

[English]

"We will amend the Delhi law accordingly". Shri Dhanjaya Kumar said that there should be no National Tribunal.

[Translation]

The proposed National Tribunals will have their branches in every State. People were doubtful regarding the proper functioning of these tribunals in the States. However, these Tribunals can open their branches in cities but at the same time they would have to decide all the cases entrusted to them within a period of six months. Shri Chandulal Chandrakar was of the opinion that the number of Members of each Tribunal should not be less than five however, the members are sufficient. If a member falls ill, the meeting may be postponed for a few days. Tribunals can open their branches at whatever places they like. The general impression is that the tenants are poor and the house owners are rich. We have tried to make it beneficial to both of them. Government quarters have been built for the employees, but the Members wanted to know the procedure adopted in the allotment of Type I, II, III quarters.

16.00 hrs.

As the hon. Member has pointed out that the eligible persons have to wait for years together to get the allotment of a quarter whereas some manage to get out of turn. I get the complaints and I take care of that. The prescribed limit is of 10 years. Relaxation is given only when a family member of an employee suffers from cancer, tuberculosis like diseases or there may be some other reasons. But rules and regulations are followed strictly in all the cases of allotment. Media persons, social workers, artists etc are also allotted quarters. Some of the hon. Members have given good suggestions in this regard. I think that the introduction of this Bill is a matter of relief to the people and it would.....

SHRI SURYA NARAYAN YADAV: Please state that what type of relief they will get, what relief the poor people are going to receive?

SHRIMATI SHEILA KAUL: Perhaps the hon. Member creates a wrong impression that all the citizens in this country are

rich. It is a country for the poor too. I am glad that several hon. Members have expressed their views on this Bill. I think that all agree to it. I would like this august House to pass this Bill.

[English]

MR. SPEAKER: Well, this Bill will be taken up for voting tomorrow as was declared in the morning today. So, we take up the next item now.

SHRI SOMNATH CHATTERJEE (Bolpur): Has any time been fixed?

MR. SPEAKER: It will be in the evening, approximately. It is very difficult to give the time because it depends on the speeches to be made by the hon. Members.

Let us now take up Item Nos. 19 and 20 together.

16.03 hrs.

CONSTITUTION (EIGHTIETH) AMENDMENT BILL (INSERTION OF NEW ARTICLES 24A, 28A, 102A AND 191A AND AMENDMENT OF ARTICLE 329 AND NINTH SCHEDULE).

As reported by Joint Committee
Motion to Adjourn the Debate

AND

REPRESENTATION OF THE PEOPLE
(AMENDMENT) BILL

As reported by Joint Committee
Motion to Adjourn the Debate

[English]

MR. SPEAKER: Now, I call the hon. Home Minister to speak.

THE MINISTER OF HOME AFFAIRS (SHRI S. B. CHAVAN): Sir, as the hon. Members are aware, during the last decade and more, certain political parties have been exploiting religion to further their political objectives. Towards this end, these parties have been openly associating themselves with various religious groups and espousing religious issues in a manner which has created instability and resulted in the serious breaches in the

[Sh. S.B. Chavan]

maintenance of public order. I do not need to go into details in recalling the most serious disturbances which took place in several parts of the country in the wake of the 6th December, 1992 events, resulting in hundreds of innocent people being killed and massive loss of private and public property. In this background, the Government has been most seriously concerned with the progressively growing nexus between politics and religion, which is resulting in our society getting splintered.

While religion is an essential part of our society, the naked exploitation of religion for the advancement of political aims by generating an environment of communalism can result only in the ruination of our polity and the break up of our society. I am reminded of what our first Prime Minister, the late Shri Jawaharlal Nehru, observed while speaking on the Resolution moved by Shri A. Ananthasaynam Ayyengar in the Constituent Assembly. He stated, and I quote: "We must have it clearly in our minds and in the mind of the country that the alliance of religion and politics in the shape of communalism is a most dangerous alliance, and it yields the most abnormal kind of illegitimate brood."

Being most seriously concerned with this dangerous alliance of religion with politics, our Government has been determined to take concrete measures and rid politics from the growing menace of communalism. It was with this objective in view that we introduced a Bill for the amendment of the Constitution, right in the beginning of current session of Parliament. At that time, we had been assured by several political parties that they shared Government's concern and would support its move. Among the arguments advanced, one was that more time was needed to fully discuss the issues involved. While we were initially opposed to any move which would result in delaying the proposal, we accepted the verdict of a Joint Committee undertaking detailed examination of the amending Bill, hoping that whatever apprehensions certain political parties had would get resolved through collective discussions.

Any Bill to amend the Constitution requires a two-third majority of the Members

present and voting and a majority of the total membership of the House. These safeguards are sacred, having been provided in the Constitution to prevent any ill-considered moves. I have no hesitation whatsoever in openly acknowledging that right from the beginning we were aware that the amendments proposed by Government could not be approved unless we had the support of other political parties. In our consultations with the leaders of the opposition parties, we were assured that they would support such a legislation. With unaltered consistency, Members of the Left Front supported the original Bill, and subsequently, the modified Bill as it evolved after the deliberations in the Joint Committee. The Leader of the Janata Dal had expressed the fresh views of his party during the Zero Hour in Lok Sabha yesterday and during his personal discussions with me late last evening. As regards the BJP, considering the systematic manner in which it has been exploiting religious issues to further its political ends, its posture does not come to us as a surprise.

In conclusion, I would like to make it clear beyond any doubt that Government remains firm in its resolve to exterminate the deadly virus of communalism which has been causing havoc in our country and, therefore, remains determined to separate politics from religion. In view of the Janata Dal's position that more time is required for greater clarity on the proposal under reference, and taking in view the large number of representations that Government has received from various associations and individuals in the country, we have decided to defer the consideration of the proposal to amend the Constitution. We shall continue our discussions with the political parties and take up the proposal for general public discussion, for further consideration of the House. *(Interruptions)*

[Translation]

SHRI ATAL BIHARI VAJPAYEE (Lucknow): Mr. Speaker, Sir, Is Shri Bhardwaj going to present another Bill? We would like to hear Shri Bhardwaj too.

[English]

THE MINISTER OF STATE IN THE
MINISTRY OF LAW, JUSTICE AND

COMPANY AFFAIRS (SHRI H. R. BHARDWAJ): Sir, I beg to move—

"That the Bill further to amend the Representation of the People, Act, 1951, as reported by the Joint Committee, be taken into consideration."

As the hon. Members are aware, this Bill was introduced in the Lok Sabha by me on 29th July, 1993 and was referred to the Joint Committee of both Houses of Parliament. The Report of the Committee has already been presented to the House on 20th August, 1993. We are grateful to the Members of the hon. Joint Parliamentary Committee and its Chairman Shri Pawan Kumar Bansal for the efforts they have made in going through the various provisions of the Bill in detail and for making their valuable recommendations and contributions.

