

tion 5 of the principal Act, from the date of cesser of the Patents (Amendment) Ordinance, 1994 till the date on which this Act receives the assent of the President (both days inclusive) shall be deemed to have been validly made as if the provisions of the principal Act, as amended by this Act, had been in force at all material times.”  
Ord. 13 of 1994.

2. I am, therefore, to return herewith the said Bill in accordance with the provisions of rule 121 of the Rules of Procedure and Conduct of Business in Lok Sabha with the request that the concurrence of Rajya Sabha in the said amendments be communicated to Lok Sabha.”

Sir, I lay the Bill on the Table.

#### **REPORT OF THE DEPARTMENT-RELATED PARLIAMENTARY STANDING COMMITTEE ON HOME AFFAIRS**

SHRI PRANAB MUKHERJEE (West Bengal): I present the Fifty-third Report (in English and Hindi) of the Department-related Parliamentary Standing Committee on Home Affairs on the Immigration (Carriers' Liability) Bill, 1998.

#### **RE. REMOVAL OF NAVAL CHIEF AND ALLEGATIONS MADE BY SHRI MOHAN GURUSWAMY**

THE LEADER OF THE OPPOSITION (DR. MANMOHAN SINGH): Mr. Chairman, Sir, the recent events in the Ministry of Defence culminated in the resignation of the Naval Chief. And the functioning of some other Ministries, as highlighted in an article written by the former Advisor to the Finance Minister, have caused a great deal of worry and concern to the Members of this House and the public at large. Widespread accusations have been levied. I cannot, and I do not wish to go into the merits of these things. In my speech, while speaking on the Motion of Thanks to the hon. President, I had

drawn the Government's attention to the widespread concern that we feel, and we had expected the Government to enlighten us on these issues. Yesterday, when the hon. Prime Minister spoke, he did not touch on these matters and as courtesy to him, I did not think it proper to interrupt him, or, even to rise to protest even after he had concluded his speech. Sir, we have been discussing this matter with you and with the Government. We were told that we should wait until the Prime Minister addressed this House and may be, he would touch on these subjects. He has chosen not to touch on these subjects. Therefore, we honestly and sincerely feel that this House should be given an opportunity to discuss both these issues on the basis of a substantive Motion under Rule 170.

Sir, we do recognise the gravity of the issues and it was because of this concern that in the last session we took the initiative to seek an appointment with the hon. Prime Minister and to apprise him that the matter was so serious that some way should be found to deal with this matter in a manner which would satisfy the country and the House and also, I think, preserve the apolitical character of the Armed Forces and maintain high morale. Subsequently, Prime Minister was good enough to call the leaders of the Opposition parties in the Rajya Sabha and we had a meeting with him. The Defence Minister gave us his reasons. We expressed certain misgivings and our feelings were conveyed to the Government that this was a matter which required further probe. But I am distressed to note—I have been told—that the hon. Home Minister in the other House has stated that the leaders of the Opposition parties in the Rajya Sabha have agreed to the Government's request not to raise this matter in the Rajya Sabha. Sir, I can say with all sincerity—and my colleagues from other parties are also here; they would certify—that we have made no such

commitment to the Government. Even now we feel, and we strongly feel that both these issues are of great importance and that this House should be given an opportunity to express its views through a substantive motion under rule 170. Therefore, even at this stage we would urge upon the Government to agree to this request of a large majority of this House.

**श्री सुरेश पचौरी** (मध्य प्रदेश): सभापति महोदय, रूल-170 के तहत मैंने इस संबंध में नोटिस दिया था जो पार्लियामेंट्री बुलेटिन में भी प्रकाशित हुआ है और आए दिन डिफेंस के मामले में हथियारों की खरीद के संबंध में, डिफेंस की कार्यपद्धति के संबंध में पूर्व नौसेनाध्यक्ष द्वारा लगाए गए आरोपों के संबंध में विभिन्न समाचार पत्रों में कई समाचार प्रकाशित हो रहे हैं। समाचार पत्रों के माध्यम से इस सदन के सदस्यों को यह जानकारी मिलती है कि यह-यह चीजें डिफेंस में हुई थीं और यह नहीं हुई थीं। मैं आपके माध्यम से सरकार से आग्रह करना चाहता हूँ कि इस सदन के सदस्यों को जानकारी समाचार पत्रों के माध्यम से न मिले बल्कि वस्तु-स्थिति क्या है, वास्तविकता क्या है इस बात की जानकारी सरकार के माध्यम से मिले इसलिए डिक्लरेशन का समय मिलना चाहिए।

**MR. CHAIRMAN:** Your party leader has already spoken. I am going to permit only one Member from each party. *(Interruptions)...*

**श्री सुरेश पचौरी:** लेकिन मोशन मैंने दिया है इसलिए आपकी अनुमति से बोल रहा हूँ। सरकार स्पष्ट करे कि कब समय देगी।

**MR. CHAIRMAN:** That is all right. Mr. Gurudas Das Gupta.

**SHRI GURUDAS DAS GUPTA** (West Bengal): Sir, I am only suggesting that it is very unfortunate that repeatedly we have to take the time of the House to implore the Government that it may kindly agree to a discussion on a number of vital issues which are agitating the minds of the common people. We have been telling the Government that the press is free to discuss everything but the Parliament is not within its right to discuss them. This is a completely

untenable situation. Let the hon. Prime Minister have a little confidence in the Members of this House that we have in our mind the importance of the security system of the country. There is nobody in the House who is going to belittle this issue. But there can not be a running away from this important issue of a discussion on Defence. It is not a question of Defence only. Many of the Members in this House have implored the Government to have a discussion on the attack on the minorities in the country. That is also an important thing. The Prime Minister yesterday spoke of consensus. Let us have a discussion. let us try whether we can find a consensus on the fundamentals regarding the policy of Defence, on the policy with regard to minorities ...*(Interruptions)...*

**MR. CHAIRMAN:** That is all right. Mr. Biplob Dasgupta.

**SHRI GURUDAS DAS GUPTA:** ...and also on the complaint which a former adviser of the Finance ministry has specifically made against some of the hon. Members of the Government. We want the House to take cognizance of the complaint and the issues agitating the minds of the people.

