

337 Motion for Vaisakha 19, 1997 (SAKA)
No-Confidence

14.06 hrs.

COMMITTEE OF PRIVILEGES

EXTENSION OF TIME FOR PRESENTATION OF REPORT

DR. HENRY AUSTIN (Ernakulam): Sir, I beg to move:—

"This House do further extend upto the last day of the next session the time for the presentation of the Report of the Committee of Privileges on the question of privilege regarding handcuffing of Shri Ishwar Chaudhry, M.P., referred to the Committee on the 30th August, 1974."

श्री अटल बिहारी वाजपेयी (खालियर): प्रस्ताव से साफ है कि जब भी प्रिविलेज कमेटी को मामला सांपा जाता है तो उस के लिए समय तय किया जाता है।

श्री मधु लिये : (बांका): अपने बीच में बेकार का विवाद खड़ा कर दिया था और उस विवाद का कोई धर्म नहीं था। आप से कलिन चलत करवाते हैं। प्रस्ताव को ले कर क्यों आए? स्पीकर से इजाजत परवान करवा लीजिये। आप यही कह रहे थे न कि स्पीकर करता है?

अध्यक्ष महोदय : कौन सा स्पीकर करता है ?

श्री मधु लिये : आप अनुमति दीजिये। हाउस के सामने ये क्यों आए ? अगर मेरा एमेंडमेंट गलत था जिसके ऊपर इतना हो हल्ला किया तो यह मामला यहां क्यों था रहा है ? आपसे मैं तय क्यों नहीं कर लेते? क्यों हम से समय बढ़वाना चाहते हैं ? मैं दबा नहीं और इन्होंने उसको विघटित करवाया।

Motion for 338
No-confidence

अध्यक्ष महोदय : कोई धर्म नहीं था अगर समय फिक्स हो जाता।

श्री मधु लिये : आपको कलिन इतनी जल्दी नहीं देना चाहिये था।

अध्यक्ष महोदय : कलिन कहा दिया ? हाउस ने फ़सला किया। मैंने कलिन बोले ही दिया था उस पर।

MR. SPEAKER: The question is:

"That this House do further extend upto the last day of the next session the time for the presentation of the Report of the Committee of Privileges on the question of privilege regarding handcuffing of Shri Ishwar Chaudhry, M.P., referred to the Committee on the 30th August, 1974."

The motion was adopted.

14.10 hrs.

MOTION OF NO-CONFIDENCE IN THE COUNCIL OF MINISTERS

MR. SPEAKER There is the No-Confidence Motion.

SHRI JYOTIRMOY BOSU (Diamond Harbour): With your permission, Sir, I seek the leave of the House to move my motion:

"That this House expresses its lack of confidence in the Council of Ministers."

MR. SPEAKER: Those who are in favour may rise in their seats.

The requisite number is there. They are more than fifty. So, the motion is granted leave.

THE MINISTER OF WORKS AND HOUSING AND PARLIAMENTARY AFFAIRS (SHRI K RAGHU RAMAIAH): With your permission, Sir, I beg to move:

"That rule 26 of the Rules of Procedure and Conduct of Business in Lok Sabha in its application to the Private Members' Business in today's List of Business of Lok Sabha be suspended."

SOME HON. MEMBERS: No no. (Interruptions).

SHRI INDRAJIT GUPTA (Allahpore): The Untouchability Bill should be discussed; it is very important. Private Members' Business should also be gone through

श्री छटल बिहारी बाजपेयी (ग्वालियर) : अध्यक्ष महोदय, हम इसका विरोध करने हैं।

श्री इराम नन्दन मिश्र (बेगूसराय) : दोनों होने चाहिये, प्राइवेट मेंबरों बिजनेस भी हुना चाहिये और अन-टचबिलिटी बिल भी लिया जाना चाहिये।

श्रवणान

श्री छटल बिहारी बाजपेयी : इनके मोक्षन पर भी हमें सुनेंगे या नहीं ?

श्री मधु लियये (बाका) : यह फैसला बहुमत के आधार पर नहीं होगा, यह सर्व-सम्मति से ही होगा।

श्री छटल बिहारी बाजपेयी : अध्यक्ष महोदय, नियम को सस्पेंड करने का मामला इतना सरल नहीं है। अगर केवल सच्चा बल के आधार पर यह काम हुआ तो मैं चाहूंगा कि आप हस्तक्षेप करें।

अध्यक्ष महोदय : मेरे बस की बात क्या है, जब आपको सूट करता है तो आप कहते हैं कि मैं दखल दू।

