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Title: Introduction of the Pension Fund Regulatory and Development Authority Bill, 2011.

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI NAMO NARAIN MEENA): Madam, on behalf of my senior colleague, Shri Pranab Mukherjee, I beg to move for leave to introduce a Bill to provide for the establishment of an Authority to promote old age income security by establishing, developing and regulating pension funds, to protect the interests of subscribers to schemes of pension funds and for matters connected therewith or incidental thereto.

MADAM SPEAKER: Motion moved:

"That leave be granted to introduce a Bill to provide for the establishment of an Authority to promote old age income security by establishing, developing and regulating pension funds, to protect the interests of subscribers to schemes of pension funds and for matters connected therewith or incidental thereto."

SHRI BASU DEB ACHARIA (BANKURA): Madam, I am demanding Division on this Bill.

THE MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS, MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS AND MINISTER OF STATE IN THE PRIME MINISTER'S OFFICE (SHRI V. NARAYANASAMY): Why are you creating problem for the introduction of the Bill?

SHRI BASU DEB ACHARIA : We oppose the introduction of the Bill.

THE MINISTER OF PARLIAMENTARY AFFAIRS, MINISTER OF SCIENCE AND TECHNOLOGY AND MINISTER OF EARTH SCIENCES (SHRI PAWAN KUMAR BANSAL): On what ground? What have you said?

SHRI BASU DEB ACHARIA : No, I have not said but in the voting we want a Division. I have not given notice to oppose but instead of taking voice vote, we want a Division.

MADAM SPEAKER: You have not given notice to speak on this.

SHRI BASU DEB ACHARIA : Madam, notice is not necessary. That is why, we have asked for a Division. We are opposing introduction of the Bill and I am asking for a Division instead of voice vote.

MADAM SPEAKER: All right.

Now, voting has to be by Division. Let the Lobbies be cleared--

MADAM SPEAKER: Now, the Lobbies have been cleared.

SHRI PAWAN KUMAR BANSAL : Madam Speaker, kindly permit me to speak on this for a minute. Rule 72 says that:

"If a motion for leave to introduce a Bill is opposed, the Speaker, after permitting, if he thinks fit, brief statements from the member who opposes the motion and the member who moved the motion, may, without further debate, put the question:

Provided that where a motion is opposed on the ground that the Bill initiates legislation outside the legislative competence of the House, the Speaker may permit a full discussion thereon:"

He has not made any point as to on what ground he is opposing it. He just said that he opposes it. Then we will argue. We will speak on that.

SHRI BASU DEB ACHARIA : I just want to know how many are in favour and how many are against. All that you have said is needed when one opposes the introduction of the Bill, it is not needed for voting.

SHRI PAWAN KUMAR BANSAL: The hon. Member should have got up before that to make his point as to why he is opposing the Bill. He has to give his reason and the Government will give its reason.

SHRI BASU DEB ACHARIA : It is not necessary for pressing for a division.

SHRI PAWAN KUMAR BANSAL: It is. I am talking of introduction.

SHRI BASU DEB ACHARIA : Any Member has got the right to ask for a division.

SHRI PAWAN KUMAR BANSAL: You are voting on such an important thing to sideline the rules. You are voting to sideline the rules.

SHRI BASU DEB ACHARIA : Instead of voice vote, we have asked for a division to record our voting.

श्री जगदम्बिका पाल (डुमरियागंज): सवाल ही नहीं है, जब तक वीफ स्टेटमेंट नहीं होगा, तब तक बिल को इंट्रोड्यूस करने से नहीं रोक सकते।

श्री पवन कुमार बंसल: मानते हैं कि डिवीजन होगा, लेकिन पहले जो प्रक्रिया है, उसे तो फॉलो करें। डिवीजन अल्टीमेटली होगा तो मान सकते हैं, लेकिन डिवीजन से पहले जो रूल्स हैं, उनकी तो पालना होगी। डिवीजन होना होगा, तो हो जाएगा, लेकिन रूल तो होगा।

SHRI BASU DEB ACHARIA : The Lobbies have been cleared now. There should be no other business except voting.

SHRI PAWAN KUMAR BANSAL: The Lobbies have been cleared, but the division has not taken place.

SHRI BASU DEB ACHARIA : Now, no other business can take place.

