

[श्री बि० प्र० मंडल]

हुए, इसमें से 27 आदमी हमारे साथ आये, तो उनकी संख्या 150 रह गई, जब कि हमारा संख्या 158 थी... (व्यवधान)...

MR. SPEAKER : It is too long. Now he must conclude. He will sit down.

SOME HON. MEMBERS *rose*—

MR. SPEAKER : All of you to sit down please. I now request the Home Minister to reply to the debate.

SHRI YOGENDRA SHARMA (Begu-sarai) : On a point of order. How long will Mr. Mandal continue to be a Member of this House and simultaneously a member of the Bihar Assembly.

MR. SPEAKER : I am really surprised. He is not a member of the Assembly.

12.53 HRS.

MOTION RE GOVERNORS OF STATES.—*contd.*

THE MINISTER OF HOME AFFAIRS (SHRI Y. B. CHAVAN) : I am glad that an important debate has taken place in this House since yesterday, and I must say that the speeches on both sides were worth hearing yesterday. I cannot say the same thing of the speech that I heard this morning.

Basically, the question of the role of the Governors and the working of the Constitution is under discussion, and a charge has been made by the mover of this motion that the office of the Governor has been used for party purposes in the last 20 years and also this is being done today, taking the examples of Bihar and Bengal. Also, a very sweeping statement was made that incompetent, inconvenient, defeated persons were appointed as Governors.

I must say that anybody who speaks with a sense of responsibility on the floor of the House should not have the monopoly of competence to declare everybody else incompetent.

They also made mention of persons like Shri Sri Prakash, Shri Pattabhi Sitaramayya, and our *ex-Speaker*, Hukam Singhji. They also mentioned—they want really to protect him—Shri Anantasayanam Ayyangar who is at the present moment the Governor of Bihar.

SHRI ATAL BIHARI VAJPAYEE : "Protect" is not correct.

SHRI Y. B. CHAVAN : I would like to remind them that they are all Congressmen, and they are very competent persons. I can certainly mention a long list of persons....

SHRI HEM BARUA : Are they competent because they are Congressmen ?

SHRI Y. B. CHAVAN : All of you were Congressmen some time.

SHRI SURENDRANATH DWIVEDI (Kendrapara) : We are proud of that heritage. Do not forget that Congress was a national movement, Congress was not a coterie.

SHRI Y. B. CHAVAN : Do not forget, being a Congressman at one time or the other is not a disqualification.

SHRI BAL RAJ MADHOK (South Delhi) : Let there be no family quarrel here.

SHRI Y. B. CHAVAN : There is no objection to able Congressmen, objective Congressmen, competent Congressmen, being appointed as Governors, as I have no objection to appointing people competent, convenient, PSP members, even Communist members if it comes to that.

SHRI ATAL BIHARI VAJPAYEE : Convenient ?

SHRI HEM BARUA : I know he makes a reference to that very often, but he should remember that his valued comrade Mr. Asoka Mehta, when he was a leader of our party, described that as a political piracy. You indulge in political piracy. Don't forget that.

SHRI Y. B. CHAVAN : Even though Shri Asoka Mehta has said that, only because he said that, it does not become a truth for me.

It is much better that we come to the facts instead of making these sweeping statements. My main point was that we are discussing the function of a very important office in the political life of our country, because the Governor's office is very important office in working out the Constitution, and therefore, while we are discussing this, we should be rather moderate

in our statement. This is my only point. If there is a certain point worth criticising the Congress or the Government about, they are free to do that, but certainly I take objection to a sweeping judgement that all were incompetent, inconvenient people, defeated people. I must say that in the last eight or nine months this Government had to appoint, the President had to appoint more than seven or eight Governors. One of them is a defeated person.

SHRI NATH PAI (Rajapur) : That was because of our vigilance.

SHRI Y. B. CHAVAN : Not at all.

SHRI NATH PAI : Of course.

SHRI Y. B. CHAVAN : It was because of our vigilance that we appointed them. There were persons who were defeated, I would like to tell Mr. Nath Pai, because he knows them, persons of the stature of Mr. Pataskar and Mr. Gadgil who were defeated in 1957 in the upsurge of a certain movement at that time. Can he by any stretch of imagination say that they were less popular than Mr. Nath Pai himself? All of us would have sat at their feet and learnt something of politics and political life.

So, it is not merely that a certain person is defeated in a certain election, therefore he is considered to be an unworthy person. This would be absolutely wrong. Therefore, to describe the whole category and galaxy of people who happened to be the Governors of this country as incompetent, defeated, inconvenient persons is a statement to which I certainly take objection. They were very able persons, they have done the greatest service to this country during these 20 years, they have worked the Constitution smoothly, they have certainly laid down foundations on a sound basis as to how to run the office of the Governors.

In amplifying this proposition, they have taken the case of Bihar and they have also taken the case of Bengal. I do not want to go into the very nice and subtle discussions on the Constitution here, because even if I say some thing here, it would be only an opinion on the Constitution. Nobody can here express or give a judgment on the Constitution. An opinion is inherently an opinion, it is liable to be

wrong, it is liable to be changed because it is an opinion.

SHRI HEM BARUA : It is liable to be right also at times.

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SHRI Y. B. CHAVAN : They are expressed because they are believed to be right, it is not merely liable to be right, but at the same time one must know that they are opinions, they are liable to be wrong, and they are liable to be changed also.

Therefore, I do not want to go by merely expressing opinions. What is more important in this matter is the fact that—(Interruption). Are we sitting for half an hour more, Sir?

MR. SPEAKER : Please sit down. I will tell you. I think the Minister has to speak further, and then Mr. Nath Pai has to reply. We have half an hour at our disposal. We can adjourn for lunch now and then the Home Minister will continue after lunch.

13.01 Hrs.

(The Lok Sabha then adjourned for lunch till fourteen of the Clock).

The Lok Sabha re-assembled after Lunch at Fourteen of the Clock.

[MR. DEPUTY-SPEAKER in the Chair]

MOTION RE. GOVERNORS OF STATES—Contd.

SHRI Y. B. CHAVAN : Mr. Deputy Speaker, Sir, I was just referring to the case of Bihar and I thought I should give certain facts in this matter. It is not really a question of constitutional arguments, but, really speaking, a question of facts which is very material in this respect. The hon. Member, Shri Dandekar, explained the constitutional position very correctly and I stand by that, that the convention should be that the Chief Minister should be given a choice in the sense that he should be consulted but, at the same time, as Shri Dandekar has explained, the Chief Minister should not have the right of veto. That is to say, the judgment of the President must not be subjugated to the decision, wish or whim of the State Chief Minister

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to have or not to have a particular Governor. That is the spirit of the Constitution.

If we look at article 155 the constitutional position is very clear, that the President will appoint the Governor of a State and he will continue to hold office during the pleasure of the President. That is, really speaking, the constitutional position. But, during the last twenty years, we have established an extra constitutional convention that the Chief Minister of a State should be consulted.

Here I would like to inform this hon. House that in this matter the Chief Minister of Bihar was consulted more than once. I would like to give the facts as they are. The office of the present Governor was to expire on the 12th of May. So, immediately after the new government was formed—naturally, that was the time when we had to consider the appointment of the new Governor—during the first or second visit to Delhi, the Chief Minister of Bihar, Shri Mahamaya Prasad, met me and the Prime Minister and we broached this subject to him.

SHRI KANWAR LAL GUPTA (Delhi Sadar) : Casually ?

SHRI Y. B. CHAVAN : It was not casual. When the Home Minister or the Prime Minister raises a specific question with the Chief Minister of a State, it is not casual; it is always official; it is consulting informally. During the discussion that I had with him he said "I have no objection for Shri Nityananda Kanungo; we know each other very well; even though he is a Congressman, that does not matter." But, then, he made one point clear. He said that he would like the present Governor to continue for another two or three months. We said "all right, if that is your wish, certainly you can have him for two or three months".

श्री गुणानन्द ठाकुर (सहरसा) : मार्च तक की बात थी न ?

SHRI Y. B. CHAVAN : I have not completed it. अभी जो कुछ हुआ है वह चल रहा है। After that, when two or three months were about to be completed, we again broached this subject with him and he said "after some time" or "when I

come next". I talked with him once or twice over the phone but during these discussions the only point that he raised was "give me more time". He never took objection to Shri Kanungo's name. As a matter of fact, I would like to say that I made it very clear to him that even if the period of the present Governor is to continue, we would like to establish a convention that no Governor should have a second term in the same State and, as far as possible, his period should not be extended and that the maximum period for which it can be extended is about six months. So, when six months were about to be completed, we again reminded the Chief Minister.

SHRI RANGA (Srikakulam) : You suggested only one name. You did not place before him another name.

SHRI Y. B. CHAVAN : I will tell you my difficulty in these matters. As I said, I had to initiate proposals for the approval of the Prime Minister and the President of nearly 8 or 10 appointments of Governors during the last six months. Whenever I initiate a proposal I have to consult the Chief Minister. If the Chief Minister has no objection, then I have to consult the person concerned. Do not suppose that anybody whose name is approved by the Chief Minister will be willing to accept the office of Governor. I have some experience of going through this process. Some people refuse to become Governors. There are some such cases. So, we have to go through this process.

When the Chief Minister of Bihar accepted Shri Kanungo's name, it was only a question of period. Naturally, we had to consult Shri Kanungo also, and Shri Kanungo also agreed to go to Bihar. Once having gone through that process, at a later stage even when a formal order was approved, the announcement was postponed because Shri Mahamaya Prasad, the Chief Minister of Bihar, wanted some more time and even for that we agreed. But when we found that he has no other name to suggest but wanted the present Governor's term to be postponed still further, till March, then we had to tell him "No". I talked to him on the telephone that we are announcing this, as approved by the President. At that time also he did not say anything. But, after the announcement was made and the notification was issued, I received a telegram

saying "We protest; we are against this appointment; the Cabinet is against this appointment".

