

dustrial Engineering, Bombay, for the year 1988-89 and the Audit Report thereon.

(c) Review by Government on the working of the Institute.

(d) Statement giving reasons for the delay in laying the papers mentioned at (ii) above. [Placed in Library. See No. LT-668/90 for (a) to (d)]

(iii) (a) Twelfth Annual Report of the Central Institute of Higher Tibetan Studies, Varanasi, for the year 1988-89.

(b) Annual Accounts of the Central Institute of Higher Tibetan Studies, Varanasi, for the year 1988-89 and the Audit Report thereon.

(c) Review by Government on the working of the Institute. [Placed in Library. See No. LT-631/90 for (a) to (c)]

(iv) (a) Fourteenth Annual Report of the University of Hyderabad, for the year 1988-89.

(b) Review by Government on the working of the University.

(c) Statement giving reasons for the delay in laying the papers mentioned at (iv) above. [Placed in Library. See No. LT-666-90 for (a) to (c)]

(v) (a) Twenty-seventh Annual Report and Accounts of the Indian Institute of Management, Ahmedabad, for the year 1988-89 together with the Auditor's Report on the Accounts.

(b) Review by Government on working of the Institute.

(c) Statement giving reasons for the delay in laying the papers mentioned at (v) above. [Placed in Library. See No. LT-664/90 for (a) to (c)]

Demand for a Statement on Kashmir Kidnappings

SHRI P. SHIV SHANKER (Gujarat): Mr. Chairman, Sir, we are grateful to you for having allowed the special mention on the kidnapping of the Vice-Chancellor and the General Manager of the HMT in Srinagar. But in view of the gravity of the situation and in view of the fact that divergent reports are coming about these persons, some saying that they are alive and some reports say that they have been executed

I would demand of the Home Minister to make a very clear-cut statement today itself so that the Members may know the real situation.
(Interruptions)

SHRI V. NARAYANASAMY (Pondicherry): Yesterday, it was promised by the Home Minister. He did not make any statement yesterday.
(Interruptions)

MR. CHAIRMAN: It has been decided that after we have had the Constitution (Amendment) Bill for extending President's Rule in Punjab passed, we will take up the Special Mentions. Now, Mr. Mufti Mohammad Sayeed to first move his Motion for suspension of rule 228

MOTION FOR SUSPENSION OF RULE 228

THE MINISTER OF HOME AFFAIRS (SHRI MUFTI MOHAMMAD SAYEED): Mr. Chairman, Sir, I beg to move the following Motion:

"That this House do suspend rule 228 of the Rules of Procedure and Conduct of Business in the Rajya Sabha in its application to the motions for consideration and passing of the Constitution (Sixty-fifth Amendment Bill), 1990."

The question was proposed.

SHRI H. HANUMANTHAPPA (Karnataka): Sir, no reasons have been given. Reasons have to be given. *(Interruptions)*

SHRI V. NARAYANASAMY (Pondicherry): What is the reason for the Minister coming forward with this Bill again, when we have already passed it? We are not aware of it. The hon. Minister should tell us. *(Interruptions)*

SHRI H. HANUMANTHAPPA: Let it go on record. *(Interruptions)*

SHRI VITHALRAO MADHAVRAO JADHAV (Maharashtra): We should know the reason for the Minister asking for the suspension of this rule. *(Interruptions)*

SHRI H. HANUMANTHAPPA: Sir, we have already passed this Bill. Now, the Bill has come back to this House again and, that too, asking for suspension of the existing rule. The Government should come out with the explanation why they are asking for suspension of the rule. The reason should be told to us. The reason should be given to us. We want the reason. *(Interruptions)*

SHRI P. SHIV SHANKER: Under the rules reason has to be given. *(Interruptions)*

MR. CHAIRMAN: He has asked for the waiver of the rule. When he moves the Bill for consideration. *(Interruptions)*

SHRI H. HANUMANTHAPPA: No Sir, *(Interruptions)*

SHRI SURESH KALMADI (Maharashtra): Let him come out with the reasons *(Interruptions)*

MR. CHAIRMAN: At the present moment, it is for suspension of rule 228. *(Interruptions)*

