

THE MINISTER OF RAILWAYS  
(SHRI GULZARILAL NANDA) :

(a)

	1968	1969
(i) Killed	3	1
(ii) Assaulted	29	107

(b) (i) Apart from tightening up the normal Police arrangements by Government Railway Police, such as keeping watch at important stations and periodical raids to round up criminals and anti-social elements, the State Government of West Bengal have taken additional security measures by way of escorting important night passenger trains, introducing armed patrolling setting up of special camps/pickets in affected areas. Railway Protection Force re-inforcement has also been given to the Government Railway Police, West Bengal to strengthen their arrangements.

(ii) The Railway Protection Force Staff, on duty in yards or station platforms for guarding railway property, have instructions to rush to the scene of crime and render all possible help to the victims.

PERMANENT NEGOTIATING MACHINERY  
IN THE SOUTH EASTERN RAILWAY

41. DR. DEBIPRASAD CHATTOPADHYAYA : Will the Minister of RAILWAYS be pleased to state :

(a) what are the important decisions arrived at by the Permanent Negotiating Machinery (P.N.M.) in the South Eastern Railway during the last 15 months; and

(b) whether it is a fact that the officer representing the administration in the P. N. M. has, on several occasions, disregarded the decisions of that body; if so, the action Government propose to take in this respect?

THE MINISTER OF RAILWAYS  
(SHRI GULZARILAL NANDA) :

(a) and (b). Information is being collected from the Railway, and will be laid on the Table of the Sabha.

NATIONAL CENTRE FOR HANDICAPPED  
PERSONS.

42. CHAUDHARY A. MOHAMMAD : Will the Minister of LAW AND

SOCIAL WELFARE be pleased to state :

(a) whether it is a fact that the Union Government have planned to develop comprehensive national centre for four categories of handicapped persons;

(b) if so, whether that proposal was discussed in the two-day conference of State Ministers of Social Welfare held recently;

(c) the other subjects discussed in the said Conference; and

(d) how far these centres would help the handicapped persons?

THE MINISTER OF STATE IN  
THE MINISTRY OF LAW AND IN  
THE DEPARTMENT OF SOCIAL  
WELFARE (DR. (SHRIMATI) PHUL-  
RENU GUHA) : (a) Yes, Sir.

(b) The subject was discussed at the last Conference of State Ministers for Social Welfare.

(c) Other subjects discussed in the conference were in regard to various Social Welfare programmes, e.g. (1) Family and Child Welfare Programme, (2) Control of Beggary in Metropolitan cities, (3) Future of Permanent Liability Homes, (4) new set up of Central Social Welfare Board and (5) also various problems, schemes and programmes relating to welfare of Scheduled Castes, Scheduled Tribes and other Backward Classes.

(d) The National Centres will function essentially as demonstration projects with the object of stimulating the development of similar services. They will provide direct services to a limited number of blinds, deaf, orthopaedically handicapped and mentally retarded children and adults.

12 Noon

RE LATHI CHARGE ON THE  
S. S. P. DEMONSTRATORS IN NEW  
DELHI BY THE POLICE

MR. CHAIRMAN : I wish to inform hon. Members that I have admitted a Short Duration discussion notice on this Calling Attention question. Now I wish to know your pleasure whether you would like to discuss it as a Short Duration discussion or you want to have this as only a Calling Attention question.

**SHRI BHUPESH GUPTA (West Bengal) :** I should like to know one thing from you, Sir. Did the Government intimate to you that *suo motu* they would make a statement on this matter or is it that the Government is waiting for us to raise it? I should like to know what is the position. Between the time the incident happened and now, what steps have the Government taken in regard to this House in order to make it clear that the Government would itself come and explain its position. It seems that the Government does not consider it necessary to make a statement.

**श्री सुन्दर सिंह ढंडारी (राजस्थान) :** आपने शार्ट ड्यूरेशन डिक्शन इसके लिये एडमिट किया यह प्रसन्नता की बात है। लेकिन इस प्रश्न का उत्तर देने के लिये यह अच्छा होगा कि अभी तक इस घटने के सम्बन्ध में जो कार्यवाही हुई है, इस सम्बन्ध में गृह-मंत्री को जो कहना है वह पहले एक स्टेटमेंट यहाँ दे दें और उस स्टेटमेंट के बाद फिर यह सवाल सदन के सामने प्रस्तुत किया जाय।

**श्री सभापति :** मेरे पास कोई अभी तक गवर्नमेंट की तरफ से स्टेटमेंट का नहीं आया, मेरे पास शार्ट ड्यूरेशन डिक्शन का नोटिस आया, उसको हमने एडमिट कर लिया फौरन, यह कॉलिंग अटेंशन का नोटिस आया, हमने इसको भी एडमिट कर लिया। मैं यह उम्मीद करता था कि जिस वक्त कल का अटेंशन होगा तो फौरन गवर्नमेंट स्टेटमेंट देगी और इस वक्त होम मिनिस्टर साहब मौजूद हैं और वह फौरन स्टेटमेंट देने को तैयार हैं।

**विपक्ष के नेता (श्री श्यामनन्दन मिश्र) :** मुझे एक निवेदन करना है। माननीय सदस्य श्री भूपेश गुप्त जी ने बहुत वाजवी सवाल पूछा। इसमें कुछ माननीय सदस्य भी घायल हुये और हमारे हाउस के भी एक सदस्य इसमें घायल हुये। हम लोगों को उम्मीद थी—यह मामूली बात नहीं है, यह साधारण बात नहीं है, जब ऐसी घटना हो, पार्लियामेंट के बिल्कुल नजदीक हो और जिसमें पार्लियामेंट के मेम्बरान भी घायल हों, तो गवर्नमेंट की तरफ से यह

बात आनी चाहिये थी। इसको एक टेक्निकल बात कह कर के हम नहीं टाल सकते। इसके लिये ठहरना कि हम उसके लिये कॉलिंग अटेंशन मोशन दे या शार्ट ड्यूरेशन डिक्शन का नोटिस दें, मैं समझता हूँ कि गवर्नमेंट ने यहाँ भी अपने कर्तव्यों के प्रति वही अवहेलना की है जो कि पिछली बार हम लोगों ने वहाँ पर देखी थी। इसलिये आपकी तरफ से हम लोगों को उम्मीद है कि आप गवर्नमेंट को कहेंगे कि ऐसे वक्त में आपको इसका मोहनात नहीं होना चाहिये। माननीय सदस्यों की तरफ से कोई सवाल पूछा, जाय या न पूछा जाय, कोई मोशन लाया जाय या नहीं लाया जाय, आपकी तरफ से यह बात आनी चाहिये थी। अगर गवर्नमेंट यह नहीं करती है, तो मैं कहता हूँ कि अगर गवर्नमेंट की तरफ से कोई प्रस्ताव आयेगा, किसी बात पर विचार करने के लिये जो उनकी नज़र में ठीक है, तो उन हम बातों को कभी यहाँ लाने नहीं देंगे, क्योंकि हमारे माननीय सदस्य की हालत ऐसी हो जिसमें कि वह बैठे हैं, वह देख रहे हैं और उनकी तरफ से इसके लिये कोई प्रस्ताव नहीं आये, उनकी तरफ से आपके सामने कोई सुझाव नहीं आये, मैं समझता हूँ कि यह बहुत निन्दनीय है।

**SHRI BHUPESH GUPTA :** Sir, I think we are passing over this matter a little lightly because such an incident has never taken place since the commencement of the Constitution. It is unprecedented as far as this Parliament is concerned. It was the duty of the Government, Sir, to come before the House and satisfy it with regard to its position. The Government should have itself suggested that the first item on the List of Business should be a discussion on this matter on the basis of a statement given to the House by the Government. Obviously the Government thinks it is a routine matter left to the Members to raise in a suitable manner under the rules. They do not know the enormity. They are not conscious of the enormity of this matter. Therefore, I am in agreement with Mr. Misra in this matter that this matter should not be treated lightly. I think the least that you can do is to condemn the Government and pass strictures

[Shri Bhupesh Gupta]

against the Government for the cavalier manner in which it has treated this House. This is No. one.

