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Title: Further discussion on the motion for consideration of Indian Trusts (Amendment) Bill, 2015 moved by Shri Jayant Sinha on the 7th December, 2015.

HON. DEPUTY SPEAKER: Now we take up item no. 16, further consideration of the Bill further to amend the Indian Trusts Act, 1882, be taken into consideration. Now, the hon. Minister.

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI JAYANT SINHA): Hon. Deputy Speaker Sir, the Indian Trusts Act was formulated in 1882. It is an archaic Act which is now in some ways a colonial relic. So, it has been an Act that has been under consideration for some time to be amended.

SHRI BHARTRUHARI MAHTAB (CUTTACK): Hon. Deputy Speaker Sir, before the Bill is taken up for consideration and passing, my point is that this House was discussing about the drought situation in the country. ...*(Interruptions)* We have no issue on consideration and passing of this Bill. But the point is, drought has affected more than 50 per cent of the country and that was under consideration. ...*(Interruptions)* I think instead of passing the Bill, the priority should be that we should discuss on the drought situation prevalent in the country. ...*(Interruptions)* Accordingly, the Members from the Congress Party may be requested that let us discuss this issue which is affecting larger sections of the population of the country in a greater way. ...*(Interruptions)* We can take up this Bill whenever we have a better position in the House. This is my suggestion for your consideration, Sir.

SHRI JAYANT SINHA: Hon. Deputy Speaker Sir, we will continue with the Bill.

THE MINISTER OF STATE OF THE MINISTRY OF SKILL DEVELOPMENT AND ENTREPRENEURSHIP AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI RAJIV PRATAP RUDY): Hon. Deputy Speaker Sir, there was a commitment by the Congress Party that they would have discussion and we gave a special privilege and the Chair gave a ruling allowing Shri Jyotiraditya Scindia to make his opening remarks on the drought situation. ...*(Interruptions)* The promise made to the House was that after the discussion on drought, the Bill would be taken up and we will complete the legislative business.

Thenceforth, we have been pursuing the same thing and now as we said, we will complete this motion, the Indian Trusts (Amendment) Bill which was introduced by Shri Jayant Sinha and then carry on with the discussion on the floods. ...*(Interruptions)* This was decided. So, we will conclude this Bill. It is a small Bill. As far as the quorum or the decorum of the House is concerned, they are going back on their own promise. ...*(Interruptions)* Still we do not know why they are agitating and why they are stalling the House. So, I would request the hon. Chair to allow the hon. Minister to continue and we can continue with the discussion on the drought after this. ...*(Interruptions)*

SHRI JAYANT SINHA: I would plead with the hon. Member that once I describe the Bill I think all hon. Members will agree. ...*(Interruptions)* It is a fairly small technical provision that for the benefit of such beneficiaries we should revise as soon as possible. Therefore, once we have accomplished that we can turn to other issues including the drought issue if the hon. Member will agree to it. ...*(Interruptions)* I think we can accomplish this relatively soon.

As I was explaining, the Indian Trusts Act was created in 1882 and it has now in some ways become a relic of the colonial past. ...*(Interruptions)* As hon. Members know well a trust is essentially set up so that property or funds that belong to one person can be kept by a trustee for the benefit of beneficiaries that have been designated by the sponsor of the trust and there will be a settler who will look after the trust.

What very often happens in these trusts is that there are surplus funds that are available in these trusts that are available for investments, available for putting into banks and so on. ...*(Interruptions)* When the Indian Trusts Act, 1882 was formulated, section 20 notified in a very precise and detailed way the financial instruments that could be used to invest these funds. Those provisions have become completely archaic now and hon. Members will find it actually quite strange and if not strange quite amusing that now the Act lists and there are pre-Independence financial instruments like the securities issued by the United Kingdom, securities issued by the municipalities of presidency towns, Rangoon which is obviously a pre-Independence holding of British India, and the Port Trust of Karachi. ...*(Interruptions)* So, the time has come to remove those archaic provisions and to replace them with modern day financial instruments that that actually belong in these trusts and should be available to trustees for investment.

We are proposing a set of financial instruments. ...*(Interruptions)* The Bill lays them out very clearly. What we have said in effect is that if we put this in place the Indian Trusts Act will be ready for the 21st Century and be able to help the people who are the beneficiaries of these trusts. ...*(Interruptions)*

The amendment seeks to amend sections 20 and 20 (a) of the Act. It retains the provisions to invest in securities expressly authorised by the investment in the trust or by the Central Government. ...*(Interruptions)* It says: "Let us delete the investment avenues having pre-Independence references". It enables investment in a class of securities expressly authorised. ...*(Interruptions)* It provides an explanation that the term security shall have the same meaning as contained in section 2 (h) of the Securities and Contracts Regulation Act of 1956 and deletes the proviso of section 20 (a) of the Act which has now become redundant.

These amendments will give the trustees greater autonomy and flexibility in investments. ...*(Interruptions)* This Bill was introduced in 2009. It went to the Standing Committee as hon. Members know. It was looked at by the Standing Committee and was sent back by the Standing Committee in 2010. â€

(Interruptions) Most of the recommendations of the Standing Committee were accepted and that is the amendment that is now proposed to be considered and passed by this august House.

With that, I will ask hon. Members to support this Bill. Thank you very much. ...(*Interruptions*)

HON. DEPUTY SPEAKER: Motion moved:

"That the Bill further to amend the Indian Trusts Act, 1882, be taken into consideration."

...(*Interruptions*)

SHRI MALLIKARJUN KHARGE (GULBARGA): My only request is that when the House is not in order, it is not right on the part of the Government to get all the Bills passed. When Members are in the Well and the House is not in order, they are taking all the Bills one by one and they are bulldozing. ...(*Interruptions*) In the last two days, we have given the quorum. Even quorum was not there but we co-operated. Today, they are bulldozing just like that.

THE MINISTER OF URBAN DEVELOPMENT, MINISTER OF HOUSING AND URBAN POVERTY ALLEVIATION AND MINISTER OF PARLIAMENTARY AFFAIRS (SHRI M. VENKAIAH NAIDU): Who is bulldozing? Who is coming to the Well of the House? ...(*Interruptions*) Who is obstructing the House? Who is throttling the voice of the people? ...(*Interruptions*) What are you talking? It is like a murderer saying others are doing it....(*Interruptions*)

SHRI MALLIKARJUN KHARGE : We have taken this stand because of your attitude....(*Interruptions*)

SHRI M. VENKAIAH NAIDU: Sir, they do not respect the rules. Let us go ahead with the business....(*Interruptions*)

श्री मल्लिकार्जुन खड़गे: ... *

SHRI M. VENKAIAH NAIDU: The country cannot take it like this. People want legislation. Let the House take people into consideration and proceed with the Bill....(*Interruptions*)

श्री मल्लिकार्जुन खड़गे:*

HON. DEPUTY SPEAKER: Shri Hukum Singh.

