

RAJYA SABHA

***SYNOPSIS OF DEBATE**

(Proceedings other than Questions and Answers)

Thursday, July 26, 2018 / Shravana 4, 1940 (Saka)

REFERENCE BY THE CHAIR

Commemoration of Kargil Vijay Diwas

MR. CHAIRMAN: Hon'ble Member, today is Kargil Vijay Diwas. Today is the Nineteenth Anniversary of the Kargil Vijay Diwas. On the 26th of July, 1999, our brave soldiers, with their valour, courage and sacrifice, recaptured the Kargil Heights, resulting in a spectacular victory for our country by regaining control of all the occupied territory and effectively defending our country against foreign intruders. Today, on behalf of the whole House, and on my own behalf, I pay glowing tributes to our brave soldiers, who faced extreme conditions and difficult situations to defend our country and to secure our lives. We pay our respects to the memory of the brave soldiers who laid down their lives in the defence of our country.

OBSERVATION BY THE CHAIR

MR. CHAIRMAN: "Hon'ble Members may recall that yesterday on 25th July, 2018, while taking up the clause by clause

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

consideration of the Fugitive Economic Offenders Bill, 2018, Shri Anand Sharma and some other Members raised an objection that the amendments proposed by Shri Elamaram Kareem, Member, to the Bill were not circulated to the Members. I have made an inquiry and found that the amendments proposed by Shri Kareem were received in the Secretariat on 24th July, 2018 only and the same were circulated to Members in the morning of 25th July, 2018 along with other Parliamentary papers. Similarly, amendments proposed by Shri Vishambhar Prasad Nishad, Member, were received on 23rd July, 2018 and circulated to Member on 24th July, 2018."

MATTERS RAISED WITH THE PERMISSION OF THE CHAIR

1. Delay in Execution of Amritsar-Ferozpur Railway Link

SHRI SHWAIT MALIK: By laying a 25 KMs long railway track on the Amritsar-Ferozpur Railway link, we get an alternative route to connect Amritsar with Mumbai. The Finance Minister and the Railway Minister accepted this demand in 2016 and the Niti Aayog sanctioned 299 crore rupees for this railway track. With the construction of this track the distance between Amritsar and Mumbai will be reduced by five hours. At that time an expenditure of 40 crore rupees was estimated for land acquisition by the Punjab Government. The process of land acquisition was stopped due to which this project is pending since last two years and 300 crore rupees are lying in the account. This track would benefit trade, connectivity between states will improve, the defence department will get an alternative route and we will get more trains. Therefore, I request the State Government to acquire land by spending 40 crore rupees so that work could begin on this railway track.

2. Need to Provide Flood and Drought Relief to the Affected State of Bihar

SHRI RAM NATH THAKUR: The state of Bihar is in trouble this year due to lack of rains. As rainfall hasn't taken place so far sowing of paddy could not happen in the state. There is a dearth of fodder for the animals. Because of decrease in the groundwater table the pumping sets have failed. I request the Central Government to send a team to Bihar to assess the situation of drought in the state and to provide immediate relief.

(Shri Ram Chandra Prasad Singh, Shrimati Kakhshan Perween and Prof. Manoj Kumar Jha associated.)

3. Environmental Pollution in the Country

SHRI P. BHATTACHARYA: This Government has introduced a Draft Coastal Regulation Zone Notification, 2018. All the fishermen in the country are in trouble. In the past only the ordinary and the small fishermen were getting the benefit, but now it has been opened for everybody. Secondly, some people are creating trouble inside and outside the coastal zone by using their huge amount of money. As a result, the small fishermen are facing problems. My demand is that the draft Coastal Regulation Zone Notification, 2018 should be withdrawn by the Government.

(Shri Jairam Ramesh associated.)

4. Plight of Tea Garden Workers in West Bengal

MS. DOLA SEN: There are 2.72 lakh workers in Bengal's tea gardens and eight lakh dependants living in the tea gardens. The West Bengal Government is committed to ensuring the welfare of tea garden workers. Presently the number of closed tea gardens is only five whereas in the past it used to be 40-60. Out of these five closed tea gardens, case of three gardens are sub-judice and in case of the remaining two tea gardens, discussions are going on. Tea garden owners have gone to court to declare their tea gardens as 'abandoned'. As a result, workers are suffering. The West Bengal Government is taking action against the organizations, which are not paying

Provident Fund and gratuity. The Centre has failed to fulfil its promise of taking over seven tea gardens. Tea estates in other parts of the country, such as Assam, need urgent attention of the Union Government. The Centre must work towards ensuring better working conditions for tea workers to promote the industry.

(Shri Bhubaneswar Kalita, Shri P. Bhattacharya and Shrimati Jharna Das Baidya associated.)

5. Adverse Impact of Indigo Plantation on Soil Fertility

SHRI RAM CHANDRA PRASAD SINGH: Champaran Satyagraha movement took place in Bihar. 100 years ago Champaran Agrarian Bill was passed. At that time the farmers used to be pressurised to grow Indigo due to which their economic condition had worsened. Indigo cultivation used to have an adverse impact on the land. The fertility of land was decreasing. This is why it was stopped 100 years ago. But after 100 years, a Company from Kerala has started its cultivation once again in the Sahar Block of Aara District. The Central Government should look into it that the cultivation which was stopped 100 years ago because it led to decrease in the fertility of land is being started again. I request that a study be conducted on this and its cultivation should be stopped.

