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Title: Moved the motion for presentation of the Report of Joint Committee on Essential Commodities (Amendment) Bill- Extension of time. Motion for Consideration- adopted

1214 hours

SHRI SHYAM BIHARI MISHRA (BILHAUR): I beg to move :

"That this House do extend upto the last day of the last week of the Winter Session, 1998 the time for presentation of the Report of the Joint Committee on Essential Commodities (Amendment) Bill, 1998."

MR. SPEAKER: The question is :

"That this House do extend upto the last day of the last week of the Winter Session, 1998 the time for presentation of the Report of the Joint Committee on Essential Commodities (Amendment) Bill, 1998."

MR. SPEAKER: I think, the 'Ayes' have it.

>SHRI BASU DEB ACHARIA (BANKURA): 'Noes' have it. We want Division. Sir, we live with black marketeers and profiteers. (Interruptions) When we ask for the Division, you should allow it.

MR. SPEAKER: The Parliamentary Affairs Minister is on his leg.

SHRI BASU DEB ACHARIA : On what? (Interruptions) There is no question of extension of time.

>SHRI RAJESH PILOT (DAUSA): Let me submit to the hon. Minister. Let me submit to the House that, that day when Sardar Surjit Singh Barnala brought this amendment, there was a resentment from the entire House that this amendment cannot carry forward. We had rejected that that day. I think the hon. Minister of Parliamentary Affairs referred it to the Select Committee on his own. We did not approve the reference to the Select Committee. We rejected the amendment but now you are bringing it through the Select Committee again.

संसदीय कार्य मंत्री तथा पर्यटन मंत्री (श्री मदन लाल खुराना): सलेक्ट कमेटी नहीं, संयुक्त समिति है।

SHRI RAJESH PILOT : I am sorry. I was there. Shri Indrajit Gupta was there. We had rejected the amendment. So, this was referred to the Standing Committee by you, not by the House.

श्री मदन लाल खुराना: अध्यक्ष जी ने बनाई है, मैंने नहीं बनाई है।

SHRI BASU DEB ACHARIA : At the time of passing of the Bill, we all opposed it.

MR. SPEAKER: Let the Minister reply, please. Shri Basu Deb Acharia, please take your seat. Let the Minister reply.

SHRI BASU DEB ACHARIA : They want to dilute the Bill. What is he going to reply? ... (Interruptions)

MR. SPEAKER: Let the Minister reply.

PROF. P.J. KURIEN (MAVELIKARA): We do not want the Minister to reply. (Interruptions) The Government can say anything. We do not want reply from the Minister. You please see the rule.

MR. SPEAKER: Please understand they have asked for the extension of time only. You please go through the List of Business.

PROF. P.J. KURIEN : That is disputed here. Yes, for that Division is there. ... (Interruptions)

MR. SPEAKER: Please understand they have asked for the extension of time.

... (Interruptions)

SHRI BASU DEB ACHARIA : They are diluting the Bill.

श्री मदन लाल खुराना: अध्यक्ष जी, मैंने खुद लैटर लिखा है

... (व्यवधान)

SHRI BASU DEB ACHARIA : There was enough time. It is before the House. The House may accept or reject it.

MR. SPEAKER: Shri Basu Deb Acharia, please understand. This is for seeking time for presentation of the Report. "That this House do extend up to the last day of the last week of the Winter Session, 1998...".

श्री मदन लाल खुराना: अध्यक्ष जी, मैं आपको बता दूँ कि यह कमेटी मैंने नहीं बनाई है, आपने बनाई है।

... (व्यवधान)

मैंने खुद चेयरमैन को लैटर लिखा है इस बिल का एक्सटेंशन नहीं, इसे इसी सत्र में लाएं। एक्सटेंशन आपने दिया है, मैंने नहीं दिया है। मैंने इसी सत्र में रिपोर्ट के लिए आग्रह किया है।

>SHRI P. SHIV SHANKER (TENALI): Sir, when this Amendment Bill was brought, all of us opposed on this side. We said at that time that we would not mind if it was sent to the Select Committee but we are finding it difficult with all the amended provisions. What we are now saying is that you should have withdrawn it. On the contrary, you are asking for the extension. Instead of asking for the extension, you withdraw the amendment. This is what they are saying. Please agree for that. You withdraw the whole Bill.

श्री मदन लाल खुराना: अध्यक्ष जी के कमरे में बैठ कर बात कर लेते हैं। मैंने पहले ही कहा है कि हम इसके एक्सटेंशन के पक्ष में नहीं हैं। हम इसी सत्र में लाना चाहते हैं।

आप बैठ जाएं।

... (व्यवधान)

मुझे कोई एतराज नहीं है।

... (व्यवधान)

आप अध्यक्ष के कमरे में बैठ जाएं। जो आप कहेंगे, हमें मंजूर है। हमें इसमें कुछ नहीं कहना है।

... (व्यवधान)

SHRI BASU DEB ACHARIA : Sir, when the Amendment was brought, we all opposed it...(Interruptions)

SHRI MADAN LAL KHURANA: Sir, my suggestion is, you call a meeting in your Chamber.

