

MR. CHAIRMAN : Mr. Gupta, I have had enough arguments from both sides. I will not let you speak further. Please sit down. The matter is not before the House, and I have said so. Therefore there would be no speeches. I have heard two Members from this side, and two from the side of the Government, and it is enough for me to make up my mind, which I will do in due course.

REFERENCE TO CALLING ATTENTION NOTICE RE STRIKE BY GOVERNMENT EMPLOYEES AND THE CONSEQUENT LAW AND ORDER SITUATION IN UTTAR PRADESH

श्री राजनारायण (उत्तर प्रदेश) : माननीय सभापति जी . . .

श्री सभापति : किसकी वाबत कह रहे हैं। इस मामले की वाबत ।

श्री राजनारायण : जी नहीं। मैं उत्तर प्रदेश में जो इस समय स्थिति उत्पन्न हो गई है उसके सम्बन्ध में ध्यान आकर्षण प्रस्ताव भेज चुका हूँ और उसी सम्बन्ध में आपसे निवेदन करना चाहता हूँ। आपसे निवेदन करने से पहले मैं सदन के सम्मानित सदस्यों से इतना जरूर निवेदन कर दूंगा कि जरा वह मुझको ध्यान से सुनें और बीच में टोकने की कृपा न करेंगे वरना जो प्वाइंट है वह हम उनको समझा नहीं पायेंगे और वह समझ भी नहीं पायेंगे ।

हम राष्ट्रपति जी से भी कल मिले थे और राष्ट्रपति जी को भी हमने कल एक मेमोरेण्डम दिया था। इसके पूर्व 20 तारीख को राज्यपाल से लखनऊ में मिला था और राज्यपाल को भी हमने एक स्मृतिपत्र, मेमोरेण्डम, पेश किया था। आपके द्वारा जो हमने सरकार का ध्यान खींचा है उसमें साफ-साफ है कि आज उत्तर प्रदेश में संवैधानिक सरकार समाप्त हो गई है, कानून और व्यवस्था की जगह

मंत्रियों और उच्च अधिकारियों की इच्छा ने ले रखी है, नागरिक सुरक्षा नहीं रह गई है, न्याय-प्रशासन खत्म है, बन्दूकधारी लोह-टोपधारी पुलिस धड़ले में निरंकुश हो कर सामान्य नागरिकों की हत्या इस ढंग पर कर रही है जैसे कोई शिकारी जानवरों और चिड़ियों का शिकार कर रहे हों, बान्दा की नर-हत्या इसका ज्वलन्त उदाहरण है। सरकार की भेदवादी नीति और कार्यक्रम से ऊब कर तीसरे और चौथे श्रेणी के राज-कर्मचारियों ने दस दिन से मुकम्मल हड़ताल कर रखी है। सामान्य प्रशासन तथा न्याय प्रशासन ठप्प है।

हमने राष्ट्रपति तथा केन्द्रीय सरकार को तार द्वारा आवश्यक कदम उठाने का आग्रह किया लेकिन फिर भी स्थिति लगातार बिगड़ती जा रही है। ऐसी स्थिति में हम उपर्युक्त आवश्यक अविलम्बनीय लोक महत्व के विषय की ओर सरकार का ध्यान आकर्षित कर जानना चाहते हैं कि अभी तक उत्तर प्रदेश सरकार भंग क्यों नहीं की गई और केन्द्रीय सरकार ने अब तक इस पर चुप्पी क्यों साधी।

श्रीमन्, इसके पूर्व 20-7-66 को, इसी जुलाई को 20 तारीख को, हमने एक तार राष्ट्रपति को, प्रधान मन्त्री को और गृह-मन्त्री को दिया था। वह तार भी मैं आपके द्वारा सदन के सम्मानित सदस्यों की खिदमत में पेश कर देना चाहता हूँ। वह यह है :—

“उत्तर प्रदेश की सरकार संगठित हिंसा का दूसरा नाम बन गया है। बांदा की नर हत्याओं के बाद भी जिम्मेदार एस० पी० तथा अन्य जिलाधिकारियों का न हटाया जाना जनतंत्र का मखौल है। राज्य कर्मचारियों पर निरंकुश बरबर लाठी-चार्ज संवैधानिक सरकार चलाने के लिये संकट है। बांदा जिले के अधिकारियों, चीफ सेक्रेटरी को तत्काल हटाने का निर्देशन करे। राज्य कर्मचारियों की मांगें पूरी करावे।”

[श्री राजनारायण]

इसको भेजा, राजनारायण संयोजक संयुक्त संवर्ध समिति—उत्तर प्रदेश में ज्वाइंट एक्शन कमेटी बनी हुई है जिसमें संयुक्त सोशलिस्ट पार्टी, कम्युनिस्ट पार्टी के दोनों अंग, आर० एस० पी०, रिपब्लिकन पार्टी और जिनने प्रोग्रेसिव एलिमेंट्स है सब उसमें शामिल है—जो सभी पार्टियों की तरफ से भेजा गया। रमेश मिन्हा, भारतीय कम्युनिस्ट पार्टी, शंकरदयाल तिवारी, भारतीय कम्युनिस्ट पार्टी मार्क्सवादी, रामेश्वर दत्त भावन, आर० एस० पी०, सधप्रिय गौतम, आर० एस० पी० आई०, प्रभुनारायण सिंह, अध्यक्ष, अखिल भारतीय हिन्दू मजदूर पंचायत, अब्बास अली, मंत्री, संसोध उत्तर प्रदेश, हरीश तिवारी, मंत्री, यु० पी० ट्रेड यूनियन कांग्रेस, इन सभी लोगों ने, वहाँ के जितने पब्लिक ओपीनियन के रिप्रेजेंटेटिव हैं सभी लोगों ने यह तार दिया।

यह तार 20 तारीख को आया। उसमें राष्ट्रपति से अपील की गई कि आप उत्तर प्रदेश के मामले में इंटरफियर करे, प्रधान मंत्री से अपील की गई कि उत्तर प्रदेश के मामले में इंटरफियर करे, गृह मंत्री से अपील की गई कि उत्तर प्रदेश के मामले में इंटरफियर (हस्तक्षेप) करे, मगर हमें अफसोस के साथ कहना पड़ता है कि केन्द्र की सरकार कान में तेल डाल कर पड़ी हुई है। हमें पता नहीं चलता है कि उत्तर प्रदेश के बारे में कुछ करना चाहते हैं या नहीं करना चाहते हैं, इसके सामने सारी स्थिति, सारा वातावरण साफ है या नहीं है।

श्रीमन्, मैं आपके द्वारा उत्तर प्रदेश की स्थिति के बारे में थोड़ा ब्योरे से उमलिये कहूंगा ताकि इसकी अहमियत आज मदन के सम्मानित सदस्य समझ पाये कि क्या हम कह रहे हैं कि आज उत्तर प्रदेश में कास्टीट्यूशनल गवर्नमेंट (संवैधानिक सरकार) नहीं रह गई है, क्या हम कह रहे हैं कि उत्तर प्रदेश की सरकार खत्म की जाय, रिमूव की जाय;

क्यों हम कह रहे हैं कि प्रेसिडेंट वहाँ पर नये इलेक्शन कराये और नये इलेक्शन करवा करके पीपुल को वह मौका दे जिससे कि वह नई सरकार बना पाये।

श्रीमान्, 10 मई को उत्तर प्रदेश में सभी विरोधी दलों ने एक प्रदर्शन किया। सरकार को तीन महीने पहले से मालूम था कि जो 25 प्रतिशत इन्होंने किसानों पर लेवी बढ़ा दी है, इमरजेंसी के नाम पर और जो भूमि भवन कर बिल्कुल बेहूदे ढंग में लगा रखा है, तो हम लोगों ने मांग की।

SHRI M. P. SHUKLA (Uttar Pradesh): Sir, I rise to a point of order, to ask whether you have permitted him to make a speech over the Calling-Attention Notice.

MR. CHAIRMAN: He is trying to convince me that that Calling-Attention Notice should be entertained. Now he is making a speech which is rather too long I usually allow Members to point out the essential points.

SHRI CHANDRA SHEKHAR (Uttar Pradesh): Sir, I rise to make one point, and you please consider this aspect also. He is making certain charges against the U.P. Government. Now the U.P. Legislature is already in session—I tell you—and if he makes a statement, then the Central Government—quite rightly—will say that we have nothing to do, we have nothing to say on the matter, because it is totally a State matter.

श्री सभापति. राजनारायणजी, आप बैठ जाइये।

(Interruptions)

SHRI CHANDRA SHEKHAR: Mr. Murahari, you cannot shout me down. You please sit down.

My only point is that if anything is said against the Government of Uttar Pradesh which is the constitutionally organised Government and where the legislature is normally functioning . . .

SHRI G. MURAHARI (Uttar Pradesh): Where is it functioning?

SHRI CHANDRA SHEKHAR : And the claims made are preposterous because the main Opposition Party, the Jana Sangh, is not associated; the most responsible Opposition, the P.S.P., is not there. All the names enumerated hardly represent two per cent. of the public opinion of Uttar Pradesh and if this unilateral speech of my esteemed friend, Mr. Rajnarain, is allowed and we are not given an opportunity to give the other side, it will create a very bad impression on the public; it will be arrogating the authority of the U.P. legislature and it will be an affront to the Government of Uttar Pradesh. So if he is allowed to make his statement I submit that someone from this side from U.P.—I do not say myself but someone from the Congress side—should also be given an opportunity to explain the position because a one-sided view should not go to the public.

SEVERAL HON. MEMBERS : Sir, on a point of order . . .

MR. CHAIRMAN : I can only deal with one hon. Member at a time.

SHRI A. P. CHATTERJEE (West Bengal) : Was it a point of order ?

MR. CHAIRMAN : Yes, it was a point of order.

SHRI D. THENGARI (Uttar Pradesh) : Sir, I should like to give one clarification on behalf of the Jana Sangh that the Jana Sangh had taken the initiative in the U.P. legislature in condemning the Government on all these points.

श्री राजनारायण : श्रीमन्, मैं आपके द्वारा अदब के साथ माननीय चन्द्रशेखर जी को जो . . .

