(2) Statement (in English and Hindi) giving reasons for the delay in laying the papers mentioned at (I) above.

[Placed in Library. See No. LT-1454/98]

II. A copy (in English and Hindi) of the Ministry of Finance Notification GSR 368(E), dated June 30, 1998 publishing Notification No. 42/98-Customs dated 30th June, 1998 issuing Amendments to the Notifications No. 110/95-Cus. and 111/95-Cus. dated 5.6.1995 and No 28/ 97-Cus. and 29/97-Cus. dated 1.4.1997, under Section 159 of the Customs Act, 1962 alongwith an explanatory memorandum.

[Placed in Library. See No. LT-1429/98]

- III. A copy each (in English and Hindi) of the following papers:—
- (i) (a) Annual Report of the Securities and Exchange Board of India, Mumbai, for the year 1997-98, under subsection (3) of section 18 of the Securities and Exchange Board of India Act. 1992.
 - (b) Review by Government on the working of the above Board.

[Placed in Library, See No. LT-1430/98]

IV. Allahabad Bank Notification No. HO/ Legal/876 dated April 11, 1998 publishing the Corrigendum to Notification No. 435, dated 21.11.97.

[Placed in Library, See No. LT-1447/98]

V. Consolidated Review of the working of the Regional Rural Banks for the year ended the 31st March, 1997.

[Placed in Library. See No. LT-1459/98]

MOTION FOR ELECTION TO THE NATIONAL OILSEEDS AND VEGETABLE OILS DEVELOPMENT (NOVOD) BOARD

THE MINISTER OF STATE IN THE MINISTRY OF AGRICULTURE (SHRI SOMPAL): Mr. Chairman, Sir, I beg to move the following Motion:—

"That in pursuance of clause (e) of Subsection (4) of Section 4 of the National Oilseeds and Vegetable Oils Development Board Act, 1983 (29 of 1983) read with clause (i) of sub-rule (1) of Rule (4) of the National Oilseeds and Vegetable Oils Development Board Rules, 1984, this House do proceed to elect, in such manner as the Chairman may direct, one Member from among the Members of the House, to be a Member of the National Oilseeds and Vegetable Oils Development Board".

The question was put and the motion was adopted.

PAPERS LAID ON THE TABLE-Contd.

Report and Accounts (1996-97) of the National Fertilizers Limited, New Delhi and related Papers

THE MINISTER OF INDUSTRY (SHRI SIKANDER BAKHT): Sir, On behalf of SHRI SURJIT SINGH BARNALA, I lay on the Table—

- A copy each (in English and Hindi) of the following papers, under sub-section (1) of section 619A of the Companies Act, 1956:—
 - (i) Twenty-third Annual Report and Accounts of the National Fertilizers Limited, New Delhi, for the year 1996-97, together with the Auditors' Report on the Accounts and the comments of the Comptroller and Auditor General of India thereon.
 - (ii) Review by Government on the working of the above Company.
- II. Statement (in English and Hindi) giving reasons for the delay in laying the papers mentioned at (I) above. [Placed in Library. See No. LT-1452/98]

RE. PRASAR BHARATI (BROAD-CASTING CORPORATION OF INDIA (AMENDMENT) BILL, 1998

THE LEADER OF THE OPPOSITION (DR. MANMOHAN SINGH): Mr. Chairman, Sir, the Prasar Bharati Bill has been passed by the Lok Sabha and this House has been duly informed of this fact. We would like to know from the Government as to why the Rajya Sabha is being bypassed. We would like, at this

late hour, to impress upon the Government that this will not be a good precedent if they do not bring this Bill to the Rajya Sabha and use the occasion, after the Parliament adjourns, to bring forward an Ordinance. That would be, in our view, a highly improper procedure, Parliament is sitting. Our party and all opposition parties and groups have assured the Government of their fullest co-operation in getting through the Legislative Business, whatever the Legislative Business that the Government wishes to bring forward. We feel that this is a fit case where, the other House having passed this Bill, the Rajya Sabha should not be deprived of the opportunity to express its considered opinion.

Therefore, I request, Sir, even at this late hour, the Government should not seek a confrontation with the Oppostion. We are for co-operation. We have extended our hand of co-operation. We have assured that we are willing to sit late. We are willing to have an extension of the House to pass the essential Legislative Business. If, in spite of that, the Government does not bring forward this Bill before the Rajya Sabha, that would be a sad act. It would be an act of confrontation. It would be an act of Constitutional impropriety.

