

RAJYA SABHA

Parliamentary Bulletin

PART - I

(TWO HUNDRED AND FORTY NINTH SESSION)

No. 5475]

MONDAY, AUGUST 5, 2019

**Brief Record of the Proceedings of the Meeting of the Rajya Sabha held
on the 5th August, 2019**

11-00 a.m.

1. Papers Laid on the Table

The following papers were laid on the Table:—

1.(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-eighth Annual Report and Accounts of the Bharat Pumps & Compressors Ltd. (BPCL), Naini, Allahabad, for the year 2017-18, together with the Auditor's Report on the Accounts and the comments of the Comptroller and Auditor General of India thereon.

(b) Statement by Government accepting the above Report.

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

2. A copy each (in English and Hindi) of the following Notifications of the Ministry of Electronics and Information Technology under, sub-section (3) of Section 87 of the Information Technology Act, 2000:—

(1) G.S.R. 176 (E), dated the 5th March, 2019, publishing the Information Technology (Certifying Authorities) (Amendment) Rules, 2019.

(2) S.O. 1119 (E), dated the 5th March, 2019, amending the Second Schedule to the Information Technology Act, to insert certain entries as mentioned therein.

3. A copy each (in English and Hindi) of the following Notifications of the Ministry of Finance (Department of Financial Services), under sub-section (2) of Section 30 of the Regional Rural Banks Act, 1976:—

- (1) No. SGB (Service Amend) Regulations 2018, dated the 30th November, 2018, publishing the SUTLEJ GRAMIN BANK (Officers and Employees) Service (Amendment) Regulations, 2018.
- (2) No. SGB (Pension Reg.) 2018, dated the 30th November, 2018, publishing the SUTLEJ GRAMIN BANK (Employees') Pension Regulations, 2018.
- (3) No. MGB Service Regulation (Amendment)/19, dated the 4th December, 2018, publishing the Malwa Gramin Bank (Officers and Employees) Service (Amendment) Regulations, 2018.
- (4) F. No. MGB/Pension Regulation/01, dated the 4th December, 2018, publishing the Malwa Gramin Bank (Employees') Pension Regulations, 2018.
- (5) No. MBGB/HO/HRDD/11428/18/S, dated the 12th December, 2018, publishing the Madhya Bihar Gramin Bank (Officers and Employees') Service (Amendment) Regulations, 2018.
- (6) F. No. MBGB/HO/HRDD/11428/18/P, dated the 12th December, 2018, publishing the Madhya Bihar Gramin Bank (Employees') Pension Regulations, 2018.
- (7) F. No. 4341/2018-19, dated the 18th December, 2018, publishing the Bihar Gramin Bank (Officers and Employees) Service (Amendment) Regulations, 2018.
- (8) F. No. 4341/2018-19, dated the 18th December, 2018, publishing the Bihar Gramin Bank (Employees') Pension Regulations, 2018.

4. A copy each (in English and Hindi) of the following papers, under sub-section (5) of Section 48 of the National Bank for Agriculture and Rural Development (NABARD) Act, 1981:—

- (a) Annual Report and Accounts of the National Bank for Agriculture and Rural Development (NABARD), Mumbai, for the year 2018-19, together with the Auditor's Report on the Accounts.

(b) Review by Government on the working of the above Bank.

5. A copy (in English and Hindi) of the Forty-ninth Valuation Report of the Life Insurance Corporation of India (LIC), as on 31st March, 2019, under Section 29 of the Life Insurance Corporation Act, 1956.

11-01 a.m.

2. Reports on Participation of Indian Parliamentary Delegations at International Conferences

Secretary-General laid on the Table, a copy each (in English and Hindi) of the Reports on the participation of the Indian Parliamentary Delegations at the 134th to 140th Statutory Assemblies of the Inter-Parliamentary Union.

11-02 a.m.

3. Message from Lok Sabha — Reported and Government Bill Laid on the Table

I. Secretary-General reported to the House, a message from Lok Sabha informing Rajya Sabha that the Lok Sabha at its sitting held on the 2nd August, 2019, passed the Dam Safety Bill, 2019.

II. A copy of the Dam Safety Bill, 2019, as passed by Lok Sabha, was laid on the Table.

11-03 a.m.

4. Resignation by Members

(i) The Chairman informed the House that he had received a letter, dated the 2nd of August, 2019, from Shri Surendra Singh Nagar, Member, representing the State of Uttar Pradesh, resigning his seat in the Rajya Sabha and that he had accepted the resignation with effect from the 2nd of August, 2019.

