

THE MINISTER OF STATE IN THE MINISTRY OF MINORITY AFFAIRS AND THE MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI MUKHTAR ABBAS NAQVI): Sir, since there is unanimity, please pass it without discussion.

MR. DEPUTY CHAIRMAN: Okay. Since there is unanimity in the House for passing it without discussion, I am proceeding. Now, the question is:

"That the Bill further to amend the Sikh Gurudwaras Act, 1925, be taken into consideration."

*The motion was adopted.*

MR. DEPUTY CHAIRMAN: Now we shall take up Clause-by-Clause consideration of the Bill.

*Clauses 2 and 3 were added to the Bill.*

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

SHRI RAJ NATH SINGH: Sir, I move:

*That the Bill be passed.*

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

MR. DEPUTY CHAIRMAN: I am happy that there is a great unity in the House.

श्री नीरज शेखर (उत्तर प्रदेश): वह हरसिमरत जी के लिए है।

MR. DEPUTY CHAIRMAN: Now, we will take up the *Aadhaar* (Targeted Delivery of Financial and Other Subsidies, Benefits and Services) Bill, 2016. Shri Arun Jaitley to move.

**The Aadhaar (Targeted Delivery of Financial and other Subsidies,  
Benefits and Services) Bill, 2016**

SHRI SITARAM YECHURY (West Bengal): Sir, I have a point of order on this.

MR. DEPUTY CHAIRMAN: On this Bill? Okay, alright.

SHRI SITARAM YECHURY: What alright?

MR. DEPUTY CHAIRMAN: You say what is your point of order? I don't know what you are going to say.

श्री शरद यादव (बिहार): ये काम में इतने व्यस्त हैं कि इनको कुछ याद ही नहीं रहता।

**श्री सीताराम येचुरी:** छोड़िए, मैं इसलिए जान बूझकर कह रहा हूँ यह सब, ताकि इसका माहौल बने।

Sir, the reason why I am raising this objection is: I think, this Bill is *ultra vires* of the Constitution. The Constitution provides us, as a Fundamental Right, the right to 'Life' and 'Liberty', and 'Liberty' includes privacy. This Bill violates the individual privacy of any citizen of our country. Given that, this is something which I think is beyond the legislative competence of the House. This is number one.

The second objection is, the hon. Supreme Court has constituted a Five Member Bench. The Bench is examining this issue. I will go into the merits of the Bill when we take it up for consideration. I am not going into the merits. So, my objection is, since a Five Member Bench of the Supreme Court is seized of the matter and it will pass its judicial verdict on it, in the meanwhile, this haste to legislate is, actually, I suspect, a method of trying to subvert the judicial verdict which is something not acceptable.

MR. DEPUTY CHAIRMAN: What is the point of order?

SHRI SITARAM YECHURY: The point of order is this. On these two counts, the Bill is beyond the legislative competence of the House. That is what I am saying.

MR. DEPUTY CHAIRMAN: This Bill is transmitted from the Lok Sabha. So, at this stage, the legislative competence question does not arise.

SHRI SITARAM YECHURY: It does, Sir.

MR. DEPUTY CHAIRMAN: No. That you can express in your speech. But, as a point of order and, on the basis of your point of order, I cannot reject it. The reason is that the Bill was passed by the Lok Sabha and we received it from the Lok Sabha. So, we are bound to consider it.

SHRI SITARAM YECHURY: Sir, the point I am trying to drive at is, the Bill is being introduced in the Rajya Sabha.

MR. DEPUTY CHAIRMAN: No, no. It was introduced in the Lok Sabha.

SHRI SITARAM YECHURY: No. It is coming here.

MR. DEPUTY CHAIRMAN: It is for consideration.

SHRI SITARAM YECHURY: It is being introduced now. And, at the stage of introduction, you know the rules as much as I do.

MR. DEPUTY CHAIRMAN: It is not introduction; it is consideration.

SHRI SITARAM YECHURY: At the consideration stage, I will give my arguments. I am talking at the introduction stage.

Sir, please, don't use the argument that the other House passed it and, therefore, we cannot do anything. Sir, I have said it a number of times and I repeat. The colour of the other House is Green. When it passes something without proper consideration — our colour Red — we show the red light or red flag and stop...

MR. DEPUTY CHAIRMAN: It is the colour of your party flag.

SHRI SITARAM YECHURY: ...the wrong thing from happening. That is our right.

MR. DEPUTY CHAIRMAN: You do that by voting.

SHRI SITARAM YECHURY: No, no. Sir, even at this stage, I am questioning the competence of the House or the Parliament to pass this legislation. You have to give your ruling on this.

MR. DEPUTY CHAIRMAN: I will hear the Leader of the House also and then give my ruling.

THE MINISTER OF FINANCE; THE MINISTER OF CORPORATE AFFAIRS AND THE MINISTER OF INFORMATION AND BROADCASTING (SHRI ARUN JAITLEY): Mr. Deputy Chairman, Sir, the *Aadhaar* (Targeted Delivery of Financial and Other Subsidies, Benefits and Services) Bill, 2016, has been transmitted to this House. Before I explain this Bill, I will also deal with various kinds of points raised, really not as an objection to introduction because there is no introduction; it is only a transmission from the House of People to this House. One argument raised is that the Supreme Court's Five Judge Bench is considering this issue and, therefore, the Parliament suspend its own powers of legislation. It is an unprecedented argument, particularly in a democracy which is governed by separation of power. The power to legislate belongs to Parliament; the power to legislate does not belong to court. And, therefore, the court only has a power of judicial review. Before legislation is framed, hold your hands and don't legislate is an unprecedented argument. It is bound to be rejected. It is an unstatable argument. It is an unstatable argument. The history is that the Government — I take Government as a continuing identity — decided by an Executive decision to constitute the UID Authority. For some services, UID was being made mandatory. Thereafter, a Bill was introduced in 2010 in this House. The Bill was never passed. So, the UID functioned as an Executive Authority without a law. The Court may be concerned with different questions. But the principal challenge was that in the absence of any due process, there could be, on the *prima facie*, a violation of right of privacy and, therefore, was challenged on

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the ground that the right of privacy is a fundamental right, which is pending before a five-judge Bench of the Court.

Let us, first of all, deal with the right of privacy. The Constitution as a document does not use the word 'privacy'. So, the Constitutional text does not mention privacy as a fundamental right. The original interpretation given by the Supreme Court used to be and, through the 1950s, the interpretation by a very large Bench was, particularly when the cases came up in the context of policemen going and making midnight knocks at houses, that privacy is not a fundamental right. There were clear pronouncements. Subsequently, a smaller Bench of the Court said that probably privacy is a fundamental right. The five-judge Bench which is now dealing with the theoretical question...

SHRI SITARAM YECHURY: Sir...

SHRI ARUN JAITLEY: Sir, I don't think we have appointed a commentator in this House as yet! Let me have a say. Let me first give you the argument.

MR. DEPUTY CHAIRMAN: Let the Minister finish his say.

SHRI SITARAM YECHURY: You can't curtail my right to comment on what you are saying. ...*(Interruptions)*... I say that it is an attack on personal liberty again.

MR. DEPUTY CHAIRMAN: Don't argue on that. ...*(Interruptions)*...

SHRI ARUN JAITLEY: Mr. Sitaram Yechury will sit here, give a running commentary when everybody speaks and nobody can ask him to allow the House to proceed in order!

