

THE DEPUTY MINISTER IN THE MINISTRY OF WORKS, HOUSING AND SUPPLY (SHRI IQBAL SINGH) : (a) No. The Staff Association did not boycott the examination but they had made certain demands which were under consideration. They agreed that the departmental examination might be held as proposed and that the Government would consider their main request which was for the promotion of the senior L.D.Cs. on the basis of seniority. However, on the actual date of the examination viz. 27th November, 1967 the L.D.Cs from the Delhi Centre did not take the examination which was taken by the staff at the other 24 Centres.

(b) The Association's main demand was that promotion in all grades should be on the basis of seniority and if that was not acceptable then they proposed that the promotion to the grade of U.D.Cs should be partly by examination (40%) and partly by seniority (60%).

(c) The demands are under consideration.

(d) Does not arise.

12.18 Hrs.

CALLING ATTENTION TO MATTER OF URGENT PUBLIC IMPORTANCE.

ARREST OF TWO MINISTERS OF UTTAR PRADESH IN DELHI

MR. SPEAKER : Shri Ram Sewak Yadav—

श्री अटल बिहारी वाजपेयी ( बलरामपुर ) : अध्यक्ष महोदय, मैं एक व्यवस्था का प्रश्न उठाना चाहता हूँ। इस सवाल पर उत्तर प्रदेश के मंत्रियों की गिरफ्तारी को ले कर अदालत में ..

MR. SPEAKER : I have considered all those things.

श्री अटल बिहारी वाजपेयी : हमने स्यगल प्रस्ताव दिया है। दिल्ली पुलिस जो कुछ कर रही है इसके लिए हम सरकार की निन्दा करना चाहते हैं। ध्यानाकर्षण प्रस्ताव से हमारी वह आवश्यकता कैसे पूरी होगी ?

SHRI S. M. BANERJEE (Kanpur) : Sir, I have a submission to make.

MR. SPEAKER : What is the submission about this ?

SHRI S. M. BANERJEE : I am happy, Sir, you have admitted this Calling Attention Notice, but if you read the Calling Attention Notice it says : "arrest of two Ministers of Uttar Pradesh at Delhi". Since then, Sir, today you have read the newspaper—I am sure you do—where it is said that the arrested ministers were dragged and abused and also beaten. Therefore, I submit that my adjournment motion may be allowed.

MR. SPEAKER : I have heard him. Now he must also hear me. I have got some motions before me. I would like to explain to hon. Members what is the procedure that I would like to follow. They relate not only to the ministers but also to law and order, about censuring the Government and all that. I cannot outright fix up a time limit. I would like to convene a meeting of the Business Advisory Committee and fix up the time. The hon. Member's motion to censure the Government, Shri Kanwar Lal Gupta's motion and also others are before me. We shall fix up some time. I have no objection for a separate discussion. But this is something immediate; some information should be given. About the discussion, that is separate.

SHRI S. M. BANERJEE : May I humbly submit.....

MR. SPEAKER : When I am on my legs, he should not stand up. Nothing will be taken down if he begins to get up and interrupt like this. The discussion is there; I am not shutting it out. I am trying to see how it can be arranged. This is for immediate information, here and now.

SHRI KANWAR LAL GUPTA (Delhi Sadar) : That is also urgent.

MR. SPEAKER : It is urgent. We can discuss it and we can fix up some time.

SHRI S. M. BANERJEE : Keep the adjournment motions pending.

MR. SPEAKER : Does it mean that this Calling Attention should not be answered ?

SHRI S. M. BANERJEE : No.

MR. SPEAKER : That is what I say. Let us take it up now. I will give time for the other discussion.

श्री अटल बिहारी वाजपेयी : मेरा निवेदन है कि आप का सुझाव हमें स्वीकार है, लेकिन

[श्री अटल बिहारी वाजपेयी]

एडजर्नमेंट मोशन का फैसला आप को यहां करना है या वह बिजिनेस एडवाइजरी कमेटी करेगी ?

MR. SPEAKER : I have told you I am giving time. It is a question of fixing time, when it is to be adjusted and where.

