

The House reassembled after lunch at one minute past two of the clock.

MR. DEPUTY CHAIRMAN in the Chair

**The Constitution (One Hundred and Ninth Amendment) Bill, 2009**

THE MINISTER OF LAW AND JUSTICE (SHRI M. VEERAPPA MOILY): Mr. Deputy Chairman, Sir, I beg to move:

That the Bill further to amend the Constitution of India, be taken into consideration.

*The question was proposed.*

MR. DEPUTY CHAIRMAN: The question is:

That the Bill further to amend the Constitution of India, be taken into consideration.

*The House divided.*

MR. DEPUTY CHAIRMAN: Ayes - 135.

Noes - Nil

Acharya, Shri Suryakantbhai

Achuthan, Shri M.P.

Adeeb, Shri Mohammed

Ahluwalia, Shri S.S.

Akhtar, Shri Kamal

Ali, Shri Munquad

Ali, Shri Sabir

Amin, Shri Mohammed

Anand Sharma, Shri

Anbalagan, Shri S.

Antony, Shri A.K.

Apte, Shri Balavant *alias* Bal

Azad, Shri Ghulam Nabi

Bagrodia, Shri Santosh

Balaganga, Shri N.

Balmiki, Shri Krishan Lal

Chandrasekhar, Shri Rajeev

Chatterjee, Shri Prasanta

Chaturvedi, Shri Lalit Kishore

Chaturvedi, Shri Satyavrat

Chavan, Shri Prithviraj

Condpan, Shri Silvius  
Daimary, Shri Biswajit  
Das, Shri Kumar Deepak  
Deora, Shri Murli  
Dhawan, Shri R.K.  
Dwivedi, Shri Janardan  
Elavarasan, Shri A.  
Fernandes, Shri Oscar  
Ganga Charan, Shri  
Gill, Dr. M.S.  
Gnanadesikan, Shri B.S.  
Govindarajar, Shri N.R.  
Gupta, Dr. Akhilesh Das  
Hariprasad, Shri B.K.  
Heptulla, Dr. (Shrimati) Najma A.  
Husain, Shri Jabir  
Jaitley, Shri Arun  
Jinnah, Shri A.A.  
Jois, Shri M. Rama  
Kalita, Shri Bhubaneswar  
Kanimozhi, Shrimati  
Karan Singh, Dr.  
Karat, Shrimati Brinda  
Karimpuri, Shri Avtar Singh  
Keishing, Shri Rishang  
Khabri, Shri Brijlal  
Khan, Shri Mohd. Ali  
Khandelwal, Shri Pyarelal  
Khuntia, Shri Rama Chandra  
Kidwai, Shrimati Mohsina  
Koshyari, Shri Bhagat Singh  
Krishna, Shri S.M.  
Kurien, Prof. P.J.  
Lad, Shri Anil H.

Madhu, Shri Penumalli  
Mahendra Mohan, Shri  
Maitreya, Dr. V.  
Majhi, Shri Bhagirathi  
Malaisamy, Dr. K.  
Mangala Kisan, Shri  
Mathur, Shri Om Prakash  
Mishra, Shri Kalraj  
Mukut Mithi, Shri  
Naidu, Shri M. Venkaiah  
Naik, Shri Shantaram Laxman  
Nandi Yellaiah, Shri  
Natarajan, Shrimati Jayanthi  
Natchiappan, Dr. E.M. Sudarsana  
Pal, Shri Shriram  
Pany, Shri Rudra Narayan  
Parmar, Shri Bharatsinh Prabhatsinh  
Patel, Shri Ahmed  
Patel, Shri Kanjibhai  
Patel, Shri Surendra Motilal  
Pathak, Shri Brijesh  
Patil, Shri Shivraj Vishwanath  
Pilania, Dr. Gyan Prakash  
Pradhan, Shrimati Renubala  
Prasad, Shri Ravi Shankar  
Punj, Shri Balbir  
Rai, Shrimati Kusum  
Raja, Shri D.  
Rajan, Shri Ambeth  
Rajan, Shri P.R.  
Rajaram, Shri  
Rajeeve, Shri P.  
Ram Prakash, Dr.  
Ramesh, Shri Jairam

