

[Sh. Surya Narayan Yadav]

So, I request the Government to start the construction of a high dam on Kosi river after having talking with the Government of Nepal.

(vii) Need to apply logistic regression analysis technique for assessing tiger population in Sunderband and in other tiger reserves

[English]

SHRI SANAT KUMAR MANDAL (Joynagar): Sir, Sunderbans is renowned for its 'Project Tiger'. Last year, a computerised enumeration of tigers inhabiting the Sunderbans was undertaken but its results have not as yet been made available. It is also not known what technique for arriving at accurate tiger census figures was used. It is not known whether it was by algorithm method by which counting of tigers is done from pug marks or by another method.

Scientists from various research centers have reportedly evolved a new technique of studying several variables of pug marks and this appears to be an accurate way of identifying tigers. Previously, pug marks were taken as a standard identification marks for tiger head-count. The new techniques, called logistic regression analysis, reduces the margin of error and is open top further refinement regarding accuracy of pug identification. It is only after the tiger population id steaminess, conservation efforts in this behalf can be further made.

I would therefore, suggest that the Ministry of Environment may adopt the new technique of identifying the tigers by analysing the pug marks not only in Sunderbans but also in all tiger reserves and to announce son the tiger population in each such reserves.

MR. DEPUTY SPEAKER: Now, we shall go to the legislative business-Bills for refer-

ence.

SHRI P.C. CHACKO (Trichur): Sir, an hon. lady Member of this House, Kumari Mamata Banerjee, was very seriously injured. The hon. Home Minister said, he would make a statement. *(Interruptions)* You may direct the Home Minister to make the statement.

MR. DEPUTY SPEAKER: You can raise it tomorrow.

SHRI P.C. CHACKO: It is a serious matter. A Member of this House was very seriously injured. *(Interruptions)*

MR. DEPUTY SPEAKER: The hon. Minister is making a statement today.

MR. DEPUTY SPEAKER: Now, we shall go to the legislative business-Bills for reference...., Shri Chavan

14.57 hrs

CONSTITUTION (EIGHIETH AMEND-
MENT) BILL-

Motion to refer the Bill to Joint Committee.

THE MINISTER OF HOME AFFAIRS
(SHRI S.B. CHAVAN): I move that...

[Translation]

SHRI ATAL BIHARI VAJPAYEE:
(Lucknow): Mr. Deputy Speaker, Sir, I am on a point of order.

Mr. Deputy Speaker, Sir, the hon. Minister of Home Affairs has moved two Motions in the House. Both the Motions have the same intent. I would like to know whether the hon. Minister of Home Affairs is going to take up the Motion that was introduced on Friday or the motion which has been enlisted in the list of Business for today. If he does not

want to take up the Motion that was introduced on Friday, what is the position thereof? It has been included in the List of Business. It will form a part of history. The hon. Minister of Home Affairs has introduced this Motion in a haste. Priage Members' Business was in progress Shrimati Bhattacharya was in the Chair. The hon. Minister of Home Affairs came hurriedly, read out the Motion hastily and left the House immediately.

Mr. Deputy Speaker, Sir, please go through the language of the Motion. Is such a mistake expected from the hon Minister of Home Affairs?

[*English*]

"Madam Chairman, I give notice of my intention to move the following Motion during the current session of the Lok Sabha...

[*Translation*]

its language is not correct. Why was Shri Chavan in such a haste? I feel that the hon. Speaker must have asked him as to why he was in such hurry.

Mr. Deputy Speaker, Sir, the hon Speaker might have said that he came hurriedly, created a hue cry and left it in a mess. But I would like to know as to what will be the fate of this motion? Will the Motion introduced on Friday be hanging fire in this manner? Is the hon. Minister of Home Affairs withdrawing it? If so, I would like to deal with the second Motion.

[*English*]

SHRI S.B. CHAVAN: Sir, I would like to explain that the day the kind of motion, which was moved by me, was not a regular motion. It was just an intention to move. I was not sure that it had to be in a particular form. I understand the hon. Leader of the Opposition raising the point. I withdraw my caslic

motion. That is why I am now suggesting a anew motion that a regular form that is the position.

SHRI LAL K. ADVANI (Gandhi Nagar): Has he the leave of the House to withdraw it?

15.00 hrs

THE MINISTER OF STATE IN THE MINISTRY OF SCIENCE AND TECHNOLOGY (DEPARTMENT OF ELECTRONICS AND DEPARTMENT OF OCEAN DEVELOPMENT) AND THE MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI RANGARAJAN KUMARAMANGALAM): it was been rightly pointed by the Leader of Opposition. What was moved on that day was to inform the House of the intention to move. That is different from moving a resolution. And that is not done. What you are saying is correct. Nobody can discharge with your point of order that normally a written notice is given to the Speaker and it is not done in the House.

