

C O N T E N T S

**Sixteenth Series, Vol. XXXIV, Sixteenth Session, 2018-2019/1940 (Saka)
No. 5, Monday, December 17, 2018/Agrahayana 26, 1940 (Saka)**

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OFFICERS OF LOK SABHA

THE SPEAKER

Shrimati Sumitra Mahajan

THE DEPUTY SPEAKER

Dr. M. Thambidurai

PANEL OF CHAIRPERSONS

Shri Arjun Charan Sethi

Shri Hukmdeo Narayan Yadav

Shri Anandrao Adsul

Shri Pralhad Joshi

Dr. Ratna De (Nag)

Shri Ramen Deka

Shri Konakalla Narayana Rao

Shri K.H. Muniyappa

Dr. P. Venugopal

Dr. Kalraj Mishra

SECRETARY GENERAL

Shrimati Snehlata Shrivastava

LOK SABHA DEBATES

LOK SABHA

Monday, December 17, 2018/Agrahayana 26, 1940 (Saka)

The Lok Sabha met at Eleven of the Clock

[HON. SPEAKER *in the Chair*]

**WELCOME TO PARLIAMENTARY DELEGATION
FROM THE REPUBLIC OF ZAMBIA**

HON. SPEAKER: Hon. Members, I have to make an announcement. On behalf of the hon. Members of the House I have great pleasure in welcoming Respected hon. Justice Dr. Patrick Matibini, Speaker of the National Assembly of the Republic of Zambia and Members of the Zambian Parliamentary Delegation who are on a visit to India as our honoured guests. They arrived in India on Sunday, 16th December 2018. They are now seated in the special box. During their stay in India they will also visit Agra. We wish them a happy and fruitful stay in our country. Through them we convey our greetings and best wishes to the Parliament, the Government and the friendly people of Zambia.

11 03 hrs

At this stage, Shrimati V. Sathyabama, Shri G. Hari, Shri S. P. Muddahanume Gowda, Shrimati Ranjeet Ranjan, and some other hon. Members came and stood on the floor near the Table.

... (Interruptions)

11 04 hrs

ORAL ANSWER TO QUESTION

HON. SPEAKER: Shri Ravneet Singh --- Not Present.

... (*Interruptions*)

माननीय अध्यक्ष : मंत्री जी, अपना रिप्लाइ रखाए।

...(व्यवधान)

माननीय अध्यक्ष : संजय जी, प्रश्न 81 का अपना पूरक प्रश्न पूछिए।

(Q. 81)

डॉ. संजय जायसवाल : अध्यक्ष महोदया, माननीय मंत्री जी ने जो जवाब दिया है, वह बहुत ही अच्छा है। ... (व्यवधान) मेरा मंत्री जी से यह प्रश्न है कि हिंदुस्तान पेट्रोलियम ने सुगौली और लौरिया में अपनी ईकाई की स्थापना की है। ... (व्यवधान) बिहार की प्राइवेट चीनी मिलों के मुकाबले उसकी कुल उत्पादन क्षमता सब से कम है। ... (व्यवधान) जब पेट्रोलियम मंत्रालय इतना ध्यान इथेनॉल को बढ़ाने के लिए दे रहा है, तो क्या माननीय मंत्री जी सुगौली और लौरिया की ईकाइयों की क्षमता बढ़ाएंगे? क्या वे पूर्ण रूप से इसमें इथेनॉल बढ़ाकर इसे 270 दिनों तक चलाएंगे, जिससे मेरे यहां के किसानों को लाभ हो सके और किसानों को गन्ना बेचने के लिए चीनी मिलें न मिलने की जो समस्या है, वह दूर हो सके? ... (व्यवधान)

श्री धर्मेन्द्र प्रधान : अध्यक्ष महोदया, एच.पी.सी.एल. कंपनी ... (व्यवधान) इसकी जिम्मेदारी उठाने का जो प्रस्ताव ला रही है, ... (व्यवधान) वह प्रस्ताव अच्छा है। उस पर विचार किया जा सकता है। ... (व्यवधान)

HON. SPEAKER: What is all this going on?

... (Interruptions)

HON. SPEAKER: You do not want to run the House.

... (Interruptions)

HON. SPEAKER: The House stands adjourned to meet again at 12 o'clock.

11 06 hrs

The Lok Sabha then adjourned till Twelve of the Clock.

...(व्यवधान)

12 00 hrs

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

(Hon. Speaker in the Chair)

... (Interruptions)

12 0 ½ hrs

(At this stage, Shrimati V. Sathyabama, Shri Sunil Jakhar, Shri Jayadev Galla and some other hon. Members came and stood on the floor near the Table.)

... (Interruptions)

माननीय अध्यक्ष : माननीय सदस्यगण, मुझे विभिन्न विषयों पर कुछ सदस्यों से स्थगन प्रस्ताव की सूचनाएं प्राप्त हुई हैं। मामले महत्वपूर्ण हैं तथापि उनके लिए आज की कार्रवाई में व्यवधान डालना आवश्यक नहीं है। इन मामलों को अन्य अवसरों पर उठाया जा सकता है। मैंने किसी भी स्थगन प्रस्ताव की सूचना को अनुमति प्रदान नहीं की है।

...(व्यवधान)

12 01 hrs

RESIGNATION BY MEMBER

माननीय अध्यक्ष : माननीय सदस्यगण, मुझे सभा को यह सूचित करना है कि तेलंगाना के मलकाजगिरी संसदीय निर्वाचन क्षेत्र से निर्वाचित सदस्य, श्री सी.एच. मल्ला रेड्डी ने लोक सभा की सदस्यता से त्यागपत्र दे दिया है। मैंने उनका त्यागपत्र 14 दिसम्बर, 2018 से स्वीकार कर लिया है।

...(व्यवधान)

12 02 hrs

PAPERS LAID ON THE TABLE

HON. SPEAKER; Now Papers to be laid on the Table.

... (*Interruptions*)

THE MINISTER OF PETROLEUM AND NATURAL GAS AND MINISTER OF SKILL DEVELOPMENT AND ENTREPRENEURSHIP (SHRI DHARMENDRA PRADHAN): Madam, I beg to lay on the Table:-

(1) A copy each of the following papers (Hindi and English versions) under sub-section (1) of Section 394 of the Companies Act, 2013:-

- (a) (i) Statement regarding Review by the Government of the working of the Bharat PetroResources Limited, Mumbai, for the year 2017-2018.
- (ii) Annual Report of the Bharat PetroResources Limited, Mumbai, for the year 2017-2018 alongwith Audited Accounts and comments of the Comptroller and Auditor General thereon.

[Placed in Library, See No. LT 9864/16/18]

- (b) (i) A copy of the Review by the Government of the working of the Oil India Limited, Dibrugarh, for the year 2017-2018.

- (ii) Annual Report of the Oil India Limited, Dibrugarh, for the year 2017-2018, alongwith Audited Accounts and comments of the Comptroller and Auditor General thereon.

[Placed in Library, See No. LT 9865/16/18]

- (c) (i) Review by the Government of the working of the ONGC Videsh Limited, New Delhi, for the year 2017-2018.
- (ii) Annual Report of the ONGC Videsh Limited, New Delhi, for the year 2017-2018, alongwith Audited Accounts and comments of the Comptroller and Auditor General thereon.

[Placed in Library, See No. LT 9866/16/18]

- (d) (i) Statement regarding Review by the Government of the working of the Hindustan Petroleum Corporation Limited, Mumbai, for the year 2017-2018.
- (ii) Annual Report of the Hindustan Petroleum Corporation Limited, Mumbai, for the year 2017-2018, alongwith Audited Accounts and comments of the Comptroller and Auditor General thereon.

[Placed in Library, See No. LT 9867/16/18]

- (e) (i) Statement regarding Review by the Government of the working of the Bharat Petroleum Corporation Limited, Mumbai, for the year 2017-2018.

- (ii) Annual Report of the Bharat Petroleum Corporation Limited, Mumbai, for the year 2017-2018, alongwith Audited Accounts and comments of the Comptroller and Auditor General thereon.

[Placed in Library, See No. LT 9868/16/18]

- (f) (i) Statement regarding Review by the Government of the working of the Indian Oil Corporation Limited, Mumbai, for the year 2017-2018.
- (ii) Annual Report of the Indian Oil Corporation Limited, Mumbai, for the year 2017-2018, alongwith Audited Accounts and comments of the Comptroller and Auditor General thereon.

[Placed in Library, See No. LT 9869/16/18]

- (g) (i) Statement regarding Review by the Government of the working of the Balmer Lawrie and Company Limited, Kolkata, for the year 2017-2018.
- (ii) Annual Report of the Balmer Lawrie and Company Limited, Kolkata, for the year 2017-2018, alongwith Audited Accounts and comments of the Comptroller and Auditor General thereon.

[Placed in Library, See No. LT 9870/16/18]

- (h) (i) Statement regarding Review by the Government of the working of the Balmer Lawrie Investments Limited, Kolkata, for the year 2017-2018.

- (ii) Annual Report of the Balmer Lawrie Investments Limited, Kolkata, for the year 2017-2018, alongwith Audited Accounts and comments of the Comptroller and Auditor General thereon.

[Placed in Library, See No. LT 9871/16/18]

(2) A copy of the Petroleum and Natural Gas (Amendment) Rules, 2018 (Hindi and English versions) published in Notification No. G.S.R.671(E) in Gazette of India dated 24th July, 2018 under Section 10 of the Oilfields (Regulation and Development) Act, 1948.

[Placed in Library, See No. LT 9872/16/18]

... (Interruptions)

सूक्ष्म, लघु और मध्यम उद्यम मंत्रालय के राज्य मंत्री (श्री गिरिराज सिंह): अध्यक्ष महोदया, मैं आपकी अनुमति से निम्नलिखित पत्र सभा पटल पर रखता हूँ:-

- (1) (एक) एमएसएमई - टेक्नोलॉजी सेंटर (इंस्टीट्यूट फॉर डिजाइन ऑफ इलेक्ट्रिकल मिजरिंग इंस्ट्रूमेंट्स), मुंबई के वर्ष 2017-2018 के वार्षिक प्रतिवेदन की एक प्रति (हिन्दी तथा अंग्रेजी संस्करण) तथा लेखापरीक्षित लेखे।
- (दो) एमएसएमई-टेक्नोलॉजी सेंटर (इंस्टीट्यूट फॉर डिजाइन ऑफ इलेक्ट्रिकल मिजरिंग इंस्ट्रूमेंट्स), मुंबई के वर्ष 2017-2018 के कार्यक्रम की सरकार द्वारा समीक्षा के बारे में विवरण (हिन्दी तथा अंग्रेजी संस्करण)।

[Placed in Library, See No. LT 9873/16/18]

- (2) (एक) एमएसएमई – टेक्नोलॉजी डेवलपमेंट सेंटर (प्रोसेस कम प्रोडक्ट डेवलपमेंट सेंटर), मेरठ के वर्ष 2017-2018 के वार्षिक प्रतिवेदन की एक प्रति (हिन्दी तथा अंग्रेजी संस्करण) तथा लेखापरीक्षित लेखे।
- (दो) एमएसएमई-टेक्नोलॉजी डेवलपमेंट सेंटर (प्रोसेस कम प्रोडक्ट डेवलपमेंट सेंटर), मेरठ के वर्ष 2017-2018 के कार्यक्रम की सरकार द्वारा समीक्षा के बारे में विवरण (हिन्दी तथा अंग्रेजी संस्करण)।

[Placed in Library, See No. LT 9874/16/18]

- (3) (एक) एमएसएमई-टेक्नोलॉजी सेंटर (इलेक्ट्रॉनिक्स सर्विस एंड ट्रेनिंग सेंटर), रामनगर के वर्ष 2017-2018 के वार्षिक प्रतिवेदन की एक प्रति (हिन्दी तथा अंग्रेजी संस्करण) तथा लेखापरीक्षित लेखे।
- (दो) एमएसएमई-टेक्नोलॉजी सेंटर (इलेक्ट्रॉनिक्स सर्विस एंड ट्रेनिंग सेंटर), रामनगर के वर्ष 2017-2018 के कार्यक्रम की सरकार द्वारा समीक्षा के बारे में विवरण (हिन्दी तथा अंग्रेजी संस्करण)।

[Placed in Library, See No. LT 9875/16/18]

- (4) (एक) एमएसएमई-टेक्नोलॉजी डेवलपमेंट सेंटर (प्रोसेस एंड प्रोडक्ट डेवलपमेंट सेंटर), आगरा के वर्ष 2017-2018 के वार्षिक प्रतिवेदन की एक प्रति (हिन्दी तथा अंग्रेजी संस्करण) तथा लेखापरीक्षित लेखे।
- (दो) एमएसएमई-टेक्नोलॉजी डेवलपमेंट सेंटर (प्रोसेस एंड प्रोडक्ट डेवलपमेंट सेंटर), आगरा के वर्ष 2017-2018 के कार्यक्रम की सरकार द्वारा समीक्षा के बारे में विवरण (हिन्दी तथा अंग्रेजी संस्करण)।

[Placed in Library, See No. LT 9876/16/18]

(5) (एक) एमएसएमई-टेक्नोलॉजी सेंटर (टूल रूम एंड ट्रेनिंग सेंटर), गुवाहाटी के वर्ष 2017-2018 के वार्षिक प्रतिवेदन की एक प्रति (हिन्दी तथा अंग्रेजी संस्करण) तथा लेखापरीक्षित लेखे।

(दो) एमएसएमई-टेक्नोलॉजी सेंटर (टूल रूम एंड ट्रेनिंग सेंटर), गुवाहाटी के वर्ष 2017-2018 के कार्यक्रम की सरकार द्वारा समीक्षा के बारे में विवरण (हिन्दी तथा अंग्रेजी संस्करण)।

[Placed in Library, See No. LT 9877/16/18]

(6) (एक) एमएसएमई-टूल रूम (इंडो जर्मन टूल रूम), अहमदाबाद के वर्ष 2017-2018 के वार्षिक प्रतिवेदन की एक प्रति (हिन्दी तथा अंग्रेजी संस्करण) तथा लेखापरीक्षित लेखे।

(दो) एमएसएमई-टूल रूम (इंडो जर्मन टूल रूम), अहमदाबाद के वर्ष 2017-2018 के कार्यक्रम की सरकार द्वारा समीक्षा के बारे में विवरण (हिन्दी तथा अंग्रेजी संस्करण)।

[Placed in Library, See No. LT 9878/16/18]

(7) (एक) एमएसएमई-टेक्नोलॉजी सेंटर (सेंट्रल टूल रूम), लुधियाना के वर्ष 2017-2018 के वार्षिक प्रतिवेदन की एक प्रति (हिन्दी तथा अंग्रेजी संस्करण) तथा लेखापरीक्षित लेखे।

(दो) एमएसएमई-टेक्नोलॉजी सेंटर (सेंट्रल टूल रूम), लुधियाना के वर्ष 2017-2018 के कार्यक्रम की सरकार द्वारा समीक्षा के बारे में विवरण (हिन्दी तथा अंग्रेजी संस्करण)।

[Placed in Library, See No. LT 9879/16/18]

(8) (एक) एमएसएमई-टूल रूम (सेंट्रल टूल रूम एंड ट्रेनिंग सेंटर), कोलकाता के वर्ष 2017 2018 के वार्षिक प्रतिवेदन की एक प्रति (हिन्दी तथा अंग्रेजी संस्करण) तथा लेखापरीक्षित लेखे।

(दो) एमएसएमई-टूल रूम (सेंट्रल टूल रूम एंड ट्रेनिंग सेंटर), कोलकाता के वर्ष 2017 2018 के कार्यक्रम की सरकार द्वारा समीक्षा के बारे में विवरण (हिन्दी तथा अंग्रेजी संस्करण)।

[Placed in Library, See No. LT 9880/16/18]

(9) (एक) एमएसएमई - टूल रूम (सेंट्रल इंस्टीट्यूट ऑफ टूल डिजाइन), हैदराबाद के वर्ष 2017 2018 के वार्षिक प्रतिवेदन की एक प्रति (हिन्दी तथा अंग्रेजी संस्करण) तथा लेखापरीक्षित लेखे ।

(दो) एमएसएमई-टूल रूम (सेंट्रल इंस्टीट्यूट ऑफ टूल डिजाइन), हैदराबाद के वर्ष 2017 2018 के कार्यक्रम की सरकार द्वारा समीक्षा के बारे में विवरण (हिन्दी तथा अंग्रेजी संस्करण)।

[Placed in Library, See No. LT 9881/16/18]

(10) (एक) एमएसएमई-टेक्नोलॉजी सेंटर (सेंट्रल इंस्टीट्यूट ऑफ हैंड टूल्स), जालंधर के वर्ष 2017-2018 के वार्षिक प्रतिवेदन की एक प्रति (हिन्दी तथा अंग्रेजी संस्करण) तथा लेखापरीक्षित लेखे।

(दो) एमएसएमई-टेक्नोलॉजी सेंटर (सेंट्रल इंस्टीट्यूट ऑफ हैंड टूल्स), जालंधर के वर्ष 2017-2018 के कार्यक्रम की सरकार द्वारा समीक्षा के बारे में विवरण (हिन्दी तथा अंग्रेजी संस्करण)।

[Placed in Library, See No. LT 9882/16/18]

