

## **The Sabka Bima Sabki Raksha (Amendment of Insurance Laws) Bill, 2025- Introduced**

**THE MINISTER OF FINANCE; AND MINISTER OF CORPORATE AFFAIRS (SHRIMATI NIRMALA SITHARAMAN):** Sir, I rise to move for leave to introduce a Bill further to amend the Insurance Act, 1938, the Life Insurance Corporation Act, 1956 and the Insurance Regulatory and Development Authority Act, 1999.

माननीय अध्यक्ष : प्रस्ताव प्रस्तुत हुआ:

क्या बीमा अधिनियम, 1938 , जीवन बीमा निगम अधिनियम, 1956 और बीमा विनियामक और विकास प्राधिकरण अधिनियम, 1999 का और संशोधन करने वाले विधेयक को पुरःस्थापित करने की अनुमति प्रदान की जाए ?

**SHRI N.K.PREMACHANDRAN (KOLLAM):** Sir, I rise to oppose the introduction of the Bill, the Sabka Bima Sabki Raksha (Amendment of Insurance Laws) Bill, 2025.

The first objection is regarding the title of the Bill, namely, the Sabka Bima Sabki Raksha (Amendment of Insurance Laws) Bill, 2025. Previously, so many amendments of the insurance laws have come to this House, and this is an Insurance Laws (Amendment) Bill. There is a specific provision in the legislative process. Kaul & Shakti is very specific that the title of the Bill should convey the message regarding the intent and content of the Bill which has to be explicitly given to the public or given to the people at large. So, the title should be clear enough while being drafted. But it is quite unfortunate.

I would like to quote Kaul & Shakti Page No. 587:

Every Bill has a title succinctly describing the nature of the proposed measure. Care is taken to see that the title is sufficiently wide to cover all the provisions of the Bill, and that it is not vague, for, otherwise it may invite amendments outside the scope of the proposed measure?

So, this is very clear. Now, coming to this Insurance Laws Bill, what is the relation of the Insurance Laws with the Sabka Bima Sabki Raksha? So, the title of the Bill has nothing to do with the contents of the Bill.

Now, I come to the contents of the Bill. Is 100 per cent FDI in the Life Insurance Corporation as well as in any insurance sector helping the poor people and the marginalized section of the society? So, 100 per cent FDI in the insurance sector is adversely affecting national interest. I have not got much time because merits are not to be discussed.

Another provision is regarding the commission of the Life Insurance Corporation agents and other insurance agents which will be determined by the Insurance Regulatory Development Authority of India according to the new provision. In the original Bill, it was to be decided by the Parliament and as per the rules and regulations made by the Parliament. But it is quite unfortunate to note that the Insurance Regulatory Development Authority of India is given the authority to describe and determine the commission of the LIC agents.

Even now, it is very well known to all, as several times I have also raised the issue of the LIC agents in the House, their commission has drastically reduced and thereby the number of LIC agents have come down like anything. The LIC agents are the backbone of the Life Insurance Corporation. But unfortunately, they have not been taken care of. In such a situation, the new Bill is not for insurance of the common people. It is not for the *suraksha* of the common people and the ordinary people. Therefore, I strongly object to it.

Another objection of mine is also there. I would like to seek a ruling. I would like to raise a point of order also in this regard. My point of order is in respect of Article 348 of the Constitution of India. I would like to have a ruling on this. I raise a point of order under Article 348 of the Constitution of India and the relevant provisions of the India's Official Languages Act of 1963. I seek your kind ruling on this important Constitutional aspect relating to the language in which the Bills are being drafted and introduced in Parliament. ? (*Interruptions*) I want a ruling. A specific ruling is required. ? (*Interruptions*) Sir, this point of order is not political in nature please. It goes to the constitutional validity, legislative discipline and legal certainty of parliamentary legislation.

Article 348 of the Constitution clearly provides that the authoritative text of the Bills to be introduced in either House of the Parliament and all of Acts passed by the Parliament shall be in English language, unless Parliament by law otherwise provides. This Constitutional mandate remains unchanged and binding on this House.

माननीय अध्यक्ष : माननीय सदस्य, आप इतने विद्वान् सदस्य है । आपको नियम 72 पढ़ना चाहिए ।

? (व्यवधान)

**SHRI N.K. PREMACHANDRAN** : Sir, this position is further reinforced by the India's Official Languages Act of 1963. ? (*Interruptions*) Whatever ruling is given by the hon. Speaker, we are ready to abide by it. But we would like to have a ruling on this.