Secondly, you will kindly call upon, if I may say so, the Home Minister to give an explanation up to date not only on what happened on the 6th and what happened since then in dealing with this matter because, certainly, a statement has appeared elsewhere on behalf of the Government. After that, naturally, we shall express our opinion on this subject. We are not here to ask questions and interrogate the Government. We are here to voice the uttermost indignation and condemnation of the entire House on the manner in which Members of Parliament have been treated at the gates of the Parliament House by the police. Nobody seems to be making amends for it. It is not a question of apologies. I should like to know how many police officials have been sacked, how many have been suspended. This thing should have been stated by the Government today. That is how the matter should be treated.

MR. CHAIRMAN : Mr. Home Minister, do you want to say anything?

THE MINISTER OF HOME AFFAIRS (SHRI Y. B. CHAVAN) : Sir, I would like to submit to this honourable House, naturally, the Government could have made a statement and the Government is willing to make a statement. But as the Calling Attention was on the Agenda Paper, I thought it would not be necessary to make it a *suo motu* statement because on a Calling Attention notice. I will offer myself for a cross-examination before the House and also I would make a statement. Also a Short Duration discussion was allowed by you. Therefore, Sir, I hope the Members will not take just a technical view of this matter . . . (Interruption) Let me complete it. As this was the first day and as the Calling Attention notice was to be reached immediately after the Question Hour there was no occasion for us to make or not to make a statement. So I would certainly make it clear to the honourable House that there is no question of treating this House in a cavalier manner. We are certainly prepared to make a statement. I am prepared to give the up-to-date information to this House if they want to discuss it further in detail. Naturally,

we are very sorry at what happened on that day to the hon'ble Members, Mr. George Fernandes, Mr. Madhu Limaye and Mr. Rajnarain also, an honourable Member of this House. I offered my apologies to that House and I am willing, not only willing but it is my duty, to offer apologies to this honourable House for what happened to the honourable Member of this honourable House . . .

SHRI BHUPESH GUPTA : What are the implications of this apology? Apology is not a matter of courtesy and gesture. I should like to know whether summary action has been taken against the high officials responsible for the tragedy. Surely the Government knows who assaulted them. I should like to know what action has been taken against them. It is being treated as a matter of courtesy and formality. This is not so, Sir. Let the Home Minister tell us in the first instance whether he knows the names of the officials, the policemen who actually participated in the assault, which they should know; otherwise it is an incompetent Ministry. If so, what action has been taken against the hooligans that were let loose on the Members of Parliament on the gates of the Parliament House?

SHRI S. N. MISHRA : With all respect to the hon'ble Home Minister himself, may I submit and seek this information from you, Sir, when the Business Advisory Committee met two days before the commencement of this Session whether there was any request from the side of the Government that this should be one of the items on the Agenda?

SHRI DAHYABHAI V. PATEL (Gujarat) : They were trying to avoid it.

SHRI S. N. MISHRA : We have been brought up in a tradition where we have got certain consideration for truth, and anybody getting away with this kind of facile explanation either deceives himself or does not want to do his duty. We cannot be taken in by this kind of explanation. The Business Advisory Committee was never confronted with any request from the Government that this item should be placed on the Agenda. Therefore, the explanation given by the Home Minister is not based on truth.

SHRI DAHYABHAI V. PATEL :

Sir, will you kindly allow me to say a word? You would kindly recall that you were kind enough to agree to our request and call a meeting of the Business Advisory Committee to decide the business for the first week. When we adjourned, it was decided that we should have some days for discussing the working of the various Ministries of the Government. The Government Whip and the Government representative were urging that this day should be given for discussion of one Ministry, as otherwise all business would be upset. It is we who went on pressing that there were many serious matters which we would want to discuss, as there would be no time to discuss these matters or the time left would be very short. Particularly, I pointed out the incident in front of Parliament in which Members of Parliament were assaulted. There was no apology forthcoming from the Government. There was, in fact, no indication that the Government was willing to have a discussion. Rather they were trying to avoid it. Therefore this apology today seems rather hollow and it will not carry conviction with the House. After what had happened in the other House, the Home Minister should have been ready to debate on this day, and a proper statement, a proper apology, should have been made in this House, particularly when one of our own Members has been brought here in this condition.

Sir, the explanation given by Mr. Chavan is absolutely unsatisfactory. The Government has behaved in a most callous way, in a most undemocratic way. No democracy functions in this way. You are trying to carry this country and the Government purely through violence. Are you learning it from the Naxalites, since you are conniving at it? I want to ask this Government.

श्री लाल आडवाणी (दिल्ली): सभापति जी, श्री श्यामनन्दन मिश्र जी ने जो बात कही है वह बहुत रिलेवेन्ट है, जिस समय पहले पहल हमारे पास लिस्ट आफ बिजनेस आई, उसमें सिवाय इसके कि गवर्नमेंट बिजनेस होगी और वहां कोई कार्लिंग अटेंशन का नोटिस नहीं था।

कोई और स्टेटमेंट गृह मंत्रालय की तरफ से होगा, ऐसी कोई सूचना वहां पर नहीं थी। इसी कारण मैंने कार्लिंग अटेंशन की सूचना दी, जिसको आपने अनुग्रह करके स्वीकार किया। शार्ट ड्यूरेशन का भी जो नोटिस दिया गया है, वह भी आपने स्वीकार किया है। अब आपने सवाल किया है कि इन दोनों में से कौन सा लिया जाय। महत्व की बात यह है कि गवर्नमेंट ने अपनी इनीशियेटिव पर यह बात क्यों नहीं रखी। संसद् के इतिहास में इतनी बड़ी घटना हो जाये, इस सदन के एक माननीय सदस्य इस हालत में यहां पर बैठे रहे और गवर्नमेंट अपनी इनीशियेटिव पर कोई बात न करे, यह तो बहुत दुर्भाग्य की बात है, बहुत शर्मनाक बात है। आज चन्हाण साहब ने श्री श्यामनन्दन जी मिश्र के कहने के बाद अभी कहा है कि क्योंकि कार्लिंग अटेंशन नोटिस आ चुका था, चूकि शार्ट ड्यूरेशन डिसकश का नोटिस आ चुका था, इसलिये हमने अपनी तरफ से इनीशियेटिव नहीं लिया? मैं समझता हूं यह किसी को गले नहीं उतर सकता। आगे चल कर उन्होंने अपोलोजी की बात कही है कि राजनारायण जी के साथ या मधु लिम के साथ या जार्ज फर्नेंडेस के साथ पुलिस ने जैसा व्यवहार किया, उसके लिये उन्हें खेद है और वह अपोलोजाइज करते हैं। मैं समझता हूं यह अपोलोजाइज करने का मौका आगे भी आयेगा, जब यह सदन इस बात को डिसकश करेगा। आज तो गवर्नमेंट की तरफ से अपोलोजी इस बात की होनी चाहिये कि उन्होंने इस बात पर इनीशियेटिव क्यों नहीं लिया। The first apology he has to give is for failing to take the House into confidence. The minimum the Government could have done was to have come before the House *suo motu* and said that because of these incidents, we have instituted this judicial inquiry. जूडिशियल इन्क्वायरी की घोषणा वहां पर कर चुके हैं, वही घोषणा यहां पर आकर करते। अपनी तरफ से इस बात पर बहस का मौका देते तो अधिक उपयुक्त होता। उचित यही है कि आज इस बारे में आप उनसे अपोलोजी लें।

**SHRI A. D. MANI** (Madhya Pradesh) : My hon. friend, Mr. Bhupesh Gupta, has raised a very pertinent point. What does the word 'apology' mean in this context ? Sir, we know that a person apologises when he does something very wrong. Does the hon. Home Minister accept the fact that the police exceeded their powers in this situation when they assaulted friends like Mr. Rajnarain, Mr. Madhu Limaye and Mr. George Fernandes ? If he accepts that position and is prepared to offer an apology to the House, the question that we would like to ask him is, what action is he going to take against the officials responsible for these disorders ?

