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Title: The motion for consideration of the Aircraft (Amendment) Bill, 2020
(Motion adopted and Bill passed).

HON. SPEAKER: Item No. 19 – Hon. Minister

THE MINISTER OF STATE OF THE MINISTRY OF HOUSING AND URBAN AFFAIRS, MINISTER OF STATE OF THE MINISTRY OF CIVIL AVIATION AND MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND INDUSTRY (SHRI HARDEEP SINGH PURI): Sir, I beg to move:

“That the Bill further to amend the Aircraft Act, 1934, be taken into consideration.”

HON. SPEAKER: Motion moved:

“That the Bill further to amend the Aircraft Act, 1934, be taken into consideration.”

DR. M.K. VISHNU PRASAD (ARANI): Hon. Speaker, Sir, I am thankful to you for giving me this opportunity to speak on the Aircraft (Amendment) Bill, 2020.

14.34 hrs

(Shri A. Raja *in the Chair*)

Sir, under this Government, whenever a Bill is coming for amendment, all the MPs are trying to give their opinions and views so that the Government would come with a comprehensive Bill. But none of the MPs is able to successfully stop the Bill. But all the MPs are successfully stopping only two Bills brought by this Government – one is the travel bill

and the other is the telephone bill. Apart from these two bills, on none of the Bills, MPs' opinions are considered. But here, this Aircraft (Amendment) Bill that is, the AA Bill can be, otherwise, called as All in All Bill.

It is because India has signed the Chicago Convention on International Civil Aviation so that the security of aircraft is put into audit periodically. Basically, this Bill gives a statutory status to the Directorate of Civil Aviation, the Bureau of Civil Aviation Security, the Directorate General of Civil Aviation and the Aircraft Accident Investigation Bureau. It is needless to say that this Government has an authority to constitute and appoint the respective directors for all these three bureaus. Have you mentioned about the specific powers of the Central Government over regulatory bodies? What is the function of all these three bureaus? The Directorate General of Civil Aviation is, basically, responsible for safety, oversight and regulatory functions, especially, in case of breach of security or in case of accident, the investigation procedures will be monitored by them. The specific power says: "This Bill empowers to the Central Government to constitute and appoint Director Generals". Yes, agreed, the Government has the full power to constitute and appoint the Director Generals. There is no doubt about it.

The second point is that apart from appointing these Director Generals, with that due power, you are again putting one clause saying: "The Central Government will empower any other authority to exercise the powers of the three Directors." Already, the Government is working in the interest of the people. I am not saying that the Government is working for any private people. The Government is functioning only in the interest of the people. The Government has delegated the powers systematically to the respective Director Generals. Apart from delegating the powers, this Government is giving powers to a third party 'any other authority to

exercise the power of three Directors'. Above all, there is a third Clause saying that the Central Government can issue the directions to each of these organisations in the public interest. I do not know why is this 'public interest'. Will these three Directors go against the interest of the public? This Government should run in the interest of the public only. Finally, you are also including the regulations of all the areas of air navigation services like cartography services aeronautical charting, services including aeronautical information services and rescue services.

This Bill empowers the Bureau of Civil Aviation Security or any authorised officer to issue directions. Surprisingly, when you are giving powers to these three Directors, above all, you are giving powers to some other external agency to exercise the power. Finally, you say that the Central Government has the power to review the order passed by these Director Generals and also to resend or modify. Now, what is happening? Is this Government not believing anybody? This Government is giving power to somebody and saying: "We do not believe you." Then, the Government again give power to somebody else. Then, finally, the Government is asking for a repeal. The centralisation of power is the crux of these Amendments. It also enhances the fine to the maximum limit for breaches under this Act which is from Rs. 10 lakh to Rs. 1 crore.

Respected Chairperson, I would like to know whether this fine is applicable to an individual only as has happened in the case of Arnav Goswami where he was travelling and some passenger passed a comment and then he was put in a no-fly list with fine. Is it applicable to individual or is it applicable to Government agencies like these Director Generals? It is because in between 2018 and 2019, if you see the record, it was 48 per cent of near misses. It has grown to 68 per cent. It is according to your answer given during the Question Hour. Why are these near misses happening in Indian aircraft? It is because of lack of ATC officers, the Air

Traffic Control Officers. These Air Traffic Control Officers work for hardly four and a half to five hours because that is all they can work. They have to focus so much. The fatigue level is too high that they cannot work beyond that.

But they are repeatedly put into the action. That is why, the near misses have increased manifold. There are so many unemployed engineering graduates. EEE is the basic qualification required for these ATC officials. But why is this Government not considering appointing more ATC officials in order to avoid the accidents that may occur? I want to know at this juncture whether this act, this fine of upto one crore rupees, is applicable to individual only or to the Directorate of Civil Aviation also or the respective or responsible bureau who is going to appoint these ATC officers.

Sir, I have one important point. Why do we need all these amendments? Anyway, one day we are going to sell Air India. Do you know one thing? When coronavirus was at its peak in China, it is only Air India crew, it is only Air India flight, it is only the Air India pilot who boldly went and brought all the passengers and affected people from China back to India. Why have no other private airlines offered themselves to do this rescue operation?

When an actress was dead three years back in Dubai, you can recall some private airlines offered themselves to shuttle from Mumbai to Dubai to bring the corpse back to India. But why have they not done this in public interest? Why is the Government not insisting? Air India will be sold one day. The Government says that they have 80 sites to be sold and that is how, they can survive. They will quote:

“It is not because of this problem. It was the problem of the capital or the interest because of the loan acquired by the earlier Governments.”

See, the Government has to generate the resources. But this Government is basically selling and eating. Like in the previous generations, they acquired the land and this generation will sell and survive. This is what is happening. ...(*Interruptions*)

SHRI HARDEEP SINGH PURI: Sir, I was a little taken aback. We have acted under an amendment to the Aircraft Act of 1934. The amendments are very specific in nature. These amendments emanate from the fact that three of the bodies, which control Civil Aviation – the Directorate General of Civil Aviation, the Bureau of Civil Aviation Security (BCAS) and the Aircraft Accident Investigation Bureau have been operating under an executive order. So, the limited purpose of this amendment is to ensure that something that has been felt all along. The Indian Civil Aviation Sector has grown exponentially. It is today the world's third largest domestic civil aviation market. Today, it is on the way to becoming the world's third largest civil aviation market overall but as we have felt for a long time and as our membership of the Chicago Convention and ICAO, their audits have pointed that these three crucial agencies of the civil aviation sector have been operating under an executive order. The need, therefore, is to give them statutory backing and that is the limited purpose of these amendments.

I would like to take an opportunity to also providing an overall context in which this Bill is being brought. So, many comments were made by my learned colleague just now.

It is normal convention to provide an overview and what the context of the amendments is.

HON. CHAIRPERSON : You can mention this later.

SHRI HARDEEP SINGH PURI: I could do that also but if you give me two minutes, I will provide the context to the amendments.

Sir, the civil aviation sector which today is facing strain globally because of a number of factors including and in particular coronavirus. In India, the civil aviation sector during the period between 2008-09 and 2013-14 grew at nine per cent CAGR and now it has doubled and it grew at 16 per cent during this period.

Now, it stands to reason that the civil aviation governance structure, which involves not only the Central Government but also all the constituent stakeholders like the DGCA, BCAS and the AAIB, must have statutory provision. They must be constituted under a law, and that is the purpose of this amendment to the Act. What we are proposing to do is to utilise the time, since we will have an opportunity to have a discussion on the civil aviation sector *per se*, and also to address the pressing items which are requiring attention, including, as the hon. Member mentioned, Coronavirus, the other strain that the civil aviation sector is being subjected to globally. I will also talk of the action which we have taken so far and the action which we propose to take in the coming months as a result of this new development.

With these introductory remarks, I just want to conclude by saying that I have absolutely no doubt that, no matter what the challenges to the civil aviation sector are, in the coming months, in spite of these challenges, we will emerge from these challenges stronger and that the civil aviation sector, which has been a critical driver of economic growth so far in all these years, will grow from strength to strength. Thank you.

HON. CHAIRPERSON: Dr. Vishnu Prasad, now you can continue. You are having only two minutes because one more speaker is there from your

Party. You have already exhausted seven minutes. Please conclude within two minutes.

DR. M.K. VISHNU PRASAD (ARANI): All right, Sir.

Basically, the Government is imposing aviation fuel tax heavily.

SHRI N. K. PREMACHANDRAN (KOLLAM): Sir, I am on a point of order.

HON. CHAIRPERSON: Under which rule?

SHRI N. K. PREMACHANDRAN : It is under rules 220 and 221. Yesterday, all the Demands for Grants have already been guillotined and they were passed. The normal convention of the House is to transact the financial business in full. Rule 220 is very specific. Day before yesterday, the List of Business had been circulated to all the Members as if today the Finance Bill would be listed. Unfortunately, we have got the List of Business only this morning. It is entirely different. All the Demands for Grants have already been passed and when the financial business is pending, it is the normal convention of the House to get the Finance Bill passed. When that financial business is being slated for a particular day, no other business shall be taken up. I do agree, yes, absolutely, the Speaker has the authority. But still the convention of the House is entirely different. If we go through rule 220 as well as rule 221, it is very specific that when the financial business is not completed, that should be given dominance so that the financial business is completed. That is my submission.

KUNWAR DANISH ALI (AMROHA): There is no financial crisis. ...
(Interruptions)

HON. CHAIRPERSON: With his discretionary power, the hon. Speaker has already permitted this.

डॉ. निशिकांत दुबे (गोड्डा): सर, यह रूल नंबर 219 जो है, इन्होंने जो 220 और 221 की बात की है, 219 इसके बारे में काफी क्लियर है कि स्पीकर कौन सा डेट तय करेंगे। कब डेट तय करेंगे, फाइनेंस बिल के बारे में यह स्पेसिफिक है। ...
(व्यवधान)

HON. CHAIRPERSON: Hon. Member, notwithstanding the provisions quoted either by you and Mr. Premachandran, the hon. Speaker has permitted this Bill to be listed in the Revised List of Business. Accordingly, the discussion is going on. So, there is no dispute on this.

DR. NISHIKANT DUBEY : Respected Chairperson, Sir, he is talking about the General Budget. Rule 219 talks of the Finance Bill.

HON. CHAIRPERSON: Please understand, no one can challenge the decision of the Speaker.

... (*Interruptions*)

HON. CHAIRPERSON: Please understand you cannot challenge the Speaker's decision which was taken earlier.

... (*Interruptions*)

HON. CHAIRPERSON: Nothing will go on record.

... (*Interruptions*)*

HON. CHAIRPERSON: Now, Dr. Vishnu Prasad, please continue for two minutes.

DR. M.K. VISHNU PRASAD : Basically, the aviation sector in recent times is undergoing a turbulent time. This is because of the imposition of heavy aviation fuel tax. Is the Government ready to cut some taxes on the civil aviation sector? Or, in lieu of any other services availed by the Government, is the Government paying back to the Air India in time? It is

because as it is, Air India is sinking and the Government has already proposed to sell it. So, at this point of time, I would like to know whether the Government takes equal responsibility for the current status of Air India.

Moreover, as one hon. Member pointed out, in all the airports, security is a major problem. Though it is not part of this Bill, since the hon. Minister, who is responsible for the functioning of this Ministry, is there, let me tell him that scanning during security checks can be expanded in a much better way, at least, during peak hours.

Coming to price regulation, price is not at all standard in the civil aviation sector. The passengers are facing a heavy problem. When they go to book ticket, at one time, the computer is showing one rate. Then, immediately, it changes depending on the need of the passengers. I do not know what technology is used. With artificial intelligence, immediately the rate fluctuates, not to the lower side but to the highest side.

But this is a common problem. Though you claim that you are having a problem and the sector is sinking day by day financially, out there the common man is paying out of his pocket heavily. I do not know why this sector is not doing well. This is an important point. We will have to have some kind of price regulations because air travel is not a luxury anymore. It is an essential commodity. So, the hon. Minister has to keep this in mind.

In terms of Air India, I would like to say that they are facing a lot of difficulties in paying salaries to its employees in time. They are also encouraging them to take voluntary retirement under Voluntary Retirement Scheme (VRS). On the other hand, there are some officers, who have been retired due to some charges and are in the aggrieved list also, but are getting extension with full administrative powers. I would request the hon. Minister to look into the matter and ask your people if such things are

happening there. I am saying it because there have been several representations from my end.

Lastly, I would like to say something in respect of my constituency, Arani in Tamil Nadu. There is a proposal for Cheyyar airport. I would urge upon the hon. Civil Aviation Minister to consider the proposal of an airport in Cheyyar, which is in my constituency.

Mr. Minister, I know that we are a signatory to the Chicago Convention and we want to come at par with the international standards of security. I also do not completely rule out that we have not grown many times. But, at the same time, these near misses can be avoided by appointing more Air Traffic Controllers (ATCs) because that is the point where we have to really hit. I hope that this Government will pay more attention to it and if it comes up with a comprehensive Bill putting in all the related contexts into it, we will all support the Bill. Thank you, Chairman, Sir.

श्री जयंत सिन्हा (हज़ारीबाग): सभापति महोदय, आपका बहुत-बहुत धन्यवाद । मैं माननीय मंत्री श्री हरदीप सिंह पुरी को धन्यवाद देना चाहता हूँ कि जो यह एयरक्राफ्ट एक्ट, 1934 था, इसका एक बहुत ही जरूरी संशोधन करना था, अमेंडमेंट करना था, इस अमेंडमेंट को आज यहां सदन में लाए हैं । मुझे पूरा भरोसा है कि आज हम लोग इसे पारित कर देंगे । हमारे विमानन क्षेत्र में एक बहुत पुरानी और जटिल बात लगी हुई थी, उसका हम लोग इसके द्वारा समाधान करेंगे ।

सभापति महोदय, मैं इस सदन का ध्यान आकर्षित करना चाहता हूँ कि अगर इस सरकार की कोई भी खूबी रही है, हमारा कोई भी गुण रहा है, जो विश्व भर में इसकी बात की जा रही है, वह यह है कि इस देश की जो कई सारी जटिल समस्याएँ

थीं, जो लंबित समस्याएँ थीं, उन्हें हम लोगों ने, चाहे सदन के द्वारा, चाहे प्रशासनिक कुशलता के द्वारा उनका समाधान किया है।

मान्यवर, आपको मालूम है और अभी सुबह भी इसकी चर्चा हुई कि आर्टिकल 370 और आर्टिकल 35ए, जिनका 70 सालों से किसी सरकार ने समाधान नहीं किया था, हमारी सरकार ने उसका समाधान किया। तीन तलाक का जो मामला था, जिसके द्वारा हमारी माताओं, बहनों और बेटियों को शोषित किया जा रहा था, उसका भी हम लोगों ने समाधान किया।

सभापति जी, मैं हज़ारीबाग से आता हूँ। विश्व भर में जाना जाता है कि रामनवमी का जो जुलूस है, 100 साल पहले हज़ारीबाग में ही इसको आरम्भ किया गया और विश्व भर में जिस प्रकार से हम लोग रामनवमी का त्यौहार मनाते हैं और जुलूस निकालते हैं, वह बहुत ही प्रसिद्ध है। अगर भगवान राम की आस्था का कहीं भी केन्द्रबिन्दु है, तो वह हज़ारीबाग में है, क्योंकि हम लोग भगवान के भक्त हैं। जो अयोध्या में भव्य राम मन्दिर बन रहा है, इस सरकार ने इस मामले का भी समाधान किया है। मैं उसके बारे में भी धन्यवाद करता हूँ। हम लोग हज़ारीबाग में भी भगवान राम का मंदिर बनाने वाले हैं। वह भी एक भव्य राम मंदिर होगा। उसी प्रकार से ये सब जो जटिल समस्याएँ थीं, फंसी हुई जो बातें थीं, इनका समाधान हम एक-एक करके करते चले जा रहे हैं। विमानन क्षेत्र में भी जो मामला बहुत दिनों से लंबित था, उसको भी हम लोग इस संशोधन के द्वारा, इस विधेयक के द्वारा करते चले जा रहे हैं।

माननीय प्रधान मंत्री जी का एक सपना है कि हम लोग हवाई चप्पल वाले को भी हवाई जहाज में बैठाएंगे यानी फ्लाईंग फॉर ऑल। जब से हमारी सरकार बनी, वर्ष 2014 से लेकर आज तक वर्ष 2020 में, हम लोगों ने जो विमानन क्षेत्र में काम किया है, हमें जो सफलता प्राप्त हुई है, मैं आपके द्वारा पूरे सदन को, पूरे देश का इसके बारे में ध्यान आकर्षित कराना चाहता हूँ। वह अद्भुत है।

मैं कुछ आंकड़े आपके सामने पेश करना चाहता हूँ।

I will present some hard facts. Shri Premachandranji was saying that we have to be relevant in our discussions. I will explain exactly why these

hard facts are relevant to the discussion and the amendment that we are presenting today.

In fiscal 2014, the number of operational airports in this country was 70. Today, we have 105 operational airports. With the Budget that has just been presented, the Appropriation Bill which we just passed yesterday and the plans the Ministry of Civil Aviation has undertaken, we are going to go from 105 operational airports to more than 200 operational airports. The number of planes in fiscal 2014 was only 400. We are close to 700 now and the plans are to go to 1,200 planes as well. The number of trips in fiscal 2014 was 10 crores. Now, they are close to 20 crores and the plan over the next few years is to get to 100 crore passenger trips. This is the kind of expansion that the hon. Minister, Shri Hardeep Puri was referring to.

This is the kind of growth that we have seen in the aviation sector. This has come about as we have achieved this unprecedented status so very quickly to become the third largest aviation market domestically in the world and very soon, domestic-plus-international. We have achieved this through a series of important initiatives. ...(*Interruptions*) The USD 5-trillion economy, of course, is also happening. I just want to bring in a very short sense the very important initiatives that we have undertaken to the attention of the House because you have to understand the work, the policy-making, the Executive focus that enable us to achieve these very remarkable results. It is because of the kind of work that is put into this.

Now, one of the most important programmes that we have undertaken in the aviation sector in the last few years is - 'उड़ान', 'उड़े देश का आम नागरिक' । अगर आज के समय हम लोगों ने 35 और एयरपोर्ट अपने ऐविेशन सिस्टम में जोड़े हैं, अगर हम लोग 50 और हेलिपैड, हेलीपोर्ट के लिए मेहनत कर रहे हैं तो वह 'उड़े देश का आम नागरिक' योजना के द्वारा ही हम लोग कर रहे हैं ।

The way we have achieved that demonstrates our skill in being able to unleash market forces so that they can serve the people of this country and truly bring aviation to all as the hon. Member from the Congress said that this is no more something that is a luxury good; it is essential for everybody in this country to travel. Flying for All has been achieved through UDAAN.

Even as our passengers are utilising the benefits of UDAAN, Mr. Chairperson, Sir, we have provided them excellent customer service through a whole series of improvements that we have made in our airports and through the Air Seva Programme through which any grievance can be logged through a mobile app, through a website and through various forms of social media as well. This is the only such consumer grievance redressal mechanism around the world and this is a notable innovation that we have brought into air travel to make air travel even better, which is exactly what the hon. Member from the Congress was referring to.

In the same way, again in one of a kind, first in the world, programme, we have implemented a biometric based digital traveller programme across our airports. It is being rolled out right now, called Digi Yatra. That will make travelling even better. Your face will become your boarding pass. You will be able to go through without any paper through the airport entry, through the check-in process and on to the airplane itself, making it really convenient and easy to get through airports. As this growth continues, it is very important for us to be able to find these efficiency enhancing measures so that air travel becomes even more convenient.

14.59 hrs

(Shrimati Rama Devi *in the Chair*)

Another very important programme that we have undertaken is Nabh Nirman.

नभ यानी आकाश यानी आसमां और नेक्स्ट जनरेशन एयरपोर्ट्स फॉर भारत । नेक्स्ट जनरेशन एयरपोर्ट्स फॉर भारत, नभ निर्माण के तहत हम लोगों ने कई सारे

नए एयरपोर्ट, जैसे जेवर एयरपोर्ट को बना रहे हैं। मोपा, गोवा में हम लोग एयरपोर्ट बनवा रहे हैं। अभी यहाँ संजय जायसवाल जी हैं, हम लोगों की कोशिश होगी कि रक्सौल में भी, उनके क्षेत्र में वहाँ हम लोग एयरपोर्ट बनाएं। बड़े सारे एयरपोर्ट्स नभ निर्माण के द्वारा बनायें, ... (व्यवधान) देवघर का तो एयरपोर्ट बन ही रहा है, जैसे अभी बताया गया है। अन्य बहुत सारे हैं, जमशेदपुर में है, बहुत सारी जगह एयरपोर्ट्स बन रहे हैं, जिसके द्वारा जो 100 करोड़ का हमारा लक्ष्य है, जिससे सब लोग हवाई जहाज में बैठ सकें, वह हम लोग नभ निर्माण के तहत कर रहे हैं।

15.00 hrs

अभी काँग्रेस पार्टी के माननीय सदस्य ने 'नो-फ्लाई लिस्ट' के बारे में कहा तो हम लोगों ने कुछ साल पहले इसे लागू किया है। माननीय सदस्यों को याद होगा कि उसके पहले कई सारी ऐसी घटनाएं हो रही थीं, जिनमें लोगों को तंग किया जा रहा था। लोगों को एयरपोर्ट्स में तकलीफ हो रही थी क्योंकि बड़ा अनरूली बिहैवियर हो रहा था। अब 'नो-फ्लाई लिस्ट' के बाद अनरूली बिहैवियर वाला जो मामला था, आपको याद होगा, उनमें कई सारी घटनाएं हुई थीं, वे सब आज के समय में लगभग खत्म हो गई हैं। यह भी एक बहुत बड़ा इन्निवेशन था, जिसे हम लोग एविएशन सेक्टर में लेकर आए।

अभी माननीय मंत्री जी ने कोरोना वायरस का जिक्र किया। मैं उन्हें, उनके सहयोगी, पूरे मंत्रालय को और एयरपोर्ट्स पर जो कर्मचारी हैं, सबको मैं धन्यवाद देना चाहता हूँ। हम लोग उनका अभिनन्दन करना चाहते हैं। मुझे लगता है कि सभी सदस्यों को इससे जुड़ जाना चाहिए क्योंकि जिस प्रकार से उन्होंने कोरोना वायरस की ट्रैकिंग की है, स्क्रीनिंग की है, दिन-रात मेहनत की है, उसके कारण आज हम लोग सुरक्षित हैं, हमारा देश सुरक्षित है। इसे भी एविएशन सेक्टर ने करके दिखाया है। हम लोगों को इसका स्वागत करना चाहिए। इसके लिए हमें उन लोगों को बहुत-बहुत धन्यवाद देना चाहिए।

अगर हम हर क्षेत्र को देखें तो हमारा विमानन क्षेत्र बहुत बढ़िया काम कर रहा है, बहुत ही उम्दा प्रकार से इसका काम चल रहा है। अब यह बहुत जरूरी है। अगर हमें अपने विमानन क्षेत्र को और सुरक्षित और दुरुस्त बनाना है तो जैसे माननीय मंत्री जी ने कहा है कि हमें इनकी तीन बड़ी महत्वपूर्ण रेगुलेटरी एजेंसीज

को स्टैट्यूटरी रेकग्निशन देना है। ये जो तीन एजेंसीज हैं, उनमें एक डायरेक्टरेट जनरल ऑफ सिविल एविएशन है, जो हवाई जहाज के लिए, पायलट्स के लिए, फ्लाइट कूज़ के लिए सारे नियम-कानून बनाता है। दूसरा, एयरक्राफ्ट एक्सीडेंट इंवेस्टीगेशन ब्यूरो है। अगर खुदा-न-ख्वास्ता कोई दुर्घटना हो गई तो उसकी जांच किस प्रकार से की जाए तो एयरक्राफ्ट एक्सीडेंट इंवेस्टीगेशन ब्यूरो को उसकी जांच करने के लिए कहा जाता है। विशेष रूप से, जैसा कि अभी माननीय सदस्य ने भी कहा कि सिक्योरिटी के लिए, सुरक्षा के लिए, ब्यूरो ऑफ सिविल एविएशन सिक्योरिटी है। सी.आई.एस.एफ. के सारे लोग, जो एयरपोर्ट्स पर काम कर रहे हैं, उनकी प्रोटोकॉल्स, उनकी स्टाफिंग, उनके नॉर्म्स एण्ड प्रोसीजर्स पर यह निगरानी रखता है। ब्यूरो ऑफ सिविल एविएशन सिक्योरिटी को हम लोग अब स्टैट्यूटरी रेकग्निशन दे रहे हैं, जो बहुत-बहुत जरूरी है।

इस स्टैट्यूटरी रेकग्निशन का प्रभाव क्या होगा? यह इतने दिनों से लम्बित क्यों था? यह इतना महत्वपूर्ण क्यों है? कई बार जब इंटरनेशनल सिविल एविएशन ऑर्गेनाइजेशन के लोग आते हैं और जब वे हमारे विमानन क्षेत्र का निरीक्षण करते हैं तो वे हरदम एक कमी को उजागर करते हैं और उसके कारण हम लोगों की रेटिंग कई बार कम हुई है। वह कमी यह है कि हमारे जो तीन रेगुलेटरी इंस्टीट्यूशंस हैं, जिनका मैंने अभी जिक्र किया, अभी उनकी स्टैट्यूटरी रेकग्निशन नहीं है। अभी सिर्फ वे एक एग्जक्यूटिव ऑर्डर के तहत चल रहे हैं। इसलिए, यू.एस.ए. का फेडरल एविएशन एडमिनिस्ट्रेशन और इंटरनेशनल सिविल एविएशन ऑर्गेनाइजेशन, जो मॉन्ट्रियल में है, ये दोनों इंडिया को डाउनग्रेड कर देते हैं क्योंकि हमारी रेगुलेटरी इंस्टीट्यूशंस स्टैट्यूटरी बॉडीज़ नहीं हैं। अब इस विधेयक के द्वारा इन्हें स्टैट्यूटरी बॉडीज़ बनाया जाएगा। शिकागो कंवेन्शन के तहत इसे करना हमारे लिए अनिवार्य है। उसे हम लोग आज इस विधेयक के द्वारा कर लेंगे। इसके कारण हम लोगों की सेफ्टी की जो रैंकिंग है, वह और भी बेहतर हो जाएगी। इसके साथ-साथ हम लोग ब्यूरो ऑफ सिविल एविएशन सिक्योरिटी को भी स्टैट्यूटरी रेकग्निशन देंगे तो बी.सी.ए.एस. में भी हमारी रेटिंग इम्प्रूव होगी। इससे एफ.ए.ए., आई.ए.एस.ए. और जो यूरोपियन रेगुलेटरी एजेंसी है, उन्हें भी इससे बहुत संतोष होगा। उन्हें बहुत अच्छा लगेगा कि हम लोग उन्हें एक प्रकार से कानूनी दर्जा दे रहे हैं, जिसमें वे और

भी बेहतर तरीके से काम कर सकें और उनके जो नियम हैं, उनका और बेहतर तरीके से पालन करवा सकें ।

इस विधेयक में स्टैट्यूटरी रेकग्निशन तो दिया ही जा रहा है, लेकिन इसके अलावा जो फाइन्स हैं, जिसे कम्पाउंडिंग-ऑफ-ऑफेंसेज किया जा सकता है, उसे भी इस विधेयक के द्वारा हम लोग लागू कर रहे हैं । इसलिए जो छोटे ऑफेंसेज हैं, उन्हें हम लोग फाइन के द्वारा हैंडल कर सकते हैं । अगर बड़े ऑफेंसेज हैं तो और भी बड़ी फाइन हो सकती है । अगर हम लोगों को उनके ऑपरेशंस को रोकना पड़ेगा तो हम लोग उसे भी कर सकते हैं । इस तरह अब हम लोग इस विधेयक के द्वारा, इस कानून के द्वारा पूरी रेंज-ऑफ-अल्टरनेटिव्स लागू कर सकते हैं । इसके कारण हमारा काम और भी बेहतर और सुरक्षित होता जाएगा ।

हमारा विमानन क्षेत्र इस समय बहुत तेजी से बढ़ रहा है और इसके द्वारा हम लोगों को एक बहुत ही महत्वपूर्ण सुविधा दे रहे हैं ।

इस क्षेत्र को बेहतर बनाने के लिए यह संशोधन बहुत ही अनिवार्य था । माननीय मंत्री जी इस बिल को लाए हैं । मैं सभी माननीय सदस्यों से कहना चाहूँगा कि वे इसका जरूर सहयोग करें । इससे आपका सफर, देश भर में आपका जो दौरा चलता है, वह और भी सुरक्षित, बेहतर और सुविधाजनक हो सकेगा । माननीय प्रधान मंत्री जी का जो सपना है कि हवाई चप्पल वाले भी हवाई जहाज पर बैठें, वे इसके द्वारा न सिर्फ हवाई जहाज पर बैठेंगे, बल्कि वे हवाई जहाज पर सुरक्षित भी बैठेंगे । यह काम हम लोग इस विधेयक के द्वारा कर रहे हैं । आप सब लोग इसको जरूर सहयोग और समर्थन दें । बहुत-बहुत धन्यवाद ।

SHRI KALYAN BANERJEE (SREERAMPUR): Respected Madam, First, I will say that this amendment will really strengthen the main statute itself. A good number of provisions have been made in this Bill to strengthen the hands of the Central Government. I feel it in my own way that it is very much essentially required.

Today, the number of aircrafts is being increased day by day. Some aircraft companies have collapsed. But that is a different thing. So many aircrafts are flying. The objective of this Bill is to make better provisions for the control of the manufacture, possession, use, operation, sale, import and export of aircraft. So, everything is covered.

Madam, through you, I request the hon. Minister to make more stringent provisions for the employees and staff of the aircraft companies. Now-a-days, they are behaving like unruly horse. I must give you my thanks or rather gratitude that whenever I have contacted you on a particular problem, although you were busy in meeting etc., you responded to me. You know the problem. I do not want to discuss about this problem here.

But experience speaks that the moment the passengers enter into the aircraft, the pilots and the crew members become king or queen. They behave like that. Behaviour with passengers is not at all good. They do not know how to behave. They commit breach of their own rule and if anybody points out, then he is being threatened.

It has now become a practice of particularly one aircraft company. I do want to take its name. Minister himself knows about that company. I have said about this to him personally. I have never seen such an arrogant woman captain. I am really very sorry to say this. Madam, please do not mind. I am not taking the name. They show some guidelines but the guidelines are not having any statutory force.

Shri Sinha just now pointed out that their behaviour is good. Perhaps, their behaviour is good towards you because you are an ex-Minister, but it is not so with us or the general public. I am sorry, but with great respect I am disagreeing with you on this point and nothing more than that.

My objective in saying this is that the passengers should not be humiliated by any of the employees of the aircraft companies. The hon. Minister knows about it as I have also lodged a complaint. Anyway, I was talking to the hon. Speaker and the hon. Speaker wanted it in writing. So, I have given it in writing.

I have seen that this particular company misbehaves specifically with MPs. They try to create such type of an atmosphere as if the MPs are misbehaving with them. I have seen that 3-4 MPs have been harassed -- as if the MP is doing something wrong -- during the last six months as it has come in the newspapers. I am not taking names because the matter is under investigation. This is the position with regard to this issue.

I am happy to see enhancement of punishment from Rs. 10 lakh up to Rs. 1 crore. If necessary, for committing every offence or misbehaving with the passengers in future -- if you think in your own wisdom -- bring some laws that will help. This will really be helpful.

Lastly, we are totally against the privatisation of Air India itself. Why Air India is being privatised? In 2012, a 10-year restructuring plan for Air India was framed. In April 2012, the Government signed a 10-year restructuring plan with Air International (AI). By April 2012, when the Government finally signed a turnaround plan for AI, the annual operational loss of the airline had increased to around Rs. 5,000 crore and its accumulated debt had reached nearly Rs. 43,500 crore. It was then operating at a capital base of Rs. 3,345 crore (AI 2012). Repeated statements by the Minister In-charge in the Parliament over the years have testified that the Government is largely satisfied that the AI is progressing as per the turnaround plan.

Is the Air India a loss-making company? I am just giving some figures with regard to the operational parameters of Air India. In 2011-2012, the

operational profit was Rs. -4,901 crore and passenger load factor was 67.9 per cent; in 2012-2013, the operational profit was Rs. -3,806 crore and passenger load factor was 72.4 per cent; in 2013-2014, the operational profit was Rs. -3,978 crore and passenger load factor was 73.3 per cent; and in 2014-2015, the operational profit was Rs. -2,636 crore and passenger load factor was 73.7 per cent.

In 2015-16, the operational profit was Rs.1,005 crore, and the passenger load factor was 75.6 per cent. In 2016-17, the profit was Rs.1,086 crore, and the passenger load factor was 76.4 per cent. In that background, when it is making profit, why should the Air India be privatised? Yesterday also we had discussed about employment. How would we improve employment opportunities? Employees of Air India and its subsidiaries belong to a Government company. It gives them security of life. Not only that, this is pride of the nation. Every nation is having their own national aircraft. Air India is the national aircraft. Till now, Air India, in comparison to other aircrafts, is doing well. Behaviour of employees, crews and captains of Air India is very good in comparison to other private companies. If you disinvest, then, it would turn into a private company. Then, their job security will go. I know that you have already issued tender notice; ultimately it has been postponed or time has been extended. I would kindly urge the Government to reconsider its decision of stopping of disinvestment in Air India itself.

