

The passengers, crew and the aircraft are safely back in India. The hijackers are still in Dubai in the custody of the authorities there. I do not wish to say more at this stage. I am confident that the House will appreciate this, as further action is the subject matter of very delicate negotiations.

19.00 hrs.

### COPYRIGHT (AMENDMENT) BILL

SHRI SATISH AGARWAL (Jaipur) : Sir, we can pass the Copyright (Amendment) Bill without any debate. We cooperate with them though they accuse us of not cooperating with them.

THE MINISTER OF STATE OF THE MINISTRIES OF EDUCATION AND CULTURE AND SOCIAL WELFARE (SHRIMATI SHEILA KAUL) : I beg to move :

"That the Bill further to amend the Copyright Act, 1957, as passed by Rajya Sabha, be taken into consideration."

MR. SPEAKER : The question is :

"That the Bill further to amend the Copyright Act, 1957, as passed by Rajya Sabha, be taken into consideration."

*The motion was adopted.*

MR. SPEAKER : Now, we take up clause by clause consideration.

The question is :

"That Clauses 2 to 10 stand part of the Bill"

*The motion was adopted.*

*Clauses 2 to 10 were added to the Bill.*

*Clause 1, the Enacting Formula and the Title were added to the Bill.*

SHRIMATI SHEILA KAUL : I beg to move :

"That the Bill be passed".

श्री अटल बिहारी वाजपेयी (नई दिल्ली) : अध्यक्ष महोदय, मंत्री महोदय यह बता दें कि यह बिल लाने में इतनी देर क्यों हुई। यह बिल दो साल पहले पास हो जाना चाहिए था। इस विलम्ब के कारण फिल्म उद्योग का इतना नुकसान हुआ है, जिसका वर्णन नहीं किया जा सकता।

सूचना और प्रसारण मंत्रालय के राज्य मंत्री तथा संसदीय कार्य विभाग में राज्य मंत्री (श्री एच० के० एल० भगत) : यह बहुत अच्छा बिल है। आप इसको सपोर्ट करें। हम इस बिल को ले तो आए हैं, आप तो लाए हो नहीं।

MR. SPEAKER : The question is :

"That the Bill be passed"

*The Motion was adopted.*

19.03 hrs

Statutory Resolution Re : Approval of

CONTINUANCE OF PROCLAMATION IN RESPECT OF SIKKIM

MR. SPEAKER : Now, we take up Proclamation on Sikkim.

SHRI G.M. BANATWALLA (Ponnani) : I rise on a point of order. I submit that this Statutory Resolution with respect to Sikkim cannot be moved. I draw your attention to rule 174 read with Article 356. You will find that this Proclamation about Sikkim is to remain in force upto 24th of November of 25th of November. Today, we are passing a Statutory Resolution to continue the Proclamation w.e.f. 25th November i.e. three more months have still to pass. How can this House be

called upon to apply its mind to a situation that would be prevailing on or about 24th of November, three months hereafter, to decide as to whether the President's rule is to continue or not.

A Presidential Proclamation is to remain in force for six months. Hardly three months have elapsed and three more months are yet to elapse. Therefore also, under rule 174 it is provided that the right to move a motion should not be used as to be an abuse of the right of moving a resolution. It cannot be so used is to prejudice the procedure of the House. We have to decide today whether three months hereafter i.e. after 24th November this Proclamation should continue in force. Therefore, this motion is an abuse of the right of moving a resolution. Therefore, I submit that the Proclamation about Sikkim cannot be taken up now as only three months have elapsed and three more months have yet to elapse before any resolution is to be passed about its continuation.

Let the Government clarify : Why now ? Let us wait. If we are to properly apply our mind, why is the Government not in a position to wait up to the month of November ? That also should be clarified so that we can apply our mind properly to this issue.

SHRI ATAL BIHARI VAJPAYEE (New Delhi) : If the House is going to meet again in November, then this proclamation need not be taken up now. If it has been decided not to meet again then we are prepared to...

(Interruptions)

THE MINISTRY OF HOME AFFAIRS (SHRI P.V. NARASIMHA RAO) : Who takes that decision ?

SHRI SATISH AGARWAL : So is the fate with regard to the second Resolution regarding Punjab. I am not opposed to the extension or the continuance of the President's Rule in Punjab but if you are going to meet again, as we are hearing in the Central Hall that we are going to meet again

before the elections, then we can approve it then.

