

MR. CHAIRMAN : He has already told this to the Minister. He has explained to me. Now he wants to show the urgency of the matter. I have allowed him some time.

DIWAN CHAMAN LALL (Punjab) : May I suggest, Mr. Chairman, that my hon. friend should deal with you in the Chamber in regard to this particular matter and then you decide whether this is a matter of urgent public importance or not ? After you decide this, then my hon. friend can come up and raise the matter here.

MR. CHAIRMAN : He has told the Minister. He has told me and now he is telling the House. If he gets the opportunity he will tell the Minister again.

श्री राजनारायण : श्रीमान्, आप मेम्बरों को ऐंगजाइटी इसी से समझ लीजिये . . .

SHRI RAJENDRA PRATAP SINHA : The Minister should be called here.

श्री राजनारायण : श्रीमान्, मैं उनकी तरह से ही कह रहा हूँ . . .

श्री सभापति : आप और कुछ न कहिये । आप दूसरे नोटिस के ऊपर कहिये ।

श्री राजनारायण : अगर इनकी ऐंगजाइटी सही है . . .

श्री सभापति : नहीं नहीं, आप दूसरे नोटिस पर आइये ।

REFERENCE TO CONDUCT OF A CENTRAL MINISTER

श्री राजनारायण : श्रीमान्, एक बहुत ही जबरदस्त घटना हुई है, मैं क्या कहूँ । कहीं कहीं कुछ राज्यों में आफिसर्स ट्रेनिंग कैम्प हैं तो मैं चाहता हूँ कि उसी तरह से मिनिस्टर्स ट्रेनिंग कैम्प अवश्य खोले जायें जहाँ यह देखा जाय कि मिनिस्टर कैसे लोग बनाये जायें, ऐसा हो जाय तो बड़ा अच्छा हो और इससे देश का भला हो जायगा . . .

श्री सभापति : आपने इसका नोटिस नहीं दिया है ।

श्री राजनारायण : मिनिस्टर कैसे बनाये जायें, यह जरा देखिये ।

श्री सभापति : मिनिस्टर कैसे बनाये जायें, इसका नोटिस नहीं दिया है ।

SHRI K. K. SHAH (Maharashtra) : Is this a matter of urgent public importance ?

MR. CHAIRMAN : This is just an introductory thing in order to introduce the subject.

श्री राजनारायण : शाह साहब, आप पुराने सीज़ड मेम्बर हैं, ऐसा मत करिये जैसा कि बहुत से यहां करते हैं ।

तो, श्रीमान्, 13 अगस्त को केन्द्रीय मंत्री श्री श्यामधर मिश्र की जन-हित विरोधी नीति के विरोध में मिर्जापुर की शोषित पीड़ित जनता ने उनको काले झंडे दिखाने का कार्यक्रम पहले से ही बना रखा था, श्री श्यामधर मिश्र जब घंटाघर के मैदान में पहुंचे तब कालीन बुनकरों ने, जनसंघ, स्वर्णकार संघ और संयुक्त सोशलिस्ट पार्टी ने "श्यामधर मिश्र वापस जाओ" के नारे लगाये ।

उसमें जो सब से बड़ी बात हुई वह यह थी कि श्री श्यामधर मिश्र ने . . .

SHRI JAGANNATH PRASAD PAHADIA (Rajasthan) : What is being discussed here ? We do not know what is the point we are discussing.

MR. CHAIRMAN : He has sent a notice about the conduct of a Central Minister and he wants to show that it is a matter of urgent public importance.

SHRI JAGANNATH PRASAD PAHADIA : Is it the conduct of the Minister in the House or outside ?

MR. CHAIRMAN : I have allowed him to raise it.

SHRI RAJENDRA PRATAP SINHA : May I know, Sir, how this is a matter of urgent public importance ?

MR. CHAIRMAN : Let us listen to him and you will know.

श्री राजनारायण : सुनिये आप । आप जरा धीरज रखिये । माननीय पहाड़िया जी से माननीय सभापति जी के जरिये निवेदन करूंगा कि आप पहाड़ से जरा धरती पर आवें ।

तो मैं यह निवेदन कर रहा था कि मिनिस्टर साहब ने खुद वहां की पुलिस को आदेश

[श्री राजनागयण]

दिया लाठी चार्ज करने के लिये। पुलिस मिनिस्टर के आदेश पर लाठी चार्ज करती है। सब से जबरदस्त बात हुई। मिर्जा युसुफ बेग वहां थे जिनको सेटर के लेबर मिनिस्टर हो या स्टेट के लेबर मिनिस्टर हो जानते हैं, युसुफ बेग को सब जानते हैं कि वह कितने मजदूर कानून के जानकार हैं और मजदूरों के हित के लिये बराबर लड़ाई करते रहते हैं।

तो, श्रीमान्, इतनी बड़ी बात क्यों की गई। इसमें मिनिस्टर के काडकट की बात आती है और अगर सदन उस पर विचार नहीं करता है उस पर पेशवन्दी नहीं लगाता है तो जनतंत्र तो मृत हो कर ही रहेगा, यह मैं आपके जरिये माननीय सदस्यों को चेतावनी देना चाहता हूँ, क्योंकि केवल इस सदन में बैठ कर ही सारी दुनिया का निर्णय न किया करे। जुलाई 10 तारीख की घटना क्या है। गोपीगंज जहाँ से श्यामधर जी आते हैं वहाँ पर इन्होंने एक कालीन फैंकट्री खोल रखी है जो कि अनरजिस्टर्ड है, वह रजिस्टर हुई ही नहीं थी, जिसके बारे में हमने केन्द्र के मन्त्रियों को कई बार कहा हमने उत्तर प्रदेश के लेबर विभाग को कहा, उद्योग विभाग को कई बार कहा और जब जब मनुभाई शाह से बात करते हैं तो कहते हैं। कल भी जिक्र किया, इससे पहले भी उनसे किया तो मनुभाई शाह कहते हैं कि देख लेंगे। जब इस तरह से देख लेंगे का मामला चलता है तो फिर काम नहीं चलता।

SHRI RAJENDRA PRATAP SINHA : On a point of order. I would like to have your ruling whether any hon'ble Member is entitled to make such attacks on any Member of this House or of the other House, whether he is a Minister or not, without properly justifying it? May I know, Sir, under what provisions of the rules he is making this attack on the Minister? The procedure is this that if you want to raise an issue about the conduct of a Minister or any Member, it can come up on a motion of privilege.

SHRI BHUPESH GUPTA (West Bengal) : No.

SHRI RAJENDRA PRATAP SINHA : Otherwise he must come and satisfy you that there is a case for raising a matter of urgent public importance. Now he is making an attack on the conduct of a Minister. How can you allow him to do so?

MR. CHAIRMAN. The conduct of the Minister is the subject matter of the notice. Therefore, he is wanting to establish that notice should be taken of it and a statement made.

SHRI AWADHESHWAR PRASAD SINHA (Bihar). You have admitted the question?

MR. CHAIRMAN : I have sent it to the Ministry.

SHRI AWADHESHWAR PRASAD SINHA : The Minister replies when he comes. Now even before that he takes the forum of the House for propagating against the Minister. Sir, we require the hide of a rhinoceros to listen to such things. So many things have been spoken about by Mr. Bhupesh Gupta about Assam. So many people have spoken about. We have to have the forbearance of Mahatma Gandhi. These people take the floor of the House to propagate against us. Even a man like me loses his nerve.

SHRI BHUPESH GUPTA : The hon. Member need not get excited. We brought it to the notice of the House. You need not get excited.

(Interruptions)

SHRI AWADHESHWAR PRASAD SINHA : Who are responsible for all sorts of loot, arson and hooliganism in Assam?

(Interruptions)

SHRI BHUPESH GUPTA : Movement of your hands does not add to the force of your argument.

MR. CHAIRMAN : You also get excited occasionally.

