

C O N T E N T S

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LOK SABHA DEBATES

LOK SABHA

Friday, March 05, 2010/Phalguna 14, 1931(Saka)

The Lok Sabha met at Eleven of the Clock

[MADAM SPEAKER in the Chair]

OBITUARY REFERENCES

MADAM SPEAKER: Hon. Members, I have to inform the House of the sad demise of two of our former colleagues, Shri Khagapati Pradhani and Shri Ashok Singh.

Shri Khagapati Pradhani was a member of the Fourth to Twelfth Lok Sabhas from 1967 to 1999, representing Nowrangpur Parliamentary Constituency of Orissa.

During his long and illustrious tenure spanning over a period of more than three decades, Shri Pradhani ably served as a member of various parliamentary committees. He was the Chairman of the Committee on Welfare of Scheduled Castes and Scheduled Tribes during the Seventh and Eleventh Lok Sabhas. He served as a member in the Panel of Chairmen, Lok Sabha during the Twelfth Lok Sabha.

Shri Pradhani worked for the welfare of the poor and backward classes of the society. He was the Chairman, Panchayat Samiti, Tentulikhunti, Orissa from 1963 to 1966. Shri Pradhani served as a member of the Gantantra Parishad from 1956 to 1957 and the South Eastern Zonal Railway Users' Committee from 1974 to 1976. He also served as a member of the State Planning Board, Orissa from 1973 to 1976.

Shri Khagapati Pradhani passed away on 3 February, 2010 at the age of 87.

Shri Ashok Singh was a member of the Eleventh and Twelfth Lok Sabhas from 1996 to 1999 representing the Raebareli Parliamentary Constituency of Uttar Pradesh.

Earlier, he was a member of the Uttar Pradesh Legislative Assembly from 1989 to 1992 for two terms.

Shri Singh was a member of the Committee on Urban and Rural Development during the Eleventh Lok Sabha. He was also a member of the

Committee on Human Resource Development and the Consultative Committee of the Ministry of Petroleum and Natural Gas during the Twelfth Lok Sabha.

A committed social and political worker, Shri Singh was the Block Pramukh, Amawa, Raebareli in the year 1987. He was also the Chairman, District Co-operative Bank Ltd., Raebareli from May, 1994 to July, 1998 and from February to May, 1999. Shri Singh also served as the President of the District Panchayat, Raebareli from January, 2006 to February, 2010.

Shri Ashok Singh passed away on 23 February, 2010 at the age of 55.

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.

Hon. Members, as you are aware, on 4th March, 2010, sixty-three people including women and children are reported to have been killed and hundreds other injured in a stampede in an ashram in Pratapgarh, Uttar Pradesh.

The House expresses its profound sorrow on this tragedy which has brought pain and suffering to the families of the bereaved and injured.

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

अध्यक्ष महोदया : आप लोग बैठ जाइए। हर वक्त इस तरह से क्वेश्चन आवर को डिस्टर्ब करना ठीक नहीं है। It is not a nice thing; not nice. Raise it in the Zero Hour.

... (Interruptions)

MADAM SPEAKER: No, Question Hour is not going to be a casualty everyday. Everyday it is becoming a practice. Please sit down. Nothing will go on record.

(Interruptions) ... *

अध्यक्ष महोदया : श्री राकेश सिंह, आप बोलिए।

श्री राकेश सिंह (जबलपुर): मैडम, इतना गंभीर प्रश्न है, इतना गंभीर विषय है। इस प्रश्न पर अगर इस तरह से सदन में पूछा जाएगा, तो कैसे बात बनेगी।... (व्यवधान)

माननीय सदस्यो, यह बहुत गंभीर विषय है। पूरे देश का मामला है।... (व्यवधान)

अध्यक्ष महोदया : राकेश सिंह जी, आप अपना प्रश्न पूछिए।

... (व्यवधान)

अध्यक्ष महोदया : आप लोग अपनी बात को जीरो आवर में उठाइए। पहले नोटिस दीजिए। क्या बात है?

Question Hour is now being disturbed everyday. Sit down, please.

... (व्यवधान)

श्री मुलायम सिंह यादव (मैनपुरी): महंगाई बढ़ती चली जा रही है।... (व्यवधान)

अध्यक्ष महोदया : मुलायम सिंह यादव जी, आप बैठिए। इस विषय पर चर्चा हो चुकी है।

(Q. No. 121)

MADAM SPEAKER : Question No.121, Shri Rakesh Singh.

श्री राकेश सिंह : महोदया, मैं ऐसा समझता हूँ कि पूरा सदन इस बात के लिए चिंतित है कि ग्रामीण क्षेत्रों में चिकित्सा सुविधाएं बेहतर होनी चाहिए। पूरा सदन इस बात को जानता है कि शहरी क्षेत्र और ग्रामीण क्षेत्र, दोनों ही जगहों पर रहने वाले लोगों को बीमारियां भी समान होती हैं, कोई अलग-अलग तरह की बीमारियां नहीं होती हैं। इसलिए वर्ष 1946 में जब भोरे कमेटी ने इस पर विचार किया था, इस पाठ्यक्रम पर, इससे संबंधित व्यवस्था पर, उन्होंने इसे अव्यावहारिक मान लिया था। मेरी जानकारी के अनुसार बैचलर ऑफ रूरल हेल्थ केयर पाठ्यक्रम है, इसके छात्र और डाक्टरों को सामान्य बीमारियों के इलाज की अनुमति होगी, गंभीर बीमारियों के इलाज की अनुमति नहीं होगी। इसका मतलब यह हुआ कि यह पाठ्यक्रम एमबीबीएस की तुलना में दोयम दर्जे का होगा।...(व्यवधान)

SOME HON. MEMBERS: English translation is not coming.

MADAM SPEAKER: We are checking. It is being checked.

श्री राकेश सिंह : यदि यह दूसरे दर्जे का नहीं होगा, तो गंभीर बीमारियों के इलाज की अनुमति क्यों नहीं होगी? दूसरी बात यह है कि इस पाठ्यक्रम से निकलने वाले जो छात्र होंगे, क्या सरकार उनको ग्रामीण क्षेत्रों में कोई शासकीय नौकरी देने या उससे संबंधित व्यवस्था पर विचार करेगी या फिर प्राइवेट प्रैक्टिस के लिए उनको छोड़ दिया जाएगा?

SHRI DINESH TRIVEDI: The House also appreciates that we need to strengthen the medical facilities in the rural areas. This entire programme is, I personally feel, a revolutionary one. Why is it going to be a revolutionary? The hon. Member has just asked as to how it is going to help the poor. Every sub-centre today has an ANM. ANMs are not really anywhere near doctors. Today what has happened is that sub-centres do not have qualified people. We want to make sure that doctors or somebody is available who is very well trained to diagnose and treat the disease which otherwise goes unnoticed and villagers become prey to quacks. In order to ensure that there is somebody at all points in time which is in between an MBBS and ANM, is the reason why the Government has come up with this programme. This programme has been read by experts, Vice-Chancellors of Medical

Universities, expert doctors, expert committees and this is going to revolutionalise the entire medicare in rural areas.

I am sure the entire House would want that our poorest of the poor who live in villages, who do not even have the means to come to the cities, will get medical treatment 24X7 at their doorstep at sub-centres, and this is only limited, as of now, to the sub-centres.

श्री राकेश सिंह : अध्यक्ष महोदया, मुझे ख़शी है कि सरकार इस मुद्दे पर विचार कर रही है, लेकिन इस विषय का जो सबसे महत्वपूर्ण बिंदु है, मैं उसकी ओर मंत्री जी का ध्यान आकर्षित करना चाहता हूँ। इस देश में हजारों साल से आयुर्वेदिक पद्धति से और बाद में यूनानी तथा होम्योपैथिक चिकित्सा पद्धतियां भी रही हैं। सुश्रुत और चरक जैसे शरीर विज्ञान के प्रकांड विद्वान हमारे यहां रहे हैं, हमें उन्हें भी नहीं भूलना चाहिए। उनकी बनाई हुई जो पद्धतियां हैं, उनके माध्यम से इस देश में हजारों साल से इलाज होता आया है। दुर्भाग्यपूर्ण स्थिति यह है कि आज जो छात्र बीएमएस या बीएचएमएस की चार साल अध्ययन के बाद डिग्री लेते हैं, उसके बाद उनका कोई भविष्य नहीं है, जबकि हम उन्हें एमबीबीएस के समकक्ष मान रहे हैं। इसलिए क्यों नहीं हम उन्हें तैयार करके ग्रामीण क्षेत्रों में जाने के लिए प्रेरित करते? यदि हम ऐसा मानते हैं कि वे सामान्य बीमारियों के इलाज के भी उपयुक्त नहीं हैं तो हम उन्हें डिग्री क्यों दे रहे हैं। मेरा सवाल यह है कि अगर हम यह मानते हैं कि वे एमबीबीएस के समकक्ष हैं, यह भी मानते हैं कि वे सामान्य बीमारियों का इलाज कर सकते हैं, तो क्यों नहीं सरकार इस दिशा में विचार करती कि उन्हें और जिस तरह से प्रशिक्षण आपको देना है, वह देकर ग्रामीण क्षेत्रों में पर्याप्त सुविधाएं देकर उन्हें वहां भेजने का प्रबंध करें, ताकि वे भी दर-दर की ठोकरें खाने से बचें?

SHRI DINESH TRIVEDI : Madam, I appreciate the question of the hon. Member. But, I am afraid, this question, at this point in time, is limited to this 'Bachelor of Rural Healthcare' scheme. ... (*Interruptions*) I fully agree with you that this also needs to be examined. ... (*Interruptions*) I totally agree. I am in total agreement that this also needs to be examined. India has thousands of years of experience in what is known as native medicine, now which has been formalized whether it is Ayurveda, whether it is Unani. That is why we have a separate Department which everybody knows as AYUSH. This definitely needs to be considered and if the

hon. Member has any scheme which he would like to suggest, you are most welcome and we will be happy to examine the same.

श्री शरद यादव : अध्यक्ष महोदया, आपको मालूम है कि देश में हैल्थ सर्विसेज की क्या हालत है। लगातार शिक्षा और स्वास्थ्य निजी क्षेत्र में जा रहे हैं। इस बारे में आपने जो योजना बनाई है, वह अच्छी है और मैं उसका स्वागत करता हूँ। मैं आपके माध्यम से मंत्री जी से पूछना चाहता हूँ कि इस योजना को शकल कब तक देंगे? इसके साथ-साथ मैं यह भी कहना चाहता हूँ कि इस देश में जो स्वास्थ्य सेवा है, उसे, मैं जानता हूँ कि प्रश्न काल में बयान नहीं किया जा सकता। मैं राज्य मंत्री जी से कहूँगा, क्योंकि केबिनेट मंत्री जी नहीं हैं, एम्स एक ठिकाना हुआ करता था हिन्दुस्तान के गरीब लोगों के इलाज का। आपने एक वालियाथन कमेटी बनाई है, उससे रास्ता निकाल रहे हैं उसका निजीकरण करने का। मैं आपके माध्यम से मंत्री जी से कहना चाहता हूँ कि आपने जो योजना बनाई है, उसका मैं स्वागत करता हूँ। भारत के गांवों में इलाज की बहुत बुरी हालत है। वहाँ अंध विश्वास इतने हैं कि भूत-प्रेत, जड़ी-बूटी, झाड़-फूंक जैसे टोटकों से इलाज किया जाता है। राकेश सिंह जी अभी बता रहे थे, उन्हें मालूम नहीं है कि इस देश में हर आदमी आधा वैद्य है, लेकिन हमने अपने आयुर्वेद पर कोई रिसर्च नहीं की।

अध्यक्ष महोदया: कृपया प्रश्न पूछें।

श्री शरद यादव : मेरा मंत्री जी से सवाल है कि इस योजना को शकल कब तक मिलेगी और इसे ठोस शकल मिलने के बाद जो मेडिकल कालेज हैं, जो सरकारी संस्थान हैल्थ सर्विसेज के हैं, वे पीछे जा रहे हैं, उन्हें थामने के लिए जो हैल्थ सर्विसेज खासकर प्राइवेट लोगों ने खोली हैं, जैसे मुलायम सिंह जी ने अपने इलाके में मेडिकल कालेज खोला है। ऐसे लोग जो सेवा के लिए संस्थाए खोल रहे हैं मदद देना और गांवों में इन संस्थाओं को मजबूत करने का काम और एम्स प्राइवेट लोगों के हाथों में न जाए, इन बातों को एश्योर करना चाहिए और यह भी एश्योर करना चाहिए कि गरीबों के ऐसे ठिकानों का देश भर में विस्तार हो।

श्री दिनेश त्रिवेदी: मैडम, माननीय सदस्य ने सदन के सामने जो बात रखी है, हम उस बात को आगे बढ़ाने के लिए ही इस स्कीम को लेकर आये हैं। इससे फायदा यह होगा कि गांव में जिला लेवल पर जो बच्चे हैं वे तरक्की करेंगे। आज हिंदुस्तान गांव की वजह से तरक्की कर रहा है और उसी गांव में यदि मैडिकल फ़ैसिलिटीज नहीं मिलती है तो मैं समझता हूँ कि उनके प्रति यह अन्याय होगा। यह पूरी योजना गांव के लड़कों-लड़कियों के लिए है। इस कोर्स में बच्चों को जिला लेवल पर प्राथमिकता मिलेगी। जो बच्चे 12वीं कक्षा पास कर लेंगे, उन्हें पास के जिला अस्पताल में ट्रेनिंग मिलेगी और प्राथमिकता लोकल लड़के-

लड़कियों को मिलेगी। यह ग्रामीण समस्या है और इसे लोकल लेवल पर प्राथमिकता देकर हल करने का हमारा प्लान है। गांव में रहने वालों को जब वहां चिकित्सा सुविधा नहीं मिलती है तो वह शहर आता है, शहर वाला एम्स आता है। जैसे महात्मा गांधी का सपना था कि हर गांव अपने में सक्षम रहे, तो यह स्कीम पूरी तरह से क्रांतिकारी स्कीम है और इसके तहत गांव वालों को फायदा अस्पताल में ही नहीं मिलेगा, वरन् वही के लोकल बच्चे डाक्टर बनकर आयेंगे।

जहां तक निजीकरण का सवाल है तो माननीय गुलाम नबी आजाद जी ने पहले ही उस बारे में बयान दे दिया है कि यहां एम्स का निजीकरण करने का सवाल नहीं है लेकिन पीपीपी का मॉडल हर जगह चल रहा है, उसका मतलब यह नहीं है कि एम्स का हम निजीकरण करने जा रहे हैं।

SHRI P.C. CHACKO : Madam, while disagreeing with the opinion expressed by the hon. Minister and sharing the concerns of Shri Rakesh Singh, I would like to ask this to the hon. Minister. He has said that it is a revolutionary step. I want to say that it is a retrograde step. The whole world looks at India. Our Indian doctors are qualified doctors. Is it the opinion of the Government of India that the rural people want only half baked doctors? ... (*Interruptions*)

Madam, you know what ten-plus-two qualification is. How can ten-plus-two qualification followed by three-year training prepare a doctor? Human anatomy is the same and diseases are the same. If it is the opinion of the Government that the rural people want only half baked doctors, then this is a very dangerous thing.

He said that all are consulted, but the Indian Medical Association, the official agency of the doctors in India, disagreed with that. ... (*Interruptions*)

MADAM SPEAKER: Now, what is your question? You ask your question.

... (*Interruptions*)

SHRI P.C. CHACKO : I would like to know from the hon. Minister whether the Government will assure this House that they will not proceed with this half baked idea and that this idea will be thoroughly examined. ... (*Interruptions*)

Madam, this system was introduced in some States and later it was dispensed with also. So, the House needs an explanation and an assurance from the hon. Minister.

SHRI DINESH TRIVEDI: Madam, whether the idea is half baked or fully cooked, only an expert chief can know or somebody who is consuming the food can know.

Madam, as far as this scheme is concerned, let me assure the House that there has been a very wide consultation. I am very happy to mention that almost all the Chief Ministers, majority of them, cutting across party lines, irrespective of whether it was a Congress Chief Minister or a BJP Chief Minister, have welcomed it. Most of the Chief Ministers have been personally spoken to by my senior Minister, Shri Ghulam Nabi Azad and I am very happy to inform the House that all the Chief Ministers he has spoken to, including those of BJP-ruled States, have welcomed the scheme. ... *(Interruptions)*

योगी आदित्यनाथ : अध्यक्ष महोदया, माननीय केन्द्रीय स्वास्थ्य मंत्री सदन में नहीं आते हैं।

अध्यक्ष महोदया : पहले आप इनका उत्तर सुन लें।

... *(Interruptions)*

SHRI DINESH TRIVEDI: Secondly, the experts have welcomed the scheme. Thirdly, a wide-range consultation is on. The MCI has welcomed it. Even in the Parliamentary Consultative Committee, which I also attended, most of the Members have welcomed this scheme. There was a two-day Workshop on the 5th & 6th February where all the experts not only welcomed it but gave a standing ovation to my senior Minister Shri Ghulam Nabi Azad. This is a revolutionary step. Either we be satisfied with the quacks as the hon. Shri Yadav mentioned कि वहां भूत-प्रेत, क्वेक्स हैं। I want to assure the hon. Member to ensure that the common villagers do not go and become prey to the quacks. ... *(Interruptions)* Hence, this is the first step in that direction to have 1,47,000 such qualified technicians and doctors at the sub-centres. ... *(Interruptions)*

अध्यक्ष महोदया : आप बठै जाइए, डॉ. रत्ना डे को प्रश्न पूछने दीजिए।

...(व्यवधान)

DR. RATNA DE : Thank you, Madam. After passing through this course, these persons will serve the rural people whereas the regular course passed MBBS doctors will serve the urban and semi-urban people. So, it is obvious that the rural people will get poorer grade of medical facilities. ... (*Interruptions*) Is it also not a fact that the MBBS doctors are unwilling to join the rural health centres? This is not good. Even after 62 years of Independence, the health of the rural people will be in the hands of such type of doctors. ... (*Interruptions*)

Madam, my question to the hon. Minister is this. Why has the Government opted to have this type of short course instead of making more MBBS doctors, which will definitely deprive the rural people? As we are dreaming of making our country evolve from a developing country to a developed one, then compromising with health is unwarranted. Thank you, Madam.

SHRI DINESH TRIVEDI : Madam, this entire question is of capacity building, and we all know that capacity cannot be built in a day. It takes time. ... (*Interruptions*) We have to examine schemes after schemes. Who are ANM the world-over? They are also qualified medical technician or whatever term you want to use. This is going to be an arrangement -- as Shri Yadav just now mentioned -- that if you do not have proper qualified doctors, then the villagers will have no choice but to go to such magicians and quacks. ... (*Interruptions*) I again repeat that this is going to revolutionize it.

There is no question of compromising because they will have to go on merit, and they will have to be registered under the State Medical Council. They are not going to be allowed into the sub-centres unless and until they pass the examination and unless and until they go through the registration process. I am very confident, and I want to assure this House that let us give this scheme a chance because the villagers also require medicare. At the moment, it is up to the States Governments whether to accept this scheme or not to accept this scheme.

Hence, I mentioned that most of the Chief Ministers have not only accepted this, but have welcomed this scheme.

MADAM SPEAKER: Thank you so much. Q. No. 122, Shri Inder Singh Namdhari.

... (*Interruptions*)

श्री लालू प्रसाद : महोदया, हम प्रश्न पूछना चाहते हैं।... (व्यवधान)

अध्यक्ष महोदया : आप बैठ जाइए।

... (व्यवधान)

MADAM SPEAKER: We have come to the next Question.

... (*Interruptions*)

SHRI P.C. CHACKO : Madam, we want a half-an-hour discussion on this issue. ... (*Interruptions*)

MADAM SPEAKER: You kindly send a notice, and we will have the discussion.

... (*Interruptions*)

श्री लालू प्रसाद : महोदया, आप हमें प्रश्न पूछने के लिए एलाऊ क्यों नहीं कर रही हैं?

अध्यक्ष महोदया : यह प्रश्न हो गया है। अब अगला प्रश्न पूछा जा रहा है।

... (व्यवधान)

अध्यक्ष महोदया : यह प्रश्न हो गया है। आप अगला प्रश्न चलने दीजिए।

... (व्यवधान)

अध्यक्ष महोदया : यह प्रश्न हो गया है। इस बारे में चर्चा अगली बार करेंगे।

... (व्यवधान)

SHRI LALU PRASAD : Why are you not allowing me to ask a question?... (*Interruptions*)

MADAM SPEAKER: You cannot argue like this.

... (*Interruptions*)

श्री मुलायम सिंह यादव : महोदया, आप इस बारे में चर्चा करवा दीजिए।

अध्यक्ष महोदया : आप नोटिस दे दीजिए, हम चर्चा करवा देंगे।

... (व्यवधान)

MADAM SPEAKER: Mr. Namdhari, please ask your supplementary.

... (*Interruptions*)

SHRI INDER SINGH NAMDHARI : Madam, the House is not in order. ...

(*Interruptions*)

श्री लालू प्रसाद : आप हमें प्रश्न पूछने नहीं देती हैं।... (व्यवधान)

अध्यक्ष महोदया : आप नोटिस दे दीजिए, इस पर चर्चा हो जाएगी।


... (व्यवधान)

अध्यक्ष महोदया : यहां चर्चा हो जाएगी। आप नोटिस दे दीजिए।

... (व्यवधान)

MADAM SPEAKER: This is not the way.

... (*Interruptions*)

अध्यक्ष महोदया : हम समझ रहे हैं कि अधिकांश सांसद इस  को लेकर चिंतित हैं। आप नोटिस भेजिए, इस पर विस्तार से चर्चा हो जाएगी।

... (व्यवधान)

SHRI DINESH TRIVEDI: Madam, we also welcome the discussion. ...

(*Interruptions*)

श्री लालू प्रसाद : महोदया, राज नारायण जी के समय से यह योजना फेल है।... (व्यवधान)

MADAM SPEAKER: Nothing will go on record.

(*Interruptions*) ... *

(Q. No. 122)

SHRI INDER SINGH NAMDHARI : As we know it well, we belong to a country known as India in which our scriptures say, “यत्र नार्यस्तु पूज्यन्ते स्मन्ते तत्र देवता”. The women folk are worshipped in India. But the rampant feticide going on in the country is a stigma on the name of the country. The figures show that the girl ratio is dwindling day by day. The hon. Minister referred to the PC&PNDT Act, and I have read the PC&PNDT Act. There is a provision for constituting monitoring committee at the district level. Therefore, I want to ask the Minister whether those committees are functioning or not.

SHRI DINESH TRIVEDI: Madam, these committees are functioning, and as the hon. Member rightly mentioned, this is a monitoring committee. As far as its constitution at the district levels are concerned, the State Governments have to decide that, but as far as the Central Monitoring Committee is concerned, I can assure the House that it is functioning and it is supervising. That is why from time to time, advisory notices are sent, and that is also why the amendments in PC&PNDT Act has also been made.

SHRI INDER SINGH NAMDHARI : If the committees are functioning, and if there are stringent laws or provisions, then why do the Census figures for 1991 and 2001 show that the girl ratio is 927 and 933 respectively. Why is there such a meagre difference in ten years? How do you say that the stringent laws have been enacted and are being implemented?

SHRI DINESH TRIVEDI: Madam, there are two sides to this particular problem. It is a *kalank* on our society. But I am sure the entire House will agree that everything cannot be tackled by law alone. A law has to be there, enforcement agencies have to be there, but the entire black-spot has to do with the system of dowry. I am sure the House will agree with this. We need today a Tilak, today we need a Raja Rammohan Roy, to ensure that there are social reforms. I am telling you with full responsibility that the social reforms have to come into being. We are very happy that India is looking at that social reform. We are so happy to have

a woman as our First Citizen; another woman as our hon. Speaker; the UPA Chairperson is a woman; the Leader of the Opposition is a woman, and my own leader is a woman too. That is why we are in the right direction. We have today the electronic media also and they are also helping us in ensuring that these reforms take place.

MADAM SPEAKER: Please maintain some order in the House.

SHRI DINESH TRIVEDI: So, law has to be there; implementing agency has to be there, but there has to be a social reform and that social reform can only come through all the Members sitting here, the NGOs and the social workers at the grass-root level. ... (*Interruptions*)

अध्यक्ष महोदया : नामधारी जी, आप बैठ जाइए। आपके दो पूरक प्रश्न हो चुके हैं।

... (व्यवधान)

MADAM SPEAKER: I have called the name of Shrimati J. Shantha. The lady is on her legs. Please sit down.

... (*Interruptions*)

अध्यक्ष महोदया : कृपया आप बैठ जाइये, जरा शांति बनाइये।

श्रीमती जे. शांता : सम्माननीय अध्यक्ष महोदया, हिंदुस्तान टाइम्स के अंग्रेजी समाचार पत्र में दिनांक 21 नवम्बर, 2009 को एक समाचार प्रकाशित हुआ था, जिसका शीर्षक था “ Sex Selection just a Mouse Click Away” ऐसा हिंदुस्तान टाइम्स में आया था। ... (व्यवधान)

अध्यक्ष महोदया : ये परस्पर वार्तालाप कैसे चल रही हैं?

श्रीमती जे. शांता : यानी एक बार कंप्यूटर में माउस दबाकर लिंग का चुनाव किया जा सकता है। इस तरह से नियमों का उल्लंघन करते हुए ‘याहू’ और ‘गूगल’ में लिंग निश्चित करने वाले विज्ञापनों का उल्लेख था। रिपोर्ट में उल्लेख किया गया था कि केवल तीन सरल चरणों में आप अपनी संतान का लिंग चयन 94% निश्चितता के साथ कर सकते हैं।

महोदया, लोकप्रिय इंटरनेट सुविधाएं ‘गूगल’ और ‘याहू’ भारतीय कानून का उल्लंघन करते हुए इस प्रकार के लिंग निर्धारण करने वाले क्लिनिकों का विज्ञापन प्रकाशित कर रहे हैं।

अतः उपर्युक्त बातों को ध्यान में रखते हुए मैं मंत्री महोदय से पूछना चाहती हूँ कि क्या केन्द्र सरकार को इन विषयों की जानकारी है? यदि हां, तो केन्द्र सरकार ने 'याहू' और 'गूगल' इंटरनेट सुविधाओं के खिलाफ क्या कार्रवाई है या क्या कार्रवाई करने वाली है?

अध्यक्ष महोदय : कृपया संक्षेप में पूछिये।

श्रीमती जे. शांता : मैं जानना चाहती हूँ कि केन्द्र सरकार ऐसे कौन से कदम उठा रही है, जिनसे भविष्य में इस प्रकार के विज्ञापन कोई इंटरनेट सुविधा पर प्रकाशित न करे?

SHRI DINESH TRIVEDI : Madam, I am very happy to inform you that we have taken up this matter with the Ministry of Information and Broadcasting and we are awaiting their remarks on this.

चौधरी लाल सिंह : मैडम, मैं आपकी इजाजत से कहना चाहूंगा कि मंत्री जी कह रहे हैं कि बड़े कानून बनाये हैं। मैं कहना चाहता हूँ कि यह कोई मुश्किल काम नहीं है। सोनोग्राफी पूरे देश में सरेआम होती है और जहां कहीं भी सोनोग्राफी मशीन बगैर मतलब के रखी गई हैं, उनसे पूछा जाए कि आप किस कैपेसिटी में इन्हें इस्तेमाल करते हो और सारी सोनोग्राफी मशीनें और जो डाक्टर उन्हें इस्तेमाल करते हैं, यदि देश में ऐसे दस लोगों को भी अंदर बंद कर दिया जाए तो पूरे देश में सुधार हो जायेगा।

MADAM SPEAKER: It is just a suggestion. आपने सवाल नहीं पूछा, केवल सुझाव दिया है।

श्री मुलायम सिंह यादव : अध्यक्ष महोदय, यह बहुत गंभीर समस्या है। इस तरह से लड़कियों की तादाद घटती जायेगी और लड़कों की तादाद बढ़ती जायेगी और लड़कों को शादी के लिए लड़कियां नहीं मिलेंगी तो सोचिये समाज की हालत क्या होगी? ...(व्यवधान) समाज की हालत क्या होगी? नौजवान बिना शादी के घूमेंगे।

SHRI LALU PRASAD : Now Section 377 is no offence.... *(Interruptions)*

अध्यक्ष महोदय : मुलायम सिंह जी, आप प्रश्न पूछिये।

श्री मुलायम सिंह यादव : हम समझते हैं कि इस पर विचार करना पड़ेगा कि इसे कैसे रोका जाए। आजकल दूरदर्शन के एक चैनल पर एक सीरियल 'न आना इस देश मेरी लाडो' चल रहा है और उस सीरियल में रोजाना भ्रूण हत्याएं दिखाई जा रही हैं और ऐसा करने के लिए लोगों को एनकरेज किया जा रहा है। उस सीरियल में लड़कियों को मार देते हैं। हमारा कहना है कि ये सब जो चल रहा है, इस पर प्रतिबंध लगाइये और तत्काल ये सब बंद कराकर इनके खिलाफ सरकार क्या कार्रवाई करेगी, मंत्री जी सदन को सूचित करें।

SHRI DINESH TRIVEDI : You will appreciate that this question relates to the I & B Ministry. But, I will certainly convey the sentiments of the hon. Members to them.

MADAM SPEAKER: You convey it to them.

श्री मुलायम सिंह यादव : यह हम जानना नहीं चाहेंगे, बल्कि सदन जानना चाहेगा।

अध्यक्ष महोदया : आप बैठिये।

श्री मुलायम सिंह यादव : मंत्री जी, आप इसे गंभीरता से लीजिए। ... (व्यवधान)

अध्यक्ष महोदया : मुलायम सिंह जी, आप बैठ जाइये, उन्होंने जवाब दे दिया है।

SHRIMATI SUPRIYA SULE : Madam Speaker, 'Save the Girl Child' is one of the flagship programmes of the Government of India. Has the Government of India given any specific targets to the States to achieve? The hon. Minister in his reply said that there was no specific data of the exact number of female feticides conducted illegally. FOGCI, which is the organization of all the gynecologists, has made a lot of suggestions to the Government of India on interventions. Has the Health Ministry looked at any of those interventions?

SHRI DINESH TRIVEDI: Madam, the reason why we have stated so is that this is all conducted, as the hon. Member would rightly know, illegally, and it is the State Governments which have got to have a vigil over this activity along with the social organizations, NGOs and the implementing agencies. As far as the Central Government is concerned, we have awareness programmes under which, in consultation with other Ministries that are involved, from time to time we conduct seminars and workshops. We hold them every year. Very recently we have introduced a system of rewarding and awarding. We have been recognizing parents who are going in for girl children by giving incentives for their education and in their marriages after they attain the marriageable age. We all know that in many rural areas in the country even now marriages are taking place of children below the marriageable age. There are a lot of schemes under implementation. If

there are any new suggestions which the hon. Member would like to give to me, I would welcome those suggestions.

SHRIMATI HARSIMRAT KAUR BADAL : Madam, as a woman who is actively pursuing the cause of preventing female feticides in my State of Punjab, which has the highest rate of female feticide, I am often confronted with women who are not keen to resort to female feticide but are forced by their in-laws or husbands to go in for it. According to an article published in the Hindustan Times last year, a United Nations Report says that daily almost 2,000 female feticides are committed in India, and 90 per cent of all illegal abortions done in the country are to eliminate the girl child. I would like to know as to how many doctors have been punished for committing female feticide in the last one year. More importantly, why does not the Ministry introduce a procedure under which recording and reporting by all doctors is made mandatory as to how many feticides are done and how many of them were female feticides? That will clearly indicate as to who are the doctors who are committing female feticides. There should be a reporting system wherein all doctors must be compelled to report as to how many feticides are done in their clinics and for what reasons. If most of the cases in a clinic are of female feticide, the motives will become very clear. Active steps have to be taken and an active law has to be enacted. Changing the mindset is one thing. But if there is no reporting mechanism in place and unless errant doctors are punished, changes will not happen.

SHRI DINESH TRIVEDI: Madam, I totally agree with the hon. Member. I have a list which gives all the details state-wise. If you want I can read it or I can give it to the hon. Member for her perusal.

Secondly, as far as feticides are concerned, I have already mentioned that it is an illegal activity. There is only one ground on which it can be resorted to and that is when the fetus is suffering from some kind of a genetic disorder. Otherwise, the very act of sex determination of the fetus is not permitted by law. So, whosoever is doing it, is doing it illegally. This is a law and order issue to be dealt

with by the States and I would appeal to all the States to take action. I would request the hon. Members to please let us know if they require anything extra as far as we at the Centre are concerned. The law has been amended. We also have an appropriate authority in place which goes, examines and seizes. They do not require anybody's permission to do that. Taking into consideration the problems mentioned, we had amended the law. As per that law, the appropriate authority has been given extra powers.

MADAM SPEAKER: Hon. Minister, female feticide is a very serious issue. We are all very concerned about it. It should be addressed very very seriously and some stringent action should be taken against those who are indulging in this illegally activity.

SHRI DINESH TRIVEDI: I am totally in agreement with you, Madam, and I thank you very much.



MADAM SPEAKER: Q. 123 – Dr.Sanjay Singh

डॉ. संजय सिंह : माननीय अध्यक्ष महोदया, ...(व्यवधान)

श्री लालू प्रसाद : मैडम, आपने पहले प्रश्न में भी हमें नहीं पूछने दिया। ...(व्यवधान)

अध्यक्ष महोदया : वह चर्चा में हो जाएगा।

श्री लालू प्रसाद : इसकी क्या चर्चा होगी?

अध्यक्ष महोदया : ठीक है।

श्री लालू प्रसाद : यह ठीक नहीं है। ...(व्यवधान)

अध्यक्ष महोदया : लालू जी, आपने कहा था कि वह चर्चा विस्तार में हो जाएगी अगर नोटिस होगा। अब पूरक प्रश्न पूछने दीजिए।

...(व्यवधान)

श्री लालू प्रसाद : मैडम, ...(व्यवधान)

अध्यक्ष महोदया : अभी प्रश्न 123 चल रहा है। माननीय सदस्य उसका पूरक प्रश्न पूछ रहे हैं।

श्री लालू प्रसाद : कन्या भ्रूण हत्या पर हम पूछना चाहते हैं। ...(व्यवधान)

अध्यक्ष महोदया : कन्या भ्रूण हत्या पर प्रश्न समाप्त हो गया है। अब प्रश्न 123 का पूरक प्रश्न चल रहा है।

(Q. No. 123)

डॉ. संजय सिंह : माननीय अध्यक्ष महोदया, माननीय वित्त मंत्री जी ने 2006 से लेकर 2009 तक का विस्तार से तालिका में जवाब दिया है कि कौन से बैंक्स कितना ऋण दे रहे हैं। आज मैं आपके संज्ञान में लाना चाहता हूँ कि पूरे भारत देश में इन तीनों श्रेणियों के उद्योगों से उत्पादकता का 45 प्रतिशत अचीव हो रहा है। लगभग छः करोड़ लोग इसके उत्पादन से लाभान्वित हो रहे हैं। इन तीनों उद्योगों की जो भी डिमांड है - लोन और तमाम आर्थिक सहायता के लिए, उसका लगभग पाँच परसेंट शेयर ही इनके शेयर में जा रहा है। मैं माननीय मंत्री जी से जानना चाहूँगा कि इन तीनों श्रेणियों के उद्योगों ने अपने जो भी प्रस्ताव लोन और आर्थिक सहायता के भेजे हैं, क्या उनको प्राप्त हुए हैं, और अगर हुए हैं तो उस पर सरकार क्या कार्रवाई कर रही है? क्या सरकार इनका शेयर पाँच परसेंट से दस परसेंट तक बढ़ाने का काम करेगी?

श्री नमो नारायण मीणा : माननीय अध्यक्ष महोदया, सबसे पहले तो मैं माननीय सदस्य की इस बात को एप्रिशियेट करना चाहता हूँ कि इस सैक्टर का हमारी अर्थव्यवस्था में, जीडीपी में बड़ा हिस्सा है। एक्सपोर्ट में भी काफी बड़ा हिस्सा है और बहुत ज्यादा इंप्लायमेंट मिल रहा है। हमने जो टारगेट रखे थे, वे पाँच साल के लिए रखे थे, वर्ष 2004-05 में 67000 करोड़ रुपये इस सैक्टर के लिए रखे और यह आशा की थी कि 2009-10 में 1,35,000 करोड़ रुपये इनको दे दिये जाएँ, लेकिन वर्ष 2008-09 तक ही 1,90,000 करोड़ रुपये इस सैक्टर को दिया गया है, एक साल अभी आना बाकी है। जो टारगेट्स रखे गए थे, उनसे भी कहीं ज्यादा इन उद्योगों को दिया गया है और सरकार में समय समय पर इनको और तरजीह दी गई है। 4000 करोड़ रुपये का एक और फंड सिडबी के लिए रखा गया, जो क्राइसेज़ आया, उस समय स्टिमुलस के रूप में 7000 करोड़ रुपये इनके लिए इनक्रीमेंटल लैन्डिंग के लिए कहा गया। प्रधान मंत्री जी ने एक टास्क फोर्स का गठन किया था जिसकी रिपोर्ट आ गई है। उसको रिज़र्व बैंक और आईबीए के पास कमैन्ट्स के लिए भेजा गया है। हम जो प्रयास कर रहे हैं, उससे स्पष्ट है कि इस सैक्टर को काफी कुछ दिया गया है और आगे कोई कमी नहीं है। मैं सदन को एश्योर करना चाहता हूँ कि इस सैक्टर के लिए पैसे का कोई क्रंच नहीं है।

डॉ. संजय सिंह : महोदया, माननीय मंत्री जी ने अपने जवाब के अंतिम पैराग्राफ में माननीय प्रधानमंत्री जी की चर्चा की कि इनकी अगुआई में बहुत बड़ी कमेटी काउंसिल का गठन हुआ है और इन तमाम सारे मुद्दों पर यह सब अपना अवलोकन कर रही है और उसमें फैसले लेगी। आज पारम्परिक कुटीर उद्योग ट्रांजीशन पीरियड में है। बहुत सारे ऐसे परिवारों के नौजवान दूसरे कार्यों में जाना चाहते हैं, उन उद्योगों में काम नहीं करना चाहते हैं। मैं माननीय मंत्री जी से निवेदन करना चाहूँगा, आज उत्तर प्रदेश में बहुत से उद्योग पनप

रहे हैं, वह किस श्रेणी के हैं, उसका हिसाब-किताब मेरे पास नहीं है, जब समय आएगा तो मैं निवेदन करूंगा, बलिया से लेकर लखनऊ और इलाहाबाद से लेकर गोरखपुर, यहां बेरोजगारों की संख्या करोड़ों में है। मैं माननीय मंत्री जी से जानना चाहूंगा, खास तौर से हमारा सुल्तानपुर जिला, जहां लाखों बेरोजगार हैं, अपने विभाग और उद्योग विभाग की एक सामंजस्य कमेटी के माध्यम से जांच कराकर, उनके लंबित आवेदन पत्रों के निस्तारण का और उनकी व्यापक रूप से ट्रेनिंग करवाकर उन्हें रोजगार दिलाने का प्रयास करेंगे।

श्री नमो नारायण मीणा : महोदया, जैसा कि मैंने पूर्व में कहा कि पैसे की कोई कमी नहीं है और लोन एप्लीकेशन्स का जल्दी से जल्दी निस्तारण करने के लिए सीमा निर्धारित की गई है। 25 हजार रुपये तक के लोन का दो हफ्ते में निस्तारण हो जाना चाहिए।...(व्यवधान) 25 हजार से 4 लाख रुपये तक का चार हफ्ते में और उससे ऊपर का आठ से नौ हफ्ते में निस्तारण होना चाहिए, बशर्ते उनकी सभी फोर्मेटीविज पुरी की गई हों। हमने यह कदम उठा रखे हैं। मैं माननीय सदस्य से अनुरोध करना चाहूंगा कि यदि कहीं किसी की कोई परेशानी है तो कृपया स्पैसिफिक सुझाव हमारे पास लाएं, हम उस कार्यवाही करेंगे।

SHRI IJYARAJ SINGH : The world economic slow down has caused a great deal of difficulties for the small industries and there is a great need of investment in them. I would like to ask the hon. Finance Minister what percentage of small industries, as compared to the industry as a whole, have been helped and what has been the trend of this percentage over the past few years. This is keeping in view the investment which means plant, equipment, machinery and fixed assets.

श्री नमो नारायण मीणा : महोदया, माननीय सदस्य ने स्लोडाउन की जो बात कही है, मैं बताना चाहता हूँ कि सरकार ने इसके लिए कई कदम उठाए हैं। उद्योगों की मदद करने के लिए मैंने अपने रिप्लाय में दिया है कि क्या-क्या कदम उठाए गए हैं। यह रिप्लाय में स्पष्ट किया गया है। क्रेडिट गैरेंटिड फण्ड स्थापित किया गया है। उससे हम छोटे उद्योगों को गारण्टी देते हैं। इसके अलावा मैंने पहले भी बताया था कि फण्ड का कोई क्रन्च नहीं है, आएं फण्ड्स लें और लगाएं। मैं इस बात को मानता हूँ कि यह बहुत महत्वपूर्ण सैक्टर है और हम इसको बढ़ावा देना चाहते हैं और बढ़ावा देने के लिए भारत सरकार जो भी स्टैप्स ले सकती है या आरबीआई ले सकता है, सीडबी जैसी अन्य संस्थाएं इसको बढ़ावा देने के लिए कदम उठा रही हैं और इसको बढ़ावा देने का प्रयास किया जा रहा है।

SHRIMATI BIJOYA CHAKRAVARTY : Madam, it is a fact that the loan facility to the youth in the North-Eastern region is very poor. Thousands of applications

are pending in the banks and due to this reason the Schedule Banks do not grant the loan. Moreover, Madam, you know it very well that North-Eastern region is such an area where employment opportunity is very poor. As a result of this, various interested groups have spread their ugly tentacles in that area. Hence, I would like to know from the hon. Minister whether he has any policy by which the new entrepreneurs can start their industry without going through the process of mortgage which is currently in vogue and due to which the young entrepreneurs are deprived of the loans may have applied for.

SHRI PRANAB MUKHERJEE: I would just like to clarify one point. We are fully aware of the problems of the North-Eastern Region. That is why, a separate industrial package for the North-Eastern India is made available, by which series of concessions have been given. The questions related to the bank credit to the small and medium enterprises are being raised, and my colleague has given the detailed figures. We are trying to double the target from Rs.67,000 and odd crore to Rs.1,35,000 and odd crore; it has already been fulfilled; it has been more than Rs.1,80,000 crore; still there are certain problems particularly in the North-Eastern Region. Even yesterday I had a review where I found out, particularly in some States, that the bank branches could not be established, because of the geographical locations and that maximum numbers of un-banked blocks are located in the North-Eastern Region. So, we are encouraging to have the facilities for 'business correspondence' through which even without the establishment of a formal bank branch, the banking facilities could be made available to them. The State Bank of India is doing this work and in my Budget speech also, I have indicated that we would like to cover 60,000 such habitats.

श्री जगदीश शर्मा : अध्यक्ष महोदया, पूरे देश में एक लम्बे अर्से से प्रधानमंत्री रोजगार योजना चल रही है और उस योजना के अंतर्गत सूक्ष्म और लघु उद्योग स्थापित करने के लिए शिक्षित बेरोजगारों को ऋण मिलता है। ये पूरे देश में, खास कर मैं बिहार की बात करता हूँ, जहां से आप भी आती हैं, वहां एक भी शिक्षित बेरोजगार को समय पर, बिना कमीशन के लोन नहीं मिलता। नतीजा यह है कि सभी स्थानों में सैंकड़ों की संख्या में लोन चुकता न करने के कारण उनके वारंट इश्यु हैं, उनकी आए-दिन गिरफ्तारियां हो रही हैं। किसान के साथ जो लघु उद्योग हैं, जैसे डेयरी, पोल्ट्री, पिंगरी आदि हैं, ये भी सूक्ष्म और लघु उद्योगों की श्रेणी में आते हैं।

अध्यक्ष महोदया, यहां बार-बार किसानों की ऋण माफी का एलान हुआ। मैं दावे के साथ कहना चाहता हूँ कि 85 से लेकर आज तक बिहार में लाखों ऐसे किसान हैं, जिन्होंने इन कामों के लिए कृषि ऋण लिया और उन्हें आज तक ऋण माफी नहीं मिली है। उनके जिम्मे अभी भी लोन आउटस्टैंडिंग है।

अध्यक्ष महोदया, मैं आपके माध्यम से सरकार से जानना चाहता हूँ, सरकार ने किसानों के लिए ऋण माफी की बार-बार घोषणा की, मैं बिहार के मामले में कहना चाहता हूँ कि लाखों की संख्या में किसानों के जो ऋण ... (व्यवधान)

अध्यक्ष महोदया: समय कम है, आप प्रश्न पूछिए।

श्री जगदीश शर्मा : अध्यक्ष महोदया, मैं प्रश्न पर ही आ रहा हूँ, सन् 85 से लेकर आज तक बिहार के किसानों के नाम पर जो ऋण है, क्या सरकार उस ऋण की माफी, पुनः समीक्षा करके कराना चाहती है और जो शिक्षित बेरोजगार लोग हैं, जिन्होंने प्रधानमंत्री रोजगार योजना के तहत ऋण लिया है, उन्हें समय पर ऋण उपलब्ध नहीं हुआ, इसलिए वे उद्योग नहीं लगा पाए। क्या सरकार उनकी ऋण माफी का विचार रखती है, यह मैं आपके माध्यम से जानना चाहता हूँ?

वित्त मंत्रालय में राज्य मंत्री (श्री नमो नारायण मीणा): अध्यक्ष महोदया, वैसे तो यह सवाल डायरेक्टली इससे रिलेटेड नहीं है, लेकिन मैं बताना चाहूंगा कि जो भी ऋण दिए गए हैं, चाहे इस सैक्टर में, लघु उद्योगों में या दूसरे में दिए गए हों। ओटीएस की स्कीम बैंकों में चल रही है, बैंक वही निर्धारित करते हैं। अगर किसी का ऋण किसी वजह से चुकता नहीं हुआ है, बैंकों की खुद की पॉलिसी है कि ओटीएस में जाएं। सी-स्ट्रक्चरिंग ऑफ लोन और ओटीएस का वन टाइम सेटलमेंट का भी प्रावधान है। उसके तहत में इसका निस्तारण किया जा सकता है। अगर माननीय सदस्य की इस तरह की कोई स्पेसिफिक शिकायतें हों तो उन्हें हमारे पास भेजिए, हम जरूर दिखाएंगे।

श्री अनंत गंगाराम गीते : अध्यक्ष महोदया, जो लघु उद्योग हैं, उनके ऋणों की मात्रा बढ़ाई गई है। सरकार उन्हें सहायता करने की बात कर रही है और ऐसी घोषणा भी की है। आज लघु उद्योग संकट में हैं। केवल आर्थिक संकट ही नहीं है, बल्कि और संकट भी हैं। मैं उदाहरण के तौर पर सदन में बताना चाहता हूँ कि... (व्यवधान)

अध्यक्ष महोदया : उदाहरण देने का समय नहीं है। कृपया जल्दी प्रश्न पूछिए, समय हो रहा है।

श्री अनंत गंगाराम गीते : अध्यक्ष महोदया, मैं एक ही सेंटेंस में बात कहूँगा। एक जमाने में पूरी दुनिया में छोटे बच्चों के खिलौने बनाने में भारत नंबर वन पर था, लेकिन अब चीन नंबर वन पर आ गया है और चीन का आक्रमण इस क्षेत्र में बढ़ रहा है। इसलिए केवल आर्थिक सहायता देने से ही यह इंडस्ट्री बचेगी, ऐसी सोच गलत है। चूंकि यह इंडस्ट्री ग्रामीण क्षेत्रों से जुड़ी हुई है और ग्रामीण लोगों के रोजगार से जुड़ी हुई है इसलिए इस इंडस्ट्री को बचाने की आवश्यकता है। इसमें लाखों लोगों को रोजगार मिलता है। चीन का जो आक्रमण इस सैक्टर में हो रहा है, उसे रोकने के लिए सरकार द्वारा क्या प्रयास किए गए हैं?

SHRI PRANAB MUKHERJEE: Madam, hon. Member is correct that it is not merely a problem of credit but certain other types of support is also required for the small, medium, tiny industries and MSMEs... (*Interruptions*). Let me answer the question. You are a senior Member.

The question is, what type of support small, medium and tiny industries require. Keeping that in view, a Task Force was appointed by the Prime Minister. It had submitted its report by 30th January. The report is under consideration and it is also being suggested that we shall have to expand the credit requirement. The detailed figures have been given in the text of the reply itself regarding what are the targets and how much it has been expanded in SIDBI. In my Budget Speech also I have indicated some other steps which the Members will get the opportunity of discussing and I will respond to that. But the short point which I am trying to drive at that we are providing other facilities also, in important sectors. Take for instance exports. They make substantial contribution towards exports. But continuously for 11 months, there have been a slow down in exports. Just now, it

has started picking up. Naturally, it has affected other industries including small and medium enterprises.

Keeping that in view, I have also extended the Interest Subvention Scheme which was to lapse on 31st March this year. I have extended it for one more year to ensure that these facilities can also be extended to the small and medium enterprises.

(Q. No.124)

श्री नारनभाई कछाड़िया : अध्यक्ष महोदया, मैं माननीय मंत्री महोदय से जानना चाहता हूँ कि सरकार ने गांवों से पलायन को रोकने के लिए ग्रामीण क्षेत्रों में बुनियादी सुविधाएं जैसे पानी, बिजली, सड़क आदि की समस्याओं को दूर करने तथा मूलभूत रोजगारोन्मुख योजनाएं कार्यान्वित करने के लिए क्या प्रयास किए हैं अथवा इन्हें लागू करने हेतु क्या कोई ठोस कदम उठाए हैं? मैं यह भी जानना चाहता हूँ कि आजादी के 62वें साल के बाद भी, वे क्या कारण हैं कि देश के ग्रामीण क्षेत्रों में अभी तक मूलभूत एवं बुनियादी सुविधाएं जैसे पानी, बिजली और सड़कें अथवा स्वास्थ्य सेवाएं उपलब्ध नहीं हो पाई हैं...(व्यवधान)

अध्यक्ष महोदया : माननीय सदस्य, जल्दी प्रश्न पूछिए, समय बहुत कम है।

श्री नारनभाई कछाड़िया : महोदया, जे मूलभूत सुविधाएं हैं, वे भी ग्रामों में नहीं हैं जिसके कारण हर वर्ग के लोग, फिर चाहे वे किसान हों, महिलाएं हों या बेरोजगार युवक व युवतियां हों, सभी महानगरों की ओर पलायन कर रहे हैं। सरकार सीधे-सीधे शहरी विकास योजनाओं को सीधे ग्रामीण क्षेत्रों में ले जाकर मूलभूत ढांचे को बढ़ाने के लिए क्या...(व्यवधान)

अध्यक्ष महोदया : प्रश्न पूछिए, समय कम है।

श्री नारनभाई कछाड़िया : महोदया, मैं मंत्री जी से पूछना चाहता हूँ कि गांवों से शहरों की ओर युवाओं के पलायन को रोकने के लिए सरकार ने क्या कदम उठाए हैं?

प्रो० सौगत राय: अध्यक्ष महोदया, माननीय सदस्य ने जो प्रश्न पूछा है वह ग्रामीण गरीबी के बारे में पूछा है, लेकिन जो मूल सवाल है, वह शहरी गरीबी के बारे में है। शहरी गरीबी को दूर करने के बारे में क्या किया जा रहा है, वह तो हमने अपने जवाब में बताया है। ...(व्यवधान)

अध्यक्ष महोदया : दूसरा पूरक प्रश्न पूछिए।

श्री नारनभाई कछाड़िया : महोदया, मैं माननीय मंत्री जी से यह जानना चाहूंगा कि क्या आपने शहरी गरीब असंगठित महिलाओं की सहायता, सुरक्षा, स्वास्थ्य एवं आवास व्यवस्था हेतु कोई ठोस योजना अथवा नीति बनायी गयी है, जिससे असंगठित महिलाओं को ये सभी सुविधायें मिल सकें? उनका आएदिन शोषण हो रहा है, वह समाप्त हो, इसके संबंध में क्या कदम उठाए गए हैं? मैं माननीय मंत्री जी से यह जानना चाहता हूँ। ...(व्यवधान)

अध्यक्ष महोदया : अब मंत्री जी को जवाब देने दीजिए।

प्रो. सौगत राय : मैडम, हम जो स्वर्ण जयंती शहरी रोजगार योजना चला रहे हैं, उसमें एक अलग स्कीम है - अर्बन वीमेन सेल्फ हेल्प प्रोग्राम (यूडब्ल्यूएसपी)। Further under the guidelines of SGSRY it

is stipulated that the percentage of women beneficiary under Urban Self-help programme and skilled training from employment promotion amongst urban poor shall not be less than 30 per cent. So, we are taking special care to take care of unemployment amongst urban women.

12.00 hrs.

PAPERS LAID ON THE TABLE

MADAM SPEAKER: Papers to be laid, Shri Dinesh Trivedi.

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI DINESH TRIVEDI): Madam, I, on behalf of Shri Ghulam Nabi Azad, beg lay on the Table:-

- (1) (i) A copy of the Annual Report (Hindi and English versions) of the Pasteur Institute of India, Coonoor, for the year 2008-2009, along with Audited Accounts.
- (ii) A copy of the Review (Hindi and English versions) by the Government of the working of the Pasteur Institute of India, Coonoor, for the year 2008-2009.
- (2) Statement (Hindi and English versions) showing reasons for delay in laying the papers mentioned at (1) above.

(Placed in Library, See No. LT 1742/15/2010)

THE MINISTER OF STATE OF THE MINISTRY OF WOMEN AND CHILD DEVELOPMENT (SHRIMATI KRISHNA TIRATH): Madam, I beg to lay on the Table:-

- (1) A copy of the Annual Report (Hindi and English versions) of the National Commission for Protection of Child Rights, New Delhi, for the year 2006-2007, along with Audited Accounts.
- (2) Statement (Hindi and English versions) showing reasons for delay in laying the papers mentioned at (1) above.