SHRI SITARAM YECHURY: Why? It is going on in order.

SHRI ARUN JAITLEY: It is going on in order but please allow others. Others may also be speaking some sense. You can't have this kind of intellectual arrogance. ...*(Interruptions)*...

SHRI SITARAM YECHURY: You are displaying an authoritative arrogance of not even willing to listen to other point of view.

SHRI ARUN JAITLEY: Let me, Sir, now enlighten Mr. Sitaram Yechury and his colleagues a little. Somebody has sent me anonymously a few lines which I want to read for his benefit because this kind of comments from him and his friends keep coming. This is in the context of a larger debate and I am deviating from the point I was making. The comment which has been sent to me is — I am sorry I am deviating from the subject a little: "If you criticize me, it is your freedom of

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speech; if I criticize you, it is my intolerance.” ...(*Interruptions*)... It is a very nice text. I will pass on a copy to you to read the full text!

SHRI SITARAM YECHURY: Privately you can tell me who that anonymous person is. ...(*Interruptions*)...

MR. DEPUTY CHAIRMAN: You can do it privately.

SHRI ARUN JAITLEY: It is only somebody who disagrees with you.

Sir, the question Court was considering is: Is privacy the conflict between those Benches in the absence of any law? Is privacy a fundamental right or not? The present Bill presupposes and is based on a premise that it is too late in the day to contend that privacy is not a fundamental right. So, I do accept that probably privacy is a fundamental right. Now, where do you fit in privacy as a Fundamental Right? And that is where I want to clear the misconception behind some of the amendments which have also been proposed and this debate is on. It is contended and, broadly, it is now accepted that privacy is a part of individual liberty. So when Article 21 says, "No person shall be deprived of his right of life and liberty without procedure established by law," then let us assume that privacy is a part of liberty and no person shall be deprived of his privacy without procedure established by law. The underlying point is that privacy is not an absolute right. It is a right even in our Constitution. If it is Fundamental Right in Article 21, which is subject to a restriction that it can be restricted by a procedure established by law, now, that procedure established by law, obviously, has to be a fair, just and reasonable procedure. The case before the Supreme Court is, you have no law, you have not legislated, you have not laid down any guidelines and you have by an executive fiat created an authority where all the personal data and biometric information will go in. What will that be used for? Is this a fair, just and reasonable procedure? The UPA Government, therefore, was well-advised to come out with a legislation and they came out with the legislation. The UPA legislation was — and I will separately deal with the privacy provisions — that a UID authority will be created. There will be a procedure as to how the authority is created. There will be a procedure as to how personal details are taken and the storage of those personal details; the storage of those biometrics and when can that information be shared and in what manner. That was the UPA law in effect. That law kept on being discussed between committees, etc. The law, unfortunately, could not be passed. What that information will be eventually used for and what the purpose of that information is, were absent in the UPA law. So there was no detailed chapter in the UPA law. Maybe, they thought, subsequently, by rules and, otherwise, they could explain what that information will

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be used for. I am not criticising that law because, since, it was the beginning of a thought process, that you need that Unique Identity Number and you will use this Unique Identity Number for some purpose. So obviously there were some gaps and with passage of time that law, itself, could be improved. The present law, in pith and substance, is completely different. It borrows the complete idea from the UPA law that you need a Unique Identity Number and to that extent, I give them all the credit for it. That was an idea which was rightly created. There will be some personal details and there will be some core biometric details. Compared to the UPA law, and I will subsequently demonstrate, there is a very strict procedure. The privacy law is much more tightened and the core purpose of this law is that both the Centre and State Governments give several subsidies to people. There are monetary assistances given; there are cost rebates given; there are subsidies given which are worth thousands and thousands, almost lakhs of crores. Now the purpose of these subsidies is that these have to be quantified amounts given to identifiable sections. If subsidies are given as unquantified amounts to unidentified section, then non-merit people will get the subsidies and the merit will not get it. And from the public exchequer, you will keep spending money which does not go to the targeted people; which goes to the people who don't deserve subsidies. So, today, every Central Government, every State Government, in some way or the other, is assisting the people by way of subsidies. So, you are entitled to take a UID identification. But if you want the benefit of that subsidy, production of the UID identity or any other alternative document is a condition precedent.

SHRI SITARAM YECHURY: Sir, one Minute. Sorry, I am only saying, we are on a point of objection on the basis of the rules. He is explaining the contents of the Bill. So, are you allowing the introduction?

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

SHRI SITARAM YECHURY: I am asking him. ...*(Interruptions)*...

SHRI ARUN JAITLEY: Sir, under the rules, there is no introduction. It is transmission. ...*(Interruptions)*...

SHRI SITARAM YECHURY: So, you have ruled on my point of order!

MR. DEPUTY CHAIRMAN: That I have already told you.

SHRI ARUN JAITLEY: It is a transmission. It is not an introduction.

MR. DEPUTY CHAIRMAN: Hon. Minister, one minute. See, I have already told you the position is that the Bill is introduced in the Lok Sabha, and it is

transmitted to us after passing there. So, I am bound to take it up. There is no provision in the rule to object the consideration at this point of time. You can object only when a Bill is introduced in this House. But you cannot object now. This is not introduced in this House. This is introduced there, passed there, and transmitted here. So, I am bound to allow it. Therefore, I have called him to move the Motion for consideration. I have already called him.

SHRI SITARAM YECHURY: I disagree with you on that point. But, anyway, I disagree with you according to our own rule.

MR. DEPUTY CHAIRMAN: You can; you can.

SHRI SITARAM YECHURY: I disagree with you. I want that to be on record. But since you have permitted now...

MR. DEPUTY CHAIRMAN: Yes, I have already permitted.

SHRI SITARAM YECHURY: My only request, through you, to the hon. Minister is to explain also the reasons why this had to be considered as a Money Bill.

MR. DEPUTY CHAIRMAN: Yes, he will do that.

SHRI SITARAM YECHURY: Why has this to be considered as a Money Bill? Please explain that. ...(Interruptions)...

SHRI ARUN JAITLEY: If I am entitled to an interruption-free right to address the Parliament, I will certainly, meet all the questions that Mr. Yechury has raised. ...(Interruptions)...

MR. DEPUTY CHAIRMAN: You may continue your speech.

SHRI ARUN JAITLEY: Therefore, the nature of this Bill, the core of this Bill or the pith or substance of this Bill is that Government moneys are being spent by the Centre and State Governments. When you spend that money, in order to ensure that money reaches the right man, you insist on the identity of the person. And the other provisions in the Bill are: How that identity is going to be determined? Now, there are two or three questions, which I may *prima facie* like to satisfy the hon. Members of this House. The first is, which Mr. Yechury raised. Because to an unlegislated Executive decision a challenge on Article 21 is pending, the House must suspend its power to legislate. My respectful submission is, it is an unsustainable argument. Parliament will not voluntarily abrogate its authority; it will not surrender or squander its authority merely because some case is pending in a court.

SHRI SITARAM YECHURY: So, the argument of *sub judice* is not valid here. There is nothing called *sub judice*.

SHRI ARUN JAITLEY: '*Sub judice*' on a legislation?

SHRI SITARAM YECHURY: No, no. That is what I am asking you. You have used that argument so many times. ...(*Interruptions*)... You have used that argument so many times. 'The matter is *sub judice*'.