SHRI BHUPESH GUPTA : It is for the Minister to say. We never object to their speaking. Let them all sing in a chorus but it is our duty. We are not attached to the hand-wagon of the Con-

gress. We are here in order to bring this to the notice of the country, otherwise we will be failing in our duty as the Opposition

श्री राजनारायण : श्रीमन्, चाहे ये लोग एक्साइटेड हो, मैं तो नहीं हूँ।

श्री समापति : आप भी कभी-कभी हो जाते हैं, लेकिन आप थोड़ा सा मुख्तसर रहे तो अच्छा।

श्री राजनारायण : तो मैं आपके द्वारा भाई अवधेश्वर सिन्हा से कहना चाहता हूँ कि अनावश्यक उत्तेजित न हो। वे जानते हैं हम उत्तेजित नहीं होते हैं लेकिन कभी कभी हो जाते हैं जब बहुत जरूरी हो जाता है। हा, अगर वे आयदा मजबूर करेंगे तो हो जाऊंगा। मैं आपके जरिये निवेदन कर रहा हूँ कि मैं आपके हाथ मैं लिख कर दे दूंगा अपना त्यागपत्र—मैं प्रोपेगेट नहीं कर रहा हूँ, मैं इस प्लेटफार्म को इस्तेमाल नहीं कर रहा हूँ, इस प्लेटफार्म को इस्तेमाल कर रहे हैं तो अवधेश्वर सिन्हा माहब कर रहे हैं, दूसरे सम्मानित सदस्य कर रहे हैं—अगर मेरी बात असत्य हो जाय कि श्यामधर मिश्र के बाप के नाम की एक कंपनी है जो अनरजिस्टर्ड है लेबर लाज से बचने के लिये, सरकारी टैक्स से बचने के लिये, कई साल से लगातार अनरजिस्टर्ड गलीचा कारखाना चल रहा है, अगर यह बात असत्य हो जाय तो मैं इस्तीफा दे दूंगा और अगर यह बात गलत न हो तो श्यामधर मिश्र अपना इस्तीफा दे दे। अकारण प्रोपेगेन्डा यह लागू करते हैं इसलिये मेरा निवेदन है कि . . .

THE MINISTER OF EXTERNAL AFFAIRS (SARDAR SWARAN SINGH) . If there is anything specific to be said against any Minister, the convention has always been that it should be stated. I do not know, whether in the letter . . .

श्री राजनारायण : जब मिनिस्टर कन्वेन्शन रखेंगे तब। नहीं तो बैठिए अगर भाई स्वर्ण सिंह आप चाहते हैं आपके ऊपर हम अभी कुछ कहे। स्वर्ण सिंह जी पेशबंदी न करें, उनका मामला परसो आ जायेगा।

M76RS/66—4

SARDAR SWARAN SINGH The point is, if there is an allegation of a specific nature, as the hon Member is making, against the Minister, the convention has always been that it is conveyed in writing. I do not know whether this question that he is raising that his father has a company or that they are doing it to evade the labour laws, is not a specific allegation. It should not be made in a very general manner and I would request you, Mr. Chairman, to consider this because I think it will be always proper to go according to the Rules of Procedure as also the convention. Indirectly mention can be made but specifically it cannot be made. I feel like that. It is true that the Ministers are the subject-matter of all types of attacks, justified or unjustified but that does not mean that there should be a sort of evasion. of all rules or that just anybody can get up and say anything

SHRI RAJENDRA PRATAP SINHA . We seek the protection of the Chair.

SHRI BHUPESH GUPTA : So do we.

SHRI RAJENDRA PRATAP SINHA : Although we are in a majority but we have to seek your protection. It is your duty, I very humbly point out, to protect the honour and prestige of each Member of this House, whether he belongs to this side or belongs to that side. I would like to point out that the hon Member is not making an allegation against a Member of the Government or a Member of this House or that House. He is making an allegation against the father of that Member. He says that the firm is registered in the name of his father.

MR. CHAIRMAN . It is he, alleges, not registered.

SHRI RAJENDRA PRATAP SINHA : It is run by his father. Is this the type of things that your honour will allow to be said in this House? I want to appeal to you that you should consider this matter whether such irrelevant and slanderous allegations should be allowed to be made by hon. Members against each other or against somebody else or against members of somebody else's family? We have to conduct the proceedings of this House with some decorum and you are the custodian of the entire privileges of this House and these of each and every Members.

[Shri Rajendra Pratap Sinha]

I appeal to you that you should also consider and see that our honour and privilege are not abused by the Opposition.

SHRI BHUPESH GUPTA : In this matter there is a little misunderstanding. I am very glad that he is now concerned with the honour of this House but what happened to it when against the Members of this House from this side all kinds of statements were made by your Ministers who put them in detention and they were not here to defend themselves. Therefore it should be a two-way traffic, if you have a traffic. You cannot hunt with the hare and run with the hound. Certain allegations have been made with regard to the Government. We are perfectly entitled to do so. It is for the Government to clear it. We are not making allegations against Members as such. We are making certain allegations against a certain Minister's conduct, and no substantive motion is called for because the Minister is neither a judge nor a Governor. We can do so in the course of even supplementaries. That is what is done. I do not know why my friends opposite, whenever we do some criticism of the Ministers—we like them very much but we do not sometimes understand the Ministers . . .

DIWAN CHAMAN LALL : Is it possible for you to make defamatory statements in regard to any Member of this House ?

SHRI BHUPESH GUPTA : You put people in detention—here is Mr. Niren Ghosh whom you called a Chinese agent—was it a flattering statement ? All right, come to a convention. You will not be entitled to say anything against the Opposition, you will not be entitled to detain them and make charges and disclose here all kinds of things without giving them an opportunity to defend themselves.

SHRI AKBAR ALI KHAN (Andhra Pradesh) : We agree, let there be a convention that not a word will be said about us by you and we promise to do the same.

SHRI BHUPESH GUPTA : All right, not one Member of the Opposition should be detained.

HON. MEMBERS : No.

SHRI BHUPESH GUPTA : Therefore you need not be worried by all these things said by Mr. Sinha. It is their job to support the Government and it is our job to attack the Government. That is what we are here for.

SHRI AKBAR ALI KHAN : Please understand, no reflection.

DIWAN CHAMAN LALL : May I draw your attention to Rule 47(2)(xi) where it says :

"Any question shall not reflect on the character or conduct of any person whose conduct can only be challenged on a substantive motion,"

SHRI BHUPESH GUPTA : We certainly can question the conduct of any Minister. After long years of parliamentary career, before many of us were born he came to the Parliament, if he comes to this conclusion, then Profumo cannot be discussed.

DIWAN CHAMAN LALL : You should remember the Rules of this House. The Rules say that it shall not make a reflection on personal character. It shall not make or imply a charge of a personal character. It shall not raise questions of policy.

MR. CHAIRMAN : Mr. Gupta . . .

SHRI BHUPESH GUPTA : Police lathi charge is not a personal conduct. The police does not act on my order. The Minister orders and they act and that order comes in the official capacity. Precisely that is being questioned, not whether a Minister loves his wife or loves somebody else.

SHRI M. M. DHARIA : I would appeal to you to-day. I can understand that when a Calling Attention Notice is given and if the Member comes and sees you, you grant permission to raise the issue. It is definitely a very good precedent that you have created. The point is, is it not necessary that there should be some time-limit prescribed ? I can understand that if the matter is so important that it cannot be explained within a particular time, then in that case the time-limit should be extended. The other day I raised a point of order regarding Rules 188 to 190. You said : 'I have allowed Mr. Gupta to raise

that issue even though it is not laid down in the Procedure.' We understand that, because you had taken that decision and you had given that opportunity to Mr. Gupta. We do not object on that account. We can understand it. But what we saw today was that during the time of ten minutes three important issues of vital nature were raised, one by Mr. Dahyabhai Patel, the other by Mr. Sen Gupta and others, and a third by Mr. Rajnarain, because they were allowed to be raised. But Mr. Rajnarain did not finish, as the others did, within that ten minutes, within the same time as others did, but right from 12.10 to almost 12.35, to this minute, time was taken by Mr. Rajnarain which was not at all necessary had he said whatever he wanted to say within five minutes. For each Calling Attention Notice, to explain it, five minutes would have definitely sufficed, and that much intellect is here to understand and appreciate what Mr. Rajnarain wants to say. But, unfortunately, availing of the opportunity he went on for so long for which there is no justification. In that way everybody will try to assert himself every day by giving a Calling Attention Notice and by seeing you in your chamber, and then go on making statements in the House. So I bring these facts before your honour, and this is my first plea. My second plea is this. Here some statements are being made. Sir, I do understand that we want to maintain and practise democracy, and if there is something going wrong, which is of vital importance, every Member has the right to raise his voice here in this House; this House is meant for that. But what happens if that Calling Attention Notice is not allowed, if it does not come up for discussion? The charges that are made against particular individuals, well, they remain on record, and that hon. Minister or hon. Member will never get an opportunity to have his say. Sir, the point is this. From his point of view I can understand the raising of an issue of vital importance, but if these charges are allowed to go on record, it will not help us in any way. On the contrary, they will remain on record for ever. It is from this point of view, Sir. I can understand your having a discussion with the hon. Member in your chamber. If you are convinced, you can definitely allow that Calling Attention

Notice also. Even if the Minister rejects, you can exercise your own discretion. I have no objection, but at least that much protection shall have to be given. We should create some good precedents and good norms. I am not here to object that way. I can understand that a Calling Attention Notice has been given and your honour has given that opportunity. We can have our say. But that does not mean that undue advantage should be taken of the permission given, in this House. And it is being taken. We beg of you that it is also your duty—I humbly would like to insist on it—to stop that particular Member from making that statement. Why should it not be done, when the Member tries to exploit the opportunity which is being generously given, to protect and safeguard the interests of democracy? It should not be allowed. That is my earnest appeal to you today.

