

out from Jaipal Reddyji whose calling attention notice is there. Mr. Jaipal Reddy, yesterday... (Interruptions) Just a second. I have to announce something. Yesterday we were going to take up the Criminal Law Amendment Bill at 12 o'clock and you had said, if further discussion and voting on the Criminal Law Amendment Bill is going to come at 12 o'clock, then you will defer your calling attention for another day—tomorrow or Monday, whichever is convenient. But I have been informed by the Parliamentary Affairs Ministry that today it is not coming before the House. But there is another technical problem. The other technical problem is that yesterday I announced and you were not in the House... (Interruptions) May I have some silence in the House, please? There is another problem, that we have the Finance Bill, which was reported yesterday, to clear because the hon. President is leaving and it has to be passed by our House and reported to the Lok Sabha to be sent to the President for his signature. Now, we have to do it today. (Interruptions)

SHRI CHIMANBHAI MEHTA (Gujarat): Madam,...

THE DEPUTY CHAIRMAN: Please, आप एक मिनट बैठिए। (Interruptions) आप एक मिनट बैठ जाइए। (Interruptions) I have not finished. (Interruptions) I have not finished, please. Have some courtesy, please. I think I am entitled to some courtesy.

Now, I want the permission of the House and your suggestions. Yesterday we passed the Appropriation Bill. As it was decided that there would be no discussion, we passed the Appropriation Bill late in the evening as the last business and sent it to the Lok Sabha. Now, this is our difficulty.

So, I need your support.

Re. CRIMINAL LAW AMENDMENT BILL

विपक्ष के नेता (श्री सिकन्दर बख्त): सदर साहिब, मैं यह जानना चाहता हूँ कि कल होम मिनिस्टर साहब ने ऑन फ्लोर ऑफ दि हाऊस यह ऐलान किया था कि यह क्रिमिनल लॉ अमेन्डमेंट बिल आज बाहर बजे आएगा फॉर वोटिंग। ये अपनी जगह बैठे-बैठे किसी तरीके का फैसला करने के क्या मायने हैं? हाऊस में एक ऐलान किया गया था, क्यों नहीं लाया जा रहा है पहले वह मालूम होना चाहिए, उसके बाद कुछ और सिलसिला चल सकता है। इसके क्या मायने हैं?

[[श्री सिकन्दर बख्त: صدر صاحب-میں یہ جاننا چاہتا ہوں کہ کل ہوم منسٹر صاحب نے آن فلور آف دی ہاؤس میں یہ اعلان کیا تھا کہ یہ کرمنل لاء امینڈمنٹ بل آج بارہ بجے آئیگا۔ فار ووٹنگ۔ یہ اپنی جگہ بیٹھے بیٹھے کسی طریقے کا فیصلہ کرنے کے کیا معنی ہیں۔ ہاؤس میں ایک اعلان کیا گیا تھا۔ کیوں نہیں لایا جا رہا ہے پہلے وہ معلوم ہونا چاہیے اسکے بعد اور سلسلہ چل سکتا ہے۔ اسکے کیا معنی ہیں۔]]

SHRI GURUDAS DAS GUPTA (West Bengal): Madam,...

THE DEPUTY CHAIRMAN: No, no. ... (Interruptions)...

SHRI GURUDAS DAS GUPTA: Madam, I am on the same issue. The day before yesterday the Government had postponed the voting. We are always being kept in a situation of absolute guess work. The Government should make its intention clear, either to have the voting or to defer it. Let the hon. Members be informed of a time-table. Why should there be so much of suspense? You have

to fight terrorism, but suspense cannot be a substitute for terrorism. ...*(Interruptions)*...

SHRI SIKANDER BAKHT: The Government cannot take the whole House for granted.

डॉ. मुरली मनोहर जोशी (उत्तर प्रदेश): महोदया, 23 तारीख को टाडा समाप्त हो गया और आज 25 तारीख हो गई है। हिंदुस्तान में कोई कानून टेरेरिज्म को नियंत्रित करने के लिए नहीं है।

उपसभापति: शुक्ला जी खड़े हैं, ज़रा जवाब देने दीजिए। आप बैठिए, आपका मामला बाद में सेटल कर लेंगे। ये पहले हो जाने दीजिए।

We can go ahead one by one. We cannot go together.

THE MINISTER OF PARLIAMENTARY AFFAIRS (SHRI VIDYACHARAN SHUKLA): Madam, we have been having discussions with the leaders of the Opposition since 9.30 this morning. We have ironed out many differences and we are coming near to a consensus. Although no consensus has been reached so far, we are hopeful. We will continue the discussion. Madam, I would request you to defer this for the time being and take up the financial business...*(Interruptions)*...

SHRI SIKANDER BAKHT: For the time being! What does it mean?

उपसभापति: देखिए, बात सुनिए पहले। सिकन्दर बख्त साहब प्लीज़...बात सुनिए। ...माथुर साहब, बात सुनिए...ऐसा नहीं करते हैं। ...माथुर साहब, ऐसा नहीं करते हैं। बात सुन लीजिए...बैठिए...बात सुन लीजिए...बात सुन लीजिए...पूरी बात तो होने दीजिए।

SHRI VIDYA CHARAN SHUKLA: Madam, we require some more time to develop a consensus which is necessary for this kind of a Bill. Therefore, Madam, we request you to take up other business and defer the consideration of this Bill. ...*(Interruptions)*...

SHRI S. JAIPAL REDDY (Andhra Pradesh): Madam, if he wants to take it

up at 4 o'clock, we can take it up at that time. ...*(Interruptions)*...