SHRI ARUN JAITLEY: Sir, '*sub judice*' is an argument which is available when issues of individual culpability are pending in court. You don't prejudice a trial or a hearing in a court by discussing it in a Parliamentary forum. So, tomorrow, if Article 356 is imposed, and somebody challenges it in court, you will say, 'It must not come up before Parliament for ratification because the challenge is pending, the matter is *sub judice*.' Can it ever be a sustainable argument?

SHRI SITARAM YECHURY: So, no *sub judice*!

SHRI ARUN JAITLEY: There are issues where important political and constitutional issues are pending challenge before the court. Legislative bodies don't lose their right to discuss those issues. The '*sub judice*' rule today has to be construed as applicable to matters of individual culpability so that we don't prejudice trials. Therefore, the best way, if Mr. Yechury's argument is accepted, that somebody should file a petition challenging an issue in court, and, then, say, 'Parliament has lost its right to legislate because the Supreme Court has taken over.' If that were to happen, then, you would have a third chamber, the Supreme Court to legislate, and both Houses of Parliament itself would lose their authority.

SHRI SITARAM YECHURY: Sir, please permit me. I entirely agree with you. But, I want ...(*Interruptions*)...

MR. DEPUTY CHAIRMAN: Yechuryji, let him finish. ...(*Interruptions*)... Let him finish. ...(*Interruptions*)... Let him finish. After that, I will allow you. ...(*Interruptions*)... Let him finish. ...(*Interruptions*)...

SHRI ARUN JAITLEY: Therefore, Sir, merely because an unlegislated executive action of the Government has been challenged before a court, Parliament does not lose its right to legislate. It is absolutely clear. It is as clear as daylight.

Secondly, why is it a Money Bill? That is a question, which Mr. Naresh Agrawal raised. This House, in my respectful submission, should not have been on a matter of propriety discussing it since it has been raised and a contention made. Article 110 defines what a Money Bill is. Sub-clause (c) of Article 110 is absolutely clear that if moneys flow into the Consolidated Fund of India and if moneys are spent out of the Consolidated Fund of India and a law, in pith and substance, deals with that matter, it becomes a Money Bill. What is that law? It has several other provisions.



Will it cease to be a Money Bill? That is a question. The first Lok Sabha was faced with this issue because Article 110 uses a word 'only if'. So, 'only' being a narrower phrase, must a Bill only deal with a taxation provision? Must it only deal with an expenditure provision and no other provision? Therefore, the First Lok Sabha was confronted with this question. And, Mr. Mavlankar gave a detailed ruling that there is no law which can ever be framed which is a one-section law. And, that one-section law says, "There shall be a tax for the following...." When you say that there will be a tax for the following purpose, you will need an administrative machinery for the levy of that tax, for the collection of that tax, for the appointment of tax officers, for an appeal provision, and for the general administration of the tax. Will those provisions, which provide for administration of that taxation, render a Money Bill to be a non-Money Bill? That was the question. And, Mr. Mavlankar gave a clear ruling. The answer is: 'No'. It will remain a Money Bill if the principal purpose of the Bill is to impose a tax and the incidental provisions thereto. Now read Article 110(c), read with Article 110(g). Article 110(g) means, any other power incidental to the main purpose. So, the purpose of the present Bill is: Moneys spent out of the Consolidated Fund of India, which go towards the expenditure of subsidies, makes it a Money Bill. The administrative machinery around it makes it, under sub-clause (g), a provision incidental to the administration of that Money Bill. And, Article 110(c) clearly says, "In this matter, it is the satisfaction of the Speaker of the Lok Sabha which is final." And, since it is final, on a matter of propriety, in a bicameral House. ...(Interruptions)...

MR. DEPUTY CHAIRMAN: Okay. That's over. ...(Interruptions)... We cannot discuss that. ...(Interruptions)... No; no. That question cannot ...(Interruptions)... The hon. Minister has explained it. ...(Interruptions)... I am not allowing you to dispute whether it is a Money Bill or not. ...(Interruptions)... Let him complete. ...(Interruptions)... I have given a ruling that it is a Money Bill, as per the certification of the Speaker, Lok Sabha. ...(Interruptions)...

SHRI D. RAJA (Tamil Nadu): This way, every Bill will be a Money Bill. ...(Interruptions)...

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

श्री नरेश अग्रवाल (उत्तर प्रदेश): सर, कौन सा बिल है, जिसमें मनी इन्वाल्व नहीं है? ...(व्यवधान)... इस तरह से तो सारे बिल मनी बिल हो जाएंगे। ...(व्यवधान)...

श्री उपसभापति: आप बैठ जाइए। ...(व्यवधान)... As per the certification of the hon. Speaker, it is a Money Bill. ...(Interruptions)...

**श्री अरुण जेटली:** नरेश जी, एक मिनट। मैं इसको और स्पष्टता से समझा देता हूँ। The test to be applied is this. Merely because there is a provision that we have created a particular Authority and moneys will be provided from the Consolidated Fund of India for that authority, will not make it a Money Bill. Supposing a Development Authority is being created and the funds are to be met from the Consolidated Fund of India, in pith and substance, the money deals with the creation of the Development Authority and its functioning. Providing funds is incidental; it won't be a Money Bill. That is the answer to Mr. Raja's question. But if the principal purpose is that money spent out of the Consolidated Fund of India has to be spent in a particular manner, and a machinery is created for spending that money, then, Article 110 (c) read with Article 110 (g), that is, spending money out of the Consolidated Fund of India and any other matter incidental thereto, the machinery created is a matter which is incidental thereto, and, that is why it is a Money Bill. This satisfaction to that effect has to be of the Speaker. Therefore, once the Speaker satisfies herself and says, "I certify, it is a Money Bill.", this Money Bill, then, is transmitted to this House, it will be a Money Bill, and no authority in the country can question that provision.

MR. DEPUTY CHAIRMAN: Yes.

SHRI ARUN JAITLEY: Now comes the third question: How is this Bill different from the one that the UPA brought in? The UPA Bill — because this whole thought process has grown — conceived of an idea and it was a welcome idea, and I must straightaway concede. Dr. *Saheb* is here, well, at that time, some of my colleagues, probably, had reservations. There were several questions we used to raise. When new ideas come up, doubts will come up - that every Indian must be given a unique identity; issues of citizenship came up, and these are legitimate issues. The UPA Bill, at that time, confined itself, to creating an authority. Mr. Nilekani was created as the authority. He brought in the technology; he brought in the expertise; then, core information, core biometric information and personal data will be fed in, some privacy provisions and the Bill stopped with that. It wasn't a Money Bill. It was a Bill only for the creation of a UID authority. That Bill today stands altered. One principal idea is borrowed from that Bill, that UID will be the machinery, which will be used for distribution of Government money as subsidies. But the core purpose of the Bill will be how is money to be spent, so that the money is spent in a targeted manner, it must reach the persons to whom the benefits are to be conferred and those persons are the persons who are entitled to the subsidies. Now, questions have been raised. I have seen, in the LPG, where direct benefit transfer has been used, 25 per cent has been saved. These five crore families which will get free gas connection will, actually, get it from the money saved from this. The

State Government of Telangana and the State Government of Andhra Pradesh have already started using this in several other areas itself. So, every State Government will, then, be able to ensure that subsidy has reached the right person itself. That is the whole objective. Now, one question which has been raised, and I have seen a lot of articles coming, which mention the privacy provisions have been violated. I have seen my good friend, Shri Jairam Ramesh, has proposed alongwith some other Members several amendments to the Bill. I have, in fact, analysed each one of his amendments, I will address the House after he moves those amendments. Most of those amendments are against the UPA Bill itself. So, what were the provisions of the UPA Bill, today are being damned by these amendments and we have borrowed those ideas. ...*(Interruptions)*... I think Shri Jairam Ramesh's stand on these issues depends on where he sits. If he sits this side, his stand is different and if he sits that side, his stand is different.

