

SHRI INDRAJIT GUPTA : How can the Jute Commissioner decide the statutory price ?

THE MINISTER OF LAW AND JUSTICE (SHRI A. K. SEN) : It is a Control Order under which prices can be fixed by issuing notices.

SHRI INDRAJIT GUPTA : By whom ? By the Jute Commissioner ?

SHRI A. K. SEN : If you want we shall give you these orders.

SHRI SOMNATH CHATTERJEE : There is no question of our wanting it. What sort of wrong information is being given to the House that so many questions are to be put to find out the...*(Interruptions)*. Why it is not a full statement ? It is meant for the people outside also. They must know what it is.

THE MINISTER OF COMMERCE AND FOOD AND CIVIL SUPPLIES (SHRI P. SHIV SHANKER) : We never knew Mr. Somnath is that ignorant.

SHRI SOMNATH CHATTERJEE : Sometimes we enjoy flippancy but not always. But this is a flippancy in respect of...*(Interruptions)*. I am not trying to score a point. I am requesting the Minister that when he is announcing the statutory minimum price, why does he not mention the statute and also how it is to be implemented. What is the difficulty in it ?...*(Interruptions)*.

12.32 hrs.

RE : MUSLIM WOMEN (PROTECTION OF RIGHTS ON DIVORCE) BILL

[*English*]

MR. SPEAKER : Now I have to inform the House that the Government wants to introduce the Muslim Women (Protection of Rights on Divorce) Bill, 1986. According to Direction 19A and 19B, at least one week's prior notice is required. The same has not been compiled with. However, in this case if the whole House agrees, I have no objection in allowing them to move the motion...*(Interruptions)*.

SHRI BASUDEB ACHARIA (Bankura) : How can you allow, Sir ? It has not been...*(Interruptions)*.

MR. SPEAKER : Then I will not. If there is no consensus in the House...

(Interruptions)

SHRI K. P. UNNIKRISHNAN (Badagara) : A supplementary List of Business has been circulated this morning. You have not even bothered to include such an important item on that...*(Interruptions)*.

MR. SPEAKER : That is what I have said...

(Interruptions)

MR. SPEAKER : I have got no self authority. The House vests me the authority. If the House says, I will do it and if the House does not say, I will not do it...

(Interruptions)

SHRI BASUDEB ACHARIA : The Bill has not been circulated...*(Interruptions)*.

MR. SPEAKER : O. K. The leave is not granted...

(Interruptions)

SHRI K. P. UNNIKRISHNAN : I am on a point of order...*(Interruptions)*.

AN HON. MEMBER : Let the Bill be introduced...*(Interruptions)*.

SEVERAL HON. MEMBERS : No, no...*(Interruptions)*.

[*Translation*]

MR. SPEAKER : How can we proceed in this manner ?

[*English*]

I cannot break the rules. I have to put it before the House. The House is my master and the House is its own master...

(Interruptions)

MR. SPEAKER : I cannot overrule the House...

(Interruptions)

MR. SPEAKER : When all of you are speaking, I cannot listen anyone....

(Interruptions)

SHRI K. P. UNNIKRISHNAN : I am on a point of order...

SHRI INDRAJIT GUPTA : Any Member has a right to oppose it at the introductory stage.

MR. SPEAKER : He has a right.

SHRI INDRAJIT GUPTA : He cannot do it now because he has not seen the Bill.

MR. SPEAKER : That is why I said, without the Bill. *(Interruptions)*. One minute. Please listen to me now.

(Interruptions)

SHRI G. M. BANATWALLA (Ponnani) : Sir, you use your authority.

(Interruptions)

MR. SPEAKER : Please listen to me.

SHRI ABDUL RASHID KABULI (Srinagar) : Even with one Member objecting to it, you will not do it.

MR. SPEAKER : Please listen to me.

SHRI K. P. UNNIKRISHNAN : Sir, you have to listen to me. I have a point of order.

MR. SPEAKER : I just wanted to say this. I am only saying this :

(Interruptions)

MR. SPEAKER : Please sit down. Listen to me. Because I just got it, so I put it before the House. I am not objecting to any introduction. If it was in proper form, I would have immediately allowed it and I am going to allow it if it comes in proper form. There is no denying of that fact. Now, it is only a question that I have to ask this thing.

