

**Session : 8**

**Date : 17-08-2006**

**Participants :** [Radhakrishnan Shri Varkala](#), [Bhardwaj Shri H.R.](#), [Radhakrishnan Shri Varkala](#), [Singh Shri Prabhunath](#), [Dasgupta Shri Gurudas](#), [Geete Shri Anant Gangaram](#), [Dasmunsi Shri Priya Ranjan](#), [Malhotra Prof. Vijay Kumar](#), [Tripathy Shri Braja Kishore](#)

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Title: Motion regarding Constitution of Joint Committee to examine Constitutional and Legal Position relating to Office of Profit.

MR. CHAIRMAN: Now the House will take up Item No. 6-A.

SHRI VARKALA RADHAKRISHNAN (CHIRAYINKIL): Sir, please allow me for a minute. ...  
(Interruptions)

MR. CHAIRMAN : Let the hon. Minister complete.

... (Interruptions)

THE MINISTER OF LAW AND JUSTICE (SHRI H.R. BHARDWAJ): Sir, I beg to move :

“That a Joint Committee of the Houses to be called the Joint Committee to examine the constitutional and legal position relating to Office of Profit be constituted consisting of fifteen Members, ten Members from this House to be nominated by the Speaker including the Chairperson of the Joint Committee and five Members from the Rajya Sabha to be nominated by the Chairman, Rajya Sabha.

2. That the terms of reference of the Joint Committee shall be –

- (i) to examine, in the context of settled interpretation of the expression “Office of Profit” in article 102 of the Constitution and the underlying constitutional principles therein, and to suggest a comprehensive definition of “Office of Profit”;
- (ii) to recommend, in relation to “Office of Profit”, the evolution of generic and comprehensive criteria which are just, fair and reasonable and can be applied to all States and Union Territories;
- (iii) to examine the feasibility of adoption of system of law relating to prevention of disqualification of Members of Parliament as existing in the United Kingdom and considered by the Constitution (Forty-second Amendment) Act, 1976; and

(iv) to examine any other matter incidental to the above.

3. That in order to constitute a sitting of the Joint Committee, the quorum shall be one-third of the total number of members of the Joint Committee.

4. That the Joint Committee shall make a report to this House by the winter Session of the Parliament.

5. That in other respects, the Rules of Procedure of this House relating to the Parliamentary Committees shall apply with such variations and modifications as the Speaker may make.

6. That this House recommends to the Rajya Sabha that the Rajya Sabha do join the said Joint Committee and communicate to this House the names of the Members nominated by the Chairman, Rajya Sabha to the Joint Committee.”

... (*Interruptions*)

MR. CHAIRMAN : The question is :

“That a Joint Committee of the Houses to be called the Joint Committee to examine the constitutional and legal position relating to Office of Profit be constituted consisting of fifteen Members, ten Members from this House to be nominated by the Speaker including the Chairperson of the Joint Committee and five Members from the Rajya Sabha to be nominated by the Chairman, Rajya Sabha.

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5. That in other respects, the Rules of Procedure of this House relating to the Parliamentary Committees shall apply with such variations and modifications as the Speaker may make.
6. That this House recommends to the Rajya Sabha that the Rajya Sabha do join the said Joint Committee and communicate to this House the names of the Members nominated by the Chairman, Rajya Sabha to the Joint Committee.”

*The motion was adopted.*

SHRI KHARABELA SWAIN (BALASORE): Sir, this is not correct. ... (*Interruptions*) Please allow me. ... (*Interruptions*)

THE MINISTER OF PARLIAMENTARY AFFAIRS AND MINISTER OF INFORMATION AND BROADCASTING (SHRI PRIYA RANJAN DASMUNSI): Sir, we gave a solemn assurance in the House during the debate and we complied with it. ... (*Interruptions*)

MR. CHAIRMAN : The hon. Minister has already explained why the Motion has come before the House. क्या कमेटी के मोशन पर कभी चर्चा होती है।

...(B<sup>a</sup>É'ÉvÉÉxÉ)

SHRI KHARABELA SWAIN : Sir, this is wrong. What the hon. Minister is saying is wrong. ... (*Interruptions*) This is what the hon. Leader of the Opposition was trying to say then. ... (*Interruptions*)

MR. CHAIRMAN : Nothing will go on record.

