

Title : Notice for Adjournment Motion regarding involvement of leaders of Congress Party as revealed by Mitrokhin Archives, the Volcker Committee report and Moynihan's book and need for an investigation by the CBI.

OBSERVATION RE : NOTICES OF ADJOURNMENT MOTION

MR. SPEAKER: Prof. Vijay Kumar Malhotra, Sarvashri George Fernandes, Braja Kishore Tripathy, Sukhdev Singh Dhindsa, Anant Geete, K. Yerranaidu and Yogi Aditya Nath, MPs have tabled notices of Adjournment Motion on the following subject:

"Alleged involvement of Congress Party and its leaders for compromising the interests of the country for monetary gains as revealed by Mitrokhin Archives, the Volcker Committee report and Moynihan's book and need for an investigation by the CBI."

It has been ascertained that the Government has set up a single Member Enquiry Authority headed by hon. Justice R.S. Pathak, Former Chief Justice of India and former Judge of the International Court of Justice, to investigate into the findings contained in the Volcker Report. The instant notices in addition to Volcker Report, also refer to Mitrokhin Archives and Moynihan's Book.

Rule 58 of the Rules of Procedure and Conduct of Business in Lok Sabha clearly lays down the conditions of admissibility of a notice of Adjournment Motion and provides, *inter alia*, that the notice should be restricted to a specific matter of recent occurrence involving responsibility of the Government of India. Further, according to Rule 59, "No motion which seeks to raise discussion on a matter pending before any statutory tribunal or statutory authority performing any judicial or quasi-judicial functions or any commission or court of enquiry appointed to enquire into, or investigate, any matter shall ordinarily be permitted to be moved".

The instant notices submitted by the hon. Members do not refer to one specific issue and there does not appear to be any direct responsibility of the Government in the matter. As stated above, the matter pertaining to Volcker Committee Report is already under investigation by the Pathak Committee.

As the notices relate to more than one matter and even then not very definite, and do not justify adjourning all other business in the House for immediate discussion and further do not relate to a matter for which the Union Government is responsible, over and above not being matters of recent occurrence, under the rules, notices are not eligible for admission by the Chair.

Further, I have already admitted a notice of a Motion under Rule 184 of the Rules of Procedure and Conduct of Business in Lok Sabha submitted by Prof. Vijay Kumar Malhotra and hon. Shri Santosh Gangwar, hon. Members who have submitted notices for Adjournment Motion regarding what is known as Volcker Committee Report. Although, such discussion even under Rule 184 is precluded because the matter is pending enquiry as mentioned above, in the exercise of my discretion as the Speaker, I have admitted the Motion for discussion under the proviso to Rule 188 of the Rules of Procedure and Conduct of Business in Lok Sabha. Apart from the reasons I have stated above, as the Motion under Rule 184 is already in the list and is to be taken up immediately after the Question Hour and laying the papers and other matters, I do not admit the notices for Adjournment Motion.

प्रो. विजय कुमार मल्होत्रा (दक्षिण दिल्ली) : अध्यक्ष जी, एडजर्नमेंट मोशन हम दोबारा पेश कर देंगे, परन्तु श्रीमती सोनिया गांधी और श्री नटवरसिंह जी के इस्तीफे की जो हमारी मांग है (व्यवधान)

श्री पवन कुमार बंसल (चण्डीगढ़) : यह क्या है, किस बात पर है? (व्यवधान)

अध्यक्ष महोदय : इस दफा यह आपके ऊपर निर्भर करता है।

...(व्यवधान)

श्री पवन कुमार बंसल (चण्डीगढ़) : कितने रैकलेस होकर यहां बात करते हैं? (व्यवधान)

(f1/1205/mks-hcb)