**DR. BIPLAB DASGUPTA** (West Bengal): Sir, I find it very perplexing that both of these issues, one relating to the comments made by Shri Guruswamy and the other relating to Admiral Bhagwat, are being discussed by the entire country. Everyday something new is coming up in the Press, but we, in Parliament, are not discussing. Both these issues have made us very uncomfortable as far as the Defence Policy and the Economic Policy are concerned. Our Members have given notice for discussion under Rule 168 which is there with you. Unfortunately, the Government has not yet been able to prepare its legislative agenda. We must know whether during the remaining days, there will be sufficient room for discussing both these issues. If these two Motions are not discussed substantively,

we will be having a very serious problem. There is another point I would like to make with reference to which Mr. Manmohan Singh has spoken. There has been a meeting held by the Prime Minister with the leaders of various parties, our party was also represented; but the impression which has been conveyed afterwards by the man of the Government is they have all been satisfied with whatever explanation has been given by the Defence Minister; that is a very wrong message which has been given. We are not at all satisfied and if the Prime Minister claims that everybody was happy, then that should have been clarified before the leaders themselves. Only then such a statement should have been made. Since the statement has been made from the Government side, it is imperative on the part of our party to make it absolutely clear that we remain very unhappy with the way this thing has been dealt with. We would like to have a very clear position of the Government on this issue. My appeal would, therefore, be, Sir, you kindly ensure that these two issues are not evaded in this House. These two issues should not be allowed to be evaded by the Government.

MR. CHAIRMAN: That is all right. Shri Ish Dutt Yadav.

श्री ईश दत्त यादव (उत्तर प्रदेश): माननीय सभापति जी, देश की सुरक्षा अत्यंत महत्वपूर्ण होती है और गोपनीय भी होती है और इस देश के इतिहास में जिस तरह से एडमिरल विष्णु भागवत की बरखास्तगी की गई, यह पूरे देश के लिए एक बहुत ही महत्वपूर्ण विषय हो गया है। रक्षा मंत्री और सरकार विष्णु भागवत पर आरोप लगा रहे हैं, अनेक आरोप लगा रहे हैं और विष्णु भागवत इनके खिलाफ आरोप लगा रहे हैं। पूरा देश यह जानना चाहता है कि वास्तविकता क्या है? विष्णु भागवत दोषी है या सरकार किसी कुंठा की वजह से, किसी दुर्भावना की वजह से चाहे वह रक्षा मंत्री हों चाहे सरकार का कोई भी व्यक्ति हो, किस कारण से विष्णु भागवत को बरखास्त किया गया, यह अत्यंत महत्वपूर्ण है मान्यवर क्योंकि समाचार-पत्रों में जो भी छपा कि विष्णु भागवत देश की सुरक्षा के लिए यातना उत्पन्न कर रहे

थे। अगर यह वास्तविकता है तो यह अत्यंत महत्वपूर्ण विषय है। इसलिए नेता विपक्ष डॉ॰ मनमोहन सिंह जी ने जो प्रस्ताव रखा है, मैं इसका समर्थन करता हूँ कि इस विषय पर सदन में विचार होना चाहिए ताकि इस सदन के समक्ष और देश के समक्ष ये सारी समस्याएँ और सारी जो उलझने हैं, वे आ जाएँ।

उसी प्रकार से वित्त मंत्री जी के जो आर्थिक सलाहकार थे, इनके संबंध में भी इस देश के अंदर एक रहस्य बना हुआ है। इसलिए मैं नेता विपक्ष की बातों का समर्थन करते हुए मांग कर रहा हूँ कि इसको प्रधान मंत्री जी आप माननीय सभापति जी के कक्ष में नहीं बल्कि सदन में लाइए और पूरे देश के सामने इस का स्पष्टीकरण हो जाना चाहिए कि विष्णु भागवत दोषी है या सरकार दोषी है? बहुत-बहुत धन्यवाद।

...(व्यवधान)...

श्री नरेश यादव (बिहार): चेयरमैन सर, एक व्यवस्था का प्रश्न है। ...ज्वाइंट ऑफ ऑर्डर है सर।  
...(व्यवधान)...

प्रधान मंत्री (श्री अटल बिहारी वाजपेयी): सभापति जी, मुझे ...(व्यवधान)... मुझे जाना है।

श्री सभापति: ये जा रहे हैं। ...(व्यवधान)...

श्री अटल बिहारी वाजपेयी: मैं जाने के लिए आपकी इजाजत मांगने के लिए खड़ा हुआ हूँ। एक विदेशी प्रतिनिधिमंडल आ रहा है। ...(व्यवधान)...

श्री नरेश यादव: सभापति महोदय ...सभापति महोदय...

श्री अटल बिहारी वाजपेयी: चेकोस्लोवाकिया का प्रतिनिधिमंडल है। मैंने समय दिया हुआ है।  
...(व्यवधान)...

श्री सभापति: अरे...बात सुनिए, वे कह रहे हैं कि मैं जाने की आज्ञा मांग रहा हूँ।

श्री अटल बिहारी वाजपेयी: ये नहीं चाहते कि हम जाएँ मगर सभापति जी, जाते-जाते मैं एक बात कहना चाहता हूँ कि कल मैंने अपने भाषण में नौसेना के प्रमुख की बरखास्तगी के बारे में कुछ कहा था। डाक्टर साहब ने कहा कि मैंने कुछ नहीं कहा। मैंने एक ठोस प्रस्ताव रखा था कि एडमिरल भागवत की बर्खास्तगी से संबंधित सारे कागज-पत्र हम सभापति महोदय आपको दिखाने के लिए तैयार हैं।...

श्री सभापति: हाउस की मर्जी से।  
...(व्यवधान)...

