

RAJYA SABHA

***SUPPLEMENT
TO
SYNOPSIS OF DEBATE**

(Proceedings other than Questions and Answers)

Wednesday, September 23, 2020 / Asvina 01, 1942 (Saka)

GOVERNMENT BILLS

**#3. THE OCCUPATIONAL SAFETY, HEALTH AND WORKING
CONDITIONS CODE, 2020 - *Contd.***

#4. THE INDUSTRIAL RELATIONS CODE, 2020 - *Contd.*

#5. THE CODE ON SOCIAL SECURITY, 2020 - *Contd.*

SHRI VIVEK THAKUR: As we may say, 'United we stand and divided we fall.' It is most often said to inspire unity and collaboration. Its core concept lies in the collectivist notion that if individual members of a certain group work on their own instead of as a team, that is doomed to fail. Everyone has to work unitedly to build a new India, the Aatmanirbhar Bharat. Workers and employees are the two pillars of our national economy. Workers are the dominant partners in the industrial undertakings and without their cooperation, the industry can't survive. It can't be denied that the labour has a vital role in increasing productivity and the Government has to create conditions in which workers can make their maximum contributions towards this objective. In this connection, the social and economic upliftment of the

* This Synopsis is not an authoritative record of the proceedings of the Rajya Sabha.

Discussed Together.

labour is very important for securing industrial peace and economic growth. By simplifying multiple laws only into three codes, the country under the guidance of hon. Prime Minister, Narendra Modi is moving towards 'One Nation One Code' or we could also say 'One Country One Licence'. The Occupational Safety Code envisages safety standards for different sectors focussing primarily on health and working conditions; ventilation, drinking water; hours of work, over-time hours, leave, holidays; welfare provisions like canteen, crèche, rest rooms, first-aid, etc. This Code facilitates the ease of doing business and ensures minimisation of registration and compliances. The Code expands the ambit to cover a large set of establishments and enhances the coverage of safety and health provisions to all sets of establishments, including the service sector. The Code provides for special provisions for inter-state migrant labourers and streamlines management of contract labour. We saw how the people from the rural areas and the labourers who returned to their places showed so much faith in our Prime Minister. It was wonderful to see that they were satisfied with all the decisions taken by the Central Government for them, whether it is the matter of sending them to their native places or it is about providing food to them under garib kalyan yojna or, for that matter, it is the matter of one nation, one card. The Code encompasses a special provision relating to employment of women. Codification of above labour laws by consolidation of relevant provisions at one place aims at facilitating implementation and removing multiplicity of definitions and authorities without compromising the available safeguard. It also includes a provision that a fixed-term employee will get all statutory benefits like social security, wages, etc., at par with the regular employees who are doing work of same or similar nature. This will certainly enhance trust between the employer and employees and will enhance productivity and credibility. I would like to throw some light on the Code on Social Security. This Code replaces nine laws related to social security. The Code also proposes to extend the coverage of Employees' State Insurance to all establishments employing ten or more employees and to the employees working in establishments with less than ten employees on voluntary basis and also to plantation-related industries like tea, coffee, spices, etc. The Government also aims to frame social security schemes for gig workers and workers in unorganized sectors. Everyday in our daily lives we are seeing delivery boys and

girls of Zomato, Swiggy, Amazon, Flipkart or the Ola-Uber drivers. Even this class has been covered under it which was untouched so far. It is a very innovative initiative. The Code has proposed the establishment of several bodies to administer the schemes. This Code envisages to include a vast segment of workers within the ambit of social security schemes. With such a comprehensive decision taken, we could say that the country is moving towards 'One Code One Nation'. The labour laws should foster an enabling environment so far as employment practices are concerned. It is indeed necessary to develop a consensus on labour issues rather than continuing with an ad hoc approach to amend a few provisions of labour laws just to please the industry. The new codes will surely enhance the trust of labour, industry and investor and propel productivity and economic growth. The world order and alliances are set to change post Corona. It is a hard fact that we are going to see. It is going to be a race to corner space in the new world development story and the new initiatives or labour reforms are gearing the youthful India to be not just a part of this race, but to win the race with a humane approach.

