

RAJYA SABHA

***SUPPLEMENT TO SYNOPSIS OF DEBATE**

(Proceedings other than Questions and Answers)

Monday, March 22, 2021 / Chaitra 01, 1943 (Saka)

GOVERNMENT BILLS

1. The Mines and Minerals (Development and Regulation) Amendment Bill, 2021 - *Contd.*

Motion for Reference of the Bill to the Select Committee - *Contd.*

SHRI RAM VICHAR NETAM: Our Government has initiated several schemes for the poor, to serve 130 crores of people of this country and in the interest of farmers, children, youth and elders. The Mines and Minerals (Development and Regulation) Amendment Bill, 2021 is a very good bill. Consent of all the states has been taken with regard to this bill. After preparing the draft of this bill, views have been taken from all the states, all the committees of various departments, industry associations as well as the general public. Our tribal areas have abundance of all types of mineral resources. These areas could not be developed so many years after the independence.

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

Our Government have brought this Bill to remove the bottlenecks in the mining sector so as to bring transparency, increased production and maintain flow in market so that the prices are not increased. The mining sector provides employment to around one crore of people. Industries are set up, professional opportunities are increased and markets are expanded around the area where mining activities are carried out. We want to open up and expand the mining sector to provided employment to the maximum number of people. The country will make progress as a result of increase in employment opportunities. We import minerals worth around two and half crores of rupees. We are dependent on other countries. Hence, this bill has been brought to enhance the production capacity in the country. This bill will be helpful in enhancing the sale of minerals through captive plants, production and supply of minerals. The cost will decrease as result of increase in production of minerals, there will be stability in the cost of ores in the market and additional revenue will be earned in the states. The auctions in the states will be carried out with the consent of the states. The revenue earned through auction will be spent on development in the state. This bill empowers the Government to issue guidelines with regard to the setting up and utilisation of fund by the District Mineral Foundation. The centre is making a provision in the bill that the MPs of Rajya Sabha and Lok Sabha will also be nominated as the members. It will definitely bring transparency. New guidelines will be formulated to decide what amount is to be spent under various heads. The pending cases, in which mining lease was not given even after a lapse of more than five years, will be closed. After closing of pending cases, the Government will be able to auction large number of mining blocks as a result of which work will be commenced immediately in such blocks and the state Government will earn additional revenue.

SHRI SYED NASIR HUSSAIN: I come from a mining district called Bellary in Karnataka. Karnataka contributes about 1/4th of the country's annual iron production and 60 per cent of that come from Bellary, from the 124 mines which are in the forest area. The House would remember that the Supreme Court had to step in to ban mining on the basis of report by the Central Empowered Committee. It was not the mining mafia and it was not the political class but it was the people of Bellary and the environment which was suffering. The Bill

opens more mining sites to private players including re-allocating current public sector owner sites to private players and is basically trying to benefit the mining barons in this country. Why so many amendments are being brought in this bill? Is the Ministry not competent enough to bring all the amendments together, discuss them and get them passed? I do not understand that why are amendments brought every year. Bills are brought to Parliament well scrutiny. There should be a regulatory authority to bring non-government and private companies on an equal footing. This will bring transparency. We are seeking to strengthen the federal structure. Only some people should not be given the right to sell. States have the right over mines and land, so only they have the right to auction. The center should not interfere.

SHRI ASHOK SIDDHARTH: Development and regulations are the need of the hour, but policy and intent must be clear. India is rich in mineral, but we have been able to explore only few mine fields. The method of mineral exploitation in our country has been unilateral. Even today mining work is going on minimal area only. There has been irregularity and corruption in the mining sector. India is among the top four countries in the world in the field of coal production. Most of this coal is produced by Coal India Limited. Three lakhs of employees are working with the Coal India Limited. It is my apprehension that after the passage of this bill, the biggest loss will be faced by Coal India Limited and it will cause more loss to the largest section of the country including SC / ST. I demand for the leasing process to be simplified and for ensuring environment-friendly and zero-based mining through technology. This bill should be sent to the Select Committee.

