

MR. CHAIRMAN : I did not permit him. He spoke in spite of my not permitting him. (Interruptions). Yes. Mr. S. N. Mishra.

REFERENCE TO CONTINUANCE OF CERTAIN MINISTERS IN THE GOVERNMENT

THE LEADER OF THE OPPOSITION

(SHRI S. N. MISHRA) : Sir, yesterday, for the first half of the day the Vice-Chairman was in the Chair. During the second half, when the hon. Deputy Chairman was in the Chair, a subject of great constitutional importance, propriety and convention was raised in this House and almost a full dress discussion took place for nearly three hours. A tremendous volume of opinion was expressed against the continuance of Dr. Chandrasekhar. Dr. Shrimati Phulrenu Guha and Shrimati Jahanara Jaipal Singh....

(Interruptions)

MR. CHAIRMAN : No discussion. I am not allowing any discussion.

SHRI A. G. KULKARNI (Maharashtra) : Sir, all these matters are being raised again and again. We are not prepared to discuss these things repeatedly. (Interruptions)

SHRI ANANT PRASAD SHARMA (Bihar) : On a point of order, Sir, when the Calling Attention Motion was taken up and when it was proposed that the discussion should take place, you very kindly gave a ruling that after the important business on the Order Paper was over, if any time was left, we could take up that question. Sir, I want to raise the point of

1 P.M.

order whether... (Interruptions). The ruling still stands and the next business should be taken up. As for this question, it has been discussed enough yesterday and we do not think it should be raised again today.

SHRI S. D. MISHRA (Uttar Pradesh) : Sir, you have allowed him to speak, and no ruling is involved in your allowing him to speak.

(Interruptions)

MR. CHAIRMAN : Please sit down. I have not permitted a discussion on this question today. Mr. S. N. Mishra wanted to say something.

SHRI ANANT PRASAD SHARMA : What is that something ?

MR. CHAIRMAN : I do not know. I am just hearing what he wants to say.

(Interruptions)

Now I have informed Mr. Mishra and he knows that in case there is something to be mentioned or a motion to be made, my previous permission should be taken. Now my previous permission was sought for a discussion and I refused it. Still... (Interruptions). Please listen.

श्री राजनारायण : (उत्तर प्रदेश) क्यों डेबिल क्यों बजा रहे हैं ? जब चेयर बोले तो किसी को डेबिल नहीं बजानी चाहिये ।

MR. CHAIRMAN : Still, if the Leader of the Opposition wants to point out something, unless I know what he has to say, I cannot ask him not to say what he wishes to say. Now it may be that he may be saying something to which I may have no objection. Now therefore I am hearing him only for the purpose of...

SHRI AKBAR ALI KHAN (Andhra Pradesh) : H.L. should go to you and take your permission.

MR. CHAIRMAN : Now permission for a discussion in regard to this matter, which was discussed yesterday, was sought and refused. For a discussion I refused. Now he wants to say something. I cannot decide whether he is entitled to what he wants to say without knowing what he has to say. Therefore I permitted him to mention about this matter.

SHRI ANANT PRASAD SHARMA : My point of order was that you gave a ruling that after the business of the House is over then you may take up any other business. That is the point of order.

MR. CHAIRMAN : This was subject to the special mentions which I have allowed and which are made always. But I have

[Mr. Chairman]

not permitted a discussion of the matter which was disposed of yesterday. I have not permitted that.

SHRI A. G. KULKARNI : I have got a point of order and I have this request to make to you. We want to hear the hon. the Leader of the Opposition and we shall come back after lunch and hear him. We shall be in a better position to hear him then. It is one of the clock already.

श्री राजनारायण : श्रीमान् : अनावश्यक ढंग से सदन के समय को नष्ट नहीं किया जाना चाहिये ।

MR. CHAIRMAN : Shall we rise for lunch or shall we dispose of this matter now ?

SHRI DAHYABHAI V. PATEL
(Gujarat) : You can dispose it of now.

