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Title: Introduction of the Repealing and Amending Bill, 2019.

माननीय अध्यक्ष : आइटम नंबर - 13, रवि शंकर प्रसाद जी ।

THE MINISTER OF LAW AND JUSTICE, MINISTER OF COMMUNICATIONS AND MINISTER OF ELECTRONICS AND INFORMATION TECHNOLOGY (SHRI RAVI SHANKAR PRASAD): I beg to move for leave to introduce a Bill to repeal certain enactments and to amend certain other enactments.

Sir, I seek your kind indulgence to introduce a Bill for repealing and amending nearly 58 legislations of the country. One of the keen objectives of Shri Narendra Modi Government was to repeal all the old Acts which are 100 years or 150 years old. ...(*Interruptions*)

Till date, we have repealed about 1428 Acts. Today, 58 Acts are sought to be repealed by this Repealing and Amending Bill. We have also conveyed to the State Governments; about 229 old Acts belong to the realm of the State Governments. They are also taking steps.

सर, हम लोगों की पूरी कोशिश है कि जितने भी पुराने कानून हैं, जो 100-150 वर्षों से हैं । ...(*व्यवधान*)

माननीय अध्यक्ष : आप ब्रिटिश ज़माने के कानून बोलिये ।

श्री रवि शंकर प्रसाद : जी हां, सर । आज भी वर्ष 1875 के कानून हैं । मैं इस सदन में हमारे प्रधान मंत्री जी के इनीशिएटिव के बारे में कहना चाहूंगा कि हम

लोगों ने 1428 एक्ट्स रिपील किए हैं और आज हम 58 एक्ट्स और रिपील करने जा रहे हैं ।

मैं उम्मीद करूंगा कि यह जो नई शुरुआत है, देश में पुराने कानून जो असुविधा पैदा करते हैं, लोगों को परेशान करते हैं, जिनकी कोई उपयोगिता नहीं है, उनको समाप्त किया जाए । माननीय प्रधान मंत्री जी ने हम लोगों को एक और निर्देश दिया है । ऐसे कानून, जो दो कानून एक हो सकते हैं, उन पर भी विचार करना चाहिए । इसी कड़ी में मैं आज इस बिल को पुरःस्थापित करने की अनुमति चाहता हूं ।

माननीय अध्यक्ष : प्रस्ताव प्रस्तुत हुआ :

“कि कतिपय अधिनियमितियों के निरसन और कतिपय अन्य अधिनियमितियों के संशोधन करने वाले विधेयक को पुरःस्थापित करने की अनुमति दी जाए । ”

डॉ. शशि थरूर जी, आप बोलिये ।

DR. SHASHI THAROOR (THIRUVANANTHAPURAM): Sir, I do regret to oppose it because we all support the objective of repealing the enactments. But the fact is, this Government has got a very bad habit of rushing Bills through without enough time for the MPs to have a look at them.

Direction 19B of the Directions by the Speaker Lok Sabha, which I have in front of me, says very clearly: “No Bill shall be included for introduction in the list of business for a day until after copies thereof have been made available for the use of Members for at least two days before the day on which the Bill is proposed to be introduced.”

Last night, they came and gave us this Bill. Many of us got it today morning. ...(*Interruptions*) The fact is, when 58 Acts are involved, the Members have a right to study these Acts, to see whether all of them should be included, whether some more should be added or some should be subtracted. This is a serious exercise. We need two working days to do our work.

There is one more reason. You could say, you have given them permission. But you cannot give permission without their giving special reasons for violating the Speaker's directives to the House.

So, my first objection is fundamentally procedural. We have seen it many times in the course of this - incredibly hasty, rush-through legislation being pushed into the House.

Secondly, I also have a substantive objection which is that as far as I can see, the Statement of Objects and Reasons here says that it is a periodical measure but it does not indicate which Bills have come through where. There is a pre-legislative consultative policy which has not been resorted to. So, no one can give ideas or suggestions to the Government.

