

MOTION RE APPOINTMENT OF MEMBERS OF THE RAJYA SABHA TO THE JOINT COMMITTEE OF THE HOUSES ON THE INDIAN PENAL CODE (AMENDMENT) BILL, 1972

THE MINISTER OF STATE IN THE DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI OM MEHTA): Sir, on behalf of Shri Ram Niwas Mirdha, I move :

"That Sarvasbri Jagdish Joshi, Nathi Singh Kalp Nath, K. P. Singh Deo, Yogendra Sharma, Veerendra Patil and Ram Niwas Mirdha, Members of the Rajya Sabha, be appointed to the Joint Committee of the Houses on the Indian Penal Code (Amendment) Bill, 1972 in the vacancies caused by the resignation of Shri Syed Hussain from the Membership of the Rajya Sabha with effect from the 5th March, 1974 and the retirement of Sarvasbri Ram Sahai, M. Ruthnaswamy, Suraj Prasad, Syed Ahmed, M. Srinivasa Reddy and Ram Niwas Mirdha from the Membership of the Rajya Sabha on the 2nd April, 1974."

The question was put and the motion was adopted.

MESSAGES FROM THE LOK SABHA

- (I) The Estate Duty (Distribution) Amendment Bill, 1974
- (II) The Union Duties of Excise (Distribution) Amendment Bill, 1974
- (III) The Additional Duties of Excise (Goods of Special Importance) Amendment Bill, 1974

SECRETARY-GENERAL : Sir, I have to report to the House the following messages received from the Lok Sabha, signed by the Secretary-General of the Lok Sabha :—

(I)

"In accordance with the provisions of Rule 96 of the Rules of Procedure and Conduct of Business in Lok

Sabha, I am directed to enclose herewith the Estate Duty (Distribution) Amendment Bill, 1974, as passed by Lok Sabha at its sitting held on the 7th May, 1974."

(II)

"In accordance with the provisions of Rule 96 of the Rules of Procedure and Conduct of Business in Lok Sabha, I am directed to enclose herewith the Union Duties of Excise (Distribution) Amendment Bill, 1974, as passed by Lok Sabha at its sitting held on the 7th May, 1974.

2. The Speaker has certified that this Bill is a Money Bill within the meaning of article 110 of the Constitution of India."

(III)

"In accordance with the provisions of Rule 96 of the Rules of Procedure and Conduct of Business in Lok Sabha, I am directed to enclose herewith the Additional Duties of Excise (Goods of Special Importance) Amendment Bill, 1974, as passed by Lok Sabha at its sitting held on the 7th May, 1974.

2. The Speaker has certified that this Bill is a Money Bill within the meaning of article 110 of the Constitution of India."

Sir, I lay a copy of each of the Bills on the Table.

REFERENCE TO STRIKE IN THE RAILWAYS

श्री राजनारायण (उत्तर प्रदेश) : श्रीमन् व्यवस्था का सवाल है। व्यवस्था का प्रश्न यह है कि कल इस सदन में चेयर की इजाजत से हमने निवेदन किया था कि 20 लाख रेल मजदूर हड़ताल पर हैं और आज रेलें पूर्ण रूप से बन्द हैं। करीब 10 हजार लोग जेलों में बन्द कर दिये गये हैं और राजनीतिक कार्यकर्ता भी गिरफ्तार हो गये हैं। आपने अखबार में भी पढ़ा होगा हमारी पार्टी के श्री मनीराम बागड़ी जी की माता का देहान्त हो गया था 7 तारीख को उनकी

तेरहवीं थी, उनको तेरहवीं के कार्यक्रम में भी नहीं जाने दिया गया। श्री मनीराम बागडो को गिरफ्तार कर लिया गया है और पार्टी के हरियाणा के चेयरमैन को भी गिरफ्तार कर लिया गया है। . . .

श्री उपसभापति : इसमें व्यवस्था का प्रश्न क्या है ?

श्री राजनारायण : कल ओम मेहता जी ने सदन को आश्वासन दिया था कि वह सरकार को यहाँ के लोगों की भावनायें बतायेंगे कि रेल की हड़ताल को टालने के लिए सरकार क्या कदम उठा रही है, इस पर सरकार बयान दे। मैं चाहता हूँ कि सारी कार्यवाही रोक ली जाए, रेल के सम्बन्ध में पहले चर्चा करें।

SHRI D. THENGARI (Uttar Pradesh) : Sir, there is a total strike in the Railways. It is a very serious and unprecedented situation. Therefore, Sir, you should ask the Railway Minister to come here with a statement giving us the total picture.

