

12.03¹/₂ hrs.

COMMITTEE ON PRIVATE MEMBERS' BILLS AND RESOLUTIONS

Thirty-fifth Report

[English]

SHRI DENZIL B. ATKINSON (Nominated): I beg to present the Thirty-fifth Report (Hindi and English versions) of the Committee on Private Members' Bills and Resolutions.

[English]

...(Interruptions)

SHRI KIRIT SOMAIYA (Mumbai North East): Sir, I have a point of procedure on item no. 11. Sir, it is mentioned at item no. 11 in today's List of Business-Report of Public Accounts Committee...(Interruptions)

MR. SPEAKER: I have not announced Please sit down.

...(Interruptions)

MR. SPEAKER: Now, item no. 11—Report of Public Accounts Committee. Sardar Buta Singh.

...(Interruptions)

SHRI KIRIT SOMAIYA: Sir, I am on a point of procedure. I have given my submission in writing...(Interruptions)

SHRI PRIYA RANJAN DASMUNSI (Raiganj): There is no rule in the Rules of Procedure which prevents the laying of the Report of the Committee...(Interruptions)

MR. SPEAKER: I am allowing Sardar Buta Singh to lay it on the Table of the House.

12.04 hrs.

COMMITTEE ON PUBLIC ACCOUNTS

Fifty-fourth Report

[English]

SARDAR BUTA SINGH (Jalore): I beg to present the Fifty-fourth Report (Hindi and English versions) of the

Public Accounts Committee (2003-2004) on Report of the C&AG of India for the year ended March 2001 (No. 7A of 2001) Union Government (Defence Services) relating to "Review of Procurement for OP Vijay (Army)".

[English]

...(Interruptions)

SHRI KIRIT SOMAIYA (Mumbai North East): Sir, I would like to quote paragraph 11.5, Chapter XI of the Procure and Practice of Lok Sabha. It says that there should be a gap of two clear working days...(Interruptions)

MR. SPEAKER: Shri Kirit Somaiya, do you have any objection on laying this Report on the Table of the House?

...(Interruptions)

SHRI KIRIT SOMAIYA: Yes, certainly...(Interruptions)

SHRI PRIYA RANJAN DASMUNSI (Raiganj): Sir, how can a member of the same Committee raise the issue after the Report is laid? Under what rule?...(Interruptions) I want to know the rule...(Interruptions)

MR. SPEAKER: Let me listen to him.

...(Interruptions)

SHRI KIRIT SOMAIYA: Sir, I am a member of the Committee on Public Accounts...(Interruptions)

MR. SPEAKER: What is the rule?

SHRI KIRIT SOMAIYA: Sir, there is a procedural defect, which I am pointing out...(Interruptions)

MR. SPEAKER: Are you on a point of order?

...(Interruptions)

MR. SPEAKER: What is your point of order? Under what rule? Please show me the rule.

...(Interruptions)

MR. SPEAKER: After the Report is laid on the Table of the House, you are raising a point of order. Under what rule?

...(Interruptions)

SHRI PRIYA RANJAN DASMUNSI: Sir, how can he object to it?...*(Interruptions)*

MR. SPEAKER: I am hearing his point of order. Thereafter, I will hear your point of order. Let me listen to him.

...*(Interruptions)*

MR. SPEAKER: Please sit down. I am listening to the point of order raised by Shri Kirit Somaiya. After he finishes his point of order, you can raise another point of order. Please sit down. Let me conduct the Business of the House.

...*(Interruptions)*

MR. SPEAKER: I will not do injustice to you. I will also permit you to raise your point of order.

...*(Interruptions)*

SHRI KIRIT SOMAIYA: Sir, I am quoting paragraph 11.5, Chapter XI of the Procure and Practice, as mentioned in Appendix II, rule 3 of the Rules of Procedure. It says:

"There should be a gap of at least two clear working days between the date of adoption/circulations of the minutes of the sitting and the presentation of the Report to the House, so that the Members may have adequate time to bring any fact or point, which they desire, to the notice of the Chairman/Committee before the Report is presented to the House."

...*(Interruptions)*

Sir, the minutes have been circulated only yesterday. It is clearly mentioned that a Member has a right to give his objections and that is why two clear working days' time has been provided under the rule...*(Interruptions)* I have submitted my objections yesterday in writing....*(Interruptions)* The minutes have been circulated yesterday, I have given my objections yesterday and now the Report is being submitted to the House...*(Interruptions)*

MR. SPEAKER: Shri Kirit Somaiya, I will refer this to the Chairman of the Committee. After I get his remarks, I will get back to you.

...*(Interruptions)*

SHRI KIRIT SOMAIYA: Sir, the Report cannot be presented in the House.

MR. SPEAKER: I has been already presented.

SHRI KIRIT SOMAIYA: How can it be tabled?...*(Interruptions)*

MR. SPEAKER: Shri Kirit Somaiya, it has already been placed on the Table. Please take your seat. I have disposed of your point of order.