श्री अटल बिहारी वाजपेयी: मुझे कहने तो दीजिए, क्योंकि उसमें कुछ ऐसे मामले हैं जो नाजुक मामले हैं, जो देश की सुरक्षा से संबंधित हैं। जो सरकार में रह चुके हैं और फिर सरकार में आने का प्रयास कर रहे हैं, वे इस बात को समझेंगे, ऐसा मानता हूँ।... (व्यवधान)...

श्री मोहम्मद सलीम (पश्चिमी-बंगाल): यह सिर्फ उनका सवाल नहीं है, यह पूरे देश का सवाल है।... (व्यवधान)...

अशरी محمد سلیم: یہ صرف ان کا سوال نہیں ہے۔ یہ پورے دیش کا سوال ہے۔  
... "مداخلت" ...

श्री अटल बिहारी वाजपेयी: पूरे देश की तरफ से ही तो मैं बोल रहा हूँ।... (व्यवधान)...

श्री नीलोत्पल बसु (पश्चिमी बंगाल) यह सेंसेटिव मैटर ही तो प्रेस में आ रहा है।... (व्यवधान)...

श्री अटल बिहारी वाजपेयी: यह कोई बात नहीं हुई।... (व्यवधान)... अब अगर ... (व्यवधान)...

श्री मोहम्मद सलीम: इंडियन एक्सप्रेस में छपा है।... (व्यवधान)...

अशरी محمد سلیم: ان لوں ایکسپریس میں چھپا ہے۔... "مداخلت" ...

श्री नरेश यादव: यह मामला बहुत ... (व्यवधान)...

सदन के नेता (श्री सिकन्दर बख्त): आप क्यों बीच में खड़े होते हैं? ... (व्यवधान) ... क्यों बीच-बीच में खड़े होकर व्यवधान डालते हो? Let him finish. (Interruptions). यह क्या तमाशा है कि प्राइम मिनिस्टर भी नहीं बोल सकते।... (व्यवधान)...

انیتا سون مشری سیکندر بخت: آپ کیوں بیچ میں کھڑے ہوئے ہیں۔

... "مداخلت" ... کیوں بیچ میں کھڑے ہو کر ویو دھان ڈالے ہو۔  
... "مداخلت" ...  
یہ کیا حما مشہ ہے کہ پرائم منسٹر بھی نہیں بول سکتے۔... "مداخلت" ...

श्री सुरेश पचौरी: यह मामला केवल भागवत की बर्खास्तगी तक सीमित नहीं है।... (व्यवधान)...

श्री मोहम्मद सलीम: इस देश की सुरक्षा रक्षा मंत्री के हाथों में सुरक्षित नहीं है।... (व्यवधान) ... इस देश की सुरक्षा डिफेंस मिनिस्टर के हाथ में सुरक्षित नहीं है।... (व्यवधान)...

अशरी محمد سلیم: اس دیش کی سرکشا رक्षा منتری کے ہاتھوں سرکشت نہیں ہے۔... "مداخلت" ... اس دیش کی سرکشا ڈیفینس منسٹر کے ہاتھوں سرکشت نہیں ہے۔... "مداخلت" ...

श्री सभापति: प्रधान मंत्री जी को सुनना चाहिए। प्रधान मंत्री जी को सुनना चाहिए।... (व्यवधान)...

श्री मोहम्मद सलीम: रक्षा मंत्री के हाथ में देश की सुरक्षा सुरक्षित नहीं है।... (व्यवधान) ... सच्चाई जानने का पार्लियामेंट को अधिकार है।... (व्यवधान)...

अशरी محمد سلیم: رक्षा منتری کے ہاتھ میں دیش کی سرکشا سرکشت نہیں ہے۔... "مداخلت" ... سچیائی جاننے کا پارلیمنٹ کو ادھیکار ہے۔... "مداخلت" ...

श्री सुरेश पचौरी: सर, एडमिरल भागवत का ही मामला नहीं है। यह भ्रष्टाचार से जुड़ा हुआ मुद्दा है। ... (व्यवधान) ... प्रश्न भागवत की बर्खास्ती का नहीं है। ... (व्यवधान) ...

MR. CHAIRMAN: Let him speak. (Interruptions).

श्री मोहम्मद सलीम: प्रधान मंत्री और विपक्ष के नेता के बीच का सवाल नहीं है। सवाल इस देश की रक्षा का है। ... (व्यवधान) ...

اگر شری محمد سلیم: پر دھان منتری  
اور ویکیش کے نتیجے میں کاسوال نہیں  
ہے۔ سوال اس دیش کی سرکشا کا ہے۔  
... "مداخلت" ...  
... مانیر کشا منتری  
کے ہاتھ میں دیش کی سرکشت نہیں ہے  
... "مداخلت" ...

श्री सुरेश पचौरी: यह केवल बर्खास्ती का मामला नहीं है, बल्कि भ्रष्टाचार से जुड़ा हुआ मुद्दा भी है। ... (व्यवधान) ...

SHRI M. VENKAIAH NAIDU (Karnataka): Sir, when the Leader of the Opposition was speaking we did not interrupt him. (Interruptions).

MR. CHAIRMAN: Let him speak. (Interruptions).

श्री मोहम्मद सलीम: साजिश हो रही है और देश के रक्षा मंत्री ... (व्यवधान) ...

اگر شری محمد سلیم: سازش ہو رہی ہے  
اور دیش کے کشا منتری ... "مداخلت" ...

श्री जीवन राय (पश्चिमी बंगाल): रक्षा मंत्री को बचाने के लिए सरकार देश को भी ... (व्यवधान) ...

श्री सुरेश पचौरी: इस पर डिसकशन होने पर क्या आपत्ति है? ... (व्यवधान) ...

श्री दीपांकर मुखर्जी (पश्चिमी बंगाल): छिपा-छिपा कर क्या हो रहा है सामने लाइये। ... (व्यवधान) ...

MR. CHAIRMAN: The hon. Prime Minister would like to speak. (Interruptions). He is speaking. (Interruptions).

SHRI M. VENKAIAH NAIDU: Sir, I am on a point of order. (Interruptions). Sir, when the hon. Leader of the Opposition was speaking nobody interrupted him. (Interruptions).

