under the British rule. Sir, it will inspire the progeny, it will inspire the next generation, it will inspire the younger generation of this country.

So, once again, I appeal to the Central Government, and, through you and through the Central Government to the Government of Maharashtra, to kindly consider my request and erect a memorial in memory of this great freedom fighter, Veer Surendra Sai. Thank you.

SHRI SUKHENDU SEKHAR RAY (West Bengal): Sir, I associate myself with the matter raised by the hon. Member.

DR. PRASHANTA NANDA (Odisha): Sir, I also associate myself with the matter raised by the hon. Member.

SHRIMATI SHANTA CHHETRI (West Bengal): Sir, I also associate myself with the matter raised by the hon. Member.

SHRI P. WILSON (Tamil Nadu): Sir, I also associate myself with the matter raised by the hon. Member.

DR. KANIMOZHI NVN SOMU (Tamil Nadu): Sir, I also associate myself with the matter raised by the hon. Member.

DR. AMAR PATNAIK (Odisha): Sir, I also associate myself with the matter raised by the hon. Member.

SHRI SURESH GOPI (Nominated): Sir, I also associate myself with the matter raised by the hon. Member.

DR. FAUZIA KHAN (Maharashtra): Sir, I also associate myself with the matter raised by the hon. Member.

SHRI M. MOHAMED ABDULLA (Tamil Nadu): Sir, I also associate myself with the matter raised by the hon. Member.

SHRI SUJEET KUMAR (Odisha): Sir, I also associate myself with the matter raised by the hon. Member.

DR. ANIL JAIN (Uttar Pradesh): Sir, I also associate myself with the matter raised by the hon. Member.

DR. SANTANU SEN (West Bengal): Sir, I also associate myself with the matter raised by the hon. Member.

SHRI ABIR RANJAN BISWAS (West Bengal): Sir, I also associate myself with the matter raised by the hon. Member.

Need to reconsider the decision to introduce Central University Entrance Test (CUET)

SHRI JOHN BRITTAS (Kerala): Sir, I am going to raise a matter which is going to affect the future of this nation. Sir, 'Education' is in the Concurrent List. The Government which harps on federalism takes unilateral decisions in the field of education. Sir, our education system is tampered with half-baked ideas. There is no meaningful discussion with States or the stakeholders.

The University Grants Commission recently decided that a Common University Entrance Test (CUET) will be held from this academic year for admissions to under-graduate courses and the marks obtained in Class 12th exams will not be counted or considered. At a stroke, the UGC has taken this decision without any discussion. *

MR. CHAIRMAN: Please confine to the issue. Do not make allegations. It will not go on record.

SHRI JOHN BRITTAS: Sir, his interviews were splashed across the media but the inherent flaws in the system, which were aired by the journalist have not been responded to. Sir, please consider the issue which are already being discussed in the country. In relation to NEET, the Tamil Nadu Members are agitated. Sir, the issue is that the students from the weaker sections are not considered because they do not have hefty amounts of money to pay for coaching. You want to bring coaching for the university education also.* ...*(Interruptions)*...

MR. CHAIRMAN: Please. You are supposed to talk on introducing Central University Entrance Test. These references to the UGC Chairman will not go on record.

SHRI JOHN BRITTAS: Sir, there are other flaws also. There is an inherent advantage for the students who are coming from well-to-do sections. The students from weaker sections will not be having the facility of coaching.

The second thing is that there are verticals of social justice. Think about a student who comes from the weaker section and does not pass this qualifying exam. I really want the Ministers to think about it. This is against the cardinal principles of social justice. The third important factor is that there is a distinct character for every university. It is not like school education. A student aspires to be a part of a university.

MR. CHAIRMAN: Right, Mr. Brittas. Your time is over.

SHRI JOHN BRITTAS: Sir, the fourth point is ...*(Interruptions)*...

* Not recorded.

MR. CHAIRMAN: Please. ...*(Interruptions)*... What can I do? You went out of the point and now you want to come to the point. ...*(Interruptions)*... What can I do? ...*(Interruptions)*... Now, Dr. Anbumani Ramadoss. ...*(Interruptions)*...

SHRI JOHN BRITTAS: *

MR. CHAIRMAN: No, no. It will not go on record. You know the procedure. ...*(Interruptions)*... Please sit down. ...*(Interruptions)*... I suggest to the Members that whatever they want to say, they should say it within the time allotted. We try to go out of the issue and then, at the end, we come back to the issue but we are not able to do justice. That is my concern. Otherwise, I have no problem. I allowed this because this is an important issue. That has to be properly projected before the House.

THE LEADER OF THE OPPOSITION (SHRI MALLIKARJUN KHARGE): Sir, I associate myself with the matter raised by the hon. Member.

DR. AMAR PATNAIK (Odisha): Sir, I also associate myself with the matter raised by the hon. Member.

SHRI JAWHAR SIRCAR (West Bengal): Sir, I also associate myself with the matter raised by the hon. Member.

SHRIMATI PRIYANKA CHATURVEDI (Maharashtra): Sir, I also associate myself with the matter raised by the hon. Member.

SHRI ABDUL WAHAB (Kerala): Sir, I also associate myself with the matter raised by the hon. Member.

SHRI SYED NASIR HUSSAIN (Karnataka): Sir, I also associate myself with the matter raised by the hon. Member.

SHRI T.K.S. ELANGO VAN (Tamil Nadu): Sir, I also associate myself with the matter raised by the hon. Member.

DR. AMEE YAJNIK (Gujarat): Sir, I also associate myself with the matter raised by the hon. Member.

* Not recorded.

SHRI P. WILSON (Tamil Nadu): Sir, I also associate myself with the matter raised by the hon. Member.

SHRI KANAKAMEDALA RAVINDRA KUMAR (Andhra Pradesh): Sir, I also associate myself with the matter raised by the hon. Member.

SHRI G.C. CHANDRASHEKHAR (Karnataka): Sir, I also associate myself with the matter raised by the hon. Member.

SHRI M. SHANMUGAM (Tamil Nadu): Sir, I also associate myself with the matter raised by the hon. Member.

DR. L. HANUMANTHAIAH (Karnataka): Sir, I also associate myself with the matter raised by the hon. Member.

DR. PRASHANTA NANDA (Odisha): Sir, I also associate myself with the matter raised by the hon. Member.

DR. SANTANU SEN (West Bengal): Sir, I also associate myself with the matter raised by the hon. Member.

SHRI JOSE K. MANI (Kerala): Sir, I also associate myself with the matter raised by the hon. Member.

SHRI SANDOSH KUMAR (Kerala): Sir, I also associate myself with the matter raised by the hon. Member.

SHRI BINOY VISWAM (Kerala): Sir, I also associate myself with the matter raised by the hon. Member.

DR. FAUZIA KHAN (Maharashtra): Sir, I also associate myself with the matter raised by the hon. Member.

SHRI ABIR RANJAN BISWAS (West Bengal): Sir, I also associate myself with the matter raised by the hon. Member.

SHRI M. MOHAMED ABDULLA (Tamil Nadu): Sir, I also associate myself with the matter raised by the hon. Member.

DR. KANIMOZHI NVN SOMU (Tamil Nadu): Sir, I also associate myself with the matter raised by the hon. Member.

श्री विशम्भर प्रसाद निषाद (उत्तर प्रदेश) : महोदय, मैं भी स्वयं को इस विषय के साथ सम्बद्ध करता हूँ।

प्रो. मनोज कुमार झा (बिहार) : महोदय, मैं भी स्वयं को इस विषय के साथ सम्बद्ध करता हूँ।

श्री नीरज डांगी (राजस्थान) : महोदय, मैं भी स्वयं को इस विषय के साथ सम्बद्ध करता हूँ।

Need for intervention by Union Government in Cauvery water dispute

DR. ANBUMANI RAMADOSS (Tamil Nadu): Sir, the Cauvery river caters to the needs of more than 22 districts out of 38 districts in Tamil Nadu. It satiates the drinking water needs of more than 6 crore population, including the Chennai population, and more than 50 lakh farmers are dependent on this river.

Sir, after a long legal battle of more than 30 years, the Supreme Court as well as the Cauvery River Tribunal gave its final verdict... * ...(*Interruptions*)...

SHRI G.C. CHANDRASHEKHAR (Karnataka): Sir, how can he say that? ...(*Interruptions*)... They have constructed projects ...(*Interruptions*)...

MR. CHAIRMAN: You please make your point. Don't bring the name of other States. ...(*Interruptions*)... This is the problem. ...(*Interruptions*)... No reference to Karnataka will go on record. ...(*Interruptions*)... No reference to Karnataka will go on record. ...(*Interruptions*)...

DR. ANBUMANI RAMADOSS: Sir, 70 TMC water ...(*Interruptions*)...

MR. CHAIRMAN: I am calling you also. ...(*Interruptions*)...

DR. ANBUMANI RAMADOSS: It goes against the spirit of the Supreme Court's verdict. ...(*Interruptions*)... It is completely illegal, and they have also ...(*Interruptions*)...

* Not recorded.

MR. CHAIRMAN: Please, Mr. Chandrashekhar. Do you want to aggravate the issue?
...(Interruptions)...

DR. ANBUMANI RAMADOSS: They have not given any permission.
...(Interruptions)... The legal permission has not been obtained, Sir.
...(Interruptions)... I request the Central Government to kindly intervene because this is not only a river issue but this is a very emotional issue also. This will soon turn into a law and order issue. We have been living as brothers and sisters for centuries across the border. We want the situation to remain the same. ...(Interruptions)...

SHRI G.C. CHANDRASHEKHAR: Sir, he cannot ...(Interruptions)... They have constructed projects. ...(Interruptions)...

MR. CHAIRMAN: Please. That is not going on record. Why are you wasting your energy? ...(Interruptions)...

DR. ANBUMANI RAMADOSS: Sir, Tamil Nadu is facing huge problem of water scarcity.

MR. CHAIRMAN: The issue is only on intervention of the Central Government.
...(Interruptions)... That is the subject he has raised, only to that extent.
...(Interruptions)... Right Anbumani, conclude it.

DR. ANBUMANI RAMADOSS: Just one minute, Sir.

MR. CHAIRMAN: Any references to other States will not go on record.
...(Interruptions)... And I have also seen that the tendency of some newspapers is to write what is removed from the record. ...(Interruptions)... Please take note that it should not be referred to.

DR. ANBUMANI RAMADOSS: We are not going to get any drop of water. Already, only excess water ...(Interruptions)...

MR. CHAIRMAN: Right, Dr. Anbumani. Now, Devegowda ji. ...(Interruptions)...

DR. ANBUMANI RAMADOSS: *

* Not recorded.

MR. CHAIRMAN: Anbumani Ramadoss, it will not go on record. ...*(Interruptions)*... Please. ...*(Interruptions)*... This is not the way. This will not go on record.

OBSERVATIONS BY THE CHAIR

MR. CHAIRMAN: If a Member does not obey the Chair, the entire issue raised by the Member will not be a part of the proceeding. This is my ruling. For future also, if anybody goes beyond the Chairman's permission, what they had said will not go on record. This has to be taken note of by the Secretariat and also the media. The House has to run in accordance with some rules, regulations and principles. It has become a fashion for some people that even when the Chairman speaks they go on speaking to show as if they are arguing. Moreover, when we are raising an issue which is sensitive, we should not take names of other States. It is a simple thing. We are the Council of States. We are not here to accuse each other. ...*(Interruptions)*... Only the issue will go on record, no mention of any State. Any reference to any State which will be part of it will not go on record. Shri H.D. Devegowda on drinking water. He met me five-six times and told me that he will only express concern about drinking water. That's all.

MATTERS RAISED WITH PERMISSION - *Contd.*

Need for intervention by Union Government in Cauvery water dispute- *Contd.*

SHRI M. MOHAMED ABDULLA (Tamil Nadu): Sir, I associate myself with the matter raised by the hon. Member.

DR. KANIMOZHI NVN SOMU (Tamil Nadu): Sir, I also associate myself with the matter raised by the hon. Member.

SHRIMATI SHANTA CHHETRI (West Bengal): Sir, I also associate myself with the matter raised by the hon. Member.

DR. M. THAMBIDURAI (Tamil Nadu): Sir, I also associate myself with the matter raised by the hon. Member.

SHRI R.S. BHARATHI (Tamil Nadu): Sir, I also associate myself with the matter raised by the hon. Member.

SHRI G.K. VASAN (Tamil Nadu): Sir, I also associate myself with the matter raised by the hon. Member.

SHRI P. WILSON (Tamil Nadu): Sir, I also associate myself with the matter raised by the hon. Member.

DR. SANTANU SEN (West Bengal): Sir, I also associate myself with the matter raised by the hon. Member.

SHRI ABIR RANJAN BISWAS (West Bengal): Sir, I also associate myself with the matter raised by the hon. Member.

DR. AMAR PATNAIK (Odisha): Sir, I also associate myself with the matter raised by the hon. Member.

SHRI H.D.DEVEGOWDA (Karnataka): Sir, I will confine myself only to the drinking water issue. I am not going to raise the issue of construction of any dam. All these things I am not going to raise. I know about the whole issue, the entire issue of sharing of water and all these things. I am not going to raise that. I know about everything that happened in the last 200 years. I can debate on every item in this House. Only thing is, we have got only drinking water. Not just the entire Bangalore city is denied by the Tribunal. The same thing was said by the Supreme Court. On the basis of the Tribunal's decision, they have given 4.75 TMCFT of water for Bangalore. I am not raising any State issue. I am only confining myself to my home State. The point is, 1,30,00,000 people are living in Bangalore. Let anybody from this House, irrespective of whichever party they may ...*(Interruptions)*...

MR. CHAIRMAN: Please.

SHRI H.D. DEVEGOWDA: Not concerned with Karnataka or other three States. Let any person as a delegate go and see and come back and report to your good self. The point is, today, we are entirely suffering from drinking water shortage. To our misfortune, the area which has not been confined to the Cauvery basin..

MR. CHAIRMAN: Right, Devegowda *ji*.

SHRI H.D. DEVEGOWDA: That was the decision given by the Supreme Court. Sir, with folded hands, I can speak volumes on this issue..

MR. CHAIRMAN: Right, Devegowda *ji*. Please. You have made your point.

SHRI H.D. DEVEGOWDA: Permit me, Sir, to have something.

MR. CHAIRMAN: Right.

SHRI H.D. DEVEGOWDA: For drinking water, we are beggars today. With folded hands ...(*Interruptions*)...

MR. CHAIRMAN: Thank you. Please, आप बैठिए श्री सुखेन्दु शेखर राय। It is an important issue. That is why I allowed him. He did not make any controversy or comment on that.

SHRI ABIR RANJAN BISWAS (West Bengal): Sir, I associate myself with the mention made by the hon. Member.

SHRI NARAYANA KORAGAPPA (Karnataka): Sir, I also associate myself with the mention made by the hon. Member.

SHRI IRANNA KADADI (Karnataka): Sir, I also associate myself with the mention made by the hon. Member.

SHRI K.C. RAMAMURTHY (Karnataka): Sir, I also associate myself with the mention made by the hon. Member.

Need for signboards in Bengali language along with English and/or Hindi of all Central Government establishments and Metro Rail Stations in West Bengal

SHRI SUKHENDU SEKHAR RAY (West Bengal): Sir, your good self is the champion for promotion of Indian regional languages. So, with your kind permission, I would like to speak in Bengali.

श्री सभापति :माननीय सदस्य, आपने बंगाली भाषा में बोलने हेतु पहले से inform किया है या नहीं, क्योंकि भाषांतरण की व्यवस्था करनी होती है?

SHRI SUKHENDU SEKHAR RAY: I have informed them. He is there. *Sir, the London Tube Railway Authority has recently put up a signboard at its Whitechapel station in Bengali language along with English. It has been done as many Bengali-speaking people live around Whitechapel area. It is not only recognition of the pride of Bengali language but this decision is also recognition of the thousand-year old Indian language, its dignity and its international glory.

Sir, I wish to apprise the Central Government, through you, that there are many Central Government establishments in our State and they display signboards in English and Hindi; we do not have objection to that. There is no objection if the signboards are displayed in English or Hindi, but I request that the signboards should also be displayed in Bengali language along with English and/or Hindi. I also request the Central Government through you, Sir that the Metro Railway stations which will come up in the future in West Bengal may display the signboards in Bengali language along with English and/or Hindi. Thank you, Sir.

SHRI MD. NADIMUL HAQUE (West Bengal): Sir, I associate myself with the mention made by the hon. Member.

DR. AMEE YAJNIK (Gujarat): Sir, I also associate myself with the mention made by the hon. Member.

SHRI P. WILSON (Tamil Nadu): Sir, I also associate myself with the mention made by the hon. Member.

SHRI IRANNA KADADI (Karnataka): Sir, I also associate myself with the mention made by the hon. Member.

DR. AMAR PATNAIK (Odisha): Sir, I also associate myself with the mention made by the hon. Member.

SHRI ABIR RANJAN BISWAS (West Bengal): Sir, I also associate myself with the mention made by the hon. Member.

SHRIMATI MAUSAM NOOR (West Bengal): Sir, I also associate myself with the mention made by the hon. Member.

* English translation of original speech made in Bengali.

DR. FAUZIA KHAN (Maharashtra): Sir, I also associate myself with the mention made by the hon. Member.

DR. SANTANU SEN (West Bengal): Sir, I also associate myself with the mention made by the hon. Member.

SHRIMATI PRIYANKA CHATURVEDI (Maharashtra): Sir, I also associate myself with the mention made by the hon. Member.

MS. DOLA SEN (West Bengal): Sir, I also associate myself with the mention made by the hon. Member.

SHRIMATI SHANTA CHHETRI (West Bengal): Sir, I also associate myself with the mention made by the hon. Member.

PROF. MANOJ KUMAR JHA (Bihar): Sir, I also associate myself with the mention made by the hon. Member.

SHRI JAWHAR SIRCAR (West Bengal): Sir, I also associate myself with the mention made by the hon. Member.

DR. KANIMOZHI NVN SOMU (Tamil Nadu): Sir, I also associate myself with the mention made by the hon. Member.

SHRI M. MOHAMED ABDULLA (Tamil Nadu): Sir, I also associate myself with the mention made by the hon. Member.

MR. CHAIRMAN: The issue raised by Shri Sukhendu Sekhar Ray is not confined to Kolkata alone. It is for the entire country. And for that matter, all Government signboards in every State, belonging to Central or State Governments, should be in mother tongue and State language, and then in Hindi and English. This should be the model. Otherwise, people would not be able to understand. I hope the Government will take note of this and see to it that proper instructions are given to all the concerned agencies. It has to be a national policy. We are a free and independent country.

SHRI JAIRAM RAMESH (Karnataka): Sir, let us stop using the words 'regional language'. These are national languages. Let us not use the words 'regional language'.

MR. CHAIRMAN: That has been my stand. I said it also that in the State language where it is situated. ...*(Interruptions)*...

SHRI DEEPENDER SINGH HOODA (Haryana): Sir, whenever you suggest something to the Government, somebody should, at least, take cognizance.

MR. CHAIRMAN: They are nodding their heads in agreement. ...*(Interruptions)*... There is no senior concerned Minister. ...*(Interruptions)*...

SHRI TIRUCHI SIVA (Tamil Nadu): Sir, they should at least say, 'yes'.

MR. CHAIRMAN: When I say something, it will be taken seriously. Don't worry. I will see to it. Now, Shri Neeraj Dangi.

Need to complete the construction of Ratlam-Dungurpur rail line project

श्री नीरज डांगी (राजस्थान): माननीय सभापति महोदय, आपने मुझे इस महत्वपूर्ण मुद्दे को उठाने का अवसर प्रदान किया, इसके लिए मैं आपको हार्दिक धन्यवाद देता हूँ।

महोदय, रेल बजट 2011-12 में डूंगरपुर-रतलाम वाया बांसवाड़ा नई रेल लाइन परियोजना स्वीकृत की गई थी। इस हेतु राजस्थान सरकार तथा रेल मंत्रालय के बीच लागत सहभागिता के लिए वर्ष 2011 में एमओयू हस्ताक्षरित किया गया था। एमओयू के समय परियोजना की संभावित लागत 2,082.75 करोड़ रुपए (परियोजना लागत) एवं 180.99 करोड़ रुपए (भूमि लागत) थी, जिसमें राजस्थान सरकार द्वारा परियोजना लागत का 50 प्रतिशत वहन किया जाना था और राजस्थान तथा मध्य प्रदेश में पड़ने वाली भूमि अधिग्रहण की लागत को राजस्थान सरकार द्वारा वहन किया जाना था।

राजस्थान सरकार द्वारा रेलवे को प्रथम किस्त के रूप में 200 करोड़ रुपए का भुगतान मार्च, 2011 में कर दिया गया था और इस परियोजना का शिलान्यास भी दिनांक 30.06.2011 को कर दिया गया था। समय पर कार्य प्रारंभ नहीं होने की वजह से वर्तमान में परियोजना एवं भूमि अधिग्रहण की लागत अत्यधिक बढ़ गई है। ऐसे में माननीय मुख्य मंत्री, राजस्थान ने माननीय प्रधान मंत्री जी को अवगत कराया कि राजस्थान सरकार बढ़ी हुई परियोजना लागत वहन करने में सक्षम नहीं है, इसलिए रेलवे व्यावहारिक दृष्टिकोण अपनाते हुए इस महत्वपूर्ण परियोजना को स्वयं के संसाधनों से पूर्ण करवाए। हालाँकि मध्य प्रदेश और राजस्थान में भूमि अधिग्रहण की लागत का भुगतान राजस्थान सरकार द्वारा ही किया जाना है। साथ ही इन्होंने इस प्रकरण में नीति

आयोग के साथ दिनांक 06.08.2021 को हुई चर्चा के क्रम में परियोजना के जनजातीय क्षेत्र से संबंधित होने के दृष्टिगत रेल मंत्रालय द्वारा exception-based अनुमोदन दिए जाने के लिए निवेदन किया है।

माननीय सभापति महोदय, मैं आपके माध्यम से भारत सरकार से अनुरोध करना चाहता हूँ कि प्रकरण में केन्द्रीय बजट 2022-23 में प्रस्तावित पूँजीगत व्यय से राजस्थान सरकार के प्रस्ताव को स्वीकार किया जाए ताकि इस महत्वपूर्ण रेल परियोजना को मूर्त रूप दिया जा सके।

SHRI JOHN BRITTAS (Kerala): Sir, I associate myself with the matter raised by the hon. Member.

DR. SANTANU SEN (West Bengal): Sir, I also associate myself with the matter raised by the hon. Member.

श्रीमती फूलो देवी नेतम (छत्तीसगढ़): महोदय, मैं भी स्वयं को इस विषय के साथ संबद्ध करती हूँ।

श्री राजमणि पटेल (मध्य प्रदेश): महोदय, मैं भी स्वयं को इस विषय के साथ संबद्ध करता हूँ।

SHRI ABIR RANJAN BISWAS (West Bengal): Sir, I also associate myself with the matter raised by the hon. Member.

DR. AMAR PATNAIK (Odisha): Sir, I also associate myself with the matter raised by the hon. Member.

SHRI P. WILSON (Tamil Nadu): Sir, I also associate myself with the matter raised by the hon. Member.

SHRI G.C. CHANDRASHEKHAR (Karnataka): Sir, I also associate myself with the matter raised by the hon. Member.

DR. FAUZIA KHAN (Maharashtra): Sir, I also associate myself with the matter raised by the hon. Member.

DR. KANIMOZHI NVN SOMU (Tamil Nadu): Sir, I also associate myself with the matter raised by the hon. Member.

SHRI M. MOHAMED ABDULLA (Tamil Nadu): Sir, I also associate myself with the matter raised by the hon. Member.

MR. CHAIRMAN: Shri Muraleedharan, the Minister of State for Parliamentary Affairs, and Shri Sonowal are here. The earlier issue of signboards in local language has to be made mandatory. And it is not a favour to anybody. People, who are travelling, should know it. Otherwise, the purpose would not be served. Please take note of it.

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS; AND THE MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI V. MURALEEDHARAN): Sir, all the directions given by the Chair during Zero Hour are communicated to the concerned Ministers for necessary action.

MR. CHAIRMAN: Right. Now, Shri Vijay Pal Singh Tomar.

Need to make FasTags mandatory for State Highways

श्री विजय पाल सिंह तोमर (उत्तर प्रदेश) :माननीय सभापति महोदय, मैं आए दिन लोगों को होने वाली परेशानी की ओर आपके द्वारा सदन का ध्यान आकर्षित करना चाहता हूँ।

मान्यवर, राष्ट्रीय राजमार्गों का निर्माण इसलिए हुआ है ताकि कम समय में अधिक दूरी तय की जा सके और आर्थिक गतिविधि तेज हो सके। जनवरी, 2021 से टोल प्लाज़ा पर जो फास्टैग लगाया गया है, उससे तेल की भी बचत हुई है, राजस्व की भी वृद्धि हुई है और कम समय में अधिक दूरी तय की जाती है। यह नेशनल हाइवे पर तो हुआ है, लेकिन राज्य राजमार्गों पर ऐसा नहीं है, वहाँ पर एक-एक घंटे तक जाम में खड़े रहना पड़ता है। इससे तेल का भी नुकसान होता है, राजस्व का भी नुकसान होता है और हम जो नेशनल हाइवे से कम समय में अधिक दूरी तय करके आते हैं, वहाँ पर वह समय बराबर हो जाता है। यह परेशानी बहुत हो रही है। मैं आपके माध्यम से सरकार से कहना चाहूँगा कि वह राज्य सरकारों से बात करके उनके लिए ऐसी advisory जारी करे कि स्टेट हाइवेज़ पर राज्य सरकार के जितने भी टोल हैं, उन पर भी फास्टैग लगाया जाए, ताकि वहाँ पर आए दिन जो जाम लगता है, उससे निजात मिल सके।

SHRI KANAKAMEDALA RAVINDRA KUMAR (Andhra Pradesh): Sir, I associate myself with the matter raised by the hon. Member.

DR. SANTANU SEN (West Bengal): Sir, I too associate myself with the matter raised by the hon. Member.

DR. AMAR PATNAIK (Odisha): Sir, I too associate myself with the matter raised by the hon. Member.

SHRI ABIR RANJAN BISWAS (West Bengal): Sir, I too associate myself with the matter raised by the hon. Member.

DR. FAUZIA KHAN (Maharashtra): Sir, I too associate myself with the matter raised by the hon. Member.

श्री रामकुमार वर्मा (राजस्थान) :महोदय, मैं भी स्वयं को इस विषय से संबद्ध करता हूँ।

श्रीमती सम्पतिया उइके (मध्य प्रदेश) :महोदय, मैं भी स्वयं को इस विषय से संबद्ध करती हूँ।

श्री विशम्भर प्रसाद निषाद (उत्तर प्रदेश) :महोदय, मैं भी स्वयं को इस विषय से संबद्ध करता हूँ।

चौधरी सुखराम सिंह यादव (उत्तर प्रदेश) :महोदय, मैं भी स्वयं को इस विषय से संबद्ध करता हूँ।

Need to subsidise the rate of blood tests for Thalassemia

SHRI JAWHAR SIRCAR (West Bengal): Sir, I wish to raise an issue that concerns the entire nation in the sense that all of you are aware that Thalassemia is a disease that can cause havoc to a family. The second thing about Thalassemia is that while a lot of money has to be spent by hapless parents for giving blood transfusion to their children, it is they who have passed it on to the child as dormant carriers. Now, this is one thing; a nation that has controlled Polio, a nation that has eradicated Smallpox, a nation that has taken so many salutary steps in the direction of health, may kindly wake up to the minimum requirement in controlling Thalassemia and that is insistence on a blood test by every intending couple. We can do it. Before marriage, we check the age and we go in for so many measures. So to control this deadly disease of Thalassemia, I would submit -- while you can make it mandatory, people cannot afford it because it costs between Rs.500 to Rs.1,000 -- that if the nation could have afforded subsidization or even free treatment of Covid vaccines, the nation can come forward in the interest of Thalassemia, which is affecting and causing havoc to so many families, to go in for a mandatory check through a subsidized centre. That is all, Sir. You do that and Thalassemia would recede like Smallpox. Thank you, Sir.

MR. CHAIRMAN: Right and thank you. Those who want associate, please send their names.

SHRI JOHN BRITTAS (Kerala): Sir, I associate myself with the matter raised by the hon. Member.

SHRIMATI PRIYANKA CHATURVEDI (Maharashtra): Sir, I too associate myself with the matter raised by the hon. Member.

DR. SANTANU SEN (West Bengal): Sir, I too associate myself with the matter raised by the hon. Member.

MS. DOLA SEN (West Bengal): Sir, I too associate myself with the matter raised by the hon. Member.

PROF. MANOJ KUMAR JHA (Bihar): Sir, I too associate myself with the matter raised by the hon. Member.

SHRIMATI SHANTA CHHETRI (West Bengal): Sir, I too associate myself with the matter raised by the hon. Member.

SHRI MD. NADIMUL HAQUE (West Bengal): Sir, I too associate myself with the matter raised by the hon. Member.

SHRI P. WILSON (Tamil Nadu): Sir, I too associate myself with the matter raised by the hon. Member.

DR. AMAR PATNAIK (Odisha): Sir, I too associate myself with the matter raised by the hon. Member.

DR. PRASHANTA NANDA (Odisha): Sir, I too associate myself with the matter raised by the hon. Member.

SHRI SUJEET KUMAR (Odisha): Sir, I too associate myself with the matter raised by the hon. Member.

SHRIMATI JAYA BACHCHAN (Uttar Pradesh): Sir, I too associate myself with the matter raised by the hon. Member.

SHRI ABIR RANJAN BISWAS (West Bengal): Sir, I too associate myself with the matter raised by the hon. Member.

SHRI MAHESH PODDAR (Jharkhand): Sir, I too associate myself with the matter raised by the hon. Member.

DR. ANIL JAIN (Uttar Pradesh): Sir, I too associate myself with the matter raised by the hon. Member.

SHRI JOSE K. MANI (Kerala): Sir, I too associate myself with the matter raised by the hon. Member.

SHRIMATI MAUSAM NOOR (West Bengal): Sir, I too associate myself with the matter raised by the hon. Member.

DR. FAUZIA KHAN (Maharashtra): Sir, I too associate myself with the matter raised by the hon. Member.

DR. KANIMOZHI NVN SOMU (Tamil Nadu): Sir, I too associate myself with the matter raised by the hon. Member.

SHRI M. MOHAMED ABDULLA (Tamil Nadu): Sir, I too associate myself with the matter raised by the hon. Member.

SHRI LUIZINHO JOAQUIM FALEIRO (West Bengal): Sir, I too associate myself with the matter raised by the hon. Member.

श्री विशम्भर प्रसाद निषाद (उत्तर प्रदेश) : महोदय, मैं भी स्वयं को इस विषय से संबद्ध करता हूँ।

Spying, cheating and loan app fraud by Chinese Companies

श्री संजय राउत (महाराष्ट्र): सर, देश की अर्थव्यवस्था को विध्वस्त करने का काम पाकिस्तान sponsored आईएसआई, अल-कायदा और उनके गिरोह हमेशा करते आए हैं। हिन्दुस्तान की जो करेंसी है, उसके नकली नोट छापकर, चलन में लाकर हमारी अर्थव्यवस्था को खत्म करने का षड्यंत्र हमेशा चलता रहा है, लेकिन अब इस मामले में चीन भी पाकिस्तान से आगे निकल गया है। एक तरफ Galwan Valley में घुसकर चीन हमारी ज़मीन हड़प रहा है और दूसरी तरफ वह हमारी अर्थव्यवस्था में संधमारी कर रहा है। सर, कल ही दिल्ली पुलिस के स्पेशल सेल की आईएफएसओ यूनिट ने एक इंटरनेशनल गैंग के आठ ठगों को गिरफ्तार किया है। वे चीनी ऐप से लोन दिलाने के नाम पर बड़ी मात्रा में ब्लैकमेलिंग कर रहे थे। अब तक इन लोगों ने लाखों लोगों से हजारों-करोड़ रुपये की ठगी की है। उनके बैंक खाते से ही पता चला है कि सिर्फ 15 दिनों में उनके बैंक खाते में दस करोड़ रुपये जमा हुए थे। पुलिस को अब तक ऐसे 25 खातों का पता चला है और इससे

अंदाजा लगता है कि यह क्राइम कितना गंभीर और चिंताजनक है। सर, यह मामला सिर्फ पैसों की ठगी का नहीं है, बल्कि यह मामला देश की सुरक्षा का भी है। भारत में बैठे ऐसे सैकड़ों गैंग इस तरह की ठगी की रकम को क्रिप्टोकॉरेंसी में बदलकर चीनी नागरिकों को हाँगकाँग, दुबई और चीन में भेज रहे थे, साथ ही, वे हमारे देश के महत्वपूर्ण डेटा को चुराकर भी चीन में भेज रहे थे। सर, हमारे देश में 60 परसेंट चाइनीज़ मोबाइल यूज़ हो रहे हैं, 50 परसेंट से ज्यादा चाइनीज़ मोबाइल ऐप यूज़ हो रहे हैं। मोबाइल कंपनीज़ के अधिकांश पार्ट चीन निर्मित कंपनियों से भी आते हैं। कुछ ऐसे ऐप्स हैं, जिनमें आसानी से लोन देने या अन्य प्रलोभन की पेशकश की जाती है, लेकिन उनके माध्यम से ग्राहकों के फाइनेंशियल डॉक्युमेंट्स का गलत इस्तेमाल किया जाता है। आसान भाषा में बोलें, तो अब हर स्मार्ट फोन यूज़र पर चीन की नज़र भी पड़ रही है, इसलिए मैं सरकार से एक रिक्वेस्ट करूँगा कि यह जो चीनी ऐप और लोन का मामला सामने आया है, उस पर सरकार कठोर कार्रवाई करे।

MR. CHAIRMAN: It is Chinese app and not 'aap'.

श्री संजय राउत: सर, यह दिल्ली की बात है, इसलिए ऐप का 'आप' जैसा लग रहा है। ...**(व्यवधान)**... सर, वित्त मंत्री जी बैठी हैं, इसलिए मैं इस संबंध में कहूँगा कि यह बात बहुत गंभीर है और देश की अर्थव्यवस्था से जुड़ी है, इसलिए आप इस पर ध्यान दीजिए।

SHRIMATI PRIYANKA CHATURVEDI (Maharashtra): Sir, I associate myself with the matter raised by the hon. Member.

DR. SANTANU SEN (West Bengal): Sir, I too associate myself with the matter raised by the hon. Member.

SHRI P. WILSON (Tamil Nadu): Sir, I too associate myself with the matter raised by the hon. Member.

DR. AMAR PATNAIK (Odisha): Sir, I too associate myself with the matter raised by the hon. Member.

SHRI SUJEET KUMAR (Odisha): Sir, I too associate myself with the matter raised by the hon. Member.

SHRIMATI SHANTA CHHETRI (West Bengal): Sir, I too associate myself with the matter raised by the hon. Member.

SHRI ABIR RANJAN BISWAS (West Bengal): Sir, I too associate myself with the matter raised by the hon. Member.

SHRI M. SHANMUGAM (Tamil Nadu): Sir, I too associate myself with the matter raised by the hon. Member.

DR. FAUZIA KHAN (Maharashtra): Sir, I too associate myself with the matter raised by the hon. Member.

DR. KANIMOZHI NVN SOMU (Tamil Nadu): Sir, I too associate myself with the matter raised by the hon. Member.

SHRI M. MOHAMED ABDULLA (Tamil Nadu): Sir, I too associate myself with the matter raised by the hon. Member.

श्री विशम्भर प्रसाद निषाद (उत्तर प्रदेश) : महोदय, मैं भी स्वयं को इस विषय से संबद्ध करता हूँ।

श्रीमती फूलो देवी नेतम (छत्तीसगढ़) : महोदय, मैं भी स्वयं को इस विषय से संबद्ध करती हूँ।

श्री राजमणि पटेल (मध्य प्रदेश) : महोदय, मैं भी स्वयं को इस विषय से संबद्ध करता हूँ।

चौधरी सुखराम सिंह यादव (उत्तर प्रदेश) : महोदय, मैं भी स्वयं को इस विषय से संबद्ध करता हूँ।

MR. CHAIRMAN: Right, good. It is an important issue. Now, Shri M. Mohamed Abdulla. Just mention the issue, because time is not there.

Change in the examination centres for Term-II of class 10 Board examinations under Central Board of Secondary Education (CBSE)

SHRI M. MOHAMED ABDULLA (Tamil Nadu): Sir, as per the Circular issued by the Central Board of Secondary Education on 11th March, 2022, no examination centre will be changed in Term-II of Class 10...*(Interruptions)*...

MR. CHAIRMAN: Right, Abdullaji. Sorry. ...*(Interruptions)*... Time is over.

SHRI M. MOHAMED ABDULLA: In this regard, I would like to bring to your notice...*(Interruptions)*...

MR. CHAIRMAN: Time is over. It will not go on record.

DR. AMAR PATNAIK (Odisha): Sir, I associate myself with the issue raised by the hon. Member.

DR. FAUZIA KHAN (Maharashtra): Sir, I too associate myself with the issue raised by the hon. Member.

SHRI ABIR RANJAN BISWAS (West Bengal): Sir, I too associate myself with the issue raised by the hon. Member.

SHRI JOHN BRITTAS (Kerala): Sir, I too associate myself with the issue raised by the hon. Member.

DR. SANTANU SEN (West Bengal): Sir, I too associate myself with the issue raised by the hon. Member.

SHRI M. SHANMUGAM (Tamil Nadu): Sir, I too associate myself with the issue raised by the hon. Member.

चौधरी सुखराम सिंह यादव (उत्तर प्रदेश): महोदय, मैं भी स्वयं को इस विषय के साथ सम्बद्ध करता हूँ।

MR. CHAIRMAN: Question Hour has started. Please. The same system should be followed also with regard to the direction of the Chair, the moment the Chair says something, हम लोगों को आगे यह भी देखना पड़ेगा। Question No. 346.

12.00 Noon

[MR. DEPUTY CHAIRMAN *in the chair.*]

ORAL ANSWERS TO QUESTIONS

CSR fund for the development of backward areas

†*346. SHRIMATI GEETA ALIAS CHANDRAPRABHA: Will the Minister of CORPORATE AFFAIRS be pleased to state:

- (a) whether it is proposed to develop the socially, economically and educationally backward areas of the country through the Corporate Social Responsibility (CSR) fund;

† Original notice of the question was received in Hindi.

(b) if so, the criteria for selecting the said areas; and

(c) the quantum of funds allocated for the development of the said areas during the last two years, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF CORPORATE AFFAIRS (RAO INDERJIT SINGH): (a) to (c) A Statement is laid on the Table of the House.

Statement

(a) and (b) The broad framework for Corporate Social Responsibility (CSR) has been provided under Section 135 of the Companies Act, 2013 ('Act'), Schedule VII of the Act and Companies (CSR Policy) Rules, 2014. As per the extant framework, the CSR provisions are applicable across areas or regions including socially, economically and educationally backward areas of the country. Though the first proviso to Section 135(5) of the Act provides that the company shall give preference to the local area and areas around where it operates, however, the emphasis on local area is only directory and not mandatory in nature as companies need to balance the local area preference with the national priorities. The same has also been clarified through Frequently Asked Questions (FAQs) on CSR issued vide General Circular no. 14/2021 dated 25.08.2021.

Similarly, Schedule VII of the Act enlist the eligible CSR activities. As per Schedule VII, activities such as eradicating hunger, poverty and malnutrition, promoting health care, provisioning of sanitation and safe drinking water, livelihood enhancement projects, measures for reducing inequalities faced by socially and economically backward groups, training to promote rural sports, contribution to any other fund set up by the central government for socio economic development and relief and welfare of the schedule caste, tribes, other backward classes, minorities and women etc. are considered as eligible CSR activities. Further, the Ministry vide General Circular no. 14/2021 dated 25.08.2021 had clarified that entries in Schedule VII are broad-based and must be interpreted liberally so as to capture the essence of the subjects enumerated therein. As such socially, economically and educationally backward areas of the country are also intended to be important beneficiaries of CSR spending.

Moreover, as per the input provided by Department of Public Enterprises (DPE), it has been issuing guidelines from the financial year (FY) 2018-19 to all the

administrative Ministries and Central Public Sector Enterprises (CPSEs) for adopting a theme-based focussed approach every year regarding CSR expenditure by the CPSEs. These guidelines, inter-alia, provide that CSR expenditure for such thematic programmes should be around 60% of annual CSR expenditure of the CPSEs and the aspirational districts as identified by NITI Aayog may be given preference while undertaking CSR activities.

(c) Under the Act, CSR is a Board driven process and the Board of the company is empowered to plan, decide, execute and monitor CSR activities based on the recommendations of its CSR committee. The Government does not issue any directions to the companies to spend in particular geographical area or activity. On the basis of filings made by the companies in the MCA 21 registry, companies have spent an amount of Rs.507.47 crores in 84 aspirational districts as identified by NITI Aayog in FY 2020-21 (data up to 31.12.2021) as against Rs.331.91 crores in 82 aspirational districts in FY 2019-20. All data related to CSR filed by companies in the MCA21 registry, including district-wise data, are available in the public domain and can be accessed at www.csr.gov.in. Further, the data for FY 2020-21 is subject to change as the levy of additional fees for the late filing had been relaxed till 15.03.2022.

श्रीमती गीता उर्फ चंद्रप्रभा : महोदय, मैं आपके माध्यम से माननीय मंत्री जी से जानना चाहती हूँ कि क्या ऐसे जिले, जहाँ CSR के दायरे में आने वाली बड़ी कंपनियाँ स्थापित हैं, वहाँ के जनप्रतिनिधियों की अनुशंसा पर जनहित कार्य कराने की कोई गाइडलाइन है?

राव इन्द्रजीत सिंह : जनाब डिप्टी चेयरमैन साहब, Section 135 of the Companies Act provides the framework for the CSR spending. Madam, the first proviso to this यह कहता है कि जहाँ पर कंपनी स्थापित है, वहाँ पर वह पहले कोशिश करे कि CSR के फंड लागू हों, लेकिन यह mandatory नहीं है, बल्कि directory है। भारत सरकार ने आज के दिन जो broad principle अपनाया हुआ है, वह यह है कि केवल उस स्थान के ऊपर ही नहीं, बल्कि कंपनी उसके अलावा देश के बाकी स्थानों के अंदर भी अगर CSR का पैसा खर्च कर सकती है, तो उससे general public का लाभ होगा। इस तौर पर, इसको सिर्फ directory किया गया है, mandatory नहीं किया गया है।

श्री उपसभापति : सेकंड सप्लिमेंटरी। आप सेकंड सप्लिमेंटरी नहीं पूछना चाहती हैं?

श्रीमती गीता उर्फ चंद्रप्रभा : जी नहीं, सर।

श्री उपसभापति : ठीक है। डा. एल. हनुमंतय्या जी।

DR. L. HANUMANTHAIHAH: Sir, as per the answer, Section 135(5) of the Act provides that company shall give preference to the local areas and areas around where it operates; however, the emphasis on local area is only directory and not mandatory. This is what they have given. Now to improve the backward districts, it should be made mandatory that the CSR funds have to be used in backward districts. Otherwise, this purpose of the CSR funds will not be served.

MR. DEPUTY CHAIRMAN: Please put your question.

DR. L. HANUMANTHAIHAH: That is what I wanted to ask of the hon. Minister.

RAO INDERJIT SINGH: Sir, Hanumanthaiahji stated that it is not mandatory. What happens is that generally speaking, companies tend to spend the money in the areas where they are located. The main beneficiaries thereafter are, say States like Maharashtra, Gujarat, Tamil Nadu, Andhra Pradesh, Delhi, and other areas in the North-East, say, Nagaland gets very little CSR spending. In the last seven years, since CSR has been in vogue, Nagaland has only been able to get Rs.8 crores out of the Rs.1.25 lakh crores spent under CSR by various companies. Having said that, nevertheless, I must say that there is some sort of a guideline for public sector undertakings that they should look into aspirational districts, backward districts, where there is *gurbat*. That kind of a thing is already on the anvil and it has been directed that 60 per cent of the funds of PSUs are intended for, or hopefully, they would spend that money in the so-called aspirational districts.

SHRI PRASANNA ACHARYA: Sir, I would like to know from the hon. Minister as to whether CSR funds are allowed for Government schemes as a gap funding and, thereby, depriving other non-Governmental schemes. Secondly, CSR fund is allowed for Prime Minister Relief Fund and I would like to know whether it is a fact that it is not allowed for Chief Minister Relief Fund. Is this not telling upon the federal structure of this country? So I would like to know whether the Government would consider making amendment in this provision of the Act.

RAO INDERJIT SINGH: Sir, out of the Rs.1.25 lakh crores that have been spent under CSR over the last seven years, not more than 4 to 5 per cent has gone into PM CARES Fund. And, most of that money has gone during the two years of Covid. Before that, the companies by themselves had been able to spend on all those

activities that are enumerated under the CSR pattern, under Section 135 and Schedule vii of it. As for Chief Minister's Fund, to begin with, there were attempts to make CSR go to the Chief Minister's Fund, but it was not accepted by the Government of India because then to whichever State it is meant, the funds from these companies will only go as per the direction given by the Chief Minister. We don't want to have that. The basic idea of sending CSR is to do the best you can for the public good. It cannot necessarily mean only one person can think of that, not the Chief Minister alone. It is a broad-based activity that the Board undertakes. We give the general guidelines and the Board implements it and it is an activity which is pan-Indian no matter where the company comes from.

SHRI BIRENDRA PRASAD BAISHYA: Sir, the Corporate Social Responsibility Fund plays an important role for the economic development of backward region of the country. In his written reply, the hon. Minister has said that NITI Aayog identified 82 districts all over the country which has been earmarked with more than Rs.331 crores and the Minister himself admitted right now that they have allotted only Rs.8 crores to the Nagaland. The North-Eastern Region comprises eight States. Out of these 82 districts which the NITI Aayog has identified, how many districts are from the North-Eastern Region? And, how much money has been already spent in the North-Eastern Region? I want to know this, and I would like to request the hon. Minister to look into this thing seriously and try to enhance the amount so as to help the people of North-Eastern Region.

RAO INDERJIT SINGH: Sir, the idea of the Government of India is that it should be a broad-based activity. The responsibility of spending CSR funds lies with the Board of the Company. If we make it happen directly, then it will not go to States, like the Member has said. We are trying to ensure that through suggestions, the company is made to spend the money, not only in the area of its operation but as broadly as possible throughout the country. And, that is what is being done. We, unfortunately, cannot direct any company to say that in the North-Eastern Region, you spend so much money. This is not mandatory, as I said earlier.

MR. DEPUTY CHAIRMAN: Now, Question No. 347.

**Andhra Pradesh Fiscal Responsibility and Budget Management
(Amendment) Bill, 2021**

*347. SHRI KANAKAMEDALA RAVINDRA KUMAR: Will the Minister of FINANCE be pleased to state:

(a) whether Government has taken note of the fact that the State Legislative Assembly of Andhra Pradesh has passed Andhra Pradesh Fiscal Responsibility and Budget Management (Amendment) Bill, 2021 revising 'Revenue Deficit' and 'Fiscal Deficit' limit for the years 2021-22, 2022-23, 2023-24, 2024-25 and 2025-26; and

(b) if so, the action of Union Government in this regard, and if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI PANKAJ CHAUDHARY): (a) and (b) A statement is laid on the Table of the House.

Statement

(a) and (b) Yes Sir, the Andhra Pradesh Legislative Assembly has passed Andhra Pradesh Fiscal Responsibility and Budget Management (Amendment) Bill, 2021 revising 'Revenue Deficit' and 'Fiscal Deficit' limit for the years 2021-22, 2022-23, 2023-24, 2024-25 and 2025-26. Revised limit for revenue deficit and fiscal deficit are as follows:

Year	Limit of Revenue Deficit (as % of GSDP)	Limit of Fiscal deficit (as % of GSDP)
2021-22	3.6	5.0
2022-23	3.3	4.5
2023-24	3.0	4.0
2024-25	2.7	4.0
2025-26	2.4	3.5

All States including Andhra Pradesh have enacted their Fiscal Responsibility and Budget Management (FRBM) Act. Compliance to the State FRBM Act is monitored by the respective State legislatures.

Department of Expenditure, Ministry of Finance generally follows the fiscal limits mandated by the approved recommendations of Finance Commission through the powers to approve borrowings by States under Article 293 (3) of the Constitution of India.

15th Finance Commission (XV-FC) has recommended that the normal limit for net borrowings of State Governments may be fixed at 4 per cent of GSDP in 2021-22, 3.5 per cent in 2022-23 and be maintained at 3 per cent of GSDP from 2023-24 to 2025-26. The Commission has also recommended an extra annual borrowing space for the States, of 0.50 per cent of their GSDP for the period 2021-22 to 2024-25, based on performance criteria in the power sector.

SHRI KANAKAMEDALA RAVINDRA KUMAR: Sir, as per the information given by the hon. Minister, the borrowing space for the State, in any given year, is calculated on the basis of information submitted by the State. Once the CAG audited State Finance Accounts are available, the adjustment on account of over-borrowing by the State arises due to deviation in the information that was given. As per the information, the Ministry of Finance, Department of Expenditure identified the amount of Rs.17,923.94 crores was the excess borrowed by deviating the norms. What steps have been taken to recover that amount and whether that amount was adjusted in the available borrowing space?

श्री पंकज चौधरी : उपसभापति महोदय, मैंने अपने उत्तर में पहले ही बताया है कि निश्चित तौर से उसका हिसाब CAG के द्वारा लिया जाता है। आंध्र प्रदेश की रिपोर्ट आयी कि उन्होंने 22 हजार करोड़ रुपये की अतिरिक्त borrowing की है। उस पर भारत सरकार ने निर्णय लिया और next year borrowing में उनके पैसे को adjust करने का प्रयास किया है।

SHRI KANAKAMEDALA RAVINDRA KUMAR: Sir, the release of advance and disbursement of the loan amount will be based on the release of reports relating to State's sharing in respect of projects identified for finance. In respect of Andhra Pradesh Rural Roads Project (APRRP), Andhra Pradesh Roads and Bridges Reconstruction Project (APRBRP) and Andhra Pradesh Mandal Connectivity and Rural Connectivity Improvement Project (APMCRCIP), the Ministry of Finance,

Department of Economic Affairs sent a letter to the Government on 17.01.2022 stating that the Government did not deposit the proportionate share...

MR. DEPUTY CHAIRMAN: Please ask your question.

SHRI KANAKAMEDALA RAVINDRA KUMAR: And that is why the loan amount is not agreed to be released. So, I want to know whether the subsequent steps have been taken by the Department...

MR. DEPUTY CHAIRMAN: Please put your question.

SHRI KANAKAMEDALA RAVINDRA KUMAR: I am asking the question, Sir.

MR. DEPUTY CHAIRMAN: It is a long explanation; please put your question.

SHRI KANAKAMEDALA RAVINDRA KUMAR: Sir, this is my question.

MR. DEPUTY CHAIRMAN: Then, I am moving to the other Member; please be brief.

SHRI KANAKAMEDALA RAVINDRA KUMAR: But, this is my question, Sir.

MR. DEPUTY CHAIRMAN: It is a long question. You know that you are taking time of other Members; please be brief.

SHRI KANAKAMEDALA RAVINDRA KUMAR: Sir, you are not allowing me to put my question. This is my question.

Sir, I want to know whether the Government has taken any steps and given directions to the Government of Andhra Pradesh to deposit the loan amount or the proportionate share of the State Government.

श्री पंकज चौधरी : उपसभापति महोदय, मैंने बताया है कि FRBM Act पर हर स्टेट का अपना अधिकार है। उस पर वह निर्णय लेती है कि हमें कितना उधार लेना है और कितना नहीं लेना है? भारत सरकार उस पर govern करती है और अगर किसी प्रदेश ने ज्यादा उधार लिया है, तो निश्चित तौर से अगले वर्ष उसको काट कर उधारी की सीमा बताई जाती है।

SHRI G.V.L. NARASIMHA RAO: Sir, the reply given by the hon. Minister says that the FRBM limits set by the State Governments; they are monitored by the State Legislatures. But, a recent report by CAG says that the State Government has disbursed Rs. 1,10,000 crores over what has been authorised by the State Legislature, which clearly shows that the Government of Andhra Pradesh has no respect for FRBM norms or expenditure norms.

MR. DEPUTY CHAIRMAN: Please ask your question.

SHRI G.V.L. NARASIMHA RAO: Sir, my question is, in the light of CAG observations, what will the Ministry do to assess real fiscal position of Andhra Pradesh?

श्री पंकज चौधरी : उपसभापति महोदय, संविधान के अनुच्छेद 293 के तहत भारत सरकार केवल निगरानी करती है। उस प्रदेश को कितना उधार कहां से लेना है, कहां खर्च करना है, यह प्रदेश सरकार तय करती है। भारत सरकार की यह जिम्मेदारी है कि जो उधार है, वह तय सीमा में हो, उसकी निगरानी केवल भारत सरकार रखती है।

DR. C.M. RAMESH: Sir, I would like to know: How many States have revised the revenue deficit and fiscal deficit limit? I would also like to know whether the Bill passed by the Andhra Pradesh Legislative Assembly fulfils the parameters as laid down by the 15th Finance Commission?

श्री पंकज चौधरी : उपसभापति महोदय, मैंने पहले भी कहा कि FRBM Act स्टेट का सब्जेक्ट है। वे इसे अपने हिसाब से बनाते हैं। चूंकि यह केवल आंध्र प्रदेश से संबंधित सवाल है, अगर माननीय सदस्य चाहेंगे, तो मैं पूरी स्टेट्स के बारे में उनको उत्तर भिजवा दूंगा।

श्री उपसभापति : माननीय सुजीत कुमार जी, यह सवाल Andhra Pradesh fiscal responsibilities से है। क्या आपका सवाल उससे जुड़ा है?

SHRI SUJEET KUMAR: Sir, while there are issues of a particular State, there are other States which are maintaining...

MR. DEPUTY CHAIRMAN: No, as per norms, you are not allowed.

SHRI SUJEET KUMAR: Sir, it is related to this question.

MR. DEPUTY CHAIRMAN: You have to put question regarding Andhra Pradesh fiscal responsibilities...

SHRI SUJEET KUMAR: Sir, it is regarding healthy fiscal discipline.

श्री उपसभापति : सुजीत कुमार जी, आप इस पर अलग से डिस्कशन कर सकते हैं। सुशील कुमार मोदी... क्वेश्चन नं. 348. श्री नीरज डांगी।

Incidents of corrupt practices in the purchase of medical equipments

†*348. SHRI NEERAJ DANGI: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

- (a) whether it has come to notice about the incidents of corrupt practices in the purchase of medical equipments in various Government run hospitals in the country;
- (b) if so, the number of such cases which have been noticed during the last three years and the details thereof, State-wise and
- (c) the steps taken by Government to prevent such incidents?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (DR. BHARATI PRAVIN PAWAR): (a) to (c) A Statement is laid on the Table of the House.

Statement

(a) and (b) Health being a state subject, it is the primary responsibility of State/Union Territory (UT) Governments to be vigilant against corrupt practices if any, in the purchase of medical equipments in their healthcare facilities. No incident from central hospitals has been reported during last three years regarding corruption in procurement of medical equipments.

(c) Ministry/procuring entities under the Ministry strictly follow the provisions of General Financial Rules (GFR) 2017, guidelines of Central Vigilance Commission (CVC) and also adhere to the guidelines available in the Manual for Procurement of

† Original notice of the question was received in Hindi.

Goods 2017 issued by the Ministry of Finance. Procurement is done through Government e-Marketplace (GeM) as per Rule 149 of GFR, 2017. In case products are not available on GeM, tenders are invited through Central Public Procurement (CPP) Portal for e-Procurement in a transparent manner. Adherence to the rules and procurement through GeM/ CPP Portal has laid very transparent system of procurement.

श्री नीरज डांगी : उपसभापति महोदय, मेरा आपके माध्यम से माननीय मंत्री महोदय से पहला सप्लीमेंटरी सवाल यह है कि देश में बाजारों में, खुले में मिलने वाली नकली दवाओं पर बीते दो वर्षों के दौरान की गई कार्रवाई का ब्यौरा क्या है? इन दवाओं पर रोक लगाने के लिए सरकार द्वारा क्या तंत्र इस्तेमाल किए जा रहे हैं?

डा. भारती प्रवीण पवार : सर, यह सवाल corrupt practices in the purchase of medical equipments से जुड़ा हुआ है। आदरणीय सांसद महोदय ने procurement of drugs के बारे में सवाल पूछा है। आदरणीय उपसभापति महोदय, मैं आपके माध्यम से यह कहना चाहती हूँ कि मेन एजेन्सी, जो drugs procure करती है, यह या तो CMSS के माध्यम से होता है या CGHS के माध्यम से होता है या जन औषधि केंद्र के माध्यम से होता है। सर, दवाइयों का procurement transparent mode पर होता है। उसमें टेक्निकल कमेटी भी रहती है, जो इसे देखती है। दवाइयों की खरीद transparent mode पर होती है, लेकिन फिर आपने पूछा कि क्या आपके पास कुछ गलत दवाइयों का विवरण है? अगर यह है, तो उसके बारे में मैं आपको जरूर अवगत कराऊंगी, लेकिन यह सवाल equipments के संबंध में है, जो कि specific था।

श्री नीरज डांगी : सर, बाजार में दवाएं तो नकली मिल ही रही हैं, इसके संबंध में हम लोग ध्यान दें और सरकार भी अपने लेवल पर इसके बारे में जानकारी ले। सर, मेरा दूसरा सप्लीमेंटरी क्वेश्चन यह है कि क्या भारत सरकार आपातकालीन चिकित्सा सेवा हेतु मानव संसाधन विकास योजना के अंतर्गत कौशल विकास प्रशिक्षण की स्थापना हेतु स्वीकृति एवं धनराशि जारी करने पर विचार रखती है?

डा. भारती प्रवीण पवार : आदरणीय उपसभापति महोदय, मैं आपके माध्यम से यह अवगत कराना चाहती हूँ कि कोविड काल में, ऐसे बहुत सारे crises के टाइम, चाहे वह मेडिकल का equipment हो या फिर हमें वैक्सीन के संबंध में emergency में कुछ खरीदना हो, ऐसी सभी व्यवस्थाएं तुरंत करवाई गईं। इसके लिए कुछ कमेटीज बनीं, कुछ expert groups बने और उनके माध्यम से standards को देखते हुए कि standards maintain हों और international level के भी standards मन्टेन हों, इसके लिए धनराशि भी आवंटित की गई है। मैं आपके माध्यम से आदरणीय फाइनेंस मिनिस्टर को भी धन्यवाद देती हूँ कि लगातार इस कोविड काल में किसी भी सुविधा में कमी न हो, इसके लिए सरकार ने प्रयास किए हैं, जो कि आदरणीय प्रधान मंत्री जी के नेतृत्व में बहुत ही सफल हुए हैं।

SHRI K.J. ALPHONS: Sir, I would like to know from the hon. Minister whether she knows that the * has written to all DMOs and to all the Field Officers, stating that the Health Department of Kerala is the most corrupt Department.

MR. DEPUTY CHAIRMAN: Please. ...*(Interruptions)*...Don't mention the name. ...*(Interruptions)*...

SHRI K.J. ALPHONS: Sir, this is a question on health and on corruption. ...*(Interruptions)*... If it has not been brought to the notice of the Minister, will she take action, if it is brought to her notice?

डा. भारती प्रवीण पवार : आदरणीय उपसभापति महोदय, करप्शन को लेकर सवाल उठा है, तो मैं आपके माध्यम से यह अवगत कराना चाहती हूँ कि जो central procurements होते हैं, वे central agency के तहत देखे भी जाते हैं और मॉनिटर भी किए जाते हैं तथा उनमें एक्शन भी लिए जाते हैं।

SHRI BINOY VISWAM: Sir, ...*(Interruptions)*... Sir, ...*(Interruptions)*...

डा. भारती प्रवीण पवार : स्टेट के जो procurements होते हैं, वे स्टेट गवर्नमेंट के अंदर आते हैं। आदरणीय सांसद महोदय ने बहुत ही गंभीर मुद्दा उठाया है, अगर गलत काम हुए हैं, तो इन पर सेन्ट्रल गवर्नमेंट जरूर ध्यान देगी, लेकिन मेरी रिपोर्ट में यह है कि no incident from Central hospitals has been reported during the last three years, तो मुझे लगता है कि यह स्टेट का इश्यू है, तो*(व्यवधान)*...

SHRI BINOY VISWAM: Sir, ...*(Interruptions)*... Sir, ...*(Interruptions)*...

श्री उपसभापति : जैसा माननीय चेयरमैन ने कहा है कि किसी स्टेट के बारे में particularly कोई allegation न लगाएं।*(व्यवधान)*... ... प्रो. मनोज कुमार झा।

SHRI BINOY VISWAM: Sir, ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: Prof. Manoj Kumar Jha. ...*(Interruptions)*... I have already told you. ...*(Interruptions)*... Let him put his question. ...*(Interruptions)*... मैंने आपकी बात कह दी है, अब आप उनको मौका दीजिए।

प्रो. मनोज कुमार झा : शुक्रिया उपसभापति महोदय। मैं आपके माध्यम से माननीय मंत्री जी से जानना चाहता हूँ, क्योंकि स्वास्थ्य का सवाल है, तो एक बहुत गंभीर चिंता देश के अलग-अलग

* Not recorded.

हिस्सों से आ रही है। खास कर CGHS के जो beneficiaries हैं, जो छोटे शहरों में हैं, वहां empanelment का इश्यू है, रेट का इश्यू है और चूंकि प्रश्न संबंधित नहीं था, लेकिन आप दोनों विशाल हृदय के हैं, आप इसका जवाब दे दीजिए।

डा. भारती प्रवीण पवार : आदरणीय उपसभापति महोदय, मैं आपके माध्यम से माननीय सांसद मनोज जी को धन्यवाद देती हूँ कि उन्होंने CGHS का एक महत्वपूर्ण मुद्दा उठाया है और उन्होंने कहा है कि empanelment बढ़ना चाहिए। इस पर हमारा विचार चल रहा है और CGHS के सेंटर्स लगातार खुल भी रहे हैं, लेकिन उसके भी कुछ criteria होते हैं कि जितने एरियाज़ में हमारे beneficiaries हैं, उनकी कुछ संख्या होती है, जिनके आधार पर इन सेंटर्स को मंजूरी मिलती है। Last week आदरणीय कैबिनेट मंत्री मनसुख भाई ने भी इस पर विवरण दिया था। आदरणीय सांसद महोदय को मैं यह जरूर कहूंगी कि अगर आपके क्षेत्र में वह संख्या है और अगर CGHS सेंटर की डिमांड है, तो हम इस पर जरूर काम करेंगे।

DR. FAUZIA KHAN: I would like to know from the hon. Minister, through you, Sir, whether the Government is aware about the damage caused by the unchecked presence of health service online aggregators pushing aggressively for tests, surgeries, for healthcare services without any medical requirement or prescription. If yes, is the Government considering to stop direct consumer advertising as suggested by the Consumer Drug Advocacy Groups of All-India Drug Action Network?

डा. भारती प्रवीण पवार : उपसभापति महोदय, माननीय सदस्या डा. फौजिया खान जी ने जो सवाल उठाया है, वह स्पेसिफिक कंज्यूमर के बारे में है, जो कि online advertisements से जुड़ा है। मुझे लगता है कि इसके बारे में डिटेल्ड जानकारी लेकर मैं जरूर सांसद महोदय को अवगत कराऊंगी। फिर भी, स्टेट गवर्नमेंट के अंडर Clinical Establishments Act के तहत कुछ prescriptions की प्रॉब्लम्स हैं या शिकायतें हैं, तो स्टेट गवर्नमेंट Clinical Establishments Act के तहत उन हॉस्पिटल्स के through action ले सकती हैं।

MR. DEPUTY CHAIRMAN: Q.No.349, Shri Shaktisinh Gohil.

Database for deaths caused due to lack of oxygen in the country

*349. SHRI SHAKTISINH GOHIL: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

- (a) whether Government has maintained a record of deaths caused due to lack of oxygen in the country;

- (b) if so, the number of deaths caused due to lack of oxygen between March 2021 to November 2021; and
- (c) if not, the reasons for not maintaining the data and whether or not Government intends to build such a database?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (DR. BHARATI PRAVIN PAWAR): (a) to (c) A Statement is laid on the Table of the House.