SHRI SIKANDER BAKHT: The Home Minister made an announcement on the floor of the House. This is no reason. The Government cannot solve its own inconveniences.

उपसभापति: सब लोग एक साथ बोलेंगे तो कैसे सन्नद्ध में आएगा?

SHRI S. JAIPAL REDDY: Madam, I have a suggestion to make. ...*(Interruptions)*...

THE DEPUTY CHAIRMAN: ...because everybody is speaking ...*(Interruptions)*...

श्री सिकन्दर बख्त: इसके मायने क्या हुए? इन्होंने क्या तमाशा बना रखा है? ...*(व्यवधान)*...यह गवर्नमेंट है क्या? सदर साहिबा हद हो गई। मतलब क्या हुआ इसका?

[[شری سیکندر بخت: اس کے معنی کیا ہوئے۔ انھوں نے کیا تماشا بنا رکھا ہے۔۔۔ "مداخلت"۔۔۔ گورنمنٹ ہے کیا۔۔۔ صدر صاحبہ۔۔۔ حد ہو گئی۔ مطلب کیا ہوا اسکا۔۔۔]]

Any Minister can come and make any sort of announcement here. ...*(Interruptions)*... What does it mean? ...*(Interruptions)*...

डॉ. मुरली मनोहर जोशी: महोदया, यह क्या हो रहा है? हिंदुस्तान में टेरेरिज्म के खिलाफ कोई कानून नहीं है। टाडा समाप्त हो गया। क्या मुल्क इस टेरेरिज्म के हवाले कर दिया जाएगा? यह सरकार देश को टेरेरिज्म के हवाले करना चाहती है? क्या करना चाहती है यह सरकार?

THE DEPUTY CHAIRMAN: I have got a different problem. ...*(Interruptions)*...

[[Transliteration in Arabic Script.]]

SHRI CHIMANBHAI MEHTA (Gujarat): Madam, ... (Interruptions)...

SHRI SIKANDER BAKHT: How can they take the House for granted?

उपसभापति: एक मिनट ... (व्यवधान) माथुर साहब बैठिए।

THE DEPUTY CHAIRMAN: I have put my technical difficulty before Mr. Jaipal Reddy because the Calling Attention is in his name. Now, what about the Finance Bill? As far as the Budget is concerned ... (Interruptions)...

श्री सिकन्दर बख्त: नहीं, नहीं, सदर साहिबा, हमें सख्त ऐतराज है। ... (व्यवधान)...

اشفري سڪندر بخت: ٻين-ٻين
صدر صاحبہ - ہمیں سخت اعتراض
ہے۔۔۔ مداخلت۔۔۔

उपसभापति: एक मिनट.....एक सेकंड रुकिए ना।

I have not finished as yet.

Let me finish. ... (Interruptions)...

बैठिए..... (व्यवधान)..... बैठ जाइए ना.....
बैठिए.....

As far as the Budget discussion is concerned, it has not affected that. Still some time is left; that remains separately, but we have to take up the Finance Bill. ... (Interruptions) ... The Budget discussion can be deferred, but the Finance Bill has to go to Lok Sabha. It is our duty to send it to Lok Sabha on time. That is why I am reminding you.

श्री सिकन्दर बख्त: सदर साहिबा, आपने गवर्नमेंट की गैर-जिम्मेदारियों को हमारी जिम्मेदारी बना दिया है।
... (व्यवधान) ...

اشفري سڪندر بخت: صدر صاحبہ
آپنے گورنمنٹ کی غرضمہ داریوں کو ہماری
ذمہ داری بنادیا ہے۔۔۔ مداخلت۔۔۔

[†] Transliteration in Arabic Script.

श्री दिग्विजय सिंह (बिहार): यह कौन सा तरीका है? (व्यवधान)

SHRI S. VIDUTHALAI VIRUMBI: Madam, I am on a point of order. (Interruptions) I am on a point of order. (Interruptions)

श्री सिकन्दर बख्त: क्रिमिनल लाँ अमेंडमेंट बिल पर क्या हो रहा है? (व्यवधान) गवर्नमेंट ने क्या तरीका अख्तियार कर रखा है? (व्यवधान) जिस तरह से आप करना चाहते हैं, यह मसला चेयर का नहीं है सदर साहेबा (व्यवधान) गवर्नमेंट जिस तरह से इस हाऊस को द्यूट कर रही है, यह तरीका गलत है (व्यवधान) इस चेयर से प्रोटेक्शन चाहते हैं (व्यवधान)

اشفري سڪندر بخت: گورنمنٹ لا ازمونشن
بل پر کیا ہو رہا ہے۔۔۔ مداخلت۔۔۔
گورنمنٹ نے کیا طریقہ اختیار کر رکھا ہے۔
۔۔۔ مداخلت۔۔۔ جس طرح سے آپ
کرنا چاہتے ہیں۔ یہ مسئلہ چیئر کا نہیں ہے۔
صدر صاحبہ۔۔۔ مداخلت۔۔۔ گورنمنٹ
جس طرح سے اسن ہاؤس کو ڈیوٹی کر رہی
ہے۔ یہ طریقہ غلط ہے۔۔۔ مداخلت۔۔۔
ایم چیئر سے پروڈکشن چاہتے ہیں۔ مداخلت۔۔۔

SHRI CHIMANBHAI MEHTA: The Amendment Bill has to be discussed now. We have our own Constitutional rights. (Interruptions) It has to be discussed first. The Finance Bill can come later. (Interruptions)

श्री सिकन्दर बख्त: सदर साहेबा, हमें जवाब मिलना चाहिये (व्यवधान) यह तो सरकार की जिम्मेदारी है (व्यवधान)