श्री सुरेश पचौरी: यह मामला केवल बर्खास्ती का नहीं है। ... (व्यवधान) ...

MR. CHAIRMAN: Can't you allow the Prime Minister to speak? (Interruptions). Let the Prime Minister speak. (Interruptions). Please sit down. (Interruptions). Let the Prime Minister speak. Now Members from both the sides will sit down. (Interruptions). The Prime Minister will speak. (Interruptions). The Prime Minister will speak. (Interruptions).

श्री सुरेश पचौरी: प्रश्न बर्खास्ती का नहीं है। यह भ्रष्टाचार से जुड़ा हुआ मुद्दा है। यह मामला बर्खास्ती तक ही सीमित नहीं है। ... (व्यवधान) ...

श्री मोहम्मद सलीम: नेवल स्टाफ का मामला दिसम्बर से चल रहा था। ... (व्यवधान) ... तीन महीने से सरकार टालती आ रही है। ... (व्यवधान) ...

اگر شری محمد سلیم: نیول اسٹاف کا  
ماملہ دسمبر سے چل رہا تھا۔ "مداخلت"  
تین مہینے سے سرکار ٹالتی چلی آرہی ہے  
... "مداخلت" ...

श्री मोहम्मद सलीम: सर, उस मामले पर ... (व्यवधान) ... कोई जवाब नहीं है आपके पास।

اگر شری محمد سلیم: سر۔ اس ماملہ  
پر ... "مداخلت" ... کوئی جواب نہیں  
ہے آپ کے پاس۔

श्रीमती सरोज दुबे (बिहार): चेयरमैन साहब, ... (व्यवधान) ...

कुछ माननीय सदस्य: सर, ... (व्यवधान) ...

SHRI MD. SALIM: We want JPC (Interruptions) It is a fit case for a parliamentary probe ... (Interruptions).

MR. CHAIRMAN: The House is adjourned till 4 o' clock.

The House then adjourned at twenty-three minutes past twelve of the clock.

The House reassembled at four of the clock, The Deputy Chairman in the Chair.

THE DEPUTY CHAIRMAN: I am so happy कि आप लोग खुशी के माहौल में हैं। स्पेशल मेंशन है आपको स्पेशल मेंशन लेना है कि नहीं... (व्यवधान)

श्री सुरेश पच्चौरी: मैं आपके माध्यम से सरकार से यह कहना चाहता हूँ कि चर्चा के लिए कोई समय मुकर्रर किया जाए, कोई तिथि तय की जाए, लेकिन सरकार की तरफ से न तो समय मुकर्रर किया गया और न ही तिथि तय की गई। रक्षा मंत्रालय के संबंध में विभिन्न समाचार-पत्रों में, पिछले दिनों काफी समाचार आ रहे हैं उन समाचार-पत्रों के माध्यम से तो हमें कई जानकारियाँ मिल रही हैं लेकिन सरकार की तरफ से वास्तविकता क्या है, असलियत क्या है, इस बात की कोई जानकारी हमें इस सदन के सदस्य होने के नाते नहीं मिल पा रही है। इसलिए हम आपके माध्यम से अनुरोध करते हैं कि सरकार बताए कि हमने जो रूल 170 के तहत मोशन दिया है, जो दो भागों में है, एक, गुरुस्वामी ने इस सरकार पर और रक्षा मंत्रालय पर आरोप लगाए हैं और दूसरा रक्षा मंत्रालय समिति के विषय में विचार-विमर्श के लिए सरकार कौन-सी तिथि और समय मुकर्रर कर रही है।

उपसभापति: आप बैठिए, एक मिनट बैठिए, मंत्री जी बैठे हैं ... (व्यवधान) आपने अपना निवेदन रखा, सबने मिलकर रखा। मंत्री जी बैठे हैं, जवाब देना चाहे तो दे सकते हैं उसके बाद हम निर्णय करेंगे कि क्या करना है। हाउस तो चलना ही चाहिए।

पेट्रोलियम और प्राकृतिक गैस मंत्रालय में राज्य मंत्री और संसदीय कार्य मंत्रालय में राज्य मंत्री (श्री संतोष कुमार गंगवार): माननीय उपसभापति जी,

सुबह सदस्यों ने अपनी भावनाओं से अवगत करा दिया था और मेरी जानकारी में सरकार किसी भी बात पर पीछे रहना नहीं चाहती। जो सदस्यों का सुझाव होगा उसके अनुरूप ही कार्य होगा, लेकिन अभी साढ़े चार बजे बिजनेस एडवाइजरी कमेटी की मीटिंग है, मैं समझता हूँ कि उस मीटिंग में जैसा सदस्य चाहते हैं उसके अनुरूप ही हम लोग फैसला करेंगे ... (व्यवधान)

श्री मोहम्मद सलीम: सरकार के इस कथन पर मुझे आपत्ति नहीं है कि बी०ए०सी० में फैसला करेंगे। अभी सरकार के एक मंत्री ने हाउस में बयान दिया। एडमिरल को सैक करने पर उन्होंने जो आरोप रक्षा मंत्री पर लगाए और गुरुस्वामी ने फाइनेंस मिनिस्टर पर लगाए उसके आधार पर cutting across party lines and with an overwhelming majority of members of the House हमने मोशन सबमिट किया है और अभी मंत्री महोदय यह कह रहे थे फ्लोर पे कि उसको इम्प्लीकेशन को समझना चाहिए कि सरकार की तरफ से कोई आपत्ति नहीं है, अगर बी०ए०सी० इस बात को तय करती है कि हम चर्चा करें, जिस तरह से भी चर्चा करें। अगर यह बात तय है कि हम फिर दोहरा दें कि हम बी०ए०सी० में फैसला करेंगे। हम 168 और 170 मोशन ले आए ... (व्यवधान)