When nothing was there, no aircraft was there, only one aircraft carrier was there, and that is, Air India! Thereafter, a number of companies have come; a number of private companies have gone. They think only about profits, nothing more than that. But Air India itself thinks about people of the country, not Air India itself. That is the basic distinctive point about Air India. I am not required to give advice to the Government. When sovereign discharge of duties is there, when the government duties are there to serve

the people, everywhere, the Government has to earn profit like a private organisation. It is the job and the responsibility of the Government itself, the dream which had been sown by Shri Sinha, who has just now made his speech, can be fulfilled only if Air India is there, not the private organisations. Thank you, Madam.

SHRI C.N. ANNADURAI (TIRUVANNAMALAI): Sir, the objective of amending the Indian Aircraft Act, 1934 by the Aircraft (Amendment) Bill, 2020 is to improve upon the safety and security standards in manufacturing, possession, operation, import and export of aircraft carriers. With the opening of aviation sector to private players and foreign entities in the Nineties, air traffic over Indian skies has increased considerably. India has the distinction of being the third largest civil aviation market in the world.

Our country, being the signatory to the Chicago Convention, is required to ensure international standards of safety requirements for civil aviation, which is periodically audited by the International Civil Aviation Authority of United Nations Organisations.

In the audit of ICAI conducted in the year 2018, the safety standards of our civil aviation sector happened to be below the standards of some of the developing countries. The Bill intends to give more powers to the Directorate General of Civil Aviation, the Bureau of Civil Aviation and Security and the Aircraft Accident Investigation Bureau for the sake of better safety and security in civil aviation sector.

The Aircraft (Amendment) Bill, 2006 was scrutinised by the Parliamentary Standing committee on Transport and Tourism under the

chairmanship of Shri Sitaram Yechuri. That Committee had given certain recommendations in its 109th Report for improvement of that Bill. The hon. Minister of Civil Aviation may inform the august House as to what extent the recommendations of the Standing Committee on Transport and Tourism have been assimilated in the current Bill of 2020. The hon. Minister may clarify whether there is any overlapping between provisions of Airports Authority of India Act, 1994 with that of the current Bill.

Enhancement of fine from Rs. 10 lakhs to Rs. 1 crore for violators of security is justifiable for the sake of enhanced security. Air worthiness aspect of aircraft and proficiency of flight crew and ground engineers is vital for safety and security of the passengers. I suggest that the provisions in the Bill may be included to share information about the aircraft worthiness including the year of manufacturing, flying hours and the distance covered with the passengers. It would be better if that information is available at the time of purchasing air ticket.

High density TOF camera sensor may be installed in all aircrafts for smooth landing and take-off during foggy season. An airport at Tiruvannamalai supported under UDAN Scheme may be given priority for the benefit of lakhs of both domestic and foreign tourists visiting the holy place of Lord Arunachalesvara.

Our national carrier has been used to bring back Indian citizens from China and other countries to save them from corona virus attack. The private airlines carrier may not do such type of work which is done by our national carrier. Therefore, I oppose privatisation of Air India.

With these observations, I commend that the Bill may be passed after incorporating my suggestions.

श्री विनायक भाउराव राऊत (रत्नागिरी-सिंधुदुर्ग): सभापति महोदया, वैसे तो हम सभी जानते हैं कि एविएशन सेक्टर पिछले कुछ वर्षों से संकट में आ चुका है। दुर्भाग्य से, जेट एयरवेज जैसी बड़ी कंपनी भी पूरी तरह से शट डाउन हो चुकी है। इसके पहले किंग फिशर गई और ग्राउंड हैंडलिंग करने वाली जो कंपनी थी, वह भी बंद हो चुकी है। इसी तरीके से सिविल एविएशन सेक्टर में कई नई कंपनियां आती हैं और कई कंपनियां बंद हो जाती हैं।

अगर देखा जाए तो ऐसी बात नहीं है कि सभी एविएशन्स में काम करने वाली कंपनियां प्रोफिट में चलती हैं। उनके सामने भी कई प्रकार की समस्याएं हैं। उनके सामने कई प्रश्न हैं। उनके प्रश्नों का हल निकालकर केन्द्र सरकार को सहयोग करने की आवश्यकता है। इस बिल पर चर्चा करते हुए श्री कल्याण बनर्जी ने अपने भाषण में जो विचार रखे हैं, मैं उनसे सहमत हूँ। खासकर मैं मंत्री महोदय जी से कहना चाहता हूँ कि हमें ऐसा नहीं सोचना चाहिए कि एयर इंडिया को तो डुबाना ही है। अगर हम ऐसा सोचकर चलेंगे तो यह अच्छा नहीं होगा। एयर इंडिया हिन्दुस्तान की संपत्ति है, हिन्दुस्तान का गर्व है, अभिमान है। इस उद्देश्य से एयर इंडिया की तरफ देखने की आवश्यकता है।

मैं यह भी दावे से कह सकता हूँ कि आज कोई भी पैसेंजर अगर एयर इंडिया से जाए और एक निजी कंपनी के हवाई जहाज से जाए तो प्राइवेट एजेंसी के हवाई जहाज में जो सर्विस दी जाती है, उसके बारे में कल्याण बनर्जी ने यहां पर अपना मत रखा है। आज कई निजी प्राइवेट कंपनियां सोचती हैं कि एविएशन के पूरे सेक्टर की कंपनियां हमारे बाप-दादा की हैं। इसलिए हम जैसा चाहते हैं, वैसे ही इसको चलाएंगे। अगर कोई सांसद भी हो तो वे उस पर बैन कर सकते हैं, उसको सजा दे सकते हैं। आज वे कंपनियां कितनी भी गलतियां कर दें, लेकिन उन पर एक्शन लेने की कोई व्यवस्था नहीं है। मैं नाम लेकर बता सकता हूँ कि दिल्ली एयरपोर्ट पर जितनी भी प्राइवेट एजेंसीज हैं, चाहे इंडिगो हो या कोई और हो। मैं काफी बार एविएशन सैक्रेटरी को लिखित में शिकायत कर चुका हूँ।

सभापति महोदय, हम मंत्री महोदय जी को कुछ शिकायत करते हैं तो कम से कम वे रिस्पांस देते हैं। हम कोई प्रश्न भी लेकर जाते हैं तो उनका हल निकालने का

भी काम करते हैं। चाहे एविएशन के डायरेक्टर्स हों या अन्य अधिकारी हों, उनके माध्यम से हमारे लोकप्रतिनिधियों को जैसा रिस्पांस मिलना चाहिए, वह दुर्भाग्य से नहीं मिलता है। मैं कह सकता हूँ कि मुम्बई एयरपोर्ट में कोई भी जाए, वहाँ जिस तरह की सर्विस दी जाती है, चाहे बिजनेस क्लास हो, सीनियर सिटिजन हो या कोई बीमार पैसेंजर हो तो मुम्बई एयरपोर्ट की दिल्ली के एयरपोर्ट से तुलना करें तो उस हिसाब से दिल्ली एयरपोर्ट में उतनी सुविधाएं नहीं हैं। प्रवासियों की सुरक्षा मुख्य उद्देश्य होना चाहिए। एयरपोर्ट पर जब कोई भी पैसेंजर जाता है तो सिक््योरिटी वाले चैकिंग के लिए अपना स्कैनिंग करने का डंडा बहुत देर तक घुमाते रहते हैं। अगर गले में गोल्ड की चैन हो तो भी आवाज आने लग जाती है। उनको दिखाने के बाद भी पूछते हैं कि इसमें और क्या है। अगर हमारी घड़ी में भी आवाज आती है तो इसमें हमारा क्या गुनाह है। कभी-कभी शूज उतरवाकर भी चैकिंग करते हैं। अगर शूज निकाल दें, घड़ी निकाल दें, बेल्ट निकाल दें तो भी आवाज आती है।

मैं मंत्री महोदय जी से निवेदन करता हूँ कि आज एविएशन सेक्टर में बहुत ज्यादा टेक्नोलॉजी आ चुकी है। आप एक अच्छी स्क्रीनिंग मशीन लाइए। आप कोरोना वायरस के लिए तो इतनी बड़ी टेक्नोलॉजी का इस्तेमाल कर रहे हैं। एविएशन में भी चाहे बिजनेस क्लास हो या इकॉनॉमिक क्लास हो, उनको अच्छी सुविधा देना सरकार का कर्तव्य है। हमें तो कभी-कभी डंडे की मार खानी पड़ जाती है। अगर ज्यादा आवाज आती है तो वह उस स्केन करने वाले डंडे को जोर से लगाता है। मैं आपके माध्यम से मंत्री महोदय जी से इससे छुटकारा दिलाने के लिए प्रार्थना करता हूँ। यह अनुभव तो सभी का रहा है। माननीय सभापति जी, आपको भी अनुभव रहा होगा। हमारे देश में कई नए एयरपोर्ट्स बन रहे हैं।

माननीय सभापति : आपका 6 मिनट का समय पूरा हो चुका है।

श्री विनायक भाउराव राऊत: एयर इंडिया के बारे में मैं आपको बताना चाहता हूँ कि यह एक ऐसी कंपनी है, जब यहाँ कुछ भी नहीं था, तब स्वर्गीय टाटा जी के माध्यम से एयर इंडिया यहाँ आई। आज दुर्भाग्य से एयर इंडिया के पास जो भी है, चाहे वह 320 एयरबस हो, 321 एयरबस हो, मुझसे श्रेष्ठ आदरणीय सांसद राजीव प्रताप रूडी जी, जो खुद हवाई जहाज चलाते हैं, इसके बारे में ज्यादा अच्छी तरह से बात कर सकते हैं। आज एयर इंडिया के पास जिस तरीके के एयरक्राफ्ट्स हैं,

उनमें कभी-कभी इतनी तेज आवाज आती है या जब मैं इनकायरी करता हूँ कि जहाज लेट क्यों हो रहा है, तो बताया जाता है कि उसका नट-बोल्ट नहीं मिल रहा है, उसका स्कू नहीं मिल रहा है, उसके कुछ पार्ट्स को लाने के लिए कोलकाता से ऑर्डर देना पड़ता है। मुंबई और दिल्ली जैसे एयरपोर्ट पर एयर इंडिया की इस हालत को सुधारने की आवश्यकता है। अगर भारत सरकार इंडियन रेलवे को सपोर्ट करती है, तो क्यों नहीं एयर इंडिया को भी भारत के अर्थ संकल्प से सपोर्ट किया जाए? ऐसा करने की आवश्यकता है।

मंत्री महोदय, मैं आपसे प्रार्थना करता हूँ कि एयर इंडिया को बेचने का विचार अगर आपके दिल में आया हो तो उसे आज के दिन तुरंत निकाल दीजिए और एयर इंडिया को सपोर्ट देकर, एक अच्छी कंपनी बनाया जाए। उस वक्त का महाराजा, आज भी उसी दिमाग से आपको एयरपोर्ट पर दिखाई पड़ रहा है। यही विचार रखते हुए, मैं अपना भाषण समाप्त करता हूँ।

SHRI PINAKI MISRA (PURI): Madam Chairperson, I rise to support this Bill. It is a long overdue Bill. If I am not mistaken, the last Aircraft (Amendment) Bill, which was sought to be brought to this House was in 2006, which was also referred to the Standing Committee. So, the 2020 Bill probably follows from 1994, if I am not mistaken. First, there was the 1934 Act, then the 1994 Act and now the 2020 Bill.

Madam Chairperson, there are many critics of this Government who say that the bench strength of this Government sometimes is a bit thin. The happy situation is that this is one Ministry where the Government has produced some very good talent. Two of my very dear friends, Mr. Rajiv Pratap Rudy and Mr. Jayant Sinha are here who have manned this Ministry and now, of course, one of the brightest Ministers in this Government who had a glittering international career, who has also the robust common sense

along with all the vast experiences he has garnered as a diplomat, Mr. Hardeep Puri is manning this Ministry.

Therefore, it is only in the fitness of things that he has brought this Bill now, which was long overdue. But I am sorry to say that the talent that he brings to this Ministry unfortunately is undermined by his own Government in terms of the budgetary cuts that he is being given. There have been drastic cuts in the allocation towards the Ministry of Civil Aviation by more than 60 per cent. How does any competent Minister – no matter how competent he is, I mean he is vastly competent – can function when there is a 60 per cent decrease in his budgetary allocations? When compared to the actual expenditure of 2018-19, the budgetary estimates this time have been sharply reduced and, therefore, there have been decreases in allocations to both the Directorate General of Civil Aviation as well as to the Bureau of Civil Aviation Security. So, these amendments that he has brought about now to give statutory flavour to the BCAS, the AAIB and the DGCA, I do not know how the Government is going to fund these.

Nonetheless, it is important to come in line with the international practices, to come in line with ICAO, to come in line with best international agencies which are following the best international practices. Legal teeth have been given to the Board which will discharge its duties with much greater efficacy and independence. We are hopeful of this. But our difficulty is that the modernization which is required to raise the bar to take these organizations to the level of, let us say, the FAA in the US or the EASA in Europe, without proper modernization, without modern equipment, without the manpower getting the best training at par with what they have given in the US or Europe, I do not understand how these agencies will function at peak levels. The hon. Minister is right when he says that India is now at third position in the world in terms of its civil aviation potential.

There are 400 million middle-class people. So, it goes without saying that there is such a massive catchment in this country that the passenger traffic in this country obviously has to boost every single year. Despite that, we have seen that airline after airline has failed in this country. Starting with Damania, Air Sahara, Air Deccan, Kingfisher and Jet, there have been repeated failures of different airlines. There is a joke; actually, it is not a joke but an aphorism which is engraved in the Flying Club in New York: "To be an aviator, you have to be a millionaire. But first you have to be a billionaire to be a millionaire." Unfortunately, this is what is coming out to be true in India as well. A lot of people are losing a lot of money. I believe that this is a time, particularly in view of the spread of coronavirus, that the hon. Minister will have a testing time on his hand.

Indian carriers' potential for projected cumulative losses for 2019-20 is supposed to be Rs. 7800 crore. India is one of the highest imposers of the aviation fuel tax in the world with 11 per cent excise duty on aviation turbine fuel and a State-level tax of a maximum of 30 per cent. Therefore, the hon. Minister should really get the helping hand of the Finance Ministry. Today, when oil prices are below 30 dollars, I believe this is the time when the aviation sector should be bailed out with aviation fuel cost. I have no doubt that the hon. Minister will be the first one to advocate this. I believe that whatever the Minister has done so far, he has done it with a very even hand. He has run this Ministry impartially. I am not in agreement with many of my colleagues here who say that the Government is making a mistake in attempting a sale of Air India. I am completely one with the Minister in attempting the sale of the Air India because there is no point in chasing bad money with good money if some asset has become toxic. Let me assure this House that if this can be done, it can be done under this Minister. He has such a good common sense that he brings to the table. I believe Air India is a wonderful airline. My colleague was saying that every

national carrier is a great asset. I do not believe that every nation has a national carrier. Those days are gone. I cannot even recall if there is any country which has a national carrier now. All carriers have virtually become privatized. There is no reason for the Government to be in the business of running airlines and hotels.

Having said this, I commend the Minister for having brought this Bill to this House. We support this Bill. We support all the good initiatives and good endeavours which the hon. Minister is bringing in this aviation sector. We wish him well in all his endeavours and great success in this sunshine industry in India. There are very few sunshine sectors left in this country. This is a sunshine sector. Let it prosper. Thank you.

श्री सुनील कुमार पिंटू (सीतामढ़ी): माननीय सभापति जी, आपने मुझे वायुयान संशोधन विधेयक 2020 पर चर्चा में भाग लेने की अनुमति दी है, इसके लिए मैं आपको बहुत-बहुत धन्यवाद देता हूँ ।

महोदया, सरकार द्वारा वायुयान अधिनियम 1934 की धारा 2 में संशोधन कर, इसके अधीन वायुयान दुर्घटना का जांच ब्यूरो स्थापित करने का नियमन किया जा रहा है । आज सबसे ज्यादा लोग वायुयान से आ रहे हैं और जा रहे हैं । नित्य देखा जा रहा है कि जितनी भी ये फ्लाइट्स उड़ रही हैं और खासकर प्राइवेट सैक्टर की जो फ्लाइट्स उड़ रही हैं, ये पैसेंजर्स की किसी भी प्रकार की सुख-सुविधा हो, विमान की सही ढंग से जांच किए बिना, इन सब पर एक बहुत बड़ा रिस्क लेकर प्लेन उड़ाये जा रहे हैं ।

माननीय मंत्री श्री हरदीप सिंह पुरी जी सदन में बैठे हैं । ... (व्यवधान) पुरी जी, नॉट रूडी जी । ... (व्यवधान) आप प्लेन उड़ाने वाले हैं । मैं मंत्रालय से कह रहा हूँ कि कितना रिस्क लेकर हमारे रूडी जैसे पायलट प्लेन उड़ा रहे हैं । विमानों की

बिना सही जांच किए उड़ान भरने की अनुमति दी जा रही है, मैं इसकी ओर मंत्रालय का ध्यान आकृष्ट कर रहा हूँ ।

सभापति महोदया, मैं आपके माध्यम से मंत्री जी का ध्यान प्राइवेट एयरलाइंस द्वारा की जा रही मनमानी की ओर भी आकृष्ट करना चाहता हूँ । आपने कहा था कि हम बहुत जल्द पैसेंजर्स चार्टर लाने वाले हैं । पैसेंजर्स चार्टर के अंदर यह था कि विमान का टिकट कटाने वाला व्यक्ति अगर 24 घंटे के अंदर अपनी टिकट को कैंसिल कराता है या उसके डेट और टाइम में मोडिफिकेशन कराता है, तो कोई शुल्क नहीं लगना चाहिए । एयरलाइंस उसके लिए मनमाना शुल्क काटती है और वह टिकट उस समय के बढ़े हुए रेट पर दूसरे पैसेंजर्स के हाथ बेचती है । अगर हमारे टिकट को कैंसिल किया गया है या हमने उसे मॉडिफाई करवाया है, तो आपने हम से कैंसिलेशन चार्ज या मॉडिफिकेशन चार्ज लिया है, तो वह टिकट उसी रेट पर दूसरे पैसेंजर्स को मिले, यह विभाग के द्वारा सभी एयरलाइंस को एक गाइडलाइन मिलनी चाहिए । बिना गाइडलाइन के सारे प्राइवेट एयरलाइंस मनमाना पैसा वसूल रहे हैं ।

सभापति महोदया, मैं आपका ध्यान इस ओर भी दिलाना चाहता हूँ कि अभी कोरोना वायरस के कारण हर जगह छुट्टियां घोषित की जा रही हैं । आज मंत्रालय का ध्यान उस ओर नहीं है कि कोई भी प्राइवेट सेक्टर, बेंगलुरु-मैंगलोर से जो बच्चे आ रहे हैं, उनसे चार-छः हजार की टिकट की जगह 19 हजार रुपये की टिकट पर, ये एयरलाइंस ला रही हैं और कह रही है कि हम घाटे में हैं । मंत्रालय का ध्यान कहां है? क्या आपने किसी भी एयरलाइंस पर इस प्रकार का कोई सर्किट लगाया है कि किसी भी आपात स्थिति में इस रेट से ज्यादा टिकट का रेट आप नहीं रख सकते हैं । ऐसा मंत्रालय का कोई सर्किट नहीं है । जिसके कारण सारी एयरलाइंस अपना मनमाना दर निर्धारित कर रही हैं ।

सभापति महोदया, मैं आपके माध्यम से माननीय मंत्री जी को यह भी ध्यान दिलाना चाहता हूँ कि आज जो छोटी-छोटी दुर्घटनाएं हो रही हैं, कहीं न कहीं हम अपने देश की जनता की सुरक्षा के साथ खिलवाड़ कर रहे हैं । हम उन पर यह ध्यान नहीं दे रहे हैं कि जो प्लेन्स चल रहे हैं, उनकी प्रॉपर मेंटेनेंस हो रही है या नहीं, उनकी टाइम पर चेकिंग हो रही है या नहीं । उनको उड़ान भरने का एटीसी

लगातार परमिशन दे रहा है और एटीसी के परमिशन के कारण वे प्लेन्स उड़ रहे हैं और बाद में कहा जाता है कि उसमें तकनीकी खराबी के कारण उसकी एमरजेंसी लैंडिंग कराई गई। मंत्रालय को इस पर भी ध्यान रखने की जरूरत है।

माननीय मंत्री जी यहां बैठे हुए हैं और माननीय सभापति महोदया मैं आपसे भी आग्रह करूंगा कि मेरे इस निवेदन पर आप भी मुहर लगाएं कि सीतामढ़ी में एयरपोर्ट बनना चाहिए। वह मां सीता, जगत जननी की जन्म स्थली है। उसका स्थान अयोध्या से कम नहीं है। आप भी अपनी तरफ से सरकार से निवेदन करें कि नेपाल के लोग, खास कर मिथिला में लोगों का आगमन हो। अगर अयोध्या में एयरपोर्ट बन रहा है तो सीता जी की नगरी सीतामढ़ी में भी एयरपोर्ट बनना चाहिए।

मैं नालंदा, दरभंगा और पूर्णिया के लिए कहना चाहता हूं कि दरभंगा और पूर्णिया का एयरपोर्ट बन कर तैयार है। माननीय मंत्री जी उसे जल्द से जल्द जनता की सेवा के लिए खोलें, उसे चालू करें। बिहार के नालंदा यूनिवर्सिटी का नाम पूरी दुनिया में जाना जाता है। नालंदा में इंटरनेशनल एयरपोर्ट की सख्त आवश्यकता है, क्योंकि वहीं से सबसे ज्यादा लोग नालंदा में विदेश बौद्ध धर्म के मानने वाले लोग आते हैं, जो राजगीर और नालंदा में आते हैं। वहां उन लोगों के लिए एक बड़ा इंटरनेशनल एयरपोर्ट बने।

मैं माननीय मंत्री जी के इस प्रयास की सराहना करता हूं। आपने मुझे इस विभाग पर बोलने का मौका दिया है, इसके लिए मैं माननीय सभापति महोदया को धन्यवाद देता हूं। मैं इस बिल के समर्थन में और सरकार के पक्ष में अपना मतदान करना चाहता हूं। धन्यवाद।

कुंवर दानिश अली (अमरोहा): माननीय सभापति महोदया, एयरक्राफ्ट (अमेंडमेंट) बिल, 2020 पर आपने मुझे बोलने का मौका दिया, इसके लिए आपका बहुत-बहुत धन्यवाद।

कई सम्मानित सांसदों की बात हमने सुनीं। उन्हीं की बातों को आगे बढ़ाते हुए मैं कहना चाहता हूँ, यह बात सही है कि एयरलाइंस मनमानी करते हैं। खास

तौर से, टिकट्स को मनचाहे दामों पर बेचते हैं। अगर कोई टिकट कैंसिल कराता है, तो पैसे वापस नहीं मिलते हैं। यह सच्चाई है। मैं आपके माध्यम से माननीय मंत्री जी से कहना चाहता हूँ कि इस वक्त कोरोना वायरस के कारण जो स्थिति बनी हुई है, उसकी ओर ध्यान दिलाते हुए, मैं चाहूँगा कि माननीय मंत्री जी एयरलाइंस को डायरेक्शन दें कि ऐसा न किया जाए, मनमाने ढंग से पैसे वसूल न किए जाएं। मेरे दोस्तों के बच्चे, रिस्तेदारों के बच्चे साउथ इंडिया से कल-परसों ही आए हैं। कोई भी टिकट 20 हजार रुपये से कम का नहीं मिल रहा है। एमरजेंसी में बच्चों को कह दिया गया है कि होस्टल खाली कीजिए, लेकिन जब एयरलाइंस का टिकट खरीदने की बात आती है, तो बेंगलुरु से दिल्ली तक का इकोनॉमी क्लास का टिकट 20-25 हजार रुपये का आ रहा है।

मैं आपके माध्यम से मंत्री जी से आग्रह करता हूँ कि इस पर कुछ डायरेक्शन जारी करें। इसके अलावा एक बहुत बड़ी समस्या है, क्योंकि इस वातावरण के कारण हिन्दुस्तान से लाखों की संख्या में लोग उमरे पर जाते हैं, उमरा करने जाते हैं। इसके लिए बुकिंग कई महीने पहले कर ली जाती है। गरीब लोग, जो धार्मिक यात्रा के लिए जाते हैं, वे कुछ-कुछ पैसे जोड़कर जाते हैं, क्योंकि उनकी इच्छा होती है कि वे जिन्दगी में एक बार उमरे पर जाएं। ट्रैवल एजेंट्स ने उनकी बुकिंग की, लेकिन कोरोना वायरस के कारण वहाँ जाने पर बैन है। ऐसे लाखों लोग हैं, जिनके टिकट्स कैंसिल हो गए हैं और ट्रैवल एजेंट्स उनको पैसे वापस नहीं कर रहे हैं। लास्ट मोमेंट में वे पैसे वापस करने से मना कर रहे हैं।

कई सदस्यों ने अपनी बातें कही, मैं उनसे एसोसिएट करता हूँ। शिव सेना के सदस्य कह रहे थे, कई एयरपोर्ट्स पर दिक्कतें होती हैं। कई बार कुछ सदस्यों को ह्यूमिलिएट करने की भी कोशिश की जाती है। कभी एयरलाइंस के स्टाफ के द्वारा और कभी सिक्युरिटी चेकिंग के दौरान ऐसा किया जाता है। अगर आप उसका नोटिस लेंगे, तो मैं समझता हूँ कि अच्छा होगा।

दूसरी बात यह है कि एयरपोर्ट्स का प्राइवेटाइजेशन हुआ, सुविधाएँ बढ़ी हैं, अच्छा लगा है। लेकिन उसके साथ-साथ कई जगहों पर यह हो रहा है कि जो प्रॉफिट होता है, उससे एयरपोर्ट अथॉरिटी ऑफ इंडिया नए जगहों पर एयरपोर्ट्स

बनाती हैं । लेकिन, उसके बाद एयरपोर्ट्स को प्राइवेटाइज कर दिया जाता है, उनको प्राइवेट कम्पनीज को दे दिया जाता है ।

दिल्ली का उदाहरण ले लीजिए । जब आप जनरल पैसेंजर बनकर दिल्ली के एयरपोर्ट पर जाएं, तो सिक्युरिटी चेकिंग के बाद नए पैसेंजर को यह पता नहीं चलता है कि किधर से गुजरना है । अगर उसे चॉकलेट या मिठाई खरीदनी है, तो उसको पता नहीं चलता है, क्योंकि सारे ओपन स्पेस को कॉमर्शियल कर दिया गया है । इससे बड़ी दिक्कत होती है । इस बात का नोटिस लेना चाहिए ।

जीएमआर तो आपके हाथ से निकल ही गया । वह तो केवल नॉटिकल रेवेन्यू आपसे शेयर करता है, कॉमर्शियल रेवेन्यू तो वह शेयर भी नहीं करते हैं । वे एकाउंट्स की बुक्स भी आपके मंत्रालय के लोगों को, एयरपोर्ट अथॉरिटी को इंस्पेक्ट करने नहीं देते हैं । मैंने यह पीएसी की कमेटी में पहले भी कहा था, लेकिन कम-से-कम आप जो नए एमओयूज कर रहे हैं, जो नए एयरपोर्ट्स को प्राइवेटाइज कर रहे हैं, उनमें एक ऐसा क्लॉज जरूर रखें कि कितने पैसेंजर्स आते-जाते हैं, उसके हिसाब के साथ ही, जो कॉमर्शियल स्पेस यूज करते हैं, उससे जो रेवेन्यू जेनरेट होता है, उसमें भी सरकार की पार्टनरशिप होनी चाहिए । सरकार को वह पैसा मिलना चाहिए ।

आपने मुझे बोलने का मौका दिया, बहुत-बहुत धन्यवाद ।

کنور دانش علی (امروہ): محترم چیرمین صاحب، آپ نے مجھے ائر کرافٹ (امینڈمینٹ) پل 2020 پر بولنے کا موقع دیا، اس کے لئے آپ کا بہت بہت شکریہ۔

کئی معزز اراکین کی بات ہم نے سنی انہیں کی باتوں کو آگے بڑھاتے ہوئے میں کہنا چاہتا ہوں کہ یہ بات سہی ہے کہ ائر لائنز منمانی کرتے ہیں، خاص طور سے ٹکٹ کو من چاہے داموں پر بیچتے ہیں۔ اگر کوئی ٹکٹ کینسل کراتا ہے تو پیسے واپس نہیں ملتے ہیں، یہ سچائی ہے۔ میں آپ کے ذریعہ سے محترم منتری جی سے کہنا چاہتا ہوں کہ اس وقت جو کورونا وائرس کی وجہ سے حالات بنے ہوئے ہیں اس کی طرف دھیان دلاتے ہوئے میں چاہوں گا کہ منتری جی ائر لائنز کو ڈائریکشن دیں کہ ایسا نہ کیا جائے۔ منمانے ڈھنگ سے پیسے وصول نہ کئے جائیں۔ میرے دوستوں کے بچے، رشتہ داروں کے بچے ساؤتھ انڈیا

سے کل پرسو ہی آئے ہیں۔ کوئی بھی ٹکٹ 20 ہزار سے کم کا نہیں مل رہا ہے۔ ایمر جینسی میں بچوں کو کہہ دیا گیا ہے کہ ہاسٹل خالی کیجیئے، لیکن جب انر لائنز کا ٹکٹ خریدنے کی بات آتی ہے تو بنگلور سے دہلی تک کا ایکونامی کلاس کا ٹکٹ 25-20 ہزار روپے کا ٹکٹ آ رہا ہے۔

میں آپ کے ذریعہ سے منتری جی سے گزارش کرتا ہوں کہ اس پر کچھ ڈائریکشن جاری کریں۔ اس کے علاوہ ایک بہت بڑا مسئلہ ہے، کیونکہ اس ماحول کی وجہ سے ہندوستان سے لاکھوں کی تعداد میں لوگ عمرہ پر جاتے ہیں، عمرہ کرنے جاتے ہیں، اس کے لئے بکنگ کئی مہینے پہلے کر لی جاتی ہے۔ غریب لوگ جو مذہبی یاترا کرنے کے لئے جاتے ہیں، وہ کچھ پیسے جوڑ کر جاتے ہیں، کیونکہ ان کی خواہش ہوتی ہے کہ وہ زندگی میں ایک بار ضرور عمرہ پر جائیں۔ ٹریول ایجنسی نے ان کی بکنگ کی، لیکن کورونا وائرس کی وجہ وہاں پر جانے پر بین ہے۔ ایسے لاکھوں لوگ ہیں، جن کے ٹکٹ کینسل ہو گئے ہیں اور ٹریول ایجنٹس ان کو پیسے واپس نہیں کر رہے ہیں۔ لاسٹ مومینٹ میں وہ پیسے واپس کرنے سے منع کر رہے ہیں۔

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کئی معزز اراکین نے اپنی باتیں کہیں، میں ان سے ایسو سیٹیٹس کرتا ہوں۔ شو سینا کے ممبر کہہ رہے تھے، کئی انر پورٹس پر دکتیں ہوتی ہیں، کئی بار کچھ ممبران کو ہیوملیٹیٹ کرنے کی بھی کوشش کی جاتی ہیں، کبھی انر لائنز کے اسٹاف کے ذریعہ اور کبھی سیکیورٹی چیکنگ کے دوران ایسا کیا جاتا ہے۔ اگر آپ اس کا نوٹس لیں گے تو میں سمجھتا ہوں کہ اچھا ہوگا۔

دوسری بات یہ ہے کہ انر پورٹس کا پرائیویٹائزیشن ہوا، سہولیات بڑھیں ہیں، اچھا لگا ہے۔ لیکن اس کے ساتھ ساتھ کئی جگہوں پر یہ ہو رہا ہے کہ جو پروفٹ ہوتا ہے اس سے انر پورٹس اتھارٹی آف انڈیا نئی جگہوں پر انر پورٹس بناتی ہے۔ لیکن اس کے بعد انر پورٹس کو پرائیویٹائز کر دیا جاتا ہے۔ ان کو پرائیویٹ کمپنیز کو دے دیا جاتا ہے۔

دہلی کی مثال لیجئے۔ جب آپ جنرل پیسنجر بن کر دہلی کے انر پورٹ پر جائیں، تو سیکیورٹی چیکنگ کے بعد نئے پیسنجر کو یہ پتہ نہیں چلتا ہے کہ کدھر سے گزرنا ہے۔ اگر اسے چاکلیٹ یا مٹھائی خریدنی ہے تو اس کو پتہ نہیں چلتا ہے کیونکہ سارے اوپن اسپیس کو کمرشیل کر دیا گیا ہے۔ اس سے بڑی دکت ہوتی ہے۔ اس بات کو نوٹس لینا چاہیے۔

جی۔ایم۔آر۔ تو آپ کے ہاتھ سے نکل ہی گیا ہے وہ تو صرف نوٹیکل ریونیو آپ سے شیئر کرتا ہے۔ کمرشیل ریونیو تو وہ شیئر بھی نہیں کرتے ہیں۔ وہ اکاؤنٹس کی کتابیں بھی آپ کی وزارت کے لوگوں کو انر پورٹ اتھارٹی کو انسپیکٹ کرنے نہیں دیتے ہیں۔ میں نے یہ پی۔اے۔سی۔ کی کمیٹی میں یہ پہلے بھی کہا تھا، لیکن کم سے کم آپ جو نئے ایم۔اویوز۔ کر رہے ہیں، وہ نئے انر پورٹس کو پرائیویٹائز کر رہے ہیں ان میں ایک ایسا کلاز ضرور رکھیں کہ کتے پسنجرس آتے جاتے ہیں، اس کے حساب کے ساتھ ہی جو کمرشیل اسپیس یوز کرتے ہیں، اس سے جو ریونیو جنریٹ ہوتا ہے اس میں بھی سرکار کی پارٹنرشپ ہونی چاہئیے۔ سرکار کو وہ پیسہ ملنا چاہئیے۔

آپ نے مجھے بولنے کا موقع دیا، بہت بہت شکریہ

(ختم شد)

SHRI B. B. PATIL (ZAHIRABAD): Thank you very much, Madam, for giving me the opportunity to speak on this important Bill.

