

has been said on the floor of the House by Mrs. Jayanthi Natarajan who is a senior Member of this House, there is no policy declaration in the statement of the Finance Minister. While I take her word, if it is contrary to that, I can't say it now. Now, Bill for introduction, Shri H. R. Bhardwaj.

### THE ARBITRATION AND CONCILIATION BILL, 1995

THE MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI H. R. BHARDWAJ): Madam, I beg to move for leave to introduce a Bill to consolidate and amend the law relating to domestic arbitration, international commercial arbitration and enforcement of foreign arbitral awards as also to define the law relating to conciliation and for matters connected therewith or incidental thereto.

*The question was proposed.*

SHRI JIBON ROY (West Bengal): Madam, I have some objections.

THE DEPUTY CHAIRMAN: What is your problems?

SHRI JIBON ROY: This Bill looks like a draconian Bill. It was only circulated three days back. ... (Interruptions)...

THE DEPUTY CHAIRMAN: If he is objecting to the introduction of the Bill he has a right to do it. ... (Interruptions)... I want to tell the Members to have a little patience in the House. He is in his full right to object to the introduction of a Bill. Let me hear his objection. You can't object to his objection. It is within the rules, at least within the rules of Rajya Sabha. ... (Interruptions).

SYED SIBTEY RAZZI (Uttar Pradesh): Madam, I have a point of order. Mr. Gurudas Das Gupta is trying to table all these papers on the Table of the House. I think it is against the rules. ... (Interruptions)...

THE DEPUTY CHAIRMAN: He is not. ... (Interruptions)...

SHRI DIGVIJAY SINGH (Bihar): He can't do it without the permission of the Chair. ... (Interruptions)...

SYED SIBTEY RAZI: If he has submitted them for you, he can give them to you. ... (Interruptions)... He can't put the papers like this. ... (Interruptions)... He can go to the Chamber and place them there.

THE DEPUTY CHAIRMAN: He is not doing that. ... (Interruptions)...

SHRI GURUDAS DAS GUPTA (West Bengal): Madam, what is this? ... (Interruptions)... Madam, this is extremely unfortunate. I did not want to lay it on the Table of the House. I know the rules. I was ascertaining from the Secretary-General.

I was only enquiring from the Secretary-General, I would like to hand it over to the Deputy Chairman, tell me to whom I should hand it over. ... (Interruptions)...

SYED SIBTEY RAZI: He is not such an ignorant person. (Interruptions)...

SHRI GURUDAS DAS GUPTA: What is this? ... (Interruptions)... What is this? ... (Interruptions)...

SYED SIBTEY RAZI: Such practices undermine the dignity of the House. ... (Interruptions)...

SHRI GURUDAS DAS GUPTA: No, no. ... (Interruptions)... Madam, I take exception to it. Madam, I submit that you must restrain this. This is unfortunate. This is extremely unfortunate.

SYED SIBTEY RAZI: There are rules to lay something on the Table of the House. (Interruptions)

SHRI GURUDAS DAS GUPTA: What is this? (Interruptions) This is very unfortunate. (Interruptions) What is the harm? Tell me. (Interruptions)

THE LEADER OF OPPOSITION (SHRI SIKANDER BAKHT): Everybody has a newspaper, what is this? (Interruptions)

THE DEPUTY CHAIRMAN:  
Please sit down. (*Interruptions*) Mrs.  
Alva wants to say something and I  
also want to say something. I am  
sorry that such things are happening  
...(*Interruptions*)...

THE MINISTER OF STATE IN  
THE MINISTRY OF PERSONNEL,  
PUBLIC GRIEVANCES AND PEN-  
SION AND THE MINISTER OF  
STATE IN THE MINISTRY OF  
PARLIAMENTARY AFFAIRS (SMT.  
MARGARET ALVA): Madam, noth-  
ing happened. I was there at the  
Table. Mr. Gurudas Das Gupta just  
came and requested the Secretary-  
General saying, "The Deputy Chair-  
man has not read the reports and  
these are the papers. Would you  
please have them delivered to her?"  
The Secretary General said, "No, you  
send them directly". That is all that  
happened. He did not lay them on  
the Table. He was just requesting  
the Secretary-General to send them  
to the Deputy Chairman. (*Interrup-  
tions*)

SOME HON. MEMBERS: Madam,  
kindly expel him from the House.  
(*Interruptions*)

SHRI MD. SALIM (West Bengal):  
It is a serious thing. Madam. (*In-  
terruptions*)

SYED SIBTEY RAZI: You are do-  
ing a serious thing. (*Interruptions*)

SHRI SIKANDER BAKHT. He is  
just trying to avoid a most awkward  
situation. I would request Shri Gu-  
rudas Das Gupta to hand over the  
papers to the Deputy Chairman.

SHRIMATI JAYANTHI NATARA-  
JAN (Tamil Nadu): He is absolutely  
right. (*Interruptions*) You cannot  
run the House like this. (*Interrup-  
tions*).