(Placed in Library, See No. LT 1743/15/2010)

- (3) (i) A copy of the Annual Report (Hindi and English versions) of the National Commission for Protection of Child Rights, New Delhi, for the year 2007-2008, along with Addendum and Audited Accounts.

- (ii) A copy of the Action Taken Report (Hindi and English versions) on the recommendations contained in the Annual Report of the National Commission for Protection of Child Rights, New Delhi, for the year 2007-2008.
- (4) Statement (Hindi and English versions) showing reasons for delay in laying the papers mentioned at (3) above.
- (Placed in Library, See No. LT 1744/15/2010)
- (5) (i) A copy of the Annual Report (Hindi and English versions) of the Central Social Welfare Board, New Delhi, for the year 2008-2009, along with Audited Accounts.
- (ii) A copy of the Review (Hindi and English versions) by the Government of the working of the Central Social Welfare Board, New Delhi, for the year 2008-2009.
- (6) Statement (Hindi and English versions) showing reasons for delay in laying the papers mentioned at (5) above.
- (Placed in Library, See No. LT 1745/15/2010)

THE MINISTER OF FINANCE (SHRI PRANAB MUKHERJEE): Madam, I, on behalf of Shri Namo Narain Meena, beg to lay on the Table copy of the Annual Report (Hindi and English versions) of the National Housing Bank, New Delhi, for the year 2008-2009, along with Audited Accounts.

(Placed in Library, See No. LT 1746/15/2010)

THE MINISTER OF FINANCE (SHRI PRANAB MUKHERJEE): Sir, I, on behalf of Shri S.S.Palanimanickam beg to lay on the Table:-

- (1) A copy each of the following Notifications (Hindi and English versions) under sub-section (4) of Section 19 of the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1970 and 1985:-

- (i) The Dena Bank (Shares and Meetings) Amendment Regulations, 2008 published in Notification No. HO/IRC/533/2009 in weekly Gazette of India dated the 15th August, 2009.
 - (ii) The Indian Bank (Shares and Meetings) Amendment Regulations, 2008 published in Notification No. ISC/522/2009-10 in weekly Gazette of India dated the 7th November, 2009.
 - (iii) The Indian Overseas Bank (Shares and Meetings) Amendment Regulations, 2008 published in Notification No. ACC/IRC/314/2009-10 in weekly Gazette of India dated the 9th January, 2010.
 - (iv) The Oriental Bank of Commerce (Shares and Meetings) Amendment Regulations, 2009 published in Notification No. 2 in weekly Gazette of India dated the 9th January, 2010.
 - (v) The Union Bank of India (Shares and Meetings) Amendment Regulations, 2009 published in Notification No. SMR/02 in weekly Gazette of India dated the 31st October, 2009.
 - (vi) The Allahabad Bank (Shares and Meetings) Amendment Regulations, 2009 published in Notification No. HO/SD/660 in weekly Gazette of India dated the 9th January, 2010.

(Placed in Library, See No. LT 1747/15/2010)
- (2) A copy each of the following Notifications (Hindi and English versions) under section 159 of the Customs Act, 1962 :-
- (i) G.S.R. 859(E) published in Gazette of India dated the 3rd December, 2009, together with an explanatory memorandum making certain amendments in the Notification No. 20/2006-Cus., dated 1st March, 2006.

- (ii) G.S.R. 924(E) published in Gazette of India dated the 24th December, 2009, together with an explanatory memorandum rescinding Notification No. 129/2008-Cus., dated 7th December, 2008.
- (iii) G.S.R. 925(E) published in Gazette of India dated the 24th December, 2009, together with an explanatory memorandum seeking to increase export duty rate on Iron Ore Fines from “nil” to “5% *ad valorem*”.
- (iv) G.S.R. 926(E) published in Gazette of India dated the 24th December, 2009, together with an explanatory memorandum making certain amendments in the Notification No. 79/2008-Cus., dated 13th June, 2008.
- (v) G.S.R. 939(E) published in Gazette of India dated the 31st December, 2009, together with an explanatory memorandum making certain amendments in the Notification No. 67/2006-Cus., dated 30th June, 2006.
- (vi) G.S.R. 940(E) published in Gazette of India dated the 31st December, 2009, together with an explanatory memorandum making certain amendments in the Notification No. 68/2006-Cus., dated 30th June, 2006.
- (vii) G.S.R. 941(E) published in Gazette of India dated the 31st December, 2009, together with an explanatory memorandum making certain amendments in the Notification No. 10/2008-Cus., dated 15th January, 2008.
- (viii) G.S.R. 942(E) and G.S.R. 943(E) published in Gazette of India dated the 31st December, 2009, together with an explanatory memorandum prescribing preferential tariffs for the import of specified goods under the India-Korea Comprehensive Economic Partnership Agreement, subject to fulfillment of Rules of Origin.
- (ix) G.S.R. 944(E) published in Gazette of India dated the 31st December, 2009, together with an explanatory memorandum prescribing

preferential tariffs for specified goods imported under the Trade in Goods Agreement between India and the ASEAN, subject to fulfillment of Rules of Origin.

- (x) G.S.R. 36(E) published in Gazette of India dated the 15th January, 2010, together with an explanatory memorandum making certain amendments in the Notification No. 152/2009-Cus., dated 31st December, 2009.
- (xi) G.S.R. 43(E) published in Gazette of India dated the 19th January, 2010, together with an explanatory memorandum making certain amendments in the Notification No. 146/94-Cus., dated 13th July, 1994.
- (xii) G.S.R. 31(E) published in Gazette of India dated the 13th January, 2010, together with an explanatory memorandum making certain amendments in the Notification No. 21/2002-Cus., dated 1st March, 2002.
- (xiii) G.S.R. 64(E) published in Gazette of India dated the 8th February, 2010, together with an explanatory memorandum making certain amendments in the Notification No. 21/2002-Cus., dated 1st March, 2002.
- (xiv) G.S.R. 74(E) published in Gazette of India dated the 11th February, 2010, together with an explanatory memorandum making certain amendments in the Notification No. 21/2002-Cus., dated 1st March, 2002.
- (xv) S.O. 210(E) published in Gazette of India dated the 29th January, 2010, together with an explanatory memorandum making certain amendments in the Notification No. 36/2001-Cus.(N.T.), dated 3rd August, 2001.
- (xvi) S.O. 2890(E) published in Gazette of India dated the 13th November, 2009, together with an explanatory memorandum making certain

amendments in the Notification No. 36/2001-Cus.(N.T.), dated 3rd August, 2001.

- (xvii) S.O. 3025(E) published in Gazette of India dated the 26th November, 2009, together with an explanatory memorandum regarding revised rate of exchange for conversion of certain foreign currency into Indian currency or vice-versa for purpose of assessment of imported and export goods.
- (xviii) S.O. 3059(E) published in Gazette of India dated the 30th November, 2009, together with an explanatory memorandum making certain amendments in the Notification No. 36/2001-Cus.(N.T.), dated 3rd August, 2001.
- (xix) S.O. 3207(E) published in Gazette of India dated the 15th December, 2009, together with an explanatory memorandum making certain amendments in the Notification No. 36/2001-Cus.(N.T.), dated 3rd August, 2001.
- (xx) S.O. 3305(E) published in Gazette of India dated the 29th December, 2009, together with an explanatory memorandum regarding revised rate of exchange for conversion of certain foreign currency into Indian currency or vice-versa for purpose of assessment of imported and export goods.
- (xxi) S.O. 3319(E) published in Gazette of India dated the 31st December, 2009, together with an explanatory memorandum making certain amendments in the Notification No. 36/2001-Cus.(N.T.), dated 3rd August, 2001.
- (xxii) S.O. 93(E) published in Gazette of India dated the 15th January, 2010, together with an explanatory memorandum making certain amendments in the Notification No. 36/2001-Cus.(N.T.), dated 3rd August, 2001.

- (xxiii) S.O. 195(E) published in Gazette of India dated the 27th January, 2010, together with an explanatory memorandum revised rate of exchange for conversion of certain foreign currency into Indian currency or vice-versa for purpose of assessment of imported and export goods.
- (xxiv) G.S.R. 41(E) published in Gazette of India dated the 19th January, 2010, together with an explanatory memorandum making certain amendments in the Notification No. 189/2009-Cus.(N.T.), dated 31st December, 2009.
- (xxv) The Customs Tariff (Determination of Origin of Goods under the Preferential Trade Agreement between the Governments of the Republic of India and the Republic of Korea) Rules, 2009, published in Notification No. G.S.R. 936(E) in Gazette of India dated the 31st December, 2009.
- (xxvi) The Customs Tariff (Determination of Origin of Goods under the Preferential Trade Agreement between the Governments of Member States of the Association of Southeast Asian Nations (ASEAN) and the Republic of India) Rules, 2009, published in Notification No. G.S.R. 937(E) in Gazette of India dated the 31st December, 2009.

(Placed in Library, See No. LT 1748/15/2010)

- (3) A copy each of the following Notifications (Hindi and English versions) under sub-section (7) of Section 9A of the Customs Tariff Act, 1975 :-
- (i) G.S.R. 867(E) published in Gazette of India dated the 8th December, 2009, together with an explanatory memorandum seeking to impose provisional anti-dumping duty on Synchronous digital hierarchy

transmission equipment, originating in or exported from People's Republic of China and Israel.

- (ii) G.S.R. 870(E) published in Gazette of India dated the 9th December, 2009, together with an explanatory memorandum seeking to continue definitive Anti-dumping duty on imports of Sodium Hydrosulphite originating in or exported from China PR at the specified rates upto and inclusive of the 15th October, 2011, in pursuance of the mid-term findings of the Designated Authority.
- (iii) G.S.R. 871(E) published in Gazette of India dated the 9th December, 2009, together with an explanatory memorandum seeking to extend levy of anti-dumping duty on imports of Acrylic Fibre, originating in, or exported from, Belarus upto and inclusive of 29th June, 2010, pending finalization of Sunset review investigations being conducted by the Directorate General of Anti-dumping and Allied duties.
- (iv) G.S.R. 872(E) published in Gazette of India dated the 9th December, 2009, together with an explanatory memorandum seeking to impose definitive anti-dumping duty on Cathode Ray Colour Television Picture Tubes, originating in or exported from Indonesia.
- (v) G.S.R. 873(E) published in Gazette of India dated the 9th December, 2009, together with an explanatory memorandum seeking to continue definitive Anti-dumping duty on imports of Saccharin originating in or exported from China PR at the specified rates upto and inclusive of the 5th of June, 2011, in pursuance of the mid-term findings of the Designated Authority.
- (vi) G.S.R. 897(E) published in Gazette of India dated the 15th December, 2009, together with an explanatory memorandum seeking to impose definitive anti-dumping duty on imports of Phosphoric Acid of all grades and all concentration (excluding Agriculture or Fertilizer grade), originating in, or exported from, Korea RP for the period of

five years (unless revoked, superseded or amended earlier) from the date of imposition of the provisional anti-dumping duty, that is, 22nd June, 2009 in pursuance of the final findings of the Designated Authority.

- (vii) G.S.R. 898(E) published in Gazette of India dated the 15th December, 2009, together with an explanatory memorandum seeking to rescinding Notification No. 74/2009-Cus., dated 22nd June, 2009.
- (viii) G.S.R. 915(E) published in Gazette of India dated the 21st December, 2009, together with an explanatory memorandum seeking to impose definitive Anti-dumping duty on imports of Flax Fabric originating in or exported from China PR and Hong Kong at the specified rates for a period of five years (unless revoked, superseded or amended earlier) from the date of imposition of the provisional anti-dumping duty, that is, 26th March, 2009, in pursuance of the final findings of the Designated Authority.
- (ix) G.S.R. 918(E) published in Gazette of India dated the 22nd December, 2009, together with an explanatory memorandum seeking to continue definitive Anti-dumping duty on imports of Sodium Nitrite originating in or exported from China PR at the specified rates upto and inclusive of the 16th January, 2011, in pursuance of the mid-term review findings of the Designated Authority.
- (x) G.S.R. 922(E) published in Gazette of India dated the 23rd December, 2009, together with an explanatory memorandum seeking to order provisional assessment in respect of cathode ray colour television picture tubes exported by M/s Meridian Solar and Display Company Ltd. Producer/exporter from Korea RP, when imported into India as the Designated Authority has initiated a New Shipper Review in the case of this exporter.

- (xi) G.S.R. 26(E) published in Gazette of India dated the 11th January, 2010, together with an explanatory memorandum seeking to extend levy of anti-dumping duty imposed on imports of Polytetrafluoroethylene, originating in, or exported from, Russia, upto and inclusive of 17th November, 2010, pending finalization of Sunset review investigations being conducted by the Directorate General of Anti-dumping and Allied duties.
- (xii) G.S.R. 853(E) published in Gazette of India dated the 2nd December, 2009, together with an explanatory memorandum imposing final anti-dumping duty on imports into India of ceramic glazed tiles from People's Republic of China.
- (xiii) G.S.R. 854(E) published in Gazette of India dated the 2nd December, 2009, together with an explanatory memorandum rescinding Notification No. 62/2009-Cus., dated 15th June, 2009.
- (xiv) G.S.R. 855(E) published in Gazette of India dated the 2nd December, 2009, together with an explanatory memorandum making certain amendments in the Notification No. 114/2004-Cus., dated 21st December, 2004.
- (xv) G.S.R. 861(E) published in Gazette of India dated the 4th December, 2009, together with an explanatory memorandum seeking to impose provisional safeguard duty at the rate of 15 per cent, ad-valorem on imports of Caustic Soda Lye imported into India upto and inclusive of the 3rd March, 2010.
- (xvi) G.S.R. 50(E) published in Gazette of India dated the 28th January, 2010, together with an explanatory memorandum seeking to impose definitive anti dumping duty on imports of carbon Black used in rubber applications, originating in, or exported from Australia, China PR, Russia and Thailand for the period of five years (unless revoked, superseded or amended earlier) from the date of imposition of the

provisional anti-dumping duty, that is, 30th July, 2010, in pursuance of the final findings of the Designated Authority.

(xvii) G.S.R. 51(E) published in Gazette of India dated the 28th January, 2010, together with an explanatory memorandum rescinding Notification No. 83/2009-Cus., dated 30th July, 2009.

(xviii) G.S.R. 21(E) published in Gazette of India dated the 8th January, 2010, together with an explanatory memorandum seeking to impose definitive anti-dumping duty on tyre curing presses originating in or exported from China PR.

(Placed in Library, See No. LT 1749/15/2010)

(4) A copy each of the following Notifications (Hindi and English versions) under sub-section (2) of section 38 of the Central Excise Act, 1944 :-

(i) G.S.R. 860(E) published in Gazette of India dated the 4th December, 2009, together with an explanatory memorandum making certain amendments in the Notification No. 6/2006-C.E., dated 1st March, 2006.

(ii) G.S.R. 864(E) published in Gazette of India dated the 7th December, 2009, together with an explanatory memorandum making certain amendments in the Notification No. 50/2003-C.E., dated 10th June, 2003.

(iii) G.S.R. 62(E) published in Gazette of India dated the 6th February, 2010, together with an explanatory memorandum seeking to exempt the goods cleared from a unit located in the state of Jammu and Kashmir, from so much of the duty of excise leviable thereon.

(Placed in Library, See No. LT 1750/15/2010)

(5) A copy of the Notification No. G.S.R. 856(E) (Hindi and English versions) published in Gazette of India dated the 2nd December, 2009, together with

an explanatory memorandum directing that the service tax payable on business auxiliary service' specified in sub-clause (zzb) of clause 105 of Section 65 of the Finance Act under sub-section (4) of section 94 of the Finance Act, 1994.

(Placed in Library, See No. LT 1751/15/2010)

(6) A copy each of the following Notifications (Hindi and English versions) under section 31 of the Securities and Exchange Board of India Act, 1992 :-

(i) The Securities and Exchange Board of India (Issue of Capital and Disclosure Requirements) (Amendment) Regulations, 2010 published in Notification No. LAD-NRO/GN/2009-10/25/189240 in Gazette of India dated the 1st January, 2010.

(ii) The Securities and Exchange Board of India (Issue of Capital and Disclosure Requirements) (Amendment) Regulations, 2009 published in Notification No. LAD-NRO/GN/2009-10/23/186926 in Gazette of India dated the 11th December, 2009.

(iii) The Securities and Exchange Board of India (Employees' Service) (Amendment) Regulations, 2010 published in Notification No. LAD-NRO/GN/2009-10/28/190983 in Gazette of India dated the 14th January, 2010.

(iv) The Securities and Exchange Board of India (Issue of Capital and Disclosure Requirements) (Second Amendment) Regulations, 2010 published in Notification No. LAD-NRO/GN/2009-10/26/190146 in Gazette of India dated the 8th January, 2010.

(Placed in Library, See No. LT 1752/15/2010)

(7) A copy each of the following Notifications (Hindi and English versions) under section 48 of the Foreign Exchange Management Act, 1999:-

- (i) The Foreign Exchange Management (Foreign Exchange Derivative Contracts) (Second Amendment) Regulations, 2009 published in Notification No. G.S.R. 895(E) in Gazette of India dated the 14th December, 2009.
- (ii) The Foreign Exchange Management (Transfer or Issue of Security by a Person Resident Outside India) (Amendment) Regulations, 2009 published in Notification No. G.S.R. 851(E) in Gazette of India dated the 1st December, 2009.

(Placed in Library, See No. LT 1753/15/2010)

- (8) A copy of the Income-tax (13th Amendment) Rules, 2009 (Hindi and English versions) published in Notification No. S.O. 3245(E) in Gazette of India dated the 18th December, 2009, under Section 296 of the Income-Tax Act, 1961, together with an explanatory memorandum, together with a corrigendum thereto published in Notification No. S.O. 66(E) dated 12th January, 2010.

(Placed in Library, See No. LT 1754/15/2010)

- (9) A copy of the Notification No. S.O. 67(E) (Hindi and English versions) published in Gazette of India dated the 12th January, 2010, making certain amendments in the Notification No. S.O. 1246(E) dated 29th November, 2002, issued under Section 80G of the Income-Tax Act, 1961, together with an explanatory memorandum.

(Placed in Library, See No. LT 1755/15/2010)

- (10) A copy of the Annual Accounts (Hindi and English versions) of the Securities and Exchange Board of India, Mumbai for the year 2008-09, together with Audit Report thereon.

(Placed in Library, See No. LT 1756/15/2010)

(11) (i) A copy of the Annual Report (Hindi and English versions) of the Empowered Committee of State Finance Ministers, New Delhi, for the year 2008-2009, along with Audited Accounts.

(ii) A copy of the Review (Hindi and English versions) by the Government of the working of the Empowered Committee of State Finance Ministers, New Delhi, for the year 2008-2009.

(Placed in Library, See No. LT 1757/15/2010)

(12) A copy of the Notification No. S.O. 2941(E) (Hindi and English versions) published in Gazette of India dated the 18th November, 2009, together with an explanatory memorandum making certain amendments in the Notification No. S.O. 1055(E) dated the 19th October, 2001 issued under Section 2 of the Narcotic Drugs and Psychotropic Substance Act, 1985.

(13) Statement (Hindi and English versions) showing reasons for delay in laying the papers mentioned at (12) above.

(Placed in Library, See No. LT 1758/15/2010)

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI DINESH TRIVEDI): Sir, I beg to lay on the Table:-

(1) A copy of the Annual Report (Hindi and English versions) of the Rashtriya Arogya Nidhi (National Illness Assistance Fund), New Delhi, for the year 2008-2009, along with Audited Accounts.

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

(Placed in Library, See No. LT 1759/15/2010)

- (3) A copy of the Drugs and Cosmetics (7th Amendment) Rules, 2009 (Hindi and English versions) published in Notification No. G.S.R. 917(E) in Gazette of India dated the 22nd December, 2009 under Section 38 of the Drugs and Cosmetics Act, 1940.

(Placed in Library, See No. LT 1760/15/2010)

- (4) A copy of the Notification No. S.O. 3309(E) (Hindi and English versions) published in Gazette of India dated the 30th December, 2009, regarding appointment of Government Analysts by Central Government at the Central Drugs Laboratory, Kolkata, for carrying out test or analysis of samples of drugs issued under sub-section (2) of Section 20 of the Drugs and Cosmetics Act, 1940.

(Placed in Library, See No. LT 1761/15/2010)

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI DINESH TRIVEDI): Shri, I, on behalf of Shri S. Gandhiselvan beg to lay on the Table:-

- (1) (i) A copy of the Annual Report (Hindi and English versions) of the Central Council of Indian Medicine, New Delhi, for the year 2008-2009, along with Audited Accounts.
(ii) A copy of the Review (Hindi and English versions) by the Government of the working of the Central Council of Indian Medicine, New Delhi, for the year 2008-2009.
- (2) Statement (Hindi and English versions) showing reasons for delay in laying the papers mentioned at (1) above.

(Placed in Library, See No. LT 1762/15/2010)

- (3) (i) A copy of the Annual Report (Hindi and English versions) of the Indian Council of Medical Research, New Delhi, for the year 2008-2009.

- (ii) A copy of the Annual Accounts (Hindi and English versions) of the Indian Council of Medical Research, New Delhi, for the year 2008-2009, together with Audit Report thereon.
- (iii) A copy of the Review (Hindi and English versions) by the Government of the working of the Indian Council of Medical Research, New Delhi, for the year 2008-2009.
- (4) Statement (Hindi and English versions) showing reasons for delay in laying the papers mentioned at (3) above.

(Placed in Library, See No. LT 1763/15/2010)

12.02 hrs.

COMMITTEE ON PUBLIC UNDERTAKINGS
2nd and 3rd Reports

SHRI V. KISHORE CHANDRA DEO (ARUKU): Sir, I beg to present the following Reports (Hindi and English versions) of the Committee on Public Undertakings:-

- (1) Second Report on Sale of Surplus Land and Buildings by National Textile Corporation Limited based on Chapter IX of C&AG Report No. PA 27 of 2009-10 (Performance Audit).
- (2) Third Report on Action Taken by the Government on the recommendations contained in the Twenty-fifth Report (14th Lok Sabha) on 'Performance of Engine Division of Bharat Earth Movers Limited based on C&AG Report No. 9 (Commercial) of 2007.

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12.03 hrs.

BUSINESS OF THE HOUSE

THE MINISTER OF PARLIAMENTARY AFFAIRS AND MINISTER OF WATER RESOURCES (SHRI PAWAN KUMAR BANSAL): Madam, with your permission I rise to announce that Government Business during the week commencing Monday, the 8th of March, 2010, will consist of:-

1. Consideration of any item of Government Business carried over from today's Order Paper.
2. General Discussion on Budget (Railways) for 2010-11.
3. Discussion and Voting on:-
 - (a) Demands for Grants on Account (Railways) for 2010-11;
 - (b) Supplementary Demands for Grants (Railways) for 2009-10; and
 - (c) Demands for Excess Grants (Railways) for 2007-08.
4. Introduction, consideration and passing of the related Appropriation Bills.
5. General Discussion on Budget (General) for 2010-11.
6. Discussion and Voting on:-
 - (a) Demands for Grants on Account (General) for 2010-11; and
 - (b) Second Supplementary Demands for Grants (General) for 2009-10.
7. Introduction, consideration and passing of the related Appropriation Bills.

श्री हंसराज गं. अहीर (चन्द्रपुर): अध्यक्ष महोदया, मैं निम्न लिखित मामलों को अगले सप्ताह की कार्यसूची में शामिल करने का निवेदन करता हूँ।

1. महाराष्ट्र राज्य के कुल 20,240 सूखाग्रस्त घोषित गांवों में से विदर्भ के 14,059 गांव शामिल होने के कारण इस सूखाग्रस्त क्षेत्र में किसानों तथा अन्य नागरिकों को विशेष सहायता पैकेज देने के लिए केंद्र सरकार तत्काल कदम उठाये।

महाराष्ट्र के सूखाग्रस्त विदर्भ के गांवों में जलापूर्ति और मवेशियों के लिए चारे का संकट देखते हुए केंद्र सरकार इसका गंभीर संज्ञान लेकर उपचारात्मक प्रयास और सूखे के संकट से निपटने के लिए बुंदेलखंड के तर्ज पर भारी धनराशि का प्रावधान करे।

CHAUDHARY LAL SINGH (UDHAMPUR): Madam Speaker, kindly include the following two subjects in the list of Business for the next week:

- (1) Problems of MPs in dealing with various Ministries/Departments.
- (2) Delaying in appointing Vice Chancellor in Central Universities in various parts of India.

अध्यक्ष महोदया : श्री जय प्रकाश अग्रवाल - अनुपस्थित

श्री वीरेन्द्र कुमार।

श्री वीरेन्द्र कुमार (टीकमगढ़): अध्यक्ष महोदया, अगले सप्ताह की कार्य सूची में निम्नलिखित विषयों का समावेश किया जाए।

1. निराक्षित एवं अनाथ बच्चों की शिक्षा, दिक्षा एवं पुनर्वास की व्यवस्था की जाए।
2. देह व्यापार में लिप्त महिलाओं के बच्चों को शिक्षित एवं आत्मनिर्भर बनाने हेतु मध्य प्रदेश में चल रहे सत्य शोधन आश्रम जैसी कल्याणकारी संस्थाओं को केन्द्र सरकार द्वारा अनुदान की राशि दी जानी चाहिए।

श्री कौशलेन्द्र कुमार (नालंदा): अध्यक्ष महोदया, अगले सप्ताह की कार्य सूची में दो विषय जोड़े जाएं।

1. सम्पूर्ण देश में सभी राजस्व गांवों जिनकी आबादी 1000 या 1000 से ऊपर है, में सिंचाई के लिए दो-दो राजकीय बोरिंग की व्यवस्था केन्द्र सरकार करे।

2. सम्पूर्ण देश में सभी राजस्व गांवों और टोलों में दस-दस चापाकल लगवाने की व्यवस्था केन्द्र सरकार करे।

डॉ. भोला सिंह (नवादा): अध्यक्ष महोदया, माननीय संसदीय कार्य मंत्री ने सदन में आगामी सत्र के लिए जिस कार्यक्रम का प्रस्ताव रखा है, उसमें निम्नलिखित प्रस्ताव जोड़े जाएं।

1. बिहार ने 90 हजार करोड़ रुपये का सर्वजन के लिए बिजली की उपलब्धता को बनाए रखने हेतु जो केन्द्र के सामने जो प्रस्ताव दिया है, उसे रखने पर विचार।
2. बिहार में नवादा जिले के अंतर्गत रजौली में आणविक विद्युत संयंत्र की योजना के कार्यान्वयन पर विचार के लिए प्रस्ताव।

श्री दिनेश चन्द्र यादव (खगड़िया): अध्यक्ष महोदया, लोक सभा की आगामी सप्ताह की कार्य सूची में निम्नलिखित विषयों को जोड़ा जाए।

1. पूर्व मध्य रेलवे अंतर्गत मानसी-सहरसा रेल खंड के बीच फेनगो हॉल्ट पर यात्रियों को मूलभूत सुविधा उपलब्ध कराई जाए।
2. पूर्व मध्य रेलवे अंतर्गत समस्तीपुर-खगड़िया रेल खंड के बीच हसनपुर स्टेशन के माल गोदाम पर प्लेटफार्म का निर्माण कराया जाए।

श्री अर्जुन राम मेघवाल (बीकानेर): अध्यक्ष महोदया, मोटर वाहन अधिनियम के तहत अतिरिक्त राहत दिलाने एवं राहत को दुर्घटना के तुरंत पश्चात् फैसले से पूर्व पीड़ित पक्ष को पहुंचाने एवं फैसले के बाद उस राशि को फैसले की राशि में समायोजन करने के विषय को लोक सभा की आगामी सप्ताह की कार्य सूची में सम्मिलित किया जाए।

डॉ. राजन सुशान्त (कांगड़ा): अध्यक्ष महोदया, कृपया अगले सप्ताह की कार्य सूची में निम्नलिखित महत्वपूर्ण विषय को चर्चा में लाया जाए।

1. हि.प्र. के बर्फीले क्षेत्रों में बर्फीले तूफानों, बाढ़ आदि आपदाओं से पहाड़ी जनता को राहत देने हेतु हेलीकॉप्टर सहित सभी जीवनोपयोगी आवश्यक वस्तुओं व साधनों का परमानेंट हल करना।
2. कांगड़ा व चम्बा सहित हि.प्र. तथा पर्वतीय राज्यों के लिए 'विशेष पर्यटन पैकेज' देना।
3. हि.प्र. को दिए 'प्रौद्योगिक पैकेज' की कटौती को समाप्त कर इसे अगले पांच वर्ष तक बढ़ाना।

MADAM SPEAKER: Shri Prabodh Panda, do not mention item No. 1 because it levels allegations. Only mention item No.2.

SHRI PRABODH PANDA (MIDNAPORE): Yes Madam. The following item may be included in the next week's agenda:

Fertiliser Policy of the Government in general and the matter of Nutrition Based Fertiliser (NBF) in particular.

12.05 hrs.

DEMANDS FOR SUPPLEMENTARY GRANTS –(GENERAL), 2009-2010

THE MINISTER OF FINANCE (SHRI PRANAB MUKHERJEE): I beg to present a statement (Hindi and English versions) showing the Supplementary Demands for Grants in respect of the Budget (General) for 2009-10.

(Placed in Library, See No. LT 1764/15/2010)

12.06 hrs.**MOTION OF THANKS ON THE PRESIDENT'S ADDRESS – Contd.**

MADAM SPEAKER: The House will now take up item no. 12. Dr. Murli Manohar Joshi will be the last Member to speak on this discussion.

If any hon. Member wants to lay his or her written speech he can do so at the Table of the House.

THE MINISTER OF PARLIAMENTARY AFFAIRS AND MINISTER OF WATER RESOURCES (SHRI PAWAN KUMAR BANSAL): After this item gets over, because today is Friday, instead of taking up the 'Zero Hour' at the end of the day, you may take up the 'Zero Hour' before taking up Private Members' Business.

MADAM SPEAKER: Okay, we will take up the 'Zero Hour' after lunch.

डॉ. मुरली मनोहर जोशी (वाराणसी): अध्यक्ष महोदया, महामहिम राष्ट्रपति जी के अभिभाषण पर जो कुछ चर्चा हुई, उसे मैंने बहुत ध्यान से सुना। उनके भाषण को भी बहुत ध्यान से पढ़ा। उसमें उन्होंने बहुत से महत्वपूर्ण मुद्दे उठाये हैं, जिनकी विस्तारपूर्वक चर्चा बहुत से विषयों पर हो चुकी है और शायद बहुतों पर बजट के समय की जा सकेगी। लेकिन कुछ खास बातें जो उन्होंने अपने कई अभिभाषणों में कही हैं, उसमें से एक जो उन्होंने जून, 2009 के भाषण में भी कही थीं, वह यह है कि मेरी सरकार राष्ट्रीय खाद्य सुरक्षा अधिनियम नामक एक नया कानून बनाने का प्रस्ताव करती है, जो एक ऐसे ढांचे के लिए सांविधिक आधार मुहैया करायेगा, जिसमें सभी के लिए खाद्य सुरक्षा का आश्वासन हो। अभी दोबारा भी उन्होंने इस बात को फिर से दोहराया है और कहा है कि --

“In the longer term our food security can be ensured only through sustained efforts. My Government is committed to bring in legislation to ensure food security.”

It has also been said:

“My Government continues to accord highest importance to ensuring relief to the *aam aadmi* on food prices.”

हमारे वित्त मंत्री महोदय ने भी अपने भाषण में 'कौटिल्य' का उदाहरण देते हुए कहा कि "इस प्रकार, एक बुद्धिमान महा समाहर्ता राजस्व संग्रहण का कार्य इस प्रकार करेगा कि उत्पादन और उपभोग अनिष्ट रूप से प्रभावित न हों। लोक सम्पन्नता, प्रचुर कृषि उत्पादकता और अन्य बातों के साथ वाणिज्यिक समृद्धि पर वित्तीय सम्पन्नता निर्भर करती है। इसका अर्थ यह है कि पिछले और उससे पहले के बजट में भी इसी प्रकार की बातें कही गयी हैं। खाद्य सुरक्षा महामहिम राष्ट्रपति जी के अभिभाषणों का सारांश है, जिसे मैंने आपके सामने रखा। खाद्यान्नों के मूल्यों पर भी नियंत्रण रखने की बात कही जा रही है और ये घोषणाएं की जा रही हैं कि ये बहुत जल्दी नियंत्रित हो जायेंगी। लेकिन आज भी समाचार-पत्रों में है कि 18 प्रतिशत की दर से खाद्यान्नों के मूल्य बढ़े हैं और ये रुकने का नाम नहीं ले रहे हैं। महामहिम राष्ट्रपति जी जो कह रहे हैं, जो आपको संकेत दे रहे हैं, सरकार की नीतियों के बारे में बराबर कह रहे हैं, उनका अनुपालन, मैं समझता हूँ कि यह सरकार करने में असमर्थ रही है। अब जरा देखें कि खाद्य सुरक्षा की जो बात कही जा रही है, इसके निहितार्थ क्या हैं? बहुत पहले पंडित जवाहर लाल नेहरू ने एक वाक्य कहा था कि "Everything can wait but not agriculture." सब चीजें रुक सकती हैं, लेकिन कृषि नहीं रुक सकती। मुझे देखकर अफसोस हुआ कि आजकल हमारी सरकार की तरफ से अमेरिका के साथ हमारी खाद्य सुरक्षा को सुरक्षित रखने के लिए जो बातें हो रही हैं, तो वहां का क्या रूख है? Mr. Earl Butz, the former Agriculture Secretary of USA had made a statement. In that he said: "Food is a weapon. It is now one of the principal tools in our negotiating kit." वह अनाज को एक हथियार के तौर पर इस्तेमाल करना चाहते हैं और कर रहे हैं। जिन देशों में अनाज कम होता है, उनके ऊपर दबाव डाल रहे हैं और उनकी आर्थिक और राजनीतिक नीतियों को प्रभावित करते हैं। इसलिए खाद्य सुरक्षा बहुत आवश्यक चीजें हैं यानी खाद्य के मामले में हमें पूरे तौर पर आत्मनिर्भर होने की जरूरत है।


लेकिन हो क्या रहा है? मैंने इस मामले में कुछ बजट प्रावधानों को देखा, मैं ज्यादा की चर्चा नहीं करूंगा, लेकिन एक बहुत महत्वपूर्ण बात की ओर आपका ध्यान दिलाऊंगा। यह कहा जाता है कि कृषि के लिए हमें बहुत कुछ करना है और किसानों के लिए हमने इतना दे दिया है, किसानों के लिए हम यह कर रहे हैं, लेकिन जरा उसकी गहराई में जाइए, जो किसानों को ऋण और सहायता देने की नीति है, जरा उसके पेंच को समझिए। There is a four-pronged strategy for agriculture. The first of these are: agricultural production. It could mean anything for anybody. The other three are: gold mine for large corporations, but not for the farmers. जो कुछ और किया

जा रहा है, बड़े पूंजीपति, बड़े उद्योगपति के लिए है, छोटे किसानों के लिए नहीं है। आप देखें कि एक नीति बनाई गयी है, रिडक्शन इन वेस्टेज ऑफ प्रोड्यूस और यह कहा गया है कि इसमें हम उन सारी चीजों के लिए ऋण देंगे, जो इस वेस्टेज को रोकेंगे यानि कोल्ड स्टोरेज बनाएंगे या दूसरे इस तरह के कार्य करेंगे। इसमें कहा गया है कि 25 करोड़ रूपए तक एग्रीकल्चरल क्रेडिट के रूप में दिए जाएंगे। 25 करोड़ रूपए ऋण लेने वाले कितने किसान हैं, यह मैं कृषि मंत्री जी से पूछूंगा और वित्त मंत्री जी से भी कहूंगा कि जरा इसका हिसाब दें कि 25 करोड़ रूपए के ऋण कितने किसानों ने लिए है जो वास्तविक खेती करते हैं? छोटे किसान को 25,000 रूपए लेना मुश्किल है, लेकिन 25 करोड़ रूपए किसको मिल रहे हैं? एग्रीकल्चरल लोन के नाम पर किसी भी उद्योगपति को मिल सकते हैं जो यह कहेगा कि मैं कोल्ड स्टोरेज बना रहा हूँ, जो कहेगा कि मैं एक रेफ्रिजरेटेड यातायात बना रहा हूँ। उस कंपनी को ये 25 करोड़ रूपए मिल जाएंगे और यह एग्रीकल्चरल लोन उन टर्म्स पर मिलेंगे, जो किसान के नाम पर मिल रहे हैं।... (व्यवधान)

श्री मुलायम सिंह यादव (मैनपुरी): किसान को 10,000 रूपए कर्ज लेने पर 2,000 रूपए खर्च करने पड़ते हैं।... (व्यवधान)

डॉ. मुरली मनोहर जोशी (वाराणसी) : हाँ, वहां ऋण लेना पड़ता है और यहां अगर 25 करोड़ रूपए लीजिए तो शायद इसके लिए कमीशन भी दिया जाएगा कि आप 25 करोड़ रूपए ले लीजिए। यह कैसी खाद्य सुरक्षा की बात है? यह किस किसान के लिए आप बात कर रहे हैं? आप आगे देखिए, इसमें कहा गया कि किसान बाहर से भी खेती के लिए ऋण ला सकते हैं। कौन लाएगा? केवल बड़े कारपोरेशन्स लाएंगे, छोटा किसान तो नहीं ला सकता है। यह कौना से एग्रीकल्चरल डेवलपमेंट के लिए, खाद्य सुरक्षा को ठीक रखने के लिए आपने नीतियां बनाई हैं? किसानों को जो कर्ज दिए गए हैं, एग्रीकल्चरल क्रेडिट के रूप में, जो 10 करोड़ रूपए से ज्यादा हैं, 25 करोड़ रूपए तक हैं या 25 करोड़ रूपए से ज्यादा हैं, वे किसके पास हैं। उनकी एक सूची इस सदन के सामने आ जाए तो पता लग सकेगा। इसमें एक और तमाशा हुआ है कि सालों में 25,000 रूपए ऋण लेने वाले किसानों की तादाद घटी है और 10 करोड़ रूपए से 25 करोड़ रूपए तक कर्ज लेने वाले एग्रीकल्चरल लोनर्स की तादाद बढ़ी है। मैं नहीं समझ पाता हूँ कि किस तरह इससे कृषि उत्पादकता बढ़ेगी और इससे किस प्रकार से आप खेती को आगे ले जा सकेंगे।

आप बार-बार यह कहते हैं कि हमने 70,000 करोड़ रूपए किसानों को दे दिया। यह पैसा आपने एक बार दिया, लेकिन आप बड़े कारपोरेशन्स को कितना माफ करते हैं? अगर आप देखें, कभी 80,000 करोड़ रूपए, कभी 70,000 करोड़ रूपए, कभी 60,000 करोड़ रूपए हर साल दिए जा रहे हैं। मैं चाहूंगा कि

प्रधानमंत्री जी या वित्त मंत्री जी सदन को यह अवगत कराएं कि पिछले पांच सालों में हर वर्ष कितने ऐसे बड़े कारपोरेशन्स को लोन्स माफ किए गए हैं या रिलीफ दिया गया है, चाहे वह टैक्स के द्वारा हो, एक्साइज के द्वारा या अन्य किसी माध्यम से दिया गया हो। अगर आप वह 60,000 या 70,000 करोड़ रूपए हर साल उनको दे रहे हैं और एक बार आपने किसान को 70,000 करोड़ रूपए दे दिए, वह भी किसान को नहीं, किसान के नाम पर बैंकों को दे दिया, तो मैं नहीं समझता कि उससे आप किसान का कोई भला कर रहे हैं। मेरी समझ में नहीं आता है कि आप कैसे इस काम को कर रहे हैं? अभी भी हालत यह है कि किसान आत्महत्या कर रहे हैं और अभी दो-चार दिन पहले उड़ीसा में 50 हंगर किल्स किसानों ने किए हैं, लेकिन पिछले सालों के जो आंकड़े हैं, करीब-करीब 1.5 लाख किसानों ने पिछले सालों में आत्महत्या की है। हर साल किसानों द्वारा आत्महत्या हो रही है, अभी भी इसमें कमी नहीं आई है। 15,000-16000 किसान हर साल आत्महत्या कर रहे हैं। यह क्या स्थिति है? किसी-किसी राज्य में तीन हजार-चार हजार किसान आत्महत्या कर रहे हैं। सबसे अधिक अफसोस की बात यह है कि माननीय कृषि मंत्री जी के राज्य में भी ऐसा हो रहा है। वहां भी कमी नहीं आई है, जैसे देश में कमी आई है, उसी हिसाब से कमी आई है, लेकिन आत्महत्याएं रुकी नहीं हैं। इसलिए किसानों की आत्महत्याएं नहीं रुक रही है, नहीं रुक रहीं, हंगर डैथ्स नहीं रुक रही हैं, लोगों का मैलन्यूट्रीशियन नहीं रुक रहा। आपको मालूम होना चाहिए कि विश्व के पटल पर कुपोषण दूर करने में अभी बहुत पीछे हैं, हमने उसे पूरा नहीं किया है। तो आप क्या करना चाहते हैं, किस तरह से आप देश की इस खाद्य सुरक्षा को संरक्षित करना चाहते हैं? हमें बताया गया कि कानून बनाना चाहते हैं। मैं  कृषि पर बात नहीं कर रहा, वरना मैं आपको बता सकता था कि उत्पादकता के मामले में भी आप क्या कर रहे हैं। आप उत्पादकता नहीं बढ़ा सकते, क्योंकि जिन देशों के साथ आप समझौता कर रहे हैं, मैं उस पर बाद में आऊंगा। वह उत्पादकता बढ़ाने का सवाल नहीं है, वह एग्रीकल्चर को को एग्री बिजनेस में बदलते हैं, उनकी रूचि आपके देश में कृषि उत्पादकता बढ़ाने में नहीं है। आपकी मार्केट्स को लेने में उनकी रूचि है। आपके बीज के व्यापार को लेने में उनकी रूचि है। आपके यहां अपने पेस्टीसाइड्स फेंकने में उनकी रूचि है। आपके यहां उत्पादकता बढ़ाने में उनकी रूचि नहीं है, क्योंकि वे जानते हैं कि उनके पास सरप्लस फूड है। आपके यहां अगर अनाज कम होगा, आप उनके वहां से इम्पोर्ट कर लेंगे। इसलिए उस नीति पर कभी विस्तार से चर्चा करेंगे। लेकिन देखिए कि इस तरह से कैसे आप देश की खाद्य सुरक्षा करेंगे। कहते हैं कि हम कानून बनाकर करेंगे। मुझे कभी-कभी हंसी आती है कि सरकार के लोग शायद यह समझते हैं कि मॉल्स में, सुपर मार्केट्स में अगर अच्छे पैकेट्स में रखा हुआ विदेशी अनाज है तो खाद्य सुरक्षा हो गई और उत्पादकता बढ़ गई। अनाज की उत्पादकता मॉल्स में नहीं बढ़ती है, दुकानों में नहीं बढ़ती है, अनाज की उत्पादकता खेतों में बढ़ती है, खलिहानों में बढ़ती है और

उसकी तरफ आपका ध्यान नहीं है, किसानों की तरफ आपका ध्यान नहीं है। इसलिए महामहिम राष्ट्रपति जी के अभिभाषण से मुझे हैरत होती है कि वह बार-बार कह रही हैं, लेकिन आपके कान पर जूं नहीं रेंगती है। आप उस तरफ कुछ ध्यान नहीं देते हैं। जब तक आपकी नीति किसान फोकस नहीं होगी, तब तक न तो आपके देश की अर्थव्यवस्था सुधरेगी, न आपको आंतरिक और बाह्य सुरक्षा में मदद मिलेगी, आप इस देश का विकास नहीं कर सकेंगे। भूखे पेट का हिन्दुस्तान किसी रास्ते पर नहीं चलेगा। इसलिए पहली जरूरत है हिन्दुस्तान को हंगर फ्री बनाएं, भूख मुक्त हिन्दुस्तान बनाएं, ज़ीरो हंगर की पॉलिसी बनाएं। मैं आपको बहुत स्पष्ट कहना चाहता हूं कि जब तक आप ज़ीरो हंगर पॉलिसी नहीं बनाएंगे, तब तक हिन्दुस्तान आग नहीं बढ़ेगा।

आप कहते हैं कि हम कानून बना रहे हैं फूड सिक्योरिटी के लिए। मुझे बड़ी खुशी होती, अगर इस कानून से आप ज़ीरो हंगर ले आते। लेकिन पहले यह देखें कि इस देश में भूखे कितने हैं। इसी पर आपके यहां एकमत नहीं है। आप बिलो पावर्टी लाइन की सीमा को निश्चित नहीं कर पाए हैं। कोई सरकार नहीं कर पाई, हमने भी कुछ किया था, आप भी कुछ कर रहे हैं, लेकिन वह ग्राउंड रिएलिटी से बहुत दूर है, इस बात को स्वीकार करना चाहिए। आपने एक कमेटी बनाई, उसकी रिपोर्ट मेरे पास है।

“Expert Group to advise the Ministry of Rural Development in the Methodology for conducting the Below Poverty Line Census for the Eleventh Five Year Plan ”

इस रिपोर्ट को आप गहराई से पढ़ें और देखें। मैं नहीं समझता आप इसे स्वीकार करेंगे, क्योंकि यह एक बिल्कुल जमीनी स्थिति को हमारे सामने रखती है। इसलिए इसे गहराई से समझें और इसमें राजनीति न करें। हमने 28 प्रतिशत किया और आपने 27 प्रतिशत किया, यह बराबर मेहरबानी मत करिए। यह देखें कि जमीन पर कितने लोग गरीबी रेखा से नीचे हैं। कौन गरीब है, कौन दरिद्र है। खाली गरीब ही नहीं, दरिद्र कौन है। कौन ऐसा है जो दो जून खाना तो क्या, एक जून भी खाना प्राप्त नहीं कर सकता है। वह गरीबी की सीमा के नीचे बहुत दूर तक नीचे है। इन सारी चीजों को आप देखें तो यह कमेटी कहती है,

“Food security is need for all – and not only for those who are officially Below the Poverty Line...”

भोजन की सुरक्षा सबको मिलनी चाहिए, फिर वे यह कहते हैं

“This issue is particularly relevant for combating food-related hunger because as we will argue later in this Section, the number of food deficit people has at least doubled the number of officially

declared people in India, thus there is every case for enlarging the category of those entitled to cheaper food from the Government.”

उन्होंने यह संख्या 50 प्रतिशत तय की है कि कम से कम 50 प्रतिशत होनी चाहिए। इसी कमेटी के कुछ सदस्यों ने कहा है कि यह 50 प्रतिशत क्यों, अगर सही आंकड़े लाए जाते हैं तो सारी स्थिति को देखकर शायद यह संख्या 70-75 प्रतिशत तक जाएगी, 50 प्रतिशत पर ही क्यों। मैंने जब इसे देखा है, इसमें एक भावना उनके दिमाग में भी काम कर रही थी कि सरकार के लिए ज्यादा कठिनाइयां पैदा न हों। यह केवल सरकार का सवाल नहीं है, सारे देश का सवाल है। आपके लिए हो या हमारे लिए हो, अगर इस देश के अंदर 80 प्रतिशत गरीब हैं तो इस सदन का कोई सदस्य ऐसा नहीं होगा कि जो 80 प्रतिशत के लिए इंतजाम करने के वास्ते सरकार के सामने आगे न आए। वह चाहे बिहार में हमारी एनडीए सरकार हो, चाहे मध्य प्रदेश या गुजरात में बीजेपी की सरकार हो या पंजाब में हमारी सरकार हो। अगर 80 परसेंट लोगों के लिए इंतजाम करना है तो करना है। इस देश के किसी भी आदमी को भूखा नहीं रहने देना है और इसके लिए हम साथ देने को तैयार हैं। लेकिन अगर आप इसका रास्ता अमरीका के साथ समझौता करके निकालना चाहते हैं, अगर आप इसके लिए बीटी कॉटन, बीटी ब्रिंजल और जिनेटिकली मोडिफाइड फूड देकर करना चाहते हैं तो उस पर बहस होगी और देश में तीव्र मतभेद होगा।

आप देश की कृषि-व्यवस्था को देखिये। कालाहांडी के बारे में कहा जाता है कि वह भूखग्रस्त क्षेत्र है, लेकिन आंकड़े यह बताते हैं कि कालाहांडी से हजारों टन धान संग्रहीत भी होता है और वहां सबसे ज्यादा भूख भी होती है।


मुलायम सिंह यादव (मैनपुरी): आप माननीय आडवाणी जी को समझाइये।

डॉ. मुरली मनोहर जोशी : जी, वह तो अलग बात है, पहले आपको समझा लूं फिर उनको समझा लूंगा।

अध्यक्ष महोदया : आप चेयर को एट्रेस करें।

डॉ. मुरली मनोहर जोशी : मेरा कहना यह है कि आप इस रिपोर्ट को गहराई से देखें। एक दूसरी रिपोर्ट हमारे माननीय तेंदूलकर साहब की है। उन्होंने आपको कुछ मापदंड दिये हैं। आप उन्हें जरा जमीन के साथ जोड़िये, कीमतों के साथ जोड़िये, लोगों की बढ़हली के साथ जोड़िये और आप मेहरबानी करके सबसे पहले गरीबी की परिभाषा ठीक कीजिए। आज हालत यह है कि दुनिया के बहुत से देशों में अनाज की समस्या है, खाने की समस्या है। मैं आपको बताना चाहता हूं कि इसके लिए लोगों ने क्या किया? ब्राजील में, वर्ष 2003 में, वहां के प्रेसीडेंट ने कहा कि हम हरेक आदमी को दिन में तीन बार खाना खिलाएंगे और चार करोड़ साठ लाख आदमियों को उन्होंने खाना खिलाया और उसके लिए 12 मिलियन डालर वर्ष 2005

में खर्च किये। फिर इजीप्ट ने अपने यहां यह काम किया और दो मिलियन यूएस डालर अपने यहां खाना खिलाने पर खर्च किये। फिर मैक्सिको ने यह काम किया। उनका ह्यूमन डिवेलपमेंट प्रोग्राम वर्ष 1997 में शुरू हुआ और 40 लाख घरों को एक मिलियन यूएस डालर खर्च करके खाना खिला रहे हैं। इसी तरह से अमरीका में भी 31.6 मिलियन आदमी यानी दस में से एक, आदमी फूड स्टेम्प प्रोग्राम से लाभान्वित होता है। अगर अमरीका की यह हालत है जो दुनिया में सबसे ज्यादा फूड सरप्लस देश है तो हमारी क्या हालत होगी, आप अंदाजा लगा सकते हैं। आप किधर जा रहे हैं? आप इस देश को भूखों का, बीमारों का, अशिक्षितों का देश क्यों बनाते जा रहे हैं। अंतर्राष्ट्रीय स्तर पर, पिछले साल ही, डेढ़ करोड़ आदमी इस देश के अंदर गरीबी की सीमा रेखा में चला गया है। हर साल अगर गरीबी बढ़ेगी, गरीबी बढ़ेगी तो किस आधार पर हमारी महामहिम राष्ट्रपति जी ने यह कहा है कि हम आने वाले समय में, इस देश को विश्व की महानतम समिति में खड़ा करेंगे। आप वर्ष 2015 तक भूख को आधा करने के लिए कमिटेड हैं। लेकिन मुझे कोई रास्ता दिखाई नहीं देता है कि आप वर्ष 2015 तक, इस देश में भूख को आधा कर पाएंगे। मुझे खुशी होगी अगर यह काम किया जाता है और उसके लिए कोई रोड-मैप होगा तो सारा सदन आपकी सहायता करेगा, मगर मुझे कुछ नजर नहीं आता है। कभी इस पर चर्चा होगी तो हम आपको रास्ता बता सकते हैं, दिशा दे सकते हैं, मगर अमरीका से जो आप समझौता कर रहे हैं, जिसे आपकी कैबिनेट ने मंजूरी दी है, जिसे आपने सदन के सामने नहीं रखा है, भगवान के वास्ते उसका पुनःशिक्षण करें और हिंदुस्तान के किसान को अमरीका का पिछलग्गू न बनाएं। हम 8000 साल से इस देश में खेती कर रहे हैं, वे 300 साल से खेती करना जानते हैं। हमारी जैव-विविधता को आप नष्ट होने से बचाएं। हमारी धान की हजारों जातियां खत्म हो चुकी हैं, हमारे फूल-पत्ते, जड़ी-बूटियां खत्म हो रही हैं। आप भगवान के वास्ते किसान को, आम आदमी को साथ लें, ये अमरीकन वैज्ञानिक हमारे देश के लिए उपयोगी नहीं हैं। मैं विज्ञान का विद्यार्थी रहा हूँ, विज्ञान को थोड़ा-बहुत समझता हूँ और जितना मैं अमरीकन्स को समझता हूँ, उनकी दुरनीति को समझता हूँ, इसलिए अध्यक्ष महोदया, मैं आपके माध्यम से बहुत स्पष्ट रूप से महामहिम महोदया को चेतावनी दे रहा हूँ कि इस देश की खेती अगर आपने अमरीका का गुलाम किया, तो आप इस देश की आजादी को नहीं बचा सकेंगे।

आप पता नहीं इस देश को कहां ले जाएंगे? यह देश भूखे नंगों का देश बन जाएगा, इसके लिए मुझे स्पष्ट रूप से प्रधानमंत्री जी से कहना पड़ता है कि आज आप मुस्कुरा रहे हैं। मुझे अफसोस होगा कि किसी दिन आप रोएंगे कि आपकी नीतियों ने देश को इस स्थिति में पहुंचा दिया है। इस देश को इसके लिए रोना होगा। मैं आपसे हाथ जोड़ कर प्रार्थना करता हूँ कि इस देश की खेती को, इसकी परम्परा को स्वाधीन रहने दीजिए। इस देश के किसानों को काम करने दीजिए, इसे अमरीका के हाथ में  मत रखिए।

महामहिम राष्ट्रपति महोदया ने एक बहुत ही महत्वपूर्ण बात देश की आंतरिक सुरक्षा और बाह्य सुरक्षा के बारे में कही है। खाने के बाद अगर कोई चीज जरूरी है, तो वह सुरक्षा है। बहुत समय से संसद में डिफेंस के बारे में चर्चा नहीं हो पाई है। आप कभी चर्चा कराइए कि देश में सुरक्षा के क्या हालात हैं। आज भी हमने अखबार में पढ़ा है कि कश्मीर में घुसपैठ हुई है। हमारे गृहमंत्री जी कहते हैं कि सिक्योरिटी में ढील हुई है, गिरावट आई है। यह क्या बात है? देश का व्यक्ति अपने आपको असुरक्षित महसूस क्यों कर रहा है? बाहर से जो आक्रमण होने की संभावना रहती है, उसके लिए हम क्या करें? हम जैसे खेती को अमरीका के साथ जोड़ रहे हैं, वैसे ही हम समझते हैं कि समय आने पर वह शायद अपना न्यूक्लियर ट्रिगर हमारे लिए छोड़ देगा और हमें बचा लेगा। आपकी प्रतिरक्षा की जो सामग्री बन रही है, वह बहुत विचित्र है। वह केवल पाकिस्तान ओरिएंटेड है, लेकिन खतरे दूसरी तरफ से भी हैं। इस बारे में ध्यान देने की जरूरत है। भारत सिकुड़ रहा है।

अध्यक्ष महोदया : माननीय सदस्य कृपया अपनी बात समाप्त कीजिए।

डॉ. मुरली मनोहर जोशी : तिब्बत हमारा बार्डर था, उसे आज आपने हिमालय के फुटहिल्स में ला दिया है। नेपाल जो कभी हमारा एक प्रमुख समर्थक होता था, उसे आपने असहाय बना दिया है। एक तरफ से चीन पाकिस्तान के माध्यम से गोडार तक पहुंचा हुआ है। बंगाल की खाड़ी तक पहुंचा हुआ है, सारे दक्षिण एशिया और दक्षिण पूर्वी एशिया के देश आज चीन की गोद में जा रहे हैं। चीन आज सारे क्षेत्र में अपना प्रभुत्व बनाता जा रहा है। आपकी सामरिक शक्ति और आर्थिक शक्ति अभी चीन से बहुत पीछे है। जो स्थितियां हैं, उन्हें हमें स्वीकार करना चाहिए। हम किस आधार पर विश्व की महाशक्ति बनना चाहते हैं? हम तो आज के समय में क्षेत्रीय शक्ति भी नहीं हैं। मुझे इस बात का अफसोस है कि जहां हम थे, उससे बहुत पीछे हम चले गए हैं। 1947, 48, 49 में हमारी जो स्थितियां थीं, वे आज बहुत पीछे छूट गई हैं।

अध्यक्ष महोदया : आप अपनी बात समाप्त कीजिए।

डॉ. मुरली मनोहर जोशी : महोदया, बहुत महत्वपूर्ण बात है।

अध्यक्ष महोदया : ठीक है, लेकिन आपके बोलने का समय समाप्त हो गया है।

डॉ. मुरली मनोहर जोशी : चीन ने हिंदुस्तान को बीस-तीस टुकड़ों में बांटने की कोशिशें की हैं। सारे हथियार उसने इस तरह से समायोजित किए हैं। अरूणाचल के ऊपर वह अपना कब्जा बनाना चाहता है। सिक्किम में वह मांग कर रहा है। अक्साइ चीन वह कब्जे में लिए बैठा है। अब जब अक्साइ चीन की बात आती है, तो कश्मीर भी मुझे याद आता है। श्रीमान आडवाणी जी ने इस सवाल को उठाया था। मैं चाहता हूँ कि वह सवाल सही परिप्रेक्ष्य में सदन के सामने बना रहे। सदन का प्रस्ताव था कि कश्मीर हमारा है, हमारा

था और हमारा रहेगा। मैं चाहता हूँ कि माननीय प्रधानमंत्री जी इस मामले में सदन को आश्वस्त करें। श्रीमान आडवाणी जी ने यही सवाल उठाया था। अगर आप इस मामले को दोहराकर कहते हैं...(व्यवधान) सिर्फ यही नहीं, कृपया करके आप मेरी बात सुनिए। इन्हीं बातों से संदेह पैदा होता है कि आप कश्मीर मामले में कुछ ढील कर रहे हैं।

अध्यक्ष महोदया : माननीय सदस्य, आप अपनी बात समाप्त कीजिए। आपका बोलने का समय समाप्त हो गया है।

डॉ. मुरली मनोहर जोशी : आप इस मामले में बेबाक हो कर कहिए। फारूख साहब बैठे हुए हैं। यह प्रस्ताव इसी सदन में पास हुआ था।...(व्यवधान) हम हैं, हम तो कह ही रहे हैं। हम तो इसकी मांग कर रहे हैं कि इसे दोबारा दोहराएं। प्रधानमंत्री दोबारा प्रस्ताव रखें और हम उसका समर्थन करेंगे।...(व्यवधान) हाँ, हमारे शरद पंवार उसे दोहराएं। हम उसे दोहराना चाहते हैं। देश को आश्वस्त करना चाहते हैं।...(व्यवधान)

अध्यक्ष महोदया : आप बैठ जाएं। आप क्यों बीच में खड़े हो जाते हैं।

माननीय सदस्य आप भी बैठ जाएं। आपके बोलने का समय समाप्त हो गया है।

...(व्यवधान)

अध्यक्ष महोदया : माननीय सदस्य के भाषण क अलावा कुछ भी रिकार्ड में नहीं जाएगा।

*(Interruptions) ... **

अध्यक्ष महोदया : मुरली मनोहर जोशी जी, अब आप अपनी बात जल्दी से समाप्त कर दीजिए। It is time to conclude.