श्री अटल बिहारी वाजपेयी : अगर आप टाइम फिक्स कर रहे हैं, तो हम आप से इजाजत चाहेंगे कि आप गवर्नमेंट की डिसएप्पूवल का मोशन पेश करने की इजाजत दें, जिससे, दिल्ली में जो कुछ हो रहा है, उसके लिए हम सरकार की निन्दा कर सकें। इसके अलावा मैं यह भी कहना चाहूंगा कि सयय ऐसा रखा जाये, जब कि सदन में कोरम की कमी का प्रश्न खड़ा न हो। आप चार बजे चर्चा रख दीजिए। हम उस के लिए तैयार हैं। अगर आप छः बजे का समय रखेंगे, तो उस समय कोरम नहीं रहता है।

MR. SPEAKER : If all the leaders agree, I can understand it.

श्री अटल बिहारी वाजपेयी : उधर के लोग नायब हो जाते हैं।

MR. SPEAKER : How can there be the question of quorum ?

श्री मधु लिमये (मुंगेर) : अध्यक्ष महोदय, आप दो चीजों को मिला रहे हैं। आप ने कहा है कि आप बहस का मौका देंगे और किस समय यह बहस हो, आप उस के लिए कार्य-सलाहकार समिति की बैठक बुलायेंगे। लेकिन सरकार की असफलता के बारे में हम ने जो काम-रोको प्रस्ताव दिये हैं, उनके बारे में निर्णय करने के लिए कार्य-सलाहकार समिति की बैठक बुलाना आवश्यक नहीं है। उसके लिए समय निर्धारण की आवश्यकता नहीं है, क्योंकि हमारे नियमों में लिखा हुआ है कि उस की बहस चार बजे होती है। इसलिए मेरी प्रार्थना है कि जिसका नाम बैलट में आया है, आप उसके काम-रोको प्रस्ताव को लें। मैं ध्यानाकर्षण प्रस्ताव का विरोध नहीं कर रहा

हूँ। हम मंत्री महोदय का बयान सुनेंगे, उस पर प्रश्न हों और उसके बाद काम-रोको प्रस्ताव लिया जाये।

MR. SPEAKER : That is all right. I agree with you. But Shri Vajpayee's motion is before me; not only an adjournment motion, but a regular motion.

SHRI S. M. BANERJEE : We are talking of the adjournment motion.

MR. SPEAKER : There is one adjournment motion, one censure motion and other motions. Suppose four members give notice of motions, I cannot allow four separate motions to be discussed.

श्री मधु लिमये : आप एडजर्नमेंट मोशन लीजिए।

MR. SPEAKER : No, you may think like that because it is your motion. Shri Vajpayee's motion is there.

श्री मधु लिमये : मेरा प्रस्ताव नहीं है। आप श्री वाजपेयी जी का लें।

SHRI S. M. BANERJEE : I would submit....

MR. SPEAKER : I have allowed him an opportunity. Let him resume his seat. The moment I open my mouth he gets up.

SHRI S. M. BANERJEE : I never do it. Sir, I rise on a point of order, under rule 56, relating to adjournment motions. I hope you are not going to shut me out.

THE MINISTER OF FINANCE (SHRI MORARJI DESAI) : Can a point of order be raised when the Speaker is speaking ?

SHRI S. M. BANERJEE : I never do that. I have higher regard for the Chair than the Congress Benches. My submission is only this. I am thankful to you, Sir, for allowing this discussion. Now, there are two types of discussions—under rules 184 and 193. One is for a short duration. Another is an adjournment motion, a substantive motion, under the rules. This motion satisfies all the conditions that are necessary for an adjournment motion, to censure the Central Government. Two Ministers of the State of Uttar Pradesh, the Finance Minister and the Labour Minister have been

arrested and you have allowed a Calling Attention Notice.

MR. SPEAKER : What is the point of order ?

SHRI S. M. BANERJEE : The point of order is this. It is specific.

MR. SPEAKER : What is it ?

