

SHRI K. C. PANT I am not shifting my stand at all.

SHRI NAV AL KISHORE In U P it was different

SHRI K. C. PANT I am saying something with great deliberation and the clarity that I can muster. Shri Kaul referred to this point and I am inclined to agree with him that in such a situation, if the Governor consults the Opposition parties and is still of the view that dissolution is the appropriate course of action in the situation prevailing, then in that case certainly the President, I have absolutely no doubt, would give such an advice of the Governor his most earnest consideration. So I do not for a moment presume that the same thing would not have resulted if the Governor had consulted the Opposition leaders. But I only say that ordinarily this would have been the course of action followed and then no one would have been in a position to criticise the action of the Governor on that score as Shri Kaul has done, there would have been no room for complaint about the Governor on this score. Also, whatever the decision of the President, ultimately it would be for this House and the other House to comment upon its merits and to go into that matter.

Therefore, this is all that I have to say about the points that have been raised here. Sir, we have often been criticised in the past that the Governors act only under our instructions. And even on this occasion, Shri Rajnarain, perhaps out of habit, sought to suggest that the Governor had been advised by us. I would only ask Shri Rajnarain whether he would have preferred the other alternative of another Government being formed which would have been even less to his liking than the present situation. But, Sir, that is perhaps too rational and logical an approach for Shri Rajnarain. The point is, the alternatives were only two. Sir, in the past whenever we had explained that the Governor exercised his discretion or exercised his judgment, there had been a certain expression of disbelief on the part of some hon. Members opposite. Well, I hope all their apprehensions are now set at rest. This is a conclusive example of the exercise of the discretion and judgment by the Governors.

So, Sir, having reached the end, I would again like to say that the question before us is a very limited one. The question before us is whether or not to approve of the Proclamation of the President and I say that we are all agreed that in the situation that prevailed, there was no option for the President except to come forward with this Proclamation. That being the case, I hope the House will accord its approval to this measure.

MR. DEPUTY CHAIRMAN The question is

“That this House approves the Proclamation issued by the President on the 15th June, 1971, under article 356 of the Constitution, in relation to the State of Punjab

The motion was adopted

MR. DEPUTY CHAIRMAN Now, we have got the Punjab Budget and the Punjab Appropriation Bill. These are financial matters and I think we can take up discussion of both the items simultaneously. So, in the beginning I will call upon the Minister to move the motion for consideration of the Bill and then the Budget and the Bill, both, will be before the House for discussion, Shrimati Sushila Rohatgi.

(1) THE BUDGET (PUNJAB), 1971-72 –
General Discussion

(2) THE PUNJAB APPROPRIATION
BILL, 1971

THE DEPUTY MINISTER IN THE
MINISTRY OF FINANCE/वित्त मन्त्रालय
श्री उप-मन्त्री (SHRIMATI SUSHILA
ROHATGI) Mr Deputy Chairman, would
you like me to move both ?

MR DEPUTY CHAIRMAN First you have to move the motion for consideration of the Bill. And the Budget discussion will be initiated by the Opposition Members.

SHRIMATI SUSHILA ROHATGI
Sir I beg to move

“That the Bill to authorise payment and appropriation of certain sums from

[Shrimati Sushila Rohtagi]

and out of the Consolidated Fund of the State of Punjab for the services of financial year 1971-72, as passed by the Lok Sabha, be taken into consideration."

The question was proposed.

MR DEPUTY CHAIRMAN: Mr. S.D. Misra.

SHRI NIREN GHOSH (West Bengal) : Mr. Deputy Chairman. . . .

MR. DEPUTY CHAIRMAN : I have called Mr. S. D. Misra please.

SHRI NIREN GHOSH : That is right. I only have to raise an objection that discussion in such matters—on the Budget and the Appropriation Bill—should not be held together. It is a matter of procedure and I make a serious objection to this procedure. I say the Budget should be disposed of first and then only should the Appropriation Bill be taken up. No discussion can be held on these two things together. It creates a wrong impression and invites discussion and sets wrong patterns of procedure in the House.

SHRI DAHYABHAI V. PATEL (Gujarat) : It prevents our right of criticising the speech of the Minister.

