

11.55 hrs.

(Interruptions)

RE: ADJOURNMENT MOTION AND
QUESTION OF PRIVILEGE

MR. SPEAKER: That is what I am
doing, Sir. I have got your motions...

*(Interruptions)**(Interruptions)**[English]**[Translation]*

SHRI BASUDEB ACHARIA (Bankura):
Sir, we have given Adjournment motion...

MR. SPEAKER: Today, I have received
several notices of adjournment motion. One
of them is from you.

*(Interruptions)**[English]*

PROF. MADHU DANAVATE (Ra-
japur): Sir, we have given Privilege motion...

SHRI SAIFUDDIN CHOWDHARY
(Ratwa): About what, Sir?

(Interruptions)

SHRI S. JAIPAL REDDY
(Mahbubnagar): We have given Privilege
motion, Sir...

MR. SPEAKER: About the dissolution
of the Punjab Assembly, I have received
several notices of Adjournment motion from
Indrajit Ji, Suresh Ji, Basudeb Ji, Saifuddin
Ji, Amal Datta Ji, Shri Baju Ban Riyan, Shri
Hannan Mollah and Shri Jaipal Reddy...

*(Interruptions)**(Interruptions)*

SHRI BASUDEB ACHARIA: We have
given Adjournment motion and Privilege
motion against the Home Minister...

SHRI S. JAIPAL REDDY. Sir, we have
given privilege motion also.

*(Interruptions)**[Translation]*

PROF. MADHU DANAVATE: It is a
basic issue which concerns the functioning
of the House... *(Interruptions)*. It is a basic
issue which concerns the privilege of the
House...

MR. SPEAKER: That is also there. The
Minister is going to make a statement and
they have also requested for an immediate
discussion on the same subject today very
much. So, seeing the urgency of this matter,
I have allowed them...

(Interruptions)

MR. SPEAKER: Sit down. Take your
seats.

*[English]**(Interruptions)*

PROF. MADHU DANAVATE: Just
one minute, Sir. I want to point out that nine
rulings are there.

SHRI INDRAJIT GUPTA (Basirhat):
That is not the only point.

SHRI BASUDEB ACHARIA: A number
of rulings are there...

SHRI S. JAIPAL REDDY: There is a
privilege aspect also ... *(Interruptions)*

MR. SPEAKER: Why can't you just wait for two minutes and listen to me? I am taking up that subject also.

SHRI INDRAJIT GUPTA: It is not confined only to the dissolution of the Assembly but also to the arbitrary release of certain people ... (*Interruptions*)

MR. SPEAKER: That will also be taken up along with this.

SHRI INDRAJIT GUPTA: When is the statement coming, Sir?

MR. SPEAKER: Today. We are going to take it up just after the Calling Attention Motion.

SHRI INDRAJIT GUPTA: Will there be a discussion?

MR. SPEAKER: Yes. They have requested for a discussion and I have allowed it. I was seized of the urgency of the matter and I have decided to allow it.

PROF. MADHU DANDAVATE: You have to give a ruling on Privilege motion also, Sir.

MR. SPEAKER: I am coming, Sir. If my friends just take their seats...

(*Interruptions*)

SHRI INDRAJIT GUPTA: When the House is in session, nobody was ever consulted, not even the Opposition was taken into confidence... (*Interruptions*)

[*Translation*]

MR. SPEAKER: Guptaji, if you take your seat, I will tell you.

[*English*]

That is what I am saying. Just take it easy.

PROF. MADHU DANDAVATE: You have only to repeat the old ruling.

MR. SPEAKER: That is what I can do.

PROF. MADHU DANDAVATE: Nine times ruling has been given already.

MR. SPEAKER: I have received three notices of privilege on the same issue from Professor Madhu Dandavate, Shri Jaipal Reddy and Shri Basudeb Acharia. Proclamations under article 356 and orders thereunder can be issued even while Parliament is in session. The only requirement is that the proclamation has to be laid on the Table of the House at the earliest opportunity. There is nothing in article 356 or elsewhere in the Constitution which enjoins upon the President to consult Parliament when it is in session before issuing the proclamation. No breach of privilege are disallowed. However, it is well-established that when Parliament is in session, policy decisions must first be announced on the floor of the House. It is a matter of judgement whether the present decision amounts to a policy decision. I do feel that when Parliament is in session, it would have been more desirable to take the House into confidence and inform it of the proposed action, instead of the Members knowing of the important development only through the newspapers. I mention it as a matter of propriety and hope that in future such decisions would be first announced on the floor of the House.

PROF. MADHU DANDAVATE: One appeal to you about the conduct of the House, Sir... (*Interruptions*).