**MR. CHAIRMAN** : The position will be known from his statement.

**SHRI MULKA GOVINDA REDDY** (Mysore) : Mr. Chairman, Sir, . . .

**MR. CHAIRMAN** : Mr. Advani has raised different questions.

**SHRI MULKA GOVINDA REDDY** : The Home Minister has come out with a lame excuse saying that there was a Calling Attention notice in regard to this subject and therefore he did not take any initiative in making a statement with regard to this question. Sir, from the brutal way in which the police had behaved on that day and particularly when they had beaten up certain Members of Parliament who are opposed to the present Government, it looks as though there was a deep-rooted conspiracy. For the entire happenings, the Home Minister should be held responsible. I would have appreciated if he had come out with the resignation of his post, if he was really feeling sorry for what happened. But only lip sympathy or saying that he apologises to the House for what had happened, etc. does not convince us. It seems that there was a deep-seated conspiracy in the Government that certain leaders of the SSP who organised the demonstration on that day should be beaten up and they should be done away with. This charge has been made by one of the Members who were beaten up. Mr. George Fernandez, I understand, the other day made this charge in the open House in the Lok Sabha that there was a conspiracy. So the Government has not come forward with any steps. Except that they are

going to appoint a Committee and that they have named the Judge who is going to sit in judgment over the incidents. I do not know what action they have taken. Have they dismissed the persons responsible for these ugly incidents that happened on that day ? It is a dastardly act. No Government worth the name can say that it is acting in a democratic manner. It is a very serious matter and you should condemn the Government for the things that have happened. And you should direct the Home Minister, if he has any sense of responsibility, to resign from his post.

**SHRI THILLAI VILLALAN** (Tamil Nadu) : Mr. Chairman, Sir, I entirely agree with the views expressed by the Leader of the Opposition and also by our hon. friend, Mr. Bhupesh Gupta. It is not a matter of calling the attention of the Government by the Members, it is a matter of calling the attention of the House by the Government. So, the Government must have come forward on the first day—because we were not in session when the brutal action by the police against the Members of this House took place—and made a statement. He has not done so. He says there are two motions before this House, one for Calling Attention and the other for a short duration discussion. These are all lame excuses. If he had come forward and said that he was prepared to make a statement, the Chair would have stated categorically that as the Minister is prepared to make a statement before the House there is no necessity for the Calling Attention Motion and also for the short duration discussion. So, my humble view on this point is he must make a statement first and we should discuss that statement by the Minister.

**SHRI NIREN GHOSH** (West Bengal) : Sir, the honourable Member, Shri Dahyabhai Patel, has raised a very pertinent point. In the Business Advisory Committee the Government did not pose this question at all. Rather they tried to bypass it. They perhaps thought that since the Lok Sabha had discussed it, the Rajya Sabha need not be taken into consideration at all, though our friend, Mr. Rajnarain is lying there like this. So, it is quite on the card that the Government's attitude is cavalier. Now he says he offers his apology. Apology for what ? Is it for his doing something wrong that Mr.

Y. B. Chavan is apologising? Or, is it that the police committed excesses and he is not responsible for the incidents, but since the police force is under him and he is responsible for it he is apologising? That is not clear. Now, particularly State violence has become the order of the day. It has now extended up to a point that Members of Parliament can be treated with impunity and violence at the gates of Parliament. So things have come to such a pass. Supposing some Members of the House of Commons were assaulted before the House of Commons, can any Home Minister continue in his office? Should not the Home Minister tender his resignation or should not the Prime Minister change him and instal another person? That becomes a pertinent question. Things have come to such a pass that they can treat the Members of Parliament like anybody and violently assault them. So, that being the question, on behalf of the entire House, you as Chairman, as the guardian and custodian of this House should direct the Government to take appropriate measures. The Home Minister and the Cabinet as a whole should be held responsible and along with them all the officers concerned must be made to make appropriate amends for these incidents.

**SHRI CHITRA BASU** (West Bengal) : Mr. Chairman, Sir, I hope the entire House will agree with me that the Government should be condemned for the manner in which a democratic movement was suppressed on the 6th April. It is the inherent right of all the political parties in the country under the present democratic set-up to mobilise public opinion, to come before Parliament as representatives of the people and to raise their voice of protest against the policies of the Government. It is a matter of great shame that the police were let loose on the peaceful demonstrators causing injuries to an honourable Member of this House and three honourable Members of the other House. And the Government has not yet come out with all the details of the facts which led to such incredible atrocities committed on the peaceful processionists on that day. The first duty of the House is to condemn the activities of the Government and also demand the resignation of Mr. Y. B. Chavan for his failure in ensuring that peaceful processions are allow-

ed to do their job before Parliament. This is the first thing which we should do. Mr. Chairman, on behalf of this House you should express the condemnation and resentment of the entire House over the actions of the Government on that particular day. Secondly, up till now we have not been informed as to the steps which have been taken by the Government with regard to those officers who were responsible for the atrocities committed on the peaceful processionists on that day. Simply we have been fed with the information that some judicial inquiry has been set up. It is not enough for the Home Minister to say merely that a judicial inquiry has been set up. The Home Minister owes an explanation to this House and he should give all the information as to the steps so far taken in this matter—how many officers have been suspended, how many officers have been taken to book, etc. All those things are necessary for the House to know. And I want that you should, Mr. Chairman, on behalf of all of us express the resentment and condemnation of the entire House over the actions of the Government on that day.

**MR. CHAIRMAN** : May I suggest one thing to the honourable Minister? I think it would be better if the honourable Home Minister makes a statement and we have a discussion instead of the Calling Attention and all that.

**SHRI S. N. MISHRA** : Well, Sir, we can do that. But one point is that the House is seized specifically of the dereliction of the Government of India in not bringing up this matter *suo motu* before this House. We are specifically seized of it and we are not going to allow it without being answered.

**MR. CHAIRMAN** : All right.

**SHRI BHUPESH GUPTA** : Two things, Sir, you should not confuse : one thing is the manner in which the Government has approached and tackled this matter on the opening day of the session, and the other is the subject-matter itself. As far as the subject-matter is concerned, we shall discuss it, and without settling that issue we are not going to pass the other business at all. That is absolutely clear. But what about the point that we have raised? You should say something, Sir, you should say something on that point. If

[Shri Bhupesh Gupta]

you think that what we have said from both sides of the House, particularly from this side of the House, is reasonable, is plausible, is valid from the point of view of public decency—let alone parliamentary rules and decorum—then, you will be called upon by your conscience and by the conventions of the House to utter a word of strong disapproval and condemnation of the manner in which the Government has approached the issue on the opening day of the session.

