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SKC-NKR/1A/11.00

The House met at eleven of the clock,

MR. CHAIRMAN in the Chair.

(The National Anthem, "*Jana Gana Mana*", was played.)

SECRETARY-GENERAL INTRODUCED

MR. CHAIRMAN: Hon. Members, I have great pleasure in introducing to the House the new Secretary-General, Shri Desh Deepak Verma.

Shri Verma joined the Indian Administrative Service in 1978 and held several important positions, both at the State and Central level. He served in most sensitive districts of Uttar Pradesh as District Magistrate, Almora, Aligarh, Bareilly and Agra, and also as Divisional Commissioner in Lucknow and Allahabad. He had also served as Secretary, Ministry of Parliamentary Affairs, Government of India. He assumed the office of the Secretary-General of Rajya Sabha in September, 2017. He is a keen sportsman and lover of music and poetry. His articles have been published in prominent English and Hindi newspapers and journals.

I welcome Shri Desh Deepak Verma and wish him good luck for his new assignment. (Ends)

OBITUARY REFERENCES

MR. CHAIRMAN: Hon. Members, I refer with profound sorrow to the passing away of Shri Khamsum Namgyal Pulger, Shri S.B. Ramesh Babu, Shri Rishang Keishing, former Members of this House, Shri Arjan Singh, Marshal of the Indian Air Force, Shri Jayantilal Barot, Shri Makhan Lal Fotedar, Shri Gaya Singh, Dr. Ishwar Chandra Gupta, Shri Mirza Irshadbaig and Shri Sukomal Sen, former Members of this House.

Shri Khamsum Namgyal Pulger passed away on the 7th of July, 2017 at the age of 91 years. Born in October, 1926 at Darjeeling in West Bengal, Shri Pulger was educated at the St. Roberts School, Darjeeling.

A social worker, Shri Khamsum Namgyal Pulger represented the State of Sikkim in this House for a brief period, from the 20th of October, 1987, to the 1st of March, 1988.

Shri S.B. Ramesh Babu passed away on the 27th July, 2017, at the age of 68 years.

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Born in February, 1949 at Hyderabad in Telangana, Shri Ramesh Babu was educated at the Badruka College of Arts and Commerce and the Law College, Osmania University at Hyderabad.

An advocate and social worker, Shri Ramesh Babu was active in sports and other extra curricular activities during his student days. He worked for the upliftment of the weaker and downtrodden sections of the society. He served as the President and Chairman of the Andhra Pradesh State Scheduled Castes and Scheduled Tribes Coordination Council and as President of several employees associations.

Shri S.B. Ramesh Babu represented the State of Andhra Pradesh (undivided) in this House from April, 1982 to April, 1988.

In the passing away of Shri Ramesh Babu, the country has lost an able parliamentarian and a dedicated social worker.

(CONTD. BY HK/1B)

HK-DS/1B/11.05

MR. CHAIRMAN (CONTD.): Shri Rishang Keishing passed away on the 22nd of August, 2017 at the age of 97 years.

Born in October 1919, at Okrul district of Manipur, Shri Keishing was educated at the St. Paul's Cathedral College of Kolkata.

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Shri Keishing participated in the freedom struggle during his student days. As a social worker, Shri Keishing was instrumental in establishing several high schools and was the founder Headmaster of the first High School in Ukul district. He established the Foundation for Management of Tribal Areas in 1998 and served as the Chairman of the Eastern Border Development Authority and the Barak Development Board.

Shri Keishing started his legislative career as a Member of the First Lok Sabha in 1952 and was also a Member of the Third Lok Sabha. He was a Member of the Manipur Territorial Council, from 1957 to 1961 and again from 1967 to 1971. Shri Keishing was a Member of the Manipur Legislative Assembly for a period of 29 years continuously, from 1972 to 2001. He served as a Cabinet Minister in the Government of Manipur, from 1974 to 1976 and as Opposition Leader in the Manipur Legislative Assembly, from 1976 to 1980. Shri Keishing was the Chief Minister of Manipur four times - from 1980 to 1985; from 1985 to February, 1988; 1994 to March, 1995 and again from 1995 to December, 1998.

Shri Rishang Keishing represented the State of Manipur in

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this House for two consecutive terms - from April, 2002 to April, 2008 and again from April, 2008 to April, 2014. Shri Keishing held the distinction of being the oldest Member of the Rajya Sabha during his tenure as well as the oldest serving parliamentarian.

In the passing away of Shri Rishang Keishing, the country has lost a veteran freedom fighter, a distinguished parliamentarian, an able administrator and a dedicated social worker.

Shri Arjan Singh, Marshal of the Indian Air Force passed away on the 16th of September, 2017 at the age of 98 years.

Born in April, 1919, in Lyallpur District of Punjab (now Faisalabad in Pakistan), Shri Singh underwent early education at Montgomery, British India (now in Pakistan). He then joined the Royal Air Force (RAF) College at Cranwell in the United Kingdom (UK) and was commissioned as a pilot officer in December, 1939.

A fearless and exceptional pilot, Shri Singh displayed consummate leadership of his squadron during the Arakan and Imphal Campaign in 1944 and was awarded the Distinguished Flying Cross in recognition of his feat. He had the honour of leading the fly-past of more than a hundred Indian Air Force (IAF) aircraft over the Red Fort

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on India's first Independence Day on the 15th of August, 1947. His astute and motivating leadership led to victory in the 1965 India-Pakistan war. In 1966, Shri Singh became the first officer of the Indian Air Force to be promoted to the rank of Air Chief Marshal.

After his retirement from the Indian Air Force in 1970, Shri Arjan Singh served as the Ambassador of India to Switzerland and Vatican, from 1971 to 1974; as the High Commissioner to Kenya, from 1974 to 1977; as a Member of the National Commission for Minorities, from 1978 to 1981; as the Chairman of the Indian Institute of Technology, Delhi, from 1980 to 1983 and as the Lt. Governor of Delhi, from 1989 to 1990.

Shri Singh was the recipient of several medals and honours including the *Padma Vibhushan*. In 2002, he was conferred the honorary rank of Marshal, the first and only 'Five Star' Rank officer of the Indian Air Force.

In the passing away of Marshal Arjan Singh, the country has lost an icon of the Indian Air Force, a legendary war hero, who was a true embodiment of valour and discipline and a paradigm of military leadership.

(Contd. by KSK/1C)

KSK/MCM/11.10/1C

MR. CHAIRMAN (CONTD.): Shri Jayantilal Barot passed away on the 23rd of September, 2017, at the age of 75 years.

Born in August, 1942, at Bhandu in Mehsana District of Gujarat, Shri Barot was educated at the P.K. Mehta High School and the *Sarvajanik Vidyalaya*, Mehsana and the A.V.P. Technical Institute, Rajkot.

An agriculturist, Shri Barot was actively involved in co-operative, labour and rural development activities. He served as the Sarpanch of the Linch Gram Panchayat and as a Member of the Mehsana District Panchayat. He was the Chairman of the Gujarat Khadi and Village Industries Board from 1998 to 2002 and also of the Gujarat Backward Classes Development Corporation and the Gujarat Housing Board.

Shri Jayantilal Barot represented the State of Gujarat in this House from April, 2002 to April, 2008.

In the passing away of Shri Jayantilal Barot, the country has lost a dedicated social activist and an able parliamentarian.

Shri Makhan Lal Fotedar passed away on the 28th of September, 2017, at the age of 85 years.

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Born in March, 1932, at Mattan in Jammu and Kashmir, Shri Fotedar was educated at the Amar Singh College, Srinagar and the Allahabad University.

An advocate, Shri Fotedar was drawn to politics right from his student days. He started his legislative career as a Member of the Jammu and Kashmir Legislative Assembly in 1967 and was its Member from 1967 to 1977. He served as the Minister of State of Revenue, Irrigation, Law and Housing in the Government of Jammu and Kashmir.

Shri Fotedar also served as Political Aide to former Prime Minister, Shrimati Indira Gandhi from 1980 to 1984, and as Political Secretary to former Congress President, Shri Rajiv Gandhi, from 1984 to 1987.

Shri Makhan Lal Fotedar represented the State of Uttar Pradesh in this House for two consecutive terms - from April, 1985 to April, 1990 and again from April, 1990 to April, 1996. He also served as the Minister of Steel and Mines, Labour, Energy and Health and Family Welfare in the Union Council of Ministers, during the period from July, 1987 to December, 1989 and again from June, 1991 to January, 1993.

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In the passing away of Shri Makhan Lal Fotedar, the country has lost a distinguished parliamentarian and an able administrator.

Shri Gaya Singh passed away on the 7th of October, 2017, at the age of 73 years.

Born in November, 1944, at Alawan village in Nalanda District of Bihar, Shri Singh was educated at the B.N. College, Patna University.

Shri Singh was closely associated with the All India Students' Federation and the All India Youth Federation during his student days. A champion of the rights of workers, Shri Singh served as the Vice-President and the President of the Trade Union International Metal (World Federation of Trade Unions); as Secretary and Working President of the All India Trade Union Congress and as President of the All India Steel Workers Federation.

