

RECOMMENDATIONS OF THE BUSINESS ADVISORY COMMITTEE

MR. DEPUTY CHAIRMAN: I have to inform the Members that the Business Advisory Committee, in its meeting held on the 19th of March, 2015, has allotted time for Government Legislative Business, as follows:-

Business	Time Allotted
1. Consideration and passing of the Repealing and Amending Bill, 2014, as passed by Lok Sabha and as reported by the Select Committee of Rajya Sabha.	One hour
2. Consideration and passing of the Payment and Settlement Systems (Amendment) Bill, 2014, as passed by Lok Sabha and as reported by the Select Committee of Rajya Sabha.	Two hours
3. Consideration and passing of the Andhra Pradesh Reorganisation (Amendment) Bill, 2015, as passed by Lok Sabha.	Half-an-hour
4. Consideration and passing of the Repealing and Amending Bill, 2015, as passed by Lok Sabha.	One hour

GOVERNMENT BILL**The Mines and Minerals (Development and Regulation)****Amendment Bill, 2015**

MR. DEPUTY CHAIRMAN: Now, let us take up the Mines and Minerals (Development and Regulation) Amendment Bill, 2015. Shri Narendra Singh Tomar to move the Bill. *...(Interruptions)...*

SHRI P. RAJEEVE (Kerala): Sir, I have a point of order. *...(Interruptions)...*

MR. DEPUTY CHAIRMAN: What is your point of order? *...(Interruptions)...*

खान मंत्री; और इस्पात मंत्री (श्री नरेंद्र सिंह तोमर) : उपसभापति महोदय, मैं प्रस्ताव करता हूँ "कि खान और खनिज (विकास और विनियमन) अधिनियम, 1957 का और संशोधन करने वाले विधेयक पर लोक सभा द्वारा पारित और राज्य सभा की प्रवर समिति द्वारा प्रतिवेदित रूप में, विचार किया जाए।" *...(व्यवधान)...*

SHRI P. RAJEEVE: Sir, I have a point of order. *...(Interruptions)...*

MR. DEPUTY CHAIRMAN: What is your problem? *...(Interruptions)...*

SHRI P. RAJEEVE: Sir, whether the Chair has suspended any rule today and given any exemption to the Government today? ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: Yes, yes. Hon. Chairman has suspended the rules.

SHRI P. RAJEEVE: Which rule has been suspended, Sir?

MR. DEPUTY CHAIRMAN: Hon. Chairman has given permission; whatever rules are to be suspended for the presentation and passing of the Bill have been suspended, and, it is allowed by the Chairman.

SHRI P. RAJEEVE: It is Rule 93. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: Hon. Chairman in exercise of his powers has done it. ...*(Interruptions)*...

SHRI P. RAJEEVE: So, has it already been suspended? ...*(Interruptions)*... Sir, the proviso to Rule 93 says, "Provided that any member of the Council may object to the report being so taken into consideration if a copy of it has not been made available for the use of members for two days..."

MR. DEPUTY CHAIRMAN: Both the rules have been suspended.

SHRI P. RAJEEVE: Sir, it should have been conveyed to the House. ...*(Interruptions)*... Let me complete, Sir. ...*(Interruptions)*... Anand Sharma ji, let me complete. ...*(Interruptions)*... If it is suspended before taking up the business, it is the duty of the Chair... ...*(Interruptions)*... Sir, as per my understanding, it should be conveyed to the House. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: The Supplementary List of Business...

SHRI P. RAJEEVE: Let me complete, Sir. The proviso specifically states, "Any member of the Council may object to the report being so taken into consideration if a copy of it has not been made available for the use of members for two days." The Report has only been submitted yesterday.

MR. DEPUTY CHAIRMAN: See, the Supplementary List of Business is issued. You are aware of that. You are aware that this item is included in the List of Business, and, it has been done with the permission of hon. Chairman who has allowed it after suspending necessary rules. It is within the powers of the Chairman to do that. It is not the first time that the Chairman is doing it; there are a number of precedents like that. ...*(Interruptions)*... I have seen here that you have given an amendment. That amendment is also admitted because of that. Otherwise, the amendment also cannot be taken up. You know that. So, it is not that the Government is allowed to

move the Bill. You are also allowed to move the amendment also; all things are subject to rules. Now, Mr. Minister, have you moved the Bill? ...*(Interruptions)*... You have already moved. Do you wish to say something?

श्री नरेंद्र सिंह तोमर : माननीय उपसभापति महोदय, मैंने संशोधन विधेयक विचार के लिए सदन में प्रस्तुत कर दिया है। मेरा आप के माध्यम से पूरे सदन से अनुरोध है कि यह विधेयक देश की अर्थ-व्यवस्था, पारदर्शिता और आप लोगों की जवाबदेही सुनिश्चित करने के लिए भी अत्यंत महत्वपूर्ण है। यह विधेयक देश में रोजगार सृजित करने वाला भी है, इसलिए जब 9 तारीख को चर्चा हो रही थी, तो मैं समझता हूँ कि 2 बजे से रात साढ़े 8 बजे तक बहुत विस्तार से सभी लोगों ने इस विधेयक पर विचार-विमर्श किया था। उसके बाद यह तय हुआ था कि इसे प्रवर समिति को भेजा जाए।

माननीय उपसभापति महोदय, इस विधेयक को प्रवर समिति के पास भी विचार के लिए भेजा गया और प्रवर समिति ने बहुत ही संक्षिप्त समय में अनेक बैठकें कीं। जिन लोगों से उन्हें बात करनी चाहिए थी, उनसे बातचीत की। इस बैठक में 19 सदस्यों ने अपने विचार रखे, क्लॉज-बाई-क्लाज विचार भी हुआ। उसके बाद निर्धारित अवधि के भीतर उन्होंने अपनी रिपोर्ट प्रस्तुत की है। यह विधेयक आज सदन में चर्चा के लिए आया है। मैं आपके माध्यम से माननीय सदस्यों से निवेदन करना चाहता हूँ कि यह विधेयक अत्यंत महत्वपूर्ण है। ...*(व्यवधान)*...

श्री सत्यव्रत चतुर्वेदी (मध्य प्रदेश): महोदय, विचार के लिए पर्याप्त समय नहीं दिया गया। ...*(व्यवधान)*...

श्री प्रमोद तिवारी (उत्तर प्रदेश): हमारी आपत्ति है ...*(व्यवधान)*... लोगों को सुनने के लिए समय नहीं मिला। ...*(व्यवधान)*...

