

ALLOTMENT OF TIME FOR CONSIDERATION OF—

1. THE APPROPRIATION (VOTE ON ACCOUNT) BILL, 1965
2. THE KERALA APPROPRIATION (VOTE ON ACCOUNT) BILL, 1965
3. THE KERALA APPROPRIATION BILL, 1965.

THE DEPUTY CHAIRMAN: I have to inform Members that under rule 186(2) of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I have allotted for the completion of all stages involved in the consideration and return by the Rajya Sabha of—

1. The Appropriation (Vote on Account) Bill, 1965—one hour;
2. The Kerala Appropriation (Vote on Account) Bill, 1965—thirty minutes;
3. The Kerala Appropriation Bill, 1965—thirty minutes;

including the consideration and passing of amendments, if any, to these Bills.

MESSAGE FROM THE LOK SABHA

THE INDUSTRIES (DEVELOPMENT AND REGULATION) AMENDMENT BILL, 1965

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

"In accordance with the provisions of rule 120 of the Rules of Procedure and Conduct of Business in Lok Sabha, I am directed to inform you that Lok Sabha, at its sitting held on the 26th March, 1965, agreed without any amendment to the Industries (Development and Regulation) Amendment Bill, 1965, which was passed by Rajya Sabha at its sitting held on the 23rd March, 1965"

ENQUIRIES RE NOTICE OF A MOTION AND CERTAIN OTHER NOTICES

SHRI BHUPESH GUPTA (West Bengal): What has happened to my motion?

I gave notice of a motion disapproving the Proclamation under the Constitution. It has to be discussed within two months. Since our House is adjourning shortly, I gave notice of the motion of disapproval. This should have been taken up.

THE DEPUTY CHAIRMAN: Your motion is being examined. You will be told about it.

SHRI A. B. VAJPAYEE (Uttar Pradesh): You had directed the Government to make a statement on the police firing in Tanur.

THE MINISTER OF PLANNING (SHRI B. R. BHAGAT): I will do so when the Appropriation Bill comes.

THE DEPUTY CHAIRMAN: So he will do it.

SHRI BHUPESH GUPTA: Madam I have given notice calling attention to the firing going on from East Pakistan on our Cooch Behar border.

THE DEPUTY CHAIRMAN: Yes, I have seen the notice. Mr. Bhagat now.

12 NOON

THE APPROPRIATION (VOTE ON ACCOUNT) BILL, 1965

THE MINISTER OF PLANNING (SHRI B. R. BHAGAT): Madam, I beg to move:

"That the Bill to provide for the withdrawal of certain sums from and out of the Consolidated Fund of India for the services of a part of the financial year 1965-66, as passed by the Lok Sabha, be taken into consideration."

Madam, this Bill arises out of a sum of Rs. 625.35 crores voted by the Lok Sabha on the 25th March, 1965, in accordance with the provisions of article 116 of the Constitution, and Rs. 1311.72 crores in respect of expenditure 'Charged' on the Consolidated Fund of India as shown in the 'Vote on Account' Statement which has already been circulated to the hon. Members. As the House is aware, it is usual to seek the approval of Parliament for one month's supply pending the completion of the procedure for the voting of the Demands for Grants for the whole year and the passing of the connected Appropriation Bill. Since the Demands for Grants and the

[Shri B. R. Bhagat.]

Appropriation Bill are likely to be passed by the Parliament by the middle of May, 1965, this year, provision has been made in this Bill to meet the estimated requirements for the months of April and May, 1965. These broadly represent one-sixth of the whole year's gross requirements as provided for in the Demands for Grants, except in a few cases where the expenditure is not uniformly spread over the year and larger provision is required to meet the likely payments during the months of April and May. The items where larger provision is required have been detailed along with the explanations for the additional requirements in the Introductory Note to the statement of 'Vote on Account.'

With these words, Madam, I move.

The question was proposed.

SHRI A. D. MANI (Madhya Pradesh): Madam Deputy Chairman, I should like to speak on vote items Nos. 25 and 28, relating to the Ministry of Finance and Taxes on Income like the Corporation Tax. As the House may be aware, a few days ago, the Central Board of Revenue promulgated certain rules regarding the allowable advertisement expenditure. Normally a matter of this character would not figure in a debate on the Appropriation Bill. But as these rules are likely to have far-reaching consequences on the newspaper industry, including the closure of many newspapers, I felt it my duty to put forward before the House the difficulties of the newspaper industry. Madam, the day before yesterday, the Committee for Assistance to Small Newspapers, headed by an hon. member of this House, Shri Diwakar, met in Lucknow to consider this matter, among other subjects which had been brought before that committee. I happen to be the Vice-Chairman of that committee, and a telegram had been sent on behalf of that committee, to the Minister of Finance appealing to him to withdraw the order and to restore the *status quo*, as in the opinion of that Committee, the enforcement of these new rules would lead to the closing down of a large number of small and medium newspapers in the country. I may add here that out of 8,000 periodicals in the country, only 500 can be considered as big newspapers and

the majority of the newspapers in India are small newspapers. They serve the State and regional interests. According to the new rules, Madam, the advertisement expenditure will be cut down by 63 per cent. This has been calculated on the basis of the balance-sheets of a number of companies. If these new rules are to be enforced, as they might be enforced, then many newspapers will find that they cannot have the financial sinews for running their establishments. The newspaper industry already has to bear a burden of the heavy Customs Regulatory Duty of 10 percent. Even that duty was not justified because the Customs Regulatory Duty is generally levied for giving protection to indigenous industries. There is newsprint shortage in India and Nepa newsprint mills are not able to meet the demands of the newspaper industry. In spite of the fact that there is no industry to protect, the Finance Ministry has levied this 10 per cent. Customs Regulatory Duty on newsprint. How are newspapers going to face up to this burden of increasing duties and limitation in respect of advertisements?

Madam, a study has been made of the advertisement budgets of a number of companies to show that these new rules will lead virtually to the extinction of the advertisement expenditure of companies. The Hindustan Levers, for example, spent as much as Rs. 1,28,00,000 last year on advertisement and much of the advertisement of Hindustan Levers is with the smaller newspapers. I can tell you that the Hindustan Levers have taken up a large number of small regional newspapers for their advertisement.

SHRI A. B. VAJPAYEE (Uttar Pradesh). How do you know?

SHRI A. D. MANI: I can tell my hon. friend because I know it, I am in the trade.

SHRI A. B. VAJPAYEE: What trade? You are not in the soap trade.

SHRI A. D. MANI: I know; because I am in the newspaper industry and I can well give my hon. friend Shri Vajpayee the information that the Hindustan Levers and the Dunlops are national advertisers and they advertise in a large number of small newspapers. The Hindustan Levers will be spending only Rs. 15.6 lakhs this year

on advertisement as against Rs. 1,28,00,000 last year. The Imperial Tobacco—the people who advertise Capstan, Woodbine, Charminar and other cigarettes were spending Rs. 37 lakhs last year, and this year they spend only Rs. 14.6 lakhs. Dunlops spent Rs. 16.56 lakhs last year and this year the figure is only Rs. 10 lakhs. Sathe Biscuits spent Rs. 4.4 lakhs last year and this year it will be only Rs. 80,000. What will happen if these new rules are allowed to be on the statute book is that a large number of newspapers will not get the support. They have to bear the burden of the Bonus Commission's recommendations and also this burden of the Customs Regulatory Duty.