(Shri Harivansh, Shrimati Kahkashan Perween and Shri Ram Nath Thakur associated.)

6. Food Adulteration

SHRI K.G. KENYE: In the State of Nagaland, of late, there has been serious food adulteration. Food items like fish, fruits and fresh vegetables imported from the mainland to Nagaland and the other North Eastern Region have been found to be adulterated with poisonous chemicals. This has placed the health of lakhs of people of the State and the Region at stake So, we plead that the Centre orders a high level investigation to tackle this menace. We feel that there is a larger conspiracy to block the inflow of goods from the mainland

and to find an entry point from the neighbouring countries through the North-Eastern part of the country.

(Shri B.K. Hariprasad, Shri V. Vijayasai Reddy and Shri Biswajit Daimary associated.)

7. Shortage of Loco-Pilots and Assistant Loco-Pilots in Kerala

SHRI K. SOMAPRASAD: I would like to draw the attention of the Government to the shortage of loco pilots in Southern Railway in Kerala. The railway safety in Kerala is in peril, and the situation warrants immediate intervention of the Railway Ministry. The shortage of loco pilots and assistant loco pilots is very acute in Trivandrum and Palakkad Divisions. More than 30 per cent posts of the total sanctioned strength of loco pilots are vacant. Due to the shortage, the present loco pilots are compelled to work for several hours continuously. The Government should instruct the railway authorities to provide adequate number of loco pilots and assistant loco pilots at the earliest.

(Shri K.K. Ragesh associated.)

8. Increasing Menace of Elephants in Surguja District of Chhattisgarh

SHRI RAM VICHAR NETAM: People in many states of the country including Chhattisgarh are affected by the menace of elephants. So far more than two hundred people have lost their lives due to this and thousands of hectares of crop has been destroyed. As per Government system two lakh rupees are granted on the death of a person. In today's time this is not sufficient. This is why this amount of compensation should be increased. Earlier the menace of elephants did not exist in Chhattisgarh, but in the past few years people remain troubled because of elephants throughout the year. I want to request that there should be proper arrangement for the districts affected by the elephants.

(Shrimati Chhaya Verma and Shri Harivansh associated.)

9. Need to Grant S.C. Status for *Dhangar* Community in Maharashtra

DR. VIKAS MAHATME: The issue of 'Dhangar' has been continuing since the last 70 years, but it has not been resolved so far. 'Dangar' has been given the reservation of Scheduled Tribes in the Constitution of India, but in Maharashtra while writing this in Hindi it has been written as 'Dhangar' instead of 'Dangar'. There is no person of Dangar Tribe in Maharashtra, then how can this tribe get reservation in Maharashtra? This reservation has been given only to the Dhangar tribes, but even today the Dhangar community is deprived of SC/ST reservation. I wish to request the Government that they should get a recommendation letter from the State Government at the earliest and this work should be done so that the Dhangar community could reap the benefit of reservation.

(Shri Husain Dalwai, Shri Vinay Dinu Tendulkar and Shri Mahesh Poddar associated.)

10. Need to Increase Minimum Working Age of Young Girls from 14 Years to 18 Years

SHRIMATI JHARNA DAS BAIDYA : I would like to draw the attention of the House to the scheme that adolescent girls in the age group of 11-18 years can improve their social status through nutrition, life skills, home skills and vocational training. Adolescence is a significant period for mental, emotional and psychological development. We should try to solve their health problems first and then try to give them training. This scheme would promote child labour and exploitation of children below the age of 14 years. I would request the Government to increase the age of girls who can work to 18 years.

(Shri K.K. Ragesh, Shri K. Somaprasad, Shri Sanjay Singh and Shri Narain Dass Gupta associated.)

11. Satellite Cities and their problems

DR. VINAY P. SAHASRABUDDHE: I want to put forth a new point before the House regarding the civic administration. Today the country is facing a grave problem of satellite cities. Major satellite cities are coming up around Mumbai, Delhi, Kolkata and Guwahati, etc. While coming to Mumbai from any direction one has to travel through 2 to 3 such cities. In a way these satellite cities render service to Mumbai. In order to resolve the problems of transport, pollution, garbage management, housing and natural resources management a separate policy is required to be put in place. These cities are also known as dormitory cities and because of this people do not develop sense of belongingness to these cities. NITI Ayog take cognizance of these developing cities and undertake study as to whether these cities can be granted any special status. These cities are of special class and we have to look at their urban problems with a special view. An interministerial task force consisting of Railways, Road Transports, Urban Developments and Housing Ministries should undertake a study regarding these problems and government should accordingly adopt a new policy.

(Shri Narayan Lal Panchariya and Shri Husain Dalwai associated.)

12. Drinking Water Crisis in Country

SHRI BHUPENDER YADAV: Water Management is a subject of crisis faced by all of us. Recently NITI Ayog has brought out a Composite Water Management Index report. As per the report of National Commission for Integrated Water Resource Development of the Ministry of Water Resources, in the scenario of higher use the likely requirement of water by 2050 would be 1180 BCM. Whereas at present only 695 BCM water is available and today approximate demand of total availability of water is less than 1137 BCM in the country. This is a matter of grave concern for us. Keeping in view the seriousness of this crisis a nationwide initiative should be taken in the light of the report of the NITI Ayog brought out with the spirit of Co-operative and Competitive Federalism. 20 to 30 percent of agriculture

production comes from the States of North India and the depleting ground water table may cause crisis of food security in the entire nation. Therefore, there is a need to intervene in this matter and formulate and implement an appropriate strategy for effective conservation of this. A co-ordination has to be developed among agriculture, water and urban management and the availability of water resources has to be ensured keeping in view the report of NITI Ayog, for future.

