

## **PREFACE**

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SECRETARY,  
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## **ഉപഭോക്തൃ സംരക്ഷണ രംഗത്തെ നാൾവഴികൾ**

**പ്രൊഫ. ഡി.പി.എസ്.വർമ്മ**

അമേരിക്കയാണ് ഉപഭോക്തൃ സംരക്ഷണം എന്ന ആശയത്തിന്റെ ഉറവിടം. 1960-കളുടെ തുടക്കത്തിൽ വിവിധ സംരംഭങ്ങളുടെ വ്യാപാര രീതികളിൽ ഉപഭോക്താക്കൾ തൃപ്തരാകാതിരുന്ന ഒരു പ്രവണത നിലനിന്നിരുന്നു. യുവ അഭിഭാഷകനായ റാഫ് നാഡർ, വ്യാപാരികളും ഉപഭോക്താക്കളും തമ്മിൽ നിലനിന്നിരുന്ന തർക്കത്തിന്റെ കാരണത്തെക്കുറിച്ച് പഠിക്കുകയുണ്ടായി. 1962 മാർച്ച് 15 ന് യു.എസ്.കോൺഗ്രസിൽ പ്രസിഡന്റ് ജോൺ എഫ്. കെന്നഡി ഉപഭോക്താക്കളുടെ 4 അടിസ്ഥാന അവകാശങ്ങളെക്കുറിച്ച് പരാമർശിക്കുകയുണ്ടായി.

- (1) സുരക്ഷിതത്വത്തിനുള്ള അവകാശം.
- (2) കാര്യജ്ഞാനത്തിനുള്ള അവകാശം.
- (3) തിരഞ്ഞെടുക്കുന്നതിനുള്ള അവകാശം.
- (4) കേൾക്കപ്പെടാനുള്ള അവകാശം.

പ്രസിഡന്റ് കെന്നഡിയുടെ ഉപഭോക്തൃ അവകാശബില്ലിന്റെ സ്മരണ പുതുക്കുന്നതിന്റെ ഭാഗമായിട്ടാണ് എല്ലാവർഷവും മാർച്ച് 15 ലോക ഉപഭോക്തൃ അവകാശദിനമായി ആചരിക്കുന്നത്. ഐക്യരാഷ്ട്ര പൊതുസഭ 1985 ഏപ്രിൽ 9-ന് ഉപഭോക്തൃ സംരക്ഷണത്തിന് ചില മാർഗനിർദ്ദേശ രേഖകൾ സ്വീകരിക്കുകയുണ്ടായി. അംഗരാഷ്ട്രങ്ങളോട് ഈ മാർഗനിർദ്ദേശ രേഖകൾ നടപ്പാക്കാൻ യു.എൻ സെക്രട്ടറി ജനറൽ പ്രേരിപ്പിക്കണമെന്ന് പൊതുസഭ അഭ്യർത്ഥിക്കുകയും ചെയ്തു.

നയങ്ങളിലും നിയമങ്ങളിലും മാറ്റം വരുത്തി ഉപഭോക്തൃ സംരക്ഷണം പോരടയാഹിപ്പിക്കാനും ഐക്യരാഷ്ട്രസഭ അംഗരാഷ്ട്രങ്ങളോട് അഭ്യർത്ഥിച്ചു. അന്ന് മുതൽ ലോകത്തെ എല്ലാ രാജ്യങ്ങളിലും ഉപഭോക്തൃ സംരക്ഷണ നിയമം നടപ്പാക്കിവരുന്നു. എല്ലാ രാജ്യങ്ങളിലും പ്രത്യേകിച്ച് യു.എസ്.എ; യു.കെ.,



ഫ്രാൻസ്, ജർമ്മനി, സ്വീഡൻ, നോർവേ എന്നിവിടങ്ങളിൽ നിയമത്തിന്റെ പിൻബലത്തോടെ ശക്തമായ ഉപഭോക്തൃ മുന്നേറ്റങ്ങളാണ് നടക്കുന്നത്.

ഇന്ത്യയിൽ ദീർഘനാളായി ഉപഭോക്താക്കളുടെ അവകാശങ്ങൾ സംരക്ഷിക്കുവാനുള്ള നിയമവ്യവസ്ഥകൾ നിലനിന്നു പോരുന്നു. പ്രാബല്യത്തിൽ ഉണ്ടായിരുന്ന മിക്ക നിയമങ്ങളും ഉപഭോക്താക്കളുടെ അവകാശങ്ങളെ വേണ്ടവിധം സംരക്ഷിച്ചിരുന്നില്ല. ഓരോ നിയമങ്ങളുടെയും തലക്കെട്ട് അവയുടെ സ്വഭാവത്തെയും സാധ്യതകളെയും സൂചിപ്പിച്ചിരുന്നു. ഉദാഹരണത്തിന്, ഡ്രഗ്സ് & കോസ്മെറ്റിക്സ് ആക്ട് മരുന്നുകളുടെയും സൗന്ദര്യവർദ്ധക വസ്തുക്കളുടെയും ഗുണനിലവാരം, അവയുടെ നിർമ്മാണം, വിതരണം, ഇറക്കുമതി, വിൽപന എന്നിവ ഉറപ്പാക്കുന്നതിനാണ് ലക്ഷ്യമിടുന്നത്. ഉപഭോക്താക്കളുടെ പരാതി പരിഹരിക്കുക, ഗുണ നിലവാരമില്ലാത്ത ഉൽപ്പന്നങ്ങളുടെ വിൽപന, തെറ്റായ വ്യാപാര കീഴ്വഴക്കങ്ങൾ, അമിതമായ വില ഈടാക്കുക തുടങ്ങിയ കാര്യങ്ങൾ പരിശോധിക്കാനുള്ള ഒരു ഏകീകൃത ഏജൻസി മുൻകാലത്ത് ഉണ്ടായിരുന്നില്ല. നിയമവ്യവസ്ഥകൾ ഫലപ്രദമായ രീതിയിൽ നടപ്പാക്കാനും സാധിച്ചിരുന്നില്ല. എല്ലാറ്റിലുമുപരി തങ്ങളുടെ പരാതി പരിഹാരത്തിനുള്ള അവസരം പോലും ഉപഭോക്താക്കൾക്ക് ലഭിച്ചിരുന്നില്ല.

**ഉപഭോക്തൃ സംരക്ഷണ നിയമം, 1986**

ഇന്ത്യയിൽ ഉപഭോക്തൃ മുന്നേറ്റങ്ങളിൽ ഏറ്റവും പ്രധാനപ്പെട്ട നാഴികക്കല്ലാണ് 1986 - ലെ ഉപഭോക്തൃ സംരക്ഷണ നിയമം. ഈ നിയമം 1986 ഡിസംബർ 24 നാണ് പാസാക്കിയത്. 1991, 1993, 2002 എന്നീ വർഷങ്ങളിലായി ഈ നിയമം 3 തവണ ഭേദഗതി ചെയ്തിട്ടുണ്ട്. ഉപഭോക്താക്കളുടെ താൽപര്യം ഏറ്റവും മികച്ച രീതിയിൽ സംരക്ഷിക്കുക, പരാതി പരിഹാരം ദ്രുതഗതിയിൽ നടപ്പിലാക്കുക എന്നിവയ്ക്കാണ് ഈ നിയമം കൂടുതൽ ഊന്നൽ നൽകുന്നത്. പരാതികൾ തീർപ്പാക്കാൻ ഒരു ത്രിതല സംവിധാനമാണ് ഒരുക്കിയിട്ടുള്ളത്. ജില്ലാ, സംസ്ഥാന ദേശീയ തലങ്ങളിലാണ് ഇത് സ്ഥാപിച്ചിരിക്കുന്നത്.



**ഉപഭോക്താക്കളുടെ അവകാശങ്ങൾ**

ഉപഭോക്തൃ സംരക്ഷണ നിയമപ്രകാരം താഴെ പറയുന്ന അവകാശങ്ങൾ സംരക്ഷിക്കുകയും ഉറപ്പാക്കുകയും വേണം.

- (a) അപകടസാധ്യതയുള്ള ചരക്കുകളുടെയും സേവനങ്ങളുടെയും വ്യാപാരത്തിൽ നിന്നുള്ള സംരക്ഷണം
- (b) സാധനങ്ങളുടെ ഗുണനിലവാരം, പരിശുദ്ധി, വില, എന്നിവ സംബന്ധിച്ച വിവരങ്ങൾ അറിയാനുള്ള അവകാശം.
- (c) വിപണിയിൽ ലഭ്യമായ വൈവിധ്യമാർന്ന സേവനങ്ങളും ഉത്പന്നങ്ങളും ഏറ്റവും കുറഞ്ഞ വിലയ്ക്ക് ലഭിക്കുവാനുള്ള അവകാശം.
- (d) പരാതി പരിഹാര വേദികളിലൂടെ പരാതികൾ ശ്രദ്ധയിൽപ്പെടുത്താനുള്ള അവസരം
- (e) നീതിയുക്തമല്ലാത്ത വ്യാപാര രീതികൾക്കെതിരെയുള്ള പരാതി പരിഹാരം.
- (f) ഉപഭോക്തൃ വിദ്യാഭ്യാസത്തിനുള്ള അവകാശം.

**പരാതി സമർപ്പണം**

അനുയോജ്യമായ പരാതിപരിഹാരഫോറങ്ങൾ വഴി പരാതികൾ സമർപ്പിക്കുന്നതാണ് ആദ്യത്തെ നടപടി. ഈ ഫോറങ്ങൾ ഉചിതമായ ഉത്തരവ് പാസാക്കുകയും പരാതിക്കാരന് ആവശ്യമായ പരിഹാരം നേടി കൊടുക്കുകയും ചെയ്യുന്നു. പരാതിപരിഹാര ഫോറത്തിന്റെ തീർപ്പ് പരാതിക്കാരനോ എതിർകക്ഷിക്കോ തൃപ്തികരമായി തോന്നുന്നില്ലെങ്കിൽ ഉന്നത അധികാരിക്ക് മുന്നിൽ അപ്പീൽ സമർപ്പിക്കാവുന്നതാണ്. ഈ ഉത്തരവായിരിക്കും അന്തിമം.

**ആർക്കൊക്കെ പരാതിപ്പെടാം ?**

- (1) ഏതെങ്കിലും ഉപഭോക്താവ്
- (2) രജിസ്റ്റർ ചെയ്തിട്ടുള്ള ഉപഭോക്തൃ സംഘടനകൾ



- (3) കേന്ദ്ര-സംസ്ഥാന ഗവൺമെന്റുകൾ
- (4) ഓരോ സ്വഭാവമുള്ള പരാതി ഉന്നയിക്കുന്ന നിരവധി ഉപഭോക്താക്കളുണ്ടെങ്കിൽ അവരുടെ പ്രതിനിധി
- (5) ചികിത്സാ പിഴവ് മൂലം മരണപ്പെട്ട ഉപഭോക്താവിന്റെ അവകാശി.

“ഉപഭോക്താവ്” എന്ന പദത്തെ വിപുലമായ രീതിയിലാണ് ഈ നിയമത്തിൽ വിശദീകരിച്ചിരിക്കുന്നത്. സ്വകാര്യമായ ആവശ്യങ്ങൾക്ക് ഒരു ഉത്പന്നം വാങ്ങുകയോ വാങ്ങാമെന്ന് സമ്മതിക്കുകയോ ചെയ്യുന്ന വ്യക്തിയെയാണ് ഉപഭോക്താവ് എന്ന് വിശേഷിപ്പിക്കുന്നത്.

**പരാതി സമർപ്പിക്കാനുള്ള അടിസ്ഥാനം**

താഴെപ്പറയുന്നവയുടെ അടിസ്ഥാനത്തിൽ ഒരു വ്യക്തിക്ക് പരാതി സമർപ്പിക്കാം.

- (1) ഒരു വ്യാപാരിയുടെ ഭാഗത്ത് നിന്നോ സേവനദാതാവിന്റെ പക്കൽ നിന്നോ ഉണ്ടാകുന്ന നീതിയുക്തമല്ലാത്തതും പരിമിതവുമായ വ്യാപാര രീതി.
- (2) വിൽപ്പന നടത്തിയ വസ്തുവിന്റെ കേടുപാടുകൾ.
- (3) സേവനത്തിലെ പോരായ്മകൾ
- (4) നിയമപരമായി നിർണ്ണയിച്ച വിലയേക്കാൾ കൂടിയ വില ഈടാക്കുക.
- (5) അപകടസാധ്യതയുള്ള ചരക്കുകളും സേവനങ്ങളും വാഗ്ദാനം ചെയ്യുക.

സേവനങ്ങളുടെ അപര്യാപ്തത, കച്ചവടവസ്തുക്കളുടെ നിലവാരമില്ലായ്മ, ചരക്കുകളിലെ തകരാറുകൾ, നീതിയുക്തമല്ലാത്ത വ്യാപാര രീതികൾ തുടങ്ങിയവ പരാതി നൽകേണ്ടുന്ന സാഹചര്യങ്ങളാണ്. അങ്ങനെ ഉപഭോക്താക്കളുടെ ഏകദേശം എല്ലാ തരത്തിലുള്ള പരാതികളും ഉപഭോക്തൃ സംരക്ഷണ നിയമത്തിലൂടെ പരിഹരിക്കപ്പെടുന്നു.



**പരാതികൾ എവിടെ സമർപ്പിക്കാം ?**

**പരാതി സമർപ്പിക്കുന്നതിനുള്ള വേദികൾ**

- (1) 20 ലക്ഷം വരെയുള്ള നഷ്ടപരിഹാരം ആവശ്യപ്പെട്ടുകൊണ്ടുള്ള പരാതികൾ ജില്ലാതലത്തിൽ സമർപ്പിക്കാം. ഉത്പന്നത്തിന്റെ വില, സേവനം എന്നിവയാണ് ഇതിൽ പരിഗണിക്കുന്നത്.
- (2) നഷ്ടപരിഹാരം ആവശ്യപ്പെടുന്ന തുക ഒരു കോടി രൂപയ്ക്കും 20 ലക്ഷത്തിനും ഇടയിലാണെങ്കിൽ സംസ്ഥാന കമ്മീഷനിൽ പരാതി സമർപ്പിക്കാം.
- (3) ഒരു കോടി രൂപയിൽ കൂടുതൽ നഷ്ടപരിഹാരം ആവശ്യപ്പെട്ടുകൊണ്ടുള്ള പരാതികൾ ദേശീയ കമ്മീഷനാണ് പരിഗണിക്കുന്നത്.

