MR. DEPUTY CHAIRMAN : Order, order.

SHRI OM MEHTA : I have brought it to the notice of the Government.

SHRI BHUPESH GUPTA : Deterrent action must be taken against the officer concerned.

MR. DEPUTY CHAIRMAN : This will be brought to the notice of the hon. Minister concerned.

SHRI BHUPESH GUPTA : It should not be as though it is an obligation done to the Members-restoration of the telephones. I have nothing against Mr. Om Mehta, Sir. It is not just a question of restoration of the telephones. A full report should be given to this House through you, Sir, why the telephone was disconnected despite, on the one hand, the circular issued by your office saying that we can retain the telephones, if we so desire, with an intimation to your office and, on the other hand, how the telephones were disconnected even before the retiring Members have ceased to be Members.

MR. DEPUTY CHAIRMAN : It is all right. Mr. Om Mehta will bring to the notice of the hon. Minister concerned all the views expressed by hon. Members.

Next item.

THE WEST BENGAL STATE LEGIS-LATURE (DELEGATION OF POWERS) BILL, 1970

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI VIDYA CHARAN SHUKLA) : Sir, I move :

"That the Bill to confer on the President the power of the Legislature of the State of West Bengal to make laws be taken into consideration.'

Sir, the matters relating to West Bengal have been discussed in this hon. House two times last week, and I do not want to repeat whatever has been said by me earlier regarding the general situation in West Bengal. We have had enough discussion about this while I moved that Motion for approval of the Proclamation issued by the President. And then, when the West Bengal Appropriation Bill came up before

[RAJYA SABHA] Legislature (Delegation of Powers) Bill, 1970

the House, there was also a discussion about the general situation in West Bengal. Here I would limit my opening introductory remarks only to the necessity of having this Committee. It is unfortunate but it is a fact that so far we have appointed such Committees for about fifteen times. This is the sixteenth time that this House is called upon to appoint a Committee of this kind once again But the political situation being what it is, it became unavoidable, and as long as President's rule exists in West Bengal we would like this Committee not only to advise the President in enacting laws regarding the State of West Bengal, but also to act as a forum where general matters regarding the State of West Bengal can be discussed, mutual information can be 'given and the ideas can be mutually exchanged. Although this was not the function that the Committee doing earlier, in response to the was Members' demands this system has been introduced in these advisory Committees.

Mr. Niren Ghosh has moved an amendment saying that the number of Members of the Committee should be

SHRI A. P. CHATTERJEE (West Bengal) : On a point of order. He cannot say that he has moved. He may say, "He has tabled an amendment."

SHRI VIDYA CHARAN SHUKLA : The hon. Member has given notice of the amendment. The hon. Member should not get so jumpy about these things. He has given notice of an amendment ...

SHRI A. P. CHATTERJEE : That is right.

SHRI VICYA CHARAN SHUKLA : ... that the Committee should consist of 96 Members rather than 60 Members that, we normally have. The hon. House knows that it is not a question of having a committee alone. The larger the Committee the more unwieldy the work becomes and the deliberations become ...

SHRI A. P. CHATTERJEE : Sir. on a point of order. Mr. Niren Ghosh has not vet moved the amendment and before he has moved the amendment-he has only just given notice that he intends moving such an amendment-is it proper for the hon Minister to reply to that amendment?

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SHRI VIDYA CHARAN SHUKLA : It is not a reply.

SHRIBHUPESH GUPTA (West Bergal): The difficulty is this. How do you know that Mr. Niren Ghosh will move his amendment? It is there only on paper.

(Interruptions.)

SHRI VIDYA CHARAN SHUKLA : Whenever a notice is received, any body is entitled to give his views on that notice. It is not that I am replying to that. When the appropriate time comes I will say if it should be accepted or not But I have every right to refer to that particular matter which is before the House and which has been circulated to hon. Members.

Sir, I was saying that it would be not only unwieldy but it will probably defeat the purpose we have in our mind if we had such a big Committee and it will create all kinds or diffici-files. So I hope Shri Niren Ghosh will heed to me and not press his amendment.

