

12.24 hrs.

LOKPAL BILL

EXTENSION OF TIME FOR PRESENTATION OF REPORT OF JOINT COMMITTEE

SHRI SHYAMNANDAN MISHRA
(Begusarai) : Sir, I beg to move the
following :—

“That this House do further extend
up to the last day of the first week of
the next session, the time for presentation
of the Report of the Joint Committee
on the Bill to provide for the appoint-
ment of a Lokpal to inquire into allega-
tions of misconduct against public men
and for matters connected therewith.”

MR. SPEAKER : Mr. Deo. He has
given a substitute motion.

SHRI P. K. DEO (Kalahandi) :
Mr. Speaker, Sir, it is my painful duty..

MR. SPEAKER : You can mention
your suggestions. Substitute motion
is not allowed. Only those who have
given prior notice have the priority.

SHRI P. K. DEO : Sir, in this re-
gard. I would like to point out that, as
early as in 1966, the Administrative Re-
forms Commission had gone into various
aspects of administrative reforms and given
the topmost priority to the Institution of
of Lokpal and unanimously recommended
in their first report that it should be imple-
mented and, as soon as possible, it should
be put on the statute book of this country.

Sir, I brought forward a non-official Bill.
That was partly discussed in this House.
On the assurance of the Home Minister
that the Lokpal Bill would be immediately
passed, I withdrew it. On the first day of
this Parliament session, a motion was
brought by the Chairman of the Joint
Committee to extend the time. I gave a
motion and it was supported by no less a
person than the Prime Minister himself and
it was accepted by the House that before
the House adjourns, the report of
the Committee would be submitted.
We had as many as sixty-two working days
in the budget session and the budget
session is now being extended. I am
surprised to see that only 18 sittings had
been held by the Committee. I do not
cast any aspersion on the Chairman or
on the Joint Committee itself. But,
with all humility, I beg to submit that
the Joint Committee is not serious about
the Lokpal Bill. The proceedings of the
Joint Committee. (Interruptions).

SHRI SAUGATA ROY (Barrack-
pore) : Sir, I rise on a point of order. As
a Member of the Joint Committee, I have

some objection. He is casting an asper-
sion on the Joint Committee. That is not
done in Parliament. He cannot impute
motive or say anything. The Members of
the House constitute the Joint Committee.
How can this be allowed in the House ?
How are you allowing this ? It is not
done.

(Interruptions)

SHRI P. K. DEO : I withdrew the
words. Sir, the proceedings of the Joint
Committee are secret. I have no access
to the proceedings of the Select Committee.
But, Sir, we all know that it has been
partly discussed the other day and there
were serious differences and no consensus
is emerging from the Joint Committee.

(Interruptions).

SHRI K. P. UNNIKRISHNAN :
On a point of order. Is there a precedent
that we discussed a motion of this kind
before the House ?

SHRI P. K. DEO : I am only
opposing it.

SHRI K. P. UNNIKRISHNAN :
Can we discuss the conduct of the Parli-
amentary Committee ?

MR. SPEAKER : He said he had
withdrawn those words.

SHRI K. P. UNNIKRISHNAN :
He is referring to the deliberations of the
Committee. He also says there is no
consensus ; they are not serious. Are we
going to allow this as a precedent ? I
want to know that. I want your ruling
on that.

SHRI P. K. DEO : Sir, I beg to
submit that we do not expect any utopian
or foolproof report from the Joint Com-
mittee.

After all, the House is sovereign. The
report will come to this House and there
will be a threadbare discussion on the
report of the Joint Committee. And
many members of the Committee have
given many amendments. Taking into
consideration all the facts and taking into
consideration also the seriousness of the
matter, I most respectfully submit
that there should not be any extension
of time.

I oppose the motion moved by my
hon. friend, Shri Shyam nandan Mishra.

MR.. SPEAKER : Dr. Ramji
Singh.

