

marriage (Repeal) Bill, 1983, as passed by Rajya Sabha.

12.22 hrs.

COMMITTEE ON PRIVATE
MEMBERS' BILLS AND
RESOLUTIONS

Sixty-first Report

SHRI G. LAKSHMANAN * (Madras North) : I beg to present the "Sixth-first Report (Hindi and English versions) of the Committee on Private Members' Bills and Resolutions.

12.23 hrs.

RE CALLING ATTENTION

MR. SPEAKER : The House will now take up Calling Attention motion. Shri Chitta Basu...But before Mr. Chitta Basu speaks I want to point out that it has been decided in the Business Advisory Committee that one hour and no more than one hour shall be allowed for each Calling Attention. The first speaker will be allowed 12 minutes and the rest will be allowed eight to twelve minutes. The rest of the time is for the Minister.

श्री अटल बिहारी वाजपेयी (नई दिल्ली) : मंत्री महोदय ने जो बयान दिया है, उसको आप जरा देख लीजिए। सारे देश में हरिजन और आदिवासियों पर ज्यादतियां हुई हैं और उनके बारे में क्या जानकारी दी गई है। एक घटना के बारे में जानकारी मांगी है मगर इनके पास कोई जानकारी नहीं है।

अध्यक्ष महोदय : आप पूछ लीजियेगा।

श्री अटल बिहारी वाजपेयी : आप जरा देखिए, किस तरह के बयान आते हैं।

अध्यक्ष महोदय : आपका इसमें नाम है, आपको पूछने का मौका मिलेगा।

श्री अटल बिहारी वाजपेयी : अध्यक्ष महोदय, मैं इसके बारे में आपकी व्यवस्था चाहता हूँ।

अध्यक्ष महोदय : आप उनसे पूछ लीजियेगा।

SHRI ATAL BIHARI VAJPAYEE : The statement is incomplete.

श्री राम विलास पासवान : जब कालिंग मॉटेशन का जवाब ही नहीं दिया जायेगा तो क्या पूछा जाएगा। कैबिनेट मिनिस्टर यहाँ नहीं हैं। शेड्युल्ड कास्ट और शेड्युल्ड ट्राइब्स का मामला चल रहा है। यह इतना जबरदस्त मामला है।

SHRI CHANDRAJIT YADAV (Azamgarh) : Shri Vajpayee has raised an important point when he says that when we are limiting the time you must see that the Minister's reply is complete and comprehensive.

SHRI ATAL BIHARI VAJPAYEE : May I, suggest that the Calling Attention motion be postponed? Let the Minister come with a comprehensive reply.

SHRI INDRAJIT GUPTA (Basirhat) : Please listen. (*Interruptions*)* *

MR. SPEAKER : I will listen only to Mr. Chitta Basu. Not allowed. I have taken the decision.

SHRI ATAL BIHARI VAJPAYEE : Who has decided? I was not a party to that decision. You cannot change the rules in the Business Advisory Committee.

अध्यक्ष महोदय : आप एक मिनट बैठिये। आप अपने नुमाइन्दे न भेजा करो। आप ही आ जाया करो।

एक माननीय सदस्य : हमारे नुमाइन्दे नहीं थे।

SHRI ATAL BIHARI VAJPAYEE :
I was not there yesterday. This is not the jurisdiction of the Business Advisory Committee. You should have called the meeting of the leaders.

MR. SPEAKER : Don't get angry.

SHRI ATAL BIHARI VAJPAYEE : I have a reason to be angry.

MR. SPEAKER : No. You have not to be.

SHRI ATAL BIHARI VAJPAYEE : Yes. You cannot treat Members like this.

MR. SPEAKER : It is not my decision. If I go along with your decision, I am bad. If I do not go along with your decision then also I am bad. Mr. Vajpayee I respect you all the time.

