

SHRI SHADI LAL BATRA: The Congress MLAs voted for their Party supported independent candidate. But due to this * , the other independent candidate supported by the BJP was declared elected to the Rajya Sabha from Haryana on the ground that there is a difference of ink between the ballot papers. That is the only part.

Sir, the pen used for marking ballot paper was given to 13 voters to see that they vote with this particular pen so as to create a ground for rejection. Since the pen was made available to a voter to mark a ballot paper, the vote could not have been rejected. The Election Commission is probing into the matter but has not yet submitted its inquiry report. Sir, through you, I demand that that election be declared countermanded and a CBI inquiry be instituted to probe the whole issue ...(Interruptions)... and the guilty officials be taken to task. That is my submission.

MR. DEPUTY CHAIRMAN: Thank you.

SHRI DIGVIJAYA SINGH (Madhya Pradesh): Sir, I associate myself with the matter raised by the hon. Member.

SHRI MADHUSUDAN MISTRY (Gujarat): Sir, I too associate myself with the matter raised by the hon. Member.

SHRI B. K. HARIPRASAD (Karnataka): Sir, I too associate myself with the matter raised by the hon. Member.

SHRI SHANTARAM NAIK (Goa): Sir, I too associate myself with the matter raised by the hon. Member.

SHRI NARENDRA BUDANIA (Rajasthan): Sir, I too associate myself with the matter raised by the hon. Member.

SHRI BHUBANESWAR KALITA (Assam): Sir, I too associate myself with the matter raised by the hon. Member.

SOME HON. MEMBERS: Sir, we too associate ourselves with the matter raised by the hon. Member.

MR. DEPUTY CHAIRMAN: Yes. ...(Interruptions)... All the names may be added. ...(Interruptions)... All the names may be added. ...(Interruptions)...

Notifications issued under the Lokpal Act requiring Trustees and senior functionaries of certain NGOs to declare their assets

MS. ANU AGA (Nominated): Hon. Deputy Chairman, Sir, I would like to bring to the attention of the House an urgent and important matter. The Lokpal Act of 2013

*Expunged as ordered by the Chair.

[Ms. Anu Aga]

covers among others, trustees and senior office bearers of NGOs that receive FCRA over ₹ 10 lakhs per year and/or Central Government funding over ₹ 1 crore. All trustees and other senior officials of such NGOs are required to disclose assets and liabilities of themselves, their spouse, and dependent children. This information will be placed in the public domain on the competent Ministry's website. A notification issued on June 24th requires the disclosure to be made before July 31st, failing which, any asset would be presumed to have been acquired through corrupt means, leading to possible penal action. As the disclosures are required to be made before 31st July, failing which there will be dire consequences, this issue needs to be addressed urgently. While NGOs and charitable institutions work for the public, they are voluntary and regulated by several laws including the Charity Commissioner and the Registrar of Societies and Income Tax and FCRA. Trustees of these NGOs are not public servants because they give their time and some also give their financial support on a voluntary basis. Given that the detailed information about their personal/private assets would be in the public domain, many trustees are apprehensive that they would be subject to possible harassment and potential extortion. Some of them have resigned from the positions to avoid this consequence. Therefore, this could deprive many NGOs from receiving guidance from credible and experienced trustees. In any case, all such NGOs have detailed disclosure procedures. If there are NGOs that are not transparent and corrupt, strong action can always be taken against them. However, to paint all NGOs with the same brush will weaken, disrupt and demoralize the entire voluntary sector. One temporary solution could be to extend the date by a few months from 31st July. However, this is a short term respite, and we will have to find a permanent solution by amending the Act. Thank you.

MR. DEPUTY CHAIRMAN: Thank you very much.

DR. KARAN SINGH (NCT of Delhi): Sir, I associate myself with the matter raised by the hon. Member.

SHRI MADHUSUDAN MISTRY (Gujarat): Sir, I too associate myself with the matter raised by the hon. Member.

SHRI SHARAD PAWAR (Maharashtra): Sir, I also associate myself with the matter raised by the hon. Member.

SHRI TIRUCHI SIVA (Tamil Nadu): Sir, I too associate myself with the matter raised by the hon. Member.

SHRI D. P. TRIPATHI (Maharashtra): Sir, I too associate myself with the matter raised by the hon. Member.

SHRI ANUBHAV MOHANTY (Odisha): Sir, I too associate myself with the matter raised by the hon. Member.

SHRI K. T. S. TULSI (Nominated): Sir, I too associate myself with the matter raised by the hon. Member.

SHRI VIVEK GUPTA (West Bengal): Sir, I too associate myself with the matter raised by the hon. Member.

SHRI MD. NADIMUL HAQUE (West Bengal): Sir, I too associate myself with the matter raised by the hon. Member.

SHRIMATI JAYA BACHCHAN (Uttar Pradesh): Sir, I too associate myself with the matter raised by the hon. Member.

SHRI K. K. RAGESH (Kerala): Sir, I too associate myself with the matter raised by the hon. Member.

SHRI D. RAJA (Tamil Nadu): Sir, I too associate myself with the matter raised by the hon. Member.

SOME HON. MEMBERS: Sir, we too associate ourselves with the matter raised by the hon. Member.

SHRI DIGVIJAYA SINGH (Madhya Pradesh): Sir, this is a very serious issue. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: Okay. ...*(Interruptions)*... All those who associate, their names will be added. ...*(Interruptions)*...