SHRI JAIRAM RAMESH (Andhra Pradesh): Unlike you, I have not changed my mind on *Aadhaar*. ...*(Interruptions)*...

SHRI ARUN JAITLEY: Sir, if I look at the earlier UPA Bill, on the privacy provisions, we are committed. Therefore, first of all, let us move on a constitutional premise clarity. I am moving on a premise : (a) that privacy is a fundamental right, without bothering for the Supreme Court's Constitution Bench Judgement, (b) it is a right which is a part of individual liberty, (c) that liberty, that is, a right of privacy, will depend on a procedure established by law and, therefore, this law is establishing that procedure. The only question is: Is that procedure fair, just and reasonable?

Now, if you see the UPA law and if you see it from Chapter VI, clause 30 downwards, you had several provisions of confidentiality, and then you created a mechanism by which that confidentiality and privacy itself can be breached. The UPA law created this. The present law now restricts itself to two situations. A person by his consent can say that 'my personal data can be shared'. So, you need his consent. But his biometric data, the core biometric data, can't even be shared with consent. So, it is a much tighter provision.

The UPA law spoke in terms of Authorities which are created, which can then say that on grounds mentioned in the Bill, under special circumstances, some data can be shared. What have we done? The only ground on which data can be shared is 'national security'. And who will decide that 'national security'? One Authority will be created in Delhi. That Authority will be headed by an officer of a certain category, and then the decision of that Authority will be reviewed by a Committee headed by the Cabinet Secretary. So, an Authority, headed by the Cabinet Secretary, will review it, and that sharing then is also time-bound, three months. Now, all these

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are safeguards, additionally put, over and above the UPA Bill provisions. So, the only question is, can national security be a ground for sharing an information by creating such a tight provision? Is that tight provision, which we have created, by a legislation, is that procedure established by law? Is that a fair, just and reasonable procedure? The answer is, 'Yes, it is'.

Now, if we look at the entire history of similar legislations, Sir, a legislation of this kind, for the first time, came, I have seen, in the United States. In the United States, for the social security number, legislation was first created, which is an equivalent of *Aadhaar*, in 1935. So, we are already 80 years behind times. Now, we are 80 years behind time. This was repeatedly challenged. Same debate took place 80 years ago, and, over 80 years, they have been adding to it. I have a list. For income-tax, they made it compulsory; for some policies, they made it compulsory; for buying bonds, they made it compulsory; for a lot of economic activities, they made it compulsory; for possessing arms, they made it compulsory. So, there is a list running into 10 pages where they kept expanding it from time to time. Now, this has helped them in matters of national security. It has been repeatedly challenged in the US – 'does this violate the due process?' In America, just as we use the expression 'procedure established by law', they use the expression 'due process of law', though I must concede that now, with the Supreme Court's interpretation, the two almost mean the same. It has repeatedly been challenged and on every occasion, the United States, which is a liberal democracy, has conceded, and their courts have said, 'yes, national security is a good ground'. In fact, they went on to say, 'A person may need to make a choice between receiving a Government benefit and adhering to religious beliefs. So, you have to chose; if you want Government benefits, you need this. But if some information is required for national security, it can always be shared with national security. There are a series of challenges which resulted in that.

Now, Sir, in a nutshell, if I take all these objections, the purpose of this Bill is distribution of Government monies by subsidies. The rest is incidental. So, it is a Money Bill. Two, merely because Executive action challenge is pending in the Supreme Court, the Parliament cannot suspend its right to legislate. Three, learning from the UPA experience, and the kind of debate which took place, we have further tightened the privacy laws much more than what the UPA had in its Bill. I am straightaway conceding that the debate evolves and so, we learnt from our experience and the only ground now is national security, and every Member has to agree that an individual's right has to give way to national security and, therefore, this House must accept the recommendation in relation to a Money Bill of the House of People.

MR. DEPUTY CHAIRMAN: Now, move the motion for consideration.

SHRI ARUN JAITLEY: Sir, I move:—

That the Bill to provide for, as a good governance, efficient, transparent, and targeted delivery of subsidies, benefits and services, the expenditure for which is incurred from the Consolidated Fund of India, to individuals residing in India through assigning of unique identity numbers to such individuals and for matters connected therewith or incidental thereto, as passed by Lok Sabha, be taken into consideration.

*The question was proposed.*

*...(Interruptions)...*

MR. DEPUTY CHAIRMAN: Mr. Yechury, you may speak first. Now, the Bill has been moved for discussion. You may speak first.

SHRI SITARAM YECHURY: Sir, has it been taken up for discussion?

MR. DEPUTY CHAIRMAN: Yes, we are taking it up, because it has already been moved for consideration. *...(Interruptions)...*

SHRI SITARAM YECHURY: So, Sir, I am underlining the word 'moved'.

MR. DEPUTY CHAIRMAN: The Bill has been moved for consideration.

SHRI SITARAM YECHURY: Sir, you were telling me earlier that it has not been moved here.

MR. DEPUTY CHAIRMAN: I have already said, it is now moved.

SHRI SITARAM YECHURY: Sir, you insisted on moving it.

MR. DEPUTY CHAIRMAN: Yes. Otherwise, that cannot be *...(Interruptions)...*

SHRI SITARAM YECHURY: Please underline *...(Interruptions)...* No decision.... *(Interruptions)....*

MR. DEPUTY CHAIRMAN: I am bound to move it. *....(Interruptions)....* I am bound to allow it because I said... *...(Interruptions)....* Mr. Yechury, I made it very clear that since the Bill has been transmitted from the Lok Sabha, after having been passed in the Lok Sabha, I am bound to allow to move it here. *...(Interruptions)....* You can raise all your objections when you speak, and I am allowing you to speak first. Your Party has six minutes. You can take six minutes. *...(Interruptions)....*

SHRI JAIRAM RAMESH: Why, Sir? *...(Interruptions)...*

MR. DEPUTY CHAIRMAN: No, no; no objection. I said, no objection will stand. I gave a ruling twice. ...(*Interruptions*)... Your objection will not stand. I said that. ...(*Interruptions*)... No, no. Listen. Whether it is Sitaram Yechury ...(*Interruptions*)... Mr. Sitaram Yechury, I am making it very clear. I have said it here twice that objection with regard to moving the Bill for consideration does not stand. Because it is a Bill transmitted from Lok Sabha, the Chair is bound to allow it. The Chair has no other option. The Chair can allow a discussion and you can raise your objections while you discuss it. You can say anything. You may say whatever you want to say. I am allowing Shri Yechury. ...(*Interruptions*)...

SHRI SUKHENDU SEKHAR ROY (West Bengal): Sir, the names of the speakers should be called according to the Party. ...(*Interruptions*)...

MR. DEPUTY CHAIRMAN: No, no. The Chair can also decide it. I changed it. That is my. ...(*Interruptions*)...