SHRI SUBHASH CHANDRA SINGH: This Code does not specify many of the provisions in the earlier Acts such as guaranteed access to drinking water, canteen, washrooms, etc. All have been left to be carried out by delegated legislation, through rules. A minimum corpus of health and safety standards could have been defined in the Code. It allows both the Central and the State Governments to exempt by notification any establishment from the provisions of this Code. Growth in economic activities cannot be at the cost of suspension of basic health and safety standards. The Central Government can appropriate everything to itself. 'Public health and safety' is a subject in the State List and the State Governments' power to make laws must not be encroached upon. The Code provides for Inspector-cum-facilitator. Calling these personnel 'Directors' instead of 'Inspectors' may be apposite. The minimum threshold of wage must be increased from Rs. 15,000 to Rs. 30,000. Also, helplines must be incorporated at the Central level like shramik sahayata helpline, labour help desk, seasonal hostels for the children of migrant workers, strengthening of anti-human trafficking units, etc. Security Code mandates Aadhaar which is not very user-friendly. Law must be user-friendly. This Code encroaches upon the powers of States. The Central Government has

been given powers under the new Code to appoint any other authority. Under the Industrial Code, the Central and State Governments have been provided powers to modify or reject an award issued by a tribunal on public interest grounds and grounds of social justice. History stands testimony to the fact that such previous legislations have been overruled by the High Courts. The new Code dilutes the provision of strikes. The provision of fixed term contract indefinitely is also bothersome. The Code grants the employer unfettered powers to suspend an employee on grounds of misconduct without providing notice. There are discrepancies in Code which deals in registration of trade unions. The notes attached with the Code provide that reasons should be given both for refusal and cancellation of registration. However, the main text only provides for reasons to be given only for cancellation and not refusal. The notes also provide for the process of approval or refusal within 45 days, however, the main text is silent on any such timeline. The three Codes are a welcome move towards a necessary change in labour laws. However, the issues pertaining to the three Codes must be relooked into so as to ensure better implementation. The Government must address the issues in advance and make the law efficient and effective.

SHRI RAM CHANDRA PRASAD SINGH: I support these three Bills. These three Codes contain 25 laws. Now these definitions, authorities, working conditions and issues of safety etc. have been included in the Codes. This will have a very good impact on the labour sector. Health is most important in this. Toxic environment, materials and gases in industrial sector cause illnesses to workers. Therefore, all issues related to these have to be resolved. This will be a win-win situation for employers and employees. In the coming time, the entire industrial environment will become better. Now there will be a conducive working environment for people in manufacturing and service sectors.

SHRI S.R. BALASUBRAMONIYAN: The threshold number of workers in an establishment may be retained at 100 only for the purpose of taking permission of the Government before starting retrenchment, closure, etc. Strike and lockout are now proposed to be prohibited in any establishment without giving notice of fourteen days. In respect of the establishment not being a public utility, the strike notice period may be reduced to three or four days. Adjudicating

bodies like Court of Inquiry, Board of Conciliation and Labour Courts are replaced by the Industrial Tribunal in the draft Code. Normally, the Industrial Tribunals are situated only in the State headquarters. Hence, now the workers will have to travel frequently to the High Court to attend the cases spending time and money. In the draft Code, outside office-bearers in a trade union have been restricted to two or twenty-five per cent, whichever is less. So, the bargaining capacity of the trade union will be curtailed. Representatives of the trade unions with ten per cent of the total workers can take part in the negotiation process. This provision will adversely affect the participation of small trade unions. Hence, the restriction of ten per cent needs to be removed.

SHRI KANAKAMEDALA RAVINDRA KUMAR: The Occupational Safety, Health and Working Conditions Code seeks to combine thirteen laws relating to factories, mines and so on and so forth. On the health and safety related matters, the Code has so articulated the provisions as the workers and the unions cannot assert their opinions for proper enforcement or establish the accountability of the employers for violation. The Code leaves the constitution of the Safety Committee to the notification process of the appropriate Government. The Code requires the employers to seek prior consent from the workers to perform overtime. It is a good move. This Code requires every employer to issue an employment letter but does not stipulate a remedy in case of its non-compliance. With regard to the Industrial Relations Code, this legislation subsumes within it three Central labour laws and provides a comprehensive Code. I am concerned with the only one adjudicating body at appeal level. It will not be effective in resolving the labour disputes. And the prolonged dispute resolution will defeat the very purpose of rendering justice and welfare to the labourers across the country. The changed definition of 'wages' would have an impact on the quantum of compensation payable to a worker in the event of retrenchment or closure. Also, the Code provides for the recognition of trade unions as the bargaining agent. But the requirement of the support of 75 per cent of the workers for recognition as a sole negotiating agent is too high. Under the Industrial Relations Code, workers in all industrial establishments are required to give notice of a minimum of 14 days and a maximum of 60 days before going on a strike. Upon giving such a notice, conciliation proceedings are deemed to have commenced and the strike cannot continue during