श्री बी० एन० संडल (बिहार): सभापति जी, जो घटना उस दिन पटेल चौक में घटी उसके बारे में मैं कुछ विशेष नहीं कहना चाहता हूँ। एक बात जिस की ओर मैं इस हाउस का, आपका और देश की जनता का ध्यान खीचना चाहता हूँ, वह बात यह है कि आज के हिन्दुस्तान के पोलिटिक्स में जो हिन्दुस्तान की प्रधान मंत्री हैं, वे प्रधान मंत्री अपनी गवर्नमेंट के क्रिटिसिज्म के सिलसिले में या उनके संबंध में जो क्रिटिसिज्म होता है, उसको वे पर्सनल क्रिटिसिज्म समझती हैं। इसका नतीजा यह होता है कि जो कुछ क्रिटिसिज्म उनका लोक सभा या इस सभा में हम लोगो या पार्टीया की ओर में हुआ है, उसको वे पर्सनल क्रिटिसिज्म समझती हैं। चूँकि पार्लियामेंट के अन्दर वे कुछ नहीं कर सकती हैं और इसीलिए पार्लियामेंट के बाहर वे कुछ कर सकने के लिए मौका चाहती हैं और यही कारण है कि उस दिन जो हम लोगो का शान्तिपूर्ण प्रोसेशन था, जो पटेल चौक तक पीसफल प्रोसेशन आया, जिसमें छोटा नागपुर और आसाम वगैरा के आदिवासी लोग थे, जिनके हाथ में तीर, धनुष और तलवार भी थी, वे सब लोग शान्तिपूर्ण ढंग से प्रोसेशन पर चल रहे थे। गवर्नमेंट के लोगो को इस बात का आश्वासन भी दे दिया गया था कि यह जलूस शान्तिपूर्ण होगा और अतः तक वह जलूस शान्तिपूर्ण रहा। लेकिन चूँकि इन्दिरा गांधी अपने क्रिटिसिज्म को पर्सनल क्रिटिसिज्म समझती हैं, उसे पर्सनल क्रिटिसिज्म लेती हैं, इसलिए इन्दिरा नेहरू ने हुक्म दिया

यह बात मैं पक्की तौर पर नहीं कह सकता हूँ, मगर इस बात की हवा है कि इन्दिरा नेहरू के इन्फ्लुएस में रहने वाले एक स्टेट मिनिस्टर की वजह से उस दिन पुलिस को इन्फ्लुएस किया गया और जान बूझ कर संयुक्त पार्टी के लीडर श्री मधु लिमये, श्री जार्ज फरनेन्डीज और श्री राजनारायण जो कि हमेशा श्रीमती इन्दिरा नेहरू का क्रिटिसिज्म करते रहते हैं, उनको मरवाने की उस दिन साजिश की गई थी। यह बात इस बात से भी मालूम होती है कि जार्ज फरनेन्डीज को मार लगने के बाद भी पुलिस उन्हें उठा कर अलग ले गई और वहाँ पर फिर उन्हें मारना शुरू किया ताकि उन्हें जान से मार दिया जाय। इसलिए मैं चाहता हूँ कि इन सब बातों के साथ-साथ इस बात की भी इन्क्वायरी होनी चाहिये कि आज जो श्रीमती इन्दिरा नेहरू का जो क्रिटिसिज्म होता है, वह उसको अपना पर्सनल क्रिटिसिज्म लेती है या नहीं लेती है और दूसरे साधनो से बदला लेने की कोशिश करती है या नहीं तथा अपोजीशन की तरफ से जो कोई बात या क्रिटिसिज्म होता है, उसको पर्सनल क्रिटिसिज्म मानती है या नहीं, इन सब बातों की भी जांच होनी चाहिये।

जैसा हमने पहले देखा कि जिस तरह का व्यवहार श्रीमती तारकेश्वरी सिंहा के साथ किया गया, श्री निर्जालगप्पा जी के साथ किया गया श्री देसाई के साथ किया गया और जो कुछ यहाँ पर हुआ है, इन सब बातों को देखते हुए यह कहा जा सकता है कि इस घटना का भी उन बातों से संबंध था।

SHRIMATI YASHODA REDDY (Andhra Pradesh): Sir, the honourable Member has made a very significant revelation just now saying that a Minister of State very near to the Prime Minister was responsible for this. I want to know the name of that Minister.

श्री बालकृष्ण गुप्त (बिहार): उनका नाम श्री विद्याचरण शुक्ल है और उन्होंने श्री चव्हाण को बदनाम करवाने के लिए यह करवाया है।

**श्री सभापति :** मैं अब श्री चव्हाण साहब से पूछ लू कि इस लिमिटेड क्वेश्चन पर चूकि डिसकशन होगा। इस लिमिटेड क्वेश्चन के पहले वे क्या स्टेटमेंट देगे कि वे इस क्वेश्चन पर क्या कहते हैं। फिर इसके बाद मैं यह समझता हूँ कि यह कहा जाय कि श्री चव्हाण साहब का स्टेटमेंट हो जाय और फिर इसके ऊपर डिसकशन हो।

**SHRI NIRMAL GHOSH :** There should be a motion for discussion.

**श्री सुन्दर सिंह मंडारी :** दूसरे स्टेटमेंट के पहले इस लिमिटेड सवाल के जवाब में श्री चव्हाण साहब का क्या कहना है, इस पर आपका क्या निर्णय है, वह बीच में आ जाना चाहिये।

**SHRI BHUPESH GUPTA :** Mr. Chairman, just one thing. It is not good for you to refer to Mr. Chavan as Chavan Sahib. You say Mr. Chavan.

**MR. CHAIRMAN :** I was speaking in Urdu and you do not know Urdu, Mr. Bhupesh Gupta. Now, Mr. Rajnarain.

**श्री राजनारायण (उत्तर प्रदेश) :** मैं आपके द्वारा सदन के सम्मानित सदस्यों से एक विनम्र निवेदन करूंगा कि जब वे इस प्रश्न पर चाहे ध्यानाकर्षण के रूप में या फिर प्रस्ताव के रूप में चर्चा करें, तो थोड़ा श्री चव्हाण साहब पर दया करें। मैं यह आपके द्वारा उनसे अपील करूंगा, क्योंकि मैं श्री चव्हाण साहब को दया का पात्र मानता हूँ। अज इस बात की ओर सदन के सम्मानित सदस्यों का ध्यान खींचना हमारा कर्तव्य है। हम संसद-सदस्य हैं, हम पर चोट पड़ गई, ठीक है, मधुलिमये संसद-सदस्य है, चोट पड़ गई, ठीक है, मार्ज फर्नान्डेस संसद-सदस्य हैं, चोट पड़ गई ठीक है। आज जो बात अभी तक इस सदन में नहीं उठी उसकी ओर मैं सदन के सम्मानित सदस्यों का ध्यान खींचूंगा और वह है अमर शहीद बिहारी लाल यादव की हत्या। हम स्वतः अपनी निन्दा क्यों नहीं करते। बिहारी लाल यादव, जो गरीब घर में पैदा हुआ, संसद-सदस्यों की सेवा में

अपने जज्बात का इजहार करने के लिए आया हो और वह इस सरकार की पुलिस के द्वारा मारा जाय, ऐसी घटना लाला लाजपत राय की हत्या के बाद यही होगी, जब पुलिस की लाठी से सार्वजनिक प्रदर्शन पर बर्बर आक्रमण हो और उसमें कोई प्रदर्शनकारी मारा गया हो। चूकि बिहारी लाल यादव गरीब घर का है, इसलिए सदन के सम्मानित सदस्य उसको न भूलें, यह हमारी उनसे करवद्ध प्रार्थना है। बिहारी लाल यादव की हत्या हो गई, वह शहीद हो गया। शहीदों के खून का अपना असर होता है। हम लोग गाते थे—“शहीदों के खून का असर देख लेना, मिटायेंगे जालिम का घर देख लेना” वही होगा। हमारा प्रस्ताव है आपके द्वारा कि बिहारी लाल यादव की हत्या पर आप कोई प्रस्ताव रखें, सदन एक, दो मिनट खड़े हो कर उसके परिवार के प्रति अपनी समवेदना प्रगट करे। पहले यह हो जाय। इसके बारे में आप जो व्यवस्था चाहे, वह व्यवस्था करें।

