

SHRIMATI BHOYA CHAKRAVARTY: I am on a point of order.

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): I will allow from this side also. (Interruptions).

SHRI SATYA PRAKASH MALAVIYA: Political murders are taking place in U. P. and Rajiv Gandhi... (Interruptions).

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): Mr. Virendra Verma also can speak (Interruptions).

SHRI SATYA PRAKASH MALAVIYA: This is a violation of our rules.

श्री वीरेन्द्र वर्मा : अ प गलत परिपाटी चलान चाहते हैं, चेयरमैन ने मना कर दिया था ।

SHRI MIRZA IRSHADBAIG: You cannot stop us. (Interruptions).

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): I will give opportunity to speak to this side also.

श्री वीरेन्द्र वर्मा : हम म नने व ले नहीं हैं, ये पोलिटिकल कैपिटल बनाना चाहते हैं
..... (व्यवधान)

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): According to the situation that develops in the House, the Chair can decide. I want smooth conduct of the House. (Interruptions). Women Members are very much agitated. I have to see that they are given an opportunity. (Interruptions). Shrimati Sudha Vijay Joshi. (Interruptions).

श्री शरद यादव (उत्तर प्रदेश) : श्रीमन, यह कौन सा नियम है ?
(व्यवधान)

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): You cannot tell me. You go to your seat and speak. (Interruptions). I now adjourn the House for 15 minutes.

The House then adjourned at twenty minutes past twelve of the clock.

The House reassembled at thirty-nine minutes past twelve of the clock.

[The Vice-Chairman (Shri Jagesh Desai) in the Chair.]

REFERENCE TO THE PROCEDURE FOR ALLOWING SPECIAL MOTIONS—Contd.

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): Mrs. Sudha Joshi...

श्री सत्य प्रकाश मालवीय : मेरा व्यवस्था का प्रश्न है । जो राज्य सभा का बुलिटिन इस सदन के सदस्यों को दिया गया है उसमें दिया हुआ है कि अगर स्पेशल मेंशन किसी को देना है तो वह सवा दस बजे तक दे । यह चेयरमैन के कमरे में दिया जाये । फिर स्पेशल मेंशन का एक फार्म भी होता है । मैंने भी स्पेशल मेंशन दिया था । मुझे को पीले कागज पर नोटिस मिला है । कल भी मिला था कि आपका स्पेशल मेंशन ग्रैंडर कंसीडरेशन है । आज जो 11 स्पेशल मेंशन लिये हुए हैं उसमें सुधा जोशी जी का स्पेशल मेंशन नहीं है और वह इस विषय को उठाने की कोशिश कर रही हैं । आप उनको अनुमति दे रहे हैं । आप अनुमति दें इस पर मुझे आपत्ति नहीं है । मेरी आपत्ति यह है कि जो नियम है और जो बुलेटिन आपने बांटा है उसका पालन सारे सदन को करना चाहिए और उसका पालन आप को करना चाहिए ।

दूसरा मेरा निवेदन यह है कि जिस विषय को वह उठाना चाहती हैं इसमें मुझे कोई आपत्ति नहीं । लेकिन नियम के अन्तर्गत होना चाहिए । जो रूल है स्पेशल मेंशन के अगर उसका पालन हम लोग ही करेंगे, आप ही करेंगे तो कैसे सदन चलगा । इसलिए कनूनी तरीके से नोटिस आना चाहिए तभी सभापति जी उस पर अपने विचार दें ।

श्री ईश दत्त यादव : उपसभाध्यक्ष जी, आपको अगर स्पेशल मेंशन उठाने की इजाजत देनी चाहिए तो वह रूलज के अनुसार ही देनी चाहिए । नियम यह है कि सवा 10 बजे तक प्रिटेड फार्म पर यह होना चाहिए । स्पेशल मेंशन देने का एक तरीका है, उसी को परमिशन देनी

चाहिए। लेकिन इन्होंने सादे कागज पर लिखकर दे दिया... (व्यवधान)। मेरा आपसे अनुरोध है कि अगर आप चाहते हैं तो एलाउ करें, लेकिन उसको नियमों के अनुसार ही एलाउ करें, कल एलाउ करें। आज इसको एलाउ करना गे-कानूनी होगा। इसको इस माननीय सदन के नियमों के अनुसार ही एलाउ किया जाना चाहिए। मेरा आपसे अनुरोध है कि अगर आप चाहते हैं तो इसका कल उठाया जाय और नियमों के अनुसार उठाया जाय।

THE MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI M. M. JACOB): Sir, I want to make two or three points in this connection.

First of all, Special Mentions in this House are based on precedents followed here and there is no special rule for a Special Mention. But the precedent is to give it before 10 o'clock, whatever notice you have to give. But there are occasions in this House—and there have been occasions even in this very same session and in the previous session—when Members come with some urgent and important matters, even at the time when the Chairman is sitting in the Chair... (Interruptions)...

SHRI SATYA PRAKASH MALAVIYA: He has refused and he has never allowed... (Interruptions)... The Chairman might have been approached. But he has refused... (Interruptions)...

SHRI M. M. JACOB: I am coming to that; I am coming to that only.

