

- (g) The Rajiv Gandhi National Aviation University Bill, 2013; and
 - (h) The Civil Aviation Authority Bill, 2013.
7. Consideration and return of the Appropriation (No.4) Bill, 2013, after it is passed by Lok Sabha.

[illegible]

GOVERNMENT BILL

THE MINISTER OF LAW AND JUSTICE (SHRI KAPIL SIBAL): Sir, I have a Bill just for introduction. It is just introduction.

MR. DEPUTY CHAIRMAN: Okay.

The Representation of the people (Second Amendment and Validation) Bill, 2013

THE MINISTER OF COMMUNICATIONS AND THE MINISTER OF LAW AND JUSTICE (SHRI KAPIL SIBAL): Sir, I move for leave to introduce a Bill further to amend the Representation of the People Act, 1951.

The question was put and the motion was adopted.

SHRI KAPIL SIBAL: Sir, I introduce the Bill.

MR. DEPUTY CHAIRMAN: Now, Zero Hour. ...*(Interruptions)*...

SHRI Y.S. CHOWDARY (Andhra Pradesh): Sir, not Zero Hour; we want the issue of Andhra Pradesh to be taken up.

SHRI C.M. RAMESH (Andhra Pradesh): Sir, we have given notice.
...(Interruptions)...

SHRI RANGASAYEE RAMAKRISHNA (Karnataka): Sir, I have an objection to the introduction of this Bill. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: It has already been introduced.

SHRI RANGASAYEE RAMAKRISHNA: Sir, the Court had said that the provision in the RP Act is constitutionally invalid because it is beyond the

[Shri Rangasayee Ramakrishna]

legislative powers. He is again bringing an amendment to the RP Act which cannot be sustained in the Court.

MR. DEPUTY CHAIRMAN: Now, since it is already introduced, you will be given time to speak when the Bill is taken up for consideration. It has already been introduced, procedurally. *...(Interruptions)...* I agree. It should have been brought to my notice. He should have stood up immediately when I called the Minister. Now, what do I do?

SHRI M. VENKAIAH NAIDU (Karnataka): Sir, he was standing. ತೆರನು ಒಂದು ಸುತ್ತು ಕೂಗುತ್ತಿದ್ದನು.

ಆದರೆ ಅವನು ತನ್ನ ಅಧಿಕಾರವನ್ನು ಉಪಯೋಗಿಸುವುದಕ್ಕೆ ಬಂದನು.

SHRI M. VENKAIAH NAIDU: Since Mr. Kapil Sibal is more presentable, ತೆರನು ಒಂದು ಸುತ್ತು ಕೂಗುತ್ತಿದ್ದನು.

MR. DEPUTY CHAIRMAN: Okay; would you like to respond, Mr. Minister.

SHRI KAPIL SIBAL: Yes, Sir.

DR. NAJMA A. HEPTULLA (Madhya Pradesh): Sir, let him speak.

MR. DEPUTY CHAIRMAN: Okay. As a special consideration, I would allow the Member to speak.

SHRI RAVI SHANKAR PRASAD (Bihar): Sir, with great respect to you, in matters of bills, in matters of resolutions, at least, the Opposition must be properly factored too when you have to say something. *...(Interruptions)...* Let us respect that.

MR. DEPUTY CHAIRMAN: But I didn't hear him. *...(Interruptions)...* Maybe, he had stood up and said something, but I didn't hear it. *...(Interruptions)...* I am sorry. *...(Interruptions)...* No, no. *...(Interruptions)...*

SHRI K.N. BALAGOPAL (Kerala): Sir, I would request the Chair to look at *...(Interruptions)...* I am only seeking permission. It was a legal point. *...(Interruptions)...*

MR. DEPUTY CHAIRMAN: No, no. You cannot raise it now. *...(Interruptions)...* No, no. Mr. Balagopal, you cannot raise it.

SHRI K.N. BALAGOPAL: Sir, I am only asking for permission. I was raising a legal point. The Chair should ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: Mr. Balagopal, it is not permitted. You are speaking without my permission. ...*(Interruptions)*... Now, please take your seat. ...*(Interruptions)*... Mr. Balagopal should know the rules. For the correction of a statement ...*(Interruptions)*...

SHRI K.N. BALAGOPAL: Yesterday, when I had raised...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: Now, please; that is a different matter. ...*(Interruptions)*... He is alleging on the Chair.

SHRI K.N. BALAGOPAL: Sir, I am not alleging on the Chair. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: Not only is he alleging on the Chair, but it has even appeared in the Press. But you should know the rules. For a statement correcting the Statement of a Minister, there is no question of clarifications. There is nothing like that in the rules. I must tell you that what you tried yesterday was wrong and now, you are again speaking without my permission. But if you want that question again, you may bring a Privilege Notice against the Minister; I have no problem.