(*Interruptions*)\* ...

SHRI PRIYA RANJAN DASMUNSI : Sir, I would like to make it clear that we gave our assurance to the House during the debate and we complied with it. ... (*Interruptions*)

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\* Not recorded

MR. CHAIRMAN : As per the commitment, the hon. Minister has explained it.

... (Interruptions)

MR. CHAIRMAN : Nothing is being recorded.

(Interruptions)\* ...

MR. CHAIRMAN : As per the commitment, the hon. Minister has explained why the Motion has come. They have complied with it. Kindly cooperate.

... (Interruptions)

MR. CHAIRMAN : Nothing will be recorded.

(Interruptions)\* ...

SHRI KHARABELA SWAIN : Sir, this is not proper. ... (Interruptions)

प्रो. रासा सिंह रावत (अजमेर) : मंत्री जी को यहां आना चाहिए। ... (व्यवधान)

सभापति महोदय : आप उनकी बात सुनिये।

... (व्यवधान)

MR. CHAIRMAN : There is no discussion at all when the Motion is moved for the formation of a Committee. The House is aware. There is always no discussion when the Motion is moved for the formation of the Committee.

... (Interruptions)

MR. CHAIRMAN : Kindly do not create a new precedent. Kindly hear the hon. Minister.

... (Interruptions)

MR. CHAIRMAN : If you do not want to hear the hon. Minister I am helpless.

... (Interruptions)

MR. CHAIRMAN : Kindly hear the hon. Minister. Kindly keep quiet.

... (Interruptions)

SHRI PRIYA RANJAN DASMUNSI : Sir, first of all I would like to inform the House through you that during the course of the debate on Office of Profit ..... (Interruptions) I think you are being misled. ... (Interruptions)

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\* Not recorded

MR. CHAIRMAN : He is a competent Minister of Parliamentary Affairs. How can you challenge him?

... (*Interruptions*)

MR. CHAIRMAN : Kindly sit down. Kindly hear the hon. Minister. Kindly cooperate.

... (*Interruptions*[krr80])

MR. CHAIRMAN : Kindly sit down for a minute. Please hear him and then, you can do as you like.

... (*Interruptions*)

SHRI PRIYA RANJAN DASMUNSI: Sir, I do not understand ... (*Interruptions*)

MR. CHAIRMAN: Kindly hear him. Kindly co-operate. Nothing is going on record. You first hear what he wants to speak. Let the Minister speak. Then, you have the right to speak. Let him explain. Nothing is going on record.

(*Interruptions*) \* ...

MR. CHAIRMAN: Kindly do not record anything other than what Shri Priya Ranjan Dasmunsi speaks. Only what the Minister explains may be recorded.

(*Interruptions*) \* ...

SHRI PRIYA RANJAN DASMUNSI: Sir, during the course of the debate on Office of Profit Bill, Government gave a solemn assurance to this House and the other House that an appropriate Committee would be constituted to look into all these things in a comprehensive manner. We have simply complied with our assurance. ... (*Interruptions*)

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\* Not recorded

MR. CHAIRMAN: Kindly sit down. You know that as per the Minister's explanation, the Government had given an assurance and they have complied with it. Every Member is very learned

and knowledgeable. When the Motion for an appointment of a Committee is adopted, no discussion takes place. So, do not create a new precedent. Kindly sit down.

Shri Kailash Joshi.

... (Interruptions)

सभापति महोदय : किसान के विषय पर चर्चा हो रही है, उस चर्चा को कृपया करके आगे बढ़ने दीजिए। किसान आत्महत्या कर रहा है, किसान खतरे में है। किसान की समस्याओं पर चर्चा कर लीजिए। यह तो चलता रहेगा। किसान क्या सोचेगा कि मेरे ऊपर आपत्ति आ रही है और मेरी चर्चा में बाधा आ रही है। किसान आपके बारे में गलत सोचेगा। Let the discussion under Rule 193 be allowed further.