SHRI K. LAKKAPPA : Before that, with your permission, Sir, I want to say that the Home Minister is not here. *(Interruptions).*

MR. SPEAKER : Not now. If necessary I will call you. You have no precedence over others. I have already called Dr. Ramji Singh.

डा० रामजीसिंह (भागलपुर) : लोकपाल बिल के इतिहास से आप अवगत हो हैं। 1968 से ही यह कई बार ज्वाइंट सिलेक्ट कमेटी में जाकर समाप्त हो गया है। और अभी प्राइवेट मेम्बरस बिल के रूप में भी श्री पी० के० देव ने रखा था और सरकार के इस आश्वासन पर उन्होंने उदारतापूर्वक इसको वापस ले लिया। और उसके बाद दो बार इसके लिए समय मांगा जा चुका है। 18 बार इसकी बैठकें हो चुकी हैं। इसीलिए समूचे सदन को मैं आपकी ओर यह से कहना चाहता हूँ कि ऐसा सुन्दर काम, शुभ काम जल्दी होना चाहिए, शुभस्य शीघ्रम्। लेकिन हमारे श्याम बाबू ने बताया है कि अभी गृह मंत्री जी बीमार हैं और उनके विचार विमर्श तथा मंजूरा की आवश्यकता है। इसलिए मैं इतना ही कहूँगा कि यह बात तो ठीक है कि इसमें विलम्ब किया जा रहा है, लेकिन भगल सब में प्रथम दिन लोकपाल बिल धाना ही चाहिए और उस समय ऐक्स्टेंशन की कोई बात नहीं होनी चाहिए।

SHRI B. P. MANDAL (Madhepura): Sir, with your permission I beg to move :

"that for last day of the first week of the next Session", substitute upto "15th June, 1978."

MR. SPEAKER : I do not allow any amendment.

SHRI B. P. MANDAL : In this connection I want to say that this Bill was referred to Joint Committee on 1-8-1977 and Rajya Sabha concurred on 3-8-1977 and the Committee was to report by 14-11-1977. The first extension was given on 14-11-1977 till 20-2-1978. Then the second extension was given on 20-2-1978 till the last day of the current Session. Altogether nine months and 12 days have been taken. Nine months is a sufficient period for a woman's conception but I am sorry to say that more than nine months have been taken and nothing has been conceived by this Committee so far. Nothing has been delivered by this Committee. I therefore want to give them one month more. That is the maximum. No human being is known to have delivered after ten months. Shri Shyamanandan Mishra wants another

four months. That will be one year. One year is too much. Only cattle deliver in one year. So I say with all humility that no other extension may be given beyond 15th June.

SHRI SHYAMNANDAN MISHRA : Sir, I am grateful to the hon. Member, Dr. Ramji Singh, that he has taken a very sympathetic view of the matter. So far as the Committee is concerned, I would like to assure the House that it has been very anxious to adhere to the time-schedule for the presentation of the Report. The fact that the Committee did not undertake any tours and also did not take any evidence should clearly establish that the Committee did not want to take more time than was necessary for the presentation of the Report as was indicated by the House. But there is no doubt that there are certain very complex problems with which the Committee has been struggling and when we were within sight of a solution of these problems, came the unfortunate illness of the Home Minister. The House would agree that without his help and guidance it would be difficult to sort out these problems. So, I would request the hon'ble Members to take the same sympathetic view as has been taken by the hon. member, Dr. Ramji Singh and give us some more time for the presentation of the Report.

MR. SPEAKER : The question is :

"That this House do further extend upto the last day of the first week of the next session, the time for presentation of the Report of the Joint Committee on the Bill to provide for the appointment of a Lokpal to inquire into allegation of misconduct against public men and for matters connected therewith."

The motion was adopted.

SHRI K. LAKKAPPA : Sir, I want to make a submission.

MR. SPEAKER : No, No. It is over. Do not record.

