

**श्री रवि शंकर प्रसाद :** सर, पिछले हफ्ते ज्यूडिशियल कमिशन कांस्टीट्यूशनल अमेंडमेंट बिल को पारित किया गया। यह कहा गया कि यह विषय बहुत अर्जेंट है, देश के लिए जरूरी है। उस पर यहां 8 घंटे चर्चा हुई। हम लोगों को लगा कि इसे स्टैंडिंग कमेटी में जाना चाहिए था, लेकिन वहां इसे नहीं भेजा गया और माननीय कानून मंत्री ने कहा कि नहीं, आज ही जरूरी है। लेकिन, आज यह स्थिति है कि वह संविधान संशोधन विधेयक दोनों सदनों से पारित नहीं हुआ है। मुझे बड़ी पीड़ा के साथ आपसे एक आपत्ति करनी है कि यह एक गंभीर विषय था। हमने कहा

भी था कि इसे स्टैंडिंग कमेटी में जाना चाहिए और चर्चा होनी चाहिए। अगर सरकार ने दोनों हाउसेस से भी इसे नहीं पारित कराया, तो हड़बड़ी में इस पर यहां बहस क्यों कराई गई? यह गंभीर आपत्ति हम आपको बताना चाहते हैं। ...*(व्यवधान)*... यह हमारी गंभीर आपत्ति है।...*(व्यवधान)*... And we wish to lodge our very strong protest over it. What was the agenda behind rushing through the Constitutional Amendment in such a hurry bypassing the Standing Committee when the Government could not get it through from both the Houses? Why was it done, Sir? I want to know it.

श्री एन. के. सिंह (बिहार) : सर, ...*(व्यवधान)*...इन्होंने जो गंभीर प्रश्न उठाया है, उससे मैं संपूर्ण रूप से सहमत हूँ। एक तरह से राज्य सभा के लिए, जो हम लोगों ने इसमें भाग लिया और इस पर भाषण दिया, यह एक हास्यप्रद स्थिति है।...*(व्यवधान)*...

MR. DEPUTY CHAIRMAN: But we cannot discuss something why it was not taken up in the Lok Sabha. We cannot do that. ...*(Interruptions)*.....

PROF. RAM GOPAL YADAV (Uttar Pradesh): But we may register our opposition to it. ...*(Interruptions)*.....

SHRI P. RAJEEVE (Kerala): Sir, we want a response... ...*(Interruptions)*.....

प्रो. राम गोपाल यादव : सर, ...*(व्यवधान)*...लेकिन, हम इस पर अपनी आपत्ति तो दर्ज करा ही सकते हैं।...*(व्यवधान)*...हम लोगों ने यहां अपनी बात कही, सारे अखबारों ने चर्चा की।...*(व्यवधान)*...

SHRI RAVI SHANKAR PRASAD: Sir, ...*(Interruptions)*..... ...taken for a ride to bypass the Standing Committee on the ground of urgency. Kindly see it. ...*(Interruptions)*..... You sought to bypass the Standing Committee as it was urgent. It has not been passed. ...*(Interruptions)*.....

SHRI P. RAJEEVE: We said that the Constitution Amendment Bill should be sent to the Standing Committee. Only because of urgency, we voted in favour of the Bill. ...*(Interruptions)*..... We want to know from the Government as to what the position is. ...*(Interruptions)*.....

MR. DEPUTY CHAIRMAN: Mr. Rajeeve, the problem is, we cannot discuss here why a particular Bill is not taken up in the Lok Sabha or not. We cannot discuss that. ...*(Interruptions)*..... We passed the Bill, and it is over. ...*(Interruptions)*.....

SHRI P. RAJEEVE: The Minister gave an assurance... ...*(Interruptions)*.....

MR. DEPUTY CHAIRMAN: If the Minister has to say something, I have no objection. But we cannot discuss this subject. ...*(Interruptions)*.....

DR. V. MAITREYAN (Tamil Nadu): The Minister is not here to tell us.  
... (Interruptions)....

SHRI N.K. SINGH: The Minister should come and explain it.

SHRI RAVI SHANKAR PRASAD: The Minister owes it to this House to come here and explain why he \* us. ...*(Interruptions)*....

SHRI P. RAJEEVE: It is just \*. ...*(Interruptions)*.....

MR. DEPUTY CHAIRMAN: \* is an unparliamentary word. ...*(Interruptions)*....

SHRI RAVI SHANKAR PRASAD: For the whole day he kept arguing that it is urgent. ...*(Interruptions)*... The Standing Committee has been bypassed, I am sorry to say that. ...*(Interruptions)*... This is because of urgency. ...*(Interruptions)*.....

MR. DEPUTY CHAIRMAN: We will pass on to the Budget.

SHRI P. RAJEEVE: He has \* the House. ...*(Interruptions)*....

SHRI N.K. SINGH: Why was the Rajya Sabha taken for a ride?

MR. DEPUTY CHAIRMAN: I understand your concern. ...*(Interruptions)*.....

