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Title: Introduction of the Aadhaar (targeted delivery of financial and other subsidies, benefits and services) Bill, 2016.

THE MINISTER OF FINANCE, MINISTER OF CORPORATE AFFAIRS AND MINISTER OF INFORMATION AND BROADCASTING (SHRI ARUN JAITLEY): Madam, Speaker, I rise to move for leave to introduce a 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....(*Interruptions*)

HON. SPEAKER: Motion moved:

"That leave be granted to introduce a 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. "

...(*Interruptions*)

HON. SPEAKER: I have allowed him. मैं परमिशन दे सकती हूँ।

...(*Interruptions*)

SHRI JYOTIRADITYA M. SCINDIA (GUNA): Yes, Madam, but the fact is that it was introduced earlier by the UPA Government....(*Interruptions*)

माननीय अध्यक्ष : वह बिल इंट्रोड्यूस ही कर रहे हैं। आप बिल इंट्रोडक्शन पर ऐसा क्यों कर रहे हैं?

â€!(*व्यवधान*)

SHRI JYOTIRADITYA M. SCINDIA: Madam, earlier also it had been introduced by the UPA Government. It had gone to the Standing Committee. Various recommendations had come in. It must not be introduced as the Money Bill.

माननीय अध्यक्ष : अभी वह बिल इंट्रोड्यूस कर रहे हैं।

â€!(*व्यवधान*)

SHRI JYOTIRADITYA M. SCINDIA : It must go to both the Houses of Parliament. Madam, 92 crore people are involved....(*Interruptions*)

HON. SPEAKER: But today he is introducing only.

SHRI N.K. PREMACHANDRAN (KOLLAM): It should go to the Standing Committee. It was not even listed in the BAC also....(*Interruptions*)

HON. SPEAKER: He is introducing only.

SHRI JYOTIRADITYA M. SCINDIA: Madam, the fact is that it is being introduced as a Money Bill. It should be introduced as a...(*Interruptions*)

HON. SPEAKER: He is introducing it

SHRI JYOTIRADITYA M. SCINDIA: But, Madam, we have an objection to the introduction of the Bill....(*Interruptions*)

HON. SPEAKER: But, he is only introducing it.

...(*Interruptions*)

HON. SPEAKER: I do not understand it. आप बिल इंट्रोड्यूस भी नहीं करने देंगे।

â€!(*व्यवधान*)

SHRI MALLIKARJUN KHARGE (GULBARGA): We are ready to cooperate with that Bill but he should not introduce it as a Money Bill.

माननीय अध्यक्ष : उन्होंने अभी बिल इंट्रोड्यूस किया है।

â€!(*व्यवधान*)

SHRI MALLIKARJUN KHARGE: To avoid Rajya Sabha, the Government is taking it as a Money Bill....(*Interruptions*)

HON. SPEAKER: The question is:

"That leave be granted to introduce a 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. "

*The motion was adopted.*

SHRI ARUN JAITLEY: Madam, I introduce\* the Bill.

...(Interruptions)

माननीय अध्यक्ष : अभी उसका कोई सवाल नहीं है।

â€!(ब्यवधान)

SHRI MALLIKARJUN KHARGE : It seems you do not want the cooperation of the Opposition....(Interruptions)

SHRI DINESH TRIVEDI (BARRACKPUR): If it is going to be introduced as a Money Bill Rajya Sabha becomes irrelevant....(Interruptions)

HON. SPEAKER: Please take your seats. He has only introduced the Bill.

...(Interruptions)

HON. SPEAKER: What is your objection?

SHRI N.K. PREMACHANDRAN: Madam, the Bill has not been circulated so far....(Interruptions)

SHRI MALLIKARJUN KHARGE: Madam, I would like to have one clarification. Hon. Minister may tell us whether this is a Money Bill or not. ... (Interruptions) You make your intentions clear. This itself show that you want to avoid Rajya Sabha.

SHRI ARUN JAITLEY: Madam, this Bill is substantially and significantly different from the Bill that my learned colleagues are talking about. The principal purpose, the pith and substance, of this Bill is that whoever gets the benefits of any form of Government subsidies Aadhaar Card production may be necessary. It is on expenditure of the Government exclusively. All such Bills in the past have been Money Bills. Workmen (Injuries) Act has been a Money Bill. Juvenile Justice Bill, introduced in 1986 by their Government, was a Money Bill. I can give a whole list of them. This is strictly in accordance with Article 110. I have introduced the Bill. It is for the hon. Speaker to now examine it and certify whether it is a Money Bill or not and that ruling is final....(Interruptions)

SHRI MALLIKARJUN KHARGE: Madam, there was clause-by-clause consideration of the Bill in the Standing Committee....(Interruptions)

SHRI ARUN JAITLEY: When you were in power no Money Bill was ever introduced. Is that your case? There is a scheme of a Money Bill. There is a particular methodology of a Money Bill. It has to satisfy the ingredients of the Money Bill... (Interruptions) I do not know how the Juvenile Justice Bill was considered as a Money Bill.