Statement

(a) to (c) As on 4th April, 2022, States/UTs have reported a total of 5,21,358 deaths due to COVID-19 in the country. Government of India maintains data of total cases and deaths due to COVID-19 reported and updated by States/UTs on a regular basis. Accordingly, Union Government has requested States/UTs to furnish the details as asked for. 20 States/UTs have responded and none of these State/UTs have reported confirmed death due to oxygen shortage.

Detailed guidelines for reporting of COVID-19 deaths have been issued by Union Health Ministry to all States/UTs. Accordingly, all States/UTs report cases and deaths to Union Health Ministry on a regular basis.

ICMR on 10th May 2020 issued 'Guidance for appropriate recording of COVID-19 related deaths in India' (Available at: https://www.icmr.gov.in/pdf/covid/techdoc/Guidance_appropriate_recording_of_related_deaths_india.pdf)

Union Ministry of Health, vide letter dated 9th October, 2020, has conveyed to States/UTs, WHO and ICMR guidelines on correct recording of COVID-19 related deaths in accordance with globally accepted ICD-10 classification and also urged states to undertake periodic death audits with an aim to improve quality of healthcare services by suitable corrective measures. States/UTs were also provided with a proforma for death audits in this regard.

Health is a State subject. Government of India is supporting States in their endeavour to enhance preparedness and response capacities against COVID-19.

Various initiatives have been taken by the Government to provide technical guidance and further strengthen health infrastructure, availability of essential logistics including drugs and medical oxygen supply to manage COVID-19.

More than 180 technical guidelines/ advisories/ SoPs/ plans have been issued to States/UTs by Ministry of Health & Family Welfare. This includes technical guidance on issues ranging from surveillance and containment of COVID-19, travel advisories, clinical management protocols for managing COVID-19 cases in adults and children, rational use of medical oxygen, SOPs for safe resumption of activities in workplaces, markets, religious places etc.

In order to address the surge in demand for medical oxygen, the Central Government had supported States in terms of increasing the availability, streamlining the distribution and strengthening the oxygen storage infrastructure in the country.

As on 4th April 2022, 4,055 Pressure swing adsorption (PSA) plants have been commissioned in the country. This includes PSA plants under PM-CARES, PSUs of various Central Ministries, and other sources to enhance capacity of medical oxygen production and supply at the facility level. As on 4th April, 2022, 4,02,517 oxygen cylinders and 1,13,858 oxygen concentrators have been allocated to States/UTs.

All States/UTs are provided financial support through ongoing infrastructure upgradation schemes including National Health Mission, Emergency COVID-19 Response Packages – I & II and State Disaster Response Funds to assist in management of COVID-19 pandemic.

Under ECRP Phase II, funds for installation of 884 Liquid Medical Oxygen (LMO) storage tanks with 1,170 Medical Gas Pipeline Systems (MGPS) have also been provided to States.

श्री शक्तिसिंह गोहिल : माननीय उपसभापति महोदय, यह बड़ा गंभीर सवाल था और मैं उम्मीद करता था कि कैबिनेट मंत्री, हमारे गुजराती भाई डा. मनसुख मांडविया जी इसका जवाब देंगे। बड़ी ही शालीन मंत्री स्वास्थ्य और परिवार कल्याण मंत्रालय की हैं, उनको ही इसका जवाब देना है, खैर यह इनका सब्जेक्ट है। सर, मैं यह जानना चाहता हूँ कि यहां इस हाउस में बैठे हुए हम में से कोई भी सदस्य यहां हाथ रखकर कहेंगे कि कोविड के दौरान हमें फोन आते थे, हमें डॉक्टर्स ने, गवर्नमेंट्स ने भी कहा कि ऑक्सीजन की सप्लाई नहीं थी और डेथ्स हुई हैं, यह हकीकत है।

अब यहां पर सरकार का जो रिटन रिप्लाई है, उस रिटन रिप्लाई में कहा गया है कि कोविड की वजह से 5,21,358 डेथ्स हुई हैं।

मैं फर्स्ट सप्लीमेंटरी क्वेश्चन के जरिए यह कहना चाहता हूं कि गुजरात सरकार ने पहले कहा था कि कोविड में सिर्फ 10,000 लोगों की ही मृत्यु हुई है। सुप्रीम कोर्ट ने कहा कि आप मुआवजे के लिए डिटेल् दीजिए और जांच कीजिए। उसके बाद निकला कि डेढ़ लाख से ज्यादा लोगों की गुजरात में कोरोना से मृत्यु हुई है और यह फिगर ऑफिशियली बाहर आया। इधर यह जो 5,21,358 डेथ्स की फिगर है, तो मैं माननीय मंत्री जी से जानना चाहता हूं कि इसमें गुजरात की डेथ्स की कौन-सी फिगर है, यह 10,000 है या डेढ़ लाख है?

श्री उपसभापति : धन्यवाद।

डा. भारती प्रवीण पवार : उपसभापति महोदय, आदरणीय सांसद शक्तिसिंह गोहिल जी ने पहला मुद्दा कैबिनेट मिनिस्टर जी की के संबंध में उठाया है। मैं आपके माध्यम से कहना चाहती हूं कि आज कैबिनेट मिनिस्टर जी conference में गए हैं, तो वे वहां भी देश की तरफ से एक सक्षम भूमिका रखने के लिए ही गए हैं, वे वहां पर देश की अच्छी भूमिका रखने के लिए गए हैं, क्योंकि ग्लोबल लेवल पर भारत को सराहा जा रहा है, मुझे लगता है कि इस अच्छी बात को appreciate किया जाए और मैं इसके लिए सभी को धन्यवाद देती हूं।

सर, यह बहुत ही गंभीर मुद्दा है। आदरणीय सांसद महोदय ने ऑक्सीजन की समस्या और डिमांड के बारे में क्या व्यवस्था थी, इसके बारे में पूछा था। फिर एक बार कैबिनेट मिनिस्टर डा. मनसुख मांडविया जी ने लास्ट वीक और लास्ट सेशन में इसका जवाब डिटेल् में दिया था। मैं फिर एक बार बड़ी नम्रतापूर्वक कहना चाहूंगी, क्योंकि यह मुद्दा लगातार आता है, इसलिए कुछ बातें फ्लोर पर रखनी जरूरी हैं। The Union Government has requested the States and UTs to furnish the details as asked for. सर, इसमें से 20 States and UTs have responded and none of the States and UTs have reported confirmed deaths due to oxygen shortage. सर, हमने लगातार इस बारे में उन राज्यों को पत्र भी लिखे हैं, उन पत्रों की डिटेल् भी हमने दी है। सर, हमने 11 बार ई-मेल्स भेजे हैं, चिट्ठियां लिखी हैं, कुछ राज्यों को रिमाइंडर भी दिए हैं। सर, राज्यों ने जो रिपोर्ट्स दी हैं, उनके आधार पर ही सेंट्रल गवर्नमेंट पार्लियामेंट में बोलती है।

सर, जैसा कि माननीय सदस्य ने कहा है कि पहले मृत्यु की संख्या कम थी और आज जो डेटा दिया है, वह पांच लाख डेथ्स का डेटा है। सर, यह बहुत ही दुखदायी है, कष्टदायक है कि एक ऐसा पेंडेमिक आया, जिसमें इस कोविड से जो नया था, उससे डेथ्स के बारे में भी रिपोर्ट करना होता था। सर, लगातार सेंट्रल गवर्नमेंट के पास जो भी रिसर्च बेस्ड डेटा आता था, उसके आधार पर नोटिफिकेशन जाते थे, उसकी गाइडलाइन्स जाती थीं। सर, जो डेथ्स के बारे में रिपोर्टिंग थी, उसके बारे में भी व्यवस्था दी गई कि उन्हें इसे पोर्टल पर अपडेट करना है, लेकिन

कुछ राज्यों ने, जो उस टाइम नहीं किया, वे आज भी कर रहे हैं, इसीलिए आज माननीय सदस्य ने यह सवाल उठाया है।

सर, माननीय सदस्य ने गुजरात के बारे में सवाल पूछा है, तो मैं उसकी डिटेल्स आपको जरूर दे दूंगी। सर, उसके बाद ex-gratia का भी, जो NDMA के through माननीय हाई कोर्ट ने स्टेटमेंट दिया, उसके आधार पर यह बढ़ा है, जिसके बारे में आपने कहा है। इसके बारे में डिटेल्ड रिपोर्ट हमारे पास आ रही है, यह रिपोर्ट सभी राज्यों से आ रही है, जो कि यह सब दर्शाती है।

श्री शक्तिसिंह गोहिल : उपसभापति जी, मेरा जो मेन सप्लीमेंटरी सवाल था, वह यह था कि आज इसमें 10 हजार रुपये रखे गए हैं या 1.5 लाख रुपये रखे गए हैं - मुझे उसका जवाब तो नहीं मिला है, लेकिन मेरा सैकंड सप्लीमेंटरी सवाल यह है कि भारत सरकार ने खुद एक नोटिफिकेशन निकाला था, जिसमें यह कहा था कि कोविड महामारी से जो भी डेथ होगी, उसमें 4 लाख रुपये का कम्पनसेशन दिया जाएगा। वह नोटिफिकेशन निकालने के कुछ ही समय बाद - मैं तो घंटों ही कहूंगा, दिन भी नहीं कहूंगा, वह रिवर्स हो गया और यह बताया गया कि 4 लाख रुपये नहीं देने हैं। मैं माननीय मंत्री महोदया से जानना चाहता हूँ कि उसकी क्या वजह थी? मैं यह भी कहना चाहता हूँ कि कोविड में लोग बहुत परेशान हुए थे और डेथ्स हुई थीं, इसलिए मेरा माननीय मंत्री महोदया से प्रश्न है कि क्या सरकार इस पर पुनर्विचार करके कोविड में जो भी डेथ्स हुई हैं, उनके परिवारवालों को 4 लाख रुपये देना चाहती है या नहीं देना चाहती है?

डा. भारती प्रवीण पवार : उपसभापति महोदय, आदरणीय सदस्य ने जो प्रश्न उपस्थित किया है, मैं इसके लिए उन्हें बताना चाहती हूँ कि सेंट्रल गवर्नमेंट ने इस बारे में जो भी गाइडलाइन्स हैं, वे लगातार बढ़े ही ट्रांसपेरेंसी मोड पर दी हैं। सर, इसमें पहली बार यह जो एक डर था कि पेशेंट के बाद जो लोग इन्फेक्ट होंगे, उनका क्या होगा, वह पहला इतना बड़ा डर था, तो इसके लिए हमने 'प्रधान मंत्री गरीब कल्याण पैकेज' के तहत जो इंश्योरेंस दिया था, उसमें वे व्यक्ति, जो डायरेक्ट कोविड पेशेंट के contact में आएंगे, हम उन्हें तुरंत इंश्योरेंस के माध्यम से प्रोटेक्ट करेंगे - हमने इसमें उनकी मदद की है।

सर, माननीय सदस्य ने ex-gratia का जो प्रश्न उठाया है, उस संदर्भ में मैं उन्हें बताना चाहती हूँ कि माननीय कोर्ट ने जो कोविड रिलेटेड डेथ्स हुई हैं, उनकी डिटेल्स लेने के लिए कहा था। सर, उन्हें ex-gratia के रूप में 50 हजार रुपये की मदद मिलेगी। सेंट्रल गाइडलाइन्स के तहत, स्टेट के तहत आज डिस्ट्रिक्ट लेवल पर कलेक्टर के अंडर जो कमेटी है, वह इसको एग्जामिन करती है और उसके तहत ये नाम भी आते हैं। सेंट्रल गवर्नमेंट से नाम आने के बाद डिटेल्स भी दी गई हैं। NDMA ने 50 हजार रुपये का प्रावधान किया है, यह 4 लाख रुपये का प्रावधान नहीं है - यह बात क्लियर हो गई है।

श्री उपसभापति : श्री जुगलसिंह लोखंडवाला, आप अपना प्रश्न पूछिए।

श्री जुगलसिंह लोखंडवाला : उपसभापति महोदय, आपका बहुत-बहुत धन्यवाद। महोदय, सबसे पहले तो मैं माननीय प्रधान मंत्री श्री नरेन्द्र मोदी जी को, स्वास्थ्य मंत्री जी को और हमारे वैज्ञानिकों को धन्यवाद देता हूँ कि यह वैश्विक महामारी, जो सौ साल में एक बार आती है, उससे बचाने के लिए माननीय प्रधान मंत्री श्री नरेन्द्र मोदी जी की निगरानी में जिस तरह से कोविड की वैक्सिनेशन का इनोवेशन, सैनिटाइज़र और मास्क आदि दिए जा रहे हैं,....(व्यवधान)... जिस तरह से दिए गए.....(व्यवधान)...

श्री उपसभापति : माननीय सदस्यगण, आप बैठिए।(व्यवधान)... .. श्री जुगलसिंह लोखंडवाला, आप सवाल पूछिए।

श्री जुगलसिंह लोखंडवाला : मैं माननीया मंत्री जी से सवाल पूछना चाहता हूँ, जिस तरह से यह जो वैश्विक महामारी है और पुरानी सरकारें जो सुविधा नहीं दे पाई थीं, क्या आज की तारीख में हमारे वैज्ञानिकों द्वारा कोई प्रयोगशाला बनाई जाएगी या बनाई गई है कि जैसे ही विश्व में ऐसी कोई महामारी आए, वैसे ही उसको रोका जा सके?

श्री उपसभापति : धन्यवाद।.....(व्यवधान)... माननीय सदस्यगण, कृपया सीट पर बैठकर आपस में बात न करें। आप लोगों की आपस की कोई बातचीत रिकॉर्ड पर नहीं जाएगी। प्लीज़.....(व्यवधान)...

डा. भारती प्रवीण पवार : माननीय उपसभापति महोदय, जो सवाल उठाया गया है कि हमने इस दौरान, कोविड के कार्यकाल में क्या किया है और भविष्य में आगे जाकर अगर ऐसी ही pandemic का सामना करना पड़े, तो इसके लिए क्या प्रावधान है - मैं इसके लिए आदरणीय सांसद को पहले तो धन्यवाद देना चाहती हूँ कि जो काम हुआ है, उसमें बहुत ही बढ़ोतरी हुई है। Pandemic से पहले जो डिमांड थी और जो आज है, मैं उसके लिए बताना चाहती हूँ कि health infrastructure में यह व्यवस्था लगातार अच्छी बनी है। For example, आज हमारे पास 3,000 से भी ज्यादा अच्छी labs खड़ी हुई हैं। Covid facilities में जो beds बने हैं, मैं उनके आंकड़े यहाँ रखते हुए बताना चाहती हूँ कि आज 5 लाख से भी ज्यादा oxygen supported beds बने हैं, ICU के भी 1.5 लाख से ज्यादा beds बनाए गए हैं, PSA plants - जो कि कम थे, लगभग न के बराबर थे, राज्यों के पास जो थे, वे कम थे, लेकिन आज हरेक जिले में PSA plant लगना चाहिए - इस बात पर आदरणीय प्रधान मंत्री जी ने खुद भी गौर किया था। आज हमारे 4 हजार से भी ज्यादा PSA plants अलग-अलग मिनिस्ट्रीज़, PSUs, PM CARES Fund के थ्रू खड़े किए गए हैं। सर, oxygen cylinders हों या oxygen concentrators हों, ये लाखों की संख्या में उन स्टेट्स को allot भी किए गए हैं और हमारे पास उनकी details भी available है।

अगर आज हम ventilators की संख्या देखें, तो मैंने भी खुद देखा कि pandemic के पहले लगभग 16,000 ventilators थे, जबकि आज जब मैंने ventilators की संख्या देखी, तो आज 60,000 से भी ज्यादा ventilators हैं। मुझे लगता है कि सारी emergency को लगातार tackle

करते हुए यह व्यवस्था बनी। इसके अलावा packages भी जारी हुए। चाहे ECRP-I हो, ECRP-II हो, NHM हो या फिर हमारा Disaster Response Fund हो, अलग-अलग माध्यम से यह व्यवस्था खड़ी हुई है। जैसा माननीय सदस्य ने आगे आने वाले दिन के बारे में कहा, तो PM-ABHIM के द्वारा जो बजट दिया गया है, उसके लिए मैं एक बार फिर आदरणीया Finance Minister को जरूर धन्यवाद देना चाहती हूँ कि उन्होंने आगे आने वाले दिनों के लिए 64,000 करोड़ का बजट दिया है, जो again हमारे health sector को एक boost देगा और infrastructure को strengthen करेगा, जिससे एक अच्छी lab की सुविधा भी बनेगी। BSL-3 Labs, अगर कोई नया वायरस आता है, तो उसको detect करती हैं, लेकिन(व्यवधान)...

श्री उपसभापति : प्लीज़, आप बैठ कर मत टोकिए।

डा. भारती प्रवीण पवार : सर, यह सुनना होगा। आदरणीय उपसभापति महोदय, मैं जरूर यह अनुरोध करती हूँ कि इसे इसलिए सुनना होगा, क्योंकि लोगों को यह पता ही नहीं है कि BSL-3 Labs क्या हैं। BSL-3 ऐसी labs हैं, -- जो चार labs खड़ी होने वाली हैं, जो mobile होंगी -- जैसे जब कोरोना वायरस आया, तो हमें पता नहीं था, लेकिन अगर कोई नया वायरस आता है, तो इनसे यह उसी जगह detect होगा और वह containment zone बनेगा, ताकि यह वहाँ से नहीं फैले। सर, यह हमारी सोच है। सर, मैं आदरणीय प्रधान मंत्री जी को धन्यवाद देना चाहती हूँ कि वे आगे की सोच को ध्यान में रख कर इस तरीके की advance technology को ला रहे हैं।

श्री उपसभापति : माननीय जवाहर सरकार जी।

SHRI JAWHAR SIRCAR: Sir, I want to ask one straight question. Every time we ask such a question, the Government says that 'Health' is a State Subject, 'Death' is a State Subject, issue of Life Certificate is somebody else's responsibility! मैं साफ-साफ समझने की कोशिश कर रहा हूँ कि is the division between 'death' and 'life', between 'good' and 'bad', according to the federal system, is the division between States and Centre? What is it all about? You also say the same thing on education. So, give me a straight answer.

डा. भारती प्रवीण पवार : आदरणीय उपसभापति महोदय, यह एक basic question है। यह basic question 'health' से जुड़ा होने के नाते, चूँकि 'health' एक State subject है, यह गलत नहीं है। सर, यह federal structure है। Centre के कुछ नियम होते हैं, जिनके आधार पर काम होता है; उसी तरह से स्टेट के कुछ नियम होते हैं, जिनके आधार पर काम होता है। हम यह जरूर कहते हैं कि हम मिल कर काम करते हैं। हम जो भी सुविधा देने का काम करते हैं, उसे स्टेट की help लेकर ही करते हैं। हम ऐसा नहीं कहते हैं कि हम जिम्मेदारियों को टाल रहे हैं, लेकिन हम respect के साथ कहते हैं कि(व्यवधान)...

श्री उपसभापति : प्लीज़, प्लीज़।

डा. भारती प्रवीण पवार : सर, हम जो भी finance देते हैं, वह स्टेट को ही allot होता है। स्टेट को ही उसे नीचे देना है। हमारे NHM की जो wing खड़ी है, वह स्टेट के through ही जाती है। लेकिन जैसा आदरणीय सदस्य महोदय ने कहा, जो भी inputs आते हैं, वे स्टेट से ही आते हैं। हम उनकी भी respect करके कहते हैं कि हम स्टेट के साथ जुड़ कर ही काम कर रहे हैं और हमने अच्छा काम किया है।

श्री उपसभापति : माननीय राम नाथ ठाकुर।

श्री राम नाथ ठाकुर : उपसभापति महोदय, मैं आपके माध्यम से मंत्री जी से पूछना चाहता हूँ कि पूरे हिन्दुस्तान में समय-सीमा के अन्दर ऑक्सीजन के नहीं रहने के कारण कितने लोग मरे? क्या वे माननीय सदस्यों को इसके बारे में State-wise सूचना देने का काम करेंगी?

डा. भारती प्रवीण पवार : आदरणीय उपसभापति महोदय, मैं आपके माध्यम से जरूर यह कहना चाहूँगी कि मैंने इसका जवाब detail में पहले ही दे दिया है। जो सवाल उठाया गया है, उसमें ही इसका विवरण detail में दे दिया गया है और लिखित रूप में भी आज के जवाब में यह दिया गया है। फिर भी मैं फिर दोहराती हूँ कि जो total recorded deaths हैं, जो स्टेट्स से आती हैं, उनकी आज तक की संख्या है - 5,20,358 deaths due to COVID. यह सूचना स्टेट्स ने दी है। जैसा माननीय सदस्य ने सवाल उठाया, मैं एक बार फिर दोहराती हूँ कि Union Government ने सारी States और Union Territories से request की थी कि वे इसके details दे दें, जो प्रश्न यहाँ पूछा गया है, आज की तारीख में 20 States and Union Territories ऐसी हैं, जिन्होंने respond किया है, लेकिन none of the States/UTs have reported confirmed deaths due to oxygen shortage. हम कोई बात छिपाना नहीं चाहते हैं या कुछ और बताना चाहते हैं, ऐसी बात नहीं है। स्टेट्स से जो भी सूचना आएगी, उसके बारे में आपको अवगत किया जाएगा।

MR. DEPUTY CHAIRMAN: Question No. 350. Dr.V.Sivadasan, not present. Next, Dr. Santanu Sen.

*350. [The questioner was absent.]

Status of COVID-19 Vaccination

*350. DR. V. SIVADASAN: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

- (a) the number and percentage of people who have taken both the doses of vaccine;

- (b) the number and percentage of people who have taken free doses of vaccine provided by Government;
- (c) the number and percentage of people who have not taken even single dose of vaccine;
- (d) the progress achieved in the vaccination of people below 18 years of age;
- (e) whether Government is planning to provide booster doses of vaccine to all; and
- (f) if so, the details of planning made regarding that ?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (DR. BHARATI PRAVIN PAWAR): (a) to (f) A Statement is laid on the Table of the House.

Statement

(a) to (f) As on 30th March 2022, a total of 79.28 crore (84.4%) beneficiaries aged 18 years and above have received both doses of COVID-19 vaccines.

As on 30th March 2022, a total of 167.14 crore doses (97% of total dose administered) have been administered free of charge to eligible beneficiaries aged 18 years and above under National COVID-19 vaccination programme.

As on 30th March 2022, an estimated total of 2.6 crore (2.8%) eligible beneficiaries above 18 years of age have not taken even single dose of vaccine.

As on 30th March 2022, against the estimated population of about 7.40 crore beneficiaries aged 15-18 years, a total of 5.70 crore (77%) have received atleast one dose, 3.77 crore (51%) beneficiaries have received both dose of COVID vaccines.

As on 30th March 2022, against the estimated population of 4.7 crore beneficiaries aged 12-14 years, a total of 1.51 crore (32%) have received 1st dose of COVID-19 vaccine. The second dose for any of such beneficiaries has not become due.

As per the recommendations of the National Technical Advisory Group on Immunization (NTAGI) and domain knowledge experts, precaution dose is administered to the Health Care Workers (HCWs), Front Line Workers (FLWs) and persons aged 60 years & above since 10th January 2022. As on 30th March 2022, a total of 2.29 crore precaution dose of COVID-19 vaccines have been administered.

DR. SANTANU SEN: Sir, in the reply given regarding COVID vaccination, the Health Ministry has categorically accepted that we are still far away from getting all the eligible citizens vaccinated by double dose.

I am not here to give discredit to the Government, as the speakers from the Treasury Benches are busy in giving credit to the present Government even during Question Hour. But, I am here to raise a specific question. We have been listening to several promises during the COVID vaccination. We have seen there was a sharp rise in COVID vaccination on International Yoga Day; we have seen there was a sharp rise in COVID vaccination on the birthday of our learned Prime Minister, followed by sharp fall in vaccination. ...(*Interruptions*)...

MR. DEPUTY CHAIRMAN: Please put your question. ...(*Interruptions*)...

DR. SANTANU SEN: Sir, I am coming to my question. My question, which is a long-standing question in the minds of the people at large in the country, is this. Earlier we used to hear that by 31st of December 2021, all eligible citizens will be vaccinated by double dose, forget about the booster dose. ...(*Interruptions*)...

MR. DEPUTY CHAIRMAN: Please put your question. ...(*Interruptions*)...

DR. SANTANU SEN: Can the hon. Minister give a specific date by which all the eligible Indian citizens will be vaccinated by double dose?

डा. भारती प्रवीण पवार : माननीय उपसभापति महोदय, पहले तो मैं माननीय सांसद महोदय जी को बहुत-बहुत धन्यवाद देती हूँ कि उन्होंने वैक्सीन को लेकर चिंता के विषय को सदन के सामने रखा। महोदय, इसमें मैं पहले यह जरूर बताना चाहूंगी कि भारत में विश्व की सबसे अच्छी, सबसे बड़ी vaccination drive चली, जिसको दुनिया ने देखा। हमारे जो beneficiaries हैं, उनको भी हमने देखा। ...(**व्यवधान**)... सर, सब journals का विवरण भी हम लेते हैं, लेकिन मैं यह जरूर कहना चाहती हूँ कि आज हम लोग 184 करोड़ vaccination के आंकड़े को पार कर रहे हैं, जिसमें 97 per cent लोगों को first dose दी जा चुकी है और 85 per cent लोगों को second dose दी

जा चुकी है। मैं आप सबसे यह भी कहना चाहूंगी कि हमने यह जो काम किया है, यह आप सभी के प्रयासों से संभव हुआ है। यहां सभी माननीय सांसद महोदय बैठे हुए हैं, आप सभी ने इसमें बहुत अच्छे से ध्यान दिया है। इसको लेकर 'हर घर दस्तक कार्यक्रम' भी चला, साथ ही अन्य अनेक कार्यक्रम भी चले, मीडिया ने भी इसमें सपोर्ट किया, इसी कारण यह successful drive चल सकी। ...**(व्यवधान)**... लेकिन, सर, मैं यह भी बताना चाहूंगी कि यह voluntary है, यह हमने अपने उत्तर में भी लिखा है। हमने 94 crores beneficiaries को सामने रखा था और हमारी commitment यह थी कि दुनिया में vaccine को लेकर जो भी crisis चल रहा था, वह भारत में नहीं होगा। भारत सबको vaccine available करवाएगा और उसे भारत में ही बनाएगा। सर, आदरणीय प्रधान मंत्री जी के नेतृत्व में हमने वह commitment पूरा किया, भारत ने इसकी vaccine बना दी और सबका vaccination भी करवा दिया। लेकिन, सर, यह voluntary है। मैं माननीय सदस्य से अनुरोध करती हूँ और कहना चाहती हूँ कि हालांकि यह voluntary है, लेकिन हम सभी इस मुहिम में जुट जाएं और सबकी सुरक्षा के लिए हमारे प्रयास और भी बढ़ें, ताकि जो लोग vaccination करवाने से रह गए हैं, उनका भी हम vaccination करवा सकें।

श्री दिग्विजय सिंह : बहुत-बहुत धन्यवाद, माननीय उपसभापति जी। 12 साल से ऊपर की उम्र के बच्चों व वयस्कों के लिए आपने vaccine का protocol तय कर दिया, लेकिन सभी भारतीयों को इस बात की चिंता है कि 12 साल से कम उम्र के बच्चों के लिए अभी तक आपने कोई protocol तय नहीं किया है, जबकि USA और अधिकांश western world के साथ-साथ middle east countries ने भी age five to age eleven तक के लिए protocol मंजूर कर दिया है और वहां vaccination प्रारम्भ भी हो गया है।

मेरा प्रश्न यह है कि भारत सरकार इस देश के उन सब बच्चों के लिए, जो 12 साल से कम उम्र के हैं, कब तक vaccination protocol तय करेगी? छः महीने के बच्चों के लिए भी vaccine protocol को लेकर काफी काम हो चुका है।

श्री उपसभापति : प्लीज़, आदरणीय दिग्विजय सिंह जी।...**(व्यवधान)**...

श्री दिग्विजय सिंह : जी, बहुत-बहुत धन्यवाद।...**(व्यवधान)**...

डा. भारती प्रवीण पवार : आदरणीय उपसभापति महोदय, ...**(व्यवधान)**...

श्री उपसभापति : एक मिनट, माननीय मंत्री महोदया, माननीय दिग्विजय सिंह जी, आप लम्बे समय तक सत्ता में रहे हैं, अगर आपने यह प्रावधान बना दिया होता कि सबसे अधिक आप ही को सवाल मिलें, तो मैं ऐसा ही करता, धन्यवाद।...**(व्यवधान)**... Nothing is going on records...**(Interruptions)**... Please ...**(Interruptions)**...

श्री दिग्विजय सिंह : *

श्री उपसभापति : माननीय सदस्य, आप जानते हैं, अगर आप हर चीज़ में प्रश्न की इजाज़त मांगेंगे, तो मैं आपके अन्य दूसरे सदस्यों को समय दूँ या न दूँ, यह व्यवस्था भी आपने बना दी होती।... ..(व्यवधान)... यह व्यवस्था भी आपने बना दी होती, तो मैं आपको धन्यवाद देता।

डा. भारती प्रवीण पवार : उपसभापति महोदय, माननीय सदस्य द्वारा जो प्रश्न उठाया गया है, यह बहुत महत्वपूर्ण प्रश्न है। सभी लोग सुरक्षित रहें, इस भावना को लेकर हम काम कर रहे हैं, इसमें बिल्कुल भी शंका प्रकट करने वाली बात नहीं है, लेकिन फिर भी मैं यह कहना चाहूंगी कि वैक्सीन की जो ड्राइव चलायी गयी है, उसमें वैक्सीन के जो भी प्रोटोकॉल्स तय हुए हैं, उसके लिए एक्सपर्ट्स गुप्स होते हैं, साइंटिफिक एविडेंसेज़ होते हैं, ट्रायल्स होते हैं और उनके आधार पर वैक्सीन को मान्यता मिलती है।

माननीय सदस्य ने अनेक देशों का जिक्र किया, लेकिन उन देशों के कम्पेरेटिवली आज भारत ने भी दिखा दिया है कि जब ओमिक्रॉन की वेव आई, तो हम सभी लोग सेफ रहे, क्योंकि हम अपने देश में अच्छी तरह से लोगों का वैक्सीनेशन कर पाये। उन्होंने एज ग्रुप को लेकर जो कहा है, उस पर मेरा कहना है कि इसके लिए प्रोटोकॉल्स लागू हुए - चाहे वे 60 ईयर्स के लिए हों, को-मोर्बिड के लिए हों, 45 ईयर्स के लिए हों, 15 से 18 ईयर्स के लिए हों या फिर 12 से 14 ईयर्स के लिए हों, माननीय सदस्य ने 12 साल से नीचे के बच्चों के वैक्सीनेशन के बारे में कहा। मैं एक बार फिर यह कहना चाहूंगी कि जो रिकमंडेशन्स आते हैं, उसके लिए जो हमारा नेशनल टेक्निकल एडवाइज़री ग्रुप होता है, वह इम्युनाइज़ेशन पर स्टडी करता है। उसमें कुछ ट्रायल्स होते हैं, उन ट्रायल्स की रिपोर्ट्स आती हैं कि वैक्सीन का क्या प्रभाव है, क्या एफिशिएंसी है, उनके क्या रिजल्ट्स हैं, उनके आधार पर हम निर्णय लेते हैं। यह साइंटिफिकली बेस्ड निर्णय होता है, इसमें कोई कठिनाई नहीं है, लेकिन अभी ट्रायल चल रहा है और उसके आधार पर यह काम होगा। मैं आपके माध्यम से कहना चाहूंगी कि यह साइंटिफिकली बेस्ड रिसर्च होती है।

श्री उपसभापति : डा. अशोक बाजपेयी - उपस्थित नहीं। श्री अनिल देसाई जी, आप बोलिये।

SHRI ANIL DESAI: Mr. Deputy Chairman, Sir, in yesterday's conclave which was held at Pune, Dr. Adar Poonawalla -- who has come out with the vaccine, Covishield, and which proved very beneficial to one and all, not only in India but also in foreign countries -- has expressed his doubts about the booster dose, which has come out and which is necessary. Those who have taken two doses are due for booster and they have come out with a schedule also. The Government has also declared it, but the response from the people is very poor.

* Not recorded.

MR. DEPUTY CHAIRMAN: Please put your question.

SHRI ANIL DESAI: To travel abroad or to undertake foreign tours, etc. that is necessary, but he has expressed his apprehensions. May I know from the hon. Minister, through you, Sir: What steps are being taken to give this widespread knowledge or how people are being made aware to go for the booster?

डा. भारती प्रवाण पवार : सर, मैं आपके माध्यम से कहना चाहूंगी कि जो सवाल माननीय सदस्य ने उठाया है, वह फिर से बूस्टर डोज को लेकर है। यह इसी बेस पर आधारित है, जो NITAG हमें रिपोर्ट करता है। उनके रिकमंडेशन्स आते हैं, जो एक नेशनल इम्युनाइजेशन टेक्निकल एडवाइजरी ग्रुप की रिपोर्ट होती है, उनकी रिपोर्ट के आधार पर ही हम निर्णय कर पाते हैं। जैसे ही उनकी रिपोर्ट्स आती हैं, हम वे प्रावधान करते हैं, न कि किसी के स्टेटमेंट या किसी पक्ष में करते हैं। हमारा काम यही है और यह एक साइंटिफिकली बेस्ड कार्य है और वैक्सीन के बाद भी कुछ प्रावधान होते हैं, जो देखने पड़ते हैं। इन सभी को लेकर यह काम चल रहा है। मुझे लगता है कि अलग-अलग ग्रुप्स में जो भी नोटिफिकेशंस और गाइडलाइंस निकली हैं, वे अपने समय पर रिकमंडेशन्स के आधार पर ही निकाली जाती हैं।

श्री उपसभापति : हम प्रश्न संख्या 351 पर आएँ, इसके पहले माननीय सदस्यगण, मैं अनुरोध करना चाहता हूँ कि आप सदन में हाथ उठाते हैं, यहां बाकायदा हम लोग नोट करते हैं और जब प्रश्न पूछने का समय आता है, तो आप अपनी सीट्स पर मौजूद नहीं रहते हैं। दूसरी बात यह है कि यदि आप अपने सीमित समय में क्वेश्चन नहीं पूछेंगे तो दूसरे माननीय सदस्यों को मौका नहीं मिलेगा। प्रश्न संख्या - 351 माननीय श्री हर्षवर्धन सिंह डुंगरपुर।

Labelling of food products

*351. SHRI HARSHVARDHAN SINGH DUNGARPUR: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

- (a) whether steps have been taken to make interpretive food labels mandatory so that consumers are guided to make healthier choices, if so, the details thereof;
- (b) whether the Ministry has evaluated global best practices on what symbols on labels are proving to be the most effective to convey the health harms of packaged foods and showing positive results of decline of purchases of unhealthy packaged foods by consumers; and

- (c) whether such measures will ensure that the Indian food industry follows global standards and is encouraged to reformulate unhealthy food products in the interest of public health?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (DR. BHARATI PRAVIN PAWAR): (a) to (c) A Statement is laid on the Table of the House.

Statement

(a) to (c) Food Safety and Standards Authority of India (FSSAI) has notified Food Safety and Standards (Labelling and Display) Regulations, 2020 regarding requirements for labelling of packaged food. As per this Regulation's section related to nutritional information requires display of nutrients and their contribution to Recommended Daily Allowance (RDA) in percentage to enable consumers to make informed choice. It is mandatory for Food Business Operators (FBOs) to label the food package in accordance with these Regulations.

SHRI HARSHVARDHAN SINGH DUNGARPUR: Sir, recently, on 25th February, AIIMS institutions together have conducted an exhaustive survey and reported that warning labels have overwhelming acceptance by consumers of all strata. Is the Ministry of Health and Family Welfare considering acceptance of this study by renowned medical establishments like AIIMS, which has recommended warning labels?

डा. भारती प्रवीण पवार : महोदय, आदरणीय सदस्य ने जो प्रश्न उठाया है, वह label को लेकर है, जो food packets पर आता है। मैं आपके माध्यम से आदरणीय सदस्य को यही कहना चाहूँगी कि Food Safety and Standards Authority of India ने regulations notify किये हैं। Regulations में यह दिया गया है कि label पर जो nutritional information है, जो contribute to recommended daily allowance के आधार पर percentage के माध्यम से - जो कि consumer को एक विकल्प देने के लिए बने हैं, वह mandatory है और food business operators को यह label food packages पर देने के लिए अभी शुरू होने वाला है।

MR. DEPUTY CHAIRMAN: Second supplementary.

SHRI HARSHVARDHAN SINGH DUNGARPUR: Sir, I have only one supplementary.

श्री संजय सिंह : महोदय, आपके माध्यम से माननीय मंत्री जी से मेरा यह सवाल है कि ऐसे कितने मामले आपके विभाग के द्वारा हल किये गये या कितने मामले आपके सामने आये, जिन पर आपके हेल्थ डिपार्टमेंट ने कार्रवाई की है? आपने अब तक कितने लोगों पर कार्रवाई की, क्या इसका कोई डेटा है? चूँकि FSSAI का label लगाकर बहुत सारे लोग अपना सामान बेचते हैं, जो वास्तव में आपके मानकों को पूरा नहीं करता, लेकिन इसके बावजूद अगर वे बेच रहे हैं, तो उन पर कितनी कार्रवाई हुई?

श्री उपसभापति : धन्यवाद।

श्री संजय सिंह : इसके बावजूद अगर वे उसे बेच रहे हैं, तो उन पर कितनी कार्रवाई हुई? इसके साथ ही, एक और छोटा सा सवाल है..

श्री उपसभापति : माननीय संजय जी, आपका सवाल हो गया। आपने इसी एक सवाल में दो सवाल पूछ लिये।

डा. भारती प्रवीण पवार : आदरणीय उपसभापति महोदय, मैं आपके माध्यम से माननीय सदस्य को यह अवगत कराना चाहती हूँ कि यह सवाल बहुत ही गम्भीर है। यह food-related adulteration के बारे में है। इसमें अपने मानकों पर जो खरे नहीं उतरते हैं, उन पर The Food Safety and Standards Act के तहत जो भी actions हैं, वे लिये जाते हैं। स्टेट्स में हमारे स्टेट कमिशनर्स रहते हैं, डिस्ट्रिक्ट लेवल पर फूड ऑफिसर्स रहते हैं, जो इसे देखते हैं और उन पर तुरन्त कार्रवाई भी की जाती है।

महोदय, आदरणीय सदस्य ने इसके डिटेल्स के बारे में सवाल किया है, तो मैं यह जरूर कहना चाहूँगी कि मेरे पास इसके बारे में लगातार 2019, 2020 या 2021 के डिटेल्स हैं। फिर भी उसमें number of samples जो analysis किये गये हैं, मैं last year का बताऊँगी कि लगभग एक लाख samples का analysis किया गया है। इसमें जो भी है, complaint के आधार पर, penal code के आधार पर उन पर action भी लिया गया है और वह State के तहत किया जाता है।

श्रीमती जया बच्चन : सर, ये जो food packages होते हैं, उनके maximum consumers बच्चे होते हैं। बहुत से packages genuine नहीं होते हैं, labeled नहीं होते हैं। क्या सरकार अपने advertisements के through या किसी अन्य प्रक्रिया के through जनता को अवगत करायेगी कि आपको ऐसी-ऐसी जगहों पर जाकर complaint करनी है और कितने दिनों में इस complaint के ऊपर कार्रवाई की जायेगी, क्योंकि एक monosodium glutamate है, which is found in a lot of products which is very, very harmful for human life.

डा. भारती प्रवीण पवार : आदरणीय उपसभापति महोदय, माननीय सदस्या ने जो सवाल किया है, वह एक गम्भीर मुद्दा भी है, क्योंकि बच्चे लगातार कुछ खाते हैं, तो उन्हें शायद इसका पता नहीं होता है, ऐसा माननीय सदस्या का कहना है। लेकिन फिर भी हम यही कहते हैं कि recommendations के आधार पर जो भी standards maintain किये हुए हैं, यह label पर आना

चाहिए, यह act के तहत mandatory है और अगर वह नहीं होता है, तो उन पर action भी लिया जाता है।

अगर awareness के बारे में कहा जाए, तो लगातार इसके बारे में Ministry के through awareness programme चलता रहता है और हमारी food safety को लेकर, hygiene को लेकर, healthy diet को लेकर और trans fat को लेकर aware किया जाता है। उसमें nutritional information भी दी जाती है और food safety के आधार पर जो भी issues हैं, वे भी उस माध्यम से बताये जाते हैं। सर, हम उस पर online भी काम कर रहे हैं, जो इस बारे में aware करें। इसके अलावा, 'Fit India Movement' भी चल रही है, 'The Eat Right India' movement भी चल रही है, जिनके आधार पर हम कहते हैं कि क्या खाना जरूरी है और क्या खाना उचित है, लेकिन जो complaint आती है, उसको भी हम solve करते हैं।

SHRI MAHESH PODDAR: Sir, the Government has replied that nutritional information requires display of nutrients. But there are many harmful ingredients like fat, salt, sugar, preservatives, etc. It is not mandatory to specify them. The result is that the consumer doesn't know how much to consume, what is the safe limit and what is beyond the limits. I think the Government wants to make people aware. Will they review and take a comprehensive view of it, so that a person, by looking at the label, comes to know if he is exceeding the limits?

डा. भारती प्रवीण पवार : माननीय उपसभापति महोदय, मैंने पहले ही कहा है कि जो भी उस content में आता है, चाहे वह sugar हो, fat हो या salt हो, उसका विवरण उस पैकेट पर देना अनिवार्य है, जो कि हमारे Food Safety and Standards Authority of India के notified regulations में दिया गया है। इसके साथ ही daily allowance में कितना खाना है और हमारे nutrition की कितनी मार्किंग है, उसके लिए यह भी mandatory किया है कि वह उस लेबल पर आये, ताकि लोग यह विकल्प चुन सकें कि इसमें क्या हानिकारक हो सकता है।

श्री उपसभापति : प्रश्न संख्या 352, श्री के.आर.एन. राजेश कुमार।

Domestic production of fertilizers

*352: SHRI K.R.N. RAJESHKUMAR: Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state:

- (a) the quantum of fertilizers produced by the cooperative and public sector companies of the country during the last four years, company-wise and year-wise;

- (b) the quantum of fertilizers required for the farmers annually in the country;
- (c) the extent to which the domestic production meets the demand of fertilizers by the farmers during the said period, year-wise;
- (d) the details and quantum of fertilizers imported during the said period, year-wise; and
- (e) the steps taken by Government to minimise the dependence on import?

THE MINISTER OF STATE IN THE MINISTRY OF CHEMICALS AND FERTILIZERS (SHRI BHAGWANTH KHUBA): (a) to (e) A Statement is laid on the Table of the House.

Statement

(a) The quantum of fertilizers produced by the Cooperative and Public Sector companies in the country during the last four years company-wise and year-wise are at **Annexure**.

(b) to (d) Requirement/ Demand, Production of Fertilizers and Import during the last four year are given below:-

Year	Requirement/ Demand (Fig. in LMT)			
	Urea	DAP	NPKs	MOP
2017-18	298.00	98.77	98.19	33.90
2018-19	300.04	98.40	97.68	36.81
2019-20	335.26	103.30	104.82	38.12
2020-21	350.64	107.76	108.00	35.51
	Fertilizers Production* (Fig. in LMT)			
2017-18	240.23	46.50	88.14	-
2018-19	238.99	38.99	95.15	-
2019-20	244.55	45.50	93.34	-
2020-21	246.03	37.74	100.54	-
	Import of Fertilizers(Fig. in LMT)			
2017-18	59.75	42.17	4.99	47.36
2018-19	74.81	66.02	5.46	42.14
2019-20	91.23	48.70	7.46	36.70
2020-21	98.28	48.82	13.90	42.27

(*Production of NPKs includes Complex Fertilizers & Ammonium Sulphate)

(e) The Government had announced New Investment Policy (NIP) – 2012 on 2nd January, 2013 and its amendment on 7th October, 2014 to facilitate fresh investment in the urea sector and to make India self-sufficient in the urea sector. Under NIP – 2012 read with its amendment, Matix Fertilizers and Chemicals Ltd.(Matix), Chambal Fertilizers and Chemicals Ltd. (CFCL), Ramagundam Fertilizers and Chemicals Ltd.(RFCL) and Hindustan Urvarak & Rasayan Limited (HURL) have set up urea plants of 12.7 LMT per annum capacity each at Panagarh-West Bengal, Gadepan-Rajasthan (Gadepan-III), Ramagundam-Telangana and Gorakhpur-Uttar Pradesh respectively.

In addition to above, revival of 1 closed unit of Fertilizers and Chemicals India Ltd. FCIL namely Sindri and 1 closed unit of Hindustan Fertilizers and Chemicals Ltd. (HFCL) at Barauni by means of setting up of new greenfield urea units of 12.7 LMTPA at each of the locations is also included under the NIP-2012 read with its amendment. For the revival of Talcher unit of FCIL by setting up a new greenfield urea plant of 12.7 LMTPA an exclusive policy has been notified on 28th April 2021.

The Government of India has also notified the New Urea Policy (NUP) – 2015 on 25th May, 2015 for existing 25 gas based urea units with the objective of maximizing indigenous urea production; promoting energy efficiency in urea production; and rationalizing subsidy burden on the Government. The implementation of NUP-2015 has led to additional production from the existing gas based urea units due to which the actual production of urea has increased by 20-25 LMTPA in comparison to the actual production during 2014-15.

Further, Cabinet in its meeting held on 21.05.2015 inter-alia approved setting up of New urea plant of 8.646 LMTPA capacity in the existing premises of BVFCL, which has been notified by the Department of Fertilizes Vide OM Dated 12.6.2015.

DoF granted permission to Madhya Bharat Agro product Limited Unit-II, Banda Sagar, MP for production of 1.2 LMT per annum of P&K fertilizers.

Paradeep Phosphates Ltd. has been granted permission to manufacture additional DAP/NPK complex to the tune of 8 LMT per annum utilizing the 2 trains of ZACL Goa Plant.

A new DAP/NPK Plant by RCF with annual capacity of 5 LMT and 5.5 LMT by FACT has been granted permission.

Govt. of India has notified Potash Derived from Molasses (PDM) under the Nutrient Based Subsidy (NBS) scheme which is 100% indigenously produced fertilizer.

Annexure

Quantum of fertilizers produced by the Public & Cooperative Sector Companies of the country during the last four years (2017-18 to 2020-21)

Sl. No.	Name of the Company	Plant location	Name of Fertilizers produced	Fertilizer produced (Fig. in 'LMT')			
				2017-18	2018-19	2019-20	2020-21
Public Sector							
1	Brahmaputra Valley Fertilizers Corporation Ltd. (BVFCL)	Namrup-II	Urea	0.58	0.58	0.46	0.02
		Namrup-III	Urea	2.12	2.29	1.10	1.299
2	National Fertilizers Ltd. (NFL)	Nangal-II	Urea	5.43	5.41	5.75	5.469
		Panipat	Urea	5.60	5.74	5.52	5.827
		Bhatinda	Urea	5.63	5.84	5.63	5.767
		Vijaypur-I	Urea	10.44	10.29	9.84	9.663
		Vijaypur-II	Urea	10.88	11.32	10.53	11.265
3	Fertilizers and Chemicals Travancore Ltd. (FACT)	Udyogamandal	Complex & A/S	3.65	2.72	4.31	4.617
		Cochin	Complex	4.87	5.06	6.41	6.46
4	Rashtriya Chemicals & Fertilizers Ltd. (RCF)	Trombay	Urea & Complex	9.19	9.53	8.96	8.77
		Thal	Urea	20.61	19.84	20.22	19.124
5	Madras Fertilizers Ltd. (MFL)	Chennai	Urea & Complex	4.81	4.20	4.10	5.344
Cooperative Sector							
6	Indian Farmers Fertilizer Co-operative Ltd. (IFFCO)	Kalol	Urea	6.02	6.02	6.02	6.237
		Anola-I	Urea	8.96	11.22	12.20	11.044
		Anola-II	Urea	9.31	11.18	10.87	11.772
		Phulpur-I	Urea	7.26	6.71	7.50	7.057
		Phulpur-II	Urea	9.55	10.48	12.16	10.641
		Kandla	DAP & Complex	20.29	19.23	23.27	22.834
		Paradeep	DAP & Complex	17.24	16.54	19.31	19.883
7	Krishak Bharati Co-operative Ltd. (KRIBHCO)	Hazira	Urea	22.54	23.42	23.31	23.234

MR. DEPUTY CHAIRMAN: Rajeshji, put your first supplementary.

SHRI K.R.N RAJESHKUMAR: Hon'ble Deputy Chairman sir, first I thank you Members of this august House and the hon. Ministers because my question is reached, which is at Sl. No.7.

MR. DEPUTY CHAIRMAN: Give your thanks to all your colleagues.

SHRI K.R.N RAJESHKUMAR: Sir, I would like to know from the hon. Minister whether the Indian agricultural sector would face the impact arising out of the hostilities between Russia and Ukraine, which are expected to push up the prices and availability of Potash, a key component used in the manufacture of fertilizers. If so, what are the steps intended to be taken by the Government?

श्री भगवंत खूबा : माननीय उपसभापति महोदय, मैं आपके माध्यम से इस सदन और पूरे देश के किसानों को आश्वस्त करना चाहता हूँ, क्योंकि भारत के किसानों को पिछले साल भी उर्वरकों को लेकर बड़ी चिन्ता थी, लेकिन हमने माननीय प्रधान मंत्री श्री नरेन्द्र मोदी जी के नेतृत्व में निर्णय लेकर भारत के किसानों को सही समय एवं सही दाम पर उर्वरक उपलब्ध करायी है। इस साल भी आने वाली रबी और खरीफ फसलों के लिए भारत सरकार माननीय नरेन्द्र भाई मोदी जी के नेतृत्व एवं मार्गदर्शन में सबको आश्वस्त करती है कि किसी को कोई परेशानी नहीं होगी। महोदय, दुनिया में feedstock की कीमत चार से पांच गुना बढ़ी है, लेकिन भारत सरकार इस बात के लिए प्रतिबद्ध है कि जिस कीमत पर हम आज दे रहे हैं, उसी कीमत पर किसानों को देंगे।

SHRI K.R.N RAJESHKUMAR: Sir, the Indian Farmers Fertilizers Cooperative Limited (IFFCO) is the largest producer of fertilizers as of now. It was under the Ministry of Chemicals and Fertilizers. That is the relevant Ministry. Logically, IFFCO should work under the Ministry of Chemicals and Fertilizers for better execution. Why has the Ministry decided to transfer this organization to the Ministry of Cooperation?

श्री भगवंत खूबा : माननीय उपसभापति महोदय, IFFCO भी एक को-ऑपरेटिव सेक्टर है और इसीलिए वह उस सेक्टर में काम करता है, किन्तु भारत सरकार के दिशा निर्देश के अंतर्गत ही हमारे एनबीएस के आधार पर हम production करते हैं और उसे हमारे नियमों के तहत ही हम किसानों को देते हैं।

श्री कामाख्या प्रसाद तासा : माननीय उपसभापति महोदय, मंत्री जी ने काफी डिटेल में जानकारी दी है। मेरा प्रश्न यह है कि असम में एक fertilizer factory, Brahmaputra Valley Fertilizer Corporation Limited है, जिसकी यूनिट 1 एवं 2 बंद हो चुकी हैं, यूनिट 3 के लिए हमारे Hon. Finance Minister ने 100 करोड़ रुपए का एक पैकेज दिया था, उस पैकेज का क्या हुआ? चौथी

यूनिट नहीं होने से वह कंपनी बंद हो जाएगी, जबकि नॉर्थ-ईस्ट में फर्टिलाइजर की आपूर्ति करने वाली यह एकमात्र fertilizer कंपनी है। इसकी यूनिट 1 एवं 2 बंद हो चुकी है। यूनिट 3 के लिए जो 100 करोड़ रुपए दिए, उसका क्या हुआ और यूनिट 4 कब चालू होगी?

श्री भगवंत खूबा : माननीय उपसभापति महोदय, BVFCL की यूनिटों के लिए हमने नेशनल New Urea Policy के अंतर्गत 21 मई, 2015 को permission दी है, ताकि वे फिर से उसे एक बार चालू कर सकें।

SHRI TIRUCHI SIVA: Sir, the NUP 2015 was brought with the objective of maximising indigenous urea production, promoting energy efficiency in urea production and rationalising subsidy burden on the Government. While rationalising the subsidy burden on the Government, will it not be transferring it on the shoulders of farmers? Already, the farmers are suffering by not getting due and genuine prices for their produce and the input cost has also increased. When the subsidy has been reduced and the burden is on the shoulders of farmers, will you consider the problems faced by the farmers because of the hike in the price of feedstock?

श्री भगवंत खूबा: उपसभापति महोदय, हम New Urea Policy के अंतर्गत maximising indigenous urea production, promoting energy efficiency का मुद्दा लेकर आए थे। हमने इसके अंतर्गत देश के अंदर 25 ऐसे gas-based projects चालू किये हैं। हमने इनको gas-based में convert करके चालू किया है।...(व्यवधान)... अगर आप 2014 के बाद से compare करें, तो पाएँगे कि 20 से 25 लाख मीट्रिक टन उत्पादन ज्यादा हुआ है।

माननीय सदस्य का प्रश्न यह है कि feedstock की कीमत बढ़ने की वजह से किसानों के ऊपर बोझ बढ़ेगा। इस संबंध में मैं यह बताना चाहता हूँ कि मोदी सरकार किसी भी हालत में किसानों के ऊपर बोझ नहीं बढ़ने देगी, क्योंकि 2021-22 के बजट में इसके तहत BE में 83,548 करोड़ रुपए रखे गये थे, लेकिन इंटरनेशनल मार्केट में सभी feedstocks की कीमत बढ़ने के बाद भारत सरकार, नरेन्द्र मोदी जी के नेतृत्व वाली सरकार ने RE के अंदर सब्सिडी को बढ़ा कर 1,62,072 करोड़ रुपए कर दिया, लेकिन किसानों के ऊपर बोझ नहीं बढ़ने दिया। इसके साथ ही इस साल के बजट में पिछले साल के बजट एस्टिमेट से भी ज्यादा पैसा रखा है। माननीया वित्त मंत्री जी ने इसके तहत 1,09,242 करोड़ रुपए दिये हैं, इसके लिए मैं वित्त मंत्री महोदय को धन्यवाद देना चाहता हूँ। हमने बजट में इसके तहत पिछले साल से 25,694 करोड़ रुपए ज्यादा का प्रावधान किया है। अगर इस साल भी कीमत बढ़ती है, तो नरेन्द्र मोदी जी की सरकार किसानों पर किसी हालत में बर्डन नहीं पड़ने देगी, मैं यह विश्वास दिलाता हूँ।

श्री जयप्रकाश निषाद : उपसभापति महोदय, मैं सबसे पहले तो इस देश के प्रधान मंत्री जी को इसके लिए बधाई देता हूँ कि जो बहुत सारे उर्वरक कारखाने बंद हो गए थे, उन्होंने उनको पुनः बना कर चालू करके किसानों के जीवन में खुशहाली लाने का काम किया है।

महोदय, मैं आपके माध्यम से माननीय मंत्री जी से जानना चाहता हूँ कि गोरखपुर में जो खाद कारखाना बन कर तैयार है, क्या आप उसको चालू करवा कर किसानों को समय पर भरपूर मात्रा में उर्वरक देने का काम करेंगे?

श्री भगवंत खूबा : उपसभापति महोदय, गोरखपुर खाद कारखाना फरवरी में चालू हो चुका है और अभी उसमें प्रोडक्शन चल रहा है। हमने NIP और NUP के तहत इतने प्लांट्स इसलिए खड़े किए हैं ताकि देश उर्वरक के मामले में आत्मनिर्भर बने। आने वाले दिनों में देश में करीब 1,04,000 लाख मीट्रिक टन यूरिया का उत्पादन होगा और हमारे किसानों को निश्चित रूप से indigenous production मिलेगा।

श्री उपसभापति : प्रश्न संख्या 353.

Patient to Doctors & Nurses ratio in the country

†*353. SHRI G.C. CHANDRASHEKHAR: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

- (a) whether it is a fact that the ratio of Patient to Doctors & Nurses in the country is not adequate, if so, the details thereof, State/UT-wise;
- (b) whether any steps have been taken or are being taken to increase the number of seats in various medical institutes or colleges throughout the country; and
- (c) if so, the details thereof during the last three years and the current year?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (DR. BHARATI PRAVIN PAWAR): (a) to (c) A Statement is laid on the Table of the House.

Statement

(a) to (c) As per information available, there are 13,01,319 allopathic doctors registered with the State Medical Councils and the National Medical Commission (NMC) as on November, 2021. The doctor-population ratio is 1:834 in the country assuming 80% availability of registered allopathic doctors and 5.65 lakh AYUSH

† Original notice of the question was received in Hindi.

doctors. Also, there are 2.89 lakh registered dentists and 13 lakh Allied and Healthcare Professionals in the country.

As per Indian Nursing Council records, there are around 33.41 lakh registered nursing personnel which includes 23,40,501 Registered Nurses and Registered Midwives (RN&RM) and 10,00,805 Nurse Associates (9,43,951 Auxiliary Nurse Midwives (ANM) and 56,854 Lady Health Visitors (LHV)) in the country. The nurse-population ratio in the country at present is 1.96 nurses per 1000 population.

The Government has taken various steps to increase the number of seats in various medical institutes/colleges in the country. As a result, the number of UG seats have increased from 51,348 before 2014 to 89,875 seats as on date which is an increase of 75%. The numbers of PG seats have increased by 93% from 31,185 seats before 2014 to 60,202 seats.

Various steps to increase the medical seats include the following: -

- i. Centrally Sponsored Scheme for establishment of new medical colleges by upgrading district/ referral hospitals under which 157 new medical colleges have been approved.
- ii. Centrally Sponsored Scheme for strengthening/ upgradation of existing State Government/Central Government Medical Colleges to increase MBBS and PG seats.
- iii. Central Sector Scheme for upgradation of Government Medical Colleges by construction of Super Specialty Blocks. A total of 75 projects have been approved.
- iv. Under Central Sector Scheme for setting up of new AIIMS, 22 AIIMS have been approved. Undergraduate courses have started in 19 AIIMS.
- v. Relaxation in the norms for setting up of Medical College in terms of requirement for faculty, staff, bed strength and other infrastructure.
- vi. DNB qualification has been recognized for appointment as faculty to take care of shortage of faculty.
- vii. Enhancement of age limit for appointment/ extension/ re-employment against posts of teachers/dean/principal/ director in medical colleges upto 70 years.

Further, the Government has taken following steps to increase the nursing seats in the country:-

- (i) For Nursing Educational Programmes Student patient ratio has been relaxed from 1:5 to 1:3
- (ii) The land requirement for Nursing Educational Institutes from 3 acres has been relaxed to construct building of 54,000 sq. ft. for School/College of Nursing including Hostel.
- (iii) To open GNM and B.Sc. (Nursing) programme 100 bedded parent hospital is essential since 2013-2014. However, this is relaxed for hilly and tribal areas.
- (iv) Relaxed norms for teaching faculty to start B.Sc. (N) Programme.
 - At least 2 M.Sc. (N) faculty to be available
 - Qualification and Experience of the Nursing Teachers has been relaxed.
- (v) Relaxation for opening M.Sc.(N) programme. Super speciality Hospital can start M.Sc. (N) without having under graduate programme.
 - Relaxation of student teacher ratio for M.Sc.(N) programme has been relaxed from 1:5 to 1:10
- (vi) Age of superannuation increased for Faculty in Nursing to 70 years
- (vii) Maximum of 100 seats will be granted to the institutions for B.Sc.(N)/GNM programmes which are having parent hospital with 300 beds without insisting on Medical College
- (viii) Distance from school to hospital has been relaxed.
- (ix) Eligibility Criteria for admission to nursing programmes relaxed:
 - a. Aggregate Marks for Diploma and Degree has been relaxed.
 - b. Candidates from recognized State Open School and National Institute of Open School (NIOs) are also eligible.

Further, for making rapid growth in the number of allied medical seats in the country, the Government has enacted National Commission for Allied and Healthcare Professions (NCAHP) Act, 2021 and an Interim Commission has been notified under the provisions of NCAHP Act, 2021.

SHRI G.C. CHANDRASHEKHAR: Sir, in rural India, the ratio of patient to doctor is around 1:10,926 as per the National Health Profile, 2019. In Uttara Kannada district, if any emergency occurs in Sirsi *taluka*, the patient has to travel for around 2.5 hours a distance of 100 kms. to Hubli...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: Chandrashekharji, Question Hour is over.

[*Answers to Starred and Un-starred Questions (Both in English and Hindi) are available as Part -I to this Debate, published electronically on the Rajya Sabha website under the link <https://rajyasabha.nic.in/Debates/OfficialDebatesDateWise>]*

1.00 P.M.

GOVERNMENT BILLS

The Chartered Accountants, the Cost and Works Accountants and the Company Secretaries (Amendment) Bill, 2022

MR. DEPUTY CHAIRMAN: Now, we will take up the Chartered Accountants, the Cost and Works Accountants and the Company Secretaries (Amendment) Bill, 2022. Shrimati Nirmala Sitharaman to move a motion for consideration of the Chartered Accountants, the Cost and Works Accountants and the Company Secretaries (Amendment) Bill, 2022.

THE MINISTER OF FINANCE; AND THE MINISTER OF CORPORATE AFFAIRS (SHRIMATI NIRMALA SITHARAMAN): Sir, I move:

"That the Bill further to amend the Chartered Accountants Act, 1949, the Cost and Works Accountants Act, 1959 and the Company Secretaries Act, 1980, as passed by Lok Sabha, be taken into consideration."

The question was proposed.

श्री उपसभापति : मंत्री जी, आप कुछ बोलना चाहती हैं?

SHRIMATI NIRMALA SITHARAMAN: Sir, I will do it in my reply.

MR. DEPUTY CHAIRMAN: Okay. Motion is moved. There is one amendment by Shri John Brittas for reference of the Chartered Accountants, the Cost and Works Accountants and the Company Secretaries (Amendment) Bill, 2022, as passed by the Lok Sabha, to a select committee of the Rajya Sabha. Hon. Member may move his amendment at this stage without any speech. Shri John Brittas; absent. So, motion is not moved. Now, we come to debate. Dr. L. Hanumanthaiah. You have ten minutes.

DR. L. HANUMANTHAIAH (Karnataka): Mr. Deputy Chairman, Sir, the the Chartered Accountants, the Cost and Works Accountants and the Company Secretaries (Amendment) Bill, 2021 was introduced in the Lok Sabha on 17th December, 2021. It was referred to the Standing Committee on 21st December and passed in the Lok Sabha on 30th March, 2022.

Sir, this Bill amends the Chartered Accountants Act, 1949, the Cost and Works Accountants Act, 1959 and the Company Secretaries Act, 1980, to change the disciplinary mechanism under the three professional bodies of Chartered Accountants, Company Secretaries and Cost and Works Accountants. This Bill seeks to bring more scrutiny and autonomy in the functioning of these three professional institutes, namely, the Institute of Chartered Accountants of India, the Institute of Cost Accountants of India and the Institute of Company Secretaries of India.

[THE VICE CHAIRMAN (SHRI BHUBANESWAR KALITA) *in the Chair.*]

The Statement of Objects and Reasons of this Bill states that amendments are as per the recommendations of the high-power committee created under the Ministry of Corporate Affairs and aims at strengthening the existing mechanism of the functioning of these three institutes.

Sir, now, the Bill makes provisions for a non-Chartered Accountant as a presiding officer of the Disciplinary Committee which could hamper the professional functioning of the committee. The other professional bodies like Medical Council and

Bar Council are headed by professionals, who understand the nuances of industry and bring in experience and expertise. How would a non-CA understand the technical nuances of the issues in front of the committee? That is my first question. The second point is that external members are still decided by the same institutes. I just wanted some clarity. In the proposed Section 9A, a very broad coordination committee is proposed under this Bill. The existing mechanism is taking care of the required coordination between the institutes. Under Section 17 of the Chartered Accountants Act, as a non-standing committee, the coordination committee of all the three institutes already exists. I wanted to ask: What is the purpose of making this coordination committee? This may be made as a standing committee. That is my suggestion.

