

RAJYA SABHA

***SYNOPSIS OF DEBATE**

(Proceedings other than Questions and Answers)

Friday, February 03, 2017/ Magha 14, 1938 (Saka)

MATTERS RAISED WITH THE PERMISSION OF THE CHAIR

1. Declaring Andaman Cellular Jail as a National Monument

SHRI RITABRATA BANERJEE: I want to raise one important issue regarding the Andaman Cellular Jail in our country. The Andaman Cellular Jail is not under the Archaeological Survey of India. I will urge upon the Government to bring the Andaman Cellular Jail under the Archaeological Survey of India. The revolutionaries had gone into this Andaman Jail in two phases. In the Andaman Cellular Jail, the properly registered history is up to the first phase. But the second phase is not properly registered. At the Watch Tower in Cellular Jail, there are marbles where the names of the revolutionaries are depicted. Incidentally, majority of the names carved in the marble are from Bengal. The Chittagong youth rebellion was one of the most important incidents that took place at the time in undivided India. A young school master headed 60 young school boys. For two years, Chittagong declared independence. Unfortunately, the names of these

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people are missing from the Andaman Cellular Jail. The display does not have these names. Names of these people must be included. I urge upon the Government to look into this history and the Archaeological Survey of India must take over the Andaman Cellular Jail so that proper history is incorporated.

(Several hon'ble Members associated.)

2. Need to equip the Central Teams Visiting the Sites of Natural Calamities with Modern Technical Facilities

SHRI ANANDA BHASKAR RAPOLU: I seek the attention of the Union Government towards the obsolete and delayed method of sending Central teams to the calamity-prone areas and localities. There is a necessity to improve the method of assessing the damages and the rehabilitation requirements during the calamities with the help of advanced modern technological geo special tools. In our country, we are regularly facing several types of calamities like drought or floods. It will take minimum three months to send a Central team and to have the assessment of the damages. As the delayed visit of the Central teams is creating a laughing situation, and we could not have the exact assessment about the real calamity, I urge upon the Union Government to utilize the geo special satellite and modern advanced tools of the weather and to send the Central teams within 15 days of the message from the State Government, to have the exact assessment.

(Shrimati Viplove Thakur, Shri D. Raja and Shri Vivek K. Tankha associated.)

3. Problems being Faced by the Students due to Restriction on Number of Attempts for A.I.P.M.T.

SHRIMATI KAHKASHAN PERWEEN: I want to place before the House the feelings of those students and their guardians who are very worried and tense at this moment. NEET has been implemented and admissions in medical colleges all over the country are being made on the basis of marks secured in NEET. This time, a number of changes have been effected in the NEET test. The maximum number of attempts in the test has been limited to three and maximum age limit has been prescribed as 25 years. At the same time, it has also been stated that a student would be debarred from appearing in NEET test in 2017 if he has appeared three times in AIPMT or NEET test during the last years. This information which came just three months back only, has put the students and their guardians in a very distressful situation. I request that any such rule must be applied from the year 2018 only, otherwise the dreams of the students who have been preparing for the test for the past one year would be shattered and they will be left nowhere.

(Several hon'ble Members associated.)

4. Concern over Delay in Updating National Register of Citizens in Assam

SHRI RIPUN BORA: I want to draw the attention of the Government of India to the inordinate delay in updating of National Register of Citizens (NRC) in Assam. The National Register of Citizens is nowhere in the country except in Assam. It was started in Assam in the year 1951. This decision was taken to solve the foreigners issue in Assam once for all. After a series of meetings, the Government of India had decided to fund the entire works for this purpose. Accordingly, in all development blocks, Gram Panchayats, NRC Seva Kendras were opened. Thousands of young boys and girls were appointed on a contractual basis to carry on the computer work and other office works. The Government fixed the target to publish

draft list by March, 2016. In 2014 the BJP had made it a major election issue. They promised to update NRC in time. But, unfortunately, after the BJP Government came to power in Assam and at the Centre, the work on this is being delayed.

