

14.05 hrs.

*The Lok Sabha re-assembled after Lunch at five minutes  
past Fourteen of the Clock.*

(Mr. Deputy-Speaker *in the Chair*)

Title: Consideration of the Indian Council of World Affairs (Amendment) Bill, 2003. (Bill passed)

MR. DEPUTY-SPEAKER: The House will now take up Item No. 15, that is, Indian Council of World Affairs (Amendment) Bill for consideration and passing. The time allotted for the debate is two hours. Mr. Minister, you may move the Bill for consideration and passing and you can also make a brief speech.

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI DIGVIJAY SINGH): Sir, I beg to move:

"That the Bill to amend the Indian Council of World Affairs Act, 2001, be taken into consideration."

The Indian Council of World Affairs (ICWA) was established in 1943 as a society under the Societies Registration Act of 1860. In March, 1947, the ICWA had the privilege to host the historical Asian Relations Conference. In 1949, the Government of India exempted the ICWA from payment of Income Tax on all donations received by it. In 1955, the ICWA sponsored the establishment of the Indian School of International Studies, currently a part of the JNU. In 1956, the ICWA acquired the consultative status with the Economic and Social Council (ECOSOC). The ICWA was then headed by dedicated scholars and eminent academicians and politicians like Dr. Hridayanath Kunjru. The ICWA as a concept was given by Sir Tej Bahadur Sapru. The Secretary of the Council of the Sapru House was Dr. Appadorai, who was an eminent scholar and who was renowned for his international knowledge.

The Library of the Sapru House was known to be one of the best-stocked libraries not only in Delhi but perhaps, in the whole of India. This was an institution frequently visited by Pt. Jawaharlal Nehru, who is considered by this House and by this country as the father and founder of India's Foreign Policy. As you yourself remember, Sir, Pt. Jawaharlal Nehru, in 1927, on behalf of the people of India, had gone to attend the 'League against Imperialism' at Brussels where he outlined India's foreign policy, and it is the same foreign policy which, with continuity and change, we have adopted. Pt. Jawaharlal Nehru, as Prime Minister, had been always a regular visitor to this Institute.

Why I am giving this background is because this is an Institute which had the privilege of being associated with eminent scholars, Constitution-makers, law-makers and those who were related to the formulation of India's foreign policy. Eminent luminaries like Dr. S. Radhakrishnan and Dr. Zakir Hussain were also very closely associated with this Institute.

From its very inception, one of the important activities of the ICWA has been holding periodical lectures, meetings, and seminars. Besides Indian and foreign scholars and statesmen, visiting dignitaries of many foreign countries addressed the meetings of the Council. I will mention a few notables names: They are Pt. Jawaharlal Nehru, Indira Gandhi, Henry Kissinger, Oscar Fischer, Alexi Kosygin, Dag Hammarskjold, S. Ramphal, Margaret Thatcher, Kurt Waldheim, V. K. Krishna Menon, Roy Jenkins, Morarji Desai, Chandra Shekhar, President Ortega of Nicaragua, President Sam Nujoma of Namibia, His Holiness Dalai Lama, and many others. These were the people who were invited to deliver lectures at the Institute.

As you are aware and as may be readily inferred from the aforementioned activities of ICWA, with the active participation of distinguished men of letters and under the Presidentship of leading personalities such as Tej Bahadur Sapru, N. Kunzru and Sardar Swaran Singh, the Council ran very well for the first 38 years of its existence.

However, things started deteriorating after the appointment of the Working President of the Council in 1981. The Working President firmly established his control on the ICWA, when in 1986 he was elected as its President and got himself re-elected term after term. Throughout the 80s and 90s, numerous complaints had been received from academicians, scholars and staff members condemning activities of the then President of the ICWA. Articles and editorials criticizing his functioning and urging the Government to intervene and restore the ICWA to its erstwhile pre-eminence continued to appear in the national media.

With a view to arresting the decline and to restore ICWA to its pristine glory, ICWA Ordinance (No.3 of 2000) was promulgated on the 1<sup>st</sup> of September, 2000, declaring it an institution of national importance. The ICWA Ordinance was subsequently replaced by an Act of Parliament on September 3, 2001.

A lot of activities with a view to fulfilment of the aims and objectives of the ICWA have been undertaken after its takeover by the Government. The ICWA revived the publications *India Quarterly* and *Foreign Affairs Reports*. The ICWA premises are now being used to hold important seminars and conferences almost every week. Since February, 2001 over 70 seminars have been organised. The ICWA will also be the nodal agency for Track-II diplomacy funded by the Ministry of External Affairs. The Africa Centre has been set up which will undertake a variety of programmes for rekindling public interest in Africa. The Secretariat of Council for Security Cooperation in the Asia Pacific (CSCAP) India Committee has also been relocated in the Sapru House premises.

The ICWA after its takeover by the Government has undertaken and envisioned many new initiatives and activities. These include provision of offering Fellowships for research work, to expand and update the once upon a time famous Library and to have an active interaction with ICWA's counterparts in select countries.

This is the reason why we have brought this amendment before the House. This is a very small amendment and I hope the House would extend its support to it.

MR. DEPUTY-SPEAKER: Motion moved:

"That the Bill to amend the Indian Council of World Affairs Act, 2001, be taken into consideration."

श्री लक्ष्मण सिंह (राजगढ़) : उपाध्यक्ष महोदय, माननीय मंत्री जी ने जो वक्तव्य अभी दिया है, मैं उससे पूर्णतः सहमत नहीं हूँ। श्री जे.एन. दीक्षित, जो विदेशी मामलों के विशेषज्ञ हैं, उन्होंने कहा है, मैं उसे पढ़कर बताना चाहूंगा : Shri Dixit says:

"The Council was the brainchild of some eminent Indians like Sir Tej Bahadur Sapru and Jawaharlal Nehru, and it should be endowed with a non-partisan institution which would deal with its external relations and foreign policy in the global context in conceptual terms. In modern jargon, it was to be an autonomous think tank independent of the Government."

I repeat the words 'independent of the Government'.

"independent of the Government but which would play a valuable supporting role in the fashioning of India's foreign policy and in sharpening perceptions about international politics in the changing world."

उपाध्यक्ष जी, अभी हाल ही में सदन ने विदेश मंत्रालय की मांगो पर विस्तृत चर्चा की है। देश की विदेश नीति बहुत महत्वपूर्ण है। मैं अभी तक इस बिल को लाने का उद्देश्य नहीं समझ पाया। हमें जो जानकारी दी गई है, उसमें बताया गया है कि श्री हरचरण सिंह जोश, जो इसके अध्यक्ष थे, उनके खिलाफ कुछ चार्जेंज थे। मेरा सोचना है कि यह एक राजनैतिक प्रयास किया गया है। अगर उनके खिलाफ चार्जेंज थे, उनकी जांच हो सकती थी लेकिन जिस तरह से उन्हें हटाया गया, वह उचित नहीं है।

मि. जोश क्या कहते हैं? He says:

"After having saffronised the Indian Council of Cultural Relations (ICCR), the Indian Council for Historical Research (ICHR) and the Indira Gandhi Art Centre, the Government was now eyeing the ICWA. "

यह गंभीर आरोप है, जो उन्होंने लगाया है। फिर वह आगे कहते हैं -

"Mr. Jagmohan has no *locus standi* who introduced the Bill regarding ICWA in Parliament as he was the Union Urban Development Minister, and the building in Sapru House was in possession of the Ministry of External Affairs."

मि. जोश ने श्री जगमोहन जी पर जो चार्जेंज लगाये हैं, वे बहुत गंभीर किस्म के चार्जेंज लगाये हैं। मैं जानना चाहता हूँ कि जिस तरह की जांच आप उनके खिलाफ कर रहे हैं, क्या आपमें साहस है, आप श्री जगमोहन जी के खिलाफ भी जांच करें। मैं श्री जगमोहन जी का बहुत आदर करता हूँ, लेकिन उन पर जो आरोप लगा है वह यह आरोप लगा है -

"Mr. Jagmohan had asked him to make the BJP-led NDA Government at the Centre, partners of ICWA, which was then operating from the prime location property Sapru House at Barakhamba Road. "

He further said:

"Mr. Jagmohan also advised him to join the BJP. Mr. Josh said that because he rejected both these requests, Mr. Jagmohan launched a campaign of vendetta against him and ICWA. "

इसमें बहुत ज्यादा कुछ कहने को नहीं है। मैं सिर्फ यही कहना चाहता हूँ कि अगर आपने इसका पजेशन लिया है तो क्या जैसा यह संगठन रहा है, आप इसे वैसा एक गैर सरकारी संगठन बनायेंगे और इस प्लेटफॉर्म पर, इस आई.सी.डब्ल्यू.ए. में, क्या आपमें साहस है कि जो इराक में हुआ है, उसके बारे में आप चर्चा करें। क्या आपमें

यह साहस है। एक नॉन-पार्टिजन व्यू हम लोगों ने वहां रखा। इसका जो कांस्टीट्यूशन है, उसमें आपने कहा है -

"Director-General would be of the rank equivalent to Additional Secretary to the Government of India."

मैं चाहूंगा कि इसके बजाय वहां का कोई अधिकारी डायरेक्टर जनरल बने, इसमें इस विषय के विशेषज्ञों को शामिल किया जाए और इसका राजनीतिकरण होने से बचना चाहिए।

अंत में, मैं यही कहूंगा कि चूंकि यह मामला वहां हाईकोर्ट में विचाराधीन है, इसलिए इसमें इतनी जल्दबाजी न की जाए और सोच-विचार कर कोई कदम उठाया जाए, जिससे कि देश की विदेश नीति और मजबूत हो सके और जैसा एक थिंक टैंक बनना चाहिए, वैसा बन सके।

SHRI KHARABELA SWAIN (BALASORE): Mr. Deputy-Speaker, Sir, I rise to support this Indian Council of World Affairs (Amendment) Bill, 2003.

Sir, about two years back, in 2001, this Bill was introduced and I had the occasion to speak there. I would not go into the controversies which have been now raised by the hon. Member, Shri Lakshman Singh from the Congress party because these controversies were also raised at that time in a much more forceful manner. Shri H.S. Josh was the last President of that Body. He was the President of that Body for 20 years. Instead of Sapru House being utilised for the purpose of discussion on International Affairs, it was hired out for Punjabi plays like: 'Kudi Jawan, Gawandi Pareshan' etc.

So, it is a very good thing done by Shri Jagmohan that it was brought under the control of the Government. When it was brought under the control of the Government after the Bill was passed, five Members from this Lok Sabha were nominated to the Board of that Council. And, I was also one of those Members nominated to that Council. Shri Rupchand Pal, Shri Madan Lal Khurana and others were also nominated as members of this Body by this House.

But Sir, I was very surprised to find that for the last two years, no meeting had taken place. I went to Sapru House several times and I spoke to the Director-General there, and he said: "Yes, I have also received your name but no action has been initiated by the Government. "

I do not know who are the other members. The full-fledged body of the Council has not been nominated. At that time, I also wrote letters to the then External Affairs Minister; but I did not know what happened.

I was also very sorry that even if some members were nominated from this House, the initiative was not taken to form the Council. Now I understand the reason as to why it took so long a time. I am very happy that the hon. Minister has brought in the amendments like removing the word 'selected' and introducing the word 'nominated'. Previously in clause 3(g) for the words 'either media personalities or representatives of organisations', the words 'either media personalities or persons from organisations' were substituted. 'Representatives of organisation' means that they would be selected – that again means, that we will have to hold elections there itself; then only somebody will be elected and represent the organisation in this Council.

In a similar way, previously representatives of business world were supposed to be selected for this Council. Now those words have been removed and 'somebody from the business world' will be nominated and not selected. So, it is a very good thing. At that time itself this should have been thought of. Why did it take such a long time? It is also a very good thing that the Director-General of that institution has also been included in this Council as Ex-Officio Secretary. When I met the Director-General, he said that he was nobody, though he was the Secretary-General; and how come he could tell me when the meeting would be held. So, I commend this Government for including the Director-General who is at least of the rank of Additional Secretary in this Body, as a Member-Secretary. I fully commend it.

I am very happy that, though after a delay of two years, the Government has initiated the move to make it a full-fledged body. In the mean time, I had received so many invitations from the Secretary-General to attend seminars and discussions on various important matters relating to foreign affairs of India. I attended all those meetings.

I was very happy to find that it is an Institute of very high class. I was surprised to find how this organisation was not in the hands of the Government for the last 20 years, and how it was just allowed to be governed by a Coporator who had arranged members who were even fruit-sellers and rickshaw-pullers. They were also members of the Indian Council of World Affairs. It is a very surprising thing that it escaped the notice of the Government and that it took 20 years to bring it under the aegis of the Government of India.

Finally, I will say this. Lakhs of books that the library which Sapru House is having, have somehow been sold or removed and some have been given to the Jawaharlal Nehru University. I would appeal to the hon. Minister that he should see to it that in this very valuable library the books should be replenished. All those old books which are very valuable books regarding foreign policy of India should be re-purchased so that it comes back to its pristine glory.

I again commend this Bill; and this Bill should be passed as quickly as possible so that a full-fledged body functions.

SHRI SURESH KURUP (KOTTAYAM): As everybody knows, the Indian Council of World Affairs is a prestigious body. People like Prof. Sapru gave leadership for organising this body. It is well known that Pandit Jawahar Lal Nehru, Dr. Radhakrishnan and such eminent figures of our nation are closely associated with this body. It is a fact that in later years it degenerated and three Standing Committee Reports are there recommending that the Government should intervene and take over. Subsequent to that, the Government intervened and took over this prestigious institution.

