

strengthen those countries but would also improve international relations.

6. The Chairman and the Prime Minister expressed deep concern over the situation in West Asia and hoped that the efforts of the United Nations and other parties concerned to avert a major conflict in the region and to work out a peaceful settlement will be continued and bear fruit.

7. The Chairman and the Prime Minister reiterated their belief in a peaceful political settlement of the Vietnam question and expressed the hope that the current expanded peace talks will result in an early settlement within the broad framework of the Geneva Agreements.

8. The two leaders reiterated their faith in the Charter of the United Nations and emphasised their strong belief that all countries should cooperate in the establishment of lasting peace in the world. They agreed that force or threat of force should not be used in the settlement of international disputes and that such disputes should be settled only through peaceful means.

9. The two sides also discussed the various problems that have arisen concerning citizens of India in Burma and other people of Indian origin who have not yet become citizens of Burma, and exchanged views on ways and means of solving them. They agreed that these matters should be resolved early through further mutual discussions.

10. Both leaders agreed that there was considerable scope for further expansion of trade between the two countries and expressed the firm desire of their Government to expand mutual trade and commerce.

11. The Prime Minister of the Republic of India expressed to the Chairman of the Revolutionary Council of the Union of Burma her sincere thanks for the friendly welcome and hospitality extended to her and the members of her party. The Chairman

of the Revolutionary Council of the Union of Burma, on behalf of the people of the Union of Burma, expressed great pleasure at the visit of the Prime Minister of the Republic of India. The Prime Minister of the Republic of India extended, on behalf of the President of the Republic of India, an invitation to the Chairman to visit India. The invitation was accepted with much pleasure.

INDO-NEPAL TALKS TO RESOLVE SUSTA BOUNDARY DISPUTE

270. SARDAR RAM SINGH : Will the Minister of EXTERNAL AFFAIRS be pleased to state :

(a) whether Indo-Nepal talks have since been resumed to resolve the Susta Boundary dispute;

(b) the reason for the break in talks; and

(c) whether any settlement could be arrived at ?

THE DEPUTY MINISTER IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI SURENDRA PAL SINGH) : (a) Yes, Sir.

(b) Does not arise.

(c) A report on the results of the talks is awaited

CALLING ATTENTION TO A MATTER OF URGENT PUBLIC IMPORTANCE

REPORTED INSULTING BEHAVIOUR OF THE SECRETARY IN THE MINISTRY OF LAW (DEPARTMENT OF LEGAL AFFAIRS) TOWARDS THE DEPUTY MINISTER OF LAW, SHRI MOHAMMAD YUNUS SALEEM

SHRI KRISHAN KANT (Har-yana) : Sir, with your permission I beg to call the attention of the Minister of Law and Social Welfare to the insulting behaviour of the Secretary in the Ministry of Law (Department of Legal Affairs) towards the

Deputy Minister of Law, Shri Mohammad Yunus Saleem, as reported in the press.

THE MINISTER OF LAW AND SOCIAL WELFARE (SHRI P. GOVINDA MENON) : Mr. Chairman, Sir, on the 16th April I had before me a file of the Defence Ministry which had been sent for legal advice. I commented adversely on the procedure adopted by the Deputy Minister with respect to that case. I recorded a note to that effect on the file in the presence of the Deputy Minister. The Law Secretary who had been called in to come later, agreed with my view. In the discussion that took place the Law Secretary raised his voice perhaps to emphasise his point. . .

SHRI A. D. MANI (Madhya Pradesh) : What was the point ?

SHRI P. GOVINDA MENON : The intervention of the Law Secretary and his tone appeared to have hurt the feelings of the Deputy Minister. He said so to me later. I asked the Law Secretary to make amends by expressing regret. He did so in my presence and the Deputy Minister said he was satisfied with his expression of regret. He told me and the Law Secretary that the matter may be taken as closed. He repeated this on the floor of the other House.

SHRI M. P. BHARGAVA (Uttar Pradesh) : Mr. Chairman, Sir, a point of principle is involved. It is a question of the relationship between the bureaucracy and the Minister. We would like to hear the Deputy Minister before this can proceed further.

SHRI BHUPESH GUPTA (West Bengal) : No, Sir. This is not at all a question of relationship. This is a question of supremacy. Sir, this is a question of supremacy of Parliament. It is not a matter of internal relationship between the Minister and the bureaucrat. . . {Interruption} The matter involved is precisely one of supremacy.

SHRI KRISHAN KANT : Mr. Chairman, Sir,...

MR. CHAIRMAN : Let there be no speeches.

SHRI KRISHAN KANT : No speeches, Sir. The statement made by the honourable Minister itself seems to be that the honourable Minister has not yet recognised the insult that has been done by the Secretary of the Ministry not to the Deputy Minister but to the parliamentary institution. The Deputy Minister is basically a Member of Parliament and by virtue of his being a Member of Parliament he has become a Deputy Minister. And any insult done to him is an insult done to all the Members of Parliament...

{Interruptions}

SOME HON. MEMBERS : No, no.

SHRI BHUPESH GUPTA : Yes, it is true. It is so.

SHRI KRISHAN KANT : Mr. Chairman, Sir, from the statement of the honourable Minister it seems that he was not conscious of the fact that the Deputy Minister felt hurt. He said that the Deputy Minister appeared to have been hurt and he did not know it—the feelings of the Deputy Minister with whom he has been working. He has the right to tell the Deputy Minister as to whatever adverse remarks he may record. But according to his present statement and the statement which the honourable Minister made in the Lok Sabha, he said that the Secretary also joined him in giving the adverse comments to the Deputy Minister. Whatever the Minister may say, has the Secretary actually got any right in any way to use adverse language or disgraceful language towards the Deputy Minister? That is the main thing. And, Mr. Chairman, the incident happened on the 16th April. For twelve days nothing happened. Mr. Chairman, for twelve days nothing happened. When the issue was

[Shri Krishan Kant]

about to be raised in this House or in the Lok Sabha, that very morning the Minister woke up and called the Secretary and asked him to express his regrets. Is this the way that a representative of the people should be treated? May I know, Sir, whether the Deputy Minister or the Minister ever represented to the Prime Minister that this thing happened? Did the Minister take any action? Did he represent to the Prime Minister that this Secretary who had behaved in an insulting manner, must be sacked and removed from that Ministry?

