

MR. DEPUTY CHAIRMAN: Amendment not moved.

Clause 15 was added to the Bill.

Clauses 16 and 17 were added to the Bill.

MR. DEPUTY CHAIRMAN: Clause 18, there is one amendment (No.2) by Dr. T. Subbarami Reddy.

DR. T. SUBBARAMI REDDY: I am not moving.

MR. DEPUTY CHAIRMAN: You are doing a lot of homework. ...*(Interruptions)*...

SHRI SATISH CHANDRA MISRA (Uttar Pradesh): Now, he will go into arbitration.

THE MINISTER OF URBAN DEVELOPMENT THE MINISTER OF HOUSING AND URBAN POVERTY ALLEVIATION AND THE MINISTER OF PARLIAMENTARY AFFAIRS (SHRI M. VENKAIAH NAIDU): Sir, in this House, if there is one expert who knows about arbitration; that is Dr. Subbarami Reddy. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: Yes, yes. ...*(Interruptions)*... So, Amendment not moved. ...*(Interruptions)*... Amendment not moved.

Clause 18 was added to the Bill.

Clauses 19 to 27 were added to the Bill

Clause 1, the Enacting Formula and the Title were added to the Bill

SHRI D.V. SADANANDA GOWDA: Sir, I move:

"That the Bill be passed."

The question was put and the motion was adopted.

GOVERNMENT BILLS — *Contd.*

The Atomic Energy (Amendment) Bill, 2015

THE MINISTER OF URBAN DEVELOPMENT THE MINISTER OF HOUSING AND URBAN POVERTY ALLEVIATION AND THE MINISTER OF PARLIAMENTARY AFFAIRS (SHRI M. VENKAIAH NAIDU): Sir, I beg to move:

"That the Bill further to amend the Atomic Energy Act, 1962, as passed by Lok Sabha, be taken into consideration."

The question was proposed

श्री नीरज शेखर (उत्तर प्रदेश): बिल इंट्रोड्यूस हो रहा है और मंत्री जी मौजूद नहीं हैं।

SHRI JAIRAM RAMESH (Andhra Pradesh): Sir, I have a query on this Bill. I would like the Government to enlighten us on it. This Bill is proposing that the Government have 51 per cent cap on all new nuclear projects which will be set up as Joint Ventures. Does this mean that private companies also will be included at 49 per cent equity? That is the query I am having.

MR. DEPUTY CHAIRMAN: The Minister will reply to it. We shall now take up clause-by-clause consideration of the Bill. *...(Interruptions)...* I told you that you will get the answer. *...(Interruptions)...* You will get the answer. *...(Interruptions)...* I am telling you this. *...(Interruptions)...* I have already said that. *...(Interruptions)...*

SHRI JAIRAM RAMESH: Sir, the Minister is not here. *...(Interruptions)...*

MR. DEPUTY CHAIRMAN: The Minister who is moving it. *...(Interruptions)...*

SHRI JAIRAM RAMESH: Sir, without the Minister *...(Interruptions)...*

MR. DEPUTY CHAIRMAN: No, no. *...(Interruptions)...* That has already been agreed to. *...(Interruptions)...* The Parliamentary Affairs Minister is doing it. *...(Interruptions)...* It is the joint responsibility. *...(Interruptions)...* The Minister is also here. *...(Interruptions)...* It is the collective responsibility. *...(Interruptions)...* No problem.

SHRI M. VENKAIAH NAIDU: Jairam Rameshji has raised a relevant question. *...(Interruptions)...* It will be answered. *...(Interruptions)...*

MR. DEPUTY CHAIRMAN: That will be answered. *...(Interruptions)...* Jairam Rameshji, since the Minister came now, will you repeat that question?

SHRI JAIRAM RAMESH: Sir, in the process of setting up Joint Ventures, the Bill provides 51 per cent for the Government. Is this only for the Joint Ventures with other public sector companies or are private companies also envisaged? That is the only clarification I seek.