As far as the work of the Committee is concerned, I need not explain to the hon. House the work that would be done. The main purpose would be to advise the President in the enactment of laws for the State of West Bengal. Secondly, as I said earlier, we could also discuss important matters relating to the State of West Bengal during the President's rule. Thirday, that Committee could be a useful forum for exchanging information between the Government and hon. Members so that even during the President's rule when there is no Assembly functioning informa ion could be exchanged between Government the and representatives of the people not only from West Bengal but from other parts of India also. Therefore, Sir. without saying anything further I would request the House to approve this motion.

The question was proposed.

SHRI NIREN GHOSH (West Bengal) : When do I move the amendment?

MR. DEPUTY CHAIRMAN : Is it not an amendment to a clause?

SHRI NIREN GHOSH : Yes, amendment to a clause.

MR. DEPUTY CHAIRMAN : That will be during the next stage, not now. Mr. Niranjan Varma.

श्री निरंजन वर्मा (मध्य प्रदेश) : मंत्री महोदय ने अभी सदन के सामने यह बिल प्रस्तुत किया है। हम समझते है कि इस बिल में पश्चिमी बंगाल में जो कुछ भी हो रहा है या हआ है, उसके परिणामस्वरूप लोगों में जो अनेक प्रकार की भ्रातियां है उन्हें दूर करने में सहायता मिलेगी। यह बिल अधिकांग में बिल्कूल निर्दोष है और हम समझते है कि सदन के अधिकांश सदस्यों को इस बिल को स्वीकार करना चाहिये श्रीमन, पिछले समय मे बंगाल में जितनी भी पार्टियां है, उन सब पार्टियों का उद्देश्य वहां की जनता के लिये एक स्वच्छ, एक अच्छा प्रशासन देना था और इसलिए बहत सी पार्टियों ने बहुत से दलों ने मदाशयता से, ईमानदारी से, इस बात का प्रयत्न किया कि वहां पर जनता के लिये अच्छा प्रशासन मिले लेकिन इसके साथ ही कछ पार्टियों ने वहाँ पर इससे विमख होकर और दूसरी पार्टियों को राज्य सत्ता में किसो प्रकार का भाग न मिले इसलिये उन्होंने सारी सत्ता का केर्न्द्र यकरण अपनी पार्टी तक ही करके और दूनरी पार्टियों से बगावत और लड़ाई झगड़ा इत्यादि मोल लिया और इसके परिणाम-स्वरूप यह हुआ कि पश्चिमी बंगल में जहां कि एक बहुत अच्छो, मुखो और शांत कल्पना र्का जा राज्य की सकती थी वहां पर रक्तपात जारी हो गया। पिछले बारह, चौदह महीनों से श्रीमन्, सम्भवतः एक दिन भी ऐसा नही गया जब कि भारतवर्ष की जनता को, अखबार पढने वालों को कोई न कोई दिन यह समाचार न मिलता हो कि अमुक दिन आपसी सिर फुटौवल में इतने आदमी घायल हो गये, इतने आदमी मारे गये, या अश्र गैस छोड़ी गई और पुलिस की गोलियों से इतने आदमियों की मृत्यु हुई या जन हानि हुई । इसके अतिरिक्त, श्रीमन, इसका प्रभाव केवल जनता पर ही नहीं पडा। जनता के दूसरे प्रकार के कार्यों पर भी इसका प्रभाव पड़ा। पश्चिमी बंगाल जो किसी समय अपने उद्योगों के कारण बहुत

[RAJYA SABHA] Legislature (Delegation 116 of Powers) Bill, 1970

[श्री निरंजन वर्मा]

