

Bill, 1995

आड़े आ रही है या नहीं, इस पर मैं बहुत ज्यादा बहस नहीं करना चाहता। अब उन पर हम छोड़ दें कि वह आबादी बढ़ाने में ही लगे हैं तो लगे रहे? हम लोग मैम्बर आफ पार्लियामेंट जहाँ निवास करते हैं, मेरा रोज का अनुभव है। कपड़े धोने वाले एक सज्जन हैं, नाम बताने की कोई जरूरत नहीं है। बच्चे हैं, एक के बाद एक, सड़कों पर घूमते हैं, एक एक साल या एक साल से भी कम का अंतर है उस सब के बीच। रोज एक-प्राय बच्चा दुर्वटनाग्रस्त हो जाता है। आठ बच्चे हैं और नवा होने वाला है। यह हमारी हालत है आज। वह आशंकित होने के कारण कर रहे हैं लेकिन अगर मान जाएं, समझ जाएं तो ज्यादा अच्छा होगा। वही जनसंख्या ज्यादा बढ़ती है, जहाँ गरीबी ज्यादा है। इसलिए समृद्ध होने के लिए जरूरी है कि जनसंख्या की जो वृद्धि है, उसको रोका जाए। इसलिए सब से पहले तो स्वच्छता से, प्रचार-प्रसार से सारा देश अपने हित को ध्यान में रखते हुए इसका लागू करे, यह देश की सब से बड़ी सेवा होगी। लेकिन जो लोग नहीं लागू करना चाहते हैं शिक्षा के कारण या धार्मिक मान्यताओं के कारण उनको मैं जरूर कहना चाहता हूँ कि सरकार को उनको अनुशासन में लाने के लिए कोई कायदे कानून की शुरुआत करनी चाहिए। अभी तक कोई कायदे-कानून नहीं है। अब राजस्थान सरकार ने कुछ कदम उठाए हैं। उन्होंने कहा है कि जिस परिवार में दो बच्चे से ज्यादा होंगे वह पंचायत का चुनाव नहीं लड़ सकता। यह भी कर सकते हैं कि अगर बच्चे बढ़ाते जायें तो आपको प्रोमोशन नहीं है। बच्चे बढ़ाने जाइये आपके परिवार में से एक बच्चे को नौकरी मिलेगी। यदि आठ बच्चे होंगे तो नौकरी नहीं मिलेगी। कुछ समझ आ रहा है कि उसके क्या परिणाम होंगे। लोग शिक्षित भी हो रहे हैं, इस बात को गहूस कर रहे हैं कि आबादी बढ़ाने के क्या खतरे हैं। देश का जो अनुशासन है, सब को उसका पालन करना चाहिये। इन खतरों को धीरे-धीरे महसूस कर रहे हैं। लेकिन इसके लिए कोई सख्त कायदे कानून बना सकते हैं कि अगर आप देश का अनुशासन नहीं मानेंगे तो आपको नौकरियां नहीं मिलेगी मतदान का अधिकार भी उसमें से एक है। सरकार यह कह सकती है कि आप चुनाव नहीं लड़ सकते हैं। अन्न का वितरण होता है। परमिट बनेगा, इतने लोग आपके

घर में होंगे तो परमिट बनेगा आपके घर में 11-15 लोग हैं तो परमिट नहीं बन सकता है। अब कोई तरह के बंधन हैं जो कानूनी हो सकते हैं। इसका भी थोड़ा सा लाभ जरूर होगा और सरकार को अपनी इच्छा प्रकट करनी चाहिये इस दिशा में कि यह आबादी को नियंत्रित करने के लिए कोई कड़े कदम उठाने जा रहे हैं ताकि देश में वातावरण बने अन्यथा किसी भी प्रकार की योजनाएं आप बनाइये हर बार सारा देश रोटी कपड़ा और मकान में ग्रस्त रहने वाला है क्योंकि देश की बढ़ती आबादी का बहुत भयावह विप्लव है। इसको रोकने के लिए यह बिल देर से ही क्यों न चर्चा के लिए आया हो लेकिन मैं समझता हूँ कि सरकार क्या उत्तर देगी मुझे मालूम नहीं है लेकिन सरकार को बहुत अच्छे प्रावधान करने चाहिये, कानूनी प्रावधान करने चाहिये। यह केन्द्र और प्रदेश दोनों का विषय हो सकता है। लोगों पर कुछ बंधन डाले जाएं तब तो आबादी का नियंत्रण होगा और सारे देश को इसका लाभ जरूर होगा। मैं समझता हूँ कि सरकार को सद्बुद्धि आएगी और कुछ कड़े कदम उठाए जाएंगे जिसमें कानूनी प्रावधान भी होंगे। इन शब्दों के साथ मैं अपनी बात समाप्त करता हूँ। धन्यवाद।

THE VICE-CHAIRMAN (SHRIMATI KAMLA SINHA): In the morning we had a discussion on the Patents Bill.