SHRI B. K. P. SINHA (Bihar) : Sir, I feel that cases in which derogatory references to Members and hon. Ministers are made, are getting commoner and commoner as time passes in this Parliament. It is time now, Sir, when some rule were framed, or at least some firm convention were established to deal with such matters. One line has been suggested by the hon. Sardar Swaran Singh, Minister for Foreign Affairs, that it would be proper, when specific charges are made against Members or Ministers, that they should get prior notice. I would urge for your consideration, Sir, another line of action when such serious charges are levelled. Of course I do not dispute a Member's right to bring the character of a Minister into question in this Parliament because, if that right is disallowed to Members, we shall be making a farce of democracy, especially parliamentary democracy. But then, when a Member levels a charge, he must be sure about his facts, and he must level a charge with a deep sense of responsibility, and when the charge is levelled, if the Minister or the Member concerned accepts the charge, he makes amends for it or takes other action, but if he repudiates the charge then—I would urge—would it not be proper, in such a situation, that the whole matter should be referred either to the Privileges Committee, so that the Privileges Committee comes to a conclusion whether the Member who made the allegations was

[Shri B K P Sinha] .
right, or the Minister or the Member concerned, against whom charges were made, was right. In such a situation one of them must suffer, must suffer the consequences. And if it is not possible to refer this matter to the Privileges Committee, then I would humbly request you, Sir, to institute, at least in this House, a Committee of Honour, so that such issues, when they arise, go to that Committee of Honour, and Parliament and, through the Parliament, the country knows whether the allegations are correct or whether the allegations are false. If the allegations are false, the Member who brings that allegation should be punished by the House. If the allegations are correct, the other Member has to suffer the consequences.

SHRI D. P. KARMARKAR (Mysore)

May I say one word with your permission because I feel compelled to say this. If I may say so with the greatest respect, I have the privilege of being a Member of this legislature for the last seventeen years, and if my memory serves me right, this is the first time in these almost seventeen years when I am seeing a flagrant, what we call, departure, from the intentions of a specific provision laid down in the Rules. I say this with the highest respect, because I know that you sometimes permit a little departure with a view to accommodating the Members and in the interests of the House itself. Now to my mind, Sir, if I might humbly put it, the way in which the proceedings are being conducted at the present moment is something which is not only not contemplated by the Rules but is contrary to the intentions of the Rules themselves. The point is Under Rule 180 there are the following steps. First, a Member calling attention must have obtained your previous consent. That is item No (1). Naturally the Chair will apply its mind very carefully to see whether the matter is one of urgent public importance, that the sense of urgency is there, of recent happenings and all that, that it is a matter of urgent public importance. Naturally the Chair applies its mind to that, and when it does that and admits motion,

“A member may, with the previous permission of the Chairman, call the attention of a Minister to any matter of urgent public importance” * * *

I attach importance to the word “Minister” because whenever a matter of urgent public importance arises,—it is not a debating society in a school or college,—obviously in this Parliament, where there is a constituted Government and where there is the ruling party and there is the opposition, any Member has a right to raise any matter of urgent public importance and say that Government make a statement in reply thereto. Therefore the Rule says, “Calling attention to matters of urgent public importance”

“and the Minister may make a brief statement or ask for time to make a statement at a later hour or date”

Then the Rule says

“There shall be no debate on motion at the time it is made”

Then it says

“Not more than one such motion shall be raised at the same sitting”

If I understand the procedure aright, you are yet to make up your mind whether to give permission or not, but you have permitted him to make these observations. I should not look wrong, Sir, when I say this.

MR. CHAIRMAN He has given a Calling Attention Notice calling the attention of the Minister concerned to the matter raised by him, which has been passed on to the Minister. He came to my chamber and said that he wanted to show that it was an urgent matter. I said, “Yes, you can mention it”, because I have been doing it in other cases also, quite conscious of the fact that I am doing it outside the provisions of the Rules, because I thought that not much would be lost if Members who had given the Notice wanted to make out a case that it was a urgent public importance.

SHRI MULKA GOVINDA REDDY (Mysore) . If my friend can bear with me, this is a well established convention which has acquired the force of a Rule.

MR. CHAIRMAN : It can also be rescinded, if it is badly used, it can be rescinded.

SHRI D. P. KARMARKAR So, Sir, let me, proceed to make one or two observations subject, however, to accepting the position that you have now made quite

clear. Now you have permitted him to make that statement. Now obviously that permission, to my humble mind, implies that the use of that permission to make observations should be reasonable, that it should not be an abuse of the goodness which the Chair has shown. Apart from that, Sir, it has been calculated that every minute of discussion here costs a lot to the public. In such circumstances, Sir, I might respectfully submit that the Chair pins down the speaker to his points, 1, 2, 3, 4, 5—to which our Members opposite are not used, that is another matter it is not permitting a Member to make a full-fledged speech which, in case of refusal of your permission, may as well have served the purpose, as if permission had been given to the Calling Attention Notice. Now I do not grudge my hon. friend's efforts to take as full advantage of your goodness and permission as possible. I do not grudge it. My complaint is not with him. But what he has been trying to do is—and he is an expert person in that game—to say all that he can possibly say on the matter of the Calling Attention Notice. But I may humbly say that that was not your intention when you gave him the permission that you were good enough to give. As far as I could gather, your intention, Sir, when you permitted him to make these observations, was not that he should get away with all the damaging things that he could say. First of all, if he is parliamentarian of standing that he professes to be, he should know that the first axiom for a Member of Parliament is this. I do not say this because I have been a Minister for twelve years. I do not say that Ministers should have special privileges. I hold no brief for any Minister. A Minister here is only as good as any other Member, nothing more and nothing less. But quite apart from that, here is a constituted Government established by the consent of the large majority of the people of this country. The Minister does not stand by himself. He represents the people. I mean the gentleman, the hon. Member of this House, in the absence of the Minister, should have held this mind in patience and he should have made this submission to you, and asked your permission saying that it is unfair for him to make observations when the Minister was absent. If he does not do that or if he does not abide by the decision of the Chair, then I most

humbly and respectfully submit it becomes the unpleasant duty of the Chair to stop him from making such observations, in the interests of parliamentary decorum. What you do will become a precedent. You may not be in the Chair. Somebody may be in the Chair. Somebody from the panel of Vice-Chairmen may be in the Chair. Then any Member from this side of the House or that side, may take advantage of the situation and do exactly what the Hon. Member has been doing now, in my opinion, abusing the goodness you had shown him, the patience that you had shown him. Ultimately this will become a precedent and that will be our contribution to the deterioration of parliamentary procedure. My humble submission is that something you have done in your goodness, in your patience and in the interest of the House, is being flagrantly abused. Therefore I most respectfully and humbly submit as one who knows the procedure of Parliament for a longer period than the hon. Member concerned does, that such a procedure should not be—if I may use a strong word—tolerated for one single moment.