പരാതിപരിഹാര കമ്മീഷനുകളുടെ തലവൻ വേണ്ടത്ര നിയമ പരിജ്ഞാനമുള്ള ഒരാളായിരിക്കും. നിയമവ്യവസ്ഥയുടെ ഭാഗമല്ലാത്ത വ്യക്തികളും ഇവയിൽ അംഗങ്ങളാകാം. ട്രൈബ്യൂണലുകളുടെ പ്രവർത്തന രീതിയാണ് കമ്മീഷനുകളും അവലംബിക്കുന്നത്. ഹർജിയിൽ വാദം കേൾക്കാനും ഉത്തരവ് നടപ്പാക്കാനും ഒരു സിവിൽ കോടതിക്കുള്ള അധികാരം പോലെ തന്നെ ഇത്തരം പരാതി പരിഹാര കമ്മീഷനുകൾക്കും അധികാരം നൽകിയിട്ടുണ്ട്. ഇരു ഭാഗങ്ങളുടെയും വാദങ്ങൾ കേട്ട ശേഷം സ്വാഭാവിക നീതിയാണ് പരാതി പരിഹാര കമ്മീഷനുകൾ നടപ്പാക്കുന്നത്. ചില സാഹചര്യങ്ങളിൽ സ്റ്റേ ഓർഡർ പുറപ്പെടുവിക്കാനും ഇവയ്ക്ക് അധികാരമുണ്ട്.

**പരാതി സമർപ്പിക്കുന്നതിനുള്ള നടപടിക്രമങ്ങൾ**

ലളിതമായ രീതിലാണ് പരാതികൾ സമർപ്പിക്കുന്നത്. പരാതിക്കാരനോ അല്ലെങ്കിൽ അയാൾ ചുമതലപ്പെടുത്തിയ മറ്റൊരു വ്യക്തിക്കോ എഴുതി തയ്യാറാക്കിയ പരാതി സമർപ്പിക്കാവുന്നതാണ്. പരാതിക്കൊപ്പം പിന്തുണയ്ക്കുന്ന രേഖകൾ, വാറണ്ടി കാർഡ് മുതലായവ സമർപ്പിക്കണം. അഭിഭാഷകന്റെ ആവശ്യമേയില്ല. പരാതികൾ തീർപ്പാക്കുന്നതിന് നഷ്ടപരിഹാരമായി ലഭിക്കുന്ന തുകയുടെ വളരെ തുച്ഛമായ ഒരു ഭാഗം ഫീസായി അടയ്ക്കാവുന്നതാണ്.



നഷ്ടപരിഹാരമായി ആവശ്യപ്പെടുന്ന തുകയും പരാതിയിൽ പരാതിക്കാരൻ രേഖപ്പെടുത്തേണ്ടതാണ്.

**പരാതിക്കാരന് ലഭിക്കുന്ന സഹായങ്ങൾ**

പരാതിയിൻമേലുള്ള വാദം പൂർത്തിയായശേഷം ഉപഭോക്തൃ ഫോറത്തിന് താഴെ പറയുന്ന നിർദ്ദേശങ്ങൾ പുറപ്പെടുവിക്കാവുന്നതാണ്.

- (1) സാധനങ്ങളിലെയോ സേവനങ്ങളിലെയോ പോരായ്മകൾ നീക്കം ചെയ്യുക.
- (2) സാധനങ്ങളിലെ തകരാർ പുനഃസ്ഥാപിക്കുക
- (3) പരാതിക്കാരന്റെ പക്കൽ നിന്ന് ഈടാക്കിയ തുക തിരികെ നൽകുക.
- (4) ഉപഭോക്താവിന് ഉണ്ടായ നഷ്ടത്തിനോ പരിക്കിനോ നഷ്ടപരിഹാരം നൽകുക.
- (5) ആവശ്യമെങ്കിൽ കേടുപാടുകൾക്ക് നഷ്ടപരിഹാരം നൽകുക.
- (6) വ്യാപാരിയുടെ ഭാഗത്ത് നിന്നുണ്ടാകുന്ന നീതിയുക്തമല്ലാത്ത വ്യാപാരരീതിയെ നിരുത്സാഹപ്പെടുത്തുക.
- (7) അപകടകരമായ സാമഗ്രികളെ മാർക്കറ്റിൽ നിന്ന് പിൻവലിക്കുക.
- (8) അപകടകരമായ സാധനങ്ങൾ/സേവനങ്ങൾ വാഗ്ദാനം ചെയ്യുന്ന നിർമ്മാതാക്കൾക്കെതിരെ ഉത്തരവ് പുറപ്പെടുവിക്കുക.
- (9) തെറ്റിദ്ധരിപ്പിക്കുന്ന പരസ്യങ്ങളിലെ തെറ്റുതിരുത്തി ശരിയായവ പ്രസിദ്ധീകരിക്കുക.

ജില്ലാ ഫോറത്തിൽ നിന്ന് ലഭിക്കുന്ന തീർപ്പ് തൃപ്തികരമായി തോന്നുന്നില്ലെങ്കിൽ ഉപഭോക്താവിന് 30 ദിവസത്തിനകം അപ്പീലുമായി സംസ്ഥാന കമ്മീഷനെ സമീപിക്കാവുന്നതാണ്. സംസ്ഥാന കമ്മീഷന്റെ ഉത്തരവിനെതിരെ ആവശ്യമെങ്കിൽ ദേശീയ കമ്മീഷന് മുന്നിൽ അപ്പീൽ നൽകാവുന്നതാണ്. നേരിട്ട് ദേശീയ കമ്മീഷന് മുന്നിൽ സമർപ്പിക്കുന്ന പരാതിയിൻമേലുള്ള അപ്പീൽ സുപ്രീംകോടതിയിൽ നൽകാം. ചില പ്രത്യേക സന്ദർഭങ്ങളിൽ മാത്രമേ ഉപഭോക്താവിന് ഇത് സമർപ്പിക്കാൻ അവസരമുണ്ടാകൂ.





**പുതിയ നിയമത്തിന്റെ നിർവചനം**

1986-ലെ ഉപഭോക്തൃ സംരക്ഷണ ബില്ലിന്റെ ന്യൂനതകൾ പരിഹരിക്കുന്നതിനായി ഒരു പുതിയ ബിൽ ആവിഷ്കരിച്ചു. ഇതിന്റെ ഭാഗമായി ഉപഭോക്തൃ സംരക്ഷണ നിയമം 2015-ന് രൂപം നൽകി. 2015 ഓഗസ്റ്റ് 10-ന് ഈ ബിൽ ലോകസഭയിൽ അവതരിപ്പിച്ചു. പഴയ ബില്ലിന് പകരമാണ് പുതിയ നിയമം നിലവിൽ വന്നത്.

**ഉപഭോക്തൃ സംരക്ഷണ ബിൽ 2015-ന്റെ പ്രധാന പ്രത്യേകതകൾ**

- (1) ഭരണ നിർവ്വഹണത്തിന് ഒരു ഏജൻസി സ്ഥാപിച്ചു. കേന്ദ്ര ഉപഭോക്തൃ സംരക്ഷണ ഏജൻസി എന്ന സ്ഥാപനം ഉപഭോക്താക്കളുടെ അവകാശങ്ങൾ സംരക്ഷിക്കുക, നീതിയുക്തമല്ലാത്ത ഇടപാടുകളിൽ ഇടപെടുക, ഉപഭോക്തൃ അവകാശങ്ങൾ ഉറപ്പാക്കുക എന്നിവയ്ക്കാണ് പ്രധാനമായും ഊന്നൽ നൽകുന്നത്. നിലവിൽ നീതിയുക്തമല്ലാത്ത വ്യാപാരങ്ങളെ ചോദ്യം ചെയ്യാനുള്ള അധികാരം ആർക്കുമില്ലായിരുന്നു.
- (2) പ്രശസ്തരായ വ്യക്തികൾ അഭിനയിക്കുന്ന തെറ്റിദ്ധരിപ്പിക്കുന്ന പരസ്യചിത്രങ്ങൾക്ക് പിഴ ഈടാക്കാൻ സാധിച്ചു.
- (3) കരാറുകളിലെ നീതിയുക്തമല്ലാത്ത ഉടമ്പടികളെ അസാധുവായി പ്രഖ്യാപിച്ചു.
- (4) തർക്ക പരിഹാരത്തിനായി കോടതികളിൽ മീഡിയേഷൻ സെന്ററുകൾ സ്ഥാപിച്ചു.
- (5) ഉൽപന്നത്തിനുമേലുള്ള തർക്കത്തിൽ നിർമ്മാതാക്കളുടെ ഉത്തരവാദിത്തം കർശനമാക്കി.

1986 മുതൽ ഉപഭോക്തൃ സംരക്ഷണ രംഗത്ത് നിരവധി സുപ്രധാന മുന്നേറ്റങ്ങളാണ് അരങ്ങേറിയത്. ഉപഭോക്തൃ സംരക്ഷണ നിയമത്തിലൂടെ രാജ്യത്തുടനീളം ചിട്ടയോടെയുള്ള നടപടിക്രമങ്ങൾക്കായി സ്ഥാപനങ്ങൾ രൂപീകരിക്കാൻ സാധിച്ചു. ഉപഭോക്താക്കളുടെ അവകാശങ്ങൾ സംരക്ഷിക്കുന്നതിനായി സ്വമേധയാ ചില സംഘടനകളും രംഗത്ത് വന്നു.



വ്യാപാരികൾ ഉപഭോക്താക്കളുടെ അവകാശങ്ങളിൽ കൂടുതൽ ശ്രദ്ധ ചെലുത്തി തുടങ്ങി. ഫലപ്രദമായ ഉപഭോക്തൃ സംരക്ഷണം ഉറപ്പാക്കാൻ ഇനിയും ഏറെ ദൂരം സഞ്ചരിക്കേണ്ടതുണ്ട്. പാർലമെന്റ് പാസാക്കിയ ഉപഭോക്തൃ സംരക്ഷണ നിയമത്തിലൂടെ ഉപഭോക്താക്കളുടെ അവകാശങ്ങൾ സംരക്ഷിക്കുന്നതിലെ ന്യൂനതകൾ പരിഹരിക്കാൻ സാധിക്കുമെന്നാണ് പ്രതീക്ഷ. അതോടൊപ്പം കോടതികളിൽ കെട്ടിക്കിടക്കുന്ന നിരവധി പരാതികളിൽ ഏത്രയും വേഗം തീർപ്പ് കൽപ്പിക്കാനും അതിലൂടെ രാജ്യത്തെ ഉപഭോക്തൃ സംരക്ഷണത്തിന് കൂടുതൽ കരുത്ത് പകരാനും സാധിക്കട്ടെ.

**യോജന,  
ഡിസംബർ, 2017.**

**൨൨൨൨൨**



**കേരള ഖാദി ഗ്രാമവ്യവസായ ബോർഡ്  
വളർച്ചയും പ്രതീക്ഷയും  
കെ.പി.ഗോപാലപൊതുവാൾ**

ഇന്ന് സർക്കാറും പൊതുജനങ്ങളും ഒരു പോലെ അംഗീകരിക്കുന്ന കേരളത്തിലെ ഏറ്റവും വലിയ തൊഴിൽദായക മേഖലകളിൽ ഒന്നായി കേരള ഖാദി ഗ്രാമവ്യവസായ ബോർഡ് മാറിക്കഴിഞ്ഞു. 1957-ൽ ബോർഡ് രൂപീകരിക്കുന്ന അവസരത്തിൽ അവസ്ഥ ഇതായിരുന്നില്ല. ദേശീയ പ്രസ്ഥാനവുമായി ബന്ധപ്പെട്ട ചിലർക്ക് മാത്രമേ ഖാദിയെക്കുറിച്ചുപോലും എന്തെങ്കിലും ധാരണ ഉണ്ടായിരുന്നുള്ളൂ. ഈ മേഖലയുടെ വികസന സാധ്യതകളെയോ ഗ്രാമസമ്പദ്വ്യവസ്ഥയ്ക്കും ഉത്പാദന തൊഴിൽ മേഖലയ്ക്കും നൽകാൻ കഴിയുന്ന വലിയ സാധ്യതകളെ സംബന്ധിച്ചോ സാധാരണക്കാരായ കേരളീയർക്ക് കാര്യമായ അവബോധമൊന്നും ഉണ്ടായിരുന്നില്ല.

മുൻ തിരു-കൊച്ചിയിലും മദ്രാസ് സംസ്ഥാനത്തിന്റെ ഭാഗമായിരുന്ന മുൻ മലബാർ പ്രദേശങ്ങളിലുമായി ധർമ്മ സ്ഥാപന ആക്ട് അനുസരിച്ച് രജിസ്റ്റർ ചെയ്ത് നാമമാത്രമായി പ്രവർത്തിച്ചുകൊണ്ടിരുന്ന പതിനാല് സ്ഥാപനങ്ങളാണ് അന്നുണ്ടായിരുന്നത്. അഖിലേന്ത്യാ ഖാദി ഗ്രാമവ്യവസായ ബോർഡിന്റെ അംഗീകാരത്തോടെ ഖാദി പ്രവർത്തനത്തിൽ മാത്രമാണ് ഈ സ്ഥാപനങ്ങൾ ശ്രദ്ധ കേന്ദ്രീകരിച്ചിരുന്നത്. ഖാദി ബോർഡ് രൂപീകരിക്കുമ്പോൾ മൊത്തം ഉത്പാദനം പത്ത് ലക്ഷത്തിൽ താഴെയും പ്രവർത്തകരുടെ എണ്ണം അഞ്ഞൂറിൽ താഴെയുമായിരുന്നു. ഭാഷാസംസ്ഥാന രൂപീകരണത്തോടെ വ്യവസായ വകുപ്പിന്റെ കീഴിലേക്ക് മാറ്റപ്പെട്ടതും അന്ന് മദ്രാസ് സംസ്ഥാനത്തിന്റെ ഗ്രാമവികസനത്തിന്റെ ഭാഗവുമായിരുന്ന പയ്യന്നൂർ ഖാദി കേന്ദ്രം മാത്രമായിരുന്നു സർക്കാരിന്റെ നിയന്ത്രണത്തിലുണ്ടായിരുന്ന ഏക സ്ഥാപനം. ദേശീയ പ്രസ്ഥാനത്തിന്റെ ഭാഗമെന്ന നിലയിൽ ഒരു പുറം ആദർശശാലികളായ ആളുകളുടെ നേതൃത്വത്തിൽ പ്രവർത്തിച്ചുകൊണ്ടിരുന്ന ഇത്തരം സ്ഥാപനങ്ങൾ മറ്റുള്ളവർക്കു നേരെ വാതായനങ്ങൾ കൊട്ടിയടച്ചിരുന്നു. സ്വാതന്ത്ര്യത്തിനു ശേഷം ഇന്ത്യൻ



ഭരണഘടനയുടെ നാൽപ്പത്തിമൂന്നാം ഷെഡ്യൂളിൽ ഉൾപ്പെടുത്തി 1948 ൽ തന്നെ ഖാദി ഗ്രാമവ്യവസായങ്ങളുടെ വികസന പ്രക്രിയ അഖിലേന്ത്യാ തലത്തിൽ ആരംഭിച്ചെങ്കിലും ഖാദിയെ ഇന്ത്യൻ ആസൂത്രണത്തിന്റെ ഭാഗമായി കാണാനോ വികസന സാധ്യത ചൂഷണം ചെയ്യാനോ മുൻ തിരുകൊച്ചി സംസ്ഥാനമോ മദ്രാസ് സംസ്ഥാനത്തിന്റെ ഭാഗമായിരുന്ന മലബാറോ തയ്യാറായിരുന്നില്ല. ഈ ന്യൂനത പരിഹരിച്ച് ഖാദി ഗ്രാമവ്യവസായ മേഖലയുടെ വലിയ വികസന സാധ്യത മുതലെടുക്കാനുള്ള ശ്രമം ആരംഭിച്ചത് കേരള ഖാദി ഗ്രാമ വ്യവസായ ബോർഡിന്റെ രൂപീകരണത്തിന് ശേഷമാണ്.

