

[Sh. Rajmangal Pande]

ment (Department of Education) Resolution No. F. 1-2/90. PN (D.II), dated 19th October, 1990. Read with item No. 5 (i) of the Annexure thereto, the members of this House do proceed to elect, in such manner as the Speaker may direct, four members from amongst themselves to serve as members of the Central Advisory Board of Education, subject to the other provisions of the said Resolution." (*Interruptions*).

[*Translation*]

SHRI MADAN LAL KHURANA (South Delhi): Mr. Speaker, Sir, position this Government has become very ridiculous. Please Call the Prime Minister. We have heard that he has resigned. He has to give a statement also. (*Interruptions*).

[*English*]

MR. SPEAKER: The question is:

"That in pursuance of para 5 of the Ministry of Human Resource Development (Department of Education) Resolution No. F. 1-2/90. PN (D.II), dated 19th October, 1990. Read with item No. 5 (i) of the Annexure thereto, the members of this House do proceed to elect, in such manner as the Speaker may direct, four members from amongst themselves to serve as members of the Central Advisory Board of Education, subject to the other provisions of the said Resolution."

*The motion was adopted*

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MR. SPEAKER: Calling Attention—Shri Saifuddin Choudhury. Is he there?

PROF. MADHU DANDAVATE (Rajapur): Mr. Speaker, there was item 5. It was a Statement by the Prime Minister. Why the Statement is not made?

MR. SPEAKER: It is scheduled at 12.30.

(*Interruptions*)

PROF. MADHU DANDAVATE: Sir, when the entire timing is changed, accordingly the time table gets changed. For instance, if the item was over earlier, in that case the Statement would have been left out. So, it is customary that though that is the time that is prescribed, that does not mean it cannot be made earlier. I think the Prime Minister's Secretariat must acquaint with the process of agenda in the House and inform him stating, 'you need not wait till 12 o'Clock, your time has come.' Therefore, he must make a Statement.

MR. SPEAKER: Shri Yashwant Sinha.

Now, Matters under Rule 377.

(*Interruptions*)

12.20 hrs.

MOTION OF THANKS ON THE PRESIDENT'S ADDRESS- *CONTD.*

[*English*]

MR. SPEAKER: Now, we take up further discussion on the Motion of Thanks on the President's Address.

Shri Atinder Pal Singh.

(*Interruptions*)

SHRI RAM NAIK (Bombay North): Mr. Speaker, Sir, I am on a **point of order**. The

item no. 8 is Supplementary Demands for Grants (General) and Shri Yashwant Sinha is to present a statement.

MR. SPEAKER: He is not there.

SHRI RAM NAIK: He might not be there. But any Minister can do it.

MR. SPEAKER: Since no Minister is for the coming, I am moving to the next item.

SHRI RAM NAIK: Sir, it is important item. We can understand the Prime Minister not authorising the Deputy Prime Minister to make a statement, because they do not have proper relations. But, so far as item no. 8 is concerned, any Minister can do it.

MR. SPEAKER: I realise what you are saying.

[Translation]

But the question is what can be done, when the concerned Minister is not present and no other Minister is coming forward. I am taking note of your point.

(Interruptions)

[English]

MR. SPEAKER: I have already moved to the next item. Now, let us discuss on the Motion of Thanks on the President's Address.

(Interruptions)

SHRI RAM NAIK: Sir, what is your ruling? (Interruptions)

[Translation]

PROF. VIJAY KUMAR MALHOTRA (Delhi Sadar): Mr. Speaker, Sir this

Government has to present the Demands for Supplementary Grants

(Interruptions)

[English]

SHRI L.K. ADVANI (New Delhi): Mr. Speaker, Sir, in view of the fact that the business before the House is only the Motion of Thanks on the President's Address and all those parties who are still in the House have had their say, therefore under Rule 362, I move for closure of this discussion on the President's Address. If the House approves of this closure motion, then the consequences are that we should decide about its closure.