(Interruptions)

अध्यक्ष महोदय : आप अपने आदमी से पूछिये, मुझ से क्यों पूछते हैं? कमाल हो गया। अब आप बैठिये।

(व्यवधान)

अध्यक्ष महोदय : मेरी बात सुनिए। अगर मैं आपका कहा करता हूँ तब भी बुरा करता हूँ, अगर नहीं करता हूँ तब भी मैं बुरा हूँ। मैंने अपनी तरफ से कोई संज्ञान पेश नहीं किया है। आपके जो नुमाइन्दे आये थे, उन लोगों ने जो कहा वह मैंने

आपके सामने रख दिया। अब आप अगर नहीं मानते हैं तो मेरे को क्या...

(व्यवधान)

SHRI HARIKESH BAHADUR
(Gorakhpur) : Sir, on Calling Attention we had not decided. We had decided...

अध्यक्ष महोदय : आप बैठ कर मेरी बात सुनिये।

आपने डिसाइड नहीं किया ? I will be the first person to go from here. It is simply atrocious.

मैं इस पोजिशन से रिजाइन कर दूंगा। अगर वहाँ डिसाइड नहीं किया गया हो तो। मैं कहना नहीं चाहता था लेकिन अब एक बात कहता हूँ कि वाजपेयी जी जैसे सज्जन आदमी नाराज होंगे तो बात कैसे बनेगी।

PROF. MADHU DANDAVATE
(Rajapur) : Sir, I am rising on a point of order since you have called Mr. Chitta Basu. My point of order is that firstly I concede that Business Advisory Committee is perfectly within its powers to take certain decisions but if you go to the scope of the Business Advisory Committee it decides about the priority of the subject and also it decides about the time. If the rules of procedure and rules of conduct of the House have prescribed certain procedure and certain rules, that particular procedure cannot be changed. Even if I am a Member of the Business Advisory Committee, I would not defend my decision. *(Interruptions)*

अध्यक्ष महोदय : मैं मानता हूँ, अब मेरी बात सुन लीजिए। बैठिए। Sit down.

(Interruptions)

PROF. MADHU DANDAVATE : Sir, I am on a point of order. Let me complete it.

[Prof. Madhu Dandvate]

I am not putting the burden on you. What I am pointing out is that even in the Business Advisory Committee, if I were to take the decision, I would not have been justified because the Rules Committee's jurisdiction is different and the Business Advisory Committee's jurisdiction is different. The Business Advisory Committee has no business to change the Rules. Therefore, even if inadvertently it has taken the decision, I would not say you are in fault, I would say the Business Advisory Committee is in fault; and you, as Speaker of the Lok Sabha, should not permit the Business Advisory Committee to tamper with the...

(*Interruptions*)

अध्यक्ष महोदय : मुझे जवाब क्यों नहीं देने देते? आप

Now I want to say certain things.

(*Interruptions*)

SHRI CHANDRAJIT YADAV : Sir, I want to point out that the question was discussed there. I was a special invitee in your Business Advisory Committee meeting, because I had written to you that certain issues should be discussed. You invited two special invitees and I was one of them. While we were discussing, perhaps we all felt that in Calling Attention sometimes two hours or three hours are being taken and nothing is being discussed. In that situation a suggestion was made that total time for Calling Attention should not be more than one hour. This is all a unanimous decision. At that stage, you opened the book and you also said if you stuck to rule 5, we can only ask questions. But you don't mind and give time to the people to give their point of view. At that time also it was decided that the first Member will take ten to twelve minutes; others will take eight to ten minutes; and the Minister will take fifteen minutes and that he will make the total reply in the end. This was the decision. Whether the Business Advisory Committee has gone beyond its juris-

diction, that is a different matter, but this was a decision and that is what you have announced that that was the decision. That is what I have to say. (*Interruptions*)

अध्यक्ष महोदय : मुझे जवाब देने दीजिए ।

श्री राम बिलास पासवान (हाजीपुर) :
आप उस निर्णय को वापस ले लीजिए ।

(*व्यवधान*)

PROF. MADHU DANDAVATE : Imagine a hypothetical case. Tomorrow if the Business Advisory Committee decided that during the Question Hour all the supplementaries should be put together,...