**ഇ.എം.എസ് മന്ത്രിസഭയുടെ നേട്ടം**

ഒന്നാം പദ്ധതിയിലെ പദ്ധതി വിഹിതം ഉപയോഗപ്പെടുത്തി ദേശവ്യാപകമായി ഈ ഗ്രാമ വ്യവസായമേഖലയുടെ വികസന പ്രക്രിയ കേന്ദ്ര സർക്കാർ ഏറ്റെടുത്തു. രണ്ടാം പഞ്ചവത്സര പദ്ധതിയിൽ കൂടുതൽ വ്യക്തതയോടെയും കൂടുതൽ വികസന ഫണ്ടോടെയും ഫലപ്രദമായി പദ്ധതി ആസൂത്രണം ചെയ്തു. ഇതിന്റെ ഭാഗമായി അഖിലേന്ത്യാ ഖാദി ഗ്രാമ വ്യവസായ ബോർഡുകളും രൂപീകരിക്കപ്പെട്ടു. ഇതിന്റെ ഭാഗമായാണ് കേരള ഖാദി ഗ്രാമ വ്യവസായ ബോർഡ് രൂപീകരിക്കുന്നത്. ഇ.എം.എസ് മന്ത്രിസഭയിലെ വ്യവസായ മന്ത്രിയായിരുന്ന കെ.പി.ഗോപാലൻ ചെയർമാനും ഗാന്ധിയൻ-സർവോദയ-ഖാദി പ്രവർത്തകരായിരുന്ന കെ.കേളപ്പൻ, ഇ.ഇക്കണ്ടവാര്യർ, കെ.ജനാർദ്ദനൻ പിള്ള, ശങ്കരനാരായണൻ മേനോൻ എന്നിവർ അംഗങ്ങളുമായി രൂപീകരിക്കപ്പെട്ട കേരള ഖാദി ഗ്രാമ വ്യവസായ ബോർഡ് 1957 ആഗസ്റ്റ് 15 ന് നിലവിൽ വന്നു. ബോർഡിന്റെ രൂപീകരണത്തോടെ അതിവിപുലമായ ഒരു വികസന മേഖലയാണ് കേരളത്തിനുമുന്നിൽ സർക്കാർ തുറന്നു വച്ചത്.

കേന്ദ്രസർക്കാരിന്റെയും ഖാദി ഗ്രാമവ്യവസായ കമ്മീഷന്റെയും മാർഗനിർദ്ദേശങ്ങൾക്ക് വിധേയമായും ലഭ്യമായ ഏറ്റവും പുതിയ സാങ്കേതിക വിദ്യയും ഉപകരണങ്ങളും ഫണ്ടും ഉപയോഗപ്പെടുത്തി കേരളത്തിന്റെ ഉത്പാദന വിപണന തൊഴിൽ മേഖല പുഷ്ടിപ്പെടുത്താനുള്ള ശ്രമം സർക്കാർ മുൻകൈയെടുത്ത് ആരംഭിച്ചു. പഞ്ചായത്തുകൾ തോറും ഖാദി വ്യവസായ



ബോർഡിന്റെ നേരിട്ട് മേൽനോട്ടത്തിൽ ഖാദി യൂണിറ്റുകൾ ആരംഭിച്ചു. പരമ്പരാഗത തൊഴിലാളികളെ സഹകരണാടിസ്ഥാനത്തിൽ സംഘടിപ്പിച്ച് ഇടത്തട്ടുകാരുടെ ചൂഷണത്തിൽ നിന്ന് ഒഴിവാക്കി വരുമാനവും തൊഴിലും ഉറപ്പു വരുത്തി സമൂഹത്തിന്റെ മുഖ്യധാരയിലേക്ക് കൊണ്ടു വരാനുള്ള ശ്രമമാണ് ബോർഡ് ആദ്യം ആരംഭിച്ചത്. ഇതിനായി രണ്ടാം പദ്ധതിയിലൂടെ ലഭ്യമായിരുന്ന മുഴുവൻ ഫണ്ടും ഉപകരണങ്ങളും ഖാദിഗ്രാമ വ്യവസായ കമ്മീഷൻ മുഖേന ലഭ്യമാക്കി. ഗ്രാമ വ്യവസായ സഹകരണ സംഘങ്ങൾ രജിസ്റ്റർ ചെയ്യുന്നതിനുള്ള അധികാരം ഖാദി ബോർഡിന് ലഭ്യമാക്കി. കളിമൺ വ്യവസായ തൊഴിലാളികൾ, എണ്ണയാട്ട് തൊഴിലാളികൾ, കള്ളുചെത്ത് വ്യവസായത്തിലേർപ്പെട്ടിരുന്നവർ എന്നീ പരമ്പരാഗത വ്യവസായ തൊഴിലാളികളെ സഹകരണ സംഘത്തിന്റെ കീഴിൽ കൊണ്ടു വന്ന് ഈ പരമ്പരാഗത വ്യവസായങ്ങളുടെ വികസന പ്രക്രിയക്ക് കെട്ടുറപ്പുള്ള അടിത്തറ പാകി. ഇതിന്റെയെല്ലാം ഫലമായി സംസ്ഥാനത്ത് ഖാദി ഗ്രാമവ്യവസായ മേഖലയിൽ ചലനം സൃഷ്ടിക്കാനും ഈ പരമ്പരാഗത മേഖലയെപ്പറ്റി സാധാരണ ജനങ്ങളിൽ അവബോധം ഉണ്ടാക്കാനും യൂണിറ്റുകൾ ഏറ്റെടുത്ത് പ്രവർത്തിക്കാനുള്ള താല്പര്യം ജനങ്ങളിലുണ്ടാക്കാനും കഴിഞ്ഞു. ഇ.എം.എസ് മന്ത്രിസഭയുടെ ഭരണനേട്ടങ്ങളിൽ, മന്ത്രിസഭയുടെ വിമർശകർപോലും ചൂണ്ടിക്കാണിച്ച ഒന്ന്, കേരള ഖാദിബോർഡ് വ്യവസായത്തിന്റെ രൂപീകരണവും കൈവരിച്ച നേട്ടങ്ങളുമായിരുന്നു.

**1,882 കോടിയുടെ വിൽപന: 5.70 ലക്ഷം പേർക്ക് തൊഴിൽ**

രാഷ്ട്രീയ കാഴ്ചപ്പാടും കൂട്ടുകെട്ടുകളും എന്തായിരുന്നാലും പിന്നീട് മാറിമാറി വന്ന ഭരണകൂടങ്ങൾ സംസ്ഥാനത്ത് ഖാദി ഗ്രാമ വ്യവസായ ബോർഡിനെ സർക്കാരിന്റെ പ്രമുഖ വികസന ഏജൻസികളിൽ ഒന്നായി കണക്കാക്കി നിർലോഭമായ സഹായസഹകരണങ്ങൾ നൽകിയതിനാൽ ഇന്ത്യയിലെ കാര്യക്ഷമമായ ബോർഡുകളിൽ ഒന്നായി ഉയരാൻ കേരളാ ബോർഡിന് കഴിഞ്ഞു. 1958-1959 ൽ കേവലം 39 ലക്ഷം രൂപയുടെ വിഹിതം കൊണ്ട് തൃപ്തിപ്പെടേണ്ടി വന്ന കേരളാ ബോർഡിന് ഖാദി കമ്മീഷനിൽ നിന്ന് ഏഴാം പദ്ധതിയുടെ അന്ത്യത്തിൽ വാർഷിക പദ്ധതിയായി ലഭിച്ചത് 25 കോടി രൂപയായിരുന്നു.



ആയിരത്തിൽപരം സഹകരണ സംഘങ്ങൾക്കും 1200-ൽ അധികം ചാരിറ്റബിൾ സംഘങ്ങൾക്കും പതിനയ്യായിരത്തോളം വ്യക്തിഗത യൂണിറ്റുകൾക്കും സാമ്പത്തിക സഹായം നൽകിയ ഖാദി ഗ്രാമ വ്യവസായ മേഖല ഇപ്പോൾ പ്രതിവർഷം 1572 കോടി രൂപയുടെ ഖാദിഗ്രാമ വ്യവസായ ഉപഭോഗ വസ്തുക്കളുണ്ടാക്കുകയും 1882 കോടിയുടെ വിൽപന നടത്തുകയും ചെയ്യുന്നു. 5.70 ലക്ഷം ആളുകൾക്ക് ഭാഗികമായോ പൂർണ്ണമായോ തൊഴിൽ സൗകര്യം സൃഷ്ടിക്കാൻ ബോർഡിന് കഴിഞ്ഞിരിക്കുന്നു.

**കേരളത്തിന്റെ മുന്നേറ്റം**

ഒമ്പതാം പദ്ധതിയുടെ ആരംഭത്തിൽ തേൻ ഉത്പാദനത്തിന്റെയും മസ്ലിൻ ഖാദിയുടെയും ഏറെക്കുറെ കുത്തക സംസ്ഥാനത്തിനായിരുന്നു. ഗ്രാമ വ്യവസായ മേഖലയിൽ ഇൽക്ട്രോണിക് വ്യവസായം ആദ്യമായി നടപ്പിലാക്കിയ സംസ്ഥാനം കേരളമായിരുന്നു. ഫെഡറേഷനുകൾ രൂപീകരിച്ചും അസംസ്കൃത വസ്തുക്കൾ യഥാസമയം വിതരണം ചെയ്തും വിൽപന സൗകര്യം വർദ്ധിപ്പിച്ചും ഈ മേഖലയെ വകസിപ്പിക്കുവാൻ കേരളത്തിനു കഴിഞ്ഞു. ഇതൊക്കെകൊണ്ട് നയരൂപീകരണകാര്യത്തിലും പാറ്റേൺ കമ്മറ്റികളിലും കേരളാബോർഡിന്റെ അഭിപ്രായങ്ങൾ അഖിലേന്ത്യ തലത്തിലും ശ്രദ്ധിക്കപ്പെട്ടു. ഖാദി മേഖലയിൽ സംസ്ഥാനത്ത് ഏർപ്പെടുത്തിയ ഖാദി തൊഴിലാളി ക്ഷേമനിധി ബോർഡിന്റെ പ്രവർത്തനം ഏറെ പ്രശംസിക്കപ്പെട്ടു. ഈ ബോർഡിന്റെ മാതൃകയിൽ ഇന്ത്യയിലെ ഖാദി തൊഴിലാളികൾക്ക് ക്ഷേമപ്രവർത്തനങ്ങൾക്ക് നിയമങ്ങൾ ഉണ്ടാക്കണമെന്ന ആവശ്യം ദേശീയതലത്തിൽതന്നെ ഉയർന്നു.

**സംസ്ഥാന സർക്കാരിന്റെ ഇടപെടൽ**

കേരള സർക്കാരിന്റെ വികസന പ്രവർത്തനങ്ങളുടെ ഒരു മുഖ്യ ഏജൻസി എന്ന നിലയിലേക്ക് കേരള ഖാദി ഗ്രാമ വ്യവസായ ബോർഡ് ഉയർത്തപ്പെട്ടു. അഖിലേന്ത്യാ ഖാദി ഗ്രാമ വ്യവസായ കമ്മീഷൻ വാർഷിക പദ്ധതിയനുസരിച്ച് അനുവദിക്കാവുന്ന ഫണ്ട് കേരളത്തിന്റെ പ്രത്യേക സാഹചര്യമനുസരിച്ച് മതിയാവാതെ വരുന്ന സാഹചര്യങ്ങളിൽ പ്രത്യേക ഫണ്ട് അനുവദിക്കാനും ഖാദി



ഗ്രാമവ്യവസായ യൂണിറ്റുകൾ ആരംഭിക്കുന്ന വ്യക്തികൾക്ക് പ്രത്യേക പലിശ സബ്സിഡി അനുവദിക്കാനും കേരള സർക്കാർ തയ്യാറായി. ഖാദി ഗ്രാമവ്യവസായ ഉത്പന്നങ്ങളെ 2005 മാർച്ച് 31 വരെ വിൽപ്പന നികുതിയിൽ നിന്ന് പൂർണ്ണമായും ഒഴിവാക്കി. വൈദ്യുതി കണക്ഷൻ മുൻഗണന, സർക്കാർ ആവശ്യങ്ങൾക്ക് ഖാദി ഗ്രാമവ്യവസായ ഉത്പന്നങ്ങൾ വാങ്ങുന്നതിന് മുൻഗണന എന്നിവ അനുവദിച്ചു ഈ മേഖലയുടെ സമഗ്ര വികസനം ഉറപ്പു വരുത്തി.