I am surprised that these new rules should have been promulgated without any kind of consultation with the Ministry of Information and Broadcasting. I would suggest to the hon. Minister that whenever matters concerning the newspaper industry are to be brought forward for consideration, the Ministry of Finance should invariably consult the Ministry of Information and Broadcasting and the newspaper industry. There are organisations representing the newspaper industry in the country like the Indian and Eastern Newspapers Society, the Indian Language Newspapers Association, and also this body that has been set up, this committee to assist the small newspapers. I would make an appeal to the hon. Minister not to enforce these rules because they will have very far-reaching consequences. By allowing newspapers to be extinguished by these new rules, the Government will be doing a disservice to the development of public opinion in this country, because there are already not enough newspapers to meet the growing needs of a vastly expanding population. Madam, I have seen in the newspapers that the Central Board of Revenue are going to reconsider this matter and I do not want to prejudge the consideration of this issue; but I would suggest to the hon. Minister that in considering this matter, he should take the affected interests into consultation in order to see that new rules are evolved which will not bear harshly on the newspaper industry.

Thank you, Madam.

Shri BHUPESH GUPTA (West Bengal): Madam, Deputy Chairman, I would like to speak on the Home Ministry's Grant.

SHRI A. B. VAJPAYEE: Is it there?

SHRI BHUPESH GUPTA: Yes, the Vote on Account, and I would like to deal with only one subject today, mainly. I would like to deal with the subject of treatment of democracy. Before that, Madam, I would like to invite the attention of the House to another matter which falls in the province of the Home Ministry, namely the reported decision of the DIR political prisoners in different parts of the country to resort to hunger strike, in different jails, reported in the Patriot. It has been reported that in Punjab they will be launching a hunger strike tomorrow and it is also reported that on an agreed day other detenus in other parts of the country will also be on hunger strike. Their demands are daily allowances, better conditions in jail, better care of their children's education and so on.

Madam Deputy Chairman, I should like to add here that the Government has a specific responsibility on this occasion because all the arrests have taken place at the instance of the Central Government. In some States the detenus are under the Central Government and in other States they are not. But even where they are not under the Central Government—technically speaking, that is to say, they are arrested by the State Government—it has been revealed, as in the case of West Bengal, that they were arrested on the instructions of the Central Government and the Chief Minister had no responsibility for these arrests.

I think the Central Government should at least treat them humanely; they should be given better conditions and their classification should be upgraded. They are not given better classification and they are not even treated as political prisoners. They should be granted family allowances adequately and the jail conditions also should be improved and made somewhat bearable than what they are today. I think this is a serious matter. One thousand or more of political detenus, including Members of Parliament and members of

Legislatures, are about to launch a hunger strike in the country. I would ask the Central Government to intervene. I am not talking of the other things connected with this matter.

I would like to invite the attention of the Central Government to the fact that six or seven detenus from Tripura have been removed immediately after their arrest from Tripura to Hazaribagh Central Jail and one of them is a sixty-year old respected woman leader of Agartala. She also has been transferred to Hazaribagh Jail. It means that their people cannot come and meet them. First of all, it is very expensive to come, apart from the distance, because part of the way from Agartala to Calcutta has to be covered by air. In this connection also, I would like to invite the attention of Government to another Maharashtra leader, Mr. B. T. Ranadive. He is suffering from high blood pressure and diabetes and he is confined to jail since the 7th November, 1962. I do not know why Government is so vindictive about him. He is now in hospital and I received two telegrams some time back appealing me to save his life. It is not for me to save his life. I cannot do so. It is only for the Government to save his life. I therefore appeal to the Government to release him at least on compassionate and humane grounds so that he can undergo treatment and his life may be spared.

Madam, I now come to the other question about Kerala. The Government has struck a severe blow to democracy. Whatever has been done in Kerala is an outrage on the Constitution and since we will not be discussing this . . .

SHRI A. B. VAJPAYEE: Say something fresh.

SHRI BHUPESH GUPTA: Nothing is fresh. When a bandit commits robbery, the same section of the Indian Penal Code is invoked, namely, section 396 or 395 depending on whether it is murder or not. Is that not so, Mr. Pathak?

Here, Madam, we have got the Governor's Report. It is an outrage on the Constitution and the lawyers will decide the question of legal niceties, but here I

would only invite your attention to the Summary of the Report dated the 8th September, 1964 from the Governor of Kerala to the President, which was laid on the Table of the House. You will find here that even when the fifteen members of the Congress Party went to the Kerala Governor and made it known that they did not belong to the Congress Party any more and that they would be sitting in opposition, the Governor did not dismiss the Ministry on the ground that, after the defection of the fifteen members, there was no majority backing. What did the Governor do? He waited for the Motion of No Confidence to be debated by the House. That is to say, he waited for an objective test to take place. It was only after the Motion was adopted after being debated on the 7th and 8th of September that the Ministry went. Now, here it was open to the Governor to say that the Ministry did not command the confidence of the majority as fifteen members had defected, had come and told him that they did not any longer belong to the Congress Party and that they would be sitting in the Opposition. That was a far better objective test than the objective test now applied by the Governor. There it was not a question of dissolution of the Assembly but only the dissolution of the Ministry, asking Mr. Sankar to resign or even impress upon him that he should do so. That was not done because it was thought that in between something could be done to patch up the quarrel and save the Congress Ministry. That is one example.

Another example relates to 1952, immediately after the first General Election, when the Congress Party did not have an overall majority; the United Front had the majority and the Congress was in a minority. They did not dissolve the composite Madras Assembly when it was faced with a similar situation. They waited and the Congress Party was given an opportunity to form the Government. They nominated Shri Chakravarti Rajagopalachari to the Madras Council and then asked him to form the Government. Such was what was done; the Assembly was not dissolved at all. Not only was an opportunity given to Congress Party but the Governor waited till Shri Rajagopalachari could be found out and then

asked him to come to the Council—not elected, mind you—and form the Government. The Government was then formed. The United Front was in the Opposition and Shri Prakasam was there and the United Front was not allowed to form the Government.

In Kerala, time and again this has happened, the minority party has been given the opportunity to form the Government and obtain a majority by persuasion, negotiation and otherwise. A Government was formed once in Kerala by the P. S. P. which had only eighteen members. In Orissa, after the Congress Government fell, the Governor, at that time Mr. Sukthankar, did not send in his report but waited and, on the contrary, he came to Delhi. The Governor wrote a letter to Mr. Mahatab saying, “Mr. Mahatab, according to us, you have a majority”. I know this letter of persuasion was written. We discussed this in this House. Yet, it was open for him to have dissolved the Assembly because the Constitutional machinery had broken down, but not only did he not dissolve the Assembly but he gave time to Mr. Mahatab to have negotiations and when Mr. Mahatab was not carrying on negotiations successfully, the Governor went out of his way and wrote a letter to Mr. Mahatab saying, “I think you have a majority”. That letter was questioned in this and the other House. That is the Orissa example.

