

[English]

SHRI ANADHI CHARAN SAHU (Cuttack) : Sir, the following item may be included in the next week's agenda, namely, a survey conducted by the Regional Research Laboratory, Bhubaneswar and the Oceanographic Institute, Goa has found increase of flouride level in the Bay of Bengal at Paradip. This seems to be due to leakage from the gypsum pond of PPL. This increase of fluoride level has endangered marine species.

TELECOM RAGULATORY AUTHORITY OF
INDIA BILL, 1997*

11.06 hrs.

[English]

MR. SPEAKER : Shri Beni Prasad Verma may move for leave to introduce the Bill.

[Translation]

MINISTER OF TELECOMMUNICATIONS (SHRI BENI PRASAD VERMA) : Mr. Speaker Sir, I beg to move that leave be granted to introduce a Bill to provide for the establishment of the Telecom Regulatory Authority of India to regulate the telecommunication services and for matters connected therewith or incidental thereto.

[English]

MR. SPEAKER : Motion moved :

"That leave be granted to introduce a Bill to provide for the establishment of the Telecom Regulatory Authority of India to regulate the telecommunication services and for matters connected therewith or incidental thereto."

SHRI RAM NAIK (Mumbai North) : Sir, I have given notice to oppose the introduction of the Telecom Regulatory Authority of India Bill, 1997. This Bill is in replacement of the Ordinance No. 11 which was promulgated on 25th January. That means nearly one and a half months have passed but the Government did not present the Bill. The Bill is being introduced today.

I draw your attention to Speaker's Direction No. 19A and B. Direction 19A says :

- (1) A Minister desiring to move for leave to introduce a Bill shall give notice in writing of his intention to do so.
- (2) The period of notice of a motion for leave to introduce a Bill under this direction shall be seven days unless the Speaker allows the motion to be made at shorter notice."

I do not know whether the Government approached you and whether you have allowed them for shorter notice

than the seven days notice which is required. I do not know the exact position. But you would be knowing it better. So, the first point would be, whether the Government have approached you seven days in advance or not.

My next important point is for the protection of our rights and that is, Direction 19B which says :

"No Bill shall be included for introduction in the list of business for a day until after copies thereof have been made available for the use of members for at least two days before the day on which the Bill is proposed to be introduced."

So, this Bill has been circulated only today and it has been mentioned in the Order Paper for today. We have received the papers only today morning. My point is, Direction 19B is very important from our point of view because if we want to object the Bill from the constitutional point of view, then we must see the Bill at least two days in advance. Now, the Government had issued the Ordinance on 25th January and they want that our right be snatched away everywhere, they are taking the rules of the House lightly. We cannot allow that to happen. This lethargic Government is not at all behaving according to the Directions given by the Speaker. So, I object on this point.

Another aspect which can be seen is that today is Saturday. If we would not have worked on Saturday, then the Bill would have come up on Monday. So, let them introduce the Bill on Monday and if we want to take any constitutional objection, then we will certainly take those objections on Monday. From this point of view also, I request you to uphold our rights so that we will get two days notice in advance. So, accordingly, I oppose the introduction of this Bill.

MR. SPEAKER : I think Mr. Ram Naik is very right in pointing to the rules.

There is no dispute about that. This Bill is going to replace the Ordinance of 25th January. That has to be replaced before 3rd April. So, the Government did apply to the Speaker for waiving this direction. I have allowed it. But I should impress upon the Government that we should try to conform to the Rules.

...(Interruptions)

SHRI RAM NAIK (Mumbai North) : What difference does it make ?...(Interruptions) No. We should get it at least two days in advance. My point is that when the Ordinance was issued on 25th January, the Government had one to one and a half months at their disposal to prepare the Bill and to circulate it.

MR. SPEAKER : To be very frank, I was influenced by our discussion in the Business Advisory Committee because from Monday onwards, we will be very busy with the discussion on the General Budget.

