

**Status of implementation of recommendations contained in the Fifth Report
of the Department-related Parliamentary Standing Committee on
Information Technology**

संचार और सूचना प्रौद्योगिकी मंत्रालय में राज्य मंत्री (श्री सचिन पायलट): उपसभापति महोदय, मैं डाक विभाग, संचार और सूचना प्रौद्योगिकी मंत्रालय की अनुदान मांगों (2010-11) के संबंध में विभाग संबंधित सूचना प्रौद्योगिकी संबंधी संसदीय स्थायी समिति के पांचवें प्रतिवेदन में अंतर्विष्ट सिफारिशों के कार्यान्वयन की स्थिति के संबंध में एक वक्तव्य सभा पटल पर रखता हूँ।

**CALLING ATTENTION TO MATTER OF URGENT
PUBLIC IMPORTANCE**

**Discrimination being faced by disabled citizens and need for
administrative and legal framework to address their requirements**

SHRIMATI BRINDA KARAT (West Bengal): Sir, I call the attention of the Minister of Social Justice and Empowerment to the discrimination being faced by disabled citizens and the urgent need to put in place an appropriate administrative and legal framework to address their requirements.

THE MINISTER OF SOCIAL JUSTICE AND EMPOWERMENT (SHRI MUKUL WASNIK): Mr. Deputy Chairman, Sir, as per the Census, 2001, there are 2.19 crore persons with disabilities in the country which include visual, hearing, speech, locomotor and mental disabilities and they constitute 2.13 per cent of the total population.

The Subject, "Relief of the disabled and unemployable" figures at Serial No. 9 in the 'List II' (State List) in the Seventh Schedule of the Constitution. However, to give effect to international agreements and with a view to provide a comprehensive legal framework to address various aspects pertaining to the requirements of persons with disabilities, the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995, was enacted. On 3rd May, 2008, the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD) came into force and India was among the first to sign and ratify the Convention.

In order to harmonise the provisions of the law with the spirit and general principles of the UNCRPD, as well as other legislations on the subject, it is proposed to bring in a new holistic and forward-looking legislation for persons with disabilities. A Committee has been set up on 30.04.2010, consisting of experts and representatives from various stakeholders to draft a new legislation.

The Rehabilitation Council of India was set up under the Rehabilitation Council of India Act, 1992, which provides a framework for regulating and monitoring the training of rehabilitation professionals and personnel. The National Trust was set up under the National Trust for the Welfare of Persons with Autism, Cerebral Palsy, Mental Retardation and Multiple Disabilities Act, 1999, which aims at enabling and empowering persons with autism, cerebral palsy, mental

retardation and multiple disabilities to live independently as fully as possible in their community. The Mental Health Act, 1987, addresses the specific needs of persons with mental illness.

The Chief Commissioner for Persons with Disabilities in the Centre and the State Commissioners in the States are appointed to take steps to safeguard the rights and facilities to the persons with disabilities.

Seven National Institutes under the aegis of the Ministry work for different types of disabilities and are engaged in the human resource development, research and development, service delivery, etc., in the field of rehabilitation. Besides this, six Composite Rehabilitation Centres (CRC) and 199 District Disability Rehabilitation Centres (DDRC) have also been sanctioned to address preventive and promotional aspects of rehabilitation. It is proposed to set up two new CRCs and to sanction 50 new DDRCs in the current year followed by 50 DDRCs in 2011-12. It is also proposed to set up an Indian Sign Language Research and Training Centre in the current year.

For empowerment of the persons with disabilities, the Government is working in partnership with non-governmental organisations for providing assistive devices, special education, vocational training, pre-school programme and programmes on early intervention and rehabilitation. Grant-in-aid is also released to the State Governments/Union Territories, Universities, etc., for various activities, especially for the creation of barrier free environment. With a view to accelerate the efforts of the Government for the empowerment of persons with disabilities and to enhance the reach of various schemes and programmes of the Ministry, the budget outlay for the disability sector has been enhanced to Rs.450 crores in 2010-11 as against Rs.260 crores in 2009-2010, which constitutes an increase of more than 73 per cent.

The Persons with Disabilities Act provides for reservation of, at least, three per cent of vacancies for persons with disabilities in Government establishments. A special recruitment drive has been launched to fill up the backlog. Twenty Vocational Rehabilitation Centres, Special Employment Exchanges and Special Cells have also been set up for facilitating their employment. A scheme of incentives to employers in the private sector for providing employment to persons with disabilities has been launched with effect from 1.4.2008. The National Handicapped Finance and Development Corporation has also been set up to promote economic development activities and self-employment ventures for the benefit of persons with disability.

The Sarva Shiksha Abhiyan ensured that children with disabilities are provided education in an appropriate environment and envisages adoption of zero rejection policy. A new scheme called Inclusive Education for Disabled at Secondary Stage (IEDSS) has been introduced to cover disabled children in Class IX to XII with the aim to enable all students with disabilities to pursue secondary schooling in an inclusive environment.

The State Governments which are also the appropriate Governments under the Persons with Disabilities Act are taking various steps for the empowerment and rehabilitation of persons with disabilities. The Government shall continue its efforts to create an environment that would ensure non-discrimination and empowerment of persons with disabilities.

MR. DEPUTY CHAIRMAN: Hon. Members, including the names of the two Members who had given the notice, we have received eight names before the start of the Calling Attention. As per the rules, no fresh names will be entertained. Now, Shrimati Brinda Karat.

SHRIMATI BRINDA KARAT (West Bengal): Mr. Deputy Chairman, Sir, I thank you and also the Business Advisory Committee for accepting this Calling Attention Motion. I also thank the hon. Minister for his statement. I have had the occasion of meeting the hon. Minister with many delegations of people suffering from various disabilities, and, I have found him to be very sensitive and open to our suggestions. So, what I say today, Sir, is not a reflection on the Minister because I know he himself is committed to the rights of the disabled but the fact of the matter is that today in spite of our good intentions, in spite of our legal rights, and, in spite of the various declarations in support of the disabled, the disabled in India suffer from multiple areas of discrimination. I am not going into all those areas but what I want to raise before the House are the anomalies and flaws in both our approach and in the administrative and legal frameworks which we have, at present, to address this issue of blatant discrimination.

