

[Shri Mukul Wasnik]

afraid, it may not be possible to discuss the Bills which have been introduced. It was generally known during our previous meetings also that these Bills would be taken up for consideration in this Sitting.

MR. SPEAKER: I am sure the Ministers must have been aware of the actual provision of the Law and they must have anticipated what would happen!

SHRI LAL K. ADVANI: We have not pressed this point earlier because the Bills can be referred to Standing Committees only after they are introduced. Earlier, they have not been introduced and hence we did not press the point. But I may mention here that this was the basis on which the Standing Committees were constituted. Now, you are trying to deny the Standing Committee its right to discuss such a very important Bill.

SHRI MUKUL WASNIK: It has been specifically mentioned in the rules that the hon. Speaker of Lok Sabha and the hon. Chairman of Rajya Sabha will decide as to which Bills need to be referred to the Standing Committee. It has not been categorically mentioned therein that all Bills introduced in the House will have to be referred to the Standing Committees.

MR. SPEAKER: When we framed the rules, that was the intention. All the Bills were expected to be referred to the Standing Committees. Only the Bills of technical nature were not to be referred by the Speaker and that is why the discretion was given to the Speaker to decide whether a particular Bill is of a technical nature and it should not be referred to the Standing Committee. But, the Speaker is duty bound to refer a Bill

to the Standing Committee if it is not technical in nature.

[English]

MR. SPEAKER: We will now take up further discussion on the Transplantation of Human Organs Bill.

15.46 hrs.

### TRANSPLANTATION OF HUMAN ORGANS BILL

**As passed by Rajya Sabha; and**

**As reported by the Select  
Committee-Contd.**

[Translation]

DR. LAXMINARAYAN PANDEYA (Mandsaur): Mr. Speaker, Sir, earlier this Bill was referred to Select Committee which has given its unanimous report on it. You have brought this amendment after that. I could not understand that what is the use of constituting a Select Committee. Select Committee has Members from all the political parties, representatives from the concerned Ministry. It is a unanimous report passed earlier by Rajya Sabha and it has been brought here later on. The Select Committee was set up and they seriously discussed for 4-6 days. All the concerned parties were heard and evidences were taken and thereafter the report was prepared. Now after a short interval the Government has brought an amendment and therefore, there is no time for making amendment in the amendment. I am ready to give my verbal amendment, if you accept that. I request you to include

some words in it...*(Interruptions)*.. What will be our position in that case.

MR. SPEAKER: Your position will be in accordance with the Rules. This Bill was brought during the last session. You can give amendments.

DR. LAXMINARAYAN PANDEYA: I have pointed it out because this was circulated today and we got it today itself.

MR. SPEAKER: Time will be given for it, if you have received it today.

DR. LAXMINARAYAN PANDEYA: I have said this because the time for discussion on it has been allocated after 3 p.m. We have not been given time to give amendments on the Amendment moved by the Government.

MR. SPEAKER: It will not be completed today because only 10 or 15 minutes have been left.

*[English]*

THE MINISTER OF WATER RESOURCES AND MINISTER OF PARLIAMENTARY AFFAIRS (SHRI VIDYACHARAN SHUKLA): Normally, the Bills that are introduced in the House have to be referred to the Committee and that is the practice we have adopted so far. All the Bills are referred to the respective departmentally related Standing Committees. But, looking at the urgency of this matter, with your permission, Sir, I would like to move a motion verbally. *(Interruptions)*

SHRI LAL K. ADVANI (Gandhi Nagar): What is urgency? It has not even been circulated.

*[Translation]*

We will move an amendment on the motion and say whatever we have to say only if it is in the unlisted business and has been circulated.

*[English]*

How can you move a motion in this manner?

SHRI VIDYACHARAN SHUKLA: For suspension of rules, motions are moved in this manner. *(Interruptions)*

SHRI LAL K. ADVANI: Let him bring a motion tomorrow.

*[Translation]*

SHRI ATAL BIHARI VAJPAYEE (Lucknow): What is the Bill on which he wants to suspend the rule?

SHRI VIDYACHARAN SHUKLA: I will tell you what is it about. I am telling you the rule.

*[English]*

SHRI LAL K. ADVANI: Sir, let him give a formal notice. We will consider it and move our amendments. He cannot stand up in this manner.

SHRI VIDYACHARAN SHUKLA: If you permit me, I will move a formal motion.

