

RAJYA SABHA

Parliamentary Bulletin

PART - I

(TWO HUNDRED AND FORTY SIXTH SESSION)

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No. 5410]

MONDAY, AUGUST 6, 2018

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**Brief Record of the Proceedings of the Meeting of the Rajya Sabha held on the 6<sup>th</sup> August, 2018**

11-00 a.m.

**1. Papers Laid on the Table**

The following papers were laid on the Table:—

1. A copy each (in English and Hindi) of the following Notifications of the Ministry of Environment, Forest and Climate Change, under Section 26 of the Environment (Protection) Act, 1986:—

- (1) G.S.R. 2555 (E), dated the 10<sup>th</sup> August, 2017, publishing the Noise Pollution (Regulation and Control) Amendment Rules, 2017.
- (2) G.S.R. 45 (E), dated the 19<sup>th</sup> January, 2018, issuing directions for Sale and use of pet coke in Lime Kiln in NCR States.
- (3) G.S.R. 46 (E), dated the 19<sup>th</sup> January, 2018, issuing directions for Sale and use of pet coke in Cement Plant in NCR States.
- (4) G.S.R. 94 (E), dated the 25<sup>th</sup> January, 2018, publishing the Environment (Protection) Amendment Rules, 2018.
- (5) G.S.R. 177 (E), dated the 28<sup>th</sup> February, 2017, publishing the Hazardous and Other Wastes (Management and Transboundary Movement) Amendment Rules, 2017.
- (6) G.S.R. 261 (E), dated the 22<sup>nd</sup> March, 2018, publishing the E-Waste (Management) Amendment Rules, 2018.

- (7) G.S.R. 492 (E), dated the 25<sup>th</sup> May, 2018, amending Notification No. G.S.R. 45 (E), dated the 19<sup>th</sup> January, 2018, to omit/insert/substitute certain entries in the original Notification.
- (8) G.S.R. 493 (E), dated the 25<sup>th</sup> May, 2018, amending Notification No. G.S.R. 46 (E), dated the 19<sup>th</sup> January, 2018, to omit/insert/substitute certain entries in the original Notification.
- (9) G.S.R. 494 (E), dated the 25<sup>th</sup> May, 2018, issuing directions for Sale and use of pet coke in NCR States for carbide manufacturing industry using fuel grade pet coke wherein it is used in the manufacturing process and not as fuel.
- (10) G.S.R. 495 (E), dated the 25<sup>th</sup> May, 2018, amending Notification No. G.S.R. 45 (E), dated the 19<sup>th</sup> January, 2018, to insert certain entries in the original Notification.
- (11) G.S.R. 544 (E), dated the 12<sup>th</sup> June, 2018, publishing the Hazardous and Other Wastes (Management and Transboundary Movement) Amendment Rules, 2018.

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

- (a) Forty-second Annual Report and Accounts of the National Film Development Corporation Limited (NFDC), Mumbai, for the year 2016-17, together with the Auditor's Report on the Accounts and the comments of the Comptroller and Auditor General of India thereon.
- (b) Review by Government on the working of the above Corporation.

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

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

- (i) (a) Thirty-eighth Annual Report and Accounts of the Kerala Land Development Corporation Limited (KLDC), Thiruvananthapuram, for the year 2010-11, together with the Auditor's Report on the Accounts and the comments of the Comptroller and Auditor General of India thereon.

- (b) Review by the Government on the working of the above Corporation.
- (ii) (a) Thirty-ninth Annual Report and Accounts of the Kerala Land Development Corporation Limited (KLDC), Thiruvananthapuram, for the year 2011-12, together with the Auditor's Report on the Accounts and the comments of the Comptroller and Auditor General of India thereon.
- (b) Review by the Government on the working of the above Corporation.
- (2) Statements (in English and Hindi) giving reasons for the delay in laying the papers mentioned at (1) above.