दोनों पक्ष सुनकर आपने अगर इसको विदड़ों करना है क्योंकि यह कमेटी आपने बनाई है, मैंने नहीं बनाई है।

... (व्यवधान)

आपने विदड़ों करना है तो विदड़ों कर लीजिए। यह आपको अधिकार है।

... (व्यवधान)

This is within your powers,
not mine...(Interruptions)

आप विदड़ों कर लीजिए।

... (व्यवधान)

कोई नया रूल लाना चाहते हैं तो ले आइए, मुझे कोई एतराज नहीं है।

... (व्यवधान)

SHRI RAJESH PILOT : Yes, withdraw it...(Interruptions)

MR. SPEAKER: What is this? Please speak one by one.

... (Interruptions)

SHRI BASU DEB ACHARIA : Sir, when the amendment was brought, we all opposed it. What we wanted was that more stringent measures should be there in the Bill. They wanted to dilute it. They wanted to reduce the quantum of punishment...(Interruptions)

श्री मदन लाल खुराना: हम बिल्कुल नहीं चाहते हैं। हम चाहते हैं कि उसको स्ट्रिक्ट किया जाए, इसलिए भेजा था।

... (व्यवधान)

यह डाइल्यूटेड तो था ही।

... (व्यवधान)

अध्यक्ष महोदय: ऐसे कैसे करेंगे ?

... (व्यवधान)

श्री मदन लाल खुराना: जो बिल पहले पेश किया गया

... (व्यवधान)

जो स्टैंडिंग कमेटी है

... (व्यवधान)

SHRI BASU DEB ACHARIA : We objected to that. The Joint Select Committee was constituted in the month of July...(Interruptions)

MR. SPEAKER: How can I hear you like this? Please try to understand. Please speak one by one. Let us hear Shri P. Shiv Shanker.

... (Interruptions)

SHRI BASU DEB ACHARIA : This Joint Select Committee did nothing for three months. Now they are again coming forth for extension of time.

MR. SPEAKER: Please, Shri Acharia. I have called Shri P. Shiv Shanker.

SHRI BASU DEB ACHARIA : Sir, what we want is that the amendment should be withdrawn...(Interruptions)

MR. SPEAKER: Please, I have called Shri P. Shiv Shanker.

... (Interruptions)

श्री रघुवंश प्रसाद सिंह (वैशाली): असली बात तो हमने बता दी।

... (व्यवधान)

SHRI P. SHIV SHANKER : Sir, the House may recall that the Amendment Bill was an amendment to the 1981 measure which was brought and the Essential Commodities Act was sought to be diluted by amendments. Therefore, all of us opposed it at that time. When we opposed it, my friends came forth with the proposal and we agreed that all right, it could be referred to the Select Committee. He is now agreeing for the withdrawal. Though the Bill is the property of the House, my submission is, if the policy decision is taken by the Government to withdraw this Bill, then the entire House will agree. They can withdraw it and then the question of seeking the extension does not arise. Therefore, let him say that he withdraws it. He can then come forth with the proposal on Monday, it can be withdrawn and then the extension itself goes. The matter ends there. Why should he create a problem?

श्री मदन लाल खुराना: यह कहा जा रहा है कि इस सरकार ने डाइल्यूट किया है। यह मेरे पास स्टैंडिंग कमेटी की रिपोर्ट है। इसमें आपके हस्ताक्षर हैं।

... (व्यवधान)

यह स्टैंडिंग कमेटी मिनिस्ट्री ऑफ फूड एंड कंज्यूमर अफेयर्स -

... (व्यवधान)

एसेंशियल कमोडिटीज एंड अमेंडमेंट बिल,

... (व्यवधान)

इस रिपोर्ट के अंदर ... (व्यवधान)

SHRI P. SHIV SHANKER : You have brought this Bill. What has it got to do with the Standing Committee? What are you talking about?...(Interruptions)

प्रो. प्रेम सिंह चन्द्रमाजरा (पटियाला) : यह बिल पास नहीं हो सकता।

... (व्यवधान)

अमेंडमेंट पास करा लें, बिल बाद में ले आएंगे।

... (व्यवधान)

SHRI MADAN LAL KHURANA: Sir, my suggestion is, you postpone it for Monday and you call a meeting in the evening....(Interruptions)

इसकी जगह क्या लें, यह तो बता दीजिए।

... (व्यवधान)

SHRI P. SHIV SHANKER : You cannot place the Speaker in an embarrassing situation...(Interruptions)

>SHRI SATYA PAL JAIN (CHANDIGARH): Sir, I am a member of this Committee. I shall try to bring two things to the notice of the House and then let the House take a decision in any manner it may like.