श्री इराम नन्दन मिश्र : एक भी कैस ऐसा नहीं है जिसमें इस तरह फैसला किया गया हो, जब तक पूरा हाउस सहमत न हो तब तक इस तरह फैसला नहीं हुआ है। आप रूल 29 का प्रोवाइजो देखिये।

श्री शंकर दयाल सिंह : (चतरा) : हम लोगो का सारा कार्यक्रम निर्धारित किया हुआ है। हम नहीं चाहते हैं कि सदन का सत्र एक दिन के लिये भी बढ़े। पार्लियमेंटरी एफेयर्स के मिनिस्टर जो मोशन लाये हैं, आप उस पर वोट ले लीजिये।

(श्रवणान)

श्री मधु लियये : अध्यक्ष महोदय, इनका प्रस्ताव एक दफे पढ़ लीजिये, मैंने सुना नहीं।

MR. SPEAKER. There are two motions by him, No. 388 ..

SHRI JYOTIRMOY BOSU: The Rule requires that you should give your consent first. The Rule says "with the consent of the Speaker" So, have you given your consent?

श्री छटल बिहारी बाजपेयी : अध्यक्ष महोदय, आपने बड़ी जल्दी इजाजत दे दी। जब कभी हम बल के सस्पेंशन की इजाजत मांगते हैं तो आप इजाजत नहीं देते हैं।

अध्यक्ष महोदय : आपने भी सर्वसम्मति से दो बार इजाजत ले ली है।

SHRI S M BANERJEE (Kanpur): Did you ever permit us to abandon the Question Hour? Never

SHRI K. RAGHU RAMAIAH: May I explain? Normally, this is not done, but they have chosen to move

the motion. So it is for them to choose whether they want to proceed with the No-Confidence Motion or with the Private Members' Business. I have said that since the House is to adjourn today and because there is limited time, the Private Members' Business should be suspended.

SHRI INDRAJIT GUPTA: But why should you suspend it and take away our rights?

SHRI JYOTIRMOY BOSU: I would suggest that we sit tomorrow and go through the No-Confidence Motion from 11 A.M. to 8 P.M.

SHRI S. M. BANERJEE: On a point of order.

SHRI SHYAMNANDAN MISHRA: On a point of order.

MR. SPEAKER: What is your point of order?

SHRI SHYAMNANDAN MISHRA: Please see the proviso to rule 29. Since the Resolution of the hon. Member, Shri Samar Guha, is a carry-over from the last day, according to the proviso to this rule, this will have precedence over all other business today. That means, it will have precedence even over the no-confidence motion. Please read this Sir.

MR. SPEAKER: I have read it. This concerns the order of the business. Now Mr. Raghu Ramiah is asking for suspension of the rule. It is not a question of order of business.

SHRI SHYAMNANDAN MISHRA: Here it is very clear that it shall have precedence over all other business.

MR. SPEAKER: Only if the rule stands. But he is asking for the rule to be suspended.

SHRI SHYAMNANDAN MISHRA: Which rule?

MR. SPEAKER: Rule 26.

SHRI SHYAMNANDAN MISHRA: He is asking for suspension of another rule. This rule is not being asked for suspension.

MR. SPEAKER: If the Private Members' Business is suspended, what will be left to follow?

SHRI SHYAMNANDAN MISHRA: Then the motion for suspension will have to be in respect of all these rules.

MR. SPEAKER: When the rule is suspended, all its provisions are suspended.

SHRI SHYAMNANDAN MISHRA: My submission is that this rule has not been asked for suspension.

MR. SPEAKER: This follows rule 26.

SHRI SHYAMNANDAN MISHRA: That cannot be the contention. Even here you will find that there has not been a single instance where it has been done by majority. It has to be done unanimously. This has never been done by majority.

MR. SPEAKER: That is a different matter. First, you were asking for my interpretation and now you are asking about propriety. My interpretation is that, once you suspend this rule, the other questions do not arise.

SHRI SHYAMNANDAN MISHRA: My submission is that, because of rule 29, that motion is out of order.

MR. SPEAKER: How can it be out of order?

SHRI SHYAMNANDAN MISHRA:
Certainly. This Private Member's Resolution will have precedence.

श्री प्रदल बिहारी बाबूदेवी : अध्यक्ष महोदय, अगर आपने एक बार रूल 26 को रिवीज करने की बात स्वीकार कर ली, तो सारा नान-प्राफिटिबिल बिजनेस चला गया। लेकिन हम उसका इम्प्लीमेंटेशन ठीक से सम्भाल लें, इसी लिये विरोध कर रहे हैं। मेरा कहना है कि कानूनी बाँध पैच में हम लोग न पड़ें। अभी समय है, घन-टचे बिलिटी बिल भी लिया जा सता है और नान-प्राफिटिबिल बिजनेस भी लिया जा सकता है और फिर 6 बजे से नौ-कॉफीटैस मोशन भी शुरू किया जा सकता है। आज ही आप सेशन खत्म कर दीजिये, हम नहीं चाहते हैं कि इसे आगे बढ़ाया जाये। यह रचनात्मक सुझाव है।

SHRI SAMAR GUHA (Contal):
If you hear me, the problem will be over.

