

# LOK SABHA DEBATES (English Version)

**Fifth Session  
(Fifteenth Lok Sabha)**



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## CONTENTS

*Fifteenth Series, Vol. XII, Fifth Session, 2010/1932 (Saka)*

**No. 26, Tuesday, August 31, 2010/ Bhadra 9,1932 (Saka)**

SUBJECT	PAGES
OBITUARY REFERENCES .....	1-2
PAPERS LAID ON THE TABLE .....	2-3
MESSAGES FROM RAJYA SABHA AND .....	4-5
BILL AS PASSED BY RAJYA SABHA PUBLIC ACCOUNTS COMMITTEE 22nd and 23rd Reports .....	6
COMMITTEE ON PUBLIC UNDERTAKINGS 9th Report .....	6-7
COMMITTEE ON PETITIONS 10th to 12th Reports .....	7
STANDING COMMITTEE ON FINANCE 21st to 25th Reports .....	8
STANDING COMMITTEE ON FOOD, CONSUMER AFFAIRS AND PUBLIC DISTRICTION 9th and 10th Reports .....	8-9
STATEMENTS BY MINISTERS	
(i) (a) Signing of protocol between Republic of India and Swiss Federal Council to amend the existing Agreement for avoidance of double taxation with respect to taxes on income with protocol Shri Pranab Mukherjee .....	9-12
(i) (b) The status of implementation of the recommendations contained in the 78th Report of the Standing Committee on Finance on "Flow of Credit to Agriculture Sector", pertaining to the Department of Financial Services, Ministry of Finance Shri Pranab Mukherjee .....	12-13
(ii) "India's offer of assistance of 25 million US Dollars to Pakistan for flood relief Shri S.M. Krishna .....	14-15

## CALLING ATTENTION TO MATTER OF URGENT PUBLIC IMPORTANCE

- (i) Situation arising out of recent attacks on Indian Fishermen by Srilankan Navy and steps taken by the Government in this regard

Shri T.R. Baalu .....	15-18
Shri S.M. Krishna .....	19-28
Dr. M. Thambidurai .....	28-31
Shri P.R. Natarajan .....	31-32
Shri A. Ganeshamurthi .....	32-37

- (ii) Situation arising out of rejection of 40 Lakh tones of rice variety PAU-201 by the Food Safety Standards Authority of India citing provisions of Prevention of Food adulteration Act, 1954 and Food Safety Standards Act, 2006 and steps taken by the Government in regard thereto.

Shrimati Harsimrat Kaur Badal .....	37
Shri Ghulam Nabi Azad .....	37-53

## SUBMISSIONS BY MEMBERS

- (i) RE: Caste-based census ..... 53-61
- (ii) RE: Supreme Court's observation on free distribution of foodgrains among the poor in the country ..... 89-94

## MATTERS UNDER RULE 377

- (i) Need to bring transparency in the interest rates charged by banks on various loans
- |                         |       |
|-------------------------|-------|
| Shri P. T. Thomas ..... | 61-62 |
|-------------------------|-------|
- (ii) Need to take concrete steps for poverty alleviation in the country.
- |                            |    |
|----------------------------|----|
| Shri N.S.V. Chitthan ..... | 62 |
|----------------------------|----|
- (iii) Need to implement the 'one rank one pension' scheme for retired military personnel.
- |                           |    |
|---------------------------|----|
| Shri Mahabal Mishra ..... | 63 |
|---------------------------|----|
- (iv) Need to construct the proposed new railway line between Ramganjmandi and Ujjain via Jhalawar
- |                         |    |
|-------------------------|----|
| Shri Sajjan Verma ..... | 63 |
|-------------------------|----|
- (v) Need to extend the period of exemption of service tax on Sheep Insurance Scheme in Andhra Pradesh upto 31.12.2012
- |                           |    |
|---------------------------|----|
| Dr. Manda Jagannath ..... | 64 |
|---------------------------|----|

(vi)	Need to check the menace of wild animals threatening the lives and agricultural, produce in Wayanad district, Kerala and provide regular compensation for the recurring losses incurred by farmers	
	Shri M. I. Shanavas .....	64-65
(vii)	Need to construct a new National Highway from Gudihatnur village, Adilabad district to Oda Revu Prakasam district in Andhra Pradesh.	
	Shri Ponnamp Prabhakar .....	65-66
(viii)	Need to waive loans extended to SCs/STs, minority, backward and landless people in the country under various Central/State Schemes	
	Shrimati Santosh Chowdhary .....	66-67
(ix)	Need to construct Railway Under Bridges at various level crossings in Bikaner Parliamentary Constituency, Rajasthan	
	Shri Arjun Ram Meghwal .....	67
(x)	Need to bring a stringent law to check the commercialization of education in the country	
	Shri Ganesh Singh .....	68
(xi)	Need to accord approval for four-laning of N.H. 59A (Indore-Betul) in Madhya Pradesh	
	Shrimati Sumitra Mahajan .....	68
(xii)	Need to set up Kendriya Vidyalayas, Navodaya Vidyalayas and Kasturba Gandhi Balika Vidyalayas in Ahmedabad, Patan and Mehasana districts of Gujarat	
	Dr. Kirit Premjibhai Solanki .....	69
(xiii)	Need to accord approval to road projects in Fatehpur Parliamentary Constituency, Uttar Pradesh under Pradhan Mantri Gram Sadak Yojana and release adequate funds for the same	
	Shri Rakesh Sachan .....	69-70
(xiv)	Need to take steps to check the soil erosion caused by river Ganga in rural and urban areas of Allahabad, Uttar Pradesh	
	Shri Kapil Muni Karwaria .....	70
(xv)	Need to construct a culvert bridge between Esalam and Periyathachur villages in Villupuram district, Tamil Nadu, through a Centrally Sponsored Scheme	
	Shri M. Anandan .....	70-71

INDIAN MEDICINE CENTRAL COUNCIL (AMENDMENT) BILL, 2010

Motion to Consider

Shri Ghulam Nabi Azad .....	71-73
Dr. Rajan Sushant .....	73-80
Shri P.C. Chacko .....	94-101
Shri Shailendra Kumar .....	101-102
Shri Vijay Bahadur Singh .....	103
Dr. Kirit Premjibhai Solanki .....	103-105
Shri Pratap Singh Bajwa .....	105-107
Shri Mangani Lal Mandal .....	107-109
Shri Prem Das Rai.....	110
Shri P.L. Punia .....	110
Dr. Ratna De.....	110-112
Shri S. Semmalai .....	112-113
Shrimati Jayshreeben Patel.....	113-114
Dr. Tarun Mandal .....	114-115
Shri Sanjay Bhoi .....	115
Shri S.R. Jayadurai.....	115-117
Shri Chandrakant Khaire.....	118
Shri Arjun Ram Meghwal.....	118
Dr. Raghuvansh Prasad Singh .....	118-120
Shri Amarnath Pradhan.....	120
Shri Prasanta Kumar Majumdar .....	120-121
Shri Nilesh Narayan Rane .....	121
Shri Pulin Bihari Baske.....	121-122
Shri B. Mahtab.....	122-124
Shri Hansraj G. Ahir .....	124-125
Dr. Prabha Kishor Taviad .....	125-126
Clauses 2 to 7 and 1 .....	132
Motion to Pass .....	133

REPRESENTATION OF THE PEOPLE (AMENDMENT) BILL, 2010

Motion to Consider

Shri M. Veerappa Moily .....	133-134
Shri Uday Singh .....	134-138
Shri P.T. Thomas .....	138-140
Shri Lalu Prasad .....	140-142
Shri Mulayam Singh Yadav.....	142-143
Shri P.L. Punia .....	143
Dr. Rajan Sushant .....	143-144
Dr. Ratna De .....	144-145
Shri Gorakhnath Pandey.....	145-147
Shri K.C. Venugopal.....	147-148
Shri Arjun Ram Meghwal.....	148-149
Shri S. Semmalai .....	149-150
Shri Arjun Roy .....	150-153
Shri T.K.S. Elangovan.....	153-154
Shri Naveen Jindal.....	154-157
Shri P. Karunakaran.....	157-159
Shri Ratan Singh .....	159
Shri B. Mahtab .....	159-162
Shri Anto Antony .....	162-163
Shri A.T. Nana Patil.....	163-164
Shri Mohammed E.T. Basheer .....	164-166
Shri Jagdambika Pal .....	166-167
Shri S.S. Ramasubbu .....	167-168
Dr. Sanjeev Ganesh Naik .....	168-170
Clauses 2 to 5 and 1 .....	170
Motion to Pass .....	171
Validictory Reference .....	171-176
National Song .....	176





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## LOK SABHA

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*Tuesday, August 31, 2010/ Bhadra 9, 1932 (Saka)*

*The Lok Sabha met at Eleven  
of the Clock*

[MADAM SPEAKER *in the Chair*]

### OBITUARY REFERENCES

[*English*]

MADAM SPEAKER: Hon. Members, I have to inform the House of the sad demise of two of our former colleagues, Shrimati Usha Choudhary and Shri Kalpanath Sonkar.

Shrimati Usha Choudhary was a member of the Seventh and Eighth Lok Sabhas from 1980 to 1989 representing the Amravati Parliamentary Constituency of Maharashtra.

Shrimati Choudhary was a member of the Committee on Government Assurances and the Committee on Estimates during the Seventh Lok Sabha. She was a member of the Joint Committee on Salaries and Allowances and Pension of Members of Parliament during the Eighth Lok Sabha.

An active social and political worker, Shrimati Choudhary served as the Chairman of the Amravati District Mahila Cooperative Bank. She contributed immensely towards the progress and development of women. She was instrumental in organizing camps for the welfare of women all over the State of Maharashtra and made concerted efforts for the uplift of the downtrodden and backward classes of the society, particularly those belonging to the rural areas. Shrimati Choudhary was awarded the 'Bharat Samaj Unnayan Ratna' by the World Development Parliament Institution, Calcutta in 1984.

A person with a scholarly bent of mind, Shrimati Choudhary was also an accomplished poetess. She has

to her credit about a hundred poems published in various magazines and newspapers.

Shrimati Usha Choudhary passed away on 2 August, 2010 at Nagpur, Maharashtra at the age of 68.

Shri Kalpanath Sonkar was a member of the Seventh Lok Sabha from 1980 to 1984 and Ninth Lok Sabha from 1989 to 1991, representing the Basti Parliamentary Constituency of Uttar Pradesh.

Earlier, Shri Sonkar served as a member of the Uttar Pradesh Legislative Assembly.

Shri Sonkar was a member of the Committee on Absence of Members from the sittings of the House and the Consultative Committee of the Ministry of Railways during the Ninth Lok Sabha.

Shri Sonkar played a proactive role in the uplift of the backward and deprived sections of the society.

Shri Kalpanath Sonkar passed away on 23 August, 2010 at Basti, Uttar Pradesh at the age of 59.

We deeply mourn the loss of these friends and I am sure the House would join me in conveying our condolences to the bereaved families.

The House may now stand in silence for a short while as a mark of respect to the memory of the departed.

**11.02 hrs.**

*The Members then stood in silence for a short while.*

**11.03 hrs.**

### PAPERS LAID ON THE TABLE

[*English*]

MADAM SPEAKER: Now, Papers to be Laid on the Table—Shri V. Narayanasamy.

...(Interruptions)

THE MINISTER OF STATE IN THE MINISTRY OF PLANNING AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI V. NARAYANASAMY): On behalf of Prof. K.V. Thomas, I beg to lay on the Table:—

- (1) (i) A copy of the Annual Report (Hindi and English versions) of the Indian Society of Agricultural Statistics, New Delhi, for the year 2009-2010, alongwith Audited Accounts.
- (ii) A copy of the Review (Hindi and English versions) by the Government of the working of the Indian Society of Agricultural Statistics, New Delhi, for the year 2009-2010.

[Placed in Library, See No. L.T. 3099/15/10]

- (2) (i) A copy of the Annual Report (Hindi and English versions) of the Indian Society of Agricultural Economics, Mumbai, for the year 2009-2010 alongwith Audited Accounts.
- (ii) A copy of the Review (Hindi and English versions) by the Government of the working of the Indian Society of Agricultural Economics, Mumbai, for the year 2009-2010.

[Placed in Library, See No. L.T. 3100/15/10]

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI DINESH TRIVEDI): I beg to lay on the Table a copy of the Statement (Hindi and English versions) explaining reasons for not laying the Annual Reports and Audited Accounts of the Indian Red Cross Society for the years 2004-2005 to 2008-2009; Postgraduate Institute of Medical Education & Research for the year 2008-09 and Regional Institute of Medical Sciences for the year 2008-09 within the stipulated period of nine months after the close of the respective accounting years.

[Placed in Library, See No. L.T. 3101/15/10]

...(Interruptions)

11.04 hrs.

MESSAGES FROM RAJYA SABHA  
AND

BILL AS PASSED BY RAJYA SABHA\*

[English]

SECRETARY-GENERAL: Madam Speaker, I have to report the following messages received from the Secretary-General of Rajya Sabha:—

- (i) "In accordance with the provisions of rule 127 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to inform the Lok Sabha that the Rajya Sabha at its sitting held on the 27th August, 2010 agreed without any amendment to the Essential Commodities (Amendment) Bill, 2010 which was passed by the Lok Sabha at its sitting held on the 17th August, 2010."
- (ii) "In accordance with the provisions of rule 127 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to inform the Lok Sabha that the Rajya Sabha at its sitting held on the 30th August, 2010 agreed without any amendment to the Civil Liability for Nuclear Damage Bill, 2010 which was passed by the Lok Sabha at its sitting held on the 25th August, 2010."
- (iii) "In accordance with the provisions of rule 111 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to enclose a copy of the Representation of the People (Amendment) Bill, 2010 which has been passed by the Rajya Sabha at its sitting held on the 30th August, 2010."

I also lay on the Table the Representation of the People (Amendment) Bill, 2010 as passed by Rajya Sabha on the 30th August, 2010.

[Translation]

DR. MURLI MANOHAR JOSHI (Varanasi): Madam Speaker, I want to say that. ...*(Interruptions)*

MADAM SPEAKER: You may sit down, let the papers be laid.

...*(Interruptions)*

MADAM SPEAKER: Please sit down, let the papers be laid, put down the newspaper.

...*(Interruptions)*

MADAM SPEAKER: Put down the newspapers.

...*(Interruptions)*

MADAM SPEAKER: You know that this is against parliamentary etiquettes.

...*(Interruptions)*

MADAM SPEAKER: Yogi ji, please sit down.

...*(Interruptions)*

[English]

MADAM SPEAKER: Reports to be presented. Dr. Murlī Manohar Joshi. Nothing else will go on record.

...*(Interruptions)\**

[Translation]

DR. MURLI MANOHAR JOSHI: Madam, in this house.

[English]

MADAM SPEAKER: No, you have to give the Reports of the Public Accounts Committee.

[Translation]

DR. MURLI MANOHAR JOSHI: Madam, I will lay the report. ...*(Interruptions)*

\* Not recorded.

11.05 hrs.

## PUBLIC ACCOUNTS COMMITTEE

[English]

DR. MURLI MANOHAR JOSHI (Varanasi): I beg to present the following Reports (Hindi and English versions) of the Public Accounts Committee (2010-11):—

- (1) Twenty-second Report on "Excesses Over Voted Grants and Charged Appropriations (2008-09)" relating to the Ministries of Defence, Finance, Home Affairs and Railways.
- (2) Twenty-third Report on "Assistance to States for Developing Export Infrastructure and Allied Activities (ASIDE) Scheme" relating to the Ministry of Commerce and Industry (Department of Commerce).

[Translation]

MADAM SPEAKER: Yogi ji, please sit down.

...*(Interruptions)*

MADAM SPEAKER: Please sit down.

...*(Interruptions)*

[English]

MADAM SPEAKER: Nothing will go on record except what Shri Shailendra Kumar is saying.

...*(Interruptions)\**

11.05½ hrs.

## COMMITTEE ON PUBLIC UNDERTAKINGS

### 9th Report

[Translation]

SHRI SHAIENDRA KUMAR (Kaushambi): to present the Ninth Report (Hindi and English versions) of the

\* Not recorded.

Committee on Public Undertakings (2010-11) on Action Taken by the Government on the recommendations contained in the Thirty-second Report (14th Lok Sabha) on Oil & Natural Gas Corporation Limited—Loss Due to sale of Crude Containing Basic Sediments and Water Content Above the Norms based on Para 14.7.1 of the Report on Union Government (Commercial) of the C&AG of India No. 11 CA of 2008.

11.06 hrs.

### COMMITTEE ON PETITIONS

#### 10th to 12th Reports

SHRI JAGDAMBIKA PAL (Domariyaganj): I beg to present the following Reports (Hindi and English versions) of the Committee on Petitions:—

- (1) Tenth Report regarding ill effect of Water and Air pollution caused due to slaughter of animals in slaughter house (Kamela) run by Meerut Nagar Nigam and related issues.
- (2) Eleventh Report on the action taken by the Government on the recommendations contained in the Thirty-ninth and Forty-fifth Reports (14th Lok Sabha) on the representations regarding pilferage of huge quantity of coal worth thousand crores of rupees in Gevra/Dipika areas of South Eastern Coalfields Limited and neglecting the youths belonging to weaker and middle class sections in the guidelines which regulate commissioning of LPG distributorship.
- (3) Twelfth Report on representations regarding non payment of dues to the employees of HFCL, Haldia and delay in construction of bridge over River Rupnarayan on NH-6 in West Bengal.

11.06½ hrs.

### STANDING COMMITTEE ON FINANCE

#### 21st to 25th Reports

[English]

SHRI YASHWANT SINHA (Hazaribagh): I beg to present the following Reports (Hindi and English versions) of the Standing Committee on Finance (2009-10):—

- (1) Twenty-first Report on the Companies Bill, 2009.
- (2) Twenty-second Report on the Coinage Bill, 2009.
- (3) Twenty-third Report on the Company Secretaries (Amendment) Bill, 2010.
- (4) Twenty-fourth Report on the Chartered Accountants (Amendment) Bill, 2010.
- (5) Twenty-fifth Report on the Cost and Works Accountants (Amendment) Bill, 2010.

...(Interruptions)

MADAM SPEAKER: Nothing will go on record except what Shri Vilas Muttemwar is saying.

...(Interruptions)\*

11.07 hrs.

### STANDING COMMITTEE ON FOOD, CONSUMER AFFAIRS AND PUBLIC DISTRIBUTION

#### 9th and 10th Reports

[English]

SHRI VILAS MUTTEMWAR (Nagpur): I beg to present the following Reports (Hindi and English

\* Not recorded.

versions) of the Standing Committee on Food, Consumer Affairs and Public Distribution (2009-10):—

- (1) Ninth Report on the subject 'Bureau of Indian Standards (BIS)-Hallmarking of Jewellery' pertaining to the Ministry of Consumer Affairs, Food and Public Distribution (Department of Consumer Affairs).
- (2) Tenth Report on the subject 'Production, Consumption and Pricing of Sugar' pertaining to the Ministry of Consumer Affairs, Food and Public Distribution (Department of Food and Public Distribution).

11.08 hrs.

#### STATEMENTS BY MINISTERS

- (i) (a) **Signing of protocol between Republic of India and Swiss Federal Council to amend the existing Agreement for avoidance of double taxation with respect — to taxes on income with protocol.**

[English]

THE MINISTER OF FINANCE (SHRI PRANAB MUKHERJEE) : Madam Speaker, with your permission, I beg to make a short Statement on an important issue of signing the amendment to the existing Agreement for avoidance of double taxation between India and Switzerland, which the hon. Members on the floor of this House have mentioned on several occasions.

Yesterday the Republic of India and the Swiss Federal Council have signed a Protocol which will amend the existing Double Taxation Avoidance Agreement between the two countries (DTAA). The amended DTAA shall come into operation after it enters into force on completion of internal process by Switzerland side.

Salient features of this Protocol are:

1. Article on Exchange of Information has been amended to bring it in line with international standards
  - Under the current DTAA between India and Switzerland, India has not been able to obtain banking information from Switzerland. The protocol now seeks to amend the Article concerning Exchange of Information to enable exchange of such information.
  - Information which is foreseeable relevant for carrying out the provisions of this agreement or to the administration or enforcement of the domestic laws concerning taxes can be exchanged under the DTAA, whereas earlier information which was relevant only for carrying out the provisions of DTAA could be exchanged.
  - Information exchanged is to be used for tax purpose only. However, the new Article also provides for use of information by such other purposes which are allowed under the laws of both States and the competent authority of the supplying State authorizes such use.
  - There is a specific provision to ensure that information will be exchanged even if there is no domestic interest.
  - There is a specific provision for providing banking and ownership information.
  - The new provision will be applicable only for prospective information and not for past information.
2. At present the income from international shipping are not covered under the DTAA. This is now sought to be included in the DTAA by providing for residence based taxation for shipping income from international traffic.

3. Our earlier treaties used to cover tax sparing provisions where if the income is exempt in one country, the other country used to provide corresponding relief even if such taxes are not paid due to exemption. However, India no longer supports this method and is moving away from profit based exemption. Tax sparing (to the extent of 10% of interest income) is currently there in the existing DTAA. Therefore, it is sought to be deleted in the Article concerning elimination of double taxation.
4. Article on Non-discrimination is sought to be amended to provide that difference in tax rate of resident taxpayer and Permanent Establishment of non-resident tax payer should not be more than 10%.
5. Recognised pension fund or scheme is included in the definition of resident to enable them to get benefit of the DTAA.
6. A provision for Limitation of Benefit is sought to be introduced to prevent misuse of treaty benefits on dividend, interest, royalty, fee for technical services and other income.

[Translation]

SHRI L. K. ADVANI (Gandhinagar): Madam Speaker, today is the last day otherwise I would have requested you that we shall hold discussion regarding this new protocol. Can the Minister of Finance briefly state whether or not as per the new protocol, we would be able to get information about Indians who have deposited their assets in Swiss Banks? If information can be obtained, under what conditions, including the cut off date? What are its various aspects?

[English]

SHRI GURUDAS DASGUPTA (Ghatal): I also say the same thing. I would like to know why it is prospective and not retrospective. There is always a clamour to bring back the large funds that are there. I urge upon the Government to ensure that the black money is recovered and it is invested for the development of the country. ...*(Interruptions)*

[Translation]

SHRI MULAYAM SINGH YADAV (Mainpuri): This is a very important issue and the Government must give information in regard to the people involved in it. ...*(Interruptions)*

[English]

MADAM SPEAKER: Now please do not start a discussion. The Leader of the House is on his legs.

SHRI PRANAB MUKHERJEE: First of all I would like to make it quite clear. ...*(Interruptions)*

If we want to have a discussion, then there is no end to it. But, on a limited point I can say that so far as the Swiss laws are concerned, they do not give any information in respect of their banking transactions. Swiss Bank transactions are so strictly enforced that only once in 1945 the assets of the Nazi leaders who were subjected to Nuremberg Trials were revealed by the Swiss Bank. Before and after that they have not revealed any such information. This will provide us an opportunity to have the relevant Bank information for taxation purposes.

Secondly, with many other countries we are having taxation agreements. For instance, as per the German laws we got some information that we can raise the demand for taxes. But we cannot disclose this information to any authorities including Parliament. Hon. Members are aware of that particular case; we could not reveal it.

[Placed in Library, See No. L.T. 3102/15/10]

...*(Interruptions)*

11.10 hrs.

- (i) (b) **The Status of implementation of the recommendations contained in the 7<sup>th</sup> Report of the Standing Committee on Finance on "Flaw of credit to**

**Agriculture Sector" pertaining to the  
Department of Financial Services,  
Ministry of Finance\***

[English]

THE MINISTER OF FINANCE (SHRI PRANAB MUKHERJEE): I beg to lay the following statement regarding:—

- (1) the status of implementation of the recommendations contained in the 78th Report of the Standing Committee on Finance on "Flow of Credit to Agriculture Sector", pertaining to the Department of Financial Services, Ministry of Finance.

Here, with this amending protocol, we shall be able to share the information, which we will get, with the Parliament. Also, in other earlier agreements with the other countries, not with the Swiss Government because they were always saying 'no' in respect of banking information, the provision was that it will be given only to the Income Tax Department and the Income Tax Department can use it only for its own purposes of making assessment of income tax and wealth tax, but they cannot transfer it to other authorities. For instance, even they cannot give it to the Enforcement Directorate, if there is a case of money laundering. That provision will also be made available.

If the hon. Members are interested – surely this is an important issue – we will have the opportunity of discussing it in the next Session because this question will come up repeatedly. Therefore, there is no need of it now.

In respect of questions of Shri Gurudas Dasgupta, please remember that this is an agreement between two sovereign countries. They are not subordinate to us. Therefore, we shall have to agree to whatever concessions we get.

11.12 hrs.

- (ii) **India's offer of assistance of 25 million US dollars to Pakistan for flood relief**

[English]

THE MINISTER OF EXTERNAL AFFAIRS (SHRI S.M. KRISHNA): Madam Speaker, Pakistan has been severely affected by the massive floods that have caused widespread damage to life and property. The recent floods are being described as the worst in that part of the world in the last 80 years. According to the latest figures given by the UN Office for the Coordination of Humanitarian Affairs, 17.2 million people have been adversely affected by these floods. Death toll has reached over 1,600. More than 1.2 million houses have been damaged or destroyed besides widespread damage to infrastructure, crops and livestock. All four provinces of Pakistan and Pakistan-occupied Kashmir have suffered the consequences. Latest reports indicate that the flood situation in Sindh continues to deteriorate, even as flood waters recede in Punjab.

We cannot remain unconcerned with this grave humanitarian crisis of enormous magnitude in our immediate neighbourhood. I had telephoned the Foreign Minister of Pakistan on August 13, 2010, and conveyed the deepest sympathies and condolences to the people and Government of Pakistan, on this natural disaster, on behalf of the people and Government of India. As a gesture of solidarity with the people of Pakistan in their hour of need, I had also conveyed Government's offer of assistance of US \$ 5 million for provision of relief material from India for the flood victims in Pakistan.

Prime Minister called Prime Minister of Pakistan Yusuf Raza Gilani on August 19, 2010, to express his sorrow and to condole the deaths resulting from the huge floods in Pakistan. Prime Minister conveyed that the Government of India had already made an offer of assistance and was ready to do more to assist in the relief effort.

\*Laid on the Table and also placed in the Library, See No. L.T. 3103/15/10.



Pakistan has conveyed its deep appreciation of India's offer of assistance. While mentioning that the United Nations has launched a flash appeal soliciting contributions from the international community to assist the people affected by the floods, Pakistan requested on 27th August that India may channel its contribution to the flood victims through the United Nations.

As a more concrete assessment of the damage inflicted by this natural disaster and the urgent needs of the people of Pakistan emerges, Government has decided to increase its assistance to Pakistan from 5 million US Dollars, announced earlier, to 25 million US Dollars. Out of this amount, 20 million US Dollars would be contributed to the 'Pakistan Initial Floods Emergency Response Plan' launched by the United Nations' Office for the Coordination of Humanitarian Affairs. The balance of 5 million US Dollars would be contributed to the World Food Programme for its relief efforts in Pakistan.

Prime Minister has rightly said that in such times of natural disasters, all of South Asia should rise to the occasion and extend every possible help to the affected people. We remain committed to assisting the people of Pakistan in all possible ways in this difficult hour.

Thank you, Madam Speaker.

[Placed in Library, See No. L.T. 3104/15/10]

11.20 hrs.

### CALLING ATTENTION TO MATTER OF PUBLIC IMPORTANCE

- (i) **Situation arising out of recent attacks on Indian Fishermen by Sri Lankan Navy and steps taken by the Government in this regard**

[English]

MADAM SPEAKER: The House shall now take up Item No. 12, Calling Attention. Shri T. R. Baalu.

...(Interruptions)

SHRI T.R. BAALU (Sriperumbudur): Madam, I call the attention of the Minister of External Affairs to the following matter of urgent public importance and request that he may make a statement thereon:

"The situation arising out of recent attacks on Indian Fishermen by Sri Lankan Navy and steps taken by the Government in this regard."

...(Interruptions)

[Translation]

DR. MURLI MANOHAR JOSHI (Varanasi): Madam Speaker, I have a point of order.

[English]

MADAM SPEAKER: What rule is it?

...(Interruptions)

MADAM SPEAKER: Please tell us the rule.

...(Interruptions)

[Translation]

DR. MURLI MANOHAR JOSHI: Madam Speaker, the reply to the discussion held on Kashmir in the House should be given, which has not been given far. Today, is the last day of the current session. This was included in List of the business but then it was excluded. The Leader of the House and the Minister of the Parliamentary Affairs are present here, so, I would like to know whether the reply to the discussion held on Kashmir will be given or not? Whether it is the policy of the Government that till the next session.

...(Interruptions)

[English]

MADAM SPEAKER: Thank you so much.

...(Interruptions)

MADAM SPEAKER: Now, the hon. Minister.

...(Interruptions)

[Translation]

DR. MURLI MANOHAR JOSHI: Hon'ble Minister, please reply this. ...(Interruptions)

[English]

MADAM SPEAKER: Now, the hon. Minister, please. This is on the Calling Attention.

[Translation]

DR. MURLI MANOHAR JOSHI: Its reply is to be given by the Minister of Home Affairs ...(Interruptions)

SHRI SYED SHAHNAWAZ HUSSAIN (Bhagalpur): The Government should give reply to the discussion. ...(Interruptions)

MADAM SPEAKER: Let the calling attention be completed.

THE MINISTER OF PARLIAMENTARY AFFAIRS AND MINISTER OF WATER RESOURCES (SHRI PAWAN KUMAR BANSAL): Madam Speaker, when the Government agreed to it only then discussion was held on this subject. ...(Interruptions)

MADAM SPEAKER: Mr. Minister is speaking, please listen to him, please take your seat.

...(Interruptions)

SHRI PAWAN KUMAR BANSAL: Madam Speaker, when the opposition urged for discussion on for issues, the Government agreed to one issue. The Government said that it is ready to discuss any issue. The Government agreed to held discussion on the issue on J&K. A discussion was held in the House, it took very long time, more than the fixed time. Later on it was decided that the reply to the discssion would be given later on

Madam Speaker, you are aware and the whole of the House know that our time has wasted on other things and that is why it was not taken up. ...(Interruptions)

[English]

SHRI BASU DEB ACHARIA (Bankura): Today, is the last day of the current Session. ...(Interruptions)

SHRI PAWAN KUMAR BANSAL: This work is the Legislative Business of the House. ...(Interruptions)

[Translation]

MADAM SPEAKER: Now you please take your seat. Let the calling attention be completed.

...(Interruptions)

[English]

MADAM SPEAKER: Now, the hon. Minister on the Calling Attention.

[Translation]

MADAM SPEAKER: Now please sit down. Let the calling attention be completed.

...(Interruptions)

[English]

SHRI HARIN PATHAK (Ahmedabad East) : Madam, we are ready to sit late for this discussion. ...(Interruptions)

MADAM SPEAKER: Nothing will go on record.

...(Interruptions)\*

MADAM SPEAKER: Mr. Baalu, have you read the statement of the hon. Minister?

...(Interruptions)

SHRI T.R. BAALU (Sriperumbudur): Yes, Madam, I have read it. ...(Interruptions)

MADAM SPEAKER: Okay. Hon. Minister, kindly lay the statement on the Table of the House.

...(Interruptions)

THE MINISTER OF EXTERNAL AFFAIRS (SHRI S.M. KRISHNA): Madam, I lay the statement on this issue on the Table of the House. ...*(Interruptions)*

\* I respond to the House on the Calling Attention Notices regarding the killing of Indian fishermen and continuous attacks on them by Sri Lankan Navy.

I would like to reiterate at the outset to this august House that the welfare, safety and security of our fishermen have always received the highest priority by Government. Government of India and the High Commission of India in Sri Lanka have consistently taken up issues relating to incidents of firing on or apprehension of our fishermen with the Government of Sri Lanka to ensure that the Sri Lankan Navy act with restraint and our fishermen are treated in a humane manner.

Hon. Members would recall that to avoid recurrence of incidents involving our fishermen, and keeping in mind the humanitarian and livelihood dimensions of the issue, on 26th October, 2008, India and Sri Lanka reached an Understanding on Fishing Arrangements under which both of us agreed to put in place practical arrangements to deal with *bonafide* fishermen crossing the International Maritime Boundary Line from either country. As part of these practical arrangements, it was agreed that there will be no firing on Indian fishing vessels and that Indian fishing vessels will not enter into sensitive areas designated by Government of Sri Lanka along its coastline.

I would like to inform this august house that after the October, 2008 Understanding, incidents of apprehension and firing on Indian fishermen in the waters between India and Sri Lanka have come down significantly. In 2008, 1456 Indian fishermen were apprehended by the Sri Lankan Navy. In 2009, those apprehended came down to 127 fishermen only. In 2010, till end of July this year, 26 fishermen were apprehended. In 2008, the number of fishermen reported killed was 5 with 1 missing. In 2009, there were no

fishermen killed or missing. Recently we have had an incident in which one fisherman was reportedly killed. However, there has been a significant decrease in the incidents of apprehension of Indian fishermen after 2008. It is, therefore, evident that the October, 2008 Understanding has had a salutary effect on the situation.