श्री सभापति : राजनारायण जी, आप अगर मुह्तसर कहें तो अच्छा हो ।

श्री राजनारायण : मैं उतना मुह्तसर हूँ जितना मुह्तसर अपने पार्लियामेन्टरी जीवन में कभी नहीं हुआ ।

श्री सभापति : यह आपकी बड़ी इनायत है ।
59RS/66—

श्री राजनारायण : आप यह समझिये, 11 मई को मैं गिरफ्तार हुआ हूँ . . . अभी मैं इस मसले को छोड़े हुए हूँ कि किस तरह से उत्तर प्रदेश की सरकार ने 11 तारीख को मुझ को और श्रीमती सरला भदौरिया को गिरफ्तार करके इस सदन की सेवा से अलग रखा, बिल्कुल झूठे और गलत तौर पर । तो मैं आप की खिदमत में निहायत अदब से, सदन का और ट्रेजरी बेन्च के लोगों का ध्यान आर्टिकल 256 की तरफ खींचना चाहता हूँ । मेरे पास अंग्रेजी में कांस्टीट्यूशन की किताब है, उसमें से पढ़े दे रहा हूँ ?

"The executive power of every State shall be so exercised as to ensure compliance with the laws made by Parliament and any existing laws which apply in that State, and the executive power of the Union shall extend to the giving of such directions to a State as may appear to the Government of India to be necessary for that purpose."

SHRI P. N. SAPRU (Uttar Pradesh) : Sir, on a point of order. I thought that one of the principles of my hon. friend's party is that English should be banned.

MR. CHAIRMAN : That is not a point of order. It is a point of relief; it is not a point of order.

श्री राजनारायण : अब हमको हिन्दी में वह किताब मिल गई है, हमने मंगा रखी थी आपके यहां से । तो मैं बहुत ही अदब के साथ अपने पुराने मित्र जो उत्तर प्रदेश से आते हैं, उनके लिये हिन्दी में भी थोड़ा पढ़ देना चाहता हूँ आर्टिकल 256 ।

SHRI M. M. DHARIA (Maharashtra) : In this House we have got an arrangement to translate from Hindi into English and from English into Hindi. When that arrangement is there why should the time of the House be wasted by reading it again ?

MR. CHAIRMAN : There will be some economy of the time of the House if there were less points of order. I would allow him to read in Hindi.

श्री राजनारायण : अच्छा चलिये, ठीक है। मैं समझता हूँ इतनी अंग्रेजी की जानकारी जाननीय चन्द्रशेखर जी को होनी चाहिये और सदन के दूसरे सदस्यों को होनी चाहिये कि यूनियन गवर्मेन्ट को हमने 'गिल्टी' (दोषी) बनाया है। हमने 20 तारीख को आपकी खिदमत में, उत्तर प्रदेश के तमाम विरोधी दल के लोगों की ओर से भेजा गया तार पढ़ दिया कि हमने राष्ट्रपति से अपील की, हमने प्राइम मिनिस्टर से अपील की, हमने घर मंत्री से अपील की, कि उत्तर प्रदेश के मामले में डाइरेक्टिव (निर्देशन) दीजिए मगर आज तक कोई डाइरेक्टिव नहीं दिया गया। केन्द्रीय सरकार कान में तेल डालकर पड़ी है इसलिये हम केन्द्रीय सरकार को यहां पर दोषी पा रहे हैं। इसलिये हम कह रहे हैं, आर्टिकल 256 पढ़ लें और इसके बाद हमारे कोई दूसरे सदस्य ट्रेजरी बेंच से फिर न टपक पड़ें इसलिये में आर्टिकल 353 आफ दी कांस्टीट्यूशन को भी पढ़ देना चाहता हूँ।

श्रीमन्, "इमरजेन्सी" अभी है, इसके मामुल गेशन को इन्होंने विदड़ा नहीं किया है बाकायदा। तो इसमें लिखा हुआ है :

"Notwithstanding anything in this Constitution, the executive power of the Union shall extend to the giving of directions to any State as to the manner in which the executive power thereof is to be exercised;"

इसके जरिये भी केन्द्र को यह हक हासिल है कि वह किसी स्टेट को किसी एक्जीक्यूटिव पसले पर डाइरेक्टिव (निर्देशन) दे सकती है कि इस ढंग से काम करो, इसके मुताबिक काम करो। बार-बार हमारे आग्रह पर, कहने पर, भी केन्द्रीय सरकार कान में तेल डाल कर पड़ी रही। तो हम क्या करते? मैं आपके द्वारा सदन के सम्माननीय सदस्यों से निवेदन करूंगा कि हमने केन्द्रीय सरकार को बार-बार हाथ जोड़ कर कहा कि उत्तर प्रदेश की हुकमत खराब हो रही है, बद से बदतर

हो रही है, सरकार की पुलिस इनसान को गोली का निशाना बना रही है, जैसे कबूतर को मारा जाता न, जैसे बन्दर को मारा जाता है, जैसे जंगली जानवर को मारा जाता है उसी तरह से उत्तर प्रदेश का इनसान आज पुलिस की गोली से भूना जा रहा है, निहत्था इनसान भूना जा रहा है, जो शांतिप्रिय है, जो . . .

श्री सभापति : राजनारायण जी, बात कम कीजिए, आपका बयान बहुत लम्बा हो गया।

श्री राजनारायण : श्रीमन्, थोड़ा सा हमारी फीलिंग्स (भावना) का भी खयाल कीजिए।

श्री सभापति : आपकी फीलिंग्स का खयाल कर रहा हूँ।

श्री राजनारायण : अभी तो सारी बातें पड़ी हुई हैं। तो मैं अर्ज कर रहा था कि सभी पार्टियों ने यह कहा। अब 12 जुलाई के उत्तर प्रदेश बंध के बारे में उत्तर प्रदेश की सरकार ने जो एक सकुलर भजा है वह भी अंग्रेजी में हमारे पास है। आपके द्वारा सदन के सम्मानित सदस्यों के सामने उसको पेश करूंगा—

"Topmost Secret. D.O. letter No. so and so, dated . . ."

SHRI M. P. SHUKLA : Sir, on a point of order.

(Interruptions)

श्री सभापति : आपको वहां के मामलों की इस तफसील में जाने की जरूरत नहीं है।

श्री राजनारायण : श्रीमन्, अगर आप तफसील नहीं सुनेंगे तो आप इस सरकार को 'गिल्टी' कैसे पाएंगे?

श्री सभापति : आपने यह कहा है कि सरकार कान में तेल डाले बैठी है। यह नोटिस उनके पास जायेगा और सरकार को जो बयान देना होगा वह देगी।

श्री राजनारायण : श्रीमन् जरा इस बात का ख्याल करें कि जब कि सारा कांस्टीट्यूशन वहां ठप हो, जब कि सामान्य प्रशासन वहां ठप हो, जब कि वहां मानव जीवन सरिता का स्रोत सूख रहा हो . . .

श्री सभापति : असेम्बली हो रही है ।

श्री राजनारायण : असेम्बली क्या हो रही है ?

* * * * *

श्री सभापति : राजनारायणजी एक बज रहा है ।

श्री राजनारायण : 12 बज कर 50 मिनट के करीब मैंने यह मामला उठाया है ।

SHRI P. N. SAPRU : Sir, on a point of order. The Constitution of the country is a federal or a quasi-federal one, and so far as this House is concerned, it has no authority over the legislature of a . . .

SHRI BHUPESH GUPTA (West Bengal) : We have every right.

(Interruptions)

SHRI G. MURAHARI : We have every right; otherwise suspend this House.

(Interruptions)

SHRI P. N. SAPRU : Sir, on a point of order. The Constitution of the country is a federal or a quasi-federal one, and so far as this House is concerned, it has no authority over the legislature of a . . .

SHRI BHUPESH GUPTA : We have every right.

(Interruptions)

SHRI G. MURAHARI : We have every right; otherwise suspend this House.

(Interruptions)

1 P.M.

श्री राजनारायण : बैठ जाइये, बैठ जाइये ।

SHRI CHANDRA SHEKHAR (Uttar Pradesh) : Mr. Chairman on a point of order . . .

(Interruptions)

*** Expunged as ordered by the Chair.

MR. CHAIRMAN : Order, order.

श्री राजनारायण : माननीय सभापतिजी, मैं अदम से अर्ज करना चाहता हूं और सदन के सम्मानित सदस्यों को अपने कर्तव्य की ओर ध्यान दिलाना चाहता हूं । श्रीमन्, इस समय कौनसा आकाश फट पड़ रहा है और कहां धरती घंसी जा रही है . . .

MR. CHAIRMAN : Please, he is on a point of order.

श्री राजनारायण : मैं चन्द्रशेखर को चेयर नहीं मानता हूं ।

MR. CHAIRMAN : Mr. Rajnarain, I cannot be as loud as you are, but I would like you to listen. There is a point of order. If there is a point of order, I must listen to him. Mr. Chandra Shekhar.

SHRI CHANDRA SHEKHAR : My point of order is this. I shall request Mr. Bhupesh Gupta also to consider this point of order, whether . . .

MR. CHAIRMAN : I do not think it is his business.

SHRI CHANDRA SHEKHAR : I withdraw it, but I request you to consider this. Is it proper for this House to consider the proceedings of a State Legislature . . .

SHRI RAJNARAIN : Why not ?

(Interruptions)

MR. CHAIRMAN : I allowed you also to speak. It is very unfair, extremely unfair . . .

(Interruptions)

SHRI CHANDRA SHEKHAR : My point of order is that the hon. Member, Shri Rajnarain Singh, has categorically said that the proceedings in the U.P. Assembly are not recorded. People are thrown out of the Legislature on the point of the bayonet and he has made similarly two other points which I remember. Will it be proper for this House of Parliament or will it be proper for any State Legislature to comment upon the proceedings and the manner of the proceedings of this House ? I shall request any

[Shri Chandra Shekhar.]

hon. Member to quote any authority vested in this Parliament to consider the proceedings and the manner of the proceedings conducted in a State Legislature. Parliament can intervene only when there is a regular report from the Governor to the President that our constitutional organisations there or the Assembly has failed and that Parliament should take over the Legislature and the consideration of the affairs of that State. So, Mr. Chairman, I very humbly request you, you may allow it, but a similar right will have to be granted to the State Legislatures to discuss the proceedings and the manner we are conducting proceedings in this House. And it will be very unprecedented if the U.P. Assembly began to discuss the speech made by the hon. Member, Mr. Rajnarain in this House. Then the Members also will have the right and privilege to say that there was an irresponsible person.

MR. CHAIRMAN : I think there is great substance in it.

(Interruptions)

SHRI BHUPESH GUPTA : You consider it. He has said we are not discussing the proceedings of the House.

MR. CHAIRMAN : He is discussing it.

