

MR. CHAIRMAN: Now, the Minister to move that the Bill be returned.

SHRIMATI NIRMALA SITHARAMAN: Sir, I move:

That the Bill be returned.

The question was put and the motion was adopted.

MR. CHAIRMAN: Hon. Members, at around 12.20 p.m., I received a letter from Ghulam Nabi Azad *ji* and some other Members, of course, some of whom are under suspension, saying, as the three Bills, namely, the Occupational Safety, Health And Working Conditions Code, 2020; the Industrial Relations Code, 2020; and, the Code On Social Security, 2020 affect a large number of people, we urge you not to have these Bills passed in the House in the absence of Opposition parties. This is the letter. I have verified it. I discussed it with the Secretariat and I have gone through the previous precedents also. There are a number of precedents where even when some Members walked out or boycotted, the House has taken up the Business as per the schedule and approved Bills also. There are a number of instances. For instance, on 2.5.2013, Finance Bills; in 2013 again, the Appropriation Bill, when some Members walked out; then, Labour Laws Bills and also the Mines and Minerals Bills and all. So, keeping that in mind, we took the decision.

Had I received a letter saying that they would like to attend and requested to postpone the Bills, I would have, at least, discussed it with the Government. There is no such assurance. On the other hand, we read in the newspapers that some of the people are justifying what they have done. So, after considering all these things, I took the decision, and told the Deputy Chairman to go ahead with the Bills. Also, as per Article 122, the validity of any proceedings of Parliament cannot be questioned. That is everybody's knowledge.

VALEDICTORY REMARKS

MR. CHAIRMAN: Hon. Leader of the House, Thaawarchand Gehlot *ji*, respected Leader of the Opposition, Ghulam Nabi Azad *ji* –he is absent –hon. Prime Minister, respected Minister of Parliamentary Affairs, Pralhad Joshi *ji*, Muraleedharan *ji*, leaders of various parties and groups in the House and hon. Members, today, we are concluding

the 252nd Session of the Rajya Sabha. This Session has been marked by several novel features induced by the outbreak of the Coronavirus at the beginning of this year. We have to conclude this Session eight sittings ahead of the eighteen sittings as the COVID pandemic continues to challenge the human kind across the globe even after nine months of its outbreak. Originally we planned eighteen sittings, but we have completed ten sittings. We are living in extraordinary times, warranting several adjustments requiring us to live a new normal life. We have had ten sittings during this Session when this august House had to function from six different locations, namely the Chambers of both the Houses of Parliament and four galleries of this House, the first of its kind in the history of Rajya Sabha. In another first, we have functioned on Saturday and Sunday during the last week without taking the usual break. As we were thinking of this re-adjustment, I was not sure as to how the hon. Members would cope up with these changes. I am very pleased that all of you have adapted very well. I had to familiarise myself with this new situation by having two mock sessions and several rounds of discussions with officials. I wholeheartedly compliment all of you for making a success of this novel experiment.

Hon. Members, let me give a brief account of this Session. During the ten sittings, a total of 25 Bills have been passed and 6 Bills have been introduced. The productivity of the House during this Session has been 100.47 per cent. As against the scheduled available time of 38 hours and 30 minutes, the actual functional time of the House has been 38 hours and 41 minutes. While 3 hours and 15 minutes time of the House has been lost unfortunately due to disruptions, the House sat for an extra time of 3 hours and 26 minutes. I am happy to inform you that the new normal of high productivity witnessed during the last three Sessions has continued during this Session as well. As a result, the overall productivity of the last four Sessions comes to a praiseworthy 96.13 per cent. This high productivity for four consecutive Sessions is the best during the last five years. 22 hours 3 minutes of time has been spent on discussing Government legislative proposals during these 10 sittings. This comes to a record 57 per cent of the total functional time of the House during this Session. The significance of this timeshare spent on Legislative Business during this Session comes out in sharp contrast when viewed against only 28 per cent time spent on Government Bills over the years since 1952 when the House came into being. This also explains the primary objective and nature of this unique Session when we have dispensed with Question Hour besides reducing Zero Hour to half-an-hour. A total of 198 Members participated in the discussions

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on various Bills. Question Hour being a key instrument of ensuring accountability of the Executive to Parliament, a total of 1567 Unstarred Questions were replied in writing by the Government during these ten sittings. Members raised issues of urgent public importance through 92 Zero Hour and submissions 66 Special Mentions on which a total time of 4 hours and 15 minutes were spent, accounting for 10.99 per cent of the total functional time of the House. Besides, the Members of this august House have passionately discussed the important issues, especially related to the outbreak of COVID-19 pandemic and its consequences on management, and the developments along the border in Ladakh. Concerned Ministers, the Health Minister and the Defence Minister, made elaborate statements on these issues. A total time of 4 hours and 28 minutes has been spent on these discussions which accounts for 11.55 per cent of the total functional time of the House.