(Shri Vivek K. Tankha, Shrimati Viplove Thakur, Shri Santiuse kujur and Shrimati Wansuk Syiem associated.)

5. Plight of Print Media Industry

SHRI HARIVANSH: Newspaper, Print Media Industry is under threat, today. This industry is threatened mainly by wage board, the tax proposed on it in the GST, continuous increase in the cost of news print and other inputs. Demonetisation has adversely affected their share of advertisements. New jobs are not being created in the print industry and it is going through the phase of retrenchment which are making the editions close down. Small and medium newspapers are facing the crisis of their existence. If newspapers are to be protected in the era of paid news and their credibility is to be kept intact then their economy would have to be strengthened.

(Several hon'ble Members associated.)

6. Plight of Powerloom Industry in the Country

SHRI MAJEED MEMON: I seek attention of the Government of India to the fact that the Budget 2017-18, claiming to be pro-poor, does not even have a mention of the sinking power loom industry in the country. Various hubs of power loom industry, more particularly, Malegaon, Bhiwandi, Ichalkaranji, Solapur in Maharashtra, Surat in Gujarat, Varanasi and Erode are on the brink of total sickness and closure. This particular industry needs to be supported as thousands and thousands of people are losing their jobs. A majority of those who are concerned with power looms belong to minority, and particularly the Muslim minority which has been

certified to be backward in the sense of their economic condition as well as their education. Those in authority should immediately consider the plight of these people.

(Several hon'ble Members associated.)

THE MINISTER OF TEXTILES (SHRIMATI SMRITI ZUBIN IRANI), responding to the matter, said: My Ministry had convened various meetings with the power loom industry and all stakeholders so that a holistic solution could be found. The outcome of the stakeholders' meetings will be positive. Under the Pradhan Mantri Mudra Yojana, currently, reduced cost of capital is available and all these issues are being pursued.

7. Reported Attack on Religious Freedom in West Bengal

SHRI SWAPAN DASGUPTA: Basant Panchami or Sarswati Puja is one of the most important cultural festivals and after 65 years of continuous observance, now not observing this Puja is a matter of shame. It is a matter which affects the cultural identity of a State. Religious freedom must exist for everybody and every community.

(Several hon'ble Members associated.)

8. Need to declare Rehabilitation Package for Gulf Returnees

SHRI K. K. RAGESH: The Central Government should announce a special package to rehabilitate the Gulf returnees who have lost their jobs due to the present oil crisis and also due to Nitaqat Law. After implementation of the said Law lakhs of Indian workers mainly from Kerala had to return India from the Gulf countries after losing their job. Out of total households in Kerala, 25 per cent are dependent upon Gulf remittances for their livelihood. So, the problem of Gulf returnees is going to affect the State of Kerala

in a very big way. It is a serious concern as far as the economy of this state is concerned.

(Shri Ananda Bhaskar Rapolu, Shri Swapan Dasgupta and Shri Ranvijay Singh Judev associated.)

9. Deletion of the Name of Former Prime Minister Late Shri Rajiv Gandhi from Sadbhavana Divas

SMT. CHHAYA VERMA: In the name of the former Prime Minister of India, Shri Rajiv Gandhi events in the form of "Sadbhavana Diwas" are organised throughout the country on 20th August. The name of Shri Rajiv Gandhi was used to be written on the banners, posters, pamphlets, flax boards, etc. for this purpose. But, the name of Shri Rajiv Gandhiji has been deleted since 2014 and this day is being celebrated only as "Sadbhavana Diwas". There seems to be a serious conspiracy behind it. The name of Shri Rajiv Gandhi must be mentioned therein as earlier.

SHRI ANAND SHARMA: Shri Rajiv Gandhiji was a martyred Prime Minister of India. Since 20th August, 2014, in all the Government advertisements, in all circulars, in all notifications, Shri Rajiv Gandhi's name and his photographs have been removed. It is an insult to the memory of a great Prime Minister. This Government is functioning in an arbitrary and authoritarian manner.