Sir, it is proposed under Sections 21A and 21B in this Bill that other than two CAs, three non-Chartered Accountants, the presiding officer will be one out of three non-Chartered Accountants. But the non-chartered accountants should not be the presiding officers of this disciplinary committee. It is because application of complex accounting, the functioning standards, auditing standards, code of ethics, taxation, GST, customs, money laundering etc. are required in case of professional misconduct by the chartered accountant. So, only a chartered accountant may fully appreciate these types of cases which come into this disciplinary committee. Therefore, I request that the non-chartered accountants should not be the presiding officers of this disciplinary committee. This is my one request.

Clause 20C (d) says: "any firm, which has been debarred from undertaking any activity or activities relating to the profession of a chartered accountant in practice under any law for the time being in force or by any competent court." Regarding this Clause, there may be serious consequences, if firms are removed. That is very, very important. So, this provision should not be there. One more problem in this is that these committees or this department itself is a self-funding department. The Government is not spending any amount on these three institutes. Their studying is independent. The students are being funded by their parents. The committees are running under the fees collected by the students. When that is the case, the Government's interference, as much as possible, should not be for long. The autonomy of these bodies should be allowed, and the Government is also interested in allowing the autonomy of these bodies but on the other hand, through the backside door, they want to enter and control all the institutes. This is not correct.

Sir, as per Clause 20A, "Register of firms" has been made a separate chapter. Of course, that is okay and good and I agree with it. If the name of the firm is registered outside India, then, identical or similar name should not be registered in India. This is the condition. How do you verify this? I want to know from the hon. Finance Minister regarding this. If the same name is registered outside India, many a time, the Indian people, who want to register, may not be able to get these names. If there is repetition, it would be disqualified. That should not be allowed. I want that this provision has to be corrected properly. So, verification of names registered outside India through one single window agency, which may lead to verification of name, may be very difficult. So, we should not put people into trouble just by names. That is what my request is.

Then, in Clause 20B, under the Register of firms - inclusion of information pertaining to pendency of actionable cases, entry of pendency of actionable complaint or information, the cases should be made only after the member or the firm is held guilty by the board of directors or the disciplinary committee and the final order is passed. Here, there is a problem. During the process, if a firm or a person, his name is announced here, he would have the adverse effect. So, unless the final order is passed, his name should not be published. That is another request by me.

Then, in Clause 21 (8), as per the Bill, 'non-withdrawal of the complaint filed with this disciplinary directorate under any circumstances' is the condition. Sir, I just want to ask the hon. Finance Minister again. If anybody files a submission or files a complaint to the Disciplinary Directorate, if they want to withdraw their own matter after correction by them, what is the problem for the disciplinary committee? That is my question. Why should it not be allowed to withdraw? Can we be so strict treating these firms, treating these persons as criminals under this Act? So I sincerely request the Government that allowing withdrawal of the complaint filed before them must be there. It should be there because the person who has filed any complaint, filed his own cases, can be allowed to withdraw, but the Bill does not say so. That is very, very strict and it should not be there, according to me. Clause 21(9) says, "Availability of the status of actionable information and complaints pending before the Disciplinary Directorate or Boards of Directorate or the Disciplinary Committee", this is only after the final order is made by the BoD, which I have already said.

THE VICE-CHAIRMAN (SHRI BHUBANESWAR KALITA): Please wind up now.

DR. L. HANUMANTHAIAH: Sir, I will conclude. If the complaints pending before Board of Directorate or the Disciplinary Committee are made available in the public domain, then it will create adverse effect on the firm in the public domain. Afterwards, if the case is going to be in his favour, the firm may not get any business afterwards. He may not be able to practise at all. That is the reason, I request the hon. Minister, allow this only after the final decision is made by the Board of Director. So these are my submissions under this Bill. After correcting this Bill, this can be passed. Thank you very much.

THE VICE-CHAIRMAN (SHRI BHUBANESWAR KALITA): The next speaker is Shri Suresh Prabhu.

SHRI SURESH PRABHU (Andhra Pradesh): Sir, I know this is, in a way, a very important piece of legislation bringing amendments to some of the very important institutions, professional bodies that function in the country. As we know, when we want to accelerate the rate of growth of Indian economy, it is obvious that the main important responsibility will be that of the corporate sector because the Finance Minister has also said in her Budget Speech as well as reiterated it on a number of other occasions that we must boost private investment. Besides public investment which is really now responsible for bringing in a very good respectable rate of growth for the Indian economy, we must have a corresponding boost from the Indian private sector which is actually called the corporate sector. There are, of course, non-corporate sector entities as well. But the major burden lies on the corporate sector. The corporate sector's functioning, therefore, becomes very important. How is it ensured that the corporate sector which collects moneys from the secondary market, from the primary market, put it back as equity or even loans? They borrow from the banks as well as from others. How to ensure that this corporate sector functions properly? So in a collective wisdom of this Parliament, we passed a law just two years, after the Independence, way back in 1949, when we created the Institute of Chartered Accountants of India; we subsequently created Institute of Cost and Works Accountants and also the Company Secretaries Institute. There are three major professional bodies which have a very important role to play in ensuring that the corporate sector functions properly and they have to also make sure that their own functioning is also transparent. How can you guarantee that a sector which relies on such entities and the members, who are getting the membership flowing out of the charter of these institutes, how do they maintain properly? So their functioning also has to be proper. Therefore, this is a very important legislation, I would feel, which is

trying to deal with the various aspects related to the Institute. There are, of course, a few provisions which are sought to be amended. Sir, first of all, I would like to disclose my interest. I am a Chartered Accountant by training and I also used to practise as a Chartered Accountant for quite some time, before I don't know whether rightly or wrongly, I decided to come into public life, and now, I have completed 40 years in public life, 26 years in the Parliament. So, I don't know it was a right decision or wrong decision!

THE VICE-CHAIRMAN (SHRI BHUBANESWAR KALITA): For us, it is a right decision, Mr. Prabhu.

SHRI SURESH PRABHU: I am a Chartered Accountant by training, that is why, I want to disclose that and I tell you that, in that context, I am speaking. So, I was asking my Institute Office of which I am a member, "I have heard that you are opposing this Bill tooth and nail. Why are you opposing it?" They said, "No, I think there is some misconception. We are not opposing." So, I asked them whether they are supporting it. So, I collected from them that on almost several points, they are accepting the proposal which was mooted by the Ministry. So, it is a good thing that there was a dialogue between the Government and knowing my hon. Minister with whom I have worked for many, many years, I know, she would definitely consult somebody before doing anything like this. So, I really appreciate it. Therefore, it is not true that the Institute of Chartered Accountants of India, -- I cannot speak on behalf of other two Institutes because I am not a Member of those Institutes -- is not fully opposed to everything that has been said in the Bill. There have been a lot of acceptance of the proposal including determination of fee for the entry of the name in the register; powers to discipline Chartered Accountant firms, Clauses 21A and 21B; increasing quantum of punishment; maintenance of register of firms; gradation of Council terms; finance of the Council; increase in penalty for falsely claiming to be a member, etc., etc. So, now this is a good thing that new amendments in the law are being proposed, the stakeholders were consulted and therefore, in that spirit, I feel that it is also necessary to understand if there are any apprehensions on the part of members of the Institute of Chartered Accountants as well as other Institutes. So, the first one, I think this is very important to note, is related to disciplinary action to be taken. As we know, no one can dispute the fact that every Institute and every member of that Institute must function in a manner which has to be firstly in accordance with the law, and also in line with the professional conduct rules that are being framed from time to time. And, the regulation of that ideally should be self-regulation. In fact, the former

President of the Institute is also sitting here. So, regulation should be such that it is not only done in a transparent way but it must also inspire confidence of the society. It is true that some instances that have happened in the last several years; people are questioning about these things. So, I can understand the response. But, I will only point out to my hon. Minister about certain issues which are related to this. Number one, the provision related to the constitution of Board of Discipline which is sought to amend under Clause 21A(1) and Clause 21 B(1). We are trying to propose that there should be three non-Chartered Accountants besides two Chartered Accountants. I would like to just point out one important issue related to this. Normally, the disciplinary action will be taken when there is a professional misconduct. There can be complaints like fighting between the partners of Chartered Accountant firms; there could be issues related to certain other issues which are really speaking, 'not professional' as such, though related to Chartered Accountant firm, but not professional in that sense of the term. So, what is professional misconduct largely will accrue, will come out of a very important issue relating to balance sheet and Profit and Loss Account, broadly, you can say financial statement. Now, these financial statements have to be prepared, and I was saying in context of -- there is another Chartered Accountant here, Mr. Gujral -- these statements which are prepared are prepared in case of corporate sector largely which are related to us under the Companies Act. So, there was a provision in the Companies Act, 1956, and when we repealed that Act, we replaced it with some other new codes. The provision still subsists in the same way, and what does it say? It says that an auditor has to certify the balance sheet and profit-loss account, the financial statement to be 'true and fair'. This is a very important part. When you say, 'true and fair', it is not even the intention of our Parliament because we only passed the Law. We only made the provisions about how the auditor should certify and in that we say that they should certify that it is 'true and fair'. What is 'fair'? It is a very subjective term. If my son will think that I am not fair to him and his friend will think his father is fair to him. What is fairness, it will differ from person to person; it is a very subjective assessment. Now, my point is, if a subjective assessment is the cause of disciplinary action, in that case, let it be left to the judgement of the professionals. How can you decide the fairness of a financial statement which is so technical in nature, when a non-Chartered Accountant can sit on judgement and decide about it? Sir, let us look at it like this. In medical cases also, misconduct is possible. The Indian Medical Council goes into it. But, if you are looking at a medical procedure that whether it was done rightly or wrongly, can it be decided by a non-medical professional? Can you ask a non-doctor that please tell me whether this surgical procedure was conducted properly or not?

And if you come to a judgement like this, what would be the effect of that? Because I am a Chartered Accountant, I can say that I know everything, and if I sit on judgement to decide whether that medical procedure was right or wrong and I give a judgment, what implications will it have? So, I am not saying that fairness of a financial statement is important, and the fairness of these proceedings are also important. Therefore, I understand that why it is proposed by the Government that a non-Chartered Accountant should do it. But, will it suffice the purpose for which this is made? Does this achieve the objective or will it create some unintended, wrong consequences? When I am going to sit on judgment and say that no, this is wrong, what is my technical competence to decide that? Therefore, this is extremely important, there is another Chartered Accountant, I discovered that he is a Chartered Accountant, Mr. Arun Singh. So, we are a very few, we are a minority, so please bear with us. So, Sir, I was saying that this disciplinary action to be taken. As I said, largely, it flows from financial statements and financial statements are also certified in a way that should not be done to give an impression about a statement which is completely wrong or misleading. So, what is wrong and misleading is actually very important. Therefore, in the whole world because this is the practice followed in most of the countries in the world, at least, in the advanced ones. What is important, therefore, is there has to be some sort of a codification on this. How do you make sure that 'true and fairness' has been achieved when the balance sheet was signed by the Chartered Accountant or the auditor in that case? So, auditing is a technical term which we use. But, what is auditing, really speaking? At the end of it, you are giving an assurance. So, audit is a function which gives assurance to all those who want to rely on that statement. It is a public document and in case of companies, obviously, it is a public document. It is available on the website of Register of Companies; anybody can access it. In case of listed companies, it is available in the respective stock exchanges where the company is listed. So, in this case, it is very important that there is an auditing standard. Sir, there is Standard on Auditing as 200, what does it say? It says, 'overall objective of the independent auditor, and the conduct of an audit in accordance with international standards on auditing, is a mother standard of all standards'. It also says that it is an assurance which is given in a way that provides reasonable assurance about the financial statement of the company. Now, what is reasonable, is very important. Sir, there is a concept of materiality in auditing because when you audit, the companies, the Indian companies are now becoming bigger and bigger. We have large companies. So, you cannot conduct the audit of those companies unless you use the concept of materiality. Use materiality and find out whether this particular aspect is material in nature and that is

why I should report on it and, therefore, you can qualify the report. So even though you say it is a true and fair picture of the company, you can qualify your statement as an auditor, if that qualification will say something which is material in nature. So, my request is that considering all these important aspects of this, while I understand why this Government is thinking on these lines, but I personally feel that there is a need for a serious rethinking about the composition or constitution of the Board or Disciplinary Committee in which no harm having an outsider, this is absolutely part of fairness, but the number should need not be such that it will have non-Chartered Accountants outnumbering Chartered Accountants who are qualified to do that. I have an example of doctors. Suppose if you constitute a medical board, if you get ten people of which eight are non-doctors, what the finding of that medical board will mean at the end of the day? So, I think, this is something which I request the hon. Minister, and I know, I have known her for years, she is a most reasonable person, so she will definitely look into it, if not now, I am not proposing amendment, but I am sure over a period of time, you will definitely look into this. The second part which has just been mentioned and it is something which I was wondering why there should not be. Under Section 28(a), anybody can file a complaint against a professional body or a professional member of that body, rightly so. It has to be like that. But, when you file a complaint, it should be taken to the logical end. What is logical end? The logical end would mean that the complaint should be heard by appropriate authorities, should be disposed of in a manner after, probably, giving even judgment on that particular process, but at any time during the pendency of that complaint, it is always possible that he can withdraw the complaint. Sir, even in the courts, if you file a petition, the courts allow you to withdraw, of course, you need to seek their permission. Here in this House, if I present a Bill, I will seek the permission of the House whether I can withdraw the Bill. So, I don't know why there should be a provision which does not allow the withdrawal of complaint. The complaint has to be taken to a logical end and I am fully agreeing, but for whatever reasons, I decided to file a complaint and then I realized that probably it was not in the way it should have been filed or the merit of that complaint I was not knowing at that particular time, whatever could be the reason, but I think there is a need to also allow the withdrawal of complaint rather than saying this. Of course, there are provisions, which are trying to bring in more coordination between the three bodies. I am told that there is already coordination among three bodies. Of course, there is a reason to bring it. I only feel that when you decide the terms of reference of this coordination committee, which is going to be chaired by the Secretary of the Corporate Affairs Ministry, it should be done in a way that we must realize that there are three distinct bodies dealing with three distinct

functions, though related to main sector, corporate sector, but completely different functions and that is why in the wisdom of this Parliament, we decided to have three different bodies. We never did it, otherwise we could have made one single body but we realized there is a need to have three different bodies. When you have three different bodies, coordination is always a good idea, there is nothing wrong but making sure that this coordination will happen in a way keeping in mind the distinct identities as well as the different roles of these individual professional bodies. I think that is something, if it is done properly, would really help in a very important way. I also feel that the removal of firms, I think, Madam Minister, I would like to just bring to your attention something which again is an important aspect. Ultimately, if you find that the particular professional member has not done a good job and it is finally concluded so, then the end will definitely happen in the removal of his membership, rightly so. And rightly so because that is the ultimate punishment you can give. If you feel that one is not performing his professional duties rightly, what right has he got to continue to be a member? It is understandable. But, there are instances where we have multiple regulators in the country. There is a regulator for capital market called SEBI. There is a banking regulator, Reserve Bank of India. There is an insurance regulator, IRDAI. Even for pension funds, we have a regulator. We have regulators of different kinds. Suppose, one of the regulators, for whatever reason, points out that there is something wrong with a firm, or a member has not done his job correctly, you should not then jump to a conclusion immediately to remove his name from the register of members. That is what might happen and that is something which will be unfair. It is even a denial of the natural justice. In what context, what the other regulators think is different because we are now creating even a disciplinary committee here. Letting the disciplinary committee decide about it is understandable and logical. Because of certain adverse findings in some other context by other regulator or other bodies, not necessarily a regulator as well, if we are going to finally terminate one's membership, it will be very unfair. I am sure, that is not our intention. I am sure that you will, therefore, take note of these eventually. Though it is not your intention, I am just pointing this out to you as to what could be the situation as a result of it.

Coming to the very important aspect, this is a time where we have a great opportunity to bring about a huge increase in our service exports. Luckily, I had succeeded the Finance Minister as the Minister of Commerce & Industry. I have known the good work she had done. I am not sure if I could carry forward such a good work as she did. But, there is a huge potential for service exports. Our service

exports will rise faster than merchandise exports over a period of time. In service exports, one of the services we can export, in a significant way, is the professional services which are coming from these three institutions, whether the Institute of Chartered Accountants or the Institute of Cost Accountants or the Institute of Company Secretaries. These members can actually bring about a huge increase in their export earnings and also create huge job opportunities. There are many possibilities that you can render these services offshore.

Sir, this particular pandemic has shown that most of the work now is carried out from distant places. Just imagine the potential in all these financial services, in auditing and in taxation; of course, auditing is a regulatory subject because if you have to do audit, you have to register yourself in that particular jurisdiction. Otherwise, you can carry out such services in a very efficient way, remotely. These offer a great opportunity for all these three professional bodies. In that context, you must strengthen them, make them more effective and make them more efficient. There are a number of young students who are now wanting to be Chartered Accountants, despite the fact that they could see not a good charter like me, but they still want to become Chartered Accountants. I know that this is possible that we can create huge employment opportunities for these, if not millions, but a few lakh Chartered Accountants or aspiring Chartered Accountants. Cost Accountants' number will be higher. I feel, realising this, we really need to strengthen these professional bodies. I am sure, we will take these appropriate measures along with the amendments that we are doing. We will also work towards ensuring that the potential that these particular three professional bodies hold will be exploited to the fullest. Sir, I thank you very much.

SHRIMATI MAUSAM NOOR (West Bengal): Sir, I rise today to oppose the Chartered Accountants, the Cost and Works Accountants and the Company Secretaries (Amendment) Bill. I also thank my Party for giving me an opportunity to speak on this important Bill. Let me begin by pointing out, on behalf of the All India Trinamool Congress, that something fundamental has changed in how our Parliament functions. While this particular Bill has been scrutinised by the Standing Committee, the scrutiny percentage of Bills in general has fallen. In the 15th Lok Sabha, it was 71 per cent. In the 16th Lok Sabha, it dropped to 25 per cent. What is the number now? In the 17th Lok Sabha, as of December, 2021, it was a dismal 13 per cent. My question is: Is the Government taking Parliament for granted? This Government is not allowing discussions on national issues which are affecting the masses such as the burning

issues of price rise. Bills such as these are important to ensure prevention of white collar crimes and high value fraud, but what about the loot happening to the common people today in the name of fuel price hikes? It is a shameful burden on their livelihoods. More shameful is that we, as their elected representatives, are prevented from speaking on it in Parliament. ...*(Interruptions)*...

THE VICE-CHAIRMAN (SHRI BHUBANESWAR KALITA): Shrimati Mausam Noor, we are discussing the Chartered Accountants, the Cost and Works Accountants and the Company Secretaries (Amendment) Bill, 2022. So, please speak on the Bill.

SHRIMATI MAUSAM NOOR: I would like to state the grounds as to why I rise to oppose this Bill. One, this Amendment Bill proposes a radical change in the composition of the bodies which regulate the functioning of important members of the financial sector. This Bill proposes that the presiding officer of disciplinary boards formed will be a Government nominee and not a member of the institutes. In case an additional board is formed by any of the three committees, the presiding officer and one of the two members must not be members of the institutes, and will be chosen from a roster of persons provided by the Government. Not only does this allow for non-sector experts to influence the functioning of an industry-specific institute, but also gives the Union Government the power to interfere in the matters of a trade body. This is in direct contradiction to one of the Government's favourite achievements - Ease of doing business. What happened to the 2014 promise of "Minimum Government, Maximum Governance"? The inclusion of non-domain experts into the body and as the president is detrimental to both quality and morale. While there have been instances of accounting fraud, bringing in an outsider to regulate the sector may lead to situations where the outsider has no expertise and is unable to understand and suitably check fraud.

Sir, my second point is, the Bill does not address the issue of ICAI's whimsical censoring. In the recent past, ICAI has used the penal provisions to arbitrarily censor the content that some chartered accountants posted on social media. The new Bill does not address this issue. A suitable middle ground must be reached between the need to regulate by the Government and to prevent overreach by the members, and the need for domain expertise in regulating such a technical field. In other technical institutions such as the Bar Council of India too, the members are from the field. The Government however, seems to be making a habit of stepping into expert fields, as it has done with the National Medical Commission. While Government-nominated

members can provide requisite regulatory oversight, there must be a way of ensuring that they are people with the necessary domain expertise.

Sir, my third point is, the Bill provides for disclosure of pending complaints or actionable information against members and firms. Disclosing details of pending complaints before finding guilt may tarnish their professional reputation and goes against the first principle of grievance redressal that complaints be evaluated and acted upon in a free and fair manner. Any premature disclosure is not only against the judicial decision-making process, but also an open invitation to unethical interference. We can't be living in a country where we shoot first and ask questions later. We live with the rule of law, where people are presumed innocent until proven guilty. This should apply in financial cases as much as in criminal ones.

Sir, I would like to end with one last comment. The ICAI had criticised the Chartered Accountants Act, 1949 for leaving the definition of 'other misconduct' open-ended, calling this terminology vague. The present Amendment does not address the ambiguity of this definition. If anything, the proposed changes widen the scope of said ambiguity as any matter could easily be categorised as 'misconduct', and now the Government's nominees are in the body to nudge it towards taking this interpretation. The absence of clearly defined parameters coupled with the Government's presence within the Institute could set a dangerous precedent for obscure and intrusive functioning. I conclude by asking the Centre what really their policy is. Is it minimum Government and maximum governance, or maximum Government and zero governance? Thank you.

SHRI P. WILSON (Tamil Nadu): Mr. Vice-Chairman, Sir, first of all, I thank that the Bill is debated, because whenever a Bill is passed without any debate, it is called a black letter law. The hon. Chief Justice of India has deprecated these types of practices i.e., passing of Bill without any debate. Therefore, I thank you for debate on this Bill.

Sir, this Bill brings in amendments to three principal Acts: The Chartered Accountants Act, 1949; the Cost and Works Accountant Act, 1959; and, the Company Secretaries Act, 1980. The major amendment is revamping of the Board of Discipline and the Disciplinary Committee under these Acts.

Sir, I would, no doubt, first of all, appreciate the hon. Finance Minister that the intention is to finish the disciplinary proceedings in a time-bound manner. But, in this amendment Bill, there are a lot of infirmities which I would like to place before this august House. The Bill seems to curtail the role of professionals and the elected representatives of the Governing Council in disciplinary bodies and in the disciplinary matters in each of the professional institutes.

First, I come to Clause 21(A) which says that you cannot withdraw a complaint given to a body! My question is: How can you prevent a person from withdrawing his complaint? You cannot compel a person to permit prosecuting a person against whom complaint has been withdrawn. Therefore, this is going against the well settled legal principles.

There are two disciplinary bodies. One is the Board of Discipline which acts as a disciplinary authority in case misconduct falls under the First Schedule and is empowered to impose minor penalties like censure, temporary suspension up to six months and a fine of Rs. 1 lakh which is now proposed to increase to Rs. 2 lakh under the Bill. The other disciplinary authority is the Disciplinary Committee which deals with the Second Schedule misconducts and is capable of imposing punishment not only restricted to censure, but also permanent removal or removal for any specific period and impose a fine which may extend to Rs. 5 lakh which is now proposed to increase to Rs. 10 lakh under the Bill.

Sir, Clause 22 of the Bill shows that Board of Discipline constituted under the original Section 21(A) is now substituted with a revised provision. Earlier, the Board of Discipline had three members wherein all of them could be the members of that institute and from the same profession. Out of three members, two would be nominated by the Council, including the Presiding Officer, and one by the Union Government. Sir, in the proposed amendment Bill, the present Board of Discipline, under Clause 22, will have only one member nominated by the Council and other two members should not necessarily be the members belonging to the institute. Thus, laypersons are brought into this Disciplinary Committee. What we have to do with these professional bodies, particularly in disciplinary matters, is this. The Presiding Officer of the Board of Discipline will now be a non-member! He is a layman! Thus, the professional or the member of the institute is reduced to one in the Board of Discipline which is empowered to impose minor punishment. Furthermore, power to nominate the other two non-members given to the Central Government reduces the

work of the Council to the status of preparation of panel alone! Under the proposed amendment Bill, the Union Government, by nominating two out of three persons, assumes the bureaucratic control over the Board of Discipline of all three professional bodies of the respective Councils and the amendment Bill enables the same. And, the Amendment Bill enables the same. Will it not compromise the independency of these professional bodies? Hon. Minister has to explain in this regard.

Insofar as Clause 23 is concerned, it deals with Disciplinary Committee. Section 21(b) is now substituted with new provisions. Under this clause, the elected President or the Vice-President of the Council, who is acting as a Presiding Officer, has now altogether been removed from the Disciplinary Committee. The Committee has now been taken over by the laypersons who are non-members of the Councils. He will now be nominated by the Central Government. And, he will be acting as a Presiding Officer. Apart from this non-member, there will be two other non-members, nominated by the Central Government. By virtue of the Amendment Bill, Council can only nominate two of its members. ...*(Interruptions)*...

THE VICE-CHAIRMAN (SHRI BHUBANESWAR KALITA): Please conclude now. ...*(Interruptions)*...

SHRI P. WILSON: Please give me just two more minutes, Sir. Thus, out of five members, only two members shall be the professionals and other three will be the non-professional members who are laypersons, nominated by the Union Government. On the contrary, in the principal Act, all five members, including the President and the Vice-President, shall be professional members and shall be the member of that institute. Thus, the number of professional persons is reduced ...*(Interruptions)*...

THE VICE-CHAIRMAN (SHRI BHUBANESWAR KALITA): Thank you, Mr. Wilson. ...*(Interruptions)*... Thank you very much. ...*(Interruptions)*... Your time is over, please. ...*(Interruptions)*...

SHRI P. WILSON: Just two more minutes, please. ...*(Interruptions)*...

THE VICE-CHAIRMAN (SHRI BHUBANESWAR KALITA): I have already given you two minutes extra. ...*(Interruptions)*... Now, you are left with no more time.

...(Interruptions)... Please conclude. ...(Interruptions)... I am calling the next speaker. ...(Interruptions)...

SHRI P. WILSON: Sir, my question is: How can a Disciplinary Committee -- with a majority of members being laypersons, nominated by the Union Government -- deal with the allegations of misconduct, which involves a high degree of technicality owing to the profession? Why should the Central Government control these disciplinary bodies? Why is it that the Central Government is ...(Interruptions)...

THE VICE-CHAIRMAN (SHRI BHUBANESWAR KALITA): Thank you very much. ...(Interruptions)... The next speaker is Shri Sujeet Kumar. ...(Interruptions)...

SHRI P. WILSON: Just last point, Sir. ...(Interruptions)... Just one minute. ...(Interruptions)...

THE VICE-CHAIRMAN (SHRI BHUBANESWAR KALITA): Your time is over. Nothing will go on record now. ...(Interruptions)...

SHRI P. WILSON:*

THE VICE-CHAIRMAN (SHRI BHUBANESWAR KALITA): I have called the next speaker. Please take your seat. ...(Interruptions)... Shri Sujeet Kumar.

SHRI P. WILSON:*

SHRI SUJEET KUMAR (Odisha): Sir, on behalf of my party, Biju Janata Dal, I stand to support the Amendment Bill, which has been brought to revamp the working of three professional bodies. In a reply in the Lok Sabha, the hon. Finance Minister had asserted that this Amendment Bill will not infringe on the autonomy of these three institutes. And, I have no reason to doubt her assertions. Rather, I feel, the amendments will make these three bodies more accountable and would enable them to adopt global best practices and would also reform and speedup the disciplinary mechanism of these institutes.

* Not recorded.

The disciplinary track record of, at least, one of these three institutes, the Institute of Chartered Accountants of India, has come under scanner in recent months. And, no less than the hon. Prime Minister himself had flagged this once, at the time of launch of GST.

The Statement of Objects and Reasons of the Bill States that it seeks to address the conflict of interest between the administrative and the disciplinary arms of these institutes. To achieve this, the Bill proposes to change the composition of the two disciplinary entities, the Disciplinary Board and the Disciplinary Committee, to allow for more external representation.

Sir, here, I would like to very respectfully disagree with my former erudite and learned speakers -- Suresh Prabhuji, Shri Hanumanthiahji, and also Mr. P. Wilson - - who have apprehensions that non-CAs should not be members of the Disciplinary Committee. They have argued as to how such a technical subject, as accountancy, can be understood by non-CAs. I, very respectfully, disagree with them. This is akin to saying that only a Chartered Accountant is competent to understand matters of disciplinary proceedings. The disciplinary proceedings, by very nature, are non-adversarial and are based on the principle of natural justice. If a person, who is not a doctor, can make a good Health Minister; if a person who is not an electric engineer can make a good Power Minister, why can't a non-CA be a part of the Disciplinary Committee because, at the end of the day, it is based on the principles of natural justice? The Bill also seeks to achieve speedy disposal of cases by providing for time-bound disposal of cases. The Parliamentary Standing Committee, which had deliberated this Bill at length and applied its mind, has also supported the Amendments. I will thank hon. Suresh Prabhuji because we have read in the media that the ICAI had raised serious objections to the amendments, but he has clarified that it is not the case. But both the ICSI and the Institute of Cost Accountants do not have any objection. The Parliamentary Committee also has suggested setting up of Indian Institutes of Accounting, IIAs, on the lines of the IITs and the IIMs. I think it is an innovative idea which should be explored by the Government because it will end the ICAI's statutory monopoly over certification. It will bring in competition and also greatly enhance the quality of accounting education in our country. I think this will also make the profession of accounting more inclusive because more people can join IIAs if they are set up.

Sir, the Bill increases certain fines under the three Acts. So, now, if a partner or an owner of a firm is found repeatedly indulging in some misconduct, then, disciplinary action can be taken against the firm.

Another welcome step is to change the nomenclature of the Costs and Work Accountants Act, 1959 to Cost Accountants Act, 1959, and also to rename the Institute of Cost and Works Accountants to the Institute of Cost Accountants. Sir, I am not sure why the word 'work' was included in the first place, but, anyway, it has been omitted now. (*time-bell rings*)

THE VICE-CHAIRMAN (SHRI BHUBANESWAR KALITA):Hon. Member, please wind up now.

SHRI SUJEET KUMAR: Sir, I am concluding. The firms must also now register with the institutes. This will enable the disciplinary mechanism also for the firms. I think these three Acts were enacted decades ago, when the business and corporate landscape of the country was much different and has transformed quite a bit now. So, I think the need for this Amendment is very much there. Also, the recent corporate events like the IL&FS case has put the profession of chartered accountancy under a serious scrutiny. So, I think this Amendment will, certainly, improve the administrative accountability and governance mechanism, help in the Ease of Doing Business process and also help India reaching the target of five trillion dollar economy that we have been talking about. So, I support the Bill. Thank you.

THE VICE-CHAIRMAN (SHRI BHUBANESWAR KALITA):Thank you, Sujeet Kumarji. The next speaker is Shri Ayodhya Rami Reddy Alla.

SHRI AYODHYA RAMI REDDY ALLA (Andhra Pradesh): Mr. Vice-Chairman, Sir, I believe this Bill, the Chartered Accountants, the Cost and Works Accountants and the Company Secretaries (Amendment) Bill, 2022, is a blatant attempt to take away the autonomies of these three professional institutes. By bringing these Amendments, the Centre is setting up a precedent that could negatively impact the independence of other professions as well. We have a few objections on the proposed changes under this Bill. Objection number one, a non-standing committee under Section 17 of a similar nature already exists and measures should be made to make it more formal. Chairmanship by Secretary of Ministry will intrude on autonomy and independent decision-making. But the Ministry says that the standing committee has no specific term and is informal. But this committee can be made formal. The other point is about

the Board of Discipline and Disciplinary Committee. The objection is: A non-member will not have an in-depth understanding of the accounting and auditing standards and practices. But I must tell my friend, Sujeet, -- he was saying something -- that there are business functions and there are support functions. To support a business, I think the support functions like that of Chartered Accountants, Cost and Works Accountants and Company Secretary, they must have the basic knowledge at the leadership level. In case of a Minister or beyond, or a Secretary there, it is different, because, then, somebody prepares the notes and everything for you. But, here, you have to really get into the details, and, for that, certainly, business knowledge is essential to support. CAs and all are the support functions of the business. So, I believe the indepth knowledge and understanding is a must. This is one point on which we have an objection. The conduct of professionals should be judged by professionals only; this is what we believe. Then, there are more chronic problems in Judiciary. If the Government by amending the CA Bill wants independence from adjudication of disciplinary proceedings, then this problem is more chronic in the judicial system which has more far-reaching consequences and even a threat to democracy.

Judges are appointed by a group of judges, judges are transferred by a group of judges and also promoted by a group of judges; and even framing of charges against an errant judge shall be done by judges according to Judges Inquiry Act, 1968. So, my submission is, if Government is reforming the disciplinary committees of Chartered Accountants and also doctors, then why not of Judges? Also, till date, no Judge of High Court or the Supreme Court has been impeached. And even the CBI has to seek sanction of the concerned High court if it has to proceed even against a retired judge. Where is the fairness here?

Then coming back to the liability of firms for misconduct of partner, clarity is needed on many issues like 'repeatedly found guilty', not defined. If a person is a partner in more than one firm, whether all firms are liable? If all partners of a single firm are found guilty of misconduct but not repeatedly, will action be taken against the firm? Is it applicable in case of Limited Liability Partnership, and, if so, it would be unlawful to indict whole firm for misconduct? Action against entire firm will cause hardship to all other partners and employees who are faultless.

THE VICE-CHAIRMAN (SHRI BHUBANESWAR KALITA): Please wind up.

SHRI AYODHYA RAMI REDDY ALLA: Yes, Sir.

In the similar way, for *suo moto* proceedings, the Bill allows Disciplinary Directorate to make investigations *suo moto* without any precondition of reason to believe. So, this unfettered power can be abused for ulterior purposes.

Regarding disclosure of pending complaints, in the similar way, the Bill provides for disclosure. This will harm the reputation of the person if tomorrow, it is found that he is not guilty.

As regards to the member of disciplinary committee, here also, the disciplinary committee consists of external members who are nominated by Central Government. The disciplinary committee also has non-professional members. We need to look at it.

THE VICE-CHAIRMAN (SHRI BHUBANESWAR KALITA): Thank you.

SHRI AYODHYA RAMI REDDY ALLA: In conclusion, as a business person who has the knowledge on Chartered Accountant, Company Secretary and Cost Accountant, I would say that the CA fraternity is being singled out whereas other professions with even more glaring problems remain untouched.

DR. M. THAMBIDURAI (Tamil Nadu): Mr. Vice-Chairman, Sir, as other Members said earlier, the question is, the persons who are Chartered Accountants, whether they can deal all these things. Sir, I was also holding the Ministry of Company Affairs in 1998-99. I am not a Chartered Accountant. But still I was the Minister of this concerned Department. I know that. At that time, I attended many Conferences conducted by the Chartered Accountant Association and Cost Accountant Association. I attended many Conferences. They made many demands as to what needs to be done. Here, with a good intention, the Government has brought certain amendments. You know, the former Finance Minister, Mr. Chidambaram, raised it when Madam Finance Minister was listening to the discussion on the Finance Bill and the Appropriation Bill. At that time, he asked, where is the confidence of the private investors in the country? To create the confidence of the private investors, the Chartered Accountant has to be regularized. That is more important because some Members raised concern about that. Dr. Hanumanthaiah said, if at all you are entering into the autonomy of this thing, what will happen? Whatever rules the Parliament is bringing to regularize it, it is not with any intention to interfere or belittle them. That is not our intention.

Here also, some of the proposals have already been accepted and legal changes are being undertaken in consultation with the institutions. The Institutions have already accepted it, and they have been consulted by the Government. They have accepted certain amendments and certain things. Then it has been brought up.

Then, Sir, there was a demand from the Institute of Cost Accountants of India. When I was the Minister, at that time, they used to come and meet me. Their demand was that they have to be treated along with the Chartered Accountants. They were demanding those kinds of things. But most of the things always conflict with Chartered Accountant and Cost Accountant Associations. That has to be sorted out. That is what I am requesting the hon. Minister. I hope she will take up that issue. It is very important.

The disciplinary track record of ICAI had come under scanner a few years ago. Even the Prime Minister had flagged it at the time of launch of Goods and Services Tax.

2.00 P.M.

Sir, even the Prime Minister is aware of these things and the Cabinet knows what is going on. The Government has brought in these amendments with a good intention. Therefore, I appreciate it and welcome it. I support this Bill. I support the amendments brought in by the hon. Finance Minister. As a former Minister for Company Affairs, I support the Bill

श्री विशम्भर प्रसाद निषाद (उत्तर प्रदेश) : महोदय, चूँकि आज त्रेता युग के महाराजा निषाद राज गुह की जयंती है, इसलिए मैं इस मौके पर सभी देशवासियों को बधाई देना चाहता हूँ। आज माननीया मंत्री जी सदन में The Chartered Accountants, the Cost and Works Accountants and the Company Secretaries (Amendment) Bill, 2022 लाई हैं। जब यह धरातल पर आएगा, तब पता चलेगा कि सच्चाई क्या है। मान्यवर, इन्होंने सेक्शन 9ए में संशोधन किया है और इसके तहत ये चाहते हैं कि इसमें भारत सरकार का सचिव नियुक्त हो। इसमें काउंसिल पहले से है, जिसमें केन्द्र सरकार के द्वारा आठ नामित सदस्य होते हैं। जब यह पहले से है, तो इसकी क्या जरूरत थी?

मान्यवर, देश में करीब 3,41,000 सीएज़ हैं, 7,00,000 विद्यार्थी हैं। आज हम देख रहे हैं कि जो परीक्षाएँ हो रही हैं, चाहे वह सीए की हो या कोई और हो, *। इसके सेक्शन 22ए और 22बी में संशोधन की बात है। इस परिप्रेक्ष्य में यह कहना है कि दृढ़ नियामक संस्थान न केवल

* Expunged as ordered by the Chair.

देश की कंपनियों को सुचारू रूप से चलाने में सहायता करता है, बल्कि देश की जनता के धन को घोटालों से भी बचाता है, लेकिन भारत की अर्थव्यवस्था धोखाधड़ी और घोटालों से अछूती नहीं रही है। देश के अंदर बड़े-बड़े घोटाले हुए हैं, चाहे वह यूपीए की सरकार रही हो *। इस सरकार के सत्ता में आने से पहले हुए the Harshad Mehta Securities Scam, 1992, The Global Trust Bank, Ketan Parekh scam, 2001, Satyam Computers Ltd., 2008, Ranbaxy Laboratories scam, 2008, National Spot Exchange Ltd. ...(*Interruptions*)...

उपसभाध्यक्ष (श्री भुबनेश्वर कालिता) : निषाद जी, कृपया आप बिल पर बोलिए। डिस्कशन किसी और विषय पर हो रहा है और आप किसी और विषय पर बोल रहे हैं।

श्री विशम्भर प्रसाद निषाद : सर, तमाम जो घोटाले हुए.....(*व्यवधान*)...

उपसभाध्यक्ष (श्री भुबनेश्वर कालिता) : कृपया आप बिल पर बोलिए।

श्री विशम्भर प्रसाद निषाद : महोदय, माननीया मंत्री जी जो बिल लाई हैं, वह आधा-अधूरा है। हम यह चाहते हैं कि इसमें जो गलतियाँ हैं, उनको सुधारा जाए, इसलिए इसको सेलेक्ट कमेटी में भेजा जाए। सदन में जो 6 मेम्बर्स सीए हैं, वे सब सेलेक्ट कमेटी के मेम्बर रहें और वे इसको जाँच लें। चूँकि बाद में तमाम कठिनाइयाँ आती हैं और फिर बिल में संशोधन करना पड़ता है, इसलिए मेरी यह माँग है कि इसको सेलेक्ट कमेटी में भेज दिया जाए।

THE VICE-CHAIRMAN (SHRI BHUBANESWAR KALITA): The next speaker is Shri John Brittas. Your time is three minutes.

SHRI JOHN BRITTAS (Kerala): Sir, I stand to oppose this Bill. After having heard Shri Suresh Prabhu, I think the hon. Finance Minister would be contemplating to withdraw the Bill because a Ruling Party Member has firmly put across his objections to this Bill. Dr. Thambidurai is supporting the Minister without having any portfolio in the Government. I don't know why the Government should pursue with this Bill because, cutting across Party lines, there have been oppositions to this Bill.

Sir, I have gone through the speech of the hon. Finance Minister made in the Lok Sabha. There are certain aspects which she tried to emphasize. One of them is that she wishes to make the pillars of corporate governance stronger. That was one of the articles in her speech. The second was to be in tune with global start-ups. She has contended and reiterated that she doesn't have the slightest intent to dilute the autonomy of these institutions. These are the cardinal points on which she

actually spoke in the Lok Sabha, apart from emphasizing that she does not have any interest in the matters of these organizations.

Sir, I feel that there is something behind the actions of the Government. They want to dilute the autonomy of every organization in this country. They have already finished off many constitutional institutions. Now, these are autonomous institutions which are of repute and are functioning, more or less, properly, but the Government wants to control these organizations. I really want to know whether it is to uphold the governance or to ensure the control or interference. There is a committee, namely, Coordination Committee, which is being made under the chairmanship of Secretary of the Ministry of Corporate Affairs. In this Council, there are already eight members nominated by the Government. I would submit to the Finance Minister that she should, at least, ascertain the presence of these Government nominees in the present Council. I can even point out that. The attendance of Joint Secretary of the Ministry of Corporate Affairs would be less than 10 per cent. The Government nominees have not shown any interest to enrich the governance of this body. They think that bringing bureaucrats is the panacea for all ills. That is where the Government is going to err. Hon. Finance Minister was a free thinker when she was a student and I really want her to look at the opinions that have been expressed from different parties. There has been a mention about the Government not being interested in money. Is it not a fact that these institutions, put together, contributed something like Rs.28 crores for the PM CARES Fund? Is it not a fact? Was there coercion from the Government, from the Secretaries? Is it also not a fact that her own Department, the Income Tax Department, has served a notice to these institutions for diverting Rs.8 crores to PM CARES Fund, for flouting the norms?

THE VICE-CHAIRMAN (SHRI BHUBANESWAR KALITA): Please conclude now.

SHRI JOHN BRITTAS: There are so many issues. I would certainly urge upon the Government that if, at all, they are interested to protect the autonomy of these organisations, they need to enrich the autonomy instead of trying to cripple it and also interfere with the functioning of these organisations. Just now a report has come that only 8 per cent of the autonomous organisations submit their periodic audit reports. Only 8 per cent! 92 per cent of the Central organisations, approximately 4,400 in numbers, don't even submit their audited reports. The Government is not interested in that. The Government is interested in these ...*(Interruptions)*...

THE VICE-CHAIRMAN (SHRI BHUBANESWAR KALITA): Thank you, John Brittasji. Your time is over. I have given you one minute more. It is over now. Please conclude. I will call the next speaker. ...*(Interruptions)*...

SHRI JOHN BRITTAS: Just see the amount at the disposal of these organisations -- Rs.2,499 crores for the Chartered Accountants of India; Rs.359 crores for the Institute of Cost Accountants of India and Rs.885 crores for the Institute of Company Secretaries of India. You want the bureaucrats to interfere and interrupt. Is it that you want? ...*(Interruptions)*... I really wish that Suresh Prabhuji's counsel prevails over. ...*(Interruptions)*...

SHRI ANIL DESAI (Maharashtra): Sir, thank you, for allowing me to speak on this Chartered Accountants, the Cost and Works Accountants and the Company Secretaries (Amendment) Bill, 2022.

Sir, the ICAI Act, 1949, governs the activities of the Chartered Accountants in India. This is a 73-year-old organisation and under the autonomous status, which was granted to, it has been working efficiently in its sphere of activities and discharging its obligations quite well. Under the present mechanism, there are Government nominated members on the Council. They are eight. May I know from the hon. Finance Minister as to what feedback the Government has received regarding their work record in discharging their responsibilities, as of today? You may get an insight on their work performance. What changes does the Government intend to bring in by appointing more non-CAs in different bodies? In respect of constitution of Board of Discipline and formation of Disciplinary Committee, the main objection raised by the Chartered Accountants is about appointing non-chartered accountants, non-cost accountants and non company secretaries as the presiding officers of the Disciplinary Committees of the respective bodies. Their contention is that this Amendment will damage it because the conduct of professionals like CAs or ICWAs or Company Secretaries should be judged by the professionals of the similar nature. Presently, the Coordination Committee is doing its job quite fairly. Then what is the necessity of formation of a new Coordination Committee? Secondly, the Government has already set up National Finance Reporting Authority, NFRA, to oversee the auditing profession and accounting standards in India. It was formed in 2018. It has powers to investigate professional misconducts of Chartered Accountants for listed and non-listed companies.

Sir, today, more than ten thousand Chartered Accountants have been rendering free of charge or honorary services for looking after the affairs of ICAI. To get into a new mode, the Government will have to incur more expenses. From where would the extra expenditure come? That would run into crores of rupees. The only option is by revising the fee structure of registration of members. CA students will be over-burdened to meet this expenditure.

Sir, another important aspect of the Bill is proposed setting up of Indian Institutes of Accounting, IIA, in various parts of India. IIA will offer five-year degree course and they will be given certificate as CAs or CPAs. They will be able to practise like Chartered Accountants. But what is the logic behind it when we have three such fine professional institutes? They are autonomous in nature too. Then, what is the purpose? Will it not create multiple institutions? Will it not create more confusion? Will it not complicate the whole process? So, these are the things. To set up IIM-like institute, there may be a likely expenditure of about Rs.350 crore. This is hard-earned money of taxpayers. Why would we go in for this kind of expenditure when we already have mechanism and infrastructure in place? Multiple institutions will definitely create confusion. (*Time-bell rings*) Sir, I will take just two minutes.

THE VICE-CHAIRMAN (SHRI BHUBANESWAR KALITA): Please wind up. We have time constraints. Hon. Member, please understand and conclude.

SHRI ANIL DESAI: The hon. Finance Minister has mentioned in Lok Sabha in her reply about four big international auditors like Deloitte, KPMG, E&Y and PwC, and that we do not have the matching size of our Chartered Accountant firms at this stage. With this legislation in place, that will not happen.

THE VICE-CHAIRMAN (SHRI BHUBANESWAR KALITA): Thank you.

SHRI ANIL DESAI: Sir, let me complete. We hardly get time. We may be given a chance to make our points. Please give me two minutes. I would conclude.

THE VICE-CHAIRMAN (SHRI BHUBANESWAR KALITA): I am sorry. Three minutes for each every speaker have been allotted.

SHRI ANIL DESAI: We should not forget that big financial frauds have taken place in them.

THE VICE-CHAIRMAN (SHRI BHUBANESWAR KALITA): You have already crossed three minutes. Please conclude. Now, I would call the next speaker.

SHRI ANIL DESAI: These very firms and auditors were responsible for it. We do agree that in our system also, there are wrong-doers. There are exceptions but there are provisions in law which take care of them and punish them. But it should not be so that just on a suspicion, the licences of Chartered Accountants or Cost Accountants are cancelled.

THE VICE-CHAIRMAN (SHRI BHUBANESWAR KALITA): Thank you. Now, Mr. G.K. Vasani.

SHRI ANIL DESAI: Sir, I am making my last point.

THE VICE-CHAIRMAN (SHRI BHUBANESWAR KALITA): I have called Mr. G.K. Vasani. Please be seated. I have given you more time. ...*(Interruptions)*... Now, Mr. G.K. Vasani.

SHRI ANIL DESAI: *

THE VICE-CHAIRMAN (SHRI BHUBANESWAR KALITA): That will not go on record. ...*(Interruptions)*... Mr. G.K. Vasani, you speak.

SHRI G.K. VASANI (Tamil Nadu): Sir, these are three premier institutes in the country -- ICAI, ICWAI and ICSI. Professionals from these institutions enjoy a lot of independence and accountability, however, at the same time, there have been instances when they have come under the influence of their own clients. Hence, this legislation to regulate these professionals has become very necessary. Sir, I would like to quote three important points. One is about the Amendments. The Bill sets out specific time limit for disposal of enquiries by the Board of Discipline and the Disciplinary Committee. The second point is about disciplinary action against CA firms. This is accountability on the firms and lapses in their professional misconduct. The third point is about setting up of coordination committee. This committee would have an important role in overseeing the development and harmonization of these three premier institutions. It also provides specific function of coordination between the committees.

* Not recorded.

Overall, I feel, the Amendment Bill is very timely in setting up an institutional mechanism to ensure that the professionals, in the field of accounting and corporate secretaryship, and also institutions themselves would maintain the highest standards of performance and ethics for all times to come. Thank you, Sir.

THE VICE-CHAIRMAN (SHRI BHUBANESWAR KALITA): Thank you, Mr. Vasam. The next speaker is Shri K. Ravindra Kumar, not present. The next speaker is Shri Naresh Gujral.

SHRI NARESH GUJRAL (Punjab): Sir, the Government is rightfully very keen to ensure total transparency and accountability in these three institutes. As our economy has grown in recent years, so have the frauds in the corporate sector, whether it is banks or corporates or exchanges. There is a view that a lot of these frauds could have been prevented had the Chartered Accountants been more vigilant and these auditors are to be blamed. I fully support the Government that those, who were responsible for it, must get punished expeditiously and the punishment should be very strong that it serves as a deterrent to other Chartered Accountants in this country.

In fact, I feel, this should be a wakeup call for the institutes. They have been lax. They have taken a long time in trying to discipline their members. I do hope that they would now also start looking inwards. However, it would be wrong to blame only the CAs for the corporate frauds that have taken place. It has been done with the connivance of the board of directors of these companies. I would say, in many, many cases, whether it was SEBI or RBI, their regulatory framework had failed our country. That also needs to be looked at very, very expeditiously.

Obviously, in order to discipline the CAs and others, this Bill is bringing in disciplinary boards. Many of my distinguished colleagues, including Mr. Prabhu, have spoken about it and I do not want to be repetitive. All I can say is that when you have five members in this board, I would urge the hon. Minister to make it a balanced board and make it six. The chairman should be somebody who is proficient with the subject, somebody who has domain knowledge of this subject. I would urge you Madam that even if you appoint the deputy CAG as a chairman, I think, everybody would be satisfied because there would be some domain expertise there. So, I hope that the Government would relook at it and make sure that like the medical councils or like the law council, these CAs also receive their due justice.

In the end, I would say that the hon. Minister has been working very hard to bring in ease of doing business in this country but one minor point, which I have brought up before also, has probably escaped her notice. It is in regard to company secretaries. There is a strange law in this country that if you have a company with a paid up capital of Rs.10 crores, earlier it used to be Rs.5 crores and this can be a holding company. Take for example, there is a Rs.10 crore company which owns one flat in Delhi or Bangalore or wherever. There is no other business but, by law, it is supposed to have a company secretary full time on its rolls. I do not understand the logic behind it. So, I do hope that the Minister would relook at it and change this and link it with turnover. If the company has a turnover of Rs.10 crore, Rs.50 crore or Rs. 100 crore, you can decide but to have a full time company secretary, sitting idle the whole year, makes no sense at all. Thank you very much, Sir.

SHRI NARAIN DASS GUPTA (National Capital Territory of Delhi): Sir, I thank you for allowing me to speak on this Amendment Bill on account of the Chartered Accountants Act, 1949, the Cost and Works Accountants Act, 1959 and the Companies Act, 1980. Because I had the opportunity and privilege to head the Institute of Chartered Accountants, I know about it from the day one when the institute came into being in 1949 under an Act of Parliament and even before the Constitution of India came into being that was adopted on 26th November, 1949. I would like to share with this august House the history of this institute. It came with this idea that because there was a deficit of trust in the financial statement--there was a debate in the Parliament--this responsibility was to be given to an institute with total autonomy. In terms of that, this was an autonomous body in all respects. As of date, we have on record around 3,40,000 members and seven lakh students and that way, we are having a family of one million, on today's date. With regard to the responsibility which was given, whether it is accounting standard, audit standard, quality of audit or the disciplinary mechanism, there is a very robust system in the institute. As far as examination is concerned, for the last 74 years, we have been conducting examinations and at no point of time, was there any complaint of leakage of papers. For the members, I have just given its background.

Presently, this institute is working through the Council, an elected body. Thirty two members are elected from five regions and eight are nominated by the Government of India and through this process, it is working. There is a representation from the Ministry of Company Affairs, there is a representation from the C&AG, and there is a representation from the other Government Departments; that is about the

working. With regard to the disciplinary mechanism also, there are two types of systems; Disciplinary Board and Disciplinary Committee. The Board decides whether it is *prima facie* guilty or not and if it is found *prima facie* guilty, the matter is referred to the Disciplinary Body. I would like to share with this august House, for the last 75 years, whatever decision has been taken by the Disciplinary body, they have been subject to the scrutiny of the Tribunal, High Court, Supreme Court and hardly has any decision been reversed. This is because of the robust system in place in the institute. I don't think why there is a need for changing it. As my colleague, Dr. M. Thambidurai said that he was the Minister of Company Affairs, but he was not a Chartered Accountant. So, why not? Can a non-judicial person preside over any judicial proceedings? This is the question. They can become Minister but we cannot compare that way. I just want to submit these things. There is Clause 9A(1) of this Amendment Bill that mentions about the Coordination Committee. What is the need of this Coordination Committee when there is a Council? There are eight members of the Government which are nominated; similarly so in the Disciplinary Committee. There are more than 40 Committees of the institute. Here, in each Committee, there is representation from the Government, from the apex body, from the business apex body. That is there. That way, there is a system.

THE VICE-CHAIRMAN (SHRI BHUBANESWAR KALITA): Thank you, Mr. Gupta.

SHRI NARAIN DASS GUPTA: Sir, these amendments which have been proposed, Coordination Committee, disciplinary mechanism, these are not required. The institute is known for its independence, integrity and excellence. This is tinkering with the independence of the institute. Through you, I request the hon. Minister that these amendments are not required at all. I am not going into each of them. There are six Members who are Chartered Accountants in this House. I would request that this matter may be referred to a select committee. This is what I have to say.

THE VICE-CHAIRMAN (SHRI BHUBANESWAR KALITA): Now, Dr. Fauzia Khan.

DR. FAUZIA KHAN (Maharashtra): Sir, Charles Darwin, the Father of Modern Science has said, "It is not just the species that is the fittest that survives, but what survives most is the species that is most responsive to change." As a rule of nature and as a responsible opposition, we are certainly responsive to change and reform. It must be remembered always and it is also true that like civilizations, Governments and oppositions, laws and legislations also evolve out of the shortcomings that must

have remained earlier or the mistakes that may have been made earlier or as per the needs of the hour. Sir, the intent to reform and to increase accountability is definitely welcome. Coming from a dynamic and highly capable Finance Minister, who has a good grip over her subject, there is little scope to disagree. But, there is definitely scope for suggestions and raising a concern or two without going into repetition. More important is that the concerns of all stakeholders need to be addressed before going further. The views of the ICAI and the views of the Standing Committee must be taken into consideration most sensitively, I feel as per the views of the speaker who was speaking earlier. While the intent of the Bill is effective coordination, the apprehensions expressed by them and the dilution of autonomy and decision must be suitably addressed before the passage of the Bill, is my view, Sir. My concern here is that the intent of the Government is to regulate CAs and CSs but the larger question is whether we have the required infrastructure and manpower for the proposed additional responsibilities. Has the Government planned to address this issue? While speaking about manpower, the officers are already overburdened with work. Are we going to be recruiting more officers for this process? Currently, the recruitment via UPSC is declining year after year. So, this is an important issue. Sir, the Bill provides for disclosure of pending complaints or actionable information against members of the Institutes and firms registered with them. I would like to say, recording details of pending complaints in the register of members and register of firms before they are found guilty, may adversely impact their reputation. Doesn't it give scope to vendetta politics? How are we assured that disclosure of pending complaints is not going to be selective in nature?

Sir, while concluding, I would like to request the Government to formulate financial literacy programmes for people in general so that women and men have an idea about issues like investments and taxation, taxation not just limiting merely to income tax but also GST, capital gain and so on. It is time for our public at large to become more financially literate. ...(*Time-bell rings*)... Sir, I will just take half-a-minute. It is important that they understand and maintain files, income tax returns and have the necessary skills to set up and grow businesses. A time must come when the *janata* could act as a regulator. Sir, if you want to reap financial blessings, you must sow financially, it is said. And, Mr. David Bach said and I will end with his quotation, "Financial education needs to become part of our national curriculum and scoring systems so that it is not just the rich who can so learn about money, it is all of us". Thank you, Sir.

उपसभाध्यक्ष (श्री भुबनेश्वर कालिता) : श्री नीरज डांगी, आप बोलिए।

श्री नीरज डांगी (राजस्थान) : उपसभाध्यक्ष जी, केंद्र सरकार हरेक पर चाहे वह व्यापारी हो, डॉक्टर हो, उद्योगपति हो, शिक्षक हो, सरकारी कर्मचारी हो, स्टूडेंट हो, अधिकारी हो, अमीर हो, गरीब हो, किसान हो, दुकानदार हो या फिर Chartered Accountant ही क्यों न हो, सभी पर अपना एक शिकंजा कसना चाहती है और सभी को अपने कंट्रोल में रखना चाहती है। यह हर बिल में, हर कानून में देखने को मिलता है कि उसे अपने तरीके से बदला जा रहा है या संशोधित किया जा रहा है। सरकार उन्हें जबरदस्ती देश के ऊपर थोपने का कार्य कर रही है और यह विधेयक भी उसी का एक उदाहरण है। मैं सरकार पर कुछ पंक्तियाँ कहना चाहूंगा -

*'नफ़रत हो जाएगी तुझे अपने ही किरदार से,
अगर मैं तेरे ही अंदाज में तुझसे बात करूं।'*

महोदय, अगर हम Institute of Chartered Accountants of India को मोटे तौर पर समझने की कोशिश करते हैं, तो Chartered Accountants, Cost and Works Accountants and Company Secretaries - ये तीनों ही Institutes, इनके management इनसे संबंधित Councils संभालते हैं। इसी प्रकार से अगर किसी तरह का कोई misconduct होता है, तो उसको रोकने के लिए एक disciplinary mechanism भी है और इन तीनों Councils में समन्वय स्थापित करने के लिए एक Coordination Committee भी है। मैं समझता हूँ कि Chartered Accountants, Cost and Works Accountants and Company Secretaries से संबंधित व्यवस्था को स्वायत्त रूप से मजबूत बनाने की जरूरत है। आज न तो इनके अनुशासन तंत्र को सुदृढ़ करने के नाम पर सरकारी हस्तक्षेप करने की आवश्यकता है और न ही स्वतंत्र कामकाज को बाहरी तौर से प्रभावित करने की। यह जो प्रस्तावित बिल है, अगर हम इसकी विवेचना करते हैं, तो यह बिल प्रमुख मुद्दों पर अपने कथित उद्देश्यों से भटकता हुआ नज़र आ रहा है। हम उन प्रमुख मुद्दों पर बात करना चाहेंगे। मैं सदन का ध्यान आकर्षित करना चाहूँगा, हम बात करेंगे disciplinary mechanism की। यह बिल Institute of Chartered Accountants of India और अनुशासन समिति, जो इसकी एक शाखा है, उनके इर्द-गिर्द घूमता है। प्रस्तावित बिल से एक स्वतंत्र disciplinary mechanism का उद्देश्य पूर्ण नहीं होता है। इस बिल में प्रस्तावित है कि Disciplinary Board and Disciplinary Committees के Presiding Officers, जो संबंधित institutes के सदस्य नहीं होंगे, उन्हें केन्द्र सरकार द्वारा संबंधित Councils द्वारा तैयार किए गए व्यक्तियों के एक पैनल में से nominate किया जाएगा। इसके अलावा, Disciplinary Board में एक बाहरी व्यक्ति को nominate किया जाएगा और Disciplinary Committees के अन्दर दो बाहरी व्यक्तियों को केन्द्र सरकार के द्वारा nominate किया जाएगा। यह कदाचित इस बिल के उद्देश्यों के अनुरूप नहीं हो सकता है।

सर, बिल के उद्देश्यों और कारणों के विवरण में कहा गया है कि यह institutes के administrative और disciplinary arms के बीच conflict of interest को दूर करने का प्रयास करता है। इसके लिए विधेयक में disciplinary institutes की संरचना को बदलने का प्रस्ताव है,

ताकि अधिकाधिक बाहरी हस्तक्षेप और प्रतिनिधित्व की अनुमति मिल सके। Sir, how much time I have?

उपसभाध्यक्ष (श्री भुबनेश्वर कालिता): अभी आपके पास समय है, आप बोलिए। Have you finished?

SHRI NEERAJ DANGI: Sir, how much time I have been allotted?

उपसभाध्यक्ष (श्री भुबनेश्वर कालिता): क्या आपकी स्पीच समाप्त हो गई है? क्या आप और बोलना चाहेंगे?

SHRI NEERAJ DANGI: Yes, Sir.

उपसभाध्यक्ष (श्री भुबनेश्वर कालिता): आपके पास समय है, आप बोल सकते हैं।

श्री नीरज डांगी : सर, ध्यान देने योग्य बात यह है कि वर्तमान structure के तहत तीनों institutes की Disciplinary Committee के बाहरी सदस्यों को केन्द्र सरकार द्वारा स्वतंत्र रूप से nominate किया जाता है। CA अधिनियम के तहत केन्द्र सरकार स्वतंत्र रूप से Disciplinary Board में एक सदस्य को nominate करती है। यह स्पष्ट नहीं है कि administrative और disciplinary कार्यों के बीच conflict of interest को कैसे address किया जाएगा।

सर, तीन सदस्यों के बोर्ड में सदस्यों के रूप में दो गैर-CAs की नियुक्ति के प्रावधान का अप्रत्याशित प्रभाव हो सकता है, क्योंकि CA के काम को मुख्य रूप से गैर-CA द्वारा आँका जाएगा। गैर-CA सदस्यों को accounting standards, standards on auditing, scope of audit, basic concepts of audit जैसे सत्य और निष्पक्ष, भौतिकता, परीक्षण आदि का गहन ज्ञान नहीं होगा। ऐसे में बिल के अंतर्गत यह प्रस्तावित किया गया है कि अनुशासन समिति के Presiding Officer के पद पर केन्द्र सरकार द्वारा एक non-CA व्यक्ति पदस्थापित किया जाएगा। इसके पीछे सरकार की क्या गोपनीय मंशा है, यह समझ से परे है। अभी तक ICAI में President या Vice President ही Presiding Officer बनते आए हैं एवं ICAI का कहना है कि वह भविष्य में भी यही प्रक्रिया अपनाना चाहती है। वर्तमान में अनुशासन समिति में पाँच सदस्य थे, जिनमें से तीन ICAI से थे तथा दो सरकारी नामित थे। अब सरकार एक और नामांकित व्यक्ति की नियुक्ति कर रही है, जिससे अनुशासन समिति में दो सरकारी नामितों से बढ़ कर तीन सरकारी नामांकित व्यक्ति हो जाएँगे। सर, professionals के आचरण को केवल professionals द्वारा ही आँका जाना चाहिए, क्योंकि वह पेशे की तकनीकी नीतियों और परिषद् द्वारा निर्धारित आचार संहिता और इसकी व्यावहारिकता या जटिलताओं को समझ सकता है। मैं समझता हूँ कि बाहरी व्यक्ति इसे समझने में सक्षम नहीं होगा। सीधे तौर पर जैसा पहले हमारे एक वक्ता ने भी कहा कि Presiding Officer का non-CA होना ऐसा दुष्प्रभाव डाल सकता है, जैसे कि एक medical student को

surgery सिखाने के लिए किसी engineer को भेज दिया जाए। इस तरह का उलटा कार्य मौजूदा सरकार ही कर सकती है, मेरा यह कहना है।...(समय की घंटी)...

सर, बिल के उद्देश्यों और कारणों के विवरण में कहा गया है कि यह बिल disciplinary mechanism को मजबूत करके institutes के सदस्यों के खिलाफ मामलों में त्वरित निपटान को प्राप्त करना चाहता है, जो clear नहीं है। मैं समझता हूँ कि इसमें बदलाव होना चाहिए। बहुत clear है कि if same people will not be available for the parallel meetings, it will definitely hamper the speedy disposal of the pending cases.

