

(vii) Twenty-seventh Report on Planning, Management and Administration of K. rala State Government Companies.*

(viii) Thirty-first Report on the Alloy Steels Project and Coal Washeries Project of Hindustan Steel Limited.

REPORT OF THE PUBLIC ACCOUNTS COMMITTEE (1965-66)

SHRI M. P. BHARGAVA (Uttar Pradesh) : Sir, I beg to lay on the Table a copy of the Forty-eighth Report of the Public Accounts Committee (1965-66) on the Appropriation Accounts (Defence Services), 1963-64 and Audit Report (Defence Services), 1965.

Sir, I also beg to lay on the Table a copy of the Forty-ninth Report of the Public Accounts Committee (1965-66) on the Audit Report on the Accounts of the Khadi and Village Industries Commission for the year 1963-64.

श्री अटल बिहारी वाजपेयी (उत्तर प्रदेश)
में राजस्व आगमो के सम्बन्ध में लेखापरीक्षा
प्रतिवेदन (असैनिक), 1965 के पैरा 88
के संदर्भ में निर्यात संवर्धन योजनाओं तथा
सम्बद्ध विषयों के बारे में लोक लेखा समिति
(1965-66) के पचासवें प्रतिवेदन की
एक प्रति सभा पटल पर रखता हूँ ।

SHRI M. P. BHARGAVA (Uttar Pradesh) : I beg to lay on the Table a copy of the Fifty-first Report of the Public Accounts Committee (1965-66) on paras 7 and 8 of Audit Report (Defence Services), 1965.

NOMINATIONS TO THE PANEL OF VICE-CHAIRMEN

MR. CHAIRMAN : Under sub-rule (1) of rule 8 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I hereby nominate the following Members to the panel of Vice-Chairmen :—

1. Shri Akbar Ali Khan
2. Shri M. P. Bhargava
3. Shri M. Ruthnaswamy
4. Shrimati Tara Ramchandra Sathe.

NOMINATIONS TO THE BUSINESS ADVISORY COMMITTEE

MR. CHAIRMAN : Under sub-rule (1) of rule 30 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I hereby nominate the following Members to be Members of the Business Advisory Committee —

- 1 Shrimati Violet Alva
- 2 Shri R. S. Doogar
- 3 Shri I. K. Gujral
- 4 Shri P. K. Kumaran
- 5 Shrimati Mohinder Kaur
- 6 Shri Dahyabhai V. Patel
- 7 Shri Mulka Govinda Reddy
- 8 Shri Rajendra Pratap Sinha
- 9 Shri Atal Bihari Vajpayee

ALLOTMENT OF TIME FOR CONSI- DERATION OF GOVERNMENT RESO- LUTION REGARDING KERALA PROCLAMATION

MR. CHAIRMAN : I have to inform Members that I have allotted one day for the consideration of Government Resolution regarding the Proclamation issued under article 356 of the Constitution in relation to the State of Kerala.

REFERENCE TO REPORTED MOVE TO CONSTITUTE A JOINT COMMIT- TEE OF BOTH HOUSES TO EXAMINE THE ESTIMATES OF THE RAJYA SABHA

SHRI RAJENDRA PRATAP SINHA (Bihar) : Sir, can I make a submission ?

I was very distressed to see a press report that a proposal has been mooted to constitute a Joint Committee of both the Houses of Parliament to examine the estimates of the Rajya Sabha. Sir, I am distressed because I feel that such a question may lead to endless controversy and may adversely affect the good relations, the cordial and harmonious relations, that subsist between the two Houses of Parliament. It is of paramount importance that for the smooth functioning of our parliamentary system, there should be perfect mutual understanding, harmony and goodwill between the two Houses and this is

[Shri Rajendra Pratap Sinha]

accepted and recognised not only in our Parliament, but wherever there is a bicameral legislature.

It may be useful for us to understand and appreciate the constitutional position in this respect and also the well-established conventions that subsist in these matters. Sir, there appears to be some misunderstanding in the minds of some people because the House of Lords do not discuss the budget estimates of that country but in India, Sir, the position is quite different. We have a written Constitution and the Constitution very clearly defines the powers, privileges and the functions of each House. I shall invite your attention to article 112 of the Constitution which clearly lays down that a statement of estimated receipts and expenditure of the Government are to be laid before both the Houses of Parliament, the Lok Sabha and the Rajya Sabha, unlike the practice in the United Kingdom where the estimates of expenditure of that country are not laid before the House of Lords.

SHRI AWADHESHWAR PRASAD SINHA (Bihar) : There is a world of difference between the House of Lords and this House.

SHRI RAJENDRA PRATAP SINHA : Now, we have a right along with the Lok Sabha to discuss the estimates of the Houses of Parliament along with the other estimates of the Government of India during the various stages of the passage of the Budget in both the Houses. But there is article 113 of the Constitution which gives a special privilege to the Lok Sabha under which they can assent, refuse to assent or reduce any demand other than the charged items. Mr. Chairman, that is the only difference that exists between the powers of the two Houses. This privilege which is given to the House of the People under article 113 is not available to us but we have every right to discuss the various demands including the demands of both Houses of Parliament.