SHRI R. T. PARTHASARATHY (Tamil Nadu) : How can you remove him? Mr. Chairman, on a point of order.

SHRI BHUPESH GUPTA : Why? What is all this? He must be sacked. He must go.

SHRI R. T. PARTHASARATHY : Mr. Chairman, on a point of order.

MR. CHAIRMAN : What is your point of order?

{Interruptions}

{Several hon. Members stood up}

MR. CHAIRMAN : I want to make it quite clear that if four or five Members stand at one time and make noise it does not produce any results and I would like to order the reporters not to take down.

SHRI KRISHAN KANT : Sir, the honourable Minister must tell us...

MR. CHAIRMAN : You have put the question. Please sit down.

SHRI P. GOVINDA MENON The Deputy Law Minister himself, in his statement in the other House has said that what he objected to was the tone and the intervention. This is what he said in the other House.

"On the next day I saw him"

He means myself, that is, the Minister-

"On the next day I saw him"

SHRI BHUPESH GUPTA: I am on a point of order. You kindly direct the Deputy Law Minister to come to this House and disclose what happened there. We are not prepared to accept a garbled version of what transpired between the Deputy Law Minister and the Official. The Minister himself should come.

MR. CHAIRMAN : I am prepared to hear provided I am allowed to ask somebody to get up and say. Five people stand. What can I do?

SHRI M. M. DHARIA (Maharashtra) : The Minister has made reference and has read from a particular statement. We would like to have the whole of the statement laid on the Table. If a reference is made, we have every right to make a demand for the whole statement and demand that the whole statement be laid on the Table.

श्री राजनारायण (उत्तर प्रदेश): श्रीमन्, देखिये मैं चाहता हूँ कि सदन ज़रा शांत रहे। यह कोई मामूली विषय नहीं उठा हुआ है। ऐसा सबके साथ हो सकता है। और श्री भूपेश जी क्या कह रहे हैं उनको भी ज़रा सुन लिया जाय। भार्गव जी ने मांग की कि डिप्टी मिनिस्टर को भी सुना जाय। उस पर आपको अपनी राय दे देनी चाहिये और कह देना चाहिये कि हाँ उनको सुना जायेगा। केवल यह सवाल नहीं है कि एक सेक्रेटरी ने किसको क्या कहा है। जब मंत्री जी के प्रेजेन्स में सेक्रेटरी ने डिप्टी मिनिस्टर को कहा, जिसके बारे में मंत्री जी कहते हैं कि सेक्रेटरी रेज्ड हिज़ व्हाइस What did he say in the raised voice? तो उनको खुद क्या अहसास हुआ उसके बारे में मंत्री जी नहीं बोले। तो हमारा निवेदन है आप डिप्टी मिनिस्टर को बुलकर उनका भी वायान सुनें और उनके इविडन्स को सुनने के बाद मंत्री महोदय की जो भर्त्सना होगी वह तो हम करेंगे।

SHRI M. M. DHARIA : "i say that the Minister should lay the statement on the Table.

SHRI P. GOVINDA MENON : Yes, I will. I have got before me the statement made by the Deputy Minister in the other House. I am prepared to place it on the Table of the House.

MR. CHAIRMAN: You read it.

SHRI P. GOVINDA MENON : I can read it under your orders.

SHRI B. K. P. SINHA : (Bihar) : I have a suggestion to make. This is a very very serious matter. The matter is; so serious that there should be a thorough discussion because very important issues of relationship between the civil services, the Ministers and the Parliament are raised. We do not know what transpired there. Therefore not only there should I be a discussion there should be a thorough enquiry into this whole affair. I do not proceed on the assumption that hon. Members and hon. Ministers are always right and the civil servants are always wrong. There may be cases in which the civil servants may be right, and the hon. Minister and the Members may be wrong. That is why I said that there should be a thorough enquiry into this matter and it should be discovered who was really at fault. Mr. Chairman, we are all conscious of the dignity of the Members of Parliament and the Parliament as a whole but let me remind this House of a remark by Pandit Motilal Nehru. When he was arguing a case before the Patna High Court, the Chief Justice said: 'Does it not offend the dignity of the court?'. Pandit Motilal Nehru said: 'My Lord, the line between dignity and vanity is very thin. In my opinion, it may offend your Lordship's vanity but it does not offend your Lordship's dignity.'

SHRI BHUPESH GUPTA : Are you going to proceed with this ? Then one by one we will ask question. We think in fairness to the House the De-

puty Law Minister should come and say what he has to say. Normally we cannot even discuss what is said in the other House. If he had to make a statement in similar circumstances in the Lok Sabha, there is no earthly reason why we should be denied the same privilege and advantage of hearing him on this subject. This is not fair to us. In fact it will be a discrimination against this House. If he had not made a statement in the other House, I could have understood it. Therefore I request you to direct that he should come and say what happened because according to us various versions are there. Let us hear from him. As I say, it is a matter of supremacy of the Parliament and nothing short.

SHRI BABUBHAI M. CHINAI (Maharashtra) : I am very reliably informed that this Secretary had told the Deputy Minister in the presence of the Minister : 'you are a disgrace to this Ministry and you have no right to write anything without my permission.' Not only that. The Minister replied in the Lok Sabha that he had uttered insulting sentence and that the observations made by the Secretary were really insulting. If this is the case, then why is he saying that only the tone was wrong. Not only the tone was wrong but the words were wrong. The action was wrong and the Minister must reply about what had been said and the Secretary must be taken to task by this House.