(ii) The Chairman also informed the House that he had received two letters, dated the 5th of August, 2019, from Shri Bhubaneswar Kalita and Shri Sanjay Seth, Members, representing the States of Assam and Uttar Pradesh, respectively, resigning their seats in the Rajya Sabha and that he had accepted the resignations with effect from the 5th of August, 2019.

11-04 a.m.

5. **Recommendations of the Business Advisory Committee**

The Chairman announced the recommendations made by the Business Advisory Committee in its meeting held on the 2nd of August, 2019.

11-05 a.m.

6. **Statement by Minister Correcting Answer to Question**

Shrimati Nirmala Sitharaman, Minister of Finance and Minister of Corporate Affairs, laid a Statement (in English and Hindi) correcting the answer to Unstarred Question 830 given in the Rajya Sabha on the 18th December, 2018, regarding 'Electoral Bonds Purchased'.

11-06 a.m.

7. **Observation by the Chair**

The Hon'ble Chairman made an observation regarding modernization of the Parliament Building and appealed to the Prime Minister and the Government, on behalf of all Members of the Rajya Sabha, to include the expansion and modernization of the Parliament Building with all functional and modern facilities in their resolution of a new India on completion of 75 years of Independence, in the year, 2022.

^o11-18 a.m.

8. **[^]Statutory Resolutions**

Shri Amit Shah, Minister of Home Affairs, moved the following Resolutions:—

- (I) "That this House recommends the following public notification to be issued by the President of India under Article 370 (3):—

^o From 11-08 a.m. to 11-18 a.m., some points were raised.

[^] Discussed together.

'In exercise of the powers conferred by Clause (3) of article 370 read with clause (1) of article 370 of the Constitution of India, the President, on the recommendation of the Parliament, is pleased to declare that, as from [*date] all clauses of the said article 370 shall cease to be operative except clause (1) thereof which shall read as under, namely:—

"All provisions of this Constitution, as amended from time to time, without any modifications or exceptions, shall apply to the State of Jammu and Kashmir notwithstanding anything contrary contained in article 152 or article 308 or any other article of this Constitution or any other provision of the Constitution of Jammu and Kashmir or any law, document, judgement, ordinance, order, byelaw, rule, regulation, notification, custom or usage having the force of law in the territory of India, or any other instrument, treaty or agreement as envisaged under article 363 or otherwise."

- (II) "That the President of India has referred the Jammu and Kashmir Reorganisation Bill, 2019 to this House under the proviso to article 3 of the Constitution of India for its views as this House is vested with the powers of the State Legislature of Jammu and Kashmir, as per proclamation of the President of India dated 19th December 2018. This House resolves to express the view to accept the Jammu and Kashmir Reorganisation Bill, 2019."

^ψ11-29 a.m.

9. Government Bills — Introduced/Passed

(1) The Jammu and Kashmir Reservation (Second Amendment) Bill, 2019 was introduced by Shri Amit Shah, Minister of Home Affairs.

(2) The Jammu and Kashmir Reorganisation Bill, 2019 was introduced by Shri Amit Shah, Minister of Home Affairs.

[* date] means the date on which the President of India signs the Declaration and the same is published in the official Gazette.

^ψ From 11-19 a.m. to 11-29 a.m., some points were raised.

^11-59 a.m.

^ (1) The Jammu and Kashmir Reservation (Second Amendment) Bill, 2019

^ (2) The Jammu and Kashmir Reorganisation Bill, 2019

Shri Amit Shah, Minister of Home Affairs, moved motions for consideration of the Bills.

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

11-59 a.m.	1.	Shri Bhupender Yadav
♦12-37 p.m.	2.	Shri A. Navaneethakrishnan
12-40 p.m.	3.	Shri Prasanna Acharya
12-46 p.m.	4.	Shri Ram Nath Thakur
12-47 p.m.	5.	Shri Swapan Dasgupta
12-51 p.m.	6.	Shri Sanjay Raut
12-57 p.m.	7.	Shri Satish Chandra Misra
12-58 p.m.	8.	Shri V. Vijayasai Reddy
1-03 p.m.	9.	Shri Biswajit Daimary
1-07 p.m.	10.	Shri Vaiko
1-18 p.m.	11.	Dr. Subhash Chandra
1-27 p.m.	12.	Shri Amar Singh
1-31 p.m.	13.	Shri Birendra Prasad Baishya
1-35 p.m.	14.	Sardar Balwinder Singh Bhunder
1-40 p.m.	15.	Dr. Subramaniyan Swamy
1-48 p.m.	16.	Shri Sasmit Patra
1-53 p.m.	17.	Shri T.K. Rangarajan
1-56 p.m.	18.	Dr. Narendra Jadhav
1-59 p.m.	19.	Prof. Manoj Kumar Jha
2-05 p.m.	20.	Shri Tiruchi Siva
2-10 p.m.	21.	Shri Hishey Lachungpa
2-13 p.m.	22.	Shri Shamsher Singh Manhas