However, in view of the well-established convention and practice, the House do not discuss the estimates or accounts of the Houses and their Secretariats. The convention has grown up because any discussion

of the estimates or accounts of either House or its Secretariat would naturally bring into controversy the Presiding Officers of the two Houses and may detract their unquestioned position of authority over the respective Houses over which they preside. Here I would like to pay my tribute to the Speaker of the Lok Sabha who has consistently upheld this well-established convention of not permitting a debate or the raising of a discussion with regard to the demands of either House or its Secretariat on the floor of the House. The Speaker, I am glad, has further clarified and strengthened this well-established convention. He was pleased to observe in connection with the demand to discuss the estimates of the Rajya Sabha :

“We cannot discuss and criticise what they spend and how they spend—we cannot do it.”

However, we understand, Sir, that the Speaker of the Lok Sabha has constituted a small Committee to look into the accounts and the estimates of the Lok Sabha and report to the Speaker of the Lok Sabha before the estimates are certified by the Speaker. Subsequently, a suggestion has been mooted—of course not in this House—that the accounts and estimates of the Rajya Sabha should also undergo a similar scrutiny.

Sir, you may recall that you had informal consultations with the leaders of the various groups and some other Members in your Chamber last year and I understand that it was the consensus of that informal meeting firstly that there was no demand for such a scrutiny in this House. Even if it was felt that such a scrutiny should be undergone the consensus of that informal meeting, I understand, was that a Committee should be constituted by you composed entirely of Members of the Rajya Sabha to look into the estimates of the Rajya Sabha and its Secretariat. Alternatively, if that was not found acceptable, the consensus of this informal meeting was that a Joint Committee may be constituted—that was the consensus; I am merely stating the facts as they are and I am not expressing my opinion—composed of Members of both the Lok Sabha and the Rajya Sabha and this Joint Committee was to look into and scrutinise the estimates of both the Houses, the Lok Sabha and the

Rajya Sabha, and not only of Rajya Sabha.

Now, may I submit in all humility to this House, and also to the Lok Sabha, that it is not in keeping with our best traditions to subject the examination of the accounts of the Rajya Sabha only to a Joint Committee? With your permission, Sir, I would like to draw your attention to the following passage from May's Parliamentary Practice which would show how one House of Parliament in the United Kingdom acts when it has to deal with a matter which concerns the other House. This is in respect of returns relating to the other House :

"If one House desires any return relating to the business or proceedings of the other, neither courtesy nor custom allows such a return to be ordered; but an arrangement is generally made, by which the return is moved for in the other House; and after it has been presented, a message is sent to request that it may be communicated. A message is sometimes sent requesting that a return of certain matters may be communicated, and such return is prepared and communicated accordingly."

Now, the procedure, which is followed by Parliament in the U.K. in the matter of complaints of breach of privilege against Members or Officers of the other House, also illustrates that the Houses of Parliament enjoy perfect equality between them and are totally independent of one another and one House does not claim, much less exercise, any authority over the other. I again quote from May's Parliamentary Practice :

"The leading principle which appears to pervade all the proceedings between the Houses of Parliament is that there shall subsist a perfect equality between them, and that shall be, in every respect, totally independent of the other. Hence it is that neither House can claim, much less exercise, any authority over the Member of the other. Neither House of Parliament can take upon itself to punish any breach of privilege or contempt offered to it by any Member of the other House. If any complaint is made against any individual Member or against any of

the officers of the other House, the usual mode of proceeding is to examine into the fact and then lay a statement of that evidence before the House of which the person complained of is a Member or Officer."

The Committee of Privileges of the Rajya Sabha and the Lok Sabha sitting jointly had an occasion in the case of Shri N. C. Chatterjee to consider the procedure that should be followed in cases where a breach of privilege or contempt of House is alleged to have been committed by the Member of the other House. After considering the practice followed in this behalf in the Parliament in the U.K., the Committees of Privileges evolved a procedure somewhat similar to the procedure followed in the U.K. Particular attention may be invited to the following observations made in the Report of the Committees, which held joint sittings :

"The Committees are anxious that whatever procedure is decided upon, it should be such as would lead to mutual understanding, harmony and goodwill between the two Houses. The procedure should be so devised that a possible conflict or friction between the two Houses is avoided and at the same time the independence of, and respect due to, each House is fully secured."

Sir, I cannot express myself in a better way and in a more forceful way as the Committees of Privileges have done. All that I would like to say, in conclusion, is that even while dealing with such an issue as a breach of privilege, the Committees are careful to evolve such a procedure : (1) that it may not lead or land the Houses in a possible conflict or friction and (2) that the procedure should be such that the respect due to each House is fully secured.

Sir, may I humbly submit for the consideration of this House and the other House that this very same principle should guide us in evolving a procedure to scrutinise the estimates of both the Houses and nothing should be done, the procedure should not be such, that it may lead to a possible conflict or friction, or such that it would impinge on or impair the dignity of the Presiding Officers, or would be disrespectful to the other House?

[Shri Rajendra Pratap Sinha]

Therefore, my submission is that only a Committee of the Rajya Sabha should look into the estimates of Rajya Sabha, which procedure will be analogous to the one evolved for such scrutiny in the Lok Sabha.