श्री नरेंद्र सिंह तोमर : महोदय, इस विधेयक को पारित किया जाना आवश्यक है। इस विधेयक से देश की अर्थ-व्यवस्था को मदद मिलने वाली है। ...*(व्यवधान)*... यह विधेयक रोजगार सृजित करने वाला है ...*(व्यवधान)*... इसलिए इस पर चर्चा होनी चाहिए। ...*(व्यवधान)*... माननीय उपसभापति महोदय, जब प्रवर समिति का गठन हुआ था तो सदन के सारे सदस्य मौजूद थे ...*(व्यवधान)*... आप सभी ने उस समिति को बनाया था। हर दल के सदस्य उस समिति में मेम्बर्स थे। सभी ने विचार-विमर्श किया और विचार-विमर्श के उपरांत समिति के अध्यक्ष महोदय ने अपनी रिपोर्ट प्रस्तुत की। आज इस रिपोर्ट पर चर्चा करने की बात आ रही है। ...*(व्यवधान)*... मुझे लगता है कि इसमें झिले करना उचित नहीं है। इससे देश का बहुत नुकसान होगा। ...*(व्यवधान)*...

माननीय उपसभापति महोदय, इसलिए मैं आपके माध्यम से निवेदन करना चाहता हूँ कि इस संशोधन विधेयक पर विचार किया जाए। ...*(व्यवधान)*...

MR. DEPUTY CHAIRMAN: There is one amendment. ...*(Interruptions)*... There is one amendment. ...*(Interruptions)*... There is one amendment. ...*(Interruptions)*...

श्री नरेश अग्रवाल (उत्तर प्रदेश): सर, दोनों को एक साथ ले लें। ...*(व्यवधान)*...

श्री सत्यव्रत चतुर्वेदी: इसमें हमारी आपत्ति है। ...*(व्यवधान)*...

MR. DEPUTY CHAIRMAN: There is one amendment. *...(Interruptions)...* No; please. Let me take up the amendment. *...(Interruptions)...* Let me take up the amendment. *...(Interruptions)...* Let me take up the amendment. *...(Interruptions)...* There is one amendment. *...(Interruptions)...*

SHRI SATYAVRAT CHATURVEDI: The amendments will come later. *...(Interruptions)...* यह गलत तरीके से लाया जा रहा है। *...(व्यवधान)...*

MR. DEPUTY CHAIRMAN: There is one amendment by Shri P. Rajeeve. *...(Interruptions)...* आप सुनिए। *...(व्यवधान)...* पहले सुनिए। *...(व्यवधान)...* *...(Interruptions)...* There is one amendment by Shri P. Rajeeve for recommital of Mines and Minerals... *(Interruptions)...* Please listen to this. There is one amendment by Shri P. Rajeeve for recommital of Mines and Minerals (Development and Regulation) Amendment Bill, 2015 as passed by the Lok Sabha and as reported by the Select Committee of Rajya Sabha to the same Select Committee for further consideration. *...(Interruptions)...* The Member may move the amendment and make it official. *...(Interruptions)...* Move the amendment. *...(Interruptions)...*

SHRI P. RAJEEVE: Sir, I *...(Interruptions)...*

MR. DEPUTY CHAIRMAN: Why are you not allowing the amendment? *...(Interruptions)...* I have allowed you to move the amendment. *...(Interruptions)...* Allow his amendment. *...(Interruptions)...*

SHRI P. RAJEEVE: Sir, *...(Interruptions)...*

THE MINISTER OF URBAN DEVELOPMENT; THE MINISTER OF HOUSING AND URBAN POVERTY ALLEVIATION; AND THE MINISTER OF PARLIAMENTARY AFFAIRS (SHRI M. VENKAIAH NAIDU): Sir, whatever objection somebody has, they can present it during the course of discussion. *...(Interruptions)...* It was a gentlemen's agreement where all the Parties have agreed to *...(Interruptions)...* They have done a good work. Now, the House has *...(Interruptions)...* We are here to *...(Interruptions)...* for the people's welfare, not to block and obstruct it. *...(Interruptions)...*

MR. DEPUTY CHAIRMAN: Let me say something. *...(Interruptions)...* Let me say something. *...(Interruptions)...* Allow me to speak. *...(Interruptions)...* This is unfair. *...(Interruptions)...* See, the understanding was that we will take up this Bill. *...(Interruptions)...* If the Congress Party wants to oppose the Bill, it can oppose it. *...(Interruptions)...* Why don't they allow it? *...(Interruptions)...* Shri P. Rajeeve has to move an amendment. *...(Interruptions)...* You are objecting to that. *...(Interruptions)...* Why are you obstructing? *...(Interruptions)...* If you want to oppose the Bill, oppose that. *...(Interruptions)...* Why do you obstruct it? *...(Interruptions)...* This is irrational

behaviour, anomalous behaviour, unbecoming behaviour. ...*(Interruptions)*... You go to your seats and oppose the Bill. ...*(Interruptions)*... I am not able to hear ...*(Interruptions)*...

SHRI P. RAJEEVE: Sir, I am moving the amendment. ...*(Interruptions)*...

SHRI M. VENKAIAH NAIDU: They can move the amendments. ...*(Interruptions)*... This is not the way. ...*(Interruptions)*... This is * ...*(Interruptions)*... People have elected you to debate, discuss and decide and not to disrupt and obstruct. ...*(Interruptions)*... Please understand this. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: I think you are adopting a wrong way. ...*(Interruptions)*... You go to your seats. ...*(Interruptions)*... Discuss it. ...*(Interruptions)*... If you want to oppose the Bill, oppose it. ...*(Interruptions)*... Why do you obstruct it? ...*(Interruptions)*... A responsible party should not do like this. ...*(Interruptions)*... I am sorry. ...*(Interruptions)*... I am sorry. ...*(Interruptions)*... I want to call Mr. P. Rajeeve. ...*(Interruptions)*... What can I do? ...*(Interruptions)*...

SHRI P. RAJEEVE: Sir, I want to move the amendments. ...*(Interruptions)*... That is under Rule ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: Mr. P. Rajeeve can move the amendments. ...*(Interruptions)*...

SHRI P. RAJEEVE: Sir, I am moving the amendments. ...*(Interruptions)*... Sir, the House should be in order. ...*(Interruptions)*...

SHRI SITARAM YECHURY (West Bengal): Sir, the House should be in order. ...*(Interruptions)*...

SHRI P. RAJEEVE: Sir, let me complete my speech. ...*(Interruptions)*... But first the House should be in order. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: The Congress Party can oppose the Bill. ...*(Interruptions)*... Why do you do this? ...*(Interruptions)*... This is unbecoming behaviour. ...*(Interruptions)*... I am very sorry. ...*(Interruptions)*...

संचार और सूचना प्रौद्योगिकी मंत्री (श्री रवि शंकर प्रसाद) : माननीय उपसभापति जी, ...*(व्यवधान)*... We agreed with that on the floor of the House. ...*(Interruptions)*... Now they are obstructing. ...*(Interruptions)*... It is very unfair, Sir. ...*(Interruptions)*... इस बारे में एग्रीमेंट हुआ था। ...*(व्यवधान)*... यह गलत बात हो रही है। ...*(व्यवधान)*... कांग्रेस पार्टी से ऐसी उम्मीद नहीं थी। ...*(व्यवधान)*...

* Expunged as ordered by the Chair.

MR. DEPUTY CHAIRMAN: The House is adjourned for ten minutes.

The House then adjourned at twelve minutes past seven of the clock.