...(व्यवधान)

सभापति महोदय : आप सब अपने-अपने स्थान पर बैठिए। किसान आप सबके बारे में क्या सोचेंगे? किसान का सम्मान करने के लिए, किसान का आदर करने के लिए किसान के बारे में नियम 193 के अधीन जो चर्चा हो रही है, उस चर्चा को आगे बढ़ने दें।

...(व्यवधान)

MR. CHAIRMAN: Your party Member is going to speak. He has been the Chief Minister. He is a very learned and respected figure.

... (Interruptions)

सभापति महोदय : रासा सिंह जी, आप बैठिए। आपकी ही पार्टी के सदस्य बोलने के लिए खड़े हुए हैं। आप इन्हें बोलने दीजिए। आप बैठिए। क्या ऐसे काम होता है ? Kindly sit down.

...(व्यवधान)

सभापति महोदय : आप बैठिए। मैंने पहले बताया है कि जब मोशन मूव होता है और कमेटी फॉर्म होती है तो उस स्टेटमेंट पर कभी डिस्कशन नहीं होता है। यह नया कानून, नयी परम्परा हम लोग नहीं मान सकते।

...(व्यवधान)

सभापति महोदय : किसी की भी बात रिकार्ड पर नहीं जा रही है।

(Interruptions)\* ...

SHRI GURUDAS DASGUPTA (PANSKURA): Sir, I am making a point.

MR. CHAIRMAN: Shri Dasgupta, once I permit one Member, then I have to permit everybody. Kindly co-operate. Now the Motion is moved and accepted. Why should we make a new precedent when there is no such rule?

... (Interruptions)

MR. CHAIRMAN: Shri Dasgupta, kindly co-operate. Now, the Motion is moved and accepted and the Committee is formed as per the assurance given. The Minister has explained this. Once I allow one Member, I have to allow all the Members. This will be converted into a discussion, and discussion under Rule 193 will be bypassed. So, kindly do not create a new precedent.

... (*Interruptions*)

SHRI GURUDAS DASGUPTA : When the motion is moved, Members are at liberty to raise questions and seek clarifications. ... (*Interruptions*)

SHRI PRIYA RANJAN DASMUNSI: Shri Dasgupta, do not teach me parliamentary practice. ... (*Interruptions*) When there is a Motion, the Members can either support it or oppose it. ... (*Interruptions*) I am sorry.

सभापति महोदय : ऐसा है कि राज्य सभा में स्टेटमेंट के ऊपर चर्चा होती है लेकिन लोक सभा में ऐसी कोई चर्चा स्टेटमेंट के ऊपर नहीं होती है। यह नया कानून मत बनाइए। Kindly sit down.

...(ब्यवधान[S81])

MR. CHAIRMAN: Please cooperate with the Chair. Let us continue with the discussion under Rule 193 on the issue of farmers.

... (*Interruptions*)

सभापति महोदय : किसानों की हालत पर चर्चा होने दें।

एक माननीय सदस्य : मंत्री जी चले गये हैं।

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\* Not recorded

सभापति महोदय : जिनका काम हो जाता है, वह चले जाते हैं। इसमें मंत्री जी के चले जाने की कोई बात नहीं।

SHRI VARKALA RADHAKRISHNAN : Sir, I have a point to raise in the House. ... (*Interruptions*)

MR. CHAIRMAN: Nobody has run away from the House. जब उनका रिज्योल्यूशन हो गया, उनका काम खत्म हो गया और वह चले गये। नियम 193 के तहत किसानों की हालत पर चर्चा हो रही है, आप उसमें शामिल हो जायें। अब एक नया कानून मत बनाइये।

...(ब्यवधान)

SHRI VARKALA RADHAKRISHNAN : Sir, I am on a point of order. ... (*Interruptions*)

MR. CHAIRMAN: Kindly sit down, and let us continue with the discussion under Rule 193.