SHRI BHUPESH GUPTA : We are saying that a constitutional breakdown has come about there. The Legislature is functioning, but it is a fraud on the Constitution, because, according to our information—not challenged by him—no recording of legislative proceedings is there. It is not in the discretion of the Speaker. Then, it is in the newspapers. People are being bodily lifted on the order of the hooligan government there, thrown out of the House. Therefore, I say hooliganism is going on there and the Constitution is being prostituted before our eyes and hence Parliament has a right to protect and defend the Constitution and hence the seat of the Legislature. It was so on many occasions in Punjab, in Patiala. When the Congress Party did not like the Kerala Communist Ministry, everyday they brought in such matters. We know it. Therefore, do not talk about precedence. Therefore, I say

that we are up against a hooligan government which is trampling under foot the Constitution of the country. It is the duty of Parliament to . . .

MR. CHAIRMAN : All references to the U.P. Assembly proceedings shall be expunged.

(Interruptions)

SHRI BHUPESH GUPTA : Under what rule ?

SHRI G. MURAHARI : We protest . . .

SHRI BHUPESH GUPTA : I should like to know from the proceedings of the House whether the references to the Kerala Assembly, to the Kerala Government, in 1957 and 1958 were deleted from the proceedings. No. Therefore, kindly do not give such ruling. I would request you to consider it.

AN HON. MEMBER : Anarchy is reigning there.

SHRI BHUPESH GUPTA : We are not reflecting on the Assembly. We are reflecting on this. We are not reflecting on the Assembly, please understand.

SHRI G. MURAHARI : I appeal to you once more to reconsider your decision to expunge it.

MR. CHAIRMAN : What have I expunged ? I do not want the proceedings of the U.P. Assembly discussed here.

(Interruptions)

श्री राजनारायण : सभापतिजी, मैं आप से हम्बुल सबमिशन कर रहा हूँ और हम उत्तर प्रदेश विधान सभा की कार्यवाही को यहां पर डिसकस नहीं करना चाहते हैं। हमने आपको इन्फार्मेशन दी है कि उत्तर प्रदेश के स्पीकर ने पब्लिक स्टेटमेंट दिया है जो कि पेपर में एप्पीयर हुआ है कि उत्तर प्रदेश की प्रोसीडिंग्स कायदे से नहीं लिखी जा रही हैं। मैंने यह इन्फार्मेशन दी। I have got every right to speak in this House and give you information about that.

श्री सभापति: आपको खत्म करना चाहिये । आपने बहुत लम्बी तकरीर कर दी है ।

श्री राजनारायण: मुझ से लम्बी तकरीर तो चन्द्रशेखर ने की ।

श्री सभापति : क्या आप इसलिए करेंगे ? मैंने पहले भी आप से दरखास्त की थी कि आप मुख्तसर में कहें ।

श्री राजनारायण: इसलिए मैं आप से अपील करना चाहता हूं कि आप हमारी अपील सुन लें कि क्या हमने अंग्रेजी राज्य इसलिए खत्म किया था कि जिस अंग्रेजी को खत्म करने में न मालूम कितनी माताओं की बौद सूनी हो गई, न मालूम कितने मासूम बच्चों को संगीनों की नोक की चोट लगी, न मालूम कितनी ललनाओं का सिन्दूर धुल गया, क्या हमने यह इसीलिए किया था कि यहां गुन्डा राज्य चलाया जायेगा, कांग्रेस राज्य का जनता पर दमनचक्र चलेगा, उत्तर प्रदेश में आर्गनाइज्ड बाइलेंस होगा, आर्गनाइज्ड, गुन्डाइज्ड होगा ?

MR. CHAIRMAN : I cannot put you down. You are getting beyond limits. Please stop now. Will you please stop ?

श्री राजनारायण : मैं आप से अदब से बर्ज करना चाहता हूं कि सरकार गुन्डागर्दी

MR. CHAIRMAN : Now, the House stands adjourned till 2.30.

The House then adjourned for lunch at ten 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 : Mr. Rajnarain, you have said what you had to say, but I am prepared to give you some more time if you can lay down any further specific points you have.

श्री राजनारायण: माननीय उप-सभापति महोदय, मैं उत्तर प्रदेश की सरकार के बारे में सदन के सम्मानित सदस्यों की सेवा में जानकारी रख रहा था । मुझे अफसोस है कि मैं पूरी जानकारी अभी तक नहीं रख पाया हूं । इस लिये मैं आपका शुक्रिया अदा करता हूं कि आपने मुझे बाकी जानकारी रखने का मौका दिया । मैं यह कह रहा था कि आज उत्तर प्रदेश में कांस्टिट्यूशनल गवर्नमेंट नहीं रह गई है । वहां गवर्नमेंट आज बिलकुल आर्गनाइज्ड बायलेंस (संगठित हिंसा) और गुन्डाइज्ड पर चल रही है । उसके सबूत में मैं आप की खिदमत में एक सर्कुलर लेटर पढ़ देना चाहता हूं । जिस तरह से 1942 में लार्ड ऐमरी ने 14 प्वाइन्ट्स प्रोग्राम लन्दन से ब्राडकास्ट किया था कि गांधी यह चाहता है, गांधी यह चाहता है, गांधी यह चाहता है, उसी तरह से उत्तर प्रदेश की सरकार ने एक सर्कुलर अपने तमाम आई० जी०, डी० आई० जी०, एस० एस० पी० और जिला आफिसर्स के पास भेजा है जिसमें उन्होंने लिखा है ।

"The United Front of CPI(R), CPI(L), SSP, RSPI and the Republican Party are planning to organise the UP Bundh on July 12, 1966. From the information received so far, it appears that the agitation may assume any of the following forms :

1. Stopping train by chain pulling, squatting on railway tracks, lying in front of the railway engines, and removing of fish plates. This activity is expected to start from the midnight of July 11/12, 1966.

2. Surrounding and organising picketing at post offices, telegraph offices, courts, Vidhan Bhawan, residences of Ministers, district officers, etc.

3. Stopping of buses by placing branches of trees on the roads, deflating of tyres and even puncturing them.

4. Organising strikes in educational institutions, mills and factories and Government offices.

5. Organising hartals in markets.

[श्री राजनारायण]

6. Organising the demonstration, public meetings in defiance of section 144 Cr.P.C.

7. Cutting of telegraph and telephone wires.

Will you please keep yourselves well posted with the plans of local agitators in your district, so that you are able to take timely action to deal with the situation that may arise?

Government have already asked the District Magistrates, who consider the advisability of detaining immediately under the P.D. Act all persons, who have recently made speeches in your district, advocating violence or sabotage, suitable action may please be taken in this regard in consultation with your D.M.

Other leaders of importance, who are likely to take active part in the agitation may also be arrested as a preventive measure in consultation with your D.M. under the preventive section on 7th and 8th July. It is likely that some of these leaders may try to go underground two or three days before the Bundh day.

It will also be necessary to arrest the local Goondas who always try to take advantage of the situation of this type. The arrest of these Goondas should also be completed by you before the 11th July, 1966.

As regards the actual agitation on 12th July, you must ensure that normal means of communication are not disrupted in any way. Where you apprehend that agitators are likely to stop trains, you must be prepared in advance to deal with the situation immediately so that the trains are not delayed. Similarly no quarter should be shown to agitators, who may try to put up road blocks in order to disrupt road communication.

The Bharatiya Jan Sangh is against the U.P. Bandh and the possibility of clashes between the followers of the Sangh and the Bundh agitators cannot be ruled out. You will have to keep a watch over any such developments so that agitators are suitably dealt with.

उपसभापति : मिस्टर राजनारायण, यह सब पढ़ते हो, ठीक है, मगर और कितना पढ़ना है।

श्री राजनारायण : उत्तर प्रदेश सरकार ने जो सर्कुलर भेजा है, उसमें जरा यह देखिये :

It is hoped that the proposed agitation will be dealt with firmly so that normal life continue and there is no disturbance of the peace.

मैं आपके द्वारा इस सदन से निवेदन करना चाहता हूँ कि अगर यह सर्कुलर ठीक से देखा जाय तो यह सर्कुलर खुद प्रीच कर रहा है वायलेंस शिक्षा दे रहा है हिंसा की। उत्तर प्रदेश बन्द की जो उवाइन्ट ऐक्शन कमेटी (संयुक्त संघर्ष समिति) है उसका मैं कनवीनर हूँ। जितने सर्कुलर गये हैं, सब हमारी ओर से गये हैं और उसमें सभी रेस्पॉसिबिल पोलिटिकल पार्टिज (सभी जिम्मेदार पार्टियाँ) शामिल हैं। आप जरा इसको खयाल करें। मैं जानना चाहता हूँ कि उत्तर प्रदेश की सरकार को यह कहाँ से अधिकार हासिल हो गया कि उसने हमारी तरफ से कह दिया कि ये लोग फिश प्लेट्स रिमूव करेंगे, ये ट्रेन्स को डैमेज करेंगे, ये बसेज को डैमेज करेंगे, ये वायर्स को काटेंगे, ये टेलीग्राफ वायर्स को काटेंगे। तो मैं जानना चाहता हूँ आपके द्वारा इस सदन से कि लार्ड ऐमरी ने जिस तरह से 1942 में सजेस्ट किया था, उसी तरह से क्या यह गवर्नमेंट सजेस्ट कर रही है (कि जनता वही कार्य करे जो सरकार चाहती है) People to do what Government wants.

तो मेरा निवेदन है आप के जरिये कि जरा इस गवर्नमेंट को आप देखें कि यह गवर्नमेंट स्वतः फाल्स प्रीच कर रही है, एजेस्ट कर रही है, लोगों को उकसा रही है, लोगों को इंस्टीगेट कर रही है कि लोग यह करें, यह करें, यह करें। सब से बड़ी बात यह है कि गवर्नमेंट ने अपने डिस्ट्रिक्ट मेजिस्ट्रेट्स से, अपने पुलिस सुप्रिण्डेंड्स से कहा कि तुम सात आठ तारीख को