SHRI RAVI SHANKAR PRASAD: The Minister \* the Rajya Sabha that the matter is urgent. ...*(Interruptions)*....

MR. DEPUTY CHAIRMAN: You cannot say it. .. \*is unparliamentary.  
... *(Interruptions)*....

SHR RAVI SHANKAR PRASAD: He said that the matter is urgent. ...*(Interruptions)*..... He did not get it passed in the Lok Sabha. ...*(Interruptions)*.....

\* Expunged as ordered by the Chair.

MR. DEPUTY CHAIRMAN: \* is removed. ...*(Interruptions)*.....

SHRI N.K. SINGH: He must come and explain to us. ...*(Interruptions)*.....

MR. DEPUTY CHAIRMAN: Hon. Members, I understand your concern and I appreciate you. But the point is that we cannot discuss or ask why a particular Bill be passed or not passed and why it is not taken up in the Lok Sabha. ...*(Interruptions)*.. We cannot do that. ...*(Interruptions)*.... We cannot do that. ...*(Interruptions)*..... Let us stop it there. ...*(Interruptions)*..... Let us stop it there. ...*(Interruptions)*... Let us stop it there. ...*(Interruptions)*.....

DR. V. MAITREYAN: We will not allow any of Mr. Sibal's Bill. ...*(Interruptions)*..... He violated all the commitment.

MR. DEPUTY CHAIRMAN: No, no. ...*(Interruptions)*..... The Appropriation (No.4)

श्री थावर चंद गहलोत (मध्य प्रदेश) : सर, मेरा point of order है।...*(व्यवधान)*...

MR. DEPUTY CHAIRMAN: No point of order. ...*(Interruptions)*..... You made your point. ...*(Interruptions)*...

SHRI RAVI SHANKAR PRASAD: Why did the Minister say it was urgent? मंत्री जी ने यह क्यों कहा कि यह अरजेंट है, इसलिए इसको आज पास करना है? उन्होंने ऐसा क्यों कहा?...*(व्यवधान)*...

MR. DEPUTY CHAIRMAN: It is all right. ...*(Interruptions)*..... That is over. ...*(Interruptions)*.... That is over. ...*(Interruptions)*.....

श्री थावर चंद गहलोत : सर, मेरा point of order है।...*(व्यवधान)*...

MR. DEPUTY CHAIRMAN: Okay, what is your point of order? ...*(Interruptions)*..... Under what rule? ...*(Interruptions)*...

श्री थावर चंद गहलोत : सर, रूल 259 के अंतर्गत मेरा point of order है। सर, यह सदन और संसद समय-समय पर भिन्न-भिन्न प्रकार के कार्य संचालन संबंधी नियमों का प्रावधान करती है और जब नियमों का प्रावधान करती है, तो उन पर अमल कराने का काम आसन्दी का है, चेयरपर्सन का है, चेयरमैन का है। ये जो समितियां बनी हैं, इसलिए बनी हैं कि यहां कोई विषय आने के पहले वे उसके सब बिंदुओं पर गहराई से विचार-विमर्श करें और उस पर प्रतिवेदन आएँ तथा उन पर काम करें।...*(व्यवधान)*...जैसा सरकार कहती है, वैसा आसन्दी को करना जरूरी नहीं है। नियमों का पालन कराना आपका कर्तव्य है।...*(व्यवधान)*...

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\* Expunged as ordered by the Chair.



MR. DEPUTY CHAIRMAN: There is no point of order in it. ...*(Interruptions)*....

**श्री थावर चंद गहलोत :** सर, आप हमको बताएं कि आप अपने नियमों का पालन क्यों नहीं करवा पा रहे हैं?...**(व्यवधान)**...

MR. DEPUTY CHAIRMAN: I will do. ...*(Interruptions)*....

श्री थावर चंद गहलोत : सर, यह अन्याय है, यह सदन की अवमानना है।... (व्यवधान)...

MR. DEPUTY CHAIRMAN: Now you take your seat. ...*(Interruptions)*..... You have made your point. ...*(Interruptions)*..... Now take your seat. ...*(Interruptions)*.....

**श्री थावर चंद गहलोत :** सर, सरकार की यह बात उचित नहीं है, इसलिए इस संबंध में आपको संज्ञान लेना चाहिए। यह आपका कर्तव्य भी है और अधिकार भी है।...**(व्यवधान)**...

MR. DEPUTY CHAIRMAN: I think we should now ... *(Interruptions)*..... We will now take up the Appropriation (No.4) Bill and there is a Short Discussion on price rise. ... *(Interruptions)*..... If you cooperate, we can take them up together. ... *(Interruptions)*.....

श्री रवि शंकर प्रसाद : सर, आप मंत्री जी को बुलाइए।... (व्यवधान)... We will ask questions.  
... (Interruptions)....

MR. DEPUTY CHAIRMAN: Appropriation Bill. ...*(Interruptions)*... Why do you want to do that? ...*(Interruptions)*... Let us take Appropriation Bill. ...*(Interruptions)*.... We have to take up Appropriation Bill. ...*(Interruptions)*....