... (*Interruptions*)

SHRI VARKALA RADHAKRISHNAN : Sir, I am on a point of order. ... (*Interruptions*)

MR. CHAIRMAN: Kindly cooperate with the Chair.

... (*Interruptions*)

SHRI BRAJA KISHORE TRIPATHY (PURI): Sir, the Minister should not have left the House like this after moving the Motion. ... (*Interruptions*)

सभापति महोदय : आप लोग यह नई स्थिति किसलिये पैदा कर रहे हैं?

...(व्यवधान)

MR. CHAIRMAN: The Motion was moved, and the House accepted the Motion. Now, you cannot have new procedures and rules for it. Therefore, kindly cooperate with the Chair, as you all are aware about the rules to be followed in the House regarding this issue.

... (*Interruptions*)

सभापति महोदय :उनका मोशन हो गया, वह चले गये।

...(व्यवधान)

SHRI VARKALA RADHAKRISHNAN : Sir, I am raising a point of order. As regards this Motion, the Law Minister could not have read it and went away after doing it. ... (*Interruptions*) Is this the way this House is to function? Is this the way the Lok Sabha is to function? The hon. Members must be heard in the House. ... (*Interruptions*)

MR. CHAIRMAN: Kindly do not misunderstand and misinterpret the things. I do not accept this conduct by the hon. Members.

... (*Interruptions*)

SHRI VARKALA RADHAKRISHNAN : Sir, I raised an objection at the very outset. This is a matter, which has been considered by this House, and returned to the President. Now, a Committee has been appointed. This Office of Profit Bill has been discussed in this House twice, and sent to the hon. President. ... (*Interruptions*)

MR. CHAIRMAN: Mr. Radhakrishnan, nothing will go on record.

(*Interruptions*)\* ...

SHRI PRIYA RANJAN DASMUNSI: Sir, I think that the hon. Members ... (*Interruptions*)



MR. CHAIRMAN: The hon. Minister wants to say something on this issue. Please allow him to do so. Nothing else will go on record.

*(Interruptions)\* ...*

SHRI VARKALA RADHAKRISHNAN : Sir, this is a mockery. ... *(Interruptions)*

सभापति महोदय : अगर मिनिस्टर को नहीं सुनना चाहते हैं, ऐसे कैसे काम चलेगा?

...*(व्यवधान)*

एक माननीय सदस्य : मंत्री जी को बुलवाइये।

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\* Not recorded

SHRI ANANTH KUMAR (BANGALORE SOUTH): ... *(Interruptions)* Where has it been put for the consideration of the House? ... *(Interruptions)*

MR. CHAIRMAN: Hon. Member, you are a senior and learned Member of this House. You are very well aware that a Motion was moved, and the House accepted the Motion. What more is to be done in it? Now, we can go to the next item before the House.

... *(Interruptions)*

SHRI ANANTH KUMAR : No, Sir. It was not so. ... *(Interruptions)*

SHRI BRAJA KISHORE TRIPATHY: Sir, you have not gone to the next item. The Members are agitated, and some of them are ... *(Interruptions)*

SHRI PRIYA RANJAN DASMUNSI: You only shout, and you do not have the patience to hear others. Kindly allow me to explain the position. ... *(Interruptions)*

Mr. Malhotra, please allow me to speak. You can speak a little later. We are unnecessarily getting agitated because during the concluding part of the debate on the Office of Profit Bill, in both Houses, our hon. Law Minister did reiterate not once but thrice that this is a one-time legislation. It was further stated that the comprehensive matter of this issue, which has been raised, should be looked into by a Committee appointed by the House. We gave this assurance in that House, and in this House. Therefore, we are only complying with that assurance. There is nothing new in it. ... *(Interruptions)*

SHRI BRAJA KISHORE TRIPATHY : Sir, we are not discussing the merit of it. ... *(Interruptions)*

MR. CHAIRMAN: Kindly hear what Mr. Malhotra has to say.