I can understand informal consultation with the Chief Minister. I am now coming to the real political difficulty, which is somewhere else. At a later stage, even when he was asking for more time, the Chief Minister of Bihar told me "you better speak to half a dozen of my colleagues also about it". Well, in order to be courteous to him, I did accept this offer also, because I wanted to be courteous to the Chief Minister. I find Shri Mahamaya Prasad a gentleman; I have no doubt about it. But, unfortunately, he is in some political difficulty.

SHRI HEM BARUA : Who is not ?

SHRI Y. B. CHAVAN : He is in some political difficulty. Possibly, the Cabinet people did not want him to accept this appointment, I do not know why.

So, the basic and essential condition of the convention that we have established is that condition of consulting the Chief Minister. Constitutionally speaking, it is not necessary to have the consent of the Chief Minister, if it comes to that. I was going to tell you that it is not only in one non-Congress Government State that we have appointed Governor. During the last six or seven months we had to appoint Governors in 7 non-Congress Government States. So, there is no question of any particular attitude on the part of the Government of India. There was no difficulty in any of those cases. In many cases the Chief Minister said "We do not want this man". Then I suggested a second name or a third name till I got "no objection" from the Chief Minister. I had to go through this process of suggesting names after names and no difficulty arose in the case of the other Governments. So, why should Bihar alone get this difficulty ?

So, I would like to assure this House that there is no question of imposing any Governor on any State. But it is the right of the President to appoint the Governor after consulting the Chief Minister. But having consulted the Chief Minister and appointed a person as Governor, there is no question of withdrawing that name. I am told that there would be certain constitutional difficulties about it.

I cannot understand this position of non-co-operation with the Governor. There cannot be non-co-operation between the Government and the head of the State. There are certain constitutional requirements, that in certain matters the Council of Ministers has to keep the Governor informed. If it is not done, I must warn in advance, that it will be a constitutional failure. I do not want to say anything more on that.

SHRI VASUDEVAN NAIR (Peer-made) : You are threatening already. (Interruptions).

SHRI Y. B. CHAVAN : I am not preparing. As a matter of fact, I am asking you not to get into this difficulty. If I am preparing for it, I would not have warned you. If I am preparing for it, I would not have cautioned you. My object in giving this caution in advance is that we do not want any trouble anywhere. I wish all governments well.

SHRI VASUDEVAN NAIR : You may not be here after six months. So, do not threaten like that.

SHRI Y. B. CHAVAN : That you cannot do; the people of India can do that.

SHRI VASUDEVAN NAIR : The people of India are not with you. . . . (Interruption)

SHRI HEM BARUA : Don't forget God also.

SHRI Y. B. CHAVAN : We know the people of India more than you do. We have known them for a longer period than you do. This is about Bihar. I do not want to take more time of the House.

SHRI S. M. BANERJEE (Kanpur) : Bihar is the next target.

SHRI Y. B. CHAVAN : Coming to West Bengal, there again the questions were raised about the constitutional position of the Governor, the constitutional rights of a Governor. I was very extensively quoted by some hon. Members. I stand by whatever I have said on the floor of the House. I have not changed my opinion. But there are other opinions also in this matter. That I must say.

What is the position of the Governor under such circumstances? My hon. friend, Mr. A. K. Sen and also the former

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Chief Minister of U.P., Mrs. Sucheta Kripalani, they made a very able case yesterday for West Bengal. There is no doubt in our mind that a Governor is the constitutional head of the State. There is no doubt about it. We have always taken that position that he has to act on the advice of the Chief Minister because the entire constitutional scheme is based on that. I have no doubt about that. But, at the same time, I must make it clear that, in certain matters, the Constitution has given discretion to the Governor. That is also a fact. These are not questions of interpretation; these are questions of facts. In what matters is the discretion to be used? Under article 163(2) of the Constitution, he has to make a judgement where he can use his discretion. In which cases the discretion can be used is to be inferred by certain circumstances.

SHRI RANDHIR SINGH (Rohtak) : They should exercise it in Haryana.

SHRI Y. B. CHAVAN : When the Chief Minister is first appointed, there is no aid and advice and he has to use his judgement. For appointing his other Ministers, he can take the advice of the Chief Minister. That is the constitutional position. But for appointing the Chief Minister, he has to use his judgment. While using his judgment, he has also to look to the Constitution. I know that. There, the Constitution certainly says that the Council of Ministers has to be collectively responsible to the Legislature. Therefore, naturally, he has to find out a person who can have a suitable majority in the House. That is the guiding principle for him. As he has no aid and advice necessary for appointing the Chief Minister, at the same time, while withdrawing his pleasure from the Chief Minister, he does not require the aid and advice of the Chief Minister. That is the constitutional position, whether it is Bihar, West Bengal, Madras, Maharashtra or any other State.

SHRI D. C. SHARMA (Gurdaspur) : Haryana also.

SHRI Y. B. CHAVAN : Yes. So, that position is very clear. My whole approach is based on this. Definitely, the Governor is bound to accept the aid and advice of the Chief Minister. But the basic ques-

tion that arises is, when the Chief Minister ceases to enjoy the majority or there is a doubt that he does not enjoy the majority, what is to be done. Somebody misquoted me or misquoted the Home Ministry. I do not know whether Mr. Nath Pai read the extract . . .

SHRI NATH PAI : I am never in the habit of misquoting.

SHRI Y. B. CHAVAN : Thank you very much. Somebody read some extracts from some paper, maybe *Statesman*. I can tell very clearly that neither the Law Ministry nor the Home Ministry believes that the Governor has a right to summon the Legislature. We have never said that. There, he cannot use his discretion. But he can, certainly, advise the Chief Minister to do so. He himself cannot directly call the Assembly. I know that. He cannot also prorogue it by himself. Naturally, he has to accept the advice of the Chief Minister. But he can, certainly, in certain conditions, advise the Chief Minister to call the Assembly within a reasonable time if he feels that the Chief Minister has ceased to enjoy the support of the majority in the Legislature. What is wrong there? May I ask those who speak in the name of democracy as to what is wrong there?

I was told by one of the hon. Members that there is a provision of six months. It is quite possible, and now it seems it is quite possible that a man can become a leader of a minority immediately after the session is over. Is it intended in the Constitution or is it our intention that somebody should rule for six months without having the majority of the House?

SHRI S. M. BANERJEE : He has the majority.

SHRI Y. B. CHAVAN : We want that to be proved. Somebody asked : Is it intended that the Governor should be a dictator? No, Sir. The poor Governor, even if he asks one Chief Minister to go away, has to appoint another person as the Chief Minister. The Chief Minister enjoys hundred times, thousand times, more executive power than the Governor. If you allow one person who has no majority in the Legislature to continue as the Chief Minister for six months, you are

making him a dictator, not the Governor a dictator. I am not taking any party line. Yesterday, Mr. Nath Pai made a very good point : let us not think in terms of parties. I entirely endorse his statement. Let us not merely think in terms of the Congress alone. Others also must take the position. Let us consider the national attitude in this matter. Let us be patriots. I agree with him.

It was said, last time, if Mr. Mishra was not resigning, let the Governor be impeached if he does not dismiss the Chief Minister. That was the argument advanced on the floor of the House. Now, I am told, the Governor is becoming a dictator because he is not of the Congress. Ajoy Babu is a patriot; we all respect him. There is no doubt about it. But only a few weeks before these very people who are now chanting his name were abusing him.

Now, I take another point, of six months period. What sort of six months? In this particular case, I am not expressing any view as to what should happen. I have nothing to say about it. It is a matter between the Governor and the Chief Minister there. There is no question of giving direction in this matter. But, certainly, the Governor cannot be a helpless witness to a particular situation. I would like to ask someone to think very seriously that only a few weeks before the Chief Minister came out with a proposal, discussed that with the Governor, gave us also the information without asking, that this is what he wants to do because he thought the law and order situation in the State was in danger and that some of his colleagues were likely to do something which was not in the interest of the nation. These are his statements. Somebody told me that we supplied him certain statements. That is absolutely incorrect. We never supplied him any statements. He was acting on his own information, on his own judgment. As to what happened in between, I am not concerned with that. I am not expressing any opinion on that.

SHRI UMANATH (Pudukkottai) : He was acting on the false reports in your files.

SHRI Y. B. CHAVAN : I know you "may tell me what is not truth. But I am" sure Ajoy Babu will not do that.

SHRI UMANATH : You showed certain files about the danger to the nation which ultimately turned out to be false reports.

SHRI Y. B. CHAVAN : This was the situation then. Then, immediately after a few weeks, a senior Minister of the Cabinet resigns.

SHRI JYOTIRMOY BASU : Under your pressure.

SHRI Y. B. CHAVAN : What a poor judgment!

When again a senior Minister of the Cabinet resigns and reports the same matter, about the support that he has got in the House, to the Governor and informs him seriously, the Governor, if he has any intelligence or a national sense, if he owes any duty to the Constitution for which he has taken the oath—I was told about the oath that he took about the Constitution—, if he has any sense of responsibility, he must take cognizance of that and he must express a doubt about the majority. This is all that the Governor has done. He has not done anything more or less. Where does the Congress policy or the Central Government come in? I would like the hon. members, those who are responsible for leading the non-Congress Governments, to consider this. May I give them a piece of advice? I know that they do not need it from me. (Interruptions) We have the experience of running the Government for the last 20 years. Possibly, it may be of some use to them . . . (Interruptions)

SHRI P. RAMAMURTI : They have been rejected by the people. It is of no use to us.

