

[Snri Pranab Mukherjee]

ling? Secondly, I would like to....

MR. CHAIRMAN: You will continue after lunch.

The House will rise now and will meet at 2 P.M.

The House then adjourned for lunch at two minutes past one of the clock.

The House reassembled after lunch at four minutes past two of the clock, Mr. Deputy Chairman in the Chair.

MESSAGE FROM THE PRESIDENT

Joint Sitting of the Houses for the purpose of deliberating, and voting on the Banking Services Commission (Repeal) Bill, 1977—Contd.

SHRI BHUPESH GUPTA—(West Bengal): Sir, I have a submission to make regarding the joint session. Suddenly an announcement has been made that there will be a joint session, but for what purpose, we do not know.

SHRI SUNDER SINGH BHANDARI (Uttar Pradesh): Sir, Shri Pranab Mukherjee has to continue his speech.

SHRI BHUPESH GUPTA: Perhaps it is to regularise the Banking Service Commission (Repeal) Bill, which was to replace the Ordinance, which could not be got through. In this connection, Sir, I, first of all, ask whether this is the best way or the proper way of calling a joint session of the two Houses of Parliament. The second question that I ask is whether the holding of a joint session requires any summons. If so, what is the time for notice required because nothing definite has been provided for in the Rules of this House and there is nothing for us to go by. There is a provision, however, in the Constitution for holding joint session but I think the matter stops

more or less at that point. We had, during my experience at least, only one joint session on the Anti-Dowry Bill and that took place when the Parliament, the two Houses of Parliament, were not in session. After the sessions were over, a special summons was issued specifically for the joint session and there was a joint session. Here, Sir, we are in the midst of a Budget session. Now, the convention is that every year, the first session would be a joint session inaugurated by the President by his Address and that becomes really the Budget session, as we know it. That had been done; that is over. Now, Sir, we are having within the compass of the session, a joint session. As far as the Lok Sabha is concerned, there is no break; as far as the Rajya Sabha is concerned, there has been some break by way of prorogation of the House. That does not apply in the case of the Lok Sabha at all. The Houses had not been prorogued since they met in Budget session. Now, Sir, here, when we are in the midst of a session, a session that began in February—although there was a break, the session continues, namely, the Budget session—we suddenly get an announcement that there would be a joint session, a session within the session. I do not know what the convention says. In any case, Sir, what is the notice? We have our business announced in this House for the whole period and it has not been announced that there would be a joint session. In fact, the joint session cannot form part of the exclusive business of the House. Therefore, I am not blaming the Business Advisory Committee of not including the joint session in the programme of business that was sent to the House or announced in the House. It comes as an extraneous announcement. Who decided it? Government decided it. Did the Chairman of the House and the Speaker of the other House come to the conclusion that there should be a joint session? I should like it to be clarified, Sir. Did they come to this

conclusion, because neither the Chairman on his own, nor the Speaker on his own can come to the conclusion that there should be a joint session? Then, who advised it? Did the President advise? Well, Sir, this again is an anomalous situation. We are already in the midst of a session summoned by the President and then the President calls for a joint session. Up to now I have not received any summons. How is it, Sir, officially a session is announced on the floor of the House and from the Chair and no summons have been issued? This is a strange situation. This is the way the Government functions. People sometimes come to know of things indirectly or unofficially. Even such things appear in the papers that the next session is likely to be held on such and such date. But here we are in a situation when officially from the Chair a joint session has been announced. But who summoned that session? Nobody has summoned it to our knowledge. The session has to be summoned not through the Chair; the session has to be summoned through a notice to the Members of the two Houses of Parliament. This we have not got....

MR. DEPUTY CHAIRMAN: You said that.

SHRI BHUPESH GUPTA: I have said it, but you kindly give a ruling on it. It is not just like that somebody comes....

MR. DEPUTY CHAIRMAN: Let us come to our business.

SHRI BHUPESH GUPTA: ... and says that the joint session is on the 16th. I would like to know it. This announcement itself is illegal, irregular and improper. It is not known how the decision has been taken. I would like to know: Who is summoning the Joint Session?

MR. DEPUTY CHAIRMAN: You have said it already. You are repeating it.

SHRI BHUPESH GUPTA: The position should be made clear.

