

[श्री शीलभद्र याजी]

उसे फिक्स करना पड़ेगा। लैंड रिफार्म्स के मामले में केन्द्रीय सरकार को राज्य सरकारों पर दबाव डालना चाहिए और जितनी सरकारी जमीन है उस पर पैदावार बढ़ाने के लिए—कोऑपरेटिव से काम चलने वाला नहीं है—कलेक्टिव सिस्टम की खेती होनी चाहिए।

श्री राजनारायण : सब गवर्नमेंट के हाथ में आ जाय।

श्री शीलभद्र याजी : जो खेतिहर मजदूर हैं उनको उसमें लगाएं।

श्री राजनारायण : 'कलेक्टिव' और 'कोऑपरेटिव' का फर्क समझते हों ?

श्री शीलभद्र याजी : खूब समझते हैं।

श्री राजनारायण : क्या समझते हैं ?

श्री शीलभद्र याजी : मैं आपको समाजवाद पढ़ा सकता हूँ। मुझ को कहने दीजिए। मैं यह नहीं कह रहा हूँ कि दूसरे की जमीन पर करिए। कोऑपरेटिव कीजिए निजी जमीन में, लेकिन जो सरकार की जमीन है उसको लेकर जो गरीब लोग हैं जो भूमिहीन हैं, जो खेतिहर मजदूर हैं, उनको उसमें लें और सरकार उनको काफी मजदूरी दे और पानी और खाद की व्यवस्था करके ज्यादा से ज्यादा पैदावार को बढ़ाए। लैंड की सीलिंग बनानी चाहिए। उसको फिक्स करके जो बड़े बड़े लोग हैं यू० पी० और बिहार में जिनके पास फालतू जमीन है उसको ले लेना चाहिए।

श्री राजनारायण : लैंड सीलिंग बेस टर्म है, कितनी सीलिंग हो यह तो बोलो।

श्री शीलभद्र याजी : सब सरकार मान गई है, 25 एकड़ जमीन है। बंगाल में 25

बीघा है। कैसी जमीन है, उपजाऊ जमीन है, ऊसर जमीन है या कंकड़ जमीन है, यह निर्णय तो जमीन को देख कर किया जाता है। इसलिए लैंड रिफार्म्स को ज्यादा से ज्यादा लागू करना चाहिए। जब हम समाजवाद के रास्ते पर चलते हैं तो लैंड रिफार्म्स करना बहुत जरूरी है। ये लोग जो चिन्लपों करने वाले हैं, ये कुछ नहीं कर सकते, ये टंटे करते रहेंगे। कुछ करना है तो कांग्रेस को, और यह जो चार रोज से चूँ चूँ का मुरब्बा 14-15 पार्टियों को लेकर बन गया है वह चलने वाला नहीं है, यह तो गिरने वाली है। हमने देख लिया कि नेशनल फ्रण्ट का कितना विरोध है। एक जगह जनसंघ, डाह्याभाई की स्वतन्त्र पार्टी और दूसरी जगह राइट कम्युनिस्ट, लेफ्ट कम्युनिस्ट, सब अपनी अपनी आइडियोलॉजी पिन्जरे में बंद करके रखते हैं। यह अनहोली एलाएन्स और हनीमून चलने वाला नहीं है, यह चन्द रोज़ा सरकार है।

श्री राजनारायण : एक तरफ मोरारजी देसाई, एक तरफ इन्दिरा गांधी...

श्री शीलभद्र याजी : हम को समाजवाद को लाना है और इनकी बोली को बन्द करना है।

CALLING ATTENTION TO A MATTER OF URGENT PUBLIC IMPORTANCE

ORDER UNDER SECTION 144 CR. PC. IN CERTAIN AREAS OF NEW DELHI

THE DEPUTY CHAIRMAN: Now we come to the Calling Attention Notice by Shri Bhupesh Gupta.