The House reassembled at twenty-two minutes past seven of the clock,

MR. DEPUTY CHAIRMAN *in the Chair.*

SHRI M. VENKAIAH NAIDU: Mr. Deputy Chairman, Sir, I want to make an appeal to the Opposition parties with all command at my disposal, let us respect judgement and agreement. Let us resume the debate. If they have certain things which are objectionable, they can oppose them also. People have sent us here to debate, discuss about their welfare. It is a very important Bill. It is a Bill which will help the States and the country. I appeal to them to please cooperate, take part in the debate and discuss. If you have opposition, oppose it. If you want to support, support it also. Choice is there in a democracy. It is available to every political party. I request because the entire country is watching us. It is a crucial Bill. If there are amendments to the Bill, it has go to the Lok Sabha also. As per the schedule, tomorrow is the last day. If the House doesn't transact this Bill, then, we may have to extend the session of the House also. Today, Members were there in the Chairman's Chamber and your goodself was also there. We have all come to the conclusion that we will discuss it today and decide. I am not saying that they should vote for my Bill, though I appeal to them to vote in favour of the Bill. But let the House debate that and discuss it and then decide. This is my earnest appeal to the entire Congress Party and the Left Front, please cooperate. Let us continue with the traditions of this House. *..(Interruptions)...*

MR. DEPUTY CHAIRMAN: I will allow you. I also want to say something. Hon. Members, democracy is of discussion and debate. Now, I am requesting the hon. Members, those who are opposed to it, they should participate, discuss and vote against it. That is democracy. Why do you obstruct? That is something I don't understand.

THE LEADER OF THE OPPOSITION (SHRI GHULAM NABI AZAD): Mr. Deputy Chairman, Sir, I would request you to allow my colleague, Mr. Anand Sharma, on behalf of our party, to say why our party is opposing this.

MR. DEPUTY CHAIRMAN: Then, that can only be done after Mr. P. Rajeeve's amendment motion. Before that it can't be done. I have to go by the rules. *...(Interruptions)...* It can't be, because the rule is there. Anand Sharmaji, I will allow you. *...(Interruptions)...* Anand Sharmaji, I will allow you. I have only to go by the Rule. According to the Rule, immediately, after the Motion is moved, the amendment has to be moved. So, I am calling Rajeeveji. *...(Interruptions)...*

SHRI SITARAM YECHURY: Sir, just one minute.

MR. DEPUTY CHAIRMAN : No, you also cannot speak.

SHRI SITARAM YECHURY : No, I do not want to speak. I just want to respond to the hon. Minister for Parliamentary Affairs regarding the appeal that he has made. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: No, you also cannot speak.

SHRI SITARAM YECHURY : Sir, we want the debate. ... *(Interruptions)*... We want the discussion. ...*(Interruptions)*...

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

SHRI SITARAM YECHURY : But there is a method for that. ...*(Interruptions)*... You were the Chairman and you know better than anybody else ...*(Interruptions)*... that even under a democracy, for any discussion, there is a certain method. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN : Okay, I will also call you. ...*(Interruptions)*... I will allow you but only after Rajeeveji. ...*(Interruptions)*...

SHRI SITARAM YECHURY: What they are objecting to is that the method. ...*(Interruptions)*... That is not being democratic. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN : Yes, Rajeeve ji. I will allow you. ...*(Interruptions)*...

SHRI SITARAM YECHURY : But Sir. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN : See, after Rajeeve's Motion moved, I will call Anand Sharma ji and I will call you also. ...*(Interruptions)*...

SHRI P. RAJEEVE: Sir, I move the Motion under Rule 93(2).

“That the Bill further to amend the Mines and Minerals (Development and Regulation) Act, 1957, as reported by the Select Committee of the Rajya Sabha, be recommitted to the Select Committee for further consideration, with instructions to report to the Rajya Sabha by the last day of the next Session.”

The Secretariat told me that this is the first time in the history of the Parliament that they are getting a notice under Rule 93(2). Why? It is because all the Select Committees constituted by this House function on the basis of basic principles of democracy. It is the first time in the history of Parliament that a Select Committee did not consider the basic principles of democracy. So, this is the first notice under Rule 93(2) to resent the Bill to the same Select Committee for their further

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consideration. Why, Sir? Sir, as per the Constitution, the State List, regulation of mines & minerals development is subject to the provisions of List I, with respect to regulation and development under the control of the Union, that is the Union List. But in the State List, it is correctly....

MR. DEPUTY CHAIRMAN: Rajeeveji, I am not a Constitutional expert. Which portion are you reading? ...(Interruptions)...

SHRI M. VENKAIAH NAIDU : Sir, I have a point of order on whatever submission he is making. ...(Interruptions)...

MR. DEPUTY CHAIRMAN: No, let him complete. ...(Interruptions)... He has to move and speak after that.

SHRI P. RAJEEVE: Sir, actually, this mineral regulation comes under the State List. The Report of the Select Committee itself stated and quoted the Judgement of the Supreme Court. I am coming to that point.

MR. DEPUTY CHAIRMAN: Rajeeveji, have you moved your amendment?

SHRI P. RAJEEVE : I am moving.

MR. DEPUTY CHAIRMAN: No, no. ...(Interruptions)...

SHRI P. RAJEEVE : I moved my Motion.

MR. DEPUTY CHAIRMAN: Rajeeveji, let me say. First you move the amendment and then you speak.

SHRI P. RAJEEVE : Sir, I already moved it.

MR. DEPUTY CHAIRMAN : You have already moved it!

SHRI P. RAJEEVE : Sir, I already moved it.

MR. DEPUTY CHAIRMAN: Do you say that you have moved it?

SHRI P. RAJEEVE : I have said that I have moved it.

MR. DEPUTY CHAIRMAN : Okay, then you can speak.

SHRI P. RAJEEVE : Sir, as per the Select Committee's Report....

SHRI M. VENKAIAH NAIDU: Sir, I would like to bring to.... ...(Interruptions)...

MR. DEPUTY CHAIRMAN: No, no, after his speech. ...(Interruptions)...

SHRI M. VENKAIAH NAIDU: I know Rajeeve ji has the minutes and the very procedure. ...(Interruptions)...

SHRI P. RAJEEVE: Only discuss and debate, but do not obstruct. Let me complete ...(Interruptions)...

SHRI M. VENKAIAH NAIDU : I am not obstructing. ...(Interruptions)... I am happy you have agreed to the basic principles of democracy. ...(Interruptions)... Let us discuss. ...(Interruptions)...

MR. DEPUTY CHAIRMAN: I will allow you. ...(Interruptions)...

SHRI SITARAM YECHURY: I am telling you that there is a method for discussion. ...(Interruptions)...

SHRI M. VENKAIAH NAIDU: What method are you talking of? This is the method. ...(Interruptions)... I have no problem. ...(Interruptions)...

SHRI SITARAM YECHURY: You follow the method. ...(Interruptions)...

श्री उपसभापति: येचुरी जी, आप बैठ जाइए। ...(व्यवधान)...

