

[SHRIMATI INDIRA GANDHI]

The above-mentioned decisions have been taken, keeping in view the requirements of the integrated State, the legitimate interests of the people of both the regions in the matter of public employment and education, and the assurances given in this House. Government hope that these decisions will receive general acceptance in the State and will be implemented in a spirit of understanding, co-operation and accommodation.

I appeal in particular to all Members of Parliament to help in maintaining peace in all parts of Andhra Pradesh

SHRI K. RAGHU RAMAIAH (Guntur): * *

SHRI SHYAMANANDAN MISHRA (Begusarai): On a point of order. Will all these things go on record?

MR. SPEAKER: If I allow you I will have to allow others.... (Interruptions) I am sorry; I cannot allow any question. Later on, if you want a discussion, there will be no bar, but not now. After all, there are rules; a Minister makes a statement and no question will be put. That is the clear rule

DR. G. S. MELKOTE (Hyderabad): Will his statement go on record?

MR. SPEAKER: Why not? This is not a meeting in camera.

DR. G. S. MELKOTE: With great respect. I have to submit that I heard the Prime Minister speak.....

MR. SPEAKER: I have given my ruling.

DR. G. S. MELKOTE: That is what I am saying. If Shri Raghu Ramaiah's statement is to go on record....

MR. SPEAKER: No, it will not go.

SHRI K. RAGHU RAMAIAH: Which will not go?

MR. SPEAKER: If I allow one Member, there will be so many; it

will be better if you take some other opportunity.

12.42 hrs.

BUSINESS ADVISORY COMMITTEE

NINETEENTH REPORT

THE MINISTER OF PARLIAMENTARY AFFAIRS AND SHIPPING AND TRANSPORT (SHRI RAJ BAHADUR): Sir, I beg to move:

"That this House do agree with the Nineteenth Report of the Business Advisory Committee presented to the House on the 24th November, 1972."

श्री इत्यामनन्दन मिश्र (बेगूसराय) मुझे इस के बारे में कुछ अर्थ करना है।

श्री इत्यामनन्दन मिश्र : आप ने जो प्रोसीजर तय किया है, जिस पर हम अमल करते हैं वह यह है कि जिस दिन मिनिस्टर अगले हफ्ते का विजिनेस डिक्लेअर करते हैं उस दिन सभी मेम्बर अपने सजेसन दे सकते हैं। लेकिन जिस दिन सब कुछ डिस्कस होने के बाद विजिनेस ऐडवाइजरी कमेटी की रिपोर्ट आ जाये उस के बाद उस को स्टेट अवे रख दिया जाता है।

श्री इत्यामनन्दन मिश्र (बनारस) : लेकिन तीन दिनों में फिक्सेशन आफ टाइम करना होगा।

श्री इत्यामनन्दन मिश्र : मेरा विचार यह है कि जो रिपोर्ट हमारे सामने रखी जाये वह कम्प्लीट हो, सिर्फ सबमेट विजिनेस के बारे में न हो। वह नान-असफिशल विजिनेस के बारे में भी हो। जो विजिनेस ऐडवाइजरी कमेटी की रिपोर्ट आये है वह सिर्फ थ वर्नमेंट

विजिनेस के बारे में घाई है। हम लोगों ने श्रीर शाने भी की थी और कुछ निरमो पर विचार करने का निर्णय किया था। उन सब के बारे में कोई जिक्र नहीं है।

अध्यक्ष महोदय उस क बारे में सेपरेट स्टेटमेंट हाता है।

श्री श्यामलरदन त्रिभ विजिनम रेंड-बाइजरी कमेटी में हम न नान-आफिशल विजिनेस के बारे में कुछ फैसला किया था।

अध्यक्ष महोदय यह रिपोर्ट सिर्फ टाइम प्रलाटमेंट के बार में है और हमेशा इसी गलत में आती है।

श्री श्यामलरदन त्रिभ लेकिन इस मप्ताह का गैर-सरकारी काय हम को सोमवार को भी नहीं मालूम हुआ। आखिर हम उस के निचे तैयारी कैसे करेंगे? हम आप में प्रोटेक्शन चाहते हैं।

अध्यक्ष महोदय उस के बारे में प्रलाहवा स्टेटमेंट दे दिया जायेगा।

SHRI INDRAJIT GUPTA The statement made last Friday by the hon. Minister regarding business for the following week was subsequently discussed again in a special meeting of the Business Advisory Committee and some amendments and modifications were suggested and they might have been accepted. What is that modified programme going to be?

