accordance with the claim made on the label. No physical injury or damage could have been caused by the use of these tablets since the content of active ingredient in the tablets was up to the specification.

(d) and (e) After discovery of the defect no achromycin injections were used in the hospital. However 51,000 tablets of ferrous are shown to have been issued in to the hospital record after the 'spotting' and had been noticed. Since ferrous sulphate is a fast moving item in the hospitals, it is surmised that these tablets may have been issued before the discovery of 'spotting' but were brought on record subsequently.

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POINT OF ORDER RE CALLING ATT-ENTION NOTICE TAKEN UP ON MONDAY, THE 27TH APRIL, 1970

श्री राजनारायण (उत्तर प्रदेश) : श्रीमन्, हमारा एक व्यवस्था का प्रश्न है ।

श्री समापति : क्या आर्डर पेपर के मुता-ल्लिक है कुछ ?

श्री राजनारायण : हां । मैं आप और आपके ारा सदन के सम्मानित सदस्यों से एक व्यवस्था ं प्रश्न पर विशेष निवेदन करना चाहता हूं। ऐसी व्यवस्था न हो इस सदन के बाहर इस सरकार की पुलिस डंडा चलाये और सदन के भीतर इस सरकार की तिकड़म हमारे ऊपर डंडा चलाये । मैं आपसे जानना चाहता हूं, किस नियम की तह में काम हो रहा है कि मुझे अभी तक इस सदन के अधिकार से वंचित किया जा रहा है। कल हमारे ध्यानाकर्षण के प्रस्ताव पर घर मंत्री का बयान हुआ, आपने इजाजत दी कि राजनारायण अब उस पर अपनी बात कहे। तो ध्यान आकर्षण का हमारा प्रस्ताव था, हम उनके वक्तव्य के बाद तुरन्त पूछते ौर फिर मैं अपनी बात कहता । यही आखिर है तो मैं इन पजेशन आफ द हाऊस हूं, इसके बाद उस पर कुछ बारीकी से नियमों की, कानुनों की, और अपनी जो यहां पर एक व्यवस्था ली थी, तो आपकी उस व्यवस्था पर तर्क-वितर्क प्रणाली चल गई। तो क्या उस तर्क-वितर्क प्रणाली में हमारा ध्यान आकर्षण का प्रस्ताव बिलकूल छूप जायेगा, दब जायेगा, आयेगा नहीं - मैं जानना चाहता हूं। और अब आपके द्वारा इस सदन और सरकार से भी एक निवे-दन करना चाहता हूं, कि मैं अपने कर्त्तव्य से च्युत हो जाऊंगा यदि छः तारीख की घटना पर बिना इस सदन में चर्चा करके कोई और कार्यवाही आगे बढ़ने दुंगा । तो आपसे कहना चाहता हूं : यदि 6 अप्रेल की घटना जिसमें 2,000 आदिमयों पर मार पड़ी, एक आदमी की जान गई है, हमारी टांग तोड़ी गई है, जार्ज फर्नेन्डेज एम० पी० और आल इंडिय[ा] एस० एस० पी० पार्टी के जेनरल सेकेटरी कर्पूरी ठाकुर, मधु लिमये लोक सभा के सदस्य पीटे गये हैं, अर्जुन सिह भदोरिया जिनको दो दिन तक पेशाब पाखाना नहीं हुआ, उस सब की चर्चा यहां न हो और सदन की कार्यवाही चलती रहे यह हमारे लिये लज्जा का विषय होगा, हम लोगों के लिये डूब मरने का विषय होगा । आप वह मार्ग हमें बतायें जिससे संसदीय प्रणाली में मैं अपनी बातों को इस सदन में पेश करूं। कानन की बारीकी में और सर-कार की तिकड़म में इस सदन को बांधा नहीं जा सकता और जब तक मैं जिंदा हं, बांधने नहीं दुंगा । यह मेरा आपसे निवेदन है, फिर आपकी जो भी व्यवस्था हो । मैं भुक्तभोगी हं, मैं इस सदन का सदस्य हूं । कल इस सदन में बैठते बैठते हमारे पांचों में सूजन गई...

श्री सभापति : आपसे मैंने कहा आप बैठ कर बात करिये ।

श्री राजनारायण: आपके कहने से क्या होगा ? हमारी भावना भी तो है । हम बैठ जाते हैं । हम मजबूर हो जायेंगे, ज्यादा देर तक खड़े नही रहेंगे । हमारे पांवों में सूजन आ गई कल...

श्री सभापति : मैं तो पहले ही कह दिया था आप खड़े होकर न बोर्ले।

श्री राजनारायण : हमारी भावना के साथ संविधान के साथ, जनतंत्र के साथ, देश की जनता के साथ यह खिलवाड़ किया जा रहा है। वह मुझे बाध्य करता है मैं सदन में आऊ वरना मुझे अस्पतार में रहना चाहिये । डाक्टरों की सलाह थी कि मैं न जाऊं, लेकिन मैं आया हूं कर्त्तव्य से बाध्य होकर । आप मुझे बताये कि कल जहां से विषय उठा, आज उस विषय पर चर्चा न हो औ इसरे विषय ले लिये जायं । उपसभापित से मैं बल कहा था कि मैं चेयरमैन साहब की दर्शक करता हूं कि उन्होंने एक साधु परम्पा चलायी; उन्होंने ध्यान आकर्षण भी मान लिया, उन्होंने मिनिस्टर के स्टेटमेन्ट देने के हक को भी मान लिया। जो प्रणाली उन्होंने च्यायी उस प्रणाली के द्वारा उन्होंने यह भी कह दिया कि घर मंत्री के बयान पर अब सदन...

