

LOK SABHA

SYNOPSIS OF DEBATES (Proceedings other than Questions & Answers)

Monday, August 8, 2022 / Sravana 17, 1944 (Saka)

REFERENCE BY THE SPEAKER

HON. SPEAKER: Hon. Members, today the entire country is celebrating the 80th Anniversary of the Quit India Movement which was launched under the leadership of the father of the nation Mahatma Gandhi on 9th August 1942 who delivered an exhilarating 'Do or Die Quit India speech at the Gowalia Tank Maidan in Mumbai. It played a crucial role in unifying the entire nation in one reinforced spirit of waging struggle for freedom enhancing public morale and anti-British sentiment leading up to India's eventful Independence. Today, we, being in the 75th year of our independence, are celebrating 'Azadi Ka Amrit Mahotsav'. Let us take a resolve to continue to work for the country keeping the sacrifices made by our freedom fighters in active memory and stay committed to upholding their high ideals. On this occasion, we pay our tributes to all the martyrs who laid down their lives in the struggle for freedom.

The Members then stood in silence for a short while.

FELICITATION BY THE SPEAKER

HON. SPEAKER: Hon. Members, I am immensely pleased to inform you that the Indian contingent has so far performed extremely well in the ongoing Commonwealth Games in Birmingham. As per the latest medals tally, India has created history by notching impressive wins with 18 Gold Medals, 15 Silver Medals and 15 Bronze Medals leading to a total of 55 medals as of now. I, on my own behalf and on behalf of the entire House, extend my heartiest

congratulations to all the medal winners and also wish all the other sports persons all the best for their outstanding performance in the upcoming events. We believe that the success of our sportspersons will inspire and encourage all the youth especially the young sportspersons of the country to excel and extend their championship lead.

THE ELECTRICITY (AMENDMENT) BILL, 2022

THE MINISTER OF POWER AND MINISTER OF NEW AND RENEWABLE ENERGY (SHRI R. K. SINGH) *moved that* leave be granted to introduce a Bill further to amend The Electricity Act, 2003.

SHRI N. K. PREMACHANDRAN, *opposing the motion for introduction of the Bill*, said: I rise to oppose this Bill very vehemently under Rule 72 (2) of the Rules of Procedure and Conduct of Business in Lok Sabha on three Constitutional grounds. Many of the provisions contained in the Electricity (Amendment) Bill, 2022 are against the federal structure of the Constitution. The federal fabric of the Constitution of the country is being altered by the Union of India without taking particular States of the Union of India into consideration. Power or electricity is a subject, which comes under the Concurrent List and thus the Government is bound to have an effective consultation with the States and stakeholders also. But unfortunately, no consultation has been done with the States before proposing this legislation. So, I urge upon the Government that before proposing the legislation, the States of the Union of India should be consulted. The third objection is that this is a violation of Article 39 (b) -- the Directive Principles of State Policy of the Constitution. The entire distribution network and infrastructure were built upon thousands of crores of rupees spent from the public exchequer. It is our money, but the private companies are being allowed to mint money out of the infrastructure made from the public exchequer.

SHRI MANISH TEWARI: This Bill seeks to amend the Constitution through a statute, and therefore, it is beyond the legislative competence of this House. Secondly, the Object of the Electricity Act, 2003 was to protect the interest of consumers and supply of electricity to all areas. This Bill substantially weakens the power of the States to achieve this objective by providing for multiple privately-owned distribution companies in the same area to allow them to use the existing infrastructure. This will lead to the privatisation of profits and the nationalisation of losses. The Centre is

empowered to issue a licence to a multi-state distribution company with no consultation with the State. The State Commission's role is drastically reduced even though the responsibility for operation and management stays with the States. This Bill appears to give an overriding power to rules prescribed by the Centre when it comes to the State Commission's power to fix the tariff for the retail sale of electricity. For these reasons, I would like to urge the Government to withdraw this Bill and have a detailed consultation with all the State Governments.

ADV. A.M. ARIFF: The Bill is a proposal for complete centralisation of authority and it is a frontal attack on the federal fabric of our Constitution. Many States have strongly protested against this Bill as electricity comes under the Concurrent List. So, a detailed discussion needs to be held with the stakeholders. Withdrawal of this Bill was one of the main demands of the year-long farmers' struggle. The Government had given a written assurance to the farmers. Hence, I strongly oppose the Bill.

SHRI ADHIR RANJAN CHOWDHURY: First of all, the Bill clearly violates the principle of cooperative federalism in our country. The Bill puts more power in the hands of the Central Government effectively diluting the powers of the State Government. This goes against the Concurrent List of the Constitution where 'electricity' is a subject in the List. The establishment of a Central Authority like the proposed National Load Despatch Centre rips away the decision-making power of the States.

SHRI T. R. BAALU: If the Minister is eager to send it to the Standing Committee, why should he introduce the Bill at all? He should have kept quiet for some time. Lakhs of farmers are enjoying free power in Tamil Nadu for the last 35 years. What will happen to them? The same thing should continue. That is why the Bill has to be withdrawn or it has to be sent to the Standing Committee.

PROF. SOUGATA RAY: On behalf of All India Trinamool Congress, I oppose the introduction of the Electricity (Amendment) Bill, 2022. This is an anti-people Bill. This Bill seeks to transfer state-owned power utilities to private hands. This Bill seeks to give several power companies the right to distribute power in the same area.

