

(2) A copy each of the following paper (Hindi and English versions) under sub-section (1) of section 619A of the Companies Act, 1956 :-

(i) Review by the Government of the working of the National Scheduled Castes and Scheduled Tribes Finance and Development Corporation, New Delhi, for the year 1994-95.

(ii) Annual Report of the National Scheduled Castes and Scheduled Tribes Finance and Development Corporation, New Delhi, for the year 1994-95, alongwith Audited Accounts and comments of the Comptroller and Auditor General thereon.

(3) Statement (Hindi and English versions) showing reasons for delay in laying the papers mentioned at (2) above.

[Placed in Library see No LT 29/96]

*Maternity Benefits (Mines & Circus)
(Amendment) Rules, 1996 etc*

THE MINISTER OF LABOUR (SHRI M ARUNACHALAM) : Sir, I beg to lay on the Table :

(1) A copy of Maternity Benefit (Mines & Circus) (Amendment) Rules, 1996 (Hindi and English versions) published in Notification No G.S.R. 70(E) in Gazette of India dated the 31st January, 1996, under sub-section (3) of section 28 of the Maternity Benefits Act, 1961

[Placed in Library see No. LT 30/96]

(2) A copy of Employees Pension (Amendment) Scheme, 1996 (Hindi and English versions) published in Notification No G.S.R. 134 in Gazette of India dated the 28th February, 1996 under sub-section (2) of section 7 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952

[Placed in Library see No LT 31/96]

(3) A copy of the Financial Estimates and Performance Budget for the year 1996-97 (Hindi and English versions) of the Employees' State Insurance Corporation under section 36 of the Employees' State Insurance Act, 1948

[Placed in Library see No LT 32/96]

(4) A statement (Hindi and English versions) on the ratification and Action taken on the implementation of the provisions of International Labour Organisation convention No. 147 concerning Minimum standards in Merchant Ships

[Placed in Library see No LT 33/96]

12.02 hrs.

BUSINESS ADVISORY COMMITTEE

First Report

[English]

THE MINISTER OF PARLIAMENTARY AFFAIRS AND MINISTER OF TOURISM (SHRI SRIKANTA KUMAR JENA) : Sir, I beg to present the first report of the Business Advisory Committee.

12.03 hrs.

ELECTION TO COMMITTEE

Employees' State Insurance Corporation

[English]

THE MINISTER OF LABOUR (SHRI M ARUNACHALAM) : Sir, I beg to move:

"That in pursuance of Section 4(i) of the Employees' State Insurance Act, 1948, read with rule 2A of the Employees' State Insurance (Central) Rules, 1958, the members of this House do proceed to elect, in such manner as the Speaker may direct, two members from among themselves to serve as members of the Employees' State Insurance Corporation, subject to other provisions of the said Act."

MR SPEAKER : The question is :

"That in pursuance of Section 4 (i) of the Employees' State Insurance Act, 1948, read with rule 2A of the Employees' State Insurance (Central) Rules, 1958, the members of this House do proceed to elect, in such manner as the Speaker may direct, two members from among themselves to serve as members of the Employees' State Insurance Corporation, subject to other provisions of the said Act."

The motion was adopted

RE : HIKE IN ADMINISTERED PRICES OF PETROLEUM PRODUCTS

[English]

MR SPEAKER : Now, we come to Zero Hour

SHRI JASWANT SINGH (Chittorgarh) : Mr Speaker, Sir, if I raise this question it is with no great

joy. In fact, it is with some regret and sadness that I have to raise this question again and I have raised it formally by the submission of yet another Adjournment Motion. I have submitted for your consideration that what was not permissible yesterday, as an Adjournment Motion on the total question of unprecedented price hike in petroleum products may please be considered by you today and an Adjournment Motion granted, for which I have submitted an additional and a fresh Adjournment Motion.

MR SPEAKER : I have received your Adjournment Motion and I am looking into it. I will come back to you later on.

SHRI JASWANT SINGH : I accept that, Sir, but because an Adjournment Motion by its very nature has the element of adjournment and, therefore, when you say that after the House has done the rest of its work then you will consider it, then the very purpose of the Adjournment Motion gets defeated.

MR SPEAKER : The House has taken up the Zero Hour now.

SHRI JASWANT SINGH : It is normally, Sir, during the Zero Hour.

MR SPEAKER : That is why, you have raised this issue. Let me go through your notice and then I will come back to you.

SHRI JASWANT SINGH : An Adjournment Motion can be raised only during the Zero Hour.

SHRI PR DASMUNSI (Howrah) : Sir, we are also Members and we also have the right to raise issues. It is not that the Opposition Party Members can alone do that. (Interruptions)

SHRI BASUDEB ACHARIA (Bankura) : Sir, you have already admitted it under Rule 193.