Point of Order re

श्रीमती विद्याव रे चतुर्वेदी (मध्य प्रदेश) : आन अ पीइन्ट आफ आर्डर ।

श्री राजनारायः : यह जो नाजुक लेडी है, मैं आपके द्वा । उनको बतलाना चाहता हूं, इस देश की आ गरो में उन्होंने कितना हिस्सा बटाया है । हमने तो इस देश की आजादी के लिये कुछ किय हैं । उस आजादी को खत्म नहीं करना होग । इसलिये लीगल क्विब- लिंग की, अनाप शनाप की बातें होना . . . (1-er-uptions)

श्रीमती विद्याव शि चतुर्वेदी: आप कौन हैं रोकते वाले । चेर रमंन साहब आप रोक सकते हैं । मैं तो उनवा भावना की क़द्र करती हूं, लेकिन मैं केवल इतना कह रही थी कि क्या यह पौइन्ट आफ आर्डर है । वह कौन होते है मुझे बिठाने वा ि? आपको कोई अधिकार नहीं । मुझे बिठा की आज्ञा चेयर देगा । (nterruptions)

श्री राजनाराय र : हमने अपनी भावनाएं आज प्रकट कर दीं। मेरे ऊपर जो बीती, क्यों बीती, उसके ब रे में कहने के लिये इन तमाम कालिंग अटेन्ग्रन, स्टेटमेन्ट, आदि के अतिरिक्त भी हक रखता हूं, नियम की तह में, कि आपसे इज जन लूं कि आप मुझे मौक़ा दें कि हमारे ऊप जो बीती उस पर अपना स्पष्टीकरण करें। यह भी हमको अपने नियम की तह में एक अधिकार मिला है। इसलिये मैं सभी बातों को आपके सामने प्रकट कर दे

रहा हूं और इस डिर्टिमनेशन के साथ, इस तेज-स्विता के साथ, कि मरने तक आप उठवा कर फिकवा देंगे, ठीक, वरना जो नियम है, जो साधु परम्परा है, वही हमको कर्त्तव्य से प्रेरित करती है । मैं आपसे अनुनय विनय करके निवेदन करूंगा कि सर्वप्रथम इस दिल्ली में 6 तारीख अप्रैल को जो राष्ट्रीय सप्ताह का प्रथम दिवस था उसमें जो चोट पहुंचाई गई समाज-वाद और जनतंत्र पर उसकी चर्चा हो...

श्री सभापति : सुन लिया ।

श्री राजनारायण : और सुन लीजिए । आज कालिग अटेन्शन आपने दिया है नक्सला-इट्स के बारे में, यह कालिग अटेन्शन अधूरा हो जायेगा अगर 6 अप्रेल की घटना पर पहले चर्चा हुए बिना इस कालिंग अटेन्शन पर चर्चा होती है तो, क्योंकि 6 अप्रेल की घटना पैदा करती है नक्सलाइट को । इसलिये मैं आपसे कहना चाहता हूं, हमारे मित्र मोहन धारिया और चन्द्रशेखर भी सुनें, कि ऐसी ही घटनाएं नक्सलाइटस को पैदा करती है, पैदा करेंगी । कोई माई का लाल उसको रोक नहीं सकता अगर साधु पद्धित से जनतंत्रीय पद्धित से हमारी बातों पर आप ध्यान नहीं देते तो ।

श्री सभापति : अब आप बैठ जाइये ।

श्री राजनारायण : हम वैठे हैं।

श्री सभापित : यह जो प्रश्न श्री राजनारायण जी ने उठाया है यह एजेन्डे के किसी आइटम के ऊपर तो आता नहीं है मगर मैं यह बतलाना चाहता हूं कि जिस वक्त मुझे यह मालूम हुआ कि श्री राजनारायण जी के चोट आई है और यह इंसीडेन्ट हुआ तो मुझे बेहद दु:ख हुआ। श्री राजनारायण जी मानेंगे कि मुझे उनके चोट लगने का बहुत ही दु:ख है और इस इंसीडेन्ट के होने का भी मुझे दु:ख है। मगर मुझे कायदे से चलना है और यह मेरी एक जिम्मेदारी है।

जब मेरे पास कालिंग अटेन्शन मोशन का नोटिस आया तो मैंने फौरन उसको मंजूर कर लिया । जब मेरे पास शार्ट डचूरेशन डिस-कशन का नोटिस आया तो मैंने फौरन उसको [श्री सभापति]

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मंजूर कर लिया । जिस वक्त यह सवाल आया कि हाउस में होम मिनिस्ट्री की रिपोर्ट पर डिसफशन हो, तो उसके लिए भी मैं राजी हो गया कि आप इस सिलसिल में इस बात को भी कह सकते हैं ।

अब सवाल यह है कि कल जब कालिंग अटेन्शन मोशन आया तो उस वक्त मैंने उसको हाउस के सामने रख दिया और उसको मंजूर कर लिया और शार्ट डचरेशन डिसकशन को भी मंजूर कर लिया । तो अब आप क्या चाहते हैं ?

