

*(Interruptions)*

12.43 hrs

## PAPERS LAID ON THE TABLE

*[English]***Detailed Demands for Grants of the Ministry of Health and Family Welfare for 1991-92**

THE MINISTER OF HEALTH AND FAMILY WELFARE (SHRIM.L.FOTEDAR): I beg to lay on the Table a copy of the Detailed Demands for Grants (Hindi and English versions) of the Ministry of Health and Family Welfare for 1991-92. [Placed in Library See No. LT-516/91]

**Statement giving Reasons for Immediate Legislation by the Constitution (Scheduled Tribes) Order (Second Amendment) Ordinance, 1991**

THE MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS (SHRI-MATI MARGARET ALVA): On behalf of Shri Sitaram Kesari, I beg to lay on the Table an explanatory statement (Hindi and English versions) giving reasons for immediate legislation by the Constitution (Scheduled Tribes) Order (Second Amendment) Ordinance, 1991. [Placed in Library See No LT 517/91]

*(Interruptions)*

SHRI RAM NAIK (Bombay-North): I am on a point of order.

MR. SPEAKER: He has a point of order on this laying of the paper also.

*(Interruptions)*

MR. SPEAKER: Nothing will go no record except the point of order.

*(Interruptions)\**

SHRI RAM NAIK: I have got a point of order. I want an explanation from the Minister...*(Interruptions)*

*(Interruptions)*

MR. SPEAKER: I have already allowed 45 minutes.

*(Interruptions)*

MR. SPEAKER: I am not going to allow this.

SHRI RAM NAIK: Sir, I want to raise a point of order. I want an explanation from the Minister for the delay in respect of the explanatory statement, which the Minister wants to place on the Table of the House today. *(Interruptions)*

MR. SPEAKER: Please take your seats. Shri Acharia, you are not cooperating at all. Please take your seats. As you know the Demands for Grants of the Agricultural Ministry are being discussed today. I had allowed 45 minutes for the items which have not listed in the Agenda and even after that, you want to continue with it.

As far as coal and other things are concerned, that matter was raised on the floor of the House before also. You had asked for a Statement to be made by the Minister. The Minister made a statement on that. You had asked for concessions and the concessions were given. And then, there was a sort of discussion on that point also. Again, why do you want to raise the same point and do not allow anything else to be raised?

*(Interruptions)\**

MR. SPEAKER: Nothing will go on record, except Shri Ram Naik's statement.

*(Interruptions)*

MR. SPEAKER: I am sorry, it cannot be done like that. I don't understand whether I should conduct the business in the House according to rules or according to the wishes of each and every Members in the House. If You want me to conduct the business of the House according to the rules, you should please allow me to conduct the business. Otherwise, it is very difficult, I said this matter was raised on the floor of the House.

*(Interruptions)*

MR. SPEAKER: First please take your seat. Simple because one senior Member is asking and other senior Members are asking, it is very difficult for me to say no and yes to what the Senior Members say. I got a statement from the Minister; the matter was discussed on the floor of the House; some concession was given. Supposing you are not satisfied with what has been given, I would ask the Minister to discuss this matter with the group of MPs who are wanting to discuss this matter. You may please go to his Chamber. I will ask him to meet you, hear you and if something can be done, to do it.

*(Interruptions)*

MR. SPEAKER: Simply because you have a point of view, you cannot obstruct the business of the House. The other business is also equally important. I have said that the Minister will meet you in his Chamber and discuss this matter and the Minister should do whatever is possible and necessary. Please go to the Chamber of the Minister and discuss this matter.

*(Interruptions)*

MR. SPEAKER: This is very unfair to

the Chair, this is very unfair to the House. Each and every Member wants to conduct the business of the House according to his desires. I would be very happy if I could accommodate you. But it is not possible. Every time you are just getting up and each Member wanting that the House should work according to his sweet will. Can we do it? If we can do it let us do it. This is very unfair. This is very very unfair to the Chair, this is very unfair to the Members in the House, this is very unfair to the House itself.

*[Translation]*

SHRI RAM VILAS PASWAN(Rosera): Mr. Speaker, Sir, since the people are staging a dharna, it is my request kindly to listen to one of the Members. The whole matter would be solved ultimately.

*[English]*

MR. SPEAKER: Okay. This is vary unfair. Let me allow the papers to be laid on the Table of the House. Later on, I will allow one Member from here and one Member from there. Please bear in mind, this is very very bad precedent. It should not be followed. This is your House this is your time, this is your procedure and you don't stretch this kind of thing beyond a certain limit. This is not in your interest. Today if you are doing it, tomorrow the Member from here do not it, the day after tomorrow Members from there can do it and every time the Chair and the House would be required to act according to the sweet will of you. It is the responsibility of the senior Members to be very careful about it.

*(Interruptions)*

SHRI LAXMI NARAIN MANI TRIPATHI( Kaiserganj): Mr. Speaker, Sir, I am shouting from here but you are not prepare even to listen to me. I am giving it in writing. I am trying to express my views but you are

not paying attention towards me. Then what is the use of becoming a Member of the House? Until and unless you hear me, I will go on speaking. You may get me out.