SARDAR SWARAN SINGH : Sir, with your permission I would like to make a brief observation. I am not taking any sides, but I think it is my duty to render my advice to the Chair about this matter. The convention, Sir, in the case of Calling Attention Notices has always been that if the Presiding Officer of this House or the other House thinks that *prima facie* the matter is of urgent public importance, then it is admitted. So if you feel that the matter is important enough to be referred to or raised in the House, then it will be admitted. If the opportunity is given to any member to point out how or why it is urgent and why it is of public importance, then he should confine himself to showing how or why it is urgent and clear any doubts that may be there in the mind of the Chair so that the Chair may be enabled to make up its mind. The Chair may be unable to make up its mind from what is actually written in the Calling Attention Notice. Therefore, I would humbly appeal to all sections of the House to remember this position. When a Calling Attention Notice is given, I know that the practice generally has been that the comments of the Ministry concerned are invited or of the person concerned are invited,

[Sardar Swaran Singh]

not by the Member sending a copy of it to the Ministry or the Minister, but by the Secretariat itself, whether it be the Lok Sabha Secretariat or the Rajya Sabha Secretariat, and then the views and those points that are submitted by the Ministry or the person concerned are put before the Chair so that the Chair in its wisdom can decide as to whether the matter is such that it should be a proper subject matter for a Calling Attention Notice. It on receipt of those views or comments you still feel that the matter is not of public importance, but you feel that the Member should be given an opportunity to show how it is important and an urgent matter of public importance, then when this opportunity is given to him he should confine himself strictly to showing how it is important. But you have your perfect discretion, Sir, to admit or not to admit it. I feel that less time will be wasted even if you admit the Calling Attention Notice rather than give the person who gives that Calling Attention Notice the opportunity of making a full fledged speech. Even when the Calling Attention Notice is admitted, he is not permitted to make a full fledged speech. He just reads out his Calling Attention Notice and then the Minister concerned makes his statement. Under the rules no question is permitted but under the convention one question from each of the persons who are signatories to the Calling Attention Notice is allowed. Therefore I will humbly appeal for the consideration of the House and for your consideration that we will be definitely utilising our time more effectively if we can follow this procedure.

Now for the general question that has been raised I do admit that in this august House the hon Members have got the privilege and they can say anything against any Minister. But I do submit that even that right should be exercised in such a way that what is said is relevant to the Minister. Either there should be a substantive motion or there should be relevance in the matter raised before the House. It cannot be that any Member gets up and says anything against a Minister or some hon Member and the Minister contradicts and automatically the matter goes for investigation. That will be arrgating to the House functions which was never contemplated. This

is an august House which decides questions of policy and gives guidance to the country. It is not an investigating House, not even an adjudicating House. Therefore, let us not arrogate to ourselves functions and authority which the House does not have. If we do that then we will be failing in our duty to discharge the duties that are laid upon us by the Constitution.

SHRI JAIRAMDAS DAULATRAM (Nominated) Mr Chairman I shall be as brief as possible. I feel after all the experience that we have been having and seeing the manner in which some things are handled in the House including the interpretation of rules, that the question whether a matter is of urgent public importance is not a question to be decided by the House. The question whether a Calling Attention Notice dealing with a matter of urgent public importance is valid or not, is a question to be determined by the Chair. If the Member or the Chair feels the need for discussion on the validity or admissibility of the motion then it must be done between the Member and the Chair. And if the Chair feels the need for discussing it with some others on whose judgment the Chair relies then the Chair may summon those people in the Chamber and discuss and clarify the mind and then come to a decision. The House comes into the picture only at the stage when the Chair has admitted the motion. I do not think that the House should come into the picture at any earlier stage, because the House is not to decide about the validity or the admissibility or relevance of the Calling Attention Notice. Therefore, I request and I appeal that both in view of the rules and in view of the experience that we are daily having as to how our democratic institutions function, this matter must not be discussed and debated at this stage. The stage for discussion and debate will come after the Chair, as a result of discussion with the mover or discussions with anybody else, decides that the motion should be admitted.

SHRI K. K. SHAH Mr Chairman Sir, the rules of the House have been framed with a view to seeing that every Member of the House gets an opportunity, if any allegation is made against him to give his answer. Therefore when a Calling Attention Notice comes it is for the Chair

to decide whether it should be allowed to be discussed. No business can be discussed, no subject can be discussed on the floor of the House unless permission has been obtained from the Chair. Therefore Sir, unless you give the permission, now can the question be discussed here? What is being done at present is the Chair is an opportunity to the Member to assist the Chair to decide whether this matter is of urgent public importance. But the actual matter should come to the House only after the Chair has taken a decision that it is a matter of urgent public importance. Before that decision is taken the 1 P.M. matter comes before the House. After hearing the Member if you come to the conclusion that it is not a matter of urgent public importance the right of the Member to protest, which is coming under the rules made in this House, is lost. Therefore it is my humble submission that you must decide this matter in the Chamber as pointed out by my hon. friend Mr. Jaramdas Daulatram. If you need somebody's assistance he should come to you but we should not be made helpless. Today it is the turn of one Member; tomorrow it may be the turn of another Member; it may be the turn of anybody but he should not be a helpless person who cannot defend himself because a particular procedure is followed or you have been good enough to give permission to deviate a little from the procedure laid down by the House which can be used against a Member. This is my submission.

SHRI BHUPESH GUPTA. Sir, we have patiently heard what the hon. Members opposite submitted. We can understand hon. Members telling us that we should not take so much time over a matter like this and that we should briefly state what exactly is the matter about and then sit down. I can understand that. Now I find here is an attempt to interpret the rules to the disadvantage of the Opposition and, if I may so—I hope hon. Members will not mind—to the advantage of the Government. That should not be done.

Now it is certainly for you to decide whether any matter is a matter of urgent public importance or not. There again under the parliamentary practice you are functioning on behalf of the entire House.

You are a repository in this respect of the judgment of the House. Naturally if you feel that a matter is something to which reference can be made by a Member you can permit it even without finally coming to the conclusion whether a particular matter falls strictly within the category of a matter of urgent public importance. Now that is done. Now raising an issue and discussions are two different things. It is one thing to raise a matter with your permission in the House. It is another thing to provide for a discussion. I agree that a discussion cannot take place unless a motion is admitted but then there must be opportunity for a Member to seek your permission to invite the attention of the Government with regard to a matter which, *prima facie*, is a matter of urgent importance. Of course it is a matter of opinion. If you give the permission it is all right and you are very right in saying—I remember in the old days the previous Chairman did not even insist on that and we took the decision here but now you have made a rule—that we should come to your Chamber and seek your permission. We, on our part, have been strictly following it and we have been coming to your Chamber to seek your permission. Some Members may say this is abused. That again is a matter of opinion and it is for you to judge to what if at all, extent we are abusing it. But then we always suffer from this disadvantage, namely, that we speak from the Opposition and may be some of the things which other Members would not have said there we do say but we should not be debarred from saying them unless you think that they are very bad things that we are saying and are absolutely outside the scope. Therefore that latitude the Opposition would expect from you and it is also a convention. For fourteen years we have been functioning here. This was started in 1952 and some of us have been here for 14 years and it is nothing new that we are doing. We may be taking a little more time but it is nothing new that we are doing. Therefore normally we can raise these things. We would be very happy if you admit all the motions, if you make it a rule that you will admit all the things that we give you. We are not opposed to Ministers replying to them or to even Members opposing or intervening and saving something. It is our duty

[Shri Bhupesh Gupta]

to place before you what we consider should be discussed. Sir there has been a lot of erosion of democratic parliamentary rights and we need your protection much more than the Government. We are a minority here though not outside among the electorate. They are a large number and they can get whatever they like passed. Theoretically they can even remove the Chair which we cannot. Therefore I say we are handicapped in many ways, and we should be given protection. If there is to be any leaning on anybody's side it should be on the side of the party which is aggrieved, that is, the Opposition here.

SHRI A. D. MANI (Madhya Pradesh) : I should like to make some brief observations on the three points which have come up in this discussion. I think, Sir, this House has increased its utility by allowing Members to speak on Call Attention Motions which are of great importance and which should be accepted by Government. You have been good enough to initiate this practice and we want this practice to continue but you would agree that a point which cannot be made within five minutes is not worth being considered at all. If a Member takes more than five minutes that Member should be asked to sit down even if he should be a very influential person as the hon. Mr. Bhupesh Gupta or Mr. Rajnarain because what has been happening in this House is over small points twenty minutes are given to one Member—may be a very important Member of the Opposition—and the time available for discussion of the Bills is limited. The utility of this Chamber is being gradually undermined because we are not in a position to discuss other matters and I would suggest that the rules may even be suitably amended to permit you to ask a Member to sit down if he cannot make his point within five minutes. I am glad that my hon. friend, Mr. Bhupesh Gupta, agrees that there should be some time limit in regard to the making of points.