SHRI R.K. SINGH *replying said:* I want to speak on two three points and it is also necessary that it should be said so that I may counter those who are spreading false propaganda. There is no opposition to subsidies in this Bill.

The farmers who are getting free electricity would continue to get it. There is no provision to stop subsidies in this Bill. Those who are saying that there is a provision for multiple licences in one area, it already finds mention in the Act of 2003. They are deliberately misrepresenting facts here so that they can mislead the public. We have consulted every state, consulted all stakeholders concerned. This Bill is in favour of the people, in favour of the farmers. This Bill is in favour of the power system.

The Bill was introduced.

Thereafter, SHRI R. K. SINGH requested that the Electricity (Amendment) Bill, 2022, be referred to the Standing Committee on Energy.

ANNOUNCEMENT BY SPEAKER

HON. SPEAKER: Hon. Members, whenever a Bill is introduced, I give you enough time and enough opportunity. There has never been an occasion when I did not give you enough time. The Hon. Minister is saying that this Bill is to be referred to the Standing Committee. Once the Standing Committee submits its Report, then you can discuss it.

*MATTERS UNDER RULE 377

- (1) **SHRI KRISHNAPALSINGH YADAV** laid a statement regarding need to set up a NIFT centre in Chanderi.
- (2) **SHRI SURESH PUJARI** laid a statement regarding opening of new higher secondary Schools in Jharsuguda and Bargarh.
- (3) **SHRIMATI JASKAUR MEENA** laid a statement regarding construction of a building for Kendriya Vidyalaya in Dausa Parliamentary Constituency, Rajasthan.
- (4) **DR. SUKANTA MAJUMDAR** laid a statement regarding setting up of an Eklavya Model Residential School in Tapan Block, Balurghat.

* Laid on the Table as directed by the Chair.

- (5) **SHRI PARBATBHAI SAVABHAI PATEL** laid a statement regarding construction of an overbridge at level crossing No. 143 in Banaskantha Parliamentary constituency, Gujarat.
- (6) **SHRI GOPAL JEE THAKUR** laid a statement regarding construction of Darbhanga-Muzaffarpur railway line in Bihar.
- (7) **DR. SUJAY VIKHE PATIL** laid a statement regarding flights to Shirdi.
- (8) **SHRI MANSUKHBHAI DHANJIBHAI VASAVA** laid a statement to repair National Highways in Bharuch Parliamentary constituency, Gujarat.
- (9) **SHRI RAVINDRA KUSHAWAHA** laid a statement regarding enactment of a law for population control.
- (10) **ER. GUMAN SINGH DAMOR** laid a statement regarding the drinking water scheme in Ratlam Parliamentary constituency, Madhya Pradesh.
- (11) **SHRI RATANSINH MAGANSINH RATHOD** laid a statement regarding upgradation of Central Horticultural Experiment Station, Vejalpur in Gujarat as National Tribal Horticulture Institute.
- (12) **SHRI AJAY NISHAD** laid a statement regarding the storm water drainage system in cities located along Ganga, Gandak and other rivers.
- (13) **SHRI SUBHASH CHANDRA BAHERIA** laid a statement regarding refund of money to people who invested in Sahara Group Companies.
- (14) **SHRI K. SUDHAKARAN** laid a statement regarding clause 28 of the CBSE policy.
- (15) **DR. MOHAMMAD JAWED** laid a statement regarding establishment of a National Seemanchal Flood Management Board.
- (16) **DR. T. SUMATHY (A) THAMIZHACHI THANGAPANDIAN** laid a statement regarding withdrawal of Common University Entrance Test (CUET).
- (17) **PROF. SOUGATA RAY** laid a statement regarding amendments to the PMLA.
- (18) **DR. BEESETTI VENKATA SATYAVATHI** laid a statement regarding opening of a Kendriya Vidyalaya at Anakapalle.

- (19) **SHRI CHANDESHWAR PRASAD** laid a statement regarding construction of an elevated junction & railway over bridge in Jehanabad, Bihar.
- (20) **SHRI GIRISH CHANDRA** laid a statement regarding vacancies in Commissions meant for welfare of SCs, STs, & OBCs.
- (21) **SHRIMATI SUPRIYA SADANAND SULE** laid a statement regarding Life saving devices used by Ostomy patients.
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THE ENERGY CONSERVATION (AMENDMENT) BILL, 2022-contd.

SHRI ADHIR RANJAN CHOWDHURY: The Bill proposes to amend the Energy Conservation Act, 2001 which was last amended in the year 2020. The Bill seeks to provide a regulatory framework for carbon trading in India, to encourage penetration of renewable in energy mix and for effective implementation and enforcement of the Energy Conservation Act. India already stands committed to reducing carbon emissions. It is committed to achieve over 40 percent of its power generation capacity from non-fossil fuel energy resources by 2030. I would like to emphasise that the right should be provided to the State Government also as per the federal spirit of our Constitution. The State Governments play a very crucial role in promoting the usage of renewable energy and they duly deserve this right to issue Carbon Credit Certificate. The original Act says that no person shall be liable to pay penalty within five years from the date. However, the substituted relevant section in this Bill has no such clause. Another cause of concern is that this Bill seeks to bring in large residential buildings within the fold of the Energy Conservation Regime. How will the relevant penalties affect the common man? How will they be able to cope with complying with these provisions of compliance and penalties? I would like the hon. Minister to provide a distinct clarification on this issue. Initial capital investment in constructing a green building is very much expensive. How will the required standards be met? Who will determine the same? However, while a carbon neutral company may have deployed energy efficiency sources to develop its product commodity, there is no certainty that they also source their raw material from a carbon neutral company as well. In the absence of a governance body, private entities often form non-governmental organisations and tend to determine the standards of the commodity. This could

lead to distrust of the quality of the carbon credits. While the Bill proposes to provide certificates and to consult entities through the Government mainly, it does not provide for determining the quality of the commodity. Enhancing subsidies in the renewable energy sector will be more beneficial to the economy. The Government has failed to strengthen India's capacity for domestic production of solar panels and around 80 percent of panels being imported from china. We do not have time to wait for a high price on carbon. Carbon markets have created a lot of income for consultants, carbon brokers and project developers. There is very little independent and democratic oversight in the system.