♦ From 11-30 a.m. to 11-44 a.m., some points were raised;
From 11-44 a.m. to 11-45 a.m., see item at Sl. No. 10 and;
From 11-45 a.m. to 11-59 a.m., some points were raised.

^ Discussed together.

♦ From 12-15 p.m. to 12-21 p.m., some points were raised; and
From 12-21 p.m. to 12-37 p.m., Shri Bhupender Yadav continued his speech.

- 2-23 p.m. 23. Shri Kanakamedala Ravindra Kumar
 2-28 p.m. 24. Shri Ghulam Nabi Azad, *Leader of Opposition*
 2-58 p.m. 25. Shri Derek O' Brien
 3-09 p.m. 26. Shri Sushil Kumar Gupta
 3-12 p.m. 27. Prof. Ram Gopal Yadav
 3-25 p.m. 28. Dr. Jitendra Singh, *Minister of State (Independent Charge) of the Ministry of Development of North Eastern Region, Minister of State in the Prime Minister's Office, Ministry of Personnel, Public Grievances and Pensions, Department of Atomic Energy and Department of Space*
- °3-32 p.m. 29. Shri Binoy Viswam
 3-36 p.m. 30. Shrimati Vandana Chavan
 3-39 p.m. 31. Shri Rakesh Sinha
 3-48 p.m. 32. Shri P. Chidambaram
 4-05 p.m. 33. Shri Prashanta Nanda
 4-10 p.m. 34. Shri K.K. Ragesh
 4-15 p.m. 35. Shri Abdul Wahab
 4-17 p.m. 36. Shri C.M. Ramesh
 4-19 p.m. 37. Shri Ramdas Athawale, *Minister of State in the Ministry of Social Justice and Empowerment*
- ◇4-29 p.m. 38. Shri Kapil Sibal
 °4-38 p.m. 39. Shrimati Nirmala Sitharaman, *Minister of Finance and Minister of Corporate Affairs*
- 4-47 p.m. 40. Shri Jose K. Mani
 4-49 p.m. 41. Shri Amar Patnaik
 4-52 p.m. 42. Shri Vivek K. Tankha
 4-55 p.m. 43. Shri Prakash Javadekar, *Minister of Environment, Forest and Climate Change; and Minister of Information and Broadcasting*
- ³5-07 p.m. 44. Shri Ravi Shankar Prasad, *Minister of Law and Justice, Minister of Communications and Minister of Electronics and Information Technology*

° From 3-31 p.m. to 3-32 p.m., see item at Sl. No. 11(I).

◇ From 4-28 p.m. to 4-29 p.m., some points were raised.

° From 4-36 p.m. to 4-38 p.m., some points were raised.

³ From 5-05 p.m. to 5-07 p.m., some points were raised.

⊙ 5-37 p.m.

Shri Amit Shah replied to the combined discussion.

6-22 p.m.

9. (1) The motion for consideration of the Jammu and Kashmir Reservation (Second Amendment) Bill, 2019 was adopted.

Clauses 2 to 4 were adopted.

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

6-24 p.m.

The motion moved by Shri Amit Shah that the Bill be passed, was adopted and the Bill, was passed.

Ⓜ 6-31 p.m.

8. (I) The Statutory Resolution No. I was adopted.

6-32 p.m.

8. (II) The Statutory Resolution No. II was adopted.

6-33 p.m.

9. (2) The motion for consideration of the Jammu and Kashmir Reorganisation Bill, 2019 was put to the vote of the House and the House divided:—

Ayes — %125

Noes — %61

Abstain — %1

⊙ From 5-10 p.m. to 5-30 p.m., see item at Sl. No. 12;
From 5-30 p.m. to 5-31 p.m., see item at Sl. No. 11 (II);
From 5-31 p.m. to 5-36 p.m., see item at Sl. No. 13; and
From 5-36 p.m. to 5-37 p.m., some points were raised.