प्रसिद्ध था, केन्द्र था, पिछले एक वर्ष से वहां से उद्योगपति धीरे-धीरे खिसकते चले आ रहे हैं और अपने उद्योगों को दूसरे स्थानों पर चलाने के लिये चेष्टा कर रहे हैं। यह केवल भारतवर्ष के लिये ही दुर्भाग्य की बात नहीं है। पश्चिमी बंगाल की जनता के लिये भी यह दूर्भाग्य की बात थी कि वहां पर उद्योग-पति धीरे-धीरे पलायन करके दूसरे राज्यों में जरण लें और इससे वहां की जनता पर और नीचे की श्रेणी के कर्मचारियों पर भी प्रभाव पड़ने लगा था। वहां की दुर्दणा का चित्न इसी सदन में कई बार खीचा गया है। मान-नीय सदस्यों ने उसके बारे में चिता प्रकट की है। हम समझते है सरकार ने यह अच्छा कार्य किया कि वहां पर इस प्रकार की आपसी लड़ाई को दूर करने के लिये राष्ट्रपति राज की घोषणा की। राष्ट्रपति राज की घोषणा का स्वागत प्रजातंत्र को चाहने वाले और प्रजातंत्र में विश्वास रखने वाले व्यक्ति कभी-कभी अच्छा शगुन नही मानते और न कभी-उसको अच्छा समझते है लेकिन जब वास्तविक परिस्थितियां ऐसी आ जायें कि राज्य के संचा-लन का कार्य ठप पड जाये और संचालन कार्य आगे न चल सके तो उस समय यह अनिवार्य है कि वहां पर राष्ट्रपति के राज्य को घोषणा की जाती और यही किया गया । सरकार से हमारा यह अनुरोध है कि राप्ट्रपति राज्य उस समय तक वंगाल में जारी रखा जाये जब तक कि वहां की सिचएजन, वहां की स्थिति, नार्मल न हो जाये, सर्वसाधारण रूप में न आ जाये। वहां पर आपम में हिंसा, एक दूसरे के प्रति द्वेष भावना और न चले और आपसी टकराव की बातें पूरी तरह से निषिद्ध और बंद न हो जायें और इस कार्य के सिलसिले में जो एक एडवाइजरी कमेटी बनी है, या बनेगी, मंत्री जी ने उस के बारे में अभी बताया हम उसमें एक और सुधार की बात करना चाहते हैं । यह जो 60 आदमियों की कमेटी बनेगी उसमें पश्चिमी बंगाल के व्यक्ति तो लिये जायें लेकिन भारतवर्ष के

इस सदन के ऐसे व्यक्तियों को भी लिया जाना चाहिये जो अनुभव की दृष्टि से, प्रशासन की दुष्टि से भी, योग्यता रखते हों चाहे वह किसी भी पार्टी के हों, किसी भी मत के मानने वाले हों इसकी घोषणा भी शासन को जरूर करनी चाहिये। हम जानते है कि आगे चलकर बंगाल के बहुत से मित्न इस बारे मे आग्रह करेंगे कि राष्ट्रपति के राज्य की घोषणा को अविलम्ब हटा दिया जाये। हम समझते है कि वह इस मांग में गलती कर रहे होंगे। दूसरी बात, यदि वह यह कहें कि केवल वंगाल प्रान्त से आने वाले सदस्यों में से ही इम ममिति के सदस्यों का चयन या उनका मनोनयन किया जाय तो हम समझते है कि यह भी कोई अच्छी बात नहीं होगी।

[THE VICE-CHAIRMAN (SHRI AKBAR ALI KHAN) IN THE CHAIR]

पश्चिमी बंगाल एक प्रान्त अवज्य है लेकिन वह भारतवर्ष का एक भाग है । जगर वहां पर हिंसा-तांडव या जघन्य कार्य होते हैं तो उनका प्रभाव दूसरे राज्यों पर पड़ सकता है और पड़ता है । इसलिए वह हमारा एक अविभाज्य भाग है और बंगाल राज्य के साथ दूसरे राज्यों का भी सबंध रहता है, जनता का सुखदुख का साथ रहता है और वहां पर जो घटना घटती है उसका असर पड़ोम के प्रान्तों और इसके साथ ही साथ सारे देश पर पड़ता है। इमलिए हमारा विशेष आग्रह है कि वहां की जनता के ज्यपर ऐसा प्रशासन हो जो कि वास्तव में जनकल्पाण-कारी कहा जा सके।