श्री रवि शंकर प्रसाद : आप कपिल सिब्बल जी को हाउस में बुलाइए।...*(व्यवधान)*... हम कपिल सिब्बल जी से सवाल पछेंगे।...*(व्यवधान)*... We will ask questions. ...*(Interruptions)*....

MR. DEPUTY CHAIRMAN: Ravi Shankar Prasadji, we have to take up Appropriation Bill. ...*(Interruptions)*.... Please cooperate. ...*(Interruptions)*..... What is the way out? ...*(Interruptions)*..... You are asking something which is not possible now. ...*(Interruptions)*...

SHRI BALBIR PUNJ (Odisha): It is a case of privilege. ...*(Interruptions)*..... He\*  
the House. ...*(Interruptions)*....

श्री रवि शंकर प्रसाद : सर, कमलनाथ जी बताएं कि वे कपिल सिबल को बुलाएंगे?... (व्यवधान)...

**श्री थावर चंद गहलोत :** सर, यह संसदीय समिति, जो एक मिनी पार्लियामेंट में है, उसका भी अपमान है।... (व्यवधान)...

\* Expunged as ordered by the Chair.

MR. DEPUTY CHAIRMAN: Let us hear Mr. Kamal Nath. ...*(Interruptions)*...

THE MINISTER OF URBAN DEVELOPMENT AND THE MINISTER OF PARLIAMENTARY AFFAIRS (SHRI KAMAL NATH): Sir, there is a process. When a Bill is passed by the Rajya Sabha, as everybody knows in this House, there is a process to be gone through for a Bill to be taken in the Lok Sabha. All hon. Members are aware that there is a process: the Bill has to be printed; the Rajya Sabha has to transmit it. As I learn, there was some patent error in the Bill which delayed it. This process, despite the best efforts, could not happen — I am told — till midnight yesterday. And, because it could not happen ...*(Interruptions)*.....

श्री रघुनन्दन शर्मा (मध्य प्रदेश) : बिल को स्थायी समिति में भेजना था न।...*(व्यवधान)*...

SHRI KAMAL NATH: Because the process was not complete, I could not list it in the Business or even in the Supplementary Business. It was the intention of the Government, complete intention of the Government, to ensure that the Bill is taken up in the Lok Sabha. The Government's seriousness was demonstrated in this House by making an appeal to all the Members that it should be passed so that it can be taken up. It is one of those things that because of a technical error the process could not happen. That delay ...*(Interruptions)*.....

DR. V. MAITREYAN: You should have extended the Lok Sabha. ...*(Interruptions)*.....

SHRI KAMAL NATH: In this House, I would not like to talk of what happened in the Lok Sabha because it is not appropriate. What I can say and reiterate is that it was Government's intention to take this Bill up. If the process had been gone through, we would, perhaps, have taken it up. ...*(Interruptions)*.....

MR. DEPUTY CHAIRMAN: That's okay. ...*(Interruptions)*.....

SHRI RAVI SHANKAR PRASAD: Sir, it is a very simple thing. Hon. Parliamentary Affairs Minister, I take your point. Kamal Nathji, please listen to me. I take your point. If there was any technical, fundamental or patent error in the Bill, obviously, the hon. Law Minister was not ready with the Bill. If the hon. Law Minister was not ready with the Bill, why he rushed the Bill through the Rajya Sabha saying, "It is a very urgent matter, it has to be passed today come what may". I am sorry, he has taken us for a ride. He owes an apology to this House as to why this House was \* that the Bill could not go to the Standing Committee. He insisted that everything was ready. But everything was not ready. I am sorry, Sir, the Law Minister must come and apologize to the House. ...*(Interruptions)*... He must come. ...*(Interruptions)*.....

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\* Expunged as ordered by the Chair.

MR. DEPUTY CHAIRMAN: Now, let us...

... (Interruptions).....

SHRI PRASANTA CHATTERJEE (West Bengal): Shri Kapil Sibal should be called to this House. ...*(Interruptions)*.... Why did he raise such an urgency? ...*(Interruptions)*....

SHRI C.M. RAMESH: Stop civil war in Hyderabad. ...*(Interruptions)*..... A civil war is going on in Hyderabad.

... (Interruptions).....

**श्री थावर चंद गहलोत :** सर, संसदीय स्थायी समिति की गरिमा को संरक्षण कहां से मिलेगा?...**(व्यवधान)**...ऐसी कौन-सी तकनीकी खामी थी, जिसके रहते हुए उस पर यहां चर्चा हो गई?...**(व्यवधान)**...

MR. DEPUTY CHAIRMAN: The House is adjourned for fifteen minutes.

The House then adjourned at thirteen minutes past eleven of the clock.

The House reassembled at twenty-nine minutes past eleven of the clock,

[MR. DEPUTY CHAIRMAN in the Chair.]

DR. V. MAITREYAN: Sir, ...