SHRI Y. B. CHAVAN : People have accepted us. That is why we are here and you are there. People have very much accepted us.

The point that I am making is that the real difficulty is not with the Central Government. What can the Central Government do? The difficulty is that they cannot have their own contradictions, the inherent contradictions. Whenever they find their helplessness to cure their own difficulties, then they want to find a scapegoat and immediately find it on 'Central Government' or 'Congress' or 'Capitalists' or anybody else. It is a question of keep-

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ing their people together. Why don't they do that? It is a question of making their Ministers work in a team-spirit. Why don't they do that? Instead of doing that, instead of keeping their people in a disciplined manner, why should they come and give us lectures on democracy?

Mr. Ramamurti told us this morning rather very eloquently that these are the people and not 'mob'. We know the people.... (Interruptions)

SOME HON. MEMBERS : No, no.

SHRI Y. B. CHAVAN : I do not understand this logic, this mathematics: if you have deficiencies in the number of members in the House, in order to compensate that, if you create a mob on the street, will it be all right? The Constitution requires that you should have majority in the House. In order to compensate that, if you want to have a mob on the street, this is not constitutional, this is not democracy; this is mobocracy. If you want to have a majority in the House, you should have the support of the people. You can have the majority only if you have the support of the people.... (Interruptions)

SHRI S. M. BANERJEE : What did you do in Kerala?

SHRI Y. B. CHAVAN : I can explain that, but I have no time. I can deal with that also.

Therefore, the point is that I am only thinking about the function and the role of the Governor. A Governor has constantly to watch one thing and that is, whether the man who is the chief executive of the State enjoys the majority in the House. As long as he does it, the Governor is only a Constitutional Head; he cannot do anything, but the moment he creates doubts whether he has the majority or not, it is the duty of the Governor to take note of this. This is very democratic. This is very fundamental for democracy; this is very fundamental for the running of Parliamentary democracy at least. This is, really speaking, the position. These people are losing their majority. We also lost the majority, but we did not go on arguing like this. See the way how Mr. Chandra Banu Gupta, when he was told that he had lost the majority, resigned; see the grace with which he left office . . . (Interruptions)

AN HON. MEMBER : What about Rajasthan?

SHRI Y. B. CHAVAN : What happened in Rajasthan? That also, I had explained on the floor of the House. I do not want to take more time, otherwise I am prepared to explain that also again. We are very consistent about it. What happened in Haryana? When the Chief Minister lost the majority, he did not hesitate even for a minute; he went to the Governor and submitted his resignation. These are our values; these are our traditions. The Cabinet members have told him; the members of his Party have told him; the Governor has told him; still he says, "No, we have the majority". This is not democracy; this is a farce of democracy. Having done all these things, now somebody comes and tells us here that the Central Government has done this. Not at all. On the contrary, whenever the question of the rights of the Governor came, we have always told him that he must use his objectivity and discretion in the matter. There cannot be any direction from the Central Government as to how he should use his discretion. He has personally to use the discretion, bringing in his own judgment. It is not merely that I am making the statement here. I would like to read out a portion of what I said in the last Annual Conference of the Governors, what advice I gave to the Governors there. This is what I said :

"In a period of transition, with more that its due share of political difficulties it would be natural to look for guidelines which might provide an answer to the problems as they might arise. While I clearly understand the usefulness of such guidelines, I am also aware that the formulation of such guidelines would not be an easy task. If these guidelines are to be in general platitudinous terms, they would not be of much help to the Governors. If, on the other hand, we try to anticipate developments and seek an answer in such guidelines, it may be difficult to be free from the bias of deliberations on the subject and our own efforts in this behalf . . ."

Then, this is what I said :

"... I would commend to the Governors our Constitution as the best guideline. Most of the Governors are also aware of the discussions and debates which preceded the adoption of our Constitution. The Constitution and the recorded ideas and views of our Constitution-makers would provide a far surer and less controversial basis for the problems that Governors face and will continue to face."

This is the advice that I gave to the Governors.

श्री अटल बिहारी वाजपेयी : उपाध्यक्ष महोदय, गृह मंत्री से कहा जाय कि जिस क्सात्रवेज को वह पढ़ रहे हैं उसे सभा पटल पर रटें ।

श्री मधु लिमये (गुंजर) : हां, यह नियम है । यह रखा जाय ।

SHRI Y. B. CHAVAN : I will do that.—only the portion that I have read.

श्री मधु लिमये : पूरा रखना पड़ेगा ।

श्री यशवन्त राव चव्हाण : हां, वह जो मेरी स्पीच है, वह मैं रख दूंगा ।

श्री अटल बिहारी वाजपेयी : यह स्पीच में से पढ़ रहे हैं ?

SHRI Y. B. CHAVAN : हां, जिस स्पीच में से मैं पढ़ रहा हूं वह स्पीच मैं रखने के लिए तैयार हूं ।

This is very fair. There is nothing wrong. I have some sense of responsibility with which I have given this advice to the Governors.

There is no question of the Central Government or any Central leader interfering in the working of the Governors when they are functioning as Governors. The only guideline that we could recommend was Constitution, and the deliberations that took place on the Constitution were made available. We have never tried to take any partisan or party attitude. Therefore, it is absolutely wrong

to make the allegation that is made in the Motion before this House... (*Interruptions*).

SHRI BHOGENDRA JHA (Jainagar) : Mr. Jairam Das Daulat Ram was a respected Governor of Bihar. When the then Chief Minister Dr. Shrikrishna Singh, a Congressman, did not want him, he left in the middle of the term... (*Interruptions*)

SHRI Y. B. CHAVAN : I do not want to take more time of the House. I would only make one or two points.

Mr. Limaye made a mention to Article 160. I can only tell him that he has misread the Article.

I consulted the Law Ministry also in this matter before I am making this observation here.

SHRI S. M. BANERJEE : Which Law Minister, the present one or the *ex-Law* Minister?

SHRI Y. B. CHAVAN : That Law Minister is wiser than my hon. friend in this matter.

Article 160 does not contemplate the making of any provisions where the other articles of the Constitution could very well be attracted. It is only in those matters where the Constitution has not made provisions that the President's order can be issued and he can issue it under article 160. So, there is no question of having any guidelines prepared in this matter.

I think I have tried to meet the major points. I do not want to touch each and every argument that has been made here because most of the points related to other issues. I must say again that I am not expressing any views about what is likely to happen and what should be done in Bengal. This is a matter certainly between the Governor and the Chief Minister. The Governor, according to the press reports that I have read, has asked the Chief Minister to hold a session within a reasonable time. They are holding discussions. Shri A. B. Vajpayee told me here that he also believed that the session should be called quickly. I would request him and his other friends who hold opinions like him that instead of telling us something here they may better give their advice and find a political solution to this

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problem. Certainly we would like them to do it. Nobody wants any precipitate action to be taken in this matter.

श्री मधु लिमये : एक प्रश्न का उत्तर दीजिये । राजनीतिक हल निकालना एक दूसरी बात है । हम लोग आपसे यह जानना चाहते हैं कि क्या गवर्नर, यदि असम्बली पहले नहीं बुलाई जाय तो मंत्री मंडल को बरखास्त कर सकता है । असल में यह सत्य है ?

SHRI Y. B. CHAVAN : I am not going to answer the hon. Member's question because it concerns the Governor. But I may tell him that he was not perhaps present here when I expressed a view generally about the Constitution and said that the Governor had discretion.

श्री मधु लिमये : यह तो उनको आड़ में छिप कर ऐसी कार्यवाही करना चाहते हैं ।

SHRI S. M. BANERJEE : The Governor is the Shikhandi; the Home Minister is the real man.

श्री मधु लिमये : अब तक कहते थे कि वह कांस्टीबूलन हैड है...

SHRI Y. B. CHAVAN : वह भी कहा है, आप यहां नहीं थे । Now, I would only refer to the two amendments that have been moved. I have already said whatever I have had to say about the motion. As regards the amendments, I would say that I cannot understand the amendment coming from an astute legal pundit like Shri N. C. Chatterjee saying that this House should give a direction to the Governor. There is no authority under the Constitution which can give a direction to the Governor. It is an *ab initio* unconstitutional, unwise, and impracticable suggestion that is contained in the amendment. Therefore, I oppose it.

As regards the other amendment of Shri N. Dandekar or of Shri M. R. Masani but which was really sponsored by Shri N. Dandekar, I really do not understand what difference it would make if

these examples are deleted, because really speaking, the purpose of the motion is to point towards Bengal and Bihar. If those examples are not there, then what is their idea of merely supporting the motion? But I know; possibly they have to keep the alliance with the Opposition.

SHRI M. R. MASANI (Rajkot) : Rajasthan.

SHRI Y. B. CHAVAN : The case of Rajasthan was discussed and considered here already.

SHRI M. R. MASANI : We are not satisfied.

SHRI Y. B. CHAVAN : I cannot help it. But I do not want to get involved into those longer arguments about it. I would request the House to reject the motion together with both the amendments.

MR. DEPUTY-SPEAKER : Now, Shri Nath Pai. He should confine himself to just ten minutes.

SHRI NATH PAI : Why? This has never happened before.

MR. DEPUTY-SPEAKER : We have to take up the non-official business after this. So, let him be as brief as possible.