SHRI M. P. BHARGAVA : Mr. Chairman, after what Mr. Chinai has said this question assumes greater importance and we must have the version of the Deputy Minister of Law, and then discuss this question and if necessary, we must appoint a Parliamentary Committee to go into the whole incident.

SHRI MULKA GOVINDA REDDY (Mysore) : This is a very important question and the Deputy Minister is directly involved in this case and he had taken offence to what the Law Secretary appears to have said in that meeting. It is but right that he

[Shri Mulka Govinda Reddy

should be summoned and if he is not available just now, this entire question may be postponed till Monday when he must be asked to be present to make a statement.

SHRI LOKANATH MISRA (Orissa): I have a submission to make. We get into a confusion. Having taken up the Calling Attention Motion for about 2 or 3 minutes it ends up in confusion. Once you have approved of a Calling Attention Motion the proceedings of the House should go according to what is there in the agenda. Even if there is a particular point of order raised by some Members, it should be discussed and disposed of immediately and the matter should be referred back to the last speaker on the Calling Attention Motion. Unless that is done, what is being done is we are getting into a chaotic condition and we cannot proceed in the matter. Neither we can proceed in the matter nor are we in a position to stick to a decision. You have allowed Mr. Krishan Kant to have his say and my name comes next. I cannot allow a debate to grow ignoring me. I want to assert my right. I am not talking about myself. There must be a procedure. Once you have approved, in your wisdom, that this can be dealt with as a Calling Attention Motion, it has to be taken up as such. If anybody has anything to say he must go to your Chamber and plead with you that this cannot be taken up in a Calling Attention Motion but should be treated as a discussion or a debate. Unless that is done there will be no end to anybody making submissions in the House. If you allow this to go on, then there will always be confusion.

MR. CHAIRMAN : What is your suggestion

SHRI LOKANATH MISRA : I suggest that once you have given your thought to it and decided that it should be taken up only as a Calling Attention Motion, there must be an end to it.

श्री सुन्दर सिंह भट्टारा (राजस्थान):

मेरा आप से यह निवेदन है कि इस ध्यानाकर्षण प्रस्ताव पर यहां पर इस समय विवाद चल रहा है और श्री भागव जी ने एक मुझाव रखा है कि डिप्टी मिनिस्टर को बुलाकर उनका बयान लिया जाना चाहिये। आप इसके बारे में निश्चय करें क्योंकि यह बात साफ है कि इस कॉलिंग अटेंशन नोटिस के डिसकशन में डिप्टी मिनिस्टर का बयान नहीं हो सकता है। डिप्टी मिनिस्टर का बयान आप करवायें, इसमें मुझे कोई आपत्ति नहीं है और होना चाहिये क्योंकि श्री बाबू भाई चिनाई ने इस संबंध में कुछ शब्दों का उल्लेख किया है जो कि उनकी जानकारी में है। हम यह नहीं जानते हैं कि इसमें कितनी सत्यता है। ला मिनिस्टर जो उस समय मौजूद थे उन्होंने भी यही कहा कि रेज्ड वाइस में जवाब दिया।

(Interruptions)

ला मिनिस्टर के बारे में श्री बाबूभाई चिनाई ने भी यही कहा कि ला मिनिस्टर ने यह माना है कि इंसॉल्टिंग लेंग्वेज का इस्तेमाल किया गया है; मैं यह जानना चाहूंगा कि ला मिनिस्टर इस सारी कंट्रोवर्सी को खतम नहीं कर सकते थे। क्या वे इस बात को मानते हैं कि इंसॉल्टिंग लेंग्वेज काम में लाई गई या नहीं लाई गई? अगर लाई गई तो क्या काम में लाई गई? और सचिव का व्यवहार इंसॉल्ट और इम्प्यूडेंट है या नहीं? अगर वे इन सारी बातों के बारे में अपनी ओपीनियन देंगे तो इस डिसकशन का राइट पर्सपेक्टिव में चलना उचित होगा अन्यथा हम लोग लठ मारते रहेंगे।

SHRI GODEY MURAHARI (Uttar Pradesh): Sir, I want to make a submission.

SHRI BAHARUL ISLAM (Assam): On a point of order, Sir.

SHRI GODEY MURAHARI : (Uttar Pradesh) : I have not yet made my submissions.

SHRI ARJUN ARORA (Uttar Pradesh): Sir, will those Members whose names appear on the Calling Attention Notice get a chance ?

SHRI GODEY MURAHARI : If shouting alone can get a hearing in this House, then I also will have to shout.

MR. CHAIRMAN : This is the misfortune in this House.

SHRI GODEY MURAHARI: This is unfortunate but this is what is happening in the House. Now I want to make my submissions. The whole question that has been raised here is not whether the Deputy Minister has been insulted, or X, Y or Z has been insulted.

SHRI BAHARUL ISLAM : On a point of order, Sir.

SHRI GODEY MURAHARI : It is a question of principle.

SHRI BAHARUL ISLAM : I rise on a point of order.

SHRI GODEY MURAHARI : I also rise on a point of order; mine is also a point of order. First let me have my point of order, and then you can have your point or order.