... *(Interruptions)*

डॉ. मुरली मनोहर जोशी : महोदया, मैं दो और बातें कहना चाहता हूँ।...(व्यवधान)

अध्यक्ष महोदया : लाल सिंह जी, आप बैठ जाइए।

...(व्यवधान)

डॉ. मुरली मनोहर जोशी : अगर टोकाटाकी नहीं होगी तो जल्दी बात समाप्त हो जाएगी।...(व्यवधान)

अध्यक्ष महोदया : आप जल्दी समाप्त कीजिए। तुरंत समाप्त कीजिए। I will give you one minute to speak.

... *(Interruptions)*

* Not recorded.

THE MINISTER OF NEW AND RENEWABLE ENERGY (DR. FAROOQ ABDULLAH): I would like to respond to Joshi *ji*. I would like to inform him हिंदुस्तान ने चूड़ियां नहीं पहनी हैं।...(व्यवधान)

डॉ. मुरली मनोहर जोशी : मैं यही बात माननीय प्रधानमंत्री जी से सुनना चाहता हूँ कि कश्मीर भारत का अंग था, है और रहेगा।...(व्यवधान)

MADAM SPEAKER: Dr. Farooq Abdullah, please address the Chair.

... *(Interruptions)*

डॉ. फ़ारूख़ अब्दुल्ला: माननीय प्रधानमंत्री कहें या न कहें। ...(व्यवधान) आप सुनिए, मैं आपसे कहना चाहता हूँ कि मुझे याद आता है कि आपके ही लीडर वाजपेयी जी ने भी यही कहा था - कभी यह मत समझिए कि देश इतना कमजोर है कि कोई भी हमें खा सकता है, चाहे वह अमरीका हो, चीन हो या कोई और मुल्क हो। चीन कुछ भी कर ले, हिन्दुस्तान का भूखा भी कुल्हाड़ी उठाकर मुल्क की सेवा के लिए निकल पड़ेगा।...(व्यवधान)

श्री मुलायम सिंह यादव : चीन आपकी सीमा में प्रवेश कर चुका है।...(व्यवधान)

अध्यक्ष महोदया : यह क्या हो रहा है?

...(व्यवधान)

MADAM SPEAKER: Hon. Minister, please take your seat. Mulayam Singh *ji*, please take your seat.

... *(Interruptions)*

अध्यक्ष महोदया : मुलायम सिंह जी, आप बैठ जाइए।

...(व्यवधान)

अध्यक्ष महोदया : मुरली मनोहर जोशी जी, अब आप समाप्त कीजिए।

...(व्यवधान)

डॉ. मुरली मनोहर जोशी : महोदया, मैं दो बातें कहूंगा। एक बात तो यह है कि मैंने प्रस्तावक महोदय का भाषण सुना। इसमें लगभग कोई ऐसी चीज नहीं थी जिस पर कोई टिप्पणी की जाए। लेकिन एक वाक्य ऐसा था जो उन्होंने लालू प्रसाद जी को संबोधित करते हुए कहा कि हम आपसे हिंदी में तब बात करेंगे जब आप और हम वृंदावन में गाय चराने जाएंगे। इसका क्या मतलब है? इसमें बहुत गहरी बात कही गई है। इसके दो पक्ष हैं - वे वृंदावन में गाय चराने तो तब जाएंगे जब गाय इस देश में बचेगी। जिस रफ्तार से

गायों का वध हो रहा है, मुझे शक है कि उन्हें गाय के बजाय किसी और जानवर को चराने के लिए वहां जाना पड़ेगा। जिस भाषा की बात की है, शायद उस पक्षी का जिक्र किया था, वे केवल उसी की भाषा में उससे बात करते रहेंगे, इस सदन को जो भाषा लगती है। हिंदी सदन की भाषा है। भारत की राजभाषा है, संविधान की भाषा है इसके लिए गाय चराने की जरूरत नहीं है। इसके लिए पहले अपने दिमाग को चलाइए, ठीक रखिए। आपको हिंदी में बात करनी चाहिए, करनी होगी। आप न करें तो अलग बात है लेकिन आप उसे चरवाहों के साथ जोड़ रहे हैं।...(व्यवधान)

श्री मुलायम सिंह यादव : भारतीय भाषाओं में करें।...(व्यवधान)

अध्यक्ष महोदया : मुलायम सिंह जी, आप चुप रहिए।

...(व्यवधान)

डॉ. मुरली मनोहर जोशी : भारतीय भाषाओं में करें। मुझे इस बात का फख है कि आपने कहा कि आप चरवाहों से हिंदी में बात करेंगे।...(व्यवधान)

अध्यक्ष महोदया : आप इधर देखकर बात कीजिए। आप आपस में क्यों बात कर रहे हैं?

...(व्यवधान)

डॉ. मुरली मनोहर जोशी : देश का चरवाहा भी हिंदी बोलता है, अंग्रेजी नहीं बोलता है।...(व्यवधान) आप इस बात का ध्यान रखें कि हम इस बात को कभी बर्दाश्त नहीं करेंगे कि आप हिंदी के प्रति इस प्रकार के अपमानयुक्त शब्दों का प्रयोग करें।...(व्यवधान)

MADAM SPEAKER: Joshi ji, address the Chair. Your time is up.

... *(Interruptions)*

डॉ. मुरली मनोहर जोशी : मैं अंतिम बात कहना चाहता हूँ। प्रस्तावक महोदय के बाद समर्थक महोदय ने भाषण किया, मुझे भाषण के बारे में उन्हें बधाई देनी है। उन्होंने एक बहुत गहरा सवाल पहचान का उठाया। उन्होंने पहचान यूनीक आइडेंटी कार्ड से जोड़ी लेकिन वह जरा कुछ हल्की हो गई क्योंकि आप इस देश की पहचान एक नंबर से देना चाहते हैं, यूनीक आइडेंटी नंबर। आप इस देश के आदमियों को नंबर बनाना चाहते हैं। यह बुद्ध का देश है, महावीर का देश है, गांधी का देश है, सूफी-संतों का देश है, राम और कृष्ण का देश है, इसकी पहचान नंबर से नहीं होती। आपकी मेहरबानी होगी, आप इस देश को नंबर में मत बदलिए। उसे इंसान रहने दीजिए, उसकी इंसानियत की पहचान रखिए, उसकी परंपरा की पहचान रखिए, उसकी संस्कृति की पहचान रखिए। आप ध्यान दीजिए और भारत की भारतीयता की पहचान दीजिए लेकिन

आप क्या पहचान दे रहे हैं कि आप गरीब हैं। आप गरीबों को इस देश के गरीबों की पहचान दे रहे हैं। ... (व्यवधान) गुरबत की पहचान देना चाहते हैं। आप क्या देना चाहते हैं?

अध्यक्ष महोदया : जगदम्बिका पाल जी, आप क्यों खड़े हो गए। आप बैठ जाइए।

... (व्यवधान)

डॉ. मुरली मनोहर जोशी : हम भारत को गौरवशाली पहचान देना चाहते हैं। भारत की पहचान दुनिया में महान संस्कृति और परंपरा के तौर पर रहेगी।... (व्यवधान) वे नंबर नहीं हैं।... (व्यवधान)

MADAM SPEAKER: Your time is up. अब आप अपनी बात समाप्त कीजिए।

... (व्यवधान)

डॉ. मुरली मनोहर जोशी : नंबर में बदलने की नीतियों को देश कभी बर्दाश्त नहीं करेगा। ... (व्यवधान) मेहरबानी से देश को सही पहचान देने का काम करें। भगवान आपको ऐसी शक्ति दे, बुद्धि दे कि आप इस देश को समझें, इसकी सही पहचान को समझें, परंपराओं को समझें, संस्कृति को समझें, इतिहास को समझें। आप तब जाकर इस देश की नीतियां ठीक बना सकेंगे।

***श्री हरीश चौधरी (बाड़मेर):** बजट सत्र अन्य सभी सत्रों में सबसे ज्यादा महत्वपूर्ण माना जाता है और इस सत्र के दौरान राष्ट्रपति का अभिभाषण और भी महत्वपूर्ण, क्योंकि वह बीते वर्ष में सरकार के कामकाज की समीक्षा के रूप में तो देखा ही जाता है साथ ही उसे आने वाले वर्ष में सरकार के भावी कार्यक्रमों, योजनाओं और कदमों की प्रस्तावना भी माना जाता है।

राष्ट्रपति ने इस बात को रेखांकित किया है कि भारत की सफलता की कहानी तब तक अधूरी है जबतक वंचित तबके के लोगों को उसका हिस्सा नहीं बनाया जाता। इस संदर्भ में यूपीए सरकार के निर्णय ऐतिहासिक रहे हैं। इसके उदाहरण के तौर पर हम महानरेगा को देखे जिसने हर इस देश के निवासी परिवार को कानूनन रोजगार की गारंटी दी है। दुनियां में सबसे बड़ा रोजगार देने की योजना महानरेगा है। रोजगार के साथ स्थायी संपत्ति का निर्माण सरकारी व निजी दोनों इस योजना में हैं। मेरे संसदीय क्षेत्र में बाड़मेर व निजी दोनों इस योजना में हैं। मेरे संसदीय क्षेत्र में बाड़मेर जिले में निजी टांके का निर्माण उदाहरण है कि 50000 परिवार एससी/एसटी व बीपीएल जिनको सरकार ने रोजगार के साथ पेयजल के लिए भी सार्थक कदम उठाये हैं।

शिक्षा के क्षेत्र में सुधार के लिए भी राष्ट्रपति ने कई नये सार्थक पहलकदमों के संकेत दिए हैं इनमें बच्चों को अनिवार्य एवं मुफ्त शिक्षा का अधिकार कानून 2009 को 1 अप्रैल, 2010 से प्रभावी बनाये जाने और जल्दी ही राष्ट्रीय उच्च शिक्षा एवं अनुसंधान परिषद के गठन की बात प्रमुख है।

सरकार 2012 तक हर घर में बिजली का लक्ष्य रखा। इसके लिए राजीवगांधी विद्युतीकरण जैसी योजना जमीनी स्तर पर क्रियान्वयन हो चुके हैं। देश में दूसरी हरित क्रांति का भी उल्लेख किया गया है इसके लिए नई तकनीकों को बेहतर बीजों, उन्नत कृषि तरीकों को प्रभावी, जल प्रबंधन तकनीकों और उन अधिक मजबूत ढांचों की आवश्यकता है जो किसानों को वैज्ञानिक समुदाय ऋण देने वाली संस्थाओं तथा बाजारों से जोड़े।

अन्तर्राष्ट्रीय आर्थिक मंदी के बावजूद कारोबारी साल 2009-10 में आर्थिक विकास दर 7.5 फीसदी रही है। जो विश्व में सर्वाधिक है। अगले वित्त वर्ष 2010-11 में इसके 8 फीसदी व 2011-12 में 9 फीसदी तक रखने का लक्ष्य है। इसके लिए सरकार को धन्यवाद देना चाहता हूँ। यह संभव सिर्फ उसकी नीतियों व योजनाओं के कारण ही हो सका।

सरकार ने दुनियां को दिखा दिया है कि वैश्वीकरण की नीतियों और जनकल्याण के कार्यक्रम को एक साथ चला सकती है। सुनील खिल्लाणी जैसे राजनीतिशास्त्री या उनके जैसे कई अर्थशास्त्री आज नए

* Speech was laid on the Table.

भारत के लिए इसी आइडिया की वकालत भी कर रहे हैं। उनका तर्क है कि भारत को उदारीकरण भी करते रहना चाहिए और साथ में गरीबी और पिछड़ेपन का दूर करने के लिए कल्याणकारी योजनाएं रखनी चाहिए। अगर भारत उदारीकरण के माध्यम से अपनी विकास दर नहीं बढ़ायेगा तो पिछड़ापन दूर करने की योजनाएं चलाने के लिए धन नहीं आएगा।

उदाहरण के तौर पर मेरे संसदीय बाड़मेर, जैसलमेर क्षेत्र में पेयजल की समस्या के लिए लगभग 4 हजार करोड़ ₹ से ज्यादा कि जरूरत है आजादी के 62 साल बाद भी हमें मीठा पानी पेयजल के लिए नहीं मिल रहा है। इस तरह की समस्याओं जिसमें ज्यादातर भारतीय त्रस्त हैं उनका समाधान सर्फ आर्थिक विकास है और वे सिर्फ सोनिया गांधी जी व प्रधानमंत्री मनमोहन सिंह जी के नेतृत्व में यूपीए सरकार ही कर सकती है। इसलिए देश की जनता में यूपीए को 2009 के आम चुनाव में जनआदेश दिया है।

***SHRI J.M. AARON RASHID (THENI):** I support the motion of Thanks on the President's address. I quite agree with my colleagues in expressing my deep concern that it has been a tradition that whenever the President speaks to both Houses of Parliament, everybody listens in pin-drop silence, but unfortunately over the last two Budget Sessions, we are drifting away from this tradition. No doubt that our country is facing various problems. Be it price rise, Naxalite attacks in some parts of the country, foreign engineered terrorists attacks on our innocent people and severe drought in the country. These problems which will have to be readdressed by active co-operation of all the political parties.

Our government was voted to office with a clear cut mandate to protect and deepen the values of pluralism and secularism and to ensure rapid growth with justice and fairness for all. The biggest achievement of our government was that it has successfully combat with the global economic slowdown by adopting strong policies that our economic growth which had slowed to 6.7% in 2008-2009 has improved around 7.5% in 2009-2010. Developed nations across the world, have faced recession during the year 2009-2010, but India along with China have performed well remarkably during this year of recession.

We have faced with extreme drought situation in some parts of the country and in some other parts of the country, there was flood. Our government, keeping in view of the draught situation and its impact on the farmers has allocated Rs.4,000 crore from the National Calamity Contingency Fund and the Calamity Relief Fund to the drought affected States. Diesel Subsidy Scheme was introduced. Several other measures were taken to minimize loss in production due to drought. Water conservation works in the fields of small and marginal farmers was brought under the Mahatama Gandhi National Rural Employment Guarantee Scheme. I am glad that due to these efforts, we were able to contain fall in food production to a large extent.

* Speech was laid on the Table.

There has been pressure on the prices of foodgrains and food products. My government despite a significant increase in the procurement prices of food grains, kept central issue prices of public distribution constant. Import of essential commodities was liberalized. Lakhs of tones of wheat and rice were released in the open market. Additional wheat and rice were released through the various cooperative institutions to benefit the consumers at the retail level.

Appropriate new measures to strengthen the security apparatus of the country to equip it to meet the grave challenge posed by terrorism were taken. Though, infiltration to terrorists from across the line of control in J&K has gone up, but our security personnel were able to achieve significant improvement in J&K.

Our Government has given 8000/- price for sugarcane and paddy which is widely appreciated by one and all. Banks are giving agriculture loan starting from 25,000/- onwards food and essential prices also started decreasing. With this I conclude.

***SHRI SAMEER BHUJBAL (NASHIK) :** I support the motion. The President's Address is an important event in the parliamentary calendar. It sets the agenda for the Parliament. It is a vital channel of communication between the Government and the Parliament. It captures the major highlights of the entire gamut of the Government and provides an umbrella framework for debates on any aspect of the Government and provides an umbrella frameworks for debates on any aspect of the Government functioning. Customarily, therefore, the debate on the Motion of Thanks to the President's Address is the first business to be transacted by the House. The sanctity of the debate is somewhat diluted when you find that the Opposition insisted on discussing some other issues before this debate, whereas this particular debate has ample scope for doing so.

My learned colleagues from the Opposition have said in the House and outside it that the President's Address is a sort of advertisement card of the Government. I would like not to contradict it, as this has been the pattern for all Governments including the NDA Government and there is nothing wrong in this pattern. When you highlight your achievements, you derive a sense of satisfaction of the work done; but at the same time you need to be introspective and self critical. And, I am happy that this President's Address, while outlining the efforts and achievements of the Government, has also mentioned about the critical challenge to our nation-building efforts. Through this debate, all sections of the House should endeavour to provide some inputs to the Government to address the challenges.

Speaking at this time of the debate is not very easy, as most points have been touched upon by my learned colleagues. However, I would like to briefly touch upon some major areas of the Address.

Hon'ble President's Address was reassuring in respect of several key areas in the social sector, notably schemes for advancement in rural areas in terms of

* Speech was laid on the Table.

housing, road connectivity, communication network, as well as setting up of schools and colleges in the backward areas. The growth and development in this broad sphere is critical for the country's future progress.

The Address in paragraph 3 reiterates the commitment of the Government to the cause of the welfare of *aam admi* for achieving the goal of inclusive growth and development. My colleagues from the opposition have said that address gives the impression of glossing over the serious price rise question, which had seriously impacted the common man. There are no two opinions on the adverse impact of price rise on the quality of life of our people, especially in the rural areas. But, in the context of the President's Address, I would like to mention that the Address has substantively raised this issue in several paragraphs. The efforts taken to control prices of essential commodities have been highlighted and the causes for this which lay in production shortfalls and the increased international prices of these commodities have been delineated. In paragraph 7 of the Address, when the Hon'ble President said that there has been unhappy pressure on the prices of foodgrains and food products, all of us should be reassured that concealment is not the policy of this Government, Transparency is the mantra of our success. The Government is committed to a long term growth of agricultural sector as well as efficient management of food economy for ensuring food security for all our people.

The issue of terrorism also concerns all Indian. After 26/11, the government has taken steps to better organize the internal security apparatus and these find detailed mention in the President's Address. We have a zero tolerance for terrorist activities. However, the Government is concerned at the revisit of terrorist incidents, as evidenced in Pune. Terrorism in India is, to a considerable degree, linked to developments in our neighbourhood, especially in Pakistan. Growing influence to Talibans in Pakistan is a cause for concern. The infiltration level from the Pakistan side has gone up. The Government is appropriately seized

of the matter and in different levels of our bilateral engagement, there will be nuanced reference to this factor.

The country's internal security situation, expect the left wing extremist activities, has been largely under control. Our very efficient and visionary Home Minister has taken an integrated initiative to address the naxal violence in close coordination with the affected states. Security of life and property is the absolute minimum for growth and prosperity of our country as also its people. Our united efforts will bear fruit. We should not see security from the blinkers of politics. However, absence of two Chief Ministers from the Meeting of Home Minister with the Chief Ministers of naxal affected states in February 2010 at Kolkata is indeed distressing. It indicates that some of the affected states are yet to realise the threat of naxalism to our internal security.

The Address has one very illuminating aspect-the emphasis on education, as a critical factor to accelerated inclusive growth. With this in view, the Government has made significant investment in primary education through Sarva Shiksha Abhiyan and Mid-day Meal Programme. The Right of Children of Free and Compulsory Education, Act 2009 has been notified. We need to move faster in this direction as universalisation of primary education will play a very important role in addressing the problem of child labour, abuse of child rights and so on.

The biggest relief, I would say, is the strength and resilience of our economy and the economic policies, which could minimize the impact of global economic crisis. The Government deserves our wholehearted compliments. Our economy is growing at 7.5%. The way our economy is growing. I have a feeling that we would touch double digit growth in not too distant future. Having said that, I would like to emphasize that we need to attach top priority to our agriculture to maintain its growth momentum. Scientific innovations on farm inputs and biotechnology must continue through R&D.

At the end, I would like to mention the emphasis given in the Address on extending modern communication facilities in the rural areas. Financial support is

provided from the Universal Service Obligation Fund to set-up 10,000 towers in the rural areas. This is a very important step in connecting our rural areas. I represent Nashik in Maharashtra, where the major problem is lack of adequate mobile connectivity. Signal is very poor, towers are not adequate. Madam Speaker, through you, I would like to apprise the concerned Minister to look into this problem. I hope, with this new initiative, the problem of my constituency as also other rural areas would be adequately addressed.

Through you I would like to attract your attention on some of the problems being faced by my constituency Nashik and particularly Maharashtra in general. The phenomenal increase in population of small and medium towns like Nashik largely on account of inward migration has led to severe set-backs in urban development. This has created a number of problems like shortage of dwelling units, mushrooming growth of slums, encroachment of public land etc. The pace of urbanization is creating a number of problems in the process of proper development of many such cities. Therefore, keeping in view this peculiar and gigantic problem the Centre's intervention is urgently sought in implementation of NREGA and JNURM to strengthen the civic infrastructure of the city.

Another area is the 'Youth Development'. While the role and contribution of youth is of vital importance in all countries, it is particularly significant in a country like India where the proportion of the youth in the country's overall social and demographic profile is continuously increasing. According to the 2001 Census, there were approximately 355 million people in the 15 to 35 age group, 74 per cent of whom lived in rural areas. The number was expected to rise to approximately 510 million by 2016. Both central and state governments need to harness the energies of this large group, providing them with adequate infrastructure levels. However, organized effort appears to be forthcoming over a national scale to tap the potential of the Youth. Youth are the foundation for the development of the country and unless emphasis is laid on youth programme and

put the youth on the right track and right direction, the ultimate goal of nation building cannot be achieved.

As Delhi, is going to organise 2010 Commonwealth Games, we should take special efforts to increase sufficient co-ordination among various Sports bodies within the country and enhance our Sports infrastructure throughout the country, among youth and masses.

Another area which I would like to highlight is that to integrate Computer Technology/ICT (Information and Communication Technology) in Teaching Learning process/Class Room Transactions in our schools. Madam, I would only request you that it should be made integral to Sarva Shikshah Abhiyan where there should also be provision to provide CDs, training for block resource persons/teachers and assistance for monitoring and research.

Finally, I would like to see the President's Address as a document which has captured the spirit of good governance. It is articulated through a sense of sensitivity and seriousness of the Government to issues of price rise and security, through a sense of long empowerment of the women, Dalits and Minorities, through a sense of long term vision on infrastructural development and technological modernization, besides the issues concerning climate change and energy security. The Government is conscious of its responsibilities. We need to strengthen its hands. With these words, I thank you Madam Speaker for giving me this opportunity to participate on this motion in this august House. Madam, I support the Motion.

***SK. SAIDUL HAQUE (BARDHMAN-DURGAPUR):** I beg to lay the written speech on Motion of Thanks to President's Address.

We are participating in the debate on the Motion of Thanks to the President's Address. As President's Address is prepared by Cabinet so it is quite natural that it will reflect the achievement of the Government and also the policies and programmes of the Government.

When we are discussing of President's Address we see that as per the Human Development Index the position of our country is gradually decreasing ranking down to 128 from 126 among 177 countries. We all love our country. We are proud to be Indian. But what is shame to us is that even after 62 years of independence we have large number of illiterates in the country. Almost 17% of the World Population live in India. That is out of six people in the world one is Indian. But out of total adult illiterate people in the world almost 34% live in India. That is out of three world illiterate one is in India. The case of female illiteracy is more horrible.

More than 70% of our population live in country side. Most of them are Kisans (peasants). But what is the plight of the farmers? Almost 2 lakh farmers have committed suicide because of the anti-farmer, rather say, anti-people policies of the UPA Government taken in last six years and also of the policies taken by N.D.A. Government in the past. Nothing has been said in the President's Address about the land reform programme of the government. No new direction has been given for enhancing the irrigation facility and also supplying subsidized seeds and fertilizers to the farmers. No action has been taken for fair and remunerative price for the farmer's product.

The Government takes pride in NREGA, now named as Mahatama Gandhi NREGA. But we have failed to provide 100 days work to all families for whom the scheme is meant. What is deplorable is that corruption it taking place in implementation of the programme. The Government should come forward with

* Speech was laid on the Table.

plans and programme for the poor, particularly for the rural poor and the poor living in the Basti (slum dweller) in the towns. There should be no divisions as APL and BPL category because the criteria that Central Government has fixed up is so inaccurate and wrong that it keeps many really deserving poor people out of the list of BPL category. In fact, there it keeps many really deserving poor people out of the list of BPL category. In fact, there is no specific data numbering of families below poverty line. Planning Commission has one data, Arjun Sengupta Committee, Saxena Committee or Tendulkar Committee have another. What is the need of the time is to correct the Planning Commission data and enhance the percentage of BPL family.

Price hike of essential commodities has risen to an alarming position, almost reaching to 20% of food inflation rate, what has never been in last 26 years. Government has failed to keep its promise to control the price hike. To add fire to the fuel, Government has recently increased the prices of Petroleum Products, thereby causing further rise of price hike. I strongly urge upon the Government to withdraw such hike of Petroleum products. Government should take appropriate action to make Public Distribution System universal, without making it a targeted one. In addition to that, as a measure to control price hike, Government should make ban on forward trading on all agricultural products and stop commodity exchange. Government should distribute 35 kg of foodgrains at the rate of Rs.2 per kg, to all BPL family.

Another important problem in our country is the question of unemployment. Nothing has been said about creation of new jobs. What is of more concern is the issue of job loss. More than 20 lakhs workers have lost their jobs. Even Railway and other Departments are not fulfilling their vacant posts. Government should take action of this.

Hon'ble President has referred to in her address about the threat and danger of left wing extremists. These forces are attacking and taking the lives of innocent peoples, Jawans. In my state West Bengal also in parts of three districts such

thing is happening. So we all should come forward to face the challenge of left wing extremism. Government, particularly Central Government should take firm stand and strengthen joint operation. But sorry to mention that there is one political party. Who is part of the coalition government and they are supporting the so called Maoist Activities and demands for stopping joint operation. This should be checked and condemned.

Another important issue into which Hon'ble President has not mentioned anything is the issue of implementation of the Rangaraj Misra Commission recommendation. It is the crying need of the hour. The government should place the action taken report in the house West Bengal has already taken some positive step by announcing ten percent reservation for educationally, economically, backward section of the Muslim community.

The next issue is the question of bringing legislation for 33% female reservation. I strongly demand that such legislation should be tabled in this current budget session.

My last point is the issue of education. Right to Education Bill has recently been passed by making provision for 6-14 years children's free and compulsory education. But the anomalies in the Bill, now Act, be rectified. Central Government should come forward to allot more fund to the states to make it a success. While implementing this provision Union Government should keep in mind the democratic federal structure of the country. With these words, I thank to the Chair and conclude by written speech.

***श्री जयंत चौधरी (मथुरा):** मैं अपने दल की ओर से महामहिम राष्ट्रपति जी के अभिभाषण पर धन्यवाद प्रस्ताव का समर्थन करने के लिए खड़ा हुआ हूँ। राष्ट्रपति जी ने अपने अभिभाषण में काफी महत्वपूर्ण बिन्दुओं पर चर्चा की। मौजूदा भूमि अधिग्रहण कानून का चरित्र मूलतः औपनिवेशिक है। 1894 में इंग्लैण्ड के व्यापारिक हितों को साधने के लिए ईस्ट इंडिया कम्पनी ने भूमि अधिग्रहण कानून की शुरुआत की थी। आजादी के बाद उस कानून में समय-समय पर संशोधन होते रहे। किन्तु आज केन्द्र और राज्य सरकारें इस कानून का जिस तरह इस्तेमाल कर रही हैं उसके नतीजे ईस्ट इंडिया कम्पनी की अपेक्षा जनता के लिए अधिक भयावह रूप में सामने आ रहे हैं। भूमि अधिग्रहण सार्वजनिक हितों के लिए आमतौर पर सड़क, अस्पताल, स्कूल अथवा सरकारी कार्यालय की इमारतें बनाने के लिए किया जाय। जहाँ तक किसी औद्योगिक मिल या कारखाने के लिए भूमि अधिग्रहण का प्रश्न है तो वहाँ पर भी उद्योगपतियों को भूमि किसानों से सीधे लेनी चाहिए। इसमें सरकार का दखल कहां तक उचित है?

आज स्थानीय आबादी जिसे अधिग्रहण के चलते भूमि से बेदखल किया जाता है, उसका कोई भविष्य नहीं होता। प्रभावित किसानों और मजदूरों को अधिग्रहीत भूमि पर लगने वाले उद्योगों में रोजगार मिलने की सम्भावना लगभग न के बराबर होती है, इसी का नतीजा है कि आज भारत में करोड़पतियों की संख्या में वृद्धि हुई है, कुछ गिने-चुने लोग खरबपति हुए हैं, तो ऐसे लोग करोड़ों की संख्या में हैं जिनके पास दो जून की रोटी भी नहीं है। इस तरह हमारा समाज एक असंतुलित विकास का शिकार हो रहा है। पिछले 15 वर्षों में बड़े-बड़े उद्योगों में श्रमिकों की संख्या लगातार घटी है पर उनका मुनाफा तेजी से बढ़ा है।

यहां मुझे चौधरी चरण सिंह जी के वो उद्गार याद आते हैं जो उन्होंने 1959 में कांग्रेस के नागपुर अधिवेशन में सहकारी खेती के विरोध में व्यक्त किये थे। उन्होंने कहा था कि **किसान अपनी जमीन को माँ की तरह प्यार करता है। भूमि का एक छोटा सा टुकड़ा भी उसके लिए सम्मान की वस्तु होता है।** वा जान दे सकता जमीन नहीं। किसान और भूमि के बीच क्या रिश्ता है, यह हमें समझना होगा।

दिल्ली एयरपोर्ट के लिए 1972 में महिपालपुर समालखा आदि गांवों की जमीनों की भूमि को अधिग्रहण किया गया था, प्रति एकड़ 5500 ₹ का मुआवजा मिला था और आज वहीं जमीन व्यवसायियों को होटल आदि के लिए महंगे दामों पर दी जा रही है। किसानों की भूमि जब ली जाती है तो उसका मूल्य कम होता है और अधिग्रहण करने के बाद उसका मूल्य एकाएक बढ़ जाता है, ऐसा क्यों होता है? महोदया

* Speech was laid on the Table.

21 जुलाई, 2009 को यमुना एक्सप्रेस-वे की अधिसूचना जारी की गयी थी। इसके अन्तर्गत 850 गांवों को अधिसूचित कर दिया गया है तथा यमुना एक्सप्रेस वे आज 90 प्रतिशत सिंचित और उपजाऊ भूमि पर बनाया जा रहा है। आज उ०प्र० के 107452 गांवों में 5 से 6 हजार तक गांव अधिसूचित कर दिये गये हैं वो भी पिछले 2-3 वर्षों में। उपलब्ध आँकड़ों के अनुसार कृषि भूमि 1980-81 में 185 मिलियन हेक्टेयर थी और 2005-06 में 182.57 मिलियन हेक्टेयर रह गयी है मैं यहाँ यह बताना चाहूँगा कि अंततः रोटी सिर्फ खेती ही दे सकती है। हम इतनी बड़ी जनसंख्या का पेट अनाज आयात करके नहीं भर सकते। फिर अन्न आयात करने के भी अपने खतरें हैं। हम फार्मूला वन रेस, गोल्फ तथा महंगी गाड़ियों के बिना तो रह सकते हैं, पर बिना अन्न के नहीं।

भूमि अधिग्रहण कानून 1894 के सैक्सन-17 में Urgency clause का भी दुरुपयोग हो रहा है। आज उत्तर प्रदेश के कितने ही इंडस्ट्रियल पार्क तथा रिहायशी इलाकों के लिए कितनी ही भूमि अधिग्रहीत कर ली गयी है, पर बीस साल के बाद भी वहां पर कुछ भी नहीं हुआ। जिन बड़े-बड़े उद्योगतियों को किसानों की उपजाऊ जमीनें विशेष आर्थिक क्षेत्रों के नाम पर दी जा रही हैं उनका उद्योग लगाने के कितना इस्तेमाल किया जा रहा है, उससे रोजगार का कितना सृजन हो रहा है, यह भी मानने की बात है। महोदया, सादाबाद विधानसभा क्षेत्र में 1400 एकड़-भूमि अधिग्रहण की गयी थी और वहां पर केवल एक एलपीजी प्लांट लगा हुआ है।

आज इस बात की जरूरत है कि एक ऐसी राष्ट्रीय नीति बनाई जाये, जिसके तहत यह सुनिश्चित किया जाये कि किस तरह की भूमि उद्योगों तथा एक्सप्रेस-वे जैसी परियोजनाओं के लिए अधिग्रहीत की जायेगी तथा कौन सी भूमि अधिग्रहण से मुक्त रखी जायेगी। आज गंगा-यमुना के मैदान में विशेष आर्थिक क्षेत्रों (एसइजेड) और एक्सप्रेस-वे के नाम पर जिस तरह खेती की उर्वर भूमि का अधिग्रहण किया जा रहा है, वह एक आत्मघाती कदम है। इसके दो भयावह परिणाम हमारे सामने आ रहे हैं : एक तो अपनी भूमि से बेदखल होकर किसान मूजदूरों के रूप में शहरों की ओर पलायन कर रहे हैं और बेरोजगारी के आंकड़ों में लगातार वृद्धि कर रहे हैं, दूसरे उपजाऊ कृषि भूमि का अधिग्रहण खाद्यान्न के उत्पादन को प्रभावित कर रहा है। विशेष आर्थिक क्षेत्रों एवं एक्सप्रेस-वे परियोजनाओं के नाम पर कृषि भूमि का जिसतरह अधिग्रहण किया जा रहा है उससे हमारे सामने भविष्य में खाद्यान्न का संकट पैदा होने की आशंका बढ़ रही है। ऐसे में भारी मात्रा में कृषि भूमि के अधिग्रहण के बाद खाद्यान्नों की उपलब्धता की स्थिति और भयावह हो जायेगी। महोदया, आज भारत की महती आवश्यकता है कि हम अपनी फूड सिक्यारिटी सुनिश्चित करें। सरकार

न्यूक्लीयर लायबिलिटी एक्अ को लाने के लिए तो चिंतित है परन्तु किसानों और मजदूरों से संबंधित भूमि अधिग्रहण पर संवेदनशील नहीं है।

इस देश का किसान मिट्टी में पैदा होता है, मिट्टी में ही पलता बढ़ता है और समाज के अन्य तबकों का पेट भरते हुए अंत में मिट्टी में ही मिल जाता है किन्तु यदि उसके शोषण का कुचक्र जारी रहता है तो वह शोषक को भी मिट्टी में मिला देता है। इसलिए भूमि अधिग्रहण की इन अन्यायपूर्ण नीतियों के नाम पर किसान का ये शोषण रुकना चाहिये अन्यथा हमें राष्ट्रकवि दिनकर की इन पंक्तियों को एक दिन घटित होते हुए देखना होगा-

जब कभी अन्याय का, अपकर्ष का घट फूटता है

तब मनुज ले प्राण हाथों पर, दनुज पर टूटता है

जब अन्याय और शोषण की सीमाएं टूट जाती हैं तो कमजोर मनुष्य भी अपने से कई गुना शक्तिशाली पर प्रतिरोध के लिए टूट पड़ता है।

आज की जरूरत है कि हम पुराने भूमि अधिग्रहण कानून को रद्द करके नया कानून बनायें, जिससे कि कृषि भूमि, किसानों और मजदूरों के हितों को संरक्षण मिल सके।

अध्यक्ष महोदया : आपका बहुत-बहुत धन्यवाद। Now I would request the hon. Prime Minister to reply.

THE PRIME MINISTER (DR. MANMOHAN SINGH): Madam Speaker, I rise to join all Members of this august House in conveying our sincere thanks to the hon. President of India for her enlightening Address. Over the past two days we have had a very constructive debate on the issues covered in the Rashtrapatiji's Address. While several Members have expressed satisfaction at the working of the Government, some others have criticized it. This is as it should be.

Madam, before I come to the main subject, I would like to make a mention of the stampede that occurred yesterday at a temple in district Pratapgarh. The issue, I believe, had been raised by the concerned Member of Parliament in the Lok Sabha yesterday. I join all hon. Members in conveying our heartfelt condolences to the families of the deceased and wish speedy recovery to normal health of those who have suffered injuries. We have decided to make from the Prime Minister's National Relief Fund an *ex gratia* payment of Rs. 2 lakh each to the next of kin of the deceased and Rs.50,000 to the seriously injured.

Madam Speaker, the essence of the hon. President's Address is contained in paragraph three, and I seek your indulgence to read that paragraph once again. It says:

“My government was voted to office with a clear cut mandate to protect and deepen the values of pluralism and secularism, and to ensure rapid growth with justice and fairness for all. Since assuming office in May 2009, my government has worked single-mindedly to build on the achievements of its earlier term to deliver the promise of faster and more inclusive growth. The *aam aadmi* was and is at the core of this promise; the *aam aadmi* had to be protected against the ravages of the worst ever global economic crisis since the Great Depression and against the failure of the monsoon in large parts of the country in mid-2009.”

Madam, our economy's performance has to be judged against the twin impacts of the international financial crisis which suddenly erupted in September,

2008 and then subsequently the failure of the south west monsoon in the year 2009. I sincerely believe that the way our Government has dealt with the impacts on our economy of these two adverse turns in our circumstances beyond our control is praiseworthy and indeed the whole world is praising India for the success with which we have achieved in this country.

Under the impact of the global economic crisis, the mighty countries of America and Europe have experienced negative growth rates. In 2008-09, India's growth rate also declined but we still maintain a growth rate of 6.7 per cent. In the current year, we will have a growth rate of minimum of 7.2 per cent but possibly going up to 7.5 per cent.

In the fiscal year 2009-10, the growth rate of the economy will be probably close to, what I have mentioned, 7.5 per cent but the most conservative estimate is seven per cent. In the next fiscal year, we are confident of achieving a growth rate of eight per cent or more; and the year thereafter we will be able to return the economy to nine per cent growth rate.

Why do I emphasise the growth rate? Madam, growth is not an end in itself. The end is the well-being of our people. Growth is only a means to provide relief to those who are suffering; growth is a means to find resources to spend on education, on health, on rural development, on social security. If we do not grow fast enough, we may talk about removal of poverty, we may talk about expanding irrigation and other facilities in rural India but these will all remain pipe dreams. The fact that the first three years of our Government saw a sharp increase in the growth rate, enabled our Government to devote a lot more resources for rural development, for agricultural development, for education.

Therefore, it is very important that the economy should get back to the growth rate of nine per cent or more. I am confident that the macroeconomic fundamentals of our economy are very sound. Why do I say this? Ten years ago, nobody would have imagined that India's savings and investment rates, can be as high as 35 per cent or 36 per cent. In the last four to five years, we have so

managed the economy that both the savings and investments in our country now are equal to the savings and investment rates which prevailed until 10 years ago only in the countries of South East Asia or East Asia.

Moreover, I feel, in the years to come, in the next two decades, the dividend arising from the sharp rise in the working age population to total population of our country will provide another positive factor to push the savings rate of this country close to 40 per cent of our national income. If we manage our economy well, if we manage the creation of social and physical infrastructure well, if the processes of governance are improved to reduce the scope for corruption, I think, there is no barrier to India entering on a long-term basis the age of double digit growth. This is the vision that our Government is working to realise.

I recognise that there are current problems, which cannot be wished away. The hon. Members from both sides of the House have referred to the price situation. I will be the last one to say that the behaviour of food prices in the last one year is something which does not worry us. We have been worried about it a great deal and to the extent that we could adopt measures, we have adopted; and the House has my assurance that if any practical methods can further bring relief to our people, our Government will always be sensitive to the concerns of the *aam aadmi...* (*Interruptions*)

श्री अनंत गंगाराम गीते (रायगढ़): अब तक क्यों नहीं हुआ?...(व्यवधान) क्यों डीजल के दाम बढ़ाये?...(व्यवधान)

DR. MANMOHAN SINGH: Madam, the crisis situation that emerged was a byproduct of events over which we had no control. There is, first, the effect of international commodity prices which have gone up and since India is no longer a closed economy, despite what Dr. Joshi may say, we are dependent on imports of substantial quantities of vegetable oils. In years of shortage, we depend upon import of sugar. We are dependent to a substantial extent on import of pulses. When international prices of these commodities rise, I think, there is inevitably an impact in our country.

When international prices of rice and wheat go, if we do not pay remunerative prices to our farmers, our ability to procure for the Public Distribution System may be seriously in danger, and, therefore, we have to pay remunerative prices to our farmers but the side effect of that is, it raises the floor price or market determined prices.

I invite the House to reflect on a situation that we were faced with. There was the global recession. Simultaneously, because of the drought and because of the high commodity prices world wide, there was pressure on prices. We could have dealt with the price effect by a very tough monetary and fiscal policy which would have depressed the demand. Would that have been the course which the House would recommend to me? If we had gone that route, there would have been large scale unemployment and steep fall in industrial production in our country. At a time when the world is faced with a global economic crisis and declining rates of employment, we have so managed our economy that we have not allowed, I think, large scale unemployment to emerge as a problem in our country, despite the world wide recession that prevails.

At the same time we were able to introduce a large number of stimulus packages which ensured that the interests of the weaker sections of the society were protected. Take for example, the National Rural Employment Guarantee Scheme. Madam, 4.5 crores of households have benefited. Fifty per cent of them are women. Fifty per cent of them are Scheduled Castes and Scheduled Tribes. I am not saying that in one go or in one short period of five years, we can remove poverty. But if we are sincere, if we use all the resources of the economy to step up our growth rate, if we manage our fiscal situation well, we can certainly soften the harsh edges of extreme poverty in a period of about five more years.

We need to invest more in education. We need to invest more in health. We are doing that. We need to invest more in rural infrastructure and urban infrastructure. We are doing that. But more needs to be done. Please help us to

strengthen the growth impulses in our economy so that we can accelerate the tempo of social and economic change.

I have said growth is important not in itself, but because it provides us the resources to tackle the problems of poverty, ignorance and disease about which Jawaharlal Nehru spoke from the Central Hall of Parliament on the midnight of August 14, 1947.


Madam, many Members have in the discussion expressed their anxiety about rising prices. We had a separate discussion on this issue. But I would again like to inform this House that the Government has been alive to the problem and has taken all possible measures to address the issue. To put matters in perspective, it is important to recognise that in 2009 we had one of the most severe droughts in recent history, the worst since 1972. As a result, the production of food grains, pulses and oilseeds has been adversely affected. Production of sugarcane has also gone down. This was preceded by the economic slow down. To respond to this, the Government had to stimulate demand and increase the availability of bank credit.

We have taken decisive action on several fronts. We acted early to limit the fall in the Kharif production. As a result, we could contain the reduction in food grain production to a large extent. We have been able to procure around 23 million tonnes of rice this year which is not very different from what we had procured last year during the same time. There should be no panic on the food situation front considering the comfortable level of food stocks that are available with the Central Government. Rabi prospects are also very encouraging. Post-monsoon rains have been good. All this augurs well for our ability to stabilise food prices at a reasonable level. We have permitted import of raw and white sugar at zero duty and imports are taking place. Enforcement in terms of imposing stock and time limits is the hands of State Governments. We have empowered State Governments to do so through the Essential Commodities Act and I have requested the Chief Ministers to take stern action against hoarders.

Madam Speaker, many hon. Members have spoken about the export of sugar. Very often we have to honour prior international commitments. The amount of sugar that India has exported relative imports is so small that it is surprising that so much is being made out of this. In November 2009, India exported sugar worth Rs.7.94 crore whereas it imported sugar worth Rs.611.40 crore. In December 2009 the exports of sugar were worth Rs.12.34 crore whereas the imports were worth Rs.216.90 crore. From this, it will be obvious that the factors responsible for a sharp increase in sugar prices are to be found in the cyclical nature of production of sugarcane. There is a cycle which has been noticed for almost 50 years in the behaviour of sugarcane production. For two or three years in one cycle there is upward pressure on prices followed by a steep fall in prices.

13.00 hrs.

We have to find ways and means to stabilise the sugar economy despite this behaviour and we will explore ways and means to see that in future prices of sugar can be stabilised at reasonable levels unmindful of the cyclical nature of the production of sugar.

Madam, I now come to the internal security issues.  The overall security situation in our country has remained satisfactory in the last year. This is not to ignore the horrible terrorist act in Pune. But taking an overall view of the internal security situation, what I am stating, I think, is what is the reality. A number of concrete steps have been taken to strengthen and reorient our security architecture in order to meet the growing threats of terrorism, insurgency and communalism. We have remained in close touch with State Governments to evolve a common and practical approach. We are taking firm action to curb naxalite violence. It is unfortunate that they are targeting innocent people and destroying roads, power lines and other essential infrastructure. In some places we have received reports of the use of children; we have drawn up an integrated plan to tackle the problem in consultation with the States. A high-level meeting was recently held with all the Chief Ministers where we reviewed the situation. The security forces have

achieved several notable successes. While we are determined to take firm action, we are ready to talk to any group that abjures violence unconditionally and agrees to abide by the due constitutional process.

Madam, the National Investigation Agency has commenced its work. Four regional hubs of National Security Guard have been set up. We are in the process of setting up a National Counter-Terrorism Centre. A National Committee on Coastal Security has been set up which has adopted an integrated approach to coastal security and has taken major initiatives and decisions for registration of vessels, issue of identity cards to fishermen, installation of transponders on boats and setting up of four Joint Operation Centres. Coastal police stations and interceptor boats have become operational under the Coastal Security Scheme.

To supplement the efforts of the State Government in modernising their police force, we have provided Rs. 1,250 crore during the current year of which Rs. 955.53 crore have been released to States up to 28th January this year. This has helped States to augmenting the resources available to police forces in terms of vehicles, weaponry, communications, training, forensic facilities, intelligence capabilities, security equipment and buildings. The Bureau of Police Research and Development is engaged in impact assessment study of the scheme so that the scheme could be improved.

Some hon. Members have said that agriculture has been growing at negative rates. This is indeed surprising. A drought is beyond anybody's control. A severe drought does result in negative growth in agriculture and it is no surprise that agriculture is expected to grow at minus two per cent in 2009-2010.

But we should not forget that in 2002-03, following the drought of 2002, agricultural growth went down by a good seven per cent. Food production went down from 202 million tonnes in 1998-99 to 174 million tonnes in 2002-03. I would also like to remind Members that the agricultural sector has been growing at an average rate of four per cent during the period 2005-2008 compared to the



growth rate of around two per cent from 1997 to 2002. Our pro-farmer policies have borne fruit.

For the first time in the recent past, we have reversed the trend of declining investment in agriculture and stepped up investment in agriculture through the Accelerated Irrigation Benefit Programme, the Rashtriya Krishi Vikas Yojana, the National Food Security Mission, the National Horticulture Mission and other such schemes. We should also not forget the investment in water conservation structures that is being made through millions of works under the Mahatma Gandhi National Employment Guarantee Scheme. Food production has increased from 174 million tonnes in 2002-03 to 233 million tonnes in 2008-09, which represents a growth rate of around six per cent per year. We are, however, conscious that a lot more needs to be done to improve agricultural productivity and we are committed to continuing our efforts to increase both public and private investment in agriculture and diversify our agriculture so that higher farm incomes provide stability to the lives of our farmers.

Dr. Joshi referred to our going to America to seek solutions to agricultural problems of our country. I wish to assure him that there is no scope for this sort of *galatfahmi*. I think, our Government recognises the imperative of food security and that self-sufficiency in basic food grains has to be a part of the National policy for development. This is a policy which we have pursued under successive Congress Governments way back from the sixties till date. We will continue to pursue it hereafter as well.

Madam, the decision to pay remunerative prices by way of minimum support prices is a part of our effort to incentivise growth of agricultural production and productivity.

I think, Advaniji raised the issue of farmers' suicide. Our Government has been very sensitive to the issue of farmers' suicide and everything possible in terms of Government action is being done to ameliorate agrarian distress. The loans of small and marginal farmers have been waived and for other farmers, a one

time settlement has been made. These measures have benefited 3.68 crore farmers to the extent of Rs. 70,000 crore. A special package for suicide-prone districts of Maharashtra, Andhra Pradesh, Karnataka and Kerala has been implemented. The minimum support prices of most agricultural commodities have been enhanced substantially over the last six years. It was ensured that fertiliser prices did not increase during the same period. We have, in fact, reduced the prices of complex fertilisers in 2008 in order to rationalise nutrient use.

The increase in the Minimum Support Price of cotton has come as a great boon for cotton production in Vidharba and other cotton-growing regions of the country.

It has been said that the loan-waiver scheme has not helped farmers and it has only helped banks. ... (*Interruptions*) Nothing can be farther from the truth. It is surprising that we forget that nearly Rs. 70,000 crore, that was recoverable from farmers, has not been recovered. It should also be borne in mind that owing to defaults in repayment, farmers would not be eligible for fresh credits. We have ensured the flow of fresh credit to the farm sector. During 2008-2009, against a target of Rs. 2,80,000 crore, the total credit flow to agriculture was Rs. 3,01,582 crore. During this year, we have a target of disbursing Rs. 3,25,000 crore and so far Rs. 2,18,202 crore have already gone to the agricultural sector.