श्री एस० डी० मिश्र (उत्तर प्रदेश) : इस पर डिसकशन हो ।

श्री सभापित: तब उसके बाद यह मालूम हुआ कि शार्ट डचूरेशन डिसकशन चाहते हैं। मैंने कहा कि मुझे मंजूर है और यहां पर शार्ट डचूरेशन डिसकशन हो। उसके बाद मैं चला गया। उसके बाद तब यह सवाल पैदा हुआ कि शार्ट डचरेशन डिसकशन के क्या माने हैं और फिर बहुत सी बात हुई।

आज मेरे पास एक जनरल मोशन का नोटिस आया है। अब मैं इस को देखूंगा कि कल क्या हुआ है और मैं रिकार्ड़ पढ़ रहा हूं। इस वक्त जो दूसरा नोटिस मोशन का आया है, उसको मैं कंसीडर करूंगा और उस के बारे में सोचंगा। मैं यहां पर एकदम कैसे कह दूं एक ही बात का ख्याल करके और जो बातें मुझे सोचनी है उन सब को छोड़ दूं। '(Interruption) | डिप्टी चेयरमैन साहब ने कल कहा था कि जो लीडर साहबान चेयरमैन साहव से कुछ कहना चाहते हैं वे उन से कहें।

विपक्ष के नेता (श्री श्यामनन्दन मिश्र)। इस बात को मैं दुरुस्त कर देना चाहता हूं। सुझाव यह था कि चेयरमैन साहब लीडर साह-बान को आमंत्रित करेंगे। लीडर साहबान चेयरमैन साहब से मिलेंगे यह बात नहीं हुई।

(Interruptions)

भी ए० पी० जैन (उत्तर प्रदेश) : यह बात सही नहीं है।

भी श्यामनन्दन मिश्रः मैं यह देखता हूं कि आप वाइस चेयरमैन बन गये हैं। आप को इस तरह की बातें नहीं करनी चाहिये।

श्री ए० पी० जैन : जैसे आपको बोलने का हक है, उसी तरह से मुझे भी बोलने का हक है।

श्री श्यामनन्दन मिश्रः हम चेयर से बात कर रहे हैं, आप से बात नहीं कर रहे हैं।

श्री सभापितः इन सब बातों को देखने के लिए मुझे बक्त चाहियेगा और धगैर देखें मैं अपना फर्ज पूरा नहीं कर सकता हूं जब तक कि मैं इस चीज पर अच्छी तौर से गीर न कर लूं। डिसकशन मैंने एलाउ किया है लेकिन इसके लिए क्या प्रोसीजर होगा, उसके बारे में मैं सोच रहा हूं। इस बारे में जो भी लीड-रान साहब मुझ से मिलना चाहते हैं वे आकर मिल सकते हैं क्योंकि मैं अभी उठ कर चला जाऊंगा।

श्री श्यामनन्दन मिश्रः कल यहां पर जो कुछ हुआ है उसको आप देखें।

श्री सभापति : आप क्या यह नहीं चाहते हैं कि कल जो कुछ यहां पर हुआ है कम से कम उस रिकार्ड को तो मैं पढ़ सकूं और उसके बाद अपनी राय कायम कर सकूं ? मैं रिकार्ड पढ कर आपको बतला दूंगा कि इसके बारे में क्या करना चाहिये और आज जो काम है वह मेरी राय में लिया जाना चाहिये और वह चलना चाहिये।

श्री राजनारायण : श्रीमन्, हमारा एक प्वाइन्ट आफ आर्डर है । मेरे प्रश्न का उत्तर देने की आपने विशेष अनुकम्पा नहीं की । मेरा प्वाइन्ट आफ आर्डर यह है कि कल मैं सदन के पजेशन में था । कल घर मंत्री जी ने हमारे कालिंग अटेन्शन के नोटिस पर उठकर जवाब दिया और इस तरह से अपने कर्त्तव्य

का पालन किया । उसके तत्काल बाद जो कालिग अटेन्शन नोतिस था उस पर हम अपनी, बात पूछते । डा॰ अविष्ट हसैन साहब ने यहां पर एक साध बृध्दि मा परम्परा चलाई कि चुंकि इस सदन में एडबार्न गेंट मोशन महीं आ सकता है, अविश्वास का प्रसाव महीं आ सकता है इसलिए उन्होंने का लग अटेन्शन नोटिस की परिघि को इतना रहा दिया ताकि सब बातों का समावेश उसमें आ जाय । वही परम्परा यहां पर चल रही है ! नो मैं यह जानना चाहता हुं कि मेरे कार्लिम अटेन्शन नोटिस का क्या हुआ, वह कहां चला । या । घर मंत्री के वक्तव्य के बाद डिप्टी चेयर रैन कहते हैं कि मैं उठूं। आप इस सारे रिकर्ड को देख लें। मै जिस समय अपना प्रश्न ारी के लिए उठा ही था तो अपोजीशन की १ रपः से कई तरह की व्यव-स्थाओं के प्रश्न आ गये और उन व्यवस्थाओं के प्रश्नों को डिप्टा चेयरमैन साहब सूलझा नही पाये । तो मैं यह जानना चाहता हूं कि क्या मेरा वह प्रश्न पूछने का अधिकार समाप्त हो गया क्या ? ८३ तो हमारा पहला प्रश्न

दूसरा प्रश्न हम रा यह है कि आप कानून के मास्टर हैं। जेस्ट्रेस डिलैंड इज जिस्ट्रेस डिनाइड । जिस त त्कालिकता और अविलम्ब-नीयता को लेकर िरोधी पक्ष ने घर मंत्री की निन्दा करनी चाही के घर मंत्री ने स्वयं आकर 6 तारीख की घटन के संबंध में सरकार की ओर से सफाई पेश व गों नहीं की, क्या वह तात्का-लिकता और अव्तिम्बनीयता नहीं रह गई है ?

श्री सभापति : । र्हा सब कहने के लिए तो मैने मौका दिया था । शार्ट ड्यूरेशन डिसकशन के माने हर सदस्य समझता है और इसीलिए मैंने यह मौका दिया था। अगर उस मौके का उपयोग नहीं राता चाहते हैं तो में क्या करूं ?