(Interruptions)

SHRI K. P. UNNIKRISHNAN : I am on a point of order.

(Interruptions)

MR. SPEAKER : Order, order. One by one.

SHRI K. P. UNNIKRISHNAN : Sir, under Rule 74, I have a point of order. As I pointed out earlier .

(Interruptions)

You please listen I am on my legs. Speaker has allowed me to speak on my point of order.

(Interruptions)

MR. SPEAKER : Please don't do it.

(Interruptions)

SHRI K. P. UNNIKRISHNAN : I don't need anybody's certificate on my point of order.

(Interruptions)

MR. SPEAKER : He has a right to say. What is this ?

(Interruptions)

SHRI K. P. UNNIKRISHNAN : Let me complete the sentence. Sir, the List of Business is a valid document and it has to be circulated. In addition to the List of Business that we have for the day, you have also this morning, just an hour back, circulated a Supplementary List of Business.

AN HON. MEMBER : So what ?

SHRI K. P. UNNIKRISHNAN : You have not even included this item in the List of Business. I invite your attention to the Proviso to Rule 74. It says :—

'Provided further that no such motion shall be made until after copies of the Bill have been made available for the use of members, and that any member may object to any such motion being made unless copies of the Bill have been so made available

for two days before the day on which the motion is made and such objection shall prevail, unless the Speaker allows the motion to be made.'

So, this is the rule. It is mandatory I just want a clarification from you

(Interruptions)

MR. SPEAKER : We always do things in this way. Whenever there is a point of contention, we always have a consensus. Otherwise, I don't go. It is so simple, Mr. Unnikrishnan. You are right there that I had no notice before that. It was just handed over to me That is why I put it to the House. If the House does not agree, than, I will have to do it according to the rules.

SHRI SOMNATH CHATTERJEE : I am on a point of order. ...*(Interruptions)*. Sir, I do not know what you are going to say. You have referred to Directions 19A and 19B. Kindly see Direction 19B. Even that is not complied with. Then you are accepting this.

MR. SPEAKER : No.

SHRI SOMNATH CHATTERJEE : Then say that.

MR. SPEAKER : Because I cannot.

(Interruptions)

PROF. SAIFUDDIN SOZ (Barmulla) : We have never opposed any Bill.

(Interruptions)

MR. SPEAKER : This is the consensus.

(Interruptions)

MR. SPEAKER : This is not the way to do it. I will do it accordingly.

[Translation]

In case it is not introduced today, it will be done some time later.

(Interruptions)

[English]

SHRI ABDUL RASHID KABULI : You suspend the rule.

MR. SPEAKER : I can't.

(Interruptions)

[Translation]

MR. SPEAKER : In case I agree, only you will be put to disadvantage.

(Interruptions)

MR. SPEAKER : I am talking about consensus. In case no consensus is arrived at, then we shall do it next time It is a matter of two days only. -- *(Interruptions)*

[English]

SHRI DINESH GOSWAMI (Guwahati) : Sir, I am on a point of order.

(Interruptions)

MR. SPEAKER : He is on a point of order, Madam.

SHRI DINESH GOSWAMI : Sir, I am on a point of order. I am not opposing the introduction. You have got the power to waive Direction 19A or 19B. But you have now put it to the House whether we will like to exercise the power to waive Direction 19A or 19B. Kindly go through Direction 19B. It says :

"No Bill shall be included for introduction in the list of business..."

MR. SPEAKER : I go by the rules.

(Interruptions)

SHRI DINESH GOSWAMI : Let me complete.

"Provided further that in other cases, where the Minister desires that the Bill may be introduced earlier than two days after the circulation of copies or even without prior circulation, he shall give full reasons in a memorandum for the consideration of the Speaker..."

Now, if we are to accept our power under Direction 19B, then the reasons must

be before us. You are asking us to exercise the power which is in your control.

MR. SPEAKER : No, no. It is not under my control.