MR. DEPUTY CHAIRMAN: Rajeeve ji, you move and make a brief speech only. ...(Interruptions)...

SHRI P. RAJEEVE: Yes, brief speech Sir. Then, in the Select Committee's Report, on page 6, they are quoting the Supreme Court's Judgement. The Supreme Court Judgement in Orissa Mining Corporation Ltd. *versus* Ministry of Environment and Forests and Ors. is specifically stated in the Report itself. The Court observed that the State Government is the owner of the mineral within its territory and minerals vests in it. Sir, in para 25, last page, in Manohar Lal Sharma *versus* The Principal Secretary and Ors, the power in relation to the mines and minerals was accorded to both the Centre and the State. Because in State List, it is there and in Central List, it is there. Then, I went through the Report. This Committee did not hear any of the State Governments. This is totally against the concept of the federal structure. This is totally against the principles of our Constitution. Then, the Select Committee failed to follow the basic principles of democracy and failed to follow the basic principles of our Constitution. That is why, we demand that this Bill should be resent to the Select Committee for further consideration. This Select Committee is already constituted. Sir, in the Dissent Note, some of the Members correctly stated that. I am coming to that. In the Dissent Note, three-four Members have already stated that. Despite suggestions made by a majority of Members to call the Secretary and concerned officials of the Government of major mineral bearing States, trade unions and tribal organizations for evidence and deposition on the subject and for

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the consideration of the Committee, the said suggestions have been ignored. The suggestions of a majority Members have been ignored by the Committee. Our hon. Members...

MR. DEPUTY CHAIRMAN: Anyhow, you have moved it.

SHRI P. RAJEEVE: Then the Select Committee failed to function as per the basic principles. That is why I demand that as per Rule 93 (2) this Bill should be resent to the Select Committee for further consideration. ...*(Interruptions)*...

The questions were proposed.

SHRI M. VENKAIAH NAIDU: Rule 93, which my colleague, Shri Rajeeve has mentioned, will come into operation after Rule 61 – Introduction and Publication of Bills; Bills Originating in the Council. This is a Bill which was discussed in the other House and then referred to this House after it was passed by the other House. This House, in its collective wisdom, has sent it to the Select Committee. The Select Committee after thorough discussion...*(Interruptions)*... That is your view. ...*(Interruptions)*... That is your view. ...*(Interruptions)*... Sir, it is very unfair to cast aspersions on the Select Committee. The Select Committee is a House Committee. If the Members of the Select Committee have any objection, they should raise it in the Select Committee. Once the Select Committee gives its Report, that is final. Then the House has to discuss it. ...*(Interruptions)*... This is not democracy. This is not the system. ...*(Interruptions)*... Sir, once the Report is submitted to the House, the House will discuss it. The Bill, which is referred to the Select Committee cannot be referred back again to the Select Committee. When the Bill has originated.... ...*(Interruptions)*... Please go through Rule 125. Rule 125 — Reference to Select Committee – clearly says, “Any member may (if the Bill has not already been referred to a Joint Committee of the Houses, but not otherwise) move as an amendment that the Bill be referred to a Select Committee and, if such motion is carried, the Bill shall be referred to a Select Committee, and the rules regarding Select Committees on Bills originating in the Council shall then apply.” This Bill has not originated from the Council. This Bill has come from the other House, Lok Sabha. This has to be kept in mind. So, this Amendment moved by Shri Rajeeve is against the rules of the House. ...*(Interruptions)*...

THE LEADER OF THE HOUSE (SHRI ARUN JAITLEY): Sir, Shri P. Rajeeve has raised two questions. Shri Venkaiah has responded to one of them. The first relates to legislative competence of Parliament. The legislative competence of Parliament is regulated by List I and List III. So, whatever matter comes under List I of the Constitution, is Central and whatever comes under List III, is Concurrent. I

would like to draw your attention to List I, Entry 54. List I, Entry 54, clearly says, “Regulation of mines and mineral development to the extent to which such regulation and development under the control of the Union is declared by Parliament by law to be expedient in the public interest.” List II, Entry 23, which is the State List, says, “Regulation of mines and mineral development subject to the provisions of List I with respect to regulation and development under the control of the Union.” Now there are two areas, one is mining and the other is industry. The first right of both mining and industry is with the State. Just as you have Entry 23 of List II, saying regulation of mines and mineral subject to List I, similarly, for industry—you have an Industry Department in every State – subject to the provisions of Entry 7 and Entry 52 of List I. So, industry also is a State subject. But then, in the Central Entry, there are two provisions, one relating to mining and one relating to industry. The one relating to industry says, “Industries, the control of which by Union is declared by Parliament by law to be expedient in public interest.” अगर कोई ऐसी इंडस्ट्री है, Parliament, by law, says, “It is expedient to have it in the Centre.” Similarly, for mining, List I, Entry 54, says, “Regulation of mines and mineral development to the extent to which such regulation and development, under the control of the Union, is declared by Parliament by law to be expedient in the public interest.” So, in respect of mining or industry, if it is expedient in the public interest and Parliament, by law, says that, then, that won’t go to the States, and it will come to the Centre. That is the law, and we have the Industrial Development Regulation Act (IDRA). So, all notified industries under the IDRA come under the Centre. Similarly, under the MMRDA, the notified industries, which the law says, “it is expedient in public interest”, will come under the Centre. Now, this Act was drafted in 1957, and I took a pick at people in 1957, who were in power; they knew every word of the Constitution because they had drafted it. In Section 2, “Declaration as to the expediency of Union control – It is hereby declared that it is expedient in public interest that the Union should take, under its control, the regulation of mines and development of minerals to the extent herein provided.” So, in 1957, the declaration required in List I, Entry 52, was made in Section 2 of the Central Legislation. It is that legislation which, in Panditji’s Government, was drafted as a Central law which we are now seeking to amend. The fact that we are amending the law of 1957, which is a Central law, won’t make it a State law. Similarly, in Section 2 of the IDRA, the same language is repeated. “It is hereby declared in public interest that the Union takes control of the following scheduled industries.” So, this subject, exclusively, falls in the Centre and, therefore, conventionally, only the Centre has legislated to the exclusion of the States.

[Shri Arun Jaitley]

Now the second question, which Mr. Rajeev has put is, he says, “Under Rule 93 (2), it should be resubmitted to the Select Committee.” Now, there are two separate procedures. Rule 93 comes in a Chapter, which is ‘Legislation’, and Part (a) of that Chapter is ‘Introduction and Publication of Bills’. And, thereafter, it deals with – if you see the title -- ‘Bills originating in the Council’. So, in respect of any Bill, which originates in the Rajya Sabha, a Select Committee will be appointed. Then, under Rules 92 and 93, the Select Committee will give a Report. And once the Select Committee gives the Report, the Minister will move that the Report be accepted, and that is a Motion. There is a difference between a Motion and an Amendment. Under Rule 93, a Motion will come, and under Rule 93 (2), a Member can move a Motion that the Bill, which was referred to a Select Committee, may be re-committed to a Select Committee.