श्री राजनारायण: आप जो कुछ कह रहे हैं वह एक प्रकार ने डिप्टी चेयरमैन के संबंध में अविश्वास की बात कर रहे हैं। परोक्ष

रूप में आप यह कह रहे हैं कि अगर डिप्टी चेयरमैन साहब सदन में व्यवस्था नही बना सक रहे हैं तो उस में चेयरमैन क्या करें । उसका मतलब तो यह हुआ कि डिप्टी चेयरमैन नाला-यक है। हमारा हक है कि मैं कालिंग अटे-न्शन के संबंध में खड़ा होकर बोलं। डिप्टी चेयरमैन साहब मुझे पुकारते हैं और उसके षाद सदन में अनेक प्रकार की व्यवस्थाएं उठाई जाती हैं। फिर भी डिप्टी चेयरमैन साहब सदन को इस रूप में नहीं ला पाये कि मैं अपनी बात कह सकूं। इन सब बातों को देखते हुए और जितनी बातें आप ने कहीं उनको देखते हुए डिप्टी चेयरमैन की कर्त्तव्य बध्दि में हीनता आई है। इसीलिए मैं आप से कहना चाहता हूं कि आप इन तमाम बातों की रोशनी में हम को बोलने के लिए मौका दें। सत्य जय होगी या जो जय होगी वही सत्य हो जायेगा। मैं चाहता हूं कि आप सत्य की जय करें। आप सत्यमेव जयते पढ़ते हैं, जयते सत्यमेव नहीं पढते ।

चेयरमैन साहब, हमारी प्रार्थना पर आप गौर करेंगे और अगर कुछ नहीं कर सकते है तो आप को हक है कि 6 तारीख की घटना पर हम को अपना स्पष्टीकरण करने का मौका दें। मैं बारबार इस सदन में कह रहा हूं कि आप हमें अपनी बात कहने का मौका दें और उसके बाद सदन जो चाहे वह फैसला करे । हमारा जो प्रदर्शन हुआ था उसमें हजारों की तादाद में दूर-दूर प्रदेशों से स्त्री और पुरुष आये हुए थे। तो मैं यह निवेदन करना चाहता हूं कि आप इस बारे में कोई व्यवस्था दें।

श्री सभापति : मेरा यही जवाव है जो मैं अभी कह चुका हूं। वह जो मोशन है उसको मैं कंसीडर कर रहा हूं, रिकार्ड को देख रहा हूं और डिप्टी चेयरमैन साहब से इस बारे में बातचीत की है। जो लीडरान साहव मुझ से मिलना चाहें वे मुझ से मिल सकते हैं, मगर आज जो काम है वह काम उसी तरीके से चलेगा जिस तरह से वह छपा हुआ है।

श्री राजनारायण : श्रीमन्, आज का काम अपनी जगह पर है और जो काम कल शुरू हुआ था और जो खत्म नहीं हुआ वहीं चलना चाहिए क्योंकि वह खत्म नहीं हुआ था।

Point of Order

SHRI NIREN GHOSH (West Bengal): Sir, what I want to bring to your notice is that yesterday the entire Opposition, all, it was our unanimous desire and we took it to be so that, after the Home Minister made a statement in reply to the Calling attention Notice, the statement would be taken into consideration and the discussion would proceed. That was our So it is our unanimous understanding. desire and I suppose the majority of the House thinks so. If you take the sense of the House, the majority of the House thinks that it should be taken into consideration on a motion, that the statement Chavan made yesterday be which Mr. taken into consideration. That was moved. The Deputy Chairman did not allow it. So it went on. Before you come to a conclusion, let there be no doubt that the entire opposition irrespective of all shades of opinion, want that that statement be taken into consideration and discussion should proceed.

SHRI MULKA GOVINDA REDDY (Mysore): When that was the unanimous demand of the entire opposition, the Deputy Chairman who was presiding did not agree to that. Then I made a suggestion that the House may be adjourned and the Chairman may invite leaders of all opposition parties and also the Minister of Parliamentary Affairs, so that they can thrash out, discuss and decide in what manner this should be discussed. But it is unfortunate that you never cared to invite the leaders of the opposition parties and also the Minister of Parliamentary Affairs to discuss this. Without discussing it, without giving any decision on this question, you have put down some other subject for discussion. It is unfair, I should say it is not proper, it is not constitutional either.

MR. CHAIRMAN : No, no.

SHRI MULKA GOVINDA REDDY: Yesterday either the matter should have been discussed in the form of a calling att-ention motion or in the form of a short-duration discussion. But the unanimous demand of the opposition was that it should be discussed on a motion to be moved which was moved yesterday. But even if you do not agree with it, you cannot do away |

with the discussion at all. Discussion must take place before any other subject is taken up today. Without that it will be irregular, unconstitutional and illegal. We cannot proceed with the discussion of any other subject without finishing discussion on that.

Calling Attention Notice

MR. CHAIRMAN Discussion I never prevented. Discussion I really allowed. The question was the form of the motion. That was the question. I never prevented discussion, and it is an erroneous impression to say that I did not want discussion.

SHRI BHUPESH GUPTA (West Bengal): Sir, this List of Business today which we have got is not in order for the simple reason that there was some unfinished business yesterday. What happens to that? It must find a place in the List of Business today since it was unfinished yesterday. Even according to you the matter was to have been discussed as a short-duration discussion. Even is not mentioned here. Therefore, seems that it has been struck out. That is not proper. An cannot be struck out. unfinished business On that ground the order paper is wrong.