The second submission that I have to make is this. I have been a Member of this House for the past six years but I have been finding recently a large number of allegations being made against persons who are not Members of the House and who are not in a position to defend them-

selves. I may recall here that before I became a Member of the House a Member of the Opposition made certain remarks about me which I considered defamatory in regard to some particular matter. I wrote to the then Chairman of the House, our revered President, Dr. Radhakrishnan, pointing out that the allegations were totally false and that I was entitled to his protection. I am told that he sent for the Member and asked him to substantiate the allegations and when the matter was not substantiated it was struck out of the records. Sir, something was said about the father of a Minister ; all of us are fathers, all of us are mothers, all of us are sisters and brothers. They are not in a position to defend themselves in this House and I do not want the dignity of the House to be affected by references to persons who are not Members and who are not in a position to defend themselves. You are not only the custodian of the privileges of the Members of this side of the House as well as of the other side of the House, but of the vast public outside this House. Sir, different names figure in our discussions and I think that in regard to such defamatory remarks you should go through the record carefully and expunge those remarks which you consider are not in public interest or are defamatory. And this power is vested in you under the rules.

The third point that I would like to make is this. It has been the convention in the House of Commons that where an allegation is made against a Minister, the person concerned is given some advance notice . . .

SHRI BHUPESH GUPTA : No, no. We never give it. I say we shall never give it.

(Interruptions)

SHRI A. D. MANI . . . so that he may be in a position to be present in the House to defend himself. What is happening now is on important occasions, it is only one party which gets the opportunity to put forward his point of view and before the other party gets the opportunity to put forward his point of view some days elapse.

SHRI BHUPESH GUPTA . Why House of Commons always ? No, even there . . .

(Interruptions.)

SHRI A D MANI · Even if it is not the practice in the House of Commons let us start a new convention that the man gets an opportunity to defend himself

SHRI RAJNARAIN · You have been talking for more than five minutes

SHRI A D MANI · The hon Mr Rajnarain is asking why I am talking for more than five minutes.

AN HON MEMBER · You have been talking for ten minutes

SHRI A D MANI · I think I have made within ten minutes more number of points than my friend, Mr. Rajnarain, has made in all the speeches he has made in this House in the last few days he has been here. I think, in the interest of the dignity of the House, you should, if necessary, amend the rules to see to it that some order and decorum is maintained in our discussions

SHRI D THENGARI (Uttar Pradesh) I want to submit that the present system of allowing references to be made should not be dropped, but a time limit should be prescribed. Apprehension has been expressed that this system can be exploited. I think some time-limit should be prescribed. Then there would be no exploitation of this system

SHRI NIREN GHOSH (West Bengal). The practice of allowing Members to make references to certain matters of public importance and also to ministerial conduct has been an established one in this House for the last fourteen years and now an attempt is being made to curb this practice by negating it. If it is done, then a fundamental right of the Opposition would be withheld and curtailed. This House has greatly contributed even by making references to Ministers on occasions. They had thought it fit to take it up and even to reply to it. That being so and when it is done with your permission, I do not think that this right should be denied in future. If it is done, then the Opposition would suffer greatly. We will not get any opportunity to tell about things, which the entire country wants to hear. It is left to the Government whether to reply to it or not, but at least we should be given the right to raise it somehow. We may get two minutes, five minutes or

something like that. If this also is withheld, then what are we here for? I cannot understand why the majority Party is making much of a point about it

SHRI AKBAR ALI KHAN · Sir, You have established a healthy convention, but we have seen from our experience that the convention does not work. It is for you, Sir, to decide. (*Interruption*) I feel that it is very difficult for a Member, who is in his own way trying to make his point or substantiate his point, to do it within five minutes or ten minutes. We have seen the difficulty and the unpleasant scenes also we have seen. So, what I would respectfully submit to you, Sir, is, let us adhere to the rules. You certainly hear it and then, if necessary, you can call the Leader of the House or the concerned person to speak. It is much better to be generous in allowing it, to both the parties. When the Minister is there and when the Member is there, let it be considered and in that respect you can be generous and allow as much as the rules permit it, unless you feel that it is not at all important. But to give them this opportunity of arguing at an initial stage and then to say that it is not necessary to be done by the others, will not be helpful. If you are pleased to say that it is not necessary, then all the damage will be done and nobody is there to see that the damage is undone. So, most respectfully I would submit this. Let us adhere to the rules. Let them come and explain to you. If you are convinced, you allow it. If we discuss it on both sides, that would be in the interests of parliamentary democracy and at the same time we will save time, which is very important, for more important work in which we are interested

SHRI JAIRAMDAS DAULATRAM : Another attempt to take more than five minutes

SHRI M N KAUL (Nominated) Sir, I will very briefly state my points. Our rules follow closely the corresponding Rule in Lok Sabha. When this Rule was originally framed in the Lok Sabha, the intention was that it should be treated as something comparable, to some extent, to the notice for an adjournment motion and I shall read out the wording

[Shri M. N. Kaul]

"(1) A member may, with the previous permission of the Chairman, call the attention of a Minister to any matter of urgent public importance and the Minister may make a brief statement or ask for time to make a statement at a later hour or date."

The original intention was that as soon as a Calling Attention Notice was received, it was to be immediately transmitted to the Minister. He has to indicate that very day whether he will answer it and if he is unable to answer it on the very day, then he should indicate the date quickly. Now my experience has shown that relaxation has taken place because the Ministries or the Ministers did not conform to the original intention of the Rule. Sometimes when these notices are sent to the Ministers, they take a long time to indicate a date and I think that the relaxation of the Rules, which you have permitted, has arisen probably because of this very reason. Now, if the original intention of the Rule is to be restored, that is to say, these matters are to be really treated as of urgent public importance, the moment the notice is received, the Minister should quickly indicate whether he will answer it that very day and, if not, at least the next day, within twentyfour hours. If the original intention is conformed to, the necessity for the relaxation of the Rule that you have decided in your wisdom will probably disappear. So, I would suggest for your consideration and for the consideration of the House that it should be worked according to the original intention. Then, the Rule can be enforced. But if the Ministers do not indicate the date quickly, then there is justification for you, Sir, to permit a Member of the Opposition to state his case, because that operates as a sort of pressure on the Minister that a public statement has been made in the House and it is a warning to him that he should come and quickly defend his position, if he has to say anything on the point.

Now, so far as the other question is concerned, whether while making a statement in the House the Member concerned can cast any reflection on the Minister in his absence, that, I think, is a very important matter worthy of serious consideration. Freedom of speech in the House

is undoubted. There is no question about it. True facts cannot be hidden or concealed. They may be stated in the House but the matter has to be operated in accordance with the Rules and parliamentary practice. As a constitutional lawyer would put it, the House is sovereign, but the Rules that it frames are self-imposed restrictions. So long as they stand, they are for the better regulation of business. Now, I suggest that when you permit a Member to raise a matter in the absence of the Minister, he should give an assurance to you that he will not cast any reflection on the Minister, or say anything which would lower the Minister in the estimation of the people. He certainly has the right to state facts if he has satisfied himself *prima facie* that there is a case for stating those facts, but if he wishes to do so, this is not the occasion to do it when the Minister is absent. He should give advance notice to the Minister or in the alternative, if he does not wish to give any advance notice, he should request you to inform the Minister that he should be present when he makes those particular remarks. That, I think, should be a fair way to operate the Rules, both so far as the opposition and the Government are concerned.

SHRI BHUPESH GUPTA May I ask, does it not apply to Ministers also ?

SHRI M. N. KAUL I have made my position clear. I am saying that it is the undoubted right of a Member, if he has satisfied himself, to make observations. Equally it is fair to the Minister concerned that the observations should be made in his presence and after due notice is given, because you have to be fair to both sides. You cannot allow reflections to be cast on Ministers and then some days may elapse before a proper reply is given.

SHRI BHUPESH GUPTA The point I am asking is this, because he has got some experience. Now, you have said it. Does it apply when a Minister makes a statement with regard to individual Members of this House ? Suppose a Minister comes and says "I have heard some person guilty of some subversive activities and other things", in his absence. Is he entitled to do that ?

SHRI M. N. KAUL If there is one thing that I have learnt it is that in the

Rules there is absolutely no distinction between a Minister and a Member Ministers and Members stand on a par so far as the Rules of this House are concerned What I say will apply equally to a Minister I am making no distinction between the two.