MR. DEPUTY CHAIRMAN: Yes.

DR. V. MAITREYAN: Sir, is the Law Minister coming to the House?

MR. DEPUTY CHAIRMAN: Why do you ask me?

DR. V. MAITREYAN: Pardon, Sir.

MR. DEPUTY CHAIRMAN: Am I the Law Minister? Why do you ask me?

DR V. MAITREYAN: Sir, you have to give direction. ..(*Interruptions*).. Home Minister, Law Minister, Finance Minister and, probably, Prime Minister. Is he all in all or what? ...(*Interruptions*)....

MR. DEPUTY CHAIRMAN: Now, please, please. Can I take up the Appropriation Bill?

SHRI RAVI SHANKAR PRASAD: Sir, there is a point of order, very important. Mr. Roy, please raise it. ...*(Interruptions)*..... Sir, please allow him to raise it. ...*(Interruptions)*.....

SHRI SUKHENDU SEKHAR ROY (West Bengal): Sir, I want to raise a point of order.

MR. DEPUTY CHAIRMAN: You want to raise a point of order. Do that. Under what rule?

SHRI SUKHENDU SEKHAR ROY: Sir, now that the hon. Parliamentary Affairs Minister has informed the House that there was some patent error in the Constitution (Amendment) Bill passed by the House, the consequence is that none of us had applied proper mind to the Bill. Otherwise, the patent error could have been detected. ...*(Interruptions)*..... Now, in such a situation, Sir, the Law Minister should come here and explain the position although we know that under Rule 108, the Chairman has the power to correct patent errors. But the Parliamentary Affairs Minister did not say that it was done inadvertently. It should have been said, ought to have been said that it was done inadvertently. This is my submission. ...*(Interruptions)*.....

SHRI RAVI SHANKAR PRASAD: Sir, kindly appreciate our predicament. It was a Constitutional Amendment of great import impinging upon appointment of Judges of Supreme Court and High Court. He is sitting in the Upper House. We were persuaded in a hurry to pass a Bill having patent errors. What kind of message have we sent to the entire country? This is an august House. ...*(Interruptions)*..... So many lawyers are here. ...*(Interruptions)*.....

SHRI N.K. SINGH: Also, Sir, at least, we should know what that patent error is. Does the patent error relate to a typographical error? Does it relate to any substance of the Bill? We must know what that patent error is. ...*(Interruptions)*.....

SHRI RAVI SHANKAR PRASAD: And, if there was an error, why was it hurried? ...*(Interruptions)*..... He must answer why he was hurrying it in the House. ...*(Interruptions)*.....

श्री पुरुषोत्तम खोडाभाई रूपाला (गुजरात) : डिप्टी चेयरमैन सर, हमने कौन सी गलती को मंजूरी दी, हमने जो बिल पास किया, उसमें कौन सी गलती है, यह जानने का हमारा अधिकार है।...*(व्यवधान)*...

MR. DEPUTY CHAIRMAN: No, please. ...*(Interruptions)*..... Mr. Parliamentary Affairs Minister, would you like to say something? ...*(Interruptions)*... Please. Please. Let us hear the Parliamentary Affairs Minister. ...*(Interruptions)*.....



THE MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS AND THE MINISTER OF STATE IN THE MINISTRY OF PLANNING (SHRI RAJEEV SHUKLA): Sir, the discussion on the Appropriation Bill and price rise can be taken together. This is what I want to request you. ...*(Interruptions)*....

श्री परूषोत्तम खोडाभाई रूपाळा : डिप्टी चेयरमैन सर, कौन सी गलती को मंजूर किया...(व्यवधान)...

**श्री रवि शंकर प्रसाद :** सर, मैं आप से आग्रह करूंगा कि विषय की गंभीरता को समझते हुए 10 मिनट के लिए हाउस एडजर्न कीजिए। सारी पार्टिज के लोग इस बारे में चिंतित हैं। आप सरकार को कहिए कि वह कानून मंत्री को बुलाए। हम एप्रोप्रिएशन बिल की आवश्यकता को समझते हैं।...**(व्यवधान)**...लेकिन आप विषय की गंभीरता को समझिए। Let Mr. Kapil Sibal come and apologize to this House as to why he \* us. ...**(Interruptions)**.....

श्री थावर चंद गहलोत : इस के बिना और कुछ स्वीकार नहीं है।... (व्यवधान)...

**श्री शिवानन्द तिवारी (बिहार) :** उनको खुद “सुओ मोटू” आकर हाउस के सामने एक्सप्लेन करना चाहिए था...(व्यवधान)

MR. DEPUTY CHAIRMAN: The House is adjourned for thirty minutes.

The House then adjourned at thirty-three minutes past eleven of the clock.

The House re-assembled at three minutes past twelve of the clock,

[MR. DEPUTY CHAIRMAN in the Chair.]