We have accorded very high priority to the welfare of minorities. We have accepted most of the recommendations of the Sachar Committee and this House has been informed of the action taken on them. We have launched special programmes aimed at social, economic and educational development of minorities. Three new scholarship schemes have been started and are under implementation. We expect more than 40 lakh students to benefit from this scheme in the Eleventh Plan. At least 30 per cent of these students would be girls.

Madam, the new 15- Point Programme aims to ensure that at least 15 per cent of benefits in certain schemes flow to minorities, and the schemes for minority welfare are being closely monitored. Under this programme, additional

school rooms; drinking water supply schemes; Anganwadi centres; and houses are being constructed for the minorities.

To improve the access of minorities to bank credit, we have set the target that at least 15 per cent of the priority sector lending will flow to them. During 2008-2009, more than Rs. 82,000 crore of bank credit, under priority sector lending, went to the minorities. This represents nearly 12 per cent of the total priority sector lending. We hope to improve on this in years to come.

Minorities have not been represented adequately in Government services. We have taken steps to correct this situation, and as a result the share of minorities in Government jobs has increased over the past three years.

Madam, some Members have raised the issue of rights of tribals over forests. We are making genuine efforts together with the State Governments to ensure early disposal of claims and distribution of titles under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act. I have also requested the Chief Ministers of concerned States on three occasions to take all measures necessary to accelerate the process of implementation of the Act and to ensure expeditious distribution of title deeds to all eligible claimants. This was reiterated during the Conference of Chief Ministers and State Ministers held in November 2009 to review the implementation of the Act. The Ministry of Tribal Affairs is closely monitoring the progress in this regard.

Madam, some Members have expressed concern over the implementation of the National Rural Employment Guarantee Scheme. Let me say that this is a scheme, which has the potential to change the face of rural India. To improve its impact, we have initiated measures to bring in greater transparency and accountability. ... (*Interruptions*)

श्री रमाशंकर राजभर (सलेमपुर): मान्यवर, जब सबका बढ़ा रहे हैं तो सांसद निधि भी बढ़ा दीजिए।... (व्यवधान)

DR. MANMOHAN SINGH: An ombudsman scheme for setting up an independent grievance redressal mechanism at the district level has been

formulated, and States are in the process of setting up district ombudsmen. Social Audits by *Gram Sabhas* have also been taken up. Details of job cards, muster rolls and works undertaken have also been placed in the public domain. A scheme for independent monitoring by eminent citizens has been formulated. Efforts will be made to continue to improve the implementation of this revolutionary scheme.

Madam, Advani Ji had raised the issue of black-money deposited in foreign countries. The Finance Minister had written to Shri Advani Ji in May, 2009, providing information about the action taken. Subsequently, we have moved further in the matter. Twenty countries and jurisdictions have been prioritized for entering into agreements regarding exchange of information and assistance in collection of taxes. Negotiations have been completed with the Bahamas and Bermuda, and steps are being taken for signing of agreements.

We have also approached Switzerland for renegotiation of our tax treaty, so that we can have access to bank information. Negotiations were held in November, 2009, and the matter is being pursued for finalising a new protocol, through which we will be able to obtain information in specific cases. India is an active participant in global fora for improving transparency and exchange of information on tax matters.

Hon. Advani Ji had also raised the issue of 'One Rank, One Pension' to Ex-Servicemen. He has stated that the commitment I made in my last year's Independence Day speech and Finance Minister's promise in his Budget Speech of July 6, 2009, have not been honoured. This is not correct. The factual position is that we had constituted a Committee under the Cabinet Secretary to look into the issue of 'One Rank, One Pension' and other related matters. The Committee did not recommend 'One Rank, One pension'. But whatever recommendations the Committee made to substantially enhance the pensionary benefits of personnel below officer rank and commissioned officers were accepted by the Government, and this is what I had stated in my Independence Day's speech. The recommendations which have been accepted cover what the Finance Minister had

promised in his Budget Speech of 2009. Of the seven recommendations that the Committee made, five have been implemented. The two recommendations which have not been implemented will be implemented very soon.

Madam, I share the concern of hon. Members about the need for electoral reforms. I do not think there is any dispute regarding the need for electoral reforms. Unfortunately, we do not have the same degree of unanimity on the manner in which to go about it. It has been our accepted position and also the accepted position of previous Governments that electoral reforms should be brought about only by broad-based political consensus. The recommendations of the Election Commission regarding electoral reforms and other proposals received by us are presently under consideration of the Standing Committee of Parliament. Therefore, the Committee would be able to recommend measures which should find support in this House across the political spectrum.

We introduced the Women's Reservation Bill in the Rajya Sabha in May 2008. We have already considered the Report of the Standing Committee of Parliament on this Bill. It will be our endeavour to bring the Bill before Parliament in this very session. I sincerely hope that hon. Members would support the Bill as it would be the strongest affirmation of our commitment to the empowerment of women.

I should say a few words about foreign policy. The Government's foreign policy has been based on national consensus and full adherence to the principles and objectives laid down by the founding fathers of our Constitution. The foreign policy that we have pursued in the first term of our Government and on which we have built upon in the second term has yielded solid dividends. India's standing in the comity of nations has never been higher. In the troubled world that we live in, there is respect for India's role as a force of moderation, reason and stability. The resilience of our democracy, our commitment to pluralism and secularism and the strength of our economy have enhanced our standing in the world....

(Interruptions)

MADAM SPEAKER: Please maintain order.

DR. MANMOHAN SINGH: The situation in our neighbourhood is a matter of high priority for us. We have had very intense and substantive interactions with our neighbours in the last nine months. Several Members have voiced their concerns over the situation in Pakistan and the terrorism that is emanating from there against India. The Government fully shares these concerns. We are taking all necessary steps to strengthen our internal security and defence capabilities.

Government has kept Parliament fully informed at every stage of our policy towards Pakistan. I had made a detailed statement on our approach towards Pakistan in this august House on 29th July, 2009. The External Affairs Minister briefed the House on the last round of Foreign Secretary level talks in February. Our policy towards Pakistan is consistent, cautious and realistic.

I have never believed that the channels of communication with Pakistan should break down. Even at the height of the cold war, the Americans and the Soviets used to speak to each other. The chances of miscalculation can only increase in an environment of no contact. I therefore, personally conveyed our concerns to President Zardari when I met him in Russia and later to Prime Minister Gilani at the NAM Summit last year. I had made an offer of talks on humanitarian and other issues in October last year during my visit to Anantnag. The decision to resume talks at the Foreign Secretary level is not a sudden decision but a calculated one based on weighing all the costs and benefits. The fact of the matter is that the rest of the international community is talking to Pakistan. So, our not talking to them is not going to isolate them. We have made our point strongly, but we cannot wish away the problem by not talking to them. Dialogue is the only way forward for civilized countries to resolve their problems. But it is equally true that for any meaningful dialogue to proceed, the terror machine has to be controlled by Pakistan even if non-state actors are at work. I have said so in Parliament a number of times and that remains our consistent position. We have left Pakistan in no doubt about our concerns and our expectations with regard to the actions

Pakistan must take against the terrorist groups operating on Pakistani soil and targeting India. Pakistan must fulfil its assurances that it will not permit any territory under its control to be used to support terrorism in any manner.

Madam, some hon. Members have referred to my discussions in Saudi Arabia on Pakistan. Saudi Arabia is also affected by terrorism and this was one of the subjects that came up in our discussions. I discussed India-Pakistan ties in this context. I mentioned to the Saudi leadership, as I have to other world leaders as well, that all problems between India and Pakistan can be resolved through meaningful bilateral dialogue, if only Pakistan could be urged to take a reasonable attitude in dealing with those terrorist elements who target our country. I wish to reaffirm that no offer was made seeking mediation. We do not need any mediation. We are talking directly to Pakistan.

Advaniji said that we acted under US pressure.

MADAM SPEAKER: Nothing will go on record.

*(Interruptions) ...**

DR. MANMOHAN SINGH: Madam, I think we do a disservice to any Government and Prime Minister of this proud country, if we say that such fundamental matters of national security and foreign policy are based on anything but our supreme national interest.

I have had many discussions with President Obama since he took office. I categorically state that not once has he sought to pressurize India into taking one position or the other. On the contrary, he has always expressed understanding of the positions we have taken from time to time. I would urge the Opposition not to spread disinformation on sensitive aspects of our foreign policy.

Let me say, Madam, that we do not wish to see the involvement of foreign powers in South Asia. Whatever our problems, we must learn to talk to each other and to solve our problems in a peaceful manner using our own creative genius.

* Not recorded.

Madam, in Afghanistan our assistance has received widespread support among the people of Afghanistan. The entire nation was outraged by the most recent brutal attack in Kabul on February 26, which has led to the loss of seven innocent Indian lives. These Indian nationals were in Afghanistan on a mission of goodwill and friendship helping to construct the peaceful and democratic Afghanistan that our Afghan friends desire. We condemn this cowardly act. I wish to assure this House that such attacks will not bend the will of the people of India.

President Karzai had telephoned me and I have requested him to ensure the safety of all Indians. I assured him of any support and assistance that may be required. We are closely monitoring the developments with regard to Afghanistan and we will assist the people of Afghanistan in securing their legitimate right to determine their destiny in the manner they choose without outside interference.

Madam, Joshi ji made some comments about India-China relations. Let me say, China is our important neighbour, with whom we have a comprehensive and multi-sectoral relationship. We wish to build upon the achievements so far so as to create a partnership that is mutually beneficial. We are convinced that good relations with China are in the interests of both countries, and will contribute to peace, security and stability not only of the Asia-Pacific region but also of the world. We are both committed at the highest level to maintain peace and tranquility on the border, pending the resolution of the border question. This is a complex matter which will take time to resolve. I had an excellent interaction with Prime Minister, Wen Jiabao in Copenhagen, and our cooperation in the area of climate change is a shining example how our two countries can work together on issues of global importance and those which impinge on the future of our two peoples.

In Sri Lanka, the conclusion of military operations against the LTTE has opened opportunities for finding such a lasting political settlement which will be acceptable to all communities, particularly the Tamils, within a united Sri Lanka. We have and we will continue to contribute to the humanitarian and rehabilitation

efforts of the Sri Lankan Government, and to the long-term reconstruction of areas that have been affected by the military conflict. Our assistance package of Rs.500 crore for immediate relief, resettlement and reconstruction is under implementation.

We have taken several steps to diversify and broad-base our relations with Bangladesh. A major milestone in this respect was the visit of Prime Minister, Sheikh Hasina to India in January 2010. During that visit we put in place a comprehensive framework of cooperation for development of our relations, which includes a renewed commitment by both sides to actively cooperate on security issues. We have provided a line of credit of one billion US dollars for a range of projects in Bangladesh which we intend to follow up vigorously. The Government of Bangladesh has reassured us that they will not allow their territory to be used for activities inimical to India. We have welcomed some of the steps they have recently taken in this direction.

Our country is passing through a difficult time. Security and stability are the need of the hour. Political parties can differ on various issues but I do believe it is important for us to face challenges in a united manner. I seek the cooperation and support of all sections of this House. Let us not allow narrow partisan considerations to come in the way of effective governance of this great country.

The people of India expect both the Treasury and Opposition benches to engage constructively and ensure safety, security and prosperity for our citizens. ... (*Interruptions*)

MADAM SPEAKER: Nothing will go on record.

*(Interruptions) ...**

MADAM SPEAKER: A number of amendments have been moved by Members to the Motion of Thanks. Shall I put all the amendments to the vote of the House together or does any hon. Member want any particular amendment to be put separately?

SHRI BASU DEB ACHARIA (BANKURA): I want to put four of my amendments No.895, 901, 912 and 928 to the vote of the House separately.

They are:

“That at the *end* of the motion, the following be *added*, namely:-

“but regret that there is no mention in the Address about tackling global economic recession affecting Indian industries and loss of jobs of lakhs of workers and employees.” (895)

“That at the *end* of the motion, the following be *added*, namely:-

“but regret that there is no mention in the Address about streamlining the Public Distribution System in the country.” (901)

“That at the *end* of the motion, the following be *added*, namely:-

“but regret that there is no mention in the Address about steps to prevent cases of suicides by the farmers during the last few years in `rural India`.” (912)

“That at the *end* of the motion, the following be *added*, namely:-

“but regret that there is no mention in the Address about taking any concrete steps to ensure availability of food at affordable prices to `AAM AADMI`, a large percentage of which is actually living below poverty.” (928)

... (Interruptions)

MADAM SPEAKER: Shri Basu Deb Acharia, will you kindly repeat the number of your amendments?

... (Interruptions)



* Not recorded.

SHRI BASU DEB ACHARIA : Serial numbers 895, 901, 912 and 928. ...
(Interruptions)

MADAM SPEAKER: I shall now put amendment no. 895 moved by Shri Basu Deb Acharia to the vote of the House.

The amendment was put and negatived.

MADAM SPEAKER: I shall now put amendment no. 901 moved by Shri Basu Deb Acharia to the vote of the House.

The amendment was put and negatived.

MADAM SPEAKER: I shall now put amendment no. 912 moved by Shri Basu Deb Acharia to the vote of the House.

The amendment was put and negatived.

MADAM SPEAKER: I shall now put amendment no. 928 moved by Shri Basu Deb Acharia to the vote of the House.

The amendment was put and negatived.

MADAM SPEAKER: I shall now put all the other amendments together which have been moved, to the vote of the House.

All the amendments were put and negatived.

MADAM SPEAKER: I shall now put the motion to the vote of the House.

The question is:

“That an Address be presented to the President in the following terms:-

‘That the Members of the Lok Sabha assembled in this Session are deeply grateful to the President for the Address which she has been pleased to deliver to both Houses of Parliament assembled together on February 22, 2010.’”

The motion was adopted.

MADAM SPEAKER: The House stands adjourned to meet again at 2.40 p.m.

13.35 hrs.

The Lok Sabha then adjourned for Lunch till Forty Mminutes past Fourteen of the Clock.

14.45 hrs

The Lok Sabha re-assembled after Lunch at Forty Five Minutes past Fourteen of the Clock.

(Mr. Deputy-Speaker *in the Chair*)

SHRI BASU DEB ACHARIA (BANKURA): Mr. Deputy-Speaker Sir, today, thousands and thousands of workers belonging to all trade unions like CITU, INTUC, HMS, BMS, AITUC, TUCC and UTUC are courted arrest. They are demanding that the Government should immediately take steps to control and contain the rising prices of essential commodities.

The prices of almost all the commodities particularly food articles are increasing but the wages of workers are not increasing. The prices of all commodities are increasing.

Their second demand is, as the Government have decided to disinvest five to ten per cent shares of Central Public Sector Undertakings, they are opposing the disinvestment of the shares of Central PSUs.

Their next demand is that the labour laws are being violated. They are blatantly violated. The rights which the working class have achieved through their struggle are being taken away by passing legislation. They are withdrawing the rights of the workers. The working class of our country belonging to all the trade unions are demanding that the labour rights should not be violated and the labour laws which are there in our country should be strengthened so that the exploitation of the workers will be stopped. This is the demand of the entire working class of our country.

I urge upon the Government that the Government should listen to their demands and try to mitigate the grievances, problems and sufferings of the working class of our country. Otherwise, there will be more bigger struggle by the working class of our country.

Today, the entire working class is united irrespective of any trade union they belong to. We have never seen such a unity in the working class. They are unitedly fighting against anti-labour and anti-working class policies of the United Progressive Alliance Government.

SHRI B. MAHTAB (CUTTACK): Sir, today, India is emerging as a hub of clinical trials of drugs. Therefore, there is a need for tougher norms which cannot be overlooked. There is a need to tighten the regulatory mechanism. Environmentalists are showing concern over the increasing use of animals in clinical tests and call for alternatives. In our country, we have made the registration of clinical trials with ICMR compulsory since last year to root out unethical practices prevalent in clinical trials. Yet unsafe and illegal drug testing has been a matter of concern lately. The shocking revelation of a death of an infant in Bangalore and of 49 babies in the All India Institute of Medical Sciences over two and half years have been grave reminders of how we are becoming guinea pigs.

I want to draw the attention of this House to a very fundamental question. Is it not true that clinical trials have grown at a rapid rate? Is it not true that India stands third among the destinations for clinical trials after the United States of America and China? Is it not true that by 2011, the country will be carrying out fifteen per cent of the total number of clinical trials? Is it not true that India has emerged as a favoured destination because large number of people are available?

Therefore, there is a need to have stringent laws to punish violators. Poverty and illiteracy pose a major challenge to ensure implementation of parameters necessary for clinical trials. But it cannot be an excuse for violation of

rights, especially of vulnerable sections. All attempts should be made to root out unethical practices.

I would be happy if the Government responds to this issue instantly.

SHRI MAHENDRA KUMAR ROY (JALPAIGURI): Hon. Deputy-Speaker, Sir, thank you for permitting me to speak in the 'Zero Hour'.

I would like to draw the attention of the Union Government to an important issue through you. During the last 55 to 56 years, many developments and changes have taken place in tea plantation industry. But the Plantation Labour Act of 1951 is not able to cope with the changing situation. It is failing to protect the interest of the workers and the employees working in tea gardens. It is not able to deal with the serious issues like non-payment of gratuity, provident fund, providing house and house rent, providing drinking water and medical facilities to the workers.

Tea garden workers who are living in pathetic conditions are virtually living at the mercy of employers. Due to the manipulation of labour laws by the employers, these hapless workers are deprived of their real wages and other benefits. Even the agreements that are reached at conciliatory meetings between the employers and the employees are disregarded and violated.

I, therefore, urge upon the Government to come with an amendment law to save the workers from the primitive exploitation by the tea garden employers.

SHRI PRABODH PANDA (MIDNAPORE): Mr. Deputy-Speaker, Sir, I would like to bring to your notice, to the notice of this august House, and through you, to the notice of the Government a very important matter. Already the matter has been raised by Shri Basu Deb Acharia.

As per the information gathered, more than ten lakh workers have joined the *satyagraha* movement and courted arrest across the country. In all the State headquarters and in other places, these demonstrations and courting arrest programmes are going on. Almost all the central trade unions, like the AITUC,

CITU, INTUC, BMS, HMS, UTUC, AICCTU, TUCC, and local trade unions, have joined this movement. This struggle which is going on today across the country may be attributed to the total united struggle of the trade unions. But the Government is reluctant to address this issue. The Prime Minister's reply today did not even touch upon such an important issue of the workers.

Sir, what are the main issues? The main issues are:

1. Price hike should be controlled,
2. Labour laws should be implemented fully and not partially,
3. Stop disinvestment in profit-making PSUs,
4. Protection of workers from job losses in the name of economic crisis.

Sir, only in the textile sector, now more than seven lakh workers have been thrown out of the jobs. If we gather the information from different sectors, there are not less than 50 lakh workers who have been thrown out of the jobs.

The next important thing is the creation of Unorganized Workers Social Security Fund. In this context, I want to say a very important thing. There are more than 50 per cent of the workers who are engaged in the contract works and who have been getting very low salaries, which is even less than Rs. 2,000/- per month. It is not a very meagre number, but it is a very huge number. There are lakhs and lakhs of workers who are engaged in the contract works. They are suffering a lot. So, I think, the Government should not sit idle.

So, I would urge upon the Government to stand to the occasion and to consider all these points of the workers. Otherwise, today's united struggle would lead to a bigger struggle of our country. We are likely going to call the *Bharat Bandh* in this matter.

Sir, this is a very important issue. I am bringing this matter to your notice and to the Government's notice.

श्री विश्व मोहन कुमार (सुपौल): महोदय, मैं अपने संसदीय क्षेत्र सुपौल की जनहित की समस्या के बारे में एक मामला उठाना चाहता हूं। मेरा संसदीय क्षेत्र नेपाल की सीमा से लगा हुआ है और उस क्षेत्र में अभी तक एक भी केन्द्रीय विद्यालय की स्थापना नहीं की गयी है। केन्द्रीय कर्मचारियों एवं रेलवे अधिकारियों व रेलवे कर्मचारियों के बच्चों के पठन-पाठन के लिए कोई दूसरा विद्यालय नहीं है, इससे पठन-पाठन प्रभावित होता है। साथ ही साथ केन्द्रीय विद्यालय संगठन से भी विवेकाधीन कोटे के तहत नामांकन के लिए जो कूपन मिलता है, वह भी क्षेत्र में विद्यालय न होने के कारण उपयोग नहीं हो पाता है, नहीं तो दूसरे विद्यालयों में तत्काल ये सुविधाएं दिलायी जाएं। मैं माननीय मंत्री जी से आग्रह करता हूं कि मेरे संसदीय क्षेत्र, जो बहुत पिछड़ा हुआ है एवं कोसी नदी की बाढ़ से प्रभावित रहता है में बेहतर शिक्षा हेतु केन्द्रीय विद्यालय की स्थापना हेतु शीघ्र स्वीकृति प्रदान करने की कृपा करें। इसी तरह बहुत से ऐसे संसदीय क्षेत्र हैं, जहां पर हमारे माननीय सदस्यों के क्षेत्र में केन्द्रीय विद्यालय नहीं रहने के कारण, वे भी इस लाभ से वंचित रहते हैं। मैं आपके माध्यम से माननीय मंत्री जी से आग्रह करता हूं कि मेरे क्षेत्र में एक केन्द्रीय विद्यालय की स्थापना की जाए।

DR. RAM CHANDRA DOME (BOLPUR): Mr. Deputy-Speaker, Sir, I also want to raise the same issue of the workers and through you, Sir I would like to draw the attention of the House and of the Government.

Sir, nearly million of workers, organized by all National and Regional Trade Unions together in a joint platform, courted arrest today throughout the nation. They are demanding 1) universalisation of the PDS and ban on futures trade of essential commodities, 2) putting to stop to disinvestment in public sector units, 3) strict implementation of all labour laws and no further violation of the labour laws, 4) universal social security coverage to all unorganized sector workers without any restriction based on the so-called poverty line and 5) linking of the so-called stimulus and concessional package with the condition of employment protection and 'no retrenchment' commitment.

So, I urge upon the Government to take note of the notice and better amend their policies.



15.00 hrs.

Hence, I urge upon the Government to take note of the notice and better mend their policies. Otherwise, workers will strengthen their struggle throughout the nation and that will result in a Bharat Bandh. Thank you.

श्री देवजी एम. पटेल (जालौर): उपाध्यक्ष महोदय, मैं राजस्थान के जालौर जिले से आता हूँ। वहाँ पानी की बहुत बड़ी समस्या है। उस समस्या के निराकरण के लिए वहाँ नर्मदा नहर आई हुई है जिसकी प्रशासनिक और वित्तीय स्वीकृति 1541.36 करोड़ रुपये हुई थी। जुलाई, 2009 तक 1424.44 करोड़ रुपये खर्च हो गए। उसमें कुल सिंचित क्षेत्र जो आ रहा है, वह 2,46,000 हैक्टेयर ज़मीन आ रही है, जिसके तहत जालौर जिले में साचो क्षेत्र में 1,63,000 हैक्टेयर ज़मीन और बाड़मेर जिले की 83,000 हैक्टेयर ज़मीन सिंचित होगी। उसके ऊपर 14 वित्रीका और 246 माइनरें हैं, लेकिन अभी तक उन माइनरों के कार्य पूरे नहीं होने के कारण नर्मदा नहर से सब जगहों पर पानी नहीं पहुँच पा रहा है। मैं आपके माध्यम से सरकार से अनुरोध करना चाहूँगा कि जो बजट कम पड़ रहा है, उसके लिए कोई कार्रवाई करके समूचे जालौर जिले में नर्मदा का पानी पहुँचाएँ जिससे वहाँ के लोगों के जो पीने के पानी की समस्या है और सिंचाई की समस्या है, उसमें नर्मदा का पानी आशा की किरण जगाएगा। मैं आपके माध्यम से सरकार को यह भी बताना चाहूँगा कि वहाँ की जो डिक्कियाँ हैं जिनमें पानी की मोटरें लगी हैं, वे आईएसआई मार्क की न होकर किसी लोकल कंपनी की बनी हुई होने के कारण हमेशा जल जाती हैं जिसके कारण किसानों को बहुत समस्या होती है। अतः सरकार से निवेदन है कि इसकी जाँच करवाएँ और नर्मदा का पानी शीघ्र पूरे जालौर जिले में पहुँचाने की व्यवस्था करवाएँ।


श्री वीरेन्द्र कुमार (टीकमगढ़): उपाध्यक्ष महोदय, देश के कई राज्यों में पिछले पाँच-छः वर्षों से वर्षा की स्थिति काफी अनियमित बनी हुई है। इसके कारण कहीं बाढ़ आ जाती है और कहीं सूखा पड़ जाता है। मध्य प्रदेश का बुंदेलखंड भी पिछले पाँच-छः वर्षों से वर्षा की अनियमितता के कारण काफी संकट का सामना कर रहा है। मेरे संसदीय क्षेत्र टीकमगढ़ छतरपुर में इस साल फिर बारिश कम होने के कारण नदियों में और तालाबों में पानी बहुत कम पहुँचा है। ज़मीन का जल स्तर नीचे चला गया है।

15.02 hrs.

(Shri Francisco Cosme Sardinha *in the Chair*)

इसके कारण मार्च के महीने में ही पेयजल का गंभीर संकट वहाँ उत्पन्न हो गया है। ग्रामीण क्षेत्रों में तो स्थिति और भी बदतर हो गई है। जानवरों को पीने का पानी भी नहीं मिल पा रहा है। टीकमगढ़ क्षेत्र में चंदेलकालीन राज के समय के करीब 900 तालाब हैं जिनमें से लगभग 450 तालाब आज भी टीकमगढ़

जिले में हैं और इतनी ही बड़ी संख्या छतरपुर में भी है। हमारे नरेगा में जो तालाब बन रहे हैं, उनमें पानी नहीं रुक पाता है, लेकिन जो ऐतिहासिक महत्व रखने वाले पुराने तालाब हैं, उन तालाबों में आज भी पानी भरता है, लेकिन वर्षा कम होने के कारण उन तालाबों में इस बार पानी नहीं भर पाया है। अतः मेरा आपके माध्यम से केन्द्र सरकार से अनुरोध है कि टीकमगढ़ और छतरपुर सहित मध्य प्रदेश और राजस्थान में जितने भी ऐसे ऐतिहासिक महत्व के तालाब हैं, उन सभी तालाबों को राष्ट्रीय झील संवर्द्धन योजना में शामिल करके उनका जीर्णोद्धार कराया जाए।

चौधरी लाल सिंह (उधमपुर): महोदय, आपकी परमीशन से मैं अपने इलाके की एक दुखभरी बात बताना चाहता हूँ। हमारे इलाके में वैष्णो देवी के मज़दूरों पर जो तशद्द बड़े वर्षों से चल रहा है, उसके बारे में बोलने के लिए मैं खड़ा हुआ हूँ। मैं इसलिए इस मैटर को अर्जेन्ट समझता हूँ क्योंकि हर साल 31 मार्च को इनका टैन्डर होता है। आप हैरान होंगे कि दुनिया के किसी कोने में और हिन्दुस्तान के किसी कोने में मज़दूरों से किसी किस्म का कमीशन या टैक्स नहीं लिया जाता। सिर्फ वैष्णो देवी के मज़दूरों का इस नाजायज़ तरीके से एक्सप्लोइटेशन हो रहा है। हमारे लेबर मिनिस्टर जो बहुत ही डायनैमिक मिनिस्टर हैं, मेरी खुशनसीबी है कि वे यहाँ हैं। मैं उनसे कहना चाहता हूँ कि इस पर रोक लगाने की ज़रूरत है और देखना है कि वह टैन्डर किस बात का टैन्डर है। आप हैरान होंगे कि एक पिट्टू एक आदमी को उठाकर ले जाता है, वज़न को उठाकर ले जाता है। बाणगंगा से लेकर जब वैष्णोदेवी की तरफ जाता है तो उसको जो पैसे मिलते हैं, अगर उसको 207 रुपये मिलते हैं तो उसमें से 33 रुपये उसकी कमीशन जाती है और 6.48 रुपये उस गरीब से वेलफेयर फंड के नाम से लिये जाते हैं। मैं इस बात को पिछली दफा भी कह चुका हूँ। मुझे इस बात का अफसोस होता है। कौन इस बात को सुनेगा? मैं यहां रिप्रजेंट करता हूँ और जो सुनते हैं, मैं उनको कह रहा हूँ कि कौन सी इस देश में म्यूनिसीपल कमेटी है, कौन सी कमेटी है जो इस चीज के लिए एक्सप्लोइट करती है, उसकी तरफ जाएं। पोनी वाला, पालकी वाला रास्ते में जाता है या पिट्टू वाला जाता है, जब वह जाता है तो रास्ते में उसको किसी भी भोजनालय में, किसी कैम्प में, किसी जगह पर न तो वह चाय पी सकता है, जो सरकार की तरफ से  हुए हैं, उसको वहां खाना-पीना एलाउड नहीं है, वह रूट पर कहीं कोई चीज नहीं खा सकता है, कहीं कोई चीज नहीं ले सकता है। मुझे इस बात का अफसोस है कि उनके साथ यह नाइंसाफी की जा रही है, हम इसके खिलाफ खड़े हुए हैं। पिछली दफा भी मैं इसके खिलाफ वेल में चला गया था। मैं यह कहना चाहता हूँ कि यदि मेरे इलाके के लोगों का शोषण होगा तो मेरा सांसद बनने का क्या फायदा है? उन मजदूरों का शोषण हो रहा है जो पूरी यात्रा चला रहे हैं, पूरी दुनिया को उठाकर दर्शन करवाते हैं। उसमें 70 प्रतिशत पिछड़े वर्ग के गुज्जर हैं,

मुस्लिम हैं, कल एक मुसलमानों के ठेकेदार बोल रहे थे, मैं यह कहना चाहता हूँ कि उस गरीब मजदूर का, जो हिन्दू यात्री को उठाता है, यदि आपने सैक्यूलरिज्म देखना है तो वैष्णों देवी में देखो, जो यात्री को उठाता है, वह अल्लाह-अल्लाह करता है और ऊपर से यात्री जय माता की करता है। यदि उस मजदूर के साथ नाइंसाफी होगी तो मैं यहां रीप्रज़ेन्ट करूंगा...(व्यवधान) मेरी बात पूरा देश सुन रहा है और लालू जी आप भी मेरी बात सुन लें। आप भी मजदूरों के बड़े मसीहा बनते हैं, क्यों नहीं आप वहां उनके हक में धरने पर बैठते हैं। मेरा मंत्री जी अनुरोध है कि इस बार उसका टैन्डर नहीं होना चाहिए, नहीं तो मैं यहां धरने दूंगा, चिल्लाऊंगा और आप परेशान हो जाओगे और आप सभी मेरा साथ देना।

श्री भूदेव चौधरी (जमुई): सभापति महोदय, आपने मुझे बोलने का समय दिया, इसके लिए मैं आपका आभार व्यक्त करता हूँ।

महोदय, मैं आपकी अनुमति से अविलंबनीय अतिमहत्वपूर्ण लोक महत्व के विषय पर सरकार का ध्यान आकृष्ट करना चाहता हूँ। दिनांक 17.2.2010 की रात बिहार राज्य के जमुई जिले के अंतर्गत, जो कि मेरा लोक सभा क्षेत्र है, सिकंदरा प्रखण्ड कौरासी गांव में हथियारों से लैस करीब 150 नक्सलवादियों ने धावा बोलकर एक दर्जन गरीब ग्रामीणों की बर्बरतापूर्वक हत्या कर दी और काफी संख्या में लोग घायल भी हुए। करीब 50 घरों में आग लगा दी गई। इस घटना से ग्रामीण काफी भयभीत हैं और वहां से भय के कारण पलायन कर रहे हैं। भय एवं आतंक का माहौल पूरे इलाके में है। इस घटना को घटित हुए आज 17 दिन हो गए हैं, लेकिन अभी तक केन्द्र सरकार द्वारा इस जघन्य घटना में मारे गए गरीबों और किसानों के परिवारों को कोई सहायता नहीं दी गई है। लोग निराशा में डूबे हुए हैं। जानकारी यह भी है कि इस प्रकार के अपराध से निबटने के लिए केन्द्र सरकार द्वारा राज्य सरकार को मदद प्राप्त नहीं हो सकी है। इस प्रकार की घटना की पुनरावृत्ति रोकने के लिए राज्य सरकार को पर्याप्त मात्रा में अर्द्धसैनिक बल एवं अतिरिक्त धनराशि उपलब्ध कराए जाने की आवश्यकता है।

महोदय, मैं समझता हूँ कि ऐसी घटनाएं इस क्षेत्र में यातायात की समुचित व्यवस्था के अभाव में घटित हो रही हैं। यह बहुत ही पिछड़ा क्षेत्र है और आवागमन का कोई साधन नहीं है। अतः आपके माध्यम से केन्द्र सरकार से मैं यह मांग करता हूँ कि इस पिछड़े क्षेत्र में लछुअर गांव की मुख्य सड़क से कौरासी होते हुए बड़ी बाग गिद्धेश्वर बीहड़ तक प्रधानमंत्री ग्रामीण सड़क योजना के अंतर्गत सड़क निर्माण और जैन स्थान जो जंगलों में है, वहां तक सड़क निर्माण कराया जाए।



सभापति महोदय, मैं आपको अवगत कराना चाहता हूँ कि जिस गांव में घटना घटित हुई थी, उससे केवल दो किलोमीटर की दूरी पर एक प्रसिद्ध जैन मंदिर है जहां देश-विदेश के लोग आते हैं। मैं आपके माध्यम से मांग करता हूँ कि वहां आवागमन की सुविधा उपलब्ध कराई जाए। वहां जो निर्दोषों, गरीबों और किसानों की हत्या हुई है, उन्हें सरकारी सहायता भी उपलब्ध कराने की कृपा की जाए। समय देने के लिए आपका बहुत-बहुत धन्यवाद।

डॉ. रघुवंश प्रसाद सिंह (वैशाली): सभापति महोदय, बिहार राज्य में मलाह, जिसे निषाद भी कहते हैं, क्योँठ, नुनिया, तुरहा, कुम्हार, ततमा, तांती, धानुक, गनौता, गोर, कन, नाई और लुहार ये सभी जातियाँ अति पिछड़ी जातियों की सूची में शामिल हैं और इन सभी जातियों की सामाजिक तथा आर्थिक हालत बहुत खराब है। इसलिए उनका जो जातीय संगठन, महासंघ है, उसकी मांग है और बराबर संघर्षरत है, आंदोलनरत है, धरना दे रहा है और बराबर मांग कर रहा है कि उन्हें अनुसूचित जाति में शामिल किया जाए। लुहार मांग कर रहे हैं कि उन्हें अनुसूचित जनजाति में शामिल किया जाए और एक बार ऐसा हुआ भी था, लेकिन फिर उस जाति का वहां से नाम हटा दिया गया। बिहार में जब श्री लालू प्रसाद जी की सरकार थी और जब श्रीमती रावड़ी देवी जी मुख्य मंत्री थीं, तब वहां की असेम्बली से सर्वसम्मत प्रस्ताव पारित कर के भारत सरकार को भेजा गया था, लेकिन भारत सरकार ने उस पर अभी तक विचार नहीं किया है।

महोदय, आश्चर्यजनक बात यह है कि अन्य राज्यों में ये जातियाँ अनुसूचित जाति में शामिल हैं। पश्चिम बंगाल में अनुसूचित जाति में शामिल हैं, लेकिन उसी के बगल में, बिहार राज्य में पिछड़ी जाति में शामिल हैं। इस कारण उनकी हालत बहुत अच्छी नहीं है। इसलिए सभी संघर्षरत हैं कि उन्हें अनुसूचित जाति में और लुहार को अनुसूचित जनजाति में शामिल किया जाए। मैं आपके माध्यम से सरकार से मांग करता हूँ कि सामाजिक न्याय विभाग इस पर कार्रवाई करे और सामाजिक अध्ययन संस्थान से जांच कराए, राज्य सरकार से परामर्श करे और रजिस्ट्रार जनरल ऑफ इंडिया आदि जो भी संस्थाएं इसके लिए जिम्मेदार हैं, उन सभी से को-ऑर्डिनेट किया जाए और इन जातियों को अनुसूचित जाति में शामिल किया जाए। इन लोगों की सामाजिक और आर्थिक स्थिति ठीक नहीं है। ये सभी लोग अति पिछड़े और गरीब हैं। इसलिए इन सभी जातियों को अनुसूचित जाति का दर्जा दिया जाए और अनुसूचित जातियों की सूची में शामिल किया जाए। इस संबंध में सरकार पार्लियामेंट में बिल लेकर आए। हम सब लोग उसका समर्थन करेंगे और उसे पारित कराएंगे, ताकि जो लाखों-करोड़ों लोगों की आकांक्षा है वह पूरी हो सके और जो दबे हुए लोग हैं वे ऊपर आ सकें।

महोदय, जो विमेन्स रिजर्वेशन का बिल आने वाला है, उसमें भी पिछड़ी जातियों का कहीं नाम नहीं है। इसलिए भी हम चाहते हैं कि जब वह बिल आए, तो उसमें इन सभी जातियों का हिस्सा हो और जिनका टोटल रिप्रजेंटेशन सर्विस में अथवा राजनीति के क्षेत्र में नहीं है, उन्हें आरक्षण दिया जाए। यही सवाल है। महोदय, आपने समय दिया, इसके लिए आपका बहुत-बहुत धन्यवाद।

श्री मनीष तिवारी (लुधियाना): सभापति महोदय, भारतीय वाणिज्य विमान चालक संघ ने एयर इंडिया के प्रबन्धकों को एक खत लिखा है और उसमें लिखा है कि काबुल के लिए उड़ान भरना अति-असुरक्षित है। खत में और बातों के साथ-साथ जो बहुत ही चिन्ता का विषय है, वह यह है कि अपहरण से निपटने के लिए कोई स्टैंडर्ड ऑपरेटिंग प्रॉसीजर्स आयात नहीं किए गए हैं और न ही स्टैंडर्ड ऑपरेटिंग प्रॉसीजर्स मुहैया कराए गए हैं। कंधार के संदर्भ में, जिस प्रकार से पिछले दिनों अखबारों में छपा, जो सार्क देशों को हमारी उड़ानें जा रही हैं, उन्हें धमकी दी जा रही है। काबुल में हमारे दूतावास के ऊपर जो हमले हुए, जो अभी हाल में गैस्ट हाउस के ऊपर हमला हुआ, जिसमें भारतीय सैनिक मारे गए। इन सब चीजों को ध्यान में रखते हुए जो आई.सी.पी.ए. ने चिट्ठी लिखी है, उसके ऊपर ध्यान देना अत्यावश्यक है। मैं यह नहीं कहता कि काबुल नहीं जाना चाहिए। काबुल, अफगानिस्तान हमारा मित्र देश है। काबुल जाना हमारा फर्ज बनता है, पर उसके साथ-साथ हमारी यह भी जिम्मेदारी बनती है कि जो पैसेंजर्स हैं, जो विमान कर्मी हैं, उनकी सुरक्षा का भी ध्यान रखा जाए। मैं आज सरकार से मांग करना चाहता हूँ, आईसीपीए को चिट्ठी लिखे हुए एक महीना हो गया है और अभी तक एयर इंडिया के प्रबंधकों की तरफ से कोई पुख्ता जवाब नहीं दिया गया है। इसीलिए इससे पहले कि कोई हादसा हो जाए, इससे पहले कि परिस्थितियाँ और बिगड़ें, यह बहुत जरूरी और आवश्यक बनता है कि सिविल एविएशन मंत्रालय इसमें हस्तक्षेप करके एयर इंडिया के प्रबंधकों को कहे कि आईसीपीए की रिप्रैजेंटेशन का पुख्ता जवाब दिया जाए क्योंकि ये लोग रोज अपनी जान को जोखिम में डालकर भारत के अफगानिस्तान के साथ जो रिश्ते हैं, उन्हें मजबूत करते हैं।

श्री कौशलेन्द्र कुमार (नालंदा): सभापति महोदय, मेरे संसदीय क्षेत्र के अंतर्गत बिहारशरीफ मोकामा के बीच 122 से 132 किलोमीटर (बरबीघा-सरमेरा) पथांश की स्थिति काफी दयनीय है। पिछले 3-4 वर्षों से लगातार भारी वर्षा के कारण इस क्षेत्र में बाढ़ के पानी से पथ परत क्षतिग्रस्त हुआ है तथा इस पथांश से होकर शेखपुरा खदान से सड़क निर्माण सामग्री यथा बोल्टर स्टोन, मेटल एवं स्टोन डस्ट से लदे भारी वाहनों का राज्य के विभिन्न स्थानों पर जाने के कारण यातायात का दबाव अत्यधिक रहता है जिससे उक्त पथांश 122 से 132 किलोमीटर की स्थिति काफी जर्जर हो गई है। उसके चलते वाहन के आवागमन में कठिनाइयों का सामना करना पड़ रहा है एवं कभी भी कोई दुर्घटना हो सकती है। इस पथांश का

चौड़ीकरण एवं मजबूतीकरण का प्राक्कलन मात्र 1668.05 लाख रुपये का तैयार कर सड़क परिवहन एवं राजमार्ग मंत्रालय, भारत सरकार के पास लंबित है। मुख्य अभियंता, राष्ट्रीय उच्च पथ उपभाग, बिहार, पटना के पत्रांक 105 दिनांक 31.7.2009 द्वारा समर्पित किया जा चुका है। यह पथांश सड़क परिवहन एवं राजमार्ग मंत्रालय, भारत सरकार द्वारा वित्तीय वर्ष 2009-10 के लिए अनुमोदित वार्षिक योजना में भी चयनित है।

राष्ट्रीय उच्च पथ संख्या 82 के 99 से 108 कि.मी. (बिहारशरीफ-अस्थांवा) की स्थिति भी दयनीय है। यह पथांश भी सड़क परिवहन एवं राजमार्ग मंत्रालय, भारत सरकार द्वारा 2009-10 की सवाधि नवीकरण मद से कार्य कराने हेतु चयनित है। इस पथांश का प्राक्कलन मात्र 881.91 लाख रुपये का तैयार कर मुख्य अभियंता, राष्ट्रीय उच्च पथ उपभाग, बिहार, पटना के पत्रांक 147 दिनांक 11.12.2009 द्वारा मंत्रालय को स्वीकृति प्रदान करने हेतु समर्पित किया जा चुका है। मंत्रालय द्वारा अभी तक उपर्युक्त दोनों प्राक्कलनों की स्वीकृति प्रदान नहीं की गई है। अतः मेरा सुझाव होगा कि इसे यथाशीघ्र बनवाने की कृपा की जाए। धन्यवाद।

श्री रेवती रमन सिंह (इलाहाबाद): मैं एक ऐसे विषय को उठा रहा हूँ जो अविलंबनीय है और लोक महत्व का है। आप गोवा से आते हैं। आपने देखा होगा कि गोवा में डॉल्फिन पाई जाती है। लेकिन हमारे इलाहाबाद में गंगा नदी में उनकी संख्या लगभग तीन सौ है। अभी एक सर्वे कराया गया जिसमें 40 किलोमीटर के रेडियस में लगभग तीन सौ डॉल्फिन हैं। वहां पर पहले से ही संगम क्षेत्र में, जहां पर हर साल माघ में करोड़ों लोग आते हैं और अर्ध कुंभ मेला, कुंभ मेला लगता है। कुल मिलाकर बीसियों करोड़ लोग वहां आते हैं। उसमें विदेशी सैलानी भी आते हैं।

मान्यवर, डालफिन पैदा होने के एक महीने के अंदर ही प्रदूषण को खाने लगती है। लगभग उनकी उम्र 22 साल होती है यानी 22 साल उनका जीवन होता है। 22 साल में वे काफी प्रदूषण को दूर करती हैं। एक ऐसी प्रजाति है, जो करछना, जसरा, बारा, टड़िया आदि इन तहसीलों में फैली हुई है। मैं आपके माध्यम से सरकार से मांग करता हूँ कि इनका संरक्षण करने के लिए सरकार एक योजना की घोषणा करे। इसी के साथ-साथ इलाहाबाद को पर्यटन की दृष्टि से, क्योंकि और जगह नहीं पाने से इलाहाबाद में विदेशी सैलानी और पक्षी भी आते हैं, तो इलाहाबाद प्रयाग को पर्यटक स्थल घोषित किया जाये, यह मैं आपके माध्यम से मांग करता हूँ।

सभापति महोदय : श्री प्रदीप माझी-- उपस्थित नहीं।

श्री हंसराज गं. अहीर (चन्द्रपुर): माननीय सभापति जी, मैं आपके माध्यम से सरकार का ध्यान इस ओर आकर्षित करना चाहूंगा कि मेरे संसदीय क्षेत्र चन्द्रपुर में एक आर्डिनैस फैक्टरी है, जो रक्षा मंत्रालय की है। वहां पर हाल ही में 500 से अधिक पदों को भरने के लिए चयन प्रक्रिया चल रही है। महाराष्ट्र में देश की सबसे बड़ी आर्डिनैस फैक्टरी होते हुए भी अभी जो चयन प्रक्रिया हो रही थी, उसमें जो विज्ञापन दिये गये थे, उन विज्ञापनों के आधार पर हमारे स्थानीय चन्द्रपुर जिले और महाराष्ट्र के बेरोजगार युवकों ने वहां कुछ आवेदन किये थे। मैं यह देख रहा हूं कि वहां जो चयन प्रक्रिया हुई है, उसमें करीब-करीब 249 पदों के लिए चयन हुआ है। उसमें महाराष्ट्र या मेरे संसदीय क्षेत्र चन्द्रपुर के एक भी बेरोजगार युवक का चयन नहीं हुआ है। मैं आपके माध्यम से सरकार का ध्यान इस गंभीर मामले की ओर इसलिए आकर्षित करना चाहूंगा, क्योंकि हमारे देश के संविधान की धारा 16 (ए) के आधार पर सभी के लिए चयन प्रक्रिया में समान अधिकार है और सभी को समानता की दृष्टिकोण से देखना चाहिए। लेकिन 249 युवकों में से एक भी लोकल बेरोजगार युवक का चयन नहीं हो रहा है, तो वहां के अधिकारीगण महाराष्ट्र और विशेषकर स्थानीय युवकों पर अन्याय कर रहे हैं। अभी कुछ और भी चयन प्रक्रिया बाकी है।

मैं चाहता हूं कि मंत्री जी इस चयन प्रक्रिया पर रोक लगायें, क्योंकि महाराष्ट्र में चन्द्रपुर जिला ऐसा है, जो नक्सल से प्रभावित है और आदिवाली बाहुल्य है। अगर यहां के युवकों पर इतना अन्याय होगा, तो वह सहनशीलता के बाहर जायेगा। वहां पर युवकों में भारी रोष है, इस कारण वहां आंदोलन हो सकता है। इस आंदोलन में यदि आतंकवादी संगठन हस्तक्षेप करते हैं, तो शायद हमें इससे भारी नुकसान भी पहुंच सकता है। मैं सदन में इस विषय को बहुत गंभीरता से लेने के लिए सरकार से विनती करता हूं और कहना चाहता हूं कि स्थानीय युवकों पर जो अन्याय हो रहा है, विशेषकर महाराष्ट्र में जो आर्डिनैस फैक्टरी है, उसमें अगर महाराष्ट्र के युवक का चयन नहीं होगा, तो यह सही नहीं होगा। मैं सरकार से विनती करता हूं कि वह चयन प्रक्रिया पर रोक लगाये और जो चयन हो चुका है, उसे भी खारिज किया जाये। धन्यवाद।

श्री राजाराम पाल (अकबरपुर): सभापति महोदय, मैं आपके माध्यम से आज अत्यंत महत्वपूर्ण लोक महत्व के विषय पर इस सरकार का ध्यान आकर्षित करना चाहता हूं। 15 अगस्त 1947 को इस देश को आजादी मिली और 26 जनवरी 1950 को इस देश का गणतंत्र लागू हुआ। 60वीं गणतंत्र के बाद भी, उस गणतंत्र में भारत के प्रत्येक बालिग आदमी को वोट का राइट दिया गया। लेकिन दुर्भाग्य के साथ कहना पड़ रहा है कि वोट का अधिकार तो रानी और मेहतरानी को बराबर का दिया गया, इलेक्शन कमीशन के बहुत प्रयास के बाद भी, जनप्रतिनिधियों के बहुत प्रयास के बाद भी, लोग वोट के अधिकार के महत्व को अभी तक नहीं समझ पाए हैं। वोट का प्रतिशत लगातार घट रहा है। जनप्रतिनिधि जब भी चुनाव लड़ने जाता है, जनता से



अपील करता है कि 100 प्रतिशत लोग वोटिंग करें। चुनाव आयोग भी उसके लिए तमाम तरीके से एडवर्टीजमेंट करके, अखबारों में छपवाकर, टीवी के माध्यम से वोट के प्रतिशत को बढ़ाने का प्रयास करता है, लेकिन आज भी, गणतंत्र बनने के 60 वर्षों बाद भी शहरों में 25 से 30 प्रतिशत और ग्रामीण क्षेत्रों में 40 से 45 प्रतिशत से ज्यादा वोटिंग नहीं हो रही है। आज 40 प्रतिशत वोटिंग में अगर चार जगह वोट बंटते हैं, तो जिसको 11 प्रतिशत वोट मिल जाते हैं, वह प्रदेश और देश में बहुमत पा जाता है। इस बात से पूरा सदन सहमत होगा कि वोट का परसेंटेज बढ़े, वोटर को जवाबदेह बनाया जाए ताकि लोकतंत्र मजबूत हो। जिस देश में 100 में 40 प्रतिशत वोट पड़ता हो, 11 प्रतिशत वोट से सरकारें बनती हों, उस देश का लोकतंत्र मजबूत लोकतंत्र नहीं कहा जा सकता है। इसके लिए संविधान निर्माताओं ने, इस देश को आजादी दिलाने वाले नेताओं ने एक सपना देखा था कि आजाद भारत में हर हाथ को काम मिलेगा, हर खेत को पानी मिलेगा, अब कोई भूखा नहीं सोएगा, अब कोई नंगा नहीं घूमेगा, अब कोई फुटपाथ पर नहीं सोएगा, अब कोई दवा के अभाव में नहीं मरेगा, अब कोई अशिक्षित नहीं रहेगा, अब कोई असुरक्षित महसूस नहीं करेगा, लेकिन लाख प्रयासों के बावजूद हम भुखमरी को खत्म नहीं कर पाए हैं। लाखों प्रयासों के बाद भी हम बेरोजगारी को दूर नहीं कर पाए हैं, गरीबी को नहीं मिटा पाए हैं और लोकतंत्र लगातार कमजोर हो रहा है।...(व्यवधान)

MR. CHAIRMAN : Hon. Member, you have made your point.


श्री राजाराम पाल : महोदय, इससे ज्यादा लोक महत्व का सवाल दूसरा नहीं हो सकता है। आप भी उस परेशानी से जूझते हैं। मैं यह चाहता हूँ कि इस सम्मानित सदन से 14वीं लोक सभा के 110 सांसदों ने एक सुझाव लोक सभा स्पीकर के सामने रखा था।...(व्यवधान)

MR. CHAIRMAN: This is not a debate. Please make your point and wind up.

श्री राजाराम पाल : मैं कहना चाहता हूँ कि सकल घरेलू उत्पाद से, नेशनल इनकम से इस वोटर को वोटर इंसेंटिव या वोटर पेंशन या न्यूनतम गुजारा भत्ता, आप उसे चाहे जो नाम दे दें, ऐसा कोई प्रावधान कर दिया जाए। इस सदन से पारित वृद्धावस्था पेंशन, विधवा पेंशन, विकलांग पेंशन, मिड डे मील योजना, शादी अनुदान, कन्याधन, बेरोजगारी भत्ता, रोजगार गारंटी योजना, निर्बल आवास आदि तमाम स्कीमें हैं, उनको बंद करके अगर वोटर पेंशन जैसा कानून बनाया जाए, तो वोट का प्रतिशत 100 प्रतिशत हो जाएगा, लोकतंत्र मजबूत होगा, लोग जवाबदेह होंगे। ऐसी मांग करते हुए मैं अपनी बात समाप्त करता हूँ। धन्यवाद।

डॉ. राजन सुशान्त (कांगड़ा): सभापति महोदय, मेरा विषय इस प्रकार है - देश की राजधानी दिल्ली में एवं देश के कई राज्यों में बहुत से प्राइवेट हास्पिटल्स ऐसे हैं, जिन्होंने राज्य सरकारों से सस्ती दरों पर भूमि एवं

अन्य कई सुविधाएं प्राप्त की हैं और बदले में गरीब जनता को अपने-अपने हॉस्पिटल्स में मुफ्त बेड देने के साथ-साथ कई सुविधाएं देने का वचन दिया है, शर्तें मानी हैं, परन्तु खेद के साथ कहना पड़ रहा है कि दिल्ली हाई कोर्ट ने अभी हाल ही में इंद्रप्रस्थ अपोलो हॉस्पिटल को इन शर्तों का उल्लंघन करने पर जुर्माना किया, लेकिन स्थिति में फिर भी सुधार नहीं हो रहा है। बुधवार, तीन मार्च को दोपहर के बाद एस्कोर्ट हार्ट इंस्टीट्यूट, मैक्स बालाजी हॉस्पिटल, बत्रा हास्पिटल सहित राजधानी के कई हास्पिटल्स में पाया गया कि 504 फ्री बेड्स, जो गरीबों के लिए थे, में से 384 खाली पड़े हैं। यहां गरीबों को देय सुविधाएं भी प्राप्त नहीं हो रही हैं और देखभाल भी सही ढंग से नहीं हो रही है। अतः भारत सरकार से मेरा विशेष आग्रह है कि राजधानी दिल्ली सहित देश की सभी राज्य सरकारों को कड़े निर्देश दें कि मानी हुई शर्तों का कड़ाई से पालन हो और प्राइवेट अस्पतालों में गरीब देशवासियों को सही वह सस्ती चिकित्सा उपलब्ध कराई जा सके।

श्री भीष्म शंकर उर्फ कुशल तिवारी (संत कबीर नगर): सभापति  देव, मैं एक अत्यंत जनहित के मुद्दे को सदन में आपके माध्यम से उठाना चाहता हूं, जो नितांत आवश्यक है। उत्तर प्रदेश में विशेष रूप से पूर्वी उत्तर प्रदेश में नदियों में बाढ़ की पीड़ा हर साल लोगों को झेलनी पड़ती है। नदियों की बाढ़ से यहां का जनजीवन हर साल हर तरह से प्रभावित होता है। इसके कारण यहां महामारी फैलती है, हजारों बच्चे मर जाते हैं। सड़कों की स्थिति यह है कि सड़कें इतनी खराब हैं कि आने-जाने के संसाधन यहां बिल्कुल नहीं हैं। एक बार यहां सड़क बन गई, वह टूट गई तो फिर दोबारा बनाने का नाम नहीं लिया जाता है। मैं एक सड़क के बारे में ध्यान आकर्षित करना चाहता हूं। अम्बेडकर नगर जनपद और गोरखपुर जनपद को जोड़ने के लिए बीच में घाघरा नदी है। उस पर कमरिया घाट का एक पुल यहां बनना है, जो जनहित के लिए नितांत आवश्यक है। वह सड़क सीधे गोरखपुर से इलाहाबाद चली जाएगी, उसके बनने से इलाहाबाद की दूरी 70 किलोमीटर कम हो जाएगी। इस क्षेत्र और बिहार के लोग तीर्थयात्रा एवं संगम स्नान के लिए अगर इस सड़क से जाएंगे, तो दूरी कम हो जाएगी। लेकिन आज तक वह कमरिया घाट का पीपे का पुल स्थायी नहीं बन पाया है। जो पीपे का पुल है, वह साल में केवल तीन-चार महीने ही चलता है। नदी के इस ओर उस पार के लोगों की आपस में रिश्तेदारियां हैं इसलिए बाकी दिनों में उन्हें काफी दिक्कतें आती हैं। हर साल नाव दुर्घटना में कम से कम 20-25 लोग मर जाते हैं और सरकार का ध्यान उस पर नहीं जाता है। मैं यहां यह ध्यान दिलाना चाहता हूं कि जनहित के लिए कमरिया घाट पर एक स्थायी पुल बनाना बड़ा ही आवश्यक है। मेरे लोक सभा क्षेत्र का आलापुर विधानसभा क्षेत्र भी नदी के उस पार है तथा मुझे अपने उस क्षेत्र में जाने के लिए 100 किलोमीटर अतिरिक्त दूरी तय करनी पड़ती है। जो पूर्वांचल के लोग बाढ़ की

समस्या और पीड़ा को झेल रहे हैं, इस पर सरकार का ध्यान जाना चाहिए, जिससे बाढ़ की समस्या से वहां के लोगों को निजात मिल सके।

15.30 hrs.