Sir, it is a fact that this Committee has been constituted by the hon. Speaker. It has 30 Members and Members are from different political parties. Shri K.D. Sultanpuri is a Member. Shri Mohan Singh is also a Member. There is a Member from the CPI(M) also. Sir, we have....(Interruptions). I am replying.(Interruptions)

MR. SPEAKER: No, we are not going into the merits.

... (Interruptions)

श्री रघुवंश प्रसाद सिंह : ट्रेडर्स सक्रिय हैं।

MR. SPEAKER: Please take your seat.

... (Interruptions)

MR. SPEAKER: This will not go on record.

(Interruptions)*

SHRI SATYA PAL JAIN : Sir, this Committee has already gone into everything. I want to bring to the notice of the House that the hon. Speaker has already sent in writing to the Committee that its term has been extended. Now if we decide otherwise, that will be a reflection on the Speaker also. Kindly do not do that. The Speaker has already allowed the extension.(Interruptions)

श्री रघुवंश प्रसाद सिंह : महोदय, होर्डर्स की मदद हो रही है।

SHRI P. SHIV SHANKER : The Speaker has only reflected the will of the House in referring it to the Select Committee.(Interruptions)

PROF. P.J. KURIEN : Sir, I am on a point of order. In rule 367, the procedure regarding division is mentioned.(Interruptions)

MR. SPEAKER: Shri Raghuvansh Prasad Singh, please take your seat.

* Not recorded

>PROF. P.J. KURIEN : Sir, I shall read Rule number 367. Second part of the rule is regarding division. I will read the whole rule. It says :

"(1) On the conclusion of a debate, the Speaker shall put the question and invite those who are in favour of the motion to say 'Aye' and those against the motion to say 'No'.

(2) The speaker shall then say: 'I think the Ayes (or the Noes, as the case may be) have it'. If the opinion of the Speaker as to the decision of a question is not challenged, he shall say twice: 'The ayes (or the Noes, as the case may be) have it' and the question before the House shall be determined accordingly."

Sir, the next part of the rule is more important. This is the relevant part.

"(3)(a) If the opinion of the Speaker as to the decision of a question is challenged, he shall order that the Lobby be cleared."

Sir, there is no escape route here because the motion is already moved and the opinion of the Speaker challenged not by one Member but by many Members. According to the rules, there is no escape route other than putting the question for the vote of the House by division, if this rule has any sanctity.

MR. SPEAKER: Prof. Kurien, please understand.

... (Interruptions)

SHRI RAJESH PILOT : Sir, let me submit honestly.(Interruptions)

SHRI MADAN LAL KHURANA: It was passed in your times.(Interruptions)

श्री रघुवंश प्रसाद सिंह : अध्यक्ष महोदय, हमें भी बोलने का मौका दिया जाए।

....(Interruptions)

MR. SPEAKER: Shri P.C. Chacko please.

>SHRI P.C. CHACKO : Sir, at this point of time, no discussion about the merit of the Bill or otherwise is relevant. The motion is put for the vote of the House and the only alternative is to take a division and decide the matter as per the result of division. No other discussion is relevant at this point of time.(Interruptions)

SHRI RAJESH PILOT : Sir, let me submit very honestly to the House. Looking at the mood of the House, I would request the hon. Minister to pay attention to my plea. The day discussion took place, we all and also their Members were against the amendment of 1951 Act amended in 1981. Everyone had the feeling that the Act was being diluted. Shri Indrajit Gupta and myself were sitting. Shri Shiv Shanker was also sitting there. They both got up and he assured them. When Shri Barnala asked me, I said that I felt that the Act was being diluted. He kept quiet. After that, the decision had been taken to refer it to the Select Committee. In the debate yesterday, many Members have pointed out and I have pointed out clause by clause as to how they are trying to dilute the amending Bill. Why do they not withdraw this Bill if they have no intention to dilute it? But they want to dilute it and go ahead.(Interruptions) Now, the motion is before the House.(Interruptions)

MR. SPEAKER: Shri K. Yerrannaidu.

SHRI K. YERRANNAIDU (SRIKAKULAM): Mr. Speaker, Sir(Interruptions)

SHRI AJIT JOGI (RAIGARH): Sir, we cannot discuss the merit of the Bill. The motion is before the House. It should be put to the vote. ... (Interruptions)

MR. SPEAKER: Let me hear what he is saying. Shri Yerrannaidu.

... (Interruptions)

SHRI PRITHVIRAJ D. CHAVAN (KARAD): Sir, rules are absolutely clear.(Interruptions)

SHRI K. YERRANNAIDU : Sir, the House is not in order. Prof. Kurien is a very senior Member. ... (Interruptions)

MR. SPEAKER: I have allowed Shri Yerrannaidu.

>SHRI K. YERRANNAIDU : Sir, I want to say something. Mr. Speaker, Sir, we are discussing the issue of price rise in this House very seriously. ... (Interruptions) I want to convey my Party's feelings. ... (Interruptions)

SHRI AJIT JOGI : He was on a point of order. Let it be cleared.