SHRI DAHYABHAI V. PATEL (Gujarat) : Mr. Chairman, as the previous speaker has rightly pointed out, this House has always been jealous of guarding its privileges, without coming into conflict with the other House. We have two separate functions to perform and I do not think anybody in this House would like to follow a procedure which may reflect upon the authority of this House as it is. Sir, You, as Chairman, are able and competent to guide this House and, if a Committee is necessary, a Committee of this House may look into the accounts of this House separately. I am sure everybody in this House would not favour the idea of a Committee of both Houses looking into the accounts of this House. It is up to the Lok Sabha and the hon. Speaker of that House, in consultation with Members, to set up a Committee, that he may think fit to look into the accounts there, but on this side and in this House we would like to deal with the question of the accounts of this House separately by ourselves.

श्री अटल बिहारी वाजपेयी. (उत्तर प्रदेश) :

जी, राज्य सभा किसी मामले में लोक सभा के मार्ग में बाधक नहीं बनना चाहती। संविधान ने दोनों सदनों की स्थिति स्पष्ट कर दी है और यह सदन उसी मर्यादा के अन्तर्गत अपने दायित्व का पालन करना चाहता है। किन्तु ऐसा लगता है कि लोक सभा के कुछ माननीय सदस्य राज्य सभा के मामला में दखल देना चाहते हैं। हम उन्हें इस बात की इजाजत नहीं दे सकते। राज्य सभा का हिसाब-किताब, राज्य सभा के सचिवालय का लेखा-जोखा और उसकी देखभाल करने में यह सदन पूरी तरह से समर्थ है। लोक सभा अपने हिसाब-किताब की जांच करे। राज्य सभा अपने हिसाब-किताब की जांच अगर आवश्यक समझेगी तो करेगी। लेकिन अगर लोक सभा इस बात पर जोर देगी कि एक संयुक्त अथवा मिली-

जुली समिति होनी चाहिये जो हिसाब-किताब की जांच करे तो वह केवल राज्य सभा के हिसाब-किताब की जांच नहीं करेगी। उस मिली-जुली समिति को लोक सभा के हिसाब-किताब की जांच करने का भी अधिकार होना चाहिये। हम इस बात पर कभी तैयार नहीं होंगे कि लोक सभा के सदस्य हमारे हिसाब-किताब की जांच तो करें लेकिन अपने हिसाब-किताब की जांच में हमको शामिल न करें। अच्छा तो यह होगा कि अलग-अलग कमेटियां बनाई जायें जो अपने-अपने सदनों के हिसाब-किताब की जांच करें।

सभापति महोदय, मैं चाहूंगा कि सदन के नेता श्री चागला महोदय इस मामले में अपनी स्थिति स्पष्ट करें। उस समय जब लोक सभा में यह सवाल उठाया गया तो वे वहां मौजूद थे। मैं जानता हूं कि वे मंत्रिपरिषद् के भी एक सदस्य हैं और हमारे सदन के नेता भी हैं। उन्होंने वहां जो कुछ कहा उससे हमारे मन में एक गलतफहमी पैदा हुई है। सदन के नेता के नाते हम उनसे यह आशा करते हैं कि वे इस सदन के अधिकारों की रक्षा करेंगे। इस सदन का मत स्पष्ट है और आप इसको असंदिग्ध शब्दों में प्रगट कर दे कि हम अपने हिसाब-किताब के मामले में किसी तरह का हस्तक्षेप बर्दाश्त नहीं करेंगे।

THE LEADER OF THE HOUSE (SHRI M. C. CHAGLA), Sir, I may be the Leader of the House, but before that I am the servant of this House and my paramount duty is to uphold the dignity of this Chamber.

Now, Sir, we have to evolve a method whereby the estimates of this House should be scrutinised. I agree with my hon. friend that the convention, which had so far been maintained, was a very good convention. It was left to the Presiding Officer of each House to settle the estimates and each House had full confidence in the Presiding Officer. The estimates were never discussed either in the Lok Sabha or here. Now, may I say this? I think the House will agree that we have every confidence in you and

we would be very happy to leave it to you, to look into the estimates and decide whether they are proper or not. But assuming that we have to change that procedure, I would submit for the consideration of this House that two principles have got to be kept in mind. The first principle is that, as far as possible, we should have harmony, understanding and goodwill between the two Houses. I think it is essential that these two Houses should work and function in harmony, goodwill and understanding between each other. The second principle is that the dignity of this House should be fully maintained. Now, Sir, it is entirely fallacious, as I have heard some people say, to compare this House with the House of Lords. This is not a hereditary Chamber. Secondly, it is a most important part of our Constitution, because our Constitution is a federal Constitution

In a strict sense we call ourselves a Union. But there are important federal principles and this House maintains the federal principle by being a House in which the States are represented. Therefore, when I hear people say "Oh, this is the House of Lords", I feel very angry and I am sure every hon. Member will feel angry. There is no comparison between the House of Lords and us. We are elected by our own voters. We are not hereditary here. We do not sit in this House because our father was a Member or our grandfather was a Member. So it is no use comparing the House of Lords with this House. Under these circumstances, as I said, my duty is to convey, if necessary, to the Speaker or to the other House what the wishes of this House are; and the wish of this House is, as has been forcefully pointed out by my friend and repeated by the hon. Members also that either the present convention should continue or, if that convention has to be departed from, we must have our own Committee to look into our own estimates and scrutinise them. Finally, if there is going to be a Joint Committee, it must be a Joint Committee which should scrutinise not only the estimates of the Rajya Sabha but also of the Lok Sabha. That is the position.