श्री मधु लिमये : उपाध्यक्ष महोदय, यह इतना महत्वपूर्ण है कि उसको बाद में लीजिये । नान-ऑफिशियल बिजनेस में मेरा ही विषय है, मैं तैयार हूं कि उसको बाद में लिया जाये ।

SHRI NATH PAI : If I am not interrupted in regard to the time limit, I shall try still to convert Shri Y. B. Chavan and his cohorts, possibly, sitting behind him to the path of reason. I shall now try to reply to a few cogent points. As I did yesterday, I shall divide the subject-matter into two different categories. The first is the constitutional issue. I wanted to limit myself absolutely to the constitutional issue. But others have introduced political considerations. Some innuendos have been dropped and some insinuations have been made. I am, therefore, compelled to deal with them, but still as was my primary concern, I shall not be provoked to dealing with the political aspect but I shall confine myself to the constitutional aspect first.

I must say that the motion has served to focussing the Parliament's and the nation's attention on a very vital aspect which though dealt with copiously in the Constitution leaves many aspects very ambiguous and very often confusing and sometimes conflicting, and this debate, partially at least,—though Government will take some time to reach the proper conclusions—will help to enlighten the public with regard to the issues at stake. I, therefore, very much appreciate the contribution of all Members. All of them spoke with great conviction though I wish that in some cases the conviction was reinforced with a little more study.

I shall now try to deal with a few points. Shri Y. B. Chavan has very astutely avoided treading on ground with which he is not familiar. Very shrewdly he has avoided the constitutional issue that I have raised by making a point with which no one can disagree; even I cannot, when he says that an opinion is an opinion. Saying that, he does not try to substantiate the opinion. For that only one line, he tries to take shelter behind a new-formed alliance with the Swatantra leader Shri N. Dandekar. The constitutional authority that I would have looked forward to would have been Mr. Jennings or Mr. Seervai or any other authority at home or abroad, but the constitutional authority which the Home Minister of India finds to substantiate his argument is Shri N. Dandekar.

SHRI VASUDEVAN NAIR : That is very significant.

SHRI NATH PAI : Had it not been for the few wranglings among the Opposition parties, I think we would have presented the case well for the constitutional proprieties. I do not want to criticise anyone, I accept the right of everybody to disagree even if they happen to be sitting on this side of the House. I respect their sincerity about it.

Coming to the constitutional issue, I was a little surprised at what the *ex-Law Minister* had said. I find that he is not here and he has disappeared.

SHRI VASUDEVAN NAIR : He has a case in the Supreme Court!

SHRI NATH PAI : Like a good lawyer, I wish he had taken it more seriously

when we were discussing Bengal, but like an advocate, and a very good advocate, which he is, and an outstanding one at that, he has said in his speech yesterday that English authorities are out of place. Let me cite in the first place the Indian authority, namely the Constituent Assembly. I do submit that the Governor and the President are no more than constitutional heads in this country. (*Interruption*)

I may tell Shri Tulsidas Jadhav that Shri Y. B. Chavan is absolutely convinced of his loyalty and so, he does not have to protest every time.

This issue had come up also in the Constituent Assembly of India which had given us this Constitution. There, one single question had been asked by Shri H. V. Kamath on this issue.

AN HON. MEMBER : Oh!

SHRI NATH PAI : Who said 'Oh!'? He loved that Constitution and he helped in framing that Constitution, and there are not many who can rival him in his love and dedication in upholding that Constitution. In the Constituent Assembly, Shri Kamath had asked this question.

"If in any particular case, the President does not act upon the advice of his Ministers, will that be tantamount to a violation of the Constitution and will he be liable to impeachment?"

Dr. Ambedkar gave the reply :

"There is not the slightest doubt about it." The case of the President, except for a minor difference, is *mutatis mutandis* with that of the Governor. The reply is very clear. According to the Constituent Assembly, what was intended is clear. The issue is not hypothetical. It was actually framed and the man who piloted the Constitution gave the reply. This comes at the end of a long discussion.

But then there is a modern thing that has happened. Dr. Prasad had been raising this issue ever since the office of President was first adumbrated. I would like Ministers, if they will now take a little relief from reading their own speeches, to read a very interesting book by Mr. Granville Austin wherein he has given a detailed account of what was happening

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in the Constituent Assembly of India. Dr. Prasad had been concerned with the powers of the President and he had been trying to get a reply to that. And how did he do it? And when did he do it? Dr. Rajendra Prasad was our first President. I refer to the controversy which all do not know, but some members of the Fourth Lok Sabha are familiar with, because we were members of the House then. I will just ask them to brush their memory a little, and those new comers like the Prime Minister to listen a little more attentively. (*Interruptions*) She was not there in 1960, therefore, I said that.

In his speech to the Indian Law Institute given in November, 1960, Dr. Rajendra Prasad asked to what extent Indians were entitled to invoke and incorporate into our own written Constitution by interpretation the conventions of the British Constitution which is an unwritten Constitution. Resurrecting his oft-used argument, he noted that there was no provision in the Constitution which in so many words laid down that the President shall be bound to act in accordance with the advice of his Ministers.

You, Mr. Deputy-Speaker, perhaps will recall how the corridors of Parliament were reverberating with angry protests generated from the Treasury Benches that Dr. Rajendra Prasad, in suggesting that the President was not bound by the advice of the Council of Ministers, was committing treason, and possibly he should be impeached. These were the innuendoes, the insinuations against a great patriot, the President, the first President of India,—for what? For raising a constitutional issue at the academic level.

And what was the reply then. Pandit Jawaharlal Nehru sought the first opportunity to give a reply. "There is no doubt in my mind", he thundered, as was his habit . . . (*Interruptions*)

I know you are allergic to Jawaharlal Nehru, but I am talking of a constitutional point now. It is not Nath Pai I am quoting.

SHRI M. R. MASANI : Every member has a right to his own opinions.

SHRI NATH PAI : You are changing your position now. As between Mr. Rajendra Prasad and Jawaharlal Nehru,

he will always prefer Prasad, but I am not concerned with their politics, with his preference for the economies of the one or the other. My concern, I am sorry if I have failed to convince him, is purely constitutional in this debate.

To support the point of view that the President has the same constitutional status as the King, the President pointed out that the President was both elected and liable to impeachment. This point of view was summarily rejected by the predecessor of the present Government, by the distinguished father of the present Prime Minister. The view was taken and the law was laid down that Governors and Presidents must abide in all matters by the advice given by the Council of Ministers except in matters of discretion. (*Interruptions*).

I know my points, I am not taking shelter saying that an opinion is an opinion, and I will try to give my opinion with such forces as I can bring for Shri Chavan.

Shri Dandekar said yesterday, it was an important point he was making, that the discretion of the Governor, if I quote him correctly, was unlimited. Mr. Sen had said that in the first place the British authorities are not analogous.

SHRI Y. B. CHAVAN : Do not quote me incorrectly. I never said "unlimited power".

SHRI NATH PAI : Mr. Deputy-Speaker, you heard me correctly I think.

SHRI Y. B. CHAVAN : I might have misheard you.

SHRI NATH PAI : You misheard me very much, completely. I said that Mr. Dandekar, in a very important argument, stated that the discretion of the Governor was unlimited. I can meet you on the issue you have raised, why imagine other things, and I am going to tackle it.

SHRI N. DANDEKER (Jamnagar) : May I quote.

"If any question arises whether any matter is or is not matter as respects which the Governor is by or under this Constitution required to act in his discretion, the decision of the Governor in his discretion shall be final. And the validity of anything done by the Governor

"shall not be called in question in the ground that he ought or ought not to have acted in that manner."

SHRI NATH PAI : I thank you making my task easier. I would like him to ponder over the meaning of it, and I will quote the Supreme Court on this just now.

The position is very clear. In matters which are reserved for the discretion of the Governor, his decision is final, but the matters on which the discretion is to be exercised are strictly defined and limited. Let Mr. Dandekar see the subtle distinction. In matters reserved for the Governor's discretion, his discretion is final, but the matters reserved for his discretion are not unlimited, as Mr. Dandekar tried to say yesterday, as somebody else also has been trying to say.

Here, therefore, may I quote Mr. Basu's constitutional commentary. He says :

"But the only instances of discretion are the powers of the Governor of Assam under paras 9 and 18 of the Sixth Schedule and the functions of a Governor appointed to be Administrator. There is no other matter in respect of which a Governor may, under the Constitution, act in his discretion."

This is not an old book, this is a modern book. (*Interruptions*)

I wanted to listen because I was hoping, it was hoping against hope, for an intelligent question to which I could make a reply, but there is the usual mumbling. (*Interruptions*) अस्फाज क्या है जरा सुनो कान देकर ।

SHRI RANDHIR SINGH : Don't misquote.

SHRI NATH PAI : What is the misquoting.

SHRI RANDHIR SINGH : It is not on all fours.

SHRI NATH PAI : I sympathise with him, because now it is beginning to hurt.

Mr. Seervai, in his book—he has never heard of Mr. Seervai—says :

"The provisions of the Constitution which expressly require the Governor to exercise his powers in discretion are strictly defined."

This is the latest book.

SHRI N. K. SOMANI (Nagaur) : Where ?

SHRI NATH PAI : At page 775. Would you like to borrow my copy ? Please hand it over to him, I have done with this book, but for a little point.

Now for Mr. Sen. Mr. Sen referred to the British system. The Supreme Court has said something on it. When I am in difficulty, I would rather go to the Chief Justice of India, though I may disagree on points which are vital, than quoting others. The case which I have quoted is not decided by a politician. The cases quoted by Mr. Seervai and by Mr. Basu are decided in a court, but my case is I repeat, that of Saibrahm vs. the State of Bengal. What the Supreme Court has said has bearing on the powers of the Governor, the President and the Monarch of England.

The Supreme Court held that our Constitution had adopted the English system of parliamentary executive. Mr. Sen was denying it. He has been so busy with company law cases that he has completely forgotten the Constitution of India.

