

Judges (Conditions of Service) Act, 1954:—

(i) G.S.R. 502, dated the 7th April, 1979 publishing the High Court Judges Travelling Allowances (Amendment) Rules, 1979.

(ii) G.S.R. No 562, dated the 21st April, 1979, publishing the High Court Judges (Amendment) Rules, 1979, alongwith an Explanatory Memorandum thereon.

[Placed in Library. See No. LT-4577/79 for (i) and (ii)].

The Cost of Accounting Records (Tractors) Amendment Rules, 1979

SHRI S. D. PATIL: Sir, I also beg to lay on the Table a copy (in English and Hindi) of the Ministry of Law, Justice and Company Affairs (Department of Company Affairs), Notification G.S.R. No: 660 dated the 12th May, 1979, publishing the Cost Accounting Records (Tractors) Amendment Rules, 1979, under sub-section (3) of section 642 of the Companies Act, 1956 [Placed in Library. See No. LT-4579/79]

Notification under the Special Courts Act, 1979

SHRI S. D. PATIL: Sir, I also beg to lay on the Table a copy (in English and Hindi) of the Ministry of Law, Justice and Company Affairs (Department of Justice) Notifications S.O. No. 323(E), dated the 30th May, 1979, under section 13 of the Special Courts Act, 1979. [Placed in Library. See No. LT-4578/79].

I. The Reserve Bank of India (Maintenance of Services) Ordinance, 1979 (No. 4 of 1979).

II. The Additional Emoluments (Compulsory Deposit) Amendment Ordinance, 1979 (No. 5 of 1979).

THE MINISTER OF STATE IN THE MINISTRY OF LABOUR AND PARLIAMENTARY AFFAIRS (DR. RAM KRIPAL SINHA): Sir, I beg to lay on the Table, under sub-clause (a) of clause (2) of article 123 of the Cons-

titution, a copy each (in English and Hindi) of the following Ordinances:—

(i) The Reserve Bank of India (Maintenance of Services) Ordinance, 1979 (No. 4 of 1979).

[Placed in Library. See No. LT-4563/79].

(ii) The Additional Emoluments (Compulsory Deposit) Amendment Ordinance 1979 (No. 5 of 1979). [Placed in Library. See No. LT-4564/79].

SHRI KALYAN ROY (West Bengal). What is he placing?

DR. RAM KRIPAL SINHA: The Order Paper has been circulated to you.

SHRI BHUPESH GUPTA (West Bengal): Sir, he is laying on the Table of the House two Ordinances which have been issued five days before the session. One ordinance relates to the Reserve Bank of India (Maintenance of Services) and another, The Additional Emoluments (Compulsory Deposit). First of all, Sir, we object to this kind of fraud on Parliament with a view to suppressing the strike of the Reserve Bank employees. When Parliament was meeting, five days before an Ordinance has been issued. Strike has been declared illegal and we say that we are not in the emergency. This is emergency. Strike has been declared illegal. Employees are being arrested from their homes. Threatening is going on all over the country. This is how this Government is behaving.

Not only that, we read in the newspapers that Mr. Charan Singh, Mr. Morarji Desai and others are thinking of a general attack on the working class banning strikes. And Mr. Morarji Desai has been threatened that he would be bringing the P. D. Act. This is what they are doing. Thus a cowardly conspiracy is on foot on the part of this bankrupt Government which does not know how to

rule the country. But at the same time it has come out against the working class.

Sir, they are arresting people, as I said. They are responsible for it, these Ministers, double talkers—I do not mean any individual here—as a collective body. Mr. Charan Singh, Mr. Morarji Desai and others have been discussing in the Cabinet as to how the workers can be suppressed in the public sector and in the private sector because according to them workers are responsible, not these people and their patrons, the monopolists and exploiters.