(Several hon'ble Members associated.)

13. Strike declared by All India Motor Transport Congress

PROF. M.V. RAJEEV GOWDA: There is a truckers' strike going on in the country and this is a matter of great concern because this is slowing down the economy, affecting multiple sectors, including the consumers. The truckers' main demands are that issues related to passage of goods between the States is being slowed down by an E-Way Bill which is not being implemented properly. The truckers' industry has already met the Ministers concerned but they are not satisfied with the response of the Ministers. I urge the Government and the Ministers concerned to be more pro-active in responding to the truckers' strike. This is not a stage of the economy where we can afford any slow down. So, please consider the challenges introduced by the implementation of E-Way Bills and provide remedy and ensure that the strike can be called off.

(Several hon'ble Members associated.)

14. Rehabilitation of Farmers Affected by Land Acquisition for Lara Power Project in Chhattisgarh

SHRIMATI CHHAYA VERMA: NTPC is setting up a Lara Super Project at Lara-Pusaur in district Raigarh in Chhattisgarh. A large scale acquisition of land of the farmers was done for this purpose. In this process of acquisition gross violation of the Land Acquisition Act was noticed. The state government is imposing its own rehabilitation policy on the affected persons. The farmers are also not getting employment. Their grievances are not being heard. This

issue has been continuing since 2007. Chhattisgarh is most naxalite affected state. It is feared that the farmers may take recourse to some illegal means. I demand that NTPC should pay the suitable amount to the farmers for their land and give them employment with in this plant.

(Shri Pratap Keshari Deb, Shrimati Jharna Das Baidya and Shri Anubhav Mohanty associated.)

SPECIAL MENTIONS

I. Demand to take action against the Industrial Units and Urban Authorities in Punjab responsible for allowing Polluted Water to flow in the Harike Barrage which is main source of Water Supply to Rajasthan

SHRI NARAYAN LAL PANCHARIYA: Rajasthan receives its share of water of Rabi, Beas and Sutlej rivers from downstream of Harike Barrage. Urban and industrial waste in state of Punjab is eventually flown from Sutlej river to the Harike Barrage. Rajasthan receives water particularly from Rajasthan feeder and Ferozpur feeder is a joint canal of Punjab and Rajasthan, through which the water is supplied to Ganganagar district of Rajasthan. The quality of water supplied from Harike Barrage to Rajasthan is highly polluted. Rajasthan government has made several request to Punjab government in this regard. On examination of the quality of water at Ferozpur feeder, the pollutants found there were far exceeding the standards laid down by the BIS. I urge the central government and CPCB to take action against the industrial units and urban authorities of Punjab responsible for polluting water being supplied to Rajasthan so that the supply of potable water to the people of Rajasthan could be ensured.

(Sardar Balwinder Singh Bhunder and Shri Ramkumar Verma associated.)

II. Demand to get completed the pending Railway Projects in Tribal Areas of Gujarat and providing necessary Financial Resources for that purpose

SHRI RATHWA NARANBHAI JEMLABHAI: I want to draw the attention of government that all the railway projects in Gujarat are running very late. No work is being undertaken regarding Vadodara to Indore via Chhota Udaipur and Alirajpur Broad Gauge Line and sleeper factory in Jhabua, Madhya Pradesh located adjacent to Gujarat. Neither necessary financial resources are being allocated by central government for these projects. This railway project is to be executed in the tribal dominated regions of Gujarat and Madhya Pradesh and thereby ensuring the socio-economic development of the tribal regions. The Bullet Train project is in doldrums and people of Gujarat are not willing to part with their land for acquisition. I urge upon the government that pending railway projects in tribal dominated areas of Gujarat should be got completed on priority and necessary financial resources should be made available for the same.

III. Demand to Recruit The Siksha Mitras on the Post of Assistant Teachers in Uttar Pradesh

SHRI SANJAY SINGH: I want to draw the attention of Central Government towards the plight of Shiksha Mitras of Uttar Pradesh. During the last one year, about 700 Shiksha Mitras have committed suicide due to poverty and depression. Shiksha Mitras have lost their case in Supreme Court on the grounds of some technical flaws. However, the Central Government can reinstate them by making certain amendments with regard to these technical flaws and by providing training to them. I wish to ask the Central as well as Government of Uttar Pradesh that by when they will reinstate these Shiksha Mitras on the post of Assistant Teacher by enacting a law in the Parliament? Shiksha Mitras in UP as well as Uttrakhand were appointed on the basis of a common G.O. Shiksha Mitras in UP have been demoted while they are working on the post of Assistant Teachers in Uttrakhand. I want to request the Government to resolve

the socio-economic challenges being faced by Shiksha Mitras of UP and provide compensation to the families of deceased Shiksha Mitras.

(Several hon'ble Members associated.)