सुचना और प्रसारण मंत्री तथा संचार मंत्री (श्रीमती सुषमा स्वराज): सभापति जी, मुझे बहुत दुख हुआ कि नेता विपक्ष ने बिना सरकार की मंशा जाने, बिना मुझसे बात किए. यह आरोप लगा दिया कि सरकार राज्य सभा का बायपास करना चाह रही है और यहां तक कह दिया कि सरकार विपक्ष के साथ कंप्रंटेशन लेना चाह रही है। नेता विपक्ष बहुत ही सीज़ंड पार्लियामेंटेरियन है और मुझे यह भी पता था कि शायद इन्हें नियम, उप नियमों की जानकारी भी पूरी होगी। पता नहीं क्यों, या तो यह बिल लोक सभा से पारित हो गया उसके बाद इतनी परेशानी है कि नियम, उप नियमों की जानकारी भी भल रहे हैं। सभापति जी, यह बिल वैसा बिल है जिसमें कंसालिडेटेड फंड आफ इंडिया से खर्चा होना है। फाइनांशेल मेमोरंडम बिल के साथ लगा है। नियम ये कहते हैं कि ऐसे बिल को दोनों सदनों में रखने से पहले राष्ट्रपति की अनुमति की आवश्यकता है। लोक सभा में जाने से पहले मैंने राष्ट्रपृति की मंजुरी ले ली थी। उसके बाद स्पीकर साहब को नोटिस दिया था। वहां से पारित होने के बाद कल जब मैं आपके सेकेटरी जनरल को नोटिस देने आई तो मैंने इन्हें वह दिखाया कि यह राष्ट्रपति का रेकमेंडेशन आवश्यक है. तो इन्होंने कहा कि यह वहत आवश्यक है। जब तक यह रेकमेंडेशन आप साथ नहीं लगायेंगी, यह नोटिस मंजर नहीं हो सकता। शुक्रवार को बिल पारित हुआ था। कल पहला वर्किंग डे था। मैंने राष्ट्रपति को रेकमेंडेशन के लिए भेज दिया। राष्ट्रपति की मंजरी की प्रतीक्षा कर रही हं। राष्ट्रपति की स्वीकृति आए बिना इस बिल को लिस्ट करने का नोटिस नहीं दे सकती। उनकी स्वीकृति मिलेगी उसके बाद ही कदम आगे बढ़ा सकती है। इसलिए यह मान कर चलना कि सरकार बायपास कर रही है, यह मानकर चलना कि सरकार विपक्ष से कंप्रेंट्शन लेना चाह रही है. यह ठीक नहीं है।...(व्यवधान) यह सत्य है और यह नियम भी ऐसा है।...(व्यवधान)

MR. CHAIRMAN: Let her complete.

श्रीमती सषमा स्वराज: यह नियम भी ऐसा है और मैं एक और बात बता दूं, सभापति जी...(व्यवधान)

प्रो. विजय कमार मल्होत्रा (दिल्ली): महोदय, यह क्या तरीका अपनाया जा रहा है? ...(व्यवधान) जवाब दे रहे हैं। ...(व्यवधान) इन्होंने सवाल उठाया है और यह जवाब दे रही हैं। उस के बाद भी बोले चले जा रहे हैं। ...(व्यवधान)

MR. CHAIRMAN: Let her complete.

श्रीमती सषमा स्वराज: सभापति जी. मैं और कंप्लीट कर दं। अभी वहां से आवाज आई कि आपको पता था। यह शायद यह कहना चाह रहे हैं. इसलिए मैं आखिरी दिन लोक सभा में बिल लाई।...(व्यवधान) सून लीजिए। ...(व्यवधान) सभापति जी, मैं रेकार्ड स्टेट कर दूं। मैंने 21 जलाई को लोक सभा के लिए यह बिल लिस्ट कराया। 21 तारीख का लगा हुआ बिल यदि 22 और 23 जुलाई को भी पास हो जाता, तो ये सारी प्रोसीज़रल फार्मेलिटीज़ आराम से पूरी हो जातीं। दो हफ्ता उसके बाद राज्य सभा चली है और मैं निश्चित ही बिल राज्य सभा में ले कर के आर्ता। लेकिन वहां भी विपक्ष ने इसको झगडे-झंझट में डाला और उसके बाद फिर मैं स्पीकर साहब के पास गई कि सर, मैं दोनों सदनों के लेजिस्लेटिव प्रोसीजर को स्कटल नहीं करना चाहती. आप इस बिल को पारित करवाने के लिए लगवाइये और वहां मैंने बिल दोबारा लिस्ट करवाया। इसलिए कभी कोई वहां से कहता है, पता था और कभी कोई यहां से कहता है कि आप जान-बुझ कर बिल नहीं लाई। 21 तारीख को बिल मैंने लिस्ट करवाया था। अगर 23-24 को भी पारित होता राष्ट्रपति वाला सारा रूट ले करके बिल मैं राज्य सभा में लाती। शुक्रवार को पारित हुआ और पहले विकैंग डे पर मैंने राष्ट्रपति के लिए भेज दिया। अब राष्ट्रपति साहब की स्वीकृति आएगी उसके बाद ही मैं बिल लिस्ट करा सकती हूं। यह ऐसा