Similarly, they have brought in this Ordinance to deny payment of the instalment due under the Compulsory Deposits scheme. Again, they say that this money, Rs. 345 crores, will lead to inflation. Even before this came into force, Sir, their deficit financing, their taxes, their money supply expansion all that have resulted in 12 per cent. inflationary growth in our economy. And they are now blaming the workers, blaming the depositors. This is how they are doing. I have given a motion for disapproval. This is for you, sir. This is our constitutional right. A notice has been given under the constitutional, mandatory provision. Whether the Government would bring a Bill or not, I am not interested in it. But tomorrow this Ordinance should be discussed in the House on a motion of disapproval. We want to discuss these Ordinances. Sir, you should not allow them to delay because they may take six weeks' time. No, Sir. They should be brought now. They declared the strike illegal. It is an attack on the Fundamental Rights of the working class, in fact, the Fundamental Rights of the people. This is the Government now. It is an authoritarian Government; it is an anti-working class Government; it is a corrupt Government. And what you see it, when they attack the working class, Mr. P. N. Balasubramanian, after having a deal with Kanti Desai, goes away. He is telling the court that "I have been having

business with Kanti Desai. Everytime Kanti Desai went abroad, I had gone with him; I had met his father." Before he left on the 5th immediately after the search, he met Morarji Desai for 40 minutes and gave him a memorandum.

MR. CHAIRMAN: Is it
(Interruptions).

SHRI BHUPESH GUPTA: This is happening. And we are told to bear with it. Sir, I demand this motion that is before you disapproving these two Ordinances, particularly the Ordinance which has brought about this situation in the Bank when the working classes are being attacked, should be taken up. It should be taken up tomorrow.

(Interruptions)

SHRI ANANT PRASAD SHARMA (Bihar): Mr. Chairman, Sir, Sir,
(Interruptions).

MR. CHAIRMAN: Is it about the same subject?

(Interruptions)

SHRI S. W. DHABE (Maharashtra). Sir, I object to the Ordinance being placed on the Table of the House and I support what Mr. Bhupesh Gupta has said. Sir, it is a very serious matter.

(Interruptions)

SHRI ANANT PRASAD SHARMA: Sir, (Interruptions).

SHRI PRANAB MUKHERJEE (West Bengal): Sir, why are you not calling him? He wants to speak on the Ordinance. Why don't you call him?

SHRI S. W. DHABE: Sir, the Additional Emoluments (Compulsory Deposit) Amendment Ordinance, 1979, has been issued when the instalment was due on the 6th of July. When Parliament was to meet on the 9th of July, there was no basis for issuing Ordinance of this type.

श्री नत्थी सिंह (राजस्थान) : श्रीमन्, मेरा एक व्यवस्था का प्रश्न है । क्या आप इस तरह से इस विषय पर डिबेट

एलाउ करेंगे ? अगर आप डिबेट एलाउ करते हैं तो दोनों तरफ के लोगों को बोलने का मौका दीजिए। आप इस बहस को बन्द कराइये। इस तरह से यह सब क्या हो रहा है ?

SHRI S. W. DHABE: The amount was due on the 6th of July. This is failure of the Government and this is due to savage taxation and complete failure of the economic policy. We cannot deprive the working classes of the instalment due to them. Three hundred crores of rupees was due. The Janata Party in its manifesto has given an assurance to the working class that the law with regard to compulsory deposits will be repealed and they will return the amount in instalments. On the other hand, the Budget itself they have extended the time for two years and the rate has been raised to 4½ per cent. I oppose this and also the other ordinance about the Reserve Bank. (Interruptions). Our party opposes both these ordinances.

(Interruptions)

विपक्ष के नेता (श्री कमलापति त्रिपाठी) : सभापति महोदय, हमारी पार्टी के श्री शर्मा बोलने के लिए खड़े हो रहे हैं, लेकिन आप दूसरे लोगों को बोलने के लिए कहते जा रहे हैं। He wanted your permission from the very beginning. He should be allowed to speak, after all. (Interruptions)

MR. CHAIRMAN: I am asking him .. (Interruptions)

SHRI G. C. BHATTACHARYA (Uttar Pradesh): Sir, for this side you are not giving any time. Two persons have spoken from that side.