SHRI S. M. BANERJEE : Kindly hear me.

MR. SPEAKER : He has said about the arrests and all that.

SHRI S. M. BANERJEE : Kindly hear me. The point of order is this. When an adjournment motion is before the House, before you, you have to take a decision and give a ruling on the admissibility of the adjournment motion. If you admit it, then you have to ask members in favour of it to stand up in their seats. If 50 members or more stand up in their seats, then it has to be discussed at 4 O'Clock the same day. There is no element of censure in the other motion. We want to censure the government. So, we would request you, we would beg of you, to save the prestige of the Ministers of the State Government by allowing this adjournment motion.

MR. SPEAKER : Now he has had his say.

As I was saying, these motions are there and I want to consult the people and then fix some time. I said that I shall fix the time now but meanwhile I wanted some information to be given immediately and not to be postponed on tomorrow or to some other time today. That is why I admitted this calling-attention notice. I was clear in my mind, because Shri Gupta and others have given notices, that some discussion should be there. But I wanted the calling-attention to be taken up so that you may have information before you before the discussion takes place.

श्री रामसेवक यादव (बाराबंकी) : अग्र्यक्ष महोदय, मैं अबिलम्बनीय लोक महत्त्व के निम्नलिखित विषय की और गृह-कार्य मंत्री का ध्यान दिलाता हूँ और प्रार्थना करता हूँ कि वह इस बारे में एक वक्तव्य दें :—

“उत्तर प्रदेश के दो मंत्रियों की १२ दिसम्बर, १९६७ को दिल्ली में गिरफ्तारी।”

THE MINISTER OF HOME AFFAIRS (SHRI Y. B. CHAVAN) : Mr. Speaker Sir, on December 12, 1967, Shri Prabhu Narain Singh, Shri Ram Sarup Verma, Shri Bachan Ram and nine others were arrested about 2.15 P.M. while taking out a procession in the Talkatora Road in defiance of prohibitory orders under section 144, Criminal Procedure Code duly promulgated by the District Magistrate Delhi. They were produced before the Court on the same day at 4.40 P.M. and were remanded to judicial custody. They were prosecuted before a court of competent jurisdiction for committing an offence under section 188, Indian Penal Code and sentenced to simple imprisonment till the rising of the court on December 13, 1967.

श्री रामसेवक यादव : अग्र्यक्ष महोदय, जिस दिन इन मंत्रियों की गिरफ्तारी हुई, उस दिन भी यहाँ पर उस के बारे में कुछ चर्चा हुई और कल भी कुछ घटनाओं को ले कर यहाँ पर चर्चा हुई। लेकिन इस सम्बन्ध में जो सूचना माननीय मंत्री महोदय ने दी है, वह बिल्कुल नाकाफी है। जो कुछ उन्होंने कहा है, उस को सब जानते हैं। जिन बातों को ले कर हम लोग गृह मंत्री से मिले थे, उस के बारे में उन्होंने कोई जानकारी नहीं दी है। अखबारों में जो बातें आ चुकी हैं, उन से भी मंत्री महोदय के ब्यान का कोई सम्बन्ध नहीं है। उन को इस बारे में पूरी जानकारी देनी चाहिए थी। मैं उन से तीन चार बातें जानना चाहता हूँ।

जब धारा 144 के अन्तर्गत उत्तर प्रदेश के ये दो मंत्री यहाँ पर गिरफ्तार किये गये, तो क्या उन की गिरफ्तारी से पहले यहाँ के अधिकारियों ने गृह मंत्रालय से भी सलाह-मशवरा किया या उस से जानकारी ली ?

जिस मैजिस्ट्रेट के सामने ये लोग पेश किये गये, उस ने उन को जेल में बी श्रेणी दी। बाद में जब राज्य सभा में और इधर-उधर चर्चा बली और अखबारों में इस पर टिप्पणी की गई, तो फिर उस वारंट पर कासी रोशनार्थी से जो बी क्लास जिला गया था,

[श्री रामसेबक यादव]

उस को लाल रोशनाई से ए क्लास बनाया गया । क्या यह बात सही है ?