You have the example of PEPSU when the Akali Party Government went out and the same thing also happened in Punjab. But here an extraordinary step has been taken and the Home Ministry is answerable for this. We will discuss the Governor's Report after the recess but what do I find written in the Governor's Report which has been placed on the Table of the House? The Governor goes by the subjective test but there is nothing in this statement to show that the Governor gave reasonable opportunities to the Opposition parties, or the other parties which had been elected, to form a Government. That was not done. Recently, Mr. Dudley Senanayake came to the Ceylon Parliament without an overall majority but he

was immediately called and the next day he formed a Government without all this rigmarole. These things did not come in the way at all and yet by the Indian precedent—I hope it will not be followed—it was open to the Governor-General of Ceylon to dissolve the Parliament and ask for a fresh election, but the leader of the largest single party was invited and entrusted with the responsibility of forming the Government and Mr. Dudley Senanayake, in consultation with the other parties, has now formed the Government and a party which did not have an overall majority has succeeded there in forming a Government by the process of negotiation. Such is the position there and yet, not the way from Ceylon, across the sea which washes Kerala shores, you have another spectacle. Mr. Namboodiripad said that he had the support of sixty-one members on the basis of declared statements and yet the Governor reports to the Centre. Mr. Namboodiripad's position was in a way better than that of Mr. Dudley Senanayake who had only sixty seats—and he required many more to command a comfortable majority—in a House of one hundred and fifty-four or fifty-nine. Mr. Namboodiripad, on the other hand, had, according to the declaration by other parties, including that of our Party, sixty-one and he mentioned this in a memorandum to the Governor that other parties, including our own Party, would support him in the formation of the Government and he required only eight more and yet he was not invited to form the Government, the Governor did not give him reasonable opportunities for consultations with others in order to see that the Constitutional process could take its course. This is in striking contrast to what has happened in Ceylon. Fortunately, this has happened at a time when the Ceylon example has come in. I am not saying that what happened in Ceylon is necessarily fortunate but the Ceylon example has come and we have now the two standards. Yet, both of us claim to go by British Parliamentary practices.

In this connection, Madam, I would like to invite your attention to article 174 of the Constitution:

It says:

[Shri Bhupesh Gupta.]

"The Governor shall from time to time summon the House or each House of the Legislature . . .

Please note the word 'shall' and then in the same article sub-clause (2) there is a provision which says:

"The Governor may from time to time—

(a) prorogue the House or either House;

(b) dissolve the Legislative Assembly."

Here the Governor has exercised this power as if the word here is 'shall' whereas in the other case where the word used is 'shall', the Governor has acted otherwise. There it is said that the Governor shall summon the House. The House was elected—I take the legal position subject to other discussions—and the Election Commission under the Representation of the People Act declared that the House had been 'duly constituted'. The Governor is therefore under a constitutional mandate under article 174 of the Constitution to summon that Assembly. That Assembly was there duly constituted. Having summoned it, it was open to him to adjourn it or prorogue it and later dissolve that. But he did not even summon the Assembly. Therefore I say it is a serious matter. The Governor has not acted in the spirit or even according to the letter of article 174 of the Constitution which makes it obligatory for him to summon the Assembly. After that he can settle as to how he should deal with it. Therefore I say it is an outrage on the Constitution and I hope the matter will be debated in proper courts of law but we, as Members of Parliament, cannot shut our eyes to this sombre fact that the Governor has acted in a particular way.

The Governor in his Report to the Centre has said that the Governor considered that no party or combination of parties would be in a position to muster enough strength to form a Ministry with a working majority. And to that some people have said that if 29 people were in jail and the Governor had decided not to release them then the working majority would be about 54. Whether he is right or wrong, it is a

different matter. Even so the Governor did not act in this matter properly. The Governor decided on instruction from the Centre to keep them in jail.

Madam, this is a serious matter as far as the Constitution is concerned. You will find that in the September Report of the Governor he said that a constitutional breakdown had taken place in the State of Kerala. And that was why he dissolved the Assembly. It is of material importance for us to consider under articles 352 and 356 that only when a constitutional breakdown takes place will the Governor be entitled to dissolve the Assembly if at all he wants to do so. Here the constitutional breakdown did not take place because the fundamental constitutional machinery, namely, the Assembly which had come into existence, was not even allowed to meet. So how could you say before you allow the elected Assembly to meet that it has broken down. I say it is an artificial breakdown created by the Governor himself, created on the advice of the Congress Party. Madam, if you refer to Basu's interpretation of the Constitution and his commentaries on the Constitution you will find that it is clearly stated that articles 352 and 356 are meant to deal with a situation where there has been a breakdown of the Constitution. Here what has happened is an artificially engineered breakdown of the Constitution. In fact, under the Constitution and in law there has been no breakdown at all. That is the position. Therefore I say the Governor has gone wrong because no breakdown has been there. And in the Governor's Report it is not at all said anywhere that there has been a breakdown of the Constitution. What he says is this:

"In view of what is stated above, the Governor considers that no party or combination of parties would be in a position to muster enough strength to form a Ministry with a working majority."

This is quite different from saying that there has been a breakdown of the Constitution. The breakdown of the Constitution has to be demonstrated and assessed objectively. It was open to the Governor to call the Assembly and then demonstrate and then satisfy himself on the basis of an objective test that although the Assembly

has come into being it cannot function because there could be no Government possible and hence a breakdown. But the Governor skipped all these stages and he applied the subjective test that other parties are not coming to an agreement.

Coming to an agreement is a continuous process; how can the Governor know that they are not coming to an agreement. If the Assembly had met and other negotiations had been conducted in a better way the parties would have come to an agreement. To come to this conclusion without calling the Assembly is prejudging things. If the Kerala Legislature had been allowed to meet, probably more efforts would have been made in order to bring these various groups and parties into common consultation in order to form a Government. Assume, here in the Centre in the Lok Sabha no party is returned with an overall majority; what is the remedy? There is no provision in the Constitution for President's Rule. If, for example, my friend, Shrimati Indira Gandhi's Party is not returned to power in the Fourth General Elections with an overall majority, what will she do? She cannot have a President's Proclamation here. Will she go somewhere or pray in the temple that it should be dissolved? Parliament will have to be summoned by the President; the Lok Sabha will be summoned by the President. Of course, this House continues; we have a vested interest to continue, come what may. The Lok Sabha will meet and then the President will satisfy himself and if the President thinks that no Government is possible to be formed, he will order another election but there will not be President's Rule. There is no such provision. Just because you have a provision for President's Rule with respect to the States, you flout the Constitution, you commit an outrage on the Constitution and substitute subjective methods for objective tests. What is meant to be satisfied on the basis of objective tests in accordance with the normal parliamentary practices and precedents which are obtaining in Ceylon, in England, in Canada, in Australia and other countries is sought to be satisfied on the basis of pure subjective considerations and political partisan feeling and the Governor sends a report which has

no validity in law, no validity in Constitution, no validity in parliamentary practices and conventions. It is a political report; it is not the report of a Constitutional Head. It is not a report which judges things in the light of the standards of the Constitution, its guiding principles and provisions. It is a report which comes to a conclusion from a subjective angle carried away by the prejudices and feelings of the Congress Party and other extraneous matters which have no relevance whatsoever in the context of our parliamentary democracy and the Constitution. Therefore, Madam, I do maintain that what they have done in Kerala will go down in history as one of the most shameful acts perpetrated in the name of parliamentary democracy yet to throttle it.