गिरफ्तारी शुरू कर दो। मैं आपको बताना चाहता हूँ कि 7 तारीख को लखनऊ में एक आम सभा थी जिस में 25, 30 हजार लोग आये थे। हमारी प्रेसीडेंटशिप में वह सभा हुई थी और उसमें कामरेड डांगे मेन स्पीकर थे। बहुत ही शांति के साथ वह सभा हुई और लोगों ने शांति के साथ सुनी सारी बातें। उसके बाद हम लोग शांति के साथ वहां से डिस्पर्स हुए और जब हम लोग स्टेशन पर आते हैं तो हल्ला मचता है कि दफा 144 लग गई है। मैं आपसे कहना चाहता हूँ कि 144 क्या है। धारा 144 हमारे संविधान का निगेशन (निषेध) है, संविधान को बाय-लेट करती है। इस संविधान के अन्दर 144 सी० आर० पी० सी० कहीं स्टैंड नहीं करती है। लेकिन यह सरकार 144 लगा कर के हमारे मुंह को बन्द करना चाहती है हमारी डिमोक्रेटिक ऐक्टिविटीज को क़श (जनतांत्रिक कार्यों का दमन) करना चाहती है। 144 का यह पर्पज़ (उद्देश्य) नहीं है। मुझे याद है वह ज़माना जब कि कांग्रेस के आन्दोलन में हम लोग सम्मिलित थे और तब एक दिन के लिये यदि कहीं 144 लगाई जाती थी ब्रिटिश रेज़िम में तो सारे मुल्क में हस्ला हो जाता था। हमारे यहां गोरखपुर में हमारे भूतपूर्व प्राइम मिनिस्टर जवाहरलाल जी 144 में जब गिरफ्तार हुए थे तो तमाम स्कूल कालेज बन्द हो गये थे और यह कहा गया था कि 144 लग कैसे सकती है। डाक्टर भगवानदास जी, जो हमारे आदरणीय श्री प्रकाशजी के आदरणीय पिता थे, उन्होंने कोर्ट के सामने जो बयान दिया था उसमें उन्होंने 144 के सम्बन्ध में यह कहा था कि कोई भी डिमोक्रेटिक गवर्नमेंट, कोई भी जनतांत्रिक गवर्नमेंट, कोई भी संवैधानिक गवर्नमेंट ठीक तरीके से अगर चले और वह अगर लोगों को बोलने का, सभाएं करने का, अधिकार दे तो वह कहीं 144 कभी लगा नहीं सकती। आज उत्तर प्रदेश में 144 डिस्ट्रिक्ट मैजिस्ट्रेट के ह्विम (झक) पर कायम है। जो डिस्ट्रिक्ट मैजिस्ट्रेट जब चाहे, 144 लगा दे।

आप को मालूम होना चाहिये कि 11 तारीख को डा० लोहिया आगरा जाते हैं और वहां के प्लेटफार्म पर ज्यों ही उतरते हैं, उनको आगरा की पुलिस गिरफ्तार कर लेती है। किस दफा में गिरफ्तार करती है? 144 तोड़ने में गिरफ्तार करती है दफा 188 में। फिर पुलिस जाती है एक मजिस्ट्रेट मिस्टर शर्मा के पास और उनसे 14 दिन का रिमांड मांगती है। मैं निहायत अदब के साथ आप से कहना चाहता हूँ कि आप जरा ध्यान दे कर मेरी बात को सुनें, सही बातों को सुनें। मैजिस्ट्रेट शर्मा कहते हैं कि कोई भी रिमांड की ज़रूरत नहीं है। 144 तोड़ने का अपराध तुमने लगाया है 188 में। उसके बाद कोई घटना नहीं हुई और तुमने प्लेटफार्म पर इसे लगाया है लेकिन प्लेटफार्म पर लोग ट्रेन से उतरते हैं, ट्रेन पर चढ़ने के लिये वहां आते हैं और वहां पांच से ज्यादा लोग रहते हैं। प्लेटफार्म पर उतरते ही तुमने लगा दिया दफा 144 और गिरफ्तार किया डा० राममनोहर लोहिया सरीखे आदमी को। यह कहां का संविधान है? यह स्वतः संविधान को हत्या है। फिर डिस्ट्रिक्ट मैजिस्ट्रेट शर्मा को बुलाता है कि डाक्टर लोहिया को जेल में जाकर 14 दिन का रिमांड दो। शर्मा मैजिस्ट्रेट इन्कार कर देता है। फिर कपूर मैजिस्ट्रेट भेजा जाता है। डा० लोहिया इनकार करते हैं कि हमारा मुकदमा खुली अदालत में होना चाहिए। फिर ए० डी० एम० (जे०) के पास जाता है। एक यूनिट चीज है। गवर्नमेंट इटसेल्फ ट्रांसफर एप्लीकेशन भूव करती है (सरकार स्वतः ट्रांसफर दरखास्त देती है) ए० डी० एम० (जे०) के कोर्ट में। मैं चाहूंगा कि हमारे माननीय गृह मंत्री बताएं, एक भी उदाहरण बताएं जहां गवर्नमेंट की ओर से ट्रांसफर एप्लीकेशन भूव हुई हो गवर्नमेंट के मैजिस्ट्रेट के कोर्ट में। लज्जा आनी चाहिये ऐसा सरकार को।

उपसभापति : आपने दस मिनट ले लिए।

श्री राजनारायण : म नम्रता से निवेदन करूंगा । सभापति जी से मेरी बातचीत हो चुकी थी । आपसे भी अदब के साथ कहता हूँ कि हमारी बातों को कह लेने दीजिए । हम कोई मामूली बात नहीं कह रहे हैं । हमने राष्ट्र-पतिजी को सजेस्ट (सुझाव) किया है कि उत्तर प्रदेश की सरकार को हटाएं । यह कोई मामूली चीज नहीं है । हमको कहने दीजिए . .

THE DEPUTY CHAIRMAN : I told you that I would give you ten minutes more. There are other Members who will not be able to speak from the Opposition if you carry on like this. Then I shall have to ask for the reply. (Interruptions) That is all right, but he cannot go on. He does not make any specific points. He has to make his point. I request Shri Rajnarain to take his seat.

श्री राजनारायण : मैं विनम्रता से कह रहा हूँ । आपको आज्ञा मान कर सीट लेता हूँ, फिर उठता हूँ । जरा मेरी बात को सुन लीजिए ।

THE DEPUTY CHAIRMAN : You have not taken your seat . Only if you have taken your seat, you can get up. You have not taken your seat.

श्री राजनारायण : जरा बांदा के बारे में देख लीजिए । अभी रिपोर्ट मैंने दी । एक यूनीक घटना हुई है । आज 13वां दिन हो रहा है कम्प्लोट कोर्ट बन्द है । कोई मामूली बात है कि कम्प्लोट कोर्ट बन्द है, कम्प्लोट कोर्ट का बायकाट किया हुआ है, बार एसो-शिएशन का एक मेम्बर नहीं जा रहा है । कारण क्या है । क्योंकि वकीलों के तख्तों से बसीट कर लोगों को मारा गया है, मुख्तियार खाने से गोली चला कर मारा गया है । एक बच्चा जो हलवाई की दुकान पर पानी पिला रहा था उसे पेट में गोली मारी और जब वह रिक्शा में अस्पताल ले जाया जा रहा था तब उसे घसीट कर पुलिस ने उतार लिया । 7 आदमी के गोली लगी है, कई घायल हुए हैं । यह सरकारी रपट है । किसी के पेट में गोली लगी है, किसी के सिर में गोली लगी है ।

THE DEPUTY CHAIRMAN : I am on my feet.

श्री राजनारायण : मैं आपसे रिक्वेस्ट कर रहा हूँ निहायत अदब के साथ । लखनऊ में आज अभी दोपहर में पचास से ज्यादा आदमी घायल कर दिए गए हैं । तीन जगह लाठी चलती है । राज्य कर्मचारियों पर सेक्रेटेरिएट के अन्दर लाठी चलती है । अस्पताल में फुनकर मारा गया है । राज्य के सारे तीसरी और चौथी श्रेणी के कर्मचारी हड़ताल पर हैं । वहां का शासन नहीं चल रहा है । मैं आपसे निहायत अदब के साथ कहना चाहता हूँ कि आप हमारे जज़्बात को रोकें नहीं । जिस राज्य के कर्मचारी . . .

THE DEPUTY CHAIRMAN : Will you please take your seat ? I am on my feet. Please take your seat.

श्री गोडे मुराहरि : उपसभापति महोदया . . .

HON. MEMBERS : Obey the Chair.

THE DEPUTY CHAIRMAN : Please sit down.

श्री राजनारायण : मैं निहायत अदब के साथ अर्ज करना चाहता हूँ कि उत्तर प्रदेश में संवैधानिक सरकार नहीं रह गई है । उत्तर प्रदेश में कोई कानून नहीं रह गया है । वहां के कर्मचारी पीटे जा रहे हैं, सस्पेंड किए जा रहे हैं, उनको डंडा मारा जा रहा है, अस्पताल के अन्दर घुस कर कर्मचारियों को मारा जा रहा है । जिस राज्य के कर्मचारी विद्रोह कर दें वह राज्य कैसा ? लानत है उस राज्य पर, ऐसे राज्य के शासन पर ऐसी सरकार को रिमूव करो । आज सारे उत्तर प्रदेश की जनता हमारे साथ है, सारे उत्तर प्रदेश की जनता राज्य कर्मचारियों के साथ है । हम राज्य कर्मचारियों को अकेला नहीं छोड़ सकते । चार लाख राज्य कर्मचारी हैं, उनकी मां हैं, पत्नी हैं, बच्चे हैं । जो सरकार और जिस सरकार की पुलिस अपने कर्म-चारियों पर निर्ममता से गोली चलाए,

लाठी चलवाए वह सरकार बेशर्म सरकार है । ऐसी सरकार को हम एक मिनट के लिए टालरेट (बरदाश्त) नहीं कर सकते ।

उपसभापति : बैठ जाइए ।

श्री राजनारायण : मैं आप से बार-बार कह रहा हूँ, रिक्वेस्ट कर रहा हूँ, आप उत्तर प्रदेश की स्थिति को देखें । उत्तर प्रदेश की सरकार क्यों चलने दी जा रही है ? क्यों केरल की सरकार भंग की गई, क्यों केरल में इस तरह का गुन्डाईज्म किया ? उड़ीसा और मंसूर में क्या हो रहा है ?

THE DEPUTY CHAIRMAN : Mr. Rajnarain, take your seat. This is for the last time.

श्री राजनारायण : यह सरकार हट कर रहेगी । उत्तर प्रदेश की सरकार को हटाओ, वहाँ गुन्डाईज्म चल रहा है । उत्तर प्रदेश की सरकार जो कुछ कर रही है . . .

SHRI M. GOVINDA REDDY (Mysore): Obey the Chair.

THE DEPUTY CHAIRMAN : Please take your seat. You will have to resume your seat. You have to sit down. I am on my feet. Please follow parliamentary procedure. Mr. Govindan Nair.

श्री राजनारायण : उत्तर प्रदेश की सरकार को हटाओ ।

THE DEPUTY CHAIRMAN : Mr. Rajnarain, please take your seat.

श्री राजनारायण : चेयर के जरिए मैं आपसे अपील करूँगा कि पहले इस सरकार को रिमूव कीजिए, यह सरकार डिस्मिस कीजिए । इस सरकार को हटाइए जो राज्य कर्मचारियों पर डंडा चलाए । विद्यार्थियों पर डंडा चलाये, किसान मजदूरों पर डंडा चलाये ।

(Shri G. Murahari stood up)

THE DEPUTY CHAIRMAN : You cannot speak until the other Member has taken his seat. He has not yielded.