IV Demand for the Establishment of Permanent Bench of Odisha High Court in Western Odisha

SHRI PRASANNA ACHARYA: The people of western Odisha are persistently demanding since 1959 for establishment of a bench of the High Court. The eleven districts of Odisha, which define the area of western Odisha, are mostly populated by SC/ST and OBC community, speaking a different dialect, who can ill-afford to approach the High Court for justice. Parliament has the exclusive power to legislate in the matter of establishment of permanent bench of High Court. In the year 1976, permanent bench of Patna High Court was established at Ranchi by an Act of Parliament. The Chief Minister of Odisha has recommended establishment of permanent benches of the High Court in western and southern Odisha with the commitment to provide required funds and other infrastructural facilities. The provisions of the State Reorganization Act, 1956, pertaining to establishment of High Court bench, will not be applicable. I would, therefore, urge upon the Union Government to initiate steps immediately for setting up of permanent bench of High Court.

(Shri Ranjib Biswal and Shri Pratap Keshari Deb associated.)

V. Demand to Upgrading ESIC Hospital in Tirunelveli in Tamil Nadu to Hundred-Bedded Hospital and Filling up the Vacancies in it on War Footing

SHRIMATI VIJILA SATHYANANTH: The ESIC Hospital at Vannarpettai in Tirunelveli, Tamil Nadu, is very important for the large labour community in the districts of Tirunelveli, Kanyakumari and Thoothukudi with total beneficiaries of about eight lakh people. The next nearest model hospital is located about 650 kms. away at Chennai. This 50 bedded hospital need to be upgraded to 100-bedded

hospital. only five specialist doctors are there against sanctioned strength of 13. In the case of general medical officers, Out of the sanctioned strength of twenty six, only sixteen medical officers are there and six of them are on study leave, and one other doctor is on unauthorized leave the strength is reduced, with just nine medical officers on duty. Ten posts of senior residents , and ten posts of nursing staff are also vacant. This is a big injustice to the large labour population as they solely depend on this hospital for their healthcare and medical treatment. I urge the Government to take necessary steps to upgrade the Hospital and fill up the vacancies on war -footing.

(Shri T.K. Rangarajan, Shri D. Raja, Ms. Dola Sen and Shri Majeed Memon associated.)

VI. Demand to Immediate Release Outstanding Amount of Honourarium of Workers Engaged in Saakshar Bharat Programme

SHRI P.L. PUNIA: A large number of workers are engaged in execution of work related to BLO, certification of Ration Cards, Widow/Old age/disability pension/census and opening of bank accounts under JanDhan yojna under **the** Saakshar Bharat Programme. They are paid two thousand rupees per month. These workers are working without payment of any honorarium for the last 33 months under this programme. The associations various workers unions have threatened to commit suicide if they are not paid their honorarium immediately. Unfortunately the Government is not making any efforts to meet their demand. These workers through their unions have prayed for redressal of their grievances to the Union Ministers from Uttar Pradesh, Ministers of HRD, Education, Home Affairs and Hon'ble Prime Minister and the President of India but till date they have not got any relief. I urge upon the Government to immediately issue directions keeping in view the interest of these low paid workers for payment of their honorarium

VII. Demand to Protect River Ganga and its Origin Place, the Himalayas from Destruction Due to Global Warming and Manmade Activities

SHRI REWATI RAMAN SINGH: The Himalayas the origin place of Ganga ensures the food security of 60 crore people. Its eco system services are invaluable for mankind. Millions of flora and fauna and the wild life are also dependent of this. Today the Ganga and the Himalayas both are facing increasing crises. This crises is increasing because of the global warming and manmade activities . No policy has been formulated with regard to building of dams, urbanization and deforestation despite the disaster of June, 2013. NITI Ayog has expressed its deep concern over 60 percent of water resources of Himalayas being on the brink of drying and considered lack of a proper policy and irregulated exploitation of water being responsible for this. Therefore it is very necessary to have discussion on the serious environmental crises emanated due to commercial exploitation, so that the policy decisions are made in accordance with the carrying capacity of Himalayan Valleys.

(Shri Javed Ali Khan, Shri Vishambhar Prasad Nishad and Shri Sanjay Seth associated.)

VIII. Demand to Re-Name the Azamgarh Railway Station after the Name of the Great Urdu Poet Kaifi Azmi

CH. SUKHRAM SINGH YADAV: The Mughal Sarai Railway Station of Uttar Pradesh has been re-named after Deen Dayal Upadhayay. There have been many great personalities in the country at various places who have contributed significantly to the society. In view of the contributions of these great personalities the names of railway stations in the country should be re-named after them. In continuation of the same the people of Azamgarh and I demand that Azamgarh railway station should be named after the famous Urdu poet Kaifi Azmi.

IX. Demand for Enforcement of Rights of Transgenders

PROF. M.V. RAJEEV GOWDA: Homophobia manifests in the form of discrimination, bigotry and humiliation at public places and even in personal conversations. It is deep-rooted in cultural and social biases. Our House took the lead in passing a private Member's Bill, the Right to Transgenders Bill, 2014. In spite of this, we see continuing incidents of mental harassment at the workplace or social discrimination in public life. Recently, the first transgender to secure a reputed job at a multinational company in Kerala, had to shuttle between hotels for weeks, as she was not able to rent an apartment because she was not a 'preferable' tenant. There are newspaper reports about Air India denying a cabin crew job to a trans person. In the Kochi Metro, 12 out of 23 transgenders have quit their jobs. Most public offices do not provide for a gender option other than male and female in application forms. I urge the Government to enforce in spirit the Bill by setting up grievance councils for transgenders at workplaces and ensuring that application forms across the country are suitably modified to accommodate them.

