

2. The Speaker has certified that this Bill is a Money Bill within the meaning of article 110 of the Constitution of India."

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

BE. PROPOSAL TO SEND A HOUSE COMMITTEE TO ORISSA

SHRI S.B. CHAVAN (Maharashtra): Sir, I would like to raise a matter about which a request was made by the Prime Minister the other day that a House Committee should go to Orissa. That is why I am raising this question. I would like to inform the Chair that it is going to be a very unhealthy precedent that we are setting because I don't think it is proper and constitutional to send a House Committee to a particular State. You can send a Committee to Orissa. But you must also realise that if such Committees are sent to all the States, it will be a very unhealthy and unconstitutional position that we will be taking. I would request the Chairman, through you, Sir, to kindly reconsider as to whether it is a proper procedure that we will be following. At least, I submit that the Chairman may be pleased to reconsider the request which was made by the Prime Minister. But now, a ruling has to be given by the Chairman, and that is why I am raising this issue.

प्रो. विजय कुमार मल्होत्रा (दिल्ली) : उपसभाध्यक्ष महोदय, जी चव्हाण साहब ने सवाल उठाया है यह बड़ा गंभीर मामला है। ऐसी कोई कमेटी बनाने से पहले सारे हाउस के लीडर्स की मीटिंग बुलानी चाहिए थी और तब इस तरह की कोई एनाउंसमेंट करनी चाहिए थी, यह स्टेट और सेंटर के रिलेशन का मामला भी है। यह ठीक है कि वहां पर जिस प्रकार की मृत्यु हुई है, वह मामला बड़ा गंभीर है और उसके लिए वहां की स्टेट गवर्नमेंट ने जो कुछ अपना वर्सन दिया है उससे बहुत से लोग सेटिस्फाई नहीं हैं। हमारी पार्टी ने अपने एम.पीज़ की एक टीम भेजी थी। उन्होंने जाकर के उसको देखा और अपनी रिपोर्ट दी है। बाकी भी कर सकते हैं। पर, हाउस की कमेटी बनाकर के किसी भी स्टेट में ऐसे मामले में भेजना यह एक ऐसा प्रिसिडेंट है

जो काफी आगे चलकर के गलत मायने दे सकता है और इसलिए उससे पहले इस प्रकार की कोई कमेटी

बने हाउस के सभी पार्टियों के लीडर्स को बुलाकर तब उसको करना चाहिए। आफ-हैंड प्राईम मिनिस्टर ने इस तरह किसी कमेटी को बनाने की बात को एनाउंस कर देना मैं समझता हूँ कि यह वाजिब नहीं है और उनको इस तरह से ऐसे एनाउंसमेंट नहीं करनी चाहिए और इसमें दोबारा विचार करना चाहिए।

SHRI GURUDAS DAS GUPTA (West Bengal): Sir, the fact remains that on the day the question was raised on the floor of the House. If I am not mistaken, it was Mr. Ram Jethmalani, who had raised this question. Since the proposal had come from the Opposition, it was in the fitness of things that the hon. Prime Minister had accepted the suggestion on the floor of the House. *(Interruptions).*

SHRI JOHN F. FERNANDES (Goa): It was not his demand.

SHRI GURUDAS DAS GUPTA: Let us put across our views. Let us differ. There is no problem. What Mr. Jethmalani had said, if I am not mistaken.... *(Interruptions)*...

SHRI S.S. AHLUWALIA (Bihar): Don't go by the discussion. Talk about the convention.

SHRI GURUDAS DAS GUPTA: Let us not dictate terms.

SHRI S.S. AHLUWALIA: I am not dictating any terms.

SHRI GURUDAS DAS GUPTA: Let me put my views as I understand. You are also welcome to put your views as you understand. Sir, the whole thing cropped up because there was a persistent demand from Mr. Jethmalani, and Mr. Jethmalani had said that funds were not being utilised and all that. In course of that, the hon. Prime Minister suggested formation of a House Committee, or whatever it be. So far as my party is concerned, if any House of Parliament in its own wisdom, decides to send a House Committee to take an overview of the utilisation of funds or of the performance or the functioning of a

State Government, we are not opposed to it. We are not opposed to it. Neither is it a question of interference nor is it a question of encroachment upon the right of the States. No right is absolute. It is after all one country and the money is coming from the Federal Fund. The country is one. If a Member of Parliament has a right to question the working of the Central Government, he also has a right to ask the Parliament to look into the functioning of a particular State Government with regard to the utilisation of funds, particularly when human misery is involved.

PROF. VIJAY KUMAR MALHOTRA: There is a Public Accounts Committee. There are so many other Committees also. *...(Interruptions)...*

SHRI NILOTPAL BASU (West Bengal): We have heard you patiently. You should also hear us patiently.

SHRI GURUDAS DAS GUPTA: Sir, impatience is a disease. It is a disease, I understand. Some of us are also affected. My point is, there is a suggestion for formation of a House Committee. If the hon. Members, on second thought, might have decided to change the opinion, I don't object to that. In that case let a particular Standing Committee.....

THE VICE-CHAIRMAN (SHRI AJIT P.K. JOGI): Please be brief.