(11) (एक) एमएसएमई-टूल रूम (सेंट्रल टूल रूम एंड ट्रेनिंग सेंटर), भुवनेश्वर के वर्ष 2017-2018 के वार्षिक प्रतिवेदन की एक प्रति (हिन्दी तथा अंग्रेजी संस्करण) तथा लेखापरीक्षित लेखे।

(दो) एमएसएमई-टूल रूम (सेंट्रल टूल रूम एंड ट्रेनिंग सेंटर), भुवनेश्वर के वर्ष 2017-2018 के कार्यकरण की सरकार द्वारा समीक्षा के बारे में विवरण (हिन्दी तथा अंग्रेजी संस्करण)।

[Placed in Library, See No. LT 9883/16/18]

(12) (एक) एमएसएमई-टूल रूम (इंडो डेनिश टूल रूम), जमशेदपुर के वर्ष 2017-2018 के वार्षिक प्रतिवेदन की एक प्रति (हिन्दी तथा अंग्रेजी संस्करण) तथा लेखापरीक्षित लेखे।

(दो) एमएसएमई-टूल रूम (इंडो डेनिश टूल रूम), जमशेदपुर के वर्ष 2017-2018 के कार्यकरण की सरकार द्वारा समीक्षा के बारे में विवरण (हिन्दी तथा अंग्रेजी संस्करण)।

[Placed in Library, See No. LT 9884/16/18]

(13) (एक) एमएसएमई-टेक्नोलॉजी सेंटर (इंडो जर्मन टूल रूम), औरंगाबाद के वर्ष 2017-2018 के वार्षिक प्रतिवेदन की एक प्रति (हिन्दी तथा अंग्रेजी संस्करण) तथा लेखापरीक्षित लेखे।

(दो) एमएसएमई -टेक्नोलॉजी सेंटर (इंडो जर्मन टूल रूम), औरंगाबाद के वर्ष 2017-2018 के कार्यकरण की सरकार द्वारा समीक्षा के बारे में विवरण (हिन्दी तथा अंग्रेजी संस्करण)।

[Placed in Library, See No. LT 9885/16/18]

(14) (एक) एमएसएमई-टेक्नोलॉजी सेंटर (इंडो-जर्मन टूल रूम), इंदौर के वर्ष 2017-2018 के वार्षिक प्रतिवेदन की एक प्रति (हिन्दी तथा अंग्रेजी संस्करण) तथा लेखापरीक्षित लेखे।

(दो) एमएसएमई-टेक्नोलॉजी सेंटर (इंडो-जर्मन टूल रूम), इंदौर के वर्ष 2017-2018 के कार्यक्रम की सरकार द्वारा समीक्षा के बारे में विवरण (हिन्दी तथा अंग्रेजी संस्करण)।

[Placed in Library, See No. LT 9886/16/18]

(15) (एक) एमएसएमई-टेक्नोलॉजी डेवलपमेंट सेंटर (सेंट्रल फुटवियर ट्रेनिंग इंस्टीट्यूट), चेन्नई के वर्ष 2017-2018 के वार्षिक प्रतिवेदन की एक प्रति (हिन्दी तथा अंग्रेजी संस्करण) तथा लेखापरीक्षित लेखे।

(दो) एमएसएमई-टेक्नोलॉजी डेवलपमेंट सेंटर (सेंट्रल फुटवियर ट्रेनिंग इंस्टीट्यूट), चेन्नई के वर्ष 2017-2018 के कार्यक्रम की सरकार द्वारा समीक्षा के बारे में विवरण (हिन्दी तथा अंग्रेजी संस्करण)।

[Placed in Library, See No. LT 9887/16/18]

(16) (एक) एमएसएमई-टेक्नोलॉजी डेवलपमेंट सेंटर (सेंट्रल फुटवियर ट्रेनिंग इंस्टीट्यूट), आगरा के वर्ष 2017-2018 के वार्षिक प्रतिवेदन की एक प्रति (हिन्दी तथा अंग्रेजी संस्करण) तथा लेखापरीक्षित लेखे।

(दो) एमएसएमई-टेक्नोलॉजी डेवलपमेंट सेंटर (सेंट्रल फुटवियर ट्रेनिंग इंस्टीट्यूट), आगरा के वर्ष 2017-2018 के कार्यक्रम की सरकार द्वारा समीक्षा के बारे में विवरण (हिन्दी तथा अंग्रेजी संस्करण)।

[Placed in Library, See No. LT 9888/16/18]

(17) (एक) फ्रेगरेंस एंड फ्लेवर डेवलपमेंट सेंटर, कन्नौज के वर्ष 2017-2018 के वार्षिक प्रतिवेदन की एक प्रति (हिन्दी तथा अंग्रेजी संस्करण) तथा लेखापरीक्षित लेखे।

(दो) फ्रेगरेंस एंड फ्लेवर डेवलपमेंट सेंटर, कन्नौज के वर्ष 2017-2018 के कार्यकरण की सरकार द्वारा समीक्षा के बारे में विवरण (हिन्दी तथा अंग्रेजी संस्करण)।

[Placed in Library, See No. LT 9889/16/18]

(18) (एक) एमएसएमई-टेक्नोलॉजी डेवलपमेंट सेंटर (सेंटर फॉर डेवलपमेंट ऑफ ग्लास इंडस्ट्री), फिरोजाबाद के वर्ष 2017-2018 के वार्षिक प्रतिवेदन की एक प्रति (हिन्दी तथा अंग्रेजी संस्करण) तथा लेखापरीक्षित लेखे।

(दो) एमएसएमई-टेक्नोलॉजी डेवलपमेंट सेंटर (सेंटर फॉर डेवलपमेंट ऑफ ग्लास इंडस्ट्री), फिरोजाबाद के वर्ष 2017-2018 के कार्यकरण की सरकार द्वारा समीक्षा के बारे में विवरण (हिन्दी तथा अंग्रेजी संस्करण)।

[Placed in Library, See No. LT 9890/16/18]

(19) सूक्ष्म, लघु और मध्यम उद्यम विकास अधिनियम, 2006 की धारा 11 के अंतर्गत जारी सूक्ष्म और लघु उद्यमों (एमएसई) के लिए सार्वजनिक खरीद नीति संशोधन आदेश, 2018 जो 9 नवम्बर, 2018 के भारत के राजपत्र में अधिसूचना सं. का.आ. 5670 (अ) में प्रकाशित हुआ था, की एक प्रति (हिन्दी तथा अंग्रेजी संस्करण)।

[Placed in Library, See No. LT 9891/16/18]

... (Interruptions)

THE MINISTER OF STATE OF THE MINISTRY OF TOURISM (SHRI ALPHONS KANNANTHANAM): Madam, I beg to lay on the Table a copy each of the following papers (Hindi and English versions) under sub-section (1) of Section 394 of the Companies Act, 2013:-

- (1) (i) Review by the Government of the working of the India Tourism Development Corporation Limited, New Delhi, for the year 2017-2018.
- (ii) Annual Report of the India Tourism Development Corporation Limited, New Delhi, for the year 2017-2018, along with Audited Accounts and comments of the Comptroller and Auditor General thereon.

[Placed in Library, See No. LT 9892/16/18]

- (2) (i) Review by the Government of the working of the Utkal Ashok Hotel Corporation Limited, Puri, for the year 2017-2018.
- (ii) Annual Report of the Utkal Ashok Hotel Corporation Limited, Puri, for the year 2017-2018, alongwith Audited Accounts and comments of the Comptroller and Auditor General thereon.

[Placed in Library, See No. LT 9893/16/18]

- (3) (i) Review by the Government of the working of the Kumarakruppa Frontier Hotel Private Limited, New Delhi, for the year 2017-2018.

- (ii) Annual Report of the Kumarakruppa Frontier Hotel Private Limited, New Delhi, for the year 2017-2018, along with Audited Accounts and comments of the Comptroller and Auditor General thereon.

[Placed in Library, See No. LT 9894/16/18]

- (4) (i) Review by the Government of the working of the Pondicherry Ashok Hotel Corporation Limited, Puducherry, for the year 2017-2018.
- (ii) Annual Report of the Pondicherry Ashok Hotel Corporation Limited, Puducherry, for the year 2017-2018, alongwith Audited Accounts and comments of the Comptroller and Auditor General thereon.

[Placed in Library, See No. LT 9895/16/18]

- (5) (i) Review by the Government of the working of the Ranchi Ashok Bihar Hotel Corporation Limited, Patna, for the year 2017-2018.
- (ii) Annual Report of the Ranchi Ashok Bihar Hotel Corporation Limited, Patna, for the year 2017-2018, along with Audited Accounts and comments of the Comptroller and Auditor General thereon.

[Placed in Library, See No. LT 9896/16/18]

- (6) (i) Review by the Government of the working of the Punjab Ashok Hotel Company Limited, Chandigarh, for the year 2017-2018.

- (ii) Annual Report of the Punjab Ashok Hotel Company Limited, Chandigarh, for the year 2017-2018, alongwith Audited Accounts and comments of the Comptroller and Auditor General thereon.

[Placed in Library, See No. LT 9897/16/18]

... (*Interruptions*)

THE MINISTER OF STATE IN THE MINISTRY OF CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION AND MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND INDUSTRIES (SHRI C.R. CHAUDHARY):

Madam, I beg to lay on the Table:-

- (1) A copy each of the following papers (Hindi and English versions) under sub-section (1) of Section 394 of the Companies Act, 2013:-

- (i) Review by the Government of the working of the Delhi Mumbai Industrial Corridor Development Corporation Limited, New Delhi, for the year 2017-2018.
- (ii) Annual Report of the Delhi Mumbai Industrial Corridor Development Corporation Limited, New Delhi, for the year 2017-2018, along with Audited Accounts and comments of the Comptroller and Auditor General thereon.

[Placed in Library, See No. LT 9898/16/18]

- (2) (i) A copy of the Annual Report (Hindi and English versions) of the Kandla SEZ Authority, Ahmedabad, for the year 2016-2017, along with Audited Accounts.
- (ii) Statement regarding Review (Hindi and English versions) by the Government of the working of the Kandla SEZ Authority, Ahmedabad, for the year 2016-2017.
- (3) Statement (Hindi and English versions) showing reasons for delay in laying the papers mentioned at (2) above.

[Placed in Library, See No. LT 9899/16/18]

- (4) A copy of the Tea Waste (Control) Amendment Order, 2018 (Hindi and English versions) published in Notification No. S.O.4028(E) in Gazette of India dated 20th August, 2018 under sub-section (3) of Section 49 of the Tea Act, 1953.

[Placed in Library, See No. LT 9900/16/18]

... (*Interruptions*)

12 03 hrs

STANDING COMMITTEE ON EXTERNAL AFFAIRS

22nd Report

DR. SHASHI THAROOR (THIRUVANANTHAPURAM): Madam, I beg to present the Twenty-second Report¹ (English and Hindi versions) of the Standing Committee on External Affairs (2017-18) on the subject 'Sino-India Relations including Doklam, border situation and cooperation in international organizations'.

... (*Interruptions*)

¹ The Report was presented to Hon'ble Speaker, Lok Sabha on 4 September, 2018 when the House was not in Session and the Speaker had permitted printing, publication and circulation of the Report under Rule 280.

12 04 hrs

STATEMENTS BY MINISTERS

(i) Status of implementation of the recommendations contained in the 284th Report of the Standing Committee on Industry on Demands for Grants (2017-18) pertaining to the Ministry of Micro, Small and Medium Enterprises (MSME) *

सूक्ष्म, लघु और मध्यम उद्यम मंत्रालय के राज्य मंत्री (श्री गिरिराज सिंह): अध्यक्ष महोदया, मैं सूक्ष्म, लघु और मध्यम उद्यम (एमएसएमई) मंत्रालय से संबंधित अनुदानों की मांगों (2017-18) के बारे में उद्योग संबंधी स्थायी समिति के 284वें प्रतिवेदन में अंतर्विष्ट सिफारिशों के कार्यान्वयन की स्थिति के बारे में वक्तव्य सभा पटल पर रखता हूँ।

... (Interruptions)

* Laid on the Table and also placed in Library, See No. LT. 9901/16/18.

12 04 ½ hrs

(ii) Status of implementation of the recommendations contained in the 141st Report of the Standing Committee on Commerce on Demands for Grants (2018-19) (Demand No. 12) pertaining to the Department of Industrial Policy and Promotion, Ministry of Commerce and Industry*

THE MINISTER OF STATE IN THE MINISTRY OF CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION AND MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND INDUSTRIES (SHRI C.R. CHAUDHARY):
Madam, I beg to lay a statement regarding the status of implementation of the recommendations contained in the 141st Report of the Standing Committee on Commerce on Demands for Grants (2018-19) (Demand No. 12) pertaining to the Department of Industrial Policy and Promotion, Ministry of Commerce and Industry.

... (*Interruptions*)

* Laid on the Table and also placed in Library, See No. LT. 9902/16/18.

12 05 hrs**MUSLIM WOMEN (PROTECTION OF RIGHTS ON MARRIAGE) BILL, 2018***

THE MINISTER OF LAW AND JUSTICE AND MINISTER OF ELECTRONICS AND INFORMATION TECHNOLOGY (SHRI RAVI SHANKAR PRASAD):

Madam Speaker, I beg to move for leave to introduce a Bill to protect the rights of married Muslim women and to prohibit divorce by pronouncing talaq by their husbands and to provide for matters connected therewith or incidental thereto.

HON. SPEAKER: Motion moved:

“That leave be granted to introduce a Bill to protect the rights of married Muslim women and to prohibit divorce by pronouncing talaq by their husbands and to provide for matters connected therewith or incidental thereto.”

... (*Interruptions*)

DR. SHASHI THAROOR (THIRUVANANTHAPURAM): I wish to oppose the introduction of the Bill. ... (*Interruptions*). Madam Speaker, I wish to oppose the introduction of The Muslim Women (Protection of Rights on Marriage) Bill on four grounds. ... (*Interruptions*). The Bill conflates civil law with criminal law by criminalizing a wrong form of divorce and by criminalizing an act which is already legally null and void, post the decision of the Supreme Court of India in Shayara Bano Vs. Union of India 2017. ... (*Interruptions*).

Second, the Bill is an attempt in creating a class-specific legislation on the grounds of religion. Instead of focusing on the larger issue of mistreatment

* Published in the Gazette of India, Extraordinary, Part-II, Section-2 dated 17.12.2018.

and desertion of wives and dependents, which affects all communities, the Bill is couched in terms of a specific religion and therefore is in violation of Article 14 and Article 15 of the Constitution. ... (*Interruptions*)

Third, the Bill has no procedural safeguards to prevent its misuse. It is, therefore, manifestly arbitrary and in violation of Article 14 and Article 21 of the Constitution. ... (*Interruptions*).

Finally, the Parliament of India does not have the legislative competence to enact any law which is inconsistent with part III of the Constitution, in light of Article 13 (2) of the Constitution. ... (*Interruptions*).

So, I do believe that this Bill is a misconceived Bill. It should not be brought to the House. I do not believe, the Parliament has the competence to enact such a Bill; and so, I request you, Madam Speaker, to deny permission to introduce this Bill.

श्री रवि शंकर प्रसाद : अध्यक्ष महोदया, आपको मालूम है कि तीन तलाक बिल महिलाओं के प्रोटेक्शन के लिए लाया गया है। सुप्रीम कोर्ट ने निर्णय दिया है कि यह गलत है, गैर-कानूनी है और असंवैधानिक है। इसके बावजूद भी देश में धड़ल्ले से तीन तलाक दिया जा रहा था। हमारी मुस्लिम ख्वातीन परेशान थीं। एक बार में तलाक-तलाक-तलाक बोलकर शादी को तोड़ दिया जाया करता था। व्हाट्स-अप से तलाक, रोटी पकी नहीं मिली तो तलाक, इसलिए इस पर सोच-विचार करके कानून लाया गया है। इसमें पीनल प्रोविजन है और इसमें हमने सुधार भी किया है। यह देश के हित में है, संवैधानिक है और जो हमारी मुस्लिम समाज की पीड़ित महिलाएं हैं, उनकी चिंता करने के लिए यह बिल लाया गया है। इसलिए जो कुछ भी आपत्ति है, वह आपत्ति बिल्कुल बे-बुनियाद है। अतः मैं आपसे आग्रह करूंगा कि मुझे इस बिल को पेश करने की अनुमति प्रदान करें।

HON. SPEAKER: The question is:

“That leave be granted to introduce a Bill to protect the rights of married Muslim women and to prohibit divorce by pronouncing talaq by their husbands and to provide for matters connected therewith or incidental thereto.”

The motion was adopted.

... (Interruptions)

SHRI RAVI SHANKAR PRASAD: Madam, I introduce the Bill.

... (Interruptions)

12 06 hrs

**STATEMENT RE: MUSLIM WOMEN (PROTECTION OF RIGHTS ON
MARRIAGE) ORDINANCE, 2018***

THE MINISTER OF LAW AND JUSTICE AND MINISTER OF ELECTRONICS AND INFORMATION TECHNOLOGY (SHRI RAVI SHANKAR PRASAD): I beg to lay on the Table of the House an explanatory statement (Hindi and English versions) showing reasons for immediate legislation by promulgation of the Muslim Women (Protection of Rights on Marriage) Ordinance, 2018 (No. 7 of 2018).

... (*Interruptions*)

* Laid on the Table and also placed in Library, See No. LT. 9903/16/18.