DR. PON GAUTHAM SIGAMANI: India is the largest exporter of carbon credits. Therefore, it makes obvious sense that we set up our own national market and frame necessary regulations for it. This amendment seeks to mandate the use of non-fossil sources including green hydrogen, green ammonia, biomass and ethanol for energy and feedstock. There is a need for incentivizing actions for emission reduction leading to increased investments in clean energy and energy efficiency areas and this Amendment will be seen as a positive step in that direction. The proposal is expected to increase the cost of construction by two-three percent, but the recovery takes place within 4-5 years through reduced bills. I welcome the move to empower the State Electricity Regulatory Commissions to make regulations for the smooth discharge of its functions. Tamil Nadu is exploring avenues and opportunities to develop our renewable energy infrastructure. I sincerely hope that the Union Government will strengthen our efforts and support us in this regard.

SHRIMATI SUPRIYA SADANAND SULE: Renewable energy has been talked about in a very positive manner in the House. But at the same time, the Coal Ministry has also been energetic and enthused by the work they are doing. They were talking about coal and mines. How well are they doing? How much more generation has to be done? So, I humbly ask the government, what is the true policy? You are going into coal and mines aggressively and telling us how transparently this is being done, which is wonderful. Transparency is good for the nation. In the Statement of Objects and Reasons, you have said that you are looking at Green Hydrogen, Green ammonia, Biomass and Ethanol for energy and feedstock, which is all wonderful. I would like to seek clarification on biomass, which has seen a lot of NPS in investment. So, what is the position of the Government of India on biomass because you have talked about this? We are very happy to know that we are working so much on solar. It is so hard to

do land acquisition for solar energy projects. Why does the Government not use the MIDC model for land acquisition to improve the scheme? This Government is very transparent. We are very proud and we compliment them on this. During the Covid time, the Government gave a blanket extension to the windmills which is a very good thing. But why should the solar energy sector not get the same? This Government initially was doing a great job in all these bids. But in the last six to eight months, the Government changed the policy. The country and the consumer are going to get affected. Please give me an answer on this policy issue. What is the R&D that this Government is doing? This Government has not reached a single target since it has come to power. The Government talked about the Solar Rooftop Programme. Out of the target of renewable energy, not even 60 per cent target is achieved. What has this Government done for transmission and distribution specifically of renewable energy? There is a need for discussion about Discoms. Why did the Government of India give money to the States in the Uday scheme? They gave it to the States so that we would reach the last mile. They did not say that it is the scheme. Now they are saying that no freebies are allowed. What the Government really needs to do is to have a clear-cut policy. They keep changing policies every few months. We need a wind and solar hybrid model.

SHRI RAJIV PRATAP RUDY: Today, we have such a Government and leadership in our country that the Hon'ble Prime Minister of the country goes to attend the Glasgow summit and just after three to six months of his return, brings an amendment to fulfil the international commitments made in the summit. We have to achieve the target of 500GW of non-fossil fuels by the year 2030. This target has been fixed by our Hon'ble Prime Minister, maybe, none of us will be here in this august House when this target is achieved but our future generations will surely be benefited by it. Our country is progressing, buildings are being constructed and infrastructure is being laid. This will require 24 per cent more electricity. In the year 2022, we have crossed the target of 2 lakh MW generation of power. However, we ought to lower the carbon emission in the world and we have to work to achieve this target as this has been decided by our Hon'ble Prime Minister. Our Hon'ble Prime Minister led the International Solar Alliance. In case, there is darkness in Europe and America, India will remain lit up as electricity in India will be generated from renewable energy sources and it will be supplied to China as well as to America. China is producing the largest amount of carbon emission today and then comes the USA. Of course, India stands at third place and it has the lowest

per capita emission in our country. Nevertheless, it is a challenge and we need to control it. All of us and our Hon'ble Prime Minister have a strong view about the environment.

***SHRI K. NAVASKANI:**

SHRI HASNAIN MASOODI: I stand in support of the Energy Conservation (Amendment) Bill, 2022. This Bill is aimed at promoting energy conservation and putting an end to pollution. This Bill is also an extension of the 'polluter pays' principle and it combines all the three responses that we must adopt for energy conservation, use of market forces, use of the regulatory framework and also extra focus on renewable energy. Whatever is being done today here, is being done a little late, because, in the rest of the world, this use of market framework started much before. We must encourage the use of renewable energy so that we can have less and fewer emissions. The Government has not incentivised the use of renewable energy. I would like to.