SHRI BHARTRUHARI MAHTAB (CUTTACK): As per Rule 72 (1):

"If a motion for leave to introduce a Bill is opposed, the Speaker, if thinks fit after permitting brief statements from the Members who oppose the motion and the Member who moved the motion may without further debate put the question. "

A proviso is also there. I had also intended to give a notice, before or after the introduction of the Bill, contesting the introduction of the Bill. But actually I would be very frank today and say that I could not give the notice before 10 o'clock. I asked Saugata da whether he has given a notice or not. He is not present here. It is because many a time both of us consult each other. But it all depends on the Chair to allow us to speak a few words on this Bill because this Bill has been a point of contentious issue for the last many years as Jyotiradityaji has mentioned.

This Bill was introduced during UPA time and it had been referred to the Standing Committee. The Standing Committee had come out with a number of objections. As far as I remember, this Bill also is a part of the Rajya Sabha and whether it has been withdrawn or not, we are not aware. It was supposed to be withdrawn today. That is what the Rajya Sabha agenda had said.

Today, the basic concern was being expressed about Aadhaar Number because that was the issue which went to the Supreme Court. The legality of this went to the Supreme Court. The Supreme Court, of course, gave a judgement. But the major issue was whether the Aadhaar number be an evidence of citizenship or domicile. That was a point of concern and that has been mentioned in this Bill.

The other concern to my mind was whether adequate firewall has been created to protect the privacy of every citizen. I still have my doubt. Then its legality also comes in view that if I am not interested to be a part of this scheme of things, I will be denied a number of things that will be provided through this number.

माननीय अध्यक्ष : लोक सभा में हमें कुछ नहीं मिला।

â€!(ब्यवधान)

SHRI BHARTRUHARI MAHTAB: I am not going into its merits but I am saying that I will be denied my right. That is the point of concern. I think on

that basis, this Bill needs to be clarified.

SHRI ARUN JAITLEY: Madam, may I just clarify Mr. Mahtab's point? This Bill is significantly different from the earlier Bill. This Bill confines itself only to governmental expenditure and that the real beneficiaries must get governmental expenditure. There is a clear ruling in regard to a machinery for either collection of money or spending money. There is a clear ruling of Mr. Mavalankar from this Chair that merely because a machinery is provided which will verify this does not make a Bill, cease to be a Money Bill. It will continue to be a Money Bill because you cannot have any Bill which only has one provision either a taxing provision or a spending provision. A machinery will have to be provided for how is the money to be spent. Therefore, Mr. Mavalankar, as Speaker, said that under article 110 merely because a machinery is provided it does not cease to be a Money Bill.

Now we examined every fact and both the points which Mr. Mahtab has raised. Section 9 says that this Aadhaar Number will not confer any citizenship. There is a categorical declaration in the Bill. Under Section 28 security and confidentiality of information has been squarely addressed. Therefore, the grounds of privacy on which it was challenged has already been addressed in this particular Bill. All that the Bill says is that if you want the benefit of a Government subsidy, the Government can ask you to produce an Aadhaar Number. That is all it says.

SHRI BHARTRUHARI MAHTAB: But Section 33 is still a point of concern.

HON. SPEAKER: First thing is that nobody has given any notice. Now the Bill has already been introduced.

...(Interruptions)

SHRI MALLIKARJUN KHARGE: I had written a letter to Naiduji yesterday evening. The Members of other House have also written letters to Naiduji. So instead of bringing additional agenda, they could have brought it in the routine course.

HON. SPEAKER: That is my prerogative. I have allowed him. आपने मुझे पत्र नहीं दिया था और मैंने एलाऊ किया है।

â€¦(व्यवधान)

श्री मल्लिकार्जुन खड़गे : वह इंट्रोड्यूस करना है। विजनस एडवाइजरी कमेटी में नहीं हुआ।...(व्यवधान)

माननीय अध्यक्ष : इंट्रोड्यूस हुआ है। It has only been introduced.

THE MINISTER OF URBAN DEVELOPMENT, MINISTER OF HOUSING AND URBAN POVERTY ALLEVIATION AND MINISTER OF PARLIAMENTARY AFFAIRS (SHRI M. VENKAIAH NAIDU): Madam Speaker, it is a fact that Khargeji wrote to me. But the point is that the Bill was circulated earlier and then it is introduced today. Now it is over. You can discuss about the merits when the Bill is taken up for consideration. It is a question of saving of Rs. 20,000 crore to the country. Let us wait...(Interruptions)

SHRI ARUN JAITLEY: I will give a list to Shri Kharge when his Party was in power. The Juvenile Justice Bill, 1986. It was a Money Bill. African Development Bank Bill, 1983, it was a Money Bill. Workmen Injury Compensation 1963 was a Money Bill. Please look into your own track record. This is a Bill which is a textbook example of squarely being a Money Bill because it only deals with Government expenditure...(Interruptions)

HON. SPEAKER: It is my prerogative. मैंने सहूलियत दी है कि रूल को मानते हुए इंट्रोड्यूस किया जा सकता है, आप में किसी ने मुझे पहले नोटिस नहीं दिया था फिर भी मैंने ऑब्जेक्शन उठाने के लिए एलाऊ किया। I have given the permission that the hon. Minister can introduce the Bill. अभी बिल इंट्रोड्यूस हुआ है, इसके बाद मनी बिल का ववेधन उठा है, I have to decide about that. मैंने देखा है। प्रेमचन्द्रजी बैठिए, अभी कोई बात नहीं चल रही है।

#### MATTERS UNDER RULE 377 \*

HON. SPEAKER: Matters under Rule 377 shall be laid on the Table of the House. Hon. Members they can place their submissions on the Table of the House.