Finally, I would like to tell him that article 194(4) states very clearly that the powers and privileges of this House shall be the same as the powers and privileges of the House of Commons. That the ex-Law Minister so quickly forgets the basic law that governs the powers of Parliament and the different Assemblies is extraordinary indeed.

Having replied to that and the main issue, what remains ? In the first place, I say the Governor is a constitutional head although Mr. Chavan says to the contrary with great conviction perhaps, but it is not a fact as laid down by the Constitution, by the Constituent Assembly, because the intention was clear and has been interpreted by the Supreme Court. The question comes, having accepted that, about the right to give advice. May I ask him one thing ? He is again and again trying to avoid this issue. I never like digging up

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issues which were once discussed in the House fairly adequately. But what happened in Rajasthan? A majority of the MLAs came before the President of India, they appeared before the Governor of the State. Was this enough to call the leader of that party to form a new Government? Did Mr. Chavan's Government accept it? What did they do? They held the position at that time that the strength of anybody claiming majority must not be proved by parading them, but on the floor of the Assembly. I am coming to it. Exactly so; that is my point. Now, what is happening in Bengal? I will take the political aspect, because I have heard cheap taunting. I will deal with that: what Bengal means to me. I will take it a little later. I do not lose it so easily. You will hear it. (*Interruption*). The fate of the Government is not to be decided by parading MLAs before a Governor. Is that so, Sir? Why does the Bengal Governor say that a doubt has been created in his mind? (*Interruption*).

DR. SUSHILA NAYAR (Jhansi): He wants the Assembly.

SHRI NATH PAI: Please listen. The main point here is that if MLAs parade before the President or the Governor, that is not ground enough for the Governor to act. Precisely what has happened today is this: granting that there have been some defections no doubt. Was he therefore immediately entitled to say that the majority has lost? Then the simple question remains, that the Assembly must meet. Now, did even Mr. Lobo listen to me yesterday? I had said yesterday that I did not like a Chief Minister who will avoid facing the Assembly. (*Interruption*). But I said it yesterday; they are cheering now!

SHRI SHEO NARAIN (Basti): May I put a question? He was referring to the parading of MLAs here. What about the parading of MLAs of Madhya Pradesh? What happened in Madhya Pradesh?

AN HON. MEMBER: In West Bengal. (*Interruption*)

SHRI NATH PAI: On this issue, what a commendable subtlety Mr. Chavan shows in manoeuvring these things? He quickly sought shelter behind what Mr. Dandekar said. Mr. Dandekar, he did not know, was standing on extremely shaky grounds. Mr.

Dandekar is perhaps aware—or, has he forgotten—that it is only in the government of his party, led by his party colleague in his State called Utkal or Orissa, that the Chief Minister of that State, on the 9th of this month, has stated that a Governor has no right to interfere in this manner with the advice given by the Minister. (*Interruption*). If that is so, this is the experience of a colleague of yours—the Chief Minister.

SHRI N. DANDEKER: He did not say so.

SHRI NATH PAI: I know what he has said. It is very inconvenient for you. The question boils down to this: I am talking about the political side of the appointment. I hold very clearly—everyone has held it, if you recall what Mr. Vajpayee has said, what Mr. Madhu Limaye has said and what some others have said—that the fate of any government, whether at the Centre or in a State, must be decided not either in the Rashtrapati Bhavan or the Rajyapal Bhavan but on the floor of the House. We stand by it. When they want to call the Assembly must be left to the Chief Minister. (*Interruption*).

DR. SUSHILA NAYAR: Six months later.

SHRI NATH PAI: I always like her. (*Interruption*). I am particularly grateful to her. (*Interruption*).

AN HON. MEMBER: Oh: (*Interruption*).

SHRI NATH PAI: The reasoning is very different: not with you. (*Interruption*). Now Sir, as an old fighter for freedom,—I want to tell her—she reminded me about six months and that there is a clause in the Constitution. Does she know one article in the Constitution of India—I want somebody else to hear through that—which is *mutatis mutandis*—exactly on a par—about six months? It says that the Assembly must meet within six months. If it does not meet, you say the Constitution is broken. What is the spirit of this? (*Interruption*). It is exactly for Mr. Chavan to tell us. That is only inconvenient annoying for you and therefore you are annoyed with it. The constitutional provision says that a Minister, who for a period of six months, for a

consecutive period of six months, is not a member of the legislature of that State shall at the expiration of that period cease to be a Minister. I know they never bother to read the Constituent Assembly proceedings. (*Interruption*). It is very clearly stated here. Now, what happened? The Prime Minister,—with all respect and affectionate regard for her—who came to this House without being elected, had a right under the Constitution for six months to stay here as a Minister. There is another colleague of hers—Mr. Chavan—who was a Minister without being a Member of either House. Under the Constitution of India, they were entitled to stay. Like that, *mutatis mutandis*, the Chief Minister is not required to call an Assembly for a period of six months. (*Interruption*). You can file a writ petition for that too!

I did not have the honour and the privilege of being a member of the Constituent Assembly. The Constitution was made by others and I am only quoting the Constitution as it is handed down to us. Perhaps it would have been a better document if some of us had been there. But that is totally a different matter, as the late Dr. Lohia said in the House.

Now, I will take Mr. Chavan's point about the appointment. Mr. Chavan accused me of indulging in generalities. Mr. Chavan began by taunting us, "You were once in the Congress." Yes, Sir; we were. We were very proud that we belonged to the Congress once. But which was the Congress we belonged to? It was the Congress of Mahatma Gandhi; it was the Congress of Netaji Bose; it was the Congress which stood for the freedom of the people of India, and we were in the vanguard of that Congress. Now, the Congress we oppose is not the Congress of Netaji Bose or Mahatma Gandhi or Jawaharlal Nehru; it is the Congress which stands behind whom? It is the Congress which stands by Aminchand Pyarelal; it is the Congress which stands by Mundhra and Dharma Teja. This is the Congress that we oppose and which is failing.

AN HON. MEMBER: It ill becomes you.

SHRI NATH PAI: That Congress to which we belonged died when we left the Congress. It is only the ghost now. Mr.

Chavan and his colleagues there know that we belonged to the Congress. Mr. Chavan does know we were colleagues and fought. He was with us—though I cannot say of many—and we did fight together. He will recall his Satara days with pride; we were together. The only difference is that we did not trade on the fact that we belonged to the Congress and so should ask for *Baksheesh* and reward. We kept it for posterity,—the reward,—and not for ministerialship here as a reward. (*Interruption*).

Mr. Chavan perhaps mentioned the case of Mr. Gadgil. It is a case which sustains only my point; not Mr. Chavan's. Mr. Gadgil was elected to Parliament in 1952, and what happened? I would like Mr. Chavan to read Mr. Gadgil's famous, moving statement in this regard. He said: "I have been elected to represent the people of my State and the country in Parliament and this shall not be bartered away for the post of a Governor." When he was elected to Parliament, he was found inconvenient as a ministerial colleague, and therefore he was sought to be dumped on a State, and that man had the self-respect to decline it. I am only quoting his statement; and you are only shaking your head against it. (*Interruption*).

SHRI Y. B. CHAVAN: He became Governor.

SHRI NATH PAI: I am coming; I have not finished. You will recall that the facts that I am narrating uphold something in our lives. It was only then—this is the second point—that when he was an unwanted politician here as a Member, he was sought to be packed to another State. But when he was defeated in 1957, he was sought to be made a Governor and unfortunately in 1957 he accepted it. Both the points I made are proved to the hilt: unwanted politicians are packed away and defeated politicians are made Governors. This proves Mr. Chavan's ways and his *bete noire*.

We were talking about West Bengal. It was said yesterday; we heard Mr. Dandekar say that he is interested in Bengal. He has business interests in Bengal, I am quoting him, Mr. Deputy Speaker. I am interested in Bengal. But I have no shares and no profits and no dividends to earn. My interest in Bengal is far deeper. Bengal

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strikes an emotional chord in the innermost recesses of any Indian. To me, Bengal is the vision of the India which Vivekananda visualised, which Bankim Chandra Chatterji dreamt and for which Netaji lived and fought. That is the Bengal I am interested in. I am identified with the liberty, the freedom, the struggle, the aspirations and prosperity of the people of Bengal. I am deeply interested in it. I did go to Bengal. We do not mince words. In this issue my colleague Shri Surendranath Banerjee said (*Interruptions*)—Mr. Surendranath Dwivedy. He is of the same mettle; therefore I said it. He is a dauntless patriot like the others.

15 Hrs.

Now, Mr. Deputy-Speaker, this is what Shri Dandekar said here in the presence of our hon. Members of the communist party. He said: You went a little too late when things began to happen in Bengal with which we disagreed. We were not taking shelter. We were not mincing words. We were saying the crystal truth. It was a P.S.P. Member Mr. Kundu who, after consulting the executive, was the first man in the Bengal Cabinet to issue statement disagreeing completely with some of his cabinet colleagues regarding the ethics of gheraos. He said 'I oppose gheraos'. Whom were you lecturing about this? Then came the question of Naxalbari. My colleague went there. He did not condemn Naxalbari from the convenient M.P.s. quarter. He went to Naxalbari. He called the meeting. And he said, 'it is dangerous to resort to arms. We have disputes; let us settle them within the framework of our constitution, with the liberty given to us.' That is what was said at a public meeting in the Naxalbari area and then in the Parliament he said: "An orgy of violence and terrorism is going on in parts of Bengal." The country has a right to think seriously as to what is going to be the future pattern of the political functioning in this country. We did not mince words, we raised the debate. We were the first to go there. We were the first to say that political differences must be settled not by hiding behind the governor but with the sanction of the people. And I am ready to fight Mr. Ramamurthi and others but not with the aid of the police. I want to fight those who are against me

with the only sanction a democrat knows, the sanction of the consent of the people of India. That is the only sanction I know. If I do not want a government, I will topple that with the consent of the people, not through taking shelter under some obscure section of the Constitution of India.