When Jawahar Lal Nehru University was formed, as was mentioned here, major chunk of books was transferred to the University. I understand that even though the Government gave some grant for replenishing the books, it was not utilised properly. So, the need of the hour is that this should be given autonomy, if the intention behind this legislation is to be achieved. The Minister was mentioning about the reactive diplomacy and all. If that aim is to be achieved, this organisation should have sufficient autonomy. But this Bill does not help that. That is my point.

The Director-General is to be appointed directly by the Government. Of course, the Government's yes-man will be appointed there. This should be a place where prominent academicians, prominent personalities of our country and also from foreign country, should come and interact so that people in our country and also foreign Governments should have respect about this body. In this type of arrangement, I think it is not possible to achieve this. So, my point is, the track record of this Government, as was pointed out earlier, as we have seen in the Indian Council of Historical Research and the Indian Council of Sociological Research, is that everywhere controversial persons were appointed and it was made to suit the scheme of things which the Government intend. So, it should not be like that.

This should be a body where those people who are connected with our Foreign Policy initiatives, who are behind the making of our Foreign Policy should come. They must associate with it. This should be a platform of people where everyone interested in all these activities should come and discuss matters.

The Library should also be such that any research scholar, any student of international affairs in this country or foreign country, can come and do research to help our country's foreign policy initiatives. So, this should be the aim of the Government, otherwise, it will be like any other organisation in the country. Without helping our Government on foreign policy initiatives, it will be an old wine in a new bottle., a white elephant spending Government money.

So, since this Bill does not help such broad initiatives, I am constraint to oppose this Bill.

SHRI E.M. SUDARSANA NATCHIAPPAN (SIVAGANGA): Sir, this Bill, in a way, shows how the BJP Government is lacking the vision in policy-making as also in creating or running the institutions. This Bill had originated as an Ordinance and was subsequently placed before both the Houses of Parliament.

There was heated debate and exchange of ideas. Finally, there was some conclusion that within three months a body is to be constituted by the President of India. But this Government could not act even on their own Bill, which has been made as Act. It has given a particular time limit to constitute the body but they could not do even this stipulated work. For overcoming that defect, they have come forward with this particular Bill. Except that, there is nothing new in it.

At the same time, we would like to draw the attention of the hon. Minister that the very intention of creating this under the Societies Registration Act is to have a policy-making body, to have a free and fair discussion without any bias or without any colour or without any political mind. Purely on the basis of international affairs that discussion should go on. That is the main purpose. Pandit Jawaharlal Nehru created it and he loved it very much as the hon. Minister had mentioned in his first speech. He visited it very often and he had discussion with many luminaries. There were many exchange of ideas. He could also contribute his own thinking on the creation of Non-Aligned countries, and policy making. He tried to create a third force in the world beyond the USA and the USSR. Such a body is now being made a part of the Government machinery. Really, it is a thing which gives pain to the diplomats and also the people who deal in international affairs.

Now, a Government servant, a person who is known to the political figures of the day is going to be appointed as the Director-General and he is to work as one of the bureaucrats. He is not going to have a free mind to allow



people to exchange their ideas. We saw in today's newspapers how the Americans are ready to tell through a retired General of their own Army that they are having the road map for solving the problem of Kashmir. That is the position of the Indian affairs. We are running our foreign affairs in a manner where a retired General is visiting Karachi for a conclave and he allows one person to give some message to the newspaper and it catches the headlines. We are very much bothered in our foreign affairs. Are we working in our own way? Are we the leaders of our foreign affairs? It was the very prestige of the Department of Foreign Affairs. Even before the days of Independence, we were controlling the policy for Indian affairs.

After Independence, Pandit Jawaharlal Nehru had given a very good force and fresh blood to the way of our thinking in regard to foreign affairs. We had created a third force. We led the world, especially the developing, under-developed, and poor countries. We were the world leaders of these forces. Now, where do we stand? We are just hearing some advice given by the USA or by some other force who are calling themselves the policeman of the world. Are we going in a correct way? Are we thinking in a way which is helpful for our country and for the nation and which is based on our blessings and guidance? Are we in a position to give economic and political thinking to the entire world? This is the question.

According to us, this is not a simple Bill. The Congress expects that there should be a clear thinking from the political angle and there should be a free discussion whenever any foreign policy is made by this Government. But we are short of it. When this Bill is passed, then again there will not be any limit for the bureaucracy to appoint Director-General or to constitute a body and allow them to discuss anything. Therefore, we oppose it and we feel that there should be a proper thinking before enacting this type of Bill. An institution which has got a great reputation is now being made as one of the bones of contention in the political arena.

I would like to sum up that the Government is lacking a thinking regarding the foreign affairs. They want to have saffronisation in each and every aspect. They have already started doing it in the field of education, health, etc. Everywhere, they want to dominate. Now, they have started doing this in the foreign affairs also. With this, we feel that the days of the foreign affairs which were having very high reputation, are over.

**श्री दिग्विजय सिंह :** उपाध्यक्ष महोदय, मुझे प्रसन्नता है कि जिस बिल को मैंने सदन में आपके माध्यम से पेश किया है, उस पर माननीय सदस्यों ने अपनी-अपनी राय दी है। माननीय लक्ष्मण सिंह जी ने इस बहस की शुरुआत की। उनके मन में जो शको-शुबह पैदा हुआ है, मुझे लगता है कि अगर विस्तृत जानकारी उनके पास होती तो उनके मन में यह शको-शुबह कहीं से भी पैदा होने की गुंजाइश नहीं होती। जैसा श्री सुरेश कुरूप ने कहा, उन्होंने बिल्कुल सही कहा कि इंडियन काउंसिल ऑफ वर्ल्ड अफेयर्स बिल जो संसद में पेश हुआ है, पार्लियामेंट की स्टैंडिंग कमेटी ने एक बार नहीं लगातार तीन बार कहा है कि इंडियन काउंसिल वर्ल्ड अफेयर्स में जो कुछ हो रहा है, वह ठीक नहीं है, सरकार इसे ठीक करे। इसके लिए एक रास्ता सुझाया गया था कि एज एन ऐमीनेंट इंस्टीट्यूशन के नाम पर सरकार उसे टेकओवर करे। सरकार ने वही काम किया जो संसद की सलाह थी, स्टैंडिंग कमेटी की सलाह थी।

जैसा मैंने अपने भाषण में कहा कि पिछले 20 सालों में जिस प्रकार से इंडियन काउंसिल ऑफ वर्ल्ड अफेयर्स का कामकाज हो रहा था, उससे सारे पढ़े-लिखे लोगों के बीच में एक भ्रम फैला हुआ था कि पता नहीं इस इंस्टीट्यूशन का क्या होने वाला है। कई माननीय सदस्यों ने इसका जिक्र भी किया कि वहां जिस तरह का काम हो रहा था, निश्चित रूप से वह काम पढ़ने लिखने के काम को आगे नहीं बढ़ाता। मुझे यह गर्व और सौभाग्य प्राप्त है कि मैं खुद उस लाइब्रेरी में पढ़ता था। मैं पंडित जवाहरलाल नेहरू विश्वविद्यालय का छात्र था। जैसा कि मेरे भाषण में कहा गया कि पंडित जवाहरलाल नेहरू विश्वविद्यालय उसी जगह से निकलकर बना था, उसका एक हिस्सा उसमें शामिल किया गया है। हम स्वयं विद्यार्थी के रूप में उस लाइब्रेरी में पढ़ते थे। लाइब्रेरी में पढ़ने के बाद हमें ऐसा महसूस होता था। तब हमें यह उम्मीद नहीं थी कि एक दिन इस बिल को हमें इस सदन में पास करने का सौभाग्य मिलेगा लेकिन हम स्वयं परेशान होते थे कि जिस संस्था को बनाने वाले ऐसे लोग हों, वे चाहें जिस दल में हों या जहां भी हों, उनके सामने लोगों का सिर झुकता हो और जिस संस्था के संस्थापक श्री तेज बहादुर सप्रू जैसे व्यक्ति थे, पंडित जवाहर लाल नेहरू जैसे लोग जिस संस्था में हफ्ते में एक दिन जाकर गौरवान्वित महसूस करते थहा। वह वहां कोई भाषण देने नहीं जाते थे बल्कि वे वहां पी.एच.डी. स्कॉलर से बात करने जाते थे। भारत की विदेश नीति कैसी हो, इस पर वे लड़कों से बहस करते थे। पंडित जी हफ्ते-दस दिन में स्वयं वहां जाते थे। जो संस्था इस उद्देश्य से बनाई गयी थी, जिस संस्था के इस तरह के लोग संस्थापक थे, मैं आपको बताऊं कि कौन से लोग उस संस्था की कार्यकारिणी के सदस्य हुआ करते थे। एक नाम मैंने अभी गिनाया है--डा. तेज बहादुर सप्रू इसके अध्यक्ष थे। श्री हृदय नाथ कुंजरू, आपने बिल्कुल सही नाम बताया, श्रीमती विजयलक्ष्मी पंडित जैसे लोग उसकी गवर्निंग बॉडी के सदस्य थे। इसी तरह श्री अमर नाथ झा. डा. एम.एस. वैद्य, श्री गोपाल स्वामी अयंगर, श्री देवदास गांधी, श्री मेहरचंद खन्ना, श्री नारायण मेहता, श्री सी.पी. रामास्वामी, श्री सिंघानिया, श्री टेकचंद आदि नाम थे जो उस समय की गवर्निंग बॉडी के सदस्य थे। मैं वर्ष 1999-2000 का जिक्र कर दूं तो यह सदन खुद शर्मिंदा होगा कि किस तरह के लोग उसमें थे। मैं उन नामों को पढ़ना नहीं चाहता। हमारे कई साथियों ने ठीक कहा कि किस तरह के लोग उसकी गवर्निंग बॉडी के सदस्य थे जिनका पढ़ने लिखने से कोई रिश्ता नहीं था। हां, कोई फल जरूर बेच रहा था, तेल जरूर बेच रहा था। मैं उन नामों का जिक्र कर दूं तो लोग खुद शर्मिंदगी महसूस करेंगे कि क्या सचमुच ऐसे लोग इस संस्था से जुड़े हुए थे।

मैं आपसे गुजारिश के तौर पर कहना चाहूंगा कि सरकार की कोई नीयत इसे लाने की नहीं थी। हम इसके काम के लिए डेढ़ करोड़ रुपये देते थे। यह हमने शुरू किया था। हम चाहते हैं कि जिन लोगों को हमने इसमें रखने की कोशिश की है, भारत के उपराष्ट्रपति इसके एक्स-आफिशियो चेयरमैन होंगे। अब उनकी नीयत पर कोई सदस्य शक करता हो, हमने स्पीकर साहब को यह अधिकार दिया कि पांच सदस्य आप नामीनेट करें।

हमने चेयरमैन, राज्य सभा को अधिकार दिया है कि आप तीन सदस्य नामीनेट करें। देश के तमाम उन विद्वानों को इसमें शामिल करने की कोशिश की, जिनका अपना अलग-अलग इस देश की इंटरनेशनल पॉलिसी को बनाने में कांट्रीब्यूशन रहा है। हमने तय किया है कि कम से कम दो वाइस चांसलर इस कमेटी में हों। हमने तय किया है कि इस देश के ऐमीनेंट जर्नलिस्ट्स, ऐमीनेट प्रोफैसर्स (व्यवधान)

**श्री पवन कुमार बंसल (चंडीगढ़) :** यह तो उसमें फिर भी आता।

**श्री दिग्विजय सिंह :** बिल के आने से पहले जो लोग थे, वे कौन लोग थे, क्या मैं नाम पढ़ूं? (व्यवधान)

SHRI PAWAN KUMAR BANSAL : We did not object to the first Bill consciously because the Government at that time had promised that it would treat it as an institute of national importance and something worthwhile will happen there. But what has happened during the last two years? It is a totally *mala fide* action that the Government is now doing there. What changes are they bringing about and for what reason?

MR. DEPUTY-SPEAKER: Mr. Minister, are you yielding?

SHRI DIGVIJAY SINGH: If he is contributing something, then I am prepared to yield; otherwise, not.

श्री पवन कुमार बंसल : आप ऐसे बोल रहे हैं, जैसे पता नहीं कितनी बड़ी बात करने लगे हैं। बातों-बातों में ऐसे दिखा रहे हैं जैसे पता नहीं देश के हित में क्या कर रहे हैं। We know of its holy past. We know the lofty ideals with which this institute was set up and we wanted that those should flourish. That was precisely the reason why we had supported the Bill last time. But what has happened during this period? For two years they had taken up the responsibility of seeing it become a vibrant instrument of policy making and of discussing the international affairs. What has happened during this period?  
...(Interruptions)

MR. DEPUTY-SPEAKER: The Minister has yielded.

SHRI DIGVIJAY SINGH: I have yielded for him to seek clarification, not to make a speech. ...(Interruptions)

SHRI PAWAN KUMAR BANSAL : I am grateful to him that he has yielded.

MR. DEPUTY-SPEAKER: If you have some query, you may please ask it. You are not to make a speech. He was replying to the debate. You were not here.

SHRI PAWAN KUMAR BANSAL : The time given for this Bill is one hour. This could not have been concluded before that.

MR. DEPUTY-SPEAKER: It is all right. The debate has already taken place and he was replying to it.