Sir, this Bill aims at strengthening the provisions of the law with a view to curb the exploitation of religious sentiments and communalism for electoral gains and appeals to those divisive factors which arouse passions and run counter to the basic tenets of our secular democracy.

The existing provisions of Section 29A of the Representation of the People Act, 1951 provides for an association to be registered as a political party.

Its memorandum or rules and regulations shall contain, among other things, a specific provision.

Sir, the Bill seeks to strengthen the provisions of section 29A so as to provide that no association or body shall be registered by the Election Commission as a political party if the association or body bears a religious name, since such a religious name could be said to contain a religious appeal. It contains a provision for deregistration of a political party.

SHRI E. AHAMED (Manjeri): Sir, I object to this. I am on a point of order. Here the hon. Home Minister submitted before the House that the report as laid on the Table of the House will be deferred. This Bill is also part of that report. The report pertains to the two Bills. One is the Constitution (Eightieth Amendment) Bill.

MR. SPEAKER: Let him complete and then I will hear your point of order.

SHRI H.R. BHARDWAJ: I was submitting the same thing. The Bill further to amend the Representation of the People Act is closely connected with the Constitution (Eightieth Amendment) Bill, the consideration of which has been deferred. So, it is considered appropriate that the consideration of the Bill further to amend the Representation of the People Act may also be deferred.

[Translation]

SHRI ATAL BIHARI VAJPAYEE: Mr. Speaker, Sir, I am on a point of order. Sir, I have been the Member of the Parliament for the last about thirty years, during which I have observed that the Bill are brought and are referred that the Select Committee or circulated to elicit public opinion thereon. Select Committee was constituted in this regard on our behest and not on Government's initiative. There was a different of opinion with regard to the number of Members, because the Government was pressing to get the Bill passed immediately and that is why Select Committee was given less time. I don't want to quote, but the Members of Select Committee, Shri George Fernandes, who is present here, and Shri Padmanabam of Telugudesam have admitted in their note that adequate time was not given to Select Committee to consider the Bill and that everything was done in haste and today all of a sudden we are listening from the hon'ble Minister of Home Affairs that the discussion may be deferred.

Mr. Speaker, Sir, I do not think that rules allow us to make any deferment. The hon. Minister of Home Affairs has not moved any Resolution in the House and there is no Motion before the House to circulate it to elicit public opinion thereon. What is there before the House? The hon. Minister of Home Affairs has submitted that since the Bill could not be got passed..... why it was introduced if the Government could not get it passed. Why did it not give adequate time to discuss the Bill? However, I would not like to go into the details. I would speak separately on its merits, Shri Advani also

[Sh. Atal Bihari Vajpayee]

would like to speak in this regard. My point of order is—what this deferment is? Under which rule it has been done?

[English]

MR. SPEAKER: I will hear Shri Advani also; probably, he wants to say something.

SHRI LAL K. ADVANI (Gandhi Nagar): Sir, it was only on this point which Shri Vajpayee has already mentioned. According to the rules, the Home Minister, who is the mover of the Bill, has three options. 'Kaul and Shakti' says that after the report of the Select or Joint Committee on a Bill has been presented to the Lok Sabha, the member in-charge may make any one of the following motions. One of them is that the Bill as reported be taken into consideration. He has not moved it; the Law Minister has not moved it. Second is, that the Bill as reported be re-committed to the same Committee or to a new Committee either without limitations or with respect to particular clauses or amendments only or with instructions to the Committee to make some particular or additional provision in the Bill. He has not done that either nor Shri Bhardwaj has done that. Third is, that the Bill as reported be circulated or recirculated, as the case may be, for the purpose of eliciting opinion or further opinion thereof. This also has not been done.

I was thinking that if the Government really had made up its mind to defer this particular motion, this would be the right course and they would come with this motion and come to the House on that. But, for the Home Minister to come to the House and say that because we cannot pass this Bill, those who had supported us earlier had gone back upon it and therefore we want to take time to persuade them to support this Bill; what kind of a motion is this or what kind of a proposal is this?

Here is a situation where for the first time the Home Minister has officially stated and said that our party has been misusing religion for political ends and therefore this Bill... (Interruptions)... He has said it. (Interruptions)

We have all along maintained that we are foremost in wanting the whole electoral

process to be cleansed. There are very many evils like violence, bribery and abuse of many factors which create ill-will, hatred, enmity among various sections of the people and we would like provisions which are already there to be strengthened which create ill-will on any ground. But the Government brings forth a Bill which says that they want to contain ill-will only if it is on the ground of religion. If it is by violence, if it is by bribery, if it is by any other abuse, they are not concerned; they want ill-will to be generated.

At this point of time we would like an advice from you whether what the Government has done now is regular, is it under the rules, is there any provision whereunder a motion of this kind can be moved here.

Particularly what has been unjust for the House is that on the 77th Amendment on which there was near unanimity or a broad consensus—some of our friends were not agreeable, but there was a broad consensus—vote could have been taken right now. Instead of that, vote had to be postponed till tomorrow evening because the Government has suddenly discovered that the two-thirds requisite majority is not there and this Bill cannot be passed.

They should have had the grace of coming to the House and saying that we are withdrawing the Bill. Our assumption that our friends here would support us has been proved wrong and therefore we are withdrawing the Bill. It is a graceless statement made by the Minister. The Government has suffered a humiliation, the kind of which this House has never seen before and it has not even shown the grace to acknowledge it. That is all Sir.

[Translation]

SHRI MADAN LAL KHURANA (South Delhi): They should be censured. (Interruptions)

MR. SPEAKER: Sir, please look, this is a serious debate and do not intervene in it like this.

(Interruptions)

SHRI SHARAD YADAV (Madhura): Mr. Speaker, Sir, this Bill which is

being moved for making 77th amendment in the Constitution is very serious and sensitive and the Home Minister spoke about Lok Dal or Janta Party. I also had a conversation with him in the evening yesterday. I do not want to go into a long discussion on this matter now, because as and when this issue is discussed, the discussion will be a prolonged one and since this issue for discussion is being taken up in future. I do not intend to go into details. I shall certainly say that in principle, our party wants separation of politics from religion—we want to keep them apart. In this context religion has no separate bearing on human life, but for this people of a particular religion or sect...*(Interruptions)*

Mr. Speaker, Sir, I would like to request that religion is not a thing to be professed, but it is a question of one's faith and human life cannot sustain without it in this world. It is our firm belief that religion is a long term politics and politics is short-term religion. We are followers of Dr. Lohia and Shri Jai Prakash Narain on this principle. So, it is our intention and that of our party to check the people of one religion from creating ill-will, bitterness and hatred against the people of another religion. I am not saying this about the people of any particular class. A provision should be made to this effect in the Constitution that will make the laws stringent.