**श्री नरेश अग्रवाल:** डिप्टी चेयरमैन सर, जो परंपरा रही है वह परंपरा चेयर तोड़ती नहीं है। हरदम पार्टीवाइज बुलाया जाता है, तो आप परंपरा कैसे तोड़ देंगे? ऐसा थोड़े ही है कि चेयर परंपरा तोड़ दे।

MR. DEPUTY CHAIRMAN: Yes. Everybody will ...(*Interruptions*)... Now, please. ...(*Interruptions*)...

**श्री नरेश अग्रवाल:** सर, यह इश्यू है। ...(*व्यवधान*)...

MR. DEPUTY CHAIRMAN: Nareshji, please cooperate with me because ...(*Interruptions*)...

SHRI DEREK O'BRIEN (West Bengal): Sir ...(*Interruptions*)...

MR. DEPUTY CHAIRMAN: No, no. Please sit down. I am not allowing. ...(*Interruptions*)...

SHRI DEREK O'BRIEN: Just a second, Sir. ....(*Interruptions*)....

MR. DEPUTY CHAIRMAN: Please. ...(*Interruptions*)...

SHRI DEREK O'BRIEN: Sir, if some alliance has happened in another State, you cannot bring that here. ...(*Interruptions*)...

MR. DEPUTY CHAIRMAN: No, no. It is not like that. ...(*Interruptions*)... That is not the issue. ...(*Interruptions*)...

SHRI DEREK O'BRIEN: Sir, the Congress is giving the time to the CPI(M). ...(*Interruptions*)... Sir, the Congress is giving time to the CPI(M). The alliance has happened in Bengal. What alliance has happened here in Rajya Sabha?

...(Interruptions)... The Congress Party of India is now giving time to Mr. Sitaram Yechury or CPI (M) to speak. ...(Interruptions)... The alliance has happened there. ...(Interruptions)...

MR. DEPUTY CHAIRMAN: Nothing will go on record. ...(Interruptions)... Nothing will go on record. ...(Interruptions)... This is not going on record. ...(Interruptions)...

SHRI DEREK O'BRIEN: \*

श्री नरेश अग्रवाल: \*

MR. DEPUTY CHAIRMAN: Sit down. ...(Interruptions)... Sit down. ...(Interruptions)... Now, you sit down. ...(Interruptions)...

SHRI SITARAM YECHURY: Sir, you make it clear. ...(Interruptions)...

श्री नरेश अग्रवाल: आप यह कैसी परंपरा शुरू कर रहे हैं? ...(व्यवधान)... आप यह बिल्कुल नहीं कर सकते हैं। ...(व्यवधान)... आप इसे ट्रांसफर नहीं कर सकते हैं। ...(व्यवधान)... इस सदन में कोई एलायंस नहीं होगा। ...(व्यवधान)... यह नहीं होगा। ...(व्यवधान)...

MR. DEPUTY CHAIRMAN: Listen to me. ...(Interruptions)... If you don't want to listen to me, what can I do? ...(Interruptions)... That is a different thing. ...(Interruptions)... You hear me. ...(Interruptions)... आप बैठिए। ...(व्यवधान)... Will you take your seat? ...(Interruptions)... Will you take your seat? ...(Interruptions)... Nareshji, will you take your seat? ...(Interruptions)...

SHRI NARESH AGRAWAL: I am on my seat. ...(Interruptions)... मैं अपनी सीट पर ही हूँ। ...(व्यवधान)...

श्री उपसभापति: आप बैठिए। ...(व्यवधान)... You sit down. ...(Interruptions)... You sit down. ...(Interruptions)... Please, sit down. ...(Interruptions)... नरेश जी बैठिए। ...(व्यवधान)... I will hear you. अभी आप बैठिए, प्लीज़। ...(व्यवधान)... Now listen to me. First of all, you should know that the list is only a guidance to the Chair. ...(Interruptions)... Chair has always a right to call anybody who the Chair thinks is useful. I called him because he has raised an objection with regard to the very introduction. ...(Interruptions)...

श्री नरेश अग्रवाल: ऑब्जेक्शन तो मैंने भी किया था। ...(व्यवधान)... नहीं, आप ऐसा नहीं कर सकते हैं। ...(व्यवधान)... हम बाईकॉट कर देंगे। ...(व्यवधान)... आप ऐसे किसी को डांट नहीं सकते हैं। ...(व्यवधान)...

MR. DEPUTY CHAIRMAN: I will call you. ...(Interruptions)... I never told you that I will not call you. ...(Interruptions)... Sit down. ...(Interruptions)...

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\* Not Recorded.

श्री नरेश अग्रवाल: हम यहां पर इंसल्ट होने के लिए नहीं आए हैं। ...*(व्यवधान)*... हम ऐसे बैठे नहीं रह सकते। ...*(व्यवधान)*...

MR. DEPUTY CHAIRMAN: Okay, you do what you want. ...*(Interruptions)*... If the Chair cannot control this House, you come and sit here, and do it. ...*(Interruptions)*...

SHRI DEREK O'BRIEN: Sir, there are parties with fifteen-twenty Members. ...*(Interruptions)*... The Leader of the House explained the objection. ...*(Interruptions)*... Now the Congress Party has the right to speak. ...*(Interruptions)*... I appeal to you to speak. ...*(Interruptions)*... The Bill was brought by the Congress Party, UPA. ...*(Interruptions)*...

SHRI JAIRAM RAMESH: Listen to me. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: I called him. ...*(Interruptions)*...

SHRI JAIRAM RAMESH: Listen to me. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: I called him; I cannot allow you. I called him. ...*(Interruptions)*...

SHRI JAIRAM RAMESH: Listen to me. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: Why should I? ...*(Interruptions)*... You are not listening to me.

SHRI JAIRAM RAMESH: I am listening. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: Let me respond. Then I will call you. ...*(Interruptions)*... You help me to solve it. ...*(Interruptions)*... If the authority of the Chair is questioned, then I have no go. ...*(Interruptions)*... If the authority of the Chair is questioned, then I have no go. ...*(Interruptions)*... If I don't have the right to call the Member who I think is useful, then there is no point in discussing. ...*(Interruptions)*...

SHRI DEREK O'BRIEN: Are we useless? ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: Sit down. ...*(Interruptions)*... You are not prepared to listen to me. ...*(Interruptions)*...

SHRI DEREK O'BRIEN: We are all equal. ...*(Interruptions)*... We are all equal. ...*(Interruptions)*... There is no *prima donna*. ...*(Interruptions)*... There is no *prima donna*. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: Derek O'Brien, why don't you listen to me? ...*(Interruptions)*...



श्री उपसभापति: नरेश जी, आप बैठिए। ...**(व्यवधान)**...

श्री नरेश अग्रवाल: नहीं, सर, मुझे एक तकलीफ है। ...**(व्यवधान)**...

श्री उपसभापति: बोलिए, क्या तकलीफ है? What is your problem?

श्री नरेश अग्रवाल: मुझे एक तकलीफ है। ...**(व्यवधान)**...

MR. DEPUTY CHAIRMAN: Allow me to explain the position. ...**(Interruptions)**... Allow me to explain why I called him. ...**(Interruptions)**... Will you not allow that? ...**(Interruptions)**... You questioned why I called him. ...**(Interruptions)**... I agree. ...**(Interruptions)**... Let me say. ...**(Interruptions)**... You are not allowing me to explain why I called him. ...**(Interruptions)**... That is my point. ...**(Interruptions)**...