ആഗോളവൽക്കരണവും ഉദാരവൽക്കരണവും അഖിലേന്ത്യാതലത്തിൽ ഖാദി ഗ്രാമ വ്യവസായങ്ങൾക്ക് കനത്ത ഭീഷണിയാണ് ഉയർത്തിക്കൊണ്ടിരിക്കുന്നത്. ഇന്നാകട്ടെ, വിപണിയിലെ മത്സരത്തെ അതിജീവിക്കാൻ കഴിയാത്ത ഒരു ഗ്രാമവ്യവസായ ഉത്പന്നത്തിനും നിലനിൽപ്പില്ലാത്ത അവസ്ഥയാണ്. ഒന്നാം പദ്ധതി മുതൽ ഈ മേഖലയ്ക്ക് അനുവദിച്ചിരുന്ന ഒട്ടു മിക്ക ആനുകൂല്യങ്ങളും 1995 ൽ കേന്ദ്ര സർക്കാർ പിൻവലിച്ചു. സ്വതന്ത്ര ഇന്ത്യയിൽ ആദ്യകാലം മുതൽ ഖാദിക്ക് ലഭിച്ചുകൊണ്ടിരുന്ന റിബേറ്റ് 2010 ഏപ്രിൽ മുതൽ കേന്ദ്ര സർക്കാർ നിർത്തലാക്കി. 1995 ഓടെ ഖാദി സ്ഥാപനങ്ങൾക്ക് നൽകിക്കൊണ്ടിരുന്ന പലിശരഹിത പ്രവർത്തനമൂലധനം വേണ്ടെന്ന് വച്ചു. പകരം ബാങ്ക് വായ്പ ഏർപ്പെടുത്തി. ഇത് ഖാദിയുടെ ഉത്പാദനത്തെയും വളർച്ചയേയും അഖിലേന്ത്യാതലത്തിൽ പ്രതികൂലമായി ബാധിച്ചു.

എന്നാൽ ഇതൊക്കെ കേരളത്തിലെ ഖാദി പ്രവർത്തനത്തെ ബാധിക്കാതിരിക്കാൻ യഥാസമയം സംസ്ഥാന സർക്കാർ ഇടപെട്ടു. കേന്ദ്രസർക്കാർ നിർത്തൽ ചെയ്ത റിബേറ്റ് അതേ തോതിൽ പുനഃസ്ഥാപിച്ച് ഉപഭോക്താക്കൾക്ക് നൽകാൻ സംസ്ഥാന സർക്കാർ മുന്നോട്ട് വന്നു. ഇത് ഖാദി ഉപഭോക്താക്കളെ വിലക്കയറ്റത്തിൽ നിന്ന് സംരക്ഷിക്കാനും ഖാദിയുടെ വിലയിൽ വർധനയുണ്ടാകാതെ ഉപഭോക്താക്കളെ തൃപ്തിപ്പെടുത്തുവാനും കഴിഞ്ഞു. കഴിഞ്ഞ അഞ്ചു വർഷമായി ഖാദി വിൽപനയിൽ വലിയ മുന്നേറ്റമാണ് ഉണ്ടായത്. 2016 ലെ ഖാദി വിൽപ്പന 155 കോടി രൂപയുടേതായി വർദ്ധിച്ചു. 2010 ൽ ഇത് 60 കോടി മാത്രമായിരുന്നു. ഖാദി തൊഴിലാളികളുടെ കൂലി ഇതര മേഖലയിലെ തൊഴിലാളികൾക്ക് ലഭിക്കുന്ന വേതനത്തേക്കാൾ കുറവാണെന്ന വസ്തുത



പരിഗണിച്ച് കേരളത്തിലെ ഖാദി തൊഴിലാളികൾക്ക് കഴി ഒന്നിന് അറുപത് പൈസയും നെയ്ത്തുകാർക്ക് ഒരു രൂപ എൺപത് പൈസയും ഇൻസെന്റീവായി കേരള സർക്കാർ നൽകി വരുന്നു. ഇതിനു പുറമേ 2010 ജനുവരി 15 മുതൽ ഈ മേഖലയിൽ തൊഴിലാളികൾക്ക് മിനിമം വേതനം ഏർപ്പെടുത്തി. ഇന്ത്യയിൽ ഇത്തരം നിയമത്തിന്റെ ആനുകൂല്യം ലഭിക്കുന്ന ഏക സംസ്ഥാനം കേരളം മാത്രമാണ്. ഇതിന്റെ മുഴുവൻ ബാധ്യതയും സംസ്ഥാന സർക്കാരാണ് വഹിക്കുന്നത്. ഇതിനു പുറമെ 1990 മുതൽ ഖാദി തൊഴിലാളികൾക്ക് സാമൂഹിക സുരക്ഷിതത്വം ഉറപ്പുവരുത്തി ഖാദി ക്ഷേമനിധി ബോർഡ് സംസ്ഥാനത്ത് പ്രവർത്തിക്കുന്നു. 60 വയസ്സിനു മുകളിലുള്ള ഖാദി തൊഴിലാളികൾക്ക് പെൻഷൻ, ചികിത്സാ സൗകര്യം, സ്ത്രീ തൊഴിലാളികൾക്ക് പ്രസവാനുകൂല്യം, തൊഴിലാളികളുടെ മക്കൾക്ക് വിവാഹ-വിദ്യാഭ്യാസ ആനുകൂല്യങ്ങൾ എന്നിവ ക്ഷേമനിധി ബോർഡ് നൽകി വരുന്നു. ഈ ആനുകൂല്യങ്ങളുടെ ഒരു വിഹിതവും സംസ്ഥാന സർക്കാർ സ്വന്തം ഫണ്ടിൽ നിന്നാണ് നൽകി വരുന്നത്.

പിണറായി വിജയൻ സർക്കാരിനെക്കുറിച്ച് വളരെയേറെ പ്രതീക്ഷകളാണ് ഈ മേഖലയിൽ പ്രവർത്തിക്കുന്നവർക്കുള്ളത്. ഉയർന്ന ജനസാന്ദ്രത, കുറഞ്ഞ ആളോഹരി ഭൂമി, സാമ്പത്തിക പിന്നോക്കാവസ്ഥ, തൊഴിലാളികളെ ലഭ്യമല്ലാതെ വീർപ്പുമുട്ടുന്ന കാർഷിക മേഖല, വർദ്ധിച്ചു വരുന്ന അഭ്യസ്തവിദ്യരുടെയും അല്ലാത്തവരുടെയും തൊഴിലില്ലായ്മ എന്നിവമൂലം ഖാദി ഗ്രാമവ്യവസായങ്ങളുടെ സമഗ്രവികസനത്തിന് വമ്പിച്ച സാധ്യതകളാണ് കേരളത്തിലുള്ളത്. പരിമിതികൾക്കകത്തുനിന്ന് പരിസ്ഥിതിക്ക് കോട്ടം തട്ടാതെയുള്ള വികസനമേഖലകളാണ് നമുക്കാവശ്യം. അതുകൊണ്ട് തന്നെ കേരളത്തിൽ ഖാദി വ്യവസായങ്ങളുടെ ഭാവി ശോഭനമാണ്.

ഉത്പാദനോപകരണങ്ങളിൽ കാലോചിതമായ മാറ്റം വരുത്തി ഉത്പാദനക്ഷമത വർദ്ധിപ്പിക്കാൻ സർക്കാർ ഇടപെടണം. ഇതുമൂലം തൊഴിലാളികളുടെ വരുമാനം വർദ്ധിപ്പിക്കുവാൻ കഴിയും. ഇങ്ങനെ കാലക്രമത്തിൽ സർക്കാരിന്റെ ബാധ്യത കുറയ്ക്കാൻ കഴിയും. തളർന്നു കിടക്കുന്ന സഹകരണസ്ഥാപനങ്ങൾ പുനരുദ്ധരിച്ച് ഗ്രാമ വ്യവസായങ്ങൾ



**FOCUS**



തുടങ്ങണം. കൂടുതൽ ബാധ്യതകൾ ഒന്നും ഇല്ലാതെ തന്നെ സർക്കാരിന്റെ പിന്തുണയും, പ്രവർത്തകരുടെ കർമ്മശേഷിയും ഉദ്ദീപിപ്പിച്ചാൽ ഈ മേഖലയുടെ ഉൽപാദനവും വിപണനവും തൊഴിലും ഇരട്ടിപ്പിക്കാൻ കഴിയും.

**സമകാലിക ജനപഥം,  
ഡിസംബർ, 2017.**

**രരരര**



## **Invest India : An Exemplar of the New India**

**Ajay Shankar**

Invest India was conceived as a proactive agency which would provide professional support and hand holding services to potential investors from overseas so as to make it easier for them to: (a) Understand and analyse the business case for a potential investment decision and (b) facilitate, support and fasten the journey from an investment decision to an operating business. This was expected to help in bridging the gap between the potential and the actual inflow of FDI into the country especially into new, green field industrial projects. China has become the factory of the world on the basis of FDI. India with comparable potential had to yet make the transition.

In 2015, the new government decided to make 'Invest India' into the Prime Minister's vision of making India the most attractive destination for FDI and of converting the red tape into a red carpet for investors. Thus, beginning the Invest India is a unique story of entrepreneurship within the government.

Under the leadership of a new CEO, Deepak Bagla, a seasoned investor banker and private equity professional, a team of 'Believers in India' started to take shape under the umbrella of Invest India. With an average age of 29 years, the 110- member team at Invest India has professionals from private sector including many ex-investment bankers and ex-management consultants from prestigious employers such as Gold man Sachs, Mckinsey and Bain and Company. Each employee at Invest India has chosen nation building over pay and is highly motivated. Invest India as the National Investment Promotion and Facilitation Agency of India, acts as the first point of reference for investors in India. Invest India is transforming the country's investment climate by working systematically with concerned stakeholders in simplifying the business environment for investors. Invest India's experts, who specialize across different countries, Indian states and sectors, hand hold investors through their investment life cycle from pre-investment to after-care. Invest India's specialists provide multiple forms of support such as market entry strategies, deep dive industry analysis, partner search, location assessment and policy advocacy with decision makers.



Invest India was judged the winner at UNCTAD investment promotion awards in 2016. The journey from infancy in 2014 to a global winner in 2016 is best reflective of the story of new India - a transformation that is unprecedented in speed and scale. More importantly, this was achieved at a fraction of the cost, with Invest India's budget less than a quarter of comparable best-in-class global peers.

The dual role of being an interface of the government and an advisor to the investors gives Invest India's relationship manager the key responsibility of seeing that a potential investor becomes an actual investor and that his journey towards having a running business in India is smoother, fast and pleasant. To this effect, Invest India has pioneered a unique operating model that pivots around each of its individuals and prioritizes individual learning and teamwork. Each employee of Invest India has a primary, secondary and tertiary responsibility for a country, sector or a state providing three sixty-degree perspective of the investment life cycle from targeting a new investor to leveraging the sectoral expertise to set-up their operations in a state.

Drawing upon its unique model and the passion of its team, Invest India has had a significant impact across many areas. Increasing the competitiveness of doing business in India, supporting start-ups and facilitating investments in all sectors including sunrise sectors such as healthcare that change the lives of individuals. Invest India continues to shrink the time taken from the approval of India entry by the global Board of an investor to the commercial production in India. This is the key to investor's competitiveness and hence his success. Danish wind turbine major Vestas started manufacturing blades in Gujarat within 15 months of approval from their global Board. This was fastest in the firm's history and beat the earlier record held by China by more than two months.

Similarly, a single query by an Indian-origin NHS doctor from UK to Make in India has metamorphosed into what could be one of the largest healthcare projects in the World which promises to change the Indian health care landscape. Indo UK Institute of Health is creating integrated medicities across 11 states, which will drive significant economies of scale and exploit synergies with diagnostic clinics and medical equipment suppliers into providing globally competitive



advanced healthcare services. These will cater to the domestic need and at the same time serve as global medical tourism hubs.

Recently, Invest India achieved the record of answering 100,000 queries from investors. These cover a wide range of 47 sectors and 115 countries. The top areas of interest are food processing, IT/ITeS, renewable energy, electronics, and textiles. Invest India currently facilitates total investments of over \$80 billion, covering over 300 cases and with a potential to employ over 7 lac individuals. The top five sectors in this pipeline are construction and infrastructure, automobiles, renewable energy, healthcare and retail. More significantly, Invest India has facilitated \$7.4B of actual investments on the ground which has resulted in creation of over 94,000 direct jobs.

More importantly, today, we are witnessing a new investor-friendly mindset across different levels of the government. Greater investor-friendliness both at the centre and the states has a profound impact on India's investment attractiveness. In addition to facilitating investments, Invest India collaborates with all the state governments to enhance their investment promotion capacity. There is a sea-change in the quality of interaction between the government and the investors. Invest India supports the various government departments to enhance the quality of meetings by a series of activities such as preparing pre-briefs, structuring the agenda, helping with presentation and tracking the follow-ups to make sure the meetings are outcome oriented. Finally, we see a greater openness to global best practices across all levels of the government. For instance, Invest India is working with a dozen state governments to help formulate their start-up policies by leveraging learnings from global start-up ecosystems.

Given the critical role home grown entrepreneurs play in furthering the innovation ecosystem of the country and in employment generation, Start-up India initiative was started by the government under the aegis of Invest India. Many domestic start-ups facilitated by Invest India and start-up India have changed lives and have created impact at the national level. The story of Sagar Defence is a case in example. Invest India's team worked with the entrepreneur who had developed a technology to develop unmanned naval surveillance vessel. Invest India's team



helped Sagar Defence with all aspects of their business such as restructuring the way the firm was incorporated, help with the business plan and help procure defence related permit and licenses. Today, Sagar Defence is rated among the most successful start-ups in India and globally.

Invest India is a good example of the Prime Minister's initiative to reform- perform-and-transform. It has pursued reforms and made persistent efforts at all levels of the government both at the centre as well as the state. This has led to a transformational change in how foreign investors view India. This government has demonstrated the ability to take tough decisions which has provided a strong level of comfort and commitment to global investors about India's commitment to reforms. The discussion in the boardrooms of global investors is no longer 'if' they need to include India in their investment plans but 'how' they will execute their India strategy. The confidence of investors in the credibility of the system is now being taken for granted. Objective studies such as the World Bank's ease of doing business rankings, in which India has shown the highest jump by any large major economy this year - from 130 to 100, have further validated the belief in India. These ground-level changes in the business climate have a multiplier effect on the investment and the economy. For instance, Financial Time's FDI Intelligence ranks India as #1 recipient of greenfield FDI in the World. This illustrates the long-term confidence of investors and highlights their belief to profitably execute projects in India from scratch.