DR. M.K. VISHNU PRASAD: This Bill mainly promotes the use of non-fossil renewable energy and discourages the use of fossil fuels. This Bill proposes to give Carbon Emission Certificates which we appreciate. But, there are some grey areas where we have to focus on. The construction of green buildings is the first such area. The investment required is very high. The Bureau of Energy Conservation has under-utilised the funds by around 50 per cent in the last two years. This has to be taken seriously. This Government has reduced the budget for Solar Energy Corporation from Rs. 1,800 crores last year to only Rs. 1000 crore this year. At the same time, around 60 per cent subsidy on solar panels is being reduced by this Government and GST on it has been increased from 5 to 12 per cent. What is the justification? The import duty for solar panels has been increased. Why is the Government not promoting electric vehicles to be manufactured by Government PSUs? Around seven Maharatna companies have invested 11 times more in fossil fuel energy. Why cannot they invest in this green energy? The Government has to clarify these things. I strongly oppose this Bill.

SHRI ANUBHAV MOHANTY: This Bill seeks to mandate the use of non-fossil sources including biomass and ethanol along with the use of green hydrogen and green ammonia. It also proposes to enhance the scope of the Energy Conservation Building Code. It is important to note that the Energy Conservation Act, 2001 was last amended in 2010 to address various new

* Please see supplement.

factors which had emerged over a period of time. A need has, thus, arisen to further amend the Act to facilitate climate targets committed at COP26 Summit. One of the unique features of the proposed amendment is that it introduces the concept of Carbon trading. Carbon trading is a fairly effective mechanism towards reducing Carbon emissions. But, a mechanism to regulate Carbon trading and ensure transparency is missing here and it needs to be looked into. This Bill also introduces the concept of sustainable buildings. It provides norms and standards in the building code for energy conservation, and efficient use of renewable energy. This is a commendable feature. Another important feature of the proposed amendment is that it allows the State Commissions to make regulations for this purpose. Promotions of renewable energy conservation, as well as efficient use of energy and carbon credit trading, are the need of the hour to achieve the sustainable development goals in line with the Paris Agreement. The Carbon credit market comes at a high transaction cost. So, accurate parameters, as well as transparent mechanisms for the regulation of carbon trading, need to be set up.

SHRI N. K. PREMACHANDRAN: This Bill is ambiguous, vague and unclear. The intent of the legislation is not manifested in the Bill. None of us in this House will oppose the basic concept of efficient use of energy and its conservation. It is highly essential. I do support the provisions like mandating the use of non-fossil energy sources, bringing large residential buildings under the Energy Conservation regime and strengthening the Bureau of Energy Efficiency. Carbon Trading is a new concept incorporated into this Bill. I apprehend that this Amendment Bill is designed with the sole objective to facilitate Carbon trading. But, there is no specific, clear-cut definition of Carbon credit scheme in this legislation. The Parliament has the authority to know what is meant by the Carbon credit scheme. It is very important to distinguish between trade 'within the country' and 'between the countries. I urge the Government of India to use the UN forums to argue for Carbon reduction. Please remove the shortcuts like Carbon Trading. So, subject to this strong reservation on Carbon trading, I support other provisions of the Bill.

SHRI GAURAV GOGOI: There are a lot of doubts and concerns about the Carbon market and Carbon Trading here, so it would probably be better if the government refers this Bill to the Standing Committee. The companies that can do Carbon Trading in a better way should be given incentives and we should bring provision for a strict penalty in this legislation for those companies, who are misusing it. The power sector transfers the burden of these

emissions to the consumers. We have to save poor people and farmers from it. The revenue earned from emissions trading can be used to help poor people and farmers. Tidal energy too is a huge form of renewable energy. I would like to request that there should be an emphasis on research and development in this regard. I would like to request the Government to set up such technology in the North East too so that renewable energy can be generated there also.

DR. MANOJ RAJORIA: There are several reforms in this Bill, which will take the country forward in the renewable energy sector even after 100 years from now. It will also make a significant contribution in achieving the Paris Agreement and will also make a very substantial contribution in reducing The Carbon emission in the country. The Bill empowers the States to make maximum use of renewable energy as per their requirement. Under the leadership of the Hon'ble Prime Minister, a number of power sector reforms have been done. Through this Bill, it has been tried to generate energy within the country with the help of water, solar energy, hydrogen energy and many other new sources of energy.

DR. SHRIKANT EKNATH SHINDE: We are discussing the Energy Conservation Amendment Bill. Today, it has become very important to conserve energy in the country. This will reduce many types of problems for future generations. Through this Bill, the Government is bringing a lot of positive changes. I would like to suggest that it is also necessary to have a representation of environmentalists among the Board Members of the Bureau of Energy Efficiency. In addition, urban local bodies and panchayats should also be given due representation. The government should bring a scheme through this Bill to encourage the installation of solar plants or rooftop grids in residential areas. The government should plan to use surplus land of PSUs to set up solar power plants. In addition, like Cochin Airport, there is a need to formulate plans to set up other airports, bus stands and railway stations also with the employment of solar plants. We also need to focus on floating solar power plants. The world's largest solar power plant is being installed on the river Narmada in Khandwa, Madhya Pradesh. I would like to suggest that such solar power plants should be installed on the rivers located in the other States of the country as well. Now we need to focus on the hybrid model of renewable energy. The government has made a plan for a solar wind hybrid project, but now it is necessary that along with solar energy, the project related to other renewable energy sources should also be started on the hybrid model. I think solar power plants will work during the day and electricity will be generated

through gravity at night. It is a good model and it is very important to replicate it all across the country. With these suggestions I conclude my speech.