Rao, Dr. K. Keshava  
Rao, Shri K.V.P. Ramachandra  
Rao, Shri V. Hanumantha  
Rashtrapal, Shri Praveen  
Ratna Bai, Shrimati T.  
Rebello, Ms. Mabel  
Reddy, Shri M.V. Mysura  
Reddy, Dr. N. Janardhana  
Rudy, Shri Rajiv Pratap  
Rupala, Shri Parshottam Khodabhai  
Rupani, Shri Vijaykumar  
Sanghi, Shri Gireesh Kumar  
Seelam, Shri Jesudasu  
Sen, Shri Tapan Kumar  
Shanta Kumar, Shri  
Sharma, Shri Raghunandan  
Sharma, Shri Satish Kumar  
Shourie, Shri Arun  
Shukla, Shri Rajeev  
Singh, Shri Arjun  
Singh, Shri Bhagwati  
Singh, Shri Ishwar  
Singh, Shri Jai Prakash Narayan  
Singh, Dr. Manmohan  
Singh, Shrimati Maya  
Singh, Shri R.C.  
Siva, Shri Tiruchi  
Soni, Shrimati Ambika  
Tariq Anwar, Shri  
Thakor, Shri Natuji Halaji  
Thakur, Dr. C.P.  
Thakur, Dr. Prabha  
Thakur, Shrimati Viplove  
Thirunavukkarasar, Shri Su.

Tiriya, Ms. Sushila  
Uikey, Miss Anusuiya  
Vasan, Shri G.K.  
Verma, Shri Vikram  
Vijayaraghavan, Shri A.  
Vora, Shri Motilal  
Vyas, Shri Shreegopal  
Waghmare, Dr. Janardhan  
Yadav, Shri Nand Kishore  
Yadav, Prof. Ram Gopal  
Yadav, Shri Subhash Prasad  
Yechury, Shri Sitaram

Noes : Nil

*The motion was adopted by a majority of the total membership of the House and by a majority of not less than two-thirds of the Members present and voting.*

MR. DEPUTY CHAIRMAN: We shall now take up clause-by-clause consideration of the Bill.

Now, the question is:

That clause 2 stands part of the Bill.

*The House divided.*

MR. DEPUTY CHAIRMAN: Ayes - 135.

Noes - Nil

Acharya, Shri Suryakantbhai  
Achuthan, Shri M.P.  
Adeeb, Shri Mohammed  
Ahluwalia, Shri S.S.  
Akhtar, Shri Kamal  
Ali, Shri Munquad  
Ali, Shri Sabir  
Amin, Shri Mohammed  
Anand Sharma, Shri  
Anbalagan, Shri S.  
Antony, Shri A.K.

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Balmiki, Shri Krishan Lal  
Chandrasekhar, Shri Rajeev  
Chatterjee, Shri Prasanta  
Chaturvedi, Shri Lalit Kishore  
Chaturvedi, Shri Satyavrat  
Chavan, Shri Prithviraj  
Condpan, Shri Silvius  
Daimary, Shri Biswajit  
Das, Shri Kumar Deepak  
Deora, Shri Murli  
Dhawan, Shri R.K.  
Dwivedi, Shri Janardan  
Elavarasan, Shri A.  
Fernandes, Shri Oscar  
Ganga Charan, Shri  
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Gnanadesikan, Shri B.S.  
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Husain, Shri Jabir  
Jaitley, Shri Arun  
Jinnah, Shri A.A.  
Jois, Shri M. Rama  
Kalita, Shri Bhubaneswar  
Kanimozhi, Shrimati  
Karan Singh, Dr.  
Karat, Shrimati Brinda  
Karimpuri, Shri Avtar Singh

Keishing, Shri Rishang  
Khabri, Shri Brijlal  
Khan, Shri Mohd. Ali  
Khandelwal, Shri Pyarelal  
Khuntia, Shri Rama Chandra  
Kidwai, Shrimati Mohsina  
Koshyari, Shri Bhagat Singh  
Krishna, Shri S.M.  
Kurien, Prof. P.J.  
Lad, Shri Anil H.  
Madhu, Shri Penumalli  
Mahendra Mohan, Shri  
Maitreya, Dr. V.  
Majhi, Shri Bhagirathi  
Malaisamy, Dr. K.  
Mangala Kisan, Shri  
Mathur, Shri Om Prakash  
Mishra, Shri Kalraj  
Mukut Mithi, Shri  
Naidu, Shri M. Venkaiah  
Naik, Shri Shantaram Laxman  
Nandi Yellaiah, Shri  
Natarajan, Shrimati Jayanthi  
Natchiappan, Dr. E.M. Sudarsana  
Pal, Shri Shriram  
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Parmar, Shri Bharatsinh Prabhatsinh  
Patel, Shri Ahmed  
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Patil, Shri Shivraj Vishwanath  
Pilania, Dr. Gyan Prakash  
Pradhan, Shrimati Renubala