SHRI JAIRAMDAS DAULATRAM (Nominated): Sir, there is one very important overriding consideration which we should have in view in coming to a deci-

sion on this question. I think the greatest mistake which we shall be making is to take a risk of any kind of conflict between the two Houses, and if any new procedure even for a Joint Committee is supported, I believe that there will be possibilities of mutual criticism and some conflict. Our country is passing through very trying times. We have many tensions and difficulties facing us. I think there will be a terrific effect, very adverse effect on public opinion in the country if the very top institutions of the nation seem to disagree on any matter. I think it will give the greatest blow to democracy which already is receiving blows in a variety of ways. Therefore, I would plead with the House that we should come to only one conclusion, and that will be that whatever check is considered necessary must be internal, and we must not provide a platform which leads to mutual criticism which also ultimately leaks out and creates a very bad impression on public opinion. We must not take this risk.

SHRI A. D. MANI (Madhya Pradesh): I would generally agree with the view expressed in the House that the old convention should be followed, namely, that this House is sovereign in all respects and that it alone has got the right to scrutinise the estimates and accounts of the Rajya Sabha. But if for any reason the other House would like to be associated with the scrutiny of the accounts of this House, I think it is only fair that this House should be represented on the Joint Committee along with the other House just as has been done in the case of the Committee on Public Undertakings. We do not want this unfortunate controversy about the sovereignty of either House of Parliament to be revived in this manner, and I do hope that the Leader of the House would communicate to the Speaker of the Lok Sabha the firm views of the Members of this House that the old convention should be followed, and if this convention is to be abandoned, there should be a Joint Committee of the Lok Sabha and the Rajya Sabha to scrutinise the estimates and accounts.

HON MEMBERS: No, no.

SHRI MULKA GOVINDA REDDY (Mysore): Mr. Chairman, the House is

[Shri Mulka Govinda Reddy]
grateful to Mr. Sinha for having brought this matter before the House. The Rajya Sabha is an elected House as much as the Lok Sabha is, and the rights and privileges of both the Houses are equal. If we accept the proposal that there should be a Joint Committee to go into the estimates of the Rajya Sabha without giving the same opportunity to the Rajya Sabha to go into the accounts of the Lok Sabha, it will be an affront to this House. It will be a dangerous precedent if we accept this proposal. I agree with some of the Members who said that each House should have its own Committee to go into the estimates of the House concerned. I therefore feel that we should not accept the proposal that there should be a Joint Committee to go into the estimates of the Rajya Sabha. But we should have a Committee of our own, if necessary, to go into the estimates of the Rajya Sabha, and the Lok Sabha can have its own Committee to go into the estimates of the Lok Sabha, and there should not be any Joint Committee.

SHRI M. RUTHNASWAMY (Madras) : We should like to have a unanimous decision on this matter. I feel that there will be a unanimous decision only on the proposal that this House should have its own Committee to go into its accounts and estimates. With regard to the proposal of a Joint Committee, I think the danger has been pointed out by my respected friend, Mr. Jairamdas Daulatram, when he said that there was possibility of mutual criticism which might amount to mutual recrimination in the Joint Committee. So, on all accounts and on all considerations I think we should have a unanimous decision from this House that this House should have its own Committee to investigate its accounts and its estimates.

SHRI M. N. GOVINDAN NAIR (Kerala) : I also share the views expressed by hon. Members that instead of the Committee as proposed in the other House we should have a Committee of our House to look into the accounts of our Rajya Sabha. We felt very sad when we read in the newspapers about the commitment of our hon. Leader in the other House that he had agreed to the proposal already made there. So, I also agree with the proposal made here that there should be a unani-

mous decision in this House that a Committee of this House should look into the accounts of this House while another Committee of the other House may look into their accounts.

SHRI P. N. SAPRU (Uttar Pradesh) : The position has been very well put by my friend, Mr. Sinha, and the Leader of the House has also clarified. What I want to say is that no analogy of the House of Lords should be brought in here. We are a Federation and we represent the concept of the States and the Lok Sabha represents the people of India. Therefore, we are an essential part of the constitutional machinery of this country, and we are not a hereditary Chamber. We have followed certain concepts in the past. There is no reason to depart from that, but assuming that we want to depart from it, then the correct thing would be for us to have a Committee of our own working, Sir, under your supervision, under your guidance, because we want to be masters in our own household. We do not want to encroach upon the sphere of the Lok Sabha and we do not want the Lok Sabha to encroach upon our sphere. There should be mutual respect between the two Houses, and that mutual respect we can only have when the Lok Sabha respects our rights and we respect their rights. That mutual respect we can only have when the Lok Sabha respects the Speaker and when we respect you and honour you as our Chairman. That is all I wanted to say. I do not think it is necessary for me to elaborate the question any further because Shri Sinha has elaborated it.

1 P.M.

SHRI M. N. KAUL (Nominated) : Mr. Chairman, Sir, I am perfectly aware of the background of the whole chapter because I have worked in a different capacity. I would not like to put the matter on Constitutional grounds or on the ground of privilege. I will just give a brief reference to the historical aspect of it.