**MR. CHAIRMAN :** Mr. Chavan, on this limited question.

**SHRI A. P. CHATTERJEE (West Bengal) :** Why don't you resign, Mr. Chavan?

**SHRI Y. B. CHAVAN :** If I were at your mercy, possibly that would have happened. I should like to make it very clear. As the House is aware, it is a question of putting an interpretation and taking the intentions into consideration. Normally when the Government makes a *suo motu* statement, the matter never goes before the Business Advisory Committee. This is how I understood the procedure. This is the position. I was very much concerned and I knew that the House was meeting to-day and that I will have to come before the House to make a statement. You can hold me responsible for any other thing if you want but not about my attitude towards this House. I cannot even imagine any attitude of negligence or dereliction as far as this House is concerned but I knew that the Calling Attention Notice was admitted, a Short Duration Discussion was admitted and I said : "There is going to be ample time when the House will be entitled to get all



[Shri Y. B. Chavan]

the information from me and also I will subject myself to a complete cross-examination by the House and ultimately the House is free to take whatever view it likes.' There was no intention—I would like to plead with the House—of giving any cavalier treatment to this House and if at all that is the view of the House, I am very sorry for it. As far as the facts are concerned . . .

**SHRI SUNDAR SINGH BHANDARI :** Is this is the explanation that the Home Minister wishes to give? If you feel that this is proper explanation, you should decide it here and now; otherwise, the House has demanded . . .

**SHRI DAHYABHAI V. PATEL :** There was not even a hint that the Home Minister's statement was coming to-day. You are present at the meeting, Mr. Bhandari was there and I was there.

**SHRI BHUPESH GUPTA :** Quite apart from that, the statement is not in conformity with the conventions and rules of the House. In the first instance the function of the Business Advisory Committee is not to initiate the business but to allot time for regulating the business of the Government. Therefore if they had not approached the Business Advisory Committee on this subject, they are to blame, not the Business Advisory Committee. It is also a specious argument because Mr. Chavan said : 'The Calling Attention was there and the House would have ample opportunity of discussing it and also I would have a chance of making a statement'. When a railway accident takes place or certain other development takes place, within hours, the Government comes knowing fully that it would be the subject of discussion through Calling Attention and otherwise, with a statement before the House. If on matters of such importance—this is a grave matter—the Government had in the past come to the House to make a statement, sometimes on the first available opportunity, irrespective of what the Members are going to do and anticipating that it would be a subject-matter of discussion through Calling Attention or adjournment in the other House, why in this case the same practice was not followed and the convention was not followed?

Therefore the only conclusion that one can arrive at is that the Government treated this as a routine matter.

It is not a question of three M.Ps. being assaulted. Everyone of us was assaulted on the 6th at the gates of the Parliament. It submit that your yourself, Sir, were assaulted, spiritually and morally. Unless we share that assault and the agony, pain and shame of it, I think we shall not, never, be seized of the matter, in the right spirit in which one should be seized of the matter. Mr. Chavan is still thinking as if nothing had happened. Here is Mr. Chavan. On the 7th November 1966 certain things happened in front of the Parliament, the house of a certain great leader of the Congress Party was attacked and he had to tender his resignation and go away leaving the Home Ministry. People did not wait for the statement. I am not asking what Mr. Chavan or others should do. That we will consider later but I think here this was not less. It was even more. It was of no less gravity. A person was killed, coming within the premises of Parliament right under the nose of the Speaker of the House. People were assaulted mercilessly and Providence—they believe in Providence—saved Mr. George Fernandes. I had gone and seen him. Everybody saw. He would have been done to death. It was a murderous, cowardly attack, unheard of in the annals of parliamentary history and it was perpetrated in the manner it was done when the Parliament was in session. That is the gravity of the situation and I regret our Home Minister has not captured the spirit of our discussions and certainly he is not conscious of the enormity of the crime that he had committed since independence as far as this matter is concerned. Therefore, kindly save him spiritually and morally from the bog in which he had driven himself now. Therefore it is for you to give a clear direction and we shall discuss what happens now in the future but I think the Home Minister should be told by you, on behalf of all of us, that he should have behaved entirely differently even in initiating this matter in the House to-day.

**SHRI MULKA GOVINDA REDDY :** There is a clear case of dereliction of duty on the part of the Government and they have failed in their duty and they should have taken initiative in this but they have not. It is for you to condemn the action of the Government and for future guidance, such things should not happen.

MR. CHAIRMAN : This is a very serious matter and a grave matter, as the hon. Members have stated. I appreciate the depth of the feelings of the hon. Members on this matter. As it is a serious matter and you all want my ruling on this matter . . .

SHRI SUNDAR SINGH BHANDARI : No, it is not a question of ruling.

SHRI BHUPESH GUPTA : We want your views, the summing up of the views of the entire House. . .

HON. MEMBERS : We want your protection.

MR. CHAIRMAN : In what form I should give you protection? You can appreciate my responsibilities also. Whatever I say will form the precedent for the future. Therefore it is necessary for me to examine the earlier precedents also. Look at my responsibilities also.

SHRI SUNDAR SINGH BHANDARI : Allow us to condemn the Government individually before that. Then we want it to be conveyed through you.

MR. CHAIRMAN : Please listen. This side of the House has expressed its feelings very strongly on the question whether the Home Minister should have informed the House and made a statement before the Calling Attention notice came up for consideration. Now he has given an explanation. He says that in good faith he believed that when there is the Question Hour no statement can be made before the Question Hour is over. At this time he could have made the statement and he says that he believed that it would be quite proper for him when the Calling Attention notice comes up before the House. Now you want me to judge the good faith of the Minister. This is a very serious matter, because I have not to see whether in these circumstances I am competent to distrust him and to say that his assertion of good faith itself is *mala fide*.

SHRI S. N. MISHRA : Sir, . . .

MR. CHAIRMAN : Please listen to me now.

SHRI MULKA GOVINDA REDDY : Mr. Chairman, Sir, I would like to have one clarification from you. Before the Calling Attention notice did he talk to you that he is going to make a statement?

MR. CHAIRMAN : Now please listen. I have already stated, in the very beginning, that the Government had not sent any communication to me about this question. I have already stated this. Then the question for me to consider is whether the assertion of good faith made by the Home Minister is correct or not. So far as the House is concerned, it is open to the House to take that into account; to accept it, not to accept it, that is for the House. I am merely your servant and mouthpiece. Now, if you have expressed yourselves on it, he has been present when you have expressed it.

SHRI DAHYABHAI V. PATEL : Kindly voice our censure and condemnation of the Government for its indifference in this matter.

(Interruptions)

SHRI S. N. MISHRA : With all respect to you may I say that the matter is not that complicated as you have painted it to be? The facts of the matter are before you. They have happened before you. In fact these facts must have been communicated to you in some form had the Home Minister acted on this basis. Now may I submit a few salient facts, which should have weighed with the Home Minister? What the Home Minister has submitted to us is that he was confronted with a Calling Attention notice. The material point with regard to this is: when was the Calling Attention notice given and when did the Home Minister come to consider this Calling Attention notice? When did your office send it to him? Now, even after the Calling Attention notice was sent to the Home Minister, did the Home Minister send any message to the Business Advisory Committee through his representative—that is, the Minister of Parliamentary Affairs—that he would like this Calling Attention notice to be taken up? because the fact of the Calling Attention notice having been given does not make it compulsory that the Calling Attention notice should be taken up on the very first day, because it is all for your consideration and for your orders. Now, unless the request of an hon. Member is reinforced by the hon. Home Minister, one would not rest assured that it would be taken up on the very first day, that is, on the opening day. So, these are the patent facts. And yet, if the Chair does not want to give any ruling in this matter, we would be driven to the conclusion that the Chair is not being fair to the sentiments of the House.