SHRI ANANT PRASAD SHARMA: Sir, Sir.. (Interruptions)

SHRI G. C. BHATTACHARYA: We have our own opinion. (Interruptions) What do you mean by Janata Party?

(Interruptions) This is not correct. Two persons have spoken from that side. Now it is our turn. What do you mean by Janata Party?

SHRI ANANT PRASAD SHARMA: Sir, the Government knew that Parliament was going to meet from the 9th of July and just five days before the meeting of Parliament, how does it lie justified with this Government to come out with this ordinance, and that too, Sir, with the argument that they are not only going back on what they had agreed in the past but also they are forcibly withholding the payment to the working class? Sir, is the Government convinced, or does the Government feel, that the working class people of this country are very well off economically and, therefore, they do not require to be made this payment? Sir, this is high-handedness on the part of the Government. They had made a commitment that this compulsory deposit money will be paid in instalments and now from the back door the Government has come out with that ordinance. Sir, we condemn this ordinance, we disapprove of this ordinance. We want that the instalment due to the working class should be paid without any delay. And this ordinance should be withdrawn instead of being placed in this House.

SHRI G. C. BHATTACHARYA: Sir, I can understand.. (Interruptions) Sir, I can understand if there is any economic difficulty.

SHRI BIPINPAL DAS (Assam): On a point of order, Sir. ... The Government has passed an ordinance and reported to the House. He is a Member of the ruling party. He is committed to the Government policy. It is for the Opposition Members to express their views and not for the Government Members, the ruling party Members to express themselves.

SHRI G. C. BHATTACHARYA: Sir, under what rule is he raising this thing? Just because we are ruling party Members, does it mean that every Member of the Janata Party should

approve of it? (*Interruptions*) Sir, I can understand if there is an economic difficulty. But I cannot understand, when the prices are rising, why the working class has been chosen to be punished and not other sectors of the society. What is the explanation for this? When Parliament was to meet only a week later, why had they come out with this ordinance? I cannot understand Mr. Bipinpal Das wholly monopolising everything on behalf of the people. We Janata Party Members also represent the people, as much as Mr. Bipinpal Das does. Therefore, we do not understand why they have come out with these two ordinances. In our manifesto we had said that we would come to power on the question of restoration of democracy. Can it by any standard be justified when you are passing such an ordinance to crush the strike of the Reserve Bank employees and an ordinance withholding payment of CDS? High prices are there. Everybody is affected by them. What is the purpose of attacking the working class by not paying them the CDS, although the CDS is the hang-over of the previous Government. Therefore, we say that these two ordinances should be disapproved and withdrawn. (*Interruptions*)

MR. CHAIRMAN: Are you speaking on it? Let me make the position very clear. Are we to go on discussing the ordinances?

SHRI VISWANATHA MENON (Kerala): Generally we do not raise discussion on ordinances, but it is a very important thing.

MR. CHAIRMAN: All right. Mr. Menon. I will allow you to speak. (*Interruptions*) Mr. Salve, are you going to speak on the ordinances?

SHRI N. K. P. SALVE (Maharashtra): Not on ordinances. I am on the question....

MR. CHAIRMAN: Yes, Mr. Menon.

PROF. RAMLAL PARIKH (Gujarat): Sir, under what rule are you permitting

this debate on ordinances? It is a point of order. You must decide on this.

MR. CHAIRMAN: When the paper is laid (*Interruptions*) Please hear me.

PROF. RAMLAL PARIKH: You can fix a debate tomorrow.

MR. CHAIRMAN: When the paper is to be laid on the Table it is the right of the Members to know the view point of the Government regarding the paper.

SHRI P. RAMAMURTI (Tamil Nadu): Sir, it is really a fantastic thing that just four days before Parliament was to meet....

SHRI ANANT PRASAD SHARMA: Five days.