اشفري سڪندر بخت: صدر صاحبہ ہمیں
جواب ملنا چاہیے۔۔۔ مداخلت۔۔۔ یہ
سرکار کی ذمہ داری ہے۔۔۔ مداخلت۔۔۔

۱۱ آخری مسکن در بخت: پڑھا ہے۔ احتیاج
 بھی پڑھے لکھے ہیں۔۔۔ ”مہراخت“۔۔۔
 پرورزی بھی ہو رہا ہے۔ صاحبزادے ہیں۔۔۔
 ”مہراخت“۔۔۔ ۲۲ تاریخ کو یہی ہوا

۲۳ تاریخ کو یہی ہوا۔ ۲۴ تاریخ کو یہی ہوا
 ... "مداخلت" ... اسکا جواب ہمیں ملنا
 چاہیے۔ ... "مداخلت" ...

ڈاکٹر مورتی منوہر جوشی: اس देश को टेरेरिज्ज से ब्रवाने के लिए सरकार क्या कर रही है (व्यवधान) कोई कानून नहीं है (व्यवधान) क्या हिन्दुस्तान के तमाम लोगों को टेरेरिस्ट्स के हाथों में छोड़ दिया जाए (व्यवधान)

SOME HON. MEMBERS: How can the Calling Attention be discussed? (Interruptions)

SHRI S. JAIPAL REDDY: Madam, I have a suggestion to make. While appreciating the concern of the Leader of Opposition from their angle, may I make a suggestion? Let the matter be taken up by the Business Advisory Committee which is slated to meet at 4 o'clock this afternoon. ... (Interruptions)...

श्री जगदीश प्रसाद माथुर (उत्तर प्रदेश): बिजनेस एडवाइजरी कमेटी में पहले हो चुका है।

उपसभापति: माथुर साहब, आप सुन लेने दीजिये।

SHRI S. JAIPAL REDDY: I am only making a suggestion. It is for the Government and everybody else. I am making my personal suggestion that the matter of Criminal Law Amendment Bill be taken up at the BAC for specific time. It may be fixed by the BAC. ... (Interruptions)...

डा० मुरली मनोहर जोशी: यह कई बार हो चुका है।

श्री सिकन्दर बख्त: सदर साहिबा, जो सजेशन जयपाल रेड्डी का आया है उसे हमने सुना। बुनियादी सवाल यह नहीं है। मेरी बात सुन लीजिए। सवाल बुनियादी यह है कि यह गवर्नमेंट अपनी कन्वीनियंस के मुताबिक जब चाहती है जिस किस का ऐलान करना चाहती है कर देती है, उसके बाद सो जाती है। परसों भी यह हुआ, कल भी यह हुआ और आज भी सुरतेहाल यह है कि आज होम मिनिस्टर साहब जिन्होंने यह ऐलान किया था कि 11 बजे आज क्रिमिनल बिल लिया जाएगा वे मौजूद ही नहीं हैं और अपनी कन्वीनियंस के मुताबिक

आज पार्लियामेंट्री अफेयर्स मिनिस्टर है। यह क्या तरीका है। ये किस तरीके से हाऊस को ट्रीट करना चाहते हैं। बिजनेस एडवाइजरी कमेटी में सब कुछ तय हो चुका है। मुझे ऐतराज नहीं है कि फिर बिजनेस एडवाइजरी कमेटी गौर करे या न करे। लेकिन जानना यह चाहता हूँ कि यह तरीका क्या है। कल होम मिनिस्टर साहब ने जब यहां ऐलान किया था कि आज 12 बजे क्रिमिनल अमेंडमेंट बिल लिया जाएगा तो वह क्यों नहीं लिया जा रहा है, यह खाली कन्वीनियंस की बात नहीं है।

آئیٹنٹاور وود حیدر شری سیکندر بخت:

صدر صاحب - جو سیشن جسے پال ریڈی
 کاٹا گیا ہے - اسے ہم نے سنا - بنیادی سوال
 یہ نہیں ہے - میری بات سن لیجیے سوال
 بنیادی یہ ہے کہ یہ گورنمنٹ اپنی کنونینس
 کے مطابق جابھتی ہے جس قسم کا اعلان
 کرنا چاہتی ہے کر رہی ہے - اس کے بعد سوچا جاتا
 ہے - پیرسوں میں یہ ہوا - کل بھی یہ ہوا اور
 آج بھی صورتحال یہ ہے کہ آج صبح منسٹر صاحب
 جنہوں نے یہ اعلان کیا تھا - کہ ۱۲ بجے آج
 کرمل بل لایا جائیگا - وہ موجود ہی نہیں ہیں -
 اور اپنی کنونینس کے مطابق آج پارلیمنٹری
 ایفیرس منسٹر ہیں - یہ کیا طریقہ ہے یہ اس
 طریقہ سے حاؤس کو ٹریٹ کرنا چاہتے ہیں -
 بزنس ایڈوائسری کمیٹی میں سب کچھ
 سوچا جائے - مجھے اعتراض نہیں ہے کہ پھر بزنس
 ایڈوائسری کمیٹی غور کرے یا نہ کرے - لیکن
 جانتا یہ چاہتا ہوں کہ یہ طریقہ کیا ہے - کل
 صبح منسٹر صاحب نے جب یہاں اعلان کیا

تھا کہ آج بارے میں کونسل رائٹ منٹ بل
لا یا جائیگا۔ تو وہ کیوں نہیں لیا جا رہا ہے
پر خالی کونسل کی بات نہیں ہے۔

The Government has no business to take the House for granted. It is that attitude of the Government which we are objecting to. We are not getting any reply... (Interruptions)....