SHRI K. YERRANNAIDU : Sir, there is a consensus because every party is in favour of withdrawal of this Act or this Amendment Bill. There is no necessity for this extension and they should withdraw it. You should call the Food and Civil Supplies Minister, who is the competent authority, to announce this. Then, we will discuss it later on. ... (Interruptions)

MR. SPEAKER: Prof. Kurien, you have raised a point of order, but we are not discussing about the procedure in regard to division under Rule 367.

>PROF. P.J. KURIEN : Whatever it may be, the question is before the House. This Rule Book has some value. The question has been put before the House. Sir, you, in your wisdom, ... (Interruptions)

MR. SPEAKER: You are a senior Member, please listen to me.

PROF. P.J. KURIEN : Sir, you may also sit here. Rules are sacrosanct. Within the rules, you have put the question before the House. What I am saying is that you should go by the rules or you say that the rules are came be violated. I cannot agree with this.

MR. SPEAKER: Please understand that we are not discussing about the procedure under Rule 367 now.

PROF. P.J. KURIEN : The question has been put before the House.

MR. SPEAKER: It is for extension of time.

PROF. P.J. KURIEN : We do not agree with it. We are asking for a division. We are for that. Khuranaji, the merit of the question does not arise here. The question has been put before the House.

SHRI MADAN LAL KHURANA: This is not our Motion; this is your Motion.

PROF. P.J. KURIEN : The merit of the question does not arise at all. The question has been put before the House. The House has to decide it. The merit of the question does not arise here. The question has been put before the House and the House has to decide it. The rules, with all respect to you, Sir, ...

MR. SPEAKER: Please understand, Prof. Kurien, that we are not discussing about the procedure. It is for extension of time of the Joint Committee.

... (Interruptions)

श्री मदन लाल खुराना: अध्यक्ष जी, मैं अपनी बात स्पष्ट कर दूँ।

... (व्यवधान)

अध्यक्ष जी, हमें तो ये बोलने ही नहीं दे रहे हैं।

श्री विजय गोयल : अध्यक्ष जी, उधर से ही लोग बोल रहे हैं, इन्हें तो बोलने दीजिए।

... (व्यवधान)

श्री रघुवंश प्रसाद सिंह: अध्यक्ष जी, होर्डर्स की सपोर्ट में सब काम हो रहा है। हमें पूरा संदेह है कि होर्डर्स की मदद यहां हो रही है।

... (व्यवधान)

श्री विजय गोयल : आपने तो साइन कर रखे हैं।

... (व्यवधान)

श्री रघुवंश प्रसाद सिंह : आप होर्डर्स की मदद कर रहे हैं।

PROF. P.J. KURIEN : Why do you not want to go by the rules? Sir, you should go by the rules. How is it that you do not want to go by the rules? I am only pointing out the rules. Please give your ruling.

MR. SPEAKER: Please understand that we are not discussing about the procedure in regard to division. Please understand that it is for extension of time.

PROF. P.J. KURIEN : Whatever it may be, the question has been put before the House. The Houses has to decide it. If somebody is challenging, the division has to be there.

MR. SPEAKER: Prof. Kurien, please understand.

... (Interruptions)

SHRI BASU DEB ACHARIA : Sir, I have a very valid point. Please allow me to speak.

SHRI MADHUKAR SIRPOTDAR (MUMBAI NORTH-WEST): Sir, you should allow me to speak. One Member has spoken thrice. ... (Interruptions)

SHRI P. SHIV SHANKER : Having regard to the fact that tempers are raised, the best course for the Government will be to say that they withdraw the Bill. Otherwise, there will be a division and in the division, they have to face the music. If they do not want to withdraw the Bill, let there be a division.

MR. SPEAKER: Shri Shiv Shanker, we are not discussing about the procedure on division now. We are only on the point of extension of time of the Joint Committee.

... (Interruptions)

SHRI P. SHIV SHANKER : We are against the extension and that is the point. We are against the extension and, that is why, we are asking for a division. ... (Interruptions)

... (Interruptions)

SHRI MADHUKAR SIRPOTDAR : Sir, please allow us also to speak.

SHRI PURNO A. SANGMA : I would take only two minutes. I do not take much time.

SHRI MADHUKAR SIRPOTDAR : We should also be heard ... (Interruptions)

>SHRI PURNO A. SANGMA : Sir, the question before the House is whether time for presentation of the Report of the Joint Committee for Essential Commodities Amendment Bill should be extended or not. A motion has been moved that time should be extended. What is left now is a decision that has to be taken by the House as to whether the time should be extended or not. How would the decision of the House be taken?

Sir, as far as the decision of the House is concerned, it is governed by rules 364, 365, 366 and 367 of the Rules of Procedure and Conduct of Business in the Lok Sabha. The rule is very clear as to how the decision of the House would have to be taken. Now that a motion has been put for the decision of the House, only rule 367, which has already been read by Prof. Kurien, remains operative.