क्या यह सही है कि जो मैजिस्ट्रेट महोदय इस मुकदमे को कर रहे थे, उन्होंने प्रासीक्यूशन करने वाले डिप्टी कमिश्नर को भद्रालत में आने से मुक्त कर दिया था और क्या भद्रालत में आना उन की हैसियत के मुताबिक नहीं था ?

क्या मंत्री महोदय को यह जानकारी है कि भद्रालत पांच बजे बन्द हो जाती है और जब सवा पांच बजे चले थे, तो उस मुकदमे के बारह अभियुक्तों में से केवल पांच के बयान हो पाए थे ? सवा पांच बजे मंत्रियों ने कहा कि अब सब अभियुक्तों के बयान नहीं हो सकते हैं, अब हम को जेल भेज दिया जाये । उस के बाद जब वे बाहर चले आए, तो जबदस्ती धकेल कर और शक्ति प्रयोग कर के मंत्रियों और उन बारह आदमियों को एक-एक करके ले जाया गया । सिर्फ सजा सुनाने के लिये उन को जबदस्ती धकेल कर ले जाया गया । उन में से सात आदमियों के बयान भी नहीं हुए । मैं यह जानना चाहता हूँ कि क्या बिना अभियुक्तों के बयान हुए, बिना सुबूत पेश हुए और बिना सफाई का मौका दिये हुए कोई जज या मैजिस्ट्रेट इस तरह मुकदमे का फैसला कर सकता है ।

क्या मंत्री महोदय यह भी बतायेंगे कि जो कागजात श्री रामस्वरूप वर्मा, वित्त मंत्री, को दिये गये थे, वे ऐसे थे कि उन का एक अंश पढ़ा भी नहीं जा सकता था ? और उन के ऊपर अभियोग लगाया गया था हेसीटेशन का । एजीटेशन का नहीं । तो हेसीटेशन कौन सा जुर्म होता है ?

SHRI Y. B. CHAVAN : The hon. Member has made certain points. I would like to deal with them in some detail if I can. But before that, I would like to make a mention of one fact that yesterday, after these Ministers and other people were convicted, they were squatting outside the

court on the road and some M.Ps. approached me to say whether I can go and meet them and persuade them to leave that place. I said, "I cannot go and meet them on the street. But if you can make a request to them on my behalf to go home, I will certainly go and meet them." They suggested that I may write some sort of a note requesting them to leave the place which I did. This morning, I went to Mr. Raj Narain's house and met these two Ministers and tried to understand exactly what was their point of view. This is just a background information.

The hon. Member has raised two or three points. Firstly, whether the Home Ministry had given any instructions to the Police. There is no question of the Home Ministry giving instructions to the Police. The Police have to act on their own made the law. Secondly, about the question of giving the Class, naturally, I cannot get a report from the court as such. But my information is that, day before yesterday, when the warrant was put up to the Magistrate, 'B' Class was suggested for Ministers also. But the Magistrate gave orders to his officers that Ministers and MLAs should be given 'A' Class. Therefore, amendment in the warrant was made by the Magistrate and not by the Police officers or the Collector. Thirdly, whether any prosecuting authority was exempted from presence, I have no information on that point.

About the trial, naturally, I cannot sit in judgment over the decision of the court. If they think that the orders are illegal, they are, certainly, free to go to the appellate court. I am only giving certain factual information. The High Court rules about the trial of the cases are that the hearing of no new case should be started after 4-30 P.M. That is the only rule they have got. This case had started at 2-45 P.M. I think, under the rules, a case which is half-heard, can be continued after 5 O'Clock. The only they are, certainly, free to go to the appellate should be started after 4-30 P.M. This is all that I have to say.

श्री मधु सिन्घे : इन के साथ जो दुर्व्यवहार किया गया है उस के बारे में तो कुछ कहा ही नहीं ।

श्री रामसेवक यादव : एक प्रश्न का तो उत्तर ही नहीं दिया कि उन को जो धक्का दिया गया, जबरी ले गए क्या यह भी हुकम मुनने के लिए जरूरी होता है कि उन को धक्का दे कर लाया जाय ?