SHRI SITARAM YECHURY: That is what we are doing.

SHRI ARUN JAITLEY: That is not what you are doing. You are making a cocktail. ...(*Interruptions*)... I will make good that point. So, in respect of a Bill which originates in the Rajya Sabha and where a Select Committee is appointed, a Member can move once that it be resubmitted to the Select Committee. Now what happens to Bills which do not originate in the Rajya Sabha but which originates in the Lok Sabha. Now, in respect of those Bills, if you turn to Rule 121, “Bills originating in the House, -- the House means the Lok Sabha – and transmitted to the Council...”, that is where we are. So, under the Rule 121 family, which is, Bills originating in the other House and submitted here, the Rule under question is Rule 125, Reference to Select Committee. ...(*Interruptions*)...

MR. DEPUTY CHAIRMAN: Shri Balagopal, let him complete.

SHRI ARUN JAITLEY: Sir, so the rule applicable is Rule 125 onwards and not Rule 93(2). Rule 93(2) applies only when the Bill was originally introduced in the Rajya Sabha. If it was introduced in the Lok Sabha it comes to the Rajya Sabha, it is the Select Committee. Under this Rule the whole scheme which was carefully drafted is that the Rajya Sabha has the right to question the wisdom of Lok Sabha once, but not twice, and you have exhausted that remedy. Rule 125 says, “Any member may (if the Bill has not already been referred to a Joint Committee of the Houses, but not otherwise) move as an amendment” what he can move is an amendment “that the Bill be referred to a Select Committee and, if such motion is carried, the Bill shall be referred to a Select Committee, and the rules regarding Select Committees on Bills originating in the Council shall then apply.” Now, the

Chapter on rules regarding Select Committees on Bills originating in the House are only those which that chapter contains, exactly the same phrase, rules regarding Select Committees, which deal with the functioning of the Select Committees, which don't deal with the power of the House, and which don't deal with the jurisdiction of the House to re-apply. Then it shall be considered and then Bills passed without amendment. You go back to the Rule which deals with the chapter from Rule 61 downwards "Publication..." etc. Now there is a sub-title "Introduction and Publication of Bills" and then "Motion after introduction of Bills". Then the chapter ends. Rules regarding Select Committee end with Rule 92. So, those who frame the rule make up to Rule 92 applicable and not from Rule 93 onwards. So, whatever Bill comes up from Lok Sabha to Rajya Sabha, rules regarding Bills in Council, the sub-title ends at Rule 92 and then it is a procedure of the Select Committee. My submission is, Rule 93(2), *i.e.* a provision which requires a twice submission to Select Committee has not been made applicable to that. Bills originating in Lok Sabha and coming here refers only once under Rule 125 that it can be referred to the Select Committee. That procedure has been exhausted.

MR. DEPUTY CHAIRMAN: Now, Shri Anand Sharma.

SHRI P. RAJEEVE: Sir,...

MR. DEPUTY CHAIRMAN: I will come to you. ...(*Interruptions*)... We are on the same subject.

SHRI P. RAJEEVE: Sir, please allow me to..

MR. DEPUTY CHAIRMAN: I will allow you. I am coming to you. The same thing is going on.

SHRI SITARAM YECHURY: Sir, he has made a point and in Rule 125. ...(*Interruptions*)... My learned friend is trying to...

MR. DEPUTY CHAIRMAN: Let me go by the procedure.

SHRI SITARAM YECHURY: I am talking of the procedure. Sir, he has given an answer to his amendments.

MR. DEPUTY CHAIRMAN: That is correct.

SHRI SITARAM YECHURY: I am saying that there is a logical inconsistency in the answer.

MR. DEPUTY CHAIRMAN: That is what I am saying. I will allow you.

SHRI SITARAM YECHURY: No, no; he has given the answer.

MR. DEPUTY CHAIRMAN: That is what I am saying. After Shri Anand Sharma, I will call you.

SHRI SITARAM YECHURY: Shri Anand Sharma is not raising that point. He is raising something else. Sir, first dispose of this issue. Then please allow him first.

MR. DEPUTY CHAIRMAN: One minute. Mr. Rajeev has moved an amendment and a point has been raised. We are discussing only that.

SHRI P. RAJEEVE: So, dispose it off first.

MR. DEPUTY CHAIRMAN: Let me say. Anand Sharma wanted to speak on that. If not, I will call you. I thought Anand Sharma wanted to speak on this.

SHRI SITARAM YECHURY: No, no. He wanted to speak on the Bill.

SHRI ANAND SHARMA (Rajasthan): Sir, I wanted to speak on this.

MR. DEPUTY CHAIRMAN: Not on this?

SHRI P. RAJEEVE: Sir, I have to speak as a mover of the amendment.

MR. DEPUTY CHAIRMAN: Okay, then agreed...*(Interruptions)*...I will allow you ...*(Interruptions)*...

SHRI SITARAM YECHURY: Sir, he is speaking on something else.

MR. DEPUTY CHAIRMAN: I will allow you. I cannot decide until I know the views of others ...*(Interruptions)*...What are you doing? ...*(Interruptions)*...

SHRI SITARAM YECHURY: Being the mover of the amendment. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: Let me verify it ...*(Interruptions)*... Yechuryji, please sit down ...*(Interruptions)*...I had already told that Mr. Anand Sharma will be called. If he is to speak on this amendment, I will allow him.

SHRI ANAND SHARMA: Sir, it is not on the Bill. I am speaking on this amendment ...*(Interruptions)*...

SHRI SITARAM YECHURY: Then, I will also speak on this.

MR. DEPUTY CHAIRMAN: Yes; I will also call you. I am not saying that I will not call you.

SHRI P. RAJEEVE: Sir, as a mover of the amendment, I have to be called first. That is the procedure.

SHRI MADHUSUDHAN MISTRY (Gujrat): As far as this amendment is concerned ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: I will allow you, after hearing others. *...(Interruptions)...* What are you doing? *...(Interruptions)...* There is a procedure *...(Interruptions)...*

SHRI P. RAJEEVE: You have to follow the procedure. *...(Interruptions)...*

MR. DEPUTY CHAIRMAN: There is a procedure *...(Interruptions)...* I have the right to listen others *...(Interruptions)...* I am going by the rules. The amendment is moved *...(Interruptions)...* According to Rules also, it is like that *...(Interruptions)...* See, two amendments have been moved and your amendment is before the House. The other is also before the House. Earlier, Shri Anand Sharma asked me to speak on this. If he wants to speak on this amendment, I have to allow him. Then, I will allow you. Then, I will call Mr. Rajeeve at the end. So, Mr. Rajeeve will be called in the end *...(Interruptions)...*

SHRI SITARAM YECHURY: Sir, you are talking about methodology of rules. Please understand, Sir. Mr. Rajeeve has moved an amendment. The hon. Leader of the House has questioned the validity of that amendment *...(Interruptions)...* I think that questioning is flawed. So, I also want to raise a point.

MR. DEPUTY CHAIRMAN: I said that I will allow you.