4. A copy each (in English and Hindi) of the following Notifications of the Ministry of Road Transport and Highways, under Section 10 of the National Highways Act, 1956:—

- (1) S.O. 993 (E), dated the 6<sup>th</sup> March, 2018, amending Notification No. S.O. 689 (E), dated the 4<sup>th</sup> April, 2011, to substitute certain entries in the original Notification.
- (2) S.O. 994 (E), dated the 6<sup>th</sup> March, 2018, declaring certain new National Highways as specified therein and inserting their description in the Schedule of the Act.
- (3) S.O. 995 (E), dated the 6<sup>th</sup> March, 2018, declaring new National Highway No. 354E and inserting its description in the Schedule of the Act.
- (4) S.O. 1117 (E), dated the 13<sup>th</sup> March, 2018, declaring new National Highway No. 151A and inserting its description in the Schedule of the Act.
- (5) S.O. 1322 (E), dated the 22<sup>nd</sup> March, 2018, regarding rate of fee to be collected from users of the stretch from K.M. 0.000 to K.M. 52.200 (Sitarganj – Tanakpur Section) on National Highway No. 125 in the State of Uttarakhand.
- (6) S.O. 1357 (E), dated the 26<sup>th</sup> March, 2018, declaring new National Highway No. 369E, 373 and 275K and inserting their description in the Schedule of the Act.

- (7) S.O. 1358 (E), dated the 26<sup>th</sup> March, 2018, amending Notification No. S.O. 689 (E), dated the 4<sup>th</sup> April, 2011, to substitute certain entries in the original Notification.
- (8) S.O. 1385 (E), dated the 27<sup>th</sup> March, 2018, amending Notification No. S.O. 1096 (E), dated the 4<sup>th</sup> August, 2005, to substitute certain entries in the original Notification.
- (9) S.O. 1466 (E), dated the 3<sup>rd</sup>, April 2018, declaring certain new National Highways as specified therein and inserting their description in the Schedule of the Act.
- (10) S.O. 1519 (E), dated the 6<sup>th</sup> April, 2018, amending Notification No. S.O. 1096 (E), dated the 4<sup>th</sup> August, 2005, to substitute certain entries in the original Notification.
- (11) S.O. 1533 (E), dated the 9<sup>th</sup> April, 2018, amending certain Notifications as mentioned in Table-1 therein by specifying that the rate of fee to be collected on the BOT (Toll) Projects shall be rounded off and levied in multiple of the nearest Rs. 5/- instead of upwards to nearest one rupee.
- (12) G.S.R. 427 (E), dated the 7<sup>th</sup> May, 2018, publishing the National Highways Fee (Determination of Rates and Collection) Amendment Rules, 2018.
- (13) S.O. 1842 (E), dated the 8<sup>th</sup> May, 2018, declaring new National Highway Nos. 148N, 754K and 152D and inserting their description in the Schedule of the Act.
- (14) S.O. 1970 (E), dated the 18<sup>th</sup> May, 2018, amending Notification No. S.O. 1096 (E), dated the 4<sup>th</sup> August, 2005, to substitute certain entries in the original Notification.
- (15) S.O. 2009 (E), dated the 21<sup>st</sup> May, 2018, regarding rate of fee to be collected from users of the stretch from K.M. 0.000 to K.M. 243.170 (Madurai – Tirunelveli – Panagudi –Kanyakumari Section) on National Highway No. 7 in the State of Tamil Nadu.

- (16) S.O. 2010 (E), dated the 21<sup>st</sup> May, 2018, regarding rate of fee to be collected from users of the stretch from K.M. 236.000 to K.M. 332.100 (Shivpuri – Guna Section) on National Highway No. 3 in the State of Madhya Pradesh.
- (17) S.O. 2023(E), dated the 22<sup>nd</sup> May, 2018, declaring new National Highway No. 516C and inserting its description in the Schedule of the Act.
- (18) S.O. 2024 (E), dated the 22<sup>nd</sup> May, 2018, publishing Corrigendum to Notification No. S.O. 3202 (E), dated the 29<sup>th</sup> September, 2017.
- (19) S.O. 2025 (E), dated the 22<sup>nd</sup> May, 2018, amending Notification No. S.O. 1096 (E), dated the 4<sup>th</sup> August, 2005, to substitute certain entries in the original Notification.
- (20) S.O. 2027 (E), dated the 22<sup>nd</sup> May, 2018, amending Notification No. S.O. 1096 (E), dated the 4<sup>th</sup> August, 2005, to substitute certain entries in the original Notification.
- (21) S.O. 2299 (E), dated the 6<sup>th</sup> June, 2018, regarding rate of fee to be collected from users of the stretch from K.M. 1.000 to K.M. 136.000 of Six-Lane Eastern Peripheral Expressway on National Highway No. NE-II in the States of Haryana and Uttar Pradesh.
- (22) S.O. 2940 (E), dated the 18<sup>th</sup> June, 2018, regarding rate of fee to be collected from users of the stretch from K.M. 0.000 to K.M. 75.008 (Uncha Nagla – Khanua – Roopwas – Dholpur Section) on National Highway No. 123 in the State of Rajasthan and Uttar Pradesh.
- (23) S.O. 2943 (E), dated the 19<sup>th</sup> June, 2018, declaring new National Highway No. 321G and inserting its description in the Schedule of the Act.
- (24) S.O. 2944 (E), dated the 19<sup>th</sup> June, 2018, declaring new National Highway No. 124D and inserting its description in Schedule of the Act.