MR. CHAIRMAN : No, no, not at all.

SHRI S. N. MISHRA: This is a matter on which one can run away from any responsibility. But we the hon. Members of this House, we cannot run away from our responsibility, and our responsibility is this: to keep the Government on the right track. Government has not come forward of its own accord, and whatever please the Government have been making, they are all unconvincing and untenable. A little candour on the part of the Home Minister that there has been a slip in this matter would have done. In this matter it was of course a mere slip on his part and one does not accuse him of any bad faith or any bad intention on his part. But we certainly accuse him of a kind of feudal lassitude, which has gripped this Government. We can accuse him of that but not of any bad intention. It is precisely this lassitude on the part of the Government which has come in for some amount of criticism in this House, and we expected, particularly at your hands, there should have been some strictures.

श्री सुन्दर सिंह भंडारी : श्रीमन्, मेरा आपसे निवेदन है कि गृह मंत्री के द्वारा यह कहा गया कि स्टेटमेंट के लिये उन्हें बिजनेस ऐडवाइजरी कमेटी के सामने उपस्थित होने की आवश्यकता नहीं थी, इससे एक चीज यह निकलती है कि शायद होम मिनिस्टर यह समझ रहे हैं कि जिस तरह से सदन के पटल पर सरकार रूटीन मैटर्स में अपने कागजात रखती है, उसी तरह से यह स्टेटमेंट भी ले कर दिया जाय टेबिल आफ द हाउस पर जिनके लिये बिजनेस ऐडवाइजरी कमेटी से पूछना नहीं होता। इससे अधिक वे इसको अहमियत देने को तैयार नहीं थे। अगर यह कालिग अटेंशन नोटिस न होता। अगर इस पर शार्ट ड्यूरेशन डिस्कशन की इंफार्मेशन आपके द्वारा सदन को न मिली होती, तो कम से कम गृह-मंत्री अपने स्टेटमेंट के आधार पर सदन में डिस्कशन के लिए तैयार नहीं थे। डिस्कशन तब हो सकता था जब बिजनेस ऐडवाइजरी कमेटी की नोटिस में ला कर के इसके लिये कोई समय लिया जाता और तब इस पर डिस्कशन का सवाल होता।

पालियामेंटी अफेयर्स के मिनिस्टर के द्वारा बिजनेस ऐडवाइजरी कमेटी की मीटिंग में स प्रकार के स्टेटमेंट पर डिस्कशन हो इस तरह की कोई मांग नहीं की गई, इसलिये मैं समझता हूं कि यह गड फेथ नहीं है, जिसके अन्दर वे प्रोटेक्शन लेना चाहते हैं। वे इस इश्यू को कम अहमियत देना चाहते हैं और उनकी यह स्ट्रेटजी है कि किसी भी प्रकार से इस सदन में इस पर डिस्कशन न हो। इसलिये मैं चाहता हू कि जिस तरह से अनेक सदस्यों ने यहां पर अपने विचार व्यक्त किये हैं, उसको ध्यान में रखा जाय। मैं समझता हू कि सरकार का यह रवैया निन्दनीय है और इस पर भरोसा नहीं किया जा सकता, इस लिये हम लोग जो सदन के इस तरफ बैठे हैं और हमने जो आपसे निवेदन किया है, उसको मद्देनजर रखते हुये आप सरकार के इस रवैये की भर्त्सना करें कि सरकार ने जान बूझ कर ऐसा किया। इतना कहने के बाद फिर आप होम मिनिस्टर को स्टेटमेंट देने के लिये आदेश दे।

श्री राजनारायण : मैं मरना पसंद करूंगा इस हालत में जिन्दा रहने में। आप हमारा फैसला समझ ले और वह कैसे होगा यह भविष्य बतायेगा। मैं आपके द्वारा यह कहना चाहता हू कि मैं कुछ सूचना माननीय सदस्यों को देना चाहता हू। यह घर मंत्री हमारे लिए तो दया के पात्र हैं, लेकिन उनका कर्म निन्दनीय है। राष्ट्रपति को 8 तारीख को हमने खत लिखा है। आपको हमने चिट्ठी लिखी है। उसमें पूरी घटना की जानकारी थी। राष्ट्रपति ने हमको जवाब भेजा है कि हमने आपका पत्र प्रधान मंत्री और घग् मंत्री को प्रेषित कर दिया। 6 तारीख की घटना है और आज 27 तारीख को सदन बैठ रहा है। आपको राज्य सभा के सभापति की हैसियत से हमने पत्र भेजा था, उपराष्ट्रपति की हैसियत से नहीं, मैं जानना चाहता हू कि क्या आपने उस पत्र को घर मंत्री के पास भेज दिया है। आपने जरूर भेजे होंगे . . .

श्री सभापति : मैंने नहीं भेजा...

श्री राजनारायण : अगर नहीं भेजा तो आपने अपने कर्तव्य को अवहेलना की है।

श्री सभापति : मेज दिया है, माफ कीजियेगा। आपने दा कापीज भेजी थी, इसलिए यह गलती हुई।

श्री राजनारायण : मैं यह समझता था कि आप जरूर भेजे गे। आपने गलती से कह दिया कि आपने नहीं भेजा।

एक माननीय सदस्य : कोई जवाब आया या नहीं ?

श्री राजनारायण : आपने भेजा, राष्ट्रपति जी की चिट्ठी पढ़ी कि हमने आपका पत्र घर मंत्री और प्रधान मंत्री को आवश्यक कार्यवाही हेतु भेज दिया है और उसके बाद भी जिसको तनाविक व्यवहार कहना चाहिये, वह घर मंत्री जी का नहीं था। घर मंत्री जी व सदन के बैठने के पहले आपको इतला करनी चाहिए थी कि उस पत्र के संबंध में उन्होंने क्या कार्यवाही की या फिर घर मंत्री जी व अपनी ओर से अगुवाई कर के इस सदन में स्वतः आ कर इस सारी घटना पर जो कुछ जानकारी मिल सकी थी उसे बताना चाहेंगे या ? ऐसा न कर के उन्होंने अपने कर्तव्य को अवहेलना की है। इसकी भर्त्सना तो होना ही चाहिये। अब किसी का इंटेशन क्या है, इसके लिए मैं आपसे प्रार्थना करूंगा कि आप किसी के इंटेशन में मत जाइये। आपके पास कोई शक्ति नहीं, कोई पावर नहीं या ऐसा कोई आला नहीं कि आप श्रीमती इंदिरा नेहरू गंधी, यशवन्तराव चव्हाण या श्री विद्याचरण शक्ल के हृदय में बैठी उनकी भावनाओं की जानकारी कर सकें, इसलिए इंटेशन में भावनाओं में जाना जनतांत्रिक पद्धति के विरुद्ध है। उनका जो कर्तव्य था, उसमें वह फेल हुए सीधे-सीधे यह बात कह कर आप आगे का काम चलाइये।

THE LEADER OF THE HOUSE (SHRI K. K. SHAH): May I point out to the Members in all humility, can it ever be imagined that in a matter of this type when all sides of the House in the Lok Sabha have expressed concern and regret there can be any intention of not coming before this House?

SHRI SUNDAR SINGH BHANDARI: At least you have not come up.

SHRI K. K. SHAH: How can anybody say. . .

SHRI SUNDAR SINGH BHANDARI: It may be your intention but you have not come; that is the fact.

SHRI K. K. SHAH: Will you kindly bear with me? I want to appeal to Members of this House. This is a question on which everybody feels.

SHRI S. N. MISHRA: Everybody may feel but. . .

SHRIMATI YASHODA REDDY: At least my hon. Leader must concede that not one Member of the ruling party for the last one hour has got up and condemned this. I do not know what happened in Lok Sabha but not one hon. Member of the ruling party here has condemned it and it is a matter of shame on the part of the ruling party.