I think, the hon. Speaker now has to decide whether the decision of the House would be taken by a voice vote or not. Since it has been challenged, it has to be decided whether it should be done by a voice vote or by a division. That is the only question. We do not have to decide about the merits and demerits of the Bill. It is a question of

procedure and the procedure is very clear that the decision of the House has to be taken in accordance with rules 364, 365, 366 and 367. Now, of all these rules, rule 367 is the operative part. I agree with Prof. Kurien that a division has to be there on this.

>SHRI MADHUKAR SIRPOTDAR : Mr. Speaker, Sir, this is a matter of extending the period by a motion.

SHRI P. CHIDAMBARAM (SIVAGANGA): The motion either has to be passed or defeated.

SHRI MADHUKAR SIRPOTDAR : Whatever has been said by Shri Sangma is correct. I do not deny it ... (Interruptions)

SHRI K. KARUNAKARAN (THIRUVANANTHAPURAM): The issue is very specific. The motion has already been put before the House ... (Interruptions) Now, you take the vote of the House ... (Interruptions)

SHRI MADHUKAR SIRPOTDAR : Sir, now the matter has a very restricted and a limited scope. But by taking advantage of this particular opportunity, unnecessary aspersions have been cast. I can understand the technical point and the legal aspect of the issue. But why should one make some allegations that some section of the people are in favour of the traders? This thing should not happen. It is a highly technical matter ... (Interruptions) If you shout like this, I can also shout ... (Interruptions)

MR. SPEAKER: Shri Sirpotdar, please.

SHRI MADHUKAR SIRPOTDAR : Sir, my contention is that procedure that has been laid down under rule 367 is absolutely correct. My humble request to the House is that only extension of the time for submission of the Report has been sought for and it should be allowed ... (Interruptions) If the Bill is to be defeated, the entire House is welcome to do it ... (Interruptions) The decision of the House on the motion has already been taken through a voice vote and let the business of the House now continue. Could we come back to a subject on which a decision has already been given? ... (Interruptions) That is my submission... (Interruptions)

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श्री रघुवंश प्रसाद सिंह : अध्यक्ष महोदय, असेंशियल कमोडिटीज एक्ट संयुक्त समिति में लम्बित है। इसका समय बढ़ाने के लिए एक प्रस्ताव संयुक्त प्रवर समिति के चेयरमैन की तरफ से आया है। हम अभी इस पर विचार कर रहे हैं। यह टैक्निकल विषय हो गया है। इससे सम्बन्धित जो अध्यादेश था, वह लैप्स हो गया। अब होर्डर्स के खिलाफ वह कानून नहीं है। जो कड़ा कानून था, वह लैप्स हो गया।

यदि वह अध्यादेश बरकरार रहता तो सदन को उसमें कोई आपत्ति नहीं थी। चाहे तो इसे छः महीने के लिए, एक साल के लिए या दो साल के लिए इसको आगे करते रहते, लेकिन चूंकि होर्डर्स के खिलाफ कड़ी कार्यवाही करने वाला कानून इसमें नहीं है और जो पहले कानून था वह लैप्स हो गया है, इसलिए समय बढ़ाना समिति की तरफ से होर्डर्स की मदद करना है और देश को लुटवाने की तरह है। इसलिए यदि सरकार चाहती है कि होर्डर्स के खिलाफ कार्यवाही होनी चाहिए और महंगाई को रोकना चाहिये तो १६ वर्षों से लागू १९८१ के अधिनियम में जो स्पेशल प्रोविजन दिया गया है उसे लागू करें, नहीं तो हम डिबीजन के अलावा और कोई दूसरी बात नहीं मानेंगे। इसलिए डिबीजन होना चाहिए। हम लोग सहमत हैं कि किसी भी हालत में होर्डर्स की मदद नहीं होने देंगे।

... (व्यवधान)

SEVERAL HON. MEMBERS: Sir, we want division.

MR. CHAIRMAN: I called Shri Jaipal Reddy.

>SHRI S. JAIPAL REDDY (MAHABUBNAGAR): Sir, in today's Revised List of Business, there are no Motions up to Item 12, and from Item 13 onwards there are Motions. The Minister had the option of not tabling the Motion. But, he has already moved the Motion. Therefore, there is nothing else for the House to do except to vote. No further discussion is necessary. Please go in for voting. MR. SPEAKER: Shri Madan Lal Khurana.

श्री मदन लाल खुराना: अध्यक्ष जी, मैंने आपसे पहले कहा है

... (व्यवधान)

SHRI BASU DEB ACHARIA : Sir, there is no need for further discussion. Please take the vote of the House. ... (Interruptions)

MR. SPEAKER: Please take your seat.

... (Interruptions)

MR. SPEAKER: The Minister is on his legs. Please take your seats.

... (Interruptions)

MR. CHAIRMAN: This is not proper. Please take your seats.