THE MINISTER OF STATE OF THE MINISTRY OF DEVELOPMENT OF NORTH EASTERN REGION, THE MINISTER OF STATE IN THE PRIME MINISTER'S OFFICE, THE MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS, THE MINISTER OF STATE IN THE DEPARTMENT OF ATOMIC ENERGY AND THE MINISTER OF STATE IN THE DEPARTMENT OF SPACE (DR. JITENDRA SINGH): Sir, it is only for the private sector companies. *...(Interruptions)...* Sorry, only for the public sector companies. *...(Interruptions)...*

SHRI SUKHENDU SEKHAR ROY (West Bengal): Perhaps something else is in mind and something else is *...(Interruptions)...*

MR. DEPUTY CHAIRMAN: He has corrected it. *...(Interruptions)...* It is only for the public sector companies. *...(Interruptions)...* Mr. Minister, am I correct? *...(Interruptions)...*

DR. JITENDRA SINGH: Yes, Sir. ...(Interruptions)...

MR. DEPUTY CHAIRMAN: It is only for the public sector companies. ...(Interruptions)...

DR. JITENDRA SINGH: It is very clearly mentioned that the Joint Venture ...(Interruptions)... Actually, what happened ...(Interruptions)...

MR. DEPUTY CHAIRMAN: You need not explain further. ...(Interruptions)... Only answer the query. ...(Interruptions)...

DR. JITENDRA SINGH: All right, Sir.

MR. DEPUTY CHAIRMAN: The question is:

"That the Bill further to amend the Atomic Energy Act, 1962, as passed by Lok Sabha, be taken into consideration."

The motion was adopted

Clauses 2 and 3 were added to the Bill

Clause 1, the Enacting Formula and the Title were added to the Bill

DR. JITENDRA SINGH: Sir, I move:

"That the Bill be passed."

The question was put and the motion was adopted

शहरी विकास मंत्री, आवास और शहरी गरीबी उपशमन मंत्री तथा संसदीय कार्य मंत्री (श्री एम. वैकैया नायडु): सर, रामविलास पासवान जी के नाम पर एक Sugar Cess वाला बिल है। उसमें कुछ नहीं है और वह मनी बिल भी है ...(व्यवधान)...

श्री के. सी. त्यागी (बिहार): क्यों नहीं है? इसमें चीनी मिल मालिकों को मदद करने वाले सारे के सारे प्रोविजंस हैं। दस हजार करोड़ रुपए आप पहले ही दे चुके हैं। मैं चाहता हूँ कि इस पर बहस होनी चाहिए। I rise to oppose it.

उपभोक्ता मामले, खाद्य और सार्वजनिक वितरण मंत्री (श्री रामविलास पासवान): सर, यह मिल मालिकों का नहीं है, हम लोग कभी मालिक के पक्षधर नहीं रहे हैं। यह किसान के खाते में जाएगा और यह किसान के लिए है। यह छोटा-सा संशोधन है। पहले जो लिमिट 25 रुपये क्विंटल थी, उसको बढ़ाकर 125 रुपया क्विंटल किया गया है।

MR. DEPUTY CHAIRMAN : Hon. LoP, Shri Ghulam Nabi Azadji, According to the certification given by the hon. Speaker, the Sugar Cess (Amendment) Bill is a money Bill. Since it is a money Bill, even if we do not take it up for consideration and return it, will automatically come into force after 14 days.

THE LEADER OF THE HOUSE (SHRI ARUN JAITLEY): Since the House is in Session, it would be extremely a bad precedent that for default of Rajya Sabha taking it up, the Bill is deemed to be passed. Since the House is in Session, and it is a money Bill, I think, it has only to be returned to Lok Sabha. So, a formal decision by Rajya Sabha may be better rather than a default provision being imposed. ...(*Interruptions*)...