HON. SPEAKER: Hon. Members, I have received a notice of question of privilege dated 17th December, 2018. The matter is under my consideration.

... (*Interruptions*)

SHRI R. DHYUVANARAYANA (CHAMARAJANAGAR): I want to draw your attention towards an important issue regarding a major tragedy occurred in my Parliamentary constituency Chamarajanagar. Madam, on 14.12.2018 at Maramma temple in Sulwadi village, Chamarajanagar district, Karnataka State, more than 150 innocent devotees took ill after consuming prasadam distributed in foundation stone laying puja for the construction of temple gopuram. Madam, 14 people have already lost their lives and 8 people are critical and 100 people are hospitalized. Hence, I request the Union Government to consider this kind of tragedy as national disaster and release compensation from Prime Minister's Relief Fund in the interest of poor families. ...

(*Interruptions*)

Madam, there are 150 families which are Below Poverty Line; and they badly need funds from the Prime Minister's Relief Fund.

So, in order to help those families, I would urge upon the Union Government to release this Fund as early as possible. Thank you....

(*Interruptions*)

श्री प्रेम सिंह चन्दूमाजरा (आनंदपुर साहिब): मैडम स्पीकर, आज दिल्ली हाई कोर्ट की ओर से बहुत महत्वपूर्ण फैसला आया है। 1984 में इन्नोसेंट सिखों का कत्लेआम हुआ, उसके एक आरोपी

श्री सज्जन कुमार को आज लाइफ इम्प्रिजनमेंट सुनाई गई है। ... (व्यवधान) मैडम, सारे हाउस को उसका स्वागत करना चाहिए। इसमें दो बातें सामने आई हैं, एक तो पहले कांग्रेस के रूल में इसके दोषियों को छिपाकर रखा गया, एक झूठ को छिपाकर रखा गया। परंतु जब देश में सत्ता परिवर्तन आया तो ये आरोपी सजा भुगतने के लिए कटघरे में जा सके।

मैडम, दूसरी बात मैं यह कहना चाहता हूँ कि मध्य प्रदेश में जो ... *हैं ... (व्यवधान)

माननीय अध्यक्ष: नाम नहीं लेना है, नाम रिकार्ड पर नहीं जाएगा।

श्री प्रेम सिंह चन्दूमाजरा : उनको सी.एम. चुना जा रहा है और इधर उनके साथियों को सजा दी जा रही है। ... (व्यवधान) मैं जानना चाहता हूँ कि 1984 में जो इन्नोसेंट सिखों का कत्ल हुआ, उसे जेनोसाइड डिक्लेयर किया जाए। बच्चों के गलों में टायर डालकर, उनमें आग लगाकर ये कांग्रेसी नाचते रहे, उनकी लाशों पर ये डांस करते रहे। तब सिख कौम को मारने के लिए यह नरसंहार हुआ। उस 1984 के कत्लेआम को जेनोसाइड डिक्लेयर करे।

मैं कांग्रेस से कहना चाहता हूँ कि कांग्रेस ने इतिहास से सबक नहीं सीखा। यदि ...* को सी.एम. बनाया तो कांग्रेस को सिख समाज का गुस्सा झेलना पड़ेगा... (व्यवधान)

माननीय अध्यक्ष: आप लोग बैठिए।

श्री प्रेम सिंह चन्दूमाजरा : सिख समाज इस गुस्से में बड़ा पिटा है, देर से आए, पर दुरुस्त नहीं आए। कूड़ निखुटे नानका ओरक सच रही। ... (व्यवधान)

माननीय अध्यक्ष: श्री अजय मिश्रा, श्रीमती मीनाक्षी लेखी, श्री राजेन्द्र अग्रवाल, श्री भैरों प्रसाद मिश्र तथा श्री निशिकान्त दुबे को श्री प्रेम सिंह चन्दूमाजरा द्वारा उठाए गए विषय के साथ संबद्ध करने की अनुमति प्रदान की जाती है।

गणेश सिंह जी, आप बोलिये।

श्री गणेश सिंह (सतना): अध्यक्ष महोदया, आज मैं संसद में राम मंदिर निर्माण का मामला उठाते हुए देश के सभी राजनीतिक दलों से मांग करता हूँ कि हिंदुओं की भावनाओं का आदर करते हुए करोड़ों लोगों की आस्था के केन्द्र अयोध्या में राम मंदिर निर्माण हेतु अपना समर्थन देने पर विचार करे। हिंदू समाज 1528 ईस्वी से श्री राम जन्मभूमि पर मंदिर निर्माण के लिए लगातार संघर्षरत है। देश में 1947 में आजादी के बाद तत्कालीन गृह मंत्री श्री सरदार पटेल ने सोमनाथ मंदिर का पुनर्निर्माण कराया था, तब नेहरू जी प्रधान मंत्री थे। उनका समर्थन गांधी जी ने किया तथा तब के राष्ट्रपति डा.राजेन्द्र प्रसाद जी ने नवनिर्मित मंदिर के ज्योतिर्लिंग की प्राण प्रतिष्ठा की थी। आज पुनः देश में एक ऐसा अवसर आया है कि देश अपने बड़े विचार का समर्थन कर राम मंदिर निर्माण के रास्ते को प्रशस्त करे।

सुप्रीम कोर्ट से भी मेरा आग्रह है कि राम जन्मभूमि पर अपना निर्णय तत्काल सुनाने हेतु लगातार सुनवाई शुरू करे, यदि किसी को लिए रात्रि में सुप्रीम कोर्ट सुनवाई कर सकती है तो राम मंदिर का मामला तो करोड़ों हिंदुओं की आस्था का प्रतीक है, इसलिए उस पर भी तत्काल निर्णय देने का काम करना चाहिए। धन्यवाद।

माननीय अध्यक्ष : श्री उदय प्रताप सिंह, डा.किरीट सोलंकी, श्री देवजी एम. पटेल, श्री नारणभाई काछड़िया, डा.संजय जायसवाल, श्री निशिकान्त दुबे, श्री सुभाष चंद बहेड़िया तथा श्री रत्न लाल कटारिया को श्री गणेश सिंह द्वारा उठाए गए विषय के साथ संबद्ध करने की अनुमति प्रदान की जाती है।

श्री प्रहलाद सिंह पटेल (दमोह): अध्यक्ष महोदया, सुप्रीम कोर्ट ने 1984 के सिख दंगों में जो सजा का फैसला दिया है, उसका मैं हृदय से स्वागत करता हूँ। लेकिन दुख का विषय है कि 1984 के सिख दंगों के एक आरोपी आज मध्य प्रदेश में शपथ लेने की तैयारी में हैं।

मैं सदन के माध्यम से मांग करता हूँ कि ऐसे लोगों को भी सजा दी जानी चाहिए।

माननीय अध्यक्ष : श्री भैरों प्रसाद मिश्र को श्री प्रह्लाद सिंह पटेल के द्वारा उठाए गए विषय के साथ संबद्ध करने की अनुमति प्रदान की जाती है।

... (*Interruptions*)

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

12 14 hrs

The Lok Sabha then adjourned till Fourteen of the Clock.

14 00 hrs

The Lok Sabha reassembled at Fourteen of the Clock.

(Hon. Speaker *in the Chair*)

...(व्यवधान)

At this stage Shrimati V. Sathyabama, Shri R. Dhruvanarayana and some other hon'ble Members came and stood on the floor near the Table.

14 01 hrs**MATTERS UNDER RULE 377***

माननीय अध्यक्ष : माननीय सदस्यगण, नियम 377 के अधीन मामलों को सभा पटल पर रखा जाएगा। जिन सदस्यों को नियम 377 के अधीन मामलों को आज उठाने की अनुमति दी गई है और जो उन्हें सभा पटल पर रखने के इच्छुक हैं, वे 20 मिनट के भीतर व्यक्तिगत रूप से सभा पटल पर रख दें। केवल उन्हीं मामलों को सभा पटल पर रखा जाएगा, शेष को व्यपगत माना जाएगा।

...(व्यवधान)

* Treated as laid on the Table.

(i) Need to construct an elevated pillared bridge on N.H-8 at Kherwara Tehsil headquarters in Udaipur Parliamentary Constituency, Rajasthan

श्री अर्जुन लाल मीणा (उदयपुर): मेरे लोक सभा क्षेत्र उदयपुर के खैरवाड़ा तहसील मुख्यालय पर राष्ट्रीय राजमार्ग संख्या-8 पर प्रस्तावित छः लेन पर ओवरब्रिज बनाये जाने से पैदा होने वाली समस्याओं की ओर सरकार का ध्यान बिंदुवार दिलाना चाहता हूँ, जो इस प्रकार है:-

1. खैरवाड़ा कस्बे की मुख्य समस्या पानी की निकासी सही नहीं होने की वजह से बारिश के समय राजमार्ग के दोनों ओर स्थित रिहायशी इलाके डूब जाते हैं, ओवरब्रिज से यह समस्या और अधिक हो जायेगी।
2. ओवरब्रिज के पश्चात् स्थानीय आवागमन हेतु मात्र 7 मीटर की सर्विस लेन प्रस्तावित है, जो कि मापदण्डों एवं यातायात भार के अनुरूप बहुत कम है तथा ओवरब्रिज हेतु आवश्यक भूमि की उपलब्धता भी नहीं है।
3. हाईवे पर 1.5 से 2.0 किलोमीटर ओवरब्रिज बनना प्रस्तावित है जिसमें से डाक बंगले से रानी रोड का क्षेत्र अत्यधिक यातायात दबाव व जल भराव की समस्या से प्रभावित रहता है। अतः इस स्थान पर सिर्फ ऐलीवेटेड फ्लाई ओवरब्रिज (पिलर वाला) बनाना उचित रह सकता है।

अतः उपरोक्त बिंदुओं को ध्यान में रखते हुए मैं भारत सरकार से मांग करता हूँ कि उदयपुर लोक सभा क्षेत्र के खैरवाड़ा तहसील मुख्यालय पर राष्ट्रीय राजमार्ग संख्या-8 पर प्रस्तावित ओवरब्रिज को ऐलीवेटेड फ्लाई ओवरब्रिज (पिलर वाला) बनाया जाये, जिससे खैरवाड़ा की जनता को इस ब्रिज का सही और उपयुक्त लाभ मिल सके एवं बारिश के पानी की समस्या से भी निजात मिल सके।

(ii) Need to promote tourism in Deoghar, Jharkhand

SHRI NISHIKANT DUBEY (GODDA): Deoghar, which falls under Santhal Pargana region, is an unique and extremely revered site of one of the 51 Shaktipeeths and also of the Dwadash Jyotirlinga in the country. This is a religious and cultural capital of Eastern India which catapults the holy place to an international acclaim and is visited by over 5 crore pilgrims every year. Other prominent personalities associated with the place like Guru Rabindernath Tagore wanted to set up SHANTINIKETAN here, Mahatma Gandhi in his biography mentioned this place as his ashram, Maharishi Arvind shifted to Puducherry from here only, this place is also the birth place of well known social reformer Late Ishwar Chand Vidyasagar.

The potential for cultural tourism of Deoghar in Jharkhand is still insufficiently researched and poorly utilized. The state as a whole is not valued as a cultural destination, this often results in neglect of the state's hidden cultural treasures. Deoghar cultural centre will conceptualize the aim of projecting cultural kinship which transcends territorial boundaries. The idea is to show how these local cultures merge into the diversity of India's composite culture.

**(iii) Regarding branches of Nationalised banks in villages in Sawai
Madhopur district, Rajasthan**

श्री सुखबीर सिंह जौनापुरिया (टोंक-सवाई माधोपुर): मेरे संसदीय क्षेत्र के जिला सवाई माधोपुर की तहसील गंगापुर सिटी के लगभग 30 गांवों की यह महत्वपूर्ण मांग है कि ग्राम कुसाय और ग्राम श्यारोली में कोई एक सरकारी बैंक खोला जाए। इन दोनों गांवों के बीच में लगभग 10 कि.मी. की दूरी है और इन गांवों में लगभग 20 हजार की आबादी है और वहाँ पर किसी भी सरकारी या गैर-सरकारी बैंक की शाखा नहीं है जिसके कारण कुसाय और श्यारोली के साथ-साथ आस-पास के सभी पेंशन भोगी और सभी विभागों के सरकारी और गैर-सरकारी कर्मचारियों को तनख्वाह लेने के लिए गंगापुर सिटी जाना पड़ता है जिससे कि उनको समय के साथ-साथ आर्थिक हानि भी होती है। इस विषय में मुझे लगभग 30 ग्राम पंचायतों के आवेदन प्राप्त हुए जिसमें उन्होंने अवगत कराया और इसके साथ जोर देते हुए मांग की, कि हमारे क्षेत्र में किसी भी सरकारी या गैर-सरकारी बैंक की शाखा खोली जाए। राजस्थान प्रदेश की मुख्यमंत्री जी ने एक बहुत ही सफल और लोकप्रिय योजना भामाशाह के नाम से अपने शासन काल में शुरू की है जिसमें परिवार की बुजुर्ग महिला को मुखिया बनाया है और बुजुर्ग महिला की पेंशन भामाशाह योजना के अंतर्गत बैंक में आती है।

माननीय प्रधानमंत्री मोदी जी का एक सपना है कि हर गांव तक बैंक पहुंचें। इसलिए मैं माननीय वित्त मंत्री जी से मांग करता हूँ कि ग्राम कुसाय और श्यारोली में जल्द से जल्द किसी भी बैंक की शाखा खोली जाए जिससे कि यहां के लोगों के साथ-साथ, आस-पास के गांवों के लोगों को भी इसका फायदा मिल सके।

**(iv) Need to regularize the services of daily wage BSNL labourers in
Daltonganj circle, Jharkhand**

श्री सुनील कुमार सिंह (चतरा): मेरे लोक सभा क्षेत्र चतरा के अंतर्गत पलामू प्रमण्डल में भारत संचार निगम लिमिटेड के डाल्टेनगंज सर्किल में दैनिक भोगी मजदूर संघ के 109 मजदूरों को नियमित सेवा प्रदान करने का मामला काफी समय से लम्बित है।

दैनिक भोगी मजदूर संघ, पलामू प्रमण्डल, डाल्टेनगंज एवं बी.एस.एन.एल. डाल्टेनगंज के कोर्ट केस सं. 47/2007 केन्द्रीय सरकार औद्योगिक न्यायाधिकरण-सह श्रम न्यायालय सं.1, धनबाद तथा झारखण्ड उच्च न्यायालय, रांची केस सं. 5056/2015 में निर्णय जनवरी 2018 में दैनिक भोगी मजदूर संघ के 109 मजदूरों को नियमित करने के पक्ष में दिया गया है। बी.एस.एन.एल. डाल्टेनगंज द्वारा उक्त निर्णय की अनुपालना अभी तक नहीं की गई है।

अतः मैं भारत सरकार के संचार मंत्रालय से मांग करता हूँ कि विभाग अपने अधिकारियों को न्यायालय के आदेश की पालना करने के लिए सख्त निर्देश जारी करें तथा शीघ्र 109 मजदूरों को न्याय व सम्मान देते हुए बी.एस.एन.एल. में नियमित सेवा पर रखा जाए।

(v) Need to set up industries in Chitrakoot and Banda districts of Banda Parliamentary Constituency, Uttar Pradesh

श्री भैरों प्रसाद मिश्र (बांदा): मेरे संसदीय क्षेत्र के जनपद चित्रकूट तथा बांदा में कोई बड़े व मध्य उद्योग नहीं है। क्षेत्र से बड़ी मात्रा में लोगों का पलायन होता है। यहां ग्रेनाइट तथा सिलिका सेन्ड व इमारती पत्थर बड़ी मात्रा में उपलब्ध हैं। फॉरेस्ट प्रोड्यूस में महुआ तथा तेंदू पत्ता बड़ी मात्रा में उपलब्ध है।

अस्तु सरकार से अनुरोध है कि राज्य सरकार से सहमति बनाकर मेरे क्षेत्र में उद्योगों का जाल बिछाकर यहां से हो रहे पलायन व बेरोजगारी को रोका जाए।

(vi) Need to shift antique statue of Devi Rukmani from Archeological Museum at Vidisha to Damyanti Archeological Museum, Damoh district, Madhya Pradesh

श्री प्रहलाद सिंह पटेल (दमोह): दमोह जिले का कुंडलपुर पुरातत्व की दृष्टि से महत्वपूर्ण स्थान है, जहाँ शताब्दियों पुराना जैन मंदिर है साथ ही महाभारत कालीन अम्बा माता मंदिर एवं रूक्मणि मठ है। इससे अधिक महत्वपूर्ण थी रूक्मणि जी की मूर्ति जो वर्षों पहले चोरी हो गई थी, जिसे राजस्थान में बरामद किया गया था। जिसका मुकदमा दमोह जिले के हटा न्यायालय में चल रहा है। जब मूर्ति बरामद हुई तबसे मध्य प्रदेश सरकार ने इस मूर्ति को ए.एस.आई. के ग्यारसपुर जिले विदिशा के स्टोर में डाल रखा है। मैंने पत्र लिखे, अधिकारियों से संपर्क एवं चर्चा भी की कि यह मूर्ति दमोह में पुनः प्रतिष्ठित की जाए जब तक सुरक्षा सुनिश्चित न हो उसे ग्यारसपुर से दमोह के दमयंती पुरातत्व संग्रहालय में सम्मान से प्रतिष्ठित किया जाए।