THE MINISTER OF POWER AND MINISTER OF NEW AND RENEWABLE ENERGY (SHRI R. K. SINGH) *replying said:* Most of the speakers have supported the Bill. In the power sector, there are many things which we can be proud of as a country. We connected every village in just about 987 days; however the hon. Prime Minister had given us a target of 1000 days. At that time, the International Energy Agency came out with a tweet saying that this was the best news in the energy sector in 2018. We connected 28.6 million homes. Now the figure stands at 28.8 million homes. The International Energy Agency said that this was the largest expansion of access in the shortest time frame ever in the history of the power sector. We have done this as a country. In one stroke, we connected every village, every home. We converted our country from power deficit to power surplus. Today, we have about 4, 00,000 MW installed capacity. We connected the whole country to one grid, converting our grid into the largest grid in the world. We should be proud of it. Our per capita emissions are one third, the lowest in the world. Our renewable energy capacity installed is 161 GW and 72 GW is under installation. The efficiency of energy utilization has gone up in the range of 20 to 25 per cent in a number of sectors. This is why a large number of our major industries have become competitive. As far as the reduction in the emission of CO₂ is concerned we have achieved our target before time and that is why we have enhanced our targets for 2030, and we shall achieve those too. One question, of course, was that we have reduced the pledge, which was made by the hon. Prime Minister in Glasgow. The hon. Prime Minister had made a pledge that by 2030 we shall install 500 GW of non-fossil fuel capacity and we stand by that. We had said that we would have achieved the target of acquiring the capacity of generating 40 percent of our energy from non-fossil fuels by the year 2030 which we achieved in November 2021 itself. Now we have enhanced this 40 per cent to 50 percent. So, our progress in renewable energy and energy transition is something to be proud of. We believe in energy conservation and the environment. That is why we are doing this. This set of amendments will take that forward. This is our golden opportunity to change from being a net importer of energy to being a net exporter of energy. We can emerge as the global supplier of green hydrogen and green ammonia and that is going to be the future. Different European countries and developed economies have already started tying up for green hydrogen, green ammonia; we can't afford to miss the

bus this time. I am happy that many industries have gone abroad and tied up for the export of green hydrogen and green ammonia from our countries to those countries in need, like Japan, the European Union, etc. Our objective is twofold. One objective is that we shall green our industry; that is for the environment and that is also to remove our dependence on imported sources. We shall make green ammonia here, from the sun and our solar energy and wind energy. This is the way in which we are going to be world leaders. These amendments would facilitate that. That is why we have put an enabling provision in the amendment that we will prescribe the replacement of imported fossil fuel sources by renewable sources or non-fossil fuel sources made in India. That is why we have provided for the carbon market. I will tell you why carbon credits are not going to be exported because we have made commitments in COP-21 and COP-26 about our NDCs. So long as we do not meet those commitments, we shall not allow any export of carbon credits. Those carbon credits will have to be generated and bought by domestic industries. There was some discussion about bringing residential buildings into the purview of this Act. We are only bringing in large residential buildings which have a connected load of more than 100 KW. Only those buildings will be mandated to become green buildings and sustainable buildings. All the implementation is done by the designated agency of the State. Now, this Bill also provides for providing finances and resources to the designated agencies for this thing. By and large, this Bill has been welcomed by everybody. I would recommend it to the House that this Bill may be passed.

The Bill was passed.

**THE NEW DELHI INTERNATIONAL ARBITRATION CENTRE
(AMENDMENT) BILL, 2022**

THE MINISTER OF LAW AND JUSTICE (SHRI KIREN RIJJU)
moving the motion for consideration of the Bill, said: I am moving this Amendment Bill with the intention of having a world-class Arbitration Centre in India. In 2009, we passed the New Delhi International Arbitration Centre Act. After that, we had already established the said centre on 20th June, 2022. In this regard, we have started the process of the appointment of Chairperson. In the meantime, as the situation is dynamic and we see the situation globally, we felt that an amendment is very important to ensure that the objective of the Act is taken to its logical end. In the process, we are today making a very short

amendment. The purpose of today's amendment is one, the name of the New Delhi International Arbitration Centre be changed to India International Arbitration Centre and two, enable the New Delhi International Arbitration Centre to specify, by way of regulations, the manner of its discharge of various functions. I would like to tell the hon. Members that this is a very specific Bill with a specific objective to ensure that India becomes an international hub of arbitration. As the country is growing, we would like our business to grow, and in the process the support and views of all the hon. Members are important. So, I expect that without much objection all the Members will support this Bill unanimously.

DR. AMAR SINGH *initiating said:* Arbitration is a good alternative to disposal of cases or dispute resolution. We all support having the Arbitration Centre and having an alternative mechanism for the disposal or resolution of disputes between parties. We do not have a statutory backup; there is a lack of experts in the country. At least, certain legal or civil disputes could have been only delegated to this India International Arbitration Centre. People are preferring Singapore International Arbitration Centre as a centre for arbitration. It is because the orders are mandatory and international experts are sitting on those Tribunals and the disposal of cases is quite quick. But we are not touching those issues because of which people are going outside the country. There are so many practical problems in the arbitration issue. Unless we take up all those issues, simply changing the names will not work.