श्री नरेश अग्रवाल: मैं दूसरी बात कर रहा हूँ। ...**(व्यवधान)**...

MR. DEPUTY CHAIRMAN: If you question the authority of the Chair, I am not going to do anything. ...**(Interruptions)**...

श्री नरेश अग्रवाल: आप कह रहे हैं कि यह मेरा विशेषाधिकार है। ...**(व्यवधान)**... आप तो खुद ही यह कह रहे हैं, कि यह मेरा विशेषाधिकार है, मैं जिसको चाहूँ, उसको बुला लूँ। ...**(व्यवधान)**... फिर इसमें क्वेश्चन करने का प्रश्न ही कहां पैदा होता है? ...**(व्यवधान)**... लेकिन डिप्टी चेयरमैन साहब, मैं एक बात कहना चाहूँगा। हम लोग इस सदन में इंसल्ट होने के लिए नहीं आए हैं।

श्री उपसभापति: क्यों, क्या हुआ? ...**(व्यवधान)**...

श्री नरेश अग्रवाल: मैं इंसल्ट होने के लिए नहीं आया हूँ। ...**(व्यवधान)**...

श्री उपसभापति: मैंने कैसे इंसल्ट कर दिया? ...**(व्यवधान)**...

श्री नरेश अग्रवाल: मैं मेम्बर नहीं रहना पसन्द करूँगा, लेकिन मैं इंसल्ट होना पसन्द नहीं करूँगा। ...**(व्यवधान)**...

श्री उपसभापति: कैसे इंसल्ट कर दिया? ...**(व्यवधान)**... क्या इंसल्ट कर दिया? ...**(व्यवधान)**...

श्री नरेश अग्रवाल: अभी जिस तरीके से चेयर ने मुझे कहा है...

श्री उपसभापति: क्या कहा है?

श्री नरेश अग्रवाल: श्रीमन्, मैंने कभी उम्मीद नहीं की थी। ...**(व्यवधान)**...

श्री उपसभापति: मैंने कहा कि बैठिए। ...**(व्यवधान)**...

श्री नरेश अग्रवाल: चेयर इस तरीके से ...**(व्यवधान)**...

MR. DEPUTY CHAIRMAN: Chair's authority should not be questioned. ...**(Interruptions)**...

श्री नरेश अग्रवाल: सर, मुझे 36 years हो गये। इस कारण नहीं हो गये कि ...**(व्यवधान)**...

श्री उपसभापति: मैंने क्या कर दिया? ...(व्यवधान)... मैंने क्या कर दिया? ...(व्यवधान)...

श्री नरेश अग्रवाल: हम अपना राइट इस्तेमाल कर रहे हैं। ...(व्यवधान)...

श्री उपसभापति: आप क्यों नाराज हो रहे हैं? ...(व्यवधान)... मैंने क्या कर दिया? ...(व्यवधान)...

श्री नरेश अग्रवाल: सर, ...(व्यवधान)... मुझे इस बात की तकलीफ है, जो मैंने आपसे कहा। ...(व्यवधान)...

SHRI TIRUCHI SIVA (Tamil Nadu): Sir, whatever may be the issue,...  
(Interruptions)...

श्री उपसभापति: क्या तकलीफ है, आप बताइए। ...(व्यवधान)... नहीं, आप बताइए। ...(व्यवधान)... राम गोपाल जी, आप बताइए, what is the problem? ...(Interruptions)... Please let me listen to him. ...(Interruptions)...

प्रो. राम गोपाल यादव (उत्तर प्रदेश): सर, नरेश अग्रवाल जी ने ...(व्यवधान)... नरेश अग्रवाल जी ने एक वैलिड प्वायंट रखा है। ...(व्यवधान)... सर, नरेश अग्रवाल जी ने एक वैलिड प्वायंट उठाया कि जो परम्परा रही है...

MR. DEPUTY CHAIRMAN: I agree.

प्रो. राम गोपाल यादव: यहां जिस तरीके से, जिस ऑर्डर में लोगों को बुलाया जाता है, उसी क्रम में बुलाया जाना चाहिए। ...(व्यवधान)... आप जिस ग्राउंड पर येचुरी जी को बुला रहे हैं ...(व्यवधान)... उस ग्राउंड पर उससे पहले नरेश अग्रवाल जी इसे उठा चुके हैं। ...(व्यवधान)...

MR. DEPUTY CHAIRMAN: Ram Gopalji, I will explain it.

प्रो. राम गोपाल यादव: नहीं, आप कांग्रेस से पहले ...(व्यवधान)...

MR. DEPUTY CHAIRMAN: That is what I am saying. I want to say that only, but you are not allowing me to say that. I want to say only that. Let me say that. Can I say it now?

प्रो. राम गोपाल यादव: कांग्रेस पार्टी की ओर से लोग पहले बोलें। ...(व्यवधान)...

MR. DEPUTY CHAIRMAN: Let me say. ...(Interruptions)...

THE LEADER OF THE OPPOSITION (SHRI GHULAM NABI AZAD): Sir, Shri Jairam Ramesh wants to say something. ...(Interruptions)...

MR. DEPUTY CHAIRMAN: If you allow me to explain that, I am ready to allow. I will explain. See, the reason is very simple. Shri Sitaram Yechury, Shri K.C. Tyagi and Shri Naresh Agrawal, these three, if I am correct, objected the very introduction of the Bill. Then, I gave the clarification...(Interruptions)... Let me complete.

SHRI DEREK O'BRIEN: Sir, I have a request. You made a decision. Now, please take the sense of the House which, he feels, that the Congress ...(Interruptions)...

MR. DEPUTY CHAIRMAN: I know what to do. You sit down. ...(Interruptions)...

SHRI DEREK O'BRIEN: Sir, please, I am making a humble request. ...(Interruptions)...

MR. DEPUTY CHAIRMAN: Then, you sit down. But, at least, you should not interrupt the Chair. At least, that much you should know. ...(Interruptions)...

SHRI TIRUCHI SIVA: Sir, at least, listen to me. ...(Interruptions)...

MR. DEPUTY CHAIRMAN: Please, see that I am speaking. Sit down. ...(Interruptions)... Let me explain. ...(Interruptions)...

SHRI TIRUCHI SIVA: Once in a while, you listen to us. ...(Interruptions)...

MR. DEPUTY CHAIRMAN: I will have to adjourn the House and go! That is the only way. You can bring somebody; make him sit here and run the House! You put somebody in the Chair. I will have to adjourn. ...(Interruptions)... See, you criticize the Chair, but you don't allow the Chair to explain. ...(Interruptions)...

SHRI TIRUCHI SIVA: They are casting aspersions on the Chair. That is what I want to tell. ...(Interruptions)...

MR. DEPUTY CHAIRMAN: See, allegation is made against the Chair. ...(Interruptions)...

SHRI TIRUCHI SIVA: No, please ...(Interruptions)...