The question first arose during the time of Shri Vithalbhai Patel. He was the Speaker who laid the foundation of an independent Secretariat, and he was very firm on this question. He said, the Speaker represents the authority and dignity of the House. Everybody trusts the impartiality of

the Speaker. He is responsible for the estimates on behalf of the House and there should be no Committee of the House to examine those estimates. We have all along, throughout, stuck to this position. Of course, we have equally laid down at the same time that every Member has a right to go to the Secretary or the Speaker or the Chairman to ask for any information. In the Lok Sabha, when I was there, the estimates were open to all Members to examine; it was open to them to ask me any question. And we fully explained each aspect of the matter to the Members. But the Speakers were always firmly opposed to the concept of a Committee of the House examining the estimates which have been examined by the Speaker and carefully scrutinised and which were open to examination individually by Members.

This has a long history and there were many reasons for it. Shri Vithalbhai Patel said that this dual authority would not work in the long run. Members in a Committee, he said, might be susceptible to influences. He did not suggest that Members would succumb to those influences. But he did say, that he would never like the idea of any member of the staff of Parliament approaching Members of Parliament. That was the danger which he felt. He said this would be very bad. A member of the staff of either House should never approach a Member of Parliament for his prospects, for his condition of service and other questions. Human nature being what it is, once we appoint a Committee in regard to the estimates, all these things will necessarily follow. I had, while I was there, firmly opposed it with all the authority of my long experience that I could command. But that concession was made in the Lok Sabha. That concession, I think, should be re-examined. It does not necessarily follow that if the Lok Sabha has appointed a Committee, the Rajya Sabha should also appoint one.

SHRI AKBAR ALI KHAN (Andhra Pradesh) : Quite right.

SHRI M. N. KAUL : My own feeling is that we should go back; it is my personal feeling that we should go back to the original position and the matter should be left entirely to the Speaker of that House and to the Chairman of this House, and it

should be open to each and every Member freely to look into all the estimates, to put any question. That is a better method; it has worked well. And this method of a Committee, I do not think, it is likely to lead to good results.

SHRI A. D. MANI : Put questions privately or publicly?

SHRI M. N. KAUL : Privately because the procedure and convention is that all the questions in relation to the estimates of either House can be asked only privately. What Shri Vithalbhai Patel said was : 'Ask me all questions, examine me, come to my Chamber. But the House is not the place where you can put such questions. After all, you have elected me to the Chair and I am here as a symbol of impartiality. That does not mean that I will not explain to you. But you should not bring in the speaker's administration into criticism in the open House.'

And what happens when we appoint a Committee of Parliament? It is not economy that may result. In the reports that may be made expansion in many directions may be recommended. Of course, they have made a provision in the other House that the Speaker can veto the recommendation. The Committee may recommend a policy of expansion. Then you put the Speaker in the invidious position of having to veto it if he is not agreeable, because he has the final authority. All these complications arise.

Therefore, I suggest that the Government and the Leaders of the two Houses and the Presiding Officers should carefully consider the whole matter whether it is not in the interests of both the Houses, in the interests of all concerned, that we should revert to the original position and put our faith in the Speaker and the Chairman rather than start a new experiment, the potentialities of which we are not able to gauge properly.

There is one other remark that I would like to make—it is a ticklish, delicate matter. Conversations take place—I am speaking from experience—between the two Presiding Officers with the utmost goodwill and mutual respect. But when they come to the Houses, they face a difficult situation. Therefore, this is a matter in which

[Shri M. N. Kaul]

the Government should be bold and face the issue. The two Presiding Officers should be consulted. Let the Government put down a motion in the House. Let there be a full debate in the Lok Sabha and in the Rajya Sabha. Government command a majority in both the Houses. Let there be a motion for laying down the conventions applicable to both the Houses that so far as the estimates of either House are concerned, they will be determined by the Chairman in this House and by the Speaker in the other House, that these estimates will not be scrutinised in the open House but that the procedure will be followed, as has existed all along, that Members can go and discuss the matter with the Speaker or the Chairman. Let this be done in consultation with the Chairman of this House and the Speaker of the other House in the form of a Resolution and if the Government concur in it, that Resolution must go through both the Houses. As they command a majority in both the Houses, this matter will be settled for all time to come. But if it is left to discussion between the Presiding Officers, there are limits to discussion. With the best will in the world, the Presiding Officer must carry with him the House over which he is presiding. Therefore, we may devise a procedure. Let there be a Joint Committee of both the Houses to consider this very important matter itself as to what should be the conventions that should be laid down in this regard, and the matter can be discussed in both the Houses. Let Members express their opinion. After that, the Government should bring forward a formal motion in the Houses laying down the convention and settling the matter for all time to come rather than always referring back to the Chairman and the Speaker who feel considerable difficulty in resolving the matter finally.

This is my humble suggestion.