SHRI K. K. SHAH: May I point out to Mrs. Reddy that the records of the Lok Sabha. . .

SHRIMATI YASHODA REDDY: I am telling about our House. Not one Member of your party has condemned this and it is a matter of shame.

SHRI K. K. SHAH: The time has not yet come for you to express an opinion about the attitude of Members on this side of the House. The attitude of Members of this side is bound to be the same, one of concern and regret. Even the Home Minister says, I am sorry, I had no intention whatsoever. Should we not accept the statement of any Member of this House on a matter of this type? Are we going to depart from the usual practice and convention that we have followed that when any Member makes a statement of this type that he had no intention we accept that statement? I hope and submit that the House should follow the same convention and accept his statement when he says. . .

**SHRI BHUPESH GUPTA:** Nobody is questioning the intention. The Leader of the House should have helped us. I think it was not, if I may say so, right for you to explain as if to the jury the charge. Whether it was his intention or not, nobody raised the question of intention. The issue today is not Mr. Chavan's *bona fides*. The issue today is the fact of Government's behaviour.

**SHRI DAHYABHAI V. PATEL:** Callousness.

**SHRI BHUPESH GUPTA:** Nobody said that Mr. Chavan is acting in bad faith or in good faith. We have not said anything of that kind. We have only stated how he has acted. It has got its own implications. Here the Leader of the House asks us to accept that Mr. Chavan had no bad intention. I must say that the Leader of the House is a very bad advocate for Mr. Chavan. Now that the Leader of the House has got up will he kindly tell us whether he had written a letter to you expressing his shock and horror at what happened on the 6th April? I should like to know whether the Leader of the House enquired from Mr. Chavan what action Mr. Chavan had taken at least against the police officials, the Inspector-General and other officials, who were responsible and who were present on the spot. I should like to know how many letters passed between the two. Therefore I think the Leader of the House, on his own inviting now, is also at the bar today. He should tell us what he did between the 6th April and today. Mr. Shah, you are supposed to be the Leader of the House and you got up to speak in that capacity. May I know whether it is not a fact that in regard to your colleague, the Home Minister, you remained completely silent and you did not write even a single letter on the subject in order to clear your conscience and then exhibit your cleared conscience to us?

**SHRI K. K. SHAH:** On this point also my hon. friend will be happy to know that the amount of concern that we have expressed, not only in words but also in action, both in words and action, will be an eloquent tribute to the way in which we have faced the situation when some members of the family were injured. I do not want to boast about it but the amount of care and concern that we have shown by our actions,

you can find out and you will be happy at the amount of concern shown by us.

**SHRI BHUPESH GUPTA:** Did you ask for the removal of the Inspector-General and other police officials concerned? Did you ask for punishment to those people irrespective of this enquiry? The fact of assault is not contested. It is no use touching one's heart. We do not have any process here to understand how one's heart is beating at any given moment and how it is reacting politically to a given situation. Let him tell us whether he demanded instantaneous punishment against any of those who were responsible for this.

**MR. CHAIRMAN:** All right; please sit down.

**श्री राजनारायण :** श्रीमन्, आप हमारे प्रस्ताव पर विचार नहीं कर रहे हैं। सो कह न एक लाख, हजार लिख न क कर। हमारा केवल एक प्रस्ताव है। अब सारे विवाद को छोड़िये। बिहारी लाल की मृत्यु पर यह सदन खड़ा हो कर एक मिनट तक शोक प्रस्ताव करे। बिहारी लाल यादव की मृत्यु हुई है दिल्ली में। उस समय पालियामेंट चल रही थी। पुलिस के लाठी चार्ज के कारण उसकी मृत्यु हुई। यह एक अद्वितीय घटना है, शर्मनाक घटना है और लाला लाजपत राय की मृत्यु के बाद पहली घटना है जब कि सार्वजनिक प्रदर्शन पर इस प्रकार का लाठी चार्ज हुआ है और उसमें एक आदमी शहीद हुआ है। इसलिए यह सदन कर्तव्य प्रेरित है कि उसकी मृत्यु पर सदन अपनी सहानुभूति प्रकट करे, जिससे इस देश के और इस राष्ट्र के गरीबों को अहसास हो कि अगर हम अपनी मांगों को लेकर गये और पुलिस के बर्बर और जंगली लाठी के प्रयोग से हमारी जान गयी, तो संसद के सदस्य उसके प्रति भी अपनी सद्भावना और शोक रखते हैं। इसलिए मैं आपसे अपील करता हूँ और चर्चा बाद में हो और इस शोक प्रस्ताव को पहले लिया जाय। अगर घर मंत्री कहते हैं कि उनको इसके लिए अफसोस है, वे अपोलोजी प्रकट करना चाहते हैं, तो मैं यही निवेदन करता हूँ कि हम एक

मिनट खड़े हो कर बिहारी लाल यादव, जो शहीद हुए हैं, उनके लिए शोक प्रस्ताव करे; क्योंकि अपने दग की ऐसी घटना कभी दिल्ली में हुई नहीं।

**SHRI TRILOKI SINGH** (Uttar Pradesh): Sir, I would like to have a few minutes. The attention of the House has been drawn to this as a matter of urgent public importance, nobody denies that and I would beg your permission to submit that Members on this side of the House have been equally exercised over the enormity of the excesses committed before the House of Parliament a few weeks back. And for the information of the hon. Lady Member from Hyderabad...

**SHRIMATI Y. SHODA REDDY:** I am thankful and grateful to you

**SHRI TRILOKI SINGH:** ... I would like to draw her attention also in addition to your attention that I have stood up at least half a dozen times to have my say. The simple question is that the other side thinks that the hon. Home Minister should himself have come forward with a statement about this incident before this House whereas the hon. Minister says—and he has said it repeatedly, at least twice if I have heard him correctly—that he would have done it but for the notice of this calling attention motion. If there had been no calling attention notice he would have come forward with a statement on his own. (Interrupted) I am, Sir, speaking subject to correction. I said it and I would like to repeat it again for the benefit of hon. Members opposite. The

Home Minister said it twice in P.M. this august House during this discussion that he would have come on his own, if this Calling Attention Notice had not been given.

**SHRI SUNILAR SINGH BHANDARI:** Without the permission of the Chair?

**SHRI TRILOKI SINGH:** Let me tell the hon. Members opposite that it is always there for the members of the Government if they want to make any statement on any matter...

**HON. MEMBERS:** No, no.

**SHRI TRILOKI SINGH:** I tell you I have been a Member of this House for at least a period of one year and I have had the honour of being a member of other Legislatures in this country and I know it for a fact and it is a well established parliamentary practice that if any member of the Government wishes to make any statement at any time, the Chair allows it. There is no denial of this right of the Government. Therefore, I am prepared to meet my hon. friends outside in the Lobby, take them to the Library and show them a hundred instances from the parliamentary practice of England and other places. If a member of the Government wishes to make any statement, he can do so at any time or at any hour, of course, with the permission of the Chair. Nobody denies that the Chair's permission is needed. This permission, let me repeat it again and again with all the emphasis at my command, has never been denied in the history of Parliaments in the world. Therefore, not only Mr. Bhandari is concerned at it, or Mr. Rajnarain, but the whole of the country, in so far as Behari Lal was killed. I am one of those who look upon these things with an eye that I share the sentiments not only of people here in this House, but also of those outside. I am sorry that hon. Mr. Rajnarain was beaten up, a Member of Parliament was assaulted, Behari Lal was dead as a result of injuries and so many ladies were assaulted, brutally assaulted. No reference was made in this House. Let me tell the hon. Members opposite that I am equally worried and ashamed of the happenings that occurred before Parliament on that day. Therefore, now that the Home Minister has agreed and repeatedly said that he would have made a statement, and he is prepared to make a statement, let us concede the demand. Through you I would request the Members of the Opposition, let them call upon the hon. Home Minister to make the statement and start a discussion on it.