MR SPEAKER If they were modified, they will be in the decisions which will be implemented.

SHRI JYOTIRMOY BOSU (Diamond Harbour) On a point of order, Sir. You were good enough to tell us that all those who have given notice under Rule 193 for short

duration discussions were not present in the Business Advisory Committee and we may have another meeting at the earliest opportunity. This is confusing.

MR SPEAKER Let me put this motion first.

SHRI H N MUKERJEE (Calcutta-North-East) I would not have intervened except for what I fear is an infraction of the rights of the House. I do not know what transpired in the Business Advisory Committee. Normally even though we accept what ever is reported by the Business Advisory Committee, the House has a right very definitely if it wishes to point out certain deficiencies. We are on this occasion kept completely in the dark and we are mystifyingly being told that something was being done behind doors.

MR SPEAKER Not at all.

SHRI JYOTIRMOY BOSU You in your wisdom had ruled that all those who have given notice of motions under Rule 193 be summoned on Monday.

SHRI H N MUKERJEE I gave notice of one such motion under that rule whatever it may be and I have not been asked to do anything.

SHRI SAMAR GUHA (Contn.) On the last occasion when the statement was made that during this week a discussion on power shortage and some other discussion would be there we disagreed and wanted that two other non-official motions should be taken up. What happened to that?

MR SPEAKER The details will be circulated.

SHRI RAJ BAHADUR As just now stated by Mr. Bosu, the Business Advisory Committee had expressed a wish that those members who had tabled motions under Rule 193 may be invited.

SHRI INDRAJIT GUPTA Rule 184

SHRI RAJ BAHADUR About rule 189, the rule is quite clear. Certain subjects had been suggested by some members in the Business Advisory Committee. It is for me to consult the convenience of the concerned ministers to find out when could they spare time and also what information they have got to fully reply to the points that might be raised. I will make these enquiries and then I will include such of the motions as are accepted in the statement that I would make about the Business of the House for the next week. It is for the Government, it is for the Speaker in consultation with the Leader of the House to allot time for the discussion of a No-day-Yet-Named motion. Under Rule 190 the Speaker has to consult the Leader of the House in regard to the days or dates for the discussion. With regard to those days and dates, I as Parliamentary Affairs Minister, have to consult the ministers concerned. I will consult them and such time as is suitable to the Government for the discussion of a motion will be communicated to the Speaker (*Interruptions*). I would not like to make any compromise on that.

SHRI SHYAMNANDAN MISHRA: He says he will select the subject. It is completely wrong.

SHRI RAJ BAHADUR Rule 190 is quite clear. It says

"The Speaker may, after considering the state of business in the House and in consultation with the Leader of the House allot a day or days or part of a day for the discussion of any such motion."

He has to consult the Leader of the House or me. I, on my part, have to consult the Leader of the House or the Minister concerned. Then only the business of the House can be fixed. It is not as if time can be allotted for any and every motion for discussion without consultation,

SHRI INDRAJIT GUPTA. So far as the fixation of date and time is concerned, the Minister is right that he has to consult his colleagues. But on that day in the BAC it was agreed as to which subjects should be taken up, the dates to be announced later. Now why does he give this incomplete report?

SHRI RAJ BAHADUR I suggested that I will consult my colleagues and then report to you.

SHRI SHYAMNANDAN MISHRA Sir, on a point of order. Since this happens to be a matter of vital importance to the functioning of this House, I would seek your ruling on this. If the hon. Minister says that he has not agreed to the subject that has to be taken up by the House, then would it be the position that if the Minister does not agree to the subject we can never take up that subject for discussion in this House?

SHRI RAJ BAHADUR On that day I submitted in respect of one motion namely on food I consulted my colleague and that we are ready to discuss it. When other subjects were mentioned I said that I will have to consult my colleagues. I cannot accept them without consulting my colleagues.