SHRI PAWAN KUMAR BANSAL: You are relying on rules now. What rules are you talking about?

SHRI V. NARAYANASAMY : Madam, he has to give the reason as to why he is opposing it. He should explain whether the Government has got the legislative competence or not. The Government has got the legislative competence.

श्री पवन कुमार बंसल: मैं सिर्फ एक दरखास्त करना चाहता हूँ, अगर वे विभाजन मांगते हैं तो वह हो सकता है, हो जाना चाहिए, लेकिन उससे पहले वे अपनी बात कहें कि यह उसे ओपोज़ किस बिना पर करते हैं, क्या वह बात रूल्स के तहत आती है, उसके बाद हो सकता है।

श्री बसुदेव आचार्य : नहीं, नहीं।

श्री पवन कुमार बंसल: बिल्कुल ऐसा ही है। You have to go by the rules.

SHRI V. NARAYANASAMY: He has to tell this august House under what rule, he is opposing. Madam, he cannot get up and say that he is opposing unless and until he gives reasons...*(Interruptions)*. What are you talking? You are a very senior Member of this House—*(Interruptions)*

MADAM SPEAKER: Nothing is going on record. Hon. Minister, please tell me what is your point of order.

(Interruptions) * * *

SHRI PAWAN KUMAR BANSAL: Madam, my respectful submission is that when the introduction of a Bill is opposed by any Member, the hon. Member opposing the introduction of the Bill has to give his grounds for opposing the Bill. If he is opposing on the ground of legislative competence, the rules are clear to that effect. I will just read Rule 72 once again for the benefit of hon. House.

"If a motion for leave to introduce a Bill is opposed, the Speaker, after permitting, if he thinks fit, brief statements from the member who opposes the motion and the member who moved the motion, may, without further debate, put the question:

Provided that where a motion is opposed on the ground that the Bill initiates legislation outside the legislative competence of the House, the Speaker may permit a full discussion thereon:"

AN HON. MEMBER: You read Rule 72(2) also.

SHRI PAWAN KUMAR BANSAL: That is different. Should I read it? It says:

"Notice to oppose introduction of a Bill shall be addressed to the Secretary-General specifying clearly and precisely the objections to be raised and given by 10.00 hours on the date on which the motion for leave to introduce the Bills is included in the list of business."

SHRI BASU DEB ACHARIA : Now, why is voting required Mr. Bansal? There are two types of voting. One is voice vote and another is Division...(Interruptions)

SHRI PAWAN KUMAR BANSAL: Madam, voting comes later. Of course, I say that when there is opposition to the introduction, it will entail voting...(Interruptions). You are opposing this. This raises a very important point. The theory that the hon. Member is putting across is that one does not have to oppose to the Bill as such but at the time of voting, you just say – no. But that is not provided for. That is not the position. Madam, the opposition is to the introduction of the Bill...(Interruptions). Therefore, it was essential that before saying 'no' to it, they should have given the reasons for opposing the Bill. There can be no opposition without giving reasons...(Interruptions).

MADAM SPEAKER: Please take your seat.

श्री बसुदेव आचार्य : वोटिंग की क्यों जरूरत है? मैं बताता हूँ।

SHRI PAWAN KUMAR BANSAL: Madam, Rule 72 deals only with introduction.

MADAM SPEAKER: You have asked me to give my ruling. Allow me to do that. क्या आप मुझे अनुमति देंगे कि मैं अपनी रूलिंग दे सकूँ।

श्री. रघुवंश प्रसाद सिंह (वैशाखी): नियम 376 में है

"(5) A point of order is not point of privilege;
(c) when a question on any motion is being put to the House;"

यह देखा जाए, महोदया, आपने क्वेश्चन पुटअप कर दिया, हां-ना हो गया।

इसके बाद बीच में कोई प्वाइंट ऑफ ऑर्डर या डिबेट नहीं हो सकती है...(व्यवधान)

अध्यक्ष महोदया : अब आप बैठ जाइए, अपना स्थान ग्रहण कीजिए।

(व्यवधान)

MADAM SPEAKER: Hon. Members, the Member cannot oppose the introduction of the Bill because he has not given prior notice as per Rule 72. The Member is asking for division and I am allowing it.