उपसभाध्यक्ष (श्री भुवनेश्वर कालिता) : धन्यवाद।

श्री नीरज डांगी : सर, मैं conclude कर रहा हूँ। अंत में मैं कुछ पंक्तियों के साथ कहना चाहूँगा कि केन्द्र सरकार कितनी भी मनमानी कर ले, कितना भी देश को अपने ढंग से चलाने की कोशिश कर ले, हम लोग हर गलत निर्णय का विरोध करते रहेंगे और उसको झुकने पर मजबूर करेंगे।

उपसभाध्यक्ष (श्री भुवनेश्वर कालिता) : धन्यवाद।

श्री नीरज डांगी : सर, मैं बस एक लाइन और कहना चाहता हूँ।

*"हमने दुनिया में मुहब्बत का असर जिन्दा किया है,
हमने नफरत को गले मिल-मिल कर शर्मिन्दा किया है।"*

धन्यवाद। जय हिन्द!

उपसभाध्यक्ष (श्री भुवनेश्वर कालिता) : श्री अरुण सिंह।

श्री अरुण सिंह (उत्तर प्रदेश) : थैंक यू, सर, आज मैं 'The Chartered Accountants, the Cost and Works Accountants and the Company Secretaries (Amendment) Bill, 2021' के समर्थन में बोलने के लिए खड़ा हुआ हूँ।

मान्यवर, अभी विपक्ष के कुछ लोगों ने यह कहा कि इस amendment के माध्यम से बहुत ज्यादा radical changes किए जा रहे हैं, इससे Institute of Chartered Accountants of India (ICAI) की जो autonomy है, उसको खतरा है, उसकी autonomy को समाप्त किया जा रहा है, सरकार इसको कंट्रोल में लेना चाहती है और इस बिल के माध्यम से वह धीरे-धीरे इस प्रोफेशन को समाप्त करने की कोशिश कर रही है। महोदय, मैं पूछना कहना चाहता हूँ कि इन amendments के माध्यम से इस institute की autonomy कैसे समाप्त हो सकती है? लोगों को गुमराह नहीं करना चाहिए। जो Institute of Chartered Accountants of India है, उसमें आज भी

किस प्रकार की course design करनी हैं, स्टूडेंट्स को कैसे एंट्री देनी है, किस तरह exams लेने हैं या फिर CAs के enrolment की बात हो, उनको समय-समय पर training देने के अधिकार की बात हो, ये सब तो ICAI के पास ही रहेंगे, इसलिए मुझे नहीं लगता कि इस प्रकार की बातें करना कहीं भी तथ्य से संबंधित है, मैं इन बातों को खारिज करता हूँ।

महोदय, पहले भी समय-समय पर ऐसे amendments आते रहे हैं, कोई पहली बार तो ऐसे amendments नहीं आए हैं। CAs Act में पहली बार 1959 में amendment लाया गया था, उसके बाद 2006 में लाया गया, उसके बाद 2011 में लाया गया और अब 2022 में लाया जा रहा है। समय और परिस्थिति के हिसाब से, जैसी हमारी अर्थव्यवस्था चल रही है, जो सुधार हो रहे हैं, उनको देखते हुए लोगों का इस प्रोफेशन पर किस तरह और अधिक विश्वास पैदा हो सके, उसको ध्यान में रखते हुए ही यह Amendment लाया गया है और मैं इसका स्वागत करता हूँ।

महोदय, अगर देखा जाए तो आज करीब 7 लाख से अधिक students CA के profession में registered हैं और पूरे देश में 3.4 lakhs Chartered Accountants हैं। हमारे देश में इसकी 164 branches हैं, 44 foreign countries में यहां के CAs का Chapter है, 31 countries में हमारे foreign representatives हैं। इस तरह हम यह कह सकते हैं कि यहां के जो Chartered Accountants हैं, उनकी presence पूरे विश्व में है। अगर हम Middle-East countries में देखें, तो उनके finances को head करने वाले 70 to 80 per cent Chartered Accountants हमारे यहां के पढ़े-लिखे CAs ही हैं, जो वहां की economy और companies को संभाल रहे हैं। विश्व की 23 कंट्रीज ऐसी हैं, जिनके साथ हम MoU sign कर चुके हैं या MRA है, जिसके तहत भारत के CAs वहां जाकर प्रैक्टिस कर सकते हैं और एक-दो परीक्षाएं देकर वहां के CAs यहां आकर भी प्रैक्टिस कर सकते हैं। यहां तक कि जो international accounting bodies हैं, जिनके आधार पर पूरे विश्व भर में financial statements बनाई जाती हैं या audits होते हैं, जैसे IFAC, CAPA, SAFA इत्यादि, मुझे यह बताते हुए हर्ष हो रहा है कि इन तीनों के founder members में Institution of Chartered Accountants of India का भी एक स्थान है। यहां के CAs पर उनका विश्वास बना रहना चाहिए, ताकि जो दोषी हैं, उनको सही समय पर सज़ा मिल सके। पहले जो दोषी होते थे, उनको सज़ा मिलने में दो, चार, पांच, सात साल लग जाते थे। हमारा मानना है कि जो दोषी हैं, उनको तुरन्त सज़ा मिलनी चाहिए और जो निर्दोष हैं, पांच-छःसाल तक वे क्यों अपने केस का इंतज़ार करें? इसलिए हमारी सरकार ने यह सोचा कि ICAI का जो disciplinary mechanism है, जो अनुशासन समिति है, उसमें सुधार लाया जाए और इन सुधारों की मैं तारीफ करता हूँ। इसके माध्यम से जो निर्दोष लोग हैं, उनको जल्दी न्याय मिल सकेगा, नहीं तो पहले, न्याय के लिए लोगों को 6-7 साल तक इंतज़ार करना पड़ता था। एक तरीके से अब इसके लिए separate directorate होगा, जिसमें दो Joint Directors होंगे। जो भी केस उनके पास आएगा, उसको वे evaluate करेंगे कि वह केस actionable है या नहीं है, इस तरह किसी भी केस पर तुरंत निर्णय लिया जा सकेगा। अगर वह केस actionable होगा, तो वह अनुशासन समिति के पास जाएगा और वहां 180 दिन के अंदर-अंदर उस केस का निपटारा कर दिया जाएगा। इस तरह यह जो बहुत बड़ा चेंज लाया जा रहा है, यह बहुत अच्छी बात है। मुझे लगता है कि इस amendment

के आने से इस प्रोफेशन पर लोगों का विश्वास और अधिक बढ़ेगा। आए दिन लोग अखबारों में पढ़ते हैं कि एक Chartered Accountant पकड़ा गया। होता तो एक ही CA है, लेकिन लोगों का विश्वास पूरे प्रोफेशन के ऊपर से उठ जाता है, इसलिए मेरा मानना है कि यह बहुत अच्छा provision है। इसके साथ-साथ इसमें कुछ यूनिफॉर्मिटी लाई गई है। जैसे CA, कॉस्ट एकाउंटेंट्स हैं, कम्पनी सेक्रेटरीज़ हैं, उनके तीन-चार साल की टर्म होती थी, अभी अमेंडमेंट करके इन तीनों की चार-चार साल की टर्म रहेगी, जो काउंसिल के मेम्बर होंगे, उनकी पहले तीन बार की टर्म थी, वह अब दो बार हो जाएगी, तो इसमें भी एक यूनिफॉर्मिटी आ जाएगी।

(उपसभापति महोदय पीठासीन हुए)

महोदय, इस बिल में एक अच्छी बात और है। पहले क्या होता था कि मेम्बर्स की यदि fees बढ़ाई जाती थी और स्टूडेंट्स की फीस का भी अगर रिविज़न होता था तो उसके लिए सरकार से अप्रूवल लेना पड़ता था। इस बिल के माध्यम से कहा गया है कि मेम्बर्स की जो फीस है, उसे increase करने का अधिकार काउंसिल के पास ही रहेगा, वह काउंसिल उस फीस के बारे में डिसिज़न ले सकती है।

इसमें एक बात यह भी है कि जो penalty clause है, उसे बढ़ाया गया है। पहले penalty बहुत कम थी। अगर कोई दोषी है, तो उस पर दस लाख रुपये पेनल्टी लगाई जाएगी और यदि कोई habitual offender है, पांच साल से लगातार ऑफेंस कर रहा है, तो उस पर पचास लाख रुपये की पेनल्टी लगाई जाएगी। यह एक अच्छा कदम है, इससे कुछ लोग, जो गलत काम करते हैं, उनमें खौफ रहेगा, उन्हें सबक मिलेगा और वे ऐसे काम नहीं करेंगे। अतः मैं इस बात का समर्थन करता हूँ।

महोदय, जो institute का सेक्रेटरी होता है, उसे अधिक empower किया गया है, that is also a good move of the Government. वह सीईओ रहेगा, तो he will be able to take timely and appropriate decision. कुल मिलाकर इसमें जो भी अमेंडमेंट्स हैं, मैं उनकी सराहना करता हूँ। कुछ लोगों ने जरूर apprehensions व्यक्त किये हैं, लेकिन वे सच नहीं है, इसलिए लोगों को डरने की आवश्यकता नहीं है; यदि आप अच्छा काम करोगे, तो क्यों डरोगे?

दूसरी बात यह है कि कोई केस सीधे अनुशासन समिति में नहीं जाएगा। पहले केस का evaluation होगा, evaluation के बाद वह एक्शनेबल है या नहीं, उसे देखने के बाद ही उसे आगे बढ़ायेंगे, इसलिए इसके बारे में चिंता नहीं करनी चाहिए। हमें गर्व है कि आज जो सीए profession के लोग हैं, वे शुरू से global accounting standard adopt करते हैं और globally they are well aware of. इस प्रोफेशन के लोग भी बहुत अच्छी-अच्छी जगहों पर बैठे हैं। एचडीएफसी जैसे बैंक को इस पोज़िशन पर ले जाने वाले भी सीए थे। Even the Dean of Harvard Business School भी एक सीए हैं। मैं बहुत सारे ऐसे नाम बता सकता हूँ। यहां तक कि 80 परसेंट कंपनियों के जो CFO हैं, वे भी Chartered Accountants ही हैं।

महोदय, अंत में मैं इसका समर्थन करते हुए अपनी बात यह कहते हुए समाप्त करता हूँ कि इस बिल के माध्यम से सोसायटी में अवश्य रूप से confidence बढ़ेगा और जैसे हम economic reforms के लिए और administrative reforms के लिए आगे बढ़े हैं, उसमें भी काफी अच्छा कंट्रिब्यूशन होगा और Ease of Doing Business में भी इसका आगे कुछ न कुछ योगदान जरूर रहेगा, धन्यवाद।

MR. DEPUTY CHAIRMAN: Shri Abdul Wahab, not present. Shri Binoy Viswam.

SHRI BINOY VISWAM (Kerala): Mr. Deputy Chairman, Sir, thank you for the opportunity given to me. There is an old saying: One who pays the fiddler has the right to decide the tune also! It is applicable to everything nowadays. In the market friendly system when they become market fundamentalists in the country and the whole world. It is the moneyed people, the rich people, who decide the character, habits and activities of everything. It is not only true for the Chartered Accountants but also for the Government bodies, for the Government itself. It is a truth that they decide the rule. In that background, the move of the Government to bring in certain amendments and certain regulations in the matters of Chartered Accountancy has to be viewed. There is a feeling that the character of the profession is going to get eroded by the involvement or intrusion of the Government. The Government is trying to put its hands on every activity of the Chartered Accountancy. It is mainly a professional task and that professional character has to be upheld. I don't know whether the present Government or the Bill would appreciate the extent of this basic necessity of Chartered Accountancy. Sir, how is the Board of Discipline, the main controlling body of the whole profession, going to be conducted and how is it going to be constituted? Majority of them, it seems, are not drawn from the profession. They are there, but only for namesake. Politicians and the Government nominees are going to control it. That means the Government must control everything. Every walk of life has to be run only by the Government. It is not an appreciable approach that we can support. In the same way, the Bill talks about disciplinary committee. Discipline in any profession is a must. We know it, but a professional task, a professional job should be judged by professionals only, not by politicians, not by the bureaucrats, but the Government wants to control that also. (*Time-bell rings*) That kind of over-handedness of the Government is going to affect the profession in a very bad way and that is why I am constrained to oppose the Bill. Thank you.

SHRI KANAKAMEDALA RAVINDRA KUMAR (Andhra Pradesh): Thank you, Sir, for giving me this opportunity to speak on this Bill. At the outset, I raise my objection in

the way the Bill has been presented. The proposed amendments in the present Bill pertain to different statutes dealing with different and distinct institutes, which were enacted in different years. In order to amend them, the Government has brought a single Bill before the Parliament. The Bill mainly focusses on constituting disciplinary committees of the three institutes.

Sir, audit and accounting require highly specialised skills which are alien to the common man and if the majority of the bench members are laymen, who are non-CAs, the decisions can turn out to be based on expectation or public perception rather than on merit. The Government nominees in the present bench generally don't understand the intricacies of compliance with the standards on auditing, accounting standards, law governing the audit either the Companies Act, 2013 or the Income Tax Act, 1961 or other statutes under which audit is carried out. The conduct of professionals should be judged by the professionals only. The National Medical Commission Act, 2019 envisages a disciplinary mechanism for the failure on the part of majority of the doctors. Similar is the situation with the Bar Council of India established by Parliament under the Advocates Act, 1961, and also the Architects Act, 1972. None of these bodies is confronted with the issue of conflict of interest. One can imagine a situation where the failure of a doctor is primarily judged by an engineer and vice-versa. Can a lawyer's failure be judged by a chartered accountant? Why this is vital is because at the disciplinary committee level, the issue is judged based on the facts of the case and the larger question of law is not settled at the initial level. The question of law is largely taken up to the High Court where the appeal against the decision of the disciplinary committee/appellate authority lies. Therefore, it is essential that the failure of the professional should be judged by a professional who has got in-depth knowledge of the intricacies of the issues related to the profession and domain expertise. With these submissions, I request the hon. Minister to consider the main important objections and make necessary changes in that. Thank you.

DR. NARENDRA JADHAV (Nominated): Mr. Deputy Chairman, Sir, I rise to wholeheartedly support the Chartered Accountants, the Cost and Works Accountants and the Company Secretaries (Amendment) Bill, 2022. The Bill proposes to strengthen the disciplinary mechanism under the existing Acts and provide for time-bound disposal of cases against members of the three institutes. I commend the Bill for prescribing timelines for completion of disciplinary proceedings involving misconduct by the members of the respective professions. The Bill also empowers

the three reputed Councils to constitute multiple Boards of Discipline and Disciplinary Committees. However, the Bill allows the Central Government to nominate the same persons as Presiding Officer or members across different Boards of Discipline and Disciplinary Committees. This may be incompatible with the objective of speedy disposal of cases against members. Sir, appointing the same set of people on multiple Boards of Discipline may prevent these entities from hearing cases of misconduct simultaneously, thereby leading to delay in disposal of cases. This may hinder speedy disposal of disciplinary cases. With these remarks, Mr. Deputy Chairman, Sir, I support the Bill and urge the House for passage of this Bill wholeheartedly. Thank you.

SHRI ABDUL WAHAB (Kerala): Sir, I thank you very much. I appreciate the hon. Finance Minister for bringing this amendment. But, the only thing is about the constitution of Boards of Discipline and the Disciplinary Committees.

Sir, the Chartered Accountants Act was enacted in 1949 and is very famous not only within the country but all over the world. But, now, outside agencies are coming. That is the only thing I wanted to point out. For disciplinary action, some other agencies are coming which will dilute the quality of our institutes.

Hence, I urge the hon. Minister to reduce the number of Government nominees and please don't handover disciplinary proceedings to outside agencies. Thank you.

श्री सुशील कुमार मोदी (बिहार) :माननीय उपसभापति महोदय, मैं इस बिल के समर्थन में बोलने के लिए खड़ा हुआ हूँ। महोदय, पिछले पांच वर्षों में पांच लाख से ज्यादा कंपनियों के नाम कंपनी रजिस्ट्रार के रजिस्टर से हटाने पड़े। महोदय, केवल दो वर्षों, 1987 से 1989 में 3 लाख, 79 हजार कंपनियों के नाम हटाने पड़े और यह पाया गया कि ज्यादातर कंपनियां बैंक फ्रॉड, चीटिंग एवं अन्य गैर-कानूनी कार्यों में शामिल हैं। इन पांच लाख कंपनियों में से करीब 2.38 लाख कंपनियां shell companies थीं। एक ही एड्रेस पर 100-100 कंपनियां थीं। बड़ी संख्या में ऐसी कंपनियां थीं, जिनका न तो कोई पता-ठिकाना था और न ही इनका कोई कार्यालय था। उपसभापति महोदय, यह बिल क्यों लाना पड़ा, आप इसके बारे में इन बातों से ही अंदाजा लगा सकते हैं। इन सारी shell companies के पीछे कहीं न कहीं किसी CA का दिमाग था और वे उसमें शामिल थे। पिछले दिनों अखबारों में सुर्खियाँ थीं, ED arrests a CA in Hyderabad for aiding shell companies launder funds to Hong Kong, ED arrests a Delhi CA in money-laundering case leads to fertilizer scam, 8 CAs arrested for GST fraud, 16 arrested for gambling, 3 CAs arrested, CGST official and 2 CAs arrested on charge of extortion. महोदय, पिछले पांच सालों में यह पाया गया कि जो Chartered Accountants हैं, कुछ लोग इस प्रकार की shell

companies बनाकर भ्रष्टाचार को प्रश्रय दे रहे हैं, इसलिए सरकार को मजबूरन इस बिल को लाना पड़ा। जैसा मेरे पूर्व वक्ता ने बताया कि हम उनकी परीक्षा पद्धति में कोई हस्तक्षेप नहीं कर रहे हैं। उनके examination में, उनके curriculum में, उनके result में, उनके license और अन्य सारी चीजों में उन्हें स्वायत्तता है, किन्तु केवल एक जगह जहां पर सरकार हस्तक्षेप नहीं, वरन् उसे मजबूत करना चाहती है वह Disciplinary Committee है। महोदय, अभी वहां चार Disciplinary Committees हैं, जिनमें से तीन के चेयरमैन कौन हैं - तो ICAI के president हैं, वही तीनों कमेटियों के चेयरमैन हैं। इसी प्रकार चौथे ज़ोन के Disciplinary Committees के चेयरमैन कौन हैं - तो Vice President चौथे ज़ोन के Disciplinary Committees के चेयरमैन हैं। महोदय, यहां conflict of interest है, जो चेयरमैन होता है, वह चुनाव जीत कर आता है, लाखों, करोड़ों रुपए खर्च कर चेयरमैन बनता है, इसलिए वह अपने मेम्बर्स के खिलाफ कोई कार्रवाई नहीं कर पाता है। पिछले वर्षों में पाया गया कि सैकड़ों की संख्या में केसेज़ पेंडिंग हैं, वर्षों तक कोई कार्रवाई नहीं हुई, उनको दबा कर रखा गया, flimsy ground पर उनको रिजेक्ट कर दिया गया। यहाँ तक कि सीबीआई, ईडी और सरकार ने जो complaint recommend की थी, उस पर भी वर्षों तक कोई कार्रवाई नहीं हुई।

महोदय, जो लोग यह कहते हैं कि Disciplinary समिति में केवल सीए होना चाहिए क्योंकि गैर- CA सदस्यों को expertise नहीं है। महोदय Director (Discipline) सीए है। डायरेक्टोरेट में 22 लोग होते हैं, उनमें से 11 सीए होंगे और वही लोग पूरा केस तैयार करके डायरेक्टोरेट के सामने प्रेज़ेंट करेंगे।

महोदय, जहाँ तक कमेटी की बात है, composition की बात है, उसके संबंध में मैं यह बताना चाहता हूँ कि सरकार ने केवल यह किया है कि जो Presiding Officer होगा, वह नॉन-सीए होगा। यह कहा जाता है कि उसे expertise नहीं है। Disciplinary Committee का निर्णय होता है, वह अपील में ट्रिब्यूनल में जाता है, वहाँ तो कोई सीए नहीं है। ट्रिब्यूनल के निर्णय के खिलाफ कोर्ट में जाते हैं, लेकिन वहाँ तो कोई सीए नहीं है। हाई कोर्ट के निर्णय के खिलाफ सुप्रीम कोर्ट में जाते हैं, वहाँ तो कोई सीए नहीं है। इसलिए जो conflict of interest था, जो विरोधाभास था, conflict था, केवल उसी को दूर करने का प्रयास किया गया है और केवल यह कहा गया है कि जो Disciplinary Committee है, उसका जो Presiding Officer होगा, वह नॉन-सीए होगा। महोदय, इसके मेम्बर्स को पहले सरकार नॉमिनेट करती थी, लेकिन अब सरकार उनको नॉमिनेट नहीं करेगी, बल्कि सीए की जो काउंसिल है, वह एक पैनल तैयार करेगी और उसी पैनल में से सरकार नामों का चयन करेगी। इस तरह से केन्द्र सरकार को सदस्यों को नॉमिनेट करने का जो अधिकार था, वह भी समाप्त हो गया। आप Presiding Officers का पैनल बनाइए, सरकार उसमें से चयन करेगी। आप मेम्बर्स का पैनल बनाइए, सरकार उसमें से चयन करेगी। फिर lay members का experience in the field of law, economics, business, finance, accountancy की बात कही गई है, तो क्या कोई वित्त मंत्री बनने के लिए Harvard से पास होना जरूरी है या स्वास्थ्य मंत्री, मनसुख मांडविया साहब, जो इतना अच्छा काम कर रहे हैं, क्या वे एमबीबीएस डॉक्टर हैं! इसलिए expertise न भी हो उसे फील्ड का ज्ञान जरूर होना चाहिए।

महोदय, तीसरी बात यह है कि इसका जो फंड है, ढाई हजार करोड़ रुपए से ज्यादा का फंड आईसीएआई के पास है। इसमें सरकार ने यह नहीं कहा कि हम उस फंड को लेने जा रहे हैं। इसमें केवल यह कहा गया कि सीएजी के ऑडिटर्स पैनल से आप नाम तय कीजिए और आप जो नाम तय करेंगे, वही ऑडिट करेगा, सरकार या सीएजी ऑडिट करने नहीं जा रहा है। महोदय, पिछले दिनों फंड के दुरुपयोग के कई मामले आए हैं। एक समय में आईडीबीआई का टियर-II का जो bond था, उसमें करीब 800 करोड़ रुपए का इन्वेस्टमेंट कर दिया गया, जो उसके regulation के खिलाफ था। बैंकों में पैसा जमा करने के लिए होड़ मची रहती है और लोगों को मालूम है कि अगर किसी बैंक में पैसा जमा करेंगे, तो उसके बदले में क्या मिलता है।

महोदय, जो Disciplinary Committee है, केवल उसको strengthen करने का काम किया गया है। दुनिया के अधिकांश देशों में, चाहे यूएसए हो, यूके हो, ऑस्ट्रेलिया हो, कनाडा हो या साउथ अफ्रीका हो, सभी देशों के अंदर जो अकाउंटिंग संस्थाएँ हैं, उनकी जो Disciplinary Committee है, उसमें नॉन-सीए ही मेम्बर्स होते हैं ताकि conflict of interest न रहे, separation of elected bodies' members from investigation and disciplinary process. अमेरिका में 56 Boards हैं, यहाँ तो भारत में एक केवल आईसीएआई है, जो सीए की डिग्री प्रदान करता है। अमेरिका में 56 boards हैं और उन boards के जो भी appointments होते हैं, वह सरकार करती है। साउथ अफ्रीका, कनाडा, ऑस्ट्रेलिया और यहाँ तक कि International Federation of Accountants में 130 देशों के 175 लोग मेम्बर हैं। उसकी अनुशंसा है कि Disciplinary Committee के अंदर non-accounting के लोग ही मेम्बर होने चाहिए ताकि वे दूध का दूध और पानी का पानी कर सकें। अगर इसमें conflict of interest होगा, तो वे ऐसा नहीं कर पाएँगे।

महोदय, एक और विरोध किया जा रहा है और कहा जा रहा है कि Coordination Committee की क्या आवश्यकता है। इन लोगों ने सन् 2000 में एक एमओयू साइन किया जिसमें यह प्रावधान था कि तीनों संगठन आपस में coordination करेंगे, लेकिन 16 साल हो गए, एक बैठक नहीं हुई, बैठक का एजेंडा पता नहीं! अब सरकार ने कहा कि जो तीनों संस्थाएँ हैं, उनके लिए Coordination Committee होगी...

3.00 P.M.

जिसको कम्पनी अफेयर्स के सेक्रेटरी preside करेंगे। तीनों संस्थाओं के प्रेजिडेंट, वाइस प्रेजिडेंट और सेक्रेटरी उसके मेम्बर्स होंगे। महोदय, इसमें क्या आपत्ति है! इसका भी विरोध किया जा रहा है।

उपसभापति महोदय, अभी तक सिर्फ Chartered Accountants पर कार्रवाई करने का अधिकार था, लेकिन जो Chartered Accountant Firms हैं, उन पर Chartered Accountant Institutes को कार्रवाई करने का अधिकार नहीं था। यह सदन Satyam Scandal के बारे में

जानता है कि 7100 करोड़ रुपये से ज्यादा का आईटी का फ्रॉड हुआ था, उसके बाद आईसीएआई ने स्वयं रिकमंड किया कि जो Chartered Accountant की Firms हैं, उन पर भी कार्रवाई करने का अधिकार दिया जाए। महोदय, इस बिल के द्वारा केवल मेम्बर्स ही नहीं - कोई मेम्बर जो किसी फर्म का सदस्य है, अगर उसके खिलाफ लगातार पांच साल तक शिकायत मिल रही है तो उस स्थिति में अधिकतम 25 लाख रुपये तक उस पर जुर्माना लगाया जा सकता है और उसके मेम्बर को या firm को debar किया जा सकता है। महोदय, पहले कोई timeline नहीं थी कि कितने दिनों में proceeding पूरी होगी, अब इसमें प्रावधान किया गया है कि 365 दिनों के अंदर proceeding पूरी हो जाएगी। पहले यह प्रावधान था कि कोई भी withdraw कर सकता है। आपने complaint file की और आप मिल गए, कुछ under-hand deal हो गई, फिर वह complaint withdraw कर ली गई, लेकिन अब इसमें यह प्रावधान किया गया है कि 'withdrawal complaint not permissible.' इसमें कोई complaint को withdraw नहीं कर सकता।

महोदय, पहले जो चेयरमैन था, उसी के पास सेक्रेटरी की भी पावर थी। सारी पावर्स चेयरमैन के पास थीं। अब नया प्रावधान किया गया है कि जो प्रेजिडेंट और सेक्रेटरी, दोनों की पावर्स में विभाजन किया गया है, उनकी पावर्स को अलग-अलग किया गया है। महोदय, मैं सदन को यह भी बताना चाहूंगा कि जो NFRA (National Financial Reporting Authority) बनी है, अब इसमें यह प्रावधान किया गया है कि जो listed companies हैं, जो unlisted companies हैं, जिनका turnover पांच सौ करोड़ रुपये से ज्यादा का है, जो बैंक्स हैं, जो insurance companies हैं, उनके accounting standards को NFRA निर्धारित करेगी। महोदय, मैं सदन के माध्यम से Chartered Accountants को भी आश्वस्त करना चाहूंगा। यह एक बड़ी strong lobby है। वे एक-एक मेम्बर के पास जाते हैं, लोगों को समझाने का प्रयास करते हैं। मैं आदरणीय प्रधान मंत्री जी को धन्यवाद देना चाहूंगा कि उन्होंने जिस भ्रष्टाचार के खिलाफ जंग का एलान किया है, उसको पूर्णता तक पहुंचाने के लिए यह आवश्यक था कि जो Chartered Accountants की body है, इसमें जो Disciplinary Committee है, इसको और अधिक strengthen किया जाए। महोदय, ऐसा नहीं है कि सारे लोग गलत हैं। मैं कुछ समय पहले एक संसदीय प्रतिनिधि मंडल में अबू धाबी गया था। जहां 800 से ज्यादा Chartered Accountants हैं। दुबई में 1,500 से ज्यादा Chartered Accountants हैं। हमारे Chartered Accountants ने पूरी दुनिया में भारत का नाम रौशन किया है। जब कोई कहता है कि मैं CA हूँ, तो समाज के अंदर उसकी प्रतिष्ठा बढ़ जाती है। जो IAS, IPS होते हैं या जो Chartered Accountants हैं - अधिकांश Chartered Accountants ईमानदारी से काम करते हैं। जैसा कि प्रधान मंत्री जी ने ICAI के सम्मेलन में भाषण देते हुए कहा कि आप client के लिए काम मत कीजिए, आप देश के लिए काम कीजिए। Client के लिए काम करना अलग बात है और देश के लिए काम करना एक अलग बात है।

उपसभापति महोदय, मैं निर्मला सीतारमण जी को और आदरणीय प्रधान मंत्री जी को धन्यवाद देना चाहूंगा, जिनकी प्रेरणा से यह बिल इस सदन के अंदर आया है और मैं यह विश्वास दिलाता हूँ कि कोई हस्तक्षेप नहीं होगा, किसी की autonomy को प्रभावित नहीं किया जाएगा। जो

गलत लोग हैं, जो misconduct करने वाले लोग हैं, केवल उन्हीं पर कार्रवाई करने के लिए इसमें कड़े प्रावधान किए गए हैं, धन्यवाद।

श्री उपसभापति : सुशील कुमार मोदी जी, धन्यवाद। अब माननीय मंत्री महोदया का रिप्लाइ होगा।

SHRIMATI NIRMALA SITHARAMAN: Mr. Deputy Chairman, Sir, I thank all the 21 hon. Members who have participated in this discussion today. This is a very important step, which is being taken. There is one Bill, which has now been passed by Lok Sabha, aiming to bring in certain Amendments to the three Acts, which are the Chartered Accountants Act, the Costs and Works Accountants Act and the Company Secretaries Act. Amendments are being brought in through one legislation, so that all the three can be brought in with the same kinds of Amendments, and, that has been after good consultation with the Legislative Department, which has advised us that through one legislation, the three can be amended because the objective is similar. The objective is also to bring all the three on par and strengthen all the three of them without, in any way, affecting the autonomy that they enjoy. Now, this is not done purely by discussions that have been held by the Ministry. There has been a very well constituted Committee, the Meenakshi Datta Ghosh Committee, which was formed in April, 2017 and which submitted its report in September of 2017 and all the recommendations have been studied in detail. Sir, in an era where self-regulatory model has already come into question, global best practices are very clearly saying, 'this model, probably, cannot actually meet up with all the expectations, professional bodies have to characterize themselves with', and, therefore, the Meenakshi Datta Ghosh Committee has given a lot of inputs on how to make these more robust.

Equally, Sir, in the last eight years, particularly, when after Prime Minister, Modi, from 2014 onwards started giving a lot of attention to the economy, particularly, in supporting all sections which have the inclination towards becoming entrepreneurs giving start-up, the ecosystem that is so required, and making sure that the start-up ecosystem is not just a blessing for metropolitan cities, we also aligned ourselves with the tier-two, tier-three cities where smaller entrepreneurs are also being addressed through financial inclusion and through the stand-up programme. Today is the day when stand-up was launched several years ago in 2016 by Prime Minister, Modi, and the 'Stand-up India' together with 'Start-up India' show that companies today are eager to register themselves as LLPs. Many companies and LLPs have got incorporated in the last few years and because these LLPs are bringing in a newer kind of environment, we also see that the requirement for regulating them also needs

to be robust. So, the country has witnessed rapid changes in the way in which the economy is now being profiled, and, therefore, even with the Companies Act and even with IBC, we need to see how the LLP can make these companies which are smaller, driven by individuals who have innovative ideas and who today are contributing to the Indian economy in a very big way. So, at this time, the sanctity of the audited financial statement which is where all the Chartered Accountants' role come into play has got to be maintained, has got to be given its due position, and we need to have therefore audit and certification quality. We need to also have a favourable investment climate being brought in, and, therefore, a line which I said in the Lok Sabha, I would like to repeat here. 'I recognize the importance of the three pillars, the Chartered Accountants, the Cost Accountants and the Company Secretaries in the corporate governance structure', and if the corporate governance structure has really got to be robust to meet with the global investment expectations about our standards of audit, about our standards of investment policy, about how auditing certificates are being given, we need to have greater robustness brought in and also a level of accountability brought in.

Many Members have actually made my explaining a bit lesser because they recognize that since after Satyam scandal, subsequently till 2013 when the ILFS scandal happened, we have repeatedly been questioned about the number of failings 'Chartered Accountants'. So, the Chartered Accountants who did not deliver as was the expectation through the letter and spirit of the Act needed to be acted upon, and, in that, you find that over and over again, questions are being asked as to why wouldn't it be a more transparent process. With these concerns, a lot of consultations have been held, stakeholders have been repeatedly met. Even the Standing Committee had gone through these issues once earlier. At that time, it was felt and it was, in fact, recommended by the Standing Committee then that we need to have a greater transparency in the mechanism. It is from that Standing Committee that we have had this voice for greater transparency to be brought in.

There was also a question as to why there should be only one Act and whether it would mean that the three institutions are now going to be governed by this one Act. I would like to dispel any doubts that hon. Members might have. Those three Acts are going to continue. They will govern the functioning of the three institutions, but this one Act which is now going to have an impact on each of the three Acts, is only to the limited extent of bringing in greater transparency in the disciplinary processes with which these institutions function. Therefore, the three institutes

governed by their respective Acts, will continue to have responsibility for the functions that have been with them always, whether it is for qualifying people, licensing people, regulating their conduct, and so on. All these will continue to be with them. Even as regards students, Sir, the institutes had full powers even earlier and that shall not be interfered with. That will continue to be with them. So, whether it is a question of thinking about increasing the fee or registration of members and even certification of practice, they are all now as it was earlier. They continue to be there and this Act has nothing to do with that at all. The Council will have full powers to fix the fee and certify the members. There were references made to Section 18 of the Act about administering the funds of the institutions. They will continue to be as per the provisions of Section 18 of the Act.

Sir, there is no change at all in the composition of the Councils responsible for the management of affairs of the institutes. The ICAI has 40 members, eight of them Government nominees and 32 elected members and the ICSI and the Institute of Cost Accountants of India, five Government nominees and 15 elected members. The institutes, therefore, shall continue to function under the overall control, guidance and supervision of their respective councils, which are as per their Acts.

Therefore, Sir, I just want to emphasize that in the proposed amendments, the Council shall continue to constitute these bodies as per the existing practice. The Government will not constitute them. I would like to reiterate the point that the Government does not constitute these. There would also be no change in the number of members in these bodies.

So, I want to assure Members that the proposals that are there in the Act will have to be laid bare to understand them. A lot of Members have spoken about the Coordination Committee. It may be noted, Sir, that the two other institutes, the Cost and Work Accountants and the Company Secretaries of India, have not objected. In fact, the Chartered Accountants Institution also, in September, 2019, itself, in a meeting under the chairmanship of the Secretary, Corporate Affairs, agreed for the constitution of a Coordination Committee. So, I don't think we should have any doubts that one of the institutes has not supported while the other two have. All the three have, in fact, been in favour of forming the Coordination Committee.

Sir, I just wish to highlight the fact that in the year 2000, in an MoU which was signed by the ICSI, which is the Company Secretaries, with the ICAI and the Cost

Accountants Institution, a Coordination Committee was formed, indeed. There was a Coordination Committee, but it has not even worked all right. So, the old Coordination Committee was a point of reference where Members raised questions, saying that when such a committee already existed, a new one was not needed. It is only because the old one has not even taken off. It is important to understand also that this Coordination Committee is not a new idea at all. Not only for the three institutions, but there are institutions like IIMs, which have a Coordination Committee; the IITs have a Coordination Committee. In fact, even for those who were worst concerned saying why should lay persons be heading the Committees that they should be members who understand chartered accountancy, I would like to say whether it is NFRA or even the IITs, non-professional members are there. The Chairman of Co-ordination forum of IITs is the Minister himself. So, none of their functioning has got affected negatively just because a non-professional member is being brought in. Globally, the conducts of Chartered Accountants, who are auditors in public interest entities, are regulated by independent authorities. That is what is happening with NFRA also. The PCAOB of the USA, the FRC in the UK, the ASIC in Australia, the IRBA in South Africa and the CPAB in Canada are all headed by the people who are not professional Chartered Accountants. So, the National Financial Reporting Authority, the NFRA, which actually looks at public interest entities -- many Members did speak about it -- is also dealing with these matters with non-members, with lay members. So, their independence from the profession and the decision making that they have been engaging in is not, in any way, undermined. And also, the proposed Amendments are very much in line with the core principles which have been given by the independent audit regulators, International Forum of Independent Audit Regulators, which is a global body. The International Forum of Independent Audit Regulators is the body to which all the Chartered Accountants do refer for guidelines as regards best practices. And also the International Federation of Accountants, a non-governmental body and an international body also periodically gives a lot of guidelines. The Institute of Chartered Accountants of India is a member of International Federation of Accountants. So, if they have given guidelines, why would they be in discord with the existing Institution? The Standing Committee that I was referring to earlier, which had already gone through this matter in 2004-05, in its 11th Report, while examining CA (Amendment) Bill, 2003, very clearly said that it recommends strongly majority of lay members in the Disciplinary Board. I would like to put on the record a statement, a paragraph, which I would like to take from that Standing Committee's Report. I quote, "The Committee recommends that such a body should be headed by a person not below the rank of Joint Secretary belonging

to the legislative service. Two members should be from the Council and two should be outside experts from the field of law or accountancy." So, the Standing Committee then in 2003 has actually looked into it and recommended similarly. Whether it is the UK, the USA or South Africa and, in particular, the State of California, they have all got lay members. The current Standing Committee has also gone through this Bill. Therefore, any suggestion for referring it to the Select Committee would be only superfluous because the Members of Rajya Sabha are also Members in that Standing Committee which has also looked into the details. ...*(Interruptions)*... The current Standing Committee has gone through it and then submitted it in the Lok Sabha; post which, I have come here. I am referring to report of standing committee which examined CA Bill, 2003, but even now the current Standing Committee has gone through it, so also the one in context of CA Bill 2003. I just want to highlight one concern that some Members have referred to here saying: Why should the status of an actionable complaint be put up? Won't it hurt the cause? Still, it is to be proven that the person is guilty. Why should you put it up? Sir, putting the status of an actionable complaint in public domain or entering them in the register of members, which point has been highlighted by many Members, does not intend to victimize the member. On the contrary, the manner and the interval of putting out such information in public domain and entering it in the register of members shall be in accordance with the regulations framed by the council itself. So, there is no way in which somebody is going to pick and choose and put a name in public domain and not somebody else's name. So, there is a system and a protocol decided by the council itself which will govern it. Two institutes have not objected to putting out names such as this. So, largely, I think, the points which have been raised by all the Members have been addressed. I just want to underline the fact that global best practices have governed many features of this Bill, which is now before us. It is necessary that we appreciate that without touching the independence or the autonomy of these institutions, we would like to bring in these changes.

Sir, largely, I think, the points which have been raised by the Members have been addressed. Therefore, I appeal to all the Members to kindly pass this, which has come from Lok Sabha, because this is with an intention of making these three institutions a lot more transparent in their disciplinary matters and raise the quality of the disciplinary processes. Above all, I think, this would also facilitate India to be able to support institutions and firms which can be encouraged by the council to create something similar to the big four, which we periodically talk about, but completely of Indian origin. If their quality and strengths are being encouraged through this, I would

think it is possible sooner to have institutions of that size which can meet up with the global demands. Thank you very much, Sir.

MR. DEPUTY CHAIRMAN: I shall now put the motion moved by Shrimati Nirmala Sitharaman to vote. The question is:

That the Bill further to amend the Chartered Accountants Act, 1949, the Cost and Works Accountants Act, 1959 and the Company Secretaries Act, 1980, as passed by Lok Sabha, be taken into consideration.

The motion was adopted.

MR. DEPUTY CHAIRMAN: Hon. Members, I have to inform that the Speaker, Lok Sabha, in the Chartered Accountants, the Cost and Works Accountants and the Company Secretaries (Amendment) Bill, 2022, as passed by Lok Sabha, has treated certain consequential changes pertaining to the change of year from 2021 to 2022 as patent errors in Clauses 10, 25, 60 and 93. Accordingly, the relevant amendments proposed by Shri John Brittas, Member, at Sl. Nos. 10, 57, 58, 108, 109, 159 and 160 have become infructuous and, therefore, are not to be moved.

We shall now take up Clause-by-Clause consideration of the Bill.

Clause 2 was added to the Bill.

MR. DEPUTY CHAIRMAN: In Clause 3, there are two Amendments; Amendments (Nos.2 and 3) by Shri John Brittas. Are you moving?

Clause 3 -- Amendment of Section 2

SHRI JOHN BRITTAS: Sir, I move:

2. That at page 2, line 10, *for* the word "clauses", the word "clause" be *substituted*.
3. That at page 2, lines 11 and 12, be *deleted*.

The question was put and the motion was negatived.

Clause 3 was added to the Bill.

MR. DEPUTY CHAIRMAN: In Clause 4, there is one Amendment (No.4) by Shri John Brittas. Are you moving?

Clause 4 -- Amendment of Section 4

SHRI JOHN BRITTAS : Sir, I move:

4. That at page 2, lines 40 to 43, be *deleted*.

The question was put and the motion was negatived.

Clause 4 was added to the Bill.

MR. DEPUTY CHAIRMAN: In Clause 5, there is one Amendment (No.5) by Shri John Brittas. Are you moving?

Clause 5 -- Amendment of Section 5

SHRI JOHN BRITTAS : Sir, I move:

5. That at page 3, lines 4 to 7, be *deleted*.

The question was put and the motion was negatived.

Clause 5 was added to the Bill.

MR. DEPUTY CHAIRMAN: In Clause 6, there is one Amendment (No.6) by Shri John Brittas. Are you moving?

Clause 6--Amendment of Section 6

SHRI JOHN BRITTAS: Sir, I move:

6. That at page 3, clause 6 be *deleted*.

The question was put and the motion was negatived.

Clause 6 was added to the Bill.

MR. DEPUTY CHAIRMAN: In Clause 7, there is one Amendment (No.7) by Shri John Brittas. Are you moving?

Clause 7 -- Amendment of Section 8

SHRI JOHN BRITTAS : Sir, I move:

7. That at page 3, *for* line 24, the following be *substituted*, namely:- "(b) for the words "transportation", the word "deportation" be *substituted*.

The question was put and the motion was negatived.

Clause 7 was added to the Bill.

MR. DEPUTY CHAIRMAN: In Clause 8, there is one Amendment (No.8) by Shri John Brittas. Are you moving?

Clause 8 -- Amendment of Section 9

SHRI JOHN BRITTAS: Sir, I move:

8. That at page 3, line 34, be *deleted*.

The question was put and the motion was negatived.

Clause 8 was added to the Bill.

MR. DEPUTY CHAIRMAN: In Clause 9, there are two Amendments; Amendment (No.9) by Shri John Brittas and Amendment (No.164) by Shri Binoy Viswam. Are you moving?

**Clause 9 -- Insertion of New Section 9a
Coordination Committee**

SHRI JOHN BRITTAS: Sir, I move:

9. That at pages 3 and 4, clause 9, be *deleted*.

MR. DEPUTY CHAIRMAN: Amendment (No.164) by Shri Binoy Viswam. Are you moving?

SHRI BINOY VISWAM: Sir, I move:

164. That at page 3, lines 42 and 43, *for* the words, "Secretary, Ministry of Corporate Affairs", the words, "Presidents of the respective institutions on a rolling basis" be *substituted*.

MR. DEPUTY CHAIRMAN: Amendments moved. I shall now put Amendment (No.9) moved by Shri John Brittas to vote.

The motion was negatived.

MR. DEPUTY CHAIRMAN: I shall now put Amendment (No.164) moved by Shri Binoy Viswam to vote.

The motion was negatived.

Clause 9 was added to the Bill.

MR. DEPUTY CHAIRMAN: In Clause 10, there is one Amendment (No.11) by Shri John Brittas. Are you moving?

Clause 10 -- Amendment of Section 10

SHRI JOHN BRITTAS : Sir, I move:

11. That at page 4, line 23, the words "of three years" be *deleted*.

The question was put and the motion was negatived.

Clause 10 was added to the Bill.

MR. DEPUTY CHAIRMAN: In Clause 11, there are two Amendments; Amendments (Nos.12 and 13) by Shri John Brittas. Are you moving?

Clause 11 -- Amendment of Section 12

SHRI JOHN BRITTAS: Sir, I move:

12. That at page 4, lines 29 and 30, *after* the words "Chief Executive Authority", the words "and Head" be *inserted*.
13. That at page 4, line 34, *for* the word "prescribed", the word "notified" be *substituted*.

The question was put and the motion was negatived.

Clause 11 was added to the Bill.

Clause 12 was added to the Bill.

MR. DEPUTY CHAIRMAN: In Clause 13, there is one Amendment (No.14) by Shri John Brittas. Are you moving?

Clause 13 -- Amendment of Section 14

SHRI JOHN BRITTAS: Sir, I move:

14. That at page 4, clause 13, be *deleted*.

The question was put and the motion was negatived.

Clause 13 was added to the Bill.

MR. DEPUTY CHAIRMAN: In Clause 14, there is one Amendment (No.15) by Shri John Brittas. Are you moving?

Clause 14 -- Amendment of Section 15

SHRI JOHN BRITTAS: Sir, I move:

15. That at page 5, lines 17 to 19, be *deleted*.

The question was put and the motion was negatived.

Clause 14 was added to the Bill.

Clause 15 was added to the Bill.

MR. DEPUTY CHAIRMAN: In Clause 16, there are two Amendments; Amendments (Nos. 16 and 17) by Shri John Brittas. Are you moving?

Clause 16- Amendment of Section 16

SHRI JOHN BRITTAS: Sir, I move:

16. That at page 6, lines 2 and 3, *for* the words "who will carry out administrative functions of the Institute, as its Chief Executive Officer;", the words "to perform such duties as may be prescribed;" be *substituted*.

17. That at page 6, lines 8 to 11, be *deleted*.

The question was put and the motion was negatived.

Clause 16 was added to the Bill.

MR. DEPUTY CHAIRMAN: In Clause 17, there are three Amendments; Amendments (Nos.18 to 20) by Shri John Brittas. Are you moving?

Clause 17- Amendment of Section 18

SHRI JOHN BRITTAS: Sir, I move:

18. That at page 6, line 20, *after* the words "subject to audit by", the words "a chartered accountant in practice or" be *inserted*.

19. That at page 6, line 23, *after* the words "Provided that a", the words "person or" be *inserted*.

20. That at page 6, line 24, *after* the words "sub-section if", the words "it or" be *inserted*.

The question was put and the motion was negatived.

Clause 17 was added to the Bill.

MR. DEPUTY CHAIRMAN: In Clause 18, there are two Amendments; Amendment (No. 21) by Shri John Brittas and Amendment (No.165) by Shri Binoy Viswam. Mr. Brittas, are you moving?

Clause 18-Amendment of Section 19

SHRI JOHN BRITTAS: Sir, I move:

21. That at page 7, lines 1 to 4, be *deleted*.

MR. DEPUTY CHAIRMAN: And Amendment (No. 165) by Shri Binoy Viswam. Are you moving it?

SHRI BINOY VISWAM: Sir, I move:

165. That at page 6, *for* lines 42 to 44, the following be *substituted*, namely:-

"(ca) whether the member has been found guilty of any professional or other misconduct or any penalty has been imposed against him under Chapter V, including details thereof, if any;" .

MR. DEPUTY CHAIRMAN: Amendments moved. I shall first put the Amendment (No. 21) moved by Shri John Brittas to vote.

The motion was negatived.

MR. DEPUTY CHAIRMAN: I shall now put the Amendment (No. 165) moved by Shri Binoy Viswam to vote.

The motion was negatived.

Clause 18 was added to the Bill.

MR. DEPUTY CHAIRMAN: In Clause 19, there is one Amendment (No.22) by Shri John Brittas. Are you moving?

Clause 19-Amendment of Section 20

SHRI JOHN BRITTAS: Sir, I move:

22. That at page 7, lines 8 to 11, be *deleted*.

The question was put and the motion was negatived.

Clause 19 was added to the Bill.

MR. DEPUTY CHAIRMAN: In Clause 20, there is one Amendment (No. 166) by Shri Binoy Viswam. Are you moving?

Clause 20-Insertion of new chapter Iva

SHRI BINOY VISWAM: Sir, I move:

166. That at page 7, *for* lines 25 to 28, the following be *substituted*, namely:-

"(2) The Register of firms shall include such particulars about the firm, including whether the firm has been found guilty of any professional or other misconduct or any penalty has been imposed against it under Chapter V, in such form and at such intervals, as may be prescribed."

The question was put and the motion was negatived.

Clause 20 was added to the Bill.

MR. DEPUTY CHAIRMAN: In Clause 21, there are three Amendments; Amendments (Nos. 23 to 25) by Shri John Brittas. Are you moving?

**Clause 21-Substitution of Section 21
Disciplinary Directorate**

SHRI JOHN BRITTAS: Sir, I move:

23. That at page 8, line 21, *after* the words "merits", the words "either approve the recommendation or" be *inserted*.

24. That at page 8, line 24, *after* the words "opportunity to the", the words "inculpated" be *inserted*.

25. That at page 8, line 30, *after* the words "submit his rejoinder", the words "if any" be *inserted*.

The question was put and the motion was negatived.

Clause 21 was added to the Bill.

MR. DEPUTY CHAIRMAN: In Clause 22, there are 17 Amendments; Amendments (Nos. 26 to 41) by Shri John Brittas and Amendment (No.167) by Shri Binoy Viswam. Mr. Brittas, are you moving?

**Clause 22- Substitution of Section 21a
Board of Discipline**

SHRI JOHN BRITTAS: Sir, I move:

26. That at page 9, line 14, the words "not being a member of the Institute" be *deleted*.
27. That at page 9, lines 15 and 16, *for* the words "nominated by the Central Government", the words "appointed by the Council" be *substituted*.
28. That at page 9, line 16, the words "by the Central Government" be *deleted*.
29. That at page 9, line 17, the words "and provided" be *deleted*.
30. That at page 9, lines 19 and 20, the words "and not being a member of the Institute" be *deleted*.
31. That at page 9, line 21, "and provided" be *deleted*.
32. That at page 9, *for* lines 23 to 25, the following be *substituted*, namely:-

"(c) one member to be elected by the Council from members of the institute in such manner as may be prescribed."
33. That at page 9, line 26, *for* the words "an officer of the Institute not below the rank of a Deputy Secretary", the words "Director (Discipline)" be *substituted*.
34. That at page 9, line 28, *for* the word "nominated", the word "appointed" be *substituted*.

35. That at page 9, *after* line 38, the following be *inserted* namely:-

"Provided that if the accused member or firm as the case may be, fails to submit the written statement within the stipulated period, the Board of Discipline shall continue with the inquiry on the basis of the available records and all parties shall be given an opportunity of hearing and for adducing evidence."

36. That at page 9, line 41, *after* the word "member", the words "or firm" be *inserted*.

37. That at page 9, line 44, *for* the word "member", the words "indicted" be *substituted*.

38. That at page 9, *for* line 45, the following be *substituted*, namely:-

"(a) reprimand the member or the firm, as the case may be, and record it in the Register of members or Register of firms, as the case may be; or".

39. That at page 9, *for* line 46, the following be *substituted*, namely:-

"(b) remove the name of the member or members or firms from the Register of members", the words "remove the name of the member or members or firms from the Register of members or Register of firms"

40. That at page 10, line 9, *for* the word "twenty-five", the word "five" be *substituted*.

41. That at page 10, *after* line 16, the following be *inserted* namely:-

"(9) If the Board of Discipline, upon inquiry, is of the opinion that the alleged professional or other misconduct comes under those mentioned in the Second Schedule, or in both First Schedule and Second Schedule, it shall refer the matter to Disciplinary Committee."

MR. DEPUTY CHAIRMAN: And Amendment (No. 167) by Shri Binoy Viswam. Are you moving?

SHRI BINOY VISWAM: Sir, I move:

167. That at page 9, line 14, the words "not being a member of the Institute" be *deleted*.

MR. DEPUTY CHAIRMAN: Amendments moved. I shall first put the Amendments (Nos. 26 to 41) moved by Shri John Brittas to vote.

The motion was negatived.

MR. DEPUTY CHAIRMAN: I shall now put the Amendment (No.167) moved by Shri Binoy Viswam to vote.

The motion was negatived.
Clause 22 was added to the Bill.

MR. DEPUTY CHAIRMAN: In Clause 23, there are 16 Amendments (Nos. 42 to 56) by Shri John Brittas and Amendment (No.168) by Shri Binoy Viswam. Mr. Brittas, are you moving?

**Clause 23-Substitution of Section 21b
Disciplinary Committee**

SHRI JOHN BRITTAS: Sir, I move:

42. That at page 10, *for* lines 21 to 24, the following be *substituted* namely:-

"(a) President or Vice President of the Council as the Presiding Officer."

43. That at page 10, lines 26 and 27, the words "and not being a member of the Institute" be *deleted*.

44. That at page 10, line 30, *for* the word "nominated", the word "elected" be *substituted*.

45. That at page 10, line 30, *for* the words "out of a panel of", the words "amongst the" be *substituted*.

46. That at page 10, line 31, the words "to be prepared by the Council" be *deleted*.
47. That at page 10, line 33, the word "nominated" be *deleted*.
48. That at page 10, line 40, *after* the words and brackets "Director (Discipline)", the words "or upon getting the matter referred by the Board of Discipline, as the case may be" be *inserted*.
49. That at page 10, line 41, *after* the words "has been filed", the words "or the case has been referred," be *inserted*.
50. That at page 10, *after* line 43, the following be *inserted* namely:-
 "Provided that if the accused member or firm, as the case may be, fails to submit the written statement within the stipulated period, the Board of Discipline shall continue with the inquiry on the basis of the available records and all parties shall be given an opportunity of hearing and for adducing evidence."
51. That at page 10, line 46, *after* the word and brackets, "(Discipline)", the words, ", or getting the case referred by the Board of Discipline." be *inserted*.
52. That at page 11, line 1, *after* the word, "member", the words, "or firm" be *inserted*.
53. That at page 11, line 4, *for* the word, "member", the word, "indicted" be *substituted*.
54. That at page 11, *for* line 6, the following be *substituted*, namely:-
 "(a) reprimand the member or the firm, as the case may be, and record it in the Register of members or Register of firms, as the case may be; or".
55. That at page 11, line 7, *for* the words, the words "remove the name of the member or members or firms from the Register of members", the words "remove the name of the member or members from the Register of members or Register of firms, as the case may be," be *substituted*.

56. That at page 11, line 7, *after* the word "member", the words "or members or firms or Register or firms, as may be prescribed" be *inserted*.

MR. DEPUTY CHAIRMAN: And Amendment (No.168) by Shri Binoy Viswam. Are you moving?

SHRI BINOY VISWAM: Sir, I move:

168. That at page 10, line 21, the words "not being a member of the Institute" be *deleted*.

MR. DEPUTY CHAIRMAN: I shall first put the Amendments (Nos. 42 to 56) moved by Shri John Brittas to vote.

The motion was negatived.

MR. DEPUTY CHAIRMAN: I shall now put the Amendment (No.168) moved by Shri Binoy Viswam to vote.

The motion was negatived.

Clause 23 was added to the Bill.

Clauses 24 to 26 were added to the Bill.

MR. DEPUTY CHAIRMAN: In Clause 27, there are two Amendments; Amendments (Nos. 59 and 60) by Shri John Brittas. Are you moving?

Clause 27 - Amendment of Section 22g

SHRI JOHN BRITTAS : Sir, I move:

59. That at page 12, line 23, *after* the words ""member of the Institute"", the word "also" be *inserted*.

60. That at page 12, lines 30 to 33, be *deleted*.

The question was put and the motion was negatived.

Clause 27 was added to the Bill.

Clauses 28 to 41 were added to the Bill.

MR. DEPUTY CHAIRMAN: In Clause 42, there is one Amendment (No. 61) by Shri John Brittas. Are you moving?

Clause 42 - Amendment of Section 4

SHRI JOHN BRITTAS: Sir, I move:

61. That at page 15, lines 38 to 41, be *deleted*.

The question was put and the motion was negatived.

Clause 42 was added to the Bill.

MR. DEPUTY CHAIRMAN: In Clause 43, there is one Amendment (No. 62) by Shri John Brittas. Are you moving?

Clause 43 - Amendment of Section 5

SHRI JOHN BRITTAS : Sir, I move:

62. That at page 16, lines 4 to 6, be *deleted*.

The question was put and the motion was negatived.

Clause 43 was added to the Bill.

MR. DEPUTY CHAIRMAN: In Clause 44, there is one Amendment (No. 63) by Shri John Brittas. Are you moving?

Clause 44 - Amendment of Section 6

SHRI JOHN BRITTAS: Sir, I move:

63. That at page 16, clause 44, be *deleted*.

The question was put and the motion was negatived.

Clause 44 was added to the Bill.

Clause 45 was added to the Bill.

MR. DEPUTY CHAIRMAN: In Clause 46, there is one Amendment (No. 64) by Shri John Brittas. Are you moving?

Clause 46 - Amendment of Section 9

SHRI JOHN BRITTAS : Sir, I move:

64. That at page 16, line 31, be *deleted*.

The question was put and the motion was negatived.

Clause 46 was added to the Bill.

Clauses 47 and 48 were added to the Bill.

MR. DEPUTY CHAIRMAN: In Clause 49, there is one Amendment (No. 65) by Shri John Brittas. Are you moving?

Clause 49 - Amendment of Section 15

SHRI JOHN BRITTAS: Sir, I move:

65. That at page 17, lines 16 to 18, be *deleted*.

The question was put and the motion was negatived.

Clause 49 was added to the Bill.

Clause 50 was added to the Bill.

MR. DEPUTY CHAIRMAN: In Clause 51, there are two Amendments (Nos. 66 and 67) by Shri John Brittas. Are you moving?

Clause 51 - Amendment of Section 16

SHRI JOHN BRITTAS: Sir, I move:

66. That at page 17, *for* lines 33 and 34, the following be *substituted*, namely:-
"(a) a Secretary, to perform such duties as may be prescribed;"

67. That at page 17, lines 39 to 42, be *deleted*.

The question was put and the motion was negatived.

Clause 51 was added to the Bill.

MR. DEPUTY CHAIRMAN: In Clause 52, there are three Amendments (Nos. 68 to 70) by Shri John Brittas. Are you moving?

Clause 52 - Amendment of Section 18

SHRI JOHN BRITTAS: Sir, I move:

68. That at page 18, line 4, *after* the words, "subject to audit by", the words "a chartered accountant in practice or" be *inserted*.

69. That at page 18, line 7, *after* the words, "Provided that a", the words "person or" be *inserted*.

70. That at page 18, line 7, *after* the words, "any of its partner", the words "he or any of its partner, as the case may be," be *substituted*.

The question was put and the motion was negatived.

Clause 52 was added to the Bill.

MR. DEPUTY CHAIRMAN: In Clause 53, there is one Amendment (No. 71) by Shri John Brittas. Are you moving?

Clause 53- Amendment of Section 19

SHRI JOHN BRITTAS: Sir, I move:

71. That at page 18, lines 29 to 32, be *deleted*.

The question was put and the motion was negatived.

Clause 53 was added to the Bill.

MR. DEPUTY CHAIRMAN: In Clause 54, there is one Amendment (No. 72) by Shri John Brittas. Are you moving?

Clause 54- Amendment of Section 20

SHRI JOHN BRITTAS: Sir, I move:

72. That at page 18, lines 36 to 39, be *deleted*.

The question was put and the motion was negatived.

Clause 54 was added to the Bill.

Clause 55 was added to the Bill.

MR. DEPUTY CHAIRMAN: In Clause 56, there are four Amendments; Amendments (Nos. 73 to 76) by Shri John Brittas, are you moving?

**Clause 56- Substitution of Section 21
Disciplinary Directorate**

SHRI JOHN BRITTAS : Sir, I move:

73. That at page 19, line 44, *after* the word "merits", the words, "either approve the recommendations or" be *inserted*.

74. That at page 19, line 47, *after* the word "opportunity to the", the word, "inculpated" be *inserted*.

75. That at page 20, line 4, *after* the word "submit his rejoinder", the words, "if any" be *inserted*.

76. That at page 20, line 6, *after* the word, brackets and figure, "sub-section (4)", the words, "if any" be *inserted*.

The question was put and the motion was negatived.

Clause 56 was added to the Bill.

MR. DEPUTY CHAIRMAN: In Clause 57, there are sixteen Amendments; Amendments (Nos. 77 to 92) by Shri John Brittas, are you moving?

**Clause 57- Substitution of Section 21a
Board of Discipline**

SHRI JOHN BRITTAS : Sir, I move:

77. That at page 20, line 38, the words "not being a member of the Institute," be deleted.
78. That at page 20, line 40, for the words "nominated by the Central Government", the words, "appointed by the Council" be substituted.
79. That at page 20, line 41, the words, "and provided", be deleted.
80. That at page 20, line 44 and 45, the words "and not being a member of the Institute ", be deleted.
81. That at page 21, line 1, for the words, "nominated by the Council from out of a panel of", the words, "elected by the Council from" be substituted.
82. That at page 21, line 2, the words, "to be prepared by the Council", be deleted.
83. That at page 21, line 4, for the words "an officer of the Institute not below the rank of a Deputy Secretary", the words and brackets, "Director (Discipline)" be substituted.
84. That at page 21, line 6, for the word "nominated", the word, "appointed" be substituted.
85. That at page 21, after line 16, the following be inserted, namely:-

"Provided that the accused member or firm, as the case may be, fails to submit the written statement within the stipulated period, the Board of Discipline shall continue with the inquiry on the basis of the available records and all parties shall be given an opportunity of hearing and for adducing evidence."
86. That at page 21, line 19, after the word "member", the words, "or firm" be inserted.

87. That at page 21, line 22, *for* the word "member", the word, "indicted" be *substituted*.
88. That at page 21, *for* line 23, the following be *substituted*, namely:-
 "(a) reprimand the member or the firm, as the case may be, and record it in the Register of members or Register of firms, as the case may be; or".
89. That at page 21, line 24, *after* the words, "member members", the words, "or firms" be *inserted*.
90. That at page 21, line 25, *after* the word "members", the words, "or Register of firms" be *inserted*.
91. That at page 21, line 36, *for* the word "twenty-five", the word, "five" be *substituted*.
92. That at page 21, *after* line 43, the following be *inserted*, namely:-
 "(9) If the Board of Discipline, upon inquiry, is of the opinion that the alleged professional or other misconduct comes under those mentioned in the Second Schedule, or in both First Schedule and Second Schedule, it shall refer the matter to Disciplinary Committee"

The question was put and the motion was negatived.

Clause 57 was added to the Bill.

MR. DEPUTY CHAIRMAN: In Clause 58, there are fifteen Amendments; Amendments (Nos. 93 to 107) by Shri John Brittas, are you moving?

**Clause 58- Substitution of Section 21b
Disciplinary Committee**

SHRI JOHN BRITTAS: Sir, I move:

93. That at page 22, *for* lines 5 to 9, following be substituted, namely:-

"(a) President or Vice- President of the Council as the Presiding Officer";

94. That at page 22, lines 11 and 12, the words "and not being a member of the Institute", be deleted.
95. That at page 22, line 15, for the words, "nominated by the Council from out of a panel of", the words, "elected by the Council from amongst the" be substituted.
96. That at page 22, line 16, the words "to be prepared by the Council", be deleted.
97. That at page 22, line 18, the word, "nominated", be deleted.
98. That at page 22, line 25, after the words and brackets "Director (Discipline)", the words, "or upon getting the matter referred by the Board of Discipline, as the case may be" be inserted.
99. That at page 22, line 26, after the words, "has been filed", the words, "or the case has been referred" be inserted.
100. That at page 22, after line 28, the following be inserted, namely:-

"Provided that the accused member or firm, as the case may be, fails to submit the written statement within the period, Disciplinary Committee shall continue with the inquiry on the basis of the available records and all parties shall be given an opportunity of hearing and for adducing evidence."
101. That at page 22, line 31, after the words and brackets "Director (Discipline)", the words, "or getting the case referred by the Board of Discipline;" be inserted.
102. That at page 22, line 32, after the word, "member", the word "or firms" be inserted.
103. That at page 22, line 35, for the word, "member", the word "indicted" be substituted.