श्री मदन लाल खुराना: अध्यक्ष जी, मैंने आपसे पहले ही कहा है कि मैंने कुछ दिनों पहले खुद ही कमेटी को चिट्ठी लिखी कि वे इसका और एक्सटेंशन मत मांगे, और सदन में लायें। मैं एक्सटेंशन के पक्ष में नहीं हूँ। दूसरी बात यह है जिसे मैं आपके सामने स्पष्ट रूप से रखना चाहता हूँ।

... (व्यवधान)

SHRI BASU DEB ACHARIA : Sir, why are you allowing a debate? ...(Interruptions) We have heard enough on this. ...(Interruptions)

MR. SPEAKER: Please take your seat.

SHRI S. JAIPAL REDDY : There is no need for a debate. ...(Interruptions) The Motion is already moved.

श्री मदन लाल खुराना: अध्यक्ष जी, आप टाइम दे चुके हैं, यह मोशन आपकी तरफ से है, हमारी तरफ से नहीं है।

... (व्यवधान)

MR. SPEAKER: Nothing will go on record except what Shri Khurana says.

(Interruptions)*

श्री मदन लाल खुराना: मैं फिर आपसे प्रार्थना करना चाहता हूँ, आज शाम तक का टाइम है

... (व्यवधान)

.. शिवशंकर जी स्थिति अब यह है कि अध्यक्ष जी समय दे चुके हैं और यह मोशन अध्यक्ष जी की तरफ से है। आप उनके साथ बाद में बैठ जाएं और कोई रास्ता निकालें। यदि आप विदड़ाल के लिए कहेंगे तो मैं विदड़ा करने के लिए तैयार हूँ। मुझे कोई एतराज़ नहीं है

... (व्यवधान)

.. अध्यक्ष जी आप मीटिंग बुला लें और उसमें फैसला कर लें।

* Not recorded

MR. SPEAKER: What is this? You are all senior Members. Is this the way to behave in the House?

... (Interruptions)

SHRI K. KARUNAKARAN : Sir, is this the way the House should function? Now, it is for the Speaker to decide on the issue.

... (Interruptions)

SHRI P. SHIV SHANKER: He should decide. Does he want to withdraw the motion? Does he agree for withdrawal of the motion or not? If he does not want to agree for withdrawal, we are against this motion and we want division. This is the simple point..(Interruptions)

MR. SPEAKER: Hon. Members, please sit down.

... (Interruptions)

MR. SPEAKER: Please hear me first.

... (Interruptions)

SHRI BASU DEB ACHARIA : Sir, there are two alternatives. Either the Bill has to be withdrawn... (Interruptions)

MR. SPEAKER: Shri Basu Deb Acharia, please take your seat.

... (Interruptions)

SHRI BASU DEB ACHARIA : Sir, when the motion is before the House, there is no question of any debate on it. Now, you have to take the vote of the House. You allow division now... (Interruptions)

MR. SPEAKER: Shri Basu Deb Acharia, please take your seat.

श्री मदन लाल खुराना: यह डाइल्यूटेड है, मगर डाइल्यूट हमने नहीं किया। यह आप लोगों ने किया है। हम इसको ठीक करना चाहते हैं।

... (व्यवधान)

श्री बसुदेव आचार्य : क्या करना चाहते हैं ?

MR. SPEAKER: Hon. Members, please understand.

... (Interruptions)

श्री विजय गोयल : जॉइंट सेलेक्ट कमेटी में कांग्रेस के मेम्बर भी थे। वहां यूनैनिमसली निर्णय हुआ था।

... (व्यवधान)

MR. SPEAKER: Please take your seats.

... (Interruptions)

SHRI VIJAY GOEL : It was the unanimous decision they had taken. ... (Interruptions)

MR. SPEAKER: Hon. Members, please take your seats.

... (Interruptions)

MR. SPEAKER: We are not discussing anything now. Please take your seats.

... (Interruptions)

श्री अजीत जोगी : अध्यक्ष महोदय, इसी प्रश्न पर आपको डिविजन करना चाहिए। ... (व्यवधान)

MR. SPEAKER: We are not discussing about the procedure under Rule 367 with regard to division. I have understood the feelings of the hon. Members. I am appealing to all the hon. Members that before I give my ruling, I think, it will be proper to discuss it with the leaders of all the parties in my Chamber. Then I will give my ruling.

... (Interruptions)

SOME HON. MEMBERS: No, Sir... (Interruptions)

PROF. P.J. KURIEN : It is violation of Rule 367... (Interruptions)

MR. SPEAKER: We are not discussing about the division now.

... (Interruptions)

SHRI AJAY CHAKRABORTY (BASIRHAT): We want division now.

1248 hours

(At this stage, Prof. P.J. Kurien, Shri Basu Deb Acharia and some other hon. Members came and stood on the floor near the Table.)

... (Interruptions)

MR. SPEAKER: The House stands adjourned to meet again at 1.30 p.m.

1249 hours

The Lok Sabha then adjourned till thirty minutes past Thirteen of the Clock.

13.34 hours

The Lok Sabha re-assembled at thirty-four minutes past Thirteen of the Clock.

