

SHRI RAM NAIK : Sir, is it that what I am saying is not going on record ?

MR. SPEAKER : What I said will go more on record. What I said was this, Shri Ram Naik is an honourable and a responsible Member of this House and when he says something, I believe it. I have said so.

...(Interruptions)

11.04 hrs.

PAPERS LAID ON THE TABLE

[English]

Detailed Demands for Grants of the Ministry of Labour for the year 1997-98

THE MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI S.R. BALASUBRAMONIYAN) : Sir, on behalf of Shri M. Arunachalam, I beg to lay on the Table a copy of the Detailed Demands for Grants (Hindi and English versions) of the Ministry of Labour for the year 1997-98.

[Placed in the Library, See No. LT—1656/97]

...(Interruptions)

11.05 hrs.

MESSAGE FROM RAJYA SABHA

AND

BILL AS PASSED BY RAJYA SABHA

[English]

SECRETARY-GENERAL : Sir, I have to report the following message received from the Secretary-General of Rajya Sabha:—

"In accordance with the provisions of rule 111 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to enclose a copy of the Dock Workers (Regulation of Employment) (Inapplicability to Major Ports) Bill, 1997 which has been passed by the Rajya Sabha at its sitting held on the 13th March, 1997."

Sir, I lay on the Table the Dock Workers (Regulation of Employment) (Inapplicability to Major Ports) Bill, 1997, as passed by Rajya Sabha on the 13th march, 1997.

[English]

SHRI SRIBALLAV PANIGRAHI (Deogarh) : Sir, the examinees of Class 12 are subjected to great deal of hardships due to the difficult, unconventional and out of syllabus questions set by the CBSE. So, I request that re-examination in respect of Physics should be held or some grace marks be given ... (Interruptions)

MR. SPEAKER : How can you raise it here ?

...(Interruptions)

MR. SPEAKER : Nothing will go on record.

...(Interruptions)*

BUSINESS OF THE HOUSE

11.07 hrs.

THE MINISTER OF PARLIAMENTARY AFFAIRS AND MINISTER OF TOURISM (SHRI SRIKANTA JENA): With your permission, Sir, I rise to announce that Government Business during the week commencing Monday, the 17th March, 1997 will consist of :—

1. Discussion on the Statutory Resolutions seeking disapproval of the following Ordinances and consideration and passing of the Bills replacing these Ordinances :—

- (a) The Reserve Bank of India (Amendment) Ordinance, 1997.
- (b) The Telecom Regulatory Authority of India Ordinance, 1997
- (c) The National Environment Appellate Authority Ordinance, 1997.

2. Consideration of any item of Government Business carried over from today's Order Paper.

3. Further General Discussion on General Budget for 1997-98.

4. Discussion and Voting on :—

- (a) Demands for Grants on Account (General) for 1997-98.
- (b) Supplementary Demands for Grants (General) for 1996-97.
- (c) Demands for Excess Grants (General) for 1994-95.

5. Discussion on the Statutory Resolution seeking disapproval of the Port Laws (Amendment) Ordinance, 1997 and consideration and passing of the Port Laws (Amendment) Bill, 1997 as passed by Rajya Sabha.

*Not recorded.

SHRI RAM NAIK (Mumbai North) : Sir, I would like to raise a point so that the business can be facilitated. Yesterday, when we were given the List of Business for today, some Bills were not mentioned. But in the Revised List of Business they have mentioned some more Bills. Yesterday, only three Bills were shown by the Government, *i.e.* (1) Income-Tax (Amendment) Bill, 1997, (2) Environment Appellate Authority and (3) National Highways Laws (Amendment) Bill, 1997. We have accordingly arranged our Members to speak on these subjects and informed them. Now, in the Revised List of Business, they have included Electricity Laws (Amendment) Bill, 1997 and Lalit Kala Akadami (Taking over of Management) Bill, 1997. If the Government does like this, how can we arrange the speakers? and how can we cooperate in the House? So, I request that these two Bills which were not included in yesterday's list should not be taken up today. So, only the three Bills which were shown yesterday and circulated should be taken up so that the speakers can speak accordingly and there would be proper coordination. From that point of view, I request you that these two Bills should be taken up afterwards. *(Interruptions)*

MR. SPEAKER : Looking at the past experience, I think you will achieve what you are saying.

...*(Interruptions)*

SHRI BASU DEB ACHARIA (Bankura) : Sir, this Electricity Bill is the most controversial Bill ...*(Interruptions)* My request is that the Bill should not be taken up today ...*(Interruptions)*

MR. SPEAKER : That is what he is also saying.

...*(Interruptions)*

MR. SPEAKER : We are on the business for the next week. You are discussing about today's business. The Minister's statement is regarding the Government's business for the next week. About today, we shall see as it goes. Now, we will take up 'Submission to be made'. Prof. Mehta please.