...*(Interruptions)*

SHRI KIRIT SOMAIYA: Sir, if the Report is found defective, can it be withdrawn?...*(Interruptions)*

DR. VIJAY KUMAR MALHOTRA (South Delhi): Sir, I am on a point of order.

[Translation]

Whether a report can be leaked to the press before laying it on the Table of the House...*(Interruptions)* I am raising a point of order...*(Interruptions)* Whether a report can be given to the press or leaked before laying on the table of the House...*(Interruptions)* Please conduct a enquiry into it. Yesterday, evening such a report, which was not passed was given by T.V. and Press.

[English]

I want your ruling whether it could be given to the media before it is laid on the Table of the House...*(Interruptions)*

MR. SPEAKER: The rule is clear the any Report of this type has to come to the House first and then it could be published by the media. The question is whether the hon. Chairman or an hon. Member had given it to the media.

...*(Interruptions)*

MR. SPEAKER: Your point of order is incomplete. You have not said anything about that. It is the privilege of the House but at the same time let me make it clear that if there is a feeling that a Member has leaked it, you can give a privilege notice and I will consider it on merit.

...*(Interruptions)*

[Translation]

SHRI MADAN LAL KHURANA (Delhi Sadar): Mr. Speaker Sir, how a report can be leaked before laying it

on the table of the House?...(*Interruptions*) Today they did it and earlier Shri Somnathji also did the same thing...(*Interruptions*)

[*English*]

MR. SPEAKER: Let us listen to the point of order of Shri Priya Ranjan Dasmuni. I have heard your point of order and the point of order raised by Dr. Vijay Kumar Malhotra. Now, I am listening to his point of order.

...(*Interruptions*)

SHRI PRIYA RANJAN DASMUNSI: Sir, I am on a point of order under rule 278. This rule says:

"A Committee may, if it thinks fit, make available to Government any completed part of its report before presentation to the House. Such reports shall be treated as confidential until presented to the House."

Rule 279 says:

"(1) The report of a Committee shall be presented to the House by the Chairman or in his absence by any member of the Committee.

(2) In presenting the report the Chairman or, in his absence, the member presenting the report shall, if he makes any remarks, confine himself to a brief statement of fact, but there shall be no debate on that statement at this stage."

MR. SPEAKER: Your point of order is correct. I have stopped the hon. Member from making it a debating point because he is a Member of the Committee. I did it in the interest of the House.

...(*Interruptions*)

SHRI KIRIT SOMAIYA: Sir, I am quoting the rule to you.

MR. SPEAKER: Shri Kirit Somaiya, I have not permitted you. Please allow me to conduct the business of the House. I heard you because I wanted to know what your point of order was. I permitted Dr. Malhotra also. I have given a ruling on both of your points of order. Now, the point of order raised by Shri Dasmuni is a correct point of order. Therefore, I am not permitting a debate on the issue. I now go to the next item. Points of order cannot be raised just for the sake of raising them.

...(*Interruptions*)

MR. SPEAKER: Now, I go to the next item. I am sorry, I cannot allow a debate on this issue. I am allowing Shri Ramji Lal Suman to raise a very important issue on pesticides residues in the soft drinks.

...(*Interruptions*)

MR. SPEAKER: There are a number of Members who have given notices on this very important issue. Now, Shri Ramji Lal Suman will speak.

...(*Interruptions*)

12.10 hrs.

(*At this stage Shri Arun Kumar and some other hon. Members came and stood on the floor near the Table*)

[*Translation*]

MR. SPEAKER: Please give notice of privilege for it. Please all of you take your seats....(*Interruptions*)

[*English*]

MR. SPEAKER: This is an important issue on pesticides residues in the soft drinks. Shri Ramji Lal Suman will raise this issue.

...(*Interruptions*)

[*Translation*]

SHRI RAMJI LAL SUMAN (Ferozabad): Mr. Speaker Sir, I am grateful to you for giving me an opportunity to speak...(*Interruptions*)

[*English*]

MR. SPEAKER: Please listen to me.

...(*Interruptions*)

12.11 hrs.

(*At this stage Shri Arun Kumar and some other hon. Members went back to their seats*)

[*Translation*]

MR. SPEAKER: Prabhunathji, I will hear you if there is a point of order, but I will not listen your comments on this.

...(*Interruptions*)

[English]

DR. VIJAY KUMAR MALHOTRA: What is that, let it be known to us also...(Interruptions)

MR. SPEAKER: I have already disposed it of. I have already given my ruling on the issue.

...(Interruptions)

MR. SPEAKER: I have listened to all the points of orders and gave my ruling.

...(Interruptions)

DR. VIJAY KUMAR MALHOTRA: Sir, what is your ruling?...(Interruptions)

MR. SPEAKER: My ruling was that if it is against a particular Member that he has gone to television and said anything, then he can bring a Privilege Motion against the hon. Member. That was my ruling.