THE LEADER OF THE OPPOSITION (SHRI GHULAM NABI AZAD): Shri Rajiv Gandhi was not an ordinary Prime Minister. When our country was facing the threat of separation from south it was him who sent peacekeeping force in Sri Lanka to deal with those elements. He lost his life for the unity and integrity of the country. So, it is unbearable that his name has been deleted from the "Sadbhavana Diwas".

(Several hon'ble Members associated.)

THE MINISTER OF STATE OF THE MINISTRY OF MINORITY AFFAIRS AND THE MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI MUKHTAR ABBAS NAQVI), responding to the matter, said: There are thousands and thousands of patriots and people in this country who have lost their lives for the country. All the Government schemes should not run in the name of only one party or family.

10. Denial of Permission to the Family of Late Shri E. Ahmed, M.P and Fellow MPs by RML Hospital to see Him

SHRI SITARAM YECHURY: I want a proper and thorough investigation in the manner in which the death of one of our very senior colleagues in the Parliament, a former Cabinet Minister, Shri E. Ahamed was handled, the way in which the news of his death was sought to be suppressed and there are various allegations. How was the announcement of his death delayed?

THE LEADER OF THE OPPOSITION (SHRI GHULAM NABI AZAD): We were witness to it. We will discuss it tomorrow. It is all fabricated.

PRIVATE MEMBERS' BILLS

The following Bills were introduced:

- (i) The Constitution (Amendment) Bill, 2016 (Amendment of Articles 109, 117, 198 and 207);
- (ii) The Clinical Establishments (Registration and Regulation) Amendment Bill, 2016;
- (iii) The Constitution (Amendment) Bill, 2017 (Amendment of Article 366);

- (iv) The Representation of the People (Amendment) Bill, 2016;
- (v) The Population (Stabilization) Bill, 2017;
- (vi) The Constitution (Amendment) Bill, 2017 (Insertion of New Articles 275a and 371k); and
- (vii) The Right to Adequate Housing Bill, 2016

**The Constitution (Amendment) Bill, 2015
(Amendment of Article 324) -- *Contd.***

SHRI TIRUCHI SIVA, continuing his unfinished speech dated 05.08.2016, said: Today, teachers are being appointed as electoral officers which causes a lot of absenteeism of teachers in schools. They undergo a lot of strain, and because of that their concentration on studies is affected. The success of the students depends only on teachers. Now, the children aged 6 to 14 of our nation has gained the Fundamental Right to Education under Article 21 (A). There is enough room for improvement in the educational field as India has been ranked at 105 out of 130 countries which is very disturbing. As per all-India figures, rural figures especially, for basic arithmetic in 2016, only 27 per cent of Class 3 students could do a basic two-digit subtraction while in the case of Class 5 students, it is at the lower side at 26.1 per cent. The reading levels of students is not much better either. Sir, recently, we got an information that in Madhya Pradesh 4,000 schools don't have even one teacher. In this situation when the vacancy is so much, appointment of teachers as Election Officers is not good. It is very alarming. Even the teachers who are employed are sent to an election duty and they are being trained. Teachers, especially lady teachers, who go there, undergo a lot of sufferings. Any person who is employed or deputed for election duty is taken care of by other people whereas these teachers are not taken care of. It is not that adequate qualified candidates are not available in the country but, it is the administrative mistake only as recruitment process is not proper in the country. We say that we are bothered about the standard of education whereas the universities are lying vacant without professors and the schools are having an alarming

vacancy of 9,00,000. There are 2,69,539 vacancies in U.P. only including Sarva Shiksha Abhiyan Posts.

Given the large number of vacant posts of teachers, the absence of teachers from their regular teaching duties is adding to the distress of students. It leads to non-completion of syllabi on time as well as low levels of learning. The hon. Supreme Court stated that the education of children cannot be neglected for the purpose of election. There can be an alternate arrangements as retired teachers and unemployed youth could be recruited for election duties. The Election Commission can formulate an effective scheme to see that the service of a large number of teachers is not diverted. It affects the primary responsibility of teachers. Even the guidelines given by the Ministry have failed to ensure that the Election Commission does not appoint teachers for election duty during teaching hours. It results in unemployability in youth. Like USA and Australia etc. countries, in our country also local citizens above the age of 18 can be trained and deployed to serve as election officers.