I would also like to reiterate that whenever incidents of firing or apprehension or ill-treatment of our fishermen come to our attention, we have immediately taken them up with the Government of Sri Lanka. Government of Sri Lanka have in most cases responded to our request and have released these fishermen. We have time and again emphasized to the Government of Sri Lanka to scrupulously adhere to the understanding we have reached and they have assured us of their commitment to adhere to this understanding. However, they have also consistently denied that their Navy has had any responsibility in such incidents of firing on our fishermen. They have also stated that their Navy does not enter Indian territorial waters.

I would like to inform the hon. Members that most such incidents have taken place in Sri Lankan waters where our fishermen stray across the International Maritime Boundary Line. It is, therefore, important that we sensitize our fishermen to respect the International Maritime Boundary Line and not stray into Sri Lankan waters for their own safety and security, especially in those areas designated as sensitive by the Government of Sri Lanka. We have also conveyed a similar request to the Government of Sri Lanka vis-a-vis their fishermen who cross the International Maritime Boundary Line and enter our waters.

India and Sri Lanka are also in discussion in the Joint Working Group constituted to deal with issues related to fishermen and to work out bilateral institutional arrangements for ensuring the safety and security of the fishermen of both countries and addressing such issues in a humane and practical way.

MADAM SPEAKER: Now, Shri T. R. Baalu.

...*(Interruptions)*

MADAM SPEAKER: Only Shri T. R. Baalu's statement will go on record.

...(Interruptions)\*

SHRI T.R. BAALU: Madam Speaker, the issue of safety and security of the Indian fishermen has been discussed and deliberated in this august House time and again. ...(Interruptions) The Upper House has discussed this most important issue pertaining to the Indian fishermen, especially, the fishermen of Tamil Nadu. This issue has been discussed to draw the attention of the Government of India. ...(Interruptions)

SHRI PAWAN KUMAR BANSAL: Madam, about 50 hours of the House have been wasted. ...(Interruptions)

[Translation]

MADAM SPEAKER: Let the calling attention be completed.

...(Interruptions)

[English]

SHRI T.R. BAALU: I would also remind the House that the hon. Member, Shri A.K.S. Vijayan, who is also the Deputy Leader of our Parliamentary Party, had raised the same issue many times. ...(Interruptions)

[Translation]

MADAM SPEAKER: Let the calling attention be completed.

...(Interruptions)

[English]

SHRI T.R. BAALU: He had raised this issue pertaining to the sad plight of fishermen of Nagapattinam many a time in this very House. Also, the new Member, Shri Ritheesh, who hails from Rameshwaram, has raised the same issue, the plight of Rameshwaram fishermen, in this House many times. ...(Interruptions)

[Translation]

MADAM SPEAKER: Please be seated.

...(Interruptions)

[English]

SHRI T.K.S. ELANGOVAN (Chennai North): Please show some concern for the poor fishermen. ...(Interruptions)

MADAM SPEAKER: Nothing is going on record, except what Shri Baalu is saying.

...(Interruptions)\*

SHRI T.R. BAALU: In this House, the Members of Parliament are very much sensitive, as far as this issue is concerned, and the entire country is seized of this matter. The people want us to address this problem. ...(Interruptions)

[Translation]

MADAM SPEAKER: Advani Ji, you please speak.

SHRI L. K. ADVANI (Gandhinagar): Madam Speaker, I would request you to instruct the government that this is an important subject, on which a discussion has been taken place and reply to that discussion has not been given yet and there is no reason for not replying to the discussion on Kashmir by the Home Minister. We have the whole day and it seems to me that perhaps in the evening the House. ...(Interruptions)

[English]

SHRI T.R. BAALU: Madam Speaker, you have already taken up the Calling Attention Notice. It is the most important issue which was postponed twice. Today you have called my name and I have drawn the attention of the Minister to this issue. I am not yielding. How can they speak like this? ...(Interruptions)

[Translation]

SHRI L. K. ADVANI: Madam Speaker, I would

request you, I am not requesting the Government, to instruct the Government to reply it today itself but reply should be given. ...*(Interruptions)*

MADAM SPEAKER: You please be seated

...*(Interruptions)*

SHRI PAWAN KUMAR BANSAL: Madam, I have already said it and I would like to reiterate the same thing that when we agree to take up any subject for discussion we do not assure that it would not be replied. That has never happened. The reply is given. All of you know that 50 hours of the House had gone wasted. It does not mean that reply shall not be given. ...*(Interruptions)* You will not listen to me? Will you listen to me. You have made your points, now will you not listen to me? ...*(Interruptions)*

MADAM SPEAKER: You please keep silent. Please listen to him.

...*(Interruptions)*

*[English]*

THE MINISTER OF STATE IN THE MINISTRY OF PLANNING AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI V. NARAYANASAMY): They want a discussion, but they do not allow the proceedings. They are following double standards. They do not want the House to run. ...*(Interruptions)*

*[Translation]*

MADAM SPEAKER: Please listen to what Minister is saying.

...*(Interruptions)*

SHRI PAWAN KUMAR BANSAL: You did not listen to me and want to make your point. If you keep on making a noise, I shall not be able to speak. If you allow me to speak, it is ok. ...*(Interruptions)*

MADAM SPEAKER: Please take your seat. You should also take your seat.

SHRI PAWAN KUMAR BANSAL: The whole nation

is watching as to what we are doing here. Madam, I would like to say that though this subject is not included in the List of Business of the day, even then I will take to the Home Minister and inquire about his engagement for today, and if it is possible to reply the discussion today, we shall have no problem. ...*(Interruptions)* Will you not listen to my point? Madam, I am also saying that if it is not possible to reply the discussions today please include it in the next session, we have no objection. ...*(Interruptions)*

MADAM SPEAKER: Now it is over, Basudev Acharyaji, please take your seat.

...*(Interruptions)*

*[English]*

SHRI BASU DEB ACHARIA: The reply from the Home Minister should come today itself. ...*(Interruptions)*

*[Translation]*

SHRI PAWAN KUMAR BANSAL: It is wrong to say that the Government do not want to reply.

MADAM SPEAKER: Basudev Achariaji. Karunakaranji please take your seat.

...*(Interruptions)*

*[English]*

MADAM SPEAKER: Please take your seat. Nothing is going on record.

...*(Interruptions)\**

SHRI T.R. BAALU: I was stating that Parliament is seized of this matter and Parliament is very much sensitive to this issue. But at the same time, I would not say that the Government is insensitive. The Government of Tamil Nadu headed by my leader and the Chief Minister of Tamil Nadu, Dr. Kalaignar Karunanidhi, brought this to the notice of the Government of India many a time on many a occasion. It has become a vexatious issue.

\*Not recorded.

Madam, Tamil Nadu has got 1,076 kilometres of coastal line, and about 57,897 fishing trawlers are in operation in those waters of the Bay of Bengal.

In Bay of Bengal, it is only in the area of Palk Bay that fishery potential is high. It is in this Palk Bay that the Kachativu Island exists where the fisherman want to go and fish day in and day out. Fishermen usually go after catches only. It is because of this community of fishermen that the Government of India is getting 13 per cent of its exports in fishery goods. Such a great export potential exists there.

My intention behind drawing this to the attention of the House and of the Government of India is specific. How many instances, Madam? Not one or two. From 2000 to 2010, there have been about 206 incidents wherein 17 people have died because of shooting by the Sri Lankan Navy; and about 2191 fishermen have been injured. A close analysis of these incidents reveals that all the incidents have taken place in and around the Kachativu island. In all these incidents, the fish catches were snatched, communication equipment was thrown into the sea, clothing of the fishermen was removed, fishermen were stripped in sensitive parts.

Do these not amount to heinous crimes, Madam? Sri Lankan Navy personnel are committing all these heinous crimes. Will it be tolerated, Madam? Just now we heard from the hon. External Affairs Minister that India has extended its helping hand to the flood-affected people of Pakistan. We are also extending our help to the IDPs in Sri Lanka. Of course, Sri Lanka is not our country, it is a foreign country. At the same time we are extending our help to many nations. We consider Pakistan as well as Sri Lanka our friends, our own kith and kin. But there is no reciprocity from the other side, especially from Sri Lanka in this House.

I would take two minutes and remind you of the history. In 1974 there was an agreement signed by the great leader of this country the late Shrimati Indira Gandhi. Mother Indira signed that agreement with Shrimati Sirimavo Bandaranaike. The two Prime Ministers signed the agreement on 28-6-1974. Article 4 of that

agreement says, "Each country shall have its sovereignty and exclusive jurisdiction and control over the waters, the islands, the continental shelf and subsoil thereof falling on its own side of the aforesaid boundary." Article 5 of the agreement reads, "Subject to the foregoing, Indian fishermen and pilgrims will enjoy access to visit Kachativu as hitherto and will not be required by Sri Lanka to obtain travel documents and visas for these purposes". Article 6 is more important and it says, "The vessels of India and Sri Lanka will enjoy in each other's waters such rights as they have traditionally enjoyed thereon".

Traditional rights have been established in this 1974 agreement which was signed by Madam Indiraji. What happened after 1974? In 1974 itself, Shri Swaran Singh, the Former External Affairs Minister made a statement.

In his statement, he also says: "I wish to remind the hon. Members that in concluding this Agreement, the right of fishing, pilgrimage and navigation, which both sides have enjoyed in the past, have been fully safeguarded for the future." It has become a parliamentary document. Once again, during his speech, he says: "I am sure that the hon. Members know that the 1921 Fishery Line was a Line, it was about three or three and a half miles West of Kachativu, that is, to the western side of the Fishery Line was an exclusive fishery rights of the Indian citizens and to the east of that was, the right of Sri Lankan fishermen." This is what late Swaran Singh stated in Parliament, on the same floor.

Finally, he says: "Although Sri Lankan claims to sovereignty to Kachativu has been recognised, the traditional rights of Indian fishermen to pilgrims to visit the Island will remain unaffected" — I repeat, remain unaffected — "similarly the traditional navigation rights exercised by India and Sri Lanka in each other's waters will remain unaffected." This is the assurance given by late Swaran Singh, the former External Affairs Minister.

What went wrong in 1976? There was a sheer transaction of two letter correspondences between one Secretary of External Affairs Ministry of the Government

of India by name Shri Kewal Singh and another Secretary by name Shri Jayasinghe of the Defence Ministry of Sri Lanka. The letter says that: "The fishing vessels of fishermen of India shall not engage in fishing – in the historic waters – in territorial sea and exclusive economic zone of Sri Lanka nor shall the fishing vessel and fishermen of Sri Lanka engage in fishing in the historic waters, the territorial sea and exclusive economic zone of India without the express permission of Sri Lanka or India, as the case maybe." It is a blow on the heads of the fishermen of India. This has happened in 1976. It is an Executive Order of Secretary - from the Government of India, without the consent of Parliament and without the consent of political hierarchy, without the consent of the State Government.

The State Government of Tamil Nadu was never taken into confidence. Moreover in the first Agreement in 1974 itself, it has not been placed. The Agreement was signed on 28.06.1974 by Madam Indira ji. In July only, the discussion took place. In June, the Agreement was signed by the Government. But in July, 1974, the discussion took place in Parliament. That is why, many parliamentarians took exception because an Agreement has been signed and an Agreement is brought before the House getting an approval *fait accompli*. Why should the Government do that? That is what the hon. Members had asked at that point of time during discussion. After this, two letter transaction has become a part and parcel of the Agreement. That is a blow on the heads of fishermen at that particular point of time.

The then parliamentary party leader of DMK, Era Sezhan – many senior hon. Members like Shri Jaswant Singh and Shri Advani should be knowing him – has said categorically that: "This Agreement goes against the interests of the country. It is a pure surrender of our territory without going through any norms. This is an unholy and disgraceful act of statesmanship unworthy of any Government. Therefore, we do not want to associate ourselves with the statement that is going to be made by the hon. Minister and we want to disassociate ourselves by walking out of the House." We have made strong exception. The DMK has made

is clear that we are not conceding this and conceding Kachativu to Sri Lanka is against the interests of the India. That is what he had said and he walked out. ...*(Interruptions)*

MADAM SPEAKER: Please conclude.

SHRI T.R. BAALU: Before I conclude, as requested by the hon. Chief Minister of Tamil Nadu and my leader, *Kalaigñar* Karunanidhi many times, and the Members of Parliament, cutting across party lines, I would request the Government of India to revisit the Agreements and renegotiate to get back Kachativu Islands. Secondly, the Government must increase the Coast Guard patrolling to protect the Tamil fishermen. Third is the most important and the immediate action needed is to establish on-line interactive dispute redressal mechanism involving all stakeholders – Government of India, Sri Lanka, State Government of Tamil Nadu and the fishermen. Unless and otherwise you establish linkage, you cannot solve this problem. Otherwise, you have to get back the Kachativu Islands back to India.

DR. M. THAMBIDURAI (Karur): Attacks on Indian fishermen by Sri Lankan Navy is a very burning and a serious problem in Tamil Nadu. I have read the statement of the hon. Minister. Even though he described certain incidents as to how Sri Lankan Navy attached Tamil Nadu fishermen, but he forgot to mention as to how many people died. Even after this Agreement, you can see that these incidents are taking place.

Recently, on 7th July, 2010, more than 100 Indian Tamil fishermen were taken by the Sri Lankan Navy and also a fisherman, Chellappan of Vedaranyam had died due to firing. Even the hon. Minister has stated about this incident in his statement.

Nearly 500 fishermen died because of firing by the Sri Lankan Navy. Nearly 1,000 fishermen were handicapped due to this. Thousands of fishermen were also missing. These instances are regularly taking place. All this is due to Kachativu issue, as the other hon. Member stated. All these incidents are taking place because of that only.

The only remedial measure to protect the lives and livelihood of our fishermen is to nullify the Indo-Sri Lankan Agreement on Kachativu and retrieving the Kachativu Island from Sri Lanka. As the hon. Member stated, this Agreement was made without the Parliamentary Approval. Any Indian land to be give away or to add to the Indian territory, Parliament must approve this. We cannot do this without amending the Constitution. Therefore, the Agreement on Kachativu is illegal and we should get that back.

The other threat we are facing now is that nearly one lakh Chinese Army people are in Sri Lanka in civilian dress. China is now making attempts to control the Indian Ocean. It is now engaged in building a harbour at a huge cost of Rs. 5,000 crore in Sri Lanka. No doubt, Rajapakse has consented to all these schemes. Sri Lanka also had decided to give the fishing rights to China in Kachativu. From AIADMK Party, we strongly oppose this decision. The gifting away of Kachativu was unconstitutional. My Party's General Secretary, hon. Amma, Jayalalithaa has already moved the Supreme Court to rescind this agreement. On behalf of the AIADMK, I would request the Government of India to take action to retrieve Kachativu, to alleviate the problems of the Indian Tamil fishermen. Kachativu is not a closed chapter; it has to be reopened. I want to raise these questions now. Our hon. Minister said that there was an understanding reached between India and Sri Lanka on 26th October, 2008. According to the understanding reached between India and Sri Lanka, Indian Tamil fishermen have been barred from entering the sensitive areas, designated by the Sri Lankan Government along the coastline. We cannot understand what the so-called understanding is. The so-called understanding cannot override or supercede the sovereign Treaty.

MADAM SPEAKER: Please ask your question, Dr. Thambi Durai Ji, and take your seat. Your time is up.

DR. M. THAMBIDURAI: I am putting the question. This is a very burning issue, please allow me.

You have already bartered away the Kachativu Island and now you are bartering away the rights of the Indian Tamil fishermen. We have a strategic cooperation with Sri Lanka, which is going on. May I know whether that strategic cooperation takes into account the rights of the Indian Tamil fishermen and the sensitivities of the people of Tamil Nadu over this issue? What prevented the Indian Navy and the Coast Guard from providing protection to the Indian Tamil fishermen? It is said that they are in league with the Sri Lankan Navy since both are bound by the strategic contract, under-written by the US Naval Command. Is that true? Is that the reason why our Indian Tamil fishermen are being killed by them mercilessly? Is the Government of India opposed to the age-old bondage between the Tamil fishermen and the Sri Lankan Tamil fishermen? Or is it a part of a well-planned strategy to cut the umbilical cord existing between the fishermen of Tamil Nadu and the Sri Lankan Tamil fishermen?

MADAM SPEAKER: You are putting so many questions.

DR. M. THAMBIDURAI: I am concluding.

Before reaching such a far-reaching understanding, did the Government of India consult the Tamil Nadu Government? Did the Chief Minister of Tamil Nadu give his consent to take away the rights of the Indian fishermen? How can the so-called understanding supersede the rights conferred upon by a sovereign Treaty? Which is tr designated area? Where is it? Has that been specified clearly so that the fishermen can understand that?

Instead of preserving the rights of the fishermen conferred by a Treaty and givin; protection to the Indian fishermen, the Government of India is asking them not to straj into the designated zone.

MADAM SPEAKER: You are supposed to put one question, but you are putting so many Please take your seat now; thank you so much.

Shri Natarajan.

DR. M. THAMBIDURAI: I am putting my last question.



The hon. Member said that in 1974, we had an agreement on Katchativu. In 1974, the then Chief Minister of Tamil Nadu colluded with the Central Government and gifted the Katchativu unconstitutionally. Will the Government of India take steps to retrieve the Island, as is demanded by our Party General Secretary, hon. Amma, Jayalalithaa? ...*(Interruptions)*

MADAM SPEAKER: Please sit down. What is going on here? This is Calling Attention. What is this going on here?

...*(Interruptions)*

DR. M. THAMBIDURAI: What is the use of writing letters? ...*(Interruptions)* Did the Government of India take some action?

MADAM SPEAKER: Shri Baalu, take your seat. Do not get agitated.

...*(Interruptions)*

DR. M. THAMBIDURAI: He said that letters were written to the Government of India. I want to know what is the action that it has taken on them. ...*(Interruptions)*

MADAM SPEAKER: Now, you may please sit down.

DR. M. THAMBIDURAI: Finally, I want to ask this one question. I am concluding. ...*(Interruptions)*

MADAM SPEAKER: Now, please conclude. You have exceeded.

...*(Interruptions)*

DR. M. THAMBIDURAI: I am concluding. The hon. Member said that the Chief Minister had written many letters to the Central Government. What action the Government has taken on them? Has it responded to them? Writing letters would not solve the problem. The real problem can be solved only with this — let them come out of the coalition Government. Then only the problem can be solved.

SHRI P.R. NATARAJAN (Coimbatore): Madam Speaker, thank you for the opportunity given by you.

I want to put a question to the hon. External Affairs Minister, through you, Madam.

Firstly, I fully associate with Dr. Thambi Durai's statement. Secondly, I want to know this. Now, the Secretary of the External Affairs Ministry is in Sri Lanka. Has he given any direction to her regarding the excesses of the Naval Forces of Sri Lanka?

Just ten days back I heard that about 40 Pakistani people illegally crossed the border, who were caught by the police and punished by the court. After that, they had been released and a ceremonial function was celebrated at the Wagah border. Through Wagah border, we have sent all these persons who illegally crossed the Indian border from Pakistan.

This is not the method that Sri Lanka is adopting. They start firing; this is to be stopped. I fully associate with Dr. Thambi Durai's statement.

MADAM SPEAKER: Thank you so much.

\*SHRI A. GANESHAMURTHI (Erode): Madam Speaker, I thank you for giving me this opportunity to speak on this motion and draw the attention of this House to the plight of Indian fishermen in the coastal areas of Tamil Nadu.

This is not the first time that we raise it in the House about our Tamil fishermen being attacked in our own Indian territory, well within our borders. Through Calling Attention motion on several occasions, the very same problem has been highlighted by various Members belonging to different parties cutting across party lines. This is continuing for the past 35 years. As pointed out by both Dr. M. Thambidurai and Shri T.R. Baalu the heinous act of Sri Lankan Navy firing at our Indian fishermen goes on unabated only after our giving away the islet of Katchativu to Sri Lanka. The Sri Lankan Navy has shot at our fishermen killing and maiming many at least on 22 occasions in the past one year.

I would like to know from the Government of India whether they are aware of these continuous attacks and killings. If so, I would like to know whether they have

\*English Translation of the speech originally delivered in Tamil.

taken any action. If it is not so, whether they are contemplating any action to save the lives and properties of Tamil fishermen. If a country's Navy attacks the citizens of another country, does it not amount to an attack on its sovereignty? When the Sri Lankan Navy is attacking our Indian citizens, it must be taken as an affront against our sovereignty by our Government. I would like to know as to what our Government is doing to safeguard our sovereignty and save our citizens. Is it not the responsibility of the Government of India to save our own citizens in whichever part of the country they live? Does it mean that the fishermen of Tamil Nadu are not being considered as Indian citizens by the Government of India?

Katchativu was part of Tamil Nadu even before Tamil Nadu became part of India. We, Tamils, have lost our rights over Katchativu after our becoming part of you. Even before the Indian Union was carved out, Katchativu belonged to Tamil Nadu which became part of India. Is it not true that you are not raising your voice firmly to quell the problem faced by our fishermen of Tamil Nadu? As was pointed out rightly by both Dr. Thambidurai and Shri Baalu, having a relook at the rights over Katchativu alone can help us to find a lasting solution to this vexing problem.

We have entered into several agreements with the Government of Sri Lanka of which many have been violated by Sri Lanka. Rajiv Gandhi-Jayawardhane Accord is one of them that has been given a go-by. That is why I would like to ask of this Government as to why not we scrap the Katchativu Agreement as our traditional fishing rights are not honoured. So, I would like to know from the Government whether any step would be taken to protect our Indian fishermen on realizing that getting back Katchativu alone is the way out.

Whenever such violations take place, stern warnings are given by the Government of India to Pakistan, but not in the case of Sri Lanka which attacks our fishermen continuously all these years. I would like to know as to why no such warnings are given to Sri Lanka. I may be given the reason for this omission.

SHRI S.M. KRISHNA: Madam Speaker, I would like to associate with the sentiments expressed by my esteemed friend Shri T. R. Baalu and other distinguished Members of this august House.

SHRI SYED SHAHNAWAZ HUSSAIN (Bhagalpur): He is Dr. Thambi Durai!

SHRI S.M. KRISHNA: That was with reference to the hardships that the Indian fishermen are facing in Sri Lankan waters. I would like to put the whole question in its right perspective.

Almost every Member who participated in this Calling Attention notice, has mentioned about the Katchativu Island. But the fact of the matter is that in 1974 and in 1976, two agreements had been entered into between the Government of India and the Government of Sri Lanka wherein it has been expressly stated that Katchativu is a part of Sri Lanka. A copy of the agreement has been laid on the Table of this August House.

SHRI T.R. BAALU: It has become a *fait accompli*. You are entering into an agreement without the Parliament's approval. ...*(Interruptions)*

MADAM SPEAKER: Let the Minister reply.

SHRI T.R. BAALU: Actually, it was ruled by the Raja of Ramnad. ...*(Interruptions)*

MADAM SPEAKER: Please take your seat. Let him complete his reply. What is this going on? How can he reply?

...*(Interruptions)*

MADAM SPEAKER: He is not yielding. Please take your seat.

SHRI S.M. KRISHNA: We are dealing with a sovereign Government of Sri Lanka; and incidentally, it is also a friendly country to India. We will have to consider and we will have to factor in all this, while making an assessment, whether we can legitimately lay our hands on the Katchativu Island, when once the

Government of India has taken the position that it is a part of Sri Lanka.

So, it is in this perspective that we will have to look at the Katchativu Islands. Even in that Agreement, there have been certain concessions given to our fishermen. They can go to Katchativu, dry their nets and can rest there. Beyond that they cannot do anything else. So, in the light of this, we will have to understand that we cannot go back on the solemn Agreement that has been entered into between two Governments.

Now, the fact is, at least in recent past, there have been less number of incidents of arrest. If I can quote some figures, Madam Speaker, in 2008, 1456 Indian fishermen were arrested by the Sri Lankan authorities. In 2009, it came down to 127. In 2010, till the end of July this year, only 26 fishermen have been apprehended by the Sri Lankan Navy. So, these figures do indicate that there has been a declining trend in terms of Indian fishermen getting arrested or being taken in by the Sri Lankan Navy. We have advised our fishermen that they should not get into the sensitive waters of Sri Lanka. After all, we will have to respect the sovereignty of Sri Lanka on their territorial water. ...*(Interruptions)* Let me complete. Then you can say what you want to. You have already had your say.

Apart from the two Governments, Madam, I think one other positive development is that the representatives of the fishermen of Sri Lanka and the representatives of the fishermen of Tamil Nadu have had an informal meeting between themselves.

SHRI T.R. BAALU: It has failed.

SHRI S.M. KRISHNA: My friend, Shri Baalu says that it has failed but one failure should not be taken as a failure for ever. I think repeated attempts will have to be made because when there are such contentious issues between our fishermen we will have to repeatedly keep trying to bring about an understanding between fishermen. After all, the common aim of the fishermen in Tamil Nadu and the fishermen in Sri Lanka is to earn a livelihood.

MADAM SPEAKER: Mr. Minister, please address the Chair.

SHRI S.M. KRISHNA: So, I would request the hon. Members, particularly Shri Baalu - because he has been a Minister earlier and as a result of that I expect a greater appreciation - to realise whether the positions taken by the successive Governments need to be honoured or not. This is the question. If the question is to be answered in the affirmative, as I know, the question of Katchativu is solved or taken care of. Right now the Foreign Secretary is in Sri Lanka and she is taking up some of these issues.

Shri Thambi Durai has mentioned about certain movements of Chinese in that region. The Government of India have come to realise that China has been showing more than the normal interest in the Indian Ocean affairs. So, we are closely monitoring the Chinese intentions. We are closely monitoring the developments in the Indian Ocean. I could assure this House that appropriate action and measures will be taken to safeguard (a) the territorial integrity of India and (b) the welfare and well-being of the fishermen of India so that their interests can be safeguarded.

12.00 hrs.

Then I am myself planning a visit to Sri Lanka some time in the month of October. Perhaps, this will be the one subject which I will be discussing with the leadership of Sri Lanka. ...*(Interruptions)*

MADAM SPEAKER: Now we would take up a second Calling Attention.

...*(Interruptions)*

MADAM SPEAKER: Mr. Baalu, please take your seat.

...*(Interruptions)*

MADAM SPEAKER: What do you want?

SHRI T.R. BAALU: Madam, he has not replied to what we have asked. ...*(Interruptions)*

MADAM SPEAKER: He has given his reply. He will see what further can be done about it. But at the moment, he has given his reply. Now we are taking up the next item. Now, Madam Harsimratji to speak.

[Placed in Library, See No. L.T. 3105/15/10]

12.01 hrs.

- (ii) **Situation arising out of rejection of 40 Lakh tones of rice variety PAU-201 by the Food Safety Standards Authority of India citing provisions of Prevention of Food Adulteration Act 1954 and Food Safety Standards Act, 2006 and steps taken by the Government in regard thereto.**

[English]

SHRIMATI HARSIMRAT KAUR BADAL (Bhatinda): Sir, I call the attention of the Minister of Health and Family Welfare to the following matter of urgent public importance and request that he may make a statement thereon:

"The situation arising out of rejection of 40 lakh tonnes of rice variety PAU-201 by the Food Safety Standards Authority of India citing provisions of Prevention of Food Adulteration Act, 1954 and Food Safety Standards Act, 2006 and steps taken by the Government in regard thereto."

MADAM SPEAKER: Shrimati Badal, if you have received a copy of the Statement and have also read it, then we would have it laid on the Table. Have you received it?

SHRIMATI HARSIMRAT KAUR BADAL: Yes.

MADAM SPEAKER: Mr. Minister, she has read your Statement. Therefore, you may lay it on the Table.

THE MINISTER OF HEALTH AND FAMILY WELFARE (SHRI GHULAM NABI AZAD): Madam, I lay my statement.

\*The hon. Member has called the attention of the House to the rejection of 40 lakh tonnes of rice of variety PAU-201 by the Food Safety Standards Authority of India citing provisions of the Prevention of Food Adulteration or PFA Act and the Food Safety and Standards Act 2006. In this connection, I would like to inform this House that the reason attributed to the Food Authority for rejection of the rice variety does not depict the actual picture of the incident.

During December 2009, Food Corporation of India (FCI) and Department of Food and Public Distribution informed that the PAU-201 variety of Paddy rice milled in Punjab is showing higher incidence of damaged grains in rice. The issue was examined by the Indian Council of Agricultural Research (ICAR) and according to it, the blackened grains /slightly blackened grains and pin -point blackened grains in the rice of this variety were ranging from 3.39 to 8.79 per cent. The ICAR viewed that blackened grains/slightly blackened grains and pin-point blackened grains in the rice were due to excessive iron content in this variety. In January 2010, on the request of the Food Corporation of India and the Department of Food & Public Distribution, 75 samples of rice were collected from various places of Punjab by a team constituted by the Department of Food & Public Distribution. The samples were sent to three Central Food Laboratories situated at Ghaziabad, Pune and Mysore for analysis as per the parameters prescribed in the PFA Act 1954. Out of the above three labs, only the Central Food Laboratory at Ghaziabad is under the administrative control of the Food Authority.

The standards for rice are prescribed under item A. 18.06.04 of Appendix 'B' of the Prevention of Food Adulteration Rules, 1955. This states that rice shall be the mature kernels or pieces of kernels of *Oryza Sativa* Linn, obtained from paddy as raw or parboiled. It shall be dry, sweet, clean, wholesome and free from unwholesome poisonous substance. The Rule also prescribes that:

\*Speech was laid on the Table.

- It should not contain moisture more than 16 per cent by weight (obtained by heating the pulverized grains at 130 C-133C for two hours).
- It should not contain foreign matter more than 1 per cent by weight, of which not more than 0.25 per cent by weight shall be mineral matter and not more than 0.10 per cent by weight shall be impurities of animal origin.
- It should not contain damaged grains more than 5 per cent by weight.
- It should not contain weevilled grains more than 10 per cent by count.
- It should not contain Uric Acid more than 100 mg. per kg.
- It should not contain Aflatoxin more than 30 mg. per kg.

The partially pin-point blackened grain of rice are considered as damaged grains as per definition and standards for rice prescribed under PFA Rules 1955. The analysis reports of the 75 samples revealed that only 9 samples were not found to be conforming to the standards of rice as prescribed under PFA Rules as stated above as these contained damaged grains, moisture and Aflatoxin more than the prescribed limits. The results of the analysis were conveyed to the Food Corporation of India as well as the Department of Food and Public Distribution.

SHRIMATI HARSIMRAT KAUR BADAL: Madam, I am deeply grateful to you for allowing me to raise this very urgent and important matter.

Today, we live in a country which ranks 94th out of 119 countries in the Global Hunger Index, a country where every day 7000 people die due to hunger and 20 crore people in our country sleep hungry every day. What is not only shocking but absolutely shameful is that every year in this same country we allow thousands of tonnes of grain worth crores of rupees to rot and

decay due to the sheer negligence and callousness of those very people whose job it is to ensure that this food reaches from the farmers field to the plate of the poor and the hungry.

Madam, we have heard of Food Safety Standards, we have heard of Prevention of Food Adulteration and a host of other rules and regulations which are supposed to ensure what we are eating is not detrimental to our health or poisonous to our health. But in spite of these, be it synthetic milk, spurious medicine, oxytocin injected fruits and vegetables and host of other things are openly available in the market, flouting all norms of safety for the public. But what is sad is that instead of implementing stringent PFA laws and FSSA standards to control and stop this rampant sale of adulterated foods, in the name of maintaining food standards today this Government is working overtime to reject 40 lakh metric tonnes of rice worth Rs.4000 crore which would feed 50 lakh hungry people for one full year in the name of safety standards.

Madam, I would like to point out to you that in Punjab as of the last one year, 40 lakh metric tonnes rice of a variety called PAU-201 has been lying out in the open camp storage space and rotting because the FCI has said that they will not lift this rice because the Ministry of Health and Family Welfare has declared this grain as damaged.

I would like to point out to you that PAU-201 is an a grade quality of rice which has 11 per cent higher yield than all other varieties, consumes 20 per cent less water, and is environment friendly. This rice was duly developed by the Punjab Agricultural University looking at the increasing demands of the increasing population and shrinking agricultural land. This was duly tested by the Indian Council of Agricultural Research which is the apex scientific research body under the Ministry of Agriculture.

After due clearance and seeing the benefits of this variety, this variety was promoted in Punjab and 10 lakh MTs was even lifted in the previous year. But last year when there was a drought in our country and one

can imagine in an agrarian State where three-fourths of the farmers are in a debt trap, when there is no rain, what it means to them? Even then the debt-wrecked farmer, enterprisingly pulled all his resources and put everything he could afford to save his crop and in the process of saving the his crop he ensured the food security of this nation in the face of a countrywide drought.

Madam, but look at the irony. The paddy which was saved due to the labour, toil, hard work, money and sweat, invested by the farmer, has been allowed to rot and decay in the last one year in the name of food safety standards because the Health Ministry said that this is one per cent more damaged than the acceptable norm and the grain is one per cent more broken than the acceptable norm and that there is a pinpoint black spot on it.