THE DEPUTY CHAIRMAN: The reply is coming. Let us listen to the reply first, please.

SHRI VIDYACHARAN SHUKLA: Madam, according to the wishes of the Opposition leaders, we have been discussing the matter with them. There should be no objection from the Leader of the Opposition for evolving a consensus on this issue which has raised a lot of controversy in the country. Now, to say that we should do it within a time limit, when consensus has not been reached, it is rather unfair because the Opposition leaders themselves raised new points during the discussion. We have to ponder over them and we have to come up with solutions to all those points. Therefore, against our own anticipation, we have taken more time. We did not want to take all these three days. We wanted to pass it on the first day itself. On the request made by the leaders of the Opposition, we agreed for consultations. We have been calling them one after the other. Consultations are going on. Even today, from 9.30 onwards until about 11.15 or 11.30, we have been doing this. It appears that some more consultations would be necessary. We do not want to scuttle the matter. We do want to pass this during this Session. Therefore we are having consultations everyday, morning, evening and afternoon.

I would like to assure our friends sitting opposite that we will not bring it forward here without informing them properly and talking to them in full length about the whole matter. Certainly,

we want to bring it forward. We do not want to have a vacuum created in the country. That is our intention. Madam, I request you ... (Interruptions) ... to agree to take up the listed Business.

उपसभापति: पूरी बात सुन लीजिए। माधुर साहब प्लीज बैठिए।

श्री सिकन्दर बख्त: यह जो एक्सपोज़र है कन्सेन्सस तैयार करने की यह पहले करनी चाहिए थी ... (व्यवधान) यह आप क्या कर रहे हैं? मेरा ऐतराज इस पर है।

†† श्री सिकन्दर बख्त: یہ جو ایکسپوزیشن ہے۔ کنسینس تیار کرنے کی یہ پہلا کرنی چاہیے تھی۔۔۔ مداخلت۔۔۔ یہ آپ کیا کر رہے ہیں میرا اعتراض اس پر ہے۔

SHRI VIDYACHARAN SHUKLA: Madam, the Finance Bill has to go to the Lok Sabha and after that it has to go to the President ... (Interruptions) ... There is a time limit for it.... (Interruptions) ... It has to be sent today... (Interruptions) ... Madam, either you take up the Finance Bill and return it to the Lok Sabha today or you can take it up immediately after the Calling Attention, whichever you prefer.

SHRI S. JAIPAL REDDY: The Calling Attention should be taken up first.

SHRI VIDYACHARAN SHUKLA: Madam, we are having consultations with them and we will have further discussion with them.... (Interruptions) ... After talking with these friends opposite, we will come up with some kind of a solution. ... (Interruptions) ...

श्री सिकन्दर बख्त: सदर साहिबा, मेरी एक गुजारिश है...

†† श्री सिकन्दर बख्त: صدر صاحبہ - میری ایک گزارش ہے۔۔۔

THE DEPUTY CHAIRMAN: I have to give my observation...(Interruptions)... I want to remind the House that when the Home Minister Sahab said, when I asked him, "Are you deferring it today? Then I am going to take it up tomorrow", he said "12 o' clock." And I reminded him and Mr. Jaipal Reddy reminded him, that tomorrow we have a Calling Attention, Then I told Mr. Jaipal Reddy in the presence of the Home Minister, "There is a calling attention which is listed in your name. In case we have this Amending Bill, what would you do? He said, "if the Amending Bill comes, I will defer it."

"If it does not come, then I will have the Calling Attention." That is why it is listed today. Now, that Bill has not come, and so, the Calling Attention Motion is listed. So, we will keep it that way. It is part of my ruling.

श्री सिकन्दर बख्त: सदर साहिब, मैं यह कहना चाहता हूँ कि जो कुछ भी पार्लियामेण्टरी अफेयर्स मिनिस्टर साहब ने फर्माया कंसेंसस हासिल करने की खाहिश रखना वैतकम है, लेकिन बिल लाने से पहले करते अगर इनको होश होता। किसी चीज़ को ठिकाने से काम करने का तरीका तो है नहीं दिक्कत यह है कि रोज़ बिल यहां आ रहा है। बात हो चुकी, जवाब हो चुका तमाम बहस का होम मिनिस्टर साहब से एक दिन, दो दिन सेसेफिक एलान होता है कि कल 12 बजे वोटिंग होगी इस बिल पर डेफर किया जाता है परसों फिर किया, मतलब, यह क्या है तरीका और क्या जवाब दिया है इन्होंने? Who is opposing consensus? You go on trying for consensus. You should have done it much before bringing in the Bill.

और आज हालत क्या है? हमारा एतराज यह है कि जो एलान इस हाउस में किया गया उस सेसेफिक एलान को खिलाफकर्तों क्यों हो रही है, उसका कोई जवाब पार्लियामेण्टरी अफेयर्स मिनिस्टर साहब के पास नहीं है। And, we are not going to permit the Government to make the House a matter of their own convenience. It has got to follow some rules. If they go on breaking the rules of Parliamentary activity on their whims, we are not prepared to accept that.

