

Parties and Groups in the Home on the 24th August, 1978. At that meeting, it was felt that it would be more appropriate if controversies relating to language, brought to notice by Members, were remitted for consideration to a Committee to be appointed in that behalf. Accordingly on the 24th November, 1978, I announced in the House formation of a Committee of eleven members under the Chairmanship of Shri Jagjivan Ram, Deputy Prime Minister and Minister of Defence on the use of language.

The request of Shri Kumari Ananthan and others for the use of Tamil in Question Hour was thereafter recommended for consideration to the Committee.

The Committee considered how far the demand for the use of language other than Hindi and English in Question Hour could be met within the facilities available at present, pending long term arrangement.

The Committee have recommended in their First Report to me that a Member whose name appears in the List of Starred Questions and who gives advance notice for putting supplementaries in a language mentioned in the Eighth Schedule of the Constitution, for which arrangement for simultaneous interpretation already exist, may be allowed to put this supplementaries in the Question Hour only in that language.

The Committee have further recommended that this facility might be made available subject to the following conditions:—

(i) It may be availed of only by Members (not more than two) in whose names the Question appears in the Starred List only;

(ii) Advance notice in this behalf shall be given (in writing by the Members concerned) not later than 3 P.M. on the working day preceding the day on which the Question is listed for oral answer;

(iii) The facility shall not be available to Members, other than those in whose name the Question stands listed in the Starred List;

(iv) In the printed Debate (original version) only English version of the supplementary Questions asked in language other than Hindi or English shall be incorporated. This shall be on the same lines as is already being done at present in respect of speeches delivered by Members in a language other than Hindi or English while participating in debates on Bills, Resolutions etc.

I hope that with the willing and active cooperation of the Leaders of Parties and Groups and Members, it may be possible to implement the above recommendation of the Committee on an experimental basis.

12.04 hrs. ..

**RULING RE: STATEMENT BY GOVERNMENT ON RECENT VISIT OF PRIME MINISTER KOSYGIN AND PLACING THE TREATIES AND AGREEMENTS ON THE TABLE OF THE HOUSE**

MR. SPEAKER: Shri Eduardo Faleiro and the Leader of the Opposition contended that the Government should have made a statement regarding the discussion that the Prime Minister and the External Affairs Minister had with H.E. Mr. Kosygin, the Chairman of the Council of Ministers of the USSR, and should also have placed the agreements entered into with the Soviet Government during the visit of H.E. Mr. Kosygin before the House. The Prime Minister contended that it was not the practice to do so. According to him, on statement are made when discussion takes place in this country.

Under our Constitution, the Executive is empowered to enter into any agreement with foreign countries and

[Mr. Speaker]

the same does not require the sanction of the Parliament unless—

(i) the agreement itself provides that it should be ratified by the Parliament; and

(ii) unless it involves any expenditure from the Consolidated Fund.

If there is any expenditure involved, an occasion will be available for discussion of the same during the discussion of the Demands for Grants.

Therefore, there is no constitutional requirement compelling the Government to place the agreements in question on the Table of the House. It is not the contention of the hon. Members that the agreements in question provide for any ratification by the Parliament

As regards the statement to be made by the Government relating to the discussion that took place between our Prime Minister or Foreign Minister and H E. Mr. Kosygin, here again, there is no legal or constitutional requirement to make a statement, though in practice the Prime Minister and the Foreign Minister did make such statements whenever they had discussions with foreign leaders outside the country.

Coming to the prevailing conventions, there have been some occasions on which statements were made by the Ministers relating to the discussions that they had with the foreign visitors during their stay in India, but by and large, no such statements have been made regarding the conversations that the Ministers had with foreign visitors during their stay in India. To cite only some recent examples, no such statement was made relating to the discussions that the Prime Minister and the Foreign Minister had during the recent visits of President Carter, the Prime Ministers of the United Kingdom, Australia and Vietnam. That being so, I am unable to uphold the point of order raised.

SHRI C. M. STEPHEN (Idukki): Sir, this is a matter on which you have spelt out one aspect of the question. Now, the Prime Minister's contention was that with respect to agreement signed outside India they will make a...

SHRI VASANT SATHE: discussion.