SHRI BHUPESH GUPTA (West Bengal) : Sir, my friend has made a point and it should be gone into. Again and again we remind the Government that these two things stand on different footings. On the Budget I may have one point of view and on the other I may have an entirely different set of views. Anyhow, they are not the same subject. One is in the nature of a Money Bill. Well, it is a Money Bill. It has come from the other House. The other is not so in that sense. Naturally, why should these two things be discussed together? Now a habit is developing in Parliament that whenever the Government wants to get things done, it mixes up things. It mixes up things and here these things are mixed up. And should we be a party to this kind of a thing? Under which rule is this combination or this mix-up taking place? The Budget has its own

procedure of voting and the Bill has its own procedure of voting. For Budget I make a recommendation which is not the case in regard to the Bill. In regard to the Bill I make amendments. If these two things are mixed up, how do we deal with amendments? Suppose there are two sets of amendments, one set recommending certain cuts in the nature of cut motions—we do not use the term 'cut motion' we recommend to the Lok Sabha. And the other is a question of simply passing here or making other types of amendments. How can these things be lumped together? Obviously, in the first reading, at the consideration stage, Members speak not only on the generality of the subject but also in regard to certain specific matters. They are again separate. I do not see any reason why and how these things could be discussed together. I think we have got ample opportunity in the next two days. We have got tomorrow and the day after. Internal Security Bill, that blessed Bill, need not be taken up at all. It is absolutely useless. It is a rotten thing. . .

SHRI MAHAVIR TYAGI (Uttar Pradesh) : Is it for that purpose that you are separating these two things?

SHRI BHUPESH GUPTA : That need not be taken up at all in this session. Am I to understand in order to facilitate the designs of the Government to suppress civil liberties and attack fundamental rights that we now have to prostitute Parliamentary proceedings also here by taking up two things together? This is a very serious matter. You have made up your mind, but you should not make up your mind on this. Let one thing be taken first. . .

SHRI S. D. MISRA (Uttar Pradesh) : First one first.

MR. DEPUTY CHAIRMAN : But already the honourable Minister has moved the motion.

SHRI BHUPESH GUPTA : Whatever it is. . .

SHRI DAHYABHAI V. PATEL : First Budget and then Appropriation Bill.

SHRI BHUPESH GUPTA : Budget first and Appropriation Bill later. Budget is a general discussion and let the general discussion go on. And then comes the Appropriation Bill where you can also give amendments if you like.

MR. DEPUTY CHAIRMAN : Has Shri Om Mehta got anything to say on this ?

THE MINISTER OF STATE IN THE DEPARTMENT OF PARLIAMENTARY AFFAIRS AND IN THE MINISTRY OF SHIPPING AND TRANSPORT/ संसदीय कार्य विभाग तथा नौवहन और परिवहन मंत्रालय में राज्य मंत्री (SHRI OM MEHTA) : We have been taking up the Budget and the Bill together on so many occasions in the past.

(Interruptions)

MR. DEPUTY CHAIRMAN : I think this is not the first time that we have considered both the matters simultaneously. . .

SHRI BHUPESH GUPTA : We do not agree now.

MR. DEPUTY CHAIRMAN : Under the Rules, Budget should be discussed first and then the Appropriation Bill should be considered. But we have been following this practice and further we have pressing business before the House. . .

SHRI BHUPESH GUPTA : Who said there is pressing business ? Who told you ? I would like to know who has been pressing you.

MR. DEPUTY CHAIRMAN : The Business Advisory Committee's report is there. After all, the subject-matter of both is the same. . .

(Interruptions)

SHRI NIREN GHOSH : No.

MR. DEPUTY CHAIRMAN : If the hon. Member would like to move certain amendments. . .

(Interruptions)

SHRI BHUPESH GUPTA : You are mixing up everything. Now you say we can move amendments . . .

MR. DEPUTY CHAIRMAN : Not moving amendments. You can give notice of moving amendments

SHRI BHUPESH GUPTA : Amendment comes only in the second stage. A general discussion of the budget does not have three stages such as first reading, second reading and third reading. Appropriation Bill has three stages. Therefore, all these stages have to be gone through in accordance with the Rules of the House. They cannot be mixed up. I may or may not give amendments. I will give amendment only when general budget is discussed and after I see the fate of the budget. Only after seeing the mood of the House, I can decide what kind of amendment I should table.