۱۱ نیتا و پکیش شری سکوندر بخت صواب۔ میں یہ کہنا چاہتا ہوں کہ جو کچھ بھی پارلیمنٹری ایفیرسز منسٹر صاحب نے فرمایا کنسینس حاصل کرنے کی خواہش رکھنا وایتکم ہے۔ لیکن بل لانے سے پہلے کرتے اگر انکو ہوش ہوتا۔ کسی چیز کو ٹھکانے سے کام کرنے کا طریقہ تو ہے نہیں وقت یہ ہے کہ روز بل یہاں آ رہا ہے۔ بات ہو چکی ہے جواب ہو چکا تمام بحث کا اصول منسٹر صاحب سے ایک دن۔ ہورن اسپیسیفک اعلان ہوتا ہے کہ کل ۱۲ بجے ووٹنگ ہوگی اس بل پر ڈفر کیا جاتا ہے پراسو میو کیا۔ مطلب یہ کہنا ہے طریقہ اور کیا جواب دیا انھوں نے۔

Who is opposing consensus? You go on trying for consensus. You should have done it much before bringing the Bill.

۱۲ اور آج حالت کیا ہے۔ ہمارا اعتراض یہ ہے کہ جو اعلان اس صاؤس میں کیا گیا ہے۔ اس اسپیسیفک اعلان کی خلاف ورزی کیوں ہو رہی ہے۔ اسکا کوئی جواب پارلیمنٹری ایفیرسز منسٹر صاحب کے پاس نہیں ہے۔

And, we are not going to permit the Government to make the House a measure of their own convenience. It has to follow some rules. If they go on breaking the rules of Parliamentary activity on their whims, we are not prepared to accept that.

†† Transliteration in Arabic Script.

SHRI G. SWAMINATHAN (Tamil Nadu): Madam, we will be very happy to have a consensus of all the parties so that you can decide on the matter and bring in the Bill. But the point is this: Suppose every party has got a position and you are not able to get the consensus of the other parties. Then have you the majority to pass the Bill? Are you going to bring in the Bill and pass it in spite of the consultations or not? This is a matter which we want to know. If a consensus is not arrived at will you drop the Bill or defer the Bill? Are you going to get it passed. You have the majority to pass the Bill? When there has been a contention on such Bills, you have been taking the Bills and passing them in spite of the views of the Opposition parties. Every Opposition party has got a view. Then why can't you take the Bill and pass it? Then, why are you delaying the passing of the Bill for three days? That is what we want to know. We want to know your intention about this matter. *(Interruptions)* No, no one minute. Let him reply to this point.

SHRI CHATURANAN MISHRA (Bihar): What the hon. Member Shri Swaminathan has said is, "All right. Have consensus or no consensus. But when we have a majority we will rush it through." Then, what is the use of having consultations? I understand what the Leader of the Opposition has said; all these things should have been done earlier. I appreciate it, I find it reasonable. With an unreasonable Government you cannot expect it. When you have taken a reasonable stand that more consultations should be done, I and my party, we are in favour of it. It is a welcome step. This is a serious thing. We are attending to it seriously, and everyday meetings are taking place. I think Opposition party leaders will also contribute. Let us have a legislation which works well, not like TADA. It becomes something which people hate.

DR. BIPLAB DASGUPTA (West Bengal): Madam, I fully support what my colleague has just said that certainly there is need for consultation, there is nothing wrong with consultations, and nothing should be pushed through with the majority. The Government had sufficient time for the passing of the Bill—three weeks. Regular consultations were not undertaken. But now I am suggesting that there is a proposal before the House that the matter should be referred to a Select Committee and the Select Committee can be given ...*(Interruptions)*... Just let me finish. You may not agree with me, but let me put forth my views. The Select Committee ...*(Interruptions)*... What I am saying is, that can be done. But, in the meantime, I suggest that this Calling Attention Motion should be taken up, after that the Finance Bill and then in the Business Advisory Committee further decisions may be taken.

SHRI S. JAIPAL REDDY: Madam, I have to state, on behalf of my party, that I do not agree with the Leader of the Opposition or with the Parliamentary Affairs Minister that there would be a vacuum if an alternative piece of legislation is not enacted. There are sufficient laws to deal with ...*(Interruptions)* I am stating my viewpoint. *(Interruptions)* I would say, basically, there are laws to deal with every kind of situation. *(Interruptions)* There are many other laws. Therefore, I believe, this is a Bill which should not be hustled through at all. *(Interruptions)*

SHRI MD. SALIM: Who is piloting the Bill? Is it Mr. Sikander Bakht? *(Interruptions)*

SHRI SIKANDER BAKHT: Madam, I did not make any reference. He attributed certain things to me. He is unnecessarily putting words into my mouth. *(Interruptions)*

SHRI JAGDISH PRASAD MATHUR: Don't you want any law to deal with terrorism? *(Interruptions)*

SHRI S. JAIPAL REDDY: Madam, just because TADA has lapsed, just because TADA has lapsed two days back, you cannot say that there is a legal vacuum. *(Interruptions)*

DR. MURLI MANOHAR JOSHI: Madam, today, there is no law to curb terrorism. *(Interruptions)*

SHRI S. JAIPAL REDDY: There are sufficient laws to deal with terrorism. *(Interruptions)*

DR. MURLI MANOHAR JOSHI: There must be some Code to control terrorism. *(Interruptions)*

SHRI MD. SALIM: There are sufficient laws in the statute book. *(Interruptions)*

SHRI S. VIDUTHALAI VIRUMBI (Tamil Nadu): There are sufficient laws. *(Interruptions)*

SHRI SANGH PRIYA GAUTAM (Uttar Pradesh): Madam, on a point of order. *(Interruptions)*

SHRI S. VIDUTHALAI VIRUMBI: As Mr. Jaipal Reddy said, we have got sufficient laws in the statute book. *(Interruptions)*

श्री मोहम्मद सलीम: देखो, यह किस का बिल है?