SHRI P. RAMAMURTHI:the Government thought it fit to promulgate the two ordinances effecting the workers. Heavens would not have fallen if they had waited and brought a Bill before Parliament and ascertained the feelings of Parliament. There was no necessity of it. Sir, it is a fantastic ordinance as far as the Reserve Bank ordinance is concerned. The definition of strike is something which is heard of nowhere in the world. It is something unheard of in the world. When they went to the court saying that these people were on strike, the High Courts of Calcutta and Madras and the lower courts in Nagpur and other places, struck down the contention of the Government and said that work to rule was according to procedure they themselves laid down and that therefore there was no question of strike. In order to get over that, in order to make something illegal legal an ordinance has been promulgated just four days before Parliament was to meet. This is something fantastic. I cannot expect any democratic government promulgating an ordinance of this type.

The Constitution says that any ordinance promulgated by the Government— I do not want to quote the particular

clause—and placed before Parliament **expires within six weeks** unless Parliament approves that. Therefore, at the earliest opportunity, today itself, we want to take up these two ordinances and pass a resolution disapproving them so that they cease to operate within this country and the right of the working class of agitation that was legal before continues to be so. Therefore, Sir, I would request you to give precedence to these resolutions and take them up immediately.

SHRI ARVIND GANESH KULKARNI (Maharashtra): I want to add only one point to what Mr. Ramamurti and Mr. Bhupesh Gupta have said. I join them in not only objecting to the ordinance but also in condemning the Government for issuing the ordinance four days before Parliament was going to meet.

Sir, I will remind this very party, those Members sitting on that side inclusive of the Leader of the Opposition.....

DR. V. P. DUTT (Nominated): He will soon be the Leader of the Opposition.

SHRI ARVIND GANESH KULKARNI: Yes, that is what we hope. I remember this, Sir. You ask him whether he remembers this. He was sitting here in place of Mr. A. P. Sharma. He objected and criticised my party for issuing an ordinance whenever Parliament was going to meet. That very party which was opposing us, has now issued the ordinance. I condemn them for the very cowardly act of surreptitiously eroding the authority of Parliament.

MR. CHAIRMAN: Mr. Salve, do you want to say something else?

SHRI N. K. P. SALVE: Sir, I have given notice. We have been complaining of undiminished hardships (*Interruptions*) Sir, I have given you notice. (*Interruptions*).

MR. CHAIRMAN: What do you want please?

SHRI DINESH GOSWAMI (Assam): I want to raise a very very important point with your permission.

SHRI MOHAMMAD YUNUS SALEEM (Andhra Pradesh): Sir, I have to state...

MR. CHAIRMAN: I cannot hear. Two of you are speaking. One can speak.

SHRI MOHAMMAD YUNUS SALEEM: Sir, I want to raise an important matter. Sir, 51 persons have been arrested today under the leadership of Shah Nawaz at the Vijay Chowk. (*Interruptions*). It is a very important matter. (*Interruptions*).

MR. CHAIRMAN: What do you want, please?

SHRI N. K. P. SALVE: Sir,

MR. CHAIRMAN: You are speaking on something else?

SHRI N. K. P. SALVE: I want to speak on all the subjects together (*Interruptions*) You have called me. Give me five minutes time. (*Interruptions*) Sir, you have called me. Give me five minutes. They can be heard after I have spoken.

MR. CHAIRMAN: I have called you, but are you speaking on the Ordinances or on something else?

SHRI N. K. P. SALVE: On the Ordinance and on the notice that I have given you.