SHRI BHUPESH GUPTA Now therefore

MR CHAIRMAN Mr Gupta you have said enough

SHRI JAIRAMDAS DAULATRAM In view of what the hon Member Mr Kaul, has said I want to make one thing clear When the House adopted these rules, the House did not intend that the discussion about the admissibility of the motion should take place before the House to enable the Chair to determine whether a motion should be admitted or not That discussion need not be in the presence of others The mover or the opposition does not require the presence of other people to talk to the Chair It is the Chair's mind which is to be converted to the point of view of the mover that the motion is admissible Why is an audience or the presence of the press needed for the discussion of the admissibility of a motion ? I therefore appeal to the Chair that whatever advice the Chair feels the necessity of must all be taken in the Chamber because it is the individual mind which has to be converted and not in the presence of all these people Apart from the other issues raised by Mr Kaul which need consideration, the basic pivotal point is that the matter of admissibility need not be debated before the House The House never intended that when it passed the Rule

SHRID L SEN GUPTA (West Bengal) Sir, certain suggestions have been made as to how the Chair should take its view in respect of a calling attention motion The matter really is a very important one and it is not for the first time that a calling attention motion or its admissibility is being considered For the last fourteen years this House has allowed calling attention motions being raised in the present form

MR CHAIRMAN There was no calling attention notice during the fourteen years It was recently introduced

SHRI D L SEN GUPTA I stand corrected, Sir Mr Bhupesh Gupta referred to fourteen years Anyway you know, Sir, that this House cannot raise any adjournment motion, nor can this House raise any no-confidence motion We have our Question Hour and the legislative, business and also non-official days for motions and resolutions The other House can raise a matter of urgent public interest by way of calling attention as well as adjournment motion If this House has to be given the same status as the other House, I fully believe that you, Sir as the custodian of this House will honour and maintain the prestige and dignity of the House and uphold it and raise it up, not lower it down All the suggestions that have come from the other side are do not give any permission to the calling attention motion, all that you can do in your Chamber so that the world outside may not know, so that the country may not know so that the press may not know, so that even the Members may not know It is a dangerous proposition. Now certain suggestions have been given that you will decide the matter there in the Chamber and if you decide, the matter goes to the Minister and the Minister comes and replies No mention of the subject of urgent public importance should be done here I object to that objection But I can well see the point that has been made out by my learned friends on the other side as to the time limit Possibly this question would not have been raised this issue would not have taken such a form—for about an hour it has been discussed here—provided my friend Mr Rajnarain, had not taken the time he has taken. You know, Sir, that the point at issue is a very short one You need not go to revise the rules You need not hear the other Members You can only hear the point that has really agitated the House, namely, what should be the time limit That is the only point at issue I appeal to you, Sir, please do not allow discriminatory time limit—in one case ten minutes in another case fifteen minutes, in the third case one minute, and so on This House should not have double standards. It should have one standard, one standard for all The House has a right. We should not be robbed of that right to raise a question of urgent public importance in the manner we have been doing

[Shri D. L. Sen Gupta]

Certainly this House has also a right, an equal privilege of the same magnitude, and as custodian of the House we hope you will guarantee that.

श्री राजनारायण : श्रीमन् . . .

श्री सभापति : आप इस मामले के मुताल्लिक कहेंगे ?

श्री राजनारायण : मैं प्वाइन्ट आफ आर्डर पर कुछ कहना चाहता हूँ अगर आप आज्ञा दें।

श्री सभापति : मेरे ख्याल में तो इसपर काफी डिस्कशन हो गया है।

श्री राजनारायण : आप से इतना ही निवेदन था कि मैं वास्तव में कुछ समझना चाहता था मुझे बड़ा दुख है कि जो हमारा मकसद नहीं है, हमारा वह मकसद हमारे ऊपर सरकारी पक्ष के सम्मानित सदस्यों द्वारा लादा जा रहा है। श्रीमन्, सदन की डीसेसी यानी शोभा, डिकोरम यानी सूरूति, इन दोनों को हम कायम रखना चाहते हैं। यहाँ पर तीन सिन्हा सदस्यों को हमने सुना, ए० पी० सिन्हा साहब को, आर० पी० सिन्हा साहब को और बी० के० पी० सिन्हा साहब को। मैं इन सब लोगों की भावना की कनई कद्र करता हूँ और चाहता हूँ कि इन लोगों ने जो बातें कही हैं, उनको ठीक ढंग से फार्मुलेट कर के लागू कर दिया जाय। मैं अपने मित्र बी० के० पी० सिन्हा साहब से बहुत सहमत हूँ। अगर आप चाहें तो इस मामले को प्रिविलेज कमेटी में भेज दें और चाहें तो इस सदन की कोई कमेटी बना लें। आज प्वाइन्ट आफ आर्डर पर बहुत सी बातें कही गई हैं और बड़ी अच्छी बहस हुई है। मैं चाहूँगा कि जितनी बातें कही गई हैं सब का सकलन किया जाये बैठ कर के। आप बैठें और आप की खिदमत में हम लोग भी बैठ सकते हैं और देख लें कि কোন मा तरीका अख्तयार किया जाय। कोल साहब का मैं शुक्रिया अदा करूँगा कि पार्लियामेन्ट्री प्रैक्टिस की जो जानकारी हम को अब तक है, उस

जानकारी को उन्होंने थोड़े में कह दिया। तो कौल साहब ने जो कुछ कहा है कि सदन में सत्य छिपाया न जा सके, जनभावना को दुराया न जासके, इसको मद्दे-नजर रखते हुये कोई भी व्यवस्था यहाँ पर ली जाय। मेरा उससे विरोध नहीं है।

माननीय सदस्य पांच मिनट की बात कहते हैं। कालिग अटेशन के लिये आप चार मिनट का समय दें, तीन मिनट का समय दें, उससे हमारा काम चल जायेगा। हम ज्यादा समय लेना नहीं चाहते। मगर हमारे ऊपर आक्षेप जो लगाते हैं, तो एक कहावत "Example is better than precept." अपने खुद को नमूना बना दें, ये लेक्चर देने में अच्छा है। मौन व्याख्यान में ज्यादा असर करता है। मैं आपके द्वारा निहायत अदम के साथ कहना चाहता हूँ कि जो हमसे सीनियर हैं उम्म में, पार्लियामेन्ट्री प्रैक्टिस में मैं नहीं मानता, वे अपनी उम्म की सीनियरिटी के अनुसार . . .

श्री सभापति : यह आपके ख्याल में प्वाइन्ट आफ आर्डर है ?

श्री राजनारायण : नहीं, हम जवाब दे रहे हैं क्योंकि प्वाइन्ट आफ आर्डर हमारे सवाल से उठा है।

SHRI SYED AHMAD (Madhya Pradesh): Sir, he is speaking so much. A point of order was addressed to you. It is for the Chair to decide the point of order. Can he reply to the point of order? Is he in order in replying to the point of order?

MR CHAIRMAN He is raising the point or order, he thinks.

श्री राजनारायण : किन्तनी देर से मैं बैठा हूँ।

श्री सभापति : मैं आप को उस वक्त तक कहने की इजाजत देना चाहता हूँ जब तक आप बैठ न जायें।

श्री राजनारायण : जितने सदन के सम्मानित सदस्य बोले हैं उनके विचारों को सामने रखा जाय और फिर . . .

श्री सभापति : यह प्वाइन्ट आफ आर्डर नहीं है, यह मुझे मशविरा है।

श्री राजनारायण : यानी जिस प्वाइन्ट आफ आर्डर पर लोग बोले हैं, अगर वह प्वाइन्ट आफ आर्डर हमारा नहीं है तो मैं आप की बात मान कर के विषय पर आ जाऊंगा।

श्री सभापति : वह हमने सुन लिया है।

श्री राजनारायण : अगर आपने सुन लिया है तो ठीक है। मैं इतना ही कहना चाहूंगा कि आपने जो हम लोगों को हक दिया है उसको हमने नाजायज इस्तेमाल नहीं किया है और न हम उसका नाजायज इस्तेमाल करना चाहते हैं। हम सदन के सम्मानित सदस्य को सुनने के लिये, अपना जो पार्लियामेन्ट्री ज्ञान था, उसको रखते हुये हमने प्वाइन्ट आफ आर्डर रोज नहीं किया था। वरना यहाँ पर जितने सम्मानित सदस्य बोले हैं हैं किसी का कोई प्वाइन्ट आफ आर्डर नहीं था आप कहते हैं आपने सुन लिया। अगर आपने ठीक से सुन लिया है तो हमें कुछ नहीं कहना है। प्वाइन्ट आफ आर्डर पर जितनी स्पीच हुई है ट्रेजरी बेचेज के लोगों की ओर से सब अनुचित थी, गलत थी, प्वाइन्ट आफ आर्डर नहीं थी। आपने उनको एलाउ किया, हम बौ जाउन हुए, सुनते रहे। यही निवेदन करना है।

SHRI P. N. SPARU (Uttar Pradesh) : May I say a word ? I have some experience of this House and I have the experience of the old Council of State. And I have moved adjournment motions there in the old Council of State. The usual practice is . . .