...(*Interruptions*)

SHRI MALLIKARJUN KHARGE: Sir, this should not be done. The House is not in order. This is my point. They do like this every time....(*Interruptions*)

श्री हुकुम सिंह (कैराना) : महोदय, सदन के समक्ष जो ट्रस्ट संशोधन विधेयक प्रस्तुत हुआ है, मैं उसका समर्थन करता हूँ...(*व्यवधान*) यदि आप निष्पक्ष भाव से इस विधेयक को देखें, यह विधेयक ऐसा है जो विभिन्न ट्रस्ट के पास में अनुपयुक्त पैसा पड़ा है, धन पड़ा है, जिसका उपयोग नहीं हो पा रहा है और भविष्य में भी जिसके उपयोग होने की संभावना नहीं है, तो इस बात का एक रास्ता निकाला है कि किस प्रकार से उस धन को देश के निर्माण में, राष्ट्र के निर्माण में लगाया जाए...(*व्यवधान*) यह एक स्वागतयोग्य अप्रोच है...(*व्यवधान*) अभी मंत्री जी ने कहा कि स्टैंडिंग कमेटी में यह विचार हुआ...(*व्यवधान*) स्टैंडिंग कमेटी से पूर्व अगर मंत्री जी आपने देखा हो कि लॉ कमीशन ने वर्ष 1961 में अपनी रिपोर्ट दी थी...(*व्यवधान*) लॉ कमीशन ने अपनी रिपोर्ट देते हुए यह अपेक्षा की थी कि 1882 के बिल को हम अब तक कैसे लिए बैठे हैं...(*व्यवधान*) हमें पूर्ण बिल पर, पूरे कानून पर पुनर्विचार करना चाहिए...(*व्यवधान*)

HON. DEPUTY SPEAKER: Please wait for a minute. What do you want to say, Shri Kharge?

14.27 hours

(At this stage, Shri Rajeev Satav and some other hon. Members went back to their seats.)

SHRI MALLIKARJUN KHARGE: Sir, I have already told you that the House is not in order. Secondly, they are passing the Bill like this. Yesterday, and even day-before-yesterday there was no Quorum in the House but we cooperated and some Bills were passed. Today, we are objecting, protesting on the ground that they are taking a discriminatory attitude towards the Opposition. They have one law for them and other law for the Opposition. They are suppressing, depressing and disregarding the Opposition....(*Interruptions*) Such an attitude should not be there on part of the Ruling Party....(*Interruptions*) I want your protection. Bills should not be passed like this. It is necessary that they should take all of us into confidence. If they are so much interested, let them take action against ~~the~~ * and take action against the Rajasthan Chief Minister....(*Interruptions*)

SHRI M. VENKAIAH NAIDU: Sir, they have no respect for the Rules of the House...(*Interruptions*) They are saying that they will obstruct the House....(*Interruptions*)

HON. DEPUTY SPEAKER: Shri Hukum Singh, you may continue.

श्री हुकुम सिंह: महोदय, एक सराहनीय कदम आज सरकार की ओर से आया है...(*व्यवधान*) क्योंकि इस कदम को आने में 130 वर्ष लगे...(*व्यवधान*) 130 वर्ष पूर्व 1882 में जो कानून ट्रस्ट के ऊपर आया था, उसमें प्रावधान क्या था, मैं उसके ऊपर आपका ध्यान दिलाना चाहता हूँ...(*व्यवधान*) यह धारा 20 जिसे आपने बदला है...(*व्यवधान*)

14.29 hours

(At this stage, Shri Ravneet Singh and some other hon. Members came and stood on the floor near the Table.)

...(*व्यवधान*)

धारा 20 में यह बाधकता की गई थी कि आयरलैंड हो या इंग्लैंड हो, यूनाइटेड किंगडम हो, जो उनकी कंपनी होगी, उनमें पैसे का निवेश किया जा सकेगा...(*व्यवधान*) आज मेरी समझ में यह नहीं आता कि 130 वर्ष तक हम किस प्रकार से उसी कानून के अंतर्गत काम करते रहे...(*व्यवधान*)