*[Translation]*

SHRI NITISH KUMAR (Barh): Now Transplantation Bill is coming up for discussion; why are you interrupting in that?

SHRI VIDYACHARAN SHUKLA:  
Why are you getting panicky? Be patient.....(Interruptions)

SHRI RAJVEER SINGH (Aonla):  
Two things have been assigned to the hon. Minister.\*..... and the other is that of Parliamentary Affairs.

[English]

MR. SPEAKER: That will not form part of the record.

[Translation]

SHRI ATAL BIHARI VAJPAYEE:  
When meetings were called at the respective party offices today morning, the question that whether the proposed Bill should be sent to the Standing Committee was raised. You had clearly indicated that both the Bills should go to the Standing Committee. Now, the hon. Minister has brought in a motion of suspension of rules. Would he like to decide it by a majority vote? Will you permit him?

MR. SPEAKER: Why?

SHRI ATAL BIHARI VAJPAYEE:  
Because he wants to bypass the Standing Committee. All the Bills go to the Standing Committee. What for have Standing Committees been constituted? We do not agree with the proposition that the Government may not send a Bill it intends to pass immediately, to the Standing Committee.

[English]

MR. SPEAKER: Let us understand the correct position. The correct position

is as I said it before and as I said it in the House also – you were not present in the House – that the Speaker is duty bound to refer it to the Standing Committee. But supposing the House decides otherwise, then what will happen?

SHRI ATAL BIHARI VAJPAYEE (Lucknow): By 'House', you mean majority?

MR. SPEAKER: Yes.

SHRI LAL K. ADVANI: Let them give due notice on this. (Interruptions)

[Translation]

SHRI ATAL BIHARI VAJPAYEE:  
They will be whimsical.

[English]

SHRI VIDYACHARAN SHUKLA:  
What is meant by *manmaani*? (Interruptions)

[Translation]

SHRI ATAL BIHARI VAJPAYEE: If such a situation arises, we might be in minority but if our opinion is not sought and they resort to *manmani*, we will not let the House run. (Interruptions)

SHRI LAL K. ADVANI: A person like Shri Vajpayee, who through all these years, admonished his partymen for violating the dignity of the House, has been compelled to utter these words.

SHRI VIDHACHARAN SHUKLA: I did not compel him.

SHRI LAL K. ADVANI: You have compelled him. He has always upheld the dignity of the House.

[English]

(Interruptions)

MR. SPEAKER: Please sit down.

(Interruptions)

MR. SPEAKER: You do not keep quiet unless I admonish you.

SHRI NITISH KUMAR: Transplantation Bill was being debated. What new Bill is being brought up in between? (Interruptions)

[English]

MR. SPEAKER: This is not correct. Now, I think that there had been discussions between the Leaders and my impression is that the things are moving in a proper direction. Let not the temper flare up. Let the Leaders talk to each other. Everything would be done in a proper manner. Nobody is trying to violate the rules or bypass the rules. Let there be a discussion between the Leaders. We will do it. Because this happens to be the Electoral Reforms Bill, it is in the fitness of things that everybody is taken into confidence and with consensus and agreement everything should be done. Let us not go with an impression that somebody is out to violate the rules. Let us talk to each other and then decide.

[Translation]

SHRI VIDYACHARAN SHUKLA: Mr. Speaker, Sir, it is too much. See for yourself. You clarified it.

"The Speaker is duty bound to refer the matter to the Standing Committee".

[Translation]

On this hon. Vajpayeeji asked who has the right to refer the Bill? You replied that the House can refer it. On asking whether it is a right by majority you replied in affirmative. On this he said that majority will not be allowed to go whimsical. When I intervened to say that majority does not mean whim, he become annoyed.

MR. SPEAKER: Vajpayeeji never gets annoyed.

SHRI VIDYACHARAN SHUKLA: I would like to say very respectfully that majority does not mean *manmani* and one should not get annoyed on it. I can not understand why Vajpayeeji and Advaniji are getting annoyed on it when I have not said anything wrong. If we are in majority, respect to House, Parliamentary procedures. (Interruptions)

Majority does never mean whim. Mr. Speaker, Sir, I reiterate that everybody known what majority means and it is wrong to construe it as *manmani*... (Interruptions)

[English]

MR. SPEAKER: We will look into it in a proper manner.