SHRI RAMESH BIDHURI: Our Minister of Law has taken today the step of farsightedness shown by our Hon. Prime Minister. I stand to speak in support of it. Now, New Delhi International Arbitration Center will be known as India International Arbitration Center. The Governments are functioning since 1952. But, the Judiciary did not become as strong as it should have been. The cases related to arbitration are related to the judiciary and civil matters. In the field of economy there are many big companies from our country and other foreign countries which have to go to Singapore. The infrastructure necessary for the judiciary was not provided to it. In our country democracy is driven by the three institutions like legislation, judiciary and education. If I talk about the states like Jharkhand and Chhattisgarh, they lack the necessary staff and infrastructure to solve the cases. Civil matters should be disposed of quickly through arbitration. So, its name was changed. Arbitration became necessary because our courts were unable to provide justice in time. It gave a message – Justice delayed is justice denied. Who is responsible for it? The people who

ruled over the country for 66 years were responsible for it. It is the farsightedness of our Hon. Prime Minister said that this international infrastructure would be set up in India where five lakhs people in India will get employment. If infrastructure is developed in India, it will become famous all over the world. The credibility of India is increasing in the world. The cases under arbitration should be time bound and these should be settled in a certain time frame.

PROF. SOUGATA RAY: I shall be very brief. There is something known as superfluous legislation. This is such legislation. This Government does not know its mind. The moot question is that there is neither any objection nor any support. Singapore is such a small place but one will find that most of the companies go there for international arbitration. Why has the Government not made any progress in the last three years to make New Delhi a major centre of arbitration? In our country, courts take years and years to decide on a case. Courts are there only to benefit lawyers, not the litigants. They appoint a retired judge as an arbitrator and judges as arbitrators make more money than they used to make earlier. Ultimately when the arbitration award comes, then somebody goes again in litigation to court. There are big law firms. But none of the top international law firms has set up big offices in India. Our big lawyers have gone abroad. I would like the hon. Minister to develop this arbitration as an alternative. This will reduce the burden on the courts. It will give quick relief to litigants.

DR. KALANIDHI VEERASWAMY: We definitely need an International Arbitration Centre in India. This Bill was actually brought in 2019 and in that Bill, they had said that the Act will allow the Central Government to make provisions for removing any difficulty in implementing the Act for up to two years. The lackadaisical manner in which they have been preparing the Bills has already been referred to by the Supreme Court Chief Justice. He has said that the Parliament is passing Bills without taking complete details into consideration and there is not an adequate number of debates happening. The CJI of the Supreme Court has mentioned that passing Bills without all these considerations creates havoc in the judicial system. It is very sad to note that a Bill which was brought in 2019 is brought again for an amendment within three years. Similarly, we have seen problems with the farm Bills and other Bills that the Government has brought in. In this Bill, we are not talking about any provision. We are only talking about international arbitration where these disputes are lasting into several thousands of crores. In fact, our hon. The Chief

Minister has also asked for a Supreme Court Bench to be constituted in Chennai. I would request the Minister of Law to consider that. We wish that there can be a provision for virtual arguments. This can be taken as a definite positive aspect for the Minister of Law to consider.

SHRI LAVU SRIKRISHNA HNADEVARAYA: I believe that this is the second or third time that we are speaking about arbitration in the last three years. We speak about it again and again but the Arbitration Centre does not come up in Delhi. We totally support the Bill in terms of change of name. It is not just the corporate level arbitration that is required in this country, but we must consider arbitration at the lower level also so that the pending cases are dealt with at that level itself. We have Lok Adalats and other institutions but they do not have enough power to do arbitration at the lower level.

KUNWAR DANISH ALI: First of all, I would like to say that if arbitration has to be done, we should first pay attention to our existing judicial structure. Crores of cases are pending. The government is not able to do what it should do for that. The truth is that it is very difficult for the poor man to get justice nowadays. He can't hire big lawyers. I would like to say that there should be a good system of arbitration within the judicial system in the country and infrastructure should be developed.

SHRIMATI SUPRIYA SADANAND SULE: I have just two questions. This Bill is not for the common man. So, this is obviously for the big boys. As per a reply from the Government of India high network individuals of India are leaving India and they prefer a foreign passport to an Indian passport. All the big lawyers, who are leaving our country, prefer arbitration in England. Has the government ever thought of that for a moment? While the government is trying to set up an international centre, why are the intellectual lawyers and the industrialists leaving India? Why do the big companies choose Singapore or Britain as an arbitration centre and not India? Why does the government not introspect on this to improve and strengthen the system instead of bringing the law just for changing the name? The government is bringing in an international centre for the big boys, the big industrialists who it expects to be a part of this arbitration centre. But they prefer Singapore over India. Why are we wasting our time on this? I need to reply to this.

SHRI HASNAIN MASOODI: An efficient adjudicative mechanism has a key role in promoting investment, industrial growth and generation of employment, and the overall development of a country. The investors –

domestic and foreign – feel encouraged and confident to invest in a country if they find that country has an efficient justice delivery mechanism. Against that background, this Bill is a step in the right direction. Though the change itself may not convey much, but it does, at least, bely the impression that we do not have an efficient adjudicative mechanism or an alternative dispute resolution mechanism in the country.

SHRI HANUMAN BENIWAL: I am coming to the Bill. I would like to speak on the Bill itself.