श्रीमती सुषमा स्वराज: मैडम, इस बिल पर सरकार सदन से आंख-मिचौली खेल रही है ... *(व्यवधान)* ... कभी आप ऑफिसियल अमेंडमेंट लाते हैं ... *(व्यवधान)* ... कनसेंसस की समस्या तो इन के अपने दल में है ये किसी दल के नेताओं से चर्चा नहीं कर रहे हैं; ... *(व्यवधान)* ... इनके दल में विभाजन है ... *(व्यवधान)* ...

डा० मुरली मनोहर जोशी: मैडम, टैरिज्म इस देश में कब तक चलेगा। मैडम, यह रूलिंग पार्टी का टैरिज्म है ... *(व्यवधान)* ... वह टैरिज्म के खिलाफ कानून नहीं आने देना चाहती। दिस इज पार्लियामेंटरी टैरिज्म। आप टैरिज्म के खिलाफ क्यों नहीं खड़े होते। टैरिज्म से आप डर रहे हैं।

THE DEPUTY CHAIRMAN: Let us have the Calling-Attention, please. *(Interruptions)*

SHRI SIKANDAR BAKHT: Is this the way the Government should function? *(Interruptions)* What is the Government doing? *(Interruptions)*

DR. MURLI MANOHAR JOSHI: This is terrorism by the ruling party. *(Interruptions)*

This is Parliamentary terrorism. *(Interruptions)*

THE DEPUTY CHAIRMAN: Calling-Attention Motion. *(Interruptions)*

DR. MURLI MANOHAR JOSHI: They are supporting terrorism. *(Interruptions)*

SHRI GURUDAS DAS GUPTA: Madam, it is very wrong on the part of hon. Members. They are resorting to terrorist activities inside the House. This is not fair. *(Interruptions)*

THE DEPUTY CHAIRMAN: What is happening to this House? Please sit down. *(Interruptions)*

SHRI GURUDAS DAS GUPTA: This is absolutely unfair. If the Government wants time, we should give them time. What is the harm in it? *(Interruptions)*

SHRI JAGDISH PRASAD MATHUR: This is a facade. *(Interruptions)*

This is a facade.

SHRI PRAMOD MAHAJAN (Maharashtra): If there is terrorism, you need a law. *(Interruptions)*

DR. BIPLAB DASGUPTA: Why are you terrorising them? *(Interruptions)*

DR. MURLI MANOHAR JOSHI: You are terrorising the treasury benches. *(Interruptions)*

THE DEPUTY CHAIRMAN: I do not want to hear any cross-talk. Nothing is going on record. *(Interruptions)*.

SHRI S. JAIPAL REDDY: Madam, may I call the attention?

THE DEPUTY CHAIRMAN: Yes, *(Interruptions)*

SHRI SIKANDER BAKHT: What is happening to this House. Is this the way the house should be treated by the Government? I require an answer to this question. What is happening to this House?

श्री संघ प्रिय गौतम: मैडम, मेरा पॉइंट ऑफ ऑर्डर है।

उपसभापति: आपके लीडर बोल रहे हैं, आप बैठ जाइए।

श्री सिकन्दर बख्त: सदर साहिबा, आपने कहा वाट इज हैपनिंग टू दिस हाउस। मैं जानता हूँ और आपका प्रोटेक्शन चाहता हूँ कि वाट इज बीइंग डन टू दिस हाउस। आपने तमाम प्रेक्टिसेस को बताए ताक रख दिया है।

[[श्री सिकन्दर बख्त: सदर صاحبہ۔ آپ نے کہاواٹ از چیپینگ ٹو دس ہاؤس میں۔ جاننا چاہتا ہوں اور آپ کا پروٹیکشن چاہتا ہوں کہواٹ از بی ہنگ ڈن ٹو دس ہاؤس۔ آپ نے تمام پریکٹیسس کو بالائے طاق رکھ دیا ہے۔]]

SHRI CHIMANBHAI MEHTA: Madam, I am on a point of order. (Interruptions)

SHRI SIKANDER BAKHT: I must get a reply to my question from the Government. (Interruptions)

THE DEPUTY CHAIRMAN: Let us hear the point of order of Mr. Chimanbhai Mehta

SHRI CHIMANBHAI MEHTA: madam, when you stand up, I always sit down because I have respect for you. The others were allowed to speak.

THE DEPUTY CHAIRMAN: All right. Make your point.

SHRI CHIMANBHAI MEHTA: It is nice of you that you have allowed me to speak. That is one thing. (Interruptions)

+ [Transliteration in Arabic script.

My point is this. The Finance Bill cannot precede the discussion on the General Budget. A suggestion has been made here, a suggestion has been put forward, that there is an urgency to take up the Finance Bill, as it has to be returned to the Lok Sabha. Yesterday also, we did a very wrong thing by passing the Appropriation Bill. Anyway, yesterday there was a question. I can understand it. But, if you go on violating the Rules and the Constitutional provisions, it is not correct. First the General Budget should be discussed, and then the Finance Bill can be taken up. ... (Interruptions)

श्री सिकन्दर बख्त: सदर साहिबा, मेरे सवाल का क्या हुआ? सरकार से जवाब ले लिया क्या?

[[श्री सिकन्दर बख्त: सदर صاحبہ۔ میرے سوال کا کیا ہوا۔ سرکار سے جواب لے لیا گیا۔]]

THE DEPUTY CHAIRMAN: Sikan-der Bakht Saheb, let me first handle this.

श्री सिकन्दर बख्त: सदर साहिबा, सरकार का जवाब मुझे मिल रहा है या नहीं?

[[श्री सिकन्दर बख्त: सदर صاحبہ۔ مجھے بہت سی سخت اعتراض ہیں سرکار کا اس ایسی ٹیوٹ کا۔ میں سرکار سے جواب چاہتا ہوں۔۔۔ "مداخلت"۔۔۔]]

THE DEPUTY CHAIRMAN: I am not asking it.