Indian democracy and people of Congress party will excuse us for the bill that has come up now but I had been jailed 3 times for a total period of four and a half years under MISA. After getting a degree in engineering, my life was spent in jail for four and a half years. Let us examine, if our urban freedom and democracy is going to be harmed in any way. There are certain provisions pertaining to the electoral process on which we have strong objections. But we want that comprehensive discussion should be held on this in the House, within the parties and within the public of the country and the step taken by the Government to defer this bill is an appropriate one and we should fully and beneficially utilise this period. I would request the Government to hold a comprehensive dis-

ussion on this Bill. Merely law cannot set the things right. Unless we change the mentality of the Indian people. The step taken by the Government to defer it is a good opportunity for us, although, we do not agree with this deferment, because in principle, we want to separate politics from religion and this can only be done by bringing this Bill. We stand by it even today and we have repeatedly said, we firmly believe that religion is a personal faith of a man and if anyone inspires the people to serve others or the religious faith of Mahatma Gandhi or Swami Vivekanand is followed by some party activist, it does not disintegrate the country but unifies it. The hatred and differences created between two religions are not good. Therefore, this is a very serious and sensitive issue and since this democracy had been built after much sacrifice it should not come to any harm and we should get rid of this malaise. Extensive discussions should be held on this Bill in public all over the country. Despite the false propaganda that if this bill is passed, a visit to temples and mosques will be banned and people will also not be allowed to put tilaks on their foreheads. The Government continues to hibernate. I request the Government to clarify all the misgivings in this regard. Only then this law should be implemented. Any law, which creates widespread differences among the people, cannot be implemented. It is our experience and you also know that there are no such restrictions in law. Today the Government enjoys all the powers. Under this very law, most effective steps were taken by Sardar Patel after the assassination of Mahatma Gandhi.

Mr. Speaker, Sir, I would only like to submit that a comprehensive discussion should be held on this issue. I am not pointing towards anyone. It is the belief of our party that the people of the entire country should be mobilised on this issue and this opportunity should be utilised fully. I would also submit that members of the Bhartiya Janta Party should not be precluded from this discussion but should be allowed to participate in it. A way should be found through consensus and through discussion. We are bound for separation of religion from politics we have been carrying on this crusade. We

[Sh. Sharad Yadav]

are committed to do this, by following the path shown by our late leader.

[English]

SHRI SOMNATH CHATTERJEE (Bolpur): Sir, we respect the views of our friends in the National Front and Janata Dal. This is a Bill on which several views can be held. There are some mix-givings. We feel that this Bill, as it is framed, can be passed. But certainly, I respect the force of the observations made by the Janata Dal leader.

For the purpose of facing or dealing with the menace that is confronting the nation today, we want certainly a law apart from fighting it politically and ideologically. We want a law which should be foolproof and as acceptable to all the secular parties and elements as possible. Therefore, for that little more time, that may be spent in having discussions or having public views in the matter, should be welcome. I do not know why Mr. Advani should ridicule it. I do not understand whether they are welcoming this deferment or they are opposed to this deferment. What is their view? If it is deferred, how does it affect them? Or if it is moved, how do they benefit by this? They know, at the moment, there may not be two-thirds majority. Therefore, they say move it here and now.

[Translation]

SHRI LAL K. ADVANI: Mr. Speaker, Sir you might recall that when Shri Somnath Chatterjee himself gave the proposal for a Select Committee in the House. I had dittoed it and had said that there should be a Select Committee, we should consider seriously the formation of a Select Committee, But the Government emphasized that the Select Committee would only be set up, if they committed to pass the Bill in that session only. On this, Shri Vajpayee had said that they could not give such a commitment because it had to be considered in the Select Committee itself. In a way, Shri Sharadji has forced everyone to consider it that day. The Government may enact any number of laws, but unless the public accepts it, they will only remain as dead letters.

The law, which was being enacted that day would have had either become a dead letter or have created anarchy in the country and nothing else. So, we have no regret about its deferment, because they had asked us whether we were supporting or opposing the deferment. We have no objection about its deferment. The point of order I raised at that time was that there is no definition of deferment. A formal motion should have been moved.

[English]

That we are circulating it for public opinion. After all, that would also mean deferment.

SHRI SOMNATH CHATTERJEE: The House is sovereign. I am sure, we can take a decision to discuss the matter a little later. For that, I do not think specific rule is necessary. Now, he has said, he is welcoming it. (Interruptions) Let us be clear.

(Interruptions)

SHRI LAL K. ADVANI: No, I would like to be circulated for public opinion.

(Interruptions)

SHRI SOMNATH CHATTERJEE: I am not upset. I know what will happen to you ultimately. (Interruptions)

I have to be very clear. I have a reason to be upset because the communal elements in this country—those who are poisoning the very atmosphere of this country—are not being tackled properly and quickly. Today, Mr. Advani spoke of ill-will on the ground of bribery. On the ground of violence, ill-will is being created. But when ill-will is created deliberately on the ground of religion, on communal basis, not one word is being said. This is the type of electoral reforms they want.

We are not going to be a party. I am congratulating all the secular parties that on the principle, they are all united. I know that National Front and Janata Dal are also of that view that this is a menace, this is a poison. We must fight and we must educate ourselves to clean the politics of this poison of this menace.

According to me, we must make it possible in this country that we shall have a pure political system, not guided by obscurantism or fundamentalism or communalism. This is a menace which we are facing today.

It is being said, this is a graceless part on the part of the Government. Well, I am not holding a brief for the Government. I am also not happy with the way they have conducted themselves. There should have been more discussion with the people before you brought the Bill. But at least, you are giving that opportunity now—today.