†††††  
 حضرت محمد سلیم : سرکار کے متعلق میری  
 اپنی نہیں ہے کہ اے سی میں فیصلہ  
 کریں گے۔ ابھی سرکار کے ایک مंत्री نے بیان  
 دیا ہاؤس میں ایڈمیرل کو شیک کرنے کے  
 بارے میں انھوں نے جو آر اوپ لگا کے رکھا  
 مंत्री کے اوپر اور گرو سوامی نے آر اوپ  
 لگا کے فائننس منسٹر کے اوپر اسکے اوصاف  
 پر۔۔۔

ہم نے موشن سبمٹ کر لیا ہے اور ابھی  
 مंत्री یہ کہہ رہے تھے کہ فلوور میں  
 اسکی امپلیکیشن کو سمجھنا چاہیے کہ سرکار

کی طرف سے کوئی آپہنچ نہیں ہے اگر کسی نے یہی  
اسی بات کو طے کرتی ہے کہ ہم چیر جائیں۔  
حسب طرح سے بھی چیر چکے ہیں۔ اگر یہ بات  
طے ہے تو پھر ہم دوبارہ اس میں ہم بیٹھیں  
میں فیصلہ کر لیں گے۔ ہم ۱۶۸ اور ۱۷۰ اسٹیشن  
لے آئیں۔۔۔ ”مداخلت“۔۔۔

उपसभापति: सलीम साहब, आप बैठिए। आप  
स्थान ग्रहण कीजिए। आप भी बैठिए आप तशरीफ  
खींचिए, आप बैठ जाइए प्लीज ... (व्यवधान) अभी  
मंत्री जी ने आपके सामने यह बात कहीं मेरे सामने यह  
बात कही सरकार को कोई एतराज नहीं है। बिजनेस  
एडवाइजरी कमेटी साढ़े चार बजे बैठने वाली है। जो  
आप लोग तय कर रहे हैं, बिजनेस एडवाइजरी के लोग,  
सरकार को उसमें कोई आपत्ति नहीं है। बिजनेस  
एडवाइजरी टाइम देती है और चेयरमैन साहब एक्जल  
देते हैं, वे सब लोग उस समय मौजूद रहेंगे तो मामला  
ठीक हो गया (व्यवधान)

श्री मोहम्मद सलीम: इसमें एक कैच है मैडम। मंत्री  
महोदय का कहना है कि सदस्य जैसा चाहते हैं। अगर  
रिकार्ड्स को देखा जाए, वे कहते हैं कि बी०ए०सी० में  
फैसला होगा लेकिन सदस्य जैसा चाहते हैं वैसा ही मेशन  
लाया जाए तो कोई हर्ज नहीं है... (व्यवधान)

[[श्री محمد سلیم: اس میں ایک کیچ ہے  
میںم- منتری مجھ سے کہتا ہے کہ ممبران  
جیسا چاہتے ہیں اگر ریکارڈ کو دیکھا  
جائے۔ وہ کہتے ہیں کہ پی اے سی میں  
فیصلہ ہوگا۔ لیکن ممبران جیسا چاہتے  
اگر ویسا ہی موشن لایا جائے تو کوئی ہرج  
نہیں۔۔۔ ”مداخلت“۔۔۔]

श्री सुरेश पचौरी: मैडम, पहले यह तय हुआ था  
कि जब प्रेजिडेंट एड्रेस पर डिस्कशन पूरा हो जाएगी तो  
फिर बता दिया जाएगा कि इस पर डिस्कशन के लिए

कौन सा दिन तय किया जा रहा है। यह रूल 170 के  
तहत इस पर विचार करने के लिए मोशन सभी  
राजनीतिक पार्टियों ने चेयरमैन साहब को दिया है। नो  
डेट येट मेशंड मोशन में पार्लियामेन्ट्री बुलेटिन में  
प्रकाशित भी हो चुका है उसके बाद भी सरकार मानसिक  
रूप से तैयार होकर यहाँ क्यों नहीं आती है इस पर  
डिस्कशन के लिए कौन सी डेट और कौन सा टाइम तय  
किया जाना है। बिजनेस एडवाइजरी कमेटी का जहाँ तक  
प्रश्न है, उस बिजनेस एडवाइजरी कमेटी की मीटिंग से  
पहले विभिन्न राजनीतिक पार्टियों ने रूल-168 और 170  
के तहत मोशन दिए। तो उस समय भी बिजनेस  
एडवाइजरी कमेटी ने यह तय नहीं किया था। तो आज  
बिजनेस एडवाइजरी कमेटी तय करेगी, इस मामले में  
आप आवाधानस दे रही हैं या कल यह विचार करेगी,  
दोनों शब्दों में अंतर है—तय करेगी या विचार करेगी।  
इसलिए इस सदन में इस बात की घोषणा की जाए कि  
बिजनेस एडवाइजरी कमेटी द्वारा सदन का सेंस लिया  
जाए। ... (व्यवधान)

श्री मोहम्मद सलीम: मैडम, हाउस की राय ले  
जाए।... (व्यवधान)

[[30/3/99]]  
[[30/3/99]]

SHRI M. VENKAIAH NAIDU:  
Madam, Deputy Chairperson... (Inter-  
ruptions)...

श्री सुरेश पचौरी: मैडम, क्या आपने इनको बोलने  
की इजाजत दी है। ... (व्यवधान) हम सारे लोग  
आपसे चाहेंगे कि आप सदस्यों का मन्तव्य जानें और  
उसके आधार पर निर्णय करें। ... (व्यवधान)

उपसभापति: एक मिनट। मैंने किसी को बोलने की  
इजाजत नहीं दी है। ... (व्यवधान)

SHRI M. VENKAIAH NAIDU:  
Madam, ... (Interruptions)...

श्री सुरेश पचौरी: गुरुस्वामी के बारे में बोलने के  
लिए जित मंत्री बैठे हैं यहाँ... (व्यवधान)

SHRI M. VENKAIAH NAIDU:  
Madam, this is not the way that they go  
on dictating like this. ... (Interruptions)...