में सरकार को बधाई देता हूँ कि कम से कम वह जगह तो सही और जगहों के बाद समाज और देश के हित के लिए इस धारा 20 को संशोधित किया।... (व्यवधान) 20(ए) को डिलीट किया।... (व्यवधान) मेरी मंत्री जी से यह अपेक्षा है कि बाकी कानून के ऊपर भी आपको पुनर्विचार करना चाहिए।... (व्यवधान) उसमें भी बहुत ज्यादा दिक्कतें हैं।... (व्यवधान) हम 130 साल पुराने कानून को बदलने में संकोच करें, आप सहमत होंगे कि भारत के संविधान में, जो हमारा मूल मंत्र है, उसमें तो हम संशोधन कर सकते हैं, लेकिन ये पुराने-पुराने, जंग पड़े हुए ब्रिटिशकाल के बने हुए कानूनों के अन्तर्गत हम समाज की सेवा किस प्रकार कर सकते हैं।... (व्यवधान) मैं उदाहरण के रूप में आपके सामने रखता हूँ।... (व्यवधान) यह तॉ कमीशन में गया, एडमिनिस्ट्रेटिव रिफॉर्मर्स कमीशन में गया और स्टैंडिंग कमेटी में गया। स्टैंडिंग कमेटी में भी अपेक्षा थी कि पूरे कानून पर सरकार विचार करे। आज कुछ दिक्कतें सरकार के सामने होंगी लेकिन वे दिक्कतें भी दूर हो जाएँगी। आज यह बिल पास होना चाहिए और इस कारण से पास होना चाहिए कि न जाने कितने ट्रस्ट हैं जिनके पास अरबों रुपये की धनराशि पड़ी हुई है और वह पैसा अनुपयुक्त पड़ा हुआ है, इस्तेमाल नहीं हो रहा है। प्रधान मंत्री जी वास्तव में बधाई के पात्र हैं कि कम से कम इस बात पर विचार तो किया कि पैसा सरकारी खजाने में आएगा और सरकार को उस पैसे के माध्यम से विकास करने का अवसर मिलेगा। मान्यवर, कौन सा मठ भारतवर्ष में ऐसा है और कुछ तो ऐसे हैं कि न जाने कितने अरबों रुपये की पूँजी उनके पास अनुपयुक्त पड़ी हुई है। मैं सरकार का ध्यान इस तरफ चाहता हूँ। हमारे देश में वक्फ बोर्ड है और इस देश में वक्फ की भी अरबों रुपये की संपत्ति ऐसी पड़ी हुई है। उन लोगों पर विचार करें, उन बुजुर्गों पर विचार करें जिन्होंने समाज में सेवा के लिए प्रार्थना को वक्फ किया था और इस विश्वास के साथ किया था कि वक्फ हो या ट्रस्ट हो, यह पैसा और संपत्ति समाज के काम आएगी तथा शिक्षा का प्रसार होगा। शिक्षा के प्रसार के साथ-साथ जो लोग गरीब हैं, उनके जीवन में भी कुछ प्रकाश लाया जा सकेगा, अस्पताल खुलेंगे। लेकिन आज वक्फ की संपत्ति का क्या हाल है? पूरे देश में अगर आप सर्वेक्षण करा लें, उन्हीं लोगों ने अतिक्रमण किया है जिनसे अपेक्षा की जा रही थी कि वक्फ प्रॉपर्टी का इस्तेमाल करके यह पैसा पब्लिक के काम आएगा। हमारे ट्रस्टों का हाल क्या है? ... (व्यवधान) मैं खत्म करता हूँ। मैं समझ गया। चूँकि केवल एक धारा के संशोधन की बात आज है, इसलिए मैं सारे विधेयक पर आज नहीं बोलना चाहता। लेकिन यह अपेक्षा करते हुए कि माननीय मंत्री जी पूरे विधेयक पर पुनः विचार करते हुए इसमें संशोधन का प्रस्ताव आने लाएँगे, मैं इस विधेयक का समर्थन करता हूँ और यह अपेक्षा करता हूँ कि कम से कम इस विधेयक पर आप विचार तो कर लें, यह तो देखें कि किस अपेक्षा के साथ यह विधेयक आया है? आपकी भी सरकार इतने दिन तक रही है। आपकी सरकार आँख बंद करके बैठ गई। आज इस सरकार ने एक क्रांतिकारी कदम उठाया है। उसकी सराहना होनी चाहिए। जैसा मुझे इशारा किया गया कि समय का अभाव है, मैं तो एक घंटा बोलने की तैयारी करके आया था। इतना कहते हुए मैं अपनी बात समाप्त करता हूँ।

SHRI S. SELVAKUMARA CHINNAIYAN (ERODE): Thank you, Mr. Deputy Speaker, Sir. I express my sincere thanks and gratitude to my leader hon. Chief Minister of Tamil Nadu, Puratchithalaivi Amma, for allowing me to speak on "The Indian Trusts (Amendment) Bill, 2015".

The Bill seeks to amend a 133-year old, Indian Trusts Act, 1882, which is the Principal Act. The Principal Act regulates the functioning of private trusts and trustees. It also outlines the manner in which surplus funds of the trust may be invested for future use and benefit of the trust. This Bill enables the Centre to notify a class of securities for the purpose of investment of trust money. This could also pave the way for permitting private trust monies to be invested in listed stocks on the same lines as the investment pattern specified for non-government provident funds.

In addition, the Act allows investment in any security expressly authorized by the instrument of trust or by the Central Government by notification, provided that consent is taken of any person who is competent to contract and entitled to receive the trust income for his life. The Bill amends the Principal Act to retain only the last item, and deletes all the other investment avenues specified in the Act. This Bill also proposes to delete some pre-Independence references to out-dated and obsolete securities from the Indian Trusts Act, 1882 such as securities issued by the United Kingdom, by municipalities of Presidency towns, Rangoon, Port Trust of Karachi, etc.

It may be recalled that the Law Commission of India in its 17th report, had earlier recommended for amending the Section 20 and deletion of the provisions for securities that had become obsolete.

Greater autonomy is the key word. The Bill proposes to confer greater autonomy and flexibility on trustees of private trusts as regards investment on trust money. It also proposes to do away with the requirement of case-to-case approval by the Government of 'any security'.

The proposed changes are consistent with the current economic environment and the present shift from a merit-based regulatory regime to a disclosure-based regime, according to the Statement of Objects and Reasons of the Bill.

The Centre has taken an important step towards enabling private trust funds to be parked in listed shares and specified debt securities. Besides, the Government has taken a market boosting initiative by way of amending the Indian Trust Act, 1982 to permit all trusts to invest in shares and bonds of listed companies. In the current global scenario of off-shore funds and investment option, the Act lagged behind time.

Trusts play a significant role in most financial and legal systems and are recognised under the Hague Convention. Under Common Law, a trust is an arrangement under which the settler entrusts his property to certain persons or trustees, who become the legal owners of the trust property but hold it for the benefit of third parties, that is, the beneficiaries.

The Act extends to private trusts only and not to public trusts. Nonetheless, Indian courts have held certain provisions applicable to public trusts as well as principles of equity and good conscience which includes Section 20.

Depending on the corpus, a trust may be formed as a company or society. In case of companies, Section 25 of the Companies Act applies to non-profit making companies while institutions established for promoting religion, science etc. may also be registered as limited companies. A private trust's beneficiaries are a closed group, while a public trust is for the benefit of a larger cross-section having a public purpose.

More than philanthropy or privacy trusts spell big money which account for a substantial portion of trading and investment in major stock exchanges. Complex business arrangements in the financial and insurance sectors use trusts in their structure. Asset protection is another important consideration, to move assets to a separate structure with ease to safeguard against bankruptcy.

Even though private trusts are subjected to tax at maximum marginal rate, since trust income becomes taxable either in the hands of the beneficiary or trustee. This offers the creation of another taxable entity, claiming permissible deductions combined with asset protection. Corporate people generally form their own public or charitable trusts, with similar restrictions.

There are thousands of trusts in India that include religious and charitable trusts managing large sums of money. Industry analysts say that the few major port trusts alone are estimated to be managing funds amount to more than Rs. 20,000 crore.

In addition, employee welfare trusts and religious and charitable trusts also have substantial funds. Some of these attitudes have changed in the past two years or so, largely driven by the advent of professional wealth managers.

There are any number of reasons why people create a trust. For instance, parents with a child with special needs should create one to provide for the child's care. Untimely and accidental deaths are also reasons for people creating trusts. Rising divorce rates and the ensuing battles over property and providing for the offspring's future is yet another reason.

Trusts have been used to prevent wealth from moving out from families to new members who may claim their share through marriage alliances. Businessmen have been known to ring-fence personal wealth with trusts, budgeting for the eventuality of a business failure.