Sir, the first discrimination starts from the numbers. If we look at the numbers of those who are accepted as disabled, it is a gross under-estimation. This is because over the last so many years, in our Census calculation and statistical calculation, we have not had a proper sensitive approach to recognize disability, and, because we are not recognizing disability, we do not have the mechanism to count disability. I believe, today, because of the efforts of various organizations of the disabled and ongoing movements; even I myself had met the Registrar General and Census Commissioner, he has assured that there will be a separate column, and, therefore, I hope the counting of the disabled will be in a more comprehensive and something closer to the truth.

The Minister, in his statement, says that according to the Census, there are 2.9 crore persons with disabilities. Sir, according to all estimates, it is not below 70 million people. There is a minimum of, at least, seven to eight crore people today in India who suffer from some form of disability, and, therefore, right numbers have to be ascertained so that we can look at other aspects. If the counting is wrong, then, definitely, Sir, the amount of allocation that we require, the policies that we require will also be in error.

Secondly, let us look at our Constitution, and, in fact, I have moved a Constitutional (Amendment) Bill, wherein I proposed that in articles 15(1) and 16(2) of the Constitution of India, where we talk about discrimination against any citizen on the grounds of religion, race, caste, sex, or, place of birth, the word 'disability' should also be added.

The State cannot discriminate against any citizen on grounds of religion or sex or caste. This is not a semantic issue, Sir. If we do not include discrimination on the basis of disability in our Constitution, then, the legal aspect of accountability of those who discriminate against the disabled will be missing. I start with the Governments; I start with the public institutions and the ingrained attitude, we look at the disabled as objects of charity or welfare. We talk about modern India. But, unfortunately, in modern India, the civic and citizens' rights of the disabled as equal citizens are not as rights but as charity or welfare. We are not looking at that. We have so many laws which the Minister has mentioned in his statement.

But under a single law, is anybody held accountable for discrimination against the disabled? I know so many cases personally, Sir, where the disabled have gone to a public place and they have been discriminated against because of architectural barriers. They cannot enter shops; they cannot even enter hospitals in some cases because the hospitals are not disabled-friendly. Who is going to be held responsible for this, Sir? Therefore, within the Constitution, accept disability as an aspect of discrimination, ensure Constitutional guarantee against discrimination against disability and make the laws accountable when there is discrimination against disability.

The third point I want to make, Sir, is that we have signed a United Nations Code which looks at disability as an issue of discrimination against the rights of citizens. But all the laws in our country still look at disability as a medical problem. It is not a medical problem, Sir. It is a problem of definition of disability. The definition of disability in our laws is far behind those because you have to look at how the functions of this or that person are impaired. Don't look at the disabled as a homogenous group. There are different types of disabilities and within the framework of universal rights of all disabled citizens, we have to look at specific needs of specific aspects of disability related to the functioning of that individual. Within that framework, I want the Minister to come out with a categorical assurance. I am glad that they have accepted the demand of the disabled citizens for a separate law instead of going in for hundred amendments to the present law. Have a separate law, but all the other laws also must be in tune with the approach of rights of disabled citizens.

Another important point, Sir, is the multiplicity of authorities which are there today to deal with the disabled. I just want to raise just one example of it, that is, the right to education. When you look at the right to education, and we have included it in the Right to Education Bill because, I believe, the Minister has accepted the demand of the disabled citizens, that is, the Education Minister has accepted the demand of the disabled citizens that the grave omission in the Right to Education Act which did not include disabled children in the Right to Education Act as part of the 25 per cent disadvantaged section is going to be removed. That anomaly is going to be removed. That is good. But the right to education must be seen as part of the general right to education which must come under the HRD Ministry. In the present system of things, we are looking at education as rehabilitation ...*(Time-bell rings)*... Sir, please, I still have got three or four points to make.

MR. DEPUTY CHAIRMAN: No, no, please conclude.

SHRIMATI BRINDA KARAT: Sir, we are having this discussion on disability after 15 years. I have been given to understand that the issue of disabled is being raised in Parliament after 15 years. So, I have to make three or four more points, Sir.

Therefore, the anomalies which are there in the present administrative structure have to be removed. The right to education should not be considered a rehabilitation measure. Therefore, education must be shifted. And, then, the schools can be held accountable. That is so-called — I quote and unquote — ‘normal schools’ which is in line with the Government’s slogan of inclusive education. How can we have inclusive education unless you have proper training, unless you have proper teacher recruitment and unless you have a much lower student-teacher ratio than what we have at present? Therefore, while supporting the slogan of inclusive education, I demand that this important issue of multiplicity of different institutions can be removed only if education as a right is included in the Right to Education Bill under the Ministry of Human Resource Development.

Sir, the other important point is, a large number of disabled people are poor. Sir, in the vast rural areas of India, if you go to a village, you will find out the terrible inhuman treatment meted out to lakhs of our disabled children, single women, and particularly, the impact of disability on women, impact of disability on those who are already socially discriminated against, like the Scheduled Caste and the Scheduled Tribe citizens, etc. It is absolutely abominable. Therefore, when we look at disability, we have to look in all our programmes at affirmative actions for the poor among the disabled. Why can’t we give BPL cards to all the disabled citizens? You can leave out those who do not require. We must do that. We must ensure free ration, subsidised ration, free health treatment, free education, etc. and it is only when these universal rights are accessible to our disabled poor that we can think of a society where the slogan of equity is actually put into practice.

Sir, at the same time, I am surprised that the Minister has not mentioned the Tenth and the Eleventh Plan directions to the Government. Sir, they have said that three per cent of employment has to be for disabled. You say that you have done it. What are the figures? You say that you have included the private sector. What are the figures? Please give us the figures. The Eleventh Plan has directed that three per cent of all funds must be given as a component for the rights of the disabled. Where is it?

MR. DEPUTY CHAIRMAN: Please conclude. There are eight more speakers.

SHRIMATI BRINDA KARAT: Sir, I am concluding. It is only ten minutes.

MR. DEPUTY CHAIRMAN: You are entitled to only seven minutes. You know about rules. I need not remind you.

SHRIMATI BRINDA KARAT: This direction of the Tenth and the Eleventh Plans of three per cent component in allocations, I am sorry to say, according to my information, is not implemented at all. And, why is it not implemented?

As far as budgeting aspect goes, just as we have gender budgeting and we have desegregation of facts and data, similarly, Sir, we need to know how much of the percentage is actually being given to the component for the disabled and after that, we can do it. ...(*Time-bell rings*)...

Sir, in conclusion, I hope, these anomalies which are there in the Constitutional, legal and administrative structures which provide the worst type of barriers for the disabled to access their rights will be removed. Identification of the disabled must be made much more simpler and a universal identity card must be provided so that disabled citizens can access his or her rights anywhere in the country. Thank you.