MR. DEPUTY CHAIRMAN: Okay. ...*(Interruptions)*..... Now, some pertinent issues were... ...*(Interruptions)*..... Please, please. ...*(Interruptions)*..... Please take your seats. ...*(Interruptions)*.....आप लोग बैठिए...*(व्यवधान)*...आप लोग बैठिए।...*(व्यवधान)*... Please take your seats. All of you, please take your seats. ...*(Interruptions)*..... Some hon. Members have raised certain issues regarding the Constitution (Amendment) Bill. The hon. Minister, Shri Kapil Sibal, is here. He will make a statement.

SHRI RAVI SHANKAR PRASAD: Sir, I would like to ask a question after he has completed.

THE MINISTER OF LAW AND JUSTICE (SHRI KAPIL SIBAL): Yes, certainly. Mr. Deputy Chairman, Sir, I want to state at the outset that I am deeply anguished at the fact that the Constitution (Amendment) Bill that was passed by this House the day before yesterday could not be taken up in the Lok Sabha today. We were exceptionally

\* Expunged as ordered by the Chair.

keen to do that. At the beginning, the Secretariat realized that there was some error that had been committed, and I want to explain what that error was. When we introduced the Bill, we introduced it as the 120th Constitutional Amendment. When we passed it, it should have been passed as the 99th Constitutional Amendment. The number, therefore, had to be that. That was the patent error. Now, patent error means that which is visible to the eye. So, when the Secretariat saw it, they immediately intimated it to us. The Chairman then immediately corrected that error. Immediately then, it was transmitted orally to the Lok Sabha, informing that the Bill would be coming.

At 3 o' clock in the afternoon, the Bill was sent there, and we were on the job right from the afternoon till midnight that the Bill should be somehow printed and ready for consideration by Lok Sabha. So, it is not as if we were not intending to introduce the Bill and have it passed in Lok Sabha. However, it is regrettable that despite our best efforts, we could not send it in time to Lok Sabha for passing it. I assure the distinguished Members of this House that there was no such intention on our part. In fact, I said in Lok Sabha yesterday that we are meeting tomorrow to pass the Judicial Appointments Commission Bill. But, I am sorry that this could not happen in the manner in which we wanted it to happen, and with our best efforts, it could not happen.

DR. V. MAITREYAN: But the Government should have insisted on the Speaker to continue for today and get the Bill passed.

SHRI RAVI SHANKAR PRASAD: Sir, I have heard very patiently what the hon. Law Minister had to state. You may recall, Sir, when this whole historic Constitution (Amendment) Bill was being debated here, both, hon. the LoP and myself, insisted that this being a very important Bill, let there be a filtration by the Standing Committee because a wider consideration takes place there. Many other hon. Members shared that concern. Hon. the Law Minister said, "It is very urgent. It has to be passed today. It is very urgent." Now, we see that home work has not been done. Even the numbering of the Amendment was wrong and we were\* into passing a Bill, for which the home work had not been done.

MR. DEPUTY CHAIRMAN: Not \*. Don't say that. No...

SHRI RAVI SHANKAR PRASAD: Sir, I insist that don't expunge it. He has admitted that it was wrong.

MR. DEPUTY CHAIRMAN: Yes, but that is not \*

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\* Expunged as ordered by the Chair.

SHRI RAVI SHANKAR PRASAD: In this august House, we were made to speak about the institution of Judiciary, Supreme Court functioning and High Court functioning on a Bill which could not be passed by both the Houses of Parliament because of the fault of the Government and the Ministry.

MR. DEPUTY CHAIRMAN: Ravi Shankarji, that is okay.

SHRI RAVI SHANKAR PRASAD: I think hon. the Law Minister needs to apologise to the House.

MR. DEPUTY CHAIRMAN: He has regretted.

SHRI RAVI SHANKAR PRASAD: It is a question of prestige of the House. He must say that. He must apologise. 'Anguish' will not do. He must apologise.

MR. DEPUTY CHAIRMAN: He has regretted.

SHRI RAVI SHANKAR PRASAD: Sir, just one line. Kindly see what is happening. We only said that do it in November. The Bill has got...(*Interruptions*)....

MR. DEPUTY CHAIRMAN: Okay, that is all.

SHRI RAVI SHANKAR PRASAD: We demanded for sending it to the Standing Committee. ...*(Interruptions)*.....

MR. DEPUTY CHAIRMAN: That is all. We cannot undo what we have done.

SHRI RAVI SHANKAR PRASAD: Therefore, he must say, "I apologise to the Members of this House." He should say that.

MR. DEPUTY CHAIRMAN: Apology is not on somebody's pressure.

श्री थावर चंद गहलोत : सर, मेरा प्वाइंट ऑफ ऑर्डर है।... (व्यवधान)...

MR. DEPUTY CHAIRMAN: No point of order. I have to take up... *(Interruptions)*.....

श्री थावर चंद गहलोत : सर, मेरा प्वाइंट ऑफ ऑर्डर है।... (व्यवधान)...

MR. DEPUTY CHAIRMAN: On this, there is no point of order. There is nothing ... *(Interruptions)*.... Why is he always a raising point of order?