श्री सुरेश पचौरी: मैडम, माननीय सदस्य का इस दंग का व्यवहार ठीक नहीं है। ... (व्यवधान)

श्री खान गुफरान जाहिदी (उत्तर प्रदेश): महोदय, हमारी बात भी सुनी जाए। ... (व्यवधान)

श्री सुरेश पचौरी: मैडम, यह इस दंग की टिप्पणी नहीं कर सकते। ... (व्यवधान)

उपसभापति: एक मिनट बैठें। ... (व्यवधान)  
जिस रूल का आपने ... (व्यवधान) Just one second.

... (Interruptions)...

I am speaking. Nobody is speaking. ... (Interruptions) ... Just one minute. No one is speaking, except me. ... (Interruptions)...

SHRI M. VENKAIAH NAIDU: I am prepared to sit, whenever you say. ... (Interruptions) ... I cannot be cowed down by these people. Who are they to give me directions?

... (Interruptions)...

THE DEPUTY CHAIRMAN: Please sit down. ... (Interruptions) ... I have to read the rule. ... (Interruptions)...

SHRI M. VENKAIAH NAIDU: They cannot do like this. ... (Interruptions)...

THE DEPUTY CHAIRMAN: Mr. Venkaiah Naid, please sit down. ... (Interruptions)...

SHRI M. VENKAIAH NAIDU: They cannot have an emergency situation here. This is not 1975. This is 1999. Let them understand it first. They should try to understand it first, try to learn and follow the rules. ... (Interruptions) ... Madam, you tell them.

THE DEPUTY CHAIRMAN: I am telling everybody. I am telling you, and telling them. ... (Interruptions) ... Let me... Please sit down. ... (Interruptions)...

SHRI KHAN GHUFRAN ZAHIDI: Madam, he is not following the rules. ... (Interruptions)...

SHRI M. VENKAIAH NAIDU: We heard the Leader of the Opposition.

... (Interruptions)...

THE DEPUTY CHAIRMAN: Please sit down. Just listen to me. A rule is being quoted. I have to read the rule for the Members who are not aware of the whole content because everybody is not carrying a book. The Member mentioned about rule 170. Rule 170 says,

"The Chairman shall decide on the admissibility of a motion and may disallow a motion or a part thereof when in his opinion it does not comply with these rule."

Then come 171, 172, 173 and 174, and the Chairman will find out the time in consultation with the Leader of the House when it should be taken up. So, according to rule 170, the Chairman will take decision in consultation with the Leader of the House. ... (Interruptions)...

SHRI VAYALAR RAVI: No, no. ... (Interruptions)...

THE DEPUTY CHAIRMAN: Just a minute. Please listen to me. ... (Interruptions)...

SHRI M. VENKAIAH NAIDU: They don't want to go by rules. ... (Interruptions)...

THE DEPUTY CHAIRMAN: Will you please listen to me? What you are saying is the same thing which is written in the rules, the Government—the Leader of the House means the Government, because he represents the Government in this House. Now, the Leader of the House has to find the time to discuss this matter. So, you can take it up in the Business Advisory Committee. What else is there?

SHRI MD. SALIM: You have made a correct observation, Madam. (Interruptions)

THE DEPUTY CHAIRMAN: As the Leader of the House is not here, the Parliamentary Affairs Minister has committed on the floor. It could be decided. (Interruptions)



SHRI MD. SALIM: In the absence of the Leader of the House, in the absence of any senior minister...*(Interruptions)*...

THE DEPUTY CHAIRMAN: Here is a Minister...*(Interruptions)*

SHRI MD. SALIM: He made this point. You told about Rule 170 and admissibility. The Chairman, in his wisdom had allowed us but the date was not mentioned; but, it is admitted as a No-Day-Yet-Named Motion. *(Interruptions)* But, when is it going to be taken up? The Chairman decides this after discussion with the Leader of the House. *(Interruptions)* The Minister, before the BAC, had said that the Government had no objection to discussing it in deference to the wishes of the Members, that they were ready to discuss it. If that is what they wanted to reiterate, we do not have any problem.

THE DEPUTY CHAIRMAN: That is what he says. What else did he say? *(Interruptions)*

SHRI MD. SALIM: The only point that remains is that the Government come out earlier saying that the moment the Motion of Thanks is disposed of, the Government would let us know when they were going to allow us to discuss. Till yesterday, till the Prime Minister replied, we accepted it, but till this morning also it was not there. *(Interruptions)* The Government has not made up its mind. If it has made up its mind, it is all right. *(Interruptions)*

SHRI M. VENKAIAH NAIDU: I am not eager to become a Minister. Even if somebody offers me, I am not going to take; do not worry. You get disappointed. *(Interruptions)* We are not running after the posts of Ministers; we did not change parties. We are like this for the last forty-five years, together, unlike many of you. *(Interruptions)* Madam, Rule 170...*(Interruptions)*...

THE DEPUTY CHAIRMAN: Order, please. *(Interruptions)* Order, order, please. *(Interruptions)* The fact of his becoming a Minister or not becoming a

Minister cannot be decided on the floor of the House. *(Interruptions)*

SHRI M. VENKAIAH NAIDU: Madam, with regard to Rule 170, this morning, the hon. leader of the Opposition raised the issue. The Chairman had permitted him and when the Leader of the Opposition was raising the Motion, the entire House heard him with rapt attention. Afterwards, when the leader of the CPI(M), the leader of the CPI, Gurudasji and other senior leaders also spoke about the admissibility of the Motion, the Prime Minister was about to respond. The Prime Minister wanted to say something, but, unfortunately, the Prime Minister...*(Interruptions)* What is this? Why are you making comments? ...*(Interruptions)*...

THE DEPUTY CHAIRMAN: Let him finish, now. *(Interruptions)* What is the situation now? *(Interruptions)*

SHRI M. VENKAIAH NAIDU: Even if all of you shout combinedly I can withstand you; do not worry. Come on, go ahead. Go on shouting! *(Interruptions)* Go on shouting. No? *(Interruptions)* Do it. *(Interruptions)*

SHRI JIBON ROY: He is provoking the Members. *(Interruptions)*

SHRI M. VENKAIAH NAIDU: You have very politely heard the Prime Minister and I have to learn from you about provoking! *(Interruptions)* Madam Deputy Chairman, ...*(Interruptions)*...