MR. DEPUTY CHAIRMAN : There is no voting because we just discuss the Budget.

SHRI BHUPESH GUPTA : Therefore, let us discuss the budget. The Appropriation Bill relates to the Budget. After that we shall decide what kind of amendment is to be given. Why are you denying me that right ?

SHRI MAHAVIR TYAGI : Where there are amendments or no amendments, the correct procedure is that the Budget should be discussed first and then comes the Appropriation Bill. This is the regular procedure. But if the House agree to have both the things together, then of course you are justified in taking them up together. In case the House does not agree, then they have to be discussed separately.

SHRI PITAMBER DAS (Uttar Pradesh) : When we go back upon the normal procedure, it is always under exceptional circumstance. There may have been occasion when some matters may have come up on the last day of the session and therefore probably there may not have remained time to discuss them separately. It was only under these circumstances that we used to discuss both the things together, That is not the case today. Why then go back upon the usual procedure ? We can easily discuss them separately.

MR. DEPUTY CHAIRMAN : What is the desire of the House ?

SHRI OM MEHTA : We have been taking both the things together up to this time.

MR. DEPUTY CHAIRMAN : The Business Advisory Committee had allotted time together for both the measures. If we are having separate discussions, then we have to apportion time for the two measures. That is why I said that for the Budget there will be approximately one hour and for the Appropriation Bill approximately one hour.

SOME HON. MEMBERS : No, Sir.

MR. DEPUTY CHAIRMAN : All right. Now, Mr. Misra, please. . . . On the Budget, please.

THE BUDGET (PUNJAB), 1971-72

General Discussion

श्री राजनारायण (उत्तर प्रदेश) : यह अनपार्लियामेंटरी है, देखिये, रीजनेबिल डिस्कशन रोक देंगे आप !

श्री एस० डी० मिश्र (उत्तर प्रदेश) : श्रीमन्, आज इस सदन में जो पंजाब का बजट पेश हुआ है, उस सम्बन्ध में चर्चा करते हुये कोई बड़ी खुशी हम लोगों को नहीं होती, क्योंकि अगर राज्य सरकारों का बजट धीरे-धीरे बराबर केन्द्र में . . .

MR. DEPUTY CHAIRMAN : Mr. Bhupesh Gupta wants to detain the House by delaying consideration of the Preventive Detention Bill.

SHRI BHUPESH GUPTA (West Bengal) : Sir, on a personal explanation and on a point of order.

MR. DEPUTY CHAIRMAN : There is no point of order.

SHRI BHUPESH GUPTA : Sir, the remarks you made should be expunged. If you do not expunge them, then permit me to move a resolution.

SHRI M. N. KAUL (Nominated) : Resolution on what ?

SHRI BHUPESH GUPTA : He said that I want to delay the Preventive Detention Bill. First of all, there is no Bill as Preventive Detention Bill. There is an Act called . . .

SHRI PITAMBER DAS (Uttar Pradesh) : Only when there was no time left for separate discussions.

SHRI BHUPESH GUPTA : Sir, I rise on a point of order.

MR. DEPUTY CHAIRMAN : Please sit down.

SHRI BHUPESH GUPTA : No, Sir. . . .

(Interruptions)

MR. DEPUTY CHAIRMAN : Please sit down.

SHRI NIREN GHOSH (West Bengal) : We do not agree. It cannot be imposed upon us.

(Interruptions)

MR. DEPUTY CHAIRMAN : Please sit down.

SHRI MAHAVIR GYAGI (Uttar Pradesh) : The Security Bill may also be discussed.

MR. DEPUTY CHAIRMAN : We have been following the practice. If the Members want a separate discussion both for the Budget and the Appropriation Bill. I cannot have any objection. But this is the procedure. In that case we have to take into account the time earmarked for the two matters. Therefore, I think we can have one hour for the Budget . . .

(Interruptions)

SHRI BHUPESH GUPTA : Is it a bargain ? Sir, it is a bargain with us.

MR. DEPUTY CHAIRMAN : No, it is not a bargain.

SHRI BHUPESH GUPTA : There should be a parliamentary procedure . . .