- (25) S.O. 2945 (E), dated the 19<sup>th</sup> June, 2018, amending Notification No. S.O. 1096 (E), dated the 4<sup>th</sup> August, 2005, to substitute certain entries in the original Notification.
- (26) S.O. 2969 (E), dated the 20<sup>th</sup> June, 2018, amending Notification No. S.O. 1096 (E), dated the 4<sup>th</sup> August, 2005, to substitute certain entries in the original Notification.
- (27) S.O. 2971 (E), dated the 20<sup>th</sup> June, 2018, declaring new National Highway No. 244A and inserting its description in the Schedule of the Act.
- (28) S.O. 3031 (E), dated the 22<sup>nd</sup> June, 2018, amending Notification No. S.O. 1096 (E), dated the 4<sup>th</sup> August, 2005, to substitute certain entries in the original Notification.
- (29) S.O. 3033 (E), dated the 22<sup>nd</sup> June, 2018, amending Notification No. S.O. 1096 (E), dated the 4<sup>th</sup> August, 2005, to substitute certain entries in the original Notification.
- (30) S.O. 3251 (E), dated the 5<sup>th</sup> July, 2018, amending Notification No. S.O. 1096 (E), dated the 4<sup>th</sup> August, 2005, to substitute certain entries in the original Notification.
- (31) S.O. 3252 (E), dated the 5<sup>th</sup> July, 2018, amending Notification No. S.O. 1096 (E), dated the 4<sup>th</sup> August, 2005, to substitute certain entries in the original Notification.
- (32) S.O. 3255 (E), dated the 5<sup>th</sup> July, 2018, declaring new National Highway No. 701A and inserting its description in the Schedule of the Act.
- (33) S.O. 3162 (E), dated the 29<sup>th</sup> June, 2018, regarding rate of fee to be collected from users of the stretch from K.M. 950.542 to K.M. 1022.494 (Siddantham – Gundugolanu Section) on National Highway No. 16 in the State of Andhra Pradesh.
- (34) S.O. 3163 (E), dated the 29<sup>th</sup> June, 2018, regarding rate of fee to be collected from users of the stretch from K.M. 153.000 to K.M. 259.300 (Barmer – Sanchor – Gujarat Border Section) on National Highway No. 15 (New NH No. 68) in the State of Rajasthan.

- (35) S.O. 3164 (E), dated the 29<sup>th</sup> June, 2018, regarding rate of fee to be collected from users of the stretch from K.M. 830.525 to K.M. 901.500 (Annavaram – Diwancheruvu Section) on National Highway No. 16 in the State of Andhra Pradesh.
- (36) S.O. 3165 (E), dated the 29<sup>th</sup> June, 2018, regarding rate of fee to be collected from users of the stretches from K.M. 264.000 K.M. 248.700 (Swaroopgunj – Pindwara Section) on National Highway No. 14 and from K.M. 0.000 to K.M. 104.724 (Pindwara – Udaipur Section) on National Highway No. 76 (New NH No. 27) in the State of Rajasthan.
- (37) S.O. 3166 (E), dated the 29<sup>th</sup> June, 2018, regarding rate of fee to be collected from users of the stretch from K.M. 741.255 to K.M. 830.525 (Ankapalli – Annavaram Section) on National Highway No. 16 in the State of Andhra Pradesh.
- (38) S.O. 3167 (E), dated the 29<sup>th</sup> June, 2018, regarding rate of fee to be collected from users of the stretch from K.M. 254.537 to K.M. 306.000 (Garamore – Samakhaiyali Section) on National Highway No. 8A in the State of Gujarat.
- (39) S.O. 3168 (E), dated the 29<sup>th</sup> June, 2018, regarding rate of fee to be collected from users of the stretch from K.M. 182.600 to K.M. 254.537 (Bamanbore – Garamore Section) on National Highway No. 8A in the State of Gujarat.