श्री राजनारायण (उत्तर प्रदेश) : श्रीमान, जो प्रश्न इस समय यहां विचारार्थ है वह बहुत ही मौलिक प्रश्न है और इसका सम्बन्ध पार्लियामेंटरी डेमोक्रेसी से है। माननीय सम्मानित सदस्य कौल साहब ने जो भाव व्यक्त किये हैं उनके भाव से मैं सहमत हूँ। सहमति मेरी क्यों है इसके कारण हैं।

राज्य सभा या लोक सभा के अध्यक्ष की निष्पक्षता, अध्यक्ष की सर्वप्रियता आवश्यक है क्योंकि अध्यक्ष सर्वोपरि है। जिस डेमोक्रेटिक सिस्टम को हम मानते हैं उस डेमोक्रेटिक सिस्टम के साथ डेमोक्रेटिक मेथड भी होगा। यदि हम इसको मान लें तो निश्चित रूप से अध्यक्ष के ऊपर कही न कही अंकुश हो जायेगा, चाहे उसको अध्यक्ष कहे, चाहे उसको चेयरमैन कहे, वह बात एक ही आती है। तो यह बात तो सही है। मगर आपके द्वारा मैं कौल साहब से भी एक निवेदन करना चाहूंगा। जब यह लोक सभा के सेक्रेटरी थे तो अक्सर हमारा इनका टेलीफोन पर विवाद होता रहा है फंक्शनिंग के बारे में। ये सब बातें उठ क्यों रही हैं? आज भारतवर्ष की परिस्थिति क्या है? क्या हम निश्चित रूप से जनतांत्रिक प्रणाली और शुद्ध संसदीय प्रणाली जो है उसके तदनुरूप चले पा रहे हैं? नहीं चल पा रहे हैं इसलिए यह कठिनाई पैदा हो रही है। तो इसका निराकरण कैसे हो। हमारा भी अनुभव है, हम बराबर इसके लिये लड़ें हैं, जैसे कि विधान सभाओं में आप देखेंगे कि अध्यक्ष का जो सेक्रेटैरियट होता है, विधान सभा का जो सचिवालय होता है, जैसे कि हमारे यहां उत्तर प्रदेश में है कि विधान सभा के सेक्रेटरी की तनख्वाह वगैरह राज्य सरकार तय करती है, इसकी स्वीकृति राज्य सरकार देती थी, इस पर हमने बड़ी लड़ाई लड़ी है और हमने कहा है कि इस तरह तो आप अध्यक्ष की स्वतन्त्रता को इनडाइरेक्ट तरीके से बाधित कर रहे हैं, हम उसके लिये लड़ें और यह व्यवस्था वहां की और अब इनडाइरेक्ट तरीके से इस व्यवस्था को यहां आने नहीं देना चाहते हैं। श्री कौल साहब का अनुभव तो है ही, कितने दिनों तक वह लोक सभा के सेक्रेटरी रहे हैं, हो सकता है कि राज्य सभा में इसी लिये हमारे गुरु, राष्ट्रपति जी, ने इनको नामिनेट किया हो कि यहां की कार्यवाही को, अपने अनुभव और ज्ञान से, कुछ परिष्कृत करेंगे, परिमार्जित करेंगे, इसको बढ़ा देंगे . . .

श्री अटल बिहारी वाजपेयी : क्या आप उनके चले हैं ।

श्री राजनारायण : जी हां, डा० राधाकृष्णन् वहां उपकुलपति रहे हैं जब कि मैं काशी विश्वविद्यालय में छात्र रहा हूँ और यह भी सही है कि हमारी उनकी मुठभेड़ भी हुई है । वह मुठभेड़ हुई है 1942 में, 9 अगस्त को, इतवार का दिन था जबकि गीता का लैक्चर दे रहे थे । उसी समय गांधी जी की गिरफ्तारी की खबर पहुंची । उस समय हमारे ला और एम० ए० के फाइनल के साल चल रहे थे । हमने कहा कि अब इम्तहान नहीं होने चाहियें, किताबें बंद होनी चाहियें जबतक कि अंग्रेज भारत छोड़कर नहीं चले जाते हैं । एक बड़ी कहानी है वाजपेयी साहब, आप इसको नहीं जानते हैं ।

श्री अटल बिहारी वाजपेयी : आगे सुनाइये ।

श्री राजनारायण : फिर कभी सुना दूंगा । तो प्रश्न साफ है ऐसा नहीं होना चाहिए कि लोकसभा के अध्यक्ष और राज्य सभा के चेयरमैन या दो चार नेता बैठकर तय कर लें इस सारे मामले को । मेरा कहना है कि यह बात उन तक ही सीमित नहीं होनी चाहिए और इसके लिए फुल प्लैज्ड डिबेट (पूरी बहस) होनी चाहिए ताकि उसमें से कोई उम्दा बात निकल सके । हमारा भारतीय जनतन्त्र आज जिस अवस्था से गुजर रहा है उसमें अध्यक्ष के लिए विशेष गुण हैं, चेयरमैन के लिए विशेष गुण हैं । मैं आप की मुसीबत से भी कभी-कभी बहुत परेशान हो जाता हूँ क्योंकि मैं जानता हूँ कि आप को, कितनी डिफिकल्ट पोजीशन पर रख दिया गया है । तो इन सब बातों की जानकारी रहते हुए मैं जरूर चाहूंगा कि इस मामले को इस ढंग से तय न किया जाय । इसके लिए अगर कोई चाहता है कि राज्य सभा या लोकसभा जो हिसाब-किताब है, उसकी देख रेख हो, तो जो व्यवस्था आज