I say that the Kerala people have been denied their due rights. It is not a question of one party being denied. Millions and millions of people of Kerala have by this action been denied their right to be ruled under the normal provisions of the Constitution. It is they who have been punished. Punish us; put us in jail if you like. Terrorise the political parties but in the sacred name of the Constitution it is not open to this Government to penalise the whole people of Kerala by withholding from them the right to govern themselves through their elected legislature. This is a dangerous thing. I say it is a departure from all the known tenets and practices of parliamentary democracy; it is an advance in the direction of authoritarianism and I warn the Government that if authoritarianism is encouraged in this manner, very little of the principles of democracy will have been saved. Shrimati Indira Gandhi, I hope, has toured many countries. May I ask her . . .

THE DEPUTY CHAIRMAN: You must wind up now. You must give a chance to Mr. Akbar Ali Khan.

SHRI HUPESH GUPTA: Just one question. She has been to France. Did she consult the French political parties as to how many times the French Government in the Third and the Fourth Republic had an overall majority?

SHRI A. B. VAJPAYEE: They did not have any Congress Party there.

SHRI BHUPESH GUPTA: I do not know whether the French people are any the happier or poorer for it but I can tell her . . .

(Interruptions.)

THE DEPUTY CHAIRMAN: Please wind up.

SHRI BHUPESH GUPTA: All that I can say is that the French Constitution will show; the British Constitution will also show, and more especially the French Constitution, that very often no party had an overall majority and yet the Chamber of Deputies and the Senate there have functioned and the Government have functioned and the Constitution and its principles have not been thrown to the waters of Mediterranean as it is sought to be done in the case of Kerala where they have actually thrown them into the Arabian Sea. That is what they have done. Madam, I do not wish to say much but I hope the ladies and gentlemen of the Congress Party will learn something about democracy. If I may say so they should also practise it a little more. They should think that the Congress Party is not the same as the Constitution. They should think that the people of Kerala are not the same as the followers of the Congress Party and that the time has come to look after the country and the Constitution before they look after the Congress Party which is seated with all the blessings of all the gods on earth perhaps in Jantar Mantar Road.

SHRI AKBAR ALI KHAN (Andhra Pradesh): Madam Deputy Chairman, I request your permission to speak in connection with the point that had been taken up by Mr. Mani regarding serious curtailment of advertisements. I think the Finance Ministry to this extent is right that in view of the patronage that most of the companies exercised through advertisements, they have come down on them. They have framed certain rules, but I do feel that in a matter like this—and I agree with Mr. Mani—they should have

consulted the Information Ministry and certain agencies representing the press, because it is not a matter exclusively of the companies. It is a matter which affects the press and the general public. In that connection, as the Finance Ministry have also announced, they are reviewing the rules. I would strongly recommend that this matter should be dealt with in consultation with the Ministry concerned and the representatives of the press organisations should also be taken into consultation.

Regarding the long, repeated speech of my hon. friend, Mr. Bhupesh Gupta, I would only say two things. He has referred to the case of political prisoners whose families have no adequate means of maintenance. I entirely agree with him that the Government should see that certain allowances are granted to these families and they are properly maintained. I also agree with him, so far as the serious illness of one of the persons referred to by him is concerned, if the doctors certify that it is serious, then he should be unconditionally released and given medical assistance and help.

As regards the matter relating to Kerala, I replied, as far as I could, to the satisfaction of even Mr. Bhupesh Gupta two days back. He has again taken up those points. I think, if I am to reply, it will take much more time than what the Chair would allow me. So, I would join issue with him in respect of each of those points. I would like to say that the step taken by the Government of India in not allowing the Congress or any other Party, which does not command a majority to form a government, is perfectly right from the constitutional point of view, legal point of view and the moral point of view. It is a perfectly right stand that the Government of India took, but in order to rebut it in detail I will take some other opportunity. I know that my friend is not so easily convinced, but at least in his heart of hearts he knows that the stand taken by the Government is a stand which would strengthen democracy. It was not a stand taken for the sake of the Party. It was taken for the sake of the Constitution and it was democratic.

SHRI BHUPESH GUPTA: I think I have an open heart. I do not conceal my heart. Mr. Nanda has become the sweetheart of some people.

SHRI AKBAR ALI KHAN: You have the liberty to use any expression you like, but the expression 'sweetheart' does not suit you, because you know nothing about sweethearts. It was suggested that the stand taken was in favour of the Congress Party. Nothing of the kind. The step taken was purely to strengthen, on sound lines, democratic principles . . .

SHRI A. B. VAJPAYEE: Question.

SHRI AKBAR ALI KHAN: . . . and democracy.

श्री विमलकुमार मन्नालालजी चौरड़िया (मध्य प्रदेश) : उपसभाध्यक्ष महोदया, सब से पहले तो मणि साहब के साथ, जो शासन ने समाचारपत्रों को दिये जाने वाले विज्ञापन के बारे में प्रतिबन्ध लगाया है, उसका मैं भी विरोध करना चाहता हूँ। आज हमारे यहां पर शिक्षण के देने के माध्यम के रूप में देखा जाये, राजनैतिक शिक्षण देने के रूप में देखा जाये और लोगों को सारे संसार की खबरें देने का माध्यम देखा जाये, तो वह माध्यम समाचारपत्र ही मिलेंगे। मगर समाचारपत्रों पर विज्ञापन प्राप्त करने का जो प्रतिबन्ध लगाया गया है कि किसी सीमा में ही वे विज्ञापन प्राप्त कर सकेंगे, उसके परिणामस्वरूप स्थिति यह होने वाली है कि समाचारपत्रों की कीमतें बढ़ेंगी और वह साग भार समाचारपत्र पढ़ने वालों पर पड़ने वाला है। अभी जो उनको विज्ञापनों का लाभ मिलता है, वह उनको नहीं मिलेगा। इस दृष्टि से मैं यह अत्यन्त आवश्यक समझता हूँ कि हमारे शासन ने जो विज्ञापनों पर प्रतिबन्ध लगाने का निर्णय लिया है, उस पर वह पुनः विचार करे और कोई ऐसा निर्णय करे जिससे विज्ञापन प्रकाशित करके समाचारपत्रों को जो आमदनी होती है और उससे अप्रत्यक्ष