MOTION RE: FIFTH REPORT OF COMMITTEE ON PRIVATE MEMBERS' BILLS AND RESOLUTIONS

SHRI PRABODH PANDA (MIDNAPORE): I beg to move the following:-

“That this House do agree with the Fifth Report of the Committee on Private Members’ Bills and Resolutions presented to the House on the 4 March, 2010.”.

MR. CHAIRMAN : The question is:

“That this House do agree with the Fifth Report of the Committee on Private Members’ Bills and Resolutions presented to the House on the 4 March, 2010. ”.

The motion was adopted.

15.30 ½ hrs.

PRIVATE MEMBER'S BILLS- Introduced

**(i) HIGH COURT AT ALLAHABAD (ESTABLISHMENT OF A
PERMANENT BENCH AT AGRA) BILL, 2009 ***

प्रो. रामशंकर (आगरा): सभापति महोदय, मैं प्रस्ताव करता हूँ कि इलाहाबाद उच्च न्यायालय की एक स्थायी न्यायपीठ की आगरा में स्थापना करने का उपबंध करने वाले विधेयक को पुरःस्थापत करने की अनुमति दी जाए।

MR. CHAIRMAN: The question is:

“That leave be granted to introduce a Bill to provide for the establishment of a permanent Bench of the High Court at Allahabad at Agra.”

The motion was adopted.

प्रो. रामशंकर : मैं विधेयक को पुरःस्थापित करता हूँ।

15.31 hrs.

(ii) CONSTITUTION (AMENDMENT) BILL, 2009*

(Amendment of article 1)

योगी आदित्यनाथ (गोरखपुर): सभापति महोदय, मैं प्रस्ताव करता हूँ कि भारत के संविदान में और संशोधन करने वाले विधेयक को पुरःस्थापित करने की अनुमति दी जाए।

MR. CHAIRMAN: The question is:

“That leave be granted to introduce a Bill further to amend the Constitution of India.”

The motion was adopted.

योगी आदित्यनाथ : मैं विधेयक को पुरःस्थापित करता हूँ।

* Published in the Gazette of India, Extraordinary, Part-II, Section-2, dated 05.03.2010

15.31 ½ hrs.**(iii) CONSTITUTION (AMENDMENT) BILL, 2009*
(Insertion of new article 25A)**

योगी आदित्यनाथ (गोरखपुर): सभापति महोदय, मैं प्रस्ताव करता हूँ कि भारत के संविधान में और संशोधन करने वाले विधेयक को पुरःस्थापित करने की अनुमति दी जाए।

MR. CHAIRMAN: The question is:

“That leave be granted to introduce a Bill further to amend the Constitution of India.”

The motion was adopted.

योगी आदित्यनाथ : मैं विधेयक को पुरःस्थापित करता हूँ।

15.32 hrs.**(iv) FOREST PRODUCE MANAGEMENT
BOARD BILL, 2010***

श्री हंसराज गं. अहीर (चन्द्रपुर): सभापति महोदय, मैं प्रस्ताव करता हूँ कि जनजातीय व्यक्तियों तथा अन्य व्यक्तियों, जो वन उपज पर आश्रित हैं, को जीविका अर्जित करने का अधिकार और उससे संबंधित अथवा उसके आनुषंगिक विषयों का उपबंध करने वाले विधेयक को पुरःस्थापित करने की अनुमति दी जाए।

MR. CHAIRMAN (SHRI FRANCISCO COSME SARDINHA): The question is:

“That leave be granted to introduce a Bill to provide for right to earn livelihood to the tribals and other persons who are dependant on forest produce and for matters connected therewith or incidental thereto.”

The motion was adopted.

श्री हंसराज गं. अहीर : मैं विधेयक पुरःस्थापित करता हूँ।

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15.32 ½ hrs.**(v)COTTON GROWERS (REMUNERATIVE PRICE AND WELFARE) BILL, 2009***

श्री हंसराज गं. अहीर (चन्द्रपुर): सभापति महोदय, मैं प्रस्ताव करता हूँ कि कपास उत्पादकों के उत्पाद के लिए लाभकारी मूल्य, कपास का निःशुल्क बीमा और उनके समग्र कल्याण तथा तत्संबंधी विषयों का उपबंध करने वाले विधेयक को पुरःस्थापित करने की अनुमति दी जाए।

MR. CHAIRMAN: The question is:

“That leave be granted to introduce a Bill to provide for the remunerative price for the produce of the cotton growers, insurance of cotton crop free of cost and for their overall welfare and for matters connected therewith.”

The motion was adopted.

श्री हंसराज गं. अहीर : मैं विधेयक पुरःस्थापित करता हूँ।

15.33 hrs.**(vi)FOREST (CONSERVATION) AMENDMENT BILL, 2009 *
(Insertion of new Section 3C)**

श्री हंसराज गं. अहीर (चन्द्रपुर): मैं प्रस्ताव करता हूँ कि वन(संरक्षण) अधिनियम, 1980 में और संशोधन करने वाले विधेयक को पुरःस्थापित करने की अनुमति दी जाए।

MR. CHAIRMAN: The question is:

“That leave be granted to introduce a Bill to further to amend the Forest (Conservation) Act, 1980.”

The motion was adopted.

श्री हंसराज गं. अहीर : मैं विधेयक पुरःस्थापित करता हूँ।

* * Published in the Gazette of India, extraordinary, part-II, Section-2, dated 05.03.2010.

15.33 ½ hrs.

**(vii) SCHEDULED TRIBES AND OTHER TRADITIONAL FOREST
DWELLERS (RECOGNITION OF FOREST RIGHTS)
AMENDMENT BILL, 2009***

(Amendment of Section 2)

श्री हंसराज गं. अहीर (चन्द्रपुर): मैं प्रस्ताव करता हूँ कि अनुसूचित जनजाति और अन्य परंपरागत वन निवासी (वन अधिकारों की मान्यता) अधिनियम, 2006 में संशोधन करने वाले विधेयक को पुरःस्थापित करने की अनुमति दी जाए।

MR. CHAIRMAN: The question is:

“That leave be granted to introduce a Bill to amend the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006.”

The motion was adopted.

श्री हंसराज गं. अहीर : मैं विधेयक पुरःस्थापित करता हूँ।

15.34 hrs.

**(viii) CONSTITUTION (AMENDMENT) BILL, 2009*
(Amendment of Article 253)**

SHRI PRABODH PANDA (MIDNAPORE): I beg to move for leave to introduce a Bill further to amend the Constitution of India.

MR. CHAIRMAN: The question is:

“That leave be granted to introduce a Bill further to amend the Constitution of India.”

The motion was adopted.

SHRI PRABODH PANDA : I introduce the Bill.

* Published in the Gazette of India, extraordinary, part-II, Section-2, dated 05.03.2010.

15.34 ½ hrs.**(ix)SPECIAL FINANCIAL ASSISTANCE TO THE STATE OF
UTTARAKHAND BILL, 2009***

SHRI K.C. SINGH 'BABA' (NAINITAL-UDHAMSINGH NAGAR): I beg to move for leave to introduce a Bill to provide for special financial assistance to the State of Uttarakhand for the purpose of promoting the welfare of Scheduled Castes, Scheduled Tribes and Other Backward Sections of People and for the development, exploitation and proper utilization of its resources.

MR. CHAIRMAN: The question is:

“That leave be granted to introduce a Bill to provide for special financial assistance to the State of Uttarakhand for the purpose of promoting the welfare of Scheduled Castes, Scheduled Tribes and Other Backward Sections of People and for the development, exploitation and proper utilization of its resources.”

The motion was adopted.

SHRI K.C. SINGH 'BABA' : I introduce** the Bill.

15.35 hrs.

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**(x)CONSTITUTION (SCHEDULED CASTES) ORDER (AMENDMENT)
BILL, 2009 *
(Amendment of the Schedule)**

SHRI K.C. SINGH 'BABA' (NAINITAL-UDHAMSINGH NAGAR): I beg to move for leave to introduce a Bill further to amend the Constitution (Scheduled Castes) Order, 1950.

MR. CHAIRMAN: The question is:

“That leave be granted to introduce a Bill further to amend the Constitution (Scheduled Castes) Order, 1950.”

* Published in the Gazette of India, extraordinary, part-II, Section-2, dated 05.03.2010.

** Introduced with the recommendation of the President

The motion was adopted.

SHRI K.C. SINGH 'BABA' : I introduce the Bill.

15.35 ½ hrs.

**(xi) MERITORIOUS STUDENTS (ASSISTANCE IN HIGHER STUDIES)
BILL, 2009***

SHRI K.C. SINGH 'BABA' (NAINITAL-UDHAMSINGH NAGAR): I beg to move for leave to introduce a Bill to provide for loan facilities to meritorious students for pursuing their higher studies and for matters connected therewith.

MR. CHAIRMAN: The question is:

“That leave be granted to introduce a Bill to provide for loan facilities to meritorious students for pursuing their higher studies and for matters connected therewith.”

The motion was adopted.

SHRI K.C. SINGH 'BABA': I introduce the Bill.

15.36 hrs.

**(xii) DEPOSIT INSURANCE AND CREDIT GUARANTEE
CORPORATION (AMENDMENT) BILL, 2009*
(Amendment of Section 21)**

SHRIMATI SUMITRA MAHAJAN (INDORE): I beg to move for leave to introduce a Bill further to amend the Deposit Insurance and Credit Guarantee Corporation Act, 1961.

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MR. CHAIRMAN: The question is:

“That leave be granted to introduce a Bill further to amend the Deposit Insurance and Credit Guarantee Corporation Act, 1961.”

The motion was adopted.

SHRIMATI SUMITRA MAHAJAN : I introduce the Bill.

MR. CHAIRMAN :

Item No. 26 – Shri L. Rajagopal – not present.
 Item No 27 -. Shrimati Supriya Sule – not present.
 Item No. 28 - Shrimati Supriya Sule – not present
 Item No.29 - Shri Varun Gandhi – not present.
 Item No.30 - Shri G.S. Basavaraj – not present.
 Item No.31 - Shri G.S. Basavaraj – not present.

Item No 32 -. Dr. Raghuvansh Prasad Singh

15.36 ½ hrs.

(xiii) CONSTITUTION (AMENDMENT) BILL, 2009*
(Amendment of Article 243A)

डॉ. रघुवंश प्रसाद सिंह (वैशाली): महोदय, मैं प्रस्ताव करता हूँ कि भारत के संविधान में और संशोधन करने वाले विधेयक को पुरःस्थापित करने की अनुमति दी जाए।

MR. CHAIRMAN : The question is :

“That leave be granted to introduce a Bill further to amend the Constitution of India.”

The motion was adopted.

डॉ. रघुवंश प्रसाद सिंह : महोदय, मैं विधेयक पुरःस्थापित करता हूँ।

MR. CHAIRMAN :

Item No. 33 – Shri L. Rajagopal – not present.
 Item No. 34 – Shri Rajendra Agrawal.

* Published in the Gazette of India, extraordinary, part-II, Section-2, dated 05.03.2010.

15.37 hrs.

**(xiv) HIGH COURT AT ALLAHABAD (ESTABLISHMENT OF A
PERMANENT BENCH AT MEERUT) BILL, 2010***

श्री राजेन्द्र अग्रवाल (मेरठ): महोदय, इलाहाबाद उच्च न्यायालय की मेरठ में एक स्थायी न्यायपीठ की स्थापना का उपबंध करने वाले विधेयक को पुरःस्थापित करने की अनुमति दी जाए।

MR. CHAIRMAN : The question is :

“That leave be granted to introduce a Bill to provide for the establishment of a permanent Bench of the High Court at Allahabad at Meerut.”

The motion was adopted.

श्री राजेन्द्र अग्रवाल : महोदय, मैं विधेयक पुरःस्थापित करता हूं।

15.37 ½ hrs.

**(xv) HIGH COURT OF UTTARAKHAND (ESTABLISHMENT OF A
PERMANENT BENCH AT NARENDRANAGAR) BILL, 2010***

श्री सतपाल महाराज (गढ़वाल): महोदय, उत्तराखंड उच्च न्यायालय की नरेन्द्रनगर में एक स्थायी न्यायपीठ की स्थापना का उपबंध करने वाले विधेयक को पुरःस्थापित करने की अनुमति दी जाए।

MR. CHAIRMAN : The question is :

“That leave be granted to introduce a Bill to provide for the establishment of a permanent Bench of the High Court of Uttarakhand at Narendranagar.”

The motion was adopted.

श्री सतपाल महाराज : महोदय, मैं विधेयक पुरःस्थापित करता हूं।

* Published in the Gazette of India, extraordinary, part-II, Section-2, dated 05.03.2010.

MR. CHAIRMAN : Item No. 36 – Shri L. Rajagopal – not present.
Item No. 37 – Shri J.P. Agarwal –

15.38 hrs.

**(xvi) WORKING JOURNALISTS AND OTHER NEWSPAPER
EMPLOYEES (CONDITIONS OF SERVICE)
AND MISCELLANEOUS PROVISIONS (AMENDMENT) BILL, 2010*
(Insertion of New Sections 13AB, 13AC and 13AD)**

SHRI JAI PRAKASH AGARWAL (NORTH EAST DELHI): Sir, I beg to move for leave to introduce a Bill further to amend the Working Journalists and Other Newspaper Employees (Conditions of Service) and Miscellaneous Provisions Act, 1955.

MR. CHAIRMAN : The question is :

“That leave be granted to introduce a Bill further to amend the Working Journalists and Other Newspaper Employees (Conditions of Service) and Miscellaneous Provisions Act, 1955.”

The motion was adopted.

SHRI JAI PRAKASH AGARWAL : Sir, I introduce the Bill.

15.38 ½ hrs.

(xvii) CULTURAL HERITAGE CONSERVATION BILL, 2010*

SHRI JAI PRAKASH AGARWAL (NORTH EAST DELHI): Sir, I beg to move for leave to introduce a Bill to provide for the constitution of a Board for the conservation of cultural and natural heritage and for matters connected therewith.

MR. CHAIRMAN : The question is :

“That leave be granted to introduce a Bill to provide for the constitution of a Board for the conservation of cultural and natural heritage and for matters connected therewith.”

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The motion was adopted.

SHRI JAI PRAKASH AGARWAL : Sir, I introduce the Bill.

15.39 hrs.**(xviii) UNIFORM EDUCATION BILL, 2010***

SHRI JAI PRAKASH AGARWAL (NORTH EAST DELHI): Sir, I beg to move for leave to introduce a Bill to provide for uniform education to all the students from primary level to senior secondary level in the country.

MR. CHAIRMAN : The question is :

“That leave be granted to introduce a Bill to provide for uniform education to all the students from primary level to senior secondary level in the country.”

The motion was adopted.

SHRI JAI PRAKASH AGARWAL: Sir, I introduce the Bill.

15.39 ½ hrs.**(xix) PRIVATE SCHOOLS (REGULATION) BILL, 2010***

SHRI BHAUSAHEB RAJARAM WAKCHAURE (SHIRDI): Sir, I beg to move for leave to introduce a Bill to regulate the functioning of private schools and for matters connected therewith or incidental thereto.

MR. CHAIRMAN : The question is :

“That leave be granted to introduce a Bill to regulate the functioning of private schools and for matters connected therewith or incidental thereto.”

The motion was adopted.

SHRI BHAUSAHEB RAJARAM WAKCHAURE : Sir, I introduce the Bill.

* Published in the Gazette of India, extraordinary, part-II, Section-2, dated 05.03.2010.

15.40 hrs.

**(xx) CONSTITUTION (SCHEDULED TRIBES)
ORDER (AMENDMENT) BILL, 2010*
(Amendment of the Schedule)**

श्री निशिकांत दुबे (गोड्डा): महोदय, संविधान (अनुसूचित जनजातियां) आदेश, 1950 में और संशोधन करने वाले विधेयक को पुरःस्थापित करने की अनुमति दी जाए।

MR. CHAIRMAN : The question is :

“That leave be granted to introduce a Bill further to amend the Constitution (Scheduled Tribes) Order, 1950.”

The motion was adopted.

श्री निशिकांत दुबे : महोदय, मैं विधेयक पुरःस्थापित करता हूँ।

15.40 ½ hrs.

**(xxi) PLANTATIONS LABOUR (AMENDMENT) BILL, 2010*
(Insertion of new Chapter IVA, etc.)**

SHRI P.T. THOMAS (IDUKKI): Sir, I beg to move for leave to introduce a Bill further to amend the Plantations Labour Act, 1951.

MR. CHAIRMAN : The question is:

“That leave be granted to introduce a Bill further to amend the Plantations Labour Act, 1951.”

The motion was adopted.

SHRI P.T. THOMAS : Sir, I introduce the Bill.

* Published in the Gazette of India, extraordinary, part-II, Section-2, dated 05.03.2010.

15.41 hrs.**(xxii)PAYMENT OF BONUS (AMENDMENT) BILL, 2010***
(Amendment of section 2, etc.)

SHRI P.T. THOMAS (IDUKKI): Sir, I beg to move for leave to introduce a Bill further to amend the Payment of Bonus Act, 1965.

MR. CHAIRMAN: The question is:

“That leave be granted to introduce a Bill further to amend the Payment of Bonus Act, 1965.”

The motion was adopted.

SHRI P.T. THOMAS : I introduce the Bill.

15.42 hrs.**(xxiii)ABOLITION OF BEGGING BILL, 2010***

SHRI PRASANTA KUMAR MAJUMDAR (BALURGHAT): Sir, I beg to move for leave to introduce a Bill to provide for abolition of begging and for matters connected therewith or incidental thereto.

MR. CHAIRMAN: The question is:

“That leave be granted to introduce a Bill to provide for abolition of begging and for matters connected therewith or incidental thereto.”

The motion was adopted.

SHRI PRASANTA KUMAR MAJUMDAR : I introduce the Bill.

* Published in the Gazette of India, extraordinary, part-II, Section-2, dated 05.03.2010.

15.44 hrs.

(xxiv)POPULATION CONTROL BILL, 2010*

SHRI PRASANTA KUMAR MAJUMDAR (BALURGHAT): Sir, I beg to move for leave to introduce a Bill to provide for population control and for matters connected therewith.

MR. CHAIRMAN: The question is:

“That leave be granted to introduce a Bill to provide for population control and for matters connected therewith.”

The motion was adopted.

SHRI PRASANTA KUMAR MAJUMDAR: I introduce the Bill.

15.45 hrs.

**(xxv)CONSTITUTION (AMENDMENT) BILL, 2010*
(Amendment of the Tenth Schedule)**

SHRI MANISH TEWARI (LUDHIANA): Sir, I beg to move for leave to introduce a Bill further to amend the Constitution of India.

MR. CHAIRMAN: The question is:

“That leave be granted to introduce a Bill further to amend the Constitution of India.”

The motion was adopted.

SHRI MANISH TEWARI: I introduce the Bill.

* Published in the Gazette of India, extraordinary, part-II, Section-2, dated 05.03.2010.

15.46 hrs.

**(xxvi) COMPULSORY TEACHING OF YOGA
IN EDUCATIONAL INSTITUTIONS BILL, 2010***

श्री सतपाल महाराज (गढ़वाल): मैं प्रस्ताव करता हूँ कि सभी शैक्षिक संस्थाओं में योग के अनिवार्य शिक्षण तथा उससे संसक्त या उसके आनुषंगिक विषयों का उपबंध करने वाले विधेयक को पुरःस्थापित करने की अनुमति दी जाए।

MR. CHAIRMAN: The question is:

“That leave be granted to introduce a Bill to provide for compulsory teaching of yoga in all educational institutions and for matters connected therewith or incidental thereto.”

The motion was adopted.

श्री सतपाल महाराज : मैं विधेयक पुरःस्थापित करता हूँ।

* Published in the Gazette of India, extraordinary, part-II, Section-2, dated 05.03.2010.

15.47 hrs.

COMPULSORY VOTING BILL, 2009 – Contd.

MR. CHAIRMAN: Now, we will take item no. 48 – Compulsory Voting Bill for consideration and passing.

श्री जय प्रकाश अग्रवाल (उत्तर पूर्व दिल्ली): महोदय, पिछले सत्र में यह बिल इंट्रोड्यूज किया था। शायद जब मैंने इंट्रोड्यूज किया था उस समय मैंने इस सदन में करीब आधा घंटा अपनी बात को रखा था। मेरा मानना है कि जो व्यक्ति इस देश में रहता है, हमने जिसे कानूनी तौर पर अख्तियार दे रखा है कि वह वोट दे सकता है तो उसका वोट न देना शायद हमारे लिए खतरे की घंटी है। आज एक वक्त है जब इस पर लंबी बहस की जरूरत है कि क्या इस कानून की जरूरत है या नहीं? हम कानूनी तौर पर उस व्यक्ति को कहें कि तुम्हें वोट देना है। हालांकि मेरा मानना है कि जब हम कानून बनाते हैं तो वह जबरदस्ती होती है। हमने कांस्टीटुएशन में वोटर को फंडामेंटल राइट दिया है कि आप वोट दें क्योंकि इससे सरकारें बनती हैं। देश के भविष्य के लिए लोग पंचायत बनाते हैं और इस पंचायत में लोग चुनकर जाते हैं। जब वे चुनकर जाते हैं तो देश के भविष्य के लिए फैसला करते हैं। इस फैसले का असर उन लोगों पर पड़ता है जो लोग वोट देने नहीं जाते हैं। मैंने इसका बहुत विश्लेषण किया और बहुत जानकारी हासिल करने की कोशिश की तो मेरे सामने अजीब से तथ्य आए। मैं इसकी चर्चा थोड़ी देर बाद करूंगा। मैं इसमें से एक- आध उदाहरण के तौर पर सामने रखना चाहता हूँ। जब हम यह कहते हैं कि मैजोरिटी वोटर होता है और वह फैसला माना जाता है, जब किसी चीज पर मैजोरिटी होती है। अगर पचास परसेन्ट से कम वोटिंग परसेन्टेज रह जाता है तो इसका मतलब यह है कि पचास परसेन्ट से ज्यादा लोग उस चुनाव में हिस्सेदार नहीं हैं तो फिर वह फैसला लागू कैसे किया जा सकता है। फिर वह चुनाव संवैधानिक तौर पर कैसे जायज माना जायेगा। पचास परसेन्ट से ज्यादा लोग यह कह रहे हैं कि यह चुनाव सही नहीं है या हम इसमें हिस्सा नहीं लेते। मेरा मानना यह है कि जब संविधान के तहत हमने किसी को वोटिंग राइट दिया है और उस वोटिंग राइट में वह हिस्सा नहीं लेता तो उस चुनाव और सारी प्रक्रिया पर शायद एक बहुत बड़ा प्रश्नचिह्न उसके आगे लग जाता है और उस ओर हमें ध्यान देना चाहिए। साधारण सी बात है, वोट देने जाएं, नहीं देने जाएं, हम देश में रहते हैं, देश में रहते हुए हम कानूनी तौर पर बहुत सी चीजों की मांग भी करते हैं। लेकिन जब हम किसी चीज की मांग करते हैं तो उस समय हमें चुनाव में हिस्सा लेना चाहिए, तभी हमारा लोकतंत्र मजबूत हो पायेगा। यह मैंने उस दिन बुनियाद रखी थी और उसी को मैं चर्चा का विषय बनाकर आगे ले जाना चाहता हूँ।

एक बहुत साधारण सी बात कही जा सकती है, लेकिन एक वोट का इख्तियार कितना महत्वपूर्ण होता है, जब अमरीका में यह फैसला होना था कि उनकी लैंग्वेज कौन सी हो तो एक वोट से यह तय हुआ कि जर्मनी नहीं, इंग्लिश वहां की लैंग्वेज मानी जायेगी। इसी सदन में एक वोट के इख्तियार से एक सरकार गिरी, सरकार अल्पमत में आ गई और उन्हें यहां से गद्दी छोड़नी पड़ी। इसी तरह बहुत सारी जगह उन्होंने यह दिखाया है कि जो लोग क्रिमिनल्स हैं, उन्हें चुनाव लड़ने का अधिकार नहीं है। कई जगह जो इंटरनेशनल ह्यूमैन राइट्स लॉज है, वे उनके देश के कानून से ज्यादा संवैधानिक माने गये हैं और यह माना गया कि जो इंटरनेशनल ह्यूमैन राइट कानून होंगे, वे ज्यादा जायज होंगे। मेरा मानना यह है कि यह एक लम्बी बहस का मुद्दा है। हर व्यक्ति और हर पार्टी को इस चर्चा में हिस्सा लेना चाहिए।

महोदय, मेरे बिल इंट्रोड्यूस करने के बाद और इस बहस के शुरू होने के बाद गुजरात में एकदम यह कहा गया कि वहां हम कम्पलसरी वोटिंग राइट देकर चुनाव कराना चाहते हैं। मेरा मानना यह है कि वह फैसला सही नहीं है। वह क्यों सही नहीं है, उस पर बहस नहीं हुई, कोई चर्चा नहीं हुई। मैंने चाहा, चूंकि मैं मुख्य मंत्री हूँ, इसलिए मैंने उसे वहां लागू कर दिया। मैं जानना चाहता हूँ कि क्या इस पर नेशनल डिबेट हुई? क्या वहां अन्य पार्टियों के साथ बातचीत की गई? इसलिए मेरा जो मुद्दा है, वह उस मुद्दे से बिल्कुल फर्क है और मेरा मानना यह है कि अगर हम कोई चीज लागू करते हैं तो उसे लागू करने से पहले उस पर लोगों की राय ली जानी चाहिए, उस पर डिबेट होनी चाहिए। सब उस पर अपनी राय दें और यह देखें कि क्या यह बात सही है या नहीं। उसके बाद उसे लागू किया जाना चाहिए था। इसलिए मैं अपनी बात को ... (व्यवधान) जब आपको मौका मिलेगा तो आप भी कह देना, अभी मुझे अपनी बात कहने दो। मेरे को आपसे अलग करना है, इसलिए मैं अपनी बात को कह रहा हूँ। बात यह है कि यह देश किसी एक व्यक्ति या पार्टी का नहीं है। आज हम हैं, कल नहीं होंगे। आज साठ साल हुए हैं, कल छः सौ साल भी होंगे। यह आजादी चलेगी। लेकिन मायने यह रखता है कि हम कहां तक पहुंचे और क्या करके पहुंचे। हमें कितनी दूर जाना है। क्या आज के समय में हम जो कानून बनाते हैं, जो यहां चुनकर आते हैं, जो राजनीतिक पार्टियां हैं, उनका क्या उद्देश्य होना चाहिए।

सभापति महोदय, मैंने एक बात और रखी थी कि क्या वजह है कि उन लोगों को हम आकर्षित नहीं कर पाये। हम यह कहकर खुश हो जाते हैं कि साठ परसेंट लोगों ने वोट दे दिया, 62 परसेंट पोलिंग हो गई। लेकिन यह बात सही नहीं है। जो चालीस परसेंट लोगों की एक अच्छी-खासी मैजोरिटी है, जिन्होंने इस देश के भविष्य में हिस्सा लेने से मना किया तो क्या हम गुनहगार तो नहीं हैं। क्या हमारे व्यक्तित्व से लोग नाराज तो नहीं हैं? क्या हमारी बातों से उनके अंदर कोई ऐसा भेदभाव तो पैदा नहीं होता

कि वह यह कहते कि ये लोग अच्छे नहीं हैं, इन्हें काम करने का सलीका नहीं है। मैं उसका उदाहरण पेश करना चाहता हूँ - जब हम यहां बैठते हैं, चुनाव लड़ते हैं और अगर उसमें दुर्भावना पैदा करते हैं तो उसके अंदर समाज बंटता है। हमारा काम है कि हम देशभक्ति पैदा करें और फिर लोगों से कहें कि आप हमारे साथ आगे चलिए, हम इस देश को आगे ले जाना चाहते हैं, आप हमारे साथ हिस्सेदार बनिए। इसके लिए जरूरी है कि हमारी बातचीत अच्छी हो, जो बातें हम जनता के सामने रखते हैं, वे सिर्फ वोट हासिल करने के लिए नहीं होनी चाहिए, सिर्फ इसलिए नहीं होनी चाहिए कि हमारी पार्टी जीत जाए। पार्टी हारे, पार्टी जीते कम से कम यह देश तो जिन्दा रहे। अगर हम लोगों के दिल में जखम दे देंगे तो शायद हम अपने मकसद में कभी कामयाब नहीं हो सकते। हो सकता है कि हम किसी वक्त सरकार बना लें, हम जीतकर आ जाएं, लेकिन अगली बार क्या होगा? लोग 50, 100 साल बाद विश्लेषण करेंगे कि हमारे लफ्ज अच्छे थे या नहीं थे, हमने जो रास्ता चुना वह रास्ता अच्छा था या नहीं था? मेरा मानना यह है कि हमें साम्प्रदायिकता से दूर रहना चाहिए, दुर्भावना से दूर रहना चाहिए, कोई ऐसा काम नहीं करना चाहिए, जिससे हमारा समाज बंटता हो। माफ करिए, यह हिन्दुस्तान सबका है, हिन्दू, मुसलमान, सिख, इसाई, बौद्ध और भी हमारे बहुत सारे समाज हैं। अगर हम किसी एक समाज की बात करके या किसी दूसरे समाज के खिलाफ बोलकर वोट मांगते हैं तो शायद यह रास्ता सही नहीं होगा। यह हमने देखा है। इसी देश में भगवान राम के नाम से यात्राएं निकलीं, क्या वह यात्रा पूरे देश को एक-साथ लेकर चलने की थी? हमने राष्ट्रवादी रास्ते से हटकर धार्मिक रास्ता सरकार बनाने के लिए चुना। माफ करिए, शायद यह रास्ता अपने देश को मजबूत करने के लिए नहीं होगा। जब हम इस देश में रहने वाले एक कम्युनिटी को दूर करना चाहते हों, जब हम यह कहते हों कि हम किसी एक धर्म के साथ, किसी एक समाज के साथ अपने को जोड़ना चाहते हैं तो वह क्या रास्ता है, क्या वह भेदभाव, क्या वह ऐसा जहर जो बहुत दिन तक लोगों के दिल में रहता है, वह नफरत, वह जोड़ने वाला नहीं रह सकता। हो सकता है कि जो लोग वोट देने नहीं आ रहे हैं, उन्हें यह लगा हो कि ये लोग तो बहुत घटिया बात करते हैं, ये लोग तो धार्मिक बात करते हैं, ये तो देश की बात नहीं करते हैं। अगर बात करनी है तो आप रोजगार की बात कीजिए, रोटी की बात कीजिए, कपड़े की बात कीजिए, मकान की बात कीजिए, गरीबी दूर करने की बात कीजिए। अगर धार्मिक मुद्दा लेकर चुनाव लड़े जाएंगे तो माफ कीजिए, वह रास्ता सही नहीं होगा। हो सकता है कि जो लोग वोट देने नहीं आ रहे हैं, वे इसलिए नहीं आ रहे हों कि हमने गलत रास्ता चुना। कुछ लोगों की वजह से दुर्भावना पैदा हुई और हमारा समाज बंट गया।

महोदय, मैं आपके सामने एक तथ्य और रखूंगा कि इतने साल बीतने के बाद भी जो मतदान का प्रतिशत आया है, वह बढ़ नहीं रहा है। मंत्री जी अभी जो डॉक्यूमेंट मैं आपके सामने रखने वाला हूँ, उसमें

मतदान 54 परसेंट से शुरू हुआ। वर्ष 1952 में 61 परसेंट वोटिंग रही, वर्ष 1967 में 61 परसेंट, और उसके बाद वर्ष 1971 में 55 परसेंट वोटिंग लोक सभा के चुनाव में हुई। उसके बाद वर्ष 1980 में 56.92 परसेंट, उसके बाद वर्ष 1991 में 56 परसेंट, वर्ष 1996 में 57 परसेंट, वर्ष 1999 में 59 परसेंट और वर्ष 2004 में 48 परसेंट वोटिंग हुई। आपके यहां कानून है कि अगर किसी प्रत्याशी को 16 परसेंट से कम वोट पड़ते हैं तो जमानत जब्त हो जाएगी। मेरे पास ऐसे कई उदाहरण हैं, जिन्हें 16 परसेंट से कम वोट मिले, वे चुनाव जीतकर जा रहे हैं, वे चुने हुए प्रत्याशी हैं, कई हाऊस के मंबर हैं। यह कैसे हो गया? क्या हमारे कानून में कोई गड़बड़ है, हमारी टर्म्स और कंडीशंस में कोई गड़बड़ है कि अगर 16 परसेंट पर जमानत जब्त होती है तो उससे कम वाला प्रत्याशी जीतकर कैसे जा रहा है? हमारे यहां मल्टी पार्टीज सिस्टम है, चार पार्टियां चुनाव में खड़ी हैं, पांच या सात प्रत्याशी हैं और इस तरह वोट नहीं पड़े कि किसी एक को 16 परसेंट वोट पड़ जाएं। इस समय इसे देखने का वक्त है कि इसमें कोई तब्दीली हो, वह तब्दीली कैसे की जा सकती है?

16.00 hrs.

इसके बाद करीब 10 करोड़ रुपये से इलैक्शन कमीशन का खर्चा शुरू हुआ और आज वह बढ़कर 1200 करोड़ रुपये पर पहुँच गया। उसके बावजूद आधे लोग वोट नहीं दे रहे हैं। अगर 1200 करोड़ रुपये खर्च करने के बाद सिर्फ 50-60 प्रतिशत लोग वोट देते हैं तो जिस खर्च को आप आधा मान रहे हैं, वह उबल हो गया। आज 33 रुपये प्रति वोटर आपको खर्च पड़ता है जो बहुत ज्यादा है। हमें यह देखना चाहिए कि हमारे यहां सौ फीसदी वोट पड़ें या नब्बे फीसदी वोट पड़ें। आप अगर कंपलसरी वोटिंग नहीं करेंगे तो यह होगा कि खर्च के अलावा भी लोगों की हिस्सेदारी नहीं रहेगी और सरकार का प्रति वोटर जो खर्चा है, वह बहुत ज्यादा बढ़ता रहेगा।



16.01 hrs.

(Dr. M. Thambidurai in the Chair)

मैं आपके सामने कुछ उदाहरण रखना चाहता हूँ कि दुनिया के करीब 32 देश ऐसे हैं जहाँ कंपलसरी वोटिंग है। एक देश ऐसा है जिसने 1892 या 1895 में अपने यहाँ कंपलसरी वोटिंग का कानून बनाया। एक ने 1905 में बनाया जिसका उल्लेख मैं अभी आपके सामने करूँगा। आस्ट्रेलिया में कंपलसरी वोटिंग है, ब्राज़ील में कंपलसरी वोटिंग है और वहाँ 90 प्रतिशत मतदान हुआ, एक जगह 80 प्रतिशत मतदान हुआ। सिंगापुर में कंपलसरी वोटिंग है, वहाँ 90 परसेंट पोलिंग है। अर्जेंटीना में कंपलसरी वोटिंग है जहाँ तकरीबन 70 प्रतिशत से ऊपर पोलिंग है। इजिप्ट में कंपलसरी वोटिंग है। उसके बाद साइप्रस में कंपलसरी वोटिंग है जहाँ 90 प्रतिशत वोट पड़े। टर्की में कंपलसरी वोटिंग है। बोलीविया में 70 प्रतिशत वोटिंग हुई। इसके बाद कुछ देश ऐसे हैं जहाँ यह वालंट्री है। यूएसए है, यूके है, जर्मनी है, इटली है, फ्रांस है, आस्ट्रिया है। बेल्जियम में 1892 में कंपलसरी वोटिंग का कानून बना। आस्ट्रेलिया में 1924 में कंपलसरी वोटिंग का कानून बना। आज

जब हमारी इतनी बड़ी डेमोक्रेसी है और हम 100 करोड़ के हिन्दुस्तान को लेकर चल रहे हैं तो शायद आज ज़रूरत है कि हम उन देशों से भी सीखें जिन देशों ने कंपलसरी वोटिंग की है। हम स्टडी करें, अपनी टीम भेजें, मालूम करें कि उसके प्रोज़ और कॉन्स क्या हैं, अच्छाइयाँ और बुराइयाँ क्या हैं और हम किस तरह इसमें और सुधार कर सकते हैं।

इसके बाद मैं आपके सामने वोट की कीमत रखना चाहता हूँ। मैंने इन दिनों बहुत सर्वेक्षण किया है और इसलिए मुझे ऐसा लगा था कि एक विषय ऐसा है जो इस देश के भविष्य के साथ जुड़ा रहेगा। आज माना जाए या न माना जाए, कल माना जाए, दस साल बाद, बीस साल बाद, पचास साल बाद किसी वक्त इस पर बहस होगी और बहस यह होगी कि आज ज़रूरत है इस बात की कि देश में कंपलसरी वोटिंग होनी चाहिए। तो वोट की कीमत क्या है, उसके चंद उदाहरण मैं आपके सामने रखना चाहता हूँ। Abraham Lincoln has defined democracy as a Government of the people, by the people, for the people. In a democracy, elections are biggest opportunity to bring about the changes and the vote is the biggest weapon for a change. 1776 में यूएसए ने एक वोट से जर्मनी के बजाय इंग्लिश को अपनी नेशनल लैंग्वेज बनाया। In England in 1649, one vote meant that the King Charles-I was executed of his head. In Germany in 1923, one vote made Adolf Hitler leader of the Nazi party. In the USA in 1850 one vote made California a State and in 1859 one vote made Oregon a State. In 1868, one vote saved President Johnson of USA from being removed from his office. In 1889, one vote made Washington a State. In 1714 in the UK one vote placed King George-I on the thrown in England and restored the monarchy.

In 1844 in the USA, a farmer in Switzerland County, Indiana named Freeman Clark was seriously ill on the election day. He had his son carry him to the County seat so that he could vote for David Kelso for State Senator. Clark died on the way home from the polling place. David Kelso was elected State Senator by one vote. In our own country, in 1999 Vajpayee Government was voted out by one vote.

मेरा मानना है कि जो लोग वोट नहीं देते हैं, उनकी संख्या 40 से 45 प्रतिशत ही है। वे लोग वोट की कीमत नहीं समझ रहे हैं, जिसे हमें समझाना है। इस भविष्य के साथ उनका भविष्य इसमें जुड़ा हुआ है और यह बहुत जरूरी है। महोदय, अब मैं आपके सामने कुछ और तथ्य रखना चाहता हूँ।

A figure depicting the exact number of countries that practice compulsory voting is quite arbitrary. The simple presence or absence of mandatory voting laws in a Constitution is far too simplistic. It is more constructive to analyze compulsory voting as a spectrum ranging from a symbolic but basically ineffective law to a Government with systematic follow-up of each non-voting citizen and implement sanctions against them. जिसका मैं आगे जिक्र करूंगा।

This spectrum implies that some countries formally have compulsory voting laws but do not, and have no intention to, enforce them. There are a variety of possible reasons for this. Some laws are created to merely state the government's position regarding what the citizen's responsibility should be. Mandatory voting laws that do not include sanctions fall into this category.

Although a government may not enforce mandatory voting laws or even have formal sanctions in law for failing to vote, the law may have some effect upon the citizens. For example, in Austria voting is compulsory in only two regions with sanctions being weakly enforced. However, these regions tend to have a higher turnout average than the national average.

Other possible reasons for not enforcing the laws could be complexity and resources required for enforcement. Countries with limited budgets may not place the enforcement of mandatory voting laws as a high priority. Still they hope that the presence of the law will encourage the citizens to participate.


Can a country be considered to practice compulsory voting if the mandatory voting laws are ignored and irrelevant to the voting habits of the electorate? Is a country practising compulsory voting, if there are no penalties for not voting? What if there are penalties for failing to vote but they are never or are scarcely enforced or if the penalty is negligible?

Many countries offer loopholes, intentionally and otherwise, which allow non-voters to go unpunished. For example, in many countries it is required to vote only if you are a registered voter, but it is not compulsory to register. People might then have incentives not to register.

In many cases, like Australia, an acceptable excuse for absence on election day will avoid sanctions. The diverse forms of compulsory voting has taken in different countries refocuses the perception of it to a study of the degree and manner in which the Government forces its citizens to participate. Most democratic governments consider participating in national elections a right of citizenship. Some consider that participation at elections is also a citizen's civic responsibility. In some countries where voting is considered a duty, voting at elections has been made compulsory and has been regulated in national Constitutions and electoral laws. Some countries go as far as to impose sanctions on non-voters.

Compulsory voting is not a new concept. Some of the first countries that introduced mandatory voting laws were Belgium in 1892, Argentina in 1914 and Australia in 1924. Australia is the only English-speaking country in the world that has made voting compulsory in federal and state elections.

The secret ballot box, which is so widely used in democracies these days, was first initiated in Victoria in 1856. Australia boasts of being home to the largest electoral area in the world, Kalgoorlie in Western Austrlia (22 lakh sq. km.). It had its first proclaimed election in 1901. Turn out in the last Parliament election here was 83.53 per cent.

There are also examples of countries such as  Venezuela and the Netherlands which at one time in their history practised compulsory voting but have since abolished it.

Below is a table containing all the countries that have a law that provides for compulsory voting. The first column lists the name of the country, the second column the type of sanctions that the relevant country imposes against non-voters and the third column contains the information on to what extent the compulsory voting laws are enclosed in practice. There are currently 32 countries where voting is a Constitutional right. Of these 19 enforce it as a compulsory right. These countries are Argentina, Australia, Austria, Belgium, Brazil, Cyprus, Ecuador, Fiji

France, Italy, Luxemburg, Nauru, Netherlands, Paraguay, Peru, Philippines, Spain, Singapore, Switzerland, Turkey, Venezuela, and two others.

What are the points? Firstly, the explanations, the second fine and the third is the possible imprisonment. The non-voter faces a fine/sanctions and the amount varies between the countries. For example, three Swiss Francs in Switzerland, between 300 and 3,000 ATS in Austria, 200 Cyprus Pounds in Cyprus, 10-20 Argentinean Pesos in Argentina, 20 Soles in Peru, etc. In Turkey, according to law passed by Parliament in 1986, if an eligible voter does not cast a vote in the elections, he or she has to pay a fee of about 5 YTL (3 US \$). In Belgium, a fine of 50 Euros. If they do not pay those charges, then they have to go to jail.

Now, I come to infringements of civil rights or disenfranchisement. It is for example possible that the non-voter, after not voting in at least four elections within 15 years will be disenfranchised in Belgium. In Peru, the voter has to carry a stamped voting card for a number of months after the election as a proof of having voted. This stamp is required in order to obtain some services and goods from some public offices. Goods and services provided by public offices may be denied to those failing to vote in Peru and Greece. In Singapore, the voter is removed from the voter register until he/she reapplies to be included and submits a legitimate reason for not having voted. In Bolivia, the voter is given a card when he or she has voted so that he or she can give proof of participation. The voter would not be able to receive his or her salary from the bank if he or she cannot show the proof of voting.

In regard to other countries, for example, in Belgium, it might be difficult getting a job within the public sector if you are a non-voter. There are no formal sanctions in Mexico or Italy but possible arbitrary or social sanctions. This is called the 'innocuous sanction' in Italy, where it might, for example be difficult to get a day-care place for your child but this is not formalised in any way at all.

Now, I come to countries that do not enforce compulsory voting. The recommendations of Commissions and other groups for compulsory voting as a

fundamental duty and other related electoral issues. In recent years, in full recognition of the problems like the creation of mal-formation of the electoral system, there have been many exercised aimed at reforming it. In the last 10 years, many Working Groups and Commissions including the Law Commission have given a host of recommendations and suggestions to initiate long-due electoral and administrative reforms, some of which have been implemented and the rest are yet to be adopted. These would impact the voter turn out and participations. These are a must for Government formation. These are Goswami Committee on Electoral Reforms, 1990, Indrajit Gupta Committee on State Funding of Elections, 1998, the Law Commission Report on Reforms of Electoral Laws, 1999.

In addition, the Election Commission has also documented its own thoughts based on the recommendations of these three organizations as well as based on their own experience of ground realities. Some major Working groups and Commissions that deliberated the issue are many; the first being the National Commission to Review the Constitution.

This Commission undertook the exercise by starting from the findings of the aforesaid most recent official exercises already undertaken in this regard with similar objectives, that were taken prior to its being framed by the Government namely, the Goswami Committee, Indrajit Gupta Committee and the Law Commission. The Election Commission's comments on the recommendations of the above three and its own proposals based on experience of ground realities.

The Commission had dwelt upon and brought out a slew of measures that it believed have made the voter indifferent towards casting his vote like representative character of voting, criminalization of politics, role of money and muscle power, blatant misuse of caste and religion and other constitutional measures including the issue under debate compulsory voting. The recommendations of the Commission are more relevant today than ever before in view of the debate on negative trends that have persuaded our voters to stay away from, the electoral system.

Of these 58 recommendations involved amending the Constitution, while 86 involved legislative measures and the rest involve executive action. The necessary correctives could be achieved by ordinary legislation modifying the existing laws or, in many cases, merely by subordinate legislation. Besides others, the Commission had identified the problem areas to be as follows:

Increasing cost of elections leading to unethical, illegal and even mafia provided electoral funding, corruption, criminalization and black money generation in various forms. With the electorate having no role in the selection of candidates and with majority of candidates being elected by minority of votes under the first-past-the-post system, the representative character of the representatives itself becomes doubtful and their representational legitimacy is seriously eroded.

MR. CHAIRMAN: How much time do you want to take more?

SHRI JAI PRAKASH AGARWAL : There is no time limit.

MR. CHAIRMAN: Time allotted for this Bill is only two hours. There are other hon. Members who want to support you. You have already taken sufficient time. I just wanted to know how much time you want.

SHRI JAI PRAKASH AGARWAL: I have worked very hard to make it documented.

MR. CHAIRMAN: It is very nice! If you want, you can take. I am asking how much time you want to take more.

SHRI JAI PRAKASH AGARWAL : I do not know; I have just started.

MR. CHAIRMAN: The Minister is recommending your case for Ph.D. It seems you have done a lot of research on the subject.

SHRI JAI PRAKASH AGARWAL : You can make the time allotted as four hours instead of two hours. That is the only possibility.

In many cases, more votes are cast against the winning candidates than for them. One of the significant probable causes may be the mismatch between the

majoritarian or first-past-the-post system and the multiplicity of parties and large number of independents.

Use of raw muscle power in the form of intimidation of voters either to vote against their will or not to vote at all, thus taking away the right of free voting from large sections of society and distorting the result thereby. Criminalization of the electoral process - increasing number of contestants with serious criminal antecedents. The visible presence of many criminals is in fact a very large factor in the loss of legitimacy for politicians as a whole.

This is also extremely dangerous for the country because apart from distorting the political culture of the country, criminal elements progressively get to influence leadership and governance. The spectacular success of some criminals in politics invites emulation. The signal to the society by such a process is that it is acceptable to muscle your way through everything because in the last analysis the system rewards you. Divisive and disruptive tendencies including the misuse of religion and caste in the process of political mobilization of group identities on non-ideological lines. Fake and non-serious candidates who create major practical difficulties and are also used indirectly to subvert the electoral process.

Last but not least, loss of systemic legitimacy due to decay in the standards of political morality and decline in the spirit of service and sacrifice in public life.

On including the right to vote in fundamental duties the Commission said:

“While taking note of the dwindling base of the number of voting citizens, the Commission had recommended making voting compulsory under the heading “Fundamental Duties”. It recommended inclusion of the following in article 51 A of the Constitution:

“Duty to vote at election, actively participate in the democratic process of governance and to pay taxes should be included in Article 51 A” ”

On candidates winning by minority vote the Commission said:

The multiplicity of the political parties combined with our Westminster based first-past-the-post system results in a majority of legislators and parliamentarians getting elected on a minority vote.

This means that on an average, at the very least, two-third of our legislators all over India win on the basis of a minority vote.

In other words, they usually win by obtaining less than 50 per cent of the vote cast, that is with more votes cast against them than in their favour. There are States where 85 per cent to 90 per cent of the legislators have won on a minority vote by having obtained less than 50 per cent of the vote cast.

At the national level, the proportion of Members of Parliament who have won on a minority vote is over 67 per cent at an average for the last three Lok Sabha elections.

In extreme cases, some candidates have won even on the basis of 13 per cent of the vote polled as other contenders did not manage to get that many votes. (For relevant data see Tables in annexures to the Consultation Paper on the subject; Elections in India since Independence have proved that candidates with even less than 10 per cent votes in any electoral constituency can win a seat.

In the 2009 Parliament elections, according to a study by CERI, Campaign for Electoral Reforms in India, 145 out of 500 and odd elected Members won with less than 20 per cent votes. On an average an MP got only one-fourth of the vote share.

Again, according to the CERI, in the present Lok Sabha only five MPs, one each from Nagaland, Sikkim, West Bengal and two from Tripura got more than 50 per cent of the votes.

In pluralistic society such as ours some political parties have found it advantageous to develop a vested interest in progressively appealing to narrower and narrowing loyalties of caste and religion. Clearly, if a candidate can win on less than one-third share of the votes polled, he does not need to generate a wider appeal.

By making caste and community a factor in political power play, we have made the divide even wider and deeper in the Indian society and made it nearly impossible for Dr. Babasaheb Ambedkar's vision of a casteless and classless society ever coming true.

It is strange that most people of the constituency do not vote for the particular candidate who becomes their representative. Those representatives are such candidates when a majority of voters did not want them.

The seriousness of this issue has generated suggestions from many quarters, focused primarily on some possibilities. It has been suggested from several quarters that this principle of representative-ness will be fulfilled if the elected representatives win on the basis of 50 per cent plus-one-vote.

If in the first round nobody gets over 50 per cent of the votes polled then according to this view there should be a run-off contest held the very next day or soon thereafter between the top two candidates so that one of them will necessarily win on the basis of 50 per cent plus one vote polled. Several representatives from various organizations favoured this option to achieve the objective of better representative democracy.

The Chief Election Commissioner is reported to have confirmed that the task of run-off election can be managed the Commission is of the view that there are substantial advantages of following the policy of 50 per cent plus one vote. It can help in political parties and candidates adopting a universal tone as opposed to sectoral tone of the present day. With the need to be more broad-based in their appeal, issues that have to do with good governance rather than with cleavages and narrow identities might start to surface in the country.

In the circumstances, the Commission while recognizing the beneficial potential of this system for a more representative democracy, recommends that the Government and the Election Commission of India should examine this issue of prescribing a minimum of 50 per cent plus one vote for election in all its aspects, consult various political parties, and others that might consider themselves

affected by this change and evaluate the acceptability and benefits of this system. The Commission recommends a careful and full examination of this issue by the Government and the Election Commission of India.

On the misuse of religious, cast or communal sentiments, the Commission said :

“Campaigns which are crafted to create or exacerbate tensions between communities and/or to incite feelings of hatred on the basis of caste, community, religion, race or language attract disqualification at present but effective implementation of laws is lacking.”