SHRI GURUDAS DAS GUPTA: In that case, let a particular Standing Committee be asked to look into it and find out the truth, but once again I say that the House is competent to set up a committee and that is not an encroachment upon the right of the States.

SHRI MAURICE KUJUR (Orissa): Hon. Vice-Chairman, I come from Orissa. Actually, at the time of discussion, the point was raised by the Opposition; there is no doubt about it, and then the hon. Prime Minister suggested formation of a House

Committee. Though I am a new Member of this House, I think, before going to form such a House Committee, at least the leaders of all parties should sit together once again and think over it; otherwise, it would be a bad tradition or a bad precedent because a democratically elected Government is functioning there. To me, formation of such a House Committee appears to be a clear-cut encroachment on the right of the States and an interference in the working of the State Governments. So, I request the Government, through you, Sir, to rethink over it and consult the leaders of all parties. They should sit together once again before forming a House Committee.

SHRI NILOTPAL BASU: Sir, before the Government responds, at least give me an opportunity to speak.

THE VICE-CHAIRMAN (SHRI AJIT P.K. JOGI): We are not having a full-fledged discussion on this. *...(interruptions)...*

SHRIMATI RENUKA CHOWDHURY (Andhra Pradesh): Sir, are we having a discussion? It is Zero Hour time. *...(interruptions)...* The Chairman will take a decision *...(interruptions)...* They should take permission from the Chair.

SHRI S.B. CHAVAN: I have taken the permission of the Chairman.

SHRIMATI RENUKA CHOWDHURY: I am not telling you. Please don't take it personally. It is not for you. *...(interruptions)...* It is a collective loss of time.

SHRI NILOTPAL BASU: Sir, the point is, we cannot exclude the manner in which the decision to form a House Committee was finally arrived at. I mean, earlier, there was a background to this. There were a couple of very serious questions asked on this subject and there was earlier a Half-an-Hour Discussion on this; still certain points remained unresolved and on the basis of that, some

of those issues came up in the House. So far as precedents are concerned, decisions on formation of House Committees had been taken earlier in this House on the issue of railway wagons as also on the issue of wakf board properties following a Calling Attention Motion where charges were levelled. *...(interruptions)...*

SHRI S.S. AHLUWALIA: They are Central subjects. Why do you interfere? *...(interruptions)...* There is no limit for discussion. *...(interruptions)...* You can have a discussion on any subject. *...(interruptions)...*

THE VICE-CHAIRMAN (SHRI AJIT P.K. JOGI): You please conclude now. *...(interruptions)...*

SHRI SATISH AGARWAL {Rajasthan}: The issue of railway wagons comes under Central Government. *...(interruptions)...* Those Committees are a different issue. *...(interruptions)...*

SHRI NILOTPAL BASU: Sir, let me speak. *...(interruptions)...*

THE VICE-CHAIRMAN (SHRI AJIT P.K. JOGI): You please conclude now. *...(interruptions)...* You please conclude now. *...(interruptions)...*

SHRI GURUDAS DAS GUPTA: Every hon. Member has a right to speak. *...(interruptions)...*

SHRI S.S. AHLUWALIA: Don't misuse your right. That is what he is about to. *...(interruptions)...* He is going beyond the limits. *...(interruptions)...*

THE VICE-CHAIRMAN (SHRI AJIT P.K. JOGI): Let me speak. *...(interruptions)...* Let him speak. *...(interruptions)...* Please sit down. *...(interruptions)...* Please sit down. *...(interruptions)...*

SHRI S.S. AHLUWALIA: Sir, what is this? If you are opening a debate, I am ready to speak. *...(interruptions)...*

THE VICE-CHAIRMAN (SHRI AJIT P.K. JOGI): No. This is not a debate. Let us be very clear that it is not a debate. Mr. Chavan has taken permission

from the Chairman. That is why I allowed him to speak. *...(interruptions)...* Would you please conclude now? *...(interruptions)...*

SHRI NILOTPAL BASU: I just want to say two sentences. Finally, the point is that you are very well aware that this area has a dense population of Scheduled Castes and Scheduled Tribes. *...(interruptions)...*

THE VICE-CHAIRMAN (SHRI AJIT P.K. JOGI): I have already told you to conclude. Please conclude now.

SHRI NILOTPAL BASU: So far as precedents and rules are concerned, there is no difficulty in a House Committee going into all that. When some Members raised a demand for forming a House Committee the Prime Minister graciously responded to it in a positive manner. *...(interruptions)...*

THE VICE-CHAIRMAN (SHRI AJIT P.K. JOGI): You cannot go on speaking on this issue. Please conclude.

SHRI NILOTPAL BASU: You have not asked others.

THE VICE-CHAIRMAN (SHRI AJIT P.K. JOGI): Would you please conclude?

SHRI NILOTPAL BASU: So, our point is that a House Committee can very well go into the issue. But finally it is up to the Chairman to decide it in a manner he deems fit.

THE VICE-CHAIRMAN (SHRI AJIT P.K. JOGI): I would like to inform the hon. Members that this was only a suggestion made by the hon. Prime Minister. The Chairman has not yet taken a final decision on it. He would like to consult all the leaders and then he would take a decision. That topic is now closed.

We will now take up Zero Hour Submissions. Shri S.S. Ahluwalia.