SHRI S. N. MISHRA : Now I really do not know how matters stand. I must submit, Mr. Chairman, that it is only we who are expected to observe the rules and the others have a complete holiday. However, we went to observe certain standards, and if the hon. friends' think that they can, get away with it when you have not yet heard me fully and decided upon the issue I raise, it would be a hard job for them, even the highest among them, to carry on here even for a second.

SHRI SHELL BHADRA YAJEE
(Bihar) : No threats please.

SHRI M. PURKAYASTHA (Assam) :
He cannot hold out threats to us.

MR. CHAIRMAN : Please sit down.

SHRI S. N. MISHRA : I am not given to making any hollow threat. Our threats have materialised in the past.

Sir, I was recalling what happened yesterday when this subject was discussed. There is a point in it, which you would be pleased to know a little later. A tremendous volume of opinion was expressed on the subject yesterday—it is a matter of record—which you might have gone through. Then, the hon. Deputy Chairman, who happened to be in the Chair at that

time, was pleased to make certain observations. I was insisting upon making a motion purporting disapproval of the continuance of these Ministers since they ceased to be Members of the House, and one of them, was rejected at the polls also. Now the hon. Deputy Chairman was pleased to make certain observations, which seemed to satisfy us, and then there were some appeals from some of the hon. Members that I should not insist upon making a formal motion because the volume of opinion expressed in this House was bound to have its impact on the thinking of the Government. And three hon. Members, the hon. Mr. Pitamber Das, Mr. Rajnarain also impliedly, and another hon. Member. ...

SHRI BHUPESH GUPTA (West Bengal)
: I may inform you that I would not have supported the motion yesterday if I was there. I should be discounted. Please do not drag me. So far as I am concerned, I have a different point of view.

SHRI S. N. MISHRA : Did I mention his name ?

MR. CHAIRMAN : So far as I understand, he is not moving a motion.

SHRI S. N. MISHRA : I did not mention the name of my hon. friend, Mr. Bhupesh Gupta. Why is he getting excited ? How could I mention his name when he was absent ?

And the hon. Deputy Chairman was pleased to remark that the opinion expressed in this House would be conveyed—and there was a tremendous volume of opinion; there is no doubt about this to the Prime Minister. Many Members insisted that there was almost unanimous opinion in this House and it should be conveyed to Government. So we had said yesterday that the Prime Minister should forthwith terminate the membership of these three persons as Members of the Council of Ministers. That was the opinion and therefore I did not make a formal motion. We were expecting that the Prime Minister would bow to the wishes of the House unequivocally expressed, and I thought that this morning there would be some kind of statement on this subject which would

SHRI M. PURKAYASTHA : What is extraordinary ?'

SHRI ANANT PRASAD SHARMA : It is very un fail'.

which I had said that I would be making if there is no response from the Government in keeping with the wishes of the House.

"That this House disapproves of the continuance of Dr. Chandrasekhar, Shrimati Phulrenu Guha and Shrimati Jahanara Jaipal Singh as members of the Council of Ministers since they have ceased to be Members of this House."

SHRI BHUPESH GUPTA : Sir, I have a submission to make.

श्री राजनारायण : हम एक स्पष्टीकरण चाहते हैं ।

श्री राजनारायण : हम आपसे एक रिक्वेस्ट कर रहे हैं। आधा मिनट में एक सफाई हो जाय।

श्री राजनारायण : आधा मिनट में हमारा खतम हो जायगा ।

श्री राजनारायण : अब तक हो गया होता । आप हमारा सजेशन तो सुनिये ।

श्री राजनारायण : मुनिये : मैं हल्ता
नहीं करना चाहता । मैं आश्वयं-
चक्रित हूँ . . .

श्री सभापति : मैं डिस्कशन नहीं करना चाहता, मैं एक-एक मैटर को डिस्पोज़ आफ करूंगा।

श्री राजनारायण : मैं आश्चर्यचकित हूँ, आपसे एक मिनट का समय चाह रहा हूँ और आप मुझे नहीं दे रहे हैं ।

MR. CHAIRMAN : Now, please sit down.