Shri Gaya Singh represented the State of Bihar in this House for two consecutive terms - from July, 1992 to July, 1998 and again from July, 1998 to July, 2004.

In the passing away of Shri Gaya Singh, the country has lost a noted trade unionist and an able parliamentarian.

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Dr. Ishwar Chandra Gupta passed away on the 4th of November, 2017, at the age of 85 years.

Born in August, 1932, at Bega Village in Sonapat, Haryana, Dr. Gupta was educated at the D.A.V. College, Dehradun.

A businessman, Dr. Gupta was actively involved with many voluntary organisations, particularly in the field of education. He was the Patron of the Jai Narain Vidya Mandir, Bareilly, and Managing Trustee of the Jai Narain Charitable Trust. He also served as the President of the Shishu Shiksha Prabandh Samiti, Uttar Pradesh; the Jugaldevi Saraswati Vidya Mandir and the Motilal Kheria Vidya Mandir, Kanpur.

Dr. Ishwar Chandra Gupta represented the State of Uttar Pradesh in this House, from July, 1992 to July, 1998.

In the passing away of Dr. Ishwar Chandra Gupta, the country has lost an able parliamentarian and a dedicated social worker.

Shri Mirza Irshadbaig passed away on the 15th of November, 2017, at the age of 68 years. Born in October, 1949 at Modasa in Gujarat, Shri Irshadbaig was educated at the Gujarat University and Sir L.A. Shah Law College, Ahmedabad.

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An agriculturist, Shri Irshadbaig was associated with several sports and educational institutions. He served as the President of the Gujarat State NTC Run Mills Technicians and Officers Staff Union and Director of the Gujarat State Youth Board, the Gujarat State Minority Board and the Gujarat State Housing Board. He was also a Member of the Sabarkantha District Panchayat, from 1975 to 1980.

Shri Mirza Irshadbaig represented the State of Gujarat in this House, from March, 1983 to April, 1984 and again from April, 1984 to April, 1990. He also served as a Member on the Panel of Vice-Chairmen.

In the passing away of Shri Mirza Irshadbaig, the country has lost a distinguished parliamentarian and a noted social activist.

(Contd. by 1D – SK)

SK-SC/1D/11.15

MR. CHAIRMAN (contd.): Shri Sukomal Sen passed away on the 22nd of November, 2017, at the age of 83 years.

Born in June, 1934, in Dacca District (now in Bangladesh), Shri Sen was educated at the Surendra Nath College, Kolkata and the

Calcutta University.

A trade unionist, Shri Sen served as the General Secretary of the All India State Government Employees' Federation and Vice-President of the Centre of Indian Trade Unions. A prolific writer, he had several publications as well as articles and essays on various subjects to his credit. He was also the Editor of the monthly Journal 'Employees Forum'.

Shri Sukomal Sen represented the State of West Bengal in this House from April, 1982 to April, 1988 and again from April, 1988 to April, 1994. He was the Chairman of the Committee on Government Assurances, from 1988 to 1990; Committee on Subordinate Legislation, from 1990 to 1991 and Committee on Papers Laid on the Table, from 1991 to 1994.

In the passing away of Shri Sukomal Sen, the country has lost a distinguished parliamentarian and a noted trade union leader.

We deeply mourn the passing away of Shri Khamsum Namgyal Pulger, Shri S.B. Ramesh Babu, Shri Rishang Keishing, Shri Arjan

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Singh, Shri Jayantilal Barot, Shri Makhan Lal Fotedar, Shri Gaya Singh, Dr. Ishwar Chandra Gupta, Shri Mirza Irshadbaig and Shri Sukomal Sen.

I request Members to rise in their places and observe silence as a mark of respect to the memory of the departed.

(Hon. Members then stood in silence for one minute)

MR. CHAIRMAN: Secretary-General will convey to the members of the bereaved families our sense of profound sorrow and deep sympathy.

(Ends)

**REFERENCES TO VICTIMS OF BOILER EXPLOSION IN N.T.P.C.
AND CYCLONE 'OCKHI' IN KERALA, TAMIL NADU AND
LAKSHADWEEP**

MR. CHAIRMAN: Hon. Members, you might be aware of the tragic incident of a Boiler explosion in a power generation unit of NTPC at Unchahar in Rae Bareli district of Uttar Pradesh on the 1st of November, 2017, in which 40 persons lost their lives and 39 others were injured.

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As you are also aware, Cyclone 'Ockhi' and subsequent heavy rains in the coastal areas of the States of Kerala, Tamil Nadu and the Union Territory of Lakshadweep on the 1st of December, 2017, resulted in loss of lives of more than 60 persons with some still missing and injury to more than 100 others. The cyclone has affected more than thirty three thousand people and caused extensive damage to the agricultural crops, livestock, property and infrastructure.

The loss of so many precious lives in these tragedies is indeed unfortunate and sad.

I am sure the whole House will join me in expressing our heartfelt sympathy and concern for the families of those who lost their near and dear ones and pray for the speedy recovery and rehabilitation of the injured and displaced.

I request Members to rise in their places and observe silence

as a mark of respect to the memory of those who lost their lives in these tragedies.

(Hon. Members then stood in silence for one minute)

(Ends)

FELICITATIONS TO SPORTSPERSONS

श्री सभापति : माननीय सदस्यो, सम्पूर्ण सभा की ओर से और स्वयं अपनी ओर से मैं 22 अक्टूबर, 2017 को ढाका, बंगलादेश में सम्पन्न हुए एशिया कप, 2017 को जीतने के लिए भारतीय पुरुष हॉकी टीम तथा 5 नवम्बर, 2017 को काकामिगाहारा, जापान में सम्पन्न हुए एशिया कप, 2017 जीतने पर महिला हॉकी टीम को बधाई देता हूँ।

(1ई-जीएस पर जारी)

GS-YSR/11.20/1E

श्री सभापति (क्रमागत) : मैं सम्पूर्ण सभा और स्वयं अपनी ओर से 8 नवम्बर, 2017 को हो ची मिन्ह सिटी, वियतनाम में आयोजित हुई एशियाई महिला बॉक्सिंग चैम्पियनशिप में 48 किलोग्राम वर्ग में स्वर्ण पदक जीतने के लिए मैं इस महती सभा की नामनिर्देशित सदस्य श्रीमती एम.सी. मेरी कॉम को और 29 नवम्बर, 2017 को संयुक्त राज्य अमरीका के कैलीफोर्निया में विश्व भारोत्तोलन

चैम्पियनशिप में महिलाओं के 48 किलोग्राम वर्ग में स्वर्ण पदक जीतने के लिए श्रीमती सायखोम मीराबाई चानू को बधाई देता हूँ।

इन खिलाड़ियों ने अपनी उपलब्धियों से अनेक राष्ट्रों के समुदाय के बीच हमारे देश को गौरवान्वित किया है। अंतर्राष्ट्रीय मंच पर उनके इस प्रदर्शन से हमारे युवाओं और अन्य खिलाड़ियों को उनका अनुकरण करने और अपनी उपलब्धियों में सुधार करने की प्रेरणा लेनी चाहिए।

हम भविष्य में उनके सभी प्रयासों में उनकी सफलता की कामना करते हैं और आशा करते हैं कि वे भविष्य में भी कई अन्य उपलब्धियां हासिल कर देश को गौरवान्वित करेंगे। We wish them all the best on behalf of the House.

(Ends)

PAPERS LAID ON TABLE

SECRETARY-GENERAL: Sir, I beg to lay on the Table, a statement (in English and Hindi) showing the Bills passed by the Houses of Parliament during the Two Hundred and Forty-third Session of the Rajya Sabha and assented to by the President.

(Ends)

श्री रामविलास पासवान : महोदय, मैं आधार, (वित्तीय और अन्य सहायिकियों, प्रसुविधाओं और सेवाओं का लक्षित परिदान) अधिनियम, 2016 की धारा 55 के अधीन मूल अधिसूचना में कतिपय प्रविष्टियों को प्रतिस्थापित करने के लिए अधिसूचना सं. का.आ. 371 (अ), दिनांक 8 फरवरी, 2017 का संशोधन करने वाली उपभोक्ता मामले, खाद्य और सार्वजनिक वितरण मंत्रालय (खाद्य और सार्वजनिक वितरण विभाग) की अधिसूचना सं.का.आ. 3176 (अ), दिनांक 29 सितम्बर, 2017 की एक प्रति (अंग्रेजी तथा

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हिन्दी में) सभा पटल पर रखता हूँ।

RAO INDERJIT SINGH: Sir, I lay on the Table —

I. 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) Sixty-third Annual Report and Accounts of the Hindustan Insecticides Limited (HIL), New Delhi, 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 Company.

(ii) (a) Annual Report and Accounts of the Brahmaputra Cracker and Polymer Limited, Dibrugarh, Assam for the year 2016-17, together with the Auditor's Report on the Accounts and comments of the Comptroller and Auditor General of India thereon.

