

Agricultural and Processed Food Products Export Development Authority, new Delhi, for the year 1989-90.

- (2) A statement (Hindi and English versions) showing reasons for delay in laying the papers mentioned at (1) above [Placed in Library See No LT 2130/91]

12.08 1/2 hrs.

BILLS PASSED BY RAJYA SABHA

[*English*]

SECRETARY-GENERAL: Sir, I lay on the Table the Legal Services Authorities (Amendment) Bill, 1994 as passed by Rajya Sabha.

12.08 1/2 hrs.

ASSENT TO BILLS

[*English*]

SECRETARY-GENERAL: Sir, I lay on the Table the following five Bills passed by the Houses of Parliament during the last session and assented to since a report was last made to the House on the 5th October, 1990;—

1. The Cantonments (Amendment) Bill, 1991
2. The Taxation Laws (Amendment) Bill, 1991
3. The Appropriation Bill, 1991
4. The Assam Appropriation Bill, 1991

5. The Jammu and Kashmir Appropriation Bill, 1991.

Sir, I also lay on the Table copies, duly authenticated by the Secretary-General of Rajya Sabha, of the following six Bills passed by the Houses of parliament during the last session and assented to since a report was last made to the House on the 5th October, 1990:—

1. The Public Liability Insurance Bill, 1991
2. The Salary and Allowances of Leaders of Opposition in Parliament (Amendment) Bill, 1991
3. The Reserve Bank of India (Amendment) Bill, 1991
4. The Reserve Bank of India (Second Amendment) Bill, 1991
5. The Jammu and Kashmir Criminal law Amendment (Amending) Bill, 1991
6. The Chief Election Commissioner and Other Election Commissioners (Conditions of Service) Bill, 1991.

12.09 hrs.

RAILWAY CONVENTION COMMITTEE

Third Report

[*Translation*]

SHRI PURUSHOTTAM KAUSHIK (Durg): Mr. Speaker, Sir, I beg to present the Third Report (English and Hindi versions) of the Railway Convention Committee (1989)

on Rate of Dividend for 1991-92 and other Ancillary Matters.

12.09 hrs.

[*English*]

SHRI L.K. ADVANI (New Delhi): Sir, with your permission, I rise to record my Opposition's protest against the Government's decision not to present the full Budget and instead to come forth and seek a Vote on Account. It is something unprecedented.

PROF. MADHU DANDAVATE (Rajapur): Unanimous Opposition.

SHRI L.K. ADVANI: Entire Opposition.

I think that the decision is extremely unwise. It is improper. It has serious consequences for the economy. I am sure that after two or three months, the Government itself—whether it is still the Government or not—would realise that it has done great disservice to the country by agreeing to this proposal from whichever quarter it may have emanated. This is a Session which is called the Budget Session; and by this decision, that appellation has become a misnomer. It is no longer the Budget Session. In fact, we received formal communications from the Lok Sabha Secretariat. I saw a Bulletin dated 15th February in which we were told; 'Members are informed that in pursuance of rule 204 of the Rules of Procedure and Conduct of Business in the Lok Sabha, the President has been pleased to fix the following dates for the presentation of the Railway and General Budgets for the financial year 1991-92; Railway Budget—Monday, the 25th February 1991...' (*Interruptions*)

PROF SAIF-UD-DIN SOZ (Baramulla): I am on a point of order... (*Interruptions*)

[*Translation*]

MR. SPEAKER: Under which rule you are raising the point of order. Which rule has been violated.

(*Interruptions*)

[*English*]

PROF SAIF-UD-DIN SOZ: I have no objection to Advani Ji making a statement regarding the proposition of Vote on Account, or his suggestion that a full Budget should be presented; but my objection is that you took notice of Mr. Roy's adjournment motion, and said that now we were taking up the adjournment motion. Under what rule is Mr. Advani speaking now... (*Interruptions*)

[*Translation*]

MR. SPEAKER: There is no point of order in it.