मंत्री महोदया मौजूद हैं और नामों की घोषणा करना चाहती हैं। क्या इस पर सदन की अनुमति है।

THE PATENTS (AMENDMENT) BILL, 1995—CONT'DO.

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY (DEPARTMENT OF INDUSTRIAL DEVELOPMENT) AND MINISTER OF STATE IN THE MINISTRY OF INDUSTRY (DEPARTMENT OF HEAVY INDUSTRY) (SHRIMATI KRISHNA SAHI): Madam, I beg to move:

"That the Bill further to amend the Patents Act, 1970, as passed by

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the Lok Sabha, be referred to a Select Committee of the Rajya Sabha consisting of 21 members, namely:—

1. Dr. Murli Manohar Joshi
2. Shri K. R. Malkani
3. Prof. M. G. K. Menon
4. Shri Pasumpon Tha. Kirutinan
5. Shri Ashok Mitra
6. Shri Chaturanan Mishra
7. Shrimati Renuka Chowdhury
8. Shri Janeshwar Misra
9. Shri Digvijay Singh
10. Shri G. Swaminathan
11. Shri Ashoke Kumar Sen
12. Shri V. Kishore Chandra S. Deo
13. Shri V. Narayanasamy
14. Shri Surinder Kumar Singla
15. Dr. Shrikant Ramachandra Jichkar
16. Shri Suresh Pachouri
17. Shri Rameshwar Thakur
18. Shri Venod Sharma
19. Shri Bhubaneswar Kalita
20. Shri M. Rajasekara Murthy
21. Shri John F. Fernandes

with instructions to report by the first day of the next Session.”

The question was put and the motion was adopted.

THE VICE-CHAIRMAN (SHRI MATI KAMLA SINHA): Dr. M. Aram, please.

DR. M. ARAM (Nominated): Madam, Vice-Chairperson, ... (*Interruptions*)

DR. BIPLAB DASGUPTA (West Bengal): Madam, have the names of the committee been announced?

THE VICE-CHAIRMAN (SHRI MATI KAMLA SINHA): Yes.

DR. BIPLAB DASGUPTA: How can this be done, Madam? There has been a lot of discussion on this earlier and we proposed ... (*Interruptions*) What is the relevance? None of the leaders who suggested the amendments are here today. I am here. I have just heard. I have come. Can we have the names so that we can have our views on this? (*Interruptions*) I had just gone but for two minutes. Suddenly, it cannot be steam rolled like this. We must have the names and have a discussion on that... (*Interruptions*)..

SHRI K. RAHMAN KHAN (Karnataka): The motion has been adopted.

DR. BIPLAB DASGUPTA: Which are the names which have been adopted? ... You suddenly raised it in the middle of the discussion on the Private Member's Bill. When the discussion on the Private Member's Bill is going on, how can it come like this?

THE VICE-CHAIRMAN (SHRI MATI KAMLA SINHA): I took the sense of the House. The House accepted it. It was done with the permission of the House.

DR. BIPLAB DASGUPTA: Madam, we just pulled out for two minutes. How can it be done like this?

THE VICE-CHAIRMAN (SHRI MATI KAMLA SINHA): Shall I give you the names?

DR. BIPLAB DASGUPTA: Please, Madam.