श्री राजनारायण : उत्तर प्रदेश सरकार को सस्पेंड करो, उत्तर प्रदेश की सरकार को हटाओ । यह संविधान की हत्या है । जब तक उत्तर प्रदेश की सरकार रहेगी तब तक हम नहीं बैठ सकते ।

THE DEPUTY CHAIRMAN : Mr. Rajnarain, please take your seat. (Interruptions) Order, order. You will have to take your seat.

श्री राजनारायण : मैं आपसे अदब के साथ कहना चाहता हूँ कि आप उत्तर प्रदेश की सरकार को रिमूव करवाइए, राष्ट्रपति का शासन लागू करवाइए । यह उत्तर प्रदेश की जनता की मांग है । रूलिंग पार्टी की इच्छा पर राज्य सभा नहीं चल सकती । यह राज्य सभा है, यह सरकार सभा नहीं है ।

(Interruptions)

चुप रहो, खामोश ।

THE DEPUTY CHAIRMAN : I am sorry. I have to ask the hon. Member to withdraw from the House.

श्री राजनारायण : उत्तर प्रदेश सरकार को हटाओ . . .

(Interruptions)

THE DEPUTY CHAIRMAN : I would request you to withdraw from the House. Please withdraw from the House, Mr. Rajnarain. (Interruptions) I have asked him to withdraw from the House. He has not. I name him.

THE LEADER OF THE HOUSE (SHRI M. C. CHAGLA) : I hope the hon. Member will respect the ruling of the Chair and withdraw from the House. Otherwise, I will have to . . .

SHRI BHUPESH GUPTA : We shall speak on it.

(Interruptions)

SHRI M. C. CHAGLA : I move :

"That Shri Rajnarain be suspended from the service of the House for a period of one week."

THE DEPUTY CHAIRMAN : The question is :

"That Shri Rajnarain be suspended from the service of the House for a period of one week."

The motion was adopted.

THE DEPUTY CHAIRMAN : Shri Rajnarain is suspended for one week.

(Some hon. Members stood up)

THE DEPUTY CHAIRMAN : You cannot speak. Nobody can speak on this. I shall follow the rules very strictly.

OPPOSITION MEMBERS : No.

THE DEPUTY CHAIRMAN : Rule 256(2)—I am readying the rule—

"If a member is so named by the Chairman, he shall forthwith put the question on a motion being made, no amendment, adjournment or debate being allowed, that the member (naming him) be suspended from the service of the Council for a period not exceeding the remainder of the session."

(Interruptions)

THE DEPUTY CHAIRMAN : The House is not in a position to listen to my voice.

(Interruptions)

I have asked the Member to withdraw and he must withdraw from the House. He has been suspended for one week and he must go out of the House.

OPPOSITION MEMBERS : No.

SHRI BHUPESH GUPTA : We ask you to reconsider it. *(Interruptions)* The Leader of the House is there. Madam, Deputy Chairman, it affects the freedom of the House.

श्री राजनारायण : जब तक उत्तर प्रदेश की सरकार नहीं हटेंगी, मैं नहीं हटूंगा। उत्तर प्रदेश की सरकार जो राज्य कर्मचारियों पर बंडा चलाती है, जब तक नहीं हटेंगी, मैं नहीं हटूंगा। यह राज्य सभा है, यह इन्दिरा सभा

नहीं, चांगला सभा नहीं है, सरकार सभा नहीं है। इस सदन को महिमा और गरिमा की रक्षा के लिए हमें जो कुछ सहना होगा हम सहेंगे।

श्री गोडे मुराहरि : गोली चलाओ देश में।

श्री राजनारायण : इस सरकार को देखना है कि वहाँ क्या हो रहा है। मैं वहाँ की सरकार का विरोध करता हूँ।

THE DEPUTY CHAIRMAN : The motion has been adopted. Let Shri Rajnarain be removed from the House. Call the Marshal.

श्री गोडे मुराहरि : मार्शल से कुछ नहीं होगा।

श्री राजनारायण : मैं देखता हूँ कि कैसे हमें निकालेंगे।

THE DEPUTY CHAIRMAN : I may put the motion again for those Members who may not have heard it :

"That Shri Rajnarain be suspended from the service of the House for a period of one week."

The motion was adopted.

THE DEPUTY CHAIRMAN : If Shri Rajnarain does not leave the House, he will have to be removed.

श्री राजनारायण : उत्तर प्रदेश की सरकार को खत्म होना चाहिये। मैं इस सदन को छोड़ कर जाने को तैयार नहीं हूँ जब तक कि उत्तर प्रदेश की सरकार नहीं हटाई जाती। ईसा-नियत की रक्षा में, मानवता की रक्षा में . . .

THE DEPUTY CHAIRMAN : Shri Rajnarain will have to be removed.

SHRI BHUPESH GUPTA : We are not even allowed to speak on the motion.

THE DEPUTY CHAIRMAN : Please refer to the Rule.

SHRI BHUPESH GUPTA : Permission is given in the other House. Why can it not be given in this House? Madam, Deputy Chairman, I would make my submission. You can call your Army, if you like. We will not go unless we have a voice on this motion. Can we not make even our submission to you?

THE DEPUTY CHAIRMAN : Call the Marshal.

(Interruptions)

श्री राजनारायण : उपसभापति महोदया अगर हमने चेयर की आज्ञा नहीं मानी है तो लोकतन्त्र की रक्षा में नहीं मानी है, मानवता की रक्षा में नहीं मानी है, इंसानियत की हिफाजत के लिये नहीं मानता हूँ। आज यह सरकारी पक्ष राज्य सभा का अपमान कर रहा है। जब तक कि इस राज्य सभा का मान रेस्टोर नहीं होगा मैं जाने को तैयार नहीं हूँ।

SHRI BHUPESH GUPTA : We want to speak but we are not even allowed to speak.

श्री राजनारायण : वहाँ की पापी सरकार को हटाइये। उस पापी सरकार को आप क्यों नहीं हटाते। आप जनतन्त्र की हत्या कर रहे हैं। इंसानियत का गला घोट रहे हैं। जो सरकार गोली चलाती है उस नालायक सरकार को हटाओ। आज उत्तर प्रदेश की जनता, राष्ट्र की जनता कह रही है कि तुम मत छोड़ो राज्य सभा को। राज्य सभा की महिमा और गरिमा के लिये इसे मत छोड़ो।

मैं इस समय राष्ट्र की जनता और उत्तर प्रदेश की जनता की बात मान रहा हूँ। मैं उत्तर प्रदेश का प्रतिनिधित्व कर रहा हूँ।

SHRI BHUPESH GUPTA : Allow us to speak. I submit to the House it will be a very bad precedent if you remove him from the House. Please do not use force. The consequences will be very bad.

THE DEPUTY CHAIRMAN : Please sit down.

श्री गोडे मुराहरि : वहाँ लाठी बर्षा हो रही है और आप हमको निकालना चाहते हैं।

श्री राजनारायण : मैं आपसे अध्यक्ष की गरिमा और महिमा के नाते कहता हूँ कि आप उत्तर प्रदेश की सरकार को हटाइये। जब तक जो पापी और राक्षसी सरकार उत्तर प्रदेश की है वह नहीं हटती मैं जाने को तैयार नहीं। मैं जाने से इंकार करता हूँ। राज्य की पीड़ित मानवता की यह इच्छा है कि मैं हरगिज हरगिज यहाँ से न जाऊँ।

THE DEPUTY CHAIRMAN : I want to appeal to the Members that the ruling of the Chair must be carried out and he must leave the House according to the ruling. And if any one wants to say anything, I am willing to see them.

The House stands adjourned for ten minutes.

The House then adjourned at fifty five minutes past two of the clock.

The House reassembled at thirteen minutes past three of the clock, **THE DEPUTY CHAIRMAN** in the Chair.

THE DEPUTY CHAIRMAN : The House has suspended Shri Raj Narain. He must leave the House or he will have to be physically removed.

श्री राजनारायण : मैं अर्ज कर रहा था कि . . .

(Interruptions)

THE DEPUTY CHAIRMAN : I do not want to listen now.

श्री राजनारायण : इस समय राष्ट्र की इज्जत, राष्ट्र का सम्मान संकट में है. . .

THE DEPUTY CHAIRMAN : Call the Marshal.

श्री राजनारायण : हम राज्य सभा को नहीं छोड़ेंगे। यह सरकार राज्य सभा को कांग्रेस सभा बनाना चाहती है।

(Shri Rajnarain was removed from the House by the Marshal)

(More interruptions)

THE DEPUTY CHAIRMAN: No, no. No comments. Order, order.

SHRI BHUPESH GUPTA: You adjourn the House. There is no use, Let us adjourn the House. That is better. You should adjourn the House, Madam Deputy Chairman.

SHRI G. MURAHARI: * * *

THE DEPUTY CHAIRMAN: You all sit down in your seats. I have asked Shri Gaure Murahari to take his seat. If he does not listen to me he will have to go.

(More interruptions)

SHRI G. MURAHARI: * * *

THE DEPUTY CHAIRMAN: Shri Gaure Murahari will withdraw from the House.

SHRI G. MURAHARI: No.

(Shri G. Murahari came near the Table and continued shouting)

THE DEPUTY CHAIRMAN: I name Shri Gaure Murahari.

SHRI M. C. CHAGLA: Madam, I move:

"That Shri G. Murahari be suspended from the service of the House for a period of one week."

The question was put and the motion was adopted.

SHRI G. MURAHARI: * * *

THE DEPUTY CHAIRMAN: Call the Marshal.

SHRI BHUPESH GUPTA: Madam Deputy Chairman, it is better you adjourn the House.

SHRI M. N. GOVINDAN NAIR (Kerala): * * * Why not adjourn the House?

(Shri G. Murahari was removed from the House by the Marshal)

SHRI BHUPESH GUPTA: I am only suggesting adjournment of the House.

SHRI D. L. SEN GUPTA (West Bengal): The House should not be allowed to continue.

(Interruptions)

SHRI BHUPESH GUPTA: It should not be a question of prestige between the Government and the Opposition. If that is what it is, then all of us will have to be physically lifted.

THE DEPUTY CHAIRMAN: I want Members to take their seats if they want me to listen to what they say.

SEVERAL HON. MEMBERS: We will not allow the House to proceed.

THE DEPUTY CHAIRMAN: If you want me to listen, please resume your seats.

SHRI BHUPESH GUPTA: They never listen to us. What for are we to resume our seats? With the Opposition here they will not be able to do any business today. You may eliminate the Opposition and then you can have your business. This has been made, Madam Deputy Chairman, a point of prestige by the Government.