(Shri Tiruchi Siva, Shri D. Raja, Shri R.S. Bharathi, Shri P.L. Punia and Prof. Manoj Kumar Jha associated.)

CALLING ATTENTION TO A MATTER OF URGENT PUBLIC IMPORTANCE

The Misuse of Social Media Platforms to Spread Rumours and Fake News Leading to Rising Incidents of Violence and Lynching in the Country

SHRI V. MURALEEDHARAN: I call the attention of the Minister of Law and Justice and the Minister of Electronics and Information Technology to the misuse of social media platforms to spread rumours and fake news leading to rising incidents of violence and lynching in the country. Digital India is one of the prime mottos of the Government of India. E-Governance, through which the citizens

get services on demand, and digital empowerment of the citizen are the main mottos of the Government. But, at the same time, I would like to put on record that the social media is, on the one hand, utilised for the betterment of the citizens of the country whether it is the Railway use or for the safety of those who are in a precarious condition in foreign lands. But, on the other hand, there are forces in the country which are bent upon creating unrest and violence in the country. Rumours are being spread, unauthenticated news is being spread. Even such information which are far from truth are being spread. On 16th April, Kerala witnessed a hartal of bandh. Thousands of youths sprang to the streets of Kerala armed with weapons and they were obstructing the peace loving common people of the society. This was not done by any organisation, this was not done on the basis of any verified information, there was no reason for such an incident to happen, and, of course, the Government was caught unaware, and, ultimately those who suffered, they were the common people of the society. There are incidents reported from various parts of the country wherein some information, some news, some rumour is spread by some irresponsible people on the one hand, and, on the other hand, the sinister designs of some people have led to large scale violence. There are also instances of social media being utilised or used deliberately to defame the political opponents. They use such fake news to spread rumours. So, this is not an issue of political one-upmanship, every political party needs to adhere to the rules of the country.

THE MINISTER OF LAW AND JUSTICE AND THE MINISTER OF ELECTRONICS AND INFORMATION TECHNOLOGY (SHRI RAVI SHANKAR PRASAD): I rise to make a statement on Misuse of Social Media Platforms and propagation of fake news causing unrest and violence. Honorable Members of Parliament Shri Bhubneshwar Kalita,, Shri V. Muraleedharan, Shri Mahesh Poddar, Shri Rajeev Chandrashekar, Prof Manoj Kumar Jha and Ms Saroj Pandey have given a notice regarding calling attention motion that *inter alia* seeks to draw attention to the problem of “Misuse of Social Media Platforms to spread rumours and fake news leading to rising incidents of violence and lynching in the country”.

Nature of Cyberspace

The issue raised by my colleagues is extremely relevant. It is important to appreciate the nature of cyberspace and its present status in the country for a comprehensive view in this matter. Cyberspace has distinct and unique characteristics as compared to physical space. It is virtual, borderless and offers anonymity to an extent. As a result, cyber-attacks can be launched from anywhere in the world with limited possibility of trace back and positive attribution. Once anybody is on internet he can access any system on internet spread across the globe from anywhere. The cyber space offers virtual environment where anyone can hide his identity on the network and create a pseudo name or can acquire some other identity. The security of the computer infrastructure acquires greater importance under these conditions.

With widespread proliferation of new technologies like social media and mobile apps, etc. there are some miscreants who are misusing these technologies for committing cybercrimes. Such behaviour is facilitated by virtual and borderless nature of cyber space, where anyone can open account in any name including fake name from any part of the world. Most social networking sites do not conduct background information check and their servers are located abroad.

Social Media Platforms

Social media platforms have become the most prominent media to facilitate interactions. They have led to growth of digital medium. Popular social media platforms are Facebook, Twitter, LinkedIn, Instagram, Youtube, WhatsApp etc. Any user can post any content (text, image, video, speech, etc.) from anywhere on social media platform. Typically users of these platforms are identified by the profiles they create. Users are required to provide certain amount of personal information to facilitate connections. These sites facilitate

communication between users by means such as fora, chat rooms, blogs, tweets, email, instant messenger etc. In addition several customized features and applications are provided on these websites to share information, photos, audio and video files.

India is today emerging as a big digital power with a proactive people-centric program of creating digital infrastructure focusing on digital delivery of services and thereby digital empowerment leading to digital inclusion where every common man is enjoying benefits of digital governance. With a strong base of 118 crore mobile phones, about 122 crore Aadhaar numbers and 32 crore Jan Dhan accounts being opened, new milestones in digital delivery of various benefits to the citizens have been created. Riding on this Jan-dhan, Aadhaar, Mobile (JAM) Trinity, the implementation of various welfare schemes have been streamlined where by fictitious duplicate claimants have been identified and weeded out resulting in savings of over rupees 90, 000 crores as a result of such direct benefit transfer to the citizens. Initiatives like e- hospital, Jeevan Pramanan, e-scholarships, e- soil health cards, digital payments, digital locker, cloud services and Umang app wherein the citizen can avail the services of over 1,200 schemes of Central or State Governments in the palms of ordinary Indians, empowering the citizens in pursuit of digital inclusion.

India is also a globally recognised IT power where Indian IT companies have displayed their potential on the Global stage and have brought great respect to India. Of late, India is becoming a big centre of the startup movement. The digital literacy scheme namely PMG DISHA that seeks to empower over 6 crore Indians is showing great results. Today innovation, entrepreneurship and inclination of ordinary Indians to improve the fruits of technology are being appreciated globally. The government is taking initiatives so that in a few years India could become a 1 trillion dollar digital economy.