MR. DEPUTY CHAIRMAN: I would again like to remind the hon. Members that this is for clarifications. It is not a debate. I would like to remind all that let us observe the rules and seek clarifications. Now, Mr. Piyush Goyal.

SHRI PIYUSH GOYAL (Maharashtra): Sir, this subject of disability was really highlighted in a very recent incident in Maharashtra where in an orphanage, five children died due to malnutrition, for not getting medical care and for not taking care of their health and needs. And, that is what set my mind thinking on this subject. It has happened in our State of Maharashtra from where the hon. Minister comes. And, I hope, we take serious note of that incident in Maharashtra.

Sir, one important point about discrimination against disabled is linked to the very education systems in our country. When we are dealing with education in the normal school curriculum, there has to be certain allocated time and certain consistency all over the country where young children are made aware of their responsibilities towards mentally-challenged or disabled persons. And, I think, we should inculcate in children from the very childhood value systems to take care of the disabled children.

It has been mentioned that we are participating or signatories to several international conventions on the disabled. But unfortunately, in our country, mental illness which has been included as one of the 7 disabilities under the Persons with Disabilities Act, 1995, there is still very little understanding of the nature of the disability and current developments in the field. By stating that mental illness is other than mental retardation, it becomes unclear whether one should apply that definitional criteria to all mental disorders, including epilepsy, and disabilities, such as dyslexia. Furthermore, the PW Act defines the disabled person as one who is suffering from 40 per cent or more disability. However, as far as mental illness is concerned, this quantification is a mystification because such a tool is unavailable to determine what is 40 per cent, what is less. So, if a parent of an affected child wants benefits under the Act, and he approaches a psychiatrist for a legally approved disability certificate, there is none available. I

think, by depriving access to a certificate of disability, the discrimination to mental illness is inherent in the very definition of disability in the Act. I recommend therefore that the definition of mental illness should remove the condition of 40 per cent disability, and we should look at an overall illness of the child or overall inability of the person to have proper mental faculties as the criteria for mental illness.

Sir, Madam has discussed about the job reservations of 3 per cent for the conventional disabilities, 1 per cent for visual, 1 per cent for hearing and 1 per cent for orthopedic impairment. Besides, blatant discrimination to mental illness, it also shows that deplorable ignorance pertaining to the needs and rights of the disabled. Global experience and research in several nations shows the persons suffering from mental illness have shown a remarkable ability or functionality after being treated with new drugs. I recommend that the benefit of reservation should be extended to persons with mental illness, at least, for certain type of jobs. Madam talked about the Right of Children to Free and Compulsory Education (Amendment) Bill, 2010. The Standing Committee emphasized that education to all children, including children with disabilities, should be governed by one Act, and agreed for the proposed amendment by the Government. However, the Standing Committee pointed out that the PW Act had become obsolete, and during the last 15 years, education of children with disabilities had been implemented through special schools. The report says: "Due to such schools not being affiliated to any Board, there was no uniformity of curriculum, evaluation and standards of school structure. Children of such schools do not get a school leaving certificate and are not really prepared for employment or any other aspect of adult life." I request the Government to expedite the process of redrafting of the Persons with Disabilities Act, 1995, and bring the schools within the ambit of formal education so that the children there can be prepared for vocational service or better employment in life.

There was a judgment in the highest court of appeal in France, Perruche judgment of 2000, which ruled that disabled children are entitled to compensation if their mothers were not given the chance of an abortion. I do not want to get into the details of that. But it seems that in India, if two registered medical practitioners are of the opinion, formed in good faith, that there is substantial risk if the child was born, it would suffer from such physical or mental abnormalities...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: Please conclude.

SHRI PIYUSH GOYAL: I am concluding. No pregnancy shall be terminated except with the consent of the pregnant woman. The implications of the provision which provides for termination of pregnancy are shocking. The law does not define the phrase 'seriously handicapped.' I therefore suggest that the Government defines the phrase 'seriously handicapped' and also consider introducing a scheme which compensate children who are born with disabilities.

Sir, in conclusion, I would like to make a couple of small points. The Government should seriously take up eye donation and organ donation awareness amongst the people at large which can help to reduce the disabilities, specially, of eyes and particular organs.

We have the Jaipur Artificial Foot Programme running in large parts of the country and I think that if the Government takes that up and also formulates through the Government programmes, a number of disabled people can be brought back to active life.

MR. DEPUTY CHAIRMAN: Please conclude now.

SHRI PIYUSH GOYAL: And, Sir, lastly, I think, the malnutrition, as Madam Brinda Karat rightly said, of young children, the poor children and the pregnant women is one of the major causes which leads to disabilities. It is time that the Government took serious note of Madam Brinda Karat's suggestions and we take the malnutrition of disabled children very seriously. Thank you, Sir.

MR. DEPUTY CHAIRMAN: Shrimati Kanimozhi. She is not here. Shri R.C. Singh. Please seek clarifications only.

श्री आर.सी. सिंह (पश्चिमी बंगाल): सर, मैं क्लैरिफिकेशन ही पूछूंगा और बहुत कम बोलूंगा।

सर, हमारे समाज में डिसएबलड लोगों की जगह नहीं है। सारे कानून बनने के बावजूद भी उनको प्रॉपर सम्मान नहीं मिल पा रहा है। 2005 से पहले उनके साथ जो व्यवहार होता था, आज भी उनके प्रति वही रुख अपनाया जा रहा है। मैं माननीय मंत्री जी से कुछ क्लैरिफिकेशंस पूछना चाहता हूँ।

सर, 1995 में The Persons with Disabilities Act बना था, जिसके अनुसार अगर व्यक्ति 40% से ज्यादा डिसएबलड है, तभी उसको डिसएबलड माना जाएगा, अन्यथा नहीं। मैं मंत्री महोदय से जानना चाहता हूँ कि अगर कोई मेटली चैलेंज्ड है, वह कितने परसेंट है, इसके माप का यंत्र क्या है? उस केस में यह कैसे चेक करेंगे कि वह 40% से ज्यादा मेटली चैलेंज्ड है या कम है ताकि उसको डिसएबलड माना जाए?