श्री थावर चंद गहलोत : कृपया मेरा प्वाइंट ऑफ ऑर्डर तो सुन लीजिए!...(व्यवधान)...

MR. DEPUTY CHAIRMAN: Under what rule?

श्री थावर चंद गहलोत : अंडर रूल 258।

MR. DEPUTY CHAIRMAN: You always say that. Nothing is there.

श्री थावर चंद गहलोत : कृपया मेरी बात सुन लीजिए। सर, मान लीजिए कि नंबरिंग में गलती हो गई तो सरकार वहां संशोधन देकर, उसको पास कराकर फिर उसे राज्य सभा में भेज सकती थी। ऐसा क्यों नहीं किया गया? मुझे आशंका है कि कोई और...(व्यवधान)...

MR. DEPUTY CHAIRMAN: That he has explained.

श्री थावर चंद गहलोत : कोई और गड़बड़ है। यह जो कारण दिया जा रहा है, यह उचित नहीं है। जो नम्बर था, उसमें सरकार संशोधन कर देती और फिर उसे राज्य सभा में भेज देती। यह जो तर्क दिया जा रहा है, कारण दिया जा रहा है, वह गलत है। कारण ठीक नहीं है, अन्य कोई कारण है...(व्यवधान)...यह कारण गलत है।

MR. DEPUTY CHAIRMAN: Okay, that is all. No point of order. ... (Interruptions)..... It is no point of order.

श्री पुरुषोत्तम खोडाभाई रूपाला : हाउस ने जो पास किया है वह...(व्यवधान)...

MR. DEPUTY CHAIRMAN: There is no point of order in that. You are a disciplined Member. Why do you do this? ... (Interruptions)..... Rupalaji, let us take the business. The Minister has regretted.

श्री थावर चंद गहलोत : सर, जो जानकारी दी गई है, वह सही नहीं है।...(व्यवधान)...मंत्री जी बताएं कि क्या इस प्रकार का प्रावधान नहीं है कि अगर बिल के नम्बर में गलती हुई तो उसका संशोधन करके फिर उसे राज्य सभा में लेकर आते?... (व्यवधान)...

श्री उपसभापति: आप बैठिए। No, please. Mr. Rajeeve, what do you want? ... (Interruptions)...

श्री थावर चंद गहलोत : सर, आप हमें न्याय दिलाइए।...(व्यवधान)...

MR. DEPUTY CHAIRMAN: Your point of order is ruled out. Please, sit down. I ruled out the point of order.

श्री थावर चंद गहलोत : \*

MR. DEPUTY CHAIRMAN: Mr. Gehlot, please sit down. It is not going on record. What Mr. Gehlot says will not go on record.

\*Not recorded.



14	<i>Re: Passing of Hundred and Twentieth</i>	[RAJYA SABHA]	<i>Constitution (One Amendment)-Bill, 2013</i>
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SHRI P. RAJEEVE: Sir, we have a very consistent stand that when we are discussing a Constitution (Amendment) Bill, it should be sent to the Standing Committee. But while giving the reply, the Minister gave a very specific assurance.

MR. DEPUTY CHAIRMAN: He explained it as to why he could not do it.  
..(Interruptions)..

SHRI P. RAJEEVE: Let me complete, Sir. He gave a specific assurance that it should be sent to the Lok Sabha, and, thereafter, to the State Legislature. If we send it to the Standing Committee, we lose two, three months before the next Session.

MR. DEPUTY CHAIRMAN: But in spite of his best efforts, he could not do it. What more do you want?

SHRI P. RAJEEVE: Let me complete, Sir. ..(Interruptions)..

श्री पुरुषोत्तम खोडाभाई रूपाला : लोक सभा को एक्सटेंड क्यों नहीं किया? ...(व्यवधान)...

SHRI P. RAJEEVE: Secondly, Sir, that point is not relevant now because the basis for not sending it to the Standing Committee is to avoid the loss of this time. Second thing, if the other House. ..(Interruptions)..

MR. DEPUTY CHAIRMAN: Don't discuss the other House here. ..(Interruptions)..

SHRI P. RAJEEVE: I am not mentioning the procedure or Rules of the other House. ...*(Interruptions)*...If the other House will take it up in the next Session, and, they decide to send it to a Committee, then, this Upper House lost its opportunity to discuss in a Committee. ..*(Interruptions)*..

MR. DEPUTY CHAIRMAN: No, no. .. *(Interruptions)*..

श्री पुरुषोत्तम खोडाभाई रूपाळा : सर I...(व्यवधान)...डिप्टी चेयरमैन सर I...(व्यवधान)...डिप्टी चेयरमैन सर I...(व्यवधान)...

SHRI P. RAJEEVE: It is very serious. How can we believe in a Government like this?..(Interruptions)..

MR. DEPUTY CHAIRMAN: Don't go to such imagination - kite-flying.  
..(Interruptions).. Do you want to say something? ..(Interruptions).. We will now take  
up... ..(Interruptions)..