Prasad, Shri Ravi Shankar  
Punj, Shri Balbir  
Rai, Shrimati Kusum  
Raja, Shri D.  
Rajan, Shri P.R.  
Rajaram, Shri  
Rajeeve, Shri P.  
Ram Prakash, Dr.  
Ramesh, Shri Jairam  
Rao, Dr. K. Keshava  
Rao, Shri K.V.P. Ramachandra  
Rao, Shri V. Hanumantha  
Rashtrapal, Shri Praveen  
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Reddy, Dr. N. Janardhana  
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Rupala, Shri Parshottam Khodabhai  
Rupani, Shri Vijaykumar  
Sanghi, Shri Gireesh Kumar  
Seelam, Shri Jesudasu  
Sen, Shri Tapan Kumar  
Shafi, Shri Mohammad  
Shanta Kumar, Shri  
Sharma, Shri Raghunandan  
Sharma, Shri Satish Kumar  
Shourie, Shri Arun  
Shukla, Shri Rajeev  
Singh, Shri Arjun  
Singh, Shri Bhagwati  
Singh, Shri Ishwar  
Singh, Shri Jai Prakash Narayan  
Singh, Dr. Manmohan



Singh, Shrimati Maya  
 Singh, Shri R.C.  
 Siva, Shri Tiruchi  
 Soni, Shrimati Ambika  
 Tariq Anwar, Shri  
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 Thakur, Shrimati Viplove  
 Thirunavukkarasar, Shri Su.  
 Triya, Ms. Sushila  
 Ukey, Miss Anusuiya  
 Vasan, Shri G.K.  
 Verma, Shri Vikram  
 Vijayaraghavan, Shri A.  
 Vora, Shri Motilal  
 Vyas, Shri Shreegopal  
 Waghmare, Dr. Janardhan  
 Yadav, Shri Nand Kishore  
 Yadav, Prof. Ram Gopal  
 Yadav, Shri Subhash Prasad  
 Yechury, Shri Sitaram

Noes : Nil

*The motion was adopted by a majority of the total membership of the  
 House and by a majority of not less than two-thirds of the  
 Members present and voting.*

**CLAUSE 2 was added to the Bill.**

MR. DEPUTY CHAIRMAN: In clause 1, there is one amendment (No.1) by the hon. Minister.

**CLAUSE 1 - Short title and commencement.**

SHRI M. VEERAPPA MOILY: Sir, I move:

(c) That at page 1, line 3, *for* the bracket and words “(One Hundred and Ninth Amendment)”, the bracket and words “(Ninety-fifth Amendment)” be *substituted*.

*The question was proposed.*

MR. DEPUTY CHAIRMAN: The question is:

That at page 1, line 3, *for* the bracket and words “(One Hundred and Ninth Amendment)”,  
the bracket and words “(Ninety-fifth Amendment)” be *substituted*.

*The House divided.*

MR. DEPUTY CHAIRMAN: Ayes - 135.

Noes - Nil

Acharya, Shri Suryakantbhai

Achuthan, Shri M.P.

Adeeb, Shri Mohammed

Ahluwalia, Shri S.S.

Akhtar, Shri Kamal

Ali, Shri Munquad

Ali, Shri Sabir

Amin, Shri Mohammed

Anand Sharma, Shri

Anbalagan, Shri S.

Antony, Shri A.K.

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Bagrodia, Shri Santosh

Balaganga, Shri N.

Balmiki, Shri Krishan Lal

Chandrasekhar, Shri Rajeev

Chatterjee, Shri Prasanta

Chaturvedi, Shri Lalit Kishore

Chaturvedi, Shri Satyavrat

Chavan, Shri Prithviraj

Condpan, Shri Silvius

Daimary, Shri Biswajit

Das, Shri Kumar Deepak

Deora, Shri Murli

Dhawan, Shri R.K.

Dwivedi, Shri Janardan

Elavarasan, Shri A.