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

(iii) (a) Fifty-sixth Annual Report and Accounts of the Hindustan Organic Chemicals Limited (HOCL), Raigad, Maharashtra, 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 Company.

II. A copy each (in English and Hindi) of the following papers:—

(i) Memorandum of Understanding between the Government of India (Ministry of Chemicals and Fertilizers) and the Hindustan Insecticides Limited (HIL), for the year 2017-18.

(ii) Memorandum of Understanding between the Government of India

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(Ministry of Chemicals and Fertilizers, Department of Chemicals and Petrochemicals) and the Hindustan Organic Chemicals Limited (HOCL), for the year 2017-18.

श्री मनोज सिन्हा : महोदय, मैं निम्नलिखित पत्र सभा पटल पर रखता हूँ :-

I. A copy each (in English and Hindi) of the following Notifications of the Ministry of Communications (Department of Telecommunications), under Section 37 of the Telecom Regulatory Authority of India Act, 1997:—

- (1) G.S.R. 190 (E), dated the 23rd February, 2017, publishing the Telecom Regulatory Authority of India (Allowances to part-time members) Amendment Rules, 2015, along with delay statement.
- (2) F.No.304-2/2016-QoS, dated the 18th August, 2017, publishing the Standards of Quality of Service of Basic Telephone Service (wire line) and Cellular Mobile Telephone Service (Fifth Amendment) Regulations, 2017.
- (3) F.No.10-8/2016-BB&PA, dated the 20th September, 2017, publishing the Telecommunication Interconnection Usage Charges (Thirteenth Amendment) Regulations, 2017.
- (4) G.S.R. 1245 (E), dated the 12th October, 2017, publishing corrigendum to G.S.R. 190 (E), dated the 10th February, 2017.

II. A copy each (in English and Hindi) of the following Notifications of the Ministry of Communications (Department of Telecommunications), under sub-section (5) of Section 7 of the Indian Telegraph Act, 1885:—

- (1) G.S.R. 998 (E), dated the 8th August, 2017, publishing the Temporary Suspension of Telecom Services (Public Emergency or

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Public Safety) Rules, 2017.

- (2) G.S.R. 1131 (E), dated the 6th September, 2017, publishing the Indian Telegraph (Amendment) Rules, 2017.

SHRI VIJAY GOEL: Sir, I lay on the Table, under sub-clause (a) of clause (2) of article 123 of the Constitution, a copy each (in English and Hindi) of the following Ordinances:—

- (1) The Goods and Services Tax (Compensation to States) Amendment Ordinance, 2017 (Ordinance No.5 of 2017), promulgated by the President on the 2nd of September, 2017.
- (2) The Indian Forest (Amendment) Ordinance, 2017 (Ordinance No.6 of 2017), promulgated by the President on the 23rd of November, 2017.
- (3) The Insolvency and Bankruptcy Code (Amendment) Ordinance, 2017 (Ordinance No.7 of 2017), promulgated by the President on the 23rd of November, 2017.

SHRI C.R. CHAUDHARY: Sir, I lay on the Table, under sub-section (1) (b) of Section 394 of the Companies Act, 2013, a copy each (in English and Hindi) of the following papers:—

- (a) Thirty-third Annual Report and Accounts of the Hindustan Vegetable Oils Corporation Limited (HVOC), New Delhi, 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) Performance Review of the above Corporation, for the year 2016-17.

श्री गजेन्द्र सिंह शेखावत : महोदय, मैं निम्नलिखित पत्रों की एक-एक प्रति (अंग्रेजी तथा हिन्दी में) सभा पटल पर रखता हूँ :-

- (i) (a) Annual Report and Accounts of the Indian Society of Agricultural Economics (ISAE), Mumbai, for the year 2016-17, together with the Auditor's Report on the Accounts.
- (b) Review by Government on the working of the above Society.
- (ii) (a) Annual Report and Accounts of the Indian Society of Agricultural Statistics (ISAS), New Delhi, for the year 2016-17, together with the Auditor's Report on the Accounts.
- (b) Review by Government on the working of the above Society.

(Ends)

श्री सभापति : मंत्रियों को और अन्य सदस्यों को, जो कुछ कागज सभा पटल पर रखना चाहते हैं, उनको मेरा एक सुझाव है, यह कोई निर्देश नहीं है कि बोलते समय, don't use the word 'beg' when saying, "Sir, I beg.." You can say, "I rise to place on the Table of the House.." क्योंकि हम आज़ाद भारत में हैं, इसलिए किसी को beg करने की कोई जरूरत नहीं है, यह मेरा सुझाव है। This is my suggestion.

श्री नरेश अग्रवाल : सभापति महोदय, हम लोग सहमत हैं।

REPORT OF INQUIRY COMMITTEE UNDER THE JUDGES (INQUIRY) ACT, 1968

SECRETARY-GENERAL : Sir, I lay on the Table, under sub-section (3) of Section 4 of the Judges (Inquiry) Act, 1968 read with rules 9

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and 10 of the Judges (Inquiry) Rules,1969, the following documents:—

- (i) Report (in English and Hindi) of the Inquiry Committee appointed under the Judges (Inquiry) Act,1968, in respect of Justice S.K. Gangele, Judge, Madhya Pradesh High Court; and
- (ii) A copy each of the evidence of witnesses tendered before the Inquiry Committee and documents exhibited during the inquiry.

(Ends)

MR. CHAIRMAN: This Report is available at the publication counter.

This is connected with a Madhya Pradesh High Court Judge. Earlier some charges were made against him and an Inquiry Committee was constituted. It has submitted its Report to me and today it has been placed in the House.

(Followed by VKK/1F)

-YSR/VKK-HMS/1F/11.25

RE-CONSTITUTION OF PANEL OF VICE-CHAIRMEN

MR. CHAIRMAN: Hon. Members, I have to inform that the Panel of Vice-Chairmen has been reconstituted with effect from 23rd October, 2017, with the following Members:-

1. Dr. Satyanarayan Jatiya;

2. Shri Tiruchi Siva;
3. Shri T.K. Rangarajan;
4. Shri Bhubaneswar Kalita;
5. Shri Basawaraj Patil; and
6. Shri Sukhendu Sekhar Ray.

(Ends)

RESIGNATION BY MEMBERS

MR. CHAIRMAN: I have also to inform Members that I had received letters, dated 1st September, 2017 and 11th October, 2017, from the following Members, Shri Manohar Parrikar and Shri Mukul Roy, representing the States of Uttar Pradesh and West Bengal, respectively resigning their seats in the Rajya Sabha. I had accepted their resignations with effect from 2nd September, 2017 and 11th October, 2017, respectively. This is for your information.

(Ends)

DISQUALIFICATION OF MEMBERS

MR. CHAIRMAN: Hon. Members, I have to make the following announcement:-

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“Shri Ram Chandra Prasad Singh, Member and Leader of the JD(U) in Rajya Sabha, the Petitioner, had filed two separate Petitions on 2nd September, 2017 under paragraph 6 of the Tenth Schedule to the Constitution of India read with Rule 6 of the Members of Rajya Sabha (Disqualification on Ground of Defection) Rules, 1985, praying that Shri Sharad Yadav and Shri Ali Anwar Ansari, Members of the Rajya Sabha (Respondents) be disqualified under the Tenth Schedule to the Constitution for voluntarily giving up the membership of the party, JD(U), on whose tickets they were elected to the Rajya Sabha, by indulging in anti-party activities by publicly denouncing and openly criticising the collective decisions of the JD(U) and the Party President.

Both the Petitions were duly examined in accordance with the provisions of the Members of Rajya Sabha (Disqualification on Ground of Defection) Rules, 1985, the procedural requirements laid down therein, and precedents.

After taking into account the facts of each case, the comments of the Respondents on their respective Petitions, the comments of the Petitioner on the comments of the Respondents, the oral submissions

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made by both the Respondents during the oral hearing held on 8th November, 2017, the hon. Supreme Court's judgment in 1994 in the case of Ravi Naik *versus* Union of India and observations/judgments in similar anti-defection cases and precedents, it was crystal clear that by their conduct, actions and speeches, both the Respondents, Shri Sharad Yadav and Shri Ali Anwar Ansari, had voluntarily given up their membership of the political party, JD(U), by which they were set up as candidates for elections to the Rajya Sabha from the State of Bihar and elected as such Members.

I, therefore, decided and declared vide my Order dated 4th December, 2017, that Shri Sharad Yadav and Shri Ali Anwar Ansari, Members of JD(U), have incurred disqualification for being Members of the House, in terms of paragraph 2(1)(a) of the Tenth Schedule to the Constitution of India and have thus ceased to be Members of the Rajya Sabha with effect from 4th December, 2017.

The detailed Orders issued by me in this regard have been notified in the Gazette of India on the 4th of December, 2017 and have also been re-produced in Parliamentary Bulletin Part-II of the same

date and the same was communicated to the Election Commission of India.”