श्री सिकन्दर बख्त: सदर साहिबा, मुझे बहुत सख्त एतराज है सरकार के इस एटीट्यूड पर। मैं सरकार से जवाब चाहता हूँ। ... (व्यवधान) ...

[[श्री सिकन्दर बख्त: सदर صاحبہ۔ سرکار کا جواب مجھے مل رہا ہے یا نہیں۔]]

उपसभापति: बैठिए। ... (व्यवधान) ... प्लीज, बैठिए। ... (व्यवधान) ...

Otherwise, I am going to adjourn the House. I will adjourn the House. ... (Interruptions)

SHRI SIKANDAR BAKHT: They are taking the House for granted. ... (Interruptions)

We are walking out in protest.

(At this stage, some hon. Members left the Chamber.)

SHRI ASHOK MITRA (West Bengal): I am on a point of order.

THE DEPUTY CHAIRMAN: I heard Mr. Mehta's point of order. I want to answer him. Mr. Ashok Mitra, let me handle one person at a time. I cannot answer you together. Sit down, Please. Take your seat. Please take your seat. Take your seat.

SHRI ASHOK MITRA: I will take my seat, but still, I have my point of order. ... (Interruptions)

THE DEPUTY CHAIRMAN: Mehtaji, you are a Member of this House. I do know for how many years. This House has never done any impropriety before. There is an unusual situation which I referred to. If you happened to be listening to me. ... (Interruptions)

It has not been done by us. We have not created that situation. Neither Rajya Sabha nor the Chairman nor the Deputy Chairman has created it. The situation is because of what happened. The Budget was delayed, I repeated it yesterday, due to the election which was delayed, and the whole Budget Discussion is being fractured into pieces and bits, and what happened subsequently in the rest of the country.

SHRI CHIMANBHAI MEHTA: That is my complaint.

THE DEPUTY CHAIRMAN: Then don't start putting the blame on anybody. Everybody, all of us have to take the responsibility.

SHRI CHIMANBHAI MEHTA: I am not blaming you.

THE DEPUTY CHAIRMAN: Then you sit down. You don't get up unnecessarily. I expect co-operation from a senior person like you.

SHRI CHIMANBHAI MEHTA: You are unnecessarily blaming me that I have blamed you. This is not fair ... (Interruptions)

श्री भूपेन्द्र सिंह मान (नाम निर्देशित): मैडम, यह लोग क्रिमिनल अमेन्डमेंट ला बिल को एक तरफ रख रहे हैं और दूसरी तरफ टाडा खत्म हो गया है। इधर सरकार चाहती है जल्दी-जल्दी ... (व्यवधान) ... इसको पास किया जाए। ... (व्यवधान) ...

SHRI S. JAIPAL REDDY: Madam, You have given a ruling on the point of order. Please protect me. There is my Calling Attention. ... (Interruptions)

SHRI V. NARAYANASAMY (Fondicherry): The Opposition is not united in its demands. They are saying that the Government is not taking up the Calling Attention. What kind of attitude do they have?

श्री भूपेन्द्र सिंह मान: मैडम, सरकार इतने दिनों से डिले कर रही है। एक तरफ पीछे मंगलवार को टाडा खत्म हो गया है और दूसरी तरफ सरकार जानबूझकर डिले कर रही है।

उपसभापति: अच्छा, अब आप बैठिए।

श्री भूपेन्द्र सिंह: मैडम, हर रोज यह कहकर, जानबूझकर सरकार डिले कर रही है। यह ठीक नहीं है। मैं चाहूंगा, जो जयपाल रेड्डी साहब ने कहा है, वह बिल्कुल ठीक बात है और इस पर अमल होना चाहिए। इस बिल को लाकर वोटिंग होनी चाहिए।

उपसभापति: बैठ जाइए, मान साहब।

श्री भूपेन्द्र सिंह मान: मैडम, एक तरफ टाडा में लोग मर रहे हैं ... (व्यवधान) ...

THE DEPUTY CHAIRMAN: We are not taking up the TADA now. The TADA has lapsed. आप बैठिए।

श्री भूपेन्द्र सिंह मान: टाडा के संबंध में सरकार क्या कर रही है?

उपसभापति: अभी आप बैठिए। अभी दंडा
डिस्का नहीं हो रहा है। ...*(व्यवधान)*...

SHRI ASHOK MITRA: Madam, my
conscience does not allow me to sit
down.

Madam, you snubbed me yesterday,
and it is always a pleasure to be snubbed
by you.

THE DEPUTY CHAIRMAN: I did
not. Do you want me to give the pleasure
again?

SHRI ASHOK MITRA: Definitely.
...*(Interruptions)*

THE DEPUTY CHAIRMAN: I can
oblige you ...*(Interruptions)*

I can give you at any time you want it.

SHRI ASHOK MITRA: But, I think,
this is a very serious Constitutional issue.
The Government has made a mess of its
affairs, but, that does not imply that we
should make an ass of the Constitution.

Yesterday, I went back and reread the
Constitution. The Constitution specifically
says that the Finance Bill must precede
the Appropriation Bill. It also says that
the Discussion on the General Budget
must precede the presentation of the
Finance Bill. Therefore, I am worried.
Madam, we today flout the Constitutional
process. Suppose there is a smart lawyer
who runs to the Supreme Court and the
Supreme Court gives a judgment that the
entire Budgetary process that we are
trying to complete is improper. Where
are we then?