For Team Invest India this is just the beginning as it works to make India one of the most investor friendly countries and the largest recipient of FDI in the next few years.

**YOJANA,  
December, 2017**





## **Rethinking Regional Planning**

### **Draft Mumbai Metropolitan Regional Plan 2016-36**

Shirish B. Patel

Mumbai is often taken as the model to follow in India when it comes to urban development and planning. Before other states adopt this in regard to regional planning around their own metropolitan regions, it may be useful to critically review the Draft Mumbai Metropolitan Regional Plan 2016-36 (MMRDA 2016a), and its Development Control Regulations (DCRs) (MMRDA 2016b). As it happens, the plan is an excellent document, well-organised and well-produced, with very good maps (although it could have done with a run under a meticulous editorial eye, to avoid irritants like the use of billions sometimes, and crores, INR and Rs at other times, all in the same paragraph). Currently, the public hearing of suggestions and objections to the plan is ongoing, after which it will be modified as needed, and adopted. The corrections will have to be trivial, since at this stage, after so many years of efforts by a sizeable team of planners and such a voluminous publication, it is hardly possible to recast the plan with major changes or extensions. The purpose of this review is to suggest what these major improvements might be, so that future plans for other regions could consider incorporating these before reaching the point of definitive presentation.

The Mumbai Metropolitan Region (MMR) is 4,312 sqkm in area. It contains eight municipal corporations, nine municipal councils, 35 census towns, and 994 villages, with a population of just over 21.3 million in 2011. The largest is the Municipal Corporation of Greater Mumbai (MCGM), administering about 467 sqkm, with a population of about 12.4 million in 2011.

Chapter 1 of the plan is an introduction. Chapter 2 reports the current status of the region, covers population, employment, transportation, housing, water supply, sewerage, air and water quality, and growth trends. But, what it overlooks, and what matters, are the following:

- (i) **Policies:** A listing and brief description of all state policies that have an impact on the quality of life, and also on private investment and location decisions in the region.



These include, for instance, the Maharashtra Rent Control Act, rules relating to Coastal Regulation Zones, the Real Estate (Regulation and Development) Act, the housing policy, etc. The metropolitan regional plan, with its comprehensive overview, would be a very good reference place in which to compile and present this information.

- (ii) **Authorities:** A list of all the various development agencies and authorities in the region, including both central and state government actors, special planning authorities, and others, indicating the area under their jurisdiction, and the specific remit of each. There is a plethora of these: Western Railway (WR), Central Railway (CR), Mumbai Rail Vikas Corporation (MRVC), Mumbai Metro Rail Corporation (MMRC), Unified Mumbai Metropolitan Transport Authority (UMMTA), Maharashtra State Road Development Corporation (MSRDC), Maharashtra Housing and Area Development Authority (MHADA), City and Industrial Development Corporation of Maharashtra (CIDCO), and a host of others, not to mention the various municipal corporations and municipal councils. Each of these organisations can make capital investments in infrastructure in the region. Each one also operates more or less autonomously.
- (iii) **Projects:** A list of all ongoing and proposed infrastructure investments, showing location, amount, construction period and implementing agency. With so many different agencies active in the region, each doing its own thing, the first step in coordination is surely a collation of all this information. As we know, investment at a particular location often attracts more investment at the same location. Once again, a comprehensive overview would be a good starting point to suggest shifts in priority, or new initiatives.
- (iv) **Heritage:** Missing from all the maps in the plan is a map of heritage sites and structures in the region. It is vital that these be identified, so that they can be respected when drawing up detailed layouts at different locations. How this mapping is done also matters. It cannot be based on a selection of heritage elements by elite professionals alone. The mapping needs to incorporate inputs from citizens in particular, in this case, tribals, who inhabit the region in large numbers. Working with citizens is a process



with which most planners will be unfamiliar. It will involve engaging with social scientists and social workers in a way they have never done before. But, this is what good regional planning demands, including, in particular, making sure that subsequent detailed layouts for development always respect and, wherever possible, enhance the approach and environs of each heritage site.

Chapter 3, among other things, defines the goals and objectives of the plan. These include “more balanced growth,” “dispersal of employment,” “facilitate and promote economic growth,” “augment public transit,” etc; a statement of desirables, like universal truths, beyond dispute. But, there are no measurables. Objectives need to be broken down further into desired outcomes, where both a before and an after can be measured and compared, as well as a measurable in-between to evaluate progress. And, there need to be priorities, to suggest what is more important and what is less so,

Chapter 4 deals with projections, and Chapter 5 with plan proposals. The term “urban sprawl” is used more or less interchangeably with “urban extensions,” and should probably be avoided altogether in our context. Urban sprawl is a pejorative term, referring in developed societies to automobile-dependent low-density expansions of urban footprints. We have not seen much of that in India. What we do have is inevitable expansions of urban settlements, usually at relatively high density, but these can be spotty and disjointed, or stretched out along high-ways in finger-like developments. “Urban extensions” is perhaps the more accurate terminology. Certainly, growth is not necessarily sprawl.

### **Benign Contemplation**

With regard to proposals, these relate mostly to zoning and development control. Otherwise, the plan is fundamentally contemplative in outlook, an observer watching other agencies at work, with a hands-off approach in regard to coordination, prioritisation of projects, or active suggestions regarding new projects that could be taken up. The plan tries to anticipate what others might do and where development might occur, rather than suggest what should be preferred. Which brings us to the important question of what a regional plan should be: Is it merely a





documenting agency, compiling and presenting data from other action-oriented agencies working in the region, each with its own special agenda? Or, should it provide a clear overview, including conflicts, and attempt active coordination, looking in particular at the deployment of resources and suggesting preferred directions? This is not to suggest a regression to centralised planning. It is an argument for the insights that a comprehensive overview can provide, as a result of which one might develop suggestions for new policies and projects. These would then be taken up by the multiple agencies that carry out detailed planning and execution.

For example, “Table 24: Existing Land- use distribution in MMR-2016,” reports that the built-up footprint in the Region is 697 sqkm, or 16.2% of the total area. The rest is divided between agriculture, industry, forests, coastal features, etc, but almost 890 sqkm is described as scrubland/ grassland/wasteland, 20.6% of the total, more than the existing urban foot-print. So, in fact, these wastelands could accommodate the region’s urban expansions not just for the next 20 years, but probably for all time hereafter. In that case, why not extend our transport networks into these areas, and make them the preferred areas for new development? The plan, as it stands, makes no such suggestion. Instead, in regard to transportation, it accepts the Comprehensive Transport Study (CTS) carried out in 2005, in its entirety, as the transportation network for the region. At the time this study was carried out, was it thought out that new development would be preferred in the wasteland areas? Were these areas identified at the time?

One glaring omission in the plan is layouts. Do we learn nothing from the experience of others? In 1811 the Commissioners of Manhattan laid out a plan for its street pattern, basically a grid with some variations. The rules for land acquisition were that no compensation would be paid for structures built on land designated for roads. So, everyone respected the road layout. Development took place, some of it slums, but never on the roads. The slums eventually became grand towers, but continued to be serviced by the same generous original network of roads, with, of course, the major addition of a transport network underground.

Mumbai’s regional plan suggests no layouts. There are no street patterns, or alignments of transit lines to cope with future needs. There is a massive volume of DCRs, but no plots



defined anywhere to which these DCRS apply. These are serious lapses, inviting all kinds of random development without thought to infrastructure. The advantage of drawing up a layout is that it is not only the roads and transit lines that get defined, but also the water distribution and sewage collection networks. It is also easier, then, to decide where the sewage will finally be collected for treatment or other disposal, and to define the storm water drainage system. The layout is, thus, the first step towards organised rather than random development. If the responsibility for preparing layouts falls within the jurisdiction of a municipal corporation or municipal council, so be it. But, the MMRDA's regional plan must insist on these being in place for the overall plan to be meaningful. Moreover, in preparing these layouts, it should be accepted that the lands covered by the layout may not all be ultimately occupied: we are deliberately over-providing layouts so that development, wherever future occupants desire it, and wherever it happens, will always be organised. The provision of services will be simplified, and the development altogether more easily managed.

A final word now about the minimum size of plot suggested in paragraph 2.2.1.1 of the DCRs (MMRDA 2016b): It is fixed at 500 sqm. Plots exceeding 1,000 sqm can be subdivided, but into plots no smaller than 200 sqm. These sizes are too large and rule out any kind of sites-and-services, or even row housing, for the lower income groups; unless, of course, you expect that the poorer sections of society will always be in multi-storied buildings, or in *gaothans* where smaller plots down to about 25 sqm are allowed. Why not permit a 40 sqm row-house plot with a 25 sqm plinth, and a 15 sqm open-to-sky courtyard or garden? We do tend to gloss over thinking too much about the problems of the poor in our society, or to apply our minds to what they might prefer.

**Economic & Political Weekly,  
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**ANUBANDH****(A Review of the Book ‘ANUBANDH : Building Hundred-mile  
Communities’ by Ela R. Bhatt)  
Sagari Chhabra**

When I turned 18, I received a ticket to go to meet Ela Bhatt in Ahmedabad as a birthday gift from my parents. ‘But who is Ela Bhatt?’ I had asked, mystified. ‘Go and find out for yourself’, my mother had replied. Many moons later, Ela Bhatt’s book-*Anubandh*- lands on my table.

It is a simple-looking book, and on the back-cover are the words:

‘I am not alone in this world.

You are bound to me and I am to you.

I am also bound to the people in

My community, and we are linked to

Each neighbouring community’.

I know Bhatt’s work with the Self- Employed Womens Association (SEWA)-an organisation of women ragpickers, vegetable vendors, seamstresses and head-loaders, now crossing over a million women-is not an easy task. She has organised women into a trade union which demands rights for women who do backbreaking work with virtually no insurance, pension or protection.

I open the pages, there are simple, honest words and I can hear her pure, almost childlike voice floating through the pages-I have worn khadi-the traditional hand spun, hand-woven cotton fabric....since I was a teenager.’ She goes on to share that Gandhi, by encouraging freedom fighters to spin and wear khadi, had spun the warp and weft of another revolutionary act, that of self-sufficiency. It was not a statement against Manchester; it propelled those in the freedom



struggle to also support millions of weavers. However, as we won our freedom, the charkha became an anachronistic symbol; but today, Bhatt says the urban industrialised world is wreaking havoc on the rural economies.

The fact that this book was published in 2015 by Navjivan Press is actually a gentle critique of globalisation, long before the era of ‘deglobalisation’, and well before US President, Donald Trump, made his inaugural presidential speech- ‘Hire American, Buy American’-quite takes my breath away. Bhatt says she is by no means anti-technology, but is for a technology that empowers people in an equitable way, respectful of both human and environmental needs. Many years ago I met a man who was starving in Chittorgarh district and he rebuked me: ‘They use machines and tell us there is no work for our hands.’ Bhatt now urges us to keep ‘the human being at the centre’. She asks us to take ownership for the role *we* (italics mine) play in perpetuating poverty. This is a completely different stance from seeing poverty as pre-existing, and ourselves as benevolent Citizens, eager to help or usher in change, if we possibly can. Bhatt asks us now to see that we are linked to the world and that some bonds are visible and some invisible but that ‘*Anubandh* is about gaining awareness of our place in this world. ‘

So what does she have to offer us in this world, when, with a click of a button, you can order your clothes from Paris, your shoes from Rome and your food from America? Bhatt offers the hundred- mile community, which is trying to source your food, clothing and shelter-basic human needs-locally. This not only empowers the local community, but gives you more control over what you are eating, wearing and living. To this, Bhatt adds: primary healthcare, primary education and primary financial services, as something that should be met locally or within the 100-mile community. She believes if these basic needs are met, we set into motion a wholesome holistic cycle of nurturing people, communities and their environment.’

Bhatt bases her argument on decades of work with SEWA and the poor women whose lives have been transformed. She urges us not to dismiss people as ‘casualties’, but to see the impact of our consumption patterns. So is it hip to wear that branded shoe if you can save the local *mochi* (cobbler) from debt and his son from alcoholism and crime, and also get your shoe



repaired at a small amount compared to what you would spend in buying and then discarding an imported one? Along with, perhaps, enabling your family and yourself to live in safety in your own neighbourhood? In other words, do you see the import of your own consumption; do you see your place in accentuating or alleviating poverty, by your *own* choices ?

Bhatt gives painstaking examples from field studies involving 100 households in 10 villages. She undertakes work in contrasting districts such as Surendranagar, which is poverty stricken with distress migration patterns, and Anand and Kheda, which are prosperous due to dairy production, but are now facing a widening gap between those who ‘have’ and those who don’t. She says she wanted to find out how the six basic needs were being met, and this was more a ‘qualitative study rather than a quantitative one’. The results are shocking: one landless labourer says, *Bhookihya uthadjo bhagwan, pan koi na bhookya suvadjo ma* (We may wake up hungry, but God doesn’t let us sleep hungry) She confesses that her daughter brings her free school lunch home and shares it with her and that is how she does not go to sleep hungry! The book is replete with examples of how the other half lives, but this is a book with a difference. It does not stop at a survey that documents the other half and its ‘half-life’; it is a book about empowerment. It shows you how to think connectedly to the others in your community by building an active relationship with the world around you. In other words, Bhatt does not leave you feeling guilty, but emboldens you to take stock of what you can do.

Bhatt urges us not to see work as only money, but work as something that builds peace, because it creates roots and gives people meaning and dignity to their lives. So she sees productive work as the thread that weaves society together and calls on us to make small changes in our consumption patterns, and to make small efforts like starting a creche at our workspace and neighbourhood so that women are freed from childcare. This book enjoins us to think out of the box, as agents of change of our own future, and not as puppets of a global regime; reacting to terror, prices and joblessness with helplessness and anxiety. Bhatt says that money and profit cannot be the only measure of success, and that knowledge, skill, stability and social bonding are of greater value.