We are interested to discuss the matter. (Interruptions)

MR SPEAKER : Shri Jaswant Singh has given a fresh notice of Adjournment Motion. I am yet to go through it.

(Interruptions)

SHRI ROOPCHAND PAL (Hooghly) : It is very much in the Order Paper. Therefore, you allow us to raise it during Zero Hour.

MR SPEAKER : I am allowing.

SHRI NIRMAL KANTI CHATTERJEE (Dumdum) : Adjournment Motion is for listed business and not for unlisted business. Right now, we are busy with unlisted business. Listed business has not arisen. Now, Zero Hour business should be taken up.

SHRI JASWANT SINGH : I wish to clarify only one thing. We did make submission about consideration of the Adjournment Motion yesterday, but the Adjournment Motion proper was not discussed. Rules do not prohibit me from submitting an additional and fresh Adjournment Motion when my previous Adjournment Motion has been disallowed.

MR SPEAKER : I have accepted that position. But rules also do not say that Speaker has to decide on it instantly.

SHRI JASWANT SINGH : That is right.

[Translation]

SHRI GEORGE FERNANDES (Nalanda) : If the motion is already with you when will it be discussed. (Interruptions) You should seek our views.

[English]

MR SPEAKER : I have accepted that the Member has a right to give a notice of Motion of Adjournment afresh. I have accepted the position that the Member has a right to give it.

(Interruptions)

MR SPEAKER : I do not think you have understood my ruling.

[Translation]

SHRI RAM SAGAR (Barabanki) : Mr Speaker, Sir, you have called me. You should give me the opportunity to speak.

MR SPEAKER : You will be given the opportunity.

[English]

Since this issue was raised yesterday and that notice of Motion of Adjournment was disposed of, I decided on 193. Again Shri Jaswant Singh has given a fresh notice. So, the question is whether a Member has a right to give a fresh notice.

SHRI GEORGE FERNANDES : He has a right to give. That is in the rules.

[Translation]

Mr Speaker, Sir, please don't mention the rules only.

[English]

MR SPEAKER : That is what I said. The Member has a right to give notice.

SHRI GEORGE FERNANDES (Nalanda) : I am on a point of order.

[Translation]

SHRI RAM SAGAR : Mr. Speaker, Sir, if you have called me to speak in the Zero Hour, why are you calling them.

MR. SPEAKER : All right, but right now you are on a point of order.

[English]

SHRI GEORGE FERNANDES : My point of order is on what the Speaker has said that he has received a Motion for Adjournment. Rule 60 mentions this.

[Translation]

Mr Speaker, Sir, my submission is that on the basis of Rule 60...*(interruptions)* Mr Speaker, Sir, kindly listen to me. Rule 60 says that if you have received an Adjournment Motion you should first seek the advice of the House on it. If you are considering it, then you should tell us as to what is your viewpoint? Just now you said that yesterday you decided on having a discussion under Rule 193. Whether we accept Rule 193 or not, is a separate issue. But yesterday you had stated that Adjournment Motion is not being taken up. Then what do you have in mind? When his Motion is already with you this morning and if that Motion is to be taken up for discussion, then it is necessary for you to seek the advice of the House. It is our right to move a Motion and that right has not been granted as a favour. According to the rules of the House, a Member has got this right. I humbly submit that when we exercise that right, then it is your responsibility to tell us about the state of that Motion. If Shri Jaswant Singh has moved a Motion, then, we should be allowed to move this Motion under Rule 60. If you disallow it then you should proceed further. We should be given the opportunity to state as to why this Motion should be taken up. Those who wish to oppose it, should also be given the opportunity to do so. I would like to quote Kaul and Shakhdar in this regard.

MR. SPEAKER : There is no need to do so. This rule is quite clear.

[English]

Shri Fernandes, you are one of the senior most Members.

[Translation]

SHRI GEORGE FERNANDES : Mr Speaker, Sir, there is every need to do so. What you want to say can't be said without understanding it first. I have

got with me a 1991 edition of Parliamentary Practices and Procedure and on the page 111 it is written :

[English]

"If a Member desires to make a submission to the Speaker on the floor of the House regarding a ruling, the Speaker may permit the Member to do so after satisfying himself that it does not unduly interfere with the proceedings of the House."

[Translation]

A particular situation has arisen. Yesterday the proceedings of the House were disrupted. Today also we find ourselves in a strange situation. The whole country is aggravated and we are also aggravated in the House. If we can not express our views in the House, if the Adjournment Motion is not taken up for consideration, in that case a different situation would be created in the House. We find ourselves in a queer situation. Adjournment Motion is not allowed, Rule 184 is not acceptable, in that case should we bring a No-Confidence Motion? That is not possible for them. But the disrespect of the House in such a manner and, disregard of the viewpoints of the people of this country, will not be tolerated. Hence I humbly request that the Motion moved by Shri Jaswant Singh should be taken up for discussion. There is no need to keep dragging the issue.