My submission is that we have been complaining to you of the undiminished hardship caused to the entire country all this while on account of the monumental incompetence and the Himalayan corruption that is going on in this Cabinet and outside the Cabinet. Sir, we have come to the conclusion that the way they are acting, they are taking the country to the brink of bankruptcy. Is there a Government worth its salt? I ask them. If any one of them has a conscience, let him ask

himself: is there a Government worth its salt? Would any Government worth its salt refuse to pay the loan which is due to the people, to the honest tax-payers? This Government is refusing payment of a loan. Never has it happened in the past 30 years. You accuse us of a large number of things. But has any Government behaved in the manner in which this most incompetent, most corrupt and most dishonest Government is misbehaving? At a time when you have all the monies to repay the poor people, the honest tax-payers. This Government is refusing you are refusing to accept the liability to repay the loan. Is there a Government which refuses to repay a loan? Is there a Government which tells people "We will pay you two years later" and when it comes to two years later, it issues an Ordinance, just before Parliament is due to meet, saying "we will not repay the loan". If you are a Government worth your salt, you should have resigned long ago. But now the country is not going to tolerate it. And I have long been complaining against the manner in which they have been treating this House. Against the wishes of this House, against the Resolution of this House, this Government constituted an inquiry, informally to be made by one of the retired Judges of the Supreme Court. I have nothing against the retired Supreme Court Judge. He is an eminent jurist. (*Interruptions*) I am combining the two matters. Let me finished. (*Interruptions*) Let me finish this matter. Give me two minutes.

MR. CHAIRMAN: No, no, why do you combine?

SHRI N. K. P. SALVE: Again you will call me?

MR. CHAIRMAN: Please sit down. Now, the representatives of all the parties have spoken. Are you going to discuss further now?

SHRI B. D. KHOBRAGADE (Maharashtra): Only one minute.

SHRI PRANAB MUKHERJEE: What we want is that a motion has already been tabled for the disapproval of the Ordinance. We want to have a discussion on that motion. If the Government is not prepared to come forward with the Bill to replace the Ordinance, then let this motion for disapproval of the Ordinance be taken up immediately. That is the demand of the House. We want a clear ruling from you on this point.

SHRI B. D. KHOBRAGADE: I also support that point of view. The Budget this year has unleashed inflationary trends. The cost of living has gone up during the last three or four months by 8 or 9 per cent. It is already causing hardship to the poor working classes. Therefore, whatever amount they have saved under this Compulsory Deposit Scheme should be repaid to the workers. But the Government has thought it fit to issue an Ordinance.

SHRI KALYAN ROY: Surreptitiously.

SHRI B. D. KHOBRAGADE: The demand of this House is that these Ordinances or the Bills approving the Ordinances should be discussed in this House and if the Government is not willing to bring the Bills, then the resolution disapproving the Ordinances should be taken up for consideration immediately. I think, Sir, in view of the sentiments expressed by the various sections of the House, the resolution for disapproval of the Ordinances must be taken up immediately.

SHRI BHUPESH GUPTA: Sir, this is the constitutional position. Sir, you are faced with a constitutional position. You would not allow a conscious fraud to be committed on the Constitution. Here this is not an ordinary resolution that we are asking for being taken up. The Constitution provides that the House should have a constitutional right to disapprove any Ordinance that the Government may issue during the recess period of the House. Sir, this

Ordinance has been issued with a view to forestalling the House. This is a lawless law in the sense that it has been issued by the Government knowing fully well that it does not have a majority in this House and it would not be in a position to get such a Bill through. Therefore, Sir, they took recourse to the promulgation of the Ordinance just before the session which empowered them to declare such strikes illegal and do something of the kind apart from withholding the payment of the instalment under the CDS. Now, Sir, he is looking into it. You need not look into it. I can tell you what it contains. I know it by heart. He will now get up and say that the Ordinance will lapse unless within six weeks the House approves of it. This is the idea. What do they do? They wait for six weeks. Then they bring forward a Bill and then they want to get it passed. Their calculation is that in the meanwhile they can go on suppressing the workers, knowing very well that the Bill will not be passed in this House. Therefore, Sir, these six weeks they want to utilise for acting in a manner subversive of the Constitution. Sir, you should not allow that. Sir you are not a policeman. You are not a strike-breaker. There is no strike. You are not one against the working class. You are not a Charan Singh or a Morarji Desai who sits in the Cabinet to conspire just how to attack the working class. You are not a Biju Patnaik who thinks that the public sector workers should be suppressed. Sir, you are the Chairman of the House. We all demand—except some of them—that this Ordinance must be disapproved. Only if the Government declares that they have withdrawn the Ordinance shall the Resolution of ours be negated. Otherwise, Sir, all business should be withheld. Let the nation know that there exists a Parliament, there exists a Chairman, there exists a majority in the Parliament. This Government is playing ducks and drakes with the parliamentary democracy, insulting it, humiliating it at every stage in order to pursue its anti-