Mr. Advani is making a grievance of the Select Committee. As a responsible leader of a responsible political party, why did he not participate in the deliberations of the Select Committee? Every time, they went out of it. For two or three days, they came for half-an-hour and raised some objections. Without meaning any personal disrespect, frivolous objections were raised and then they went out. They did not make a single suggestion on the provisions. Why did they not utilise it? On the other hand they have utilised the *maidan* and the press. The Members of the Select Committee were not given the benefit of having their views on the clauses of the Bill. How had they conducted themselves in the Select Committee? How had they utilised the Select Committee? You want to bring about these changes in the Bill. My submission is this. Let this House, at least the secular and saner section of this House, give this message to this country that we shall never allow the communal elements to have the last say in this country. (*Interruptions*). We must give the message to the people of this country that the sovereign Parliament of secular India will pass a proper legislation including the amendment to the Constitution which will deal with this menace which is now corroding our basic system existing in our country. Let us give this message. I think the Home Minister must rise to the occasion as also leaders of all secular parties. If there are some differences somewhere or in some provisions of the proposed legislation, by discussion, we can certainly bring about a much better piece of legislation and constitutional amendment. After all, we want to bring about changes in the organic law of the country in spite of the commitments of the founding fathers

of our Constitution and leaders of our country who fought for our independence so that India will be a secular State. Today, the atmosphere is vitiated. Secularism is now a matter which is being thought of as a derogatory remark by some political party. They call it pseudo-secularism. The phrase "minority-ism" is being used in this country to create division among the people and to ridicule our very national ethos of secularism. I hope this nation will not accept that position. We want to see that nothing like what happened in this country on the 6th December should occur again. Nobody and not a single leader of BJP has even condemned what happened on the 6th December...(*Interruptions*)

SHRI HARIN PATHAK (Ahmedabad): What happened on the 12th March in Bombay? (*Interruptions*)

SHRI SOMNATH CHATTERJEE: It has been said by the BJP leader that the next elections will be fought by the BJP on the temple issue. (*Interruptions*)

MR. SPEAKER: Now, we are not debating the issue. We are only on one point on whether we should defer it or not.

SHRI SOMNATH CHATTERJEE: Therefore, I do not want such things to happen again in this country. Therefore, there should be a campaign against this. Let this time be utilised for the purpose of reaching the people and explaining to them the real provisions and objectives behind this Bill. Let us not be derailed by whatever threats and banterings coming from a party which is seeking to thrive on dividing the people. Therefore, we support the Government's motion. But please see that this time is properly utilised. (*Interruptions*)

MR. SPEAKER: Only the leaders will speak. Everybody need not speak.

SHRI TARIT BARAN TOPDAR (Barrackpore): The evil of communalism should be curbed here and now.

SHRI INDRAJIT GUPTA (Midnapore): Unfortunately, nothing can be curbed here and now, however, much we may want it!

[Sh. Indrajit Gupta]

Sir, I think the traumatic experiences of the last few months have generated a compulsion which lead the Government ultimately to bring in this amending Bill. I should have thought that all parties in this House, all parties without exception, would welcome and support the main principle behind this Bill, viz. the separation of religion from politics. How do we do it. what are the procedures, what are the safeguards, etc. can be debated next time when we have the full debate. But the principle cannot be challenged. The principle should not be challenged except by people who want to divide this country on the basis of religion.

Since we are not debating it just now, I do not want to go into many things of the past. I think this is also an opportunity for the ruling party here to atone, to some extent, for many of the things that many of their leaders did in the past, which have encouraged my BJP friends to take this attitude which they are taking today. Anyway, we will come to that when the full debate takes place.

Today, I was surprised to find that in the last three or four days when we have been discussing important aspects of the Bill inside the Select Committee and outside, there has been a propaganda campaign going on outside. Of course, any party is entitled to carry on campaigning. But I am surprised to find that in this propaganda campaigning, all sorts of things which have got no relevance to what is in the Bill are reported to have been said by responsible leaders of the BJP in order to excite people. They are instigating the people by saying all sorts of irresponsible things which are not there in the Bill at all. By any stretch of imagination, can this Bill be interpreted to mean that henceforth you cannot take the name of Ram? Is it in the Bill? Can it possibly be interpreted as being part of the Bill? All kinds of things are said, such as 'religion will perish', 'you cannot go to a temple', 'you cannot go to a mosque' and so on and so forth.....

(Interruptions)

MR. SPEAKER: Indrajitji, now we are on a small point and that is whether the Bill should be deferred.

(Interruptions)

SHRI INDRAJIT GUPTA: My small point is this. Why am I saying this? I say this because it proves that the bulk of the people in this country are not aware actually as to what is in the Bill. That enables some other people—taking advantage of the people's ignorance on the contents of the Bill—to go on saying all sorts of things and instigating them and distorting the real position. Therefore, from that point of view also, it is very necessary that there should be a broad national debate. People should get to know what is actually in the Bill. That does not mean that the Bill is perfect and that it cannot be further amended or improved. But the main essence of the matter is that religion should not be used, as it is being used, as a divisive force creating ill-will and hatred among people of different religious communities. That should not be permitted and that is what this Bill is seeking to do, at least with reference to political activities and elections. Therefore, I am sorry that the Government did not think of this earlier. They should have! They should have thought of it and more opportunity and time should have been given to other sections of opinion in this country to express themselves.

So, I agree with Shri Chatterjee that the time which is now being obtained by means of this deferment should be used in order to get further information from all parts of the country and also to explain to the mass of the people of this country as to what actually the Bill seeks to do and what its provisions are. From that point of view I welcome this move for deferment. I hope it will be profitably used by everybody. It cannot be used profitably by only one section for their own distorted advantages. It must be used by all the secular forces and, therefore, this position will be helpful, I hope, to all of us and hence I am in favour of this deferment.

[Translation]

MR. SPEAKER: Please look, I shall give chance to all the leaders to speak. But only on one point whether this bill should be deferred or not. No general debate is taking place on this issue. If

you will delve on other points, the discussion will become long. Please say in only two or three sentences whether the bill should be deferred or not.

SHRI RAMSAGAR (Barabanki): Mr. Speaker, Sir, our Samajwadi Party and our national leader Shri Mulayam Singh Yadav were always in favour of this bill. Religion is so dangerous in politics.....
(Interruptions)

MR. SPEAKER: There is no need to mention it.

SHRI RAMSAGAR: I am concluding. 6th of December in politics...
(Interruptions)

MR. SPEAKER: Please take your seat. I am on my legs, please take your seat. Listen to me.

[English]

If you have any objection, please direct it to me and I will deal with it. You do not enter into a dialogue with other Members because that does not help you, them, me or the House. May I request the Member,

[Translation]

I am requesting you not to go into a long debate. Please only tell whether you support the deferment of the Bill proposed by the Government. If you go into a long discussion, it will become very lengthy and this is not to be done today.

SHRI NITISH KUMAR (Barh): You have used the word 'dhakelna'. I thank you for this. You have used a very appropriate word.

SHRI RAMSAGAR: I only want to say that on 6th of December...
(Interruptions)**

[English]

MR. SPEAKER: I am not allowing that. It will not go on record. You can rest assure that such things will not go on record.

(Interruptions)

[Translation]

SHRI RAMSAGAR: Mr. Speaker, Sir, I would only like to say this that the incident that took place on 6th December was the result of use of religion in politics. This Bill was being intruded in haste. This way we were not able to check the people of BJP. Now the time-limit has extended we support this Bill.

MR. SPEAKER: Shri Rao, please be brief and precise.