104. That at page 22, *for* line 37, the following be *substituted*, namely:-
 "(a) reprimand the member or the firm, as the case may be, and record it in the Register of members or Register of firms, as the case may be; or "
105. That at page 22, line 38, *after* the words, "name of the member", the words "or members or firms" be *inserted*.
106. That at page 22, line 39, *for* the word, "permanently", the words "permanently or Register of firms, as the case may be" be *substituted*.
107. That at page 23, line 7, *for* the word, "fifty", the word "twenty-five" be *substituted*.

The question was put and the motion was negatived.

Clause 58 was added to the Bill.

Clauses 59 to 61 were added to the Bill.

MR. DEPUTY CHAIRMAN: In Clause 62, there are two Amendments; Amendments (Nos. 110 and 111) by Shri John Brittas, are you moving?

Clause 62- Amendment of Section 22e

SHRI JOHN BRITTAS : Sir, I move:

110. That at page 24, line 10, *after* the word, "members of the Institute", the word "also" be *inserted*.
111. That at page 24, lines 16 to 19 be *deleted*.

The question was put and the motion was negatived.

Clause 62 was added to the Bill.

Clauses 63 to 67 were added to the Bill.

MR. DEPUTY CHAIRMAN: In Clause 68, there is one Amendment (No. 112) by Shri John Brittas, are you moving?

**Clause 68- Substitution of Section 34
Coordination Committee**

SHRI JOHN BRITTAS: Sir, I move:

112. That at page 25, Clause 68 be *deleted*.

The question was put and the motion was negatived.

Clause 68 was added to the Bill.

Clauses 69 to 74 were added to the Bill.

MR. DEPUTY CHAIRMAN: In Clause 75, there is one Amendment (No. 113) by Shri John Brittas, are you moving?

Clause 75- Amendment of Section 4

SHRI JOHN BRITTAS: Sir, I move:

113. That at page 27, lines 11 to 14 be *deleted*.

The question was put and the motion was negatived.

Clause 75 was added to the Bill.

MR. DEPUTY CHAIRMAN: In Clause 76, there is one Amendment (No.114) by Shri John Brittas. Mr. you moving it?

Clause 76- Amendment of Section 5

SHRI JOHN BRITTAS: Sir, I move:

114. That at page 27, lines 18 to 20 be *deleted*.

The question was put and the motion was negatived.

Clause 76 was added to the Bill.

MR. DEPUTY CHAIRMAN: In Clause 77, there is one Amendment (No.115). Are you moving it?

Clause 77- Amendment of Section 6

SHRI JOHN BRITTAS: Sir, I move:

115. That at page 27, clause 77 be *deleted*.

The question was put and the motion was negatived.

Clause 77 was added to the Bill.

Clause 78 was added to the Bill.

MR. DEPUTY CHAIRMAN: In Clause 79, there is one Amendment (No.116) by Shri John Brittas. Are you moving it?

SHRI JOHN BRITTAS: Sir, since the Minister has promised to review it later, therefore, I am not moving.

Clause 79 was added to the Bill.

Clauses 80 and 81 were added to the Bill.

MR. DEPUTY CHAIRMAN: In Clause 82, there is one Amendment (No.117) by Shri John Brittas. Are you moving?

SHRI JOHN BRITTAS: I am not moving.

Clause 82 was added to the Bill.

Clause 83 was added to the Bill.

MR. DEPUTY CHAIRMAN: In Clause 84, there are two Amendments; Amendments (Nos. 118 and 119) by Shri John Brittas. Are you moving?

SHRI JOHN BRITTAS: I am not moving.

Clause 84 was added to the Bill.

MR. DEPUTY CHAIRMAN: In Clause 85, there are three Amendments; Amendments (Nos.120 to 122) by Shri John Brittas. Are you moving?

SHRI JOHN BRITTAS: I am not moving.

Clause 85 was added to the Bill.

MR. DEPUTY CHAIRMAN: In Clause 86, there is one Amendment (No.123) by Shri John Brittas. Are you moving it?

SHRI JOHN BRITTAS: I am not moving.

Clause 86 was added to the Bill.

MR. DEPUTY CHAIRMAN: In Clause 87, there is one Amendment (No.124) by Shri John Brittas. Are you moving?

Clause 87- Amendment of Section 20

SHRI JOHN BRITTAS: Sir, I move:

124. That at page 30, lines 1 to 4 be deleted.

The question was put and the motion was negatived.

Clause 87 was added to the Bill.

Clause 88 was added to the Bill.

MR. DEPUTY CHAIRMAN: In Clause 89, there are three Amendments; Amendments (Nos. 125 to 127) by Shri John Brittas. Are you moving it?

**Clause 89 -Substitution of Section 21
Disciplinary Directorate**

SHRI JOHN BRITTAS : Sir, I move:

125. That at page 31, line 14, after the word "merits", the words "either approve the recommendations or" be inserted.

126. That at page 31, line 17, after the words "opportunity to the", the word "inculpated" be inserted.

127. That at page 31, line 23, *after* the words "submit his rejoinder", the words "if any" be *inserted*.

The question was put and the motion was negatived.

Clause 89 was added to the Bill.

MR. DEPUTY CHAIRMAN: In Clause 90, there are 16 Amendments; Amendments (Nos.128 to 143) by Shri John Brittas. Are you moving?

**Clause 90 - Substitution of Section 21a
Board of Discipline**

SHRI JOHN BRITTAS: Sir, I move:

128. That at page 32, line 10 the words "not being a member of the Institute" be *deleted*.
129. That at page 32, lines 11 and 12, for the words "nominated by the Central Government", the words "appointed by the Council" be *substituted*.
130. That at page 32, line 13, the words "and provided" be *deleted*.
131. That at page 32, lines 15 and 16 the words "and not being a member of the Institute" be *deleted*.
132. That at page 32, for line 19, the following be *substituted*, namely:-
"(c) one member to be elected by the Council from"
133. That at page 32, line 20 the words "to be prepared by the Council," be *deleted*.
134. That at page 32, line 22, for the word "an officer of the Institute not below the rank of a Deputy Secretary", the word "Director (Discipline)" be *substituted*.
135. That at page 32, line 24, for the word "nominated", the word "appointed" be *substituted*.

136. That at page 32, after line 34, the following be *inserted*, namely:

"Provided that if the accused member or firm, as the case may be, fails to submit the written statement within the stipulated period, the Board of Discipline shall continue with the inquiry on the basis of the available records and all parties shall be given an opportunity of hearing and for adducing evidence."

137. That at page 32, line 37, after the word "member", the words "or firm" be *inserted*.

138. That at page 32, line 40, for the word "member", the word "indicted" be *substituted*.

139. That at page 32, for line 41, the following be substituted, namely:-

"(a) reprimand the member or the firm, as the case may be, and record it in the Register of members or Register of firms, as the case may be; or".

140. That at page 32, line 42, after the words "member or members", the words "or firms" be *inserted*.

141. That at page 32, line 43, *after* the word "members", the words "Register of firms" be *inserted*.

142. That at page 33, line 7, *for* the words "twenty-five", the word "five", be *substituted*.

143. That at page 33, *after* line 14, the following be inserted, namely:-

"(9) if the Board of Discipline, upon inquiry, is of the opinion that the alleged professional or other misconduct comes under those mentioned in the Second Schedule, or in both First Schedule and Second Schedule it shall refer the matter to Disciplinary Committee."

The question was put and the motion was negatived.

Clause 90 was added to the Bill.

MR. DEPUTY CHAIRMAN: In Clause 91, there are 15 Amendments; Amendments (Nos.144 to 158) by Shri John Brittas. Are you moving?

**Clause 91 - Substitution of Section 21b
Disciplinary Committee**

SHRI JOHN BRITTAS: Sir, I move:

144. That at page 33, *for* lines 19 to 23, the following be *substituted*, namely:-

"(a) President or Vice-President of the Council as the Presiding Officer;"

145. That at page 33, lines 25 to 26 the words "and not being a member of the Institute" be *deleted*.

146. That at page 33, line 27 the words "and provided" be *deleted*.

147. That at page 33, line 29, *for* the words "nominated by the council from out of a panel of", the words "elected by the council amongst the" be *substituted*.

148. That at page 33, line 30 the words "to be prepared by the Council" be *deleted*.

149. That at page 33, line 32 the word "nominated" be *deleted*.

150. That at page 33, line 39, *after* the words and brackets "Director (Discipline)", the words "or upon getting the matter referred by the Board of Discipline, as the case may be" be *inserted*.

151. That at page 33, line 40, *after* the words "has been filed", the words "or the case has been referred" be *inserted*.

152. That at page 33, *after* line 43, the following be *inserted*, namely:

"Provided that the accused member or firm, as the case may be, fails to submit the written statement within the stipulated period, Disciplinary Committee shall continue with the inquiry on the basis of the available records

and all parties shall be given an opportunity of hearing and for adducing evidence."

153. That at page 33, lines 45 and 46, *after* the words and bracket "Director (Discipline)", the words", or getting the case referred by the Board of Discipline" be *inserted*.
154. That at page 34, line 1, *after* the words "member", the words "or firm" be *inserted*.
155. That at page 34, line 4, *for* the word "member", the words "indicted" be *substituted*.
156. That at page 34, *for* line 6, the following be *substituted*, namely;
 "(a) reprimand the member or the firm, as the case may be, and record it in the Register of members or Register of firms, as the case may be, or;"
157. That at page 34, line 8, *for* the words "name of member from the Register of members", the words "name of member, members or firms from the Register of members or Register of firms, as the case may be" be *substituted*.
158. That at page 34, line 24, *for* the word "fifty", the word "twenty-five" be *substituted*.

The question was put and the motion was negatived.

Clause 91 was added to the Bill.

Clauses 92 to 94 were added to the Bill.

MR. DEPUTY CHAIRMAN: In Clause 95, there are two Amendments; Amendments (Nos.161 and 162) by Shri John Brittas. Are you moving?

Clause 95 - Amendment of Section 22e

SHRI JOHN BRITTAS: Sir, I move:

161. That at page 35, line 33, *after* the words "member of the institute", the word "also" be *inserted*.

162. That at page 35, lines 40 to 43, be *deleted*.

The question was put and the motion was negatived.

Clause 95 was added to the Bill.

Clauses 96 to 100 were added to the Bill.

MR. DEPUTY CHAIRMAN: In Clause 101, there is one Amendment (No.163) by Shri John Brittas. Are you moving?

**Clause 101 - Amendment of Section 34
Coordination Committee**

SHRI JOHN BRITTAS: Sir, I move:

163. That at page 36, clause 101, be *deleted*.

The question was put and the motion was negatived.

Clause 101 was added to the Bill.

Clauses 102 to 106 were added to the Bill.

MR. DEPUTY CHAIRMAN: In Clause 1, there is one Amendment (No.1) by Shri John Brittas. Are you moving?

Clause 1 - Short title and Commencement

SHRI JOHN BRITTAS: Sir, I move:

1. That at page 1, line 9, *before* the word "provision", the word "such" be *inserted*.

The question was put and the motion was negatived.

Clause 1 was added to the Bill.

The Enacting Formula and the Title were added to the Bill.

MR. DEPUTY CHAIRMAN: Now, Shrimati Nirmala Sitharaman to move that the Bill be passed.

SHRIMATI NIRMALA SITHARAMAN: Sir, I move:

That the Bill be passed.

The question was put and the motion was adopted.

MR. DEPUTY CHAIRMAN: We shall now take up the Delhi Municipal Corporation (Amendment) Bill, 2022.

श्री संजय सिंह (राष्ट्रीय राजधानी क्षेत्र, दिल्ली): महोदय, यह गैर-संवैधानिक बिल है, मैंने इसके बारे में लेटर दिया है।...(व्यवधान)...

श्री उपसभापति: आपके लेटर का जवाब जा चुका है।...(व्यवधान)... माननीय सदस्यगण, please take your seats. मैं यह clear करना चाहता हूँ कि माननीय संजय सिंह जी का पत्र मिला था, माननीय चेयरमैन साहब के यहाँ से उसका जवाब भी गया है। अभी माननीय सदस्य शक्तिसिंह गोहिल जी का एक पत्र चेयर को मिला। दोनों सदस्यों ने यह सवाल उठाया है कि बिल का introduction यहाँ नहीं हो सकता है, लेकिन बिल तो already introduce हो चुका है, यहाँ यह consideration and passing के लिए आया है।...(व्यवधान)...That is number one. ...*(Interruptions)*... Let me complete. नंबर दो, जहाँ तक इसकी constitutional validity की बात है, तो वह हाउस तय करेगा। यह established परंपरा है, जब से आपकी संसद काम कर रही है, there are number of rulings. मैंने खुद इस पर डिटेल में रूलिंग दी है। रूलिंग से precedents भरे पड़े हैं कि इसको हाउस तय करेगा। आप डिस्कशन से तय करेंगे। यह आपको स्वीकार करना है। अगर आप उसकी legal scrutiny का सवाल उठाते हैं, तो उसको judiciary तय करेगी and not the Chair. चेयर को यह अधिकार नहीं है।...(व्यवधान)...

MR. DEPUTY CHAIRMAN: No permission for other things. Nothing will go on record. ...*(Interruptions)*...

श्री संजय सिंह : *

The Delhi Municipal Corporation (Amendment) Bill, 2022

&

**Amendment for reference of the Delhi Municipal Corporation (Amendment) Bill, 2022
to a select Committee**

गृह मंत्री; तथा सहकारिता मंत्री (श्री अमित शाह) : महोदय, मैं प्रस्ताव करता हूँ:-

"कि दिल्ली नगर निगम अधिनियम, 1957 का और संशोधन करने के लिए विधेयक पर, लोक सभा द्वारा पारित रूप में, विचार किया जाए।"

* Not recorded.

श्री उपसभापति : माननीय मंत्री जी, क्या आप इस पर बोलना चाहेंगे?

श्री अमित शाह : उपसभापति महोदय, सबसे पहले तो मैं आपको धन्यवाद देना चाहूंगा कि आपने मुझे यहां इस बिल को पेश करने का और चर्चा करने का मौका दिया। महोदय, मैं जो बिल लेकर आया हूँ, यह राजधानी दिल्ली के तीनों नगर निगमों के एकीकरण के उद्देश्य से लाया गया है। मान्यवर, दिल्ली का कुल क्षेत्र लगभग 1,484 वर्ग किलोमीटर है। एनडीएमसी और दिल्ली कैन्ट को छोड़कर पूरे दिल्ली की सिविक सेवाओं की जिम्मेदारी तीन नगर निगमों की है। एनडीएमसी और कैन्ट के इलाकों को छोड़ देते हैं तो लगभग 1,484 वर्ग किलोमीटर में से 1,400 वर्ग किलोमीटर, लगभग 95 प्रतिशत क्षेत्र की जिम्मेदारी दिल्ली नगर निगम के इन तीन बांटे गए निगमों की है। लगभग 1 लाख, 20 हजार कर्मचारी सिविक सेवाओं की जिम्मेदारियों का निर्वहन करते हैं। मैं यह इसलिए बता रहा हूँ कि तीनों नगर निगमों का सुचारु रूप से काम करना कितना महत्वपूर्ण है, वह इसी से स्पष्ट हो जाता है। राजधानी के अंदर राष्ट्रपति भवन, सर्वोच्च न्यायालय, प्रधान मंत्री कार्यालय, प्रधान मंत्री निवास और ढेर सारे देशों के राजदूतों के निवास एवं उनके कार्यालय हैं और जब भी किसी देश का कोई राष्ट्राध्यक्ष आता है, तो राजधानी में उनकी मुलाकात बहुत स्वाभाविक बनती है। उस स्थिति में राजधानी की सिविक सेवाओं का महत्व और अधिक बढ़ जाता है। वह सुचारु रूप से चालू रहे, यह दिल्ली के नागरिकों के लिए और देश के लिए भी बहुत महत्वपूर्ण है। मान्यवर, मैं जो संशोधन लेकर आया हूँ, उस पर मैं सभी सदस्यों के विचार सुनने के बाद जवाब दूंगा। उसके पहले मैं इसका एक इतिहास बताना चाहता हूँ। महोदय, वर्ष 1883 से Punjab District Board Act के तहत यह नगर निगम काम करता था। वर्ष 1957 में एक कानून के द्वारा दिल्ली का municipal प्रशासन establish किया गया। वर्ष 1993 और वर्ष 2011 में इसको amend किया गया और वर्ष 2012 में राष्ट्रीय राजधानी क्षेत्र, दिल्ली शासन द्वारा दिल्ली नगर निगम संशोधन अधिनियम लाकर दिल्ली नगर निगम को तीन निगम इकाइयों में बांट दिया गया, उत्तरी दिल्ली नगर निगम, दक्षिणी दिल्ली नगर निगम और पूर्वी दिल्ली नगर निगम। तीन निगमों में बांटने के कारण को मैंने गृह मंत्रालय में बहुत खंगाला, मगर किसी भी फाइल पर कोई कारण उपलब्ध नहीं हुआ। एक प्रकार से यह बिल आनन-फानन में लाया गया था। यह किस उद्देश्य से लाया गया था, इसके बारे में वही बता सकते हैं, जो इसे लाए थे, परंतु रिकॉर्ड पर इसके कोई उद्देश्य उपलब्ध नहीं हैं। मान्यवर, 10 साल हो गए हैं, जो अनुभव आया है, वह अलग प्रकार का है। स्वाभाविक रूप से जब ये निगम बांटे गए होंगे, इनका बंटवारा हुआ होगा, तो उद्देश्य अच्छा ही रहा होगा, सेवाओं के सुधार का रहा होगा, दिल्ली की सिविक सेवाएं और अधिक मजबूत हों, ऐसा उद्देश्य रहा होगा, परंतु परिणाम ऐसा नहीं आया।

4.00 P.M.

ऐसे परिणाम न आने के क्या कारण हैं? इसमें चार मुख्य कारण नज़र आए हैं। पहला, तीनों नगर निगमों द्वारा जो नीतियां अपनाई जा रही हैं, वे अलग-अलग हैं। एक ही शहर में नीतियों की दृष्टि से एकवाक्यता नहीं है। वह क्यों नहीं है, क्योंकि जब तीनों नगर निगमों को बांटा गया, तब उसके वित्तीय संसाधन और दायित्व का ठीक से आकलन नहीं किया गया। मैं सभी रिकॉर्ड देखकर जिम्मेदारी के साथ इस सदन को बता सकता हूँ कि नगर निगम वित्तीय रूप से sustain ही नहीं हो

सकता है। इस प्रकार से उसका बंटवारा किया गया। अब जब वे वित्तीय रूप से sustain नहीं हो सकते हैं, वे अपना काम नहीं कर सकते हैं, तो उनको टैक्स को restructure करना पड़ेगा, नीतियों में भी बदलाव लाना पड़ेगा, क्योंकि अपने आपको रोज चलाना है। एक ही शहर में अलग-अलग प्रकार के नीति-नियमों से तीनों निगम चलते हैं। कार्मिकों की सेवा की स्थितियों में भी असमानता है, जिसके कारण तीनों निगम के कार्मिकों के बीच बहुत गहरा असंतोष है। मैं कहना चाहूंगा कि यह अच्छी स्थिति नहीं है। मैं चौथे कारण के बारे में भी बताना चाहता हूँ कि दिल्ली सरकार का सौतेली मां जैसा व्यवहार तीनों नगर निगमों को अच्छे से काम करने से रोकता है।...(व्यवधान)...

श्री संजय सिंह :सर, ये ...(व्यवधान)...

श्री उपसभापति :माननीय संजय जी, आपकी बात रिकॉर्ड पर नहीं जा रही है।...(व्यवधान)... आप क्यों बोल रहे हैं? आपकी बात रिकॉर्ड पर नहीं जा रही है। आप बिना अनुमति के न बोलें।

श्री अमित शाह : माननीय उपसभापति महोदय, उनका विरोध करना स्वाभाविक है और मैं भी अपेक्षा करता हूँ कि ऐसा ही होगा। उनको विरोध करना भी चाहिए। परंतु जब मैं बोलता हूँ, तो मैं इसके ठोस कारण दूंगा। मेरी इनसे विनती है कि वे भी अपने जवाब में बताएं कि सौतेली मां जैसा व्यवहार किया है या नहीं किया है? मैं आंकड़ों के साथ इस सदन के पटल पर रखूंगा, क्योंकि राजनीतिक उद्देश्य से अगर राज्य की सरकारें स्थानीय निकायों के साथ सौतेला व्यवहार करेंगी, तो न पंचायती राज सफल होगा और न अर्बन डेवलपमेंट के सारे निकाय सफल होंगे। इसको राजनीतिक दायरे से ऊपर उठकर, जिसका जो अधिकार बनता है, वह देना पड़ेगा। हम भी कई सारे राज्यों में सत्ता में हैं। कई सारे राज्यों में अलग-अलग विचारधारा की, अलग-अलग पार्टियों की नीचे सत्ता है- कहीं म्युनिसिपल कॉरपोरेशन में, कहीं जिला पंचायत में, कहीं म्युनिसिपैलिटीज़ में, लेकिन कहीं पर भी हमने ऐसा व्यवहार नहीं देखा है।

मान्यवर, मैं 16 साल की आयु से सार्वजनिक जीवन में हूँ। मैंने भी ढेर सारे आंकड़ों के बारे में स्टडी की है। मगर मैं जब आंकड़ों के बारे में बताऊंगा, तो मैं चाहता हूँ कि जिसको भी मेरे स्टेटमेंट पर ऑब्जेक्शन हो, उन सभी को वास्तविकता सदन के पटल पर रखनी चाहिए। इसके कारण लगभग ढाई सौ से ज्यादा बड़ी हड़तालें हुई हैं। इसके पहले के दस साल ले लें, तो दो बड़ी हड़तालें हुई हैं। दस साल के अंतराल में कहां दो हड़तालें और कहां ढाई सौ हड़तालें हुई हैं!

श्री संजय सिंह: पन्द्रह साल से आप ही थे।

श्री उपसभापति : प्लीज़...प्लीज़।

श्री अमित शाह :मगर पन्द्रह साल से राज्य सरकार हमारी नहीं थी। दस साल से ही यह प्रॉब्लम हुई है।

श्री संजय सिंह : सर, *.

* Not recorded.

श्री उपसभापति :आपकी बात रिकॉर्ड पर नहीं जा रही है।...(व्यवधान)... आप बिना अनुमति के न बोलें, प्लीज। आपस में बीच में इस तरह से बात न करें।

श्री अमित शाह : आलोचना करने, कहने के लिए पन्द्रह साल, पन्द्रह साल - पन्द्रह साल में तो हम थे ही...(व्यवधान)... हड़ताल नहीं होती थी। 'आप' पार्टी की सरकार द्वारा सौतेला व्यवहार करने के कारण इन हड़तालों की संख्या बढ़ी है।...(व्यवधान)...

श्री उपसभापति: आपकी बात रिकॉर्ड पर नहीं जा रही है।...(व्यवधान)... आपकी बात रिकॉर्ड पर नहीं जा रही है।...(व्यवधान)... आप बिना चेयर की अनुमति के न बोलें। माननीय मंत्री जी।

श्री संजय सिंह :सर, * .

श्री उपसभापति: आपकी बात रिकॉर्ड पर नहीं जा रही है।...(व्यवधान)...

श्री अमित शाह: मान्यवर, आलोचना करने के लिए सदन होता है। जितना आलोचना करने का अधिकार इनका है, उतना ही मेरा है। मैं कर सकता हूँ और आप जवाब भी दे सकते हैं, मगर बीच में टोका-टोकी से नहीं दे सकते हैं। आपकी पार्टी को जो समय मिला है, उसमें आप तथ्यों के साथ बताइएगा। मैं उसका जवाब जरूर दूंगा और मैं उसका जवाब देने के लिए बाध्य हूँ। मान्यवर, मैं फिर से कहना चाहता हूँ कि 'आप' पार्टी की चुनी हुई सरकार के सौतेली मां जैसे व्यवहार के कारण ये निगम ढंग से काम नहीं कर रहे हैं। इन तीनों निगमों के बीच में नीतियों के रूप में समानता लाना बहुत जरूरी है और कार्मिकों की सेवा की शर्तों के लिए भी समानता होना बहुत जरूरी है। आर्थिक संसाधन की प्राप्ति और उनके दायित्वों के बीच में भी संतुलन बनाना बहुत जरूरी है। वह तभी हो सकता है जब इन तीनों निगमों को एक करके पूर्ववत सीटें बहाल की जाएं। इसलिए मैं इसको लेकर आया हूँ। बहुत सारे सदस्यों ने संशोधन भी रखे हैं और मैंने ध्यान से पढ़े हैं। मैं बाद में इसका डिटेल में जवाब भी दूंगा, लेकिन पहले मेरी एक बार सभी से अपील है कि पार्टी की लाइन से ऊपर उठकर सभी लोग मेरिट्स में चर्चा करें। हमारे खिलाफ भी आप जरूर बोल सकते हैं। आराम से बोलिए, कोई चिंता का विषय नहीं है - मैं हर बात का जवाब भी दूंगा, परंतु बाद में आपको मेरा जवाब भी सुनना चाहिए, धन्यवाद।

MR. DEPUTY CHAIRMAN: There are two Amendments by Shri John Brittas and Shri Sukhendu Sekhar Ray for reference of the Delhi Municipal Corporation (Amendment) Bill 2022, as passed by Lok Sabha, to a Select Committee of the Rajya Sabha. Members may move their Amendments, at this stage, without any speech. Shri John Brittas, are you moving it?

* Not recorded.

SHRI JOHN BRITTAS (Kerala): Sir, 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".

MR. DEPUTY CHAIRMAN: Shri Sukhendu Sekhar Ray, are you moving it?

SHRI SUKHENDU SEKHAR RAY: No, Sir, I am not moving it.

The questions were proposed.

MR. DEPUTY CHAIRMAN: The Motion for consideration of the Bill and the Amendment moved are now open for discussion. Dr. Abhishek Manu Singhvi.

DR. ABHISHEK MANU SINGHVI (West Bengal): Hon. Deputy Chairman, Sir, distinguished Members of this distinguished august House, as I rise to oppose this Bill, I would, at the outset, like to say, among other things, four things about this Bill. It is constitutionally suspect; it is legally untenable; it is administratively blunderous; and it is politically hypocritical. And, I will shortly make good each of these four heads. But, at the outset, let me also say with deep respect to hon. Members that this Bill is about control, more control, and more control by a control freak *sarkar*. It has nothing to do with the improvement of the plight of Delhi or its hapless citizens. This is a dangerous politics of delay through delimitation, going to lead to disorder, disorganization, and disaster. Unfortunately, the ruling party, which is moving this

Bill, wants to rampage amongst the MCDs, in addition to the above three Ds to create also the three Cs -- control, chaos, and corruption.

Now, friends, let me make my four heads good one-by-one. Number one, why is it constitutionally suspect? Let me concede in favour of the ruling party, the hon. Home Minister is here, that Article 239AA of the Constitution, which this Bill invokes, gives special powers to Parliament. There is no doubt about it. You must remember that Delhi is the only entity in India, which is constitutionally given a legislature, none other -- neither Puducherry, nor earlier Goa, etc. etc. I will further concede that Delhi NCT can make no law at all for three subjects -- land, law and order, etc. They cannot touch these. It is beyond their jurisdiction. I will further concede that if Delhi makes a law in other areas, other than these three, then the Central Government, if it acts on the same field, will override, of course, subject to Presidential assent. Subject, of course, to Presidential assent, which, in view of the Central Government's recommendation, will never be given. So, I concede these three points in favour of the Central Government. But, now, why is this Bill constitutionally suspect, indeed, unconstitutional? Why? Because, we forget, firstly, that we are dealing with 'Municipalities', that is the subject. This subject was created by a special Amendment to the Constitution, the 74th Amendment, with effect from 1993, 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, Part 9 is Panchayats and Part 9A is Municipalities, you will find that the entire provisions 243Q, 243R, 243S, 243T, 243U,...it goes on beyond 243Z, all of them on the basis of decentralization give power to make laws only to a State Government for Municipalities.

Number three, Parliament has overriding powers. It has overriding powers under which provision, Sir? Under 239AA. When did 239AA come? It came in 1992 - - you overrode that by a subsequent Constitution Amendment, the 74th Amendment, in 1993. Now, where does that leave us? You have a later constitution Amendment, 1993, and, secondly, you have a special constitution Amendment for Municipalities. A first year student of Law knows that a later and a special law overrides an earlier and a general law. So, Sir, I call it constitutionally suspect, it is legislatively incompetent. Of course, it will be challenged. But this approach of the Government that अभी तो पास कर दो, बाद में देखा जाएगा hardly behoves a supposedly responsive or responsible Government. That is my first point.

My second point, the second head, is that this Bill is administratively blunderous and it assumes that the *janata* of India and Delhi eats grass. If improvement of MCD was the object, as the hon. Home Minister has just said, and I am sure he will give more facts and figures, then, can he tell us how the admitted revenue gap of Rs.2,200 crores just a year ago in these Municipalities -- all together, that is salary and other pension bill and other expenses of Rs.8,940 crores -- these are official figures, Sir -- minus earning of Rs.6,725 crores, deficit is Rs.2,200 crores -- will be bridged by this Bill? Is there a single provision in this Bill, any policy, which will improve this? So, this is supposed to be a Bill for improvement!

Secondly, will he tell us how own Finance Commission of the Central Government has recommended a devolution of Rs.488 per person per year, for every municipality in India? 488 रुपया प्रति व्यक्ति, प्रति वर्ष। For Delhi, that comes, for the current year or a year ago, to Rs.4,087 crores. Sir, did you, as the Central Government, give Rs.4,087 crores to the Municipalities of Delhi? If you check up, you gave to a lot of other Municipalities, not the full amount, but you gave, but not to Delhi. Then, it is estimated that if you add up what you have not given to the Delhi Municipalities for the last 10-odd years -- I am only taking 10 or 11 years -- the amount is about Rs.12,000 crores and you are saying improvement! You are first starving somebody and, then, saying he should be a healthy, bonny child. You are giving him no water and food and you are saying that we are improving them.

Sir, thirdly, have you 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 1.2 million. यानी 12 लाख, लेकिन इसके एक तिहाई, चार लाख पर आप प्रॉपर्टी टैक्स करते हैं। Your own statement is that this Bill will improve by garnishing an additional Rs.200 crores. This is your own estimation. And, the gap is Rs.2,200 crores in one year. So, is this an improvement Bill? So, is this an improvement Bill? It is not an improvement Bill. Sir, we have to accept it, and I say it with fact. When I started my law practice, we were told that 'DDA' stood for 'Don't Do Anything' Authority. It is much better if you go to their parks now; sports parks are very good. Sir, if you call it 'MCD', the 'Most Corrupt Department', MCD, that would not be a wrong acronym.

Sir, if you put on the top of this Bill, photographs of the mountains of garbage, if you put on the photographs of this Bill the agony of *Aam Aadmi* or the middle-level

person who goes to the office of MCD, then you will realize that this Bill is nothing but political hypocrisy. सर, मेरा तीसरा पहलू यह है कि यह किसी भी प्रकार से सुधार का बिल नहीं है, बल्कि यह राजनैतिक आडंबर से ओत-प्रोत एक विलंब एवं बाधा डालने वाली चाल चली गई है। यह राजनैतिक भय से प्रेरित है, इसका परोक्ष उद्देश्य है, जो स्पष्ट रूप से कहा नहीं गया है। * यदि एकीकरण करना ही था, तो क्यों लगा दिए सात साल या दस साल?' महोदय, इसका कोई जवाब नहीं है। जिस दिन प्रदेश के चुनाव आयोग ने घोषणा कर दी थी कि इस वक्त, इस दिन हम चुनाव की घोषणा करने वाले हैं, उससे एक दिन पहले किस विशेष दुष्प्रभाव से आपने उनसे एक और घोषणा करवा दी कि हम सब कुछ स्थगित करते हैं?..(व्यवधान)..मान्यवर, क्या यह इसलिए है कि आपने हर संस्था पर सफलता से दुष्प्रभाव डालने की पीएचडी की हुई है? मैं कहता हूँ कि *

सर, 272 से 250 करने का औचित्य क्या है, जो आपने इसमें किया है? इसका क्या तुक हो सकता है? क्या 272 से 250 करना एक जादुई बटन है, कुशासन से सुशासन की तरफ एक यात्रा है कि आपने 272 को 250 कर दिया? सर, इसका उद्देश्य केवल एक ही है। अगर, आपने दो सीटें भी कम की होतीं, तो डीलिटेशन की आवश्यकता होती और डीलिटेशन का मतलब है विलंब, बाधा। क्या यह राजनैतिक आडंबर नहीं है? किस रूप में 272 से 250 बनाने से, एक जादुई छड़ी से यह पूरा एमसीडी - अगर इसका एकीकरण भी हो गया, तो भी इसमें सुधार हो जाएगा - यह हमें नहीं बताया जा रहा है। सर, हमारी नहीं सुनते हैं, तो कम से कम संविधान की सुन लीजिए और उच्चतम न्यायालय ने अहमदाबाद कॉरपोरेशन के विषय में जो कहा था, उनकी सुन लीजिए। यह तो विशेष है, क्योंकि अहमदाबाद, गुजरात से है। जहाँ तक अनुच्छेद 243U का सवाल है, आप ज़रा उसे उठाकर पढ़ लें, मैं उसको क्वोट कर रहा हूँ : "Every Municipality unless sooner dissolved -- it is a constitutional provision brought in 1993, the 74th Amendment -- shall continue for five years from the date appointed for its first meeting and no longer." और दूसरा, यह तो dissolution का आया है, आपका केस dissolution का नहीं है, "An election to constitute a Municipality shall be completed before the expiry of its duration specified above." यह सीधा लागू है। जिस दिन आप चुनाव के कार्यक्रम की घोषणा कर रहे थे, उस दिन आपने यह घोषणा करवा दी, "or before the expiry of six months from the date of its dissolution." एक्सपायरी है, तो आपको उसकी एक्सपायरी - शायद इसकी तारीख मई में है, उससे पहले आपको घोषणा का चुनाव करना पड़ता। ..(व्यवधान)..

महोदय, नंबर छह - जैसा कि मैंने कहा कि संविधान नहीं पढ़ते हैं, तो कम से उच्चतम न्यायालय को तो पढ़ लीजिए। 2006 में किशन सिंह तोमर नाम से एक निर्णय है, जो अहमदाबाद म्युनिसिपल कॉरपोरेशन के विषय में है। यह 243U का प्रावधान, जो मैंने पढ़ा है, उस पर उच्चतम न्यायालय ने कहा है कि यह संविधान में विलंब को हटाने के लिए बनाया गया है, म्युनिसिपैलिटी में चुनाव नहीं होते थे - यह उनको करवाने के लिए बनाया गया है। इस पर उन्होंने फिर कहा है कि

* Expunged as ordered by the Chair.

इसका एक ही अपवाद होता है - कोई गंभीर और व्यापक प्राकृतिक विपदा, प्राकृतिक विकृति। इसके आगे भी कहा गया है, यह मैं नहीं बोल रहा हूँ, सुप्रीम कोर्ट बोल रहा है - भूकंप, कोई बहुत बड़ी बाढ़ इत्यादि और ये भी व्यापक और गंभीर होने चाहिए। And the Supreme Court said, "it is a constitutional imperative to have elections on time." आप यह कर रहे हैं!

मान्यवर, आप सब जानते हैं कि आप 243U को संशोधित नहीं कर रहे हैं और न आसानी से कर सकते हैं। आप यह भी जानते हैं कि 7 वर्ष से आपने पुनर्निर्माण करने की बात नहीं की है। क्या 10 वर्ष से MCDs ने कोई काम नहीं किया? आप यह भी जानते हैं कि आपने इतने सालों से एकीकरण का नाम भी नहीं लिया। इसलिए आपने चुनाव के एक-डेढ़ महीने पहले यह जादुई छड़ी घुमा दी। क्या यह राजनीतिक आडंबर नहीं है, जो मेरा तीसरा हेड है? मुझे याद आता है, बाबा साहेब अम्बेडकर ने एक बड़ी famous किताब लिखी थी - 'Grammar of Anarchy'. I quote, Sir, -- "I do feel, however good a Constitution may be, it is sure to turn out to be bad because those who are called to work it happen to be a bad lot." क्या आप इतिहास के 'bad lot' में जाना चाहते हैं? मैं समझता हूँ कि कोई भी जिम्मेदार सरकार यह नहीं चाहेगी। MCD का एकीकरण तो सिर्फ बहाना है, दरअसल भाजपा को खुद की anti-incumbency से बचाना है। इसलिए यह गलत नहीं होगा, अगर आप इसको BNP पार्टी कहें, 'भारतीय जनता पार्टी' की जगह 'भारतीय नियंत्रण पार्टी', 'control freak party'. येन केन प्रकारेण, किसी तरह से सत्ता में रहना है, संविधान का हनन हो या न हो।

Sir, my fourth and last point is, it is legally untenable. I say this for the following reason. We give the highest importance to decentralization. In fact, decentralization is another name for federalism. I am digressing for a second, Sir. It is very interesting that the word federalism or federal is not used anywhere in our Constitution, which is the world's second or third largest Constitution. The word federal is used in federal courts, but संघीय ढाँचे की बात नहीं है, at not even a single place. Yet, it is interesting that without using federalism or federal, the Supreme Court has held federalism to be a part of our Basic Structure. Basic Structure means that if you, by a constitutional amendment, wish to take away federalism, you can't do it even then.

Now, Sir, I am asking this question. Parliament enacted Part 9 for Panchayats and Part 9A for Municipalities in 1993 by the 73rd and 74th Amendments. It gives a huge impetus to decentralization, local self-governance pursuant to the L.M. Singhvi Commission Report on this issue. Para after para of the 2018 Supreme Court's Constitution Bench of five Judges -- I don't have the time to read to you the paras, but I would give the para nos. for those who are interested -- they are 4, 52, 54, 56 - - said "The main purpose of representative Government is to represent the public will, perception and popular sentiment." Then, they say, "In a representative

democracy, it is necessary that elected representatives developed a sense of belonging with the constituents."

Sir, by contrast, have you not driven a coach and four through this? Have you not decimated the spirit and the letter of Parts 9 and 9A of the Constitution? You are governing Delhi's municipalities -- Delhi has no Panchayat as such, it is an urban area -- the lowest level of governance, with a *hukumnama* from Delhi, or a *farmaan* from a distant emperor with no regard for ground realities of decentralized governance. You are excluding the Government, whosoever may be the Government of Delhi, from participatory governance. Then, Sir, I would tell you why I said, it is legally untenable. There is a very nice clause that we have got in this Bill, 2(b), which says, "Government everywhere shall mean Central Government." मैंने 'control freak' कहा था, आपको याद है, 'control freak सरकार'। This clause which you have put here says that it applies to 19 provisions, as I counted it. It says that the term Government used at 19 places shall mean Central Government -- 3(a), 5, 55, 56, 193. ये कौन से प्रावधान हैं? These are those provisions that provide for creation and division of wards, creation and division of zones, complete control over the Commissioner, his own salaries, loans, general superintendence regarding building plans. These are the words of the Government. आपने कहा कि सब जगह उसको 'Central Government' पढ़िए। Is this decentralization? Are these Parts 9 and 9A of the 73rd and 74th Constitutional Amendments? Is this devolution of powers?

Sir, before you abuse the late lamented Sheela Dikshit, remember that there was an India that was born, thought and acted before the BJP came to power. Most people have not noticed this. The Balakrishnan Committee recommended the trifurcation in 1989. जिसको आप किसी सरकार का knee-jerk reaction समझते हैं, I am sorry; it was not in 1987. Balakrishnan Committee was in 1989. Then, the Virendra Prakash Committee recommended in its Report of February, 2001, splitting it into four Corporations. Then in 2011, a Group of Ministers of the Central Government recommended splitting it into five corporations. That may be right or wrong, but it was not a knee-jerk reaction and it has stood the test of time. My time is limited. Let me wind up by saying. With all this background, the Statement of Objects and Reasons of this Bill uses almost Alice in Wonderland language. It is long on rhetoric and short on substance. I have given you the amount of money you have deprived and starved of the MCDs; I have given you the fact that all Municipalities require Central Government's funds. After roughly eight years of your governance in the MCDs; you are the people there, you are able to say with a straight face in the

Statement of Objects and Reasons of this Bill which you are asked to pass. Your Statement of Objects and Reasons says, "There was a huge gap in resources available to three Corporations." Then you say, "This gap has widened increasing the financial difficulties of the MCDs." यह तो बड़ी Alice in Wonderland जैसी बात है कि केन्द्रीय सरकार भी आपकी है, MCD में भी आप ही हैं। Finance Commission कहता है कि Rs.488 per person, per year देना है। ...**(समय की घंटी)**... Just one minute more. Therefore, I would say with respect कि यह बात गलत नहीं है कि

*"हम आह भी भरते हैं, तो हो जाते हैं बदनाम,
वो क़त्ल भी करते हैं, तो चर्चा नहीं होता।।"*

When you talk of 272 to 250, delimitation or the election postponement, do you talk of the corruption in the MCD under your watch? Do you talk of mountains of garbage? Do you talk of annual Rs.2,200 crore deficit? Do you talk of non-remittance of the Central Government funds? You don't talk of any of this. Where is the improvement going to be by just making a 'जादुई छड़ी' of 272 to 250 or saying trifurcation into unification? Therefore, I can only quote the words immortalised by the late lamented Sushma Swarajji, and I end with that:

*"तू इधर-उधर की न बात कर, ये बता कि काफ़िला क्यूं लुटा,
मुझे रहजनों से गिला नहीं, तेरी रहबरी का सवाल है।"*

डा. सुधांशु त्रिवेदी (उत्तर प्रदेश) :माननीय उपसभापति महोदय, आज मैं यहां माननीय गृह मंत्री जी द्वारा प्रस्तुत, 'दिल्ली नगर निगम (संशोधन) विधेयक, 2022' के समर्थन में खड़ा हुआ हूं।

महोदय, हम एकीकरण के पक्ष में हैं, लेकिन वे विभाजन के पक्ष में हैं। हम सदैव अखंडता के पक्ष में रहते हैं, वे खंडता के पक्ष में रहते हैं। यह तो हमारी और उनके बीच की सोच का एक सतत अंतर है। अभी हमारे एक विद्वान मित्र ...**(व्यवधान)**...

श्री उपसभापति :कृपया आपस में बात न करें।

डा. सुधांशु त्रिवेदी : हमारे विद्वान मित्र, डा. सिंघवी जी, who is a very learned, legal luminary and in a very intellectually loaded initial speech, he has used certain words like 'suspect', 'incompetence', 'control freak', 'chaos', 'political blunder'. मुझे ऐसा लगा कि शायद शब्दों का समायोजन उन्होंने जो भी किया हो, लेकिन मूल रूप से कहीं ये उनकी पार्टी के भाव से ही आ रहे थे। मुझे लगा कि अगर यह समायोजन किया जाए, that an incompetent suspect, in a penchant to have full control, committed a political blunder and plunged

the party into chaos. तो मुझे लगता है कि ज्यादा बेहतर रहेगा। यहां मैं एक बिन्दु पर और ध्यान दिलाना चाहता हूँ। उपसभापति महोदय, आज 5 अप्रैल है और आज के दिन का एक महत्व है। आज से 11 साल पहले, 4 और 5 अप्रैल को ही अन्ना आन्दोलन शुरू हुआ था और दिल्ली की राजनीति में उसका बहुत महत्वपूर्ण स्थान था। हमारे जो दो प्रमुख विपक्षी दल हैं, एक जो कांग्रेस पार्टी थी, उनके लिए वे खलनायक थे, जिन्हें जेल भी भेजा जा सकता था और दूसरी पार्टी, जो आज दिल्ली में सत्ता में है, उनके लिए वे गुरु थे, प्रेरणा के स्रोत थे, पितृ पुरुष थे, लेकिन उन्हें बरगलाया जा सकता था। क्योंकि यह उन्होंने कहा कि उन्हें बरगलाया जा सकता था, तो मैं यह कहना चाहता हूँ कि दोनों ने ही गुरु माना, आपकी पार्टी में एक थे, जो बहुत गुरु-गुरु कहते थे, उन्होंने आपको निपटा दिया और इधर जो गुरु के चेले थे, उन्होंने गुरु को निपटा दिया। ...**(व्यवधान)**... हिन्दी में एक कहावत है.....**(व्यवधान)**... मैंने किसी का नाम नहीं लिया। ...**(व्यवधान)**... उपसभापति महोदय, मैंने किसी का नाम नहीं लिया।

श्री उपसभापति : जब आपका समय आएगा, आप तब बोलिये। ...**(व्यवधान)**..

डा. सुधांशु त्रिवेदी : हिन्दी में एक कहावत है ...**(व्यवधान)**...

श्री उपसभापति : जिसका जो समय है, उसी के अनुसार बोलें।...**(व्यवधान)**...

डा. सुधांशु त्रिवेदी : हिन्दी में एक कहावत है - 'गुरु गुड़ रह गये, चेला शक्कर हो गये।' तो वह यहां पर दिखाई पड़ती है। ...**(व्यवधान)**... मैंने किसी का नाम नहीं लिया है, समझने वाले समझ रहे हैं। ...**(व्यवधान)**...

श्री उपसभापति : प्लीज़, आपकी कोई बात रिकॉर्ड पर नहीं जा रही है।

डा. सुधांशु त्रिवेदी : अब मैं यह कहना चाहता हूँ कि इस विषय के ऊपर जो इन्होंने बात कही, इस एकीकरण के तीन डायमेंशंस हैं, जिनकी इस विषय के ऊपर चर्चा होनी चाहिए - एक संवैधानिक है, एक व्यावहारिक है और एक राजनीतिक है। संवैधानिक दृष्टि से बहुत सी बातें डा. अभिषेक मनु सिंघवी जी ने कहीं। यहां पर मैं कहना चाहता हूँ कि माननीय गृह मंत्री जी ने जब लोक सभा में इसका उत्तर दिया, तो उन्होंने बहुत साफ कहा कि इस संविधान प्रदत्त व्यवस्था के द्वारा ही यहां इसमें परिवर्तन किया जा रहा है। संविधान के जिन अनुच्छेदों 246 और 256 का वे उल्लेख करते हैं, वे पूर्ण राज्यों पर लागू होते हैं। दिल्ली के संदर्भ में संविधान की धारा-239एए बहुत स्पष्ट है और मैं सदन के सुलभ संज्ञान के लिए यह स्पष्ट कर देना चाहता हूँ कि The Constitution of India, Article 239AA, Special provisions with respect to Delhi, क्लियर कट कहता है - "Provided further that nothing in this sub-clause shall prevent Parliament from enacting at any time any law with respect to the same matter including a law adding to, amending, varying or repealing the law so made by the Legislative Assembly." तो संविधान की व्यवस्था के अंतर्गत जो संसद को प्रदत्त अधिकार हैं, उन्हीं के अनुरूप हमारी सरकार

ने यह काम किया है। इतना ही नहीं, जो लोग आज यह कहते हैं कि सरकार को यह अधिकार नहीं होना चाहिए, वही लोग जनवरी, 2016 में जब हाई कोर्ट ने यह पूछा था कि एमसीडी किसके हाथ में है - मैं कोर्ट का वह उद्धरण भी क्वोट करना चाहता हूँ। In January 2016, when the High Court asked as to who controls the Municipal Corporation of Delhi, अब समझिये, राज्य सरकार क्या जवाब देती है। Delhi Government, in response said that MCD did not come under it but if court directs, they are willing to take over control of the corporation. यानी वे स्वयं तो कह रहे हैं कि हमारे अंदर नहीं हैं, मगर हमारी इच्छा है कि यह मेरे अंदर आ जाए, यह कोर्ट के सामने वे व्यक्त कर रहे हैं।

महोदय, जहां तक उपराज्यपाल के अधिकारों की बात है, तो 1991 में राष्ट्रीय राजधानी क्षेत्र का जो एक्ट बना था, उसी के अनुसार उप-राज्यपाल को जो प्रदत्त अधिकार हैं, जो कांग्रेस शासन के समय में मिले थे, उन्हीं के अनुसार हमारी सरकार ने काम किया है और वे अधिकार एक बार सुप्रीम कोर्ट के द्वारा रिव्यू भी हुए हैं।

[उपसभाध्यक्ष (डा. सस्मित पात्रा) पीठासीन हुए]

रिव्यू होने के बाद एक प्रकार से आप कह सकते हैं कि उन अधिकारों की वेटिंग हुई है, उसके द्वारा दिल्ली के उपराज्यपाल या एलजी को यह अधिकार प्राप्त है। अब प्रश्न यह उठता है कि जब किसी को अधिकार प्राप्त होते हैं, तो वह क्या करता है? उनको अधिकार प्राप्त थे, गृह मंत्री जी ने अभी संकेत किया कि क्या किया था मगर हमें अधिकार प्राप्त हुए, तो माननीय प्रधान मंत्री जी ने उसी प्रदत्त अधिकार का प्रयोग करते हुए 36 लाख बेसहारा लोगों, झुग्गी-झोंपड़ियों में रहने वाले लोगों को स्थाई मकान देने का काम किया। ये लोग संवैधानिक प्रावधानों के प्रति कितना ईमानदार है, यह इस बात से पता चलता है कि उसी न्यायालय ने यह कहा कि वित्त आयोग का गठन सरकार करेगी और उसके द्वारा निर्धारित पैसा एमसीडी को मिलेगा। मगर कांग्रेस के दौर-ए-हुकूमत में भी 2012-13 में चौथे वित्त आयोग ने 11,323 करोड़ रुपये एमसीडी को देने की संस्तुति की, परंतु उन्होंने वह नहीं दिया। आज जो सरकार दिल्ली में बैठी हुई है, इसके स्वयं के वित्त आयोग ने यह संस्तुति की कि 40,500 करोड़ रुपये निकायों को चलाने के लिए देने चाहिए। वह तो छोड़िये, सदन में यह प्रस्ताव किया कि हम इतना नहीं देंगे, हम 17 हजार करोड़ रुपये देंगे, परंतु जब देने की बात आई, तो मात्र 6,129 करोड़ रुपये दिये। इसीलिए गृह मंत्री जी ने उस शब्द का प्रयोग किया कि एक सौतेला व्यवहार राज्य सरकार के द्वारा एमसीडी के साथ किया गया। इतना ही नहीं, जब यह विषय हाई कोर्ट में गया, तो हाई कोर्ट ने स्पष्ट निर्देश दिया कि सरकार को स्वयं अपने वित्त आयोग से जो राशि निर्धारित की है, वह उन्हें देनी चाहिए। मैं हाई कोर्ट को क्वोट कर रहा हूँ, उन्होंने लिखा - "We, accordingly, allow this application, and direct the GNCTD to release, in the current financial year, the remaining amounts due towards BTA to the three Corporations on the basis of their own Revised Estimates presented in the Budget for the year 2021-22." यानी हाई कोर्ट ने यह कहा कि आपने अपने बजट में जो

प्रावधान किया है, कम से कम इसे उसके अनुसार कर दीजिए, परन्तु इसके बावजूद भी उतना पैसा नहीं दिया गया, केवल 674 करोड़ रुपये दिये गये।

महोदय, कुछ लोग संवैधानिकता की बात करते हैं। मैं विनम्रता से कहना चाहूँगा कि जिन लोगों ने CAA को लेकर अपनी विधान सभाओं में प्रस्ताव पारित किये, क्या वह संवैधानिक था? क्या विदेश सम्बन्धी किसी विषय के ऊपर कोई विधान सभा प्रस्ताव पारित कर सकती है? अभी एमसीडी को लेकर अभिषेक मनु सिंघवी जी बात कर रहे थे। क्या राज्य सरकार के द्वारा प्रस्तावित किसी एक्ट के विरुद्ध म्युनिसिपैलिटी को अपने सदन में प्रस्ताव पारित करने का अधिकार है? नहीं है। तो जिन लोगों ने संविधान का मखौल उड़ाया, वे आज संवैधानिकता की बात करते हैं, तो इस बात को लेकर बहुत आश्चर्य होता है। हाँ, मैं एक बात जरूर कहना चाहता हूँ। जब किसी लॉ के पास होने की बात होती है, तो अभी हाल के दिनों में एक बड़ी मजेदार बात हुई। Farm Laws आये, किसान सम्बन्धी कानून आये। सबसे पहले जिस राज्य की विधान सभा ने उनके विरुद्ध प्रस्ताव पारित किया, वह था पंजाब और वे साफ हो गये, लेकिन गलती से ही सही, जिस विधान सभा ने सबसे पहले उसके समर्थन में प्रस्ताव पारित कर दिया था, आम आदमी पार्टी की दिल्ली की सरकार ने, वे पंजाब में छा गये। तो अब आप सोचिए कि कई बार आप सोचते हैं कि आपने जो लॉ पारित किया है, वह क्या किया है, वह सही है या गलत।

इन्होंने इस बिल से चुनाव का विषय भी जोड़ने का प्रयास किया। मैं कहना चाहता हूँ कि जो आम आदमी पार्टी की सरकार है, मुझे ऐसा लगता है कि चुनावों में उसने एक अप्रतिम काम किया है। शायद चुनाव आयोग ने उनको जो चुनाव चिह्न दिया है, वह बड़ा उपयुक्त दिया है। या तो वे झाड़ू फेर देते हैं या अपने ऊपर झाड़ू फिरवा लेते हैं, बीच की कोई स्थिति नहीं रहती है। जैसे, पंजाब में उन्होंने झाड़ू फेर दिया, मगर गोवा में 39 में से 35 सीटों पर जमानत जब्त हो गयी, उत्तराखंड में 70 में से 68 सीटों पर जमानत जब्त हो गयी, दोनों जगहों पर उनके मुख्यमंत्री कैंडिडेट्स की भी जमानत जब्त हो गयी और उत्तर प्रदेश में तो ये जितनी सीटों पर लड़े, सब पर जमानत ही जब्त नहीं हुई, उपसभाध्यक्ष महोदय, बल्कि 0.35 प्रतिशत वोट्स ही मिले, जो कि NOTA से भी कम थे। तो मुझे यह लगता है कि ...(व्यवधान)... मुझे यह लगता है कि ...(व्यवधान)...

श्री संजय सिंह: सर ...(व्यवधान)...

डा. सुधांशु त्रिवेदी: बिल के संदर्भ में चुनाव का विषय इनकी पार्टी के द्वारा लाया गया। ...(व्यवधान)...

उपसभाध्यक्ष (डा. सस्मित पात्रा) : प्लीज़, प्लीज़। ...(व्यवधान)... प्लीज़, प्लीज़। ...(व्यवधान)...
माननीय संजय जी, प्लीज़। ...(व्यवधान)...

डा. सुधांशु त्रिवेदी : मैं बता रहा हूँ। ...**(व्यवधान)**... ऐसा लगता है कि चुनाव में ...**(व्यवधान)**... चुनाव का विषय इनकी पार्टी की तरफ से लाया गया है कि आप चुनाव को टाल रहे हैं। 'चुनाव' शब्द इनकी पार्टी के द्वारा लाया गया, हमारे द्वारा नहीं लाया गया, इसलिए मैं 'चुनाव' शब्द पर जवाब दे रहा हूँ। ...**(व्यवधान)**... हकीकत यह है, लगता है कि उत्तर प्रदेश में सपा, बसपा पर तो बुलडोज़र चला, लेकिन इन पर तो vacuum cleaner चल गया। एकदम, पता नहीं कहाँ-कहाँ पर जो रह गये थे, वे भी निकल कर साफ़ हो गये।

महोदय, अब मैं यह कहना चाहता हूँ कि जब हमने एकीकरण का यह प्रयास किया है, तो क्यों किया है। आज भारत दुनिया की एक उभरती हुई वैश्विक महाशक्ति है। यह हमारी राष्ट्रीय राजधानी है। राष्ट्रीय राजधानी के मामले में कोई और ऐसा उदाहरण हमारे विद्वान सदस्य बतायें कि क्या दुनिया में कोई दूसरा ऐसा देश है, जिसकी राष्ट्रीय राजधानी में कोई एक mayor नहीं है, जबकि हमारे यहाँ तीन mayors हैं। अगर कभी आवश्यकता पड़ी, तो दिल्ली का representation अंतरराष्ट्रीय स्तर पर कैसे होगा? मैं कांग्रेस के लोगों को याद दिलाना चाहता हूँ कि 2007 का वर्ष था। United Nations में दिल्ली के mayor के रूप में जो प्रतिनिधित्व करने के लिए गयीं, तब हमारी ही पार्टी की mayor थीं। प्रणब मुखर्जी जी भी वहाँ उपस्थित थे, चिदम्बरम जी भी वहाँ उपस्थित थे और बान की-मून भी वहाँ उपस्थित थे, जो कि संयुक्त राष्ट्र संघ के सेक्रेटरी जनरल थे। उसमें दिल्ली ने अपना presentation किया। आज आपने ऐसी स्थिति बना दी कि अगर दिल्ली का अंतरराष्ट्रीय स्तर पर कभी प्रतिनिधित्व करना हो, तो वह संभव ही नहीं था। दो MCDs तो ऐसी बनायीं थीं कि उनके लिए अंतरराष्ट्रीय मानकों पर स्थापित होने की सम्भावना ही बहुत कम थी। इसलिए मैं गृह मंत्री जी को बधाई देना चाहता हूँ कि उन्होंने अब इन तीनों का एकीकरण करके भारत की वैश्विक क्षमता के अनुरूप भविष्य में अंतरराष्ट्रीय स्तर पर दिल्ली की उपस्थिति का मार्ग प्रशस्त किया है।

महोदय, अब मैं यहाँ यह कहना चाहता हूँ कि जो division हुआ है, उसमें संसाधनों का कैसा असंतुलित विभाजन हुआ, जिसका संकेत गृह मंत्री जी ने अभी दिया। मैं इसके सिर्फ दो उदाहरण देना चाहता हूँ। East Delhi Municipal Corporation के 80 प्रतिशत से अधिक क्षेत्र या तो unauthorized या unplanned area में हैं, जहाँ revenue का बहुत ही कम source है। तो यह एक ऐसा क्षेत्र बन गया, जिसके पास बहुत कम राजस्व आयेगा, इसलिए उसके लिए sustain करना ही मुश्किल है। दूसरी तरफ North MCD में MCD के जो लगभग सभी बड़े प्रमुख हॉस्पिटल्स थे, पाँच हॉस्पिटल्स आ गये, तो उसको इनके ऊपर बहुत capital revenue खर्च करना पड़ेगा, जबकि उसके पास उपयुक्त आय का स्रोत नहीं है। जब दिल्ली एक थी, तब इसे यह विचार करके नहीं बनाया गया था कि हॉस्पिटल्स भी अलग-अलग क्षेत्र में होने चाहिए और ये भी अलग-अलग क्षेत्र में होने चाहिए। ...**(व्यवधान)**...

THE VICE-CHAIRMAN (DR. SASMIT PATRA): Please... ...*(Interruptions)*...

डा. सुधांशु त्रिवेदी : इसलिए मैं यह कह रहा हूँ। सर, अब tax payers की दृष्टि से देखें, तो East Delhi में tax payers की संख्या 2,88,000 है, North Delhi में 3,35,000 है...और South में 4 लाख, 75 हजार है। यह तो संख्या है, पर यदि गुणवत्ता, संख्या और राशि के आधार पर देखें, तो उसमें South Delhi की स्थिति बहुत बेहतर नज़र आती है, इसलिए संसाधनों का एक असंतुलित distribution हुआ, जिसकी वजह से समस्याएँ और बढ़ती चली गईं और उसमें राज्य सरकार के द्वारा न्याय भी नहीं किया गया। यदि आप दिल्ली का एक साल का बजट देखें, तो वह 75,800 करोड़ है, जिसमें MCD के लिए संस्तुति 40,500 करोड़ है और आवंटन मात्र 6,129 करोड़ है। बस, यह संख्या अपने आपमें यह बताने के लिए पर्याप्त है कि MCD के लिए किस प्रकार से न्याय किया गया और क्यों आज MCD के एकीकरण की आवश्यकता है। महोदय, यदि दिल्ली की MCD की तुलना हो सकती है, तो वह BMC से हो सकती है, क्योंकि Brihanmumbai Municipal Corporation का बजट 46,000 करोड़ रुपए है, तो उसके अनुपात में दिल्ली MCD का 40,500 करोड़ रुपए का बजट युक्तिसंगत प्रतीत होता है, परंतु यदि MCD को 6,129 करोड़ रुपए दिये जायेंगे, तो आप सोचिए कि कितनी मुश्किल होती होगी। महोदय, इसके बावजूद मैं बधाई देना चाहता हूँ कि MCD ने इन विपरीत परिस्थितियों में भी, जबकि वर्ष 2020 में 7.2 लाख बच्चे enrolled थे, वहीं वर्ष 2022 में 8.70 लाख बच्चे enroll हुए तथा 47 नए विद्यालय भी खुले। महोदय, जो दिल्ली की राज्य सरकार है, उसने दिल्ली विश्वविद्यालय से संबद्ध करीब 12 कॉलेजों के लिए स्वयं लिखकर भेजा कि हमारे पास आर्थिक संसाधन कम पड़ रहे हैं और हमारे लिए सैलेरी देना संभव नहीं है। उन्होंने इतने कम संसाधन दिए, इसके बावजूद MCD ने बहुत अच्छे ढंग से उन कॉलेजों का संचालन किया और इसके लिए वह बधाई की पात्र है। महोदय, दिल्ली के सौंदर्यीकरण का सारा का सारा भार MCD के ऊपर है। उसके द्वारा 15 हजार पार्क, 3,700 पार्कों में झूले, 5,82,000 LED lights लगाई गईं और सारा सौंदर्यीकरण किया गया तथा कोविड के दौरान छतरपुर में एक बड़ा हॉस्पिटल भी बना, जिसका उद्घाटन गृह मंत्री जी ने किया था। इसके अलावा छोटी-छोटी बातों का भी ख्याल रखा गया, जैसे उस समय मार्केट में महिलाओं के लिए pink toilets इत्यादि भी बनाने का काम किया गया, भले ही दूसरी तरफ किसी प्रकार की अव्यवस्था थी, यह अलग बात है। दिल्ली जल बोर्ड, जो कि 10 साल पहले profit में था, वह आज लगभग 57 हजार करोड़ रुपए के घाटे में है, यह अपने आप में एक अलग विषय है। तीसरी बात यह थी कि एक ही प्रकार की चीजों के लिए बहुत ज्यादा administrative paraphernalia होने की स्थिति उत्पन्न हो गई। 22 विभाग थे, जो कि 66 हो गए। तीन मेयर हो गए, 3 कमिश्नर हो गए, तीन विभाग, तीन गाड़ियाँ और अनेक प्रकार के जो सरकारी paraphernalia होते हैं, वे बढ़ते गए, जिसके कारण दिल्ली की जनता पर 150 करोड़ रुपए का अतिरिक्त अधिभार बन रहा है, जिसे सरकार ने समाप्त करने का काम किया है। इसका एकीकरण होने से काम भी बेहतर होगा। मैं इसका एक उदाहरण देना चाहता हूँ कि DCP के 12 zones हैं और वे यथावत् काम कर रहे हैं। यदि पुलिस के ज़ोन उसी हिसाब से काम कर रहे हैं, तो प्रशासनिक ज़ोन्स भी उसी ढंग से काम कर सकते हैं, इसलिए दिल्ली की जनता पर यह 150 करोड़ रुपए प्रति वर्ष के अधिभार की आवश्यकता नहीं है। महोदय, मैं यहां पर यह भी quote करना चाहूंगा कि दिल्ली सरकार ने वर्ष 2006 में Municipal Corporation के reforms के लिए एक कमेटी बनाई थी, जिसमें उन्होंने अपने एक former bureaucrat को उसका अध्यक्ष बनाया था। दिसंबर, 2020 में उस कमेटी ने

लिखा कि "That it was a biggest mistake of the then Government to break the Municipal Corporation which has led to the situation today." He said that his Committee has recommended to the then Union Government, यानी 2006 में and the Delhi Government that MCD of Delhi was not easily divisible and that its division could bring multiple problems including the geographical challenges and the inequitable distribution of the resources. इसका अर्थ यह हुआ कि आपकी सरकारों ने भी जो समितियां बनाई थीं, उनमें भी आपको जो व्यावसायिक suggestions मिले थे, उन्हें आपने पूरी तरह से नहीं माना, इसीलिए यह विभेदपूर्ण स्थिति उत्पन्न हुई, जिसकी ओर इशारा किया गया कि एक नहीं, बल्कि अनेकों strikes हुई। वर्ष 2021 में municipal staff ने जो strike की, उसमें ten different occasions पर लगभग seven million work hours का loss हुआ और जनवरी, 2006 से 2021 के बीच 52,000 employees involve हुए। महोदय, strike में 52,000 employees के involve होने को अभी तक की सबसे बड़ी strikes में शुमार किया जाता है। दिसंबर, 2020 में Mayors ने मुख्य मंत्री जी के ऑफिस के बाहर बैठकर hunger strike की, अक्टूबर, 2019 में 260 teachers ने Municipal Corporation एवं स्कूल के सामने जाकर protest किया, वर्ष 2018 में sanitation workers को protest करना पड़ा। यह कहीं न कहीं दर्शा रहा था कि किस प्रकार का भेदभावपूर्ण रवैया था और जो MCD के dues थे, वे उसे नहीं मिल पा रहे थे। महोदय, strikes लगातार हुईं। जनवरी, 2017 में, जनवरी, 2016 में एवं जनवरी, 2015 में, परंतु किसी के कान में जूँ तक नहीं रेंगी। क्यों नहीं रेंगी - क्योंकि जो पार्टी दिल्ली में थी, वह तो नई राजनीति का प्रतीक थी।

उनका कहना था कि हम नई राजनीति कर रहे हैं, इसलिए वे नई राजनीति के प्रणेता थे, तो वे नई राजनीति में कुछ सुनने को तैयार नहीं थे और उनकी नई राजनीति की 11 वर्ष की जो पूरी कथा है, वह हम कहना नहीं चाहते। अगर एक ही पंक्ति में कह दूँ, तो वे पहले कहते थे कि राजनीति में नहीं आएँगे, लेकिन आ गए। फिर वे संसद और सारी विधान सभा के लिए बड़े आपत्तिजनक शब्द का प्रयोग करते थे, असंसदीय होने के कारण मैं उसका प्रयोग नहीं कर रहा हूँ। वे वहाँ भी आ गए, उसके सिरमौर भी बन गए। शीला दीक्षित जी के लिए, अभी हमारे अभिषेक मनु सिंघवी जी तो बोल रहे थे, पर वे भूल गए कि 2013 में सारे ऑटोज के ऊपर बेईमान जैसा शब्द लिखा होता था। कहते थे कि हमारे पास तो सैकड़ों पन्नों के सबूत की बुक है, जब हम लोगों ने कहा कि कार्रवाई करो, तो कहा कि सबूत लाकर दीजिए - यह एक नई राजनीति थी। फिर कहा कि न भाजपा से समर्थन लेंगे, न काँग्रेस से समर्थन लेंगे, फिर लिखित में समर्थन माँगा। फिर कहते थे कि जन लोकपाल लाएँगे, जन लोकपाल तो छोड़िए, अपनी पार्टी में एक लोकपाल थे उनके एडमिरल साहब, उनको भी समाप्त कर दिया। फिर कहते थे कि सीएम आवास नहीं लेंगे, वह भी लिया, कहते थे कि सुरक्षा नहीं लेंगे, वह भी ली। अब वह वैगन आर कार भी नजर नहीं आती है और चार्टर प्लेन की भी आवश्यकता पड़ी, कोई बात नहीं, कहते थे कि नो वीआईपी कल्चर। याद कीजिए 26 जनवरी, 2015 का दिन, जिस दिन बराक ओबामा आए थे, उस दिन बाकायदा उनकी पार्टी की तरफ से यह कहा गया कि पूर्व मुख्यमंत्री के रूप में जो वीआईपी सीट मिलनी चाहिए थी, वह नहीं मिली। इतना ही नहीं, वे बिहार में जाकर राजद और अन्य दलों के साथ जाकर खड़े हुए।...**(व्यवधान)**...