... (*Interruptions*)

MR. CHAIRMAN: Will you not hear your own Party colleague?

... (*Interruptions*)

SHRI VARKALA RADHAKRISHNAN : Sir, I had raised this issue at the very outset. ...  
(*Interruptions*)

MR. CHAIRMAN: Mr. Radhakrishnan, please sit down. Nothing is going on record. Nothing should be recorded other than the submission of Mr. Malhotra.

(*Interruptions*)\* ...

प्रो. विजय कुमार मल्होत्रा (दक्षिण दिल्ली) : सभापति जी, अभी श्री दासमुंशी जी का यह कहना... (व्यवधान)

MR. CHAIRMAN: The Motion has already been moved, and it has been adopted.

... (*Interruptions*)

MR. CHAIRMAN: What can we do about it? It has already been approved.

... (*Interruptions*)

PROF. VIJAY KUMAR MALHOTRA : Sir, there are two points in it. Firstly, he says that they had announced in the House that a Committee would be formed for it[ak82]. It was passed on 31<sup>st</sup> July, and today is 17<sup>th</sup> August. 18 दिन तक इनको होश नहीं आया कि कोई कमेटी बनानी चाहिए या कुछ करना चाहिए। The second point is just look at the motion that has been moved. The Minister moved this Motion. कोई जॉइंट सैलेक्ट कमेटी बिना नाम के नहीं हो सकती। Names of the Members who form the Joint Select Committee have to be mentioned in the motion.

SHRI PRIYA RANJAN DASMUNSI: It is the Speaker who has to appoint the Members.

PROF. VIJAY KUMAR MALHOTRA : I do not remember even one case where a Joint Select Committee was formed without the names of the Members. The names of the Members have to be mentioned in the House. बिना पास किये, बिना मूव किये, बिना सदस्यों के नाम दिये आप इसको इस तरह से पास करने की कोशिश करें तो वह ठीक नहीं है। उस दिन यह तय हुआ था कि जो तमाम मैम्बर्स ऑफिस ऑफ प्रॉफिट होल्ड कर रहे हैं, वह उन ऑफिसेज़ से इस्तीफा दे देंगे और उसके बाद ही इस कमेटी का कोई मतलब है। बिना पास किये, बिना मूव किये, बिना सदस्यों के नाम दिये आप इसको इस तरह से पास करने की कोशिश करें तो वह ठीक नहीं है। उस दिन यह तय हुआ था कि जो तमाम मैम्बर्स ऑफिस ऑफ प्रॉफिट होल्ड कर रहे हैं, वह उन ऑफिसेज़ से

\* Not recorded

इस्तीफा दे देंगे और उसके बाद ही इस कमेटी का कोई मतलब है। They are continuing in their offices. Now, you say in the motion that the Committee will decide what is an "office of profit". दोनों बिल्कुल कॉन्ट्रेरी और डायामैट्रिकली अपोज़ीट चीजें हैं। आप इसको तय करें कि क्या कोई जॉइंट सैलेक्ट कमेटी बिना नाम के बन सकती है, क्या कभी आज तक बनी है? इसके बारे में आप देखें। ... (व्यवधान)

SHRI GURUDAS DASGUPTA : Sir, I am on a point.

MR. CHAIRMAN : Shri Gurudas Dasgupta, kindly go on.

... (Interruptions)

MR. CHAIRMAN: I have called him, kindly cooperate Prabhunath Singh ji. Shri Gurudas Dasgupta, kindly go on.

SHRI GURUDAS DASGUPTA : I am saying only one thing. The hon. Minister of Parliamentary Affairs will kindly consider the point. There is no question of opposing the motion. The motion has to be adopted, and a Joint Parliamentary Committee has to be formed. There are no two opinions on that. The second point is, the Government is only fulfilling its commitment to the House, and that is also true. Definitely, the Government has to be complimented for that. However, that is not the bone of contention. Hon. Chairman, and hon. Minister of Parliamentary Affairs, the point is that when a motion is moved in the House, if a Member or Members want to make submissions, they should be heard. We shall pass the resolution unanimously, but we should be heard. The way it was done, I do not think that it sets a good precedent. ... (Interruptions)

SHRI VARKALA RADHAKRISHNAN : We must be heard.