Of late India has also become an important country where social media platforms have spread their wings. The spread of social media has also in its own way contributed to awareness, connectivity, education, community self-help, information and updates, and

business promotion. All this could happen because the big digital economy operates beyond geographical borders.

Userbase of social networking sites by March 2018:

Social media	World User Base (in crores)	Indian Users (in crores)
Facebook	219	19.4
Twitter	33	2.6
YouTube	100	4.2
WhatsApp	150	20 (upto Feb 2017)

[Source : © Statista 2018]

Challenges

While acknowledging the benefits of digital empowerment it has also brought in challenges and some of its reckless abuse has posed a serious dilemma of striking the balance between freedom of speech and expression, awareness, empowerment and the obligation to be responsible accountable so that mobile platforms do not become vehicles to commit crime, incite hatred, provoke terrorism, extremism, promote money laundering etc. The government because of its commitment to respect freedom of speech and expression, freedom of choice and responsibility towards the right to privacy of the citizen is equally cognizant of the mandate of article 19(2) of the Constitution of India where the freedom of speech and expression is subject to reasonable restrictions relating to sovereignty and integrity of India, the security of the State, friendly relations with foreign States, public order, decency or morality or in relation to contempt of court, defamation or incitement to an offence.

Fake news

Fake news is a type of propaganda that consists of deliberate misinformation or hoaxes spread via traditional print and broadcast news media or online social media. It can include text, visual, audio, data report etc. Fake news is written and published with

the intent to mislead in order to damage an agency, entity, or person, and/or gain financially or politically, create disturbance and unrest, often using sensational, dishonest, or outright fabricated headlines to increase readership, online sharing, and Internet click revenue. The typical attributes of fake news are that it spreads fast, is doctored, is incorrect, is malafide, is intentional, is sensational/glamorous, is unverified, and goes viral.

The Government is cognizant that social media platforms are being abused as vehicles for weaponisation of information against India's strategic interest and economic stability and is committed to taking suitable action to deter such action.

Action on misuse of social media and fake news

Recently, it has come to the attention of the Government of India that a number of disturbing instances causing loss of innocent lives have taken place in various parts of the country. These are deeply painful and regrettable, as well as a matter of deep concern for the Government. The Government has taken prompt action. The first incident was reports of breach of data at Facebook wherein it was reported that data of a number of their users had been compromised by Cambridge Analytica. Immediately, notices were issued to the two companies and their response sought. Facebook responded that they will streamline their internal processes regarding handling of personal data. They stated that the case of Cambridge Analytica it was a case of breach of trust. They promised to take various other steps to ensure that such breaches do not recur. Cambridge Analytica on the other hand gave an initial response that data of Indians was not breached but this was not in conformity with what was reported by Facebook. Cambridge Analytica also did not respond to a subsequent notice. Therefore, it is suspected that Cambridge Analytica may have been involved in illegally obtaining data of Indians which could be misused. The Government has entrusted this issue to be investigated by the CBI for possible violation of Information Technology Act, 2000 and IPC. There were also subsequent reports that data of users

was illegally accessed by hardware manufacturers who had tie-ups with Facebook. In regard to this issue Facebook has reported that they are not aware of any misuse of Facebook information, including Indian users' information.

The other series of incidents relating to abuse of social media where mob lynchings were reported in various parts of the country consequent to circulation of wild rumours on WhatsApp as a result of which innocent people have lost their lives. The Government swiftly issued notice to WhatsApp since in most incidents such horrible events were preceded by viral circulation of rumours on this platform. In response, WhatsApp have taken steps to increase the friction in propagation of content on the platform by reducing the number of forwards to five and also indicating whether an incoming message is either forwarded or originally composed by the sender. They have also planned to remove the forward button that appears adjacent to the video or audio message. They have also informed that they will be bringing in fact checking and fake news verification mechanisms to help people check the veracity of content on the platform. While taking note of such response, it was felt that it was not adequate to meet the challenges of the situation. Therefore, WhatsApp has been asked to come out with better technological solutions so that misuse of the platform is avoided. Also, the Government has issued second notice issued to WhatsApp and it was conveyed to them at the highest level that being a technological major company, it is equally their responsibility to promptly come up with technical solutions when a harmful message is in wide circulation on the same day in a particular area on a particular issue. It is their obligation to inform the law enforcement agencies when they notice such viral messages.

Action taken by MHA

The Ministry of Home Affairs (MHA) has issued a number of advisories including one advisory on untoward incidents in the name of protection of Cows dated 9th August, 2016, another advisory on

cyber crime prevention and control dated 13th January, 2018 and also an advisory on incidents of lynching by mobs in some States fuelled by rumours of lifting/kidnapping of children dated 4th July, 2018. Pursuant to the directions of the Supreme Court's order dated 17th July, 2018 in WP(C) 754/2016, MHA has issued a directive to the States for implementation of directions of the apex court on 23rd July 2018 and has constituted a Group of Ministers and a High level Committee to make recommendations in this matter.

Legal Provisions to deal with objectionable content on social media platform

IT Act 2000

Provisions for blocking and removal of content

Blocking of websites/information : Section 69A of the Information Technology Act, 2000 provides for blocking of websites/webpages in specific conditions of -- (i) Defence of India (ii) Sovereignty and integrity of India (iii) Security of State (iv) Foreign relations with foreign states (v) Public Order (vi) or for preventing incitement to the commission of any cognizable offense relating to above.