(vii) Need to construct a flyover in Gaya city in Bihar

श्री हरि मांझी (गया): मेरे संसदीय क्षेत्र गया (बिहार) पर्यटन की दृष्टि से विश्व का धार्मिक, सांस्कृतिक तथा एक महत्वपूर्ण ऐतिहासिक शहर है। जहां पर देश-विदेश से लाखों की संख्या में पर्यटक बोधगया एवं विष्णुपद दर्शन करने के लिए आते-जाते रहते हैं। साथ ही साथ वी.वी.आई.पी. लोगों का भी आना-जाना लगा रहता है जिसके कारण शहर में आये दिन ट्रैफिक जाम की समस्या लगी रहती है जिससे आम लोगों के साथ-साथ स्कूली बच्चों, मजदूरों को भारी दिक्कतों का सामना करना पड़ता है। विदित है कि गया शहर में एक भी फ्लाईओवर के नहीं रहने के कारण जगह-जगह पर जाम की स्थिति बनी रहती है।

अतः मैं माननीय मंत्री जी से मांग करता हूँ कि गया शहर में अविलम्ब फ्लाईओवर का निर्माण करवाने की कृपा की जाए।

**(viii) Regarding production and marketing of ayurvedic medicine for
Acute promyelocytic leukemia**

श्री अजय मिश्रा टेनी (खीरी): एक्यूट प्रोमाइलोसिटिक ल्यूकेमिया एक तरह का ब्लड कैंसर है। एक लाख में 13 लोगों को यह कैंसर होने की संभावना होती है। ऐलोपैथिक दवाओं से यह ठीक हो जाता है, नियंत्रित रहता है, परंतु पूरी तरह से खत्म नहीं होता और दोबारा हो जाता है।

उत्तराखंड के वैद्य डॉ. बालेन्दु प्रकाश ने 1997 से पहले ऐसे कैंसर के कई मरीजों का सफल इलाज किया था, जिसमें यह रोग पूरी तरह से ठीक हो गया था, लिहाजा सरकार ने उन्हें रिसर्च प्रोजेक्ट सौंपा। इस रिसर्च में सेंट्रल काउंसिल फॉर रिसर्च इन आयुर्वेदा एण्ड सिद्धा (सी.सी.आर.सी.) भी शामिल हुआ। 1997 में 11 ऐसे मरीजों पर पायलट स्टडी की गयी जिनके पैथोलॉजी जांचों से एम.पी.एम.एल. की पुष्टि हो गई थी। 90 दिन के इलाज के बाद जिसमें इनको डॉ. बालेन्दु प्रकाश द्वारा बनायी आयुर्वेदिक दवा दी गयी थी, न केवल यह पूरी तरह से ठीक हो गये, दोबारा इनको यह बीमारी नहीं हुई। परिणामस्वरूप भारत सरकार ने इसको प्रमाणिक माना, इस दवा का यू.एस.-यूरोपियन पेटेंट भी करा लिया तथा इस रिसर्च के लिए 39 वर्ष की आयु में डॉ. बालेन्दु प्रकाश को पद्म श्री से सम्मानित किया। लेकिन इस दवा का व्यवसायिक निर्माण व व्यापक प्रयोग अभी तक प्रारंभ नहीं हो सका है।

मैं सरकार व आयुष मंत्रालय से ए.पी.एम.एल. की इस दवा के निर्माण व व्यवसायिक प्रयोग की मांग करता हूँ।

**(ix) Need to construct railway lines between Arrah and Bhabhua Road,
and Dehri-on-sone and Banjari in Bihar**

श्री छेदी पासवान (सासाराम): पूर्व-मध्य रेलवे हाजीपुर द्वारा प्रकाशित पत्रिका बिहार में रेलवे की उपलब्धियों में पृष्ठ सं.-7 पर अंकित क्रमांक-18 (डेहरी ऑन-सोन से बंजारी-36.4 कि.मी.) एवं क्रमांक-20 (आरा से भभुआ रोड-122 कि.मी.) नई रेलवे लाईन का निर्माण दर्शाया गया है, परन्तु अभी तक उक्त किसी भी योजना का शुभारम्भ नहीं किया गया है, जिससे क्षेत्र की जनता में आक्रोश उत्पन्न हो रहा है।

उपर्युक्त दोनों नई रेलवे परियोजनाओं के पूर्ण होने से सरकार के राजकोष का संवर्द्धन होगा, क्योंकि ये क्षेत्र बुद्ध सर्किट से जुड़े होने के साथ-साथ कई प्राचीन एवं मध्यकालीन विश्वस्तरीय पर्यटक स्थल हैं, जो धार्मिक, ऐतिहासिक एवं सांस्कृतिक रूप से देश-विदेश के पर्यटकों के लिए आकर्षण का केंद्र है। इन क्षेत्रों में रेलवे के अपेक्षित विकास से एक ओर पर्यटकों की तादाद में वृद्धि होगी तो दूसरी ओर इन क्षेत्रों की बड़ी आबादी को नित्य आवागमन तथा व्यवसायिक संसाधनों के जरूरतों की पूर्ति होगी जिससे सरकार के राजस्व में भारी वृद्धि होगी।

अतः मेरा विशेष अनुरोध है कि उक्त दोनों नई रेलवे लाईन नं. 1 आरा से भभुआ रोड एवं 2. डेहरी से बंजारी नई रेलवे लाईन का निर्माण शीघ्र करने हेतु रेलवे मंत्रालय को संसद के माध्यम से निर्देशित करने की कृपा करें।

**(x) Need to build three overbridges on level crossings in Ranchi
Parliamentary Constituency, Jharkhand**

श्री राम टहल चौधरी (राँची): मैं सरकार का ध्यान अपने संसदीय क्षेत्र रांची अंतर्गत तीन उपरी पुल बनाने की तरफ दिलाना चाहता हूँ। रांची से पलामू के बीच नई रेलवे लाईन पर स्थित मेकुलरीगंज, खेलारी पर रेलवे उपरी पुल के अभाव में स्टेशन के पास सड़कों पर अत्यधिक जाम लगा रहता है और दुर्घटनायें होती रहती हैं, जिससे लोगों को बहुत परेशानी हो रही है। इस वजह से यहां पर उपरी पुल बनाने की मांग कई वर्षों से की जा रही है। दूसरा उपरी पुल राय स्टेशन पर बनना चाहिए क्योंकि यह कोयला खनन क्षेत्र है और कोयले का ढलान एवं लोड इस रेलवे स्टेशन पर अन्य स्टेशनों की अपेक्षा ज्यादा होता है। कोयले की मालगाड़ियां आती-जाती रहती हैं जिसके कारण राय स्टेशन के पास यातायात जाम रहता है। तीसरे रेलवे उपरी पुल की आवश्यकता रांची-लोहरदगा रेलवे लाईन पर स्थित सौदाग गांव है, जहां पर वर्तमान समय में यातायात बढ़ने से आये दिन जाम लगा रहता है। साथ ही साथ मेरा रेल मंत्री जी से अनुरोध है कि गरीब रथ रेल यात्री सेवा को खेलारी एवं मूरी स्टेशन पर ठहराव दिया जाये। यह मांग मेरे संसदीय क्षेत्र की पब्लिक कई सालों से कर रही है। मैं भी उपरोक्त मामलों को सदन में उठा चुका हूँ और कई अनुरोध पत्र दे चुका हूँ।

मैं रेल मंत्री जी से अनुरोध करता हूँ कि मेकुलरीगंज रेलवे स्टेशन खेलारी, राय स्टेशन एवं सौदाग गांव पर तत्काल जनता की मांग पर उपरी पुल बनाये जायें और गरीब रथ रेल सेवा को खेलारी एवं मूरी रेलवे स्टेशन पर ठहराव के आदेश दिये जायें।

**(xi) Regarding setting up of Pradesh council with executive power in
Andaman and Nicobar Islands**

SHRI BISHNU PADA RAY (ANDAMAN AND NICOBAR ISLANDS): Presently A and N Islands is UT governed by the Hon'ble LG, Chief Secretary and group of officers. As far as political set up is concerned, we have 70 Gram Panchayats, 7 Panchayat Samitis (Block level), 2 Zilla Parishads, 1 Municipal Council and one Member of Parliament.

There is no adequate political set up in the Islands to represent people voice at the ground level. Presently the officers concerned decide the fate of people in their own way due to lack of democratic set up. The people's representatives are toothless.

Earlier, in 1979, a 30 member indirectly elected Pradesh Council was constituted by promulgation of the Andaman and Nicobar (Administration) regulation, 1979 to advise the Administration. The Pradesh Council was in existence from 1985 to 1995. The set up of Pradesh Council was advisory in nature but to some extent helpful at least to address pitty local issues. But after the 73rd and 74th amendment to the Constitution in 1994, this system was also abolished.

There is a long pending demand of the people as well as all the political parties which was reflected in our election Manifesto many times in the past, that there should be a Pradesh Council with executive power in A and N Islands to address the aspiration of the people and take decisions in many

matters which now come to the Ministries in Delhi causing delay in many projects and decisions by amending the Andaman and Nicobar (Administration) regulation, 1979 and changing its nature from 'advisory' to 'executive'.

A and N Islands is a small place and after the introduction of 3-tier system of Panchayati Raj, there are overlapping of works and power in many cases.

I, therefore, urge the Government to set up Pradesh Council with executive power in A and N Islands.

(xii) Regarding connecting Udaipur to Assam and Amritsar by trains and provide a Demu train between Udaipur and Kota

श्री चन्द्र प्रकाश जोशी (चित्तौड़गढ़): मेरा संसदीय क्षेत्र चित्तौड़गढ़, राजस्थान का एक महत्वपूर्ण पर्यटन स्थल है, इसके साथ-साथ एक औद्योगिक हब भी है। यहां उदयपुर से असम के लिए उदयपुर-कामाख्या तथा उदयपुर से अमृतसर के लिए ट्रेन की महती आवश्यकता है। इसके साथ-साथ उदयपुर से कोटा के मध्य डेमू रेल को चलाये जाने से रोजाना आने-जाने वाले कामगार तथा विद्यार्थियों को लाभ मिलेगा।

अतः मेरा आग्रह है कि इन ट्रेनों को जल्द ही प्रारंभ करवाकर मेरे संसदीय क्षेत्र समेत सम्पूर्ण दक्षिण राजस्थान को एक सौगात प्रदान करें।

(xiii) Need for corrective action relating to Jeevan Saral Life Insurance Policy

DR. KIRIT SOMAIYA (MUMBAI NORTH EAST): Hundreds of complaints have been received regarding mis-sale, cheating of Jeevan Saral Life Insurance Policy of LIC of India. A total of 5 crore policies were issued including 1 crore to Senior Citizens. In 5 years, policy holders are not getting the amount they paid. After 10 years also return is 5%. LIC acknowledged the errors/blunders but did not take corrective actions. I urge upon the Finance Ministry to check and take care of senior citizens, who are policy holders.

**(xiv) Regarding Kendriya Vidyalaya in Supaul and
Madhepur districts in Bihar**

श्रीमती रंजीत रंजन (सुपौल): मैं उत्तर बिहार के कोसी प्रमंडल के अंतर्गत सुपौल एवं मधेपुरा में केन्द्रीय विद्यालय नहीं रहने से सम्बंधित विषय को उठाना चाहता हूँ।

भारत सरकार के मानव संसाधन विकास मंत्रालय के द्वारा देश भर में छात्रों को अच्छी एवं सस्ती शिक्षा उपलब्ध कराने के उद्देश्य से जिला मुख्यालय में केन्द्रीय विद्यालय की स्थापना की जाती है। लेकिन आजादी के करीब 70 साल बीतने के बाद भी कोसी प्रमंडल के दो जिलों, सुपौल एवं मधेपुरा, में अभी तक केन्द्रीय विद्यालय की स्थापना नहीं हुई है। जिसके फलस्वरूप यहाँ रहने वाले गरीब छात्रों को अच्छी एवं सस्ती शिक्षा उपलब्ध नहीं हो पाती है। अभी वर्तमान में मधेपुरा में रेल मंत्रालय के द्वारा रेल इंजन कारखाना की शुरुआत की गई है तथा स्लीपर कारखाना भी है। जिसके फलस्वरूप बड़ी संख्या में केन्द्रीय कर्मचारियों के साथ-साथ विश्वविद्यालय के कर्मचारी भी रहते हैं। सुपौल में भारत सरकार का प्रतिष्ठान हाई डैम है, जिसके चलते काफी संख्या में केन्द्रीय कर्मचारी रहते हैं। ऐसी स्थिति में उक्त दोनों स्थानों पर केन्द्रीय विद्यालय की स्थापना अति आवश्यक है।

अतः मैं सरकार से माँग करती हूँ कि कोसी प्रमंडल के अंतर्गत सुपौल एवं मधेपुरा में केन्द्रीय विद्यालय की स्थापना की जाए।

(xv) Regarding setting up of a Central Hill university in Manipur

SHRI THANGSO BAITE (OUTER MANIPUR): Manipur is an emerging state of North East India and sharing a common border of about 400 Kms. with Myanmar. The existing Manipur Central University is not able to accommodate the high demand of admissions at Post Graduate level. The Reservation Quota of ST students is found to be very inadequate. The tribal population of 34% has no other alternative except to go to Manipur University which has very limited seats. A considerable number of Tribal Students who could not get admission are bound to bear the pains of abandoning their studies as they could not afford to go outside the State owing to financial difficulties. It may be pointed out that owing to constant financial constraints in a State which has a limited resource of its own, it could not afford to establish State University. It is, therefore, proposed that a Central Hill University may please be established in Manipur as a special case.

(xvi) Regarding adequate funds for preservation of Pallikarnai Marsh land in South Chennai Parliamentary Constituency, Tamil Nadu

DR. J. JAYAVARDHAN (CHENNAI SOUTH): The Pallikarnai Marsh land located in my south Chennai Constituency is one of the world's largest fresh water marsh lands initially spread across 5000 hectares of which only 500 hectare remain now. It serves important function of flood mitigation, recharging ground water after acting as a filter layer to filter impure water, drought mitigation. It holds twice the quantity of water than any reservoir and plays an important role of ecosystem and also prevents incursion of sea water. However it has been my repeated request that the fund allocated by the Ministry of Environment Forest and Climate change is insufficient. I request that sufficient funds must be allocated to the State Government to the tune of several thousand crores for efficient preservation of the marsh land and prevent sewage effluents to be discharged into the marsh land.

(xvii) Regarding Cyclonic storm 'Gaja' in Tamil Nadu

SHRI P.R. SENTHILNATHAN (SIVAGANGA): The recent cyclonic storm 'Gaja' has devastated Tamil Nadu severely affecting the Districts of Nagapattinam, Thanajvur, Tiruvarur, Pudukottai and Sivagangai. 63 people died and 10 lakh left homeless. It would affect the food security of the state as 10 lakh hectares of paddy fields have been destroyed. More than one crore Coconut trees along with Tamarind, Jack fruit, Cashew nut, Pappaya, Banana, Mango, Casuarina, and teak have been affected in the delta districts of Tamil Nadu. Besides, Flower gardens and Pepper plantations have been destroyed. 1.04 lakh cattle and birds perished, over 2.30 lakh electric poles were either uprooted or mangled.

The Tamil Nadu government had sought a Rs. 14,910 crore relief from centre besides seeking an immediate release of Rs,1500 crore towards renovation activities. Although the Tamil Nadu government had released Rs.1000 crore for immediate relief and rehabilitation efforts, The centre has sanctioned only Rs.350 crore as interim relief and 200 crore for compensatory measures for coconut farmers.

In Pudukkottai District, Thirvarankulam, Aranthangi, Arimalam, Thirumaiyam, Ponnamaravathi, Avudayarkoil, Manamelkudi Unions, Gandharvakkottai and Viralimalai assembly constituencies and Pudukkottai Town, Ponnamaravathy, Keeramangalam, Arimalam Town Panchayats were

badly affected. The Unions of S.Pudur, Tirupattur, Sakkottai, Singampunari and Town Panchayats of Pallathur, Kanadukaththan (Chettinadu), Kottaiyur, Pudukkottai, Kandanur, Nerkuppall, Karaikudi town in Sivagangai District were severely affected. The destruction is very severe and it will take several years for the situation to become normal.

I, therefore, urge the Government to provide immediate financial assistance to Tamil Nadu and also take necessary steps to deposit Rs.10,000/- for each of the affected families through their Jan Dhan Bank Accounts as an immediate relief measure.

(xviii) Regarding procurement of Rafale aircraft

PROF. SAUGATA ROY (DUM DUM): The huge escalation of per-aircraft cost from Rs.715 crore to Rs.1600 crore has not been convincing to the people of India. The procurement procedures were bypassed in acquisition of Rafale and the presence of Anil Ambani in France during Modi's announcement to acquire 36 fully built Aircraft will raise questions on government's intention. The Public Undertaking, HAL was bypassed in Rafale contract. The escalation of prices was only to help one industrialist who is very close to the ruling party and Prime Minister. Government is saying the differences between the GA and the proposed acquisition under MMRCA tender, the new agreement had provisions for training, a better performance-based logistics package and aircraft maintenance and overhaul facilities that were not present in the original proposal is only to misguide the country. Indian Government led by Narendra Modi is trying to defame the capabilities of government-owned Hindustan Aeronautics Limited (HAL) to help Reliance for the offset deal with Dassault. Former French President Francois Hollande has been quoted by an article on a French Mediapart, an online investigative and opinion journal as stating that the Indian government had asked the French government to nominate Reliance Defence Ltd. as its India partner in the Rafale deal. This shows the government is keen to pave the way for breaching our security by changing the policies of procurement to help Reliance Defence Ltd for getting the part of the contract by alleged unfair means. The offsets contracts in the deal are alleged

to be the biggest example of crony capitalism. I demand to form a Joint Parliamentary Committee to investigate the biggest scam of the Government after Independence.

