

*Action taken by the
incident of gang rape
on*

[19 December, 2012]

*Government on the
in New Delhi
16.12.2012*

351

(viii) Status of implementation of recommendations contained in Two-hundred and Twenty-fifth report of Department-related Parliamentary Standing Committee on Science and Technology, Environment and Forests

THE MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS AND THE MINISTER OF STATE IN THE PRIME MINISTER'S OFFICE (SHRI V. NARAYANASAMY): Sir, I make a statement regarding Status of implementation of recommendations contained in the Two Hundred and Twenty-fifth Report of the Department-related Parliamentary Standing Committee on Science & Technology, Environment Sc Forests on the Demands for Grants (2012-13) pertaining to the Department of Space.

(ix) Status of implementation of recommendations contained in One-hundred and First report of Department-related Parliamentary Standing Committee on Commerce

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND INDUSTRY (DR. S. JAGATHRAKSHAKAN): Sir, I lay on the Table a statement regarding Status of implementation of recommendations contained in the One Hundred and First Report of the Department-related Parliamentary Standing Committee on Commerce on the Demands for Grants (2012-13) pertaining to the Department of Industrial Policy and Promotion, Ministry of Commerce and Industry.

(x) Status of implementation of recommendations contained in Thirty-fourth report of Department-related Parliamentary Standing Committee on Agriculture

THE MINISTER OF STATE IN THE MINISTRY OF AGRICULTURE AND THE MINISTER OF STATE IN THE MINISTRY OF FOOD PROCESSING INDUSTRIES (SHRI TARIQ ANWAR): Sir, I lay on the Table a statement regarding Status of implementation of recommendations contained in the Thirty-fourth Report of the Department-related Parliamentary Standing Committee on Agriculture on the Demands for Grants (2012-13) pertaining to the Department of Agriculture and Co-operation.

**ACTION TAKEN BY THE GOVERNMENT ON THE INCIDENT OF
GANG RAPE IN NEW DELHI ON 16.12.2012**

MR. DEPUTY CHAIRMAN: Hon. Members, yesterday... *...(Interruptions)...* One second; one second. I have to say something. *...(Interruptions)...*

352 *Action taken by the*
 incident of gang rape [RAJYA SABHA]
 on

Government on the
in New Delhi
16.12.2012

SHRI M. VENKAIAH NAIDU: Sir, the House would like to know what happened to the Lokpal Bill. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: I will allow you time. See, yesterday, the hon. Home Minister had given an assurance that he will come back to the House on the action taken with regard to the unfortunate incident of gang rape. So, he is ready with the statement. I am allowing him to make the Statement. Yes, please.

THE MINISTER OF HOME AFFAIRS (SHRI SUSHILKUMAR SHINDE): Mr. Deputy Chairman, Sir, this is in continuation to my earlier Statement made in both the Houses on 18.12.2012 wherein I had committed that I will take a detailed review with Delhi Police officers and the Secretary, Home, along with the officers of the Home Department.

SHRI P. RAJEEVE (Kerala): Sir, where is the copy of the Statement? ...*(Interruptions)*...

SHRI SUSHILKUMAR SHINDE: I am reading the Statement.

MR. DEPUTY CHAIRMAN: Wait; wait. See, this is on our request he is coming.

SHRI SUSHILKUMAR SHINDE: Of the six accused, four have been arrested already and Police Teams are continuously undertaking raids to arrest the remaining two. A Special Investigation Team under the DCP has been constituted to monitor investigation closely. The FIR No. 413 dated 17.12.2012, under Section 365/376(2)(G)/377/394/34 IPC was registered at Police Station Vasant Vihar wherein subsequently Sections 307 and 201 have also been added. Apart from the above, a Police Team with one lady IPS Officer has been directed to visit the hospital at regular intervals to take stock of the medical condition of the victim on regular basis and to liaise with the parents of the victim.

During the review with the Police officers, I also reviewed the aspect which resulted in the heinous crime being conducted in the moving bus. As a result of the review with the Police Officers and the Transport Commissioner, it has been decided that:

- (i) There shall be an immediate crackdown on all buses/commercial vehicles having tinted glasses and curtains and all such vehicles be impounded immediately.

- (ii) All commercial vehicles/buses shall be directed to keep their lights on during the night while plying on the roads of Delhi.
- (iii) All off duty-buses must be parked with the owner and not with the driver/staff.
- (iv) All those commercial vehicles/buses found violating the contract carriage conditions or any other permit condition shall be impounded and their permits be cancelled.
- (v) The Delhi Police shall undertake verification of all drivers/staff of all public vehicles. All such buses/autos which are being plied by unverified staff/drivers shall be impounded.
- (vi) Driver's license and all details along with photo shall be compulsorily displayed in all public vehicles along with a helpline number on which complaint can be lodged.