श्री शिव चन्द्र झा (बिहार) : एक मिनट में एक बात मुझे भी इस संबंध में निवेदन करनी है। इसके पहले 1970 का साल था। उपसभापति महोदय, हम लोग चौथी लोक सभा में थे। फाइनेंस बिल था और बजट पेश किया गया था 28 फरवरी को और वह सेशन खत्म हो गया। बैठक खत्म हो गई। फिर इंट्रोडक्शन स्टेज पर कुछ ऐसी बातें उठायी गयीं—मैंने ही वह बातें उठायी जिनमें कहा गया था कि कुछ काम नियम और कायदे के मुताबिक उस वक्त की सरकार ने नहीं किये थे। जो सेक्रेटरी थे लोक सभा के उनको हम लोगों ने बताया कि नियम का उल्लंघन हो रहा है और यह गलत काम हुआ है। वे गये और उनके साथ साथ विरोधी दल के दूसरे नेता लोग गये और स्पीकर से बातें हुई और कहा गया कि यह गलत काम हुआ है। यह काम नियम के मुताबिक नहीं हुआ है। तब फिर दूसरा नियम बताया गया और दूसरी बैठक 10 बजे रात को 1970 में बुलायी गयी और यही सवाल उठाया गया था लोक सभा में। नाथ पै जी उस वक्त जीवित थे। उन्होंने यह सवाल उठाया था कि स्पीकर साहब बतायें कि क्यों हम लोग दूसरी दफा बुलाये गये हैं जब कि हाउस की बैठक खत्म हो गयी थी 6 बजे ही। बिल के इंट्रोडक्शन के बाद फिर हम लोग क्यों बुलाये गये हैं। उन्होंने किताबें उठायी और शकधर साहब की जो मोटी किताब है पार्लियामेंटरी प्रेक्टिस के बारे में, उन्होंने उसको उठा कर कहा कि सरकार देखे कि शकधर साहब लिखते हैं कि दुनिया की किसी संसद में ऐसा कोई उदाहरण नहीं है कि जब सदन की एक बैठक खत्म हो गयी हो तो उसके बाद उसी रात को दूसरी बैठक बुलायी गयी हो। ऐसी कोई परिस्थिति दुनिया की किसी

[श्री शिवचन्द्र झा]

दूसरी संसद में नहीं आयी है। इसलिये इस प्रश्न पर कुछ कहना मुश्किल है। शकवर साहब को उन्होंने कोट किया था। तब उन्होंने स्पीकर साहब से पूछा और हम लोगों ने भी पूछा कि एक्सप्लेन करें। स्पीकर साहब ने बताया कि यह तो नियम का उल्लंघन हुआ है और इसीलिये सेशन विदइन सेशन लोकसभा में बुलाया गया है और वह उनकी सलाह से हुआ है। इसलिए अगर सेशन विदइन सेशन बुलाने की बात राष्ट्रपति के आदेश पर यहां होती है तो मैं समझता हूं कि वह परम्परा के खिलाफ नहीं है।

SHRI BHUPESH GUPTA: This is absolutely a distortion. I have not talked about 'Duniya'. We have talked about our Parliament.

MR. DEPUTY CHAIRMAN: He was not referring to what the hon. Member has said.

SHRI BHUPESH GUPTA: Where is the notice?

MR. DEPUTY CHAIRMAN: You have said it already. You have made your point. Let us proceed with the Business.

SHRI BHUPESH GUPTA: I, therefore, demand that the matter be taken up by you and dealt with properly. I submit that there cannot be any Joint Session.

MR. DEPUTY CHAIRMAN: We will proceed with the Business of the House.

SHRI PILOO MODY (Gujarat): I suggest you boycott the Joint Session.

ALLOCATION OF TIME FOR DISPOSAL OF GOVERNMENT BUSINESS

MR. DEPUTY CHAIRMAN: I have to inform Members that the Business Advisory Committee at its meeting held today, the 10th May, 1978,

decided that in order to complete Government Business, the present Session of the Rajya Sabha, be extended up to the 18th May, 1978. The Committee allotted time as follows for Government Legislative and other Business expected to be taken up during the remaining part of the current Session of the Rajya Sabha:—

| Business | Time Allotted |
|---|---------------|
| 1. Discussion on the Two days-10th Draft Five Year and 11th May, Plan (1978—83) | 1978. |
| 2. Discussion on the One day-on the Report of the Wor- 15th May, king Group on Au- 1978. tonomy for Akash- vani and Doordar- shan | |
| 3. Consideration and Two days-on passing of Bills, as the 17th and passed by the Lok 18th May, Sabha. | 1978 |

As earlier announced by the hon. Chairman, the Joint Sitting for the purpose of deliberating and voting on the Banking Service Commission (Repeal) Bill, 1977, will be held on Tuesday, the 16th May, 1978.

SHRI BHUPESH GUPTA (West Bengal): Sir, I rise to make any submission on the Business that you have announced. First of all, what is happening to the discussion on foreign affairs because we were given to understand that there would be a discussion on international affairs by way of a discussion on the working of the Ministry of External Affairs? We suggested that there should be a separate discussion on international affairs, not on the working of the Ministry and specially we wanted a discussion on disarmament, to emphasize that point. Now I do maintain that despite the preoccupation with other business, some time