

**SHRI MANDHATA SINGH:** There is also a precedent. As long as the chair is there, the House is supposed to be in session.

**MR. CHAIRMAN;** Shri Muttiah to present first report of the Business Advisory Committee. In that actually we will bring the extension of the time.

**SHRI DINESH GOSWAMI:** Is it that this Bill will be taken up tomorrow?

**MR. CHAIRMAN:** Let him present the report.

18.03 hrs

#### BUSINESS ADVISORY COMMITTEE

##### First Report

**SHRI R. MUTHIAH (Periyakulam):** I beg to present the First Report of the Business Advisory Committee before the House.

**THE MINISTER OF INFORMATION AND BROADCASTING AND MINISTER OF PARLIAMENTARY AFFAIRS (SHRI P. UPENDRA):** Madam, in the Business Advisory Committee, it has been decided to take up the Motion of Thanks on the President's Address tomorrow after Question Hour. It has also been agreed that we will sit longer today and finish the Supplementary Demands for Grants as well as the Representation of the People (Amendment) Bill.

I request the House through you to complete this business today so that we can start the Motion of Thanks on the President's Address tomorrow.

**SHRI G.M. BANATWALLA (Ponnani):** The report of the Business Advisory Committee has only been presented. It has not yet been accepted. It is already very late. In this winter sitting so late and continuing with the business is punishing the serious Members here.

**THE MINISTER OF FINANCE (PROF. MADHU DANDAVATE):** We share your sufferings.

**SHRI P. UPENDRA:** I seek the indulgence of the hon. Members. We have two choices—either to sit longer or extend the Session. The members of the Business Advisory Committee unanimously felt let the business be finished by 29th by sitting longer every day up to 7.30 p.m.

**SHRI G.M. BANATWALLA:** We will discuss that report tomorrow. We will study the report, come tomorrow and discuss it. Till the report of the Business Advisory Committee is adopted, it does not apply.

**SHRI P. UPENDRA:** That is for tomorrow onwards. But today I am proposing this.

**MR. CHAIRMAN:** Now the Minister of Parliamentary Affairs is appealing to the House to extend the time of the House today....

**SHRI G.M. BANATWALLA:** I am appealing to the Parliamentary Affairs Minister not to make such an appeal.

**MR. CHAIRMAN:** We have to extend the House in order to continue with the present business.

**SHRI G.M. BANATWALLA:** How long?

**SHRI P. UPENDRA:** It was agreed to have only one hour for this Representation of People (Amendment) Bill and one hour for Supplementary Demands. That was the agreement. Accordingly, we extend the time.

**SHRI G.M. BANATWALLA:** Who made that agreement?

**MR. CHAIRMAN:** Among the parties.

**SHRI G.M. BANATWALLA:** The House is not bound by all these things. My party was not there.

MR. CHAIRMAN: It seems to me that there is some objection to the appeal. But, in any case, I think through compromise, you will agree. I extend this House till this Bill is finished and Supplementary Demands would be taken up tomorrow. Do you agree?

PROF. MADHU DANDAVATE : Supplementary Demands would not take much time. Only a few members will speak.

SHRI P. UPENDRA : Shri Banatwalla is a very senior member and I know he is conscientious member. This has to be reported to the other House also and they have to take up in the other House also. Kindly cooperative with us. They are continuing from the previous regime. This should have been finished long time ago but they have come to us.

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18.07 hrs

STATUTORY RESOLUTION *RE* : DISAPPROVAL OF THE REPRESENTATION OF THE PEOPLE (AMENDMENT) ORDINANCE, 1989 AND REPRESENTATION OF THE PEOPLE (AMENDMENT) BILL-*CONTD.*

MR. CHAIRMAN: Let us proceed with the business. One more Member is still to speak. I would give five minutes to Shri Ajit..Kumar Panja.

SHRI AJIT PANJA : (Calcutta North East) : Kindly consider. We are discussing the rights of the people of Assam without any one representing in this House. Even the Minister himself is no representative of Assam except he is a citizen. He is not a Member in this House nor he is a member of Rajya Sabha. Therefore, the responsibility of the entire people of Assam is mine. Kindly give me some time. I am very much here.

MR. CHAIRMAN: Already Shri Santosh Mohan Dev and Shri Harish Rawat have

spoken. I request you to be as brief as possible.

SHRI AJIT PANJA : That I will do. I usually do not take much time. Thank you. In fact, we are here discussing not only the rights of the people of Assam who are duly qualified to be voters and voting for the ensuing election but also—I am pointing out a very important factor to be taken into consideration a person when he becomes a Voter, he is duly qualified under the provisions of the Representation of People Act, 1950 read with Representation of people Act, 1951 and the Part 'C' of the constitution of India. But I am on another point. The very existence of this House is being questioned by this provision. Unless a person becomes an elector or a voter, he cannot be chosen to fill in a seat of Lok Sabha or Rajya Sabha. Therefore, the very right to become a member of this august House, the whole basis of democracy, wherein we debate, that very right is being taken out from that very person who is entitled to get it. Therefore, first it is to be conceded that this House is constituted under Article 79 of the Constitution and so far as Lok Sabha and Rajya Sabha together are concerned, it has to be read with Article 81 of the Constitution. While doing so, we must look into who are the persons who can become a Member of this very House.

Madam Chairperson, so far as the Representation of the People Act, 1950 is concerned, I do not know why so much confusion is being created with such a very essential right of democracy of an Indian citizen over the age of 18 years to become an elector not only to choose his representative but by himself representing either as an Independent candidate or a candidate of any other party. Therefore, you are the custodian to protect the right of such an elector who would have become a Member but for this illegal action.

Madam, Section 4 of the Representation of the People Act, 1951 is absolutely clear—right from the Constitution up to the rules. The point is the Election Commission submitted to the illegal demand. I do not