एक सवाल और है, जो बौने लोग होते हैं, छोटे होते हैं, वे भी तो डिसएबलड हैं। प्रकृति ने उनके साथ अन्याय किया है, क्योंकि प्रकृति ने उनको सामान्य स्वरूप नहीं दिया, जिसके चलते वे बौने हैं। उनको समाज हेय दृष्टि से देखता है। समाज में उनको इक्विटी प्रदान करने के लिए मंत्री महोदय ने ऐसा कौन सा कदम उठाया है, ताकि उनको भी न्याय मिल सके? आंध्र प्रदेश के कोर्ट में इसके लिए एक बार केस भी दायर किया गया था कि उनको डिसएबलड घोषित किया जाए। क्या मंत्री महोदय ऐसा कुछ करेंगे ताकि उनको डिसएबलड घोषित करके फ्री बस पास दिया जाए, रेलवे कंसेशन दी जाए, नौकरी में रिजर्वेशन दी जाए, पढ़ाई में स्कॉलरशिप इत्यादि की व्यवस्था की जाए, फेयर प्राइस शॉप या हाउसिंग में उनको रिजर्वेशन मिले? पहले डिसएबलड व्यक्तियों के लिए स्टेशंस पर टेलीफोन लगाए जाते थे, लेकिन बीच में वे भी बंद कर दिए गए। इसके लिए मैंने सदन में सवाल भी उठाया था कि उनको ये सुविधाएं दी जाएं। मैं मंत्री महोदय से यह जानना चाहता हूँ कि उनके लिए वे कौन से कदम उठा रहे हैं?

सर, हमारे संविधान का अनुच्छेद 14 समानता का अधिकार प्रदान करता है, फिर हमारे पास UN Resolution 37/52 भी है। Biwako Millennium Framework for Action में भी भेदभाव को रोकने की बात की गई है, लेकिन फिर भी हमारे public transport system में दृष्टिहीन व्यक्तियों के प्रति, जो 50% से भी ज्यादा डिसएबिलिटी में आते हैं, भेदभाव अपनाया जाता है। सर, अगर कोई नेत्रहीन है, तो वह हमारे public transport system को कैसे उपयोग में ला सकता है? कैसे वह देखेगा और आगाह होगा? ऐसे दृष्टिहीन व्यक्तियों के लिए आप कौन भी व्यवस्था करने जा रहे हैं, जो public transport system में अपने को काफी असुरक्षित महसूस करते हैं?

हम लोग डिसएबलड व्यक्तियों को बहुत हेय दृष्टि से देखते हैं। जिस तरह दूसरे वर्ग के लोगों को खराब शब्द से संबोधित करने पर बुरा लगता है, उसी तरीके से इनके मन पर भी आघात लगता है। मैं मंत्री महोदय से

यह कहना चाहता हूँ कि “Physically Handicapped” शब्द की जगह, अगर उनके लिए “Differently Abled” शब्द का प्रयोग किया जाए, तो शायद वे इस आघात से बच सकते हैं। “Differently Abled” शब्द को प्रयोग में लाने के लिए या इसे बढ़ावा देने के लिए मंत्री महोदय क्या कर सकते हैं?

सर, अंत में मैं जानना चाहता हूँ कि क्या यह सच है कि सरकार ने Deen Dayal Scheme for Rehabilitation of People with Disabilities में बदलाव किया है? अगर हां, तो जो सुधार किए गए हैं, उनके बारे में बताएं कि उनके माध्यम से इन लोगों के प्रति भेदभाव को रोकने में किस प्रकार सहायता मिलेगी? वह उन्हें कौन-कौन सी सुविधाएं देने जा रहे हैं?

सर, एजुकेशन की बात आती है। डिसेबल्ड के लिए कुछ प्राइवेट संस्थान एजुकेशन की सुविधा देती हैं, लेकिन वहां से उनको कोई रजिस्टर्ड सर्टिफिकेट नहीं मिलता है और न ही कोई ट्रेड टीचर्स मिलते हैं। उनको पब्लिक हैल्प करती है। उनको सरकारी मदद नहीं मिल पाती है। उनको फ्री एजुकेशन, फ्री हेल्थ सुविधाएँ या...

श्री उपसभापति: आप यही बात क्वेश्चन के जरिए पूछ सकते हैं। इसको दोबारा रिपीट करने से कुछ फायदा नहीं है। यह Call Attention है। यह डिस्कशन नहीं है।

श्री आर.सी. सिंह: सर, मैं क्वेश्चन के जरिए माननीय मंत्री जी से यह पूछना चाहता हूँ कि इसके लिए कानून में बदलाव कर के मंत्री जी कैसे उनको समानता का सुयोग दे सकते हैं?

श्री राम कृपाल यादव (बिहार): महोदय, माननीय मंत्री जी ने अपना विस्तृत बयान दिया है कि संविधान में विकलांग लोगों के लिए जो प्रावधान है, उसको यह सरकार किस तरह सेटल कर रही है, उनको राईजिंगार के अवसर दे रही है और उनको किस तरह से एजुकेट कर रही है।

सर, मैं उनसे एक-दो बातों की जानकारी चाहूँगा। जिस रोज कोई बच्चा विकलांग के रूप में पैदा हुआ, वह समाज के लिए कोढ़-सा बन गया, आज ये हालात हैं। लोग उसको प्यार की नजर से नहीं बल्कि हेय दृष्टि से देखते हैं और दया का पात्र समझते हैं। इस मानसिकता से हमारा पूरा समाज ग्रसित है। मैं समझता हूँ कि यह उस व्यक्ति के लिए एक अभिशाप हो जाता है जो बेचारा विकलांग है, चाहे वह किसी भी रूप से विकलांग हो। कई तरह की विकलांगता होती है, जैसे- वह मानसिक रूप से हो या शारीरिक रूप से हो। मैं समझता हूँ कि लोगों को इस मानसिकता से बाहर आना पड़ेगा। जब तक हम इस मानसिकता से निकलकर बाहर नहीं आएँगे और समाज में उसका स्थान कृपा के पात्र का रहेगा, तब तक मैं समझता हूँ कि वह बिल्कुल जी कर के भी मरेगा।