So, Sir, the Chairman has the power to allow a Special Mention, even suspending the normal rules, if there is a provision under Rule 267. But, Sir, in this case, there is no rule actually to be suspended also. So, the Chairman has the right to allow a Special Mention at any time

when the Chairman decides to allow it. So, in this case, the Chairman or the Vice-Chairman now occupying the seat, has the right to allow a Special Mention.

श्री शरद यादव: श्रीमन, मेरा निवेदन यह है कि हम इसको इसलिये अपोज कर रहे हैं कि यह कनून के खिलाफ है। दूसरी बात मैं यह कहना चाहता हूँ जो ट्रेजरी बेंच के लोग हैं वे आज ही इसको बगैर कानून के उठाकर इसका राजनैतिक लाभ उठाना चाहते हैं। इस हाउस के एक मेम्बर हैं उनके बेटे की वे बहु थी... (व्यवधान)

SHRIMATI JAYANTHI NATARAJAN (Tamil Nadu): Sir, I am on a point of order... (Interruptions)...

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): No, please... (Interruptions)...

SHRIMATI JAYANTHI NATARAJAN: We are not taking any political advantage... (Interruptions)... We are concerned about the death of a woman... (Interruptions)... We are not taking any political advantage... (Interruptions)... I won't agree with that. This is unfair. He is imputing motives... (Interruptions)...

श्री शरद यादव: श्रीमन मेरा विनम निवेदन यह है कि इस हाउस के एक मेम्बर के बेटे की वह बहु थी (व्यवधान)

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): No, please... (Interruptions)...

SHRIMATI JAYANTHI NATARAJAN: A woman has been murdered... (Interruptions)... The granddaughter-in-law of a person has been murdered. We cannot make any mention of it?... (Interruptions)...

श्री शरद यादव: आप इसको एलाउ करने हैं तो आप एक ऐसा उदाहरण पेश कर रहे हैं (व्यवधान)... मेरा कहना

[श्री शरद यादव]

यह है कि आप ऐसा उदाहरण पेश कर रहे हैं कि हर मामले को निजी मामला बनाकर उसका राजनैतिक इस्तेमाल किया जाय . . . (व्यवधान)

SHRIMATI JAYANTHI NATA-
RAJAN: We are not making any political capital... (Interruptions)...

श्रीमती सूर्यकांत जयवंतराव शेटेली :
यह निजी मामला नहीं है ।

THE VICE-CHAIRMAN (SHRI
JAGESH DESAI): Let us not men-
tion that now. You just tell what you
want... (Interruptions)...

श्री शरद यादव : श्रीमन् मेरा विनम्र
निवेदन है कि इस प्रकार से इसका राज-
नैतिक इस्तेमाल किया जा रहा है . . .
(व्यवधान)

SHRIMATI JAYANTHI NATA-
RAJAN: You cannot allow him to
speak like that, Sir... (Interrup-
tions)...

THE VICE-CHAIRMAN (SHRI
JAGESH DESAI): No, please... (In-
terruptions)... Yes, Mr. Gurupada-
swamy.

SHRI M. S. GURUPADASWAMY:
Sir, I do not want to say anything on
the issue raised. I am only on the
procedure side.

Sir, just now I have heard Mr. Ja-
cob saying that under special
circumstances the Chair has got the
discretion to allow any mention to be
made in the House. It is true that
under extraordinary circumstances,
when the House is exercised on an
issue, the Chair has been requested to
depart from the traditions and the
conventions, and I am aware of that.
But here is a case where the matter
comes directly under the State Gov-
ernment. I am not arguing on that
at all. I know the feelings, Sir...
(Interruptions)... I know the feel-

ings because I am also exercised.
But, Sir, I am only commenting on
the submissions made by Mr. Jacob.
I do not think that at any time in the
past a Special Mention was permitted
just by the Chair. Many issues have
been raised I know. But I do not
think that any Special Mention has
been permitted by the Chair on the
spot, without giving notice. This is
for you. This is for future guidance
also. It is for you to consider whe-
ther Special Mentions can be allowed
without a formal notice being given.

THE VICE-CHAIRMAN (SHRI
JAGESH DESAI): I have heard both
the sides. Sometimes if a situation
arises in such manner, then for con-
ducting smooth functioning of the
House also we have to make some
kind of adjustment. In the past also
even a Special Mention was converted
into a full debate.

SHRI SATYA PRAKASH MALA-
VIYA: That is a different point.

THE VICE-CHAIRMAN (SHRI
JAGESH DESAI): And secondly,
women Members were so much agita-
ted. Then I thought that it is better
that it should be allowed, and from
this side also some Members should
be allowed. But this should not be
taken as a precedent. But the situa-
tion was such. Then I thought that
I should discuss it with the leaders
of the opposition also. I think we came
to some conclusion that one will be
allowed from this side and one from
that side. As such, please allow me
to proceed like this. I ask Mrs. Sudha
Joshi to speak.

श्री ईश दत्त यादव : माननीय
उपसभाध्यक्ष जी, एक मिनट के लिए . . .
(व्यवधान) . . . इसको कल कर दें . . .
(व्यवधान) इसको नियमानुसार कर दें ।

THE VICE-CHAIRMAN (SHRI
JAGESH DESAI): I have allowed
this.