[English]

SHRI ANIL BASU (Arambagh) : Sir, we have also got a right to speak. What Shri George Fernandes is saying is totally wrong and irrelevant...*(interruptions)*

SHRI P. UPENDRA (Vijayawada) : Sir, you, in your wisdom, had already ruled that the discussion would take place under Rule 193 and it has been listed in today's Order Paper. I would like to know from you whether a fresh notice can be given on the same subject when that subject has been listed under a particular rule...*(interruptions)*

SHRI SOMNATH CHATTERJEE (Bolgpur) : Mr Speaker, Sir, I would like to know from the Opposition whether there is anything called finality of the Speaker's ruling...*(interruptions)*

SHRI JASWANT SINGH : Sir, I think it is very good to hear him say "from the Opposition" now that he is in the Treasury side. Please also join the Ministry.

SHRI SOMNATH CHATTERJEE : You do not have to advise me. Please control your flock, control your members. Shri Jaswant Singh, do not give us lectures.

Sir, I just want to say one thing. I would like to know whether there is anything called finality of the Speaker's ruling. Yesterday, we saw the direct challenge on your ruling by demonstrations held on the floor of the House by the entire Opposition and they assembled in the Well of the House. The BJP leaders sat quietly. That was one form of challenge to the Speaker's ruling in the House and the House had to adjourn.

Today we find another method. What cannot be done directly, they are now trying to do it indirectly. This is nothing but a mockery. They cannot challenge your decision about the discussion under Rule 193. It has been listed for discussion. Now on the plea of another attempt, they are bringing in this Adjournment Motion on the same subject. There are certain norms. We cannot function here this way. *(interruptions)*

DR MURLI MANOHAR JOSHI (Allahabad) : What prevents hon. Members to table a fresh Adjournment Motion? Which is the rule? *(interruptions)*

SHRI SOMNATH CHATTERJEE : The minimum behaviour expected is that we must show respect to the Speaker. What happened yesterday? *(interruptions)* As soon as you gave your ruling that the discussion would be held under Rule 193, the demonstration started. They were protesting against your ruling, against the Government and as such challenging the Government. My respectful submission is that this House be not held to ransom. If they have got any seriousness about the subject matter, let a discussion be held in a proper atmosphere, in a proper spirit. There are serious issues to be discussed on this. We ourselves said yesterday, let there be a discussion. It seems, they do not want a discussion. *(interruptions)*

DR MURLI MANOHAR JOSHI : You do not want reduction of prices. We want reduction in the prices. We want reduction of the enhanced price. *(interruptions)*

[Translation]

SHRI GEORGE FERNANDES : You had stopped the proceedings of the House by standing for 14 days. You are dictating us? *(interruptions)*

[English]

SHRI P.R. DASMUNSI : Sir, I am on rule 58 about the ruling that you delivered yesterday. I would like to inform the House about the position of Rule 58 which is very clear. I am not going to the merits of the demonstration held yesterday because we the Congressmen are accustomed to see this kind of demonstration from that side. *(interruptions)*

SHRI SATYA DEO SINGH (Balrampur) : In West Bengal.

SHRI P.R. DASMUNSI : We know what has happened in the past...*(interruptions)*

MR. SPEAKER : I have given him the permission to speak. *(interruptions)*

SHRI P.R. DASMUNSI : Rule 58 (V) says and I quote

"the motion shall not revive discussion on a matter which has been discussed in the same session"

Please allow me to explain...*(interruptions)* Yesterday the discussion was allowed, it was discussed and on the basis of the discussion, you gave your ruling. So the same matter cannot be revived according to Rule 58. You see the rules. How can it be raised again? You had allowed this, the discussion was completed and then you gave your ruling. Again, if you allow the same thing, you cannot control it once again, you cannot control the House in future.

SHRI P.C. THOMAS (Muvattupuzha) : There is one more point just to support the point made by Shri P.R. Dasmunsi. He referred to Rule 58(V). I may point out Rule 58 (i) which says

"not more than one such motion shall be made at the same sitting;"

This cannot be moved again on the same matter relating to the same price rise. Now they cannot say that they are dealing with the issue of price rise that took place between yesterday and today. I do not think, that is the matter which they are dealing with. So, this is exactly they are dealing with the price rise which has been caused by escalation of the price of petroleum and I think this cannot be discussed in the manner in which the rule has been quoted here and in the manner in which the notice has been given.

SHRI NIRMAL KANTI CHATTERJEE : Sir, may I draw your attention at page 451 of the 'Kaul and Shakhder'?

MR. SPEAKER : I have allowed Shri E. Ahamed to speak. I will allow you after Shri Ahmed.