श्री सु० अ० खा० (कासगंज) : जो कांस्टीट्यूशन की रैस्पेक्ट नहीं करता है, उसको कांस्टीट्यूशन की बात करने का कोई राइट नहीं है ।

SHRI NATH PAI : If he ever speaks, I will listen. He only interrupts me. If he wishes to speak I will never interrupt him.

We were told about that curious amalgam of heterogenous elements. Shall I tell them. Sir, that we accept that we are different entities? We do disagree. We have different perspectives. And we have some basic differences and we do not hide them. But we are like clean, neat bundle of packages. What are they? They are like those old holdalls which you see at a provincial station. And what does it contain? It contains a broken umbrella. It contains a torn chappel. It contains an unwashed chaddar. And that makes the holdall. That is what is represented here. From those who claim to be progressive socialists to those whom they condemn as reactionaries, every shade of political opinion is crowded there from Mr. S. K. Patil to the jabalpur type of socialism symbolised by the Prime Minister. Every shade is there in that *kichadi*. If there is any political *kichadi* in India, it is to be found there.

Before I conclude, Mr. Speaker, I wish to say something. Mr. Chavan has uttered ominous words. Mr. Chavan said: 'How can there be a constitutional crisis in Bihar? Is Bihar to go without a Governor? We do not know States being topless. This will be a new situation introduced by Mr. Chavan. There are individuals who are topless, but topless States are unknown. He uttered some ominous words, that there will be constitutional failure in Bihar,' and then he stopped there, and said 'I don't say anything further'. Others might not have read some of us heard. Yesterday precisely I had to charge him with this—I have not yet reached the stage of saying 'accusing' and I hope I will never come to that stage—but charge I must and I will, and I charge

ed him of artificially fostering a crisis, imposing a man and he was rejected, and today he corroborated my contention that there will be constitutional failure. What is this failure? A governor is to be imposed, a crisis is to be created; and because you don't accept to what was in Mr. Chavan's words, "The whim of the Chief Minister must not prevail". Quite true. It is the wish of the Chief Minister representing the majority of the State is to be dcried, run down and denounced as whim. What is your wish is to be resurrected to the status of a constitutional sanction. It is an extraordinary sense of double standards that I find here. I therefore plead with Mr. Chavan and those who are opposing. I am not speaking as a party man that you accuse me. I am proud of my party. I don't deny that. Yesterday somebody said that they are so bad that one Minister calls the press and says something against the other. That is very true in Bengal. But this was the fashion started by New Delhi. Other States are only imitating it. We know what happens in the Central Hall after the meeting of the Congress parliamentary party executive committee. Who briefs whom?

Mr. Deputy-Speaker, Sir, I am taking my stand on the Constitution of India. It is the constitution, according to me, which is in jeopardy. It was the action of the Haryana Chief Minister or somebody else. It does not worry me. I am not concerned with the fate of Mr. Ajoy Mukherjee or Mr. Mahamaya Prasad Sinha. I am concerned with the preservation of the liberty of our people. Let the Chief Minister not avoid facing the Assembly; but let not the Government of India impose governor unwanted by the people. In between lies some hope for the future of this country.

I therefore reject the amendments, and now that they have been convinced by me, I hope they will be generous enough to support my Resolution. Let it be the first unanimous Resolution concerning the Constitution of India. Thank you.

MR. DEPUTY SPEAKER: I will now put the amendment of Shri M. R. Masani to the vote of the House. The question is: "That in the motion,—

omit "as exemplified by current developments in Bihar and West Bengal"

The Lok Sabha divided:

AYES

Division No. 2]

[15.15 Hrs.

Amat, Shri D.
Amin, Shri R. K.
Dandekar, Shri N.
Deo, Shri K. P. Singh.
Doo, Shri P. K.
Desai, Shri C. C.
Gajraj Singh Rao, Shri
Gowd, Shri Gadilingana
Gowder, Shri Nanja
Jena, Shri D. D.
Khan, Shri H. Ajmal
Koushik, Shri K. M.
Krahwah, Shri Y. S.
Lobo Prabhu, Shri

Majhi, Shri M.
Masani, Shri M. R.
Meena, Shri Meetha Lal
Muthusami, Shri C.
Naik, Shri R. V.
Parmar, Shri D. R.
Patel, Shri Pashabbhai
Patodia, Shri D. N.
Ramji Ram, Shri
Ranga, Shri
Rao, Shri V. Narasimha
Shivappa, Shri N.
Somani, Shri N. K.

NOES

Abraham, Shri K. M.
Achal Singh, Shri
Ahiwar, Shri Nathu Ram
Aga, Shri Ahmad
Ahmed, Shri F. A.
Anirudhan, Shri K.
Anjanappa, Shri B.
Ankineedu, Shri
Asghar Husain, Shri
Azad, Shri Bhagwat Jha
Babunath Singh, Shri

Badrudduja, Shri
Bajpai, Shri Shashibhushan
Banerjee, Shri S. M.
Barua, Shri Bedabrata
Barua, Shri Hem
Barua, Shri R.
Basu, Shri Jyotirmoy
Basu, Dr. Maitreyee
Baswant, Shri
Behera, Shri Baidhar
Besra, Shri S. C.

- Bhagat, Shri B. R.
 Bhagavati, Shri
 Bhakti Darshan, Shri
 Bhanu Prakash Singh, Shri
 Bhargava, Shri B. N.
 Bharti, Shri Maharaj Singh
 Bhattacharyya, Shri C. K.
 Birua, Shri Kolai
 Bist, Shri J. B. S.
 Bohra, Shri Onkarlal
 Brahma, Shri Rupnath
 Chakrapani, Shri C. K.
 Chanda, Shri Anil K.
 Chanda, Shrimati Jyotsna
 Chandra Shekhar Singh, Shri
 Chatterji, Shri Krishna Kumar
 Chaturvedi, Shri R. L.
 Choudhary, Shri Nitiraj Singh
 Chawan, Shri D. R.
 Chawan, Shri Y. B.
 Choudhary, Shri Valmiki
 Choudhury, Shri J. K.
 Dabir Singh, Shri
 Damanl, Shri S. R.
 Dange, Shri S. A.
 Das, Shri N. T.
 Dasappa, Shri Tulsidas
 Daschowdhury, Shri B. K.
 Dass, Shri C.
 Deoghare, Shri N. R.
 Desai, Shri Morarji
 Deshmukh, Shri B. D.
 Deshmukh, Shri Shivajirao S.
 Dhillon, Shri G. S.
 Dhuleshwar Meena, Shri
 Digvijai Nath, Shri Mehant
 Dinesh Singh, Shri
 Dixit, Shri G. C.
 Dwivedi, Shri Nageshwar
 Dwivedy, Shri Surendranath
 Ering, Shri D.
 Fernandes, Shri George
 Gandhi, Shrimati Indira
 Ganesh, Shri K. R.
 Gautam, Shri C. D.
 Gavit, Shri Tukaram
 Ghosh, Shri Ganesh
 Ghosh, Shri P. K.
 Ghosh, Shri Parimal
 Gopalan, Shri P.
 Govind Das, Dr.
 Guha, Shri Samar
 Gupta, Shri Indrajit
 Gupta, Shri Lakhan Lal
 Halder, Shri K.
 Hari Krishna, Shri
 Hazarika, Shri J. N.
 Heerji Bhai, Shri
 Hem Raj, Shri
 Himatsingka, Shri
 Iqbal Singh, Shri
 Jadhav, Shri Tulshidas
 Jagjiwan Ram, Shri
 Jha, Shri Bhogendra
 Jha, Shri Shiva Chandra
 Kahandole, Shri Z. M.
 Kalita, Shri Dhireswar
 Kamble, Shri
 Kameshwar Singh, Shri
 Kamala Kumari, Shrimati
 Kapoor, Shri Lakhan Lal
 Karni Singh, Dr.
 Kasture, Shri A. S.
 Katham, Shri B. N.
 Kavade, Shri B. R.
 Kedaria, Shri C. M.
 Kesri, Shri Sitaram
 Khan, Shri Ghayoor Ali
 Khan, Shri Latafat Ali
 Khan, Shri M. A.
 Kisku, Shri A. K.
 Kotoki, Shri Liladhar
 Kripalani, Shrimati Sucheta
 Krishnan, Shri G. Y.
 Kundu, Shri S.
 Kureel, Shri B. N.
 Kushok Bakula, Shri
 Lakshmikanthamma, Shrimati
 Lalit Sen, Shri
 Laxmi Bai, Shrimati
 Limaye, Shri Madhu
 Lutfal Haque, Shri
 Mahadeva Prasad, Dr.
 Mahajan, Shri Vikram Chand
 Mahida, Shri Narendra Singh
 Malimariyappa, Shri
 Mandal, Shri Yamuna Prasad
 Manikya Bahadur, Shri
 Marandi, Shri
 Masuriya Din, Shri
 Meena, Shri Meetha Lal
 Meghachandra, Shri M.
 Mehta, Shri Asoka
 Mehta, Shri P. M.
 Menon, Shri Govinda
 Menon, Shri Vishwanatha
 Mirza, Shri Bakar Ali
 Mishra, Shri Bibhuti
 Mishra, Shri G. S.
 Misra, Shri Srinibas
 Modak, Shri B. K.
 Mohammad Yusuf, Shri
 Mohan Swarup, Shri
 Mohinder Kaur, Shrimati
 Molahu Prasad, Shri
 Mondal, Shri J. K.