SHRI A. G. KULKARNI : Sir, on a point of order. You are on your legs and you are going to give your ruling or your views. But in the meantime another colleague is standing up and trying to say something on the same matter. How many times are we going to hear all these things, ' ?

श्री राजनारायण : अब आप कृपा करके हमारा प्वाइंट आफ आर्डर सुन लीजिए ।

SHRI A. G. KULKARNI : When no permission has been given to Mr. Bhupesh Gupta, you cannot allow him also.

श्री राजनारायण : श्रीमन्, आपने उनको परमिशन दी है । अब आप कृपा कर के हमारा प्वाइंट आफ आर्डर सुन लीजिये ।

श्री सभापति : आप बैठ जाइये । औरों को भी सुनने दीजिये ।

श्री राजनारायण : आप हमारा प्वाइंट सुन लें, हमारा प्वाइंट आफ आर्डर सुनना ही पड़ेगा ।

SHRI A. G. KULKARNI : Sir, point of order.

श्री राजनारायण : आप उनकी सुनेंगे तो क्या यह फेवर नहीं माना जायगा ? आप बताइये कि ये तीन लोग हल्ला करें और यही लोग खड़े हो जायें तो हम क्या करें ?

SHRI AKBAR ALI KHAN : Sir, you had allowed Mr. Mishra only. You have stopped Mr. Bhupesh Gupta and so there should be no discussion on this.

श्री राजनारायण : अकबर अली खान को तो चेयर पर बैठना ही नहीं चाहिये, ही इज पार्टीजन ।

SHRI A. G. KULKARNI : My point of order is this. Sir, you allowed the Leader

of the Opposition to make his points which you thought unless you heard you could not say anything. It is all right; we do not mind it. Then you stood up and wanted to give your views. In the meantime Mr. Bhupesh Gupta stood up and you said you were not going to hear anything on this. Quite all right; we accept that. But now, Sir, again another colleague of ours, Mr. Rajnarain, wants to speak on the same thing. The whole ball is going to roll again and again on this very matter. So I would request you to give your ruling on this matter and dispose it of and not allow anybody else to have any say on this because this is the last day. Otherwise it will be a denial to the ruling party of any voice in the matter.

SHRI ANANT PRASAD SHARMA . Sir, I also stood up on a point of order.

SHRI BHUPESH GUPTA : Sir. I would like ...

श्री राजनारायण : श्रीमन्, हमारा प्वाइंट आफ आर्डर है, हम प्वाइंट आफ आर्डर पर बोल रहे हैं । भूपेश गुप्ता बैठो ।

SHRI BHUPESH GUPTA : I do not think, whenever I get up, I have to sit down all the time. I am here also with a Resolution that I want to read out.

MR. CHAIRMAN : I am allowing only-points of order; no discussion on the merits and no statement on the merits.

SHRI A. G. KULKARNI : But the points of order; no discussion on the merits according to rules. They cannot utilise that for raising a discussion.

श्री राजनारायण : मैं पहले तो आपसे एक निवेदन कर रहा हूँ, सुबह से कर रहा हूँ कि क्या सदन में आज जिस तरह की व्यवस्था हो रही है आप चाहते हैं कि ऐसे ही चले ? यह समझ लिया जाय कि केवल तीन मेम्बर ही हल्ला करना नहीं जानते हैं दूसरे भी हल्ला कर सकते हैं । अनावश्यक ढंग पर सदन की महिमा और गरिमा को इस ढंग से हल्ला कर के समाप्त न करो ।

श्रीमन्, हमारा प्वाइंट आफ आर्डर यह है कि चेयरमैन साहब बहादुर या डिप्टी चेयरमैन साहब बहादुर जब चेयर पर बैठते हैं तो उस

श्री महेश्वर नाथ कौल (नाम निर्देशित) :
बता दिया ।

SOME HON. MEMBERS : No, no.

श्री सभापति : राजनारायण जी, आपका प्वाइंट आफ़ आर्डर क्या है, वह बताइये।

श्री सभापति : यह पॉइन्ट आफ आर्डर नहीं है ।

MR. CHAIRMAN: This is no point of order.