SHRI ANANDA BHASKAR RAPOLU (Andhra Pradesh): Mr. Deputy Chairman, Sir, it is a matter of ... ..(*Interruptions*)..

SHRI PALVAI GOVARDHAN REDDY (Andhra Pradesh): Sir, my point is that...  
..(Interruptions)..

श्री रवि शंकर प्रसाद : माननीय मंत्री जी।... (व्यवधान)... एक मिनट।... (व्यवधान)... माननीय मंत्री जी से गलती हुई है, हाउस के सम्मान के लिए वह एक बार apologise. बोल दीजिए। आप हाउस चलाइए।... (व्यवधान)...

श्री उपसभापति : Regret हो गया।... (व्यवधान)...

SHRI RAVI SHANKAR PRASAD: He said only anguish. ..(Interruptions)..

THE MINISTER OF COMMUNICATIONS AND INFORMATION TECHNOLOGY AND THE MINISTER OF LAW AND JUSTICE (SHRI KAPIL SIBAL): Look at the records, I have said so. ..(Interruptions)..

MR. DEPUTY CHAIRMAN: Anguish and regret, both are okay. ..(Interruptions)..

श्री पुरुषोत्तम खोडाभाई रूपाला : सर, मेरी बात सुन लीजिए।... (व्यवधान)... सर, .... (व्यवधान)...

डा. नजमा ए. हेपतुल्ला (मध्य प्रदेश) : सर, anguish का हिंदी मतलब होता है दुख, माफी मांगना नहीं।... (व्यवधान)

SHRI V. HANUMANTHA RAO: Mr. Deputy Chairman, Sir, this House has...  
..(Interruptions)....

MR. DEPUTY CHAIRMAN: Mr. Ramesh, please go back to your seat.  
..(Interruptions).. I will give you time. ..(Interruptions)..

डा. नजमा ए. हेपतुल्ला : सर, इन्होंने anguish कहा है, anguish का मतलब दुख होता है। यहां पर apology की मांग है। उनको माफी मांगनी चाहिए।... (व्यवधान)...

श्री उपसभापति : उन्होंने regret बोला है। He said, regret.

डा. नजमा ए. हेपतुल्ला : सर, कपिल सिब्बल साहब वकील हैं, उनसे कैसे गलती हो गई?... (व्यवधान)...

MR. DEPUTY CHAIRMAN: He said, 'regret'. He is a lawyer, he knows it. That is why, he said, 'regret'. ..(Interruptions)..

श्री पुरुषोत्तम खोडाभाई रूपाला : डिप्टी चेयरमैन सर।... (व्यवधान)... सर, जब इस हाउस ने बिल पास कर दिया, तो उसको बिना हाउस में लाए करेक्ट कैसे करेंगे... (व्यवधान)...

SHRI K.N. BALAGOPAL (Kerala): Sir, this is a matter, which... ..(Interruptions)..

MR. DEPUTY CHAIRMAN: Mr. Balagopal, please sit down. *..(Interruptions)..*  
Mr. Ramesh, I will allow you to speak. *..(Interruptions)..* Please go back to your seat.  
*..(Interruptions)..* Mr. Balagopal, please sit down. *..(Interruptions)..* I called Rajeeve,  
that is all. *..(Interruptions)..* Now, hon. Members, please. Telangana Members and  
Andhra Members, please take your seat. *..(Interruptions)..* No, no. I have to deal  
with Telangana people also. *..(Interruptions)..* Hon. Members... *..(Interruptions)..* What  
is this, Mr. Balagopal? Mr. Rajeeve has spoken; then, why do you want to..  
*..(Interruptions)..*

SHRI K.N. BALAGOPAL: Sir, it is said that it will be corrected. It is passed as 120th Constitutional Amendment.

MR. DEPUTY CHAIRMAN: He has explained it. ..(Interruptions)..

SHRI K.N. BALAGOPAL: \*

MR. DEPUTY CHAIRMAN: That is not needed. ..(*Interruptions*).. It is not going on record. ..(*Interruptions*).. Mr. Balagopal, please take your seat. ..(*Interruptions*).. Hon. Members, let me say. ..(*Interruptions*).. I am on my legs. ..(*Interruptions*)..

SHRI PRASANTA CHATTERJEE: What is the procedure to rectify the error? Let the Minister explain. ..(Interruptions)...

MR. DEPUTY CHAIRMAN: I am coming to that. ..(*Interruptions*).. Mr. Prasanta Chatterjee, that error is already corrected. ..(*Interruptions*).. Mr. Prasanta Chatterjee, you asked the procedure of its correction. It is already corrected. Our office has taken note of that patent error. The patent error means only a seeming error, not a fatal error. ..(*Interruptions*).. Please. ..(*Interruptions*).. I am on my legs. See, in our Rules, there is provision for correcting it by the Chairman, and, the hon. Chairman has corrected it, and, corrected Bill has gone to Lok Sabha. So, it is corrected. ..(*Interruptions*)..