THE DEPUTY CHAIRMAN: Order, please. *(Interruptions)*

SHRI M. VENKAIAH NAIDU: The Deputy Chairman knows what the point of order is and you need not tell me. *(Interruptions)* Rule 170... *(Interruptions)*

SHRI GURUDAS DAS GUPTA: Let him speak. *(Interruptions)*

SHRI M. VENKAIAH NAIDU: In the morning itself the hon. Prime Minister wanted to respond but he was obstructed. It is a most unfortunate situation. *(Interruptions)*

SHRI GURUDAS DAS GUPTA: Allow him to speak. What is this? *(Interruptions)*

SHRI M. VENKAIAH NAIDU: Rule 170... *(Interruptions)*... Prime Minister wanted to ...*(Interruptions)*...

SHRI GURUDAS DAS GUPTA: Let him complete. We shall also speak. Let him speak. *(Interruptions)*

उपसभापति: वैक्या जी, आप बोलिए, आपका क्या प्वायंट ऑफ़ आर्डर है। ....*(व्यवधान)* प्वायंट ऑफ़ आर्डर .....*(व्यवधान)* अभी डिस्टर्ब मत करिए, उनका प्वायंट ऑफ़ आर्डर है। ....*(व्यवधान)*

SHRI M. VENKAIAH NAIDU: Firstly, my point of order is that there should be proper order in the House. ...*(Interruptions)*...

THE DEPUTY CHAIRMAN: That is a good one. ...*(Interruptions)*.. I also wish this. ...*(Interruptions)*...

SHRI M. VENKAIAH NAIDU: Secondly, when we respect the Leader of the Opposition, we also expect the Opposition to respect the Leader of the House. ...*(Interruptions)*.. But, it was not done. Now, coming to Rules 167, 168, 171, ...*(Interruptions)*... Rule 171, as has been rightly pointed out by hon. Deputy Chairman, ...*(Interruptions)*.. This issue was raised. Once an issue is raised the Rule says, "...if the Chairman admits notice of a motion and no date is fixed for the discussion of such motion, it shall be immediately notified in the Bulletin with the heading "No-Day-Yet-Named Motion." ...*(Interruptions)*...

श्री संघ प्रिय गौतम (उत्तर प्रदेश): आप क्यों ज़िद कर रहे हैं, आप लोग क्यों नहीं बोलने देते? ...*(व्यवधान)*

उपसभापति: वैक्या जी, बोलिए।

SHRI M. VENKAIAH NAIDU: Rule 172 says, "The Chairman may after considering the state of business in the Council and in consultation with the Leader of the Council allot a day or days or part of a day for the discussion on any such motion." Madam, the Chairman, in con-

sultation with the Leader of the House, has not fixed any day or part of a day ...*(Interruptions)*.... The Rule is very clear ...*(Interruptions)*...

THE DEPUTY CHAIRMAN: Let him speak. ...*(Interruptions)*..

SHRI M. VENKAIAH NAIDU: The House is not that much innocent to be misled by anybody. The House is capable of taking a collective and correct decision. ...*(Interruptions)* My point is... *(Interruptions)*...

उपसभापति: आप इधर चेयर की तरफ देख कर बोलिए, उधर मत देखिए। ....*(व्यवधान)* आप इधर मेरी तरफ देख कर बोलिए। ....*(व्यवधान)*

श्रीमती मालती शर्मा (उत्तर प्रदेश): मैडम, मैं कहना चाहती हूँ कि इनसे बर्दाश्त नहीं हो रहा है। अटल जी को जनता ने बनाया है। लेकिन इनके यहां कहावत है....*(व्यवधान)* गांव के लोग हैं, गांव में जाना चाहते हैं। कहावत है कि "कुम्हार की कुम्हारी पर पार नहीं बसाई, गंधे के जाकर कान रेट दिए" इनकी जनता पर तो पार बसती नहीं, यहां बरसने आ गए। यहां आकर सीना तोड़ते फिर रहे हैं। इनकी यह हालत हो रही है। अटल जी इसे बर्दाश्त नहीं हो रहे हैं। ....*(व्यवधान)*

SHRI M. VENKAIAH NAIDU: Madam, I was coming to the point. I have read out Rule 172 and the spirit of this Rule is that even if a motion is admitted, the Chairman, in consultation with the Leader of the House, the Leader of the Council, shall decide about a day or part of a day for discussion on the same. ...*(Interruptions)*... We all know that in the morning when the Members of the Opposition had spoken after that the Prime Minister tried to speak. But, he was disrupted and obstructed. ...*(Interruptions)* It was a sad day. ...*(Interruptions)*.. Afterwards, what happened was, the House was adjourned. ...*(Interruptions)*.. The House was adjourned.

THE DEPUTY CHAIRMAN: Now come back to the Rules.

SHRI M. VENKAIAH NAIDU: I am coming back to the Rules. I am speaking only on the Rules. *...(Interruptions)...* Even the Rules say that the Prime Minister should be allowed to speak. *...(Interruptions)...* Now, coming to what the Parliamentary Affairs Minister has just said, I would say that after all we have to function in this House to the satisfaction of not only the Rules but also to the satisfaction of the people of not only the Rules but also to the satisfaction of the people and ourselves. My point is *...(Interruptions)...*

AN HON. MEMBER: What is your point of order? *...(Interruptions)...*

SHRI M. VENKAIAH NAIDU: You are not the person to ask me what my point of order is. *...(Interruptions)...* You should have some patience. *...(Interruptions)...*

THE DEPUTY CHAIRMAN: He has a right to speak. *...(Interruptions)...* Let him speak. Whatever point he wanted to raise, let him raise. *...(Interruptions)...* I will give my ruling. *...(Interruptions)...* Just listen to him. *...(Interruptions)...*

SHRI M. VENKAIAH NAIDU: Madam, this issue was raised in the other House also. *...* There was a meeting of the leaders of the opposition parties as well as the Government with the hon. Speaker. Some discussion was held. *...(Interruptions)...*

SHRI MD. SALIM: Madam, he is sharing a piece of information on behalf of the Government. *...(Interruptions)...* Is he a spokesman of the Government or is he a Minister? *...(Interruptions)...* He is a spokesman of his party only. *...(Interruptions)...*

SHRI M. VENKAIAH NAIDU: My friend sometimes acts as a spokesman of the Congress Party. But, I act only as a spokesman of my own party. *...(Interruptions)...* Madam, my point is *...(Interruptions)...*

AN HON. MEMBER: Your point is that there is no point.