रूल है जिसे न आप वेव कर सकते हैं. न कोई और कर सकता है, क्योंकि यह रूल नहीं बल्कि संवैधानिक आवश्यकता है। जिस-जिस के पास संविधान है वह उसके आर्टिकल 117, सब क्लाज, 3 को पढ़ लें।

Re. Prasar Bharati

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It is a constitutional requirement which neither I nor the Chairman can waive.

मैंने राष्ट्रपति के पास फडल भेज दी। अगर मेरा पन यहां लाने का नहीं होता तो मैं उस प्रोसैस में देर कर सकती थी। लेकिन जिन नियमों को कोई हटा नहीं सकता. उन नियमों के प्रोसैस में ही मैं लगी हूं। इसलिए राष्ट्रपति जी की मंजरी आएगी.तो उसके बाद ही कोई बात हो सकती है, इससे पहले नहीं हो सकती।

SHRI PRANAB MUKHERJEE (West Bengal): Just one small point, Sir.

I entirely agree with the hon. Minister that it requires the President's recommendation as a substantial amount of money in the form of shares is going to be transferred.

The only point I want to submit most respectfully for the consideration of the hon. Minister and for the information of the House is that there are an umpteen number of precedents when we have obtained the President's recommendations on Finance Bills. not in a day, but in hours. We have conveyed the message and the recommendation of the President to the other House so that the Bills could be passed.

The Bill in question was passed in the Lok Sabha on Friday. Friday was a working day. If you want to get the Bill passed, you can obtain the recommendation of the President on these matters even at late hours. What happened in regard to the Appropriation Bill? What happened in regard to the Finance Bill where the President's recommendation was absolutely necessary as per Article 117? Within how much time we obtained the recommendation and how we kept the other House informed-all these matters are within the knowledge of the hon. Minister who is so well informed. Therefore, my most respectful submission to the Government is that we are prepared to sit for one more day, we are prepared to sit for two more days. Let the Government take time to get the recommendation of the President and bring this Bill. It is not your gratis or your charity. There is no way. No Bill can be passed as per the provisions of the Constitution without the concurrence of this House. If this House disagrees with the other House, this is such a piece of legislation that you will have to go to a Joint Session. Therefore, you will have to bring it either today or tomorrow. That is the message we and the Leader of the Opposition wanted to convey. We are prepared to cooperate with the Government. Please take your time. Give us an indication. We are prepared to sit. Please bring the Bill.

MR. CHAIRMAN: I would like to know from the Members if they have to make an additional point on the point that has been made by Mr. Pranab Mukherjee, so that the Minister can reply. If it is a repetition, I would make you sit down.

DR. BIPLAB DASGUPTA (West Bengal): Sir, I would like to make two specific points. First of all, let the Minister give a very categorical assurance that after the Parliament Session is over, she will not try to get it through

MR. CHAIRMAN: No, that is not the issue. DR. BIPLAB DASGUPTA: That is the obvious question.

DR. BIPLAB DASGUPTA: My second point is whether the Leader of the House would agree to it ... (Interruptions)

They had brought it through an ordinance. It came by an ordinance. (Interruptions)

MR. CHAIRMAN: That is why I am asking if you have anything new to say only on this point.

DR. BIPLAB DASGUPTA: Sir, I would like to know whether the Leader of the House will agree to extend the House until Friday. I am sure by tomorrow the Presidential assent would come. We are prepared to sit. (Interruptions) Will he agree to it? And that there will be no ordinance till the end of...