THE VICE-CHAIRMAN (DR. SASMIT PATRA): Please, please ...*(Interruptions)*...

डा. सुधांशु त्रिवेदी : महोदय, नई राजनीति के प्रणेता, हमारे माननीय सदस्यों ने उत्तर प्रदेश में जाकर सपा से भी गठबंधन करने का प्रयास किया। उनकी जो भी आपत्ति है...(व्यवधान)...

THE VICE-CHAIRMAN (DR. SASMIT PATRA): Hon. Member, please address the Chair. ...(*Interruptions*)... माननीय सुधांशु जी, कृपया आप चेयर को एड्रेस करें। ...(*व्यवधान*)...

डा. सुधांशु त्रिवेदी : महोदय, मैं सिर्फ यह बताना चाहता हूँ कि जो लोग कहते थे कि हम नई राजनीति लाएँगे, वे आकर कैसे-कैसे रूप बदलते हुए कहाँ तक पहुँच गए। यह अन्यथा न लें, तो इनके लिए एक बिन्दु कहना चाहता हूँ :

*"खुदा जब हुस्र देता है, नजाकत आ ही जाती है,
कदम गिन-गिन के रखो, पर कमर बल खा ही जाती है।"*

ये बल खाते चले गए और ऐसा बल खाए कि इन्होंने एक नई राजनीति जरूर शुरू की कि ये पहले मानहानि का आरोप लगा देते थे, फिर माफी माँगते थे। हमारे नेता स्वर्गीय अरुण जेटली जी से भी माफी माँग चुके, नितिन गडकरी जी से भी माफी माँग चुके तथा औरों से भी ऐसा ही किया। यह एक नई राजनीति जरूर है। मैं यह मानता हूँ कि इन्होंने इस मामले में एक नई राजनीति का सूत्रपात करने में जरूर सफलता हासिल की। मगर मैं यह भी कहना चाहता हूँ कि जब बिल के विषय में बात हो रही थी, तो सरकार का किस प्रकार का संवेदनशील रवैया है। इनके मुख्यमंत्री महोदय शायद समकालीन भारतीय राजनीति के सबसे पढ़े-लिखे आईआईटी ग्रेजुएट हैं और वे क्या कहते हैं? वे कहते हैं कि वैक्सीन का फॉर्मूला सबको बाँट दो। क्या यह कोई चूरन का फ़ार्मूला है कि यह सबको बाँट देना चाहिए? ऐसी अव्यावहारिक बात! चाहे काँग्रेस पार्टी के नेता और नेत्री हों, चाहे आम आदमी के नेता हों, इन्होंने अप्रैल, 2021 में कहा कि बच्चों की वैक्सीन बाहर भेज दी गयी। इतनी राजनीति! उस समय तो पूरी दुनिया में बच्चों की वैक्सीन नहीं बनी थी और सब ऑन रिकार्ड कह रहे थे कि बच्चों की वैक्सीन बाहर भेज दी गयी - यह इस बात का प्रमाण है।...(व्यवधान)... फिर इस ढंग की अव्यावहारिक बात कहते हैं...(व्यवधान)...

उपसभाध्यक्ष (डा. सस्मित पात्रा) : संजय जी, प्लीज़, प्लीज़।...(व्यवधान)... Sudhanshuji, please speak on the Bill. ...(*Interruptions*)...

डा. सुधांशु त्रिवेदी : महोदय, अगर कोई सामान्य व्यक्ति कहे, तो बात समझ में आती है।.....(*व्यवधान*)... अब वे कहते हैं कि इस फिल्म को यूट्यूब में डाल दो।.....(*व्यवधान*)... इस ढंग की फिल्मों को यूट्यूब पर डालने की जो बात करते हैं, यह बहुत हल्की बात लगती है।...(व्यवधान)...

THE VICE-CHAIRMAN (DR. SASMIT PATRA): Hon. Member, please address the Chair. ...*(Interruptions)*...

डा. सुधांशु त्रिवेदी : महोदय, अब मैं बताना चाहता हूँ कि इन लोगों ने किस प्रकार की अव्यवस्था की। मैंने कोविड के दौर का क्यों जिक्र किया, हाई कोर्ट में लोग गए और हाई कोर्ट ने टिप्पणी की कि कोविड के दौरान किस प्रकार की अव्यवस्था थी, मैं उस संदर्भ में मई, 2021 का हाई कोर्ट का quote बता रहा हूँ, जब उसने कहा, "What is the use of Mohalla Clinic? It is the waste of resources, if you made this infrastructure, of what worth is it if it cannot be used for the purpose of dealing during the pandemic?" जिसको ये अपना सबसे महत्वपूर्ण काम मानते थे। फिर हाई कोर्ट ने दूसरी भी बात कही, "What is the point of having more beds when there are no sufficient doctors?" हाई कोर्ट की ये दोनों टिप्पणियाँ इस बात के लिए प्रमाण हैं कि एक तरफ एमसीडी के डॉक्टर्स, नर्स, स्टाफ, सफाई कर्मचारी आदि कम वेतन मिलने की समस्या के बावजूद उस दौर में निरंतर काम कर रहे थे, ...दूसरी तरफ जो ये कर रहे थे, उसमें इनकी जो वस्तुस्थिति थी, वह साफ नज़र आ रही थी। अब मैं कहना चाहता हूँ - हमारे विरोधियों को लगेगा कि वे यह कह रहे हैं।

DR. SANTANU SEN (West Bengal): Sir, I am on a point of order.

THE VICE-CHAIRMAN (DR. SASMIT PATRA): Under which Rule? ...*(Interruptions)*...

डा. सुधांशु त्रिवेदी : विषय के ऊपर divert होने की बात कहते हैं।

THE VICE-CHAIRMAN (DR. SASMIT PATRA): Rule 238, which one? ...*(Interruptions)*...

DR. SANTANU SEN: "A Member, while speaking, shall not refer to any matter or fact on which a judicial decision is pending; make a personal charge against a member; use offensive expressions about the conduct or proceedings of the Houses or any State Legislature; reflect on any determination of the Council except on a motion for rescinding it; reflect upon the conduct of persons in high authority unless the discussion is based on a substantive motion drawn in proper terms." ...*(Interruptions)*...

THE VICE-CHAIRMAN (DR. SASMIT PATRA): Understood. ...*(Interruptions)*...

DR. SANTANU SEN: This should be expunged, Sir. ...*(Interruptions)*... This is to be expunged, sir. ...*(Interruptions)*...

डा. सुधांशु त्रिवेदी: अब मैं आगे बताना चाहता हूँ। महोदय, टिप्पणी सुनना भी कितना कठिन प्रतीत होता है, यह इस बात को दर्शाता है।

उपसभाध्यक्ष (डा. सस्मित पात्रा): आप बिल पर बोलिए।

डा. सुधांशु त्रिवेदी :अब मैं इस विषय पर भी आ रहा हूँ। मैंने सारे बिंदुओं को बिंदुवार गिनाया है।
...(व्यवधान)... यह डर को दर्शाता है।

THE VICE-CHAIRMAN (DR. SASMIT PATRA): I have allowed your point of order.
...(Interruptions)... Please.(Interruptions)...

डा. सुधांशु त्रिवेदी : उपसभाध्यक्ष महोदय, यह वे लोग कह रहे हैं, जो कहते थे कि हम डर गए हैं और अब यदि कोर्ट की टिप्पणियों का विषय आए, तो कौन डर रहा है, यह साफ नज़र आता है। मैं कहना चाहता हूँ कि जब इस विषय के ऊपर दिल्ली के मुख्य मंत्री ने स्वयं एमसीडी के संदर्भ में बात करते हुए कहा है कि डर गए, इसलिए मैं इस विषय के संदर्भ में ही बोल रहा हूँ, क्योंकि यह डर का संदर्भ उनके द्वारा लाया गया है। मान्यवर, मैं बताना चाहता हूँ कि क्या हम डरेंगे! वर्ष 1953 में श्यामा प्रसाद मुखर्जी जी कश्मीर गए, वहां प्राण दे दिए, हम उस समय नहीं डरे। वर्ष 1966 में गौरक्षा आंदोलन में इंदिरा जी की सरकार में गोलियां चलायीं गयीं, तब हम नहीं डरे। आपातकाल के भयंकर दौर में हम नहीं डरे। बोफोर्स के समय में राजीव गांधी जी की 400 की majority वाली सरकार थी, तब हम नहीं डरे। वर्ष 1992 में हमारी तीन-तीन सरकारें अकारण बरखास्त कर दी गईं, प्रतिबंध लगा दिए गए, तब हम नहीं डरे। जिस ज़माने में हिन्दू आतंकवाद के झूठे केस लगा दिए गए, तब हम नहीं डरे। श्री नरेन्द्र मोदी जी के ऊपर बेवजह के केसेज़ लगाकर उनके ऊपर फंदे कसने का प्रयास किया गया, गृह मंत्री जी के ऊपर अनेक प्रकार के आरोप लगाए गए, हम तब नहीं डरे और ये कह रहे हैं कि इनसे डरने की बात है। हम तो उस परम्परा के प्रतीक हैं, इनमें मैं कहना चाहूंगा कि हम अकेले थे, फिर भी आगे बढ़ते रहे, हम तब नहीं डरे। इसलिए मैं कहना चाहूंगा:-

*"अन्य होंगे चरण हारे,
और हैं जो लौटते, दे शूल को संकल्प सारे
चिरव्रती निर्माण उन्मद,
यह अमरता नापते पद,
बाँध देंगे अंक-संसृति
से तिमिर में स्वर्ण बेला!
पंथ होने दो अपरिचित प्राण रहने दो अकेला!"*

मगर मैं यह बताना चाहता हूँ कि हमें डर नहीं है, बल्कि हमें पीड़ा है। पीड़ा इस बात की है कि दिल्ली के अंदर एमसीडी के कर्मचारियों को उनका requisite due नहीं मिला, इस बात की पीड़ा है। हमें पीड़ा इस बात की है कि यहां पर 20 हजार कश्मीरी हिन्दू रहते हैं और उनकी पीड़ा को लेकर जब

वहां एक खिलखिलाहट सुनायी पड़ती है, तब वह हमारे दिल में पीड़ा उत्पन्न करती है। हमारे दिल में पीड़ा यह होती है कि जो पार्टी सत्ता में है, एमसीडी में जिसके काउन्सिलर पर अनेक प्रकार के रिश्त के आरोप लगे हैं, एमसीडी के ही इनके एक काउन्सिलर थे, जिसके ऊपर दंगे में बहुत बड़ा आरोप लगा था, जिसकी छत पर हथियारों का जखीरा निकला था, उसके लिए दिल में बड़ी मुहब्बत है! इनके नेता ने बोला था कि शाहीन बाग हमारे दिल में है, उनके लिए रहमत है! मौलवियों का भत्ता 10,000 रुपये से बढ़ाकर 18,000 रुपये होना चाहिए, उसके लिए दिल में रहमत है। ...**(व्यवधान)**... इन्होंने कहा कि विधायकों का 10,000 रुपये होना चाहिए, उसके लिए रहमत है ...**(व्यवधान)**... मगर एमसीडी के लोगों को सैलेरी देने के लिए दिल में हिकारत है। ...**(व्यवधान)**...

उपसभाध्यक्ष (डा. सस्मित पात्रा) : सुधांशु जी, आप conclude कीजिए, आपका समय समाप्त हो रहा है।

डा. सुधांशु त्रिवेदी : उपसभाध्यक्ष महोदय, मैं बिल्कुल साफ कह रहा हूँ कि उन सबके लिए दिल में रहमत है और एमसीडी के सफाई कर्मचारी, डॉक्टर्स, नर्स, शिक्षक आदि की तनख्वाह देने के लिए आपके दिल में रहमत नहीं है। उनके लिए आप पैसे नहीं दे पा रहे हैं।

अंत में मैं यह कहना चाहता हूँ - आप जानते हैं कि यह भय क्या है। यह ठीक है कि किसी को यह विषयांतर लग सकता है, परंतु दिल्ली अब बदल रही है। दिल्ली बदल रही है तो बदलने वालों को शायद वह बदलना स्वीकार नहीं हो रहा है। मैं यहां पर यदि पूछूँ, इस दिल्ली में अंतिम भारतीय राजा पृथ्वीराज चौहान हुए थे, शायद अगर हम लोगों से पूछा जाए कि पृथ्वीराज चौहान जी के पिता का क्या नाम था, शायद उंगलियों में गिनने लायक लोगों को ही पता होगा। वैसे जिन्होंने बिल प्रस्तुत किया है, माननीय गृह मंत्री जी को इसकी जानकारी है, मुझे व्यक्तिगत चर्चा से भी पता है। मगर इसी दिल्ली में बैठकर हममें से किसी से पूछा जाए, चाहे वह दक्षिण भारत का ही क्यों न हो कि औरंगजेब के पिता का क्या नाम था, तो पूरी की पूरी वंशावली पता होगी। अब दिल्ली की यह सोच बदल रही है। महरौली में जहां पर हमारा स्तम्भ खड़ा हुआ है, उसके बगल में कुतुब मीनार है। हमारी metallurgy excellence का प्रतीक दिल्ली में खड़ा है, उसको प्रतीक न मानकर, किसी ऐसी चीज़ का प्रतीक, जिसके बारे में कहा जाता है कि वह जहां के लोगों ने बनाई वहां पर कोई खम्भा भी बना था या नहीं बना था, परंतु उसको प्रतीक मानते हैं। यह भय है कि दिल्ली अपने वास्तविक रूप में उभरकर सामने न आने पाए। दिल्ली भारत का केन्द्र है और भारत की चेतना का वह स्वरूप उभर कर सामने न आने पाए, वह भय है। इस भय के लिए मैं अंत में सिर्फ अटल जी की उस पंक्ति के साथ समाप्त करता हूँ, जिसमें दिल्ली का उल्लेख है। अटल जी की बड़ी प्रसिद्ध कविता थी।

उपसभाध्यक्ष (डा. सस्मित पात्रा) : माननीय सुधांशु जी, प्लीज़ कन्क्लूड कीजिए।...**(व्यवधान)**...

श्री सुधांशु त्रिवेदी : हिन्दू तन मन, हिन्दू जीवन...(व्यवधान)... सर, उसमें दिल्ली का उल्लेख है। आप सुनिए। मैं बता रहा हूँ। आपका भय उसमें सामने आ जाएगा। मैं उनकी चार पंक्तियाँ कहकर अपना विषय समाप्त करता हूँ।

*"हिन्दू तन-मन, हिन्दू जीवन, रग-रग हिन्दू मेरा परिचय!
मैं तेज पुंज, तमलीन जगत में फैलाया मैंने प्रकाश।
जगती का कर करके सर्वनाश, कब चाहा कर लूँ निज विकास?
शरणागत की रक्षा की है, मैंने अपना जीवन देकर।"*

आपने CAA में शरणागतों के खिलाफ प्रस्ताव पारित किया था। उन्होंने आगे कहा-

*"विश्वास नहीं यदि आता, तो साक्षी है यह इतिहास अमर।
यदि आज देहली के खण्डहर, सदियों की निद्रा से जगकर।
गुंजार उठे ऊंचे स्वर से 'हिन्दू की जय' तो क्या विस्मय?
हिन्दू तन-मन, हिन्दू जीवन, रग-रग हिन्दू मेरा परिचय।"*

मान्यवर, यह इनका असली भय है, परंतु वह भय इनका रहने दीजिए और हम विकास के पथ पर आगे बढ़ते रहेंगे।

SHRI JAWHAR SIRCAR (West Bengal): Sir, thank you for giving me this opportunity. We have heard a lot of talk about rising above politics. But, for the last half-an-hour, all I heard was a level of politics that would rather suit the Delhi Legislative Assembly-- I respect it--more than this House. Be that as it may, we have risen to--because we are duty bound to--stand up for federalism that holds this country together, in spite of whatever some temporary occupants of power may think they have. This country has essentially survived on the spirit of heterogeneity. Don't go in for homogeneity; don't go in for trampling; don't go in for one-way-decisions. The very decision that you have taken or about to take or asking us to endorse is the one that speaks of control. The former speaker, Mr. Singhvi, has already mentioned about these things. In 2011, after several discussions, three bodies were trifurcated out of the Municipal Corporation of Delhi. You know that and I know that. The hon. Home Minister, who has included the topic of not speaking on politics only, mentions that they have a revenue deficit. Fair enough. If one municipality has a revenue deficit of two, the other has a revenue deficit of three and the third has a revenue deficit of four. If you add them together, you get minus two, minus three, minus four, total minus nine! Where to get the positive from? Administration has been my occupation. So, I would know that just making reunification of three desperate bodies that were split for an

administrative reason, doesn't confer *ipso facto*, any virtue of revenue stability. That is my first point.

The second, I would say, is a question of compactness of administration. Do I take this as a hint that you would not go in for splitting of unwieldy States, that you would not go in for splitting of unwieldy administration that you are back to control, through large unwieldy and unmanageable bodies? You can provide the answer. Talking of size, the Kolkata Municipal Corporation and the Brihan-Mumbai Municipal Corporation are larger in size. But, we have been managing and we are managing. So, don't bring in size there. The sum and substance of what I have understood is that you desire to postpone the elections. That is all. Because once you go in for a step like this, it will go in for delimitation and that delimitation will take you eighteen months. Therefore, effectively you are bringing a municipal issue into a national issue because, exactly two years from today, you will be facing a national consensus and a national referendum.

5.00 P.M.

So, I would submit that we do not break down every institution, that we have just for retention of power. When we talked about it, I mentioned about one institution, the Director of Local Bodies. 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 deficit'. I would submit, Sir, even if you have to tamper with institutions, please go in for an explanation as to why you did away with it. Maybe you have some valid reason, but you need to be more elaborate, more transparent. There is a talk that 272 seats would be compacted into 250. Clause 3(5) mentions that the Central Government will decide the number of seats to be decided by the Government of India. The overwhelming presence of a Government, that the Central Government in the Delhi Municipal Corporation Act, is unbearably omnipresent. It is there everywhere. It does not speak the spirit of local body, its autonomy, its spontaneity, its vibrancy of local decision-making, not thrusting down from the top. This is what hurts us and my party sincerely believes in it. Having spoken on the number of seats, as I said, it is not 250. Let us come out openly and say, tomorrow if the Central Government decides to make it 370, it can make it. You are keeping that empowering provision. Sir, we are in 2022 when there has been so much talk of the scourge, the curse of manual scavenging, scavenging and waste

disposal. There has been one word on scavenging. That's all. Scavenging and waste disposal should have been occupied more because the spirit of this Act would be copied in other parts of India and you should have provided a model even if you had political compulsions going for it. There is nothing about scavenging, nothing about the curse of scavenging. You have provided for e-Governance. E-Governance, Sir will be happening anyway, whether you provide for it or not. When you merge all these bodies, what happens is, you bring in different cadres. They are humans; they have families. When you bring them together, all this seniority and juniority and other things get in. Morale gets affected; motivations get affected. When you are amalgamating banks, you don't know, it will take you ten years for the issues to be sorted out. An hon. Member mentioned about Rs. 12,000 crores. My account says that there is a Rs. 11,800 crore running deficit. That is what is required, a bail-out package, for whoever runs the Government. It doesn't matter. It is for the citizens of Delhi in spite of all the faults that it has. The total liability is Rs. 11,800 crores. When will the package come? Is it tied to this deal? That is what we would like to know. 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. We may take their opinion or not, but we need to consult them. I would like to give you just a few examples, because they strengthen what we have said. Even in Covid, we had prepared an Act. I was also part of the preparation once upon a time. The NDMA Act was brought in as if it was a weapon that could be utilised for the totalisation of power. That is not the correct attitude. The initial faltering that we made, the mistakes that we made as a nation arises from the mentality of control, control-freak as somebody put it. Even in Covid, there was no consultation at all, when the lockdown was imposed. At every level, at every step, shows an arrogance, if I may put it, shows an uncaring attitude for the sensitivities of others, for regions, for States as if just a pack of people sitting in Delhi, including bureaucrats, would determine the fate of every *mohalla* of Delhi. No, Sir, this will not do. When the BSF rules were extended to all States, no consultation was made. This is another thing. Draconian laws and regulations are sought to be expanded at the expense and by contraction of space available for individual, society, local Government and the State Government. That is my submission. Sir, even the Enforcement Directorate and the CBI are regularly used as weapons to summon, humiliate and hegemonize over others. It is happening all the time. Even in Delhi, I would submit, ...

THE VICE-CHAIRMAN (Dr. Sasmit Patra): Hon. Member, please conclude.

SHRI JAWHAR SIRCAR: Sir, I will take half a minute and wrap it up. The submission that I have, as an outsider to this politics of Delhi, is that this is only a ploy to postpone elections and that is dependent upon the prospect of their victory. So, don't treat the National Capital as just a trump card in your politics. I oppose the Bill, Sir. Thank you.

SHRI R.S. BHARATHI (Tamil Nadu): Hon. Vice-Chairman, Sir, I thank you for giving me this opportunity.

At the outset, on behalf of DMK, I oppose this Bill. This is undemocratic, as has been rightly pointed out by the previous speaker, Mr. Singhvi. He has rightly pointed out what are all illegalities that this Government is trying to do by unifying three Municipal Corporations. I would like to ask the Government: You apply one rule to Jammu and Kashmir. There you have bifurcated the State! Here, you are unifying! What is your policy? I want to know that. There, for your convenience, you had given so many explanations for bifurcation of Jammu and Kashmir. Here, you are giving lame excuses, because you wanted to postpone elections. Everybody knows that. What have you done all these five years? You are in power. You are sitting in the Treasury Benches since 2014. What prevented you from bringing this Bill two years back? Why were you sleeping? You are doing this because of results in Punjab and in other States. You did not fare well even in Uttar Pradesh. Therefore, you have no confidence in your people. So, your ulterior motive is to postpone the elections. You say that you wanted to increase the number seats in Parliament to 1,000. But, whereas, under this Bill, you are bringing down the strength from 272 to 250! What is the logic, Sir? You have created some loophole in this Bill and give room for people to go to court and stay the Act, so that elections are postponed further.

The hon. Home Minister said that step-motherly treatment is meted out by the State Government. Can I point out the Central Government and say that what the Central Government is doing? What applies to Gujarat should also apply to Tamil Nadu. What applies to Gujarat should also apply to Kerala. What applies to Gujarat should also apply to West Bengal. What applies to Gujarat should also apply to Telangana. What applies to Gujarat should also apply to Andhra Pradesh.

Sir, Tamil Nadu was suffering. Our hon. Chief Minister appealed for help. Your Central Team visited, saw the damage caused by floods and so many other disasters

that hit Tamil Nadu. But, did you come forward to give money proposed by the Government of Tamil Nadu? No. You compare what you gave to Gujarat and speak. Therefore, this is not a valid reason. Sir, hon. Home Minister said that the State Government is giving step-motherly treatment and is one of the reasons is not acceptable. Therefore, I would request the hon. Home Minister to withdraw this Bill and conduct elections to the Municipal Corporations of Delhi at the earliest. In democracy — moreover, since I was Municipal Chairman for more than two decades continuously for four terms in Alandur — I know what difficulties the people will face if there are no Municipal bodies. From cradle to the grave, everything has to be taken care by the local bodies. Local bodies should be given powers. But, the Central Government is trying to usurp all the powers. You want to take away all the powers from the States. You have already taken away 'education'. You want to take away 'registration' also. So, the State Governments are going to become, more or less, municipalities, and the municipalities are going to be still worse.

Therefore, Sir, I would urge upon the hon. Home Minister to withdraw this Bill and pave the way for early conduction of elections for Delhi Municipal Corporations. Thank you, Sir.

SHRI PRASANNA ACHARYA (Odisha): Sir, many, many doubts are being raised about the constitutionality of the Bill. I am not an expert of Constitution, as Dr. Manu Singhvi is. But, whatever little knowledge I have about the Constitution and whatever I know, I can say that the power and authority that has been granted by the Constitution to the State of Delhi are not at par with the other States. I think, under Article 239AA-3B of the Constitution, the Central Government has the competency, the authority, and the jurisdiction to bring such a Bill. So, I am not going to question the constitutionality of the Bill. But, my only doubt or only question is about the propriety of getting such a Bill. The Government of India is a big thing; it is not a small thing. The Government of India has many responsibilities to discharge. They have to eradicate the poverty of the country; they have to improve the GDP of the country; they have to take care of the security of the country; they have to take care of the borders of the country. So, there are very big responsibilities on the Central Government. So, I, as a layman, fail to understand what was the necessity for the Central Government for taking over, directly or indirectly, the responsibilities that are discharged by municipalities? That is my only question. But, as far as Constitutional provisions are concerned, the Central Government has every competency to bring such a Bill. If any question or doubt is there about its Constitutional competence, the

court of law is there. They are the final authority to take a decision on the Constitutionality of the Bill. In the past too, many laws that had been passed by Parliament had also been challenged in the court of law. So, the court of law is the final authority to decide in this regard.

[THE VICE-CHAIRMAN (SHRI BHUBANESWAR KALITA) *in the Chair*]

Sir, I do not understand the argument that after the trifurcation of the Municipal Corporation of Delhi, the financial condition of the Corporation went odds and odds and there was imbalance in revenue collection and streamlining of expenditure amongst the three Corporations. But, whatever figure I have got with me is that before trifurcation in 2011 also, when it was one Corporation, the financial condition of the Corporation was not very sound. If my information is correct, when it was a unified Corporation, there was a deficit of around Rs. 2,451 crores! So, I don't think there is any logic in saying that after trifurcation, the financial condition of the Corporations went wrong and, after again unification, it will go right. Therefore, we have to streamline the revenue collection and also streamline the expenditure.

Sir, hon. Member, Dr. Sudhanshu Trivedi, was right in pointing out that even the recommendations of Delhi State Finance Commission were not implemented by the Government of Delhi. If my information is correct, 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. I do not know why. So, we accuse each other about doing politics in all these affairs. But, I think, none of us are above such politics. Likewise, 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. In such a situation, how can we streamline the Corporations? So, either you bifurcate it or you trifurcate it or you unify it, unless and until you streamline the revenue and streamline the expenditure you are not going to solve the problem. Sir, one interesting thing I will cite here, particularly, for the attention of the hon. Home Minister. The fees or rates of revenue collection prescribed in the old Schedule in the DMC Act of 1957 are, surprisingly, still continuing. I will cite only one example. For example, there is a theatre tax, cinema hall tax. For each show, the cinema authorities have to pay a tax to the Corporation. In the 1957 Act, the tax rate in the XIV Schedule of the DMC Act was only Rs.10 per show. About 65 years before, it was Rs.10 per show, and, today also, it is Rs.10 per show. Very surprising and amusing! So, how can we expect the revenue collection of

the Corporation, whether it is a unified Corporation or whether it is a trifurcated Corporation, to go up? Therefore, all these things have to be taken into consideration. I think there is no mention in the Bill about who will fund now. Now, the power has been taken over by the Central Government and funding will be made by the State Government. I find a contradiction in this. So, there is no provision in the Bill about where the Corporation will get the funding, the subsidies or the assistance from? I think the hon. Minister, while replying, will clarify this point.

Sir, another important this is, the hon. Home Minister was rightly pointing out that there are more than 1,00,000 employees in the three Corporations. It has 1.25 lakh employees and many of those employees are not regular employees. Even after completion of service of five years, ten years, fifteen years or twenty years, the employees' services are not being regularised. There are doctors; they are temporary. There are para medical staff; they are temporary. There are primary teachers in the Corporations; they are temporary. During the last Covid time, all the three Corporations' doctors rendered beautiful services. I know that a few of the doctors succumbed to the death while putting their services. But they did not get any benefit, as the regular employees are getting. So, how can we expect better service from these employees? So, my urge to the Government is, I do not know whether the Central Government will do it or the State Government will do it or the Public Service Commission will do it; all such employees who have rendered services for more than 10 years, 15 years or 20 years, who are still suffering in all the three Corporations, should be regularised. They should be regularised once and for all, so that the services of the Corporation and also of the employees, go up. My last point is about the scavengers. (*Time-bell rings*) Just half a minute, Sir.

THE VICE-CHAIRMAN (SHRI BHUBANESWAR KALITA): Please conclude now.

SHRI PRASANNA ACHARYA: The present Bill provides for omission of Section 388 of the main Act, which provides that any scavenger or a sweeper has to give a 15 days' notice if he wants to quit the job. This was the earlier provision. Now, in this Bill, this provision is being omitted. I do not understand the logic because scavenging and cleaning services are very essential services. All of a sudden, if one scavenger or one employee, who is giving such services, stops working without notice to the authorities, there will be a chaotic situation. So, I do not understand why this provision is being omitted from this Bill. With this, Sir, though I have expressed many doubts, I hope the hon. Minister will clarify those doubts. The Corporation is going to

be unified. It is a very good proposal. We support it. My party supports it, but with one condition, let us not defer the elections of the Corporation on any pretext. I want to know from the hon. Minister on the basis of which Census the delimitation work is going to be conducted, whether it is on the basis of the 2011 Census or it is on the basis of the ongoing Census. If you are going to do it on the basis of the ongoing Census, then, elections will be delayed for a minimum of one year time. Therefore, my proposition is, let us do it 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. Thank you very much.

THE VICE-CHAIRMAN (SHRI BHUBANESWAR KALITA): Thank you. The next speaker is Shri Ayodhya Rami Reddy. ...*(Interruptions)*... Please, please. ...*(Interruptions)*... No, no, you are nobody to ask a clarification from him. ...*(Interruptions)*... Please. ...*(Interruptions)*...

SHRI AYODHYA RAMI REDDY ALLA (Andhra Pradesh): Thank you, Sir, for giving me the opportunity to speak on the Delhi Municipal Corporation (Amendment) Bill, 2022.

Sir, 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.

Congress has left behind a legacy of illogical and unscientific bifurcations. It made one rich MCD and two poor MCDs like the East and the North Delhi, just like they did it in the case of Andhra Pradesh. No wonder Congress itself is bifurcating now. Hence, I thank the Centre for introducing this Bill and taking the necessary steps for reversing this irrational trifurcation at the hands of Congress.

The positives are that financial inequalities will be removed. After this Bill is introduced, the trifurcation problems will be resolved and geographical divisions and revenue-generation sources will improve. The South Delhi is going to bring back their inputs, and some of the resources that are available will come back and it gets integrated with the other two Corporations. If you see, Sir, South Delhi has almost Rs. 4,000 crore of revenue and East Delhi has Rs. 2,900 crore whereas the development needs are higher in East Delhi than South Delhi. There is no parity between resources and obligations of the Corporations. By unifying the three Corporations, these financial inequalities will be addressed.

The second point is, pending funding issues will be resolved. The employees in the Corporations, from sanitation workers to doctors and teachers, have been on regular strikes every few month since 2020 due to delays in payment of salaries, pensions, contractors' bills, etc. These dues are estimated to be around Rs. 13,000 crores. Many development projects, especially, in the financially-starved areas of East Delhi, North Delhi have been long-pending for want of funds. With this Bill, the financial administration of the municipality will be centralized at the Union level ensuring stability and equality in funding.

E-governance system will be instituted. This e-governance Bill will bring in the Corporation an efficient system for citizens on anytime-anywhere basis. This is a welcome move, especially, in the aftermath of the pandemic when digital services have become the new normal.

Sir, A.P. has been at the forefront of the e-governance revolution. Our visionary Chief Minister, Y.S. Jagan Mohan Reddy garu, has launched the A.P. Seva portal 2.0 to ensure digital delivery of citizen services. The Portal offers more than 100 citizen services pertaining to revenue and land administration, civil supplies, rural development and energy department. So, this e-portal is a very good initiative by the Centre.

We have a few suggestions. An effective decision-making and efficient administration need to be brought in. It should be ensured.

Taking into consideration the multi-parallel bodies within the three corporations have confused everyone as to which body has what power and to what extent. There are three Mayors, three Commissioners, twelve Additional Commissioners and several Committees. All have overlapping functions. This has not only complicated decision-making but also increased salary expenses and added to the financial crisis. The Government must ensure that the unification process eliminates unnecessary bodies, leads to targeted decision-making and reduces administrative expenses. ...(*Time-bell rings*)...

The second one is, you have to fix the responsibility for the loss suffered in the last ten years. Sir, this is very important.

THE VICE-CHAIRMAN (SHRI BHUBANESWAR KALITA): Please wind up.

SHRI AYODHYA RAMI REDDY ALLA: Yes, Sir.

Then, you have to also bring in procedures that have been prescribed for delimitation of wards.

Finally, Sir, Delhi is our Capital और हमारी इज्जत है। दिल्ली को, on all aspects, we have to make the best. If you see the Central Government, State Government, Municipal Corporation, North Delhi Corporation, Cantonment areas, PWD, CPWD, इनती organizations हो गई हैं, इतना confusion हो गया है, इसलिए इन सबको बंद करना है। We have to really bring in the best standard under one governance, one rule. We have to really put it into the right shape. Otherwise, for the best of the people in this country who are staying here, we have to give it, and we also showcase to the world that अगर हम लोग हमारी दिल्ली को सही नहीं रख सके, तो पूरे देश को कैसे सही रखेंगे? इस हिसाब से, we have to go beyond politics, and please ensure that we make Delhi the best. Thank you, Sir.

DR. M. THAMBIDURAI (Tamil Nadu): Sir, on behalf of the AIADMK Party, I support the Bill that the hon. Home Affairs Minister has brought to merge the three Municipal Corporations of Delhi together.

Sir, 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. Sir, the Delhi Municipal Corporation used to govern almost 90 per cent of the population till 2012. Unfortunately, this was bifurcated unnecessarily. It is high time that such a Bill, as has been brought forth by the hon. Home Minister and the Modi Government, was brought. He mentioned the financial problems that made the Government come up with a Bill to bring together all the three municipal corporations. He mentioned problems like corruption, unpaid salaries and others. I appreciate that. At the same time, I can see that Members from the opposite side, especially the DMK, started playing politics here. Instead of looking at the issues concerning the Delhi Municipal Corporation, they are talking about the federal structure and trying to convey that the State Government of Tamil Nadu is facing problems because of the Central Government led by Shri Narendra Modi. That is not correct. Modiji has given many schemes to Tamil Nadu. In the Budget discussion too they said that Modiji did not mention the DMK Government. Recently, the Chief

Minister of Tamil Nadu met all the Ministers in Delhi, including the hon. Prime Minister, Home Minister and Shri Nadda. What did they say after meeting them?
...(Interruptions)...

SHRI JAIRAM RAMESH (Karnataka): This Bill is about Delhi, not Tamil Nadu.
...(Interruptions)... Speak on the Bill. *...(Interruptions)...*

DR. M. THAMBIDURAI: In his statement to the Press, the Chief Minister of Tamil Nadu said, 'we are satisfied with our talk with the Central Ministers', and now they are criticizing them. That is not correct. What happened in the Tamil Nadu local body elections? Our leader, Yedappadi Palanisamy, made a statement that * We were deprived of them. *...(Interruptions)...* I am telling you what happened. This is a fact that I wish to bring to the House. When they are criticizing the Central Government, I too must also criticize them, because of whom my Party is suffering. *...(Interruptions)...* I have been suffering. *...(Interruptions)...* I am telling you. *...(Interruptions)...* We were in the Government for 18 years. *...(Interruptions)...*

SHRI JAIRAM RAMESH: This is about merging the Municipal Corporations of Delhi, not Tamil Nadu. *...(Interruptions)...*

THE VICE-CHAIRMAN (SHRI BHUBANESWAR KALITA): Mr. Jairam Ramesh, please. *....(Interruptions)...* Don't speak without my permission. *...(Interruptions)...* Don't speak without my permission.

DR. M. THAMBIDURAI: We were in power for 18 years along with the Central Government. What attempt did they make to take away State's powers? Had they wanted to take away the State's powers, they would have fought at that time. We were with the Congress Government for ten years, five years with the V.P. Singh Government. *...(Interruptions)...* For 18 years the DMK was with the Central Government and now they are talking about federalism, that State's powers are being taken back, that they are against the merger of municipalities, and so on. What is this? They would have fought at that time. *...(Interruptions)...* They did not fight at that time. Now they want to... *...(Interruptions)...*

* Expunged as ordered by the Chair.

THE VICE-CHAIRMAN (SHRI BHUBANESWAR KALITA): Please address the Chair, Dr. Thambidurai. You don't have to reply to them.

DR. M. THAMBIDURAI: Now they are criticizing this Government. I appreciate the Modi Government for giving a number of schemes to Tamil Nadu. That is why, even in the Budget of Tamil Nadu presented recently, they have talked about the Central Government schemes, Modiji's schemes, and not about any other schemes.

Therefore, bringing politics unnecessarily and criticizing this Government is unfair. I am supporting this Bill. We are discussing the problems being faced by the Delhi Municipal Corporation. I support the Bill brought forth by the hon. Home Minister, with the consent of the hon. Minister, to merge the three Municipal Corporations of Delhi.

SHRIMATI JAYA BACHCHAN (Uttar Pradesh): Sir, I oppose this Bill. I am not opposing this just for the sake of it. 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, of course, because you have a large number, you have a large voice and you have the muscle. ...(*Interruptions*)... This taking over makes the elected Government infructuous. सर, मैं ज्यादा कुछ नहीं बोलूँगी। त्रिवेदी जी की हिन्दी और जवाहर जी की अंग्रेज़ी से मेरा दिमाग इतना बौखला गया है कि मुझे समझ में नहीं आ रहा है कि मैं कौन सी भाषा में बोलूँ। ...(**व्यवधान**)... मैं हिन्दी और अंग्रेज़ी, दोनों में बोलूँगी।

सर, इस वक्त सेंट्रल गवर्नमेंट के पास इतना काम है, 'स्वच्छ भारत' है, 'अच्छे दिन' का काम है, unemployment है, गरीबी है, farmers की problem है। सर, इसे State Government की problems को छोड़ देना चाहिए। ...(**व्यवधान**)...

उपसभाध्यक्ष (श्री भुबनेश्वर कालिता) :आप बोलते जाइए। आप मुझे एड्रेस कीजिए और बोलते जाइए। दूसरों की मत सुनिए।

श्रीमती जया बच्चन :सर, मैं दूसरों की नहीं सुन रही हूँ। जब इनको हमने अच्छी तरह से शान्ति से सुना, तो इनको भी सुनना चाहिए। Empty vessels make the most noise. I am very concerned about the unemployed. Will this Government assimilate and keep the staff working in these after taking over? You know that it is almost quite a helpless situation for all of us. उन लोगों ने गलती की, ये भी गलती कर रहे हैं, हम लोग यहाँ रज़िया बैठे हुए हैं, कुछ नहीं कर सकते। Will they employ a lot more people? I hope they do.

Since our hands are tied, with only voice that I have, I say, I oppose the Bill; it is not democratic. Please leave States alone.

SHRI JOHN BRITTAS (Kerala): Sir, I stand here to oppose the Bill. अमित शाह जी ने बोला है, he doesn't get angry, except on Kashmir. I am glad that if he is receptive on the Delhi Municipal Bill, he would withdraw the Bill. It is precisely because it is against the public announcement they make with regard to federalism. Every time they say that they are for cooperative federalism. I would have appreciated the Home Minister if, at all, he had convened a meeting of all parties, including the State Government, to explore the possibilities and telling them, 'Look! Why can't we converge or merge these Municipal Corporations?' They haven't done anything like that. They have bypassed the State Government. If he had a difficulty in sitting with Kejriwalji, he could have called Sanjay Singhji. He is such a decent man. उनका पंगा तो केजरीवाल जी के खिलाफ़ है, ठीक है। He could have invited Sanjay Singhji. I will just quote a statement and at the end I would say, यह किसका है? "If the Government, ruling the entire country, rules over Delhi, it will neglect its duties as a national Government and will do injustice to the people. Delhi has mostly been under the direct control of the Central Government. If the Centre again puts it under its control further, it is the bureaucracy which will govern Delhi instead of people's representatives." यह किसने बोला है? वे मार्गदर्शक मंडल के मेम्बर हैं। Shri L.K. Advani made this statement when he was the Leader of the Opposition. He should be staring at their face. Amit Shahji, if you are receptive to Advaniji, please withdraw the Bill because actually what he had stated, you are doing it; you are depriving the people; you are denting the federalism; you are denying the democratic rights to the people; you are leaving the States to the mercy of bureaucrats. That is essentially what you are doing. While replying in the Lok Sabha, Amit Shahji was saying that Election Commission had convened the Press Conference not for declaring the elections but for declaring the merger of the Corporations. क्या merger करना उनका काम है? Can you ever imagine the Election Commission convening the Press Conference to declare that they are going to merge the Corporations? How can the Home Minister of this country make such a statement? Sir, I yield for the hon. Home Minister.

श्री अमित शाह : उपसभाध्यक्ष महोदय, मेरा भाषण हिन्दी में था, शायद वे समझ नहीं पाये होंगे।

श्री जॉन ब्रिट्टास : महोदय, मैं हिन्दी समझता हूँ।

श्री अमित शाह : उपसभाध्यक्ष महोदय, कृपया मेरे भाषण को जरा ध्यान से सुन लें, क्योंकि वे मेरे नाम से जो quote कर रहे हैं, ऐसा मैंने नहीं बोला है और यही स्पष्ट करने के लिए मैं खड़ा हुआ हूँ।

SHRI JOHN BRITTAS: If I am wrong, I stand corrected but, I think, that was the sum and substance of what was said. He also said it. Now, let us see, what is the status of this corporation. People have been quoting figures of Rs. 11,000 crores or Rs. 12,000 crores, which the Central Government owes to these corporations. Sir, the 5th Delhi Finance Corporation underlined, in Chapter 8.2.2, the irregular diversion of planned funds worth Rs. 459 crores, and, even the EPF contribution was diverted. By whom, Sir? The Corporation is under the BJP. (*Time-bell rings*) Did you take any action? Have you uttered a word against them? You have allowed those corporations to stay deep in corruption and mismanagement.

THE VICE-CHAIRMAN (SHRI BHUBANESWAR KALITA): Mr. Brittas, your time is up.

SHRI JOHN BRITTAS: One minute, Sir. Hon. Minister is listening to me. ...(*Interruptions*)... He wants me to speak further.

THE VICE-CHAIRMAN (SHRI BHUBANESWAR KALITA): Mr. Brittas, please conclude.

SHRI JOHN BRITTAS: Sir, the Home Minister wants to hear me. I am trying to help him.

Sir, if they were genuinely interested for the welfare of people of Delhi... इन्होंने इधर क्या किया है in the last five years, *hungama*. It is LG's rule. Do they believe in basic democracy? They unleashed officers against elected representatives. What sort of *tamashas were* happening in the State of Delhi.

THE VICE-CHAIRMAN (SHRI BHUBANESWAR KALITA): Your time is up. Please conclude.

SHRI JOHN BRITTAS: One fine morning, if they dismiss a State Government...

THE VICE-CHAIRMAN (SHRI BHUBANESWAR KALITA): Your time is up. Please sit down now

SHRI JOHN BRITTAS: I only request the Home Minister to please pay heed to the advice or views of the different political parties. Please withdraw the Bill. If you do not get angry, please also be receptive. Thank you.

SHRI ABDUL WAHAB (Kerala): Sir, we are always talking about decentralization. Every time, we are talking about decentralization. Even with regard to Kashmir, we have seen this; it is now decentralized. Now, in Delhi, we are seeing unification. We can agree on the point of expenses, so many Mayors, so many Commissioners etc., but why cannot we unify all the States? No Governor, no Chief Minister, no Minister... *...(Interruptions)...* Let them do. If because of me, they are doing it, let them do. *...(Interruptions)...* You please do not interfere. Government and everybody is speaking about decentralisation, Panchayati Raj and everything else. I know that Members are going to say, 'Yes, Yes, Yes', or, 'No, No, No'. It is going to happen within a few minutes from now. Still, we can appeal to the Home Minister to withdraw the Bill. Thank you.

SHRI G.K. VASAN (Tamil Nadu): Sir, the purpose of this Bill is unifying the three corporations of Delhi. In 2011, the MCD was split into three corporations. What was the purpose? They wanted three Mayors, three Commissioners, three Deputy Mayors.. *...(Interruptions)...*

SHRI JAIRAM RAMESH: You were in the Cabinet then. *...(Interruptions)...*

SHRI G.K. VASAN: I am feeling for it now. *...(Interruptions)...* I am feeling very bad for it now.

THE VICE-CHAIRMAN (SHRI BHUBANESWAR KALITA): Mr. Jairam Ramesh, please sit down. *...(Interruptions)...* Mr. Brittas, sit down please. When you spoke, nobody disturbed. Now, you are disturbing. *...(Interruptions)...* Please continue, Mr. Vasan. Please do not reply to them.

SHRI G.K. VASAN: We are feeling for it. It should not become like Andhra and Telangana. Today, the Congress Party is seeing the wrath of it. Sir, the decision was to ensure efficiency in municipal services in Delhi. But, unfortunately, in ten years, we have witnessed that the trifurcation has not served the purpose. Indeed, the MCD still faces many efficiency and sustainability-related challenges. It is time that it should be changed. Delhi is the capital of our country. We need a world class

city to live and show a model M.C.D. The fact of the matter is we have to fix infrastructure, air pollution, choking traffic, water supply, drainage system beyond Lutyens Delhi. Unfortunately, we all know, Delhi has emerged as the most polluted capital today. It is time to think of an out of the box solution for Delhi. The need of the hour is incisive, insightful planning. In the absence of this, investments cannot help the M.C.D. Long term solutions cannot take place. Unplanned urbanization could result in serious downsides in future. So, we must rethink, re-imagine and re-establish the very purpose and approach towards planning of Delhi. To conclude, Sir, it is time we decentralize the powers invested with the MPs or MLAs at the municipal level. Let there be a bottom-up approach. Let's think afresh with this amendment on improving Delhi municipalities. Let it become a model for rest of the country. With these words, I support this Bill. Thank you.

श्री संजय सिंह (राष्ट्रीय राजधानी क्षेत्र, दिल्ली): उपसभाध्यक्ष महोदय, आपने मुझे इस अति महत्वपूर्ण विषय पर अपनी बात कहने का मौका दिया, इसके लिए बहुत-बहुत धन्यवाद। चूँकि यह दिल्ली से जुड़ा हुआ बिल है, इसलिए मैं आपसे यह उम्मीद करूँगा कि मेरे ऊपर आपकी थोड़ी कृपा होगी, क्योंकि मैं अपनी बात विस्तार से रखना चाहता हूँ।

उपसभाध्यक्ष (श्री भुबनेश्वर कालिता) : चूँकि समय सीमित है, इसलिए कृपया आप समय के अंदर बोलिए।

श्री संजय सिंह : मान्यवर, मैंने यहाँ गृह मंत्री जी से कारण सुना कि क्यों एमसीडी का एकीकरण जरूरी है। उन्होंने उसके तमाम फायदे गिनाए, लेकिन इसके साथ-साथ यह सरकार यह कहना चाहती है कि * ये सात वर्षों तक सत्ता में रहे, इनको एमसीडी के एकीकरण का ज्ञान नहीं आया, * तब एकीकरण का ज्ञान नहीं आया।(व्यवधान)... जिस दिन चुनाव आयोग ने घोषणा की,...(व्यवधान)...

SHRI G.V.L. NARASIMHA RAO (Uttar Pradesh): Sir, I have a point of order. ...*(Interruptions)*...

THE VICE-CHAIRMAN (SHRI BHUBANESWAR KALITA): He is on a point of order. ...*(Interruptions)*...Under what rule? ...*(Interruptions)*...

श्री संजय सिंह : जिस दिन चुनाव आयोग ने घोषणा की।(व्यवधान)...

* Expunged as ordered by the Chair.

THE VICE-CHAIRMAN (SHRI BHUBANESWAR KALITA): Sanjay ji, he is on a point of order.

श्री संजय सिंह : चुनाव की तारीखों की घोषणा के लिए...(व्यवधान)...

THE VICE-CHAIRMAN (SHRI BHUBANESWAR KALITA): Please be seated. I have allowed a point of order. Under what rule is your point of order?

SHRI G.V.L. NARASIMHA RAO: This is under Rule 261. He has used the word * for the Government. This is certainly not acceptable.

श्री संजय सिंह : गवर्नमेंट के लिए * कहा, आप क्यों * बन रहे हैं?...(व्यवधान)... आप * नहीं हैं, आप बैठिए!...(व्यवधान)...

श्री जी.वी.एल. नरसिंहा राव : चूँकि * unparliamentary है, इसलिए इसको रिकॉर्ड से हटाया जाए!...(व्यवधान)...

THE VICE-CHAIRMAN (SHRI BHUBANESWAR KALITA): If there is anything unparliamentary, it will be expunged from the record. Please continue.

श्री संजय सिंह : मान्यवर, सात साल के बाद उस दिन इस सरकार को दिन में अचानक सपना आया, 9 मार्च की तारीख थी, चुनाव आयोग ने दिल्ली में एमसीडी इलेक्शन के लिए तारीखों की घोषणा करने के लिए प्रेस कॉन्फ्रेंस बुलाई। उसी के ठीक पहले इनको सपने में आया कि एमसीडी का एकीकरण करना है, एमसीडी को एक करना है और इन्होंने चिट्ठी भेज करके * यह भारत के इतिहास में पहली बार हुआ कि किसी सरकार ने चुनाव की तारीखों के एलान से रोका है। यह बिल एमसीडी के एकीकरण का बिल नहीं है। यह बिल केजरीवाल फोबिया बिल है। आपको अरविन्द केजरीवाल से डर लगता है।...(व्यवधान)... आपकी हिम्मत नहीं है चुनाव लड़ने की। * कह रहे हैं कि हमें एमसीडी चलानी है।...(व्यवधान)... सर, क्या-क्या बोला गया।...(व्यवधान)...

THE VICE-CHAIRMAN (SHRI BHUBANESWAR KALITA): Mr. Sanjay Singh, don't go at the personal level. ...*(Interruptions)*... Don't make personal comments.

श्री संजय सिंह : सर, मैं मुद्दे पर आ रहा हूँ। यह केजरीवाल फोबिया बिल है। इनको केजरीवाल से डर लगता है। इनको रात के सपने में केजरीवाल आते हैं। आप चुनाव हारने की गाथा बता रहे थे। गृह मंत्री जी, बहुत ध्यान से सुनिएगा। मैं ऐसा मानता हूँ कि वे लोग राजनीति में कायर होते हैं, जिनके अंदर सच सुनने का साहस नहीं होता है। आपने बहुत अच्छा किया, जो बताया कि उत्तर

* Expunged as ordered by the Chair.

प्रदेश में हमारी जमानतें जब्त हुईं। आपने बहुत अच्छा किया, जो बताया कि गोवा और उत्तराखंड में हमारी जमानतें जब्त हुईं। मैं सोच रहा था कि 51 से निकालूँगा, तो आप ज्यादा शर्मिंदा हो जाएंगे, इसलिए मैंने सोचा कि बाद से ही शुरू करते हैं। सर, मैं शुरू कर रहा हूँ। ये 1980 में तमिलनाडु में चुनाव लड़े, ज़ीरो सीट आई, 1984 में लड़े, ज़ीरो सीट आई, 1989 में लड़े, ज़ीरो सीट आई, 1991 में लड़े, ज़ीरो सीट आई, 1996 में लड़े, एक सीट आई, 2001 में लड़े, चार सीटें आई, 2006 में लड़े, ज़ीरो सीट आई, फिर 2011 में लड़े, ज़ीरो सीट आई, 2016 में लड़े, ज़ीरो सीट आई। ...**(समय की घंटी)**...

THE VICE-CHAIRMAN (SHRI BHUBANESWAR KALITA): It has nothing to do with the Bill. आप बिल पर बोलिए।

श्री संजय सिंह : सर, इन लोगों ने बिल पर कितना बोला है? ...**(व्यवधान)**... मैं यहाँ पर जमानत जब्त की कहानी सुनाकर बंद करूँगा। ...**(व्यवधान)**... साहस रखिए, साहस रखिए। ...**(व्यवधान)**... केरल में 1982 में ज़ीरो, 1987 में ज़ीरो, 1991 में ज़ीरो, 1996 में ज़ीरो, 2001 में ज़ीरो, 2006 में ज़ीरो, 2011 में ज़ीरो, 2016 में ज़ीरो! ...**(व्यवधान)**...

उपसभाध्यक्ष (श्री भुवनेश्वर कालिता): संजय सिंह जी, आपका टाइम खत्म हो चुका है। ...**(व्यवधान)**...आपके पास इतना ही टाइम है और आपका टाइम खत्म हो चुका है। ...**(व्यवधान)**... फिर भी आप बोल रहे हैं और एक ही बात को repeat कर रहे हैं। ...**(व्यवधान)**...

श्री संजय सिंह :सर, यह गलत तरीका है। ...**(व्यवधान)**... यह दिल्ली का बिल है, दिल्ली के बिल पर तो बोलने दीजिए। ...**(व्यवधान)**...

उपसभाध्यक्ष (श्री भुवनेश्वर कालिता): आप repeat मत करिए। ...**(व्यवधान)**... आप बिल पर बोलिए। ...**(व्यवधान)**...

श्री संजय सिंह : यहाँ यह बताया गया कि कितनी सीटों पर जमानतें जब्त हुईं। ...**(व्यवधान)**... सर, उत्तर प्रदेश के बारे में सुन लीजिए - 2012 में दस साल पहले ये 398 सीट्स पर चुनाव लड़े और 230 सीट्स पर जमानत जब्त हुई। ...**(व्यवधान)**...

THE VICE-CHAIRMAN (SHRI BHUBANESWAR KALITA): The Bill has nothing to do with Uttar Pradesh. आप दिल्ली पर बोलिए। ...**(व्यवधान)**...

श्री संजय सिंह :गृह मंत्री जी, हिन्दुस्तान ही नहीं, बल्कि पूरी दुनिया में आपकी पार्टी का जमानत जब्त कराने का वर्ल्ड रिकॉर्ड है। ...**(व्यवधान)**... इतिहास पलटिए और जानिए। ...**(व्यवधान)**... मैं आपको बताता हूँ कि परम प्रतापी प्रधान मंत्री आदरणीय नरेन्द्र मोदी जी प्रचार करने के लिए

पंजाब गए। ...**(समय की घंटी)**... ये लोग 73 सीटों पर लड़े और वहाँ 54 सीटों पर इनकी जमानत जब्त हुई। ...**(व्यवधान)**... अब एमसीडी बिल पर आता हूँ। ...**(व्यवधान)**...

उपसभाध्यक्ष (श्री भुवनेश्वर कालिता): अब आप खत्म कीजिए। ...**(व्यवधान)**... आप कन्क्लूड कीजिए। ...**(व्यवधान)**...

श्री संजय सिंह : इन्होंने कहा, सौतेली माँ - यह गृह मंत्री जी के शब्द हैं। सर, गृह मंत्री जी के शब्दों का जवाब नहीं दूँगा! उन्होंने 'सौतेली माँ' कहा।

उपसभाध्यक्ष (श्री भुवनेश्वर कालिता) : आप wind up कीजिए। ...**(व्यवधान)**... आप wind up कीजिए। ...**(व्यवधान)**... आप दूसरी बात बोले जा रहे हैं। ...**(व्यवधान)**...

श्री संजय सिंह: इसे ज़रा ध्यान से सुनिएगा कि सौतेली माँ कौन है। ...**(व्यवधान)**... 2014-15 में दिल्ली को 325 करोड़ मिले, 2015-16 में 325 करोड़, 2016-17 में 325 करोड़, 2017-18 में 325 करोड़, 2018-19 में 325 करोड़, 2019-20 में 325 करोड़! सर, जब से आम आदमी पार्टी की सरकार बनी है, दिल्ली की जनता लाखों-करोड़ रुपये का टैक्स देती है और आप वहाँ हर साल मात्र 325 करोड़ रुपये देते हैं। माननीय गृह मंत्री जी, इसे ज़रा दो मिनट ध्यान से सुनिएगा कि हमने एमसीडी को कितना दिया।

उपसभाध्यक्ष (श्री भुवनेश्वर कालिता): आप wind up कीजिए। ...**(व्यवधान)**... आपका टाइम खत्म हो चुका है। ...**(व्यवधान)**...

श्री संजय सिंह : सर, मैं मुद्दे पर बोल रहा हूँ। ...**(व्यवधान)**... आप कहेंगे, तो नहीं बोलते हैं। ...**(व्यवधान)**...

उपसभाध्यक्ष (श्री भुवनेश्वर कालिता) : यहाँ मुद्दे का क्वेश्चन नहीं है। ...**(व्यवधान)**... आपका टाइम खत्म हो गया है। ...**(व्यवधान)**... Time constraint है। ...**(व्यवधान)**...

श्री संजय सिंह: यह दिल्ली से जुड़ा हुआ मुद्दा है, यह मुद्दा भी नहीं सुनेंगे! ...**(व्यवधान)**... एमसीडी का मुद्दा तो सुनने दीजिए। ...**(व्यवधान)**...

उपसभाध्यक्ष (श्री भुवनेश्वर कालिता): मैं आपको आखिरी एक मिनट दे रहा हूँ। ...**(व्यवधान)**...

श्री संजय सिंह : *

* Expunged as ordered by the Chair.

उपसभाध्यक्ष (श्री भुवनेश्वर कालिता): संजय जी यह ठीक बात नहीं है। ...**(व्यवधान)**... इसे expunge किया जाए। ...**(व्यवधान)**... इसे expunge किया जाए। ...**(व्यवधान)**... जो threatening words हैं, उन्हें expunge किया जाए। ...**(व्यवधान)**...

श्री संजय सिंह :सर, मैं यह कहना चाहता हूँ कि तीस परसेंट दिल्ली ने दिया है। ...**(व्यवधान)**... सर, मैं खत्म कर रहा हूँ। ...**(व्यवधान)**... सर, हमने इन्हें 2016-17 में 2,700 करोड़ दिए, 2017-18 में 3,224 करोड़ दिए, 2018-19 में 3,444 करोड़ दिए, 2019-20 में 4,756 करोड़ दिए और इस बार इन्हें 6,000 करोड़ रुपये से ज्यादा धन दिया है।

उपसभाध्यक्ष (श्री भुवनेश्वर कालिता) :अब आपका समय समाप्त हो गया है। ...**(व्यवधान)**... Thank you.

श्री संजय सिंह :सर, ऐसे कैसे?...**(व्यवधान)**... सर, मैं खत्म कर रहा हूँ। ...**(व्यवधान)**...

उपसभाध्यक्ष (श्री भुवनेश्वर कालिता) : ऐसा नहीं है। ...**(व्यवधान)**... मैंने आपसे पाँच मिनट पहले कह दिया था कि आपका टाइम खत्म हो चुका है। ...**(व्यवधान)**...

श्री संजय सिंह :सर, मैं कन्क्लूड कर रहा हूँ। ...**(व्यवधान)**... सर, मैं अंतिम प्वाइंट बोलकर खत्म कर रहा हूँ। ...**(व्यवधान)**... सर, मैं सिर्फ इतना कहना चाहता हूँ कि अगर आपको चुनाव नहीं लड़ना है, चुनाव से भागना है, तो इस बिल का नाम, यह मैं आपको फिर सजेस्ट कर रहा हूँ, केजरीवाल फोबिया बिल रख दीजिए।

उपसभाध्यक्ष (श्री भुवनेश्वर कालिता) : बस, अब हो गया। ...**(व्यवधान)**...

श्री संजय सिंह :सर, अब मैं अंत में एक लाइन कहकर अपनी बात खत्म करूँगा। ...**(व्यवधान)**...

उपसभाध्यक्ष (श्री भुवनेश्वर कालिता) :अब आप खत्म कीजिए। ...**(व्यवधान)**... Now, I am calling the next speaker. श्री रामजी।

श्री संजय सिंह : सर, मैं अब बिल्कुल खत्म कर रहा हूँ। ...**(व्यवधान)**...

उपसभाध्यक्ष (श्री भुवनेश्वर कालिता) :आपका टाइम खत्म हो चुका है।

श्री संजय सिंह: *

* Expunged as ordered by the Chair.

उपसभाध्यक्ष (श्री भुवनेश्वर कालिता) :श्री रामजी, अब आप बोलिए। ...**(व्यवधान)**...

श्री रामजी (उत्तर प्रदेश) : सर, हाउस ऑर्डर में आना चाहिए। ...**(व्यवधान)**...