On top of that, if you look at 'Exception 2' to Section 375 of the IPC, the marital rape exception, Justice Verma's Committee recommended the repeal of that 'exception' so many years ago. Still, so far, this Government has ignored it. There are many other archaic provisions that can easily be dealt with. You are rushing through the Bills without consulting the MPs. Here is a matter where the MPs want to help you. We also want to get rid of old laws, archaic laws and obsolete laws. Marital rape is a very good example of this and deleting 'Exception 2' to Section 375 of IPC is necessary. But my concern is not

that only. When you are doing something which, we agree, is in the national interest and is not even a political exercise, why do you not take us all along? Why do you want to present us with a *fait accompli*? आप हमें साथ लेकर चलिए । हम इस विषय पर आपके साथ हैं, लेकिन हमें मौका तो दीजिए । ... (व्यवधान)

SHRI KALYAN BANERJEE (SREERAMPUR): Sir, I am supporting this. It is useful. So many statutes are not necessary.

माननीय अध्यक्ष: कल्याण बनर्जी साहब, सभी माननीय सदस्यगण और लोक सभा के सभी सदस्यों को ऐसे एक्टों पर पुनर्विचार करना ही चाहिए ।

SHRI KALYAN BANERJEE : I request you to please consider new enactments. For example, the Indian Penal Code was enacted long back. What is the need for pre-British laws? There are many new changes. Therefore, you should bring new laws.

माननीय अध्यक्ष: मैं आपकी बात से सहमत हूँ । सदन को प्रयास करना चाहिए कि ब्रिटिश जमाने के कानूनों को संसद के द्वारा नए रूप में बनाया जाना चाहिए ।

... (व्यवधान)

SHRI KALYAN BANERJEE: In addition to what Mr. Tharoor has said, I wish to add one more thing. We are now getting these

parliamentary papers at around quarter to nine or nine 'o' clock. Earlier we used to get these papers early in the morning. If we get the parliamentary papers at nine 'o' clock from the Parliament, when will I read those papers? I think this is a general problem. Kindly give the instructions to the office that these papers should reach our residences early in the morning. ...(*Interruptions*)

माननीय अध्यक्ष: माननीय सदस्य, मैं आपको व्यवस्था दे रहा हूँ ।

...(*व्यवधान*)

माननीय अध्यक्ष: माननीय सदस्य, आपने जो आपत्ति जताई है, मैं कोशिश करूँगा कि अगले सत्र के समय कोई भी विधेयक पुरःस्थापित करना हो तो आपको वह नियम के अनुसार दो दिन पहले मिलेगा, लेकिन अगले सत्र में मिलेगा ।

...(*व्यवधान*)

माननीय अध्यक्ष: अब मैंने व्यवस्था दे दी है । आपकी भावनाओं के अनुसार व्यवस्था दे दी गई है । अब माननीय मंत्री जी के अलावा किसी का भी वक्तव्य अंकित न हो ।

... (*व्यवधान*) *

SHRI T. R. BAALU (SRIPERUMBUDUR): Hon. Speaker, they are taking undue advantage of this. Please take note of this. ... (*Interruptions*)

माननीय अध्यक्ष: यह सदन आप सभी को साथ लेकर चल रहा है ।

SHRI A. RAJA (NILGIRIS): Sir, whatever items were there in the BAC, let us first exhaust them first. They were already approved by the

BAC. ... *(Not recorded)* ...*(Interruptions)* What has happened to the Surrogacy Bill? ...*(Interruptions)* Order should not be changed.

SHRI T. R. BAALU: Sir, the Law Minister is so clever. ... *(Interruptions)* He brings every new legislation.