This is a wise, humane book, and its literary precursor is Gandhi's *Hind Swaraj*, which was written in 1907 with the prescient words: 'I am not an enemy of the British, but I am of its civilisation'. With globalisation, Gandhi's words have returned to haunt us. I am indeed grateful that I met Ela Bhatt when the creation of Video Sewa was discussed. Bhatt, along with the women of SEWA and their meaningful work, remain a lifelong inspiration. *Anubandh* is a quiet, wise book, written in simple, homely words, much like the homespun khadi that became a symbol of the freedom struggle. It is a classic and must be read by anyone who cares about humanity and its future.

**IIC Quarterly,  
Summer, 2017**





## **RESUME OF BUSINESS TRANSACTED DURING THE 243<sup>rd</sup> SESSION OF THE RAJYA SABHA**

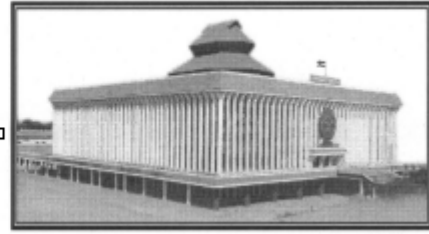
The Two Hundred and Forty Third (243<sup>rd</sup>) Session of the Rajya Sabha commenced on 17<sup>th</sup> July 2017 and, as scheduled, concluded on 11<sup>th</sup> August 2017.

During the 243<sup>rd</sup> Session, the Rajya Sabha held a total of 19 sittings spread over for more than 80 hours. The Session was disrupted on a number of occasions resulting in the loss of about 25 hours of the time of the House. The House, however, sat late for more than 7 hours to complete the legislative and other important business.

Two significant developments took place during the Session. Members of this House discharged their electoral obligation in the elections to the two highest constitutional offices of the country namely, the President of India on 17<sup>th</sup> July 2017 and the Vice-President of India on 5<sup>th</sup> August 2017. On 20<sup>th</sup> July, Shri Ram Nath Kovind was declared elected as the 14<sup>th</sup> President of India. On 25<sup>th</sup> July 2017, he was sworn in by the then Chief Justice of India, Justice Jagdish Singh Khehar at a solemn function held in the Central Hall of Parliament House. On 5<sup>th</sup> August 2017, Shri M. Venkaiah Naidu was declared elected as the 13<sup>th</sup> Vice-President of India. He was administered oath of office of the Vice-President by Shri Ram Nath Kovind, President of India at a ceremony held at the Rashtrapati Bhawan on 11<sup>th</sup> August 2017.

On the first day of the Session, i.e. 17<sup>th</sup> July 2017, the Hon'ble Chairman made reference to the passing away of Shri Anil Madhav Dave and Shri Palvai Govardhan Reddy, sitting Members; Dr. Akhilesh Das Gupta, Dr. Dasari Narayana Rao, Dr.C. Narayana Reddy, Sarvashri P.N. Sukul, Era Sezhiyan and U.K. Lakshmana Gowda, all former Members of Rajya Sabha. During the Session, references were also made by the Chair to the passing away of Sarvashri Syed Nizam-ud-Din, Shivajirao Giridhar Patil, Shabbir Ahmad Salaria, Vishvjit P. Singh and Smt. Mohinder Kaur, all former Members of the Rajya Sabha.

On the first day of the Session, references were also made by the Chair to (i) the victims of torrential rains, landslides, floods and lightning strikes in North-Eastern States and several other parts of the country in the months of June and July, 2017; (ii) the victims of terrorist attack



in Anantnag District of Jammu and Kashmir on 10<sup>th</sup> July 2017; and (iii) the victims of bus accident in Ramban District of Jammu and Kashmir on the 16<sup>th</sup> July 2017. Thereafter, notwithstanding the decision of the General Purposes Committee (GPC) for such occasions, in view of the suggestion received from Leaders of various political parties, the House was adjourned for the day as a mark of respect to the memory of Shri Anil Madhav Dave and Shri Palvai Govardhan Reddy, sitting Members.

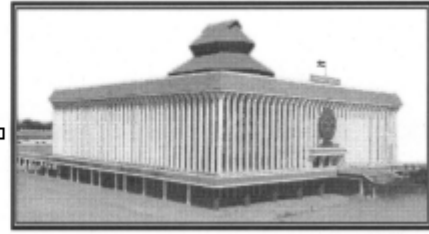
On 27<sup>th</sup> July 2017, the Hon'ble Chairman bade farewell to Shri Shantaram Naik, Member representing the State of Goa, who was retiring on 28<sup>th</sup> July 2017 after completion of his term of office. On 10<sup>th</sup> August 2017, the Hon'ble Deputy Chairman bade farewell to nine Members representing the States of West Bengal and Gujarat who were to retire on 18<sup>th</sup> August 2017 after completion of their term of office.

Two new Members, namely Shri Vinay Dinu Tendulkar elected from the State of Goa and Smt. Sampatiya Uikey elected from the State of Madhya Pradesh joined the House after making and subscribing oath on 31<sup>st</sup> July and 3<sup>rd</sup> August 2017 respectively.

As mentioned earlier, about 25 hours of the time of the House was lost on account of disruption of its proceedings. The issues which agitated Members leading to such disruptions were: (a) increasing incidents of lynching and atrocities on *Dalits* and minorities and violence by cow vigilantes across the country; (b) plight of farmers and agrarian crisis throughout the country; (c) alleged horse trading of Congress legislators of Gujarat Legislature; (d) phased increase in the prices of subsidized LPG cylinders; (e) provision of NOTA in the Rajya Sabha elections from the State of Gujarat; (e) income tax raids against a State Minister in Karnataka; (g) renaming of Mughal Sarai Railway station; (h) encroachment of forest land by a State Minister of Chhattisgarh; (i) two different sizes of Rs.500 currency notes printed by the Reserve Bank of India; and (j) stalking of a girl by the son of a BJP leader in Chandigarh.

On 18<sup>th</sup> July 2017, during the Zero Hour, the Deputy Chairman allowed Kum. Mayawati to raise an issue relating to some reported incidents in Saharanpur in Uttar Pradesh. When the Chair asked her to conclude her speech within three minutes, she insisted that she should be





allowed more time to complete her speech as her party had given notice under Rule 267 (Suspension of rules). When the Chair did not accede to her demand, Kum. Mayawati said that she was going to resign from the House as she was not being allowed to complete her speech. The next day, *i.e.* 19<sup>th</sup> July 2017, the Deputy Chairman explained the position in this regard stating that he had received about nine notices under Rule 267, in which Kum. Mayawati's name was not there. He said that when he entered the House, he found Kum. Mayawati standing and allowed her three minutes to speak as she had not given notice under Rule 267. Elaborating further on the matter, the Deputy Chairman said:

*“ ... I was to take notices under Rule 267 after Kum. Mayawati had completed. Then, the LoP also wanted to intervene. He being the LoP, it is my duty to allow him whenever he asks, but I bypassed the LoP and allowed Kum. Mayawati ... As per the practice, I should have called the LoP. I did not do that”.*

Shri Satish Chandra Misra explained that he had given a notice under Rule 267 mentioning the name of Kum. Mayawati to raise the issue. Terming it as a ‘misunderstanding’ and a ‘communication gap’, the Deputy Chairman on behalf of the House requested her to reconsider her decision of resigning from the House. However, on 20<sup>th</sup> July 2017, the Deputy Chairman informed the House that Hon’ble Chairman had received a letter dated 20<sup>th</sup> July 2017 from Kum. Mayawati, Member representing the State of Uttar Pradesh, resigning her seat in the Rajya Sabha and that her resignation had been accepted by the Hon’ble Chairman, Rajya Sabha *w.e.f* 20<sup>th</sup> July 2017.

On 19<sup>th</sup> July, 2017, during a Short Duration Discussion on “Situation arising out of the reported increase in the incidents of lynching and atrocities on minorities and dalits across the country”, there were interruptions in the House over certain remarks made by Shri Naresh Agrawal. The Deputy Chairman observed that after going through the records, he found that the statement made by the Member was *per se* derogatory and hurt the sentiments of a particular community



and asked the Member to withdraw the statement. Thereafter, the said statement was withdrawn by the Member and also expunged from the record. He also expressed regret for his statement. The Deputy Chairman also gave the following direction:

*“ ... media may kindly note that whatever is expunged by me should not be published at all, either by the print media or by the channel media ”.*

When Shri Derek O'Brien raised the apprehension of circulation of the expunged remarks in the social media, Shri Anand Sharma said that it raised a larger issue and demanded that the concerned authority must ensure that the social media also respects the Chair's verdict and requested the Chair to take cognizance of the same. Thereafter, the Deputy Chairman asked Shri Ravi Shankar Prasad, Minister of Law and Justice and Minister of Electronics and Information Technology to respond to the points raised by the Members. Following this, the Minister assured the Members that he would convey the concern expressed by the Hon'ble Deputy Chairman to the concerned authorities. He also added that Members had to collectively ensure that such passions were not inflamed.

Subsequently, on 21<sup>st</sup> July 2017, during the Zero Hour, Shri Naresh Agrawal raised a point of order stating that the expunged portions of his speech made in the House on 19<sup>th</sup> July 2017 were being reported by certain newspapers and television channels, despite directions given by the Deputy Chairman. He said that people belonging to certain political organizations had demonstrated in front of his residence and resorted to vandalism and a threat had also been issued to him. Another member pointed out that an F .I.R. had also been lodged against Shri Naresh Agrawal in Meerut. Shri Agrawal said that it was a serious matter as it involved the dignity of the House and its Members and their freedom of expression. Supporting the contention of Shri Agrawal, some Members said that it involved breach of privilege of the House and demanded action against the concerned newspapers/channel/persons. After listening to the points made by Shri Agrawal and other Members, the Deputy Chairman observed:



*“ ... whatever is said in this House, especially, once it is expunged, no newspaper can publish, no print media can publish it and if it is done, it is a matter of privilege. That is number one. Especially about whatever is said in the House, nobody has authority to file F.I.R. or give any punishment against whatever is said in this House. So, if any newspaper or anybody has threatened or taken any action, it is very serious.....”*

When Members requested Chair to take the *suo motu* cognizance of the alleged reach of privilege under Rule 190 (mode of raising a question of privilege) of Rules of Procedure and Conduct of Business in Rajya Sabha, the Deputy Chairman asked the Members to give notice for the same and observed as follows:

*“The Members’ rights are to be protected and Members’ privileges are to be protected. ... suo motu, it was raised here to take cognizance of this matter, especially, when it is a matter of privilege, this is not enough. The Chair needs some substantive material. So, give a notice and also a copy of the report. Then, the Chairman will examine it ...”*

Regarding the issue of Member’s house being vandalized, he gave the following direction:

*“If an MP’s house has been vandalized or attacked for what he said in the House, then the Government should conduct inquiry and come back to the House and also take appropriate action against the culprit. That direction is given to the Government”.*

Later in the day, the Hon’ble Chairman made the following observation in this regard:

*“I have received notice from some Members raising a question of privilege against a TV Channel and some newspapers for making defamatory remarks against a Member of this House. The Secretariat has been asked to issue a show cause notice and further inquire into the matter”.*



On 20<sup>th</sup> July 2017, during Zero Hour, Shri Naresh Agrawal raised the issue concerning ban on the travel of two Members of Parliament by the airlines stating that it amounted to violation of the privileges of the Members. Thereupon, the Deputy Chairman observed:

*“You have raised, according to me also, a valid point that if any Member of Parliament has committed a crime or something against the law, the law of the land should take its course. Airlines are not given the authority to punish anybody. I think the Government should take note of it”.*

On 24<sup>th</sup> July 2017, when a special Mention was made by Shri Vivek Gupta regarding demand to withhold the disinvestment of two CPSUs, namely Hindustan Paper Corporation Ltd. and Bridge and Roof Company (India) Ltd., Shri Bhubaneshwar Kalitha said that being an important matter, the Minister should react to the issue raised by Shri Vivek Gupta. Stating the procedure, the Deputy Chairman observed :

*“For Special Mentions, no reaction at that time. All Special Mentions will be examined by the Government and the concerned Ministers will reply to it”.*

Thereafter, Shri Vivek Gupta and some Members said that the employees of the Hindustan Paper Corporation Ltd. were not getting salary for the last two years and requested the Chair to let the Minister of Heavy Industries make a statement on the exact position in this regard. Thereupon, the Deputy Chairman made further observation:

*“ ... What has been raised here is that the PSU, under Government of India, is not paying salary to the workers for the last two years ... Then, it is serious. I would request the Parliamentary Affairs Minister to report the matter to the Heavy Industries Minister and request him to come back to the House and inform the House about the current position”.*



On 25<sup>th</sup> July 2017, when Shri Parshottam Rupala, Minister of State in the Ministry of Agriculture and Farmers Welfare, Minister of Panchayati Raj was participating in a Short Duration Discussion on the farmers' distress leading to rise in incidents of their suicide in the country, a point of order was raised by Shri Digvijaya Singh stating that when the Cabinet Minister was scheduled to respond to the discussion, there was no need for Shri Rupala to respond. Thereupon, the Vice-Chairman observed that though Shri Rupala is a Minister, he is entitled to speak as a Member of the House and he is speaking on behalf of his party. On 26<sup>th</sup> July 2017, Shri Radha Mohan Singh, Minister of Agriculture and Farmers Welfare replied to the Short Duration Discussion.