SHRI GURUDAS DASGUPTA : I disagree with the hon. Member that the motion should be passed with names. You will remember that I was a Member of a Joint Parliamentary Committee, in which you were also a Member. ... (Interruptions)

PROF. VIJAY KUMAR MALHOTRA : I was not a Member. Which Committee are you referring to?

SHRI GURUDAS DASGUPTA : I am referring to the Joint Parliamentary Committee on Security Scam of which I was a Member. The names were not mentioned in the House. ... (Interruptions)  
Please listen to me. The House passes a resolution, and then the hon. Speaker will nominate some Members from this House, and the hon. Chairman of Rajya Sabha will nominate some Members from the other House. This is the normal system. However, I wish to say that the way the hon.

Minister of Law and Justice behaved in the House is not the way he should have behaved. ...  
(Interruptions)

सभापति महोदय : पहले राधाकृष्णन जी को सुन लेते हैं, वे काफी देर से एजीटेड कर रहे हैं। Now, let me do justice by giving the floor to Shri Varkala Radhakrishnan, otherwise, he will not allow you to speak.

SHRI VARKALA RADHAKRISHNAN : Hon. Chairman, Sir, I am not opposed to the motion. The question is that there are some parliamentary norms to be observed. This is a House constituted under the Indian Constitution. This is the Lok Sabha. The Minister has come and moved the motion, which was circulated just now. We did not even get the time to read the motion. All of a sudden, he stood up, read the motion, and then you said that it was passed. Is it the right way of doing things? It is very shameful for this House that the Law Minister comes, moves the motion, and then leaves the House without hearing the people who are here. We have a right of say on this matter. This is a constitutional issue. You remember that the Office of Profit Bill was discussed thoroughly twice in this House. The first thing we did was, we discussed it, passed it, and then sent it to the President for his approval. The President had scrutinised it and returned the Bill. We had again passed it without any amendments, without any changes, and then sent it to the President, and the President is legally bound to put in his signature[R83].

He has not done that so far. We do not know what happened to the signature. This procedure could have been followed before passing the Bill the second time. This Resolution could have been passed before passing the Bill. After receiving the Bill back from the President, the lawful procedure open to the Treasury Benches was to move this Motion referring the matter to the Joint Select Committee for legal interpretation and other things. That is the proper way. That is the democratic way. This is something unjust and illegal. It cannot be passed like this. I am sorry that in this old age I happened to be a witness to this undemocratic way. ... (Interruptions)

MR. CHAIRMAN : Shri Radhakrishnan, you have made your point.

... (Interruptions)

SHRI VARKALA RADHAKRISHNAN : I am extremely sorry. Is this a library meeting? This is Lok Sabha. ... (Interruptions)

MR. CHAIRMAN: Shri Radhakrishnan, everybody has a right to speak. Kindly do not monopolise the time of the House.

... (Interruptions)

श्री प्रभुनाथ सिंह (महाराजगंज, बिहार) : सभापति महोदय, माननीय मंत्री जी ने घोणा की और उन्होंने प्रस्ताव रखा, इस पर हमारी कोई आपत्ति नहीं है, लेकिन जिस समय वह प्रस्ताव पढ़ रहे थे और जिस ढंग से इधर और उधर, दोनों तरफ के माननीय सदस्य अपना विरोध प्रकट कर रहे थे, उनकी बात नहीं सुनी गई। मंत्री जी(Interruptions)\* ... सदन से निकल कर चले गए, यह सदन की अवमानना है।

सभापति महोदय, मंत्री जी को यहां बुलाइए, उन्होंने सदन की अवमानना की है।...(व्यवधान) वे यहां आकर खेद व्यक्त करें, उसके बाद सदन की कार्यवाही चलाइए।...(व्यवधान) यह सदन की अवमानना हुई है।...(व्यवधान)

श्री जय प्रकाश (हिसार) : ये कैसे बोल रहे हैं?... (ब्यवधान) ये रोज ऐसे ही करते हैं।... (ब्यवधान)

MR. CHAIRMAN: Kindly sit down. If there is anything unparliamentary, it will be removed. Do not worry.