MR. SPEAKER: One man at a time...

(Interruptions)

MR. SPEAKER: One minute. Don't look up. I have allowed Prof. Tewary...

(Interruptions)

PROF. K.K. TEWARY (Buxar): Sir, I am breaking my silence... *(Interruptions)*.

[*Translation*]

MR. SPEAKER: What are you doing?

(Interruptions)

[*English*]

MR. SPEAKER: One minute please...

(Interruptions)

MR. SPEAKER: I can listen to only one man at a time...

(Interruptions)

MR. SPEAKER: Can't you be polite enough? I have allowed this gentleman. I will listen to him.

(Interruptions)

SHRI BASUDEB ACHARIA: You dispose of this matter, Sir.

(Interruptions)

MR. SPEAKER: Now, please resume your seat.

(Interruptions)

PROF. K.K. TEWARY: Sir, I am breaking my silence today after a long time. Mr. Speaker, Sir, you made an epoch making observation last week. *(Interruptions)*

MR. SPEAKER: I will name you Mr. Jaipal Reddy. You are coming after such a long time and making a rumpus like that. I am listening to him.

(Interruptions)

PROF. K.K. TEWARY: Mr. Reddy, have patience. He has allowed me. Mr. Speaker, as I was saying, you made an epoch making observation last week about certain confessions by the former President of India. You also said that the matter involves security of the nation. Therefore, I have given notice. It is a very serious matter, *(Interruptions)*

MR. SPEAKER: That has been done. There cannot be a discussion on that.

(Interruptions)

SHRI D.N. REDDY (Cuddapah): Sir, the ex-President has clearly identified that those who offered about Rs. 40 crores are sitting in the Congress Benches. For all we know they may be sitting in the front benches... *(Interruptions)*

MR. SPEAKER: That is something — nothing doing here.

(Interruptions)

PROF. MADHU DANAVATE: We have to seek a clarification...

MR. SPEAKER: No clarification.

THE MINISTER OF PARLIAMEN-
TARY AFFAIRS AND MINISTER OF IN-
FORMATION AND BROADCASTING
(SHRI H.K.L. BHAGAT): Sir, Government will make a statement on the developments in Punjab at 10'clock or after the Lunch, as you direct, and we can proceed with a discussion under Rule 193 immediately.

MR. SPEAKER: That I have already said.

PROF. MADHU DANDAVATE: Sir, I want to draw your attention, especially after what you have said, that right from 1-9-1959 upto 16-8-1985, 9 rulings have been given and yours is the 10th ruling. Sir, you give the ruling, but they flout it. Today's ruling is also being flouted.

SHRI BASUDEB ACHARIA: Your ruling is binding on them.

PROF. MADHU DANDAVATE: Sir, will you agree that this is the 10th ruling?

MR. SPEAKER: Professor, I never change my ruling. I stick to what I say.

PROF. MADHU DANDAVATE: Sir, if your ruling is not observed, what is the remedy? If your ruling is flouted, what do we do?

(Interruptions)

MR. SPEAKER: Mr. Bhagat.

12.03 hrs.

PAPERS LAID ON THE TABLE

Review on the working of and Annual Report of National Film Development Corporation Ltd. Bombay, for 1986-87 and Statement for delay in laying these papers etc.

[English]

THE MINISTER OF PARLIAMEN-
TARY AFFAIRS AND MINISTER OF IN-
FORMATION AND BROADCASTING
(SHRI H.K.L. BHAGAT): I beg to lay on the
Table—

(1) A copy each of the following papers (Hindi and English versions) under sub-section (1) of section 619 A of the Companies Act, 1956 :-

(i) Review by the Government on the working of the National Film Development Corporation Limited, Bombay, for the year 1986-87.

(ii) Annual Report of the National Film Development Corporation Limited, Bombay, for the year 1986-87 along with Audited Accounts and comments of the Comptroller and Auditor General thereon.

(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 — 5605/88]

(3) (i) A copy of the Annual Report (Hindi and English versions) of the Children's Film Society, India, Bombay, for the year 1986-87 along with Audited Accounts.

(ii) A statement (Hindi and English versions) regarding (a) Review by the Government on the working of the Children's Film Society, India, Bombay, for the year 1986-87 and (b) showing reasons for delay in laying the papers mentioned at (i) above. [Placed in Library. See No. LT — 5606/88]

Notification under Maternity Benefit Act 1961 Annual Report and Review on the working of National Labour Institute, New Delhi for 1986-87 and Statement for delay in laying these papers

THE MINISTER OF STATE IN THE
MINISTRY OF PARLIAMEN-
TARY AF-