...(Interruptions)

MR. DEPUTY-SPEAKER: Will you please hear me for a minute? The Bill was taken up for consideration. Hon. Members had taken part in the debate and the Minister was on his legs for giving reply to the debate. You were not there. I thought now you were seeking a clarification. In the initial stage, he was not yielding. Then he yielded. If you have any clarification, you kindly ask that clarification so that he can give the reply.

SHRI PAWAN KUMAR BANSAL : I am seeking a clarification only.

SHRI DIGVIJAY SINGH: Let me complete my reply and then you can seek clarification.

उपाध्यक्ष महोदय, मैं इन बातों का जिक्र इसलिए कर रहा था कि बंसल जी अगर शुरू में होते तो शायद इनके मन में यह शक नहीं उठ पाता, जो बात मैं कह रहा था। सरकार की ऐसी कोई नीयत नहीं है। दो साल इसकी बैठक नहीं हुई, हम सचमुच इसके लिए शर्मिन्दा हैं। हमें यह बात कहने में कोई हिचकिचाहट नहीं है। हम उस शर्मिंदगी को दूर करना चाहते हैं, जिससे आगे इसकी गतिविधि में कोई रुकावट न हो। हम चाहते हैं कि हमने जो डी.जी. के पद का जिक्र किया है, उस पद के आते ही इसकी कार्यवाही सुचारु रूप से चल सके। जैसा मैंने पहले कहा कि जो अल्टीरियर मोटिव इसमें देखा जाता है, उप-राष्ट्रपति के रहते, राज्य सभा के सभापति के रहते, इसमें कौन से सरकारी काम की दखलअंदाजी हो सकती है। जिन लोगों का हमने जिक्र किया, सदन के माध्यम से स्पीकर साहब जिन पांच लोगों को रखेंगे, उसमें इस सदन के सारे लोग होंगे। राज्य सभा से जो लोग होंगे, वे भी सदन के सारे लोग होंगे। सरकार कहां उसमें इंटरफियर करने को तैयार है। हमने कहा कि जिन लोगों की हमने सूची बनाई, जिसके बारे में आपने खुद कहा, हम उसमें कोई बदलाव नहीं कर रहे हैं, हम उसमें सिर्फ डी.जी. के पद पर एक बदलाव कर रहे हैं, हमारा अमेंडमेंट सिर्फ डी.जी. पर है। बिल में हमारी तरफ से कोई परिवर्तन नहीं है। ऐमीनेट जर्नलिस्ट्स, ऐमीनेट वाइस चांसलर्स, हम सब लोगों को कमेटी में रखेंगे। मैं फिर भी कहना चाहूंगा कि अगर हमारे ऊपर कोई शक हो तो इस सदन में हम फिर से बहस करने को तैयार हैं। जब हमारी ग्रांट्स पर बहस होती है, उसी तरह इस सदन को पूरी छूट और अधिकार होगा। हम चाहते हैं कि इंडियन काउंसिल ऑफ वर्ल्ड अफेयर्स, जैसा मैंने प्रारंभ में कहा, इस देश में सरकार के अलावा ऐसी कोई दूसरी संस्था हो जो देश के लोगों को दुनिया में हमारी विदेश नीति के नीति निर्धारण को तय करे।

इसीलिए जो हमारी लगभग 60-70 के करीब सैमीनार्स हुए हैं, उन लोगों ने हमारी फॉरेन पॉलिसी को बनाने में मदद की है। हमने जो नीति बनाई है, उसमें इसकी हिस्सेदारी है। हमने जो अफ्रीका का इनीशिएटिव लिया है, उसमें इस काउंसिल की तरफ से जो सैमीनार्स हुए, वे उसका महत्वपूर्ण हिस्सा बने हैं। इसलिए यह कहना कि सरकार कोई दखलअंदाजी करके इसके अस्तित्व को नट करना चाहती है या इसकी सम्प्रभुता को बर्बाद करना चाहती है, ऐसा हमारी नीयत में कभी नहीं है।

मैं आपके माध्यम से सदन से गुजारिश करना चाहता हूँ कि हम इसकी खोई हुई प्रतिष्ठा को पुनर्स्थापित करना चाहते हैं और उस प्रतिष्ठा में शामिल जिन लोगों के नाम हैं, वे हमारे दल के लोग नहीं थे। इस सदन के उस तरफ के लोग ही उसमें मुख्य रूप से जुड़े हुए हैं चाहे वे ज़ाकिर हुसैन जी हों या राधा कृष्णन जी हों या पंडित जवाहर लाल नेहरू जी हों। ये सब कांग्रेस के संस्थापक सदस्यों में से रहे हैं जिनकी बुनियाद पर कांग्रेस बड़ी है। ये उन लोगों के नाम हैं जिनका मैं जिक्र कर रहा हूँ और मुझे गर्व है कि उन्होंने इस देश की विदेश नीति को बनाने में और इस संस्था के माध्यम से महत्वपूर्ण भूमिका का निर्वाह किया है और हम उसी परम्परा को आगे बढ़ाना चाहते हैं, हिन्दुस्तान को एक ताकतवर, शक्तिशाली राष्ट्र के रूप में उसकी विदेश नीति क्या हो, उसमें इंडियन काउंसिल ऑफ वर्ल्ड अफेयर्स की एक भूमिका चाहते हैं। इस बिल को पास कराने में हमारा इतना ही मकसद है और अगर इस सदन के कुछ सदस्यों को तब भी शक और शुबह लगता है कि हमारी कुछ इच्छा अलग है तो फिर भी मैं कहना चाहूंगा कि हम उन शक और शुबाहों को दूर करने का प्रयास करेंगे। यह अन्ततोगत्वा सदन को ही तय करना है कि किस तरह का बिल होगा और किस तरह का बिल नहीं होगा। इसलिए मैं गुजारिश करूंगा कि सिर्फ एक अमेंडमेंट इसमें है और वह डायरेक्टर जनरल का है। इसलिए यह सदन इसको स्वीकार करे ताकि इंडियन काउंसिल ऑफ वर्ल्ड अफेयर्स के काम को हम तेजी से आगे बढ़ा सकें।

SHRI PAWAN KUMAR BANSAL: Sir, I am grateful to the hon. Minister for having agreed to my saying a few words. I am sorry that I was not present when the Bill was otherwise taken up.

Sir, there are very simple clarifications which I would like to seek from him. He has said that, for various reasons, the meetings could not be held. Why could the meetings not be held? We charge the Government that they have failed to hold the meetings. Why we say so is because this is the idea of bringing about the amendments. Firstly, clause (g) says:

"seven members, who are either media personalities or representatives of organisations such as Indian International Centre, Centre for Policy Research, Indian Council of Social Science Research, Institute of Defence Studies and Analyses, Indian Council of Cultural Relations, and interested in the work and objectives of the Council to be selected by the Governing Body of the Council;"

These are the bodies which we thought are mentioned for a good cause. Now, who will decide that. The Government will pick up somebody from the India International Centre? It says 'anyone who is a member of the India International Centre'. Why could it then not be the President of the India International Centre? If they were to bring in an amendment to that effect, then I would have accepted saying that it is a fine and good amendment. But if they say that, 'out of these organisations, someone whom the President nominates', why should it be like that? If you are giving representation to certain bodies, why should it not be left, in the most laudable democratic norms that that particular body is given the right to send its representative? How will you pick up a representative of India International Centre yourself?

Sir, let the hon. Minister excuse me for saying that he is bringing in the name of the Vice-President because that is where we cannot speak. Who is doubting the integrity and *bona fides* of the President in doing something? It is only because we are saying it that the Government is trying to assume this power. Why at all this amendment then? What is the purpose of it? I would like him to explain that purpose.

When he talks of the Director-General, it is done in consultation with the Government. Why so? Why should the Government play a role in it? If you are wanting independent and good Non-Governmental Organisations to come forward in playing their role in the formulation of national policies on international affairs or to deliberate upon matters of vital importance which have a bearing on our national interest, if you want those organisations to prosper, thrive and be vibrant organisations, then why should you poke in your nose? Why don't you just leave it to them? That was precisely the reason why I said that it was because of these factors that we had accepted the first Bill.

MR. DEPUTY-SPEAKER: What is your third clarification?

SHRI PAWAN KUMAR BANSAL : The third clarification relates to the Director-General to be nominated by the Council. Now it is *ex officio* appointment in consultation with the government.

Similarly, the factors which the hon. Minister mentioned about the Members of Parliament being members of the body are extraneous factors. Who is doubting those things? My submission is, as many as 35 members have to be nominated. When there was a provision of nomination from other categories, why do you bring in nomination in this category of organisations also? I would like to know on this point.

Why have we brought in those organisations? Why do you not leave it to them to send their representatives?

**श्री दिग्विजय सिंह :** उपाध्यक्ष महोदय, बंसल जी ने जो आशंका व्यक्त की है, मैंने पहले ही कह दिया था कि गलती हुई है। बैठक होनी चाहिए थी, वह नहीं हो पाई, यह मैंने स्वीकार किया है। लेकिन जहां तक आपने इंडिया इंटरनेशनल सेंटर की बात कही है (व्यवधान) बंसल जी, कृपया पहले सुन लें।

**श्री पवन कुमार बंसल :** इतनी बात न कहने की कोशिश करें कि गलती हुई है, मान रहे हैं।

Our Deputy-Leader is present here. We thought that perhaps this Bill would go to the Standing Committee. It is because such amendments should go to the Standing Committee. So, please do not get excited over that. I know what I am doing.

SHRI SHIVRAJ V. PATIL (LATUR): You can please reply to some questions that I would like to raise.

Sir, we have decided, under the rules, that any Bill which is introduced in the House, after the first reading, has to go to the Standing Committee. If it does not go to the Standing Committee, the House has to decide that it will not go to the Standing Committee, but it will be considered by this House.

Now, he has introduced the Bill. At the first reading, he can ask for the permission that this Bill should not go to the Standing Committee. That is a different issue. We have discussed it not once, twice or three times not only here but

in the Committee also, and rulings also have been given from the Chair that no Bill will be considered by this House without referring it to the Standing Committee. It is not once, but it has been discussed many times.

I am one of those persons who were responsible for drafting the rules for the Standing Committee. When we were drafting the rules for the Standing Committee, it was decided that all the Bills will be referred to the Standing Committee. Only the Bill which is of technical nature, that means where you have to change a date here or a comma there, will not go to the Standing Committee. If you do not want to send it to the Standing Committee, then this House has to decide that it will not go to the Standing Committee but it will be considered here. This is the law, this is the ruling and this is the practice. That procedure should be followed.

Now, you have introduced the Bill. It is not going to the Standing Committee. What has actually happened? They have introduced the Bill two years back. They have made so many provisions in it. Within two years' time, they want to change it. Why is this happening? It is because it did not go to the Standing Committee. It was not allowed to be considered by the Members in detail in the Standing Committee and in a hurry that Bill was passed. That is why you had to come back to this House within two years' time with this kind of a major amendment to this Bill. To avoid this kind of contingency, it was decided that way.

You can refer to or ask the Secretary-General as to whether the rulings have been given or not that all the Bills have to go to the Standing Committee. I am responsible for drafting these rules. I have drafted these rules. We have considered this. We have given rulings to this effect. The rulings were given not only by me but also by others who were sitting in the Chair. You can enquire from the Secretary-General if there is any doubt or ambiguity on this point and then a decision may be taken.

**स्वास्थ्य और परिवार कल्याण मंत्री तथा संसदीय कार्य मंत्री (श्रीमती सुमा स्वराज) :** उपाध्यक्ष जी, मुझे शिवराज पाटिल जी की बात सुनकर काफी आश्चर्य हो रहा है। उनका यह कहना बहुत बड़ा है कि रूल्स उन्होंने ड्राफ्ट किए थे और बिल स्टैंडिंग कमेटी को भेजा जाए, इस तरह का नियम था। लेकिन हर विधायी कार्य को उठाने का अपने यहां समय है। आप स्वयं साक्षी हैं, क्योंकि बी.ए.सी. में आप भी बैठते हैं। मैं स्वयं सरकार की तरफ से क्या विधायी कार्य लिए जाने हैं, यह बिजनेस बी.ए.सी. में रखती हूँ। वहां तय होता है कि इस बिल को स्टैंडिंग कमेटी को भेजा जाए या चर्चा के लिए रखा जाए। अभी जो पिछली मीटिंग हुई, आप साक्षी थे कि उसमें विधायी कार्य के लिए बहुत से बिल रखे गए थे। उसमें शिवराज पाटिल जी ने स्वयं कहा था कि यह बिल स्टैंडिंग कमेटी को जाना चाहिए, तो हमने कहा ठीक है। पवन जी ने कहा कि यह बिल स्टैंडिंग कमेटी को जाना चाहिए, तो हमने कहा कि ठीक है जाना चाहिए। लेकिन इस बिल का बाकायदा टाइम अलाट हुआ था, दो घंटे। इस बिल के आगे लिखा गया है -- दो घंटे। यही नहीं उसके बाद नियम है कि कार्य मंत्रणा समिति का प्रतिवेदन में सदन में रखती हूँ। उस कार्य मंत्रणा समिति के प्रतिवेदन के बाद क्या सरकारी कार्य लिया जाएगा, मैं उसको पढ़ती हूँ। उसमें मैंने पढ़ा कि इंडियन काँसिल आफ वर्ल्ड अफेयर्स बिल के लिए दो घंटे निर्धारित किए गए हैं। उसके बाद मैं एक मोशन पेश करती हूँ, जिसको सदन स्वीकार करता है और कहता है कि यह सभा इस प्रतिवेदन से सहमत है। यह सारी कार्यवाही इस बिल के लिए हुई। बी.ए.सी. ने समय अलाट किया। मैंने स्वयं इस सदन में आकर यह बात पढ़ी, सदन सहमत हुआ। उसके बाद यह बिल कंसिडरेशन और पासिंग के लिए आया है। बिल पर पूरी चर्चा हो गई है।