DR. V. MAITREYAN: Sir, the Lok Sabha did not have the patience to sit for one more day. ..(*Interruptions*)..

MR. DEPUTY CHAIRMAN: You are a senior Member. The second part of the question is, the House wanted hon. Law Minister to come to the House and explain why it happened and why it was not taken up in the other House. Not only he explained that, he expressed his anguish and regretted also. ...*(Interruptions)*..... Please. ...*(Interruptions)*..... That is okay. ...*(Interruptions)*..... We should have a give

\*Not recorded.

and take policy. ...*(Interruptions)*..... Madam, we should have a give and take policy. ...*(Interruptions)*..... Have a give and take policy. ...*(Interruptions)*..... We are all human beings. ...*(Interruptions)*..... See, it is human nature to err. ...*(Interruptions)*..... Anybody can commit an error. ...*(Interruptions)*..... This is an inadvertent error. ...*(Interruptions)*.....

DR. NAJMA A. HEPTULLA: Sir, I want to know whether the mistake was of the Ministry or of the Secretariat.

MR. DEPUTY CHAIRMAN: No. You cannot bring in the Secretariat here.

डा. नजमा ए. हेपतुल्ला : Okay, गलती उनकी थी, ये क्यों कह रहे हैं, ...*(व्यवधान)*...

MR. DEPUTY CHAIRMAN: They corrected it. The Secretariat only corrected it.

DR. NAJMA A. HEPTULLA: The Secretariat helped by pointing out the mistake. ...*(Interruptions)*.....

MR. DEPUTY CHAIRMAN: They corrected it. ...*(Interruptions)*..... You cannot bring in the Secretariat here.

DR. NAJMA A. HEPTULLA: Who was responsible for that mistake? ...*(Interruptions)*.....

MR. DEPUTY CHAIRMAN: There are two things. ...*(Interruptions)*..... Najmaji, you are a very senior Member. You are well-versed with the Rules. She knows Rules much better than me. But one thing I have to say is this. We cannot bring in the Secretariat here. In this case, the Secretariat corrected it. Once the Minister has owned it, that is moral responsibility. ...*(Interruptions)*..... That is over. ...*(Interruptions)*..... He has expressed regret. ...*(Interruptions)*.....

DR. NAJMA A. HEPTULLA: That is the reason why I am protecting the Secretariat.

MR. DEPUTY CHAIRMAN: Najmaji, I am also protecting it.

DR. NAJMA A. HEPTULLA: Sir, I know that you speak better than me.

MR. DEPUTY CHAIRMAN: No.

DR. NAJMA A. HEPTULLA: But sometimes you should listen to our voice also. ...*(Interruptions)*.....



SHRI KAPIL SIBAL: Najmaji, to cut the controversy short, I say, once again, that despite my best efforts, I am sorry and it is regretted, the Bill could not be passed in the Lok Sabha. Are you happy? ...*(Interruptions)*....

MR. DEPUTY CHAIRMAN: Thank you for the cooperation. ...*(Interruptions)*..... This is my request to the Members from Andhra Pradesh. See, your issue is very important. But the country is more important. ...*(Interruptions)*.....

SHRI C.M. RAMESH: Are we not part of the country? ...*(Interruptions)*..... Andhra Pradesh is burning. ...*(Interruptions)*..... You have to stop the violence. ...*(Interruptions)*.....

MR. DEPUTY CHAIRMAN: We have to pass the Appropriation Bill.  
...*(Interruptions)*..... Sit down please. ...*(Interruptions)*..... Please listen to the  
Minister. ...*(Interruptions)*.....

THE MINISTER OF FINANCE (SHRI P. CHIDAMBARAM): Sir, I can understand the concern of Members from the State of Andhra Pradesh about the situation in Andhra Pradesh, especially about the *bandh*. ...*(Interruptions)*....

**श्री प्रकाश जावडेकर (महाराष्ट्र):** आज कांग्रेस के कारण हैदराबाद में...(व्यवधान)...यह नहीं हो सकता।...(व्यवधान)...

SHRI P. CHIDAMBARAM: Sir, the Government has listened carefully to the Members from the State of Andhra Pradesh. They have expressed concern about the situation in Andhra Pradesh, especially the situation in the city of Hyderabad today. We have taken note of that. We are in touch with the Government of Andhra Pradesh. ...*(Interruptions)*..... There is a Government there. ...*(Interruptions)*..... You made a statement. ...*(Interruptions)*..... If he wants a response, he must be patient. We have taken note of it. We will take all steps possible to ensure that law and order is maintained and safety and security of all citizens is maintained, especially in the city of Hyderabad and all over the State of Andhra Pradesh. My respectful appeal to all the Members is, accept our word, be patient and we will take steps and let the Business of the House continue.

SHRI Y.S. CHOWDARY (Andhra Pradesh): Sir, in protest we are walking out.  
... (Interruptions)....

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

MR. DEPUTY CHAIRMAN: Now, we shall take up the Appropriation (No.4) Bill, 2013. Shri P. Chidambaram.