SHRI DIGVIJAYA SINGH: This is a very serious issue, Sir. ...*(Interruptions)*...

SHRI ANAND SHARMA (Himachal Pradesh): And the other dimension is. ...*(Interruptions)*...

SHRI DIGVIJAYA SINGH: This is a very serious issue. ...*(Interruptions)*... The rules have not been framed. Therefore, the whole country, the well-meaning NGOs, the people who have contributed to the development of this country, are resigning, as Anu Agaji, has said. Therefore, the Government must respond and we should address the situation immediately. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: Shri Anand Sharma. ...*(Interruptions)*... Shri Anand Sharma. ...*(Interruptions)*...

SHRI MADHUSUDAN MISTRY: Sir, the Prime Minister is taking ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: That is okay. ...*(Interruptions)*... Mr. Minister, do you want to respond?...*(Interruptions)*... Let the Minister respond. ...*(Interruptions)*... Let the Minister speak. ...*(Interruptions)*... Hon. Minister, please. ...*(Interruptions)*... Shri Anand Sharma, next is your Zero Hour notice.

THE MINISTER OF URBAN DEVELOPMENT, THE MINISTER OF HOUSING AND URBAN POVERTY ALLEVIATION AND THE MINISTER OF INFORMATION AND BROADCASTING (SHRI M. VENKAIAH NAIDU): Hon. Deputy Chairman, Sir, I heard what Anuji was saying. There is some rational and force in it. But, at the same time, we have to study various dimensions. This issue came up for discussion during the earlier Government, and while finalising the Bill also. The Leader of the House, Shri Arun Jaitley, at that time, had made certain suggestions. But whatever may be the reasons, that have not been accepted. Expressing the same concerns, we shall keep in mind the sentiments of the House in this regard and see to it that a broad consensus is evolved on this issue and then move forward. Sharadji also has got some strong views on this. We will be benefitting by his views also.

SHRI SHARAD PAWAR (Maharashtra): Sir, I am grateful for what the hon. Minister has said. But, at least, the date should be extended. From 31st of this month, it should be extended and then, definitely, the hon. Minister can call the party leaders and give a collective thinking.

MR. DEPUTY CHAIRMAN: Okay; so the date is to be extended. That is the first thing to do.

SHRI M. VENKAIAH NAIDU: Sir, the date will be extended, but it all depends on the response of all other political parties also. Unilaterally, the Government cannot ...*(Interruptions)*...

SHRI DIGVIJAYA SINGH: Sir, I would like to know as to whether the rules have been framed.

MR. DEPUTY CHAIRMAN: No, no. That will be discussed later. That is not the time to ...*(Interruptions)*...

SHRI DIGVIJAYA SINGH: They have to respond. ...*(Interruptions)*... The rules have to be framed. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: Now, let me go to the Zero Hour; otherwise, the other Zero Hour notices will be lost. ...*(Interruptions)*...

SHRI M. VENKAIAH NAIDU: Sir, about 31st ...*(Interruptions)*... I will complete ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: Okay; next Zero Hour notice is of Shri Anand Sharma. I want to dispose of all Zero Hour notices.

**Concern over delay in dispensation of justice due to
vacant posts of Judges in High Courts**

SHRI ANAND SHARMA (Himachal Pradesh): Sir, I want to draw the attention of the House to a very serious situation prevailing in the country with regard to access to justice and dispensation of justice, at a time when there are over five crore criminal and civil cases pending in various courts of India. People are in prison; these are poor people, who cannot even pay for their bail or get a surety and they have been languishing in prisons for a period longer than the sentence to be given to them, if they were to be convicted. But the trials have not taken place. Why is this happening? There is a large number of pendency in the subordinate courts of the country, in the High Courts of the country and even in the Supreme Court of India. Sir, 470 posts of High Court Judges are lying vacant in 24 High Courts of India, as of today. For the last one year, the Collegium, the Chief Justice, have made recommendations to the Government, but after the NJAC judgement, the Government seems to be very angry and on a path of confrontation with the Collegium of the Supreme Court. Therefore, the attempt of this Government is to block the appointments and force a situation where a Memorandum of Procedure (MOP), as proposed by the Collegium of the Supreme Court is diluted, so that people owing allegiance to a particular ideology, people having certain leanings, will get accommodated.

Sir, the situation is so serious that a few months ago, the present Chief Justice of India, broke down and wept before the Prime Minister of India. Months have passed and the Prime Minister is unmoved. The Prime Minister has not taken any action, nor his Government. Even in the State of UP, which the Prime Minister represents in the other House of Parliament, there are 40 vacancies of the High Court Judges. So this Government, when it talks of 'justice to all', has to address this issue and explain as to why it is blocking the names which have been recommended by the High Court Collegiums, by the Supreme Court Collegium, and when they will fill these vacancies so that poor people can get justice. Today, Sir, poor people do not have money even to hire a good lawyer. With due respect to all my colleagues in the profession, I was also trained as a lawyer, people do not have means to hire a lawyer. ...(*Time-bell rings*)...

MR. DEPUTY CHAIRMAN: Time is over. Time is over.

THE MINISTER OF URBAN DEVELOPMENT, THE MINISTER OF HOUSING AND URBAN POVERTY ALLEVIATION AND THE MINISTER OF INFORMATION