SHRI SITARAM YECHURY: But, Sir, please listen. The mover of the amendment must be given the right to justify why he has moved the amendment. That is the principle of democracy *...(Interruptions)...* You are not allowing that *...(Interruptions)...* I have an objection to the objection that the hon. Leader of the House has raised. *...(Interruptions)...*

MR. DEPUTY CHAIRMAN: I am sorry you are mistaken. I am sorry to use that word. Can you take your seat?

SHRI SITARAM YECHURY: You are asking me to take my seat all the time! *...(Interruptions)...*

MR. DEPUTY CHAIRMAN: Now, listen. You see, there is an amendment moved by Mr. Rajeeve and is before the House. And, on that amendment, hon. Leader of the House and, I think, Venkaiahji also, made their observations. Now, I want to get the benefit of others also.

SHRI SITARAM YECHURY: I am also in 'others.'

MR. DEPUTY CHAIRMAN: That is what I am saying. You are also included in that *...(Interruptions)...* Listen, Mr. Yechury. You are also included in that *...(Interruptions)...* And, after that, Mr. Yechury, you listen. After that, I will give Mr. Rajeeve an opportunity to reply. Only then I will give my ruling. That is the procedure. So, why do you say that it is not an issue between you and others? Now, the amendment is before the House, not before you two people *...(Interruptions)...*

SHRI SITARAM YECHURY: Sir, hon. deputy leader of the Congress Party has asked you permission to speak on the Bill.

MR. DEPUTY CHAIRMAN: No, no. ...*(Interruptions)*...I did not ask him to speak on the Bill ...*(Interruptions)*...

SHRI SHARAD YADAV (Bihar): He is speaking on the same subject. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: I did not ask...*(Interruptions)*...

SHRI SITARAM YECHURY: Of course, he did. You are not hearing. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: I did not ask him to speak on the Bill. I want his view on the amendment. See, I go by rules. There is precedent for that ...*(Interruptions)*... Mr. Rajeeve, I will allow you after I listen to all. I have to listen to, at least, 2-3 Members.

Mr. Anand Sharma, if you want to say something on this amendment only then you speak.

SHRI ANAND SHARMA: Sir, first of all, before I speak, I disagree, with respect, with the hon. Leader of the House on his interpretation, because it is inconsistent with the rules. I think, amendment that has been moved by Shri P. Rajeeve is in order under the rules, because the Bills originating in the House *i.e.*, Lok Sabha, and transmitted to the Council deals from Rule 121 onwards and under Rule 125 there is a reference of sending Bill to the Select Committee. But, when it comes to the procedure after presentation of the Report by the Select Committee, it is not that 93(2) is only for the Bills that originate in the House, it is for all when a Select Committee is constituted. Otherwise, when Bills originate in the House and are referred to the Select Committee, then there cannot be any amendment and there cannot be any discussion which I fail to accept and that is where you will give your ruling, I am sure. Now, I have to speak why we are...

MR. DEPUTY CHAIRMAN: On that I will permit you later. I will allow you.

MR. ANAND SHARMA: Okay, fine.

SHRI SITARAM YECHURY: Sir, with all the due respect, I would say that the Leader of the House has quoted Rule 125. He is talking about making a distinction between the Bills originating from this House and the Bills transmitted to us from the other House. He said that as far as Rules 93-onwards are concerned, those sets of Rules are confined to Bills originating from this House and that is precisely the

point the Minister for Parliamentary Affairs has also stated. Now, Sir, in Rule 125, I draw your attention to the last sentence. It says, "...if such motion is carried, the Bill shall be referred to a Select Committee, and the rules regarding Select Committees on Bills originating in the Council shall then apply." Under Rule 125, any Bill is sent to a Select Committee whether originating here or in the other House. The Rules that shall apply are the rules belonging to Rule 93(2); they are valid. It can't be objected to. This is a valid procedure under the Rules governing this House. If you want, I will repeat, Sir. Rules regarding Select Committees on Bills originating in the Council shall then apply. In the wisdom of the First Parliament which framed these Rules, they framed the Constitution. They have used all that wisdom and, I think, we should adhere to that wisdom. You should admit this Amendment and then make a ruling on that.

SHRI P. RAJEEVE: Sir, I respect Jaitleyji. I think, because of his heavy schedule, he could not read the Rules completely. The first part is the State-subject and the Union-subject. If I make an objection to the introduction of the Bill, questioning the legislative competence of this House, then that answer is sufficient, to address that issue. I am not questioning the legislative competence of this House. It is not allowed, as per the Rules, at the time of consideration and passing. It is applicable only at the time of introduction of a Bill. I think, the Leader of the House should know the basic principle of the legislative process of this Parliament. Sir, I am questioning the procedure of the Select Committee, that is consultation.

MR. DEPUTY CHAIRMAN: You say only that which is relevant here.

SHRI P. RAJEEVE: Jaitleyji raised that issue and that is why I am giving this reply. I am raising the issue of procedure — consultation with the Select Committees because it is under the State List, it is under the Central List. If the Central List is for public purpose, then the Select Committee should hear the views of at least the mineral-wealthy State Governments. That has not happened. That is why I raised this issue.

The second point is, I think, it is already clear as to why there are two parts. It is a basic issue. If a Bill is originating in this Council, then normally there is no need for a motion to send it to a Select Committee because the Chairman has sufficient powers to send it to a Standing Committee if a Bill is originating in this Council. There is no need of a Motion. It is the prerogative of the Chairman to send it to a Standing Committee.

Then, on Rule 125, it is applicable to all because whenever this House accepted any Motion to send a Bill to the Select Committee, all these Motions should be applicable under Rule 125. That is the precedent in this House.

[Shri P. Rajeeve]

My leader Sitaram Yechuryji correctly stated that the last sentence is very much important and the Rules regarding Select Committee on Bills originating in the Council shall apply to this also. It is applicable to both. Then, Rule 93(2) has two parts. The first part talks of the motion that is moved after presentation of the Report. Then, the mover of the Bill, the Minister himself, if he wants, can move this Amendment to send this Bill to a Select Committee again...

MR. DEPUTY CHAIRMAN: Do not go into all those things.

SHRI P. RAJEEVE: It is correctly stated.

SHRI ASHWANI KUMAR (Punjab): Sir, I have a point of order.

MR. DEPUTY CHAIRMAN: Let him finish.

SHRI P. RAJEEVE: Sir, one more thing. The last point that Jaitleyji raised was, whether the House can send it again to a Committee. Another precedent in the other House, to which I would like to draw the attention of the entire House is of 1996, the Constitution 81st Amendment Bill. The Bill originated from the Lok Sabha itself, that is sent again to the Committee. I will read, “that the Bill as reported by the Joint Committee be recommitted to the same Joint Committee for further consideration, with instructions to report by the first day of the last week of the next Session of the Lok Sabha” by the Speaker in the case of Constitution 81st Amendment. Then my Motion is valid. Even though, the Motion is before the House ...(Interruptions)...