SHRI BHUPESH GUPTA (West Bengal): I beg to call the attention of the Minister of Home Affairs to the promulgation of an order under section 144 of the Criminal Procedure Code last week in certain areas of New Delhi with a view to banning the demonstration of Central Government employees before the Home Minister's residence.

**THE MINISTER OF STATE IN
THE MINISTRY OF HOME AFFAIRS
(SHRI VIDYA CHARAN SHUKLA):**
Madam Deputy Chairman, the Sub-Divisional Magistrate, New Delhi, had received information on 28th March, 1967, that the Federation of the Central Secretariat and Allied Offices' Employees had decided to organise a demonstration outside the residence of the Union Home Minister at about 5.45 P.M. on 30th March. On the basis of the information received by him, and keeping in view the experience of such demonstrations organised in the past, he came to the conclusion that the unrestricted holding of meetings, processions and demonstration in the area bounded by Kautilya Marg, Club Road, Aurangzeb Road, Janpath, Rajpath, Vijay Chowk, Dalhousie Road, South Avenue, Tin Murti Marg was likely to cause obstruction, annoyance or injury to the public. He therefore promulgated an order under section 144 Cr. P.C. on 29th March.

I would like to draw the attention of the House to the provisions of section 144 Cr. P. C. wherein it has been provided that it is for the competent Magistrate to take a view of the material facts of the situations in order to act under that section. Government do not think that in the present case the Magistrate exercised his power wrongly.

I would, however, like to suggest for the consideration of this House that the recourse to agitational methods by Government employees for seeking redress of their grievances is an entirely unhealthy practice which support from all sides of the House is aware that a machinery has already been set up to look into the problems of the staff, and they are partners in the Joint Consultative Machinery. Our common efforts should be to work this machinery in a spirit of co-operation. We ask for support from all sides of the House for ensuring the success of this experiment.

SHRI BHUPESH GUPTA: Madam Deputy Chairman, now this is the usual Magisterial statement which has been made in this House. One expected statement of a Ministerial nature. After all, he was speaking to Parliament, and not to somebody else outside.

Now there are two aspects of the matter. He said that somebody was satisfied that a demonstration of this kind might cause annoyance, and that gentleman whoever he may be, kept in view what had happened in the past. I should like to know what kind of annoyance he or the Government apprehended in this matter and on what basis they came to the conclusion that the proposed peaceful demonstration by the Government's own employees here would have led to what happened on November 7 last, would have led to a similar happening. I should like to know this. And I should also like to know from him whether the Metropolitan Council or other Delhi authorities were consulted in the matter before taking a decision of this kind curtailing the fundamental rights of the Government employees to come in a procession and to press their demands or to voice their demands. I should also like to know why the Government did not take into account the fact that Parliament was in session and that action of this kind was liable to be a kind of disrespect to Parliament in the sense that the Government was acting arbitrarily, in an authoritarian manner when Parliament was in session and could be easily seized of the entire matter. Not only that. The Government did not make any statement about this matter until today, till after we had given notice of it. Therefore, all these things need to be explained. Do I understand that the present Home Minister is afraid of facing a massive demonstration of his Government employees peacefully appearing before his house and making their voices heard in the manner in which in every democratic country this is done

[Shri Bhupesh Gupta.]
in certain circumstances like this? I should like to know this. Or do I understand the annoyance in question to mean annoyance to our Home Minister and certain top officials? I should like all these things to be cleared. Besides, he has chosen this occasion to gratuitously make a statement or issue a sermon—shall we say—about what he considers to be a healthy practice or an unhealthy practice on the part of the Government employees. Well, fortunately, many Government employees, today, at the State level are outside your reach at the State level. And what is wrong there? Any other arrangement that may exist does not preclude the need for a demonstration of this kind. Demonstration does not mean that any such machinery cannot come into operation. Besides, we would like to know why the Government had allowed the grievances to accumulate instead of dealing with them by meeting the Government employees who have been waiting patiently for months and months in order to get a sympathetic consideration by the Government which would produce some results and make some difference to their daily life. Therefore, I say the manner in which the Government has functioned is entirely atrocious and arbitrary. Does the Government think that when Parliament is here, it can be treated in this manner? When Parliament is in session do they think that they can behave like dictators in this matter? Delhi is not their private property. In fact the people of Delhi had rejected them outright.