Apart from the above, it has also been decided to augment the PCR fleet of Delhi Police by providing more number of vehicles and the same would be GPS-enabled so that their movement can be tracked at the Central Control Room. Thank you, Sir.

SHRI M. VENKAIAH NAIDU (Karnataka): Yesterday, three important issues were raised. One, there were three PCR Vans, but this bus had gone and reached Noida. What has happened to them? Secondly, a suggestion was made by many of the hon. Members that there is every need to have special courts, fast track courts to try such cases. There is a demand across the parties that the law should be amended and the rape should be made a death penalty offence. What is the response of the Government to these three issues?

SHRI SUSHILKUMAR SHINDE: Sir, I have already mentioned about the Bill. The Criminal Procedure (Amendment) Bill I have already introduced in the Lok Sabha and it is pending. In that I have said the rape punishments have been enhanced. I again checked up in the morning, this morning only, that you can give punishment up to life imprisonment. There-is no limit. It earlier also has provision of life imprisonment ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: Let him speak.

SHRI SUSHILKUMAR SHINDE: The second thing is that the learned jurist is asking me something which I will reply. ...*(Interruptions)*...

SHRI TIRUCHI SIVA (Tamil Nadu): Sir, we need a clarification.
...*(Interruptions)*...

SHRI N.K. SINGH (Bihar): Sir, there is an issue of capital punishment for heinous crimes of this kind. ...*(Interruptions)*... This issue needs to be revisited. ...*(Interruptions)*...

SHRI SUSHILKUMAR SHINDE: Yesterday the hon. Member had asked me about the three PCRs. Usually, the PCRs are sidelined in the corner and every after one hour they patrol the area. ...*(Interruptions)*... So, nothing ...*(Interruptions)*... One minute. ...*(Interruptions)*... Let me complete. ...*(Interruptions)*... I enquired about why they have not done it. It could not be done because the bus was with tinted glasses and curtains. There was no voice from inside also while the bus was moving there. That is why the PCRs could not notice it. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: Now the Calling Attention. ...*(Interruptions)*...

SHRI TIRUCHI SIVA: Please give us one minute. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: If I allow everybody, then again it will ...*(Interruptions)*... I cannot take up this. ...*(Interruptions)*... I will allow you before adjournment. ...*(Interruptions)*... Mr. Derek O'Brien, please wait. ...*(Interruptions)*... I cannot allow like that. ...*(Interruptions)*...

श्री शिवानन्द तिवारी (बिहार): उपसभापति जी, पूरा हाउस उत्तेजित है ...(व्यवधान)... हमारे होम मिनिस्टर साहब को अलाऊ करना चाहिए ...(व्यवधान)...

MR. DEPUTY CHAIRMAN: There is a Calling Attention. ...*(Interruptions)*... Do you not want the Calling Attention? ...*(Interruptions)*...

SHRI TIRUCHI SIVA: Please give only minute.

श्री अविनाश राय खन्ना (पंजाब): उपसभापति जी, मैंने पहले ही दिया है ...(व्यवधान)...

MR. DEPUTY CHAIRMAN: If all of you ask, whom should I allow?
... (Interruptions) ... This is not the way. *... (Interruptions) ...*

श्री शिवानन्द तिवारी: उपसभापति जी, इस मामले पर पूरा सदन उत्तेजित है ...(व्यवधान)... आप स्पष्टीकरण पूछने की इजाजत दीजिए ...(व्यवधान)...

श्री राम कृपाल यादव (बिहार): उपसभापति जी, हमें पूछना है ...(व्यवधान)...

MR. DEPUTY CHAIRMAN: The problem is this. ...(Interruptions)... The Chair is your servant, I am to serve you. If all of you stand up asking for one minute, whom will I give? ...(Interruptions)... This is number one. ...(Interruptions)... It is not such an issue ...(Interruptions)... Please. ...(Interruptions)... You know I am standing. ...(Interruptions)... I will explain, please bear with me. ...(Interruptions)... Yesterday we had a discussion and I allowed every one who wanted to speak. ...(Interruptions)... Maybe, one exemption, please forgive me. ...(Interruptions)... I know you have already forgiven me. ...(Interruptions)... Yesterday, we have asked the Minister to come back with whatever action he has taken and the Minister has very well obliged. This morning he came with the action. That is over today.

SHRI TIRUCHI SIVA: But we have some further clarifications to seek. ...(Interruptions)...

MR. DEPUTY CHAIRMAN: Okay. My problem is I have a Calling Attention notice before me. If the House wants to allow everybody for ten minutes. ...(Interruptions)... After Calling Attention, we have to take up the Government business at 2.00 p.m. This is my problem. I am not opposing you.

SHRI TIRUCHI SIVA: Sir, please allow each party for one minute.