DR. SASMIT PATRA: Odisha has taken several reforms measures to bring in transparency mineral sector. It has taken step to develop and operationalize i3MS software platform to digitise the entire gamut of transactions in the mineral sector and to introduce Vehicle Tracking system to track all ore-carrying vehicles. Odisha have successfully conducted auction of mineral blocks and ensured commencement of production. Use of augmented reality technology for sampling grid, safeguarding Government revenues are some of

measures taken by the Odisha Government which must be underlined. The present set of reforms proposed to enable the sector to realise its true potential. The proposal to allow private entities to be engaged in the exploration work is a very welcome step. However, there are two concerns which I would like to share with. On the issue of auction, we have the concerned that provisions related to auction give unbridled powers to the Central Government. It is, therefore, necessary that such powers are exercised judiciously, only in exceptional circumstances and after due consultation with the concerned State Government. I see no reason why a State Government cannot take up a project which is beneficial for the people and is in accordance with the rules framed for DMF. Presently, the MLAs and Lok Sabha MPs of the DMF Districts have a say in planning DMF. It is necessary to have the Rajya Sabha MPs in the nodal districts to be a Member of the DMF District Committee so that convergence of resources and ideas can take place. This provision should also be made in the Bill itself. We support this Amendment Bill.

SHRI SAMIR ORAON: I support this bill. Tribals are residing wherever, there are minerals. After independence, tribal subjects were never bothered. The situation of the tribals remain worse. They were not given the first rights over the resources of the country. People have only spoken about their rights. Today, due to lack of production, imports had to be made and unemployment in the mining fields are increasing. Jharkhand is a mine field but even today, hunger, poverty and unemployment prevails there. Workers are agitating inside Jharkhand. By this Bill, new mines would be explored there, people will get employment and production will increase. The government has brought this Amendment with the objective of improving development of people affected by mining, development of mining related workers and traders and for reforming mining related policies.

SHRI JAIRAM RAMESH: The Bill should go to a select committee. Eleven out of fourteen parties want it to be referred to a select committee and even the party that has supported this Bill has expressed two very serious reservations on this Bill. Nobody denies that Reforms increase employment, protect environment and reduce corruption, but the Bill completely negates the powers, responsibilities

and constitutional obligations of State Governments. It gives the Central Government blanket powers to determine composition and functioning of the District Mineral Foundation. It also provides powers to the Central Government to decide on auction when the State Government is unable to auction. I am not even talking about other issues of privatization, weakening of public sector, etc. They are completely separate issues. But, only on the ground that it violates the rights of States, this Bill must be referred to a Select Committee.

THE MINISTER OF PARLIAMENTARY AFFAIRS; THE MINISTER OF COAL; AND THE MINISTER OF MINES (SHRI PRALHAD JOSHI), replying to the discussion, said:

Mr. Deputy Chairman, Sir, almost eighteen hon. Members have participated in this discussion. I am thankful to all of them. On 4 (a) it was stated that the money collected in NMET by way of exploration is lying idle, as we provide it for exploration only to the Government agencies in a transparent manner after due empanelment. We are giving it to the private people, so that if there is more exploration, there will be more mines available for auction. And, when these mines will be auctioned, the entire revenue will go to the State. We allowed SAIL India to sell to the tune of 75 million tonnes. Now, after meeting their requirements, we are allowing them to sell 50 per cent. That money goes to States and not to Centre. By means of the amendment we are helping the states. States will get the benefit. As per the existing law that manganese ore cannot be sold. Consequently, that remains stocked as it is and is going to be wasted. For this purpose we have written to all the States and provided 15 days therefore. About 13 state governments have given their views on 10A (2) (b). All the state governments including Chattisgarh and Jharkhand have supported us. Regarding DMF we have issued directions in two ways. The ministry has received many complaints. We are giving directions/guidance on priority basis. The rules making authority will be represented by MPs and MLAs. I want to assure you that we are not usurping any power of making rules and those shall remain with you. DMF was constituted with a view to providing employment opportunity to the persons of concerned area. NMET and DMF are two different entities. There is absolutely no compromise while acquiring the land. In 2020, necessary amendments in MMDR Act were made after six years. These amendments came into