[SHRI SHARAD SIGHE *in the Chair*]

Therefore, I personally think that this should not be misunderstood beyond that and now the motion that is being moved is a proper motion that has been given proper notice to the Speaker and brought to the House. There is no question of withdrawing the motion because the motion itself was not move. (*Interruptions*)

SHRI RAM NAIK: (Bombay North): I am on another point. If this is the position and is going to be accepted, I have given amendments to that motion which was informed to us earlier. (*Interruptions*)

SHRI RANGARAJAN KUMARAMANGALAM: He could not have given an amendment. (*Interruptions*)

SHRI RAM NAIK: So, at least, my amendment and probably Atalji's amendment also should be regularised. Otherwise, it will be funny...*(Interruptions)* ... What I want to say is that though the amendments are based on whatever was decided on that day, they should be regularised. Otherwise, something funny will come up afterwards.

MR. CHAIRMAN: How can there be an amendment to intentions?

SHRI S.B. CHAVAN: I beg to move.

"That the Bill further to amend the Constitution of India be referred to a Joint Committee of the Houses consisting of 15 members, 10 from this House, namely:-

1. Shri Lal Krishna Advani
2. Shri E. ashamed
3. Shri Pawan Kumar Bansal
4. Shri Somnath Chatterjee
5. Shri P. Chidambaram
6. Shri George Fernandes
7. Shri Nurul Islam
8. Shri K.M. Mathew
9. Shri Vilas Muttemwar
10. Kum. Vimla Verma

and 5 from Rajya Sabha;

that in order to constitute a sitting of the Joint Committee the quorum shall be one-third of the total number of members of the Joint Committee;

that the Committee shall make a report to this House by the 16th Au-

gust, 1993';

that in other respects the Rules Procedure of this House relating to parliamentary Committees shall apply with such variations and modifications as the Speaker may make; and

that this House do recommend to Rajya Sabha that Rajya Sabha do join the said Joint Committee an communicate to this House the names of 5 members to be appointed by Rajya Sabha to the Joint Committee".

MR. CHAIRMAN: Motion moved:

"That the Bill further to amend the Constitution of India be referred to a Joint Committee of the Houses consisting of 15 members, 10 from this House, namely:-

1. Shri Lal Krishna Advani
2. Shri E. Ahmed
3. Shri Pawan Kumar Bansal
4. Shri Somnath Chatterjee
5. Shri P. Chiddambaram
6. Shri George Fernandes
7. Shri Nurul Islam
8. Shri K.M. Mathew
9. Shri Vilas Muttemwar .
10. Kum Vimla Verma

and 5 from Rajya Sabha:

that in order to constitute a sitting of the Joint Committee the quorum shall be one-third of the total number of

members of the Joint Committee;

(12) Shri Bhogendra Jha

that the Committee shall make a report to this House by the 16th August, 1993;

(13) Shri Sobhanadreeswara Rao Vadde

that in other respects the Rules of Procedure of this House relating to Parliamentary Committees shall apply with such variations and modifications as the Speaker may make; and

(14) Shri Ebrahim Sulaiman Sait

(15) Shri Guman Mal Lodha

(16) Shri P.G. Narayan

(17) Shri Jangbir Singh

that this House do recommend to Rajya Sabha that Rajya Sabha do join the said Joint Committee and communicate to this House the names of 5 members to be appointed by Rajya Sabha to the Joint Committee".

(18) Shri Mohan Rawale

(19) Smt. Dil Kumari Bhandari

(20) Shri Abdul Ghafoor

(iii) *for* "by the 16th August, 1993;"

[*Translation*]

substitute "" and 10 from Rajya Sabha,"

SHRI RAM NAIK: Was any notice given in this regard?

2. That in the motion:-

SHRI S.B. CHAVAN: I have given notice earlier also that I have changed one of the names given earlier. The hon. Speaker said that it was not necessary and if I wanted to furnish any information, I should do so while reading it out.

for "by the 16th August, 1993;" *substitute* "by the first day of the next session;"

4. *for* "names of members" *substitute* "names of 10 members"

[*English*]

[*Translation*]

SHRI ATAL BIHARI VAJPAYEE: I beg to move:

Mr. Chairman, Sir, I object to the Motion moved by the hon. Minister of Home Affairs. The first is about the composition of the Committee. Never before in the annuals of Parliamentary history had a Joint Selection Committee been constituted comprising 15 Members only. 10 Members from this House and 5 members from the other have been taken. If there is any precedence, I would like to request the hon Minister of Home Minister or Shri Bhardwaj to trace it out and let us honour. After all, what was the need of making the size of the committee so small? As a result thereof the political parties could

1. That in the Motion:

(i) *for* "consisting of 15 members, 10 from this House".

substitute "consisting of 30 members, 20 from this House".