MR. CHAIRMAN: That point has been made by Mr. Pranab Mukherjee. Only points in addition to what has already been made. Don't repeat the points.

SHRI S.R. BOMMAI (Karnataka): Sir, in the last Busines Advisory Committee meeting, when the Leader of the House was present, we discussed about the business. It was also the view of the Business Advisory Committee that if there is any legislative business, we can extend 11

the Session by one day. It was mentioned in the Business Advisory Committee meeting in the presence of the Leader of the House. Therefore, I would like to know from the Leader of the House whether he is agreeable to the extension of the session for one day so that the hon. Minister will expedite the matter and get the assent of the President in the meanwhile and bring the Bill for consideration.

MR. CHAIRMAN: That point has already been made. Don't repeat the point.

SHRI VAYALAR RAVI (Kerala): Sir, the inference of the hon. Minister is that it is difficult to get the sanction of the President. That is what the hon. Minister has said. (Interruptions)

SHRI SANGH PRIYA GAUTAM (Uttar Pradesh): She has not said that.

SHRI VAYALAR RAVI: That was her inference. Sir, it is for your information. I am quoting from Shakdher and Kaul in 1951. It says: "For instance the Employees State Insurance Bill, 1951 had been withdrawn in April, 1951, but was re-introduced on the same day after the Presidential recommendation had been obtained. This is only to bring this to your attention.

MR. CHAIRMAN: You have made your point.

SHRI JOHN F. FERNANDES (Gea): The hon. Minister has made a point. We are aware of it. Sir, the hon. Minister has said that the Bill was sent for the President's assent on Friday. She further mentioned that Monday was the only working day, giving us an impression that the President is not prepared to work on Saturday and Sunday. That is not the case, Sir. That is the impression that was created by the hon. Minister.

MR. CHAIRMAN: No, please. Mr. Pernandes it is an indirect charge on the President. She has not made. (Interruptions) No, please. Sit down. The method of interpretation by Mr. Pernandes is wholly incorrect and wholly concernable. You should not try to interpret the Minister, when she has not said so. Please Jon't do that. Referring to the President is a very bad thing.

श्री मोहम्मद सलीम (पश्चिमी बंगाल): सर, सूचना मंत्री महोदया ने सदन को संविधान के प्रावधान के बारे में सूचना दो कि यह फड़नेंसियल मैटर है और इस ब्रे लिए राष्ट्रपति जी का निर्देश लेना जरूरी है और उर्द्धने एस जी॰ का हवाला भी दिया। लेकिन हमारे दूसरे साथियों ने कहा कि:

There are precedents. ...(अवधान)...

"There have been umpteen precedents." ...(Asterruptions)...

Your earlier ruling was, "Please allow him to complete." When I am speaking, this time also the same ruling should continue.

की दंश प्रिष्ठ मौतम: सर, आप कोई नए तव्य नहीं कह रहे हैं। उसी को दोहरा रहे हैं(व्यवधान).... आप कोई नई बात नहीं कर रहे हैं।....(व्यवधान)....

MR. CHAIRMAN: Mr. Salim, this point has been made by Mr Pranab Mukherjee very well.

SHRI MD. SALIM: How can I make my point without completing the sentence? Please allow me to make the point.

MR. CHAIRMAN: Please complete it. SHRI MD, SALIM: Thank you, Sir.

सर, हमारा यहां सवाल (ए) यह नहीं है कि संविध्यन के प्रावधान आप पारित कर रहे हैं या नहीं? वह तो करना ही पहुँगे। (बी) सवाल यह नहीं है कि आपको यह मार्ह्म वा या नहीं, उसकी सूचना मिलनी चाहिए या देनी चाहिए। (सी) सावल यह है कि सरकार इस विल के बारे में क्या रवैया अपना रही है और राज्य सभा को वह किस तरह देखती है? (व्यवधान).... और इसलिए राज्य सभा से यह कहा गया। (व्यवधान).... सर, सरकार अगर चाहती, मंत्री महोदया अगर चाहती, तो एक घंटे के अंदर भी राष्ट्रपति भवन से यहां पर सूचना आ सकती है। (व्यवधान).... सर, हमारा अनुरोध यह है कि सरकार राज्य सभा को बाइपास कर रही है।

^{†[]} Transliteration in Arabic Script

Re. Prasar Bharati

SHRI NILOTPAL BASU (West Bengal): Why are they not allowing us to speak?