Fernandes, Shri Oscar  
Ganga Charan, Shri  
Gill, Dr. M.S.  
Gnanadesikan, Shri B.S.  
Govindarajar, Shri N.R.  
Gupta, Dr. Akhilesh Das  
Hariprasad, Shri B.K.  
Heptulla, Dr. (Shrimati) Najma A.  
Husain, Shri Jabir  
Jaitley, Shri Arun  
Jinnah, Shri A.A.  
Jois, Shri M. Rama  
Kalita, Shri Bhubaneswar  
Kanimozhi, Shrimati  
Karan Singh, Dr.  
Karat, Shrimati Brinda  
Karimpuri, Shri Avtar Singh  
Keishing, Shri Rishang  
Khabri, Shri Brijlal  
Khan, Shri Mohd. Ali  
Khandelwal, Shri Pyarelal  
Khuntia, Shri Rama Chandra  
Kidwai, Shrimati Mohsina  
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Madhu, Shri Penumalli  
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Maitreya, Dr. V.  
Majhi, Shri Bhagirathi  
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Mangala Kisan, Shri  
Mathur, Shri Om Prakash

Mishra, Shri Kalraj  
Mukut Mithi, Shri  
Naidu, Shri M. Venkaiah  
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Natarajan, Shrimati Jayanthi  
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Pal, Shri Shriram  
Pany, Shri Rudra Narayan  
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Pilania, Dr. Gyan Prakash  
Pradhan, Shrimati Renubala  
Prasad, Shri Ravi Shankar  
Punj, Shri Balbir  
Rai, Shrimati Kusum  
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Sanghi, Shri Gireesh Kumar  
Seelam, Shri Jesudasu  
Sen, Shri Tapan Kumar  
Shafi, Shri Mohammad  
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Sharma, Shri Raghunandan  
Sharma, Shri Satish Kumar  
Shourie, Shri Arun  
Shukla, Shri Rajeev  
Singh, Shri Arjun  
Singh, Shri Bhagwati  
Singh, Shri Ishwar  
Singh, Shri Jai Prakash Narayan  
Singh, Dr. Manmohan  
Singh, Shrimati Maya  
Singh, Shri R.C.  
Siva, Shri Tiruchi  
Soni, Shrimati Ambika  
Tariq Anwar, Shri  
Thakor, Shri Natuji Halaji  
Thakur, Dr. C.P.  
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Thakur, Shrimati Viplove  
Thirunavukkarasar, Shri Su.  
Tiriya, Ms. Sushila  
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Vasan, Shri G.K.  
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Vijayaraghavan, Shri A.  
Vora, Shri Motilal  
Vyas, Shri Shreegopal

Waghmare, Dr. Janardhan

Yadav, Shri Nand Kishore

Yadav, Prof. Ram Gopal

Yadav, Shri Subhash Prasad

Yechury, Shri Sitaram

Noes : Nil

*The motion was adopted by a majority of the total membership of the House and by a majority of not less than two-thirds of the Members present and voting.*

**CLAUSE 1, as amended, was added to the Bill.**

MR. DEPUTY CHAIRMAN: We shall now take up the Enacting Formula and the Title. The question is:

That the Enacting Formula and the Title stand part of the Bill.

*The House divided.*

MR. DEPUTY CHAIRMAN: Ayes - 135.

Noes - Nil

Acharya, Shri Suryakantbhai

Achuthan, Shri M.P.

Adeeb, Shri Mohammed

Ahluwalia, Shri S.S.

Akhtar, Shri Kamal

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Chandrasekhar, Shri Rajeev

Chatterjee, Shri Prasanta  
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Dwivedi, Shri Janardan  
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Madhu, Shri Penumalli  
Mahendra Mohan, Shri  
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Raja, Shri D.  
Rajan, Shri P.R.  
Rajaram, Shri



Rajeeve, Shri P.  
Ram Prakash, Dr.  
Ramesh, Shri Jairam  
Rao, Dr. K. Keshava  
Rao, Shri K.V.P. Ramachandra  
Rao, Shri V. Hanumantha  
Rashtupal, Shri Praveen  
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Shafi, Shri Mohammad  
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Singh, Shri Bhagwati  
Singh, Shri Ishwar  
Singh, Shri Jai Prakash Narayan  
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Tiriya, Ms. Sushila  
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Vora, Shri Motilal  
Vyas, Shri Shreegopal  
Waghmare, Dr. Janardhan  
Yadav, Shri Nand Kishore  
Yadav, Prof. Ram Gopal  
Yadav, Shri Subhash Prasad  
Yechury, Shri Sitaram

Noes : Nil

*The motion was adopted by a majority of the total membership of the House and by a majority of not less than two-thirds of the Members present and voting.*

*The Enacting Formula and the Title were added to the Bill.*

SHRI M. VEERAPPA MOILY: Mr. Deputy Chairman, Sir, I beg to move:

That the Bill, as amended, be passed.