MR. SPEAKER : I want to make it amply clear. Professor, please sit down.

SHRI SATYASADHAN CHAKRABORTY (Calcutta South) : Sir, I want to make our position clear. I was also present in the Business Advisory Committee meeting.

SHRI G.M. BANATWALLA (Ponnani) : Sir, is this the method by which we should come to know what has happened in the Business Advisory Committee ? (*Interruptions*)

SHRI SATYASADHAN CHAKRABORTY : Sir, what you have said in the House is the decision of the Business Advisory Committee and we stand by it, If you can re-open the controversy, it is up to you. (*Interruptions*) **

MR. SPEAKER : Nothing is going on record.

(*Interruptions*)

अध्यक्ष महोदय : मेरी बात सुनिए ।
बैठ जाइए । मैं अपनी पोजीशन क्लीयर
करना चाहता हूँ

(*व्यवधान*)

MR. SPEAKER : I have to first clear my position. It is very ambiguous. I am shocked today, I am hurt today beyond repair. I will have to make it clear. Without any rhyme or reason, without finding the facts, you have hurt me.

श्री अटल बिहारी वाजपेयी : अगर ऐसा मसला है तो आप ग्रुप लीडर्स को बुला सकते थे।

अध्यक्ष महोदय : आप मेरी बात तो सुन लीजिए।

श्री अटल बिहारी वाजपेयी : पहले तीन बजे के लिए मीटिंग तय की गई थी, बाद में चार बजे के लिए कर दी गई। मैं नहीं आया था।

(व्यवधान)

MR. SPEAKER : Nothing is going to be recorded. (Interruptions)**

MR. SPEAKER : I am telling you what I am going to do. Sit down.

(Interruptions)

अध्यक्ष महोदय : बैठिए, मुझे बोलने दीजिए। एक भले आदमी के नाते मैंने एक कसेंसस लिया था। मैंने रूल नहीं बदला—

SHRI HARIKESH BAHADUR : It was not . . . (Interruptions)

अध्यक्ष महोदय : मैंने कब यह कहा है? मैंने कब अपने ऊपर लिया है? मेरे को तकलीफ होती है जब बिला वजह मुझ पर आक्षेप किया जाता है।

(व्यवधान)

MR. SPEAKER : Why can't you sit ?

SHRI HARIKESH BAHADUR : When you have allowed other Members, allow me also. I want to say that it was not decided that the first Member would speak for 10 or 12 minutes, and other Members only for eight minutes. It was decided that the Minister would take 15 minutes, and it will all be over in one hour. This was the decision which was taken.

अध्यक्ष महोदय : बैठ जाइये, मेरी बात सुन लीजिये। एक ही बात है। इस में कौन सा फर्क पड़ गया? आप पीछे जाना चाहते हैं तो आपकी मर्जी। आप ऐसा कर लें।

SHRI HARIKESH BAHADUR : It was not a mandate. It was a kind of suggestion. (Interruptions)

MR. SPEAKER : This is very bad. I have to clear my position.

मैंने कब कहा मेंडेट ?

(व्यवधान)

Pramila Ji, you have got nothing to do with it.

आप बैठ जाएं।

I am to represent this House on all sides. For me, to be impartial is the best thing. Whether this party or that party, I am going to be your spokesman or their spokesman.

PROF. MADHU DANDAVATE : We are not blaming you.

अध्यक्ष महोदय : आप बैठ जाइये। मैं एक बात बताना चाहता हूँ। मैं आपके साथ हूँ। मेरी हमेशा यह कोशिश रही है कि मैं

[अध्यक्ष महोदय]

आप सब लोगों को साथ ले कर चलें। उस में मैं बिल्कुल डिबिएट नहीं करता हूँ, डिबिएट होने की कोई गुंजाइश भी नहीं रखता हूँ।

(व्यवधान)

अध्यक्ष महोदय : सब मेरे साथ आकर बैठे। सब की मैंने राय जानी। उस राय के मुताबिक मैंने यह कहा कि आप अपनी अपनी पार्टी वालों को, सब को बता दें कि यह फंसला किया गया है।

