

(i) THE SOLVENT EXTRACTED OIL, DEOILED MEAL AND EDIBLE FLOUR (CONTROL) (AMENDMENT) ORDER, 1967

(ii) THE RICE-MILLING INDUSTRY (REGULATION AND LICENSING) SECOND AMENDMENT RULES, 1967

THE MINISTER OF STATE IN THE MINISTRY OF FOOD, AGRICULTURE, COMMUNITY DEVELOPMENT AND CO-OPERATION (SHRI ANNASAHEB SHINDE): Sir, I beg to lay on the Table a copy each of the following Notifications of the Ministry of Food, Agriculture, Community Development and Co-operation (Department of Food):—

(i) Notification G.S.R. No. 536, dated the 12th April, 1967, publishing the Solvent-Extracted Oil, De-Oiled Meal and Edible Flour (Control) (Amendment) Order, 1967, under sub-section (6) of section 3 of the Essential Commodities Act, 1955. [Placed in Library. See No. LT-523/67].

(ii) Notification G.S.R. No. 735, dated the 9th May, 1967, publishing the Rice-Milling Industry (Regulation and Licensing) Second Amendment Rules, 1967, under sub-section (4) of section 22 of the Rice-Milling Industry (Regulation) Act, 1958. [Placed in Library. See No. LT-458/67].

#### REPORT OF THE ADVOCATES ACT REVIEW COMMITTEE

THE DEPUTY MINISTER IN THE MINISTRY OF LAW (SHRI D. R. CHAVAN): Sir, I beg to lay on the Table a copy of the Report of the Advocates Act Review Committee. [Placed in Library. See No. LT-524/67].

#### LEAVE OF ABSENCE TO SHRI M. J. JAMAL MOIDEEN

MR. CHAIRMAN: I have to inform Members that the following letter dated the 25th May, 1967, has been received from Shri M. J. Jamal Moideen:—

"I am duly in receipt of your summons about the commencement of the Rajya Sabha on the 22nd instant.

I am sorry that I am not able to go over to Delhi at present as my Doctor feels that I should not go out at all. His certificate in original is enclosed.

I am afraid I may have to absent myself during the current session of the Rajya Sabha.

I request you, to kindly obtain leave of absence for me for the entire current session."

Is it the pleasure of the House that permission be granted to Shri M. J. Jamal Moideen for remaining absent from all meetings of the House during the current session?

(No hon. Member dissented).

Permission to remain absent granted.

#### ENQUIRY RE. CALLING ATTENTION NOTICE

##### UNION HOME MINISTER'S SPEECH IN CALCUTTA

MR. CHAIRMAN: Legislative Business.

SHRI BHUPESH GUPTA (West Bengal): Sir, I have given a Calling Attention Notice. I invite your attention and the attention of the Home Minister and the House to a statement made by the Deputy Chief Minister of West Bengal yesterday in Calcutta in which he has very plainly said that Mr. Chavan's speech in

[Shri Bhupesh Gupta.]

Calcutta on May 19 has created difficulties for the functioning of the West Bengal State Government and that he has incited certain officials. If a private individual had said it, I must have passed over this matter in silence after we had discussed it in this House. Now, the statement comes from a member of the West Bengal Cabinet, who happens also to be the Deputy Chief Minister. Also, in the same statement Mr. Jyoti Basu has demanded the right to go to All India Radio and call the Congress traitors as Mr. K. K. Shah had justified their Party being called traitors by Mr. Gulzarilal Nanda. I should like to know whether that Party would be given that right. They are entitled to have that right, because they had used it for that purpose. But here now I do not know how Mr. Chavan is reading the situation. I think that it is very necessary for him to get in touch immediately with the West Bengal Government and find out from them as to how his statement has caused damage and in what manner, because we also feel that his statement has caused incalculable harm to the normal functioning of the West Bengal State Government. Now, Sir, in regard to Centre-State relations we are told much. Here we have a situation, whether you like it or not—forget for a moment the various parties involved in it—wherein on the one hand the Union Home Minister justified the statement which he made within the particular limits of a particular State, West Bengal, and on the other hand we have the West Bengal Government taking serious exception to that statement.

