

12.08 HRS.

Title: Motion regarding Eleventh Report of Business Advisory Committee and BAC's scheduling of a discussion on the matters regarding the resignation of the former Law Minister.

THE MINISTER OF PARLIAMENTARY AFFAIRS AND MINISTER OF INFORMATION TECHNOLOGY (SHRI PRAMOD MAHAJAN): Sir, with your permission, I beg to move:

"That this House do agree with the Eleventh Report of the Business Advisory Committee presented to the House on the 2nd August, 2000. "

MR. DEPUTY-SPEAKER: Motion moved:

"That this House do agree with the Eleventh Report of the Business Advisory Committee presented to the House on the 2nd August, 2000. "

SHRI MANI SHANKAR AIYAR (MAYILADUTURAI): Sir, yesterday in the House, the hon. Speaker himself gave us the assurance that the question of a discussion under Rule 184 on matters arising out of the resignation of the former Minister of Law and Justice would be taken up through the Business Advisory Committee. Now, the Report before us is that of the Business Advisory Committee and I would like to know from the Chair as to whether a discussion on this issue is being scheduled in the coming week because if not, then I would like to move that we pass this motion subject to the following amendment,

"Subject to the scheduling of a discussion under Rule 184 on matters arising out of the circumstances attendant on Shri Ram Jethmalani's resignation from the Council of Ministers."

We do need to discuss this matter. There are constitutional issues involved. There are legal issues involved. There are criminal offences that have been alleged. We need to discuss these matters. Please let me know whether we are going to discuss it.

SHRI P.H. PANDIYAN (TIRUNELVELI): Sir, I have also given notice under Rule 184.

MR. DEPUTY-SPEAKER: Now, I give you my ruling.

SHRI BASU DEB ACHARIA (BANKURA): Sir, I have also given notice.

SHRI HANNAN MOLLAH (ULUBERIA): Sir, I have also given notice.

MR. DEPUTY-SPEAKER: When the next week's programme is brought before the House, normally the rule is that if you want anything to be added in the next week's business, you have to give notice. Shri Aiyar, you have not given, according to my information, such notice.

SHRI MANI SHANKAR AIYAR: In this case, I am asking the Chair to fulfil the assurance that it gave us yesterday. Yesterday, the Chair informed us that this discussion would be scheduled through the Business Advisory Committee. At that stage, I asked for an urgent meeting of the Business Advisory Committee. He said that he had reserved his ruling on this.

Now, we have a Report of the Business Advisory committee before us which we are asked to adopt. I am ready to adopt it but subject to a discussion, as demanded, under Rule 184 being scheduled, this being a matter of urgent public importance. ...(*Interruptions*)

SHRI PRAMOD MAHAJAN: Sir, this is a Report of the Business Advisory Committee which was held on 1st of August, which was circulated to the Members on 2nd of August. So, the Business Advisory Committee which met on 1st of August naturally did not discuss it. No other meeting of the Business Advisory Committee has taken place after that. So, this Report has nothing to do with this demand and it cannot be amended. Since this is a Report, it cannot be amended. How can you amend a Report? He can make a request. That is a separate thing.

SHRI MANI SHANKAR AIYAR : I am not concerned with when the Business Advisory Committee met. This motion gives the date and according to the motion, the date of the Report is 2nd of August.

That is the very date on which the Chair gave us this assurance. Therefore, I plead that instead of getting caught in technicalities, the Minister of Parliamentary Affairs should inform us as to when we are going to discuss this matter

of urgent public importance.

MR. DEPUTY-SPEAKER: Let us leave aside the technicalities.

SHRI MANI SHANKAR AIYAR: It cannot be that issues relating to the Constitution, to the relationship between the judiciary and the executive, to criminal offences which are being probed by the Council of Ministers of a former Member of the Council of Ministers, be brushed under the carpet. The allegations are extremely serious. They are fighting with each other. It involves several constitutional authorities. So, we must have a discussion on this. Since the Chair told us, I want to know

MR. DEPUTY-SPEAKER: Shri Aiyar, what is this? I have already given the ruling that you have not given your notice and, therefore, this cannot be admitted.

SHRI PRAMOD MAHAJAN: Sir, let us pass this Motion....(Interruptions)

डा. विजय कुमार मल्होत्रा (दक्षिण दिल्ली) : उपाध्यक्ष महोदय, बिजनेस एडवाइजरी कमेटी में क्या हुआ, क्या नहीं हुआ, वह मैं यहां नहीं कहना चाहता। लेकिन बिजनेस एडवाइजरी कमेटी में सभी पार्टियों के लीडर्स जो लोग यहां आवाज उठा रहे हैं, वे खुद मैम्बर्स हैं, जो लोग आपके सामने कुछ कहना चाहते हैं। लेकिन यह बहुत ही गलत तरीका है। बिजनेस एडवाइजरी कमेटी की मीटिंग में स्पीकर साहब, स्वयं आप उसमें मौजूद हैं, कांग्रेस पार्टी के लीडर्स और डिप्टी लीडर्स उसमें मौजूद हैं, बाकी पार्टियों के लीडर्स भी मौजूद हैं। उस मीटिंग में क्या हुआ, क्या नहीं हुआ, वह कन्वेंशन नहीं है कि उसे हाउस में डिस्कस किया जाए, परंतु इस तरह की बात यहां उचित नहीं है। (व्यवधान) मुझे कहने दो, क्या आप ही बोलते जायेंगे। किसी मैम्बर को बोलने नहीं देंगे। (व्यवधान)