SHRI M. VENKAJAH NAIDU (Karnataka): Mr. Chairman, Sir, the ruling is very clear.

श्री संघ प्रिय गीतमः सरकार संवैधानिक खैया अख्तियार कर रही है।...(ब्यवधान)....

श्री मोहम्मद सलीम: सर, बात साफ होनी चाहिए। राज्य सभा की जो कलर एंड कंपोजीशन है, उससे आप हमसे ज्यादा अच्छा जानते हैं। इसलिए अगर आप यह समझते हैं कि राज्य सभा को बाइ-पास करके आप लेजिस्लेटिव बिजनेस चलाएंगे तो You are doing a mistake, grave mistake. आप संवैधानिक संकट की और ले जा रहे हैं देश को ...(व्यवधान)

SHRI GURUDAS DAS GUPTA (West Bengal): Mr. Chairman, Sir, we would like to know the Government's reaction. We have made our point. The Government must let us know whether it is going to bypass Raiva Sabha or they are taking the course of an Ordinance. We would like to know about that from the Government.

श्री संघ प्रिय गौतमः सर, कोई नई बात नहीं कह रहे हैं। ... (ज्यवधान) हर बात में आप बीच में खाँडे हो जाते है। आपकी आदत बन गई है। ...(ध्यवधान)

प्रो॰ विजय कुमार मल्होत्रा : अपनी मोनोपोली बना रखी है ...(व्यवधान)...

MR. CHAIRMAN: Please sit down. ...(Interruptions).....You have made your point.

SHRI GURUDAS DAS GUPTA: We would like to know about it. ...(Interruptions).....

MR. CHAIRMAN: You have made your Venkaiah Naidu. point. ...(Interruptions).... Mr. Venkaiah Naidu. ...(Interruptions).... Mr. Venkaiah Naidu please. Mr. Venkaiah Naidu.

SHRI M. VENKAIAH NAIDU: Mr. Chairman, Sir, there is no question of bypassing Rajya Sabha because ... (Interruptions)..... am a Member. What is it you are saying? I am a Member. Why do you dictate? ...(Interruptions).....Why do you dictate? ...(Interruptions)....

SHRI DIPANKAR MUKHERJEE (West Bengal); Mr. Chairman, Sir, what is the new point he is making? ...(Interruptions).....

MR. CHAIRMAN: MR. Venkaiah Naidu, please, please. ... (Interruptions)..... Mr. Venkaiah Naidu. ... (Interruptions)..... please sit ...(Interruptions)..... Nothing ...(Interruptions).... Mr. Venkaiah Naidu. ...(Interruptions)....Mr. Venkaiah Naidu. ...(Interruptions).... Mr. Venkaiah Naidu, nlease.

श्री संघ प्रिय गौतम: उधर से आप लोग अपनी बात कह चुके हैं। हमें भी अपनी बात कहने का हक है ...(व्यवद्यान).

^{†[]}Transilteration in Arabic Script

SHRI NILOTPAL BASU: We will also see how. ... (Interruptions).....

Broadcasting Corporation

Re. Prasar Bharati

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SHRI M. VENKAIAH NAIDU: Mr. Chairman, Sir, I am not giving a reply on behalf of the Government. The Government is quite capable and the Minister is also quite capable to give a response. Everybody knows it. The entire country knows it, whether they agree with me or not, ...(Interruptions)....

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

SHRI M. VENKAIAH NAIDU: Are you conducting the house or is it the Chairman?

MR. CHAIRMAN: He has not yet completed his sentence. I want to know what he wants to say.

SHRI DIPANKAR MUKHERJEE: Is he making any specific point?

MR. CHAIRMAN: I have heard your point. Let me hear his point also. He has a right to complete his point.

MR. CHAIRMAN: I have heard your point. Let me hear his point also. He has a right to complete his point.

SHRI M. VENKAIAH NAIDU: They are so impatient. That is the problem.

According to rules 62 (2) and 63 of the Rules of procedure and Conduct of Business in the Council of States, I quote: "If the Bill is a Bill which under the Constitution cannot be introduced without the previous sanction or recommendation of the President, the Member shall ... (Interruptions)..... Don't you want rules? You want to do like what Mr. Jaipal Reddy did. Do you want us to bring an Ordinance like Mr. Jaipal Reddy did earlier? ...(Interruptions)..... What is it that you are talking?

SHRI S.R. BOMMAI: MR. Chairman, Sir, I strongly-object. He is taking the name of a person who is a Member of the other House. ...(Interruptions)....