THE DEPUTY CHAIRMAN: Let him answer your questions.

SHRI BHUPESH GUPTA: I know he will give his reply. I say the people of Delhi have rejected them crushingly. The people of Delhi have done it. Except for one M.P. nobody could be elected and in the Metropolitan Council their party . . .

SHRI ARJUN ARORA (Uttar Pradesh): But your party was also defeated.

SHRI BHUPESH GUPTA: That does not matter. We have not imposed section 144.

SHRI ARJUN ARORA: All the candidates of your party even forfeited their deposits.

SHRI BHUPESH GUPTA: If I had been in the Government and after my defeat I had behaved in this irresponsible manner, you could have addressed this question to me. Now the Congress is the ruling party at the Centre. It is not the ruling party in the Metropolitan Council or in the Delhi Municipal Corporation any more. The people of Delhi have rejected this party clearly in this election. And yet this Government, this party in power, has had the temerity to impose in this manner section 144. Do I understand that New Delhi is the zamindari of these discredited Congress leaders adorning the Council of Ministers here, on the Central Council of Ministers? Or do I understand that New Delhi and Delhi have passed out of their hands and morally and politically New Delhi and Delhi belong to the people who are opposed to the Congress?

THE DEPUTY CHAIRMAN: That will do.

SHRI BHUPESH GUPTA: Madam, this is a violation of every democratic law.

THE DEPUTY CHAIRMAN: I say Mr. Gupta, that will do.

SHRI BHUPESH GUPTA: I say this is a violation. I ask them this question. Do they realise that they can be rightly condemned even by liberal public opinion in this country for acting in this manner?

Finally I would like to know whether they had any talk recently with the representatives of these employees after this provocative and arbitrary order had been passed. If so, what is the result of such talk?

THE DEPUTY CHAIRMAN. Under cover of Calling Attention speeches should not be delivered. You should restrict your remarks.

SHRI VIDYA CHARAN SHUKLA: Speeches can be answered only by speeches but I am precluded from making a speech now. I will deal first with the last point raised by Mr. Gupta. I may inform the House that the Home Minister did meet the representatives of these people who asked for an interview. He listened to their submissions and assured them that he would look into whatever points they had raised there.

Now, Mr. Gupta in his usual manner has raised a good many points during his speech. First of all he asked what kind of an annoyance would be caused if these Government servants were allowed to demonstrate in this area which I have described in my statement. I would only call to his attention the demonstration, an identical demonstration, organised before the former Home Minister's residence, where highly abusive slogans were raised and indecent things were said which would make anybody, any decent man hang his head in shame.

SHRI BHUPESH GUPTA: Do you expect such a thing from Government employees, that they would behave in this manner?

SHRI VIDYA CHARAN SHUKLA: The same organisation was behind this demonstration and this would have caused obstruction and annoyance for all gentlemen and ladies living in these areas.

SHRI BHUPESH GUPTA: Wonderful ladies.

SHRI VIDYA CHARAN SHUKLA: The magistrate in charge felt that this sort of thing would happen and that is why he promulgated this order.

As the House knows, law and order is a reserved subject with the Union

Territory and the Metropolitan Council has nothing to do with it. There is no question of consulting the Metropolitan Council regarding this essentially law and order matter.

As far as this statement is concerned, the Calling Attention notice was given by Shri Bhupesh Gupta and as soon as it was admitted we have come forward in Parliament to make a statement and we have made that statement. There is no question of anybody being afraid of facing any demonstration. Let me say it once and for all that Mr. Gupta should not think that we have become chicken-hearted and we cannot face a demonstration. We can face many demonstrations and even bigger demonstrations than this. It is not a question of facing or not facing a demonstration. It is a question of maintaining tranquillity and peace in certain areas. It is not a question of the Home Minister's residence or this Minister's or that Minister's residence. The question is one maintaining certain standards in certain areas of New Delhi.