चर्चा के बाद मंत्री जी का रिप्लाई हो गया और अब यह कहा जा रहा है कि यह बिल स्टैंडिंग कमेटी को जाना चाहिए, मुझे आश्चर्य हो रहा है कि कौन से समय यह प्रश्न उठाया जा रहा है। अगर इस बिल को स्टैंडिंग कमेटी को भेजने का मानस था, तो बीएसी में यह बात कही जाती और मैं मंत्री महोदय से बात करके कह देती कि यह बिल स्टैंडिंग कमेटी को जाना है या नहीं जाना है, उसी तरह प्लीड करती। सदन की बात जो कही जा रही है, सदन की बात तो हो चुकी, सदन ने स्वीकार किया है और इस पर मेरा मोशन है। मोशन में सारी चीजें लिखीं हैं कि यह बिल अगली बार सप्ताह के शुरू में लिया जाएगा। जैसे मैंने आज मोशन दिया है और उस मोशन में मैंने सारी चीजें कहीं हैं, जिस पर सदन सहमति प्रकट कर चुका है और कल जब बिल चर्चा के लिए रखा जाएगा, तब स्टैंडिंग कमेटी की बात कहें। इसमें सारी प्रक्रिया पूरी होने के बाद, मंत्री जी का रिप्लाई हो गया है और अब ये खड़े होकर कहें कि यह बिल स्टैंडिंग कमेटी को जाना चाहिए, यह बात मुझे बिल्कुल भी समझ में नहीं आती है। अब केवल मंत्री जी को इस बिल को पारित करने के लिए निवेदन करना है और सदन ने पारित करना है। स्टैंडिंग कमेटी को भेजने की बात थी, तो उसे बीएसी तय करती। बीएसी के निर्णय के बाद सदन कहता कि बीएसी ने गलत किया है। जिस समय मोशन यहां रखा गया था, उस समय सदन तय करता और कहता कि वह बाकी चीजों से सहमत हैं, लेकिन इसको स्टैंडिंग कमेटी को नहीं भेजना है। इस बिल की सारी प्रक्रिया पूरी कर चुका है। मंत्री जी इस बिल की चर्चा के बाद जवाब दे चुके हैं और बिल को पारित करने का प्रस्ताव कर रहे हैं, तब यह कहा जाना कि इस बिल को स्टैंडिंग कमेटी को भेजा जाए, बिल्कुल सही बात नहीं है।

**SHRI SHIVRAJ V. PATIL :** I have to reply to this point. ...*(Interruptions)* Let Shri Ram Naik have his say and then I will reply to it.

**पेट्रोलियम और प्राकृतिक गैस मंत्री (श्री राम नाईक) :** उपाध्यक्ष महोदय, मुझे भी एक बात कहनी है। जब से इस बिल पर चर्चा शुरू हुई है, मैं तब से सदन में बैठा हुआ हूँ। जितने भी माननीय सदस्यों ने भाग दिए हैं, उनमें से एक ने भी मांग नहीं की है कि इस बिल को स्टैंडिंग कमेटी के पास भेजा जाना चाहिए। (व्यवधान)

**SHRI E.M. SUDARSANA NATCHIAPPAN (SIVAGANGA):** We have opposed it.

**SHRI DIGVIJAY SINGH :** You have opposed it. But you have never asked to send it to the Standing Committee....*(Interruptions)*

**MR. DEPUTY-SPEAKER:** Let me hear Shri Ram Naik. Why are you agitated?

**श्री राम नाईक :** उपाध्यक्ष महोदय, क्लैरिफिकेशन के तौर पर सवाल पूछने के लिए खड़े होकर यह कहना ठीक नहीं है।

**श्री शिवराज वि.पाटील :** इनके बाद अन्य कोई माननीय सदस्य बोलना चाहते हैं, तो ठीक है, नहीं तो मैं जवाब दे देता हूँ।

**श्री दिग्विजय सिंह :** जवाब आपको क्या देना है, जवाब तो हम दे रहे हैं। आपको सवाल पूछना है, तो पूछ लीजिए। (व्यवधान)



SHRI SHIVRAJ V. PATIL : I am not addressing this issue to the hon. Minister but I am addressing this to the Chair.â€¦(व्यवधान)

श्री दिग्विजय सिंह : इस बारे में सदन को फैसला लेना है।â€¦(व्यवधान)

श्री शिवराज वि.पाटील : महोदय, पहले मैंने अंग्रेजी में बोला था, अब मैं हिन्दी में बोलूंगा। पार्लियामेंट्री अफेयर्स मिनिस्टर को अचम्भा हुआ है। वह अचम्भा क्यों गलत है, मैं बताना चाहता हूँ। वे नई-नई पार्लियामेंट्री अफेयर्स मिनिस्टर बनीं हैं, उनको रूल्स के बारे में पूरी तरह से मालूम नहीं है, तो उसकी मेरी जिम्मेदारी नहीं है। मैं रूल पढ़कर बता देता हूँ। This is the stage when we have to do it. â€¦(व्यवधान)

श्री रतन लाल कटारिया (अम्बाला) : आप यह नहीं कह सकते हैं कि सुमा जी को रूल्स का ज्ञान नहीं है। यह कहना गलत है।â€¦(व्यवधान)

श्री शिवराज वि.पाटील : महोदय, मैं कहना चाहता हूँ कि पार्लियामेंट्री अफेयर्स मिनिस्टर की बातों को तोड़ने से मुझे दर्द होता है। आप समझीं नहीं, यह बोलना मुझे बुरा लगता है। अगर मैं आपको बताना चाहता हूँ कि यह मैटर बीएसी में डिसाइड नहीं होता है। दूसरी बात, इस मैटर के ऊपर डिसीजन स्पीकर महोदय को लेना होता है। तीसरी बात, बिल पास करने के लिए तीन स्टेजेज होते हैं। पहली स्टेज कन्सीडरेशन की होती है। दूसरी स्टेज क्लॉज-बाइ-क्लॉज रीडिंग की होती है और तीसरी स्टेज बिल को पास करने की होती है। रूल्स में स्पैसिफिकली बताया गया है कि फर्स्ट रीडिंग के बाद इस बिल को स्टैंडिंग कमेटी को भेजना है। जैसे जब बजट आता है, तब बजट के ऊपर जनरल डिसकशन होने के बाद डिमान्ड्स स्टैंडिंग कमेटी को जाती हैं। बिल के बाय में फर्स्ट रीडिंग के बाद बिल स्टैंडिंग कमेटी को जाता है। यह प्रोसीजर है। मैं कहूंगा कि यदि आपके ध्यान में नहीं है, तो बुरा लगेगा। मैं बतलाना चाहता हूँ कि हर चीज पर अचम्भा हो रहा है, लेकिन प्रोसीजर यही है। The hon. Minister cannot refer to the discussions that had taken place in the Business Advisory Committee. Madam, if you have got the sanction of this House, you have got the sanction of this House to introduce the Bill and not to consider this Bill. Please understand it....(Interruptions)â€¦ As I said earlier, you have got the sanction of this House to introduce the Bill. ...(Interruptions) We want a ruling from the Chair on this point.

**15.00 hrs.**

We want a ruling from the Chair on this point. You may give any ruling.

श्रीमती सुमा स्वराज : आप पहले अपनी बात पूरी कर लें, उसके बाद मैं जवाब दूंगी।

श्री शिवराज वि.पाटील : आप जवाब दीजिए और जरूर इस मामले को उठाइए। आप कह रही हैं कि आपको अचम्भा हो रहा है। बीएसी में क्या होता है, उसे रैफर न करें। मैं भी बता सकता हूँ कि बीएसी में क्या हुआ? बीएसी में यह तय हुआ और आप वहां हाजिर थीं। यदि आपको एविडेंस लेना है, जो वहां दूसरे मैम्बर्स थे, उनका ले सकते हैं। यहां यह चर्चा हो गई कि कोई भी बिल स्टैंडिंग कमेटी में जाना जरूरी है। यदि वह स्टैंडिंग कमेटी में नहीं जाता है तो उसके लिए हाउस की परमिशन लेनी पड़ती है। यहां तक कॉन्स्टीट्यूशन अमेंडमेंट बिल के बारे में भी हमने कहा कि यदि इसे तुरन्त पास करना चाहते हैं तो उसके लिए हाउस से परमिशन लेनी होगी। इसके बाद भी यदि आपको अचम्भा हो रहा है तो गलत बात है। बिल को स्टैंडिंग कमेटी के पास जाने की स्टेज फर्स्ट रीडिंग के बाद है, क्लॉज बाय क्लॉज रीडिंग के पहले है। इसलिए यही स्टेज है, जब यह स्टैंडिंग कमेटी को जाना चाहिए।

MR. DEPUTY-SPEAKER: Now, please let me speak. From 3 o'clock onwards the Private Members' Bill has to start. I have extended the time of this matter for tomorrow and then I will take up the Private Members' Bill.

SHRIMATI SUSHMA SWARAJ: Why, are you not taking up this?

श्री दिग्विजय सिंह : उपाध्यक्ष महोदय, सब चीजें खत्म हो चुकी हैं।â€¦(व्यवधान)

श्रीमती सुमा स्वराज: एक बात जो बिल्कुल गलत कही गई, आप मुझे वह क्लीयर करने दीजिए।â€¦(व्यवधान)

MR. DEPUTY-SPEAKER: I have only said that it is not going to be over.

श्रीमती सुमा स्वराज: उन्होंने कहा कि मैंने इंट्रोडक्शन के लिए सदन से सहमति मांगी थी, यह बात गलत है। मैंने कंसिडरेशन ऐंड पासिंग की सहमति मांगी थी। यह रूल ही अलग है।â€¦(व्यवधान)

SHRI SHIVRAJ V. PATIL : Sir, let me first clear the rule to you.

श्रीमती सुमा स्वराज: उपाध्यक्ष महोदय, आप कम से कम इन बातों का मुझे जवाब देने दीजिए।â€¦(व्यवधान)

श्री शिवराज वि.पाटील : आप जवाब दीजिए लेकिन मैं रूल पढ़ कर बताता हूँ।â€¦(व्यवधान) MR. DEPUTY-SPEAKER: I am sorry. Please let me complete.

...(Interruptions)

MR. DEPUTY SPEAKER: Will you please let me complete?

श्रीमती सुमा स्वराज: उपाध्यक्ष महोदय, मैंने इंट्रोडक्शन की सहमति नहीं मांगी थी। मैंने कंसिडरेशन ऐंड पासिंग की मांगी थी। मैं आपको रूल पढ़ कर बता रही हूँ। मैंने जो मोशन मूव किया था वह कंसिडरेशन ऐंड पासिंग का था। वह इंट्रोडक्शन का नहीं था।

MR. DEPUTY-SPEAKER: My only option is to take up the Private Members' Bill. It is already 3:05 p.m.

...(Interruptions)

SHRI SHIVRAJ V. PATIL : Am I not allowed to clear the rule to you?...*(Interruptions)*

**श्रीमती सुमा स्वराज:** यहां टोटली गलत बात कही जा रही है। मैंने मोशन कंसिडरेशन एंड पारसिंग का पास करवाया था। यह इंट्रोड्यूस बहुत पहले हो चुका है।

MR. DEPUTY-SPEAKER: I have only one option now. Either I have to seek the permission

...*(Interruptions)*

**श्रीमती सुमा स्वराज:** उपाध्यक्ष महोदय, यह फर्स्ट रीडिंग की स्टेज नहीं है। यह कंसिडरेशन एंड पारसिंग का मोशन था। *â€* (व्यवधान)

**श्री शिवराज वि.पाटील :** आप कंसिडरेशन एंड पारसिंग के मोशन पर भी डिस्टिंक्शिव नहीं कर रहे हैं। जब बिल आता है तो फर्स्ट स्टेज पर कंसिडरेशन होती है। *â€* (व्यवधान)

**श्रीमती सुमा स्वराज:** वह पहले हो चुका है। आपको गलतफहमी हो रही है। *â€* (व्यवधान)

SHRI VIJAYENDRA PAL SINGH BADNORE (BHILWARA): The Bill has already been introduced and approved by the House. Today, it is only for the consideration of the Bill.

MR. DEPUTY SPEAKER: I have to seek the permission of the House to continue this matter till it is over or I have to stop it here and then continue it tomorrow.

...*(Interruptions)*

SHRI PRAVIN RASHTRAPAL (PATAN): Private Members' Bill had to be taken at 3 o'clock. ...*(Interruptions)*

MR. DEPUTY-SPEAKER: Shri Rashtrapal ji I have to take the sense of the House.

SHRI PAWAN KUMAR BANSAL : Mr. Deputy-Speaker, Sir, when the Freedom of Information Bill was taken up for consideration in the House, I spoke on that Bill. At that time, I had made a request that it should be referred to the Standing Committee and it was referred to the Standing Committee. But unfortunately, they are confusing between 'consideration' and 'passing' of the Bill. Passing of the Bill is the last stage. It is under consideration now. The hon. Minister is saying everything is over. How can she say everything is over without voting on the Bill? Then, I have other points also to raise when the voting comes. We cannot vote on this Bill today. ...*(Interruptions)*

MR. DEPUTY-SPEAKER: Please take your seat.

...*(Interruptions)*

SHRI PAWAN KUMAR BANSAL : Sir, I am on a point of order. There is no quorum in the House.