Now the suggestion was made yesterday that the matter should be discussed on a consideration motion "that the House takes into consideration" and so on. After that various parties may have their various opinions. As far as the motion is concerned "the House takes into consideration the incidents of such and such date", there it ends. The Congress Party can give their amendment, I can give my amendment, anybody can give his amendment if at all anybody gives an amendment. What is the harm in having a discussion on a consideration motion? I am not suggesting a categorical motion of a particular type. I am suggesting an open, broad motion of that type which allows a discussion. After that the conclusion is to be recorded if at all on the basis of an amendment. Even that is not accepted by you. What we are concerned with is the urgency of the matter, the gravity of the issue. I think, as far as I understand, you know the sentiments of the House. Let us discuss this thing on a consideration motion. After that we shall come to a conclusion according to our different assessment. I do not see why it should not be discussed. Government itself sometimes brings a motion for consideration in the sense that "the House

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takes into consideration such and such thing". Government tself does it. The opposition Members give amendments even the Govern nent side some times brings amendme ts Take the case of Government Address.President's side brings an artendment, "having considered it the House gratefully thanks the President". I there are some Members who want to tlank the Government, they can do so. If I want to disapprove of the police actio and advise Mr. Chavan to take some action against the authorities and ensure that such things should not happen, I can de so. If somebody wants to condemn the Government as such with one word, le can do so. Why bar it? I therefor think that it is not right to just strike it out of the List of Business today. In fact it was a carryover. As to how we set about the carryover busine your ruling will be final, I realise i but none the less on the unfunished business yesterday you are requested by us and we plead with you through the D puty Chairman that you give your ru in; our direction as to how we should se about it. This is now-here in the List. some other thing is com-

SHRI S. N. MISHRA: Now, Sir, the whole thing 123 to be examined in the context of he implications which have been raised to certain hon. Members. What are the inpolications raised in this connection? The one implication yesterday was that during the course of a calling attention motion a statement was made Home Minister and after by the hon. that we wanted to get it transformed into a kind of a hort-duration discussion. That simply could not be done to the rules. So we were n a jam, there was a kind of stalemate. The could not be tranformed like tha because a statement was made by the Home Minister...

SHRI AKBAL ALI KHAN (Andhra Pradesh): May I remind you...

SHRI S. N. MISHRA : Do not remind me...

SHRI AKBAR ALI KHAN : Cannot I remind you?

SHRI S. N. MISRA: May I say, Sir, that these re the reasons why we sometimes get v ry much excited? We never hold up pe sons like this when they are speaking. Mr. Akbar Ali Khan must have patience. You come after me.

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SHRI AKBAR ALI KHAN: I am just reminding you...

SHRI S. N. MISHRA: I will have my say all the time You cannot hold me up. You are trying to be too much sycophantic.

SHRI AKBAR ALI KHAN : You have no business to say that. But may I remind you...

MR. CHAIRMAN: Please sit down.

SHRI S. N. MISHRA: Why don't you pull him up, Mr. Chairman? He must be pulled up.

MR. CHAIRMAN: I asked him to sit down.

SHRI S. N. MISHRA: After the wrong is done. I must say I must enter a caveat, a warning, that if this kind of thing goes on and the Chair does not give us protection, we will take serious, / drastic action against any person on the other side.

(Interruptions)

SHRI M. P. SHUKLA (Utter Pradesh): We do not care for your threat.

SHRI S. N. MISHRA: The Chair has to give me protection. As I was saying, it simply could not be done. The formation into a short-duration discussion could not take place because the statement had already been made by the hon. Home Minister. That was the technical difficulty with which we were confronted vesterday. After that stalemate was reached the House was adjourned.

Another thing which has been raised today by the hon. Member, Mr. Rajnarain, is that he was in the midst of his calling attention motion when the House adjourned. The House did not take any decision with regard to the other course to be adopted. So he is right in saying that he is in the midst of his calling atten-That being so, what are tion motion. we to do about it? There has been no pronouncement from the Chair that that thing is being held over. Under the blanket powers enjoyed by the Chair although of course it would not be right to do that under the except powers enjoyed by the Chair--probably that could be held over on a statement from the Chair. But that statement has also not been made. So the hon. Member is quite competent [Shri S. N. Mishra]

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in raising this point that when he was in the midst of his calling attention motion he must be allowed to go on with calling attention motion. That is number one. If you are going to take more time about the form of discussion that should take place, then the whole question is whether you can do that in the way in which you have sought to do it or whether you can do it only by an appeal to the House that you quite realise the position that there was a calling attention motion that was continuing. that position must be made absolutely clear that the Calling Attention Motion is continuing. About that there can be absolutely no doubt.

Point of Order re

Then, Sir, the second thing which had happened was that after the hon. Home Minister had his statement, I came up with a formal motion that the statement of the hon. Home Minister be taken into consideration Now, it is a different matter that I wanted to exert the right Member to bring up any of an hon. motion and to that right, I was sticking with tenacity all the time. But I also wanted to resolve the technical difficulty that has arisen because no discussion could take place unless there was a formal motion on that. That could not be transformed simply into short duration discussion because the statement has already been given. I want to resolve this difficulty simultaneously with my intention to deplore the action of the Government may be later on. But it was a simple, innocent motion made at that time that the statement made by the hon. Home Minister be taken into consideration. Now, I ask you, since yesterday that occupied quite a lot of time of the House, whether the hon. Home Minister should have come out suo motu or not with a statement on the sad incident and it was recognised by everybody including the Home Minister that he should come out with a statement suo motu. I ask you a definite, clear, categorical question. If that were so, which was the most desirable thing to be done that the hon. Home Minister should have made a statement--how would the discussion have proceeded except in form of a motion for consideration. That motion for consideration could have come from the other side of the House. May be, that motion for consideration might be made by the Home Minister himself. But if that were so, then what is the hitch, what is the difficulty in getting a motion in order to enable us to resolve