SHRI M. VENKAIAH NAIDU: You had brought the Prasar Bharati Bill through an Ordinance. You have no business and right to criticise us. You have no right and business to criticise this Government. You brought the Prasar Bharati Bill through the back-door. When that is so, what right have you to criticise us?

SHRI S.R. BOMMAI: Sir, he is taking the name of a person who is an hon. Member of the other House. ...(Interruptions).....

of India (Amendment)

Bill, 1998

SHRI M. VENKAIAH NAIDU: If the Bill. ...(Interruptions)....

MR, CHAIRMAN: Let me hear him. ...(Interruptions). Mr. Dipankar Mukherjee, points have been repeated by others also in spite of my saying. You are not allowing me to hear him completely. He has not finished his .

SHRI M. VENKAIAH NAIDU: "If the Bill is a Bill which under the Constitution cannot be introduced without the previous sanction or recommendation of the President, the member shall annex to the notice such sanction or recommendation, conveyed through a Minister and the notice shall not be valid until this requirement is complied with." (Interruptions).

MR. CHAIRMAN: Let me hear. (Interruptions). It is for me to say if it is correct or not. Why do you want to give a ruling on that? Let me say that. I will give the ruling. Why are you worried? I will give the raling.

SHRI M. VENKAIAH NAIDU: Sir, we have been the victims of their impatience all these days. Now, it is also said here, "The period of notice of a motion for leave to introduce a Bill under this rule shall be one month unless the Chairman allows the motion to be made at shorter notice." We have not gone through this process and no notice is given yet. Then, you cannot force the Government to introduce the Bill. My suggestion is, the rule is very clear. I request the hon. Chairman to make others also realise the real position. It is the prerogative of the Government to bring a Bill to the House as and when it consider it necessary. ...(Interruptions).....

MR. CHAIRMAN: Let the Minister reply.

श्रीमती सुषमा स्वराज: सभापति जी, जो प्रश्न यहां माननीय संसद सदस्यों ने उठाए हैं, उनका उत्तर मैंने पहले ही अपनी बात में दे दिया था। एक स्पेसिफिक सवाल पुछा गया कि राज्य सभा के प्रति सरकार का रवैया क्या है? यहां मेरे मित्र बैठे हैं, मैंने अपना स्वयं का संसदीय कैरियर इसी राज्य सभा से प्रारम्भ किया। इसलिए व्यक्तिगत तौर पर या सरकारी तौर पर राज्य सभा की अवमानना करने का कहीं प्रश्न ही पैदा नहीं होता। राज्य सभा के प्रति जहां तक रवैये का प्रश्न हैं, मैंने कहा कि अगर मैंने राज्य सभा को एवायड करना होता और केवल आर्डिनेंस लाने की

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बात होती तो मैं लोक सभा, राज्य सभा कहीं भी बिल लाती ही नहीं। आर्डिनेंस लाने के लिए लोक सभा, राज्य सभा में बिल आने की जरूरत नहीं। बिल इंटोडयुस हो गया था, पड़ा रहता, लेकिन मैंने 21 तारीख को बिल लगवाया। केवल इसलिए कि इतना समय है कि बिल लोक सभा से भी पारित हो सके और बिल राज्य सभा से भी पारित हो सके। वहां झगडा-झंझट मैंने नहीं डाला, वहां भी आप ही के साथियों ने झगडा-झंझट डाला। वहां मेरे पास फिर भी एक आपशन थी कि जब एक बार बिल बी॰ए॰सी॰ से निकल गया तो मैं इसको लोक सभा में न लगवाती और जब संसद का सत्र समाप्त हो जाता तो आर्डिनेंस कर देती, लेकिन मैं फिर स्पीकर साहब के पास गई और कहा कि, साहब, मैं अपने सांसदों को विश्वास में लेना चाहती हं और दोनों सदनों मे सांसदों को विश्वास में लेना चाहती हूं आप बिल लगवाइए। बिल को लगवाया, चर्चा करवाई, बिल पारित हुआ। अब यह अलग बात है कि लोक सभा में बिल पारित होने के बाद इनकी बौखलाहट बढ़नी आवश्यक थी। बहुत स्वाभाविक है, इनको लगा कि वह बिल, जो हम रोकना चाहते थे, लोक सभा से पारित कैसे हो गया और फूर्लों की तरह पारित हो गया? जिन लोगों से इन्हें समर्थन लगता था, उनके समर्थन के अभाव में पारित हो गया। लेकिन शुक्रवार को वहां से पारित होने के बाद ही ...(व्यवधान)... सच्चाई कड़वी है, मैं क्या करूं।...(व्यवधान)...

