

# RAJYA SABHA

---

## LIST OF BUSINESS

Friday, January 4, 2019

11 A.M.

---

### #QUESTIONS

QUESTIONS entered in separate lists to be asked and answers given.

---

(FROM 2.30 P.M. TO 5.00 P.M.)

### PRIVATE MEMBERS' BUSINESS (RESOLUTIONS)

1. FURTHER DISCUSSION on the following Resolution moved by SHRI TIRUCHI SIVA on the 10<sup>th</sup> August, 2018:—

"Having regard to the fact that:-

- (i) according to the Census of 2011, the population of widows in India is 4,32,61,278 which accounts for 7.37 percent of the female population in India, which is the largest population of widows in the entire world;
- (ii) widowhood in India is not an ideal social condition and remarriage of widows is a rare phenomenon as widows in India face problems on economic, social, legal and health fronts;
- (iii) most of the widowed women do not have any formal training or education and as a result they are not able to find any employment to earn their livelihood and the conditions are worse for those widows who belong to the unorganised sector, which constitutes 70 percent of India's population;
- (iv) customs in the Indian society are still engrained in age old practices where death of the husband is a social phenomenon in the society which affects every aspect of the life of the widow and many of them suffer a social death;
- (v) the old structures of joint family are being transformed into new structures of nuclear family which are not able to support the widows as around 72 percent of the female population above the age of 60 years is dependent population;
- (vi) around 60 percent of the population of widows is in the age group of 70 -74 years, who require appropriate health care facilities, but contrary to that healthcare of widows is considered as a taboo and they do not have access to basic healthcare;
- (vii) widows are given property rights under the Hindu Succession Act, 1956, but most widows are unaware of these rights and they suffer from the conflicts for the inheritance of property;
- (viii) a study conducted by the National Commission for Women in 2016 on the condition of widows in Uttar Pradesh, Uttarakhand and West Bengal stated that 84 percent of women who live in *Swadhar Greh* homes had no access to any family property and 15 percent had no

---

# At 12 Noon.

access because their children or other family members had taken away the property;

- (ix) religious places like Vrindavan, Mathura, Varanasi, etc., have become home for a large number of destitute widows from all around the country who have been left by their kiths and kins and are solely dependent on the state for their food and shelter and do not have any means of livelihood;
- (x) currently the Central Government does not have any specific scheme for the welfare of widows except for the Indira Gandhi National Widow Pension Scheme whereas *Swadhar Greh* Scheme and Short Stay Home Scheme are not specifically meant for widows and cater to all categories of destitute women, and
- (xi) there is no specific law or scheme addressing needs of the widows in the country, despite the fact that it has the largest population of widows in the entire world which must be recognised as a special category of destitute women, as they suffer from mental trauma and social pressures,

this House urges upon the Government to :—

- (a) bring a suitable legislation for the welfare of the widows in the country, which is able to address their social security needs;
- (b) extend adequate financial assistance at par with current living standards to the destitute widows;
- (c) frame a policy that enables widows to get appropriate legal aid and health care;
- (d) initiate awareness programmes to make people more sensitive to the social pressures faced by widows in the country; and
- (e) conduct a relevant study regarding the condition of the widows in the country and use the study report to take necessary steps for their welfare."

2. DR. VIKAS MAHATME to move the following Resolution:—

"Having regard to the fact that:-

- (i) policies regarding the use of affirmative action and reservation benefits for the upliftment and the benefit of the most deprived, backward and marginalised groups have existed since independence, with a reservation percentage of 15% for Scheduled Castes (SC), 7.5% for Scheduled Tribes (ST) and 27% for Other Backward Classes (OBC) in public sector employment, Central Government aided educational institutions along with other affirmative programmes;
- (ii) despite the long history of the reservation benefits in India, the existing method of implementing the policy has failed to incorporate the weakest groups into the mainstream society and has created a sense of dissatisfaction among the groups who have been denied adequate reservation benefits;
- (iii) according to a consultation paper prepared by the Commission to Examine Sub-Categorisation of OBCs, which has been cited in various newspaper reports, around 97% of all reservation benefits at the central level for OBCs have been acquired by about 25% of OBC groups, and 37% OBC groups have not received any representation at all, based on an analysis of 1.3 lakh central jobs given under OBC quota over the last five years and OBC admissions to central higher education institutions in the last three years;

