

**THE MINISTER OF STATE IN THE MINISTRY OF AGRICULTURE (SHRI ANNASAHEB P. SHINDE):** (a) to (c). The State Government is responsible for the distribution of foodgrains within the State. Allotment of foodgrains from the Central Pool is made taking into account the availability of stocks, requirement of other deficit States and other factors. The quantum of foodgrains, issued from the Fair Price Shops to card holders is decided by the State Government taking into account stocks received from the Centre, the availability of foodgrains in the market, other substitute foodstuffs, their comparative prices, level of income, population growth etc. This quantum varies from State to State and between different areas within the State.

12.00 hrs.

**RE. INCREASE IN PRICES OF PETROLEUM PRODUCTS**

**SOME HON. MEMBERS rose—**

**SHRI S. M. BANERJEE (Kanpur):** On a point of order, Sir.

**MR. SPEAKER:** On what?

**SHRI S. M. BANERJEE:** My point of order is this.

We have given adjournment motions, Call Attention notices, notices under Rule 377 and even Privilege motions regarding the price hike in respect of petrol, kerosene, cooking gas and other petroleum products. The other day, when the General Budget was presented by the Finance Minister, we were here upto 6 O' Clock and, while presenting the Budget no indication was given that there was going to be a price rise in petrol, kerosene and other petroleum products.

Now, the prices have been raised to the extent that you can imagine—kerosene—15 p. per litre; H.S.L.—15p.

per litre; cooking gas—Rs. 1.2 per cylinder; motor spirit—34 p. per litre; L.D.O.—40 p. per litre; furnace oil—32 p. litre, naphtha—Rs. 1.8 a litre; lubricating oil—Rs. 3360 a tonne.

You will remember, Sir, when last time the price of petrol was increased by notification to the tune of Rs. 1.07 a litre, you in your wisdom asked the Minister not to follow the same practice. The Minister did not apologise in clear terms to the House. He only expressed the reasons for doing so. When the Parliament is in session and it is going to be in session upto May, I feel this is a contempt of the House and this is an indirect taxation through notification.

They have a right to do so. But don't you think that this is immoral and this is something to be condemned by you and by us all? It is sheer contempt of Parliament. I would request you to either admit an adjournment motion—let us censure the Government on this—or you allow a privilege motion in this regard.

**श्री अटल बिहारी वाजपेयी (ग्वालियर)**  
मेरा निवेदन यह है कि पेट्रोलियम मिनिस्टर ने सदन के विशेषाधिकार का उल्लंघन किया है, उन्होंने सदन की अवहेलना की है। एक तारीख को यह सदन छ. बजे तक बैठा हुआ था। वह छ. बजे आ कर अगर दाम बढ़ाना चाहते थे तो उसकी घोषणा कर सकते थे। वैसे तो उपयुक्त यह होता कि बजट प्रस्तावों में पेट्रोल और कैरोसीन के दाम बढ़ाने का सवाल आता। मंत्री महोदय यह कह कर नहीं बच सकते हैं कि केवल कीमत बढ़ाई गई है और कोई एक्साइज ड्यूटी नहीं बढ़ाई गई है। क्योंकि पोस्ट कार्ड की भी कीमत बढ़ी है लेकिन पोस्ट कार्ड का हवाला बजट में दिया गया है। इस बास्ते पेट्रोल, कैरोसीन तथा अदर पेट्रोलियम प्रोडक्ट्स के बारे में कोई अलग गेज नहीं हो सकता। मैं जानना चाहता हूँ कि कैबिनेट

ने पेट्रोल आदि के दाम बढ़ाने का फैसला कब किया, रात में कितने बजे किया, नोटिफिकेशन कितने बजे जारी किया गया ? क्या मंत्री महोदय के लिए यह सम्भव नहीं था कि छः बजे आ कर सदन में इसकी घोषणा करते ? यह कहना कि यदि ऐसा किया जाता तो होर्डिंग को बढ़ावा मिलता, लोग होर्डिंग कर लेते ठीक नहीं है। छः बजे के बाद जो थोक सेल है उसको रोका जा सकता था। रिटेल वाले बहुत डकड़ कर सकते थे ऐसी कल्पना करने का भी कोई आधार नहीं है। क्या यह उचित है कि इस तरह से सदन की अवहेलना हो, सदन के प्रति अनादर की भावना से आचरण किया जाए ? अध्यक्ष महोदय, हमें आप से भी गिकायत है। आप सदन के अधिकारों की रक्षा नहीं कर रहे हैं। आपने पहले भी मंत्री महोदय को कहा था कि इस तरह का काम नहीं होना चाहिये। उन्होंने फिर यह किया है। उग अवसर पर हमने जा विचार प्रकट किए थे...