THE DEPUTY CHAIRMAN: Until the hon. Members who are out of their seats go back to their seats, I will not listen.

SEVERAL HON. MEMBERS: We will not allow the House to proceed.

SHRI BHUPESH GUPTA: It will be shown to outside that we are thrown out. We have sat here for fourteen years. Is the dignity of the House to be maintained by force? I am suggesting this as a Member of the Opposition and this is also a suggestion. I am surprised that the Leader of the House is keeping quiet.

SHRI M. C. CHAGLA: if he will sit down, I shall speak.

*** Expunged as ordered by the Chair.

SHRI BHUPESH GUPTA: Do you think that the entire Opposition is to be thrown out? Is it not better for you to advise the Chair to adjourn so that we can discuss about this.

SHRI M. C. CHAGLA: Will you permit me to say a word? This is a House whose dignity we must maintain.

HON. MEMBERS: Why?

(Interruptions)

SHRI M. C. CHAGLA: I have not finished. We must uphold the dignity of the House irrespective of the Party to which we belong. If the Chairman gives a ruling, we must obey it even if we think that the ruling is wrong. That is the first principle of a democratic Parliament. She gave a ruling that Rajnarain Singhji should go out. He refused to obey. What are we to do? What is she to do?

SHRI D. L. SEN GUPTA: She said 'no appeal'.

SHRI BHUPESH GUPTA: You have put that question. Is it always an immutable law of parliamentary practice that force should be used?

SHRI M. C. CHAGLA: May I say one thing?

SHRI BHUPESH GUPTA: This is not the only course.

SHRI M. C. CHAGLA: Mr. Gupta is a senior, respected Member of this House. I expected him to support the Chair and prevent the obstruction to the removal of Rajnarain Singh. Every Member of this House should have rallied to the support of the Chair to remove the obstruction. What do we find?

SHRI NIREN GHOSH (West Bengal): We gave reasonable support.

SHRI D. L. SEN GUPTA: In the other House this morning when Mr. S. M. Banerjee was named, all the other Members were heard. Here when Shri Rajnarain Singh was expelled, I wanted to make an appeal. She said: 'No appeal'. Is it parliamentary practice? You are asking us to keep quiet. When Mr. Banerjee was

expelled they were given a hearing. Here no hearing is allowed.

SHRI BHUPESH GUPTA: I still ask the Leader of the House in the name of the House if I may, certainly in the name of the Opposition, and I would request him not to pursue the course that he has chosen. It is a perilous course. The dignity of the House will never be maintained over the corpses of Members.

(Interruptions)

SHRI ABID ALI (Maharashtra): Do not challenge us.

SHRI BHUPESH GUPTA: If you listen to that advice, it is open to you to call the constable and throw us out. If you listen to our advice, you adjourn the House so that we can discuss this.

SHRI CHANDRA SHEKHAR: I request you to maintain the dignity of the House and the Members who are particularly flouting the decision of the House should be named and suspended by the House. Why should you not suspend these Members?

THE DEPUTY CHAIRMAN: Order, order.

SHRI M. C. CHAGLA: I am prepared to do this at the risk of opposition from my own side. If order is restored in this House, if the two Members who are suspended come back and apologise to you and to the House for their behaviour, I am prepared to suggest to the House that the order of suspension be removed, but we must have order first.

SHRI D. L. SEN GUPTA: No apology

SHRI BHUPESH GUPTA: You deal with us as you dealt with Shri Rajnarain Singh.

THE DEPUTY CHAIRMAN: The Chair is the symbol of decorum and decency with which we must carry on our daily business. The procedure must be put into force. I have appealed to hon. Members who have not gone back to their seats. I appeal once again to all hon. Members here to resume their seats before I could hear them. Hon. Members will please take their seats. Go back to your seats. I was very particular that they must go back to their seats.

SHRI BHUPESH GUPTA: Now shall there be arguments?

THE DEPUTY CHAIRMAN: All are not in their seats. I would like them to go back to their seats, to the seats allotted to them. Once again I appeal to every Member to be in his seat—both on this side and on that side.

SHRI M. N. GOVINDAN NAIR: It is only when voting is there.

THE DEPUTY CHAIRMAN: It is an order.

THE DEPUTY CHAIRMAN: If you want the House to continue, dignity must be maintained.

SHRI BHUPESH GUPTA: Only when there is voting, they have to be in their seats in order to vote.

THE DEPUTY CHAIRMAN: That is why I am using the word 'please'.

SHRI D. L. SEN GUPTA: I am requesting you not to say that.

SHRI BHUPESH GUPTA: All of us have resumed our seats.

HON. MEMBERS: No.

SHRI BHUPESH GUPTA: Do you want your pound of flesh? You need not take notice of it. You see that nobody is standing.

HON. MEMBERS: No, no.

SHRI BHUPESH GUPTA: This is the cussed mentality against which we are speaking. Did we respect your opinion or not Madam? Now they are saying 'no, no'. Yes, you have the majority, I know. I would request you to consider the entire situation. We do not go into what has happened, regrettable as it is, shocking as it is to us, the ejecting by force of a Member of the Opposition. We all feel hurt and grieved over this matter as it has never happened before in these fourteen years of our parliamentary career but to-day I would like to know whether it is not known to Parliamentary procedure and practice in the country and elsewhere that when a situation of this kind does

arise, the Chairman acts in a manner as indeed you will act, to bring about equilibrium? The Leader of the House forgets that he is the Leader of the House and he stands for the dignity of the entire House and that of the Opposition in particular and in such a situation he should come out with a particular proposal which *prima facie* would make itself acceptable not only to those who supported him but to those who opposed him and it is for him to initiate this process. I regret very much that Mr. Chagla has not followed this way.

SHRI M. M. DHARIA: It is not correct. He has maintained the dignity of the House.

SHRI BHUPESH GUPTA: I can well understand that behind the show of anger is not reason. I am submitting to you here; I am submitting to the Deputy Chairman here.

SHRI M. M. DHARIA: We do not want to hear sermons from Mr. Bhupesh Gupta.

SHRI BHUPESH GUPTA: Well, you need not hear me. If you like, you can walk out; you can walk out if you do not like to listen to me. Now I make a suggestion and it is on my own. I have not consulted my colleagues over this matter. All the same I am making a suggestion and I hope my colleagues will agree, or at least will not oppose it. I suggest that the House be adjourned now.

HON. MEMBERS: No, no.

SHRI BHUPESH GUPTA: You may say "No". Certainly you may say, "No". But cannot I make a suggestion? Well, I know your voice and I am very familiar with it. Let the House now adjourn, and then I say that the Leader of the House act as the Leader and consult all the opposition groups, and others on his side also, if he likes, and make an effort, so that some solution is found of the situation that had been created. That is all that I can say, Madam Deputy Chairman. Now you may ask, "Is there any precedent?" There are plenty of precedents. Every legislature has precedents. You may not follow them, and I am not asking you to follow them necessarily if you are not

convinced. But there is the precedent in many such legislatures and in comparable situations it has adjourned. Even in the Lok Sabha it has happened. Even in the British Parliament it has happened. In the French Parliament it very often happens. Now in these parliaments people do not think of using force. When a situation gets out of control, the dignity of the House is sought to be maintained. (Interruptions) Well, Mr. Abid Ali, my esteemed friend, hardly knows about parliament. Therefore he need not talk on this subject. Now the position is this.

SHRI ABID ALI: What happens in Russia in a comparable situation?

SHRI BHUPESH GUPTA: I shall not blame you if you do not know very much, but the more you speak, the more the ignorance you reveal. But if you like that exhibition, you can do so. Now therefore it is open to you. Now do you think, Madam Deputy Chairman, that the best course for maintaining the dignity of the House is a repetition of what has happened, namely the use of force, or do you think that some other acceptable method should be tried in order to bring about peace and equilibrium in the House? It is for you to think over and decide.

SHRI AKBAR ALI KHAN (Andhra Pradesh): Who is responsible for this most painful situation that has occurred?

SHRI BHUPESH GUPTA: Now I am not going into the past. Certainly there the hon. Member may have one opinion, and we may have another. Therefore I have avoided reference to the past incident and I have not gone into the past. It is an injury which we have suffered and it will take a long time to heal. But I am not going into this thing at all. All I am saying is what you are going to do at the moment. Now there authority does not come. Are you going to employ force against all of us to be evicted, or do you seek some other alternative way of bringing back the dignity of the House as you understand it. And there co-operation will be given. Co-operation will come from this side, but it is for you to take a decision to the best of your judgment.

SHRI CHANDRA SHEKHAR: Madam Deputy Chairman, . . .

THE DEPUTY CHAIRMAN: I shall now hear Mr. Thengari.

SHRI D. THENGARI: Madam Deputy Chairman, I have also given a Calling-Attention Notice on the same subject. Much has been said about the subject and as far as possible I shall see that there is no repetition of what has been said.

SHRI M. N. GOVINDAN NAIR: Madam, I want to know whether you are reverting to the discussion on Uttar Pradesh, or are you discussing the future procedure to be adopted to avoid such unhappy incidents. Now Mr. Thengari started by saying that he had given a Calling-Attention Notice and all that. Now comrade Bhupesh Gupta has given such a Notice. I have given. All of us have given.

SHRI D. THENGARI: Madam Deputy Chairman, I had also the permission from the Chair to speak on the situation in Uttar Pradesh.

THE DEPUTY CHAIRMAN: Yes, you have the permission from the Chair, but be very brief, Mr. Thengari.

SHRI D. THENGARI: Madam, now the situation in Uttar Pradesh, as has been evident, is extremely serious, and the Centre cannot shirk its responsibility just by arguing that it is a State subject. The Centre has to prevail upon the State Government to restore normalcy by conceding the demand of the people in general, and the Government employees in particular. Now these demands include a judicial inquiry.

SHRI M. N. GOVINDAN NAIR: Now all of us have given Calling-Attention Notices on this subject, on this very issue. Then we were faced with a particular situation.

THE DEPUTY CHAIRMAN: I shall give you a chance to place your views also a little later, if you like to do so.

SHRI M. N. GOVINDAN NAIR: But I want to know from you whether the House is in possession of the usual business, or . . .

SHRI AKBAR ALI KHAN: He is in possession of the House now and let him speak.