Madam, I would like to tell you about this so called damage on the basis of which the Health Ministry has rejected this and the FCI has refused to lift it. I will quote from the ICAR Report. It says:

"The PAU-201 rice variety was released by Punjab Agricultural University in the Kharif season of 2007. It is a high yielding variety having yield potential 11 per cent higher and requiring less water than other varieties leading to considerable saving in irrigation water and this has a brown pigmentation which is genetic character of the seed and its health. The data on pathological studies has proved that the blackening is not due to fungal infestation as is suspected. The grain is not susceptible to *Aspergillus* attack and hence looking at the health benefits of its high iron content of this variety, the slightly blackened and black spot grain do not lose their aesthetic appeal compared to the white grain and can be considered as good grain due to the extra health benefits. The iron fortification is priority health concern of this country and this variety can easily provide the solution to this problem. The iron content in this variety is higher than other varieties which causes more slightly blackened and black spot grain and this

fact need to be taken into consideration for exempting the classification of grain from rejection."

The black spot is due to the iron content. Today 50 per cent of the children in this country are mal-nourished; 60 per cent of our women are anemic. The black spot in this grain which is due to higher iron content can solve a host of other problems. This variety of rice is being rejected because of its aesthetic appeal. Is this what the law in this country promotes? Is this what the Health Ministry is promoting?

Madam, I would like to point out what the Agriculture Ministry says on the black spot. When this variety of rice was not lifted we requested the Health Ministry and also the Agriculture Ministry to take the sample of this variety of rice and have it tested. For your information I would like to submit that 75 samples were taken from various parts of Punjab for this PAU-201 variety. They were sent to three laboratories – one in Pune, one in Mysore and one in Ghaziabad, which are under the administration of the Ministry of Health. You would be surprised to learn that out of 75 samples tested, 66 samples were found to be absolutely okay. There was a problem in 9 samples. I would like to point out what the problem was in these 9 samples. The reply of the hon. Minister says that 9 samples were not found to be conforming to the standards of rice as prescribed by the PFA rules as these contain damaged grain, moisture and aflatoxin more than the prescribed limits. I have the reports. Out of the 25 samples that went to one laboratory, only two samples were found to have higher moisture levels. The acceptable moisture level is 16 per cent. One sample had 16.2 and the other had 16.3 per cent. All of the samples rejected because two samples had more. In what the Minister is saying is damaged, out of the 25 samples, 4 of them were found to have more damage, against the five per cent acceptable norm, the first had 5.7 per cent; the second had 5.7 per cent; the third had 5.7 per cent and the fourth had 6.2 per cent extra breakage than the acceptable 5 per cent norm.

Madam, when we come to aflatoxin, within the prescribed limit, namely, 30 ppb limit of aflatoxin, there

were only two samples, i.e. the one which had 50.4 and one which had 49.9. It was two samples out of 75 and all the rest of the 23 samples had not only 30 but less than one ppb as against 30 ppb which is the acceptable norm.

So, these were the results of the three labs. I would like to point out that the Ghaziabad lab which comes under the Ministry reported all of them to be absolutely fine. In spite of this, today, 40 lakh tonnes of grain are lying there rotting in Punjab in open cap storages because of bureaucratic hurdles of this Ministry. *...(Interruptions)* Madam, the bureaucrats are not answerable when people die out of hunger. *...(Interruptions)*

I would just like to point out over here that in our country, grains are being allowed to rot. This is not just an issue where the grains are rotting and are still allowed to rot but it could actually feed 50 lakh hungry people for the last one year who have died of hunger. Every year, 25 lakh people die of hunger in our country.

Madam, it is besides the fact that they are not feeding hungry people, the bigger issue here is that even today, action is not being taken to lift this rice and what is the result of this today? The godowns of Punjab should be 75 per cent to 95 per cent free for the next crop which is coming in the next three weeks but today, our godowns are 95 per cent full with grains and 140 lakh more tonnes of rice will rot being kept in the open because our godowns are not empty as yet.

So, I would appeal to you, Madam, and to the Ministry to look at the urgency of the matter. This rice is being eaten by the people of Punjab, by the farmers of Punjab and others. I have also given the hon. Minister a sample of rice. I appreciate the pro-active steps which he has taken to solve this problem but the bureaucrats are not the ones who are answerable to the people, they are not the ones who have to feed the nation. You can have reports filled in as many times as you want. *...(Interruptions)* Why should Punjab Government, the farmers and the storage officials bear the brunt of this rice rotting for the last one year? I

request the Ministry to urgently have the rice lifted at the earliest possible because this 40 lakh tonnes are not poisonous, it is not harmful and it can save the lives of lakhs of hungry people who are dying due to hunger even this very minute.

SHRI GHULAM NABI AZAD: Madam Speaker, I share the concern of the hon. Member but I would also like to make it clear that it is not the Food Ministry which has got into it but it was between the Punjab Government and the Food Corporation of India. *...(Interruptions)*

*[Translation]*

SHRI MULAYAM SINGH YADAV (Mainpuri): This issue is concerned with the entire country. It is rotting in Punjab and Uttar Pradesh also. *...(Interruptions)*

*[English]*

SHRI GHULAM NABI AZAD: So, it was referred to us and once anything is referred to us, we have to report faithfully and ultimately, it is the Food Corporation and the Ministry of Agriculture which have to take a decision. It is not that we have done something proactively. *...(Interruptions)*

*[Translation]*

SHRI MULAYAM SINGH YADAV: I have spoken about it earlier also but no action has been taken in this regard. *...(Interruptions)*

MADAM SPEAKER: You please sit down. Harsimratji, you too please sit down.

*...(Interruptions)*

*[English]*

SHRI GHULAM NABI AZAD: As I said in the beginning, all of us are concerned about this matter including the hon. Member and the Government. I am also concerned not only about the farmers but at the same time, we would not like to rot such a huge amount of rice.

In this connection, I would like to put the record straight and inform the House that the reason attributed to the Food Authority for rejection of rice variety does not depict the actual picture of the incident. During December 2009, the Food Corporation of India and the Department of Food and Public Distribution, Government of India informed that the PAU-201 variety of paddy rice milled in Punjab is showing higher incidence of damaged grains in rice.

The issue was examined by the Indian Council of Agricultural Research and according to it, the blackened grains/slightly blackened grains and pin-point blackened grains in the rice of this variety were ranging from 3.39 to 8.79 per cent.

The Indian Council of Agricultural Research viewed that – I am talking of the Ministry of Agriculture and it has not come to my Ministry then – blackened grains, slightly blackened grains and pin-point blackened grains in the rice were due to excessive iron content in this variety.

In January, 2010 on the request of the Food Corporation of India and the Department of Food and Public Distribution, 75 samples of rice were collected from various places of Punjab by a team constituted by the Department of Food and Public Distribution.

The samples were sent to three Central Food Laboratories situated at Ghaziabad, Pune and Mysore for analysis as per the parameters prescribed in the PFA Act, 1954.

Out of the above three labs, only the Central Food Laboratory at Ghaziabad is under the administrative control of the Food Authority.

The analysis reports of the 75 samples revealed - I agree here with the hon. Member – that only nine samples out of the 75, were not found to be conforming to the standards of rice as prescribed under the PFA rules as stated above as these contained damaged grains, moisture and aflatoxin more than the prescribed limits. The results of the analysis were conveyed to the

Food Corporation of India as well as to the Department of Food and Public Distribution.

So, they should have decided then whether to lift it or not. We did our job. But again I do not know the reason why they did not lift it. The hon. Deputy Chief Minister of Punjab and the hon. Member met me and told me that they are still not lifting. The meeting was held with the delegation of the Government of Punjab headed by the Deputy Chief Minister and the hon. Member, and it was decided that let the ICMR independently conduct analysis of the black portion of the PAU-201 rice for which samples be collected by the FCI and the Government of Punjab.

I think the hon. Deputy Chief Minister and the hon. Member must have approached the hon. Minister of Agriculture, and the Minister of Agriculture wanted to hold a meeting. So, another meeting was held on 15th August, 2010 in the Minister of Agriculture office where I was also present. Officers of the Ministries concerned, Indian Council of Agriculture Research, Indian Council of Medical Research, Food Safety and Standard Authority also attended the meeting. What was decided in the meeting presided over by the Minister of Agriculture? It was decided that the ICMR and the ICAR, the Health Ministry's Research Wing and the Agriculture Ministry's Research Wing will coordinate fresh collections of samples from Punjab and expeditiously test the composition of the blackened portion of rice and its toxicity. So, we have been assigned to find out the composition of the blackened portion of the rice and its toxicity.

In the meeting it was decided that ICMR will look into the two following issues, that is (i) the toxin level, which is called the aflatoxin level, in the damaged rice of this variety; and (ii) the content of the blackened portion of the damaged rice.

The Secretary, the Department of Health Research and the DG, ICMR constituted a Committee on the same day, that is on 19.8.2010, for collection of samples of PAU-201 variety from different parts of Punjab.



The members of the Committee consist of two senior scientists of the ICMR and the Assistant Director General (Seeds) of the Indian Council of Agricultural Research.

The team had a meeting on 20.08.2010 at Ludhiana in which, the Director of Central Institute of Post-Harvest Engineering and Technology (VIPHET) of ICAR, Director Research, Punjab Agricultural University (PAU, Ludhiana), Deputy Director, Food and Civil Supplies, Government of Punjab and other officers attended. They discussed the strategy of collection of samples.

Director Research, Punjab Agriculture University, nominated two rice breeders for identification of rice variety 201.

Director Central Institute of Post-Harvest Engineering and Technology (CIPHET) nominated another scientist to assist the team.

The joint team visited six districts of Punjab namely: Barnala, Muktsar, Ferozepur, Bhatinda, Mansa and Moga from 21st to 23rd August, 2010.

Representatives of Punjab State Government and Food Corporation of India with their teams were also present during collection of samples.

35 paddy samples and 11 sorted damaged samples of rice were collected from 35 mills from the six districts of Punjab. Sorted damaged rice samples have been sent to ICMR's Institute, National Institute of Nutrition (NIN), Hyderabad for analysis of aflatoxin.

The paddy samples weighing more than 300 kg were collected and have been sent to Hyderabad for milling to get white and sorted damaged rice at Directorate of Rice Research, Hyderabad.

Secretary, Department of Health Research and DG, ICMR called a meeting on 25th August, 2010 of representatives of the Food Corporation of India (FCI), Indian Council of Agricultural Research (ICAR) and Food Safety and Standards Authority of India (FSSAI) to

discuss the follow up action after collection of paddy and sorted damaged rice samples.

The following were suggested in the meeting:

1. Three laboratories one at National Institute of Nutrition (NIN), Hyderabad and two others - one of Ministry of Commerce will analyse these samples for aflatoxin.
2. National Institute of Nutrition (NIN), Hyderabad will also analyze the content of the black/brown coloured portion of damaged rice.

National Institute of Nutrition (NIN), Hyderabad has initiated the analysis of 11 sorted damaged rice samples and the results are likely to be available by the second week of September, 2010. ...*(Interruptions)*

[Placed in Library, See No. L.T. 3106/15/10]

*[English]*

MADAM SPEAKER: Now, the House will take up 'Zero Hour' matters. Dr. Ratna Dey.

...*(Interruptions)*

DR. RATNA DE (Hooghly): Madam, thank you very much for giving me an opportunity. ...*(Interruptions)*

*[Translation]*

MADAM SPEAKER: What is this going on? You people please listen.

...*(Interruptions)*

MADAM SPEAKER: You please sit down. You will be given an opportunity to speak during the zero hour.

...*(Interruptions)*

MADAM SPEAKER: You have spoken. It does not go on like this.

...*(Interruptions)*

MADAM SPEAKER: Jagdambika pal ji, why have you stood up? Please sit down. Ajnalaji, the calling attention is over. You please sit down.

...(Interruptions)

[English]

MADAM SPEAKER: Let Dr. Ratna De speak. Shri Jagdambika Pal, please take your seat. Dr. Rattan Singh Ajnala and Shrimati Harsimrat Kaur, please take your seats.

...(Interruptions)

MADAM SPEAKER: We have now moved on to 'Zero Hour'. The Calling Attention is over. Dr. Ratna De.

...(Interruptions)

MADAM SPEAKER: Nothing will go in record except what Dr. Ratna De says.

...(Interruptions)...

DR. RATNA DE: Madam, cancer of the cervix is the most common cancer amongst the women in India. ...*(Interruptions)* With an age adjusted and incidence rate ranging from 19.4 to 43.5 per one hundred thousand in the registration under the National Cancer Registration Programme, it has been estimated that 95,000 to 100,000 new cases of cancer cervix occur in India every year and 70 per cent or more are stage three or higher at diagnosis. ...*(Interruptions)*

MADAM SPEAKER: Shri Jagdambika Pal, please sit down. Your matter is over.

...(Interruptions)

DR. RATNA DE: Cancer Cervix occupies the topmost or second rank amongst cancers in women in developing countries.

Aetiology and possible risk factors of Cervical Cancer have been extensively studied. Socio-economic

factor, education and income, sexual and reproductive life and virus, especially the Human Papilloma Virus, HPV 16 and 18, are being held responsible for Cervical Cancer. Most Cervical Cancers are preventable with a comprehensive programme of education, awareness, screening, treatment and vaccination. It was found that clinical stage at presentation was the single most important variable in predicting Cancer. The five-year survival rate for Stage-I is 63.3 per cent; for Stage-II, it is 44 per cent; for Stage-III, it is 33.3 per cent and for Stage-IV, it is 5.7 per cent. ...*(Interruptions)*

MADAM SPEAKER: Nothing will go on record except what Dr. Ratna De is saying.

...*(Interruptions)*\*

DR. RATNA DE: Effective interventions against Cervical Cancer exist, including screening for, and treatment of, pre-cancer, and invasive cancer. ...*(Interruptions)* HPV vaccines that prevent HPV 16 and 18 infections are now available and have the potential to reduce the incidence of cervical and other anogenital cancers. ...*(Interruptions)* The development of vaccines for prevention of Cervical Cancer holds tremendous promise for the developing countries like India. The routine HPV vaccination should be included in the National Immunization Programme provided that prevention of Cervical Cancer or other HPV-related diseases, or both, constitutes a public health priority; vaccine introduction is programmatically feasible; sustainable financing can be secured; and the cost-effectiveness of vaccination strategies in the country or region is considered. ...*(Interruptions)*

MADAM SPEAKER: Hon. Members, please do not disturb the other Member while speaking. When you spoke, others listened to you. When others speak, you do not listen to them. Please sit down.

...*(Interruptions)*

MADAM SPEAKER: Nothing will go on record except what Dr. Ratna De says. Hon. Members, this is not proper.

...(Interruptions)\*

[Translation]

MADAM SPEAKER: You please sit down.

...(Interruptions)

[English]

DR. RATNA DE: In India, Quadrivalent HPV Vaccine has been licensed for use in girls and women of the age of 9 to 45 years for the prevention of following diseases caused by Human Papilloma Virus types 16 and 18: Cervical pre-cancers and cancers, cervical adenocarcinoma, etc.

So, I would request the hon. Minister to initiate the HPV in the National Immunisation Programme to prevent the Uterine Cervical Cancer in women because 82.5 per cent of invasive cervical cancers in India are attributed to HPVs 16 and 18. ...(Interruptions)

It is very costly, So, I would request the hon. Minister to take effective measures so that it can be implemented at the district level. ...(Interruptions)

[Translation]

MADAM SPEAKER: You please sit down. You please sit down peacefully.

...(Interruptions)

MADAM SPEAKER: Ajnala ji, you please sit down.

...(Interruptions)

[English]

DR. RATNA DE: It is a very important issue. Hence, we all want a Half-an Discussion on this topic. ...(Interruptions)

[Translation]

MADAM SPEAKER: You people please sit down. Ajnala ji, you please sit down.

\*Not recorded.

...(Interruptions)

[Translation]

MADAM SPEAKER: You please down. Harsimratji, you came and made a special request for the Calling Attention even on the last day. And I agreed so. Today, I have 40 matters to be taken up during the zero-hour and I want that everyone should be called. You please listen to her also. Just now, Ratna De Ji was speaking, you should have listened to her. I am here to give everyone an opportunity to put-forth his/her point. You please listen peacefully to what other hon'ble Members say.

...(Interruptions)

DR. RATTAN SINGH AJNALA (Khadoor Sahib): Madam, it is my request. When is this issue likely to be taken up? ...(Interruptions)

MADAM SPEAKER: Let Dr. Ratna De conclude her speech. ...(Interruptions)

DR. RATTAN SINGH AJNALA: Madam, we want reply. ...(Interruptions)

MADAM SPEAKER: Please take your seat.

...(Interruptions)

MADAM SPEAKER: You people please sit down.

...(Interruptions)

[English]

DR. RATAN DE: I repeat that it is a very important issue. Hence we all want a Half an Hour Discussion on this topic please allow it.

MADAM SPEAKER: Now, I call Dr. Jyoti Mirdha to speak.

...(Interruptions)

MADAM SPEAKER: Hon. Members, please sit down. Nothing will go on record except what Dr. Jyoti Mirdha is saying.

...(Interruptions)\*

DR. JYOTI MIRDHA (Nagaur): Madam, I want to bring to the notice of this House that my colleague has just now mentioned about HPV vaccine. It is a total failure as of today. It has been introduced by a few developed countries but our country, probably, cannot afford it now. ...(Interruptions) The two strains that she mentioned work only for two strains of HPV virus but we have hundred other strains of HPV virus. The MNCs and other international companies are promoting GARDASIL as a basic preventive measure for Cervical Cancer. This is a total MNC thing that we are trying to project as the best vaccine against Cervical Cancer. It is not going to work for our country. ...(Interruptions) It should not be allowed under the Universal Immunisation Programme unless further trials are conducted in our country and they should be unbiased. So, we should not say "yes" to it unless we go ahead with more, I would say, unbiased trials. ...(Interruptions) I say this because the Committee that is on right now has three people and one of the ladies herself is conducting a trial in her hospital. Thank you. ...(Interruptions)

12.31 hrs.

#### SUBMISSION BY MEMBERS

##### (i) Re: Cast based Census

[Translation]

SHRI SHARAD YADAV (Madhepura): I will also raise your point, let me speak. ...(Interruptions) Madam Speaker, as regards, the issue being discussed in the House at the moment, the Minister of Agriculture is not present here today. All that he wants to say is as to how to pick up to procure the lacs of tonnes of foodgrains for distribution so that the ensuing crops could be stored. But, I have risen to raise another issue.

Madam Speaker, the issue of the caste-based census has been raised five or six times in the Parliament. With a consensus, the entire House put this question before the Governments. The Government also

\*Not recorded.

paid attention towards it. Even the Prime Minister spoke in this regard. The Leader of the House Shri Pranab Mukherji also spoke in this regard. We were assured two-three times that it would be done. It is the last day of the current session today. Then, afterwards, you wrote a letter. Even after that letter, all the parties, including the BJP and the Left and all other parties, said. Thereafter five or six cabinet meetings were held. There is eagerness and anxiety amongst the people in the country. The time is running, but, despite this, you yourself have observed what the Prime Minister has said here, you took opinion of all the parties twice, but, even then no way out has emerged as yet in this regard. It was a little matter, and not a major one. You put this to headcount and the Government should reply at the earliest. Otherwise, this issue is creating anxiety outside. You should put an end to this anxiety and speak categorically in this regard. This is what I want to say.

MADAM SPEAKER: You please keep quiet.

...(Interruptions)

SHRI MULAYAM SINGH YADAV (Mainpuri): Madam Speaker, I am very much grateful to you. I will not make a lengthy speech. Hon'ble Sharad Yadav Ji has just now raised an issue. I am surprised to see that there was not even a single party that did not support the caste-based census after the Houses reached a consensus in this regard. Not even a single party. Afterwards, the leader of the House too said, and it is a fact that he called leaders of all the parties. He particularly called me in his office and told me that they would give their nod to what we said and the caste-based census would be conducted as early as possible. Surprisingly, when the Prime Minister has himself said that this issue would be taken to the Cabinet and we will take action in this regard. And now, he is saying something different from this by twisting the things. Even after awareness of the Prime Minister and the leader of the House as well as the consensus evolved by the entire House, the census has been got started at a rapid speed.

Recently, the census has been got started more rapidly, whereas, earlier, excuses were made and it was said that it would take a long time. I have had talks with the officials who have clearly said that there is no problem in it, the only things we have to do is that only a column has to be added in which the name of the caste would be written and next to that the word 'Backward, Upper Caste' or 'Scheduled Caste' would be put. After all, what is the reason that neither any action has been taken nor the activity of conducting census withheld despite giving of assurance by the Government. The census is going on. You please tell us where to go and what to do? We are sitting peacefully and want the proceedings of the House to go on smoothly and uninterruptedly. It is the Government only that is not letting the House proceedings go on peacefully. The Government is not ready to give its nod to even a genuine thing. If the Government gives its nod to genuine thing, there would never be any disturbance in this House. Sometimes, we people have to resort to carrying out activities that look unbecoming. ...*(Interruptions)* I know it very well. Therefore, instructions on your part be conveyed and the Government should tell as to when it is going to be started? Why is this caste-based census is being conducted, but even after the assurance given by the Prime Minister and the leader of the House and the consensus evolved by the entire House? ...*(Interruptions)*

MADAM SPEAKER: You associate yourself with this. In this way, the discussion may start and all want to speak on it ...*(Interruptions)*

SHRI GOPINATH MUNDE (Beed): Madam, I will take only a minute's time. ...*(Interruptions)*

MADAM SPEAKER: Please speak. But put-forth your point quickly.

SHRI GOPINATH MUNDE: Madam Speaker, I don't want to take much time of the House. The Prime Minister had himself given a statement on the caste-based census that the decision on this would be taken in the cabinet. But, why were the views of all the parties sought later on? Subsequently, the leader of the House

Hon'ble Shri Pranab Mukherji also made a promise in the House that the decision would be taken during the ongoing session itself. The census took off. What is the intention of the Government now even after giving a specific assurance that the demand made in connection with the census would be taken care of and accommodated in the census process? ...*(Interruptions)* After all, what is the intention of the Government, I fail to understand that? ...*(Interruptions)* I demand that a statement be given by the Government today in this regard. This is my demand. ...*(Interruptions)*

MADAM SPEAKER: You people please sit down.

...*(Interruptions)*

DR. RATTAN SINGH AJNALA: Madam, when the Supreme Court has already dittoed it, why is the Government not complying with the same. ...*(Interruptions)*

MADAM SPEAKER: You have put-forth your point. So, you please take your seat now.

...*(Interruptions)*

*[Translation]*

DR. RATTAN SINGH AJNALA: We would like to know about the action to be taken by the Government. ...*(Interruptions)*

MADAM SPEAKER: Please avoid speaking so loudly. Please take your seat.

...*(Interruptions)*

DR. RATTAN SINGH AJNALA: We would like to know from the government in this regard. ...*(Interruptions)*

MADAM SPEAKER: Please take your seat.

...*(Interruptions)*

*[English]*

MADAM SPEAKER: Your Calling Attention is over. Please take your seat.

...*(Interruptions)*

[Translation]

DR. RATTAN SINGH AJNALA: The Supreme Court says that it should be picked up and given to the poor. We would like to know from the government in this regard. ...*(Interruptions)*

[English]

MADAM SPEAKER: Please let others speak.

...*(Interruptions)*

12.40 hrs.

*At this stage Dr. Rattan Singh Ajnala and some other hon. Members came and stood on the floor near the Table.*

...*(Interruptions)*

[Translation]

SHRI DARA SINGH CHAUHAN (Ghoshi): Madam Speaker, I know that it is the last day of the session; we understand that the government propose to make important statements ...*(Interruptions)* But in this House, the issue of Caste census was raised again and again. ...*(Interruptions)* The leader of the House and the Prime Minister of this country assured that caste census will be conducted. ...*(Interruptions)* Then what is the reason, what is the problem in this? ...*(Interruptions)*

Madam Speaker, I would like to say in the House through you that the leader of the House, the Prime Minister, have assured the House. ...*(Interruptions)* Today the public of the country would like to know what assurance this government is going to give on the last day of the session? What offence is in it? I would like to know that caste census, when the leader of the House and the Prime Minister has assured about it should definitely be conducted. ...*(Interruptions)* We would like it to be conducted not only for one caste only but for all the castes. ...*(Interruptions)*

12.41 hrs.

[English]

*At this stage Dr. Rattan Singh Ajnala and some other hon. Members went back to their seats.*

[English]

THE MINISTER OF FINANCE (SHRI PRANAB MUKHERJEE): Madam, in respect of the Caste Census, as the hon. Members are aware, in the last Session it was suggested and thereafter a Group of Ministers was constituted. I wrote to all the Political Parties. Most of them have responded and responded positively that Caste should be encompassed in the Census Report. Thereafter, the Group of Ministers has decided that it should and the modality would be house enumeration as it was done. But here it will be limited and information will be only collected in respect of the Caste and thereafter, the other biometric features and other things will go on parallel.

The only thing is that we have not yet announced it because this is not an Empowered Group of Ministers, it was Group of Ministers, and so this decision of the Group of Ministers will have to be endorsed by the Cabinet. I do hope that in the next meeting of the Cabinet it will be endorsed and thereafter all other necessary action will be taken. So, there is no apprehension in respect of that because every Political Party has agreed and they have sent their written communication to it and the Government has more or less decided. It is a question of formalities. ...*(Interruptions)*

MADAM SPEAKER: Please give chance to someone else to speak.

...*(Interruptions)*

[Translation]

MADAM SPEAKER: Shri Raja Ram Pal ji, please speak.

...*(Interruptions)*

[English]

MADAM SPEAKER: Please sit down.

...(Interruptions)

[Translation]

MADAM SPEAKER: Let the Members to be allowed to speak in the Zero hour.

...(Interruptions)

SHRI RAJARAM PAL (Akbarpur): Madam Speaker, I am grateful to you to allow me to speak. Now-a-days, due to increasing population and accidents due to high-speed vehicles, the disability is increasing on large scale. ...(Interruptions)

[English]

MADAM SPEAKER: Nothing will go on record except what Shri Raja Ram Pal is saying.

...(Interruptions)\*

[Translation]

SHRI RAJARAM PAL: This increasing trend of disability has been definitely proving a curse to the society and the country. The government, in order to avoid this condition of being handicapped, to protect handicapped persons and to promote their rights has provided them three percent reservation. The pension which is to be provided by the government. ...(Interruptions) is rupees three hundred per month. ...(Interruptions)

MADAM SPEAKER: Your calling attention is over.

[English]

Everything is over. Please take your seats. Nothing will go on record except what Shri Raja Ram Pal is saying.

...(Interruptions)\*

[Translation]

SHRI RAJARAM PAL: Madam Speaker, I would like to say through you that this state of being handicapped

\*Not recorded.

might prove a boon to the society, which is why the Government of India should interfere in the matter and increase the reservation from three percent to five percent and pension from the present amount of rupees three hundred to rupees one thousand. The life saving tools should be provided free of cost in sufficient quantity so that the state of being handicapped may prove a boon instead of a bane.

I request, through you, that for the promotion of handicapped person, for protecting their interests, the Ministry of Social Justice and Empowerment will pay special attention. You provided me an opportunity to speak on such an important issue, so, I am very grateful to you.

[English]

MADAM SPEAKER: Shri K. Sugumar.

...(Interruptions)

MADAM SPEAKER: Only what Shri K. Sugumar says will go in record; nothing else will go in record.

...(Interruptions)\*

12.46 hrs.

*At this stage Shri Sher Singh Ghubaya and some other hon. Members came and stood on the floor near the Table.*

SHRI K. SUGUMAR (Pollachi): Madam Speaker, I express my sincere thanks for giving me an opportunity to raise an important matter regarding Sainik Schools. ...(Interruptions)

The Sainik School in our country is a dream project of the former Prime Minister Pandit Jawaharlal Nehru and the former Defence Minister Shri V.K. Krishna Menon. ...(Interruptions) The schools were started to encourage the students to join Army. Ten years back, the fees was fixed at Rs. 3500 per year for a student and this includes tuition fees, mess fees, book fees etc. ...(Interruptions) More number of students from rural

\*Not recorded.

areas and from poor families were benefited. Thousands of students who joined these schools are now in a better position in Defence. ...*(Interruptions)*

MADAM SPEAKER: The House stands adjourned to meet again at 2 p.m.

12.47 hrs.

*The Lok Sabha then adjourned till  
Fourteen of the Clock.*

14.00 hrs.

*The Lok Sabha re-assembled at  
Fourteen of the Clock*

(MR. DEPUTY SPEAKER *in the Chair*)

MATTERS UNDER RULE 377 \*

[English]

MR. DEPUTY SPEAKER: Hon. Members, Matters under Rule 377 shall be treated as laid on the Table of the House. Those Members who are desirous of laying their Matters under Rule 377 on the Table of the House may send slips at the Table within 20 minutes. Only those Matters for which slips have been received at the Table shall form part of the proceedings and the rest of the Matters shall be treated as lapsed.

**(i) Need to bring transparency in the interest rates charged by banks on various loans**

SHRI P.T. THOMAS (Idukki): Banks are charging compound interest for the loans instead of the simple interest they advertise. In that case, the Banks are expected to advertise their compound interest rate. Normally, Banks are advertising their simple interest rate. If a person takes a loan of Rs. 1 Lakh for the interest rate of 10% the bank can only charge Rs. 10000 for one year. However, some Banks are charging compound interest rate despite their commitment on

\*Treated as laid on the Table.

simple interest given in their advertisement. In that case, they charge interest from the customers either monthly, quarterly or twice in a year and charge almost 13% or 14% in effect. My submission is that in all such cases Banks should advertise that they charge compound interest rate. Similarly, in 2006 the Central Government has given 2% rebate to agricultural loans. But it is not being extended to the beneficiaries because of lack of clarity in interest calculation. Further, some banks charge more in the name of procedural expenses. They should not be allowed to charge additional charges. I request the Government should look into the matter and take immediate steps to address these concerns.

**(ii) Need to take concrete steps for poverty alleviation in the country**

SHRI N.S.V. CHITTHAN (Dindigul): Though there is a high economic growth in the country, still there is large scale poverty in India. Poverty in India can be defined as a situation when a certain section of people are unable to fulfil their basic needs. India has the world's largest number of poor people living in the country. Out of its total population of more than 1 billion, 350 to 400 million people are living below the poverty line. Nearly 75% of the poor people are in rural areas, most of them are daily wagers, landless labourers and self employed house holders. There are a number of reasons for poverty in India. Poverty in India can be classified into two categories namely rural poverty and urban poverty. Though the Government has complemented poverty eradication schemes they have not rendered the desired results as expected.

Main reasons for rural poverty are unequal distribution of income, high population growth, illiteracy, large families, caste system. Main causes for urban poverty are improper training, slow job growth and failure of PDS system.

I, therefore, request the Union Government to take concrete steps for removal of poverty in the country in a phased manner.



**(iii) Need to implement the 'one rank one pension' scheme for retired military personnel**

[Translation]

SHRI MAHABAL MISHRA (West Delhi): For the last 26 years, many ex-servicemen have been repeatedly making the demand for "one rank one pension". In this connection ex-servicemen arrived from various states have recently presented their signed memorandum to the honourable President and on earlier occasions also they have expressed their angst by returning their titles as their demands were not fulfilled. During the budget session, the Parliamentary Committee too have vigorously recommended for "one rank-one pension". But till now this matter has been pending under consideration of the government.

Hence, I would like to request the government that the demand of these ex-servicemen, for always eager to sacrifice their lives for the sake of Mother India, one rank-one pension should be granted at the earliest.

**(iv) Need to construct the proposed new railway line between Ramganjmandi and Ujjain via Jhalawar**

SHRI SAJJAN VERMA (Dewas): Her Majesty, the President of India, in her speech delivered at the outset of budget session of Parliament this year mentioned that in the areas having large concentration of Scheduled Castes and Scheduled Tribes, priority will be given to lay new railway line. Honourable Minister of Railways also in her Railway Budget speech for 2010 had forcefully mentioned that Scheduled Castes, Scheduled Tribes and Backward areas will be provided with new railway lines on no profit - no loss the basis. The whole of my constituency consists mainly of Scheduled Castes population. Here during the past years, a survey for laying a new railway line has been completed. This rail line is - from Ramganjmandi to Ujjain via Jhalawar, Agra. This big project of rupees eight hundred and fifty crore is pending even today. The work of laying this railway line is not being commenced.

So, I request the Union Government that the work of laying this new railway line should be executed without any further delay.

**(v) Need to extend the period of exemption of service tax on Sheep Insurance Scheme in Andhra Pradesh upto 31.12.2012**

[English]

DR. MANDA JAGANNATH (Nagarkurnool): The Government of Andhra Pradesh had introduced sheep insurance scheme during the year 2006-07 for the benefit of the poor sheep rearers covering unavoidable risks as most of the sheep rearers belonged to weaker sections of the society i.e. scheduled castes, Scheduled Tribes and Backward class Communities.

The exemption of service tax on this essential and beneficial scheme has enormous positive impact for covering maximum number of sheep rearers to unwanted economic losses. With the exemption of service tax, the sheep rearers will be relieved of the burden of payment of an additional amount of service tax on premium.

The Government of Andhra Pradesh had been representing for the extension of period of exemption of service tax on sheep insurance from 31.12.2009 to 31.12.2012 for the benefit of the poor sheep rearer in the State which the Government of India had earlier given the exemption till 31.12.2009.