5. A copy each (in English and Hindi) of the following Notifications of the Ministry of Road Transport and Highways, under Section 37 of the National Highways Authority of India Act, 1988:—

- (1) S.O. 1386 (E), dated the 27<sup>th</sup> March, 2018, regarding entrustment of the stretch from K.M. 43.000 to K.M. 93.000 and from K.M. 99.000 to K.M. 150.200 (Barabanki - Bahariach - Rupaidiha Section) of National Highway No. 28C (new NH No. 927) in the State of Uttar Pradesh to the National Highways Authority of India.
- (2) S.O. 1518 (E), dated the 6<sup>th</sup> April, 2018, regarding entrustment of certain stretches of National Highway Nos. 166H and 465 in the State of Maharashtra to the National Highways Authority of India.

- (3) S.O. 1819 (E), dated the 4<sup>th</sup> May, 2018, regarding entrustment of the stretch from K.M. 188.050 to K.M. 188.600 (Lucknow - Raibareilly - Allahabad Section) on National Highway No. 24Bin the State of Uttar Pradesh to the National Highways Authority of India.
- (4) S.O. 1969 (E), dated the 18<sup>th</sup> May, 2018, regarding entrustment of a stretch of 140 K.M. (Sangareddy - Telagana/Maharashtra Border) of National Highway No. 161 in the State of Telangana to the National Highways Authority of India.
- (5) S.O. 2026 (E), dated the 22<sup>nd</sup> May, 2018, regarding entrustment of the stretch from K.M. 70.524 to K.M. 131.392 (Jharkhand/West Bengal Border to Detiya Section) of National Highway No. 32 in the State of West Bengal to the National Highways Authority of India.
- (6) S.O. 2028 (E), dated the 22<sup>nd</sup> May, 2018, regarding entrustment of the stretch from K.M. 34.578 to K.M. 82.000 (Narenpur-Purnea Section) of National Highway No. 131A in the State of Bihar to the National Highways Authority of India.
- (7) S.O. 2946 (E), dated the 19<sup>th</sup> June, 2018, regarding entrustment of the stretch from K.M. 0.000 to K.M. 117.000 (Ara-Mohania Section) of National Highway No. 30 in the State of Bihar to the National Highways Authority of India.
- (8) S.O. 2970 (E), dated the 19<sup>th</sup> June, 2018, regarding entrustment of the stretch from K.M. 0.000 to K.M. 38.700 (Madnur-Rudrur-Bodhan Section) of National Highway No. 161BB in the State of Telengana to the National Highways Authority of India.
- (9) S.O. 3030 (E), dated the 22<sup>nd</sup> June, 2018, regarding entrustment of the stretch from K.M. 0.000 to K.M. 53.000 (Bilaspur-Patharpali Section) of National Highway No. 111(new NH No. 130) in the State of Chhatishgarh to the National Highways Authority of India.
- (10) S.O. 3032 (E), dated the 22<sup>nd</sup> June, 2018, regarding entrustment of certain stretches of certain National Highways as mentioned therein to the National Highways Authority of India.



- (11) S.O. 3254 (E), dated the 5<sup>th</sup> July, 2018, regarding entrustment of certain stretches of certain National Highways as mentioned therein to the National Highways Authority of India.

11-01 a.m.

## **2. Messages from Lok Sabha — Reported and Government Bill Laid on the Table**

I. Secretary-General reported to the House, two messages from Lok Sabha informing Rajya Sabha that the Lok Sabha at its sitting held on the 3<sup>rd</sup> August, 2018:—

- (i) has adopted a motion appointing Shri Prathap Simha, to serve as a Member of the Joint Committee on the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement (Amendment) Second Bill, 2015 *vice* Dr. Vara Prasada Rao V., who resigned from the Lok Sabha; and
- (ii) passed the National Sports University Bill, 2018.

II. A copy of the National Sports University Bill, 2018, as passed by Lok Sabha, was laid on the Table.

11-02 a.m.

## **3. Report of the Department-related Parliamentary Standing Committee on Commerce**

Shri Naresh Gujral presented the 146<sup>th</sup> Report (in English and Hindi) of the Department Related Parliamentary Standing Committee on Commerce on 'Impact of Banking Misappropriation on Trade and Industry'.