SHRI BHUPESH GUPTA: Who are you to decide it unilaterally? We are here in Parliament.

SHRI VIDYA CHARAN SHUKLA: It is for the law enforcing authorities to take the judgment. Their judgment may be right or their judgment may be wrong. But they have to judge according to the best of their ability.

श्री राजनारायण : उत्तर प्रदेश) :
महोदया, मुझे अफसोस है कि . . .

उपसभापति : आप किसमें से पढ़ते हैं ?

श्री राजनारायण : आप घबड़ाइये मत । मैं एम० ओ० माथाई का लेटर नहीं पढ़ रहा हूँ । हमारे पास और लेटर्स हैं, लेकिन हमने बजट के लिये छोड़े हैं । मुझको अफसोस सही में है; क्योंकि मैं दिल से चाहता हूँ कि यह शुकला हमारा हो कर रहे, जो इस समय मिनिरट्रर है ।

श्री विद्या चरण शुक्ल : आपके तो हैं ही ।

श्री राजनारायण : लेकिन मुझको लगता है कि इस उम्र के लोग आज जब कांग्रेस में हैं, तो बड़े अफसोस की बात है, क्या उनके दिमाग में कुछ कूड़ा तो नहीं जम गया है । उसी कूड़े को हम निकालना चाहते हैं । जरा सेक्शन 144 क्रिमिनल प्रोसीजर कोड पढ़ा जाय । एक नही अनेक जज ने यह रूलिंग दिये हैं हाई कोर्ट में, सप्रू साहब यहां बैठे हैं जानते होंगे, हमारे ही केस में कि धारा 144 का आर्डर प्रोमुलगेट नहीं हो सकता "एट द व्हिच आफ ए मजिस्ट्रेट" There must be some object conditions में 144 का जो आर्डर है उस आर्डर की कापी चाहता हू कि उस आर्डर की कापी यहां दिखायी जाय । उसमें बताया जाय कि—
What are the reasons, what was the objective situation: जिसको किसी दूसरे

तरीके से कंट्रोल नहीं किया जा सकता था और धारा 144 लगाने की जरूरत थी । और धारा 144 को लागू करने के पहले इसका नोटिस करना पड़ेगा, क्रिमिनल प्रोसीजर कोड की जो धारा 134 है उसके मुताबिक धारा 144 के आर्डर को प्रोमुलगेट करना पड़ेगा । ना तो इसमें धारा 144 में जो दिया हुआ है उसके मुताबिक कार्यवाही हुई, ना तो 144 के प्रोसीडिंग की खानापूर्ति की गई । एक मजिस्ट्रेट के व्हिच पर आ गया, कहीं एक फोर्ज बना दिया गया कि यहां गडबड़ी है, केन्द्रीय सरकार के कर्मचारी अगर प्रोसेशन में आयेगे तो हल्ला होगा—तो क्या यह मफिशियेन्ट ग्राउन्ड है 144 लगाने के लिये? मैं समझता हू नहीं है । अगर शुद्ध दिमाग से सोचा जाय तो नहीं है । जब हम लोग पढ़ने थे, तो नेहरू जी के आने पर गोरखपुर में एक दिन के लिये धारा 144 लगी थी और कालेज बन्द हो गए । अंग्रेजी राज्य में जब धारा 144 एक दिन, दो दिन लगता था तो सारा देश हिल जाता

था । अब यहां बरसों से लगातार बड़े बड़े शहरों में हम देखते हैं कि 144 चालू है । हमको क्या मंत्री महोदय बतायेंगे कि केन्द्रीय सरकार के कर्मचारियों की क्या मांगें थी ? उन मांगों को लेकर अगर प्रदर्शन निकलता तो क्या उनको फन्डामेंटल राइट जो कांस्टीट्यूशन के जरिये मिले है उनके विरुद्ध जाता?