THE VICE-CHAIRMAN (SHRI MATI KAMLA SINHA): The names are:

1. Dr. Murli Manohar Joshi
2. Shri K. R. Malkani
3. Prof. M. G. K. Menon

4. Shri Pasumpon Tha. Kiruttinan
5. Shri Ashok Mitra
6. Shri Chaçuranan Mishra
7. Shrimati Reņuka Chowdhury
8. Shri Janeshwar Misra
9. Shri Digvijay Singh
10. Shri G. Swaminathan
11. Shri A. K. Sen
12. Shri V. Kishore Chandra S. Deo
13. Shri V. Narayanasamy
14. Shri Surinder Kumar Singla
15. Dr. Shrikant Ramachandra Jichkar
16. Shri Suresh Pachouri
17. Shri Rameshwar Thakur
18. Shri Venod Sharma
19. Shri Bhubaneswar Kalita
20. Shri M. Rajasekara Murthy
21. Shri John. F. Fernandes

DR. BIPLAB DASGUPTA: Madam, if it is the composition of the Select Committee, then we will boycott this Committee. It will not function. The point which is discussed and which is also known to the Industry Minister is this: This Committee should reflect the composition of the House and we had a proposal of 16. ... (Interruptions) ... Just a minute. If you want the Committee to function, please listen. The composition should reflect the composition of this House. There was a discussion. ... (Interruptions) ...

THE VICE-CHAIRMAN (SHRI-MATI KAMLA SINHA): Dr. Biplab Dasgupta, you can raise this issue after the discussion on the Private

Member's Bill is over. Don't take the Private Members' time.

DR. BIPLAB DASGUPTA: Madam, why should this be raised in such a manner?

THE VICE-CHAIRMAN (SHRI-MATI KAMLA SINHA): I had taken the sense of the House. Why was it raised in the middle of the discussion on the Private Member's Bill?

MINISTER OF AGRICULTURE (SHRI BALRAM JAKHAR): Now, there is no question of discussion. ... (Interruptions) ...

DR. BIPLAB DASGUPTA: Madam, this cannot be done like this. We had a discussion in the morning in the House. We raised two objections to the proposal made by the Government. One is this: Within the House the Congress Party represents only 40 per cent of the Members, but it suggested a Committee with 50 per cent Members — more than 50 per cent. We said, "We don't accept it." Then, there was a lot of discussion in the presence of the Deputy Chairman, Mrs. Sahi and others. We suggested a list of 16, out of which some have been taken. That is true, but there are many other additions which have been made to the list without any consultation with us. The point I am making is this: You can impose a committee like this without any notice, but this Committee will not function. We will boycott this Committee. It will not function. We had just gone out for two minutes, and suddenly somebody came and announced this in the middle of the discussion on the Private Member's Bill. This cannot be done. We cannot permit this to happen. I suggest that this issue should be opened again after the discussion on the Private Member's Bill is over. Before we take up the issue of reservation for the SC/STs,

[Dr. Biplab Dasgupta—Cont.]

let this issue be opened again and let a decision be taken on this. It cannot be done surreptitiously. If you do this, then you are destroying whatever trust we still have in this Government and this Committee will not function. We will boycott this Committee. The entire Opposition will boycott this Committee. *..(Interruptions)*... If you want the Opposition to boycott the Select Committee, then go ahead. When the Patents Bill will come up eventually before the House we will reject it. That is what we want. We will muster the majority and reject the Patents Bill. If you want to bring the Patents Bill without consultation, then it is a different thing. This Committee will not be accepted. None of the Parliamentary Affairs Ministers is present here. How can it be discussed here? We discussed something there over a cup of tea. We came to certain conclusions, certain promises were made, but you came here with something else. What kind of trust can we have in this Government? This cannot be done. It is not possible. I think whatever decision has been taken wrongly, stealthily and surreptitiously by taking advantage of the absence of the Opposition leaders here. That should not be permitted. It should be reopened just after the discussion on the Private Member's Bill is over. Madam, this issue should be taken up and discussed again. This is my proposal before you.

THE VICE-CHAIRMAN (SHRI-MATI KAMLA SINHA): Mr. Aram.

DR. M. ARAM: Madam, Vice-Chairman, I am grateful to you for this opportunity to speak.....

श्री दिग्विजय सिंह (बिहार) : मैडम, मैं एक इतना कहना चाहता हूँ कि पहले यह संवैधानिक से तय हुआ था, फिर मुझे मालूम नहीं कि कैसे सारा बात बदल गयी। पार्लियामेन्टरी अफयर्स मिनिस्टर के साथ जो मीटिंग हुई थी, उसमें यह तय हुआ था कि जो इस तरह का प्रपोजीशन है, उसे.....

श्रीमती कृष्णा साहू : उसे ठीक कर दिया है।

श्री दिग्विजय सिंह : मैं वहीं कह रहा हूँ और मंत्री जी ने यहाँ तक कहा कि अगर कनवेंशन ऐसा होगा तो हम मान लेंगे। सन् 77 से लेकर 90 तक का ऐसा कनवेंशन भी निकाला गया और सारा बात तय हो गयी थी। फिर यह कैसे हुआ, यह बात मेरा समझ में नहीं आयी कि ग्राम न इय तरह से नामों को कैसे रख दिया ?

श्रीमती कृष्णा साहू : उसी तय मुताबिक तो किया गया।

श्री दिग्विजय सिंह : तय ऐसा नहीं हुआ। तय हुआ था कि जिनका जो रिप्रजेंटेशन है, उसी तरह से दिया जाएगा।

श्रीमती कृष्णा साहू : क्लस रेगुलेशंस सब देखकर हुआ है।

AN HON. MEMBER: Madam, it is Private Members' time... *(Interruptions)*... It is mockery of Parliament.

DR. BIPLAB DASGUPTA: Madam, I will ask the Industry Minister if she wants it not to be a mockery...

THE VICE-CHAIRMAN (SHRI-MATI KAMLA SINHA): Dr. Dasgupta, if you want to raise this issue, you raise it after five o'clock. It is Private Members' time now.

SHRI DIGVIJAY SINGH: We want the same thing. We can postpone it now. We can discuss it after the Private Members' Business.

DR. BIPLAB DASGUPTA: Madam, it has been decided...

THE VICE-CHAIRMAN (SHRI-MATI KAMELA SINHA): If you want to raise it, you raise it after 5 o'clock. Don't waste the Private Members' time. Kindly take your seat.

THE SMALL FAMILY (INCENTIVES AND MOTIVATIONS) BILL, 1991—Contd.

DR. M. ARAM (Nominated): Madam, I am very grateful to you for this opportunity to speak on a Bill of supreme importance. The subject of the Bill, the small family, will be the single most important factor in shaping the destiny of the Indian nation. I commend the initiative of the hon. Member, Shri Suresh Pachouri in highlighting our number one problem, the population problem. The Statement of Objects and Reasons says, "This is the root cause of almost every problem which the nation is facing today."

Madam, may I take a minute to delineate the historical perspective and the global scenario. In the year 1650, about 350 years ago, the entire world had a population of only 50 crores. The annual growth rate at that time was only 0.3 per cent.

It took 250 years for this population to double i.e. to become 1000 millions, around the beginning of this century, i.e., 1900. Since then the world population has been galloping and indeed exploding. It has already crossed five billion. By 2000 it will cross six billion. Experts who have calculate the carrying capacity of the earth say that the carrying capacity of the earth is about eight billion. But, the population of world may cross eight billion and it may reach even up to 10 billion. It is a population bomb which is more insidious, more dangerous than even the nuclear bomb.

Madam, the population of India at

the beginning of this century, i.e. 1901, was 240 million. In 1947, when our country became free, we had a population of 340 million. In 1981, the population had doubled. It was 680 million at that time. According to the 1991 census, the population was 850 million. It has already crossed 900 million and according to the 8th Five Year Plan document, by 2001, we would have a population of about 1000 million. To be exact, according to the 8th Plan projections, it will be 1006 million. Even after 2001, the population of India will go on increasing, i.e., if the present trend continues, by 2011, the population would be 1164 millions. The population will not stop at that level. It will go on increasing. When it will stabilize is not clear. Some say it will stabilize by 2030, some say it will even take longer. But much will depend upon what we do now and in the next few years. But one thing has been projected by many, that in the next century i.e. 21st Century, India will become the most populous nation in the world. India will beat China in the population race, if not in the sports race, and we will take the first place in the world as the most populous nation, indeed a dubious distinction. Madam, the Bill moved by our hon. friend, Shri Suresh Pachouri, defines the small family as a family of four: two parents and two living children. This Bill indicates steps to promote the small family norm amongst the general public, by payment of monetary and other incentives, preferences in recruitment and promotion in public services, advance of easy loans for housing, allotment of house sites and education facilities in Kendriya and Navodaya Vidyalayas. The Bill also proposes disincentives for Government employees such as denying increments and promotions to those employees who have more children. Further, the Bill provides that the incentives and disincentives,