(xix) Regarding closure of DVC Power Plant in Durgapur, West Bengal

DR. MAMTAZ SANGHAMITA (BARDHMAN DURGAPUR): Damodar Valley Corporation (DVC) established 2 units of power plant in 1960 at Durgapur for production and supply of electricity to industrial plants and public use in Durgapur. Both the units have closed down due to fire outbreaks. 3rd unit was built and after about 35 years of use, authority closed it giving some lame excuse. 4th unit established only in 1982 is now on the verge of closing down operation by order of authority. If this is closed down, about 5000 employees and 1 lakh people will suffer. There is a public demand for a new unit which can save the employees and the consumers.

**(xx) Need to reduce rate of GST on Kendu (Tendu) leaves
from 18 per cent to 5 per cent**

SHRI BHARTRUHARI MAHTAB (CUTTACK): Kendu (Tendu) leaf, a Minor Forest Produce (MFP) is the financial lifeline of the tribal people of Odisha. They collect it as part of their right defined under Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 and sell it. Prior to implementation of GST, 5 per cent VAT was collected on its sale but now, Government has been collecting 18 per cent GST on its sale. Such a high GST has been adversely impacting sale of such leaves, resultant, stocks of such leaves are piling up in various godowns across the State. Consequently, social security and livelihood of nearly 8.5 lakh Kendu (Tendu) leaf pluckers, seasonal workers and binding workers dependent on trade of such leaves are at risk across the State of Odisha. I, therefore, urge upon the Government to take urgent steps to reduce GST on Kendu (Tendu) leaves from 18 per cent to 5 per cent.

(xxi) Regarding separate colour code and symbol for generic drugs

श्री श्रीरंग आप्पा बारणे (मावल): देश में सरकार द्वारा जेनेरिक दवाइयों को उपलब्ध कराये जाने का काम किया जा रहा है और देश की आम और गरीब जनता ने इस पर भरोसा भी किया है, लेकिन जेनेरिक दवाइयाँ अन्य दवाइयों से सस्ती हैं और जो लोग इन दवाइयों को खरीदते हैं, वह इन जेनेरिक दवाइयों का वास्तविक मूल्य नहीं जानते हैं।

जेनेरिक दवाइयों की पहचान के प्रमाण सरकार ने तय नहीं किए, जिससे जेनेरिक और अन्य दवाइयों में अंतर करना मुश्किल हो जाता है। अगर कोई 10 टेबलेट वाली दवाई का बाजार मूल्य 90 रु. है तो इसी जेनेरिक दवाई का मूल्य केवल 30 रु. है। जो व्यक्ति इन जेनेरिक दवाइयों को नहीं पहचानते, उन्हें इन दवाईओं को बाजार से खरीदना पड़ता है। देश की आम गरीब जनता के लिए बनी इस योजना में सरकार की अनदेखी और जनता में जागरूकता की कमी के कारण इस योजना में व्यापारी और बिचौलिये जनता को ठगने का काम कर रहे हैं।

जिस प्रकार खाने की चीजों की पहचान शाकाहारी और माँसाहारी चिह्न के द्वारा की जाती है। उसी प्रकार चिह्न या रंग के द्वारा जेनेरिक दवाइयों की पहचान भी सुरक्षित किये जाने की आवश्यकता है।

अतः सरकार ऐसे कदम उठाए जिससे अन्य दवाइयों और जेनेरिक दवाइयों की पहचान का अंतर ज्यादा आसान हो सके और व्यापारी और बिचौलियों द्वारा इस योजना में जनता को ठगे जाने से रोका जा सके।

(xxii) Regarding grant of special category status to Andhra Pradesh

SHRI M. MURLI MOHAN (RAJAHMUNDRY): The Government of Andhra Pradesh has been requesting the Union Government to accord Special Category Status (SCS) to Andhra Pradesh which was not considered by the Union Government under the pretext that the 14th Finance Commission objected to it. On the other hand, the Union Government went on to say that granting of SCS to Andhra Pradesh had not been defined/added in the APR Act 2014. The Union Government had also made a statement that the Special Status Category already granted to States will be abolished after implementation of GST.

In such a scenario, the Special Package or Special Assistance Measure (SAM) in lieu of SCS announced by Shri Arun Jaitely ji, Union Finance Minister on 07 September, 2016. had been accepted by the Government of Andhra Pradesh as there was no other option for our Chief Minister. But to our utter dismay, it has been observed that not a single rupee has been allocated to the A.P even under Special Package/SAM so far.

Ironically, we are given to understand that the Union Government has recently extended such SCS to the 11 other States which were enjoying the benefit. It seems the Union Government had adopted the step-motherly treatment towards the State of Andhra Pradesh in fulfilling the promise of granting SCS. Thus; the Union Government has misled the people of Andhra

Pradesh on the issue of Special Category Status (SCS). We have no objection for 11 other States which have been extended the benefit of SCS. Why should the Centre show such discrimination towards AP on this issue? When it is possible to continue SCS in other States, why not for Andhra Pradesh? I, therefore, urge upon the Union Government to accord Special Category Status (SCS) without any further delay.

(xxiii) Need to consider National Youth Awardees for the post of District Youth Coordinators at Nehru Yuva Kendra Sangathan

SHRI B. VINOD KUMAR (KARIMNAGAR): National development requires involving the nation's citizens in constructive opportunities. India, a nation of the youth, where more than 50% of our population is below the age of 25 has much wider scope of development by channelizing the young mind. Keeping this in mind, various governments at different point of times have come up with youth specific programmes and policies. Most recent of them being, the National Youth Policy (2014) that identifies India's vision for its youth.

Nehru Yuva Kendra Sangathan (NYKS) is an autonomous body under the Ministry of Youth Affairs and Sports which works for Youth development via 623 district level Nehru Yuva Kendra (NYK) Ministry of Youth Affairs and Sports also introduced National Youth Award to recognize and encourage outstanding work in the field of national development and social service. One of the aims of the National Youth Policy (2014) is to achieve a dynamic productive workforce that can effectively participate in governance. While all these policies and programmes seek one objective, they need to be jointed for improved efficiency. In this regard, the National Youth Awardees should be considered for the designation of District Youth Coordinators at NYKS.

The very idea of NYKS is to implement and execute Youth Development plans. These awardees are individuals who can act as role models. Their contribution to the implementation will be driven by their passion for the national development. Besides, the government will also go one step further in

strengthening its youth engagement. These awardees are potential youth who have proven their calibre, providing them with employment will boost the youth cohort, as well as benefit the governance.

Therefore, I urge the Union government to consider the National Youth Awardees for the designation of District Youth Coordinators at NYKS.

**(xxiv) Regarding alleged misuse of SARFAESI Act, 2002 by
banks and financial institutions**

SHRI P. KARUNAKARAN (KASARGOD): The public sector banks and financial institutions are widely misusing the SARFAESI Act 2002, which is against the spirit of the constitution and social justice causing damages to the weaker sections of the society.

When a borrower makes a default of three instalments, the debtor has to discharge the full liability sometimes usually worth lakhs or millions which may not be possible, for a debtor. Failing this, the creditor is taking possession of the secured property which may be sometimes worth millions or crores more than the liability.

A creditor can grab a secured asset by simply issuing a notice under 13(2) of the Law since interference of court is negligible.

So, the Government should appoint a commission to study about the misuse of the Act and amend controversial sections of the law with immediate effect.

(xxv) Regarding problems of onion growers

SHRIMATI SUPRIYA SADANAND SULE (BARAMATI): The price of onions has plummeted in the country due to bumper production. Onions harvested at end of May are mainly grown in Maharashtra (Pune, Nashik) and some parts of Madhya Pradesh. Due to abundance of onions, the price of summer harvested onions has fallen sharply to Rs. 1-3 per kg. To ensure that farmers get remunerative prices for their produce, Government must intervene to buy onions directly from farmers through Market Intervention Scheme. Though the Centre has promised to reduce price volatility of tomatoes, onions and potatoes (TOP) under Operation Greens scheme in 2018 Budget speech, its implementation is questionable. To enable farmers to make informed sowing choices, the Government must make real time data on onion sowing, cultivation and expected production made available to farmers. Thus, I urge the Centre to buy onions from farmers at remunerative price and provide better storage warehouses.

**(xxvi) Regarding construction of road on bank of river Ganga
in Phulpur Parliamentary Constituency**

श्री नागेन्द्र प्रताप सिंह पटेल (फूलपुर): मेरे संसदीय क्षेत्र फूलपुर में इलाहाबाद से बनारस रोड सावन के महीने में काँवर यात्रा के लिए बंद कर दी जाती है, जिससे जनता एवं व्यापारियों को आने-जाने में काफी परेशानी होती है। कभी-कभी काँवरियों को सड़क दुर्घटना का शिकार होना पड़ता है। काँवरिये असंयमित हो जाते हैं। इलाहाबाद से हंडिया तक के किसानों और व्यापारियों का व्यापार एक महीने जैसे खाद, बीज, ईंट भट्टे वाले, मिट्टी, बालू, ट्रक द्वारा माल ढुलाई और आवश्यकता की वस्तुएं व्यापारियों तक नहीं पहुँच पाती है।

हम माँग करते हैं कि गंगा किनारे से रेलवे ट्रैक जाता है, उस पर जमीन भी उपलब्ध है। उसके किनारे अगर सड़क बना दी जाए, जिससे काँवरियों को दुर्घटना से भी बचाया जा सकता है और आम जनता को भी असुविधा नहीं होगी। जैसाकि पश्चिम उ.प्र. में गंग नहर के दोनों किनारों पर काँवरियों के लिए सिंचाई विभाग के द्वारा रोड बनाई गई है। इससे काँवरियों को दिक्कत नहीं होगी और आम जनता, किसानों और व्यापारियों को भी कोई असुविधा नहीं होगी।

(xxvii) Need to give recognition to Sarna Religious code in Jharkhand

श्री विजय कुमार हांसदाक (राजमहल): मेरे गृह राज्य झारखंड में 27 प्रतिशत आदिवासी लोग निवास करते हैं जिनकी आर्थिक और सामाजिक स्थिति अत्यंत दयनीय है। केन्द्र सरकार द्वारा प्रयास करने के बाद उनमें सुधार उम्मीद से बहुत कम हुआ है। उनके विकास के लिए केन्द्र स्तर पर कई योजनायें और कार्यक्रम चल रहे हैं। खेद के साथ सूचित कर रहा हूँ कि यह कार्यक्रम और योजनायें उन तक नहीं पहुंच रही हैं। कुछ स्वार्थी लोगों द्वारा आदिवासियों के धर्म और जाति के संबंध में भ्रम फैलाया जा रहा है जिससे आदिवासी के आंकड़ों को कम किया जा सके। जनसंख्या गणना में उनको हिन्दू दिखाया जाता है जबकि उनका कोई धर्म और जाति नहीं है। यह आदिवासी प्रकृति, पेड़ एवं पहाड़ों की पूजा करते हैं और कोई भी मूर्ति पूजक नहीं है। पूरे देश के आदिवासियों द्वारा सरना धर्म कोड दिये जाने की मांग की जा रही है। बड़े दुख के साथ सूचित करना पड़ रहा है कि केन्द्र सरकार द्वारा आदिवासियों के कल्याण संबंधी योजना को नियमों के अनुसार और समुचित ढंग से लागू नहीं किया जा रहा है जिसके कारण 70 साल की आजादी के बाद देश के मूल रूप से जंगलों में बसे आदिवासी लोगों का सामाजिक और आर्थिक विकास नहीं हो पाया है।

मेरा केन्द्र सरकार से अनुरोध है कि देश के आदिवासी विशेषकर जंगलों में बसने वाले अनुसूचित जनजाति के संबंध में कार्यों की समीक्षा किसी एजेंसी से करवाई जाये और सरना धर्म कोड की मांग को तत्काल स्वीकार किया जाये।

14 02 hrs

THE TRANSGENDER PERSONS (PROTECTION OF RIGHTS) BILL, 2016

HON. SPEAKER: Now, item no. 12, the Bill for consideration and passing, the Transgender Persons (Protection of Rights) Bill, 2016 – hon. Minister.

... (*Interruptions*)

HON. SPEAKER: Hon. Members, please go back to your seats.

... (*Interruptions*)

सामाजिक न्याय और अधिकारिता मंत्री (श्री थावर चंद गहलोत): अध्यक्ष महोदया, मैं प्रस्ताव करता हूँ:

“कि उभयलिंगी व्यक्तियों के अधिकारों का संरक्षण और उनके कल्याण का उपबंध करने तथा उनसे संबद्ध तथा आनुषंगिक विषयों का उपबंध करने वाले विधेयक पर विचार किया जाए।”

अध्यक्ष महोदया, इस विषय पर लम्बे समय से संबंधित लोगों द्वारा और अनेक उनके संगठनों द्वारा एक कानून बनाने का विषय माँग के रूप में सरकार के समक्ष आता रहा है।...(व्यवधान) इस आशय का विषय सुप्रीम कोर्ट में भी गया था। सुप्रीम कोर्ट ने अप्रैल, 2014 में एक निर्णय देकर के सरकार से अपेक्षा की कि इनके हित संरक्षण के लिए, इनको समाज की मुख्यधारा में लाने के लिए और इनके भले के लिए योजना बनाने हेतु कोई कानून बनाया जाए।...(व्यवधान) तदनुसार भारत सरकार के सामाजिक न्याय और अधिकारिता मंत्रालय ने इस विषय पर प्रक्रियात्मक कार्रवाई करके एक विधेयक तैयार किया और वह संसद में प्रस्तुत किया गया है, जिस पर आज चर्चा निश्चित है और मैं चर्चा प्रारम्भ कर रहा हूँ।...(व्यवधान)

HON. SPEAKER: Hon. Members, an important Bill is there. Please take your seats.

... (Interruptions)

श्री थावर चंद गहलोत: मैं इस विषय पर यह भी निवेदन करना चाहता हूँ कि राज्य सभा में प्राइवेट मैम्बर के बिल के रूप में वहाँ के माननीय सांसद तिरुची शिवा जी ने एक विधेयक प्रस्तुत किया था और उसको वहाँ सर्वानुमति से पारित किया गया था।...(व्यवधान) उस पर यहाँ भी लम्बे समय से चर्चा हुई है और इतनी विस्तृत चर्चा हो गई है कि अब इस पर बहुत ज्यादा चर्चा करने की आवश्यकता नहीं है। फिर भी मैं इस सदन में इसके जो उद्देश्य हैं, हम इसको क्यों लेकर आए हैं, उस संबंध में कुछ जानकारी देना उचित समझता हूँ। उभयलिंगी व्यक्ति (अधिकारों का संरक्षण) विधेयक, 2016 निम्नलिखित के लिए हैं-

उभयलिंगी व्यक्ति को परिभाषित करने के लिए उभयलिंगी व्यक्ति के विरुद्ध विभेद का प्रतिषेध करने के लिए हैं।...(व्यवधान) उभयलिंगी व्यक्ति को उस रूप में मान्यता देने के लिए, उसे अधिकार प्रदत्त करने और स्वतः अनुभव की जाने वाले लिंग पहचान का अधिकार प्रदत्त करने, उभयलिंगी व्यक्तियों को पहचान प्रमाण-पत्र जारी करने, ये उपबंध करने की कोई स्थापन, नियोजन, भर्ती, प्रोन्नति और अन्य संबंधित मुद्दों से संबंधित विषयों में किसी उभयलिंगी व्यक्ति के विरुद्ध विभेद नहीं करेगा।

प्रत्येक स्थापन में शिकायत निवारण तंत्र स्थापित करने, राष्ट्रीय उभयलिंगी परिषद की स्थापना करने, विधेयक के उपबंधों का उल्लंघन करने के लिए दण्ड देने आदि प्रावधानों को लेकर यह विधेयक प्रस्तुत किया गया है।...(व्यवधान)

मैं आपके माध्यम से सदन से अनुरोध करना चाहता हूँ कि इस पर बहुत चर्चा हो गई है। यह विधेयक संसदीय स्थायी समिति के समक्ष भी गया था और उन्होंने भी इस पर गहन विचार-विमर्श करके बहुत सारे सुझाव दिए थे।...(व्यवधान) हमने उन सुझावों में से 27 सुझावों को स्वीकार करते हुए इस मूल विधेयक में उन्हें संशोधन के रूप में प्रस्तुत किया है।...(व्यवधान) मैं सोचता हूँ

कि यह जो विधेयक बन रहा है, यह परिपूर्ण है। इस पर बहुत ज्यादा चर्चा करने की आवश्यकता नहीं है...(व्यवधान) सदन इस विधेयक को पारित करे, ऐसा मेरा निवेदन है...(व्यवधान)

HON. SPEAKER: Motion moved:

“That the Bill to provide for protection of rights of transgender persons and their welfare and for matters connected therewith and incidental thereto, be taken into consideration.”

... (*Interruptions*)

HON. SPEAKER: Dr. Shashi Tharoor.