*The question was proposed.*

MR. DEPUTY CHAIRMAN: The question is:

That the Bill, as amended, be passed.

*The House divided.*

MR. DEPUTY CHAIRMAN: Ayes - 135.

Noes - Nil

Acharya, Shri Suryakantbhai  
Achuthan, Shri M.P.  
Adeeb, Shri Mohammed  
Ahluwalia, Shri S.S.

Akhtar, Shri Kamal  
Ali, Shri Munquad  
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Condpan, Shri Silvius  
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Dwivedi, Shri Janardan  
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Fernandes, Shri Oscar  
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Malaisamy, Dr. K.  
Mangala Kisan, Shri  
Mathur, Shri Om Prakash  
Mishra, Shri Kalraj  
Mukut Mithi, Shri  
Naidu, Shri M. Venkaiah  
Naik, Shri Shantaram Laxman  
Nandi Yellaiah, Shri  
Natarajan, Shrimati Jayanthi  
Natchiappan, Dr. E.M. Sudarsana  
Pal, Shri Shriram  
Pany, Shri Rudra Narayan

Parmar, Shri Bharatsinh Prabhatsinh  
Patel, Shri Ahmed  
Patel, Shri Kanjibhai  
Patel, Shri Surendra Motilal  
Pathak, Shri Brijesh  
Patil, Shri Shivraj Vishwanath  
Pilania, Dr. Gyan Prakash  
Pradhan, Shrimati Renubala  
Prasad, Shri Ravi Shankar  
Punj, Shri Balbir  
Rai, Shrimati Kusum  
Raja, Shri D.  
Rajan, Shri P.R.  
Rajaram, Shri  
Rajeeve, Shri P.  
Ram Prakash, Dr.  
Ramesh, Shri Jairam  
Rao, Dr. K. Keshava  
Rao, Shri K.V.P. Ramachandra  
Rashtupal, Shri Praveen  
Ratna Bai, Shrimati T.  
Rebello, Ms. Mabel  
Reddy, Shri M.V. Mysura  
Reddy, Dr. N. Janardhana  
Rudy, Shri Rajiv Pratap  
Rupala, Shri Parshottam Khodabhai  
Rupani, Shri Vijaykumar  
Sanghi, Shri Gireesh Kumar  
Seelam, Shri Jesudasu  
Sen, Shri Tapan Kumar  
Shafi, Shri Mohammad  
Shanta Kumar, Shri  
Sharma, Shri Raghunandan  
Sharma, Shri Satish Kumar  
Shourie, Shri Arun

Shukla, Shri Rajeev  
Singh, Shri Arjun  
Singh, Shri Bhagwati  
Singh, Shri Ishwar  
Singh, Shri Jai Prakash Narayan  
Singh, Dr. Manmohan  
Singh, Shrimati Maya  
Singh, Shri R.C.  
Siva, Shri Tiruchi  
Soni, Shrimati Ambika  
Tariq Anwar, Shri  
Thakor, Shri Natuji Halaji  
Thakur, Dr. C.P.  
Thakur, Dr. Prabha  
Thakur, Shrimati Viplove  
Thirunavukkarasar, Shri Su.  
Tiriya, Ms. Sushila  
Uikey, Miss Anusuiya  
Vasan, Shri G.K.  
Verma, Shri Vikram  
Vijayaraghavan, Shri A.  
Vora, Shri Motilal  
Vyas, Shri Shreegopal  
Waghmare, Dr. Janardhan  
Yadav, Shri Nand Kishore  
Yadav, Prof. Ram Gopal  
Yadav, Shri Subhash Prasad  
Yechury, Shri Sitaram

Noes : Nil

*The motion was adopted by a majority of the total membership of the House and by a majority of not less than two-thirds of the Members present and voting.*

The Bill, as amended, was passed by the required majority.

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