(Interruptions)

On a point of order I would like to bring to the notice of this House, Sir, that the question involved in this whole Calling Attention matter is not one of Mr. Yunus Saleem, the Deputy Law Minister, but one of principle in the matter of relationship between the bureaucracy, the Ministry and the Members of Parliament and therefore, whatever, Mr. Yunus Saleem might have done—I do not know what he did; with regard to that noting on the file, may be he was absolutely and thoroughly wrong in what he did; I do not know what he did—even if he was patently wrong in what he did, the bureaucracy, the Secretary, had no business to utter the words that he had uttered, and if what Mr. Babubhai Chinai said

just now was the sentence that was uttered by the Law Secretary, then that Secretary should have been forthwith dismissed; there is no reason why the Secretary is being retained. Of course there may be differences of opinion between the Law Minister and the Deputy Law Minister. In that case either the Deputy Law Minister should go or the Law Minister should go. This position of having the two together with differences of opinion existing between them, and the utterance of the Law Secretary to which the Calling-Attention relates, cannot be tolerated for long, and I would like to make it clear that Parliament and the Ministers are supreme. Whatever may be the relationship between the bureaucracy and the Members of Parliament who are Ministers, if there is anything wrong on the part of Ministers, the bureaucracy may just point out the mistakes politely and respectfully but they cannot be so insolent and pass such remarks as has been the case in respect of this Deputy Minister. I would like to ask the Prime Minister whether she does not consider this a serious enough case to dismiss the Secretary.

SHRI BHUPESH GUPTA : Why is Mr. Gae not suspended ?

THE PRIME MINISTER (SHRI-MATI INDIRA GANDHI) : Mr. Chairman, whatever difference of opinion there may be within a Ministry is the business of the Ministry, and finally it is my business. I do not think the hon. Members here can sit in judgment on what I am to do or am going to do with regard to any person. I think the Law Minister...

SHRI BHUPESH GUPTA : On a point of order.

SHRI ANANT PRASAD SHARMA (Bihar) : No point of order at this stage. Please sit down.

SHRI RAJNARAIN : On a point I of order.

SHRI ANANT PRASAD SHARMA : No.

SHRI GODEY MURAHARI : Why no?

SHRI BHUPESH GUPTA : this is not very fair. I have a point of order.

SHRI ANANT PRASAD SHARMA: I rise on a point of order against Mr. Bhupesh Gupta.

SHRI RAJNARAIN : On a point of order.

SHRI ANANT PRASAD SHARMA: No point of order. You please sit down.

SHRI RAJNARAIN : You sit down first. On a point of information.

SHRI ANANT PRASAD SHARMA: Shri Rajnarain cannot have the floor like this. I am raising the point of order that no hon. Member should be allowed to take the floor like this. Shri Rajnarain must sit down.

SHRI LOKANATH MISRA : Sir...

SHRI RAJNARAIN : On a point of order.
{Interruptions}

MR. CHAIRMAN : We must try to observe some procedure, some decorum and some dignity. {Interruptions}. It should be understood that when I stand everyone should sit and hear what I say. If you agree with that proposition, let me say that the Prime Minister be allowed to continue her remarks without any interruptions and let us first hear what she is going to say. Then I shall allow others to have their say.

SHRI RAJNARAIN : On a point of order.

SHRI ANANTPRASAD SHARMA: Sir, you just kindly listen to my point of order before Shri Rajnarain's and I want your ruling on that point

of order. My point of order is that no Member should be allowed to take the floor of the House like this. ' Shri Rajnarain and Shri Bhupesh Gupta are every now and then getting up whosoever may be speaking. The Prime Minister was making a statement and they must listen to it first.

(Interruptions)

श्री राजनारायण : श्रीमन्, हमारा एक सिम्पल प्वाइन्ट आफ आर्डर है। (Interruptions) श्री बाबूभाई चिनाई ने अभी अपने वक्तव्य में कहा कि सेक्रेटरी ने डिप्टी मिनिस्टर के लिए "डिसग्रेसफुल" शब्द का प्रयोग किया था। (Interruptions) इस घटना को हुए बहुत दिन हो गये हैं मगर प्राइम मिनिस्टर ने अभी तक सेक्रेटरी को डिसमिस नहीं किया। (Interruptions) प्राइम मिनिस्टर एपाइन्ट करता है मिनिस्टर को और डिप्टी मिनिस्टर को। (Interruptions) जब कोई सेक्रेटरी डिप्टी मिनिस्टर के लिए "डिसग्रेसफुल" शब्द कहे तो यह प्राइम मिनिस्टर के लिए भी डिसग्रेसफुल है। (Interruptions)

SHRI LOKANATH MISRA : I have been repeatedly appealing to you that if we believe in the dignity of this House, if we believe in democracy, everybody must be allowed to have his say. I do not mean only the Prime Minister but each Member in the House must be allowed to have his say and they should not be bullied by Mr. Bhupesh Gupta or by Mr. Rajnarain.

SHRI RAJNARAIN : We are not going to be bullied by Mr. Misra.

SHRI BHUPESH GUPTA : You cannot bully us either.

{Interruptions}

MR. CHAIRMAN : I say, sit down all of you.

श्री राजनारायण : हम श्री लोकनाथ मिश्र से दबने वाले नहीं हैं। श्रीमन्, मैं

कहना चाहता हूं कि श्री लोकनाथ मिश्र को कोई हक नहीं है कि वे जब चाहें तब खड़े हो जायें। उनको हमने सपोर्ट किया है कि कालिंग अटेंशन प्रापर तरीके से चले . . .

SHRI LOKANATH MISRA : Your support weakens my case.

MR. CHAIRMAN : I will now call the Prime Minister. The hon. Prime Minister wanted to say something.

SHRI RAJNARAIN : Why? Under what rule ? श्री लोकनाथ मिश्र को मैंने सपोर्ट किया है कि कालिंग अटेंशन प्रापर तरीके से चले और जिस का नाम हो उसको बुलाया जाय। संसदीय परम्परा तोड़ कर कोई अपने लिये कुछ नहीं ले सकता है।

The Prime Minister is only for you. The Prime Minister is an ordinary Member when she is in the House.

MR. CHAIRMAN : It is generally an act of courtesy when on a matter of importance the Prime Minister would like to say something we have to hear with attention and respect.

Now, the Prime Minister.