वहां पर प्रेज़िडेंट रूल की जो घोषणा की गई है वह बराबर जारी रहनी चाहिये। जैसा मैने पूर्व में निवेदन किया कि वहां की स्थिति जब तक नार्मल नहीं हो जाती है तब तक वहां पर प्रेज़िडेंट का रूल जारी रहना चाहिये । इस संबंध में मेरा यह आग्रह है कि जो यह कानून आया है वह उसी समय आ जाना चाहिये था जबकि राष्ट्रपति की घोषणा वहां के संबंध मे हुई थी क्योंकि इस तरह के कानून के देरी आने के कारण वहां की जनता दारा

तरह-तरह की शंकाएं प्रकट की जा रही ह और इस सदन में भी प्रकट की गई।

मैं इस बिल का स्वागत करता हू और जो मैंने इस बिल के बारे में कहा है और माननीय मंत्री जी का ध्यान आर्काषत किया है तथा जो प्रक्रिया वतलाई है, मुझे आणा है मदन और मंत्रालय उस पर अवश्य ध्यान देगा।

SHRI BHUPESH GUPTA : Mr. Vice-Chairman, Sir, naturally we have to consider this in the light of experience. This kind of Bill has become necessary under our present set-up when President's rule is proclaimed in a State now, a suggestion has been made by my friend, Mr. Niren Ghosh, that the number, should be increased, so that at least all the Members from Bengal in the two Houses would be Members of the proposed Committee. I fully endorse the suggestion and agree with the principles underlying it. The West Bengal Assembly has not been dissolved. It has only been suspended and we shall be giving the President power to legislate. Even when Parliament is in session, the President can legislate. It is an advisory body. It does not legislate. It only gives advice or opinion on proposals for legislation. Here it is proposed that the Committee should consist of sixty Members. This is inadequate. You will not be able to accommodate all the Members from West Bengal in the two Houses and then you want also to have some people and you should have from other States at least the representatives of various parties. Therefore, the Government should not fight shy of enlarging it.

SHRI A. P. CHATTERJEE : Should all the parties be represented?

SHRI BHUPESH GUPTA : You cannot say 'No'. Surely there should be one or two representatatives. Now, I am coming to that proposition. After all, we know that in respect of a parliamentary committee the Speaker will not accept my suggestion. First of all I may not like to see some parties represented on this Committee. What you say I know.....

THE VICE-CHAIRMAN (SHRI AKBAR ALI KHAN): Mr. Bhupesh Gupta, you have to address me.

Legislature (Delegation 118 of Powers) Bill, 1970

SHRI BHUPESH GUPTA : Sir, I am addressing you spiritually and I am addressing him physically because they believe in physical things very much nowa-days.

SHRI A. P. CHATTERJEE : The CPI has become a spiritual party now.

SHRI BHUPESH GUPTA : Now, therefore, the suggestion should be seriously considered even now, at this stage. Then the Committee that you are going to form must reflet the political complexion of the West Bengal Legislative Assembly.

SHRI P. C. MITRA (Bihar): No, no.

BHUPESH SHRI GUPTA : 1.ow, it is very important. Somebody said 'No.' It should reflect the political complexion of the West Bengal Legislative Assembly. What does it mean? The West Bengal Legislature has got 280 elected Members out of whom 218 belong to the United Front and 55 to the Congress and a few odd independents here and there. Therefore, I say that the membership of the Committed should be divided in this proportion. The ratio is 4.1 that is to say, the latio should be four in favour of Members belonging to the left and democratic parties and one should come from the lightist and other parties, including the Congress. One may be from the Congress and other rightist parties.

SHRI SHEEL BHADRA YAJEE (Bihar): You are a rightist. I resen the remark that Congress is a rightist party.

SHRI BHUPESH GUPTA : Whatever it is.

SHRI SHEEL BHADRA YAJEE: We call you pseudo-communists.

THE VICE CHAIRMAN (SHRI AKBAR ALI KHAN) : No interruptions please.

SHRI BHUPESH GUPTA: In the West Bengal Assembly you are only 55, but the others are 218. Therefore, in this Committee, if it has a hundred Members, eighty really should be from the left and democratic parties in Parliament and twenty from the rightist parties including the Congress Party. New, his is my suggestion. SHRI SHEEL BHADRA YAJEE : You are a right communist.