SHRI AKBAR ALI KHAN (Andhra Pradesh): May I know, Sir, from Mr. Bhupesh Gupta, through you, in order to understand the situation whether the other members of the Cabinet of the West Bengal Government agree with the statement made by him?

SHRI BHUPESH GUPTA: Yes, Sir. Earlier also the Minister of Broadcasting said that everyone in West Bengal agreed. Mr. Chavan is the Home Minister, not even the Deputy Prime Minister. Now, Mr. Jyoti Basu happens to be the Deputy Chief Minister. Therefore, let us take it for what it is worth. Now, Mr. Chairman, I request you to consider the situation. You call for all the papers—the statement Mr. Chavan made in Calcutta and what the West Bengal Government had to say—and see how it could be tackled. Secondly, I would also request them, through you, to see that here the President is a federal personality. He should immediately call a meeting of the West Bengal Government's representatives and the Home Minister and others and thrash out as to what are the norms to be observed in this matter, whether the Union Home Minister is at all entitled to go and make a statement in a State on a subject that comes within the exclusive jurisdiction of the State Government, under List II in the Seventh Schedule of the Constitution, which has to be read, of course, with article 246. Mr. Chavan should clarify the position. I come from West Bengal State. I do have a feeling that the Central Government has incited certain people in West Bengal against the Ministry . . .

HON. MEMBERS: No, no.

SHRI BHUPESH GUPTA: I shall mention in this connection Mr. K. K. Ray, former Home Secretary of the West Bengal Government, has been transferred somewhere from his post, for whatever reason. Immediately we find that he is to be made a Joint Secretary here in the Home Ministry. Now, I am not going into the intention. The cumulative effect of these things, the cancellation or censoring of the radio broadcast, then justifying Mr. Nanda's broadcast, Mr. Nanda calling their Party as a Party of traitors and so on—Mr. K. K. Shah justified it—then, Mr. Chavan's state-

ment, then Mr K K Ray's appointment and then Mr Dharma Vira coming as Governor, all these things, is to poison the atmosphere I should, therefore, request the Home Minister to descend, to come down to reality and realise for goodness's sake that the federal principles must have their course. This one-way traffic is not going to be tolerated or allowed to take place. The Centre can expect one morning . . .

SHRI A. G. KULKARNI (Maharashtra) Sir, on a point of order. Under the rules unless the notice is admitted, he cannot go on like this and take possession of the House. What is this going on?

SHRI BHUPESH GUPTA A circus is going on, do you not see? Being a party to what is going on, he should be gifted with the right sense. He is going on with a speech. Now, you Congress Members have got a knack of getting up before I conclude a sentence. For goodness's sake at least allow me to come to a full stop and then you get up. Now, Sir, therefore I say it is a very serious matter. I think the West Bengal Government are justified in making the allegations which they have made against the Centre and the Centre cannot expect regard from the State Government when two of its Ministers and also Mr Morarji Desai, three of them, seem to have developed a kind of "gherao" against the West Bengal Government—Mr. Morarji Desai, Mr Chavan and Mr. K. K. Shah also. Therefore, I would ask for proper replies to the points I have raised. It touches the fundamental aspects of the Constitution in the changed political conditions.

श्री गोडे मुराहरि (उत्तर प्रदेश) मभापति महोदय, मैं इस सबध में

MR CHAIRMAN Have you anything to say?

THE MINISTER OF HOME AFFAIRS (SHRI Y B CHAVAN) Have you admitted the Calling Attention Notice?

श्री गोडे मुराहरि : इसी सम्बन्ध में मैं एक निवेदन करना चाहूंगा कि हमारे गृह-मंत्री साहब ने जो रवैया प्रकट किया है स्टेट्स के बारे में उससे हिन्दुस्तान की एकता को आगे चलकर खतरा है।

SHRI M. M. DHARIA (Maharashtra) Sir, on a point of order . . .