SHRI M. VENKAIAH NAIDU: That is your point. Okay, fine, please sit down if you have no point. *...(Interruptions)...* Why are you making a point? I have a point, but you do not have a point. *...(Interruptions)...* At 4.30, there is going to be a meeting of the Business Advisory Committee. The Chairman has not yet decided about the time. Immediately after 4.30, there is going to be a meeting of the Business Advisory Committee. This issue can be discussed there. Suppose, any agreement is reached and some time is fixed, then the House can be prolonged. In the meanwhile, my point of order is this. Without any rule and without any provision, hon. Members are obstructing the House and stalling the Business of the House. Let the Business go on. Let the Business Advisory Committee meet and fix the time *...(Interruptions)...* This is the point *...(Interruptions)...* This is the sum and substance of my point of order under rules 170, 171 and 172 of the Rules of Procedure and Conduct of Business in the Council of States *...(Interruptions)...*

THE DEPUTY CHAIRMAN: Just one second *...(Interruptions)...* According to the rule, in the absence of the Leader of the House, it is a collective responsibility. The Minister of State of Parliamentary Affairs, who has been assigned to our House, has committed himself that whatever decision is taken at 4.30 PM, the Government would abide by that *...(Interruptions)...* That is where they stand. The only thing we have to find out is, whether we discuss it tomorrow, the day-after-tomorrow, Monday, Tuesday or Wednesday. Only the time has to be decided. The subject is accepted by the Government. That is what my understanding *...(Interruptions)...*

SHRI GURUDAS DAS GUPTA: Madam, may I make a point? *...(Interruptions)...*

श्री संघ प्रिय गौतम: मैडम, आप हाउस का बिजनेस चलाए *...(व्यवधान)...* आगे हाउस चलाए।

You have no point ...*(Interruptions)*...

उपसभापति: मैंसेज तो दे दें। लोक सभा से मैंसेज  
आया है एटलीस्ट वह तो रिपोर्ट हो जाए कि आगे क्या  
बिजनेस है।

MESSAGE FROM THE LOK  
SABHA—Contd.

(I) The Goa Appropriation (Vote on  
Account) Bill, 1999

(II) The Goa Appropriation Bill, 1999

SECRETARY-GENERAL: I have to  
report to the House the following mes-  
sages received from the Lok Sabha,  
signed by the Secretary-General of the  
Lok Sabha:—

(I)

"In accordance with the provisions of  
rule 96 of the Rules of Procedure and  
Conduct of Business in Lok Sabha, I  
am directed to enclose the Goa Ap-  
propriation (Vote on Account) Bill,  
1999, as passed by Lok Sabha at its  
sitting held on the 10th March, 1999."

(II)

"In accordance with the provisions of  
rule 96 of the Rules of Procedure and  
Conduct of Business in Lok Sabha, I  
am directed to enclose the Goa Ap-  
propriation Bill, 1999, as passed by  
Lok Sabha at its sitting held on the  
10th March, 1999."

Madam, I lay a copy of each of the  
Bills on the Table.

RE. REMOVAL OF NAVAL CHIEF  
AND ALLEGATIONS MADE BY SHIV  
MOHAN GURUSWAMY—Contd.

THE DEPUTY CHAIRMAN: Shall  
we go back to Special Mentions? ...*(inter-  
ruptions)*...

गुरुदास दासगुप्त जी को बोलने दीजिए।

SHRI SANGH PRIYA GAUTAM:  
Madam, we want your ruling ...*(Interrup-  
tions)*... You have given your ruling  
...*(Interruptions)*... Whether they want to

continue with the Business in the House  
or not ...*(Interruptions)*... This is the  
question before the House ...*(Interrup-  
tions)*... You have given your ruling  
...*(Interruptions)*... Nobody should inter-  
rupt the Business of the House ...*(Inter-  
ruptions)*...

SHRI GURUDAS DAS GUPTA:  
Madam, I have a short point. I agree  
with what Mr. Naidu has said. He said  
that the hon. Chairman of the House, in  
consultation with the Leader of the  
House, shall decide the time for the  
discussion. I agree with him. But that is  
precisely where our complaint is. During  
the last three days—let it be known to  
all—all the political parties, representing  
the opposition collectively, implored re-  
peatedly that the House may be given  
some time by the Leader of the House,  
to which the Leader of the House did not  
agree. As a result, the hon. Chairman is  
helpless. According to the Rule Book,  
the hon. Chairman is helpless, if the  
Leader of the House does not give time.

SHRI SANGH PRIYA GAUTAM:  
How can he speak on behalf of the hon.  
Chairman? ...*(interruptions)*... You can-  
not speak on behalf of the hon. Chair-  
man ...*(interruptions)*...

SHRI GURUDAS DAS GUPTA:  
Madam, just see ...*(interruptions)*... No,  
no ...*(interruptions)*... Madam, just see  
...*(interruptions)*... Mr. Naidu, see how  
he is speaking ...*(interruptions)*...

THE DEPUTY CHAIRMAN: Mr.  
Gurudas Das Gupta, let me put the  
things properly. The Chairman is never  
helpless. The rules are binding on every-  
body—the Chairman and all of us. I  
would request you earnestly—I can give a  
ruling also—that never use words as to  
the 'helplessness of the Chairman of the  
House.'

SHRI GURUDAS DAS GUPTA: I  
abide by your direction ...*(interrup-  
tions)*...

THE DEPUTY CHAIRMAN: You  
withdraw those words ...*(interruptions)*...