मैं एक और चीज आपके सामने रखना चाहता हूँ जो मैंने पहले भी एक बार डिबेट में कहा था कि जब हम भगवान के नाम से वोट नहीं मांग सकते, तो फिर कोई भी राजनैतिक पार्टी भगवान के नाम पर रजिस्टर कैसे होती है? मैं अगर राम सेना बनाना चाहूँ तो क्या आप उसे एक राजनैतिक पार्टी मानकर उसका रजिस्ट्रेशन करेंगे? क्या मैं हनुमान सेना बना सकता हूँ? कुछ शब्द ऐसे होने चाहिए, जो आपके यहां डिबेट होने चाहिए, जिनका पोलिटिकल पार्टी के तौर पर चुनाव लड़ने के लिए रजिस्ट्रेशन नहीं होना चाहिए। माफी कीजिए, शिवसेना है। मैंने उस दिन भी कहा था, शिव भगवान का नाम है। भगवान के नाम से पार्टी कैसे बन गयी, अगर भगवान के नाम पर आप वोट नहीं मांग सकते? सेना, जो हमारी सेनाएं हैं, जिनका हम आदर करते हैं, जो हमारे लिए खून देते हैं, हमारे लिए सरहदों पर लड़ते हैं, आदमी का जज्बा होता है, रोंगटे खड़े हो जाते हैं, उनके नाम से। उस सेना के नाम से राजनैतिक पार्टी का रजिस्ट्रेशन होता है, फिर आप उनके कर्म देखिए। जो लोग वहां रोटी कमाने गए हैं, उनको मार रहे हैं, उनका खून कर रहे हैं, उनको दबा रहे हैं, डरा रहे हैं, उनको कह रहे हैं कि यहां से छोड़कर चले जाओ। हिन्दुस्तान में किसी को कहीं भी जाकर रहने और काम करने की आजादी है, कानूनी तौर पर है, तो फिर यह जो आतंकवादी तरीका है, उसमें और माओवादियों में क्या फर्क है? I think you will take notice of this and see that such parties do not get registered with these types of names, with the names of Gods and with the name of *Sena*.

On redefining the eligibility of criminals to contest elections the commission recommended :

“Any person convicted for any heinous crime like murder, rape, smuggling, dacoity, etc. should be permanently debarred from contesting for any political office.”

On the proliferation of non-serious candidates the Commission said that out of 1900 independent candidates who contested the General Election in 1998, only six succeeded, 885 lost their deposits.

Likewise the figures given by the Indrajit Gupta Committee reveal that out of the 10,635 candidates, who contested the 1996 Lok-Sabha elections, only nine won and 10,603, lost their deposits. It is also known that most of these so-called independent candidates are in fact dummy candidates or defectors from their parties on being denied party tickets.

Similarly, there have been assembly constituencies with over 1000 candidates. There were 1033 candidates for one single assembly seat for the Modakkurichi assembly constituency in Tamil Nadu in 1996. The ballot paper was in the form of a booklet!

The Commission recommends that independent candidates be discouraged and only those who have a track record of having won any local election or who are nominated by, at least, twenty elected members of Panchayats, Municipalities or other local bodies spread out in majority of electoral districts in their constituency should be allowed to contest for Assembly or Parliament. In order to check the proliferation of the number of independent candidates and the malpractices that enter into the election process because of the influx of the independent candidates, the existing security deposits in respect of independent candidates may be doubled. Security deposit should be doubled progressively every year for those independents who fail to win and still keep contesting elections. If any independent candidate has failed to get at least five per cent of the total number of votes cast in his constituency, he/she should not be allowed to contest as independent candidate for the same office again at least for six years.

हमने देखा है कि पहले एक धरती पकड़ नाम के व्यक्ति थे। जो भी चुनाव होता था, वह लड़ते थे। कुछ लोगों ने चुनाव लड़ना एक शौक बना लिया, बजाय यह सोचने कि किस चीज का चुनाव है, किसके लिए लड़ रहे हैं। यह देश के भविष्य के साथ जुड़ा हुआ है। हमने उसे एक मखौल बना कर रख दिया। इसलिए इन लोगों को डिसकरेज करने के लिए जरूरी है कि हम कुछ ऐसे कदम उटाएं।

An independent candidate who loses election three times consecutively for the same office as such candidate should be permanently debarred from contesting election to that office.

On vote percentage required for security forfeiture I would like to submit that the minimum number of valid votes polled should be increased to 25 per cent from the current 16 per cent as a condition for the deposit not being forfeited. This would further reduce the number of non-serious candidates.

There was the 170th Report of the Law Commission of India in May 1999 on electoral reforms and allied issues. Much before the recommendations of the National Commission to review the working of the Constitution, in May 1999, the 170th Report of the Law Commission of India in its working paper on electoral reforms set out the concept of “alternative method of election” and devised certain other reforms for adoption by Parliament with almost similar aims and objectives of cleansing the electoral system of its present ills. While preparing the working paper and the accompanying Bills, the Law Commission took into consideration the Bill which was prepared in 1990 by the late Dinesh Goswami, the then Minister for Law Justice and Company Affairs based on a consensus arrived at between all the political parties. The said Bill was taken as the starting point and various other measures suggested which in its opinion were called for to achieve the aforementioned objectives. The Commission also took into account a brochure published by the Election Commission of India containing various suggestions for amending the Representation of the People Act, 1951. Notice was also taken of several decisions of the Supreme Court on various provisions of the Representation of People Act.

The findings of the Commission are far reaching and revealing merit debate in the context of the prevalent electoral scenario today.

There has been a steady deterioration in the standards, practices and pronouncements of the political class which fights the elections. Money power,

muscle power, corrupt practices and unfair means are being freely employed to win the elections.

Over the years several measures have been taken by Parliament to amend the laws relating to elections with a view to checking the aforementioned forces. This Report, which has been prepared after extensive consultations, is a step in the said process. It is hoped that Parliament will take prompt action to give them legislative sanction.

In 1999 the Law Commission took note of the fact that the 'first past the post' system prevailing in our country had given rise to several inequities and distortions in our electoral process, particularly on account of the multiplicity of the political parties.

There are certain States in India where there are three or four recognized political parties, more or less evenly balanced. In such a situation what is happening is that the winning candidate is receiving, in many cases, 30 per cent or less of the valid votes cast. The remaining 70 per cent or more votes polled, cast in favour of the defeated candidates including independents, are practically going waste, without representation and without a voice in the representative bodies, namely Parliament and the State Legislatures. The consideration that weighed in this behalf was that the 'first-past-the-post' system now in vogue is not yielding a correct picture of the voter preference. It was thought advisable to provide a voice and a representation to the wasted vote which indeed very often constituted a majority of the total votes cast. There is no commerciality between the total votes cast (*Interruptions*)

MR. CHAIRMAN : Please be brief.

SHRI JAI PRAKASH AGARWAL : Sir, it is not possible. I have done a lot of work to speak on this subject. It is my Bill and I want to present my case properly.... (*Interruptions*)

MR. CHAIRMAN: He is already giving a lot of information to the Law Minister to consider all these points.

THE MINISTER OF STATE IN THE MINISTRY OF PLANNING AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI V. NARAYANASAMY): Sir, the hon. Member is trying to convince the hon. Minister to accept his Bill.... (*Interruptions*)

THE MINISTER OF LAW AND JUSTICE (SHRI M. VEERAPPA MOILY): It is quite tempting. Ultimately, he may result in convincing me also.... (*Interruptions*)

SHRI JAI PRAKASH AGARWAL : Thank you Sir. To be more precise, what is happening is that a political party which has received 32 per cent of the total votes in the country is obtaining 70 per cent of the seats in Parliament whereas another political party which has secured say 29 per cent of the votes - hardly 3 per cent difference - is getting 25 per cent of the seats in Parliament. A swing of two or three per cent of votes is resulting in a huge difference in the number of seats won.

There was yet another situation where a political party is polling a substantial chunk of votes cast in a given State in Parliament elections but is not able to get a single seat in the Parliament from that State. To remedy this, the Commission recommended the alternative method of election. The other idea put forward is the concept of negative vote. In the opinion of the Law Commission, the idea and underlying object are both laudable such an alternative method of election was suggested.

Now I would like to press my point as to why a case for compulsory voting? The right to abstain from voting is not a fundamental right. In a democratic form of government such as ours, it is the duty of every citizen to vote. Voting is not only our right. In fact, it is our responsibility as a citizen and we must all fulfil this responsibility with seriousness. We are lucky to have a democracy in our country in which every adult has a right to cast vote. India being the biggest democracy in the world may gladden our hearts but at the same time, we are continuously becoming a weaker democracy with dwindling rates of voter turnout. The percentage of votes cast in general elections of late is abysmally low. Past

experience has shown that low voting areas lose out in development index, high voting areas benefit and get more attention from politicians. Any electoral system will be credible only if it ensures maximum amount of participation. It can ensure justice and secure the rights of politically disadvantaged by integrating dissent of interests and opinions.

Secondly and even more important, elections should be used to unite our very divided society which is progressively getting more divided. The health of democracy can best be described by a mandate with representative character not just the numerically largest numbers.

Compulsory voting will bring about an automatic shift in focus and significant issues will get the priority they deserve rather than parties and leaders. This will keep organised groups of hoodlums and non-deserving candidates at bay, as they will no longer be able to distort the verdict through rigging. Compulsory voting will put all citizens, regardless of class, gender, caste and religion on an equal footing. The Bill will turn Indian democracy into a vibrant one. Everyone is equal on an election day – we all have one vote – the richest and the most powerful, the poorest and the disadvantaged.

Even without securing a tangible majority in, say, a particular constituency, a person can get elected because of the “first past the post” principle—a faulty one at best. Interestingly the term “first past the post” was coined as an analogy to horse racing, where the winner of the race is the first to pass a particular point on the track, in this case a plurality of votes, after which all the other runners automatically and completely loss.

There is no requirement for the winner to gain absolute majority of votes. In a multi-member “First Past the Post” principle, the first candidate in order of highest vote to cross the line, is declared elected. The catch lies in the fact that there is no pre-set post that the winning candidate must pass in order to win, as they are simply required to receive the largest number of votes in their favour. This sometimes results in the candidate actually being “farthest from the post.”

Universally the FPTP is more suited for countries with two-party system like the UK, the USA, Canada, Australia, etc. since the overwhelming majority of the vote is appropriated by two candidates thus throwing up a clear winner and not for those that have a multi-party system like ours.

The problem of FPTP as we have seen from our own experience is that by its very nature the FPTP leads to divisive agendas, narrow castiest and communal political appeal and fragmentation of society. In a multi-party, multi-member society, it divides the candidates, parties and society alike.

In the FPTP system, seats in the Parliament are not proportionate to the percentage of votes that a party gains thus leaving out a vast majority of voters unrepresented in governance. Majority is understood to be the one who gets more number of votes than other contestants instead of being required to garner more than fifty per cent of the total votes. The percentage of votes that a party gets is not the same as the percentage of seats it gets in the FPTP system. Parties with less percentage of votes can gain more number of seats and parties with more percentage of votes can get less number of seats. This kind of symbolical representation does not give a true reflection of the voters' choice.

Compulsory voting system guarantees that the Government represents the will of a majority of the population, not only individuals who vote. This helps ensuring that the Governments do not neglect sections of the society that are less active politically and victorious political leaders of compulsory systems may potentially claim greater political legitimacy than those of non-compulsory systems with lower voter turnout. ... (*Interruptions*)

MR. CHAIRMAN : Hon. Member, please try to be brief because other hon. Members are also waiting. They want to speak.

SHRI JAI PRAKASH AGARWAL : What can I do?

MR. CHAIRMAN: You please continue, but make it brief. Other hon. Members want to speak. That is why I am saying this.

SHRI JAI PRAKASH AGARWAL : It may be a Private Member's Bill. But see the subject. It is a very important subject. Please accept my request and increase the time for this subject.

MR. CHAIRMAN: It is very important. That is why you have taken so much time to prepare and present it. I appreciate it. But please make it brief.

SHRI JAI PRAKASH AGARWAL :Nothing is irrelevant.

MR. CHAIRMAN: I am not saying that it is irrelevant. I am only concerned with the time factor.

SHRI JAI PRAKASH AGARWAL : Decisions made by democratically elected Governments are more legitimate only when higher proportions of the population participate. When we as the citizens of our country miss no occasion to emphasize the privilege and the importance of our fundamental rights, are we really worried about our future and the future of our country? If we are, then all of us must fulfil our fundamental responsibility to cast our votes. In fact, voting should be incorporated as a fundamental duty.

Voting is the strongest weapon in our hands with the help of which we can solve our problems and can bring a great revolution in the country without a drop of blood being shed. The voter must vote without getting affected by the factors like caste or religion.

Robust voting will focus our attention on factors like the Government's stand on national security, terrorism, poverty, unemployment, literacy, and other important issues.

Another potential argument is that it will make the people think about the tough issues facing the nation more seriously. This, in turn, might make the Government less-defensive in bringing up tough and possibly unpopular issues that need to be addressed in the larger interest of the nation.

Now, I come to fundamental rights versus fundamental duties of the Indian citizen.



Constitutional guarantees for the human rights of the people of India were one of the persistent demands of our leaders throughout the freedom struggle and while framing Fundamental Rights Chapter, the Constituent Assembly of India substantially relied upon the 'Universal Declaration of Human Rights, (UDHR) 1948.

Article 21 of this very UDHR lays out the right of people to participate in government and enjoy universal suffrage and envisages that 'the will of the people shall be the basis of the authority of government; this will, shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures.'

The Constitution of India clearly defines the responsibilities of Indian citizen, their Fundamental Rights and Duties. Part II of the Indian Constitution covers the clauses on Citizenship, Fundamental Rights are covered in Part III of the Constitution, while the Fundamental Duties are written in Article 51A.

The Constitution, in a way, makes the citizens aware of their core rights and responsibilities through the articles dealing with the Fundamental Rights and Duties. The inclusion of fundamental duties in our Constitution also brings it in line with Article 29(1) of the Universal Declaration of Human Rights which says: "Everyone has the duties to the community in which alone the free and full development of the personality is possible."

Exercise of fundamental rights entails duties to the community which ensures the free and full development of human personality.

Fundamental Duties of citizens serve a useful purpose. In particular, no democratic polity can ever succeed where the citizens are not willing to be active participants in the process of governance by assuming responsibilities and discharging citizenship duties and coming forward to give their best to the country.

Some of the fundamental duties enshrined in article 51A have been incorporated in separate laws.

The most important task before us is to reconcile the claims of the individual citizen and those of the civic society.

To achieve this, it is important to orient the individual citizen to be conscious of his social and citizenship responsibilities and so shape the society that we all become solicitous and considerate of the inalienable rights of our fellow citizens. Therefore, awareness of our citizenship duties is as important as awareness of our rights.

Every right implies a corresponding duty but every duty does not imply a corresponding right. Man does not live for himself alone. He lives for the good of others as well as of himself.

It is this knowledge of what is right and wrong that makes a man responsible to himself and to the society and this knowledge is inculcated by imbibing and clearly understanding one's citizenship duties. The fundamental duties are the foundations of human dignity and national character.

If every citizen performs his duties irrespective of considerations of caste, creed, colour and language, most of the malaise of the present day polity could be contained, if not eradicated, and the society as a whole uplifted. Rich or poor, in power or out of power, obedience to citizenship duty, at all costs and risks, is the essence of civilized life. ऐसा करते हैं जब आप बोलेंगे तो मुझे भी थोड़ा समय मिलेगा। I have a lot of material to put on the floor of the House.

MR. CHAIRMAN : Shri Agarwalji, afterwards also you can speak.

श्री जय प्रकाश अग्रवाल : महोदय, मैंने जो बातें कम्पलसरी वोटिंग के हक में रखी हैं, मेरा मानना है कि जो इलैक्शन प्रॉसेस है उसमें बहुत सी खराबियां आती हैं जो हम अक्सर हर चुनाव में देखते हैं।



MR. CHAIRMAN : Shri Jai Prakash Agarwal, please listen to me. What I am telling is that you have every right to speak even after the other hon. Members speak, after the Minister's reply. You can still speak. There is time for you. In fact, there is more time. I am requesting you now to give chance to other hon. Members also to speak. After that, the hon. Minister will reply. Then, you can speak.

SHRI JAI PRAKASH AGARWAL : All right, Sir, I am concluding. मैं सिर्फ इतना कहना चाहता हूँ कि जो प्रोसेस है, उस प्रोसेस को भी सही करने की जरूरत है। आज जो प्रोसेस है, उसमें हम देखते हैं, मैं एक उदाहरण देकर अपनी बात समाप्त करूंगा कि तकरीबन आठ पोलिंग बूथ एक जगह कर देते हैं। एक ही जगह दस हजार आदमी वोट डालने के लिए आते हैं और उन पोलिंग बूथ्स की इतनी खराब हालत होती है कि कई आदमी वोट देने से पहले ही वहां से वापस मुड़कर चले जाते हैं। मेरा कहना यह है कि मुझे मालूम नहीं है कि जो चालीस परसेन्ट लोग वोट नहीं दे रहे हैं, हम उस कारण को ढूँढ रहे हैं। क्या वजह है, क्या हमारे में कमी है, हमारी बातों में कमी है, हमारे काम करने के तरीके में कमी है, हमारे इलैक्शन प्रोसेस में कमी है? हमें उन चालीस परसेन्ट लोगों को साथ लेना है। अगर 90 प्रतिशत लोग एक जगह खड़े होकर यह कहते हैं कि यह देश हमारा है और हम उसके लिए वोट देने जाते हैं तो शायद उनके दिलों में अपने देश के लिए इज्जत होगी और वे इसके लिए काम करना चाहेंगे या इसमें कोई खराबी न हो, इसके लिए काम करना चाहेंगे।

यही मैं कहना चाहता हूँ और मैं आशा करता हूँ कि मैंने कोई राजनीतिक भाषा नहीं बोली है, मैंने साफ चीजें रखी हैं, जो आज के लिए जरूरी हैं और मंत्री जी मैं आशा करता हूँ कि यह वक्त बदलने का है। यह जरूरी नहीं है कि हमारे कानून चलते रहें और हम उन्हीं कानूनों पर चलते रहें और उन्हें डिफेंड करते रहें। आज वक्त है, सोच बदलने की जरूरत है। सरकार यदि कोई बिल लायेगी या सरकार इस बिल को एडॉप्ट करेगी तो मुझे लगता है कि हम सबको साथ लेकर चलें, यह इंटैन्शन हमारी होनी चाहिए, तभी हमारी डेमोक्रेसी मजबूत होगी।

MR. CHAIRMAN : Motion moved :

“That the Bill to provide for compulsory voting by the electorate in the country and for matters connected therewith, be taken into consideration.

SHRI JAI PRAKASH AGGARWAL :Sir, with your permission, I am laying rest of my speech on the Table of the House.

***INTERNATIONAL DECLARATIONS AND COVENANTS, HUMAN RIGHTS CONVENTIONS AND STATUS OF RIGHT TO VOTE :**

- The right to vote is a well-established norm of International Law. One of the most crucial ways that individuals can influence governmental decision making is through voting.
- Political participation is the basis of democracy and a vital part of the enjoyment of all human rights. The significance of voting as a cornerstone of democracy is expressly stated and emphasized in various International laws and declarations like **International Covenant on Civil and Political Rights** and regional agreements such as the **American Convention on Human Rights**.
- **By the year 1949, when the Indian Constituent Assembly had completed the drafting of the Fundamental Rights Chapter, it also had before it the ‘Universal Declaration of Human Rights, 1948 that was relied upon for determining fundamental rights.**
- The affirmative obligation of states to protect their citizens’ right to vote is recognized in international treaties and declarations adopted by the United Nations and by regional treaty organizations such as the **Council of Europe and the Organization of American States**. (35 OAS Member States include USA, Argentina, Bolivia, Brazil, Canada, Chile, Panama, Peru, Surinam, Gautemala, Haiti, Honduras, Dominican Republic)
- Regional human rights systems in Europe and the Americas have mechanisms to enforce the right to vote that have been applied in a limited fashion. **The Universal Declaration of Human Rights (UDHR) is the preeminent global inspirational document on human rights.**

..... This part of the Speech was laid on the Table.

The declaration was adopted unanimously by the United Nations General Assembly in 1948 and its Article 21 lays out the right of people to participate in government and enjoy universal suffrage. The will of the people shall be the basis of the authority of government; this will, shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures.

➤ **Article 25 of the International Covenant on Civil and Political Rights (ICCPR)** with a binding effect from its ratification by a large number of signatories (150 countries to date) states, “Every citizen shall have the right and the opportunity, without any of the distinctions mentioned in article 2 and without unreasonable restrictions:

(a) To take part in the conduct of public affairs, directly or through freely chosen representatives;

(b) To vote and to be elected at genuine periodic elections which shall be by universal and equal suffrage and shall be held by secret ballot, guaranteeing the free expression of the will of the electors”.

➤ In addition, **the covenant not only protects the right of every citizen to vote, but also requires states to take the measures necessary to ensure that citizens have an effective opportunity to enjoy the right—in particular the Committee has emphasized that the right to vote ought to be guaranteed by law.**

➤ **The Human Rights Committee (HRC), a permanent treaty organ, was created by the ICCPR.**

- **Universally 108 of the 119 electoral democracies surveyed constitutionally guarantee the right of their citizens to elect their political representatives.**

- **Some constitutions delineate those who are deemed ineligible for the franchise (the young, prisoners, the mentally incapable, etc.), while others identify the courts or the legislature as the branch of government responsible for determining citizens' fitness to take part in elections.**

- **Thirty nine percent of democratic constitutions which contain a right to vote grant legislatures the power to determine those who are eligible.** Some judiciaries across the world have viewed the right to vote as a bulwark against government infringement (e.g., keeping certain groups from voting), **others have also seen the right to vote as imposing a positive obligation on the state to ensure that people can vote (e.g., making special efforts).**

- **The European Convention on Human Rights and Fundamental Freedoms**—which was established by the **members of the Council of Europe in 1950**—is distinguished by its active international Court and its effective complaints procedure for the determination of human rights matters.

- **Currently, the Court is the ultimate authority on human rights for the citizens of 41 member states—thus the Court has jurisdiction over 800 million people. Because the Convention has an effective enforcement mechanism, it is the leading human rights—and thus voting rights—statute within the intra-European system. In terms of the right to vote, the Court enforces Article 3 of Protocol 1 (P3-1) of the European Convention.**

- **The right to vote and universal suffrage have been also been incorporated into the new draft constitution being negotiated for the European Union.**
- **The Organization of American States (OAS)** is increasingly active in promoting representative democracy and the right to vote. Members' efforts to strengthen the OAS's mandate in this area culminated in 2001, when the OAS adopted the **Inter-American Democratic Charter**.
- **This Charter, a political document adopted by the 34 member states, states that the peoples of the Americas have a “right to democracy” and establishes that a fundamental element of democracy is “the holding of periodic free and fair elections based on secret balloting and universal suffrage.”**
- **More importantly, the OAS Charter creates a mechanism for a collective response to an unconstitutional interruption of the democratic order of a member state. The Charter empowers the OAS General Assembly to suspend the membership of the member state in question when there has been an “unconstitutional alteration” of the democratic legal order.**
- The Charter also includes provisions for the OAS to observe elections in member states.
- In most respects, the voting rights language of the American Convention tracks with the language of the **ICCPR (International Covenant on Civil and Political Rights.)** The **American Convention**, however, delineates broad categories along which a member state may limit the right to vote. Article 23 of the Convention states that:
 1. Every citizen shall enjoy the following rights and opportunities;

a) To take part in the conduct of public affairs, directly or through freely chosen representatives;

b) To vote and to be elected in genuine periodic elections, which shall be by universal and equal suffrage and by secret ballot that guarantees the free expression of the will of the voters; and

2. The law may regulate the exercise of the rights and opportunities referred to in the preceding paragraph only on the basis of age, nationality, residence, language, education, civil and mental capacity, or sentencing by a competent court in criminal proceedings.

➤ In addition to the Convention, the **member states of the OAS** have adopted an **aspirational document endorsing the right to vote, The American Declaration of the Rights and Duties of Man (1949)**. The **American Declaration establishes the right to vote, and, in contrast to other prominent human rights documents, it also includes a duty to vote in the country in which one is a citizen.**

➤ The **lead role in protecting the right to vote in the inter-American system** is not played by the Inter-American Human Rights Court—which generally handles cases related to disappearances or murders—but **by the Inter-American Commission on Human Rights**. This Commission is empowered to accept individual cases and prepare country reports for which **it can conduct on-site investigations.**

➤ In the early 1990's, the Commission authored reports on violations of the right of political participation in Mexican elections and the progress of the Mexican government in addressing these infringements.

(2) **GENERAL RIGHT TO VOTE IN DEMOCRATIC CONSTITUTIONS:**

➤ The opportunity for citizens to participate in politics is established by a variety of means. **Over 90% of the world's electoral democracies have included the right to vote in their constitutions**, it has been articulated in a number of different ways or not at all.

➤ **A stand-alone right to vote is the international standard in a majority of the democratic constitutions.**

➤ **A majority of the world's democratic constitutions have articles or clauses outlining citizens' entitlement** to choose their representatives at all levels of government like citizenship, residence etc.

➤ Most of these constitutions have sections similar to Article 49 of the constitution of Portugal, which states "All citizens who are over 18 years of age have the right to vote, except for the incapacities laid down in general law. **The exercise of the right to vote is personal and constitutes a civic duty.**"

➤ **Some constitutions even provide for and mandate local referendum for broad based decision and governmental decision making on important issues.**

➤ Other constitutions within this group specify that the tenets of universal suffrage **should be extended to all elected positions. Bulgaria's constitution exemplifies such statutes.**

Article 10: All elections and national and **even local referendums shall be held on the basis of universal, equal, and direct suffrage by secret ballot.**

Article 42: Every citizen above the age of 18, with the exception of those

placed under judicial interdiction or serving a prison sentence, is free to **elect state and local authorities and vote in referendums.**

➤ **Article 32 of the Peruvian Constitution even though it allows the suspension of the rights of citizenship—and thus the right to vote—yet it also constructs additional barriers against the curtailment of those eligible to vote.** Article 32 states that: “Citizens enjoying their civil capacity have the right to vote. The vote is personal, equal, free, secret and obligatory until one is seventy years old. It is optional after this age. **All acts that limit or prohibit citizens from exercising their rights are null and punishable.**”

➤ Other constitutions, like that of Suriname, not only attempt to establish tests on the types of restrictions considered constitutional, but also **establish the affirmative obligation of the state to promote electoral participation:**

Article 54: The State is obliged to register those with voting rights and to convoke them to participate in the elections. The registration of the voters shall serve no other purpose. Those with a right to vote are obliged to cooperate with the registration of the electorate.

➤ Constitutions break into four categories depending on how they treat the right to vote:

1. Those in which there is no affirmative constitutional right to vote or no legislation with similar weight.
2. Those that establish universal suffrage for the election of sovereign bodies—such as a parliament.
3. Those that provide a general and independent right to vote.
4. Those that not only provide for a right to vote, but also specify government obligations to facilitate citizen participation and/or those that limit **the kinds of restrictions the state can place on who is eligible to vote.**

- **The issue of voting rights and eligibility in the United States is determined by both Federal and State law.**

- Over time national laws in the form of constitutional amendments and Federal legislation such as the Voting Rights Act have imposed some national restrictions and standards on state-level voting laws. The 15th, 19th and 24th and 26th amendments stipulate that though the “**right to vote**” is explicitly stated in the U.S Constitution in the above referred amendments but only in reference to the fact that the franchise of any voter eighteen years of age or older cannot be denied or abridged based solely on qualifications of race, colour, or previous condition of servitude, or sex, or failure to pay any poll tax or other tax, or by any state on account of age.

- **Unlike India ’s Election Commission, The United States despite being a vibrant democracy has no single or separate Federal agency or department to oversee the conduct of free and fair polls.**

(3) NO RIGHT TO VOTE:

In many constitutions, the right to vote is not expressed as an individual right, but universal suffrage and secret elections are mandated for the fulfillment of positions in sovereign bodies, such as a legislature.

- The South Korean constitution is representative of these types of constitutions.

Article 41: The National Assembly is composed of members elected by universal, equal, direct, and secret ballot by the citizens.

Article 67: The President is elected by universal, equal, direct, and secret ballot by the people.

For these states, the existence of a right to vote for representatives in institutions other than those specified—for example state or local government — is left to the legal interpretative structure of that country.

➤ **Some so-called democracies of the world have a repressive and centralized system of governance or at best controlled exercise and methods of electoral franchise like Iran (Candidates for Presidency must be approved by a 12 Member Guardian of Councils), Indonesia (until 1999) and a few other Arabic countries.**

➤ Others have **totalitarian military rule like Burma .**

➤ **Eleven democracies have no explicit constitutional right to vote.** For example, In Brunei that is a Kingdom (Sultanate), voters have extremely limited or no right at all. Yet, the purported cabinet advises the Sultan. Women have no right to vote. UAE too is an Autocracy where women have no right to vote. Bhutan is a Kingdom headed by a Monarch. Women have no right to vote. Each household has one vote. Guided by traditional values that vote is cast by the head of the household. In Lebanon women have no right to vote by convention not by law. Saudi Arabia held limited scale elections for the first time in sixty years in 2005. Women were not allowed to vote. Likewise in Egypt women have no voting rights. In Vatican City women cannot vote.

(4) CONSTITUTIONS WHICH INCORPORATE INTERNATIONAL HUMAN RIGHTS CONVENTIONS TO ESTABLISH RIGHT TO VOTE :

➤ In addition to the type of guarantees just described, a **number of Latin American and Eastern European constitutions such as Chile, Ecuador, the Czech Republic and Slovakia, grant ratified international human rights covenants constitutional or greater status in domestic law. As elaborated in the previous sections, the predominant international and regional human rights documents all establish a right to vote.**

- **Article 10 of the Czech constitution is indicative of the type of constitutions in which the right to vote is buttressed by a commitment to international norms:** Promulgated international agreements, the ratification of which has been approved by the Parliament and which are binding on the Czech Republic, shall constitute a part of the legal order; should an international agreement make provision contrary to a law, the international agreement shall be applied.

- This type of constitutional clause, which is becoming more common, **demonstrates the trend towards the acceptance of international standards of human rights—and thus the right to vote—as a standard component of domestic law.**

- **In India** while framing the Fundamental Rights Chapter of our Constitution, the Constituent Assembly relied upon **the ‘Universal Declaration of Human Rights, 1948, that emphasizes the right to vote.**

(5) **SOME GENERAL UNIVERSAL LIMITATIONS ON THE RIGHT TO VOTE IN VARIOUS CONSTITUTIONS :**

- The right to vote necessarily entails **limitations on who can exercise that right.** It is not uncommon for the limits to be embedded in the constitutions of electoral democracies.

- Beyond the paradigmatic examples of **citizenship and age limits, constitutions often explicitly withhold the right to participate in elections from those who are deemed mentally incapable and/or from prisoners.** The types of restrictions governments place on the right to vote fall into three general categories:

- 1) Restrictions based on community membership - Examples: citizenship, residence, language.
- 2) Restrictions based on competence or autonomy - Examples: age, mental health.
- 3) Restrictions as a form of punishment - Examples: imprisonment, voter fraud, treason.

All three forms are evident in the constitutions of the world's electoral democracies. For example, **Section 110 of the Thai constitution states:-**

A person under any of the following prohibitions on election-day is disenfranchised:-

- 1) being of unsound mind or of mental infirmity;
- 2) being a Buddhist priest, novice, monk or clergy;
- 3) being detained by a warrant of the Court;
- 4) being disfranchised by a judgment.

➤ In addition to constitutional restrictions on the right to vote, **almost forty percent of the constitutions surveyed allow for restrictions of universal suffrage to be determined through laws approved by the legislature.**

➤ In general, a **majority of Constitutions stipulate that a restriction established by a legislative act must still meet certain constitutional standards, e.g., be non-discriminatory in intent.**

➤ **Similarly, legislatures working under constitutions that do not explicitly permit them to limit the electorate generally must follow a common constitutional guideline for regulating the rights established in the constitution.** For example, the Canadian Charter of Human Rights and Freedoms stipulates that any of the rights and freedoms it sets out are “subject only to such reasonable limits prescribed by law as can be demonstrably

justified in a free and democratic society.” **Thus, the Canadian parliament must meet this standard to restrict suffrage.**

➤ Generally speaking 18 years is the most common voting age across democratic constitutions the world over for voter eligibility. **The exceptions are :**

Austria, Brazil , Cuba and Nicaragua : 16 Yrs ;

Bosnia, Serbia , Montenegro : 16-18 (If employed) ;

East Timor : 17 Yrs

Uzbekistan : 25 Yrs

➤ Many countries restrict the voting rights of convicted criminals. Some **countries and some U.S States also deny the right to vote to those convicted of serious crimes even after they are released from prison.**

➤ In some cases, (the felony disenfranchisement laws found in many States of the USA) the **denial of the right to vote is automatic on a felony conviction ; in other cases (e.g France and Germany) deprivation of the vote is meted out separately**, often limited to certain crimes including those against the electoral system.

➤ In the Republic of **Ireland prisoners are not specifically denied the right to vote but are also not provided access to a ballot station, so are effectively disenfranchised. Canada allowed only prisoners serving a term of less than 2 years the right to vote, but this was found unconstitutional in 2002 by the Supreme Court of Canada and all prisoners were allowed to vote as of the 2004 Canadian Federal Election.**

➤ **In the USA some states allow only individuals on probation and ex-felons to vote. Others allow individuals on parole, probation and ex-felons to vote.**

- As on July 2007, only Vermont and Maine allow incarcerated individuals to vote.
- **Fourteen states eleven of them in the South, ban anyone with a felony conviction from voting for life, even after the person has served the sentence.**
- According to the Sentencing Project, 5.3 million Americans are denied the right to vote because of a felony conviction. **The number of people disenfranchised amounts to approximately 2.42 % of the otherwise eligible voting population.**
- **This is in sharp contrast to European nations, which allows ex-felons to vote after serving sentences** and in some cases allow prisoners to vote.
- Prisoners have been allowed to vote in Canada since 2002. **The USA has a higher proportion of its population in prison than any other Western nation and more than Russia or China .**
- **The dramatic rise in the rate of incarceration in the United States , a 500 % increase from the 1970's to the 1990's due to criminalization of certain behaviours,** strict sentencing guidelines and changes in philosophy has vastly increased the number of people disenfranchised because of the felon provisions.
- Given the prison populations the **effects have been most disadvantageous for minority and poor communities. In Australia prisoners serving a sentence which is less than 3 years can vote at the federal elections.**

(6) **COUNTRIES THAT PRACTISE COMPULSORY VOTING SYSTEM,
LAWS, SANCTIONS & ENFORCEMENT**

- A figure depicting the exact number of countries that practice compulsory voting is quite arbitrary.
- The simple presence or absence of mandatory voting laws in a constitution is far too simplistic.
- It is more constructive to **analyze compulsory voting as a spectrum ranging from a symbolic, but basically ineffective, law to a government with systematic follow-up of each non-voting citizen and implement sanctions against them.**
- This spectrum implies that **some countries formally have compulsory voting laws but do not, and have no intention to, enforce them.** There are a variety of possible reasons for this. Not all laws are created to be enforced. **Some laws are created to merely state the government's position regarding what the citizen's responsibility should be. Mandatory voting laws that do not include sanctions fall into this category.**
- **Although a government may not enforce mandatory voting laws or even have formal sanctions in law for failing to vote, the law may have some effect upon the citizens. For example, in Austria voting is compulsory in only two regions, with sanctions being weakly enforced. However, these regions tend to have a higher turnout average than the national average.**
- Other possible **reasons for not enforcing the laws could be complexity and resources required for enforcement.** Countries with limited budgets may not place the enforcement of mandatory voting laws as a high

priority still they hope that the presence of the law will encourage the citizens to participate.

- **Can a country be considered to practice compulsory voting if the mandatory voting laws are ignored and irrelevant to the voting habits of the electorate? Is a country practicing compulsory voting if there are no penalties for not voting? What if there are penalties for failing to vote but they are never or are scarcely enforced? Or if the penalty is negligible?**

- **Many countries offer loopholes, intentionally and otherwise, which allow non-voters to go unpunished. For example, in many countries it is required to vote only if you are a registered voter, but it is not compulsory to register. People might then have incentives not to register.**

- **In many cases, like Australia, an acceptable excuse for absence on Election Day will avoid sanctions.** The diverse forms of compulsory voting has taken in different countries refocuses the perception of it to a study of the **degree and manner in which the government forces its citizens to participate.**

- **Most democratic governments consider participating in national elections a right of citizenship.**

- **Some consider that participation at elections is also a citizen's civic responsibility.**

- **In some countries, where voting is considered a duty, voting at elections has been made compulsory and has been regulated in the national constitutions and electoral laws.**

- Some countries go as far as to impose sanctions on non-voters.
- **Compulsory voting is not a new concept.**
- Some of the first countries that introduced mandatory voting laws were **Belgium** in 1892, **Argentina** in 1914 and **Australia** in 1924.
- **Australia is the only English-speaking country in the world that has made voting compulsory in federal and state elections.** The secret ballot box, which is so widely used in democracies these days, was first initiated in Victoria , in the year 1856.
- **Australia boasts of being home to the largest electoral area in the world, Kalgoorlie in Western Australia (2,295,354 square kilometers). It had its first proclaimed election in 1901. Turn out in the last parliament election here was 83.53 %.**
- There are also examples of countries such as **Venezuela** and the **Netherlands** which at one time in their history practiced compulsory voting but have since abolished it.
- Below is a table containing all the countries that have a law that provides for compulsory voting. The first column lists the name of the country, the second column the type of sanctions that the relevant country imposes against non-voters and the third column contains the information on to what extent the compulsory voting laws are enforced in practice.

➤ **There are currently 32 countries where voting is a Constitutional right. Of these 19 enforce it as a compulsory right.**

<u>Country</u>	<u>Type of Sanction</u>	<u>Enforced</u>	<u>Year Introduced</u>	<u>Comments</u>
Argentina	1, 2, 4	Yes	1912	N/A
Australia	1, 2	Yes	1924	N/A
Austria (Tyrol)	1, 2	Yes	Practiced from 1929 to 2004	The region of Tyrol .
Austria (Vorarlberg)	2, 3	Yes	Practiced from 1929 to 1992	The region of Vorarlberg.
Austria (Styria)	N/A	Yes	Practiced from 1929 to 1992	The region of Styria.
Belgium	1, 2, 4, 5	Yes	1919 (men)	Women in 1949.
Brazil	2	Yes	N/A	Voluntary for illiterates and those over 70. Military conscripts cannot vote.
Chile	1, 2, 3	Yes	1925(?)	N/A
				N/A
Cyprus	1, 2	Yes	1960	N/A
Ecuador	2	Yes	1936	Compulsory for literate persons ages 18-65, optional for other eligible voters.
Fiji	1, 2, 3	Yes	N/A	*Presumably strict prior to the coup d'état
France (Senate only)	2	No	1950's or 60's	N/A
Italy	5	No	Practiced from 1945 to 1993	N/A
Liechtenstein	1, 2	Yes	N/A	N/A
Luxembourg	1, 2	Yes	N/A	Voluntary for those over 70.

Nauru	1, 2	Yes	1965	N/A
Netherlands	-	No	Practiced from 1917 to 1967	N/A
Paraguay	2	No	N/A	Up to age 75
Peru	2, 4	Yes	1933	Until the age of 75.
Philippines	None	No	Attempt to practice 1972-1986 under martial law.	N/A
Spain	N/A	No	Practiced from 1907 to 1923	N/A
Singapore	4	Yes	N/A	The non-voter is removed from the voter register until he/she reapplies and provides a reason.
Switzerland (Schaffhausen)	2	Yes	1904	Practiced in only one canton. Abolished in other cantons in 1974
Turkey	1, 2	Yes	N/A	N/A
Uruguay	2, 4	Yes	1934	Law not in practice until 1970.
Venezuela	N/A	N/A		Practiced until 1993

Table updated March 2009 The numbers listed in the column for Type of Sanction stands for different types of sanctions. These are as follows:

1. **Explanation.** The non-voter has to provide a legitimate reason for his/her abstention to avoid further sanctions, if any exist. In Australia and Brazil providing a legitimate reason for not voting (e.g being sick or outside the country) is accepted. In Argentina those who were ill on voting day or over 500 kms away from their voting place are also excused by requesting a doctor to prove and certify their medical condition or asking for a certificate at a police station where they are, in case traveling on polling day.
2. **Fine.** The non-voter faces a fine sanction. The amount varies between the countries, for example 3 Swiss Francs in Switzerland, between 300 and 3 000 ATS in Austria, 200 Cyprus Pounds in Cyprus, 10-20 Argentinean Pesos in Argentina, 20 Soles in Peru etc. In Turkey, according to law passed by the

Parliament in 1986 if an eligible voter does not cast a vote in the elections, he or she has to pay a fee of about 5 YTL (3 US \$). In Belgium a fine of 50 euros is charged for the first offence and 125 euros for a second offence.

3. **Possible imprisonment.** The non-voter may face imprisonment as a sanction, however, we do not know of any documented cases. This can also happen in countries such as Australia where a fine sanction is common. In cases where the non-voter does not pay the fines after being reminded or after refusing several times, the courts may impose a prison sentence. This is usually classified as imprisonment for failure to pay the fine, not imprisonment for failure to vote.

4. **Infringements of civil rights or disenfranchisement.** It is for example possible that the non-voter, after not voting in at least four elections within 15 years will be disenfranchised in Belgium . In Peru the voter has to carry a stamped voting card for a number of months after the election as a proof of having voted. This stamp is required in order to obtain some services and goods from some public offices. Goods and services provided by public offices may be denied to those failing to vote in Peru and Greece. In Singapore the voter is removed from the voter register until he/she reapplies to be included and submits a legitimate reason for not having voted. In Bolivia the voter is given a card when he/she has voted so that he/she can proof the participation. The voter would not be able to receive his/her salary from the bank if he/she cannot show the proof of voting during three months after the election.

5. **Others.** For example in Belgium it might be difficult getting a job within the public sector if you are non-voter. There are no formal sanctions in Mexico or Italy but possible arbitrary or social sanctions. This is called the "innocuous sanction" in Italy , where it might for example be difficult to get a daycare place for your child or similar but this is not formalized in any way at all.

COUNTRIES THAT DO NOT ENFORCE COMPULSORY VOTING :

- Belgium
- Bolivia (Compulsory for citizens over 21 ; also compulsory for married citizens between 18 and 211 years old)
- Costa Rica .
- Dominican Republic (18 years of age, married persons regardless of age can vote; Members of the military and national police cannot vote.)
- Egypt (Only men allowed to vote).
- El Salvador .
- France (Compulsory Voting enforced only in Senate elections)
- Gabon .
- Greece .
- Guatemala (Military personnel cannot vote)
- Honduras .
- India .
- Indonesia (Indonesian Council of Ulema, MUI, declared a fatwa that abstention in the general elections is religiously prohibited (Haram). However, there is no legal punishment for those who do not vote.
- Italy .
- Luxembourg . (Voluntary but only for those over 70)
- Mexico .
- Panama .
- Paraguay (Not compulsory for voters over 75)
- Philippines .
- Thailand .
- Venezuela .

(7) SOME HISTORIC OUTCOMES OF VOTING :

➤ Abraham Lincoln had defined Democracy as the government-‘Of the People, By the People, For the People.’ In a Democracy, **elections are the biggest opportunity to bring about the changes. And VOTE is the biggest weapon for this change.**

➤ **History is replete with instances where a solitary vote for choice has made the eventual difference to the outcome. For Example :**

1. In 1776 in the USA – One Vote gave America the English language instead of German?
2. In England 1649 One vote meant that King Charles-I was executed Off with his head?
3. In Germany in 1923, one Vote made Adolf Hitler leader of the Nazi Party ! Think about it!
4. In the USA in 1850, one vote made California a state. In1859 One vote made Oregon a state.
5. In 1868 one vote saved President Andrew Johnson of USA from being removed from office.
6. In 1889 one vote made Washington a state.
7. In 1714 in the U.K one vote placed King George 1 on the throne in England and restored the monarchy.
8. In 1844 in the USA a farmer in Switzerland County , Indiana , named Freeman Clark was seriously ill on Election Day. He had his son carry him to the county seat so he could vote for David Kelso for state senator. Clark died on the way home from the polling place. David Kelso was elected state senator by one vote.
9. In our own country in 1999 Vajpayee Government was voted out by 1 vote.

**(8) TABLE OF VOTING TURN –OUT IN INDIAN GENERAL
ELECTIONS SINCE 1952, COST & TRENDS**

Our country, India has been a functioning democracy, for over sixty years now. Yet a cursory look at the **voter turn-out in India’s general elections and their analysis since 1951** throws up some interesting but serious issues that must be delved into.

Election Statistics - Voting percentage in Lok Sabha Elections

General Election	Year	Male	Female	Total
1 st	1952	-	-	61.2
2 nd	1957	-	-	62.2
3 rd	1962	63.31	46.63	55.42
4 th	1967	66.73	55.48	61.33
5 th	1971	60.90	49.11	55.29
6 th	1977	65.63	54.91	60.49
7 th	1980	62.16	51.22	56.92
8 th	1984	68.18	58.60	63.56
9 th	1989	66.13	57.32	61.95
10 th	1991	61.58	51.35	56.93
11 th	1996	62.06	53.41	57.94
12 th	1998	1998	57.88	61.97
13 th	1999	63.97	55.64	59.99
14 th	2004	52.65	44.65	48.74

1. For example, there have been **quite a few instances of the winning candidate obtaining fewer votes than required even for the refund of security deposit.** The deposit is forfeited if the candidate fails to receive more than one sixth of the total number of valid votes in the constituency.

- 2. Even the largest parliamentary majorities were based on less than 50 % of voter Support.**
- 3. For a rising economic power and the world's largest democracy that aspires for present day leadership among the comity of Nations the highest poll percentage in any general election has been a modest 63.56 % in 1984-85.**
- 4. So far, no national government in India has been elected with a majority vote.**
- 5. The budget of the election has gone up from 10,79,69,000 (Ten crores seventy nine lakhs sixty nine thousand in 1967) to 1200,00,00,000 (One thousand two hundred crores in 2009).**
- 6. Although the Election Commission spent such a huge amount of money to keep democracy alive, the percentage of voting is consistently decreasing over the last sixty years (from 61.16 % in 1952 to 58.07 % in 2004).**
- 7. Thus though the Election Commission's preparations are for 100 % voters the money spent on NON-VOTERS is wasted. So the number of voters who do not vote multiplied by the amount spent on each voter gives the total amount of money WASTED IN THE ELECTION PROCESS. The funds so wasted has gone up from Rs 4,19,17,599/- (Four crores nineteen lakhs seventeen thousand five hundred ninety nine) in 1967 to Rs 579,73,07,800/- 2004 (Five hundred seventy nine crores seventy three lakhs approx) in 2004.**
- 8. The election expense on each voter has gone up from Rs 0.43 (In 1967) to Rs 16.80 (In 2009), effectively costing Rs 33.60 after adjusting the voter turn-out.**

(9) WHY A CASE FOR COMPULSORY VOTING ?

➤ **THE RIGHT TO ABSTAIN FROM VOTING IS NOT A FUNDAMENTAL RIGHT.**

➤ In a democratic form of government such as ours, it is the duty of every citizen to vote. **‘Voting’ is not only our ‘Right’. In fact, it is our responsibility as a citizen and we all must fulfill this responsibility with seriousness.**

➤ We are lucky to have a democracy in our country, in which every adult has a right to cast vote. **India being the biggest democracy in the world** may gladden our hearts but at the same time, we are continuously becoming a **weaker democracy, with dwindling rates of voter turn-out.** The **percentage of votes cast in general elections of late is abysmally low.**

➤ Past experience has shown that low voting areas lose out in development index – high voting areas benefit and get more attention from politicians.

➤ Any electoral system will be credible only if it ensures maximum amount of participation. It can ensure justice and secure the rights of politically disadvantaged by integrating dissent of interests and opinions.

➤ Secondly and even more important, elections should be used to unite our very divided society, which is progressively getting more divided

➤ The health of Democracy can best be described by a mandate with representative character not just the numerically largest numbers.

- **Compulsory voting will bring about an automatic shift in focus and significant issues will get the priority they deserve rather than parties and leaders. This will keep organised groups of hoodlums and non-deserving candidates at bay, as they will no longer be able to distort the verdict through rigging.**

- **Compulsory voting will put all citizens, regardless of class, gender, caste and religion on an equal footing.** The bill will turn Indian democracy into a vibrant one. Everyone is equal at on Election day – We all have one vote - the richest and most powerful - the poorest and disadvantaged.

- *Even without securing a tangible majority in, say, a particular constituency, a person can get elected because of the “first past the post” principle — a faulty one at best.*

- Interestingly the term First-Past-The -Post was coined as analogy to horse racing, where the winner of the race is the first to pass a particular point on the track (in this case a plurality of votes) after which all the other runners automatically and completely lose. (Winner takes it all Paradigm)

- There is no requirement for the winner to gain absolute majority of votes. In a multi-member First-Past-The-Post the first candidate in order of highest vote to cross the line are declared elected.

- The catch lies in the fact that there is no pre-set post that the winning candidate must pass in order to win, as they are simply required to receive the largest number of votes in their favour. This sometimes results in the candidate actually being **“FARTHEST-FROM-THE-POST”**.

- Universally the FPTP is more suited for countries with two party system like UK, USA, Canada, Australia, etc since the overwhelming majority

of the vote is appropriated by two candidates thus throwing up a clear winner and not for those that have a multi party system like ours.

➤ The problem of FPTP as we have seen from our own experience is that by its very nature the FPTP leads to divisive agendas, narrow casteist and communal political appeal and fragmentation of society. In a multi-party multi-member society it divides the candidates, parties and society alike.

➤ In the First Past the Post (FPTP) system seats in the Parliament are not proportionate to the percentage of votes that a party gains thus leaving out a vast majority of voters un-represented in governance.

➤ Majority is understood to be the one who gets more number of votes than other contestants instead of being required to garner more than 50 % of the total votes?

➤ The percentage of votes that a party gets is not the same as the percentage of seats it gets in the FPTP system. Parties with less percentage of votes can gain more number of seats and parties with more percentage of votes can get less number of seats. This is a symbolical representation does not give a true reflection of the voter's choice.

➤ Compulsory voting system *guarantees that the government represents the will of a majority of the population, not only individuals who vote.*

➤ *This helps ensure that governments do not neglect sections of society that are less active politically and victorious political leaders of compulsory systems may potentially claim greater political legitimacy than those of non-compulsory systems with lower voter turnout.*

- *Decisions made by democratically elected governments are more legitimate when higher proportions of the population participate.*

- When we as the **citizens of our country miss no occasion to emphasize the privilege and the importance of our fundamental rights** are we really worried about our future and the future of our country? If we are, **then all of us must fulfill our fundamental responsibility** to cast our votes. In fact **Voting should be incorporated as a fundamental duty.**

- Voting is the strongest weapon in our hands with the help of which we can solve our problems and can bring a great **revolution in the country without a drop of blood being shed.** The voter must vote without getting affected by the factors like **caste or religion.**

- Robust voting will **focus our attention on factors like the government's stand on National Security, Terrorism, Poverty, Unemployment, Poverty, Literacy and other important issues.**

- **Another potential argument is that it will make the people think about the tough issues facing the Nation more seriously.** This in turn might make governments **less defensive in bringing up tough and possibly unpopular issues that need to be addressed nonetheless in the larger interest of the Nation.**

- Voting is certainly going to be **much more effective as a positive change harbinger than candle light marches and drawing room political discussions. Drawing room complaints are not heard, the votes are.**

- **If democracy is to take root and if we are serious about making our institutions strong and vibrant, it is necessary to bring in changes befitting a democratic society. As worthy citizens of a democratic country,**

everybody should participate in preserving the processes and institutions of liberal democracy.

➤ **These changes would not allow narrow, parochial outfits based on caste, creed and religion to create divisions and encourage centrifugal forces.**

➤ **The sooner these are ushered in, the better. Compulsory vote can be a revolutionary step towards motivating the electorate and in no way runs counter to the spirit of liberal democratic citizenship.**

➤ **Lethargic voters must be cured of their indifference to the system and be made to choose representatives to the legislative assemblies and the Lok Sabha.**

➤ **For example, Post the Mumbai terror attacks on 26 November 2008, whereas one would have expected a robust voter turn-out in Mumbai a prestigious Lok Sabha constituency Mumbai South, with some of the richest residents in the country, in the general elections of 2010 had just a 43.33 per cent voter turnout in the parliamentary elections last year. Other constituencies in the city fared no better — Mumbai South Central recorded 41.85 per cent and Mumbai North Central witnessed a meager 41.82 per cent turnout. This indifference can be perilous to a democracy like India ?**

➤ **Politicians with criminal records are blatantly taking advantage of the lax electoral machinery while criminals are entering politics and contesting elections to subvert the long hand of the law, especially in the Hindi heartland belt — Bihar , Jharkhand, Uttar Pradesh.**

- There have been constant references to 3 MPs – money power, muscle power and mafia power – and to 4 Cs – criminalization, communalism, corruption, and casteism. Basically all of this has vitiated the political atmosphere in the country and even compromised the legitimacy of the political process.
- **Anti-social elements resort to false voting, jam booths in rural areas at times with the lavish hospitality of the ruling party. This one step can make the entire political process wholesome and more accountable.**
- **The compulsory vote bill is important as there is a provision for voters to reject all the candidates if they consider them unfit for the job.**
- **If a majority rejects the contestants, a re-election will become mandatory, which shows that compulsory participation is a healthy initiative.**
- **Voting, voluntarily or otherwise, has an educational effect upon the citizens. High voter turnouts might also bring about responsive accountable governments because voting rate is a sign of an engaged electorate.**
- Political parties can derive financial benefits from compulsory voting, since they do not have to spend resources convincing the electorate that it should in general turn out to vote. **With compulsory voting political parties need not spend crores of Rupees in mobilizing voters and taking them to the booths.**
- **The role and scope of unaccounted money power in voting will be reduced.**

- **Compelling voters to the polls for an election mitigates the impact that external factors such as the weather, transport or restrictive employers. It can in essence prove to be a measure that prevents de-facto or de-jure disenfranchisement of the socially under-privileged, deprived or disadvantaged.**

- **The option given to the voter to vote **FOR NONE OF THE ABOVE (NOTA)** if they do not support any of the candidates to indicate clear dissatisfaction with the candidate list rather than hopeless indifference to the whole process and institution of democracy.**

- *Compulsory voting even in the ‘None of the above’ scenario can strengthen democracy as the voter can reject the candidates instead of being forced to choose a bad one, compelling parties to put up and field good candidates with socially acceptable profiles.*

- **Good people would contest instead of the mighty, powerful or rich.**
- **The provision or concept of NOTA should be seen as more of a “neutral” vote rather than a “negative” one. It is more of a no-opinion vote.**

- **By increased participation youngsters will understand what politics and governance is all about.**

- **It is also argued that in any democratic set-up where emphasis is laid on fundamental rights – the least that should be done to introduce a sense of participation in the citizen is that the process of voting should be made a “Civic Duty”, like paying taxes, since it is critically important for the harmonious functioning of the society.**

- The government can also go a step further, that is, **include not just disadvantages or penal provisions but also rewards and incentives for compulsory voting.** For instance, that the Bill can give certain incentives such as tax rebates to those who come out and vote.
- Across India , there has been a general decline in the percentage of those who come out to vote on polling day. **Moreover, with hardly 25 to 30 per cent of affirmative votes cast it begs the question why elections should not be made mandatory given that the Election Commission spends millions preparing voters' identity cards, printing and updating voters' lists and making necessary prior arrangements.**
- India is the **BIGGEST DEMOCRACY IN THE WORLD.** India 's present electorate of 714 million is larger than those of all of the 50 countries of Europe put together, all of Africa's 54, North America's 41, North and South America combined, and the entire Commonwealth minus India.
- We had 43 million more voters this time in the general elections of 2009 than the last elections - and that's two Australian electorates put together but, for **INDIA TO BE THE STRONGEST DEMOCRACY** we need to enhance consciousness about the impact of participatory democracy for the government to live upto the expectations of the people in resolving these burning issues, indeed all issues that our people grapple with.
- **One of the reasons is they don't think their one Vote will make a difference. But what if everyone thought this way? The course of history would change.**
- Fact is that in India the **perceived notion of an ever increasing amount of corruption, caste-ism, criminalization, communalization and decreasing standard of the politics in our Country has disillusioned the**

electorate, a large number of whom is now detached and keeping away from electoral politics *including abstention from their right to vote.*

➤ **Given the observed fact that there has been no appreciable improvement in the quality of our legislators over the decades, the institution of an amendment like the has become pressing today in view of the increasing possibility of a larger number of voters than previously not approving the candidates** nominated by the political parties. Most of us have also been complaining about the behavior of the politicians.