(Interruptions)

THE MINISTER OF LAW AND JUSTICE (SHRI A. K. SEN) : Mr. Speaker, Sir, at the outset I shall point out certain things and reply to the objections raised.

Under Rule 65, if you would be good enough to look at it on page 38 of the Rules of Procedure and Conduct of Business, no notice is required only for bills to be introduced by a Member other than a Minister. It says :

“Any Member, other than a Minister, desiring to move for leave to introduce a Bill, shall give notice of his intention, and shall, together with the notice, submit a copy of the Bill and an explanatory Statement of Objects and Reasons etc.”

MR. SPEAKER : Mr. Sen, may I point out that this is pertaining to the Private Members ?

(Interruptions)

SHRI K. P. UNNIKRISHNAN : Please read Rule 74. This is regarding Private Member's Bills.

(Interruptions)

SHRI SOMNATH CHATTERJEE : Sir, this item pertains. *(Interruptions)*. Then why are you allowing him to stand up ? On what item he is standing up ? Which is the item ?

SHRI K. P. UNNIKRISHNAN : Nothing other than Rule 74 can apply.

SHRI A. K. SEN : Rule 65 says about a bill introduced by any Member other than by a Minister. So, when a Minister introduces a Bill it ceases to be a Private Member's Bill and Rule 65 is attracting it and no notice is required excepting that by your Direction 19A and 19B.

SHRI K. P. UNNIKRISHNAN : No, it is Rule 74.

SHRI A. K. SEN : Rule 74 is after introduction. Please read it. It is after introduction.

SHRI K. P. UNNIKRISHNAN : No, no. It is the moment business comes, not after. *(Interruptions)*. I am entitled to raise the point of order. We have great respect for the great legal luminary, but that does not mean that you can distort the rules.

SHRI A. K. SEN : No, no. I am not distorting. Now, you can make new rules.

Now I come to the Rules of Procedure. It is for the House to suspend the rules. Rule 65 says that a Bill can be introduced by a Member other than by a Minister after giving notice. A Bill introduced by a Minister does not require notice. Nevertheless we have been following the requirements laid down by yourself under Directions 19A and 19B. *** (Interruptions)*.

So far as 19A is concerned, it says that there shall be a notice of a motion for leave to introduce the bill, when a Minister introduces a Bill.

19B clearly says that :

“Provided further that in other cases, where the Minister desires that the Bill may be introduced earlier than two days after the circulation..”

(Interruptions)

Why cannot it be even heard ? That shows his impatience.

Laws provide that the Minister can introduce a Bill with a notice of less than two days if...

(Interruptions)

MR. SPEAKER : I am listening.

SHRI A. K. SEN : All that I have to do is to give a Memorandum and place the reasons why I have asked for a shorter notice. My first submission is that Rules 65 completely covers the matter and, therefore, the power to give directions under Rule 389

is not attracted at all. Rule 389 says that if a matter is not covered by the rule, directions can be given. We are taking this plea.

I shall read 74 again. It only has to be read.

“After the Bill is introduced...”

(Interruptions)

I may not be as astute as the Hon. Member Mr. Unnikrishnan. But the English language is very clear. It says :

“Where a Bill is introduced...”

That is, after the Bill has been introduced. Therefore, I say you have to read it only.

May I now give the reasons why we have given a shorter notice ?

SHRI SURESH KURUP (Kottayam): If a Member wants to oppose the Bill at the time of introduction, then what is he going to do without circulating it ?

MR. SPEAKER : Let me hear. It is not binding on him.

SHRI K. P. UNNIKRIISHNAN : You make a motion.

MR. SPEAKER . He has not yet defined.

SHRI A. K. SEN : Assuming your Direction 19B with regard to Bills introduced by a Minister, we have given an explanation, why we want the waiver..

(Interruptions)

SHRI INDRAJIT GUPTA : Where is the Memorandum ?

MR. SPEAKER : The Directions are very clear.

SHRI A. K. SEN : My submission will be that you exercise the powers under Rule 64, allow the publication of the whole introduction. 64 is clear.

“The Speaker may, on request being made to him, order the publication of any Bill (together with the Statement of Object and reasons, the memorandum regarding delegation of legislative power and the financial memorandum accompanying it) in the Gazette, although no motion has been made for leave to introduce the Bill.”