*(Interruptions)***

SHRI B. P. MANDAL : Sir, I want to raise a point of order. What has happened to my amendment? You should have put to vote my amendment or asked me whether I wanted to withdraw it. After disposing of the amendment, you should have taken the main motion.

MR. SPEAKER : The point of order is over-ruled.

SHRI K. P. UNNIKRISHNAN: Sir, I sent two notices of privilege motions, against Mr. Atal Bihari Vajpayee and Mr. H. M. Patel.

MR. SPEAKER: Not only you, but Mr. Ravi also has given.

SHRI K. P. UNNIKRISHNAN: I am talking only for myself. I sent two notices and since then I have been repeatedly requesting you to bring them before the House for consideration as it involved many grave issues.

MR. SPEAKER: I want to get some points clarified. Therefore I am inviting both the Law Minister and the Minister of External Affairs, not only for your motion but also for Mr. Ravi's motions. We will take up that on Monday. I will give you an opportunity and also to the other side to clarify the point.

SHRI K. P. UNNIKRISHNAN: Sir, I have also a contingent motion relating to the privileges that the Attorney General be called before the House to clarify the position.

MR. SPEAKER: I will give you an opportunity on Monday.

12.45 hrs. :

RE: BUSINESS OF THE HOUSE

PROF. P. G. MAVALANKAR (Gandhinagar): Sir, please refer to Rule 13 and Rule 15. My point of order is this: before we start the legislative business at this point of time, actually, I thought that either from you or through the Minister of Parliamentary Affairs, the House would have been given some indication of the business before us either for tomorrow or for next week.

MR. SPEAKER: Tomorrow we are not sitting.

PROF. P. G. MAVALANKAR: My point is that the Minister of Parliamentary Affairs had not come out today with any statement on Government business for next week. Now, we want to know what happens to the Constitution Amendment Bill which has been circulated. We want to know whether it is going to be introduced in this Session or not. There is no indication about that. There is no indication whether that Bill is coming or not. There is no indication whether the Shah Commission's Reports, both preliminary and the second one, are coming or not. There is no indication whether the Anti-defection Bill is coming or not. There is

no indication whether the Comprehensive Industrial Relations Bill is coming or not. In regard to all these Bills, from time to time, in this current Budget Session, Government has been promising us that they would introduce them in this very current Session, but no indication about that was there. I have been pressing for a long time for the Anti-Defection Bill along with other Members and I have also been objecting to the Act regarding pensions to the former Members of Parliament. I have been asking about this and the Government have been telling me that they were in two minds on it. Members may not agree on my mentioning about the pension to ex-Members. But I am quite clear in my mind. The pensions for Ex-MPs. must be abolished. Kindly hear me. The Minister of Parliamentary Affairs has not come out with any statement. In the absence of such a statement about the business of the House in the current session, we want you to tell us three things. Are we meeting tomorrow?

MR. SPEAKER: I am not going to answer any question; if the Minister wants to say anything, he may.

PROF. P. G. MAVALANKAR: We must know; we have to make plans. Unless the House is told as to what is the plan of the budget session, how are we to plan our programmes? We have to go to our constituencies. Are we meeting tomorrow? Are we also going to meet beyond the 16th? My last point is: whether on Monday the 15th, to which date everything had been shifted, question hour, call attention....

MR. SPEAKER: All that is known.

PROF. P. G. MAVALANKAR: Question hour, call attention, privilege motion, two major debates, introduction of new Bills—to do all this on Monday, are we going to have a session from 11 a.m. till midnight?

MR. SPEAKER: Mr. Mavalankar will be allowed to make a speech every day? What is this?

PROF. P. G. MAVALANKAR: Are we going to finish all that? That is my point. There is the debate on the Verghese Committee report; and then the debate on student unrest.

SHRI K. LAKKAPPA: On a point of order. The President of India has summoned the Members of the Rajya Sabha and Lok Sabha for a joint session on 16th but doubts have arisen in the minds of Members of this House whether it is a new session, whether he is going to address that session, whether Members