SHRIMATI VIPLOVE THAKUR: I support the Bill. This Bill is very important. Education is the backbone of future generation. If it lacks somewhere, our future generation would not be able to move further. Our teachers are deployed in many non-teaching works. Not only in election duties, they are deployed in Census and several surveys. The government staff and officials should be deployed in such works.

SHRI LA. GANESAN, making his maiden speech, said: I agree with the concern expressed by my friend, Shri Tiruchi Siva. But the alternative has not been mentioned specifically. The alternative suggested here is that you pick up some people from outside for the election duty. It is more dangerous today because the political situation or politics is not that much clean in our country. We have to think about the alternatives. Instead of piecemeal amendments, a holistic approach must be there. Even now, the Election Commission is not able to prepare a perfect voter list. Since the post offices have

lost their relevance hence, we can involve postmen in election duty. Postmen are only person who know each and everybody in the area by name and by face. So he can work according to the voter list. The percentage of voting in our country even today is not increasing despite our several efforts. It should also be thought of. Another point is about counting system. It takes too much time even today. The points raised by Mr. Siva are very much relevant.

SHRIMATI VIJILA SATHYANANTH: Now several teachers remain engaged in non-academic activities thereby impacting studies at schools. It is a clear violation of Section 27 of the Right to Education Act, 2009, which clearly prohibits such duties. I would like to point out that these non-academic activities can be bestowed during the vacation time. Parliamentary elections as well as Assembly elections can be conducted at a stretch. Services of teachers can be utilised during their summer vacation which will not interrupt their normal work.

DR. K.V.P. RAMACHANDRA RAO: Regarding deployment of teachers on election duties, recently the Election Commission has modernised the system of election itself. Deployment of teachers on election duties affects studies of students. So, alternatives for this should be looked at. After modernisation of election procedure, the Election Commission can utilise services of people from various other sectors to conduct peaceful elections.

SHRI ANANDA BHASKAR RAPOLU: This Bill highlights the issue of involving teachers in the electoral process. We need to look at the non-teaching responsibilities of teachers. The quality of education, particularly in Government schools, suffers a lot because of utilisation of teachers in non-teaching activities. we can think on the lines of United States or Australia in this regard in view of available huge human resource and unemployment in the country. Government should think of having a para-voluntary force comprising able, registered, unemployed, educated and even qualified

retired persons. Teachers should be kept away from non-teaching roles to ensure confidence of students in the educational system.

SHRI A. NAVANEETHAKRISHNAN: This is a Constitutional Amendment based upon the decision of the hon'ble High Court and has been moved by hon. Member. The Supreme Court has held that teachers should not be put on election duty on teaching days and within teaching hours. The stakeholders should be consulted before taking a policy-decision. The persons going to be affected must be given an opportunity to express their views. I am of the opinion that the community still maintains an impartial and clean image about itself. So, only the necessary amendments may be made in these two enactments.

SHRI V. VIJAYASAI REDDY: The Private Member's Bill has a rationale. As of today, the teachers are all deployed not only during elections but also for census duties which is detrimental to the interests of students. Hence, the verdict of the apex court regarding deployment of teachers in election and census duty can't be violated as interests of students needs protection.

DR. BHUSHAN LAL JANGDE: Electoral process requires deployment of teachers in large number. Elections can't be conducted with the help of common man. We need electoral reforms. Technology can play a greater part in its reformation.

SHRI SHANKARBHAI N. VEGAD: Earlier election process was quite lengthy. Counting of votes used to continue for two to three days. Now the precious time of teachers has been reduced to a larger extent due to usage of voting machines in elections. Ours is the biggest democracy in the world. Simultaneous elections for Parliament as well as State Assemblies can be taken into account to save precious time and money.