SHRI G.M. BANATWALLA (Ponnani): Sir, it cannot be allowed; it is under your discretion.

(Interruptions)

THE MINISTER OF PETROLEUM AND CHEMICALS AND MINISTER OF PARLIAMENTARY AFFAIRS (SHRI SATYA PRAKASH MALAVIYA): Mr. Speaker, Sir, Rule 362 says: -

"At any time after a motion has been made, any Members may move; 'That the question be now put', and, unless it appears to the Speaker that the motion is an abuse of these rules or an infringement of the right of reasonable debate, the Speaker shall then put the motion 'That the question be now put'.

My submission is that under the present circumstances, the invocation of this rule is an abuse, because there are Members who are willing to participate in the debate and it is under your discretion. Therefore, my submission is, you please call the names of the Members who want to participate in the debate.

SHRI CHITTA BASU (Barasat): Sir, I am on a **point of order**.

MR. SPEAKER: Are you on the same point, Mr. Chitta Basu?

SHRI CHITTA BASU: Yes, Sir. Rule 362 is absolutely clear. It relates to your satisfaction whether this rule is being applied as an abuse or not.

[Translation]

MR. SPEAKER: You know very well that

[English]

there is no abuse.

SHRI CHITTA BASU: Yes, there is no abuse here. The second condition is that it should not be an infringement on the right of reasonable debate.

SHRI SOMNATH CHATTERJEE (Bolpur): We are only waiting for an unreasonable reply.

SHRI CHITTA BASU: Almost all have spoken.

[Translation]

MR. SPEAKER: Only four hours out of the twelve hours fixed for the debate on this subject have passed so far.

(Interruptions)

[English]

SHRI CHITTA BASU: Therefore, there is no infringement on the right of the Members because almost all of them have already spoken and given their views. So far as "abuse" is concerned, there is no abuse and you can decide about it.

SHRI G.M. BANATWALLA: All have not spoken. That is a wrong statement. I contest it. (Interruptions)

SHRI CHITTA BASU: There is no abuse and, therefore, it is within the order and we demand for the closure motion.

The last point is about the Business Advisory Committee which has fixed up a certain period of time for the debate on this subject. Now that time has not yet expired. I agree with it. But the Business Advisory Committee is not the supreme authority. It is the House which in exercise of its wisdom can reduce the time fixed by the Business Advisory Committee.

Therefore, I think, it is in the fitness of things, and you know the mood of the House itself—we demand that the time should be restricted and immediately we go in for voting of the Motion.

SHRI G. M. BANATWALLA: Mr. Speaker, Sir, your permission is being sought to move the closure motion. As it has already been brought out before the House, the closure motion is perfectly under your discretion to allow or not to allow. While allowing it, you have to consider whether it is or it is not an infringement on the right of Members to have reasonable debate. My submission is that a reasonable debate and adequate debate has not taken place. The hon. Member who has said that all the Members have spoken is totally wrong. I am sure you have a long list of speakers and I have been sitting here waiting for my chance to make my submissions. It is not merely the Government whom we are addressing. Through you, Sir, and standing here in this august House, it is the entire nation that is being addressed and is being told of the state of the nation.

In the first place, I request that under your discretion, you should not allow the

**closure** motion which will be an infringement of the reasonable debate.

Another point that I am making is that the Opposition—I am very sorry to say—is behaving in a very irresponsible manner. Mr. Speaker, during the Question Hour....  
(*Interruptions*)

MR. SPEAKER: Please take your seat.

SHRI G.M. BANATWALLA: Through you, in the august House, we are addressing the nation as regards the state of the nation. Here is the Opposition who wants to shut us on the floor of the House from addressing the nation and telling the nation as to the state of the nation. That is an irresponsible behaviour of this Opposition. (*Interruptions*)

I am sure, you would not, therefore, succumb to this pressure. Therefore, you would not accept this particular motion, and allow us to tell the nation the state of the nation. Though the Government is tottering, the nation is strong enough to hold the democracy. We have to speak to the nation and here is the opportunity to speak to the nation. This opportunity is sought to be scuttled by irresponsible Opposition over here in this House.