MR. DEPUTY-SPEAKER: The bell is being rung*â€*

MR. DEPUTY-SPEAKER: Now there is a quorum.

**श्रीमती सुमा स्वराज :** उपाध्यक्ष जी, पता नहीं क्यों बेवजह उत्तेजना हो गई। मैं बहुत ही शान्ति से अपनी बात रखना चाहती हूँ। जैसा मैंने प्रारम्भ में ही कहा कि मैं कभी भी कल्पना नहीं कर सकती कि श्री शिवराज पाटील जी से किसी विषय पर मुझे उलझना पड़े। मुझे इस बात का दुख हुआ जब उन्होंने मुझ पर व्यक्तिगत वार करते हुये कहा कि मैं अभी- अभी संसदीय कार्य मंत्री बनी हूँ, इसलिये मुझे रूल्स की जानकारी नहीं है। पहली बात यह है कि जब भी कोई सदन में आता है, केवल संसदीय कार्य मंत्री को रूल्स की जानकारी होती है, ऐसा नहीं है। इस सदन के सभी सदस्य रूल्स पढ़ते हैं। मैं पिछले 13 साल से संसद में हूँ और शायद लोकसभा और राज्य सभा के सभी रूल्स मेरे टिप्स पर हैं। जहां तक बिल की बात है, यह सब को मालूम है कि उस में फर्स्ट रीडिंग, सैंकिड रीडिंग और थर्ड रीडिंग होती है। मैं ने सारे रूल्स सदन में नहीं पढ़े। जब मैंने लॉ किया था, श्री पवन कुमार बंसल मेरे साथ थे, उस समय पढ़ा था कि बिल कैसे पास होता है और इसकी तीन रीडिंग - फर्स्ट, सैंकिड और थर्ड - होती हैं। यह जानकारी मुझे आज से 33 साल पहले हो गई थी।

उपाध्यक्ष महोदय, जहां तक आज के विषय का सवाल है और मैंने जो बात कही, एक गैर-जानकारी के आधार पर श्री शिवराज पाटील बात कर रहे थे। यह बिल इंट्रोड्यूस करने के लिये सदन की सहमति नहीं मांगी गई। मैं बी.ए.सी. का जिक्र नहीं करना चाहती। मैं मोशन पढ़कर सुनाना चाहती हूँ जो मैंने यहां रखा था। यह उस दिन का मोशन है जिसकी कंसिडरेशन और पारसिंग के लिये मैंने अनुमति मांगी थी और आज बिल पारसिंग और कंसिडरेशन के लिये लगा है।

फर्स्ट रीडिंग उस समय खत्म हो गई जब इंट्रोडक्टी स्टेज थी। जैसा मैंने कहा कि हर विषय को उठाने का यहां समय है। कांस्टीट्यूशन तय करता है कि फर्स्ट रीडिंग पर आप केवल लेजिस्लेटिव काम्पिटेंस के आधार पर किसी भी बिल की आलोचना कर सकते हैं या उसे रोकने की बात कर सकते हैं। यह बिल बहुत पहले इंट्रोड्यूस हो चुका है। यह बिल आज इंट्रोड्यूस नहीं हो रहा है। यह आज का लिस्ट ऑफ बिजनेस है, जहां यह बिल कंसिडरेशन एंड पारसिंग के लिए लगा है। यह वह मोशन है जो मैंने 23 अप्रैल को इसी सदन में मूव किया था और जिसमें मैंने कहा था -

"The Bill for consideration and passing:

The Indian Council of World Affairs (Amendment) Bill, 2003 for consideration and passing - 2 hours. "

इसलिए मैं कहना चाह रही हूँ कि जो वह समझ रहे हैं कि मैंने इंट्रोडक्शन के लिए सहमति मांगी थी या बिल की फर्स्ट रीडिंग चल रही है, यह सच नहीं है। मैंने

कंसीडरेशन एंड पारसिंग की अनुमति मांगी थी, इंट्रोडक्शन की अनुमति मैं इससे पहले वाले मोशन में मांग चुकी थी। यह सहमति सदन ने दी है। आज उसकी सैकिंड रीडिंग हो चुकी है, इंट्रोडक्शन पहले हो गया है। यह फर्स्ट रीडिंग की स्टेज नहीं है, इंट्रोडक्शन पहले हो चुका है। इंट्रोडक्शन के समय किसी तरह की आलोचना नहीं हुई। इंट्रोडक्शन के समय किसी ने नहीं कहा कि यह बिल स्टैंडिंग कमेटी में जाए। उसके बाद कंसीडरेशन एंड पारसिंग की मैंने सहमति मांगी, उस पर सदन ने सहमति दी और आज सैकिंड रीडिंग हो गई, थर्ड रीडिंग हो गई। अब केवल पारसिंग की स्टेज है। सर, अब केवल मंत्री महोदय को यह कहना है कि विधेयक पारित किया जाए और आपको कहना है हां या न का जवाब और फिर आपको कहना है, सहमति है।

SHRI PAWAN KUMAR BANSAL : Madam, for God sake, please do not commit that mistake. ...(*Interruptions*)

MR. DEPUTY-SPEAKER: Let her complete. I am here.

**श्रीमती सुमा स्वराज** : अब बिल उस स्टेज पर है जब केवल मंत्री महोदय यह कहेंगे, वह रिप्लाय भी दे चुके हैं, अब केवल वह स्टेज है जब आप कहेंगे - "The Minister to move that the Bill be passed." The Minister will stand up and say: "I beg to move that the Bill be passed." Then, Sir, you will ask, 'Ayes' and 'Noes'. Then, you will say, "Ayes have it. Ayes have it." The Bill is passed. That is the stage.

इस स्टेज पर यह कहना कि यह बिल स्टैंडिंग कमेटी को भेजा जाए, यह बिल्कुल नियमों के विरुद्ध होगा।

**श्री पवन कुमार बंसल** : सुमा जी से इतनी बड़ी गलती नहीं हो सकती, जो हो गई।

SHRI SHIVRAJ V. PATIL : Mr. Deputy-Speaker, Sir, with all due respect to Shrimati Sushma Swaraj, I would like to say that she is a very intelligent Minister, she is a very efficient Minister, and she is doing very well. We are receiving all the co-operation from her. I have no objection to it. Sir, supposing she has a wrong understanding of the law and some Members sitting here are explaining this thing to you and to the House and trying to get a ruling from you, it should not be felt that we are insulting her. We are not insulting her. She is a respectable hon. Member and Minister and we respect her. I must go on record on this point.

Sir, let her understand that when we are objecting, we are objecting to nothing but the wrong interpretation of the law. Madam, you have said today while speaking that this is the second reading. This is not the second reading. The introduction stage is not the first reading. When the Bill is introduced, it is not treated as the first reading. When the Bill is put to the House for consideration, that is supposed to be the first reading. And probably you are mistaking this first reading with the introduction stage. What I am saying is that unless this Bill is before the House, the hon. Presiding Officer does not have any jurisdiction to refer this Bill to the Standing Committee. It is only after you introduce this Bill and generally when the general principles are discussed, this Bill is referred to the Standing Committee. ...(*Interruptions*)

SHRI VIJAYENDRA PAL SINGH BADNORE : Not after the debate. ...(*Interruptions*)

SHRI SHIVRAJ V. PATIL : After the debate ...(*Interruptions*)

SHRI PRAVIN RASHTRAPAL : After the debate ...(*Interruptions*)

SHRI SHIVRAJ V. PATIL : Let us not quarrel between ourselves. Let the hon. Chair give any ruling and we will be bound by it. Let me put my point of view here. ...(*Interruptions*)

SHRI KHARABELA SWAIN (BALASORE): Sir, I have got a point of order under Rule 76. Please allow me. ...(*Interruptions*)

MR. DEPUTY-SPEAKER: Let him complete. I will give the floor to you afterwards.

SHRI SHIVRAJ V. PATIL : I have to get a ruling from you. So, I would request you to please pay attention to the kind of submission that I am making to you. Sir, the first reading is not the stage of introduction. Let us understand that the first reading is the stage of consideration. The second reading is the stage of clause-by-clause reading, and the third reading is when the Minister gets up and says that the Bill be passed. Now, this can happen that the Bill can go to the Standing Committee only when it is before the House, when it is introduced and when it is considered. The Speakers have been sending this Bill to the Standing Committee after this stage. This is exactly the stage when it has to go. This has been done in this House. If you think and want to give any other ruling, please give any other ruling. If you want to reserve the ruling, we have no objection to it, but let this issue once for all be discussed and clearly clinched. As a Speaker, I had given the ruling. Other Speakers had given the ruling. They are part of the record. If you need time for considering those things, you please take time and give the final ruling on this point. Then only, you have to take this into consideration.

**श्रीमती सुमा स्वराज** : उपाध्यक्ष जी, इससे पहले कि आप रूलिंग दें, मैं दो बातें आपसे कहना चाहती हूँ। पहली बात यह कि मैंने कभी नहीं कहा कि इंट्रोडक्शन से पहले बिल स्टैंडिंग कमेटी को जाता है। यह तो वह कहेगा, जिसे बिल्कुल नियमों की जानकारी नहीं होगी। पहले बिल इंट्रोड्यूस होता है, उसके बाद स्पीकर या चेयरमैन उसको स्टैंडिंग कमेटी को भेजते हैं। इसलिए बिल इंट्रोड्यूस हुआ, उसके बाद की स्टेज थी कि बिल स्टैंडिंग कमेटी को जा सकता था। मैं फिर कहना चाहूँगी कि जब मैंने दोबारा बीएसी के सामने रखा तो टाइम अलॉटमेंट के लिए रखा। वह समय था जब बीएसी कहती। **â€** (व्यवधान)

एक मिनट मुझे अपनी बात पूरी करने दें। (व्यवधान)

MR. DEPUTY-SPEAKER: Let her say what all she wants to say.

**श्रीमती सुमा स्वराज** : उपाध्यक्ष जी, वह स्टेज निकल गई। अब उसके बाद शिवराज पाटिल जी ने कहा। (व्यवधान) मैं आपकी बात ही कह रही हूँ। आपने कहा कि उसके बाद सदन तय कर सकता है कि स्टैंडिंग कमेटी को जाए या न जाए।

**श्री शिवराज वि.पाटील** : जाए या नहीं जाए नहीं, let me correct it. (Interruptions)

**श्रीमती सुमा स्वराज** : एक मिनट आप लोग शांत बैठिये।

SHRI SHIVRAJ V. PATIL : What I said was, all the Bills have to go to the Standing Committee. If the *Sadan* does not want that the Bill should go to the Standing Committee, the *Sadan* can decide that. That is what I have said.

**श्रीमती सुमा स्वराज** : सारा झगड़ा खत्म। जो शिवराज जी चाहते हैं, आप वह कर लीजिए। आप इनके बिल को वोट करने से पहले आप इनका मोशन जो कि आया नहीं है, ओरल मोशन स्वीकार कर लीजिए और पूछ लीजिए सदन से कि क्या यह बिल स्टैंडिंग कमेटी को जाना चाहिए - उस पर हाँ या ना कर लीजिए। उसके बाद बिल पर वोट करा लीजिए। झगड़ा खत्म करिये। हम इस पर झगड़ा नहीं चाहते। उनका ओरल मोशन स्वीकार कर लीजिए कि स्टैंडिंग कमेटी को जाए या नहीं जाए। सदन हाँ या ना कहेगा, उसके बाद बिल पर वोट कराइए। (व्यवधान)

SHRI SHIVRAJ V. PATIL : The *Mi*, you move it also. You have not moved your clause-by-clause consideration. How can you go and say that the Bill may be passed? ... (Interruptions) I wonder as to how this is being done in the House. ... (Interruptions) I really wonder how the Minister of Parliamentary Affairs is arguing the case. I hate to argue a case like this. The Minister of Parliamentary Affairs is saying that we have to move the motion for sending it to the Standing Committee. She has to move the motion for not sending it to the Committee and not we. She has to do it. I hate to contradict each and every statement she is making on the floor of the House. It is the Government which has to do. It is the Government's Bill. It is not the Private Member's Bill. The Private Members are not interested. You have not moved the motion. You come with the motion before the House and then the House will consider it.

**श्री दिग्विजय सिंह** : उपाध्यक्ष महोदय, मैं तो इस बिल को आपके सामने रखने वाला था, तब तक बंसल साहब ने हमसे कुछ पूछा। मैं उसका जवाब दे रहा था। बहस की बात तो खत्म हो चुकी थी। तब तक पाटिल जी आकर इस बहस को फिर आगे बढ़ाना चाह रहे थे। मैं बोलने जा रहा था कि हमें इजाजत दी जाए कि हम इस बिल को आपके सामने मूव करें और आप इस पर बोलने ही वाले थे। यह बात कहां से उठ गई मेरी समझ में बात नहीं आई। आपसे मैं इजाजत चाहूँगा अगर आपकी इजाजत हो तो "I beg to move that the Bill be passed." मैं तो यही बोलने जा रहा था। ... (Interruptions)

SHRI SHIVRAJ V. PATIL : You have not understood it. First of all, the Bill is considered. Then, it is put to the vote and then you go to clause-by-clause consideration. Then these things. ... (Interruptions) The Government has to come here.

श्री दिग्विजय सिंह : वह सब हो चुका है। आप उस समय नहीं थे।

SHRI KHARABELA SWAIN : I have a point of order.

MR. DEPUTY-SPEAKER: Shri Kharabela Swain has a point of order.