Disabling or removal of information by intermediaries : Social media site (Intermediaries) are required to disable or remove any unlawful information as and when brought to their knowledge through a court order or by through appropriate Government or its agency. Various law enforcement agencies notify the social media sites for removal of contents / disabling of contents under provisions of section 79(3)(b) of IT Act, 2000.

The Information Technology (Intermediary Guidelines) Rules 2011 notified under section 79 of the IT Act requires that the Intermediaries shall observe due diligence while discharging their duties and shall inform the users of computer resources not to host, display, upload,

modify, publish, transmit, update or share any information that is harmful, objectionable, affect minors and unlawful in any way.

Blocking Compliance of section 69A of IT Act, 2000

The compliance of the intermediaries in the year 2017 is as follows:

	Facebook	YouTube	Twitter	Instagram	Others
No. of URLs blocked	457	95	321	41	51

The compliance of the intermediaries in the year 2018 (till June 2018) is as follows:

	Facebook	YouTube	Twitter	Instagram	Others
No. of URLs* blocked	499	57	88	25	28

*URL: Uniform Resource Locator

The legal provisions that are currently available with regard to the conduct of intermediaries, which includes various social media platforms, in order to respond to such developments are in the IT Act, 2000. Some of such provisions need to be revised and reinforced so that they can respond to the emerging challenges. This is proposed to be done by strengthening the implementation aspects section 79 of IT Act, 2000.

New Measures

It is critical for social media service providers regulated as 'online intermediaries' under Indian law, to ensure that the lawful provision of their services and platforms in India in order to continue to receive access to Indian users, should ensure and demonstrate their strict compliance with the Information Technology Act as well as all

other applicable laws, as well as submit themselves and their services, platforms and other applications to the jurisdiction of Indian courts and authorities by having a physical presence in India.

To continue to target Indian users, such intermediaries must implement appropriate remedial measures and assist in curtailing any use of such services and platforms that perpetuate harm in Indian society, including loss of life or disruption of public order. This, at the very minimum, necessarily requires them to ensure that all such malicious messages circulated through their services or platforms in India can be traced, and their source of origin be effectively identified by law enforcement agencies or relevant public authority.

The Government is, therefore, seriously considering that through appropriate rules all social media platforms should be required to locate their grievance officer in India who could act as the point of contact for all communication with regard to such grievances. The duty of such grievance officer should cover not only to receive grievances on real time basis but also to inform law enforcement agencies. It is planned to issue directives in public interest to such intermediaries that would require all such social media platforms to ensure that their platforms do not become vehicles for promoting hatred, terrorism, money laundering, mob violence and rumour mongering. They should provide for technological solutions so that verified fake news and provocative messages can be filtered by technical solutions. They should bring in a more effective mechanism for receiving grievances and they should report to the LEAs. They should also seek to provide the facility of verifying fake news on the platform itself.

Further, this government will strengthen the appropriate legal framework to ensure that significant social media and instant messaging service providers targeting Indian users do not deprive Indian users of the right to bring proceedings in India, and of the protections of Indian law.

The Government wishes to make it very clear that social media platforms run by any company or entity is an important stakeholder and therefore it cannot evade its responsibility, accountability and larger commitment to ensure that its platform is not misused on a large scale to spread incorrect facts projected as news and designed to instigate people to commit crime. If they do not take adequate and prompt action, then the law of abetment also applies to them. It is expected that while honouring freedom of speech and expression and right to inform and educate; the mandate of Article 19 (2) of the Constitution has to be kept in mind and there has to be a healthy balance in overriding public interest.

In addition to taking the above reinforcement of legal provisions to make the platforms more accountable, the Government will also promote initiatives to increase awareness among the citizens to become adept in noticing fake news and to avoid becoming a party to viral circulation of fake news. A campaign to educate school children about the misuse of social media for propagation of false news will be taken up. The Common Service Centres will also be engaged in the task of promoting this message among people especially in rural areas. Various stakeholders such as educational institutions, professional and industrial associations, chambers of commerce etc. would also be involved in this campaign. The State Governments will also be requested to join in this effort to make the citizens more aware to prevent the use and abuse of social media. In this regard I will be writing to all Chief Ministers.

Conclusion: Government is committed to freedom of speech and expression and privacy of its citizens as enshrined in the Constitution of India. Government does not regulate content appearing on social network platform. These social network platforms, though, are required to follow due diligence as provided in section 79 of the Information Technology Act 2000 and the Rules notified therein. They have also to follow Article 19(2) of the Constitution and ensure that their platforms are not used to commit and provoke terrorism, extremism, violence and crime.

The hon'ble Minister, replying to the points raised by the members, said: We had a very serious and comprehensive discussion. I thank all those Members who have given their valuable suggestions. We have a challenge before us and in view of this challenge we will not terminate existence of social media. Today, a new age of digital power has come into existence where people of India have the power to ask questions. Today students are making use of social media for competitive examinations and farmers are also making better use of such social media. It has helped us in empowering the country. On the other hand one aspect of social media is being misused for provoking violence and circulating fake news. We take cognisance of all these mischievous designs. Lynching in any part of the country is unfortunate and action should be taken against it. Government of India has put forth its views in detail in this regard.