## **4. Reports of the Department-related Parliamentary Standing Committee on Food, Consumer Affairs and Public Distribution**

Shri Ripun Bora laid on the Table, a copy each (in English and Hindi) of the following Reports of the Department-related Parliamentary Standing Committee on Food, Consumer Affairs and Public Distribution (2017-18):—

- (i) Twenty-second Report on Action Taken by the Government on the recommendations contained in their Twentieth Report on 'Demands for Grants (2018-19)' (Sixteenth Lok Sabha) of the

Ministry of Consumer Affairs, Food and Public Distribution (Department of Food and Public Distribution); and

- (ii) Twenty-third Report on Action Taken by the Government on the recommendations contained in their Twenty-first Report on 'Demands for Grants (2018-19)' (Sixteenth Lok Sabha) of the Ministry of Consumer Affairs, Food and Public Distribution (Department of Consumer Affairs).

#### **\*5. Statements of the Department-related Parliamentary Standing Committee on Food, Consumer Affairs and Public Distribution**

Shri Ripun Bora laid on the Table, a copy each (in English and Hindi) of the Final Action Taken Statements showing action taken by the Government on the recommendations contained in Chapter I and final replies in respect of Chapter V of the following Action Taken Reports (Sixteenth Lok Sabha) of the Department-related Parliamentary Standing Committee on Food, Consumer Affairs and Public Distribution (2017-18):—

- (i) Seventeenth Action Taken Report on the subject 'Computerization of Targeted Public Distribution System' of Department of Food and Public Distribution relating to the Ministry of Consumer Affairs, Food and Public Distribution (Department of Food and Public Distribution);
- (ii) Eighteenth Action Taken Report on 'Demands for Grants (2017-18)' (Sixteenth Lok Sabha) of the Ministry of Consumer Affairs, Food and Public Distribution (Department of Food and Public Distribution); and
- (iii) Nineteenth Action Taken Report on 'Demands for Grants (2017-18)' (Sixteenth Lok Sabha) of the Ministry of Consumer Affairs, Food and Public Distribution (Department of Consumer Affairs).

11-03 a.m.

#### **6. Statements by Ministers**

1. Dr. Harsh Vardhan, Minister of Science and Technology, Minister of Earth Sciences and Minister of Environment, Forest and Climate Change, laid on the Table, a Statement (in English and Hindi) regarding Status of

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\* At 11-05 a.m.

implementation of recommendations contained in the Three Hundred and Eleventh Report of the Department-related Parliamentary Standing Committee on Science and Technology, Environment and Forests on Demands for Grants (2018-19), pertaining to the Department of Scientific and Industrial Research (DSIR).

2. Shri Haribhai Parthibhai Chaudhary, Minister of State in the Ministry of Mines and the Ministry of Coal, laid on the Table, the following Statements (in English and Hindi) regarding:—

- (i) Status of implementation of recommendations contained in the Nineteenth Report of the Department-related Parliamentary Standing Committee on Coal and Steel on Demands for Grants (2016-17), pertaining to the Ministry of Mines; and
- (ii) Status of implementation of recommendations contained in the Twenty-eighth Report of the Department-related Parliamentary Standing Committee on Coal and Steel on Demands for Grants (2017-18), pertaining to the Ministry of Mines.

<sup>Δ</sup>11-09 a.m.

## **7. Matters raised with Permission**

1. Shri Ram Kumar Kashyap raised a matter regarding need for Government grants to villages which do not have their own Panchayat Land or other sources of revenue.

11-10 a.m.

2. Shri Javed Ali Khan raised a matter regarding need for better functioning of Government organizations for upliftment of minorities.

11-13 a.m.

3. Shri Manish Gupta raised a matter regarding crisis due to non-availability of anti-rabies vaccines.

11-15 a.m.

4. Dr. Ashok Bajpai raised a matter regarding adverse effects of growing population of India.

Shri Vijay Pal Singh Tomar also spoke.

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<sup>Δ</sup> From 11-06 a.m. to 11-09 a.m., some points were raised.

11-18 a.m.

5. Shri Ravi Prakash Verma raised a matter regarding corruption in implementation of *Mudra Yojana Scheme*.

11-20 a.m.

6. Shri Anil Baluni raised a matter regarding natural calamities caused by incessant rains in Uttarakhand.

11-22 a.m.

7. Dr. L. Hanumanthaiah raised a matter regarding need to make local language mandatory for all recruitments by IBPS.

11-24 a.m.

8. Shri Motilal Vora raised a matter regarding human trafficking of women and children in the country.

11-26 a.m.