Under the above explained circumstances through you Madam, I request the Ministry of Finance, Government of India to consider the matter and issue necessary orders for extension of period of exemption of service tax as requested by Government of Andhra Pradesh up to 31.12.2012.

**(vi) Need to check the menace of wild animals threatening the lives and agricultural produce in Wayanad district, Kerala and provide regular compensation for the recurring losses incurred by farmers**

SHRI M.I. SHANAVAS (Wayanad): The mainstay of economy of Waynad district is agriculture and a significant population of this district are small and medium farmers. A serious crisis is now looming over

the farming community of Waynad. Animals, especially elephants, wild boars, and common Langur attack and destroy farms and cause severe loss to agricultural produce and pose threat to humans as well. The standard procedures to fend off animals are fencing and digging of trenches. However, the effective completion and maintenance of trenches and fences are not carried out by the state forest department. Trenches were built under the Mahatma Gandhi National Rural Employment Guarantee Scheme, but the effective maintenance and extension of such trenches are not carried out effectively.

The people residing in wildlife inhabited areas should be rehabilitated with necessary compensation for relocation. There must be immediate steps to check rapid deforestation and shrinking of forest space which act as the main reasons for animals straying into human habitations. Another serious issue about the compensation, which incidentally is given only once for a person, when attacks by animals take place on a recurring scale. This anomaly in release and award of compensation should be rectified immediately and a policy framework regarding the management and administration of wildlife administration with regard to damage to agriculture property should be framed.

**(vii) Need to construct a new National Highway from Gudihatnur village, Adilabad district to Oda Revu Prakasam district, in Andhra Pradesh**

SHRI PONNAM PRABHAKAR (Karimnagar): I would like to draw the kind attention of the august House regarding the need for administrative sanction and laying of a new national highway starting from Gudihatnur village of Adilabad district to Oda Revu of Prakasam district in Andhra Pradesh in the remaining XI Five year plan with sufficient budget on priority basis.

This 700 kms. route covers most parts of backward Telengana region and particularly my Karim Nagar Parliamentary Constituency in Andhra Pradesh. It enters at Korutla and passes through Kathiapur, Vemulawada, Siricilla, Ellanthakunta, Husnabad which falls under my Parliamentary Constituency and ends at Duddeda before joining at Medak Constituency. People of my

Constituency are facing lot of inconvenience due to absence of a national highway. Number of accidents are taking place on this route and innocent people are losing their valuable lives leaving their family members in chaos. It is a long-pending demand of the people of my constituency and, I have submitted a proposal in this regard to the Government of India for taking necessary action in the matter. The Government of Andhra Pradesh has also sent a proposal in this regard to take up this dream project in Telangana Region in Andhra Pradesh to improve the tourism sector also.

I, therefore, request the Hon'ble Minister of Road Transport & Highways to intervene in the matter and accord administrative approval for sanctioning and laying of a new national highway starting from Gudihatnur village of Adilabad district to Oda Revu in Prakasam district, Andhra Pradesh.

**(viii) Need to waive loans extended to SCs/STs, minority, backward and landless people in the country under various Central/State Schemes**

SHRIMATI SANTOSH CHOWDHARY (Hoshiarpur): Late Smt. Indira Gandhiji wanted to fulfil the dreams of Mahatma Gandhi and Late Pt. Jawaharlal Nehru, the first Prime Minister of India for raising the standards of living and quality of life of the SCs/STs population in the country. She took a historic step of nationalizing the bank, so that the poor and downtrodden of the country could get the loan and make their livelihood better. They took the loan under various schemes extended by State and Central Governments Banks, Co-operatives, SCs/STs & BCs Finance Corporation. Because of the social milieu prevailing in the country and their being inexperienced in business and trade and other vocations, these poor people were unable to repay these loans and the interest thereon. Actually, the loans are given to them without upgrading their skills properly and without providing them a market for their goods. Now, deep unrest is prevailing in the hearts of these SCs/STs & BCs community for not waiving their loans.

Madam through you, I request the Government to

take active consideration in waiving the debts of SCs/ STs, Minority, backward and landless people. It will directly provide relief to the 23% of the population of India.

**(ix) Need to construct Railway Under Bridges at various level crossings in Bikaner Parliamentary Constituency, Rajasthan**

[Translation]

SHRI ARJUN RAM MEGHWAL (Bikaner): The Ministry of Railways should announce a clear-cut policy on construction of the Railway Under Bridges. I hail from Bikaner (Rajasthan) Parliamentary Constituency. The work pertaining to gauge conversion is in progress, but the rural people may hamper the work of gauge conversion in the event of blockade of railway crossings. The Ministry of Railways claim that, the rural people take to unauthorised crossing. This plea of the Railways is not right. The rural people have been using the same route for the last 40-50 years. It is the only route for transportation of crops from the fields, so there is resentment amongst the rural people due to blockade of the railway crossing. Through you, I would like to request the Ministry of Railways to release the funds related to the technical works and get the works pertaining to the labour component carried out through the Mahatma Gandhi NREGA scheme. And the remaining funds could be arranged as the material component under the MPLAD MLALAD funds and any other scheme. The problem of the railway crossings has emerged as the major problem in the rural areas. Presently, the work pertaining to gauge conversion from Ratangarh to Bikaner is in progress, but, the rural public has staged a dharna on at least 10 railway crossings. Some dharnas have been going on for over 4 months. The Railways should pay serious attention towards this problem and get the survey conducted to construct the R.U.B.s wherever they could be constructed, so that the work of gauge conversion is completed in time and the rural public too may get means of smooth transportation.

**(x) Need to bring a stringent law to check the commercialization of education in the country.**

SHRI GANESH SINGH (Satna): The education is getting Commercialized rapidly across the country due to which the brilliant and poor students are getting deprived of education. After the liberalization, due to the Government policies, the private institutions have suddenly become the centre of excellence and money earning. The effect of the commercialization of education is being observed from child education to the post-graduation level. Based on the verdict given by the Supreme Court on the commercialization of education in the year 2005 in the P.A. Inamdaar case, the then Minister of Human Resource Development had got a draft prepared for the purpose of enactment of a legislation in this regard. But, till date, no decision could be taken in this regard. It is very unfortunate. I would like to know the Union Government as to what efforts are being made to check the commercialization of education. There is an urgent need to enact a stringent law to check the commercialization of education. I may be apprised of the details of Government's plan in this regard. This is my demand.

**(xi) Need to accord approval for four lanning of NH 59 A (Indore-Betul) in Madhya Pradesh**

SHRIMATI SUMITRA MAHAJAN (Indore): The four-lanning of the Indore-Ahmedabad National Highway No. 59 has been sanctioned. Along this lies the Indore-Betul national highway No. 59-A, the condition of which is presently very bad and miserable, whereas, after four-lanning of the Indore-Betul, the Ahmedabad-Kolkata route will get linked with various other national highways. In my view, with the four-lanning of its small stretch i.e. the Indore-Betul route the people will get the facility of Ahmedabad-Kolkata route in view of transportation of national importance. This may provide an option of a short route in place of existing long route, thereby saving time and fuel during journey or traveling. I request the Minister of Road Transport & Highways to sanction the four-lanning of the Indore-Betul highway at the earliest.

**(xii) Need to set up Kendriya Vidyalayas, Navodaya Vidyalayas and Kasturba Gandhi Balika Vidyalayas in Ahmedabad, Patan and Mehsana districts of Gujarat.**

DR. KIRIT PREMJBHAI SOLANKI (Ahmedabad West): Through you, I would like to request the hon'ble Minister of Human Resource Development to run the Kendriya Vidyalayas, Navodaya Vidyalayas and Kasturba Gandhi Balika Vidyalayas in Ahmedabad, Patan and Mehsana districts of Gujarat from the new academic session so that the children in these districts could get quality education. Even today, there is a shortage of schools in these districts. The youths in the tribal-dominated, scheduled caste/scheduled tribe-dominated as well as backward class-dominated areas do not get opportunities for higher education. Besides, they also cannot afford to bear the expenses to be incurred on higher education. Therefore, I would like to request the hon'ble Minister to take positive steps to run such schools in the backward districts from the beginning of the academic session 2011 under various schemes of the Ministry with the central assistance provided there under, so that the overall development of the children could be ensured and the dream of a shining and bright India may come true.

**(xiii) Need to accord approval to road projects in Fatehpur Parliamentary Constituency, Uttar Pradesh under Pradhan Mantri Gram Sadak Yojana and release adequate funds for the same**

SHRI RAKESH SACHAN (Fatehpur): In my constituency Fatehpur, the work related to Pradhan Mantri Gram Sadak Yojana has been pending for a year due to lack of budget, owing to which the citizens belonging to rural areas have to commute by unmettled roads even today. The Government of India has not released budgetary funds to Uttar Pradesh for phase 8 under its Pradhan Mantri Gram Sadak Yojana. Besides, new projects of Uttar Pradesh and Fatehpur have not been sanctioned. The Government had provided for linking villages with population of 500 to 1000 with metalled roads and the target was set to be executed

upto the year 2009-10. However, these villages have not been connected due to paucity of budget and the roads could not be constructed. In my constituency 106 villages have yet not been connected to main roads as per the standards. Therefore, I would like to the Government that this sanction may please be granted at the earliest to all the new and old projects which are in Fatehpur, Uttar Pradesh. Besides, the funds for budget should be allotted as soon as possible so that mettled roads could be constructed for the transportation in the villages under the Pradhan Mantri Sadak Yojana.

**(xiv) Need to take steps to check the soil erosion caused by river Ganga in rural and urban areas of Allahabad, Uttar Pradesh**

SHRI KAPIL MUNI KARWARIA (Phoolpur): I would like to draw the attention of the government to the soil-erosion caused by the Ganga in Allahabad district of Uttar Pradesh. Due to the erosion caused by the Ganges in Allahabad, thousands of acres of agricultural land belonging to Dhokari, Gosanal Patti, Leelapur Kalan and other villages of Behadurpur Development Block have submerged into the river Ganga and in the urban areas i.e. Govindpur, Solori, Baghara, Daraganj including mythological site of Nagvasuki temple have been facing the threat to their existence. If the soil erosion of the above mentioned places caused due to the Ganges is not checked, hundreds of acres of agricultural land along with the said mohallas, villages and mythological site of Nagvesuki Temple will be washed away.

The soil erosion caused due to the Ganges in the urban and rural areas of Allahabad is a matter of great concern, so I would like to request the Government that in the rural and urban areas of Allahabad district the soil erosion caused by the Ganges should be treated seriously and necessary steps should be taken in this regard.

**(xv) Need to construct a culvert bridge between Esalam and Periyathachur villages in Villupuram district, Tamil Nadu, through a Centrally Sponsored Scheme**

[English]

SHRI M. ANANDAN (Villuppuram): The Centre has

been apportioning funds to augment rural road connectivity throughout the country. But still the important needs of a rural pocket in my constituency remain unattended. In Villupuram district, the remote Esalam village with a population of 3000 people is situated in Vikravaandi Panchayat Union. Adjacent to it, lie small villages like Ennayiram Brahmadesam, Mandakapattu, Thirunandhipuram and Nemur. Between Esalam and Vikravaandi, the village Periyathachur is situated with villages like Kongarampoondi, Saalai and Vinayakapuram around it. About 10000 people live in these hamlets and villages. Between Esalam and Periyathachur due to a steep wild stream path, the road gets submerged whenever it rains heavily resulting in flash floods. It has been disrupting the vehicular movement completely. People living in all these villages face great difficulty especially during the Monsoon season and they have to cover by foot the entire stretch which affects their livelihood. Hence, I urge upon the Union Government and the Rural Development Ministry to construct culvert bridge across that stream through a Centrally Sponsored Scheme to facilitate uninterrupted road connectivity that would benefit the villagers living in this remote rural area.

14.01 hrs..

INDIAN MEDICINE CENTRAL COUNCIL  
(AMENDMENT) BILL, 2010

[English]

MR. DEPUTY-SPEAKER: We shall now take up item no. 15 – Indian Medicine Central Council (Amendment) Bill.

THE MINISTER OF HEALTH AND FAMILY WELFARE (SHRI GHULAM NABI AZAD): I beg to move\*:

"That the Bill further to amend the Indian Medicine Central Council Act, 1970, as passed by Rajya Sabha, be taken into consideration. "

Today, Sowa Rigpa, one of the oldest and well documented traditional systems of medicine in the world is proposed to be given legal recognition as an Indian System of Medicine.

The Department of AYUSH under my Ministry was set up in the year 1995 with the objective to promote and propagate the Indian Systems of Medicine, including Ayurveda, Unani, Siddha, Yoga & Naturopathy as well as Homoeopathy.

Today, if given recognition to Sowa-Rigpa, another member of the family will be added to the AYUSH Family.

Sowa-Rigpa is widely practiced in countries like Tibet, Mangolia, Japan and some parts of China, Nepal and few parts of the former Soviet Union.

Within India, it is practiced in the trans-Himalayan Region, especially Ladakh region of Jammu & Kashmir, Sikkim, Tawang & Bomdika in Arunachal Pradesh, Darjeeling and Kalimpong of West Bengal, Lahaul Spiti and Kinnore in Himachal Pradesh and Hubli and Mysore in Karnataka

Sowa-Rigpa is similar to the other Indian Systems of Medicine especially Ayurveda and, also includes, practices from the Tibetan/Chinese as well as the local health traditions of the sub-Himalayan Region.

Although the system is widely used in all these regions for treatment of all common diseases, its strengths are recognized in the treatment of chronic diseases like Arthritis, Cancer, neuro-muscular disorders etc.

The objective of my introducing this Bill is to give recognition to Sowa Rigpa, so that its practices could be regulated. For this purpose, the Indian Medicine Central Council Act, 1970 (IMCC Act) needs to be suitably amended.

As all of you are aware, this Act provides for constitution of a Central Council of Indian Medicine for regulating educational standards of Ayurveda, Siddha and Unani systems of medicine at present.

\*Moved with the Recommendation of the President.

The Sowa Rigpa system of medicine needs to be brought within the definition of Indian Medicine and practitioners of the system need to be enrolled in the Registers so as to develop the system and practices within a legal framework.

I am very happy to state that the Parliamentary Standing Committee attached to the Ministry of Health and Family Welfare examined the above said amendments to the Act had expressed its 'No Objection' to the amendments proposed.

MR. DEPUTY SPEAKER: Motion moved:

"That the Bill further to amend the Indian Medicine Central Council Act, 1970, as passed by Rajya Sabha, be taken into consideration."

DR. RAJAN SUSHANT (Kangra): Deputy Speaker Sir, Indian medicine Central Council (Amendment) Bill, 2010 is the issue on which you provided me an opportunity to speak. Therefore I thank you very much for the same. This is necessary for discussion that we should be aware of the objectives of the Bill, amendments to it, the original form of the Bill, the effects of amendments, the lapses left in the amendments for the upliftment of the objectives and the suggestions presented for the same. Deputy Speaker Sir, I am going to express my views on all these aspects. As far as objectives are concerned, CCIM was constituted in the year 1970 wherein now in the constitution process of CCIM, the definition of Indian Medical Ayurved, Unani and Sidda along with Sova-Rigopa has to be included. The development, protection and conservation of Sova-Rigopa is to be done. In the functions of CCIM, the share or possibly share of Sova-Rigopa is to be decided.

Deputy Speaker Sir, we know that three to four special points 'Swasthya Swasthaya Rakshnam! Aturasya Ropg Vinakshanam' have been stated objectives of our inner system of medicine. To preserve the health of a healthy person and to make a patient disease free. Similarly in the Vedas also it has been stated that the objectives of Indian culture is as follows:

*Sarvey Bhaventu Sukhina, Sarvey Santu Niramaye*

*Sarvey Bhadrani Pashayantu. Maa Kashchid Rog Bhaved.*

*Similarly -*

*Asto Ma Sadgamay,*

*Tamso Ma Jyotirgamay*

*Mrituogрмаa Amrit gamay.*

*Similarly -*

*Roti, Kapra Aur Makan*

*Sabko Sehat Do Bhagwan.*

*Jeevem Shatam.*

For all these things, i.e. achieving the objectives it is necessary to consider that the new system Sova-Rigopa, which is going to come in existence. Most of the people of the country do not know about it that what is Sova-Rigopa. What amendments have been made to it, what are the suggestions, and for ayurvedic and allopathic system why is it necessary to constitute councils; there is confusion on these points.

As honourable Minister of Health has said about Sova-Rigopa, it is a system of medicine. Now-a-days it is in use in many countries. But its origin and development is related to Tibet; that is why it is also called as Tibetan medicine.

It is believed that at the time of the genesis of our culture and civilization, art of healing was prerogative of Gods. Until the ancient Indian King, Kashiraj Devdas went to heaven, it was believed that only the Gods had the prerogative of healing. But when Kashiraj Devdas went to heaven to seek knowledge of medicine and got the same, he taught this knowledge to his sons and disciples. Initially, was an oral tradition but after the incarnation of Buddha, he penned down this system of medicine in Sanskrit language which spread later when Guru Rimpoche propagated Buddhism in Tibet in the eighth century. Guru Rimpoche translated some of this knowledge in Tibetan Language. Afterwards, the Tibetan Kings propagated the same. Apart from Tibet and Himalayan region, it has been propagated in China,

[Dr. Rajan Sushant]

India and even in the Muslim world. Under the fifth Dalailama, Chagpori Medical school was established in Lhasa which became a famous centre of healing. In Tibet, there are five major traditional sciences and out of these SowaRigpa is a unique science. [English] Sowa means 'to heal, to nourish'; and Rigpa means 'science or knowledge'. Sowa Rigpa means, science of Tibetan healing by Tibetan medicine.

The first international conference on medicine was held during the reign of king Trisong Deusten in 8th century [Translation] in which a galaxy of learned people and scholars from the countries like India, France, China, Greece, Nepal and Eastern Turkistan etc had participated.

Sowa-Rigpa which is usually called Amchi is the oldest surviving system of medicine in the world. It was famous and prevalent in the Himalayan regions of India as has been pointed out by Hon. Azadji. Even today, this system of knowledge is prevalent in Sikkim, Arunachal Pradesh, Lahol-spiti region of Himachal Pradesh, Laddhakh region of Jammu and Kashmir and Darjeeling region of West Bengal in our country. This system is just like Ayurveda. Some Chinese system of medicine has also been amalgamated in this system. This has been taught by Lord Buddha only and we want to include it in our ayurveda system itself, as all hon. Members know about Ayurveda that there have been 8 disciplines of Ayurveda treatment in Ashtanga Ayurveda in this country. Kaya chikitsa or internal medicine, shalya chikitsa or surgery, kaumarmritya or Pediatrics, shalakya or eye and E&T, Agadtantra or toxicology, Rasayana or preventive care and rejuvenalation, Vijikaran or aphrodisiac and improving health of progeny and eighth is exorcism which is called psychiatry nowadays.

Mr. Deputy speaker, Sir. Sushruta Samhita and Charak samhita have been famous in our country as well as in the world. Sushruta samhita is a book on

surgery which has 184 chapters. 1120 diseases are mentioned in it. 700 medicines are prepared using plants, 64 from minerals and 57 from animals. As has been pointed out by Shri Azadji also that there is a provision for treatment of complex ailments also which include Angina pectoris, hypertension, Diabetes, Stones, Fistula, Amputation and Caesarian operation as well. Similarly, one Chinese traveller Fa Hasan wrote about Chark samhita that Charak samhita finds mention in the Gupta Kingdom during the period from 320 to 550AD. Sushruta and Charak samhita was subsequently translated in Arabic language by Khalifa Abbased. From here, these books were taken to Europe and Italy. British Physician Joseph Constantine has lived in India for 20 years. He learnt plastic surgery in India. The instruments being used in surgery which have found mention in sushruta samhita have been further modified by the western world.

Mr. Deputy speaker, sir, similarly Azadji has mentioned about Ayush in which AYUSH means five systems of medicines viz Ayurveda, Yoga and Naturopathy, Unani, Siddha and Homeopathy. I have just briefly thrown light on the history of Ayurveda. Similarly, I am proud of the fact that in Indian subcontinent the famous Hakim Ajmal Khan, Hakim Abdul Hamid, Hakim Muhammad Saeed and Hakim Sayyed Jillurrehman will always be remembered in the field of Unani medicine. As I have mentioned this has been our history.

Mr. Deputy speaker, Sir, now I come to the amendments. Hon. Health Minister has brought the rest of amendments in this bill. The amendments have been brought in section 2, section 3(a) and (b), section 8, section 9, section 17 and the first schedule. On behalf of my party, I would like to support the amendments brought about in all these sections and, I would also like to apprise Mr. Azad that somehow one important amendment to it has been left out. Subsection 3 also needs to be amended because where as in the same

subsection, there is a provision of election of the president of CCIM, one Vice-president each should be elected for each system of medicine. I would like to request that if the Sowa-Rigpa system is also added to the ayurvedic, siddha and unani system of medicine then the election process of Vice president for CCIM will be completed. Mr. Deputy Speaker, Sir, you know it well that the foremost aim of CCIM is to provide good, higher and quality education. ...*(Interruptions)*

MR. DEPUTY-SPEAKER: Hon. Member, now please conclude.

DR. RAJAN SUSHANT: Mr. Deputy speaker, Sir, my party has been allotted 15 minutes. ...*(Interruptions)*

MR. DEPUTY-SPEAKER: There is only one hour time for the entire bill so please conclude.

DR. RAJAN SUSHANT: Sir, I would also like to make some suggestions with regard to the constitution of CCIM. The voter list being prepared today has many shortcomings. The UT and UP have been brought at par with each other because it has been provided in that section that a maximum of five members will be elected from one state. If at least one member is elected from Union territory and five members are elected from UP even then I think that it will not be just to a state like UP because the population of UP is 80 times more than that of a union territory.

Therefore, I want that it should be corrected and the number of the members for the CCIM from that state as per the number of doctors mentioned in the 9 register on the pattern of the Rajya Sabha, be re-determined.

Besides, there is another problem concerning tenure. Presently, the members who are selected now-a-day' are selected for a tenure of five years. But, there is some shortcoming in it. Because it is mentioned that if a member is selected for a period ranging one year to five years he/she will continue in his/her office until a new member is selected and replaces him/her. Due to this, a situation has emerged that indicates that

whosoever is selected does a conspiracy, misuses this loophole and does not let the election take place in that state and definitely creates one hurdle or another and thus, the case is hanged fire in the court. That's why I want that an amendment should be made to this provision to the effect that any member shall cease to be a member after expiry of a period of five years, his/her seat shall become vacant and the election shall be made mandatory.

Similarly, it is my suggestion that the permission to be granted in respect of admission in the Medical colleges should be granted by the month of June so that admission takes place timely. Also, the registration should be renewed every year. There should be close monitoring and checking of the activities of the so-called unqualified doctors so that those playing with the lives of the countrymen are penalised. ...*(Interruptions)*

Besides, my one more suggestion is that a university each in all the states under the Indian system of medicines should be set up on the lines of the central university set up all over, with a view to make our Ayush System qualitative. This activity should be started from the states of Himachal – Pradesh, Jammu-Kashmir and Uttarakhand that fall in the Himalayan range. Similarly, provision should be made in the CCIM and the doctors of Ayurveda, Unani and Homoeopathy and Sowa-Rigpa Systems of medicine be deployed in all the hospitals, PHCs, referral hospitals – be they in rural areas or urban areas. Also, a uniform criteria for the standard of test should be fixed across the country for the purpose of registration.

At last, we are having this system in the CCIM, but a difficulty is being faced, as it is not known as to what is the number of doctors, number of colleges and types of faculties there and what is the name of university and what institution will impart education and also what the syllabus as well as source of faculty will be. I would like that we should go into details in connection with these things. I would like to say that presently, we have five councils as Medical, Dental, Nursing, Pharma and Para-Medical. Similarly, under the Indian system of



[Dr. Rajan Sushant]

medicines, there are four councils each namely Ayurveda, Homeopathy, Unani, and Sidha system of medicine and the fifth one we are going to have concerns with Sowa-Rigpa. Presently, the MCI has been dissolved. The Ministry of Health and Family Welfare has expedited its efforts to put in place a new mechanism by dissolving all the councils concerning with the field of medical education. Shri Azad claims that a Bill pertaining to setting up of the National Council for Human Resources and Health (NCHRC) would be introduced during the next session of Parliament, which would contain separate regulations for the medical colleges of all conventional as well as allopathic systems of medicines. But, on the other side, hon'ble Shri Kapil Sibal ji has proposed, that medical education would also be covered under the National Commission for Higher Education and Research (NCHER) This has created a state of confusion. So, I would like Shri Azad to clarify the position in this regard.

At last, I would like to say that our party has repeatedly raised the issue of misuse of the CBI. Presently, the misuse of the CBI has started in this also. The Union Government has got the CBI raids conducted during the current month itself only on such institutions in Punjab, Rajasthan and Uttar Pradesh, the owner of the council or trust of which belongs to the opposition side, but the CBI has conducted no raids on institutions where owners belong to the ruling party. I would like to say that recently a writ petition has been filed in the Karnataka High Court, which seeks ban on the admissions to the Ayurveda colleges since serious infrastructural defects have been observed in them. If these shortcomings are not checked or removed, then the sub-standard colleges may come up, which may further result in production of unqualified doctors. This would lead to serious health hazards.

MR. DEPUTY SPEAKER: Please conclude now, otherwise, nothing of what you say will go on record.

DR. RAJAN SUSHANT: Similarly, a Maharashtra-based Association has also opposed the proposal on,

CCIM, citing the reason that the CCIM hints that regional languages would be dropped. I request the Government to pay attention towards these points and take necessary steps in this regard.

14.21 hrs.

SUBMISSION BY MEMBERS - *contd...*

- (ii) **Re: Supreme Court's observation on free distribution of foodgrains among the poor in the country**

[Translation]

MR. DEPUTY SPEAKER: Shrimati Sushma Swaraj. Please speak on your points in brief.

SHRIMATI SUSHMA SWARAJ (Vidisha): Deputy Speaker Sir, with your permission I am interrupting the discussion on the Bill briefly. The Minister of Health and Family Welfare may pardon me. I would like to furnish a very important news to the House. I do not know whether my colleagues have just now watched it on the television or not. Today, the Supreme Court while giving a historical decision. Stated that on the one hand people in this country are starving to death and on the other hand lakhs of tonnes foodgrains are rotting in godowns. Foodgrains should be distributed free of cost among hungry and poor people. The Supreme Court while rebuking the government has said that this verdict was not a kind of suggestion, but this was an order. This is a pathbreaking and historical decision given by the Supreme Court. Today is the last day of present session of Parliament. I do not know why it was taken as a suggestion by the government. At that time also the Supreme Court had passed this as an order. We want that this order of Supreme Court should be followed by the government and assurance in this regard should be given by the agriculture minister today itself in this August House and within a week the government should formulate a scheme of distributing this foodgrains to the poor. ...*(Interruptions)*

MR. DEPUTY SPEAKER: This is not a zero hour.

...(Interruptions)

SHRIMATI SUSHMA SWARAJ: Thus the government should prepare such a scheme, within a week and an assurance in this regard should be given in the House that the foodgrains will be distributed free of cost to the poor and the hungry. In the morning also Harsimrat Kaur ji raised the same issue in the House. In the country forty lakh of tonnes foodgrains is lying in rotten conditions. ...(Interruptions)

DR. RAGHUVANSH PRASAD SINGH (Vaishali): If she has been allowed to speak by interrupting the Health Minister, I should also be allowed and all should be given the same opportunity.

MR. DEPUTY SPEAKER: She got the permission in written, have you submitted your written request?

...(Interruptions)

MR. DEPUTY-SPEAKER: Please take your seat. You may speak in the zero hour.

...(Interruptions)

MR. DEPUTY-SPEAKER: Nothing will go on record.

...(Interruptions)\*

THE MINISTER OF PARLIAMENTARY AFFAIRS AND MINISTER OF WATER RESOURCES (SHRI PAWAN KUMAR BANSAL): Deputy Speaker Sir, if you allow me to speak, I would like to say something.

MR. DEPUTY-SPEAKER: Please take your seat; the minister would like to say something.

...(Interruptions)

SHRI DARA SINGH CHAUHAN (Ghosi): MR. Deputy Speaker Sir, each and everyone should be allowed to speak. ...(Interruptions)

THE MINISTER OF HEALTH AND FAMILY WELFARE (SHRI. GHULAM NABI AZAD): Here is a request. Discussion on the Bill has just begun. if the

\*Not recorded.

discussion on the Bill is to be carried on, let it be started otherwise pass the bill first thereafter! complete the whole discussion.

SHRI MULAYAM SINGH YADAV (Mainpuri): No, this is not fair, you should also listen to me. ...(Interruptions)

SHRI GHULAM NABI AZAD: How is it possible when the Bill is being discussed? ...(Interruptions)

DR. RAGHUVANSH PRASAD SINGH: This discrimination will not be tolerated, both these leaders, are honorable leaders of their respective parties, If you have heard one then you have to listen to the other one also. ...(Interruptions)

MR. DEPUTY SPEAKER: All of you should take your respective seats. All right, all the leaders will speak for two minutes each Shri Sharad Yadav ji. You may speak.

SHRI. SHARAD YADAV (Madhepura): Hon. Deputy Speaker Sir, the discussion on the Bill is going on, the situation is critical, the leader of the opposition had to intervene. The whole of the country is suffering from rise in prices and hunger. I would like to submit that Supreme Court in its recent decision made it clear that its decision was an order. Four to five states of the country have recently experienced draught. The Government should find some way to distribute foodgrains which is rotting. During the NDA rule this scheme was implemented by us. For Rajasthan we provided one lakh tonne of foodgrains free of cost; this is not something new. So I request the Government to take immediate action in this regard, and the areas which are experiencing draught, should be provided with foodgrains.

SHRI MULAYAM SINGH YADAV: Mr. Deputy Speaker Sir, the foodgrains is rotting, the decision of the Supreme Court given in this regard is nothing but an order in itself. Therefore I would like to say that the Minister of Parliamentary Affairs should listen when there was flood in our regime in Uttar Pradesh At that time, we ordered owners of all cold storages to open them and provide potatoes to the people at our expense. Besides, we ourselves visited the affected areas and the people were of the view that the way they got relief

this time was not provided earlier to them. We had got the tents put up there and had meals with those people. Does the humanity not exist at all now? Why have we come here? It is that public that has sent us here.

The wheat is available and it is rotting also. Rice was produced at large scale but the Government did not procure it. The farmers had to sell their produce at throwaway prices. Drought and floods have also hit the country. That foodgrains should be distributed amongst the poor. During our Government's regime, we had done so. Nearly one-lac fifty thousand people have died of starvation in the country.

MR. DEPUTY SPEAKER: You please conclude your speech.

SHRI MULAYAM SINGH YADAV: Nothing can be more shameful for the Government than the fact that people are dying of starvation in spite of the fact that foodgrain is available in plenty. Over five lac people have died of starvation during a period of sixty years. Sir, the foodgrains including rice should be distributed amongst the poor. The Government has no shortage of money. A lot of money is spent on travels and journeys, but people are being forced to die of starvation by not distributing the free-of-cost, foodgrains to them. ...*(Interruptions)*

MR. DEPUTY SPEAKER: Harsimrat Kaur ji, please take your seat. You cannot show rice in the House in such a manner.

...*(Interruptions)*

MR. DEPUTY SPEAKER: This is a wrong way. You please take your seat.

...*(Interruptions)*

SHRI DARA SINGH CHAUHAN: Mr. Deputy Speaker, Sir, so many times the discussion has been held on this issue in the House. The farmers, the poor and the labourers across the country are in hardship due to floods and drought. The farmers are dying of starvation. Discussion in the House was held on the issue that

foodgrains is rotting outside the godowns. The Government should get this foodgrains distributed amongst the poor. It is a very serious issue and the Supreme Court has taken note of it. What is the reason that the Government is not taking in cognizance despite issuance of directives not only once but twice by the Supreme Court in this regard? It is a very serious matter. If the Supreme Court issues its directives on any issue, the Government generally takes note of that. If the Supreme Court gives its verdict in favour of the poor and the farmers, the Union Government does not take note of that. It is a very serious matter. Therefore, the foodgrains, which is rotting, should be got distributed amongst the poor. ...*(Interruptions)*

MR. DEPUTY SPEAKER: You please take your seats and let the hon'ble Minister speak.

...*(Interruptions)*

[English]

SHRI V. NARAYANASAMY: Your Leader has already spoken on the subject. Why do you want to raise the issue again? ...*(Interruptions)*

DR. M. THAMBIDURAI (Karur): Sir, we also share the concern expressed by other hon. Members on this issue. ...*(Interruptions)* The godown facilities are very poor. The Food Corporation of India (FCI) is not in a position to preserve the food grains properly. They are wasting them. Hence, the Supreme Court has directed the Government that the food grains could be given to the poor people instead of wasting the same. This is a welcome suggestion as the farmers are not able to get a remunerative price. It is high time when harvest is taking place throughout the country.

Therefore, the FCI should come forward to procure rice, wheat and other products. At the same time, whatever is there in the godowns has to be given free to the labourers and other poor people. This is very important. I request the Government to concede this request. ...*(Interruptions)*

*[Translation]*

MR. DEPUTY SPEAKER: You people please take your seats.