SHRI RAJNARAIN : Is it a point of order ?

MR. CHAIRMAN : It is not a point or order.

SHRI P. N. SPARU : I can understand it. * * *

MR. CHAIRMAN : Please, please.

श्री राजनारायण : क्या बोलते हैं, श्रीमन, मैंने सुना नहीं।

श्री सभापति : कुछ नहीं।

श्री राजनारायण : जरा दिमाग को ठंडा करके बोले। मैं उनको उनकी जजी के जमाने से जानता हूँ।

MR. CHAIRMAN : Will you please sit down ?

(Interruptions)

SHRI RAJNARAIN : You know yourself. सदन का समय नष्ट कर रहे हैं, यहाँ आकर लेक्चर दे रहे हैं।

SHRI P. N. SAPRU : You may belong to the SSP . . . (Interruptions) * * *

SHRI RAJNARAIN : I know you. . . (Interruptions) * * *

MR. CHAIRMAN : All these words will be expunged.

श्री राजनारायण * * *

SHRI P. N. SAPRU * * *

श्री राजनारायण : * * *

SHRI P. N. SAPRU : * * *

श्री राजनारायण : * * *

MR. CHAIRMAN : I will not take notice of all these. I will expunge them. Yes, Mr. Sapru, you were saying something about the practice in the old Council of State.

SHRI P. N. SAPRU : In the old Council of State, we used to have not calling attention motions but adjournment motions. It was open to the Chair to allow a person to explain how that portion was relevant, how it was of urgent public importance. It had to be urgent, it had to be important. But if you are making statements which are of a defamatory character, then I think the Chair always pulled you up and if you are a man of honour, you should be prepared to repeat your statement outside the House so as to give the person concerned an opportunity to establish that you are .

SHRI RAJNARAIN : I will say more about you in the public meeting than I have said here.

***Expunged as ordered by the Chair.

SHRI P. N. SAPRU . And I think it is not open to a person to go into the history of the character of a person. You have got to show how the matter is of importance and you should not abuse the privilege enjoyed in this House.

श्री राजनारायण : बाहर आप पब्लिक मीटिंग एरेज कर दे । मैं इससे ज्यादा कहूँगा ।

SHRI P. N. SAPRU : My friend has made a reflection on me because I had in another capacity to deal with him. Now that judgment of mine has been described as a classic by Mr. Justice Douglas. I am surprised that he should have challenged my judgment. If he repeats what he has said here outside the House, then poor as I am, weak as I am in health, I shall take the matter up in the law court.

SHRI RAJNARAIN On a personal explanation. मुझे अफसूस है . . .

SARDAR RAGHBIR SINGH PANJHAZARI (Punjab) : No personal explanation.

SHRI P. N. SAPRU : It cannot be allowed. . . .

(Interruptions)

श्री राजनारायण : हमें भी मौका दीजिए ।

श्री सभापति : जब इजाजत देना चाहूँगा, दूँगा । आप तशरीफ़ रखिए ।

SHRI G. RAMACHANDRAN (Nominated) : May I suggest, Sir, that at least now you should take charge of this matter entirely in your own hands? You have heard, as nobody could have heard, the two sides of the question being stated very clearly and emphatically I suggest to you, Sir—the dignity of the House, our prestige as Parliament, all this now requires that you must take charge of the matter without one moment's more delay and give your ruling without hesitation, whatever that ruling may be.

SHRI M. M. DHARIA . Sir, after your remarks for expunging some other allegations have also gone on record. They must be expunged . . .

(Interruptions)

श्री राजनारायण : श्रीमन्, जरा सुना जाय । आपसे करबद्ध प्रार्थना है कि . . .

सरदार रघुवीर सिंह पजहजारी नहीं सुना जायगा । यह क्या तमाशा है कि जिसकी ऊँची आवाज हो वही बोले ।

SHRI M. M. DHARIA : It should be expunged.

श्री सभापति मैंने वे सब बातें एकसपंज कर दी हैं ।

श्री राजनारायण : इस तरह यह सदन कैसे चलेगा ? मैं आपसे अदब के साथ . . .

श्री सभापति : सदन के चलने में आप भी दिक्कत पैदा कर रहे हैं ।

श्री राजनारायण : हमारे पर दोष न लगाइए ।

श्री सभापति : आपने बहुत सी बातें कही जो मुझे एकसपंज करनी पड़ी ।

श्री राजनारायण : हमने सप्रूजी के बारे में जो बातें कही थी, मैं नहीं कहना चाहता था । मुझे दुख है, अफसोस है ।

MR. CHAIRMAN : I am very glad, you have said this.

श्री राजनारायण : सप्रूजी के बारे में हमको विशेषण और मंज़ाएँ देनी पड़ी, मगर हमारी लाचारी थी । * * *

श्री एम० एम० धारिया : आपने जो कहा वह भी एकसपंज किया गया ।

श्री राजनारायण : अगर हम लोगों की तादाद कम है तो यह न सोचा जाय कि खाली सख्याबल चलेगा । आदरणीय सप्रूजी ने जजमेट के बारे में कहा है । मैं इतना ही कहना चाहता हूँ कि इनको ऐसा नहीं कहना चाहिए था । * * * यह मैंने उत्तर प्रदेश विधान सभा में कहा था । पुरानी बात का बदला लेना चाहते हैं सप्रू साहब ?

श्री सभापति : उन्होंने तो यह कहा कि अगर आप पब्लिकली इस बात को कहेंगे तो वे कोर्ट में उठाएँगे ।

***Expunged as ordered by the chair.

سری عبدالعی (سحاب) : حرمین صاحب۔ میں بڑے ادب سے کچھ عرض کروں گا۔ میں نے بڑے غور سے دونوں پارٹیوں کو سنا۔ ابھی چند دن ہوئے آپ کے سامنے بھوب لنگم کا قصہ لانا گیا تھا۔ بھوب لنگم یہاں موجود نہیں تھے کہ ایسا جواب یہاں دے۔ اب اگر خود ٹرائم مسٹر موحو۔ ہوں تو میرے دوست حیران ہوئے ہیں اور ایسا رواج قائم کرنا چاہتے ہیں کہ یہ بات نہ ہو سکے۔ ایوزنس کے پاس تو ایک ہی چیز ہے کہ وہ آپ کی اجازت سے ان کی برٹیوں کو آپ کے سامنے لائے۔ چاہے یہ بریولج موس کی شکل میں لائے یا کالنگ ائینسن بوٹس کی شکل میں لائے۔ تو اس پر وہ خفا ہو گئے اور کہا کہ ڈیموکریسی نہیں حل ہو سکتی لیکن ڈیموکریسی کو قائم کرنے کے لئے ہی جاب کو اجازت دینی ہے۔ چاہے وہ نانچ منٹ کے لئے ہو۔ نانچ منٹ میں اگر کوئی نہیں کہہ سکتا تو اسے نہیں کہنا چاہئے مگر اگر یہ فرمائیں کہ یہاں نہیں آنا چاہئے تو ٹھیک نہیں ہوگا۔ ہاں اگر یہ چاہیں کہ یہاں نہ آئے اور آپ اندر ہی ڈسکس کر لیا کریں تب بھی ایوزنس والوں کو سٹیفکسن ہو سکتا ہے کہ وہ آپ کسٹوڈین ہیں اور آپ جانتے ہیں کہ ایوزنس کس طرح سے ضروری سمجھتا ہے۔ کہوں کہ زیادتی تو

وہی کر سکتا ہے جس کے ہاتھ میں پاور ہو۔ پاور چونکہ آفیسل پارٹی کے ہاتھ میں ہے۔ اس لئے اس پر اس والوں کو اس کا موقعہ ہونا چاہئے کہ آپ کے دواڑا یہاں عرض کر سکیں کہ وہ اس طرح سے زنادہی کر رہے ہیں اور یہ نہیں ہوئی چاہئے۔ اب اگر یہ خود کریں جیسا کہ بھوب لنگم کے کس میں کیا ہو جائے ہے اور اگر یہاں کسی نے ایک منسٹر کے فادر کے بارے میں کہا کہ اس طرح سے ہے تو وہ ناخاطر ہے۔ دونوں ایک ہی طرح کا ہے۔ میں مانتا ہوں بھوب لنگم سرکاری نوکر ہے لیکن وہ بھی سرکار کے ورکر کا بات ہے جس کے بارے میں یہاں وہ کہہ رہے ہیں مگر نہ سننے کے لئے وہ نہ نہیں ہونگے۔