SHRI SOMNATH CHATTERJEE : As it has been pointed out, this extension of Proclamation is being asked for six months from 25th of November 1984. You are going to have this extension today. Supposing within 25th of November 1984 there is a Government there or elections take place, then this Resolution becomes infructuous. Therefore, we are taking part in a process when the Resolution may become infructuous totally. Is this the way this House conducts itself ? This is the point I want to be clarified ?

SHRI P.V. NARASIMHA RAO : Far from being an abuse of any Constitutional provision, this happens to be an act of great farsightedness. We are able to anticipate that certain difficulties are going to be faced by us. I shall explain presently to the House what those difficulties are. So, there is no Point of Order let me submit.

SHRI G.M. BANATWALLA : Sir, what is your ruling ?

MR. SPEAKER : I have already admitted it.

SHRI G.M. BANATWALLA : Sir, your ruling should be in our favour. At least the last ruling be in our favour.

श्री राम बिलास पासवान : यह सरकार कैसे कह सकती है कि ज्वाइंट आफ आर्डर नहीं है।

अध्यक्ष महोदय : हम कह रहे हैं कि नहीं है इस में ज्वाइंट आफ आर्डर।

श्री राम बिलास पासवान : एक बात की कहें कि अगला सेशन होने वाला नहीं है।

अध्यक्ष महोदय : होना तो यह बायें। उस में कहने की क्या बात है ?

**SHRI P.V. NARASIMHA RAO :**  
Sir, I beg to move :

"That this House approves the continuance in force of the Proclamation, dated the 25th May, 1984 in respect of Sikkim, issued under Article 356 of the Constitution by the President for a further period of six months with effect from the 25th November, 1984."

As the House is aware Parliament had approved on July 23, 1984, the Proclamation under Article 356 of the constitution in respect of the State of Sikkim and the dissolution of the Legislative Assembly of the State. The Proclamation had been issued on May 25, 1984 and remains valid till November 24, 1984. The five-year term of the State Assembly expires in October 1984. However, the Governor has indicated that certain issues, having far-reaching Constitutional implications are currently raised in the State in regard to the representation of different sections of the people in the State Legislature. While these issues are being considered, any electoral process could lead to tensions and disharmony which would vitiate the atmosphere. Taking into consideration all the circumstances prevailing in the State, the Governor has recommended extension of President's rule by another six months beyond 24th November 1984. All efforts will continue to create conditions of mutual appreciation and understanding of these issues in the true interest of various sections of the people of Sikkim and indeed consistent with the larger interest of our nation as a whole. In view of the above, I request the august House to approve the continuance in force of the Proclamation issued by the President in respect of the State of Sikkim on May 25, 1984 for a further period of six months with effect from November 24.

**MR. SPEAKER :** The question is :  
"That this House approves the continuance in force of the Proclamation, dated the 25th May, 1984 in respect of Sikkim, issued under Article 356 of the Constitution by the President, for

a further period of six months with effect from the 25th November, 1984".

*The motion was adopted,*

19.10 hrs.

#### STATUTORY RESOLUTION RE : APPROVAL OF CONTINUANCE OF PROCLAMATION IN RESPECT OF PUNJAB

**THE MINISTER OF HOME AFFAIRS  
(SHRI P.V. NARASIMHA RAO) :**  
Sir, I beg to move : the following Resolution :

"That this House approves the continuance in force of the Proclamation, dated the 6th October, 1983 in respect of Punjab, issued under Article 356 of the constitution by the President, for a further period of six months with effect from the 6th October, 1984."

**MR. SPEAKER :** The question is :

"That this House approves the continuance in force of the Proclamation dated the 6th October, 1983 in respect of Punjab, issued under Article 356 of the Constitution by the President, for a further period of six months with effect from the 6th October 1984."

*The motion was adopted.*

#### CONCLUDING REMARKS

**श्री मनोराम बागड़ी (हिसार) :** अध्यक्ष जी, यह जो नवम्बर से आगे तक की मंजूरी ले ली है इसका मतलब यह है कि दोबारा इस पार्लियामेंट का सेशन तो होना नहीं है। याद हम आखिरी दफा मिल रहे हैं तो हम एक दूसरे का मुकिया मद्रा कर दें। अध्यक्ष जी, आपकी बड़ी मेहरबानी, आपने इस हाउस से सिर्फ मुझे ही निकाला आठ दिन के लिए और किसी को भी नहीं निकाला।

(व्यवधान)

**श्री राम विनायक पासवान (हाजीपुर) :**  
अध्यक्ष जी, हमने आपको बहुत तकलीफ दी