effect from 13.02.2012. From 2008 to 2010 after incorporating amendments 89 mines were allowed in a discretionary manner. Which was later cancelled by the Supreme Court. Out of Rs. 2,699 crore that was collected, we were able to spend just Rs. 308 crore. After we came to power 105 mines, other than coal have been auctioned. Money accrued from mining will go to States' royalty, premium, DMF and NMET. The NITI Aayog previously was opposed to it, later on we went and told them what 10A (2)(b) was. We said that we have now carried out auction of only 105 mines and if you give 572 mines without auction, in such a big way, no one would come for an auction. NITI Aayog has clarified its stand after consultation, discussion and everything. 334 merchant mines got cancelled; out of these, 46 mines were working. In spite of our all out efforts only two States Odisha and Karnataka have auctioned them. Odisha have not only auctioned them it has also shared its experience with the Government of India and we have incorporated them. 143 virgin mines have been given to the various State Governments. These mines are with the State Governments. They are neither allotted nor auctioned. We are importing gold in such a big way. I would like to state that allocation route for PSU, it stands good even today. We are not withdrawing that. As and when the request comes, the Government of India is open. We are not closing down any PSUs. So far, we have given 267 mines to PSUs. These mines have been lying closed since 1980 and 1990. We are neither doing politics on it nor withdrawing any power of any state. I want to assure you again that we shall make consultation with the State Governments on auction. It is the duty of State and Centre together to auction it. Whatever we are giving under clause 4(a), that is only for exploration. We are strengthening Coal India Limited. We have invested more than 36,000 crores and target to produce 1 million ton of coal by 2023-24 have been fixed. The Prime Minister has also considered our request of reducing some of the freight. We are bringing in amendments in surface mining. We are providing composite license at G4 level and mining license at G3 levels. In regard to MDF I want to state that a total of Rs. 45,000 crores have been accumulated out of which Rs. 20,000 crores have been spent. It is one of the most progressive Bills. We want to make India better even in the mining sector and through this sector, we want to make good plants and through these plants, we want to generate more employment.

I assure that not even a single iota of power of the States will be snatched. So, kindly support and pass this progressive Bill.

The amendment moved by Shri Digvijaya Singh for reference of the Bill to a Select Committee of the Rajya Sabha was negative.

The motion for consideration of the Bill was adopted.

Clauses etc., were adopted.

The Bill, was passed.

2. The Constitution (Scheduled Castes) Order (Amendment) Bill, 2021

THE MINISTER OF SOCIAL JUSTICE AND EMPOWERMENT (SHRI THAAWAR CHAND GEHLOT), moving the motion for consideration of the Bill, said: This Bill aims at grouping seven castes presently listed as separate entries in the list of Scheduled Castes in the State of Tamil Nadu and name them as Devendrakula Velalar and also separately grouping members of Kadaiyan caste of Tirunelveli, Thoothukudi, Ramanathapuram, Pudukottai, Thanjavur, Thiruvavur and Nagapattinam districts. Neither any caste is being included nor any caste is being excluded from the list through this Bill. The purpose of this amendment is to fulfil the aspirations of these castes and bring more dignity in their lives in the society.

THE LEADER OF THE OPPOSITION (SHRI MALLIKARJUN KHARGE): We welcome the inclusion of seven castes of Tamil Nadu in the same list through this Bill. A delegation of these castes met the Hon'ble Prime Minister of the country in 2015 itself. The Government could do it at that time itself. Also, the Government would have brought a Bill that would benefit lakhs of people. Today, the condition of the people belonging to Scheduled Caste is not good in the country. These people are murdered everywhere. Have you ever cried in this House thinking about them. We all should keep in mind one thing because we always have to give something to the Scheduled Castes or we have to include in the list of Scheduled Castes. We are not doing them any favour. The list of Scheduled Castes was specially made for the untouchables. Dr.

Babasaheb Ambedkar fought for this cause. He raised his voice for the rights of untouchables before the Southborough Committee in 1919. He had also raised the issue of political, educational and employment reservation of untouchables at round table conferences. Mahatma Gandhiji did not want the Scheduled Castes to take separate reservations because they were considered part and parcel of Hindus by him. On the basis of the Puna Pact a provision to this effect was made in the Constitution. Now railways, air lines etc. are being privatized which will reduce the reservation gradually. Today there are vacancies but you do not want to recruit. There is a conspiracy to eliminate the assured jobs of scheduled castes. We also went to jail to install here a statue of Baba Saheb. Babasaheb Ambedkar was the chairman of the drafting committee of the Constituent Assembly. He drafted this constitution. You are destroying the constitution. You are the one who ruins the democracy. That is why I want that all the States should be instructed to fill all the reserved vacancies and all the vacancies should be filled immediately.