SHRI D. THENGARI: Madam, the demands of the people of U.P. in general, and of the Government employees in particular are that they have demanded that a judicial inquiry be held into the lathi charge within the precincts of the Secretariat on the 15th of this month, that the Chief Secretary, Mr. K. K. Das, be removed immediately, that Government should assure that there will be no victimisation of the U.P. State Government employees, that there should be the transfer of the District Magistrate and Superintendent of Police of Banda, and that compensation should be given immediately to the families of the people shot dead in the police firing. Unless the Centre brings appropriate pressure to bear upon the State Government to concede these demands, it would be impossible to run the Government there. The law and order situation has already broken down there, and therefore I urge upon the Central Government to bring that pressure and see that these popular demands are conceded.

Thank you.

THE DEPUTY CHAIRMAN: Mr. Chandra Shekhar. Please be very brief.

SHRI CHANDRA SHEKHAR: Very brief, Madam Deputy Chairman. Now what has happened in U.P. is really very tragic. I fully associate myself with the sentiments of those Opposition Members who feel that there has been brutal firing in Banda. I am not alone in saying that there has been brutal firing; also Congress Members in the U.P. Assembly have said it. I say this only because this is the proof that the administration in U.P. exists. The very next day after the firing one of the Cabinet Ministers visited Banda and on the day following he reported to the Cabinet. And the same evening the U.P. Government instituted a judicial inquiry. So within three days of the firing the U.P. Government instituted an inquiry taking into grievances of the people, taking into consideration certain evidence that *prima facie* appeared correct to that Cabinet Minister of the U.P. Government. Now if it proves anything, it proves that the

Government of U.P. is vigilant to the grievances of the people. It only proves that the U.P. administration is functioning to its utmost ability . . .

SHRI ARJUN ARORA (Uttar Pradesh): But since then too much water has flown under the Gomti bridge.

SHRI CHANDRA SHEKHAR: I also agree with my friend, Mr. Arjun Arora, that too much water has flown beneath the Gomti bridge. But what has happened? I know that there are the grievances of the Government employees in U.P. I know that they are genuine grievances of a certain section of the employees. But I shall request Members in the Opposition to realise that there are genuine difficulties with the State Government. You know that U.P. is the most economically backward State today in India. There are not enough funds to be given to the Government employees. The Chief Minister of U.P. has been very sympathetic to to them . . .

THE DEPUTY CHAIRMAN: Please do not speak at length.

SHRI CHANDRA SHEKHAR: I will not speak at length.

THE DEPUTY CHAIRMAN: Please make your point and sit down.

SHRI CHANDRA SHEKHAR: Madam, I am the first speaker on this side and therefore . . .

THE DEPUTY CHAIRMAN: I do not think you should speak so much. Please be brief, I want to go back to the regular business.

SHRI CHANDRA SHEKHAR: Madam Deputy Chairman, I was saying that the U.P. Government is fully aware that there are difficulties . . .

SHRI ARJUN ARORA: What are we discussing, Madam?

THE DEPUTY CHAIRMAN: I have permitted him to speak.

SHRI CHANDRA SHEKHAR: Well, if you want to create trouble better go that side.

SHRI ARJUN ARORA: I am not a turncoat like the hon. Member who, having got elected on the P.S.P. ticket, has quietly crossed over to that side.

SHRI CHANDRA SHEKHAR: The remarks of my friend do not deserve any condemnation from me.

Madam, I was saying that the U.P. Government is totally conscious and they are making efforts to tackle the problem. Some Members of Parliament only yesterday made an appeal to the Government of U.P. that the U.P. Government should consider their demands sympathetically.

I would also request hon. Members to take one point into consideration. The whole life in U.P. is going on normally. There is some difficulty in the functioning of the secretariat. Some clerks, some lower grade clerks and others are on strike; it does not mean that the whole U.P. Administration has collapsed. So, Madam Deputy Chairman, I only say that this is a matter to be discussed by the U.P. Government.

SHRI M. N. GOVINDAN NAIR: Madam Deputy Chairman, a very serious situation is existing in U.P. today and I do not quite understand why Members on that side do not realise the gravity of the situation in U.P. I cannot think of any parallel in any other part of the country. For the first time the entire administrative machinery has broken down in U.P.

SOME HON. MEMBERS: No, no.

SHRI M. N. GOVINDAN NAIR: Your shouting will not change matters.

SHRI M. M. DHARIA: Your shouting also will not bring about such a situation.

SHRI M. N. GOVINDAN NAIR: All the N.G.Os. are on strike and every paper carries that news. What does that mean? If the entire N.G.O. are on strike which Department of Government can function, I would like to know. Even the Assembly cannot function without these people. Your Parliament cannot function without your Marshals. Under such circumstances when the entire administrative machinery has broken down, is it not the responsibility of

this House to consider the matter seriously and take appropriate action? And when an hon. Member raises the question in all seriousness you start . . .

SHRIMATI C. AMMANNA RAJA (Andhra Pradesh): I want to know what is happening at the back there?

SHRI M. N. GOVINDAN NAIR: I think the Chair is there to look after these things.

Madam, a very serious situation has arisen in U.P. when the entire administrative machinery has reached a deadlock and stopped functioning. The N.G.Os are on strike; the Roadways people are on strike and today we read in the papers that the students are on the streets. And we have got the information that more than fifty students are already injured by lathi charge, by tear gas and all that. Under such circumstances instead of trying to deal with the situation in the way in which you have been doing, you should have taken steps to see that immediately the Government is restored there by dismissing the existing Government and taking over the administration there. I recall to your mind the situation that arose in Kerala some time back. There the entire administrative machinery was functioning. In the Assembly the ruling party had a majority but because there was an agitation outside you decided to intervene and dismiss the Government. Why should we have double standards? And here today the administrative machinery has completely broken down. Tell me one Taluk Office that is functioning; tell me one District Office that is functioning.

AN HON. MEMBER: Several.

SHRI M. N. GOVINDAN NAIR: Tell me one court that is functioning in U. P. When every limb of the administrative machinery has broken down is it not a breaking down of the Constitution? Should not the Centre intervene and see that the existing Government is dismissed and President's rule is imposed? And is it not the responsibility of this House, Madam, to deal with this? We are called Rājya Sabha and matters that concern the States in general should get a priority in the matter of discussion in this House. That is why we are called the Council of States. Your existence is justified only when such serious

[Shri M. N. Govindan Nair.]
development are taken up seriously in this House and a decision taken on them. Therefore, Madam, my humble suggestion is that immediate steps should be taken to dismiss the Government there.

(Several Members stood up)

THE DEPUTY CHAIRMAN: Please take your seats. This is no regular debate. I shall hear whom I want to. Have you finished Mr. Nair?

SHRI M. N. GOVINDAN NAIR: I am finishing. Because a serious situation has arisen in U.P. I request the Government to take note of it and see that the present Government there is dismissed and President's rule is immediately imposed.

THE DEPUTY CHAIRMAN: Mr. Niren Ghosh; I think you had taken permission in the morning from the Chair to speak.

SHRI NIREN GHOSH: I also gave a calling attention notice that in Banda a miniature Jallianwalabagh massacre has been enacted. Only 300 people were before the court but there were 500 members of the constabulary. And without any provocation the people were fired upon and they were chased and lathi charged. The advocates were inside the compound; the police rushed in and fired all round. Ten boys were killed—rather murdered—and before the District Magistrate and the Superintendent of Police this firing went on. When the advocates protested, they did not stop it but they just chased them out. When a photographer took photos he was man-handled, his photos were taken away, and he was tossed into the jail. And the Editor of a paper, Shri Samadh of Chitrakut Samachar was forced by the police that he must publish only the official version; and he was roped into a case and put into jail. For two days no news was allowed to pass; all the channels were stopped. Such a thing can only take place under a Fascist raj. At least some 30 to 40 people are missing. Their bodies are not in the morgue; they are not in jail and they cannot be traced anywhere. That is the situation in Banda. For 12 days the hartal has gone on despite everything and on the top of that the law and order situation in U.P. has broken down. When you lathi

charge Government tariat, when that students come ou cannot function, ed, when in the tion members the proceeding properly rep of U.P. Sh to sit down settle the iss situation completely police raj pure and simple. is allowed to deteriorate, in all such scenes will be re-enacted. Not that; I am sorry when the question is raised in Parliament brute force has been used to eject Members of Parliament and such a situation has been brought about for the first time since independence in Rajya Sabha. This is an ominous sign. You are secuttling democracy. You have taken to the path of oppression. We protest against the very procedure that has been adopted today in Rajya Sabha. After this we will withdraw from the House as a mark of protest. All of us will withdraw after the Members speak on the subject.

SHRI BANKA BEHARY DAS (Orissa): Madam Deputy Chairman . . .

SHRI SYED AHMED (Madhya Pradesh): Madam, they were going to withdraw.

SHRI A. P. CHATTERJEE: It is not according to your dictates. We will withdraw when we wish it to be.

THE DEPUTY CHAIRMAN: Order, order.

SHRI BANKA BEHARY DAS: Madam Deputy Chairman, I gave a calling attention notice on this subject. When the temper is running very high, sometimes reasonable words do not carry any weight. Madam Deputy Chairman, whatever might be the difference of opinion, the situation in U.P. is very distressing. The entire administration is paralysed. There is no difference of opinion about it, whatever some of our friends on the other side might say. Even friends on the other side have said that the firing at Banda was brutal. The situation is not going to be contained there only in U.P. We are told

even the Central Government employees have given an indirect threat that if the situation continued like this, then they might also take recourse to similar action. What will be the result? We cannot sit here and say that it is a State matter. We cannot sit here within closed walls and say that it is a State matter. Again, I, through you, submit that when the situation in West Bengal was very bad, the Home Minister, Mr. Gulzarilal Nanda, had to go from this place. He intervened in the matter and tried to settle the matter. So, the Central Government should not take it as a question of prestige and should not completely rely upon the State Government, which has miserably failed and which is responsible for the crisis that has come about there. Madam, again, I may remind you that there was a great student unrest last year in Orissa when the State Government miserably failed, in spite of the fact that they had a brute majority in the Orissa Assembly. The Central Government had to go and settle the matter, persuade them to institute a judicial enquiry. The judicial enquiry came and the student movement was withdrawn. So, I want again to repeat that the Central Government, instead of relying upon the State Government, should act. We know how the Congress house is divided there. We also know that one group of Congressmen are reported to be with the strikers. There is no doubt about it. So, it is not possible under the present circumstances for the State Government even to tackle the situation. Not only that. They have no courage to tackle the situation. We all know that the demands of the Government employees are very reasonable. When devaluation has come about, the price level is going up. Their immediate demand is for increasing the dearness allowance. The State Government ought to have entered into negotiations with them. Instead, they wanted to divert their attention, take to repressive measures and the situation became worse. I now again plead, through you, to the Government of India that some of the senior Ministers should visit that State, try to settle the matter, try to see that the State Government institutes a judicial enquiry into the matter and try to see that all the repressive measures that have been taken are withdrawn. Both sides should sit together and find out a formula, so that

the question of dearness allowance is settled to the satisfaction of all. Therefore, I want again to plead that the situation is not going to be contained in that State. I again request you that if we want that the House should maintain its dignity, both sides should sit together and decide matters. We should try to help solve the situation in the State. Then, I again request that the House may be adjourned today. Both sides should sit together, discuss the matter and try to settle the matter in U.P., so that when we meet again there will be nothing left to bother. Therefore, all these points should be considered and a senior Cabinet Minister should immediately go to that State and try to settle the matter according to the advice that has been given to them through you.

