

millions and millions of the people of our country. We have made certain observations and one Amendment has been submitted by Shri Rupchand Pal regarding compulsory licensing. We want to know the views of the Government.

The entire House is almost of the opinion that this amendment is against the interest of our nation. So, we want that this legislation should not be passed by this House.

SHRI RAM NAIK (Bombay North): Mr. Deputy-Speaker Sir, I am on a point of order. The Bills to be discussed are indicated according to the List of Business. Yesterday, the Minister was to reply to the Patents Bill and the discussion was to be completed. But subsequently, what is happening now? How can there be supplementary business all of a sudden?

MR. DEPUTY-SPEAKER: Please listen to me. The supplementary business is in your hands...

SHRI RAM NAIK: We want to know what has happened. Why is the Minister not here? The House should be taken into confidence. It is not as if they can come here and change the business of the House as they like!

MR. DEPUTY-SPEAKER: The supplementary business is circulated.

SHRI RAM NAIK: Yes, it is circulated. The supplementary business is here. But what does it indicate?

Now, my point of order is that at this stage, nothing else should be done until the Minister's speech is completed. May be, the Government is afraid that they do not have sufficient strength to pass the Bill. We do know their fate as of now! But the point is that the Minister's speech must be completed. Then only, the next item can be taken up.

MR. DEPUTY-SPEAKER: My point is that this subject can be taken up after some time. First let us take up the supplementary business.

SHRI BASUDEB ACHARIA: How can this House be treated so casually? The sense of the House is not even taken! (Interruptions)

MR. DEPUTY-SPEAKER: Will you please resume your seats? The hon. Minister is on his legs. Let us hear him.

(Interruptions)

SHRIMATI MALINI BHATTACHARYA (Jadavpur): Are you withdrawing the Ordinance?

THE MINISTER OF WATER RESOURCES AND MINISTER OF PARLIAMENTARY AFFAIRS (SHRI VIDYACHARAN SHUKLA): I will tell you. (Interruptions)

MR. DEPUTY-SPEAKER: Kindly resume your seats. Here is the supplementary list of business. If you are protesting against it, the Minister is going to reply. He will tell you as to why it is necessary to introduce the supplementary business. Please listen to him.

SHRI VIDYACHARAN SHUKLA: We have consulted the leaders of the Opposition Parties in the morning. We

had discussions with hon. leaders of the Bharatiya Janata Party and the Janata Party. We would like to take into confidence the leaders of the Left Parties as well as the leaders of all the other parties represented in this House.

SHRI INDRAJIT GUPTA (Midnapore): You want to take us into confidence! About what?

SHRI VIDYACHARAN SHUKLA: About this present Bill. I want to submit that the process of consultation will take some time. I want to request the House to postpone the discussion on the Patents Bill and take up the other business. (Interruptions) Please let me complete my submission and then you may put forth your views. Keeping the Patents Bill pending, we would request the House to take up the other business as listed in the supplementary agenda, so that the consultation process which is on, can be completed. In the morning, before the Zero Hour, the process of consultation could not be completed. And this has to be done in the Rajya Sabha also. Therefore, we have requested that the present Bill may be deferred till tomorrow. Mean while, the other Bills listed in the Supplementary Business can be taken up. We are having consultation with the hon. leaders of Opposition Parties and we are trying to convince them as to why it is necessary to pass this Bill. That is the main point. We have also informed the hon. Speaker about this matter. This matter can be decided by the House...(Interruptions)

MR. DEPUTY-SPEAKER: The hon. Minister is on his legs. Let him complete. He has got something to say. Let us hear him.

SHRI VIDYACHARAN SHUKLA: I have finished Sir. (Interruptions)

MAJ. GEN. (RETD.) BHUWAN CHANDRA KHANDURI (Garhwa): The Minister has said that he was to consult and then change the List of Business. We have already been given what he has decided without consultation. So, this is highly objectionable. The consultation ought to have preceded this decision. They have taken a decision. They have taken the House for granted and told us what has to be done.

Sir, the second point is, even if this were to be so, what is in today's List of Business that should be taken up first. You cannot take a new item now. So, why have they not done the consultation before they issued this supplementary List of Business?

MR. DEPUTY-SPEAKER: So, you want to know under what circumstances it was done.

PROF. SUSANTA CHAKRABORTY (HOWRAH): Sir, they are taking the House for granted.

MR. DEPUTY-SPEAKER: You were not listening when the hon. Minister was replying.