श्री गोडे मुराहरि : क्योंकि उन्होंने सिर्फ इस बात का इजहार किया जैसा कि श्री भूपेश गुप्त ने बताया . . .

MR CHAIRMAN There is a Calling Attention Notice today, no doubt, but there must be sufficient notice to the Home Minister and everyone concerned to reply to it. Mr Chavan . . .

श्री गोडे मुराहरि मेरा निवेदन है . . .

SHRI Y B. CHAVAN The point I wanted to make was . . .

श्री गोडे मुराहरि : जो बात मैंने शुरू की पहले उसको तो खत्म हो लेने दीजिए।

MR CHAIRMAN Will you please sit down?

श्री गोडे मुराहरि : कभी तो स्टेट्स को यह हिवायत देते हैं कि सी० बी० आई की जो रिपोर्ट . . .

MR CHAIRMAN I say, you kindly sit down . . .

(Interruptions)

श्री गोडे मुराहरि . . .  
इसी तरह से स्टेट्स में

MR CHAIRMAN When I say please sit down, kindly do so . . .

(Interruptions)

SHRI Y B CHAVAN My point is, really speaking, there is no motion . . .

before the House, but even then Mr. Murahari went on making certain statements and assertions and they certainly go on record. I think it is my duty not to allow it to go unchallenged. The point is I made that statement in Bengal. If I get another opportunity and if the same situation continues in Bengal I will have no hesitation in saying what I had said . . .

SHRI BHUPESH GUPTA: Who authorised you?

(Interruptions)

SHRI Y. B. CHAVAN: You cannot shout . . .

SHRI BHUPESH GUPTA: You know the Constitution very well . . .

SHRI Y. B. CHAVAN: You do not shout . . .

SHRI BHUPESH GUPTA: Let me deal with it . . .

(Interruptions)

SHRI Y. B. CHAVAN: Why do you not listen to me?

SHRI BHUPESH GUPTA: Surely. You have got a chorus behind you.

SHRI Y. B. CHAVAN: Because you started interrupting me.

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI VIDYA CHARAN SHUKLA): You were not interrupted. You should listen to him.

SHRI Y. B. CHAVAN: He said I went and said something in that territory of Bengal. Does he think that Bengal is an independent, sovereign country? It is part of India. Do not forget that. (Interruption) I was within my own territory.

I was on Indian soil. I was 1 P.M. in that State. I was addressing the Zonal Council where all the other States were also present. I was within my own rights to say that. The point is, it is not the technical part that matters most; whether what I said was right or wrong was most important. What is

the quality of advice I gave? That advice is good. That advice I give even today. I would request my hon. friend to persuade the West Bengal Government to accept my advice.

SHRI BHUPESH GUPTA: Again and again . . .

SHRI LOKANATH MISRA (Orissa): You must allow me.

SHRI M. M. DHARIA: On a point of order.

SHRI BHUPESH GUPTA: I was questioning Mr. Chavan.

SHRI M. M. DHARIA: On a point of order. My point of order is very simple. There is no motion before the House. You were kind enough to allow Mr. Bhupesh Gupta to mention the subject. It was mentioned. How could such sort of a discussion be allowed when there is no motion? Why are the rules infringed by them?

SHRI RAJNARAIN (Uttar Pradesh): There is no point of order. The Chair can allow.

SHRI M. M. DHARIA: We are bringing it to the notice of the Chair that it is not according to rules.

श्री राजनारायण : श्री धरिया जी का कोई प्वाइंट ऑफ आर्डर नहीं है। चेयर को यह हक हासिल है कि वह किसी भी सम्मानित सदस्य को टाइम दे सकता है।

SHRI BHUPESH GUPTA: I did not want to disturb Mr. Chavan. But he is an experienced man having been Defence Minister, Home Minister, and what not. I am not so experienced or so qualified. He got annoyed. I am not questioning a citizen of India. He may say whatever he likes. But here he is the Home Minister of the Union Government. Certain constitutional proprieties, certain constitutional norms and obligations attach to him. I say that Mr. Chavan said that with a view to encouraging these hooligans and his party in West Bengal.