अखबारों में प्रकाशित हुई है, वह व्यवस्था ठीक नहीं है । यह जो सुझाव सम्मानित सदस्य ने पेश किया है वह सुझाव ठीक नहीं है । पहले तो मूल प्रश्न यह है कि क्या अध्यक्ष के ऊपर इस तरह की व्यवस्था करके हम नियंत्रण करना चाहते हैं या नहीं करना चाहते हैं ? यह एक मौलिक प्रश्न है । एक कमेटी बने या न बने, मूल प्रश्न यह है । इसलिए हमारा कहना है कि इस तरह की कमेटी जल्दी नहीं बनाई जानी चाहिये । यू तो हम ईमानदार हैं और हमारा खर्चा साफ है और कोई भी सम्मानित सदस्य हमारी सभा का, राज्य-सभा का, अगर वह हिसाब-किताब देखना चाहे तो हिसाब-किताब को ऐसी स्थिति में रखना चाहिये कि वह हमेशा उसे देख सके । उसे तनिक भी उस हिसाब-किताब को देखने में कठिनाई महसूस नहीं होनी चाहिये । मैं तो आगे भी जाना चाहता हूँ कि जो इतना बड़ा जनतंत्र है, उसमें कोई भी जनता का आदमी उस हिसाब-किताब को देखना चाहता है तो उसे दिखा दिया जाना चाहिये । मैं हिसाब-किताब के मामले में गांधी जी के वाक्य को सामने रखता हूँ । गांधी जी ने साफ कहा है कि जिस संस्था का हिसाब-किताब साफ नहीं है उस संस्था को बंद होना चाहिये । इसलिए अगर हिसाब-किताब में तनिक भी शक हो, तो मैं चाहूंगा कि अगर लोकसभा के मेम्बर राज्य सभा का हिसाब-किताब देखना चाहें तो उन्हें दिखा देना चाहिये । इसी तरह से अगर राज्य सभा के मेम्बर लोक-सभा का हिसाब-किताब देखना चाहें तो उन्हें दिखा देना चाहिये । इस तर्क में जाने की कोई जरूरत नहीं है कि कोई सम्मिलित कमेटी राज्य सभा की या लोक सभा की ही हिसाब-किताब की जांच करे । यह बात खुलकर कहनी चाहिये कि राज्य सभा और लोक सभा के सदस्य जब चाह हिसाब-किताब देख सकते हैं । लोक सभा का मेम्बर जब चाहे राज्य सभा का हिसाब-किताब देख सके और राज्य सभा का मेम्बर जब चाहे लोक सभा के हिसाब-किताब देख सकता है । तो यह

[श्री राजनारायण]

जो प्रश्न है वह अनेक प्रश्नों को अपने में समेटे लिये है। चैयरमैन, अध्यक्ष, कौन हो, कैसा हो। क्योंकि हमें याद है कि मेज़ पार्लियामेन्टरी प्रैक्टिस में दिया है कि स्पीकर कौन होना चाहिये। स्पीकर वह होना चाहिये जो सदन के नेता का स्थान जब चाहे ले ले। अगर स्पीकर के पास यह क्षमता नहीं है तो उस स्पीकर की स्वतंत्रता नहीं रह सकती है। जब स्पीकर आगामी आनेवाले चुनाव में सत्ताधारी दल के पास टिकट के लिये जायेंगे तो आप अध्यक्ष महोदय, समझ सकते हैं कि उसकी क्या स्थिति होगी क्योंकि आप इस बारे में सब बातें अच्छी तरह से जानते हैं और इस तरह से उसकी स्वतंत्रता किस तरह से रह सकती है? मैं नाम नहीं लूंगा लेकिन आपको मालूम होगा कि जब जब स्पीकर्स कांग्रेस हुई तब तब हमने इस बारे में अपने सुझाव उनके पास भेजे। हो सकता है कि कौल साहब को इसके बारे में जानकारी हो कि हम स्पीकर्स कांग्रेस में इस प्रकार के सुझाव भेजते रहे हैं कि स्पीकर को ऐसा होना चाहिये। स्पीकर को इस ढंग से काम करना चाहिये। आज जिस ढंग से स्पीकर काम करते हैं उससे जनतंत्र की हत्या हो रही है, जनतंत्र प्रणाली की हत्या हो रही है। मैं किसी का नाम नहीं ले रहा हूं, मैं कुछ अव्यवस्थाओं के बारे में कह रहा हूं। मैं किसी के ऊपर व्यक्तिगत आक्षेप नहीं कर रहा हूं। मैं समझता हूं कि आज जिस तरह की व्यवस्था है कि हिसाब-किताब की जांच न हो, उससे ही अध्यक्ष की स्वतंत्रता अक्षुण्ण नहीं रहेगी। मैं कौल साहब की इस बात से सहमत नहीं हूं। मैं आपके द्वारा कौल साहब से और सम्मानित सदस्यों से चाहूंगा कि वे इस बात का ख्याल रखें कि अध्यक्ष निर्विरोध चुने जायें। अध्यक्ष का चुनाव होने के बाद उसका पार्टी से कोई सम्बन्ध नहीं होना चाहिये और उसको पार्टी से इस्तीफा दे देना चाहिये। मैं यह बात आपके लिए नहीं कह रहा हूं क्योंकि आप वाइस प्रेसीडेंट हैं। मैं तो अध्यक्ष और स्पीकर के सम्बन्ध में कह