Creating a trust means clearly articulating the objective of the trust, defining the beneficiaries and share of each beneficiary. People also stop short of creating a trust as they fear they will lose control of their assets once it is transferred to the trust. But in short, it is a wise move by the Government to revitalise the archaic laws and has come forward to provide greater autonomy to the trustees in managing the funds of the trust, which is a welcome step.

Sir, with these words, I support the Bill. Thank you.

SHRI BHARTRUHARI MAHTAB (CUTTACK): Hon. Deputy-Speaker Sir, I stand here today to participate in the discussion on the Indian Trusts (Amendment) Bill, 2015.

The Law Commission of India, in their 17th Report submitted in 1961, recommended amending Section 20 of the Indian Trusts Act, 1882 and deleting the provisions pertaining to securities in the Act which have become absolute.

This Bill seeks to amend Section 20 and empower the Government to notify a class of securities for the purpose of investing trust money and doing away with the requirement of case to case approval by the Government of 'any security'. The scope of this Bill when enacted would be restricted to private trusts registered under the Act. We all know that there are two types of Trusts –private and public.

There are State laws also relating to Trusts. The State Governments of Maharashtra, Madhya Pradesh and Rajasthan have enacted State laws relating to Public Trusts. Bombay Public Trust Act, 1950 is applicable only in the States of Maharashtra and Gujarat.

Questions that are often asked are relating to tax exemptions available to different types of Trusts. Under the Income Tax Act, taxation of Private Trust is different from that of public, religious and charitable endowments. In the case of public, religious or charitable endowments, the taxation has a linkage with the mode of investments of the Trust property. The taxation of Private Trust is not linked to manner/mode of investment of Trust property.

The Indian Trusts Act applies to Private Trusts only and has no application to public, religious and charitable endowments. This amendment to the Indian Trusts Act, therefore, has no impact on the taxability of such Trusts under the Income Tax Act, 1961. But the question still remains unanswered as to why the Government is not formulating a model legislation covering Trusts and Societies in lieu of the existing laws on societies, trusts, endowments, charitable institutions, etc.

I was given to understand that the Law Commission of India, in its 17th Report, had recommended amendment of the Indian Trusts Act, 1882 in its entirety.

The Second Administrative Reforms Commission, in its 9th Report on Social Capital- A Shared Destiny, has made certain recommendations in respect of laws relating to societies, trusts, waqfs, religious and charitable endowments in India and suggested a comprehensive model legislation covering both Trusts and Societies.

In view of this, it is necessary to look into the recommendations of the Law Commission of India afresh. Today the Societies Registration Act, 1860, the Religious Endowments Act, 1863, the Indian Trusts Act, 1882, the Charitable and Religious Trusts Act, 1920 and the Waqfs Act, 1995 are being administered by various Ministries like the Ministry of Corporate Affairs, the Ministry of Minority Affairs, the Ministry of Law and Justice, etc. There are very many Ministries which are actually looking into or administering these Acts.

The Law Commission of India looked into the matter afresh and considered the recommendations made by the Second Administrative Reforms Commission and was to give its Report to make a model legislation. That Report is still awaited. When is the Government going to take a decision on this aspect of framing a model legislation? This request is pending since 20th January, 2009. How long will it take and what is the present position? I want to understand these points.

I would also like to draw the attention of the House on another point. I hope the hon. Minister will be in a position to explain the situation. On the heels of the provident fund money trickling into the equity markets, the Centre has taken an important step towards enabling Private Trust funds to be parked in listed shares and specified debt securities.

This Bill, the Indian Trusts (Amendment) Bill, 2015, which is being discussed here in Lok Sabha today, is enabling the Centre to notify a class of securities for the purpose of investment of trust money. This would pave the way for permitting private trust money to be invested in listed stocks on the same line as the investment terms specified for non-Government provident funds.

This Bill, as has been introduced by the Minister, proposes to confer greater autonomy and flexibility on trustees of private trusts as regards investment of trust money. It also proposes to do away with the requirement of case-to-case basis approval as I had said earlier.

The proposed changes are consistent, I would say, with the current economic environment; and the present shift from a merit based regulatory regime to a disclosure based regime is a welcome step.

The Law Commission of India had, in its 17th Report, recommended amendment of Section 20 and deletion of provision of securities that had become obsolete as I had said earlier.

The Employees Provident Fund Organisation, the EPFO, had recently decided to park up to Rs. 5,000 crore in equity market this fiscal through Exchange Traded Funds, the ETF. This follows the Ministry of Labour's notifying the new investment pattern for EPFO in April allowing the body to invest a minimum of five per cent and up to 15 per cent of its funds in equity or equity related schemes. However, the EPFO management has decided to invest five per cent of its incremental deposits in ETFs only during the current fiscal. I would like to understand from the Government what are the other bodies which are going to invest in this, on which the Government is going to give permission.

With these words, I support the Bill that is being piloted today by the Government. Thank you.

श्री विनायक भाऊराव राऊत (रत्नागिरी-सिंधुदुर्ग) : महोदय, भारतीय न्याय संशोधन विधेयक, 2015 का समर्थन करने के लिए मैं खड़ा हुआ हूँ। ... (व्यवधान) सरकार की तरफ से एक अच्छा कदम उठाने का काम इस विधेयक के माध्यम से हो रहा है।

महोदय, भारत में कई ऐसे कानून हैं जो अंग्रेजों के जमाने से आज तक वैसे ही चलते आ रहे हैं। अंग्रेजों ने उस वक्त की परिस्थिति को देखकर और उस परिस्थिति में क्या होना चाहिए, उसके आधार पर कानून बनाए थे। ... (व्यवधान) आज की स्थिति में उस कानून में सुधार करने की जरूरत है। ... (व्यवधान) ऐसा ही सुधार करने का काम इस विधेयक के माध्यम से माननीय मंत्री महोदय ने किया है, इसके लिए मैं उनका अभिनंदन करता हूँ। ... (व्यवधान)