माननीय मंत्री महोदय ने कहा कि सरकारी स्तर पर ऐसे लोगों की शिक्षा की कोई व्यवस्था नहीं है। उनके सेल्फ डिपेंडेंट होने के लिए सबसे ज्यादा जरूरी बात यह है कि उनको ट्रेनिंग सेंटर मिले ताकि उनको ट्रेड किया जाए और उनको एजुकेशन मिले। मैं समझता हूँ कि तब वे सेल्फ डिपेंडेंट होकर किसी भी कृपा का पात्र न बनकर खुद अपने पैरों पर खड़े हो जाएँगे और अपनी जीविका का उपार्जन खुद करेंगे। सरकार ने कहा कि हम राज्य सरकारों को पैसा देते हैं और राज्य सरकारें एन.जी.ओ. के माध्यम से उनके लिए शिक्षा-दीक्षा की व्यवस्था करती है। मैं बिहार राज्य के पटना से आता हूँ। वहाँ पर गिने-चुने तीन-चार एजुकेशन सेंटर्स हैं, जिनकी हालत भी up to the mark नहीं है। मैं समझता हूँ कि पूरे देश में यही हालत होगी, जो मैं देख रहा हूँ। क्या सरकार अपने स्तर से कोई ट्रेनिंग सेंटर खोलकर उनको एजुकेट करने की व्यवस्था करेगी और उनकी शिक्षा-दीक्षा की समुचित व्यवस्था करेगी? जिस तरह से आम लोगों के लिए स्कूल खुल रहे हैं, आम लोगों के लिए कॉलेज खुले रहे हैं तो क्या आप उन विकलांग बच्चों के भविष्य के निर्माण के लिए कोई ऐसा स्टेप उठाएँगे, जिससे कि सरकारी स्तर पर उनकी शिक्षा-दीक्षा की व्यवस्था हो और वे किसी एन.जी.ओ. पर निर्भर न रहें? आप जो पैसा दे रहे हैं, उसकी सीधी लूट हो रही है और कई लोगों को आपने काली सूची में भी डाला है, तो क्या इसकी कोई व्यवस्था करेंगे?

मेरा निवेदन यह होगा कि श्रीमती वृंदा कारत जी ने एक महत्वपूर्ण चर्चा की है। मैं यह कहना चाहूँगा कि खास तौर पर जो गरीब तबके की महिलाएँ हैं, जो गरीब लोग हैं, इस देश में आधी से ज्यादा आबादी गरीबी की

रेखा से नीचे अपना गुजर-बसर करती है। वह माँ जो खुद अपने आपको खिलाने के लिए भी दो वक्त की रोटी की व्यवस्था नहीं कर पाती है, चूँकि माँ जो खाती-पीती है उसी को गर्भ में पल रहा बच्चा खाता-पीता है, तो मैं समझता हूँ कि आम तौर पर जब ऐसी माताओं के लिए खाने की व्यवस्था नहीं है तब उनके बच्चे ठीक ढंग से नहीं पलते और कुपोषण का शिकार हो जाते हैं। आम तौर पर यही देखा गया है। आपने ऐसी माताओं के लिए, जो पूरे तौर पर गरीबी से गुजरने वाले लोगों में से हैं, वे ठीक ढंग से खा-पी सकें, उसकी व्यवस्था भी कर रखी है, लेकिन वह नाकाफी है। उसके लिए भी कई योजनाएँ आपने चलाई हैं, स्वास्थ्य मंत्रालय चला रहा है। मैं समझता हूँ कि ऐसी महिलाओं के लिए, जो बी.पी.एल. सूची में शामिल महिलाएँ हैं, जब वे गर्भवती हों तो उनके लिए क्या कोई विशेष व्यवस्था आप करेंगे ताकि उनके बच्चे जो उनके गर्भ से पैदा होने वाले हैं, वे कुपोषण के शिकार न हो सकें और उनके मस्तक पर विकलांगता का चिह्न न लगे? क्या ऐसी कोई व्यवस्था आप करेंगे?

महोदय, मैं आपका ज्यादा वक्त नहीं लूँगा, क्योंकि आपका इशारा हो रहा है। मैं इन दो-तीन बातों के साथ और माननीय मंत्री जी के प्रति विश्वास के साथ यह कहूँगा कि आपके और सरकार के मन में विकलांग व्यक्तियों के लिए दया है। आप चाहते हैं कि विकलांगों को self-dependent करने का काम करें। उनको proper शिक्षा और रोजगार मिले, लेकिन आप जो आरक्षण उनको दे रहे हैं, वह नाकाफी है। आप जो यह कह रहे हैं कि 100 करोड़ की आबादी में 2.9 करोड़ विकलांग हैं, मैं समझता हूँ कि यह ठीक नहीं है। इससे कहीं अधिक संख्या में विकलांग लोग हैं। **...(समय की घंटी)...** आपने उनके लिए आरक्षण की जो व्यवस्था कर रखी है, क्या आप भविष्य में उसमें कोई वृद्धि करने जा रहे हैं? मैं आपके माध्यम से माननीय मंत्री जी से इन्हीं दो-तीन बातों का स्पष्टीकरण चाहूँगा। धन्यवाद।

DR. MANOHAR JOSHI (Maharashtra): Sir, at the outset, I must thank Mrs. Brinda Karat for raising an important issue in the House. I would only refer to three important problems, which the disabled people face, and I would like the hon. Minister to respond to them. Sir, there is a great difference between the statement made by the hon. Minister here and the facts which we see every day. Most humbly, I would like to say that I have been in service of the disabled people in Mumbai for the last several years. I know their main problems, and out of several problems that they face, there are three problems which I would like to mention here. The problems are such that, if the hon. Minister desires, he can resolve them straightaway.

My first request is for protection of disabled people in trains. The simple reply, which the Minister can give, is that it comes under the Ministry of Railways. Sir, he must be aware that a separate compartment was provided by the Railways to disabled people some four years back, because of the efforts that I had put in. So, there is a special compartment for disabled people while travelling in trains. The difficulty now is that in these compartments, there is no policeman on duty there. We do have police for compartments reserved for females. I requested the Railways Department, long back, that police protection should be provided. Otherwise, people, who are not disabled, also get into compartments reserved for disabled people, and that creates the problem. This is my first request.

My second request is regarding three per cent reservation for disabled people in recruitments. Will the hon. Minister, in his reply, be able to say as to what is the actual percentage so far done in case of disabled people, not only in the State of Maharashtra but also in the entire country? According to him, the Government has directed that in recruitments,

particularly, Central Government recruitments and State Government recruitments, three per cent should be reserved for them. But I know for sure that such recruitments are not done on some pretext or the other. Therefore, my second request to the hon. Minister is to get the figures from the entire country, pertaining to different States, and assure the House that, in future, necessary recruitments will be done.