SHRI E. AHAMED (Manjeri) : Sir, I raise the point of order under rule 60. My friend Shri George Fernandes has made a lengthy speech justifying it under rule 60. Rule 60 will be operative only if the Speaker gives the consent. What the Chair has observed is that you have not given your consent.

you will consider...(interruptions)...Let me finish my words. Here rule 60 says :

"The Speaker, if he gives consent under rule 56 and holds that the matter proposed to be discussed is in order, shall call the member concerned who shall rise in his place and ask the question..."

SHRI HARIN PATHAK (Ahmedabad) : You read para2...(interruptions)

SHRI E. AHAMED : Mr. George, the Speaker has not given his ruling. Again, I would like to say that Mr. George has quoted from page 111. I am also quoting from the very same page and it is also the responsibility of the hon. Leader of the Opposition to say whether these rules have been observed by his party people. What they have demonstrated yesterday is here. Under page 111 it is observed that the Speaker's ruling as already stated, cannot be questioned except on a substantive motion. There is no substantive motion and you quoted the Speaker's ruling.

Secondly, a Member who protests against the ruling of the Speaker committee a contempt of the House and of the Speaker. That is what you have been doing since yesterday. You have been doing since yesterday the contempt of the Speaker as well as of the House.

Thirdly, the Speaker's decision is equally binding whether given in the House on a departmental file. Again he is not bound to give reasons for his decision. The Speaker is not bound to give the reason for his decision.

Sir, when Shri Jaswant Singhji has moved a motion or sought the permission to move an adjournment motion as long as the Speaker withholds permission or the Speaker does not give the ruling, no Member has any right to raise this point. Therefore, this main Opposition has shown yesterday - I would like to say this is a telling factor - how they uphold the democratic norm in the country. The Opposition party has flouted the procedure. It shall not be allowed.

SHRI NIRMAL KANTI CHATTERJEE : Sir I request the patience of the House.

It is page 451 of the 'Kaul and Shakhder' which is in conjunction with rule 50. The last paragraph in that page reads as follows

"It has been held that an adjournment motion on a matter which can be raised during debate on the motion of thanks on the President's Address, budget discussion, motion on international

situation, motion regarding a matter of public importance such as food policy, etc., to be held in the same session is not in order. Similarly, a matter which can be raised under any other procedural device viz., calling attention notices, questions, short notice questions, half-an-hour discussions, short duration discussions etc., cannot be raised through an adjournment motion."

My submission is very simple. This is in consistent with rule 58. Now since we have seized of a matter under rule 193, it is impermissible to have an adjournment motion now on a similar question. That is the blunt of the quotation that I have made from 'Kaul and Shakhder'. I, therefore, request you to turn down the adjournment motion and go to the unlisted business.

SHRI SATYAJITSINH DULIPSINH GAEKWAD (Vadodra) : I would like to know whether this august House has the precedent of having a debate on the final decision of the Speaker. Does this House have the precedent of having a debate on the final decision of the Speaker? I think it is not at all there; you may refer to the past records.

[Translation]

SHRI RAM NAIK (Mumbai North) : Mr. Speaker, Sir, You have given your decision that Shri Jaswant Singh can move another Motion. Even after your decision, Hon. Shri Somnath and some other hon. members are challenging that very decision and are telling us that we are challenging it. The discussion can take place only on this issue as to whether Zero Hour should precede this Motion. When there is an Adjournment Motion, the Adjournment Motion should be taken up first, that is the rule. The problem is that the Communists and Congressmen do not want this discussion and are supporting the price rise. As such they are avoiding the discussion. Hence if you have agreed to have a discussion on the Adjournment Motion, you may kindly take it into consideration first and whatever follows can be discussed later on.

[English]

Adjournment Motion must get precedence over all other business after the Question Hour.

SHRI SATYAJITSINH DULIPSINH GAEKWAD : Are you seeking advice from the Opposition Benches?

MR. SPEAKER : I have to seek advice from all the hon. Members.

SHRI SATYA PAL JAIN (Chandigarh) : They are citing Rule 58. Rule 58 will be applicable only if the matter has already been discussed. Yesterday you held a discussion on the question whether the

resolution is permissible, whether the propriety part is there or not; but the merits of the case were not gone into. Secondly, you have already ruled in the morning that a Member has the right to move the resolution. Now the situation is that the resolution has come. As Mr. Jaswant Singh has said, our only concern is that the resolution having come to you, you kindly take a decision.

MR. SPEAKER : What I have said is that a Member has the right to give notice of a motion.

SHRI SATYA PAL JAIN : We are also saying the same thing. The resolution has come. As Mr. Geroge Fernandes and Mr. Jaswant Singh have pointed out, by the nature of it the Adjournment Motion is very urgent and very important. You kindly take a decision; either you permit him or you refuse the permission. If the Adjournment Motion is pending and we continue with the business of the House, it indirectly means that the Adjournment Motion is not being taken into consideration. What we are pressing for is, you kindly decide whether you permit the Adjournment Motion or you do not permit the Adjournment Motion. But keeping it pending will mean the indirect cancellation of the Adjournment Motion.