SHRI NIREN GHOSH (West Bengal) : Sir, I would like to say that we demanded a statement from the Prime Minister herself. It is a matter which transcends the limits or competence of the Railway Minister. It is an unprecedented emergency. This strike has been complete and hundred per cent complete. And let there be no mistake that it will continue unless a negotiated settlement is arrived at. Let me make it clear.

MR. DEPUTY CHAIRMAN : What is it that you want to make out?

SHRI NIREN GHOSH : Sir, they have issued a gazetted notification, before placing it before the Parliament, under the Payment of Wages Act, concerning the railway workers. This is contempt of the House. And, Sir, if these things continue, what are we to do? Then, on behalf of my Organization, I promise and I assure the Railway Minister that we will organise *bandhs* in as many States as possible, whatever be the consequences—a Bharat *bandh*.

SHRI BHUPESH GUPTA (West Bengal) : Sir, it is only proper that the Government should make a statement as to the situation in the Railways. According to our information, the strike is excellent and it is hundred per cent. Of course, the All India Radio has an entirely different story to tell. Sir, why I say that this statement should be made on the floor of the House is because a statement of this kind will naturally acquire a certain significance. If the Government makes a false statement, we will be entitled to take it to the Privileges Committee for misleading and lying before the Parliament. And you know, Sir, what happens if the Government lies before the Parliament. Therefore, Sir, it is very important. Let the Government give us a factual account of the strike situation, knowing fully well the implications of making a false statement before the Parliament, and leave it to the Parliament to test whether the statement is true or false.

MR. DEPUTY CHAIRMAN : What is your point?

SHRI BHUPESH GUPTA : Sir, we have tried up to the last moment for a negotiated settlement. We tried up to the last evening consistent with the dignity of the railway workers and their interests and also the national interest. But our offers have been spurned in every way. In that situation, we of the entire Opposition here and, I believe, many Members opposite also are agreed on one thing that there should be a solution to the problem. The solution is negotiated settlement. Negotiated settlement demands revocation of the repressive measures and bringing all the parties to the conference table.

SHRI NIREN GHOSH : *Status quo ante.*

SHRI BHUPESH GUPTA : You need not tell me, Mr. Niren Ghosh. Obviously, revocation of repressive measures is release of all those who have been arrested. Sir, a Communist Member of the Lok Sabha, I read in the newspapers, has been arrested along with many members of our Party. Therefore, it is an assault on everybody.

[Shri Bhupesh Gupta]

As far as the other thing about All India Radio is concerned, I shall come to that later.

SHRI MAHAVIR TYAGI (Uttar Pradesh): Sir, my only request is that the matter is of great importance. I do not want to take sides but on such issues it is for the Government to keep the House posted with the latest developments. I am not in favour of any strike etc. These are controversial matters. But, Sir, on such an important issue a daily statement has to be made as to what progress Government has made and what the actual position today is.

SHRI K. CHANDRASEKHARAN (Kerala): Sir, the Railway strike is a matter of national concern and importance. It is really strange, Sir, that the All India Radio has come out with an absolutely false report this morning. Mr. Gujral has become a super-Goebbels. I would state, Sir, that the entire facts in regard to the strike be placed before this hon. House and this hon. House discusses the same. And, for this purpose, may I, with your leave, Sir, bring a motion under Rule 176 of the Rules of Procedure by seeking before this hon. House a dispensation of the procedure covered by Rule 176 as contemplated by Rule 267 of the Rules.

MR. DEPUTY CHAIRMAN: I am not permitting.

Yes, Mr. Bhupesh Gupta. You wanted to make a special mention.

(Interruptions)

SHRI LAL K. ADVANI (Delhi): Sir, this is not a mere mention. This hon. House has expressed so much that it should be posted with the latest position. The Chair must come forward and ask the Government and the Railway Minister to give authentic version to Parliament. My information is that not a single train has left the Delhi station this morning. Nor has a single train arrived.

(Interruptions)

MR. DEPUTY CHAIRMAN: I am not going to give any direction. But, the Government will definitely come forward with a statement.

SHRI LAL K. ADVANI: I request you to...

MR. DEPUTY CHAIRMAN: You have expressed yourself.

SHRI LAL K. ADVANI: 95 per cent of the trains have been cancelled by the Government itself.