➤ The people are also worried about **the problems like Corruption, Unemployment, Illiteracy, Increasing crime rate, Terrorism, Poverty and so on.** The list just keeps growing. Many of us really want to do something to change this situation, but, can't actually do anything, due to many different reasons.

➤ It is true that we have been continuously seeing the degradation of politics in India , since our independence in 1947. Ironically, though, **the word candidate comes from the Latin "Candidatus" meaning 'one clad in white' and most, till this day carry on with this white we have some of our MPs and MLAs in our elected legislatures who have serious criminal charges against them.** Some of them have also been convicted by the courts. But, their number is continuously growing as political parties are giving protection to them, just for personal gains. But this severely affects the future of our nation and its citizens.

➤ **The right to vote under Indian laws flows from both the constitution of India and the Representation of the People Act of 1950 and 1951.**

- A citizen of India who is 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.
- **Under the law, there is no specific provision which makes it compulsory for the voter to cast his vote. But he can decline to do so only if he reveals his identity to the polling officials present in the booth. Clearly, this procedure violates the principle of "secrecy of the ballot", which lies at the heart of the Electoral system in this country.**
- Given the democratic aspirations of the citizens of India and its global standing as the World's largest and one of the most vibrant democracies, there is a **strong case for providing a stronger constitutional foundation to strengthen the Right to Vote. Perhaps by making it compulsory while effecting radical changes in the Representation of People Act to enhance the voter turn-out and widen its base by facilitating greater participation.**
- ***OUR INTENTION TO MAKE THE VOTING PROCESS MANDATORY IS TO BIND THE VOTERS TO SOME RESPONSIBILITY AND STRENGTHEN THE DEMOCRATIC INSTITUTION AND PROCESS. MORESO, CONSIDERING THAT MANY COMMISSIONS AND PANELS FORMED BY THE GOVERNMENT ON ELECTORAL REFORMS ETC HAVE RECOMMENDED A NUMBER OF MEASURES IN WHICH THIS CAN BE ATTAINED.***

(10) **CONSTITUTIONAL PROVISION OF VOTER'S CHOICE**

➤ In a parliamentary democracy of the Indian sort, the **underlying principle of sending legislators to Parliament and the State Assemblies is that of "unfettered choice"**.

➤ **That is, the voter is free to choose among candidates figuring in the "list of candidates" he is confronted with in a polling booth, the choice depending on his decision on who he thinks will best represent his views in the legislature. But why should the exercise of "choice" be limited to choosing among the candidates whose names figure in the list before the voter in the polling booth? The electorate has nothing to do with the drawing up of the list, and it is possible that a voter may not approve of the idea of sending any of the official poll contestants to the legislature. *In such conditions, if he still has to choose among the names before him, the very principle of free choice is violated.* Indeed, an element of compulsion creeps into the voting process which can be said to strike at the very heart of the Indian Republic .**

➤ **The Constitution provides for a voter to go to the polling booth and declare in writing that he refuses to vote for any of the available candidates, effectively rejecting the nomination of all the candidates vide form 49-O. In other words the option to vote for NOTA (None of the above). The Constitution bench in Kuldip Nayar V/s Union of India had observed, *"It is clear that a fine distinction was drawn between the right to vote and the freedom of voting as a species of freedom of expression, while reiterating the view in Jyoti Basu V/s Debi Ghosal that a right to elect, fundamental though it is to democracy, is neither a fundamental right nor a common law right but a pure and simple statutory right."***

➤ Even so, under the existing provisions of Sections 49(O) of the Representation of Peoples Act, a **voter who after coming to a polling booth does not want to cast his vote, has to inform the presiding officer of his intention not to vote**, who in turn would make an entry in the relevant rule book after taking the signature of the said voter. This **according to experts is violative of the Constitutional provisions guaranteed under Article 19 1 (a) (Freedom of speech and expression) and Article 21 (Right to liberty) and violated the concept of secret ballot. According to them, such a voter should be given the right to reject all candidates, by indicating ‘none of the above’ in the voting machines itself.**

➤ What this means is that, **for the sake of complete consistency, the voter should be allowed to say no to the official list of candidates which, translated into simple terms, would mean that he is not happy with the prospect of any of the official candidates representing him in the legislature.**

➤ Certainly, there is nothing morally indefensible about this stand. On the contrary, **the element of choice in the system of adult franchise would be even better protected thus making the right to vote even more precious, in a manner of speaking.**

➤ The provision of “None of the above” choice indirectly makes an official **distinction between voters who decide to choose among the available candidates and those who decide otherwise, which probably will fall foul of the provision of the fundamental right to equality granted to every citizen under the Constitution.**

➤ The Election Commission has seen merit in this standpoint, so much so that it **has officially asked for an amendment of the existing laws (specifically Rules 22 and 49B of the Conduct of Election Rules, 1961) in**

order to "enable a voter to reject all the candidates, if he chooses to do so" while maintaining secrecy of the ballot.

➤ As voters, youth can play a major role in the elections because a large amount of our voters belong to the young generation. Because only then, can we hope to see some improvement on the many fronts causing concern to all of us.

➤ **Also, those who don't fulfill their responsibility towards the country, have no right to ask for their 'rights'.** I would like to quote John F Kennedy here-**'Ask not what the country has done for you. Ask what you have done for the country.'** So, if we can't do anything else for our country, let's at least cast our vote with responsibility and let's unite to bring positive changes in our life and to make our own future better.

(11) RECOMMENDATIONS OF COMMISSIONS AND OTHER GROUPS FOR COMPULSORY VOTING AS A FUNDAMENTAL DUTY AND OTHER RELATED ELECTORAL ISSUES :

In recent years in full recognition of the problems that the malformation of our electoral system has created, there have been many exercises aimed at reforming it. In the last ten years many working groups and Commissions including the Law Commission have given a host of recommendations and suggestions to initiate long due electoral and administrative reforms some of which have been implemented and the rest that are yet to be adopted would impact the voter turn out and participation of the masses in government formation. These are:

1. The Goswami Committee on Electoral Reforms (1990)
2. The Indrajit Gupta Committee on State Funding of Elections (1998)
3. The Law Commission's report on Reform of the Electoral Laws (1999).

4. In addition, the Election commission has also documented its own thoughts based on the recommendations of these three organizations as well as based on their own experience of ground realities. Some major Working groups and Commissions that deliberated the issue are: -

1) **THE NATIONAL COMMISSION TO REVIEW THE CONSTITUTION.**

This Commission **undertook the exercise by starting from the** findings of the aforesaid most recent official exercises already undertaken in this regard with similar objectives, that were taken prior to its being framed by the Government namely :-

- (1) The Goswami Committee on Electoral Reforms (1990)**
- (2) The Indrajit Gupta Committee on State Funding of Elections (1998)**
- (3) The Law Commission's report on Reform of the Electoral Laws (1999).**
- (4) The Election Commission's comments on the recommendations of the above three and its own proposals based on experience of ground realities.**

➤ The Commission had dwelt upon and brought out a slew of measures that it believed have made the voter indifferent towards casting his vote like **representative character of voting, criminalization of politics, role of money and muscle power, blatant misuse of caste and religion** and other constitutional measures **including the issue under debate COMPULSORY VOTING.**

➤ **The recommendations of the Commission are more relevant today than ever before in view of the debate on negative trends that have persuaded our voters to stay away from, the electoral system.**

➤ **Of these 58 recommendations involved amending the Constitution while 86 involved legislative measures and the rest involve executive action. The necessary correctives could be achieved by ordinary**

legislation modifying the existing laws or, in many cases, merely by subordinate legislation.

Besides others, the Commission had identified the problem areas to be as follows:

- **Increasing cost of elections leading to unethical, illegal and even mafia provided electoral funding, corruption, criminalization and black money generation in various forms.**
- **With the electorate having no role in the selection of candidates and with majority of candidates being elected by minority of votes under the first-past-the-post system, the representative character of the representatives itself becomes doubtful and their representational legitimacy is seriously eroded.**
- **In many cases, more votes are cast against the winning candidates than for them. One of the significant probable causes may be the mismatch between the majoritarian or first-past-the-post system and the multiplicity of parties and large number of independents.**
- **Use of raw muscle power in the form of intimidation of voters either to vote against their will or not to vote at all, thus taking away the right of free voting from large sections of society and distorting the result thereby.**
- **Criminalization of the electoral process – increasing number of contestants with serious criminal antecedents.** The visible presence of many criminals is in fact a very large factor in the loss of legitimacy for politicians as a whole.
- This is also extremely dangerous for the country because apart from distorting the political culture of the country, criminal elements progressively get to influence leadership and governance. The spectacular success of some criminals in politics invites emulation. The signal to the society by such a

process is that it is acceptable to muscle your way through everything because in the last analysis the system rewards you.

- **Divisive and disruptive tendencies including the misuse of religion and caste in the process of political mobilization of group identities on non-ideological lines.**

- **Fake and non-serious candidates who create major practical difficulties and are also used indirectly to subvert the electoral process.**
- **Incongruities in delimitation of constituencies resulting in poor representation.**
- **Last but not the least, loss of systemic legitimacy due to decay in the standards of political morality and decline in the spirit of service and sacrifice in public life.**

(1.1) ON INCLUDING THE RIGHT TO VOTE IN FUNDAMENTAL DUTIES

THE COMMISSION SAID :

- **Constitutions of some countries of the world contain provisions for Fundamental Duties.**
- **WHILE TAKING NOTE OF THE DWINDLING BASE OF NUMBER OF VOTING CITIZENS THE COMMISSION HAD RECOMMENDED MAKING VOTING COMPULSORY. UNDER THE HEADING “FUNDAMENTAL DUTIES” IT RECOMMENDED INCLUSION OF THE FOLLOWING IN ARTICLE 51 A OF THE CONSTITUTION :**

(IV) “DUTY TO VOTE AT ELECTION, ACTIVELY PARTICIPATE IN THE DEMOCRATIC PROCESS OF GOVERNANCE AND TO PAY TAXES SHOULD BE INCLUDED IN ARTICLE 51A”.

(1.2) ON CANDIDATES WINNING BY MINORITY VOTE THE COMMISSION SAID :-

- **The multiplicity of political parties, combined with our Westminster based first-past-the-post system results in a majority of legislators and parliamentarians getting elected on a minority vote.**
- This means that at an average, at the very least, two-thirds of our legislators all over India win on the basis of a minority vote.
- **In other words, they usually win by obtaining less than 50% of the votes cast, i.e. with more votes cast against them than in their favour. There are States where 85% to 90% of the legislators have won on a minority vote. (i.e., by having obtained less than 50% of the votes cast).**
- **At the national level, the proportion of MPs who have won on a minority vote is over 67% at an average for the last three Lok Sabha elections. (Lok Sabhas constituted prior to year of report i.e 2002)**
- **In extreme cases, some candidates have won even on the basis of 13% of the votes polled as other contenders did not manage to get that many votes. (For relevant data, see Tables in Annexures to the Consultation Paper on the subject).** Elections in India since independence have proved that candidates with even less than 10 % votes in any electoral constituency can win a seat.

- In the 2009 Parliament elections, according to a study by CERI (Campaign for Electoral Reforms in India) 145 out of 573 elected members won with less than 20 % votes. On an average an MP got only one fourth of the vote share.
- Again according to CERI, In the present Lok Sabha only five MP's one each from Nagaland , Sikkim and West Bengal and two from Tripura got more than 50 % of the votes.
- **In a pluralistic society such as ours, some political parties have found it advantageous to develop a vested interest in progressively appealing to narrower and narrowing loyalties of caste and religion. Clearly, if a candidate can win on less than one-third share of the votes polled, he does not need to generate a wider appeal.**
- *By making caste and community a factor in political power play, we have made the divide even wider and deeper in the Indian society and made it nearly impossible for Babasaheb Dr. Ambedkar's vision of a casteless and classless society ever coming true.*
- **It is strange that most people of the constituency do not vote for the particular candidate who becomes their representative. Whose representatives are such candidates when a majority of voters did not want them?**
- **The seriousness of this issue has generated suggestions from many quarters focused primarily on some possibilities. It has been suggested from several quarters that this principle of representative-ness will be fulfilled if the elected representatives win on the basis of 50% plus one vote.**

- **If, in the first round, no body gets over 50% of the votes polled, then according to this view, there should be a run-off contest held the very next day or soon thereafter between the top two candidates so that one of them will necessarily win on the basis of 50% plus one votes polled.** Several representations from various organizations favoured this option to achieve the objective of better representative democracy.

- **The Chief Election Commissioner is reported to have confirmed that the task of run-off elections can be managed. Actually, the run-off vote is analogous to a re-poll.** There is no revision of electoral rolls, no fresh nominations, no fresh campaigning or the like.

- **The Commission is of the view that there are substantial advantages of following the policy of 50% plus one vote. On the one hand, it resolves the problem of inadequate representation. On the other, it also makes it in the self-interest of various political parties themselves to widen their appeal to a wider electorate.**

- **It can help in political parties and candidates adopting a ‘universal’ tone as opposed to ‘sectoral’ tones of the present day. With the need to be more broad-based in their appeal, issues that have to do with good governance rather than with cleavages and narrow identities might start to surface in the country.**

- **There are substantial advantages of following the policy of 50%+1 vote.** There is no revision of electoral rolls, no fresh nominations, no fresh campaigning or the like. It is the **same polling booth with the same administration and therefore there are no complications of heavy costs or fresh security arrangements.** On the one hand, it resolves the problem of representation. On the other, it also makes it in the self-interest of various political parties to widen their appeal to the electorate.

➤ **In the circumstances, the Commission while recognizing the beneficial potential of this system for a more representative democracy, recommends that the Government and the Election Commission of India should examine this issue of prescribing a minimum of 50% plus one vote for election in all its aspects, consult various political parties, and other interests that might consider themselves affected by this change and evaluate the acceptability and benefits of this system. The Commission recommends a careful and full examination of this issue by the Government and the Election Commission of India .**

(1.3) ON THE POSTAL BALLOT SYSTEM THE COMMISSION RECOMMENDED

(c) “Section 60 of the Representation of the People Act, 1951, inter alia, makes a provision enabling the persons of the armed forces to cast their votes through postal ballot. It is reported that there have been inordinate delays in delivery of the postal ballots sometimes resulting in disenfranchising the personnel of the armed forces. Some suggestions have been made to the effect that as an alternative at their option, the members of the armed forces may be allowed to cast their vote by appointing someone as proxy. **The Commission recommends that by making necessary changes in the Representation of the People Act, 1951, the facility of voting either by proxy or the existing postal ballot system may be provided to members of the armed forces.**”

(1.4) ON THE MISUSE OF RELIGIOUS, CASTE OR COMMUNAL SENTIMENTS THE COMMISSION SAID :

➤ Campaigns which are crafted to create or exacerbate tensions between communities and/or to incite feelings of hatred on the basis of caste,

community, religion, race or language attract disqualification at present but effective implementation of laws is lacking.

- **Any election campaigning on the basis of caste or religion and any attempt to spread caste and communal hatred during elections should be punishable with mandatory imprisonment.** If such acts are done at the instance of the candidate or by his election agents, these would be punishable with disqualification.

(1.5) ON REDEFINING THE ELIGIBILITY OF CRIMINALS TO CONTEST

ELECTIONS THE COMMISSION RECOMMENDED :

- **Any person convicted for any heinous crime like murder, rape, smuggling, dacoity, etc. should be permanently debarred from contesting for any political office.**

(1.6) ON THE PROLIFERATION OF NON-SERIOUS CANDIDATES

THE COMMISSION SAID

- **Out of 1900 independent candidates who contested the general election in 1998, only 6(0.65%) succeeded, 885(47%) lost their deposits.**
- **Likewise the figures given by the Inderjit Gupta Committee reveal that out of the 10635 candidates, who contested the 1996 Lok-Sabha elections, only 9 (0.08%) won and 10,603 (99.7%), lost their deposits. It is also known that most of these so-called independent candidates are in fact dummy candidates or defectors from their parties on being denied party tickets.**
- **These candidates only vitiate the sanctity of the electoral process and involve waste of resources. This was carried to ridiculous limits when a Lok**

Sabha constituency in Andhra Pradesh (Nalgonda, in 1996) had 480 contestants.

➤ Similarly there have been assembly constituencies with over 1000 candidates. **There were 1033 candidates for one single assembly seat for the Modaurichi assembly constituency in Tamil Nadu in 1996.** The ballot paper was in the form of a booklet!"

➤ **The Commission recommends that independent candidates be discouraged and only those who have a track record of having won any local election or who are nominated by at least twenty elected members of Panchayats, Municipalities or other local bodies spread out in majority of electoral districts in their constituency should be allowed to contest for Assembly or Parliament.**

➤ In order to check the proliferation of the number of independent candidates and the malpractices that enter into the election process because of the influx of the independent candidates, **the existing security deposits in respect of independent candidates may be doubled.**

➤ **Further, it should be doubled progressively every year for those independents who fail to win and still keep contesting elections. If any independent candidate has failed to get at least five percent of the total number of votes cast in his constituency, he/she should not be allowed to contest as independent candidate for the same office again at least for 6 years.**

➤ **An independent candidate who loses election three times consecutively for the same office as such candidate should be permanently debarred from contesting election to that office.**

(1.7) ON VOTE PERCENTAGE REQUIRED FOR SECURITY FORFEITURE THE COMMISSION REMARKED :

➤ The minimum number of valid votes polled should be increased to 25% from the current 16.67% as a condition for the *deposit* not being forfeited. This would further reduce the number of non-serious candidates.

(As the initiator of the Bill on Compulsory voting, I feel there is a very strong case in view of the foregoing findings that elections to any state legislature or the Parliament should be held valid subject to the condition that minimum voter turn-out in these elections is 50 % + 1 vote of the total number of registered voters in such elections)

(2) THE 170 TH REPORT OF THE LAW COMMISSION OF INDIA IN MAY 1999 ON ELECTORAL REFORMS & ALLIED ISSUES :

Much before the recommendations of the National Commission to Review the working of the Constitution, in May 1999, the 170 th Report of the Law Commission of India in its working paper on electoral reforms set out the concept of "alternative method of election" and devised certain other reforms for adoption by Parliament with almost similar aims and objectives of cleansing the electoral system of its present ills. While preparing the working paper and the accompanying Bills, the Law Commission took into consideration the Bill which was prepared in 1990 by the late Shri Dinesh Goswami, the then Minister for Law, Justice and Company Affairs, based on a consensus arrived at between all the political parties. The said Bill was taken as the starting point and various other measures suggested which in its opinion were called for to achieve the aforementioned objectives. The Commission also took into account a brochure published by the Election Commission of India containing various suggestions for amending the Representation of the People Act, 1951 Notice was also taken of several decisions of the Supreme Court on various provisions of the Representation of People Act.

The findings of the Commission are far reaching and revealing merit debate in the context of the prevalent electoral scenario today.

(2.1) VIEWS OF THE COMMISSION ON THE REPRESENTATIVE CHARACTER OF VOTING :

- **There has been a steady deterioration in the standards, practices and pronouncements of the political class, which fights the elections. Money-power, muscle-power, corrupt practices and unfair means are being freely employed to win the elections.**
- Over the years, several measures have been taken by Parliament to amend the laws relating to elections with a view to check the aforementioned forces. This report, which has been prepared after extensive consultations, is a step in the said process. It is hoped that Parliament will take prompt action to give them legislative sanction.
- **The Law Commission took note of the fact that the 'first-past-the-post' system prevailing in our country had given rise to several inequities and distortions in our electoral process particularly on account of the multiplicity of the political parties.**
- There are certain States in India where there are three or four recognized political parties, more or less evenly balanced. In such a situation **what is happening is that the winning candidate is receiving, in many cases, 30% or less of the valid votes cast.**
- **The remaining 70% or more votes polled (cast in favour of the defeated candidates including independents) are**

practically going waste, without representation, and without a voice in the representative bodies, namely, Parliament and the State Legislatures.

➤ **The consideration that weighed in this behalf was that the first-past-the-post (FPP) system now in vogue is not yielding a correct picture of the voter preferences. It was thought advisable to provide a voice and a representation to the wasted votes which indeed very often constituted a majority of the total votes cast.**

➤ **There is no commensurality between the total votes cast in a State or in the country, as the case may be, and the seats obtained by the parties. To be more precise, what is happening is that a political party which has received, say, 32% of the total votes cast in the country is obtaining 70% of the seats in Parliament, whereas another political party which has polled, say, 29% of the votes, is getting 25% of the seats in Parliament.**

➤ **A 'swing' of 2 to 3 per cent votes is resulting in a huge difference in the number of seats won.**

➤ **There was yet another situation where a political party is polling a substantial chunk of votes cast in a given State in parliamentary elections but is not able to get a single seat in the Parliament from that State.**

➤ **To remedy this the Commission it recommended the 'Alternative method of election'. The other idea put forward is the concept of "negative vote." In the opinion of the Law Commission, the idea and**

underlying object are both laudable. Such an alternative method of election was suggested by certain eminent persons with long experience in public life. This method the Law Commission asserted went a long way in ensuring purity of elections, keeping out criminals and other undesirable elements and also to minimize the role and importance of caste and religion. The method suggested was :-

(a) no candidate should be declared elected unless he obtains at least 50% of the votes cast;

(b) the ballot paper shall contain a column at the end which can be marked by a voter who is not inclined to vote for any of the candidates on the ballot paper, which is called as 'negative vote'. A voter can cast a negative vote only when he is not inclined to vote for any of the candidates on the ballot paper;

(c) for the purposes of calculating the fifty per cent votes of the votes cast, even the negative votes will be treated as 'votes cast';

(d) if no person gets 50% or more votes, then there should be a 'run-off' election between the two candidates receiving the highest number of votes;

(e) in the run-off election too, there should be a provision for a negative vote and even here there should be a requirement that only that candidate will be declared elected who receives 50% or more of the 'votes cast' as explained hereinabove;

(f) if no candidate gets 50% or more of the votes cast in the run-off, there should be a fresh election from that constituency.

(2.2) OBJECTS / MERITS OF THIS METHOD AS DOCUMENTED BY THE COMMISSION :

- This method of election is designed to achieve two important objectives viz.,

- (i) **To cut down or, at any rate, to curtail the significance and role played by caste factor in the electoral process.**
- (ii) **There is hardly any constituency in the country where anyone particular caste can command more than 50% of the votes.**
- (iii) **This means that a candidate has to carry with him several castes and communities, to succeed; The parties and candidates would also try, in such a situation, to gather a consensus and fight on ideologies and programmes rather than on caste or religious vote banks.**
- iv) **The negative vote is intended to put moral pressure on political parties not to put forward candidates with undesirable record i.e., criminals, corrupt elements and persons with unsavory background.**
- (v) **It has the merit of compelling the political parties to put forward only good candidates and to eschew bad characters and corrupt elements.**

Take a constituency where there are one lakh voters. Five candidates contest from that constituency. The total number of valid votes cast in the constituency is 80,000. Ten thousand voters cast negative votes. Only the candidate who obtains 40,000 votes or more out of the 80,000 votes cast can be declared elected. If none of the five candidates obtains 40,000 votes or more, there should be a run-off between two (of the five candidates) who have polled the highest votes among the five. In the run-off, 70,000 votes are cast, of which 10,000 are negative votes. If one of the candidates obtains 35,000 or more votes, he will be declared elected. Otherwise, there would be a fresh election from that constituency. Even in this fresh election, the very same procedure as set out above will be followed - until some candidate gets 50% or more of the votes cast. This run-off poll is not applicable to 'list system'. The total number of valid votes cast in that constituency alone should be counted and that in case no candidate got 50%+1 of the valid votes cast, a 'run-off' election should be held between the two candidates obtaining the highest number of

votes. The merit of such a method of election, they pointed out, was that it would reduce/eliminate the pernicious role played by the caste and religion in elections.

(2.3) ON NON-SERIOUS CANDIDATES CONFUSING THE VOTER'S CHOICE

➤ **Out of the 1910 independents contesting the last round of assembly election in four States/National Capital Territory of Delhi in November, 1998 only 19 (0.99%) out of 1910 independents could reach the post.**

➤ The records would further show that most of these independents were also really not independent but rebels of certain established parties and who were supported by rival parties." Past experience shows that **many independent candidates contested Lok Sabha elections in a casual manner or for oblique reasons.**

➤ In many cases their security deposits were forfeited. Non-seriousness of some of the independent candidates is exemplified by the fact that quite a few persons of the same name as the registered party candidate stand as independent candidates from the same constituency in order to mislead the masses. **Such practices are meant to confuse people and make them cast their vote in favour of a candidate whom they never intended to vote.**

➤ In Law Commission's view, the time is now ripe for debarring independent candidates from contesting Lok Sabha and Legislative Assembly election. **Any person proposing to contest Lok Sabha election can always form a political party and contest elections but its entitlement to any seat in Lok Sabha will be subject to the condition that it obtains not less than 5% of the total valid votes cast in an election to Lok Sabha.** Therefore, it cannot be legitimately argued that our proposal tends to interfere with the democratic ethos or political processes.

**(2.4) ILLUSTRATING CRIMINALIZATION
OF POLITICS AND ELECTIONS THE COMMISSION OPINED :**

- **A negative process was in progress in India , namely, criminalization of politics and politicization of crime.**

- **Indian Society was basically tolerant of human failings and that it respected acquisition of wealth by whatever means.**

- **Facts and figures depict the increasing criminalization and the increasing number of crimes committed at every succeeding election. Electoral malpractices are increasing with every passing election. While in the 1957 elections, repoll was ordered only in 65 booths, in 1989 it was ordered in 1670 booths. In 1991, in Bihar alone repoll was ordered in 1046 booths and in 2173 booths in 1996. Strong measures are required to arrest the trend towards criminalization of politics and elections.**

(12) SUGGESTIONS TO ENCOURAGE VOTING & ENHANCE VOTER TURN-OUT IN INDIA BASED ON INTERESTING ELECTION PRACTISES IN OTHER COUNTRIES :

- **The Right to vote in advance in Canada by amendments to election laws in 1960 and 1993, is extended to all electors willing to swear that they would be otherwise absent on election day. We could emulate this in India.**

- **In 1988 the Supreme Court of Canada ruled that mentally ill patients have the right to vote.**

- **The United Kingdom modified laws in 2006 via the Electoral Administration Act 2006 and reduced the age of standing at a public election from 21 to 18.**

- **In the U.S a state may choose to fill an office by means other than an election. For example, upon death or resignation of a legislator the State may allow the affiliated political party to choose a replacement to hold office for the remaining term until the next scheduled election.** This ensures there is no disruption in official or business activity besides saving public resource that could be utilized for augmenting development. Such an appointment is affirmed by the Governor. This needs to be considered for adoption in India.

- **Just voter registration, Federal over-sight, and all encompassing, simplified election procedures increased the civic participation in democracies world-wide and have ensured that voter turn-out climbed dramatically and quickly.** In the US the 26th amendment ratified in 1971, required all states to set a voting age no higher than 18. No state has since opted for an earlier age although some governments have discussed it. **Some States however, permit people who will be 18 on before the general election to vote in primary elections and caucuses.**

- In India , a large number of citizens will not be able to exercise their right to vote in any given general or state election. The reasons for this are many.

- For instance, **there are no provisions in Indian law to enable migrant workers within India (estimated to be over 100 million by the government) , non-resident Indians living overseas (approximately 25 million), students traveling abroad (more than 80,000 per annum go to the United States alone), traveling business professionals and senior or unwell citizens who may not be able to travel to the polling booth *to vote in an alternative manner.***

- 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 citizens in the electoral process.

- **A number of developed countries implement various forms of absentee voting , such as Internet voting (Switzerland , the USA , France etc.) proxy voting (The Netherlands)** and postal voting which has become known as the most popular form of absentee voting in the world. India being an IT power we should introduce the concept of Internet and absentee voting.

- **People in countries such as the USA , Britain , Switzerland and Australia have greatly benefited by the implementation of postal voting.** In India we too, have a limited form of postal voting, but it is not accessed by or available to a large enough number of people for it to create a consequential impact towards the desired objective of making the electoral process more inclusive.

- For instance, the **Conduct of Rules 1961 in section 18 (a) provides for the following list of persons entitled to vote by post in a parliamentary or assembly constituency;** special voters (The President of India, Vice-President, Governors etc.) ; service voters (armed forces, members of a force to which the Army Act applies etc.) ; voters on election duty (polling agents, polling officers etc.) and electors subjected to preventive detention.

- **This provision provides for the right to vote for certain specified categories of persons “resident in India” but omits a huge number of people** stated above who have difficulties exercising their right to vote since the statutory requirements have not been updated or amended suitably.

- In an amendment to the Representation of the Peoples Act 1951, in 2003 section 60(c) provided for enabling “any person belonging to a class of persons notified by the Election Commission in consultation with the government to give

is vote by postal ballot”. While **this provision clearly 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 only** concerning migrants from J&K, and Bru and Reang migrants from Mizoram and Tripura allowing them to exercise their franchise by postal ballot.

➤ For a variety of **reasons including travel, illness, disability and personal difficulties including education, employment, etc a large number of Indians are not able to be physically present on the day of elections in these constituencies where their vote is registered.**

➤ In the spirit of a leading democracy it is a **requirement of times that India expands the electoral framework to enhance scope and reach of its postal ballot system, for implementing the right to vote by a mix of the postal ballot system and other policies that increase the political participation of people in the electoral process.**

➤ **Though postal voting is provided for in our election laws, its ambit also needs to be widened in terms of the technological advances of the day to enable people who are away from their electoral constituency vote on Election Day.** A greater dimension of participation will reflect in a wider and more inclusive social character of the government. The right to vote of every Indian citizen will make the electoral process more inclusive in a way that **EVERY INDIAN IS ABLE TO EXERCISE NOT ONLY THE RIGHT TO VOTE but also HAVE THE OPPORTUNITY TO VOTE.**

➤ **The Representation of People Act 1950** passed under the Constitution of India, provides that every person who is a citizen of India and not less than legal age of voting on the qualifying date and is **ordinarily resident in a constituency shall be entitled to be registered in the electoral rolls for that constituency and exercise his right to vote.** The term ‘ordinarily resident’ has so far

excluded people with Indian citizenship who have migrated to some other country , a person of Indian origin who is born outside India or a person of Indian origin who resides outside India or in simpler words – the NRIs.

➤ **Same is the case with migrant labourers who if they remain out of their constituencies for six months at a stretch find their names missing from the electoral lists for that constituency?**

➤ **Today, the number of Non-Resident Indians spread out across the globe stand at no less than 25 million. In the year 2009 alone India has reportedly received 50 billion dollars from the NRIs in the form of remittances.**

➤ **Their money has been pumped back into the country and used for improving the social and physical infrastructure.** By working abroad but investing in India , their funds have been hugely beneficial.

➤ **When the NRIs have been so favourable towards our development, the question of voting rights is a major loophole.**

➤ **The demand for equal rights to vote made by the NRIs is quite legitimate. Why so? The NRIs are citizens of India so they feel the urge for an equal say in deciding who the future leaders of the country will be.**

➤ **It is believed that by allowing the NRIs to vote they will become more involved in the nation-building process and the opportunities that India holds for them. Around the world, many countries allow their citizens to vote from abroad.**

➤ **The Representation of the People (Amendment) bill of 2006 which if passed will add the names of all NRIs to the electoral votes. By this, if NRIs are in their**

respective constituencies at the time of election then they can exercise their legal right to vote.

➤ However, this amendment is not going to make much of a difference. **According to it, the NRI citizens have to be physically present at his/her constituency at the time of elections. The other option which could be brought in is the concept of absentee ballot.**

➤ **‘Absentee ballot’** is a vote which is cast by someone who cannot vote in person at the polling station. **This kind of a ballot can be cast by electronic means, postal mail or proxy voting.**

➤ **In the 2009 elections, it is estimated that around 714 million Indian names were registered to vote in the electoral rolls. More than 828,000 polling booths were set up across the country. If the system of absentee voting is to be brought in place, our technology has to be upgraded a few notches.**

➤ No system or procedure in the world is fool-proof or incorruptible. But this should not deter us from bold initiatives. Adequate technological and systemic safeguards will have to be incorporated before conferring the NRIs voters the right to vote.

➤ Critics have said that NRIs aren't in the country for a majority of the year so their level of **comprehension about the political proceedings within the country will be negligible in comparison to the local residents. That they would have a lesser understanding of the problems faced by the people of that constituency and that they would only add to the complexity by voting for the wrong candidate. But in the modern day world that is now described as a global village, thanks to instant communication and technological**

innovations distances have shrunk and people in any part of the globe can and do keep track of happenings back home.

➤ In any case, NRIs always have the option of coming back to India and settling down .By default, they immediately regain their right to vote. So why deny them the same by not devising other forms of voting ?

➤ Also, along with the NRIs even citizens who migrate within the country and do not reside in their local residence for a period of six months find their names deleted from the electoral rolls. Our Chief Election Commissioner, found his name missing from the voters' list in the 2009 elections.

➤ In our country even though polling days are declared as holidays, polls should as far as possible be held on Saturday and Sunday, days when work related travel is minimal, to ensure that working people can fulfill their duty to cast their vote.

➤ Similarly, mobile voting booths may also be taken to old age homes and hospitals to cater for immobilized citizens, the handicapped or the infirm.

➤ There is therefore cause for concern with regard to the voting rights (or accessibility) for those who are disabled ; and also with regard to voting rights for those who have a language issue for example migrant voters of one state wanting to exercise their right of franchise in another state.

➤ In America Federal legislation such as the “Americans with Disabilities Act of 1990 (ADA), the National Voter Registration Act of 1993 (NVRA, or “Motor-Voter Act”) and the Help America Vote Act of 2001 (HAVA) address some of these concerns of the disabled.

- **A citizen who has never resided in the USA can vote if a parent is eligible to vote in certain states. In some of these states the citizen can vote in local, state and federal elections – in others in federal elections only.**

- **Jurisprudence concerning candidacy rights and judicial intervention in electoral matters is different in various states and some states require an independent or minor party candidate to collect as high as 5 percent of the total votes cast in the preceding election before the Court will intervene.**

- **Introduction of the electronic voting trials for people with vision impairment in 2007 in Australia benefited about 3 lakh people by giving them a secret ballot for the first time.** Before the introduction of the electronic voting trials, people with vision impairment had to ask someone else to fill out their ballot form for them. This meant that people with print disability could not enjoy the right to a secret ballot like everyone else in Australia .

- **We should develop a system for India that aids and ensures the participation of the vision impaired in elections in India .** Further people with any kind of intellectual disability may require special assistance or a companion to enroll and also to vote – the electoral laws need to provide for this category of people.

- **Remote electronic voting was also introduced for members of the Australian Defence Force who are posted overseas.**

- **Another interesting aspect of voter registration in Australia is that voters who turn 18 after the election notification have a grace period for enrolling as eligible voters and can do so within the next three days.**

- **The people who joined the electoral roll in grace various periods for varying categories provided for in Australian law accounted for about 16 % of the total growth of enrolments since the previous election.**

- **The concept of grace period in India for voters turning 18 or even those who have changed address needs to be statutorily introduced.**

- In India rural and remote voters face extra difficulties in enrolling to vote and registering changes of address. Due to greater physical distances, means of conveyance and potential difficulties in accessing the internet in remote areas, it may take rural and remote voters more time to obtain the necessary forms, complete the requirements for updating and revision and eventual submission of the papers or forms. Shorter deadlines will exacerbate these problems and may impact on the number of rural and remote residents who can exercise their right to vote in any ensuing election.

- The basis of a functioning vibrant democracy is the right to vote which translates to the existence of an accurate and constantly updated Voters List. If this list itself is totally mismanaged - not by intent or design but by systemic deficiencies then Democracy has no meaning.

- By the Election Commission's own admissions in the past, the voters' list accuracy was supposedly less than 50%, on an average across the country. From the kind of reports we are getting, it appears no better even today, even in the technology capital of the country.

- ***The entire set up is not as professional and does not do justice to this country's reputation for its IT prowess.*** The problem of inaccurate voter lists is also a factor in low voting and the incapacity of the agencies involved - namely Election Commission (both centre and state), NIC, and local bodies. And, the only way out appears to be through the ***out-sourcing of the entire job of preparation***

and maintenance of the Electoral Roles across the country to a reputed professional company (like TCS has been engaged for Passport work). In this context **The National Commission to review the Constitution** had recommended that a single exercise should be enough for preparing common electoral rolls and ID cards. The Commission had suggested “**The task could be entrusted to a qualified professional agency under the supervision of the EC and in coordination with the SECs**”.

(13) FUNDAMENTAL RIGHTS V/S FUNDAMENTAL DUTIES OF THE INDIAN CITIZEN

- Constitutional guarantees for the human rights of the people of India were one of the persistent demands of our leaders throughout the freedom struggle and while framing Fundamental Rights Chapter the Constituent Assembly of India substantially relied upon the ‘**Universal Declaration of Human Rights, (UDHR) 1948.**

- **Article 21 of this very UDHR lays out the right of people to participate in government and enjoy universal suffrage and envisages that** “the will of the people shall be the basis of the authority of government; this will, shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures”

- **The Constitution of India clearly defines the responsibilities of Indian citizen, their Fundamental Rights and Duties.** Part II of the Indian Constitution covers the clauses on Citizenship. Fundamental Rights are covered in Part III of the Constitution, while the Fundamental Duties are written in Article 51A.

- **The Constitution, in a way, makes the citizens aware of their core rights and responsibilities through the articles dealing with the fundamental Rights and Duties. The inclusion of Fundamental Duties in our Constitution also brings it in line with Article 29(1) of the Universal Declaration of Human Rights which says: “Everyone has the duties to the community in which alone the free and full development of the personality is possible.”**

- **Exercise of fundamental rights entails duties to the community which ensures the free and full development of human personality.**

- **Fundamental Duties of citizens serve a useful purpose. In particular, no democratic polity can ever succeed where the citizens are not willing to be active participants in the process of governance by assuming responsibilities and discharging citizenship duties and coming forward to give their best to the country. Voting should be assumed to be as a responsibility for Nation building.**

- **Some of the fundamental duties enshrined in article 51A have been incorporated in separate laws.**

- **The most important task before us is to reconcile the CLAIMS OF THE INDIVIDUAL CITIZEN and those of the CIVIC SOCIETY.**

- **To achieve this, it is important to ORIENT THE INDIVIDUAL CITIZEN TO BE CONSCIOUS OF HIS SOCIAL AND CITIZENSHIP RESPONSIBILITIES and so shape the society that we all become solicitous and considerate of the inalienable rights of our fellow citizens. Therefore, AWARENESS OF OUR CITIZENSHIP DUTIES IS AS IMPORTANT AS AWARENESS OF OUR RIGHTS.**

➤ ***EVERY RIGHT IMPLIES A CORRESPONDING DUTY BUT EVERY DUTY DOES NOT IMPLY A CORRESPONDING RIGHT. MAN DOES NOT LIVE FOR HIMSELF ALONE. HE LIVES FOR THE GOOD OF OTHERS AS WELL AS OF HIMSELF. OUR BASIC DUTY TO SOCIETY IS TO CONTRIBUTE TO ENHANCE ITS QUALITY AND CHARACTER.***

➤ ***It is this knowledge of what is right and wrong that makes a man responsible to himself and to the society and this knowledge is inculcated by imbibing and clearly understanding one's citizenship duties. The fundamental duties are the foundations of human dignity and national character.***

➤ ***If every citizen performs his duties irrespective of considerations of caste, creed, colour and language, most of the malaise of the present day polity could be contained, if not eradicated, and the society as a whole uplifted. Rich or poor, in power or out of power, obedience to citizenship duty, at all costs and risks, is the essence of civilized life.***

(15) **FUNDAMENTAL RIGHTS**

Article 12 to 35 of the Indian Constitution covers the Fundamental Rights of the citizen of the country. All these Fundamental Rights indicate that all the citizens are equally treated by the nation irrespective of caste, sex and creed. The basic Fundamental Rights are as follows:-

➤ **Right to Equality:**

Article 14: The provisions regarding Equality before Law are included in this Article

Article 15: Prohibition of discrimination on grounds of religion, race, caste, sex

or place of birth is specified in this Article

Article 16: This Article consists of Rights of Equality of opportunity in matters of public employment

Article 17: Abolition of untouchability is mentioned in this particular Article

Article 18: This Article provides details about Abolition of titles

➤ **Right to Freedom:**

Article 19: Protection of certain rights regarding freedom of expression and free speech, etc. are clearly specified in the Article

Article 20: This Article states the Protection in respect of conviction for offenses

Article 21: Protection of life and personal liberty is mentioned in the Article

Article 22: This Article deals with Protection against arrest and detention in certain cases

➤ **Right against exploitation:**

Article 23: The details of Prohibition of traffic in human beings and forced labor are presented in this Article

Article 24: The Article contains Prohibition of employment of children in factories, etc.

➤ **Right to Freedom of Religion:**

Article 25: Particulars of Freedom of conscience and free profession, practice and propagation of religion are clearly enumerated in this Article

Article 26: The Article specifies the Freedom to manage religious affairs

Article 27: Freedom as to payment of taxes for promotion of any particular religion is stated in the Article

Article 28: This Article includes Freedom as to attendance at religious instruction or religious worship in certain education institutions

- **Cultural and Educational rights:**
 - Article 29:** Protection of interests of minorities is specified in detailed form in this Article
 - Article 30:** Right of minorities to establish and administer educational institutions is scripted in this very Article

- **Saving of Certain Laws:**
 - Article 31A:** This Article contains Savings of laws providing for acquisition of estates, etc.
 - Article 31B:** Validation of certain Acts and Regulations are mentioned in the Article
 - Article 31C:** This Article deals with Saving of laws giving effect to certain directive principles
 - Article 31D:** The Article dealing with Saving of laws in respect of anti-national activities has been repealed by Constitution Act, 1977 and was recorded in the 43rd Amendment

- **Right to Constitutional Remedies:**
 - Article 32:** Remedies for enforcement of rights conferred by this part have been included in the Article
 - Article 33:** This particular Article addresses the Power of Parliament to modify the rights conferred by this Part in their application to forces, etc.

- **Fundamental Duties**

The Fundamental Duties scripted in the Constitution of India are different from the Fundamental rights. This is because Fundamental Rights are considered as the basic rights to be enjoyed by the citizens of the nation while the Duties are conferred upon people to be followed by them accordingly. The Fundamental Duties of the citizens of India mentioned in Article 51A of the Indian Constitution are as follows: Constitutional guarantees for the human rights of the people of India were one of the persistent demands

of our leaders throughout the freedom struggle and while framing Fundamental Rights Chapter the Constituent Assembly relied upon **the ‘Universal Declaration of Human Rights, 1948, that emphasizes the right to vote.**

1. TO RESPECT AND INCORPORATE THE IDEALS WHICH WERE THE VERY BASE OF OUR NATIONAL STRUGGLE FOR FREEDOM

2. To follow the Constitution and respect its institutions, the National Flag and the National Anthem

3. To spread the message of peace and brotherhood amongst all the Indian citizens irrespective of linguistic, religious and regional or sectional diversities

4. To discontinue practices pertaining to the impairment of the dignity of women

5. To protect and promote the sovereignty, unity and integrity of India

6. To protect public property and to avoid violence

7. To respect and preserve the rich heritage of Indian culture

8. TO CONTRIBUTE TOWARDS MAKING IMPROVEMENTS IN ALL SPHERES OF INDIVIDUAL AND COLLECTIVE FUNCTIONS TO TAKE THE NATION TO NEW HEIGHTS OF ACHIEVEMENT

9. To develop the spirit of inquiry and reform, a scientific temper and sense of humanism

10. To provide defense and national service when called upon to the country during hours of crisis

11. To preserve the natural environment of India like the forests, lakes, rivers and wild life and to have a compassionate outlook towards the living creatures. *

श्री हुक्मदेव नारायण यादव (मधुबनी): सभापति महोदय, पिछले सत्र में इस विधेयक पर चर्चा प्रारम्भ हुई थी। 1977 से मैं संसद में हूँ, किसी सरकारी विधेयक पर, संकल्प या गैरसरकारी विधेयक पर प्रस्तुतकर्ता ने इतना लम्बा समय नहीं लिया होगा। डेढ़ घंटे शायद प्रधान मंत्री का भाषण भी नहीं हो पाता है। उन्होंने अपने इस विधेयक के समर्थन में दुनिया भर की और भारत का जो चुनाव आयोग है या निर्वाचन में सुधार के संबंध में जितनी समितियां बनीं, उन सबों की चर्चा की और उसके अतिरिक्त भी चर्चा की, जिन बातों का, जिन विषयों का इस विधेयक से कोई संबंध नहीं है। वह एक अलग विषय है कि राजनीति में धर्म और धर्म में राजनीति जैसे विषय पर आज से नहीं, बहुत दिनों से चर्चा है। समाजवादी नेता डा. राम मनोहर लोहिया 1963 से 1967 तक इसी सदन में थे और शायद जिस तरफ मैं बैठा हूँ, उसी तरफ किसी बेंच पर बैठकर वह बोला करते थे। इस सदन में भी उस समय चर्चा के समय उन्होंने रखा था और दृढ़ता के साथ कहते थे और हम लोग भी उसे मानते थे और मानते रहे हैं। धर्म दीर्घकालीन राजनीति है, राजनीति अल्पकालीन धर्म है। धर्म एकांगी हो जाए और राजनीति एकांगी हो जाए तो राष्ट्र का सर्वनाश अवश्य कर देगा, यदि वह सर्वांगीण रहे तो राष्ट्र का विकास करेगा और राष्ट्र का उत्थान भी कर सकता है। उसे समग्रता में चिंतन करने की आवश्यकता है।

महोदय, आखिर मतदाताओं को अनिवार्य रूप से मत देना चाहिए, इसके लिए विधेयक बनाया जाए, आखिर उसका कारण तो ढूंढा जाए। जितने कारण गिनाये गये हैं, उनके अतिरिक्त भी कारण हैं कि अनिवार्य मतदान क्यों करें। मैं एक मतदाता हूँ, मैं भारत का गरीब हूँ, निर्धन हूँ, निर्बल हूँ, पिछड़ा हूँ, दलित हूँ, झोंपड़ी में रहता हूँ, वोट डालने जाता हूँ तो मेरी झोंपड़ी के सामने ही लट्ठ लेकर खड़े हो जाते हैं, घर से निकलने नहीं देते हैं। मतदान केन्द्र पर जाता हूँ तो पीटकर भगा दिया जाता हूँ। हमारी बहू-बेटियों को नंगा कर दिया जाता है तो क्या अनिवार्य वोट डालने के कारण हम अपनी इज्जत लुटवा लें। क्या मेरी इज्जत की सुरक्षा देने वाला कोई हुआ है? जो आज तक वोट लूटने वाले हुए, बल प्रयोग करने वाले हुए, जबरदस्ती करने वाले हुए, क्या ऐसे किन्हीं लोगों को सजा दी गई? उन्हें कुछ मिला, क्या कारण है? देश जब महात्मा गांधी जी के नेतृत्व में आजादी की जंग लड़ रहा था, उस समय लोगों के अंदर एक आशा थी कि हिन्दुस्तान आजाद होगा, दूध-दही की नदियां बहेंगी। कहीं न होवे छोट-बड़ाई, गले मिले सब भाई-भाई, उंच-नीच का भेद न होवे, सुख का होवे डगर-डगर, हम चलो बसाएं नया नगर। आजादी के दिनों में गांधी जी के सामने हमने सपना देखा था कि हम देश को आजाद करेंगे, ब्रिटिश साम्राज्यवाद की सत्ता से मुक्त होंगे और एक नवीन भारत का निर्माण करेंगे। हम उस आशा में चलते चले गये, लेकिन उस आशा की पूर्ति नहीं हुई। देश आजाद हुआ, आजादी के लोग थे, हमारे स्वतंत्रता सेनानी थे, देश की बागडोर उनके हाथ में

आयी, लेकिन उसके बाद समय बदलता गया और मिलावट होती गयी और राजनीति में वैसे लोग प्रवेश करते गये जो ब्रिटिश साम्राज्यवाद की सत्ता की दलाली करते थे। जो अंग्रेजों के इनफॉर्मर बने हुए थे, जो अंग्रेजों के साथ मिलकर लोगों को जेल भिजवाने वाले थे, ऐसे लोग राजनीति में प्रवेश करते गये। उस समय जिन गरीब, निर्धन, निर्बल, पिछड़े, दलित, किसान, मजदूर ने देश की आजादी के लिए अपना सर्वस्व न्यौछावर कर दिया था, वे पीछे धकेले गये, वे धकलाते गये। उन्हें पीछे हटाते गये और वे पीछे हटते गये। जो अंग्रेजों के साथ थे, वही पूंजीपति, बड़े-बड़े लोग राजनीति के शिखर पर आते गये और तब से लोगों के मन में निराशा आयी। वह आशा तो पूरी नहीं हुई, लेकिन लोग थोड़े दिनों तक इस प्रत्याशा में रहे कि अब देश में कुछ परिवर्तन होगा, गांधी जी का सपना पूरा होगा, स्वराज्य आयेगा, सुराज आयेगा और हिन्दुस्तान एक नया हिन्दुस्तान बनेगा, जहां सभी प्रकार के शोषण से समाज मुक्त होगा। यह गांधी जी का ही दर्शन था। वे राज्य विहीन समाज की कल्पना करते थे। वे वर्ग विहीन और राज्य विहीन समाज की कल्पना करते थे। क्या हम ऐसा कर पाये हैं? इस प्रत्याशा में लोग थोड़े दिन तक रहे। उन गरीब, निर्धन, निर्बल, पिछड़े, दलितों की उस प्रत्याशा की भी पूर्ति नहीं हुई तो उनके अंदर निराशा आने लगी कि कुछ होने वाला नहीं है, कोई सुनने वाला नहीं है, अब हमें कहीं कुछ मिलने वाला नहीं है। उस निराशा से निकलकर अब वे हताशा की स्थिति में चले गये हैं। आप कहते हैं कि वोट डालो, किसे वोट डालें? अभी जय प्रकाश अग्रवाल जी कह रहे थे कि अनिवार्य मतदान किया जाए। वे कह रहे थे कि वे राजनीति नहीं करते हैं। गुजरात की सरकार ने स्थानीय स्वशासन के चुनाव में अनिवार्य मतदान का प्रावधान किया है और उसे वहां की विधान सभा ने पास किया है। क्या गुजरात की विधान सभा चुने हुए प्रतिनिधियों की सभा नहीं है, क्या वहां के विधायक वोट से चुनकर नहीं आये हैं? वहां की विधान सभा ने बहुमत से विधेयक पास किया और आप कहते हैं कि अपनी मर्जी से कर दिया। अगर हम लोक सभा में ऐसा करेंगे तो हमें भी कहेंगे कि लोक सभा में बैठे-बैठे सब अपनी मर्जी से कर दिया, लोक सभा में फालतू बकवास कर गये, तो क्या हमें अच्छा लगेगा? किसी भी राज्य विधान सभा के द्वारा बहुमत से पारित किसी विधेयक की अगर हम आलोचना करते हैं तो हम लोकतंत्र की मां की कोख पर लात मारते हैं। उसमें उन्होंने एक प्रावधान भी दिया है, जिसे नकारात्मक वोट कहते हैं। गुजरात की सरकार ने उसमें दिया है कि अगर कोई भी उम्मीदवार पसन्द नहीं है तो आखिरी में लिखो कि मुझे कोई उम्मीदवार पसन्द नहीं है। यह एक नया प्रयोग हो रहा है कि हमें कोई पसन्द नहीं है। गुजरात की सरकार यहां तक गयी। बिहार विधान सभा ने पास किया और पंचायती राज के चुनाव में महिलाओं को 50 प्रतिशत आरक्षण दिया। उस आरक्षण में पिछड़े वर्ग, दलित, सबके लिए प्रावधान किया। महिला में भी महिला है तो उसके लिए भी आरक्षण किया। जैसे पुरुष समाज के अंदर ये दबे, कुचले लोग अपने को सुरक्षित महसूस नहीं करते हैं, उनको आरक्षण का मतलब विशेष अवसर से है, जो कमजोर हैं

उन्हें विशेष मौका, विशेष अवसर दिया जाए, जिससे वे आगे बढ़ें। अगर घर में कोई सदस्य बीमार है तो उस बीमार सदस्य को सेब, सन्तरा, फल, सब्जी, दवाई, दूध, मक्खन दिया जाता है ताकि वह खाकर तन्दरूस्त बने और परिवार का एक स्वस्थ सदस्य बन सके। अगर घर के परिवार का कोई तगड़ा भाई यह कहे कि इस बीमार को जितना खाना देते हो, उतना ही खाना मुझे भी दो तो यह अन्याय है, अमानवीय है।

17.00 hrs.