SHRI PM SAYEED (Lakshadweep) : You have given your decision yesterday. For more than one hour we had seen an unruly mob here. I have never seen this in my short span of thirty years... (Interruptions) I am not talking to you, I am only addressing the Speaker. Have some patience, please. We have heard you, you also should hear us.

What I want to just bring to your notice is that there is already an item. According to your ruling, under Rule 193 the rights of two Members have already been upheld by you and the item has been listed. Exercising of one Member's right here should not be at the expense of the rights of another Member. Already the same matter has been listed. Can you or other Members take a decision dispensing with that right without the consent of the House? is the question which has to be decided. Yesterday they had given the Adjournment Motion. Then, after one hour discussion, you have given the ruling that this would be discussed under Rule 193. Now the old wine in a new bottle is again coming back in a round about manner.

Therefore, I think you may have to give a decision on this Adjournment Motion. You kindly dispose it off and see to it that we take up the discussion under rule 193.

SHRI ROOPCHAND PAL : Sir, as per rule 31(1), there is a list of business and that is prepared by the

Secretary-General and a copy is made available to the hon. Members. In the 'list of business' given to us today, we find that two hon. members belonging to the BJP have submitted notices for a motion under rule 193. I do not know about the differences they have within their party in Gujarat. I think, that has been extended to this House also. One member is opposing the notices given by other Members of the BJP. You have already given the permission yesterday ruling out an Adjournment Motion. Let us proceed with the unlisted business. Let us not be deprived of our right to move motions or raise issues relating to urgent public importance.

SHRI JASWANT SINGH : Mr. Speaker, Sir, I heard with great attention the stimulated anger of my good friend, the distinguished barrister. But when he simulates anger, then, he loses reason.

My submission is very simple. I am well within my rights as a Member of Parliament, as a Member of this House to submit for your consideration, for the Speaker's consideration a fresh notice for an Adjournment Motion.

SHRI SOMNATH CHATTERJEE : Even misconceived notices.

SHRI JASWANT SINGH : Whether they are misconceived or ill-conceived or well-conceived is really a subject of opinion, which varies with my hon. friend's seat. If he were here, it would have been a very well-conceived motion and because he sits there, he finds the motion ill-conceived and very inconvenient. That is the reality of it... (Interruptions)

SHRI SOMNATH CHATTERJEE : Sir, I know his agony. Mr. Jaswant Singh never imagined that his rule will be for thirteen days only. I can understand his agony. He is finding today that he is completely isolated in the country. Now, his party is making a desperate attempt to come into the centre of Indian politics and by raising all these questions... (Interruptions) Why do they not talk themselves? This is a motion for the first time in the history of Parliament... (Interruptions) You are a very good student of, at least, the rules and you have got a very good reference service. The Leader of the Opposition has a very good reference service. Find out a sentence, a single occurrence where a motion which had been rejected on day one has been moved again on day two when something else has been decided by the Speaker.

SHRI JASWANT SINGH : As an act of courtesy I yielded to a good friend not for him to wage an assault on where I am standing or where I am sitting. That I am in isolation is again a question of looking from where he is looking. My isolation does not worry me, it worries him. It worries his party. My point is

very simple. I am well within my rights to submit for your consideration a new notice for an Adjournment Motion because yesterday the Adjournment Motion that was submitted was not taken up for discussion. It was disallowed by you. Therefore, firstly, I am well within my right to submit it. Whether you accept it or not is a different matter. The point that has been made by my good friend Upendra or Nirmalda or others was: when today is listed an item under rule 193, is my notice for an Adjournment Motion on the subject permissible or not? My submission is that the item listed under rule 193 today is based on yesterday's decision. The Adjournment Motion that I have moved is different in phraseology, is different in language. And indeed, Sir, between yesterday and today a very new development has taken place, which is precisely our worry. Now, we come to learn that as a part of the cascading effect. *(Interruptions)*

MR. SPEAKER : I think we have had enough discussion. Let one more Member speak and I will give the ruling. Jaswant Singhji, please conclude.

SHRI JASWANT SINGH : My point is that, after all why are we pleading with you and why are we pleading with the Treasury Benches comprising of my good friend, Somnathji also? Why are we pleading for a discussion under the particular provisions of the Rules of the House? We are pleading for particular Rules, whether Adjournment Motion or Rule 184, because we wish to have an element of censure in the discussion itself. Whatever you rule is acceptable to us. We can never challenge it. *(Interruptions)* But if you have a toothless discussion, a spineless discussion, a discussion on as important an issue as Rs 10,000 crore of additional imposition of revenue and the collective Treasury Benches simply want to have a discussion and talk the matter out without either a sting or a tooth in it. What is the purpose? That is why, we have submitted an Adjournment Motion again because we wish to plead with you and we wish to appeal to the residual sense of the Treasury Benches even now to reconsider and have a discussion on this issue and a discussion as an Adjournment Motion so that we are able to put the point across forcefully with a sting and with some teeth in it. This is the substance of the Parliamentary methods that we have adopted to submit for your consideration a discussion on this issue

[Translation]

SHRI CHANDRA SHEKHAR (Bailia) : Mr Speaker, Sir, discussion on this issue is going on since yesterday. We want to believe the truth. The rules won't be of any help in that case. Shri Jaswant Singh had made a very clear statement. He wants to

censure the Government on this account. The natural reaction to what the Government has done is that of censuring it. I also think so. What the Government did, was not proper at all.