SHRI BHUPESH GUPTA : May I have my say ?

MR. CHAIRMAN : Is it on a point of order ?

SHRI BHUPESH GUPTA : Yes', because it seems some hon. Members take the name of point of order to say whatever they like. I may also follow them.

SHRI DAHYABHAI V. PATEL: You started it.

SHRI BHUPESH GUPTA : I would not like to be disturbed. . . .

श्री राजनारायण : भूषण गुप्ता को कोई रुकावट इस समय आप करें नहीं क्योंकि भूषण गुप्त की वाणी से प्राइम मिनिस्टर को तनिक भी आंच नहीं आयेगी । उनको बोलने दीजिये ।

SHRI BHUPESH GUPTA : This is not going to deter me. This kind of slander will not deter me. All that I say is that I understand that a notice has been handed to you. Under what rule have you accepted it without notice ?

MR. CHAIRMAN : I have not accepted it.

SHRI BHUPESH GUPTA : If you have not accepted it, it has been read out. There cannot be two sets or rules. I move :

"The House is of the opinion that the Prime Minister] takes due note of the divergent and sharply contradictory views which have been expressed in regard to the continuance of Shrimati Jahanara Jaipal Singh, Dr. Phulrenu Guna and Dr. Chandrasekhar as Members of the Council of Ministers and settles the matter raised in accordance with the provisions' of the Constitution and keeping in view the norms of propriety as well as administrative efficacy."

श्री राजनारायण : मैं चाहता हूँ कि भूपेश गुप्त के प्रस्ताव को ले लिया जाये। श्रीमन्, हमारी प्रार्थना है कि भूपेश गुप्त के मोशन को आप ले लीजिये।

श्री सभापति : नहीं, नहीं ।

श्री राजनारायण : श्रीमन्, भूपेश गुप्त के प्रस्ताव पर आप क्या कहते हैं ?

श्री सभापति : बैठ जाइये, उनके पौइन्ट आफ आर्डर को सुन लें ।

SHRI BHUPESH GUPTA : I am not going to be deterred by this. Two motions are there before the House.

SHRI KRISHAN KANT (Haryana) : The question of Notice either by Mr. S. N. Mishra or by Mr. Bhupesh Gupta is not possible and does not arise because the appointments of the Ministers are imder article 75(5). When the appointments are constitutionally valid, no question of approval or disapproval can arise and no motion can be there.

MR. CHAIRMAN : Please sit down. There is no point of order.

SHRIMATI PURABI MUKHOPADH-YAY (West Bengal) : Mr. Chairman. Sir, I rise to oppose the motion just now moved by Shri Bhupesh Gupta . . .

MR. CHAIRMAN : There is no motion.

SHRIMATI PURABI MUKHOPADH-YAY : All right, but whatever he said is irrelevant, unconstitutional, illogical and illegal.

MR. CHAIRMAN : Let me say . . .

SHRIMATI PURABI MUKHOPADH-YAY : I have not finished my point of order.

MR. CHAIRMAN : What is the point of order ?

SHRIMATI PURABI MUKHOPADH-YAY : If you stand up, I have to sit down. My point of order is you have allowed Mr. Bhupesh Gupta to move his motion. . .

HON. MEMBERS : No, no.

SHRIMATI PURABI MUKHOPADHYAY : You have allowed him to speak. (Interruptions) Let me have my say. Whatever might be the point raised from yesterday, it is still being continued at the cost of a very important discussion on the issue of West Bengal affairs. I still

insist that you please put a stop to this discussion since the points raised by Mr. Gupta are mos'c irrelevant. They do not come under the provisions of the Constitution and we need not waste our time on that. The Prime Minister has every right and she enjoys the constitutional right to ask the three Ministers to continue in office. So, I do not want that the time of the House should be spent like this.

MR. CHAIRMAN : There is no point of order.

SHRI BHUPESH GUPTA : Mine is a substitute motion. If Mr Mishra withdraws his motion, my motion will not be there.

श्री राजनारायण : श्रीमन्, डिपुटी चेयरमैन यहां हैं . . .

