

LOK SABHA DEBATES

LOK SABHA

Wednesday, January 9, 1991/Pausa 19,
1912 (Saka)

The Lok Sabha met at Eleven of the Clock

[MR. SPEAKER *in the Chair*]

ANNOUNCEMENT BY SPEAKER

**Observation *re.* receipt of order passed
by the High Court of Delhi**

[*English*]

MR. SPEAKER: I had informed the House yesterday about the order passed by the High Court of Delhi on the stay application in Civil Writ Petition No. 3871 of 1990 directing that all the petitions presented before me under the 10th-Schedule of the Constitution "shall not be proceeded with or pursued by the petitioners" before me.

I have discussed the matter with the leaders of parties and groups this morning and it was unanimously agreed upon that the orders of the High Court be ignored. Accordingly I am ignoring the order of Delhi High Court.

11.01 hrs.

MOTION UNDER RULE 388

Suspension of Question Hour

[*English*]

PROF. MADHU DANDAVATE
(Rajapur): I have given a notice under rule

388 that rule 32 regarding Question Hour be suspended and the adjournment motion for which many hon. Members have given notice of should be taken up.

In addition, I feel that you having declared as to what should be the position I would suggest that we should take up the adjournment motion and also the view of the House that this House is of the considered opinion that in view of paragraphs 6 and 7 of the 10th Schedule of the Constitution regarding disqualification of ground of defection, the order of the Delhi High Court on 8th January, 1991 to maintain status quo in respect of 37 Janata Dal (S) MPs against whom anti-defection proceedings were pending with the Speaker, should be totally ignored to uphold the dignity of the Constitution. (*Interruptions*)

SHRI L.K. ADVANI (New Delhi): With your permission I move:

"That this House do suspend Rule 32 of the Rules of Procedure and Conduct of Business in Lok Sabha in so far as it provides for the first hour of the sitting being made available for the asking and answering of question, in its application to the Adjournment Motion regarding the failure of the Government to uphold the provisions of the Constitution in regard to disqualification of M.Ps contained in Schedule 10 of the Constitution which put the issue outside the jurisdiction of any court."

MR. SPEAKER: Shri Satya Prakash Malviya.