DR. E. M. SUDARSANA NATCHIAPPAN (Tamil Nadu): Sir, it is a money Bill. The Government is going to increase the price of sugar by five times and put the burden on the consumer. Every sugar consumer is paying ₹ 25, and after passing this Bill, he has to pay ₹ 200

MR. DEPUTY CHAIRMAN : Mr. Natchiappan, the hon. Speaker has certified it as a money Bill. Therefore, as far as I am concerned, it can be treated only as a money Bill. That is the problem. ...(*Interruptions*)...

SHRI JAIRAM RAMESH (Andhra Pradesh): Every Bill will be a money Bill. That is the definition.

MR. DEPUTY CHAIRMAN: As per the Constitution, the money Bill has to be recommended by the hon. Speaker. ...(*Interruptions*)...

SHRI ARUN JAITLEY: Under article 110 the Bill has been certified as a money Bill by the hon. Speaker. This House can't question the wisdom of the Speaker. ...(*Interruptions*)...

MR. DEPUTY CHAIRMAN: Yes, we can't question. This issue was raised earlier also. Who is to decide whether it is a money Bill or not? It is the hon. Speaker as per the provisions of the Constitution. Nobody can question it unless you amend the Constitution. Therefore, as on today, this is a money Bill. Even if you don't pass it, it would come into force after 14 days. They will accept it. ...(*Interruptions*)...

SHRI M. VENKAIAH NAIDU: Sir, I request the LoP to intervene and see to it that the Bill is passed. We can have a discussion later about what is a money Bill and what is not a money Bill.

THE LEADER OF THE OPPOSITION (SHRI GHULAM NABI AZAD): This cess will be imposed on the consumer. Is it fair? It is not fair. As a protest, I do not think, we will support it. Let it go back. You can increase cess by five times. Since this increase is too much, as a protest, we will not support it.

श्री एम. वेंकैया नायडु: सर, हमने समझ लिया। हम किसानों के हित में इसको लाए हैं। लोक सभा ने इसको आम सहमति से पास किया है। ...(*व्यवधान*)... आपको अपना मत रखने का अधिकार है। ...(*व्यवधान*)...

SHRI A. NAVANEETHAKRISHNAN (Tamil Nadu): I want to place it on record that we are also opposing the cess on sugar. It is consumed by all the people. We will not support it. ...(*Interruptions*)...

SHRI ARUN JAITLEY: Anybody who understands how the sugar factory is operating, will know that when you levy this cess, eventually it will be paid to the farmer. The main problem has been that you have farmers' cane dues amounting to ₹ 21,000 crores which has now significantly come down. Now keep the prices at a level so that the farmers can also be paid. That is the principal objective. Now, this cess entirely goes into the Consolidated Fund in the first instance. Therefore, every ingredient under article 110 of a money Bill is there. The hon. Speaker has certified it as a money Bill. We have two options. Either for our failure to take it up it is deemed to be passed, or, we return it as money Bills are returned. ...(*Interruptions*)...

श्री प्रमोद तिवारी (उत्तर प्रदेश): आप ये पैसा मिल मालिकों को देते हैं। ...(*व्यवधान*)... किसानों को कोई पैसा नहीं दिया जाता है। ...(*व्यवधान*)...

SHRI A. NAVANEETHAKRISHNAN: This cess on sugar is a Union Excise Duty. The Government of Tamil Nadu is opposing this cess on sugar.

MR. DEPUTY CHAIRMAN: You are supporting it?

SHRI A. NAVANEETHAKRISHNAN: No. We are opposing it.

SHRI M. VENKAIAH NAIDU: Okay, no problem.

MR. DEPUTY CHAIRMAN: Okay, you are also opposing. ...(*Interruptions*)... Are you opposing this Bill? ...(*Interruptions*)... Opposing? We will not take it up. ...(*Interruptions*)... You are opposing. ...(*Interruptions*)... Are you opposing the Bill? ...(*Interruptions*)... Yes, you are opposing the Bill ...(*Interruptions*)...