Now, the Lobbies are cleared.

SECRETARY-GENERAL: Kind attention of hon. Members is invited to the following points in the operation of the Automatic Vote Recording System:

1. Before a division starts, every hon. Member should occupy his or her own seat and operate the system from that seat only.
2. As may kindly be seen, the 'red bulbs above display boards' on either side of the hon. Speaker's Chair are already glowing. This means the voting system has been activated.
3. For voting, please press the following two buttons simultaneously immediately after sounding of first gong, namely,
 - (i) One "red" button in front of the hon. Member on the head phone plate and also
 - (ii) Any one of the following buttons fixed on the top of the desk of seats:

Ayes - Green colour

Noes - Red colour

Abstain - Yellow colour

4. It is essential to keep both the buttons pressed till the second gong sound is heard and the red bulbs are "off".
Important: The hon. Members may please note that the vote will not be registered if both buttons are not kept pressed simultaneously till the sounding of the second gong.
5. Please do not press the amber button during division.
6. Hon. Members can actually "see" their vote on display boards and on their desk unit. In case vote is not registered, they may call for voting through slips.

MADAM SPEAKER: The question is:

"That leave be granted to introduce a Bill to provide for the establishment of an Authority to promote old age income security by establishing, developing and regulating pension funds, to protect the interests of subscribers to schemes of pension funds and for matters connected therewith or incidental thereto."

The Lok Sabha divided:

11.25 hrs.

AYES

Aaron Rashid, Shri J.M.

Advani, Shri L.K.

Ahamed, Shri E.

Ahir, Shri Hansraj G.

Amlabe, Shri Narayan Singh

Angadi, Shri Suresh

Argal, Shri Ashok

Awale, Shri Jaywant Gangaram

Azad, Shri Kirti

'Baba', Shri K.C. Singh

Bahuguna, Shri Vijay

Bairwa, Shri Khiladi Lal

Bais, Shri Ramesh

Balram, Shri P.

Banerjee, Shri Ambica

Bansal, Shri Pawan Kumar

Basavaraj, Shri G. S.

Beg, Dr. Mirza Mehboob
Bhujbal, Shri Sameer
Bhuria, Shri Kanti Lal
Biswal, Shri Hemanand
Chacko, Shri P.C.
Chaudhary, Dr. Tushar
Chauhan, Shri Mahendrasinh P.
Chinta Mohan, Dr.
Chowdhary, Shrimati Santosh
'Commando', Shri Kamal Kishor
Deshmukh, Shri K.D.
Dhanapalan, Shri K. P.
Dias, Shri Charles
Dikshit, Shri Sandeep
Dubey, Shri Nishikant
Elangovan, Shri T.K.S.
Gaikwad, Shri Eknath Mahadeo
Gawali, Shrimati Bhavana Patil
Ghatowar, Shri Paban Singh
Gogoi, Shri Dip
Gouda, Shri Shivarama
Jagannath, Dr. Manda
[*Jaiswal, Dr. Sanjay](#)
Jakhar, Shri Badri Ram
Jardosh, Shrimati Darshana
Jat, Shrimati Poonam Veljibhai
Jawale, Shri Haribhau
Jigajinagi, Shri Ramesh
Joshi, Shri Kailash
Kachhadia, Shri Naranbhai
Kaypee, Shri Mohinder Singh
Khandela, Shri Mahadeo Singh
Kharge, Shri Mallikarjun
Killi, Dr. Kruparani

Kowase, Shri Marotrao Sainuji
Lakshmi, Shrimati Panabaka
Mahajan, Shrimati Sumitra
Maharaj, Shri Satpal
Manjhi, Shri Hari
Masram, Shri Basori Singh
Mcleod, Shrimati Ingrid
*Meena, Shri Namu Narain
*Meena, Shri Raghuvir Singh
Meghe, Shri Datta
Meghwal, Shri Arjun Ram
Meghwal, Shri Bharat Ram
Mirdha, Dr. Jyoti
Munda, Shri Karia
Munde, Shri Gopinath
Naik, Dr. Sanjeev Ganesh
Narayanasamy, Shri V.
Naskar, Shri Gobinda Chandra
Nirupam, Shri Sanjay
Ola, Shri Sis Ram
*Owaisi, Shri Asaduddin
Pakkirappa, Shri S.
*Pal, Shri Jagdambika
*Pandey, Dr. Vinay Kumar
Pandey, Shri Ravindra Kumar
Patel, Shri Kishanbhai V.
Patel, Shri Lalubhai Babubhai
Patel, Shrimati Jayshreeben
Patil, Dr. Padmasinha Bajirao
Pilot, Shri Sachin
Potai, Shri Sohan
Punia, Shri P. L.
Purandeswari, Shrimati D.
Purkayastha, Shri Kabindra