Sir the position is further reinforced by the India's Official Languages Act of 1963, while the Act encourages the use of Hindi for Union official purposes, it expressly continues the use of English for Parliamentary business, including Bills and Acts. The Act permits Hindi translations to be supplied to Members of Parliament and to the public for convenience. But it does not authorize the mixing of languages or the insertion of Hindi words within the authoritative English text of the Bill. This is the clear provision in Article 348 as well as India's Official Languages Act of 1963.

In these circumstances, I strongly oppose the introduction of the Bill as well as I seek a ruling from the hon. Speaker regarding this constitutional position. This is not the interpretation of the Constitution. It is a constitutional mandate to be abided by this House. So, I want a specific ruling on this

माननीय अध्यक्ष : डॉ. टी. सुमति । क्या मैं इसका जवाब पहले दे दूँ? क्या आपका भी नियम 348 से संबंधित इश्यू है?

**DR. T. SUMATHY ALIAS THAMIZHACHI THANGAPANDIAN (CHENNAI SOUTH):** I have two different issues.

माननीय अध्यक्ष : क्या पहले नियम 348 पर जवाब दे दें ।

प्रो. सौगत राय (दम दम) : सर, मेरा भी नोटिस है । ? (व्यवधान)

माननीय अध्यक्ष : जिन लोगों के नोटिस हैं, वे नियम 72 पढ़ लीजिए । नियम 72 में अपनी बात संक्षिप्त में कह दें । मुझे लगता है कि सभी ने रूल पढ़ रखा है ।

डॉ. टी. सुमति ।

**DR. T. SUMATHY ALIAS THAMIZHACHI THANGAPANDIAN:** Sir, I rise to object to the introduction of the Bill on three grounds in pursuance of Rule 72 of the Rules of Procedure and Conduct of Business in Lok Sabha.

Amendment of Section 2C of the Bill to provide foreign Insurance companies an ultimate say in insurance business in India is against the sovereignty, unity and integrity of nation, and is a violation of constitutional provisions.

Amendment of section 2CA of the Bill, the insertion of clause (a) and (b) is against the interest of the national insurance companies as, it shall not apply to an insurer or insurance intermediary in any Special Economic Zone including International Financial Services Centres, set up under the provisions of the Special Economic Zones Act, 2005. It shall apply to the insurer or insurance intermediary in any Special Economic Zone including International Financial Services Centres, set up under the provisions of the Special Economic Zones Act, 2005, with such exceptions, modifications and adaptations as may be specified in the notification to facilitate 100 per cent foreign players in the insurance sector.

This is my objection. This is untenable and unjustifiable as it is against the Indian insurance sector.

In view of the above objections, I respectfully submit that the Bill is liable to be rejected at the very threshold, being beyond the jurisdiction of Parliament and violative of the Constitution of India.

**PROF. SOUGATA RAY:** Sir, under Rule 72(1) of the Rules of Procedure, I oppose the introduction of the Sabka Bima Sabki Raksha (Amendment of Insurance Laws) Bill, 2025. This is another example of Hindi-isation of legislation in this country. You give the name of the Bill in such a manner that Hindi becomes the ?introduction?, and then Government slogans are incorporated into the Bill. यह जो 'सबकी बीमा, सबकी सुरक्षा' है, यह सब गवर्नमेंट का स्लोगन है । यह बिल का लैंग्वेज नहीं होना चाहिए ।

Lastly, I want to say that in the insurance sector, we are actually working backwards. Pandit Jawaharlal Nehru nationalised the life insurance sector in 1956. Shrimati Indira Gandhi nationalised the general insurance sector in 1972. Now, we are moving in the reverse direction. Slowly, IRDA was set up in 1999, and now hundred per cent FDI in the insurance sector is being allowed. This is going to favour the corporates and not the common people and common insurers.

The rural population is still outside the ambit of insurance. I think this is a superfluous Bill. This is a backward-looking Bill, and, that is why, I oppose its introduction.

**SHRI T. M. SELVAGANAPATHI (SALEM):** Sir, this is the problem. This is exactly the core of the problem, where you name all your schemes, Acts and statutory measures in Hindi. This is the difficulty which we are facing now.

Sir, we oppose even the very name of the Bill ? Sabka Bima Sabki Raksha (Amendment of Insurance Laws) Bill, 2025. This Bill amends the Insurance Act, the LIC Act and the IRDA Act. I do not want to repeat what our learned friends Shri Premachandran, Dr. T. Sumathy and Prof. Sougata Ray have already stated.