[*English*]

MR. SPEAKER: What is it that you are doing there? Please sit down now.

(*Interruptions*)

MR. SPEAKER: What is the matter with you? If you have any important matter, we can take it up tomorrow. Please do not get excited. If everybody is getting excited, then the patience of everybody will be exhausted.

(*Interruptions*)

MR. SPEAKER: We will see what can be done tomorrow.

SHRI RAM NAIK: I want to rise on a point of order in respect of the statement which the Minister wants to lay on the Table of the House. It is about the Constitution (Scheduled Tribes) Order, that is, item 3 on the list of business.

On 19th April, an Ordinance was passed about this order. That should have been converted into a Bill. We passed the Bill on the last day. Within six weeks, the Ordinance has to be converted into a Bill. On the last day, the Government came and we passed the Bill on 19th August. But on 20th August, the Ordinance lapsed. The Rajya Sabha was not in session. Then, Government issued another Ordinance.

If you remember, you gave them seven days concession to introduce the Bill. We are entitled for two days, notice of the Bill. That was also not given. We raised objections at that time. That particular Bill, which this House passed, the relevant Ordinance lapsed on 20th August, the Rajya Sabha

was not in session. So, the Government issued another Ordinance on 20th August. That Bill went to the Rajya Sabha. Rajya Sabha passed it. That particular Ordinance issued on 20th August, we laid on the Table of the House on 26th August. That means after six days.

Subsequently the Bill was passed by Rajya Sabha. It was also laid on the Table of the House on 29th August. The Memorandum giving the reasons for issuing the Ordinance is being placed on the Table of this House today. That means after 13 days. The original ordinance was issued on 19th April and the Government is giving the reasons for the second Ordinance today. This in fact is inefficiency. I presume you should protect our rights and the dignity of this House. This House should not be taken for granted. We should not be taken for granted. For the inefficient functioning of the Government, the Minister owes, an explanation and an apology to the House. Then only, the Minister should be allowed to lay the papers on the Table. That is my point of order.

THE MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI RANGARAJAN KUMARAMANGALAM): Mr. Speaker, Sir, in so far as why we needed to pass the Ordinance is concerned, I think, the Hon. Member raised the point of order which, according to me, under the rules is no point of order. It is only a question of propriety and it is not really a question of prohibition at any time. I submit through you to the Hon. Member that it was necessitated because the Rajya Sabha was not in session. Even though we have really passed it on the 19th August - the last day - since Rajya Sabha was not in session, we had no other option but to pass the Ordinance. The Bill has been passed by this House and also by the Rajya Sabha and now is law.

**SHRI RAM NAIK:** No, it is not law. It has come back with an amendment. That amendment has to be discussed in this House.

**SHRI RANGARAJAN KUMARAMAN-GALAM:** The Ordinance, as it stands, does not really need the emphasis which it does only to buy the period of time of that duration. It is a fact, which the Hon. Member has pointed out, that we should have immediately brought it to the Table of the House though there is no compulsion of that type that it has to be done immediately in that time. In this particular case, the House is continuing in session in so far as the Lok Sabha goes. In so far as the Rajya Sabha goes, the commencement of the House on 26th was critical there because it was placed there. It is true that we should have done it immediately, possibly on the next day, but I do remember the Hon. Minister mentioning that the bill is being passed, that this Ordinance has also come through and is going to come through in order to cover the lacunae. However the Hon. Member has made a point. That point has been taken note of by the Government. It should have been done in the usual course quickly on the next day.

**13.00 hrs**

**SHRI RAM NAIK:** I can understand if there is any delay in the working days.

**MR. SPEAKER:** I am saying what I have to say. You have raised this point. There is a Committee of the House called Committee on Papers Laid on the Table. Now, that Committee has to look into whether or not there has been any unreasonable delay in laying the papers, the statement explaining the reasons for not laying the Hindi version is given and such reasons are satisfactory. That Committee will perform this work. Now, this Committee is there...

**SHRI SOMNATH CHATTERJEE (Bolpur):** At the moment, it is not there Sir.

**MR. SPEAKER:** You have raised this issue and I am sure that this Committee will be constituted very soon and the matter will go before the Committee and the Committee will look into it.

**SHRI RANGARAJAN KUMARAMAN-GALAM:** Without going any further, I would like to say that we have not really committed any violation.

**MR. SPEAKER:** It is for the Committee to look into and if the Committee gets satisfied, they can write love letter to you.

*(Interruptions)*

**13.02 hrs**

#### PAPERS LAID ON THE TABLE

##### **Demands For Grants of the Ministry of Water Resources For 1991-92**

*[English]*

THE MINISTER OF WATER RESOURCES (SHRI VIDYACHARAN SHUKLA): I beg to lay on the Table a copy of the Detailed Demands for Grants (Hindi and English versions) of the Ministry of Water Resources for 1991-92. [Placed in Library See No LT-518/91]

##### **Detailed Demands For Grants Of The Ministry Of Planning and Programme Implementation for 1991-92**

THE MINISTER OF STATE OF THE MINISTRY OF PLANNING AND PROGRAMME IMPLEMENTATION (SHRI H.R. BHARDWAJ): I beg to lay on the Table a copy of the Detailed Demands for Grants