جو جیر مین صاحب۔ میں بڑے ادب کے ساتھ کہوں گا کہ آپ جو چاہے رولنگ دیس میں مانوگا جس طرح آپ چلائیں ہم چلنگے اس میں ہمیں کوئی اعتراض نہیں ہے۔ کہوں کہ ہم سمجھتے ہیں کہ آپ ڈیموکریسی کو سمجھتے ہیں اور ملک کے ہر میں ہی آپ کا سمجھنا اور کرنا ہے اور ہمیں چلانا ہے۔ لیکن میں بوجھا چاہتا ہوں کہ جو ایوزنس کو ہدایت کرتے ہیں وہ خود دیکھیں کہ آئے دن ان کی طرف سے کتنے کالنگ ائینسن روشن آتے ہیں۔ ان کی طرف سے آئے

[شری عبدالغنی]

تو ٹھیک ہے - اس لئے چیر مین صاحب- میں بڑے ادب سے عرض کروں گا کہ آپ بے شک ٹائم مقرر کریں وہ مناسب ہے اور ہم کو ٹائم پر اعتراض نہیں - وہ بے شک آپ مقرر کر دیجئے لیکن یہ کہ آپ اس ڈیمو کرسی کے حق کو حذف کریں اور اجازت نہ دے دو میں سمجھتا ہوں کہ یہ نہ تو ہم لوگوں کے حق میں ہوگا اور نہ دس کے ہت میں ہوگا - آگے جیسا آپ حکم دینگے میں وہی تعمیل کروں گا -

†[श्री अब्दुल गनी (पंजाब) : चेयरमैन साहब, मैं बड़े अदब से कुछ अर्ज करूंगा। मैंने बड़े गौर से दोनों पार्टियों को सुना। अभी चन्द दिन हुए आपके सामने भूत लिंगम का किस्सा लाया गया था। भूत लिंगम यहां मौजूद नहीं थे कि अपना जवाब यहां देते। अब अगर खुद प्राइम मिनिस्टर मौजूद हों तो मेरे दोस्त हैरान होते हैं और ऐसा रिवाज कायम करना चाहते हैं कि यह बात न हो सके। अपोजिशन के पास तो एक ही चीज है कि वह आप की इजाजत से उनकी त्रुटियों को आपके सामने लाए। चाहे यह परिविलेज मोशन की शकल में लाए या कालिग एटनशन नोटिस की शकल में लाए। तो इस पर वह खफा हो गये और कहा कि डेमोक्रेसी नहीं चल सकती लेकिन डेमोक्रेसी को कायम करने के लिए ही जनाब को इजाजत देनी है। चाहे वह पांच मिनट के लिए हो। पांच मिनट में अगर कोई नहीं कह सकता तो उसे नहीं कहना चाहिए मगर अगर यह फरमाएं कि यहां नहीं आना चाहिए तो ठीक नहीं होगा। हां अगर यह चाहें कि यहां न आए और आप अन्दर ही डिस्कस कर लिया करें तब भी अपोजिशन वालों को सेटिसफेशन हो सकता

† [Hindi transliteration.

है क्योंकि आप कस्टोडियन हैं और आप जानते हैं कि अपोजिशन किस तरह से ज़रूरी समझता है। क्योंकि ज्यादाती तो वही कर सकता है जिसके हाथ में पावर हो। पावर चूकि आफिशियल पार्टी के हाथ में है इसलिए अपोजिशन वालो को इसका मौका होना चाहिए कि आप के द्वारा यहां अर्ज कर सकें कि वह इस तरह से ज्यादाती कर रहे हैं और यह नहीं होनी चाहिए।

अब अगर यह खुद करे जैसा कि भूत लिंगम के केस में किया तो जायज है और अगर यहा किसी ने एक मिनिस्टर के फादर के बारे में कहा कि इस तरह से है तो वह नाजायज है। दोनों एक ही तरह का है। मैं मानता हूँ भूत लिंगम सरकारी नौकर है लेकिन वह भी सरकार के वज़ीर का बाप है जिसके बारे में यहा वह कह रहे हैं मगर यह सुनने के लिए वह तैयार नहीं होंगे।

तो चेयरमैन साहब, मैं बड़े अदब के साथ कहूंगा कि आप जो चाहे रूलिंग दे मैं मानूंगा जिस तरह आप चलाएं हम चनेगे इसमें हमें कोई एतराज नहीं है। क्योंकि हम समझते हैं कि आप डेमोक्रेसी को समझते हैं और मुल्क के हित में ही आप का समझना और करना है और हमें चलाना है। लेकिन मैं पूछना चाहता हूँ कि जो अपोजिशन को हिदायत करते हैं वह खुद देखें कि आए दिन उनकी तरफ से कितने कालिग एटनशन मोशन आते हैं। उनकी तरफ से आए तो ठीक है। इस लिए चेयरमैन साहब, मैं बड़े अदब से अर्ज करूंगा कि आप बेशक टाईम मुकरर करे वह मुनासिब है और हमको टाईम पर एतराज नहीं। वह बेशक आप मुकरर कर दीजिए लेकिन यह कि आप इस डेमोक्रेसी के हक को हज़फ करें और इजाजत न दें तो मैं समझता हूँ कि यह न तो हम लोगों के हक में होगा और न देश के हित में होगा। आगे जैसा आप हुकम देंगे मैं वही तामील करूंगा।]

श्री राजनारायण : मेरा जो प्वाइंट था वह रह गया, जिस पर मैं बोल रहा था।

श्री सभापति : उस पर आप काफ़ी बोल चुके।

श्री राजनारायण : बहुत अच्छा है।

MR. CHAIRMAN : It has been a very instructive discussion for me. As it is, I had allowed the raising of the points with reference to the Calling Attention Notices even before they were admitted for the reason that in some cases the reaction of the Ministry is not very prompt, as Mr. Kaul has rightly pointed out. I thought that in the fitness of things, Members who want to call attention to some matter of public importance should have an opportunity of urging that it is urgent and should be taken up. That is why I had done it. I know and I have told the House several times that I did it outside the rules. If I had stuck to the letter of the law, I would not have allowed it, but I allowed it because I thought that it was in the interest of the democratic institutions that we want to build up. But my fear is, as has been voiced by many Members, that this can be, and has been, not always properly used. I thought it would be an exceptional case only when there is a delay, not on the day when a proposal is made, and that this would expedite matters. But as I see, this is taken as an occasion for discussing the whole problem at full length. I would, therefore, consider the whole matter. I do not want to say what my decision would be. I would carefully consider the whole matter and see what the practice in future should be.

The House stands adjourned till 2.30 p.m.

The House then adjourned for lunch at forty-five minutes past one of the clock.

The House reassembled after lunch at half past two of the clock, THE DEPUTY CHAIRMAN in the Chair.

THE DEPUTY CHAIRMAN : The Minister of State in the Ministry of External Affairs.

STATEMENT RE TALKS WITH UNDERGROUND NAGAS

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI DINESH SINGH) : Madam, M76RS/66—5

a delegation of underground Nagas, led by Shri Kughato Sukhai, called on the Prime Minister at New Delhi on 10th and 11th August, 1966.

During these meetings they made a statement of their historical case and rights and expressed a keen desire to live in peace, friendship and cooperation with us. The Prime Minister told them that there was not much point in going into the past ; the present was more relevant and what was even more important was the future which could give new and greater opportunities to the Nagas to work for their prosperity. She explained to them our parliamentary democracy and our constitutional safeguards for preserving the rights of the people, their cultural heritage and their way of life.

The Nagas expressed their admiration for the Indian democratic system and our efforts to find peaceful solutions. They said that they wanted to be closest to us. The Prime Minister assured them that their legitimate rights would be protected and they need have no apprehension of any interference in their way of life within the Indian Union. She suggested that they might consult their friends, and come again at a later date when we could discuss with them in greater detail. In the meanwhile, it was necessary that peace should be maintained and no effort should be made by the underground Nagas to seek any assistance from outside as it could only complicate matters.

The talks were held in a friendly and cordial atmosphere and, I believe, we moved forward in understanding each other's point of view.

The House will, no doubt, appreciate that these talks are aimed at removing misgivings and creating an atmosphere of confidence in which a solution could emerge in keeping with our declared stand. It is, therefore, difficult for me to go into greater details but I should like to assure the hon. Members that we are seeking a solution in keeping with Government policy approved by Parliament.

SHRI CHITTA BASU (West Bengal) : May I know whether the Government of India is aware of the fact that the army of the Naga hostiles has been increased