रूप से पाठकों को जो लाभ मिलता है, वह आगे भी कायम रहे।

दूसरे यह जो हमारा भारत सुरक्षा कानून है, उसके सम्बन्ध में कई बार हमारे यहां पर शासकीय दल के द्वारा घोषणा की गई कि हम इसका कभी राजनैतिक दुरुपयोग नहीं करेंगे। लेकिन बड़े खेद के साथ कहना पड़ता है कि धूलिया में दो जनसंघ के कार्यकर्ता, जब हमारे खाद्य-मंत्री वहां पर गये थे और इनकी सारी खाद्य-सम्बन्धी नीति असफल हो गई और जब उन लोगों को खाने के लिये 1 रु० 50 पैसे प्रति किलो के हिसाब से अनाज मिलने लगा और उसके विरोध में वे प्रदर्शन करने गये, तो हमारे शासन ने उनको सुरक्षा कानून के अन्तर्गत जेल में डाल दिया और इतना हो नहीं कि एक रोज़ या दस रोज़ इसको हो चुके, बराबर दो महीने हो चुके और अभी तक वे जेल में सड़ाये जा रहे हैं। मेरी समझ में नहीं आता कि एक तरफ तो आप यह कहते हैं कि हम राजनैतिक दुरुपयोग कभी नहीं करेंगे और दूसरी ओर आप अपनी सत्ता का दुरुपयोग कर के राजनैतिक दुरुपयोग करते हैं। इसको मैं आलोचना करता हूँ और निवेदन करता हूँ कि शासन शीघ्र ही उनके प्रश्न पर निर्णय ले कर के उनको जेल से रिहा करे।

तीसरे इसमें चर्चा की गई है, अफीम की रकम के बारे में कि अफीम की पैदावार इन्हीं दिनों में होती है और उसका रुपया भी इन्हीं दिनों में वितरण करना पड़ता है। यह सही है कि अफीम के खरीदने का समय अभी है और उसका रुपया अभी देना पड़ेगा। मगर इसकी जो व्यवस्था है, उसके बारे में कुछ सुझाव देना चाहता हूँ। एक तो यह है कि हमारे यहां पर जो अफीम की तोल होती है, उसके केन्द्र इतने कम हैं कि लोगों को हज़ारों की संख्या में एक केन्द्र पर एकत्रित होना पड़ता है। अफीम सरीखी चीज़ सब तरह से रक्षित की जानी चाहिये, लेकिन

【श्री विमलकुमार मन्नालालजी चौरड़िया】
 उसकी रक्षा करने में कृषक को बड़ा सतर्क रहना पड़ता है। उसकी चोरी भी होती है और उसमें बहुत गड़बड़ होती है। इसलिये यह अत्यन्त आवश्यक है कि हमारा शासन इस बारे में निणय ले और अफीम के तालने के अधिक केन्द्र कायम करे, ताकि कृषकों को उसका कष्ट न हो। दूसरे, भुगतान करने के जो केन्द्र कायम होते हैं, उसमें पहले कृषकों को बुलाया जाता है और फिर उनका रुपया उनको दिया जाता है। इसकी अपेक्षा मैं यह चाहूंगा कि जब आप अफीम खरीदते हैं, तभी आप वजन कर लेते हैं, और उसका भाव भी निर्धारित रहता है, ऐसी स्थिति में क्यों न आप सीधे ही ट्रेजरी के चेक या जिस का चेक देना हो, उसके चेक के माध्यम से उनका भुगतान कर दें, जिससे लोग ज्यादा एक जगह एकत्र नहीं होंगे और सीधे जा कर के ट्रेजरी या बैंक से रुपया वसूल कर लेंगे। इस तरह से वे बहुत सी कठिनाई से बच जायेंगे और आप के अधिकारियों को जो रुपया बांटने के लिये सारा तामझाम करना पड़ता है, उससे उनको राहत मिल जायेगी।

चौथे, हमारे यहां पर खाद्यान्न खरीद के बारे में इसमें कुछ रकम रखी गई है। यह खाद्यान्न खरीद की हमारी सरकार की बहुत बड़ी स्कीम है, मगर उसकी व्यवस्था कुछ नहीं की गई है। यह योजना कागज तक ही सीमित है या केवल दिमाग तक ही सीमित है। कार्यक्षेत्र में अभी तक उसको परिणत करने की कोई व्यवस्था नहीं की गई है। अनाज खेतों और खलिहानों से निकल करके काश्तकारों के घर में आ चुका है और उनको जिन व्यापारियों ने कर्जा दिया है, वे उन काश्तकारों पर सख्ती करने लगे हैं। इसलिये मजबूर हो कर के उनको अपना अनाज बेचना पड़ रहा है। हमारी सरकार ने कुछ भाव निर्धारित कर दिये हैं और कुछ अभी विचाराधीन हैं और यह भी कहा है कि भाव

यदि एक निश्चित स्तर से नीचे जायेंगे, तो हम काश्तकारों की सेवा के लिये उपस्थित रहेंगे और उसके लिये आप रुपया भी मांग रहे हैं। मगर अभी तक अनाज खरीदने के लिये कम से कम मध्य प्रदेश में कोई व्यवस्था नहीं की गई है और जिन व्यापारियों का भय आपको बहुत है, उन्हीं के हाथ से गरीब काश्तकारों के लुटने का प्रबन्ध आप ने अभी तक कर रखा है। इसलिये मेरी प्रार्थना है कि यह रुपया लेने के साथ-साथ अविलम्ब अनाज खरीदने की व्यवस्था की जाये, जिस से काश्तकार जो अपने घर में अनाज ले आये हैं, वे उसका उचित दाम पा सकें।

एक बात और। प्राइज-बांड के बारे में इसमें वर्णन किया गया है। यह प्राइज-बांड हमारे पुराने वित्त-मंत्री माननीय मोरारजी देसाई ने प्रारम्भ किया था। उन्होंने एक कम्पलसरी डिपाजिट स्कीम को भी चालू किया था, उससे देश को कितना कष्ट उठाना पड़ा और हमारे शासन को भी कितनी बदनामी उठानी पड़ी और दूसरे गोल्ड-कंट्रोल को चालू किया और उससे मंत्री जी को, मोरारजी भाई को, कितना कष्ट उठाना पड़ा, यह सामने है और उन्होंने प्राइज-बांड की जो योजना बनाई उसमें यह सम्भावना थी कि इस योजना से इनको बदनामी का सेहरा नहीं मिलेगा। लेकिन हमारी सरकार ने जो अंतिम इनाम घोषित किये उसमें एक क्रम से आखीरी क्रम घोषित किया और उससे हमारी सरकार की जो साख थी, हमारी सरकार की जो ईमानदारी के लिए एक प्रतिष्ठा थी, उसको इतना बड़ा धक्का लगा कि हमारी सरकार काफी वर्षों तक प्रयत्न करने के बाद भी उसे ठीक नहीं कर सकेगी। मैं प्रार्थना करूंगा कि जिस तरह की यह प्राइज-बांड की आप की स्कीम थी—जिससे आपकी बदनामी हुई, जो क्रमशः नम्बर के आधार पर आप ने इनाम घोषित किया और लोगों के मन में यह भावना आई