मौलाना ओबैदुल्ला खान आज़्मी (बिहार): यहां से पारित होगा तब ...(व्यवधान)...

†[مولانا نبيدالكة خال اعظمى: يها رسيدبارت موكا تنب م . "قمد (خلت " • • •]

श्रीमती सुषमा स्वराज: बिल्कुल होगा।...(व्यवधान) ... बिल्कुल होगा।...(व्यवधान)...

सभापति जी, ...(व्यवधान)... मैं जवाब दूंगी, आप बैठिए न। ...(व्यवधान)...

SHRI GURUDAS DAS GUPTA: Sir, let the Minister assure us that there will be no Ordinance. (Interruptions). It is an open backdoor policy. (Interruptions).

MR. CHAIRMAN: Let her complete.

श्रीमती सुषमा स्वराज: सभापति जी,कामरेड गुरूदास दासगुप्त जी बार-बार मुझसे कह रहे हैं आश्वासन दो, तो में कहना चाहूंगी. गुरूदास जी, अंग्रेजी में एक कहावत है कि "Those who live in glass-houses should not throw stones at others."

सभापित जी, मैं कहना चाहती हूं कि अगर गुरूदास जी सुनना चाहते हैं तो सुनिए। सभापित जो, जिस बिल की यह बात कर रहे हैं, उस बिल को ये अध्यादेश से केवल नहीं लाए, लोक सभा और राज्य सभा में बिना रखे नहीं लाए, अध्यादेश उस समय किया जयपाल रेड्डी ने जब पार्लियामेंट कन्वीन हो चुकी थी। ... (व्यवधान)...

SHRI GURUDAS DAS GUPTA: We are always against any Ordinance. (Interruptions) We are against an Ordinance whoever might have done it, whether it was the Congress party or any other party. (Interruptions) We had openly lodged our protest here. (Interruptions)

श्रीमती सुषमा स्वराज: सभापित जी, यह बहस का तरीका ...प्लीज़... यह बहस का तरीका बहुत अच्छा है। जयपाल रेड्डी आर्डिनेंस लाए तो जवाब है सो व्हाट? सुषमा स्वराज अगर बात भी न करे आर्डिनेंस की तो उनके मुहं से कहलवा दिया जाये कि आश्वासन दीजिए, सदन के फर्श पर आश्वासन दीजिए कि आर्डिनेंस नहीं लाएंगे। यह बहस का स्तर है और यह डिबेट का तरीका है कि मीडा-मीडा गप और कड़वा-कड़वा थू? ...(व्यवधान)...

SHRI GURUDAS DAS GUPTA: So what? Let her commitment for democracy be tested. (Interruptions)

श्रीमती सुषमा स्वराज: सभापित जी, ये कह रहे हैं ...(व्यवधान)... ये कह रहे हैं कि ये आर्डिनेंस के खिलाफ थे। यहां बैठे हैं बोम्मई साहब। ये उस केबिनेट के मंत्री थे जिस केबिनेट ने पास किया। आप उस सरकार के समर्थक दल थे ... ये उस सरकार के समर्थक दल थे जो अध्यादेश लेकर आए। सभापित जी, अभी ...(व्यवधान)...

SHRI GURUDAS DAS GUPTA: So what? (Interruptions)

MR. CHAIRMAN: Madam Minister, are you yielding?

SHRIMATI SUSHMA SWARAJ: No, Sir. I am not yielding.

MR. CHAIRMAN: Till the hon. Minister yields, nobody can speak. Mr. Gurudas Das Gupta, you will not interfere. (*Interruptions*)

श्रीमती सुषमा स्वराज: महोदय, अभी मोहम्मद सलीम जी ने कहा कि सरकार संवैधानिक संकट की तरफ जा रही है। सभापति जी, मैं आपसे कहना चाहती हूं कि

^{†[]}Transilteration in Arabic Script

असंवैधानिक चोज़ों के आश्वासन अगर सदन में लिए जाएंगे तो सरकार संवैधानिक संकट को तरफ बढ़ेगी। में एक आश्वासन दे सकती हूं कि सरकार वही करेगी जो संवैधानिक होगा, कंस्टीट्यूशनल होगा, संविधान जिसकी इजाज़त देगा। सरकार कुछ ऐसा नहीं करेगी जो असंवैधानिक होगा लेकिन संविधान के प्रावधानों को पूरा बरकरार रखते हुए। यह कंस्टीट्यूशन हमारे लिए बाईबल है, यह कंस्टीट्यूशन हमारे लिए गीता है, संविधानिक ढंग से सरकार चल्लएंगे।...(ब्यवधान)...