working class, pro-monopolistic corrupt policy. Therefore, Sir, we would beseech you. This is your last session. I do not know, Sir, what will happen. We would beseech you to admit it and provide for a discussion tomorrow or to day. Today, let us start the discussion. This Government is a coward of a Government. Otherwise, why don't you say, 'have the discussion here'? Why don't you have the guts? Sir, we must not allow them to get away. Let us have a discussion. This is all we want.

SHRI SHYAM LAL YADAV (Uttar Pradesh): Sir, I am on a point of order. Sir, Mr. Bhupesh Gupta is condemning the Government. May I know, Sir, whether Mr. Bhupesh Gupta, all these 20 months has not supported the Government several times? Now he is condemning this Government. This double-talk would not do.

AN HON. MEMBER: Better late than never.

MR. CHAIRMAN: Enough has been said by all the parties.

SHRI AMARPROSAD CHAKRABORTY (West Bengal): Sir, from this side, we strongly condemn the attitude of the Government who have promulgated this Ordinance just on the eve of the session. Sir, it is a wholly *mala fide* measure. We strongly condemn it.

PROF. SOURENDRA BHATTACHARJEE (West Bengal): We support all the parties who have just now spoken. This measure should be dropped.

SHRI DINESH GOSWAMI: Mr. Chairman, Sir, I am not speaking on the Ordinance. I am raising..... (Interruptions). Sir, is the Ordinance matter over?

MR. CHAIRMAN: It is over now.

SHRI DINESH GOSWAMI: Sir, I am raising a very important matter.

SHRI PRANAB MUKHERJEE: What is your ruling, Sir?

SHRI P. RAMAMURTI: What is the response of the Government?

SHRI PRANAB MUKHERJEE: Sir, are you allowing them to place it on the Table? What is your ruling, Sir? We want a discussion on the Motion for the disapproval of the Ordinance immediately. What is your ruling on it, Sir?

MR. CHAIRMAN: I will consider and let you know.

SHRI P. RAMAMURTI: What have the Government to say?

DR. RAM KRIPAL SINHA: When an Ordinance is laid on the Table, it is followed by a Bill. When it is brought up in the form of the Bill, at that time, the resolution disapproving the Bill can also be discussed.... (Interruptions).

SHRI P. RAMAMURTI: The Constitution is very clear. My friend does not know the constitutional provision, under which the Ordinance will lapse unless it is disapproved by the Parliament earlier. Therefore, we want to disapprove it now. It is our constitutional responsibility.

SHRI PRANAB MUKHERJEE: We can disapprove it right now.

SHRI P. RAMAMURTI: We want to disapprove it today itself.

SHRI KAMLAPATI TRIPATHI: The resolution is there. They want the resolution to be taken up now. You should allow them to take up the resolution. That is the wish of the House. Otherwise, the House cannot continue.