SHRI SHYAMNANDAN MISHRA I am on a point of order and it is the Minister of Parliamentary Affairs who infringes the rule by not allowing me to complete the point of order. The point is that if it is left to the government to choose the subject on which they can agree to have a discussion, then all inconvenient subjects would be set aside and they cannot be taken up for discussion. That is not a position on which we can agree on any account.

Secondly, if the hon. Minister takes up the position that we cannot find any time during the course of this session for such discussions, would we submit ourselves to that kind of a decision? Then it would come to the question of co-operation between the

government and the opposition and there will be a situation in which it would be difficult for the government business to be transacted. We have got certain priorities which we had indicated to you before the session commenced and also to the BAC, we want these subjects to be taken up for discussion and time must be found for them by the government. Otherwise, government would be taking a risk and they would be breaking all rules on co-operation between the two sides of the House.

SHRI INDRAJIT GUPTA: In the BAC meeting, which you presided over, no subjects were decided; that is what he has said.

SHRI SEZHIYAN (Kumbakonam): This is a departure from the accepted convention that has been followed all these years. The Minister quoted rules 189, 190 and 193. Those rules relate to the admission of motion. He cannot decide on the type of motion to be taken for discussion. The Minister says that he will consult the Ministers and find time for such motions. Previously we used to have a sub-committee of the BAC which would go through all these motions, consult the members who gave notice of them and then pick up three or four motions. Now the Minister says that it is for him to choose a particular motion.

SHRI RAJ BAHADUR: I have not said that.

SHRI SEZHIYAN: That is what you have said. You said you will decide after consulting your colleagues.

SHRI JYOTIRMOY BOSU: Sir, I have been involved in the Business Advisory Committee since 1967. In the last session, we had taken a decision that every week there would be either two motions under 193 or one under 193 and one under 184 but so far two weeks have passed and not a single motion has been discussed...

MR. SPEAKER: Let me first deal with the point of order. I thought you were speaking on the same point of order. You can raise it later on.

The other day, when the matter was raised, instead of deciding it here, I thought we should discuss it in the Business Advisory Committee and that is why the meeting of the Business Advisory Committee was held the same evening. We had a good deal of discussion. We accepted the interpretation that the Speaker admits the motions but, once they are admitted, the choice of accepting or not accepting does not remain. Only one aspect is left and that is that the Government will fix a day for the discussion.

Mr. Raj Bahadur on that day was right so far as the first part is concerned. But he is not always wrong or always right nor I am always right or wrong because in such matters we always discuss and straighten these matters.

There is no question of prestige involved here, over hair-splitting interpretation of these things. That is not the question. Once these motions are admitted, they go to the No-Day-Yet-Named Motions Committee. There is a sub-Committee, the No-Day-Yet-Named-Motions Committee. They choose some motions and then they are printed in the Bulletin and then they are discussed.

Again, in the Business Advisory Committee, we did accept—he was also agreeable; please tell me if I am wrong—that the Members should be consulted. Supposing a Member has six or seven or eight motions in his name, he is to be consulted as to which one he will prefer to be taken up for which a day will be fixed by the Government. In that case, the Member who has No-Day-Yet-Named Motions in his names will be asked as to which one he would like to be considered.

[MR. SPEAKER]

Then, we decided in that meeting that next Monday or immediately the following working day, the Members will be contacted as to which one they would like to be considered. Also, we selected a few of them. Now, for those selected motions, of course, there is no need of consultation with the Business Advisory Committee but, in the past, we had a Sub-Committee and they were consulted. In spite of the fact that the rules are silent on it, where you are correct that the Business Advisory Committee need not be consulted; the practice was that there was a sub-Committee and they were consulted. That practice was followed in the past. That is why some Members said, "Why not the whole committee meet?" The Committee is also like a sub-Committee; it is not very big. This is what was decided the other day.

Now, about those few motions that were selected that day and about others for which we decided that the office or you yourself will contact the Members as to which one they would like to be considered out of so many they have given. They will be put in the Business of the House. Nobody disputes your fixing of day. Nobody disputes that you are the overall master so far as the day to be fixed, but the day should be fixed. Am I right or wrong?

13 hrs.