the pendency of conciliation proceedings and adjudication proceedings. This would make it difficult for workers in any industrial establishment to go on a legal strike. There is no provision requiring reference of industrial disputes for adjudication. However, in case of disputes of national importance, the Central Government needs to refer the dispute for adjudication by the National Industrial Tribunal. The Government should give information about vacancies being actually notified. If cess is properly collected, it should be maintained accurately and disbursed for construction workers who suffered during COVID-19 pandemic. The apprehensions of the trade unions in the country are with regard to proper security of the crores of workers. I urge upon the Government to remove these apprehensions.

SHRI RAKESH SINHA: All these three codes are symbiotic. The provision of one Code should be viewed along with the provision of another Code. This is a historic occasion when the House of Parliament is holding a discussion on 60 crore workers. This is important because the laws made in the years 1923, 1926, 1946, and 1952 are being reviewed again. 174 recommendations made by the Standing Committee on these were accepted. Now Industrial Dispute Act has been amended. Important basic changes have been made in trade union organizations by this Code. Until now, there was a lack of democratization in trade union organizations, which has been overcome. These three Codes are a golden opportunity for the Indian labour movements. These have increased the bargaining capacity of the workers. These are highly inclusive codes. In these Codes all workers have been given equal status and they have been given the rights which used to be the rights of workers of organized sector. These three Codes ended the discrimination prevailing in the wages of contract workers. The next important change is social inclusiveness. By eliminating gender discrimination, female workers have been given the same rights as are available to male workers. Provisions for equal opportunity, equal scope of work, equal remuneration have been made in this Code. Now, no contract labourers will depend on anyone's mercy. It would not be fair continuously engaging a casual worker as a casual one for more than one year. Now the informal sector workers will be registered by the committee constituted at local level and not by the Department of Labour.

THE MINISTER OF ENVIRONMENT, FOREST AND CLIMATE CHANGE; THE MINISTER OF INFORMATION AND BROADCASTING AND THE MINISTER OF HEAVY INDUSTRIES AND PUBLIC ENTERPRISES (SHRI PRAKASH JAVADEKAR): These Bills guarantee salary security, social security and health security. 70 Central Labour Laws have been merged in four Codes. This will provide prompt and good justice to the workers. All the workers will get minimum wages and payments on time. Male and female workers will get equal pay and every worker will get appointment letter. Every year, free health check up will be done for every worker. Migrant labourers will get migration allowance from their employers once every year to go their homes. Migrant labourers will get ration in their workplace. Moreover, social security fund will be created for the unorganized sector and women workers will be allowed to work at night. However, their security and the transportation for them will be arranged by the employers. Even if the building workers go anywhere, they will continue getting the benefit of building construction fund. Provisions for voluntarily linkage of institutions with less than ten labourers with ESIS have been made. Cases of labourers will be settled within a year and they will get justice. This is also an important step.

THE MINISTER OF STATE IN THE MINISTRY OF SOCIAL JUSTICE AND EMPOWERMENT (SHRI RAMDAS ATHAWALE): These Bills are quite revolutionary and provide justice to all workers. My only suggestion is that a new law should be enacted to discontinue the contract system. Provisions have also been made to provide health and social security to the workers through these Bills. I support these Bills.

THE MINISTER OF STATE OF THE MINISTRY OF LABOUR AND EMPLOYMENT (SHRI SANTOSH KUMAR GANGWAR), replying to the debate, said: In the year 2003 it was decided that four or five laws should be made merging the various labour laws existing at that time. After that, this process was implemented in the year 2014 and in the first session of this Lok Sabha, the Government passed the first Bill, the Code on Wages and the remaining three Bills are proposed here today. Our Government always adheres to the principle of 'Shramev Jayate'. The

Government is committed to improve the lives of workers. For this purpose, the Government has always strived better security for workers, protection of the working environment, social security and to establish speedy dispute and settlement system. Along with making women self-reliant, efforts have been made to increase maternity leave from 12 weeks to 26 weeks, to expand the ambit of EPF and ESIC, to ensure portability of various welfare facilities and to increase the minimum wage. About 30 percent of India's 50 crore workers had the legal right to minimum wages. The Government has removed this anomaly. Another important aspect of labour safety is to give him a safe working environment, which can protect his health and can lead a happy life. The government has not withdrawn the right of any workers to go on strike. The obligation of 14 days' notice has been implemented for every institution before going on strike. 'Shramik' is the subject of concurrent list and the respective state governments also have the right to change the labour laws according to their circumstances. The Parliamentary Standing Committee also recommended that this limit be increased to 300. Changes in this one provision will motivate investors to set up large factories in the country. There will be more employment opportunities for workers in our country. Special provisions have been made to strengthen the rights of migrant workers in the scenario of Covid-19. In addition to it, the provisions have been made to create databases for migrant workers, portability of their welfare schemes. I hope that all hon'ble members will unanimously support the effort of the Government.