Please go to your seats. He is speaking.

... (*Interruptions*)

DR. SHASHI THAROOR (THIRUVANANTHAPURAM): Madam Speaker, I just wish to begin by saying that I am fully in support of my colleagues' demands that this Parliament should create a Joint Parliamentary Committee on the Rafale deal.... (*Interruptions*)

संसदीय कार्य मंत्रालय में राज्य मंत्री तथा जल संसाधन, नदी विकास और गंगा संरक्षण मंत्रालय में राज्य मंत्री (श्री अर्जुन राम मेघवाल) : महोदया, ये क्या बोल रहे हैं?... (व्यवधान)

DR. SHASHI THAROOR : But, I believe, this Bill is important and, therefore, I will speak on it. But, I want to stress that my speaking is not dissociating from the very strong stand taken by my Party.... (*Interruptions*)

The Congress Party has been asking for a Transgender Bill for some time. But the Bill given to us by this Government is weak and flawed. I myself have had to submit 21 amendments. If this Bill is going to get my Party's support, it needs severe reconsideration.... (*Interruptions*) I want stress, I am

proud to represent Thiruvananthapuram which witnessed the first legally registered trans couple marriage in Kerala May of this year.... (*Interruptions*) I also stand here as a proud Indian because our country has the rich heritage of holding members of the transgender community in very high regard. We have accepted their place in society.... (*Interruptions*) According to Hindu theology, as you know, Lord Ram gave transgender persons the power to confer blessings on people. The Aravanis in Tamil Nadu consider themselves to be the children of both Aravan and the female form of Vishnu, namely, Mohini.... (*Interruptions*) It must be noted that the transgender community has played an important role in the royal courts of the Mughals as well.... (*Interruptions*) We should remember that our country is home to the oldest transgender community in the world, the Hijra community.... (*Interruptions*) But, sadly, with the advent of the British and the searing of archaic Victorian ideas of morality in our minds, we have seen havoc created in India for transgender people especially after the adoption of the Criminal Tribes Act, 1871 which deemed the entire community as a criminal tribe..... (*Interruptions*) The British have moved on. They have now adopted progressive laws like the UK Gender Recognition Act, 2004.... (*Interruptions*) But, we are continuing the old negative British colonial legacy and their prejudice against the transgender community is continuing in this country. They are subjected to discrimination in all forms, subjected to mental and physical abuse and sexual abuse.... (*Interruptions*) They are denied jobs. Many are abandoned by their families. This is why my Party has always said, it is time that we should take important

legislative and policy steps to correct this anomaly, this injustice against the transgender community.... (*Interruptions*)

We, of course, know that Article 14 of our Constitution says that every "person" has equality before law. It does not say man or woman; it says "person", which means everybody in the gender spectrum has equality in our country.... (*Interruptions*) Articles 15 and 16 prohibit discrimination on the ground of sex. The Supreme Court, as the hon. Minister has mentioned, has made it clear that the word 'sex' in the Constitution includes any gender identity and not merely the binary of male or female.

The need of the hour is a robust law which can transform these gender inclusive Constitutional values into ground reality. But Madam Speaker, this is where the Bill is a flawed Bill. It does not give us the robustness that we seek. ... (*Interruptions*)The law must clearly define and recognise transgender persons if we are going to protect their rights. But we need to recognise the term 'gender identity' both beyond the biological issues of male and female. In fact, we have principles established internationally for all this. The Yogyakarta principles say that gender identity is an individual's deep and personal experience. It need not correspond to the sex assigned at birth. ... (*Interruptions*)It includes the personal sense of the body and other expressions such as one's speech and idiosyncrasies and the sad thing is, the Bill that has been given to us by the Government, still uses phrases like 'neither wholly female nor wholly male' or 'a combination of female and male' while defining a transgender person, which confines a transgender to a biological determination

of gender which is reminiscent of the regressive and outdated principles rejected by the Supreme Court of India. The so-called corbett principle had been rejected by the Supreme Court. But the Minister, who has mentioned the Supreme Court, still has put this into his Bill. The Government has blindly borrowed this definition from the definition of 'intersex persons' under the Australian Law, thereby conflating two different concepts. From what we have seen in our research, persons who have variations in their primary sexual characteristics and their biological feature, when compared with a normative standard of female or male bodies, are referred to as intersex. We cannot confuse the two here. ... (*Interruptions*)

I had written to the Minister on the first of January of this year to tell him to revise the definition of transgender persons. While I am glad that he has agreed to drop his earlier definition and has adopted a large part of the definition that I am proposing before this House, the definition he is pushing for is still defective as it deems all intersex persons to be transgender persons. ... (*Interruptions*) The point is that clause 3 of the Bill prohibits discriminatory practices against transgender persons but it fails to define discrimination and it limits itself to only nine types of practices. It prohibits certain acts but it fails to specify the civil or criminal liability that may arise if somebody commits these acts. It is important for us to redraft this clause. So, we have an inclusive definition so that practices, which may not be stipulated under the provisions but which violate the rights of transgender persons, are covered under the ambit of the Act. ... (*Interruptions*)

The law must make it clear that even transgender persons without the certificate of gender identity must be allowed to complain of gender discrimination. ... (*Interruptions*)

Clause 12 of the Bill states that every establishment consisting of 100 or more persons shall designate a person to be a complaint officer to deal with complaints relating to the provisions of this Act. ... (*Interruptions*)

But Madam, the average employment size of any economic establishment in India is 2-3 people according to the Sixth Economic Census. We are a country of small and micro enterprise. By placing such a high numerical threshold the Bill will exclude a majority of the establishments in India ... (*Interruptions*)

Furthermore, the Bill does not specify a mechanism to deal with complaints. It does not lay down a timeline to redress grievances. The redressal system is a complete failure from start to finish in this Bill. The Bill has prescribed the procedure involving a District Screening Committee to certify someone as a transgender person whereas we, in the Congress Party on every occasion, have insisted that self-determination of gender is an integral part of personal autonomy and that we cannot take away the liberty of a person to say "I believe I am transgender". By putting a Committee to decide for this person, what gender the person should belong to is unacceptable. ... (*Interruptions*) This is by the way is a fundamental right affirmed under Article 21 by the Supreme Court of India and it cannot be abridged by a District Screening Committee. What is the Minister thinking if he is going to ask a

District Screening Committee to do something which the Supreme Court has said cannot be done? I want to stress also that this Committee has a Chief Medical Officer. ... (*Interruptions*)The Medical Officer may do physical test. Any form of such physical test to determine whether a person is transgender violates the dignity, the privacy and the autonomy of the transgender person.

It must be vehemently opposed and even prohibited. ... (*Interruptions*) Now the fact is, we need an identity provision so that people can actually be beneficiaries of the provisions envisaged in this Bill. ... (*Interruptions*) But what the Minister should do is, amend the law, take into account these suggestions, prescribe a swift time-bound approach whereby a transgender person can make or submit a self-declaration of gender to the District Magistrate supported by a report from a registered psychologist ... (*Interruptions*). Right now, we have got complete red tape and an inefficient bureaucratic system. ... (*Interruptions*) The law must also prescribe a time-bound procedure, if somebody wants to change their gender and change their names. ... (*Interruptions*) All of this should have been similar to Section 3 of the Gender Expression, Gender Identity and Sex Characteristics Act, 2015 of Malta and of the best practices in the world. ... (*Interruptions*)

We are very happy to convey to the Government very specific amendments that will help the Minister fulfil these objectives. ... (*Interruptions*) This Bill sets up a National Council to advise the Government on its policies relating to the transgender community but the composition of the Council does not represent the various diverse groups within the transgender community. ...

(Interruptions) The Council has no power to deal with grievances of the members of the community. And, surely, if you are going to have District Councils, we need State Councils to be set up along with the National Council on the same principle as the National Human Rights Commission and the State Human Rights Commissions. We need the same for this too. ...

(Interruptions)

Now, there is a vexed question of sexual abuse. As per clause 19 (d) of the Bill, a person who subjects a transgender person to sexual abuse, gets punishment of minimum six months. ... *(Interruptions)* It is highly discriminatory as well as insulting. Madam Speaker, when women are subjected to sexual offences, we have harsh levels of punishment. The whole House supported a Bill on that. ... *(Interruptions)* Why should transgender persons be treated as second-class citizens when people who commit offences against them get much smaller punishment when they are abused? ... *(Interruptions)* This is in violation of Article 14 of the Constitution. ... *(Interruptions)* I would urge the Minister to amend this Bill whereby all applicable provisions under the IPC should apply when sexual offences are committed against transgender persons. ... *(Interruptions)* A sexual offence is a sexual offence. Whether the victim is a woman or man or child, there are very precise laws. Why should the transgender persons not also require that abuse of their person will attract the same kind of punishment? ... *(Interruptions)*

The criminalisation of those who indulge transgender persons to beg is also completely revealing the Government's lack of understanding on matters

of the transgender community. ... (*Interruptions*) Very often, they do beg. We know the Hijras come often at traffic lights. They work in collectives of groups and beg. But this provision will be used to target such groups. ... (*Interruptions*) The Hijra community has so many practices in our culture where they come and get gifted money or alms at times of wedding and other celebrations. If we consider them begging, certainly, this law will criminalise most Hijra behaviour of this nature. ... (*Interruptions*)

I also fear that the Bill has completely omitted to address critical issues such as the application of laws of marriage, divorce and inheritance from members of the transgender community.... (*Interruptions*) Even though the Supreme Court ruled that transgender persons are entitled to reservations, this has been neglected in the Bill. ... (*Interruptions*) So, my worry, Madam Speaker, to summarise, is that instead of supplementing the Constitutional rights of the transgender community, this Bill actually supplants their rights and its flawed provisions defeat the very purpose of this legislation. ... (*Interruptions*)

I had pointed out these flaws before to the Minister in my letter of January, 2018. I once again urge him to withdraw this Bill, to consult the transgender community and to introduce a robust and comprehensive legislation for our consideration. ... (*Interruptions*)

Madam Speaker, my Party is prepared to support a constructive Bill. We have in the past spoken for the rights of transgender persons but this Bill is not it. ... (*Interruptions*) Madam, given the disturbance in the House, given that

many are not participating, given the legitimate demand of my Party for a JPC on Rafale, may I request that before consideration that the Minister will rethink his Bill, look at these amendments and bring the issue back to the House where we can have a serious discussion on this issue?. ... (*Interruptions*)

I thank you, Madam Speaker. Please request the Minister to withdraw the Bill. ... (*Interruptions*)

SHRI BHARTRUHARI MAHTAB (CUTTACK): Madam Speaker, I would like to draw the attention of the Minister to the term transgender described by the World Health Organisation (WHO). According to the World Health Organisation, “Transgender” is an umbrella term that includes persons whose sense of gender do not match with the gender assigned to them at birth. ...

(Interruptions)

According to 2011 Census, the number of persons who do not identify as male or female but as others stands at 4,87,803, which is just 0.04 per cent of the total population of this country. This ‘other category’ applies to persons who did not identify as either male or female and included as transgender persons as per primary census abstract data for others in 2011. ...

(Interruptions)

In 2013, the Government set up an Expert Committee to examine issues related to transgender persons. This Committee stated that transgender persons face social stigma and discrimination which affected their access to education, healthcare, employment and Government documents. ...

(Interruptions)

In 2014, the Supreme Court recognized transgender persons right to self-identification as male, female or the third gender. Further, the Court directed the Central and the State Governments to grant legal recognition to transgender persons, address issues of social stigma and discrimination and provide social welfare schemes for them. The Supreme Court has held that self-determination of one’s gender is a part of the fundamental right to dignity,

freedom and personal autonomy guaranteed under Article 21 of the Constitution. ... (*Interruptions*)

The Court upheld the right of transgender persons to determine their self-identified gender as a man, woman or as a third gender. This should protect their right to live with dignity and respect. This is the history on which the Government has bought this Bill for consideration of this House. ... (*Interruptions*)

Earlier, there had been a Private Member Bill which was passed in Rajya Sabha and has been subsequently pending in Lok Sabha for quite some time. I have three points to make for consideration of the Minister which deal with the incongruity that has been built in into this Bill. ... (*Interruptions*)

The first point is relating to clause 3 and clauses 9 to 16, which create provisions to protect transgender persons from discrimination and provide welfare schemes. ... (*Interruptions*)

In doing so, the Bill provides for both – self-perceived gender identity and a screening process to recognize the identity of transgender persons. These are the two pillars on which a transgender has to be identified. When it is said ‘self-perceived gender identity’, what does that actually mean? When the Bill states that a person will be recognized as transgender on the basis of a certificate of identity issued through the District Screening Committee and that certificate will be a proof of identity as transgender and confer rights under this Bill, then it is very unclear what the term ‘self-perceived gender identity’ entails

and how it will be enforced. This provision is provided in clauses 4 to 7. ...
(*Interruptions*)

If a person on his own perception claims that he is a transgender, he does not have to get a certificate. But what you are saying is that he has to get a certificate. In this Bill you have two branches. One is, self-perceived identity and the other is, identity through certificate from the District Screening Committee. So, my point is, if a self-perceived person says that he is a transgender, how is he going to get all the benefits that accrues after this Bill becomes an Act? ... (*Interruptions*)

If a transgender person is denied a certificate of identity, this Bill does not provide any mechanism for appeal or review of such decision of the District Screening Committee. This is another way by which you are denying it. If somebody is denied it, where is he going to appeal? There is no such mechanism in this Bill, which needs to be built in, in this Bill. ... (*Interruptions*)

My second point is that in sub-clause (i) of clause 2, the Bill defines transgender person as one who is neither wholly female nor wholly male; or a combination of female or male; or neither female nor male. In addition, the person's sense of gender must not match with the gender assigned to that person at the time of birth. This definition is not complete. It has ambiguity. ... (*Interruptions*) The Bill does not specify if the terms male and female refer to biological sex which includes human anatomy and chromosomes. Madam, you are very much aware that some weeks or some months back, I had raised that issue during 'Zero Hour'. ... (*Interruptions*) Subsequently, the Sports Minister

also supported it. Ultimately, the Government of India also took that up in the court in Switzerland that the chromosome of Dutee Chand was being contested and ultimately, she was declared a female. But here, how do you define a male and a female? It has not been defined in this Bill whether it is human anatomy or chromosome, or if being a male and female also refers to one's psychological sense of gender which includes how one chooses to feel, identify and express oneself. ... (*Interruptions*) International expert bodies like the World Professional Association for Transgender Health, the World Health Organisation and the American Psychological Association define a transgender person as one whose gender identity does not align with the sex assigned at birth. These expert bodies do not specify any biological criterion in their definition of transgender persons. ... (*Interruptions*) In line with such international standards, the Supreme Court of India, expert committee of the Ministry of Social Justice and Welfare and the Private Member's Bill of 2014 define transgender persons based on psychological criterion only. This Bill before us is at variance. Would the hon. Minister tell us why this Bill is at variance from all these criteria that have been defined? ... (*Interruptions*)

Further, I would say that terms like trans-men, trans-women, persons with inter-sex variations and gender-queers have been used in this Bill, but these terms have not been defined. If they are not defined, then it becomes unclear as to who would be covered under these terms. ... (*Interruptions*)

Now, I come to my third and last point. I would like to draw the attention of the House and the hon. Minister to the issue relating to transgender persons

and their status under the existing laws. Currently, several criminal laws and civil laws recognise two categories of gender, that is, man and woman. These laws include Indian Penal Code; 1860, National Rural Employment Guarantee Act, 2005; Hindu Succession Act, 1956 which contain some gender specific provisions. ... (*Interruptions*) This Bill recognises a third gender and that is transgender, but this Bill does not clarify how the laws that I mentioned just now apply to the transgender persons. This House is aware that the penalties for similar offences may vary because of the application of different laws based on gender identity. ... (*Interruptions*) For example, under IPC, sexual offences related to woman attract a higher penal provision up to life imprisonment while the specified penalty for sexual abuse under this Bill is up to only two years as per clauses 19 and 21. I have a list of the laws that are prevalent today in India. ... (*Interruptions*)

Other than the Indian Penal Code of 1860 and the Code of Civil Procedure of 1973, Indecent Representation of Women Prohibition Act 1986, Protection of Women from Domestic Violence Act 2005 have gender specific provisions. The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013, Hindu Marriage Act 1955, the Special Marriage Act 1954, Hindu Adoption and Maintenance Act 1956, Hindu Succession Act 1956, the Muslim Personal Law (Shariat) Application Act 1937 are the civil laws. You have other laws also, like the Mines Act of 1952, Factories Act of 1948, National Food Security Act of 2013, National Rural Employment Guarantee Act, 2005, the Companies Act 2013, where only male

and female is mentioned. Where are you going to bring in transgenders? How are you going to give them protection? That is the right to life which is enshrined in the Constitution. This is missing in this Bill. ... (*Interruptions*)

When this is the case, it seems adequate attention has not been paid in drafting the Bill. Despite a lapse of two years and deliberations on the Private Members' Bill in both the Houses, does the Minister intend to bring in more amendments in course of this discussion and add more rules to make this Bill an effective law? The Minister is already moving 27 amendments today. Shri Shashi Tharoor has moved 20 amendments on this Bill. Shri Premachandran, who is not present here, has also introduced a number of amendments. When the Minister himself is moving 27 amendments, can we not expect some more amendments from the Minister which I have mentioned in my speech today? We need answers to these questions. ... (*Interruptions*)

Thank you Madam.