THE DEPUTY CHAIRMAN: I think
you are giving an idea that somebody
should go to the Court, maybe to-
morrow....

SHRI ASHOK MITRA: No. But why
can't we have the views of the Attorney-
General whether we can do what we are
doing? Because, in the rush of things you
may offer today a verdict that all of us
may rule in the future I, therefore, once
more appeal to you to reconsider it.

THE DEPUTY CHAIRMAN: Mr.
Ashok Mitra, yesterday I explained it to
you and to Mr. Mehta.

SHRI CHIMANBHAI MEHTA: Yes-
terday I did not raise the issue.

THE DEPUTY CHAIRMAN: You
were there. Physically you were present,
mentally you might not be there. But,
you were there, because I registered your
presence. I explained to you as to what
the difficulty was you repeatedly walked
out of the House. The Finance Minister
was sitting here. If it was an impropriety
on the part of the House, he would have
raised it yesterday. He did not. In fact,
he requested me to take up the Approp-
riation Bill. That is the reason I person-
ally think why we should block the money,
which would be needed by the people,
not the Government. The Government
takes money for the people of this coun-
try, not for them. You should understand
that.

Yesterday the entire Left Front was ac-
cusing that the money is not being
granted to some public sector undertak-
ings. And considering that the people
should not suffer, I went out of my way.
I was requesting that it should be taken
up today along with the Finance Bill, but
it was insisted upon that I should take it
up yesterday and I did it. I never do
improper things. Please do not tell...

SHRI ASHOK MITRA: Nobody is
making a complaint against you. My com-
plaint is that the Government is doing
improper things. *(Interruptions)* Why
should we collude with the Government?
(Interruptions)

THE DEPUTY CHAIRMAN: The
Rules and the Constitution say that the
Members should listen to the Deputy
Chairman. Please follow that.

SHRI G. SWAMINATHAN: Only one
minute. The point of order raised by Mr.
Ashok Mitra needs to be answered. He
says there is an impropriety and some-
body may go to the court tomorrow and
challenge the very Act having been pas-
sed in the Parliament. Therefore, it is a
very serious thing. My personal view is
that the House has got a right to proceed
with its own business. I do not think the
court can intervene in our affairs.

SHRI S. JAIPAL REDDY: Madam, should I proceed with my business.

THE DEPUTY CHAIRMAN: Yes. Let us not go with the far-fetched ideas.

श्री चतुरानन मिश्र: मैडम, एक रिक्वेस्ट है कि यह भी रूलिंग आप दे दीजिए कि प्वाइंट आफ ऑर्डर ज्यादा टाइम लेगा या प्वाइंट आफ डिस-ऑर्डर ज्यादा टाइम लेगा?

उपसभापति: मिश्र जी, यह तो आप लोगों के सोचने की बात है, चेयर के सोचने की बात नहीं है, डिस-ऑर्डर चेयर तो क्रिएट नहीं करती है न। बोलिए मंत्री जी।

CALLING ATTENTION TO A MATTER OF URGENT PUBLIC IMPORTANCE
Regarding import of unprecedented quantity of urea by M.M.T.C. during 1994-95

SHRI S. JAIPAL REDDY (Andhra Pradesh): Madam Deputy Chairman, I call the attention of the Minister of Commerce to the import of unprecedented quantity of Urea by the MMTC during 1994-95.

THE MINISTER OF STATE OF THE MINISTRY OF COMMERCE (SHRI P. CHIDAMBARAM): Madam, before I make my statement...

SHRI S. JAIPAL REDDY: Copies.

THE DEPUTY CHAIRMAN: In the disorder, the copies were lost. Just one minute. We have lost a lot of time. I request the House that we dispense with the lunch hour and sit through the lunch hour.

SOME HON. MEMBERS: Yes.

SHRI P. CHIDAMBARAM: Madam, before I make my statement, I would like to say that I am grateful to Mr. Jaipal Reddy for calling my attention to this matter. I am also grateful to both Mr. Jaipal Reddy and you, Madam, for dropping the words "questionable methods" which was there in the original notice. But as the motion has been admitted, I assume that there is no such allegation.

SHRI S. JAIPAL REDDY: Kindly call the House to order.

THE DEPUTY CHAIRMAN: Who is in disorder?

SHRI P. CHIDAMBARAM: Madam Deputy Chairman, in February 1994, the Government of India authorised MMTC to import 15 lakh MT Urea by the end of September 1994. In August 1994, this authorisation was increased to 27.5 lakh MT for import in the fiscal year 1994-95. It was decided in October 1994 by Government of India that two other PSUs namely NFL and PPCL would also be authorised to import 3 lakh MTs of Urea by December 1994. The time period within which they could execute the imports was subsequently extended to March 1995. These two organisations did not succeed in bringing any quantity of Urea within the authorised time. MMTC was asked in February 1995 to make best efforts to import an additional 2.5 lakh MTs over and above 27.5 lakh MTs authorised earlier for arrival by the end of 31st March 1995. As against this overall target of 30 lakh MTs, MMTC successfully landed 28.81 lakh MTs by the 31st March 1995.

2. MMTC has effectively functioned as a canalising agency for fertilisers which need to be imported on Government account in the past also. In the present case, MMTC has executed Urea imports in 1994-95 within the quantity authorised by the Government of India. MMTC was able to make available the required quantity of urea needed for agricultural operations in the country.

MMTC did not use questionable methods to import urea. MMTC's procedures were transparent, equitable and fair and were in line with international practice. The procedures adopted were as follows:—

MMTC normally contracts for Urea through global tender/enquiry. Bidders are required to submit a bid bond US\$ 1 per tonne for the quantity offered. Offers

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