

...(Interruptions)... This is not going on record. ...(Interruptions)... Nobody has got the right to give away, go away or do away with Assam. Assam is an integral part of the country. ...(Interruptions)... People will boycott you, if you do such things. People have given their verdict.

GOVERNMENT BILLS

Motion For Reference Of The Personnel Data Protection Bill, 2019 To Joint Committee

THE MINISTER OF LAW AND JUSTICE; THE MINISTER OF COMMUNICATIONS; AND THE MINISTER OF ELECTRONICS AND INFORMATION TECHNOLOGY (SHRI RAVI SHANKAR PRASAD): Sir, with your permission, I move the following motion:—

"That this House concurs in the recommendation of the Lok Sabha made in the Motion adopted by the Lok Sabha at its sitting held on Wednesday, the 11th December, 2019 that this House do join in the Joint Committee of the Houses on the Personal Data Protection Bill, 2019 and resolves that the following Members of the Rajya Sabha be nominated to serve on the said Joint Committee:—

1. Shri Bhupender Yadav
2. Shri Suresh Prabhu
3. Shri Rajeev Chandrasekhar
4. Shri Ashwini Vaishnaw
5. Shri Jairam Ramesh
6. Shri Vivek K. Tankha
7. Shri Derek O'Brien
8. Shri A. Navaneethakrishnan
9. Prof. Ram Gopal Yadav
10. Dr. Amar Patnaik".

Sir, very briefly, I may indicate that this is a very seminal Bill, by which, we are going to protect the data of Indians. We have categorized as critical data,

sensitive data and non-sensitive data. We have come with a very robust mechanism, namely, that if the data of the data principal is taken without consent, serious penalty is there, and, if it is used beyond the permissible limits of consent, then, severe penalty is there. Secondly, we want India to become a big centre of data processing, anonymised data processing and also to promote the cause of digital economy. But, Sir, we are equally keen that this being a very seminal Bill, needs to be further examined. Sir, I can convey to this House that we had set up a Committee under Shri B.N. Srikrishna, a retired Supreme Court Judge. Before him, 134 entities came with 8,000 comments and suggestions. About 500 representatives of various companies and civil societies also met him, and 600 organisations from across the world also shared their feedback. But, we are very keen that being a very important Bill, this Bill must have further widest consultations. Therefore, we wanted to have a focussed Joint Select Committee consisting Members of both the Houses. After the Lok Sabha has approved this proposal, we also want our Rajya Sabha Members to be on board. I urge this House to kindly concur to this proposal. Our request is very clear, which you always follow, that by the second / third week of the Budget Session, they must come with a Report. We intend to bring this Bill in the Budget Session after widest consultations. This is all. I move the Bill, Sir.

The question was proposed.

SHRI MADHUSUDAN MISTRY (Gujarat): Sir, a small clarification.

MR. CHAIRMAN: Please.

SHRI MADHUSUDAN MISTRY: What is the permissible limit according to the Minister?

SHRI RAVI SHANKAR PRASAD: Permissible limit?

SHRI MADHUSUDAN MISTRY: You have used the words 'permissible limit'?

SHRI RAVI SHANKAR PRASAD: Sir, I am not to decide the permissible limit. Here are the senior Members. We can only urge them, emphasize upon them and they will take a call.

SHRI MADHUSUDAN MISTRY: You said data can be used up to a permissible limit.

SHRI RAVI SHANKAR PRASAD: Sir, these are matters of detail. I think, you will ask me a lot of questions and I will reply all your questions when the Bill is formally moved. The whole object of this Bill is to safeguard the data of Indians, which we have called the 'principal'. Nothing can be done without consent and no processing beyond the consent I have given for processing.

Otherwise, suffer penalties and consequences.

MR. CHAIRMAN: Motion moved. The question is:

"That this House concurs in the recommendation of the Lok Sabha made in the Motion adopted by the Lok Sabha at its sitting held on Wednesday, the 11th December, 2019 that this House do join in the Joint Committee of the Houses on the Personal Data Protection Bill, 2019 and resolves that the following Members of the Rajya Sabha be nominated to serve on the said Joint Committee:-

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The motion was adopted.

MR. CHAIRMAN: Before the Constitution (126th Amendment) Bill is taken up, I would like to tell that yesterday in a historic manner, we have discussed the Citizenship (Amendment) Bill for 8 hours 52 minutes. I think, it is a record and I appreciate all the Members for their participation. Proposing or opposing is left to

the Members. The Chair is not concerned about it. It is your choice. The Members from Assam, Members from North-Eastern States and everybody was given an opportunity and they gave their comments, suggestions and criticisms.

Subsequently, the hon. Home Minister gave an elaborate reply. Some clarifications were also sought and they were also given. That is the end of the matter. I cannot allow the same again. Today morning, one hon. Member raised the issue. Initially, it went on record but subsequently I said, "Nothing shall go on record." And, if the Member starts pressurising and uses the word 'you', then, I will have to think about it. After all, I am here as the Chairman; tomorrow, somebody else will be the Chairman. Somebody else will be the Member. Nobody is permanent here. We must respect the institution. If you threaten, as I have been saying, I am the last man to be carried by such threats. You have every right to go and educate the people. Agitate peacefully without resorting to violence; as some people are doing it outside, not our Members. So, I appeal to the Members, if there is an issue, that should be taken to the people. People are the ultimate judges. They have given their mandate recently and you say that you do not care for Assam and all. It is a very, very unfortunate and condemnable comment. That is why, I said, "Nothing shall go on record." Now, the Constitution (126th Amendment) Bill, 2019.

THE MINISTER OF PARLIAMENTARY AFFAIRS; THE MINISTER OF COAL; AND THE MINISTER OF MINES (SHRI PRALHAD JOSHI): Sir, we firmly endorse your view and we fully respect your sentiments. As far as the Government is concerned, we will see that your sentiments are never hurt. Thank you.

MR. CHAIRMAN: Now, Shri Ravi Shankar Prasad to move a motion for consideration of the Constitution (126th Amendment) Bill, 2019. Yesterday, Ravi ji was expressing a doubt after that Bill saying, "Sir, why don't you take up this Bill and finish it off?" I told him 'no'. I did not allow it. But he was expressing a doubt whether after such an exhaustive discussion the required number of Members would come tomorrow. It is a Constitution Amendment Bill and for that two-thirds of the Members should be there and then the other condition of 50 per cent and all. I assured him that it is a very sensitive and important Bill, definitely, Members will be there. For the time being, I am happy because there is quorum. But we need to have two-thirds Members. Keep that in mind. Let the leaders also take note of it and see to it that the Members come to the House. Ravi ji.