Mrityunjay Prasad, Shri
 Muhammed Sheriff, Shri
 Mukerjee, Shrimati Sharda
 Murthy, Shri B. S.
 Murti, Shri M. S.
 Nahata, Shri Amrit
 Nair, Shri Vasudevan
 Nambiar, Shri
 Nanda, Shri
 Nath Pai, Shri
 Nayanar, Shri E. K.
 Nayar, Dr. Sushila
 Nihal Singh, Shri
 Oraon, Shri Kartik
 Pabadia, Shri Jagannath
 Pandey, Shri K. N.
 Pandey, Shri Sarjoo
 Panigrahi, Shri Chintamani
 Pant, Shri K. C.
 Parmar, Shri Bhaljibhai
 Partap Singh, Shri
 Parthasarathy, Shri
 Paswan, Shri Kedar
 Patil, Shri Anantrao
 Patil, Shri C. A.
 Patil, Shri Deorao
 Patil, Shri N. R.
 Patil, Shri S. D.
 Patil, Shri T. A.
 Poonacha, Shri C. M.
 Pramanik, Shri J. N.
 Prasad, Shri Y. A.
 Qureshi, Shri Shaffi
 Radhabai, Shrimati B.
 Raghu Ramaiah, Shri
 Raj Deo Singh, Shri
 Rajani Gandha, Kumari
 Raju, Dr. D. S.
 Ram Charan, Shri
 Ram Dhani Das, Shri
 Ram Sewak, Shri
 Ram Subhag Singh, Dr.
 Ram Swarup, Shri
 Ramamurti, Shri P.
 Ramani, Shri K.
 Ramshekhar Prasad Singh, Shri
 Rana, Shri M. B.
 Randhir Singh, Shri
 Rane, Shri
 Rao, Shri Jaganath
 Rao, Dr. K. L.
 Rao, Shri K. Narayana
 Rao, Shri Muthyal
 Rao, Shri J. Ramapathi
 Rao, Shri Thirumala
 Rao, Dr. V. K. R. V.
 Raut, Shri Bhola

Ray, Shri Rabi
 Reddi, Shri G. S.
 Reddy, Shri Eswara
 Reddy, Shri P. Antony
 Reddy, Shri R. D.
 Roy, Shri Bishwanath
 Roy, Shri Chittaranjan
 Roy, Shrimati Uma
 Sadhu Ram, Shri
 Saha, Dr. S. K.
 Saigal, Shri A. S.
 Saleem, Shri M. Y.
 Salve, Shri N. K. P.
 Samanta, Shri S. C.
 Sanji Rupji, Shri
 Sankata Prasad, Dr.
 Sapre, Shrimati Tara
 Sarma, Shri A. T.
 Satya Narain Singh, Shri
 Sayeed, Shri P. M.
 Sen, Shri Deven
 Sen, Shri Dwaipayana
 Sen, Shri P. G.
 Sen, Dr. Ranen
 Sequeira, Shri
 Sethuramae, Shri N.
 Shambhu Nath, Shri
 Shankaranand, Shri B.
 Sharma, Shri D. C.
 Sharma, Shri M. R.
 Sharma, Shri Yogendra
 Shastri, Shri B. N.
 Shastri, Shri Ramavatar
 Shastri, Shri Sheopujan
 Sheo Narain, Shri
 Sheth, Shri T. M.
 Shinde, Shri Annasahib
 Shinkre, Shri
 Shiv Chandika Prasad, Shri
 Shukla, Shri Vidya Charan
 Siddayya, Shri
 Siddeshwar Prasad, Shri
 Singh, Shri D. N.
 Sinha, Shri Mudrika
 Sinha, Shrimati Tarkeshwari
 Snatak, Shri Nar Deo
 Sonar, Dr. A. G.
 Sonavane, Shri
 Sreedharan, Shri A.
 Sudarsanam, Shri M.
 Supakar, Shri Sradhakar
 Surendra Pal Singh, Shri
 Sursingh, Shri
 Swaran Singh, Shri
 Tarodekar, Shri V. B.
 Thakur, Shri Gunanand
 Tripathi, Shri K. D.

Umanath, Shri
Venkatasubbaiah, Shri P.
Venkatswamy, Shri G.
Virbhadra Singh, Shri

Viswambharan, Shri P.
Viswanatham, Shri Tenneti
Vyas, Shri Ramesh Chandra
Yadav, Shri Chandra Jeet.

MR. DEPUTY SPEAKER : The result of the division is as follows : Ayes 27; Noes 260*.

The motion was negatived.

MR. DEPUTY SPEAKER : I find that Shri N. C. Chatterjee is not here. Still, I will have to put his amendment to the vote of the House.

Amendment No. 2 was put and negatived.

MR. DEPUTY SPEAKER : Now I will take up the amendment of Shri Badrudduja.

SHRI BADRUDDUJA : (Murshidabad) : I do not want to press it.

MR. DEPUTY SPEAKER : Has the hon. Member the leave of the House to

withdraw his amendment ?

SOME HON. MEMBERS : Yes.

Amendment No. 3 was, by leave, withdrawn.

MR. DEPUTY SPEAKER : I will now put Shri Nath Pai's main motion to the vote of the House. The question is :

"That this House disapproves of the action of the Central Government in using the institution of the Governors of States not as instrument for proper functioning of the Constitution but as agent of the party in power at the Centre, as exemplified by current developments in Bihar and West Bengal."

The Lok Sabha divided.

Division No. 3]

[15.24 Hrs.

AYES

Abraham, Shri K. M.
Adichan, Shri P. C.
Anbazhagan, Shri
Anirudhan, Shri K.
Badrudduja, Shri
Banerjee, Shri S. M.
Barua, Shri Hem
Basu, Shri Jyotirmoy
Behera, Shri Baidhar
Bharat Singh, Shri
Bharti, Shri Maharaj Singh
Birua, Shri Kolai
Bose, Shri Amiyannath
Brahmhanandji, Shri
Brij Bhushan Lal, Shri
Chakrapani, Shri C. K.
Chandra Shekhar Singh, Shri
Dange, Shri S. A.
Daschowdhury, Shri B. K.
Devgun, Shri Hardayal
Dhandapani, Shri
Digvijai Nath, Shri
Durairasu, Shri
Dwivedy, Shri Surendranath
Fernandes, Shri George
Ghosh, Shri Ganesh
Goel, Shri Shri Chand
Gopalan, Shri P.
Guha, Shri Samar

Gupta, Shri Indrajit
Gupta, Shri Kanwar Lal
Haldar, Shri K.
Jha, Shri Bhogendra
Jha, Shri Shiva Chandra
Kalita, Shri Dhireswar
Kamalanathan, Shri
Kameshwar Singh, Shri
Kapoor, Shri Lakhan Lal
Karni Singh, Dr.
Khan, Shri Ghayoor Ali
Khan, Shri Latafat Ali
Kisku, Shri A. K.
Kothari, Shri S. S.
Krishnamoorthi, Shri V.
Kuchelar, Shri G.
Kundu, Shri S.
Kushwah, Shri Y. S.
Limaye, Shri Madhu
Manoharan, Shri
Mayavan, Shri
Meghachandra, Shri M.
Menon, Shri Vishwanatha
Misra, Shri Srinibas
Modak, Shri B. K.
Mohammad Ismail, Shri
Mohan Swarup, Shri
Molahu Prasad, Shri
Muhammad Ismail, Shri M.

*Noes : Name of one Member could not be recorded.

Muhammed Sheriff, Shri
 Nair, Shri Vasudevan
 Nambiar, Shri
 Narayanan, Shri
 Nath Pai, Shri
 Nayanar, Shri E. K.
 Nihal Singh, Shri
 Pandey, Shri Sarjoo
 Paswan, Shri Kedar
 Patil, Shri N. R.
 Rajaram, Shri
 Ram Charan, Shri
 Ramabadrnan, Shri T. D.
 Ramamurti, Shri P.
 Ramani, Shri K.
 Ramji Ram, Shri
 Ray, Shri Rabi
 Reddy, Shri Eswara
 Roy, Shri Chittaranjan
 Sambandhan, Shri S. K.

Satya Narain Singh, Shri
 Sen, Shri Deven
 Sen, Dr. Ranen
 Sequeira, Shri
 Sharma, Shri Beni Shanker
 Sharma, Shri Yogendra
 Shastri, Shri Ramavatar
 Singh, Shri J. B.
 Sivsankaran, Shri
 Sreedharan. Shri A.
 Subravelu, Shri
 Thakur, Shri Gunanand
 Tyagi, Shri O. P.
 Umanath, Shri
 Vajpayee, Shri Atal Bihari
 Vidyarthi, Shri R. S.
 Viswambharan, Shri P.
 Viswanatham, Shri Tenneti
 Viswanathan, Shri G.