The Government seeks to amend the Aircraft Act, 1934 whereby the maximum limit of fine for violations will be hiked from the existing Rs.10 lakh to Rs.1 crore.

The Aircraft (Amendment) Bill, 2020, also provides for keeping aircraft, belonging to any armed forces of the Union other than naval, military or air force, outside the purview of the Aircraft Act.

As per the Statement of Objects and Reasons, once these amendments are passed, the Government would also have the power to issue directions

to review, if necessary, in public interest, any order passed by the DGCA, Bureau of Civil Aviation Security, and Aircraft Accidents Investigation Bureau.

The Act pertains to control the manufacture, possession, use, operation, sale, import and export of aircraft. The Bill intends to regulate the areas of air navigation. The Bill will also enable three regulatory bodies namely Bureau of Civil Aviation Security, Directorate General of Civil Aviation, and Aircraft Accident Investigation Bureau. It will increase safety and security of air transport in the country. In 2018, the ICAO, a global aviation watchdog of the United Nations carried out a Universal Safety Audit Programme for India. The audit showed that the safety score of India declined to 57.44 per cent in 2018 from 65.82 per cent in 2017. The score was far less than Nepal and Pakistan. The audit was performed in the air navigation services, aerodromes, aircraft accidents and investigations, and ground aids, etc. The world average score for aircraft safety set by the ICAO is 65 per cent. India's score is far below the world average.

With the successful implementation of the UDAN scheme, the aircraft carriers and operators have increased. Therefore, it is mandatory to imply strict regulations to keep up the safety of the passengers.

In the coming times, more and more airports will get corporatized. Even the small airports will be run by a private operator. The Government just cannot let a private player exploit different consumers, that is, common passengers, airlines, cargo service providers, and ground handling service providers, etc. Aeronautical tariffs and charges need to remain within manageable limits. Apart from the cost, there is also the issue of quality of services that needs to be regulated. In a regulatory environment, somebody who is an operator should not be a regulator.

Currently, the Airports Authority of India not only runs airports, but it is also responsible for those airports. The ultimate goal of the Government should be to bring every airport in the country except the defence enclaves under the AERA. The AERA should be made a very robust and strong regulator. It should also be given an option of inspecting airports and analysing tariff charges on a regular basis and publish reports.

The Government of India has approved to set-up five small airports to our State of Telangana. I would like to request the hon. Minister to get those approved airports constructed at the earliest. Thank you.

SHRIMATI SUPRIYA SADANAND SULE (BARAMATI): Hon. Chairperson, Madam, Thank you. I stand here to support this Bill which the hon. Minister has proposed today.

I actually would like to start with the reference of Shri Jayant Sinha Ji and fortunately, he is here today when I speak. His entire speech was very exciting and I felt I was in a Disney Land. It has reminded me that everything is so picture perfect and lovely in the aviation industry. That is why, probably I would like to go back to the reference of what Shri Pinaki Misra Ji has said about ten airlines having shut in this country. So, ideally, what you have said should be a reality. But unfortunately, today, the entire civil aviation industry is going through probably one of its most difficult times.

I am not blaming the hon. Minister for it. A lot of it is due to the circumstances. The hon. Minister and his Department should be complimented. During this entire Coronavirus issue that is going on, everybody who has helped us with connectivity, I think, we should all show

gratitude to his Department and every employee who probably is more vulnerable than any of us today for the Coronavirus. There is a world panic. Everybody's children and families who have travelled globally, are coming back to India. That is probably one of the reasons why the load is so high. I do not think this honeymoon period is going to last too long. It is going to go absolutely down now because of what is happening globally today.

I would like to highlight a couple of things that the hon. Minister has said before I come to the three main points that I want to share with the hon. Minister. Sinha Ji talked about the UDAN scheme. Yes, it is a very good scheme. But I just want to highlight the connectivity issue that I go through in my own State, Aurangabad. Aurangabad Airport is one of the old airports which India has had. Regarding connectivity, we have six flights coming to Aurangabad from Delhi.

But locally from Mumbai or Pune to Aurangabad, there is only one flight and the reason for connectivity of Aurangabad is critical because it is a huge MIDC which was probably formed 20 years ago as it was a good area with good connectivity.

There is Ellora Ajanta also. At one time, you are talking about tourism. But if Aurangabad Airport is under-utilised, I think it is really a very sad state of affairs. So, I would like to request the hon. Minister to step in and see how we can improve that particular connectivity. When we talk about UDAN and better connectivity, I think this is where we really need to look into and step in.

As regards UDAN, I am not criticizing it. Like Shri Pinaki Misra, I am not against you diluting or selling Air India at all as long as the staff and people who have put their entire life in building that brand are protected. My point is that if you do sell Air India, at what cost you are going to sell it. It is probably the way the civil aviation industry globally is.

I am sure, there is going to be huge losses even for the Government. So, what are you going to do? Is this the right time to do it or is it a better time? It is because you have a very good CEO now who did a very good job in the Railways. So, why not have some faith in your own team... (*Interruptions*). Oh, he has gone now and a new one has come. I am sure he will also be good. Why should we show no faith in our people?

He talked about several aircraft being bought. Are those bought by Air India or those hundreds of aircraft bought by private airlines? I am not against privatisation at all. I think it is wonderful. I think it is about serving customer and let the markets decide. But at such a background, if you sell Air India, will UDAN Scheme still exist? The heart that the Government has, is not clearly what somebody who is making profit is going to have. So, you could kindly clarify what your lines are. I know I am short of time. So, I will not go through too many points all of, which are critical, but there are three main points I would like to highlight.

Today, you will have to restructure loans of all these airlines for the reason of fuel prices. I will not repeat it. You know what the situation of the fuel prices is. If you are flying abroad, it is only 4-5 per cent but within India, are you going to bring it within the gambit of GST? If you do bring it, I need clarity of your policy because the States will bleed. Anyway, the States are bleeding like you owe Rs.15000 crore of GST money to my State. What decision are you going to take for the fuel? Where will our social sector programmes come from? So, what is the thinking of this Government about the fuel? It is because the fuel is one of the reasons why these airlines are bleeding. I do not have to share the numbers with you. You are more aware than I am but globally it is 18 to 20 per cent maximum. It is four per cent for foreign fuel but within India it is 30 to 50 per cent depending on which State we are flying in.

Secondly, as regards banking, right now all the airlines are bleeding but banks are not going to wait for the moneys to be paid. They can probably tell a creditor or a supplier that I will pay you a little later. How is it going to work? It is because there will be more airlines getting shut now because of Corona and so many other things. The economy is not doing good at all. I do not need to tell you that. You know better than me. So, what are you going to do to make sure that they are alive?

Thirdly, I come to the MRO (Maintenance and Repair Organisation). I am aware that the GST was at 18 per cent which you have brought down to five per cent. I am aware of that but while you brought it down to five per cent, how are you going to set this up? It is because even today for an airlines flying 5000 hours, still got to go to Singapore because we do not have the infrastructure that this Government had committed for. How are you going to resolve these three issues and make sure the airlines industry survives in this crises times.

I need two clarifications from you. There are now Drones and Unmanned Aerial Vehicles. What is the safety, security and privacy of them? Will they come under this gambit or will there be a new legislation?

Lastly, there was a comedian who was banned by one airline. Now even the people in the press do this to politicians all the time. I can give you six examples of that. I agree that what was done was wrong. But if one airline has banned, suddenly I do not know what happened. The pin started rolling and about six airlines immediately banned him. Was it fair to a customer? I agree he made a mistake but is there any rule for all this kind of behaviour? Please clarify that. Immediately three people took stand and said that we are all banning him. I hope there is no political pressure in these kinds of situations because I think this industry needs to survive. Even the poor people as Jayant Sinha Ji said that चप्पल वाला, वह

यूपीए के टाइम में भी जाता था । A lot of affordable airlines were started and as we all are aware, governance is something about continuity. So, it was something that we inherited from you and then you inherited from us.

16.00 hrs

So, I think, the Ministry of Civil Aviation needs to survive. It is going through a very difficult time and the Government will have to step in. We have lost Jet Airways; we have lost Kingfisher airlines for whatever the reasons. I think, you really need to help them and if we go at this rate, then there will be no airlines in the country. Thank you.

श्री जयंत सिन्हा (हज़ारीबाग): माननीय सांसद ने खासतौर पर मेरा नाम लिया, इसलिए मुझे लगता है कि मैं उनको जवाब दूँ । उन्होंने और श्री पिनाकी मिश्रा जी ने भी यह कहा कि जो भी मैंने बताया बड़ा रोज़ी पिकचर बताई । जिस प्रकार से एविएशन सेक्टर में वृद्धि हुई है और कई सारी एयरलाइंस आज नहीं चल रही हैं, इसलिए मैंने गलत तस्वीर दी है, जो कि सही नहीं है । मैं आपको स्पष्ट करना चाहता हूँ कि जो एयरलाइंस का बिजनेस मॉडल है, वह भी स्पष्ट होना चाहिए । हकीकत यह है कि जब आपकी एक मार्केट इकॉनमी होती है, तो मार्केट इकॉनमी में कुछ एयरलाइंस हैं, जो बहुत अच्छा करती हैं और कुछ एयरलाइंस हैं जो उतना अच्छा नहीं करती हैं । हमारे कार्यकाल में जहां तक मेरी जानकारी है, दो या तीन ही एयरलाइंस थीं, जो बैंक्रेट हुईं । उनमें से आपने जेट एयरवेज का जिक्र किया, जो अभी बैंक्रेप्सी में है । साथ ही साथ उसी दरम्यान, जब ये दो-तीन एयरलाइंस विफल हुईं, बहुत सी एयरलाइंस सफल हुईं । अगर आप इंडिगो, विस्तारा, गो एयर एयरलाइंस को देखें तो इनमें जो वृद्धि हुई है, वह बहुत अद्भुत है । विनर्स और लूजर्स को हमें समझना चाहिए और यह भी समझना चाहिए कि इस समय, जैसा कि मैंने ही आपको बताया कि अगर हम पैसेंजर ट्रिप्स को देखें, वे कितनी बढ़ीं, नंबर

ऑफ प्लेन्स थे, वे कितने बढ़े, तो ओवरऑल सेक्टर में ग्रोथ हुआ। कुछ लोगों ने बड़ी कुशलता से उस ग्रोथ को हासिल किया और कुछ लोगों ने नहीं किया।

माननीय सभापति : श्री राजीव प्रताप रूडी जी, अब केवल आपकी बात रिकॉर्ड में जाएगी, इसलिए आप कृपया बोलें।

श्री राजीव प्रताप रूडी (सारण): सभापति महोदया, मुझे सिर्फ तीन-चार शार्प इंटरवेंशन्स करने हैं, क्योंकि सब लोगों ने बहुत ही अच्छी जानकारी दी। सबसे पहले तो इस विधेयक में ICAO की तरफ से जो संशोधन हैं, उसमें एयर नेविगेशन सर्विस है, जिसके बारे में मैं सदन में बार-बार चर्चा करता हूँ। दुनिया का सबसे बढ़िया एयर नेविगेशन सर्विस एयर ट्राफिक कंट्रोलर्स, जो लगभग तीन हजार की संख्या में भारत में हैं, उनकी भूमिका अद्भुत है। हम सब लोगों की हवाई यात्रा को सुरक्षित रखने में इनका अहम योगदान है। इस विषय को शायद हम भूलते हैं और अब उनको लाइसेंस का भी प्रावधान किया गया है। मुझे सौभाग्य हुआ कि पटना में जब मैं था तो पहली बार भारत के इतिहास में एयर ट्राफिक कंट्रोलर्स को लाइसेंस दिया जाना है, जो कि ICAO के ऑब्जर्वेशन के पश्चात डीजीसीए ने लागू किया। यह अपनेआप में एक बड़ी उपलब्धि है, इसलिए मैं माननीय मंत्री जी को बधाई देना चाहूंगा।

महोदया, एक सच्चाई मैं इस सदन के समक्ष रखना चाहता हूँ कि कई बार सरकार में और सरकार के भीतर तंत्र में काम करने वाले किस प्रकार से सरकार को सही जानकारी नहीं देते हैं। आज अगर पटना हवाई अड्डे का ऑडिट ICAO कर ले खराब रेटिंग मिलेगी। शायद जो भी रेटिंग खराब होती है, वह ऐसे हवाई अड्डों के कारण ही होती है। पटना में आज जो स्थिति है, उसे देखते हुए भारत सरकार ने खुले दिल से पटना हवाई अड्डे के लिए लगभग 1200 करोड़ रुपये स्वीकृत किए हैं और साथ ही साथ बिहटा के लिए हजार करोड़ रुपये स्वीकृत किए।

महोदया, मैं माननीय मंत्री जी से यह कहना चाहूंगा कि पटना हवाई अड्डे का काम प्रारम्भ हो गया है, लेकिन पटना हवाई अड्डे की जो कमी थी, वह ऑपरेशनल कमी बहुत बड़ी थी, क्योंकि वहां धुंध की स्थिति में न तो कैट 3 लैंडिंग हो सकती है, न ही वहां बड़े विमानों का आगमन हो सकता है। पटना के लिए 1200 करोड़ रुपये

स्वीकृत हुए, लेकिन ICAO डीजीसीए ऑपरेशन के दृष्टिकोण से 1200 करोड़ रुपये का एक फीसदी भी आपरेशनल एडवांटेज पटना हवाई अड्डे को नहीं मिला । आज भी अगर ICAO का ऑडिट हो जाए, तो पटना हवाई अड्डा बंद हो जाएगा । सरकार के इस निर्णय के पीछे किन लोगों की भूमिका थी, जिसने सरकार के 1200 करोड़ रुपये खर्च करा दिए, जिसमें हवाई जहाज के उतरने का इनक्रीमेंटल एडवांटेज एक प्रतिशत भी नहीं था । यह विषय मैं फ्लोर पर रखना चाहता हूं, क्योंकि इसके बारे में बिहार और पूरे भारत को पता चलना चाहिए ।

16.04 hrs

(Shri Rajendra Agrawal in the Chair)

दूसरा, बिहटा में न तो बड़ा बोइंग 777 उतर सकता है, न बोइंग और जंबोज उतर सकते हैं, न वहां कैट थ्री लग सकता है । नए हवाई अड्डे के लिए पटना से बिहटा शिफ्ट कर रहे हैं, जहां हजार करोड़ रुपये स्वीकृत किया जा रहा है । वहां एक फीसदी भी ऑपरेशनल एडवांटेज नहीं है । इस प्रकार से सरकार के हजार करोड़ रुपये पटना में, सरकार के 1200 करोड़ रुपये बिहटा में लगेंगे, जहां आने वाले 50 वर्षों तक कोई बड़ा विमान नहीं उतर सकता है ।

उसके साथ-साथ बिहटा पहुंचने के लिए एनएचएआई द्वारा 2700 करोड़ रुपये के एलिवेटिड कॉरिडोर का निर्माण किया जा रहा है । 2700 करोड़ रुपये, 1000 करोड़ रुपये, 4700 करोड़ रुपये खर्च किए जा रहे हैं, जहां मुश्किल से एक, दो, तीन या चार फीसदी का एडवांटेज बिहार को मिलेगा । पता नहीं, किन लोगों ने सरकार में जाकर यह निर्णय करवाया है । यह दुखद विषय है कि पटना जहां एक ग्रीन फील्ड एयरपोर्ट की आवश्यकता थी । पटना, जहां साउथ-ईस्ट एशिया का सबसे बड़ा हब बन सकता था, जहां नेपाल से डायवर्ट होने वाले विमान दिल्ली और लखनऊ जाते हैं, जो पटना उतर सकते थे, जो दुनिया के टूरिज्म का सबसे बड़ा स्पॉट हो सकता था, 15 हजार फीट का साउथ-ईस्ट एशिया का सबसे बड़ा हब बन सकता था, जिस राज्य में ग्रीन फील्ड प्रोजेक्ट की जरूरत थी, वहां 4700 करोड़ रुपये एक विमान की सेवा बढ़ाए बिना लगाए जा रहे हैं ।

महोदय, मैं यह इसलिए कह रहा हूं कि सरकार में भी जब विमर्श का अभाव होता है, जब सभी लोगों से बातचीत करके जानकारी लेने का अभाव होता है तो कई

बार सरकार में ऐसे निर्णय भी हो जाते हैं। जानकार लोगों को छोड़कर भी निर्णय हो जाते हैं।

महोदय, मैं माननीय मंत्री जी से मिलकर इस विषय पर चर्चा करना चाहता हूँ। पिछले छः महीने से मैं इन विषयों पर चर्चा करने के लिए इनसे मिलने की कोशिश कर रहा हूँ ताकि मैं बता सकूँ कि यह हो रहा है। मेरी माननीय मंत्री जी से दो बार मुलाकात भी हुई, लेकिन व्यस्तता के कारण बात नहीं बढ़ पाई। वे दिल्ली के चुनाव में व्यस्त थे। इसलिए मैं कह रहा हूँ कि सरकार का पैसा, मेरा पैसा है जो बिहार में जाना है। मेरे जैसे लोग, जो थोड़ी बहुत भी तकनीकी जानकारी रखते हैं और मैं सरकार के साथ खड़ा होकर इस कदम में सहभागी बनना चाहता हूँ।

भुवनेश्वर का सिंगल रनवे का एयरपोर्ट है। इनके द्वारा प्लान किया जा रहा है कि उसको बड़ा बनाया जाए, जैसे पुणे है। मैं भारत वर्ष के हर हवाई अड्डे पर उतरता हूँ। मैं जाता हूँ, मैं देखता हूँ और माननीय मंत्री जी से इन विषयों के बारे में चर्चा करने की कोशिश करता हूँ। महोदय, मैं इस विषय को यहीं छोड़ रहा हूँ।

महोदय, मेरा तीसरा एक विषय है कि आज भारत में 200-250 पायलेट्स की ट्रेनिंग का प्रावधान है, जबकि एक हजार पायलेट्स की जरूरत है। लेकिन हम मात्र 250 पायलेट्स ट्रेन्ड कर पाते हैं। 750 पायलेट्स विदेशों में जाकर 70 लाख से 1 करोड़ रुपये तक खर्च करके आते हैं। कम से कम 500 मिलियन डॉलर भारत की हार्ड करेंसी विदेशों में ट्रेनिंग पर जा रही है। पिछले कई वर्षों से मैं कह रहा हूँ कि क्यों न इसकी ताकत बढ़ायी जाए। यहां एयरो क्लब ऑफ इंडिया था। भारत सरकार की वह संस्था थी। मैं भी उससे जुड़ा रहता था। हम केवल यहां विषय रखते हैं। भारत देश हमारा है, एविएशन हमारा है और इन विषयों को रखकर हम चाहते हैं कि सरकार से बातचीत करके इन विषयों को आगे ले जाएं। मैं माननीय मंत्री जी से कहूंगा कि बहुत सारे ऐसे निर्णय हैं, जिन पर हम अगर निर्णय करें ... (व्यवधान) हमारे यहां ढाई सौ की ट्रेनिंग होती है ... (व्यवधान) दिक्कत यह है कि हवाई ट्रेनिंग की संस्था आपके जिले में भी शुरू हो सकती है, देवघर में भी शुरू हो सकती है, महाराष्ट्र में भी शुरू हो सकती है, लेकिन कोई विमर्श करके जानना तो चाहे कि कैसे शुरू हो सकती है। अगर ज्ञान एक ही स्थान पर निहित होगा ... (व्यवधान)

माननीय सभापति : आप कनक्लूड कीजिए ।

श्री राजीव प्रताप रूडी : हम पार्लियामेंट में इसलिए विमर्श करते हैं क्योंकि हमारे जैसे लोग चाहते हैं कि यह देश के विकास का माध्यम बने । मैं इसलिए नहीं कहता हूँ कि मुझे सिविल एविएशन की जानकारी है । मैं इसलिए कहता हूँ क्योंकि मेरा दिल रोता है कि देश के प्रधान मंत्री एक पैशन के साथ अपने को खपाना चाहते हैं, वैसे ही राजीव प्रताप रूडी प्रधान मंत्री जी के साथ इस देश के लिए अपने आपको खपाना चाहता है । इसलिए यह सब बातें हम लोग यहां रखते हैं । इसके अलावा हमारा और क्या उद्देश्य है? पार्लियामेंट में मेरे 30 वर्ष हो जाएंगे, इसके बाद तो रिटायरमेंट का टाइम आ जाएगा । अब तो हम लोग देने के लिए बैठे हैं, अब हमारे पास क्या बचा है? अब हम देने के लिए ही यहां बैठे हैं ।

महोदय, मैं अपने राजनीतिक जीवन के अंतिम पांच वर्ष में हूँ और मैं जानता हूँ कि 30 वर्ष बहुत लम्बे होते हैं और 30 वर्ष की सर्विस के बाद सरकार में लोग अवकाश प्राप्त कर जाते हैं । 30 वर्ष का राजनीतिक जीवन बहुत होता है । प्रधान मंत्री के शब्दों में कहूँ तो हम अपना जीवन खपाने आए हैं और इसलिए इन बातों को आपके समक्ष रखना चाहते हैं । यह कोई टिप्पणी नहीं है । शायद इन बातों को कोई सुने और देश में और भी बड़ा काम हम कर सकें ।

SHRI E.T. MOHAMMED BASHEER (PONNANI): Thank you, Chairperson Sir, for allowing me to speak. Though this legislation is a small one, but the purpose it is going to serve is big. So, in that way, it is a very important piece of legislation. The Bill seeks to amend the Aircraft Act, 1934. The Act regulates the manufacture, possession, use, operation, sale, import and export of civil aircraft and licensing of aerodromes.

Secondly, it is about making three regulatory bodies as statutory bodies and redefining the powers of the Government and regulatory bodies and similarly, exemption for Armed Forces.

In fact, the Indian civil aviation industry is currently considered as the third biggest in the world and the industry is now suffering from several negative aspects.

As regards Indian passengers, domestic and international, the number is increasing in a big way. One question remains here. Will this piece of legislation be enough to meet the challenges of aviation sector or should we have a comprehensive legislation in this regard? This sector has to face tough competitiveness. There are a lot of crises in this industry.

The main thing is increase in fuel prices. ATF is one of the important sections of the industry; 45 per cent of the operation cost is on account of the ATF and we all know it. For the past one year, the ATF price has been increasing in an alarming way. Within six months, from a report, I understand that 25 per cent to 30 per cent increase was there. We have to address this point. Until and unless this problem is addressed, the industry cannot survive.

Let me come to the role of the Government. Role of the Government is very important in this sector. With regard to the ticket charge, we used to make complaints and we used to meet the Minister. The Minister is very honest and you are all doing a very good job but when we see the blood squeezing kind of charges levied on the passengers, especially during the festival season, the Minister says that the Government cannot directly interfere in it. I do not want to say about the technical part of it. But I am of the opinion that democratically elected Government must have power in controlling the prices of tickets. This is a very important point which I would like to point out.

High airport charges are levied by the Airports Authority of India. The charges are very high. In this aspect also, the Government must have a say and must interfere in it. We know that ours is the highest in the Asian and Gulf countries as far as levy of aeronautical charges is concerned.

I would like to say something about training. We must have best training for the pilots and other ground staff. That is also a very important

thing. Why are we all objecting to this kind of privatisation not only in this case but also in the case of railways, etc.? We cannot avoid privatisation. That is also the need of the hour but we must have a judicious consideration in many things.

The first thing is social responsibility. Whatever complaints we are raising about Air India, the social responsibility of Air India is really commendable. When we are privatising it, we should be conscious about the social responsibility of aviation companies. That should be adhered to strictly in this sector.

With these words, I conclude my speech.

ADV. A.M. ARIFF (ALAPPUZHA): Sir, the present Aircraft (Amendment) Bill, 2020 does not have clarity on several points. This Bill is giving extraordinary power to the Central Government. Already there are three authorities existing under the Ministry of Civil Aviation. Each of bodies are under a Director General. The Bill proposes a Director General to control all three of them and this Director General will be appointed by the Centre. What is the need of this Director General? The answer is very clear. The Centre wants to appoint their own people for the total control of this sector.

The Bill converts three existing bodies into statutory bodies under the Act. In the Bill, the Central Government may cancel the licenses, certificates, or approvals granted to a person under the Act if the person contravenes any provision of the Act. The judiciary is completely sidelined, and the courts will not take cognizance of any offence under this Act

without previous sanction. The Bill also says that the courts will not take cognizance of any offence under this Act, unless a complaint is made, or there is a previous sanction from the Director General of Civil Aviation, BCAS or AAIB. It is against natural justice, and it is completely unethical.

The Bill provides for the appointment of designated officers, not below the rank of Deputy Secretary, to adjudicate penalties under the Bill. Persons aggrieved by an order of a designated Officer may appeal to an Appellate Officer. There is no clarity on who will be the Appellate Officer. As per the Explosives Act, the Arms Act, and the IPC, there is a minimum penalty of three years of imprisonment for the above-mentioned crimes but under this Act, the penalty has cut down to two years.

The aim of this present Bill is very clear. All are suspecting that it is another step to help privatisation of Air Sector. As of now, nearly 12 airports, most of which are profit making airports run by the AAI, have been shortlisted for leasing out to the private players by the Government. Most of us are thinking that the Adani Group is becoming the principal beneficiary of this Bill.

The Kerala State is opposing privatisation of Trivandrum Airport. With regard to an earlier question, the hon. Minister answered that privatisation is to improve the service delivery. Kerala is running most successful models in Cochin and Kannur. I request you to consider the request of the State Government of Kerala to keep running the Airport at Trivandrum. We all must know one thing that even the BMS Union is against the privatisation.

Sir, due to Covid 19, many people are cancelling their pre-booked tickets. In the Economy Class, the cancellation charges are almost same as the fare. So, I would request the Government to issue an Order that there

would be no cancellation charges in any of the Airlines. Thank you.

SHRI BENNY BEHANAN (CHALAKUDY): Thank you, Sir, for giving me this opportunity.

Sir, I rise to support this Bill but with some concern about the aviation sector, and India's inability to enter into the technology of this arena, despite decades of efforts.

I am pleased that the Aircraft Act, 1934, which was enacted to make better provision for control of manufacture, possession, use, operation, sale, import and export of aircraft, is being updated and brought before the House. We proudly plan to send our astronauts to Space with spacecrafts being built in India but it is unfortunate that we cannot develop any kind of aircraft which can be utilised by our people or the Military effectively. Hence, I strongly feel that such Bill is long overdue since India currently has the fourth largest aviation market in the world in terms of passengers. I do hope, the Bill gives enough conditions for the country so as to move towards finding the manufacturing technology of aircraft.

Sir, in the 1990s, India started a joint venture of 14-seat aircraft programme known as Saras, with Russia. On May 29, 2004, its first prototype made its maiden flight in Bengaluru but the aircraft was overweight, weighing 5118 kg as against 4125 kg design specifications, and the programme literally came crashing down. On March 6, 2009, the second Saras prototype crashed during a test flight on Bengaluru's outskirts, killing two Indian Air Force pilots and a flight test engineer.

Sir, India could build an airliner if it so chose to do so. However, the amount of investment is significant. Aircraft business is a very high investment business with real high risks. I am told that there was a project which began during 90s for manufacture of a 60-passenger aircraft but it has not yet fructified. It is time for us to know how an aerospace engineering is converted to an aircraft which can cater to the growing aviation industry in India.

It is indeed ironical that we can send astronauts to Space in spaceships built in India but cannot build aircraft for our people to travel. There need to be serious efforts to examine this issue so that we can also have our own aircraft like Brazil, which is another developing nation. They are making huge aircraft.

So, the Government recently brought aircraft from abroad for the President and the Prime Minister to travel even as Air India is put on sale. In this context, I would like to suggest that the Government should include aircraft manufacturing technology in its Make in India programme so that India as a country is not left out of this cutting edge technology area and we have our aircraft to cater to the ever-developing aviation sector of India. I do hope that this Bill would be a small step in achieving this goal.

SHRI RAGHU RAMA KRISHNA RAJU (NARSAPURAM): Hon. Chairman, Sir, I thank you for giving me an opportunity to speak on this very important Aircraft (Amendment) Bill which has been pending since several years. There were no significant changes to this Act after 1934 though few amendments were done in between.

At the outset, I would like to say that we are totally supporting this Bill which is the need of the hour. If we go into the background, India is a signatory to the Chicago Convention and to meet with the internationally accepted standards, this Bill has become necessary. Three important bodies which are operating under the Ministry of Civil Aviation namely, the Directorate General of Civil Aviation, Bureau of Civil Aviation Security and Aircraft Accidents Investigation Bureau will now get statutory status. This will give them a lot of independence, muscle and teeth to work without any compulsions and pressure.

We see tremendous growth in the civil aviation sector. While the GDP growth rate may have come down, the growth rate in the civil aviation sector is phenomenal. For example, if you take Hyderabad Airport, it was originally designed to handle 10 million passengers per year. Now, in a record time they are expanding it to handle 20 million passengers with a further provision to go up to 40 million passengers. That is the trend now. Even in Delhi Airport, the capacity to handle 40 million passengers is likely to shoot up to 100 million very soon and we have seen the same trend in Mumbai Airport also. So, the way the civil aviation sector is growing, a lot of changes regarding security and several other aspects are very much required. Now, the penalty has been increased from Rs. 10 lakh to Rs. One crore. Though it is commendable, I am of the opinion that it can be a little more.

Then, the main point which I would like to highlight is that the number of air traffic control staff is totally inadequate. In Delhi also, which is the Capital of 130 crore population, we have a shortage of over 25 per cent. This issue has to be given immediate attention and it cannot be left like this. As regards drones, there is no clarity as to how we are going to deal with them and this also needs to be looked at.

When you go to airports, many times there will be a huge queue. There are enough counters for security check. But security personnel are not available. Few security personnel will be sitting aside and they will be chit-chatting among themselves and there is nobody to do security check. I had interacted with them many times. But my efforts did not yield any result. So, I would request the hon. Minister to take it seriously and deploy enough security personnel at the counters. The air passenger traffic is increasing by leaps and bounds and to take care of the increase in passengers, enough security personnel are not there.

Sir, Air India is definitely a jewel. No doubt we had some losses earlier. But of late, there is no operational loss. Air India being the prestige of our country, Air India's present status should be maintained. Our country needs one national airline of our own. Of course, we have to encourage private airlines. That is the need of the hour. We have planned to build 100 new airports. That is a welcome step. This sector needs all the support.

Then, after several years we have come up with an airport at Shirdi. We see that every flight to Shirdi is full. So, like that, please identify some temple cities also because we are all orthodox, and many people want to go to temples and all. So, all these things have to be given priority.

Sir, once again, I am saying that we are supporting this Bill wholeheartedly. With these words, I conclude. Thank you.

SHRI SYED IMTIAZ JALEEL (AURANGABAD): Mr. Chairman, Sir, I am thankful to you for giving me this opportunity to speak on the Aircraft (Amendment) Bill, 2020.

Sir, I do not know how things are going to improve as far as this Bill is concerned regarding various issues concerning the airline industry as of today.

First of all, let me put this on record that the majority of the people in this country wants the once pride and prestige of our skies, the Maharaja, to continue flying. But I do not know what is the reason that the Government is hell-bent on selling this airline. In fact, to put it in your words, the Government does not want to be in the business of any business.

Sir, the fact is, 'if a child gets some problem, you do not abandon the child'. You infuse new life into it and make sure that the airline flies. It is because we have heard so many times from the people on this side of the Benches that *Modi hai to mumkin hai*. Does that mean, Mr. Modi will be running and your Government will be running only those things that are easier to run, and all those difficult things, you want to hand them over to somebody else? We want this airline to fly, and everybody wants this to fly.

Sir, regarding the safety issue, which is very important, everyday thousands of passengers' safety and security issues are being compromised. Is it not a fact that some 40 engines have been provided to some private airlines, namely, IndiGo and GoAir Airlines? The Directorate-General, Civil Aviation has highlighted a number of times that these airlines are operating with faulty engines, which is, the Aircraft A320 neo. Is it not a fact that in the past 22 months, 24 accidents and incidents have taken place because of these faulty engines?

Sir, how can you allow an aircraft wherein thousands and hundreds of people are flying every day to fly with a faulty engine? DGCA on the one side says that it is risky to fly these aircraft and on the other side, they

allow the same airlines to operate. What is the compulsion behind that? Why are those airlines being allowed to run?