(ii) *after* " (10) Kum Vimla Verma" insert

(11) Shri Rasheed Masood

[Sh Atal Bohari Vajpayee]

not be represented commensurate with their strength in the House. There should be need to make a reference to the book of Shri Kaul and Shakdher in this connection. Because their views are very clar. I quote:-

[English]

"The composition of a Select or a Joint Committee reflects the strength of the various parties and groups in the House (s) and in this sense, the Committee is a microcosm of the House or Houses".

[Translation]

what is the position of a Select or a Joint Committee reflects the strength of the various parties and groups in the Hoiuse (s) and in this sense, the Committee is a microcosm of the House or Houses."

[Translation]

What is the position of various political parties in this Committee? First, I would like to state that many parties have been excluded from this Committee. It seems as if they do not have any existence at all the they have to say if they do not have any existence at all and they have no say on this important Bill. Is it a correct procedure?: After all, this Bill is important, having a far-reaching effect. It seeks to named the Constitution. The Representation of the People's Act is also being amended. While going through its various clauses it appears that we are gradually proceeding towards the days of Emergency. Any organisation can be declared unlawful and the nomination of any candidate can be cancelled at the time of filing nomination papers. Today morning we have elaborately discussed the arbitrary manners of an officer of the Election Commission. Through this Bill, we are giving a fee hand to thousands of election officers and

Returning Officers to act arbitrarily. Should be august House not be given an opportunity to hold a discussion on such an important Bill? But the hon. Minister will say that he had given the House such an opportunity. It was decided to refer it to a Select Committee. But has it been discussed with anybody as to what would be its composition? Ten members are to be taken from the Lok Sabha in the Committee. Out of this 6 belong to the Congress party. There are only 240 members of the Congress and they send 6 representatives. The Bharatiya Janata party has 119 Members. Our Party will be represented by only one member. One member in there because there cannot be less than one. They have been very kind to exclude small parties...(Interruptions) .. The representatives of Telugu Desam, the A.G.P., the C.P.I.:the A.I.A.D.M.K. have not been included in it. The representative of the break-away group of Janata Dal (A) has also not been taken. Should not they have an opportunity to put up their viewpoint in the Committee. What have been the criteria in the composition of the Committee?...(Interruptions)

Mr. Chairman, Sir, the Constitution of the Committee is not merely a formality. If you are to set up this Joint parliamentary Committee just for, we will be compelled to review our stance on the entire committee. Again, it is being asked to submit its report immediately. But how early? Mr. Chatterjee, this must be viewed seriously. How can it be done?.....(Interruptions) We are ready to cooperate, but this time the House is in session. It is difficult to convene meetings during session days, Sitting of the J.P.C. one held. We have been entrusted with holding separate meetings of the Standing Committees also Suppose, the committee wants to elicit opinion of some more persons and seeks their evidence for which it will esquire time nor for delaying the matters, but for the sake of democracy, will not be we have for this purpose. The hon. Minister of

Home Affairs wants to overlook this committee and make it redundant. Mr. Chairman, Sir, therefore, I have brought forward amendments. Please expand the Committee. It should be constituted in such a manner that it comprises of representatives of all the parties in the House. The representatives of other parties also should be included. If the representatives of the Congress Party are in proportion to its strength in this House, I have no objection. Also the extension of the term of the committee should also be considered and they should take the House into confidence. But if they are bet upon their arbitrariness, we will have to retaliate in our own way.

[English]

MR. CHAIRMAN: Have you moved your amendments?

SHRI ATAL BIHARI VAJPAYEE (Lucknow): Yes, Sir, I have moved amendment nos. 1, 2 and 4.

SHRI RAM NAIK (Bombay North): I beg to move that in the Motion:

For "by the 116th August 1993" substitute "by the first week of the Winter Session 1993"

MR. CHAIRMAN: The other motion is also identical so, both can be discussed together.

15. 11 hrs

REPRESENTATION OF THE PEOPLE

(AMENDMENT BILL-

Motion to refer the Joint Committee

THE MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI H.R. BHARDWAJ):

I beg to move:

"That the Bill further to amend the Representation of the People Act, 1951 be referred to a Joint Committee of the Houses consisting of 15 members, 10 from this House, namely:-

- (1) Shri Lal Krishna Advani
- (2) Shri E. Ahamed
- (3) Shri Pawan Kumar Bansal
- (4) Shri Somnath Chatterjee
- (5) Shri P. Chidambaram
- (6) Shri George Fernandes
- (7) Shri Nurul Islam
- (8) Shri K.M. Mathew
- (9) Shri Vilas Muttemwar
- (10) Kumari Vimla Verma

and 5 from Rajya Sabha;

that in order to constitute a sitting of the Joint Committee the quorum shall be one-third of the total number of members of the Joint Committee;

that the Committee shall make a report to this House by the 16 the August, 1993;

that in other respect the Rules Procedure of this House relating to Parliamentary Committees shall apply with such variations and modifications as the Speaker may make; and

that this House do recommend to Rajya Sabha that Rajya Sabha do