(Ends)

...(Interruptions)...

श्री नरेश अग्रवाल : माननीय सभापति जी ...(व्यवधान) .. माननीय सभापति जी ..(व्यवधान)..

MR. CHAIRMAN: No discussion, please. ...(Interruptions)...

**MOTION FOR EXTENSION OF TIME FOR PRESENTATION OF
REPORT OF SELECT COMMITTEE ON MOTOR VEHICLES
(AMENDMENT) BILL, 2017**

डा० विनय पी० सहस्रबुद्धे (महाराष्ट्र) : महोदय, मैं निम्नलिखित प्रस्ताव प्रस्तुत करता हूँ :

कि मोटर यान (संशोधन) विधेयक, 2017 से संबंधित प्रवर समिति को सभा में अपना प्रतिवेदन प्रस्तुत करने के लिए दिया गया समय 27 दिसम्बर, 2017 तक बढ़ाया जाए।

The question was put and the motion was adopted.

(Ends)

...(व्यवधान)..

श्री सभापति : चेयरमैन की रूलिंग पर कोई चर्चा नहीं होती है। ..(व्यवधान)..

श्री नरेश अग्रवाल : सर, हम लोग कुछ जानना चाहते हैं। ..(व्यवधान)..

नेता विरोधी दल (श्री गुलाम नबी आज़ाद) : शरद यादव ने कोई रूल violate नहीं किया है। ..(व्यवधान).. शरद यादव मर्यादा पर चले। ..(व्यवधान).. चीफ मिनिस्टर उन्हें छोड़कर चले गए। ..(व्यवधान).. चीफ मिनिस्टर और उनके साथियों की मेंबरशिप खत्म की जानी चाहिए। ..(व्यवधान).. उनकी सदस्यता खत्म की जानी चाहिए न कि श्री शरद यादव की। ..(व्यवधान)..

قائد حزب اختلاف (جناب غلام نبی آزاد): شرد یادو نے کوئی رول وائلیٹ نہیں کیا ہے۔۔۔(مداخلت)۔۔۔ شرد یادو مریادا پر چلے۔۔۔(مداخلت)۔۔۔ چیف منسٹر انہیں چھوڑ کر چلے گئے۔۔۔(مداخلت)۔۔۔ چیف منسٹر اور ان کے ساتھیوں کی ممبر شپ ختم کی جانی چاہئے۔۔۔(مداخلت)۔۔۔ ان کی سدسیتا ختم کی جانی چاہئے ناکہ شری شرد یادو کی۔۔۔(مداخلت)۔۔۔

MR. CHAIRMAN: Now, announcement regarding Government Business. ...(Interruptions)... Shri Vijay Goel. ...(Interruptions)... बैठ जाइए, बैठ जाइए। ..(व्यवधान)..

श्री तपन कुमार सेन : चर्चा की बात नहीं है, clarifications पूछे जा सकते हैं। ..(व्यवधान)..

(Followed by BHS/1G)

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-VKK/BHS-ASC/1G/11.30

**ANNOUNCEMENT RE. GOVERNMENT BUSINESS FOR THE WEEK
COMMENCING 18TH DECEMBER, 2017**

THE MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY

AFFAIRS (SHRI VIJAY GOEL): Sir, I rise to announce that the

Government Business during the week commencing

...(Interruptions)... Monday, the 18th of December, 2017 will consist

of:-

1. Consideration of any items of Government Business carried over from today's order paper: - [it contains (i) Further consideration and passing of the Companies (Amendment) Bill, 2016, as passed by Lok Sabha, Consideration and passing of (ii) the Indian Institutes of Management Bill 2017, as passed by Lok Sabha and (iii) the Indian Institute of Petroleum and Energy (IIPE) Bill, 2017, as passed by Lok Sabha.] ...(Interruptions)...

MR. CHAIRMAN: Please. ...(Interruptions)...

श्री नरेश अग्रवाल : माननीय चेयरमैन सर, मेरा प्वाइंट ऑफ आर्डर है।

....(व्यवधान).... सर, मेरा प्वाइंट ऑफ आर्डर है।(व्यवधान)....

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श्री सभापति : बीच में प्वाइंट ऑफ ऑर्डर नहीं होता है।(व्यवधान)....

SHRI VIJAY GOEL: 2. Consideration and passing of the following Bills as passed by Lok Sabha:-

- (a) The National Bank for Agriculture and Rural Development (Amendment) Bill, 2017.
- (b) The State Banks (Repeal and Amendment) Bill, 2017. ... (Interruptions)...

श्री नीरज शेखर : सर(व्यवधान)....

श्री सभापति : आप ऐसे आवाज मत निकालिए, प्लीज़।(व्यवधान).... This is Parliament. ... (Interruptions)...

SHRI VIJAY GOEL: 3. Further consideration and passing of the Whistle Blowers Protection (Amendment) Bill, 2015, as passed by Lok Sabha.

4. Consideration and passing of the Prevention of Corruption (Amendment) Bill, 2013, as reported by Select Committee of Rajya Sabha.

5. Consideration and passing of the following Bills, after they are passed by Lok Sabha: -

- (a) The Repealing and Amending Bill, 2017.

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- (b) The Repealing and Amending (Second) Bill, 2017.
- (c) The Goods and Services Tax (Compensation to States) Amendment Bill, 2017- To replace an Ordinance.
- (d) The Indian Forest (Amendment) Bill, 2017 - To replace an Ordinance.
- (e) The Insolvency and Bankruptcy Code (Amendment) Bill, 2017- To replace an Ordinance.

(Ends)

श्री नरेश अग्रवाल : सर(व्यवधान)....

श्री सभापति : नरेश जी, प्लीज़ आप बैठ जाइए।(व्यवधान).... Hon. Prime Minister to introduce the Council of new Ministers. ...(Interruptions)... Afterwards. ...(Interruptions)...

MINISTERS INTRODUCED

प्रधान मंत्री (श्री नरेन्द्र मोदी) : माननीय सभापति महोदय, मैं आपकी अनुमति से, आप से और आपके माध्यम से, इस सम्मानित सदन से अपने मंत्रिपरिषद् के नवनियुक्त सहयोगियों का परिचय कराना चाहता हूँ।

कैबिनेट मंत्री

श्री धर्मेन्द्र प्रधान

पेट्रोलियम और प्राकृतिक गैस मंत्री; तथा कौशल

विकास और उद्यमशीलता मंत्री

श्री पीयूष गोयल रेल मंत्री; तथा कोयला मंत्री

श्रीमती निर्मला सीतारमण रक्षा मंत्री

श्री मुख्तार अब्बास नकवी अल्पसंख्यक कार्य मंत्री

राज्य मंत्री (स्वतंत्र प्रभार)

श्री राज कुमार सिंह विद्युत मंत्रालय के राज्य मंत्री; तथा नवीन और नवीकरणीय ऊर्जा मंत्रालय के राज्य मंत्री

श्री हरदीप सिंह पुरी आवासन और शहरी कार्य मंत्रालय के राज्य मंत्री

श्री के.जे. एल्फोंस पर्यटन मंत्रालय के राज्य मंत्री तथा इलेक्ट्रॉनिकी और सूचना प्रौद्योगिकी मंत्रालय में राज्य मंत्री

राज्य मंत्री

श्री शिव प्रताप शुक्ला वित्त मंत्रालय में राज्य मंत्री

डा. वीरेन्द्र कुमार महिला एवं बाल विकास मंत्रालय में राज्य मंत्री; तथा अल्पसंख्यक कार्य मंत्रालय में राज्य मंत्री

श्री अनंतकुमार हेगड़े कौशल विकास और उद्यमशीलता मंत्रालय में राज्य मंत्री

श्री गजेन्द्र सिंह शेखावत कृषि एवं किसान कल्याण मंत्रालय में राज्य मंत्री

डा. सत्य पाल सिंह मानव संसाधन विकास मंत्रालय में राज्य मंत्री; तथा जल संसाधन, नदी विकास और गंगा

संरक्षण मंत्रालय में राज्य मंत्री (समाप्त)

श्री नरेश अग्रवाल : सर, मेरा प्वाइन्ट ऑफ आर्डर है।

MR. CHAIRMAN: Shri Naresh Agrawal, under what Rule?

...(Interruptions)...

श्री नरेश अग्रवाल : सर, 10th शेड्यूल

MR. CHAIRMAN: Rule? ...(Interruptions)...

श्री नरेश अग्रवाल : सर, आप 10th Schedule of Constitution देखिए। उसमें सेक्शन 1 और 2 दिए हुए हैं। श्रीमन्, अभी अपने सदन को सूचित किया कि जेडीयू के सदस्य ने या नेता ने आपको दो petitions दी हैं। सर, मैं आपकी रूलिंग को चैलेंज नहीं कर रहा हूं, किन्तु मेरे मन में कुछ जिज्ञासा है, इसलिए वह जानना चाहता हूं। सर, मैं जानना चाहता हूं कि जो आपने रूलिंग दी और जिसको आपने नोटिफिकेशन में जारी कर दिया, वह रूलिंग as a Vice-President, as a Chairman or as a Court दी। मैंने माननीय सुप्रीम कोर्ट की कुछ रूलिंग पढ़ी हैं। आपको सुप्रीम कोर्ट की रूलिंग में ट्रिब्यूनल माना है। आपने यह लिखा है.....(व्यवधान).....