SHRI KHARABELA SWAIN : Sir, my point of order is under rule 76. It says:

"No motion that a Bill be taken into consideration or be passed shall be made by any member other than the member in charge of the Bill and no motion that a Bill be referred to a Select Committee of the House, or a Joint Committee of the Houses with the concurrence of the Council, or be circulated for the purpose of eliciting opinion thereon shall be made by any member other than the member in charge except by way of amendment to a motion made by the member in charge " (व्यवधान)

So, actually, at this stage, nobody else can do it. It is only the Minister who has the right to do it under rule 76. So, how can a Member, who is not in charge, raise this point at this stage? He cannot do it. ... (Interruptions)

**उपाध्यक्ष महोदय** : यह सलेक्ट कमेटी का है।

SHRI KHARABELA SWAIN : It speaks about both Select Committee and Joint Committee though it does not specifically mention about Standing Committee. ... (Interruptions)

SHRI PAWAN KUMAR BANSAL : Sir, the rules for the Standing Committees are given at 331C. ... (Interruptions)

The first submission I have to make is that the rule that Shri Kharabela Swain has read out refers only to the Select Committees. There is no case for sending the matter to the Select Committee now. None of us has either asked for it. We have not asked for the Bill to be circulated for eliciting public opinion. We are asking for the Bill to be sent to



the Standing Committee. ...(*Interruptions*)

Sir, you may please hear me and after hearing what I say, you may dispose it. ...(*Interruptions*)

SHRI KHARABELA SWAIN : Sir, rule 331C says: "There shall be departmentally related Standing Committees of the Houses" That is the only thing written there. ...(*Interruptions*) So, rule 331C is not relevant. Nothing has been mentioned in rule 331C. ...(*Interruptions*)

श्री पवन कुमार बंसल : कंसीडरेशन क्या होता है, आप इसे पढ़िए। (व्यवधान)

श्री दिग्विजय सिंह : आप क्या करना चाहते हैं, यह बताइए? (व्यवधान)

इस विधेयक का समय भी पूरा होने जा रहा है। (व्यवधान)

श्री पवन कुमार बंसल : इसके लिए दो घंटे का समय फिक्स किया है।

SHRI DIGVIJAY SINGH: Sir, may I move the motion now? (Interruptions)

SHRI KHARABELA SWAIN : Sir, rule 331C says absolutely nothing about this and therefore it is totally irrelevant here. You may please give your ruling. ...(*Interruptions*)

SHRI PAWAN KUMAR BANSAL : Before that, I have to make one submission.

संसदीय कार्य मंत्रालय में राज्य मंत्री तथा पर्यटन और संस्कृति मंत्रालय में राज्य मंत्री (श्रीमती भावनाबेन देवराजमाई चीखलीया) : उपाध्यक्ष महोदय, हाउस सबसे सर्वोपरि है।

SHRI PAWAN KUMAR BANSAL : Mr. Deputy-Speaker, Sir, the first submission is a very short one that I have to make. It is that rule 76 is not at all applicable here. ...(*Interruptions*)

डॉ. विजय कुमार मल्होत्रा : आप इस विधेयक को कब तक रोकेंगे, इस पर वोटिंग भी होनी है। **Will the minority rule the House?** वोटिंग का मामला है और इस पर इतनी देर हो गई है। इन्होंने मूव कर दिया, सब कुछ हो गया, उसके बावजूद भी ये इतनी देर से वोटिंग रोके जा रहे हैं, यह क्या तरीका है।

MR. DEPUTY-SPEAKER: I have to give the ruling.

...(*Interruptions*)

श्रीमती आभा महतो (जमशेदपुर) : महोदय, ये कभी कोरम की बात करते हैं और कभी स्टैंडिंग कमेटी की करते हैं। ये कहना क्या चाहते हैं। महोदय, केवल सदन का समय बर्बाद किया जा रहा है, और कुछ नहीं है।

SHRI PAWAN KUMAR BANSAL : Then, will the brute majority rule? We are raising a legal question and they want to skirt the legal question. The legal question is this. We were in the midst of the discussion on the Bill, that is the debate. It was the debate which was on. ...(*Interruptions*) If I have not been understood, it is the debate, during which Members speak, which was on. A Minister is also a Member. The Minister was speaking. During his speech, I sought your indulgence and I had also said a few words.

There I had also made a request that the Bill be referred to the Standing Committee. I would like to say with utmost humility for the benefit of the hon. Members on the other side that this request can be made any time before passing of the Bill. ...(*Interruptions*)

डॉ. विजय कुमार मल्होत्रा : हम रिक्वेस्ट को नहीं मानते।

SHRI SHIVRAJ V. PATIL : Sir, we will abide by your ruling. We want a ruling from you. If you want time, you can ask for the time. But we expect a ruling from you and only after your ruling, this Bill should come. ...(*Interruptions*)

SHRI J.S. BRAR (FARIDKOT): Sir, the hon. Deputy Leader of the Congress Party had been the distinguished Speaker of this House. He has given so many important rulings. ...(*Interruptions*)

श्री पवन कुमार बंसल : मानने वाली एक बात है, लेकिन आपका यह कहना कि हम नहीं जानते कि हम क्या कर रहे हैं और आप जो कह रहे हैं, वह सही है, यह गलत है। क्लाज बाई क्लाज को आप समझते ही नहीं हैं कि क्या होता है। यही तो हुआ है। (व्यवधान)

डॉ. विजय कुमार मल्होत्रा : हम क्या समझते हैं, कुछ भी नहीं समझते।

MR. DEPUTY-SPEAKER: Now, let me give my finding. Shri Shivraj Patil has raised a matter that when the discussion is under the first stage of the reading and if it is not complete, then within that the matter can be referred to the Standing Committee. There is a dispute from this side that the first stage of reading is complete when the hon. Minister gives reply to the discussion. Now, he had himself given many rulings. His predecessors had also

given many important rulings. I could not lay my hands on all these rulings.

...(Interruptions)

डॉ.विजय कुमार मल्होत्रा : आप वोटिंग कराइये।

MR. DEPUTY-SPEAKER: Before I give the ruling, I would like to see the rulings. He himself had given many rulings. If the Secretariat can give me all those rulings, I can have a study and then give my dispassionate ruling.

DR. VIJAY KUMAR MALHOTRA : Sir, please listen to me. ठीक है, आप यह कहें कि समय हो रहा है। वोटिंग के बाद 4-4 बार हर बार यह हो रहा है कि वोटिंग के टाइम पर हाउस को डिस्टर्ब करो। (व्यवधान)

उपाध्यक्ष महोदय : टाइम की बात नहीं है। विजय कुमार जी, आप जरा सुनिये तो सही।

DR. VIJAY KUMAR MALHOTRA : Had there been any Bill passed by this House without going to the Standing Committee? ...(Interruptions) There are hundreds of Bills. ...(Interruptions)

MR. DEPUTY-SPEAKER: Many Bills have been passed.

...(Interruptions)

डॉ.विजय कुमार मल्होत्रा : शिवराज जी कोट करें कि कोई बिल ऐसा है कि बिना स्टैंडिंग कमेटी में गये पास हुआ है कि नहीं हुआ है। It is not compulsory. ...(Interruptions) यह थोड़े ही है कि यह बिल स्टैंडिंग कमेटी में जायेगा ही।

SHRI PAWAN KUMAR BANSAL : Sir, kindly see Rule 288. (Interruptions)

श्री दिग्विजय सिंह : मैं आपसे यह कहना चाहूंगा कि स्टैंडिंग कमेटी को भेजने का शिवराज जी का प्रस्ताव है। अगर इसे स्टैंडिंग कमेटी में भी भेजने की बात हो रही है, वह भी तो हाउस की सेंस से ही तय होगा। आप हाउस की सेंस ले लीजिए कि स्टैंडिंग कमेटी में जाये। हम इनकी बात को मानते हैं, हाउस की सेंस ले ली जाये कि इसे स्टैंडिंग कमेटी में भेजना है या नहीं भेजना है। (व्यवधान)

श्री शिवराज वि.पाटील : वह स्पीकर करते हैं। (व्यवधान)

श्री दिग्विजय सिंह : हमने उनकी बात मान ली, जो वे कह रहे हैं। हम उनकी बात मानने को तैयार हैं, आप हाउस की सेंस ले लें।

उपाध्यक्ष महोदय : विजय कुमार जी, मुझे अपनी बात पूरी करने के पहले ही आप बोलने लगे।

श्री दिग्विजय सिंह : हम उनकी बात मान रहे हैं ।

श्रीमती सुमा स्वराज : माननीय उपाध्यक्ष महोदय, शिवराज जी ने एक बात कही कि स्टैंडिंग कमेटी में नहीं जाना चाहिए, यह मोशन संसदीय कार्य मंत्री लायें। मैं फिर कह रही हूँ कि संसदीय कार्य मंत्री को तो इस मोशन की जरूरत इसलिए नहीं पड़ी, क्योंकि संसदीय कार्य मंत्री ने जो मोशन रखा, उससे सदन ने सहमति जाहिर कर दी। अब अगर शिवराज जी चाह रहे हैं कि स्टैंडिंग कमेटी को जाये तो यह मोशन इनका है। मैं कह रही हूँ कि ओरल मोशन ले लीजिए और अभी वोटिंग करवा दीजिए। इनका मोशन ले लीजिए न। (व्यवधान) संसदीय कार्य मंत्री को इस मोशन की जरूरत नहीं है। संसदीय कार्य मंत्री को यह मोशन देने की जरूरत इसलिए नहीं है कि मेरा मोशन तो सदन ने मान लिया। अगर आपका मोशन है कि यह जाना चाहिए तो वह मोशन दीजिए और मोशन पास करवा लीजिए, उसमें समय क्यों बर्बाद कर रहे हैं? सरकार यह नहीं चाहती। (व्यवधान) उपाध्यक्ष जी, अगर मोशन की भाषा यह है कि यह स्टैंडिंग कमेटी को नहीं जाना चाहिए, तब तो मैं मोशन लाती या सम्बन्धित मंत्री लाते। हमें दो सदन ने दो घंटे दे दिये और सदन ने मेरा मोशन स्वीकार कर लिया। अगर वे चाहते हैं कि स्टैंडिंग कमेटी में यह बिल जाना चाहिए तो वे ओरली मोशन लायें और वोटिंग करवा लें।

श्री शिवराज वि.पाटील : आप मोशन लायें कि यह स्टैंडिंग कमेटी में नहीं जायेगा।

श्रीमती सुमा स्वराज : मैं ओरल मोशन देती हूँ।

श्री शिवराज वि.पाटील : ऐसा मोशन नहीं होता है।

There is no question of moving a motion like this. ...(Interruptions) You cannot say like that. It is according to the law. ...(Interruptions)

श्रीमती सुमा स्वराज : मेरे मोशन की तो जरूरत ही नहीं है। (व्यवधान) मैं कह रही हूँ कि जाना चाहिए था (व्यवधान) मेरे मोशन की तो जरूरत ही नहीं है। (व्यवधान)

SHRI SHIVRAJ V. PATIL : Sir, are the motions moved like this? Have they adopted this method? ...(Interruptions)

डॉ.विजय कुमार मल्होत्रा : यह हाउस चाहता है कि इसको यहीं पास किया जाये और स्टैंडिंग कमेटी में न भेजा जाये। (व्यवधान) यह मोशन मैं मूव करता हूँ। (व्यवधान)

श्री शिवराज वि.पाटील : ऐसा मोशन मंजूर करने के लिए मोशन देना पड़ता है। आपको रूल (व्यवधान) Sir, are motions moved like this?

...(Interruptions)

DR. VIJAY KUMAR MALHOTRA : I move that this may be passed in the House and not sent to the Standing Committee. ...(*Interruptions*)

**श्रीमती भावनाबेन देवराजभाई चीखलीया** : उपाध्यक्ष महोदय, हाउस का सेंस लिया जाये। â€¦(*ब्यवधान*)

SHRI SHIVRAJ V. PATIL : If you want to do it like thisâ€¦ ...(*Interruptions*) Mr. Deputy-Speaker, Sir, are the motions moved like this? ...(*Interruptions*) Shri Ram Naik, you are a senior Member of this House and a senior Minister. You tell us on this. ...(*Interruptions*)

SHRI PAWAN KUMAR BANSAL : You cannot move a motion like this. ...(*Interruptions*) That is why you want it. ...(*Interruptions*)

**श्री दिग्विजय सिंह** : उपाध्यक्ष महोदय, आप फैसला कीजिए। â€¦(*ब्यवधान*)

SHRI RAM NAIK: Sir, hon. Member Shri Shivraj Patil is saying something. I am not in a position to hear it. Shri Shivraj Patil, you can argue as usual and then I can understand it. ...(*Interruptions*)

SHRI SHIVRAJ V. PATIL : This is the point. ...(*Interruptions*) On such a small thing, if you are not understanding that why we are doing it, I am very sorry. I can argue that. ...(*Interruptions*) I want to know whether the motions in the House are moved orally like this? â€¦(*Interruptions*) I want to know whether the motions are not required to be given in writing and whether they are required to be given two days in advance? ...(*Interruptions*) He says 'I am moving'. ...(*Interruptions*)

**श्रीमती भावनाबेन देवराजभाई चीखलीया** : आपने बार-बार कहा, इसीलिए कहा गया। â€¦(*ब्यवधान*)

SHRI RAM NAIK : Even if it is to be given in writing, what is the point that you are raising now? ...(*Interruptions*)

SHRI SHIVRAJ V. PATIL : He is saying that he is moving it. ...(*Interruptions*)

SHRI RAM NAIK: It was since you said that. â€¦...(*Interruptions*)

SHRI SHIVRAJ V. PATIL : The hon. Minister of Parliamentary Affairs said that.