[English]

SHRI SOBHANANDREESWARA RAO VADDE (Vijayawada): I support the Home Minister's decision to defer this Bill. I would like to say that our Telugu Desam Party is categorically for taking certain measures for the prevention of misuse of religion for electoral gains and that is why our Leader, Shri Paddmanabham has submitted his dissent regarding pre-disqualifications. I would only like to appeal to the hon. Minister of Home to utilise this time to come forward with a suitable legislation. At present people are not aware of the existing provisions of the Bill. Till now only a few MLAs could raise their objections and submit their election petitions in which they were unseated already.

My suggestion to the Government is to give wide publicity so that the people will be conscious of the existing provisions. This I hope will be a better way to curb the misuse of religion in politics. At the same time the Government should also come forward with Unlawful Activities (Prevention) Act by amending its definition so as to include this particular menace also.

SHRI P. G. NARAYANAN Gobichettipalayam): Mr. Speaker, Sir, let me admit that misuse of religion is objectionable but this Government wants to crush the Opposition Parties on grounds of religion.

This move of the Government is an assault on our democratic set up.

**Not recorded.

MR. SPEAKER: You are entering into the merits which you are not expected to do now.

SHRI P. G. NARAYANAN: Moreover this Government wants to push through this Bill without ascertaining the opinion of the Opposition Parties and without ascertaining the views of the public.

So, the Government has to defer this Bill. It shows that this Government lacks political will.

[Translation]

SHRI SURYA NARAYAN YADAV (Saharsa): Mr. Speaker, Sir, when it was being suggested that this Bill be referred to the Select Committee, I had suggested the same thing on behalf of my party because it is a very sensitive issue. Since religion has a vital role to play in society. This Bill should have a national debate. We agree that religion and politics should be separate but, first the public should understand its depth, only then a legislation to this effect may be enacted. I welcome the proposal to circulate the Bill for eliciting public opinion, and, I would like to say that when it is circulated in the country, we would show it to the people of BJP as to how the country is going to be adversely affected by linking religion with politics. (Interruptions)

This is all I have to say.

[English]

SHRI CHITTA BASU (Barasat): Sir, I agree with the proposal brought forward by the hon. Home Minister regarding deferment of the discussion on the Eightieth Constitution (Amendment) Bill.

Sir, I welcome the Government's decision for fighting politically communal forces of our country. It is the greatest menace today for democracy.

MR. SPEAKER: We are not entering into the merits of it.

SHRI CHITTA BASU: I will enter into the merits.

Therefore, I appreciate that the Government has decided ultimately, at last, to fight politically against that menace. If that menace is not, politically, organisationally and administratively combated, it will destroy democracy. It shall destroy you also Sir, as the Chairman of this House. Because, if the Parliament does not remain, if fascism is there, if religion becomes the guiding principle for ruling the country, then, Sir, the country cannot survive, the unity of the country cannot survive.

Sir, I welcome that there is a broad consensus among all the secular democratic parties that there should be a measure of this nature and I, therefore, feel that wider discussion should be held within the time which is at the disposal of the Government because of the deferment. With your kind consent they have agreed for deferment and and it should be properly utilised so that broad masses of our country can be enlightened, educated about the principle involved in the Bill. So, they should be properly educated to meet politically and ideologically the menace of communalism.

MR. SPEAKER: Mr. Shukla, do you want to say anything on this?

THE MINISTER OF WATER RESOURCES AND MINISTER OF PARLIAMENTARY AFFAIRS (SHRI VIDYACHARAN SHUKLA): I just want to quote the relevant rule.

MR. SPEAKER: I have that Rule 109.

[Translation]

SHRI ATAL BIHARI VAJPAYEE: Mr. Speaker, Sir, when I had spoken in the beginning, I had restricted myself.

SHRI GEORGE FERNANDES (Muzaffarpur): Mr. Speaker, Sir, I am on a point of order. My point of order is that I had objection at the time of beginning of the discussion, but you were taking the discussion to one direction. I did not say anything at that time.

Mr. Speaker, Sir, you have mentioned Rule 109.

[English]

"At any stage of a Bill which is under discussion in the House"

The Bill is under discussion only after it is introduced in the House. The Bill has not been introduced; the Bill is not under discussion. (*Interruptions*)

MR. SPEAKER: It may be referred to the Select Committee.

[Translation]

SHRI GEORGE FERNANDES: I am raising a point of order under Rule-77.

[English]

"After the presentation of the final report of a Select Committee of the House or a Joint Committee of the Houses, as the case may be, on a Bill, the member in charge may move—

- (a) that the Bill as reported by the Select Committee of the house or the Joint Committee of the Houses, as the case may be, be taken into consideration; or
- (b) that the Bill as reported by the Select Committee of the House or the Joint Committee of the Houses, as the case may be, be re-committed to the same Select Committee or to a new Select Committee, or to the same Joint Committee or to a new Joint Committee with the concurrence of the Council, either—
 - (i) without limitation, or
 - (ii) with respect to particular clauses or amendments only, or
 - (iii) with instructions to the Committee to make some particular or additional provision in the Bill; or
- (c) that the Bill as reported by the Select Committee of the House or the Joint Committee of the Houses, be circulated or re-circulated, as the case may be,

for the purpose of eliciting opinion or further opinion thereon:"

[Translation]

Mr. Speaker, Sir, we are deferring this discussion under this rule. Without doubt, there should be a debate on it. Many suggestions have been put forward by the people in and out of this House and if the Government have decided to hold a debate on it, then, the Hon'ble Minister should move a Motion for holding a debate on this issue. I know that there is tension caused by this Bill. We should not allow the violation of rules and traditions of the House to take place. The Government should be asked to move the Motion. Time may be given, if the Government so desires. If the Government wants time, then, it should be asked to specify the reasons and you may take the decision by exercising your residual powers.

[English]

MR. SPEAKER: I will give a ruling. Without using my residual power, I have decided. I will not use my inherent jurisdiction.

[Translation]

SHRI GEORGE FERNANDES: I request that the Government be asked to move any one of the three Motions. Rule 109 is not operative in this case (*Interruptions*)

[English]

MR. SPEAKER: You don't have to ask me anything. First of all, you understand that you don't question the authority of the Speaker.