MR. SPEAKER: Mr. S. M. Banerjee.

SHRI S. M. BANERJEE: The motion before this House is about the suspension of rule 26.... (Interruptions). We can do one thing. We can take up Private Members' business as also Untouchability Amendment Bill and can continue upto 8.00 P.M.... (Interruptions).

SHRI SHYAMNANDAN MISHRA:
We can then take up No-Confidence Motion and sit upto 6.00 a.m.

SHRI S. M. BANERJEE: 6 O'clock in the morning looks very romantic. But there will be no quorum. Members will deliver their speeches and go. When the voting takes place there will be only ten Members on this side including Banerjee. You will deliver your speech and go.... (Interruptions). Let us take up non-official Resolution as also the Untouchability Amendment Bill. This Bill has come after such a long time.... (Interruptions).

MR. SPEAKER: This business can be carried over to the next session.

श्री सधु सिमडे : अध्यक्ष महोदय, मेरा पार्ल्ट आफ आर्डर यह है कि नियम 198 के अनुसार कार्यवाही नहीं हो रही है। इस स्टेज पर श्री रघुरामैया का प्रस्ताव बिल्कुल नहीं आ सकता है। नियम 198 (1) इस प्रकार है :

"A motion expressing want of confidence in the Council of Ministers may be made subject to the following restricts...."

यह हो गया है।

नियम 198 (2) इस प्रकार है :

"If the Speaker is of opinion that the motion is in order he shall read the motion to the House and shall request the members who are in favour of leave being granted to rise in their place...."

यह भी हो गया है। लेकिन, अध्यक्ष महोदय, क्या आप नियम 198 (3) के बारे में कोई फैसला किये बिना ही श्री रघुरामैया को मोशन को ले लेगे? नियम, 198(3) इस प्रकार है :

"If leave is granted under sub-rule (2), the Speaker may, after considering the state of Business in the House, allot a day or days or part of a day for the discussion of the motion."

पहले नौ-कॉन्फिडेंस मोशन के लिए समय निर्धारित करता चाहिए, और उस के बाद श्री रघुरामैया का प्रस्ताव का क्या करता है, यह तय होगा। मैं चाहता हूँ कि पहले आप नौ-कॉन्फिडेंस मोशन के लिए समय—दो, दिन, तीन दिन या चार दिन—निर्धारित कीजिये। पहले इस बारे में फैसला हो और उस के बाद श्री रघुरामैया का प्रस्ताव आ सकता है। पहले नियम, 198(3) की बातों को कामयाब किया जाये। इस स्टेज पर श्री रघुरामैया का प्रस्ताव बिल्कुल आउट ऑफ आर्डर है।

(*Interruptions*).

SHRI H. K. L. BHAGAT (East Delhi): The point made out by Shri Madhu Limaye to my mind is totally untenable. The rule is there that this House can suspend its business, and it is within the powers of this House....(*Interruptions*).

Shri Raghu Ramaiah's motion is absolutely in order.

Secondly, a No-Confidence Motion is considered to be a very serious motion. I thought, they would have pressed for its being taken up immediately. I am surprised that they are not serious about it...(*Interruptions*). That means, they are indulging in tactics and other things. It is a motion which should be taken up immediately.

MR. SPEAKER: Now, it is for the Speaker to fix the time and if I fix the time, all your problems are solved. So, we take it up immediately.

श्री मधु लिमये : पहले समय निर्धारित कीजिए। पहले इस बारे में निर्णय होना चाहिए कि इस के लिए कितना समय रखा जाये—10 घंटे, 12 घंटे, दो दिन, तीन दिन?

MR. SPEAKER: After we finish it, we take up the Private Members' business, for 2½ hours.

SHRI SAMAR GUHA: Please hear my submission. The resolution is in my name. I say that if you try to scuttile the Private Member's business—which involves the honour of Netaji Subhas Bose....

MR. SPEAKER: Now, it is 2.30. We will have six hours for this.

श्री मधु लिमये : 12 घंटे से कम समय कभी नहीं रखा गया है। 12 घंटे से कम नहीं हो सकता है।

SHRI SHYAMNANDAN MISHRA: No, you please go by the convention. You see as to how much time has been devoted to no-confidence motions in the past. Not less than ten hours at any rate.