9. Shri Ramvichar Netam raised a matter regarding selling of goods at more than MRP at Airports and other places.

11-28 a.m.

10. Shri Husain Dalwai raised a matter regarding agitation for reservation by Marathas in Maharashtra.

11-31 a.m.

11. Prof. Manoj Kumar Jha raised a matter regarding demand of the several Social Groups for reservation.

11-32 a.m.

12. Shri K.C. Ramamurthy raised a matter regarding need to include the World Heritage site Hampi in the 'Must See List' of the Archaeological Survey of India.

11-34 a.m.

13. Dr. Kirodi Lal Meena raised a matter regarding need to declare the Eastern Rajasthan Canal Project as national project.

11-37 a.m.

14. Shri B. Lingaiah Yadav raised a matter regarding need to establish a separate railway line connecting Bibinagar Junction to Valigouda, Suryapet and Kodad in Telangana.

11-40 a.m.

15. Shri Santiuse Kujur raised a matter regarding need for implementation of the Minimum Wages Act in the tea gardens of Assam.

11-43 a.m.

16. Ch. Sukhram Singh Yadav raised a matter regarding need for relief to flood affected State of Uttar Pradesh.

11-45 a.m.

17. Shri Derek O' Brien raised a matter regarding UIDAI and data safety.

11-48 a.m.

18. Shri Elamaram Kareem raised a matter regarding need to resume operations of wide bodied aircrafts from Calicut Airport.

11-50 a.m.

19. Shri Bhubaneswar Kalita raised a matter regarding relief to flood affected State of Assam.

11-52 a.m.

20. Shri Ritabrata Banerjee raised a matter regarding need to rename the State of West Bengal as Bangla.

11-53 a.m.

21. Shrimati Vandana Chavan raised a matter regarding widespread use of formaldehyde in fish.

11-55 a.m.

22. Shri Rakesh Sinha raised a matter regarding need for welfare and holistic development of nomadic tribes in the country.

11-57 a.m.

23. Kumari Selja raised a matter regarding floods in agricultural areas of Haryana.

<sup>o</sup>11-59 a.m.

24. Shri Prasanna Acharya raised a matter regarding closure of India Text Book Press and Lone Postal Printing Press in Odisha.

### **^8. Announcement by the Chair**

The Chairman made the following announcement:—

"Hon'ble Members are informed that the Election to the Office of the Deputy Chairman of Rajya Sabha will be held on Thursday, the 9<sup>th</sup> of August, 2018 at 11-00 A.M. immediately after laying of papers/reports on the Table.

Hon'ble Members can give notices of motions in the Rajya Sabha Notice Office up to 12 Noon on Wednesday, the 8<sup>th</sup> of August, 2018. Any notice received after 12 Noon on that day will be treated as time barred".

12-00 Noon

### **9. Starred Questions**

Starred Question Nos. 196 to 203 were orally answered. Answers to remaining Questions (204 to 210) were laid on the Table.

### **10. Unstarred Questions**

Answers to Unstarred Question Nos. 2081 to 2240 were laid on the Table.

1-00 p.m.

### **11. Statement by Minister Correcting answer to Question**

Dr. Subhash Ramrao Bhamre, Minister of State in the Ministry of Defence, laid on the Table, a Statement (in English and Hindi) correcting the

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<sup>o</sup> From 11-58 a.m. to 11-59 a.m., see item at SI No. 8.

<sup>^</sup> At 11-58 a.m.

answer to Unstarred Question 487 given in the Rajya Sabha on the 23<sup>rd</sup> July, 2018, regarding 'Transfer of defence properties to the successors'.

1-01 p.m.

*The House adjourned and re-assembled at 2-01 p.m.*

<sup>o</sup>2-02 p.m.

## 12. Government Bills - Passed

### (i) ♦The Constitution (One Hundred and Twenty-third Amendment) Bill, 2017 - Returned by Lok Sabha with alternate amendments and further amendments —

2-02 p.m.

Shri Thaawarchand Gehlot, Minister of Social Justice and Empowerment, moved the motion that the following amendments alternative to the amendment made by the Rajya Sabha and further amendments made by the Lok Sabha in the Bill, be taken into consideration:—

"That at pages 2 and 3, the following be inserted:—

'3. After article 338A of the Constitution, the following article shall be inserted, namely:—

Insertion of  
new article  
338B.