महोदय, महाराष्ट्र में भी पब्लिक ट्रस्ट एक्ट, 1860 चल रहा है। वर्ष 1860 में बने उस पब्लिक ट्रस्ट एक्ट के अनुसार जब आज काम करते हैं और उस एक्ट के अंतर्गत कोई भी संस्था रजिस्टर्ड की जाती है तो उससे कई मुसीबतें तैयार हो जाती हैं। ... (व्यवधान) उस एक्ट के तहत जिस संस्था का रजिस्ट्रेशन होता है, चाहे वह कोई सार्वजनिक कमेटी हो, चाहे वह संस्था हो, चाहे वह मन्दिर हो या चाहे अन्य कोई पब्लिक ट्रस्ट हो, उनके पास आज करोड़ों रूपए की सम्पत्ति जमा होती है। ... (व्यवधान) जैसे मुम्बई सिद्धि विनायक मंदिर है, शिरडी साई मन्दिर है, अन्य कई मन्दिर हैं, अन्य कई ट्रस्ट हैं, जिनके पास करोड़ों रूपए की जायदाद वर्षों से वैसी की वैसी रहती है। ... (व्यवधान) उसका फायदा आम आदमी को पहुंचाने की जरूरत है। ... (व्यवधान) आज समाज में बहुत से मददगार हैं और समाज में ऐसे लोग भी हैं, जिनको जरूरत है, लेकिन सही वक्त पर फायदा इस ट्रस्ट की सम्पत्ति का और इस ट्रस्ट की जो बाकी पूर्ण है, उस पूर्ण का नहीं हो रहा है। ... (व्यवधान) इसलिए इन सारे ट्रस्टों पर सरकार का एक निरन्ध होना चाहिए, सरकार की तरफ से एक डायरेक्शन होना चाहिए। खासकर, इस बिल में अच्छा प्रावधान किया गया है। ... (व्यवधान) कानून के हिसाब से जो सम्पत्ति उनके पास रहती है, अगर सही वक्त पर और सही कारण के लिए वे सर्व न करें तो सेक्शन - 20 को निकाल कर, उसमें दूसरा सुधार लाने की कोशिश की गयी है। ... (व्यवधान) लेकिन सेक्शन - 20 निकालते समय सरकार ने इसका ध्यान दिया है। ... (व्यवधान) जैसे उन्होंने लिखा है कि कोई व्यक्ति अगर संविदा करने के लिए सक्षम है। ... (व्यवधान) उनके ट्रस्ट के पास जो सम्पत्ति है। ... (व्यवधान) जिस ट्रस्ट के पास बाकी की जो पूर्ण है। ... (व्यवधान) ट्रस्ट के जो डायरेक्शन हैं,

ट्रस्ट डीड में जो-जो लिखा हुआ है, अगर उस ट्रस्ट के पदाधिकारी उन्हें फुलफिल करने के लिए सक्षम हैं, उसके हिसाब से काम करने के लिए सक्षम हैं, तो उनके ऊपर इस विधेयक के माध्यम से कोई आपत्ति नहीं आनेवाली है। ... (व्यवधान) यह शासन ने स्पष्ट किया है, इसके लिए मैं उनका धन्यवाद करता हूँ। ... (व्यवधान) इस विधेयक को मैं समर्थन देकर अपना विचार समाप्त करता हूँ। ... (व्यवधान)

DR. RAVINDRA BABU (AMALAPURAM): Sir, at the very outset, I would like to thank you for giving me this opportunity to speak on this Bill.

I stand here, on behalf of the Telugu Desam Party, to support this Bill which seeks to remove a lot of obsolete provisions of the parent Act. Whenever we talk about any Trust, we always get reminded of the Charitable Trust, Private Trust and money flowing from outside into a Trust. After that, there is embezzlement and siphoning off of the money into circulation. There are certain income-tax exemptions given to the money deposited in a Trust. That money needs to be investigated. From where is the money coming? Is it being invested with *bona fide* intention or *mala fide* intention? Unless this loophole is plugged, a Trust can become a haven of black-money and can be a parking place for black money. This is the first thing.

The second is that when they are investing in securities, bonds and other things, I have small suggestion to make to the hon. Minister that if the money can be used for the social sector spending, that will be good. India is a poor country, suffering from poverty, malnutrition and other things. Let the money be invested in the social sector schemes, poverty alleviation schemes and especially in the Railways. The Indian Railways is the one sector which is starving of funds. This money should be meaningfully invested into it instead of investing in debentures, bonds and other things.

Another thing which I would like to bring to your notice before I conclude is that let there be trust. Let there be public trust in the Trusts Act. There is no trust of the public in the Trusts Act because a lot of Trusts are getting a lot of bad name not only from the public, not only from other Charitable Trusts but also from others. There are so many investigating agencies which have investigated the activities of certain Trusts and came out with a lot of charge-sheets. So, please see to it that no such activity recurs, no such fraudulent means are used to misuse the Trusts Act.

With these words, I conclude. Jai Telugu Desam.

SHRI P.K. BIJU (ALATHUR): Sir, at the very outset, I would like to say that it is a very small Bill but a very important Bill.

While piloting this Bill, the hon. Minister in his presentation has admitted that most of the relevant suggestions from the Standing Committee have already been accepted. It is a very welcome thing.

This Government is always looking for and the previous Government also was looking for the benefits of the corporates. They are interested in changing the old laws and favouring all the corporates of this country. If we go through the Bill which is placed before this House and the Upper

House, we can find that normally it is helping all the corporates. This Bill seeks to amend section 20 and 20A of the Indian Trusts Act, 1882 to empower the Central Government to notify a class of securities, for the purpose of investing trust-money and it does away with the requirement of case to case approval by the Government of "any security, etc."

A very important thing is that previously you have the security from the Government itself. But we have to change the old system. At present no security is given by the Government. They are at the mercy of private companies. Private investors have given some alteration in regard to security of the trust money. They are at the mercy of private firm. Now, after the passage of this Bill, they would fully depend on them. Hence, I would like to request the Government to look into this aspect. If the trust money is kept somewhere, the ultimate security is provided by the Government itself.

We know about the rights, powers, disabilities, extension of trusts, nature and powers of trusts, the rights and liabilities of beneficiaries, and certain other obligations. This is meant not only for the big corporate and big people.

The Standing Committee has rightly made a recommendation to the effect to omit Section 20A. Section 20A gives the right not to permit the trust money for the use of the Railways or any Government Department or companies. That Section is now omitted. It is a welcome step. Trust money should go to the public. Only then, it would be used for the development of the country, for the benefit of the country. Since 1882 Act came into being, a number of years have passed. There is a need to change the law but not to remove any provision from the existing law. There is a need not to harm any trust in our country. That is very much required, which the Government has noticed for the benefit of entrusting the people of the country. With these words, I conclude.

