

श्री रामवतार शास्त्री : बहस होनी चाहिये, अध्यक्ष जी ।

अध्यक्ष महोदय : तो कीजिये । आप मोशन दीजिये । उसको बिजनेस ऐडवाइजरी कमेटी में रख कर तय कर लेंगे । Every good cause shall have a sympathetic consideration, provided the Business Advisory Committee finds time and fixes priority accordingly.

श्री हरिकेश बहादुर (गोरखपुर) : अध्यक्ष जी, अहमदाबाद ट्रेजेडी के बारे में हमने ऐडजर्नमेंट मोशन दिया है । अगर वह उस रूप में मंजूर नहीं होता तो हम चाहते हैं कि कम से कम काल अटेंशन उस पर आप मंजूर कीजिये ।

अध्यक्ष महोदय : देखेंगे । वह हम कर रहे हैं । माननीय शेजवालाकर जी कर रहे हैं ।

SHRI NIREN GHOSH (Dum Dum) rose—

MR. SPEAKER: I am sorry; I did not notice you. I thought you were sitting!

SHRI NIREN GHOSH: The budget exercise is done by price hikes, by arbitrary executive price hikes.... (Interruptions).

MR. SPEAKER: Do you want me to say something?

AN HON. MEMBER: Yesterday you were not in the Chair...

MR. SPEAKER: I have gone through it. I have studied it thoroughly and found out what it was.

12.03 hrs.

RULING ON POINTS RAISED IN RESPECT OF RAILWAY MINISTER'S STATEMENT RE: RAILWAY FINANCIAL MATTERS.

MR. SPEAKER: On 7th December, 1981, while the Minister of Railways was making a statement regarding Railway Financial Matters, some Members raised points of order:

(i) whether the Minister of Railways had occasion in the past to make an announcement in the House for increasing the railway freight and fares;

(ii) whether it was correct for the Minister to make such a statement involving financial implications without submitting a supplementary budget.

After submissions were made by Members, the Deputy-Speaker observed that the points raised by Members would be examined.

I have looked into the matter. In regard to the first point I find that on 21 August, 1974, the Minister of Railways had made a statement in the House regarding the financial position of the Railways and had announced levy of supplementary charge on goods and additional supplementary charge for certain passenger fares. But in that case, before making the announcement, the Minister had presented Supplementary Demands for Grants in respect of Budget for Railways for 1974-75.

In regard to the second point, I would invite the attention of Members to the provisions of Article 110(2), which reads:

"A Bill shall not be deemed to be a Money Bill by reason only that it provides for the imposition of fines or other pecuniary penalties, or for the demand or payment of fees for licences or fees for services rendered, or by reason that it provides for the imposition, abo-

lition, remission, alteration or regulation of any tax by any local authority or body for local purposes."

On 7th September 1974, when similar points were raised in the House, the Chair had observed *inter alia*:

"....under the present provisions of the Constitution as they are, it is the courtesy of the Railway Minister that he comes forward and asks the opinion of this House even in the matter of increase of fares and freights....It is your courtesy that you come here....under the provisions of the Constitution, you do not even need to come.....I am afraid the Railway fares and freights are fees to be demanded for certain services which the Railways are going to render to the community. Therefore, we do not have anything to say about it...."

In the present case, it would have been more appropriate if the Minister of Railways had presented the Supplementary Demands for Grants before making the statement, as he did yesterday. Since the statement has already been made....

DR. SUBRAMANIAM SWAMY: You allowed him to make it.

MR. SPEAKER:....I hope the Minister would come forward with the supplementary demands without further delay. This would also incidentally provide opportunity to Members to express their views.

SHRI CHANDRAJIT YADAV (Azamgarh): I am very glad. You need congratulations. May I seek one clarification?

MR. SPEAKER: I have only done my duty.

SHRI CHANDRAJIT YADAV: Please accept our congratulations at least. You need congratulations. But, may we seek a clarification?

MR. SPEAKER: I have done my duty. I want to be bound down by the rules.

SHRI CHANDRAJIT YADAV: I want a small clarification. Yesterday the hon. Railway Minister involved your name in this, I am sorry, the Deputy Speaker himself said that the Speaker has given permission. At that time, my doubt was perhaps you might not have been told that the announcement, which was going to be made, had financial implications. Perhaps, he might have said "I want to make a statement" as usual, under rule 372, you might have permitted it. Therefore, it is better that this point is clarified, though after your ruling, it does not perhaps come in.

SHRI INDRAJIT GUPTA (Basirhat): Did you know the contents of the statement he was going to make, when you gave him permission?

MR. SPEAKER: I will tell you what it is all about. I do not hide anything. I have nothing to hide.

SHRI INDRAJIT GUPTA: Gradually, slowly, in this way the Parliament's rights are being eroded all the time.

MR. SPEAKER: No, we will not allow that to happen.

SHRI INDRAJIT GUPTA: You have to be vigilant about it.

श्री राम बिलास पासवान (हाजीपुर) : अध्यक्ष महोदय, आपने जो अभी फाइंडिंग दी है, उससे क्या यह साबित नहीं होता है कि मंत्री जानबूझकर पार्लियामेंट की अवहेलना करते हैं ।

12.05 hrs.

PAPERS LAID ON THE TABLE

REVIEWS ON AND ANNUAL REPORTS OF FERTILIZERS AND CHEMICALS TRAVANCORE LTD. ELOOR UDYOG MANDAL (KERALA) FOR 1980-81, HINDUSTAN FERTILIZERS CORPORA-