SHRI LOKANATH MISRA (Orissa) : Madam, the disturbances in U.P. have assumed a lot of importance, not so much because the strikers have gone on strike, but because they have been struck very hard by the Government. Never in history is there a parallel strike like this. Even during the British period, during the long period of 150 years of the British regime, when the national spirit was running so high in this country, the Congress organisation could not mobilise such a strike against the imperialists. That alone shows how just their cause is. Even during a popular Government, when we have a strike running for thirteen days, which includes every Government official, that shows how just their claim is. (*Interruption*). If you want to irrigate everybody, mind you, it recoils on you. Therefore, Madam, the Government should not dismiss this as purely an act of political motivation. I am told even the Lucknow Congress Committee, the local Congress Committee, has passed a resolution supporting the strike. There is no doubt in anybody's mind, including that of the Government, that the employees need a higher wage. That needs consideration. As explained by Mr. Chandra Shekhar, maybe the Government is not in a financial position to concede it immediately. In spite of all that, their case is just and if they are told about it, the situation might change. Instead of

[Shri Lokanath Mishra:]

aiming at them your bayonet and guns, if you could persuade them to see your point of view, they are as patriotic as our Home Minister here is. If they are explained to properly, I suppose they will 4 P.M. accept the position. If the Government cannot pay today and if they promise to pay tomorrow, they will wait. But if the Government goes on getting paralysed, one after another, there will be no end to it. There will be no democracy. Even if we talk here in the House about democracy, unless its spirit is maintained in the country, no amount of sermonising either in this House or in the other House or in any other House, could keep democracy intact. Now, the employees of the High Court have also joined the strike. That is the height of it. Therefore, it must get the attention that is due. The hon. Home Minister will please pay heed to this side rather than talk to his neighbour there.

THE DEPUTY CHAIRMAN: Mr. Hathi, please listen to what is being said in the House.

SHRI LOKANATH MISHRA : Please listen to better counsel. Do not listen to bad advice.

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI JAISUKHLAL HATHI): I agree that yours is a better counsel, but I would not admit that his is bad advice.

THE DEPUTY CHAIRMAN: Please wind up.

SHRI LOKANATH MISHRA: Therefore, I would again urge that before the situation goes out of control, let the Home Minister immediately intervene in the matter and bring back peace in the country.

THE DEPUTY CHAIRMAN: I think we have had enough. Mr. Hathi will reply. This is no debate.

SHRI CHITTA BASU (West Bengal): Madam Deputy Chairman, I must be allowed to speak . . .

SHRI JAISUKHLAL HATHI: Madam Deputy Chairman . . .

SHRI CHITTA BASU: * * *

(At this stage some hon. Members left the Chamber)

SHRI I. K. GUJRAL (Delhi): Madam, the last words uttered should be expunged.

THE DEPUTY CHAIRMAN: They will be expunged.

SHRI JAISUKHLAL HATHI: Madam Deputy Chairman, friends opposite have mentioned various points to bring home the various matters with which the Government of India was concerned, and therefore they said that it was admissible Shri Rajnarain has quoted article 256 of the Constitution . . .

(Interruption)

श्रीमती सरला भट्टरिया (उत्तर प्रदेश).
उपसभापति महोदय, हम लोगो को भी कहने का मौका क्यों नहीं दिया जाता। इस तरह से आप इतने बड़े मामले पर बहस समाप्त करना चाहते हैं। हम लोगो को भी महन करने की कोई शक्ति होती है। इस तरह की गलत बातें हम नहीं सह सकते हैं।

(At this stage the hon. Member left the Chamber.)

SHRI JAISUKHLAL HATHI: Rajnarainji has quoted article 256 of the Constitution and also articles 356 and 353. In the morning when he was going on with his speech, it was at least some satisfaction to me that he was referring to the provisions of the Constitution, and I thought he was going to argue constitutionally on constitutional points. I will now deal with the various provisions of the Constitution under which he maintained that this subject was the responsibility of the Government of India.

The first article of the Constitution that he quoted was article 256. If the House reads carefully this article, it nowhere gives power to the Central Government to interfere with the Government of the State. It gives power, but where?

*** Expunged as ordered by the Chair.

"The executive power of every State shall be so exercised as to ensure compliance with the laws made by Parliament and any existing laws which apply in that State, and the executive power of the Union shall extend to the giving of such directions to a State as may appear to the Government of India to be necessary for that purpose."

That is, when Parliament has passed certain laws and a certain State Government does not implement those laws or does something in contravention of the laws passed by Parliament, then under the federal structure the Government of India or the Union Government has the power to direct the State not to impede the work of the Government of India or impede the implementation of the law passed by Parliament. That does not at all give power to the Government of India to issue day-to-day direction.

Then he mentioned article 356 of the Constitution :

"If the President, on receipt of a report from the Governor of a State or otherwise, is satisfied that a situation has arisen in which the government of the State cannot be carried on" etc.

The question is Rajnarainji and others have brought forth various facts, whatever may be the facts, the President has to be satisfied that the government of the State cannot be carried on in accordance with the provisions of the Constitution. It is surprising that, on the one hand, the argument made is that there is no Government. On the other hand, they want this Government to issue direction to that Government which, according to them, does not exist. These are two contradictory things. But my submission is that there is no material for the President to be satisfied that the Government of U.P. is not run according to the provisions of the Constitution. It is true that there have been strikes, there have been agitations, there have been various incidents, but all these cannot mean that the Government of the State does not function according to the provisions of the Constitution. Therefore, Madam, without going into details, the provisions of the Constitution which have been cited are not at all relevant, and my submission is that the Central Government has no res-

pensibility so far as this subject-matter is concerned.

THE DEPUTY CHAIRMAN: We shall go to the next item, the Insecticides Bill.

SHRI B. K. P. SINHA (Bihar): Madam, I would like to put one or two questions to the hon. Minister because I have slightly different views on the interpretation of the Constitution; different from that he has put. It is really an issue of a general nature and such issues would be coming up very often in this House. He has rightly interpreted those articles of the Constitution, but when an emergency is in operation the Central Government has the power to issue directions to the State Governments in respect of certain matters, matters which the Central Government would like to choose. Secondly, article 356 contemplates that a State Government shall be superseded if the constitutional machinery has failed. The article does not say that it is only on the report of the Governor that the State Government shall be superseded.

SHRI JAISUKHLAL HATHI: I have not said so.

SHRI B. K. P. SINHA: The article says: "If the President, on receipt of a report from the Governor of a State or otherwise, is satisfied". The expression "or otherwise" gives an extensive area of operation to the President which means the Government of India and the Parliament of India. Since he has taken a view in this case—maybe I do not dispute that in this case there is no justification; rather there is justification, in my opinion ample justification for what the Minister has said—but would he kindly consider it from these aspects so that in general when situations of an aggravated nature arise Parliament does not feel itself helpless in dealing with those situations?

SHRI JAISUKHLAL HATHI: I will clarify the point. I am thankful that the hon. Member has raised this question. I never said that it should be only on the report of the Governor because I read the article which says "or otherwise". But the basic point is that the President must be satisfied that a situation has arisen on

[SHRI JAISUKHLAL HATHI.]

which the government of the State cannot be carried on in accordance with the provisions of the Constitution. It is not that it should be only on the report of the Governor. I never said that. But there may be other information, information we have, the House has given. But again it should be sufficient to satisfy the President that a situation has arisen whereby the government of a State cannot be carried on according to the provisions of the Constitution. That is one part. So far that situation has not arisen. We are not satisfied that that situation has arisen.

SHRI B. K. P. SINHA: Does it not imply that Parliament can bring to the notice of the President that such a situation has arisen?

SHRI JAISUKHLAL HATHI: What is to be done under the Constitution is, when the President is satisfied, he issues a proclamation first.

SHRI B. K. P. SINHA: Cannot he be satisfied by discussion in Parliament? It is not ruled out. That is why I made it clear that I am raising a general issue, not this particular U.P. issue.

SHRI JAISUKHLAL HATHI: Merely by discussion in Parliament it cannot be established that the situation has arisen there. We know what the situation is and therefore it is not a situation where the government cannot be carried on. It is not that the U.P. Government does not run. There may be agitations, there may be strikes and so on, but to have strikes, to have agitations, to have lathi charges, these are things which by themselves do not mean that the situation has arisen. But he also quoted article 353. During the emergency the Government have power to issue directions. The House knows very well that although the emergency proclamation is in force, the Government have made a policy statement, and which the House has approved, that the Defence of India Rules and other things will only be used so far as the States on the border like Jammu and Kashmir, Tripura, Manipur, etc., are concerned and that too in relation to the defence of India. In other words, it is used with the concurrence of the Government of India and that also for

the purpose of national defence, for no other purpose. That is the policy which we have made. On the one hand, they want that it should not be used and, on the other, they say that this should be used. But the point is that even then, there is no responsibility, even with regard to article 353. . .

SHRI D. THENGARI: I want a clarification.

THE DEPUTY CHAIRMAN: What is the constitutional point?

SHRI D. THENGARI: I want to ask whether any objective criterion for the satisfaction of the President is prescribed to determine whether or not the Governmental machinery under the Constitution has failed.

SHRI JAISUKHLAL HATHI: It would be when the President is satisfied that the Government cannot be run. There can be no criterion. It depends upon the situation arising in different parts at different times and at different places. It may be that when a Ministry resigns and there is no other Ministry or a party which can take it over, the Government can come to the conclusion that it can be done. It may be that there may be a disaster of a vast magnitude, where it may be found that the Government cannot function. So, it all depends upon certain circumstances prevailing in different parts at different times. There cannot be one standard to determine that. But the main thing is that at the President must be satisfied that that position has arisen.

THE DEPUTY CHAIRMAN: Now we go to the next item, the Insecticides Bill, 1964.

ENQUIRY RE CALLING ATTENTION NOTICE

SHRI M. P. BHARGAVA (Uttar Pradesh): Madam, before you go to the next item, I have a submission to make. I and several other hon. Members of this House have given a Calling Attention Notice about the matter which was raised here on the