Ⓜ From 6-25 p.m. to 6-31 p.m., some points were raised.

% Subject to correction.

6-49 p.m.

The motion for consideration of the Jammu and Kashmir Reorganisation Bill, 2019, was adopted.

Clauses 2 to 103 and the First to Fifth Schedules were adopted.

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

6-50 p.m.

The motion moved by Shri Amit Shah that the Bill be passed, was adopted and the Bill, was passed.

°10. Withdrawal of Members

The Chairman, under Rule 255 of the Rules of Procedure and Conduct of Business in the Council of States (Rajya Sabha), directed Mir Mohammad Fayaz and Shri Nazir Ahmed Laway, to withdraw immediately from the House.

***11. Messages from Lok Sabha — Reported and Government Bills Laid on the Table**

I. Secretary-General reported to the House, three messages from Lok Sabha informing Rajya Sabha that the Lok Sabha at its sitting held:—

- (i) on the 2nd August, 2019, had agreed without any amendment to the Airports Economic Regulatory Authority of India (Amendment) Bill, 2019, which was passed by the Rajya Sabha at its sitting held on the 16th July, 2019;
- (ii) on the 5th August, 2019 —
 - (a) had agreed to the amendments made by the Rajya Sabha to the Motor Vehicles (Amendment), Bill, 2019, passed by the Rajya Sabha at its sitting held on the 31st July, 2019; and

° At 11-44 a.m.

* At 3-31 p.m.

(b) had agreed to the amendments made by the Rajya Sabha to the National Medical Commission, Bill, 2019, passed by the Rajya Sabha at its sitting held on the 1st August, 2019.

^oII. (a) Secretary-General reported to the House, a message from Lok Sabha informing Rajya Sabha that the Lok Sabha at its sitting held on the 5th August, 2019, passed the Transgender Persons (Protection of Rights) Bill, 2019.

(b) A copy of the Transgender Persons (Protection of Rights) Bill, 2019, as passed by Lok Sabha, was laid on the Table.

³III. (a) Secretary-General reported to the House, a message from Lok Sabha informing Rajya Sabha that the Lok Sabha at its sitting held on the 5th August, 2019, passed the Surrogacy (Regulation) Bill, 2019.

(b) A copy of the Surrogacy (Regulation) Bill, 2019, as passed by Lok Sabha, was laid on the Table.

^f12. **Matters raised with Permission**

5-10 p.m.

1. Shri Vijay Goel raised a matter regarding problems of unauthorized colonies and constructions in Delhi.

5-14 p.m.

2. Shrimati Vandana Chavan raised a matter regarding destruction of the Aravali Hills.

5-15 p.m.

3. Shri R.K. Sinha raised a matter regarding the need for mandatory training in schools for life saving skills in disaster management.

5-20 p.m.

4. Shri Manas Ranjan Bhunia raised a matter regarding the menace of female foeticide in the country.

^o At 5-30 p.m.

³ At 6-51 p.m.

^f At 5-10 p.m.

5-23 p.m.

5. Shri Jairam Ramesh raised a matter regarding urgent need to implement directive of the National Green Tribunal on protection of the Western Ghats.

5-25 p.m.

6. Shri Sasmit Patra raised a matter regarding the need for introduction and passing of the Women's Reservation Bill.

5-28 p.m.

7. Shri Ram Kumar Kashyap raised a matter regarding non-disbursal of claims by insurance companies.

≈13. Special Mentions

The following Special Mentions were laid on the Table:—

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|----|---------------------|----------|--|
| 1. | Shrimati
Hembram | Sarojini | Demand to issue identity cards to all the Handicrafts Artisans of Odisha and share the data of the same with the Government of Odisha. |
| 2. | Shri Mahesh Poddar | | Demand to formulate and implement suitable measures for proper disposal and recycling of Lithium-Ion batteries. |
| 3. | Shri
Hassan | Ahamed | Demand to stop the killing of elephants for consumption of their meat. |
| 4. | Shri P.L. Punia | | Demand to take steps to increase participating of women in work force. |
| 5. | Shri
Acharya | Prasanna | Demand to reserve the seats for Odisha students in the National Law University at Cuttack. |
| 6. | Shri
Ramamurthy | K.C. | Demand to set up the Coast Guard Academy in Mangaluru, Karnataka. |

≈ At 5-31 p.m.