SHRI C. M. STEPHEN: We are asking only for a statement to be made to the House, not about discussion at all. It is not a discussion matter, Sir. He does not want to start a new precedent. My contention is this. Whether it is signed outside or inside the convention is this. When the House is sitting if it happens he makes a report to the House. This is my contention. If there were cases when agreement was signed in India when the House was not sitting and that was not reported to the House, then alone the contention of the Prime Minister will be sustained. I could cite an incident. When the House was sitting in 1971 the agreement with the USSR on Peace, Friendship and Cooperation was signed, when Mr. Gromyko was here. They discussed it. The agreement was signed. Mr. Swaran Singh came to the House at 14.40 and he made a statement in the House. Therefore the convention pleaded by the Prime Minister stands completely repudiated. His whole ground is this that this is the convention and I will not violate the convention. I am establishing, Sir, that this is not the convention. That is the point on which I sought your assistance and your ruling. There are rules to the effect that when there are important developments the Minister concerned must make a statement. If such a statement is not made, the Members have got the right to demand a statement to be made and to insist on such statement to be ordered to be made in the House. I can give you the rulings by earlier Speakers by your predecessors to that effect. Sir, this is a matter which affects the rights of the House, the Privileges of the House and the dignity of the House. Therefore kindly

do not plead this ruling as the final thing. We have got our right.

MR. SPEAKER: Mr. Stephen, I have followed the earlier ruling...

SHRI C. M. STEPHEN: I could give you earlier ruling.

MR. SPEAKER: I have gone through them.

SHRI C. M. STEPHEN: There is nothing absolutely final about these things. Ours is a sovereign House. We have got the right to get a statement from the Minister. We are the ultimate authority, Sir. We have got a right to get a statement from the Minister before he goes out to the public or T.V. We have got a right to demand a statement from him. This is a right which has been upheld in this House repeatedly. I only plead with you, Sir...

MR. SPEAKER: If you show me that I will certainly go into it.

SHRI C. M. STEPHEN: This is not a party matter at all. The matter really concerns the rights, privileges and dignity of the House. There is no question of having any party affiliation about this. Therefore it is my duty to bring this to your notice..

MR. SPEAKER: Mr. Stephen, if I can explain to you, the position is this: There have been both occasions—occasions in which certain matters, were placed before the House and occasions in which they were not placed before the House. There have been both occasions. That is why I mentioned that.

SHRI C. M. STEPHEN: It is for the House to decide. You must permit the House to decide that. Let the House decide. You please give us permission. You hear the different points of view.

MR. SPEAKER: Mr. Stephen there is nothing final in the matter; we can always revise it.

SHRI C. M. STEPHEN: You must give us an opportunity.

MR. SPEAKER: We will try to give you the opportunity. Now, let us pass on to the next item....

SHRI VASANT SATHE (Akola): Under Rule 372 I want to raise a point of order...

MR. SPEAKER: What subject?

SHRI VASANT SATHE: On this subject, Sir, regarding statement to be made by a Minister, on a matter of urgent public importance with the consent of the Speaker. It is said here, 'no question shall be asked'. All right. My point is this. About Joint Statement...

MR. SPEAKER: That has been ruled by the previous Speaker. The Speaker cannot compel him to make a statement.

SHRI VASANT SATHE: Mr. Speaker, Sir, if you agree and the House agrees that the joint communication and the discussion which the Prime Minister and the Foreign Minister had with Mr. Kosygin were of sufficient public importance so much so that the External Affairs Minister thought it fit to go to the TV and tell the public...

MR. SPEAKER: It is not a point of order; I am not allowing it.

THE MINISTER OF EXTERNAL AFFAIRS (SHRI ATAL BIHARI VAJPAYEE): Mr. Speaker, Sir...

(Interruptions)\*\*

MR. SPEAKER: Do not record.

(Interruptions)\*\*

MR. SPEAKER: I am not setting any new precedent. I have called upon the Minister for External Affairs.

SHRI ATAL BIHARI VAJPAYEE: Sir, you have given your ruling and I have nothing to say on that, but I would like...

(Interruptions)\*\*

MR. SPEAKER: Do not record.  
(Interruptions)\*\*

MR. SPEAKER: Do not make a wrong statement. He has not asked for my permission to make a statement.

(Interruptions)\*\*

MR. SPEAKER: I have called upon the External Affairs Minister. The External Affairs Minister wanted to speak and I have given him the floor. I will consider any point of order after that.

(Interruptions)\*\*

MR. SPEAKER: I have called the Minister of External Affairs. I won't hear anybody until he speaks.

(Interruptions)\*\*

MR. SPEAKER: Until I hear the Minister of External Affairs. I won't hear you.

(Interruptions)\*\*

MR. SPEAKER: Now I am on my legs. Please, Order, order.

(Interruptions)\*\*

MR. SPEAKER: Please...I am on my legs. I am on my legs.