कि सरकार ने या सरकार के कर्मचारियों ने बेईमानी की और उस आधार पर सारे क्रमशः नम्बर घोषित किये, चाहे आप कहें कि ईमानदारी से हुआ और रूल्स का प्रावधान यह था कि अंतिम जो नम्बर हों उनको एक साथ घोषित कर दिया जाये, लेकिन इसमें लोगों के मन में जो आप के प्रति संदेह उत्पन्न हो गया है, आप की साख को जो धक्का लगा है, वह ठीक नहीं हो सकता—इसलिए भविष्य में जब इस तरह की व्यवस्था करें, तब इन बातों पर ध्यान रखें कि इस तरह की गलत कार्यवाही कर के लोगों के मन में भ्रम पैदा करने का कष्ट न करें।

आशा है कि जो सुझाव दिये हैं उनको कार्य रूप में परिणत करने का प्रयत्न करेंगे।

श्री गुरुदेव गुप्त (मध्य प्रदेश) : उपसभापति महोदया, मैं एप्रोप्रिएशन (वोट आन एकाउंट) बिल, 1965 का समर्थन करने के लिए खड़ा हुआ हूँ किन्तु इस सम्बन्ध में फाइनेंस बिल, 1965 में विज्ञापन पर किये गये खर्च की राशि में जो प्रतिबन्ध लगा दिया गया है उस और ^{*} शासन का ध्यान आकर्षित करता हूँ। इस प्रतिबन्ध के लगने से समाचारपत्रों की आय में काफी अन्तर पड़ेगा और उससे शासन की या लेबर मिनिस्ट्री की जो यह मंशा है कि समाचारपत्र उद्योग में जो श्रमजीवी पत्रकार एवं अन्य लोग कार्य करते हैं उनको विशेष राहत मिले, सुविधाएं मिलें, वह उद्देश्य, वह मंशा, पूरी नहीं हो सकेगी। वर्किंग जर्नलिस्ट्स के लिए, श्रमजीवी पत्रकारों के लिए, लेबर मिनिस्ट्री ने वेज बोर्ड प्रथम बिठलाया था और उसकी जो सिफारिशें आई थीं उनकी पूर्ति शासन द्वारा कराई गई और समाचारपत्रों ने उनकी पूर्ति की। उसके बाद फिर कुछ समय पश्चात् वे सिफारिशें कम मालूम पड़ीं तो पत्रकारों के अनुरोध पर दूसरा वेतन बोर्ड बिठाया गया और उसने जो कुछ सिफारिशें दीं उनको पूरा किया

जा रहा है और कराया जा रहा है। यद्यपि दूसरे वेज बोर्ड ने अभी अंतरिम राहत ही दी है, फाइनेल राहत देना उसको बाकी है, लेकिन फिर भी जो अंतरिम राहत है वह पूरी की जा रही है। इसी प्रकार से समाचारपत्र उद्योग में जो नानवर्किंग जर्नलिस्ट्स हैं, गैर-पत्रकार हैं उनके लिए भी वेज बोर्ड बैठा हुआ है और वह भी उनके लिए न्यूनतम वेतन निर्धारित करने पर विचार कर रहा है और शीघ्र ही निर्णय देने वाला है। तो ऐसी दशा में जबकि एक ओर शासन यह चाहता है कि इस उद्योग में काम करने वाले समस्त लोगों के—चाहे वे पत्रकार हों, चाहे गैर-पत्रकार हों—वेतनमान में उन्नति की जाये, ताकि वे अपना जीवनयापन सुविधापूर्वक कर सकें। तब दूसरी ओर उसी शासन की दूसरी मिनिस्ट्री द्वारा, फाइनेंस मिनिस्ट्री के द्वारा, इस प्रकार का कोई प्रतिबन्ध लगाना जिससे कि समाचारपत्र-उद्योग की आय में अन्तर पड़े, मैं समझता हूँ कि कोई उचित कदम नहीं होगा। यदि उसे कोई इस तरह का प्रतिबन्ध लगाना है तो उसे यह विचार कर लेना चाहिए कि वह इतना अधिक न हो कि जिससे समाचारपत्रों को, अधिकांश समाचारपत्रों को बन्द हो जाना पड़े। मैं यह समझता हूँ कि इस बिल में जिस प्रकार का प्रावधान किया गया है उससे निश्चित रूपेण कम से कम 25 या 30 प्रतिशत समाचारपत्र बन्द हो जायेंगे।

इसका मुख्य कारण यह है कि विभिन्न कम्पनियों के ऊपर इस खर्च के बारे में जो प्रतिबन्ध लगाया गया है उसका प्रभाव बहुत अधिक पड़ता है। उदाहरणस्वरूप, एक कम्पनी आज अगर एक करोड़ रुपया विज्ञापन के ऊपर खर्च कर रही है तो अब तक उस को उस खर्च की छूट मिल जाती थी, उस पर इन्कम टैक्स नहीं लगा करता था, किन्तु अब इस प्रावधान के द्वारा उस कम्पनी को छूट बहुत थोड़ी मिलेगी और अधिकांश

[श्री गुरुदेव गुप्त]

रुपए पर उसे टैक्स देना पड़ेगा। अतएव इस प्रकार से जो एक करोड़ रुपया विज्ञापन के ऊपर वे खर्च करते थे और जिस रुपए के लिए इन्कम टैक्स से छूट मिल जाती थी उसके एवज में अब वह केवल 15 लाख रुपया खर्च कर सकेंगे। तो इस का फल यह होगा कि जो कम्पनियां विज्ञापन-एजेंसी द्वारा विज्ञापन देती हैं, समाचारपत्रों में विज्ञापन कराती हैं, उनके विज्ञापन को बड़े-बड़े पत्र हैं, जो मेट्रोपालिटन, नेशनल न्यूज पेपर्स हैं, उदाहरणार्थ हिन्दुस्तान टाइम्स, हिन्दू या टाइम्स आफ इंडिया आदि, इनको विज्ञापन देना उनके लिए अनिवार्य है, इन को वे छोड़ नहीं सकती हैं और इसके बाद जो द्वितीय या तृतीय श्रेणी के दैनिक या साप्ताहिक समाचारपत्र हैं उन में विज्ञापन देने के लिए उन के पास कोई राशि नहीं बचेगी और इसलिए ऐसे पत्रों को या तो इन बड़े पूंजीपतियों के हाथ में विक्रि जाना पड़ेगा अथवा बन्द कर देना पड़ेगा। इस तरह से यह समाचारपत्र-उद्योग के लिए एक भारी संकट की सूचना है और इस पर शासन को विचार करना चाहिए और सभी शासन यह आशा कर सकेगा कि समाचारपत्र-उद्योग में जो लोग कार्य करते हैं उन को अधिकतम सुविधाएं दी जा सकें और उनका जीवनमान भी ऊंचा उठाया जा सके।

धन्यवाद।

SHRI B. R. BHAGAT: Madam Deputy Chairman, ordinarily on a motion like this there is not much of debate, but I welcome the intervention of some of the Members on this question.