DR. BIPLAB DASGUPTA (West  
Bengal): Mr. Sibtey Razi clearly  
said that the motive of Mr. Gupta  
was not an 'innocent' one. (*Interrup-  
tions*) He used this expression. It is  
a very objectionable expression. (*In-  
terruptions*) This is on record. (*In-  
terruptions*)

SYED SIBTEY RAZI: Madam, how  
has he taken the inference that the  
Finance Minister's motive was not an  
innocent one? (*Interruptions*)

THE DEPUTY CHAIRMAN: The  
matter is over. Please sit down.  
(*Interruptions*) Let us have peace in  
the House. I have said umpteen  
times that the House is a mixture of  
varied opinions, varied ideologies,  
varied ways of expression. Nobody is  
going to say the same thing. Everybody  
will have his own way and every  
political party will have its own way  
of expression. Even individuals have  
their own way. I know, Mr. Guru-  
das Das Gupta is an old Member in  
this House. He has been here for a  
long time. He knows how to lay  
Papers on the Table of the House.  
(*Interruptions*) Please be serious. I  
like jokes. But, I do not like jokes  
when I am seriously talking. That is  
the trouble. You never take any  
situation seriously. We discussed  
Charar-e-Sharief the whole day yes-  
terday. Today also we have been dis-  
cussing. Everybody was saying and  
insisting that the Prime Minister  
should come and speak to the House.  
You have already taken  
one-and-a-half hours discussing this.  
If Mr. Gurudas Das Gupta is asking  
the Secretary-General, I do not think,  
the earth has shaken. I have never  
permitted anybody to lay Papers on  
the Table of the House without my  
permission, and until and unless I  
have seen and got them authenti-  
cated. So, your fears are baseless.  
This was authenticated by Mrs. Alva.  
If his intentions are wrong and if  
someone is asking, then it is fine. He  
can go back and sit in his chair or  
seat. But let us have some patience  
and tolerance towards each other...  
(*Interruptions*)... It is for you too.  
You people also get up if anybody  
sneaks, then everybody makes a run-  
ning commentary, goes on speaking.  
Try to listen. That is why I say  
that Mr. Sibtey Razi's was endurance  
was enough. He could not tolerate

anything more because perhaps he wanted to listen about Chara-e-Sharief. I can understand this. Sometimes I also feel exasperated. Can we start the business now? I was in the middle of getting all these Papers to be laid on the Table and there was some objection from one of the Member. I am trying to listen to it. How can we function in such an atmosphere? How can I function and how can you function?

SHRI DIGVIJAY SINGH (Bihar): Is the Prime Minister coming here, Madam?

THE DEPUTY CHAIRMAN: I do not know. (*Interruptions*)... Let me finish this business, then you can enquire... (*Interruptions*)... No more discussion about that now. Let me finish the business which is in my hands. What is your objection?

SHRI JIBON ROY: Madam, I was saying that the Bill is pernicious and has been circulated only three days back... (*Interruptions*)... The bill has provided that in a case of commercial dispute any party is allowed to enforce arbitration on the other and the right of appeal is almost remote, very little.

THE DEPUTY CHAIRMAN: You see...

SHRI JIBON ROY: I am not discussing the Bill.

THE DEPUTY CHAIRMAN: One second. You see, on a technical point you can object to the introduction of a Bill and not on its merits. When we discuss the Bill, at that time, you can raise that point, (*Interruptions*)... raise that objection.

SHRI JIBON ROY: I am not discussing the merits of the Bill. I am telling that it is a very serious... (*Interruptions*)...

THE DEPUTY CHAIRMAN: Then what are you discussing?

SHRI JIBON ROY: I wish I could request the hon. Minister, through you, to see that before this Bill is introduced in the House it is discussed in the Standing Committee with all concerned, because arbitration is enforced and there is no right, almost no right of appeal. Arbitration in foreign land is going to be enforced in our country. Therefore, a thorough discussion is necessary. I would request that before it is introduced in the House, let's it is discussed in the Standing Committee.

THE DEPUTY CHAIRMAN: Until and unless a Bill becomes the property of the House, it cannot be referred to any Standing Committee. Let it be introduced and become a property of the House, and then only it can be referred to a Committee. At that time, you can make your request. Just now, I will ask for the introduction of the Bill.

The question is:

That leave be granted to introduce a Bill to consolidate and amend the law relating to domestic arbitration, international commercial arbitration and enforcement of foreign arbitral awards as also to define the law relating to conciliation and for matters connected therewith or incidental thereto.

The motion was adopted.

SHRI H. R. BHARDWAJ: Madam, I introduce the Bill.

THE WORKING JOURNALISTS AND OTHER NEWSPAPER EMPLOYEES (CONDITIONS OF SERVICE) AND MISCELLANEOUS PROVISIONS (AMENDMENT) BILL, 1995.

THE MINISTER OF LABOUR (SHRI P. A. SANGMA): Madam, I