SHRI SITARAM YECHURY: And there is a precedent.

SHRI P. RAJEEVE: Sir, my Motion is before the House, after moving a Motion, the House can decide only by voting if it is accepted or not.

MR. DEPUTY CHAIRMAN: You quoted Lok Sabha proceedings or Rajya Sabha?

SHRI P. RAJEEVE: It is Lok Sabha proceeding.

MR. DEPUTY CHAIRMAN: What is the point in quoting it here?

SHRI SITARAM YECHURY: Sir, it is a precedent.

SHRI P. RAJEEVE: Sir, the Leader of the House stated that the Parliament should not send a Bill again to the same Select Committee.

MR. DEPUTY CHAIRMAN: Okay, okay. All right. ...(Interruptions)... Now let me ...(Interruptions)...

SHRI P. RAJEEVE: This is the only precedent. I already mentioned that. ...*(Interruptions)*... It never happened in this House. ...*(Interruptions)*...

SHRI ASHWANI KUMAR: Sir, you are in the process of giving a critically important ruling on a matter that goes to...

MR. DEPUTY CHAIRMAN: You should sympathise with me.

SHRI ASHWANI KUMAR: That goes to the root of how we are going to conduct a Legislative Business.

MR. DEPUTY CHAIRMAN: Speak on this point.

SHRI ASHWANI KUMAR: I am going to make one comment on the interpretation given by Venkaiahji as regards the power of the Chairman or the House to recommit for consideration, a particular measure to the Select Committee, twice. The point I am trying to make, Sir, is that the first consideration by the Select Committee is no consideration in the eyes of law because the fundamental scrutiny, the methodology of scrutinising the legislation and doing its work has not, in fact, happened. Therefore, the argument in substance is that the first consideration by the Select Committee is *non est* in law, and therefore, a *de novo* consideration is required. That is the point that I have to make.

MR. DEPUTY CHAIRMAN: Okay; Advocate Tulsi. ...*(Interruptions)*... I called Mr. Tulsi. ...*(Interruptions)*... Please sit down. I called Mr. Tulsi.

SHRI K.T.S. TULSI (Nominated): Mr. Deputy Chairman, Sir, I am grateful for allowing me. I want to submit this only in one minute. Sir, kindly see Rule 93, Clause 2, 'If the member in charge moves that the Bill as reported by the Select Committee of the Council or the Joint committee of the Houses, as the case may be, be taken into consideration' -- now this is from where it applies -- 'any member may move as an amendment that the Bill be re-committed or be circulated or recirculated for the purpose of obtaining opinion or further opinion thereon'. Now, this provision, Rule 93, Clause 2, has expressly been incorporated with regard to Bills originating in the other House. Because if you kindly see Rule 125 now, the last part, which Mr. Yechury has read, expressly incorporates the provision of recommitting the Report of the Committee back to the Committee for further consideration because it says, Select Committee on Bills originating in the Council shall then apply. So that provision has become applicable. This Motion is clearly in order. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: Okay, now let me ...*(Interruptions)*... That's all. ...*(Interruptions)*... No more ...*(Interruptions)*... I am going to give the ruling.

SHRI GHULAM NABI AZAD: This is already 8 o'clock and this is humanly impossible. Can you defer it to tomorrow morning? ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: I have to give the ruling. ...*(Interruptions)*... Let me give the ruling. ...*(Interruptions)*... I am not allowing. I have to give the ruling now. ...*(Interruptions)*... Ruling and, if necessary, voting has to happen. Now, listen, please. Let me complete. It is already 8.00 p.m., as you said. I have to give a ruling, and if the ruling is validating the Motion, then a voting has also to take place. So, let me give the ruling. ...*(Interruptions)*...

SHRI DIGVIJAYA SINGH (Madhya Pradesh): Sir, I have a point of order.

MR. DEPUTY CHAIRMAN: Point of order on this? ...*(Interruptions)*...

SHRI DIGVIJAYA SINGH: Sir, the Leader of the House has rightly raised the issue of the legislative competence of this House regarding the mineral wealth.

MR. DEPUTY CHAIRMAN: That is not the issue.

SHRI DIGVIJAYA SINGH: This is the issue, Sir. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: That is okay.

SHRI DIGVIJAYA SINGH: Sir, the point I am going to make is that the mineral wealth belongs to the States. ...*(Interruptions)*... Sir, the mineral wealth belongs to the States. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: Please don't go to that.

SHRI DIGVIJAYA SINGH: One second, Sir. The mineral wealth belongs to the States. Therefore, the Government of India, the Union of India does not have the right to legislate without the consultation of the State Governments.

MR. DEPUTY CHAIRMAN: No, it is over. That is not relevant now.

SHRI DIGVIJAYA SINGH: Sir, that is an issue. ...*(Interruptions)*... Unfortunately, in both the Bills, the Union of India has not consulted the States. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: That should have been raised at the time of introduction of the Bill. ...*(Interruptions)*...

SHRI DIGVIJAYA SINGH: It has taken away the rights of the State Government. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: Mr. Digvijaya Singh,... ...*(Interruptions)*...Please sit down. ...*(Interruptions)*... Sit down. I am not allowing. ...*(Interruptions)*... Digvijaya Singhji, that point could have been raised at the time of introduction, not now. ...*(Interruptions)*... Now, I want to give the ruling.

SHRI PAVAN KUMAR VARMA (BIHAR): Sir,... *...(Interruptions)...*

MR. DEPUTY CHAIRMAN: Now, I want to give the ruling. *...(Interruptions)...*
See, I don't need any more clarification. It is already clear to me. So, I don't need any clarification. *...(Interruptions)...*

SHRI PAVAN KUMAR VARMA: Sir,... *...(Interruptions)...*

MR. DEPUTY CHAIRMAN: Okay; okay. All right. *...(Interruptions)...* Can you say any new point? Do not repeat anything. *...(Interruptions)...* If there is anything new, you say it. *...(Interruptions)...* I know you are an advocate.

SHRI PAVAN KUMAR VARMA: Sir, allow me to speak. Sir, I want to say with great humility that even before I speak my first sentence, you are haranguing me to stop. *...(Interruptions)...*

MR. DEPUTY CHAIRMAN: If it is not a new point, then, don't say. *...(Interruptions)...*

SHRI PAVAN KUMAR VARMA: No, Sir, I should be allowed to speak. Sir, you must be democratic. I am speaking to you with great humility, and with respect, but you cannot dismiss it before I have spoken.

MR. DEPUTY CHAIRMAN: Don't give too much respect.

SHRI PAVAN KUMAR VARMA: Sir, you must hear the opinion of the House. I want to make a point; I won't take more than forty seconds.

MR. DEPUTY CHAIRMAN: Okay do that.

SHRI PAVAN KUMAR VARMA: Sir, when a matter is referred to a Select Committee, whatever the rule under which it is so given, the rules of the Select Committee allow for democratic discussion. Right in the beginning of this Select Committee...

MR. DEPUTY CHAIRMAN: No, no; you can't refer it here.