THE HON. Member opposite has again raised this question about the Kerala election. He has raised it a number of times.

SHRI BHUPESH GUPTA: I will raise it many, many more times.

SHRI B. R. BHAGAT: Although he has repeated the points he had already raised, I hope he would not like me to repeat the answers we have given on our side. He has referred to this matter about the detentions, and in certain cases of hardship he has appealed to the Government that they should be considered on compassionate grounds. I will convey his feelings to the Home Minister for his consideration.

SHRI BHUPESH GUPTA: Please convey to the Lady who is sitting by your side.

THE DEPUTY CHAIRMAN: Please give him a patient hearing.

SHRI BHUPESH GUPTA: Human sympathies may come from that quarter rather than the Home Minister.

SHRI B. R. BHAGAT: I thought he wanted it to be conveyed to the Home Minister.

SHRI BHUPESH GUPTA: Yes. I want that also.

SHRI B. R. BHAGAT: Then, a point was made about the prize bonds and the hon. Members said that there were some doubts about the *bona fides* of the Government and it was not good. I entirely agree with him, but repeatedly this has been made clear in both the Houses as well as in press statements. The Finance Minister came to this House and the other House and Explained the Government's position. First, prize bonds were issued and then the premium bonds were issued, and efforts were made to bring about suitable changes so as to have what is called very appropriate results as a result of the lots. But somehow or other the results were not satisfactory. That was the reason why these prize bonds were cancelled. From the 1st of January this year, the prize bonds have been abolished. So this matter is closed and I think the question of any *bona fide* now does not arise.

Then, regarding the question of the advertisements to be allowed, the legitimate expenditure for income-tax purposes, this is a matter which is agitating the press as well as . . .

SHRI BHUPESH GUPTA: Not all. Some. It is a dangerous thing.

THE DEPUTY CHAIRMAN: Please allow him to speak.

SHRI B. R. BHAGAT: Since the point has been raised, I think it requires an answer.

Already the Press Note issued on March 26, 1965 says that:

"Doubts have arisen whether the limits prescribed will unduly restrict the development of industry and business. Government, therefore, propose to reconsider the matter and make suitable changes, if on reconsideration such a course is found necessary. It is proposed to make the revised rules. . ." etc.

So, I can only say at this stage that this question is receiving the very active consideration of the Finance Minister and very soon he will announce a decision in this respect. More than that, I have nothing to say about that.

SHRI A. D. MANI: Madam. . . .

THE DEPUTY CHAIRMAN: Mr. Mani, do not interrupt him, let him finish.

SHRI A. D. MANI: I will not interrupt him, Madam, but it is a very relevant point. May I ask the Minister whether the Finance Ministry in future would consult the Ministry of Information and Broadcasting—because the Ministry of Information and Broadcasting is responsible for the development of the Press in the country—in the instant case as well as in the case of the Customs Regulatory Duty? My information is that the Ministry of Information and Broadcasting was not a party to consultation at all; and further I would like to make an appeal to the Minister to consult newspaper interests also when they take a final decision.

SHRI B. R. BHAGAT: The suggestion will be borne in mind.

SHRI A. B. VAJPAYEE: Is it a fact that the Ministry of Information and Broadcasting was not consulted?

SHRI B. R. BHAGAT: I am not in a position to say. . .

(Interruptions)

SHRI A. B. VAJPAYEE: His allegation against. . .

SHRI BHUPESH GUPTA: On a point of order. He said that he was not in a position to say that. I can understand that. but the Minister of Information and Broadcasting, has she been consulted?

(Interruptions)

SHRI B. R. BHAGAT: This question is unnecessary. This is. . . (Interruptions) You do not know the internal working of the Government. . . .

THE DEPUTY CHAIRMAN: I think Mr. Vajpayee has asked if the Minister of Information and Broadcasting has anything to say on this matter.

SHRI AKBAR ALI KHAN: On a point of order. When a Minister is in possession of a certain Bill, I think any Minister who is sitting should not be put in a position. . . (Interruptions). That is not right.

SHRI BHUPESH GUPTA: Not at all. It is Vote on Account. Even without her asking. . .

SHRI B. R. BHAGAT: May I say that this matter will be reconsidered?

SHRI BHUPESH GUPTA: No, no. We want this, Madam. The Minister is here. It is a point of fact whether she has been consulted or not.

SHRI P. N. SAPRU (Uttar Pradesh): I think it would be a wrong practice on our part to require the Minister of Information and Broadcasting to disclose what information she has given in regard to her Ministry to the Finance Ministry.

THE DEPUTY CHAIRMAN: I do not want any further. . . .

कुमारो मनिबेन बल्लभभाई पटेल (गुजरात) : मैं दो बातें कहना चाहती हूँ। एक तो हमारे माननीय सदस्य के ऊपर कोई नियम लागू नहीं होता और उनको आप कुछ नहीं कह रही हैं। दूसरी बात मैं यह कहना चाहती हूँ कि मिनिस्ट्री में, कैबिनेट में, जो कुछ हुआ उस बात को यहां पर बताना नहीं चाहिए।

SHRI A. B. VAJPAYEE: Madam, a definite allegation has been made that the Ministry of Information and Broadcasting had not been consulted. If this allegation is not contradicted, then the impression will go round that the Finance Ministry without consulting the Ministry of Information and Broadcasting has taken a decision.

SHRI BHUPESH GUPTA: On a point of order. Kindly listen. We are not trying to hustle any Minister into a position which could be avoided—I make it clear—least of all. In reply to this query, the hon. Minister of State in the Finance Ministry has said, "I am not in a position to state". That is what he said. Obviously, he pleaded lack of knowledge in this matter or briefing or information. Now, the question is whether the Finance Ministry has consulted the Ministry of Information and Broadcasting. She is present here. Now, as far as the Vote on Account is concerned, normally all the Ministers should be present. Normally, on a Vote on Account, it covers all the Ministries. any Minister can speak, intervene at any time, as he or she likes. Now, the point has been raised which involves two Ministries—the Ministry of Finance and the Ministry of Information and Broadcasting. Since the Minister of State in the Finance Ministry is not in a position to say anything on behalf of the Minister of Finance, well, the other Minister is present here ...

(Interruptions)

SHRI M. P. SHUKLA (Uttar Pradesh): Before you ask the Minister to say on this, I want to say that what transpires between a Minister and another Minister and in the Cabinet cannot be asked.

THE DEPUTY CHAIRMAN: That has been stated. Mr. Bhagat, please continue.

SHRI K. DAMODARAN (Kerala): The Chair can ask for information from the Minister.

THE DEPUTY CHAIRMAN: I cannot ask any Minister but if they want to say something, they can ...

(Interruptions)

SHRI BHUPESH GUPTA: I know she will. Shall we begin a hunger strike here? (Interruptions) Simple thing, Madam, why cannot the Minister say?