...(Interruptions)

SHRI AJOY MUKHOPADYAY (KRISHNAGAR): What kind of consultations they would like to have with us? ..(Interruptions)

MR. DEPUTY-SPEAKER: Shri Jaswant Singhji is on

his legs. Kindly resume your seats. The House is in a disorder. Let us hear him if there is any relevance or otherwise.

..(Interruptions)

SHRI AJOY MUKHOPADYAY: Sir, we are taking our seats.

MR. DEPUTY-SPEAKER: Yes, please sit down.

SHRI JASWANT SINGH (Chittorgarh): Mr. Deputy-Speaker Sir, with your permission, let me submit to you that I understand entirely the Government's mishandling of the situation. The Government is trying to cover up their gross mishandling of a very important issue. If it was a process of consultation that the Government wanted with my friends here or with us, surely, this consultation, the process has not to start almost at the ultimate moment when the Bill is to be voted upon. This is an unprecedented example of the total incapacity and lack of foresight of this Government. That is the first point.

(Mr. Speaker in the chair)

14.42 hrs.

Sir, I was making a submission at the cost of being repetitious. May I just put it to you?

MR. SPEAKER: No. I was here.

SHRI JASWANT SINGH: Sir, I understand it entirely. My sympathies are actually with the hon. Minister for Parliamentary Affairs. I sympathise with his dilemma because he is having to pay a price for the total incompetence of his Government.

Now, if it was a consultation that the Government wanted with us, surely this consultation was not something that they should engage in when the Bill is to be voted upon. After all the hon. Minister was on his legs; he had begun the process of reply and only because the House was then adjourning on account of paucity of time, it was said, 'He will continue tomorrow'. This 'tomorrow' is today and now.

Now, suddenly we are given a List of Supplementary Business and the hon. Minister for Parliamentary Affairs comes and says what you have stated: suspend; take up this now; so that we, the government can cover up our incompetence by interim consultation with you and try and find a way out of an obvious enough difficulty. My submission is that if rules are to be followed, you are the preserver of rules - the Supplementary List is of course, a means by which a supplementary business in the House can be taken up, but the House can take up supplementary work only with the consent of the House. The Government cannot suddenly come to us and give us and impose Supplementary List of Business and say, "do this; do not do what is scheduled or what is already in the process of being done." The Government has to explain its incompetence.

MR. SPEAKER: In fact, I have come here to explain.

SHRI JASWANT SINGH: Sir, it is the Government that has to explain.

MR. SPEAKER: No. In this case, probably, I have to explain it to the House. This difficulty was explained to me. The Government said that we want to have consultations with other hon. leaders and Members of other Parties.

SHRI INDRAJIT GUPTA: Consultations about what?

MR. SPEAKER: You wait for a while and let me complete it. The question before us was, what business we should take up in the House. If the Leaders so desire, should we take up discussion on the President's Address? Then, if we take up the discussion on the President's Address, will we be able to complete it, and if we are not able to complete, should we break that discussion? I suggested that we should have a discussion with the Leaders and if the House agrees, only then we should take up the supplementary business. I also suggested to them to circulate the supplementary business because in case the House agrees to it, at that point there will be no time to circulate it. But it was certain that we would take up the supplementary business only if the House agrees to it. So, I have come here to take the responsibility otherwise I would not have come. Hon. Deputy-Speaker was not aware of this fact. So, I have come here.

[Translation]

SHRI JASWANT SINGH: Mr. Speaker, Sir, you have just rendered me answerless. When you told me that on behalf of the Government you....(Interruptions)

MR. SPEAKER: Not on behalf of the Government, the business of the House is going on therefor,

[English]

The point is whether we should take up discussion on the Presidents' Address or not.

[Translation]

SHRI RABI RAY (Kendrapada): Mr. Speaker, Sir, I have heard Shri Shukla just now. Now the question is that it is a vital issue. It is the question of the sovereignty of the country, it is the question of the future of the country. My submission is that the Government has had consultation with the political leaders on GATT agreement several times.

Secondly, the Parliament was not taken into confidence before signing the Marrakesh agreement. The Government kept Parliament in the dark and did everything and has now brought this ordinance. Therefore my submission is that the Government is talking about consultation only because it is afraid that it will not be passed here, now because the entire House even the Members of the ruling party, the Congress rose and protested here yesterday. Our submission is that the entire Opposition and many hon. Members from the Congress oppose the basic principles behind issuance of the Ordinance.

I consider it against the Constitution, against the sovereignty of the country and we are losing our sovereign right of taking decision. I, therefore, would like to submit that we will debate on this issue only when the