Hon. Members, though the Session has been satisfying in terms of productivity, there have been some areas of concern as well. We need to collectively ponder over these issues for making a difference in future. For the first time in the history of this august House, a notice of motion for removal of the hon. Deputy Chairman has been given. It had to be rejected for reasons that I have already elaborated. Because it was a motion, not a resolution. Moreover, the Rule of 14 days' advance notice was not followed. The developments in the House surrounding this unprecedented move have been deeply painful for all those who hold the stature and dignity of this august House dearer to their hearts. I don't want to go into the details of those unpleasant turn of events. All that I would like to do is, appeal to all of you and all the other Members, who are not here, from the depth of my heart, to kindly ensure that such unseemly behaviour is not repeated in future. I would like to remind all of you that in 1997 and 2012, this august House resolved that all Members would uphold the dignity of the House by complying with the laid down Rules and Procedures. They have taken almost a pledge that hon. Members will uphold the dignity of the House by complying with the laid down Rules and Procedures. If you adhere to these Resolutions, there will be order in the House. And when there is order in the House, the House can function as the country expects it to function. It is the responsibility of all the Members to ensure smooth functioning of the House, so that we can fulfil our commitment to the people. It is not just the responsibility of this side or that side. All of us together have to work in that direction. It is our commitment to the people of this country. I have been

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associated with this august House for the last 22 years. I get anguished whenever Bills are passed in din. Normally, I don't like Bills to be passed in din. I am naturally more pained to see what happened. As the Chairman of this august House, it hurts me the most when the Chair is rendered helpless by the turn of events and has to perform take action against the Members as per the Rules. It is not a pleasant thing to do. At the same time, we are duty-bound to uphold the dignity of the Rules, of the standards and values of this august House, which is called the Elders' House. The entire country is observing. I have received numerous calls and also WhatsApp messages about the comments and about what happened in the House. That means people at large are watching with interest as to what is happening in the Upper House. It is not the first time when some Members are suspended and Bills are passed when some sections of the House have boycotted proceedings. I find it extremely unpalatable. This kind of situation needs to be avoided by all means. But the Rules of the House do provide for such suspension when it becomes inevitable. If legislative work is not taken up during the boycott by some sections of the House, it may legitimise such boycott as an effective instrument of blocking legislation.

To protest is the right of the Opposition, any Member for that matter. But the question is how it should be done. The floor of this august House is the most effective platform for contestation of ideas. But if boycott is done for longer period, it amounts to leaving the very platform that enables you to effectively convey your ideas and contest those of others. I request all the Members to keep this in mind.

I would now like to briefly refer to some remarks made by the hon. Leader of the Opposition, Shri Ghulam Nabi Azad, yesterday during his intervention. It was an intervention. He is known for his courteous, thoughtful articulation of ideas and sentiments while speaking in the House. I have been observing it. But he referred to lowering of standard of the Leader of the Opposition in this House. He did not specify the period when it has happened. But it is an important observation. That should not be overlooked.

As far as I am concerned, as Chairman of this august House, I always reach out to him for his inputs before coming to a decision on any issue concerning the functioning of the House. I spoke to him several times while planning for this unique Session and so was the case on many other issues. I do so because it helps me in discharging my responsibilities. The Leader of the Opposition is very central to orderly functioning of

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the House and it is my firm conviction that diluting his role is unthinkable. The Leader of the House, who is an experienced person, the Leader of the Opposition, who is also an experienced person, the Minister of Parliamentary Affairs and other senior Members of the House on both sides should keep in touch with one another and they should help to see that things are smooth and the work of the House is not affected. Work of the House means work of the people. Some persons have a wrong perception or trying to portray a perception that Bills are Government Business. Bills represent the aspirations of the people. The Government of the day, which has got a mandate, has promised certain things to the people. They bring it forward in the form of a Bill. Then, the collective will of the House will approve or negate the Bill. That is the democratic system. There is no way you can say, "I am not there; so don't take up the Bill" or "I don't have the numbers, so, don't approve the Bill". I can't help it. One has to understand it.