MR. DEPUTY CHAIRMAN: No, please; I have no complaint. You can allege, but you have to allow me to explain that. ...(Interruptions)... You come and sit here and conduct. ...(Interruptions)... Sit down. ...(Interruptions)... You either explain to me...(Interruptions)... After my explanation, you may say anything. के. सी. त्यागी जी, आप बैठिए। ...**(व्यवधान)**... के. सी. त्यागी जी, आप बैठिए। ...**(व्यवधान)**... If you permit me to explain; I am ready for that. ...(Interruptions)... Nareshji, Tyagiji, Jairamji ...(Interruptions)... नरेश जी, आप मेरे बड़े अच्छे दोस्त हैं, लेकिन इस बात को समझिए। The point is: Sitaramji, Nareshji and Tyagiji, if I remember, — Shri K. C. Tyagi gave in writing also — opposed the very introduction of the Bill, and they had points to raise objecting the very consideration of the Bill. Then, I said, "This objection is not valid now because it is not the stage of introduction; it is the stage of consideration." So, I said, "After he speaks, I will allow Shri Sitaram Yechury." On the same ground, I have decided to talk to Shri K. C. Tyagi and Shri Naresh Agrawal. ...(Interruptions)... Now, let me complete. Then, what I did was...(Interruptions)... I will explain. If I

[Mr. Deputy Chairman]

had allowed like that, if I had allowed them to explain at that time, a lot of time would have consumed. Our time is limited. Since we have to take up the Budget discussion, I thought their explanation can be given within their time of the Party. So, my whole intention was to dispose of it early so that what Shri Sitaram Yechury says, what Shri K. C. Tyagi says and what Shri Naresh Agrawal says, will be taken from their Party time. So, I said, first, these three will speak so that their objections will be there. That was my intention. If you don't want that, I have no objection. ...*(Interruptions)*...

**श्री नरेश अग्रवाल:** सबसे पहले मैंने ऑब्जेक्शन उठाया, उसके बाद त्यागी जी ने लिखकर दिया। सीताराम भाई ने उसके बाद ऑब्जेक्शन उठाया। अगर आप ऑब्जेक्शन के हिसाब से भी चलेंगे तो सबसे पहले मेरा नम्बर आएगा। Yes, Mr. D. Raja also objected.

SHRI SITARAM YECHURY: Sir, you called me, I stood up. Now, they are all charging me and saying that I have made a deal. ...*(Interruptions)*... I have not come here to be insulted by my colleagues. They are charging me of having made a deal. ...*(Interruptions)*... These sorts of insults, I don't want, and, then, they are talking about... ...*(Interruptions)*...

THE MINISTER OF COMMUNICATIONS AND INFORMATION TECHNOLOGY (SHRI RAVI SHANKAR PRASAD): Sir, I have to make only one request. We have our fullest regard for you. Since you have already allowed the transmission, hon. Finance Minister explained the rationale, I am only urging upon you, Sir, to allow the debate to proceed in the conventional sense in terms of the Parties strength. That is all. ...*(Interruptions)*... I am only requesting you. ...*(Interruptions)*...

SHRI SITARAM YECHURY: I am here because you called me. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: See, if I do not have the freedom to select and call another member, what is the use of my sitting here? ...*(Interruptions)*...

SHRI RAVI SHANKAR PRASAD: Sir, you have full freedom. ...*(Interruptions)*...

SHRI SITARAM YECHURY: Sir, I am standing here. ...*(Interruptions)*... Sir, please listen. I am standing here because you had called me.

MR. DEPUTY CHAIRMAN: Yes, I called you. ...*(Interruptions)*... I thought it was good.

SHRI SITARAM YECHURY: All these disparaging, insulting remarks. ...*(Interruptions)*... Mantri ji, please don't disturb. All these disparaging, insulting remarks were made. You make it clear that I am standing because you called me.

MR. DEPUTY CHAIRMAN: Yes, I called you deliberately.

SHRI SITARAM YECHURY: If the Trinamool Congress wants to do\* with BJP, why do you drag us in this? ...*(Interruptions)*...

SHRI DEREK O'BRIEN: What is this, Sir? ...*(Interruptions)*... What is this? That should be expunged. ...*(Interruptions)*...

SHRI SITARAM YECHURY: You talk about ...*(Interruptions)*... And, if my colleague wants to say that I am insulting him... ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: I will allow you.

SHRI SITARAM YECHURY: I have made some deal... *(Interruptions)*... Why should I be insulted like that? ...*(Interruptions)*... Sir, you can make that clear.

MR. DEPUTY CHAIRMAN: No, I am making it ...*(Interruptions)*....

SHRI SUKHENDU SEKHAR ROY: Sir, I have a point to make. ...*(Interruptions)*...

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

SHRI SITARAM YECHURY: Sir, you called me... ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: Mr. Yechury, please sit down. ...*(Interruptions)*... Mr. Yechury, please sit down. ...*(Interruptions)*... Mr. Yechury. ...*(Interruptions)*... I deliberately called Mr. Yechury and I thought that I would call those who had raised objections first because I wanted the objections to be on record. That is all what I thought. ...*(Interruptions)*... Not only that, whatever time is taken by them will be taken out from their Party's time. ...*(Interruptions)*... Now, okay. All of you sit down. ...*(Interruptions)*... Now, Mr. Sukhendu, what is your point of order? ...*(Interruptions)*...

SHRI SUKHENDU SEKHAR ROY: One minute. Mr. Minister... ...*(Interruptions)*... Naqvi ji, let me speak.

अल्पसंख्यक कार्य मंत्रालय में राज्य मंत्री तथा संसदीय कार्य मंत्रालय में राज्य मंत्री (श्री मुख्तार अब्बास नकवी): सर, आपने इस पर रूलिंग दे दी है। हमारी रिक्वेस्ट है कि आप इस पर डिस्कशन कराइए। ...*(व्यवधान)*... Now you have given a ruling. Please start the discussion. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: Now, Tyagi ji. ...*(Interruptions)*... I will do that. ...*(Interruptions)*...

SHRI RAJEEV SHUKLA (Maharashtra): Mr. Deputy Chairman, Sir, you follow the normal procedure. Let Congress speak first. ...*(Interruptions)*...

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\*Expunged as ordered by the Chair.

MR. DEPUTY CHAIRMAN: That I can follow. *...(Interruptions)...* But if I decide, due to justifiable reasons, on my conviction, and, if I change that, how can you question that? *...(Interruptions)...* That is my point. If I have not the freedom, why should I sit here? *...(Interruptions)...* Why should I sit here, if I have... *...(Interruptions)...* See, I am ready to go by the procedure. I have no problem. But if you question my right to call anybody else, why should I sit here? That is all what I am saying. *...(Interruptions)...* Why should I sit here? That is all. *...(Interruptions)...*

SHRI MUKHTAR ABBAS NAQVI: Sir, nobody is questioning your right. *...(Interruptions)...*

SHRI SUKHENDU SEKHAR ROY: Sir, please allow me to speak. *...(Interruptions)...*

MR. DEPUTY CHAIRMAN: I will allow you. *...(Interruptions)...* See, I have full confidence in the House. *...(Interruptions)...*

SHRI K. C. TYAGI (Bihar): We have full confidence... *...(Interruptions)...*

MR. DEPUTY CHAIRMAN: Please listen. *...(Interruptions)...* I am the servant of the House, but if anyone of you do not have confidence in me, that moment I should quit. *...(Interruptions)...* That is what I am saying. *...(Interruptions)...*

SHRI SATISH CHANDRA MISRA (Uttar Pradesh): We have full confidence in you. *...(Interruptions)...*

MR. DEPUTY CHAIRMAN: That is all what I am saying. All right. Now, Dr. Chandan Mitra.