[Translation]

SHRI RABI RAY: Mr. Speaker, Sir, I did not want to speak on this but I have risen to narrate a historical fact. I welcome the deferment move. This basic issue concerns the future of the country. I would also like to recall the House that Shri M. A. Ayyangar who was the member of the Constituent Assembly used to advocate for rooting out Communism from the political life of the country on 3rd of April, 1948. Just after 6-7 months of independence, he brought forward a Resolution to this effect in the Constituent Assembly. You might have defini-

[Sh. Rabi Ray]

tely read it. There is a mention about that Resolution in the newspapers also during the last 7-8 days. I would like to request particularly to the ruling party that even Pt. Jawaharlal Nehru had supported the Resolution wholeheartedly. I would also like to draw the attention of the B.J.P. Members that Late Lamented Dr. Shyama Prasad Mukherjee had also supported the fundamental issues of the Resolution in principle. I would like to recall the House that it was a very important day of our political life since our independence, when illustrious predecessor Sh. Ayyangar had put it before the Legislative Wing of the Constituent Assembly. I would like to request the House particularly the B.J.P. colleagues to seek the opinion of the people in this regard. It does not look nice that we sitting here provide such type of leadership to the country. Religion is a personal matter. A man cannot survive without religion. But when we link religion with politics and create hatred among different communities, religion loses its importance and it becomes useless. It does not remain a religion. Therefore, people are unable to understand such theory of religion as creates hatred among the people. Sir, I would like to request you that you should also provide such leadership as had been provided by Late Sh. Ayyangar. It is immaterial whether the matter relates to the nationalisation or to some other issue. We can have the differences of opinion over these issues, but nobody should have the right to misuse religion. We should have proper regard for the feelings of Dr. Shyama Prasadji, Pt. Jawaharlal Nehru and Shri Ayyangarji. It was my only purpose to remind the House through you and I support the move for deferment.

SHRI ATAL BIHARI VAJPAYEE:

When I spoke in the beginning I confined myself only to the issue of point of order. But since then a lot of things have been stated in the House. I am not against the deferment. But it should be done under the rules and procedure. The Government has invited troubles of its own. Perhaps those who were to bail out the Government from the crisis, did not come forward for its rescue. Now there is no use of showing anguish against us.

Mr. Speaker, Sir, Shri Chavan has also referred to the incident of 6th December. If you observe the earlier statements, made by the Congress leaders before 6th December, you will know the intension of these leaders. The Prime Minister, Shri Narsimha Rao had announced in the Session of Congress held at Tirupati that he would enact such type of legislation. The incident of 6th December took place later on. An endeavour was made

17.00 hrs.

from a leading leader of the ruling party to withdraw the recognition of B.J.P. Mr. Speaker, Sir, if popularity of B.J.P. is increasing and more and more people are joining us, the other friendly parties should ponder over the reason as to why the people are coming to us. Both the Bills have been brought in the House. With the intention to criticise us whereas even the people who are our critics and many of them are intellectuals, have condemned these Bills. Even the newspapers have criticised both these Bills. Commenting that both these Bills are undemocratic and unconstitutional and will damage the fundamental set up of the country. Sect or Religion should not be misused in elections. I am using the word religion. I have also suggested and given an amendment to this effect. But the people are unable to understand the real meaning of the religion. When you refer to religion, it narrates a different meaning in the country. When you translate the word 'Religion' into Hindi as 'Dharma' it causes problems. There is no difference of opinion on this issue that communal feelings should not be instigated. But do not link it with 'Dharma'. Religion is all pervasive. Religion links the people. Religion is spontaneous and natural phenomena. Religion symbolises duty—'Dharma Chakra Pravartanaye' (Interruptions)

DR. KARTIKESWAR PATRA (Balasore): Who believes in all this?

SHRI ATAL BIHARI VAJPAYEE: Mr. Speaker, Sir, My 'dharma' as speaker, is to speak relevant and appropriate and your 'dharma' as an audience is to listen to me patiently, Mr. Speaker, Sir, they should follow their 'Dharma'. There are several laws in the country which ensure that the

sentiments of any kind may not be provoked in any way. But in the legislation, only religion has been referred to. (Interruptions)

Yes, Shri Shuklaji, it is being discussed. It must be argued. It is not possible that you should go on criticising us severely and we should not get even a chance to reply to your criticism.

[English]

MR. SPEAKER: I am allowing.

[Translation]

SHRI ATAL BIHARI VAJPAYEE: No, Mr. Speaker, Sir, how the incident of 6th December has been referred to. They are making allegations against us that we have supported the division of India on the basis of religion and we are responsible for it. But I would like to state as to what should be said to them who are prepared to create a theocratic state in the neighbourhood, who are in hand to hand with the Muslim League, and who ask for votes in Mizoram to form a Christian Government. What moral right they have to make such allegations against us? How they can say like this? We are prepared to answer their each and every allegation. Mr. Speaker, Sir, pardon me for my being agitated but what should I do in such a situation when such instigating talks are going on.

[English]

MR. SPEAKER: We will have a regular debate later on. Not at this stage.

[Translation]

SHRI ATAL BIHARI VAJPAYEE: Mr. Speaker, Sir, you might recall that I moved a motion in the House that the Bill should be referred to the Select Committee and the Minister of Home Affairs had preferred to bring the Bill at the earliest. We had wanted that the Election Commissioner should be invited to the Select Committee, but it has not been acceded to. Two former Election Commissioners have criticised the Bill and the others have not been given sufficient time to comment on the Bill.

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MR. SPEAKER: Regular debate will be held later on.

SHRI ATAL BIHARI VAJPAYEE: Mr. Speaker, Sir, at least I may be allowed to reply to the points which have been mentioned in the House.

[English]

MR. SPEAKER: I am not shutting it out totally.

[Interruptions]

MR. SPEAKER: Unless, Shri Vajpayee yields, I cannot allow you. Please sit down.

[Interruptions]

[Translation]

SHRI ATAL BIHARI VAJPAYEE: Mr. Speaker, Sir, I would like to request you that.....(Interruptions)

[English]

SHRI ATAL BIHARI VAJPAYEE: Sir, will they not allow me to speak?.....(Interruptions)

MR. SPEAKER: Unless Shri Vajpayee yields I cannot have the benefit of hearing Mr. Patra.

[Translation]

SHRI ATAL BIHARI VAJPAYEE: Mr. Speaker, Sir, if you ask me to sit down I will do it.

MR. SPEAKER: I am allowing you. Shri Sharadji, if you are allowed to speak, it will become a lengthy discussion.

SHRI SHARAD YADAV: Mr. Speaker, Sir, obeying your orders, I would like to point out that as you have said that whatever he would speak, will be within rules and he would also maintain the decorum of the House. Some hon. Members have commented on it.

SHRI ATAL BIHARI VAJPAYEE: What do you mean by saying that some people have commented on it?

MR. SPEAKER: He is referring not only to you.

SHRI SHARAD YADAV: The way he is speaking will also require the replies thereto. It means that the discussion will start from today itself. It cannot be done.

[English]

MR. SPEAKER: That is why I am saying you, "Be very brief".

[Interjections]

SHRI SHARAD YADAV: Mr. Speaker, Sir, I may also be given opportunity to speak in detail.

MR. SPEAKER: You please sit down. even then you have to listen to me. No doubt you have become a leader. If I realise the need I will allot time to you. But I should at least realise the need.