GOVERNMENT BILLS

The National Trust for Welfare of Person with Autism, Cerebral Palsy, Mental Retardation and Multiple Disabilities Act, 1999

THE MINISTER OF SOCIAL JUSTICE AND EMPOWERMENT (SHRI THAAWAR CHAND GEHLOT) to move that the Bill to amend the National Trust for Welfare of Person with Autism, Cerebral Palsy, Mental Retardation and Multiple Disabilities Act, 1999, be taken into consideration. A National Trust for welfare of persons with autism, cerebral palsy, mental retardation and multiple disabilities was constituted in 1999 and certain provision were made for this Trust. This Trust works for welfare and empowerment schemes meant for the people of this category. I am happy to state that this Trust has formulated many action plans, especially ten schemes and taken effective steps for proper implementation of these schemes in the interest of people of these categories. We have proposed amendments in Section 4 and 5 of the Act to simplify conditions and rules with regard to election and tenure of Chairperson and its Members.

Consideration of the Bill was deferred.

The Negotiable Instruments (Amendment) Bill, 2018

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI SHIV PRATAP SHUKLA): I move that the Bill further to amend the 'Negotiable Instruments Act, 1881' as passed by Lok Sabha, be taken into consideration. A new Section 143A has been inserted in the Negotiable Instrument Act, 1881 which enables the courts to issue directions to drawer of cheque so that interim compensation can be paid to the complainant. But, it shall be paid within sixty days not exceeding thirty days. A new Section 148 was inserted in the Negotiable Instrument Act, 1881 which gave rights to the Appellate Courts to pay 20 per cent of penalty or compensation fixed by the Trial Court. It will be paid in addition to the amount paid under Section 143A. I request all the hon'ble Members to support this Bill to enhance the confidence of people on cheque transactions.

SHRI MADHUSUDAN MISTRY: At the outset, I welcome the Bill, and my party supports this Bill. The passing of this amendment will help the trading community. It will also check, to some extent, the fraudulent person, who tries to buy time, by issuing the cheque. The amendment gives more power to the court where the cheque is being issued, and amount is not paid. If cheque is dishonoured and payee goes to the court, then drawer has to pay 20 per cent and if court direct to pay a certain amount that has to be paid within sixty days. If the drawer is not satisfied by such order, he can move to Appellate Court and he has to further deposit additional 20 per cent. The Government wants to restore the faith of people on cheque transactions. There are lakhs of such cases pending in the courts. The cheque dishonour business should be checked and litigation may be reduced. Private money lenders do not get them registered under Money Laundering Act. They charge 20-25 per cent annual interest. Such private money lending system is running by and large in all places. How can we prevent the cheque dishonour procedure. This amendment is very good. It ensures payment by cheques within time and we support this Bill.

SHRI MAHESH PODDAR: I support the Bill. We find a hundred year old law on this subject. If a person gives cheque, he should ensure the payment within specific time. Banks are medium to pay the amount so, there should be that much amount in the drawer's account. 200-400 years ago the business was much more dependent on faith. The word Rupaya is taken from the word Rupa which means silver. Paper currency was started the the Bank of Hindustan in 1770 in Kolkata. The use of Hundies was started in the Mughal period which was the main instrument of transactions. The Hundies were being issued by big businessmen in Kolkata mandi and small businessmen used the same for their transactions. The Bangal Bank, for the first time started the cheque system. Our government is committed for cashless economy, but without cheques we can not imagine the cashless economy. One thing is common in business and that is faith. The problem of cheque bouncing has become so huge that it amounts to 20 per cent of total litigations. Some provisions have been made in this Bill which ensures at least 20 per cent payment in cheque dishonour cases and that is within 60 days and 30 days of grace period. But, what will happen if defaulter do not pay the amount within this 90 days period. This has also been taken care of. This has been taken care of in Section 143 A. We know that people take cheque bounce cases lightly. Any person who has to pay 20 per cent and he can face punishment also, he will go for settlement to avoid litigation. Now, if he goes to Appellate Court, he has to further deposit 20 per cent, then only his appeal will be heard in the Court. If will get his money back with interest if court gives decision in his favour. So, this will prevent misuse of cheques and will fulfil several other objectives.

SHRI SANJAY SETH: Due to the wrong policies of the government, the present situation of business in the country is very grim. Due to cheque bounce people bear financial losses. Even cheques issued by the government to the farmers are also being dishonoured. We can understand the situation of common men. This Bill should have such points which can restore the faith of common people on cheque transactions. Provision of 20 per cent payment has been made in the Bill but even after this interim compensation, complainant has to move to court to get compensation. But if drawer

is not appearing before the Court, then who will pay to complainant. Almost 38 lakh cases are pending in the courts. Approximately 20 per cent of this are of cheque dishonour. The Law Commission had recommended to have Fast Track Magisterial Court of dishonoured cheque cases in the year 2008, but no action has been taken by the government till date. The Supreme Court, while hearing an appeal in 2008, had said that fast hearing is a fundamental right of complainant in cheque bouncing cases. So, the Government should immediately set up Fast Track Courts and such cases should be disposed of in a time bound manner. At present our judiciary is facing shortage of judges as well as problem of pendency of cases. Fast Track Courts are required to be set up at the earliest. Confidence of People in cheque transactions should be restored. Bank charges a certain amount when we transfer money through NEFT, RTGS or Bank Draft, so people prefer to use cheques to save this amount. If we don't charge exchange amount, people will happily make transact digital transactions.

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Desh Deepak Verma,
Secretary-General.

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