**SHRI S. N. MISHRA:** Lest a wrong theory should come into practice, I would like to make a submission. Only when an urgent thing crops up suddenly that the Government can come up before the House and then it is the House which has every right to regulate its business. If the Government comes up with certain proposals or with certain statements, considering the urgency of the situation, the House can grant it the right to make it.

[Shri S. N. Mishra.]

Otherwise, it is the right of the House to give him time or not. That is one thing. Then whatever the hon. Member is saying is an ordinary thing. Now, the hon. Member even offered to take us to the Library without knowing the facts of the situation rightly. It is only done when a certain important thing has cropped up. Here in this case a certain development had taken place. There was a week's time and the Government should have had forethought about it and then come up before the House on the very first day, but when this intention does not seem to be reflected either in the request presented to the Business Advisory Committee or to you, we are bound to come to the conclusion that the Government did not act with that sense of urgency and duty in this matter as they should have.

MR. CHAIRMAN: Now, it does not appear to be controversial. After hearing the Government side and this side, in a case of this kind the Government should have made a statement at the earliest opportunity. The only question then surviving is whether Mr. Chavan, who has given his reasons, was acting in good faith while he did not make his statement before the Calling Attention Notice came. On that point I have heard some speeches from the Opposition side saying that the intention and good faith of Mr. Chavan is not disputed.

SHRI S. N. MISHRA: Quite right.

SHRI RAJNARAIN: I have not said that.

MR. CHAIRMAN: Therefore, I should not say anything more about the procedure which should be adopted in future in cases of this kind, because Mr. Chavan concedes that he should have placed or he should have made a statement in the House at the earliest opportunity. That is my reading of it and he is saying that he did concede it. Then, we accept the *bona fides* of his statement or his good intentions in not making the statement earlier, because he believed that there was the Calling Attention Motion coming and he would have to make a statement. Now, it may be a mistake. But if you accept his good faith. . .

SHRI S. N. MISHRA: It is a mistake.

MR. CHAIRMAN: All right. I think the matter should rest there and let us proceed with the business now. So far as the conduct of the Ministers is concerned, it is quite clear that the Ministers concerned should make a statement at the earliest possible opportunity. You have not given me time to give a ruling for future, but I am giving it just now. I wanted time to see whether the notice was served or not served, but when you say that his good intention you are not disputing, I think the matter should rest here. Now, I want. . .

श्री राजनारायण : श्रीमन्, . . .

श्री सुन्दर सिंह भंडारी : पहले कडोलैस कर दिया जाय, कडोलैस के बाद, लंच के बाद फिर और चीज ले ली जाय।

MR. CHAIRMAN: I have not heard the Leader of the House.

SHRI K. K. SHAH: So far as the death is concerned, I express not only my regret and sorrow, but on this point I have no doubt whatsoever that the convention of the House is that unless he is a Member of the House, the House does not pass a Resolution. Now, the House is its master, but once you do this there will be many such occasions. So far as the incident is concerned, as I have said, I express my regret and on this all the sides are sorry, but let us maintain the convention.

श्री राजनारायण : श्रीमन्, देखिये, बहुत ही शान्ति और कर्तव्य परायणता के साथ इसकी पूर्णाहुति हो सकती है। नेता सदन ने भी अपना अफसोस जाहिर किया। संवेदना, सहानुभूति जाहिर की। हम सब लोग करते हैं। तो अब इसमें क्या न अकत रह गई। एक हम एक मिनट के लिये खड़े हो जायें। आप कहें कि एक मिनट खड़े हो जाएं, ताकि हमारे देश का जो गरीब तबका है, वह भी समझे कि दिल्ली में पुलिस के द्वारा मारे जाने पर ससद् हमारे प्रति आसू बहाता है। यह इडगनिटी आफ दि सिंगल इंडिविजुअल्स लाइफ है, इसलिये मैं आपसे कहना चाहता हूँ, इसको सामान्य घटना न कहा जाये। मझे अफस है, नेता

सदन, क्या इस तरह की घटना आगे भी घटेगी? इस ससद् के इतिहास में ऐसी घटना कभी नहीं हुई और मैं चाहता हूँ समझदारी की तरफ से अख्तियार करें, जमसे इस तरह की घटनाओं की आग पुनरावृत्ति न हो, इसलिए सदन के सदस्यगण अब जो आज्ञा के मुताबिक एक मिनट खड़ा होकर अपना शोक और समवेदना प्रकट करें।

MR. CHAIRMAN: Now on this question whether the House should in effect pass a resolution of condolence while standing up and so on, this is a matter concerning the rights of the House, the privileges of the House, and so on. I have not yet come across a case—I am speaking subject to correction—where an individual who has met his end in a most unfortunate incident has been condoned in this manner ...

श्री राजनारायण : श्रीमन्, ऐसी घटना कभी हुई ही नहीं।

MR. CHAIRMAN: ... particularly when the very incident is going to be the subject-matter of a judicial enquiry. Now I find that although there is a proposal on this question by Mr. Rajnarain, there is some support but I am not finding that the whole House is supporting it.

श्री राजनारायण : श्रीमन्, कौन नहीं है समर्थन में, आप धन दिये तो। सब लोग हैं।

MR. CHAIRMAN: Therefore, it will be better not to prolong this matter because after the sad death in an unfortunate incident it becomes a delicate matter. That is my view.

SHRI S. N. MISHRA: May I make an appeal to my hon. friend, Shri Rajnarain? Since the hon. Leader of the House has expressed regret and his sorrow on the death of Shri Bihari Lal, I think that should be taken as an expression of sorrow and regret by all of us. We certainly would like to rally behind him on occasions—he would not do that in future, I know—but on this occasion I would like that the whole House should be taken to have been represented by him in the expression of sorrow and regret over his death.

श्री राजनारायण : श्रीमन्, हाउस की यही भावना है कि बिहारी लाल यादव की मृत्यु पर हम अपनी समवेदना और सहानुभूति प्रकट करते हुए जो हमारे नेता सदन ने कहा, उसको हाउस की तरफ से स्वीकार करते हैं। ठीक है।

MR. CHAIRMAN: It is now 1.15. May I suggest that Papers may be laid on the Table, and then after recess we should deal with the business of the House?

श्री राजनारायण : श्रीमन्, श्रीमन्। जरा मुन लीजिए। देखिये, जब सरकार की ओर से कर्तव्य की अवहेलना हो गई, तो उस अवहेलना की पूर्ती तो हम करने नहीं जायेंगे और जैसा कि मैं समझता हूँ समझदीय प्रथा को, अब कालिग अटेंशन अपने रूप में चलेगा, माननीय घर मंत्री उस पर अपना बयान करेंगे और उसके बाद जो लोगों को कहना हो कह दे। अब हम इसको डिस्कशन के रूप में चलायेंगे।

MR. CHAIRMAN: I think the proper procedure should be, subject to what the House decides, that the statement should be made by the Minister and then ...

SHRI RAJNARAIN: On the calling attention ...

MR. CHAIRMAN: Yes, yes. There is no other statement to be made. Do not get excited. That is implied. Mr. Rajnarain would read the motion. Then the statement will be made by the Minister and then the short-duration discussion will start. That is my suggestion and I hope that is accepted. Now Papers to be laid on the Table.

#### STATEMENT OF BILLS ASSENTED TO BY THE PRESIDENT

SECRETARY: Sir, I beg to lay on the Table a statement showing the Bills passed by the Houses of Parliament during the Seventy-first Session of the Rajya Sabha and assented to by the President:—

#### STATEMENT

1. The Requisitioning and Acquisition of Immovable Property (Amendment) Bill, 1970.