SHRI BHUPENDER YADAV: Our Constitution makers had made a complete system of Articles 340, 341 and 342 for backward, dalit and tribal sections of the society. The power of constitutional order under Article 341 was given to the Parliament so that it is used very thoughtfully. A society in Tamil Nadu was deprived of taking advantage of this system for so long, I want to congratulate the government for this work to include that society. Today this government has done the job of promoting those sections of society that have been kept deprived. The Preamble to the Constitution envisages three justice - Social Justice, Economic Justice and Political Justice. It is from the point of view of fulfilling these concepts that this new constitutional order is being brought to include some of the deprived castes of Tamil Nadu, it should be welcomed. It is an order by which the society remaining deprived for centuries can get its rights, so it should be passed unanimously.

SHRI A. NAVANEETHAKRISHNAN: I thank hon. Prime Minister for bringing this Constitution Amendment Bill in relation to Devendrakula Velalar. It is an appropriate, timely action and a timely intervention. This is the right Bill, the right step in the right direction towards achieving and further the cause of social justice.

DR. BANDA PRAKASH: This Bill proposes to replace the entry for the Devendra Kulathan community with Devendrakula Velalar which includes communities that are currently listed separately within this Act. They are coming into one name, one nomenclature. For the last four years, there is a Bill pending from Telangana for including some communities in ST category. I request that, for social justice sake, such Bills for Telangana and other States may also be considered. SC, ST and OBC posts are vacant. Vacancies are not filled. The Standing Committees should be given instructions to review all institutions once in three months. I request that Parliament, at least, once in a year, should hold discussion on the reservation issue.

SHRI SUBHASH CHANDRA BOSE PILLI: I support the Constitution (Scheduled Castes) Order (Amendment) Bill, 2021, which seeks to amend the Constitution (Scheduled Castes) Order of 1950. Reservations under Article 15(4) and Article 16(4) of the Constitution have come to a great respite to undo injustices of history. In the light of this, I must also take this opportunity to highlight schemes and measures being implemented by the Government of Andhra Pradesh, like YSR Pension Kanuka, YSR Aasara, Amma Vodi and Jagananna Vidya Deevana among various others and it has ensured continued support for the people belonging to the Scheduled Castes.

PROF. MANOJ KUMAR JHA: This rarely happens when I rise in favor of a Bill brought by the government. The few institutions which have reached the pinnacle of glory in our country and which used to be our last hope, are now turning into lost hope. Because if you have to see the level of representation, then it can be seen from the House and the Ministries to the various institutions. If Dr. Baba Saheb had been here, he would not like to see his idol or a building made in his name, but would like to see participation and representation. Now the time has come to revisit the Poona Pact of 1932.

SHRI SANJAY SINGH: This government did away with reservation by abolishing jobs in Railway, SAIL, universities and other places. Dalits have no respect in the states ruled by this party. This party, in its ideology, is anti-Dalit at its core. Therefore, today the system of reservation is being abolished by selling government institutions all over the country and handing them over to the capitalists. This government has become a 'pro-capitalist government'.

DR. FAUZIA KHAN: I welcome the Bill that has been introduced to provide reservation to the underprivileged society in Tamil Nadu. But in Maharashtra too, Maratha society has been waiting for reservation and recruitment for a long time. I want to request that for the Maratha reservation, a decision should be taken by Parliament and reservation should be given to this deprived section of society of Maharashtra. Whosoever the deprived society is, be it Maratha society, Muslim society or others, there should be initiative in our Parliament for their reservation too.

THE MINISTER OF STATE IN THE MINISTRY OF SOCIAL JUSTICE AND EMPOWERMENT (SHRI RAMDAS ATHAWALE): Narendra Modi ji is never for breaking the society, instead, he has a habit of connecting the society. Modi ji does not have a habit of doing politics for Dalits, he is rather disposed towards building an egalitarian society. Narendra Modi ji wants to take along all classes. We do not have to work to create a friction in society, but have to work to connect the society. The policy of privatization came up during congress regime itself. There should be reservation in the private sector, this is our demand, which the government needs to consider. Our government is committed to provide justice to Dalits. I support this Bill on behalf of my party.

SHRI SATISH CHANDRA MISRA: Everyone knows that the Supreme Court did not comment on any government in its judgement that Shri Bhupender Yadav ji is referring to. Whenever an all-party meeting has taken place, I myself raised the matter as to why this bill is not being brought? Bring it too and get it passed by debating it, so that the injustice done to the Dalit people of the whole country can be completely put to an end. That bill has not been brought till date. Everyone has discussed in relation to this Bill. Yadav ji is a very good friend of ours. But he had made some such comments, due to which I was forced to say my point.