THE MINISTER OF STATE IN THE MINISTRY OF LAW AND JUSTICE AND THE MINISTER OF STATE IN THE MINISTRY OF ELECTRONICS AND INFORMATION TECHNOLOGY (SHRI P.P. CHAUDHARY) , intervening in the debate, said: :

The hon. member in the Bill has suggested that the present provision may be substituted by the provision that the teachers should not be involved in the process of election. The Supreme Court direction is that the teachers should not be employed in the process of election but, there is other direction that the teacher can be employed in the process of election in non-teaching hours. Election Commission can requisite the teachers and other staff from various other institutions. Now, so far as Article 21A of the Constitution is concerned, it speaks about the Fundamental Right of Education, but in no way the Fundamental Right of Education of the students is being interfered. Even under the RTE Act a provision has been made that services of teachers can be requisitioned for the purpose of election of State Legislature, Parliament and election of local authorities and local bodies. This provision was made under Section 27 after the judgment of the Supreme Court. No suggestion has been made by the hon. member that amendment should also be carried out to other provisions. As per supreme court observation, it is clear that even the Election Commission has taken precaution. We have to look at Article 51A of the Constitution which specifically provides the Fundamental Duties. Conducting election is basically a sovereign function. It cannot be conducted through the outsourced staff . It is wrong to say that it is waste of teachers' time and wastage of teaching time. So, I suggest Mr. Tiruchi Siva to move another Bill for making a provision that not only teachers, but students should also participate in the process of democracy so that they can learn. It is only the schools that are spread in every part of the country. Their employees are spread all over the country. Therefore, participation of teachers and also the participation of students should be made mandatory for a healthy democratic process. Approximately, 8,00,000 polling personnel are employed. Therefore our hon. Prime Minister has suggested that there must be a deliberation on the issue of conducting of simultaneous

elections of Lok Sabha, and the State Legislatures. I request Shri Tiruchi Siva to kindly withdraw his Bill.

THE MINISTER OF LAW AND JUSTICE AND THE MINISTER OF ELECTRONICS AND INFORMATION TECHNOLOGY (SHRI RAVI SHANKAR PRASAD), intervening in the debate, said: Entire domain is of the Election Commission but I wish to assure hon. Member that these concerns shall be conveyed to the Election Commission. A serious issue arose here that students and teachers are not unnecessarily disturbed. The fact that whenever examinations are there, elections are normally not held during that time. That care we do take. We will convey this very serious concern to the Commission and I hope the Commission will take proactive measures. Our Government, the Prime Minister and the entire House are concerned that we need to further improve the electoral system. I would request you to kindly withdraw the Bill.

The Hon'ble Member, replying to the debate, said: My intention to move this Bill was with a concern about two sections -- one is the student community and the other is the teacher community. The students are deprived of having their education with the absenteeism of their school teachers. You were suggesting that they could be used during holidays. Other than the academic syllabus, they also have to teach them the value of life and the moral values of life. All these responsibilities are vested with the teachers and they have got their own family also. It means there is no concern for the teachers' community. So, in that respect, Government could at least consider it. In a democratic country, every person has got a right to vote. So, the youth community, could be deployed for election duty after giving some proper training. Why don't Government re-recruit retired teachers or appoint them as electoral officer? First of all, a politician or a law-maker should have a human approach. When Government are citing Supreme Court and some people are telling that this amendment is not necessary, I am happy that you confirm yourself that you are against the teacher community. The Election Commission in our opinion can formulate an effective

scheme to see that the services of a large number of teachers is not required. Government expect a Private Member Bill to bring forth all the amendments! Teachers are preparing student for the future of the country. They hold this big responsibility. It is in this backdrop that I said that this amendment is necessary. We are concerned about this democratic country. Holding elections is a mandatory job. The hon. Minister has rightly given me the assurance. I know very well that a Bill cannot bring so many revolutions and changes and that too a private Member's Bill. I just wanted to convey the sentiments of the teaching community and the pain which it is experiencing. Taking Hon'ble Minister's assurance into confidence, I withdraw the Bill.

The Bill was, by leave of the House, withdrawn.

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***Supplement covering rest of the proceedings is being issued Separately.