...*(Interruptions)*

SHRI V.V. RAGHAVAN (Trichur) : The Electricity Bill should not be taken up. It is the most controversial Bill ...*(Interruptions)*

PROF. RITA VERMA (Dhanbad) : Sir, what happened to the Women Reservation Bill. We are anxious about it ...*(Interruptions)* The Government has stated that it is committed to bring this Women Reservation Bill. I would like to register my protest ...*(Interruptions)*

MR. SPEAKER : I do not know. Shri Jena, what happened to the Women Reservation Bill? It is not mentioned in the List of Business.

...*(Interruptions)*

PROF. RITA VERMA : What happened to your promise to bring forward this Women Reservation Bill? ...*(Interruptions)*

MR. SPEAKER : I think the Government is having consultations on this.

...*(Interruptions)*

PROF. RITA VERMA : If so, the Government must clarify its position. The Government must say that it does not want to bring the Bill for discussion if it has made up its mind ...*(Interruptions)*

MR. SPEAKER : The Budget discussion will not come to an end by next week. We are only going for a recess. The House will resume on the 21st April, 1997.

...*(Interruptions)*

PROF. RITA VERMA : The Minister of Parliamentary Affairs must give a categorical assurance ...*(Interruptions)*

SHRI RAJESH PILOT (Dausa) : Sir, you are being invited by the girls' colleges very often. May be this is the purpose for which they are inviting you. Often you are being invited by the ladies' colleges to attend prize distribution function etc. That must be their intention ...*(Interruptions)*

MR. SPEAKER : Do you think, I am being influenced in favour of this Bill?

...*(Interruptions)*

PROF. RITA VERMA : The Parliamentary Affairs Minister must give a categorical assurance ...*(Interruptions)* Sir, no categorical assurance is being given on Women's Reservation Bill ...*(Interruptions)* Sir, we must get a categorical assurance ...*(Interruptions)*

MR. SPEAKER : Shri Jena, do you have anything to say about the Women's Reservation Bill?

...*(Interruptions)*

THE MINISTER OF PARLIAMENTARY AFFAIRS AND MINISTER OF TOURISM (SHRI SRIKANTA JENA) : I have already clarified the position about the Women's Reservation Bill. The Prime Minister has already assured the other House, I think, that during the 'recess time' an all party meeting would be called and some kind of a consensus would be worked out. So, after the 'recess' only, it would be possible for the Government to bring forward that Bill with the consensus of the political parties.

MR. SPEAKER : That answers the question. That is enough.

...(Interruptions)

SHRI V.V. RAGHAVAN : Sir, the Power Minister is sitting here. We want an assurance from the hon. Minister ... (Interruptions)

MR. SPEAKER : If that Bill comes today, if at all, you can speak on that.

...(Interruptions)

SHRI V.V. RAGHAVAN : Sir, it is included in the List of Business for today ... (Interruptions)

MR. SPEAKER : If it comes at all—before it is taken up—I will allow you.

...(Interruptions)

SHRI V.V. RAGHAVAN : Sir, it is the most controversial Bill ... (Interruptions)

MR. SPEAKER : Please do not waste time on this now. It is enough.

... (Interruptions)

MR. SPEAKER : Now, submissions to be made.

...(Interruptions)

[Translation]

DR. SATYANARAYAN JATIA (Ujjain) : Sir, the following items may be included in the next week's agenda.

1. Need to improve the condition of the Textile industry and Textile mills. Need to revive the NTC, STC private and sick industries and need to ensure employment and rehabilitation of the workers working in them.
2. Need to ensure effective measures and chalk out programmes for freeing river waters of pollution in the country. Accepting the schemes in regard to clearing of waters of Kshipra-Narmada and Kshipra-Narmada pair as national projects and implementing them.

[English]

SHRI SUBRATA MUKHERJEE (Raiganj) : The following items may be included in the next week's agenda :

- 1: To discuss the problems faced by the transport passing through NH-31 and NH-34 at Dalkhola Railway level crossing due to lack of fly-over.

2. To discuss the resettlement of the villagers who are outside the wire fencing in Indo-Bangladesh border in West Bengal.

SHRI SRIBALLAV PANIGRAHI (Deogarh) : The following matter may be included in the next week's agenda:

- (1) Discussion on the need to bring about basic changes in one system—both political and administrative and form a Constituent Assembly for the same.

SHRI HARADHAN ROY (Asansol) : The following items may be included in the next week's agenda :

1. To discuss the acute drinking water problem in Asansol-Raniganj coal mines areas and immediate steps to be taken to solve this problem.
2. To discuss the slow progress of Rural Electrification Programme in West Bengal due to inadequate fund released from the Central Government.

