

RAJYA SABHA

***SUPPLEMENT**

TO

SYNOPSIS OF DEBATE

(Proceedings other than Questions and Answers)

Thursday, July 20, 2017/ Ashadha 29, 1939 (Saka)

SHORT DURATION DISCUSSION

Situation Arising out of the Reported Increase in the Incidents of Lynching and Atrocities on Minorities and Dalits across the Country - *Contd.*

SHRI V. VIJAYASAI REDDY: This issue should not be politicised, but the solution to the problem should be found. The discussion is going off the track and taking twists and political dimensions, which is very unfortunate. In this matter, three issues are there and the first issue is about strengthening the legislation. The second issue is about strengthening and reforming the police. And the third issue is about curbing the rumour-mongering. The word 'lynching' does not find any mention in the Indian Penal Code. It has to be defined in the Indian Penal Code to make the mechanism of justice delivery more effective or a separate law can be made. The second issue is that a more stringent law has to be enacted and section 223 (a) of the Criminal Procedure Code, 1973 has to be amended.

***This Synopsis is not an authoritative record of the proceedings of the Rajya Sabha.**

The third issue is related to the absence of a codified law involving mob violence or lynching which makes it difficult to deliver justice in the cases of riots. The failure of law and order leads to anarchy and vigilantism among the people leads to mob justice. So, to check this there has to be a codified law enacted by the Parliament. The Government should also draft a Bill and enact a law against mob lynching on the lines of law being drafted by the Law Commission for unlawful assembly. The police system needs strengthening and reformation. Government has to understand the judgement delivered by the hon. Supreme Court of India on police reforms as this is important and relevant to this point.

SHRI PRAMOD TIWARI: It is unfortunate that Government has no regard for Constitution. No one has a right for lynching and killing. Only weak people resort to violence. Whether it is not a fact that a Cabinet Minister of Uttar Pradesh Government tried to ensure that FIR is not lodged against the persons who carried out the lynching.

THE MINISTER OF STATE IN THE MINISTRY OF SOCIAL JUSTICE AND EMPOWERMENT (SHRI RAMDAS ATHAWALE): It is not good that somebody is lynched on the name of cow slaughter. This kind of violence is against constitution and law. There should not be politics on dalit atrocities and cow slaughtering. Modi Ji and Yogi Adityanath Ji also warned persons, engaged in goondaism in the name of cow slaughtering, irrespective of the party. But the way in which lynchings, attacks are taking place, the Government must do something to stop them. We should maintain peace in the country instead of accusing each other. Bahen Mayawati Ji was saying that this Government is anti-dalit but I want to tell that twice or thrice she became Chief Minister with the support of BJP only. Was BJP not Caste based party that time. Hence, I request that you and Mayawati Ji should come with us.

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI HANSRAJ GANGARAM AHIR), intervening in the discussion, said: Yesterday the discussion started in this house on the issue of atrocities on dalit and minorities. A number of honourable members expressed their views in the House. Lynching is not a normal crime. I want to make it clear here that people of different languages, castes and religion live here but still there is regionalism and linguistic orientation here. Prime Minister himself opposes such things clearly. Some unsocial elements are promoting unrest in the pretext of "Goraksha". State Governments should take stringent action against such elements. People's feelings are associated with cow. One should remember that there are laws for cow protection and there is no other option. Maintaining law and order is the responsibility of the state government. I want to repeat that country is free to prevent the atrocities of any manner. There are societies who are opposing all such things. Prime Minister said "Sabka sath sabka vikas" and he made "Stand up" programme for dalits and women. 36 thousand people took the benefit of this. With respect to the ongoing discussion in the House, I would like to convey the House that our Government work for the Minorities and Dalits and provide them full protection. We have been working with all together and beneficial schemes are being framed for all sections of the country. Congress Government have never framed as outstanding programme as our Government have launched a 15-point special programme. I would only say that both the Prime Minister and Home Minister had taken these incidents seriously and issued guidelines to all the states to take immediate action wherever such incidents were taking place and no one may be excused responsible for such incidents. Government has been working continuously in this direction. This is what was expected by you.

THE MINISTER OF FINANCE, THE MINISTER OF CORPORATE AFFAIRS AND THE MINISTER OF DEFENCE (SHRI ARUN JAITLEY), replying to the discussion, said: It is a serious issue and it should not be given any political color otherwise it will be injustice to our country. Both the Prime Minister and the Home Minister have denounced the persons indulged in violence in the name of cow protection right from the beginning. The Home Minister has got serious injury in his leg and he has been at his home owing to it even if he had been always in touch with the Chief Ministers of the states where such acts of violence had taken place. Legal actions have been taken in a systematic manner in all such incidents of violence. Guilty persons have been arrested in every case and they are in jail till date. They are all going to be charge-sheeted against whom evidence is going to be found and then prosecuted for the offences that they have committed. There is no ifs and buts about it. Cow is deeply related with adoration of a greater population of our country but this adoration cannot be made a reason of partisan and violence. We must remember that our country is the largest democratic country in the world and our Constitution has been composed with the spirit of democracy. Every citizen of our country has rights of equality and religious belief as per our Constitution. Mutual respect and tolerance has been part and parcel of our composite culture. Therefore we all should rise against this issue and combat it together. Just as killing of a human being in the name of cow or assaulting or lynching him has to be unequivocally condemned. Whatever laws are there in the States, there are provisions of saving and preserving cow in them. These powers are vested with Police and the State Government. Nobody has a right to take the law in his hands. If anyone does so, he should be condemned and be arrested also. The States that have not banned it, should not eulogize this in the banned States. When we talk about selective morality and

selective call of conscience, then problem arises. Our democratic standards are very good. Kindly there should not be unnecessary publicity of intolerance.