श्री राजेश रंजन (मधेपुरा) : उपाध्यक्ष महोदय, भारतीय न्यास (संशोधन) विधेयक, 2015 जो लाया गया है, मैं सरकार का ध्यान कुछ बिंदुओं की ओर आकृष्ट करना चाहूंगा। पहले मैं कहूंगा - अर्थम या अनर्थम या यदि वाचलम - अर्थ ह्येशा अनर्थ को पैदा करता है जब वह कहीं न कहीं जाकर रुक जाता है। अम्बेडकर साहब की वह बात कि कानून जितना भी बेहतर हो, यदि कानून लागू करने वाला बेहतर इंसान नहीं होगा, ऊंचे मूल्यों के साथ जीने वाले लोग नहीं होंगे, नैतिक लोग नहीं होंगे, तो उस कानून का कोई मतलब नहीं होगा, मैं कहना चाहूंगा कि सारे कानून से पहले एक व्यक्ति के भीतर परवेजिंग पावर की जो क्षमता है, वित्त मंत्री जी, जब तक इस हिन्दुस्तान में किसी न किसी व्यक्ति के हाथ में परवेजिंग पावर सीमित होगी, धन का संग्रह यदि एक व्यक्ति के पास होगा तो उसके पास दुनिया के किसी भी पद को खरीदने की क्षमता हो जाती है, चाहे वे देश के उच्चतम पदों पर आसीन या सत्ता और व्यवस्था में बैठे हुए लोग हों। धन जब एक व्यक्ति के पास होगा तो एक व्यक्ति दुनिया को खरीदने की अकूत क्षमता रखता है, इसीलिए सबसे पहले इस देश में एक व्यक्ति के हाथ में परवेजिंग पावर न हो।

15.00 hours

धन का विकेंद्रीकरण हो, किसके पास कितना धन होना चाहिए यह निर्णय समाज के लोग करें, चाहे वह शिक्षक हों या चाहे बौद्धिक लोग हों, किसी भी परिस्थिति में व्यक्ति के पास कितना धन हो इसका निर्णय समाज के लोग करें, ...(व्यवधान) इसका निर्णय संविधान के मुताबिक हो, इस पर आपको कानून लाने के लिए सोचना होगा। आप कानून लेकर आए हैं। इस देश में जितने भी मंदिर, मठ और न्यास हैं, मंदिर की स्वतंत्रता के नाम पर, मस्जिद की स्वतंत्रता के नाम पर जिस तरीके से अकूत संपत्ति जमा की गई है, ...(व्यवधान) कहा जाता है कि इसको टव करे तो प्रलय आ जाएगा। महात्मा बुद्ध ने मरने से पहले कहा था कि मेरे मरने के बाद कहीं भी मेरी मूर्ति नहीं लगनी चाहिए। ...(व्यवधान) लेकिन उनके मरने के बाद बड़ी-बड़ी मूर्तियां लगा कर धन संग्रह करने की कोशिश की गई है, शिरडी के साई बाबा की जिन्दगी एक लकड़ी पर चली गई, लेकिन शिरडी के साई बाबा को परोसकर पूंजीपति, उद्योगपति लोग अर्बों-खर्बों की संपत्ति बढ़ावा के रूप में बढ़ाते हैं ...(व्यवधान) अपने काले धन को जमा करके पूंजी बनाते हैं। ...(व्यवधान) अस्पताल और स्कूल बड़े-बड़े पूंजीपतियों के हाथ में दे रखे हैं। न्यास बनाकर अस्पताल और उद्योगपति लोग अकूत संपत्ति कमाते हैं। ...(व्यवधान) आप अपोलो को देख लीजिए, आपने एक रुपये में अपोलो को जमीन दी और उनको गरीबों का इलाज करने के लिए कहा, ...(व्यवधान) आपको भी पता है कि अर्बों-खर्बों की जमीन लेकर वहां पर एक भी गरीब आदमी का इलाज नहीं होता है, ...(व्यवधान) इसी तरह से गंगाराम अस्पताल भी करता है। हिन्दुस्तान में उद्योगपतियों के हाथ में शिक्षण संस्थान और स्कूलों को दे दिया गया है। वर्ष 1961 के बाद तरह-तरह के कानून बने हैं, ...(व्यवधान) आप इस कानून को पारदर्शी बनाना चाहते हैं। मेरे दो सुझाव हैं, जो मंदिर हैं, न्यास हैं या स्कूल की संपत्ति है या अस्पताल की संपत्ति है, इसे किसी भी कीमत पर एनजीओ द्वारा संचालित न होने देना चाहिए। एनजीओ का मतलब है, ...(व्यवधान) एनजीओ कैंसर के लिए हो, एनजीओ कुपोषण के लिए हो, एनजीओ का मकसद लोगों के लिए काम करना होना चाहिए। ...(व्यवधान) आप कालेधन की बात करते हैं। हिन्दुस्तान में सबसे ज्यादा कालाधन एनजीओ के पास है, ...(व्यवधान) मंदिर और मस्जिद के पास है, मठ के पास है। हिन्दुस्तान में जितने भी कालेधन हैं उसको निकालने के लिए मजबूत कानून लाने की जरूरत है। मैं इस बिल का समर्थन करता हूँ। ...(व्यवधान)

SHRI B. VINOD KUMAR (KARIMNAGAR): Mr. Deputy Speaker, Sir, I thank you for giving me this opportunity to speak on the Indian Trusts (Amendment) Bill, 2015. On behalf of my party I support this amendment. At the same time, I request the hon. Minister to see that the original Act, that is, the Indian Trusts Act, 1882 is repealed and a new Act enacted in its place. It is unfortunate that as per the clauses in the existing Act which dates back to 1882, the trust money has to be invested in promissory notes, debentures, stock and other securities of the United Kingdom. This Bill is deleting all these clauses. The Central Government is supposed to notify the class of securities for the purpose of investment of the Trust money by the trustees in such securities. It deletes the outdated and obsolete securities from the Act. (Interruptions)

I support this Bill and request the Government to come with a fresh Act for the Indian Trusts Act in the coming days. Thank you.