(व्यवधान)

अध्यक्ष महोदय : आप अपनी बात किए जा रहे हैं, मेरी सुनते ही नहीं हैं। मैं यह कहना चाहता हूँ कि मेरा कोई इरादा नहीं। मैं तो यही चाहता हूँ कि काम करूं। एक घंटा नहीं दस घंटे मैं हाउस को चलाने के लिए तैयार हूँ। एक बजे से बारह बजे तक, दो बजे तक चलाने के लिए तैयार हूँ। मुझ से ऐसा कहा जाता है तो मैं इसके लिए तैयार हूँ। लेकिन मुझे जब यह कहा जाता है कि तुमने ऐसा किया है, तुम ने कानून तोड़ा है तो मैं कहना चाहता हूँ कि मैं कानून तोड़ूंगा तो फंस जाऊंगा। सारे भाइयों की सलाह के बाद मैंने कहा कि आप अपनी पार्टी मेंबर साहिबान को कह दो।

I agreed on that subject. I do not change; I agree with the Professor that I can not change the rules. Business Advisory Committee cannot change the rules. I agree completely with you. But if consensus is there.

तो आपको उसको मान लेना चाहिए।

That was the spirit behind that; and if you don't want it. I have got nothing to do with it.

PROF. MADHU DANDAVATE : We

are not finding fault with you. Don't misunderstand us.

अध्यक्ष महोदय : गुप्त जी ने कहा कि एक घंटा रख लें। आप जितना चाहें रख लें। मुझे क्या एतराज है। काम ज्यादा होना चाहिए। बाजपेयी जी ने बिल्कुल बगैर जाने आक्षेप किया है। मुझे अच्छा नहीं लगा। मैं उनकी बहुत इज्जत करता हूँ।

PROF. MADHU DANDAVATE : Tomorrow if they decide that all the questions will be replied to by the Minister at the end, will it be allowed? Suppose BAC were to decide that all the supplementaries will be put together, and the Minister will reply at the end; is it permissible?

I am not blaming you. I am blaming the Business Advisory Committee which is going beyond its mandate. Why do you take the blame on yourself?

श्री छटल बिहारी बाजपेयी : जब हम चाहते हैं और जिस को हम चाहते हैं और आप उसको करना नहीं चाहते हैं, तब आप यह कह देते हैं कि रूलज कमेटी में मामला ले आओ। कंसंसस कैसे हुआ ?

अध्यक्ष महोदय : सब ने कहा।

श्री छटल बिहारी बाजपेयी : बिजिनेस एडवाइजरी कमेटी का समय दो बार चीज किया गया।

अध्यक्ष महोदय : तब क्या हो गया ?

श्री छटल बिहारी बाजपेयी : मैं नहीं आ सका। मैं होता तो कभी नहीं मानता। आप मेरे ऊपर आपत्ति कर रहे हैं।

अध्यक्ष महोदय : जिस तरीके से बोल रहे थे उससे मुझे बहुत दुःख हुआ।

। श्री अटल बिहारी वाजपेयी : दुख हुआ तो मैं क्षमा मांगता हूँ ।

अध्यक्ष महोदय : आप बड़े हैं ।

श्री अटल बिहारी वाजपेयी : आप जिस तरह से बोले हैं उससे हमें भी दुख हुआ है । बारह बजे हम सवाल उठाते हैं । आज दंडवते जी को जिस तरह से आपने रोक दिया, हम लोग पच्चीस साल से पार्लियामेंट में हैं, कभी ऐसा नहीं हुआ कि स्पीकर ने वाक्य पूरा न करने दिया हो ।

अध्यक्ष महोदय : जितना करते हैं इससे भी ज्यादा कीजिए । मैं दस घंटे हाउस को चलाने के लिए तैयार हूँ । हाउस नहीं चाहता तो न करें । मैंने नहीं किया ।