श्री सभापति : यह argument का विषय नहीं है। यह चर्चा हो चुकी है। There is neither point, nor order in your point of order. Please sit down.

...(Interruptions)... Next, we will go to Zero Hour. ...(Interruptions)...

THE LEADER OF THE OPPOSITION (SHRI GHULAM NABI AZAD):

Sir,...

...(Interruptions)...

MR. CHAIRMAN: The Leader of the Opposition. ...(Interruptions)...

(Contd. by RL/1H)

LP-RL/11.35/1H

श्री सभापति (क्रमागत) : प्लीज बैठ जाइए..(व्यवधान).. प्लीज बैठ जाइए..(व्यवधान)..नरेश जी, मैंने आपको मौका दिया है, प्लीज बैठिए।..(व्यवधान)..

श्री नरेश अग्रवाल : सभापति जी, आप तो सवेरे खुद ही कह रहे थे कि सब लोग सदन चलाइए ..(व्यवधान)..हम लोग सदन चलाना चाहते हैं।..(व्यवधान)..आपका सहयोग चाहिए। ..(व्यवधान)..

श्री सभापति : धन्यवाद। आपको सहयोग मिलेगा, आप चिंता मत कीजिए। ..(व्यवधान)..

नेता विरोधी दल (श्री गुलाम नबी आज़ाद): सभापति जी, as a Chairman आपका जो निर्णय है, हम उसको चैलेंज नहीं करते, लेकिन जो तथ्य दिए गए हैं कि माननीय शरद यादव को इसलिए हटाया गया कि उन्हें..(व्यवधान)..

قائد حزب اختلاف (جناب غلام نبی آزاد): سبھا پتی جی، 'ایز اے چیئرمین' آپ کا جو فیصلہ ہے، ہم اس کو چیلنج نہیں کرتے، لیکن جو تھئے دئے گئے ہیں کہ مائے شرد یادو کو اس لئے ہٹایا گیا کہ انہیں۔۔(مداخلت)۔۔

श्री सभापति : देखिए, यह चर्चा का विषय नहीं है।..(व्यवधान)..

श्री गुलाम नबी आज़ाद : यही चर्चा का विषय है।..(व्यवधान).. सर, यही चर्चा का विषय है।..(व्यवधान)..

جناب غلام نبی آزاد : یہی چرچا کا وشئ ہے --- (مداخلت) --- سر، یہی چرچا کا وشئ ہے --- (مداخلت) ---

श्री नीरज शेखर : सभापति जी, चर्चा का विषय ..(व्यवधान)..

MR. CHAIRMAN: Shri Neeraj Shekhar, please sit down. ... (Interruptions)... I have not called you. ... (Interruptions)... I have not called you. ... (Interruptions)... You are bound by the rules. ... (Interruptions)... Please sit down. ... (Interruptions)... आप बैठ जाइए, ऐसे आवाज़ उठाने से कुछ होगा नहीं। ..(व्यवधान).. आप बैठिए। ..(व्यवधान)..

श्री नीरज शेखर : सभापति जी, मैं बोलूंगा।..(व्यवधान).. कुछ हो न हो..(व्यवधान)..

MR. CHAIRMAN: Nothing will go on record. ... (Interruptions)...

श्री नीरज शेखर : *

श्री सभापति : आप ऐसे करते रहिए। ..(व्यवधान).. आप करिए।..(व्यवधान)..

श्री गुलाम नबी आज़ाद : सभापति जी, मैं आपको बताऊं कि शायद इस सदन का मैं अकेला आदमी था, जब महा गठबंधन की मीटिंग पटना में हुई थी। उस

महा गठबंधन में अपनी पार्टी की तरफ से मुझे भेजा गया था। इसमें नीतीश कुमार जी थे और आरजेडी के अन्य लीडर्स भी थे। उस रैली में हमने कहा था कि महा गठबंधन के हमारे मुख्य मंत्री श्री नीतीश कुमार होंगे और जो वोट मांगे जाएंगे, वे महा गठबंधन के नाम पर मांगे जाएंगे।..(व्यवधान)..

جناب غلام نبی آزاد : سبھا پتی جی، میں آپ کو بتاؤں کہ شاید اس سدن کا میں اکیلا آدمی تھا، جب مہا گٹھ بندھن کی میٹنگ پٹنہ میں ہوئی تھی۔ اس مہا گٹھ بندھن میں اپنی پارٹی کی طرف سے مجھے بھیجا گیا تھا۔ اس میں نتیش کمار جی تھے اور آر جے ڈی۔ کے دیگر لیڈرس بھی تھے۔ اس ریلی میں ہم نے کہا تھا کہ مہا گٹھ بندھن کے ہمارے مکھیہ منتری شری نتیش کمار ہوں گے اور جو ووٹ مانگے جائیں گے، وہ مہا گٹھ بندھن کے نام پر مانگے جائیں گے۔۔(مداخلت)۔۔

श्री राम चन्द्र प्रसाद सिंह : यह कोई बात नहीं है।..(व्यवधान)..

श्री गुलाम नबी आज़ाद : आप बैठ जाइए क्योंकि आप उस मीटिंग में नहीं थे।..(व्यवधान)..

جناب غلام نبی آزاد : آپ بیٹھ جائیے کیوں کہ آپ اس میٹنگ میں نہیں تھے۔۔(مداخلت)۔۔

श्री राम चन्द्र प्रसाद सिंह: हम थे।..(व्यवधान)..आप महा गठबंधन की चर्चा क्यों कर रहे हैं? ..(व्यवधान)..

श्री गुलाम नबी आज़ाद : आप अपनी बात बताइए।..(व्यवधान)..आपको रोका किसने है? ..(व्यवधान)..आप अपनी ..(व्यवधान).. जगह बताइए।..(व्यवधान)..आप उस स्टेट ..(व्यवधान)..पर नहीं थे।..(व्यवधान)..जो

वोट मांगा, वह महा गठबंधन के नाम पर मांगा..(व्यवधान)..और महा गठबंधन को नीतीश कुमार जी और आप छोड़कर चले गए हैं..(व्यवधान)..आपको सदस्यता से इस्तीफा देना चाहिए। ..(व्यवधान)..महा गठबंधन में..(व्यवधान)..नीतीश कुमार जी और उनके जितने साथी गए हैं..(व्यवधान)..वे महा गठबंधन के नाम पर चुने हुए हैं..(व्यवधान)..आपको resign करना चाहिए। ..(व्यवधान)..

جناب غلام نبی آزاد : آپ اپنی بات بتائیے --- (مداخلت)--- آپ کو روکا کس نے ہے؟ --- (مداخلت)--- آپ اپنی جگہ پر بتائیے --- (مداخلت)--- آپ اس اسٹیٹ --- (مداخلت)--- پر نہیں تھے --- (مداخلت)--- جو ووٹ مانگا، وہ مہا گٹھ بندھن کے نام پر ہوگا --- (مداخلت)--- اور مہا گٹھ بندھن کو نتیش کمار جی اور آپ چھوڑ کر چلے گئے ہیں --- (مداخلت)--- آپ کو سدسیٹا سے استعفی دینا چاہئے --- (مداخلت)--- مہا گٹھ بندھن میں --- (مداخلت)--- نتیش کمار جی اور ان کے جتنے ساتھی گئے ہیں --- (مداخلت)--- وہ مہا گٹھ بندھن کے نام پر چنے ہوئے ہیں --- (مداخلت)--- آپ کو ریزائن کرنا چاہئے --- (مداخلت)---

श्री सभापति : गुलाम नबी आज़ाद जी, यह चर्चा का विषय नहीं है। (व्यवधान).. आप बैठ जाइए। ..(व्यवधान)..यह चर्चा का विषय नहीं है। I am going to the Zero Hour. गुलाम नबी आज़ाद जी, यह चर्चा का विषय नहीं है।...(Interruptions)... I am going to the Zero Hour. ...(Interruptions)... (व्यवधान).. Ghulam Nabi Azadji, the issue that has been decided by the Chair cannot be discussed in the House. ...(Interruptions)...

श्री गुलाम नबी आज़ाद : मिस्टर यादव महा गठबंधन का हिस्सा हैं।..(व्यवधान)..वे महा गठबंधन के नाम पर चुने गए हैं।..(व्यवधान)..सर, इनकी सदस्यता रद्द नहीं की जा सकती।..(व्यवधान)..सदस्यता इनकी रद्द की जानी चाहिए।..(व्यवधान)..सर, इनकी सदस्यता रद्द की जानी चाहिए।..(व्यवधान)..मुख्य मंत्री को और उनके सभी एम.एल.एज़. की सदस्यता..(व्यवधान)..और जेडीयू में जो लोग हैं, उनकी सदस्यता रद्द कर देनी चाहिए। ..(व्यवधान)..

