

Title: Regarding admissibility of the Adjournment Motion on Rastriya Swayam Sewak Sangh (RSS) and atrocities against the lawyers.

1451 hrs

The Lok Sabha re-assembled at Fifty-one minutes past Fourteen of the Clock.

(Shrimati Margaret Alva in the Chair)

श्री मुलायम सिंह यादव (सम्मल): सभापति जी, आज सवेरे एडजर्नमेंट मोशन के बारे में चर्चा हुई थी। मैं आपसे दो बातें पूछना चाहता हूँ। बहस सोमवार करवाने का फैसला लिया गया है लेकिन यह किस नियम के तहत की जायेगी, बहस का क्या रूप होगा और इसके लिये कितना समय दिया जायेगा तथा यह कब शुरू की जायेगी? आप हमें ये सब बता दें।

SHRI BASU DEB ACHARIA (BANKURA): At what time? When will the discussion take place?

SHRI SOMNATH CHATTERJEE (BOLPUR): Please do not leave it to the Speaker. You are now in the Chair.

SHRI BASU DEB ACHARIA : Madam, we tabled an Adjournment Motion along with suspension of the Question Hour. Our Adjournment Motion was not admitted by the hon. Speaker. He gave his ruling. But we are not told when the discussion will take place, in what form and under what rule.

MR. CHAIRMAN : That is for the Business Advisory Committee to decide. Is it not?

SHRI SOMNATH CHATTERJEE : No.

MR. CHAIRMAN: You all meet him and decide it at that time.

SHRI BASU DEB ACHARIA : Madam, Business Advisory Committee is not meeting today. When will it meet?...(Interruptions)

SHRI MADHAVRAO SCINDIA (GUNA): In view of having disallowed the Adjournment Motion, it is the Speaker who must tell us in what form he wants us to raise this matter.

MR. CHAIRMAN: I will consult the Speaker, and we will make an announcement today.

â€(Interruptions)

SHRI MADHAVRAO SCINDIA : He had been there. He could have applied his mind and we would like to know that nowâ€.(Interruptions)

SHRI BASU DEB ACHARIA : We will be leaving this evening. We will go back to our constituencies. We will be back on Monday. So, we should be informed.

MR. CHAIRMAN: Will the Minister of Parliamentary Affairs be able to say something?

THE MINISTER OF PARLIAMENTARY AFFAIRS AND MINISTER OF INFORMATION TECHNOLOGY (SHRI PRAMOD MAHAJAN): As far as we are concerned, we are ready to discuss the issue. I cannot decide on behalf of the Speaker that under which rule it should be raised.

SHRI SOMNATH CHATTERJEE : If you do not oppose to raise it under rule 184, then it is all right.

MR. CHAIRMAN: Would you like to consult the Speaker at least in the course of the hour? You then find out.

THE MINISTER OF PARLIAMENTARY AFFAIRS AND MINISTER OF INFORMATION TECHNOLOGY (SHRI PRAMOD MAHAJAN): I will definitely try to consult the Speaker today.

श्री मुलायम सिंह यादव ; सभापति जी, हम यह डिस्कशन नियम 193 के अधीन नहीं चाहेंगे। अगर बहस होगी तो नियम 184 के तहत होगी।

सभापति महोदय; आपने नोटिस दिया हुआ है ?

श्री मुलायम सिंह यादव हम नोटिस दे चुके हैं।

सभापति महोदय; मुझे एक बात करने दें। पार्सलियामेंटरी अफेअर्स मिनिस्टर से रिक्वैस्ट किया है कि जरा हमें बता दें कि क्या करना है?

We were all agitated about the lawyers strike.

SHRI SOMNATH CHATTERJEE : Yes, I am going to raise it.

MR. CHAIRMAN: There have been some negotiations. The Minister has come with a statement.

SHRI BASU DEB ACHARIA : Just now. Is it a *suo motu* statement?

MR. CHAIRMAN: Yes, it is a *suo motu* statement on the lawyers strike.

SHRI BASU DEB ACHARIA : But before that, we should be allowed to make our submission. Before the Minister makes his statement, we should be allowed to make our submission.

MR. CHAIRMAN: Submission on what?

SHRI BASU DEB ACHARIA: Submission on what happened yesterday, how the lawyers were lathicharged and beaten up.

MR. CHAIRMAN: It is a *suo motu* statement from the Minister.

SHRI PRAMOD MAHAJAN: Madam, Shri Basu Deb Acharia never knew that there was a statement. If he were so concerned, he should have allowed that.

Now that I am saying that the Government is making a statement, he is aware of it.

SHRI PRIYA RANJAN DASMUNSI (RAIGANJ): I gave a notice this morning that after disposing of the issue of the admissibility of the Adjournment Motion on RSS, the question of the cruel and merciless atrocities committed by the Police against the lawyers should be taken up in the House and discussed. That is already in the notice. I did not bring it up purposely because I considered that the entire Opposition was very concerned about the issue on the RSS, which pertained to secularism.

MR. CHAIRMAN : He is trying to make a statement on it.

SHRI PRIYA RANJAN DASMUNSI : We never object to Ministers making *suo motu* statements. It is a right of the Ministers. We never object. But when a notice is lying with the hon. Speaker that the atrocities committed on the advocates should be taken up in the House -- and that notice was given today with a specific wording "Office may help" -- after disposing of the motion or issue about the admissibility, this matter should have been taken up. Shri Basu Deb Acharia is very right when said that before the *suo motu* statement was made the House should have been heard.

SHRI BASU DEB ACHARIA : We should be allowed to make our submissions.

MR. CHAIRMAN : On what do you want to submit? The strike has been called off, a compromise has been reached and, therefore, the Minister wants to inform the House.