एक चेतावनी के रूप में देना चाहता हूं—एक सवाल नहीं आया, हमारा क्वेश्चन डिसअलाऊ कर दिया गया—मगर मैं सूचना देना चाहता हूं कि राज कर्मचारियों को रोक रहे हो, 8000 जवानों का प्रदर्शन इसी दिल्ली में अभी हुआ है पन्द्रह दिन पहले जिसको कि पुलिस के बड़े-बड़े अफसरों ने रोकना चाहा—उन सबों ने इन्कार किया, उन्होंने कहा हम राइट को सेव करने के लिये प्रदर्शन निकालेंगे । उन्होंने प्रदर्शन निकाला, सभा की मीटिंग की । आखिर सरकार का प्रेस्टीज, क्या रह गया । इसलिये सरकार बे मतलब अपनी शान न दिखाने की कोशिश करे । जो सम्भ सवंधानिक, जनतांत्रिक तरीके हैं राज कर्मचारियों के लिये और उनको फन्डामेंटल राइट मिला हुआ है कांस्टीट्यूशन में, उसको किसी भी तरीके से यह 144, 134 या 107, 110, 151 दफाएँ लगाकर उनकी गिरफ्तारी करना, उनके प्रोसेशन पर पाबन्दी लगाना, निश्चित रूप से यह जनतांत्रिक परम्परा की अवहेलना है । आखिर सरकार चाहती क्या है ? क्या सरकार ने यह पक्का इरादा बना लिया है कि वह किसी की बात को तब तक नहीं सुनेगी जब तक सही मानो में कुछ खूनखराबी न हो जाय, और अगर ऐसा इरादा बन गया है तो यह हमारे देश के लिये एक बहुत ही दुर्दशा का दिन होगा ।

श्री विद्या चरण शुक्ल : उपाध्यक्षा महोदया, जहां तक कि राजनारायण जी का अखिर का सवाल है, मैं यह कहना चाहता हूं कि सरकार की नीति तो यही रही है कि जो भी शांतिपूर्ण ढंग से, सवंधानिक ढंग से उसके सामने मांगें ले जायेगा, उसके ऊपर सहानु-

भूति से और गंभीरता से विचार किया जायेगा तो यही हमारी नीति है, यह आप को मालूम होना चाहिये.....

SHRI RAJNARAIN: I want a copy of the order.

श्री विद्या चरण शुक्ल : दूसरे आपने यह पूछा था कि सरकार नकर जो कि होम मिनिस्टर साहब से मिले, उनकी मांग क्या थी। उनकी चार पांच मांगें थी। उनमें एक यह थी कि उनका जो फेडरेशन है वह रिकग्नाइज किया जाय। दूसरी मांग यह थी कि जितने उनकी श्रेणी के सदस्य हैं उनको स्लेक्शन ग्रेड मिले। वैंकेंसीज, कंफर्मेशन और इसी तरह की जो स्टाफ की साधारण मांगें रहती है, उन्हीं मांगों के सम्बन्ध में उन्होंने एक मेमोरैंडम दिया था, जिस पर जैसा कि मैंने बताया गृह-मंत्री जी ने यह आश्वासन दिया था कि इसके बारे में वे सहानुभूतिपूर्वक सोच विचार करेंगे।

जहां तक कि धारा 144 का सम्बन्ध है, जब इसको यहां लागू किया गया तो इसमें कोई गैर-कानूनी चीज नहीं हुई। इसका मैं आश्वासन राजनारायण जी को दे सकता हूं कि यदि चाहें तो इसके बारे में वे पूरी तरह से जांच पड़ताल भी कर सकते हैं।

श्री राजनारायण : माननीया, मेरा एक प्वाइन्ट आफ आर्डर है। जब यह सवाल उठ गया है और जब इस पर बहस हो गई है तो इससे सम्बन्धित कागजात यहां पर आने चाहियें। धारा 144 के आर्डर की कापी मैं चाहता हूं कि यहां पर मंत्री जी दें।

THE DEPUTY CHAIRMAN: He wants the Order.