... (*Interruptions*)

SHRI BRAJA KISHORE TRIPATHY : Mr. Chairman, Sir, this is the most deplorable and unfortunate thing. ... (*Interruptions*)

श्री प्रभुनाथ सिंह : सभापति महोदय, अगर मंत्री जी नहीं आते हैं तो उन्हें \* .....(ब्यवधान)

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\* Not recorded

SHRI BRAJA KISHORE TRIPATHY : The Minister left the House when the business was being transacted. The Minister moved the Motion. He had not even consulted the Opposition. Hon. President has not given his assent yet to the Bill that was approved for the second time in both the Houses of Parliament. This is a sensational issue. The entire country is watching this. The entire intellectual community is waiting to see what happens. ... (*Interruptions*)

SHRI PRIYA RANJAN DASMUNSI: Sir, it is most objectionable to discuss the hon. President on the floor of the House. ... (*Interruptions*)

MR. CHAIRMAN : I agree with you.

SHRI BRAJA KISHORE TRIPATHY: Sir, when Members from the Treasury Benches as well as Opposition were agitating to seek some clarifications, the Minister immediately went out of the House. Is this the way a responsible Minister should treat Lok Sabha? ... (*Interruptions*) He is a respected person and a senior Minister. How could he treat Parliament this way? We demand that the Minister should come to the House. Otherwise, we will not allow this House to run. I would request you to ask the Minister to come to the House and apologise for his misbehaviour. It is then that this House will run. This is my demand.

MR. CHAIRMAN: Kindly sit down. You have made your point.

... (*Interruptions*)

सभापति महोदय : आपने अपनी बात कह दी है, अब गीते जी को बोलने दीजिए।

...(ब्यवधान)

SHRI BRAJA KISHORE TRIPATHY : The Minister must come and apologise.... (*Interruptions*)

SHRI PRIYA RANJAN DASMUNSI: Sir, the Minister need not apologise. He has not done anything contrary to the Rules of Procedure and Conduct of Business in the House. Everybody has a right to move a Motion and go out the moment the business is over, unless the Chair directs otherwise. ... (*Interruptions*)

SHRI BRAJA KISHORE TRIPATHY : The entire country is witnessing this. ... (*Interruptions*)

MR. CHAIRMAN: Mr. Geete, kindly address the Chair. They will keep quiet. Hon. Members, kindly cooperate. Kindly sit down, all of you.

... (*Interruptions*)

श्री अनंत गंगाराम गीते (रत्नागिरि) : हमें मोशन पर आपत्ति नहीं है, तरीके पर आपत्ति है।

सभापति महोदय : गीते जी, आप इधर देख कर बईÉäÉÊäÉÁ[KMR84]।

...(व्यवधान)

सभापति महोदय : मैं श्री अनन्त गंगाराम गीते को इसीलिए अपनी बात कहने का समय दे रहा हूं ताकि किसानों की बात जल्दी शुरू की जा सके।

...(व्यवधान)

श्री अनंत गंगाराम गीते : सभापति जी, विधि मंत्री जी ने जो मोशन मूव किया, उस पर हमारी कोई आपत्ति नहीं है, लेकिन मोशन मूव करने के बाद जब हमारे पार्लियामेंट्री अफेयर्स मिनिस्टर ने कहा कि मंत्री अपना मोशन मूव करने और पारित होने के बाद, यदि जाना चाहें, तो जा सकते हैं, इसमें भी हमें कोई आपत्ति नहीं है, लेकिन जैसे ही मोशन मूव हुआ और वोटिंग हुई, उसी समय सदन के आधे से ज्यादा सदस्य उत्तेजित होकर खड़े हो गए। वोटिंग नहीं हुई। ...(व्यवधान) जब वोटिंग स्टेज आई, तभी सदन के आधे से ज्यादा सदस्य उत्तेजित होकर खड़े हो गए। ...(व्यवधान)