On 26<sup>th</sup> July 2017, when matters raised with permission of the Chair were being taken up, some Members raised points of order and issues under Rule 267. The Deputy Chairman after listening to Members disallowed their notices under Rule 267. Thereafter, Shri Bhupendra Yadav said the issue can be raised under Rule 267 only with the consent of Hon'ble Chairman. He suggested that the issues agitating the Members should be allowed to be raised during Zero Hour in order to avoid the disruption of the proceedings of the House by way of raising such issues under Rule 267. Shri Vinay Sahasrabuddhe also said that in the name of point of order, valuable time of the House was washed and the new Members who had been repeatedly giving notices for Zero Hour mentions were being denied opportunity to do so. He sought the protection of the Chair to raise issues during the Zero Hour. After listening to Members, the Deputy Chairman observed:

*“ ... any Member can raise a point of order, and if any Member raises a point of order, the Chair is duty-bound to listen to that ... the Chair may rule it out depending upon the merit of the case which has been raised. As far as the Chair is concerned, every Member is equal to the Chair ... Now with regard to the suggestion made by Shri Bhupender Yadav regarding Rule 267, I would like to clarify that if there is notice under Rule 267, it has precedence over Zero Hour. It has precedence and it has to be disposed of*



*first because it comes under Rule 267 which is specifically mentioned in the Rules Book. Zero Hour is not like that. For Zero Hour, there is no rule. It is only Hon 'ble Chairman's discretion to allow Zero Hour. Now, once a notice under Rule 267 is received, it is for the Chair to consider and dispose it. So, to consider it, sometimes, the Chair may need the assistance of the person who gave the notice. So, the Chair will allow him to speak. After listening to that, the Chair may reject it. Here, we have a number of notices under Rule 267, and usually, the Treasury Benches should know that the Treasury Benches cannot, will not and should not move notice under Rule 267 because notice under Rule 267 is for the suspension of particular day's business, which is mostly business agreed to between the Government and the Chairman. So, it is the duty of the Treasury Benches to ensure that the House runs smoothly as per the List of Business. Therefore, the Treasury Benches cannot give notice for motion under Rule 267 as they cannot give Adjournment Motion in the other House, and, to say that motion under Rule 267 should be stopped means that the Members of the Treasury Benches are saying, 'block the Opposition from raising their view'. It is not possible. Rule 267 has precedence “.*

After the aforesaid observation made by the Deputy Chairman, Shri Arun Jaitley, Leader of the House said :

*“ ... normally the Chair uses its own discretion and allows the points of order, which in most cases, are not points of order to be raised in the Zero Hour. The Chair is also using its discretion for allowing Members to raise Motions and propose Motions under Rule 267 but in every case, we have found that these are not Motions under Rule 267, and therefore, it is a practice which is being grossly abused”.*



Agreeing with the point made by the Leader of the House, the Deputy Chairman further clarified:

*“Many of the issues referred here under Rule 267 are not relevant. That is why I am not allowing them. I have not allowed Rule 267 discussion till now. I have heard it all and discussion under Rule 267 has been rejected because the subjects are not relevant according to me also. But for the Chair to decide whether to accept or not, the Chair has to listen to them. That is the point”.*

On 28<sup>th</sup> July 2017, after the announcement regarding Government Business for the week commencing 31<sup>st</sup> July 2017 was made by Shri Mukhtar Abbas Naqvi, Minister of State in the Ministry of Parliamentary Affairs, Shri Anand Sharma raised a point of order alleging that MLAs belonging to the Congress Party in Gujarat were being abducted by the Police with a view to influence elections to the Rajya Sabha. Supporting the point of order raised by Shri Sharma, Shri Ghulam Nabi Azad, Leader of the Opposition urged the Chair to give direction to the Election Commission to ensure free and fair elections to the Rajya Sabha. Rejecting the points made by the Members, the Deputy Chairman clarified:

*“... the Election Commission does not require a direction from the Chair to conduct elections in a fair manner. The Election Commission is bound to conduct elections constitutionally and they are doing that. If you have a complaint, you may approach the Election Commission. .. The Chair need not interfere in the matter “.*

On 31<sup>st</sup> July 2017, during the Question Hour, Hon’ble Chairman made the following observation with regard to lengthy answer to the Starred Question No.161 given by the Minister of Environment, Forest and Climate Change:

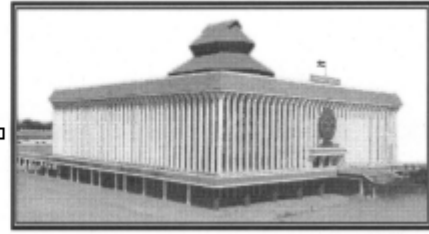
*“Before I take up the Question, Hon’ble Members, I have a point to register. There is one question which has a record length of answer; the answer is of*



*233 pages. Now considering that the answers to questions are made available to Hon'ble Members a little while before they assemble here at 11 O'clock, it is humanly impossible for 233 pages to be scrutinized. Surely, we have to work out some other system. I mean, the information given, Hon'ble Minister, is very useful but it can even be put in the form of a booklet or something".*

On the same day, a significant development took place when the House was considering the Constitution (One Hundred and Twenty-third Amendment) Bill, 2017 as passed by Lok Sabha and as reported by the Select Committee of Rajya Sabha, together with the National Commission for Backward Classes (Repeal) Bill, 2017 as passed by the Lok Sabha. After Shri Thaawar Chand Gehlot, Minister of Social Justice and Empowerment replied to the debate on the Bills, the Amendment Nos. 27 to 30 moved by Shri Digvijaya Singh, Shri B.K. Hariprasad and Shri Husain Dalwai to Clause 3 of the Constitution (One Hundred and Twenty-third Amendment) Bill, 2017 were put to vote and the House divided with 75 Members in favour of the amendments as against 54 and the amendments were adopted. Following this, Shri Arun Jaitley, Leader of the House said that the amendments relating to inclusion of one woman Member, etc. in the National Commission for Backward Classes could be provided in the rules and not in the Constitution as done in the case of the National Commission for Scheduled Castes and the National Commission for Scheduled Tribes under articles 338 and 338A of the Constitution respectively. He added that the proposed Bill had been formulated on the lines of the Bills to set up the National Commission for Scheduled Castes and the National Commission for Scheduled Tribes. Thereafter, Prof. Ram Gopal Yadav said that it was a very important constitutional amendment Bill and if not passed, it would cause a big setback to the backward community. He requested both the parties to evolve a consensus in passing the Bill even if the House had to be adjourned for a while. Shri Digvijaya Singh appealed to the Leader of the House to accept the amendments and pass the Bill. After listening to the Members, the Deputy Chairman observed:



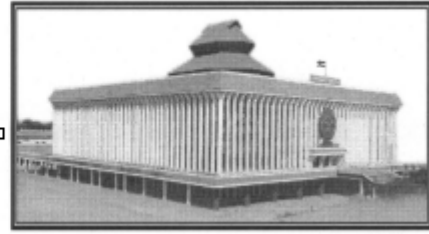


*“I will make the point clear. Number one, the amendment is passed and you cannot go back on that. Number two, the Clause can be put only ‘as amended’, and, for that purpose, if it has to be part of the law, then it should get two-thirds majority ... Thirdly, there is no procedure or precedent of adjourning the House after starting a division. But, if the entire House agrees, I can adjourn for ten minutes ... Even if we adjourn and discuss, we cannot decide that the amendment is not passed. Can the Chair put the clause without bringing in the amendment? So even if we adjourn, I don’t see a solution unless you decide to stop it entirely or something like that. So, you have to consider it”.*

When Shri Sharad Yadav requested the Chair to adjourn the House for ten minutes to find a mutual solution, the Deputy Chairman further observed:

*“The Chair has no objection in adjourning the House for ten or fifteen minutes.... Let me make it clear. It is only because Hon ‘ble LOP (Leader of the Opposition) and Hon’ble Leader of the House together demanded it even if though there is no precedent .. I am doing that only for the sake of facilitating passage of this Bill “.*

When Shri Ghulam Nabi Azad, Leader of the Opposition said that the Lobbies should remain closed, the Deputy Chairman and some Members said that once the House was adjourned, the lobbies had to be opened. When the Leader of the Opposition said that the Members would decide in ten minutes without having discussion, the Deputy Chairman suspended the proceedings of the House for ten minutes without adjourning the House. Thereafter, Leader of the House argued that even in the case of the National Commission for Scheduled Castes/Scheduled Tribes, their membership was not confined to one community and cautioned that the legality of exclusion of others in the Constitution *per se* itself could be questioned. He urged the Leader of the Opposition and other Members to reconsider whether the constitutional provision of excluding others should be part of the Constitution itself. When Shri Sitaram Yechury said that once the



amendment had been voted upon, the Clause as amended had to be considered. After listening to the points raised by the Members, the Deputy Chairman observed:

*“I have already made the position clear. It is for me to listen to Members and allow them to discuss. That is a different matter. But I have made the position clear that the amendment is already passed. Then for the Chair, there is only one way, that is, to put the amended Clause to vote. That is the way”.*

Thereafter, Clause 3 of the Bill, as amended, was put to vote and was not adopted by a majority of the total membership of the House and by a majority of not less than two-thirds of the Members present and voting. Later, the Bill, as amended (without Clause 3), was passed by the required majority. Thereafter, Shri Thaawar Chand Gehlot, Minister of Social Justice and Empowerment said that since the Constitution Amendment Bill had not been passed, the National Commission for Backward Classes (Repeal) Bill, 2017 should not be taken up for consideration, to which the Deputy Chairman also agreed. Subsequently, the Minister withdrew the Bill. In view of this, the adoption of the motion for consideration of the said Bill was not taken up.

On 1<sup>st</sup> August 2017, during the Zero Hours Shri. Ghulam Nabi Azad, Leader of the Opposition raised an issue regarding a function held on 31<sup>st</sup> July 2017 to inaugurate the new Parliament House Annexe Extension building wherein Members of Rajya Sabha were not invited. He said that even the Hon’ble Chairman and the Hon’ble Deputy Chairman of Rajya Sabha were not invited, which amounted to undermining the position of the Rajya Sabha in bicameral Parliament. Several other Members too expressed their concern on the issue. Shri Sitaram Yechuri said that there was no written document which authorized the Lok Sabha alone for the management of the Parliament premises. Shri Arun Jaitley, the Leader of the House said that maintenance of the Parliamentary premises was looked after by a Committee headed by the Hon’ble Speaker of Lok Sabha in which the Leader of the House and the Leader of Opposition were also members. He added that the system had been working since 1952. The Deputy Chairman also concurred that though there was no written record, the Parliamentary precincts were being maintained by the Lok Sabha. He observed:



*“ ... From day one, the practice has been that it is being managed by the Lok Sabha, and there is a formal committee. . ... in the records there is no document to show that this kind of a decision was taken at some point of time. That has been inquired into even by the Rajya Sabha Secretariat”.*

Sharing the concern of the Members, the Deputy Chairman informed the House that the Secretariat had already written to the Lok Sabha Secretariat regarding the impropriety of not inviting the Hon’ble Chairman, Rajya Sabha.

On 9<sup>th</sup> August 2017, a reference was made on the occasion of the 75<sup>th</sup> Anniversary of the Quit India Movement. The Leader of the House, the Leader of the Opposition and leaders of various parties/groups and some Members spoke on the occasion. The Hon’ble Chairman moved the following Resolution:

*“This House recalls that seventy five years ago Mahatma Gandhi called for the British to Quit India and gave the clarion call ‘Do or Die’ to the Indian people to end the British Rule; observes on the 75<sup>th</sup> Anniversary of the ‘Quit India Movement’ that it is important to remember the heroic struggle of the Indian people: students, peasants, women, workers and Government officials who defied the brutal repression of the British Raj to launch mass Satyagraha that shook the very foundation of the British rule; knowledges that this is also an occasion to recall with gratitude the sacrifices of millions of our people and salute the memory of thousands of Indians, who gave their lives for the freedom of India; and on this day solemnly takes a pledge to uphold and safeguard the values and ideals of the freedom movement and re-dedicate ourselves to build an India that is strong, self-reliant, inclusive, secular and democratic”.*

The Resolution was unanimously adopted by the House.



On the same day, a Parliamentary delegation from Seychelles under the distinguished leadership of Hon'ble Partick Pillay, Speaker of the National Assembly of Seychelles graced the Special Box to witness the proceedings of the House. The Deputy Chairman welcomed the distinguished guests on the occasion and expressed the hope that their visit would further strengthen the friendly bonds that exist between India and Seychelles and through them he conveyed the greetings and best wishes of the House to the Parliament and the friendly people of Seychelles.

On 10<sup>th</sup> August 2017, the House bid an emotional farewell to Shri M. Hamid Ansari, on his retirement from the Office of the Chairman of Rajya Sabha. Shri Narendra Modi, Hon'ble Prime Minister and Shri Arun Jaitley, Leader of the House, offered their good wishes to the outgoing Hon'ble Chairman. Besides, thirty four (34) Members from different parties including Shri Ghulam Nabi Azad, Leader of the Opposition, Dr. Manmohan Singh, former Prime Minister and Prof. P. J. Kurien, Hon'ble Deputy Chairman, Rajya Sabha, spoke on the occasion. He thanked the Members for their kind sentiments and cooperation and said, 'This House is a reation of the Constitution and reflective of the wisdom and foresight of the founding fathers who wished it to portray India's diversity and to be a calibrated restraint on hasty legislation. It has upheld democracy's sacred creed that discussion, instead of being a stumbling block in the way of action, is, in fact, an indispensable preliminary to wise action.

On the same day in the evening, a Farewell Function was organized in his honour at the G.M.C. Balayogi Auditorium, Parliament House Complex. The Hon'ble Prime Minister; Hon'ble Speaker, Lok Sabha; Leader of the House; Leader of the Opposition; and Minister of Parliamentary Affairs spoke on the occasion. On behalf of the Members of the House, Hon'ble Deputy Chairman, Rajya Sabha read out a Farewell Address and presented the same to the outgoing Chairman.

On 11<sup>th</sup> August 2017, when Shri M. Venkaiah Naidu presided over the Rajya Sabha for the first time after having assumed the Office of the Vice- President, he was felicitated by the



Hon'ble Prime Minister, Hon'ble Leader of the House, Hon'ble Leader of the Opposition, Hon'ble Deputy Chairman, leaders of various political parties and some Members of the House. They expressed the hope that under his able stewardship, the dignity and decorum of the august House would be further enhanced. The Hon'ble Chairman thanked the Prime Minister and Members for the felicitations. He observed, "Our democratic polity allows flourishing of different ideas and thoughts on a range of socio-economic issues. But adversarial politics should not be allowed to have adverse impact on the functioning of Parliament, which, in turn, impacts the progress of our nation". Expressing his concern on the issue of disruption of parliamentary proceedings and stressing the greater need for meaningful debates and discussions on the issues concerning people's welfare, he further observed, "... Parliament should be the voice of sanity, echoing their concerns and finding solutions to their problems as the best way forward".

One *Suo Motu* statement regarding organization of India International Science Festival was laid on the Table of the House by the Minister. The House was also informed about the status of 39 Indians stuck in Mosul, Iraq since 2014.

During the Session, 113 Reports/Statements of various Parliamentary Committees including those of the Department-related Parliamentary Standing Committees were presented or laid on the Table of the House. As regards the Reports of the Department-related Parliamentary Standing Committees, a total of 98 Reports were presented/laid during the Session. Out of 98 Reports, there were 74 Action Taken Reports and 24 Reports on Bills/Subjects.