SHRI Y. B. CHAVAN : These are two or three different instances. What happened in the court is something different. About what happened after they left the court, I have got, certainly, some information with me. But I would like to have another look at it because I have heard the Ministers also and I have got some factual reports of what happened there. I do not want to give any final view about it. I intend asking some high official of the Delhi Administration to look into this matter and give me a report. Then alone, I will be able to give information.

SHRI K. LAKKAPPA (Tumkur) : We have seen from the press reports that these two Ministers have been treated by the Delhi Police like criminals. We are in a democracy. They have not committed any offence under the Indian Penal Code which is of any moral turpitude. Only Section 144 has been defined. Peaceful demonstration and satyagrah has been allowed in a democracy. Now, a serious thing has arisen out of the arrest of the two Ministers and the atrocities committed by the Police, the treatment meted out to them. The privileges and the immunities attached to the Ministers and the Members in a democracy have been affected in order to suppress democratic rights which are likely to be agitated in a democratic manner.

Therefore, I would like to demand a judicial inquiry into the police atrocities and the treatment of the Ministers as criminals by the court. The hon. Home Minister always propounds the theory of consensus of all political parties for every problem. I would like to know whether the Home Minister would evolve the same policy, here, namely, convening a meeting of all the political leaders of all political parties to evolve a new solution regarding the immunities and privileges of the Members and the Ministers, in view of the peculiar circumstances arising out of this, in consultation with the Advocate-General.

श्री शशिमूषण बाजपेयी ( सारगोन) : अध्यक्ष महोदय, एक प्रश्न मैं भी करना चाहता हूँ . . . . .

MR. SPEAKER : His name is not here. प्राप का नाम इस में नहीं है ।

श्री शशिमूषण बाजपेयी : क्या दिल्ली में एक न्यायाधीश को मारा गया ? यह मैं जानना चाहता हूँ ।

SHRI Y. B. CHAVAN : The hon. Member has raised very philosophical issues . . .

SHRI K. LAKKAPPA : Not philosophical . . .

MR. SPEAKER : He may please sit down. He has the right to ask a question and the Minister has the right to reply.

SHRI Y. B. CHAVAN : He has raised some very interesting philosophical issues, whether Satyagraha has a place in democracy. If it has, then all the rules of Satyagraha must also be observed. If they had observed Satyagraha, then the natural consequences must be smilingly accepted without any complaint about it.

श्री मधु लिमये : मार खाना भी ? मारेंगे भी प्राप ? यह लोक तन्त्र का कानून है क्या ? अध्यक्ष महोदय, इस बात की सफाई होनी चाहिए इसका क्या यह मतलब है ? न्यायालय के द्वारा जो दंड दिया जायगा उस को वह भोगेंगे । वह एक बात दूसरी है । लेकिन लोक तन्त्र का क्या यह तकाजा है कि मारा जाय उन को ?

SHRI Y. B. CHAVAN : I have not said it.

श्री शशिमूषण बाजपेयी : मजिस्ट्रेट कपूर को मारा गया या नहीं यह मैं जानना चाहता हूँ ?

श्री मधु लिमये : मजिस्ट्रेट कपूर के दलाल बन कर यह आये हैं ।

SHRI Y. B. CHAVAN : I have not said whether the Police should beat them or anybody. About the facts, I said, unless I satisfy myself, I cannot make any statement about it. As far as this issue is concerned, I do

[Shri Y. B. Chavan]

not think that there is anything, really speaking, calling for an all-party consensus.

As far as judicial inquiry is concerned, my mind is very clear that there is no case for judicial inquiry.