DR. NISHIKANT DUBEY: Earlier, there were no disputes here. Liberalisation started after the year 1990. Now there will be no such sector, from small-scale sector to big sector, without foreign investment and foreign partners. When this situation develops, all the disputes will be raised in foreign countries. The rich will go to Singapore or London, but our small-scale industries, who are small people, will not have so much money for the resolution of those disputes, they will not be part of that agreement. I have a small suggestion. This point must be included in the agreements signed by Indian companies with other companies or other countries that if there is any dispute, then that dispute would be resolved in India. We have also seen that we have suffered a lot due to the arbitration in large disputes taking place abroad. So I think if we make it a part of the agreement, it will be beneficial.

SHRI KIREN RIJJU *replying, said:* We can assume that all the Hon. Members have supported this Bill. This is a small amendment. A small step can be a giant leap at times. Sometimes people say that what lies in the name but at times the name is everything. Therefore, when we are discussing changing the name of the New Delhi International Arbitration Centre then I would like to inform you that there are 36 arbitration centres in our country and all are named after the cities in which they are located. In Delhi already there is Delhi International Arbitration Centre which works under Delhi High Court. When the Government of India by taking initiative and by passing a Bill in the Parliament constituting a centre then its status should be of higher level and we should progress accordingly. This New Delhi Arbitration Centre is one of the arbitration centres in the country; this message should not be conveyed because it is a centre of national importance. When we pass an Act through the Parliament it has great importance. If we create another Delhi International Arbitration Centre in Delhi with the same name then it will create some confusion. It is the duty of the Parliament to enact such legislation which is

required for the country. We are aware and as per the requirement, we have brought this amendment Bill. When we call it India International Arbitration Centre then it represents the whole country. Some of the Hon. Members have put forth a question that why arbitration in India is not being settled through Singapore and some of the Hon. Members have said that why businessmen of India proceed to other countries whenever a dispute arises. In our country work on several arbitrations is being undertaken but a large section of the society prefers ad hoc arbitration. Now, it is acknowledged at the international level also that institutional arbitration is much better than ad hoc arbitration. Therefore, we are moving towards institutional arbitration. I would like to clear up points for the benefit of Hon. Members. Why is it an advantage to have institutional arbitration? First of all, it determines the arbitration procedures in a very formal manner. All the popular institutions globally provide for an arbitration procedure and it saves the parties' and their lawyers' efforts in determining the arbitration procedure. Some institutions also provide the service of drafting an arbitration clause. When our own arbitration centre is created then it provides help to the parties'. A clause will be incorporated in every major contract of the Government of India and all the cases arising out under this clause will be settled in this India International Arbitration Centre. If you really want India to become a truly international centre of arbitration then you should support this Bill wholeheartedly because the objective of this Bill is to move in that direction. A conference was held in London; there everybody said that India is an emerging country and an economic power also. People are looking at India with expectations and we have to take proactive actions through the Government of India and Parliament. Therefore, when discussing an international hub then we must have concrete arrangements. We are strengthening the existing centres and compositions speedily. Several Hon. Members have raised other issues also like the pendency of cases. This is a very good alternative dispute resolution mechanism and we are creating a way forward in this direction. In comparison with the past, the disposal of cases has increased many times. At present, if a judge disposes of fifty cases then hundreds of new cases are there for his disposal. India is emerging, everybody is aware and reaching courts for justice. We must be concerned about the pendency of cases because their number is rising day by day. More than 80 per cent of pending cases are in lower courts. At present, Judges are disposing of more and more cases. In the Supreme Court on an average every judge disposes 40 to 50 cases. Anywhere in the world, it is not the same situation but it

happens in India only. It is a matter of concern for all of us that we have to make every effort to dispose of a large number of cases because the number of the same is increasing day by day. The speed with which infrastructure was provided by us since the year 2014 is not enough. We have increased the speed by three times. For all the courts working under the Hon. High Courts, we have provided a much bigger infrastructure. We are in a supportive role in this regard but our states have to play proactive roles in this regard. The Union Government and State Governments have to look into the matter collectively. This is not a matter of dispute. We have to work collectively in this regard. I have to keep in mind the restrictions about the time and I have to be precise in my reply. I would like to thank all the Hon. Members in this regard. But, I would like to say in respect of Hon. Member, Shri Sougata Rayji that please be aware of the updates in this regard. You have asked an inappropriate question. You said that we have created NDIAC by dissolving the International Centre of Alternative Dispute Resolution but it is not like that. The ICADR is an independent body. We have not formulated this Act by dissolving it. Please update your information. After this amendment, when we establish New Delhi International Arbitration Centre as India International Arbitration Centre, India will certainly become a global hub of international arbitration under the able leadership of Prime Minister Modiji and we will have businesses from other countries. India will emerge as one of the top international arbitration nations.

The Bill was passed.

ANNOUNCEMENT BY THE SPEAKER

HON. SPEAKER: Hon. Members, the farewell ceremony of our hon. Vice President and Chairman of Rajya Sabha, Shri Venkaiah Naidu, is being organised in the Balayogi Auditorium of Parliament at 6 pm today. I would request all the honourable Members to make it convenient to grace this occasion.