NOES

Achal Singh, Shri
 Ahirwar, Shri Nathu Ram
 Aga, Shri Ahmad
 Ahmed, Shri F. A.
 Anjanappa, Shri B.
 Ankineedu, Shri
 Asghar Husain, Shri
 Azad, Shri Bhagwat Jha
 Babunath Singh, Shri
 Bajpai, Shri Shashibhushan
 Barua, Shri Bedabrata
 Barua, Shri R.
 Basu, Dr. Maitreyee
 Baswant, Shri
 Besra, Shri S. C.
 Bhagat, Shri B. R.
 Bhagavati, Shri
 Bhakt Darshan, Shri
 Bhanu Prakash Singh, Shri
 Bhargava, Shri B. N.
 Bhattacharyya, Shri C. K.
 Bist, Shri J. B. S.
 Bohra, Shri Onkarlal
 Brahma, Shri Rupnath
 Chanda, Shri Anil K.
 Chanda, Shrimati Jyotsna
 Chatterji, Shri Krishna Kumar
 Chaturvedi, Shri R. L.
 Chaudhary, Shri Nitiraj Singh
 Chavan, Shri D. R.
 Chavan, Shri Y. B.
 Choudhary, Shri Valmiki
 Choudhury, Shri J. K.
 Dalbir Singh, Shri
 Damani, Shri S. R.

Das, Shri N. T.
 Dasappa, Shri Tulsidas
 Dass, Shri C.
 Deoghare, Shri N. R.
 Desai, Shri Morarji
 Deshmukh, Shri B. D.
 Deshmukh, Shri Shivajirao S.
 Dhillon, Shri G. S.
 Dhuleshwar Meena, Shri
 Dinesh Singh, Shri
 Dixit, Shri G. C.
 Dwivedi, Shri Nageshwar
 Ering, Shri D.
 Gajraj Singh Rao, Shri
 Gandhi, Shrimati Indira
 Ganesh, Shri K. R.
 Ganpat Sahai, Shri
 Gautam, Shri C. D.
 Gavitt, Shri Tukaram
 Ghosh, Shri P. K.
 Ghosh, Shri Parimal
 Govind Das, Dr.
 Gupta, Shri Lakhnan Lal
 Hajarnawis, Shri
 Hari Krishna, Shri
 Hazarika, Shri J. N.
 Heerji Bhai, Shri
 Hem Raj, Shri
 Himatsingka, Shri
 Iqbal Singh, Shri
 Jadhav, Shri Tulshidas
 Jagjiwan Ram, Shri
 Kahandole, Shri Z. M.
 Kamble, Shri
 Kamala Kumari, Kumari

Karan Singh, Dr.
 Kasture, Shri A. S.
 Katham, Shri B. N.
 Kavade, Shri B. R.
 Kedaria, Shri C. M.
 Kesri, Shri Sitaram
 Khan, Shri M. A.
 Kotoki, Shri Liladhar
 Kripalani, Shrimati Sucheta
 Krishnan, Shri G. Y.
 Kureel, Shri B. N.
 Kushok Bakula, Shri
 Lakshmikanthamma, Shrimati
 Lalit Sen, Shri
 Laxmi Bai, Shrimati
 Lutfal Haque, Shri
 Mahadeva Prasad, Dr.
 Mahajan, Shri Vikram Chand
 Mahida, Shri Narendra Singh
 Malimariyappa, Shri
 Mandal, Shri Yamuna Prasad
 Manikya Bahadur, Shri
 Marandi, Shri
 Masurya Din, Shri
 Mehta, Shri Asoka
 Mehta, Shri P. M.
 Menon, Shri Govinda
 Mirza, Shri Bakar Ali
 Mishra, Shri Bibhuti
 Mishra, Shri G. S.
 Mohammad Yusuf, Shri
 Mohinder Kaur, Shrimati
 Mondal, Shri J. K.
 Mrityunjay Prasad, Shri
 Mukerjee, Shrimati Sharda
 Murthy, Shri B. S.
 Murti, Shri M. S.
 Nahata, Shri Amrit
 Nanda, Shri
 Nayar, Dr. Sushila
 Oraon, Shri Kartik
 Padmavati Devi, Shrimati
 Pahadia, Shri Jagannath
 Pandey, Shri K. N.
 Panigrahi, Shri Chintamani
 Pant, Shri K. C.
 Parmar, Shri Bhaljibhai
 Partap Singh, Shri
 Parthasarathy, Shri
 Patil, Shri Anantrao
 Patil, Shri C. A.
 Patil, Shri Deorao
 Patil, Shri S. D.
 Patil, Shri T. A.
 Poonacha, Shri C. M.
 Pramanik, Shri J. N.
 Prasad, Shri Y. A.

Qureshi, Shri Mohd. Shaffi
 Radhabai, Shrimati B.
 Raghu Ramaiah, Shri
 Raj Deo Singh, Shri
 Raju, Dr. D. S.
 Ram Dhani Das, Shri
 Ram Sewak, Shri
 Ram Subhag Singh, Dr.
 Ram Swarup, Shri
 Rana, Shri M. B.
 Randhir Singh, Shri
 Rane, Shri
 Rao, Shri Jagannath
 Rao, Dr. K. L.
 Rao, Shri K. Narayana
 Rao, Shri Muthyal
 Rao, Shri J. Ramapathi
 Rao, Shri Thirumala
 Rao, Dr. V. K. R. V.
 Raut, Shri Bhola
 Reddi, Shri G. S.
 Reddy, Shri P. Antony
 Reddy, Shri R. D.
 Roy, Shri Bishwanath
 Roy, Shrimati Uma
 Sadhu Ram, Shri
 Saha, Dr. S. K.
 Saigal, Shri A. S.
 Saleem, Shri M. Y.
 Salve, Shri N. K. P.
 Sanji Rupji, Shri
 Sankata Prasad, Dr.
 Sapre, Shrimati Tara
 Sarma, Shri A. T.
 Sayeed, Shri P. M.
 Sayyad Ali, Shri
 Sen, Shri Dwaipayan
 Sen, Shri P. G.
 Sethuramae, Shri N.
 Shah, Shri Shantilal
 Shambhu Nath, Shri
 Shankaranand, Shri B.
 Sharma, Shri D. C.
 Sharma, Shri M. R.
 Shastri, Shri B. N.
 Shastri, Shri Sheopujan
 Sheo Narain, Shri
 Sheth, Shri T. M.
 Shinde, Shri Annasahib
 Shinkre, Shri
 Shiv Chandika Prasad, Shri
 Shukla, Shri Vidya Charan
 Siddayya, Shri
 Sidheshwar Prasad, Shri
 Singh, Shri D. N.
 Sinha, Shri Mudrika
 Sinha, Shrimati Tarkeshwari
 Snatak, Shri Nar Deo

Sonar, Dr. A. G.
 Sonavane, Shri
 Sudarsanam, Shri M.
 Supakar, Shri Sradhakar
 Surendra Pal Singh, Shri
 Sursingh, Shri
 Swaran Singh, Shri

Tarodekar, Shri V. B.
 Tripathi, Shri K. D.
 Venkatasubbaiah, Shri P.
 Venkatswamy, Shri G.
 Virbhadra Singh, Shri
 Vyas, Shri Ramesh Chandra
 Yadav, Shri Chandra Jeet

MR. DEPUTY-SPEAKER : The result of the division is as follows :

Ayes 97; Noes 199.

The motion was negatived.

15.25 Hrs.

COMMITTEE ON PRIVATE MEMBERS' BILLS AND RESOLUTIONS

THIRTEENTH REPORT

MR. DEPUTY-SPEAKER : We will now take up Private Members' Business.

DR. KARNI SINGH (Bikaner) : Sir, on a point of clarification. May I know whether 2½ hours will be allotted to Private Members' Business today ?

MR. DEPUTY-SPEAKER : Let us see.

[SHRI G. S. DHILLON in the Chair]

श्री हरदयाल देवगुण (पूर्व दिल्ली) : श्रीमन्, मैं प्रस्ताव करता हूँ कि सभा गैर-सरकारी सदस्यों के विधेयकों तथा संकल्पों सम्बन्धी समिति के 13वें प्रतिवेदन से, जो सभा में 15-11-1967 को पेश किया गया था, सहमत है ।

MR. CHAIRMAN : The question is :

"That this House agrees with the Thirteenth Report of the Committee on Private Members' Bills and Resolutions presented to the House on the 15th November, 1967."

The motion was adopted.

DR. KARNI SINGH : Sir, on a point of clarification. May I know whether the full 2½ hours will be allowed for Private Members' Business or the one hour that has been taken now will be deducted. I say that it should not be deducted.

MR. CHAIRMAN : At 5 O'Clock we have to take up a motion about cyclone in Orissa. After that is over, whatever time is left will be given to this motion.

Now we take up the Private Members' Business.

Mr. Inder J. Malhotra is absent.

Dr. Maitreyee Basu.

15.29 Hrs.

CONSTITUTION (AMENDMENT) BILL*

(Amendment of Eighth Schedule)

DR. MAITREYEE BASU (Darjeeling) : I beg to move for leave to introduce a Bill further to amend the Constitution of India.

MR. CHAIRMAN : The question is :
 "That leave be granted to introduce a Bill further to amend the Constitution of India."

The motion was adopted.

DR. MAITREYEE BASU : I introduce the Bill.

CONSTITUTION (AMENDMENT) BILL*

(Amendment of Eighth Schedule)

SHRI SEQUEIRA (Marmagoa) : I beg to move for leave to introduce a Bill further to amend the Constitution of India.

MR. CHAIRMAN : The questions is :

"That leave be granted to introduce a Bill further to amend the Constitution of India."

The motion was adopted.

SHRI SEQUEIRA : I introduce the Bill.

SALARIES AND ALLOWANCES OF MINISTERS (AMENDMENT) BILL*

(Substitution of Sections 2,3 etc.)

श्री नीतिराज सिंह चौधरी (होशंगाबाद) : सभापति महोदय, मैं प्रस्ताव करता हूँ कि मंत्रियों के वेतन तथा भत्तों का अधिनियम, 1952 में आगे संशोधन करने वाले विधेयक को पेश करने की अनुमति दी जाये ।

*Published in Gazette of India extraordinary, part II section 2, dated 16-11-67.