SHRI VIDYA CHARAN SHUKLA: I do not think we are called upon to lay a copy of the Order.

SHRI BHUPESH GUPTA: Why not? On a point of order, Madam. This relates to the promulgation of section 144. An hon. Member of this House has asked for a text of that order. It should be read out. It should be presumed that he has got the copy with him. Why is he sup-

pressing a particular order if it is in his possession?

SHRI DAHYABHAI V. PATEL: It was promulgated in the city of Delhi and it should be available with him.

SHRI VIDYA CHARAN SHUKLA: Madam, I say it is absolutely unessential and it is never done. (Interruptions). But I have no objection to reading it out or laying it on the Table. Whatever the Chair may direct I am prepared to do that. The Order is this:

"Whereas the area south of the Central Secretariat North and South Blocks, Central Secretariat, New Delhi together with its surrounding localities are busy public places;

And whereas unrestricted holding of meetings, processions and demonstrations therein or in their close vicinity are likely to cause obstruction annoyance or injury to the public;

And whereas it is necessary to take speedy measures in this behalf to prevent obstruction annoyance or injury or risk of obstruction annoyance or injury to the public;

Now, therefore, in exercise of the powers conferred upon me by section 144 of the Criminal Procedure Code, II, R. K. Anand, Sub-Divisional Magistrate, Tughlak Road, New Delhi, do hereby make this written order prohibiting the holding of any public meeting, procession or demonstration within the area bounded by Kautilya Marg, Club Road, Aurangzeb Road, Janpath, Rajpath, Vijay Chowk, Dalhousie Road, South Avenue, Tin Murti Marg without a written permission from me, which permission if accorded may be made subject to such conditions as the said authority may deem fit to impose . . ."

SHRI BHUPESH GUPTA: It is a *mala fide* Order.

THE DEPUTY CHAIRMAN: Have you finished your answer?

SHRI VIDYA CHARAN SHUKLA:
Madam there is one more point. Really there cannot be any answer to the speeches.

THE DEPUTY CHAIRMAN: If you have any points, you finish.

SHRI VIDYA CHARAN SHUKLA:
There is one point that I want to answer and that is about the Fundamental Rights to which Mr. Rajnarain referred. I do not think any Fundamental Rights are involved in this matter.

श्री राजनारायण माननीया, एक
मिनट . . .

उपसभापति : श्री ड.ह.भाई पटेल ।
इनको भी चांस देना चाहिये ।

SHRI DAHYABHAI V. PATEL:
This is a very serious matter significance of which is perhaps lost on many people in this House. The matter to which my hon friend, Mr. Bhupesh Gupta, has called the attention of the Home Minister is certainly a matter concerning Government employees but who are these employees? Is it a fact that 20,000 policemen of Delhi assembled right from the rank of Inspectors of police downwards—every one of them—and for four hours the Police Stations in Delhi were empty, unmanned? In Delhi in which we have so many crimes every day, every hour the Police Stations were completely unmanner for four hours. Is this how the Home Ministry is functioning in the capital city of Delhi? In the first place . . .

SHRI AKBAR ALI KHAN: You don't approve of that?

SHRI DAHYABHAI V. PATEL:
Wait a minute. I want to know whether it is permissible for the police force to form a trade union as they attempted to do? In the second place . . .

SHRI VIDYA CHARAN SHUKLA:
He is referring to something else.

SHRI DAHYABHAI V. PATEL:
Madam, I am asking questions.

THE DEPUTY CHAIRMAN: But are you asking on this Call Attention notice?

SHRI DAHYABHAI V. PATEL:
Certainly it relates to that.

SHRI VIDYA CHARAN SHUKLA:
No, no.