"338B. (1) There shall be a Commission for the socially and educationally backward classes to be known as the National Commission for Backward Classes.

National  
Commission  
for Backward  
Classes.

(2) Subject to the provisions of any law made in this behalf by Parliament, the Commission shall consist of a Chairperson, Vice-Chairperson and three other Members and the conditions of service and tenure of office of the Chairperson, Vice-Chairperson and other Members so appointed shall be such as the President may by rule determine.

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<sup>o</sup> From 2-01 p.m. to 2-02 p.m., some points were raised.

♦ Discussed together.

(3) The Chairperson, Vice-Chairperson and other Members of the Commission shall be appointed by the President by warrant under his hand and seal.

(4) The Commission shall have the power to regulate its own procedure.

(5) It shall be the duty of the Commission—

(a) to investigate and monitor all matters relating to the safeguards provided for the socially and educationally backward classes under this Constitution or under any other law for the time being in force or under any order of the Government and to evaluate the working of such safeguards;

(b) to inquire into specific complaints with respect to the deprivation of rights and safeguards of the socially and educationally backward classes;

(c) to participate and advise on the socio-economic development of the socially and educationally backward classes and to evaluate the progress of their development under the Union and any State;

(d) to present to the President, annually and at such other times as the Commission may deem fit, reports upon the working of those safeguards;

(e) to make in such reports the recommendations as to the measures that should be taken by the Union or any State for the effective implementation of those safeguards and other measures for the protection, welfare and socio-economic development of the socially and educationally backward classes; and

(f) to discharge such other functions in relation to the protection, welfare and development and advancement of the socially and educationally backward classes as the President may, subject to the provisions of any law made by Parliament, by rule specify.

(6) The President shall cause all such reports to be laid before each House of Parliament along with a memorandum explaining the action taken or proposed to be taken on the recommendations relating to the Union and the reasons for the non-acceptance, if any, of any of such recommendations.



(7) Where any such report, or any part thereof, relates to any matter with which any State Government is concerned, a copy of such report shall be forwarded to the State Government which shall cause it to be laid before the Legislature of the State along with a memorandum explaining the action taken or proposed to be taken on the recommendations relating to the State and the reasons for the non-acceptance, if any, of any of such recommendations.

(8) The Commission shall, while investigating any matter referred to in sub-clause (a) or inquiring into any complaint referred to in sub-clause (b) of clause (5), have all the powers of a civil court trying a suit and in particular in respect of the following matters, namely:—

(a) summoning and enforcing the attendance of any person from any part of India and examining him on oath;

(b) requiring the discovery and production of any document;

(c) receiving evidence on affidavits;

(d) requisitioning any public record or copy thereof from any court or office;

(e) issuing commissions for the examination of witnesses and documents; and

(f) any other matter which the President may, by rule, determine.

(9) The Union and every State Government shall consult the Commission on all major policy matters affecting socially and educationally backward classes."

ENACTING FORMULA

That at page 1, line 1,-

*for " Sixty-eighth" substitute "Sixty-ninth"*

CLAUSE 1

That at page 1, line 3,-

*for "2017" substitute "2018" "*

**(ii) ♦ The National Commission for Backward Classes (Repeal) Bill, 2017, as passed by Lok Sabha**

Further consideration of the motion moved by Shri Thaawarchand Gehlot, Minister of Social Justice and Empowerment, on the 31<sup>st</sup> of July, 2017, continued.

The following Members took part in the combined discussion on the Bills:—

2-13 p.m.	1.	Shri B.K. Hariprasad
2-33 p.m.	2.	Shri Sambhaji Chhatrapati
2-42 p.m.	3.	Prof. Ram Gopal Yadav
2-51 p.m.	4.	Shri A. Navaneethakrishnan
2-57 p.m.	5.	Shri Ahamed Hassan
3-03 p.m.	6.	Dr. Banda Prakash
3-09 p.m.	7.	Shri T.K. Rangarajan
3-14 p.m.	8.	Prof. Manoj Kumar Jha
3-17 p.m.	9.	Dr. Narendra Jadhav
3-22 p.m.	10.	Shri Ram Kumar Kashyap
3-25 p.m.	11.	Shri Ashok Siddharth
3-29 p.m.	12.	Shrimati Chhaya Verma
3-34 p.m.	13.	Shri Bhupender Yadav
3-59 p.m.	14.	Shrimati Vijila Sathyananth
4-07 p.m.	15.	Shri Ram Chandra Prasad Singh
4-11 p.m.	16.	Shri Sanjay Raut
4-17 p.m.	17.	Shri T.K.S. Elangovan
4-21 p.m.	18.	Shri Ramdas Athawale, <i>Minister of State in the Ministry of Social Justice and Empowerment</i>
4-28 p.m.	19.	Dr. Vikas Mahatme
4-39 p.m.	20.	Shri Ripun Bora
4-45 p.m.	21.	Shri D. Raja
4-50 p.m.	22.	Shri Madhusudan Mistry
4-56 p.m.	23.	Shri Ritabrata Banerjee
4-58 p.m.	24.	Shri Biswajit Daimary