Sir, are we really serious at reviving Jet Airways? Jet Airways was running very smoothly and very fine. But one fine day, we come to know that Jet Airways has now shut down. Are we really serious in having a new bidder for Jet Airways? No, we are not serious in having a new bidder for Jet Airways because we are actually informing the bidder that 'these are the slots that we are going to offer to you'. How would anybody invest thousands and thousands of crores of rupees? That is the reason why these bidders are backing out from buying Jet Airways. We could have one more airline operating in this country. Why Jet Airways went into this situation? Are not the owners, are not the Directors, are not the banks who had given them crores and crores of rupees, responsible? Are not the Directors and the owners, who gave faulty reports to the banks and took loans of crores and crores of rupees, responsible? One fine day, Vijay Mallya vanishes, the owner of Jet Airways vanishes. In fact, there are lakhs of employees of Jet Airways, of Kingfisher Airlines, of all those private airlines, who are still waiting for their salaries, who are still waiting for their dues.

Sir, it is my personal request to you about the Hajjis. Every year, we send thousands of pilgrims to Mecca and Medina to perform Hajj. In my Constituency Aurangabad, all of a sudden, the pilgrims are being informed, at the last minute, that 'if you want to fly from the embarkation point of Aurangabad, each pilgrim will have to shell out Rs. 34,000.'

Sir, when the Hajis go for Hajj, they collect their lifelong savings and then they go to perform Haj. At the last minute, they are telling them to shell out Rs. 34,000 each! When we asked, what was the reason, we were told that Air India did not bring because they did not have the aircraft.

Sir, I would make one last request. Aurangabad has a huge airport. We can start international operations from there. I had personally given a memorandum to the hon. Minister requesting for an immigration setup from Aurangabad. If we get that Immigration centre, we can have international flights operating from Aurangabad.

With these words, I conclude. Thank you.

SHRI M. SELVARAJ (NAGAPATTINAM): I am thankful to you, Mr. Chairman, Sir, for allowing me to speak on the Aircraft (Amendment) Bill, 2020.

First of all, I condemn the move of selling of Air India to private parties. I am against its privatisation.

The Aircraft (Amendment) Bill, 2020 enhances the provision of imposing penalties on individuals or organisation involved in violation of the legal provisions and to include certain areas of air navigation services under Section 5 of the Act.

However, in case of aircraft crash, death of passenger, flight crew, the Act does not explain what kind of action can be taken or what financial compensation can be provided to the critical or dead passenger. This type of provision should be included in this Bill. An Armed Forces aircraft was crashed in Chennai. The investigation was started about two years back. So far, the outcome report of the investigation was not known. The Ministry should expedite the matter and place the report before the Parliament.

The announcements in the flight have to be made in regional languages too so that it can easily be understood by the passengers who are boarding from their respective State terminals. I am proposing this amendment in this Aircraft (Amendment) Bill.

I would like to make another point. In my constituency, there is no air station. My constituency, Nagapattinam, is located in South East Area of Tamil

Nadu. Kindly provide one air station at Nagapattinam. The Tiruchirappalli Airport is an international airport but there is no direct flight from Trichy To Delhi. I would like to request the hon. Minister to kindly provide direct flights from Tiruchirappalli to Delhi. Thank you, Sir.

SHRI N. K. PREMACHANDRAN (KOLLAM): Thank you very much, Sir. I rise to support this Bill with two or three amendments.

Sir, the original Act is the Act of 1934 and the proposed amendment is to amend the Act of 1934, that was the British time. It is a belated Bill but it is better late than never. The Bill was being passed by the Legislature and received the assent of the Governor General on 19th August, 1934. The then Act was the India Aircraft Act of 1934 but in the year 1960, the word 'Indian' is omitted and it had become the Aircraft Act of 1934. That is why, I am saying, it is having a British legacy. Unfortunately, we were not able to amend the Act in tune with the present situation. It is quite unfortunate not only in respect of the civil aviation sector but also in so

many other respects. Therefore, I would like to congratulate the hon. Minister for bringing that Bill, at least, at this time so as to have proper amendments to address the present situation which is prevailing in the civil aviation sector.

The civil aviation or air travel was once a luxury mode of travel. Now, it becomes a necessity for commutation. The safety and security of air travel should be given utmost priority. There Government shall never compromise with the safety and security of air travel. The condition of the aircraft is a major concern which we are facing. The condition of aircraft is to be kept in a proper order. Air safety violation or breach of air safety is recurring day-by-day. That has to be dealt with stringent laws. I would like to make one example regarding involving airbus A-320, neo planes fitted with Pratt & Whitney engines, could have had catastrophic consequences if it is being used. It is being reported from the Press, even PTI is reporting that, even now the aircraft operators are using these types of aircraft engines. That is causing utmost danger. That has also to be addressed. Once again, I appeal to the hon. Minister that such type of aircraft shall never be used. They should be dealt with very seriously.

I am coming to another point which is regarding the global position of Indian civil aviation in respect of safety and security.

Sir, if you see, the international civil organisation is the UN's global aviation watchdog. ICAO conducted a universal safety oversight audit programme for India in November, 2017 and in February, 2018. The audit report showed that India's score declined from 65.82 per cent to 57.44 per cent, that means India is below Pakistan and Nepal. Now, what is the current position? That was in 2017-18. Currently, India's score is lower than world average of 65 per cent as per the International Civil Aviation Organisation. As per the statistics, it is below the global average. So, we

have to improve the score of India for which I do appreciate and the Bill will partly be helpful.

Now, I will come to the provisions of the Bill. The Directorate General of Civil Aviation, Bureau of Civil Aviation Security and Aircraft Accidents Investigation Bureau – these three organisations are dealing with the safety and security of the civil aviation sector. These three organisations are being provided statutory functions by which we will be able to secure the safety and security.

I would like to speak on the amendments. ...(*Interruptions*) I have two other suggestions. One is regarding the airfare. During the festive season especially Christmas, Onam, Deepavali, Dussehra, the persons who are returning from Gulf countries are actually being robbed. It is because very hefty charges are being imposed on them. There is no justification and no rationalisation.

I would like to seek a reply from the hon. Minister, since we are supporting the Bill, with regard to the Thiruvananthapuram International Airport. Once it was decided to privatise the airport. The Government is ready to take it off. Why is it hesitating to provide the airport to the Government so as to make it an effective international airport?

श्री हनुमान बेनीवाल (नागौर): सभापति महोदय, सबसे पहले मैं भारत सरकार और माननीय मंत्री जी को धन्यवाद दूँगा कि आज वह एयरक्राफ्ट अमेंडमेंट बिल लेकर आए हैं। लंबे समय से इसकी बहुत बड़ी आवश्यकता थी। भारत नागर विमानन क्षेत्र में विश्व का तीसरा बड़ा मार्केट है। इस क्षेत्र ने वर्ष 2018-19 में जेट

एयरवेज तथा वैश्विक मंदी से पैदा हुई विपरीत परिस्थितियों के बावजूद भी अपना लचीलापन सिद्ध किया, जिसका नतीजा है कि वर्ष 2019 में 144.17 मिलियन यात्रियों ने भारत में डोमेस्टिक सेवाओं का लाभ लिया ।

सभापति महोदय, इन करोड़ों नागरिकों को सेवा प्रदान करने वाले हवाई अड्डों, वायु सेवा कंपनियों को विनियमित करने तथा भारत के एविएशन सेक्टर को वैश्विक सिक्योरिटी मानकों पर लाने के लिए सरकार जो वायुयान अधिनियम लाई है, वह प्रशंसा का विषय है । वर्ष 1976 में कश्मीरी आतंकियों द्वारा इंडियन एयरलाइंस की बोईंग 737 की हाइजैकिंग के बाद भारत सरकार ने सिविल विमानन सुरक्षा ब्यूरो की स्थापना की थी । किंतु 44 सालों तक इस ब्यूरो को स्वायत्तता का दर्जा नहीं दिया जा सका । इस सरकार द्वारा लाया गया यह बिल सिविल विमानन सुरक्षा ब्यूरो को स्वायत्तता का दर्जा देता है और यह वैश्विक मानकों के अनुसार है । यह बिल नागर विमानन की बाकी दो एजेंसियों डीजीसीए और एएआईबी को भी स्वायत्तता प्रदान करता है, जो कि इस क्षेत्र को प्रभावी रूप से विनियमित करेंगे । इस संबंध में मैं यह कहना चाहूँगा कि सदन को यह सुनिश्चित करना चाहिए कि इन स्वायत्त संस्थाओं को प्रवर्तनीय शक्तियाँ भी दी जाएं, ताकि डिफॉल्टरों को उचित दंड प्रदान कर सकें ।

सभापति महोदय, यह बिल अपराधों के शमन की भी बात करता है, जो जल, थल और वायु में किसी व्यक्ति और वस्तु को संकट पहुँचाता है । मेरी सदन के माध्यम से माँग है कि हमें नागरिक विमानन सुरक्षा से कोई भी समझौता करना चाहिए । वायुयान के माध्यम से व्यक्ति और वस्तु को संकट पहुँचाने वाले हर उस व्यक्ति को कड़ी से कड़ी सजा मिलनी चाहिए । अंत में मैं यह आग्रह करता हूँ कि सेक्शन 12 में उचित बदलाव किया जाना चाहिए ।

सभापति महोदय, अंत में यही कहना चाहूँगा कि नागरिक विमानन सुरक्षा देश के लिए अत्यंत ही महत्वपूर्ण है । इससे हमें किसी भी कीमत पर कोई समझौता नहीं करना चाहिए । इसी संदर्भ में मेरी माँग है कि देश के सभी हवाई अड्डों, खास तौर से प्राइवेट कंपनियों द्वारा चलाए जा रहे हवाई अड्डों की सुरक्षा की पूरी जिम्मेदारी सीआईएसएफ या किसी अन्य सरकारी एजेंसी को ही दी जाए । वर्तमान

में अंतर्राष्ट्रीय हवाई अड्डों पर सामान की स्क्रीनिंग के लिए तैनात प्राइवेट एजेंसियों को रोका जाना चाहिए, ताकि राष्ट्रीय सुरक्षा में कोई चूक न हो ।

सभापति महोदय, एयर इंडिया को प्राइवेट सेक्टर में देने की बात चल रही है । एयर इंडिया ने भारत का नाम हमेशा ऊँचा किया है । एयर इंडिया के अंदर जो सारे विमान हैं, वो हमेशा फुल भरे हुए जाते हैं । मैं इस मामले में यही चाहूँगा कि भारत की सरकार पुनः विचार करे और एयर इंडिया को प्राइवेट हाथों में न दे ।

सभापति महोदय, एक हमारा निवेदन है कि कई बार सुरक्षा के लिए एयरपोर्ट पर तैनात सुरक्षा अधिकारी यात्रियों के साथ बदसलूकी करते हैं, बेल्ट उतारो, जूते उतारो, इस तरह की घटनाएं कम से कम हिन्दुस्तान के अंदर न हों, इस चीज का हमें विशेष रूप से ध्यान रखना चाहिए । किसी व्यक्ति के सम्मान पर ठेस न लगे । मैं इस बिल का समर्थन करता हूँ ।

SHRI P. RAVEENDRANATH KUMAR (THENI): Sir, first of all, I would like to appreciate the hon. Civil Aviation Minister, Mr. Hardeep Singh Puri, who has verbalized to amend an eight-decade old Aircraft Act, 1934.

I welcome the substitution of Section 4A of the principal Act with Section 4A, B, C and D. I hope that the accumulation of these three bodies under the Government would make the functioning of these bodies more effective. While appreciating the above, I would like to inform here that there is no regulation in the fare of flight journeys and I request the hon. Minister to inform about the monitoring mechanism constituted by the Government to regulate ticket charges being collected by various flight operators.

The Economic Survey tabled in Parliament on 31st January said that to continue with the high growth of flight routes, the Government has been providing a congenial environment so that the Indian carriers double their fleet from about 680 aircraft at the close of November, 2019 to over 1,200 by the financial year 2023-24.

To achieve the above, the scheme, namely UDAN-RCS, the 'Regional Connectivity Scheme' was launched by our NDA Government led by our hon. Prime Minister, Shri Narendra Modi Ji with an ultimate objective of letting the common citizen of the country fly, and thereby planning to develop a sustainable air network in over 400 Tier-2 cities across India.

Before concluding my supportive views on this amendment Bill, on behalf of my State of Tamil Nadu, I would like to draw the kind attention of the hon. Minister for Civil Aviation, through you, Sir, that lack of comprehensive international connectivity from Madurai airport in my Tamil Nadu State has severely restricted trade, industrial, economic and tourism development of the southern districts of my Tamil Nadu State, and hence I request the Union Government to kindly articulate suitable steps to include the airport at Madurai in the list of Bilateral Air Services Agreement (BASA) with several other countries which allow the designated airlines of those countries to operate commercial flight that covers transport of passengers and cargoes among these countries.

Apart from the above, I would like to express that my Theni Parliamentary Constituency shall be included in the said 400 Tier-2 cities meant for expansion of aircraft network, particularly at Cumbum, situated in my Parliamentary Constituency, which would enable lakhs of pilgrims coming from various parts of the country to make their trips to Sabarimala to get *darshan* of Lord Ayyappa more affordable.

Thank you for the opportunity.

श्री भगवंत मान (संगरूर): सभापति महोदय, आपको धन्यवाद कि मुझे एयरक्राफ्ट अमेंडमेंट बिल, 2020 पर बोलने का मौका दिया। यह कानून वर्ष 1934 का है। हम अमेंडमेंट का वेलकम कर रहे हैं क्योंकि टेक्नोलॉजी हर दिन बदल रही है, कानून भी अपडेट रहना चाहिए। सबसे पहले मैं यही कहूंगा कि यात्रियों की सुरक्षा को प्राथमिकता मिलनी चाहिए। कई बार प्राइवेट एयरलाइन्स ज्यादा प्रॉफिट कमाने के चक्कर में सिक्युरिटी के स्टैन्डर्ड के साथ समझौता करते हैं। एयरक्राफ्ट भी बिजी रहते हैं, एक दिन में पांच-छह डेसटिनेशन पर जाते हैं और कई बार जल्दबाजी में इंजीनियर को उतना टाइम नहीं मिल पाता है कि उसको प्रॉपर तरीके से चेक किया जाए। पिछले दिनों कई ऐसी घटनाएं हुई हैं, तकनीकी खराबी की वजह से इमरजेंसी लैंडिंग करानी पड़ी, ऐसा नहीं होना चाहिए। कई बार ऐसी घटनाएं हो जाती हैं कि लोगों को जल्दबाजी में अपने घर वापस जाना होता है। कोई हैदराबाद में है, कोई बंगलुरु में है।

कई स्टूडेंट्स को अथॉरिटीज की तरफ से कह दिया गया है कि आप वापस चले जाएं। ऐसे में एयरलाइन्स मजबूरी का फायदा उठाती हैं और 20,000-25,000 रुपये तक टिकट महंगी हो जाती है।

सर, हरियाणा में जब जाट आंदोलन हुआ था, तब पंजाब से दिल्ली का रास्ता बंद हो गया था। 40 से 50 हजार रुपये की टिकट चंडीगढ़ से दिल्ली तक दी जा रही थी। ऐसी स्थिति में एयरलाइन्स ब्लैकमेल न करें, मजबूरी का फायदा न उठाएं, इस पर सरकार को चेक रखना चाहिए।

चंडीगढ़ और अमृतसर दो एयरपोर्ट नाम के ही इंटरनेशनल हैं, क्योंकि कोई फ्लाइट शारजाह जाती है तो कोई दुबई, जबकि पूरी दुनिया में पंजाबी बसते हैं। चंडीगढ़ और अमृतसर को वैकुवर, टोरंटो, मेलबर्न से जोड़ना चाहिए क्योंकि पूरी दुनिया में पंजाबी बसते हैं।

मैं कहना चाहता हूँ कि बोइंग का हैडआफिस सिएटल में है, 40 परसेंट से ज्यादा इंजीनियर भारतीय हैं। अमेरिका के राष्ट्रपति एयरफोर्स वन यूज करते हैं। यह नया बन रहा है, आपको जानकर खुशी होगी कि उसका सुपरवाइजर रणजीत सिंह पंजाबी है। मैं कहना चाहता हूँ कि यहां पर जहाज बनाने की कंपनियां बनाई जाएं ताकि भारतवर्ष एविएशन सैक्टर में आत्मनिर्भर हो सके। धन्यवाद।

SHRI H. VASANTHAKUMAR (KANYAKUMARI): Respected Chairman, Sir, I want only two minutes to speak on this Bill. I am not going to ask any question and do not want to delve into any definition given in the Bill. I will only raise the requirements of the people of my constituency, Kanyakumari before the hon. Civil Aviation Minister.

Sir, people of Kanyakumari have not seen even a flight in Kanyakumari district. They have not even seen an aircraft there. I humbly request the hon. Minister to construct an airport in my constituency. I know that they are facing some difficulties in this respect. But I would like to say that an expert from Bengaluru has found out the solution of that problem and has forwarded his suggestions to the hon. Minister.

There is one more issue that I want to raise before the hon. Minister. There is a Kamraj Domestic Terminal at the Chennai airport. But these days they have removed the picture of Shri K. Kamraj and put it in a godowns at the end of the terminal itself. I request the hon. Minister to get it back and

place it in the terminal and give due respect to Shri K. Kamraj.
(Interruptions)

SHRI DNV. SENTHILKUMAR S. (DHARMAPURI): Thank you, Chairperson, for giving me this opportunity. I would like to bring it to the kind attention of the hon. Aviation Minister that in spite of the DGCA's Directives of 2018, no aircraft follows the regional announcements. Today is a digital world and I do not think that it is such a big issue at all. But I don't know why it is not being followed? There are regional advertisements being displayed inside the aircraft but the announcement in regional language is not given importance. I humbly request the Aviation Minister to take it into account.

The last point that I want to raise before the hon. Minister is that a lot of students have got stranded abroad due to closure of Universities. They are facing a lot of difficulties due to lack of shelter and food. I would like the hon. Minister to take care of these students with the help of Indian Embassies and get them back to India in this pandemic situation. Thank you, Sir.

श्री संजय सेठ (राँची): माननीय सभापति जी, हम एयरक्राफ्ट एक्ट, 2020 का समर्थन करने के लिए खड़े हुए हैं। कोरोना वायरस, जो आज भयानक रूप ले चुका है, हम वायुयान विभाग के सारे अधिकारियों का इस सदन की ओर से धन्यवाद

करना चाहते हैं, उनको बधाई देना चाहते हैं। इटली, चीन, रोम या कहीं से भी यात्री आ रहे हैं, वे उनकी देखभाल कर रहे हैं, हम उनका अभिनंदन करना चाहते हैं।

माननीय प्रधान मंत्री नरेन्द्र मोदी जी का सपना था कि चप्पल वाले भी हवाई सफर करें। आप देखें कि पहले हवाई जहाज में अंग्रेजी बोलने वाले ही सफर करते थे, अब भोजपुरी बोलने वाले भी सफर कर रहे हैं। गांव, मोहल्ला वाले भी चप्पल पहन कर हवाई जहाज में सफर कर रहे हैं। ये उड़ान स्कीम की सफलता का राज है।

मैं विमानपत्तन विभाग को बधाई देना चाहता हूं कि सभी एयरपोर्ट्स पर राष्ट्रीय ध्वज लगाया। यह राष्ट्रीय ध्वज राष्ट्रीयता को बढ़ाने के लिए ओतप्रोत करता है। मैं एक और आग्रह करना चाहता हूं कि एयर क्लब, पायलट से जय हिन्द से स्वागत करना चाहिए।

SHRI ADHIR RANJAN CHOWDHURY (BAHARAMPUR): Sir, the nomenclature of this legislative document - the Aircraft (Amendment) Bill, 2020 - is in itself explanatory that we have been bequeathed upon the colonial hang over till now and the Ministry has brought this legislation with the aim and objective of streamlining the other lacunae and deficiencies. That is why, I do not have any substantive argument against this Bill. Certainly, I am subscribing to the view enshrined in this legislative document.

Sir, the Bill converts the existing bodies under the Ministry into statutory bodies under the Act – DGCA, BCAS and AAIB. There is no denying the fact that in our country, the aviation sector has been growing exponentially. At the same time, we cannot compromise with the safety and security of this sector, but there are many issues that need to be addressed and the hon. Minister himself is aware of them.

In India, we are registering a growth of more than 50 per cent in the aviation sector, but there is a shortage of pilots, pilot training and even traffic management systems in the sector. My first question to the hon. Minister is: What is the present status of disinvestment of Air India? It is a question that has been haunting over the years. In this regard, I would like to draw the attention of the hon. Minister to a recent Government Notification with a preliminary information memorandum for Air India disinvestment. It has proposed selling the Air India fully along with its profitable budget airline – Air India Express - and its 50 per cent stake in Air India SATS Airport Services Private Limited, a 50:50 joint-venture with Singapore Airlines. I would like to know from the hon. Minister whether this fact is true.

I would also like to draw the attention of the hon. Minister to a column written by Mr. Natraj Shetty where it has been mentioned that with potential buyers not seen around, nor interested, the Cabinet Note at the eleventh hour of the strategic disinvestment process appears to be weak and ill-advised strategy. Trial and error method will further lead to disaster. Most likely, this decision will be challenged in court. If someone somewhere is being accommodated to buy out Air India, I do not know. A couple of names are already doing the rounds. The Government should ensure that the whole process is transparent and only money, that has been earned legally, should be allowed to buy it. NRI's funding to be allowed through FDI might be seen as black money finding its way back into India

through various channels. This will give a wrong signal by the Government. In its fight against black money, corruption and crony capitalism, the sale of Air India will not be that easy and has to wait for a full-blown action in court from certain corruption crusaders also.

आप क्यों बेच रहे हैं? क्या हम एयर इंडिया को सुधार नहीं सकते हैं, क्या हमारे पास साधन नहीं हैं? हमारे पास इतने सारे पोटेंशियल हैं, फिर भी हम एयर इंडिया को बचाने की कोशिश क्यों नहीं कर रहे हैं? आपको शायद यह जानकारी होगी कि हमारे देश में आज जितने साधन हैं, उसमें हम लोग एमआरओ फैसिलिटीज का इस्तेमाल कर सकते हैं। एमआरओ फैसिलिटीज आज दुनिया में एक ग्रोइंग इंडस्ट्री है। इसका इस्तेमाल हम क्यों नहीं करते हैं? हम सबको बेचने की बजाय कुछ को बेचें, कुछ को रखें और कुछ को आइपीओ में दें। कुछ तो कोशिश करनी चाहिए। हम बचाने की कोशिश क्यों नहीं कर रहे हैं? हम कहते हैं कि 'मोदी है तो मुमकिन है।' हम कहते हैं कि 'शाह है तो संभव है।' जब इतने बड़े-बड़े मुखिया आपकी सरकार में हैं तो हम बचाने की कोशिश क्यों नहीं करते हैं? मुझे आपसे बंगाल के साथ जुड़े हुए ग्रीन फील्ड एयरपोर्ट और पेक्योंग एयरपोर्ट के बारे में जानकारी चाहिए।

The operations at Pakyong Airport have stopped due to poor visibility despite the fact that the Airport was opened with so much fanfare and was showcased as a model for development of North-East.

The Standing Committee has criticised your present performance with regard to Sikkim airport. With regard to regional connectivity scheme, it has been stated that out of 688 valid routes awarded only 256 routes have commenced operation which constitutes only 37 per cent of the awarded routes. So, you have failed to exploit the potential that is available at your disposal.

Also, it is a matter of great concern that security lapses in Indian airports continue unabated much to the concern of all of us. On an average, one security lapse comes to light in a month. There is 68 per cent rise in the

near-miss situation in our country. I would like to know as to what is the present status with regard to security. मैं दो-चार चीजे और रखना चाहता हूं। सीआईएसएफ के द्वारा जो फ्रिस्किंग होती है, यह कभी-कभी पैसेंजर्स के लिए टॉरमेंटिंग हो जाता है। यह पैसेंजर्स के लिए एक सर्विस सेक्टर है। सर्विस सेक्टर और हॉस्पिटलिटी सेक्टर में आचरण सही ढंग से होना चाहिए। इनका बिहेवियरल एटिट्यूड ठीक नहीं है। साथ ही साथ ये प्राइवेट एयरलाइंस में भी बर्ताव ठीक नहीं करते हैं। पैसेंजर्स को तंग किया जाता है। उनके साथ दुर्व्यवहार किया जाता है, जिससे पैसेंजर्स नाराज हो जाते हैं। हमारे जैसे एमपीज को भी इसका सामना करना पड़ता है। हमारे लिए ट्रेवल करना लगजरी की बात नहीं है, बल्कि यह हमारी नेसेसिटी है। बहुत सारे एमपीज कहते हैं कि जब हम दौड़ते-दौड़ते एयरपोर्ट्स पर पहुंचते हैं तब भी हमें कभी-कभी जाने का मौका नहीं मिलता है। हम एयरपोर्ट पर नहीं पहुंच पाते हैं तो उनके लिए एक अलग से लाइन की व्यवस्था क्यों नहीं की जा सकती है?

16.57 hrs

(Hon. Speaker in the Chair)

सर, मैं मंत्री जी का एक और विषय पर ध्यान आकर्षित करना चाहता हूं कि हमारे देश में पायलट्स की इतनी कमी क्यों है? The country needs about 1000 pilots a year. But only 200 to 300 pilots are trained. हमारा इकॉनॉमिक सर्वे यह बताता है कि देश में एयरपोर्ट और ज्यादा बढ़ेंगे। सर्वे के अनुसार अगले 18 सालों में 2000 एयरपोर्ट्स की जरूरत होगी। जब एयरपोर्ट्स की संख्या बढ़ेगी तो पायलट्स की भी संख्या बढ़ेगी तो फिर हमारे देश में पायलट्स की संख्या कम क्यों है? हमारे देश में पायलट्स को ट्रेनिंग क्यों नहीं दी जाती है? आप क्यों पायलट्स ट्रेनिंग इंस्टिट्यूट को बढ़ाना नहीं चाहते हैं? यह आपको देखना चाहिए। हमारे सामने एक और बड़ी समस्या आ रही है, वह समस्या ड्रोन टेक्नोलॉजी की है। आप ड्रोन मैनेजमेंट के लिए क्या कर रहे हैं? हमारी सिक्योरिटी के लिए ड्रोन एक बड़ा खतरा हो सकता है। आप डीजी यात्रा की बात करते हैं। यह अच्छी बात है, लेकिन जो हमारे पास साधन है जैसे हमारे बैग्स को स्कैनिंग करना, फेस को स्कैनिंग करना तो आज हमारे पास जो मॉडर्न गेजेट्स है, हमें उन्हें इस्तेमाल करना चाहिए। मैं एक बात और कहना चाहता हूं। जिस तरह की हमारे देश में हालत है, उस हिसाब से हमें एयर एम्बुलेंस की ज्यादा जरूरत है। आप एयर एम्बुलेंस की सुविधा को आम

लोगों तक पहुंचाएं। यह आपको देखना चाहिए। मैं चाहता हूं कि हमारे देश में जो सिविल एविएशन सेक्टर्स हैं, इनमें जिस तरह से तरक्की होती है, उस तरक्की के साथ-साथ सिक्योरिटी को ध्यान में रखते हुए, आप जरूर इंटरनेशनल कन्वेंशन को मानने की कोशिश कर रहे हैं। शिकागो कन्वेंशन में हम भी सिग्नेटरी हैं। हमें शायद इंटरनेशनल कन्वेंशन को मानकर चलना पड़ेगा। मैं इसके साथ ही साथ हमारे देश के लोगों के बिहाफ पर आपसे विनती करता हूं कि आप हमारे महाराजा को बेचना नहीं, महाराजा को बचाकर रखना।

माननीय अध्यक्ष: क्या आपका बिल पर समर्थन है?

श्री अधीर रंजन चौधरी : सर, मैंने इसके बारे में पहले ही बोल दिया है।

17.00 hrs

THE MINISTER OF STATE OF THE MINISTRY OF HOUSING AND URBAN AFFAIRS, MINISTER OF STATE OF THE MINISTRY OF CIVIL AVIATION AND MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND INDUSTRY (SHRI HARDEEP SINGH PURI): Mr. Speaker, Sir, I am deeply grateful to all the hon. Members who have spoken – Dr. M.K. Vishnu Prasad, Shri Jayant Sinha, Shri Kalyan Banerjee, Shri C.N. Aannadurai, Shri Vinayak Bhaurao Raut, Shri Pinaki Misra, Shri Sunil Kumar Pintu, Kunwar Danish Ali Ji, Shri B. B. Patil, Shrimati Supriya Sadanand Sule, Shri E.T. Mohammed Basheer, Adv. A.M. Ariff, Shri Benny Behanan, Shri Raghu Rama Krishna Raju, Shri Syed Imtiaz Jaleel, Shri M. Selvaraj, Shri P. Rveendranath Kumar, Shri Bhagwant Mann, Shri H. Vasanthakumar, Shri Sanjay Seth, Shri Adhir Ranjan Chowdhury - among the 15 distinguished hon. Members.

श्री राजीव प्रताप रूडी : मेरा नाम छूट गया।

श्री हरदीप सिंह पुरी: आपका नाम मैंने अलग रखा हुआ था । आप सुनिए । I was coming to you ...(*Interruptions*) I said I am particularly grateful that amongst the hon. Members who have spoken were two distinguished predecessors in office and Shri Rajiv Pratap Rudy was one of them. So, you are coming for a special mention. Before I could complete, you ... (*Interruptions*)

Sir, it is my considered assessment, after listening to this very rich debate, that it is a fact that this amendment is being brought in 2020 to try, to a limited extent, to bring the Indian Aircraft Act of 1934 upto date in the important area of aircraft and civil aviation security, management of the regulator, DGCA. This is a requirement which we should have felt – if I may be allowed to submit – many years ago ourselves. But it is the reflection of time that we live in as to why we have that feeling. While I was going through the records in our Ministry, I found that many of my predecessors must have felt that need. But the need was highlighted through subsequent audits by ICAO.

Today, we have no choice but to ensure that these three bodies, which are crucial to the functioning of the civil aviation sector in India, have the position as statutory bodies. I am very happy and I want to express my gratitude to this august House that all Members have agreed and have broadly supported the thrust of this amendment.

Now, it is entirely different matter that some of my distinguished colleagues see in this amendment, perhaps a door opening to privatisation of airports. They have utilised this discussion to bring in a large number of issues like privatisation of Air India, kind of courtesies that private air carriers extend to our hon. Colleagues – Members of Parliament. I think all these concerns are very valid concerns. I think we have now the support of

the House in terms of the amendments that we are bringing. Let me take this opportunity.

Sir, this has been a long discussion. 16 hon. MPs have spoken. Therefore, I do want to spend another two and half hours responding to each one of them. Let me try and pick up the more important points that have been made so that we emerge from this discussion both the passage of the legislation and a better idea as to where the Government stands; what we have been able to do and we propose to do in the coming days.

Sir, I want to start with Dr. M.K. Vishnu Prasad. He raised a large number of very important questions. One of the issues he raised was the issue which has been raised repeatedly by my distinguished friends, Rudiji and other Members, which is the issue of ATC, the overall numbers and shortages.

Sir, we have a total number of 3,500 very qualified Air Traffic Controllers in position today. The facts of the matter are that in the last two or three years, we have recruited another 1,000 ATCs and next year, according to the estimates that I have, we will be recruiting another 250 ATCs. So, the submission I want to make to this House is that it is not that there is a shortage. It is a dynamic process. We try to recruit qualified personnel. It is an on-going process and this is the process on which there are no full stops. If it was so, we would not have recruited 1,000 ATCs in the last two years. We are recruiting another 250 ATCs next year.

One additional point, which has been made by all hon. Colleagues is the issue of affordability of air fares, and I want to take this issue up-front. The fact of the matter is that our civil aviation sector today stands deregulated. The Government does not set air fares, but that should be a good starting point to discuss as to what the real situation is.

I want to submit before you a few facts, which stare us in the face. Nearly 20 years ago, the air fares on a trunk route, Mumbai-Delhi, was Rs. 5,100. Today, 20 years later, it is Rs. 4,600. The fact of the matter is that – and many hon. Members have referred to the stress that the civil aviation sector is facing – we have to deal with two competing claims. One is a growing sector with 7 per cent or 8 per cent penetration, which means that out of 100, only 7 or 8 people fly. When we are transiting from being a \$ 2.89 trillion economy to a \$ 5 trillion economy, it means that many more people will fly. This penetration rate is going up from 7-8 per cent to 15 per cent, and the number of people who will fly will be many more.

The throughput in our airports today is about 344 million passengers per year, and with this limited penetration we are already showing double digit growth. I had given figures in my introductory speech, that is, at one stage, it was as high as 17 per cent. So, we need to make sure that this growing middle-class population – which Mr. Pinaki Misra, hon. Member mentioned – is a large figure of 40 per cent or even more. They all want to travel. Shri Chaudhary said that air travel is no longer a luxury and it is a necessity, which is a fact. So, we have to make sure that air fares are affordable.

But we also have a competing claim, which is that airlines must be viable. Now, there was an exchange, which I liked very much when Shrimati Supriya picked on something that my friend Shri Jayant said. I do not think Mr. Sinha said that everything is hunky-dory, but the fact of the matter is that today civil aviation globally is characterised by a peculiar phenomenon, which is that the engine manufacturers make money; the airlines make money; the airport operators make money; and the ancillary tourist industry makes money, but the people who run the airlines feel the strain. One or two airlines have ceased operations in the country. Two of them were named. I am not entirely sure whether those failures are on

account of failure of business model or other factors. The case is before the NCLT, and I am not going to try and make a pronouncement here. But the fact of the matter is that airline companies throughout the world feel the strain. I have lived for many years in the United States. I can mention any number of US air carriers TWA, Pan-American and so on and so forth who have ceased operation. Swiss Air was acquired by another major European airline.

