

[Shri B.K. Gadhvi]

As I told initially, the hon. Members have raised larger issues which are not relevant immediately to the present Bill; they would be of more relevance when the budget proposals are there. At the moment, the Bill only wants to extend its operations to two States, namely Punjab and Tripura.

Mr Amal Dutta made a point and asked why this estate duty on agricultural land was being abolished. I would say that the West Bengal Government never imposed or consented to impose estate duty on agricultural land. This is the performance of that Government. They did not impose estate duty on agricultural land in West Bengal along with two or three States. Therefore, it does not lie in his mouth to say that we are abolishing the estate duty in order to help the zamindaras, because this is not the case.

With these words, I submit that the Bill be taken into consideration.

MR. DEPUTY-SPEAKER : The question is :

"That the Bill further to amend the Estate Duty Act, 1953, be taken into consideration."

*The motion was adopted.*

MR. DEPUTY-SPEAKER : We will now take up clause by clause consideration of the Bill.

MR. DEPUTY-SPEAKER : Clause 2. The question is :

"That Clause 2 stand part of the Bill".

*The motion was adopted*

*Clause 2 was added to the Bill.*

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

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

MR. B.K. GADHVI : I beg to move :

"That the Bill be passed."

MR. DEPUTY-SPEAKER : The question is :

"That the Bill be passed."

*The motion was adopted*

15.16 hrs.

### RAILWAYS BILL, 1986

[English]

MR. DEPUTY-SPEAKER : We will now take up Item No. 11 of the agenda.

THE MINISTER OF STATE OF THE MINISTRY OF RAILWAYS (SHRI MADHAVRAO SCINDIA) : I beg to move:

"That the Bill to consolidate and amend the law relating to Railways, be referred to a Joint Committee of the Houses consisting of 45 members, 30 from this House, namely :—

1. Shri Basudeb Acharia
2. Shri Aatur Rahman
3. Shri Banwari Lal Bairwa
4. Dr. Krupasindhu Bhoi
5. Shri Narayan Choubey
6. Shri V. Kishore Chandra S. Deo
7. Shri Tarun Kanti Ghosh
8. Shri Janak Raj Gupta
9. Shri Harpal Singh
10. Shri Haren Bhumij
11. Shri Jaideep Singh
12. Shri Jujhar Singh
13. Shri Gurudas Kamat
14. Shri P. Kolandaivelu
15. Shri P.R. Kumaramangalam
16. Prof. P.J. Kurien
17. Shri Mahendra Singh

18. Shri Arvind Netam
19. Shri Ram Pyare Panika
20. Shri H.M. Patel
21. Shri Aziz Qureshi
22. Shri K.H. Ranganath
23. Shri D.N. Reddy
24. Shri Madhavrao Scindia
25. Shri R.S. Sparrow
26. Shri K.D. Sultanpuri
27. Shri Tariq Anwar
28. Dr. C P. Thakur
29. Shri Bal Ram Singh Yadav

30. (Name of the thirtieth member to be intimated later).

“and 15 from Rajya Sabha ;

“that in order to constitute a sitting of the Joint Committee the quorum shall be one-third of the total number of members of the Joint Committee ;

“that the Committee shall make a report to this House by the last day of the first week of the next session ;

“that in other respects the Rules of procedure of this House relating to parliamentary Committees shall apply with such variations and modifications as the Speaker may make ; and

“that this House do recommend to Rajya Sabha that Rajya Sabhs do join the said Joint Committee and communicate to this House the names of 15 members to be appointed by Rajya Sabha to the Joint Committee.”