* Published in the gazette of India, Extraordinary, Part-II, Section-2, dated 15.3.97.

SHRI RAM NAIK : Let them not intrude into our rights. At least our rights should be taken care of.

MR. SPEAKER : I know about that. I concede that. But I have permitted it. I will impress upon the Government that they should try to circulate it early.

SHRI RAM NAIK : At least, they must say so.

MR. SPEAKER : Yes. They must say so.

SHRI SURESH PRABHU (Rajapur) : Now the Ordinances are issued for no plausible purposes. Because the Ordinance is going to be replaced by a Bill, we are allowing them such facilities. But what action has the Government taken since the Ordinance has been issued for establishment of the Telecom Regulatory Authority long back ? ...*(Interruptions)*

MR. SPEAKER : This fresh Bill is coming as per the recommendations of the Standing Committee.

SHRI SURESH PRABHU : That is all right. But when the Ordinance was issued, there was no need to issue it. Now, because the Ordinance has been issued, we are just forgoing certain compliances.

[Translation]

SHRI BENI PRASAD VARMA : Mr. Speaker Sir, after the promulgation of the ordinance, TRAI has been constituted and nominations have also been made. This is a replacement Bill.

SHRI SURESH PRABHU : But why in such a haste? ...*(Interruptions)*

[English]

MR. SPEAKER : You can perhaps assure the House. The Bill was to be circulated two days earlier. It could not be done. When the letter came to me, I allowed it.

THE MINISTER OF FINANCE (SHRI P. CHIDAMBARAM) : Sir, on behalf of the Government, I would just like to say that Mr. Ram Naik is absolutely right. The Bill should have been circulated at least two days in advance. But, in the circumstances, we request you to condone it and allow the hon. Minister to introduce the Bill ...*(Interruptions)*

I have checked up whether I am going to be faced with the same criticism in the next round ...*(Interruptions)* I am told by my office that it has been done two days in advance.

SHRI RAM NAIK : Mr. Speaker, Sir, you say that this will not be repeated and the two hon. Ministers also say...

MR. SPEAKER : This should not be normally repeated.

...*(Interruptions)*

SHRI P. CHIDAMBARAM : I do not think, I am guilty of the same mistake ...*(Interruptions)* I believe, I am not. But I request that this may be condoned and he may be allowed. ...*(Interruptions)*

SHRI NIRMAL KANTI CHATTERJEE (Dumdum) : Sir, in this case, we have discovered not to our entire satisfaction - that the Minister of Finance is in the habit of introducing ordinances to bypass the Standing Committee. But it is not true in this particular case because he did take action in the meantime and the Bill was withdrawn only yesterday. In this case, such exception may not be taken. But in the case of the Minister of Finance, such exception...

SHRI P. CHIDAMBARAM : When we come, we will see to it ...*(Interruptions)*

MR. SPEAKER : The question is :

"That leave be granted to introduce a Bill to provide for the establishment of the Telecom Regulatory Authority of India to regulate the telecommunication services, and for matters connected therewith or incidental thereto."

The motion was adopted

[Translation]

SHRI BENI PRASAD VARMA : Mr. Speaker, Sir, I introduce* the Bill.

[English]

MR. SPEAKER : Shri Chidambaram, you have overcome all the difficulties.

11.22 hrs.

RESERVE BANK OF INDIA (AMENDMENT)
BILL, 1997**

[English]

THE MINISTER OF FINANCE (SHRI P. CHIDAMBARAM) : Sir, I beg to move for leave to introduce a Bill further to amend the Reserve Bank of India Act, 1934.

MR. SPEAKER : The question is :

"That leave be granted to introduce a Bill further to amend the Reserve Bank of India Act, 1934."

The motion was adopted.

SHRI P. CHIDAMBARAM : Sir, I introduce* the Bill.

* Introduced with the recommendation of the President.

** Published in the Gazette of India, Extraordinary, Part-II, Section-2 dated 15.3.97.