SHRI A. D. MANI: Madam, with due respect ...

SHRI BHUPESH GUPTA: She can say whatever she likes to. It will be a very bad precedent if she is present here and if she does not speak.

THE DEPUTY CHAIRMAN: We cannot hear you all over again.

SHRI M. RUTHNASWAMY (Madras): Perhaps, the Minister of Information and Broadcasting would like to have notice of this question.

THE DEPUTY CHAIRMAN: Mr. Bhagat, please continue.

SHRI B. R. BHAGAT: I was saying that it is not a healthy practice always to put us in a position so as to say what happened between one ...

SHRI BHUPESH GUPTA: No, no, not at all ... (Interruptions) You said you could not say.

SHRI B. R. BHAGAT: I think this should satisfy the hon. Member—whatever happened in this particular matter, whether the consultations between the two Ministries took place or not, I am saying now that this matter will be reconsidered, certainly all the aspects of the question, and the Finance Minister will consult his colleague, the Minister of Information and Broadcasting and also the interests of the Press and of the other people. This will be done. I think that should satisfy the hon. Members.

SHRI BHUPESH GUPTA: I think the matter should be clarified by the Minister.

THE DEPUTY CHAIRMAN: The question is . . .

SHRI BHUPESH GUPTA: She wants to speak, Madam.

THE DEPUTY CHAIRMAN: Do you want to say something, Mrs. Gandhi?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRIMATI INDIRA GANDHI): No, Madam. Everybody now seems to be contented with . . .

SHRI BHUPESH GUPTA: We are not.

THE DEPUTY CHAIRMAN: You have got the answer.

SHRI BHUPESH GUPTA: I am not contented.

THE DEPUTY CHAIRMAN: The question is:

"That the Bill to provide for the withdrawal of certain sums from and out of the Consolidated Fund of India for the services of a part of the financial year 1965-66, as passed by the Lok Sabha, be taken into consideration.

The motion was adopted.

THE DEPUTY CHAIRMAN: We shall now take up the clause by clause consideration of the Bill.

Clauses 2 and 3 and the Schedule were added to the Bill.

Clause 1, the Enacting Formula and the Title were added to the Bill.

SHRI B. R. BHAGAT: Madam, I move:

"That the Bill be returned."

The question was proposed.

SHRI BHUPESH GUPTA: Madam, two minutes.

THE DEPUTY CHAIRMAN: Only two minutes.

SHRI BHUPESH GUPTA: Absolutely.

Madam, I am very glad that you have permitted a good discussion on this but a serious allegation has been made about the Minister of Information and Broadcasting not being consulted over a matter in which she should have been consulted . . . (*Interruptions*) and I think that if the hon. Member in charge of the Ministry of Information and Broadcasting does not speak on the subject, we shall assume that she had not been consulted and the country will assume that she has not been consulted. Otherwise, there would not have been any delay in admitting the fact which goes in favour of the Government, not in our favour. Therefore, knowing fully well that admission would have gone in our favour, she did not say; it means that she had no other alternative but to keep quiet.

AN HON. MEMBER: It does not mean that.

SHRI M. P. SHUKLA: A Minister takes oath to keep secrecy, and cannot divulge anything happening in the Cabinet and between Ministers *inter se*.

THE DEPUTY CHAIRMAN: That is all right.

SHRI M. P. SHUKLA: Such questions cannot be asked.

1 P.M.

SHRI BHUPESH GUPTA: There is no question of secrecy at all. But Ministers are consulted in the course of duty itself. This is the position. All right, if she says something we will assume that the case of the Government is good. But if she does not say anything, then I would assume that the Minister of State has put her in an embarrassing situation. Having not been consulted she does not want to let down Mr. Krishnamachari at the moment.

THE DEPUTY CHAIRMAN: Two minutes are over.

SHRIMATI INDIRA GANDHI: Firstly, let me say that I am not at all embarrassed and that no serious allegation has been

[Shrimati Indira Gandhi.]
made. I do want to clarify the position, and that is, no formal discussion took place on this matter.

SHRI BHUPESH GUPTA: There you are, Madam. No discussion took place.

SHRI C. D. PANDE (Uttar Pradesh): Formal!

THE DEPUTY CHAIRMAN: The question is:

"That the Bill be returned."

The motion was adopted.

THE DEPUTY CHAIRMAN: The House stands adjourned till 2-30 P.M.

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

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

THE KERALA APPROPRIATION (VOTE ON ACCOUNT) BILL, 1965

THE DEPUTY MINISTER IN THE MINISTRY OF FINANCE (SHRI RAMESHWAR SARU): Madam, I beg to move:

"That the Bill to provide for the withdrawal of certain sums from ~~and out of~~ the Consolidated Fund of the State of Kerala for the services of a part of the financial year 1965-66, as passed by the Lok Sabha, be taken into consideration."

The House had a general discussion on the Kerala Budget on the 24th, 25th and 26th March. It is, therefore, not necessary for me to go over this ground again except merely to say that the Appropriation Bill seeks to authorise supplies for the likely requirements of the State for the first two months of the next year. Before this period expires, the House would have a further opportunity to consider the Appropriation Bill for the whole year. The provisions included in this Bill represent

broadly one-sixth of the estimated gross expenditure of the State on both Revenue and Capital Accounts including loans and advances and repayment of debt.

Madam, I move.

The question was proposed.

THE MINISTER OF PLANNING (SHRI B. R. BHAGAT): Madam, before the hon. Mr. Vajpayee speaks, I would like to make a statement about the firing that took place in Tanur about which the hon. Member raised a point. At about 5 P.M. on the 12th March, 1965, a Muslim League *jatha* was taken out from Karman Kadappuram, Tanur, Kozhikode District to celebrate victory in elections. The *jatha* proceeded by the main road and reached the Railway Station by 9.30 P.M. While returning, the *jatha* members decided to take a shorter route *via* Chirakkal. The local Sub-Inspector with a posse of Malabar Special Police men consisting of one Havildar and three police constables were accompanying the *jatha* in a van. The police pickets were posted at different spots along the scheduled route where there was some Congress influence. The short route *via* Chirakkal within Tanur town was not covered by police pickets as it was not the scheduled route. When the *jatha* took its course along the non-motorable pathway *via* Chirakkal, the Sub-Inspector with his men went back to the starting point at Karman Kadappuram where the pathway *via* Chirakkal would lead to. When the *jatha* was passing along the pathway at about 22.00 hours, about 25 Hindus of the Bhartiya Jana Sangh and R.S.S. groups suddenly attacked the *jatha* from the rear with knives and sticks. The Sub-Inspector, who was on the western side of the route at the beach, hearing a commotion, rushed with his men. When the Sub-Inspector reached the spot about 1½ furlongs from the beach, four or five of the assailants attempted to attack him and to cut him with a sword-like weapon. The Sub-Inspector ordered firing in self-defence. The Havildar fired two rounds at close range injuring two of them. The rest of them fled. Nine members of the *jatha* were injured by the attackers. The injured members of the *jatha* and the two persons hit by bullets have been admitted to