this technical deadlock in which we find ourselves at the present moment? Then, with that, there is another question when many of us or rather the whole House said as it was asserted yesterday from the other side of the House also, that the whole House stands aghast at the incident that had taken place, what is the difficulty in bringing up any motion for consideration of this sad incident which took place on the 6th April? Now, if that is not done, I must say that you would be denying us the right to bring up any motion on a matter of such importance, the importance of which has been recognised by everybody and which has been declared to be very sad, shocking and outrageous by everybody. If you deny us this right, then, you would be denying the House a vital function which it has to perform. And therefore (Intrruptions) No, what I am saying is, why should there be this reticence? It is a unanimous opinion. As the hon. Mr. Rajnarain has said if this matter is delayed further, we would be feeling that justice has been denied to us. We are asking for a simple thing, we are making a simple request that you should concede us the right to make a motion with regard to this. And there is nothing to be read into this kind of motion. It resolves the difficulty; at the same time it conforms to the wishes of the majority or, shall I say, even to the unanimous opinion of the House it conforms to the wishes of the whole House, as I see it. Then there should not be any difficulty and we can proceed it even now. Even now, you can proceed with it, because the business is continuing and there has been no announcement from the Chair that this matter is being held over for some other consideration. announcement has not been made.

SHRI MAHAVIR TYAGI (Uttar Pradesh): Does the Leader of the House say anything?

THE LEADER OF THE HOUSE (SHRI K. K. SHAH): I have to say, Sir, that so far as the discussion is concerned, you can permit it any time and I do not want to stand in the way of the discussion. But I do want to point out and I want to beg of the House that there are certain principles laid down which are also defined in the Rules of the Lok Sabha. And I beg of the Leader of the Opposition also because this is the consensus of the House and not of one individual party or individual group. When there is a judicial inquiry, discussion cannot take place . . . (Interruptions)

Please bear with me Can I not beg of the Leader of the Opposition to extend to me the courtesy to make a submission? I am reading Ful: 188 of the Lok Sabha—I am not sa ing it on my own. I am reading what has been defined in detail herein—

"No motion which seeks to raise discussion on a natter pending before any statutory authority perfor ing any judicial or quasi-judicial fit tetions or any commission or court of enquiry appointed to enquire into or investigate, any matter shall or marrly be permitted to be moved".

SHRI Z. A. Al-MAD (Uttar Pradesh): I would like to know why they accepted the Calling Atten io 1 Motion.

SHRI BHUPF SH GUPTA: Mr. Chairman, the Leader of the House may make any submission. But is it the contention of the leader of the House...

SHRI K. K. SHAH: Do not draw your conclusion tell you have heard me. Will you kindly ear me and then raise your point of ord ref. I am showing the way. Therefore, in lly hear me. In view of all these difficult problems. I would request you, Sir to call the leaders of all the parties into your Chamber between one and two or at wo or just now. Healthy traditions have be en built up in the past on the other side. I understand the feeling also and let is ind out a way which will meet your p int of view and which will also save the healthy traditions of the House, The efore, Sir, I would request that all of them shall be called.

SHRI MAH WIR TYAGI: The Lok Sabha whos Rules you have quoted has already hal a discussion on this issue. It has a ready discussed this.

SHRIK. K. HAH: At that time no Commission wa appointed. Now, the Commission has been appointed already. Even then I sa ...

SHRI JAIR MDAS DAULATRAM (Nominated): The Lok Sabha did not pass any motion.

SHRI BHUPESH GUPTA: Sir, I would request you not to entertain the argument given by the Leader of the House. If what Mr. Salt has said were to be accepted, then we cannot even raise it as Calling Attention Motion or half-an hour issussion, as night be suggested. After

all, the procedures will be the same, the discussion will be the same, whatever name you will give it.

SHRI K. S. CHAVDA (Gujarat): In regard to the riots at Ahmedabad we had a discussion in our House. A Judicial Commission had been appointed at that time. Sir, I raised a point of order but then you ruled it out and the motion was allowed to be discussed, and the discussion did take place in this House. Now, how can you reject this?

SHRI BHUPESH GUPTA: The trouble with the Leader of the House is that he is completely ignorant of what has happened in the past Mr. Shah means well. But he is completely ignorant of the fact that we have discussed such things on many occasions, and it is not any interference with the administration of justice or the work of the Commission. We are expressing opinions. What opinion will be expressed ultimately in the form of a resolution or amendment, well, we shall see about it later on. But all that we say is that we take into consideration his statement. Government can give a statement. I will have my say. Others will have their say. Having done it, then will come the pronouncement if at all. Therefore, Sir, you need not call us needlessly at this subject. The motion is absolutely non-controversial...

MR. CHAIRMAN: No, no ...

SHRI BHUPESH GUPTA...and it should be considered. The statement should be taken into consideration. Controversy will arise only when the amendment comes. It is a non-controversial motion, The Government should welcome a non-controversial motion. Or do they want a controversial motion?

Here is a Government which does not know how to make selections from its own points. Therefore, Sir, we had been extremely reasonable. We have taken note of the apology by Mr. Chavan. We have not questioned his bona fides even. We have taken note of so many things—a Commistion has been appointed. When the amendments come we shall keep everything in view. Now face the disucssion. Therefore, you kindly go into the matter.

SHRI M. N. KAUL (Nominated): I have watched the proceedings for the last two days with great care. The matter lies within a narrow compass. So far as

[Shri M. N. Kaul]

my recollection goes, when you were presiding in the morning yesterday, there was a clear understanding that there will be a Short Duration discussion. What is involved in a Short Duration discussion is that there will be a discussion and voting. The proposal that was made after lunch yesterday, was in the form of a motion for consideration where amendments can be moved. The whole object is that there should be voting after the discussion. So there is a sharp division of opinion on that point. The two are quite distinct. The reason, I presume, why you ruled in favour of raising a discussion without voting-let us be quite clear about itwas that the matter was under enquiry with wide terms of reference.