[Translation]

SHRI SANTOSH KUMAR GANGWAR (Bareilly) : Sir, the following-items may kindly be included in the next week's agenda :

1. Providing a sum of Rs. 100 crore for the proper development of Bareilly which has been selected as a counter-magnate city under the National Capital Region in the next plan.
2. Announcing the construction of an over-bridge on the north and north-east level crossing at Bareilly-Chopla keeping in view the traffic problem.

SHRI MAHABIR LAL VISHWAKARMA (Hazaribagh) : Mr. Speaker, sir, the following two items may kindly be included in the next week's agenda :

1. Large deposits of coal has been found at Belgarh in Itkhor block of Chatra district of South Bihar. But mining of coal is not being carried out in the area. Hence there is an urgent need to start mining of coal at Belgarha of Itkhor block in Chatra district.
2. Mining is being done by the Government at Sudharpur village of Patratu block in Hazaribagh district of South Bihar. Due to explosion being done during mining the existence of Sudharpur village itself is in danger. So, keeping in view the welfare of the villages mining should be stopped there and the compensation of losses till now suffered by the people of that area should be paid to them.

[English]

SHRI ANADHI CHARAN SAHU (Cuttack) : Sir, the following item may be included in the next week's agenda, namely, a survey conducted by the Regional Research Laboratory, Bhubaneswar and the Oceanographic Institute, Goa has found increase of flouride level in the Bay of Bengal at Paradip. This seems to be due to leakage from the gypsum pond of PPL. This increase of fluoride level has endangered marine species.

TELECOM RAGULATORY AUTHORITY OF
INDIA BILL, 1997*

11.06 hrs.

[English]

MR. SPEAKER : Shri Beni Prasad Verma may move for leave to introduce the Bill.

[Translation]

MINISTER OF TELECOMMUNICATIONS (SHRI BENI PRASAD VERMA) : Mr. Speaker Sir, I beg to move that leave be granted to introduce a Bill to provide for the establishment of the Telecom Regulatory Authority of India to regulate the telecommunication services and for matters connected therewith or incidental thereto.

[English]

MR. SPEAKER : Motion moved :

"That leave be granted to introduce a Bill to provide for the establishment of the Telecom Regulatory Authority of India to regulate the telecommunication services and for matters connected therewith or incidental thereto."

SHRI RAM NAIK (Mumbai North) : Sir, I have given notice to oppose the introduction of the Telecom Regulatory Authority of India Bill, 1997. This Bill is in replacement of the Ordinance No. 11 which was promulgated on 25th January. That means nearly one and a half months have passed but the Government did not present the Bill. The Bill is being introduced today.

I draw your attention to Speaker's Direction No. 19A and B. Direction 19A says :

- (1) A Minister desiring to move for leave to introduce a Bill shall give notice in writing of his intention to do so.
- (2) The period of notice of a motion for leave to introduce a Bill under this direction shall be seven days unless the Speaker allows the motion to be made at shorter notice."

I do not know whether the Government approached you and whether you have allowed them for shorter notice

than the seven days notice which is required. I do not know the exact position. But you would be knowing it better. So, the first point would be, whether the Government have approached you seven days in advance or not.

My next important point is for the protection of our rights and that is, Direction 19B which says :

"No Bill shall be included for introduction in the list of business for a day until after copies thereof have been made available for the use of members for at least two days before the day on which the Bill is proposed to be introduced."

So, this Bill has been circulated only today and it has been mentioned in the Order Paper for today. We have received the papers only today morning. My point is, Direction 19B is very important from our point of view because if we want to object the Bill from the constitutional point of view, then we must see the Bill at least two days in advance. Now, the Government had issued the Ordinance on 25th January and they want that our right be snatched away everywhere, they are taking the rules of the House lightly. We cannot allow that to happen. This lethargic Government is not at all behaving according to the Directions given by the Speaker. So, I object on this point.

Another aspect which can be seen is that today is Saturday. If we would not have worked on Saturday, then the Bill would have come up on Monday. So, let them introduce the Bill on Monday and if we want to take any constitutional objection, then we will certainly take those objections on Monday. From this point of view also, I request you to uphold our rights so that we will get two days notice in advance. So, accordingly, I oppose the introduction of this Bill.

MR. SPEAKER : I think Mr. Ram Naik is very right in pointing to the rules.

There is no dispute about that. This Bill is going to replace the Ordinance of 25th January. That has to be replaced before 3rd April. So, the Government did apply to the Speaker for waiving this direction. I have allowed it. But I should impress upon the Government that we should try to conform to the Rules.

...(Interruptions)

SHRI RAM NAIK (Mumbai North) : What difference does it make ?...(Interruptions) No. We should get it at least two days in advance. My point is that when the Ordinance was issued on 25th January, the Government had one to one and a half months at their disposal to prepare the Bill and to circulate it.

MR. SPEAKER : To be very frank, I was influenced by our discussion in the Business Advisory Committee because from Monday onwards, we will be very busy with the discussion on the General Budget.

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