[*English*]

The Speaker has to regulate the proceedings of the House. You know that.

(*Interruptions*)

MR. SPEAKER: Please take your seat. Now Mr. Advani.

(*Interruptions*)

SHRI L.K. ADVANI: I was quoting from the Lok Sabha Bulletin No. 1152 which goes on to tell us that the General Budget would be presented on Thursday, 28th February 1991. I have no information, because it is under the President's direction that this Bulletin has been circulated, and this direction also is obviously under Article 112 of the Constitution which requires the President to fix the dates for the presentation of the Annual Financial Statement. I do not know,

[Sh. L.K. Advani]

Sir, whether this particular decision of the President has been formally rescinded, because all that we know is that the Prime Minister has announced that the Government does not intend to present a full-fledged Budget... (*Interruptions*)

SHRI VASANT SATHE (Wardha): Sir, what he is saying can be taken up any time.. That is the rule now. We have all respect for you, Sir; but once you say that the adjournment motion is taken up... (*Interruptions*) Mr. A.K. Roy moved the adjournment motion. You gave your consent. (*Interruptions*) Now under what rule... (*Interruptions*) Sir, you are the master of this House, we agree. But under what rule do you say that the adjournment motion is now suspended and Advani Ji has to make these points?

MR. SPEAKER: I have given permission to Mr. A.K. Roy. I will allow him to move the Motion. I am here to allow the adjournment motion.

SHRI VASANT SATHE: Once the adjournment motion is on, can any hon. Member get up and start saying all these?

MR. SPEAKER: I have allowed the Ministers to lay the papers first.

SHRI VASANT SATHE: Laying of papers is different. Sir, are you exercising your discretion to stop the adjournment motion? Please tell me.

MR. SPEAKER: No, who told you so?

SHRI VASANT SATHE: Then why do you allow a different subject to be raised by the hon. Leader of the Opposition? I would like to know this. Please tell us. (*Interruptions*)

MR. SPEAKER: I will allow Mr. A K Roy to move the adjournment motion.

SHRI VASANT SATHE: The entire Question Hour was wasted, and now we are having this, instead of the adjournment motion. I would like to know under what rule you are allowing this.

MR. SPEAKER: With the permission of the House I allowed the papers to be laid, and allowed Mr. Advani also to make this statement.

(*Interruptions*)

PROF. P.J. KURIEN (Mavelikara): Then we should also be allowed.

SHRI VASANT SATHE: Then let us discuss this subject, and not the adjournment motion. (*Interruptions*)

PROF. P.J. KURIEN: If you are allowing him to make his submission, then you should also allow us to react to that. (*Interruptions*) This is violation of the rules. If you allow the Leader of the Opposition to say something on this, then we should also be allowed to say something on this. (*Interruptions*)

MR. SPEAKER: I have allowed Mr. Advani...

(*Interruptions*)

PROF N.G. RANGA (Guntur): Are we supposed to do like this here? (*Interruptions*)

MR. SPEAKER: I will call upon you to speak.

(*Interruptions*)

PROF. N.G. RANGA: Surely the Speaker is not above the rules that he can allow anybody and everybody to raise any point at any time. (*Interruptions*)

MR. SPEAKER: I have allowed the

Leader of the Opposition to make his submission.

(Interruptions)

SHRI KAMAL CHAUDHRY (Hoshiarpur): Have you given your ruling that the Adjournment Motion be adjourned?
(Interruptions)

MR. SPEAKER: I will also allow anybody from this side to speak.

(Interruptions)

PROF. P.J. KURIEN: This is violation of the rules. *(Interruptions)*

[*Translation*]

MR. SPEAKER: I said if any hon. Member from the Congress Party wants to react, he could do so.

[*English*]

SHRI VASANT SATHE: Neither you nor the Leader of the Opposition nor anyone of us are above the rules. We are governed by the rules. I would request you to tell us under what rule are you going to allow Mr. Advani to make his submission when the Adjournment Motion has been taken up? Please quote the rule to us. We do not know whether you have suspended all the rules.