सभापति महोदय : जब 'आएज' हुआ, तभी मैंने एनाउंस किया। आप रिकॉर्ड देख लीजिए। It is there. Nobody challenged at the time when I announced. After my announcement, then, the Minister left the House. ... (*Interruptions*)

श्री अनंत गंगाराम गीते : आपने एनाउंस किया, लेकिन उसी समय सदन के आधे से ज्यादा सदस्य उत्तेजित होकर खड़े हो गए और आपत्ति जताई जा रही थी, तभी मंत्री जी भाग गए। ...(व्यवधान)

सभापति महोदय : आपत्ति जताना अलग है और 'नो' कहना अलग है और मंजूरी देना अलग बात है।

...(व्यवधान)

श्री अनंत गंगाराम गीते : कृि मंत्री महोदय कह रहे हैं कि वे भाग कर नहीं गए, चलकर गए हैं, लेकिन मैं यह कहना चाहता हूं कि इस ढंग जो उनका व्यवहार था वह ठीक नहीं था। उनको सदन में रुकना चाहिए था। आप जो कह रहे हैं, पार्लियामेंट्री अफेयर्स मिनिस्टर जो कह रहे हैं, मेरी उस पर आपत्ति नहीं है, लेकिन जिस प्रकार का व्यवहार विधि मंत्री जी ने किया है, वह ठीक नहीं है और सदन को अपमानित करने के समान है। ...(व्यवधान)

SHRI KHARABELA SWAIN : I am on a point of order.

MR. CHAIRMAN: Under which rule?

SHRI KHARABELA SWAIN (BALASORE): Under Rule 349.

SHRI PRIYA RANJAN DASMUNSI: During the course of the debate of Discussion under Rule 193, how can a point of order be raised on the matter of Motion? You cannot. It could be done before the Motion. ... (*Interruptions*) Point of order can be raised on Discussion under rule 193 not on any other issue. ... (*Interruptions*) During the debate on Rule 193 on agricultural issue, point of order can be raised. Before that, on any other issue, we can merely discuss in the House. No point of order can be raised. ... (*Interruptions*) I strongly say that the matter which is disposed of, on that, no point of order can be raised. ... (*Interruptions*)

SHRI KHARABELA SWAIN : This is my point of order. ... (*Interruptions*) Sir, you reject my point of order. But let me register it. ... (*Interruptions*)

MR. CHAIRMAN: What is your point of order?

SHRI KHARABELA SWAIN : Rule 349, clause (xvii) – Whilst the House is sitting, a member shall not leave the House immediately after delivering his speech. ... (*Interruptions*)

SHRI PRIYA RANJAN DASMUNSI: It is the 'Member'. He is not a Member of the House. ... (*Interruptions*) It applies to you.

MR. CHAIRMAN: There is no point of order.

... (*Interruptions*)

### **16.54 hrs.**

(Mr. Dy. Speaker in the Chair)

प्रो. विजय कुमार मल्होत्रा : उपाध्यक्ष महोदय, जिस तरीके से सदन में सारा काम किया गया है, वह बहुत गलत और नाजायज हुआ है। अगर इसको नहीं मान रहे हैं और मंत्री जी कह रहे हैं कि पास कर दिया है, तो ठीक नहीं है। यदि इसी तरह से हाउस को चलाना चाहते हैं, तो हम वॉक आउट करते हैं। ... (ब्यवधान) In protest, we would like to walk out. ... (*Interruptions*)

### **16.55 hrs.**[\[rpm85\]](#)

(Prof. Vijay Kumar Malhotra and some other hon. Members then left the House)