SHRI K.N. BALAGOPAL: But, Sir, it was just a clarification. It is a point of order. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: Now, sit down. ...*(Interruptions)*... It is not going on the record. Please, go by the rules. ...*(Interruptions)*... Now, Mr. Ramakrishnaji, I agree that you have a right to oppose the introduction, but the moment the Minister said, you should have stood up and called my attention by saying that you oppose it. In fact, I am told that you stood up. But you should have said that you oppose the Bill. ...*(Interruptions)*... That you stood up there did not catch my eye. I did not see you and now the Bill has been introduced. What do I do?

SHRI V.P. SINGH BADNORE (Rajasthan): Sir, he has given it to you in writing. Please, look at the papers. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: But that is not to be done. That is not the procedure. ...*(Interruptions)*...

SHRI V.P. SINGH BADNORE: Sir, he wanted to speak but you did not...*(Interruptions)*... What can he do? ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: The Bill has already been introduced, but he wanted to say something. ...*(Interruptions)*...

SHRI M. VENKAIAH NAIDU: Sir, the Minister has agreed; let the Member speak.

SHRI V.P. SINGH BADNORE: Sir, he had put it down in paper for you. Let him speak. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: Okay. Now, let him speak and his reply would will be on record. That is all. ...*(Interruptions)*... But what is done is done. It will be on record. ...*(Interruptions)*... Okay. The House is supreme. I have no problem.

SHRI RANGASAYEE RAMAKRISHNA: Sir, the point I am making is that the Supreme Court, when it struck down this particular provision in the RP Act, clearly said that this is beyond the legislative powers of the Parliament. And now, you are bringing another amendment to the RP Act which you...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: No, no. You can oppose only on the question of jurisdiction. It can be only on that ground. ...*(Interruptions)*... That is what he is saying. ...*(Interruptions)*...

DR. NAJMA A. HEPTULLA: Sir, he is right when he says that the introduction of the amendment is wrong. He is not speaking on the substance of the Bill; he is speaking on the title of the Bill. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: Okay, okay.

SHRI RANGASAYEE RAMAKRISHNA: Sir, my objection is that this will not be sustained in the court of law. What ought to have been done is a constitutional amendment and not through the ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: Okay. That would be on record. Now, Mr. Minister. Since I have allowed him, you may say a few words. Don't take too much time.

SHRI KAPIL SIBAL: Mr. Deputy Chairman, Sir, while I recognize the fact that the Supreme Court has ruled that Section 8(4), as it was originally drafted, was outside the competence of Parliament, we have reframed Section 8(4). The nature of the provision is entirely different and it is consistent with the orders of the Supreme Court when people are charged for corrupt practices and they are found

to have committed a corrupt practice, the usual order of stay granted by the Supreme Court in those matters is the kind of provision that we have incorporated in Section 8(4) today, and I believe it will not fall foul of the Constitution.

MR. DEPUTY CHAIRMAN: Now, we shall take up Zero Hour.
...(Interruptions)...

SHRI Y.S. CHOWDARY: *

SHRI C.M. RAMESH: *

MR. DEPUTY CHAIRMAN: Nothing will go on record. ...(Interruptions)... I will give you a chance later. ...(Interruptions)... Hon. Members, at 12.30 p.m., there is a statement of hon. Prime Minister. So, be brief. Shri D. Raja. ...(Interruptions)...

MATTERS RAISED WITH PERMISSION

Incursion by Burmese (Myanmar) army into Indian territory in Manipur

SHRI D. RAJA (Tamil Nadu): Sir, I am raising an issue which has national importance which is bound to have an impact on the national security of our nation. It is related to Manipur. Manipur is one State in the North-East which is very strategic and sensitive. Now, the entire State is in tension. The issue is the recent Myanmar Army's construction of base camps in Indian territory. Sir, the border fencing along the Manipur sector of Indo-Myanmar (Indo-Burma) border was undertaken by the Home Ministry. When it was undertaken, the Government of Myanmar made a protest about the zero point. Then the Government of India agreed to construct fences within our own territory. Hence, border fencing cut off our own territories in a big way. ...(Interruptions)... Border fencing cut off apart Govajang village, right in the middle; about 15 villages would be forced to be left out of India. It was also noticed that the border fence is being constructed in about 100 metres inward from natural boundary of India, which means a big territorial loss to Manipur. This border fencing was undertaken with two objectives. One, to check the smuggling of drugs and, second, to check the cross-border movement of insurgents. But, actually speaking, India is losing its territories to Myanmar and many villages in our territory will go to Myanmar territory. Recently, a delegation of All Manipur Nupi Marup visited the disputed villages on 18th and 19th of August,

*Not recorded.