SHRI ATAL BIHARI VAJPAYEE: Mr. Speaker, Sir, we have been demanding since long that sufficient time should be given to deal with this Bill. Different view points should be brought before the House as well as the Parliamentary Committee. But at that time much haste was made and now the discussion is being avoided.

[English]

MR. SPEAKER: We will find it out.

[Translation]

SHRI ATAL BIHARI VAJPAYEE: My socialist friends should not be agitated if I refer to Dr. Lohia. Dr. Lohia used to talk about the coordination between the religion and the politics. He said that the short period religion is politics and the long period politics in religion. I am quoting neither Dr. Lohia, nor Gandhiji. I am simply referring to Dr. Lohia.

[English]

MR. SPEAKER: We will have a full-fledged discussion, Vajpayeeji.

[Translation]

SHRI ATAL BIHARI VAJPAYEE: Mr. Speaker, Sir, the things that have been said in the House today.....

MR. SPEAKER: It will prolong the discussion.

SHRI ATAL BIHARI VAJPAYEE: I do not want to prolong it. I just want to clarify it. At the outset, I had said that I did not want to speak in vague term. But some of my colleagues who have failed to support the Government in this matter, had to give their clarification. They should have explained their view points but what was the need to involve us in this matter. It is now clear that we are the target of their guns. That is why the Government is talking of religion and not of caste, language, community and place of religion. The law has already been enacted in this regard. According to the existing law, the election can be held invalid even after winning the election. But on the basis of simple majority in the House they do not want us even to contest the elections and intend to ban us for contesting the elections by enacting this law. We are ready to fight against this strategy. Let us ask the electorate. Mr. Speaker, Sir, we held a rally but the Doordarshan has not covered it at all.....(Interjections) You may yourself clarify it.

[English]

MR. SPEAKER: I will do everything.

[Translation]

SHRI ATAL BIHARI VAJPAYEE: Under what rule the deferment is moved and how long this deferment will be continued?

MR. SPEAKER: I cannot assure you as to how long it will be continued.

SHRI ATAL BIHARI VAJPAYEE: You may direct the Minister of Home Affairs to bring a formal motion to send the Bill for public circulation for eliciting the public opinion thereon. The House may consider it.

[English]

THE MINISTER OF STATE OF THE MINISTRY OF STEEL (SHRI SONTOSH MOHAN DEV): Sir, I would also like to say.....(Interjections).

MR. SPEAKER: Please do not prolong it. I will allow you but then there will be a debate.

SHRI SONTOSH MOHAN DEV: No, Sir, you must allow us also.....(Interruptions).

MR. SPEAKER: Don't be so touchy, otherwise I would not be able to stop the debate.

SHRI SONTOSH MOHAN DEV: Sir, please for God's sake, allow us also to speak. This is not fair.....(Interruptions) I am saying this is not fair, Sir, You should allow us also to speak.

MR. SPEAKER: Well, I will allow a full-fledged debate.....

(Interruptions).

MR. SPEAKER: That is for the Parliamentary Affairs Minister to decide. I cannot have the dictates from the Ministers sitting on the benches there.....

(Interruptions).

SHRI SONTOSH MOHAN DEV: You are not at all fair.....(Interruptions)

MR. SPEAKER: I am not going to proceed in this matter unless he withdraws those remarks.

SHRI SONTOSH MOHAN DEV: I do withdraw, Sir, but you kindly appreciate our sentiments.....(Interruptions).

MR. SPEAKER: You do not understand anything. You sit down now.

It is for the Ministers to behave properly in the House. Simply because you are a Minister, you cannot be allowed to raise your voice.

(Interruptions)

MR. SPEAKER: This is not for the first time that you have said this thing.

(Interruptions)

MR. SPEAKER: Please sit down now.

[Translation]

MR. SPEAKER: Shri Basuji, I would like to request you that:

"Aap Rahe, Aapki Shan Rahe, Hamara Prajatantra Sada Rahe, Uski Shan Rahe,

Yeh Sadan Rahe, Uski Shan Rahe, Ham Rahe, Na Rahe."

[English]

SHRI CHITTA BASU (Barasat): The parliamentary system is like this.

MR. SPEAKER: Now, I come to the first point which was raised by Shri George Fernandes.

(Interruptions)

[Translation]

MR. SPEAKER: It will become lengthy if you make a start. We do not wish to prolong it. That is why I am requesting you.

(Interruptions)

[English]

MR. SPEAKER: Please help me. I am trying to help you.

I am reading from page 520 of Practice and Procedure of Parliament by Kaul and Shakdhar, from the last paragraph:

"Adjournment of Debate on Bills

At any stage of a Bill which is under consideration in the House, a motion that the debate on the Bill be adjourned can be moved with the consent of the Speaker".

The only thing that the hon. Home Minister has to do is to move a motion for adjournment.

(Interruptions)

MR. SPEAKER: I will come to that later on.

Now a ruling on this point.

"Such a motion has been allowed to be moved even at the Introduction or the Third Reading stage of a Bill".

Even at the stage of introduction, not only at the stage of consideration, but at the stage of introduction also, it can be done. Now, in this case, what happened was that the Bill was introduced; there was a motion for referring it to the Joint Select Committee. It was referred to the Joint Select Committee. Now it has come

here and it is before us. There is a—not exactly the motion, but a sort of—motion that it should be deferred. I hope that the hon. Home Minister will move that motion later on. So, here, if it can be deferred at the stage of introduction, it can be done at the stage of consideration, if it can be deferred at the stage of passing, this is applicable.

Now, I read Rule 109:

“At any stage of a Bill which is under discussion in the House, a motion that the debate on the Bill be adjourned may be moved with the consent of the Speaker”.

Please mark the line “At any stage of a Bill”. This is the thing.

SHRI LAL K. ADVANI: Sir, I want to speak.

MR. SPEAKER: Advaniji, I will allow you later.

I do agree that this could have been done in a different fashion as was suggested by Shri Advaniji, under different rules. There could have been a motion for referring this Bill to the Joint Select Committee or for circulating it for eliciting the opinion or for withdrawing it also—if it is necessary—or for this reason also it can be done. These two things which I mentioned at the beginning, while making this point, could have been under different rules. This can be done under this rule.

This is my ruling, subject to Shri Advaniji statement.

SHRI SOMNATH CHATTERJEE: Sir, subject to hearing us also.

MR. SPEAKER: If it is necessary, otherwise not.

SHRI LAL K. ADVANI: Sir, so far as the ruling is concerned, I think, it is correct. (Interruptions)

MR. SPEAKER: Please allow me to conduct the House in my own fashion. I am trying to take the cooperation of all.

(Interruptions)

SHRI LAL K. ADVANI: Sir, so far as Rule 109 is concerned, ‘at any stage’ does include the present stage also and as you have rightly said that even at the stage of introduction if the Minister has moved that he wants to defer the consideration...