Now, I take the point made by many hon. Members on Aviation Turbine Fuel (ATF). The fact of the matter is that cost of the ATF constitutes 40 per cent of the overall operating cost of an airline. Now, this is an open secret that I have been a Civil Aviation Minister for the last eight months or so. I have been all along advocating that we must rationalise the tax structure on ATF. I am on record to have mentioned in communications to my senior colleague, the hon. Finance Minister and I have said it in the Press that ATF needs to be brought under GST with full input tax credit.

Now, I am very happy that one of my colleagues here said that the Minister requires support of the House for this. I would go a step further, if I may. I also require the support of the State Governments because the fact of the matter is that the State Governments are the ones that guard the GST.

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE AND
MINISTER OF STATE IN THE MINISTRY OF CORPORATE AFFAIRS
(SHRI ANURAG SINGH THAKUR): Yes.

SHRI HARDEEP SINGH PURI: I am glad that my colleague, the Minister of State for Finance agrees with it. Therefore, it is my intention and effort; and I intend to pursue this even more vigorously with global fuel prices down sub-30 as somebody mentioned from 70, now is the time to make sure that we get the States on board.

My plea to the States, many of them are represented here, is that this should be delinked from petrol and diesel on which the States legitimately have the revenue concern. You can decouple them and bring aviation turbine fuel into the GST.

My colleague, Shri Kalyan Banerjee was, I must say, very restrained. He did not mention a particular case that he brought to my notice. I took immediate action on that. I contacted the airline concerned; I have been assured that that particular complaint is being looked into. I do not think it is either his desire or my intention to discuss the specifics of that one complaint here. But I must take advantage of this situation and submit to this august House that enclosed space of an aircraft, whether it is stationary on the ground or flying at 10,000 or 30,000 feet, presents a new situation.

When you go to a restaurant anywhere in the world, it says outside, rights of admission reserved. That means, there is some code of conduct which has to be followed. Similarly, it is the same inside an aircraft. Therefore, we have clear regulations (CAR – Civil Aviation Regulation), which we are not following, that is a different thing. The CAR shows complaints of a particular kind need to be addressed. If somebody misbehaves in an aircraft – I have many cases which do not hit the public domain. I have a case where a passenger in an aircraft walked up to the cockpit, banged his wrist against the door, and told the captain, you loser, you come out. I have cases where passengers inside an aircraft – I do not know whether they are inebriated or not, they tried to open the door of the aircraft, which could have led to a catastrophe. Then, Supriya *ji* brought up a case of a particular gentleman. She called him a comic or a start-up comedian. I tell you why this case is sui generis. I am glad, I am wanting to answer a question on this. I wish I had the opportunity. Every airline is required to follow a procedure set out by the DGCA. According to that procedure, the complaint has to come from the pilot of the aircraft who

makes the complaint. Then, the aviation company sets up an internal committee. That committee makes the determination.

Here, what happens is, this gentleman in concern, it is not important whom he was hectoring. He tried to disrupt the normal functioning. He was sitting in row 13, the particular gentleman, whom he wanted to heckle was in row 1, till the aircraft was on the ground, this heckling was taking place. He was advised. I have had cases where inside the aircraft, people have picked up their handbags and thrown them at each other. God forbid, if any of these bags has a heavy object, and it cracks the window; you would have a decompression problem. What happened is, when he did this, this would have gone unnoticed. He recorded the incident himself and put it on social media. That is what has happened. Otherwise, it would have gone unnoticed. When it happened, the concerned airline company put him under a no flying period, which was initially six months. Then, they had their internal committee. They put it for three months. Now, after seeing that, there are four or five other operators, two or three followed straightaway; one or two waited till their internal committee report was filed.

I am very proud of the fact that I am a Minister who on the issues of security wants to bring zero tolerance. I do not care, who it is – whether it is the Member of this House or anyone else; anyone who threatens the physical security of an aircraft, inside the aircraft, while it is airborne, deserves no consideration.

As far as I am concerned, I will always continue to advocate, as I did when I was the President of the UN Security Council Counter-Terrorism Committee. I said, there should be zero tolerance. Let the internal committee of the airline make a determination. They have made determination. They have banned for three months; others have also followed.

I come to another point. I think the rate at which civil aviation is growing in India, we need to look at all these regulations afresh. I have, with the help of legal advisor in my own office, asked for a detailed review of these instructions. We cannot have a situation like mass protest, I do not want to take the name of any protest because that will introduce a political element, taking place inside the aircraft.

I want to assure my colleague, Shri Kalyan Banerjee, that not only his case, but all other cases, I have also had an opportunity to discuss with the hon. Speaker, we are taking up with all the airlines collectively and individually. One of the hon. Members sent me a note just now that in some airports the courtesies should be shown to the hon. Members with a separate queue for them to facilitate ticketing and entry etc. I will follow that up. Some hon. Members want it, if it is not available, we should do it.

Now, I want to come to one of the very important issues raised about the DGCA who is the regulator in this civil aviation sector, that is, on the one hand, it says that some particular kinds of incidents have taken place but on the other hand, it is taking no action. I want to assure this House that the DGCA as a regulator was amongst the first globally which started taking cognisance of these 320 Neo Pratt & Whitney Engines and was the first of the mark, and the regulator decided in consultation with all the other regulators to institute a system that no aircraft would take to the skies unless it had one engine which was otherwise not part of this category. In other words, these whole 300 engines needed to be changed, so, I review these figures periodically. So, 230 engines have already been changed, the others will be changed very shortly and the engines are being flown.

I ask this hon. August House another question. Suppose we have decided that, no, we are not going to allow these aircrafts even after the safety precautions had been built in, what would have happened? You

would have grounded 200 airplanes. Two airlines were involved in this. So, you have to take a pragmatic decision but the decision that was taken ultimately was in the interest of air travel with the security aspect which was completely built in.

Now, some issues were raised again on affordability, I am coming back to those issues, for the students coming back from Bangalore. I would sincerely request that we check our facts. My problem in the last few days has not been high air fares by the following demand. In fact, domestic air travel is down by about 20-30 per cent and I do not know what is going to happen globally but I was looking at some figures. According to IATA's estimate, global aviation may lose between 63 billion US Dollars and 113 billion US Dollars on account of the coronavirus. If the global airlines are going to lose this amount, we are the world's third largest domestic civil aviation market, and we cannot be immune from this virus, at least, on the economics of it. Our airlines have been in touch with us. They have been in touch with my senior management, the Secretary etc. They have given us a number of suggestions. We have taken up some of the suggestions which include: we request the oil companies to perhaps consider a 30-day credit for them. I have also suggested to the Finance Ministry that the reconciliation can take place on a 15-day period rather than 30-day period so that the fall in global prices can help benefit. So, these are large number of suggestions which have come and we will follow them up, but, at the end of the day, it will be in everyone's interest that the viability of the airlines is kept in mind by us as per the kind of service which is being provided.

My colleague, Mr. Jayant Sinha mentioned about the number of airports, the number of passengers traffic and the number of aircraft. We today have, after Jet Airways ceased operations, 550 aircraft in the skies. Today, we have more than 700 aircraft. Some of these airlines have 300

planes on order. I think the benchmark is not 1200 aircraft in the coming years but 2000.

But, in order to make the system viable, the airlines have to survive also. So, I would say that we need to take a judicious look at both airfares and the viability of airlines. From the Government's side we stand ready. I know other Governments have been making this announcement but we will happily consider the proposals which are coming and, with the help of our colleagues in the Finance Ministry, see what we can do.

May I, Sir, take up now an issue which clearly occupies a lot of sentimental space in this House – the future of the Maharaja. I must confess that when I was a diplomat in my other profession – I was there for 40 years – wherever I have had an opportunity – even if I was working for the UN – I always preferred to travel Air India. It is something emotional with us. But, Sir, this is not something that we would like to do as of choice. Let me place the following facts before this august House.

Air India is a first-rate asset. On that, there is no doubt. It has about 120 planes. It flies to 50 international destinations. It flies to 80 domestic destinations. It has very well qualified and experienced engineers and pilots. There was a turnaround phase, I think Choudhury Ji and some other hon. Members mentioned. The fact of the matter is that we have injected Rs.30,000 crore already during this so-called turnaround period. Shri Kalyan Banerjee mentioned about profits in a particular year, etc.

If I did not have the debt and if we are to start afresh, may be a case could be made out. I do not have the figures ready but today Air India's annual loss should be about Rs.7,000 crore to Rs.8,000 crore. We have an accumulated loss of about Rs.62,000 crore or thereabouts. Now, you are in a situation where you have fragile finances and we are in a debt trap. They are operating in a market where a government entity, or somebody who is a

national carrier but tied to government, finds themselves at a complete disadvantage vis-à-vis private carrier. What happens in a private carrier is, because it is private ownership, they will take cut-throat decisions for every dollar on the spot. Here, you will have to go through the tendering process, L1, etc. If you do not do that and take a decision, you have to face your own agencies thereafter. So, by and large, we came to the conclusion, for good reasons.

On the last occasion, our inability to sell Air India was on account of the fact that we wanted to withhold 25 or 26 per cent. We did not want to sell some other parts. This time the decision was taken that in the current situation where we are bleeding, and I choose my words very clearly, we are losing Rs.26 crore per day. This was the loss prior to the coronavirus setting in. After the coronavirus, the loss will be higher than the Rs.26 crore because many routes are being shut because we are cutting travel from those places. As a result, what we have decided is that we will ensure the interest of staff of Air India. Air India has not recruited for many years. Therefore, there is no extra staff. In any case, whoever buys the airlines will need the people, the pilots, the engineers, the cabin crew, in order to run the airlines. So, we will ensure that our people who have served the nation with great distinction in Air India are taken care of. They went to Wuhan to carry out an operation. Prime Minister decided to issue letters of appreciation. Mr. Speaker, Sir, I personally handed out those letters of appreciation to everyone, and this is well deserved.

Let me say that if you did not have a national carrier, as most countries in the world do not have a national carrier, what you do is you would go into the market and you hire whatever is available in terms of short-term leasing in order to bring people back.

I see, Sir, that you would like me to wind up quickly. Let me see if there are some other issues which are of importance. Pinaki Ji raised the issue of budgetary shortfalls. Let me just mention to him that perhaps there is some misunderstanding there. What we had asked for and what we have got is roughly the same. What has happened is that a certain amount was excluded for Air India because it is going into privatisation. So, if there is Rs.2,800 crore which was there for Air India, if you look at their request which is made to the Finance Minister and what we have been granted, it is by and large the same.

My friend, Shri Bhagwant Mann, I do not know whether he is still here or not. ...*(Interruptions)*

माननीय अध्यक्ष: जो माननीय सदस्य यहां उपस्थित नहीं हैं, आप उनके जवाब मत दीजिएगा ।

श्री हरदीप सिंह पुरी : अध्यक्ष महोदय, उन्होंने कुछ बातें इंटरनेशनल फ्लाइट्स के बारे में कही हैं । मैं बड़े गर्व से कहना चाहता हूं कि हमने अमृतसर से तो इंटरनेशनल फ्लाइट्स बहुत बढ़ाई हैं । हम बर्मिंघम के लिए फ्लाइट्स भेज रहे हैं, टोरंटो भी भेज रहे हैं । अगर वह यह कहना चाहें कि चण्डीगढ़ में भी और फ्लाइट्स बढ़ा दीजिए, this is an issue which has been raised by other Members as well, that is, to make a particular airport an international airport. This is all demand-driven. We are willing to setup the infrastructure but those who operate the flight will make a decision based on the business potential and based on the viability of the route.

Sir, 16 hon. Members spoke, if I have your permission, what I will do is, I will send a letter to each one of them because of the time constraint. I have the replies here but I think, I will conclude by thanking all hon. Members for the support. ...*(Interruptions)*

SHRI ADHIR RANJAN CHOWDHURY : What about Sikkim Airport?

SHRI HARDEEP SINGH PURI: As regards Pakyong Airport, let me just say this was a very important airport which was inaugurated by the hon. Prime Minister last year. The airport will be operational soon. There were some local issues developed. There was a land on the site which we needed to refurbish. There were also weather issues. In this airport due to the terrain, you need a particular kind of landing into it for some months in the year because of the weather and low hanging clouds. These are the issues we are going to resolve. We have nearly resolved the issues. We hope to make it operational soon. As on date, it is not operational but we will make it operational soon.

Insofar as Unmanned Aerial Vehicles (UAVs) or drones are concerned, according to current assessment, we should have something in the vicinity of 3-4 lakh drones operating in our airspace. We need a policy. We have started working in the direction of that policy. To begin with, we had a first round of registration, where owners of 20,000 drones have registered. We need to follow that up. We have decided to follow a policy where each drone will have an embedded chip by which the drone will be allowed to fly to an area for which it has permission. If it transgresses, – and this is on account of security consideration – it would immediately have to come back to the operating base. All this work is going on. We have various people working on this. We know that drones constitute a great multiplier force in terms of economic development. They can be used to deliver medicines; they can be used to monitor projects, etc. Those of us in the political space know we are using them for other purposes also. And we are today in a happy situation of saying that we are one of the countries which is in the forefront of devising a comprehensive policy which will govern the use of drones. They come in all shapes and sizes ranging from 250 grams to 2,500 kilograms, and therefore, we have to be very careful.

I can share with this House, when we first conducted this exercise, we asked all the security experts which are the areas that you would like to see excluded. Now, perhaps I should not be saying it but in the interest of transparency, I will. Most in the country looked red then, which means, everything would be excluded. Now, this is understandable because when you are getting a new technology and you are getting a new policy in, you want to be extra cautious. But as we negotiate, I think, that in the coming months, we will be able to come up with a first draft of such a policy, at least, that is my expectation. I will push my senior civil servants in this direction and we will have this thing. We also need to make sure that the drones which we have between 20,000 and 3 lakhs should get registered.

Drone is a kind of technology which you can pack in your suitcase if you are coming in from an outside country. Even a good student of technology in a university can manufacture a drone. As long as you are putting it to good use, it is a positive thing. But equally, it can be used as a major security threat. For instance, in my Smart City mission, I am very worried that cybersecurity etc. Can get into the integrated command and control sector. So, I am saying that we have to be extremely careful. But we are in the process of developing that policy. In the case of Pakyong, there was a landslide which is now all right and SpiceJet is now being asked to start the flight. We are not exactly there but we will get there very quickly.

...(Interruptions) रूडी जी ने पटना व बिहटा के बारे में बोला । मैं आपसे यह भी कहना चाहता हूँ कि बिल के बाद उनको दे दूंगा । मेरे पास स्टेटिस्टिक्स हैं कि कितना पैसा पटना एयरपोर्ट के लिए, कितना बिहटा एयरपोर्ट के लिए दिया जा रहा है । रनवे की क्या लेंथ है? सरकार क्या करने जा रही है? उनके प्वाइंट का अच्छी तरह से संज्ञान लिया गया है । इनकी हमारे मंत्रालय के अधिकारियों के साथ कई मीटिंग्स हुई हैं । मेरे साथ इनकी जो मीटिंग ड्यू थी, वह अब मैं जल्द से जल्द करके इसे हम आगे बढ़ाएंगे । बहुत-बहुत धन्यवाद ।

माननीय अध्यक्ष: प्रश्न यह है :

“कि वायुयान अधिनियम, 1934 का और संशोधन करने वाले विधेयक पर विचार किया जाए।”

प्रस्ताव स्वीकृत हुआ।

माननीय अध्यक्ष: अब सभा विधेयक पर खंडवार विचार करेगी।

Clause 2 *Amendment of Section 2*

माननीय अध्यक्ष: प्रश्न यह है:

“कि खंड 2 विधेयक का अंग बने”

प्रस्ताव स्वीकृत हुआ।

खंड 2 विधेयक में जोड़ दिया गया।

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Clause 3 *Substitution of New Sections 4A,
4B and 4D for section 4A*

माननीय अध्यक्ष: प्रो. सौगत राय, क्या आप संशोधन प्रस्तुत करना चाहते हैं?

PROF. SOUGATA RAY (DUM DUM): I beg to move:

Page 2, line 4, --

after “Civil Aviation”

insert “and Security”. (1)

माननीय अध्यक्ष: अब मैं प्रो. सौगत राय द्वारा खंड 3 में प्रस्तुत संशोधन संख्या 1 को सभा के समक्ष मतदान के लिए रखता हूँ ।

संशोधन मतदान के लिए रखा गया तथा अस्वीकृत हुआ ।

माननीय अध्यक्ष: श्री कोडिकुन्नील सुरेश, क्या आप संशोधन प्रस्तुत करना चाहते हैं?

SHRI KODIKUNNIL SURESH (MAVELIKKARA): I beg to move:

Page 2, line 30, --

for “Aircraft Accidents Investigation Bureau”

substitute “Aircraft Accidents Investigation Agency”. (6)

माननीय अध्यक्ष: अब मैं श्री सुरेश कोडिकुन्नील द्वारा खंड 3 में प्रस्तुत संशोधन संख्या 6 को सभा के समक्ष मतदान के लिए रखता हूँ ।

संशोधन मतदान के लिए रखा गया तथा अस्वीकृत हुआ ।

माननीय अध्यक्ष: श्री एन.के. प्रेमचन्द्रन, क्या आप संशोधन प्रस्तुत करना चाहते हैं?

SHRI N. K. PREMACHANDRAN (KOLLAM): I have seven amendments to Clause 3. I have unconditionally supported the hon. Minister on the Bill and appreciated and congratulated him. But unfortunately, the Minister has not responded to my question even regarding Thiruvananthapuram airport. It is really a sorry affair. I am moving these amendments. They are positive amendments. I beg to move:

Page 2, line 4,--

after “an officer”

insert “, not below the rank of Secretary to Government of India,”. (11)

Page 2, line 14, --

for “exercisable by”
substitute “delegated to”. (12)

Page 2, line 17, --

after “an officer”
insert “, not below the rank of Director General of
Police,”. (13)

Page 2, line 27, --

for “exercisable by”
substitute “delegated to”. (14)

Page 2, line 30, --

after “an officer”
insert “, not below the rank of Chief Engineer, Aircraft
Engineering Wing,”. (15)

Page 2, line 41, --

for “exercisable by”
substitute “delegated to”. (16)

Page 2, *for* lines 45 to 48, --

substitute “in the Central Government.”. (17)

माननीय अध्यक्ष: अब मैं श्री एन.के. प्रेमचन्द्रन द्वारा खंड 3 में प्रस्तुत संशोधन संख्या 11 से 17 को सभा के समक्ष मतदान के लिए रखता हूं।

संशोधन मतदान के लिए रखे गए तथा अस्वीकृत हुए।

माननीय अध्यक्ष: प्रश्न यह है:

“कि खंड 3 विधेयक का अंग बने।”

प्रस्ताव स्वीकृत हुआ।

खंड 3 विधेयक में जोड़ दिया गया।

खंड 4 विधेयक में जोड़ दिया गया।

Clause 5 *Amendment of Section 5A*

माननीय अध्यक्ष: प्रो. सौगत राय, क्या आप संशोधन प्रस्तुत करना चाहते हैं?

PROF. SOUGATA RAY : I beg to move:

Page 3, line 21, --

for “by order”

substitute “regulate or by order”. (2)

माननीय अध्यक्ष: अब मैं प्रो. सौगत राय द्वारा खंड 5 में प्रस्तुत संशोधन संख्या 2 को सभा के समक्ष मतदान के लिए रखता हूं।

संशोधन मतदान के लिए रखा गया तथा अस्वीकृत हुआ ।

माननीय अध्यक्ष: प्रश्न यह है:

“कि खंड 5 विधेयक का अंग बने”

प्रस्ताव स्वीकृत हुआ ।

खंड 5 विधेयक में जोड़ दिया गया ।

Clause 6

Amendment of Section 10

माननीय अध्यक्ष : प्रो. सौगत राय, क्या आप संशोधन प्रस्तुत करना चाहते हैं?

PROF. SOUGATA RAY : Sir, I beg to move:

Page 3, line 42, --

for “one crore”

substitute “five crores”. (3)

माननीय अध्यक्ष : अब मैं प्रो. सौगत राय द्वारा खंड 6 में प्रस्तुत संशोधन संख्या 3 को सभा के समक्ष मतदान के लिए रखता हूँ ।

संशोधन मतदान के लिए रखा गया तथा अस्वीकृत हुआ ।

माननीय अध्यक्ष : श्री जसबीर सिंह गिल, क्या आप संशोधन प्रस्तुत करना चाहते हैं?

SHRI JASBIR SINGH GILL (KHADOOR SAHIB): Sir, I beg to move:

Page 3, line 42, --

for “one crore”

substitute “two crore”. (7)

माननीय अध्यक्ष : अब मैं श्री जसबीर सिंह गिल द्वारा खंड 6 में प्रस्तुत संशोधन संख्या 7 को सभा के समक्ष मतदान के लिए रखता हूँ ।

संशोधन मतदान के लिए रखा गया तथा अस्वीकृत हुआ ।

माननीय अध्यक्ष : प्रश्न यह है :

“कि खंड 6 विधेयक का अंग बने ।”

प्रस्ताव स्वीकृत हुआ ।

खंड 6 विधेयक में जोड़ दिया गया ।

Clause 7 *Insertion of New Section*
10A and 10B

माननीय अध्यक्ष : प्रो. सौगत राय, क्या आप संशोधन प्रस्तुत करना चाहते हैं?

PROF. SOUGATA RAY : Sir, I am not moving my amendment No. 4 to clause 7.

माननीय अध्यक्ष : श्री रितेश पाण्डेय, क्या आप संशोधन प्रस्तुत करना चाहते हैं?

SHRI RITESH PANDEY (AMBEDKAR NAGAR): Sir, I beg to move:

Page 4, line 1, --

for “not exceeding rupees one crore for”

substitute “in proportion of the contravention of”.

(18)

Page 4, *after* line 33, --

insert “Provided that the Central Government shall,
before cancelling or suspending license or
certificate,

give a reasonable opportunity of being heard to such
persons under this Act”. (19)

माननीय अध्यक्ष : अब मैं श्री रितेश पाण्डेय द्वारा खंड 7 में प्रस्तुत संशोधन संख्या 18 और 19 को सभा के समक्ष मतदान के लिए रखता हूँ ।

संशोधन मतदान के लिए रखे गए तथा अस्वीकृत हुए ।

माननीय अध्यक्ष : प्रश्न यह है :

“कि खंड 7 विधेयक का अंग बने ।”

प्रस्ताव स्वीकृत हुआ ।

खंड 7 विधेयक में जोड़ दिया गया ।

Clause 8

Amendment of Section 11

माननीय अध्यक्ष : श्री कोडिकुन्निल सुरेश, क्या आप संशोधन प्रस्तुत करना चाहते हैं?

SHRI KODIKUNNIL SURESH (MAVELIKKARA): Sir, I beg to move:

Page 4, line 35, --

for “one crore rupees”

substitute “three crore rupees”. (8)

माननीय अध्यक्ष : अब मैं श्री कोडिकुन्नील सुरेश द्वारा खंड 8 में प्रस्तुत संशोधन संख्या 8 को सभा के समक्ष मतदान के लिए रखता हूँ ।

संशोधन मतदान के लिए रखा गया तथा अस्वीकृत हुआ ।

माननीय अध्यक्ष : श्री जसबीर सिंह गिल, क्या आप संशोधन प्रस्तुत करना चाहते हैं?

SHRI JASBIR SINGH GILL : Sir, I beg to move:

Page 4, line 35, --

for “one crore”

substitute “two crore”. (9)

माननीय अध्यक्ष : अब मैं श्री जसबीर सिंह गिल द्वारा खंड 8 में प्रस्तुत संशोधन संख्या 9 को सभा के समक्ष मतदान के लिए रखता हूँ ।

संशोधन मतदान के लिए रखा गया तथा अस्वीकृत हुआ ।

माननीय अध्यक्ष : प्रश्न यह है :

“कि खंड 8 विधेयक का अंग बने ।”

प्रस्ताव स्वीकृत हुआ ।

खंड 8 विधेयक में जोड़ दिया गया ।

माननीय अध्यक्ष : श्री जसबीर सिंह गिल, क्या आप संशोधन प्रस्तुत करना चाहते हैं?

SHRI JASBIR SINGH GILL : Sir, I beg to move:

Page 4, line 37, --

for “one crore”
substitute “two crore”. (10)

माननीय अध्यक्ष : अब मैं श्री जसबीर सिंह गिल द्वारा खंड 9 में प्रस्तुत संशोधन संख्या 10 को सभा के समक्ष मतदान के लिए रखता हूँ ।

संशोधन मतदान के लिए रखा गया तथा अस्वीकृत हुआ ।

माननीय अध्यक्ष : प्रश्न यह है :

“कि खंड 9 विधेयक का अंग बने ।”

प्रस्ताव स्वीकृत हुआ ।

खंड 9 विधेयक में जोड़ दिया गया ।

-

Clause 10

Amendment of Section 11B

माननीय अध्यक्ष : श्री जसबीर सिंह गिल, क्या आप संशोधन प्रस्तुत करना चाहते हैं?

SHRI JASBIR SINGH GILL : Sir, I beg to move:

Page 4, line 39, --

for “one crore”

substitute “two crore”. (20)

माननीय अध्यक्ष : अब मैं श्री जसबीर सिंह गिल द्वारा खंड 10 में प्रस्तुत संशोधन संख्या 20 को सभा के समक्ष मतदान के लिए रखता हूँ ।

संशोधन मतदान के लिए रखा गया तथा अस्वीकृत हुआ ।

माननीय अध्यक्ष : प्रश्न यह है :

“कि खंड 10 विधेयक का अंग बने ।”

प्रस्ताव स्वीकृत हुआ ।

खंड 10 विधेयक में जोड़ दिया गया ।

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Clause 11

Insertion of New Sections 12A and 12B

माननीय अध्यक्ष : प्रो. सौगत राय, क्या आप संशोधन प्रस्तुत करना चाहते हैं?

PROF. SOUGATA RAY : Sir, I beg to move:

Page 5, line 2, --

for “five years”

substitute “three years”. (5)

माननीय अध्यक्ष : अब मैं प्रो. सौगत राय द्वारा खंड 11 में प्रस्तुत संशोधन संख्या 5 को सभा के समक्ष मतदान के लिए रखता हूँ ।

संशोधन मतदान के लिए रखा गया तथा अस्वीकृत हुआ ।

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माननीय अध्यक्ष : प्रश्न यह है :

“कि खंड 11 विधेयक का अंग बने ।”

प्रस्ताव स्वीकृत हुआ ।

खंड 11 विधेयक में जोड़ दिया गया ।

खंड 12 और 13 विधेयक में जोड़ दिए गए ।

खंड 1, अधिनियमन सूत्र और विधेयक का पूरा नाम विधेयक में जोड़ दिए गए ।

माननीय अध्यक्ष : माननीय मंत्री जी, अब प्रस्ताव करें कि विधेयक पारित किया जाए ।

SHRI HARDEEP SINGH PURI: Sir, I beg to move:

“That the Bill be passed.”

माननीय अध्यक्ष : प्रश्न यह है:

“कि विधेयक पारित किया जाए ।”

प्रस्ताव स्वीकृत हुआ ।

17.40 hrs

*t142

Title: The motion for consideration of the Medical Termination of pregnancy (Amendment) Bill, 2020 (motion adopted and passed).

माननीय अध्यक्ष : अब आईटम नंबर – 20.

THE MINISTER OF HEALTH AND FAMILY WELFARE, MINISTER OF SCIENCE AND TECHNOLOGY AND MINISTER OF EARTH SCIENCES (DR. HARSH VARDHAN): Sir, I beg to move:

“That the Bill further to amend the Medical Termination of Pregnancy Act, 1971, be taken into consideration.”

Sir, before you ask the hon. Members to speak on the Bill, I would like to give a brief outline of what we are proposing. This amendment to the Medical Termination of Pregnancy Act, 1971, is proposed with a view to increase upper gestation limit for the termination of pregnancy, and also for strengthening access to comprehensive abortion care under strict conditions without compromising service and quality of safe abortion.

17.41 hrs

(Shri Kodikunnil Suresh *in the Chair*)

When this original Bill was brought in 1971, India was amongst one of the first few countries in the whole world to legalise abortion in order to provide legal and safe abortion services to women who required to terminate a pregnancy due to certain threptic, eugenics or humanitarian grounds. However, with the passage of time and advancements of medical technology for safe abortion, there is a scope for increasing upper gestational limit for terminating pregnancies, especially for vulnerable women, like survivors of rape, incest, minor girls or differently abled women and for pregnancies with substantial foetal abnormalities detected late in the pregnancy.

Sir, there is also a need for increasing access of women to legal and safe abortion service in order to reduce maternal mortality and morbidity caused by unsafe abortion and its complications.

The proposed Bill is a step towards the safety and wellbeing of women and will enlarge the ambit and access of women to safe and legal abortion without compromising on safety and quality of care. The proposed Bill also ensures dignity, autonomy, confidentiality and justice for women who need to terminate pregnancy.

I may also inform this august House that in the last decade several writ petitions have been filed before the hon. Supreme Court and also before various High Courts, seeking permissions for aborting pregnancies at gestational age beyond the present permissible limit on the grounds of foetal abnormalities or pregnancies due to sexual violence forced on women.

Just to give you an idea, in the last few years 26 petitions have been filed in the Supreme Court and over a hundred petitions have been filed in the High Courts. Before bringing this Bill in the august House, I may inform the hon. Members, we had a very extensive consultative process with all the possible stakeholders, all relevant Ministries, and we also had an Ethics Committee of Experts formed by the Ministry of Health where there was an extensive discussion on the subject.

The hon. Prime Minister had constituted a Group of Ministers headed by our colleague, hon. Minister Shri Nitin Jairam Gadkari Ji. There also, it was discussed in a great detail. Then, finally, after being approved by the Cabinet and the Law Ministry, it has been brought before the House.

Sir, I would like to mention the salient features of the Medical Termination of Pregnancy (Amendment) Bill, 2020.

HON. CHAIRPERSON : Hon. Minister, you can give a detailed reply later. Only give a brief introduction of the Bill.

DR. HARSH VARDHAN: I will finish it within five minutes. Let me give a brief overview of the whole thing so that they know the concept.

Now, I come to the important features of the Bill. The Bill provides for:

requirement of opinion of one registered medical practitioner for termination of pregnancy up to 20 weeks of gestation;

requirement of opinion of two registered medical practitioners for termination of pregnancy for 20 to 24 weeks of gestation;

enhancing the upper gestation limit from 20 to 24 weeks for such category of women as may be prescribed by rules in this behalf;

non-applicability of provisions relating to the length of pregnancy in cases where the termination of pregnancy is necessitated by the diagnosis of any substantial foetal abnormalities diagnosed by a Medical Board; and

strengthening of protection of privacy of a woman whose pregnancy has been terminated.

There is another feature of the Bill. The failure of contraceptive clause has been expanded to woman and her partner.

The Bill proposes to prescribe, rules under the Act on category of woman who shall be eligible for extended gestational period for termination of pregnancy from 20 to 24 weeks; the norms for the registered medical practitioner, whose opinion is required for the termination of pregnancy at different gestation age; and also the powers and functions of the Medical Board.

I have to share with the hon. Members of the House that this is a very, very progressive legislation. It is a long-awaited amendment and it has been discussed in great detail by everyone. It is a need of the hour. On a number of occasions, the hon. Supreme Court and the hon. High Courts have mentioned that there should be a review of the Medical Termination of Pregnancy Act, 1971 and that is the reason why we have brought this amendment before the august House.

I look forward to positive suggestions from the hon. Members on this Bill. Thank you.

HON. CHAIRPERSON: Motion moved:

“That the Bill further to amend the Medical Termination of Pregnancy Act, 1971, be taken into consideration.”

SUSHRI S. JOTHIMANI (KARUR): Hon. Chairperson, Sir, Vanakkam. Thank you for giving me an opportunity to speak on the Medical Termination of Pregnancy (Amendment) Bill, 2020.

I must say that this is a very significant step in the right direction. Just now, the hon. Health Minister has briefed the House as to how elaborate consultations have been made for this Bill. I appreciate his sincere and sensible efforts.

At this point, let me say with all humility that the right has not been earned overnight. It is worth here to recollect the struggle faced by millions of women in fighting the social oppression, discrimination, and stigma related to abortion. After this long fight, many countries have recognised the women’s right to exercise reproductive choice, including abortion to a certain extent. Still, there is a long road to go.

The Medical Termination of Pregnancy Act, 1971 is in place in India. As has been rightly said by the hon. Minister that that was a very progressive step taken at that point of time when many other countries did not even have abortion laws. In 2015, the study undertaken by the Indian Journal of Medical Ethics noted that 10 per cent to 13 per cent of maternal deaths in India are due to unsafe abortions, that is, the third highest cause of maternal deaths in India.

Though this Act has legalized abortion with a gestation period of 12 to 20 weeks, it failed to keep pace with the current social, medical and technological developments.