MR. SPEAKER: You want both things and then you say not less than ten hours.

SHRI SHYAMNANDAN MISHRA: No, no.

PROF. MADHU DANDAVATE (Rajapur): There is a precedent. We had a pretty long discussion during the Railway strike.

MR. SPEAKER: It is for the House to decide. The rule also says 'a part of it'.

SHRI JYOTIRMOY BOSU: Had Mr. Raghu Ramaiah moved his motion prior to the no-confidence motion, the things could have been simpler.

श्री मधु लिमये : पहले समय निर्धारित कीजिए। 12 घंटे से कम नहीं हो सकता है।

अध्यक्ष महोदय, 12 घंटे रखना इम्पॉसिबिल है।

SHRI JYOTIRMOY BOSU: You are under an obligation to fix the time.

MR. SPEAKER: Yes, I am under so many obligations every day.

श्री अटल बिहारी वाजपेयी : अध्यक्ष महोदय, श्री रघु रामैया के मोशन का क्या हुआ? क्या उन्होंने इस को बिदड़ कर लिया है या हाउस ने उस को रिजेक्ट कर दिया है?

अध्यक्ष महोदय : हाउस ने आज एडजर्न करने का फैसला किया है। रात के 12 बजे से बाद दूसरो आ जाएगा। हाउस ही इस फैसले को बदल सकता है।

[Mr. Speaker]

I cannot change the decision of the House. That is why it is put before the House. I cannot change the decision. The House has decided that it will adjourn to-day. I cannot change it.

PROF. MADHU DANDAVATE:
But the House can.

SHRI SHYAMNANDAN MISHRA:
Is it for the first time that the House would be sitting beyond the time that had been fixed?

The question is that the Speaker adjusts it according to the convenience of the ruling party. That is a thing to which we take serious objection.

May I ask you, why you, as the guardian of the interests of this House, and particularly in financial matters, did not care to provide an opportunity to us for the discussion of many of the Ministries which had remained undiscussed? And then we had also sent you a request that a meeting of the Business Advisory Committee should be held but you did not heed it. Now we will have to take a decision. Mr. Speaker, if you do not heed our request in this way, none of us will be able to serve on the Business Advisory Committee. We had made a request to you to convene a meeting of the B.A.C.

MR. SPEAKER: Don't try to browbeat the Speaker always. Will you kindly sit down Mr. Mishra? You put it in the Business Advisory Committee day before yesterday and you put the same thing the next day. I am not bound that I should bring it again and again every day.

SHRI SHYAMNANDAN MISHRA:
What did we say? Did we say anything about it?

MR. SPEAKER: I am not bound to hold it every day.

SHRI SHYAMNANDAN MISHRA:
We are also not bound to serve on the Committee. (Interruptions).

MR. SPEAKER: This is the decision of the House that we adjourn to-day. I cannot defy the decision of the House.

श्री प्रदल बिहारी बाजपेयी : अध्यक्ष महोदय, आप को याद होगा जब बीच में दस दिन की छुट्टी रखने का फैसला किया गया था तो आप की यह राय थी और हमारा भी प्रावेदन था कि सेशन को आगे बढ़ाने पर विचार किया जाएगा।

अध्यक्ष महोदय: आप ने राय दी, मैं ने तो दी नहीं।

श्री इशामगवन मिश्र : आप लोगों को जाना था सीलोन, इस लिए हम लोगों को जिव्ह कर दी।

MR. SPEAKER: Even when the House sits, I can go. It was you who brought that before us.

SHRI JYOTIRMOY BOSU: Mr. Speaker, Sir, you are taking away four working days out of this. You, in your wisdom, are saying now...

MR. SPEAKER: The Minister is here. He is sitting there. I do not come in at all. The Minister is sitting here.

SHRI JYOTIRMOY BOSU: Sir, you in your wisdom said that let us have ten days total break and let us come back and see how the work goes on and then we shall consider this (Interruptions).

SHRI SHYAMNANDAN MISHRA:
What did we say? Did we say unfair.

SHRI K. RAGHU RAMAIAH: Sir, I would like to say that the Opposition leaders in the Business Advisory Committee meeting, in their wisdom,

suggested holidays. I made it very clear then that there was no question, of extension of the House; subsequently, this matter did come up at the last meeting of the Business Advisory Committee. We have been sitting here for so long. There is no point in extending the House; since we have already fixed up our engagements, it is impossible to extend.

श्री मधु लिमये : 11 दिन की छुट्टी के बारे में हम सदन में कोई ठा ठा लाए थे ? 11 दिन की छुट्टी कैसे हुई ?