SHRI SURESH KALMADI: Reason. *(Interruptions)*

SHRI VISHVJIT P. SINGH (Maharashtra): Why? *(Interruptions)* We

should know the reason why. *(Interruptions)*

MR. CHAIRMAN: Your views have been registered. You all know why. *(Interruptions)*

SHRI SURESH KALMADI: We do not know. *(Interruptions)*

SHRI P. SHIV SHANKER: My submission is... *(Interruptions)*

SHRI SURESH KALMADI: Don't bail them out. *(Interruptions)*

श्री शंकर दयाल सिंह (बिहार) :
क्या एक साथ उठकर बोलना पड़ता है, कि एक आदमी बोलता है, यह मैं जानना चाहता हूँ? मैं तो सदन में बिल्कुल नया सदस्य आया हूँ। एक सदस्य अपनी बात अकेले कहेगा या एक साथ बीसियों खड़े होंगे? अगर यही बात है तो हम लोग इधर खड़े होकर अपनी बात कहना चाहते हैं। सभापति जी, यह कोई तरीका नहीं है। मैं तो 12 वर्षों के बाद यहाँ आया हूँ। लेकिन क्या मैं इसलिए आया हूँ कि इन बातों को सीखूँ या समझूँ?

सभापति जी, मैं आपसे अनुरोध करना चाहता हूँ कि पहले बताएं कि किस तरह से सदन में कार्यवाही की जाती है।

SHRI DIPEN GHOSH (West Bengal): Sir it is his maiden question. You please reply. *(Interruptions)*

SHRI VIREN J. SHAH (Maharashtra): Mr. Chairman, Sir, while welcoming the new Members, you told us that established conventions should be followed by the new as well as the old Members. Is this the convention we should follow? *(Interruptions)*

SHRI P. SHIV SHANKER: My submission is that this Bill was passed by the Rajya Sabha earlier and this was passed unanimously.

SOME HON. MEMBERS: No, no.

SHRI P. SHIV SHANKER: Of course excepting a lone voice. *(Interruptions)*;

आप मुझे बोलने का भी अधिकार नहीं देना चाहते? आप सुनिए तो सही।

Again this Bill is sought to be introduced here. There should be a frank confession by the Government as to why they have brought this Bill again here.

SHRI H. HANUMANTHAPPA: This House should not be taken so lightly. We would like to know the reasons. We are not expected to know the reasons from newspapers. Government has come out with the motion for suspension of rule 228. Let us know what the reasons are. What is happening in the other House we do not know. We need not be carried by the press reports and what has appeared in the newspapers.

SHRI MUFTI MOHAMMAD SAYEED: It is a fact that the required strength of the Members in the Lok Sabha was not there. (*Interruptions*). That was not the case with the ruling National Front Members and its allies alone, even out of the 190-Member strength of the Congress Party, not more than 67 were present. 120 Members of the Congress party were not in the House.

SHRI SURESH KALMADI: It is not our responsibility. It is your responsibility.

SHRI P. SHIV SHANKER: Mr. Minister, can you tell us how many National Front Members were present and how many Ministers were absent? How many Ministers were not present, can you tell us? (*Interruptions*).

SHRI VITHALRAO MADHAVRAO JADHAV: Sir, instead of putting the blame on Congress(I) party, he should tell us how many Ministers were absent. (*Interruptions*). They have defeated their own Bill.

SHRI KAMAL MORARKA (Rajasthan): Sir, we cannot discuss the presence of Members or Ministers in Lok Sabha.

SHRI VITHALRAO MADHAVRAO JADHAV: They are unable to rule this country.

MR. CHAIRMAN: In Rajya Sabha we do not discuss who was present or who was not present in the Lok Sabha, whether the Ministers were present there or not.

SHRI P. SHIV SHANKER: The Minister himself has volunteered this information. That is why this information was sought.

SHRI H. HANUMANTHAPPA: When the Minister is pinpointing at the Congress(I)'s absence, we want to know how many Ministers were absent. We are entitled to know how many Ministers were absent.