The learned Hon. Finance Minister is not present at the moment. He started some reasons yesterday and probably anybody with even a little knowledge of the Parliamentary tradition would not have replied in such a tone. What is BJP? It is isolated, separate. These issues are different, political difference is a separate issue and conducting the business of Parliament is entirely different. Presently the Members on this side want censure and those sitting on the other side are not ready to accept censure. The dispute is not restricted merely to this issue. Nothing would come out of reading out rules, procedure and voluminous books. If we do not sit together and find a way out then the other alternative is that you should find out your way.

Mr. Speaker, Sir, yesterday you quoted some precedents and after that you said that this would be discussed under Rule 193. That you have included in today's order paper. Shri Jaswant Singh is a learned man and is conversant with the parliamentary procedures. He found a way out and moved another Adjournment Motion. You said that he has a right to give Adjournment Motion. Mr. Speaker, Sir, I would request you to excuse me if I exceed my limits. At that very moment, you should have said that this Motion was not admitted yesterday. This is an order paper. This issue should not be raised. Mr. Speaker, Sir, you too are trying to run the proceedings of the House in a purposeless manner. Having a discussion on this issue for two to three hours during the zero hour would neither help increase the importance of the House nor the discussion on the original issue would progress further which is being debated since yesterday.

Mr. Speaker, Sir, I would request you to ask both the sides to sit together and find a way out. Alternatively, I would request the leader of the Opposition Party not to go in for voting if the other side does not want it. Whatever you want to say can be said in the discussion. I think they have no reply as to why they hiked the prices ten days ago. Speaking good English does not ensure observance of Parliamentary traditions. Hence I would like to tell you that if there is some deficiency it should be admitted. We should not complicate this matter by raising any political issues. I would like to request that it has been included in the order paper. Shri Jaswant Singh also knows that after its inclusion in the Order Paper, the Speaker can not allow another question on that very question and he is accepting your right. There is a difference in accepting your

right and giving the permission. You have exercised your right. Mr. Speaker, Sir, Yesterday you had exercised your right and now the discussion should be undertaken accordingly. This issue should not be dragged any further...*(Interruptions)*

SHRI ATAL BIHARI VAJPAYEE (Lucknow) : Mr. Speaker, Sir, I am very distressed to hear all this. I have had the opportunity of having been associated with this House or the other House for the past forty years. Such situation was not created ever before. Adjournment Motions are given, sometimes these are allowed and sometimes they are disallowed by the Speaker. Then other ways of having a discussion are found. Mr. Speaker, Sir, if you say that government cannot be censured and such motions cannot be moved which have an element of censure, then such a statement should not be made by the Chair and we also can't accept it. What is the opposition for? If Government is afraid of the element of the censure how will it function? That is why, yesterday, it was decided that if Adjournment Motion is not being allowed, we will submit a Motion Under Rule 184 and this motion has already been given. You have disallowed that too. Adjournment Motion has been cancelled as well. We are being forced to discuss it under Rule 193 and not under any other rule. This cannot be accepted. Eventually rules provide an opportunity to the Members to put their views across as effectively as they would like to. Why is this Government scared of censure
(Interruptions)

AN HON MEMBER : Why are you avoiding the discussion?

SHRI ATAL BIHARI VAJPAYEE : We are not avoiding the discussion. If discussion takes place, censure will be there *(Interruptions)*. Mr. Speaker, Sir, Please excuse me but you know very well that yesterday the Congress Members came at this place during the Question Hour. Now we are being lectured. Our members could also have come here during the Question Hour *(Interruptions)*

AN HON MEMBER : They did come here later on

SHRI ATAL BIHARI VAJPAYEE : They came here because you forced us. We did not want to come. Our only desire is that the House should function in a proper manner and discussion should be undertaken in the House. But we also want that we should be given the opportunity to reflect the view points of the public in an effective manner. We cannot tolerate any high-handedness in this regard. We have to fulfil our duty. *(Interruptions)*

