

11.03 hrs.

MESSAGES FROM RAJYA SABHA

[English]

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

1. 'I am directed to inform the Lok Sabha that the Rajya Sabha, at its sitting held today, the 11th March, 1991, adopted the following motion in regard to the presentation of the Report of the Joint Committee of the Houses on the Acquired Immuno Deficiency Syndrome (AIDS) Prevention Bill, 1989:-

"That the time appointed for presentation of the Report of the Joint Committee of the Houses of the Acquired Immuno Deficiency Syndrome (AIDS) Prevention Bill, 1989, be extended upto the first day of the last week of the Hundred and Sixtieth Session of the Rajya Sabha."

- (2) 'In accordance with the provisions of sub-rule (6) of rule 186 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to return herewith the Appropriation (Railways) Vote on Account Bill, 1991, which was passed by the Lok Sabha at its sitting held on the 11th March, 1991, and transmitted to the Rajya Sabha for its recommendation to make to the Lok Sabha in regard to the said Bill.'

- (3) 'In accordance with the provisions of sub-rule (6) of rule 186 of the Rules Procedure and Conduct of Business in

the Rajya Sabha, I am directed to return herewith the Appropriation (Railways) Bill, 1991, which was passed by the Lok Sabha at its sitting held on the 11th March, 1991, and transmitted to the Rajya Sabha for its recommendations and to state that this House has no recommendations to make to the Lok Sabha in regard to the said Bill.'

- (4) 'In accordance with the provisions of sub-rule (6) of rule 186 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to return herewith the Appropriation (Railways) No. 2 Bill, 1991, which was passed by the Lok Sabha at its sitting held on the 11th March, 1991, and transmitted to the Rajya Sabha for its recommendations and to state that this House has no recommendations to make to the Lok Sabha in regard to the said Bill.'

11.03-1/2 hrs.

COMMITTEE ON THE WELFARE OF
SCHEDULED CASTES AND SCHEDULED
TRIBES

[English]

(i) Study Tour Reports

SHRI ANADI CHARAN DAS (Jaipur): I beg to lay the following Reports (Hindi and English versions) of the Committee on the Welfare of Scheduled Castes and Scheduled Tribes:-

- (i) Report on the Study Tour of Study Group I of the Committee on the Welfare of Scheduled Castes and Scheduled

Tribes which visited Bombay, Cochin and Lakshadweep during December, 1990.

- (ii) Report on the Study Tour of Study Group II of the Committee on the welfare of Scheduled Castes and Scheduled Tribes which visited Calcutta, Andaman and Nicobar Islands and Madras during December, 1990.

(ii) Sixth Report

SHRI ANADI CHARAN DAS: I beg to present the Sixth Report (Hindi and English versions) of the Committee on the welfare of Scheduled Castes and Scheduled Tribes on Ministry of Civil Aviation-Reservations for and employment of scheduled Castes and Scheduled Tribes in Indian Airlines.

11.04 hrs.

RE. BUSINESS OF THE HOUSE

[English]

SHRI L. K. ADVANI (New Delhi): Mr. Speaker, Sir, so far as the List of Business for this House is concerned, we have this Salary, Allowances and Pension of Members of Parliament (Amendment) Bill. But we were told that apart from this House would have to adopt a resolution in respect of extension of President's rule in Punjab after the other House has adopted the Constitution (Amendment) Bill and it has been assented to by the President. Yesterday, when we were told about this, we had certain doubts as to whether a resolution of this kind is at all necessary. And after that I have gone through the relevant provisions of the Constitution and I feel convinced that resolution is not at all necessary. This resolution obviously is intended, as a kind of contingency plan in case the House is dissolved; by the

Constitution already provides for that. Article 356, Clause (4), the second proviso says:

"Provided further that if the dissolution of the House of the people takes place during any such period of six months...."—

namely original six months or extended six months because in all cases of extension of six months, this House and the other House are expected to adopt a resolution. But it says, if the House is dissolved during that period:

"... and a resolution approving the continuance in force of such proclamation has been passed by the Council of States, but no resolution with respect to the continuance in force of such Proclamation has been passed by the House of the People during the said period, the Proclamation shall cease to operate at the expiration of thirty days from the date on which the House of the People first sits after its reconstitution...."

This particular is proviso takes into account a situation in which this House stands dissolved. And even though the other House may have passed the resolution for extension, so long as this House does not do it, how can that President's Rule be extended? For that it provides that in so far as the House of the people is concerned, the moment it is re-constituted and then when it holds its first sitting, thirty days after that, there is scope for adopting that resolution. And it is, therefore, that I would like to submit to you and to the House that in this particular case, when the provision of this kind already exists in the constitution, why should we adopt this contingency approach and have a resolution passed today when already we have time upto May? By May, I cannot say that some radical change will take place. A contingency plan is an amendment to the Constitution. And for that this House has already provided for it. The Constitution has been amended so as to empower the Government to extend President's Rule in Punjab from