इसलिए आरक्षण का मतलब था विशेष अवसर। विशेष अवसर देने का मतलब यह कि उनको अलग से अवसर दिया जाए जिससे वे बराबरी में आ सकें। इसलिए मेरी विनम्र प्रार्थना होगी कि आप समग्रता में चिन्तन करें। बिहार विधान सभा ने एक विधेयक पास किया। उसमें उसने सबसे पहले स्थानीय निकायों के चुनावों में 50 प्रतिशत आरक्षण की व्यवस्था की और उस आरक्षण की व्यवस्था में पिछड़े और अति पिछड़े वर्ग और महादलित जिसको कहते हैं, दलितों में अति कमज़ोर और पिछड़ों में भी अति कमज़ोर जो हैं, उनके लिए कुछ प्रावधान की व्यवस्था की, जिसको कहते हैं अनटु द लास्ट। जो थ्योरी रस्कीन ने दी थी जिसके आधार पर संत विनोबा ने सर्वोदय और महात्मा गांधी ने अंतिम मानव का दर्शन दिया, दीनदयाल उपाध्याय और डॉ. लोहिया उसको समता समाज और समरस समाज तक ले गए थे उन्होंने ऐसा किया। आखिर मतदान करने कोई नहीं जाता है तो क्यों नहीं जाता है? क्या वह नकारात्मक को ही वोट देगा? अगर चुनाव होता है और उम्मीदवार खड़े किये जाते हैं, उसी मशीन में नीचे एक विकल्प होना चाहिए कि मुझे कोई उम्मीदवार पसंद नहीं है, वह बटन दबाने का भी विकल्प होना चाहिए। मान लें जीतने वाले उम्मीदवार को 100 वोट मिले और नेगेटिव वोट 150 आ गए तो उस चुनाव को रद्द माना जाए और सभी पार्टियों द्वारा जितने उम्मीदवार खड़े हुए हैं, वे फिर दूसरी बार खड़े न हों। फिर दूसरे उम्मीदवार को पार्टियाँ लाएँ। तब अनिवार्य मतदान का कुछ मतलब निकलेगा। अनिवार्य मतदान किसे कहते हैं? मैं भूखा हूँ और आप कहते हैं कि खाओ। खाने के लिए क्या है - ये भैंस है, ये गाय है, ये घोड़ा है, गधा है - उनकी लीद हमारे सामने रख दें कि तुम इनमें से जो पसंद हो वह खा लो। क्या यह तर्क है? यह अमानवीय तर्क क्यों देते हैं? हमें अगर कोई उम्मीदवार पसंद नहीं है तो नहीं है। अगर यह कॉलम दे देते हैं कि इनमें से कोई भी उम्मीदवार मुझे पसंद नहीं है और अगर नेगेटिव वोट की संख्या जीतने वाले उम्मीदवार से ज्यादा हो तो चुनाव को रद्द करो, उन सभी उम्मीदवारों को हटा दो और हर पार्टी नया उम्मीदवार लेकर आए। तब कहीं लोगों में अभिलाषा जगेगी कि हमारे मन के लायक उम्मीदवार आया है और हम उसको चुन सकेंगे। अभी हमारे मन का तो कुछ है नहीं, राजनीतिक दल के द्वारा उम्मीदवार खड़े होते हैं, उनको सिम्बल दे दिया जाता है राजी या बेराजी तुमको वोट देना है, उसी में से तुमको चुनना है। अब किसको चुनो? एक थीसिस आई थी 'लैसर ईविल एंड ग्रेटर ईविल' - बड़ा दुष्ट और कमज़ोर दुष्ट। दुष्ट क्या कभी बड़ा होता है या

कहीं कमज़ोर होता है? डॉ. लोहिया ने जब राजनीति में इस थीसिस को दिया था, तब उन्होंने गैर-कांग्रेसवाद की नीति को देते हुए कहा कि कांग्रेस सबसे बड़ा दुश्मन है, इसलिए कांग्रेस जैसे बड़े दुष्ट को हटाने के लिए सभी छोटे-छोटे राजनीतिक दल आपस में मतभेद भुलाकर इकट्ठा हो जाओ - वहीं से गैर-कांग्रेसवाद का दर्शन चला। उसी तरह से आप कहते हैं कि हमने राजनीतिक दलों से उम्मीदवार खड़े कर दिये, इनमें से जो पसंद हो वह चुनो। ताकतवर दुष्ट और कमज़ोर दुष्ट में से जिसको चुनना है वह चुन लो। आखिर दुष्ट तो दुष्ट ही है। जो ईविल है वह न कमज़ोर होता है, न बलवान होता है। समय और अवसर के आने पर निर्बल दुष्ट भी बलवान बन जाता है और बलवान दुष्ट भी निर्बल बन जाता है। इसलिए राजनीति के शुद्धीकरण की दिशा में हमें प्रयत्न करना चाहिए।

अनिवार्य मतदान होगा, लेकिन अनिवार्य मतदाता सूची में नाम कहाँ होता है? आज भी जो गरीब हैं, निर्धन, पिछड़े, दलित समाज के हैं, उनके 30-40 प्रतिशत लोगों का नाम मतदाता सूची में नहीं रहता। आप दौड़कर जाओ, फोटो खिंचाओ, निर्वाचन अधिकारी के आफिस में जाओ, वहाँ फार्म भरो, वहाँ अपना नाम लिखाओ, एक दिन जाओ, दो दिन जाओ, तीन दिन जाओ, दौड़ो। नाम है मेरा हुक्मदेव नारायण यादव और फोटो लग गया इनका। कैसे काम चलेगा? वोट देने जाओ तो नाम किसी का है, फोटो किसी और का है। मेरा नाम है हुक्मदेव नारायण यादव और उसमें लिख दिया गया हुक्मदेव नारायण देवी। अब देवा को देवी बना दिया। अगर गलत मतदाता सूची बनाई जाती है और उसमें फोटो गलत लगाया जाता है, तो जो गलती करने वाले अधिकारी हैं, उन अधिकारियों के लिए दंड का प्रावधान होना चाहिए कि अगर वे मतदाता सूची गलत बनाते हैं, गलत नाम लिखते हैं, उसका विवरण गलत देते हैं, उनकी फोटो गलत लगाते हैं, तो इसके अपराध में उन अधिकारियों को सजा मिलनी चाहिए। जब तक उन्हें सजा नहीं देंगे, तब तक वे सही मतदाता सूची नहीं बना पाएंगे। यह मैं नहीं कहता, अभी सेंट्रल हाल में मैं बैठा था। कांग्रेस पार्टी के ही हैं, शैलजा जी हैं, शादी लाल बत्राजी, एडवोकेट हैं, एमएलए हैं, अब राज्यसभा में आए हैं। मेरे अच्छे मित्र हैं। अलका बलराम जी राज्यसभा में हैं। हम एक समिति में हैं, इसलिए चर्चा चली। उन लोगों ने भी कहा कि यह बात आप सही कहते हैं। इसमें ऐसा प्रावधान करेंगे, तभी सुधार होगा। मैं एक और बात की तरफ माननीय विधि मंत्री जी का ध्यान दिलाना चाहूंगा। ये बहुत ज्यादा प्रगतिशीलता की बात कहते हैं और करनी भी चाहिए। समाज बदलने के लिए साहस चाहिए और हिम्मत चाहिए। दुनिया को बदलने के लिए अकेले भी चलना पड़े, तो चलना चाहिए। जब हम आजादी की लड़ाई में और बिहार आंदोलन के समय लड़ते थे, तब हम यही गीत गाते थे -


हम लोग हैं ऐसे दीवाने, दुनिया को बदलकर मानेंगे,
मंजिल की धुन में आए हैं, मंजिल को पाकर मानेंगे।

सच्चाई के कारण गांधी ने सीने पर गोली खाई थी,
ईसा को झुलाया सूली पर बच्चों ने जा गंवाई थी।

इसलिए मेरी आपसे विनम्र प्रार्थना है कि साहस कीजिए। कौन वोट नहीं देता है? दिल्ली शहर में गगनचुम्बी अटालिकाएं हैं, दिल्ली में बड़े-बड़े लोग हैं, जाड़े में गर्म और गर्मी में ठण्डा, ए.सी. मशीन लगाते हैं। यहां इतने शोक के साधन हैं। हवागाड़ी पर चढ़ने की सुविधा है। एक-एक घर में तीन-तीन गाड़ियां हैं, लेकिन उस दिल्ली में वोट का प्रतिशत कम है। हमारे बिहार के गांव में ज्यादा वोट डाला जाता है, उससे कम है। ऐसा क्यों है, जबकि यहां तो सब सुविधा है। पढ़े-लिखे हैं, विद्वान हैं, एमए हैं, पीएचडी हैं, इंग्लैंड-अमरीका रिटर्न हैं, हवागाड़ी चढ़ने की सुविधा है, किसी चीज का अभाव नहीं है तो फिर वोट क्यों नहीं डालते हैं? ये पढ़े-लिखे सुविधा सम्पन्न लोग हैं, ये वोट कम डालते हैं। एक बात समझ लीजिए पिछड़ी जाति और दलित समाज के लोगों का वोट डालने का प्रतिशत बढ़ रहा है, क्योंकि इस लोकतंत्र में जितनी उनकी हिस्सेदारी हुई है, उतनी ही उनकी अभिलाषा भी जगी है। यह लोकतन्त्र की देन है कि आज इस सदन में लालू प्रसाद, मुलायम सिंह यादव, शरद यादव, हुक्मदेव नाराण यादव, रमेश बैस या मेरे साथ बैठे माननीय सदस्य अर्जुन मेघवाल, जो कि कलैक्टर थे, लेकिन इनको सच्चाई के अपराध में ऐसा दण्ड दे दिया गया कि यह सदन में पहुंच गए। हम लोग कैसे आए? शैलजा जी बैठी हैं, इनके पिताजी थे। यदि लोकतन्त्र में सभी लोगों को वोट डालने का बराबर का अधिकार नहीं दिया जाता। यदि गांधी जी सभी लोगों को बराबर का अधिकार नहीं देकर गए होते तो हम लोगों का कहीं स्थान नहीं होता। यदि संविधान में आरक्षण की सुविधा नहीं होती तो हिन्दुस्तान के किसी भी राजनैतिक दल को किसी भी अनुसूचित जाति और अनुसूचित जनजाति में कोई योग्य उम्मीदवार नहीं मिलता। योग्यता का मापदण्ड क्या है? आप किस मां के पेट से जन्म लेकर आए हो, भारतवर्ष में यही मान्यता बना दी गई कि अमुक-अमुक मां के पेट से जन्म लेने वाला ही योग्य माना जाएगा और अमुक-अमुक मां के पेट से जन्म लेने वाली संतान कभी योग्य हो ही नहीं सकती है। इतना बड़ा अपराध, इतना बड़ा सामाजिक अन्याय इस देश में चलता रहा। महात्मा गांधी यदि नहीं होते, बाबा साहेब अम्बेडकर नहीं होते, डॉ. लोहिया नहीं होते या ऊंची जाति में जन्म लेने वाले विवेकानन्द औद दयानन्द सरस्वती नहीं आते, भगवान बुद्ध नहीं आते, महावीर नहीं आते, ये लोग यदि धार्मिक और सांस्कृतिक क्षेत्र में अलख नहीं जगाए होते तो यह परिवर्तन नहीं आता। मेरी आपसे विनम्र प्रार्थना है, हम लोगों ने अपने परिश्रम से पुरुषार्थ से इसको बदला है...(व्यवधान)

SHRI P.T. THOMAS (IDUKKI): Hon. Member, you are telling that no *dalit* is coming out. You see, Mr. K.R. Narayanan, our beloved son of Kerala, became the

President of India. Why are you not seeing these things? Why have you not pointed out these things?

श्री हुक्मदेव नारायण यादव (मधुबनी): मैं अपनी बात आपसे कह रहा था, आप मेरी बात सुनें। मेरी न मजबूरी, न मुझे भय है और न ही कोई लोभ है, मैं निर्भय होकर अपनी बात बोलता हूँ। आप यह बात मान लें कि आज भी पिछड़ी जाति और दलित में से किसी को कुर्सी दी जाती है तो कहा जाता है कि हमने इन्हें कुर्सी पर बैठाया है। यह सरकार का शेर, भालू देखें या बॉयस्कोप का खेल देखें, जो सिनेमा दिखाते थे, बॉयस्कोप का नाच देखें। मेरे में जा, मीरा कुमार और हुक्मदेव नारायण यादव देखें। ये सरकार के खेल में अपने को आगे समझ कर कोई गर्व मत करना। अगर संविधान के द्वारा संरक्षण नहीं दिया होता तो हमें आगे बैठने की पंक्ति में कोई स्थान नहीं देता। हमारे पूर्वजों ने भोगा, हम सदियों से भोगते आए हैं और आज भी बहुत सी जगहों पर भोग रहे हैं। जिसका उदाहरण यह संसद है। आप अनिवार्य मतदान की व्यवस्था करते हो, क्या इस संसद का रूपांतरण हो पाया है? भारत को आजाद हुए इतने दिन गुजर गए, क्या इस संसद का रूपांतरण हो पाया है? संसद का रूपांतरण नहीं हो पाया है।

सभापति महोदय, आपके माध्यम से इनसे मेरी विनम्र प्रार्थना है कि आप उस पर जरा गहराई से चिन्तन करिए। आप जब अनिवार्य मतदान की व्यवस्था करेंगे तो मुझे हर्ष होगा, क्योंकि मुझे उसका लाभ मिलेगा। हमारी संततियां जग रही हैं और जगती जा रही हैं। आप जब अनिवार्य मतदान की व्यवस्था करेंगे तो जिसकी सबसे ज्यादा संख्या होगी, वह ज्यादा वोट डालेगा, लोकतंत्र में 51 का राज है, जिसका वोट 51 आएगा, उसका राज बन जाएगा। इसी लड़ाई को अगर मुलायम सिंह जी, लालू प्रसाद जी, शरद यादव जी और मायावती जी लड़ रहे हैं, चाहे अन्य कोई देश में लड़ रहा है, वे सामाजिक क्रांति की लड़ाई लड़ रहे हैं। मनुष्य को केवल रोटी ही नहीं चाहिए, इंसान को दो तरह की भूख है - एक पेट और एक मन की भूख है। पेट की भूख रोटी से मिटती है और मन की भूख इज्जत की मिटती है। हमें केवल रोटी देकर मत समझो कि भरपेट रोटी दे देंगे तो हमारी भूख मिट जाएगी, रोटी के साथ-साथ मन की भूख, इज्जत की भूख और इज्जत की भूख बराबरी की भूख है। इसलिए आज इस लोकतंत्र रूपी माता की वंदना करते हैं, प्रार्थना करते हैं, इस संसदीय लोकतंत्र रूपी माता ने अपने गर्भ से आज हिन्दुस्तान के सैंकड़ों पिछड़े, दलित, किसान, मजदूर, निर्धन, निर्बल, पीड़ित, उपेक्षित, जिनके पूर्वजों को कभी सड़क पर सीधे चलने नहीं दिया जाता था, आज उन्हें इस संसद में शेर जैसे गरजने का अवसर मिल रहा है। यह लोकतंत्र, भारत के संविधान एवं भारत की स्वतंत्रता की देन है, महात्मा गांधी और डॉ. अम्बेडकर की देन है।

इसलिए आपसे मेरी विनम्र प्रार्थना है, अगर मुझे यह अवसर मिला है तो मैं आप सब से हाथ जोड़ कर प्रार्थना करूंगा कि अपने इस अवसर का लाभ उठाएं। जिस समाज में जन्म लेकर आए हो, जहां पले हो, बड़े हुए हो, जिस समाज ने तुम्हें उठाया है, हमें आगे बढ़ाया है, कितनी बड़ी से बड़ी और ऊंची से ऊंची कुर्सी पर जाएं, लेकिन कभी अपने समाज की पीड़ा को मत भूलें। अगर हमारी एक आंख दिल्ली के लालकिले पर रहे तो दूसरी आंख झोंपड़ी वालों की तरफ भी रहे, जहां से हम निकल कर आए हैं। जब तक हमारी एक आंख उन झोंपड़ियों पर नहीं जाएगी और दूसरी आंख दिल्ली के लालकिले पर नहीं रहेगी तब तक हिन्दुस्तान की राजनीति का परिवर्तन नहीं होगा। आप जनप्रतिनिधित्व कानून में संशोधन एवं परिवर्तन करिए। आप अनिवार्य मतदान की व्यवस्था करिए, लेकिन मैं यहां एक बात जरूर कहूंगा कि यहां पाल जी बोल रहे थे तो उस पर लोग हंसे थे। जब सरकारी कर्मचारी रिटायर होते हैं तो उन्हें पेंशन दी जाती है। उस दिन अगर छुट्टी हो जाए तो उसका भी उन्हें वेतन भत्ता मिलता है, जिस दिन मतदान हो जाए तो किसी के लिए मत करो, लेकिन एक बात कर दो कि गरीबी रेखा से नीचे बीपीएल के जितने कार्डधारी हैं, वे जिस दिन वोट डालने जाएंगे तो जो लोग वोट डालेंगे, आप जो नरेगा वालों को मजदूरी दे रहे हैं, उस वोट डालने वाले बीपीएल कार्डधारी को उतनी मजदूरी देंगे।

सभापति महोदय, इसलिए वह मजदूरी दी जाए, क्योंकि वह कमाता है, राशन लाता है, बच्चों को खिलाता है। यदि नहीं कमाएगा, तो राशन नहीं आएगा और जब राशन नहीं आएगा, तो बच्चे भूखे रह जाएंगे, लोक तंत्र में वोट गिराएगा और सभी बच्चे भूखे पेट सो जाएंगे, इस लोक तंत्र से वह क्या पाएगा। इसलिए जो गरीब और निर्धन हैं, उन्हें कम से कम 100 रुपए मजदूरी दो जिससे वे वोट डाल सकें। जब आप स्टेट फंडिंग की बात करते हैं, तो उसमें यह क्यों नहीं जुड़ेगा? इसलिए उन्हें कम से कम 100 रुपए मजदूरी दें, जिससे वे वोट डालने जाएं और उस पैसे से वह अपना राशन लेकर आए और फिर अपने बच्चों को खिलाए।

महोदय, दूसरी बात यह की जाए कि जब वोट की प्रक्रिया शुरू हो जाए और आचार-संहिता लग जाए, उस दिन से मतदान की प्रक्रिया समाप्त होने तक हिन्दुस्तान में शराब की बिक्री बन्द कर दी जाए। क्या आप ऐसा कर सकते हैं? अनिवार्य वोटिंग अपने आप हो जाएगी, लेकिन आपको शराब की बिक्री इस दौरान बन्द करनी पड़ेगी, क्योंकि पैसे वाले, शराब के कारण हमारे लोगों का सबसे ज्यादा नाश कर रहे हैं। ये हमारे लोगों को बरगलाते हैं, हमारे बच्चों को ये शराब पिलाते हैं और हमारे घरों को उजाड़ते हैं। मुझे यह कहने के लिए क्षमा करें कि बड़े लोग, छोटे लोगों को पशु समझते हैं, जैसे कुत्ता सूखी हड्डी को चबाता है और उसके मसूढ़े से रक्त आता है, लेकिन वह समझता है कि सूखी हड्डी से रस निकल रहा है। उसी तरह पैसे वाले लोग हम गरीबों को चबाते हैं। मेरी आप से विनम्र प्रार्थना है कि अब जमाना लद गया है। आप अनिवार्य वोट की व्यवस्था करें। हमें उसमें लाभ ही लाभ है। हमें कोई नुकसान नहीं है। हमारे लोग अभी भी आगे बढ़ रहे हैं। धूप में आठ-आठ घंटे खड़े होने और वोट डालने का साहस हमारे ही आदमियों में है। हमारे आदमी आज भी वोट डालने के लिए चार और पांच किलोमीटर दूर चल कर जाते हैं। जो बड़े ताकतवर लोग हैं, वे भले ही नहीं जाते होंगे, लेकिन गरीब आदमी आज भी वोट डालने जाता है।

महोदय, मैं 1967 में एम.एल.ए. बना था। मैं 1962 में चुनाव लड़ा था। मैं वर्ष 1959-60 में ग्राम पंचायत का प्रधान बना था। मैं ब्लॉक का प्रधान बना। जिला परिषद् का अध्यक्ष बना। तीन बार एम.एल.ए. रहा और संसद में पांचवीं बार रह कर भारत सरकार के मंत्री पद तक गया। गांव के खेत-खलिहान से चल कर लाल किले तक की यात्रा कर मैंने देखा है। इसलिए मुझे रामचरित मानस की वे पंक्तियां याद आ गईं, जिनमें कहा गया है कि -

“ मंदिर-मंदिर प्रतिकर सोधा, देखे जहं-तहं अगनित जोधा। गयऊ दसानन मंदिर माही, अति विचित्र कही जात सो नाहीं। शयन किए देखा कपि तेही, मंदिर महुं न दीख वैदेही।”

मैं गांव की गली से निकल कर लाल किले तक चल कर आया हूं। मेरे पिताजी, आठ चाचा और चार चचेरे भाई स्वतंत्रता सेनानी थे। मेरा घर लूटा गया। मेरे घर को अंग्रेजी-राज में लूट लिया गया। मैं तीन साल का था। मेरी मां, मुझे गोद में उठाकर, नाव पर चढ़ कर ननिहाल ले गई थी। मेरे पिताजी, चाचा और चचेरे भाई स्वतंत्रता सेनानी थे। हमारा गांव आदर्श गांव बना। उनके पत्थर लगे हुए हैं। जब आजादी के बाद दिन आने लगे तब जो महलों में रहने वाले थे, उनमें किसी ने आजादी की जंग में अपना एक महल दे दिया, तो बदले में उन्होंने भारत की राजनीति पर कब्जा कर लिया। मेरा घर उजड़ गया, परिवार उजड़ गया, घर जल गया, मां-बाप सब परेशान हुए, मैं भी मां की गोद में परेशान हुआ था, तब देश में आजादी आई थी। इसलिए मैं इस पीड़ा के साथ लड़ता हूं, क्योंकि मेरे पिता ने इस देश की आजादी के लिए अपना खून दिया

था, मेरे खानदान ने खून दिया, मेरे परिवार ने खून दिया और मैं उस संघर्ष से निकल कर आया हूं। इसलिए उस संघर्ष की अग्नि में तपा हुआ आदमी, कभी धूमिल नहीं होता है। हम उस संघर्ष की आग को निरंतर जलाते चलेंगे, उस मशाल को निरंतर जलाते चलेंगे, उस दिन की कल्पना के साथ, जिस दिन भारत की संपूर्ण सत्ता, आर्थिक सत्ता, राजनीतिक सत्ता, सामाजिक सत्ता, सांस्कृतिक सत्ता, प्रशासनिक सत्ता और जितनी भी सत्ताएं हैं, जब तक उन सभी संस्थाओं पर भारत के निर्बल, निर्धन, दलित, पिछड़े, गरीब, भूखे लोगों का पूर्ण वर्चस्व नहीं होगा, तब तक भारत में संघर्ष रहेगा। इसलिए अनिवार्य मतदान करिए, हमें सुविधा दीजिए और अनिवार्य मतदान कोई करे न करे, अरे साहब, किसी को करोड़ों रुपए दोगे, तो नहीं मानेगा, हम तो कहते हैं, हमारी घर की औरतों को, हमारे दादा, ताऊ और चाचा को वोट के लिए 100 रुपए दे दो, उन्हें वोट के लिए जरा सा इंसेंटिव दे दो, देखो वोट का कितना परसेंट बढ़ता है। आप अगर इंसेंटिव न भी दोगे, तो भी हम वैसे ही वोट का परसेंट बढ़ाएंगे। मैं अंतिम बात कहता हूं कि आप इंसेंटिव नहीं देंगे, तब भी हम मतदान केन्द्रों पर जाएंगे। धूप में जलेंगे, पानी में भीगेंगे, जाड़े में ठिठुरेंगे, मतदान केंद्र पर जाएंगे, इसलिए जाएंगे कि लोकतंत्र पर मुझको अधिकार जमाना है और भारत की सत्ता पर हमें अपनी सन्ततियों को सम्मान के साथ बैठाना है, जिसके लिए वह भूखा है। उस अरमान को पूरा करने के लिए और लोकतंत्र में सुधार के लिए हम आपसे समर्थन मांगते हैं और आपसे भी कहते हैं कि समर्थन दीजिए।



श्री महाबल मिश्रा (पश्चिम दिल्ली): आदरणीय सभापति जी, श्री जय प्रकाश अग्रवाल द्वारा जो प्राइवेट मेंबर बिल लाया गया है, यह बहुत ही महत्वपूर्ण विषय है। मैं आज हुक्मदेव जी को सुन रहा था, मुझे लग रहा था कि वह बहुत कुछ सुझाव देंगे, लेकिन रामायण और लोकगाथा में ही वह अपना समय व्यस्त किए हैं। मैं समझता हूँ कि जिस तरह से वह बोले, कुछ कांग्रेस के हक वाली बात बोले हैं। इस कड़ी में कहना चाहूँगा कि स्वर्गीय राजीव गांधी ने 18 साल से 25 साल के नागरिक को वोट देने का अधिकार दिया, उनका जिक्र आपने नहीं किया। सबसे बड़ा यह काम स्वर्गीय राजीव गांधी ने किया था। हमारे कानून मंत्री जी स्वयं रामायण के ज्ञाता हैं और रामायण भी लिखते हैं। वह मानवीय दृष्टिकोण से इस बात को समझेंगे। आज उस विषय पर थोड़े कम समय में ही अपनी सजेशन देना चाहता हूँ। बिहार, उत्तर प्रदेश या कहीं भी, हिमालय की चोटी से लेकर बंगाल की खाड़ी तक जम्मूतवी से लेकर कन्याकुमारी तक के लोग दिल्ली में, पंजाब में, महाराष्ट्र में, हरियाणा में, असम में, कोलकाता और अन्य जगह नौकरी करने जाते हैं। वे नौकरी करने जाते हैं, लेकिन उस 18 से 25 साल के नागरिक का वोटर लिस्ट में नाम नहीं है। वोटर लिस्ट में नाम नहीं होने की वजह से वह वोट नहीं डाल पाता है। मैं एक एग्जांपल देता हूँ कि दस लाख से ज्यादा लोग हैं, जिनका वोटर लिस्ट में नाम नहीं है। इस कारण उनका राशन कार्ड नहीं बनता है, उनके बच्चे का स्कूल में एडमिशन नहीं होता है, हास्पिटल में बीमारी का इलाज नहीं होता, क्योंकि वे दिल्ली के नागरिक नहीं हैं। आज इंडस्ट्रियल टाउन होने की वजह से आप पंजाब में देखेंगे, दो-तीन महीने पहले वहां लाठीचार्ज हुआ। हजारों की संख्या में हम वहां गए थे। हजारों की संख्या में लोग लुधियाना में रहते हैं। लोग वहां रोटी कमाने के लिए जाते हैं, लेकिन उनका वोटर लिस्ट में नाम नहीं है। दिल्ली में 18 से 25 साल के लोग, दिल्ली के बाहर से आए लोग, चाहे वह उत्तराखंड के हों या हिंदुस्तान के किसी कोने से आए हों, जो किराए पर रहते हैं, मकान मालिक उसे लिखकर नहीं देता, क्योंकि उसको डर होता है कि दिल्ली में मकान मालिक लिखकर देगा कि यहां इसका वोट है, तो वह उसके मकान पर कब्जा न कर ले। उनके साथ यह दिक्कत आती है, उनका राशन कार्ड नहीं बनता है और वोटर लिस्ट में नाम नहीं होता है। इसी तरह से आपने महाराष्ट्र में देखा, असम में देखा, मध्य प्रदेश, भिलाई और रायगढ़ में आप जाएं, पूरे पूर्वांचल के लोग वहां हैं, हिंदुस्तान के कोने-कोने से वहां लोग आए हैं, हरियाणा में जाएं या कोलकाता में जाएं, इन तमाम सिटीज में 18 से 25 वर्ष के लोग नौकरी करने के लिए जाते हैं।

महोदय, मैं इस बिल का समर्थन का समर्थन करने के लिए खड़ा हुआ हूँ। यह हमारे प्रदेश अध्यक्ष जी का भी क्षेत्र है। मैं कहना चाहता हूँ कि आज दिल्ली में 10 लाख से ज्यादा लोग बिना वोट और राशन कार्ड के हैं। इसका कारण है कि मकान मालिक उसे लिखकर नहीं देता है। यह उसकी बहुत बड़ी जटिल समस्या है। मैं राय देना चाहता हूँ कि आप सेल्फ एफिडेविट बनाने पर विचार करें, क्योंकि मेरा मकान है, मैं उसको किराये पर शो नहीं करना चाहता। इससे उनका राशन कार्ड नहीं बनता, राशन कार्ड नहीं बनता तो आई-कार्ड नहीं बनता। उन्हें दिल्ली की नागरिकता नहीं मिलती या पंजाब की नागरिकता नहीं मिलती है, इसलिए मेरी राय है कि सेल्फ एफिडेविट डिक्लेयरेशन के लिए पांच रूपए के पेपर पर अगर वह लिखकर देता है कि दिल्ली या दिल्ली के बाहर मेरा कहीं भी राशन कार्ड या आई-कार्ड नहीं है, तो निश्चित रूप से उसको सम्मिलित किया जाना चाहिए, क्योंकि यह 18 से 25 साल के लोगों की बात है।

हमारे दिल्ली प्रदेश अध्यक्ष यहां उपस्थिति हैं और भी तमाम कानूनविद बैठे हैं। हमारे आदरणीय मंत्री जी बहुत मानवीय दृष्टिकोण रखते हैं और बहुत धार्मिक प्रवृत्ति के इन्सान हैं। आपने कहा कि कंप्लेक्सरी वोटिंग होनी चाहिए, यह होना चाहिए। कई बार 33 पर्सेंट वाले सरकार में बैठ जाते हैं। क्यों न मेनडेटरी से ही हो? जब वोट ही नहीं बना होगा, तो मेनडेटरी कहां से होगा। 18 से 25 साल तक के लोगों को सैल्फ डिक्लेयरेशन पर यह अधिकार देना चाहिए जिससे उनका राशन कार्ड बन सके। अभी मौलिक अधिकार की बात की जा रही थी। अभी हुक्मदेव जी बोल रहे थे, तो मैं सुन रहा था। मैं बिहार में उनका वोट भी रहा हूँ। लेकिन इस तरह के लोक लुभावन भाषण से काम नहीं चलेगा। आपने गुजरात की उपमा दी है। आपने बिहार में दलित और महा दलित को बांटने का काम किया है। कांग्रेस पार्टी ने हिन्दु-मुस्लिम, सिख-ईसाई को एक करने की बात कही है, कभी बांटने का काम नहीं किया है। कांग्रेस ने हिन्दु-मुस्लिम, सिख-ईसाई का एक नारा दिया है, लेकिन आपने दलित, महा दलित, पिछड़े, अति पिछड़े करके जातिगत आधार पर बढ़ावा देने की बात की है। कांग्रेस पार्टी ने कभी भी ऐसा नहीं चाहा। स्वर्गीय राजीव गांधी ने कभी जाति के आधार पर नहीं कहा। उन्होंने कहा था कि 18 साल के बच्चे मौलिक अधिकार का महत्व जानते हैं। उन्होंने कहा कि उन्हें वोट देने का राइट हो। मैं आज स्वर्गीय राजीव गांधी जी को याद करता हूँ। ठीक है, मौलिक अधिकार है, हम दिल्ली से चुनाव लड़ते हैं, लेकिन लोग चाहे मद्रास, पंजाब से आते हैं, महाराष्ट्र में देखिये। वहां कहा जाता है कि नागरिकता नहीं है, तो भगाओ। वहां बाल ठाकरे जी का समर्थन करते हैं, भगाने की बात करते हैं। वहां के मुख्य मंत्री चव्हाण साहब ने क्या कहा था? यहां से पुरबियों को भगाओ। लेकिन आप उसका समर्थन करने की बात करते हैं। मुख में राम और बगल में छुरी नहीं चलेगी। आप कहिये कि हिन्दुस्तान में सबको मौलिक अधिकार है। कोई व्यक्ति कहीं भी जा सकता है, नौकरी कर सकता है और अपना पेट पाल सकता है। ...(व्यवधान) शीला जी ने ऐसा नहीं बोला था।

आपने बात को टिविस्ट किया। मैं माननीय अध्यक्ष सोनिया जी को हार्दिक बधाई देता हूँ। यदि शीला जी ने ऐसा बोला होता तो महाबल मिश्रा आज एमपी नहीं होता। महाबल मिश्रा को टिकट किसने दिया? श्री जय प्रकाश अग्रवाल, शीला जी या सोनिया गांधी जी ने पूर्वांचल के लोगों को इस तरह नहीं बोला। उन्होंने हमेशा पूर्वांचल के हित की बात की। यदि उन्होंने पूर्वांचल के हित की बात नहीं की होती तो छठ की छुट्टी नहीं मिली होती। दिल्ली में भोजपुरी, मैथिली अकादमी नहीं बनी होती। मैं आपसे आग्रह करता हूँ कि चाहे कोई उत्तराखंड से आया हो, चाहे बिहार से आया हो, उत्तर प्रदेश से आया हो या पंजाब से आया हो, हरियाणा में 18 साल से 25 साल तक के बच्चों का सैल्फ डिक्लेयरेशन पर वोटर लिस्ट में नाम जाना चाहिए जिससे वे राशन कार्ड में अपना नाम लिखवा सकें।

आज महंगाई की चर्चा हो रही थी। प्रधान मंत्री जी ने बहुत अच्छे शब्दों में कहा। मैं महंगाई के बारे में कहना चाहता हूँ कि लोगों के पास राशन कार्ड नहीं है, आई कार्ड नहीं है। इसलिए तेल की दुकान पर, राशन की दुकान पर उन्हें राशन नहीं मिलता जिससे उन्हें ब्लैक में खरीदना पड़ता है। राशन कार्ड के लिए आई कार्ड की जरूरत है। 18 साल से 25 साल तक के बच्चों को पांच रुपये के स्टैम्प पेपर पर सैल्फ डिक्लेयरेशन देकर वोटर लिस्ट में नाम लिखना अनिवार्य करना चाहिए। मैं माननीय मंत्री जी से कहना चाहूंगा कि वे निश्चित तौर पर इस पर ध्यान देंगे। मैं हुक्मदेव जी से कहूंगा कि यदि आपने महात्मा गांधी जी का नाम लिया है तो आपको स्वर्गीय राजीव गांधी जी का नाम भी लेना चाहिए। आपने अम्बेडकर जी का नाम लिया। राजीव गांधी जी अछूते नहीं हैं। राजीव गांधी जी ने भी अच्छा काम किया था। उनके नाम की भी चर्चा करते, तो मुझे अच्छा लगता। आपने मुझे बोलने का मौका दिया, इसके लिए बहुत-बहुत धन्यवाद।

MR. CHAIRMAN : We have already taken the allotted two hours for this Bill. If hon. Members agree, we can extend the time by one more hour.

SEVERAL HON. MEMBERS: Yes.

MR. CHAIRMAN: So, the time for this Bill is extended by one hour more.

SHRI B. MAHTAB (CUTTACK): Mr. Chairman, Sir, at the outset I would thank Shri Jai Prakash Agarwal for moving this Bill. In a way he has allowed us to think over the matter, the causes for low polling and the demerits that have crept into our election system. Some years back we had also discussed about this compulsory voting in our country and this House also had deliberated on this issue. I am reminded, in this democratic set up in our world, in different countries, we have different types of democracies. We have adopted a system - 'first past the post' – and that is how a Member gets elected. It is not like the European countries like Germany or France where a specific number of votes is required for a Member to be elected. We have adopted a system as in Britain which is the 'first past the post'; whoever gets maximum number of votes wins and he is elected. A person who gets one per cent less from the winner is nowhere, he is not recognized. But in other countries, specially in Germany, Italy, France etc., it is a specific percentage of votes that is counted and that is how many number of Parties also get representation in their Houses. But we have adopted this system. It has its merits, it has its demerits.

But when we are discussing about compulsory voting, I can understand the predicament of Shri Jai Prakash Agarwal – he is representing an urban area. Shri Hukmadeo Narayan Yadav does not represent an urban area. He had also participated in the earlier discussion when we discussed about the compulsory voting in this House, perhaps it was in 14th or 13th Lok Sabha.

But, I would ask – which are the countries which have adopted compulsory voting? Some 38 or 39 or 40 countries have this system of compulsory voting. But those are smaller countries where the population which comes to vote or those who are entitled to vote, their number is very less. In our country it is 71 crore or 714 million voters. In 2009 when we went to polls for our General Election, it was 714 million registered voters. Of course, I remember the day when I participated in the earlier discussion during a Private Member's Bill where I had said that out

of 543 Members who have been elected to the Lok Sabha, how many of them have got more than 50 per cent of their voters' support? How many of them have got it? Some NGO or some group of people or researchers have made certain researches and it has been published in different newspapers.

In the constituencies of many of us, the total polling is less than 50 per cent of the total electorate and we have been elected, many of us have been elected getting 18 per cent or 22 per cent of votes of the total electorate whom we represent here. But that is the system.

I was referring to the Constitution. I would remind Shri Jai Prakash Agarwal one thing. The hon. Minister of Law and Justice is going to participate in this discussion. As per our Constitution and election law, voting is a civic right; it is not a civic duty. Shri Hukmadeo Narayan Yadav hails from a freedom fighter's family and so also Shri Jai Prakash Agarwal hails from a freedom fighter's family. Should I say I also belong to a freedom fighter's family? Yes.

It is the utmost duty of all of us to uphold the cause of freedom for which many people have sacrificed their lives. Very humbly, I would state that when you say to make it compulsory, you are trampling on the freedom of a citizen and you are forcing him to express his opinion. Our Constitution does not give that right to any of us to force a person to express his opinion. It is his civic right. He may express or he may not express it. We have not enshrined in our Constitution that it is a duty, but subsequently whenever we have discussed this, this issue has cropped up. A Committee under the chairmanship of former Chief Justice J. S. Verma was appointed in 1998. He gave a report to the then Government, in which it was suggested that ... *(Interruptions)*

THE MINISTER OF LAW AND JUSTICE (SHRI M. VEERAPPA MOILY): It was Venkatachaliah Committee to review the Constitution.

SHRI B. MAHTAB (CUTTACK): Justice Venkatachaliah Committee comes later. I will come to that later. It was Justice J.S. Verma Committee which had first given a report in October, 1999. It suggested that duty to vote at elections, to

actively participate in the democratic process of governance and to pay taxes should be included in Article 51A of the Constitution. What is Article 51A? It enumerates the Fundamental Duties of every citizen. In its sub-clauses (a) to (j), a number of duties have been enshrined. Justice Verma's suggestion was that once you make it a duty of the citizen to vote at elections, you also make it a duty that he should pay taxes. He had coined these two words. It was the National Commission to review the working of the Constitution of India about which hon. Law Minister mentioned. Justice Venkatachaliah and others had participated in that. They had also mentioned that the first and foremost step required by the Union Government and the State Government is to sensitise the people and to create a general awareness of the provisions of Fundamental Duties among the citizens on the lines recommended by Justice Verma Committee. It had strongly suggested implementation of some of the Fundamental Duties, including the duty to vote at elections by amending Article 51A of the Constitution. I would say that these are the suggestions.

What the Election Commission had said when Gujarat Assembly passed a resolution. Very faintly, without going into the politics of it, the Election Commission had stated that it was very impossible to organize it. That was their instant reaction in a very faint manner. I fully agree that there are pros and cons. Once you make it mandatory, you compel the voter to vote and the mover of the Bill has suggested certain punishments, like fine of Rs. 500 or two-day imprisonment, forfeiture of his ration-card, to render him ineligible of contesting any election for a period of ten years and so on and so forth. But I would say that a great cost is also involved in it, namely, to identify, to locate and also to punish. Once the vote is cast, if somebody has not done as per the provisions of the law, then how long will it take to prosecute that person with our system of courts and judiciary?

How long will it take to do it? Who will prosecute them? Who will be the complainant? Will the Election Commission be the complainant or the District



Magistrate be the complainant? Who will be the complainant? Will the candidate be the complainant? These things are lacking in the Bill.

I would not take much time, but I would say that the time and funds required to enforce the rule will cost several thousands of crores of rupees. Compulsory voting has certain plus points. It will enhance the percentage of votes and it will force the educated people to come to vote who actually take the benefit of the democratic system of our country. They will be forced to come out to vote, and with educated people coming out to vote, it will definitely make a change to the people who get elected and it will also put pressure on the political parties to field better candidates. But with this, if the mover of the Bill would have added -- as was suggested by Shri Hukmadeo Yadav -- that a rejection or negative vote also should be enshrined, then it will help to a great extent.

But I am of the view that to make it compulsory or mandatory for the Indian citizens is too unwieldy a situation. It can happen in Switzerland and it can happen in smaller countries. It can happen even in Delhi itself where you can enforce it in a limited way as has been done in Gujarat. I do not know whether it is in force or not, but you can enforce it in the urban areas. But it is very difficult to enforce it in a country where 71 crore people or 714 million people are in the voters list. It is a utopian idea.

No doubt that everybody should come out to vote, but the basic question is this. The people amongst themselves ask during election time and all of us also know what voters ask from us. What is the benefit that I am going to get if I am going to vote? He is not asking for money; he is not asking for prestige; and he is not asking for certain chair where he will sit. He is asking a very pertinent question to the system that we have developed within the last 63 years. Is this democratic system benefiting me in a certain way? Is it empowering me to get my ration card or get the job that I am supposed to get? This question he is asking to a candidate. What does the candidate say to him? Give me vote; I will get elected; and I will do everything for you. This is what the candidates have been saying for

the last 63 years, and in a way, a number of citizens of our country feel very disenchanted with the system.

Of course, by raising this issue, Shri J. P. Agarwal has brought the issue before this House to deliberate. I would think that he wants us to deliberate on a very particular issue. Is the system -- that has developed within the last six decades or so -- delivering justice to the citizens for whom the freedom fighters have fought? Subsequently, when I heard his colleague from Delhi speaking in favour of the Bill, should I say that the Congress is in support of making this Bill pass in this House?

MR. CHAIRMAN: It is a Private Member's Bill.

SHRI B. MAHTAB : Yes, it is a Private Member's Bill, but I would say that let us all deliberate on this. Certain corrections are necessary, and this discussion is required not only in this House but also outside where we can educate ourselves and our people, and accordingly reform the system that has been there and which is actually not delivering justice.

*SHRI C. SIVASAMI (TIRUPPUR): Mr. Chairman, Sir, in order to protect himself, his property and to safeguard his interests and to ensure a Government of his preference by electing representatives of his choice to guide the lives of people, every individual has got voting right as his only talisman. A voter is empowered to change a government and to elect a government.

What is prevailing today as of now with regard to voting rights and voting method raises a question as to whether people are able to elect a government of their choice. There are many hurdles and lacunae coming in the way. This is what I would like to bring to the notice of this august House. If we want all the cent per cent of people to come forward to vote, we must ensure a conducive atmosphere for all the people to cast their vote. We are now deliberating the same.

Our Constitution provides that all the citizens who have completed 18 years of age have got voting rights. But when you go to a polling booth, you will be permitted to exercise your voting right only when your name has been enumerated in the Voters' List available with the Polling Officer. It is not enough that you have voting right, but you must find your name in the Voters' List. Every year, when the Voters' List is revised, according to the rise in population, the Voters' List too must swell. But officials involved in that duty restrict the rise in number to two per cent only. Even if the request from the individual eligible people is more in number, say four to five per cent, they are not enrolled. The officials on duty think that they may become answerable to their higher ups and as a result of this apprehension, they curtail it to two per cent only. So, the aspirants and applicants to get their name registered in the Voters' List are deprived. It is difficult for those who have completed 18 years of age to get their names enrolled in the Voters' List. It is not that easy and it is very cumbersome. I can even go to the extent of saying that it would be rather easy to get elected as a Member of Parliament than to get enrolled as a voter in any of the Lok Sabha constituency.

* English translation of the speech originally delivered in Tamil.

If the revision of Voters' List is carried out according to the increase in population in every constituency, 5,000 to 10,000 new voters would be added. But what is available today is something to the contrary. It is rather strange to note that in some constituencies, the number comes down from what it was in the previous year or the previous election. Such confusion prevails there in our country in many constituencies. We must note that the candidate can be declared to have been elected with a margin of very meager number like 10 or even less or it can even be by a single vote. From Singanallur Assembly Constituency, a legislator was elected by a margin of 14 votes. In the neighbouring Pongalur Constituency, a candidate lost his choice by 40 votes. So we find that an improper Voters' List can change the fortunes of a Government.

When we want all the eligible voters must vote without fail in the elections, then we must ensure that a right atmosphere for all the voters to cast their vote is there during the elections. Necessary formalities and basic requirements in this regard must be completed and fulfilled. Today we are casting our vote. We cannot be very sure that our vote has been cast in favour of the candidate of our choice. There is no way to ascertain that we have cast our vote the way we wanted to. We are not sure what we have done because we are not in a position to know what we have done. This is the situation available now. With these Electronic Voting Machines, we cast our vote without knowing for sure what we are doing. Even when you are to buy a cloth in a cloth store, you see the cloth, ascertain for yourself the choice and then buy. There is no way in the case of our voting to find out whether we have voted only to the candidate of our choice. Earlier on we used to have ballot papers. It was then easy for us to check for ourselves whether we have inked our vote on the symbol of the candidate of our choice. We were able to verify before putting the ballot in the ballot box. Now, EVMs are there. We press the button. There is a 'beep' sound. We are to believe that we have voted. We are also to believe that we have voted for the candidate of our choice. But we cannot

verify it for ourselves. So, a person with the voting right has no right to know the fate of his vote.

That is why, our Leader and the General Secretary of our AIADMK and the former Chief Minister of Tamil Nadu Puratchi Thalaivi Amma has been reiterating that the earlier system of voting through ballots should be resumed giving a go-by to the Electronic Voting Machines which have got the scope for going out of order due to possible malfunctioning.

I am duty bound to point out here that even after several years of Independence, our voting percentage is much to be desired. In Jammu and Kashmir, only 20 per cent of voters cast their vote during the previous election. Later on, during the Assembly election, the voting percentage improved by about 30 to 35 per cent because of the security measures that instilled confidence among voters. We must take steps to give adequate protection to people so that they may gain confidence that there is a guarantee for the safety of their lives. It will not be out of place on my part to point out that we witness violence and war-like situations which may even put to shame Indo-Pak war. We find from the media the increase of violence especially during elections even near election booths. We can see them through our TV sets. It is so common that it is for all of us to see. A culture of violence has set in. That is why, the Chennai City Corporation elections were revoked and re-election was done. That happened because of unprecedented violence that took place in Chennai city that day. So, even if we want to ensure cent per cent voting, it is not that easy at this juncture. Only when people feel safe and guaranteed of their safety and security will they come forward to vote. As long as violence prevails, no amount of emphasis on cent per cent voting can take off. We need to ensure safety and security first.

I am in the public life taken to party politics and I am an elected District Secretary of AIADMK. In all my public life, I have contested in elections five times, right from local body elections to parliamentary elections. Every time my family members were bidding farewell to me when I was leaving home they were

not that much afraid like now. I have contested in local body elections twice, assembly elections twice and lately parliamentary elections. They now say that I must come back safe. That is the kind of security scenario and violent culture prevailing now. They even ask me whether I am sure of protecting myself and come back alive. Such is the worst situation now.

Fear has spread and apprehension is there in the minds of everyone now. This situation must be changed for the better to guarantee the public that we can hold free and fair elections and only then we can ensure better participation, leading to total participation of all the electorates in all the elections. It is only after that we can hold our heads high with the satisfaction of upholding democracy.

We used to have leaders with farsightedness and vision to plan for the welfare of the people, but today we find leaders coming out with populist measures and free distribution schemes having next elections in their minds. Such is the electoral politics now. This is the situation within which we have to hold elections, ensuring the participation of our voters. There is also an unsavoury trend that only those who have money can win.

It is right thinking to believe that we can strengthen our democracy by way of ensuring total participation of all the electorates with cent per cent casting of their votes, but the challenges are one too many. Voters are being bought. Money is being shelled out. It is said that a vote is purchased for even Rs. 2,000. Some people think that they can win anywhere if they have money enough in their pockets. If we allow this trend to continue, we will be allowing ourselves to be ruled by money rather than we rule ourselves with a democratic form of government. This will put spokes in the hopes of ordinary people and ordinary citizens hailing from workmen's families and rural and backward areas to come forward to take part in elections. We have to answer a question whether we can help the democracy to survive and grow under these circumstances.

I wish a suitable amendment is inserted in this Bill so that money power is clamped to claim a hold over the voters and sway the elections. Stringent measures

and enactment of laws must be in place to put an end to money power in elections. Electoral violence must attract severe punishment and suitable measures in this regard must be taken without which we cannot think of people's participation and that too cent per cent participation in elections. There can be free and fair elections only when we resort to corrective measures to put an end to violence and money power.

Before concluding my speech, I would like to reiterate the need to do away with EVMs. Let me ask all the Members here again whether you were able to see for yourselves whether your vote cast during the last Lok Sabha elections was cast the same way you wanted to vote. You were deprived of your right to know how you have voted. Along with the right to vote, you also must have the right to know how you have voted. So we need to extend this right to the people by way of restoring the ballot system during voting. This will help the people to regain confidence in our electoral democratic system. This is the need of the hour. I hope, we will all put our head and the heart together to evolve a conducive atmosphere.

श्री अर्जुन राम मेघवाल (बीकानेर): महोदय, मैं जय प्रकाश अग्रवाल द्वारा प्रस्तुत किए गए गैर सरकारी विधेयक अनिवार्य मतदान के संबंध में चर्चा करने के लिए खड़ा हुआ हूँ। इस चर्चा के दौरान बहुत महत्वपूर्ण बिंदु उभरकर आए हैं। मैं मानता हूँ कि अनिवार्य मतदान होना चाहिए। जैसा अग्रवाल जी और माननीय सदस्य ने भी बताया कि मतदान कम क्यों होता है। मेरा कुछ प्रैक्टिकल अनुभव है जिसके आधार पर मैं कुछ कहना चाहता हूँ। कुछ एनजीओज़ और ऑर्गेनाइजेशन, जो इलैक्शन रिफार्म में काम करते हैं, उनकी सर्वे रिपोर्ट भी है जिससे एक चीज समझ में आई है कि मतदान की प्रक्रिया में लोगों का विश्वास नहीं रहा है और इस कारण मतदान कम हो रहा है। परसेंटेज कम होने का एकमात्र कारण है कि लोगों का मतदान की प्रक्रिया में विश्वास नहीं रह गया है। प्रक्रिया का मतलब यह नहीं है कि लोकतंत्र में लोगों का विश्वास नहीं है। इसमें विश्वास है लेकिन प्रक्रिया में विश्वास नहीं है। एक जगह बात आई कि एक जगह आठ मतदान केंद्र हैं, लंबी कतार है, कोई आदमी अगर दस बजे जाएगा और तीन बजे टर्न आएगी तो वह कहेगा कि क्यों चार घंटे खराब करें। एनजीओज़ ने कुछ ऐसे बिंदु उठाए हैं कि किस कारण मतदान प्रक्रिया में आम मतदाता का विश्वास कम हुआ है। इस देश में 71 करोड़ 40 लाख मतदाता हैं। इनमें से लोकसभा और विधान सभा चुनावों में 50 परसेंट से कम मत देते हैं। हम पंचायत समिति के चुनाव की बात करते हैं। राजस्थान में सरपंचों के चुनाव हुए, कई जगह 90 परसेंट वोट पड़े और कई जगह 70 परसेंट से ऊपर वोट पड़े। वहां इन्ट्रस्ट क्यों है और यहां क्यों नहीं है? यह गैप है। लोकसभा के लिए जो आदमी खड़ा है, उसे कम वोट देते हैं और सरपंच को ज्यादा वोट देते हैं। इसके अध्ययन की जरूरत है कि यह गैप क्यों आ रहा है। इसका मतलब है कि या तो गांव वालों को पकड़ कर ला रहे हैं। आप अनिवार्य मतदान कानून बनाएंगे तो इसके कई फायदे होंगे।

महोदय, एक बात इलैक्शन रिफार्म के दौरान आई कि इम्पेक्ट फीचर के माध्यम से मीडिया के लोग कैंडीडेट से एड और समाचार में आने के लिए पैसे वसूलते हैं। जब लोकतंत्र इस देश में आया, वर्ष 1952 में चुनाव हुए तब यह इम्पेक्ट फीचर नहीं था। लेकिन अब यह आ गया है। नई टेक्नोलॉजी से नई चीजें आ गईं। शायद उस समय धनबल का प्रयोग होता होगा लेकिन अब यह बढ़ा है। मसल पॉवर बढ़ी है, आपराधिक प्रवृत्तियां ज्यादा आ रही हैं, बाहुबल बढ़ा है, एससी और एसटी के लोगों का वोट कोई और दे जाता है। ये सब बीमारियां जो मतदान प्रक्रिया में आई हैं। अनिवार्य वोटिंग कानून से इन सबको दूर किया जा सकता है। लेकिन यह बड़ा क्रांतिकारी कदम है। यह बात सही है, इन्होंने कहा कि यह देश बहुत बड़ा है। लेकिन यदि कोई क्रांतिकारी कदम उठायेंगे।



MR. CHAIRMAN : Shri Arjun Ram Meghwal, you can continue later on. The House stands adjourned to meet again on Monday, March 08, 2010.

18.00 hrs

The Lok Sabha then adjourned till Eleven of the Clock on Monday, March 08, 2010/Phalguna 17, 1931 (Saka).