*...(Interruptions)**[English]*

SHRI V. NARAYANASAMY: Everybody wants to speak on every issue. *...(Interruptions)* Do you not want the Minister to respond? *...(Interruptions)*

Shri Ananth Kumar, every time you disturb the proceedings of the House. *...(Interruptions)* It is becoming your habit. *...(Interruptions)* Unfortunately, you raise the issue, and you do not want the Minister to respond. *...(Interruptions)*

*[Translation]*

MR. DEPUTY SPEAKER: You please take your seats and let the proceedings of the House go on.

*...(Interruptions)*

MR. DEPUTY SPEAKER: You all please sit down.

*...(Interruptions)*

SHRI NAMA NAGESHWAR RAO (Khamman): Mr. Deputy Speaker, Sir, this issue is so serious. *...(Interruptions)*

*[English]*

SHRI PAWAN KUMAR BANSAL: In a minute, they raise the matter and they want the Minister to be present here. *...(Interruptions)*

*[Translation]*

MR. DEPUTY SPEAKER: Rest all of you, please sit down.

*...(Interruptions)**[English]*

SHRI V. NARAYANASAMY: It is very unfortunate that this is the attitude of the BJP. *...(Interruptions)*

*[Translation]*

SHRI PAWAN KUMAR BANSAL: Sir, these people are making a mockery of the Parliament *...(Interruptions)*

*[English]*

They are making, a mockery of the Parliament.

*[Translation]*

Will the Minister be present within a minute? Sir, these people have made a mockery of these things *...(Interruptions)* They all talk for a second and therefore, they all stand up and make noise *...(Interruptions)* The BJP wants to make noise only and doesn't want to talk about the matters *...(Interruptions)*

MR. DEPUTY SPEAKER: Please take your seat. You all please keep quiet. Please listen to what the Minister says. Is the House not to be conducted? You please take your seat.

*...(Interruptions)**[English]*

SHRI V. NARAYANASAMY: Without giving a proper notice, everybody wants to speak. Leaders of every political party want to speak. Are there no rules?

*[Translation]*

SHRI LALU PRASAD (Saran): Mr. Deputy Speaker, Sir, foodgrains should be distributed free-of-cost amongst the poor. It should also be distributed amongst the poor in Bihar, U.P. and Punjab also. *...(Interruptions)*

MR. DEPUTY SPEAKER: O.K. Please take your seat. You have put-forth your point. The hon'ble Minister is sitting. Let him speak now. You please take your seat.

*...(Interruptions)**[English]*

SHRI ARJUN CHARAN SETHI (Bhadrak): Mr. Deputy-Speaker, Sir, this issue has been agitating the minds of the people not only today, but for quite a long

time. The hon. Supreme Court of India has given its direction much earlier. The hon. Minister of Agriculture has already stated the Government would not distribute it free. This is something unheard of. Today, with the hon. Supreme Court's order, the matter has become very clear. When you do not have enough storage facility and the food grains are getting rotten in the open, then why should the Government behave in this manner? Why should they not abide by the direction of the hon. Supreme Court? They should immediately distribute those food grains.

I think the Government stands on prestige and it wants a confrontation with the Supreme Court. This is very bad. They should immediately take steps and issue the food grains to the eligible persons. *...(Interruptions)*

*[Translation]*

SHRI NAMA NAGESWAR RAO: Sir, so many times discussion was held on this issue in the House. In the reply to the Question No 293, it has been stated that. *...(Interruptions)*

MR. DEPUTY SPEAKER: You please talk for only two minutes over this issue. This is not a discussion.

*...(Interruptions)*

SHRI NAMA NAGESWAR RAO: I am speaking about the same. The Government's reply is about stocks of about 300 lac tonnes. The Supreme Court has given an order to this effect, but the Government is sleeping. *...(Interruptions)* The Government is not paying attention despite the discussions held in this House. The Supreme Court's latest order in this regard should be complied with immediately *...(Interruptions)*

MR. DEPUTY SPEAKER: You don't give the data. *...(Interruptions)*

SHRI NAMA NAGESWAR RAO: The Surplus stocks of merely 600 lac tonnes should immediately be distributed amongst the poor. Don't delay this even for

a single day. The Government should at least open its eyes in the wake of the Supreme Court's existing order and immediately distribute the foodgrains amongst the poor. There is an acute shortage of wheat in Andhra Pradesh. *...(Interruptions)* It is all that I want to put-forth through you.

MR. DEPUTY SPEAKER: You please take your seat. Ajnala ji, please speak.

*...(Interruptions)*

DR. RATTAN SINGH AJNALA (Khadoor Sahib): Sir, I thank you very much that you have given me an opportunity to speak. The matter is that the people of the country are dying of starvation. The Supreme Court asks the Government to distribute the foodgrains amongst the poor but the Government is giving no response in this regard. The point that I want to put-forth is that the Government should give a reply to this effect and distribute the foodgrains amongst the poor, which is rotting. This is my point.

MR. DEPUTY SPEAKER: Shri Lalu Prasad, please speak.

*...(Interruptions)*

MR. DEPUTY SPEAKER: Please take your seat. Your leader has spoken. Therefore, you please sit down.

*...(Interruptions)*

MR. DEPUTY SPEAKER: Nothing except what Lalu ji says will go on record.

*...(Interruptions)\**

MR. DEPUTY SPEAKER: You all please sit down. Your leader has spoken.

*...(Interruptions)*

MR. DEPUTY SPEAKER: You please take your seat. Lalu ji is speaking.

*...(Interruptions)*

14.45 hrs.

[English]

The Lok Sabha then adjourned till  
Fifteen of the Clock

15.00 hrs.

The Lok Sabha re-assembled at  
Fifteen of the Clock.

(DR. M. THAMBIDURAI in the Chair)

## SUBMISSION BY MEMBERS – Contd...

- (ii) **RE: Supreme court's observation on free distribution of foodgrains among the poor in the country**

[English]

MR. CHAIRMAN: I request all the hon. Members to cooperate. It is a sensitive issue which we are discussing. Many hon. Members have expressed their views. Now, two hon. Members are left out – Shri Lalu and Shri Acharia. After that, the hon. Minister will reply. Please cooperate with the Chair.

...(Interruptions)

MR. CHAIRMAN: Please cooperate; we will finish this issue.

...(Interruptions)

MR. CHAIRMAN: Let us finish this issue.

...(Interruptions)

MR. CHAIRMAN: Let him finish this; after that, we will take it up. Nothing will go on record.

...(Interruptions)\*

MR. CHAIRMAN: This is the last day of this Session. Please cooperate, if we want to run the House. If every Member is taking this kind of attitude, we cannot do it.

\*Not recorded.

Please cooperate with the Chair. Shri Lalu, please continue.

...(Interruptions)

MR. CHAIRMAN: Please take your seat. Please cooperate with the Chair.

...(Interruptions)

MR. CHAIRMAN: First let him speak. Let us first solve this issue. Please cooperate with the Chair. All the Members cannot be given a chance. Only three hon. Members will be given a chance. After that, the hon. Minister will reply.

...(Interruptions)

[Translation]

SHRI LALU PRASAD (Saran): Mr. Chairman, Sir, wheat, rice or other foodgrains have been stored in plenty, but it is rotting due to lack of proper maintenance. All the honourable Members of the house and particularly honourable Members of Akali Dal from Punjab have expressed their concern in this regard. Honourable Members from Punjab have told whatever they have seen. We should not let the foodgrains be wasted this way. It is the question of the welfare of the country and the poor people of the country. People are on the verge of starvation in the areas which are under the impact of floods or drought. Not only Uttar Pradesh, Bihar, Chhattisgarh, Orissa, Punjab but West Bengal state is also affected. ... (Interruptions)

[English]

MR. CHAIRMAN: Please do not disturb him. If you are serious, please listen to him.

...(Interruptions)

[Translation]

SHRI LALU PRASAD: Many states in the country are getting affected. I am not talking about politics here. It is not only the responsibility of the Government but ours also. This question was raised in front of

honourable Minister of Agriculture but he took the matter lightly. So people were constrained to bring the matter to the cognizance of Supreme Court. Supreme Court have said that the directions should be given to distribute the foodgrain rotting in godowns to poor people in the country free of cost ...*(Interruptions)*

*[English]*

MR. CHAIRMAN: Shri Lalu, please address the Chair.

*[Translation]*

SHRI LALU PRASAD: It is not an issue to point fingers at each other. The people whom we represent are waiting today wondering whether they will have food to meet both ends. Sir, the condition of Bihar, Uttar Pradesh, Chhattisgarh and Punjab from where the honourable Members belong.

*[English]*

MR. CHAIRMAN: You have already said this.

...*(Interruptions)*

*[Translation]*

SHRI LALU PRASAD: Please let me speak. We want that the order be implemented. And the order of the Supreme Court is there. The Supreme Court is like God. Then comes the Parliament. It is the order of the Parliament of India, besides it is the mandate of the Parliament. Government should not take it lightly. All the wheat, rice should be taken out to distribute it to the poor people, otherwise the Government should quit. This is our question ...*(Interruptions)*

*[English]*

SHRI BASU DEB ACHARIA (Bankura): Sir, it is a matter of grave concern that one-fourth of the population goes to bed empty stomach.

MR. CHAIRMAN: We are discussing a serious matter. Please do not disturb.

SHRI BASU DEB ACHARIA: India is positioned among the 80 countries where the largest number of starvation death is 68. ...*(Interruptions)*

MR. CHAIRMAN: Acharia Ji, come to the point directly. Do not go into the details. Do not take too much of the time of the House. You may briefly tell what do you want.

SHRI BASU DEB ACHARIA: When such a situation is prevailing in our country the food grains are rotting. A large quantity of food grains is kept in godowns. When there was a discussion in this House, we also demanded that the food grains should be distributed and universalized Public Distribution System should be introduced in our country. Subsidised food grains should be provided to the people.

MR. CHAIRMAN: Do not go into the details. You may talk about the rotting food grains.

SHRI BASU DEB ACHARIA: The Supreme Court has directed this Government, it is rather a mandate, to distribute the food grains. Instead of allowing the food grains to rot, the Government should distribute food grains among the poor and the hungry people free of cost. This is our demand.

*[Translation]*

SHRI CHANDRAKANT KHAIRE (Aurangabad): Sir, electronic and print media have exposed the condition of godowns of Food Corporation of India in the country. The orders issued today by hon. Supreme Court of India in this respect shall be implemented by the hon. Minister. Sir, through you, I want to say this. Even today the poor people are getting affected. They do not have foodgrains to eat. Many places in the country are flood affected. Leh was also affected by calamity, presently many places are flood affected in Maharashtra, Chhattisgarh and earlier also there were floods and calamity at placed in Uttar Pradesh, Bihar, Rajasthan. It should be given there. Through you, I will demand this on behalf of Shiv Sena. Hon. Mr. Sharad Pawar had once said. ...*(Interruptions)*

Sir, I want to demand that the 40 lac tonnes of rice rotten in Punjab should be acquired by the Government.

...(Interruptions) I would also like to say that hon. Sharad Pawar ji had said that the action will be taken against the officers who have shown negligence and not taken care of the affairs properly. I would like to ask whether the action will be taken against such officers? Give that foodgrains free of cost to poor. This is my demand.

SHRI SANJAY SINGH CHAUHAN (Bijnor): Sir, I would like to draw the attention of the House to a very serious matter. Our condition, the condition of our Parliament has become so shameful that we have to work when Supreme Court asks us. This is the most painful and shameful situation. ...(Interruptions) The work that had to be done by the highest panchayat of the country will now be done on Supreme Court's orders. The message that goes to the people is that the country is being run by the Supreme Court and not the Parliament of India. This is my point number one.

Second thing is that Mrs. Badal and myself are the members of food committee for last 6 months. What to say about the Government, which is failing, but the reason for its failure is red tapeism and bureaucracy. Mrs. Badal has taken up the issues of her Constituency to all the officers that had been posted here. Only committees were constituted and now the new crop is ready to come. ...(Interruptions) Rice is being eaten by families of all the Punjab, the families where it was not eaten. ...(Interruptions) What was the problem in that? ...(Interruptions) They are asking to distribute that rice. ...(Interruptions)

[English]

MR. CHAIRMAN: Nothing will go on record except the Minister's speech.

...(Interruptions)\*

THE MINISTER OF AGRICULTURE AND MINISTER OF CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION (SHRI SHARAD PAWAR): Mr. Chairman, Sir, I have heard about this from television.

[Translation]

SHRI LALU PRASAD: Please speak in Hindi.

\*Not recorded.

SHRI SHARAD PAWAR: I saw the reports on television and some representative of print media also met me. They gave some suggestions in Supreme Court regarding the distribution of foodgrains, construction of godowns, about poverty line and APL category. They told me such different things. I immediately went to my office and tried to get copy of final orders of hon. Supreme Court in this regard but I have yet not received the copy of orders of hon. Supreme Court. I want to submit to the House that the Government will give full respect to the decisions of hon. Supreme Court or High Court. Moreover, the Government will seriously consider the suggestions given by hon. Members of the Parliament in this regard. The Government will be prepared to take necessary steps keeping in view the aforesaid points but. ...(Interruptions)

[English]

But without reading the authentic order, it will be improper on my part to brief this House as anybody can claim that I have misled the House, which I do not want. That is why, I am going in depth and then I will submit. ...(Interruptions)

[Translation]

SHRI LALU PRASAD: The sentiments of the House should be kept in mind. ...(Interruptions)

[English]

MR. CHAIRMAN: Nothing will go on record.

...(Interruptions)\*

15.13 hrs.

INDIAN MEDICINE CENTRAL COUNCIL  
(AMENDMENT) BILL, 2010 - *CONTD.*

[English]

SHRI P.C. CHACKO (Thrissur): Sir, I rise to support the amendment moved by the Minister of Health and Family Welfare to amend the Indian Medicine Central Council Act, 1970.

\*Not recorded.



[Shri P.C. Chacko]

This Bill is brought to this House to include the Tibetan medicine which is known as the *Sowa-Rigpa* as part of the Indian medicine. It is said that this medical system, which is unique, is treating the human beings not only for the external ailments but it takes a holistic approach and probably that holistic approach will be very useful. Having seen what was going on in this House just now, I feel that it is very appropriate that the hon. Health Minister has introduced this system for making it a part of the Indian system because the Sowa-Rigpa system is very good for treating people in a holistic manner. Some of our hon. Members lose their tempers and they behave in an unruly manner. It is not that they want to behave like that. But unfortunately when some hon. Members walk through isle of the House they *gesticulate* and shout at the House and sometimes we feel as to what was happening to them. They are all very learned Members. They know how to behave in the House. I am not blaming them *...(Interruptions)* There may be important issue. *...(Interruptions)*

[Translation]

SHRI MANGNILAL MANDAL (Jhanjharpur): Sir, he is discussing the conduct of the hon. Member instead of discussing the Bill. *...(Interruptions)*

[English]

SHRI ANANTH KUMAR (Bangalore South): Sir, he cannot comment on the conduct of the Members *...(Interruptions)*

SHRI P.C. CHACKO: They should not have any objection to what I am saying *...(Interruptions)* I am speaking about this new medical system *...(Interruptions)*

MR. CHAIRMAN: Please come to the point.

SHRI P.C. CHACKO: Sir, I am speaking about this new Tibetan medical system and I do not know as to why Shri Ananth Kumar is unnecessarily getting angry *...(Interruptions)* The problem is that when the humans

are treated with a particular system of medicine, if that medical system is not holistic, then one will not get the desired results. Today, in this country, the so called, modern medical systems like Allopathic is being practised the maximum in the country. There are other systems of medicine as well, like Unani, Siddha, Ayurveda, Homeopathy and others. These all form part of the Indian Medicine Central Council. We are now including a new system.

Sir, I only said that when people are not having some kind of extraordinary problems we need some new system of medicine for their treatment. That is what I said. Here, we know how to behave in a society; we know how to behave in the House and we know how to behave in the Parliament. The Parliament is always run on rules. Even they know the rules of the game. When we are losing our control means a suitable treatment is necessary. I am only saying that. This system of medicine *...(Interruptions)*

[Translation]

SHRIMATI SUSHMA SWARAJ (Vidisha): Mr. Chariman sir, is he speaking on IMCC or on some thing else? *...(Interruptions)*

[English]

SHRI P.C. CHACKO: Sir, I am not yielding to her. I want your protection *...(Interruptions)* I am not yielding to her. She cannot speak now *...(Interruptions)* How can she speak? *...(Interruptions)* I am not yielding to her *...(Interruptions)*

[Translation]

SHRIMATI SUSHMA SWARAJ: Whether the hon'ble member is speaking on the bill or on the conduct of the members? What is this? *...(Interruptions)* If he is speaking on the conduct of members, he should have remembered how he disrespected the conduct being a chairman *...(Interruptions)*

[English]

SHRI P.C. CHACKO: How can she speak now?

...(Interruptions) Sir, you will have to protect the interest of the Members ...(Interruptions)

[Translation]

SHRIMATI SUSHMA SWARAJ: If he is speaking on IMCC, his language must be polite. ...(Interruptions)

[English]

MR. CHAIRMAN: If anything unparliamentary is there that would be deleted.

SHRI P.C. CHACKO: This Bill was taken up for discussion. The Bill was presented by the hon. Minister and when a Member has started speaking, how can anybody stand without observing any rules? They want to de-rail this ...(Interruptions) What is happening? ... (Interruptions)

SHRIMATI SUSHMA SWARAJ: I have taken permission from the Chair ...(Interruptions)

MR. CHAIRMAN: Please take your seats.

...(Interruptions)

SHRI P.C. CHACKO: Sir, you have allowed me to speak ...(Interruptions)

SHRIMATI SUSHMA SWARAJ: When the Chair allowed me, then only I spoke. I am not anybody ...(Interruptions)

SHRI P.C. CHACKO: Sir, the Leader of the Opposition cannot be allowed to speak like this. I am not yielding now ...(Interruptions)

Mr. Chairman Sir, I am not yielding. You have allowed me to speak. She cannot speak now ...(Interruptions)

MR. CHAIRMAN: Do not get emotional.

...(Interruptions)

MR. CHAIRMAN: I am on my legs. Please take your seats and listen to me.

...(Interruptions)

MR. CHAIRMAN: I request all the hon. Members to cooperate with the Chair as two important Bills have to be passed before 4.15 p.m. Only 45 minutes are left now. The Government wants to pass these two important Bills. So, kindly cooperate with the Chair. Every Member has the right to speak. You may express your views and there is nothing wrong in it. I am not objecting to it. At the same time, other Members also may cooperate with the Chair. If at all your feelings have been hurt, that will be taken care of in the proceedings. I will see to it that if any unparliamentary expressions are there, they are removed. Please co-operate with the Chair.

...(Interruptions)

SHRI P.C. CHACKO: Sir, after you have allowed me to speak, if any Member encroaches into my time, then I would seek your protection.

MR. CHAIRMAN: I will give time for you. I will give you protection.

SHRI P.C. CHACKO: Sir, please understand that it is a deliberate attempt to derail the discussion in the House ...(Interruptions)

MR. CHAIRMAN: You may speak on the Bill, Shri Chacko.

SHRI P.C. CHACKO: We are discussing an issue on which there is no dispute. I only said that when we are introducing this ...(Interruptions)

MR. CHAIRMAN: Please speak on the Bill.

SHRI P.C. CHACKO: Sir, this kind of interruption makes it very difficult for me to express my views. I am not mentioning about anybody. I am only saying that the discussion may not be derailed as it happened now. Let me be allowed to complete my speech. A deliberate attempt to derail the discussion should not be allowed.

An amendment to the Indian Medicine Central Council Act has become necessary. This Government has been giving a lot of importance to the traditional medicine. *Ayurveda, Siddha, Yoga, Unani* and all the

[Shri P.C. Chacko]

traditional medicines are under a separate Department of the Government of India. It is a contribution to this country by the UPA Government and it is part of the whole thing. Now, AYUSH, a separate Department, is being made and they are giving a lot of encouragement to the States and the various systems of medicine to make it on a scientific basis.

India is a great country of 5000 years of history. We have our own systems of medicine which are not seen in other parts of the country. The word '*amchi*' means superior to all. *Amchi* system of medicine is a system of medicine which is practiced in the sub-Himalayan region. It is a Tibetan medicine. The hon. Minister for Health has felt that the *amchi* system of medicine is suitable to be included in the Indian medicine. I only casually suggested that whoever wants to have the benefit of this system can have its benefit. That is all I said.

Indian Medical Council is now being constituted with members representing different disciplines, like *ayurveda*, *siddha* and *unani*. In addition to that we want to have a register of *amchis*. *Amchis* are the practitioners of the Tibetan medicine. At present we have no system. Some people are not interested in making any system, but we want a system. We want a system of registration of practitioners. In this Bill, it is said that a register will be maintained so that *amchis'* names will be registered, so that it gets systematised.

There is a great classical text of Tibetan medicine, that is Chatush Tantra. Chatush Tantra was delivered by Bhagwan Buddha 2,500 years back. Then this Chatush Tantra was enriched with various systems like Chinese medicine, Japanese medicine, etc. Now, it has become a very effective tool in the hands of men. Today, we are faced with new bacteria and diseases. The world is aghast at the spread of various diseases. Probably, here in India we have an answer. In this Bill it is said that if the Indian systems of medicines are given scientific basis, they can be propagated; research facilities can be created; and medicines can be manufactured.

The Government of India is digitising the whole thing. People are trying to take away India's traditional knowledge. For example, I can cite the *haldi* issue. Some scientific organisation in USA has taken the patent for Indian *haldi*. It was with great difficulty that India fought and got it cancelled. So, we are digitising our information, the entire *ayurvedic* medicine and the entire system of medicine. What are the medicines available, what are the cures available, etc. are being digitised so that nobody takes away from us our traditional knowledge.

Today, when the Tibetan system of medicine is made part of the Indian system of medicine, it is getting the protection of the Indian Medical Council. Now, we are taking the Tibetan medicine system. Tibetans are settled in various parts of the country. There is a miracle cure. There are so many diseases which modern system of medicine is not able to cure, but the Tibetan system of medicine offers a magical cure. To get this popularised, to make this available to the common man, I would request the hon. Minister to take steps through the National Rural Health Mission.

The National Rural Health Mission is giving money to these kinds of initiatives. I come from a State where the State Government is hardly able to buy medicines for the Primary Health Centres. Now, all the Primary Health Centres in the whole country are being run with the money given through the National Rural Health Mission. Under this, all these medicines should be made available in all the Primary Health Centres and in all the dispensaries. Not only the modern medicine or allopathic system of medicines but also all other Indian systems of medicines should be made available. Then, people can choose what they want. The NRHM is a very great Scheme run all over India, which is now helping the State Governments to give effective treatment and preventive medicines to the people

It is good that we are passing this Bill in this Parliament. We are legalising it. The medicines should be made available through the NRHM in all the dispensaries.

Finally, it is the holistic approach to the human health is what we need. Today, allopathic system treats the eye or the ear or the throat or the chest separately, but this so-called specialisation is not a holistic approach. But the Indian system of medicine has got a different approach, which is holistic towards the human health. So, that is the plus point. When we are including the Tibetan system of *amchi* medicine in the great Indian traditional system of medicine, we are going one step ahead.

I would like to congratulate the Minister. We all wanted that we should have an opportunity to discuss the Indian Medical Council Bill in this House. Unfortunately we could not discuss that Bill.

That was also not the fault of the Government. The noisy scenes were created in the House. We could not discuss the Medical Council of India Bill. We just passed it. But, fortunately, the Indian system of medicines, at least, this Bill is being discussed in the House.

Sir, with the disturbance created to derail the discussion in the House, I am happy that this Bill is being discussed. I support this Bill. This Bill will give a sufficient scientific basis.

MR. CHAIRMAN: Shri Shailendra Kumar. Please conclude within two minutes. We have to conclude the discussion on this Bill by 3.45 p.m. Then, we have to take up the second Bill. So, please try to be very brief.

[Translation]

SHRI SHAILENDRA KUMAR (Kaushambi): Mr. Chairman sir, I am obliged that you gave me an opportunity to speak on India Medical Central Council (Amendment) Bill, 2010. This is true that a lot of time of this House has been wasted due to intervention by the senior members. When I stood to speak on the subject, I am allotted less time. I may please be allotted sufficient time to speak on my points. I will sit only when I finish my views.

Sir, hon'ble Minister of Health and Family Welfare has come with a new bill on medical council, a debate on it has been held and after that the bill has been brought before the House. As he proposed to add the

words SOVA-RIGPA before the Greek word, it is true that you have tried to retain the Greek words with it. The Yunani medicine system is very old. As we can see that along with Ayurveda and Yunani medicine systems, many other Naturopathy has treated the serious diseases. You have added one thing in it that Chikitsye Amchi words should be replaced in place of Karchikitsyak. There are so many other words, which are difficult to understand. If easy words are used, people will understand them in better way. We can find Unani Chikitsalaya of throughout the country. These are also there in Allahabad. Hon'ble Chairman, Sir I want to say that chikitsalaya of unani medicine system are in very bad condition. There is always rush of patients in unani chikitsalayas. People do have faith in unani system of medicine even today. Therefore, the dispensaries and chikitsalaya running at various place need to be given special attention. Along with that the bill contains the descriptions of all types of naturopathy. Several medicinal plants have been patented. The name of turmeric has been mentioned here, there are other such plants such as amla, neem leaves, babul leaves, aloevera leaves, that are found in forests there, is another fruit named noni which grows in the forest and it is used for making several ayurvedic medicines and many diseases can be cured by it. There is one medicinal plant which can be used in treating many diseases. I want that it should be included in national health scheme and promote all types of systems of medicine. I support the bill brought by you but if you had deleted the yunani word, I would have protested against it. With these words I conclude my speech.

[English]

MR. CHAIRMAN: Hon. Members, I want to make one important announcement in the House. We want to conclude the discussion on this Bill in another 15 minutes because the time allotted for this Bill is over as only one hour time was allotted. Anyhow, we will continue to discuss this Bill for another 15 minutes. Therefore, hon. Members who want to lay their speeches can lay their speeches on the Table now and other hon. Members can speak very briefly for about two minutes each.

*[Translation]*

SHRI VIJAY BAHADUR SINGH (Hamirpur): Hon'ble chairman sir, the way in which the India Medicine Central Council (Amendment) Bill has been presented only the name has been changed – Tib and Sova Rigpa. There is a saying in English – The contents of the bottle has to be seen, not the level. You can give any name to it but the main issue is that there is the constitution of council. As long as the point of research is not included in the field of medicine in India, mere legislation and amendment will not serve the purpose. You can promot anything but no patient in the hospital wants neither Homeopathy nor Unani medicines, therefore there is a need of quality and research in this field. After the formation of council, there will be TA and DA, of council they will come and convene meeting or they will visit India. But the issue of medicine for the people needs to be raised on the large scale. People from Tibet side cannot be sent to the Himalayas for consuming herbs. I would like to request that there should be research on this before enacting any law. If you do serious research many good things will come out.

On the other hand, I felt in the Parliament that every time 20-25 amendments and 25-30 bills brought before the House, there should be family planning in respect of all these amendments, Acts and legislations! The UPA government should not rule through only rules and legislations but they should talk practically. I want to support this amendment but there should be scope of research in it. It is my humble request.

*[English]*

MR. CHAIRMAN: Those hon. Members who have written speeches with them can lay their speeches on the Table of the House.

\*DR. KIRIT PREMJBHAI SOLANKI: I want to express my views on this topic.

- IMCCA 1970
- regulating educational standard of

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\*Speech was laid on the Table.

- Ayurveda
  - Sidda
  - Unani systems
  - Maintenance of register
  - Approved medical practioners
  - Said members are elected from practitioners of said pathics enrolled in state registers.
- From practitioners of said pathies enrolled in state registers.
  - From universities having faculties of Departments
  - Nominated from Central Government.

I welcome the inclusion of "Sowa-Rigpa" system of medicine.

This medicine is practiced in the sub Himalayan region. It is an important system of "Indian medicine" & practitioner be enrolled in Register.

- Sabhapati Mahoday, I would like the draw the attention of entire country through you & this august house regarding very high faith and effective importance of different sort of Indian Medicine system.
- Of course allopathic system is quick and effective pathy but the same time Indian system of medicine is very effective and curative Ayurveda is one of the most ancient treatment modality with goes upto the root cause and curative also. I demand to establish and develop it more.
- Moreover, I strongly demand through you to include the most ancient, oldest and effective system of medicines i.e. Yoga & Naturopathy to include in this bill. Yoga is very much effective Indian medical system. It cures Diabetes, Heart Disease, Hypertension, Depression. Relaxes stress. obesity, Rheumatism etc.
- I want to bring the amendment of introduction of these two Indian system of medicines.

- It is widely practiced in our country and throughout the World also. It is holistic medicine and should be included in it.
- Regarding amendment of section 9, the central council shall constitute from among its members:
  - A Committee for Ayurveda
  - A Committee for Siddha
  - A Committee for Unani
  - A Committee for Sowa Rigpa.

I would like to add, members from

- Yoga
- Naturophay and
- Members from Lok Sabha and Rajya Sabha.
- I again support this bill and make the proposed amendment shall be included.

\*SHRI PRATAP SINGH BAJWA (Gurdaspur): I support the Indian Medicine Central Council (Amendment) Bill, 2010 which seeks to amend the Indian Medicine Central Council Act, 1970, which created a Central Council to regulate ayurveda, siddha, and unani medicine, set minimum standards for education and maintain a register of all practitioners in these fields.

The present Bill seeks to include the Sowa-Rigpa system of medicine, which is akin to Ayurveda, practiced in the sub-Himalayan region within the definition of Indian medicine.

The proposed amendments to various provisions of the above said Act are required in order to legalize Sowa-Rigpa as a system of Indian Medicine. This will also enable the protection and preservation of this ancient system of medicine and will help its propagation and development.

There is no doubt that the recognition of the Sowa-

\*Speech was laid on the Table.

Rigpa system of Indian Medicine will also lead to the setting up of a regulatory mechanism in the field of its education and practice.

Coming to the provisions of the Bill, as stated in the Report of the Standing Committee on Health and Family Welfare lack of proper records regarding the number of Amchis, both traditionally trained and those who are institutionally trained gives rise to ambiguity in determining the allocation of seats in the Central Council.

Here certain questions arise

- Have any qualifications and educational standards been prescribed for such practitioners?
- Where from would they get the recognition and certified that they are qualified practitioners of this Sowa-Rigpa system?
- Do we have any recognized institution or association which is recognized by the Central Government to issue certificates to them?

In case of traditionally trained Amchis, they do not carry any formal degree to be registered in State Registers of Indian Medicine in any of the States.

- How would such practitioners be registered in the State Register?
- Second, and the most important question is, when they are not registered in the State Register or the Central Register, will they be allowed to practice anywhere in India? Is a persons having no qualification as prescribed under the provisions of the Act, 1970, I am talking about traditionally trained Amchis, can be held to be qualified and entitled to practice anywhere in the State or in the country? The present Bill is silent on these questions.

There are some court judgments to the effect that unless the persons possesses the qualification as prescribed in Schedule II, III and IV of the Act, 1970, he cannot claim any right to practice any medical science and mere registration in any State Register is

[Shri Pratap Singh Bajwa]

of no consequence. Hence, the above issue needs to be addressed while framing the rules or by carrying out amendments in the rules at the appropriate places.

The Standing Committee suggested that the representation of Central University of Tibetan Studies at Sarnath, which was accredited by the National Assessment and Accreditation Council with five-stars, the highest grading for quality assurance, should be considered. I am also in favour of it and I request the Government to examine the same.

There is also an urgent need for a survey for assessing the exact number of traditional Sowa-Rigpa practitioners and professionally trained practitioners in the country. This is all the more required when we are giving statutory recognition to this system.

After the grant of statutory recognition, I am sure, the Government would take necessary steps in respect of having a uniform standard syllabus for different courses, duly certified and recognized by the appropriate authority.

Before, I conclude, I am pained to refer to the recent controversy over homoeopathy in Britain where in some people wanted it to be banned as they alleged that it is not based on scientific principles or recognized standards. I want the Government to ensure that the ingredients and composition of the Sowa Rigpa medicines should be properly tested in a transparent manner, and the composition and labeling of the Sowa Rigpa medicines should be made mandatory so that nobody would raise fingers at these very old and valuable system of medicines or about their efficacy.

[Translation]

SHRI MANGNI LAL MANDAL (Jhanjharpur): Hon'ble chairman sir, considering the contemporary and social transformation occurring in the country, it is the need of the hour that it needs amendments. It has seven amendments. I thought that Shri Vijay Bahadur Singh would speak. He is a lawyer. Now, he is no longer a

lawyer but an orator. He did not pay the attention on it. The bill contains the word - or. The bill contains that in place of Unani Tibbi words Unani Tibbi or Sowa Rigpa words be put. I have seen in the English version which contains word 'and'. It is nowhere in the bill that when it will take a shaped rule, it will contain either 'and' or 'or'. In the old bill Unani Tibbi replaced by Sowa Rigpa. The meaning of the both is same. I doubt that you have put 'and' in English and 'or' in Hindi not and ...*(Interruptions)*

THE MINISTER OF HEALTH AND FAMILY WELFARE (SHRI GHULAM NABI AZAD): As I have to give a lot of replies I may forget it, but your doubt is genuine because when I was going through the bill, I had also come across the word 'and'. The bill contains either 'or' or 'and' at different places. I have asked my Ministry about the same and send it to the Ministry of Law. The Ministry has said that it is correct. The Ministry claimed that the bill contains legal language and it won't be replaced, it is 'and'.