I am have my various agreements and disagreements either with the Government or with the Opposition. But, my right and the right of this House and every one here to address the nation and telling the nation of the difficult times that are there in future would be denied. I request you, therefore, under your discretion which is allowed to you under the rules, to disallow and not to admit this closure motion. In case you admit, I will be constrained to oppose it.

SHRI SOMNATH CHATTERJEE: Can we ignore the reality of the situation today?

Even the hon. Finance Minister was not available to present the Supplementary Demands for Grants. Today the Prime Minister has very correctly admitted and on more than one occasion he has said that this Government would last so long as the Congress supports it. Quite right. That is the arithmetic of the matter and that is the politics he has chosen. To survive here, to remain as Prime Minister, he has to have the Congress-I support. Now we are in the midst of the President's Address. All the major parties have spoken. The Congress-I has also spoken. But, they are not here to field their other subsequent speakers. Those who have not spoken, they have no unlimited time. Probably, Shri G.M. Banatwalla has got three minutes.

SHRI AMAL DATTA (Diamond Harbour): He has already exhausted that.

MR. SPEAKER: He has already spoken.

SHRI G.M. BANATWALLA: Unfortunately, you allow time. He is now infringing on your time.

SHRI SOMNATH CHATTERJEE: Let him speak for 20 minutes. I am conceding. But there has to be some limit to the debate. Yesterday it was said that until the time allocated by the Business Advisory Committee is exhausted, no closure motion can be moved even if there is no speaker available. How can it be? Therefore, if a conscious decision is taken to see the reality of the situation, what is the good of prolongation of an agony? The country must know it. We are also addressing the country. But, shall we sit here endlessly waiting for the good offices of the de facto Prime Minister of this country? How long can it happen? I am also requesting the Prime Minister to respond to this.

MR. SPEAKER: You are on a point of order, I think.

**SHRI SOMNATH CHATTERJEE:** No. This is the position. Therefore, there has not been any abuse of the rules or infringement of the right of the debate. This is an eminently reasonable motion that has been moved and it should be put to vote. Please admit it.

**PROF. MADHU DANDAVATE (Rajapur):** Mr. Speaker, Sir, of course the matter is in your discretion and I would request you not to look at Rule 362 in a mechanical manner. For instance, you have raised the question that the time of 12 hours allotted to this debate has not been completed and, therefore, the debate can go on. I would like to put before you certain contradictions. Shri G.M. Banatwalla said that he has not spoken. Probably, one or two might not have spoken. But I would like to raise the question by way of **point of order**. Suppose, the Business Advisory Committee allots 12 hours. Almost all the speakers have completed their speeches. Two or three who are left out have also spoken and if the time of 12 hours is not completed, do you mean to say that we should wait for two or three days for that 12 hours to be completed and then allow the Prime Minister to reply? And, therefore, I can understand, one or two speakers might not have spoken. I do not know whether it is the contention of Shri Banatwalla that, because 12 hours are there and only he is left out, so 8 hours are there, he can claim 8 hours.

**SHRI G.M. BANATWALLA:** I am opposing the motion at this juncture.

**PROF. MADHU DANDAVATE:** I do concede that point. He functions juncture by juncture. He changes his attitude also. I have no quarrel on that. At the next juncture, he may say "I am supporting the closure motion." He may come forward with that.