SHRIMATI SUPRIYA SADANAND SULE (BARAMATI): Madam Speaker, I stand on behalf of my Party in support of this Bill. The issue is very serious. Since they are all in the well, I will just mention a few points and will not repeat them. ... (*Interruptions*)

There is a category called 'others'. Most times it is male, female and others. The 'others' should be stopped completely and it should be made 'TGs', that is 'Transgenders' in every application. ... (*Interruptions*) This is going to be a social change. I know in a society like ours, it is not going to be easy for us to accept it. But we need to sensitise people right from schools and colleges for the society to accept these changes. Even in the Bill there is a point about Transgender Commission. A Transgender Commission just at the national level is not good enough. There are several States which have got their own Commission. If we can get these things implemented at the State level, it would be effective. There is no system today in any State for them to get any help.

The other demand which we are making is a Welfare Board. We need a separate Welfare Board for the transgenders because this is the first time they are coming out and they need equal rights. We have Welfare Boards for everybody. Earlier Dr. Tharoor and Shri Mahtab talked about giving them equal rights. We need a helpline for them. I am ashamed to share this information with you. But even in the police cases, there are several transgender cases where there are allegations that even police use their power to ill-treat them. So, why can we not have a helpline for them? If women can get several rights

which this august House has given, then transgenders also deserve a redressal system where they will get help and they should get equal rights in every society. ... (*Interruptions*)

So, we must have a good helpline for the transgender people like we have for our children and women. Dr. Tharoor has talked about the punishment for abusing the transgender people. This is a completely neglected section of our society. Even their families do not give them respect. We need to look how we can make the law more applicable. We need laws for marriage, divorce and inheritance for them. Even reservation for them is very very critical. ... (*Interruptions*)

Madam, these people even do not get homes. Even if they are well-to-do, professionals or educated, it is very hard for these people to get homes. These are only people in the society who do not get equal rights of quality education and homes for them. ... (*Interruptions*)

So, I urge the Hon. Minister to take this Bill back for a better debate and give more time because it is a very serious and emotional issue for us. It is a big issue for social change in India. ... (*Interruptions*)

Madam, I think because of the JPC issue, we will not be able to discuss this issue. So, I urge the Hon. Government to agree to the Joint Parliamentary Committee so that we can get the House in order and debate all other issues. So, I request the Government to relook into this Bill.

HON. SPEAKER: How can a discussion go on like this?

... (*Interruptions*)

HON. SPEAKER: The House stands adjourned to meet again at 3 o'clock.

14 36 hrs

The Lok Sabha then adjourned till Fifteen of the Clock.

15 01 hrs

*The Lok Sabha re-assembled at One-Minute past
Fifteen of the Clock.*

(Hon. Speaker *in the Chair*)

... (*Interruptions*)

15 01 ½ hrs

*At this stage, Shrimati V. Sathyabama and some other hon. Members came
and stood on the floor near the Table.*

HON. SPEAKER: The next speaker to speak on the Bill is Dr. Kakoli Ghosh
Dastidar.

... (*Interruptions*)

15 02 hrs

*At this stage, Shri Gurjeet Singh Aujla and some other hon. Members came
and stood on the floor near the Table.*

15 03 hrs

TRANSGENDER PERSONS (PROTECTION OF RIGHTS)

BILL, 2016.... contd.

DR. KAKOLI GHOSH DASTIDAR (BARASAT): Thank you, hon. Madam. ...
(*Interruptions*) I stand here to participate in the Transgender Persons
(Protection of Rights) Bill, 2016. ... (*Interruptions*)

At the outset, I would like to congratulate the West Bengal Chief
Minister, Kumari Mamata Banerjee, for already having formed a Board for the
welfare of transgenders three years back, which is the call of the day. ...
(*Interruptions*) The Central Government and all the other States should follow
this to look after the transgenders. ... (*Interruptions*)

Now, I think that this is a very hastily drafted Bill, and the different
clauses mentioned are totally inconclusive. ... (*Interruptions*) We have to first
define what a transgender means. ... (*Interruptions*) Here, it is written that : "...
a transgender person means neither wholly female nor wholly male; or a
combination of female or male; or neither female nor male ...". ...
(*Interruptions*)

On this earth, as per medical science, there can be no being who is
neither a 'male' nor a 'female'. ... (*Interruptions*) A person's external sexuality,
that is, the phenotype is determined by the internal sexuality, that is, the
genotype -- combination of genes and chromosome ... (*Interruptions*) So,
either it is 'X' 'X' or it is 'X' 'Y'. ... (*Interruptions*) A person who has 'X' 'Y' is a
male, and a person who has 'X' 'X' is a female. ... (*Interruptions*) But

sometimes, there are three 'X' chromosomes in a person who are known as super female or there is a combination of these in a person who are known either as true hermaphrodite or false hermaphrodite. ... (*Interruptions*) But transgender is not always a hermaphrodite. ... (*Interruptions*)

A transgender is a person who has the internal genetic code made up in such a way that the sexuality granted to the child after birth is not aligned to his or her mental capability, and gender dysphoria is a kind of distress that such a person goes through that can lead to distress related to it like eating disorder, suicide, depression, anxiety and social isolation. ... (*Interruptions*) None of this is mentioned in the copy of the draft that we have here. ... (*Interruptions*)

This is a hastily drafted Bill. ... (*Interruptions*) I do not know who has done it. ... (*Interruptions*)

Doctors are still grappling with it because the American Association of Psychiatrists only as late as 2013 have defined this disease. In this disease, when a person has no discrimination between genotype and phenotype, that is the internal and the external manifestation of the chromosome, and still might feel being a female and that I am more comfortable being a male, that is the actual Transgender. This is not mentioned in the Bill. The Bill is totally null and void in that sense.

A lawmaker's actual duty is to look at the justice meted out to every kind of human being as is given by the Article 14 of the Constitution of India. We are indebted to the hon. Supreme Court for the verdict given on the 15th April, 2014 in which various steps have been directed to be taken by the Central and

the State Governments for the welfare of the Transgenders. So, this Bill does not cater to those provisions. The American Society of Psychiatrists have described in detail the clauses those have to be brought into the Bill to make it a welfare Bill for the actual Transgenders.

As far as their educational help is concerned, there should be a third column during admission – the male, the female, and the Third Gender. They should be given reservation in jobs because they feel differently. They might dress differently. So, the provision must be there. Social milieu must be such that the society is compassionate to their disease condition. ... (*Interruptions*)

ग्रामीण विकास मंत्री, पंचायती राज मंत्री, खान मंत्री तथा संसदीय कार्य मंत्री (श्री नरेन्द्र सिंह तोमर): अध्यक्ष महोदया, यह सदन की अवमानना है... (व्यवधान) मैं सभी सदस्यों से अनुरोध करना चाहता हूँ चाहे वे एआईएडीएमके पार्टी के हों या कांग्रेस पार्टी के हों, सरकार पूरी तरह से किसी भी मसले पर चर्चा करने के लिए तैयार है... (व्यवधान) अभी बिल पर चर्चा चल रही है, इसलिए सभी सदस्य अपने स्थान पर चले जाएं और अपनी बात कहें... (व्यवधान) इस मामले में सरकार को कोई आपत्ति नहीं है... (व्यवधान)

जहां तक राफेल के बारे में कांग्रेस के सांसद चर्चा मांग रहे हैं, मैं उन सभी से अनुरोध करना चाहता हूँ कि सरकार चर्चा के लिए तैयार है... (व्यवधान) आप लोग अपने स्थान पर बैठ जाएं जैसा आप चाहेंगे, सरकार हर हालत में चर्चा करने के लिए तैयार है... (व्यवधान)

HON. SPEAKER: Please cooperate. This is not fair. You can't do something like that.

... (*Interruptions*)

माननीय अध्यक्ष : आप सभी का यह व्यवहार अच्छा नहीं है।

...(व्यवधान)

HON. SPEAKER: Yes, Dr. Kakoli.

DR. KAKOLI GHOSH DASTIDAR : So, it appears that this Bill has been very hastily drafted and the opinion of specialists has not been taken into consideration because it says that even after a person has been identified he has to go to the municipality and he has to then take a certificate from the municipal doctor. When the American Society of Psychiatrists have only described this in 2013, how will the municipal doctor be informed of the latest disease? We don't take a Transgender person as an abnormality anymore. This is just a disease condition. The disease has to be studied. So, a Specialists Board has to be formed and the person has to be certified through that Specialists Board who are duly qualified.

It appears that proper attention was not given to different clauses while drafting the Bill. So, this Bill has to be recalled and a properly drafted Bill has to be tabled.

सामाजिक न्याय और अधिकारिता मंत्री (श्री थावर चंद गहलोत): माननीय अध्यक्ष महोदया, मैं माननीय शशि थरूर जी, आदरणीय भर्तृहरि महताब जी, आदरणीया सुप्रिया सुले जी और आदरणीया काकोली घोष जी का आभार व्यक्त करता हूँ कि उन्होंने इस विधेयक पर अपने विचार व्यक्त किये हैं और कुछ बातों का उल्लेख भी किया है।

मैं निवेदन करना चाहता हूँ कि हमने जो विधेयक तैयार किया है, वह लम्बे विचार-विमर्श और विधि विभाग के साथ चर्चा करने के बाद किया है। संबंधित महानुभावों से, लोगों से, जो ट्रांसजेंडर लोगों के हित में काम करते रहते हैं, ऐसे संगठनों से भी बातचीत की है। इस विधेयक पर हमने वर्ष 2015 से कार्रवाई प्रारम्भ की थी। वेबसाइट पर भी डालकर राय मांगी गयी थी। उसके बाद इसकी निरन्तर प्रक्रिया चलती रही। प्राइवेट मेम्बर बिल के माध्यम से भी इस सदन में इस पर खूब चर्चा हो चुकी है। इसके साथ ही यह विधेयक पार्लियामेंट्री स्टैंडिंग कमेटी के पास गया था। उसने जो सुझाव दिये थे, उनमें से 27 सुझावों को हमने माना है। जिन माननीय सदस्यों ने अभी अपने विचार व्यक्त किये हैं, उनके भी सुझाव हमने संज्ञान में लिये हैं। कुछ विषय ऐसे हैं, जिन पर नियम बनाते समय, हम इस एक्ट के दायरे में उनका प्रावधान करने की कोशिश करेंगे।

मैं सदन से प्रार्थना करता हूँ कि इस विधेयक को पारित करवाया जाए।

HON. SPEAKER: The question is:

“That the Bill to provide for protection of rights of transgender persons and their welfare and for matters connected therewith and incidental thereto be taken into consideration.”

The motion was adopted.

HON. SPEAKER: The House will now take up clause by clause consideration.

Hon. Minister may now move amendment Nos. 3 to 8 to clause 2.

Clause 2

Definations

संशोधन किए गए:

पृष्ठ 2, पंक्ति 19 के पश्चात् अंतःस्थापित करें-

‘(खक) “कुटुंब” से रक्त या विवाह या विधि के अनुसार किए गए दत्तक से नातेदार व्यक्तियों का समूह अभिप्रेत है।’

(3)

पृष्ठ 2, पंक्ति 20 और 21, “अन्य विद्यार्थियों के साथ उभयलिंगी विद्यार्थी शिक्षा ग्रहण करते हैं” के स्थान पर, “अन्य विद्यार्थियों के साथ उभयलिंगी विद्यार्थी विभेद, उपेक्षा, उत्पीड़न या अभिन्नास के भय के बिना शिक्षा ग्रहण करते हैं” प्रतिस्थापित करें।

(4)

पृष्ठ 2, पंक्ति 25, “पुनर्वास” का लोप करें।

(5)

हिन्दी पाठ में संशोधन की आवश्यकता नहीं है।

(6)

पृष्ठ 2, पंक्ति 33 के पश्चात् अंतःस्थापित करें-

‘(छक) “अंतःलिंगी भिन्नताओं वाले व्यक्ति” से ऐसा व्यक्ति अभिप्रेत है, जो जन्म के समय अपने या अपनी मुख्य लैंगिक विशेषताओं, बाह्य जननांग, गुण सूत्रों या हार्मोन में पुरुष या महिला शरीर के प्रासमिक मानक से भिन्नता उपदर्शित करता है/करती है।’

(7)

पृष्ठ 3, पंक्ति 2 से 8 के स्थान पर प्रतिस्थापित करें-

‘(i) उभयलिंगी व्यक्ति से ऐसा व्यक्ति अभिप्रेत है जिसका लिंग उससे उसके जन्म के समय नियत लिंग से मेल नहीं खाता है और इसके अंतर्गत उभय-पुरुष या उभय-स्त्री (चाहे ऐसे व्यक्ति में लिंग पुनःनिर्धारण शल्यक्रिया या हार्मोन चिकित्सा या लेजर चिकित्सा या ऐसी अन्य चिकित्सा करवाई हो या नहीं), अंतःलिंग भिन्नताओं वाले व्यक्ति, लिंग-समलैंगिक और किन्नर, हिजड़ा, अरावाणी और जोगता जैसी सामाजिक आर्थिक पहचान रखने वाले व्यक्ति सम्मिलित हैं।’

(8)

(श्री थावरचन्द गहलोत)

HON. SPEAKER: Shri N. K. Premachandran – Not present.

DR. SHASHI THAROOR (THIRUVANANTHAPURAM): Madam, I beg to move:

Page 2, lines 8 and 9,--

for “transgender students”

substitute “transgender and gender non-conforming students”.

(37)

Page 2, line 12,--

for “rehabilitation”

substitute “housing”.

(38)

Page 2, for lines 23 to 29,--

substitute '(i) "transgender person" means a person whose gender does not match with the gender assigned to that person at birth and includes trans-men and trans-woman, irrespective of whether or not such person has undergone sex reassignment surgery or hormone therapy or laser therapy, and includes gender-queers and a number of sociocultural identities such as kinnars, hijras, aravanis, jogtas and other similar identities.' (39)

HON. SPEAKER: I shall now put amendment Nos. 37 to 39 to clause 2 moved by Dr. Shashi Tharoor to the vote of the House.

The amendments were put and negatived.

HON. SPEAKER: The question is:

"That clause 2, as amended, stand part of the Bill."

The motion was adopted.

Clause 2, as amended, was added to the Bill.

Clause 3

Prohibition against discrimination

संशोधन किया गया:-

पृष्ठ 3, पंक्ति 11, "कोई व्यक्ति" के पश्चात् "या स्थापन" अंतःस्थापित करें। (9)

(श्री थावरचन्द गहलोत)

DR. SHASHI THAROOR : I beg to move:

Page 2, for lines 32 and 33,--

substitute "3. (1) No person shall discriminate against a transgender person on the basis of such person's gender identity and, or expression.

(2) For the purposes of this Act, discrimination shall mean any distinction, exclusion or restriction imposed on a transgender person which has the purpose or effect of impairing or nullifying the recognition, enjoyment or exercise, on an equal basis with others, of all human rights, fundamental rights and fundamental freedoms, including:--".

(40)

Page 3, *after* line 6,--

insert "(j) For the purposes of this section, gender identity includes being a self-identified transgender person who does not possess a certificate of identity.". (41)

HON. SPEAKER: I shall now put amendment Nos. 40 and 41 to clause 3 moved by Dr. Shashi Tharoor to the vote of the House.

The amendments were put and negatived.

HON. SPEAKER: The question is:

"That clause 3, as amended, stand part of the Bill."

The motion was adopted.

Clause 3, as amended, was added to the Bill.

Clause 4**Recognition of identity
of transgender person.**

DR. SHASHI THAROOR : I beg to move:

Page 3, *for* lines 11 and 12, --

substitute "(2) Every person shall have the right to determine their gender identity, whether as male, female or transgender."

(42)

HON. SPEAKER: I shall now put amendment No.42 moved by Dr. Shashi Tharoor to clause 4 to the vote of the House.

The amendment was put and negatived.

HON. SPEAKER: The question is:

"That clause 4 stand part of the Bill."

The motion was adopted.

Clause 4 was added to the Bill.

Clause 5**Application for certificate
of identity**

DR. SHASHI THAROOR : I beg to move:

Page 3, *for* lines 13 to 15, --

substitute "5. (1) A transgender person may make an application to the District Magistrate for issuing a certificate of gender identity, in such manner, as may be prescribed.

(2) The application form shall include the following:-

(a) A declaration stating that the applicant is a transgender person as defined in section 2(i) of this Act;

(b) A declaration stating that the applicant identifies as a male or female or transgender person and wishes to be recognized as such; and

(c) Where the applicant also wishes to adopt a new name, a declaration stating such change in name.'

(3) The application form shall be accompanied by:-

(a) a recent passport size photograph of the applicant; and

(b) a report by a clinical psychologist or a psychiatrist, as defined under the Mental Healthcare Act, 2017 confirming gender incongruence of the applicant." (43)

HON. SPEAKER: I shall now put amendment No.43 moved by Dr. Shashi Tharoor to clause 5 to the vote of the House.

The amendment was put and negatived.

HON. SPEAKER: The question is:

"That clause 5 stand part of the Bill."

The motion was adopted.

Clause 5 was added to the Bill.

Clause 6 District Screening Committee

HON. SPEAKER: Shri N.K. Premachandran- Not present.