श्री भर्तृहरि महताब (कटक): सर, मेरा यहां एक सजेशन है । ... *(Interruptions)* Sir, your Office has empowered all Members to utilize Internet and the speed of internet has also increased in due course of time. Every Member, who is conversant with the Internet, can find out what is tomorrow's agenda, at around 8-8.30 p.m. in the evening. ... *(Interruptions)* You may have your own opinion. ...*(Interruptions)* Sir, every Member is provided with a supporting staff. Mr. Premachandran is very much aware of the provision that has been made. We, perhaps, are more accustomed to the hardcopy but Internet is also available; and the entire agenda of tomorrow is provided to us by this evening. Sir, when the Internet is not working, we can lodge a complaint before your office. ...*(Interruptions)* Please allow me to say.

Hardcopy, of course, is necessary. Sir, you have said you will be providing it from the next Session as early as possible. I do not know whether Mr. Kalyan Banerjee has shifted his house or not. But the issue is regarding whatever Bills that are being brought here, unlike the previous Governments where suddenly the supplementary agenda was used to be circulated in this House and the Bill was discussed and passed, this has not happened in this Session yet. Whatever is being listed is as per the provisions of the Business Advisory Committee. One hour has been given for this Bill. Until and unless this is recorded in the

Business Advisory Committee, how can a Bill come? That was our concern earlier but now it has not happened yet.

What Mr. Raja has been saying is to go as per the Order Paper. I think he was a Minister earlier and he can very well explain whether it is the prerogative of the Government or not. Sitting in the Opposition, I know it. I have been sitting in the Opposition for the last 20 years.

संसदीय कार्य मंत्रालय में राज्य मंत्री तथा भारी उद्योग और लोक उद्यम मंत्रालय में राज्य मंत्री (श्री अर्जुन राम मेघवाल): महोदय, मैं सदन को बताना चाहता हूँ कि सरकार ने इस बिल पर दो घंटे प्रपोज़ किए थे । लेकिन आपने डिसकस करके कहा कि हमें इस बिल के बारे में जानकारी है, इसलिए वन ऑवर कीजिए । स्पीकर साहब ने एक घंटा कर दिया । अब आप कह रहे हैं कि बीएसी में डिसकस नहीं हुआ, जबकि डिटेल में डिसकस हुआ है । यह लिस्टेड है तो हम कैसे रश कर रहे हैं? हम कोई रश नहीं कर रहे हैं ।

माननीय अध्यक्ष : माननीय रविशंकर जी, क्या आप कुछ बोलना चाहते हैं?

THE MINISTER OF LAW AND JUSTICE, MINISTER OF COMMUNICATIONS AND MINISTER OF ELECTRONICS AND INFORMATION TECHNOLOGY (SHRI RAVI SHANKAR PRASAD): Sir, as regards the objection of hon. Dr. Shashi Tharoor, I wish to convey to him that two days in advance the notice has been given. ...(*Interruptions*) Did I disturb you?

Now when there is a consensus in the House that the step we are taking is the right step, as the hon. Speaker also rightly pointed out, then, is it a new thing we are doing? I think hon. Dr. Shashi Tharoor is a

Member of this House for some years now. We came with the Repealing and Amending Act No. 17 of 2015, No. 19 of 2015, No. 22 of 2016, No. 23 of 2016, No. 2 of 2018 and No.4 of 2018. ...(*Interruptions*) Now, when these six Bills became the Acts, you were present in the House. We had discussed it *ad nauseum* and we will do it again. We are only introducing the Bill. I think, being wise and experienced, you are aware that this is just the introductory stage. When the time for debate will come, you can raise all the questions and I will be willing to answer them.

As far as hon. Baalu Ji's observations are concerned, we have worked in the Vajpayee's Government. I am neither clever nor cunning. I work properly and with determination. I hope you know that.

माननीय अध्यक्ष : प्रश्न यह है :

“कि कतिपय अधिनियमितियों के निरसन और कतिपय अन्य अधिनियमितियों के संशोधन करने वाले विधेयक को पुरःस्थापित करने की अनुमति दी जाए ।”

प्रस्ताव स्वीकृत हुआ ।

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श्री रवि शंकर प्रसाद : महोदय, मैं विधेयक पुरःस्थापित * करता हूँ ।

12.30 hrs