5-01 p.m.

Shri Thaawarchand Gehlot replied to the discussion.

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♦ Discussed together.

5-21 p.m.

(1) The Motion for consideration of the further amendments alternative to the amendment made by the Rajya Sabha and further amendments made by the Lok Sabha in the Constitution (One Hundred and Twenty-third Amendment) Bill, 2017 was put to the House and the House divided —

Ayes — @ 145  
Noes — @ NIL

The motion was adopted by a majority of the total membership of the House and by a majority of not less than two-thirds of the members of the House present and voting.

5-30 p.m.

The motion moved by Shri Thaawarchand Gehlot that the Bill, as amended by the amendments agreed to, be passed, was put to the House and the House divided —

Ayes — @ 156  
Noes — @ NIL

The motion was adopted by a majority of the total membership of the House and by a majority of not less than two-thirds of the members of the House present and voting.

5-32 p.m.

The Bill, as amended by the amendments agreed to, was passed by the required majority.

5-33 p.m.

(ii) The motion for consideration of the National Commission for Backward Classes (Repeal) Bill, 2017, as passed by Lok Sabha, was adopted.

Clause 2 was adopted.  
Clause 1, as amended, was adopted.  
The Enacting formula, as amended, was adopted.  
The Title was adopted.

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@ Subject to correction.

5-36 p.m.

The motion moved by Shri Thaawarchand Gehlot, that the Bill, as amended be passed was adopted and the Bill, as amended, was passed.

5-37 p.m.

**(iii) The Criminal Law (Amendment) Bill, 2018, as passed by Lok Sabha**

Shri Kiren Rijiju, Minister of State in the Ministry of Home Affairs, moved motion for consideration of the bill.

The following Members took part in the discussion:—

5-43 p.m.	1.	Shri Ravi Prakash Verma
5-53 p.m.	2.	Prof. M.V. Rajeev Gowda
6-00 p.m.	3.	Shrimati Roopa Ganguly
6-06 a.m.	4.	Shri A. Navaneethakrishnan
6-13 p.m.	5.	Shri Sukhendu Sekhar Ray
6-18 p.m.	6.	Shrimati Jharna Das Baidya
6-24 p.m.	7.	Prof. Manoj Kumar Jha
6-27 p.m.	8.	Shri K.T.S. Tulsi
6-30 p.m.	9.	Dr. Ameer Yajnik
6-32 p.m.	10.	Shri Veer Singh
6-35 p.m.	11.	Shri Kahkashan Perween
6-40 p.m.	12.	Shrimati Vandana Chavan
6-48 p.m.	13.	Shrimati Chhaya Verma
6-51 p.m.	14.	Shri Tiruchi Siva
6-56 p.m.	15.	Shri Husain Dalwai
6-59 p.m.	16.	Shri Binoy Viswam

7-01 p.m.

Shri Kiren Rijiju replied to the discussion.

7-18 p.m.

The motion for consideration of the Bill was adopted.

Clauses 2 to 26 were adopted.

Clause 1, the Enacting formula and the Title, were adopted.

7-19 p.m.

The motion moved by Shri Kiren Rijiju that Bill be passed, was adopted and the Bill was passed.

7-20 a.m.

**13. Special Mentions**

The following Special Mentions were laid on the Table:—

1. Shri K. Somaprasad      Demand to issue instruction to Sree Chitra Tirunal Institute of Medical Science and Technology, Kerala to implement reservation policy in recruitment of all categories.
2. Shri V. Muraleedharan      Demand for the enactment of a Bill to establish National University of Rehabilitation Science and Disabilities.

7-21 p.m.

The House adjourned till 11-00 a.m. on Tuesday, the 7<sup>th</sup> August, 2018.

DESH DEEPAK VERMA,  
*Secretary-General*