SHRI MEKAPATI RAJA MOHAN REDDY (NELLORE): Thank you, hon. Deputy Speaker, Sir, for giving me an opportunity to speak on the Indian Trusts (Amendment) Bill. (Interruptions)

The proposed legislation seeks to amend the Indian Trusts Act 1882 to remove the outdated provisions. It is surprising that many of the provisions that were introduced during the British Rule have not been repealed so far. The sole purpose of the Act brought by the then British Regime was to introduce the English concept of legal and equitable ownership in estates in order to recognize the vested interests of the large body of domiciled Europeans....(Interruptions)

The Amendment will help the trustee to invest money of the Trust in Government securities in case the Trust property consists of funds which

cannot be used immediately for the purpose of the Trust. At the same time, it is a welcome step to provide a greater autonomy and flexibility to such trustee to take decisions on investment of Trust money based on their assessment of the risk-return trade off. It would be consistent with the current economic environment and the present shift from a merit based regulatory regime to a disclosure based regulatory regime....(Interruptions)

However, it has to be ensured that there is risk of mitigation as required for protecting the interest of the beneficiaries of Trusts following the proposal to ease the investment norms....(Interruptions) The objectivity of the Trust should fall within the definition of charitable norms....(Interruptions)

Income of the Trust should be applied and tax registration certificate should be obtained. Income tax return of the Trusts should be filed regularly and if there is any irregularity, the Trust concerned should be derecognized. ...(Interruptions)

Foreign contribution received by a particular Trust should have the Government clearance. All these accounts should be properly audited by a Chartered Accountant and timeframe should be stipulated for obtaining the consent of the beneficiary for investing the Trust money....(Interruptions)

The authorities concerned should frequently monitor that the Trusts are not engaged in commercial activities....(Interruptions)

There is need of constant monitoring of the Trusts/NGOs as it has been seen that these violate the norms especially with regard to financial dealings.

Sir, our Party, YSRCP supports this Amendment Bill. With this, I conclude. Thank you very much.

श्री दुष्यंत चौटाला (हिमाचल) : उपाध्यक्ष महोदय, आपने मुझे इंडियन ट्रस्ट एक्ट, 2015 पर बोलने का मौका दिया, उसके लिए आपका बहुत-बहुत धन्यवाद। जहां हम ट्रस्ट की बात करते हैं, तो हमारे देश में एक अहम हिस्सा, चाहे वह चैरिटेबल ट्रस्ट का हो या अन्य ट्रस्टों का हो, उनके माध्यम से सोशल सर्विस के कार्य होते हैं। मंत्री जी ने अपने भाषण में डिसक्लैम किया कि कई कुनीतियां भी इसमें हैं। जब बहुत लंबे समय तक ब्रिटिश राज हमारे देश में था, तब उस समय के भी कई कानून इसमें लागू हैं। हम इंडियन ट्रस्ट एक्ट, 1882 के तहत आज भी देश में पोर्ट ऑफ कसबी, रंगून, म्युनिसिपैलिटीज ऑफ प्रैजिडेंसी आदि के शेयर्स, डिबेंचर्स लेकर बैठे हैं। मेरा यह मानना है कि यह सरकार द्वारा एक अच्छी शुरुआत है। मगर दूसरी ओर मैं माननीय मंत्री जी से निवेदन करूंगा कि जब आप ट्रस्ट में अमेंडमेंट की बात करते हैं, तो आपको देखना पड़ेगा कि आज हमारे देश का बहुत बड़ा हिस्सा, जो कारपोरेट सैक्टर है, वह भी अपनी फैक्टरियों के सीएसआर को सामाजिक कार्यों में न लगाने की बजाय ट्रस्ट के माध्यम से दूसरे उपयोगों में लेने का काम करता है। आज जब हम चैरिटेबल ट्रस्ट की बात करते हैं, तो उसका मुख्य कारण यही रहता है कि उससे सोसायटी का विकास हो। मगर जब ट्रस्ट के माध्यम से सीएसआर का पैसा यूटीलाइज होने लगता है, तो लोग उसे अपने मनपसंद कामों में लगाने लग जाते हैं। समाज में लोगों का फ्री इलाज होना चाहिए, उनके लिए ट्रस्ट पैसा नहीं लगाते हैं। जहां एजुकेशन की बात है, वहां पैसा नहीं लगाते, समाज के विकास में पैसा नहीं लगाते हैं। मुझे लगता है कि इस अमेंडमेंट के साथ आर्टिकल 20 और 20ए में अमेंडमेंट की बात बहुत सराहनीय है। लेकिन इसके साथ इंडियन ट्रस्ट एक्ट में भी अमेंडमेंट लाना होगा ताकि इसके माध्यम से हर ट्रस्ट अपना ब्यौटा सरकार को दे। सामाजिक कार्यकर्ता किस तरह से चैरिटेबल एक्टिविटीज का उपयोग करता है, यह देखें।

इसमें एक अहम चीज सीएसआर है। मैं माननीय मंत्री जी से कहना चाहता हूँ कि सांसद होने के नाते हमारी जिम्मेदारी एम्पीलैड यूटीलाइज करना है, उसी तरह कारपोरेट्स की भी जिम्मेदारी है कि अपना सीएसआर यूटीलाइज करे। कारपोरेट्स क्या करते हैं? वे ट्रस्ट में पैसा डालकर और गतिविधियों में इसे यूटीलाइज करते हैं। वित्त मंत्रालय की जिम्मेदारी है कि इस पर रेगुलर मानिट्रिंग कर ट्रस्ट पर कार्रवाई करे।

जहां तक आर्टिकल 20 और 20ए अमेंडमेंट की बात है, मैं अपनी ओर से इन अमेंडमेंट्स का स्वागत करता हूँ। मैं उम्मीद करता हूँ कि आने वाले समय में सरकार इस एक्ट में और अमेंडमेंट्स लाएगी।

श्री कौशलेन्द्र कुमार (नालंदा) : माननीय उपाध्यक्ष जी, आपने मुझे भारतीय न्यास (संशोधन) 2015 पर बोलने की अनुमति दी है, इसके लिए मैं आपका बहुत धन्यवाद करता हूँ। भारतीय न्यास अधिनियम 1882 बहुत ही पुराना एक्ट है और इस 133 साल पुराने कानून को आज की परिस्थितियों को ध्यान में रखकर सरकार द्वारा 20 और 20क में संशोधन करने का प्रस्ताव लेकर आई है। विधि आयोग भी इसे अपनी रिपोर्ट में हटाने और संशोधित करने की सिफारिश कर चुका है। मैं भी मानता हूँ कि किसी भी ट्रस्ट के ट्रस्टी को अपने पूंजी के निवेश का स्वतंत्र अधिकार होना चाहिए और उसे किन-किन शेयर्स और डिबेंचर्स में पूंजी निवेश करनी है, इसके लिए बार-बार मंजूरी लेने की आवश्यकता नहीं होनी चाहिए। इसके माध्यम से अब निजी ट्रस्टों के साथ-साथ सरकारी पेंशन फंड, कर्मचारी भविष्य निधि संगठन को भी अधिक फायदा और रिटर्न देने वाले शेयर्स में निवेश करने के लिए अधिक स्वतंत्र एवं अधिक अधिकार प्राप्त होंगे। यह देखा जा रहा है कि दूसरे देशों की संस्थाएं अपने फंड्स को भारतीय शेयर बाजार में निवेश कर अधिक रिटर्न पा रही हैं तो अपने देश के निजी और सरकारी ट्रस्ट को भी समानता का अधिकार होना ही चाहिए। किंतु मेरा एक सुझाव है कि आप दिन इस तरह के निवेश में घोटाले की बातें आती रहती हैं। अतः इस नियमन में एक सशक्त निगरानी तंत्र की व्यवस्था भी हो जिससे किसी एक अधिकारी को मनमानी करने का स्वतंत्र अधिकार न हो और ऐसी व्यवस्था हो कि कम से कम मुख्य ट्रस्टी के साथ कोई भी निर्णय लेने के लिए दो अन्य ट्रस्टी से भी सलाह-मशविरा करने और उनका भी अनुमोदन करने का अधिकार हो। विशेषकर सरकारी ट्रस्ट, पेंशन फंड और ईपीएफओ में तो कतई नहीं एक व्यक्ति के पास निवेश करने का पूर्ण अधिकार हो क्योंकि एकाधिकार और निरंकुशता ही घोटालों में संलिप्त होने के लिए रास्ता प्रदान कर देती है।