SHRI DAHYABHAI V. PATEL:
You are trying to hide the fact. It is a fact that 20,000 policemen assembled from the rank of Inspector of Police downwards and all the Police Stations in Delhi were empty on that day. It was because the Home Minister failed to take action promptly, failed to take notice of the grievances which have been pointed out repeatedly by them, that they were forced to this. The Home Ministry was totally indifferent to the several complaints made by the police in relation to the way in which it had become difficult for them to perform their normal duties and therefore they had to take this step. Is this how the Home Ministry is functioning in the capital city of Delhi? Today there is no one it seems who is responsible really. Is this a Government or what's it, Madam?

SHRI VIDYA CHARAN SHUKLA:
Madam, I think the hon. Member has not probably understood the subject of the Calling Attention Notice of Mr. Bhupesh Gupta. It is in regard to demonstration that was proposed to be held by the Federation of the Central Secretariat and Allied Offices Employees and it has nothing to do with the police.

SHRI DAHYABHAI V. PATEL:
They are also Government employees

THE DEPUTY CHAIRMAN: Mr. Patel's question is, did the police also hold a demonstration and if so why these employees were not permitted?

SHRI VIDYA CHARAN SHUKLA:
No; not on this day; nothing to do with the promulgation of this Order. It has no connection whatsoever.

श्री सुन्दर सिंह भंडारी (राजस्थान).
महोदया, मुझे मंत्री महोदय से दो सवाल करने हैं। एक तो यह कि गृहमंत्री महोदय डेप्युटेशन से मिले, तो क्या इस प्रदर्शन की घोषणा होने के कारण उनकी डेप्युटेशन से मिलने की जरूरत महसूस हुई और क्या इन प्रदर्शन से पूर्व किसी भी प्रकार के डेप्युटेशन से उन्होंने मिलने के बारे में कोई आश्वासन नहीं दिया था। दूसरी बात यह है कि दिल्ली में अब एक मेट्रोपोलिटन कौंसिल का गठन हुआ है और दिल्ली में जितनी भी ला ऐंड आर्डर सिचुएशन पैदा होना है, क्या मेट्रोपोलिटन कौंसिल की राय, मेट्रोपोलिटन कौंसिल की रिपोर्ट, मेट्रोपोलिटन कौंसिल की मार्फत किसी चीज की पाबन्दी या इजाजत देने का आग्रह होता है, मेट्रोपोलिटन कौंसिल का कोई स्थान मंत्री महोदय रखना चाहते हैं अथवा नहीं या हमेशा उसकी नजर आन्दोलन के स्वयं अपने हाथों से ला ऐंड आर्डर सिचुएशन को टैपल करने की अपनी जिम्मेदारी समझते हैं।

श्री विद्या चरण शुक्ल जहाँ तक मिलने और प्रदर्शन का बात है, प्रदर्शन और जो गृहमंत्री जी ने उनसे मिलने का टाइम दिया था, उन दोनों में कोई खास सम्बन्ध नहीं था। जहाँ तक मेट्रोपोलिटन कौंसिल का सवाल है, मैं माननीय सदस्य को बताना चाहता हूँ कि इस सदन के द्वारा जो कानून पास किया गया है, उसमें ही यह प्रावधान है कि ला ऐंड आर्डर का जो विषय है, वह मेट्रोपोलिटन कौंसिल के पास नहीं रहेगा। इसलिए जहाँ तक कानून और व्यवस्था का प्रश्न का सम्बन्ध है, मेट्रोपोलिटन कौंसिल से परामर्श आदि करने का सवाल नहीं उठता। पर यदि कोई भी व्यक्ति, मेट्रोपोलिटन का सदस्य या माननीय सदस्य इस सम्बन्ध में कुछ सरकार को बताना चाहते