THE MINISTER OF STATE OF THE MINISTRY OF COMMERCE AND INDUSTRY (SHRIMATI NIRMALA SITHARAMAN): Sir, we have full confidence of your being in the Chair. I would like to appeal to you on one matter. I would like to appeal to you, *bar bar* while talking on the issue that he wants to convey to you, \* allegation has been thrown at the BJP. *...(Interruptions)...* I want that to be expunged. *...(Interruptions)...*

MR. DEPUTY CHAIRMAN: I will expunge it. *...(Interruptions)...*

SHRIMATI NIRMALA SITHARAMAN: It is not fair *...(Interruptions)...* He may convey what he wants to convey, but this is an allegation which we don't accept. *...(Interruptions)...*

MR. DEPUTY CHAIRMAN: I will expunge it. *...(Interruptions)...*

SHRI SITARAM YECHURY: But, Sir, if you expunge this, you will expunge

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\*Expunged as ordered by the Chair.

all other comments. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: I will go through the entire record and expunge everything that is unparliamentary or allegatory in nature, and also the aspersions on the Chair will be expunged. Now, Dr. Chandan Mitra. ...*(Interruptions)*...

SHRI K. N. BALAGOPAL (Kerala): Sir,\* is not an unparliamentary word. ...*(Interruptions)*...

SHRI TAPAN KUMAR SEN (West Bengal): 'Allegation' is also not an unparliamentary word. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: His name is not here. ...*(Interruptions)*... He has not given the name. How can I call? ...*(Interruptions)*... No, no. ...*(Interruptions)*... You are very strict about the rule. You have not given the name. ...*(Interruptions)*... Look, here he has not given the name. See, Jairam Ramesh is a well-versed person, an expert, I know. But he has not given the name in time. It is not here. Now, Dr. Chandan Mitra.

DR. CHANDAN MITRA (Madhya Pradesh): Sir, I rise to strongly support ...*(Interruptions)*...

SHRI JAIRAM RAMESH: Sir, can I speak for one minute?

MR. DEPUTY CHAIRMAN: Okay.

SHRI JAIRAM RAMESH: Sir, the Leader of the Opposition has been telling me since 5.00 p.m. last evening that I am going to speak on behalf of my party and you are saying I can't speak on behalf of my party. What is this, Sir? ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: Yes; because your name is not here.

SHRI JAIRAM RAMESH: The Leader of the Opposition has been telling me. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: But you have not given the name. How can I call you?

SHRI MUKHTAR ABBAS NAQVI: After BJP, it is your turn. ...*(Interruptions)*... बीजेपी के बाद आपकी टर्न होगी। ...*(व्यवधान)*...

MR. DEPUTY CHAIRMAN: Your name is not here. Your party has not given the name. ...*(Interruptions)*...

SHRI JAIRAM RAMESH: Sir, I have moved 11 amendments. ...*(Interruptions)*...

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\*Expunged as ordered by the Chair.

MR. DEPUTY CHAIRMAN: What can I do? ...*(Interruptions)*... It should be here before the commencement of the discussion. ...*(Interruptions)*... The fixed direction from the hon. Chairman, which has been already in force for the last two weeks, is that names should be given before the commencement of the discussion. Last week and before that also, that was being strictly followed. And I am not calling you because your name is not here. ...*(Interruptions)*...

SHRI JAIRAM RAMESH: Sir, I have been told that I am going to speak from my party and you are saying that I can't speak. ...*(Interruptions)*... I have moved 11 amendments. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: At that time, I will call you. ...*(Interruptions)*... At that time, you can speak. ...*(Interruptions)*... You should know the rules. At the time of moving the amendments, I will call you and you can speak. ...*(Interruptions)*...

SHRI GHULAM NABI AZAD: Sir, how can it be possible that someone from the main party, who is moving the amendments, will not speak?

MR. DEPUTY CHAIRMAN: Because you did not give the name in time.

SHRI GHULAM NABI AZAD: When has it come? It has come for consideration just now, after lunch.

MR. DEPUTY CHAIRMAN: No, no; yesterday, it was in the List of Business.

**श्री मुख्तार अब्बास नक़वी:** सर, हमारा अनुरोध यह है कि आप main Opposition Party कांग्रेस पार्टी से नाम ले लीजिए। ...*(व्यवधान)*... हमारा अनुरोध यह है कि कांग्रेस पार्टी जिनका भी नाम दे, उनको बोलने दिया जाए, इसमें हमें कोई आपत्ति नहीं है। ...*(व्यवधान)*...

MR. DEPUTY CHAIRMAN: See, it is there in the List of Business. ...*(Interruptions)*...

SHRI GHULAM NABI AZAD: We had not decided as and when it will be finally discussed; whether it will be taken up at 10 o'clock or 12 o'clock midnight or it will be taken up at 1.30. ...*(Interruptions)*... That was decided right now.

SHRI MUKHTAR ABBAS NAQVI: We have no objection. Please give the name of the Member from your party who is going to speak, and there is no objection.

SHRI GHULAM NABI AZAD: Since yesterday, you have not been able to decide when to take it up, after the Budget is done or now.

SHRI MUKHTAR ABBAS NAQVI: Sir, in the morning we decided it. You please give the name from your party.

MR. DEPUTY CHAIRMAN: Okay. What is your suggestion now?



SHRI GHULAM NABI AZAD: I think we are going to give the name of only one speaker; we are not going to give the names of twenty speakers. ...(Interruptions)...

MR. DEPUTY CHAIRMAN: Tiwariji, you sit down.

SHRI GHULAM NABI AZAD: So, let him speak first. And he is the first and the last speaker from our party.

MR. DEPUTY CHAIRMAN: Hon. LoP, I have no objection, no problem, in Congress Party Member speaking first. But I did not call him because in the List given here, his name is not there. If the House has no objection, ...(Interruptions)... Anyway, I have called him. ...(Interruptions)... Okay. If the House has no objection, after Mr. Chandan Mitra, I can call him because I have already called him. ...(Interruptions)...

श्री मुख्तार अब्बास नकवी: सर, हमें इसमें कोई आपत्ति नहीं है। अगर कांग्रेस के सदस्य पहले बोलना चाहते हैं तो उनको आप पहले बुलवा लीजिए, जबकि उन्होंने नाम नहीं दिया है। Though they have not given a name. उसके बावजूद अगर वे पहले बोलना चाहते हैं, तो बोल लें, हमारे सदस्य बाद में बोल लेंगे। ...(व्यवधान)...

MR. DEPUTY CHAIRMAN: Okay. ...(Interruptions)... Do you all agree? ...(Interruptions)...

SHRI MUKHTAR ABBAS NAQVI: We have no problem. ...(Interruptions)...

MR. DEPUTY CHAIRMAN: Okay. All right. ...(Interruptions)... In that case, before Shri Jairam Ramesh, message from the Lok Sabha.

#### MESSAGE FROM LOK SABHA — *Contd.*

##### **The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement (Amendment) Second Bill, 2015**

SECRETARY GENERAL: Sir, I have to report to the House the following message received from the Lok Sabha, signed by the Secretary General of the Lok Sabha:

"I am directed to inform you that Lok Sabha, at its sitting held on the 16th March, 2016, has adopted the following motion further extending the time for presentation of the Report of the Joint Committee of the Houses on the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement (Amendment) Second Bill, 2015:—

#### MOTION

“That this House do extend time for presentation of the Report of the Joint Committee on the the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement (Amendment) Second Bill, 2015 upto the last day of the first week of the Monsoon Session, 2016.”