جناب غلام نبی آزاد: مسٹر یادو مہا گٹھ بندھن کا حصہ ہیں۔۔۔(مداخلت)۔۔۔ وہ مہا گٹھ بندھن کے نام پر چنے گئے ہیں۔۔۔(مداخلت)۔۔۔ سر، ان کی سدسیٹا رد نہیں کی جا سکتی۔۔۔(مداخلت)۔۔۔ سدسیٹا ان کی ختم کی جانی چاہئے۔۔۔(مداخلت)۔۔۔ سر، ان کی سدسیٹا رد کی جانی چاہئے۔۔۔(مداخلت)۔۔۔ مکھیہ منتری کو اور ان کے سبھی ایم۔ایل۔ایز۔ کی سدسیٹا۔۔۔(مداخلت)۔۔۔ اور جے ڈی۔یو۔ میں جو لوگ ہیں، ان کی سدسیٹا رد کر دینی چاہئے۔۔۔(مداخلت)۔۔۔

श्री राम चन्द्र प्रसाद सिंह : यह चर्चा का विषय नहीं है।..(व्यवधान)..

SHRI TAPAN KUMAR SEN: Sir, ...(Interruptions)...

SHRI ANAND SHARMA: Sir, ...(Interruptions)...

MR. CHAIRMAN: This is a political issue which you are raising.

...(Interruptions)... You discuss it outside the House.

...(Interruptions)... I have no problem. ...(Interruptions)... I am going

to the Zero Hour. ...(Interruptions)... Now, Shri A.

Navaneethakrishnan. ...(Interruptions)... His Zero Hour matter is Ockhi Cyclone in Tamil Nadu and Kerala. ...(Interruptions)... Ockhi Cyclone एक महत्वपूर्ण विषय है। ..(व्यवधान)..

SHRI ANAND SHARMA: Sir, we have taken... ...(Interruptions)...

SHRI TAPAN KUMAR SEN: Sir, I am sorry.... ...(Interruptions)...

SHRI A. NAVANEETHAKRISHNAN: Thank you hon. Chairman. ...(Interruptions)... The Tamil Nadu, especially the Kanyakumari District... ...(Interruptions)...

MR. CHAIRMAN: We are in the Zero Hour. ...(Interruptions)... Please. ...(Interruptions)... This is Zero Hour. ...(Interruptions)...

SHRI ANAND SHARMA: Sir, I am on a point of order. ...(Interruptions)... My 267 notice... ...(Interruptions)... 267 notice will be raised now. ...(Interruptions)...

SHRI TAPAN KUMAR SEN: Sir, ...(Interruptions)...

श्री सभापति : प्लीज बैठ जाइए..(व्यवधान)..बैठ जाइए।..(व्यवधान).. This is a very important issue of cyclone affecting thousands of people in Kerala and Tamil Nadu ...(Interruptions)... Yes, Shri Raja has also given notice on it. ...(Interruptions)... This is a very important issue concerning the lives and properties of the people of Kerala coast and

also Tamil Nadu. ...(Interruptions)... Please allow him to make his submission. ...(Interruptions)...

SHRI TAPAN KUMAR SEN: Sir, this is also an important issue. ...(Interruptions)...

SHRI ANAND SHARMA: Sir, ...(Interruptions)...

श्री सभापति : वह अलग बात है। ..(व्यवधान)..No, please, sit down. ...(Interruptions)... Anand Sharmaji, you are a very senior leader. ...(Interruptions)... Please sit down. ...(Interruptions)... I will give a ruling on that. ...(Interruptions)... आप बैठ जाइए प्लीज़।..(व्यवधान)..

SHRI ANAND SHARMA: You have to hear that. ...(Interruptions)...

श्री नरेश अग्रवाल : सभापति जी, हमारा नोटिस है। ..(व्यवधान)..हमारा नोटिस है। ..(व्यवधान)..हमारा रूल 267 के तहत नोटिस है। ..(व्यवधान)..

श्री सभापति : आप बैठ जाइए प्लीज़। ..(व्यवधान)..नरेश जी, प्लीज़ आप बैठ जाइए। ..(व्यवधान).. No, this is not allowed. ...(Interruptions)... Yes, Shri A. Navaneethakrishnan. ...(Interruptions)...

SHRI ANAND SHARMA: Sir, please open the Rule book... ...(Interruptions)...

MATTERS RAISED WITH PERMISSION OF CHAIR**OCKHI CYCLONE IN TAMIL NADU**

SHRI A. NAVANEETHAKRISHNAN (TAMIL NADU): Thank you, Mr. Chairman. The entire House knows that because of the Ockhi Cyclone.... ...(Interruptions)... The Ockhi Cyclone has affected Kanyakumari District in Tamil Nadu. ...(Interruptions)... Please, ...(Interruptions)... Kanyakumari District in Tamil Nadu is affected very much. ...(Interruptions)...

MR. CHAIRMAN: Except Shri A. Navaneethakrishnan, nothing shall go on record. ...(Interruptions)...

(Followed by DC/1J)

-RL/DC-KLG/1J/11.40

SHRI A. NAVANEETHAKRISHNAN: Our hon. Chief Minister, Thiru Edappadi K. Palaniswami has written a letter to the hon. Prime Minister...(Interruptions)... requesting the hon. Prime Minister to declare the Ockhi Cyclone as 'National Disaster' and provide all financial assistance as early as possible. ...(Interruptions)... She has already...(Interruptions)...

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MR. CHAIRMAN: Nothing should go on record except what Shri Navaneethakrishnan is saying, either on record here or on record in television also. ...(Interruptions)...

SHRI A. NAVANEETHAKRISHNAN: Our Chief Minister has already announced a sum of Rs. 20 lakhs for those who died in sea and Rs. 10 lakhs for those who died in Kanyakumari district because of the cyclone. ...(Interruptions)... The Government has taken all possible steps to restore normalcy. ...(Interruptions)... So, I once again request the hon. Prime Minister to declare the Ockhi Cyclone affecting Kanyakumari as 'National Disaster' and provide all financial assistance as early as possible. Thank you. ...(Interruptions)...

(Ends)

SHRI LA. GANESAN (MADHYA PRADESH): Sir, I associate myself with the issue raised by the Hon. Member.

(Ends)

MR. CHAIRMAN: You want to do like this on the first day itself! ...(Interruptions)... You don't want to hear about cyclone. You don't want to hear people's problem. ...(Interruptions)... You don't want to...(Interruptions)... I don't appreciate this conduct of coming to the

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Well. ...(Interruptions)... There is a saying that ...(Interruptions)... all in Well, not well. ...(Interruptions)... Try to understand this. ...(Interruptions)... Nothing shall go on record. ...(Interruptions)... The House is adjourned to meet again at 12 o'clock.

**The House then adjourned at
forty-two minutes past eleven of the clock.**

(12.00-1.00 P.M. - Question Hour)

KS-SCH/1L/2.30

The House reassembled at thirty minutes past two of the clock,

MR. DEPUTY CHAIRMAN in the Chair.

SHRI ANAND SHARMA: Mr. Deputy Chairman, Sir.

...(Interruptions)...

श्री नरेश अग्रवाल : सर, मेरा एक प्वाइंट ऑफ ऑर्डर है।

MR. DEPUTY CHAIRMAN: What is your point of order?

...(Interruptions)...

श्री नरेश अग्रवाल : मेरा कहना है कि आर्टिकल 80-81 ...(व्यवधान)...

आर्टिकल 80 में ...(व्यवधान)...

MR. DEPUTY CHAIRMAN: I am going to listen to your point of order, but I have a question. This is Private Members' Business time. So, your point of order should relate to Private Members' Business.

SHRI NARESH AGRAWAL: No, Sir; it does not relate to Private Members' Business. It relates to all the MPs. ...(Interruptions)...

SHRI ANAND SHARMA: Sir, he should be given an opportunity. ...(Interruptions)...

श्री नरेश अग्रवाल : श्रीमन्, मैंने यह विषय इसलिए उठाया है कि एमपी बनने के लिए संविधान में कुछ अर्हताएं दी हुई हैं। अगर हम उस अर्हता का पालन करते हैं, तभी सदन के सदस्य बनते हैं। यहां प्रश्न यह है कि क्या हमें विशेष दर्जा प्राप्त है या नहीं है? वैसे हम एक सामान्य नागरिक माने जाते हैं, लेकिन एमपी होने के नाते हमें कुछ सुविधाएं दी जाती हैं, लेकिन समाज में हमें समान दर्जा ही प्राप्त होता है।

श्रीमन्, दो-तीन दिन पहले माननीय सर्वोच्च न्यायालय में सरकार ने एक एफिडेविट दाखिल किया...(व्यवधान)...