Mr. Speaker, Sir, it does not look proper on the part of such members who were hitherto sitting on the opposition benches, to be speaking in such a

manner...*(Interruptions)* where will the discussion lead to? We are in opposition and we have a large number of Members, Samata Dal, Akali Dal, Haryana Vikas Party, Shiv Sena are with us. Even if our number would not have been so much even if I were alone, I am a member of this House and I have elected by the people. I shall find every way to express my views by taking advantage of each and every rule. And you are forcing us as to how the discussion would take place. Would the ruling party decide the manner of discussion?
(Interruptions)

[English]

MR. SPEAKER : Let him finish

(Interruptions)

SHRI ATAL BIHARI VAJPAYEE : I am not yielding.. *(Interruptions)*

MR. SPEAKER : Please sit down

(Interruptions)

[Translation]

SHRI ATAL BIHARI VAJPAYEE : I know Mr. Speaker, Sir, let me complete my point. All of you cannot stop me from speaking. *(Interruptions)*

SHRI BIJU PATNAIK (Cuttack) : Do not give threat *(Interruptions)*

SHRI ATAL BIHARI VAJPAYEE : Mr. Speaker, Sir, I do not understand if I have told anything like this that made Hon'ble member so excited. *(Interruptions)*

SHRI BASUDEB ACHARIA : You have told *(Interruptions)*

[English]

MR. SPEAKER : No, no, please. The leader of the opposition is on his legs

(Interruptions)

MR. SPEAKER : Silence please

(Interruptions)

[Translation]

SHRI LALMUNI CHAUBEY (Buxar) : Mr. Speaker, Sir, even now he thinks himself in the opposition. He is in opposition and have always been doing like this

SHRI RAJESH RANJAN ALIAS PAPPU YADAV (Purnea) : Threat is coming from that side

SHRI ATAL BIHARI VAJPAYEE : Will you not let me complete my point. *(Interruptions)*

Mr. Speaker, Sir, Democracy runs with discussion. It is necessary that there should be a

discussion, but in which manner it should be done, is also necessary. After all why there are different provisions made for discussions in the rules. We can make a request to you to give us an opportunity to have a discussion by taking advantage of any rule. If there is an element of censure in the discussion and due to that ruling Party is likely to be troubled then it is not our job to see this. We are here to put the ruling Party in trouble. Please excuse me. We are being charged that we are disobeying your orders.

AN HON. MEMBER : Yes, he is absolutely right. *(Interruptions)*

SHRI ATAL BIHARI VAJPAYEE : I would like to say such a thing which should not be told. I was assured that there will be Adjournment Motion. *... (Interruptions)*

SHRI HARIN PATHAK (Ahmedabad) : Please reply.

SHRI ATAL BIHARI VAJPAYEE : We were sure that the adjournment motion will be taken up and yesterday also I have told you this. When the member of the Congress Party made an objection to it then I told them that our Adjournment Motion is to be moved. You give your support. Yesterday, you just cancelled the Adjournment Motion. Our views were not heard. Now, when we are again appealing for reconsideration then you are alleging us that we are challenging your right. We do not want to challenge your right, but we also do not want to surrender our rights.

Mr. Chandra Sekhar has told something, even now I could not understand as to what is the objection to the ruling party and its supporting parties in having discussion in such a manner that there may be voting at the end. What is the objection? Do not drag Hon'ble Speaker in this matter, but why do you object? Mr. Speaker, Sir, I do not think that if the entire House unanimously decides that you move such a Motion and we will negate that Motion by voting, then you will be the target.

If the entire House is in favour of moving such a motion then it is O.K., censure will be there. After all how long the Government will escape from censure. This is the Budget session, there will be voting at every step. You will have to prove your majority. Then why are you hesitating from voting in this matter.

SHRI CHANDRA SHEKHAR (Ballia) : Please leave it today, it can be taken up later on.

SHRI ATAL BIHARI VAJPAYEE : Why should we leave it today?

SHRI CHANDRA SHEKHAR : Mr. Speaker, Sir, it should be left today because just now Atalji has said one thing which has stunned me. We are not aware of whatever is going on there. In the absence of such awareness, sometimes our requests are not considered justified. If I could have understood that there was any tacit concurrence then I would not have made any request in this regard. I would like to say very clearly... *(Interruptions)* Please listen to my second sentence also. Since the Hon'ble Speaker has already taken a decision, even if there is strong opposition to it, therefore, I request you to leave the issue today to enable the smooth functioning of the House.

SHRI ATAL BIHARI VAJPAYEE : I would like to ask you as to whether smooth functioning of the House is to be ensured only by the opposition and not by the ruling party?

SHRI CHANDRA SHEKHAR : I am requesting you, not them.

DR. MURLI MANOHAR JOSHI : It means you have made the ruling party such a type of Party that you do not think it fit for making a request. Does it stand in such a condition?

SHRI CHANDRA SHEKHAR : I am not in a position to make a request either to ruling party or to the Opposition, I am just making a request only to Shri Atalji.

DR. MURLI MANOHAR JOSHI : You have left the ruling party not even in such a position that you can make a request to them.