श्री प्रकाशवीर शास्त्री (हापुड़) : श्रीमन्, मैं गृह मंत्री महोदय से यह जानना चाहता हूँ कि यह कोई सामान्य घटना नहीं है। स्वतन्त्र भारत के इतिहास में और लोकतन्त्र के इतिहास में यह इस प्रकार की एक महत्वपूर्ण घटना है जो एक राज्य सरकार के दो मंत्री-परिषद् के स्तर के मंत्रियों की गिरफ्तारी हुई। इस में एक तो मैं यह जानना चाहता हूँ कि इस में संवैधानिक स्थिति क्या है? संवैधानिक स्थिति से मेरा अभिप्राय यह है कि गिरफ्तारी के बाद, जेल भेजने के बाद, क्या उन के मंत्री सम्बन्धी अपने कार्यों को करने में जेल अधिकारियों की ओर से किसी तरह की कोई बाधा तो नहीं डाली गई? वह यहाँ रहते हुए भी अपने वित्त के कार्य को या श्रम मंत्रालय के कार्य को उसी प्रकार कर सकते हैं जिस प्रकार लखनऊ रहते हुए कर सकते थे?

दूसरी बात मैं यह जानना चाहता हूँ कि कोर्ट में सामान्य कड़ी को कटघरे में खड़ा किया जाता है। तो क्या किसी राज्य सरकार के मंत्री-परिषद् स्तर के यदि मंत्री हों तो उनको भी उसी प्रकार कटघरे में खड़ा कर के गवाही इत्यादि ली जायगी?

तीसरी बात मैं यह जानना चाहता हूँ कि अभी कुछ दिन पहले प्रधान मंत्री के निवास-स्थान पर पश्चिम बंगाल के कुछ मंत्री इस प्रकार घरना देने के लिए आने वाले थे। केन्द्रीय सरकार धरारायी और बीच में कुछ लोगों को माध्यम बना कर उन के साथ बातचीत की गई। क्या इसी प्रकार गृह मंत्री या प्रधान मंत्री महोदय ने उत्तर प्रदेश के मंत्रियों के 144 धारा को भंग करने के पूर्व उन से किसी प्रकार का संपर्क स्थापित किया क्योंकि वह मंत्री-परिषद् स्तर के दो मंत्री थे? या केवल इसलिए उन की उपेक्षा की गई कि वह

उत्तर प्रदेश के मंत्री थे और वह पश्चिम बंगाल के थे जो तोड़फोड़ कर सकते हैं इसलिए उन की चिन्ता आप को ज्यादा थी?

SHRI Y. B. CHAVAN : I can only give my views about what the hon'ble Member said about it. He certainly said that the arrest of the Ministers is a very extra-ordinary situation. May I point out to him that it is also very extra-ordinary that the Ministers decided to break the law. (Interruptions) It is also an extra-ordinary thing.

श्री मधु लिमये : कांस्टीबल की रक्षा के लिये उन्होंने किया है। आपने संविधान की हत्या की है, वह करोड़ों लोगों की ओर से संविधान की रक्षा करने के लिये आये थे। कानून तो आप तोड़ रहे हैं।

SHRI Y. B. CHAVAN : That is a matter of political interpretation, I do not want to go into that.

As far as the Ministers and facilities for them were concerned, I was told that they were allowed to receive and also make long-distance calls if they were needed. I think they made some long distance calls also. So the facilities which they asked for as Ministers were given, and giving the right to have a long-distance call is neither the facility provided to B class nor A class. These facilities were provided.

SHRI PILOO MODY (Godhra) : Why do you break the rules?

SHRI Y. B. CHAVAN : Our attitude is one of showing utmost courtesy and I was rather pained when the hon'ble Member, Shri Prakash Vir Shastri, made a suggestion that there is some sort of distinction between UP Government and West Bengal Government. There is nothing like that. UP is as dear to us as West Bengal.

SHRI A. SREEDHARAN (Badagara) : Sir, after the disastrous defeat suffered by the Congress Party in the last Elections, the Central Government. . . (Interruptions) Sir, I will give a little background. When the front-benchers are allowed to put long questions, we, the back-benchers also should be shown some consideration.

MR. SPEAKER : You want to put as long a question as possible, perhaps.

