

SHRI K.T.S. TULSI (Nominated): Sir, more than 60 Members have signed the notice, and they are from most parties. It is not a partisan issue. This is not a question of criticism. This House is in the forefront for defending the freedom of expression. But this is malicious. Contrary to record, nobody was contacted. This is an attempt to malign the entire House. If malicious attempts are allowed...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: We will examine that. Now, let us take up a Bill for introduction – The Commercial Courts, Commercial Division and Commercial Appellate Division of High Courts Bill, 2015. Shri D. V. Sadananda Gowda to move.

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#### GOVERNMENT BILLS

##### **The Commercial Courts, Commercial Division and Commercial Appellate Division of High Courts Bill, 2015**

THE MINISTER OF LAW AND JUSTICE (SHRI D. V. SADANANDA GOWDA): Sir, I beg to move for leave to introduce a Bill to provide for the constitution of Commercial Courts, Commercial Division and Commercial Appellate Division in the High Courts for adjudicating commercial disputes and for matters connected therewith or incidental thereto.

*The question was put and the motion was adopted.*

SHRI D. V. SADANANDA GOWDA: Sir, I introduce the Bill.

Sir, I have a small submission to make. On the last occasion, another Bill, the Delhi High Courts (Amendment) Bill, was introduced by me. In the meanwhile, some objections had been raised in this House and they said that The Commercial Courts, Commercial Division and Commercial Appellate Division of High Courts Bill, 2015 and that Bill should be taken together. Now, it is my request that since the Delhi District Bar Associations are going on strike, that Bill needs to be passed at the earliest. My earnest request is, both the Bills may be taken together at the earliest, because this Bill already, right from 2003, has passed through various stages. It has gone to the Standing Committee; it has gone back to the law Commission; it was also passed by the Lok Sabha and then, withdrawn. All these things have happened. So, both these Bills may be taken up together.

MR. DEPUTY CHAIRMAN: Okay. But now you have introduced only this Bill.

SHRI D. V. SADANANDA GOWDA: Yes, Sir. The other Bill has been kept on hold by this House.

MR. DEPUTY CHAIRMAN: Okay. Then, the Government can include in the List of Business both the Bills, one after the other, and then we can discuss them together, if the House has no objection to that.

SHRI K. T. S. TULSI (Nominated): Sir, the two Bills have nothing to do with one another. The Government is trying to, on the one hand, increase the jurisdiction of the subordinate courts, of the district Judges, up to Rupees two crores, and, on the other, they are bringing the other Bill by which they are saying that the corporate benches in the High Court will have the jurisdiction of Rupees one crore. So, they want to give with one hand and take it away with the other. I wish to submit, let this Bill that has been introduced now be sent to the Standing Committee. The other Bill has already been examined by the Standing Committee. Sir, the clubbing of the two is unnecessary. It would only cause delay. It will perpetuate the woes of the litigants in the whole of Delhi. All the Bar Associations of all District Courts are on an indefinite strike. And the hon. Minister should think about the plight of the litigants.

MR. DEPUTY CHAIRMAN: Okay

SHRI D. V. SADANANDA GOWDA: Sir...

MR. DEPUTY CHAIRMAN: Anyhow, you have now introduced it. Let the time come and we will decide.

SHRI D. V. SADANANDA GOWDA: Yes, at the time of discussion.

MR. DEPUTY CHAIRMAN: No, Mr. Minister. Let the time come and we will decide. In any case, now it is not there in the List of Business. The Government can propose this to be listed in the List of Business. When it comes into the List of Business, the House will decide how to go about it. There is no problem. We need not take a decision now about it, about something which is yet to come.

SHRI D. V. SADANANDA GOWDA: Sir, Delhi Bar Association people are going on strike. That is why I made this request for taking up the two together.

MR. DEPUTY CHAIRMAN: For that, you have to enlist it first.

THE LEADER OF THE HOUSE (SHRI ARUN JAITLEY): Sir, since Mr. Tulsi has raised it, we may go into this question. As far as the Delhi High Court Bill is concerned,

you have the Standing Committee Report already. The last paragraph of the Report very clearly says that these two have to be integrated together. It refers to the Commercial Courts Bill and, therefore, it refers to the integration of the two. As far as Commercial Courts Bill is concerned, under the UPA Government, it has already gone through the Standing Committee once.

AN HON. MEMBER: The Select Committee.

SHRI ARUN JAITLEY: It has already gone through the Select Committee once. Therefore, this whole effort of Mr. Tulsi is to delay these Bills so that strikes take place; we are not going to fall a prey to this game of yours.

SHRI K.T. S. TULSI: No. How am I delaying it? ...*(Interruptions)*...

SHRI ARUN JAITLEY: Of course, you want to delay. You go there and instigate a strike and you come here and try and delay it. That is what you are doing. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: You know, I was the Chairman of the Select Committee.

SHRI JESUDASU SEELAM (Andhra Pradesh): This is very wrong, Sir. ...*(Interruptions)*...

**श्रीमती विप्लव ठाकुर** (हिमाचल प्रदेश): यह कोई तरीका नहीं है बोलने का...*(व्यवधान)*...

MR. DEPUTY CHAIRMAN: Okay. That's okay. ...*(Interruptions)*...