श्री अटल बिहारी वाजपेयी : मैं होता तो नहीं मानता ।

अध्यक्ष महोदय : अब क्या हो गया है । हाउस नहीं चाहता तो न करें ।

SHRI INDRAJIT GUPTA : May I make a submission? Nobody here is objecting to the attempt to fix a time limit. Some time ago, you were kind enough to make that reference. When I was in the Business Advisory Committee, we had come to an understanding that each question should not exceed eight minutes. That is not what is happening. Anyway, at least in these two Houses, it should not go from one extreme to the other. There is another House where the Calling Attention goes on the whole day. We do not mind if a reasonable time limit is fixed. But there should not be a substantive change in the procedure.

MR. SPEAKER : No, there is nothing.

SHRI INDRAJIT GUPTA : There is a substantial change in the rules and the

procedure when it is said that the Minister will not reply to each Member separately and he will reply at the end, an omnibus reply will be given. We object strongly to this because the Members will be raising specific questions and if he has to reply only at the end he will not answer all the questions. (*Interruptions*)

MR. SPEAKER : I am not in the habit of crossing your mandate. मेरी तो आदत ही नहीं कि आपकी मैनडेट को पार करूँ ।

(व्यवधान)

अध्यक्ष महोदय : मैंने तो एक बात अर्ज करी कि अगर हाउस नहीं चाहता तो मुझे कुछ नहीं करना । मैंने आपको राजी रखना है या अपने आप को ?

श्री राम बिलास पासवान : पहले जैसे चलता है, चलने दीजिए । बिजनेस एडवाइजरी कमेटी फिर विचार कर लेगी ।

THE MINISTER OF PARLIAMEN-TARY AFFAIRS SPORTS AND WORKS AND HOUSING (SHRI BUTA SINGH) : Mr. Speaker, I am really pained... (*Interruptions*)

SHRI HARIKESH BAHADUR : It was to be implemented only in consultation with the leaders. We had to convey all these things to our Party members. If they got convinced, it was all right. If they were not convinced, it is reported here. But why should the Business Advisory committee to be blamed for this ?

MR. SPEAKER : I should not be so. They did it with the best intentions.

(*Interruptions*)

अध्यक्ष महोदय : नहीं सत्य हो गया ।

(व्यवधान)

MR. SPEAKER : I am now satisfied.

(Interruptions)

THE MINISTER OF PARLIAMENTARY AFFAIRS, SPORTS AND WORKS AND HOUSING (SHRI BUTA SINGH) : Mr. Speaker, I am really pained. This is really a matter of great concern and I am pained to hear what has transpired in this House for the last half an hour.

SHRI INDRAJIT GUPTA : Pained ?

SHRI BUTA SINGH : Yes, Sir. Because, the manner in which the Leaders of the Opposition have even questioned the authority of the Business Advisory Committee.

MR. SPEAKER : It is over now. Leave it.

श्री अटल बिहारी वाजपेयी : हम कोई आपकी मेहरबानी से नहीं आये हैं, हम अपने अधिकार से आये हैं।

PROF. MADHU DANDAVATE : Who are you to ask ?

MR. SPEAKER : I am satisfied now.

श्री अटल बिहारी वाजपेयी : इन्होंने आपके अधिकार को चुनौती दी है। हमने इतना कहा है कि बिजनेस एडवाइजरी कमेटी यह काम नहीं कर सकती। आपके अधिकार को किस ने चुनौती दी है ?

SHRI BUTA SINGH : Nobody can question its authority.

PROF. MADHU DANDAVATE : We are not putting the blame on you or on the Business Advisory Committee.

अध्यक्ष महोदय : चलो जो भी होता है, छोड़िये।

SHRI JAGDISH TYTLER : (Delhi Sadar) : Why do you allow him to shout like that ?

SHRI BUTA SINGH : I want to point out before this Hon. House, that, are we to be pressurised and threatened like this in this House ? Second thing is...

(Interruptions)

MR. SPEAKER : Leave it now.