SHRI BHUPESH GUPTA : Why I say it is this. Try to understand things. The President will pass legislation and enact laws in consulation with this Committee, which is not a legislative function in the truest sense of the term at all. Parliament has not rejected the 32-point programme of the United Front. Even the Minister himself has said that, as far as possible, he would like to implement this programme. In fact, he said he would like to implement all the pro-people programmes. Every item in the programme is pro-people. Therefore, in order to see that competent advice may come to the President with regard to the 32-point programme, within its framework, in respect of the Members of Parliament selected, the United Front must be reflected in the composition of the Committee, in the same way as it is reflected in the West Bengal Legislative Assembly, viz., 4:1. This is my suggestion. The number should be increased as I seid. New, I have some other points.

Now, I should like to know how this Committee is going to function. In the past the functioning of the Committee has been very unsatisfactory. They have met once in six months or so.

SHRI A. P. CHATTERJEE : And that elso in Delhi.

SHRI BHUPESH GUPTA : Who says it ?

SHRI LOKANATH MISRA : I do not interrupt, He interrupts you. He is interested much more. You look at me all the time.

SHRI BHUPESH GUPTA : He is right, once or twice.

SHRI KALYAN ROY: He has derailed the United Front and now let him not derail you.

SHRI BHUPESH GUPTA : My locomotion is very safe, no derailment. I am a good engine driver. Well, you do not derail.

THE VICE-CHAIRMAN (SHRI AKBAR ALI KHAN) : No interruptions.

SHRI BHUPESH GUPTA : Now S -, Committees meet in Delhi. It should

not be. Occasionally in regard to Bihar they met in Patna. Once the Committee met in West Bengal also, but that is not enough. The Committee normally should meet in Calcutta. It is absolutely essential. When Parliament is in Session, it may meet in Delhi.

THE VICE-CHAIRMAN (SHRI AKBAR ALI KHAN) : Now, you may continue on the next day. We will take up the other business. Mr. T. N. Singh.

HALF AN HOUR DISCUSSION RE. POINTS ARISING OUT OF ANSWER TO UNSTARRED QUESTION NO. 578 GIVEN IN THE RAJYA SABHA ON THE 4TH MARCH, 1970, REGARDING THE DEATH OF SHRI LAL BHADUR SHASTRI

श्री टी॰ एन॰ सिंह (उत्तर प्रदेश): वाइस चेयरमैन महोदय, मैं आज जिस प्रश्न को आपके सामने पेश कर रहा हूं उसको पेश करते हुए मेरे हृदय में तरह तरह की भावनाएं उठ रही है । बहुत तकलीफ भी हृदय में है और कुछ हिचकिचाहट भी थी कि मैं अपने पुराने साथी और भारत के एक शानदार प्राइम मिनिस्टर की मृत्यु के बारे में आज एक सवाल पेश करूं, लेकिन मैंने कर्त्तव्य समझा कि ज्यादा दिन तक चुप रहना अनुचित है, इस वास्ते मैं आपके सामने बड़े अदब के साथ उस मसले को उठाने की जुर्रत कर रहा हूं, हाउस मुझे क्षमा करेगा ।

शास्त्री जी की मृत्यु के बाद जब उनका शरीर आया तो फूलों से ढका हुआ था। ईश्वर जानता है मेरा दिल उस समय कैसा था। मैं उनके शरीर को देख नहीं पाया, मुंह को देख नहीं पाया, हिम्मत भी नहीं पड़ती थी। सांयकाल जब लोगों ने उनके शव को अपार जनता के दर्शन के लिए रखा तो मैंने देखा कि उनका चेहरा स्याह पड़ गया था, बड़ी चिन्ता हुई, लेकिन समय ऐसा था कि किसी से कहने की हिम्मत नहीं पड़ी और न ही ऐसा विश्वास हो सकता था कि ऐसे सज्जन आदमी के विषय में, जिसे लोग अजात-