SHRIMATI INDIRA GANDHI : What I was going to say was that nobody should be insulted. Neither the Secretary should insult the Minister nor the Minister should insult the Secretary. Nor should any Member insult another Member. There are certain matters of principle of civilised behaviour and decency to which I hope we all subscribe. But as I was saying when there is some disagreement which arises within the Government or within one or our Ministries it is to be resolved amongst ourselves. It is not a matter which should come up here and be debated. As I said, if the Deputy Minister considers that he has been insulted, the Secretary concerned has also apologised to him and as far as I know the 8-^ RSS ND/69

Deputy Minister did say that as far as he is concerned the matter is closed and therefore there is no need for this excitement to be shown here. I would like to assure the hon. House that I am just as concerned as they are about any insult or about the bureaucracy trying to influence or to take a high and mighty attitude and so on. That is something which we must all resist but I think that it does not help the situation to get excited about it and try to blow up an incident out of all proportion.

MR. CHAIRMAN : I shall now proceed with the calling attention. Mrs. Chaturvedi. She is not here. Mr. Lokanath Misra.

SHRI KRISHAN KANT : Sir, the Minister has not replied yet to what I had said.

(Interruptions)

MR. CHAIRMAN : Mr. Lokanath Misra.

SHRI LOKANATH MISRA : What was the exact language used by the Secretary during his discussion with the Deputy Minister ? That is No. 1.

Secondly I would like to know whether this entire episode did not arise out of a case in which one Bhargava Brothers of Lucknow are concerned and the Deputy Minister wanted to go out of the way in helping Bhargava Brothers to get out of the difficulty and put the Government of India to a loss of Rs 9 lakhs

SHRI GODEY MURAHARI : That is a separate issue.

SHRI LOKANATH MISRA : Let me put my question. You cannot regulate me. That is No. 2.

SHRI RAJNARAIN : Irrelevant.

SHRI LOKANATH MISRA : Let the Chair rule it. You cannot rule it.

Thirdly, I want to know whether the Deputy Minister did not want the

Joint Secretary to put up a separate note regarding this overlooking the authority of the Secretary and refer the matter through the Joint Secretary to the Defence Secretary to which the Secretary took objection in the presence of the Minister and if so; what is the reaction of the Minister to these actions of the Deputy Minister ?

SHRI GODEY MURAHARI :
It is a different issue altogether.

SHRI P. GOVINDA MENON : Sir, the calling attention notice which you have been pleased to admit is regarding the conduct of the Secretary and not regarding the conduct of the Deputy Minister and it would be unfair. ..

SHRI LOKANATH MISRA : Sir, on av point of order. The hon. Law Minister, I thought, was a master of law but he is trying to take advantage of the technicality of it. The entire episode arose out of the Secretary's conduct. There is no doubt about it but there was also the Deputy Minister's conduct involved in it and out of the involvement of both the Secretary and the Deputy Minister the episode took place. Therefore he should reply to the points I raised.

SHRI M. M. DHARIA : Mr. Chairman, Sir, I would like to suppoi-t the point of order raised by Mr. Misra in this case. When we are reflecting on the conduct of the Secretary and when the whole issue is before the House, the hon. Minister shall have to say what is the state of affairs and what discussions took place. If the points raised by Mr. Misra are not correct the Minister should say so but if they are correct I would like to know why the Deputy Minister is not being taken to task. Mr. Chairman, this House is in possession of this question as a whole and the hon. Minister cannot take shelter behind the plea that the calling attention notice is concerned only with the behaviour of the Secretary. It is concerned with the whole episode and this House is entitled to have complete information in regard to this matter.

श्री राजनारायण : श्रीमन्, मेरा एक प्वाइंट आफ़ आर्डर है। मैं समझता हूँ कि श्री लोकनाथ मिश्र पार्लियामेंट्री प्रोसेस जानते हैं और श्री मोहन धारिया भी पार्लियामेंट्री प्रोसेस जानते हैं। किसी भी तरीके से युनस साहब को हम छिपाना नहीं चाहते। हमने पहले ही कहा कि मिनिस्टर का कांडक्ट भी इस सदन में अंडर डिस्कशन लिया जा सकता है। मगर इस समय सवाल केवल इतना ही है। यदि हम धारिया जी की बात मान लें तो प्राइम मिनिस्टर का कांडक्ट क्यों नहीं डिस्कस हो सकता है क्योंकि प्राइम मिनिस्टर ने अप्वाइंट किया है डिप्टी मिनिस्टर को। जब यह बात है कि डिप्टी मिनिस्टर डिस्प्रेसफुल हुये तो प्राइम मिनिस्टर भी डिस्प्रेसफुल हुई। (Interruption) पार्लियामेंट्री प्रोसेस यह है कि इस समय केवल सचिव के कांडक्ट के बारे में...

(Interruption)

SHRI M. M. DHARIA : Mr. Rajnarain should not treat this lightly. Mr. Lokanath Misra put a straight forward question relating to this matter and as I said we are concerned with the whole episode and the Minister should give reply to the points raised by him.

(Interruptions)

SHRI GODEY MURAHARI:
Even if the Minister were a fool, the Secretary cannot call him a fool.

MR. CHAIRMAN : As I said I will go by this list of names.

SHRI KRISHAN KANT : Sir, on a point of order. The hon. Mr. Lokanath Misra had raised one point in which he said that a file was being discussed and on this the whole thing depends. Here is the statement of the Deputy Minister of Law in the Lok Sabha in which he has said that the Secretary entered the room when the file had been disposed of by the hon. Minister and at that time no file was under discussion.

SHRI LOKANATH MISRA: He was asked to explain about it.

SHRI KRISHAN KANT : Between what the hon. Minister has said and what the hon. Mr. Misra has said there seems to be some confusion. Unless we have the Deputy Minister of Law in the House, the issue cannot be discussed properly and I do not think the matter can be cleared without the Deputy Minister of Law coming and explaining the position to the House.