[*Translation*]

MR. SPEAKER: I allowed him after taking Leave of the House and after consulting the Minister.

[*English*]

SHRI VASANT SATHE: I am not on that.

(Interruptions)

MR. SPEAKER: Mr. A.K.Roy has yet to move his motion. He has taken the leave.

(Interruptions)

SHRI VASANT SATHE: No, no. *(Interruptions)* He has moved it.

PROF. MADHU DANDAVATE: As far as Adjournment Motion procedure is concerned, there are two parts. The first part is that the concerned members seeks leave of the House. If the leave is granted, the Speaker, in consultation with the House, decides the time. So, moving an Adjournment Motion and moving for leave are two different motions. The first motion has been moved. Leave has been granted; and when you call them to move an Adjournment Motion, that is the time at which he gets up and move the motion. *(Interruptions)*

PROF. SAIF-UD-DIN SOZ: Sir.....

MR. SPEAKER: I am not permitting you again. I had heard you. There is no point of order.

(Interruptions)

PROF. SAIFUDDIN SOZ: Prof. Dandavate has misinterpreted it. *(Interruptions)*

MR. SPEAKER: Yes, Mr. Advani.

(Interruptions)

SHRI L.K. ADVANI: I had sought the permission of the Speaker yesterday. *(Interruptions)*

MR. SPEAKER: I will call you afterwards.

SHRI L.K. ADVANI: I am aware of this. *(Interruptions)*

PROF. MADHU DANDAVATE: Let it be on record that only first motion is moved: "I seek leave of the house to move the following Adjournment Motion." Leave is granted. Now he will move the motion and start speaking. That is the procedure. (*Interruptions*)

SHRI L.K. ADVANI: Mr. Speaker, as I said, I would like to know from you whether this particular direction given by the President under Article 112 of the Constitution, which in pursuance of Rule 204 you have informed us; has it been formally rescinded or is it still there? Has any formal communication been given to you that hereafter this requirement made by the President under the Constitution is no longer there? This is a very pertinent question which the House would like to know. Because, I am, along with the entire Opposition, of the view that this particular decision taken by the Government is going to hurt the economy very badly, that it will accentuate the climate of political uncertainty and instability which has been there ever since the formation of this Government and therefore on the whole this is a decision which is against the interests of the country. It should not have been taken. If the Government has any explanation, I would be happy to listen to it.

SHRI A.K. ROY (Dhanbad): Allow me to speak, Sir. (*Interruptions*)

THE PRIME MINISTER (SHRI CHANDRA SHEKHAR): Mr. Speaker, Sir, I do not want to enter into this controversy. But I do not want that any misgivings should be created on this ground. When the notice was issued, subsequently, the President was informed of the changed situation and what has been done, has been done, with the knowledge and consent of the President.

MR. SPEAKER: Mr. A.K. Roy.

SHRI SOMNATH CHATTERJEE

(Bolpur): We have something to say on this. (*Interruptions*)

SHRI L.K. ADVANI: The Lok Sabha Secretariat received a communication in this regard on February 14. One day after that this Bulletin was issued. Had that particular communication been rescinded?

12.22 hrs.

MOTION FOR ADJOURNMENT

Failure of Government to take timely decision about stoppage of refuelling of U.S. Planes and proper initiatives in regard to Gulf War compatible with pronounced national foreign policy

[*English*]

MR. SPEAKER: Mr. A.K. Roy, will you please move the Adjournment Motion?

SHRI A.K. ROY (Dhanbad): I have already moved.

MR. SPEAKER: You are to move that "The House do now adjourn." You have not said that. You should know the procedure of the House.

(*Interruptions*)

MRSPEAKER: Mr. A.K. Roy, you should know the Rules. You must say "That the House do now adjourn".

SHRI A.K. ROY: I have already said. I have already said it.

I beg to move:

"That the House do now adjourn".

We are in the midst of a very serious