रहा हूं। इसलिए मैं इस सम्बन्ध में कोई राय देना नहीं चाहता हूं, लेकिन यह कहना चाहता हूं कि इस सम्बन्ध में कोई विधेयक लाया जाना चाहिये और उस पर अच्छी तरह से वाद-विवाद किया जाना चाहिये और जो डे मोत्रेसी का सही रास्ता है उस पर जाना चाहिये। जल्दी में हमें कोई निर्णय नहीं लेना चाहिये, यही मेरा आपसे निवेदन है।

(*Shri B. K. P. Sinha rose in his seat*)

MR. CHAIRMAN: I think there has been ample discussion. It has been a very helpful discussion. I think I should inform you of the position as it is. Last year the Speaker of the Lok Sabha discussed with me the possibility of appointing a committee to look into the accounts of the Rajya Sabha also as he has appointed a committee to look into the accounts of the Lok Sabha. I thought it proper to consult the leaders of the various parties in the House and we had informal discussion. Then I took up the matter with the Speaker and I gave him two alternatives because that was what I was commissioned to do. I said that we would be very happy if we had two Committees, the Lok Sabha has its Committee and we have our own Committee. Their Committee looks into the accounts of the Lok Sabha and our Committee looks into the accounts of the Rajya Sabha. Failing that, if for some reason that is not possible or not advisable, we would also agree to a joint committee provided the joint committee looks into the accounts of both the Houses, the joint committee of both the Houses to look into the accounts of the Lok Sabha and the Rajya Sabha together. The Speaker has not found it possible to accept any of these proposals. We have been discussing it. I have had several discussions with him but we could not come to any conclusion. But this discussion has been very helpful to me. After all, negotiations will be going on and I will be able to be guided by this discussion.

The House stands adjourned till 2-30 p.m.

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

The House reassembled after lunch at half-past two of the clock. The Deputy Chairman in the Chair.

MESSAGE FROM THE LOK SABHA

THE APPROPRIATION (No. 2) BILL, 1966

SECRETARY: Madam, I have to report to the House the following message received from the Lok Sabha, signed by the Secretary of the Lok Sabha :—

"In accordance with the provisions of Rule 96 of the Rules of Procedure and Conduct of Business in Lok Sabha, I am directed to enclose herewith a copy of the Appropriation (No. 2) Bill, 1966, as passed by Lok Sabha at its sitting held on the 29th April, 1966.

2. The Speaker has certified that this Bill is a Money Bill within the meaning of article 110 of the Constitution of India."

Madam, I lay the Bill on the Table.

RESOLUTION *RE.* PROCLAMATION RELATING TO THE STATE OF KERALA

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI JA'SUKHLAL HATHI): Madam Deputy Chairman, I beg to move the following Resolution :

"That this House approves the continuance in force of the Proclamation (G.S.R. No. 490) issued by the Vice-President of India, discharging the functions of the President, on the 24th March, 1965, under article 356 of the Constitution, in relation to the State of Kerala, for a further period of six months with effect from May 11, 1966."

Madam, I do not want to go into the details and recapitulate the circumstances under which the Proclamation was issued on 24th March, 1965 by the Vice-President, discharging the functions of the President. The House had approved this Resolution on 11th May, 1965. The term of this Proclamation expires on 10th May, 1966. The Second Proclamation was issued in November 1965. The grounds for which the Proclamation had to be continued in force are well known to the hon. Members of

this House and I do not think I should dwell at length on those grounds also. I know that the Members of this House would naturally be anxious to see that a popular and democratic Government is set up in Kerala as early as possible. I share the views of the Members. The Government would also like that such a responsible Government with elected representatives is installed in Kerala as early as possible.

SHRI LOKANATH MISRA (Orissa) : We have lost three Members in this House.

SHRI JAISUKHLAL HATHI: I know in howsoever benevolent and democratic manner the officers and the Governor may function, they do feel that there is not that responsible Government. I know that and I appreciate that. Whatever might be the best method under which the officials and the Governor under the direction of the Home Ministry function, that feeling is bound to be there and I share that feeling.

SHRI AKBAR ALI KHAN (Andhra Pradesh) : Shri Lokanath Misra was referring to three Members of the Rajya Sabha.

SHRI JAISUKHLAL HATHI: I am coming to that. In fact we have considered this matter in the Consultative Committee. We also sponsored the question with the Law Ministry and the Cabinet as a whole considered it. Unfortunately the Law Ministry and the Government felt that it would not be proper to make a change for a few months. After all when the next elections come, we will have that right. Therefore I do appreciate that the President's Rule cannot in any circumstances replace or substitute the form of a democratic responsible Government. It is therefore that the Government is also keen and the Government has examined all the circumstances whether the present Proclamation should be extended for a further period of six months or not. After considering all the relevant factors the Government have come to the conclusion that the present Proclamation has to be extended for a further period of six months

SHRI AKBAR ALI KHAN : This will end in November.