SHRI MANGNI LAL MANDAL: I give my thanks to you. You supposed to complete your work sincerely. I doubt your officers may change the rules after you. I give thanks because you have used traditional word in your speech.

It is true that we have accustomed to the traditional way of medication. It was the India traditional way of medication prevailing before Allopathic system. There were 'Baidyas' in my village also. I also got use the juice of medicinal plants in my childhood. That was the system of treatment at that time and it had no side effects. I give thanks for working on it. But I want to say that more attention should be paid on research. You need to open central universities in all the states, you should at least open central universities for research on it in the country particularly in those states, having difficult terrain like forest, mountain etc. ...*(Interruptions)* I will conclude my speech within two or three minutes. You have made provisions of Rs. 625 crores for the Eleventh Five Year Plan along with it. You also said that we would make efforts to increase the fund upto

rupees one thousand crore during the Eleventh Five Year Plan. This should be increased, rather if there is possibility of increasing it by more than rupees one thousand crore, it should be done.

Secondly, the financial assistance which you have provided to the States in 2007-08, 2008-09 and 2009-10, does not include some such important states of north east where natural resources like mountains, jungles and several medicinal plants are in abundance; no assistance is given to them since three years. Some states viz. Jharkhand, which have jungles, medicinal plants have been provided funds for hospitals, dispensaries this year. But no assistance is given to dispensaries of other systems of medicines.

Thirdly, I would like to bring to your notice that for plan expenditure you have provided lesser amount of funds and greater amount of money for non-plan expenditure during these three years. Hon'ble Chairman is repeatedly asking me to end my speech otherwise I would have given full details in this regard the Government should review this plan expenditure and research sector should be provided more and more amount of money.

I would like to end my speech with these words that you have used the word physician or 'Aamchi' in the amendment. The word "vaidya" is very much prevalent in our country. Now the Hindi translation of the word physician is 'chikitsak'. Presently the word "Aamchi" is not much prevalent. You would consider to include word vaidya instead. Along with this greater amount should be allocated to university and for the purpose of research.

[English]

MR. CHAIRMAN: The Minister has to reply at 3.45 p.m. So, please be very brief.

I request all those Members who have prepared speeches to lay them on the Table of the House.

\*SHRI PREM DAS RAI (Sikkim): The amendment to the Indian Medicine Central Council (Amendment) Bill, 2010. We are grateful that the Tibetan system of medicine has been given due importance. Our party the Sikkim Democratic Front has constantly suggested preservation of Tibetan amchis in our State of Sikkim. We are happy that it gets national recognition through this amendment. With these words, I end my speech in support of this significant amendment.

[Translation]

SHRI P.L. PUNIA (Barabanki): I support "the Indian Medicine Central Council Amendment Bill 2010". It is proposed to include Ayurveda, Homeopathy, Unani, Sidda, Yoga and Naturopathy under AYUSH department besides the proposal of inclusion of Sowa-Rigpa, which I welcome. This way our ancient system of medicine is being reorganized. There should be efforts to promote this. I suggest that there should be strategy for increasing the production of medicinal plants. I support the Bill.

[English]

DR. RATNA DE (Hooghly): Mr. Chairman, Sir, at the outset I would like to thank you for the opportunity given to me to speak on the Indian Medicine Central Council (Amendment) Bill, 2010. This Bill is brought before this House for propagation and development of ancient systems of Indian medicine.

Sir, India is a vast nation. It has been the home to the ancient Indus Valley Civilization and a region of historic trade routes and vast empires. Indian Sub-Continent was identified with its commercial and cultural wealth. Health and spirituality are inseparable and together they reveal the true origin of any sickness.

The art of healing is, therefore, a dimension of secret. The system of medicine referred to as Sowa-Rigpa is practised in many countries today. The four medical tantras, which were originally in Sanskrit text, were unanimously considered to be the basic word of Sowa-Rigpa. It is based on the great principles of

\*Speech was laid on the Table.



[Dr. Ratna De]

Buddhism and provides a comprehensive way of understanding the universe, men and his sickness. Buddhism itself is at the heart of Bhutanese and Tibetan medical traditions. Chakpuri Medical School became a famous centre of healing at Lhasa. Sowa-Rigpa is one of the oldest surviving Indian systems of medicine in the world. It is most popular in the Sub-Himalayan territories. It is an ancient and traditional healing system. It is set to become the seventh system of medicine to be recognized by the Ministry of Health and Family Welfare. It is now bestowed with legal status. This recognition given to Sowa-Rigpa would help to start a mechanism to regulate the education in the Himalayan region. It is a welcome step. I can say that better late than never.

MR. CHAIRMAN: The Minister is going to reply. Please conclude now.

DR. RATNA DE: Sir, I am concluding.

Sir, Sowa-Rigpa has, so far, been neglected in the medical system though it is not only practised in Sub-Himalayan territories but it is also a popular medicine adopted by everyone. I firmly believe that Sowa-Rigpa would become more popular among the poor and downtrodden as it would be affordable. I hope the Government would make efforts to dispense Sowa-Rigpa at cheap rates so that its benefits would reach large sections of the society in India.

With the passage of this Bill, the mankind in general will have another choice for the treatment of their ailments. Western medicine commonly known as Allopathic medicine is becoming more and more costly.

MR. CHAIRMAN: It is all known, Madam. Please conclude now.

DR. RATNA DE: Day by day, these allopathic medicines are becoming costlier. Poor people will get a chance to use these traditional medicines. In such a disturbing scenario, Sowa-Rigpa has come as a breath of fresh air. I welcome this Bill and I support this Bill. I request the hon. Minister for allocation and disbursement

of sufficient funds for the development and research associated with Sowa-Rigpa.

MR. CHAIRMAN: Nothing more will go on record.

...(Interruptions)\*

\*SHRI S. SEMMALAI (Salem): Sowa-Rigpa is a traditional system of medicine practiced in the Himalayan Region namely Sikkim, Arunachal Pradesh, Darjeeling, Ladakh and Lahul & Spiti Areas of Himachal Pradesh. It is similar to Ayurveda System of medicine.

Through inclusion of Sowa-Rigpa system of medicine in the ACT, legal recognition to this system will be accorded.

This provision will lead to protection of preservation of ancient system of medicine. I welcome it.

At this juncture, I bring to the attention of honourable Health Minister, that is well known, but defying a solution for long I mean quacks and practice by unqualified persons.

This problem persists across the country and the gullible public falling a prey to quacks is not uncommon.

It is the obligation of the States and Centre to protect the Public health of the citizens and regulate medical practitioners under article 74 read with entry 6 & 26 of State list/Concurrent list respectively of the 7th schedule of the constitution.

The innumerable of complaints received from the well informed public about the harm being done by the quacks on the general health of the patients needs to be looked into.

I feel it is high time the Centre/State Governments take suitable steps to curb the menace.

Stringent Punishment to those practicing medicine/ and all those for making tall spurious claims of curing incurable diseases through false advertisements etc. should be awarded.

\*Not recorded.

\*\*Speech was laid on the Table.

Suitable legislation must be brought in.

I am sure the traditional system of medicine including Sowa-Rigpa having greater patronage from the public will be suitably regulated by the Centre and Central Council of Indian Medicine will discharge its duties perfectly.

[Translation]

\*SHRIMATI JAYSHREEBEN PATEL (Mahesana): Indian Medical Council was constituted under Indian Medical Council Act, 1993. Then it was constituted in 1934 and reconstituted under Indian Medical Council Act of 1956. The President dissolved MIC on 13.3.2010.

I do not want to go into the reasons behind all this but I would like to request the government that the independent status of M.I.C. should remain intact and it should be given more power. Because it has produced such medical practitioners who are not only providing services in the rural and urban areas but also are making our country proud by their commendable works done abroad. Medical council should be allowed to function in accordance with the law formulated under the Act of 1956. The newly constituted team of M.I.C., which is taking the responsibility of MIC, should execute its duties justly. The permission given to the colleges belonging to non-congress person should not be cancelled, Their interest must also be protected. Lastly, the work of reconstitution of M.I.C. should be done speedily.

Functions of the Council :

1. Recognition of the eligibility certificate given by Indian Medical Institutes.
2. Recognition to the degrees obtained from foreign medical colleges in India.
3. Standardization of Medical colleges (medical schools).
4. Maintenance of uniform standards in Medical education at graduation level.

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\*Speech was laid on the Table.

5. This is a constitutional body for postgraduate level of medical education in the recognized colleges.
6. Registration of doctors having eligibility recognized by council, (the registration of doctors and their eligibility is generally decided by the state medical councils).
7. Indian Medical Register is where the names of all the registered doctors are kept as a directory.

Dismissal:

The President dissolved M.C.I., on 13.3.2010. It was alleged that the then president Ketan Desai and three others demanded bribe to permit a fresh Batch of students in Jyan Sagar Medical College, Patiala and apprehended by CBI. The order of the President is enclosed there with.

I would like to know what the government is going to do for the reconstitution of M.C.I.

[English]

\*DR. TARUN MANDAL (Jayanagar): I like to put a caution before the Health Ministry that to bring forth traditional practices of healing like "amchi" or sowa is good for evaluation, research and application but to put blind faith on a Rigpa system as because it is ancient and used by a substantial section of people is bad. A great leader and revolutionary Mao-Tse-Tung to utilize Chinese traditional and age old medical practices for the people like Acupuncture and Moxibustion said, Weed through the past to bring forth the new, let the ancient serve the present. And on that philosophy evaluating those ancient methods of healing China helped modern medical science with acupuncture Anesthesia and other remedies.

I am not against inclusion of and control of Sowa-Rigpa system by Indian Medicine Central Council but the scientific experiments and research to establish its credentials by evidence may be inadequate before the medical profession and scientific world to accept it.

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\*Speech was laid on the Table.

[Dr. Tarun Mandal]

Reasons should take the position of authority was said by Stuart Mill, a western renaissance, philosopher and no superstition, emotion, belief or faith should prevail to determine truth. India, China, Egypt, Greece and Babylon were great historical centres of development of medicines and healing and today's modern medicine took shape extracting goods from all such past resources co-coordinating and assimilating them on scientific facts and findings. That does not mean modern medicine or modern form of AYUSH have no ills and negative points. Side effects on toxic effects are there. But these have been based on modern Anatomy, Physiology, Bio-chemistry, Pathology, Microbiology, Psychology etc. As far as I know Sowa-Rigpa has not accepted these fundamental facets of knowledge of human body and mind.

If it accepts these like modern form of Ayurveda, Siddha, Unani, Homeopathy had adopted and made scientific their methods of examination and attitude the whole country will accept it beyond sub-himalayan areas. I do not know how only by Seeing tongue, physicians mainly traditional, detect diseases and treat patients. Let it be based on basic sciences. Let its inclusion in Council initiate evaluation of the system.

\*SHRI SANJAY BHOI (Bargarh): I support the Indian Medicine Central Council (Amendment) Bill, 2010. This will not only provide a big solution to cure the fatal ailments but help poor and needy patients to get medicines at a cheaper price. Also the Tibetan system of medicine does not have any side-effects to the human body as many allopathic medicines have. So I congratulate the Hon'ble Minister for Health and family welfare to introduce this bill.

\*SHRI S.R. JEYADURAI (Thoothukkudi): Mr. Chairman, Sir. I thank the Chair for giving me an opportunity to participate in this discussion on the Indian Medicine Central Council (Amendment) Bill, 2010, on behalf of DMK.

This Bill, with a limited purpose, seeks to amend the Indian Medicine Central Council Act, 1970, by way of including Sowa-Rigpa, the traditional medicine system practiced in Jammu and Kashmir, Sikkim and the Himalayan region in the Indian medicine system, giving recognition and importance. I appreciate the effort on the part of the United Progressive Alliance Government endeavouring to popularize the Sowa-Rigpa system of medicine popular in the Sub-Himalayan region. This amendment will bring the practitioners of this medicine system to come under the law and carry out their practice independently rendering their medical service to the community. As these medical practitioners would be registered, it will ensure the public to get a devoted service while paving way for taking this medicine system throughout the country.

By this amendment, this medicine system practiced by our ancestors is being protected. This will give rise to manufacture of medicine under this system giving a boost to its sale in the open market in a big way. This will add pep to public health.

Today, more than 50 per cent of those who have crossed the age of 50 are taking some medicine or the other. Now, the world population is moving towards traditional medicine system and herbal medicines. This revisit has been made possible because they become part of our natural daily life without giving rise to side effects and rendering complete cure with a holistic approach.

At this juncture, I would like to put forth certain suggestions. Tamil Nadu ranks ahead of many other States in providing public health facilities with both modern and ancient systems of medicine. The Government there in Tamil Nadu headed by our leader Dr. Kalaingar Karunanidhi promotes healthcare in an efficient manner.

In order to promote Siddha medicine system, tax exemption has been extended to Siddha medicines. Even in Primary Health Centres, the trained and graduate practitioners of Indian systems of medicine, like Siddha, Ayurveda, Yoga, Unani, have been

\*Speech was laid on the Table.

\*English translation of the speech originally delivered in Tamil.

deployed and the Government of Tamil Nadu has ensured the availability of these medicines free of cost.

Siddha medicine system, which is at least 6,000 years old, cures effectively diseases that affect liver, lung, skin, uterus and also the knee-joint problem like arthritis. Three years back, when the Chickungunya viral disease was spreading and causing joint pains, it was found out that Siddha medicines could effectively control it using *nila vembu* and *thirukadugu choornam*.

Hence, I would like to urge upon the Government that there is a need to spread this medicine system to other States also encouraging research and development. In order to help the Government of Tamil Nadu to provide infrastructure facility for Siddha medicine system in all the Government Hospitals and Primary Health Centres, the Centre must allocate more funds.

All our Indian systems of medicine must be taken to all the States and they must be encouraged. In the same way in which Dr. Kalaingar led Government of Tamil Nadu is promoting and extending tax exemption, all other systems of medicine, like Ayurveda, Unani and Sowa-Rigpa along with Siddha must get tax exemption in all the States.

Further research on them must be carried out in identifying the effectiveness of certain medicines on certain diseases and they must get more of Central assistance to be promoted throughout the country.

More of CGHS Dispensaries must be set up with practitioners and medicines in other Indian Systems of Medicine throughout the country.

It must also be ensured that these medicines are available to the needy people easily and at an affordable cost, if not free of cost.

I am putting forth these suggestions and requests while lauding the efforts of the UPA Government to promote traditional systems of medicine.

With this, I conclude.

[Translation]

SHRI CHANDRAKANT KHAIRE (Aurangabad): Sir, I would like to speak on the Amendment Bill, which has been brought by the honourable Minister ...*(Interruptions)* This consists of the constitution of an Ayurveda Committee, Sidda Committee, Sowa-Rigpa Committee. When you have included Sidda, then there should be provisions for Yoga also. Unani system, which has been prevalent for a very long time, should be made a compulsory part of each and every health centre. The hospitals of district councils and municipalities should also provide treatment through Unani system of medicine. There should also be an ayurvedic doctor; you have also been contemplating on including 'Yoga' in the M.B.B.S. curriculum. Main focus should be on giving maximum publicity to yoga. With these words I conclude my speech.

\*SHRI ARJUN RAM MEGHWAL (Bikaner): Sir, I would like to make the following suggestion with regard to the Indian medical Central Council Amendment Bill, 2010.

I belong to Rajasthan. There are plenty of medicinal plants of different varieties such as apara, toomba, white musli etc. in Rajasthan. The research on them should from a part of this council so that proper research could be carried out on the natural medicine available in the desert areas of Rajasthan.

DR. RAGHUVANSH PRASAD SINGH (Vaishali): Mr. Chairman, Sir, the hon. Minister has through this Bill taken a corrective step by bringing Sowa-Rigpa, which has so far remained outside the ambit of the indigenous medical system within its fold. Sowa-Rigpa had emerged during the region of Buddha. Jivak was a physician. Bimbisar was the king. The physician, Jivak was well-known from Takshila to Gaya and Rajgir.

Sir, presently, Sowa-Rigpa system of medicine is prevalent in Tibet, Bhutan, Japan, Nepal and other countries. In our country, in Jammu and Kashmir especially in Leh region of Laddakh, in Uttarakhand, Himachal Pradesh, Arunachal Pradesh, Sikkim, the villagers seek treatment Sowa-Rigpa system and get

\*Speech was laid on the Table.

[Dr. Raghuvansh Prasad Singh]

relieved of the common diseases. So, the inclusion of Sowa-Rigpa is a step in the right direction.

There is a text book based on this system belonging to the times of Lord Buddha and the system came into existence during his lifetime. Ayurveda as an indigenous system of medicine, traces its origin to Bruh̄ma extending upto Ashwini Kumar, Dhanwantri, Sukhain Vaidhya, and Banabhatt and also find a mention in Charak Sanhita. In most parts of the country, the Ayurveda, an 'upveda' of the yazurveda makes a mention of it and since then it has been prevalent. Disease is said to be caused by the imbalance of these doshas namely vata, pitta, and kapha. Charak Says - Sarvesam Roganam, nidanam Kupitamala' that is if there is no proper excretion from our body, it will lead to diseases. This is a basic principle of Charak science. Similarly, there is Siddha system in Tamilnadu. In Kerala its origin dates back to the times of seer Agastysya and this system too is akin to of Ayurveda in that it also relieves such herbal medicine. China is exporting such medicines more than us.

I request the hon. minister that such States which have potential in this field, should be provided with an Ayurveda university. Similarly, there should be a university for Siddha system and also for Sowa-Rigpa so that scope of research in Ayurveda could be widened. In Ayurveda treatment of diseases naturopathy has a prominent place. The world has also recognized this fact. The fact remains that there is no coordination between modern medical science and Ayurveda in our country. This is the cause of the problem. So there should be coordination between the two and specialists belonging to both the branches should conduct research in each other's field. In Ayurveda, in indigenous medical treatment and Sowa-Rigpa, the drawback is that these have remained devoid of research work. So, I would like to request the hon. Minister, through you, that the enthusiasm which they show while presenting this Bill, should be equally shown in research regarding these medical treatment systems.

Lastly, I would like to add one thing more that allopathic medicines which have their expiry dates but as for the medicines in Ayurveda like Drakshasav, Arjunarisht etc., the older they are, the more effective they become. This formula should also be implemented in this regard, because the older the drakshasav is, more effective it is. So this aspect also needs attention.

[English]

\*SHRI AMARNATH PRADHAN (Sambalpur): I support this Bill. This system of medicine has come from Buddhist "Ashtangayoga". Particularly Tibetan and Himalayan region people use these medicines and are cured from various ailments. Juse is equally important. Hence in this juncture I support this Bill.

[Translation]

\*\*SHRI PRASANTA KUMAR MAJUMDAR (Balurghat): I rise to support the Indian Medicine Central Council (Amendment) Bill, 2010.

Since bygone era, different kinds of medical treatments are in vogue in our country. The Government gave sanction to Ayurveda, Siddha, Unani and other methods in the Indian Medicine Central Council Act 1970. The doctors treating and healing patients with these methods were given recognition and they were given the rights to treat patients.

Besides in the Sub-Himalayan region and Ladakh ancient healing procedures are used which are called Sowa-rigpa. The doctors using such methods are known as Aamchi.

Through this Amendment Bill, 2010, these doctors will get legal recognition and registration. They will also be given grants by the Government. The ordinary people of the country will receive Government - aided treatment. Government dispensaries will be opened and the license of drug manufacturing will also be given. The Aamchi doctors will be able to heal the common people.

In the Central Council that is to be set up, the following branches will be there

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\*Speech was laid on the Table.

\*\*English Translation of the Speech laid on the Table originally in Bengali.

1. A Committee for Ayurveda
2. A Committee for Siddha
3. A Committee for Unani
4. A Committee for Sowa-rigpa

I think the Government should promote research in these ancient Indian medical treatments. From various herbs, in early days, medicines were prepared. So more modern research is required today.

Thus I urge upon the Government to take steps to give a boost to the Indian medical system.

[English]

\*SHRI NILESH NARAYAN RANE (Ratangiri-Sindhudurg): I support this Bill 'The Indian Medicine Central Council (Amendment) Bill, 2010. The Tibetan System of medicine which is used in Himalayan and Tibetan region to cure many ailment. This system of medicine has become very popular and useful than allopathic medicines. Moreover it does not have any side-effects and the price or cost of these medicines are in the reach of common man. Hence I give my heartfelt congratulations to introduce this bill.

SHRI PULIN BIHARI BASKE (Jharagram): Mr. Chairman, Sir, through this Bill, Unani and Sowa-Rigpa system of medicine is being regulated. I support this Bill. Earlier when a Bill on Medical Council of India was passed in this House, that was not fair, because the Bill was passed without any discussion. As there was not enough time for discussion so I have two or three proposals.

[English]

Quality and standardization of medicine should be done. Composition of the medicine shall be indicated in the label.

Secondly, there should be scientific evaluation rather than relying on anecdotes. Basic science of modern medicine should be incorporated in the syllabus.

\*Speech was laid on the Table.

Thirdly, there should be financial help and scholarship for the poorer sections of the people to study this system of medicine. Otherwise, instead of being beneficial it would be dangerous for the people.

[Translation]

I would like to urge that honourable Minister should consider my points:

[English]

\*SHRI B. MAHTAB (Cuttack): In spite of the spectacular advances made by the system of modern/allopathic medicines, the alternative or traditional systems of medicine currently serve the health care needs of a large population in the world.

In India, this indigenous medicinal system comprises of different components namely, Ayurveda, Yoga and Naturopathy, Unani and Sidha systems. These ancient systems of medicine which are a treasure house of knowledge for both preventive and curative healthy care are embedded in Indian culture well before the advent of Allopathic system of medicines and have continued to be an integral and significant part of our society. They are officially recognized, codified and well documented. However, its growth and development has not been an encouraging as it should be. Various problems and constraints are affecting the growth of Indian systems of medicines - neglect of Government, abuse of system by unscrupulous practitioners, ad-hoc growth, poor resources and allocation and neglect of basic research.

What is the total percentage of Health Budget of the Government and what is the percentage of AYUSH in the Health Budget? The Budget allocation in China in proportion to their population is much more. When China is exporting hugely, why can we not do it? What steps are we taking?

The Indian Medicine Central Council Act, 1970 provides for constitution of a Central Council of Indian

\*Speech was laid on the Table.

[Shri B. Mahtab]

Medicine for regulating of educational standards of Ayurveda, Siddha and Unani systems of medicine and the maintenance of Register containing names of approved Medical Practitioners of the Central Council of Indian Medicines.

We are told that the government in May has decided to set up a Pharmacopoeia commission at a cost of Rs. 14 crore for developing indigenous medicines with the aim of raising the country's share in the \$ 62 billion global herbal drug market. Of this, China's share was \$ 19 billion and India has a meager share of \$ 1 billion in global trade. There are 1,000 kinds of drugs and an equal number of compound formulations. When cost of modern health care drugs is increasing and demand for herbal medicines is also increasing, I would urge the Government to set standards for drugs in the Ayurveda, Siddha, Unani medical systems. This Commission should develop standards and quality specifications of identity and strength of raw materials as well. There is need to maintain a national depository that would provide authentic reference of the raw materials.

The Pharmacopoeia Commission should ensure quality, safety and efficacy of the drugs available in the public. This may help in undertaking collaborative research and standardization work with reputed Government and private universities and research organization like Council of Scientific and Industrial Research, Indian Council of Medical Research, Indian Council of Agricultural Research at national level and World Health Organisation, Food and Agricultural Organisation and US Food and drug Administration, etc. at international level.

This Bill is specifically brought to this House to include Sowa Rigpa within the ambit of the Indian Medical system. It is practiced in the sub-Himalayan region along with Tibet, Mongolia, Japan and some other countries. This Bill seeks to include registered practitioners of Sowa-Rigpa in the Indian Medical Council. Large number of Indian herbs and plants are used in

various traditional systems. I would like to know what steps the Government is taking to reach out to inaccessible areas and places where tribals live in, to identify their system of medicine and practitioners? Are you going to take steps to protect and preserve this ancient system of medicine?

Before concluding, I would say the Government does not have a perspective plan for the growth and development, popularization and expansion of Ayurveda, Unani and other Indian medicines outreach. There is a need to formulate a perspective plan, a roadmap for the next 20 years. Adequate infrastructure facilities should be set up in our country in a time-bound manner.

[Translation]

\*SHRI HANSRAJ G. AHIR (Chandrapur): Sir, the Government brought a Bill, Medical Council of India Bill, 2010 to recognize Unani and Sowa-Rigpa system of medicines. I support this. Treatment through traditional methods has been in practice since ancient times in India. But due to India's ignorance, our medical treatment system gradually without away. This is why presently there is great sacrivity of medical facilities in rural and inaccessable areas. Allopathic treatment is very costly. Due to continuous rise in cost it is not possible for the common men to afford it. Due to lack of health facilities, malnourishment in our tribal areas is continuously rising. If our future generation remains weak due to present conditions of malnutrition, then how can we claim to have made progress. Quaks take advantage of the ignorance of the tribals and dupe them by treating them through allopathic practice. In view of our failure to provide government health facility at the grassroot level of the population, there is a need to encourage our traditional systems of medicines by doing away with allopathic system. As I said last time that our traditional medicinal plants, herbs are being patented by foreign countries. This is a indicative of the neglect of the government. If we are able to develop a system to test our traditional medicines on scientific parameters and

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\*Speech was laid on the Table.

promote it, we may ourselves avail of cheaper and affordable health facility. The Government should consider over this. The Government have made efforts to promote Ayurvedic medicines through department of AYUSH. Similarly other traditional systems of medicine may also be boosted. Unani system of medicine and Sowa-Rigpa fall in this category. With these words, I conclude my speech.

[English]

\*DR. PRABHA KISHOR TAVIAD (Dahod): The system of medicine is good, when the person who studied the system if he practice that system of medicine.

**Pharmacopia:**

Medicine we study the structure composition, pharmacological action, side effects, advantages and disadvantages etc.

While treating the patient with kidney and liver disease etc. we have to become more careful in giving this medicine the dosages also we have to be very careful signs of over dosages are also to known to us.

All the systems of medicine are excellent but if the person not studied the system will practice that system is dangerous.

Oxytocin is helpful in delivery of a pt. but the higher dosage can give rise to rupture of uterus and which may kill the mother. In chronic diseases like allergy, asthma, arthritis, skin diseases, homeopathy and ayurveda are having very good effects.

**Allovera:** It is very helpful in immediate burns. It will help in deep burns also and it will not allow it to have blisters.

**Steroid:** Sir I wish that sometimes this steroid are used by them without knowing steroid.

When it is to be given, it is given carefully and then it is to be tapered given in reduced doses. Long term steroid is very harmful and the people of other

system of medicine are not knowing the danger of long term use and they are using them which should be not allowed at all.

**Antibiotics:** Sir, I will say that irregular and frequent change of antibiotics which lead to resistance to such antibiotics which should not be allowed.

THE MINISTER OF HEALTH AND FAMILY WELFARE (SHRI GHULAM NABI AZAD): Mr. Chairman, Sir, at the outset I would like to thank and congratulate the hon. Members for the keen interest that they have shown in this legislation.

As I had said in the beginning, this particular ...*(Interruptions)*

[Translation]

SHRI SHAILENDRA KUMAR (Kaushambi): Hon. Minister, it will be better if you speak in Hindi on this issue.

SHRI GHULAM NABI AZAD: I am pleased that the hon. Members have shown great interest in this. In the beginning itself, I had said that presently this system is not in vogue throughout the country. We can say that like in case of Ayush or whether it is Ayurveda, Unani, Sidha, Homoeopathy etc. people don't use them all over the country, but different people use them at different places. Similarly Sowa-Rigpa also is used in only a few regions of our country i.e. in Laddakh, Sikkim, and Arunachal Pradesh, West Bengal, Darjeeling and Kalimpong, in Himachal, in Lahaul and Spiti and in Kinnaur which is general, fall in himalaya region. In Karnataka it is used in Hubli and Mysore. They had been demanding for that since long. For many other reasons in such regions where system of allopathy is not available, this system of medicine has been adopted. Ayurveda in Kerala has become popular all over the world. Similarly, these medicines are used in these Himalayan regions for centuries and practitioners call it Amchi. A colleague of ours said that such practitioners should be called Vaidyas. Why should they be called Vaidyas? The people who use it, shall name it. We who don't use it, can not impose our choice of name to them. That is wrong. Those who use it and



[Shri Ghulam Nabi Azad]

have used the specific name for thousands of years, only that name should continue in use. We should not impose the titles or names of other systems to their system. It will not be reasonable.

Sir, it is a short Bill, a new Bill and still we don't know about it. I want to congratulate hon. Member, Dr. Rajan Sushant, who spoke first on the Bill. He said that we know; but I think the knowledge which he has is 10 times more than that which our ministry and I have in this regard, and he spoke about it here. We will certainly use it when it is practiced on a large scale. He has interest in it and has done full research on the issue and even we did not know a few points in this regard. Your people have explored and discovered these thousands of years back. I wish to heartily congratulate him for that.

**16.00 hrs.**

You have supported it with amendments, I am thankful to you for that but you have discussed about amendment in section 3 of the Act. Presently it is not possible to make amendments in the Act because as I said in the very beginning that in a limited way we are adding sixth sibling to five member Indian system of medicines. If in general, there are some weak points or drawbacks in Ayush we are neither discussing them nor considering to bring amendment in that respect. I request all those hon. Members who have given suggestions about amendments or about whole Ayush Department, complete Indian system of medicine whether about Ayurveda, Unani or about Sidha, about Homoeopathy they should write to me personally. We will compile them separately. Your views will help us see where the system is lacking then if there is a need to bring change to that we will certainly do that, but since we are not talking about that today and are only discussing Sowa-rigpa so I cannot completely assure you and can only say that if you wish to say something more also kindly tell us about it.

You have said that permission for college should

be given according to time. I want to assure you that there is a complete protocol about it. Supreme Court has issued protocol for the Medical Council and the Dental Council. But for the other Indian system of Medicine also there is a complete protocol in our Ministry regarding the dates on which the inspections should be done. All the dates are specified so that the colleges are given permission within that time only.

Sir, I agree with Shri Chacko. He said that it is a very good work and this approach is holistic. That is quite right. Which state is popular known in Indian system of medicine except Kerala. Earlier, the people had to go to Kerala for Ayurveda. Kerala Ayurveda is being used now not only in our country but also abroad. I congratulate the Government for that. But they have expressed some doubts that there should be digitalization. I want to tell you that knowledge regarding digitalization of Ayush and Indian System of Medicine is available and we will digitalize it. Mr. Chacko has talked about standards also. I assure him that the standards that are applicable in other systems of medicine will be applicable on Ayush on the same lines. He has said that medicines should be given by adding it with NRHM. You know that when NRHM was introduced, it was decided that mainstreaming of Ayush should be done and it only meant that Allopathy and Ayurveda should be co-located. That is the reason that wherever district hospitals, sub district hospitals or health centres are being opened, a provision of Ayurveda, or Unani dispensaries under one and the same roof is made in them. Earlier they were somewhere on rent or at hilly places where people could not reach. Since district, sub district and primary health centres are chosen to be located at centrally located places, therefore, Ayurveda dispensaries are being co-located and mainstreamed.

I want to assure you that we are making all efforts that wherever at sub-district level particularly upto primary health centres, the allopathic medicines are provided Ayurvedic medicines should also be available there. The states rather I should say the regions where Sowa-rigpa system will be introduced, because Sowa-

Rigpa is not prevalent in all the state, we will try that Sowa Rigpa, in whichever regions it is prevalent, is mainstreamed and is available in PHCs, CHCs and in district main hospitals there.

Pharmacopia is not discussed here but I want to tell that we want to constitute pharmacopia commission for Ayurveda Unani, and Sidha system because that standard is specified here in. Hon. Members here have discussed about that, one of our colleagues has mentioned from this side that it should, not be that the medicine that you have made once shall be used even after 10 years 20 years whether it has gone dry or rotten. These things should not only be taken care of in Allopathy but also in Ayurveda etc when our pharmacopia commission will be constituted and a system will be established in this regard then the standards will be fixed and Sowa-Rigpa will also be brought under this.

Here we discussed about quality. We will certainly take care of quality aspect. Our friends here have talked about research. Research is very necessary. If we look at Allopathy then we will find that pharma companies spend thousands of crore of rupees on research and testing before introducing any new molecule, any new medicine. That is the reason when any new medicine comes in market, in the beginning it is very costly because making of a new tablet or a new capsule costs anything between Rs.500 crores to Rs.5000 crores but when that medicine becomes prevalent all over the country or the world and when its volume of consumption increases then its price is reduced. Thus for allopathy they spend a lot but in Ayurveda it was not so till date.