Fundamentally, ours is a welfare State, where the Constitution, through its Directive Principles, directs the State to provide social security and healthcare to its citizens. Article 41 clearly says:

?The State shall, within the limits of its economic capacity and development, make effective provision for securing the right to work, to education and to public assistance in cases of unemployment, old age, sickness and disablement....?

This particular Bill completely dismantles this welfare aspect of our Constitution. Take, for example, the Employees' State Insurance Act, 1948. It is a statutory welfare legislation that mandates the Government to provide medical care to insured persons and their families, cash benefits during sickness, maternity and employment injury, as well as funeral and dependent benefits.

I would like to impress upon this Government that it should be rolling out more such welfare-oriented Bills, because State-backed social security for workers such as Accredited Social Health Activists, Anganwadi workers, under the Mahatma Gandhi National Employment Guarantee scheme, which is now going to be renamed RAM, auto-rickshaw drivers, taxi drivers, tailors, the under-privileged and the poor will be directly hit because of hundred per cent foreign investment. Therefore, we strongly object to the introduction of this Bill. It should be withdrawn.

एडवोकेट चन्द्र शेखर (नगीना) : अध्यक्ष महोदय, मैं नियम 72 के अंतर्गत इस विधेयक को प्रस्तुत करने की अनुमति दिए जाने के प्रस्ताव का विरोध करता हूँ । यह विधेयक अपने प्रारूप एवं विषय-वस्तु में संविधान के प्रावधान के प्रतिकूल है तथा प्रथम दृष्टया संवैधानिक रूप से दोषपूर्ण है, इसलिए इसे प्रस्तुत करने की अनुमति नहीं दी जानी चाहिए ।

अध्यक्ष महोदय, इसमें विधायी क्षमता का अभाव है । बीमा सामान्यतः यूनियन लिस्ट की एंट्री - 47 में है, लेकिन निम्न परिस्थितियों में विधायी क्षमता का प्रश्न उठता है । राज्य पर अनिर्वाय वित्तीय दायित्व डालता है, राज्य स वास्थ्य योजनाओं और राज्य बीमा ढांचे को बिना सहमति के बाध्य करता है, राज्य सूची, समवर्ती सूची के विषयों

में प्रत्यक्ष हस्तक्षेप करता है तथा यह संघीय ढांचे का उल्लंघन बनता है, जो संविधान की मूल संरचना का हिस्सा है ।

अध्यक्ष महोदय, यह अनुच्छेद -14 में दी गई समानता का उल्लंघन है । इसे यूनिवर्सल इंश्योरेंस कहा गया है, परन्तु न्यूनतम बीमा राशि तय नहीं है । लाभ असमान, अनिश्चित या विवेकाधीन है, ये इसे मनमाना कानून बनाते हैं ।

अध्यक्ष जी, अनुच्छेद 21 जीवन और स्वास्थ्य का अधिकार, स्वास्थ्य बीमा और अधिकार की तरह प्रस्तुत किया गया है, परन्तु कानूनी रूप से कोई परिवर्तनीय अधिकार नहीं है, कोई गारंटी लाभ नहीं है, तभी आर्टिकल 21 के सबस्टैंटिव प्रोटेक्शन को कमजोर करता है ।

अध्यक्ष जी, यह संघवाद का उल्लंघन है, लागत साझेदारी अस्पष्ट है, राज्यों में परामर्श का अभाव है, वित्तीय दायित्व का थोपा जाना, यह संवैधानिक संघीय ढांचे का उल्लंघन है । इसलिए मैं इसका विरोध करता हूं ।

माननीय अध्यक्ष : इसकी विस्तृत चर्चा बाद में करेंगे । अभी सिर्फ नियम 72 में विरोध किया जाता है । माननीय सदस्य श्री एन. के. प्रेमचन्द्रन ने आर्टिकल 348 का हवाला देते हुए यह विषय उठाया है कि संसद में पुरःस्थापित किए जाने वाले सभी विधेयकों का प्राधिकृत पाठ अंग्रेजी भाषा में होना चाहिए । इस संदर्भ में मैं सदन को यह बताना चाहता हूं कि ?सबका बीमा, सबकी रक्षा? बीमा विधि संशोधन विधेयक, 2025 का प्राधिकृत पाठ अंग्रेजी भाषा में ही है । इस विधेयक के नाम में हिंदी और अंग्रेजी दोनों भाषाओं के शब्दों का प्रयोग किया गया है । इस संदर्भ में मैं यह कहना चाहता हूं कि किसी भी सरकारी विधेयक के नाम का चयन करना मंत्रालय के अधिकार क्षेत्र में आता है ।