उपसभाध्यक्ष (श्री भुवनेश्वर कालिता) :संजय जी, आप बैठ जाइए। रामजी, अब आप बोलिए।

श्री रामजी : मान्यवर, आपने मुझे इस बिल पर बोलने का अवसर दिया, इसके लिए आपका धन्यवाद। इसके साथ ही, मैं अपनी पार्टी की मुखिया, बहन कुमारी मायावती जी का भी धन्यवाद करना चाहता हूँ।

मान्यवर, माननीय गृह मंत्री जी ने इस बिल को यहाँ पर रखा है। 1 लाख, 20 हजार कर्मचारियों को सुचारु रूप से काम करने के लिए और बेहतर civic services देने के लिए वे यह बिल लेकर आए हैं। मान्यवर, समस्याओं का निस्तारण आवश्यक है, चाहे वह सफाई कर्मचारियों को लेकर हो या वह दिल्ली की सफाई को लेकर हो। तमाम रिपोर्ट्स एवं कई लोगों से बातचीत करने पर यह मालूम हुआ कि दिल्ली की एमसीडी में जो कर्मचारी हैं, उन्हें 5-6 महीने से तनखाह नहीं मिली है। इसके अलावा, रिटायर्ड कर्मचारियों को भी 5 से 6 महीने की पेंशन नहीं मिली है। साथ ही, सफाई का काम करने वालों को कोई safety instrument नहीं मिलता है, उनको कोई आधुनिक equipment नहीं मिलता है, जिसकी वजह से दिल्ली के अंदर पिछले पाँच सालों में sewer और septic tanks में काम करने के दौरान 300 लोगों ने अपनी जान गँवाई है। इस बात पर भी गहन विचार होना चाहिए कि इस समस्या का निस्तारण कैसे होगा।

मान्यवर, दुःख की बात यह भी है कि आज की सरकारें profit-making company बनकर काम करती हैं। वे employees को अधिकांशतः contract basis पर रखती हैं। ऐसा काम, जिसको करने से मानसिक और शारीरिक तकलीफ होती है, उस काम को करने वालों को सिर्फ 5,000 रुपये से लेकर 10,000 रुपये महीना वेतन मिलता है। अगर उनकी मौत हो जाती है, तो उनके परिवार वालों को बेहतर मुआवजा भी नहीं मिलता है। ऐसा कई जगहों पर देखा गया है। मान्यवर, मैं आपसे यह कहना चाहता हूँ कि सफाईकर्म भी हमारी रक्षा करते हैं, वे तमाम तरह की बीमारियों को भगाते हैं, जबकि वे खुद तमाम तरह की बीमारियों से ग्रसित हो जाते हैं। इस बारे में भी एक रिपोर्ट आई है। 5 अप्रैल, 2022 को The Indian Express ने एमसीडी के डेटा के अनुसार कहा है कि 2013 से 2017 के बीच में 2,400 लोग रिटायरमेंट के पहले ही खत्म हो गए। यानी, वे रिटायरमेंट की age को पूरा नहीं कर पाए और तमाम तरह की गंभीर बीमारियों से उनकी मौत हो गई, क्योंकि उनको बेहतर मेडिकल सुविधाएँ भी नहीं दी गईं। यह बड़े दुःख का विषय है कि पूरे देश के अंदर ऐसे हालात हैं कि इन कर्मचारियों के साथ दुर्व्यवहार होता है।

मान्यवर, मैं आपके माध्यम से इस सरकार और माननीय मंत्री जी से यह कहना चाहता हूँ कि इस तरह के जो कर्मचारी हैं, उनसे life-saving equipments तथा safety norms के साथ काम करवाइए तथा उनसे 8 घंटे की ही ड्यूटी कराइए। मान्यवर, 21 मार्च, 2022 को साउथ

दिल्ली म्युनिसिपल कॉरपोरेशन का एक ऑर्डर पास हुआ है, जिसमें कहा गया है कि जो SI, SSI और SDA के कर्मचारी हैं, वे सुबह 7 बजे से लेकर रात के 10 बजे तक काम करेंगे, यानी वे 15 घंटे काम करेंगे। दूसरा ऑर्डर सफाई कर्मचारियों के लिए हुआ है कि वे सुबह 7 बजे से लेकर शाम को 5 बजे तक काम करेंगे, यानी वे 10 घंटे काम करेंगे। ...**(समय की घंटी)**... मान्यवर, यह इम्पॉर्टेंट विषय है, मेरी बात को सुना जाए।

मान्यवर, जो employees टॉयलेट्स में काम करने के लिए लगाए जाते हैं, उनके लिए अलग से नियम बनाया गया कि वे सुबह 6 बजे से लेकर रात 10 बजे तक काम करेंगे, यानी वे 16 घंटे काम करेंगे। अगर वे 16 घंटे काम करेंगे, तो फिर वे अपना जीवन कैसे व्यतीत करेंगे, वे अपने बच्चों की पढ़ाई-लिखाई कैसे कराएँगे? इसलिए इस पर भी विशेष ध्यान देने की जरूरत है।

मान्यवर, यह मेरा लास्ट प्वाइंट है। मैं आपके माध्यम से माननीय मंत्री जी से रिक्वेस्ट करना चाहता हूँ कि 2007 से लेकर 2012 तक उत्तर प्रदेश में हमारी बहन जी की सरकार थी। उस समय 1 लाख, 8 हजार सफाई कर्मचारियों की सरकारी भर्ती की गई और उसके तहत कई परिवारों को रोजगार मिल गया, वैसी ही भर्ती दिल्ली के अंदर भी की जाए, ताकि कोई भी काम contract basis पर न हो और सरकारी भर्ती के अंतर्गत काम कराया जाए। इसके अलावा, उनकी मौत पर सरकार कम से कम 50 लाख रुपये का मुआवजा देने का काम करे, यही मेरा आप सबसे निवेदन है, धन्यवाद।

SHRI BINOY VISWAM (Kerala): Sir, hon. Amit Shahji and his Party came to power with a very great slogan, that is, "Less Government, Maximum Governance." A beautiful slogan to be called but what happened here? With every passing day, we see that the Government is acquiring all the powers of the Centre and the Government is not satisfied by capturing all the powers in this country. Now, it is the Government of "Less Governance and Maximum Government" less and this Bill also proves that. Their Government is now trying to jump upon Delhi, the National Capital, to capture all the powers that municipality has. We have heard of two-in-one. Now, you are practising three-in-one, North, South and East Delhi are now going to be one Delhi Municipal Corporation. What would happen there? 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. Go beyond the Lutyens' Delhi, to the underbellies of Delhi, to suburban Delhi and see how people live there. 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. I ask the Home Minister: Has the Government any proposal to address these issues? The Government has no idea. This

Government is trying to capture each and every right of the municipal administration also. In this small Bill, we can see Central Government, Central Government and Central Government, I do not know how many times! Every time, it is the Central Government. 'The number of councillors', the Central Government; 'reservation number', the Central Government; the administration, the Central Government. And if there is doubt on anything, the Central Government will clarify by notification, and the Central Government is going to control everything. And which Central Government? The Central Government, a Government of authoritarian rule. They made in Kashmir with their idea to bifurcate Kashmir. They have come to Delhi with the slogan of unifying Delhi. For what? It is because they are afraid of elections. They are afraid to go to the people. They know that if they go to people, they would teach them a lesson. So, to defeat the people, they want to do this unification on Delhi. That is why my Party, the Communist Party of India, opposes this Bill. Thank you, Sir.

6:00 P.M.

SHRI NARESH GUJRAL (Punjab): Sir, when India got independence, the population of Delhi was barely eight to ten lakhs. At that stage, we had the New Delhi Municipal Committee and the Municipal Corporation of Delhi. Thereafter, came the Metropolitan Council. It got converted into Delhi Assembly. So, one has seen various phases of these governments as Delhi grew.

The basic thing was New Delhi Municipal Committee, NDMC, functioned very well and even till today keeps on receiving award after award, year after year, for being the best municipality basically because of its size. It is small in size; so, it caters to the requirements of the people. That is why, Mrs. Sheila Dikshit, in her wisdom, decided, as Delhi had grown, population had grown manifold, to have three corporations. Now, the problem is, whatever, in their wisdom, they have decided, they want to have one corporation. But I have one problem. They want 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 you have less number of Corporators, it is the people of Delhi who will suffer. So I would urge upon the Home Minister that make them into 500. Don't reduce, double the number. A normal person has small problems, electricity, roads, school. ...*(Interruptions)*...

THE VICE-CHAIRMAN (SHRI BHUBANESWAR KALITA): Mr. Gujral, just one minute because it is 6 o' clock.

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS; AND THE MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI V. MURALEEDHARAN): Sir, since it is already 6 o' clock, but we would like to conclude this discussion and then dispose of the Bill. So we may sit till it is disposed of.

THE VICE-CHAIRMAN (SHRI BHUBANESWAR KALITA): Is this the sense of the House? Okay; time of the House is extended.

SHRI NARESH GUJRAL: Sir, I hope I will get time tomorrow.

THE VICE-CHAIRMAN (SHRI BHUBANESWAR KALITA): Please carry on.

SHRI NARESH GUJRAL: Okay, Sir. I will not take long. I am only saying that let us also debate the two basic issues which have come up. Number one, the hon. Home Minister 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, they need to have a dedicated revenue stream and the second line, and I think the whole House would agree with me, Municipalities all over the country have become dens of corruption. Sir, I hate to say, our corporators have become corrupt to the core. In Delhi, you cannot get a plan passed for a house wherever you may be. *Mafias* have taken over, illegal construction happening everywhere. I think this is the issue and the hon. Home Minister has to now relook at the powers of the corporators all over the country because we all know that they are corrupt, we all have to feed them, because, otherwise, you can get nothing done. I have told the hon. Urban Development Minister; I had to get a plan passed. I am a Member of Parliament, in New Delhi Municipal Committee, it took me one and a half years. And I know that when I will go for the Completion Certificate, it will take me another one year unless I bribe. I think we all need to look at these basic issues. How can we change the whole complexion of our corporators? Basically, in urban areas, these municipalities, corporations were supposed to be nurseries of creating tomorrow's leaders. But unfortunately, what is going on that is why we see corruption on a mass scale everywhere because at the bottom we are not tackling the problem. Thank you very much.

THE VICE-CHAIRMAN (SHRI BHUBANESWAR KALITA): The next speaker is Shri Shaktisinh Gohil. Your party time is over, but the Chair has allotted a few minutes to you.

श्री शक्तिसिंह गोहिल (गुजरात) : मान्यवर, हमारे विद्वान साथी सिंघवी जी ने संविधान के खिलाफ यह कानून है, उसके बारे में बात की है, तो मैं उसको दोहराना नहीं चाहता हूँ। कानून राजनैतिक मंशा या फायदे के साथ नहीं लाना चाहिए, कानून, कानून के हिसाब से लाना चाहिए। Mover of the Bill, गृह मंत्री जी कह रहे थे कि जब trifurcation हुआ, तो आनन-फानन में कर दिया गया होगा। ऐसा नहीं है। 'Balakrishnan Committee' की रिपोर्ट थी कि इसको अलग-अलग कॉरपोरेशन में बनाइए। 'Virendra Prakash Committee' की रिपोर्ट आई कि आप इसको विभाजित कीजिए, क्योंकि दिल्ली में म्युनिसिपैलिटी छोटे-छोटे हिस्से में काम करेगी, तो ही फायदा होगा। हमने जो किया था, वह दो-दो एक्सपर्ट्स कमेटीज़ की रिपोर्ट के बाद किया। आपने क्या किया? हमने जब किया, तब यह ख्याल रखा था कि चुनाव के बिना दिल्ली की म्युनिसिपैलिटी नहीं रहनी चाहिए। पहले से काम करके दिया, चुनाव भी टाइम पर हुआ और कोई एडमिनिस्ट्रेटर रखने की जरूरत नहीं पड़ी। आपने क्या किया? अगर आपको एक भी करना था, तो क्या आप दो-तीन साल पहले यह कानून नहीं ला सकते थे? आपने तब नहीं किया। आपने पांच राज्यों के चुनाव के बाद किया। आपकी किसी एक्सपर्ट कमेटी ने नहीं कहा। भाजपा के दिल्ली के नेता मिले और उन्होंने कहा कि चुनाव अभी नहीं होना चाहिए, चुनाव टलना चाहिए। इसीलिए आप यह कानून लेकर आते हैं और मैं इसका विरोध करता हूँ। Trifurcation करने के बाद शीला दीक्षित जी की सरकार थी, हमने हर वक्त पैसे दिए, न कभी strike हुई, न कभी तनख्वाह रुकी, न कभी पेंशन रुकी और न ही किसी को दिक्कत आई, क्योंकि हम न सौतेली मां थे, न सौतेले बेटे थे। अभी जो लड़ाई है, वह बीजेपी और आम आदमी पार्टी के बीच में, सौतेली मां और सौतेले बेटे की नूराकुशती के बीच में आप यह लेकर आए हैं। आप थोड़ा इतिहास को देख लीजिए। अभी मैंने एक फिल्म 'दसवीं' देखी थी... जिसमें अभिषेक का बड़ा अच्छा dialogue है- "जो इतिहास से नहीं सीखता है, वह इतिहास बन जाता है।" आप इतिहास से थोड़ा तो सीख लीजिए।(व्यवधान)... हमने बहुत सीखा है और अपने आप को बदला भी है। हमने हार भी देखी है, हमने जीत भी देखी है। हम जीत से न अहंकार पर बैठे हैं और न हम हार से मायूस हुए हैं। हम वह ताकत हैं, जो लड़ते हैं, गिरते भी हैं, पर संभलते हैं और दुगनी ताकत से लड़ते हैं, तो आप हमारी चिंता मत कीजिए। आप Mayor in Council लेकर आइए, हिम्मत है तो यह भी करके दिखाइए। मैं यह कहना चाहता हूँ कि आप 2017 का बीजेपी का manifesto देख लीजिए। आपके प्रदेश अध्यक्ष तिवारी जी ने भी कहा था कि केंद्र सरकार municipality को सीधे पैसे दे देगी। आपने क्यों नहीं दिए - यह तो आपके manifesto में था। आपने सेक्शन 1, सेक्शन 3A, सेक्शन 5, सेक्शन 6, सेक्शन 32A, सेक्शन 55, सेक्शन 56, सेक्शन 57, सेक्शन 193, सेक्शन 330A, सेक्शन 499 सभी जगह पर गवर्नमेंट की जगह सेन्ट्रल गवर्नमेंट करने की कोशिश की है। यह federal structure पर attack है। इस बिल का जो समर्थन कर रहे हैं, आज कहीं और है, कल आपके ऊपर यह हो सकता है। ...(समय की घंटी)... मैं एक मिनट में एक और बात रखना चाहता हूँ। जो दिल्ली के Finance Commission ने 12.50 प्रतिशत शेयर बढ़ाने को कहा था, वह आपने

नहीं किया। शीला जी के वक्त में कॉरपोरेशन और इनके बीच में जो संवाद बना था, वह संवाद नहीं हुआ। दिल्ली की ranking कहां होगी और सफाई सैनिक, जो हमारा काम करता है, उस ठेकेदारी में उसका शोषण होता है, उसकी आप चिंता नहीं करते हैं। आज ही आपकी municipality एक डिस्सिज़न लेती है कि online meat जितना चाहे आप नवरात्रि में ले लो, लेकिन छोटा दुकानदार अगर हमें हफ्ता नहीं देता है, तो उस छोटे दुकानदार को हम बंद करेंगे। क्या इस तरह के डिस्सिज़न कभी होते हैं? आप कहेंगे कि 239AA 3(b) और 3(c) के संविधान के प्रावधान हमारे फेवर में हैं। आपका यह बिल *ultra vires* होगा, आप इसकी शरण नहीं ले सकते हैं, क्योंकि इसके बाद जो संविधान के प्रावधान बने हैं, इसको constitutional morality से पास होना पड़ता है।

उपसभाध्यक्ष (श्री भुबनेश्वर कालिता) : धन्यवाद गोहिल जी। अब समाप्त कीजिए।

श्री शक्तिसिंह गोहिल : मैं यह जरूर कहूंगा कि माननीय गृह मंत्री जी, आप इसको Select Committee को भेजिए। आप जब पावर में नहीं थे, तो कभी-कभी हंस लेते थे, अभी तो आप बहुत गुस्से में रहा करते हैं। मुझे यह नहीं पता है...(व्यवधान)...

उपसभाध्यक्ष (श्री भुबनेश्वर कालिता) : धन्यवाद। The next speaker is Shri G.V.L. Narasimha Rao.

श्री शक्तिसिंह गोहिल : इसको Select Committee में भेजने के लिए जरा सोचिए।

श्री जी.वी.एल. नरसिंहा राव : उपसभाध्यक्ष महोदय, इस पर बोलने के लिए मौका देने के लिए मैं आपको धन्यवाद देता हूँ और इस बिल के समर्थन में बहुत कुछ कहने के लिए खड़ा हुआ हूँ। हमारे विपक्षी दल के कई नेताओं को सुनकर मुझे ऐसा लगा कि उनकी यहां की और बाहर की statements में बहुत ज्यादा अंतर है। Brihanmumbai Municipal Corporation के इलेक्शन होने वाले हैं, लेकिन वे नहीं हो रहे हैं। महाराष्ट्र में 10 कॉरपोरेशन्स और 25 जिला परिषद् के चुनावों को postpone करने के लिए हाल ही में महाराष्ट्र असेम्बली में दो विधेयकों को पारित किया, और हमारे कांग्रेस मित्र जो हमें दुहाई दे रहे हैं कि चुनाव समय पर होना चाहिए। तो अभिषेक जी, आप अपनी गठबंधन सरकार को यह सलाह क्यों नहीं देते हैं? इसने मुझे बहुत आश्चर्यचकित किया है। हमारे तृणमूल और डीएमके के साथी जो कह रहे थे कि आपको तीन इतना अच्छा लगता है, तो कोलकाता और चेन्नई में अभी इलेक्शन हुए, तो आप वह तीन कॉरपोरेशन वाला formula वहां अपनाते। वहां आपके लिए बहुत कुछ अच्छा हो जाता, लेकिन वहां तो आपको एक ही कॉरपोरेशन चाहिए! अभी-अभी आप चुनाव जीत गए। यदि आपके हिसाब से दिल्ली के लिए तीन अच्छे हैं, तो कोलकाता के लिए क्यों अच्छे नहीं हैं, चेन्नई के लिए क्यों अच्छे नहीं हैं? यदि कांग्रेस के द्वारा बनाया गया 2011 का कानून इतना अच्छा है, तो आप वहां नकल करिए। हमारे डीएमके के साथी कह रहे थे कि आप अभी उत्तर प्रदेश में हार गए। मैं यह सुनकर चौंक गया। वे पता नहीं कौन सा चैनल देखते हैं, क्योंकि उत्तर प्रदेश में अभी-अभी हमारी

भव्य जीत हुई है, तो हम चुनाव से डर गए हैं! इतने सारे चुनाव जीतने वाले हम डर गए हैं और सारे चुनाव हारने वाली कांग्रेस विजय-श्रृंखला चला रही है! ये वास्तविकता से बहुत दूर उनके विचार प्रकट होते हैं। यह कहा गया है कि डीलिमिटेशन के द्वारा नम्बर ऑफ वार्ड्स को बढ़ाया जाएगा, घटाया जाएगा, लेकिन जहां तक मैंने कानून को देखा है, उसके अनुसार डीलिमिटेशन होगा, यह क्यों नहीं होना चाहिए? मैं जिस बिल का जिक्र कर रहा हूँ, इन दोनों बिलों का उद्देश्य यही है। आप महाराष्ट्र में डीलिमिटेशन करना चाहते हैं, वहां आपने स्टेट इलेक्शन कमीशन के अधिकारों का हनन करके अपने हाथ में ले लिया, सरकार ने अपने हाथ में लिया, आप यहां आकर के(व्यवधान)... हमारे कांग्रेस वाले मित्र हमें यहां पर उपदेश दे रहे हैं।...(व्यवधान)...

श्रीमती प्रियंका चतुर्वेदी : सर, ...(व्यवधान)...

THE VICE-CHAIRMAN (SHRI BHUBANESWAR KALITA): You will have your time, please be seated. ...(*Interruptions*)... You will have your time. आपके पास बोलने के लिए टाइम है। आप बैठ जाइए।...(व्यवधान)... आप बैठ जाइए।...(व्यवधान)...

श्री जी.वी.एल. नरसिंहा राव : यह जो विरोधाभास है, इसका explanation उनको देना ही होगा। इस बिल के जो मुख्य उद्देश्य हैं, अब मैं उनके बारे में कुछ बताना चाहता हूँ, जैसे the main objective of this Bill. गृह मंत्री जी द्वारा जो बिल में लिखा गया है, "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." इसमें क्या आपत्ति है? जो 1957 का मूल कानून है, उस कानून को बनाने वाली यह पार्लियामेंट थी। जिस कानून को हम आज अमेंड कर रहे हैं, इस कानून का जो मूल कानून है, वह Delhi Municipal Corporation Act, 1957 है। यह दोनों Houses of Parliament में बनाया गया। क्या पार्लियामेंट को यह अधिकार नहीं है? जो कानून वह बनाती है, उसमें संशोधन पार्लियामेंट नहीं करेगी, तो कौन करेगा? इस प्रश्न पर भी हमारे वरिष्ठ साथियों को ध्यान देना होगा। यह आनन-फानन में कानून लाया गया, इसमें कोई दूसरी बात नहीं हो सकती है, क्योंकि इससे पहले 1957 Act, the Delhi Municipal Corporation Act, 1957 का उद्देश्य यह था कि उस समय 13 संस्थाएं दिल्ली में काम कर रही थीं। आज हम तीन की बात कर रहे हैं, उस समय ऐसी 13 संस्थाएं थीं और इन 13 संस्थाओं में म्युनिसिपल कमेटी दिल्ली शाहदरा, म्युनिसिपल कमेटी वेस्ट दिल्ली, म्युनिसिपल कमेटी साउथ दिल्ली, नोटिफाइड एरिया कमेटी महरौली इत्यादि थीं। उस समय ऐसी 13 संस्थाएं थीं, जिनको एकत्रित करके 1957 के एक्ट को बनाया गया था। उसमें यह लिखा गया, "Need to have a unified body to administer the Municipal Government of Delhi was strongly felt. यह मैं उस बिल से पढ़ रहा हूँ, "Accordingly, to consolidate and amend the law relating to Municipal Corporation of Delhi was introduced in Parliament." उस समय 13 bodies को मिलाकर एक बनाना अच्छा था और तीन Corporations बनाने के पीछे क्या उद्देश्य है? बिल्कुल यह राजनीतिक उद्देश्य है। यह इसलिए मैं कहता हूँ, क्योंकि मैं 2011 के बिल से पढ़कर कुछ सुनाना चाहता हूँ। इसमें 1989 की

कमेटी का हवाला दिया गया है। क्या 1989 और 2011 में दिल्ली में कोई अंतर नहीं था? मैं 1988 में दिल्ली आया था, तब की दिल्ली और अब की दिल्ली में जमीन-आसमान का अंतर है, लेकिन आप पुरानी कमेटी का हवाला देकर तीन Corporations आनन-फानन में बनाते हैं, इसमें आपने यह लिखा था कि एक भी पैसा देने की जरूरत नहीं है, ये तीन Corporations बनाये जाएं, इसमें कोई खर्चा नहीं है। कोई खर्चा नहीं है, यही उसमें लिखा गया। उस समय उनके रिसोर्सस क्या होंगे, इसका अध्ययन क्यों नहीं किया गया था? उस समय एक ही बात थी कि बीजेपी बार-बार एमसीडी दिल्ली में जीतती है, इसीलिए बीजेपी को कमजोर करना है, तब भी वही सोच थी और आज भी आपकी वही सोच है। "Target BJP" is the formula. देखिए, जब वे मुख्य मंत्री थीं, तब उनको भी लगता था कि दिल्ली भी एक म्युनिसिपैलिटी की तरह है। Municipal Corporation of Delhi और दिल्ली सरकार के दायरे में बहुत ज्यादा अंतर नहीं है। बिल में माननीय मंत्री जी ने कहा है कि 95 per cent of the area falls under Corporation. इसलिए कहीं न कहीं personality वाला एक clash होता है, एक ego issue हो जाता है। मैं मुख्य मंत्री हूँ, पूरे प्रदेश का मेयर कैसा हो, इसलिए उसको बाँटो, उसको छोटा-छोटा करो, ताकि मैं बड़ा दिखूँ। तब भी वही मानसिकता थी और आज भी वही मानसिकता है, जिसके कारण ये इस बिल को अपोज कर रहे हैं।

महोदय, 4th फाइनेंस कमीशन की रिपोर्ट आई थी, उसके बाद 5th फाइनेंस कमीशन की रिपोर्ट आई। मैं आपको 5th फाइनेंस कमीशन की रिपोर्ट से दो लाइनें पढ़कर सुनाना चाहता हूँ। उपसभाध्यक्ष जी, इसमें यह लिखा गया है - क्योंकि यहाँ दिल्ली सरकार ने 4th फाइनेंस कमीशन का अमल नहीं किया है, इसके कारण दिल्ली में तीनों कॉरपोरेशन्स पूरी तरह से नष्ट हो गए हैं। मैं इसको पढ़कर सुनाता हूँ। "Chapter 9.22: As the recommendation of the...

श्री संजय सिंह : आपने क्या किया? ..(व्यवधान).. यह ठीक नहीं है।

उपसभाध्यक्ष (श्री भुवनेश्वर कालिता): कृपया, बैठकर कमेंट न करें। आपको समय मिल चुका है। ..(व्यवधान)..कृपया, बैठकर कमेंट न करें।..(व्यवधान)..यह ठीक नहीं है।..(व्यवधान)..

श्री संजय सिंह : कौन-सा कमीशन? ..(व्यवधान)..

श्री जी.वी.एल .नरसिंहा राव : ये मेरे शब्द नहीं हैं। ..(व्यवधान).. यह 5th फाइनेंस कमीशन की रिपोर्ट से है। ..(व्यवधान)..आप बैठिए..(व्यवधान)..आप सुनिए।..(व्यवधान)..

श्री जॉन ब्रिट्टास : सर..(व्यवधान)..

MR. DEPUTY CHAIRMAN: Mr. John Brittas, nobody disturbed you while you spoke. Why are you disturbing? ...*(Interruptions)*...

SHRI G.V.L. NARASIMHA RAO: Sir, this is the Fifth Finance Commission Report. अगर आपके पास है, तो खोलकर देखिए। ..(व्यवधान).. Page 260, Chapter 9.22 - मैं इसको पढ़ रहा हूँ। As the recommendation of the Fourth Delhi Finance Commission could not see the implementation, the recommendations of the Third Delhi Finance Commission continued to operate even for the award period of the Fourth Delhi Finance Commission.” 4th डीएफसी में भी आपने 3rd का ही लागू किया है। उसके बाद “That is for well over five years.” आपने पाँच साल तक यह काम किया है। यह इम्पोर्टेंट लाइन है, “This has been a period long enough to let three major factors break the fiscal backbone of not only an inherently weak municipality like the MCD-East, but it also shook the fiscal strength of even a potentially strong municipality like the MCD-North.” महोदय, यह फाइनेंस कमीशन की रिपोर्ट है। आपने 4th फाइनेंस कमीशन को लागू न करके.....(व्यवधान)...

MR. DEPUTY CHAIRMAN: Mr. John Brittas, you had your say. Please ...*(Interruptions)*...

श्री जी.वी.एल .नरसिंहा राव :दिल्ली के तीनों म्युनिसिपल कॉरपोरेशन्स को कमजोर करने की साजिश की है। यह सौतेला व्यवहार नहीं है, तो और क्या है? ...(व्यवधान)...

सर, इसके बाद जो अवार्ड है, जो कुल मिलाकर 40 हज़ार करोड़ सालाना है और जो पाँच सालों में आवंटित करना था, देना था, वह न देकर, 33 हज़ार करोड़ रुपये कम देकर तीनों म्युनिसिपल कॉरपोरेशन्स को खत्म करने की, उससे दिल्ली की जनता को सताने की, उससे राजनीतिक लाभ उठाने की साजिश आपने की है, जिसके लिए आपको दिल्ली की जनता माफ नहीं करने वाली है।... (व्यवधान)...

सर, इसके अलावा बीटीए यानी बेसिक टैक्स असाइन्मेंट के तहत तीनों म्युनिसिपल कॉरपोरेशन्स को प्रदेश सरकार को जो पैसा देना है, वह नहीं दिया गया है। वह पैसा टाइम पर नहीं दिया है, महीनों तक नहीं दिया है, इसीलिए बार-बार स्ट्राइक्स होती हैं। महोदय, मैं यहाँ पर एक फॉर्मर ऑफिसर को क्वोट करना चाहता हूँ, जो दिल्ली के सर्कल्स में एक जाने-माने ऑफिसर हैं - राकेश मेहता, Former Chief Secretary of Delhi. ये 2002-2007 तक म्युनिसिपल कॉरपोरेशन ऑफ दिल्ली के कमिश्नर रहे हैं, इसलिए वे एक बहुत अच्छे जानकार ऑफिसर हैं। उनका यह कहना है कि “The devolution of funds till 2019 was based on the recommendations of the Third Delhi Finance Commission Report which had no provision for a truncated Municipal Corporation. Recommendations of the Fourth Delhi Finance Commission were not implemented.” I further read.

श्री संजय सिंह : गलत है। ... (व्यवधान)...

श्री जी.वी.एल .नरसिंहा राव : नहीं, यह पूरी रिपोर्ट है। .. (व्यवधान)..इसके अलावा * (व्यवधान)..

श्री संजय सिंह :उपसभाध्यक्ष जी..(व्यवधान)..मुख्य मंत्री के लिए.. (व्यवधान).. * बोला जा रहा है। .. (व्यवधान)..यह ठीक नहीं है। .. (व्यवधान)..

उपसभाध्यक्ष (श्री भुबनेश्वर कालिता): अभी तक ठीक लग रहा था। (व्यवधान)..आप बैठिए।.. (व्यवधान)..

एक माननीय सदस्य :सर, * को दिखवाया जाए।(व्यवधान)...

उपसभाध्यक्ष (श्री भुबनेश्वर कालिता) : हाँ। ..(व्यवधान)..आप बैठिए। ..(व्यवधान)..

श्री जी.वी.एल .नरसिंहा राव : *..(व्यवधान).. I repeat ..(व्यवधान).. सर ..(व्यवधान)..

श्री संजय सिंह : * शब्द बोल रहे हैं। ..(व्यवधान)..

उपसभाध्यक्ष (श्री भुबनेश्वर कालिता) : सुनिए, वे अपने टाइम में बोल रहे हैं, आपने अपने टाइम में बोला है, अगर कोई बात unparliamentary होगी, तो वह रिकॉर्ड में नहीं जाएगी। ...(व्यवधान)... आप बैठिए। ...(व्यवधान)...

श्री जी.वी.एल. नरसिंहा राव : सर, जनता को गुमराह करने का काम करते हैं। ...(व्यवधान)...

उपसभाध्यक्ष (श्री भुबनेश्वर कालिता) : प्लीज, आप बैठिए। ...(व्यवधान)...

श्री जी.वी.एल. नरसिंहा राव :सर, इस Finance Commission Report को न मानते हुए वे दिल्ली के साथ घोर अन्याय कर रहे हैं और अपनी संवैधानिक duties को follow नहीं कर रहे हैं।

मैं एक और विषय के बारे में कहना चाहता हूँ। क्या हम चुनाव से हार जाएँगे? एक fringe Party से हम हार जाएँगे! जो केवल एक कोने में चुनाव लड़ते हैं, हम उनसे हार जाएँगे! ...(व्यवधान)... आप गलतफहमी में मत रहिए। ऐसी ही गलतफहमी में वाराणसी गए थे और कैसे लौटे, देश की जनता जानती है। इसलिए गलतफहमी में मत रहिए। ...(व्यवधान)... गलतफहमी में मत रहिए। ...(व्यवधान)... इसी दिल्ली में ...(व्यवधान)... सर, इसी दिल्ली में ...(व्यवधान)... सर, इसी दिल्ली में हम 2014 का लोक सभा चुनाव डंके की चोट पर जीते, 7 के 7 जीते। 2019 में 7 की 7 लोक सभा सीटें जीते, लाखों majority से। ...(व्यवधान)... इसी दिल्ली में 2017 के MCD चुनाव बड़े बहुमत से जीते। इसलिए आपको गलतफहमी हो सकती है, दिल्ली की जनता को नहीं।

* Expunged as ordered by the Chair.

दिल्ली की जनता को भी आपसे छुटकारा चाहिए। क्या हमें आपके मुख्यमंत्री का भय है? इस शब्द का प्रयोग करना, मैं इस पर आपत्ति जताता हूँ, लेकिन यह शब्द बताने वाले संजय भाई से कहना चाहता हूँ कि *...(व्यवधान)... इसलिए आप इस प्रकार का ...(व्यवधान)... इस प्रकार का आरोप लगा कर ...(व्यवधान)...

उपसभाध्यक्ष (श्री भुवनेश्वर कालिता) : आप अपनी सीट पर जाइए। ...(व्यवधान)... अगर इसमें कुछ आया, तो मैं देखूँगा। ...(व्यवधान)... आप अपनी सीट पर जाइए। ...(व्यवधान)... आप अपनी सीट पर जाइए। ...(व्यवधान)... आप अपनी सीट पर जाइए। ...(व्यवधान)... अगर उसमें कुछ ...(व्यवधान)...

श्री जी.वी.एल. नरसिंहा राव : सर, मेरा समय खत्म हो रहा है। ...(व्यवधान)... I will conclude, Sir. ...(Interruptions) ...

उपसभाध्यक्ष (श्री भुवनेश्वर कालिता) : आप अपनी सीट पर जाइए। ...(व्यवधान)...

श्री जी.वी.एल. नरसिंहा राव : सर, इस सरकार का ...(व्यवधान)...

उपसभाध्यक्ष (श्री भुवनेश्वर कालिता) : आप अपनी सीट पर जाइए, मैं रिकॉर्ड देख लूँगा। ...(व्यवधान)... संजय सिंह जी, यह तरीका नहीं है। Don't be unruly ...(Interruptions)... I will name you. ...(Interruptions)...

श्री जी.वी.एल. नरसिंहा राव : सर, *...(व्यवधान)... सर, *...(व्यवधान)...

उपसभाध्यक्ष (श्री भुवनेश्वर कालिता) : आप अपनी सीट पर जाइए। ...(व्यवधान)... Hon. Member, please go to your seat. If there is something objectionable, I will look into the records. ...(Interruptions)... Please go to your seats. ...(Interruptions)... आप बोलिए। ...(व्यवधान)... नरसिंहा राव जी। ...(व्यवधान)... आप conclude कीजिए। ...(व्यवधान)...

श्री जी.वी.एल. नरसिंहा राव : सर, मैं conclude कर रहा हूँ। ...(व्यवधान)...

THE VICE-CHAIRMAN (SHRI BHUBANESWAR KALITA) : Please conclude, Narasimha Raoji. ...(Interruptions)...

श्री जी.वी.एल. नरसिंहा राव : सर, हम परिवारवाद के खिलाफ लड़ने वाली पार्टी हैं। ...(व्यवधान)...

* Expunged as ordered by the Chair.

THE VICE-CHAIRMAN (SHRI BHUBANESWAR KALITA): Please be seated. Let him complete. ...*(Interruptions)*...

श्री जी.वी.एल. नरसिंहा राव : सर, मैं conclude कर रहा हूँ। ...*(व्यवधान)*... सर, मैं conclude कर रहा हूँ। ...*(व्यवधान)*...

DR. SANTANU SEN: Sir, I have a point of order. ...*(Interruptions)*...

THE VICE-CHAIRMAN (SHRI BHUBANESWAR KALITA): Let him complete. ...*(Interruptions)*...

श्री संजय सिंह : सर, point of order तो सुन लीजिए। ...*(व्यवधान)*...

THE VICE-CHAIRMAN (SHRI BHUBANESWAR KALITA): Shri G. V. L. Narasimha Rao, please conclude.

श्री जी.वी.एल. नरसिंहा राव : सर, मैं कन्क्लूड कर रहा हूँ।...*(व्यवधान)*... हम परिवारवाद के खिलाफ...*(व्यवधान)*...

DR. SANTANU SEN: Sir, I am on a point of order. ...*(Interruptions)*...

THE VICE-CHAIRMAN (SHRI BHUBANESWAR KALITA): Please, sit down.

श्री जी.वी.एल. नरसिंहा राव : सर, हम परिवारवाद के खिलाफ लड़ने वाली पार्टी हैं।...*(व्यवधान)*... हम लोकतांत्रिक पार्टी हैं, इसलिए कहीं बेटा, बेटी, दामाद की एंट्री होती है, तो हम उसकी राजनीतिक व्याख्या करते हैं। ...*(व्यवधान)*... Sir, Delhi Model of Government is...

DR. SANTANU SEN: Sir, I am on a point of order. ...*(Interruptions)*...

THE VICE-CHAIRMAN (SHRI BHUBANESWAR KALITA): Dr. Santanu Sen, please be seated. ...*(Interruptions)*... Your time will come. ...*(Interruptions)*... I will allow you. Not now. ...*(Interruptions)*. I will not do that. ...*(Interruptions)*...

DR. SANTANU SEN: Sir, my point of order is. ...*(Interruptions)*...

SHRI G.V.L. NARASIMHA RAO: Sir, the Delhi Model of Government is this. ...*(Interruptions)*...

DR. SANTANU SEN: Sir, I am on a point of order. ...*(Interruptions)*...

THE VICE-CHAIRMAN (SHRI BHUBANESWAR KALITA): Your point of order will be after him. ...*(Interruptions)*. Let him finish. ...*(Interruptions)*... Please be seated. ...*(Interruptions)*. Let him complete. ...*(Interruptions)*... No, not now. ...*(Interruptions)*...

श्री जी.वी.एल. नरसिंहा राव : सर, Delhi Model of Government का इनका मॉडल है - starve development and saturate advertisement. हर जगह इनके नेता का चित्र दिखने के अलावा कोई विकास नहीं हुआ है।...*(व्यवधान)*... 'आप' मॉडल है और 'आप' का दूसरा नाम है - 'Always Prachar', और कुछ नहीं, धन्यवाद।

THE VICE-CHAIRMAN (SHRI BHUBANESWAR KALITA): Now, you tell me, Dr. Santanu Sen, what is your point of order and under which rule? ...*(Interruptions)*...

DR. SANTANU SEN: Sir, * ...*(Interruptions)*...

THE VICE-CHAIRMAN (SHRI BHUBANESWAR KALITA): Don't cast aspersions. I am allowing you. ...*(Interruptions)*... Don't cast aspersions. I am allowing you. ...*(Interruptions)*...

DR. SANTANU SEN: The point of order was regarding his speech. But, you allowed him to continue with his speech. ...*(Interruptions)*...

THE VICE-CHAIRMAN (SHRI BHUBANESWAR KALITA): No, no. That is not the proper way, Dr. Santanu Sen. You read the rules. You have raised your point of order. You can raise it now.

DR. SANTANU SEN: Sir, my point of order was regarding his speech. But, you did not allow.

* Expunged as ordered by the Chair.

THE VICE-CHAIRMAN (SHRI BHUBANESWAR KALITA): You are not supposed to disturb his speech. You are not supposed to disturb someone's speech. If you have to say something, you say about it. ...*(Interruptions)*...

DR. SANTANU SEN: Sir, point of order is not disturbing. ...*(Interruptions)*... Point of order does not mean causing disturbance. ...*(Interruptions)*... Point of order never means causing disturbance. ...*(Interruptions)*.....

THE VICE-CHAIRMAN (SHRI BHUBANESWAR KALITA): Under which rule, Mr. Santanu Sen? Quote me the rule. ...*(Interruptions)*...

DR. SANTANU SEN: Sir, you did not allow me at that time. You allowed him to continue. But, you did not allow me to raise it. ...*(Interruptions)*.....

THE VICE-CHAIRMAN (SHRI BHUBANESWAR KALITA): You don't have any point of order. I am calling the next speaker. ...*(Interruptions)*.....

DR. SANTANU SEN: Sir, point of order is under Rule 240 — Irrelevance or repetition. It says, 'The Chairman, after having called the attention of the Council to the conduct of a member who persists in irrelevance or in tedious repetition either of his own arguments or of the arguments used by other members in debate, may direct him to discontinue his speech.' But, you have continued him already. So, what is the point of using point of order? ...*(Interruptions)*.....

THE VICE-CHAIRMAN (SHRI BHUBANESWAR KALITA): I will look into it. ...*(Interruptions)*..... Now, Dr. Fauzia Khan.

डा. फौजिया खान (महाराष्ट्र): सर, हमारे देश के सम्माननीय गृह मंत्री जी, जिन्होंने अपने सम्माननीय हाथों में वह डोर पकड़ी हुई है, जिस पर हमारे देश की क़ानून-व्यवस्था की पतंग सवार है। बेशक यह जिम्मेदारी बहुत बड़ी है और हमारे देश की जनता ने यह जिम्मेदारी इनको सौंपी है।

सर, जम्हूरियत के सांचों में इन्सानियत को ढाल कर, भारत निर्माण के महान कार्य की जिम्मेदारी भी भारत की जनता ने इन्हीं को सौंपी है। न्याय, भाईचारा, शान्ति, उन्नति, प्रगति, संस्कृति के रंगों से बने हुए इन्द्रधनुष को निखारने की जिम्मेदारी भी देश की जनता ने आप ही को दी है।

सर, आदरणीय गृह मंत्री जी ने लोक सभा में अपने भाषण में कहा था कि यह बिल संविधान की धाराओं को लेकर, उसके अनुसार ही लाया गया है। लेकिन, सर, इन्होंने कहा कि इसमें असंवैधानिक कुछ नहीं है। उन्होंने आर्टिकल 239AA की बात की थी, Any law passed by the National Capital Territory of Delhi can be amended by the Parliament. Sir, 243P and 243R of the Constitution of India says, 'to constitute Municipalities, the power lies with the State Government.' Article 246, read with the Seventh Schedule, Entry 7 of the State List, says, 'The power to constitute Municipal Corporation is the States.'

जिन अमेंडमेंट्स का उल्लेख आदरणीय मनु सिंघवी जी ने किया, मुझे लगता है कि हमें उनको भी ध्यान में रखने की आवश्यकता है। एक और बात सम्माननीय गृह मंत्री जी ने लोक सभा के अपने भाषण में कही थी - उन्होंने इमरजेन्सी के बारे में वहां एक बात कही थी - इमरजेन्सी हर भारतीय की नजर में 1975 और 1977 के बीच के इतिहास का सबसे निंदनीय और सबसे काला दौर माना जाता है, लेकिन इमरजेन्सी प्रावधान की अगर हम बात करें, तो इमरजेन्सी लगाने का भी तांत्रिक प्रावधान उस समय संविधान में ही था। बहाना चाहे कुछ भी हो, लेकिन तांत्रिक धाराओं के आधार पर ही इमरजेन्सी लगाई गई थी। आज मैं यह पूछना चाहती हूं कि क्या कोई भी भारतीय इमरजेन्सी को जस्टिफाई कर सकता है या क्या हममें से कोई भी इस इमरजेन्सी को उसके पोलिटिकल संबंध, उसके पोलिटिकल होलसम काँटेक्स्ट के बगैर देख सकता है? नहीं। इस तरह का बिल सदन में लाते समय हम इस बिल के संदर्भ में कोऑपरेटिव फेडरलिज़्म को नहीं भूल सकते हैं। कोऑपरेटिव फेडरलिज़्म की बात हम सिर्फ धाराओं से नहीं कर सकते हैं। कोऑपरेटिव फेडरलिज़्म की बात इस बिल के संदर्भ में core spirit of the Constitution से करना आवश्यक है और कोर स्पिरिट को हम कभी ignore नहीं कर सकते।

† ڈاکٹر فوزیہ خان (مہاراشٹر): سر، ہمارے دیش کے سمانیئے گرہ منتری جی، جنہوں نے اپنے سمانیئے ہاتھوں میں وہ ڈور پکڑی ہوئی ہے، جس پر ہمارے دیش کی قانون ویوستھا کی پتنگ سوار ہے۔ بیشک یہ ذمہ داری بہت بڑی ہے اور ہمارے دیش کی جنتا نے یہ ذمہ داری ان کو سونپی ہے۔

سر، جمہوریت کے سانچوں میں انسانیت کو ڈھال کر، بھارت نرمان کے مہان کارئیے کی ذمہ داری بھی بھارت کی جنتا نے انہیں کو سونپی ہے۔ نیائے، بھائی چارہ، شانتی، اننتی، سنسکرتی کے رنگوں سے بنے ہوئے اندر دھنش کو نکھارنے کی ذمہ داری بھی دیش کی جنتا نے آپ ہی کو دی ہے۔

سر، آدرنیئے گرہ منتری جی نے لوک سبھا میں اپنے بھاشن میں کہا تھا کہ یہ بل آئین کی دھاراؤں کو لیکر، اس کے مطابق ہی لایا گیا ہے۔ لیکن، سر، انہوں نے کہا کہ اس میں غیر آئینی کچھ نہیں ہے۔ انہوں نے آرٹیکل 239AA کی بات کی تھی۔

Any law passed by the National Capital Territory of Delhi can be amended by the Parliament. Sir, 243P and 243R of the Constitution of India says, 'to constitute Municipalities, the power lies with the State Government.' Article 246, read with the Seventh Schedule, Entry 7 of the State List, says, 'The power to constitute Municipal Corporation is the States.'

†جن امینڈمینٹس کا آئیگھ آدرنیہ منوسنگھوی جی نے کیا، مجھے لگتا ہے کہ ہمیں ان کو بھی دھیان میں رکھنے کی ضرورت ہے۔

† Transliteration in Urdu script.

ایک اور بات سمآئیے گرہ منتری جی نے لوک سبھا کے اپنے بھاشن میں کہی تھی۔ انہوں نے ایمرجنسی کے بارے میں وہاں ایک بات کہی تھی۔ ایمرجنسی ہر بھارتیہ کی نظر میں 1975 اور 1977 کے بیچ کے اتیہاس کا سب سے نندنیے اور سب سے کالا دور مانا جاتا ہے، لیکن ایمرجنسی پراؤدھان کی اگر ہم بات کریں، تو ایمرجنسی لگانے کا بھی تانترک پراؤدھان اس وقت سمودھان میں ہی تھا۔ چاہے کچھ بھی ہو، لیکن تانترک دھاروں کے ادھار پر ہی ایمرجنسی لگائی گئی تھی۔ آج میں یہ پوچھنا چاہتی ہوں کہ کیا کوئی بھی بھارتیہ ایمرجنسی کو جسٹیفائی کر سکتا ہے یا کیا ہم میں سے کوئی بھی اس ایمرجنسی کو اس کے پالیٹیکل سمبندھ، اس کے پالیٹیکل ہولسم کانٹیکٹس کے بغیر دیکھ سکتا ہے؟ نہیں اس طرح کا بل ہاؤس میں لاتے وقت ہم اس بل کے سندربھ میں کوآپریٹیو فیڈرلزم کو نہیں بھول سکتے ہیں۔ کوآپریٹیو فیڈرلزم کی بات ہم صرف دھاراؤں سے نہیں کر سکتے ہیں۔ کوآپریٹیو فیڈرلزم کی بات اس بل کے سندربھ میں core spirit of the Constitution سے کرنا ضروری ہے اور کور اسپرٹ کو ہم کبھی نظر انداز نہیں کر سکتے۔

THE VICE CHAIRMAN (SHRI BHUBANESWAR KALITA): Wind up, please.
...(Interruptions)...

DR. FAUZIA KHAN: Sir, just give me a minute. संख्या के बलबूते पर यह बिल पास हो जाएगा, इसमें दो मत नहीं हैं, लेकिन इतिहास हमसे कहीं वह सवाल न करे, जो सवाल आज हम इमरजेंसी पर कर रहे हैं। इस बात को ध्यान में रखना जरूरी है। आज जनता ने जनादेश देकर दिल्ली में जिस सरकार को बैठाया है, उनको जो जिम्मेदारी दी है, एक इलेक्टेड सरकार बनाई है, उन पर विश्वास रखा है, आज मैं कहना चाहूंगी कि अगर हमारी सरकार, हमारी यूनियन गवर्नमेंट इस बिल को पास करने से पहले उस सरकार से बात करती, उन्हें confidence में लेती, उनके साथ संवैधानिक चर्चा करती, तो वह एक विशाल मन और सही कोऑपरेटिव फेडरलिज्म का सबूत होता, आज बात ऐसी हो रही है -

'नाहक हम मजबूरों पर ये तोहमत है मुख्तारी की,
चाहते हैं सो आप करें हैं, हमको अबस बदनाम किया।

महोदय, आखिर में मुझे यह बात कहने दीजिए कि the Government should not become like a three-armed man where one arm is used to pat your own back all the time. I request the hon. Home Minister to please withdraw this Bill and do justice to the nation.

† ڈاکٹر فوزیہ خان (مہاراشٹر) : . Sir, just give me a minute. سنکھیا کے بل بوتے پر یہ بل پاس ہو جائے گا، اس میں دو مت نہیں ہیں، لیکن اتیہاس ہم سے کہیں وہ سوال نہ کرے، جو سوال آج ہم ایمرجنسی پر کر رہے ہیں۔ اس بات کو دھیان رکھنا ضروری ہے۔ آج جنتا نے جنادیش دیکر دہلی میں جس سرکار کو بٹھایا ہے، ان کو جو ذمہ داری دی ہے، ایک الیکٹڈ سرکار بنائی ہے، ان پر وشواس رکھا ہے، آج میں کہنا چاہونگی کہ اگر ہماری سرکار، ہماری یونین گورنمنٹ اس بل کو پاس کرنے سے پہلے اس سرکار سے بات کرتی، انہیں کانفیڈنس میں لیتی، ان کے ساتھ سمودھانک چرچہ کرتی، تو وہ ایک وشال من اور صحیح کوآپریٹیو فیڈرلزم کا ثبوت ہوتا، آج بات ایسی ہو رہی ہے۔

ناحق ہم مجبوروں پر یہ تہمت ہے مختاری کی

† Transliteration in Urdu script.

چاہتے ہیں سو آپ کریں ہیں ہم کو عبث بدنام کیا

the Government should not become like a three-armed man where one arm is used to pat your own back all the time. I request the hon. Home Minister to please withdraw this Bill and do justice to the nation.

SHRIMATI PRIYANKA CHATURVEDI (Maharashtra): Sir, I won't take too much of time. ... (Interruptions)... गृह मंत्री जी ने अपनी ओपनिंग स्पीच में कुछ बहुत महत्वपूर्ण बातें कही थीं। उन्होंने कहा था कि यूनिफिकेशन की जरूरत इसलिए है, क्योंकि करप्शन है, पॉलिसीज़ में डिफरेंसेज़ हैं, unequal access है। हम सब इससे सहमत हैं कि अगर कोई निर्णय लेना है तो निर्णय होना चाहिए। परंतु जब मैं राज्य सभा में आई थी, तो मैं संविधान की शपथ लेकर आई थी और वह संविधान मुझे बताता है कि under Article 74 of the Constitution, जहां पर अर्बन गवर्नन्स की बात होती है, वहां पर decentralization of power की बात होती है। आज हम मेम्बर ऑफ पार्लियामेंट होकर दिल्ली की यहां चर्चा कर रहे हैं, परंतु हम उन एमएलएज़ को वंचित कर रहे हैं, जिन्हें दिल्ली की जनता ने ही चुनकर असेम्बली में भेजा है और हमने उनसे पूछा भी नहीं है कि वे ये यूनिफिकेशन चाहते हैं या नहीं चाहते हैं।

सर, मैंने 74वें कांस्टिट्यूशनल अमेंडमेंट की बात की है, अगर मैं साथ में Articles 243P, 243R, and 246S of the Constitution of India की बात करती हूँ, तो वे भी कहते हैं कि power for unification or trifurcation of the Municipal Corporations of Delhi vests with the Legislative Assembly of the State, and not with the Union Government.

Sir, we are talking about federal cooperation and also talking about Constitution and democracy. आज उनकी सरकार है, कल शायद नहीं रहेगी, आज इनकी सरकार म्युनिसिपल कॉरपोरेशन में है, कल शायद नहीं रहेगी। वाजपेयी जी ने एक बहुत महत्वपूर्ण बात कही थी - 'सरकारें आएंगी, जाएंगी, राजनीतिक पक्ष उभरेंगे और गिरेंगे, परंतु जो हमारा संविधान है, जो हमारा प्रजातंत्र है, उसका हनन कतई नहीं होना चाहिए।'

महोदय, मैं माननीय गृह मंत्री जी से यही कहना चाहूंगी कि जरा इस बिल पर पुनर्विचार करें और यहां जो दिल्ली असेम्बली है, उनसे भी सलाह-मशविरा करके यह निर्णय लें, धन्यवाद।

श्री विवेक ठाकुर (बिहार) : महोदय, सबसे पहले मैं आपके माध्यम से आप सभी को नव वर्ष विक्रम संवत् 2079, चैत्र नवरात्रि एवं चैती छठ की शुभकामनाएँ देता हूँ।

महोदय, मैं आपका धन्यवाद ज्ञापित करना चाहता हूँ कि दिल्ली नगर निगम (संशोधन) विधेयक, 2022 पर आपने मुझे बोलने का मौका दिया है। यह बिल विगत 25 मार्च को लोक सभा में पेश किया गया था और पारित भी हुआ। कल जब मैं दिल्ली एयरपोर्ट के टर्मिनल 3 पर उतरा -- हममें से कई सदस्य हफ्ते के अन्त में अपने क्षेत्र में जाते हैं और जब सत्र चलता है, तो सोमवार

सुबह यहाँ आते हैं, उसी क्रम में मैं भी वहाँ से आया, तो मैंने एयरपोर्ट पर एक standee देखी। उसमें मिर्जा ग़ालिब की दो लाइनें अंग्रेज़ी में लिखी हुई थीं। मैंने उन्हें नोट किया। मुझे लगा कि सदन में इसे बताना अनिवार्य है। संयोग से आपने मुझे बोलने का यह मौका दे दिया। उसमें लिखा हुआ था - 'I asked my soul:What is Delhi? She replied: The world is the body and Delhi its life.'

महोदय, दिल्ली नगर निगम पूरे राष्ट्रीय राजधानी क्षेत्र के 95 प्रतिशत हिस्से की नागरिक सुविधाओं की जिम्मेदारी उठाता है, यह सब अब हम सब भली-भाँति जान गये हैं। तीनों निगमों में लगभग 1,20,000 कर्मचारी काम करते हैं, यह भी हम जान गये हैं। कई वक्ताओं ने इन facts or figures को बोला भी है। राष्ट्रीय राजधानी होने के कारण यहाँ पर राष्ट्रपति भवन, संसद भवन, प्रधान मंत्री आवास, प्रधान मंत्री कार्यालय, केन्द्रीय सचिवालय, दूतावास और कई महत्वपूर्ण अंतरराष्ट्रीय मीटिंग्स के स्थानों के साथ-साथ कई अहम इंस्टीट्यूशंस भी मौजूद हैं। इस बात को दृष्टिगत रखते हुए सिविक सेवाओं की जिम्मेदारी के निर्वहन का काम पूरी तरह से दिल्ली के तीनों नगर निगमों के ऊपर है। मेरे मित्र ने बहुत विस्तार से 1957 के एक्ट की चर्चा की। 13 boards थे, committees थीं और दो Acts भी थे, जिनके तहत उस समय की दिल्ली चलती थी। Multiplicity के चलते यह एक एक्ट लाया गया।

(उपसभापति महोदय पीठासीन हुए)

अब समझिए कि दो Acts भी थे। उसमें ठीक ही कहा गया, लिखा हुआ था कि 'With so many bodies and local authorities looking after the municipal affairs, complications and problems were being faced by various authorities as well as by the public and the need to have a unified body to administer the Municipal Government of Delhi was strongly felt. Accordingly, to consolidate and amend the laws relating to the Municipal Government of Delhi, the Municipal Corporation Bill, 1957, was introduced in the Parliament.' महोदय, आज भी स्थिति वही है। यह एक्ट हमारे पूर्वजों ने बड़ा सोच-समझ कर दिल्ली और दिल्लीवासियों के हित में बनाया था। दिल्ली इस एक्ट के तहत बहुत सुन्दर और सुचारू रूप से चली। ऐसी क्या आवश्यकता पड़ी कि तत्कालीन कांग्रेस की दिल्ली सरकार और केन्द्र में कांग्रेस की अगवाई वाली यूपीए सरकार ने दिल्ली नगर निगम (संशोधन) विधेयक, 2011 लाकर दिल्ली नगर निगम को खंड-खंड में बाँटा! यह समझ में नहीं आया। परिणाम यह हुआ कि बीते समय के साथ दिल्ली की व्यवस्था, इसकी जो पूरी सिविक व्यवस्था थी, वह चरमराती चली गयी और दिल्ली, 'बेदिल दिल्ली' बन गयी। महोदय, आज 10 साल हो गये। अनुभव भी सामने आ गया है। विश्लेषण तथ्यों पर हो रहा है। उसके उपरान्त भारत सरकार ने यह निर्णय किया है कि अनिवार्यता वही है, go back to the basic, तो फिर से एक बार तीनों निगमों को एक करके पूर्ववत की स्थिति की जाये और उसी दिशा में हम बढ़ रहे हैं।

महोदय, यह सही कहा गया है कि बड़ा आनन-फानन में बँटवारा हुआ था। इस पूरी exercise में विवेक का कोई इस्तेमाल कहीं देखने को नहीं मिलता है। Resources का uneven distribution, नीतियों में कोई समानता नहीं, इस तरह पिछले 10 सालों में दिल्ली एक बड़ी विचित्र स्थिति में चली है। 2011-12 का जो युग था, यह जो काल था, इस समय शासन जमींदारी की व्यवस्था के जैसा चलता था। किसी निजी हित या निजी स्वार्थ के चलते, न कि जनहित में, कई निर्णय भारतवर्ष में हुए और उसी क्रम में दिल्ली को 'बेदिल दिल्ली' बनाने वाला भी यह निर्णय हुआ।

महोदय, मैंने उस समय की खबरें पढ़ीं, तो इसके पीछे से बड़ा स्पष्ट political design उभरा। 12-13 जनवरी, 2012 के अखबारों में तत्कालीन मुख्य मंत्री शीला दीक्षित जी का स्टेटमेंट है। उसमें उन्होंने एक बात कही थी। इतने लंबे अरसे तक वह मुख्य मंत्री रहीं और जब उनसे पत्रकारों ने पूछा कि आपके लगभग 13 सालों का achievement क्या रहा, तो उन्होंने अपने वक्तव्य में कहा कि "The single biggest thing we did in the last 13 years was the trifurcation of MCD." यह एक अजीब मनोभाव को दर्शाता है कि ऐसा insistence और rigidity थी कि पूरे 13 साल के शासन का सबसे बड़ा achievement यही था! महोदय, यह धारा-370 नहीं थी, जो पूरे भारत के लिए आन-बान की चीज़ थी, बल्कि इसमें तो पूरी दिल्ली खंडित हो गयी और दिल्ली की आम जनता दंश झेलती रही। महोदय, MCD में दशकों से भारतीय जनता पार्टी लगातार जीतती आई है। लगता है कि आधिपत्य की राजनीति करने में दिल्ली सरकार को तब जो बाधा पहुंचती थी और जो आज भी पहुंचती है, उसका निगमों के प्रति step-motherly attitude बहुत स्पष्ट रूप से प्रमाणित होता है, जिसकी चर्चा मैं आगे करूंगा। महोदय, इस बिल की legality और इसके provisions पर भी चर्चा हुई। इस बिल में कुछ amendments हैं। इसमें पार्षदों की संख्या 272 से कम करके अधिकतम 250 तक सीमित करने का प्रस्ताव भी है। इसके द्वारा दिल्ली की जनता के लिए e-governance 'any time-anywhere basis' स्थापित होगा, जो कि पारदर्शी municipal administration होगा। इस बिल पर लोक सभा और आज राज्य सभा में चर्चा के दौरान कांग्रेस के कुछ सदस्यों ने इस बिल की legality पर question किया है। यदि इसे decode करेंगे, तो दिल्ली नगर निगम (संशोधन) विधेयक, 2022, संविधान के अनुच्छेद 239ए के तहत प्रदत्त शक्तियों के अनुसार लाया गया है। संविधान के अनुच्छेद 239ए (3(बी) एंड 3(सी)) के तहत संसद को, दिल्ली संघ राज्य क्षेत्र के बारे में एवं उससे संबंधित किसी भी विषय पर कानून बनाने का अधिकार प्राप्त है और इसे सुप्रीम कोर्ट ने अलग-अलग समय पर साफ-साफ स्पष्ट भी किया है, इसलिए सरकार यह विधेयक as per the provision of the Constitution लाई है और यह पूरी तरह से संवैधानिक है। महोदय, इस बिल में निर्वाचन की प्रक्रिया के साथ कोई भी छेड़छाड़ नहीं की गई है तथा इसमें संघ राज्य की शक्तियों का अतिक्रमण भी नहीं किया गया है।

महोदय, यहां Finance Commission से संबंधित बहुत विस्तृत बात हुई। जो चौथा-पांचवां Finance Commission बैठा, उसकी रिपोर्ट्स का सार यही है कि उसने कहा कि MCD को पैसा दे दो, लेकिन MCD को पैसा नहीं मिला, जिसे दिल्ली सरकार को देना था। यह भी पहले से तय हो गया था, इसलिए मैं इसकी विस्तृत figure में जाना नहीं चाहूंगा, क्योंकि जो वर्तमान सरकार

है, उसने विधान सभा में सीधे तौर पर कह दिया कि हम Finance Commission की रिपोर्ट को नकारते हैं। उस सरकार ने विधान सभा में स्वीकारा कि हम 17,000 करोड़ रुपए देंगे, इसलिए क्या deficit है, उसमें नहीं फंसना है। मज़े की बात यह है कि सरकार ने विधान सभा में स्वीकार कर लिया कि 17,000 करोड़ रुपए देंगे, उसके बावजूद केवल 6,129 करोड़ रुपए दिए! यह तो उनकी बात की गंभीरता है - क्या सदन और क्या बाहर! इसकी अनुभूति धीरे-धीरे दिल्ली को भी हो रही है, हम सबको भी हुई है और इसे कोविड काल में तो पूरे भारत ने देखा है। यह एक continuous process के रूप में चला आ रहा है कि चूंकि भारतीय जनता पार्टी MCD में काबिज़ है, तो इसे defunct कर दो। क्या जनहित और जनहित की संस्थाओं का इस प्रकार से मारा जाना governance है? दिल्ली के तीनों नगर निगम, जिनके ऊपर वहां की 95 प्रतिशत आबादी की जन सुविधाओं, दिल्ली के रख-रखाव, सफाई, सौंदर्यीकरण, education और health infrastructure का दायित्व है, उसके प्रति इतने पूर्वाग्रह का attitude रखने से क्या दिल्ली किसी भी सूरते-हाल में world-city बन सकती है, जिसकी इन्होंने घोषणा की है? यह बहुत दुर्भाग्यपूर्ण है। महोदय, अन्य बातों को तो छोड़िए, हाई कोर्ट की रूलिंग के बाद भी compliance नहीं हुआ। हमारे मित्रों में उस टिप्पणी को भी पढ़ा होगा, जो हाई कोर्ट ने की थी, जो कि संक्षेप में है कि "We accordingly allow this application and direct the GNCT to release in the current financial year the remaining amount due towards BTA to the three Corporations on the basis of their own Revised Estimates presented in the Budget for the year 2021-22." यह टिप्पणी मेरी नहीं है, न मेरी पार्टी की है और न ही इसे मेरे किसी नेता ने बोला है, बल्कि यह कोर्ट की टिप्पणी है कि दिल्ली कैसे चलेगी। राजनैतिक प्रतिद्वंद्वता और प्रतिस्पर्धा अपनी जगह पर है, लेकिन इसकी मार दिल्ली की आम जनता झेले, क्या यह न्यायसंगत है? यदि आपकी समस्या बीजेपी से है, तो करिए न झगड़ा; हम भी तैयार हैं, लेकिन उसका दंश दिल्ली की आम जनता क्यों झेले? इसका भी तो जवाब कहीं खोजना पड़ेगा।

महोदय, हम सब यह जान गए हैं कि जब दिल्ली के तीन भाग हुए, तब पूरी चीज़ poorly conceived, ill-planned हुई। टैक्सपेयर्स की अलग-अलग संख्या थी। ईस्ट और साउथ में लगभग दो-दो लाख का अंतर था। अब प्रश्न यह उठता है कि एमसीडी को टैक्स कहाँ से मिलता है, इसके revenue resources क्या हैं? ये property tax, advertisement, profession tax, transfer duty tax, parking, indirect taxes हैं, लेकिन ये सब दिल्ली सरकार कलेक्ट करती है। एमसीडी तब चलेगी, जब दिल्ली सरकार यह पैसा एमसीडी को देगी। दिल्ली सरकार इसको कलेक्ट करती है और उस पर अपना कमीशन और service charge काट कर एमसीडी को देना होता है। इस प्रकार से यह गलाघोंट व्यवस्था के अलावा कुछ नहीं था। ध्येय बड़ा स्पष्ट था, एमसीडी मजबूत हुई, तो राजनैतिक नुकसान हुआ, क्योंकि एमसीडी में बीजेपी बार-बार आई।

महोदय, दूसरी तरफ जो तीन निगम हैं, उसने अपना रेवेन्यू बढ़ाने के लिए निरंतर रूप से प्रयास किया और इसके लिए अनुमति माँगी। दिल्ली सरकार को रेवेन्यू बढ़ाने के लिए तीन प्रपोजल्स दिए गए। पहला प्रस्ताव 2020 में दिया कि हम कमर्शियल टैक्स को बढ़ाना चाहते हैं, इससे हम रेवेन्यू बढ़ा लेंगे, इसलिए हमें इसकी अनुमति दी जाए। हुआ क्या? Permission

denied. दूसरा प्रस्ताव दिया गया कि हम पार्किंग के द्वारा रेवेन्यू बढ़ा लेंगे, लेकिन हुआ क्या? Permission denied. फिर तीनों कॉरपोरेशन्स ने कहा कि हम अपना bond जारी कर सकते हैं, इसके लिए permission pending है। इसको भी denied ही मान लिया जाए। अगर दिल्ली के तीनों एमसीडीज़ अपना रेवेन्यू जेनरेट करना चाहती हैं, तो इसमें दिल्ली सरकार को क्या आपत्ति है? इसको हम सब समझना चाहते हैं। मेरे हिसाब से और कुछ नहीं है, बल्कि यह simple case of height of sadistic governance है, उसके अलावा कुछ नहीं है।

महोदय, वे सफाई कर्मचारी, टीचर्स, जो पढ़ाते हैं, पेंशनधारी, जो विधवा हैं, ओल्ड एज होम्स, यानी जिनको तनख्वाह नहीं मिल रही है, सेंटर्स का maintenance न हो सके, ऐसी घृणित राजनीति करके गरीबों और जरूरतमंदों को वंचित अवस्था में रखना, ये sadism नहीं है, तो और क्या है?