Hon. Member, Vijay Bahadur Singh, will be happy to note that this year we have vastly increased the research component. As the budget for Ayush is not much. Earlier there were 5 systems in Ayush but now we have 6 systems in it. Our budget for the year is Rs. 800 crores which includes dispensaries, hospitals, plant protection and plant repairing. So for the whole country, for the centre and for the states. ...*(Interruptions)*

SHRI SHAILENDRA KUMAR: The budgetary provision should be increased to Rs.1600 crores. ...*(Interruptions)*

SHRI GHULAM NABI AZAD: We are quite hopeful and our finance Minister has told us that next year the budget will be increased. But out of this year's' budget of Rs. 800 crores we have earmarked Rs. 133 crores for research. This is a quantum jump. We have already started the research work and when it is over the quality will automatically improve.

So far as the expiry is concerned I would like to state that we have already amended the Drugs and cosmetics Act and the good manufacturing practice is being implemented strictly. All these things will also be applicable in case of labeling or ingredients or expiry. These were some of the issues which the Hon. Members have discussed here in the House. Once again, I would like to thank you all. Although, the Members of Parliament in this area do not know about this but those in the hilly regions know about it and I am very grateful to you for the suggestion to bring it into the mainstream and to all the parties for supporting it. And I would request you pass it.

*[English]*

MR. CHAIRMAN: First, let him put the question. I will call you next.

SHRI B. MAHTAB (Cuttack): It was very kind of the Minister to mention about the Pharmacopoeia Commission of Indian Medicine. A decision, as far as I have learnt, has been taken by the Cabinet in May last. Accordingly, around Rs.14 crore to Rs.15 crore has been allocated for this. My point is about the national depository that is to be maintained by the Government. At some level, if the Pharmacopoeia Commission of Indian Medicine comes into force, the depository will also come into force where all the Indian systems of medicine can be registered, including the types of herbs that are being used.

[Shri B. Mahtab]

This leads to a very basic question. Today, Ministries of Commerce and Industry can also give the details, around 62 billion US dollars of trade is being conducted in the world. Out of this, China's share is 19 billion US dollars whereas our contribution to the international market is only 1 billion US dollars. We should have this Pharmacopoeia Commission of Indian Medicine as early as possible. I would like to understand from the Minister as to what steps he is going to take specially to frame the rules and to maintain the depository council.

[Translation]

SHRI MULAYAM SINGH YADAV (Mainpuri): Hon. Chairman Sir, through you, I would like to say that Health Minister has done a good job by increasing the budget and should be increased further. In India including Uttar Pradesh, there is a great scope for Ayurvedic, Homoeopathic and Unani systems of medicine. Vaidyas are doing well. Will you take these systems of medicine forward by providing them special facilities? You are aware that allopathic medicines have side effects also if administered in excess and it becomes a compulsion to administer antibiotics for immediate relief and administering antibiotics frequently leads to failure of kidney and liver. You have done well. Keep it up. Kindly encourage those who are working in this field in India. I had constituted a Board for Ayurvedic and Allopathic medicines with good doctors. At that point of time, lot of incentives were given and this system of medicine progressed a lot. Will you do the same? The doctors of Ayurvedic, Homoeopathic and Unani system of medicine are doing well. Will you provide facilities to them?

[English]

SHRI T.K.S. ELANGO VAN (Chennai North): The knowledge about these medicines should spread to all parts of the country when an additional system of medicine is included in the Indian system. People from all parts of the country should be benefited by that. For that, we need textbooks in all Indian languages. I would

like to know whether the Government proposes to spend some money for preparing textbooks in these systems of medicines in all Indian languages, so that people can read it and use it in all parts of the country.

SHRI GHULAM NABI AZAD: As far as Pharmacopoeia Commission of Indian Medicine is concerned, I have already said that the Government has taken a decision to set up the Commission for Ayurveda, Unani, Siddha and also Sowa Rigpa. Naturally, once the Commission comes into being, the depository will automatically become a part of it.

Insofar as the suggestion given by hon. Member Shri Mulayam Singhji is concerned, it is a very good suggestion. We have already got the Councils. We have elected ones, we have university representatives, we have nominated ones for Ayurveda, Unani, Siddha and so will be for Sowa Rigpa. He has said about the facilities to be given. If such facilities and benefits are given to individuals, then it will be opening a Pandora's Box. I am afraid, I do not know to how many people these facilities will be given.

MR. CHAIRMAN:

The question is:

"That the Bill further to amend the Indian Medicine Central Council Act, 1970, as passed by Rajya Sabha, be taken into consideration."

*The motion was adopted.*

MR. CHAIRMAN: The House will now take up clause by clause consideration of the Bill.

The question is:

"That clauses 2 to 7 stand part of the Bill."

*The motion was adopted.*

*Clauses 2 to 7 were added to the Bill.*

*Clause 1, the Enacting Formula and the Long Title were added to the Bill.*

SHRI GHULAM NABI AZAD: Sir, I beg to move:

"That the Bill be passed."

MR. CHAIRMAN: The question is:

"That the Bill be passed."

*The motion was adopted.*

16.16 hrs.

REPRESENTATION OF THE PEOPLE  
(AMENDMENT) BILL, 2010

[English]

THE MINISTER OF LAW AND JUSTICE (SHRI M. VEERAPPA MOILY): Mr. Chairman, Sir, I beg to move:

"That the Bill further to amend the Representation of the People Act, 1950, as passed by the Rajya Sabha, be taken into consideration."

16.16¼ hrs.

(Shri Inder Singh Namdhari *in the Chair*)

Sir, it is a long awaited Bill, being agitated over for a long time. In fact, it came to Parliament some time back, in the year 2005 and was referred to the Departmentally Related Standing Committee. The Departmentally Related Standing Committee examined the whole Bill. They wanted the Government to bring a comprehensive Bill. Now, the present Bill, in fact, comprises of all the elements and it has implemented in letter and spirit the Report of the Departmentally Related Standing Committee.

Sir, it is a very simple Bill. In fact, it restores the right to vote for those Indian citizens who have gone abroad for employment, education etc. It is not that we are conferring something on them. There are as many as 25 million Indian citizens who are abroad and they do not have the right to vote. Due to this logistic reason, this Bill is being brought. There are only three elements in this Bill. The proposed section 20A.(1) says:

".....every citizen of India,—

(a) whose name is not included in the electoral roll;

(b) who has not acquired the citizenship of any other country; and

(c) who is absenting from his place of ordinary residence in India owing to his employment, education or otherwise outside India (whether temporarily or not),

shall be entitled to have his name registered in the electoral roll ...."

These are the only three elements of the Bill.

It is not that we, in our country, are bringing it as a unique feature. In fact, many countries, maybe about 20 or 25, have given this kind of a right to their own citizens. So, I commend this Bill for consideration of the House.

MR. CHAIRMAN: Motion moved:

"That the Bill further to amend the Representation of the People Act, 1950, as passed by the Rajya Sabha, be taken into consideration."

[Translation]

SHRI UDAY SINGH (Purnea): Mr. Chairman, Sir, I would like to thank you for giving me the chance to speak on the last day and perhaps the last bill of this session. The Representation of people's (Amendment) Bill, 2010 is a welcome Bill. In this session, I have seen that the Government introduce several such Bills which have turned out to be controversial and which have resulted in uproar in the House and difference of opinion. But, I think this is the Bill which will be supported by all. But, I would like to put forth some points. Is know that today is the last day of sitting and the Members of Parliament have been involved in deep discussions right from the morning and feeling exhaust by now. Now, the session is going to be over. But, I would like to make some important things. It is not so simple and easy, as our Hon. Law Minister has tried to depict it to be.

Sir, first of all, I may congratulate this Government for the speed the have shown in bringing out this Bill. It took four years to bring it in the House. In the year

[Shri Uday Singh]

2006, this Bill was brought in the Rajya Sabha, perhaps the Ministry of Law and Justice tried to deeply ponder over the points raised by the Parliamentary Standing Committee. This Bill remained pending from 2006 to 2010. This is the efficiency of this Government. The Government did not accept the recommendations made by the Standing Committee. I would like to draw the attention of the Government towards what it has stated-

[English]

The Bill allows for all citizens to be enrolled in the electoral rolls in the constituency.

[Translation]

The Government says that name of the person should be there in electoral roll of the constituency from where the passport has been issued. Suppose, I am a resident of Purnea and I migrate to some other place in search of job or in connection with study and if earn good and intend to have another house in Patna than this should be allowed. It has been provided in the Representation of People's Act that if a person migrates to another place he can get his name included in the voter list there. As such, the authorities where the name of the person is in the electoral roll give in writing that the name of the person has been deleted from the electoral roll of that area. The provisions of this Bill are not proper. This bill has been prepared narrow mindedly.

[English]

NRI is loosely defined.

[Translation]

Mr. Chairman, Sir, in this Bill there is no mention of inclusion of name of any NRI in the electoral roll. Whether the government will enact such law. I would like to tell the Minister of Law and Justice that...

[English]

"Citizen of India not enrolled in the electoral rolls..."

[Translation]

I think it would be better if Election commission frame rules in consultation of the government. Such amendment should be brought. I am speaking keeping time limit in mind.

MR. CHAIRMAN: Do you know the time limit?

SHRI UDAY SINGH: I don't know the time limit?

MR. CHAIRMAN: You have taken more than allotted time.

SHRI UDAY SINGH: Mr. Chairman, Sir, I have not made the important point yet. It would have been better.

[English]

We have waited from 2006 to 2010. Our NRI people would have waited another year if you had brought a comprehensive Bill.

The Election Commission of India has sent you a comprehensive list of the amendments required in the Representation of People Act, but you have chosen from them selectively. You have chosen from them what suits you, and you have ignored what does not suit you.

One of the recommendations of the Election Commission is that: "Power to make rules under the Act must not lie with the Central Government", which does so today in consultation with the Election Commission, but must be turned around the other way. The Standing Committee observed.

"Since the present law requires a physical presence of the voter while casting his vote, the Committee feels that only a minimum number of NRIs will vote..."

It also added – "The mode of casting votes by all categories of voters, who may not be physically present, which is, Armed Forces, Paramilitary Forces, Armed Police, forces serving outside and officials posted on foreign Mission, should be made uniform."

[Translation]

I think that the Government is not accepting the truth. During the NDA regime the programme of maintaining the national citizen register was started. Due to tremendous pressure the need of maintaining the national citizen register was felt and later this was courted into the national population register. This government and the House says that we give leadership to the country.

[English]

We give leadership to the country, but the Government does not have the gumption, does not have the courage to accept who are its citizens, who are not. We are trying to make an omnibus sort of National population register.

[Translation]

What should have been national citizen card has been renamed as UID. I would definitely appreciate the government for assigning the job of preparation of UID cards to the agencies engaged for this as it is really impossible to find out better people than these for this task. This is praiseworthy but had this UID been named as the national citizen card there would have been no need of preparing of electoral lists as gross irregularities are committed in preparation of voter lists.

Sir, you, too, are a Member and you know it well what happens in the constituencies. It is not his concern only. Fifteen days ago, we were in a dispute regarding salary etc. On that point, I would not like to say anything. Our leader has made clear the policy as well as the idea of our party, however, the public opinion which has emerged is not in favour of the Members of Parliament. We have to enhance peoples' interaction in our democratic process. How can we do this? Less than 50 per cent people go to cast their votes. I live in Chennai. Is it feasible for me to go to Hoshiarpur from Chennai to cast my vote in favour of my favourite candidate? When you have all the facilities and resources, biometric cards are being issued, then, it

would be better if you convert that into the National Citizen Register and made the biometric card a citizen card. Today, we have the technology that facilitates me to cast my vote in favour of my favourite candidate in Arunachal Pradesh while I am in Karnataka. If it is done, there would be no requirement to incur expenses on security and other related things. I urge the Government for this. I urge the Minister of Law and Justice to seriously pay attention to all the recommendations made by the Election Commission. A lot of things are said about the Members of Parliament. Almost each and every type of unparliamentary word has been used for MPs. Therefore, why don't they bring in the Criminalisation of Politics (Amendment) Bill? Do they not have so much courage and such a will? You go through the Election Commission's views and do not selectively pick up these views, either pick them up comprehensively. With these words, I would like to state that though the Bill has some shortcoming

[English]

it is a case of too little, too late. I think it is a good Bill and we support it wholeheartedly.

SHRI P.T. THOMAS (Idukki): With pride, I am supporting this Bill. This legislation, no doubt, is a feather in the cap of the UPA Government, especially Madam Sonia Ji, and our hon. Prime Minister. The passage of this Bill has to be inscribed in golden letters in the annals of real democracy.

The NRIs are of Indian blood. Tens and thousands of NRIs are living in foreign countries without being enfranchised. Not only the Indian political leaders, but also the successive Presidents and Prime Ministers of USA, UK, UAE, Australia and France have time and again expressed and acknowledged the great contributions made by our NRIs.

We have to bow our heads before the glorious memories of the great martyrs of 1857, the First Freedom Struggle. The British Parliament was forced to pass the Indian Council Act, 1861 to provide space for Indian opinion in the Council. This is a landmark

[Shri P.T. Thomas]

legislation. It bears the colour of the patriotic blood which was responsible for the Indian Council Act, 1861. By this historic legislation, we are expanding the horizon of the meaning of democracy. We have seen elsewhere in the world and in our neighbourhood countries, the Governments shattering and crumbling down as to allow military juntas suppressing people and democracies. But the Indian democracy stood the test of time. We are proud of being the largest and the greatest democracy of the world. With the enactment of the present legislation, our democracy attains more greatness.

There are as many as 25,000,000 Non Resident Indians. There has been a long-pending demand from our NRIs. I hope that nobody would have any objection to the purpose of the Bill. The Bill came before the august Parliament in the year 2006 and the Standing Committee gave its report on it. The Bill seeks to provide for granting voting right to every citizen who has not acquired the citizenship of any other country and who has been absent from his place of ordinary residence in India. The Bill empowers the Central Government to issue notification to specify after consulting the Election Commission of India the time and manner in which the name of a person who is not an ordinary resident be listed in the electoral rolls.

The Bill provides that the Electoral Registration Officer shall make corrections of entries in the electoral rolls and inclusion of names in the electoral rolls after proper verification. The proposed amendment seeks to create a very valuable political right in favour of the Indian citizens working and living abroad. It will benefit all those people who are working abroad and students who have gone abroad to study. Countries like UK, USA, Canada, Australia allow their overseas citizens to vote subject to certain conditions.

There can be an issue like a person living abroad might like to contest election. The hon. Minister may kindly explain if that would be permissible. If they are allowed to contest election, they can become MLAs and MPs. However, they will be residing outside India. A

clarification is needed in this regard. There should be a distinct difference between right to vote and right to stand in election.

My suggestion to the Government is that it should consider the possibility of allowing the NRIs to vote through the Internet. One problem can arise in this regard. Suppose a person from Kerala is working abroad for the last few years and after this amendment he wants to get his name registered in some other State like Delhi or UP. Can this be done? There is one more problem. If a person registered lives outside India, how will he cast his vote? They may ask for postal ballot. However, if postal ballot is allowed, it will take a long time to declare the result. The Minister may like to address this issue. Right to vote, to my mind, is a basic fundamental right of any citizen. This not only gives him a political right but also is the basic identity of a citizen of the country.

Regarding the issue of correcting the electoral rolls, it is generally seen that the Election Commission revises the rolls as on 1st January of each year. Many times, a large number of elector's names are deleted from the rolls and they come to know of it only when they go to vote and find that their names are not there in the list. In our State, in Kannur District, the ruling Party CPI(M) is always rigging and capturing the booths. Before deleting the names from the electoral rolls, the Commission should give the electors an opportunity to be heard. Most of the times the electors are ignorant of their names being struck off the rolls. Being a Member from Kerala, I am proud to say that the entire economy of our country is based on the NRIs who contribute to our economic system.

I support this Bill.

SHRI LALU PRASAD (Saran): Mr. Chairman, Sir, though this Amendment Bill has rightly been brought in but the point is that, hundreds of billions of rupees have been spent on making I-cards of voters of the country. Still, I-cards of fifty per cent of voters have not yet been made. People have been debarred from voting. The voter-list has also been erroneously printed. From the

very beginning, I have been saying this point as to how and where a poor person would preserve the I-card. I am saying so from the times of Mr. Seshan. The Union Law Minister should consider framing rules envisaging that elections would not be allowed to be held until and unless I-cards are issued to 100 per cent voters. You should make this condition mandatory. ...*(Interruptions)* Please forget about tenure. I am not talking about that. The poor people are being debarred. The I-cards have not been issued to 100 per cent of the poor and the funds have entirely been spent. There are NRIs also. It is alright hey come to India. The names of the people who follow the rules should be included in the voter list. But they did not issue I-cards. It means that they are depriving the people of their fundamental right. Please bring in this Bill and ensure their right.

I would also like to say one more thing that the people used to cast their votes earlier by themselves having a look at it. Now, EVM has been introduced. There are various types of voters. A lot of people are illiterate. Suppose, if such people are asked to press the button against the election symbol 'Lantern', then it so happens that though they press that button, yet their vote goes to the other symbol e.g. 'cycle'. If they press the button for 'cycle', the vote goes to 'Lotus'. Similarly, if they press the button for 'Hand', the vote goes to 'Elephant'. Such type of manipulation is going on. Technical manipulation is cleverly done. Due to this, the party whom the voter gives his/her vote does not get his/her vote. So, say good-bye to EVM and bring the old manual system back. The BJP and all other parties are of - the same view in this regard. We also approached the Election Commission in this regard and stressed before them upon the point that there were a lot of flaws, drawbacks and shortcomings in the EVM system. So, please say good-bye to EVM system of voting. ...*(Interruptions)*

MR. CHAIRMAN: Lalu ji. please take your seat.

...*(Interruptions)*

SHRI LALU PRASAD: There are instances of EVMs going out of order during the voting and a period of

five hours getting elapsed due to this. So, it is necessary. It is my demand and please address it. ...*(Interruptions)* The biometric card is being introduced. Biometric is for what? What type of biometric? Bring the previous system back to ensure that the vote cast for the symbol 'Lantern' goes only to the 'lantern' and it does not go to the symbol 'cycle'. It has to be done. Say good-bye to EVM and bring the manual system back.

*[English]*

MR. CHAIRMAN: Those hon. Members who want to lay their written speeches, they can do so.

*[Translation]*

SHRI MULAYAM SINGH YADAV (Mainpuri): Mr. Chairman, Sir, the point raised by hon'ble Lalu ji is very important. ...*(Interruptions)*

MR. CHAIRMAN: This will not go on record.

...*(Interruptions)\**

MR. CHAIRMAN: Only the speech of Shri Mulayam Singh will go in the records, nothing else.

...*(Interruptions)\**

*[Translation]*

SHRI MULAYAM SINGH YADAV: Mr. Chairman, Sir, so far as the 'Babas' are concerned, they should confine themselves only to the temples. They perform 'puja' in temples and win elections by misleading the devotees. You very well know how we people win and come here. They are doing both the tasks openly uninterruptedly ...*(Interruptions)* They should confine themselves to temples. ...*(Interruptions)*

Mr. Chairman, Sir, I would like to say one thing only that the usage of computers and machines being opted for should be discontinued. The button pressing system should end. It has been experienced in America also that this system may lead to manipulation, which

\*Not recorded.



[Shri Mulayam Singh Yadav]

does take place and is taking place. I would like to ask the hon'ble Minister as well as the Leader of the House to get its use discontinued and bring in the old system of putting stamp or seal with one's own hand back. Chances of manipulation in that old system are very rare. Manipulation may take place in 'press-the-button' system. Even with a very-very little carelessness during pressing of button, the vote could go to the other person. If during this exercise, our agent goes to toilet and in case it has been fixed to some particular point, then, even if we press button to vote for a particular symbol, it could go to the other one. This has been proved. If the Election Commission does not favour this change, then, it should be changed by the Parliament, which is supreme. I am telling you that there are chances of manipulation in it, once the presiding officer and the polling officer are lured and taken in with various types of temptations, then votes could be polled in favour of whomsoever you want to favour.

Mr. Chairman, Sir, through you, I would like to submit that in this regard you may please intervene yourself and issue directions.

\*SHRI P.L. PUNIA (Barabanki): Sir, I am grateful to you for giving me an opportunity to put-forth my views on "The Representation of the People (Amendment) Bill, 2010".

There was a demand since long that Indians living abroad should be provided franchise in elections in India. By way of this Amendment Bill, the said long pending demand is being addressed. With this, those people would feel even more closely associated with India than ever before. It is my proposal that this Amendment Bill is welcome and should be passed unanimously.

\*DR. RAJAN SUSHANT (Kangra): Sir, my following suggestions may be incorporated in "The Representation of the people (Amendment) Bill, 2010".

\*Speech was laid on the Table.

1. I support the sub-sections A, B & C of the section 20A(1)
2. I also support sections 20A (2) and (3).
3. I also extend my support to (a) and (b) of section 22.
4. I support sub-section (2) (a) and (b) of sections 23.
5. I support sub-section (2) of section 28.

Sir, it is praiseworthy that even those foreign-based Indians who might have gone aboard to pursue some studies or profession or because of any other specific reason but whose names do not figure in the voter lists due to whatsoever reasons, are also being allowed to exercise their franchise in India in elections. I do support this.

[English]

\*DR. RATNA DE (Hooghly): This Bill has been brought before the august House to extend voting rights to those Indians who are living abroad. Now, this Bill would enable the Non-Resident Indians (NRIs) to participate in this whole process of democracy by participating in voting. They are given the voting rights. Till now, they have been deprived of this genuine rights and they were not eligible to vote in the democratic process of the country.

This Bill also provides the manner in which enrolment of NRIs has to take place, as to what is the mode of voting and the conditionalities for contesting election. With the passage of this Bill, NRIs can register their names in the electoral rolls in their constituency and vote in the elections. This would also help NRIs to elect a Government in their home country. This would give NRIs a sense of satisfaction that they are being made a part of elections and they play a part in the election of a Government.

There is no doubt, this Bill is welcome. This is a long overdue, as far as I am "concerned. Thought Indians go out for employment or business purposes

\*Speech was laid on the Table.

for a fairly long time, they cannot be termed as Indians, by any stretch of imagination. They are Indians. There cannot be any two opinions on this aspect. By bringing this Bill, the Government has certainly making the NRIs feel that they are Indians and they have every right to vote during the electoral process.

They are also given the rights through this Bill to contest elections. These are legitimate rights, which are their due, as NRIs. But there are certain conditionalities, about which I do not want to go into detail due to paucity of time.

Conferring of voting rights on NRIs has to be welcomed by all right thinking people. NRIs contribute to India in their own way. This cannot be denied. They go out for a temporary period and come back to their motherland and wanted to serve and live in their own country. This pattern should be lauded, so to say.

With these words, I conclude.

[Translation]

MR. CHAIRMAN: Now, Shri Gorakhnath Pandey to speak. Shailendraji, you please lay your speech. I had called your name, but Shri Mulayam Singhji stood up. ...*(Interruptions)*

SHRI SHAILENDRA KUMAR : He supported your point. ...*(Interruptions)*

MR. CHAIRMAN: I have now called Pandeyji's name.

SHRI GORAKHNATH PANDEY (Bhadohi): Mr. Chairman, Sir, I am grateful to you that you have given me an opportunity to speak in support of the Representation of the People (Amendment) Bill, 2006". The hon'ble Minister has said that when the Bill was introduced in the year 2005, it was presented with certain amendments. There were certain drawbacks in this Act when it was brought-in in the year 2006 and that's why it was further amended and brought in. I would like to express my thanks to the hon'ble Minister. Provisions have been made in this Act regarding the three points

about which you mentioned, seeking to provide voting rights in India to the overseas Indians of the following categories —

(a) those whose names do not figure in the voter lists.

(b) those who have not gained other country's citizenship and

(c) those who have gone out of the country from their native place for educational purpose or for any other purpose.

16.43 hrs.

(MADAM SPEAKER *in the Chair*)

Madam Speaker, in this Amendment Bill, various provisions have been made that pertain to inclusion of Non-Resident Indians in the voter list, mode of registration of their names in that list, modes of voting and contesting elections. But, there is scope for certain doubts therein.

Madam Speaker, through you I would like to draw the hon'ble Minister's attention to the fact that nearly more than one crore people of Indian origin are living in other countries whose second and third generations have come up. Provision has been made that they have to submit a copy of their identity card alongwith a fee of 175 dollars for that. It causes difficulty for them in a way or the other. Liberal attitude is required to be adopted in this regard.

Madam Speaker, through you, I would like to draw your attention to the fact that there are also people from the ordinary families who have gone to other countries for educational purposes. The families of most of the people who are abroad, live in India. They have an attachment with India and make frequent visits here. They are also keen to exercise their franchise in elections in India. Dual citizenship. ...*(Interruptions)*

MADAM SPEAKER: Gorakhnath Pandeyji, please conclude now.

SHRI GORAKHNATH PANDEY: Hon'ble Madam Speaker, there should be a one and only voter list, be it Panchayat elections, Legislative Assembly Elections or be it the Lok Sabha elections. ...*(Interruptions)*

MADAM SPEAKER: Now, please take your seat.

SHRI GORAKHNATH PANDEY: There should be a single voter list along with scrutiny. Through you, I would like to draw Govt's attention to one point. Last point – In connection with amendment to section-22, in section 22(a) of the Principal Act it has been stated that after the words "subject to", the words "after proper verification of the facts in a manner as may be specified" should be inserted. There is a need for in-depth and intensive scrutiny of it. To avoid its misuse, it is necessary that. ...*(Interruptions)*

MADAM SPEAKER: Now, you please take your seat. Gorakhnath Pandeyji, please conclude now, I have a very long list of speakers.

SHRI GORAKHNATH PANDEY: Through you, I would like to thank the Hon'ble Minister. I support this Bill.

*[English]*

\*SHRI K.C. VENUGOPAL (Alappuzha): Respected Sir, I support the Bill moved by the honourable Law Minister. This piece of legislation indeed fulfilled the long pending cherish of the Indian Citizens those who are residing abroad. We are surely proud of the Indian system of democracy which is delivering true spirit of democracy to the Indian Masses. NRI people who has been contributing a lot of strength to the Indian economy has not got an opportunity for participating the electoral process. Actually this is creating discrimination to themselves and it leads a feeling of disappointment for themselves.

As far as my state, state of Kerala is concerned; the state has been totally supported by the NRI especially in the socio, economic areas. They are

contributing a huge amount of money to our state and central government, but they were neglected by the governments in several ways. Our Airlines are using their international flight sector especially to Middle East only with a business eye. On season time they are collecting unreasonable fare from NRIs.

The treatment given by our National Career to the NRI is pathetic. The delay and cancellation of the flight is the general phenomenon as far as Air India is concerned. Perhaps some of them have lost their job due to the cancellation of the flight.

I would like to urge upon the Government to take necessary steps for addressing this problem of Air Journey and also International economical crisis also create major problems to the NRIs who are working in the real estate as well as in the construction area.

Lot of people had lost their job and some of them have facing several problems due to salary cut. The Central and State Governments should come together and make a comprehensive rehabilitation package for the returnees, those who are badly affected due to recession.

At the outset, I would like to congratulate the UPA Government for bringing such a legislation which makes the real happiness to entire Indian passport holders. I am taking this opportunity to sincerely congratulate Prime Minister, Dr. Manmohan Singh Ji, UPA Chairperson Madam Sonia Gandhi and Mr. Vayalar Ravi, Honourable Union Minister of Overseas Indian Development for fulfilling their promise to the people. Madam, this is a historic moment in this era of Indian democracy and therefore I am also expressing my happiness for participating in this legislation.

*[Translation]*

\*SHRI ARJUN RAM MEGHWAL (Bikaner): Sir, I would like to submit the following suggestions in regard to the Representation of People (Amendment) Bill, 2010.

It is a welcomeable step. I hail from Rajasthan.

Many people from my State have gone to Middle East and Europe and other parts of the world for studies and earning. Their votes are cancelled due to several reasons but now they will get relief. But, now there is a possibility it is mentioned in the Bill that whole process will be completed after verification. I would like to suggest that this verification process should take place in a simple way otherwise the NRI will have problems while going through a complicated process. So, it should be ensured that the system of verification process will be simple.

For this verification process, a cell apart from the office of District Election officer should be opened separately so that they should not move from one table to another to seek voting right.

[English]

\*SHRI S. SEMMALAI (Salem): I welcome to introduction of the Bill, as it fulfilled the aspirations and long pending demand of NRIs. There are around 22 million NRIs living globally to whom the passage of the bill would be a happy news. The bill provides voting\* rights and enable the NRIs to have a participatory approach in the democratic process and also to have a say on who should be govern the country.

I welcome the bill on this concept. However, I have a strong reservation on granting voting right to all NRIs. There are two categories of NRIs. A section of NRIs who frequently visits India say once a year or once in two years. There are other NRIs who come back to India say once in five or seven years.

Are we going to treat them equally? Are we to treat both categories of NRIs alike and grant them equal rights of voting?

Hon'ble Minister must have to think over it. An NRI who makes a visit to India once a blue moon may not face the issues and problems that an ordinary Indian undergoes.

\*Speech was laid on the Table.

The suffering of Indian residents may not be known to him. He may not know the political situation, prevailing in our country. Should we allow such NRIs who are namesake Indian to have voting right to elect a Government. I think it is conceptually wrong and makes a mockery of democracy. Those NRIs who are frequenting to homeland, knows the perception of the country and have a feel of Indianness.

I am therefore, of the view that voting right may be granted only to such NRIs who are frequently visiting India.

All other non-serious NRIs need not be given voting right as they are not really interested in India and welfare of the country. They are money spinners only.

A mechanism may be evolved based on the entries in the passport of the NRIs to put my suggestion into action. While NRIs are permitted to vote, whether they are entitled to contest in the election. Hon'ble Minister was to clarify. Another issue in which I want to share my views is the method of casting vote.

I presume Indian missions abroad will be designated as polling stations for NRIs to exercise their franchise but I would like to record my strong objection for use of electronic voting machine for casting votes of NRIs.

All experts express doubt over EVM machines being tamper proof and also bring their own version of EVMs and show it can be tampered with.

Hence I suggest that a suitable technology free from error and manipulation should be evolved before allowing NRIs to actually cast their votes.

To avoid any controversy and to make election free from rigging. It is better as suggested by my revered leader Puratchithalaivi J. Jayalathia the election future may be conducted through ballot paper system.

Hon'ble Minister may kindly consider the views in this regard.

[Translation]

SHRI ARJUN ROY (Sitamarhi) : Madam Speaker, I would like to thank you for giving me the opportunity to speak on Representation of People Act, 2010.

Hon. Minister had mentioned about the following things.

[English]

"Notwithstanding anything contained in this Act, every citizen of India,—

- (a) whose name is not included in the electoral roll;
- (b) who has not acquired the citizenship of any other country; and
- (c) who is absenting from his place of ordinary residence in India owing to his employment, education or otherwise outside India."

[Translation]

Hon. Minister has mentioned about these things. He has brought amendment bill on these three issues. In 2004, the Election Commission of India gave its 22 suggestions regarding the amendment in electoral roll or the Peoples' representation or the issue of election. ...*(Interruptions)*

MADAM SPEAKER: Silent please and listen. Please listen quietly. Yes, you please speak.

SHRI ARJUN ROY: The Government of India should make rules to bring reforms in it. Enough discussion took place on this issue, however, the Bill which the Government of India brought in the Rajya Sabha in 2006 was not sufficient. The bill regarding the overseas Indians introduced again after bringing amendments in the previous one also shows a lot of shortcomings if seen at a glance. I would like to tell that we both come from a state where democracy was born in Licchvi of Vaishali. Democracy means the voting right but lakhs and crores of people are there in this country who

haven't got the voting rights even after 61-62 years of Independent India and had their names included in the voter's list.

Approximately two crore Indian people living in other countries who are overseas Indians who represent Indian culture, living style, food. ...*(Interruptions)*

MADAM SPEAKER: Please stop this mutual discussion. Please stop this and listen.

SHRI ARJUN ROY: Their whole culture and way of thinking is all Indian. They went abroad to live temporarily but the Government of India's rule of 1950 says that if some person goes abroad and stays away from his residence for more than 6 months then his name would be struck off from the voter list. I would like to tell. ...*(Interruptions)*

MADAM SPEAKER: Arjun Royji, now please conclude.

SHRI ARJUN ROY: We come from rural background and I would like to tell that not only abroad but even in the country, the names of the people going from Bihar to Punjab, Haryana, Surat, Maharashtra in search of job are struck off from the voter list. Let alone abroad, the name of the person living in the country is struck off. The name of the poor person having involved in a minor case is struck off from the voter list and he is denied the voting right. I would like to ask as to how an overseas Indian would be able to vote with the kind of provisions made in the Bill? ...*(Interruptions)*

MADAM SPEAKER: Now, you please conclude. Please be seated. Now you conclude. Please be seated.

SHRI ARJUN ROY: How will the overseas Indians vote? He has not discussed as to whether they will vote through postal ballot or by e-mail or they will personally come to vote. In Bihar, there is a nomadic group of people which belong to Nat caste. Neither they have houses anywhere nor their names are included in the voters list. ...*(Interruptions)*

MADAM SPEAKER: You please conclude.

SHRI ARJUN ROY: Madam, Speaker, through you I would like to know from the Hon'ble Minister as to how will the names of the nomadic people who have no houses and who are the citizens of this country be included in the voter list? With these words, I conclude my speech.