**श्रीमती विप्लव ठाकुर** : यह उनका राइट है।...*(व्यवधान)*... ये कैसे बोल रहे हैं? ये ऐसे ही बोलते हैं...*(व्यवधान)*... यह कोई तरीका नहीं है...*(व्यवधान)*...उनका राइट है बोलने का...*(व्यवधान)*...

MR. DEPUTY CHAIRMAN: Sit down. Why do you worry? ...*(Interruptions)*... What are you saying?

**श्रीमती विप्लव ठाकुर** : मैं यह कह रही हूँ कि यह तरीका नहीं है बोलने का। उनका राइट है बोलने का...*(व्यवधान)*...

MR. DEPUTY CHAIRMAN: Okay. We will take care of that. ...*(Interruptions)*... We will take care of that. ...*(Interruptions)*..

**श्री अरुण जेटली** : स्टैंडिंग कमेटी भी हो चुकी है, सेलेक्ट कमेटी भी हो चुकी है, फिर दोनों बिल क्यों न पास हों?...*(व्यवधान)*...

SHRI K. T. S. TULSI: Sir, the hon. Leader of the House has accused me of having instigated a strike. I want to know, when did I instigate, how did I instigate, whom did I meet, what did I say. This is very improper. This is not justified. I have done nothing of the sort. This should be removed from the record. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: No, no. You reply to it. That is enough. ...*(Interruptions)*... He said and you replied. Both are on record. Now, please... ...*(Interruptions)*...

DR. K. KESHAVA RAO (Andhra Pradesh): No, no. The question is not that. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: No. Why this discussion? ...*(Interruptions)*... What do you want?

SHRI JESUDASU SEELAM: Sir, you have to protect the Rajya Sabha Members. ...*(Interruptions)*...

DR. K. KESHAVA RAO: Sir, it was a technical thing which the Leader of the House knows. It is the pecuniary jurisdiction. You have brought in one Delhi court...

MR. DEPUTY CHAIRMAN: No, there is no issue before us now.

DR. K. KESHAVA RAO: What he said was in contradiction to clubbing them. ...*(Interruptions)*... The Standing Committee...

MR. DEPUTY CHAIRMAN: No. ...*(Interruptions)*... There is no issue before us now. Then, what are we discussing?

DR. K. KESHAVA RAO: Now, the question is... ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: There is no issue before us.

DR. K. KESHAVARAO: The issue is, you have asked the Minister to take it up when it comes. What he brought to the notice is that the two Bills have a contradictory...

MR. DEPUTY CHAIRMAN: That the House will decide at that time; I said that. ...*(Interruptions)*... That is what I am saying. I have only said that the Government can list the two Bills in the List of Business and the House can decide whether the two should be taken up together or not. It is for the House. ...*(Interruptions)*... It is for the House to decide. ...*(Interruptions)*... No, sit down. It is for the House to decide. I only said that. It is for the House to decide whether they are to be taken up together or

not. ...*(Interruptions)*... Sit down. ...*(Interruptions)*... What is your fight? Tell me, Mrs. Viplove. Your name itself is Viplove, which means revolution. And you are...

SHRI K. T. S. TULSI: I am requesting, let any inquiry be held by the...

MR. DEPUTY CHAIRMAN: No, no. ...*(Interruptions)*... No, please. One second. Tulsiji, the hon. Minister said something and you think it is an allegation. You replied to it. You replied to it *suo motu*.

SHRI K. T. S. TULSI : So, if the Chair is allowing it to go on record, then...

SHRI ARUN JAITLEY: Let him not take it personally. I withdraw what I have said. ...*(Interruptions)*... The point is, let both the Bills be taken up together, because you know, if they are not taken up together, it is going to foment trouble. You know that very well.

MR. DEPUTY CHAIRMAN: Okay. You are now satisfied. Now, let me take up the Real Estate (Regulation) Bill, 2013.

श्री नरेश अग्रवाल (उत्तर प्रदेश) : सर, इस पर मेरी आपत्ति है।

शहरी विकास मंत्री, आवास और शहरी गरीबी उपशमन मंत्री तथा संसदीय कार्य मंत्री (श्री एम. वेंकैया नायडु): नरेश जी, सुनने के बाद कहिए। मैं जो कहूंगा, पहले उसे सुन लीजिए।

MR. DEPUTY CHAIRMAN: Let me call you. Nareshji, sit down, please. Let the Minister say something about it and whether he moves or does not move it, even I want to know. Shri Venkaiah Naidu to move the motion. I am calling you to move the Motion.

### **The Real Estate (Regulation and Development) Bill, 2013**

THE MINISTER OF URBAN DEVELOPMENT; THE MINISTER OF HOUSING AND URBAN POVERTY ALLEVIATION; AND THE MINISTER OF PARLIAMENTARY AFFAIRS (SHRI M. VENKAIAH NAIDU): Mr. Deputy Chairman, Sir, the problem in this House is with too many advocates being in the House... *(Interruptions)*... I am not a practising advocate fortunately.

MR. DEPUTY CHAIRMAN: I have called you for moving the Motion.

SHRI BHUPINDER SINGH (Odisha): Sir, there are many advocates here and they are in white dress, not black dress. We advocate for the countrymen.