**श्रीमती भावनाबेन देवराजभाई चीखलीया** : उपाध्यक्ष महोदय, यह हाउस की प्रापर्टी हो चुकी है इसलिए अब हाउस तय करेगा। â€¦(*ब्यवधान*)

SHRI RAM NAIK : You have said that. ...(*Interruptions*) The issue is simple.

SHRI PAWAN KUMAR BANSAL : Sir, the question at the moment is as to what is the stage and where we are now. ...(*Interruptions*)

SHRI RAM NAIK : Sir, the issue is so simple. The hon. Minister has to say that it should be voted. This is the stage where we are in. Some clarifications were sought to which the hon. Minister has replied and the voting must take place now. It is so simple. If at all another motion is required, you can move the motion for the closure of this discussion and go for the voting. ...(*Interruptions*)

SHRI SHIVRAJ V. PATIL : Shri Ram Naik, I expected that somebody in the House would say that if a motion has to be moved, it has to be moved in writing. ...(*Interruptions*)

SHRI DIGVIJAY SINGH: We do not want the motion. It is only you who wanted it. ...(*Interruptions*) How can you say like that? ...(*Interruptions*)

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS (SHRI HARIN PATHAK): If you want it, you can move it. The Government does not move the motion to send the Bill to the Standing Committee. â€¦(*Interruptions*) You move it if you want. ...(*Interruptions*) I am also a Member of this House for the past 15 or 16 years. ...(*Interruptions*)

MR. DEPUTY-SPEAKER : I was about to finish my observation when Dr. Vijay Kumar Malhotra spoke.

...(*Interruptions*)

SHRI PAWAN KUMAR BANSAL : Sir, the hon. Minister should tell us whether they are in a position to do it. ...(*Interruptions*)

SHRI SHIVRAJ V. PATIL : Sir, the hon. Minister should tell us that motions can be moved in the House in this fashion. ...(*Interruptions*)

SHRI HARIN PATHAK : We do not want it. Our motion is to pass this Bill. ...(*Interruptions*)

MR. DEPUTY-SPEAKER : This is not the matter. The matter is now with regard to referring this matter to the Standing Committee. You raised it.

...(*Interruptions*)

MR. DEPUTY-SPEAKER : Now, you have mentioned some of the rulings and also your rulings and those of others. There are a number of Bills which have been passed in this House even without referring to the Committee. I was about to complete my observation. Since he has raised so many matters, so many rulings and all, I am not in a position to get all these rulings and I would like to consult my senior and then come back to giving ruling.

...(*Interruptions*)

SHRI SHIVRAJ V. PATIL : Sir, are you not in a position to tell us that a motion can be moved like this or not? ...(*Interruptions*) Are you not in a position to tell us on that point? ...(*Interruptions*)

MR. DEPUTY-SPEAKER: That is not the question.

...(*Interruptions*)

SHRI SHIVRAJ V. PATIL : Sir, I am asking for a ruling from you. Everybody is saying that a motion can be moved like this. Are you not in a position to tell us that it cannot be done like this? ...(*Interruptions*)

MR. DEPUTY-SPEAKER : There cannot be any motion under rules for referring or not referring this Bill to the Standing Committee.

...(*Interruptions*)

MR. DEPUTY-SPEAKER: That is only the prerogative of the Speaker.

...(*Interruptions*)

SHRI SHIVRAJ V. PATIL : I am seeking a ruling from you on how the motion is moved ...(*Interruptions*)

MR. DEPUTY-SPEAKER: I have told.

...(*Interruptions*)

SHRIMATI BHAVNABEN DEVRAJBHAI CHIKHALIA: Sir, the House is supreme. ...(*Interruptions*)

डॉ.विजय कुमार मल्होत्रा : यह पार्लियामेंट रूल से चलेगी या ऐसे जंगल राज चलेगा? (ब्यवधान)

श्रीमती भावनाबेन देवराजभाई चीखलीया : उपाध्यक्ष महोदय, यह हाउस की प्रापर्टी है, इसे हाउस तय करेगा। (ब्यवधान)

SHRI HARIN PATHAK: Sir, the Government has come before the House with the Bill for consideration and passing. This is the motion of the Government. ...(*Interruptions*) Now, it was placed before the House two hours ago. It was accepted by the House. The time was allotted for the Bill in the meeting of the Business Advisory Committee. The discussion was over. The Minister replied to it. Some clarifications were sought by the hon. Member, which were also replied to. Now, they want to say that it should be sent to the Standing Committee and the Government does not want to send it to the Standing Committee. ...(*Interruptions*)

MR. DEPUTY-SPEAKER: No, I am not giving that ruling at all.

...(*Interruptions*)

SHRI HARIN PATHAK: The Government has brought this Bill before the House ...(*Interruptions*) We want it to be passed today. How can we send it to the Standing Committee? We are also Members here for the last 15 years. ...(*Interruptions*)

DR. VIJAY KUMAR MALHOTRA : Sir, it cannot be stopped at this stage. ...(*Interruptions*)

SHRI SHIVRAJ V. PATIL : You and I do not decide; the Presiding Officer decides. ...(*Interruptions*)



SHRI HARIN PATHAK: Now, the Government does not want to send it to the Standing Committee. We have brought it before the House. The House has discussed it and the Minister has replied to it. Then, clarifications were sought and the Minister has replied to them also. Now, we do not want to send it to the Standing Committee. It is the hon. Member on the other side who wants to send it to the Standing Committee. Then, how can we say ...*(Interruptions)*

**डॉ.विजय कुमार मल्होत्रा :** गवर्नमेंट का काम नहीं रोका जा सकता।*(व्यवधान)*

**श्रीमती सुमा स्वराज :** इसमें बेसिक सवाल यह है कि क्या इस समय सदन के सामने कोई मोशन श्री शिवराज जी द्वारा या किसी के द्वारा है कि यह बिल स्टैंडिंग कमेटी को जाए। जब मोशन ही नहीं है तो हम चर्चा किस पर कर रहे हैं। अगर हमारा मोशन राइटिंग में चाहिए तो उनका मोशन भी राइटिंग में चाहिए। आपके सामने कोई मोशन नहीं है किसे आप मूव करेंगे, आपके सामने बिल है।

SHRI PAWAN KUMAR BANSAL : Sir, no motion need to be given for sending a Bill to the Standing Committee. What are they talking? *(Interruptions)*

MR. DEPUTY-SPEAKER: There is no such motion at all. It is only the Bill for consideration and discussion.

...*(Interruptions)*

**श्रीमती सुमा स्वराज :** फिर आप बिल पारित करवाइए। बिल आपके सामने है और स्टैंडिंग कमेटी का मोशन नहीं है तो बिल पारित करवाइए।*(व्यवधान)*

SHRI HARIN PATHAK: Sir, there is no motion before the House whether to send it to the Standing Committee or not. The motion is for consideration and passing of the Bill. How can it be sent to the Standing Committee when there is no motion before the House? ...*(Interruptions)*

SHRIMATI SUSHMA SWARAJ: Before the hon. Deputy-Speaker, it is only the Bill. ...*(Interruptions)* Sir, when there is no motion before you, आप किस पर रूलिंग देंगे। ...*(Interruptions)*

SHRI PAWAN KUMAR BANSAL : Sir, the point the Minister is now raising is that a motion is required for sending a Bill to the Standing Committee. No motion is required. ...*(Interruptions)*

Sir, please consult the rules. Sir, please consult the Speaker. With utmost humility, I am saying that no motion is required for sending a Bill to the Standing Committee. ...*(Interruptions)*

**श्रीमती भावनाबेन जेवराजमाई चीखलीया :** उपाध्यक्ष जी, सदन का समय बर्बाद हो रहा है।*(व्यवधान)*

SHRI PAWAN KUMAR BANSAL : Sir, the question that had arisen was 'what is the stage?' For that stage, kindly see Rule 88. It reads :

"Notwithstanding anything contained in these rules, the Speaker may, when a motion that a Bill be taken into consideration has been carried... "

Sir, a motion that the Bill be taken into consideration has not been moved, has not been taken up. ...*(Interruptions)*

Sir, kindly allow me a minute to explain my point. A motion that the Bill be taken into consideration has not been moved, has not been taken up. ...*(Interruptions)*

**श्रीमती सुमा स्वराज :** आपने कहा था कि मोशन नहीं है। आप बिल पारित करवाइए।*(व्यवधान)*

SHRI PAWAN KUMAR BANSAL : Sir, I say that this is a matter of record that ...*(Interruptions)*

MR. DEPUTY-SPEAKER: The Bill was moved. Now the question is of consideration of the Bill. The discussion was over.

...*(Interruptions)*

SHRI PAWAN KUMAR BANSAL : There is a difference between the two.

MR. DEPUTY-SPEAKER: The point of order of Shri Shivraj V. Patil was that whether a Bill can be referred to the Standing Committee at the consideration stage. Is that not your point of order in a nutshell?

SHRI SHIVRAJ V. PATIL : You guide us. If you do not guide us, something will be raised from their side and something will be said from this side. I am asking you to guide us as to whether a motion is required to refer a Bill to the Standing Committee or not. I am submitting that it is not required. You tell us whether it is required or not. ...*(Interruptions)*

MR. DEPUTY-SPEAKER: That is the prerogative of the Speaker.

SHRI SHIVRAJ V. PATIL : I say that a motion is not required.

MR. DEPUTY-SPEAKER: It is not required.

SHRI SHIVRAJ V. PATIL : That is right.

MR. DEPUTY-SPEAKER: Now, the point is, the Minister has moved the Bill for discussion.

...(Interruptions)

SHRI PAWAN KUMAR BANSAL : He is yet to move it.

MR. DEPUTY-SPEAKER: He has moved the Bill, discussion has taken place and he was giving his reply when you got up. For this Bill, two hours of time was allotted because the number of speakers was less. The Minister gave a speech while moving the Bill and replied the end of the discussion. Meanwhile, he came and a few clarifications were given. Then, the next stage is to move that the Bill be taken into consideration. That is the order. That was the stage when you raised your objection whether this matter can be referred to the Standing Committee. Is there any such ruling?

...(Interruptions)

SHRI SHIVRAJ V. PATIL : I will read the rules. If we had been guided, we would not been in this situation. You have made a statement that many Bills have been referred to the Standing Committee. I submit, I cannot make a statement against a person who is in the Chair, that majority of the Bills, almost all Bills, have been sent to the Standing Committee. Those Bills have been considered here with the consent or without the opposition of the Members. I will read the relevant rules. ...(Interruptions) These are the rules. ...(Interruptions) These are the rules which are followed for sending the matters to the Standing Committee - rules relating to the Demands and rules relating to the Bills.

"The following procedure shall be followed by each of the Standing Committees in their consideration of the Demands for Grants and making a report thereon to the House:-

- a. after the general discussion on the Budget in the Houses is over, the Houses shall be adjourned for a fixed period;
- b. the Committees shall consider the Demands for Grants of the concerned Ministries during the aforesaid period;"

श्री दिग्विजय सिंह : ये क्या बोल रहे हैं ? (व्यवधान)

श्री चन्द्रकांत खैरे (औरंगाबाद, महाराष्ट्र) : उपाध्यक्ष महोदय, यह बिल्कुल गलत बात है। (व्यवधान)

MR. DEPUTY-SPEAKER: What is the number of the rule?

SHRI SHIVRAJ V. PATIL : That was Rule 331(G) which relates to Demands for Grants. Now you please come to Rule 331(H) which deals with the Bills. It says:

"The following procedure shall be followed by each of the Standing Committees in examining the Bills and making report thereon:-

- (a) the Committee shall consider the general principles and clauses of the Bills referred to them and make report thereon;"

...(Interruptions) Sir, I have said what I had to, you do what you have to.

...(Interruptions)

MR. DEPUTY-SPEAKER: Rule 331E(1)(b) says that the function of the Standing Committee shall be to examine such Bills as are referred to the Committee by the Speaker.

...(Interruptions)

SHRI SHIVRAJ V. PATIL : That is exactly what I have been at pains to explain to you. ...(Interruptions) I have said

that when this rule was framed, this question was discussed as to whether the discretion should be left with the Speaker or all Bills should be sent to the Standing Committee. While framing the rules, this was discussed. Tomorrow if you are going to give the judgement, you can have the discussion or you can give the judgement today, if you feel confident about it. When it was done, it was decided that when a Bill involves technical matters, then only it should not be sent; otherwise, all Bills should be sent to the Standing Committee. That was decided at the time of framing the rules. ...(*Interruptions*)

MR. DEPUTY-SPEAKER: I want to know one thing from you. Before the second reading stage, is it mandatory that all Bills should be referred to the Standing Committee?

...(*Interruptions*)

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

MR. DEPUTY-SPEAKER: I did not expect 'no' from you. Why are you shouting? I am asking Shri Shivraj Patil.

...(*Interruptions*)

**श्री दिग्विजय सिंह** : हमारी बात भी सुन लें।

**उपाध्यक्ष महोदय** : आपकी बात भी सुनूंगा।

**श्री शिवराज वी. पाटील** : आप पहले इनकी बात सुन लें। मैं बाद में बता दूंगा।

MR. DEPUTY-SPEAKER: Now we have come to the stage when the Bill was moved; the discussion was complete; he was about to move it for consideration. The first stage or first reading was over.