SHRI SHYAMNANDAN MISHRA:
You are very right.

SHRI RAJ BAHADUR: Sir, your word is law for me....

MR. SPEAKER: Not 'a law for me'. That means you also.

SHRI RAJ BAHADUR: If that is the wish of the Members of the Opposition, I have to respect it in every manner....

MR. SPEAKER: Please don't say that I am adding something new. I

am just repeating what was there. I am not asking for any favour.

SHRI RAJ BAHADUR: First of all, I would like to disabuse their minds that the Government was at all keen to avoid any discussion on any subject. The question is that there are hundreds of No-Day-Yet-Named Motions. If I remind you—I did not want to raise any unnecessary controversy here—all these No-Day-Yet-Named motions which were listed for business on that day were also mentioned by the Members earlier in the Business Advisory Committee. They were keen about drought, about flood, about all these things, may be they are not so keen now. But, my duty is and as I say, as soon as you say, 'You admit this', it comes to a question of allocation of day and date.

You also said that Members should be consulted. The Business Advisory Committee had a sub-committee which chose the subjects. Now, the BAC does not have the sub-committee. Now it comes to the BAC or the Members concerned. I can certainly consider whether as a matter of courtesy as a matter of dealing with each other in a harmonious way, I should consult the Members opposite. But, the Rule does not ask me to do that, if I may say so.

SHRI SHYAMNANDAN MISHRA:
About what?

SHRI RAJ BAHADUR: About any obligation that I should consult. Speaker also said that.

SHRI SHYAMNANDAN MISHRA:
No, No.

SHRI RAJ BAHADUR: Let us see the Rule as it is. Let us not wish what the Rule should be.

MR. SPEAKER: You are correct about the Rules. It does not mention....

SHRI RAJ BAHADUR: As far as the Rule is concerned, I am correct That is what I wanted to submit

Now I must submit that once you have chosen certain subjects, will he not accommodate the Government Ministers also whether they are prepared for a particular subject to be taken up on a particular day? (Interruptions) I am asking for the date Maybe out of three subjects we can take one this week, one next week and the third one next session Maybe this is possible

SHRI K S CHAVDA (Patna) Next session?

SHRI RAJ BAHADUR If not next week, then in the week next to that

MR SPEAKER Sometimes, Raj Bhadurji, if you will not go further, you will not be complicating the issues

एक माननीय सदस्य : भाप उ दे उाटि ।

ब यज्ञ मशुबद : नही, मुने डाटने वाला रोन अगठा नही लगना । मै कमी यह बात पसद नही करना । और उई अत्रशरो में जब कमी इअर उअर यह बात आती है कि स्पीकर को झाड पडो तो मै ने कमी झड किरो पर नही डानी । बाहर निड देने हूँ लोग खुश हने हूँ । लेकिन मै कमी यह पसद नही करता ।

Never We do not proceed with (that spirit We persuade each other We request each other We are all equals. It does not matter you have made me sit here that I should consider myself as super-human

Please don't take it like that

SHRI JYOTIRMOY BOSU: Even I don't take it like that

MR SPEAKER I know it suits you very well

PROF MADHU DANDAVATE (Rajapur) He is the most sober man in the House

एक माननीय सदस्य : कैपला क्या दिया है ?

अध्यक्ष महोदय : कैपला यह है कि हफ्ते में दो लेगे और उस में दिन तो उन को देना ही पड़ेगा । वह बो डना सो एनवार उन का भाप किया करे । उस के बाद यह भी बात, उन की ठीक है कि जब दिन फिक्क करना हो तो उन मिनिस्टर से भी बात करनी पड़ेगी कि वह उस दिन आर एवयड न करे । यह हम उन पर छोडो हूँ ।

We have fixed the days.

The question is

"That this House do agree with the Nineteenth Report of the Business Advisory Committee presented to the House on the 21st November, 1972"

The motion was adopted

13.06 hrs

PAYMENT OF BONUS (AMENDMENT) BILL*

THE MINISTER OF LABOUR AND REHABILITATION (SHRI R. K. KHADILKAR) Sir, I beg to move for leave to introduce a Bill further to amend the Payment of Bonus A.t, 1965