

# Money Bill And the Opposition Question

## The 'proper way' vs getting things done

The government's move to tag substantive amendments, many of the 40 relating to diverse aspects of regulation and representation, on to the Finance Bill can be said to be debatable. However, the Opposition's intransigence in the Upper House is also a contributory factor. The incorporation of a number of amendments in the Money Bill reflects the current state of Parliament. Some would argue the government's claim that these diverse amendments can be lumped together as a Money Bill, outside the scrutiny of the Rajya Sabha where the BJP is in a minority, is not valid. They can cite Article 110(1).

The same point of view would argue the merging of tribunals is devoid of rationale. Thus, the airports regulator is sought to be subsumed under the telecommunications arbitrator. Where is the logic here? Or for that matter, when the national highways jurisdiction is swallowed up by the airports appellate tribunal? Can company law jurisdiction take over from an anti-monopoly board?



However, these nitty-gritties also ignore the larger parliamentary reality of frequently obstructionist Opposition in the Upper House. There can be debate on the reason for setting up tax monitoring bodies, of their modus operandi or the process of staffing.

But the sad fact is even on matters as vital as government revenue, tax evasion and just treatment of honest taxpayer, it is often impossible to have a conducive debate with the Opposition in the Upper House. Therefore, the larger point is that while it could be argued that tacking a number of amendments to a Money Bill is a less than perfect solution in the theory of making legislation, the reality of making legislation points to solutions that have the virtue of getting things done quickly. A lasting solution is a properly debating Parliament.

Removing the cap of 7.5% of the average profits of the past three years for political contributions, in combination with the wholly opaque electoral bonds, makes it possible to set up companies for the sole purpose of channelling anonymous funds to favoured political parties. All these merit separate laws of their own.