- (iv) according to the same report, 994 OBC communities have only received 2.68% benefits, while 10 OBC communities have availed of as much as 24.95% of jobs and admissions;
- (vi) there are certain communities such as the Yadav, Kurmi, Jat, Saini, Thevar, Ezhava and Vokkaliga, that have acquired most reservation benefits, at the expense of other groups; and
- (vii) despite the abolition of the cruel practice of untouchability, prejudice and discrimination persists among Scheduled Castes and Scheduled Tribes and although reservation in central government jobs and educational institutes has been provided to them, the representation of SCs and STs in public sector employment and central education institutions remains poor,

this House, urges upon the Government to:-

- (a) recognise that the existing method of implementing reservation policies is flawed, as it assumes that every group and individual classified as an SC, ST or OBC, is equally backward and deprived which is not true and we continue to treat unequals as equals;
- (b) adopt a new method of implementing reservation benefits, namely the "Weighted Indexing System", which will prioritise reservations by taking into account the relevant social and educational criteria to assess the backwardness of every individual and assign a score to every individual belonging to an SC, ST or OBC group without changing the existing percentage of reservation benefits or the list of castes in SC, ST or OBC;
- (c) appoint a Commission, whose primary function will be to determine the criteria for assessing backwardness, which will include, but not be limited to, educational qualification of parents (literate, illiterate etc.), family background, gender, place of residence (rural or urban), and create a statistical formula to determine the Weighted Indexing System score for every individual;
- (d) entrust the said Commission with other related functions, such as ensuring all posts reserved for SCs, STs and OBCs in Central Government institutions are being filled by the most deserving individuals and preventing discriminatory treatment of individuals based on their Weighted Indexing System score;
- (e) conduct surveys at regular intervals to examine the backwardness of individuals and communities to check whether the Weighted Indexing System is being implemented effectively and also ensure that the criteria for assessing backwardness is flexible, so as to change the same based on the prevalent social and economic conditions."

3. SHRI MAHESH PODDAR to move the following Resolution:—

"Having regard to the fact that:-

- (i) Credit Rating Agencies(CRAs) play an important role in modern financial systems by reducing information asymmetry in credit markets by providing investors an opinion on the ability of an instrument to meet its obligations;
- (ii) the current financial crisis at Infrastructure Leasing & Financial Services Limited (IL&FS) and its subsidiaries has brought the functioning of CRAs, which has been a ticking bomb, under the scanner;
- (iii) over the last three financial years, IL&FS's borrowings shot up by 44% even as it remained a loss-making group, a fact over which the

Reserve Bank of India had expressed its serious concerns, went unnoticed by the CRAs;

- (iv) the bonds and loans of IL&FS and group entities continued to be rated at higher investment grade such as "AAA" until July, 2018, but now, IL&FS loans and bonds carry a "Default" grade, revealing the CRAs inaccurate ratings and inertia in revising its ratings;
- (v) the fallout from the IL&FS fiasco has created an enormous ripple effect in financial markets and has severely affected mutual fund houses and Non-Banking Financial Institutions;
- (vi) consequently, there has been a cash crunch that has spilled over into the infrastructure industry and has pushed up funding costs;
- (vii) since CRAs are the gatekeepers of the financial ecosystem, it is critical that the CRAs failed to see the writing on the wall; and
- (viii) although the Securities and Exchange Board of India has comprehensive and robust regulations in place, some concerns regarding the regulation of CRAs persist,

this House urges upon the Government to:-

- (a) reconsider the "exchange pays" model for securities traded on exchanges, and other payment models to avoid conflict of interest by conducting feasibility studies;
- (b) introduce rotation of employees, analysts and CRAs in a phased manner to steer clear of familiarity with issuer that can affect the CRAs' independence;
- (c) establish a framework to regulate preliminary rating estimates, by treating it as a separately remunerated service, instead of completely prohibiting them;
- (d) combat rating shopping activities in a balanced way;
- (e) incorporate a provision to make CRAs liable for compensating investors for any loss caused to them by negligent or fraudulent rating, with adequate safeguards;
- (f) address special concerns that arise for different instruments and entities by regulations; and
- (g) direct the regulators to extend reliance on ratings only when they are adequately regulated, and in no event, to extend mechanistic reliance on credit ratings."