MR. CHAIRMAN : Will you please sit down ?

श्री राजनारायण : देखिये, हम लोगों को जरा डिपुटी चेयरमैन को सुनने का मौका दीजिये कि कल सदन को क्या भावना थी । हम चाहते हैं डिपुटी चेयरमैन हमको बतायें उस वक्त इस सदन की क्या भावना थी । डिपुटी चेयरमैन के साथ इस समय अन्याय हो रहा है । मेरी पत्नी राय है कि सारे सदन की यह भावना थी कि वे मंत्री नहीं रह सकते, मंत्री परिषद में नहीं रह सकते । आप उनको सुनिये तो सही वह क्या कहते हैं ।

MR. CHAIRMAN : Now, this motion which Mr. S. N. Mishra proposes to move is rejected.

श्री राजनारायण : अफसोस !

SHRI BHUPESH GUPTA : Sir, I withdraw my motion.

श्री राजनारायण : हम उनको इजाजत नहीं देंगे विदड़ा करने की ।

श्री सभापति : अब आप खड़े क्यों होते हैं ?

श्री श्यामनन्दन मिश्र : मेरा कहना यह है कि भूपेश गुप्त जी ने जो प्रस्ताव किया है . . .

श्री सभापति : उसको भी मैंने रिजेक्ट कर दिया ।

SHRI S. N. MISHRA : We are very sorry for this. We bow to your ruling, but we are very sorry.

MR. CHAIRMAN : All right. Now, I wish to make it clear that according to the practice of this House, no motion can be moved in the House unless there is prior permission of the Chair. Now, prior permission has not been given in this case. In spite of the number of hon. Members who want to seek my permission. I have to consider on the merits whether permission should be granted or not. Now, I have considered this matter on the merits of the question. I have considered the legal position . . .

श्री राजनारायण : अब आप अपनी कहिये, लीगल बात में मत जाइये ।

श्री सभापति : आप बैठ जाइये । बीच में बोलिये नहीं ।

श्री राजनारायण : सुप्रीम कोर्ट पर छोड़िये । आप इस पर आथॉरिटी नहीं लेंगे ।

MR. CHAIRMAN : Do not interrupt me when I am standing.

SHRI RAINARAIN : Why not ? Now, in this position you are not the authority on law.

MR. CHAIRMAN : Please sit down. How do you know what I am going to say ?

श्री राजनारायण : आप चेयरमैनशिप कीजिये ।

MR. CHAIRMAN : It is not necessary for me, nor can I be required to give reasons in the House for refusal of permission in the Chamber. Now, this matter has been considered for a considerable amount of time in the House and it was discussed throughout. So far as the record is concerned, I have perused the record. Now, I have already said that I have rejected this motion and I have already said that I am not permitting any discussion on this question any more.
91RS170—3

SHRI S. N. MISHRA : One humble suggestion. So far as the rejection of this motion is concerned, you should be pleased, if not today, in the next Session of Parliament, to give the points, to give the basis on which you were pleased to reject it.

HON. MEMBERS : No, No.

SHRI S. N. MISHRA : Otherwise, keeping in view the interruptions, I am also looking forward to the lunch of the hon. Member. Mr. Chandra Shekhar, who has been good enough to invite us . . . It would not sound very well that on a motion like this there should be a bald ruling of the Chair. The Chair has power, but the Chair must sound convincing to us, while giving the ruling.

MR. CHAIRMAN : So far as this matter which has been mentioned by the Leader of the Opposition is concerned, I have already stated, and I am saying it again, that the permission has to be taken in my Chamber, not here. If any hon. Member wants to discuss any matter with me on the working of my mind, the proper place is the Chamber, not in the House. (Interruption). If the House wants to know my views on any particular matter, I am prepared to give the reasons for my ruling in the House if the matter is raised in the House, if a point of order is raised. But I take it that the House does not want a ruling on the merits. Otherwise I am prepared to give the ruling.

SHRI S. N. MISHRA : Sir, my submission is that the Government can always be protected by the Chair by such rulings.