(Interruptions)\*\*

MR. SPEAKER: Please. I am on my legs.

(Interruptions)\*\*

MR. SPEAKER: I am on my legs, please.

(Interruptions)\*\*

MR. SPEAKER: No.

(Interruptions)\*\*

MR. SPEAKER: Please sit down, all of you.

SHRI K. LAKKAPPA (Tumkur): No. I have a point of order.

MR. SPEAKER: I am on my legs, please sit down, Mr. Lakkappa. You have a duty to hear me.

(Interruptions)

MR. SPEAKER: Two questions were raised yesterday. One was whether after discussion with a foreign visitor in India a statement must be made by the Minister...

AN HON. MEMBER: ...When the House is in session.

MR. SPEAKER: When the House is in session. No. 2 was whether the agreement entered into should be placed on the Table of the House.

AN HON. MEMBER: Joint communication. Be precise.

MR. SPEAKER: I am very precise.

(Interruptions)

MR. SPEAKER: I have absolutely no objection for developing a convention under which government must place all important matters before Parliament. I for one would like to have it.

(Interruptions)

MR. SPEAKER: I am only concerned now as to what were the precedents and what were the conventions. I went deep into the matter. I asked office to analyse both the questions.

SHRI VASANT SATHI: Office has misled you.

MR. SPEAKER: Then it is my mistake, not theirs. Office has analysed it. I have examined the matter with reference to the earlier ruling. One of my predecessors earlier has gone deeply into the matter and he has gone into the constitutional aspects, he has gone into the rules. He has laid down that so far as agreements are concerned, in general terms not....

(Interruptions)

MR. SPEAKER: It was the issue there.

(Interruptions)

MR. SPEAKER: You may change it.

(Interruptions)

MR. SPEAKER: Please, one by one. I am not going to be cross-examined. He has laid down that the House has no right to ask for an agreement to be placed before the House. The Constitution and also the rules do not provide for it. But undoubtedly you can make a rule; you can make, a convention.

(Interruptions)

MR. SPEAKER: We are making rules now. Probably it will be a good rule for the House....

SHRI C. M. STEPHEN: The point is totally different.

MR. SPEAKER: I am not at all against making a convention. At present, as far as this is concerned, my ruling stands.

(Interruptions)

SHRI C. M. STEPHEN: Why are you clapping, as if you have scored a point? Sir, you have unfortunately laid stress on another aspect. The question is that in order that the House may come to know at the earliest opportunity about all serious occurrences...

MR. SPEAKER: We shall have a debate.

SHRI C. M. STEPHEN: ...A convention is being followed that Ministers make statements regarding such occurrences *suo motu*. This is the position, this was so in 1957, in 1958. In order that the House may come to know at the earliest opportunity about important occurrences, a convention is being followed that Ministers make a statement in the House regarding...

MR. SPEAKER: You are raising another debate now. Now papers to be laid on the Table.

SHRI C. M. STEPHEN: What is the procedure to be followed? This is a matter which has got to be settled.

MR. SPEAKER: I am not allowing any more discussion on this.

SHRI C. M. STEPHEN: You must have a discussion, you must hear all the points of view at the earliest opportunity. This is a matter which aises no doubt: how to proceed about this matter.

MR. SPEAKER: I am prepared to call a meeting of the leaders.

SHRI C. M. STEPHEN: You must hear the different views of this House. (Interruptions).

MR. SPEAKER: Papers to be laid on the Table.

#### PAPERS LAID ON THE TABLE

12.26 hrs.

#### REVIEWS ON AND ANNUAL REPORTS OF INDIAN PETROCHEMICAL CORPORATION FOR 1975-76, 1976-77, 1977-78 AND STATEMENT FOR DELAY

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM, CHEMICALS AND FERTILIZERS (SHRI NARSINGH YADAV): I beg to lay on the Table:—

- (1) A copy each of the following papers (Hindi and English versions) under sub-section (1) of section 619A of the Companies Act, 1956:—
  - (a) (i) Review by the Government on the working of the Indian Petrochemicals Corporation Limited, for the year 1975-76.
  - (ii) Annual Report of the Indian Petrochemicals Corporation Limited for the year, 1975-76 along with the Audited Accounts and the comments of the Comptroller and Auditor General thereon.
  - (b) (i) Review by the Government on the working of the Indian Petrochemicals Corporation Limited, for the year 1976-77.
  - (ii) Annual Report of the Indian Petrochemicals Corporation Limited, for the year 1976-77