My contention is that please do not look at the rule in a mechanical way. If 12 hours are there and if one or two speakers are yet to speak, we will not mind. The Leader of the

Opposition will not mind if those speakers are given time. But, after that, do not insist that the 12 hours are to be completed and therefore the closure motion must not operate. Therefore, it is quite consistent with the rules and also it is a fact that since 12 hours are not completed, if one speaker is only left out, he might be allowed to speak. But only see that he doesn't take rest of the 8 hours and then the Prime Minister replies. That speech might be completed and after that the closure motion should be applied (*Interruptions*)

[*Translation*]

**SHRI K.C. TYAGI (Hapur):** Mr. Speaker, Sir, my point is that if we are made to sit and listen to Mr. Banatwalla for eight hours the all of us would fall unconscious.

**MR. SPEAKER:** Your name is there in the list and I shall call you also, Mr. Kundu.

(*Interruptions*)

[*English*]

**MR. SPEAKER:** Mr. Samarendra Kundu, if you have got any fresh points, you can put forth them.

**SHRI SAMARENDRA KUNDU (Balasore):** The relevant clause to Rule 362 should be read with the totality of the situation that is obtaining now. It cannot be segregated from the totality of the situation. What is the totality of the situation. The totality of the situation is that the Government has no sanction behind it since the Congress (I) are not supporting it. I just pose the problem before you. You may have eight hours' debate. After that, if the Congress (I) do not come to the Government's support, then what a humiliation the country will suffer on this account? This is one issue. The reading in this context suggests.....

MR. SPEAKER: Mr. Kundu, please come to the point of order.

SHRI SAMARENDRA KUNDU: I am coming to that. I will request Shri Banatwalla to withdraw the words "irresponsible opposition". Shri Opposition is very alert, very vibrant and to the point. The role of the Opposition is to expose and depose the Government. (*Interruptions*) Now, we are exposing the Government. Coming to this Rule 362 (1) it says:

"At any time after a motion has been made, any member may move: 'That the question be now put', and unless it appears to the Speaker that the motion is an abuse of these rules or an infringement of the right of reasonable debate, the Speaker shall then put the motion....."

What I say is that the motion is not an abuse of these rules. The motion is not an infringement of the right of reasonable debate. Is this motion an infringement of the reasonable debate? Now, the Government has no sanction behind it. What is a reasonable debate? As I have already said, the Government has no sanction behind it. At the moment, the Speaker should feel that the motion of closure is in order. House has no consensus, then voting should be taken up. This is my submission. (*Interruptions*)

SHRI NANI BHATTACHARYA (Barhampore): Mr. Speaker, Sir, I fully support the motion moved by the Leader of the Opposition Shri L.K. Advani. Why? Because, you have already heard the position of ours. Here, the Government, from yesterday, is in a minority. In this context we will have to see whether the debate has become a reasonable debate, whether there is any infringement of the right of reasonable debate. Most of the speakers have spoken. I draw your attention to the relevant Rules in this regard i.e. from Rule 362 to Rule 365. The rule amply says that you can take the consensus

of the House whether the House is prepared to continue the debate on the Motion of Thanks to the President's Address. Therefore, you can take the consensus of the House. You are quite competent to take that. After going through the reasonableness about the continuance of the debate, you may ascertain the opinion of the House. (*Interruptions*)

[*Translation*]

MR. SPEAKER: At least, I will call those who want to participate in the debate.

[*English*]

SHRI NANI BHATTACHARYA: It will be amply clear by the consensus of this House. This is my submission.

SHRI SAIFUDDIN CHOUDHURY (Katwa): Sir, it seems to me that you have decided not to apply your discretion and leave this matter to the wisdom of the House whether there has to be a closer on this debate or not. I urge upon you to leave it to the House to decide on the matter. (*Interruptions*)

SHRI BASUDEB ACHARIA (Bankura): You take the sense of the House and approve the motion. (*Interruptions*)

[*Translation*]

MR. SPEAKER: I will call out the names, which are with me. I think that Shri Advani will agree to it. Prof. Madhu Dandavate too is of that view.

SHRI L.K. ADVANI: I agree (*Interruptions*)

SHRI SOMNATH CHATTERJEE: How much time will you give? (*Interruptions*).....