MR. DEPUTY CHAIRMAN: One minute each! Do you know how many parties are there? So, please cooperate with me. ...(Interruptions)... Please cooperate with me. ...(Interruptions)... Please sit down. I am on my legs. Let me solve this problem. The problem is that this is such a serious issue that a heinous and horrendous crime has been committed. And, if we start, everyone would like to say something. Every mind in this House, every person in the country, is agitated over it. It is a shame on our nation. But I am constrained by time. If I allow one, I will have to allow everybody. Therefore, let the Minister come back to us again if some more action has to be taken. He will take note of the suggestions, which have already been given. I am not stopping the discussion. But please, now, let me go to the next item. Mr. O'Brien, you take only one minute. ...(Interruptions)... I am not allowing anybody else. ...(Interruptions)...

SHRI DEREK O'BRIEN (West Bengal): Sir, allow my colleague to speak. He is on the same subject.

MR. DEPUTY CHAIRMAN: Okay. Only one minute. ...*(Interruptions)*...

SHRI KUNAL KUMAR GHOSH (West Bengal): Sir, we are entering into the centenary year, the hundredth year, of Nobel Award winning by Guru Rabindra Nath Tagore for his *Gitanjali*. So, I request the Government of India to take every possible step and prepare to celebrate this item. In the year, 1911, Gurudev ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN : No; no. That's all. ...*(Interruptions)*... Now, we shall take up the Calling Attention. ...*(Interruptions)*... Shri Jagat Prakash Nadda. ...*(Interruptions)*...

SHRI K.N. BALAGOPAL (Kerala) : Sir, I had given a notice to the Chairman. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: What do you want?

SHRI K.N. BALAGOPAL : Sir, I had given a notice to the Chairman yesterday about the Lokpal. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: No; no. ...*(Interruptions)*... That is not the Chairman's job. ...*(Interruptions)*... You are in the BAC. ...*(Interruptions)*... You should have raised it in the BAC. ...*(Interruptions)*... You go back to your seat. ...*(Interruptions)*... Those parties, who are representing the BAC, should take up such things there, not here. ...*(Interruptions)*... Why didn't you raise it in the BAC? ...*(Interruptions)*... Why didn't you raise it in the BAC?

SHRI K.N. BALAGOPAL: Sir, I had given a notice to the Chairman ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: No, no; it is not the Chairman's duty. ...*(Interruptions)*... Go back to your seat. ...*(Interruptions)*... It is not my duty. You should have ...*(Interruptions)*... See, you are a member of the BAC. You could have raised it here. It is not my duty. Go back to your seat. ...*(Interruptions)*... It is indiscipline. ...*(Interruptions)*... No, no; I am not allowing you. ...*(Interruptions)*... It is indiscipline. ...*(Interruptions)*... Why didn't you raise it in the BAC? ...*(Interruptions)*...

SHRI ARUN JAITLEY (Gujarat): Sir ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: Your party is in the BAC. You should have raised it there. ...*(Interruptions)*... You did not raise that there and you are disrupting here. ...*(Interruptions)*... Go back to your seat. ...*(Interruptions)*... This is indiscipline. ...*(Interruptions)*...

SHRI ARUN JAITLEY: Sir, if you allow me ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: This is indiscipline. Go back to your seat. ...*(Interruptions)*... You should have raised it in the BAC. ...*(Interruptions)*... Your leader is there. You did not raise it there. ...*(Interruptions)*... Why do you want to disrupt here ...*(Interruptions)*... Sorry. Go back to your seat. ...*(Interruptions)*... Hon. LoP is on his legs. ...*(Interruptions)*... Take your seat. ...*(Interruptions)*... When the LoP is on his legs, everybody should listen to him. That is the convention of this House.

**DEMAND FOR CONSIDERATION OF SELECT COMMITTEE
REPORT ON THE LOKPAL BILL**

THE LEADER OF THE OPPOSITION (SHRI ARUN JAITLEY): Sir, one question arises from what hon. Member, Shri Balagopal, has raised. The Lokpal was not referred to a Standing Committee. A Standing Committee's report, after it has been presented, goes to the Government and Government takes a view on it. This was a Select Committee. The Select Committee was appointed by this House, halfway through the debate. The report of the Select Committee has come. There is procedure for a Select Committee's report in the rules. Under rule 93, after a report has been presented, the Member, concerned in-charge, has to move a Motion and it has to be presented for consideration. The Minister also, like an ordinary Member, can only move an amendment to the Select Committee's recommendations, not otherwise. Therefore, fixing the Select Committee's report for a debate is, now, the prerogative of the Chair. Please go through the rules. And, after the rules have been considered, you will find how the Select Committee's Report is to be considered by this House is different from a Standing Committee's consideration. Now, the prerogative of the Chair has to be exercised and the Report of the Select Committee has to be placed for consideration of the House itself. That's how the Lokpal will proceed.