MR. SPEAKER: The only thing is he has to move a motion.

SHRI LAL K. ADVANI: Yes, he has to move a motion, I entirely agree. But, Sir, I would like to point out that this motion, a motion for deferment, can be moved with the consent of the Chair.

MR. SPEAKER: Yes, I have given the consent.

SHRI LAL K. ADVANI: No. (Interruptions)

MR. SPEAKER: I will give the consent.

(Interruptions)

SHRI LAL K. ADVANI: Sir, I would invite your attention to page 522 of the book by Kaul and Shakhder. A Minister moves the motion saying that he would like to defer consideration of the Bill on the ground that the attendance today is very thin. It is stated here: “The mere fact that the attendance in the House is very thin is not sufficient ground for the Speaker to accept the motion for adjournment of debate.” Sir, what has happened today is something analogous that, I am not in a position to muster two-thirds majority.....

MR. SPEAKER: I will give a Ruling on this.

(Interruptions)

MR. SPEAKER: Shuklaji, I will rule on it.

SHRI LAL K. ADVANI: I would plead with you that in this case because an alternative proposal under the rules is available and even the discussion shows that all sides—this side, that side, even we here on this side—feel that if the motion is

to be deferred, it should be deferred under the provision of Rule 77 which Shri George Fernandes pointed out, whereunder the Minister is entitled to move that the Report of the Joint Select Committee on the Bill as revised by the Joint Select Committee be circulated for public opinion, and the sum and substance of it would be deferment of the Bill today. And so, when the alternative is available, why should the Minister on the Treasury Benches seek your consent for something on which an analogous position exists, as an earlier Presiding Officer has ruled that 'I cannot permit that only because the attendance is thin; therefore, defer it'? Similarly, only because two-thirds majority is not available today, defer the Bill.

[Translation]

SHRI GEORGE FERNANDES: Mr. Speaker, Sir, it is a matter of rules. I am regretful; you have rightly said that it was "subject to".

MR. SPEAKER: I am just giving final ruling.

SHRI GEORGE FERNANDES: Mr. Speaker, Sir, before giving your final ruling please listen to me. Shri Lal K. Advani has also given his opinion regarding Rule 109. Mr. Speaker, Sir, since the ruling given by you becomes a permanent precedence, I would like to state that Rule 109 is not applied here.

[English]

Rule 109 says: "At any stage of a Bill which is under discussion in the House". The Bill is not under discussion in the House. Sir, Where is the motion? Kaul and Shakhder cannot supercede the rule.

[Translation]

Mr. Speaker, Sir, please see the rule which I am reading out here. We are bound by rule.

[English]

The Rule says, "At any stage of a Bill which is under discussion in the House." There is no Bill under discussion in the House. They have moved no motion for discussion. No motion for discussion has been moved in the House. He has got

up and read a statement. A statement by the Minister is not discussion on a Bill, Sir. He has to seek permission to move the Bill as amended by the Select Committee. That has not been done. So, let him first move it. Then, Sir, please put it to vote, whatever motion he moves.

MR. SPEAKER: Of course. I do really appreciate the argument advanced by Advaniji, it is a very intelligent argument. But then I would say that the attendance of the Members in the House is one thing and a desire to have the views of the Members and the parties is a different thing and there is a Ruling on this point. Now, the Ruling is:

"There have been occasions when the debate on a Government Bill was adjourned either on a motion or without the motion having been moved and adopted in order to enable the Government to have informal discussion with the Members interested in the Bill."

Even a motion may not be required on this matter and as far as Shri George Fernandes' point is concerned, he is emphasising on the word "discussion". What is discussion?

"Under discussion" means, when the entire discussion is going on and then we are moving it. Now, the "discussion" commences when somebody is trying to introduce the Bill, somebody is trying to say that the Bill cannot be introduced and it is *ultra vires* of the Constitution or this House has no jurisdiction to entertain this Bill. The word "discussion" is a very omnibus word and that is why I am not going to restrict the interpretation of the word "discussion" and say that there is no discussion. This is my final ruling and I am going to allow the hon. Home Minister to move that the debate on the Bill be deferred.

THE MINISTER OF HOME AFFAIRS (SHRI S. B. CHAVAN): Sir, I beg to move:

"That the debate on the Constitution (Eightieth Amendment) Bill, 1993 (Insertion of new articles 24A, 28A, 102A and 191A and Amendment of article 329 and Ninth Schedule) as

[Sh. S.B. Chavan]

reported by Joint Committee be adjourned."

1993, as reported by Joint Committee be adjourned."

The motion was adopted

SHRI GEORGE FERNANDES: Mr. Speaker, Sir, a grave mistake has been committed. What is to be adjourned? Where is the debate? The Bill has not been introduced and you cannot allow the debate to be adjourned. I cannot understand this.

17.24 hrs.

SUPPLEMENTARY DEMAND FOR GRANTS (RAILWAYS), 1993-94;

AND

DEMANDS FOR EXCESS GRANTS (RAILWAYS), 1989-90

[English]

MR. SPEAKER: There is some misunderstanding. Now, this is not at the introduction stage. This Bill has already been introduced. After it was introduced, it was referred to the Joint Select Committee and that Committee has reported to this House and it is at the stage of consideration.

MR. SPEAKER: Motions moved:

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

"That the debate on the Representation of the People (Amendment) Bill, 1993, as reported by Joint Committee be adjourned."

MR. SPEAKER: The question is:

"That the debate on the Constitution (Eightieth Amendment) Bill, 1993 (Insertion of new articles 24A, 28A, 102A and 191A and Amendment of article 329 and Ninth Schedule) as reported by Joint Committee be adjourned."

The motion was adopted

MR. SPEAKER: The question is:

"That the debate on the Representation of the People (Amendment) Bill,

(i) "That the respective supplementary sum not exceeding the amount shown in the third column of the Order Paper be granted to the President of India out of the Consolidated Fund of India to defray the charges that will come in course of payment during the year ending the 31st day of March, 1994, in respect of the head of Demand entered in the Second column thereof against Demand No. 16."

(ii) "That the respective excess sums not exceeding the amounts shown in the third column of the Order Paper be granted to the President out of the Consolidated Fund of India to make good the excess on the respective grants during the year ended 31st day of March, 1990 in respect of the heads of demands entered in the second column thereof against Demand Nos. 3, 5, 6, 9, 13, 14 and 16."

Supplementary Demand for Grants (Railways) for 1993-94 submitted to the Vote of the Lok Sabha

No. of Demand	Name of Demand	Amount of Demand for Grants submitted to the Vote of the House
1	2	3
16.	Assets—Acquisition Construction and Replacement Other Expenditure Capital	Rs. 4,00,000