MR. CHAIRMAN : It is for the Prime Minister or any other Minister to decide what statement, if any, they wish to make, and if they wish to make a statement, they have got to inform me and take my permission.

SHRI MAHAVIR TYAGI (Uttar Pradesh) : Sir, your ruling is final and I think your ruling in this respect is quite logical and final. Whatever you decide, without your permission we cannot bring any motion in the House. But I want one information. Yesterday the consensus of opinion was . . .

SOME HON. MEMBERS : No, no.

SHRI ANANT PRASAD SHARMA : Why should he rake up the question again? The ruling must be final.

SHRI MAHAVIR TYAGI: . . . that the views of the House as expressed might be conveyed to the Prime Minister. It was the consensus that the views expressed in the House were to be communicated. This undertaking was given by the Chair. Now, Sir, it seems there has been a lot of whipping overnight, and my friends have been whipped. Has it been conveyed? I want to know that.

श्री अवधेश्वर प्रसाद सिंह (बिहार) : जो हाउस में हुआ है वह भी सब-प्राइम मिनिस्टर साहेब के पास भेजा जाना चाहिये।

THE LEADER OF THE HOUSE (SHRI K. K. SHAH) : Mr. Tyagi's Statement is not correct because when Tyagiji asked the Deputy Chairman that it was the consensus of the House, the Deputy Chairman said, "the proceedings of the House are there and I am not here to express any opinion".

श्री राजनारायण : हम फिर आपके द्वारा सदन के सम्मानित सदस्यों से निवेदन करना चाहते हैं कि जो उधर बैठे हुये हैं वे इस सदन की हंसी जग में न करावें। मैं कल को कार्यवाही को देखकर कहना चाहता हूँ कि अगर ये तीनों मंत्री कैबिनेट में रहते हैं तो यह मामला आना चाहिये।

MR. CHAIRMAN : You do not want to make any statement?

SHRI K. K. SHAH : No.

MR. CHAIRMAN: The House stands adjourned till 2.30 P.M.

The House then adjourned for lunch at thirty-four minutes past one of the clock.

The House reassembled after lunch at half-past two of the clock. Mr. DEPUTY CHAIRMAN in the Chair.

MEMBER SWORN

Shri K. L. N. Prasad (Mysore)

REFERENCE TO PROPOSED S. S. P. DEMONSTRATION

श्री राजनारायण (उत्तर प्रदेश) : श्रीमन् . . .

श्री उपसभापति : स्टेटमेंट हो जाने दो।

श्री राजनारायण : एक मिनट, हम ज्यादा समय नहीं लेंगे। हम इतना ही निवेदन करना चाहते हैं कि सदन में हमने दो बार कहा कि 6 अप्रैल को संयुक्त सोशलिस्ट पार्टी का आल इंडिया डिमांस्ट्रेशन हो रहा है और तभी तक गवर्नमेंट ने हमें रूट नहीं बताया कि किस रूट से जाएगा और जान-बूझकर 144 धारा पार्लियामेंट स्ट्रीट और कनाट प्लेस में लगा दी है। मैं आपसे निवेदन करूंगा कि गवर्नमेंट से कहें कि 144 की छत्रछाया में यह संसद नहीं चलनी चाहिए। संसद को यह सरकार 144 धारा के अन्तर्गत चलाना चाहती है। इस ढंग से 144 धारा लगाएंगे तो हम क्या करेंगे? इसके बारे में, श्रीमन्, आप कुछ कहें।

श्री उपसभापति : जो कुछ कहना था आपने कह दिया है।

STATEMENT BY MINISTER REGARDING DECISION TAKEN BY GOVERNMENT ON THE RABI PRICE POLICY

THE MINISTER OF FOOD, AGRICULTURE, COMMUNITY DEVELOPMENT AND COOPERATION (SHRI JAGJIVAN RAM) : Mr. Deputy Chairman, Sir, the Government, after considering the recommendations of the Agricultural Prices Commission on Price Policy for Rabi Foodgrains for 1970-71 marketing season, and the views expressed by the Chief Ministers of Rabi States at a confer-