(Interruptions)

MR. CHAIRMAN : Let me now proceed.

SHRI JAIRAMDAS DAULAT-RAM (Nominated) : Sir, on a point of order. My point of order is that this is a calling attention notice and its purpose under the rules is that information is received from the Minister and then certain clarification is sought. The whole thing is for ascertainment of information. The question of discussing what action should be taken is another matter. Parliament is not the forum for determining what kind of action should be taken in this case. That can be a separate independent motion, but the Calling Attention Motion must be confined to getting information and that is all, not debating anything else.

MR. CHAIRMAN : I quite agree. Do you want to reply?

SHRI P. GOVINDA MENON: Regarding Mr. Lokanath Misra's question, you may refer to the rules regarding Calling Attention Notices. You have asked me to refer to the conduct of the Law Secretary in this regard and I have said that the intervention of the Law Secretary hurt the feelings of the Deputy Minister.

SHRI A. D. MANI : What did he say?
(Interruptions)

SHRI P. GOVINDA MENON
You, Sir, asked me at an earlier stage to read out from the statement of tin

Deputy Minister in the other House-I can read the whole thing or I can place it on the Table of the House. Now, Sir, to show that what I stated here is correct, I will read this passage: "On the next day I saw him..." 'Him' refers to me. I saw him and I expressed my sentiments to him and I said: "If I have committed any wrong or if I have done any mistake, it is for you to correct me and I always stand corrected because I treat you to be my elder brother. But it is not the job of the Secretary to speak to me in such a tone". In my statement...

SHRI A. D. MANI : What did he say?
(Interruptions)

SHRI LOKANATH MISRA : What was the language used? I wanted to know that was the language used.

SHRI BHUPESH GUPTA : What were the words used?

SHRI B. D. KHOBARAGADE (Maharashtra) : It is a simple question of what were the words used by the Secretary. Mr. Babubhai Chinai has pointed out that the Secretary had used very insulting words. We would like to know what were the actual words used by the Secretary.

SHRI BHUPESH GUPTA : That is the crux of the matter.

SHRI P. GOVINDA MENON :
The words used by the Secretary were not such as have been described here. I said that the disposal was not in the proper way and that was all.

SHRI BABUBHAI M. CHINAI :
The hon. Minister has contradicted me. I stand by every word of what I have said. Let the Deputy Minister come here and say that these words were not said against him.

SHRI LOKANATH MISRA: Do I understand that he did not understand the language used by the Secretary? If that is so, I can excuse him, or else he has to reproduce the very words used by the Secretary. What is wrong about it?

SHRI BHUPESH GUPTA : Again kindly consider it. All that we need now are the exact words used by the Secretary which offended the Minister concerned. We are not interested at the moment in collateral matters. Therefore, would it not be wiser to ask Mr. Yunus to come and tell the House exactly what words were used? That will settle the matter.

MR. CHAIRMAN : Mr. C. L. Varma.

SHRI KRISHAN KANT : I gave the Calling Attention Notice. I put certain questions to the hon. Minister...

SHRI LOKANATH MISRA : Ask him to reply to my question.

(Interruptions)

SHRI P. GOVINDA MENON : Regarding Mr. Lokanath Misra's question... (Interruptions). That is not Mr. Lokanath Misra's question. His question is what was the file which was being discussed. It is not proper to elicit that information now.

(Interruptions)

SHRI BHUPESH GUPTA : Whatever ruling you give, I shall submit to it though I may not agree with it. The whole Calling Attention Notice and its pith and substance stand on the words used by the Secretary. Unless the House is apprised of those words from an authentic source, namely, the Minister concerned, we are not in a position to exercise our functions as a House and as individual Members of Parliament. I, therefore, request you, let it not be confused with any other thing. It is not at all a party issue. In fact, a Congress Minister is involved. Therefore, you kindly, even now, direct which the Speaker did. It could be done here. The hon. Deputy Minister should come and tell us. After that we shall say whether the Secretary went beyond his authority and misbehaved. If the words are not bad, you can come to your own conclusion. As far as the tone is concerned, there was no tape-recording. The tone we do not know or the gesticulation and

other things made by the Secretary, if at all. We must have at least the words and we can rely in this matter on Mr. Yunus, an esteemed Member of Parliament and also a Minister. If Shrimati Indira Gandhi tells us exactly what words were used by Mr. Yunus, I am prepared to take it from the Prime Minister of India. Well, these are the two courses open, but Mr. Panampilly Govinda Menon, with all respect to him, has precluded himself from giving the version, because all the time, I regret to say, he is evading the whole issue.

SHRI LOKANATH MISRA : You may ask the Minister...

SHRI A. P. JAIN (Uttar Pradesh) : I think you, Mr. Chairman, have to take a decision, an important decision and a definite decision. The Prime Minister has taken the attitude that this matter is internal to the functioning of the Ministry and she would take a decision about it. Either you accept that position, or, if the facts are to come before the House, they must be full facts. There is a limit to equivocation. I am sorry to say that the hon. Law Minister has behaved in a casual manner. You cannot conceal facts. Supposing certain words are used... (Interruptions). Now, Sir, if the question is put to the Law Minister what were the words used by the Law Secretary, it is not for him to say that what a member has stated is not correct. He should state what words we used in reply to the question. About the conduct of the Deputy Minister, ordinarily, I would not like to discuss it here, but if the Deputy Minister has done something wrong, that must come before the House. Unless all the facts come before the House we cannot decide anything.

SHRI BHUPESH GUPTA : These are two separate things.

SHRI A. P. JAIN : These are not two separate issues. Mr. Bhupesh Gupta says that these are two separate issues. I say they are not two separate issues. The two are connected matters. Certain remarks arose because certain things were done, and they must come as a

whole. [Interruptions]. Why do you interrupt me, Mr. Bhupesh Gupta, every time? The cause of the provocation and the provocative words used cannot be separated. So, if you allow these things to come before the House, well and good. In fact, similar issues have come before the House, in the past when the question of...