The motion for consideration of the Bills were adopted.

Clauses etc., were adopted.

The Bills, were passed.

6. The Jammu and Kashmir Official Languages Bill, 2020

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI G. KISHAN REDDY): I move that the Bill to provide for the languages to be used for the official purposes of the Union territory of Jammu and Kashmir and for matters connected therewith or incidental thereto, as passed by Lok Sabha, be taken into consideration.

***SHRI SHAMSHER SINGH MANHAS:** In Jammu & Kashmir, only Urdu and English were the languages till now; these two languages were used in J&K till now. Sir, in 1885 and even prior to it, Persian language was spoken and written in Jammu & Kashmir. After ignoring Kashmiri, foreign origin languages like Arabic and Irani were utilized along with Urdu as official language, and this is the root cause of many problems that we witness in J&K today. I want to speak and write in it and especially, it has been included in the 8th Schedule. Secondly, after this is the language of Jammu i.e. the Dogri language. There are 50 lakh dogri people who speak Dogri and remember our former Prime Minister, Hon'ble Shri Atal Bihari Vajpayi ji who in 2001 brought our Dogri language under the ambit of 8th Schedule. For all this discrimination, this segregation, this biased attitude that we all have witnessed for the last 70 years, who is responsible for this and what were the reasons. Whether the Government of the day was there only for Shri Ghulam Nabi Azad Saab knows Kashmiri language also but he has not got Kashmiri language included there. Shri Karan Singh ji who continuously led the state of J&K since 1947 even he did not thought about this that Dogri should be made the official language. Today is 23rd September and this is the birth anniversary of Late Maharaja Shri Hari Singh Ji. A big agitation is going on in Jammu for the last few years that a holiday is announced to mark the occasion of his birthday. Dogri language was implemented way back by Maharaja Ranbir Singh in his tenure. All the administrative work in the entire J&K was done in Dogri. Today not only in J&K but in the entire country, Hindi is spoken by the majority. Dogri is our mother tongue. If Hindi is our mother then Dogri is our grandmother. The link between mother and grandmother was broken by ignoring these languages. Now by implementing and including Hindi also, an effort has been made towards national integration. And by including Dogri language, they have integrated whole province of Jammu with the mainstream and similarly by admitting Kashmiri they have made a strong effort towards integration of Kashmir province with India. I would like to request for declaration of a holiday on the birth anniversary of Maharaja Hari Singh ji and

* Spoke in Dogri.

especially for Dogri of Jammu which is spoken by more than 50 lakh people. Languages which are native and local are integral to our country and are helping the nation in its progress.

SHRIMATI MAMATA MOHANTA: Through this Bill, Kashmiri, Dogri, Urdu, Hindi and English languages will be declared as the official languages of Jammu and Kashmir. In Jammu and Kashmir, a large number of people speak Kashmiri, Hindi and Dogri. The Central Government has taken several steps to bring Jammu and Kashmir, which operates as a Union Territory, into the mainstream of development. Jammu and Kashmir is the pride of our India. These three languages can definitely become a means of bringing Jammu and Kashmir into the national mainstream. I support this Bill.

SHRI NARESH GUJRAL: It is unfortunate that Punjabi is not being included in this Bill as an official language in J&K. The House would recall that Jammu and Kashmir was a part of Maharaja Ranjit Singh's empire. In the Constitution of J&K, Punjabi was there as an official language. In the Census of 1971, there were 13 lakhs Punjabis settled in J&K and this language was being taught in schools along with Urdu and Hindi. I have personally seen in J&K that there were street signs on the roads in Punjabi till almost 1980. I would once again urge the Minister to reconsider this.

MIR MOHAMMAD FAYAZ: There is a need to win the trust, development and togetherness of the people of Jammu and Kashmir. I come from Baramulla, Kupwara district. There are about two lakh Gojri, Pahari and Punjabi people living there. My only request is that these three languages, Punjabi, Gojri and Pahadi, be included in Vikas, Vishwas and Sabka Saath.

