

RULING BY CHAIRMAN**Re. Motion for reference of the Visva BharatL (Amendment) Bill, 1978, to a joint Committee**

MR. CHAIRMAN: Now, I have to give a ruling On a matter which was raised the other day in the House.

On the 17th June, 1980, a Motion for reference of the Visva-Bharati (Amendment) Bill, 1978, to a Joint Committee of the Houses of Parliament was included in the List of Business for that day, in the name of Shri B. Shankaranand, Minister of Education. When the Minister sought to move the motion, a point of order was raised by Shri Lai K. Advani objecting to the form of motion. The Vice-Chairman, who was in the Chair, deferred the consideration of the motion pending my ruling on the point of order.

The point for consideration is (i) whether the old Committee continues to exist notwithstanding the dissolution of the Lok Sabha and, if so, whether the Lok Sabha may only be requested by a motion to nominate 22 Members to the already existing Joint Committee; or (ii) whether the form of motion included in the List of Business for reference of the Visva-Bharati (Amendment) Bill to a new Joint Committee is appropriate in the circumstances of the case.

I have gone through the proceedings of the House of that date as also the previous precedents on the subject. It appears to me that the practice of having a *de novo* motion for reference of a Bill to a Joint Committee in the event of dissolution of the Lok Sabha subsequently, has become inveterate and we should follow it till a definite rule neutralises the precedents. I have seen four precedents. Although there is much to be said in favour of the view expressed by Shri Advani, as the matter is not *res Integra* and is covered by precedents, I rule that the precedents which are clear should be followed in the present case also and the House

may proceed with the motion which is proposed by the Minister of Education for reference of the Bill to a new Joint Committee. There are four precedents, as I have said.

RE NON AVAILABILITY OF TAMIL FORM OF OATH TO MEMBERS

SHRI R. MOHANARANGAM (Tamil Nadu): Mr. Chairman, Sir, I wanted to take my oath in Tamil but circumstances forced me to take my oath in the English language. We have ready-made forms of oath in English and Hindi. But it was not provided to me in Tamil. It was in some form of Tamil in which I had to take it only in the name of God. So I had make the affirmation only in English and not in Tamil. I do not understand the discrimination between English and Tamil.....

MR. CHAIRMAN: You want to take oath in Tamil?

SHRI R. MOHANARANGAM: Afterwards I was forced to take it in English.

SHRI ERA SEZHIYAN (Tamil Nadu): He has already taken. When he came here he wanted the Tamil form to make affirmation and the Tamil form was not provided to him. He is wondering . .

MR. CHAIRMAN: I am very sorry. If I had known about it, I would have allowed him to take it in Tamil later on in the day, but he did not tell me.

SHRI R. MOHANARANGAM: It has some sentimental value for us. (7w.terriptio?(s).

DR. (SHRIMATI) SATHIAVANTI MUTHU (Tamil Nadu): Usually when the Members prefer to take it in their own language, it is provided. That is how we all took some two years ago.

MR. CHAIRMAN: I did not know. If my attention had been drawn to this, I would have provided the Tamil form. There is no difficulty about that.

DR. (SHRIMATI) SATHIAVANI MUTHU: it is the duty of these officers. *(Interruptions)*.

MR. CHAIRMAN: It is too late now. Having taken the oath, you cannot undo the oath.

SHRI BHUPESH GUPTA (West Bengal): Sir, it is most unfortunate.. *(Interruptions)*.

MR. CHAIRMAN: Shall I tell you one thing? Please sit down. You can take my apology for not having provided you with an appropriate form as sufficient. Now, Papers to be laid on the Table.

DR. (SHRIMATI) SATHIAVANI MUTHU: There are a few more Members to come from our State...

MR CHAIRMAN: We will do that. There is no doubt about it.

RE. CHAIR'S RIGHT TO ORDER ANY PART OF PROCEEDINGS OFF RECORD

SHRI BHUPESH /GUPTA (West Bengal); Sir, I wish to bring to your notice another matter. Is it the ruling of the Chair that the Chair—I do not mean personally you, Sir, but whoever is in the Chair—has the right to say "Nothing will go into the proceedings"? In which Parliament is this done? Everything that we utter is liable to go into the proceedings, subject to the Rules. And the Rules are very clear.

Yesterday we raised a very serious point that we heard that in the Legislative Assembly of Uttar Pradesh business is being conducted with the pro tem Speaker and there was no real Speaker. It is violation of the Constitution... *(Interruptions)*. It may be right or wrong.

MR. CHAIRMAN: That matter is before me as a Special Mention or Calling Attention Motion.

SHRI BHUPESH GUPTA: It is for you to decide. . . .

SHRI SHYAM LAL YADAV (Uttar Pradesh); He cannot raise it. . . .

SHRI BHUPESH GUPTA: Why is he standing up? But do not say it would not go into the proceedings. We had not said anything unparliamentary or undignified. We have some information... *(Interruptions)*.

SHRI SHYAM LAL YADAV: He is raising the same thing in another way. He shall not be allowed to do so.

SHRI BHUPESH GUPTA: We have some information and we have brought it to your notice. In today's newspaper it is said... *(Interruptions)*.

SHRI SHYAM LAL YADAV: He should not be allowed to raise it.

SHRI BHUPESH GUPTA: You should go into it. This should not have been expunged... *(Interruptions)*. That was very wrong. This Parliament is not a private court of anybody. It is being conducted as per the Constitution of the country and the Rules of the House. So long as the Rules are not violated and so long as the Constitution is not disrespected, everything must go into the proceedings...

MR. CHAIRMAN: I must stand by the ruling given by the Vice-Chairman who was in the Chair. It is as good a ruling as given by me. If I were to begin revising those rulings, then the work will never be finished and there will be a lot of trouble. Whatever Mr. Kulkarni has done is with my approval. Papers to be laid on the Table.

SHRI A. G. KULKARNI (Maharashtra): I was not there.