(Shri K. Yerrannaidu in the Chair)

MOTION RE: REPORT OF JOINT COMMITTEE ON ESSENTIAL

(COMMODITIES (AMENDMENT) BILL- EXTENSION OF TIME - Contd

MR. CHAIRMAN: We will take up the next item on the agenda.

... (Interruptions)

SHRI BASU DEB ACHARIA : We cannot go to the next issue unless this item is disposed of.

SHRI BHUBANESWAR KALITA (GUWAHATI): Sir, we have to dispose of the Motion. (Interruptions)

MR. CHAIRMAN: Please sit down.

... (Interruptions)

SHRI BASU DEB ACHARIA : The Motion is before the House. It has to be disposed of. (Interruptions) I am on a point of order. (Interruptions)

MR. CHAIRMAN: Hon. Members, please sit down.

... (Interruptions)

MR. CHAIRMAN : All of you may sit down first.

... (Interruptions)

SHRI BHUBANESWAR KALITA : Sir, you may give us the ruling. What is your ruling? Please give us your ruling. ... (Interruptions)

MR. CHAIRMAN: Please sit down first. I am going to tell you something. Please sit down first. You are not giving scope for the Chair to speak.

... (Interruptions)

MR. CHAIRMAN: Please sit down. I will tell you. Please sit down. What is the necessity for it now?

... (Interruptions)

SHRI BHUBANESWAR KALITA : Sir, you may dispose of this issue first and then go to the next item. ... (Interruptions)

MR. CHAIRMAN: Nothing will go on record.

(Interruptions)*

MR. CHAIRMAN: Please sit down.

... (Interruptions)

MR. CHAIRMAN: I want to tell you something. You can ask anything later on. Please sit down first. Shri Radhakrishnan, please sit down.

... (Interruptions)

SHRI ANIL BASU (ARAMBAGH): Sir, as the motion is before the House, I, as a Member of this House, have a right to ask for voting on this issue. Sir, I demand a division on this issue. ... (Interruptions)

MR. CHAIRMAN: Please sit down. On this issue only, the House has adjourned. Please sit down.

... (Interruptions)

MR. CHAIRMAN: Nothing will go on record. Please sit down.

(Interruptions) *

MR. CHAIRMAN: Shri Basu Deb Acharya, please sit down. Shri Raghuvansh Prasad Singh, please sit down.

... (Interruptions)

MR. CHAIRMAN: I will give you a chance later. Just wait for a minute. I want to tell you something. Why are you doing this unnecessarily? There is no subject before the House. Why are you raising it unnecessarily?

... (Interruptions)

MR. CHAIRMAN: Please sit down. I will give you a chance later on. You will speak on what item? The House has adjourned on this issue only.

... (Interruptions)

* Not recorded

MR. CHAIRMAN: Please sit down. Please wait for a minute. On this issue the House has adjourned. The hon. Speaker is discussing this issue with the floor leaders. Hence, we will go to the next item.

... (Interruptions)

SOME HON. MEMBERS: No.

... (Interruptions)

SHRI PRITHVIRAJ D. CHAVAN (KARAD): Sir, you cannot do like this. The Rules cannot be taken for granted.

... (Interruptions)

SHRI BASU DEB ACHARIA : Sir, I am on a point of order. ... (Interruptions)

MR. CHAIRMAN: Hon. Speaker is discussing this issue with all the party leaders. So, the House is adjourned till 2.15 p.m.

1338 hours

The Lok Sabha then adjourned till Fifteen minutes

past Fourteen of the Clock.

14.15 hours

The Lok Sabha re-assembled at fifteen minutes

past Fourteen of the Clock.

(Shri K. Yerrannaidu in the Chair)

MOTION RE: REPORT OF JOINT COMMITTEE ON ESSENTIAL
COMMODITIES (AMENDMENT) BILL EXTENSION OF TIME

... (Interruptions)

MR. CHAIRMAN : Please sit down. Let me speak.

... (Interruptions)

MR. CHAIRMAN: Please sit down.

... (Interruptions)

MR. CHAIRMAN: The issue would be resolved shortly. That is why the House is adjourned till 2.45 p.m.

14.19 hours

The Lok Sabha then adjourned till forty-five minutes

past Fourteen of the Clock.

14.47 hrs.

The Lok Sabha re-assembled at forty seven minutes

past Fourteen of the Clock.