श्री भोला पतवान शास्त्री (बिहार) : सभापति जी, पहले तो हम उठे थे, हम को मौका मिलना चाहिए था। हम ने माननीय सदस्यों की फीलिंग्स को सुना। तमाम माननीय सदस्यों ने जिस बात का विरोध

599 RS-6

किया है मैं भी उस में अपने को शामिल करता हूँ कारण यह है कि सेशन शुरू होने के पांच दिन पहले बजट ऑर्डिनेंस जारी करती है। मैं जानता हूँ कि लीगली वह ठीक है, लेकिन हँसत इस लिए है कि एक गरीब क्लास का सवाल उस में है जिसे बजट को पैसेट करना था। दो वर्ष के लिए उसे टाल दिया गया है। मैं ऐसा महसूस करता हूँ कि चूँकि इस में हजारों-लाखों मजदूरों के इन्टरेस्ट का सवाल है और उस इन्टरेस्ट का हनन होने जा रहा है—इस सरकार ने वादा किया था कि उन के इन्टरेस्ट को हम सर्व करेंगे—और जहाँ तक हिन्दुस्तान के लाखों-करोड़ों गरीबों का सवाल है मैं यह बर्दाश्त करने को जरा भी तैयार नहीं कि सरकार इस तरह से ऑर्डिनेंस लावे और इस को पेश करे और अपनी जान बचा कर भाग जाये। इसलिए मैं तमाम सदस्यों से निवेदन करता हूँ कि चूँकि हिन्दुस्तान के लाखों-करोड़ों गरीबों के इन्टरेस्ट का सवाल है, जिस के अग्रेस्ट सरकार ने अभी काम किया है, इस लिए हम इस को बर्दाश्त करने के लिए तैयार नहीं हैं; ऑर्डिनेंस पेश होगा, उस पर बहस होगी, तब भी हम सवाल उठावेंगे। आज इस प्रोटेस्ट में हम लोग बाक-आउट करते हैं कि सरकार ने गरीबों के इन्टरेस्ट का हनन किया है।

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

SHRI PRANAB MUKHERJEE: What is your ruling on the motion of disapproval?

SHRI P. RAMAMURTI: What is your answer?

SHRI PRANAB MUKHERJEE: We want a ruling from you.

MR. CHAIRMAN: I will consider and let you know.

SHRI PRANAB MUKHERJEE: No. It cannot be. It is the inherent right

of the House to disapprove the Ordinance. The moment it comes before the House, you cannot say that you will defer it for two days. This is our inherent right. We can disapprove the Ordinance. The motion for disapproval is tabled.

MR. CHAIRMAN: Whatever you wanted to say you have already said.

SHRI GHANSHYAMBHAI OZA (Gujarat): This Ordinance has come before the House.

I quite appreciate the feelings of hon. Members... (Interruptions).

SHRI PHUPESH GUPTA: We are also walking out.

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

SHRI P. RAMAMURTI: We also walk out of the House.

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

श्री कमलपति त्रिपाठी : मैं आप से निवेदन करना चाहता हूँ कि आप इस सम्बन्ध में कोई रुलिंग दें। अगर यह प्रस्ताव आप नहीं लेते हैं, जिस का इतना बड़ा सम्बन्ध हमारे देश के मजदूरों से है, जिन के साथ इतनी बड़ी ज्यादाती हो रही है—तमाम सौजन्य के खिलाफ चार-पाँच दिन पहले संसद के सत्र के आर्डिनेंस इशू कर दिया गया—आज यह प्रस्ताव पेश किया गया है, हम आर्डिनेंस को डिस्एप्रूव करना चाहते हैं, सारे सदन ने आप सामने यह माँग की। आप इस की इजाजत नहीं दे रहे हैं। ऐसी स्थिति में हमारे लिए सिवा इस के कोई रास्ता नहीं है कि हम सदन का परित्याग करें इस के विरोध में।

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

MR. CHAIRMAN: Yes, Mr. Oza.

SHRI GHANSHYAMBHAI OZA: Sir, on a point of order. This Ordinance

has been placed before this House in the same way in which this Ordinance has been placed before the other House. Suppose the other House approves the Ordinance. What will happen? This Ordinance has been placed before this House in the same way in which this Ordinance would have been placed before the other House, that is, the Lok Sabha. Now, suppose the Lok Sabha approves of this Ordinance. What will be the situation? Therefore, I say that we must wait till the Bill comes up before this House and we can then throw out the Bill in this House and the consequences will follow. How can we take away the right of the Lower House which is a supreme body to approve or disapprove of the Ordinance? We cannot do it like this. If it comes in due course, this House is at perfect liberty to throw it out.