SHRI BHUPESH GUPTA : Thimayya.

SHRI A. P. JAIN : Now, Sir, when the question of Mr. Krishna-machari and his relationship with his Secretary came up, it became a matter of public importance. It was enquired into by Mr. Chagla. It was discussed in the Lok Sabha. So, it is not that there is anything extraordinary in discussing the relationship between a Minister and his Secretary.

It is a matter of constitutional convention and propriety. In order to keep things peaceful and not to create trouble, this matter may be dropped, and Prime Minister will take action.

' SHRI B. D. KHOBARAGADE : Sir, on a point of order. There are three issues involved. The first issue is regarding the relations between the hon. Prime Minister and her colleagues, her other Ministers. There is another issue involved about the relations between the Ministers and the subordinate officers. So far as the particular relations between the Ministers are concerned, perhaps that may or may not be discussed in this House. But the question is whether the relations between the Ministers and the subordinate officers can be discussed or not. It is a question of dignity of the Ministers and Members of the House on the one hand, and on the other of insubordination on the part of civil servants and the bureaucracy. In this connection it is very important that all these bureaucrats who are trying to insult the Ministers should be taken to task. The hon. Minister by evading to answer a specific question categorically is trying to protect and

safeguard the bureaucrats. That is most improper and not in keeping with the dignity of the House and the Members of the House. Therefore, in the interests of the privileges of the Members of this House we would like to hear the hon. Deputy Minister and to get his version of the statement regarding the actual words used by the Secretary.

SHRI AKBAR ALI KHAN (An-dhra Pradesh) : I would submit that what Mr. A. P. Jain has said in the first part of his submission is perfectly correct, and it is in keeping with the procedure of Parliament and conventions of Parliament. Now this is a matter regarding a Secretary and a Deputy Minister. We have brought this matter to the notice of the Prime Minister and the country. The Prime Minister says that she will deal with the matter. It is just right that we leave it to the Prime Minister. The House should not go into the matter. I think we should leave it to the Prime Minister and let her decide the matter. (Interruption). We have all given our reaction. There is nothing new which could be said now. What is the fun of continuing this matter? So I say that the whole matter of the question of the relations of the bureaucracy with the Ministers and the question of the conduct of a Secretary against a Deputy Minister or Minister, whatever it is—I think the House should endorse that we leave it entirely to the Prime Minister and she should decide.

SHRI BHUPESH GUPTA : This is not the way of treating Parliament.

SHRI PITAMBER DAS (Uttar Pradesh): It appears that a sizeable number of Members of this House want to know what were the actual words used. I think the actual words should come, what those words were which were used. In this context the Deputy Minister's statement also would be relevant. What I suggest is that we appoint a very small Committee of this House to go into the affair and find out what the whole matter was. The officer concerned may also be examined by the Committee.

MR. CHAIRMAN : I would like to ask the hon. Minister whether he is in a position to exactly say what word! he had uttered.

SHRIMATI INDIRA GANDHI : I would like to intervene here. I do not think it is the custom that what is said at Cabinet meetings or inter-Ministerial meetings is divulged...

(Interruptions)

SHRI LOKANATH MISRA : After your ruling...

SHRI GODEY MURAHARI : I would like to know whether the Prime Minister is to be guided by Secretaries..

(Interruptions)

SHRI GODEY MURAHARI : It is a damned disgrace that the country should have a Prime Minister looking to the Secretaries...

श्री राजनारायण : श्रीमन्, यह सदन का अवमान है। आपकी व्यवस्था होने के बाद प्राइम मिनिस्टर को यह शोभा नहीं देता था। अगर तनिक भी पार्लियामेंटरी पद्धति की जानकारी उन को होती तो वह यह नहीं कहती। प्राइम मिनिस्टर ने जो नो कहा यह डिस्प्रेस है आप का और सदन का।

SHRI BHUPESH GUPTA : We want your ruling.

MR. CHAIRMAN : So far as we are concerned, whatever happens in the Cabinet, we have nothing to say, nothing to do. But I only asked the hon. Minister whether he could say what exactly the Secretary has stated.

•SHRI P. GOVINDA MENON : What happened in the Ministry I am not in a position to repeat any more because the matter has been closed so far as the Secretary and the Deputy Minister are concerned.

(Interruptions)

public importance

SHRI BHUPESH GUPTA : We have no faith in him...

SHRI GODEY MURAHARI : The matter is not closed..

SHRI LOKANATH MISRA : I never knew that...

SHRI GODEY MURAHARI : The matter is here on the calling attention. it is not closed.

SHRI BHUPESH GUPTA : Here he says obey your direction...

SHRI GODEY MURAHARI : Resign or get out...

SHRI BHUPESH GUPTA : He says he cannot exactly recall what he said. If he remembers the words used in his presence, he is under an obligation from the direction of the Chair, implied or explicit, to tell before you exactly what he heard. He cannot plead that he has lack of memory. Therefore, kindly compel him.

SHRI M. N. KAUL (Nominated) : As far as I am aware, the stand taken by the Prime Minister on the constitutional position is quite correct. This matter falls primarily within the executive sphere and it is a recognised practice in Britain and all countries which follow that pattern that all matters relating to the civil service are ultimately dealt with by the Prime Minister himself and no other person. This is a matter which falls within that sphere. It is well understood that the civil service is invisible politically. That is the fundamental principle of the Constitution. You should not try to drag the civil servants in the House... (Interruption) particularly when the matter has ended by an apology which has been accepted.

SHRI BHUPESH GUPTA : He does not know anything...

SHRI GODEY MURAHARI : This is the type of men we get from I bureaucrats like this...