SHRIMATI YASHODA REDDY (Andhra Pradesh): He never said that.

SHRI M. N. KAUL: No, no. That is my presumption. I am entitled to an expression of my opinion.

MR. CHAIRMAN: Let him be given a fair chance.

SHRI M. N. KAUL: That was a form appropriate and suited to the present occasion because the matter was under enquiry. The rules do not prohibit Members from expressing their own version of facts, from dilating on the subject at length. What was indicated by your decision was that there will not be a motion and there will not be voting presumably because the matter was under enquiry and the established facts are not before the House. Some of the facts and the opinions may be established later on. Every Member has expressed regret over what happened. The administration may be But appropriate theblameworthy. occasion for it will arise when the established facts are before us.

Now, the Leader of the House has cited a rule from the Lok Sabha. It is true that there is no counterpart of that rule in the Rajya Sabha. I was myself responsible for the recommendation and insertion of the rule. The rule was inserted as a form of established Parliamentary procedure. Now it is open to you to follow that rule and adopt it as a matter of Parliamentary practice. It does not invent anything. It merely state the practice for the sake of clarification.

It has been repeatedly said that power belongs to the House. Of course, it belongs to the House. But for the time being under the rules framed by the House you are exercising those powers not personally but as representing the whole House, and you have to weigh the whole thing.

(Interruptions)

श्री राजनारायण : श्रीमन्, प्वाइंट आफ आर्डर ।

SHRI M. N. KAUL: Let me have my say. I am not opposed to a conference ... (Interruptions) Let me proceed. I know that procedure cannot be divorced from politics. The two are mixed up, they are inseparable. Procedure and politics in this case are mixed up. The entire Opposition is united on one procedure. Now the question is...

SHRI RAJNARAIN: On a point of order: ...

SHRI M. N. KAUL .. Let there be a conference to thrash out the matter. I do not know whether it is possible to devise an agreed motion. But we should try, as far as possible. to meet the wishes of of the Opposition and devise a form of words to which you. Sir. will be agreeable, and it will meet the ends of the case.

श्री सभापति : श्री राजनारायण ।

श्री राजनारायणः श्रीमन्, आप खुद ही सोचें कि प्वाइन्ट आफ अर्छर पर हमको बुला कर के अब क्या करेंगे।

श्री सभापति: उस वक्त वह बोल रहे थे, वह बैठे नहीं।

श्री राजनाराएण : आप खुद सोचें कि आप हमारे लिये ही सक्षम है या कौल साहब ऐसे व्यक्ति के लिये भी सक्षम हैं। हम तो खुद ही इस समय असक्षम हैं।

श्री सभापति : आप बोलिये भी ।

श्री राजनारायण: हमारा ष्वाईन्ट आफ आर्डर उन्होंने खत्म ही कर दिया। मैं यह कहना चाहता हूं कि श्री कौल साहब एक नामिनेटेड मेम्बर हैं, वह पालिटिक्स को डिफेम करने की कोशिश बार बार इस सदन में न किया करें। पालिटिक्स को डिफेम किया उन्होंने। मैं आपसे

यह जानना चाहता : कि क्या इस सदन में. इस दनिया में, कोई है नी चीज है जो कि पालि-टिक्स से अछती हो । एक नानसेंसिकल टाक करना है कि पालिल्क्स को ले कर के कोई काम नहीं होता ।

श्री महेश्वर नाथ कौल : मैंने कहा कि इनसेपेरेबिल है, प्रोसं जर एंड पालिटिक्स इन-सेपेरेबिल है । आप मेरे लफ्जों को तोड-मोड कर बात न करिये

श्री सभापति : आपको प्वाइंट आफ आर्डर पर क्या कहना है '

श्री राजनारायण मेर/ प्वाइंट आफ आईर यह है कि अब आ अयों इस डिसकशन को ज्यादा बढा रहे हो में समझता था कि कौल साहब जब बोलेंगे हो जो इसका गढ तत्व है उसको पकड कर के बोलेंगे क्योंकि इतने दिनों तक वह लोक सभा के सेकेटरी रहे हैं। मैं असमर्थ हं, मैं समझ नहीं पा रहा हं, कि मैं आपको अपनी बात क्यों नही समझा पा रहा हं । आज आपके मामने केवल हो ही विकल्प हैं और इसी पर आपको फैसला लेला है कि आया हमारा कल का प्रस्ताव का निग अटेंगन के रूप में आज चलेगा या वह डिम् इधन के रूप में चलेगा। यही फैसला होने वे निये कल सदन आज के लिये उठा । इसी पः आपको अपनी आज व्यवस्था देनी है । तहा मदन न मालम कहां इधर मे उधर चर पर्ये । नेता सदन, नेता सदन, नेता सदन, 'धर बैठिये ।

श्री सभापति: अत्र आप बैठ जाइये । श्रो राजनः एकः : जरा मून लीजिये श्री सभापति : अब कहां तक सुनें ।

श्री राजनारायण : हमारे साथ कितना अन्याय होगा•आप समझ नही पाते । मैं कहना चाहता हं कि गुद्ध मंसदीय प्रथा चलानी है तो उसको शुद्ध बद्धि में। भी चलानी होगी । आज आपने अखबारों के पढ़ा है, दिल्ली से जितने भी अखबार निकल रहे हैं बाहर के लोग दिल्ली के अखबारों को पढ़ कर क्या नतीजा निकाल सकते हैं कि कल नदन में क्या घटना घटी। मैं चाहता हं कि आप अपने मेन्नेटैरियट को यह आदेश करें. क्योंकि यह आपका कर्तव्य है, कि इस सदन में जो बातें हो उसका सही प्रतिनिधित्व हो । सनिये, एक अखबार ने लिखा : राजनारायण व्हील चेयर मे लोक सभा में ले जाये गये । यह फांट पेज पर है । आपके सेकेटैरियट को उसको क्वेश्चन करने का. उसका खंडन करने का. कोई महत्व नहीं मालम होता है। पढ लीजिये आप ।