अध्यक्ष महोदय : घर से फैसला करके आए हैं कि यह बात कह देनी है ? हालात कुछ और हो सकते हैं ? मुने बगैर ही आपने फैसला कर दिया है ?

श्री अटल बिहारी बाजपेयी : लेकिन आप देखें कि सदन छः बजे तक बैठा था। उसको विश्वास में नहीं लिया गया और रात में नोटिफिकेशन जारी कर दिया गया। आपको याद होगा कि पिछली बार जब यह मामला उठा था तब आपने कहा था कि यह प्रोप्राइटी का सबाल है, ऐसा नहीं होना चाहिये और हम लोगों ने कहा था कि आपका इतना कह देना काफी नहीं है और आप इसको भी देखें कि सरकार इसका पालन करती है या नहीं करती है। हमने सभी समझा था कि सरकार पालन नहीं करेगी और वह

बात सामने आ गई है। इस मामले को प्रिवलेज कमेटी के पास भेज दीजिये।

श्री जगन्नाथराव जीर्ण (शाजापुर) : मंत्री महोदय कहां हैं ? यह ठीक नहीं है। यह भी अवहेलना है।

श्री मधु लिम्बे (बांदा) : आप जानते हैं कि बहुत से लोक महत्व के मामले और अविश्वनीय महत्व के मामले इस बीच में उठे हैं। लेकिन क्या वजह है कि आपको सारे अधिकार होने हुए भी, सारे नियम होते हुए भी आपने न आज ध्यानाकर्षण को माना है, न एडजर्नमेंट मोशन को माना है और न प्रिवलेज मोशन को मान रहे हैं। जब साधारण बजट पेश किया गया था उस समय यह बात वह कह सकते थे। लेकिन जानबूझ कर सदन के साथ धोखाधड़ी की गई है और जब लोक सभा स्थगित हो गई शुक्रवार को, उसके बाद यह सारा काम किया गया। आप इन तीनों में से किसी न किसी नोटिस के तहत इस पर बहस करवाइये। हमारी राय में यह लोक सभा के अपमान का मामला है और इस पर तो विशेषाधिकार का प्रस्ताव होना चाहिये। अगर आप उसको मानने के लिये तैयार नहीं हैं तो सरकार की यह अमफलता है, इसलिए आप स्थगन प्रस्ताव लें और उसके लिए भी आप तैयार नहीं हैं तो कम से कम कालिंग एटेंशन लें। अगर आप ऐसा नहीं करते हैं तो हमें अपना गुस्सा अन्य ढंग से प्रकट करना पड़ेगा, हम बिल्कुल साफ कहते हैं। आपने कई बार यह कहा है कि जिन का सम्बन्ध दाम और कर वृद्धि से होता है ऐसे मामलों को सब से पहले सदन के सामने रखना चाहिये। फिर क्या वजह है कि हम लोगों को साधारण बजट के समय विश्वास में नहीं लिया गया, शुक्रवार को विश्वास में नहीं लिया गया ? क्या ऐसे ही चलता रहेगा ? इसके ऊपर आप तुरन्त फैसला दें। हमारी राय

[श्री मधु लिमये]

है स्पष्ट प्रस्ताव या विशेषाधिकार का प्रस्ताव लिया जाए और उसके ऊपर तत्काल बहस चालु कर दी जाए ।

PROF. MADHU DANDAVATE (Rajapur): Mr. Speaker, Sir, I have gone through the Rules of Procedure and have given notices under all available rules, so that you can have a very broad choice—whether you would allow an Adjournment Motion or whether it will be your pleasure to admit a Privilege Motion, whether we would have a call-attention or whether you would allow us to raise under Rule 377....

MR. SPEAKER: It is very nice of you to have given me such a wide latitude!

PROF. MADHU DANDAVATE: Therefore, I have only one request. As far as the privilege issue is concerned, there is a precedent that whenever there is a contempt of the House you have permitted a privilege motion in the House and this is clear case of the contempt of the House.

We have been kept in the dark. These are the days of midnight orders and one more midnight order has come. Let them come at least when there is twilight so that one may know what they are.

Therefore, please allow us a privilege motion.

SHRI A. K. GOPALAN (Palghat): I request that this question may be considered seriously because it is a very serious question.

I have been in this House from 1952 onwards and I have been all along present whenever the Budget is presented. There was never an instance that at midnight after presenting the

budget, the Cabinet thought that something must be done and some prices must be increased and then coming on the next day and saying that the prices are increased. This is a very serious issue. I do not want to go into the details because, as already pressed, it is not only a contempt of the House but it is also that as the Congress has got a majority, they think that anything can be done. Then, what is the use of saying parliamentary democracy, procedure and these things? Then, when the Parliament is in session and when the Budget is presented nothing is said about it and nothing is thought about it. It is only cheating people and cheating the Parliament and nothing else. So, whatever procedure you take, it must be taken. If the respect for Parliamentary democracy is to continue, then, certainly, it must be taken in some form.

