

Business in the Rajya Sabha, I am directed to enclose a copy of the National Commission for Safai Karamcharis (Amendment) Bill, 1997 which has been passed by the Rajya Sabha at its sitting held on the 18th March, 1997.

Sir, I also lay on the Table the Port Laws (Amendment) Bill, 1997 and the National Commission for Safai Karamcharis (Amendment) Bill, 1997, as passed by Rajya Sabha on the 18th March, 1997.

12.02 hrs.

[English]

#### CONVICTION AND LODGEMENT OF MEMBER

MR. CHAIRMAN : I have to inform the House that the following wireless message dated 17 March, 1997 was received on 18 March, 1997 from the Superintendent, Jail number 5, Tihar, New Delhi :

"Shri Kalpnath Rai, Member of Lok Sabha has been convicted today by the Court of Additional Sessions Judge, Shahadra in case numbers 140 to 144/93 Police Station Preet Vihar under TADA Act. He is lodged in Jail number 5, Tihar, New Delhi."

12.02½ hrs.

[English]

#### COMMITTEE ON PRIVATE MEMBERS' BILL AND RESOLUTIONS

##### Seventh Report

SHRI SUDHIR GIRI (Contai) : I beg to present the Seventh Report (Hindi and English versions) of the Committee on Private Members' Bills and Resolutions.

12.02½ hrs.

[English]

#### ESTIMATES COMMITTEE

##### Third Report

SHRI RUPCHAND PAL (Hooghly) : I beg to present the Third Report (Hindi and English versions) of the Estimate Committee on Ministry of Urban Affairs and Employment (Department of Urban Development)-Delhi Development Authority.

12.02¾ hrs.

[Translation]

#### PUBLIC ACCOUNTS COMMITTEE

##### Fourth and Seventh Reports and Minutes

DR. MURLI MANOHAR JOSHI (Allahabad) : Sir, I beg to present following Reports (Hindi and English versions) of the Public Accounts Committee :

1. Fourth Report on Union Government Appropriation Accounts (1994-95) Tele Communication Services and Minutes of the Sitzings of the Committee including thereto.
2. Seventh Report on Action taken on 72nd Report of Public Accounts Committee (10th Lok Sabha) on Janta Cloth Scheme.

12.03 hrs.

[English]

#### STANDING COMMITTEE ON PETROLEUM AND CHEMICALS

##### Sixth, Seventh and Eighth Reports

SHRI ABDUL REHMAN ANTULAY (Kulaba) : I beg to present the following Reports (Hindi and English versions) of the Standing Committee on Petroleum and Chemicals :

- (1) "Sixth Report on Action Taken by Government on the recommendations contained in Third Report on 'Demands for Grants' (1996-97) of Ministry of Petroleum and Natural Gas.
- (2) Seventh Report on Action Taken by Government on the recommendations contained in First Report on Demands for Grants (1996-97) of Department of Chemicals and Petro-chemicals.
- (3) Eighth Report on action Taken by Government on the recommendations contained in Second Report on 'Demands for Grants (1996-97)' of Department of Fertilizers".

12.03½ hrs.

[Translation]

#### STANDING COMMITTEE ON RAILWAYS

##### Fifth Report and Minutes

SHRI BASU DEB ACHARIA (Bankura) : Sir, I beg to

present the Fifth Report (Hindi and English versions) of Standing Committee on Railways (1997-98) on Reorganisation of Zonal Offices in Indian Railways and Minutes of the sittings of the Committee including thereto.

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(Interruptions)

[English]

MR. CHAIRMAN : If you do not shout and sit quietly, you will get a chance.

(Interruptions)

MR. CHAIRMAN : Let us have an orderly Zero Hour today.

(Interruptions)

MR. CHAIRMAN : You will get a chance.

(Interruptions)

JUSTICE GUMAN MAL LODHA (Pali) : Sir, I wish to submit that from the List of Business for today which has been circulated, item No.14, the Constitution (Eighty-Second Amendment) Bill, has been deleted. Delisting can be made in the List of Business only with the consent of the House.

MR. CHAIRMAN : Please be seated.

SHRI GANGA CHARAN RAJPUT (Hamirpur) (U.P.) :  
Mr. Chairman Sir, I want to raise a matter of privilege.  
... (Interruptions)

MR. CHAIRMAN : Please sit down. Please be seated. Please raise your points one by one.

SHRI RAJIV PRATAP RUDY (Chhapra) : Sir, I am on a point of order.

MR. CHAIRMAN : When I am standing on my legs, how can you raise a point of order ?

JUSTICE GUMAN MAL LODHA : I am referring to page No.382 of *Practice and Procedure of Parliament* by Kaul and Shakhder for the purpose of supporting my objection. It says that an item which has been included in the List of Business once, cannot be delisted without the permission of the House. The Constitution (Eighty-Second Amendment) Bill in respect of the judiciary was sought to be introduced by the Law Minister and that was placed at Item No.14. Item No.14 was for the purpose of introduction of Constitution (Eighty-Second) Amendment Bill and it does not find a place in the List today. Kaul and Shakhder Saus, I am just reading relevant portions from it . . . (Interruptions)

MR. CHAIRMAN : Lodhaji, can you hear me for a minute ? It was under the direction of the hon. Speaker that it was removed. It is under the consideration of the hon. Speaker now.

JUSTICE GUMAN MAL LODHA : It was in the List at Item No.14.

MR. CHAIRMAN : Let the hon. Speaker consider the issue and come back to the House. You are taking up a matter which is under consideration of the hon. Speaker.

JUSTICE GUMAN MAL LODHA : It is not under consideration. It was on the agenda at Item No.14 The book says :

"The Speaker has ruled that an item of business fixed for a particular day should normally not be postponed. However, on a request . . .

I am referring to page 382 of Kaul and Shakhder.

"However, on a request made by a Minister and agreed to by the House, the order of an item of business as set down in the List of Business may be changed or the item may not be taken up."

Then, it says that after two sentences, the hon. Chairman may read it.

"The Speaker has ruled that an item of business which has been included in the advance List of Business cannot be taken out on the ground that it may not meet with approval of all sections of the House;"

Now, Sir, this is the Speaker's ruling, Lok Sabha Debates in 1962.

Now what happens here is that the Law Minister has said that item No.14, the Eighty-second Amendment of the Constitution was listed. Now, the Law Minister says, not in the House, he does not come to the house to make a request, 'I want to defer it'. He does not say to the Speaker, 'please, allow me to defer it for this reason'. He does not request the hon. Members of the House to allow him to defer it. He speaks to the Press, in the newspapers, in the media. He says because the CPI (M) has objected to it, because the BJP has got certain reservations, therefore, he is deferring it. He has given these reasons in the Press, not in the House.

Now, I would submit that according to the Speaker's ruling, this is not permissible. This is an act of serious impropriety on the part of the Law Minister for having gone to the Press instead of . . . (Interruptions) coming to the House. It is a breach of privilege also. He should have come here and requested the hon. Speaker, 'item No.14 may not be taken up, the House may kindly grant the permission'. The Speaker would have permitted; not that he would not