(Interruptions)

PROF. SAIFUDDIN SOZ: I do not want to argue. I have understood the rules and the rules are much more known to your goodself. By a unanimous decision of the House, this Bill can be introduced. But there is a convention also, we have never opposed any Bill at the time of introduction.

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

MR. SPEAKER : Please take your seats. There is no such convention.

SHRI A. K. SEN : The memorandum has been circulated.

(Interruptions)

MR. SPEAKER : No, no. Overruled...

(Interruptions)

SHRI K. P. UNNIKRIISHNAN : No memorandum has been circulated.

THE MINISTER OF PARLIAMENTARY AFFAIRS AND TOURISM (SHRI H. K. L. BHAGAT) : In a number of cases the rule has been waived. I wonder why some friends are opening in this particular case when the matter is so important. ... *(Interruptions)* Ten months have passed. I wonder why senior leaders like Prof. Madhu Dandavate and Shri Madhav Reddy are keeping quiet. I earnestly appeal to all those who are opposing to not to oppose it. Mr. Unnikrishnan says that he is not opposing but he is only raising a point of order. If he is not opposing it, he should not oppose it.... *(Interruptions)* At the introduction stage it is never opposed.

MR. SPEAKER : I over-rule it.

The Hon. Minister.

12.52 hrs.

SPICES BOARD BILL*

[English]

THE MINISTER OF COMMERCE
AND FOOD AND CIVIL SUPPLIES (SHRI
P. SHIV SHANKER) : I beg to move :

“That the Bill to provide for the constitution of a Board for the development of export of spices and for the control of cardamom industry including the control of cultivation of cardamom and matters connected therewith, be taken into consideration.”

— — —

MOTION RE : SUSPENSION OF PROVISIO
TO RULE 66

THE MINISTER OF COMMERCE
AND FOOD AND CIVIL SUPPLIES (SHRI
P. SHIV SHANKER) : I beg to move :

“That this House do suspend the proviso to Rule 66 of the Rules of Procedure and Conduct of Business in Lok Sabha in its application to the motions for taking into consideration and passing of the Spices Cess Bill, 1985 inasmuch as it is dependent upon the Spices Board Bill, 1985.”

MR. SPEAKER : The question is :

“That this House do suspend the proviso to Rule 66 of the Rules of Procedure and Conduct of Business in Lok Sabha in its application to the motions for taking into consideration and passing of the Spices Cess Bill, 1985 inasmuch as it is dependent upon the Spices Board Bill, 1985.”

The motion was adopted

— — —

*Moved with the recommendation of the President.

12.53 hrs.

SPICES BOARD BILL AND
SPICES CESS BILL*

[English]

THE MINISTER OF COMMERCE
AND FOOD AND CIVIL SUPPLIES (SHRI
P. SHIV SHANKER) : I beg to move :

“That the Bill to provide for imposition of cess on all spices which are exported for the purposes of carrying out measures for the development of export of spices be taken into consideration.”

It is proposed to establish a Board for the development and promotion of exports of spices. Indian has been a traditional exporter of spices. Though exports of spices from India have shown marginal increases over the last few years, the proportionate share of India in the total world trade has declined.

The Spices Export Promotion Council at present looks after the exports of spices while the development of production and exports of cardamom is being taken care of by the Cardamom Board. Due to lack of a cohesive organisation as well as financial constraints, India has not been able to undertake systematic development of products and export of spices. As a result, there has been limited product development and our spices are being exported largely in bulk and unprocessed form. Concentrated effort to promote exports in value added form and consumer packages are required to be made. Markets for spices as also the prices have been fluctuating from year to year causing fluctuations in the production pattern. The uneven production pattern has, in turn, its effect on exports. There is need for bringing about stabilisation in the export business of spices. Similarly, there is need to bring about constant improvement in quality of our products and in productivity to improve competitiveness of Indian spices.

There are a number of institutions and research bodies operating in the spices sector. It has been considered necessary that the activities of these organisations should be

*Moved with the recommendation of the President.