[English]

SHRI T.K.S. ELANGO VAN (Chennai North): Madam Speaker, at the outset, I welcome this amendment but I have one or two points of clarification which I would like to ask from the hon. Minister.

[Translation]

SHRI GANESH SINGH (Satna): Madam Speaker, I am on the point of order. Honorable Member is not on his seat.

[English]

MADAM SPEAKER: Is this your seat?

SHRI T.K.S. ELANGO VAN: Yes, Madam.

MADAM SPEAKER: Then, what is your problem? Mr. Elangovan, please continue.

SHRI T.K.S. ELANGO VAN: Madam, under Section 2, amendment 20A (1) says:

"Notwithstanding anything contained in this Act, every citizen of India,—

- (a) whose name is not included in the electoral roll;
- (b) who has not acquired the citizenship of any other country; ..."

Now when we are providing dual citizenship to the Indian origin people, I would like to know whether he is eligible to enroll his name in the voters' list of India. It is because he has already acquired the citizenship of some other country.

Secondly, hitherto the rule says that a person who is not ordinarily a resident of an area can register his vote. Now that this amendment removes the words

'ordinarily resident' so an Indian who is not ordinarily a resident of a specific area when his name is registered in the voters' list of that area, when he shifts his residence to some other place, whether the Electoral Registration Officer has the powers to delete his name on his own. That is my question. There are Electoral Registration rules and under these rules before deleting the name, the Electoral Registration Officer has certain steps to follow. He has to put the names on the display board for the person to verify. But many times the names are deleted without the knowledge of the voter himself. So, the Government should have some punitive measures and fix the responsibility on the Electoral Registration Officers so that the names are not deleted in an inappropriate manner.

With these words, I support the amendment.

\*SHRJ NAVEEN JINDAL: This Bill fulfills a long felt demand of the people of India who have migrated to other countries but have their faith and loyalty to their motherland and want to ensure that they are also an equal partner in the process of electing the Government for the country.

The Government should now find out ways to ensure that not only these people are registered as voters but are also able to cast their votes through Internet, Proxy or Postal Ballot or any other convenient mode of voting in case they are not physically present at the place of voting where their names would be registered at the place of voting.

I am also grateful to the Hon. Prime Minister for having fulfilled his promise given in the last NRI's Conference. Having said that I would like to invite the attention of this August House through you to an equally important issue. This is regarding providing voting rights to the migratory population within the country who are not able to be present at the place of voting on the voting day where their name is registered.

It is a matter of deep concern that relates to upholding the voting rights of all citizens in India. Our

\*Speech was laid on the Table.

[Shri Naveen Jindal]

democracy is based on the basic framework of ensuring the right to vote of all citizens who are eligible to vote. But in practice, the enforcement of this right is significantly undermined by the existing legal and regulatory regime.

The fact of the matter is that a significant number of our citizens are not able to exercise their right to vote. For instance, there are no provisions in the Indian Law to enable millions of migrant workers, students studying at a place other than where their names are registered, traveling business professionals, senior or unwell citizens who may not be able to travel to the polling booth to exercise their right to vote in any alternative manner.

The right to vote under the Indian law flows from both the Constitution of India and the Representation of the People Act of 1950 and 1951 as amended from time to time and the Rules framed there-under. A citizen of India, who has completed 18 years of age, has a right to be registered as a voter in a constituency irrespective of his or her race, religion, caste or sex. Given the democratic aspirations of the citizens of India and India's global standing as the world's largest and one of the most vibrant democracies, there is a case for providing a stronger constitutional foundation for strengthening the right to vote.

The best practices that prevail in different parts of the world demonstrate that governments need to make substantial efforts to ensure greater participation of their citizenry in the electoral process. A number of developed countries implement various forms of absentee voting such as internet voting (Switzerland, US, France, etc.), Proxy Voting (Netherlands) and postal voting, which has emerged as the most popular form of absentee voting. People in countries such as the US, UK, Switzerland, Australia and some other countries have benefited by implementing postal voting measures with a view to providing greater access to the people towards exercising their right to vote. India does implement a limited form of postal voting, but the regulation covers

very few people to create a meaningful impact towards making the electoral process more inclusive. For instance, the conduct of Election Rules 1961 in section 18 (a) provides for a list of persons entitled to vote by post in a parliamentary or assembly constituency; special voters (e.g. the President of India, Vice-President of India, Governors etc); service voters (e.g. armed forces, member of a force to which the Army Act applies, etc.); voters on election duty (e.g. Polling agent, pooling officer etc.); and electors subjected to preventive detention. This provision provides for the right to vote for certain specified categories of persons in India, but still leaves out a large number of people who have difficulties in exercising their legitimate right provided for enabling: "...Any persons belonging to a class of persons notified by the Election Commission in consultation with the Government to give this vote by postal ballot..." While this provision provides scope for the recognition of a "class of persons" to be entitled to exercise their right to vote by way of postal ballot, it has been used in the past for a limited number of cases concerning migrants from Jammu and Kashmir, and Bru and Reang tribal migrants from Mizoram and Tripura. For allowing this provision of a new "class of persons" can be identified by the Election Commissioner of India in consultation with the Government of India with a view to granting the right to vote by postal ballot for a larger group of persons.

A large number of Indian citizens, for a variety of reasons including travel, illness, disability and personal difficulties including education, employment and other innumerable reasons may not be able to physically be present on the day of the elections in the constituencies where their vote is registered. In the true spirit of Indian democracy, it is imperative that we make efforts to expand the postal ballot system to include all Indian citizens to exercise their right to vote by post. The purpose of this effort to make the electoral process in India far more inclusive and far less cumbersome, so that each and every Indian is able to exercise not only the right to vote, but also have the opportunity to vote.

In the end, I am trying to seek the facility of

exercising legitimate voting right by an individual, who for reasons stated earlier by me is not able to present himself at the — place of voting on the date polling is held. If the person concerned is able to produce satisfactory evidence to convince the poll conducting machinery of his reasons of absence from the place of voting, then the poll officials should facilitate his exercising of right of poll either through postal ballot or by an authorized proxy or in any other manner considered convenient and desirable by them. I appreciate the efforts of the Chief Election Commissioner and the official machinery under him in providing voting facility to persons residing in remote areas, high altitudes and the like. On the same analogy this facility may be extended to the category of the people which I have just mentioned.

I request you to kindly consider seeking law reforms and policy changes for upholding the right to vote of all Indian citizens as suggested by me above.

With these few words, I again compliment the Hon. Minister of Law.

SHRI P. KARUNAKARAN (Kasargod): Madam, I am really happy and I congratulate the hon. Minister for bringing this legislation in this august House. Though it was not scheduled for today, but he has taken special efforts.

This has been a matter which is being discussed for a long time. We were rejecting their right to vote. But there is no reason for rejecting their right. As far as the present law is concerned, a person who resides in his house or in his locality, his name can be included in the voter list. If he is out of the country either for employment or for education, his name is not included. There are lakhs of people who work abroad but they have families and properties here. They are paying taxes also. But the Government says that they have no voting rights. So, the stand which was taken earlier has no validity at all. The Government has realized the fact that this has to be admitted. So, I fully agree with this law.

Madam, I would speak strictly on the provisions of the Bill and not on other political issues, as has been mentioned by some others here, which has no relevance to the Bill at all.

As I understand, there could be some problems in the implementation of some of the provisions of this Bill because there are millions of people who work outside the country. Elections may take place in India or in the State of Kerala on a stipulated date and these people may not be able to come and exercise their voting rights because they may not get permission to come either from their owners or from their employers. That is one of the difficulties. I do not want to take much time of the House. While I appreciate the provisions of the Bill, I would like to point out some of the problems being faced by the NRI people.

The functions of the Embassy in various countries have to be strengthened. What we feel is that there is insufficient staff especially in the embassies of the Gulf countries. There are about 25 million NRIs and out of that 32 lakhs are from the State of Kerala alone. They have not gone there for pleasure trips, or for honeymoon trips or for any other purposes. They have gone there for reasons of getting employment in order to provide some assistance to their families which also in turn provides assistance to the nation. Last year, a sum of Rs. 24,000 crore came by way of foreign earnings from the Gulf countries alone. In the year preceding last year a sum of Rs. 32,000 crore came by way of foreign earnings. But, what have we done for these people? That is really the question. In the last three Budgets we have not made any rehabilitation scheme for these people, particularly insofar as the people from the State of Kerala are concerned. During the time of global recession they contributed by way of foreign exchange a sum of Rs. 80,000 crore. We are, in some form or other, getting crores and crores of rupees because of their working outside the country, but we are not able to give anything to them. So, I would like to request the Government to make some provisions for the people of Kerala. The State has made some provisions like providing for pension schemes and some other welfare



[Shri P. Karunakaran]

measures. But it is not possible to make such provisions by the State alone. There are lakhs of people from States like Kerala, Tamil Nadu, Karnataka and some other States who are working outside the country. So, my first demand is that the Government should make a special scheme for them and also the functioning of the embassies should be strengthened.

Madam, the most important issue is about the sponsors and the agents who are working in India. They are really the persons who are recruiting people. There are both kinds of people, good and bad, engaged in this. When some of these sponsors and agents recruit people, they promise them better wages, better employment wages etc. But what we see in reality is that they cheat even the poor people and those people after having gone there have no money even to come back to their native country. So, the Government should take measures with regard to the proper scrutiny of the sponsors and the agents. At the same time they should not be blamed because they are doing a good job. I fully appreciate that and I also welcome this legislation.

[Translation]

\*SHRI RATAN SINGH (Bharatpur): Sir, honorable Law Minister has brought a Bill to amend the Public Representation Act 1950 in the Parliament for its approval. I vehemently support this bill. Through this Bill the India citizen who have gone to foreign countries due to some work, will get right to vote, which is their fundamental right and by voting we will be able to get their active cooperation in building of India.

It is humbly requested that, the identity cards of all such migrant Indian should be made in prescribed procedure by the Government and they should be duly authorized to take part in election process.

[English]

SHRI B. MAHTAB (Cuttack): Madam. Speaker. thank

you very much for giving me this opportunity. As has been stated by the hon. Minister that India has the second largest overseas community which is estimated at 25 million people spanning over 189 countries around the world. The remittances, as was mentioned by my predecessor speaker, received from overseas community have increased by seven to eight per cent to the tune of US dollar 46.9 billion during the year 2008-09.

Madam, I would deal with four issues, which I think, the hon. Minister can explain. The four issues which arise from this Bill are, firstly, the mode of voting. How they would come to vote? It has been restricted in this Bill saying that the person who carries a passport has to be registered in the place from where the passport has been issued. The residence is notified there. He will be entitled in the voters' list and he will come to cast his vote in that polling booth. Only a patriotic Indian can demonstrate their patriotism but that patriotism will cost them dearly. It has been mentioned in other countries. Several countries facilitate exercise of franchise through postal ballot as it is in countries like the United States, Spain, Italy, Portugal, Canada and in the United Kingdom.

17.00 hrs.

It may be in Embassies and Consulates of Poland, Lithuania Ukraine, Columbia, Venezuela, Peru, France, Russia, Sweden, Philippines, Japan, Dominican Republic and Spain. They can also cast their vote through Internet as it is being done in France. We are not going into this aspect. We are asking NRIs to come down to our country, to go to their polling booth and cast their vote. It becomes very costly. This is one point.

The other point which I would like to mention here is about contesting in an election. As far as common knowledge demonstrates, the one who is enrolled in the voters list is eligible to contest. Who is eligible to be enrolled in the voting list? A person who is above the age of 18 years. Who can contest for Parliament and the Assembly seat? A person who is 25 years of age. A person who is 35 years of age can contest for

President and Vice-President of India. To contest for Rajya Sabha, one should be of 30 years of age. But here, once a person is enrolled in the voters' list, can he contest? The Bill is silent on this point. I would like to get an answer from the Minister on this point.

Another great aspect in this Bill is, we are maintaining a double standard. We have not discussed this aspect. I do not know whether it has been discussed in the other House or not. Do the persons who are serving outside, who are sending money to our country, which is no doubt a great thing, pay tax? A person who is a voter in this country pays tax. And here, a provision is being made, it may come up later on, on this Bill. We may witness that problem later on, that is, a person who is not paying tax is becoming eligible to contest, to cast his vote and to form a Government for which he is not paying any tax in this country. This needs to be explained.

Lastly, I would like to mention about deletion from the electoral roll. That is a great problem and it deals with the Election Commission and there is no doubt about it. But it needs to be addressed. We have seen the manner in which deletion of names are happening. We are contesting elections for many years. We have seen how names have been deleted randomly and arbitrarily. This needs to be addressed. In this respect, a lot of provisions have been made in this Bill but it has all been mentioned as 'as may be prescribed'. It means that rules will regulate it.

With these words, I would like that the Minister may tell us on certain points. We have Non-Resident Indians. We have Persons of Indian Origin and we have Overseas Citizens of India. For Overseas Citizens of India, there is an amendment of 2003 and 2005 which clearly state that they cannot contest to become MPs, judge, MLAs or hold higher offices.

I would conclude by saying that this Bill accommodates the concern and specifies the deletion from electoral rolls. It can happen after proper verification of facts in such a manner as may be prescribed. But the Bill is not clear with regard to the rights of

permanent residents of other countries. It does not deal with citizens. It deals with permanent residents of other countries. Is an Indian citizen who holds permanent resident status or a green card in the US eligible to come here and vote? This needs to be clarified.

With these words, I conclude.

MADAM SPEAKER: I request Dr. Sanjeev Naik, Shri E.T. Mohammed Basheer, Shri Prasant Kumar Majumdar and Shri Anto Antony to lay their speeches on the Table of the House. The hon. Minister may reply now.

...(Interruptions)

\*SHRI ANTO ANTONY: First of all, I appreciate the Government in its decision to grant voting rights to the non-resident Indians (NRIs). Amendment of the People's Representation Act 1950 in this regard will be a great relief for the crores of NRIs who are contributing a lot for the development of the country.

I represent a State and a Constituency where the contribution of the NRIs is one of the major sources of income. According to a study conducted in 2006 there exists at least one bread-winner abroad in 15.8% families in Kerala.

In this modern era, 'right to vote' is considered as one of the fundamental rights of a citizen. In view of this fact, many countries have granted voting rights to their overseas citizens. Developments in the field of technology have made it possible to overseas citizens to cast franchise in the electoral process of their mother country. Having understood the developments across the world, our Government is also going to introduce voting rights to our overseas citizens.

On this occasion I have some humble suggestions before the Government. Section 19 of our People's Representation Act says that citizen to avail voting rights should be an ordinary resident in his/her constituency. However, Section 20 of the Act negates voting rights to NRIs on the ground that they are not the ordinary residents in any of the constituencies in India.

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\*Speech was laid on the Table.

[Shri Anto Antony]

However, Section 20 stipulates that voting rights shall not be denied to a person, who temporarily vacates his residence; a patient, who undergoes treatment in mental asylum; or prisoners who are undergoing imprisonment. This Section, in fact, emphasizes the truth that an NRI shall not even be treated at par with a prisoner. This is against all canons of political propriety and democratic principles, for they are denied the basic right to participate in the democratic process of the nation, therefore, I request the Government to amend Section 19 and 20 of the People's Representation Act, so that the NRIs will be registered in to the voters list and able to cast their votes.

Granting of voting right to the NRIs will be justified only if the Government can make necessary arrangements that allow them to cast their vote in their host countries. Otherwise, a large number of NRIs will not be able to register their votes. This condition is none other than negating their right to vote. Many countries are allowing their nationals working in abroad to exercise adult franchise through embassies. India can also follow this method by making necessary arrangements in our High Commissions. Therefore, I request the Government to include provision to ensure that NRIs can register their votes in our missions abroad.

Moreover, I also request the Government to include provisions to identify the Constituency of the NRIs as per the address mentioned in their passports.

Once again I appreciate the intention of the Government for the noble cause of the NRIs and also request to kindly consider my suggestions regarding the implementation of the voting rights to the NRIs.

[Translation]

\*SHRI A.T. NANA PATIL (Jalgaon): Sir, the Government have presented Indian Medical Council

\*Speech was laid on the Table.

Center Bill 2010, which contains provisions for the recognition of Unani and Sowa Rigpa systems of treatment now a days there is inadequate health facilities in the country and medical facility in becoming difficult and unaffordable to the common people. Mostly treatment is being done through Aelopethic treatment system in our country. Development is taking place in this field as a result of which new systems of treatment are emerging. Due to changes in our life style people are suffering from big diseases like also cancer, heart disease, diabetes and these diseases are spreading among public. Allopathic system of treatment is more effective but through our traditional medicines we can cure such diseases permanently. This traditional system of treatment has been prevalent even today in our rural and tribal areas of the country. If we had focused on our systems of treatment, there would have been no need of being dependent on allopathic system of treatment. Secondly, the government have never made efforts for necessary modifications and advancement in our traditional medicines as it has been done for Allopathic medicines which is why our Ayurvedic, Unani and other systems of treatment are presently getting neglected. The Government have recently provided the facility for Ayurvedic treatment trough AYUSH treatment in the district level hospitals. This is being appreciated by the people. But if we went to make our systems of treatments a world level we have to prove its characteristic features and utility. Besides this, we shall have to proceed forward to prove its scientific criterion. Today, due to our negligence the patent of useful medicinal hubs like Kadu neem, haldi are being acquired by foreign companies. We shall have to care for them. The Government has taken a good step for these traditional treatment systems, I support it, with these words I conclude my speech.

[English]

\*SHRI MOHAMMED E.T. BASHEER: This is a golden moment in the history of Indian democracy.

All Indians can be proud of the greatness of our

\*Speech was laid on the Table.

democracy. It goes without saying that in the democracy, power is held by the citizens under a free electoral system. In a democracy people from all walks of life can ultimately decide the things and have opportunity to participate on the process of governance. Thereby they can mark their presence in the society. I am quite happy to note that this government is dedicated to make our democracy meaningful. While passing this kind of legislations, glorious memories of the great leaders like pundit Jawaharlal Nehru who guided us through the initial stage of parliamentary democratic process inspire us more on our duties and responsibilities.

Shri Manmohan Singh, who is in that chair now, declared in the Pravasi Bharatiya Diwas at Delhi "I recognize the legitimate demand of Indians living abroad to excise the franchise and have a say in who governs India."

Yes, the legitimate rights of NRIs have been recognized by him with the blessing of Smt. Sonia Gandhi. Shri Veerappamoiy, while piloting this bill, in the Rajya Sabha yesterday, expressed his gratification in bringing out such an Amendment and Hon'ble Minister for NRIs, Shri Vayalar Ravi, has expressed his gratitude to all the concerned for bringing out these amendments to the Representation of Peoples Act.

After this bill is passed, NRIs who are physically present in India, at the time of elections, can cast their votes. This bill is a fine-tuned version of Amendment proposed in 2006 in the light of the Standing Committee recommendations.

I wish to add that this is a much awaited legislation. Many years have lapse in fulfilling this cherished dream.

We all must realize a fact that NRIs are to be treated with all the facilities that we are enjoying in this main land. A country would be thankless if they forget those citizens who are not physically present here. There are around 25 million NRIs around the world. They all will be quite happy to hear this news. While congratulating the Government, may I submit that, all the Indians living abroad should be able to vote from

there itself. In this era of digital technological advancement, this should not be a problem. Countries like US, Spain, Italy, Portugal, Canada, UK, Poland, Lithuania, Ukraine, Columbia, Venezuela, Peru, France Russia, Sweden, Philippines and Japan have already implemented this either through internet voting or through embassies.

I appeal the Government to think in a wider angle and try to make a situation through which all the NRIs can vote from any part of the world.

I once again express my heartfelt congratulations and conclude saying that this is another feather on the cap of UPA.

[Translation]

\*SHRI JAGDAMBIKA PAL (Domariyaganj): For the last many years it was being demanded that the Indians who have migrated abroad, wanted participation in election system, but they were not getting this opportunity so far. These Indians have gone abroad for education, business and other reasons and their names are not included in the voter lists of India and they have not got the citizenship of any other country. Those people who have not been in India for some reasons, who are out of India, from their native place for employment, education or for other purposes, will also have a right to vote after this amendment. In future Non Resident Indians are going to get voting right in their own country India. Undoubtedly this amendment has fulfilled a very long pending and awaited demand. In future the NRI would have a right to register his name in voter list of that place which is mentioned in his passport as his residence. Every person registered under this section, if he is otherwise eligible to use his franchise, will be allowed to cast his vote in any election held in that particular constituency. Under section (CC) in subsection (2) of section 28 and section 22 there will be a proper verification process of facts for amending, shifting or deleting an entry in the electoral rolls. Similarly under section (CCC) in subsection (2) of section (23) the process of proper verification of facts

\*Speech was laid on the Table.

[Shri Jagdambika Pal]

will be there for addition or deletion of names from voter lists. In 189 countries of the world 35 lacs of NRI are there abroad. Four important issues are related to this amendment to the Bill. This amendment will fulfill desire of NRIs to cast their vote with patriotism, the amendment will give the NRIs an opportunity of vote from the place of their address which is given in their passport, secondly they will have an opportunity to come to their country and show the affection to their motherland. Even today there are so many mistakes in voterlists. Sometimes even the names of original voters are deleted from the voter list. I will be obliged if the Hon. Minister ensures action to be taken to correct all the voter cards and verify voter lists.

The Government should consider the possibility of online voting through internet in future.

With these words I support the Representation of the people amendment Bill introduced by the hon. Minister.

[English]

\*SHRI S.S. RAMASUBBU (Tirunelveli): I support this Bill.

The main aim of the Bill is to allow the NRI to cast their vote in India whom there is election in their respected area. It is their legitimate right to vote if they are having their name in the voter list.

Our beloved leader Rajeev Gandhi during his regime provided the opportunity to the youngsters who were in the age of 18 could also cast their vote. He brought such a historical amendment that the voters age was reduced from 21 to 18.

Now the amendment bill give opportunity for more than 22 million NRI, who are living in various centres for the purpose of job and education.

The Bill should clarify whether they can cast their votes directly in India or they can vote in countries in which they are occupying.

\*Speech was laid on the Table.

The Government should aware that the foreign element should not take the advantage in defeating genuine people internally.

There should not be any double entry if they are having dual citizenship.

Any how it is a welcome decision to give the right through this bill to get the voting chance.

\*DR. SANJEEV GANESH NAIK (Thane): I want to raise only three issues.

- (i) The person who is staying outside the country will be allowed to be a prospective candidate for contesting any election like local body and assembly election and general election.
- (ii) How would that person cast his vote from the country where he is staying and what is the mechanism to case the vote.
- (iii) How the person will enroll his name in the voter list by which form and how he will get the form (1) by internet (2) by post.

THE MINISTER OF LAW AND JUSTICE (SHRI M. VEERAPPA MOILY): Madam Speaker, I am highly grateful for the overwhelming support expressed by the hon. Members for this Bill.

Insofar as the provisions which have come before this House in the form of an amendment conferring voting rights to the NRIs, I think, it is undisputed. None of them has disputed any of these provisions. But certain additional information has been sought. I will make an attempt to answer some of them.

Coming to internet voting, we have not introduced that in India. When necessary, when technical feasibility and infrastructure is made available in this country, we may then go to that extent of exercising vote through the internet.

Another question which I would like to answer here is about the option of registering in any constituency. If

\*Speech was laid on the Table.

the option of registering in any constituency is allowed, there may be a danger of multiple registration. We have to find out another solution to resolve this kind of a problem. National Register is a different matter altogether, not related to voting. So, I do not want to deal with it further.

Another question was with regard to the credibility of EVMs. As far as the EVMs are concerned, this issue has been examined a number of times. A Technical Expert Committee headed by Prof. P.V. Indiresan, who was the former Director of IIT, Chennai, totally examined it and then gave a finding that it is tamper proof. Of course, allegations have been made against the EVMs. But till today, nobody is able to disprove this. Of course, this is a matter which is agitating the minds of hon. Members of the House. A number of times, it has been replied to and ultimately this is the finding as on today.

[Translation]

SHRI LALU PRASAD (Saran): They have shown you good machines and are not telling about manipulations that are done.

MADAM SPEAKER: Mr. Lalu Prasad ji, Please sit down. Let the hon. Minister speak.

SHRI LALU PRASAD: They have shown you the good machines and are not telling about manipulations that are done. ...*(Interruptions)*

MADAM SPEAKER: You please sit down.

SHRI LALU PRASAD: There is manipulation. ...*(Interruptions)*

MADAM SPEAKER: You please sit down. Let the Hon. Minister speak.

[English]

SHRI M. VEERAPPA MOILY: It is mentioned by the hon. Members that Election Commission has made 24 proposals for a comprehensive amendment to the election laws. In fact, they have made 22 proposals. Out of these 22 proposals, we have already implemented six proposals through the Representation of People (Amendment) Act of 2009. This very House has passed it.

Insofar as other proposals are concerned, they are before the Departmentally Related Standing Committee. As and when it gives the Report, we will definitely come forth with the amendment. ...*(Interruptions)*

MADAM SPEAKER: Hon. Minister, you can address the Chair.

SHRI M. VEERAPPA MOILY: It is an ideal situation where we have ID cards for everyone. We are making all-round efforts to ensure that every voter will have an ID card. We will make all those efforts. Of course, attempts have been made before too. But till today that could not be done.

I would like to mention that our Ministry is making all-round efforts to have comprehensive electoral reforms. Maybe within two or three months' time we will be holding two-day national consultation and all those proposals which are coming would be examined. If necessary, we will definitely come forward to this House for a comprehensive amendment of electoral reforms.

With these words, I conclude. I commend the Bill for consideration.

MADAM SPEAKER: The question is:

"That the Bill further to amend the Representation of the People Act, 1950, as passed by the Rajya Sabha, be taken into consideration."

*The motion was adopted.*

MADAM SPEAKER: Now the House will take up clause-by-clause consideration of the Bill.

The question is:

"That clauses 2 to 5 stand part of the Bill."

The motion was adopted.

Clauses 2 to 5 were added to the Bill.

Clause 1, the Enacting Formula and the Long Title were added to the Bill.

SHRI M. VEERAPPA MOILY: I beg to move:

*"That the Bill be passed."*

MADAM SPEAKER: The question is:

*"That the Bill be passed."*

*The motion was adopted.*

17.19 hrs.

### VALEDICTORY REFERENCE

[English]

MADAM SPEAKER: Hon. Members, the fifth session of the Fifteenth Lok Sabha, which commenced on 26th July, 2010 is coming to a close today.

During the Session, we had 26 sittings spread over 136 hours and ten minutes.

The Session saw the disposal of important Financial, Legislative and other Business. Discussion on Supplementary Demands for Grants (General) for 2010-11 lasted for 3 hours and 27 minutes before the demands were voted and the related Appropriation Bill was passed.

A discussion on Supplementary Demands for Grants in respect of the State of Jharkhand 2010-11, lasted for 1 hour and 21 minutes before the demands were voted and the related Appropriation Bill was passed.

Discussion on the Supplementary Demands for Grants (Railways) 2010-11 was held on 19th August, 2010. The debate lasted for over 2 hours and 40 minutes, and the Demands were voted and the Appropriation Bill was passed.

During the Session, 18 Bills were introduced and 20 Bills were passed. Some of the important Bills passed were the Securities and Insurance Laws (Amendment and Validation) Bill, 2010; the State Bank of India (Amendment) Bill, 2010; the Industrial Disputes (Amendment) Bill, 2010; the Foreign Trade (Development and Regulation) Amendment Bill, 2010; the Code of

Criminal Procedure (Amendment) Bill, 2010; the Indian Medical Council (Amendment) Bill, 2010; the Personal Laws (Amendment) Bill, 2010; the Mines and Minerals (Development and Regulation) Amendment Bill, 2010; the Civil Liability for Nuclear Damage Bill, 2010; the Educational Tribunals Bill, 2010; the Foreign Contribution (Regulation) Bill, 2010; Indian Medicine Central Council (Amendment) Bill, 2010; and the Representation of the People (Amendment) Bill, 2010.

During the Session, 460 Starred Questions were listed, out of which 46 Questions could be answered orally. Thus, on an average, about 1.91 Questions could be answered per day. Written replies to the remaining Starred Questions along with 5,283 Unstarred Questions were laid on the Table. Unfortunately, the Question Hour was disrupted on 11 days and Questions listed on those days could not be answered by the concerned Ministers orally.

One half-an-hour discussion was raised by Shri Rudra Madhab Ray on the availability of Fertilizers and the Minister replied thereto.

About 314 matters of urgent public importance were raised by the Members after the Question Hour and by sitting late in the evening. Hon. Members also raised 276 matters under Rule 377.

The Standing Committees presented 45 Reports to the House.

The House also held six short duration discussions under Rule 193 on the subjects of urgent public importance.

Out of the six discussions, discussion concluded on the four discussions, namely, (i) the situation arising out of delay in preparation for Commonwealth Games, 2010; (ii) on Bhopal Gas Tragedy; (iii) Flood and drought situation in the country; and (iv) situation arising out of increasing atrocities against Scheduled Castes and Scheduled Tribes in the country. Two short duration discussions on the (i) illegal mining in various States; and (ii) on the Statement made by the Minister of Home

Affairs in the House on 4th August, 2010 regarding the situation in Jammu and Kashmir remained part-discussed.

The House also held discussions on two Motions on important subjects, namely,

- (i) inflationary pressure on the economy and its adverse impact on the common man; and
- (ii) on the issues of Population Stabilization in the country.

During the Session, seven matters were raised by way of Calling Attention, namely, (i) the situation arising out of recent spurt in the incidents of "Honour Killings" in the country; (ii) situation arising out of rampant adulteration of food and edible substances in the country; (iii) the situation arising out of economic blockade by Naga Organisations on the National Highway Nos. 39 and 53 in Manipur; (iv) rehabilitation of Sri Lankan Tamil Internally Displaced Persons (IDPS); (v) the need to include Bhojpuri and Rajasthani languages in the Eighth Schedule to the Constitution; (vi) situation arising out of recent attacks on Indian Fishermen by Sri Lankan Navy; and (vii) the situation arising out of rejection of 40 lakh tonnes of rice variety PAU-201 by the Food Safety Standards Authority of India citing provisions of Prevention of Food Adulteration Act, 1954 and Food Safety Standards Act, 2006. In response to these Calling Attentions, the Ministers concerned made Statements and also replied to the clarifications sought by Members.

As many as 57 Statements were made by the Ministers on various other important subjects and four Statements were made by Hon. Minister of Parliamentary Affairs on Government Business.

Coming to the Private Members' Business, 24 Private Members' Bills were introduced during the Session. Discussion on a Bill, the Compulsory Voting Bill, 2009 seeking to provide for compulsory voting in elections to the House of the People or Legislative Assemblies by every eligible citizen of the country, which

had remained part-discussing during the last Session, was further discussed on 13th August, 2010 and was withdrawn by leave of the House by Shri J.P. Agarwal, the Member-in-charge of the Bill. Another Bill, namely, the Child Welfare Bill, 2009 seeking to provide for various measures for welfare of children moved by Shri Adhir Ranjan Chowdhury on 13th August, 2010 remained part-discussed.

Discussion on Private Members' Resolution regarding identification of families living below poverty line and welfare measures for them moved by Dr. Raghuvansh Prasad Singh on 21st April, 2010 during the last Session continued on 6th and 21st August, 2010. The Resolution was withdrawn by Dr. Raghuvansh Prasad Singh on 21st August, 2010. Another Resolution regarding special status to the State of Bihar, moved by Dr. Bhola Singh on 21st August, 2010, remained part-discussed.

Hon. Members, we lost 45 hours of time due to interruptions and forced adjournments. Parliament is meant for debates and discussions. Any matter permissible under the Constitution and Rules of Procedure can be discussed here. But the trend of disrupting the proceedings days on end is alarming and, if not checked, will ultimately lead to unforeseen consequences. Political parties and individuals should seriously ponder over the irreparable damage being done to parliamentary democracy by such disruptions. We are sitting here today because of the sacrifices of countless patriotic Indians. The institution of Parliament is the magnificent legacy of the glorious struggle for independence. It is the sacred duty of successive generations to preserve and protect this institution. I call upon all concerned to resolve to preserve the sanctity of Parliament. Let informed debates and discussions take place inside the Chamber at all time instead of slogans and mock discussions.

I would like to thank the hon. Deputy Speaker and my colleagues in the Panel of Chairmen for their help and cooperation in the completion of Business of the House. I am extremely grateful to the hon. Prime



Minister, Leader of the House, the Leader of the Opposition, Chairperson of UPA, Minister of Parliamentary Affairs, Leaders of various Parties and Groups as well as the Chief Whips apart from the hon. Members for their cooperation. I would also like to thank, on behalf of all of you, our friends in the Media. I take this opportunity to compliment the Secretary-General for his competent and expert assistance. I thank the officers and staff of the Lok Sabha Secretariat for their dedicated and prompt service to the House. I also thank the allied agencies for their able assistance in the conduct of the proceedings of the House.

Members may now stand up as Vande Mataram would be played.

**17.22 hrs.**

NATIONAL SONG

*(The National Song was played.)*

**17.23 hrs.**

*The Lok Sabha then adjourned sine die.*

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