SHRI PAVAN KUMAR VARMA: Sir, I am raising an issue which is relevant.

MR. DEPUTY CHAIRMAN: Select Committee procedure cannot be discussed here. You sit down.

SHRI PAVAN KUMAR VARMA: Sir, other than raising it... *...(Interruptions)...*

MR. DEPUTY CHAIRMAN: That you would have raised there.

SHRI PAVAN KUMAR VARMA: Please allow me, Sir. *...(Interruptions)...*

MR. DEPUTY CHAIRMAN: No, that is against the rules. You cannot do that. See, Select Committee procedure cannot be discussed here.

SHRI PAVAN KUMAR VARMA: Sir, I am raising a fundamental point.

MR. DEPUTY CHAIRMAN: No, that is to be said there, not here. *...(Interruptions)...*

SHRI M. VENKAIAH NAIDU: Sir, may I politely submit that... *...(Interruptions)...*
...say that Select Committee is a mini House, and you cannot question the procedure of the Select Committee. *...(Interruptions)...*

MR. DEPUTY CHAIRMAN: That is what I said.

SHRI M. VENKAIAH NAIDU: Sir, out of 19 Members, one Member was absent; four Members have given dissent; and the remaining Members have agreed. *...(Interruptions)...* How can anybody describe that Report as anti-democratic? *...(Interruptions)...* It is very unfair. *...(Interruptions)...*

श्री सत्यव्रत चतुर्वेदी : उपसभापति जी, *...(व्यवधान)...*

MR. DEPUTY CHAIRMAN: Now, listen. *...(Interruptions)...*

श्री प्रमोद तिवारी : मेरी बात सुन लीजिए। *...(व्यवधान)...*

MR. DEPUTY CHAIRMAN: I am not allowing anybody. *...(Interruptions)...*

No, no; I don't want to listen to anything more. If you want me to conduct the House, allow me to give the ruling. *...(Interruptions)...* Allow me to give the ruling, if you want. *...(Interruptions)...* Sit down; I am not allowing. *...(Interruptions)...*

श्री सत्यव्रत चतुर्वेदी : उपसभापति जी, मैं आपसे सहमत हूँ कि यहां पर सेलेक्ट कमेटी के प्रोसीजर पर चर्चा नहीं हो सकती। मैं आपसे यह पूछना चाहता हूँ कि अगर सेलेक्ट कमेटी का प्रोसीजर *...(व्यवधान)...* तो उसे सेलेक्ट कमेटी को वापस भेजना पड़ेगा। तो वहां पर चर्चा हो सकती है। *...(व्यवधान)...* यहां भी चर्चा हो सकती है और वहां भी चर्चा हो सकती है। आप वहां भेज दीजिए, हम वहां चर्चा कर लेंगे। *...(व्यवधान)...*

MR. DEPUTY CHAIRMAN: Please listen. *...(Interruptions)...* Please allow me. *...(Interruptions)...* I am going to give the ruling. *...(Interruptions)...* You don't want the ruling?

SOME HON. MEMBERS: No. *...(Interruptions)...*

MR. DEPUTY CHAIRMAN: You don't want the ruling? *...(Interruptions)...* What are these people doing?

SHRI TIRUCHI SIVA (TAMIL NADU): Sir, you give the ruling. *...(Interruptions)...*

MR. DEPUTY CHAIRMAN: Don't you want a ruling? ...*(Interruptions)*...

The House is adjourned for ten minutes.

The House then adjourned at nine minutes past eight of the clock.

The House reassembled at nineteen minutes past eight of the clock,

THE VICE-CHAIRMAN, (DR. E.M. SUDARSANA NATCHIAPPAN) *in the Chair.*

THE VICE-CHAIRMAN (DR. E.M. SUDARSANA NATCHIAPPAN): Hon. Members, I adjourn the House for ten minutes.

The House then adjourned at nineteen minutes past eight of the clock.

The House reassembled at twenty nine minutes past eight of the clock,

THE VICE-CHAIRMAN (DR. E.M. SUDARSANA NATCHIAPPAN) *in the Chair.*

THE VICE-CHAIRMAN (DR. E.M. SUDARSANA NATCHIAPPAN): The House is adjourned for twenty minutes.

The House then adjourned at twenty-nine minutes past eight of the clock.

The House reassembled at forty-nine minutes past eight of the clock,

MR. DEPUTY CHAIRMAN *in the Chair.*

SHRI M. VENKAIAH NAIDU: Sir, I have got the views expressed by some Members of that side and also particularly the Leader of the Opposition and the Deputy Leader that instead of continuing it now we can take it up tomorrow morning. Keeping in view the wish of the Opposition, we have agreed that we will have a discussion tomorrow morning. We will start with the Mines and Minerals Bill from 11.00 a.m. to 12.00 noon. Then we will have the Question Hour which is non-volatile. After that, again we will meet and then we will take up Coal Bill and dispose it of tomorrow. And, we will be requesting the non-official business to be postponed to another day. Sir, my problem is: the House should understand that if the Mines and Minerals (Development and Regulation) Bill is agreed upon here, or decided upon here, then I have to go back to Lok Sabha. In Lok Sabha also, every Member will have some programme or the other, some pre-fixed programme. So, they are also asking me whether we are going to extend the session or not. If this is not done, then I have to extend. There is no other way. So, the agreement we have reached inside is that we will complete this business by 2.30 p.m. or maximum by 3.00 p.m., so that I can go back to Lok Sabha. With that understanding, I request you to adjourn the House.

MR. DEPUTY CHAIRMAN: Now, in addition, many Members ...(Interruptions)...

SHRI GHULAM NABI AZAD: Sir, I think, what we have decided is that from 11.00 a.m. to 12.00 noon and then from 2.30 p.m. onwards because tomorrow is Friday. So, from 1.00 p.m. to 2.30 p.m. ...(Interruptions)...

MR. DEPUTY CHAIRMAN: Yes. Therefore, in addition to that, many hon. Members suggested that this is already going to be 9.00 p.m. So, the House has to be adjourned. ...(Interruptions)...

SHRI SITARAM YECHURY: Sir, please listen to me. ...(Interruptions)... Sir, it was agreed that we would dispense with the Zero Hour tomorrow and start this Legislative Business. We will continue till 12 o'clock. After that, we will resume it at 2.30 p.m. What the Minister is hoping and which I also hope, I would also like that you finish one Bill by 12 o'clock and then take up the other Bill at 2.30 p.m. But, that is the hope. We will all try. We will all co-operate and try to finish that business - to take one at 11 o'clock and the other at 2.30 p.m.

SHRI TIRUCHI SIVA: Sir, you had to give your ruling.

MR. DEPUTY CHAIRMAN: That ruling will be given tomorrow at 11.00 a.m. So, now, it is already late. Many Members are asking. They want to go also. The House stands adjourned till 11.00 a.m. on Friday, the 20th of March, 2015.

*The House then adjourned at fifty-three minutes past
eight of the clock till eleven of the clock on
Friday, the 20th March, 2015.*