SHRI JYOTIRMOY BOSU: Sir, you are the Chairman of the Business Advisory Committee. Shri Raghu Ramalah is not the Chairman.

MR. SPEAKER: We had another Business Advisory Committee meeting where it was decided to adjourn the House to-day.

SHRI JYOTIRMOY BOSU: You gave a categorical assurance that after the break we can come back...

MR. SPEAKER: Not at all. Please do not put it in my mouth. This was again discussed in the other B.A.C. meeting. Do not try to coerce.

SHRI SHYAMNANDAN MISHRA: The entire Opposition is united on the issue that we must take up the non-official business; we must take up the Untouchability Bill. The entire Opposition is united on this. You are only coercing the Opposition.

MR. SPEAKER: That is a different matter. It is for the House to decide whether they are revoking their old decision to sit only for to-day. The simple matter is that the House is to adjourn to-day as per the decision of the Business Advisory Committee as per the scheduled programme. If the House otherwise decides I have to accept it.

SHRI SHYAMNANDAN MISHRA: As has been the practice, we will not take less than ten to twelve hours. The no-confidence motion cannot be treated frivolously.

SHRI VIRKAM MAHAJAN (Kangra): They want to stall the Untouchability Offences Bill. It is a deliberate attempt.

SHRI VAYALAR RAVI (Chirayinkil): Everybody in the House knows that we decided to go home because there was no information about the extension of the House. If the Opposition was so particular to bring in the No-Confidence Motion, why were they delaying that? There was no quorum in the House in the last few days. Now they are coming with this plea and by a backdoor way they come up before the House with this Motion. Sir, we have to go tomorrow morning. If they had brought it yesterday they could have got extension of the House. So, we oppose it.

श्री मधु लिमये : छुट्टी का प्रस्ताव सदन के सामने रखनेवाला जी ने क्यों नहीं रखा? अब प्रस्ताव रख रहे हैं (अव्यवधान) . . . आज तक जितना समय मिला है अविवशता के प्रस्ताव पर उसमें एक मिनट कम नहीं होना चाहिए। जो मिनिमम या उसी को दे दी जाए।

श्री जनेश्वर मिश्र (दवाहवाह) : इन के खिलाफ अविवधान का प्रस्ताव आया है और यही उस के लिए समय नय करेंगे ?

MR. SPEAKER: I have no alternative. This motion is already there that we will finish by 12 O'clock. After that it will be tomorrow.

श्री घटल बिहारी बाजपेयी : प्राप अंग्रेजी कायदे से मत जाइए। हमारे यहाँ प्रातः कायदे से दिन बदलता है।

अध्यक्ष महोदय : जब आपने याचिका देते थे अग्रेजी कागड़े पर मत जाइए ?

PROF. MADHU DANDAVATE: There is a precedent when we discussed till early hours next morning no-confidence motion regarding railway strike. There is nothing sacrosanct about the earlier decision taken. You can change the decision.

श्री मधु दान्दावटे : अध्यक्ष महोदय, यह कोई रेलवे टाइन टेबल हम तब कर रहे हैं ? दूसरे दिन का मतलब है 11 बजे। लोक सभा में दूसरे दिन का मतलब होता है 11 बजे तक। यह कोई रेलवे टाइन टेबल तो नहीं बन रहा है..... (अवधान)....

श्री एस० एन० रामजी : आप उस में कर दी जिए कि 12 बजे के बाद बैठेंगे तो एलायंस मत दीजिएगा।

श्री मधु दान्दावटे : हां, इस को नया दिन न माना जाए। आप 51 खपा काट लीजिए।

SHRI K. RAGHU RAMAIAH: Sir, let there be six hours for the no-confidence motion and after that if they like two hours for the non-official business. (Interruptions).

SHRI SAMAR GUHA: Nobody in the world can take away my right, my private right of having this motion at 3 P.M. Let me see, who in this world can do it.

MR. SPEAKER: Mr. Samar Guha, nobody wants to harm your interests. Nobody wants to take away your right. Now, the time available to us is from 3 to 12 nine hours. (Interruptions).

SHRI SAMAR GUHA: Even if it is a question of expelling me from the House, from this Lok Sabha, I will do it in the name of God; I will do whatever I think right to uphold the honour of Netaji. I can tell you this.

MR. SPEAKER: Your God is there. Our God is also with us.

SHRI SAMAR GUHA: Let your God and my God.... (Interruptions).

PROF. MADHU DANDAVATE: Do not disturb the private Members' time. Without disturbing that, let us fix the time.

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS, DEPARTMENT OF PERSONNEL AND ADMINISTRATIVE REFORMS AND DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI OM MEHTA): Let them decide what they want.