महोदय, दिल्ली में 'आयुष्मान भारत', जो सिर्फ गरीब की स्वास्थ्य की चिंता करता है, वह लागू नहीं है, यह दुर्भाग्यपूर्ण है या नहीं - यह सदन तय करे। वित्तीय बात हो रही है। जवाहर सरकार जी बहुत वरिष्ठ आईएएस ऑफिसर रहे हैं, उन्होंने revenue deficit and expenditure के बारे में बहुत बातें कीं। मैंने कहा कि आपने पृष्ठभूमि-11 में लिखा, उस समय जब बैलेंस शीट थी, तो लगभग 1,800 करोड़ रुपए की बैलेंस शीट थी। यह एमसीडी के bifurcation and trifurcation के पहले थी। दिल्ली सरकार किसी तरह का grant-in-aid दे देती, square up हो जाता और एक नई बैलेंस शीट के साथ तीनों निगम बाजार में उतरते और फिर उसके बाद responsibility लेते हुए आगे बढ़ते, लेकिन यह हो न सका। उसके बाद एमसीडी gradually गलाघोंट व्यवस्था में फँसती चली गयी और expenditure और revenue में बहुत बड़ा गैप होता गया। East Delhi Municipal Corporation का expenditure लगभग 2,500 करोड़ रुपए का है और revenue कलेक्शन 628 करोड़ रुपए का है। इसी तरह से North Delhi Municipal Corporation का expenditure लगभग 5,000 करोड़ रुपए का है और रेवेन्यू कलेक्शन 3,100 करोड़ रुपए के आस-पास का है। इसी तरह से South Delhi Municipal Corporation का expenditure लगभग 4,000 करोड़ रुपए का है और रेवेन्यू कलेक्शन 2,300 करोड़ रुपए का है। यह deficit का आलम है। उस समय कुल 1,800 करोड़ रुपए था और उस जमाने के पदाधिकारी कहते हैं कि हम एक-दूसरे को offset भी कर लेते थे, लेकिन मंशा कुछ और थी।

महोदय, जो social concept है, इतने constraints और कमी के बावजूद भी दिल्ली के एमसीडीज़ के स्कूल्स में आठ लाख गरीब बच्चे पढ़ते हैं और उनको निःशुल्क पढ़ाया जाता है। उनको दोपहर का भोजन भी दिया जाता है और यूनिफॉर्म तथा किताबें भी दी जाती हैं। ऐसे लगभग 1,616 स्कूल्स एमसीडी के द्वारा चलाए जाते हैं। वहीं दिल्ली सरकार के अधीन छठी से बारहवीं कक्षा तक के 1,026 स्कूल्स हैं और इनका बहुत advertisement भी होता है, लेकिन अगर उनकी अंदरूनी हकीकत सुनें, तो आप ताज्जुब करेंगे। महोदय, 392 स्कूल्स में प्रिंसिपल नहीं हैं, 363 स्कूल्स में वाइस-प्रिंसिपल नहीं हैं। मैं दावा करता हूँ कि अगर 90 प्रतिशत लोग हाहाकार में रहते हैं कि हमारे बच्चे का केन्द्रीय विद्यालय में दाखिला हो, तो इसके यही सब तो कारण हैं, और क्या

हैं? हम जो विज्ञापन देखते हैं, वे महज 15-20 से अधिक नहीं हैं और यह हम नहीं बोल रहे हैं, बल्कि यह रिपोर्टेड बातें हैं। आप देखिए कि तीनों एमसीडीज़ ने मिलकर 95 स्कूल बिल्डिंग्स बनाई हैं और इकोनॉमिक सर्वे ऑफ दिल्ली के अनुसार, दिल्ली सरकार ने केवल 20 नई बिल्डिंग्स बनाई हैं। महोदय, यह बड़ा महत्वपूर्ण है कि सदन में इस बिल के पेश होने के बाद दिल्ली में क्या-क्या reactions आए हैं? यहाँ पर संजय सिंह जी की पार्टी रूल करती है, उन्हें लगता है कि सब कुछ हमें ही पता है, लेकिन अब जो मैं बताऊँगा, उसे मैं भी बोल रहा हूँ और पेपर भी बोल रहा है। इस बिल के पेश होने के बाद समाज के अलग-अलग लोगों द्वारा, सेक्शंस द्वारा जो reactions आए, उनके बारे में खासकर संजय जी और बाकी सबको भी जानना जरूरी है। तीनों निगमों का बंटवारा गलत और अविवेकी था, इसलिए यह बिल पेश हुआ था। इसके बारे में मेरे दो मित्रों ने बताया है कि राकेश मेहता, जो एमसीडी कमिश्नर थे और के.एस. मेहरा, जो लास्ट एमसीडी कमिश्नर थे, एक तरह से उन दोनों का एक संयुक्त विचार था कि "Unification is a good idea for improving governance of the National Capital." ये सब कमिश्नर रहे हैं, अपने ज़माने की बात कर रहे हैं। "We had better discipline and much senior cadre officers at the helm of affairs before 2012. We don't need three Engineer-in-Chiefs, three Commissioners and three HODs for everything. Empowering the twelve Deputy Commissioners and Zonal bodies would suffice. Prior to trifurcation, there were twelve Administrative Zones and the number remained the same even after it was split. The exercise led to greater complications and hurdles."

श्री उपसभापति : प्लीज़, पीछे बैठकर आपस में बात न करें।

श्री विवेक ठाकुर : आप देखिए, बेचारे सुभाष आर्या जी ने उस जमाने की बातों को याद करके कहा कि पहले मेयर और जो कमिटीज़ होती थीं, उनकी अवधि पाँच साल की होती थी, जो अब एक-एक साल की होती है। जब तक मेयर और कमिटीज़ संभलती हैं, तब तक उनकी अवधि समाप्त हो जाती है, तो प्रशासन कैसे चलेगा! दिल्ली के अतुल गोयल जी कौन हैं? वे United RWAs Joint Action (URJA) के हैड हैं। वे कहते हैं - "Condition of drains, streets and general sanitation shows that Delhi is suffering and that unification has been our long-standing demand." शीला जी के साथ एक बड़े वरिष्ठ ब्यूरोक्रेट काम करते थे - योगेन्द्र मान। उन्होंने बहुत लंबा बोला, लेकिन अगर आप उसे एक लाइन में देखते हैं, तो उनका बस यही कहना था कि "Trifurcation was nothing but trouble into three times." महोदय, कर्मचारी का भाव क्या है? हम सब गरीब की बात करते हैं, तो उसके भाव के बारे में भी चर्चा कर लेते हैं। ये ए.पी. खान कौन हैं? ये Confederation of MCD Employees Union के Convenor हैं। उनके हिसाब से, "There were no salary delays since MCD came into existence in 1957 till 2012. The trifurcation happened and lakhs of employees and 60,000 pensioners are suffering. This unification was needed much earlier."

श्री उपसभापति: आप कन्क्लूड करिए।

श्री विवेक ठाकुर : सर, मेरा यह कहना है कि यह बड़ा महत्वपूर्ण है कि हम सब इसे समझें, दिल्ली की सरकार समझे और सहयोग करे। हम मिल-जुलकर दिल्ली के हित में निर्णय करें, वरना वह दिन दूर नहीं होगा, जब जनता कहेगी कि 'सिंहासन खाली करो कि जनता आती है।' महोदय, सूची बड़ी लंबी है। यह लगता है कि विज्ञापन की बात काफी होती है, यहाँ पर fiscal deficit है, मतलब दिल्ली सरकार की जो इकोनॉमी है, वह एकदम shambles में है। इसके साथ ही, बीते कोविड काल में हेल्थ इंफ्रास्ट्रक्चर का जो हाल हुआ, उसके बारे में किसी को बताने की जरूरत नहीं है। उस समय 12 जून, 2020 को ThePrint ने लिखा, यह मैंने नहीं बोला है, बल्कि ThePrint ने लिखा है, "Arvind Kejriwal has run out of excuses over his Covid failure in Delhi. A wasted lockdown with no creation and preparation of the medical infrastructure. We had long been warned of what was in the coming - if it was to be like this: lives cannot be saved."

श्री उपसभापति : प्लीज़, प्लीज़ ...(व्यवधान)... माननीय विवेक ठाकुर जी, आप न्यूज़ पेपर रिपोर्ट क्वोट कर रहे हैं। ...(व्यवधान)...

श्री विवेक ठाकुर : सर, मैं खत्म कर रहा हूँ। ...(व्यवधान)...

सर, उस समय जो हालात थे, भगवान न करे, अगर दोबारा वही हाल हों, तो वर्ल्ड कैपिटल की जो बात कर रहे थे, वह किसी भी समय फलीभूत नहीं होने वाला है। सर, यह बिल इसलिए आवश्यक है, क्योंकि अब नहीं तो कब?

*"जब फसल सूखकर जल के बिन तिनका-तिनका बन गिर जाए,
फिर होने वाली वर्षा का रह जाता कोई अर्थ नहीं।"*

सर, अंत में मैं सबसे यह आग्रह करूँगा कि इस यूनिफिकेशन बिल का सभी लोग समर्थन करें, क्योंकि दिनकर ने सही कहा है:

*"समर शेष है, नहीं पाप का भागी केवल व्याध,
जो तटस्थ हैं, समय लिखेगा उनका भी अपराध।"*

आपका बहुत-बहुत धन्यवाद।

श्री उपसभापति : अब, माननीय मंत्री जी का जवाब।

श्री अमित शाह : माननीय उपसभापति महोदय, मैं जो बिल लेकर सदन के सामने उपस्थित हुआ हूँ, उस पर डा. अभिषेक मनु सिंघवी से लेकर श्री विवेक ठाकुर जी तक पक्ष और विपक्ष के 20 सांसदों ने अपने-अपने विचार रखे हैं। कुछ स्पष्टताएँ भी माँगी गईं, कुछ पोलिटिकल कटाक्ष भी किए गए, कुछ हमारी मंशा पर सवाल भी उठाए गए और कुछ रचनात्मक सुझाव भी आए, मगर

सभी प्रकार से, सभी सदस्यों ने जो कुछ भी विचार इस सदन के पटल पर रखे हैं, मैं उनका स्वागत करता हूँ।

उपसभापति महोदय, जब मैं यह बिल पायलट कर रहा हूँ, तब मेरा दायित्व है कि इस बिल के बारे में जितनी भी बातें उठाई गई हैं, उन सभी बातों की स्पष्टता बिल पायलट करने वाले मंत्री के नाते मुझे सदन के पटल पर रखनी चाहिए और मैं एक-एक करके सभी चीजों का जवाब इस सदन के सामने रखने का प्रयास करूँगा।

मान्यवर, सबसे पहले, इस बिल को लाने के लिए भारत सरकार की संवैधानिक क्षमता पर सवाल उठाया गया है कि भारत सरकार यह बिल ला सकती है या नहीं ला सकती है। उस वक्त फेडरल स्ट्रक्चर और बाकी सारी चीजों के संबंध में भी बहुत सारे सवाल उठाए गए हैं। मैं सबसे पहले इसको स्पष्ट करना चाहता हूँ।

मान्यवर, यह विधेयक संविधान के अनुच्छेद 239AA में प्रदत्त संसद की शक्तियों के अनुरूप लाया गया है। अगर कोई इसको ध्यान से पढ़ लेगा, तो सारे कन्फ्यूजन वहीं पर समाप्त हो जाएँगे। अनुच्छेद 239AA के साथ अनुच्छेद 239AA (3) (b) के अनुसार, संसद को दिल्ली संघ-राज्य क्षेत्र या उसके किसी भी भाग के बारे में किसी भी विषय पर कानून बनाने का अधिकार प्राप्त है। इसके अतिरिक्त, अनुच्छेद 239AA (3) (c) के तहत संसद को राष्ट्रीय राजधानी क्षेत्र दिल्ली विधान सभा द्वारा बनाए गए किसी भी कानून को संशोधित करने, उसके स्वरूप को बदलने या उसको निरस्त करने का अधिकार भी प्राप्त है।

सारे लोग संघीय ढाँचे की बात करते हैं कि कल को ऐसा तमिलनाडु में हो जाएगा, गुजरात में हो जाएगा, महाराष्ट्र में हो जाएगा। नहीं जी, मैं वहाँ पर नहीं कर सकता, क्योंकि वे पूर्ण राज्य हैं। आप ये सारे arguments करते वक्त यह भूल जाते हैं कि दिल्ली राजधानी क्षेत्र पूर्ण राज्य नहीं है। इसका यूटी से भी एक अलग स्टेटस है और इसके लिए संविधान के अंदर अलग प्रोविज़ंस हैं। मान्यवर, कुछ लोग कहते हैं कि हम power hungry हैं, लेकिन ऐसा जो लोग कह रहे हैं, वे ज़रा एक बार आईने में अपना चेहरा देख लें कि उन्होंने क्या-क्या किया है।

7.00 P.M.

मान्यवर, मैं बताना चाहता हूँ कि हमने वर्ष 2014 से लेकर अब तक देश में कई चुनाव लड़े, उनमें कई चुनाव हारे और कई चुनाव जीते - न हमें हारने का भय है, न ही जीतने का अहंकार है। मान्यवर, हम तो उस पार्टी से आते हैं, जिसके कभी लोक सभा में दो सदस्य हुआ करते थे। उन दो सदस्यों को देख कर कांग्रेस की treasury bench से ताने लगाए जाते थे कि 'हम दो और हमारे दो'। शक्तिसिंह जी ने ठीक कहा है कि जो इतिहास को भूल जाते हैं, वे इतिहास बन जाते हैं। शक्तिसिंह जी, यह कहावत नहीं है, यह तो मैं सदन में ही देख रहा हूँ कि जो इतिहास को भूल जाते हैं, वे इतिहास ही बन जाते हैं। महोदय, हमें जो ताने लगाते थे कि 'हम दो और हमारे दो',

उनको मालूम नहीं था कि लोकतंत्र में सर्वशक्तिमान एक परिवार नहीं होता है, बल्कि 130 करोड़ की जनता होती है। आज भी मैं कहता हूँ कि जो इतिहास को भूल जाते हैं, वे इतिहास बन जाते हैं। हम इतिहास को नहीं भूले हैं। मान्यवर, मैं इस बात पर बाद में आऊंगा।

महोदय, जो फेडरल स्ट्रक्चर की दुहाई देते हैं और यहां पर जो चर्चा होती है, उसमें हम अनजाने में, अज्ञान से या असाई के साथ जो भी बात करते हैं, इसको देश श्रद्धा से देखता है, अगर गलत बात करते हैं तो गुमराह भी होता है। इसलिए मेरा दायित्व है कि जो गलत बातें की गई हैं, मैं उनका एक-एक करके स्पष्ट उल्लेख करूँ। यह बिल किसी भी एंगल से, किसी भी दृष्टि से फेडरल स्ट्रक्चर पर कोई आघात नहीं पहुंचाता है। मान्यवर, फेडरल स्ट्रक्चर पर तो आघात तब होता, जब किसी पूर्ण राज्य के लिए मैं बिल लेकर आता। सबको मालूम है कि दिल्ली संघ राज्य है और राजधानी क्षेत्र के लिए सरकार का एक अलग कानून है, इसके लिए एक अलग प्रोविजन किया गया है। जो लोग सत्ता में हैं और हर रोज हाय-तौबा करते हैं, उनको चुनाव लड़ते वक्त यह देख लेना चाहिए कि लड़ने के बाद उन्हें कितने अधिकार मिलेंगे। अगर वे अधिकार से संतुष्ट नहीं हैं, तो उन्हें चुनाव नहीं लड़ना चाहिए। आप यहां राजधानी क्षेत्र का चुनाव लड़ेंगे, लेकिन मांग और महत्वाकांक्षा पूर्ण राज्य की रखेंगे, यह तो संभव नहीं है। कहीं न कहीं आपकी सोच में थोड़ा फर्क है, आप इसको रिपेयर कर लेंगे, तो सारी चीजें अपने आप समझ आ जाएंगी। मान्यवर, इसको समझने के लिए spirit से संविधान को देखना पड़ेगा। अभी कांग्रेस के अभिषेक मनु सिंघवी जी और शक्तिसिंह जी भी इसी बात को कह रहे थे, हालांकि शक्तिसिंह जी बाद में संविधान से निकलकर morality पर आ गए। मैं उनको एक बात कहना चाहता हूँ। जब यह कानून लाया गया, तब देश के तत्कालीन गृह मंत्री जी ने जो बात कही थी, मैं उसे पढ़ना चाहता हूँ। मैं यह स्पष्ट कर दूँ कि वे हमारी पार्टी के नहीं थे, वे उन्हीं की पार्टी के श्री चिदम्बरम जी थे, वे बहुत अच्छे धाराशास्त्री भी हैं। जो मैं कह रहा हूँ, उन्होंने वह सभी लिखा था। संविधान के अनुच्छेद 239AA(3)(c) के तहत परन्तुक के आधार पर डीएमसी अधिनियमन 1957 में संशोधन करने वाला - अगर विधान सभा करती है तो - कोई भी विधेयक राष्ट्रपति की सहमति के बगैर अमल में नहीं आ सकता, यह एक बात हो गई। इसके अलावा संसद के पास केंद्र शासित प्रदेश जीएनसीटीडी के लिए किसी भी मामले - उन्होंने ब्रैकेट में अपने पेन से स्पष्ट किया है - (अर्थात् तीनों सूचियों में से कोई भी मामला) के संबंध में कानून बनाने की समवर्ती शक्तियां निहित हैं। इसके अलावा संविधान के अनुच्छेद 239AA (3)(c) के दूसरे प्रावधान के तहत भले ही संशोधन अधिनियम को सहमति दी गई हो-संसद मतलब वह अधिनियम, जो दिल्ली सरकार ने पारित किया है-तो संसद किसी भी समय एक ही मामले में कोई भी कानून बना सकती है, उसको संशोधित कर सकती है और उसको निरस्त भी कर सकती है, जो मैं कर रहा हूँ। अब मुझे तो यह समझ में नहीं आता कि चिदम्बरम साहब यहां क्यों नहीं आए? यदि वे यहां होते, तो काफी स्पष्टता हो जाती। वे ही खड़े होकर इनको समझा देते कि बैठ जाइए, यह सब मैंने ही कहा है। आप बवाल मत कीजिए। यदि वे यहां होते, तो कह भी देते। मगर मालूम नहीं कि मेरा भाषण सुनकर कल न आ जाएं या इनको थोड़ी सरलता रहे बात करने की, इसलिए नहीं आएंगे। मैं कल उनसे पूछने का प्रयास करूंगा, यदि वे मेरा फोन उठाएंगे।

सर, डा. अभिषेक मनु सिंघवी जी ने अपने भाषण के अंदर लोकतंत्र, federal structure के बारे में बातें कही हैं। अभिषेक मनु सिंघवी जी अगर टीएमसी पार्टी से आते, तो मैं अलग जवाब देता, लेकिन वे कांग्रेस से आते हैं। इमरजेंसी लाने वाली पार्टी, देश भर के सारे लोकतांत्रिक अधिकार छीन लेने वाली पार्टी, विपक्ष के दो लाख से ज्यादा कार्यकर्ताओं को बिना दोष के जेल में डालने वाली पार्टी, ...(व्यवधान)... मैं बताता हूँ कि क्या व्यवस्था है?

विपक्ष के नेता (श्री मल्लिकार्जुन खरगे) : आप एक ही बात बार-बार बोलकर ...(व्यवधान)...

श्री उपसभापति : माननीय गृह मंत्री जी, आप बोलें!...(व्यवधान)... कृपया सीट पर बैठकर न बोलें!...(व्यवधान)...

श्री अमित शाह : सारे देश के अखबारों का और उनकी स्वतंत्रता का गला घोटने वाली पार्टी, पिक्चर के duet गाने होते थे, किशोर कुमार की आवाज़ छुपा देने, कटवा देने वाली पार्टी आज लोकतंत्र की दुहाई दे रही है। डा. फौजिया खान जी ने ठीक कहा है कि कोई इसका समर्थन नहीं कर रहा है। आज भी ये मुझे रोक-टोक कर समर्थन कर रहे हैं। फौजिया खान जी ने ठीक कहा कि देश में इमरजेंसी का कोई समर्थन नहीं कर सकता, न करना चाहिए। आज भी मैं आपको कहता हूँ कि मत करिए, वरना बहुत दिक्कत आएगी। ...(व्यवधान)...

श्री उपसभापति : माननीय गृह मंत्री जी, आप बोलें!...(व्यवधान)... कृपया सीट पर बैठकर न बोलें।

श्री अमित शाह : क्या आप नकारते हैं?

श्री उपसभापति : प्लीज़, आपस में बात न करें।

श्री अमित शाह : मान्यवर, उन्होंने कहा कि केवल भय के कारण यह बिल लाया गया है। भय किस बात का है? क्या चुनाव की हार का भय है? हम तो लोकतंत्र में मानते हैं। हार कभी भी, किसी की भी हो सकती है। हमारी भी हो सकती है, आपकी भी हो सकती है। जनता जो तय करेगी, वह जीतेगा। मगर मैं एक छोटा-सा सवाल पूछना चाहता हूँ कि भय किसको है? अभी चुनाव क्यों कराना है? यदि 6 महीने बाद चुनाव करोगे, तो क्या हार जाओगे? भय किसको है? हम एक व्यवस्थापन खड़ा करने के लिए 6 महीने मांग रहे हैं, तो बाद में हार जाओगे क्या, क्या लोकप्रियता dilute हो जाएगी? मान्यवर, मैं आपको बताना चाहता हूँ कि यहां पर कांग्रेस पार्टी ने कहा कि निचले, मतलब स्थानीय निकायों के अंदर चुनाव समय पर होना चाहिए। महाराष्ट्र में क्या हो रहा है? कितने चुनाव अटका कर बैठ गए! अगर spirit थी, तो भाषण में कहते कि हमारी महाराष्ट्र सरकार भी ठीक नहीं कर रही है। तृणमूल कांग्रेस के हमारे माननीय सदस्य जवाहर सरकार जी बोले। मैं जवाहर सरकार जी को बताना चाहता हूँ कि अभी पश्चिमी बंगाल के अंदर क्या हुआ है। आप जरा बोल देते, तो अच्छा लगता। आप तो कम spirit वाले लगते। 2020 में चुनाव होना था, लेकिन 2022 में कराया। इसका कोई कारण नहीं है और Administrator भी अपने एमएलए को बनाया। आप क्या बोल रहे हैं, कहां बोल रहे हैं! क्या यह अज्ञानियों का मेला है? क्या कोई

बंगाल को नहीं देखता है? साहब, हम देख रहे हैं। कम से कम आप तो मत बोलिए, और लोग बोल लेंगे, जिन्होंने नहीं किया है। मान्यवर, आज 2022 हो गया और 2020 में चुनाव due थे, चार कॉरपोरेशन और 108 नगरपालिकाओं में चुनाव नहीं कराया गया। इसका कोई कारण भी नहीं देते हैं और हमें कह रहे हैं कि चुनाव टाल रहे हो! आप जरा आईने में अपने आपको देखो और आत्मचिंतन करो। हमें power hungry कहा जा रहा है। मैं कभी नहीं छिपाता, मैं कह देता हूँ कि मैं चाहता हूँ कि हर चुनाव में मेरी पार्टी जीते। ऐसी मेरी मंशा भी है और प्रयास भी है। इसमें कोई बुराई नहीं है। लोकतंत्र में हर दल यह प्रयास करेगा। क्या आप चुनाव हारने के लिए मैदान में उतरते हैं? हर पार्टी चुनाव जीतने के लिए मैदान में उतरती है। मगर जवाहर साहब, हमारा रास्ता कार्यकर्ताओं को मार देने का नहीं है, कार्यकर्ताओं की पत्नी का बलात्कार करने का नहीं है, उनको ओडिशा तक भाग जाना पड़ा, यह हमारा रास्ता नहीं है। हमारा रास्ता चुनाव का रास्ता है। हम चुनकर आना चाहते हैं, लोकतंत्र के आधार पर आना चाहते हैं। आप हमारी मंशा पर कैसे सवाल कर रहे हैं?

मान्यवर, मैं बताना चाहता हूँ कि यह क्यों लाना पड़ा है। आज जब मैं यहां पर हूँ, तब संजय भाई ने कहा कि फोबिया हो गया है। मैं संजय भाई की तरह ऐसी भाषा का प्रयोग नहीं कर सकता हूँ। मुझे किसी न किसी विधायिका में रहते हुए 27 साल हो गए हैं। मैं ऐसी भाषा का प्रयोग नहीं कर सकता हूँ, परंतु सदन की मान्य भाषा में जवाब जरूर दूंगा और यह मेरा अधिकार है। उन्होंने कहा कि फोबिया हो गया है। मैं उनसे पूछता हूँ कि फोबिया कैसे होगा, किसको होगा? आप हमारी डिपॉजिट जमानत का आधा डेटा लेकर आए हैं। मैं यह आपको दे देता हूँ। हमारी जमानत इससे भी ज्यादा गई है। कोई नई बात नहीं है। मगर एक municipality जीतकर हम ऐसा नहीं कहते थे कि कांग्रेस को हमारा फोबिया हो गया है। हम ऐसा अहंकार नहीं पालते थे। हमने भी समय देखा है। बोटद में हमारी municipality जनसंघ जीत गई, तो आनंद हो जाता था और कहते थे कि चलो, एक बार municipality जीत गए हैं। लेकिन बाद में यहां आकर अटल जी यह नहीं कहते थे कि जवाहरलाल जी, आपको अटल बिहारी वाजपेयी का फोबिया हो गया है। मान्यवर, इस चुनाव में ऐसा क्या परिणाम आया है कि जिससे हम डरें? मैं आपको बताता हूँ। उत्तर प्रदेश के अंदर 'आप' पार्टी को 0.38 परसेंट वोट मिले हैं और 349 डिपॉजिट्स जब्त हो गए, 306 जगह नोटा से भी कम वोट मिले हैं। रमेश भाई, मैं फोबिया का जवाब दे रहा हूँ। हमें फोबिया होने का कोई कारण ही नहीं है। मैं इसका पूरा जवाब देता हूँ। उत्तराखंड में 70 में से 68 में जमानत जब्त हो गई और गोवा में 39 में 35 जब्त हो गई।...(व्यवधान)...

विपक्ष के नेता (श्री मल्लिकार्जुन खरगे) : दिल्ली के बारे में...(व्यवधान)...

श्री अमित शाह : मैं बताता हूँ।...(व्यवधान)...

श्री उपसभापति : माननीय एलओपी, प्लीज़...(व्यवधान).... सीट पर बैठकर न बोलें।...(व्यवधान).... माननीय गृह मंत्री जी के अलावा किसी की बात रिकॉर्ड पर नहीं जा रही है।

श्री अमित शाह : मान्यवर, अभिषेक मनु सिंघवी जी ने कहा कि हम भय से और भय के आक्रांत से यह बिल लेकर आए हैं। मैं उनको बताना चाहता हूँ कि पांच राज्यों में 454 जगह पर उनका डिपॉजिट जब्त हो गया। मुझे तो डरने की कोई जरूरत नहीं है। चार राज्यों में नरेन्द्र मोदी जी के नेतृत्व में हमने फिर से सरकार बनाई है। हमें डरने की जरूरत नहीं है। मगर यह पूरा जो सवाल खड़ा हो रहा है, वह भय का नहीं है। मैं फिर से शब्द का प्रयोग करूंगा, जिस तरह का सौतेला व्यवहार 'आप' पार्टी की सरकार ने तीनों निगमों के साथ किया है, इसके कारण यह बिल लेकर आना पड़ा है।

मान्यवर, हमसे तो दुश्मनी हो सकती है, लेकिन दिल्ली की जनता से क्या दुश्मनी है? उन्होंने तो आपको वोट दिया है और सरकार बनाने का मौका दिया है। भाजपा की खुंदक दिल्ली की जनता पर क्यों निकाल रहे हैं? मान्यवर, मैं कुछ बताना चाहता हूँ। यहां पर चौथा वित्त आयोग तो उन्होंने पूरा सिरे से नकार दिया है, चलो इसे छोड़ दो। दिल्ली का पांचवां वित्त आयोग, जिसमें अनुशंसा की गई कि दिल्ली सरकार ने 40,561 करोड़ रुपये तीनों निगमों को देने हैं pro rata, इस पर दिल्ली सरकार सहमत नहीं हुई, उसे आधा कर दिया, और 21,000 करोड़ पर वह सहमत हुई। उसमें से भी उसने 19,000 करोड़ रुपये तो उड़ा ही दिये। मान्यवर, उसने 21,000 करोड़ रुपये भी पूरे नहीं दिये और इसका कारण भी नहीं दिया, क्यों नहीं दिया? हमने राजधानी क्षेत्र, दिल्ली सरकार की महत्वपूर्ण अनुशंसाओं को, जो पांचवें दिल्ली वित्त आयोग ने की थीं, उसमें से उसने ऋण माफी को नहीं माना, शिक्षा क्षेत्र व्यय की पूर्ण प्रतिवर्ती, जो प्राथमिक शालाएं कॉरपोरेशन चला रही है, को नहीं माना, स्वच्छता पर व्यय के लिए वित्त पोषण को नहीं माना, बकाया ऋणों पर ब्याज माफ करने को नहीं माना और ये कहते हैं कि हम सौतेला व्यवहार नहीं करते!

मान्यवर, टोटल पांच साल के बाद तीनों निगमों की पूर्ण देनदारी 16,415 करोड़ रुपये है और 19,000 करोड़ रुपये तो दिए ही नहीं, बाकी नीचे का तो अलग टोटल हो जाएगा। ये 19,000 करोड़ रुपये देते, तो आज तीनों कॉरपोरेशन्स profit में होते और 3,000 करोड़ रुपये और नगर निगमों को सुविधाओं के लिए प्राप्त होते। इसको मैं सौतेला व्यवहार न कहूँ, तो क्या कहूँ? मान्यवर, यह सौतेला व्यवहार ही है, वह इसलिए किया जाता है कि नगर निगम का चुनाव आ रहा है, जनता त्राहिमाम हो जाए और "आप" पार्टी को वोट दे। संजय भाई, ऐसे स्वप्न कभी पूरे नहीं होंगे। जनता सब जानती है। जब यह एकीकरण हो जाए, डीलिटेशन हो जाए, तो आ जाइएगा चुनाव के मैदान में, कर लेंगे दो-दो हाथ, कोई नहीं डरता, कोई फोबिया नहीं है, हम जरा भी नहीं डरते।

मान्यवर, तीनों निगमों ने व्यावसायिक कर को बढ़ाने के लिए 2020 में प्रस्ताव भेजा, उसका जवाब ही नहीं है। वे सहायता देते नहीं हैं और कर को भी बढ़ाने नहीं देते। तीनों निगमों के द्वारा एक बार पार्किंग प्रभारों को बढ़ाने के लिए प्रस्ताव भेजा, कोई जवाब नहीं है, उसकी परमिशन नहीं देते हैं। जो इस बात को कह रहे हैं कि क्यों दखल देते हैं, मैं उसके कारणों को बता रहा हूँ। एनडीएमसी ने स्थानांतरण शुल्क के संशोधन के लिए प्रस्ताव दिया, उसका कोई जवाब नहीं है। दक्षिणी निगम की बैलेंस शीट अच्छी थी, दक्षिणी निगम ने कहा कि हम बाँड लाकर आरबीआई के रूल्स एंड रेगुलेशंस के हिसाब से निगम को चलाना चाहते हैं, उसकी परमिशन

नहीं दी। शराब और ईंधन पर बढ़ी हुई एक्साइज ड्यूटी से अर्जित राजस्व भी नहीं दिया। साहब, इतनी शराब की दुकानें खोल दी हैं, मुझे तो कई बार लगता है कि पूरी दिल्ली मयखाना न हो जाए। ठीक है, जो आपने करना था, वह कर दिया। इसके राजस्व में से नगर निगम को हिस्सा देते ही नहीं हैं। मान्यवर, ऐसे कैसे चलेगा? कुछ लोगों ने सवाल उठाया कि इससे इन्कम कैसे बढ़ जायेगी, हमें 1+1+1 की थ्योरी समझाई। आप क्या समझते हैं कि आप न समझाते तो हम नहीं समझते! हम भी समझते हैं, मगर तीन निगमों में से एक निगम की आय ज्यादा है, दूसरे की आय मध्यम है और तीसरे की आय कनिष्ठ है। अगर तीनों निगम इकट्ठा हो जाते हैं, तो कठिनाई कम होगी, एडमिनिस्ट्रेटिव खर्चा कम होगा, कमिश्नर एक हो जायेगा, मुख्यालय एक हो जायेगा, चीफ इंजीनियर एक हो जायेगा। इस प्रकार से सारी व्यवस्थाओं पर खर्चा भी कम होगा, तो इस पर किसी को क्या आपत्ति हो सकती है? मान्यवर, हमसे सवाल कर रहे हैं कि आपने दिल्ली सरकार को क्या दिया? मान्यवर, मैं 2010-11 से बताना चाहता हूँ। वर्ष 2010-11 में 443 करोड़ रुपये, 2011-12 में 582 करोड़ रुपये, 2012-13 में 500 करोड़ रुपये, 2013-14 में 582 करोड़ रुपये दिये और उसके बाद हम आये। वर्ष 2014-15 में भी हम नहीं थे, मगर 568 करोड़ रुपये दिये। हमारी सरकार आने के बाद 2016-17 में दिल्ली को 817 करोड़ रुपये, 857 करोड़ रुपये, 887 करोड़ रुपये और 2019 में 812 करोड़ रुपये, 2020 में 1,116 करोड़ रुपये, 2021 में 1,030 करोड़ रुपये दिये गए। मान्यवर, इसमें भी अर्ध-सत्य है। एक तो हमने एक पैसा भी कम नहीं किया है, बल्कि डबल किया है, जो पहले से ही कांग्रेस सरकार के समय से चला आ रहा था। मैं यह नहीं कह रहा हूँ कि कांग्रेस सरकार कम दे रही थी। मगर जो दिया जाता था, हमने उसमें एक आने की भी कटौती नहीं की है। मान्यवर, मैं यह बात फ्लोर पर बोल रहा हूँ और जिम्मेदारी के साथ बोल रहा हूँ।

मान्यवर, फिर भी यह अर्द्धसत्य है। यह अर्द्धसत्य इसलिए है, क्योंकि इन्होंने एक ही मद को किया है। Total कर एवज में केंद्रीय सहायता, grant-in-aid, UT का आपदा राज्य फंड, externally aided projects - ये सब मिलाकर बहुत बड़ा फंड होता है। पुलिस का पूरा खर्च भारत सरकार उठाती है, अतः ये सब मिलाकर दिल्ली की 17 हजार करोड़ रुपये से ज्यादा की जिम्मेदारी भारत सरकार ने हर साल ली हुई है, मगर आंकड़े ऐसे रखेंगे तो क्या करें? मेरी पार्टी के संस्कार तो ऐसे नहीं हैं, लेकिन मुझे मालूम नहीं है कि आप कैसे बोलना चाहते हैं?

मान्यवर, मैं इतना ही कहना चाहता हूँ कि इस बिल को लाने में सरकार ने हर संवैधानिक जिम्मेदारी का निर्वहन करते हुए अपनी भूमिका निभाई है। हम हर संवैधानिक जिम्मेदारी का निर्वहन करते हुए यह बिल लाए हैं। इस बिल को लेकर हमारी कोई मंशा नहीं है, न ही इस बिल के लागू होने के बाद, निगमों की तिथि समाप्त होने बाद हम कोई पोलिटिकल एडमिनिस्ट्रेटर रखने वाले हैं। एक्ट के तहत एक स्पेशल ऑफिसर आएगा। वह पुराने एक्ट का प्रोविज़न है, नये एक्ट का प्रोविज़न नहीं है। जो एक्ट पहले से था, वह उसी का है। मान्यवर, हम बंगाल की तरह किसी पोलिटिकल व्यक्ति को नहीं रखेंगे। एक स्पेशल ऑफिसर आएगा, जो इसको चलाएगा। मान्यवर, चुनाव भी समय पर ही होंगे। चुनाव के समय से हमें न तो अभी डरने की जरूरत है, न ही छह महीने के बाद डरने की जरूरत है, मगर छह महीने के बाद जिन लोगों को डर लग रहा है, उन्हें ही चुनाव का हौआ लग रहा है।

मान्यवर, हम तो ऑल इंडिया पार्टी हैं। हर जगह, हर महीने किसी न किसी स्थानीय निकाय का चुनाव होता है और हमारे देश में बहुत सारी सरकारें हैं, बहुत सारी जगहों पर अलग पार्टी की म्युनिसिपल कॉरपोरेशन्स हैं, हमने कभी भी उनके साथ दोहरा व्यवहार नहीं किया। कांग्रेस के शासन में बहुत सारी म्युनिसिपल कॉरपोरेशन्स हमारी भी हैं, लेकिन हमारे साथ आज तक कहीं भी दोहरा व्यवहार नहीं हुआ है। यह तो पहली बार दिल्ली में सौतेली माँ जैसा व्यवहार करने की परम्परा हुई है और दिल्ली की जनता इसको जानती है। महोदय, मुझे लगता है कि हमारे गुजरात में एक कहावत है:

*" हवेली लेने के चक्कर में सारा बड़ोदरा खो दिया"

महोदय, अहमदाबाद में गायकवाड़ की एक हवेली थी, उसको लेने के लिए गायकवाड़ सरकार पर हमला लेकर आए और पूरा बड़ौदा ही छिन गया। अगर आप इस तरह जो सत्य नहीं है, उसको बताते रहेंगे, सदन के अंदर असत्य बात करते रहेंगे, तो मान्यवर, एमसीडी लेते-लेते, शायद कहीं आपकी दिल्ली सरकार न चली जाए - ज़रा इसकी चिंता करना। क्योंकि आप एमसीडी पर जो प्रताड़ना कर रहे हैं, आप जो उसे प्रताड़ित कर रहे हैं, मैं इसके लिए आपसे कहना चाहता हूँ कि आप एमसीडी को प्रताड़ित नहीं कर रहे हैं, बल्कि आप दिल्ली की जनता को प्रताड़ित कर रहे हैं। मान्यवर, दिल्ली की जनता भी मेरा यह भाषण सुन रही है और हम इसको गली-मोहल्ले में भी जाकर बताएंगे। इसलिए हमें चुनाव से डरने की कोई जरूरत नहीं है।

सर, आनन-फ़ानन में बहुत बड़ी गलती हो गई थी। उस गलती के बाद भी अगर राज्य सरकार का सौतेला व्यवहार न होता, तो शायद निगम चल भी लेते, चला भी लेते, मगर आज स्थिति ऐसी हो गई है कि इनको चलाना असंभव है। मैं इनको एकीकृत करने का प्रस्ताव लेकर आया हूँ, इसलिए कृपया सभी लोग इस बिल का समर्थन करें। मैं ऐसा अनुरोध कहते हुए अपनी बात समाप्त करता हूँ, बहुत-बहुत धन्यवाद।

MR. DEPUTY CHAIRMAN: I shall first put the Amendment moved by Shri John Brittas for reference of the Delhi Municipal Corporation (Amendment) Bill, 2022, as passed by Lok Sabha, to a select committee of the Rajya Sabha to vote. The question is:

"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

* Hindi translation of the original speech delivered in Gujarati.

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."

The motion was negatived.

MR. DEPUTY CHAIRMAN: The Amendment moved by Shri John Brittas is negatived. I shall now put the motion moved by Shri Amit Shah to vote. The question is:

"That the Bill further to amend the Delhi Municipal Corporation Act, 1957, as passed by Lok Sabha, be taken into consideration."

The motion was adopted.

MR. DEPUTY CHAIRMAN: We shall now take up Clause-by-Clause consideration of the Bill. In Clause 2, there are two Amendments; Amendments (Nos. 1 and 2) by Shri John Brittas. Are you moving?

Clause 2-General

SHRI JOHN BRITTAS: Sir, I move:

1. That at page 2, lines 3 to 11, be *deleted*.
2. That at page 2, line 13, *for* the words, "Central Government", the words, "Government of the National Capital Territory of Delhi, after approval by the Legislative Assembly of the National Capital Territory of Delhi," be *substituted*.

The question was put and the motion was negatived.

Clause 2 was added to the Bill.

MR. DEPUTY CHAIRMAN: In Clause 3, there is one Amendment (No.3) by Shri John Brittas. Are you moving?

SHRI JOHN BRITTAS: Sir, I am not moving.

MR. DEPUTY CHAIRMAN: You have not moved.

Clause 3 was added to the Bill.

MR. DEPUTY CHAIRMAN: In Clause 4, there are two Amendments; Amendments (Nos.4 and 5) by Shri John Brittas. Are you moving?

SHRI JOHN BRITTAS: Sir, I am not moving.

MR. DEPUTY CHAIRMAN: So, Amendments not moved.

Clause 4 was added to the Bill.

MR. DEPUTY CHAIRMAN: In Clause 5, there are 15 Amendments; Amendments (Nos.6 to 9) by Shri John Brittas and Amendments (Nos. 20 to 30) by Shri Binoy Viswam. Shri John Brittas, are you moving?

Clause 5-Amendment of Section 3

SHRI JOHN BRITTAS : Sir, I move:

6. That at page 2, lines 25 to 30, be *deleted*.
7. That at page 2, lines 31 and 32, *for* the words, "Central Government", the words, "Government of the National Capital Territory of Delhi, after approval by the Legislative Assembly of the National Capital Territory of Delhi," be *substituted*.
8. That at page 2, lines 33 to 47, be *deleted*.
9. That at page 3, lines 1 to 7, be *deleted*.

MR. DEPUTY CHAIRMAN: And Amendments (Nos.20 to 30) by Shri Binoy Viswam. Are you moving?

SHRI BINOY VISWAM : Sir, I move:

20. That at page 2, line 27, *for* the words, "Central Government" the words "Government of National Capital Territory of Delhi", be *substituted*.
21. That at page 2, lines 31 and 32, be *deleted*.
22. That at page 2, line 36, *after* the words, "Scheduled Castes", the words "and women" be *inserted*.
23. That at page 2, lines 37 and 38, *for* the words, "Central Government" the words "Government of National Capital Territory of Delhi", be *substituted*.
24. That at page 2, *after* line 38, the following proviso be *inserted*, namely:-

"Provided that the total number of seats reserved for Scheduled Castes and women shall at all times be at least fifty per cent of the total number of seats in the Corporation."
25. That at page 2, lines 41 and 42, *for* the words, "Central Government" the words "Government of National Capital Territory of Delhi", be *substituted*.
26. That at page 2, line 43, *after* the words, "Scheduled castes", the words "and women" be *inserted*.
27. That at page 2, line 45, *after* the word, "Castes", the words "and women" be *inserted*.
28. That at page 3, line 1, *for* the words, "Central Government" the words "Government of National Capital Territory of Delhi", be *substituted*.
29. That at page 3, line 5, *after* the words, "Scheduled Castes", the words "and women" be *inserted*.
30. That at page 3, line 6, *for* the words, "Central Government" the words "Government of National Capital Territory of Delhi", be *substituted*.

MR. DEPUTY CHAIRMAN: Amendments moved. I shall first put the Amendments (Nos. 6 to 9) moved by Shri John Brittas to vote.

The motion was negatived.

MR. DEPUTY CHAIRMAN: I shall now put the Amendments (Nos.20 to 30) moved by Shri Binoy Viswam to vote.

The motion was negatived.

Clause 5 was added to the Bill.

Clause 6 was added to the Bill.

MR. DEPUTY CHAIRMAN: In Clause 7, there are two Amendments (No.10) by Shri John Brittas and Amendment (No.13) by Shri Binoy Viswam. Mr. Brittas, are you moving?

SHRI JOHN BRITTAS: Sir, I am not moving.

MR. DEPUTY CHAIRMAN: And Amendment (No.13) by Shri Binoy Viswam. Are you moving it?

SHRI BINOY VISWAM: Sir, I am not moving.

Clause 7 was added to the Bill.

MR. DEPUTY CHAIRMAN: In Clause 8, there is one Amendment (No.11) by Shri John Brittas. Are you moving?

Clause 8-Amendment of Section 203

SHRI JOHN BRITTAS: Sir, I request the hon. Minister to accept it. I move:

11. That at page 3, clause 8, be *deleted*.

The question was put and the motion was negatived.

Clause 8 was added to the Bill.

Clause 9 was added to the Bill.

MR. DEPUTY CHAIRMAN: In Clause 10, there are three Amendments; Amendments (Nos. 12 to 14) by Shri John Brittas. Mr. Brittas, are you moving?

SHRI JOHN BRITTAS: Sir, I am not moving.

Clause 10 was added to the Bill.

MR. DEPUTY CHAIRMAN: In Clause 11, there is one Amendment (No.15) by Shri John Brittas. Are you moving?

SHRI JOHN BRITTAS: Sir, I am not moving.

MR. DEPUTY CHAIRMAN: Amendment not moved.

Clause 11 was added to the Bill.

MR. DEPUTY CHAIRMAN: In Clause 12, there is one Amendment (No.16) by Shri John Brittas. Mr. Brittas, are you moving?

SHRI JOHN BRITTAS: Sir, I am not moving.

MR. DEPUTY CHAIRMAN: Amendment not moved.

Clause 12 was added to the Bill.

MR. DEPUTY CHAIRMAN: In Clause 13, there are three Amendments; Amendment (No. 17) by Shri John Brittas and Amendments (Nos. 32 and 33) by Shri Binoy Viswam. Shri John Brittas, are you moving?

SHRI JOHN BRITTAS: Sir, I am not moving.

MR. DEPUTY CHAIRMAN: And, Amendments (Nos. 32 and 33) by Shri Binoy Viswam. Are you moving?

Clause 13 - Substitution of new Sections 514a and 514aa for Section 514a

SHRI BINOY VISWAM: Sir, I move:

32. That at page 4, line 3 *for* the words, "Central Government" the words "Government of National Capital Territory of Delhi" be *substituted*.

33. That at page 4, line 7, the following proviso be *inserted*, namely:-

"Provided that the first meeting of the Corporation shall be held not later than one hundred and twenty days from the date of commencement of this Act."

The question was put and the motion was negatived.

Clause 13 was added to the Bill.

MR. DEPUTY CHAIRMAN: In Clause 14, there are two Amendments; Amendments (Nos. 18 and 19) by Shri John Brittas. Are you moving?

SHRI JOHN BRITTAS: Sir, I am not moving.

Clause 14 was added to the Bill.

Clause 1, the Enacting Formula and the Title were added to the Bill.

MR. DEPUTY CHAIRMAN: Now, Shri Amit Shah to move that the Bill be passed.

गृह मंत्री (श्री अमित शाह) : महोदय, मैं प्रस्ताव करता हूँ :

कि विधेयक को पारित किया जाए।

The question was put and the motion was adopted.

श्री संजय सिंह : सर, डिवीज़न करवाइए!...(व्यवधान)...

श्री उपसभापति : अब तो हमने विधेयक पारित कर दिया है।...(व्यवधान)... माननीय संजय सिंह जी, आप विधेयक पारित होने के बाद डिवीज़न के लिए कह रहे हैं।...(व्यवधान)...

श्री संजय सिंह : सर, मैंने Amendments भी दिए थे, वे भी accept नहीं हुए।

श्री उपसभापति : जी, मैं आपके Amendments के बारे में बता रहा हूँ।...(व्यवधान)... Let me inform the House. ...(Interruptions)...

श्री संजय सिंह : सर, मेरे Amendments भी accept नहीं हुए, डिवीजन की मांग भी मान्य नहीं हुई।

OBSERVATIONS BY THE CHAIR- Contd.

MR. DEPUTY CHAIRMAN: Let me inform the House. संजय सिंह जी, पहली बात तो यह है कि बिल पास हो चुका है, आपने समय से डिवीजन नहीं मांगा। दूसरा, आपने अपने Amendments की बात कही, तो मैं सदन को बताना चाहूंगा, the Delhi Municipal Corporation Bill, 2022, details of this circulation of copies of the Bill, लोक सभा में 24.03.2022 को इस विधेयक का advance circulation हुआ, 25.03.2022 को यह लोक सभा में introduce हुआ और 31.03.2022 को लोक सभा ने इसको पास किया।**(व्यवधान)**... 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'. ...**(Interruptions)**... Please let me complete. 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.

श्री संजय सिंह : सर, बिजनेस तो हमें आज ही मिला है।

श्री उपसभापति : नहीं, मैंने ऑलरेडी यह बात क्लियर कर दी है।...**(व्यवधान)**... ऑलरेडी मैंने क्लियर कर दिया है कि कब यह लोक सभा में सर्कुलेट हुआ और कब पास हुआ।...**(व्यवधान)**... इसकी डेट्स भी मैंने आपको बता दी हैं। I have put everything on the record Sanjayji. Now, Special Mentions.

SPECIAL MENTIONS

Crisis in Newspaper Industry in the country

SHRI SUSHIL KUMAR MODI (Bihar): India's extremely reliant on newsprint imports and is the largest importer of newsprint globally, importing 45% from Russia alone. The Russia-Ukraine crisis and associated sanctions have stuck shipping containers of newsprint leading to supply shortages. Such disruptions have been occurring frequently: Workers strike in factories in Finland, Canadian truckers strike in Canada - both significant import sources for India. Moreover, freight costs of ocean

transportation have risen by 400 per cent in the last 2 years also resulting in newsprint supply chain disruptions. The increased cost is translated into higher import costs for domestic newspaper firms as newsprint alone contributes 40-50 per cent of newspaper cost: the prices faced by newspaper firms have risen from \$450/tonne in 2019 to \$950/tonne now. As a consequence, business has become increasingly uneconomical even loss-mounting. Domestic newsprint manufacturers are converting their mills to producing packaging material for robust demand in e-commerce sector. Currently, a tiny fraction of the mills produce newsprint in India. 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 edition to rural areas where the demand is low as distribution costs are not being met by revenues there. Newspapers empower the citizen with information and are essential in a democracy. I, therefore, urge the Government of India to intervene by securing supply of newsprint, provide relief by scrapping the 5 per cent import duty on newsprint and to introduce a scheme to incentivize domestic newsprint production. Thank you.

SHRI JOHN BRITTAS (Kerala): Sir, I associate myself with the Special Mention made by the hon. Member.

DR. SANTANU SEN (West Bengal): Sir, I also associate myself with the Special Mention made by the hon. Member.

SHRI ABIR RANJAN BISWAS (West Bengal): Sir, I also associate myself with the Special Mention made by the hon. Member.

Need for installation of Dr. M.G. Ramachandran Statue at the entrance of Chennai Central Railway Station

DR. M. THAMBIDURAI (Tamil Nadu): Mr. Deputy Chairman, Sir, through you, I would like to bring to the notice of this august House and the hon. Minister of Railways the following matter of urgent public importance. Sir, as you know, Bharat Ratna, Puratchi Thalaivar, Dr. MGR was the Chief Minister of Tamil Nadu for three consecutive terms and he was a respected leader not only in Tamil Nadu and India, but also in the entire world. To pay respects to him and also to respect the sentiments of the Tamilians living all over the world, a request was made by the AIADMK Party and the AIADMK Government earlier, to the Railway Ministry to re-name the Chennai

Central Railway Station as "Chennai MGR Railway Station". This request was acceded to by the hon. Prime Minister and the Railway Ministry, and subsequently, the name was changed. Now, it is only fit and proper if the statue of Dr. MGR adorns the Railway Station. A request was made already for the installation of his statue and for obtaining NOC/permission for the same. I request, Sir, that necessary permission/NOC may kindly be granted by the Railway Ministry for the installation of the statue of Dr. Purathci Thalaivar MGR, at the entrance of the Chennai Central Railway Station. Thank you for giving me this opportunity.

DR. SANTANU SEN (West Bengal): Sir, I associate myself with the Special Mention made by the hon. Member.

SHRI ABIR RANJAN BISWAS (West Bengal): Sir, I also associate myself with the Special Mention made by the hon. Member.

Need to include *Meitei/Meetei* in the list of Scheduled Tribes

SHRI MAHARAJA SANAJAOBA LEISHEMBA (Manipur): Mr. Deputy Chairman, Sir, I thank you for giving me this opportunity. Sir, since 2013, the Meitei/Meetei have made many representations to the hon. Prime Minister, Home Minister, Minister of Tribal Affairs and other Union leaders for consideration of including Meitei/Meetei in the ST List under Article 343(1), 342(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 - once a proud nation-State for more than 5000 years. So, I request the Government of India, through this august House, to kindly take up necessary action and instruct the State Government to do the needful as early as possible. Thank you.

DR. SANTANU SEN (West Bengal): Sir, I associate myself with the Special Mention made by the hon. Member.

SHRI ABIR RANJAN BISWAS (West Bengal): Sir, I also associate myself with the Special Mention made by the hon. Member.

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 (Uttar Pradesh): Mr. Deputy Chairman, Sir, 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 region is a prominent agricultural zone with a large number of food processing industries in its close proximity. Narasaraopet is also a major trading centre witnessing huge cargo movement of, from and to, Hyderabad. Large-scale movement of edible oils, pulses, flours, etc., from Narasaraopet to Hyderabad and textiles, chemicals, fertilizers, pharmaceuticals and foodstuffs to Hyderabad offer a sizeable cargo opportunity for Railways.

Sir, 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 between New Piduguralla to Narasaraopet via Sitarampuram, Nekarikallu and Rupenaguntla stations has been estimated to cost only Rs.237 crores with a Rate of Return (ROR) of -0.44 per cent. This has been submitted to the Railway Board which has kept the project pending.

Andhra Pradesh Government representatives have assured the hon. Railway Minister, Shri Ashwini Vaishnaw, in my presence that the State Government will provide or acquire land required for the project or may share the cost of the project. In view of this, I request the Railway Board to undertake this project expeditiously. Thank you, Sir.

SHRI ABIR RANJAN BISWAS (West Bengal): Sir, I associate myself with the issue raised by the hon. Member.

DR. SANTANU SEN (West Bengal): Sir, I also associate myself with the issue raised by the hon. Member.

MR. DEPUTY CHAIRMAN: Shri Vijayasai Reddy, not present; Shri Derek O'Brien, not present. Dr. Santanu Sen. Shrimati Mausam Noor and Dr. Kirodi Lal Meena will associate with Dr. Santanu Sen.

Need to enact a law to protect the Doctors and Health Workers from violence

DR. SANTANU SEN (West Bengal): Sir, 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.

Recently, in Viratnagar of Rajasthan, on 28th of March, a 22-year pregnant woman was brought to Anand Hospital and admitted under Dr. Archana Sharma. 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 one of the most common complications of pregnancy. The patient party was initially convinced and they took the body home. But, thereafter, some political persons and one journalist instigated to bring the body back to the hospital to demand money and to lodge an FIR under IPC 302.

On 29th March, that lady doctor, unfortunately, committed suicide writing a suicidal note in which she has categorically mentioned that she didn't kill anyone and she didn't do any mistake. She has urged to stop harassing doctors and not to harass her family. She has also written that her death might prove her innocence.

I would, therefore, sincerely request our Government to bring a Central legislation to protect doctors and healthcare workers as no one can work in such fearful atmosphere. Thank you.

श्री उपसभापति : मौसम नूर जी, आप इसका title पढ़ कर lay करें, क्योंकि same subject है, same issue है।

SHRIMATI MAUSAM NOOR (West Bengal): Sir, it will just take a minute.

श्री उपसभापति : एक मिनट नहीं। पूरा पढ़ने की फिर जरूरत नहीं है। चेयरमैन साहब ने associate करने के लिए लिखा है, same subject है, प्लीज़।

SHRIMATI MAUSAM NOOR: Sir, on 29th March, the country was left in a shock by the news of a female obstetrician committing suicide after an FIR for murder was filed against her, following a death of a patient in her care. She pleaded in her suicide note, 'Don't harass innocent doctors.' The entire medical fraternity echoed the sentiment, in pain and anger.

The newspapers bear witness to the increasing violence against doctors across the country. However, it is shocking to note the lack of data on this issue. The only data available is sparse and anecdotal in nature. Whatever little is known might as well be the tip of the iceberg. A 2017 survey by Indian Medical Association reported that over 46 per cent of doctors in India fear violence. Following the pandemic, the repeated instances of violence have multiplied. Unfortunately, no initiative has been taken by the Government to collect data on the issue yet, as per an answer laid in Rajya Sabha. In 2019, Ministry of Health framed a draft central legislation to address the issue of violence against the health care service professionals and damage to property of clinical establishments. However, the Ministry of Home Affairs did not favour the need for a separate law to check violence against the fraternity. The need for a comprehensive law on the issue has surfaced again. I urge the Ministry to take a note to collect data on violence against doctors and to introduce a separate legislation in this regard.

SHRI ABIR RANJAN BISWAS (West Bengal): Sir, I associate myself with the Special Mention made by the hon. Member.

SHRI JOHN BRITTAS (Kerala): Sir, I also associate myself with the Special Mention made by the hon. Member.

श्री उपसभापति : डा. किरोड़ी लाल मीणा जी, यदि आपके विषय इस विषय के समान हैं, तो आप associate कर सकते हैं।

डा. किरोड़ी लाल मीणा (राजस्थान): महोदय, मेरे content इस विषय से अलग हैं।

महोदय, हर मरीज की मौत को डॉक्टर एवं नर्सिंग स्टाफ की लापरवाही से जोड़ देने के कारण देश के विभिन्न हिस्सों में मरीज के परिजनों द्वारा डॉक्टरों पर हमले करने का ग्राफ तेजी से बढ़ता जा रहा है। हाल ही में राजस्थान में एक महिला डॉक्टर ने दबाव के कारण खुदकुशी कर ली। सुप्रीम कोर्ट ने नवंबर, 2021 के अपने फैसले में कहा था कि डॉक्टर सर्वोच्च क्षमता के साथ मरीज का इलाज करते हैं। यदि किसी कारण से मरीज की मौत होती है, तो उसके कारण डॉक्टर

पर लापरवाही का दोष नहीं लगाया जा सकता है। सुप्रीम कोर्ट के 2021 के फैसले के अनुसार सर्जरी के दौरान मरीज की मृत्यु हो जाती है, तो स्वाभाविक रूप से डॉक्टर की लापरवाही नहीं मानी जा सकती। इसके लिए चिकित्सा साक्ष्य जरूरी है। सुप्रीम कोर्ट के 2022 के एक फैसले के अनुसार अदालतें फैसले से पूर्व डॉक्टर को अपना पक्ष रखने का मौका दें। सुप्रीम कोर्ट द्वारा वर्ष 2021 में बॉम्बे अस्पताल के एक केस में कहा गया था कि मरीज की मौत के हर मामले को चिकित्सकीय लापरवाही से जोड़ना गलत है।

डॉक्टर, नर्स एवं मेडिकल स्टाफ की सुरक्षा के लिए केन्द्र सरकार ने वर्ष 2019 में एक बिल का मसौदा तैयार किया था, लेकिन इसे मंजूरी नहीं मिली। सरकारी/निजी अस्पतालों में तोड़-फोड़, हिंसा या कार्य में बाधा डालने पर परिजनों के खिलाफ कड़ी धाराओं में केस दर्ज किया जाना नितांत आवश्यक है, अतः केन्द्र सरकार से मांग है कि डॉक्टरों की सुरक्षा की दृष्टि से संसद से सख्त कानून पास किया जाए।

SHRI ABIR RANJAN BISWAS (West Bengal): Sir, I associate myself with the Special Mention made by the hon. Member.

MR. DEPUTY CHAIRMAN: Dr. Fauzia Khan, not present. Shri Jairam Ramesh.

Proposed amendments to the Ancient Monuments and Archaeological Sites and Remains Act, 2010

SHRI JAIRAM RAMESH (Karnataka): Mr. Deputy Chairman, Sir, before I start, I just want to mention that parliamentary convention and tradition is that the Cabinet Minister is present when the House is in Session. I have to point out that there is no Cabinet Minister present.

Sir, 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 rise to express my concern at this move. The Act was unanimously passed by all parties in Parliament. It 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. There are some 3700-odd monuments today which are protected by the Archaeological Survey of India as monuments of national importance

along with more than double that number in States and Union Territories, also protected in this way. 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. Its present chairperson does not meet the qualifications prescribed by Parliament. It must be fully empowered to accelerate the preparation of bye-laws. Sadly, so far such heritage bye-laws for only five monuments have been placed before Parliament as required by the 2010 law. These bye-laws are vital for reconciling developmental imperatives with conservation needs. I seek the urgent attention of the Government on this issue.

DR. SANTANU SEN (West Bengal): Sir, I associate myself with the Special Mention made by the hon. Member.

SHRI ABIR RANJAN BISWAS (West Bengal): Sir, I also associate myself with the Special Mention made by the hon. Member.

SHRI JOHN BRITTAS (Kerala): Sir, I also associate myself with the Special Mention made by the hon. Member.

Disbursal of loans without customers' consent

SHRI ABIR RANJAN BISWAS (West Bengal): Sir, 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. The absence of a robust regulatory and consent collection system has been an enabling factor in these fraudulent transactions. Thousands of loans have been availed from the bank by fraudsters using other people's names and PAN details, 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 exposing lapses in governance and accounting norms that had led to the ever-greening of loans. Despite this, no concrete action has been taken nor has there been an acknowledgement of the severity of these issues.

This is not an isolated event. In February, a similar incident was reported from Dhani Loans and Services Ltd., a private company, where several loans were disbursed without consent of the person under whose name the loan has been availed.

The ever-increasing reliance on digital banking and transactions has heightened the need for a more robust regulatory system and grievance redressal mechanism. Sir, OTP frauds need to be studied and the digital rights of consumers should be strengthened.

Hence, I urge the hon. Finance Minister to take cognizance of the severity and urgency of the issue and undertake appropriate action. Thank you.

SHRI JOHN BRITTAS (Kerala): Sir, I associate myself with the Special Mention made by the hon. Member.

DR. SANTANU SEN (West Bengal): Sir, I also associate myself with the Special Mention made by the hon. Member.

MR. DEPUTY CHAIRMAN: The House stands adjourned to meet at 1100 hours on Wednesday, the 6th April 2022.

The House then adjourned at fifty-two minutes past seven of the clock till eleven of the clock on Wednesday, the 6th April, 2022.

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