The third and important suggestion is in support of what Mrs. Brinda Karat said that free education should be given to disabled people. Sir, unfortunately, I have seen that admissions, which are to be given to such students, are also not given. I am talking about reputed schools and reputed colleges in Mumbai where these people do not get admission. Can the Government not make a rule that priority should be given to the disabled in this? Sir, we are all very fortunate that we are not disabled and, therefore, it is difficult for us to understand their plight. But, at the same time, it is an act of God to really help these people. I would like to know whether the Minister will consider this and do the needful.

Finally, I have a request to make. Sir, I have seen in many foreign countries that the disabled are looked after with utmost care. For instance, at every public place, they always keep a slope for wheelchairs and other vehicles to move. I have seen this even in cricket stadia there; there is always such a provision. Unfortunately, it is not done here in India. I request the Minister to see to it that all development plans of our cities should have a provision of providing these slopes mandatorily so that vehicles of disabled people can go up and down and that they can be taken care of.

श्री अविनाश राय खन्ना (पंजाब): उपसभापति जी, सबसे पहले मैं श्रीमती वृन्दा कारत और श्री पीयूष गोयल जी को बधाई देता हूँ कि उन्होंने एक बहुत ही गंभीर मुद्दे की ओर इस सदन का ध्यान आकर्षित किया है। जो लोग NGOs में काम करते हैं, उनको ज़मीनी लेवल पर इन समस्याओं का पता होता है। कुछ राज्यों ने विकलांगों को पास की सुविधा वगैरह दी है, जिसके कारण वे बसों में या public transport में चले जाते हैं, लेकिन एक disabled person के लिए disability certificate लेना बहुत मुश्किल है। वह 200 किलोमीटर सफर करके District Headquarter पर disability certificate लेने जाता है। उसके आवेदन पर विचार करने के लिए बोर्ड बनता है, लेकिन बोर्ड में पूरे डॉक्टर्स नहीं होते, इसलिए उसको दोबारा जाना पड़ता है। इसलिए sub-divisional level पर ही disability certificate बन सके, क्या ऐसा प्रयास सरकार कर सकती है? दूसरा, मैं यह कहना चाहता हूँ कि आपने jobs में 3 परसेंट रिज़र्वेशन की बात कही है, अभी मनोहर जी ने जवाब मांगा है कि आपने कितनी jobs दी हैं? मैं आपसे एक बात और कहना चाहता हूँ कि PwD Act में Section 41 के मुताबिक private institutes में 5 percent jobs ऐसे लोगों के लिए रखी गई हैं। क्या एक भी इंस्टीट्यूट में 5 percent jobs disabled persons को दी गई हैं? क्या कभी सरकार ने इस ओर ध्यान दिया है? अगर नहीं, तो क्या सरकार कोशिश करेगी कि यह रूल separately लागू हो?

उपसभापति जी, जब मैं Human Rights Commission का मेंबर था, तो मेरे पास एक complaint आई। एक विद्यार्थी ने compliant की थी। उसको मेरे पास 3 लोग उठाकर लाए थे, उसके पैर नहीं चलते थे, एक हाथ काम नहीं करता था और वह एक इंजीनियरिंग कॉलेज का छात्र था। मैंने उससे पूछा कि तुम्हारी क्या complaint है? उसने कहा कि मुझे तीसरी मंज़िल पर कमरा दिया गया है, उस इंस्टीट्यूट में न तो slope है, न ही lift है, इसलिए मैं आज तक कोई भी क्लास वहां attend नहीं कर पाया तथा दुःख की बात यह है कि मेरा

1.00 P.M.

examination centre भी वहां बनाया गया, जहां मैं पहुंच नहीं पा रहा हूं। मुझे 2 घंटे यही सोचने में लग गए कि मैं उस centre तक कैसे पहुंचूं? इसलिए जो disabled students हैं, उनके कमरों की situation ऐसी हो कि वे आसानी से वहां पहुंच जाएं। इसी तरह जो disabled persons job करते हैं, उनको भी ऐसी सीट पर बिठाया जाता है, कई बार दूसरी बार तीसरी मंज़िल पर उसको बिठाया जाता है, जहां उनके लिए regularly अपना job attend करना मुश्किल होता है।

इसलिए माननीय मंत्री जी से मेरी ये 3 pointed requests हैं - पहली यह कि disability certificate आसानी से issue हो, दूसरी यह कि विद्यार्थियों के लिए उनके कमरों और मुलाज़िमों के लिए उनकी सीट तक पहुंचने के लिए सुविधाजनक रास्ता हो, तीसरी यह कि PwD Act के सैक्शन 41 में जैसा कहा गया है कि जो प्राइवेट इंस्टीट्यूट्स हैं, वहां उनको jobs में 5 प्रतिशत रिज़र्वेशन मिलेगा, वह रिज़र्वेशन उनको मिले। धन्यवाद।

SHRI SHYAM BENEGAL (Nominated): Sir, I thank you very much for allowing me to speak. I have only two points. The basic problem, of course, is that of integrating the disabled into the mainstream society. It has always been recognized, even the official policy of the Government of India from the very beginning, that the disabled should find a place in the national system of education. But, ever since rehabilitation and education got bifurcated—one part of it went with the Ministry of Social Justice—what happened is, the Ministry of Social Justice takes care of rehabilitation. But, there is no scheme essentially in terms of education which would integrate them into the national mainstream. Basically, that is the real problem I would like to pinpoint. There are many problems here. You have to have, for instance, teachers trained in general schools to be able to deal with the disabled children. That is the most important thing even more than the fact that they should be allowed to go to schools. When they are taken into schools, the teachers themselves should be able to deal with them. This is one of the problems why many schools do not accept disabled children. This is something which needs to be looked at very carefully. I am not sure whether education of the disabled children should remain with the Ministry of Social Justice because when it got segregated, you segregated the whole business of education of disabled children into a very small area. This has created a huge problem in terms of the fact that only about 9-10 per cent of the disabled receive the kind of education they ought to do; others are completely left out of the system.

I would like the Minister, in fact, to react to this. Thank you.

SHRI P. RAJEEVE (Kerala): Sir, the population of the differently abled—that is the ward commonly accepted now—according to the U.N. report constitute 10 per cent in the developing countries like India. I think, 2001 census estimation under-estimation. I would like to know whether the Government has any plans to make a specific mechanism for enumeration of the differently abled.

Secondly, regarding a comprehensive law, the definition of disability is confusing now. I would like to know whether the Government is ready to make a uniform definition in the comprehensive legislation addressing the issues of all types of differently abled people in our country.