For example, the foetal anomaly scan is done during the 20th and 21st week of pregnancy. If there is a delay in doing this scan, and it reveals a lethal anomaly in the foetus, 20 weeks period is limiting. And the rape survivors, differently abled women, minors and the mothers carrying children with anomalies are forced to fight the legal battle to get the permission for termination after 20 weeks. This is frustrating and stressful for the already distressed women.

In case of rape survivors, in many cases they are minors. The same Parliament has enacted and amended the POCSO Act to prevent the children from sexual offences. How do these minor girls and their poor families fight exhaustive and expensive legal battles while they are fighting the cruel society which always blames the rape survivor than the culprit?

I want to share a painful story which happened a few years back. There was a young girl studying in the 10th standard. She was a school topper. She was raped. Obviously, she had to go through a trauma. You know what the school did. The school forced the school topper to get the T.C. as if she is the culprit. Her own friends around her home were told not

to play with the bad girl by their parents. The cruelty in this case was that the perpetrator was the father of the girl herself. Just think of the trauma the mother was going through. The mother could not come to terms with the fact that her own husband has done this to her child. The mother was traumatized. Generally in many families, the male is the bread earner and they do not have any financial resources to fight the battle. She was under psychological consultation for some time but later on she sadly committed suicide. This is the society we are living in. The rest goes unsaid.

In this background the Bill has taken significant step forward from the parent Act. I would like to quote a recent case that explains the right to exercise the reproductive choice very clearly. I quote

“The right to exercise reproductive choice; is the right to choose whether to conceive and carry pregnancy to its full term or to terminate it at the core of once privacy, dignity, personal autonomy, bodily integrity, self-determination and right to health recognized by article 21 of the constitution.”

It was stated in the writ petition filed by Swati Agarwal, Garima and Prachi seeking to decriminalize abortion and allowing women the right to exercise their reproductive right in the Supreme Court.

The court and the Government also responded positively. Finally, the time has come to amend the 49-year old law on medical termination of pregnancy. I appreciate the positive aspects of the Bill. It will go a long way in enabling women to exercise their right to abortion and avoid cumbersome process of legal battle.

It is appreciable that this Bill has extended the pregnancy termination time period from 20 weeks in the principal Act to 24 weeks. It has also enhanced the gestation limit for 'special categories' of women which includes survivors of rape, victims of incest and other vulnerable women

like differently-abled women and minors. It also protects the privacy of women by stating that the "name and other particulars of a woman whose pregnancy has been terminated shall not be revealed", except to a person authorised in any law that is currently in force. The extension of time period would allow termination of pregnancy in cases where some anomaly in the foetus is reported after 20 weeks. Significantly, the Bill also applies to unmarried women and therefore, relaxes one of the regressive clauses of the 1971 Act, *i.e.*, single woman could not cite contraceptive failure as a reason for seeking an abortion.

However, I also want to raise certain concerns regarding the Bill. I also want ask some clarifications and also give some suggestions regarding the Bill. We all are aware, the preference for a male child keeps sex determination centres in business in spite of their illegal status. Survey conducted with the SRS also showed that the national average of the sex ratio is only 900. Chhattisgarh has the highest sex ratio at 961, while Haryana was recorded the lowest at 831. It shows that many people are still resorting to female feticide. We have to ensure that this law is not misused.

According to 2017 data, 59 countries allowed elective abortions, of which only seven permitted the procedure after 20 weeks like Canada, China, the Netherlands, North Korea, Singapore, the United States, and Vietnam. Now India has joined them. I appreciate the hon. Minister of Health for this milestone.

Under the Act, if any pregnancy occurs as a result of failure of any device or contraceptive method and such pregnancy may be terminated by a registered medical practitioner up to 20 weeks.

However, this explanation to clause (a) of sub-Section 2 of Section 3 can also be misused. Women will be forced by their partners or husbands to

abort the child. If it is a forced abortion, then the women will go through more mental trauma than the abortion itself. This has to be taken care of.

A woman who does not fall into the special category would not be able to seek an abortion beyond 20 weeks, even if she suffers from a grave physical or mental injury due to pregnancy like miscarriage. I would like to recollect the Savita case, a woman from Hyderabad went to Ireland, due to the abortion law she could not abort her miscarriage for 17 weeks and finally she met her end.

Though the Bill has clause for confidentiality, yet does not ensure privacy for women, girls under POSCO due to the requirement of mandatory reporting under POSCO. This should be explicitly ensured in the Bill. This obligation to report contradicts the confidentiality and privacy protections under Section 4 of the MTP Regulations. It can act as a deterrent for adolescent girls from accessing safe abortion services in situations where the perpetrator is a family member. What can be done if the guardian, a provision of the Bill says that a minor can bring his guardian, himself is the perpetrator and the reason for the pregnancy? That should be taken care of. There is not clarity about the role of doctors in case of reporting pregnancy of minors under POSCO Act. My doctor colleagues here have no clue about how it will work and whether they would be booked under POSCO or not. The Bill still does not allow abortion on request at any point after pregnancy.

The composition and functioning of the proposed medical boards is at significant departure from the existing realities of the health system. For instance, there is an acute shortfall of almost 75 per cent of gynaecologists at CHC level across the country. In such a scenario, no undue burden should be placed on women and their families to get necessary diagnosis and approval of medical boards. Instead, the medical practitioner and the

health institution accessed by women must be recognised and empowered to provide diagnosis and necessary abortion care. In case of requirement of further expert medical opinion, health institutions and hospitals can establish and seek an opinion of the institutional 'committees' comprising of senior medical officers/Chief Medical Officers, consultants from different departments. This is generally followed for opinions in cases with medical and other complications and should be adhered to. If it is a mandatory medical board, then the composition of the medical board must be reformed to include psychologists and a judicial member which is now absent. Women members must also be part of the process.

Awareness programmes must be implemented, especially at the Panchayat level in rural areas to educate women about their right to medical termination of pregnancy. I would like to request the hon. Health Minister, through you, to address the issue of child pregnancy. We cannot ignore it by saying that it is prevalent only in Western countries.

Sir, though Medical Termination of Pregnancy (Amendment) Bill, 2020 is a step in the right direction, the Government needs to ensure that all norms and standardised protocols in clinical practice to facilitate abortions are followed in health care institutions across the country. Along with that the question of abortion needs to be decided on the basis of human rights, the principles of solid science and in step with advancements in technology. It should allow abortion on request of the woman rather than approval of the medical practitioner or board.

With these words, I conclude.

Thank you.

SHRIMATI SANGEETA KUMARI SINGH DEO (BOLANGIR): Hon. Chairperson, Sir, I rise to support the Medical Termination of Pregnancy (Amendment) Bill, 2020 which seeks to safeguard the physical and mental health as well as the well-being of women by making safe and legal abortion services accessible to them. It also seeks to ensure dignity, confidentiality, reproductive autonomy and justice for women who need to terminate pregnancy.

18.00 hrs

Sir, if we study the evolution of abortion laws in India, we realize that it has taken a period of 106 years for it to evolve from Section 312 of the Indian Penal Code, 1860 which criminalized abortions, to the Dr. Shantilal Shah Committee Report in 1966 which recommended that reproductive laws and abortions needed to be regulated in our country. This resulted in the MTP Act of 1971, which is the parent Act and which for the first time recognized the importance of termination of certain pregnancies by registered medical practitioners. It also recognized, for the first time, the importance of safe, affordable and accessible abortion services for women. As I was saying, if we compare India's position with the rest of the world vis-à-vis abortion laws, we find that the world is essentially divided into two groups.

HON. CHAIRPERSON : If the House permits, we may extend the time till the Bill is passed.

संसदीय कार्य मंत्रालय में राज्य मंत्री तथा भारी उद्योग और लोक उद्यम मंत्रालय में राज्य मंत्री (श्री अर्जुन राम मेघवाल): सर, इस बिल के पास होने तक एक्सटेंड कर दीजिए ।

HON. CHAIRPERSON: Since it is a women's issue, we have to pass it.

SHRIMATI SANGEETA KUMARI SINGH DEO : As I was saying that the world is essentially divided into two major lobbies or groups, one which is pro-life and the other which is pro-choice. According to the data provided by the Ministry of Health & Family Welfare, there are five categories. The first category where abortions are prohibited altogether and this category comprises of 26 countries. The second category permits abortions only to save a woman's life. This theory is followed by 39 countries. The third category is to preserve health which is followed by five countries. Then comes the fourth category which is based on broad social or economic grounds which permits abortion under a broad range of circumstances, acknowledging woman's actual or reasonably foreseeable environment and her social or economic circumstances. India falls into this category. The last and the fifth category is the category which believes that abortions should be performed on request. The gestational limits vary in this category and 67 countries conform to that theory.

During 2017-18, numerous cases and writ petitions were filed in various courts in the country including 26 petitions which were filed in the hon. Supreme Court pertaining to MTP beyond the permissible legal limit of 20 weeks of gestation on the grounds of foetal abnormalities or pregnancies which were a result of sexual violence.

Recent reports have shown that more than 10 women die every day in India due to unsafe abortions. Besides that, eight percent of deaths, as per maternal mortality data, is due to unsafe abortions. A research paper published in the Lancet Global Health said a total of 15.6 million abortions were carried out in India in the year 2015, out of which 11.5 million took place outside the healthcare facilities. These are very alarming figures.

Maternal deaths due to unsafe abortions are preventable if performed by a trained practitioner using safe technology in a conducive

environment. This Medical Termination of Pregnancy (Amendment) Bill, 2020 assumes greater significance as the Sustainable Development Goal for India which aims to bring down the maternal mortality ratio from the current level of 122 per lakh live births to 70 per lakh live births by 2030. Hence, there is a greater need to make legal and safe abortion services available to women by increasing the legal limit of gestational age for abortion.

As regards the amendments in the Bill, the hon. Minister has beautifully clarified all the aspects. As we all know, we have brought about amendments in this Bill proposing requirement for opinion of one Registered Medical Practitioner for termination of pregnancy up to 20 weeks of gestation and requirement of opinion of two Registered Medical Practitioners for termination of pregnancy of 20 weeks to 24 weeks of gestation. If the Registered Medical Practitioner is of the opinion that the continuation of pregnancy may risk the life of the mother or cause grave mental or physical injury to the mother and also, if there is substantial risk of foetal abnormalities, then this abortion can be recommended by him.

What I want to say here is, aborting a 24-week foetus is a huge responsibility and our healthcare systems in rural India are not really equipped to handle that. So, my request to the hon. Minister is that we really have to address it in order to keep the mother safe post this 24-week termination of pregnancy.

The other amendment which has been proposed is about enhancing the upper gestation limit from 20 to 24 weeks for survivors of rape victims, incest minors and other vulnerable women including differently abled women. This was very beautifully brought out by my colleague, Sushri Jyothimoni.

Yet another proposed amendment is that the upper gestation limit will not apply in cases of pregnancies with substantial foetal abnormalities which has been diagnosed by a Medical Board as may be prescribed under the rules made under this Act.

I must say here that the Bill is really progressive. It has come a long way because this amendment, where if pregnancy occurs as a result of failure of contraceptive use by any woman or her partner rather than a married person which was in the earlier Bill, is a revolutionary thing. I must compliment the Government that we are not living in denial. We are seeing what is happening around us and how society is progressing. This will also help a lot of young women to deal with unwanted pregnancies and they will not have to go to some quack to get rid of the pregnancy. At least they will be able to have the pregnancy terminated lawfully and in a safe environment.

Another very sensitive provision which has really appealed to me the most is the privacy or the confidentiality clause. This is going to encourage a lot of people from coming to the proper clinics, proper hospitals, getting proper care and maybe living longer because of this provision of the Bill. I am very happy to see the sensitivity with which the Government has approached this Bill and brought in this clause. The empathy which they have shown towards the welfare of women is absolutely laudable.

I feel that abortion in today's day and age is a right rather than a privilege and MTP is a healthcare service. At least now a woman wanting to terminate an unwanted pregnancy does not have to go to court because, more often than not, when you approach the court, the litigant gets redressal at a much later period when the prescribed gestational period is already over and done with. This Bill will help victims of sexual violence, incest, minors and married women as I have said before. The Bill stands

testimony to the relentless efforts of our hon. Prime Minister to empower women, whether financially, whether by acknowledging their right to work and livelihood, whether by acknowledging their right to education and therefore, a chance for better life and lastly, by acknowledging their right to life, right to health, right to scientific progress, right to privacy and the right to reproductive autonomy.

I absolutely welcome this revolutionary Bill as it goes to show that, since life is dynamic, the laws and Constitution of India need to be regularly amended and upgraded as per the requirement of the day and age we live in.

SHRI GAUTHAM SIGAMANI PON (KALLAKURICHI): Respected Chairperson, Sir, I wish to thank you for giving me the opportunity to speak on The Medical Termination of Pregnancy (Amendment) Bill 2020.

At the outset, as a Medico, I thank the Government for the amendments being proposed in this Bill. This measure is long overdue, and could have been done much earlier. However, the present move is a welcome feature and the Health Ministry, headed by a Medical professional has done a good deed. As such, the technical and clinical skills available in Indian Medical Fraternity can ably act on the provisions extended in this new Amendment Bill.

The amendment proposed, to extend the possibility of termination of pregnancy, of course, in eligible cases with medical conditions, from existing twenty weeks to twenty-four weeks is a welcome step. This extension by four weeks will go a long way in helping out the eligible needy. This extension will help out cases of congenital anomaly, lunatic pregnancy detected late and in cases of rape, unwed, widow pregnancies. This amendment is vital because the detection of congenital anomalies is

detected mostly in around twenty weeks This, in fact, will curtail illegal terminations carried out by quacks and consequent loss of precious lives. This illegal quackery thrives on the fringe four weeks, which drives the victims to take recourse to this extreme and dangerous decision. Extending further is not medically ethical but cases where pleas for special permission to terminate are pending before courts could be acted Upon by constituting an exclusive body to speed up the expert opinions.

As regards the constitution of medical board to rule on eligibility, can I suggest that the Board could be made an all-women board? The Board must have social scientist counsellor also. It is true that medical expertise cannot be divided in man or woman but when it comes to perspective, a woman's viewpoint may be more valid and compassionate. The decisions of the Boards are not just medical and ethical alone; they may have to be humanitarian as well.

Women of this country are a disadvantaged lot and are subjected to unbearable sufferings and humiliations. Of course, there are quite a few voices in this House who, on and off, intervene on their behalf but unfortunately all of them, or most of the voices are of women themselves. We, the Tamilians, are fortunate to hail from a state where the tallest feminist was a man, named Thanthai Periyar E.V.R. The kind of women empowerment he proposed is beyond the comprehension of the people even today. But he spoke in 1920s. For him, the pregnancy and childbirth were exclusive right of woman and they had the last say on those matters. Here was a reformer who could advise the shutting up of birth function itself, to achieve women empowerment and equal right, at par with men. But even today, every move to empower them is resisted in the name of many things, the topmost being religion and its belief system. The issue of unwed pregnancies is a key issue that needs urgent attention. Modern times bring about new problems and handling them need to

be modern as well. Age old patriarchy should be rested. Termination of unwanted pregnancies should be the exclusive decision of the woman concerned and there need not be any external authority or approval to decide that. Hence, its high time an effort is done for legalizing such matters. Thank You.

DR. KAKOLI GHOSH DASTIDAR (BARASAT): Mr. Chairman, Sir, I rise to support the Medical Termination of Pregnancy (Amendment) Bill, 2020.

As the hon. Health Minister is sitting here, I would like to congratulate the Government for the concerted efforts taken by many Ministries together in containing the spread of the Coronavirus. I would like to say that the medical profession is doing a great job in our country. The doctors are working very hard. When schools and colleges are closed and assembly of people is not being allowed, the people in the medical profession are working day in, day out to contain this disease and treat the patients. But they are getting very little pay. Their salary is like that of the Upper Division Clerks. The Minister should think about it. Though this matter is not related to this Bill, I would like to bring this to the attention of the Minister.

Sir, I believe this Bill will take forward the empowerment of women in this country further and establish their right over their reproductive life.

But will the abortus go unsung? As we are talking about 24 weeks in this Bill, as a person who has been working in this field since 1985, as a pioneer in this country for detection of foetal anomalies, and even as a doctor who has worked in Government Hospitals, I would like to point out that hardly anybody in this august House knows the environment of the operation room where these medical termination of pregnancies take place. When we are breaking the ampules of injections, when we are throwing the dirty gloves, and scalpel blades, the abortus is also thrown into the same bucket. At 24 weeks, sometimes the abortus breathes, and sometimes the abortus cries. So, what would be the feeling of the gynaecologist who is throwing this 24 weeks abortus into that bucket of needles and pins? We have to keep in mind that this is definitely for the betterment of women, strengthening their empowerment, and right to their own life.

I would also like to draw the attention of this House to the 17 Sustainable Development Goals and 169 Targets. The third goal is looking at the health of the woman, to reduce maternal mortality rate, and also giving the child a good life. As far as statistics goes, in our country today 56 per cent of abortions are unsafe; out of 6.4 million annual abortions in India, 3.6 million are unsafe resulting in 13 per cent maternal deaths in India, 50,000 all over the world. So, to prevent these maternal deaths, we need safe abortion and that is why this Bill is being brought. As per the provisions of this Bill, a Board will be set up with a Gynaecologist, Paediatrician and a Sonologist. Radiologist should not be there in this Board, because it is the Sonologist who detects the anomalies or the well being of the baby. But alongside it, we should have an Anaesthetist, because sometimes in late abortions, when we are doing MTP, it can either be through induction of labour or through hysterectomy, and in that case, we would require an anaesthetist and we should also have a psychiatrist to counsel the mother whether she is actually looking for it or not. I am

suggesting this because sometimes, after foetal sex determination, a woman is forced to undergo abortion. In our country, we all know about this and we can confirm it from the decline in sex ratio. So, the counsellor should also be there.

Then, I would also like to suggest that Fast Track Courts should be set up to deal with litigations. When a young girl of 11 years is raped, she does not even know what is the meaning of rape, what is the meaning of pregnancy, she cannot even recognise the changes taking place in her body, and it is only after 3-4 months her mother recognises certain changes and takes her to a doctor. At that time, she has already passed 20 weeks when the doctor sends her to the court, the court takes another 2 months and so, by the time the permission is granted, it is already so late and it endangers her life. Therefore, Fast Track Courts must be set up particularly in cases where young girls have been raped and exposed to violence or incest. Then, there are cases in which medical conditions co-exist in the mother.

The blood volume increases in pregnancy, we all know, 12 times. If the heart starts failing in later pregnancy, cardiac failure sets in, renal failure sets in. Then, they can be given permission for 24 weeks. Otherwise, I would feel that it should be limited to 22 weeks because till then, the foetus is not so viable. Twenty-four weeks is actually viable when the mother can feel the kick of the child inside her tummy, and a bond has already been set up.

As far as ultrasound goes, being a pioneer in the country in the field, I know that major anomalies like anencephaly, gastroschisis, ectopia cordis and renal agenesis can be detected as early as 14 to 16 weeks. So, we can make it mandatory in district hospitals for all pregnant women. We can institutionalise delivery. In West Bengal, now, we have 98 per cent

institutional deliveries. Maternal mortality has come down to 113 in West Bengal.

I am sure that we can also institutionalise pregnant women to go into the district hospitals for ultrasound scan at 16 to 18 weeks when all anomalies can be seen, and an anomalous foetus can be aborted and it should be aborted because it is incompatible with life. That can happen by 18 to 20 weeks. So, maternal disease or foetal disease is a good reason for the abortees to be taken out even at 24 weeks. Rape cases or cases of violence can be taken out at 24 weeks. But for all other cases where the choice is with the mothers, they can easily choose early from 18 weeks, from 20 weeks so that we do not have to take upon ourselves the murder of a child, who was breathing when it was taken out. Instead of two registered medical practitioners, there should be actually two specialist gynaecologists for their opinion when the abortion is being taken up to 24 weeks.

Besides this, in case of rubella and other diseases, which can expose the child to disease and incompatibility in life, then also we can extend this up to 24 weeks.

However, this is an excellent attempt. It is a very good proposal that the right of the woman is being recognised and she is being given her own choice towards her reproductive health.

With these words, I conclude. Thank you.

KUMARI GODDETI MADHAVI (ARAKU): Hon. Chairperson, first of all, I would like to thank you for allowing me to speak on the Medical

Termination of Pregnancy (Amendment) Bill, 2020.

At the outset, I would like to thank the Government for bringing this progressive Bill, which is truly the need of the hour.

As we all know, this Bill amends the Medical Termination of Pregnancy Act, 1971, which provides for the termination of certain pregnancies by registered medical practitioners. It seeks to add the definition of termination of pregnancy to mean a procedure undertaken to terminate a pregnancy by using medical or surgical methods.

Under the 1971 Act, a pregnancy may be terminated within 12 weeks if a registered medical practitioner is of the opinion that continuation of the pregnancy may risk the life of the mother, or cause grave injury to her health or there is a substantial risk that the child, if born, would suffer physical or mental abnormalities. For termination of a pregnancy between 12 to 20 weeks, two medical practitioners are required to give their opinion.

The current Bill amends this provision to state that a pregnancy may be terminated within 20 weeks with the opinion of one registered medical practitioner. Approval of two registered medical practitioners will be required for the termination of pregnancies between 20 to 24 weeks.

The termination of pregnancies up to 24 weeks will apply to specific categories of women as may be prescribed by the Central Government. Further, the Central Government will notify the norms for the medical practitioners, whose opinion is required for termination of the pregnancy.

Another point is that under the earlier Act, if any pregnancy occurs as a result of failure of any device or method used by a married woman or her husband to limit the number of children, such an unwanted pregnancy may constitute a grave injury to the mental health of the pregnant woman. The Bill amends this provision to replace 'married woman or her husband' with

‘woman or her partner’. This is also a welcome step, especially, in this day and age of increasing live-in partnerships.

Chairman, Sir, another major point that the Bill seeks to improve is the Constitution of a Medical Board. The Bill states that the upper limit of termination of pregnancy will not apply in cases where such termination is necessary due to the diagnosis of substantial foetal abnormalities. These abnormalities will be diagnosed by a Medical Board. Under the Bill, every State Government is required to constitute a Medical Board. These Medical Boards will consist of a gynaecologist, a paediatrician, a sonologist or any other member as may be notified by the State Government. The Bill states that the Central Government will notify the powers and functions of these Medical Boards. We hope that the Central Government will give more powers to the State Government to notify the powers and functions of these Medical Boards in the interest of cooperative federalism.

Protection of privacy by law is also another important aspect of this Bill. The Bill states that no registered medical practitioner will be allowed to reveal the name and other particulars of a woman whose pregnancy has been terminated except to a person authorised by any law. Anyone who contravenes this provision will be punishable with imprisonment of upto one year or with a fine or both.

In all, I congratulate the Government for bringing this Bill while at the same time request the Government to ensure that all norms and standardised protocols in clinical practices are followed throughout the country. Also, the clinics do not encourage the proliferation of sex determination centres and female infanticide.

श्री चंदेश्वर प्रसाद (जहानाबाद): अध्यक्ष महोदय, आपने मुझे गर्भ का चिकित्सकीय समापन संशोधन विधेयक, 2020 पर चर्चा में भाग लेने की अनुमति दी है। धन्यवाद।

महोदय, सरकार इस अधिनियम, 1971 के खण्ड-34 की धारा 2 को संशोधित कर रही है, जिसमें गर्भपात की समय सीमा पहले 12 सप्ताह थी, उसे बढ़ाकर 20 सप्ताह और 24 सप्ताह किया गया है। कई अन्य संशोधन भी किए गए हैं। यह काम मुख्यतः मेडिकल रिसर्च और आज के आधुनिक चिकित्सा प्रणाली के आधार पर किया गया है। यह नितांत आवश्यक भी हो गया था। महोदय, इस गर्भपात के लिए महिलाओं को कोर्ट जाना पड़ रहा है। वहां से आदेश लेना पड़ता है। अतः अब उसे कानूनी वैधता प्रदान की जा रही है।

महोदय, गर्भपात एक व्यवसाय भी बन गया है। वे डॉक्टर्स जो सक्षम नहीं हैं, वे भी एमटीपी करवा देते हैं, बच्चे पैदा करवा देते हैं। महोदय, गांवों और देहातों की स्थिति तो और भी दयनीय है। वहां झोलाछाप डॉक्टर्स एवं छोटे-छोटे नर्सिंग होम्स ने व्यवसाय चला रखा है। मेरा मानना है कि उससे नियमन में लगाम लगेगी।

महोदय, अब 20 सप्ताह के गर्भपात के लिए एक पंजीकृत चिकित्सक की राय आवश्यक होगी। किसी भी परिस्थिति में भ्रूण परीक्षण नहीं हो, इसके लिए कठोर दण्ड का प्रावधान है। निजता की सुरक्षा एवं किसी भी परिस्थिति में गर्भपात कराने वाले का नाम उजागर नहीं करने की शर्तें हैं। यह बिल स्त्रियों की सुरक्षा और कल्याण के प्रति एक कदम है। यह स्त्रियों की सुरक्षा और देखरेख की क्वालिटी से समझौता किए बिना, सुरक्षित और विधिक गर्भपात तक स्त्रियों के दायरे और पहुंच को बढ़ाएगा।

यह बिल ऐसी स्त्रियों, जिन्हें गर्भ समापन की आवश्यकता है, के सम्मान, स्वायत्तता, गोपनीयता और न्याय को भी सुनिश्चित करेगा और गर्भपात कराने वाले स्त्रियों के जीवन को भी सुरक्षित करेगा। किसी भी परिस्थिति में अगर उसकी मृत्यु होती है तो मेरी मांग है कि सरकार उसे पूरा मुआवजा दे। ऐसी कुछ स्टडीज आई हैं कि एमटीपी में करीब 10 से 13 प्रतिशत तक मृत्यु हो जाती है, जो असुरक्षित गर्भपात के कारण होती है, अब उस पर काबू पाया जा सकता है।

महोदय, नाबालिग लड़कियों के गर्भपात में उसके अभिभावक की मंजूरी आवश्यक होगी । दिव्यांग स्त्रियों, मानसिक रूप से विक्षिप्त स्त्रियों, बलात्कार पीड़ित महिलाओं आदि के लिए भी सुरक्षित नियमन होगा । अब सुरक्षित गर्भपात सुनिश्चित होगा । अब किसी भी प्रकार के असुरक्षित गर्भपात की स्थिति में बदलाव होने जा रहा है । एक मेडिकल रिपोर्ट के अनुसार असुरक्षित गर्भपात के कारण करीब 56 प्रतिशत महिलाओं की मौत हो जाती है । अतः सरकार का यह कदम काफी सराहनीय है ।

महोदय, मैं एक बात सरकार के संज्ञान में लाना चाहता हूं । कभी-कभी देखा जाता है कि किराये की कोख पर जिन महिलाओं से समझौता होता है, उनके साथ धोखा होता है, अतः सरकार उस पर भी नजर रखे । इस प्रकार के केसेज को इस नियमन से पूरी तरह अलग रखा जाए । कुछ राज्यों में गर्भपात की वार्षिक संख्या काफी अधिक है, उन राज्यों में इस नियमन का काफी फायदा होगा । पिछले तीन वर्षों में अखिल भारतीय स्तर पर गर्भपात की आधिकारिक संख्या 45 लाख 24 हजार रही है ।

महोदय, सरकार का ध्यान मैं एक विसंगति की ओर दिलाना चाहता हूं । जन्म के समय ही विकृत बच्चे पैदा होते हैं और जन्मजात विसंगतियों के साथ पैदा होते हैं । अगर इसके परीक्षण और उक्त गर्भपात की इजाजत के साथ इसका दुरुपयोग होगा तो लिंग परीक्षण का काम पुनः प्रारम्भ हो जाएगा, जो कदापि उचित नहीं होगा । अतः इस बिन्दु की पूरी तरह व्याख्या करनी चाहिए और इसके लिए दण्ड का प्रावधान करना चाहिए कि कहीं कानून का कोई अनुचित लाभ तो नहीं लिया जा रहा है ।

महोदय, आईवीएफ के नाम पर भी काफी धांधली होती है । ट्रीटमेंट के नाम पर, बच्चा पैदा करने के नाम पर भी गर्भपात करवाया जाता है । अन्त में, मेरा एक सुझाव है कि बार-बार गर्भपात

कराने वाले स्त्रियों को एक या दो से अधिक गर्भपात कराने की इजाजत नहीं होनी चाहिए, क्योंकि इससे उसकी मृत्यु का खतरा बढ़ जाता है । यह हमारी भारतीय संस्कृति को भी दूषित करने का अवसर दे सकता है । अतः मेरा सुझाव है कि एक महिला को दो से अधिक गर्भपात कराना कानूनी रूप से अमान्य हो । मैं इस बिल का समर्थन करता हूँ । धन्यवाद ।

DR. AMOL RAMSING KOLHE (SHIRUR): I must congratulate the Government on getting several things right in this Medical Termination of Pregnancy (Amendment) Bill, 2020 and especially for raising the upper limit of gestational age of legal abortions from 20 weeks to 24 weeks for special categories of women and completely removing the upper gestational limit for substantial foetal anomalies.

But I would like to ask what will be the provision of MTP if the gestational age crosses 24 weeks because of judicial delays and if some provision can be made for fast track courts to avoid such complications.

This Bill also mentions of constitution of a medical board by the State Government to diagnose substantial foetal anomalies which will comprise of a gynaecologist, a paediatrician, a radiologist but I would like to recommend that there should be a inclusion of a psychiatrist to take care of the psychological trauma of the female. I would also like to ask if such board can be constituted not only at the State level but also at the district level and the board should be compelled to furnish its report within 48 to 72 hours to avoid further delays.

I would like to appreciate the positive inclusion of all women instead of just married ones and also appreciate the sensitivity shown by the confidentiality clause. The Bill strikes out the need of opinion of second medical practitioner for termination of pregnancy upto 20 weeks. I would like to put it on record. Is there any provision to avoid increase in female foeticide by misuse of this provision? The Government should ensure all norms and standardised protocols in clinical practice to be followed in healthcare institutions across the country. It is because as per the report published in Lancet Journal, only 22 per cent of 15.6 million abortions took place in healthcare facilities which mean approximately 11.5 million women faced the risk of unsafe abortion and complications.

So, there is a need for more providers at lower level of healthcare delivery system like out of around six lakh MBBS doctors, only 90,000 are trained to provide abortion services. Can the training requirement, which is traditionally of 12 weeks, as per the current law, be reduced to fewer days? This will make more doctors to be eligible to render services. That should be looked upon.

Also, 90 per cent of the abortions take place before 12 weeks of pregnancy through a combination of oral pills. Can the ANMs and nurses be trained to prescribe these oral pills and to take safe services to the doorsteps of the needy? Also, over the counter sale of MTP pills should be banned strictly to safeguard the interests of needy women. It is also shocking to know that there is very low awareness in our country that abortion is legal in India. So, the Government should take measures to spread awareness and also ensure basic quality services like contraception, safe delivery and abortion.

To conclude हमेशा बोला जाता है, “यत्र नार्यस्तु पूजयन्ते, रमन्ते तत्र देवताः ।” लेकिन वक्त आ गया है कि सिर्फ नारी का नहीं, नारीत्व का भी सम्मान होना

चाहिए और नारीत्व का सम्मान तभी होगा जब abortions should be made as a right and should be available on request to women at least up to 12 weeks of gestation. Thank you.

SHRI RITESH PANDEY (AMBEDKAR NAGAR): Sir, I would request you to give me five minutes time for this and I would not take a second longer.

HON. CHAIRPERSON : You take three minutes.

SHRI RITESH PANDEY : Sir, I welcome the Medical Terminal of Pregnancy (Amendment) Bill, 2020 as it seeks to increase access to safe abortions, especially for women who have suffered from sexual abuse, and for pregnancies with foetal abnormalities. We are now among the countries with the highest upper gestational limit, and that is truly commendable.

However, there are certain issues that I would like to bring to the attention of this Government, especially the hon. Health Minister and the hon. Law and Justice Minister. As it stands today, abortion is criminalised under Section 312 of the Indian Penal Code, except under the provisions of the MTP Act 1971 and its subsequent amendments.

The first and the foremost is that India must decriminalise abortion. Criminalising abortion is not only a mark of our legal system's perplexing and continued post-colonial hangover, it is also an infringement of a woman's reproductive rights.

Right now, the rule is that abortion is criminal and the exception to the rule is the MTP Act. We must make access to safe abortions the norm. We may, of course, seek only to criminalise abortions in certain exceptional circumstances, such as abortions performed without the consent of the pregnant person as well as sex-selective abortions.

Criminalisation stigmatizes abortions and those seeking it, thereby hindering access to medically safe abortions for young girls and women from marginalised populations of this country. This stigmatization forces women to seek unsafe abortions which are often carried out at unregistered facilities by unqualified practitioners.

This is especially true because medical practitioners are less likely to perform even legal abortions due to fear of persecution. This reluctance by medical practitioners explains why women and girls continue to seek judicial authorisation for even those abortion procedures that are legal.

The biggest issue with this particular Bill is that our abortion laws are doctor-centric and do not consider abortion as a fundamental right. The Bill places the onus on the doctor or on the registered medical practitioner to determine the legitimacy of a woman's request to terminate her pregnancy. It does not pay heed to the fact that legal safe abortions are a woman's fundamental right as held by Article 21 of the Constitution.

In the landmark nine-Bench judgement of the Supreme Court of India in *KS Puttaswamy vs Union of India*, Justice Chandrachud states that the right to make reproductive choices is a woman's Constitutional right, and that right is an ingredient of personal liberty under Article 21 of the Constitution.

