

Fourteenth Loksabha

Session : 4

Date : 10-03-2005

Participants : Topdar Shri Tarit Baran, Aditya Nath Shri, Jha Shri Raghunath

Title: Regarding Supreme Court's judgement on the issue of formation of Government in Jharkhand.

15.04 hrs.

The Lok Sabha re-assembled at Four minutes past

Fifteen of the Clock.

(Mr. Deputy-Speaker in the Chair)

SHRI TARIT BARAN TOPDAR (BARRACKPORE): Sir, I wanted to raise the important issue of yesterday's Supreme Court judgement, its fallout and implication. Hon. Speaker had assured me that after the discussion on the Motion of Thanks on the President's Address, he would allow me to speak.

If you allow me two or three minutes, I will be able to submit my views.... *(Interruptions)*

MR. DEPUTY-SPEAKER: Please allow him to make his submission.

... *(Interruptions)*

योगी आदित्यनाथ (गोरखपुर) : उपाध्यक्ष महोदय, यह सरासर गलत है। जो मामला सबजूडिस हो, उसे यहां पर नहीं उठाया जा सकता। ...*(व्यवधान)* यहां पर इस मामले को उठाकर ये सीधे-सीधे संसदीय परम्पराओं का उल्लंघन कर रहे हैं।...*(व्यवधान)*

SHRI TARIT BARAN TOPDAR : The Supreme Court cannot extrapolate its own jurisdiction and step into the areas chosen by its own.... *(Interruptions)* Parliament, in its wisdom, can easily discuss the issue.... *(Interruptions)* So, the Supreme Court cannot extrapolate its jurisdiction. *(Interruptions)*

श्री रघुनाथ झा (बेतिया) : उपाध्यक्ष महोदय, मैं इनकी बात का समर्थन करता हूँ। यह बात सही है कि सरकार की कमजोरी के कारण सुप्रीम कोर्ट चुनाव आयोग की कई चीजों पर हावी होता जा रहा है और विधान मंडल के कार्य में दखल कर रहा है।...*(व्यवधान)*

MR. DEPUTY-SPEAKER: Please listen to me.

श्री रघुनाथ झा : उपाध्यक्ष महोदय, जो माननीय सदस्य कह रहे हैं, मैं उसका पूरी तरह से समर्थन करता हूँ।...*(व्यवधान)*

MR. DEPUTY-SPEAKER: Nothing will be recorded except Shri Topdar's version.

*(Interruptions) **

SHRI TARIT BARAN TOPDAR : At this stage, it is neither advisable to disobey the Supreme Court nor to allow the Supreme Court to take over the charge of the political executive.... *(Interruptions)* Therefore, to come out of this *impasse*, the Government should come out with a suggestion before the Rashtrapatiji issues a proclamation of President's Rule in Jharkhand. This *impasse* has been created by the judgement of the Supreme Court. The Supreme Court has changed its jurisdiction. This is my humble suggestion.... *(Interruptions)*

MR. DEPUTY-SPEAKER: Please listen to me. Our hon. Speaker has already stated in this House that he has called a meeting of all the leaders and he would discuss the matter.

... *(Interruptions)*

MR. DEPUTY-SPEAKER: Please listen to me.

... *(Interruptions)*

SHRI TARIT BARAN TOPDAR : Not only the political parties which are agitated but also Parliament is very much agitated over it. ... *(Interruptions)*

MR. DEPUTY-SPEAKER: Nothing will be recorded except Shri Topdar's version.

(Interruptions) ... *

SHRI TARIT BARAN TOPDAR : *....* ...*(Interruptions)* If the Supreme Court's judgement is implemented, it would amount to perversion and misdirection of the constitutional process.... *(Interruptions)* We are Parliamentarians. We cannot allow such words and such type of acts by the Supreme Court without our concern being expressed.... *(Interruptions)*

MR. DEPUTY-SPEAKER: Nothing should be recorded.

(Interruptions) ... *

MR. DEPUTY-SPEAKER: Please listen to me. Nothing is going to be recorded.

* Not Recorded.

** Expunged as ordered by the Chair.

(Interruptions) ... *

MR. DEPUTY-SPEAKER: These things are not to be recorded.

(Interruptions) ... *

*m04

MR. DEPUTY-SPEAKER: Please sit down. Our hon. Speaker has already stated in the House that he has called a meeting of all the hon. Leaders of the parties. After consulting all the Leaders of the parties, he will make his own observation. So, I think, now we should wait for that meeting. Then, the hon. Speaker will make his own observation.

Now, the General Discussion on the Budget (Railway) 2005-06 will be taken up. The time allotted is 10 hours.

If the House agrees, Items 11 to 13 will be taken up together. Now I would request Shrimati Sumitra Mahajan to speak.