MR. DEPUTY-SPEAKER : The question is :

“That the Bill to consolidate and amend the law relating to Railways be referred to a Joint Committee of the Houses consisting of 45 members, 30 from this House, namely :—

1. Shri Basudeb Acharia
2. Shri Ataur Rahman

3. Shri Banwari Lal Bairwa
4. Dr. Krupasindhu Bhoi
5. Shri Narayan Choubey
6. Shri V. Kishore Chandra S. Deo
7. Shri Tarun Kanti Ghosh
8. Shri Janak Raj Gupta
9. Shri Harpal Singh
10. Shri Haren Bhumij
11. Shri Jaideep Singh
12. Shri Jujhar Singh
13. Shri Gurudas Kamat
14. Shri P. Kolandaivelu
15. Shri P.R. Kumaramangalam
16. Prof. P.J. Kurien
17. Shri Mahendra Singh
18. Shri Arvind Netam
19. Shri Ram Pyare Panika
20. Shri H.M. Patel
21. Shri Aziz Qureshi
22. Shri K.H. Ranganath
23. Shri D N. Reddy
24. Shri Madhavrao Scindia
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26. Shri K.D. Sultanpuri
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“that the Committee shall make a report to this House by the last day of the first week of the next session ;

“that in other respects the Rules of Procedure of this House relating to Parliamentary Committees shall apply with such variations and modifications as the Speaker may make ; and

[Mr. Deputy Speaker]

"that this House do recommend to Rajya Sabha that Rajya Sabha do join the said Joint Committee and communicate to this House the names of 15 members to be appointed by Rajya Sabha to the Joint Committee."

*The motion was adopted.*

15.20 hrs.

JUVENILE JUSTICE BILL, 1986

[English]

MR. DEPUTY-SPEAKER : Now we will take up Item No. 12. Smt. Rajendra Kumari Bajpai.

THE MINISTER OF STATE OF THE MINISTRY OF WELFARE (DR. RAJEDRA KUMARI BAJPAI) : I beg to move :

"That the Bill to provide for the care, protection, treatment, development and rehabilitation of neglected or delinquent juveniles and for the adjudication of certain matters relating to and disposing of, delinquent juveniles, be taken into consideration."

Sir, in the last session of this House, I had introduced the Juvenile Justice Bill, 1986 which seeks to provide for the care, protection, treatment and rehabilitation of neglected or delinquent children and for the adjudication of matters relating to and disposal of delinquent juveniles.

The existing approach towards children who violate law or are found in situation of social maladjustments is governed by the Children Acts in various States. Besides laying down for the differential treatment of juvenile delinquents as compared to the procedure in the Code of Criminal Procedure for adult offenders, these Acts provide for care, protection and rehabilitation of certain categories of children. A review of the Children Acts show that there are

certain lacunae and variations in the basic provisions in regard to the age group and the machinery for trial and processing. The age group of delinquent children or those children who do some

15.21 hrs.

[SHRI VAKKOM PURUSHOTHAMAN  
*in the chair*]

offence is not uniform and at the same time, the machinery for trial and processing are also not uniform. The infrastructure for implementation of such acts is not uniformly available in various parts of the country. The Children Acts are not new in this country, but still it is not properly implemented. There are also very glaring differences in the penalties prescribed for offences against children under substantive law and special enactments. That is one important point. Thus for the offences forcing children to beg, the penalty prescribed under the Indian Penal Code and the Anti-Beggary Laws are more stringent than those under the various Children's Acts. So we have to see both the sides that children are not compelled to beg and those persons or groups of people who compel poor children to beg are taken into task and stringent punishment is given to them. There is also no scientific system in classifying delinquent children on the basis of the nature of offences and other circumstances related to the offences. It also came to light. That is also one lacuna in the existing Act in different States. As a result all offenders whether they are guilty of very minor crime or very serious and heinous crime are treated at par, that is the cruel part which the children are facing now-a-days. Children are kept with hardened criminals in jails. So, we have to see that those children who have only committed very minor offences, they are at least not treated like criminals who are languishing in jails. So, these are the points. In the absence of any uniform and well-defined norm and standard under common legislation, the quality of services has often been the subject of severe criticism, in various forums. You know that recently, the Supreme Court also passed a judgement that children should not be kept with hardened