7. Shrimati Vijila Sathyananth Demand to increase minimum pension upto ₹. 3000/- per month under the Employees Pension Schemes (EPS) 1995.
8. Dr. Vikas Mahatme Demand to remove encroachments from water bodies and choosing crops according to water availability to preserve ground water.
9. Dr. Ashok Bajpai Demand to issue advisory to the States to post the police force as per their sanctioned strength.
10. Shri Akhilesh Prasad Singh Demand to develop Areraj Someshwar Shiv mandir in West Champaran as a tourist place.
11. Shri P. Wilson Demand to increase the retirement age of the High Court Judges and fill up the vacancies urgently.
12. Shri Vishambhar Prasad Nishad Demand to release funds for under construction bridges in Banda district, Uttar Pradesh.
13. Shri A.K. Selvaraj Demand to expedite steps to notify Ecologically Sensitive Areas (ESA) in the Western Ghats.
14. Shri Sanjay Singh Demand to remove CSAT paper and give age relaxation to the candidates who appeared in the Civil Services Examination, 2015.
15. Shri T.K. Rangarajan Demand to address the stress and poor health of the IT employees.
16. Shri Anil Desai Demand to save people of Maharashtra from river water pollution caused by the industries.

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| 17. | Shri R.K. Sinha | Demand to check Air Pollution and ensure fresh air for all citizens. |
| 18. | Shri V. Vijayasai Reddy | Demand to keep application fees of the non-creamy layer OBCs at par with the SC/ST candidates. |
| 19. | Dr. Kirodi Lal Meena | Demand to release the extra water of Ravi-Beas to Rajasthan as per the 1981 Agreement. |
| 20. | Dr. L. Hanumanthaiah | Demand to make the draft the New Education Policy available for three months in all Regional Languages for comments. |
| 21. | Shrimati Chhaya Verma | Demand to extend benefits of OBCs to the women after their inter-state marriage. |

(The following Members, indulged in gross disorderly conduct in violation of the rules and etiquette of the Rajya Sabha by entering and sitting in the 'Well' of the House, shouting slogans, and persistently and willfully obstructing the proceedings of the House:—

1. *Shri Ghulam Nabi Azad, Leader of Opposition*
2. *Shri Anand Sharma*
3. *Shri Digvijaya Singh*
4. *Shri Ahmed Patel*
5. *Shri Raj Babbar*
6. *Shri B.K. Hariprasad*
7. *Shrimati Ambika Soni*
8. *Shri Pradeep Tamta*
9. *Shri P.L. Punia*
10. *Shri Rajmani Patel*
11. *Shrimati Chhaya Verma*
12. *Shrimati Wansuk Syiem*
13. *Dr. K.V.P. Ramachandra Rao*
14. *Kumari Selja*
15. *Prof. M.V. Rajeev Gowda*

16. *Shri Jairam Ramesh*
17. *Shri Ripun Bora*
18. *Shri Shamsher Singh Dullo*
19. *Dr. Ameer Yajnik*
20. *Shri Ronald Sapa Tlau*
21. *Shri Madhusudan Mistry*
22. *Shri Akhilesh Prasad Singh*
23. *Shri Naranbhai J. Rathwa*
24. *Shri Vivek K. Tankha*
25. *Shri Kumar Ketkar*
26. *Shri Partap Singh Bajwa*
27. *Shri K.C. Ramamurthy*
28. *Shri P. Bhattacharya*
29. *Shri Syed Nasir Hussain*
30. *Shri Ahamed Hassan*
31. *Shri Elamaram Kareem*
32. *Shri K. Somaprasad*
33. *Shri K.K. Ragesh*
34. *Shri Abir Ranjan Biswas*
35. *Dr. Santanu Sen*
36. *Mir Mohammad Fayaz*
37. *Shri Nazir Ahmed Laway*
38. *Shri Ravi Prakash Verma*
39. *Ms. Dola Sen*
40. *Shri Vishambhar Prasad Nishad*
41. *Shri Majeed Memon*
42. *Prof. Manoj Kumar Jha*
43. *Shri Vaiko*
44. *Shri Derek O' Brien*
45. *Shri Binoy Viswam*
46. *Shri Tiruchi Siva*
47. *Shri M. Shanmugam*
48. *Shri T.K.S. Elangovan*

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[∇]6-52 p.m.

The House adjourned till 11-00 a.m. on Tuesday, the 6th August, 2019.

DESH DEEPAK VERMA,
Secretary-General

[∇] From 6-51 p.m. to 6-52 p.m., see items at Sl. No. 11 (III).