Regarding the RTE Act, it does not have a provision to address the issue of autism and cerebral palsy. It has the provision to address differently abled students under the purview of the Disability Act, 1995. While participating in the discussion of RTE Act, I had raised this serious and sentimental issue. But, the HRD Minister was not ready to accept the amendments. Now, I would like to know whether the Ministry has any plans to address this autism and cerebral palsy issue. Infrastructure facilities are mandatory in RTE Act. But, there is no facility of ramps and other things which are the essential needs of the disabled students.

The Ministry of Social Justice should formulate a specific mechanism to intervene at the time of the legislative process to ensure fulfillment of the needs of the disabled people in our country.

Regarding finance, the gender budgeting and other things are there. I would like to know whether the Ministry has any plans to give concrete directions to all the Ministries on the specific percentage of Budget allocations to be utilised for the benefit of the disabled persons. There should be a specific mechanism for monitoring the implementation of the fund for the benefit of the differently abled people. In most of the developed countries, there are specific provisions for parking for differently abled persons and ramps and special toilets are there. In India, the situation is entirely different. Can we expect a Stephen Hawkins in India in this condition? Then, the Government should give specific guidelines to all the States to provide all the facilities to the differently abled persons. Thank you.

SHRI MUKUL WASNIK : Mr. Deputy Chairman, Sir, thank you very much. Sir, I think I should also join like rest of the hon. Members to thank Mrs. Brinda Karat for raising this issue through a Calling Attention Motion. I think it is an extremely important issue and requires a total commitment of the Government, on the part of the State Governments, the local bodies as well as the civil society. This is that section of the society which is in the greatest need. At the same time, when we say that this section is in the greatest need for our attention, I do agree and I do commit myself that this section of the society does not look for charity. This section is looking for their rights. To provide them with their rights, we are committed as a Government. I wanted to emphasise this and join the other Members of this House in placing this on the record of the House. There are a number of issues which have been raised through this Calling Attention Motion. Maybe, it may not be possible for me to go into each of those issues, but, definitely, we have taken note of these concerns and would try and attend to each of the issues which have been raised. The first and foremost issue which was raised is about the counting of the persons with disabilities. Questions were raised that in 2001 Census, the figure of 2.19 crores was not reflecting the true picture of persons with disabilities, there may be many more persons with disabilities and they were not counted. If counting was wrong, then, various other compilations do come up and we are not able to address the issue in the manner it requires to be addressed. Therefore, we had taken up this with the Registrar General of India. Hon. Members have also

taken up at their own level, but we from the Ministry have also taken it up with the Registrar General of India so that in the 2011 Census, we do hope, the real picture of the number of persons with disabilities get reflected. We have been in constant touch with them. Another thing which has been raised by hon. Members is the issue regarding the disability certificates. Many of the advantages, benefits of various Government schemes start with the certificate. If the persons with disabilities are denied the basic possession of their disability certificate, then, they are denied of the very benefits and advantages of various Government schemes. Therefore, we in the Ministry decided that procedure has to be simplified and the procedure has to be decentralised and people with disabilities do not have to come to the district headquarters for getting their certificate. There used to be a Medical Board as far as the previous rules were concerned. But we have now changed it from Medical Board to Medical Authority because earlier for every disability the person had to appear before a Board, a multiple member Board. But if there is an obvious disability, why does the person have to come before a Medical Board? A Primary Health Centre or a Community Health Centre can issue the certificate. If a person is blind, there is no need to come to a multi member Board. A Primary Health Centre can certify that this person is a blind person and a certificate is issued. So, accordingly, we have made amendments in the rule. The Ministry of Health and Family Welfare has issued a Notification. As in States issuance of certificate of disability is with the State Governments, I am told that the State Governments have also, some of them, have already made amendments in their rules simplifying and decentralising the issuance of certificates. As of today, the number of disabled persons getting certificates is 35 per cent. That means 65 per cent have not been given the certificates. So, this we have tried to attend. Employment has also been an issue which has been raised. We have also been taking it up. The Department of Personnel and Training had already launched a special recruitment drive as far as Central Government services are concerned. As far as the drive is concerned, as of now, 6074 vacancies are in the backlog category for the persons with disabilities.

In the last 6-8 months, 796 persons with disabilities have benefited from this special recruitment drive. But still there is a long way to go and we do hope that this special recruitment drive is further carried out in a concerted manner so that the purpose with which this drive has been undertaken can be realized. One more thing which was mentioned was regarding reservation in private sector and a reference was made to section 41 of the Persons with Disabilities Act. But if we read it carefully it does not provide for reservation. Instead it is for incentives to the private sector in the year 2008, the then Finance Minister had announced an incentive scheme for the employment of persons with disability in the private sector. It was expected that a large number of industrial houses from the private sector will respond to the incentive scheme. The scheme was such that for the first three years the contribution of the private sector company employing a person with disability. The contribution towards provident fund will be contributed by the Central Government and the then Finance Minister had addressed