... (*Interruptions*)

SHRI VARKALA RADHAKRISHNAN (CHIRAYINKIL): Mr. Deputy-Speaker, Sir, I may be permitted to point out a general principle. ... (*Interruptions*)

MR. DEPUTY-SPEAKER: I cannot listen to anything regarding this matter now.

... (*Interruptions*)

SHRI VARKALA RADHAKRISHNAN : Under article 212 of the Constitution, State Legislatures have complete freedom. ... (*Interruptions*)

MR. DEPUTY-SPEAKER: Nothing will go on record.

(*Interruptions*) ...*

MR. DEPUTY-SPEAKER: You are a very senior Member. The hon. Speaker has already made his observations on this. You cannot speak on that now. Please take your seat.

... (*Interruptions*)

MR. DEPUTY-SPEAKER: Nothing will go on record.

(*Interruptions*) ...*

*** Not Recorded**

उपाध्यक्ष महोदय : श्रीमती सुमित्रा महाजन जी, आप बोलिए।

... (*Interruptions*)

MR. DEPUTY-SPEAKER: Nothing is being recorded now. Please take your seat.

(*Interruptions*) ...*

MR. DEPUTY-SPEAKER: Mr. Bansal, what are you doing? You are a very senior Member. Please take your seat.

... (*Interruptions*)

MR. DEPUTY-SPEAKER: Nothing will go on record except the speech of Shrimati Sumitra Mahajan.

(*Interruptions*) ... *

MR. DEPUTY-SPEAKER: You are all responsible persons and very senior Members. If you are disturbing the House, it is very sad. Please take your seat.

... (*Interruptions*)

MR. DEPUTY-SPEAKER: Mr. Bansal, you are yourself a member of the Panel of Chairmen and you are disturbing the House now. This is not correct. Please take your seat.

... (*Interruptions*)

उपाध्यक्ष महोदय : इससे बजट का टाइम खराब हो रहा है, कृपया बैठ जाइए।

... (*Interruptions*)

MR. DEPUTY-SPEAKER: Nothing should be recorded except the speech of Shrimati Sumitra Mahajan.

(*Interruptions*) ... *

MR. DEPUTY-SPEAKER: A member of your party is going to speak now and you are disturbing the House now. You are wasting the time allotted for discussing the Railway Budget. Please take your seat.

... (*Interruptions*)

MR. DEPUTY-SPEAKER: You are simply wasting the time of the House.

... (*Interruptions*)

*** Not Recorded**

उपाध्यक्ष महोदय : अगर इधर से चुप हुए हैं तो अब आपने बोलना शुरू कर दिया है। आप बैठ जाएं।

... (व्यवधान)

MR. DEPUTY-SPEAKER: Nothing is being recorded, there is no use in speaking like this.

(*Interruptions*) ... *

उपाध्यक्ष महोदय : रिकार्ड में कुछ नहीं जा रहा है।

... (व्यवधान)

MR. DEPUTY-SPEAKER: You have wasted more than 16 minutes. Please sit down.

... (*Interruptions*)

MR. DEPUTY-SPEAKER: Nothing is being recorded except the speech of Shrimati Sumitra Mahajan.

(*Interruptions*) ... *

उपाध्यक्ष महोदय : राधाकृष्णन जी, आप खुद पैनल आफ चेयमैन में हैं।

... (व्यवधान)

MR. DEPUTY-SPEAKER: Shri Pawan Kumar Bansal, nothing is being recorded, neither your submission nor theirs. Please take your seat.

(*Interruptions*) ... *

MR. DEPUTY-SPEAKER: Hon. Members, nothing is going into the records.

(*Interruptions*) ... *

MR. DEPUTY-SPEAKER: Shri Bansal, you can discuss this matter with the hon. Speaker.

... (*Interruptions*)

MR. DEPUTY-SPEAKER: I have listened to all the hon. Members.

... (*Interruptions*)

MR. DEPUTY-SPEAKER: Nothing should be recorded.

(*Interruptions*) ... *

* Not Recorded

MR. DEPUTY-SPEAKER: Now, let us start the business of the House, please.

... (*Interruptions*)

MR. DEPUTY-SPEAKER: Nothing is going to be recorded. Please take your seat.

(*Interruptions*) ... *

MR. DEPUTY-SPEAKER: We have taken up discussion on Railway Budget. Please take your seats.

... (*Interruptions*)

MR. DEPUTY-SPEAKER: I am sorry to say that some hon. Members who are on the Panel of Chairmen are disturbing the House.

... (*Interruptions*)

उपाध्यक्ष महोदय : सुमित्रा जी आप अपना भागण शुरू करें।

श्रीमती सुमित्रा महाजन (इन्दौर) :उपाध्यक्ष जी, मैं इन लोगों की तरह चिल्ला नहीं सकती।...(व्यवधान)

उपाध्यक्ष महोदय : कृपया शांत रहें।

* Not Recorded