Sir, I will take one more minute and I will conclude.

Justice Chandrachud states that family marriage, procreation and sexual orientation are all integral to the dignity of the individual.

Similarly, Justice Chelameshwar in his opinion unequivocally stated that a 'woman's freedom of choice whether to bear a child or abort her pregnancy are areas which fall under the realm of privacy'.

Finally, this law should apply to pregnant ‘persons’ and not just pregnant ‘women’. Sir, I repeat this that this law should apply to pregnant ‘persons’ and not just pregnant ‘women’. The proposed legislation uses the word ‘women’ throughout whereas access to safe abortions is critical for transgender – a Bill that you have just passed giving them rights as individuals – inter-sex and gender diverse persons. Therefore, I suggest that the word ‘women’ should be replaced by ‘persons’.

In conclusion, hon. Health Minister and hon. Law and Justice Minister, I believe that the time has now come for India to be among the stalwarts of the reproductive rights movement. Keeping the autonomy of Indian women and gender diverse persons in mind, India’s abortion law must be completely re-drafted with a gender justice and public health access framework in mind.

DR. RAJASHREE MALLICK (JAGATSINGHPUR): Hon. Chairperson, Sir, thank you for giving me an opportunity to speak a few words on the Medical Termination of Pregnancy (Amendment) Bill, 2020.

As our hon. Chief Minister is very much concerned about the empowerment of women, the Government of India is also very conscious and aware about various women-related issues in every respect.

Some recent reports have shown that more than 10 women die every day due to unsafe abortion in India and backward abortion laws only contribute to women seeking illegal and unsafe abortion. If we see, the European Union has no Common Law in respect of abortion whereas some countries like Nicaragua, El Salvador, Honduras and Malta have complete bans on abortions. According to a BBC report, Cuba and Uruguay are the

only two countries in Latin America region where women can have abortion during the first 12 weeks of pregnancy regardless of the circumstances.

The existing Medical Termination of Pregnancy Act of 1971 sought to liberalise the British Era laws, which were very strict in nature and were in existence for over a century. Before the 1971 Act, abortion was a crime for which the mother as well as the abortionist could be punished except where it had to be induced in order to save the life of the mother.

According to a 2015 report of the Indian Journal of Medical Ethics, 10 to 13 per cent of maternal deaths in India are due to unsafe abortions. If women are not allowed to terminate their pregnancy legally after 20 weeks, they will either go abroad for abortion or terminate it illegally, which will lead to unsafe pregnancy.

Sir, I am very happy that the Government is very much serious on this matter and has come up with certain health measures by bringing in amendments to the Medical Termination of Pregnancy Act. The proposed amendments to Medical Termination of Pregnancy Act of 1971 focus on improving the scope of legal access to MTP for special category of women. It allows abortions when there is danger to the life of a woman or risk to the physical and mental health of the woman. It also allows abortion on humanitarian grounds such as when pregnancy arises from a sex crime like rape or intercourse with a lunatic woman or on eugenic grounds, where there is substantial risk that the child, if born, would suffer from deformities and disabilities.

Extending the gestation period beyond 20 weeks can lead to better detection and hence, abortion of foetuses with abnormalities as “anomaly scan conducted at or after the 20th week of pregnancy gives the exact picture whether the foetus is suffering from Down Syndrome, congenital

malformation or any other abnormalities. Science has moved on. Now, pregnancy can be terminated up to 24 weeks where it is necessary to save the life of the pregnant women.

I am very much thankful to the hon. Prime Minister, Shri Narendra Modi that his Cabinet has approved amendments to the MTP Act taking abortion limit to 24 weeks instead of 20 weeks. It will help India join a select club of nations. The only condition will be that the woman has to seek permission from two doctors, including a Government doctor for this procedure.

According to 2017 data, only seven out of 59 countries allow elective abortions after 20 weeks.

Now, the proposed increase in gestational age will ensure dignity, autonomy, confidentiality and justice for women who need to terminate pregnancy.

Thank you.

SHRI FEROZE VARUN GANDHI (PILIBHIT): Sir, I rise to speak on the Medical Termination of Pregnancy (Amendment) Bill, 2020. It is a privilege for me to speak on one of the most progressive pieces of legislation that I have come across in my 11 years here.

I feel that as a man, it is very important for men to participate in discussions and debates around women and gender justice issues so that they do not remain enclaves just for women because if we are to achieve

gender justice and gender parity, then men will have to see themselves as equal partners in this fight.

At the heart of this Bill lies a philosophical question which is: Should women have total control over their bodies? In the year 2020, the answer must be an emphatic yes. When we look at what the honourable lady said before me – I do not want to repeat too much – in countries like Ireland, El Salvador and Chile, there are laws which say that women who abort a foetus have to serve 14 years in prison. It is extremely shocking. It is nothing but institutionalised violence against women.

I do not want to speak what has been spoken before. Instead, I want to congratulate the Government on two or three things that they have done to elevate the atmosphere around this Bill, before I start speaking on it. The first one is expanding the provider base, which is in order to increase the availability of safe and legal abortion services, they have sought to increase the base of MTP providers by including those medical practitioners in Ayurveda or homoeopathy who have ob/gyn training and training in abortion services. I would also like to thank the hon. Health Minister for particularly laying emphasis on working with the National Health System's Resource Centre to develop modern training packages for the Accredited Social Health Activists, which we call the ASHA, to enable to provide the required information to women at the community level. I also want to say that they have used nurses, for the first time that have been registered with the Nursing Council of India, to add support and also auxiliary nurse, midwife.

Let us look at the statistics around this issue. Why is it of utmost importance? According to the International Institute for Population Sciences, Mumbai; Population Council, Delhi; and the Guttmacher Institute, New York, we add up the incidents of unwanted pregnancies in

India. With respect to incest rape survivors, minors and differently-able women, what do we find? Over 19,000 children were raped in India last year. Six per cent of them became pregnant, that is, 1,140 children have already lost their childhood. Do we really want to punish them further more? This Bill seeks to lift a large part of the burden that was on them. Of these 19,000 young girls and children, 80 per cent were raped by somebody that they knew. When we look at victims of incest, NCRB statistics say that of the 34,000 rapes that have been reported last year in our nation, five to six per cent are incest-based. Now, it is important to understand that this will always be under-reported because if I am raped by my cousin, brother or father, the social stigma is so horrific that I am obviously not going to go to a police station and record that this has happened to me.

But the fact remains that almost 18 per cent of those who have been raped in an incestuous manner are likely to become pregnant and that is 408 girls last year in terms of number. This is going to be a game changer in the way that this burden and social stigma logistically is addressed if not societally.

The differently-abled statistics, we will never fully know because they are the most vulnerable of any people in society. If a differently-abled person is raped or molested how on earth is she going to have the confidence? Sometimes they cannot even express themselves properly. There are 250 cases just last year that have culminated in pregnancy.

If there is a risk of physical or mental abnormality, I think, the Government has wisely looked at this. There have been 175,000 children who were born last year with severe retardation, cerebral palsy and severe birth defects.

The onus on deciding whether that child should live or not does not lie with the Government of India. It lies with the parents. However, the fact

that the Government has extended to them this difficult but important option is something that the Government must get a lot of credit for. It has not been done before.

The Bill also takes into cognizance the importance of the fact that more than 35,000 pregnant women die while giving birth every year in our country. There is a substantial amount of information to tell us that there is a known risk to the life of the pregnant woman or a grave injury which she knows about when delivering her baby. So, the fact remains that this Bill will give her the option of staying alive and remaining healthy.

The Bill also maturely and realistically looks at the socio-economic complexity of modern life where a pregnancy may occur as a result of the failure of birth control. This is the reality of our times. Now, this may be seen to be an unwanted situation which can impact the family or the person concerned in several different ways. Unfortunately, it is the woman in such a situation who is more often than not blamed for such a situation. In ensuring confidentiality the Bill does well to protect what could be a socially and morally awkward time for the woman.

I would like to thank the Government, the Prime Minister, hon. Minister in amending the previous Bill and bringing forth this Bill which will take our nation one step forward in ensuring the dignity of the Indian women. After agriculturists and lawyers, the biggest listed profession in this House is that of medical practitioners. Thus, I hope that the House would pass this Bill in one voice. Thank you.

ADV. DEAN KURIAKOSE (IDUKKI): Mr. Chairman, Sir, thank you for giving me this opportunity to participate in the discussion on this important

Bill.

First of all, I would say I am opposing this Bill. I am opposing the contents of these amendments. I am sorry to say that and please do not misunderstand me. It is because personally I am against the concept of unrestricted abortions. Already, figures show that more than 15.60 million of abortions take place every year in our country. This is 21 times higher than the official data of Government of India.

Our colleagues have already mentioned here that 10 to 13 per cent of maternal deaths in India are due to unsafe abortions. It is the third highest cause of maternal deaths in India. Abortion is a crime against humanity. According to 2017 data, out of 59 countries that allowed elective abortions, only seven countries, like Canada, China, the Netherlands, North Korea, Singapore, the United States and Vietnam, permitted the procedure of abortion after 20 weeks.

Sir, a pre-term baby at 24 weeks is one with a good chance of survival, making the child a citizen. An unborn baby's heart begins to beat 18 to 21 days after the fertilisation and brain waves can be detected as early as 40 days after conception. By 24 weeks, the pregnancy completes second trimester, which means a complete child has grown up inside the womb. Permitting termination till that extent virtually implies legalisation of murder.

The State shall not discriminate persons who have taken birth and persons who are still in the wombs of mothers and permitting to murder a person still in the womb amount to violation of Articles 14 and 21.

Sir, I am going through the new amendments, that is, the following sub-sections shall be substituted, namely:—

"(2) Subject to the provisions of sub-section (4), a pregnancy may be terminated by a registered medical practitioner,—
(a) where the length of the pregnancy does not exceed twenty weeks, if such medical practitioner is, or
(b) where the length of the pregnancy exceeds twenty weeks but does not exceed twenty-four weeks in case of such category of woman as may be prescribed by rules made under this Act, if not less than two registered medical practitioners."

Sir, I cannot understand the benefit of this amendment. As per the existing 1971 Act, two medical practitioners' certification is needed for abortion upto 20 weeks. Now, upto 20 weeks, according to this new amendment, only one medical practitioner's suggestion or certification is needed.

Sir, there is substantial difference in effect between the individual opinion of one doctor and collective opinion of more than one doctor. Apart from the advantage of having a second opinion before eliminating a life, we are creating a situation vulnerable to corruption and malpractices by making such relaxation.

Sir, I am going through 1 to Sections 3(2) of this proposed amendment which reads as under:-

"For the purposes of clause (a), where any pregnancy occurs as a result of failure of any device or method used by any woman or her partner for the purpose of limiting the number of children or preventing pregnancy, the anguish caused by such pregnancy may be presumed to constitute a grave injury to the mental health of the pregnant woman."

Sir, according to this explanation, if a woman or her partner do not like continuation of pregnancy, they can come forward and can have the

abortion.

Sir, Section 5 is there. I am giving another suggestion.

Section 5(A) reads as follows:-

“5A. (1) No registered medical practitioner shall reveal the name and other particulars of a woman whose pregnancy has been terminated under this Act except to a person authorised by any law for the time being in force.

) Whoever contravenes the provisions of sub-section (1) shall be punishable with imprisonment which may extend to one year, or with fine, or with both.”

I am suggesting that any medical practitioner who is supporting unrestricted abortion by providing fake certificates, that medical practitioner should be legally punished. That is my suggestion.

Sir, the proposed legislation will cause large-scale pregnancy termination without any reasonable restriction or statutory control. I suspect that there is some ulterior corporate interest behind this legislation. There is an outcry from various parts of the world against using aborted fetal tissues in cosmetics like anti-aging cream and skin-cell proteins. There are data to show that embryo extracts are being used in cosmetic manufacturing. Ultimately, enhanced number of pregnancy terminations will help this industry at the risk of human life and also help the corporate in the medical service field.

DR. SHRIKANT EKNATH SHINDE (KALYAN): Thank you for giving me an opportunity to participate in the debate on the Medical Termination of Pregnancy (Amendment) Bill, 2020 which, once passed, will bring about

socio-economic development and further the cause of reproductive rights of women of our country.

19.00 hrs

The Government has brought this Bill to amend the original Medical Termination of Pregnancy Act, 1971. India is one of the first few countries to legalize abortions on the recommendation of Dr. Shantilal Shah Committee Report, 1966. Before 1971, both abortion-seekers and providers were liable for prosecution under the IPC.

The original Act of 1971 legalizes induced abortion up to 20 weeks of gestation, de-criminalizes abortion-seeker, and offers protection to medical practitioners if abortion is performed as per provisions of the Act. MTP can be performed up to 20 weeks of pregnancy, and requires the opinion of one RMP and for pregnancies up to 12 weeks requires the opinion of two RMPs. I congratulate the Government and the Minister for bringing this amendment as India will now stand amongst nations with a highly progressive law, which allows legal abortions on a broad range of therapeutic, humanitarian and social grounds.

Now, I would like to bring some facts regarding abortion in India to the knowledge of this House. The Sustainable Development Goal for India aims to bring down the Maternal Mortality Ratio from the present level of 122 per 1,00,000 live births to 70 per 1,00,000 live births by 2030. A 2015 study in the Indian Journal of Medical Ethics has observed that 10-13 per cent of maternal deaths in India can be attributed to unsafe abortions.

The first large-scale study on abortions and unintended pregnancies conducted by '*The Lancet*' in 2017 said that one in three of 48.1 million

pregnancies in India end in an abortion with 15.6 million taking place in 2015. *Guttmacher Study* of 2017 shows that around 56 percent of abortions in India are conducted illegally.

The much bigger reason to commend the proposed amendment is its recognition that even unmarried women are entitled to seek legal abortions, but this brings to the fore several ground level issues. Firstly, the annual number of abortions in the country is massive -- over 15 million -- constituting 33 per cent of total annual pregnancies in the country.

HON. CHAIRPERSON: Please conclude now.

DR. SHRIKANT EKNATH SHINDE : Sir, I am the only speaker from my Party.

HON. CHAIRPERSON: Yes, but you were allotted three minutes to speak.

DR. SHRIKANT EKNATH SHINDE : There is overwhelming reliance -- both in urban and rural areas -- on medical terminations as opposed to surgical methods by ingesting pills from a kit over 1-3 days. The 24-week modification will help a group of women who discover fetal abnormalities after 20 weeks or belong to defined vulnerable groups. Such women have access to doctors, but there are concerns about those who have no access to doctors.

HON. CHAIRPERSON: Please conclude now.

DR. SHRIKANT EKNATH SHINDE : Sir, I have not taken 3 minutes to speak.

HON. CHAIRPERSON: You have already exhausted your three minutes.

DR. SHRIKANT EKNATH SHINDE : Millions of rural women who have never had access to safe and transparent route to abortion or victims of

incest and rape have to resort to unsafe abortion to maintain secrecy, and even married women become desperate to end an unwanted pregnancy.

Given the social and cultural milieu in the country, it is natural for women to rely on informal providers to access abortion pills. If these pills do not work, then the woman goes to or is taken to an unqualified practitioner who usually administers an oxytocin injection, performs dilation, and advises consulting a doctor if bleeding persists. The doctor uses a suction apparatus to evacuate the uterus. But where are the doctors in rural areas? This procedure costs anywhere between Rs. 2,000 in rural areas and around Rs. 10,000 in urban areas. So, it is a very welcome step by the Government.

The Indian Medical Association and the Federation of Obstetrics and Gynaecology Societies of India says things in favour of reproductive rights of women as many of them in India come to know about their pregnancy usually after five months, especially, unmarried ones.

HON. CHAIRPERSON: Please conclude now.

DR. SHRIKANT EKNATH SHINDE : Sir, I am concluding.

In fact, foetal abnormalities show up only after 18 weeks, which makes the two weeks window too small for parents to take a difficult call on whether to keep the baby. Currently, women wanting abortions after 20 weeks are made to approach the court and go through such kind of trauma. The proposed changes would, therefore, give the much-needed relief and save huge expenses.

I have got to mention a few suggestions. As regards delay in the process, a recent study by the Centre for Reproductive Rights analysed 35 decisions from the Indian courts where women were forced to seek

permission to undergo an abortion. The Report found that the judicial and medical board authorization requirements endanger women's life.

HON. CHAIRPERSON: The next speaker is Shri Prabhakar Reddy.

... (*Interruptions*)

DR. SHRIKANT EKNATH SHINDE : There are also conflicts between laws.

HON. CHAIRPERSON: Please conclude now.

DR. SHRIKANT EKNATH SHINDE : Yes, Sir, I am concluding. I am making my last point. The MTP Act also reflects the prevalent siloed approach within the Government and NGO lobbies. The misuse of the provisions under the PCPNDT Act allows illegitimate harassment of medical professionals providing abortion services under the MTP Act. There are too few gynaecologists in India. For abortion between 12 and 20 weeks, two registered medical practitioners must establish that abortion is permissible under law. Rural India has 75 per cent shortage of gynaecologists and obstetricians with 85 per cent specialist positions, according to a 2019-20 report of a research organisation.

With these words, I conclude.

SHRI KOTHA PRABHAKAR REDDY (MEDAK): Sir, thank you very much for giving me an opportunity to speak in the House today on this very important Bill concerning women.

The proposed Medical Termination of Pregnancy (Amendment) Bill, 2020 is the need of the hour and it is a welcome measure. As we all know

at present, there is a lack of autonomy for women to take a decision to terminate their pregnancy. There is also additional mental stress, apart from financial burden.

Steps may be taken to ensure dignity, autonomy and confidentiality of women, who need to terminate pregnancy and to strengthen reproductive rights of women with the access of safe and legal abortion services. Steps may be taken to strengthen access to comprehensive abortion care, under strict conditions, without compromising services and quality of safe abortion towards safety and well-being of women. This will help such women on grounds of foetal abnormalities or pregnancies due to sexual violence faced by women. As a precautionary measure, opinion of at least two doctors for termination of pregnancy up to 20 weeks may be considered.

I am also pained to say that more than 10 women die everyday due to unsafe abortions in our country which need to be avoided in future. Hence, proper awareness may be created about this Bill and its implementation in the society through television, newspapers and also through other means of media.

Finally, I want to say that we have to recognise women's right before taking any final decision by ensuring the fundamental right to privacy. With these words, I would like to conclude my speech.

SHRI P. RAVEENDRANATH KUMAR (THENI): Thank you, Chairperson, Sir, I thank you for giving me the opportunity. It is pertinent to mention here that globally, around 47,000 women die annually as a result of unsafe abortions, according to the United Nations. Particularly, 56 per cent of abortions performed in India are unsafe, which is one of the reasons

for the increase in pregnant mortality. Therefore, the amendment introduced in the main Act would pave way for regularizing the termination of pregnancy, particularly for victims of sexual harassment.

I would like to bring to the notice of the Government that there is a shortage of gynaecologists and obstetricians, particularly in rural areas and there is significant number of vacant positions for specialists in community health centres. Hence, I would like to request the hon. Minister at this moment to take necessary action to increase the number of gynaecologists, paediatricians and radiologists, especially in community health centres, besides increasing the number of seats in medical colleges.

I welcome that the amendment provides that no registered medical practitioner will be allowed to reveal the name and other particulars of a women whose pregnancy has been terminated, except to a person authorised by any law.

Safe abortion services as per law remains inaccessible to the rural and underprivileged areas, despite such services being provided free by the Government. Accordingly, I urge the Government to take appropriate action to prevent illegal abortion centres, particularly in underprivileged areas.

I am confident that this Bill, under the leadership of our hon. Prime Minister, Shri Narendra Modi ji, is a very good step taken by the Government towards safety and well-being of women of our country.

श्रीमती जसकौर मीना (दौसा) : सभापति महोदय, मुझे आपने एक बहुत ही महत्वपूर्ण बिल पर बोलने का मौका दिया है, उसके लिए मैं आपको बहुत-बहुत धन्यवाद देती हूँ। मैं गर्भ का चिकित्सकीय समापन (संशोधन) विधेयक, 2020 के

समर्थन में अपनी बात कहना चाहता हूं। लेकिन धरातल में हिन्दू विचारधारा और भारतीय संस्कृति को ध्यान में रखते हुए, मैं यहां पर अपनी बात इसलिए रखना चाहती हूं कि लोक कल्याण की विधायिका, पथ प्रदर्शिका और संरक्षिका शक्ति का नाम ही नारी है। आज भी भारतीय नारी अपने स्वरूप को धारण किए हुए है। लेकिन हम आदिकाल से नारी जाति पर समाज कंटकों के दुर्व्यवहार की घटनाएं सुनते आए हैं। माता सीता का हरण किया गया था, वह भी एक दुर्बसनी व्यक्ति रावण ने ही किया था। यदि महाभारत की द्रौपदी के बारे में देखते हैं, तो वहां भी एक नारी का अपमान हुआ था। यदि हम माता कुंती और पुत्र कर्ण को देखते हैं, तो वह भी घटना इसी संदर्भ में आदि काल में घटित हुई थी। यदि आधुनिक काल में निर्भया की बात करते हैं, तो यह भी एक बहुत बड़ा दुष्कर्म महिला जाति पर हुआ है।

मैं आपसे यह निवेदन करना चाहती हूं कि इसी तरह से घरेलू व्यवहार में भी बेटी सुरक्षित नहीं है। चाहे पिता के संरक्षण में हो, चाहे भाई के संरक्षण में हो, चाहे पति के संरक्षण में हो और चाहे पुत्र के संरक्षण में हो, आज वहां भी हमारी नारी जाति सुरक्षित नहीं है। इन सभी बातों को मद्देनज़र रखते हुए भारत सरकार और हमारे यशस्वी प्रधान मंत्री जी ने यहां पर यह संशोधन विधेयक इसलिए पेश किया है, ताकि इस तरह के दुष्ट लोगों से पीड़ित महिलाएं कहीं न कहीं सम्मान और संरक्षण पा सकें। मैं आपसे यह निवेदन करना चाहती हूं कि हमारे देश में इस तरह के बहुत से केसेज़ होते हैं। लेकिन राजस्थान जैसे प्रदेश में भी बेटियों को जन्म लेते ही मार देते थे। इसी तरह से बेटियों को गर्भ में परीक्षण के बाद मारने की घटनाएं अनेकों जगहों पर हुई हैं। बहुत सारे चिकित्सकों पर भी आरोप लगे हैं। मैं तो आपको यह आंकड़े भी देना चाहती हूं कि हमारे देश में दो करोड़ सत्तर लाख बच्चे जन्म लेते हैं। इनमें से 17 लाख बच्चे जन्मजात विसंगतियों के साथ पैदा होते हैं। ये विसंगतियां उनके जीवन में सदैव रहती हैं। वे उचित मानव जीवन को व्यतीत करने में असमर्थ रहते हैं।

मैं आपसे यह निवेदन करते हुए इसलिए इस बिल का समर्थन करती हूं कि बहुत सारे ग्रामीण क्षेत्रों में ऐसी घटनाएं होती हैं, जिन बेटियों, जिन महिलाओं और जिन नारियों का जिस तरह से भी गर्भपात कराया जाता है, वह सुरक्षित नहीं होता है। इस काम को नीम-हकीम करते हैं। हमारी सरकार ने यह बिल पेश किया है। मैं

इस बिल के माध्यम से यह सोचती हूँ कि 8 प्रतिशत मौतों केवल गलत गर्भपात कराने के तरीकों से होती थीं, उनको सुरक्षा मिलेगी और उनको एक सम्मानजनक स्थिति में गर्भपात कराने का मौका मिलेगा । अभी-अभी आपने यह सुना होगा कि राजस्थान में हर तीसरे दिन बलात्कार हो रहे हैं । बलात्कार के बाद उन बेटियों की सामाजिक सुरक्षा बिल्कुल नहीं हो पाती है । उनके माता-पिता भी समाज में अपने आपको बहुत ही अपमानित महसूस करते हैं । इन सभी स्थितियों में इस बिल में जो एक संशोधन किया गया है, मैं उस संशोधन के बारे में यह सोचती हूँ कि वह बहुत ही उचित है । लेकिन जो चिकित्सक इस काम को करेंगे, उन चिकित्सकों को निर्णय करने के लिए...(व्यवधान)

माननीय सभापति जी, आपके सामने और मेरे साथ पूरी बहनों की शक्ति है । इसलिए, आपको समय तो देना पड़ेगा ।...(व्यवधान) मैं आपसे यह निवेदन करना चाहती हूँ कि कुछ सावधानियां भी रखनी पड़ेंगी । माननीय सभापति जी, मैं सावधानियों के बारे में यह कहना चाहूंगी कि विधेयक की धारा खंड 5 में यह स्पष्ट किया गया है कि इस तरह की स्त्री की निजता का संरक्षण किया जाएगा, स्त्री के सम्मान व स्वायत्ता का ध्यान रखा जाएगा । गोपनीयता और न्याय को भी सुनिश्चित किया जाएगा ।...(व्यवधान)

माननीय सभापति : प्लीज कनक्लूड कीजिए ।

...(व्यवधान)

श्रीमती जसकौर मीना : महोदय, गर्भ समापन के पश्चात स्त्री के स्वास्थ्य की जिम्मेदारी भी सरकार और समाज को वहन करनी पड़ेगी । मैं आपके माध्यम से मंत्री जी से एक निवेदन जरूर करना चाहूंगी कि आप इस काम को ग्रामीण क्षेत्रों में विशेष ध्यान देते हुए क्रियान्वित करेंगे, तभी जाकर ग्रामीण क्षेत्रों में अधिकांश माताएं व बहनें सुरक्षित हो पाएंगी ।...(व्यवधान)

DR. KALANIDHI VEERASWAMY (CHENNAI NORTH): Mr. Chairman, Sir, please give me a little bit of latitude because I do not have any women behind me supporting me like the hon. Member who just spoke had.

First of all, I would like to laud the hon. Health Minister and the Government of India for bringing out progressive and revolutionary amendments in this Bill. However, my concern is about the safety of doctors who are providing this care. When it comes to adults who are in need of medical termination of pregnancy, we have no swords to cross with any amendments in this Bill. The problem arises when we are talking about minors. Any pregnancy in a minor is invariably termed as a sexual offence which is punishable under POCSO Act. In this case, I would like to bring to the notice of the hon. Health Minister and the Government of India that there are three categories of pregnancies in minors. One is an outright rape where a minor girl has been raped by some unknown person, which has to be punished with the most severe of punishments. Nobody has two ideas about this particular act. When it comes to consensual sex between a minor and an adult, even in that case, I will say that you probably can punish the perpetrator, but the family may not necessarily want to make this public or take it legally further. What is the role of the doctor in this case? Should the doctor report such cases as cases under POCSO Act despite the girl, her parents and relatives not wanting to bring this to legal terms?

The other one is, we have to accept that in today's fast-moving world a lot of sexual misadventures amongst school children are happening. There are instances where minor girls become pregnant where the boys ... (*Interruptions*) This is a very important issue I am talking about regarding the safety of doctors. Kindly give me a little bit of latitude.

HON. CHAIRPERSON : Come to the main point.

DR. KALANIDHI VEERASWAMY : I am talking about the main point, if somebody has been hearing me.

Sir, I am asking as to what is the protection that doctors are being offered? If we are going to bring people under POCSO Act, we are talking about 16-year old boys who will be brought under POCSO Act with the most severe of punishments whereby ten-years of their lives are going to be ruined. For doctors it is like either you bring it under the POCSO Act and face the wrath of the family, or do not bring it under the POCSO Act and face the wrath of the Government. We have already heard an hon. Member from Congress saying that doctors should be punished for some crimes which probably doctors are not going to be committing. I would like to have clarity about the protection for doctors. Is it the duty of the doctor to report POCSO cases if it is found in a minor? Thank you very much, Sir.

श्री निहाल चन्द चौहान (गंगानगर): सभापति महोदय, आपने मुझे बोलने का मौका दिया, इसके लिए मैं आपको धन्यवाद देना चाहूंगा । The Medical Termination of Pregnancy (Amendment) Bill, 2020 का समर्थन करने के लिए मैं खड़ा हुआ हूँ । सभापति जी, मैं मंत्री जी का धन्यवाद देना चाहूंगा कि ऐसा बिल वे पार्लियामेंट में ले कर आए हैं । सन् 1971 में डॉ. शांतिलाल शाह समिति की रिपोर्ट के आधार पर पहली बार इस कानून को देश में लागू किया गया था, उसके बाद यह बिल आज मंत्री जी ले कर आए हैं । मैं देश के प्रधान मंत्री जी का भी धन्यवाद करना चाहूंगा कि उन्होंने मेडिकल की सेवाओं के लिए इस देश को बहुत कुछ दिया है ।

सभापति जी, मेरे संसदीय क्षेत्र में दो जिले हैं – श्रीगंगानगर और हनुमानगढ़ । दोनों में ही मेडिकल कॉलेज और दोनों में ही 325-325 करोड़ रुपये देने का ऐलान अगर किसी ने किया है तो देश के प्रधान मंत्री जी ने किया है । मैं इस संशोधित बिल के लिए माननीय मंत्री जी से एक बात जरूर जानना चाहूंगा कि 20 हफ्ते की जगह इन्होंने 24 हफ्ते किए हैं । 24 हफ्ते करने के बाद क्या गायनी का कोई डॉक्टर वहां पर होगा? क्या डॉक्टर की एक टीम होगी या डॉक्टर का कोई बोर्ड बैठेगा? क्योंकि

24 हफ्ते होने के बाद मेल और फीमेल का पता लग जाता है, ऐसे में आने वाले बच्चे का भविष्य में क्या होगा, इसके लिए भी माननीय मंत्री जी कुछ बताएंगे ।

सभापति जी, मैं कहना चाहूंगा कि इसमें एक वर्ष का कारावास है । क्या हम इसको बढ़ा कर और ज्यादा कर सकते हैं? क्या दो वर्ष कर सकते हैं, क्या तीन वर्ष कर सकते हैं? मैं सिर्फ यह कह सकता हूँ कि एक सुरक्षित गर्भपात सेवाओं तक पहुंच में वृद्धि करना और असुरक्षित गर्भपात के कारण मातृ मृत्यु दर में कमी दर्शाना यह जटिलता का एक विषय है । भारत ही नहीं, पूरी दुनिया में यह गंभीर बीमारी फैल रही है और इनसे पूरा विश्व जूझ रहा है । आज वर्ष 2030 तक मातृ-शिशु मृत्यु दर को बिल्कुल खत्म करने का लक्ष्य सरकार ने रखा है । मैं अपनी तरफ से माननीय मंत्री जी और सरकार को बधाई देना चाहूंगा । आज विश्व की यह स्थिति है कि प्रत्येक 3 सेकेंड के अंदर एक बच्चे की मौत हो रही है । भारत में एक लाख पर 122 माँ या बच्चों की मौत हो रही है ।

सभापति जी, मैं सरकार से आग्रह करूंगा कि बच्चों की मौत के कारणों में केमिकल युक्त पानी या फिर युरेनियम व पेस्टिसाइड युक्त गंदा पानी भी हो सकता है । अमेरिका की ड्यूक यूनिवर्सिटी है, 05, दिसंबर, 2019 को माननीय जलशक्ति मंत्री जी ने एक स्टार्ड क्वेश्चन का जवाब दिया था कि अमेरिका की ड्यूक यूनिवर्सिटी ने भारत में 30 प्रतिशत माइक्रोग्राम युरेनियम पाया है ।

फिनलैंड एक देश ऐसा था, जहाँ वहाँ की सरकार ने कुएं बनाएं और उसमें पानी की मात्रा में मात्र 5 प्रतिशत माइक्रोग्राम युरेनियम आया । वे सारे के सारे कुएं बंद हो गए । भारत के अंदर 30 प्रतिशत माइक्रोग्राम युरेनियम होने के बावजूद भी...(व्यवधान) मैं दो मिनट में अपनी बात को खत्म करूंगा । आज भी हम इस पानी को पी रहे हैं, यह भी एक बहुत बड़ा कारण हो सकता है । गंदा पानी, पेस्टिसाइड युक्त पानी, केमिकल युक्त गंदा पानी अगर हम लोग पिएं, तो इसका भविष्य क्या कहेगा, यह मुझे कहने की जरूरत नहीं ।

मैं राजस्थान की बात करूँ । राजस्थान में 33 जिले हैं, 33 में से 26 जिले डार्क जोन में हैं । मैं इस पर ज्यादा नहीं बोलूँगा । मैं इतना ही कहूँगा कि दुनिया में अबॉर्शन के कानूनों की स्थिति को पाँच भागों में बांटा है । 23 ऐसे देश हैं, जहाँ पर किसी भी सूरत में गर्भपात की मंजूरी नहीं है । कई ऐसे देश हैं कि जब महिला की

जान को खतरा हो सकता है, तब भी अबॉर्शन नहीं हो सकता है । लेकिन भारत में परिस्थितियों के आधार पर एक विस्तृत श्रृंखला के तहत गर्भपात की अनुमति दी जाती है ।...(व्यवधान) बस, एक मिनट में अपनी बात को खत्म कर रहा हूँ ।

सभापति जी, मैं एक सुझाव देकर अपनी बात को खत्म करूँगा । ‘आयुष्मान भारत योजना’ की शुरुआत हुई है । राजस्थान में अभी तक इसकी शुरुआत नहीं हुई है । मैं माननीय मंत्री जी से आग्रह करूँगा कि वे इसके बारे में स्टेट गवर्नमेंट से बात करें । इसमें जो दंत चिकित्सक उपचार पैकेज है, वह ‘आयुष्मान भारत योजना’ में शामिल नहीं किया है । ब्रिटिश कोलंबिया डेंटल एसोसिएशन के अनुसार 80 प्रतिशत ओरल कैंसर दंत चिकित्सक द्वारा पहचाने जाते हैं । उसको भी शामिल करने का काम करें । मैं सरकार के इस बिल के पक्ष में खड़ा हुआ हूँ । मैं यही निवेदन करते हुए अपनी बात को समाप्त करता हूँ । बहुत-बहुत धन्यवाद ।

*SHRI THOL THIRUMAAVALAVAN (CHIDAMBARAM): Hon. Chairman Sir, Vanakkam. I thank you for giving me an opportunity to speak about this important Bill. Statistics say that every year 1.5 Crore abortions are taking place in our country. As per the statistics of the year 2015, 15.6 million abortions have taken place in our country. Out of which 11.5 million abortions have taken place in unhealthy and unhygienic places. I think that this Amendment Bill has been brought to regulate this. Therefore I am duty bound to welcome this Amendment Bill. But I urge that the procedures followed for abortion or medical termination of pregnancy should be simplified. On the other side we have to control our population. For which we have to create awareness among the general public about different types of contraceptives. In many countries of the world, abortion may be carried out with the consent of the pregnant women concerned. But in India we follow so many difficult procedures. I want to urge upon the Union Government that there should be simplified procedures for medical termination of pregnancy in India. In India atrocities against girls, particularly rape cases against minor girls are on the

rise. In villages, girls are made to enter into marital accord in the name of child marriages. Even though the law says only after attainment of 18 years of age, a woman should marry, but child marriages take place affecting a large number of girls. This should be regulated. There is also a misconception that a woman should not be pregnant after 30 or 35 years of age. But girls below 17 years of age are forced to marry, after that they become pregnant and face several medical issues including excessive loss of blood leading to anemia and death. I request that by keeping all these views in mind, the Union Government should come forward to protect the women and girls of this country and also to simplify the procedures meant for abortion. Thank you.