श्री मणि शंकर अय्यर : उपाध्यक्ष महोदय, यह जो रिपोर्ट है इसकी तारीख कल की है और मैं जानना चाहता हूँ। (व्यवधान)

डा. विजय कुमार मल्होत्रा : बिजनेस एडवाइजरी कमेटी की मीटिंग में ही इस सवाल को उठायें, इसे यहां डिस्कस न करें। (व्यवधान)

MR. DEPUTY-SPEAKER: Though the "Zero Hour" has not yet started, you are virtually declaring the "Zero Hour".

SHRI MADHAVRAO SCINDIA (GUNA): Sir, the matter is very simple. We are not bringing the Business Advisory Committee into this. When this matter was raised yesterday, the Speaker said that he had received the notice and that he was applying his mind to it, and that he would then respond. All we simply want to know is, whether it is BAC or non-BAC, Sir.

SHRI PRAMOD MAHAJAN: Shri Madhavrao Scindia, you were not here. He wants to amend the Business Advisory Committee's Report. You can raise the issue.

SHRI MADHAVRAO SCINDIA : I am not raising that point. I am only saying that the Speaker had committed that he would respond to it. So, what is the response of the Chair on this?

MR. DEPUTY-SPEAKER: I was also there in the House when the hon. Speaker said that he would look into it.

SHRI MADHAVRAO SCINDIA : We have waited the whole days, and 24 hours have passed. The Speaker must tell us as to how he is going to respond to this, whether he is going to allow it or not, or whether he is going to allow a discussion under any other relevant rule. The Chair must respond. That is all we want, and this issue regarding BAC report and all that is not relevant.

SHRI PRAMOD MAHAJAN: You were not here. Shri Mani Shankar Aiyar wants to amend the BAC's report. ... (Interruptions)

MR. DEPUTY-SPEAKER: I will let you know after consulting the Speaker.

SHRI PRAMOD MAHAJAN: Your Member is moving an amendment to the report, and that is the problem. ... (Interruptions)

SHRI A.C. JOS (TRICHUR): We want to know whether it is included or not. If it is not included, then it should be included.

SHRI PRAMOD MAHAJAN: It is not a part of this report. This meeting has already taken place, even before you raised this issue.

SHRI BASU DEB ACHARIA (BANKURA): Sir, under rule 184 ... (Interruptions)

SHRI PRAMOD MAHAJAN: Sir, we are again discussing about the same thing. Sir, what has happened to my Motion? ... (Interruptions)

MR. DEPUTY-SPEAKER: Shri Basu Deb Acharia, what is this? You are a senior Member. Hon. Speaker said that it was going to come before the Business Advisory Committee, and that it would be discussed in some form.

SHRI BASU DEB ACHARIA : When, Sir?

MR. DEPUTY-SPEAKER: I will have a word with the hon. Speaker.

SHRI BASU DEB ACHARIA : We have every right to know as to when it is going to come.

SHRI MADHAVRAO SCINDIA : Mr. Deputy-Speaker, Sir, all we request you is to communicate as to what is the Chair's response on this, whether you are allowing it under rule 184 and, if not, under what relevant rule you are allowing a discussion.

MR. DEPUTY-SPEAKER: I will convey it to the hon. Speaker, who is in his Chamber.

The question is:

"That this House do agree with the Eleventh Report of the
Business Advisory Committee presented to the House on the
2nd August, 2000."

The motion was adopted.

MR. DEPUTY-SPEAKER: Now, let us take the next item, that is, introduction of a Bill.

SHRI A.C. JOS (TRICHUR): Sir, that is legislative business, let us have "Zero Hour" now. Sir, I have given notice for 'Zero Hour'...(Interruptions)

MR. DEPUTY-SPEAKER: All right. The 'Zero Hour' officially starts now!

SHRI A.C. JOS : Sir, according to the Report of the Eleventh Finance Commission, the State of Kerala is losing Rs. 2,516 crore. According to the Report of the Tenth Finance Commission, the State of Kerala was allotted a sum of Rs. 14,832 crore...(Interruptions)

MR. DEPUTY-SPEAKER: Now, Shri Uttam Rao Dhikale.

...(Interruptions)

SHRI A.C. JOS : But in the Report of the Eleventh Finance Commission, Kerala has been allotted only Rs. 12,316 crore as a result of which the State is losing a sum of Rs. 2,516 crore...(Interruptions)

MR. DEPUTY-SPEAKER: Shri Jos, I will give you a chance.

SHRI A.C. JOS : Sir, I have given a notice for 'Zero Hour'.

MR. DEPUTY-SPEAKER: You forcibly cannot take the floor. Your name is listed here. You will get your chance. Kindly resume your seat.

Shri Dhikale, Please be brief.