THE MINISTER OF STATE IN THE MINISTRY OF SOCIAL JUSTICE AND EMPOWERMENT (SHRI RAMDAS ATHAWALE): Jammu and Kashmir and Ladakh are progressing well after the removal of Article 370. Narendra Modi's government has brought this Bill to give official status to the local language, Dogri and Kashmiri. We like Dogri and Kashmiri languages. I support this Bill.

SHRI SURENDRA SINGH NAGAR: In the absence of language, a social and strong society also lags behind and language itself provides perfection to the society. The Bill also talks about

promoting regional languages. In particular, it has also been advocated to promote Gojri, Pahari and Punjabi languages in terms of population in the vicinity of the border where these languages are well understood.

The hon'ble Minister, replying to the debate, said: The Jammu and Kashmir Official Language Bill, 2020 has been proposed respecting the aspirations of the people of that region and their demands for decades. It is an important fact that most people of the federal territory of Jammu and Kashmir speak and understand these languages. Since 1954, Jammu and Kashmir had two official languages. In the last seven decades, the number of people speaking the official language established in Jammu and Kashmir was very small in proportion to the total population. In Jammu and Kashmir province, 74 per cent people speak Kashmiri and Dogri languages. There is an old demand of the people of Jammu and Kashmir that Kashmiri and Dogri languages should be declared as official languages. For 70 years, 74 per cent people of Jammu & Kashmir speaking this language have been deprived. Based on the census of year 2000, Urdu language which is spoken by only 1 per cent people has also been given official status as well. The Modi government has brought this proposal today to rectify this mistake of 70 years and this injustice. The Jammu and Kashmir Official Language Bill, 2020 is an attempt to correct this imbalance. According to the 2011 census, the number of people speaking Hindi language in the present union territory of Jammu and Kashmir is 2.30 per cent. Therefore, Hindi has also been included in the proposed Jammu and Kashmir Official Language Bill, 2020. The English language is required to be included as a language in the proposed Bill. Special provisions for promotion and development of local languages have been put in this Bill. On behalf of the Prime Minister, I assure you that no stone will be kept unturned to fully develop Punjabi, Gojri and Pahari language. Therefore, giving priority to Punjabi language, the Modi government is committed to taking Gojri, Pahari language along, on every subject simultaneously. A provision has been made to encourage regional languages in the New Education Policy, 2020.

The motion for consideration of the Bill was adopted.

Clauses etc., were adopted.

The Bill, was passed.

#7. The Appropriation (No. 3) Bill, 2020

#8. The Appropriation (No. 4) Bill, 2020

THE MINISTER OF FINANCE AND THE MINISTER OF CORPORATE AFFAIRS (SHRIMATI NIRMALA SITHARAMAN): I move that the Bill to provide for the authorization of appropriation of moneys out of the Consolidated Fund of India to meet the amounts spent on certain services during the financial year ended on the 31st day of March, 2017, in excess of the amounts granted for those services and for that year, as passed by Lok Sabha, be taken into consideration.

I also move that the Bill to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of India for the services of the financial year 2020-2021, as passed by Lok Sabha, be taken into consideration.

The motion for consideration of the Bills, were adopted.

Clauses etc., were adopted.

The Bills, were returned.

VALEDICTION

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 Corona virus 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 during 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 the Question Hour besides reducing the Zero Hour to half-an-hour. A total of 198 Members participated in the discussions 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 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. I would like to 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'ble Members will uphold the dignity of the House by complying with the laid down Rules and Procedures. If you were to 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 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 perforce 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. 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'ble Leader of the Opposition, Shri Ghulam Nabi Azad ji, 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 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 and would like to put on record my appreciation of the efforts made by all these people. I would 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 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 should be followed. 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, 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, 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, Vijayadashami, 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 remember these things. Then, I have nothing more to add. Jai Hind!

(The National Song, “Vande Mataram” was played.)

The House adjourned sine die.

Desh Deepak Verma,
Secretary-General.

rssynop@sansad.nic.in

**ERRATA TO THE SYNOPSIS OF DEBATE
DATED 23rd SEPTEMBER, 2020**

Page No.	Line No.	Correction
267	25	Read "used to be" for "was"
272	17	Delete "in it" after "card".
272	18	Read "can" for "will"
274	9-10	Delete "derivatives in particular" after "products".
276	20	Read "Minister" for "Member".