4. PROF. MANOJ KUMAR JHA to move the following Resolution:—

"This House expresses its deep concern over the continued deaths of persons during cleaning of sewers and private septic tanks despite promulgation of the Prohibition of Employment as Manual Scavengers and Their Rehabilitation Act, 2013 and therefore, recommends that:-

- (i) the Government of India should take cognizance of the continued illegal employment of persons for manual scavenging;
- (ii) more concerted effort be taken to root out the inhuman practice and to remedy its devastating effect on the families of those engaged in this work;
- (iii) the Prohibition of Employment as Manual Scavengers and Their Rehabilitation Act, 2013 be amended to:

- (a) increase compensation for persons employed in manual scavenging in violation of the law and who die in sewer drains and septic tanks; and
- (b) provide substantial grants for rehabilitation of persons liberated from manual scavenging since 2013;
- (iv) a corpus fund be created by the Central Government as an emergency response to provision for payment of compensation to the families who lose their members while cleaning sewers and septic tanks;
- (v) a national institution be constituted to modernise sanitation and sewer system and to mechanise all the sewer and septic cleaning work; and
- (vi) a national level inquiry be constituted to inquire into the poor implementation of the Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013."

5. SHRIMATI CHHAYA VERMA to move the following Resolution:—

@ "Having regard to the fact that:-

- (i) under Fundamental Rights, article 21 of the Constitution provides the right to life and personal liberty and the article 16 provides the right to equal opportunity in public employment to all the citizens;
- (ii) the minimum age fixed for every citizen for joining government service is 18 years;
- (iii) barring a few cases,
  - (a) the mandatory maximum age limit fixed for joining government service is 35 years; and
  - (b) the age of retirement from government service is fixed at 60 years;
- (iv) different qualifications are required for different types of jobs which are advertised for employment in government services and on that basis the eligible candidates are appointed in government services as per prescribed conditions after completing all the procedures;
- (v) inspite of having all the educational and other qualifications, lakhs of unemployed youth become ineligible due to the constraints of maximum age limit on employment; and
- (vi) a person who acquires education with utmost efforts and dedication becomes ineligible for government service when he crosses the maximum age limit due to the lack of suitable job opportunities, cancellation of vacancies or results not getting declared for years, etc.,

this House urges upon the Government to:

- (a) remove the constraint of prescribed maximum age for joining government service if a person fulfils all the requirements including educational qualifications; and
- (b) provide equal employment opportunities and equal pay to every citizen of the country living in any part of the country."

6. SHRI AMAR SHANKAR SABLE to move the following Resolution:—

"Having regard to the fact that:-

- (i) our country is very vast and second most populous nation of the globe after China and seventy per cent of our population lives in villages and poverty is rampant in rural India;

---

@ Original notice received in Hindi

- (ii) driven by poverty and to earn their livelihood or fulfill their dreams people migrate to urban areas and to the metropolitan cities;
- (iii) millions of such migrant people settle down in slums, *jhuggi* clusters and unauthorized colonies and even on footpaths or pavements under the open sky in most inhuman conditions without basic civic amenities like potable water, electricity, toilets, sanitation, sewerage, healthcare, education, etc.;
- (iv) such slums, *jhuggi* clusters and unauthorized colonies exist in most of the urban areas and the metropolitan cities including the national capital, Delhi; and
- (v) there is no national policy on slums, *jhuggi* clusters and unauthorised colonies, so as to provide for their regularization and other basic amenities.

this House, urges upon the Government to:-

- (a) formulate a national policy for the regularization and other aspects related to the unauthorised colonies, slums and *jhuggi* clusters;
- (b) initiate welfare measures for the residents of slums, *jhuggi* clusters and unauthorized colonies by providing them basic civic amenities; and
- (c) provide adequate funds to State governments to bear the expenditure on the schemes formulated for the welfare of inhabitants of the unauthorized colonies, slums and *jhuggi* clusters."

NEW DELHI;  
January 1, 2019

DESH DEEPAK VERMA,  
*Secretary-General.*