representatives of different Chambers, special meetings in different parts of the country were held, but, unfortunately, I will have to admit that this incentive scheme has not got the type of response which was expected. We had lot of expectations but the response has been dismal. If I say, I think, I am not exaggerating. Nevertheless, we have created lot of awareness about this scheme. Still we are attending to it. If we have come up with an incentive scheme and the private sector has not responded, what are those reasons, why the private sector has not found the scheme good enough for them to respond effectively? We are getting into that. I already had a meeting with the hon. Minister of Labour and his officers. We have been talking to different stakeholders and are trying to address this issue to try and see that we come up with something which will really realize the objective for which this incentive scheme was earlier announced. About houses, one hon. Member had raised this issue. I think, it was Shri Avinash Rai Khanna. We provide houses from the Rural Development Ministry, the *Indira Awaas Yojana* for the homeless. A particular section is kept for persons with disabilities. I have some statistics about how many persons with disabilities have been provided houses in the last few years. Then, a mention has been made about the Deendayal Disabled Rehabilitation Scheme. We have tried to strengthen the scheme. The scheme has been revised recently. What we have tried to do is, we have enhanced the honourarium because it was found that the honourarium was less. In the last financial year the allocation was Rs. 76 crores. We have raised it to Rs. 120 crores so that whatever demand is there we are able to attend that. Similarly, the ADIP scheme is to provide assistive devices for persons with disability. We have enhanced the allocation for this. But, Shri Ram Kripal Yadavji had raised certain issues. A mention was made that पैसों की पूरी लूट हो रही है। मैं समझता हूँ कि इस संबंध में हमारी जो भूमिका है, उसे मैं थोड़ा स्पष्ट कर दूँ। बहुत सारे संगठन ऐसे हैं जो इस क्षेत्र में बहुत अच्छा काम कर रहे हैं। विकलांग व्यक्तियों को सहायता देने की दृष्टि से, उनके सशक्तिकरण की दृष्टि से जिस तरह का काम वे कर रहे हैं, वह सराहनीय कार्य है। जो सकता है कि कुछ ऐसे संगठन हों, जिन्होंने सही काम न किया हो। उनको सजा मिलनी चाहिए और उनके खिलाफ जो कार्यवाही होनी चाहिए, वह कार्यवाही होती रहेगी, लेकिन अगर हम सरासर इस तरह से कह देते हैं कि तमाम वे संगठन, जो इस तरह के पुनर्वास के काम में लगे हैं, पूरी तरह से पैसों की लूट कर रहे हैं, तो मैं समझता हूँ कि वह अन्यायजनक होगा। इसलिए मैं इस संदर्भ में अपनी भूमिका स्पष्ट करना चाहता हूँ। अन्त्योदय अन्न योजना के जरिए कई राज्यों में बी.पी.एल. के व्यक्तियों को कार्ड देने का काम हुआ है और दो रुपए प्रति किलो के हिसाब से 35 किलो अनाज देने की व्यवस्था इसमें की गयी है।

SHRIMATI BRINDA KARAT: Have you got a policy on this?

SHRI MUKUL WASNIK: Not a policy.

SHRIMATI BRINDA KARAT: I asked for a policy on this.

SHRI MUKUL WASNIK: I am saying what is existing at the moment.

Similarly, a mention was made about pension. Recently, in the Eleventh Five Year Plan, under the National Social Assistance Programme of the Ministry of Rural Development, pension to persons with disability has been started. I have information that about 15 lakh beneficiaries have been covered under the Scheme.

There are quite a number of things which one can mention here. Several issues have been raised about education. An issue has been raised about the barrier-free environment in schools, educational institutions and in public buildings. A mention has been made about Railways. Shri Manohar Joshi said that there are compartments where persons with disabilities have been provided berths, but Police protection is not there. Definitely, we are going to take up issues like this with the Railway Ministry. But, I think, quite one activity has been there. Building bylaws have been modified by the Ministry of Urban Development. Instructions and guidelines have been issued to the State Governments to make amendments to their respective building bylaws. Similarly, as far as barrier-free environment is concerned on the National Highways, way back in 2003 itself, the Ministry of Transport and Highways has issued guidelines to the State Governments. In our meeting with the representatives of the Ministry concerned, we have said that now it is time that we monitor the performance of the respective State Governments in making the highways accessible. Similarly, in Railways, in different categories of Railway Stations, we are trying to make entry to railway stations barrier-free, provide toilets for persons with disabilities. Similarly, a large number of things we have been attending to. But, I would agree that there is a long way to go and I do hope that various suggestions which have been made by the hon. Members during the course of this discussion are going to help us.

Sir, the UNCRPD has put some obligations on us. We, as the Government, are the first among the countries to adopt and endorse the UNCRPD. There was a lot of debate and discussion as to how do we harmonize our legislation with provisions and the spirit of the UN Convention on Persons with the Disabilities. Earlier, it was felt that we make amendments to our existing legislation of 1995. But, later, it was felt that there would be more than 100 amendments and still we would not be able to carry out the exercise properly. Therefore, an Expert Committee has been constituted to go into the entire issue and give us a draft legislation which will help us to bring a new legislation for persons with disability. It is expected that the Committee will submit the Report by the end of this December. We do hope that the Committee will come up with a draft legislation which will reflect the concerns of this House and will also address the issues mentioned in the UNCRPD.

I would also like to mention about the UPSC, which has opened its doors for the persons with disability. I am told that ten persons with disability have been given the IAS Cadre. They have competed successfully. This is what has happened between 2006 and 2008. Similarly, in other Central Services the intake has risen to 45. I think, a beginning has been made and we do hope that the spirit of the discussion in this House will be carried forward and persons with disabilities will be able to enjoy their rights.

Now, Sir, there are so many things. But, I think, I would not like to...

SHRIMATI BRINDA KARAT: What about education.

SHRI MUKUL WASNIK: A large number of suggestions have been made. At this point of time, I simply mention one thing that the concerns expressed here would definitely be taken to the hon. Minister of HRD and we will discuss the issues which have been raised here and try and see how best those can be addressed.

With these words, I once again thank the hon. Members for engaging this House with a very, very important discussion. I do hope that this will further make us resolve, with much more determination, to carry forward the task of providing persons with disabilities their rights and realize their dreams.

Thank you very much.

MR. DEPUTY CHAIRMAN: I also thank the hon. Members. This is for the first time that we have completed the Calling Attention in exactly one hour, as specified.

The House is adjourned for one hour for lunch.

The House then adjourned for lunch at twenty minutes past one of the clock.

The House re-assembled after lunch at twenty-three minutes
past two of the clock,

MR. DEPUTY CHAIRMAN in the Chair.

SHORT DURATION DISCUSSION

Large scale illegal mining in the country

THE LEADER OF THE OPPOSITION (SHRI ARUN JAITLEY): Sir, I am extremely grateful to you for permitting me to make an intervention on the issue of illegal mining which has been debated in this House almost very extensively. Sir, I assure you that since we have the benefit of the opinion of a very large number of Members across Party line, I do not wish to go into all those facts nor do I intend to go into these individual cases or the response thereto which has been referred to by various hon. Members. I only wish to deal with a few conceptual issues on the basis of my little experience as an observer of this particular field of economic activity. Sir, when we discuss the issue of illegal mining, I think we must get rid of one misconception that there is a separate institution of illegal mining as distinct from the lawful mining. In fact, there are these categories which partly overlap. It is the same set of people who are authorized to undertake lawful and illegal mining. They can extend, at times, the area of their operation, they can get into unexplored areas, they can get into neighbouring mines leading to various unsavoury disputes and litigations.

Some of them start mining more than what is otherwise permitted to them, and, therefore, the whole concept of illegal mining is borne out essentially from those who otherwise are permitted to do legal mining. But this question is a larger question and the larger question is that the mineral resource of the country is a very large and valuable national resource. The process