

# RAJYA SABHA

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## LIST OF BUSINESS

Friday, December 21, 2018

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11 A.M.

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### #QUESTIONS

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

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(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;

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# At 12 Noon.

- (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 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. SHRIMATI VANDANA CHAVAN to move the following Resolution:—

"Having regard to the fact that:—

- (i) according to the Department of Pharmaceuticals, India is the fourth largest market for medical devices in Asia, valued at USD 3.9 billion in 2015 and is expected to grow to USD 50 billion by 2025;
- (ii) according to the International Consortium of Investigative Journalists, an estimated 1.7 million injuries and 80,000 deaths over the last decade can be linked to issues with medical devices;
- (iii) specialized regulation of medical devices is absent, as they are regulated by the Central Drug Standards Controller Organization (CDSCO) under the Drugs and Cosmetics Act, 1940;
- (iv) despite the growing variety of medical devices, less than 30 classes of medical devices have been notified to be regulated by the CDSCO;

- (v) there is patchy reporting of adverse effects and revision surgeries, delaying detection of faulty medical devices and recall actions;
- (vi) there is no national registry to track the health impact of faulty medical devices on patients, making recalls less effective;
- (vii) patients are often unaware of issues with their implants before and after surgery is done; and
- (viii) there is no institutional mechanism to provide compensation to patients, who must either file individual cases against manufacturers for compensation or rely on an ad-hoc mechanism as in a recent case with the Johnson & Johnson's ASR hip implants,

this House urges upon the Government to -

- (a) create a separate regulator to track the reporting of adverse effects and take action to protect the public from faulty medical devices;
- (b) establish a national registry which would record all implant surgeries, periodically track the health of patients and support adverse effect reporting for medical devices; and
- (c) create an institutional mechanism for compensation of patients who are suffering due to faulty medical devices."

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, extend mechanistic reliance on credit ratings."

4. SHRI VIJAY PAL SINGH TOMAR to move the following Resolution:—

"Having regard to the fact that:—

- (i) India is primarily an agrarian based economy with 55% population engaged in farming;
- (ii) for the past 70 years farmers of country have been exploited in many ways;
- (iii) present Union Government has initiated various measures for the welfare of farmers but even then farmers are facing many challenges in their day to day lives;
- (iv) India has the capacity to produce three crops in an year but cases of suicide are still very common among farmers;
- (v) if appropriate steps are taken to prevent farmers' suicide in India, the precious lives of farmers could be saved thereby ensuring the growth as well as development in the agriculture sector; and
- (vi) saving a farmer is not just saving a life but it also means saving agriculture and our tradition,

this House urges upon the Government to -

- (a) establish a *Rashtriya Kisan Ayog* (National Farmers' Commission) with constitutional status, to resolve problems being faced by the farmers;
- (b) review the implementation of the Swaminathan Committee Report to verify whether the farmers of the country are getting the benefit of the same;
- (c) fix a reasonable Kisan Credit Card limit;

- (d) educate farmers about all the latest technologies and techniques to make the agriculture process simple and fast;
- (e) make farmers aware of marketing mechanisms for their produce;
- (f) make farmers aware of their economic exploitation at the hands of middlemen who don't allow them to get the best price for their produce;
- (g) spread awareness about government programs so that their benefits may reach small farmers;
- (h) fix effective minimum procurement price of various crops;
- (i) enact laws so that the middlemen cannot purchase the produce of farmers at prices less than the MSP announced by Government;
- (j) ensure proper implementation of *Fasal Bima Yojna* so that farmers may benefit from this scheme; and
- (k) consider giving Bharat Ratna Award to the Indian Farmers for their contribution to the society."

5. SHRI BHUPENDER YADAV to move the following Resolution:—

"Having regard to the fact that:-

- (i) in the absence of simultaneous elections to Lok Sabha and State Assemblies, there is hardly any year without election in the country which is highly time-consuming and monumental wastage of financial, manpower and other resources;
- (ii) separate elections affect stability, governance, administration and stands as hurdle in attending to peoples' grievances simultaneously bringing down economic growth because of enforcement of Model Code of Conduct during elections;
- (iii) the Election Commission of India and the State Election Commissions have separate electoral rolls which result in duplication of voters, electoral malpractices resulting in considerable expenditure in holding this democratic exercise;
- (iv) many defence personnel, certain categories of Government employees, displaced Kashmiri Hindus, etc., are deprived to exercise their right to franchise due to their geographical locations;
- (v) in the absence of public funding, which otherwise is being allowed in many countries, there is huge flow of black money into the electoral system which is also paving the way for entry of unscrupulous elements into electoral politics;
- (vi) even though Election Commission puts limit on campaign expenditure, depending upon the nature of election, such ceilings practically remain only on paper and the actual cost of running an election campaign is often much higher than the prescribed limit;
- (vii) the Election and Other Related Laws (Amendment) Act, 2003, aims to control expenditure of every candidate in election, has little impact at the ground level since the existing system lacks transparency;
- (viii) lack of strong legislative backing with effective implementation machinery and absence of legally acceptable public funds resulting in leaving candidates to fend for themselves during each election

without any steady support to ensure continuation of their respective campaigns which otherwise has the obvious consequence of proliferation of black money into politics and the institutionalization of corruption;

- (ix) the absence of effective measures to ensure transparency and accountability in funding of political parties exacerbates present situation by creating authoritarian power structures, which are hard to relinquish for those who enjoy their benefits and tend to impose themselves in the scheme of national politics as well; and
- (x) the high cost of elections prevents those with modest financial resources from being competitive in elections resulting inevitably in biased policy decisions,

this House urges upon the Government to -

- (a) amend the election and other related laws forthwith to hold Lok Sabha and Assembly elections simultaneously which gives a period of clear five years to the incumbent Government to focus on governance;
- (b) amend laws and rules in such manner which facilitate reforms in electoral cycle in order to limit election expenditure and avoid wastage of time in electioneering;
- (c) ask Election Commission to have one single electoral roll in the country to weed out duplicate voters, check electoral malpractices and bring down the cost of holding the democratic exercise;
- (d) amend the Constitution and other relevant Acts and rules to introduce e-ballot/ e-voting system in order to enable all voters, who may be away from their places of residence for different reasons, to exercise their right to franchise online;
- (e) implement State funding of elections;
- (f) enact or suitably amend laws to regulate utilization of funds by political parties;
- (g) take steps for strengthening democracy, transparency in political funding and other necessary reforms;
- (h) link Aadhaar Number with Election Card issued to every eligible citizen of the country; and
- (i) permit NRIs and Indians staying abroad to cast their vote during elections."

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;
- (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;  
December 18, 2018.

DESH DEEPAK VERMA,  
*Secretary-General.*