SHRI PRIYA RAN JAN DASMUNSI: They have been mercilessly beaten by the Police.

SHRI SOMNATH CHATTERJEE : I hope that the hon. Minister will express his regrets and condemn the high-handedness of the Police. (*Interruptions*)

MR. CHAIRMAN: I think that you should hear the statement of the Minister, if you have something to say and if you are not satisfied, then you can raise something.

श्री सत्यव्रत चतुर्वेदी : मैडम यह बहुत गंभीर मामला है। इस देश के लॉयर्स, इंटेलेक्चुअल्स, बुद्धिजीवियों के साथ जिस बर्बरता के साथ व्यवहार किया जा रहा है, क्या उसके ऊपर यह हाउस डिस्कशन नहीं करेगा? इसके लिए पहले से नोटिस दिया हुआ है, इसलिए मेरा अनुरोध है ...(व्यवधान)

सभापति महोदय: इसीलिए मैं बोल रही हूँ कि जो वह बोलने वाले हैं, पहले उन्हें बोलने दीजिए। ...(व्यवधान) स्ट्राइक तो खत्म हो गई है। ...(व्यवधान)

श्री सत्यव्रत चतुर्वेदी : जबरदस्ती कराई गई है। यह क्या हो रहा है? €(व्यवधान)

श्री रासा सिंह रावत (अजमेर) : वकीलों की हड़ताल खत्म हो गई है। इसलिए इन्हें दुख हो रहा है। ये समस्या को पैदा करना चाहते हैं। जब समस्या समाप्त हो गई तो मामला अपने आप खत्म हो गया।

श्री प्रियरंजन दास मुंशी : तकलीफ तो आपको हो रही है।

श्री सत्यव्रत चतुर्वेदी : जब हमने नोटिस दिया हुआ है, तो पहले हमें उसके बारे में बताया जाये।

श्री प्रमोद महाजन : यह किसी चर्चा को रोकने का मुद्दा नहीं है। हम आप पर इसका निर्णय छोड़ते हैं। लेकिन दासमुंशी जी ने शायद सूचना दी होगी।

SHRI PRAVIN RASHTRAPAL (PATAN): The statement cannot take precedence over the notice.

SHRI PRAMOD MAHAJAN: I do not know which rule is being quoted, what kind of notice is given, what the Chairman

would allow. Only the hon. Speaker would know what kind of notice was given.

समापति महोदय: आप एक मिनट बैठिये। उनकी बात सुनने के बाद बोलिये।

SHRI PRAMOD MAHAJAN: We really do not know which kind of a notice was given.. So, we do not know how this notice can take precedence over a *suo motu* statement. If the notice is received, only the hon. Speaker can take a decision. If there were some notice that an issue be discussed in the Zero Hour, we could not have discussed it today as it was time for the Railway Budget. In the afternoon after 3.30 p.m. we will be taking up the Private Members' Bills. Now, in such circumstances normally the *suo motu statement* may be made and we know the subject, what the *suo motu* statement is about. As you rightly said, the strike has been called off, but still if somebody wants to say something, I leave it to your judgement.

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI RAM JETHMALANI): The representatives of the Bar met the hon. Prime Minister today in the presence of the other members of the Cabinet and ultimately a statement, which I proposed to make in the other House was prepared. It should have been made but the House was adjourned yesterday and this morning also. The statement which was prepared was discussed and they said that it was a satisfactory statement. On the basis of this, the matter is deemed to have been more or less settled. After we make this statement, I do not want to go and say that the lawyers have agreed to, but they are very very very likely to withdraw the strike just now.

1500 hrs.

Once I have made the statement, if the hon. Members want to—*(Interruptions)*

श्री मुलायम सिंह यादव : अभी हड़ताल टूटी नहीं है, सिर्फ संभावना है।

SHRI RAM JETHMALANI: Have I not got the right to tell or take the House into confidence as to what has happened?

MR. CHAIRMAN : Let him read the statement.

...*(Interruptions)*

SHRI PRIYA RANJAN DASMUNSI No, Madam. I want to reply through you to the hon. Minister of Parliamentary Affairs. It was true that there was no Zero Hour today. My notice was very categorical. After disposing of the admissibility of the Adjournment Motion, this issue should be taken up. The strike was called by the institution called, 'Bar Council of India.'—*(Interruptions)* Let the hon. Minister make the statement. I am not preventing the hon. Minister.—*(Interruptions)*

MR. CHAIRMAN: Tell me what you want?

...*(Interruptions)*

SHRI PRIYA RANJAN DASMUNSI : Madam, if you agree, after the hon. Minister's statement, will you allow us to make our queries and submissions?

MR. CHAIRMAN: I will do that.

SHRI PRIYA RANJAN DASMUNSI : It is all right.

MR. CHAIRMAN: I would suggest that let the Minister make a statement. If you want to ask any specific question from the hon. Minister, you can ask from him.

SHRI PRAMOD MAHAJAN: Do not create new precedents.—*(Interruptions)* This should not be treated as a precedent.

SHRI MADHAVRAO SCINDIA : After this item is over, we would then like to know in what form the discussion on Monday would take place.

MR. CHAIRMAN: Mr. Minister of Parliamentary Affairs, in the meantime, you could please consult the Speaker.

SHRI PRAMOD MAHAJAN: Yes, Madam.

MR. CHAIRMAN: He will consult the Speaker.

कुंवर अखिलेश सिंह (महाराजगंज, उ.प्र.): महोदया, भारतीय जनता पार्टी की सरकार वकीलों के ऊपर लाठी चलवा कर और पांच साल के अंदर उनके लाइसेंस का नवीनीकरण करवा कर व्यवस्था को प्रभावित करने का प्रयास कर रही है।