SHRI CHANDRA SHEKHAR : This is a matter between the teacher and the pupil.

SHRI ATAL BIHARI VAJPAYEE : I would like to make an appeal again. Just now the House will adjourn for Lunch. You can discuss it in your room. We really have a complaint that after tomorrow... *(Interruptions)*

SHRI RAM SAGAR (Barabanki) : Parliament Session has begun just two days back. There are a number of important issues. Opposition Members do not want to have discussion on that. This is not the way. We the members with less importance have also to say our point.

MR. SPEAKER : This is not so. You have a chance in the Zero Hour.

SHRI ATAL BIHARI VAJPAYEE : You may call and find out a way. We are interested in finding out a way. This interruption should not be allowed. But we cannot leave this right that such a Motion can never be moved in which element to censure the Government is there. How can the opposition leave

this right. You please find the way out. We are ready to co-operate in that matter.

[English]

SHRI SONTOSH MOHAN DEV (Silchar) : Sir, we have heard the argument, reasoning and the rules. On behalf of my party, I was involved in the discussion. It was a new factor to us when Mr. Vajpayee, a very respected leader, Leader of the Opposition with such a massive strength, came out today with a new information before us that it was assured that Adjournment Motion would be allowed. I have no knowledge, at any stage, in any meeting, that such an assurance was given to him. If there is an assurance which was given to him by somebody from ruling party, he should come forward and tell us. There is no need of this exercise. This is a futile exercise. If there is understanding, it should be honoured but who is the gentleman who gave that understanding to him? This is my first point.

Secondly, I am a bit sentimental. You may not like it; Members may not like it but since the Chair of the Speakership has been taken by you, there is a tendency to get decisions from the Speaker by methods which are not desirable in the parliamentary democracy.

If one thinks that things could be done this way, we are here to protect it and fight it out. Figures never count in the Parliamentary democracy. There is no point in saying, "I have got Shiv Sena and others and other with me." We are also here. Everytime they are arguing. You only accept their point. Does this 310 Members have no value? What is this? What sort of an argument is this? This matter is agitating everybody. They want to gain a point. (Interruptions) I have not interrupted your leader.

Now, they want to censure this Government. They have already censured this Government over the past two days. Everybody has heard whatever they have said. The nation knows about their stand on this issue. As they do not accept, we also do not accept what has been given. Shri Vajpayee has said that it was his duty to hatao this Government. Till this moment it is my duty to keep this Government. We are here for that... (Interruptions)

SHRI HARIN PATHAK : Can you support the price rise? Do you support the price rise?... (Interruptions)

SHRI SONTOSH MOHAN DEV : When there was a difference in your Party in the Gujarat unit, did everybody support everybody?... (Interruptions) So, that is not the question. I would like to request you that your decision would be the trend-setter for the events to follow in the next five years in this House.

So, please be very aware. Before you give your decision, as a Member of this House and as the Chief Whip of my Party, I would like to urge upon you to go through the rules. The withdrawal of the listed items of business of the House cannot be done without the consent of the House. It is a matter of the House now. Everytime, the ball is put in your Court and if this be the situation then let the matter be left to the House to be decided. We will decide it. Please do not waste any more time of the House on this. This is my suggestion... (Interruptions)

MR. SPEAKER : Hon. Members, we have a couple of minutes to go for lunch.

(Interruptions)

MR. SPEAKER : There has been a plane crash today morning and the hon. Minister for Civil Aviation wants to make a statement.

12.58 hrs.

STATEMENT RE: PLANE CRASH AT KANDI NEAR BHUNTAR AIRPORT

[English]

THE MINISTER OF CIVIL AVIATION AND MINISTER OF INFORMATION AND BROADCASTING (SHRI C.M. IBRAHIM) : Mr. Speaker, Sir, with deep sorrow and regret, this is to inform the House that an aircraft bearing registration No VT-ETC of L-410 type belonging to Archana Airways, a private operator, has reportedly met with an accident at Kandi about 30 kms south of Bhuntar Airport. This 17 seater aircraft was on a flight from Shimla to Bhuntar. There were nine persons on board (six passengers and three crew members). The aircraft is reported to have had last contact with Bhuntar at 0853 hours. Its Estimated Time of Arrival at Bhuntar was 0854 hours. As per the report received so far, the aircraft hit the top of a hill.

At present there is no information about the fate of the passengers and crew of the aircraft. Search and rescue has been initiated by Indian Air Force; Deputy Commissioner and Superintendent of Police of Mandi District have left for the site of the accident.

Preliminary investigation into the cause of the accident has been initiated by the DGCA and Director of Air Safety has been appointed as Inspector of Accidents under Rule 71 of the Aircraft Rules, 1937.

I will inform the House as soon as further details are available.

SHRI SAT MAHAJAN (Kangra) : Have the Central Government sent any rescue team there or not?