हैं, तो उसके ऊपर अवश्य अच्छी तरह से विचार किया जायगा।

श्री सुन्दर सिंह भंडारी : डेप्युटेशन कब मिला उनसे।

श्री विद्याचरण शुक्ल एक तारीख को।

SHRI NIREN GHOSH (West Bengal): Madam, I think the Delhi police were quite right in staging the demonstration. I support them fully since their grievances have not been looked into. And the hon. Minister should clarify why this right has been taken away from the Central Government employees. From the order he read out, he says 'injury to some people'. What were the grounds for assuming that they were going to cause injury to people? Is it not one of the Fundamental Rights to organise and to demonstrate? For how many months have these issues been pending before the Government? We have experience of that. They say "we will look into the matter". And they go on looking into the matter for years. After that, suppose the persons concerned or the employees concerned are not satisfied with their looking into it or whatever else they do, have they got the right to come out on the streets and to demonstrate and is it not taking away their Fundamental Right? He says it has not been taken away. On the flimsy pretext of causing injury to people, they do this. What grounds did they have to think that if they staged a demonstration they would cause injury to any people?

THE DEPUTY CHAIRMAN: That will do.

SHRI NIREN GHOSH: Were there any precedents? All these questions arise and he should answer them.

SHRI VIDYA CHARAN SHUKLA: It is the Magistrate's order. I have already explained our standpoint on the question of Fundamental Rights, which the hon. Member has raised.

THE DEPUTY CHAIRMAN: What was the basis for the presumption—

[The Deputy Chairman.]
that is what they say. Did you fear any kind of injury?

SHRI VIDYA CHARAN SHUKLA: That was the assessment of the Magistrate and we do not interfere with the assessment of the Magistrate in these matters.

SHRI BHUPESH GUPTA: It is an executive order.

SHRI R. S. KHANDEKAR (Madhya Pradesh): Madam, I would like to ask this. The former Home Minister so hurriedly got the Bill passed. When the police did stage a similar demonstration, what happened to that law? In spite of that law, the police could demonstrate before the residence of the Home Minister. So, what was the harm in the Government employees staging their demonstration? Secondly, what has happened to their demands? May I know whether the Home Minister is going to consider their demands or is he going to set up a committee to look into their demands?

THE DEPUTY CHAIRMAN: Whose demands?

SHRI R. S. KHANDEKAR: And how much time will he take to dispose of these demands?

SHRI VIDYA CHARAN SHUKLA: May I respectfully submit that we are not discussing it? There was no demonstration by the police and there is no proposal before the Home Minister.

THE DEPUTY CHAIRMAN: How much time will you take—he is asking.

SHRI VIDYA CHARAN SHUKLA: That is not the matter of this Calling Attention Notice.

SHRI RAJNARAIN: Madam . . .

THE DEPUTY CHAIRMAN: Now, I think we have taken enough time. Nothing new is going to come out. You should also know when to stop.

श्री राजनारायण : मैं मंत्री जी से केवल यह जानना चाहता हूँ कि 144 के आर्डर को पढ़ लेने के बाद मंत्री जी कुछ समझ गए होंगे कि कानून की निगाह में यह आर्डर बिलकुल गलत है, इसलिए जिस मजिस्ट्रेट ने ऐसा आर्डर निकाल कर एम्पलाईज के अधिकारों का हनन किया है, क्या सरकार उस मजिस्ट्रेट के साथ उचित कार्यवाही करेगी ?

(No reply)

SHRI R. S. KHANDEKAR: Madam, my question was with regard to the demands of the Government employees not that of the police.

THE DEPUTY CHAIRMAN: That is why I asked you about it. Now, Mr. Khandekar has asked about the Government employees. How long will you take? Is there any time-limit put on it?

SHRI VIDYA CHARAN SHUKLA: In such matters there is no time-limit. We shall try to hurry it up.

THE DEPUTY CHAIRMAN: Then the House stands adjourned till 11 A.M. tomorrow.

The House then adjourned at thirty-four minutes past five of the clock till eleven of the clock on Thursday, the 6th April, 1967.