DR. SHASHI THAROOR : I beg to move:

Page 3, *for* lines 18 to 26, --

substitute "6. (1) The District Magistrate may, while examining the application referred to in section 5, call for additional documents, if necessary, to verify the contents of the said application:

Provided that no applicant shall be required to provide proof of having undergone sex reassignment surgery, hormonal therapy or other similar medical interventions for the purpose of legal recognition of general identity:

Provided further that no applicant shall be subjected to any physical examination for the purpose of legal recognition of gender identity.

(2) The District Magistrate shall, after examining the application, grant a certificate recording the gender as male or female or transgender, as indicated by the applicant within a period of 30 days of receipt of such application:

Provided that where the applicant wishes to adopt a new name as provided under clause (c) of sub-section (2) of section 5, the certificate shall also record the adopted name of such applicant.

(3) The certificate referred to in sub-section (2) shall be issued in such form and manner as may be prescribed." (44)

HON. SPEAKER: I shall now put amendment No.44 moved by Dr. Shashi Tharoor to clause 6 to the vote of the House.

The amendment was put and negatived.

HON. SPEAKER: The question is:

“That clause 6 stand part of the Bill.”

The motion was adopted.

Clause 6 was added to the Bill.

Clause 7

Issue of Certificate of identity

HON. SPEAKER : Shri N.K. Premachandran - Not present.

DR. SHASHI THAROOR : I beg to move:

Page 3, *for* lines 27 to 34, --

substitute "7. Every change in gender and name, as applicable, shall be published in the official gazette within a period of 60 days of obtaining the certificate referred to under sub-section (2) of section 6." (45)

HON. SPEAKER: I shall now put amendment No.45 moved by Dr. Shashi Tharoor to clause 7 to the vote of the House.

The amendment was put and negatived.

HON. SPEAKER: The question is:

“That clause 7 stand part of the Bill.”

The motion was adopted.

Clause 7 was added to the Bill.

Clause 8 Change in gender

संशोधन किए गए :

पृष्ठ 4, पंक्ति 31 से 33 के स्थान पर प्रतिस्थापित करता हूं,-

लिंग में परिवर्तना “8. (1) धारा 7 की उपधारा (1) के अधीन प्रमाणपत्र जारी करने के पश्चात्, यदि उभयलिंगी व्यक्ति पुरुष या महिला के रूप में अपने लिंग में परिवर्तन के लिए शल्यक्रिया करवाता है तो ऐसा व्यक्ति इस निमित्त उस चिकित्सा संस्था, जिसमें उस व्यक्ति ने शल्यक्रिया करवाई है, के चिकित्सा अधीक्षक या मुख्य चिकित्सा अधिकारी द्वारा जारी प्रमाणपत्र के साथ जिला मजिस्ट्रेट को पुनरीक्षित प्रमाणपत्र के लिए ऐसे प्ररूप और ऐसी रीति में आवेदन करेगा, जो विहित की जाए।”
(10)

पृष्ठ 5, पंक्ति 2 “उपधारा (1) के अधीन किसी आवेदन की प्राप्ति पर और जिला छानबीन समिति द्वारा की गई सिफारिशों पर” **के स्थान पर** “उपधारा (1) के अधीन प्रमाणपत्र के साथ और ऐसे प्रमाणपत्र की शुद्धता के प्रति समाधान हो जाने पर” **प्रतिस्थापित** करता हूं। (11)

पृष्ठ 5, पंक्ति 5 “वह व्यक्ति, जिसे पुनरीक्षित प्रमाणपत्र जारी किया गया है” **के स्थान पर** “वह व्यक्ति जिसे धारा 7 के अधीन प्रमाण पत्र या पुनरीक्षित प्रमाणपत्र जारी किया गया है” **प्रतिस्थापित** करता हूं। (12)

पृष्ठ 5, पंक्ति 8 "उपधारा (1)" के स्थान पर, "उपधारा (2)" प्रतिस्थापित करता हूँ।
(13)
(श्री थावर चंद गहलोत)

HON. SPEAKER: Shri N.K. Premachandran - Not present.

DR. SHASHI THAROOR : I beg to move:

Page 3, for lines 35 to 46, --

substitute "8(1) The certificate granted by the District Magistrate under sub-section (2) of section 6 or the publication in the official gazette under section 7, shall be valid for the purpose of changing one's gender and name (where applicable) in all official identity documents, whether issued by the appropriate Government or any other entity.

(2) All records related to the legal recognition of gender shall be kept confidential by the concerned authority and shall not be disclosed except for the purposes of this Act. (46)

HON. SPEAKER: I shall now put amendment No.46 moved by Dr. Shashi Tharoor to clause 8 to the vote of the House.

The amendment was put and negatived.

HON. SPEAKER: The question is:

"That clause 8, as amended, stand part of the Bill."

The motion was adopted.

Clause 8, as amended, was added to the Bill.

**Clause 9 Obligation of the appropriate
Government**

DR. SHASHI THAROOR : I beg to move:

Page 4, line 11, --

for "rehabilitation"

substitute "housing", (47)

Page 4, line 13, --

insert "(6) The appropriate Government shall take measures to include an entry for 'transgender' in the sex/gender column of every document, form or application issued or used by it", (48)

HON. SPEAKER: I shall now put amendment Nos. 47 and 48 moved by Dr. Shashi Tharoor to clause 9 to the vote of the House.

The amendments were put and negatived.

HON. SPEAKER: The question is:

"That clause 9 stand part of the Bill."

The motion was adopted.

Clause 9 was added to the Bill.

Clauses 10 and 11**Non discrimination in employment
and obligation of establishments**

HON. SPEAKER: Shri N.K. Premachandran - Not present.

The question is:

“That clauses 10 and 11 stand part of the Bill.”

The motion was adopted.

Clauses 10 and 11 were added to the Bill.

Clause 12**Grievance redressal mechanism**

संशोधन किया गया :

पृष्ठ 5, पंक्ति 32 “एक सौ या उससे अधिक व्यक्तियों से मिलकर बना है” का **लोप**
करता हूँ

(14)

(श्री थावर चंद गहलोत)

HON. SPEAKER: The question is:

“That clause 12, as amended, stand part of the Bill.”

The motion was adopted.

Clause 12, as amended, was added to the Bill.

Clause 13**Right of residence**

संशोधन किए गए:

पृष्ठ 6, पंक्ति 1 “उभयलिंगी व्यक्ति” के स्थान पर, “बालक” प्रतिस्थापित करता हूं
(15)

पृष्ठ 6, पंक्ति 4 “व्यक्ति” के स्थान पर, “बालक” प्रतिस्थापित करता हूं (16)

(श्री थावर चंद गहलोत)

DR. SHASHI THAROOR : I beg to move:

Page 4, line 24,-

for "transgender person"

substitute "transgender or gender non-conforming child". (49)

Page 4, line25,-

for "transgender"

substitute "transgender or gender non-conforming". (50)

Page 4, line 35,-

for "rehabilitation centre"

substitute "a shelter, established by the appropriate government, for as much time as desired by the transgender person". (51)

HON. SPEAKER: I shall now put amendment Nos.49 to 51 to clause 13 moved by Dr. Shashi Tharoor to the vote of the House.

The amendments were put and negatived.

HON. SPEAKER: The question is:

“That clause 13, as amended, stand part of the Bill.”

The motion was adopted.

Clause 13, as amended, was added to the Bill.

Clause 14 **Obligation of educational institutions
to provide inclusive education to
transgender persons**

संशोधन किया गया :

पृष्ठ 6, पंक्ति 16 “सभी शैक्षिक संस्थाएं” के स्थान पर, प्रत्येक शैक्षिक संस्था”
प्रतिस्थापित करता हूँ।

(17)

(श्री थावर चंद गहलोत)

DR. SHASHI THAROOR : I beg to move:

Page 4, line 38,-

for "14"

substitute "14(1)".

(52)

Page 4, after line 40,-

insert "(2) All educational institutions funded or recognised by the appropriate Government shall ensure inclusion of comprehensive, affirmative and accurate material on sexual, biological, physical and psychological diversity, and the human rights of people of diverse sexual orientations, gender identities, gender expressions and sex characteristics, in curricula, taking into consideration the evolving capacity of the child.

(3) The appropriate Government shall ensure inclusion of comprehensive, affirmative and accurate material on sexual, biological, physical and psychological diversity, and the human rights of people of diverse sexual orientations, gender identities, gender expressions and sex characteristics, in teacher training and continuing professional development programmes.

(4) The appropriate Government shall offer scholarships to transgender students, to encourage and promote their access to primary, secondary and higher education." (53)

HON. SPEAKER: I shall now put amendment Nos.52 and 53 to clause 14 moved by Dr. Shashi Tharoor to the vote of the House.

The amendments were put and negatived.

HON. SPEAKER: The question is:

“That clause 14, as amended, stand part of the Bill.”

The motion was adopted.

Clause 14, as amended, was added to the Bill.

Clause 15

Vocational training and self employment

DR. SHASHI THAROOR : I beg to move:

Page 5, line 3,-

after "Self-employment",

insert "and offer incentives to private establishments that hire transgender persons as employees" (54)

HON. SPEAKER: I shall now put amendment No.54 to clause 15 moved by Dr. Shashi Tharoor to the vote of the House.

The amendment was put and negatived.

HON. SPEAKER: The question is:

“That clause 15 stand part of the Bill.”

The motion was adopted.

Clause 15 was added to the Bill.

Clause 16 Health care facilities

संशोधन किए गए :

पृष्ठ 6, पंक्ति 27 “पूर्व और पश्च” के स्थान पर, “पहले और पश्चात्” प्रतिस्थापित करता हूं।
(18)

पृष्ठ 7, पंक्ति 3 और 4 के स्थान पर अंतःस्थापित करें,-

“(छ) उभयलिंगी व्यक्ति की समग्र बीमा योजना द्वारा लिंग पुनः निर्धारण शल्यक्रिया, हार्मोन चिकित्सा, लेजर चिकित्सा या किन्हीं अन्य स्वास्थ्य मुद्दों पर चिकित्सा व्यय को चुकाने के लिए उपबंध”।
(19)

(श्री थावर चंद गहलोत)

DR. SHASHI THAROOR : I beg to move:

Page 5, line 16,-

after "medical expenses"

insert "including expenses for sex-reassignment surgery, hormonal therapy and other related medical procedures,".
(55)

HON. SPEAKER: I shall now put amendment No.55 to clause 16 moved by Dr. Shashi Tharoor to the vote of the House.

The amendment was put and negatived.

HON. SPEAKER: The question is:

“That clause 16, as amended, stand part of the Bill.”

The motion was adopted.

Clause 16, as amended, was added to the Bill.

Clause 17

National Council for transgender

संशोधन किए गए :

पृष्ठ 7, पंक्ति 10 “परिषद्” के स्थान पर, “राष्ट्रीय परिषद्” प्रतिस्थापित करता हूं।
(20)

पृष्ठ 7, पंक्ति 17 और 18 “आवास और शहरी गरीबी उन्मूलन मंत्रालय” के स्थान पर “आवासन और शहरी कार्य मंत्रालय” प्रतिस्थापित करता हूं।
(21)

पृष्ठ 7, पंक्ति 20 “नीति आयोग” के स्थान पर, “राष्ट्रीय भारत परिवर्तन संस्थान आयोग” प्रतिस्थापित करता हूं।
(22)

(श्री थावर चंद गहलोत)

HON. SPEAKER: The question is:

“That clause 17, as amended, stand part of the Bill.”

The motion was adopted.

Clause 17, as amended, was added to the Bill.

Clause 18 Functions of the Council

संशोधन किया गया:

पृष्ठ 8, पंक्ति 12 के पश्चात् अंतः स्थापित करें,-

“(गक) उभयलिंगी व्यक्तियों की शिकायतों को दूर करना;”

(23)

(श्री थावर चंद गहलोत)

HON. SPEAKER: The question is:

“That clause 18, as amended, stand part of the Bill.”

The motion was adopted.

Clause 18, as amended, was added to the Bill.

Clause 19 Offences and penalties

DR. SHASHI THAROOR : Madam, I beg to move:

Page 6, lines 19 and 20,-

omit "the act of begging or other similar forms of" (56)

Page 6, after line 31,-

insert "(2) Notwithstanding anything contained in the Indian Penal Code, 1860, all provisions dealing with offences under the said code shall be applicable to transgender victims of such offences. (57)

HON. SPEAKER: I shall now put amendment nos. 56 and 57 to clause 19 moved by Dr. Shashi Tharoor to the vote of the House.

The amendments were put and negatived.

HON. SPEAKER: The question is:

"That clause 19 stand part of the Bill."

The motion was adopted.

Clause 19 was added to the Bill.

Clause 20 Grants by Central Government

संशोधन किया गया:

पृष्ठ 9, पंक्ति 4 "परिषद्" के स्थान पर, "राष्ट्रीय परिषद्" प्रतिस्थापित करें।

(24)

(श्री थावर चंद गहलोत)

HON. SPEAKER: The question is:

“That clause 20, as amended, stand part of the Bill.”

The motion was adopted.

Clause 20, as amended, was added to the Bill.

Clauses 21 and 22 were added to the Bill.

Clause 23

**Power of appropriate
Government to make rules**

संशोधन किए गए:

पृष्ठ 9, पंक्ति 12 “अधिसूचना द्वारा” के स्थान पर “अधिसूचना द्वारा पूर्व प्रकाशन की शर्त के अधीन रहते हुए” प्रतिस्थापित करें। (25)

पृष्ठ 9, पंक्ति 20 और 21 के स्थान पर-

“(ग) वह प्ररूप और रीति जिसमें धारा 8 की उपधारा (1) के अधीन आवेदन किया जाएगा;

(गक) धारा 8 की उपधारा (2) के अधीन पुनरीक्षित प्रमाणपत्र जारी करने का प्ररूप, अवधि और रीति;” प्रतिस्थापित करें। (26)

(श्री थावर चंद गहलोत)

HON. SPEAKER: The question is:

“That clause 23, as amended, stand part of the Bill.”

The motion was adopted.

Clause 23, as amended, was added to the Bill.

Clause 24**Power to remove difficulties**

संशोधन किया गया:

पृष्ठ 10, पंक्ति 7 “केन्द्रीय सरकार, राजपत्र में प्रकाशित आदेश द्वारा या निदेशों द्वारा” के
स्थान पर “केन्द्रीय सरकार, राजपत्र में प्रकाशित आदेश द्वारा” रखें (27)

(श्री थावर चंद गहलोत)

HON. SPEAKER: The question is:

“That clause 24, as amended, stand part of the Bill.”

The motion was adopted.

Clause 24, as amended, was added to the Bill.

Clause 1**Short title, extent and commencement**

संशोधन किया गया:

पृष्ठ 1, पंक्ति 6, "2016" के स्थान पर, "2018" प्रतिस्थापित करें। (2)

(श्री थावर चंद गहलोत)

HON. SPEAKER: The question is:

"That clause 1, as amended, stand part of the Bill."

The motion was adopted.

Clause 1, as amended, was added to the Bill.

Enacting Formula

संशोधन किया गया:

पृष्ठ 1, पंक्ति 1, "सड़सठवें" के स्थान पर, "उनहत्तरवें" प्रतिस्थापित करें। (1)

(श्री थावर चंद गहलोत)

HON. SPEAKER: The question is:

"That Enacting Formula, as amended, stand part of the Bill."

The motion was adopted.

The Enacting Formula, as amended, was added to the Bill.

The Long Title was added to the Bill.

HON. SPEAKER: Shri Badaruddoza Khan. You may speak for only one minute.

... (*Interruptions*)

श्री मोहम्मद बदरुद्दोजा खान (मुर्शिदाबाद) : अध्यक्ष महोदया, मैं चाहता था कि जब बिल पर डिस्कशन हो रहा था तब कुछ बोलूंगा, लेकिन मुझे तब मौका नहीं मिल पाया। फिर भी मेरे पास जितने दो-चार पाइंट्स हैं, मैं उनको आपके समक्ष रखता हूँ।

The definition of transgender person mentioned in the Bill is not sufficient and clear. As per the Standing Committee Report, it is against global norms and violates the rights of self-determined gender identity. A transgender person may choose to identify as man, woman, or transgender irrespective of sex reassignment surgery and hormonal therapy.

The Standing Committee Report also recommended that the Bill must include definition of discrimination. It also recommended a redressal mechanism for those facing discrimination to be included in the Bill. As per the Bill, any establishment with more than a hundred persons is required to designate a person as a complaint officer. This requirement must be extended for all establishments.

A transgender person must not be separated from parents. There is some provision in this Bill but the provision should be imposed strictly so that the transgender person can get some relief. In cases of sexual harassment, the punishment is for six months. This is not enough; it must be corrected.

In case of sports at the district, State, and national levels, under what group would these transgender people take part? There is no mention about that in this Bill. It must be made clear in the Bill.

HON. SPEAKER: The Minister may now move that the Bill, as amended, be passed.

श्री थावर चंद गहलोत : अध्यक्ष महोदया, मैं प्रस्ताव करता हूँ :

“कि विधेयक को यथा संशोधित पारित किया जाए।”

HON. SPEAKER: The question is:

“That the Bill, as amended, be passed.”

The motion was adopted.

HON. SPEAKER: The House stands adjourned to meet again on Tuesday, the 18th December, 2018 at 11 a.m.

15 32 hrs

The Lok Sabha then adjourned till Eleven of the Clock on Tuesday, December 18, 2018/Agrahayana 27, 1940 (Saka).