...(Interruptions)

SHRI N.N. KRISHNADAS (Palghat): Sir, I may be permitted to speak on the pesticides issue...(Interruptions)

[Translation]

SHRI PRIYA RANJAN DASMUNSI: What is the rule? Please tell us the rule...(Interruptions)

SHRI PRABHUNATH SINGH (Maharaganj, Bihar): Mr. Speaker Sir, I want to make a submission...(Interruptions)

SHRI PRIYA RANJAN DASMUNSI: There would be no submission in this matter...(Interruptions)

[English]

Sir, he should quote the rule. Let me know the rule. Under what rule is he speaking? I would like to know about the rule.

MR. SPEAKER: I want to know whether it is really a point of order or not. That is all I want to know.

...(Interruptions)

[English]

SHRI PRIYA RANJAN DASMUNSI: Sir, under what rule he wants to speak?...(Interruptions)

SHRI BASU DEB ACHARIA (Bankura): Sir, you have already given your ruling...(Interruptions)

[Translation]

MR. SPEAKER: Under what rule your point of order comes...(Interruptions)

[English]

SHRI KIRIT SOMAIYA: I want to quote from Page No. 166.

[Translation]

MR. SPEAKER: I will decide it. You are not telling any point of order.

...(Interruptions)

[English]

MR. SPEAKER He is on Appendix-II, General Purposes Committee on No. 3, page. 166. Please speak.

...(Interruptions)

[Translation]

MR. SPEAKER: I have not allowed you. I have allowed Shri Prabhunath Singh ji to speak on this subject.

...(Interruptions)

[English]

SHRI PRIYA RANJAN DASMUNSI: Sir, never in the history of Parliament a report of Public Accounts Committee or any other Committee has been throttled by the Member of the same Committee, who has given the consent...(Interruptions)

[Translation]

MR. SPEAKER: You continue to speak, it is not going on record.

...(Interruptions)*

[English]

SHRI SOMNATH CHATTERJEE (Bolpur): The conduct of Shri Kirit Somaiya is against the privilege of

*Not recorded.

the House. He is committing a breach of privilege. He is a Member of the Committee. How can he raise this issue?...(*Interruptions*)

SHRI KIRIT SOMAIYA: Sir, I am raising a point of procedure. It is provided under the rules. It is a procedural point...(*Interruptions*)

SHRI BASU DEB ACHARIA: Are you not a Member of this Committee?...(*Interruptions*)

SHRI PRIYA RANJAN DASMUNSI: Sir, the House is to be conducted by the rules...(*Interruptions*)

SHRI N.N. KRISHNADAS: Sir, under what rule is he raising it? He has to give the rule number...(*Interruptions*)

MR. SPEAKER: He has shown me a particular rule. Let me listen to him.

...(*Interruptions*)

SHRI KIRIT SOMAIYA: I have quoted the rule and I have given the number also...(*Interruptions*)

[*Translation*]

MR. SPEAKER: Please all of you sit down. Sunil Khanji please sit down.

[*English*]

SHRI N.N. KRISHNADAS: What is going on here...(*Interruptions*)

MR. SPEAKER: Shri Prabhunath Singh told me and requested me that he wanted to raise a point of order.

...(*Interruptions*)

SHRI N.N. KRISHNADAS: That is over...(*Interruptions*)

MR. SPEAKER: I have permitted him to raise a point of order. Unless I listen to him, how can I decide? Let me listen to him as to what is point of order. I can throw it at any point if it is not proper.

...(*Interruptions*)

MR. SPEAKER: He has quoted a rule. He has sent me the rule also. Please take your seat.

[*Translation*]

SHRI PRABHUNATH SINGH: Mr. Speaker Sir, my point of order is that any paper before laying on the Table of the House should be circulated among all the members. Another fact is that the report which was not laid on the table of the house, was shown yesterday on a T.V. Channel 'Aaj Tak'. Prior to this it had been published in the Times of India also. It is a matter of privilege of the House. So a motion of breach of privilege should be brought against the Chairman and the report should not be laid till the action is taken in this matter.

[*English*]

MR. SPEAKER: There is no substance in the point of order. You can bring a privilege notice. Shri Ramjilal Suman to speak now.

...(*Interruptions*)

MR. SPEAKER: I will listen to nobody else except Shri Ramji Lal Suman.

[*Translation*]

Please sit down. Your speech on this subject is over.

...(*Interruptions*)

[*English*]

SHRI N.N. KRISHNADAS: Sir, I have given a notice...(*Interruptions*)

SHRI BASU DEB ACHARIA: Sir, I have also given a notice...(*Interruptions*)

MR. SPEAKER: I am reading the names of all the hon. Members who have given the notice.

...(*Interruptions*)

MR. SPEAKER: Let me read the names of the hon. Members who have given me the notice on an important issue on which the hon. Members expect the reaction of the Government. I have also requested the Government to respond to this issue. I have received, on this particular issue, notices from the following hon. Members:

Shri Ram Vilas Paswan

Shri Mulayam Singh Yadav