I also make an earnest appeal to the people of the country including some opinion makers who are giving advices. Yes, I take it in a positive sense. Yes, we want everybody to participate; we want everybody to be given an opportunity. As I said yesterday, to err is human. In a fit of emotion or on the spur of the moment, somebody does something. It happens. But, if they realize it later, then the Chairman, the House and the particular ruling party should be positive in responding to the realization and move ahead. This has to be kept in mind by all. If the realization is not there, then we cannot help. That means you are questioning the functioning of the House itself. It is not only the Chair. The Chair goes as per the rules, regulations, procedures and precedents. There are umpteen numbers of precedents in this House by previous Chairmen and Deputy Chairmen on previous occasions. One is rules; the other one is precedent. The third one is about analyzing what exactly had happened and all. As I told you, I don't want to get into the details of what had happened on that day in the House which has been witnessed by millions of people across the country. I would like to caution people. Unfortunately, it is not the live telecast alone. Some hon. Members in their over-enthusiasm, thinking that they are wise, made video of their acts and circulated it without understanding that they themselves got exposed. Please avoid using phones and other instruments because as per rules, it is not allowed.

I would like to thank hon. Members for attending this Session despite all difficulties during this difficult time. I hope that when you get back to your respective States and

constituencies, you will be available for consultation and guidance that is required by the people to contain the spread of Coronavirus and cope up with the socio-economic consequences. This Session has been unique in several respects and a challenging one too. All of us rose to the occasion admirably except that unfortunate incident. It was preceded by several rounds of extensive discussions between me and the hon. Speaker of Lok Sabha and Secretary-Generals and officials of both the Secretariats. I have also held discussions with top officials of the Ministry of Home Affairs, the Ministry of Health and Family Welfare, ICMR, DRDO and CPWD. All their valuable inputs and suggestions were kept in mind; we tried our best and the Members, to the best of their ability, have also cooperated in following that. Holding Parliament Session during this pandemic required some innovative thinking and elaborate planning well in advance. Secretary-General, Rajya Sabha and his team in the Secretariat as also the Parliament Security Service, Rajya Sabha T.V., Lok Sabha T.V. and other agencies including the Public Works Department, who worked behind the scene, did not fail me in this regard. I am very happy about it. I would like to put on record my appreciation of the efforts made by all these people. I would also like to thank the Members of the media for their uninterrupted transmission of the parliamentary proceedings to the people. Previous Session was also cut short on account of the pandemic. We are still to come up with grips with this situation. I hope that when we meet next time, we shall do so without the present limitations and restrictions. Some people questioned, why this Session in these COVID times. One is constitutional requirement. Also, the Leader of the Government, the Prime Minister –I discussed larger issues with the Leader of the Opposition, Leader of the House and all the senior Members of the Opposition and other parties and at times the Prime Minister also –told me: 'Others are all doing duties during these crucial times, we, Members of Parliament, should not fail in our responsibility because we have been mandated to do certain things.' And then that had convinced me and, of course, the constitutional requirement also is very much there.

I urge all of you to stay safe and stay connected. Let us win the battle against the pandemic at the earliest. This is the time to show unity of mind and purpose. This is the time to show that the country is capable, we would all stand as one. Whatever instructions and guidelines are given by the Central Government and the State Governments, not only the Prime Minister, who is heading it here at the Centre giving guidelines, advices, taking steps, but the Chief Ministers of various States have also done their best and there is always a scope for improvement. If there are shortcomings,

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they have to be brought to the notice in a positive manner because this is an extraordinary time. The focus of attention should be to ameliorate the sufferings of the people and take effective steps to see that they are not put to hardships to the extent possible. That is my appeal to all Members of Parliament, irrespective of parties and also people at large. This is not a normal time. If there are any shortcomings, you have got every right in democracy and we are a functional democracy. India is the largest parliamentary democracy in the world, and we have shown to the world also how we are able to manage this and what are the steps that have been taken. So, hon. Members, on behalf of all of you and on my own behalf, I once again place on record our deep and sincere appreciation for all the frontline warriors, those who are ensuring our physical wellbeing like the doctors, some of them have sacrificed their lives, nurses, paramedical staff, sanitation workers – a very important role is played by them – and scientists who are working day and night to come out with solutions to this problem, as well as those, who are ensuring our food security in this hour of crisis, the farmers, and the providers of the essential goods. Equally important is the national security, both internal security as well as protection of our borders. We gratefully acknowledge the dedication of the police and armed forces in keeping us and our country safe when this crisis is on.

Before concluding, I would like to extend my wishes to all of you for the forthcoming festivals of Dussehra, Vijaydashami, Deepawali and Milad un-Nabi. All these important festivals are coming. I appeal to all of you to celebrate the festivals, stay at home and follow the guidelines. Following guidelines is not only for you, it is for the people around you also. So, I hope that everybody will remember these things. Then, I have nothing more to add. Jai Hind!

NATIONAL SONG

(The National Song, "Vande Mataram", was then played.)

MR. CHAIRMAN: The House stands adjourned *sine die*.

*The House then adjourned sine die at twelve
minutes past two of the clock.*