SHRI A. NAVANEETHAKRISHNAN: The Tamil Nadu Government is opposing the Sugar Cess which is levied along with the Union excise duty on sugar. The Tamil Nadu Government is opposing this Bill ...(*Interruptions*)...

MR. DEPUTY CHAIRMAN: Okay, so, we are not taking up the Bill because there is no consensus on this Bill. ...(*Interruptions*)... There is no consensus. ...(*Interruptions*)... Most of the Members are opposing it. ...(*Interruptions*)...

श्री रामविलास पासवान: सर, मैं एक बात कहना चाहता हूँ। अभी जैसा कि फाइनेंस मिनिस्टर साहब ने कहा, किसानों के 21 हजार करोड़ रुपए बकाया थे, जोकि घटकर 5 हजार करोड़ रुपए रह गए हैं।

MR. DEPUTY CHAIRMAN: Now listen to the Minister. ...(*Interruptions*)... Now, please listen to the Minister also. ...(*Interruptions*)... Now, please listen to what he says. ...(*Interruptions*)...

श्री रामविलास पासवान: सर, यह Sugar Development Fund का मामला है। अभी मिल मालिकों की बात के. सी. त्यागी जी ने कही। हम लोग socialist movement में रहे हैं और हम कभी मिल मालिकों के पक्षधर नहीं रहे हैं। सर, किसान के पैसे का payment होगा और यह पैसा किसान के खाते में जाएगा। सर, अभी 500 करोड़ रुपए आते हैं, यदि इस में 3 हजार करोड़ रुपए आएंगे, तो उससे किसान का भला होगा। जहां तक consumers का सवाल है, consumers को तो already PDS से वह मिल रहा है। ...(व्यवधान)... सर, PDS के मुताबिक 18 रुपए 50 पैसे सब्सिडी आपके समय से ही दी जा रही है। ...(व्यवधान)...

MR. DEPUTY CHAIRMAN: So, Ram Vilas ji. ...(Interruptions)...

श्री रामविलास पासवान: शुगर के ऊपर 18 रुपए 50 पैसे आप पीडीएस के लिए सब्सिडी देते आ रहे हैं। वह अभी भी जारी है। Common man का इस से कोई हर्जा नहीं होगा। इसलिए यह consumers के हित में भी है, किसानों के हित में भी है और industries के हित में भी है।

MR. DEPUTY CHAIRMAN: Ram Vilas ji. ...(Interruptions)... Ram Vilas ji, there is no consensus. ...(Interruptions)...

श्री रामविलास पासवान: इसलिए लोक सभा में सब लोगों ने इस बिल का समर्थन किया है। ...(व्यवधान)...

MR. DEPUTY CHAIRMAN: Ram Vilas ji. ...(Interruptions)... Shri Ram Vilas Paswan, there is no consensus. ...(Interruptions)... Shri Ram Vilas Paswan. ...(Interruptions)... There is no consensus, so I am not taking up that Bill. ...(Interruptions)... Now, Motion for reference of the Bill to Joint Committee. The Insolvency and Bankruptcy Code, 2015. Shri Arun Jaitley to move.

MOTION FOR REFERENCE OF THE BILL TO A JOINT COMMITTEE

The Insolvency and Bankruptcy Code, 2015

THE MINISTER OF FINANCE, THE MINISTER OF CORPORATE AFFAIRS AND THE MINISTER OF INFORMATION AND BROADCASTING (SHRI ARUN JAITLEY) : Sir, I move the following motion:

"That this House concurs in the recommendation of the Lok Sabha that this House do join in the Joint Committee of the Houses on the Bill to consolidate and amend the laws relating to reorganization and insolvency resolution of corporate persons, partnership firms and individuals in a time bound manner for maximization of value of assets of such persons, to promote entrepreneurship, availability of credit and balance the interest of all the stakeholders including alteration in the order of priority of payment of Government dues and to establish an Insolvency and Bankruptcy Fund