

RULING BY THE CHAIR**On a Procedural Point raised on 3rd March, 2015, Re. Introduction of Bills in Lok Sabha which were pending in Rajya Sabha**

MR. DEPUTY CHAIRMAN: Hon. Members, on 3rd March, 2015, Shri Naresh Agrawal, Shri Sitaram Yechury, Shri Anand Sharma and some other Members raised a procedural point during Zero Hour regarding introduction of Bills in the Lok Sabha and desired to know that when a Bill is pending in the Rajya Sabha, can a similar Bill be introduced in the Lok Sabha before the Bill pending in the Rajya Sabha is withdrawn or rejected or passed by the Rajya Sabha. These Members wanted a ruling from me in this matter. After hearing arguments from Members, both in favour of and against it, I had, at that time, observed that this was not a simple issue and needed a little more consideration. But I had made it amply clear that neither this House nor the Chair has any jurisdiction over the other House and that there is no rule in the Rules of Procedure and Conduct of Business in Rajya Sabha which prevents introduction of such a Bill in the other House. I had further observed that it was not in my knowledge whether the Bill introduced in the Lok Sabha is the same Bill or it is different from the Bill pending in the Rajya Sabha and that I would have to look into the constitutional provisions before giving a ruling in the matter. Accordingly, I had reserved my ruling on that day. After going through the provisions of the Constitution and Rules of Procedure relating to conditions and procedure to be followed from the stage of introduction to passing of a Bill in Rajya Sabha, I could not find any provision either in the Constitution or in the Rules, which prohibits the introduction, passing of a Bill in the Lok Sabha substantially identical to a Bill already pending in the Rajya Sabha. The introduction and passing of a Bill in the Lok Sabha is governed by the Rules of Procedure of that House only. I, therefore, reiterate what I had said in the House on 3rd March, 2015, that neither this House nor the Chair has any jurisdiction over the functioning of other House and vice versa.

SHRI P. RAJEEVE (Kerala): Sir, I have a point of order. What is the fate of the Bill pending in this House? ...*(Interruptions)*... Is it still continuing as the property of this House after the same Bill? I want a ruling on that issue.

THE MINISTER OF URBAN DEVELOPMENT; THE MINISTER OF HOUSING AND URBAN POVERTY ALLEVIATION; AND THE MINISTER OF PARLIAMENTARY AFFAIRS (SHRI M. VENKAIAH NAIDU): Before you give your ruling, Sir, I may submit that last time itself it was clearly mentioned that the moment a new legislation or an Ordinance is issued, the one that was pending will become infructuous. That is the suggestion we have made and accordingly, the

Government has gone through with the Ordinance and then brought the Ordinance in the other House. Ordinance is now converted as a Bill and is now coming here. So that being the case, there is no question of pending of any Bill and going along with the ruling given by the Deputy Chairman just now, that question does not arise at all.

SHRI P. RAJEEVE: Why did the Government come out with a withdrawal motion to withdraw the Bills?

SHRI M. VENKAIAH NAIDU: It is to show some respect, but you did not agree for that. What to do? ...(*Interruptions*)...

SHRI DEREK O'BRIEN (West Bengal): Sir, I am not questioning the ruling. I just have a clarification to seek. I am not questioning the ruling at all. Has this situation, which has now arisen or arose today on the ruling, in your knowledge, Sir, ever happened before? If yes, tell us when. If no, then, no need of an answer. I just want to know.

MR. DEPUTY CHAIRMAN : I can't answer all these questions. Listen, I cannot answer off-hand what Shri Rajeeve asked or what you asked. These are questions. I will get it examined. If you want to have a ruling on that, I can give you. I heard you. I heard the Government also. If you want a ruling, I can give later.

Now, we will take up the Statutory Resolution on the Motor Vehicles (Amendment) Ordinance, 2015. Dr. T. Subbarami Reddy has to move the Resolution.

STATUTORY RESOLUTION AND GOVERNMENT BILLS

Disapproving the Motor Vehicle (Amendment) Ordinance, 2015 (No. 2 of 2015) and The Motor Vehicles (Amendment) Bill, 2015

DR. T. SUBBARAMI REDDY (ANDHRA PRADESH): Sir, I move: "That this House disapproves the Motor Vehicles (Amendment) Ordinance, 2015 (No. 2 of 2015) promulgated by the President of India on 7th January, 2015."

MR. DEPUTY CHAIRMAN: Do you want to speak now or not?

DR. T. SUBBARAMI REDDY: Now, Sir, I must say that even though the Bill is good, we are actually objecting to the way in which the Ordinance is brought on the eve of Delhi Assembly elections. Maybe, they must have thought of Delhi