MR. DEPUTY CHAIRMAN: So, what is your point of order?

श्री नरेश अग्रवाल : श्रीमन्, मैं अभी उसी पर आ रहा हूं। यह प्वाइंट ऑफ ऑर्डर है।...(व्यवधान)....,उन्होंने कहा कि एमपी/एमएलएज़ पर जो मुकदमे कायम हैं, उनको विशेष अदालत में सुना जाए।

MR. DEPUTY CHAIRMAN: No, no. It has no relevance here.

...(Interruptions)... It has no relevance here. ...(Interruptions)...

श्री नरेश अग्रवाल : सर, यह हम सबसे जुड़ा हुआ है।

MR. DEPUTY CHAIRMAN: It has no relevance in the Private Members' Business. ...(Interruptions)...

संसदीय कार्य मंत्रालय में राज्य मंत्री (श्री विजय गोयल) : यह मामला आप मंडे को उठाइएगा, अभी तो प्राइवेट मेम्बर्स बिल का टाइम है।

सामाजिक न्याय और अधिकारिता मंत्री (श्री थावर चन्द गहलोत) : अभी तो यह मामला सुप्रीम कोर्ट में चल रहा है।...(व्यवधान)... इस विषय पर अगर सुप्रीम कोर्ट में सरकार ने कोई जानकारी दी है, तो सुप्रीम कोर्ट की प्रोसीडिंग्स पर यहां चर्चा नहीं हो सकती है।...(व्यवधान)...

नेता विरोधी दल (श्री गुलाम नबी आज़ाद) : सबसे ज्यादा केसेज़ आप लोगों पर ही हैं।...(व्यवधान)...

قائد حزب اختلاف (جناب غلام نبی آزاد): سب سے زیادہ کیسز آپ لوگوں پر ہی ہیں۔۔۔(مداخلت)۔۔۔

श्री थावर चन्द गहलोत : सुप्रीम कोर्ट की प्रोसीडिंग्स पर यहां चर्चा नहीं हो सकती है, यह नियम है।...(व्यवधान)...

श्री नरेश अग्रवाल : मेरा कहना यह है कि हम राजनीतिक व्यक्ति हैं।...(व्यवधान)...

MR. DEPUTY CHAIRMAN: My point is only this. You cannot take it up during Private Members' Business. That is all. ...(Interruptions)...

श्री नरेश अग्रवाल : नहीं, यह बात कैसे हो सकती है? ...(व्यवधान)... हम प्वाइंट ऑफ ऑर्डर कभी भी उठा सकते हैं।...(व्यवधान)... इससे प्राइवेट मेम्बर्स बिल का कोई मतलब नहीं है।...(व्यवधान)...

श्री विजय गोयल : नरेश जी, वह प्वाइंट ऑफ ऑर्डर होना भी तो चाहिए।...(व्यवधान)...

श्री नरेश अग्रवाल : यह प्वाइंट ऑफ ऑर्डर ही है।...(व्यवधान)...

श्री विजय गोयल : नहीं, नहीं, यह प्वाइंट ऑफ ऑर्डर कहां से है? ...(व्यवधान)...

श्री नरेश अग्रवाल : क्या अब यह बीजेपी को सिखाना पड़ेगा? कायदे से तो विजय गोयल जी मंत्री रह ही नहीं सकते। इनको राज्य मंत्री के इंडिपेंडेंट चार्ज से हटा कर राज्य मंत्री बना दिया गया, कोई ओथ नहीं दिलवाई गई।...(व्यवधान)...

श्री उपसभापति : नरेश जी, अभी आप बैठ जाइए।...(व्यवधान)... आपने अपनी बात कह दी है। ...(व्यवधान)...

श्री नरेश अग्रवाल : क्या बिना ओथ दिलवाए एक राज्य मंत्री, स्वतंत्र प्रभार का पोर्टफोलियो बदला जा सकता है? ...(व्यवधान)... यह प्रश्न भी उठ सकता है।...(व्यवधान)...

श्री उपसभापति : अभी आप बैठिए।...(व्यवधान)... अभी बैठिए।...(व्यवधान)...

श्री नरेश अग्रवाल : श्रीमन्, पहले मुझे अपनी बात करने दीजिए।...(व्यवधान)...

मेरा कहना यह है कि इससे पूरे देश में यह मेसेज गया है कि हम लोग अपराधी हैं। एमपी/ एमएलएज के लिए विशेष अदालत गठित की जा रही है। आतंकवादी सात-सात, दस-दस सालों तक जेलों में दामाद की तरह पाले जाते हैं, उनके लिए तो विशेष अदालत नहीं है।

MR. DEPUTY CHAIRMAN: Nareshji, can you discuss a decision of the Supreme Court? ...(Interruptions)... Can you debate that? ...(Interruptions)...

श्री नरेश अग्रवाल : जी सर, डिस्कशन कर सकते हैं। इस सदन में डिस्कशन हो सकता है।...(व्यवधान)... यह कहां लिखा हुआ है कि इस विषय पर इस सदन में डिस्कशन नहीं हो सकता?

MR. DEPUTY CHAIRMAN: No, no. You cannot criticize the Supreme Court here. ...(Interruptions)... You cannot criticize the judiciary here. ...(Interruptions)...

श्री नरेश अग्रवाल : मैं सुप्रीम कोर्ट को नहीं, गवर्नमेंट को कह रहा हूं। मैंने सुप्रीम कोर्ट को क्रिटिसाइज नहीं किया है।...(व्यवधान)... माननीय सर्वोच्च न्यायालय के खिलाफ मैंने एक शब्द भी यहां नहीं कहा है।...(व्यवधान)...

MR. DEPUTY CHAIRMAN: Then you may raise it on some other occasion, not now. ...(Interruptions)..

श्री नरेश अग्रवाल : एफिडेविट तो सरकार ने दिया है। क्या सरकार यह एफिडेविट दे सकती है? ...(व्यवधान)...

श्री उपसभापति : आप इसे किसी और टाइम पर रेज़ करिए, अभी तो प्राइवेट मेम्बर्स बिल का टाइम है।...(व्यवधान)...

SHRI ANAND SHARMA: Mr. Deputy Chairman, Sir...

MR. DEPUTY CHAIRMAN: Is it the same thing?

SHRI ANAND SHARMA: No, Sir. I wish to be educated. He has raised a point of order, and whatever you decide would be final. But, with due respect, is it there in the rules as to at what time a point of order could be raised? ...(Interruptions)... Sir, a point of order is a point of order.

(CONTD. BY RSS/1M)

RSS/RCM/1M/2.35

SHRI ANAND SHARMA (CONTD.): Second thing is, it is not only Article 13, there are very many eminent lawyers sitting in this House, and those who have understanding of the Constitution, finally, to the hon. Minister also, with respect, I would say, this is the Book, and we

can discuss anything what is there in the Constitution. Sir, I would like to draw your attention to Article 13.

MR. DEPUTY CHAIRMAN: Is this your point of order?

SHRI ANAND SHARMA: Yes, Sir. It relates to the Fundamental Right because the Government has taken a position, not the Supreme Court. It says: "All laws in force in the territory of India." This is Article 13. I am referring to Article 13 and Article 14, Sir. And Article 14 is, Equality before law, which says: "The State shall not deny to any person equality before the law or the equal protection of the laws within the territory of India." Now, this is the basic structure of the Constitution. Can the Government go against the basic structure of the Constitution?

संसदीय कार्य मंत्रालय में राज्य मंत्री (श्री विजय गोयल): सर, इसमें प्वाइंट ऑफ ऑर्डर क्या है? ...(व्यवधान)...

MR. DEPUTY CHAIRMAN: Tell me what your point of order is... (Interruptions)...

SHRI ANAND SHARMA: How has the Government taken this position? He is right in raising this.

श्री विजय गोयल: सर, इसमें प्वाइंट ऑफ ऑर्डर क्या है? यहां प्वाइंट ऑफ ऑर्डर डिस्कस होना है। ... (व्यवधान)...

SHRI ANAND SHARMA: Does this matter or not? Why is this Government assaulting the Fundamental Rights of the citizens? So, I think, Shri Naresh Agrawal should be heard with respect. He has raised a very important matter.

श्री नरेश अग्रवाल: सर, क्या अब सरकार तय करेगी कि प्वाइंट ऑफ ऑर्डर क्या है? ... (व्यवधान)...

MR. DEPUTY CHAIRMAN: Now, it being Private Members' Business time, I am not allowing it. If you want, you can raise it later. I have not given any ruling. I have not ruled this out... (Interruptions)...

SHRI ANAND SHARMA: That I am not commenting. I have said that that is his point of order. As a colleague, I agreed with him.

MR. DEPUTY CHAIRMAN: Same is applicable to you also.

