

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.

(Interruptions)

MR. SPEAKER: I have called upon Mr. Malviya to speak.

(Interruptions)

[*Translation*]

THE MINISTER OF PETROLEUM AND CHEMICALS AND MINISTER OF PARLIAMENTARY AFFAIRS (SHRI SATYA PRAKASH MALVIYA): Mr. Speaker, Sir, I would like to draw the attention of the House to the fact that for today Question Hour was not stated, but only on the suggestion of Mr. Advani that since the House was not going to meet on 31 December and 1 January, the questions to be answered on those days may be replied to during the Question Hour on 9 January.

PROF. RAM GANESH KAPSE: We did not know at that time that such a situation will be created by the Government...*(Interruptions)*

SHRI MADAN LAL KHURANA: This Government does not want the House to function smoothly and the defector Ministers are themselves doing such things. *(Interruptions)*

[*English*]

PROF. RAMGANESH KAPSE: We want to censure the Government...*(Interruptions)*

[*Translation*]

MR. SPEAKER: All of you please take your seats, I am listening to the Minister of Parliamentary Affairs.

SHRI SATYA PRAKASH MALVIYA: My only submission is this that I have no objection to the motion for suspension of question hour.*(Interruptions)*

MR. SPEAKER: First please listen to him.

SHRI SATYA PRAKASH MALVIYA: I

once again request the whole House to reconsider my suggestion of having question hour and after that we can take up this matter at 12 O'clock. *(Interruptions)*

MR. SPEAKER: The Minister of Parliamentary Affairs is not opposing the motion. The whole House is unanimous that the question hour may be suspended.

[*English*]

So, the question is:

"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 questions, in its application to the Adjournment Motion regarding 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."

The motion was adopted

MR. SPEAKER: Question Hour is suspended.

11.09 hrs.

WRITTEN ANSWERS TO QUESTIONS

[*English*]

Deployment of Para-Military Forces in U.P.

*41. SHRI PYARELAL
KHANDELWAL:
SHRI SHANKERSINH
VAGHELA:

Will the PRIME MINISTER be pleased to state: