

12 hrs.

RE. MOTIONS FOR ADJOURNMENT
(Procedure)

MR. SPEAKER: Now we take up call attention....

श्री छदल बिहारी ब. जयेशी (ग्वालियर) :
मैं एक व्यवस्था का प्रश्न उठाना चाहता हूँ। नियमों के अनुसार पहले कामरोको प्रस्ताव प्राना चाहिये और बाद में ध्यान-कर्षण प्रस्ताव।

अध्यक्ष महोदय उचरकेशन आफ् स्पीकर कई बार इस सिलसिले में हो चुका है। हर बार आप इस प्रश्न को कैसे ले आते हैं।

श्री छदल बिहारी ब. जयेशी : नियमों में कोई कमी हो तो उसको आप पूरा कर सकते हैं। लेकिन आपके निर्देश किसी नियम को रद्द नहीं कर सकते हैं। नियम बिल्कुल स्पष्ट हैं।

"The speaker, if he gives consent under rule 56 and holds that the matter proposed to be discussed is in order, shall, after the questions and before the list of business is entered upon "

MR. SPEAKER: This has been the procedure followed (*Interruptions*)

SHRI INDRAJIT GUPTA (Aizpore) :
On previous occasions also the matter had come up. We had asked you—and as far as I can recall, you had agreed to reconsider—whether the Directions of Speaker could override the Rules of Procedure. Please consider again and look into it. The matter is going on from Session to Session and Adjournment Motions are being pushed back. (*Interruptions*)

MR. SPEAKER: This is the procedure that has been followed for years. (*Interruptions*)

SHRI JYOTIRMOY BOSU (Diamond Harbour) : The Andhra Pradesh. (*Interruptions*) Police repression and CRP terror, arson and looting and killing people and a reign of terror has been let loose. (*Interruptions*)

SHRI PILOO MODY (Godhra) :
"This is Indian barbarity on Indians.

SHRI S. M. BANERJEE (Kanpur) :
We have tabled an adjournment motion. We want to know what happened to that.

MR. SPEAKER: Unless all of you sit down, I would not be able to. (*Interruptions*)

PROF. MADHU DANDAVATE (Rajapur) : I want to make a submission.

MR. SPEAKER: Regarding the procedure?

PROF. MADHU DANDAVATE : Yes. I want to raise one important point. In the past whenever Member in this House submitted adjournment motions, you always said that matters which are of a continuing nature cannot be a matter for adjournment motion but if there is any matter of recent occurrence, in that case, that can be taken up. I have submitted an adjournment motion on the situation in Andhra in which I have made a specific reference to what happened in Andhra yesterday—the Andhra Bandh day—and news has appeared to-day.

MR. SPEAKER. Kindly sit down. You are not speaking on the procedure.

PROF. MADHU DANDAVATE : whether under the rules you have yourself laid down, I would be permitted to move the adjournment motion

MR. SPEAKER: May I tell the hon. Members that so far as this call attention is concerned, this was also a subject matter of an adjournment motion but this has been admitted as a call attention motion.

So far as adjournment motions are concerned, I have made it very clear that ample opportunities will be available for discussion. Normally, during the Budget discussion, we do not allow adjournment motions. We have been following it in the past.... (*Interruptions*). I am sorry I cannot allow it.

PROF. MADHU DANDAVATE : The situation is so abnormal that the Prime Minister says 'I am prepared to resign if that can help the situation'.

श्री अटल बिहारी वाजपेयी : अभी आंध्र का भसला आपके सामने आया है। उसके अलावा मैंने हरियाणा के अध्यापकों के बारे में एक एडजर्नमेंट मोशन दिया है। कल एक हजार हरियाणा के अध्यापक गिरफ्तार किए गए। उन्हें जेल में रखा गया। जेल में खुने में सोने के लिए उन्हें मजबूर किया गया, उन्हें रात भर खाना नहीं दिया गया। वे दिल्ली में गिरफ्तार हुए हैं। मैं हरियाणा का मामला नहीं उठा रहा हूँ। उनकी गिरफ्तारी राजधानी में की गई, बिना किसी उत्तेजना के की गई। जेल में उनके साथ दुर्व्यवहार किया गया। हरियाणा का मामला या आंध्र का मामला अगर एडजर्नमेंट मोशन के रूप में नहीं आया तो किस रूप में आया

MR. SPEAKER: I am sorry I cannot allow.... (Interruptions)

PROF. MADHU DANAVATE: Even if you take it up after call attention, we have no objection.

SHRI INDRAJIT GUPTA: What is your ruling regarding the point I raised?

MR. SPEAKER: I will put it up before the Rules Committee.

SHRI INDRAJIT GUPTA: Otherwise, it will happen everyday.

SHRI DINEN BHATTACHARYYA (Serampore): I have given Adjournment Motion on the same issue. You have admitted Calling Attention only. We will have no opportunity to censure or condemn the Government.

MR. SPEAKER: You will have ample opportunities while discussing the President's Address and while considering the various Demands for Grants.

आप को प्रैजिडेंट के एड्रेस, बजट और मुन्नालिंग डिमांड्स पर डिस्कशन के वक्त इस का मौका मिलेगा

SHRI SHYAMNANDAN MISHRA (Begusari): The limited problem just now is whether the Calling Attention Motion

should precede the Adjournment Motion and your pleasure is....

अध्यक्ष महोदय : अगर आप की ख्वाहिश है कि एडजर्नमेंट मोशन को पहले लिया जाये, तो मैं इस बारे में रूलज कमेटी से सलाह करूंगा।

श्री श्यामनन्दन मिश्र : एडजर्नमेंट मोशन को बाद में एक मुश्किल तो यह होगी कि कई बार कॉलिंग एटेंशन नोटिस बहुत देर तक चलता है, इसलिए एडजर्नमेंट मोशन के लिए थोड़ा समय तीन-चार घंटे रह जायेगा, और दूसरे, इस तरह इस की अरजेंन्सी की भावना खत्म हो जायेगी।

SHRI S. M. BANERJEE: Under the rules, Adjournment Motion should be admitted today.

SHRI A. K. GOPALAN (Palghat): Sir, is there no difference between an Adjournment Motion and a Speech in Parliament? Adjournment Motion has got another purpose. Speeches have got another purpose. In a speech you can say so many things but an adjournment motion is quite different from a speech and speaking on any issue. Is there no difference, Sir? I just want to know that, because, if so, there is no question of an adjournment motion at all; you have to say, you speak whatever you want, whenever opportunities come..

MR. SPEAKER: I have examined that. I am sorry. I am not allowing it.

SHRI SHYAMNANDAN MISHRA: The Chair has to note the unanimous demand of the opposition that the adjournment motion should be taken up before the Calling Attention Motion.

MR. SPEAKER: I had consulted all of you in regard to the Calling Attention and then put it in the order paper.

Now, calling Attention.

SHRI JYOTIRMOY BOSU: What is your decision about our Adjournment Motion on the Andhra issue?

MR. SPEAKER: I am not allowing it. It is a continuing matter. You will have ample opportunity....

SHRI JYOTIRMOY BOSU: Why, Sir?

MR. SPEAKER: You will have ample opportunity during the discussion on the President's Address. The President has made a reference to it in his Address and you will have the fullest scope for discussion. I am sorry, I am not allowing it now.

PROF. MADHU DANDAVATE: You are on record as having said that a continuing matter cannot be raised. When Mr. Banerjee got up in this House and raised the question about the rising prices, you said, it cannot be a matter, but when he raised the issue of vanaspathi prices on the previous day, you admitted the Adjournment Motion. I had referred in my Adjournment Motion to what happened in Andhra yesterday. There was this Andhra Bandh yesterday, on the 19th. Reports have appeared in the Press today. Therefore, it is a recent incident. Therefore, under the rule, it must be admitted.

SHRI JYOTIRMOY BOSU: We want to know the rule by which you are enabled to discard the motion which we have given, an adjournment motion, on the Andhra issue. You must tell us specifically.

MR. SPEAKER: My ruling is that this is not a new matter. This has been referred to in the President's Address, and hon. Members are going to have many opportunities to discuss it.

SHRI SEZHIYAN (Kumbakonam): Is it your ruling that during the time of the budget discussion and during the time of the discussion on the Motion of Thanks

on the President's Address, no adjournment motion would be allowed to be discussed? I want to know whether you are going to give a ruling like that.

SHRI SHYAMNANDAN MISHRA: How can you give a ruling like that?

SHRI ATAL BIHARI VAJPAYEE: How can you give a ruling like that?

MR. SPEAKER: In the past, we have been following this practice. Full opportunities are available to hon. Members. During the budget discussion, they have opportunities; they have also opportunities available during the time of the discussion on the President's Address. If there are matters which cannot be discussed on the budget and on the Motion of Thanks on the President's Address, we can consider it. But in this case, the President has made a reference to it. This was the practice followed in the past.

SHRI JYOTIRMOY BOSU: I regret that you have not said anything on what Shri A. K. Gopalan has said.

श्री अटल बिहारी वाजपेयी : अध्यक्ष महोदय, क्या सब महत्वपूर्ण मामले बजट के लिए रुके रहेंगे ? अगर कल कोई ऐसी घटना हो जाये, जिस पर तुरन्त विचार आवश्यक हो, तो क्या आप कहेंगे कि उस पर विचार नहीं होगा, क्योंकि बजट आ रहा है? मैंने श्री हरियाणा के अध्यापकों का मामला उठाया है। उस का प्रैजिडेंट के एड्रेस या बजट से कोई सम्बन्ध नहीं है।
(व्यवधान)

MR. SPEAKER: I cannot admit it like that. (Interruptions) I am not listening to anybody.

SHRI S. A. SHAMIM (Srinagar): I have read Shakhder and Kaul's book on parliamentary procedure, and in regard to adjournment motions, nowhere does the budget session come in....(Interruptions)

MR. SPEAKER: I have said already that a number of opportunities are available to hon. Members.

PROF. MADHU DANDAVATE: Kindly tell us whether the matter is not so serious as to warrant an adjournment motion.....

MR. SPEAKER: I have said that I am not accepting it. (*Interruptions*).

SHRI S. M. BANERJEE: Kindly proceed with your call attention motion (*Interruptions*).

SHRI JYOTIRMOY BOSU: Kindly call a meeting of the Business Advisory Committee this afternoon. There are several matters to be discussed there. We have tabled several adjournment motions. The Government needs to be censured.

MR. SPEAKER: There are a number of occasions coming for that.

श्री अटल बिहारी वाजपेयी : अध्यक्ष महोदय, मैंने एक प्वाइंट ऑफ आर्डर रेज किया था उस का तो आप ने कोई निर्णय नहीं दिया ।

MR. SPEAKER: When opportunities are coming, there is no need to give consent to it.

मैंने उस को एक्सेप्ट नहीं किया ।

श्री अटल बिहारी वाजपेयी : अगर सदन के नियमों में और डायरेक्शंस में कोई अंतर हो तो नियम माने जाएंगे या डायरेक्शंस माने जाएंगे ?

अध्यक्ष महोदय : वह देख लेंगे ।

श्री अटल बिहारी वाजपेयी कब देखेंगे ?

अध्यक्ष महोदय उस को देखेंगे कि नियम ठीक हैं या डायरेक्शंस ठीक हैं ।

SHRI DINEN BHATTACHARYYA: What is your ruling regarding the adjournment motion which I had given notice of relating to this very matter raised in the call attention notice? Why are you not admitting it?

MR. SPEAKER: Order, order. If the intention is to bring the matter to the notice of Government, the call attention motion is all right. But if you want to censure the Government, there are opportunities coming. You can do so at that time. (*Interruptions*.) We have been following it in the past.

SHRI PILOO MODY: You have been following it; we have not been.

SHRI FRANK ANTHONY (Nominated—Anglo-Indians): On a point of order.

SHRI S. M. BANERJEE: Kindly hear my point of order first.

SHRI FRANK ANTHONY: If I may formulate, with great respect, a point of order, I am not in any way criticising your decision. The discretion is yours. But may I suggest that it is a discretion which has to be exercised at least in a quasi-judicial, if not entirely judicial, manner? What I am concerned with is the implication of your decision. As I see it, it falls into two parts. First, there was a suggestion that if there is a call attention notice, then it almost *ipso facto* supersedes the adjournment motion. That would denude...

MR. SPEAKER: No, no.

SHRI FRANK ANTHONY: That is how I have understand it. The other aspect was this. Merely because you can have an opportunity of discussing a subject either during the discussion of the President's Address or during the budget discussions, irrespective of the gravity of the situation, it is barred. A State may declare war on the Centre. You will say 'You can discuss it during the other occasions coming. That means in affect that you are denuding of all content and rendering completely nugatory the provision for an adjournment motion, merely because there are bound to be other occasions for discussing it. That is the serious implication of it.

SHRI R. S. PANDEY (Raj Nandgaon): On a point or order. The

[Shri R. S. Pandey]
question is different. Your direction is very clear. You said that since the matter has been referred to by the President in his Address, we have got ample opportunity to discuss it. Now the heavens are not going to fall if we wait till that discussion comes up (*Interruptions*).

MR. SPEAKER: Please sit down. If there is a matter to be brought to the notice of the House, then calling attention motion is all right. But if you want to censure Government, it can come in other ways. There are a number of ways. These matters which are referred to as matters over which you can have a full discussion in the House, they are matters for which opportunities are available for discussion, matters to which the President made a specific reference in his Address. I do not think there can be any justification for asking for more opportunities. These can be discussed when the discussion on the President's Address is taken up.

SHRI PILOO MODY: I have with me here a list of 139 atrocities committed by the CRP and the police in Andhra in which they have slaughtered, murdered, looted, and so on. Each one of them has been documented and substantiated, and yet you say that this matter is not grave enough for us to discuss now because the President has made some speech somewhere. Because the family planning demands are coming up next week, and because there is going to be a budget that is going to be discussed, this matter cannot be allowed. Is that your decision?

MR. SPEAKER: I do not see any reason for having two discussions on one matter, once now and again on the President's Address. I am sorry. (*Interruptions*).

SHRI PILOO MODY: Family planning and Andhra should go together? What are you suggesting? When we are discussing family planning, we should discuss Andhra! Is that what you are suggesting?

SHRI SEZHIYAN: rose—(*Interruptions*).

MR. SPEAKER: You had this discussion for a number of times in the House. The matter is continuing. It is not very recent.

SHRI PILOO MODY: The CRP is carrying on atrocities in Andhra Pradesh at the moment.

SHRI SEZHIYAN: In the *Rules of Procedure*, rule 58 lays down the situations under which adjournment motions can be moved. In rule 58, nowhere has it been mentioned that if there is ample opportunity for a subject, it cannot be raised here through an adjournment motion. On the other hand, if you take sub-rule (v) it only says that "the motion shall not revive discussion on a matter which has been discussed in the same session." Of course, it cannot be allowed in the same session. But this is a different session. Later on, when we give notice of an adjournment motion, will you say, "this question has already been discussed and therefore, it cannot be allowed"? This is a new session. (*Interruptions*).

MR. SPEAKER: This is a continuing matter about which the President has mentioned. It is not very recent. It is continuing. If the matter is a continuing one, it is not a subject-matter for an adjournment motion. Over a continuing matter, you cannot raise an adjournment motion.

SHRI SEZHIYAN: It is not a question of providing an opportunity.

SHRI PILOO MODY: The matter is that Mrs. Gandhi does not want a discussion.

MR. SPEAKER: No, no.

SHRI SEZHIYAN: It is not a question of having ample opportunities. Ample opportunities can be found in many ways, such as under rule 193, No-Day-Yet-Named Motions, etc. Under them, opportunities can be found. But this is about the adjournment motion, which is against the Government.

MR. SPEAKER: At the time of voting of the demands for grants, voting of the budget demands, it can be raised.

SHRI SHYAMNANDAN MISHRA: Sir, I have been trying to rise on a point of order for quite some time. My point of order is this: it may be that at this point of time we have got our judgment, the parliamentary judgment; that tomorrow the situation can take such a serious turn that there can be an upheaval which cannot be controlled by the Central Government or by any authority whatsoever. Is there no time element in this?

MR. SPEAKER: So far as the time element is concerned, I have given my ruling.

SHRI SHYAMNANDAN MISHRA: Can there be no parliamentary concern about the human bloodshed? I ask you. You want us to discuss all this after three or four days. This is our judgment here and now, that so much human blood is being spilt so much national property is being destroyed, there is so much disorganisation, that it must be considered now. How much more people would like to die and state to be soaked in blood like this? This is an important question for us to consider. We cannot see why this matter should be treated like this. We are Member of Parliament and we have got certain duties to perform. *(Interruptions)*. Can the Chair take upon itself the responsibility for the spilling of so much human blood or the destruction of national property in the present situation? My point of order is this.

MR. SPEAKER: There is no question of myself being responsible, or anybody else.

SHRI SHYAMNANDAN MISHRA: This is going to be the situation; this is our judgment.

MR. SPEAKER: I do not know who is responsible for such things.

SHRI SAMAR GUHA (Contai): Sir, this point of order arises out of your observation. You have made an observation which impinges upon the rights and privileges of the Members of this House. In your observation, you have said that it

is not the practice, or it is not the desire or the intention, that we should not have adjournment motions, but the reason that you have given for not allowing the adjournment motion there will be large scope for censuring the Government, if censuring the Government is the specific object of the adjournment motion. The specific object of the adjournment motion is, as you know as the Speaker...

MR. SPEAKER: I would not have denied it....

SHRI SAMAR GUHA: I am yet to finish.

MR. SPEAKER: If you had given a specific no-confidence motion, I would not have denied it. *(Interruptions)*.

SHRI SAMAR GUHA: The matter should be urgent. The matter should not be of a continuous nature. In the budget session, we will be discussing all subjects—subjects which are of a general nature and subjects which will be of a continuing nature.

MR. SPEAKER: This is a continuing matter.

SHRI SAMAR GUHA: If we accept this ruling, if we accept this as your ruling, it will curtail our rights and privileges; not only the rights and privileges, but it will deprive us from raising serious issues that may suddenly crop up in the country. Take for instance, the wages of workers, the Haryana teachers' strike...

MR. SPEAKER: How can the Haryana teachers' question come in here?

SHRI SAMAR GUHA: I want to make a final observation... *(Interruptions)*.

MR. SPEAKER: If it is law and order situation, you can have it discussed at the time of the President's Address.

SHRI SAMAR GUHA: If that is your ruling, all of us are of the opinion that it is in contravention of the prescribed rules of conduct of this House.

MR. SPEAKER: I have already given my ruling.

SHRI PILOO MODY: You adjourn the Lok Sabha and go to Andhra and find out for yourself what is happening... (*Interruptions*).

MR. SPEAKER: What is going on, I fail to understand.

PROF. MADHU DANDAVATE: Is it your ruling that henceforward whatever the Budget discussion is there, no adjournment motion would be admitted? It is in contravention of the rules.

MR. SPEAKER: The ruling is if the matter is continuous, and opportunity for discussion is available during the Budget, you will have many opportunities available—I do not admit it... (*Interruptions*)

SHRI A. K. GOPALAN: That means there is no scope for any adjournment motion, and against this decision we walk out.

(*Shri A. K. Gopalan and some other hon. Members then left the House*)

श्री अटल बिहारी वाजपेयी . अध्यक्ष
महोदय, एक बात साफ़ ही जानी चाहिए। आप ने आन्ध्र के बारे में जो फ़ैसला दिया है—आप का कहना है कि काम रोकने प्रस्ताव नहीं आ सकता—क्या यह आप का निर्णय है? क्या यह बजट अधिवेशन में आनेवाले अन्य सवालो पर भी लागू होगा ?

SHRI INDRAJIT GUPTA: Have you given a general ruling that during the budget session, no adjournment motion will be admitted? Why do you not clarify the point?

MR. SPEAKER: If the matter is continuous and opportunity for discussion will be available, it will not be admitted... (*Interruptions*). I am very clear about my ruling. If an opportunity for discussion will be available at the same time, an opportunity for censure will be available, there is no question of adjournment motion.

SHRI PILOO MODY: We are walking out in protest against the Speaker's ruling.

SHRI INDRAJIT GUPTA: That means during the budget discussions, no adjournment motion will be admitted?

MR. SPEAKER: If it is a continuous matter for which an opportunity is available over which a censure opportunity will be available, there is no need for any adjournment motion.

SHRI SHYAMNANDAN MISHRA: This is the most dangerous ruling from the Chair and we shall have to take a stand against the ruling of the Chair. (*Interruptions*)

SHRI INDRAJIT GUPTA: With due respect to you, I must say that you are not clarifying even now the actual implications of the ruling which you have given, and thereby you are creating an unnecessary difficulty for the opposition. You are within your rights to judge a particular issue which is being sought to be pressed for an adjournment motion, whether it is a continuing matter or not, whether it is a matter on which other opportunities are available to censure the Government or not, etc. Nobody is questioning that right. But are you issuing a blanket ruling that during budget session no adjournment motion will be admitted simply because it is a budget session?

MR. SPEAKER: My ruling is, a matter over which ample opportunities will be available for discussion and for censuring the Government, will not be allowed. In my opinion, there will be opportunities available during the discussion on the President's Address and on the Demands for Grants.

SHRI INDRAJIT GUPTA: This applies to all matters?

MR. SPEAKER: All. That is why during such time, this innovation of calling attention was brought in. But if the matter is not continuous and if there will be no opportunity for discussing it during the budget session, in such cases there can be an adjournment motion. But in all these matters, opportunities are available.

The President has made a reference to Andhra in his Address and you will have ample opportunity.

श्री भोगेंद्र झा (जयपुर) आज के विषय पर आपने रूलिंग दी हो तो वह एक बात है लेकिन यदि पूरे सत्र के लिए एक आम रूलिंग आप देना चाहते हैं तो मेरा आग्रह है इसका रूल्स कमेटी के लिए स्थगित कर दिया जाये।

MR. SPEAKER: There is no question of bringing it to the Rules Committee. My ruling is that in respect of matters for which opportunities will be available during the budget session, there can be no adjournment motion. But an exception can be made only in respect of matters which cannot be discussed during the budget session. On all these matters that were raised today, the opportunities are available to discuss these matters during the budget session. I am only following the precedent set up by the distinguished predecessors of mine. I am not introducing any new practice. The practice that was followed by my distinguished predecessors is being followed by me.

SHRI P. G. MAVALANKAR (Ahmedabad): May I submit one thing? When the Opposition wants criticise a certain specific occurrence which is of an urgent and definite nature, should not the House have an opportunity of discussing it during the budget session? An adjournment motion is a very potent weapon in the hands of Opposition to censure the Government. If we are to be deprived of this weapon throughout the budget session, what are we to do? I would request you to kindly refer this matter to the Rules Committee. I earnestly appeal to you to see that the using of this weapon by the Opposition in the form of an adjournment motion is not got rid of by this ruling.

MR. SPEAKER: There is no question of referring it to the Rules Committee.

SHRI P. G. MAVALANKAR: You are denying us this right... (Interruptions).

MR. SPEAKER: No question of denying.

SHRI BHOGENDRA JHA: If you are making a general ruling, you kindly postpone it and refer the matter to the Rules Committee.

MR. SPEAKER: No question of general ruling. The Calling Attention Notice—Shri S. M. Banerjee.

SHRI S. M. BANERJEE: May I in all humility submit one thing? Fortunately, the Calling Attention is in my name. But the question is when we give notice of an adjournment motion on the price-rise which may be a continuing matter, no member, even of the ruling party, will challenge our statement that the line between hunger and anger is becoming thinner and thinner. This time, even when the President was addressing the Members of both Houses of Parliament, there was no jubilation—it was a dignified condolence meeting—they could not thump the tables; they could not applaud the President. It is under those conditions that we gave notice of an adjournment motion. Otherwise, we could have tabled a different motion.

MR. SPEAKER: Now, he may come to the Calling Attention Notice.

12.42 hrs.

CALLING ATTENTION TO MATTER OF URGENT PUBLIC IMPORTANCE DELAY IN SUBMISSION OF PAY COMMISSION'S REPORT

SHRI S. M. BANERJEE (Kanpur): I call the attention of the Minister of Finance to the following matter of urgent public importance and I request that he may make a statement thereon:

“The inordinate ‘delay in submission of Pay Commission’ Report causing discontent among Central Government employees and Defence personnel.”

THE MINISTER OF FINANCE (SHRI YESHWANTRAO CHAVAN): Members will recall that, in statement made in the House on 22nd December, 1972, we had informed the