श्री मधु दान्दावटे : हम ने सुझाव दे दिया है कि शाम 6 बजे से सबेरे 6 बजे तक रखा जाय और आप कल का 51 खपा काट लें।

PROF. MADHU DANDAVATE: We have given a concrete suggestion that private Members' Business will go on up to 6 O'clock. At 6 O'clock, no-confidence motion will be taken up. It should go on up to six in the morning." The entire Opposition is unitedly requesting you.

MR. SPEAKER: According to the decision taken already, we have to adjourn today. In that case, you will have to decide. What right I have to change the decision of the House?

PROF. MADHU DANDAVATE: Between Netaji and No-Confidence Motion, no choice can be made. Both are very important. Till 6 O'clock we will carry on the Private Members' Business and at six, we will take up the No-Confidence Motion. It will go on till six in the morning.

श्री शंकर बेच (बीयर) : अध्यक्ष महोदय, आज जो स्थिति उभर के आई है वो वही की हुई है, उस को देखते हुए मेरा बहुत सुझाव है कि बीर तथाग लोम हाउस की बिस्मिली को सैन्टन करने का विषय दिखाते हैं तो इसी कन्डीशन पर यदि हाउस को एक दिन

के लिए एक्सटेंड किया जा सकता है तो एक्स-टेंड किया जाय।

अनेक जलजीव सबद्ध : नहीं, नहीं।

श्री बनेश्वर बिजु : इन में भी फूट पड़नी शुरू हो गयी है, यह नो-कॉन्फिडेंस -मोशन का फल है।

श्री भोला राउत (बगहा) अध्यक्ष महोदय पिछले 25 वर्षों का लोक सभा का रिकार्ड देखा जाय। जब जब नो-कॉन्फिडेंस-मोशन आया है प्राटोमैटिकली हाउस का सारा काम बन्द रहा है और उस मोशन को पहले लिया गया है। म्याम नन्दन बाबू इस बात को जानते हैं कि जब भी सैंटर मोशन आया है, हाउस का सारा काम प्राटोमैटिकली खत्म हो गया।

दूसरी बात यह है कि ये सेंसर मोशन हाउस के सामने ले आये हैं, ज। एडमिट हा गया है अब उस पर डिबेट होगी, इस लिए सब से पहले उस को टेक-अप किया जाय और स्पेकर्स वागी नाम गवर्नेट किया जाय।

MR. SPEAKER: The position is like this. The House accepted to adjourn today. I have no objection if the whole of the time fixed for today is taken. But beyond that, I have no power unless the House changes its decision. I have no power to go beyond the decision of the House.

PROF. MADHU DANAVATE: This House can change its earlier decision.

MR. SPEAKER: If the House wants to change it, I have no objection.

PROF. MADHU DANAVATE: When there was a break for 11 days, the Minister did not come before the House.

अध्यक्ष महोदय, देखिए, पिछली वफा मुझे सीनोन जाना था, वहा होने व सी टाफेस का मैं प्रेसीडेंट था, वहा काफेस होती रही, फिर भी मैं नहीं गया।

I can swear I did not tell you that I wanted to go because of that. I can swear that. I never asked anybody that I wanted to go. I could miss it. It is you, Mr. Bosu, who said that you want to adjourn.

SHRI SHYAMNANDAN MISHRA (Begusarai): You had said that you would consider the position again.

MR. SPEAKER: I never asked anybody nor did I approach anybody. I missed it on a number of occasions. Even if I wanted to go, I could go when the House was sitting, nothing to prevent i.e. What is this you are telling me? Twice I did not go last year. Even when I was President, I did not go. Please do not come down to such things.

SHRI SHYAMNANDAN MISHRA: Did the House adopt a motion in the 11-day holiday? You had done it.

MR. SPEAKER: It was put before the House.

PROF. MADHU DANAVATE: You can check the record. No motion was placed before the House.

MR. SPEAKER: It was the report of the Minister.

PROF. MADHU DANAVATE: You check the record of the Lok Sabha. The matter was never brought before us.

MR. SPEAKER: There should be no holidays. I am personally of the opinion that because of holidays we lost important business.

SHRI C. M. STEPHEN (Muvattupuzha): From the other side, statements are being made as if this is a matter between the Speaker and the Opposition, as if members on this side do not count at all. We, MPs, have got certain obligations and also rights. It is our obligation to attend Parliament at the time you are summoning us. You gave us notice that Parli-

[Shri C. M. Stephen]

ment would sit till such and such time. That is the decision of the House; that stands.

Now we are entitled to say that we are not prepared to sit beyond six O'clock this evening. All business of the House has got to be adjusted according to the time schedule fixed up. If they had wanted to bring in a no-confidence motion, they could have moved it earlier. Once it is before us, the Treasury Benches have accepted the challenge by saying 'We are prepared to go with it straightway and discuss it'. That is the convention. When the no-confidence motion is there, Government comes in and if they are earnest, they must press for its discussion straightway (*Interruptions*). I am in possession of the floor. (*Interruptions*).

MR. SPEAKER: I tell you one thing. You are saying that you will walk out. It is not against the Speaker that you are walking out. I have no authority. You may walk out. I do not mind.

PROF. MADHU DANDAVATE: We are not blaming you.

SHRI C. M. STEPHEN: One thing is absolutely certain that as individual members—I have consulted other members on this side—we feel it will be criminal on the part of anybody to ask us to sit beyond the time you gave notice that the House would sit. It is only as a matter of accommodation that we say that we shall sit a few hours beyond 6 O'clock, but never beyond the date on which Parliament, according to the notice, is to adjourn.

I submit we proceed straightway with the discussion of the no-confidence motion. But if they are not keen about it, they need not be. If it is only a ritual that has got to be performed, let them permit the private members' business to go on. The option is with them. As far as we are concerned, it is absolutely certain, if the House means anything—we are also part of the House—that we are not prepared to sit beyond the time

you gave us notice of. All adjustment of business must be in according with that. It is not a playing in the hands of the Speaker or in the hands of somebody else. They themselves cannot put in a motion of no-confidence on the last day and say: let us sit on and on. We refuse to sit beyond the time you have fixed; adjustment may be made accordingly.

MR. SPEAKER: It is clear that if the House wants to sit beyond it must pass a Resolution.

SHRI C. M. STEPHEN: If they do not want to discuss it, let them go to Netaji Resolution. It is for them. They day cannot be extended like rubber; time is time.... (*Interruptions*).

MR. SPEAKER: Please find a way out. Or, this Resolution is before me, the new motion for suspension of the rule.

PROF. MADHU DANDAVATE: If you suspend the rule and proceed to the 'No-Confidence motion', it will be a bad precedent, and it will be against the wishes of the entire opposition, including the CPI. You should not rub the Opposition in the wrong way.

MR. SPEAKER: Then Mr. Madhu Limaye's motion also. I have allowed that motion; I am going to allow yours also.

SHRI BHOGENDRA JHA (Jainagar): We have wasted more than hour. The no-confidence motion had already been admitted and it has to be disposed of at the earliest. In that case, you have to accommodate till 12 O'clock in the night or certain more hours. The Prime Minister is also here. Will it be too much if they accept that tomorrow we sit and discuss it tomorrow also? Several times we have sat beyond the usual time. It is not for the first time in the history of the Lok Sabha. There is no overwhelming reason why you should say; no; there is no reason why you should be adamant.... (*Interruptions*).

AN HON. MEMBER: Why do you not intervene?

MR. SPEAKER: I would have, but I have no authority.

श्री अटल बिहारी वाजपेयी : फिर आप नाम-अ फ़िजियल बिजनेस एलाऊ कीजिए और 6 बजे नो-कांफिडेंस मोशन लीजिएगा ।
.. (व्यवधान) .. खत्म होने की बात तो जब बहू शुरू होगा तभी सोची जाएगी ।

PROF. MADHU DANDAVATE: Not a single motion has been discussed in the time that had been assigned to it. Every time we have crossed the time limit. During the Railway strike the motion went on till early morning hours.

SHRI K. RAGHU RAMAIAH. This is not the situation similar to the one quoted by you. It was decided that the House will rise today and as my friend has said at 6 O'clock. Other Members have said that they have already made arrangements and they cannot stay here. Now, the point is, as a matter of accommodation, we can stay for a few hours beyond six. But nothing beyond that.

AN HON. MEMBER: It is a no confidence motion.

SHRI K. RAGHU RAMAIAH: Why do you bring it on the last day?

श्री अटल बिहारी वाजपेयी : कांग्रेस के मैम्बर* फ़ैसला कर लें कि नो-कांफिडेंस मोशन पर नहीं बोलेंगे, केवल प्रेसिडेंट उत्तर देंगी तो यह 12 बजे समाप्त हो सकता है आप 12 बजे समाप्त करन चाहते हैं, लेकिन 12 बजे की कोई पब्लिश रेखा नहीं है । यह नो कांफिडेंस मोशन है, इस पर चर्चा करने का पूरा मौका मिलना चाहिए । लेकिन अगर वे जल्दी समाप्त करना चाहते हैं, तो कांग्रेस के मैम्बर न बोलें... (व्यवधान) अमः तो नहीं ले सकते हैं क्योंकि नाम-अफिशल बिजनेस लेना है । .. (व्यवधान) ..