As per the direction of the Hon'ble Chairman, Rajya Sabha and Hon'ble Speaker, Lok Sabha issued in September 2004, a Minister concerned is required to make once in six months a statement in the House regarding the status of implementation of recommendations contained in the Reports of the Department-related Parliamentary Standing Committees with regard to his Ministry. As mandated by the said direction, 36 Statements were laid on the Table of the House



by the Ministers concerned on the Status of implementation of recommendations contained in the Reports of various Department-related Parliamentary Standing Committees.

Some of the important reports/ papers that were laid on the Table of the House during the Session were: Twenty-eighth Progress Report on the Action taken Pursuant to recommendations of the Joint Parliamentary Committee (JPC) on Stock Market Scam and matters relating thereto; Report of the National Human Rights Commission, New Delhi; Statement on Quarterly Review of the “ trends in receipts and expenditure in relation to the Budget, at the end of the Financial Year 2016-17; Statement of the Market Borrowings by Central Government during the year 2016-17; Statement regarding approval of the Government to the entire scheme of Enabling Regulatory Architecture for establishment of Institutions of Eminence by the Central Government; Medium term Expenditure Framework Statement; Annual Report of the National Commission for Protection of Child Rights; Economic Survey (Volume II) and a few Reports of the CAG like Agriculture Crop Insurance Schemes and Reproductive and Child Health under the National Rural Health Mission.

On 4<sup>th</sup> August 2017, when the papers were being laid on the Table, Shri Mukhtar Abbas Naqvi, Minister of State in the Ministry of Parliamentary Affairs laid 33 statements (session-wise) showing action taken by the Government on various assurances, promises and undertakings given during the Session since 2002.

During the Session, 87 Special Mentions on matters of public importance were made or laid on the Table of the House and 77 matters were also raised with the permission of the Chair (Zero Hour Submissions). During the Session, Members raised three matters of urgent public importance under Rule 176 (Short Duration Discussion) which were discussed at length for more than 17 hours. These were : (i) Situation arising out of the reported increase in the incidents of lynching and atrocities on minorities and dalits across the country raised by Shri Ghulam Nabi Azad, Leader of the Opposition, on 19<sup>th</sup> July 2017; (ii) Farmers’ distress leading to rise in the incidents of their suicide in the country raised by Shri Digvijaya Singh on 25<sup>th</sup> July 2017; and (iii)



India's foreign policy and engagement with strategic partners raised by Shri Anand Sharma on 3<sup>rd</sup> August 2017. Shri Arun Jaitley, Minister of Finance, Minister of Corporate Affairs and Minister of Defence, Shri Radha Mohan Singh, Minister of Agriculture and Farmers' Welfare and Shrimati Sushma Swaraj, Minister of External Affairs replied to the discussions respectively.

Two matters of urgent public importance were raised by the Members under Rule 180 (Calling Attention) during the Session. On 27<sup>th</sup> July 2017, Shri Ripun Bora called the attention of the Minister of Home Affairs to situation arising out of recent floods in various parts of the country, particularly in Assam. Shri Kiren Rijiju, Minister of State in the Ministry of Home Affairs made a statement on the matter. Thereafter, some Members sought clarifications on the statement made by the Minister. Another Calling Attention was made on 1<sup>st</sup> 2017 by Shri K.K. Ragesh who called the attention of the Minister of Agriculture and Farmers Welfare to the situation arising out of violation of prescribed conditions of Letter of Permit by foreign trawlers in deep sea fishing in Indian seas and the action taken by the Government in regard thereto. Shri Radha Mohan Singh, Minister of Agriculture and Farmers Welfare made a statement on the matter. Thereafter, some Members sought clarifications on the statement made by the Minister.

During the Session, 285 Starred Questions and 3040 Unstarred Questions were admitted and answered. Out of these, 46 Starred Questions were orally answered and 187 supplementaries were raised. Question Hour could not be taken up on 3 days due to interruptions on some issues.

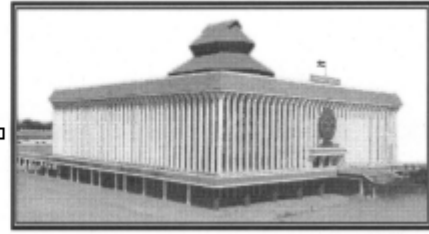
In the sphere of legislative business, 9 Government Bills were passed during the Session. Three Bills, namely the North-Eastern Council (Amendment) Bill, 2013, the Architects (Amendment) Bill, 2010 and the Participation of Workers in Management Bill, 1990, were withdrawn by the Government on 21<sup>st</sup> July, 24<sup>th</sup> July and 1<sup>st</sup> August, 2017 respectively. As mentioned earlier, on 31<sup>st</sup> July 2017, due to amendment in clause 3 of the Constitution (One Hundred and Twenty-third Amendment) Bill, 2017, as passed by the Lok Sabha and as reported by the Select Committee of Rajya Sabha, the adoption of motion for consideration of the National



Commission for Backward Classes (Repeal) Bill, 2017 was not taken up by the House to avoid any consequential legislative void. A Bill, namely the Motor Vehicles (Amendment) Bill, 2017, as passed by the Lok Sabha, was referred to the Select Committee of the Rajya Sabha with instructions to report to the Rajya Sabha by the first day of the next Session without extension of time. Besides, the Financial Resolution and Deposit Insurance Bill, 2017 was referred to the Joint Committee of both the Houses. A brief summary of some of the notable legislations passed during the session is given below:

- (i) The Footwear Design and Development Institute Bill, 2017 proposed to declare the Footwear Design and Development Institute as an institution of national importance with the aim of meeting the national and international standards for the promotion and development of quality and excellence in education, research and training in all disciplines relating to footwear and leather products design and development. It also proposed to establish a Governing Council and other authorities of the Institute and empower the Institute to grant degrees, diplomas, certificates, etc. to the students. The Bill was introduced in the Lok Sabha on 14<sup>th</sup> March 2017 and was passed by that House on 5<sup>th</sup> April 2017. The Bill, as passed by the Lok Sabha, was passed by the Rajya Sabha on 24<sup>th</sup> July 2017. The Bill, as passed by both Houses of Parliament, received the assent of the President on 4<sup>th</sup> August 2017 and became Act No. 20 of 2017.
- (ii) The Admiralty (Jurisdiction and Settlement of Maritime Claims) Bill, 2017 sought to consolidate the British era laws on civil matters of admiralty jurisdiction of courts, admiralty proceedings on maritime claims, arrest of vessels and related issues in line with modern trends in the maritime sector and in uniformity with prevalent international practices. It sought to confer on High Courts of Coastal States admiralty jurisdiction extending to Indian territorial waters. It would empower the Central Government to further extend the jurisdiction by a notification,

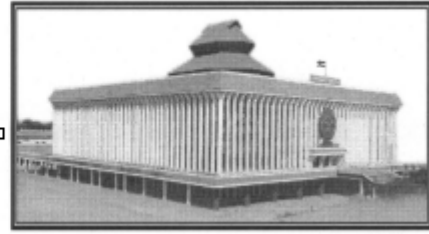




up to the Exclusive Economic Zone (EEZ) or any other maritime zone of India or islands constituting part of Indian territory. The Bill was introduced in the Lok Sabha on 21<sup>st</sup> November 2016 and was passed by that House on 10<sup>th</sup> March 2017. The Bill, as passed by the Lok Sabha, was passed by the Rajya Sabha on 24<sup>th</sup> July 2017. The Bill, as passed by both Houses of Parliament, received the assent of the President on 9<sup>th</sup> August 2017 and became Act No. 22 of 2017.

(iii) *The Collection of Statistics (Amendment) Bill, 2017* was proposed as the Collection of Statistics Act, 2008 and the Jammu and Kashmir Collection of Statistics Act, 2010 do not cover the matters specified in List I (Union List) or List III (Concurrent List) in the Seventh Schedule to the Constitution as applicable to Jammu and Kashmir under the Constitution (Application to Jammu and Kashmir) Order, 1954. Therefore, the Bill sought to extend the Collection of Statistics Act, 2008 to the State of Jammu & Kashmir in so far as it relates to any statistical survey relating to any matter falling under any of the entries specified in List I or List III as applicable to that State. It also empowered the Central and State Governments to designate a nodal officer to coordinate and supervise the statistical activities and to exercise such other powers and perform such other duties as may be made by rules. The Bill was introduced in the Lok Sabha on 17<sup>th</sup> March 2017 and was passed by that House on 11<sup>th</sup> April 2017. The Bill, as passed by the Lok Sabha, was passed by the Rajya Sabha on 26<sup>th</sup> July 2017. The Bill as passed by both Houses of Parliament received the assent of the President on 4<sup>th</sup> August 2017 and became Act No. 21 of 2017.

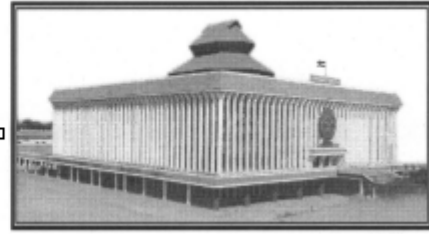
(iv) *The Indian Institutes of Information Technology (Public-Private Partnership) Bill, 2017* sought to declare certain Indian Institutes of Information Technology established under public-private partnership as institutions of national importance, with a view to develop new knowledge in information technology, to provide



manpower of global standards for the information technology industry, and to enable these institutes to grant degrees to the students, among others. The Bill was introduced in the Lok Sabha on 10<sup>th</sup> April 2017 and was passed by that House on 19<sup>th</sup> July 2017. The Bill, as passed by the Lok Sabha, was passed by the Rajya Sabha on 27<sup>th</sup> July 2017. The Bill as passed by both the Houses of Parliament received the assent of the President on 9<sup>th</sup> August 2017 and became Act No. 23 of 2017.

(v) *The Right of Children to Free and Compulsory Education (Amendment) Bill, 2017* sought to amend the Right of Children to Free and Compulsory Education Act, 2009 to enable the State Governments to continue the training process for in-service untrained teachers. It provided that every teacher appointed or in position as on 31<sup>st</sup> March 2015 who did not possess the stipulated minimum qualifications has to acquire such minimum qualifications within a period of four years from the date of commencement of the proposed legislation. The Bill was introduced in the Lok Sabha on 10<sup>th</sup> April 2017 and was passed by that House on 21<sup>st</sup> July 2017. The Bill, as passed by the Lok Sabha, was passed by the Rajya Sabha on 1<sup>st</sup> August 2017. The Bill, as passed by both Houses of Parliament, received the assent of the President on 9<sup>th</sup> August 2017 and became Act No. 24 of 2017.

(vi) *The Banking Regulation (Amendment) Bill, 2017* sought to replace the Banking Regulation (Amendment) Ordinance, 2017. It sought to amend the Banking Regulation Act, 1949 to confer power upon the Central Government for authorising the Reserve Bank of India (RBI) to issue directions to banks for initiating insolvency resolution process in case of a default under the provisions of the Insolvency and Bankruptcy Code, 2016. It would also enable the RBI to issue directions to banks for resolution of stressed or non-performing assets. The Bill was introduced

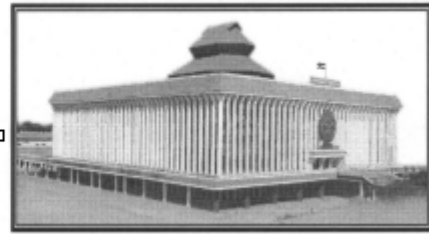


in the Lok Sabha on 24<sup>th</sup> July 2017 and was passed by that House on 3<sup>rd</sup> August 2017. The Bill, as passed by the Lok Sabha, was passed by the Rajya Sabha on 10<sup>th</sup> August 2017. The Bill, as passed by both Houses of Parliament, received the assent of the President on 25<sup>th</sup> August 2017 and became Act No. 30 of 2017.

As regards Private Members' Bills, 13 such Bills were introduced in the House during the Session. Two Bills namely, the Constitution (Amendment) Bill, 2016 (Amendment of the Eighth Schedule) and the Central Himalayan States Development Council Bill, 2016 were discussed at length. The Constitution (Amendment) Bill, 2016 (Amendment of the Eighth Schedule) by Shri B.K. Hariprasad was further discussed on 21<sup>st</sup> July 2017. Shri Kiren Rijiju, Minister of State in the Ministry of Home Affairs also participated in the discussion. The Bill after discussion was withdrawn by leave of the House. The Central Himalayan States Development Council Bill, 2016 by Shri Pradeep Tamta was discussed on 4<sup>th</sup> August 2017. Dr. Harsh Vardhan, Minister of Science and Technology, Minister of Earth Sciences and Minister of Environment, Forest and Climate Change also participated in the discussion. The Bill after discussion was withdrawn by leave of the House. No Private Member's Resolution, however, could be discussed during the Session.

At the initiative of the Department-related Parliamentary Standing Committee on Science and Technology, Environment and Forests, an Exhibition on Science and Technological Innovations by Scientific Ministries and Departments under the purview of the Committee was organised in the Parliament House Annexe from 28<sup>th</sup> July to 11<sup>th</sup> August 2017. The Exhibition was inaugurated by the then Hon'ble Chairman, Rajya Sabha on Friday, the 28<sup>th</sup> July 2017. The Hon'ble Speaker, Lok Sabha was the Guest of Honour on the occasion. Besides, Union Minister of Science and Technology and Earth Sciences, Minister of State in the Ministries of Science and Technology and Earth Sciences and Minister of State in the Departments of Atomic Energy and Space were Special Guests at the inaugural function of the Exhibition.

Hon'ble Chairman while making valedictory remarks on the conclusion of the 243<sup>rd</sup> Session expressed satisfaction over the outcome of the Session and the performance of the



Members. He observed, “Substantial legislative business transacted by the House was indicative of the cooperation extended by all sections of the House and their commitment to fulfill the objectives and purpose of this august House”. He added that “The propensity of Members to utilize instruments of parliamentary procedures with skill and determination is reflected in the three (3) Short Duration Discussions in which 69 Members participated. In addition, two (2) Calling Attentions were also taken up. The eager demand for more such opportunities from Members underlines the need for making more time available for these devices for which a collective effort needs to be made to ensure smooth functioning of the House without disruptions and an inclination to work longer hours whenever required”.

The 243<sup>rd</sup> Session of the Rajya Sabha was adjourned *sine die* on 11<sup>th</sup> August 2017 and was prorogued by the President of India on 12<sup>th</sup> August 2017.