...(*Interruptions*)

SHRI SHIVRAJ V. PATIL : Whatever you want to do with the Bill, you can do; we are not worried and concerned. But we are worried about the procedure that is to be followed. ...(*Interruptions*)

MR. DEPUTY-SPEAKER: That is exactly why I am also worried. Otherwise, I could have just given the ruling.

...(*Interruptions*)

SHRI SHIVRAJ V. PATIL : Sir, I feel very little and very small to argue like this. ...(*Interruptions*)

MR. DEPUTY-SPEAKER: I am sorry. I could not grasp it; let me please be excused.

...(*Interruptions*)

SHRI SHIVRAJ V. PATIL : You hear me and then, you can discard my argument. ...(*Interruptions*)

**श्री दिग्विजय सिंह** : यही बात यह एक घंटे से बोल रहे हैं। कोई नई बात नहीं बोल रहे हैं। ...(*ब्यवधान*)

MR. DEPUTY-SPEAKER: Has any Bill that is moved to be referred to the Standing Committee by the Speaker?

SHRI SHIVRAJ V. PATIL : That is right. ...(*Interruptions*)

MR. DEPUTY-SPEAKER: If that is so, please show me.

...(*Interruptions*)

SHRI SHIVRAJ V. PATIL : That is exactly what I am saying. That was decided at the time of making the rules. Secondly, that was decided by the predecessor of the present Speaker. It is said by the Speaker in the meeting of the BAC to which we should not refer. These are in the proceedings which state that all Bills should be referred to the Standing Committee and only Bills involving technical matters will not go to the Standing Committee. ...(*Interruptions*)

MR. DEPUTY-SPEAKER: Where is the ruling?

...(*Interruptions*)

SHRI SHIVRAJ V. PATIL : I am referring to it. I am not ready with that rule now because I thought that the Presiding Officers and others will be familiar with the rules. ...(*Interruptions*)

MR. DEPUTY-SPEAKER: Is there such a rule? Can the Secretariat brief me on that?

...(Interruptions)

MR. DEPUTY-SPEAKER: Dr. Vijay Kumar Malhotra, I do not want to commit a mistake here. That is the reason why I am asking him. I will ask this side of the House also.

**श्री दिग्विजय सिंह** : जब शिवराज पाटिल जी ने शुरूआत की थी तो कहा था कि कोई भी बिल बिना स्टैंडिंग कमेटी में गए बिना पास नहीं हुआ। फिर इन्होंने कहा कि मेजोरिटी आफ बिल्स स्टैंडिंग कमेटी में गए बिना पास नहीं हुए।

**श्री शिवराज वी. पाटिल** : आप रिकार्ड पर देखें जब-जब हमने चाहा बिल स्टैंडिंग कमेटी में गए हैं, कांस्टीट्यूशन अमेंडमेंट बिल भी (व्यवधान)

MR. DEPUTY-SPEAKER: The Minister was right. It was taken up in the BAC; the time was fixed; it was decided so. The Bill was moved and the House accepted it. Now the limited question for me is this. The first reading stage was just over. Is it necessary at that time to refer it to the Standing Committee? I am asking him this question. That is what I want to know. I do not want to commit a mistake here.

SHRI HARIN PATHAK: Let Shivraj ji reply this....(Interruptions)

THE MINISTER OF STATE OF THE MINISTRY OF STEEL (SHRI BRAJA KISHORE TRIPATHY): It is not mandatory at any stage....(Interruptions)

**श्री पवन कुमार बंसल** : महोदय, उधर से एक ही बात बार-बार कही जा रही है कि बिल पर कन्सीड्रेशन हो गया है। मैं अदब के साथ कहना चाहता हूँ कि कंसीड्रेशन की स्टेज नहीं हुई, इस पर बहस हुई है। जब तक कंसीड्रेशन के लिए मोशन सदन में नहीं रखा जाता है, तब तक कोई भी माननीय सदस्य अपना सुझाव देता है। उधर से हमारे ऊपर इल्जाम लगाया जा रहा है कि हम लोग समय बर्बाद कर रहे हैं। हम कानून की बात कह रहे हैं और हम चाहते हैं कि उसके हिसाब से सदन चले। हम उत्तेजना में आकर कोई ऐसी बात न कर दें, जो कानून के हिसाब से वाजिब नहीं है, तो क्या वह ठीक होगा। With utmost respect, I want to submit that the Bill has not yet been taken up for consideration. That is the point, I want to make. It was in this connection, Shri Shivraj Patil has made a reference to the rule....(Interruptions)

SHRI RAM NAIK: We seem to be ignorant about the rules. You have posed a question to Shri Shivraj patil. Let him reply....(Interruptions)

SHRI PAWAN KUMAR BANSAL : A question has arisen as to how the House is to be run....(Interruptions)

MR. DEPUTY-SPEAKER: What I am asking is, the first stage is over and now at this stage

...(Interruptions)

SHRI PAWAN KUMAR BANSAL : Yes, I am talking of, "at this stage" only....(Interruptions)

MR. DEPUTY-SPEAKER: The discussion was taking place and the Consideration Stage was about to start.

...(Interruptions)

SHRI PAWAN KUMAR BANSAL : Sir, I am referring only to this stage. The stage was that the discussion had not concluded. There is no such thing as about to happen....(Interruptions) Kindly permit me to speak for half-a-minute. It was during the course of discussion only, though the Minister had replied. It always happens that when the Minister has replied, we rise to ask certain clarifications. We are not satisfied with the clarifications, that is the *raison d'etre* of the Bill. Why is the Bill there? Why are at all amendments to be made? Not being satisfied with the explanation of the hon. Minister, we requested that the Bill should go to the Standing Committee. That is where the objection was taken that this is not the stage where we can raise this demand. That is the question. The objection was raised by the hon. Minister of Parliamentary Affairs that this is not the stage where we can take up this. We are precisely at this point, that this stage is not exhausted. We are still at a stage where we can raise the question that the Bill should go to the Standing Committee....(Interruptions)

SHRI SHIVRAJ V. PATIL : At the time of making the rules (Interruptions) At the time of making the rules, it was decided and it is a matter of record also. The previous Speakers had given the rulings and that is a matter of record....(Interruptions) You please take time to go through them....(Interruptions) We are not going to cooperate on this....(Interruptions) We are not going to cooperate on this....(Interruptions) Last time also the same thing had happened in the House....(Interruptions) You are not helping us. You are not giving the ruling and that is why this sort of an environment, which should not be created, has been created....(Interruptions)

MR. DEPUTY-SPEAKER: What I would like to know is, whether it is mandatory that a Bill at this stage now, probably after the First Reading, be referred to the Standing Committee.

SHRI SHIVRAJ V. PATIL : You have posed a question and my reply is this. At the time of making the rules, this was the position.



The earlier Speakers had given this decision. You can refer to it. If I am wrong, you can give a different ruling. It is for the Presiding Officers to take a decision to send this Bill to the Standing Committee...*(Interruptions)*. If you do this, at least, you will be able to tell us these things. I am making a statement on the floor of the House that at the time of making these rules, this was the decision. I am saying that the previous Speakers had decided on the floor of the House that all Bills shall go to the Standing Committees....*(Interruptions)*

**श्रीमती भावनाबेन देवराजभाई चीखलीया** : उपाध्यक्ष महोदय, यह ऐसी बात कैसे कह सकते हैं? *â€¦* *(व्यवधान)*

**श्रीमती आभा महतो** : उपाध्यक्ष महोदय, आप कोई निर्णय क्यों नहीं ले रहे हैं? इनको बोलने का इतना अधिक समय क्यों दिया जा रहा है? हमारी बात भी सुनी जाए। *â€¦* *(व्यवधान)*

**श्री दिग्विजय सिंह** : उपाध्यक्ष महोदय, मैं आपके कहने पर उनकी क्लैरिफिकेशन का जवाब दे चुका हूँ। मेरी रिकवैस्ट होगी कि इस बिल को क्लॉज बाई क्लॉज लिया जाए। आपने जो क्वैश्चन शिवराज पाटिल जी पर फोर्स किया, आपको उसका सही उत्तर नहीं मिल पाया। उनकी पहली और दूसरी बात में बहुत फर्क है। पहले उन्होंने कहा कि मैंडेटरी है और बाद में कहा कि मैजॉरिटी है। मेरी प्रार्थना है कि इस बिल को क्लॉज बाई क्लॉज लेकर पास किया जाए। *â€¦* *(व्यवधान)*

**SHRI PRAVIN RASHTRAPAL** : Sir, I am on point of order. Sir, the Private Members Business is to be taken up 3 p.m. It was decided by the Business Advisory Committee....*(Interruptions)*

**श्री दिग्विजय सिंह**: इनके मन में क्या है, वह बात अब साफ हो गई। *â€¦* *(व्यवधान)*

**SHRI RAMESH CHENNITHALA (MAVELIKARA)**: Sir, it is our right. I have given notice for moving the Bill. It is unfair...*(Interruptions)*

**श्रीमती भावनाबेन देवराजभाई चिखलिया**: सदन का समय बरबाद हो रहा है, जबकि इस बिल पर चर्चा पूरी हो चुकी है। अब इस बिल को पास करना चाहिए। *â€¦* *(व्यवधान)*

**मानव संसाधन विकास मंत्रालय में राज्य मंत्री (श्री अशोक प्रधान)** : उपाध्यक्ष महोदय, यह सदन का समय बरबाद कर रहे हैं। *â€¦* *(व्यवधान)*

**SHRI SHIVRAJ V. PATIL** : I am not wasting the time of the House. You please mind it. I will move a breach of privilege motion against this Member....*(Interruptions)*

**श्री पवन कुमार बंसल** : उपाध्यक्ष महोदय, मंत्री जी जो कुछ कह रहे हैं, उसे रिकॉर्ड में आने दीजिए। *â€¦* *(व्यवधान)* इनको मालूम होना चाहिए कि यह क्या बोल रहे हैं? इनको अपनी लिमिट में रह कर बात करनी चाहिए। *â€¦* *(व्यवधान)* Sir, let Shri Pradhan repeat what he said.

**SHRI VIJAYENDRA PAL SINGH BADNORE** : Shri Patil, why did you not come earlier? ...*(Interruptions)*. You were not serious about it.

**SHRI SHIVRAJ V. PATIL** : It is not necessary for me to come and ask for it. Please understand it is not for me to request. It is for the Presiding Officer to do it. It is not you or I who would do it...*(Interruptions)*

**MR. DEPUTY-SPEAKER**: Let me give my ruling. The precedents are not available here before me.

...*(Interruptions)*

**श्री प्रमुनाथ सिंह (महाराजगंज, बिहार)** : उपाध्यक्ष महोदय, आप निर्णय दीजिए लेकिन जिस प्रकार कांग्रेस पार्टी की तरफ से आसन पर दबाव डाला जाता है, वह उचित नहीं है। *â€¦* *(व्यवधान)*

**श्री पवन कुमार बंसल** : हमारा दबाव रूल का होता है। हम दूसरा कोई दबाव नहीं डाल सकते क्योंकि हमारे पास ताकत नहीं है। हम हमेशा रूल की बात करते हैं। *â€¦* *(व्यवधान)*

**श्री थावरचन्द गेहलोत (शाजापुर)** : उपाध्यक्ष महोदय, रूलिंग देने से पहले मेरा एक प्वाइंट ऑफ ऑर्डर है। नियम 109 में लिखा है "सभा में चर्चाधीन विधेयक के किसी प्रक्रम पर अध्यक्ष की सहमति से यह प्रस्ताव प्रस्तुत किया जा सकेगा कि विधेयक पर वाद-विवाद स्थगित किया जाए।" मेरा निवेदन है कि आप इस बिल को रोकने की बजाय पास कराने का प्रयास करें। नियम 74 में लिखा है कि किसी भी समिति को देने का प्रस्ताव प्रभारी सदस्य के अलावा कोई अन्य सदस्य नहीं कर सकता। *â€¦* *(व्यवधान)*

**16.00 hrs.**

**MR. DEPUTY-SPEAKER**: Now, let me give my ruling on this.

Rule 331E (1)(b) provides that the functions of the Standing Committee shall be to examine such Bills as are referred to the Committee by the hon. Speaker. Bills can be referred by the hon. Speaker to the Standing Committee after their introduction. This Bill has not been referred to the Standing Committee after its introduction. The Business Advisory Committee has allocated two hours' time to the Bill for its consideration.

Now that the House has already considered the Bill, it may not perhaps be proper to demand that it may be referred

to the Standing Committee.

...(Interruptions)

SHRI PAWAN KUMAR BANSAL : Sir, we are walking out on this.

**16.01 hrs.**

*(At this stage, Shri Shivraj Patil and some other  
hon. Members left the House.)*

SHRI VIJAYENDRA PAL SINGH BADNORE : Sir, it is a shame that they had to walk out on your ruling. It has never happened in the history of Parliament...(Interruptions)

MR. DEPUTY-SPEAKER; The House will now take up the Motion for consideration of the Bill.

The question is:

"That the Bill to amend the Indian Council of World Affairs Act, 2001, be taken into consideration."

*The motion was adopted.*

MR. DEPUTY-SPEAKER: The House shall now take up clause by clause consideration of the Bill.

The question is:

"That clauses 2 to 5 stand part of the Bill."

*The motion was adopted.*

*Clauses 2 to 5 were added to the Bill.*

*Clause 1, the Enacting Formula and the Long Title were added to the Bill.*

SHRI DIGVIJAY SINGH: Sir, I beg to move:

"That the Bill be passed."

MR. DEPUTY-SPEAKER: The question is:

"That the Bill be passed."

*The motion was adopted.*

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