श्री अष्टमिन्ने : अध्यक्ष महोदय, मैं ने 198 की संहिता जो व्यवस्था का प्रश्न उठाया उस पर अभी तक आपका निर्णय नहीं आया उस में आप को समय तय करना है कि कितनी देर तक अविश्वास के प्रस्ताव पर बहस होगी । हम लोग बिल्कुल अनरीजनेबिल नहीं हैं । विगत दिनों में जो सबसे कम समय था—सबसे कम मैं कह रहा हूँ, सब से, अधिक नहीं—वह 10—12 घंटे का था । आप रिकार्ड देखें । उस से एक मिनट भी अधिक हम नहीं चाहते हैं । (व्यवधान) मैं कहता हूँ शकवर साहब से आप पूछें, जो कम से कम समय होगा उसी को हम मानने के लिए तैयार हैं ।

इसपर निर्णय करने में आपको सुविधा हो इसी लिए मैंने एक प्रस्ताव रखा है कि आज की सिटिंग कल सबेरे 6 बजे तक के लिए बढ़ाई जाए । (व्यवधान) पहले मेरे प्रस्ताव पर बहस हो, विरोध पक्ष को मुना जाए और मेरे प्रस्ताव पर निर्णय होने के बाद रचूरमैया जी के प्रस्ताव पर विचार किया जा सकता है ।

SHRI JYOTIRMOY BOSU: Sir, I want to move a motion. Instead of complying with all these rules, you have gone into another business.

Kindly see Rule 198 para (3). It says:

"(3) If leave is granted under sub-rule (2) the Speaker may, after considering the state of business in the House, allot a day or days or part of a day for the discussion of the motion."

MR. SPEAKER: I fulfil the rule. The House is to adjourn today as decided by this House. "If the leave is granted under sub-rule (2), the Speaker may, after considering the state of business in the House, allot a day or days or part of a day for the discussion of the motion." So I have considered this and today is for Private Member's business. The time available today is till midnight, that is 12 O'clock. Beyond that I have no authority to fix any time unless the

[Mr. Speaker]

House decides to revoke its decision and adjourn today and continue tomorrow for considering the motion.

SHRI SHYAMNANDAN MISHRA:

Sir, on a point of order arising out of your observation.

MR. SPEAKER: I am going to take up private members' business. Then after that you continue till today

SHRI SHYAMNANDAN MISHRA

(Begusarai): Last time, we had sat beyond 12 o'clock. This is not the first time.

MR. SPEAKER: But that was not the last day. The House had not decided to adjourn *simpliciter* on that day. They were sitting days; there was no problem.

SHRI SHYAMNANDAN MISHRA:

Then the point is, as I had urged earlier, non-official business cannot be postponed except by unanimity. (Interruptions).

SHRI K. S. CHAVDA (Patan):

On a point of information from you, Sir, I want to know, what about this Untouchability Offences Bill?

MR. SPEAKER: I do not know.

SHRI K. S. CHAVDA: Is it going to be passed today or not?

MR. SPEAKER: I do not know.

The House likes to sit only till today. Shri Chandrappan.

श्री मधु निमये (बाका) : मेरे प्रस्ताव का क्या हुआ ? पहले मेरा आना चाहिए था ।

15.01 hrs.

COMMITTEE ON PRIVATE MEMBERS' BILLS AND RESOLUTIONS

FIFTY-SIXTH REPORT

SHRI C. K. CHANDRAPPA (Tellicherry): I beg to move:

"That this House do agree with the Fifty-sixth Report of the Committee on Private Members' Bill and Resolutions presented to the House on the 7th May, 1975."

MR. SPEAKER: The question is:

"That this House do agree with the Fifty-sixth Report of the Committee on Private Members' Bills and Resolutions presented to the House on the 7th May, 1975."

The motion was adopted.

SHRI K. S. CHAVDA (Patan): Is Government not serious about the problem of untouchability?

SHRI S. M. BANERJEE (Kanpur): May I request that the Untouchability Offences Bill may be passed without discussion?

SHRI K. S. CHAVDA: Yes, it is a very good suggestion. It should be passed as reported by the Joint Committee.

THE MINISTER OF WORKS AND HOUSING AND PARLIAMENTARY AFFAIRS (SHRI K. RAGHU RAMAIAH): What happened to my motion?

MR. SPEAKER: I am going to put your motion now.

SHRI JYOTIRMOY BOSU (Diamond Harbour): How can you do that, Sir? It is past 3 O'clock. Private Members' Business has started. Mr. Guha is already on his legs.