

Clause 13 was added to the Bill.

MR. CHAIRMAN: In Clause 14, there is one Amendment; Amendment (No. 3) by Shri Binoy Viswam; not present.

Clause 14 was added to the Bill.

Clauses 15 to 17 were added to the Bill.

MR. CHAIRMAN: In Clause 18, there is one Amendment; Amendment (No. 10) by Shri Tiruchi Siva; not present.

Clause 18 was added to the Bill.

Clause 19 and the Schedule were added to the Bill.

Clause 1, the Enacting Formula and the Title were added to the Bill.

DR. JITENDRA SINGH: Sir, I move:

That the Bill be passed.

The question was put and the motion was adopted.

MR. CHAIRMAN: Hon. Members, there are eight permitted Special Mentions for today. Special Mentions of those Hon. Members who are present now shall be deemed to be laid on the Table of the House.

* SPECIAL MENTIONS

Need for State-specific classification of religious minorities in India

SHRI SUSHIL KUMAR MODI (Bihar): Sir, at present, the classification of religious minorities in India is done at the national level due to which Muslims, Sikhs, Christians, Buddhists, Jains and Parsis have been notified as minority communities. This classification, however, does not consider the cross-State variation in distribution of these communities and continues to grant minority status to a religious group that may otherwise form the majority in a particular State. For instance, despite

* Laid on the Table

constituting the majority at the national level, Hindus are a minority in the States/UTs of Punjab, Jammu and Kashmir, Mizoram, Nagaland, Meghalaya, Arunachal Pradesh, Manipur, Ladakh and Lakshadweep. This deprives the minority population in these States/UTs of cultural and education protections enshrined in the Indian Constitution such as those under Articles 29 and 30. In this respect, a move towards minority-status classification of communities on the basis of the State/UT's population will be beneficial for the welfare of communities that otherwise do not have access to constitutional protections associated with the minority status such as the right to establish and administer educational institutions of their choice. Moreover, a transition to a State-wise minority classification regime will remedy the incoherence associated with granting minority status to a community that otherwise constitutes the majority in a particular State. I urge the Government to consider providing to State-specific minority classification. Doing so will mark a step towards ushering social justice across States and in the nation as a whole.

MR. CHAIRMAN: The Hon. Member, Dr. Fauzia Khan, associated herself with the Special Mention raised by the Hon. Member, Shri Sushil Kumar Modi.

Obstacles in Arbitration in India

SHRI P. WILSON (Tamil Nadu): Sir, the evolution of arbitration in India is marked by significant strides, with a growing pool of specialised legal practitioners prioritizing arbitration over traditional litigation. However, entrenched challenges hinder its seamless integration into the legal landscape. One notable factor lies in the prevalent practice of appointing only the retired Indian judges as arbitrators. To foster a vibrant arbitration community, there is a pressing need to break free from the confines of traditional judicial traditions and encourage arbitrators to champion the cause of arbitration independently. A critical facet for cultivating an arbitration-friendly society is the identification and acceptance of the scope of resolution or settlement by the Courts. For this paradigm shift to materialise, the courts must actively endorse and recommend arbitration as a viable dispute resolution mechanism. However, there are infirmities in the present Arbitration Act which requires detailed consideration and judicial scrutiny. Furthermore, Section 29A, designated to expedite proceedings in 12 months, faces criticism for its impracticality, potentially leading to hurried arbitrations. The persistently high fees for arbitrators and administrative costs in India, compared to other jurisdictions, remain a deterrent for parties considering arbitration. Addressing these challenges require a holistic approach, including legislative