Calling Attention Notice

श्री सभापति : अच्छा, अब बैठिये ।

श्री राजनारायण : मनिये एक मिनट । एक अखबार ने यह लिखा है कि राजनारायण चमकीली छड़ी ले कर चले । मैं उनको बताना चाहता हं कि यह दखदायी छड़ी है। यह दखदायी छड़ी है, चमकीली छड़ी नहीं है और यह अस्पताल ने बनाके हमको दी है हमारी यह छडी नहीं है, यह अस्पताल ने बना कर के दी है।

श्री सभापति : अब आप बैठ जाइये राजनारा-यण जी।

श्री राजनारायण : क्या आप चाहते है कि यह व्यवस्था है, आप चाहते हैं कि क्या आज बहम न हो। वहस न हो और तमाम अखबारों से गलत वर्जन जाये

श्री सभापति : अब आप बैठ जाइये।

श्री जेड० ए० अहमद: जनाव, अव हाउस को एडजार्न करें और चैम्बर में वलायें।

श्री राजनारायण: ...और जो समाचार-पत्नो के द्वारा इनका सूचना विभाग गलत खबर छपवा रहा है उसके बारे में हम अपनी बात न कहें। इसलिये मैं चाहता हं...

श्री सभापति : अच्छा, अब आप बैठिय । (Interruption)

No more. I adjourn the House up to 2 o'clock and I request the leaders of the various groups to see me in the Chamber just now.

> The House then adjourned at fifty minutes past twelve of the clock.

The House reassembled after lunch at two of the Glock, Mr. Deputy Chairman in the Chair.

ANNOUNCEMENT RE CALLING ATTENTION NOTICE ADMITTED FOR TUESDAY, THE 28TH APRIL, 1970

MR. DEPUTY CHAIRMAN: The Calling Attention Notice which was fixed today for regarding the growing Naxalite activities in West Bengal, etc. will be taken up tomorrow.

Now we proceed with Papers to be laid on the Table.

PAPERS LAID ON THE TABLE

- I. Annual Report and Accounts (1968-69) of the Hindustan Insectisides Limited, New Delhi together with the Auditors' Report on the Accounts
- II. ANNUAL REPORT AND ACCOUNTS (1968-69) OF THE HINDUSTAN ANTI-BIOTICS LIMITED, PIMPRI, TOGETHER

WITH THE AUDITOR3' REPORT ON THE ACCOUNTS

THE DEPUTY MINISTER IN THE MINISTRY OF HOME AFFAIRS (SHRI K. S. RAMASWAMY): Sir, on behalf of Shri D. R. Chavan, I beg to lay on the Table, under sub-section (1) of section 619A of the Companies Act. 1956, a copy each of the following papers:

- (a) (i) Fifteenth Annual Report and Accounts of the Hindustan Insecticides Limited, New Delhi, for the year 1968-69 together with the Auditors' Report on the Accounts.
- (ii) Review by Government on the working of the Company.

[Placed in Library. See No. LT-3314/70 for (i) and (ii)]

- (b) (i) Fifteenth Annual Report and Accounts of the Hindustan Antibiotics Limited, Pimpri, for the year 1968-69 together with the Auditors' Report on the Accounts.
- (ii) Review by Government on the working of the Company.

[Placed in Library. See No. LT-3314/70 for (i) and (ii]

REPORT OF THE INDIAN DELEGATION TO THE 22ND WORLD HEALTH ASSEMBLY

THE MINISTER OF HEALTH AND FAMILY PLANNING AND WORKS, HOUSING AND URBAN DEVELOP-MENT (SHRI K. K. SHAH): Sir, I beg to lay on the Table a copy of the Report of the Indian Delegation to the 22nd World Health Assembly held at Boston, Massachusetts, U. S. A. from July 8 to 25, 1969. [Placed in Library. See No. LT-3368/70]

THE INCOME-TAX (SIXTH AMENDMENT)
RULES, 1969

THE MINISTER OF PARLIAMENTARY AFFAIRS AND SHIPPING AND TRANSPORT (SHRI K. RAGHURAMAIAH): Sir. on behalf of Shri P. C. Sethi, I beg to lay on the Table a copy of the Ministry of Finance (Department of Reyenue and Insurance) Notification S. O. No. 5056, dated the 29th December, 1969 (in English and Hindi), publishing the Income tax (Sixth Amendment)Rules, 1969, under section 296 of the Income Tax Act, 1961. [Placed in Library. See No. LT-3315/70].

Notifications of the Ministry of Finance (Department of Revenue and Insurance)

SHRI K. RAGHURAMAIAH: Sir, I also beg to lay on the Table a copy each of the following Notifications (in English and Hindi) of the Ministry of Finance (Department of Revenue and Insurance)

- (i) Notification G. S. R. No. 515, dated the 25th March 1970, together with an Explanatory Memorandum thereon.
- (ii) Notifications G. S. R. No 516 and 517, dated the 26th March, 1970, together with Explanatory Memoranda thereon

[Placed in Library. See No. LT-3231/70 for (i) and (ii)]

- (iii) Notifications G. S. R. Nos. 583 and 584, dated the 1st • April, 1970, together with an Explanatory Memorandum thereon.
- (iv) Notifications G. S. R. Nos. 572, 574 and 575, dated the 4th April 1970, together with Explanatory Memorandum thereon.

[Placed in Library. See No. LT-3232/70 for (iii) and (iv)]