VALEDICTORY REFERENCE

HON. SPEAKER: Hon'ble Members, the Ninth Session of the Seventeenth Lok Sabha is now nearing its end. This Session commenced on 18th July 2022 and concluded on 8th August 2022. It is a matter of immense pleasure for us that following the oath-taking of 4 new Members on 18th July

2022, now there is no vacancy in the House. On 23rd July 2022, the Members of Parliament of both Houses bade farewell to the outgoing President of India, Hon'ble Ram Nath Kovind Ji in the Central Hall of Parliament House. Likewise, a function was also organised in the Central Hall of Parliament House on 25th July 2022 to administer the Oath to the New President-elect, hon. Smt. Draupadi Murmuji. During this Session, we had 16 sittings spread over 44 hours and 38 minutes. The Session also saw the disposal of important Legislative and other Businesses. During the current Session, 6 Government Bills were introduced and in all, 7 Bills were passed. Some of the important Bills passed are The National Anti-Doping Bill, 2022: The Wild Life (Protection), Amendment Bill, 2022, The Central Universities (Amendment) Bill, 2022 and the Energy Conservation (Amendment) Bill, 2022. The discussion on the Wild Life (Protection) Bill continued for 5 hours and 05 minutes, in which 39 honourable Members participated. The Bill was passed by the House after the reply of the Hon'ble Minister. During the Session, 319 matters under Rule 377 and 98 matters of urgent public importance were raised by the Hon'ble Members. The Parliamentary Standing Committees presented 41 Reports to the House. During the Session, 46 starred questions were orally answered. As many as 47 statements were made by the Ministers on various important subjects including 2 statements on correcting replies and 3 statements by the Hon'ble Minister of Parliamentary Affairs regarding government business. During the session, as many as 1,641 papers were laid on the Table of the House by the Ministers concerned. The House also held two short-duration discussions under Rule 193 regarding price rise and the need to promote sports in India and steps taken by the Government in this regard. The discussion on price rise concluded on 1st August 2022, with the reply of the concerned Minister, in which 32 hon'ble Members discussed for 6 hours 25 minutes. The discussion concluded with the reply of the concerned Minister. The discussion regarding the promotion of sports and steps taken by the Government in this regard in India remained part discussed. Coming to the Private Members' Business as many as 92 Bills on different subjects were introduced by private members on Friday, 5th August 2022 during the Session. The discussion on the Compulsory Voting Bill, 2019 by Shri Janardan Singh 'Sigriwal' was taken up on 12 and 26 July 2019 and 22 November 2019 and 3 December 2021 and 1 April 2022 during the first, second, seventh and eighth Sessions, respectively, continued on 5 August 2022 during the Session. The Bill was withdrawn with the leave of the House on 5 August 2022. The discussion

on the Representation of the People (Amendment) Bill, 2019 (Insertion of new section 29AA) by Shri Gopal Chinayya Shetty, taken up on 5 August 2022. Further discussion on this Bill will continue in the next Session also. Hon'ble Members, on 27 July 2022, the Parliamentary delegation of Mozambique, led by the Speaker of the Parliament, watched the proceedings of the Lok Sabha sitting in a special box. I would like to thank my hon. colleagues in the Panel of Chairpersons for their cooperation in the completion of business of the House. I am extremely grateful to the Hon'ble Prime Minister, Minister of Parliamentary Affairs, Leaders of various parties as well as the Hon'ble Members for their cooperation. I would also like to thank, on behalf of all of you, our friends in the Press and the Media. I take this opportunity to compliment the Secretary-General for his able, competent and expert assistance rendered to me. I thank the officers and staff of the Lok Sabha Secretariat for their dedicated and prompt service to the House. I also thank the allied agencies for their able assistance in the conduct of the proceedings of the House.

NATIONAL SONG

The National Song was played.

(The Lok Sabha, then, adjourned sine die.)

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UTPAL KUMAR SINGH
Secretary General

** Supplement covering the rest of the proceedings is being issued separately.

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NOTE: It is the verbatim Debates of the Lok Sabha and not the Synopsis that should be considered authoritative.

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LOK SABHA

SUPPLEMENT TO SYNOPSIS OF DEBATES
(Proceedings other than Questions & Answers)

Monday, August 8, 2022 / Sravana 17, 1944 (Saka)

THE ENERGY CONSERVATION (AMENDMENT) BILL, 2022-contd.

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***SHRI K. NAVASKANI:** Keeping in view the future of our younger generation and protecting our environment and nature, I urge that this Government should focus more on achieving the targets mentioned in the Paris Agreement. India contributes only 6 per cent of world's Green House Gas Emissions. But it has set a lengthy period of reaching the target of zero neutrality by the year 2070. Why can't we reach this target well before the time? The Objectives of the Energy Conservation Bill states increased use of renewable energy in industrial sector and transport sector infrastructure. But, it is a great disappointment that the Government does not have any specific scheme for use of up-to-date technology in this field. This Government has stated that by the year 2030, the non-fossil fuel capacity of our country will be increased by 500 Mega Watt and 50 percent of the nation's energy demand will be fulfilled through renewable energy. But, what new technology it has for this purpose and what is the alternative source of energy it is trying to provide? It should devise concrete schemes for implementing these proposals. This Government is said to focus on solar energy. But, 80 per cent of the solar energy components are imported from China. Tamil Nadu ranks No. 1 in India in terms of wind energy production. I urge that Union Government should incentivise states like Tamil Nadu which are doing well in renewable energy. As regards Tamil Nadu, feasibility of producing solar energy is also good. It should also be utilised. In Ramanatahapuram constituency as well as in the

** Speeches made by other hon. Members have already been included in the Synopsis (Main).
* Original in Tamil.

coastal areas, particularly in southern districts of Tamil Nadu, the feasibility study should be carried out for setting up of wind mills there to produce renewable energy. Our dependence on coal as fuel should be brought down.

UTPAL KUMAR SINGH
Secretary General

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