PROF. MADHU DANDAVATE : No pressuring. Deviation from the Rules of this House is pointed out. No pressurisation. We respect the Rules of this House.

SHRI BUTA SINGH : I am as old in the House as the Leaders of the Opposition. I have been here since 1962. Therefore, I can also claim some association with the functioning of this House. I had listened to Shri Nath Pai and Prof. Hiren Mukherjee from those Benches. Therefore, please bear with me. I want to say something for the useful functioning of this House. The way the Business Advisory Committee has been criticised in this House is, highly reprehensive. Any Committee of this House...

SHRI CHITTA BASU (Barasat) : Reprehensive ? No.

MR. SPEAKER : It is their own view.

SHRI BUTA SINGH : The fact is that neither the Hon. Speaker nor anybody from our Party has said a word about the Calling Attention and the mode of the question or the reply.

अध्यक्ष महोदय : अब सारा क्तीयर हो गया।

SHRI BUTA SINGH : The idea came from the House. It was a unanimous decision of the House.

MR. SPEAKER : Please leave it now. No hard feelings. It is over.

SHRI BUTA SINGH : I am sorry that I have to say this. This is something which everybody should take note of.

SHRI RAM PYARE PANIKA (Robertsganj) : We deplore the action.

SHRI BUTA SINGH : I request the hon. Leaders of the Opposition, that whenever the Hon. Speaker rises to say something to this House, they should at least show this much respect that they should allow the Hon. Speaker to speak. I am sorry I have to point out this to Mr. Atal Bihari Vajpayee.

श्री मनोराम बागड़ी (हिसार) : अध्यक्ष महोदय, जब सदन में चर्चा चलती है, तो छोटी-मोटी बात कही जा सकती है। डेमोक्रेसी में इससे बड़ी बात क्या हो सकती है कि जब आपको तकनीफ हुई, तो खुद श्री अटल बिहारी वाजपेयी ने कहा कि मुझे क्षमा करें। मैं इसे उनका बड़प्पन मानता हूँ। (व्यवधान) इनके बाद इस बात को बड़ाने की क्या जरूरत है? क्या डेमोक्रेसी में इन सदन के सदस्यों को अपनी बात कहने का अधिकार नहीं होगा? (व्यवधान)

अध्यक्ष महोदय : अब सारी बात खत्म हो गई है।

श्री मनोराम बागड़ी : बिल्कुल खत्म हो गई है। अब आप अगली कार्यवाही चलाईए।

श्री अटल बिहारी वाजपेयी : अध्यक्ष महोदय, क्या आपको अपनी रक्षा के लिए श्री बूटा सिंह की जरूरत है? (व्यवधान)

अध्यक्ष महोदय : मुझे आपकी जरूरत है।

श्री बूटा सिंह : मैंने जो कुछ कहा है,

वह सदन की इज्जत और डिगिटी की रक्षा के लिए कहा है।

अध्यक्ष महोदय : पुरानी बात खत्म हो गई। अब नई शुरू करें। Let us forget it.

(Interruptions)

MR. SPEAKER : Yes, Mr. Chitta Basu, carry on. The Minister will reply to each Member now. All is well that ends well.

12.42 hrs.

CALLING ATTENTION TO MATTER OF URGENT PUBLIC IMPORTANCE

Atrocities on Harijans and tribals in various parts of the country, especially the recent reported killing of 9 tribals in Bihar

SHRI CHITTA BASU (Barasat) : I call the attention of the Minister of Home Affairs to the following matter of urgent Public importance and request that he may make a statement thereon:

“The situation arising out of atrocities on Harijans and tribals in various parts of the country and the recent reported incident of killing of nine tribals in Bihar.”

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI NIHAR RANJAN LASKAR) : The reported killing of some tribals in Katihar district of Bihar is a matter of great concern to the Government. According to information furnished by Government of Bihar on telephone four tribal persons have been killed in the district of Purnea in an altercation with some persons not belonging to the scheduled tribes. The altercation took place over agricultural operations the details of which are being collected. The State Government have already deputed a com-