श्री रवि किशन (गोरखपुर): महोदय, मंत्री जी जो गर्भ का चिकित्सकीय समापन (संशोधन) विधेयक, 2020 लेकर आए हैं, आपने मुझे उसके समर्थन में बोलने का मौका दिया, मैं इसके पक्ष में बोलने के लिए खड़ा हुआ हूँ। जैसे हमारे माननीय सांसद लोगों ने कहा, मैं सिर्फ इतना कहना चाहता हूँ कि यह प्रगतिशील फैसला है। दूसरा, शरीर पर एक अधिकार है। जब एक महिला प्रेगनेंट रहने के लिए मांगती है, तो उसको अपने शरीर पर अधिकार भी होना चाहिए और यह बहुत जरूरी है। यह औरतों के हक में आया हुआ कानूनी बदलाव है, जो अद्भुत है और पूरे देश की महिलाएँ बड़ा सम्मान करेंगी। इसके बहुत सारे कारण हैं। कारण यह है कि दुष्कर्म की शिकार लड़कियों की जो व्यथा है, पीड़िता जिसका रेप हुआ है, वह उस याद से भी सिहर जाती है। अगर उस रेप में वह गर्भवती हो जाती है, तो उसको अधिकार मिलना चाहिए कि वह उस जबरदस्ती प्रेगनेंसी को टर्मिनेट कर सके।

विकलांग भ्रूण, यदि गर्भ में ही सोनोग्राफी के द्वारा पता चले कि भ्रूण में कोई विकार है, उसका विकास पूरा नहीं हो पा रहा है या बच्चा विकलांग हो सकता है, तो यह उसके लिए बहुत जरूरी है। यह बहुत ही महत्वपूर्ण बिल है। जैसे कोर्ट में एक केस आया था और पूरे देश में इसकी चर्चा रही कि एक 10 साल की छोटी बच्ची का

बलात्कार हो गया था, कोर्ट के नियम के अनुसार और कोर्ट का आदेश था, वह उसका एबॉर्शन नहीं कर पाई, 26 हफ्ते के बाद उसके पिता को पता चला । एक बिहार में केस हुआ था, एक एचआईवी महिला, बच्ची का रेप हुआ था और वह एचआईवी बच्चा था, लेकिन वह गर्भपात नहीं कर पाई । हमारी यह सरकार यह कानून, यह बिल लेकर आई है ।

मैं निवेदन करूँगा कि आदरणीय मोदी जी के नेतृत्व में इस सरकार ने इस विधेयक के माध्यम से यह पुनः साबित कर दिया है कि हमारी सरकार महिलाओं के लिए निरंतर विचारशील है, उनके कल्याण के लिए हमेशा विचाररत और कार्यरत है ।

मैं आदरणीय प्रधान मंत्री जी, आदरणीय स्वास्थ्य मंत्री जी को करोड़ों महिलाओं की तरफ से धन्यवाद और साधुवाद देना चाहता हूँ कि आज सदन में इस प्रकार का प्रोग्रेसिव विधेयक लाया गया है । यह विधेयक लैंगिक हिंसा की शिकार महिलाओं के सशक्तीकरण में एक मील का पत्थर होगा । मैं इसका समर्थन करता हूँ । मंत्री जी, आप अद्भुत बिल लाए हैं, इसके लिए आपको धन्यवाद ।

स्वास्थ्य और परिवार कल्याण मंत्री; विज्ञान और प्रौद्योगिकी मंत्री तथा पृथ्वी विज्ञान मंत्री (डॉ. हर्ष वर्धन): जिस प्रकार की भावनाएं आप सबने व्यक्त की हैं, केवल मेरे प्रिय मित्र मिस्टर डीन कुरियाकोस को छोड़कर ।

19.27 hrs

(Hon. Speaker in the Chair)

सुश्री जोतिमणि, श्रीमती संगीता सिंह देव, श्री गौतम एस. पोन, डॉ. काकोली घोष, कुमारी माधवी, श्री चन्द्रशेखर प्रसाद, श्री अमोल कोल्हे, श्री रितेश पाण्डेय, श्रीमती राजश्री मल्लिक, श्री वरूण गाँधी, डॉ. एम.के. विष्णु प्रसाद, डीन कुरियाकोस, डॉ. श्रीकांत शिंदे, कोथा पी. रेड्डी, रविन्द्रनाथ के.पी., श्रीमती जसकौर मीना, डॉ. के. वीरास्वामी, श्री निहाल चंद जी, श्री थोल तिरूमावलवन और रवि किशन जी । मुझे बहुत खुशी है कि आप सबने अपनी भावनाओं को बहुत खूबसूरती से व्यक्त किया है और सभी ने बहुत सात्विक भाव से बिल के समर्थन में अपने भाव व्यक्त किए हैं । निश्चित रूप से यह विषय भी बहुत भावनात्मक है और सभी ने, चाहे वे मेल हों, चाहे वे फीमेल हों, मातृत्व का जो भाव है, उसका जो आनन्द है और कोई भी माता-बहन के लिए प्रेग्नेंट होना जिस प्रकार का भगवान का वरदान है, जिस प्रकार का बून है,

उसको हम सबने महसूस किया है । यह मेल मेंबर्स ने भी महसूस किया है, क्योंकि जिनके पास भी पत्नी है और उनके बच्चे हुए हैं तो उन्होंने सबने उस भाव को महसूस किया है ।...(व्यवधान)

मुझे बहुत खुशी है कि सभी ने, केवल एक को छोड़ कर, उनके लिए भी मुझे जो कहना है, वह मैं कहूंगा, पर सभी ने बिल की भावना, बिल के कॉन्टेन्ट्स का समर्थन किया है । उन्होंने थोड़े-थोड़े पॉइंट्स रेज किए हैं । उनके बारे में मैं जरूर चर्चा करूंगा ।

आपने बहुत विस्तार से सारी स्टैटिस्टिक्स का अध्ययन किया है । देश की, दुनिया की, देश में एबॉर्शन्स के ऑफिशियल फिगर्स की, अनऑफिशियल फिगर्स की, मैटर्नल मॉर्टैलिटी रेट्स की, एस.डी.जी. की, हमारे लक्ष्यों की, इन सब बातों के बारे में आप सबका कन्सर्न है । आप सबने यह माना है कि एबॉर्शन हमारे मैटर्नल मॉर्टैलिटी रेट में एक बड़ा कंट्रीब्यूटर है । किसी ने 8 प्रतिशत, किसी ने 10 प्रतिशत, किसी ने 13 प्रतिशत के डेटा प्रस्तुत किए हैं । इसमें कोई शक की बात नहीं कि किसी भी महिला के लिए, जो प्रेग्नेंट होती है, वह प्रेग्नेंसी उसके लिए अभिशाप बन जाए तो इससे बड़ा कोई कष्ट नहीं हो सकता है । सबसे पहले तो, यहां तक कि इसके रिपीट होने के कॉस्ट पर भी, यह बात दोहराना चाहता हूं कि यह जो बिल है, यह किसी साधारण एबॉर्शन की प्रक्रिया के टर्म को बढ़ाने के संदर्भ में नहीं है । अगर इसे 20 हफ्ते से बढ़ाकर 24 हफ्ते करने की बात की जा रही है तो ऐसी महिलाएं, जो असाधारण परिस्थितियों में, दुर्भाग्यपूर्ण परिस्थितियों की शिकार हो गई हैं और उस सफरिंग के कारण वे प्रेग्नेंट हो गई हैं, यह उनके लिए है । इसमें सबने इसकी चर्चा की है । इस बिल में भी वह है । वह रेप के बारे में है । इस विषय पर हमारी जो पहली स्पीकर थीं, जोतिमणि जी, उन्होंने तो इंसेस्ट वगैरह के बारे में एक केस का भी यहां पर उल्लेख किया । यह डिफरेंटली-एबल्ड वूमेन के बारे में है या यंग माइन्स के बारे में है, हम सब यह जानते हैं कि यह वास्तव में उनके लिए है, जो असाधारण परिस्थितियों में प्रेग्नेंट हो गई हैं । प्रेग्नेंसी का सुख भी तभी होता है जब उसका बच्चा पूरी तरह से स्वस्थ हो, उसके बारे में उसे पूरी तरह से उसकी कुशलता की जानकारी मिल रही है, लेकिन अगर किसी भी मां को 20 हफ्ते के बाद यह जानकारी मिले कि उसका बच्चा जीवन भर हैंडीकैप्ड रहने वाला है और ऐसी-ऐसी बीमारियों से वह पीड़ित रहने वाला है कि उसका जीवन कभी सार्थक भी नहीं

हो पाएगा, ऐसी परिस्थिति में, जब उसके लिए इस बात की विवशता हो कि उस बच्चे के बोझ को जीवन भर ढोने के बजाय उसे शायद एबॉर्शन ज्यादा सुख दे सकता है तो ऐसी परिस्थिति में ऐसी महिला को, ऐसी बहन, माताओं को कोर्ट के चक्कर काटने पड़ते थे। भारत के अन्दर हर एक महिला कोर्ट में नहीं जा सकती है। इसके लिए वह सक्षम भी नहीं है। इसे वह शायद अफोर्ड भी नहीं कर सकती है क्योंकि आजकल एक आम व्यक्ति के लिए कानून के माध्यम से न्याय की प्राप्ति करने की प्रक्रिया इतनी कठिन है, इतनी दुर्लभ है। मुझे खुशी है कि इस कानून को सबने सपोर्ट किया क्योंकि आपने इसकी मूल भावना को समझा है। इसमें पर्याप्त 'चेक्स एण्ड बैलेंसेज' रखे गए हैं। पहले कानून के मुकाबले अगर किसी को 20 सप्ताह से लेकर 24 सप्ताह के बीच में प्रेग्रेंसी का टर्मिनेशन करना है तो जब दो-दो क्वालीफाइड रजिस्टर्ड मेडिकल प्रैक्टीशनर्स सर्टिफाई करेंगे, तब ही उसकी व्यवस्था होगी। 24 हफ्ते से ऊपर होने पर उसे एक मेडिकल बोर्ड करेगा। मेडिकल बोर्ड के संदर्भ में भी बहुत सारे सुझाव दिए गए हैं। डॉ. काकोली ने उसमें गाइनैकोलॉजिस्ट्स को ऐड करने की बात की, किसी ने उसमें एनैस्थैटिक्स को ऐड करने की बात की, किसी ने कहा कि रेडियोलॉजिस्ट नहीं होना चाहिए, अल्ट्रासोनोलॉजिस्ट होना चाहिए। सब तरह के सजेशंस आए हैं।

इस बोर्ड के संदर्भ में मुझे यही कहना है कि जब इसके रूल्स एंड रेगुलेशंस बनाए जाएंगे तो उन सारे सुझावों को बहुत विस्तार से बोर्ड के कंस्टीट्यूशन के बारे में और उसके अंदर उनको इनकॉरपोरेट किया जा सकता है। अभी जो भी प्रोविजन्स इसके अंदर रखे गए हैं, हमारे डीन कुरियाकोस साहब ने भी बहुत कुछ कहा है। उनकी बातों में बहुत अच्छी भावनाएँ थीं। इसमें कोई शक की बात नहीं है कि थोड़े समय के बाद ही बच्चे के दिल की धड़कन उसकी माँ को भी महसूस होती है। अगर पिता भी कान लगाकर सुने तो वह सुन सकता है। हम सबने उसे सुना है। लेकिन उसके बावजूद भी उस बच्चे के आगे आने वाले जीवन के अंदर भी, जैसे हम कहते हैं कि सुख की दृष्टि से कोई गुणात्मक परिवर्तन नहीं कर सकता है, तो ऐसे बच्चे को जन्म देकर भी माँ क्या करेगी? आपने वॉयलेशन ऑफ आर्टिकल 21 और डीक्रिमिनलाइजेशन ऑफ होमीसाइड की बात की है। मेरा यह कहना है कि जो एमटीपी एक्ट 1971 है, वह ऑलरेडी 20 वीक्स तक के एबॉर्शन को अण्डर स्पेसिफाइड कंडीशन लीगलाइज किया हुआ है। यह जो अमेंडमेंट है, वह सिर्फ 20

से 24 सप्ताह तक उसको वल्लरेबल कैटेगिरी, जिनका मैंने अभी जिक्र किया, उसमें एक्स्टेंड करने का विषय है । It also includes substantial foetal abnormalities, as determined by the Medical Board, with no gestational limit. जो आपने कहा कि यह वॉयलेशन ऑफ आर्टिकल 21 है, हमको नहीं लगता कि इसमें किसी भी प्रकार से वॉयलेशन ऑफ आर्टिकल 21 है । सब को राइट टू लाइफ है । सभी को Right to lead a life of dignity and all those good things हैं । लेकिन इसमें वुमेन की डिग्रिटी को ही प्रीज़र्व करने के लिए, उसको ही स्ट्रेंथेन करने के लिए, उसके राइट्स को ही सशक्त करने के लिए वास्तव में यह बिल लाया गया है । दो रजिस्टर्ड मेडिकल प्रैक्टिशनर्स को क्यों रिड्यूस किया गया, इसके बारे में आपने कहा है कि जो necessity of opinion of two RMPs है, इसको केवल 20 वीक्स तक कम किया गया है । 20 से 24 हफ्ते के बीच में जो दो रजिस्टर्ड मेडिकल प्रैक्टिशनर्स ओपिनियन दे रहे हैं, उसके बियाँड एक मेडिकल बोर्ड भी ओपिनियन दे रहा है ।

आपने इस पर भी आपत्ति की है कि inclusion of woman and her partner instead of husband. अभी हम सब ने इस बात को एक्सेप्ट भी किया है कि अभी सोसाइटी चेंज हो रही है । बहुत सारे सोसाइटी में लाइफ के लिविंग और नॉर्म्स चेंज हो रहे हैं । आज लिव इन रिलेशनशिप को भी लोगों ने बहुत सारी सैंक्टिटी दी है । उसके ऊपर डिबेट हो सकती है, सब कुछ हो सकता है । उसके कारण अलग-अलग हो सकते हैं, लेकिन जिस प्रकार सोसाइटल नॉर्म्स चेंज हो रहे हैं और उसमें जो सिंगल वुमेन है, उसका भी अपना एक राइट है । विडोज़ का भी अपना एक राइट है । जो कमर्शियल सेक्स वर्कर्स हैं, उनके भी राइट्स हैं । इन सारी बातों के मद्देनजर रखते हुए और जो यह बिल इस स्टेज में आया है, जैसा मैंने शुरू में कहा था कि शायद हर पॉसिबल जो स्टेक होल्डर हो सकते हैं, उस स्टेक होल्डर से और जो हर पॉसिबल मंत्रालय हो सकता है, उस मंत्रालय से विशेष कर वुमेन एंड चाइल्ड मिनिस्ट्री और दूसरे मिनिस्ट्री से भी बहुत लंबे समय तक इसके बारे में चर्चा हुई है । आज यह बिल इस स्थान तक पहुँचा है । शायद जब यह देश का कानून बन जाएगा, उसमें आने के अंदर कई वर्षों की यात्रा है । इसके बीच में बहुत सारे लोगों ने अपने पॉजिटिव सजेशन दिए हैं । उन सब को ध्यान में रख कर, इस बिल को अल्टीमेटली

बनाया गया है । बाकी सब लोगों ने इस संदर्भ में जो सजेशन या कुछ कर्न्सन रेज किए हैं, मैं कुछ चीजों के बारे में थोड़ा-सा उल्लेख कर देता हूँ ।

जैसे सबसे पहले हमारी जोतिमणि जी ने कहा कि the existing Act permits legal abortion up to 20 weeks. The proposed extensions are only for vulnerable women and for substantial foetal abnormalities under the direction of the Medical Boards.

In the above-mentioned categories, sex-selective abortions are not misused. आपकी इस चिंता के संदर्भ में मेरा कहना है लॉ के मिसयूज होने की किसी भी प्रकार से संभावना नहीं है, पीएनडीटी एक्ट है, वह भी एक पॉवरफुल एक्ट है, उसको भी पॉवरफुल तरीके से यूज करने और देश में इम्प्लीमेंट करने की बहुत समय से कोशिश हो रही है । You have said that the failure of contraception may be misused. I would like to say that the existing law already permits contraceptive failure as a cause for legal abortion in the cases of married couples. The change in social norms in the society may be addressed by extending it to all women.

A concern was raised about the POCSO Act. In the POCSO Act, the privacy of minor should be taken care of. The proposed Bill has also made a very stringent provisions for maintaining confidentiality and privacy. इसमें ऑलरेडी एक साल की सजा का भी प्रोविजन है । The POCSO Act made it mandatory that the provider has to report and is duty-bound for any offence under the age of 18 years. Framings and sensitisation of service providers will be included so that the service provision is not denied. The MTP Act focusses on provision of safe abortion services. It has also been said that there is no clarity about the role of doctors. I think that will be very clearly defined and prescribed under the rules also.

Now, I come to the Medical Board. You have said that the shortage of doctors should not be made mandatory. I would like to tell you that in order to ensure safety of these late-term abortions, a group of experts need to give

an opinion on the procedure and safety of procedure on a case to case basis. Hence, the Medical Boards are necessary for late-term abortions, that is, beyond 24 weeks. Moreover, if you go through the history, there were already so many Boards that were made as a result of the judgments that have been given from time to time. I think more than hundred Boards are already existing in the country. So, there is no question of shortage of doctors happening because of that.

Shrimati Sangeeta Ji has welcomed the Bill and she has raised her concern about the rural healthcare which probably requires improvement.

PROF. SOUGATA RAY : She is not present here right now.

DR. HARSH VARDHAN: So, you do not want me to talk about her concern.

PROF. SOUGATA RAY : The hon. Speaker has said that anybody who is not present here, should not be mentioned.

DR. HARSH VARDHAN: An hon. Member, Shri Gautham Sigamani Pon mentioned about the constitution of the Medical Board. I have already said that this will be prescribed under the rules. As I have just mentioned, there are already 130 Medical Boards. The decision of termination of pregnancy should be with the women only. The safety and well-being of women has been taken into account along with the right of the women.

माननीय अध्यक्ष: पूरा सदन इस बात से सहमत है, तालियां बजा दो । आप मोटी बात बता दो ।

DR. HARSH VARDHAN: I do not mind. I am really overwhelmed with joy and satisfaction that all of you have supported this Bill from the heart. If you want, I can talk about each and every concern that has been raised.

माननीय अध्यक्ष: अगर सदन सुनना चाहता है तो मंत्री जी बोलने के लिए तैयार हैं ।

DR. HARSH VARDHAN: If they are okay and happy with it and want to pass it like that, I am also very happy.

डॉ. निशिकांत दुबे (गोड्डा): अध्यक्ष महोदय, मैं जिस इलाके से आता हूँ, वहाँ नार्मल डिलीवरी में भी महिलाओं की डेथ हो रही है, इतनी ज्यादा ऐनिमिक हैं। आपने कहा कि डॉक्टरों की कमी नहीं है, हमारे यहाँ नार्मल डॉक्टर भी नहीं हैं, गाइनी का तो सवाल ही नहीं है। मैं कह रहा हूँ कि इस तरह जब आप एमटीपी एक्ट में संशोधन करेंगे, मेडिकल बोर्ड बनाएंगे, जब डॉक्टर रहेंगे तब न मेडिकल बोर्ड बनेगा।

जिला और अनुमंडल में आप किस तरह के रूल्स और रैगुलेशन फाइनल करेंगे? हमारे जैसे पिछड़े इलाके से जो लोग आते हैं, उनके पास इतने पैसे नहीं हैं कि वे बड़े शहरों में जाएं और इलाज कराएं।

माननीय मंत्री जी किस तरह के रूल्स और रैगुलेशन बनाएंगे?

PROF. SOUGATA RAY : I am not an expert. But Dr. Kakoli Dastidar while speaking on behalf of our Party mentioned that instead of 24 weeks, the period should be 22 weeks. Her logic was that 22 weeks' foetus as it is has movement and if you take it out, you will find it very living being. So, would the Minister consider it reducing it from 24 weeks to 22 weeks in the honour of life as such.

डॉ. वीरेन्द्र कुमार (टीकमगढ़): माननीय अध्यक्ष जी, इसमें एक बिंदु सबसे छूट गया है। हर शहर में कुछ विक्षिप्त महिलाएं होती हैं और वे दरिंदगी का शिकार होकर गर्भधारण कर लेती हैं। ऐसी महिलाओं के बारे में आप क्या विचार करने जा रहे हैं?

श्री राम कृपाल यादव : माननीय अध्यक्ष जी, इस एक्ट में 24 सप्ताह का जो प्रावधान किया गया है, हालांकि मंत्री जी ने चर्चा में जवाब दिया है, लेकिन मैं जानना चाहता हूँ कि इसके दुरुपयोग को रोकने के लिए क्या प्रयास करेंगे?

SHRI KODIKUNNIL SURESH : Sir, the tribal women is the most vulnerable section and they are facing many problems. So, the hon. Minister has to take special steps for the tribal women during their pregnancy period. A lot of issues are there in the tribal areas, especially concerning tribal women.

श्री तीरथ सिंह रावत : माननीय अध्यक्ष जी, मैं इस बिल का समर्थन करता हूँ, लेकिन एक क्लेरिफिकेशन चाहता हूँ। पर्वतीय क्षेत्र नार्थ-ईस्ट से उत्तराखंड तक, जिसमें हिमाचल प्रदेश भी है, यहां डॉक्टर्स की बहुत कमी है। वहां अगर इस किस्म के केस हो जाते हैं तो एफआईआर करने में बहुत दिक्कत होती है। हमारे यहां पुलिस व्यवस्था न होकर पटवारी व्यवस्था है। पटवारी व्यवस्था बहुत लचर व्यवस्था है, यह अंग्रेजों के जमाने से लागू है। यहां न तो एफआईआर हो रही है और न ही डॉक्टर्स हैं। ऐसी जगहों पर सिस्टम को किस तरह एक्टिवेट करेंगे? इसके बारे में कोई प्रोवीजन हो तो माननीय मंत्री जी क्लेरिफाई करें।

SHRI JASBIR SINGH GILL : Sir, this is a good Bill but being it a modern world, I am from old school of thoughts. मेरा मानना है कि अगर गर्भपात या डिलीवरी के समय लेडी डॉक्टर या फीमेल पैरामेडिकल स्टाफ हो तो प्रेफरेबली बढ़िया रहेगा, क्योंकि एक लेडी दूसरी लेडी के साथ अच्छी तरह से बात कर सकती है, अच्छी तरह से समझा सकती है और उसकी पीड़ा समझ सकती है।

मैंने अमेंडमेंट भी यही लगाई थी, यही मेरा सब्मिशन है।

श्री रवि किशन : माननीय अध्यक्ष जी, मैं सभी माननीय सदस्यों को बहुत धन्यवाद देना चाहता हूँ कि इस तरफ और उस तरफ बैठने वाले सदस्यों, 99 परसेंट सदस्यों ने इस बिल को सपोर्ट किया। बस मैं सबको धन्यवाद देना चाहता हूँ।

डॉ. हर्ष वर्धन : अभी सदस्यों ने वही विषय रेज़ किए हैं, but they are apart from all these. डॉ. दस्तीदार जी ने कहा है, उनका 24 से 22 हफ्ते का इश्यू था और इसे माननीय सदस्य ने भी रेज़ किया है।

मुझे इसमें यही कहना है कि 24 वीक्स का जो समय है, यह सब प्रकार के कंसलटेशन्स और उसके साथ-साथ बीच में जितने भी कोर्ट के डायरेक्टिक्स आए हैं,

उन सबको कंसीडर करने के बाद 24 वीक्स का पीरियड तय किया गया था ।

दूसरा, आपने भावनात्मक विषय, you yourself being a gynaecologist I can appreciate and I can respect your concern from here. जिस समय 24 वीक्स में किसी को बच्चे को डिलीवर करना है और कॉन्जेनाइटल एनॉमिलीज़ हो, सब कुछ हो, लेकिन उसका हार्ट बीट कर रहा है तो उसको एक प्रकार से डस्टबिन में पहुंचाना कितना पेनफुल एक्सपीरियंस हो सकता है । I can appreciate that. इस संदर्भ में हमें कहना है कि उसको कैसे और अच्छी तरह से डिस्पोज ऑफ करना है । I think, in the rules itself we can find some way to write it in a proper way. Maybe, we can revise it in the guidelines for the maternity centres for the gynaecologists. That cannot be a reason for, in fact, getting the whole thing changed.

माननीय अध्यक्ष: प्रश्न यह है:

“कि गर्भ का चिकित्सकीय समापन अधिनियम, 1971 का और संशोधन करने वाले विधेयक पर विचार किया जाए ।”

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प्रस्ताव स्वीकृत हुआ ।

माननीय अध्यक्ष: अब यह सभा विधेयक पर खण्डवार विचार करेगी ।

Clause 2

Amendment of Section 2

माननीय अध्यक्ष: श्री टी.एन. प्रथापन - उपस्थित नहीं ।

प्रश्न यह है:

“कि खंड 2 विधेयक का अंग बने ।”

प्रस्ताव स्वीकृत हुआ ।

खंड 2 विधेयक में जोड़ दिया गया ।

Clause 3

Amendment of Section 3

माननीय अध्यक्ष: श्री टी.एन. प्रथापन - उपस्थित नहीं ।

प्रो. सौगत राय क्या आप संशोधन मूव करना चाहते हैं?

प्रो. सौगत राय (दमदम): सर, मैं संशोधन संख्या 7 को मूव नहीं कर रहा हूँ, लेकिन संशोधन संख्या 8 से 11 बहुत ही सिम्पल अमेंडमेंट्स हैं, मैं इनको मूव कर रहा हूँ ।

पृष्ठ 2, पंक्ति 16-17,-

“दो से अन्यून रजिस्ट्रीकृत चिकित्सा व्यवसायियों”

के स्थान पर

“एक महिला चिकित्सा व्यवसायी सहित तीन से अन्यून रजिस्ट्रीकृत चिकित्सा व्यवसायियों”

प्रतिस्थापित करें । (8)

पृष्ठ 2, पंक्ति 23-24,--

“अप्रसामान्यता से ग्रसित होगा”

के पश्चात्

“या उसके जीन को जोखिम होगा”

अंतःस्थापित करें । (9)

पृष्ठ 2, पंक्ति 31,--

“बलात्संग द्वारा कारित”

के पश्चात्

“या महिला की सहमति के बिना”

अंतःस्थापित करें । (10)

पृष्ठ 3, पंक्ति 11 के पश्चात--

“(गक) मनोविज्ञानी”

अंतःस्थापित करें । (11)

माननीय अध्यक्ष : अब मैं प्रो. सौगत राय द्वारा खंड 3 में प्रस्तुत संशोधन संख्या 8 से 11 को सभा के समक्ष मतदान के लिए रखता हूँ ।

संशोधन मतदान के लिए रखे गए तथा अस्वीकृत हुए ।

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माननीय अध्यक्ष: एडवोकेट डीन कुरियाकोस जी, क्या आप संशोधन संख्या 12 मूव करना चाहते हैं?

ADV. DEAN KURIAKOSE: Sir, I beg to move:

Page 2, *for* lines 11 to 13,--

Substitute “not exceed twenty-four weeks in case of rape victims, minor girls and women of unsound mind, if not less than two registered medical practitioners, independent of each other, are,”. (12)

माननीय अध्यक्ष : अब मैं एडवोकेट डीन कुरियाकोस द्वारा खंड 3 में प्रस्तुत संशोधन संख्या 12 को सभा के समक्ष मतदान के लिए रखता हूँ ।

संशोधन मतदान के लिए रखा गया तथा अस्वीकृत हुआ ।

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माननीय अध्यक्ष: श्री एन.के. प्रेमचन्द्रन – उपस्थित नहीं ।

एडवोकेट डीन कुरियाकोस जी, क्या आप संशोधन मूव करना चाहते हैं?

ADV. DEAN KURIAKOSE: Sir, I beg to move:

Page 2, *omit* lines 19 to 23 (14)

Page 2, *for* lines 25 to 27,--

Substitute “pregnancy is proven to have been caused by any rape, the”. (15)

माननीय अध्यक्ष : अब मैं एडवोकेट डीन कुरियाकोस द्वारा खंड 3 में प्रस्तुत संशोधन संख्या 14 और 15 को सभा के समक्ष मतदान के लिए रखता हूँ ।

संशोधन मतदान के लिए रखे गये तथा अस्वीकृत हुए ।

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माननीय अध्यक्ष: श्री एन.के. प्रेमचन्द्रन – उपस्थित नहीं ।

श्री जसबीर सिंह गिल, क्या आप संशोधन संख्या 17 प्रस्तुत करना चाहते हैं?

SHRI JASBIR SINGH GILL : Sir, I beg to move:

Page 2, line 39,--

after “following”

insert “,preferably female members,” (17)

माननीय अध्यक्ष : अब मैं श्री जसबीर सिंह गिल द्वारा खंड 3 में प्रस्तुत संशोधन संख्या 17 को सभा के समक्ष मतदान के लिए रखता हूँ ।

संशोधन मतदान के लिए रखा गया तथा अस्वीकृत हुआ ।

माननीय अध्यक्ष: प्रश्न यह है:

“कि खंड 3 विधेयक का अंग बने ।”

प्रस्ताव स्वीकृत हुआ ।

खंड 3 विधेयक में जोड़ दिया गया ।

Clause 4

Insertion of New Section 5A

माननीय अध्यक्ष: श्री टी.एन. प्रथापन - उपस्थित नहीं ।

श्री कोडिकुन्निल सुरेश क्या आप संशोधन मूव करना चाहते हैं?

SHRI KODIKUNNIL SURESH : Sir, I am not moving.

माननीय अध्यक्ष: प्रश्न यह है:

“कि खंड 4 विधेयक का अंग बने ।”

प्रस्ताव स्वीकृत हुआ ।

खंड 4 विधेयक में जोड़ दिया गया ।

खंड 5 विधेयक में जोड़ दिया गया ।

खंड 1, अधिनियमन सूत्र और विधेयक का पूरा नाम विधेयक में जोड़ दिए गए

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माननीय अध्यक्ष : माननीय मंत्री जी प्रस्ताव करें कि विधेयक को पारित किया जाए

।

DR. HARSH VARDHAN: I beg to move:

“That the Bill be passed.”

माननीय अध्यक्ष : प्रश्न यह है:

“कि विधेयक पारित किया जाए ।”

प्रस्ताव स्वीकृत हुआ ।

माननीय अध्यक्ष: सभा की कार्यवाही बुधवार, दिनांक 18 मार्च, 2020 तक के लिए स्थगित की जाती है ।

19.56 hrs

*The Lok Sabha then adjourned till Eleven of the Clock on
Wednesday, March 18, 2020/Phalguna 28, 1941(Saka).*

* The sign + marked above the name of a Member indicates that the Question was actually asked on the floor of the House by that Member.

* Not recorded.

* English translation of the speech originally delivered in Tamil.

* Published in the Gazette of India, Extraordinary Part-II, Section-2, dated 17.03.2020.

* Not recorded.

* Not recorded.

** English translation of the speech originally delivered in Punjabi.

* English translation of the Speech originally delivered in Bengali.

** English translation of the Speech originally delivered in Tamil.

* Not recorded.

* Treated as laid on the Table.

* Not recorded.

* English translation of the speech originally delivered in Tamil.