(Mr. Speaker in the Chair)

MOTION RE: REPORT OF JOINT COMMITTEE ON ESSENTIAL

COMMODITIES (AMENDMENT) BILL EXTENSION OF TIME

श्री रघुवंश प्रसाद सिंह (वैशाली): अध्यक्ष महोदय, इस पर एक मिनट सुन लिया जाये।

अध्यक्ष महोदय, एसेंशियल कमोडिटीज एक्ट, १९५५ वाला जो विषय है, वह सॉफ्ट कानून था, सरकार के मंत्री का यही कहना था कि वह सॉफ्ट कानून है। कड़ा करके एसेंशियल कमोडिटीज एक्ट १९८१ (स्पेशल प्रोवीजन) वाला है, उसमें सख्त वाला कानून था। उस सख्ती वाले कानून को मुलायम करते-करते आर्डिनेंस हो गया और वह आर्डिनेंस लैप्स कर गया और उससे महंगाई वृद्धि हुई। इसलिए इस सरकार को आर्डिनेंस को फिर से री-प्रोमलगेट करना चाहिए था, जो आठ जुलाई को खत्म हो गया और फिर सिलैक्ट कमेटी में गया। यदि आर्डिनेंस लागू रहता, तब जोइंट सिलैक्ट कमेटी में जाने से और देर करने में कोई हर्ज नहीं है। इसीलिए हम सरकार से आग्रह करते हैं कि १९८१ (स्पेशल प्रोवीजन) वाला जो कड़ा कानून था, उसको तुरन्त लायें। हम लोग हाउस में वचन देते हैं कि १९८१ वाला कड़ा कानून लागू होगा तो हम लोग उसका समर्थन करेंगे। आर्डिनेंस में वह कानून है ही नहीं, कड़ा कानून है ही नहीं।

रसायन और उर्वरक मंत्री तथा खाद्य और उपभोक्ता मामलों के मंत्री

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(सरदार सुरजीत सिंह बरनाला): अध्यक्ष महोदय, कुछ दिन हुए, प्राइम मिनिस्टर ने चीफ मिनिस्टर्स की कांफ्रेंस बुलाई, उसमें कुछ महत्वपूर्ण फैसले लिये गये। उनमें से एक फैसला यह भी था कि

"The Essential Commodities Act would be immediately reviewed with a view to examine as to how the State Governments, Union Territory administrations can be empowered for effective action against those who hoard and cause artificial storage shortage and engage in trade malpractices, not only in respect of foodgrains but also in items of mass consumption, like vegetable, edible oil, etc. A Group of officials, under the Cabinet Secretary, would be constituted to make suitable recommendations both on the amendment of the Act and the steps that should be taken to improve the enforcement mechanism. Representatives of some of the States would also be included in this Group".

यह फैसला लिया गया था। इसके अतिरिक्त मैं कहना चाहता हूँ कि हम जो बिल लाना चाहते हैं, इसी हाउस में लाएंगे, उसमें सर्टिजेंट मैजर्स इस्तेमाल करेंगे। यह सारे हाउस की राय है कि जैसे हालात देश में चल रहे हैं, उसके लिए सर्टिजेंट मैजर्स होने चाहिए। हमारी भी राय यही है कि प्राइम मिनिस्टर साहब ने कई दिन हुए, यह फैसला कर दिया था, इसलिए जो भी बिल ला रहे हैं, वह सर्टिजेंट मैजर्स पर ला रहे हैं ताकि कोई ब्लैक मार्केटियर, कोई होर्डर छूट न सके।

कोई भी यह काम करता है तो उसे सख्त से सख्त सजा दी जाए। हम कोशिश करेंगे कि इसी सत्र में यह आ जाए।

MR. SPEAKER: Hon. Members, in view of what the hon. Minister has said, I would expect the House to give time to the Joint Committee till Wednesday, the 9th December 1998 to submit its Report. I hope that the House agrees to adopt the Motion subject to this modification.

Now, I would like to know whether the hon. Member Prof. P.J. Kurien still presses his point of order.

... (Interruptions)

PROF. P.J. KURIEN (MAVELIKARA): Sir, in view of the assurance given by the hon. Minister that a Bill with stringent measures is being introduced in the House, and also in deference to the ruling given by the hon. Speaker, I do not press my point of order.

MR. SPEAKER: So, I put the modified motion.

The question is:

"That this House do extend upto Wednesday, the 9th December, 1998, the time for presentation of the Report of the Joint Committee on the Essential Commodities (Amendment) Bill, 1998."

The motion was adopted.

MR. SPEAKER: Now, the House shall take up Item No.16

14.52 hrs.

MOTION RE: SIXTH REPORT OF THE BUSINESS ADVISORY COMMITTEE

THE MINISTER OF PARLIAMENTARY AFFAIRS AND MINISTER OF TOURISM (SHRI MADAN LAL KHURANA): Sir, I beg to move:

"That this House do agree with the Sixth Report of the Business Advisory Committee presented to the House on the 3rd December, 1998."

MR. SPEAKER: The question is:

"That this House do agree with the Sixth Report of the Business Advisory Committee presented to the House on the 3rd December, 1998."

The motion was adopted.

SPECIAL MENTIONS

MR. SPEAKER: Shri P. Shiv Shanker to speak now.

प्रो. प्रेम सिंह चन्दूमाजरा (पटियाला) : स्पीकर साहब, मैं एक अतिमहत्वपूर्ण विषय की ओर आपका ध्यान दिलाना चाहता हूँ। देहरादून में एक गुरुद्वारा है।

MR. SPEAKER: I have called Shri P. Shiv Shanker to speak.

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