[*Translation*]

SHRI NITISH KUMAR: We are perturbed to see that you have initiated a discussion on a particular Bill. Shri Laxminarayan Pandeya was expressing some resentment and suddenly it took a new turn.

MR. SPEAKER: You are interrupting time and again. Everybody does not say so.

SHRI NITISH KUMAR (Barh): But its solution is not coming forth.

[*English*]

MR. SPEAKER: Please let us do understand that all the Members sitting here are conscious of the fact that electoral reforms are something very important and everybody is in a mood to hear the other side, consider it and take a proper decision. So let us not jump to the conclusion that something which should not be done would be done.....

(*Interruptions*)

[*Translation*]

MR. SPEAKER: Then Transplantation Bill was taken up. We have to take up adjournment motion at 4 p.m.

DR. LAXMINARAYAN PANDEYA: Mr. Speaker, Sir, I want to move an amendment to the resolution moved by the Government. I may be permitted for the same if that is available today itself.

MR. SPEAKER: You may speak on that. Then only seek time for moving an amendment.

DR. LAXMINARAYAN PANDEYA:

No, the amendment will be moved by the Government, then alone I can move my amendment on that because I have given the notice of my amendment over that amendment. Therefore, that should be given priority and moved first.

MR. SPEAKER: All right, that will come up at the proper stage—the clause by clause stage. Do you have to say anything on that?

DR. LAXMINARAYAN PANDEYA:

As I have already submitted, it is an important Bill and we all are interested in its passage but the manner in which the Government is bringing it and trying to pass the Bill in a hurry by immediately moving new amendments to it, is not benefitting to it. The doctors and different specialists have been consulted in this connection who have opined that the Government wants to pass it in a hurry. I hope, there is no need to get it passed in such a hurry. As I have said that the Estimates Committee had accepted it unanimously and the clause on which the Estimates Committee had given its unanimous decision, was considered thread-bare and it was decided that this clause should be incorporated in the Bill but the Government is again bringing an amendment over that clause.

It is not benefitting. The Government may tomorrow move another amendment to it according to its sweet convenience. Therefore, I would like to make a submission....

SHRI VIDYACHARAN SHUKLA:

The Government is not in a hurry. We given the time of months and years together and have also discussed it mutually. We have discussed it in the speaker's chamber separately and tried

to bring in a Bill on unanimous decision but despite our efforts...*(Interruptions)* You don't listen to me but speak whatever you like. It has been our endeavour to reach a consensus and it always takes time. Consensus can't be reached at in a hurry.

SHRI NITISH KUMAR: It is again Transplant. What is happening here?

*[English]*

SHRI VIDYACHARAN SHUKLA: Are we discussing the procedural matter on Human Transplantation Bill? I do not know. Which Bill are we discussing, Sir?

MR. SPEAKER: Human Transplantation Bill.

*(Interruptions)*

SHRI VIDYACHARAN SHUKLA: That is your outlook, what you want to do that. What is the hurry about it?  
*(Interruptions)*

MR. SPEAKER: After we have gone to that Bill!

*[Translation]*

DR. LAXMINARAYAN PANDEYA: The Government wants to pass it in a hurry without having listened to my point he has prepared himself for the reply. This proves that the Government is in a hurry. They want to do everything in a whimsical manner.

*[English]*

SHRI NITISH KUMAR: Sir, he is in tension, ask him to relax with a cup of coffee.

16.00 hrs.

MR. SPEAKER: Yes, Shri Nitish Kumar also should be invited for a cup of coffee.

SHRI NITISH KUMAR: But it should be without sugar.

16.0 1/2 hrs.

MOTION FOR ADJOURNMENT

**Sugar Situation**

*[Translation]*

SHRI RAMASHRAY PRASAD SINGH (Jahanabad): Mr. Speaker, Sir, I beg to move that:

"The House may be adjourned,"

Such an adjournment motion is only moved when there is an emergency or a crisis in the country. The sugar situation in the country is responsible for this crisis. There is a great rise in the price of sugar and most of the people cannot afford to buy it at such an exorbitant price. This is a marriage season which is called the 'Lagan' period in the rural areas. Sugar is most required in this season by the poor and the rich alike. Besides, it is an important commodity for every household. Today, sugar is being sold at Rs. 18 to 20 per kilo and the Government is watching it as a silent spectator. The Government will have to answer for this, for the reasons behind it? The Government did nothing in this regard and the poor had