अतः इस बिंदु पर सरकार अवश्य विचार कर उचित नियमन संशोधन में करे।

SHRI PREM DAS RAI (SIKKIM): Thank you very much Deputy Speaker, Sir, for allowing me to participate in this debate on the Indian Trusts (Amendment) Bill, 2015.

It is well-known that this will be a small step in the entire reform process that the Government of India aims to bring about. In so far as that is concerned, my Party, the Sikkim Democratic Front Party, supports this amendment fully.

We also understand that in view of the old legislation, we are bringing in reforms in a manner in which on the supply side we are able to invest in a new class of investments which has not been stated. But, I think, through notification from time to time, these classes of products will be approved by the Government. ...(Interruptions) Insofar as that is concerned, we have no objection. I think, with the changing financial products that are there in the country, this is well understood and it is well deserved. ...(Interruptions)

I would only like to bring to the notice of the House that as has been stated by many Members from different parties, there is a need for an overarching Act which will encompass several types of Acts that are in motion. This means that we need to somehow bring all these different Acts which today govern different charities of the country into one umbrella so that we are able to better secure the way in which these are regulated. ...(Interruptions)

Before I close, Hon. Deputy-Speaker, Sir, I would like to seek a clarification from the hon. Minister whether this Bill, after its passing, would impinge on Article 371 (f) of the Constitution, which governs the State of Sikkim. ...(*Interruptions*) I would like to know whether the old laws within the State of Sikkim which regulate some of our Trusts and Charities would be impacted by this. I would seek this clarification from the hon. Minister. ...(*Interruptions*) Thank you.

श्री राजीव प्रताप रूडी: माननीय उपाध्यक्ष जी, कांग्रेस के सदस्य यह आग्रह कर रहे हैं कि उनके सदस्यों की तबीयत खराब हो रही है, हम नहीं चाहते हैं कि उनके सदस्यों की तबीयत खराब हो।...(*व्यवधान*) इसलिए वे अपने स्थान पर जाकर बैठें। ...(*व्यवधान*) सदन की कार्यवाही चलने दें, पानी की व्यवस्था की जाए और सदन की कार्यवाही चले और हम लोग बहस का काम जारी रखें।...(*व्यवधान*)

HON. DEPUTY SPEAKER: Now, the hon. Minister.

SHRI JAYANT SINHA: Hon. Deputy-Speaker, Sir, we have had an excellent discussion on the Indian Trusts (Amendment) Bill. Many learned Members have spoken on this Bill and, I think, from the Treasury Benches we are very pleased that almost all learned hon. Members who spoke are in support of this Bill.

Most of the questions and comments that have come up tend to focus on the broader question of the Trusts, and I will come to them but the way that this amendment that is set up, is set up in a narrow way. ...(*Interruptions*)

The hon. Members should know that as far as the Finance Ministry is concerned, our responsibility and our scope of administration are restricted to Section 20. Therefore, because it is restricted to Section 20, that is what we have tried to address, and we have, of course, replaced the obsolete Section 20 and brought in a modern day interpretation of how this should be done. ...(*Interruptions*) So, that is how we have done it. The rights and liabilities of the Trustee are well laid out in the Indian Trusts Act. ...(*Interruptions*) Some Members who were concerned about the provisions being misused should rest assured that it is laid out in considerable detail. ...(*Interruptions*)

Now, as far as the broader question about these multiple overlapping Acts, particularly those that pertain to Public Trusts and the beneficiaries in the permanent religious charitable trusts, is concerned, it is under consideration of the Law Commission right now. ...(*Interruptions*) We have already moved to improve the Indian Trusts Act as it is right now. I am sure that as we work in repealing and amending some of these obsolete laws, we will try and bring some sanity to all of these Trusts as well.

With that, I will commend this Bill to this House and ask for the support of the House to pass this Bill. ...(*Interruptions*)

Thank you.

HON. DEPUTY-SPEAKER: The question is:

"That the Bill further to amend the Indian Trusts Act, 1882, be taken into consideration. "

The motion was adopted.

HON. DEPUTY-SPEAKER: The House will now take up clause by clause consideration of the Bill.

...(*Interruptions*)

HON. DEPUTY-SPEAKER: Shri Adhir Ranjan Chowdhury -- Not Present.

SHRI TARIQ ANWAR (KATIHAR): Sir...(*Interruptions*)

HON. DEPUTY-SPEAKER: Do you want to say something?

...(*Interruptions*)

SHRI RAJIV PRATAP RUDY: Sir, the House is not in order; and then you want a Member to speak! How is it possible? Please pass the Bill...(*Interruptions*) This will not be allowed. You first put the House in order...(*Interruptions*)

HON. DEPUTY-SPEAKER: Shri Adhir Ranjan Chowdhury.

...(*Interruptions*)

HON. DEPUTY-SPEAKER: Shri N.K. Premchandran

...(*Interruptions*)

HON. DEPUTY-SPEAKER: Shri B. Vinod Kumar.

...(*Interruptions*)

DR. A. SAMPATH (ATTINGAL): Sir, we demand Division...(*Interruptions*)

HON. DEPUTY-SPEAKER: The question is:

"That clause 2 and 3 stand part of the Bill."

The motion was adopted.

Clauses 2 and 3 were added to the Bill.

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

...(Interruptions)

HON. DEPUTY-SPEAKER: The Minister may now move that the Bill be passed.

SHRI JAYANT SINHA: Sir, I beg to move:

"That the Bill be passed."

The motion was adopted.

...(Interruptions)