SHRI GURUDAS DAS GUPTA: Sir, there is no assurance that the Government will not bring an Ordinance. Protesting against the policy of the Government, we are walking out.

[At this stage, some hon. Members left the Chamber]

श्री मोहम्मद सलीम: सभापित महोदय, मंत्री महोदया आर्डिनेंस के बारे में कह रही थीं। हम आर्डिनेंस के विरोध में हैं कभी ऐसा नहीं हुआ कि सदन कहता है कि बिल ले आओ और मंत्री महोदया कहती है कि हम बिल नहीं लाएंगे। जिस आर्डिनेंस का वे हवाल दे रही हैं...हम कह रहे हैं कि बिल ले आओ और आप बिल लाना नहीं चाह रही हैं। यह लोकतंत्र की हत्या हो रही है। जब आपका बहुमत होगा तब आप कानून बनाएंगे, जब आपका बहुमत नहीं होगा तो आप कानून नहीं बनाएंगे...(ख्यवधान)...

SHRI S.R. BOMMAI: Sir, my name has been mentioned. (Interruptions)

SHRI S. VIDUTHALAI VIRUMBI (Tamil Nadu): Sir, we are also not satisfied with the reply of the Minister on this issue. So, in protest, on behalf of the DMK party, we are walking out.

[At this stage, some hon. Members left the Chamber]

SHRI S.R. BOMMAI: Since I was in the Cabinet, my name has been mentioned by the hon. Minister I would like to say: "Yes, the Government has the power to bring an Ordinance. We don't deny it. It has an inherent power to do so, whenever it is worth. Let the hon. Minister say that she wants to bring an Ordinance about the Prasar Bharti Bill. Let her say that. (Interruptions)

DR. MANMOHAN SINGH: Sir, I have listened with great respect to what the hon. Minister has said. I am very sorry to say that she does not carry conviction with us, and as a

mark of our protest, my party is going to walk out.

[At this stage, some hon. Members left the Chamber]

SHRI S.R. BOMMAI: Sir, we are also walking out in protest.

[At this stage, some hon. Members left the Chamber]

DR. BIPLAB DASGUPTA: We are also walking out in protest.

[At this stage, some hon. Members left the Chamber]

प्रो॰ रामगोपाल यादव (उत्तर प्रदेश): सर, हमारी पार्टी ने लोक सभा में प्रसार भारती का समर्थन किया है और मैं चाहता हूं कि यह बिल यहां लाया जाए। जैसे हमने वहां समर्थन किया, हम यहां भी समर्थन कर सकते हैं लेकिन ये ला नहीं रहे हैं इसलिए मैं विरोध करता हूं और वाकआउट करता है।

[तत्पश्चात् माननीय सदस्य सदन से उठकर चले गए।]

MR. CHAIRMAN: Now the Minister of Home Affairs is going to make a statement.

STATEMENT BY MINISTER Killing of Innocent Civilians by Militants in Chamba District of Himachal Pradesh

THE MINISTER OF HOME AFFAIRS (SHRI L.K. ADVANI): Mr. Chairman, Sir, a shocking report has been received yesterday from Chamba District in Himachal Pradesh. Two tragic incidents of Killings of innocent civilians by suspected Pakistan sponsored militants have occurred in the early hours of August 3, 1998.

Information has been received from the Police of Chamba District in Himachal Pradesh that 26 persons were killed and 8 injured in Kalaban area under Police Station Tissa of Chamba District. It is reported that the barbaric act was committed by some militants in the early hours of 3rd August at about 3.00 A.M. The Kalaban area is adjacent to Bhadarwa area of Doda District. J&K Police immediately despatched the police party for the scheme. The DGP and SP, Chamba, proceeded to the site as did the Chief Minister of Himachal Pradesh.

In another incident at about 1.30 A.M. on the same night 9 persons were killed and 3 injured in village Satrindi, District Chamba. This area also is close to Kishtwar Tehsil of