Rao, Dr. K.S.
Rao, Shri Rayapati Sambasiva
Rathwa, Shri Ramsinh
Rawat, Shri Harish
Reddy, Shri Gutha Sukhender
Reddy, Shri K.J.S.P
Reddy, Shri M. Raja Mohan
Reddy, Shri M. Sreenivasulu
Ruala, Shri C.L.
Shantha, Shrimati J.
Sharma, Shri Jagdish
Sharma, Shri Madan Lal
Shekhawat, Shri Gopal Singh
Singh, Chaudhary Lal
Singh, Dr. Bhola
Singh, Dr. Sanjay
Singh, Shri Bhoopendra
Singh, Shri Ganesh
*Singh, Shri Ijyaraj
Singh, Shri Murari Lal
Singh, Shri Pashupati Nath
Singh, Shri R.P.N.
Singh, Shri Uday Pratap
Solanki, Dr. Kirit Premjibhai
Solanki, Shri Makansingh
Sushant, Dr. Rajan
Swaraj, Shrimati Sushma
Tandon, Shrimati Annu
Taviad, Dr. Prabha Kishor
Taware, Shri Suresh Kashinath
Tewari, Shri Manish
Thomas, Prof. K.V.
Vasava, Shri Mansukhbhai D.
Verma, Shri Beni Prasad

Vishwanath Katti, Shri Ramesh

Vyas, Dr. Girija

Yadav, Shri Om Prakash

NOES

Acharia, Shri Basu Deb

Baliram, Dr.

Balmiki, Shri Kamlesh

Barq, Dr. Shafiqur Rahman

Baske, Shri Pulin Bihari

Bauri, Shrimati Susmita

Chauhan, Shri Dara Singh

Chauhan, Shrimati Rajkumari

Choudhary, Shri Bhudeo

Das, Shri Khagen

Das, Shri Ram Sundar

Dasgupta, Shri Gurudas

Devi, Shrimati Ashwamedh

Dome, Dr. Ram Chandra

*Haque, Sk. Saidul

Hasan, Shrimati Tabassum

*Jaiswal, Shri Gorakh Prasad

Karwaria, Shri Kapil Muni

*Kristappa, Shri N.

Kumar, Shri Kaushalendra

Kumar, Shri Mithilesh

Kumar, Shri Shailendra

*Majumdar, Shri Prasanta Kumar

Malik, Shri Sakti Mohan

Panda, Shri Prabodh

Pandey, Shri Gorakhnath

*Pandey, Shri Rakesh

Paranjpe, Shri Anand Prakash

Patel, Shri Bal Kumar

Premdas, Shri

Ramkishun, Shri

Rao, Shri Nama Nageswara

Reddy, Shri M. Venugopala

Riyan, Shri Bajju Ban

Roy, Prof. Saugata

Roy, Shri Arjun

*Roy, Shri Mahendra Kumar

Singh, Dr. Raghuvansh Prasad

Singh, Shri Jagdanand

*Singh, Shri Radhe Mohan

Singh, Shri Rajiv Ranjan Singh alias Lalan

Singh, Shri Umashankar

Singh, Shri Yashvir

Singh, Shrimati Meena

Sivaprasad, Dr. N.

Tarai, Shri Bibhu Prasad

Tiwari , Shri Bhisma Shankar alias Kushal

Yadav, Shri Akhilesh

Yadav, Shri Dharmendra

Yadav, Shri Mulayam Singh

Yadav, Shri Sharad

MADAM SPEAKER : Subject to correction*, the result of the Division is:

Yes : 115

Noes : 43

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI NAMO NARAIN MEENA) : Madam, I introduce** the Bill.

MADAM SPEAKER: Now , the lobbies may be opened.