SHRI N. K. P. SALVE: Sir, I have to make a submission.

SHRI MOHAMMAD YUNUS SALEEM: Sir, I want to raise an important question.

SHRI N. K. P. SALVE: I have given notice, (Interruptions). Notice I have given you.

MR. CHAIRMAN: I have got the notice and it is under consideration and I will consider it and let you know.

SHRI MOHAMMAD YUNUS SALEEM: Sir, I want to raise a very important issue. (Interruptions).

SHRI N. K. P. SALVE: While considering it, there is only one point which I want you to consider. If you permit me to make, I will make that point. Sir, while you are considering it....

MR. CHAIRMAN: My point is that I have got the notice.....

SHRI N. K. P. SALVE: Sir, I am not making any statement under Rule 190.

All that I want to say is that it is a two-fold submission.

Sir, my notice...

MR. CHAIRMAN: I have got the notice.

SHRI N. K. P. SALVE: Sir, why don't you allow me to say? (*Interruptions*). I am not making any statement. I am only making two points for your consideration and I want you to consider those points. This is not a new matter. This is not a new matter at all, Sir, which is raised for the first time. But, Sir, it has been raised in England and it has been raised elsewhere and I have given the authority and I have cited the authority. The difficulty that comes in, Sir is that the Government has constituted this inquiry body and it has asked me to appear before it and give oral and documentary evidence to substantiate the charges that I have made and the question that arises now for your consideration is two-fold. What is the wish of this House? Because, unless I know the wish of this House and unless this House permits me, I cannot go and give evidence. While you are considering this matter, you also consider this. Sir, it must not be misunderstood that we want to run away from this inquiry. We do not want to run away from this inquiry.

MR. CHAIRMAN: I will consider it. Why are you bothered about it?

Now, let us come to the Calling Attention Motion.

SHRI DINESH GOSWAMI: Sir, I want to make a point. (*Interruptions*).

REFERENCE TO DEMONSTRATION BY JAMIAT-ULEMA-E-HIND AGAINST COMMUNAL RIOTS

SHRI MOHAMMAD YUNUS SA-LEEM (Andhra Pradesh): Sir, I want to raise a very important issue.

MR. CHAIRMAN: What is it?

SHRI MOHAMMAD YUNUS SA-LEEM: Sir, a very serious situation has developed in the country now. Sir, 51 persons have been arrested...

MR. CHAIRMAN: You have not been permitted.

SHRI MOHAMMAD YUNUS SA-LEEM: But this is an important matter, Sir.

MR. CHAIRMAN: There is no notice.

SHRI DINESH GOSWAMI (Assam): Sir, I want to make a submission and I have been permitted. (*Interruptions*).

SHRI MOHAMMAD YUNUS SA-LEEM: I could not give notice because we got the message only at 11-00 A.M. Sir, at 11-00 A.M. today, 51 persons have been arrested in the Patel Chowk area who were led by Gn. Shah Nawaz and who have come from different parts of the country to protest against the deteriorating law and order situation in the country and against the rising prices and so on. Sir, they have come here to protest against these things and the use of the Army, etc. So, it is a very serious matter. We have given a notice under Rule 176 for a discussion on this. But we want an immediate discussion on this issue because, Sir, this agitation will continue for more than 20 days. This has been brought to your notice and it must receive your attention.

SHRI SHYAM LAL YADAV (Uttar Pradesh): Sir, I also want to mention one thing.

MR. CHAIRMAN: I have not allowed you.

SHRI SHYAM LAL YADAV: No. Sir. I have to mention this. My submission is that what Mr. Yunus has said just now we support and we request you to consider it and we strongly condemn the Government for arresting the peaceful *satyagrahis*.