SHRI M. N. KAUL : It is also the discretion of the Government that they will not divulge what happened in the Ministry. . .

(Interruptions)

SHRI BHUPESH GUPTA : What happened in the case of Mr. Boothalingam ?

SHRI M. N. KAUL : As at present advised, the Government propose not to divulge in full what happened, the matter having been closed. It is a correct position to take. Those who disagree can attack the Government and censure it if they so feel.

SHRI M. P. BHARGAVA : I reiterate that Mr. Saleem should come and make a statement and thereafter we can see.

SHRI BHUPESH GUPTA : When Mr. Thimayya made an important statement against Mr. Krishna Menon, Shri Jawaharlal Nehru came to the House and appeared in the Lok Sabha. He said that although he was the army Chief of Staff, it was a matter of the supremacy of Parliament and he could not criticise publicly a Minister of the Government. And Pandit Jawaharlal Nehru on that memorable day came out and on the floor of the 1 p. m. Lok Sabha made that celebrated statement which shall be ever remembered. Now, Sir, we are told by Mr. Kaul who was (Interruptions) that it is a matter not for Parliament to settle. Pandit Jawaharlal Nehru's words were "Parliament is supreme (Interruptions) No, no, You remember. Parliament is supreme. I take this stand that a bureaucrat has to behave with regard to the Council of Ministers in a particular manner, and when he behaves in violation of the principle and it is made known public, and the Minister himself says that he has been insulted, the particular bureaucrat has insulted not the Minister, not even the Council of Ministers but Parliament itself, flouting all the well-established principles of the House of Commons and Parliamentary democracy. If ever a bureaucrat had behaved -in this manner in

England, he would have been sacked by Mr. Harold Wilson straightway and the matter would have been agitated in Parliament itself. (Interruptions) But here we find that another course is being adopted. Let us do it.

SHRI N. SRI RAMA REDDY (Mysore) : Sir, may I invite your kind attention to Rule 180 (2) of the Rules of Procedure and Conduct of Business of the Rajya Sabha, which says—

"There shall be no debate on such statement at the time it is made".

There shall be no debate. What is it? (Interruptions) it is within your power. We are acting contrary to the rules we have laid down.

MR. CHAIRMAN : There is so much of confusion that I am completely confounded. I am completely confounded as regards the various matters that have been raised. In a matter like this, I feel that I must carefully go through the whole matter—what I heard here, what each Member has stated—and I shall state my views on Monday.

SHRI BHUPESH GUPTA : Let us proceed with this thing. (Interruptions) You discuss; but the Calling Attention Motion should not be left out.

SHRI MULKA GOVINDA REDDY : On Monday, the Calling Attention Motion should be taken up again. The Deputy Minister must be summoned to make a statement.

SHRI BHUPESH GUPTA : We are on the Calling Attention Motion. He has replied something. I would like to. . .

SHRI GODEY MURAHARI : Sir, shall we continue with the Calling Attention Motion on Monday? You give your views and then we can continue with the Calling Attention Motion.

MR. CHAIRMAN : We will continue with the Calling Attention Motion after I state my views in the matter.

The House stands adjourned till 2.00 P.M.

The House then adjourned for lunch at three minutes past one of the clock.

The House reassembled after lunch at two of the clock, THE VICE-CHAIRMAN (SHRI RAM NIWAS MIRDHA) in the Chair.

REFERENCE TO 'MAY DAY DEMONSTRATION

SHRI BHUPESH GUPTA (West Bengal) : Mr. Vice-Chairman, I have a submission to make. Today is May Day. Thousands of workers have come from all over the country to present a petition to Parliament. But we understand that they are not being allowed to come near the Parliament House. Obviously, they would like to meet Members of Parliament. I think, Sir, this is an occasion when the prohibitory orders should be withdrawn by the Government. I do not see why this prohibitory order should continue. This is my suggestion.

In Bengal we have declared May Day a holiday. So also in many countries May Day is a holiday. Here this is not done. Here also May Day should be declared a public holiday. But I am not going into it presently. Workers are coming from all over the country and a magnificent demonstration of the working class will take place for a demand for need-based minimum, trade union rights, democratic rights and also against the repressive measures which the Government have passed.

Sir, many trade union organisations of different persuasion are united in this thing. I think it is fit and proper and Parliament should welcome them and Parliament should ask the Government to enable them to come as near as possible to the Parliament House. I am told they have to wait near the Vijay Chowk. Sir, on previous occasions when such demonstrations came

they were allowed to come near the gate and, in fact, Members of Parliament went there and so on; some of them even spoke to them. I do not know why this time the same practice should not be followed. Therefore, Sir, I make the submission that this should be done. At about 4 o'clock I would like the House to adjourn so that Members of Parliament may go and participate...

THE LEADER OF THE HOUSE (SHRI JAISUKHLAL HATHI) : Why?

SHRI BHUPESH GUPTA :... or express their solidarity with the working people of this country. I am sure, Sir, you will share this sentiment that they are coming here as a symbol of the toilers of our countrymen who create wealth. Therefore, they should be welcome heartily by Parliament irrespective of parties and so on. It is an international day of working class.

May I remind the House that Pandit Jawaharlal Nehru attached great importance to the celebration of May Day? It has been our tradition also in the National Movement to identify ourselves with the May Day. Therefore, I think when the May Day is being celebrated in this massive manner by the working people from all over the country, I think we should try to join them in the celebrations of the great Day of the working class of the entire world.

SHRI MULKA GOVINDA REDDY (Mysore) : Mr. Vice-Chairman, I agree with what Mr. Bhupesh Gupta has said. The First May is a very important day for the workers of the world. The workers of the world will have to unite to break the chains of slavery, chains of capitalist monopoly.

Today is an important day for the world when workers from all over the world are participating in demonstrations everywhere. Therefore, the Government should withdraw the prohibitory order. I agree that this House should adjourn at 4 o'clock