Discussion concluded.

SPECIAL MENTIONS

1. Demand to amend the Representation of People Act, 1951 to set up an Appropriate Channel for Voting by NRIs

SHRI TIRUCHI SIVA: In 2014 a Committee set up by the Election Commission of India came out with a report which suggested that the Government should amend the Representation of the People Act, 1951 to introduce a channel through which NRIs could cast their votes. Till now, the Government has not made any provision for the setting up of a channel as such. I urge the Government to make amendments to the provisions of the Representation of the People Act 1951. The Government should also take into consideration the suggestion of the Committee's report and set up an appropriate channel for voting by NRIs.

2. Demand to adopt the Dual Time Zone System in the Country

SHRI ANIL DESAI: There is a need to take up the issue of having a dual time zone in India. The width of India is one that demands at least two time zones. It has been observed that the day begins early in the Eastern and North Eastern States as compared to Western parts of India. Also, the sun sets and it gets dark earlier in the Eastern and North-Eastern parts as compared to the Western States in India. This time differential has its effects on business and other activities of mankind. I would, therefore, urge the Government to

consider this request and look into the matter seriously for the benefit of the states of the East and the North-East.

3. Demand to take up the Proposals of Tamil Nadu Government for Decongestion of Certain Stretches on NH-67 in the Annual Plan for Current Fiscal Year.

SHRI A. K. SELVARAJ: Frequent traffic congestion and accidents are common on the road stretch from Narasimanaikenpalayam to Mathampalayam on NH-67. Likewise, road stretch from Coimbatore to Mettupalayam passes through highly congested area. The work of road widening is not feasible on this stretch due to non-availability of land. Therefore, a bypass should be formed to Karamadai town. I urge upon the Government to take up these two proposals of Tamil Nadu in Annual Plan for the current fiscal and carry out the work urgently.

4. Demand to take Strict Measures to check Practice of Profiteering on the Equipments and Treatment Required for Heart-Related Ailments

SHRI SHIV PRATAP SHUKLA: Though the Government has heavily reduced the prices of medical equipments and has given relief to the poor patients. But, practice of profiteering on the Equipments and treatment required for heart related ailments is still going on. Some hospitals and doctors are involved in it. They compel the patients to undergo unnecessary clinical examinations. I urge upon the Government to take stern action against them at the earliest.

5. Demand to give Special Financial Grants for Development Works in Resource-Deficient Villages of Haryana

SHRI RAM KUMAR KASHYAP: There are many village panchayats in my state which have no source of income as they have no land. The Government is also not providing them sufficient grants. They lack basic facilities. Hence, I urge upon the Government to take

up the case of such villages on priority and develop them by providing special grants.

6. Demand to protect the Rights of Indian Fishermen in Palk Bay in Wake of Passing of Fisheries Bill by the Sri Lankan Parliament

DR. V. MAITREYAN: The Palk Bay has been historically providing rich fishing grounds to Tamil Nadu fishermen. But, according to a new Fisheries Bill of the Sri Lankan Parliament fishing trawlers as well as the fishing gear used for fishing in the Sri Lankan territorial waters will be confiscated and fishermen will be imprisoned along with imposing a fine. So, I urge upon the Government to respond to this move effectively and protect the pride of India and the fishing rights of our fishermen in the Palk Bay.

7. Demand to incorporate Strong Anti-discrimination Provisions in the Rules under the Real Estate Regulation Act

PROF. M.V. RAJEEV GOWDA: At the time of passing of The Real Estate (Regulation and Development) Bill, it was assured by the Government that a strong anti-discrimination provision would be added to the Rules to be framed under the Act. But, the grounds of discrimination are vaguely worded in the Act and now the onus is on the States to create such anti-discrimination provisions under their Rules. Therefore, I urge upon the Government to strengthen the anti-discrimination clause in the Rules under the Real Estate (Regulation and Development) Act which was passed here and ensure that States are held to a minimum standard for such clauses in their Rules.

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Secretary-General.

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**ERRATA TO THE SUPPLEMENT TO SYNOPSIS OF
DEBATE DATED 19th JULY, 2017 AND SYNOPSIS OF
DEBATE DATED 20TH JULY, 2017**

Page No.	Line No.	Correction
25	4	Add 'of' after 'name'.
38	30	Add 'not' after 'can'.