श्री राजनारायण : श्रीमन्, हमारा एक व्यवस्था का प्रश्न है। आप ने अभी कहा कि हम गवर्नमेंट को डाइरेक्ट करने नहीं जा रहे हैं तो क्या मैं समझ लूं कि चेयर को यह अधिकार नहीं रह गया है कि . . .

श्री उपसभापति : आप का यह कोई प्वाइंट आफ आर्डर नहीं है। आप बैठ जाइये।

(Interruptions)

श्री राजनारायण : आपको पूरा हक है कि...

श्री उपसभापति : मैं अपना हक इस्तेमाल करना नहीं चाहता हूं और जब इस्तेमाल करना होगा तो उस का इस्तेमाल करूंगा। इस के लिए आप को कुछ बहने कि जरूरत नहीं है।

श्री राजनारायण : मेरा यह कहना है कि आप उन को कहे।

MR. DEPUTY CHAIRMAN: I have heard every Member and I know what to do at what time. Yes, Mr. Bhupesh Gupta.

SHRI SUBRAMANIAN SWAMY (Uttar Pradesh): Sir, I have a point of order. Either you give me time after him or let me raise the point of order.

(Interruption)

MR. DEPUTY CHAIRMAN: What is it that you want to say? Are you on a point of order?

SHRI SUBRAMANIAN SWAMY: I am going to make a very substantive point of order.

The substantive point of order is that the Minister of Railways, Mr. L. N. Mishra, when he spoke last time, said that he would come forth again and present all the estimates that he was offering, in this House.

MR. DEPUTY CHAIRMAN: I suppose he will come.

SHRI SUBRAMANIAN SWAY: But, we have to summon him.

MR. DEPUTY CHAIRMAN: This is not fair. Mr. Subramanian, you please take your seat. You cannot stand up as and when you please.

SHRI SUBRAMANIAN SWAMY: They are being told...

MR. DEPUTY CHAIRMAN: No, you would not have the floor.

SHRI SUBRAMANIAN SWAMY: You have given him so much time. I just want to say that the Finance Minister has assassinated the figures and calculations by working out Rs. 450 crores. The Minister had said that he will come on the floor of the House and...

MR. DEPUTY CHAIRMAN: No, no, please sit down. Yes, Mr. Bhupesh Gupta, you have taken the permission.

REFERENCE TO ALLEGED DISTORTIONS BY ALL INDIA RADIO IN REGARD TO STRIKE BY RAILWAY EMPLOYEES.

SHRI BHUPESH GUPTA (West Bengal): Sir, I have taken the permission of the Chair to bring to the notice of the House in all seriousness as to what the All India Radio is doing with the strike. Hon. Members must have been hearing the broadcasts by the All India Radio which are full of distortion of facts and full of blatant lies. Everyday they are putting out cock and bull stories, factually giving wrong figures

which are not even figments of ones imagination, how the trains are running.

MR. DEPUTY CHAIRMAN: But Mr. Bhupesh Gupta, what is your point?

SHRI BHUPESH GUPTA: I am coming to that. What is this? How will you understand it before I speak? I would like to bring it to the notice of the Government — of course the Government itself is doing it — to the notice of the Parliament whether it is permissible that the All India Radio should in the name of propaganda for Government give wrong facts that the trains are running, the stations are overcrowded, the tickets are being bought, all reservations are being made, the workers are on duty. These facts have some other implications also. Apart from the falsehood and blatant lie involved in it, they are causing inconvenience to the public. I have heard many people have gone to the Delhi Railway Station and found the trains not running. Who pays for the fare when they go there by car or by taxi or by scooter or otherwise? Does the Government refund that money? This is happening in other stations also. Sir, today they are telling that in Bombay everything is all right but the other news said that Bombay has come to a dead stop. This is the position all over the country.

AN HON. MEMBER: No, no.

SHRI BHUPESH GUPTA: Go and find it out. I suggest a Committee consisting of Members of Parliament...

SHRI KALI MUKHERJEE (West Bengal): Who goes by radio? Has anybody believed the All India Radio?

SHRI BHUPESH GUPTA: I think in the normal situation I am entitled to agree with you because the All India Radio has come to be an institution of blatant lies and falsehood, merely based on propaganda mechanism.

SHRI NIREN GHOSH (West Bengal): It is not 'All India Radio', it is the 'Indira Gandhi Radio'.