As far as the question is concerned, it is a very serious question and if it is left as it is then allow all the people, all members of the Opposition also to do as they like, break the procedure and the rules and do anything as they like.

SHRI SAMAR GUHA (Contai): Although you are looking at the Opposition with a smiling face, I think the seriousness of this matter has not missed your attention.

As has been rightly pointed out by our friends, it is not only an insult of this House but it is an insult to the highest dignity of the House, the Chair also, because you were pleased to observe on an earlier occasion that this practice of issuing notifications outside the House while the House is in session or when the session is to begin very soon is not proper and that the Government should not issue any notification increasing the prices or imposing some sort of indirect taxation.

It is not an urgent matter in the sense that this is the second time that the Government are going to increase

the price. This is the additional price increase. The prices of petroleum and petroleum products were increased earlier also. Therefore, the matter was not pressing. The matter was not urgent. The Government could have waited and as has been rightly pointed out by my friend, Mr. Vajpayee, because the prices have been increased, it cannot be taken as direct taxation. That logic also does not stand because in the Budget there has been increase in other items also, though it may be less. Therefore, it is tantamount to imposing of indirect taxation. It is a violation of the budgetary discipline that it should have been included in the budget.

They could have announced it on the 1st when the House was in session.

Now I have a hunch that it is only for a political purpose, because the hon. Minister has to rush to Cuttack just to take a political part perhaps and in the morning he was going to catch a plane. If not, I want to know from you whether it is for the Party political purpose and the Minister has to catch the plane early in the morning and for that reason, they have violated all the norms, code of conduct and convention. I again appeal to you, Sir, that if the hon. Minister is allowed to violate in this way we have also a right. The hon. Minister has the check to say that the Opposition should not uphold the honour of this House and the dignity of this House and the Chair. Therefore, you should pull up the hon. Minister with that much of contempt and seriousness that it deserves.

MR. SPEAKER: Only those hon. Members will be allowed who have given their names.

SHRI P. G. MAVALANKAR (Ahmedabad): This is an important point and you should hear us also.

MR. SPEAKER: जिन के मेरे पास आए हैं उन को तो मैं ने सुना है ।

I am not allowing others. If I relax in one case it will become difficult and I will have to relax in other cases also. Those who have sent their notices have already spoken.

श्री हुकम चन्द कछवाय (मुरैना) :  
अध्यक्ष महोदय, मैं आधे मिनट में खत्म कर दूंगा । और पार्टियों के तीन-तीन मेम्बर्स को आपने सुना है । मेरा कहना है कि इस पर निन्दा या स्थगन प्रस्ताव आप स्वीकार करें ।

MR. SPEAKER: I have just now heard your views about this, about which I also feel very strongly, perhaps not to assure you, but on my own. This matter is referred to by various motions: by the hon. Member Shri Vajpayee, under Rule 223 there is a Privilege Motion; then Shri S. M. Banerjee has given notice, it is an Adjournment Motion; then I have got the names of Shri Madhu Limaye Prof. Madhu Dandavate....

श्री जगन्नाथराव जोशी : अध्यक्ष महोदय, मेरा भी स्थगन प्रस्ताव था, वह नहीं आया ।

MR. SPEAKER: This was levied on the 1st midnight. I got a letter from the Minister dated March the 1st, in which he says: 'As you are aware, steep increase in crude oil etc., has taken place'. But this letter reached my office on the 2nd. It is dated 1st, but it reached my office on the 2nd. At the end the letter says: 'I would like to make a statement in the Lok Sabha in this regard tomorrow itself. However as Saturday and Sunday are holidays I would be grateful if I am provided with an opportunity of making a statement in this regard on the morning

[Mr. Speaker]

of Monday the 4th 1974, so that the hon. Members may have a full appreciation of the reasons which have impelled the Government to take this decision."

I have got these motions—Shri Vajpayee has already sent it; Shri Madhu Limaye has already sent it on the 2nd. So we referred it to the Minister. And again the Minister sent me another note. It says: "The undersigned is directed to state, etc., in the form of a Memorandum or a note in which he has given the reasons saying this happened that happened."

श्री अटल बिहारी वाजपेयी : क्या मिनिस्टर का भी लेटर नहीं है, सेक्रेटरी का लेटर है ? मिनिस्टर का लेटर आना चाहिए ।

MR. SPEAKER: The Minister's letter is the first one. This is to the office. This is the second one.

श्री अटल बिहारी वाजपेयी : वह पहला तो मिनिस्टर आ गया है, लेकिन दूसरा जिस का हवाला दे रहे हैं, वह तो नहीं है । क्या मिनिस्टर स्पीकर को लिख नहीं सकते ?

MR. SPEAKER: Don't pick up such things; these are only office routine matters.

अगर आप मिनिस्टर होते तो यह न पूछते ।

श्री अटल बिहारी वाजपेयी : हम तो आप की चिन्ता कर रहे हैं ।

अध्यक्ष महोदय : हम आप को भी कभी देखेंगे । आप आएंगे तो आप को भी देख लेंगे । इन को तो देख लिया ।

श्री अटल बिहारी वाजपेयी : स्पीकर को ऐड्रेस करने का यह तरीका नहीं है ।

MR. SPEAKER: This is dated Delhi, the 3rd. He has expressed his desire to make a statement. He says:

"It may also be mentioned that the increase in petroleum product prices have been kept separate from the normal Budgetary proposals for the price increases falling on the 1st April. There is no element of excise duty and all increases are purely on account of the increase in the price of oil/crude. These facts may kindly be placed before the Speaker to enable him to decide the admissibility".

The hon. Minister was making a statement on all this, and so I allowed him to make the statement.

SHRI S. M. BANERJEE: After the statement, will you consider our adjournment motion?

MR. SPEAKER: So far as this matter is concerned, leave aside what has happened and what matters of a very much urgent nature have been responsible for this levy, but one thing is clear namely that the Government did not act just on the spur of the moment at midnight. They must already have decided about it much earlier and that had to take effect from the midnight of 1st March. The House was sitting on the 1st and the hon. Minister was here throughout the day; the other hon. Minister was also here throughout the day. My ruling was already there on the records. Further, if it was not possible to make the statement in the morning there was ample opportunity to make it at 6 P.M. in the evening. Every official action including the drafting etc., must have been completed before 6 P.M. in his office also, at least by four O'clock. Why should he act in such a way that he ignores the previous observations of the Speaker or the Chair and the sentiments of the House?

As hon. Members are aware immediately after the end of the last week, the House had already come down to a very calm and cool level and I was thinking of having a very normal time

during this week, but it has already started with such high nervous tension. I really fail to understand this. I do not approve of it.

When Parliament is sitting and important decisions are taken,—leave aside what type of motions they are whether they are adjournment motions or notices of breach of privilege or calling-attention notices—one thing which I cannot ignore is that to take such decisions without informing the House is improper. The House was sitting on that very day, on the evening of that day when this levy was to be imposed; so, I would reiterate that it was not proper, and it should not be repeated in the future.

As far as adjournment motions are concerned, as hon. Members know, I have already given my ruling; the budget will come up for discussion when everything will come up before hon. Members, and they will be able to discuss everything, they will be able to vote down the Demands, they can table cut motions and they can ask for a vote on the cut motion and so on....

SHRI S. M. BANERJEE: By that time, it will be a news but will become a story.

MR. SPEAKER: According to our Rules of Procedure, when the matters are coming up immediately, hon. Members are only anticipating it. Therefore no duplication can be allowed.

PROF. MADHU DANDAVATE: In the budget discussion, there is no element of censure.

MR. SPEAKER: Anyway, that is already laid down. Hon. Members have ample opportunities to discuss this not once but a number of times. As for privilege, it has already been held in such cases that it is the most improper, not a privilege question. I reiterate that it was an impropriety.

श्री अटल बिहारी वाजपेयी : बार बार हमप्रोप्रायटी ?

MR. SPEAKER: I cannot help it.

श्री एस० एम० बनर्जी : अध्यक्ष महोदय, दो मतबा पहले ऐसा हो चुका है । अब तीसरी मतबा प्रिविलेज मोशन ले लेना चाहिए ।

अध्यक्ष महोदय : मैं देखूंगा । मैं ने सारे प्रोसीजरें देखे हैं । उनके मुताबिक प्रिविलेज मोशन नहीं बनता है ।

At the most, we can question its propriety and I have already made my observations on that.

PROF. MADHU DANDAVATE: At least have a convention that if propriety is violated two times, it should be equivalent to a breach of privilege.

MR. SPEAKER: Papers to be laid on the Table.

SHRI S. M. BANERJEE: The Railway Minister should make a statement on the firing near Allahabad on the railway line.

MR. SPEAKER: I will look into it.

12.26 hrs.

#### PAPERS LAID ON THE TABLE

OFFICERS OF PARLIAMENT (RENT FOR RESIDENCE RETAINED BY FAMILY AFTER DEATH) RULES, 1974

THE MINISTER OF PARLIAMENTARY AFFAIRS (SHRI K. RAGHU RAMAIAH): I beg to lay on the Table a copy of the Officers of Parliament (Rent for Residence retained by family after death) Rules, 1974 (Hindi and English versions) published in Notification No. G.S.R. 200 in Gazette of India dated the 25th February, 1974, under sub-section (2) of