SHRI ANAND SHARMA: I am on a different issue. Sir, the Leader of the Opposition, myself, and other leaders in the Opposition, have given a notice, which unfortunately was not accepted. Sir, we function in a democracy, and it is immaterial whether we are on this side or on the other side, whether we are in the Government, or,

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whether we are in the Opposition, all of us love our country; we are patriotic; we do our duties as elected representatives, and also, we have taken oath under the Constitution.

MR. DEPUTY CHAIRMAN: What is the point?

SHRI ANAND SHARMA: If an insidious reference is made, accusations are made against the former Prime Minister of the country... (Interruptions)...

PRIVATE MEMBERS' LEGISLATIVE BUSINESS**BILLS INTRODUCED**

MR. DEPUTY CHAIRMAN: No, no. You cannot raise it now. I am going to the Private Members' Business... (Interruptions)... Number one, The Labour (Welfare and Rehabilitation) Bill, 2017-- Shri Vivek Gupta. The hon. Member is not present... (Interruptions)... Now, I cannot allow you. Now, the Women (Empowerment and Welfare) Bill, 2017--Shri Vivek Gupta- not present. I cannot allow it now. This is Private Members' Business... (Interruptions)... The Urban Areas (Equitable Development and Regulation) Bill, 2017. Shri Vivek Gupta- not present... (Interruptions)... The Rights of Persons Affected by

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Leprosy and Members of their Family (Protection Against Discrimination and Guarantee of Social Welfare) Bill, 2017. Shri K.T.S. Tulsi-- not present... (Interruptions)... The Educational Innovations Commission Bill, 2017. Dr. Vinay P. Sahasrabuddhe. Yes, you move the Bill.

THE EDUCATIONAL INNOVATIONS COMMISSION BILL, 2017

DR. VINAY P. SAHASRABUDDHE (MAHARASHTRA): Sir, I beg to move for leave to introduce a Bill to promote conception, experimentation and implementation of educational innovations in the country by establishing the Educational Innovations Commission and for matters connected therewith and incidental thereto...(Interruptions)...

The question was put and the motion was adopted.

DR. VINAY P. SAHASRABUDDHE: Sir, I introduce the Bill.

(Ends)

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**THE CONSTITUTION (AMENDMENT) BILL, 2017 (INSERTION
OF NEW ARTICLE 21B)**

SHRI V. VIJAYASAI REDDY (ANDHRA PRADESH): Sir, I beg to move for leave to introduce a Bill further to amend the Constitution of India. ...(Interruptions)...

The question was put and the motion was adopted.

SHRI V. VIJAYASAI REDDY: Sir, I introduce the Bill.

(Ends)

(followed by KGG/1N)

PSV-KGG/1N/2.40

THE PREVENTION OF ENFORCED DISAPPEARANCE BILL, 2017

SHRI V. VIJAYASAI REDDY (ANDHRA PRADESH): Sir, I move for leave to introduce a Bill to provide punishment for enforced disappearance of any person by public servants or any person subjecting a person to an enforced disappearance with the consent or acquiescence of any public servant and for matters connected therewith and incidental thereto.

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The question was put and the motion was adopted.

SHRI V. VIJAYASAI REDDY: Sir, I introduce the Bill.

(Ends)

THE PREVENTION OF TORTURE BILL, 2017

SHRI V. VIJAYASAI REDDY (ANDHRA PRADESH): Sir, I move for leave to introduce a Bill to provide punishment for torture inflicted by public servants or any person inflicting torture with the consent or acquiescence of any public servant and for matters connected therewith and incidental thereto.

The question was put and the motion was adopted.

SHRI V. VIJAYASAI REDDY: Sir, I introduce the Bill.

(Ends)

MR. DEPUTY CHAIRMAN: Now, Shri Rajkumar Dhoot to introduce the Compulsory Protection of Witnesses and Victims of Crimes Bill, 2017; he is absent. He had to introduce the Heritage Cities and Sites (Conservation and Development) Bill, 2017, and the Environment Protection Bill, 2017.

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THE FLOOD AND DROUGHT CONTROL BILL, 2017

DR. T. SUBBARAMI REDDY (ANDHRA PRADESH): Sir, I move for leave to introduce a Bill to provide for the setting up of a National Flood and Drought Control Board to control flood and drought and for matters connected therewith and incidental thereto.

The question was put and the motion was adopted.

DR. T. SUBBARAMI REDDY: Sir, I introduce the Bill.

(Ends)

THE PLAY SCHOOLS (REGULATION) BILL, 2017

DR. T. SUBBARAMI REDDY (ANDHRA PRADESH): Sir, I move for leave to introduce a Bill to regulate the functioning of play schools and for matters connected therewith or incidental thereto.

The question was put and the motion was adopted.

DR. T. SUBBARAMI REDDY: Sir, I introduce the Bill.

(Ends)

THE BAIL BILL, 2017

SHRI SUKHENDU SEKHAR RAY (WEST BENGAL): Sir, I move for leave to introduce a Bill to make provisions in relation to bail in

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connection with criminal proceedings in the country and to ensure protection of personal liberty of the citizens and for matters connected therewith or incidental thereto.

The question was put and the motion was adopted.

SHRI SUKHENDU SEKHAR RAY: Sir, I introduce the Bill.

(Ends)

**THE CONSTITUTION (AMENDMENT) BILL, 2017
(AMENDMENT OF ARTICLE 366)**

SHRI SUKHENDU SEKHAR RAY (WEST BENGAL): Sir, I move for leave to introduce a Bill further to amend the Constitution of India.

The question was put and the motion was adopted.

SHRI SUKHENDU SEKHAR RAY: Sir, I introduce the Bill.

(Ends)

**THE VEDIC EDUCATION (COMPULSORY TEACHING IN
EDUCATIONAL INSTITUTIONS) BILL, 2017**

श्री नारायण लाल पंचारिया (राजस्थान): महोदय, मैं प्रस्ताव करता हूँ कि शैक्षिक संस्थाओं में वैदिक शिक्षा के शिक्षण को अनिवार्य बनाए जाने और

तत्संसक्त तथा उसके आनुषंगिक विषयों का उपबंध करने के लिए विधेयक को पुरःस्थापित करने की अनुमति दी जाए।

The question was put and the motion was adopted.

श्री नारायण लाल पंचारिया: महोदय, मैं विधेयक को पुरःस्थापित करता हूँ।

(समाप्त)

**THE SOLAR POWER (DEVELOPMENT, PROMOTION AND
MANDATORY USE) BILL, 2017**

श्री नारायण लाल पंचारिया (राजस्थान): महोदय, मैं प्रस्ताव करता हूँ कि परंपरागत ऊर्जा को बचाने तथा पर्यावरण का संरक्षण करने के उद्देश्य से सौर ऊर्जा उत्पादन के विकास तथा संवर्द्धन एवं भवनों में सौर ऊर्जा के अनिवार्य प्रयोग तथा तत्संसक्त और उसके आनुषंगिक विषयों का उपबंध करने के लिए विधेयक को पुरःस्थापित करने की अनुमति दी जाए।

The question was put and the motion was adopted.

श्री नारायण लाल पंचारिया: महोदय, मैं विधेयक को पुरःस्थापित करता हूँ।

(समाप्त)

THE JUDICIAL STATISTICS BILL, 2017

श्री नारायण लाल पंचारिया (राजस्थान): महोदय, मैं प्रस्ताव करता हूँ कि न्यायिक सांख्यिकी के एकत्रण और उनके प्रकाशन के लिए न्यायिक सांख्यिकी

प्राधिकरणों का गठन करने तथा तत्संसक्त और उसके आनुषंगिक विषयों का उपबंध करने के लिए विधेयक को पुरःस्थापित करने की अनुमति दी जाए।

The question was put and the motion was adopted.

श्री नारायण लाल पंचारिया: महोदय, मैं विधेयक को पुरःस्थापित करता हूँ।

(समाप्त)

(Followed by KLS/10)

KLS/VNK/10-2.45

MR. DEPUTY CHAIRMAN: What is this? ... (Interruptions).. I have to take up the Bill for consideration. ...(Interruptions)... Mr. Dhoot is not there. ...(Interruptions).. Is Mr. Rajkumar Dhoot present? ...(Interruptions)...

श्री नरेश अग्रवाल: सर, हाउस ऑर्डर में नहीं है।...(व्यवधान)...

MR. DEPUTY CHAIRMAN: You don't want Private Members' Business. ...(Interruptions)... The House is adjourned up to 3.00 p.m.

...

**The House then adjourned at
forty-six minutes past two of the clock.**

SSS-NKR/1P/3.00

**The House reassembled at three of the clock,
MR. DEPUTY CHAIRMAN in the Chair.**

...(Interruptions)...

MR. DEPUTY CHAIRMAN: You don't want Private Members' Bill!

...(Interruptions)... I have no other go but to adjourn the House.

...(Interruptions)... Private Members' Business is sacrosanct.

...(Interruptions)... The House stands adjourned till 11.00 a.m. on

Monday, the 18th December, 2017.

...

**The House then adjourned at two minutes past
three of the clock till eleven of the clock on
Monday, the 18th December, 2017.**