Hon'ble Minister, replying to the discussion, said: Presently seven castes of Tamil Nadu are mentioned in different order. The purpose of this Bill is to give one name 'Devendrakula Velalar' by including these seven castes. There is a set procedure to be followed for this. After approval by the Cabinet, the Bill is presented in the Parliament. It has nothing to do with politics or elections going to be

held in Tamil Nadu. The following entry will be made in entry (a) 17. 'Devendrakula Velalar', (except the coastal areas of Devendrakulathan, Kadadyan, Tirunelveli, Thoothukudi, Ramanathapuram, Pudukottai, Thanjavur, Thiruvarur and Nagapattinam districts) will continue to be applicable in these districts, but except coastal areas of these districts, Kalladi, Kudumban, Pallan, Pannadi, Vatiraiyan castes will be included in the entry 17. The second is (b) part of it. The following entry will be substituted for entry 26, namely - Kadadyan (in the districts of Tirunelveli, Thoothukudi, Ramanathapuram, Pudukottai, Thanjavur, Thiruvarur and Nagapattinam), as the Kadadyan caste group said that we should be called Kadadyan in these districts. The Kadadyan caste in these districts will be identified by the name of Kadadyan only. Even after integrating these castes into one caste, the deletion was not made. They have been recorded in the Entry 17, so that those who have got certificates, their certificates will remain useful in future also land even after mentioning this name, they will get the certificate of the name of 'Devendrakula Velalar' caste, Which will fall under the category of Scheduled Castes. Entries 28, 35, 49, 54, and 72 will be omitted due to this provision. The government is in favour of reservation, was in favour of reservation and will be in favour of it even further. Ten hon'able members have expressed their views on this Bill. Everyone has supported this Bill. The percentage of SC employees in Group 'A' service is 13.66, which is 1.34 per cent less than the prescribed 15 per cent. Similarly, there are 17.16 percent SCs in Group 'B' service, 16.98 percent in Group 'C' service and sanitary staff in Group 'C' is 39.64 percent. The proposal of the Uttar Pradesh government to include Namoshudra, Pondara, Pon which are Bengali refugees, in the list of Scheduled Castes was received in 2015 and 2016. The RGI and then the National Commission for Scheduled castes have agreed on this and it is under consideration in the department. In the year 2018, the Odisha government sent a proposal regarding the Managli caste of Odisha. This proposal is under consideration with the National Commission for Scheduled castes. The Government of Karnataka has sent a proposal to include Kotegar as a synonym for Metri, Kotekshtriya, Kotegara, Kotegwa, Ramakshtriya, Serugara, Senvegna. It is under consideration with RGI. The proposal related to Scheduled Castes of Jharkhand is also under consideration with RGI. A proposal has been received from Madhya Pradesh to include 'Od

Beldar' as a synonym of 'Beldar' in the list of Scheduled Castes. It is also under consideration for RGI's comment. The government has taken many historical decisions for the upliftment, social equality and harmony of the Scheduled Castes in these 6-7 years. We have declared five major places related to Ambedkar as Panchtirtha. He was born in Mhow near Indore. Our government has done the work of constructing a grand memorial at that place of birth. The second place is related to his education. The place where he used to study in London for higher education, the Shiv Sena-BJP government of Maharashtra bought that place and declared it a national monument. The third place is related to his Deeksha Bhoomi, Nagpur, where he took Deeksha, there is a grand memorial. We have done the work of expanding and modernizing it by sanctioning 9.5 crore rupees. When Ambedkar lived in Delhi, he lived in a rented house. The government has done the work of constructing a grand memorial there by giving the status of Ambedkar memorial to 26, Alipur Road . Ambedkar's last rites were performed on Chaitya Bhoomi. The government acquired the land of Indu Mill which was closed, near the grand monument and the work of constructing a grand memorial is going on there at a cost of about Rs 275 crore. We celebrated the 125th anniversary of Ambedkar ji with fanfare across the country. In the end, I want to make a request to the honourable members to pass this Bill.

The motion for consideration of the Bill was adopted.

Clauses etc., were adopted.

The Bill, was passed.

Desh Deepak Verma,
Secretary-General.

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**ERRATA TO THE SUPPLEMENT TO SYNOPSIS OF DEBATE
DATED 19^h MARCH, 2021**

AND

SYNOPSIS OF DEBATE DATED 22nd MARCH, 2021

Page No.	Line No.	Correction
456	14	Remove 'ready to change that' before 'the number'.
464	15	Read 'Rayarangpur' for 'Rayangpur'.