श्री विठ्ठलराव माधवराव जाधव :
जो सरकार अपने मंत्रियों को उपस्थित करने में नाकाम होती है वह सरकार इस देश पर राज करने लायक नहीं है।

MR. CHAIRMAN: Please. The matter is very simple. The Minister has said that the Bill could not be passed in the Lok Sabha because the requisite majority could not be obtained.

SHRI SURESH KALMADI: He has said only about the Congress Party

MR. CHAIRMAN: He has said something, and you have said something. That is all there. He has told about how many Members of the Congress were present. You have asked how many Ministers were absent. (*Interruptions*) But normally this House does not discuss, and to my mind should not discuss, what has transpired in the other House—that is the convention we have had—except that much which is absolutely essential. Absolutely essential is the reason that in the Lok Sabha this could not get the requisite majority in the first instance under the constitutional provision. (*Interruptions*)

SHRI P. SHIV SHANKER: Sir, I would like to submit that if the Home Minister were to merely say that there was no requisite majority in the other House, the answer would have been sufficient. But he went ahead to give out the details of a particular party's presence there. That is why it is obligatory on him to say the position of each party's presence and how many Ministers were there of his own party how many people were there? He must explain that. He cannot just run away like this. If he has chosen to give, if he has volunteered to give information, he must go to the logical extent.

श्री अटल बिहारी वाजपेयी (मध्य-प्रदेश): सभापति महोदय, उस सदन में क्या हुआ? मैंने आपसे पूछा कि वह बिल क्यों गिरा?

SHRI V. NARAYANASAMY: Are you speaking on behalf of the Minister?

SHRI MAKHAN LAL FOTEDAR (Uttar Pradesh): Why don't you become Home Minister?

श्री पी० शिव शंकर: दूसरे हाउस में रिक्वोजिट मैजोरिटी नहीं है, यह हमने नहीं पुछा था। उन्होंने खुद भेजन किया कि दूसरे हाउस में मैजोरिटी नहीं थी।

SHRI MUFTI MOHAMMAD SAYEED: There have been instances time. I would like to say that, in fact, the requisite strength was not present. Even fifty Members of the National Front and forty Members of the BJP were not present. Only the CPI(M) and the CPI

श्री राम नरेश यादव (उत्तर प्रदेश): महोदय, यह स्पष्ट बात है कि सरकार कैसे चल रही है।

SHRI MUFTI MOHAMMAD SAYEED: There have been instances when the Constitution (Amendment) Bills were not passed in the Lok Sabha. (Interruptions)

SHRI SURESH KALMADI: How many Ministers were absent, I want to know. He has not answered that. (Interruptions)

SHRI VITHALRAO MADHAVRAO JADHAV: What about the Deputy Prime Minister? (Interruptions)

SHRI SURESH KALMADI: Sir, I want to know only one thing more How many Ministers were absent?

SHRI JAGESH DESAI (Maharashtra): You give the figures. (Interruptions)

SHRI P. SHIV SHANKER: It is a sorry state of affairs.

MR. CHAIRMAN: The question is:

"That this House do suspend rule 228 of the Rules of Procedure and Conduct of Business in the Rajya Sabha in its application to the motions for consideration and passing of the Constitution (Sixty-fifth Amendment) Bill, 1990."

The Motion was adopted.

(Interruptions).

SHRI V. NARAYANASAMY: Having lost in the Lok Sabha, you are clapping here. Are you not ashamed of it?

THE CONSTITUTION (SIXTY-FIFTH AMENDMENT) BILL, 1990

THE MINISTER OF HOME AFFAIRS (SHRI MUFTI MOHAMMAD SAYEED): Sir, I beg to move:

"That the Bill further to amend the Constitution of India, as passed by the Lok Sabha be taken into consideration."

MR. CHAIRMAN: There is one amendment Shri S. S. Ahluwalia for reference of the Constitution (Sixty-fifth Amendment) Bill, 1990 to a Select Committee of the Rajya Sabha. The Member may move the amendment at this stage, without any speech.

SHRI S. S. AHLUWALIA (Bihar): Sir, I move:

"That the Bill further to amend the Constitution of India, be referred to a Select Committee of