माननीय मंत्री जी, आप इस विषय पर कुछ बोलना चाहती हैं ।

श्रीमती निर्मला सीतारमण : सर, सभी विषयों पर बोलना है ।

माननीय अध्यक्ष : आप संक्षिप्त में इनका जवाब दे दीजिए ।

**SHRIMATI NIRMALA SITHARAMAN:** Sir, with due respect, I will address each of the points. Many of the issues raised are legitimately the issues that have to be part of the debate itself. To object to the introduction of the Bill is not necessary because you have given time for the discussion. ? *(Interruptions)*

श्री बी. मणिकम टैगोर (विरूधुनगर) : सर, यह आपका अधिकार है ।

श्रीमती निर्मला सीतारमण : सर, अधिकार के बारे में ही बात करते हुए, since hon. Speaker has asked me to say a few words on it, I am saying. Everything is subject to the direction given by the Chair. I am also subject to the direction given by the hon. Speaker. ? *(Interruptions)* Sir, since you have given me permission, I am going to answer. ? *(Interruptions)*

There is no need to shout me down. It is on the call of the hon. Speaker that I have got up to give some comments on this. ? *(Interruptions)*

सर, मैं आपकी अनुमति से बोलने के लिए खड़े होकर अपने पॉइंट ऑफ व्यू पर बोल रही हूँ। आज इस हाउस में ऐसे हालात नहीं होने चाहिए। मैं आपका प्रोटेक्शन चाहती हूँ। मंत्री हों या मेंबर्स हों आपके संरक्षण के अनुसार ही हम चलते हैं। आपके प्रोटेक्शन के कारण ही हम आगे बढ़ते हैं, क्योंकि आपने मुझे बोलने का मौका दिया, इसलिए I have to say a few things. Many of the points are very much a part of what the discussion could be on. At the introduction stage itself, there are questions about legislative competence and I do not think there is a question on the legislative competence of the Government to bring this into this House.

Secondly, there are points which the hon. Members have raised which can be part of the discussion. For example, hon. Member Shir N.K. Premachandran talked about commissions for LIC agents. It is very much a part of what we are going to discuss. Let me even give one point on that. Fixing commission for LIC agents is already a part of the regulator in the sense that it fixes the upper cap and below which is what the agents are given to collect. They are not to go beyond the upper cap. Is it not already with the IRDAI? Everything is subject to discussion. Everything under your guidance will go either into the records or not. Everything under your direction will be either acceptable or not.

Hon. Member Shri Selvaganpathi talked about welfare measures, insurance etc. Let me say this, and I am sure this is also going to have a lot of voices of protest, that if anyone thought of common citizens' insurance at a mass scale, it was the Prime Minister Shri Narendra Modi. Where did the Jeevan Jyoti Bima Yojana come from? Where did the Atal Pension Yojana come from? These are common people's insurance coverage schemes being given at a very nominal premium. ?  
(Interruptions)

That has been given by the hon. Prime Minister. That is his scheme. All these are included as a scheme by the hon. Prime Minister. Today, they want to talk about the welfare measures and insurance. They are very welcome to talk.

I would say more about what the hon. Prime Minister, Shri Modi did because of financial inclusion. ? (Interruptions) That is the reason why in this country, during COVID also, we could give insurance coverage to people. So, there are every one of them which are subject to the discussion of this Bill, rather than questioning the introduction itself.

माननीय अध्यक्ष : शाम को चार बजे जब इस पर चर्चा करेंगे, तब डिटेल में चर्चा होगी।

? (व्यवधान)

माननीय अध्यक्ष : आज ही करेंगे ।

? (व्यवधान)

माननीय अध्यक्ष : प्रश्न यह है :

?कि बीमा अधिनियम, 1938, जीवन बीमा निगम अधिनियम, 1956 और बीमा विनियामक और विकास प्राधिकरण अधिनियम, 1999 का और संशोधन करने वाले विधेयक को पुरःस्थापित करने की अनुमति प्रदान की जाए ।?

प्रस्ताव स्वीकृत हुआ ।

**SHRIMATI NIRMALA SITHARAMAN:** Sir, I introduce\*\* the Bill.

---