**SHRI A. SREEDHARAN :** Whether the Central Government is not engineering a series of incidents which bear a close resemblance to the situation that prevailed in Germany on the eve of the Fascists' take-over? They dismissed State Governments without valid reasons. They shunt out Governors who do not toe the line of the Congress Party and they topple governments which are not controlled by the Congress Party. Now, the State Ministers have been treated like criminals in the streets of Delhi when smugglers, black-marketeers and tax-dodgers like Dharma Tejas and Amin Chand Pyarelals go scot-free... (*Interruptions*) The hon'ble Home Minister, Mr. Chavan, is striking the pose of an Indian edition of Hitler. I would like to ask a simple question. The relations between the States and the Centre have been strained. Whether the State Governments, . . .

**MR. SPEAKER :** Will you kindly put your question?

**SHRI A. SREEDHARAN :** . . . have a right to arrest the Central Government Ministers when they go to the States to sabotage and subvert the State Governments?

**MR. SPEAKER :** The only question is : whether the State Governments have a right to arrest the Central Ministers . . . (*Interruptions*) I am only explaining his question. Will you kindly sit down now?

**SHRI K. LAKKAPPA** rose—

**MR. SPEAKER :** No, Mr. Lakkappa. No, No. Please sit down. (*Interruption*)

**SOME HON. MEMBERS :** rose—

**MR. SPEAKER :** If all of you sit down and keep silence, I will ask him to reply.

**SHRI Y. B. CHAVAN :** The position is very obvious. As far as I am concerned, I am very clear. If the Central Ministers commit an offence under the law of the land, they can also be arrested.

**SHRI D. C. SHARMA (Gurdaspur) :** I have the utmost regard for the Ministers, whether they are here or elsewhere, without taking into consideration how they have been appointed. I want to ask one question. Sir, there is a wave of lawlessness sweeping over Delhi and the whole of northern India

and elsewhere. May I also know how it is that these Ministers who swore by the Constitution in UP, to uphold the Constitution and to uphold law and order came here in order to be a party to some kind of satyagraha or whatever it is which led to law-breaking . . . .

**श्री मधु लिमये :** नहीं, संविधान की रक्षा के लिये आये थे ।

**SHRI D. C. SHARMA :** I know.

**श्री मधु लिमये :** आप क्या जानते हैं । वह संविधान की रक्षा करने के लिये घाट करौड़ लोगों की ओर से आये थे ?

**MR. SPEAKER :** The hon. Member may address the Chair.

**SHRI D. C. SHARMA :** These persons are worried about the two Ministers. I am also worried about them. But I want to ask the Home Minister what steps he is taking in Delhi and in other States of India . . . .

**श्री मधु लिमये :** अन्य राज्यों में इन को क्या अधिकार है । ये भी गिरफ्तार हो सकते हैं ।

**SHRI D. C. SHARMA :** These gentlemen are more intelligent than I am, but I think they know nothing.

What steps is the Home Ministry taking in consultation with the Chief Ministers, of other States and the Ministers of other States, and also in Delhi, in order that the poor people, the small people and the people who cannot resist anybody are protected against stone-throwing, against all kinds of hooliganism etc. ? May I know whether the Home Minister is going to call a conference of the Ministers so that this lawlessness can come to an end ?

**SHRI Y. B. CHAVAN :** He has asked me a question about Delhi in particular and also about other States and has asked me to indicate what steps are being taken to enforce law and order. Naturally, in the States, law and order is the direct responsibility of the States, and they are expected to enforce law and order very strictly. I have no doubt about that.

[Shri Y. B. Chavan]

As far as Delhi is concerned, it is the responsibility of the Lt. Governor who is responsible to the Home Ministry in this matter, and we are taking the necessary steps about it.

श्री अटल बिहारी वाजपेयी : अध्यक्ष महोदय, मेरा निवेदन है कि आप हमारे स्थगन-प्रस्ताव को लीजिये। हम इस सरकार की निन्दा करना चाहते हैं। पचास सदस्य इससे सहमत हैं या नहीं—आप सदन से पूछिये और चार बजे का समय तय कीजिये। यह मामला बहुत गम्भीर मामला है, दिल्ली में में जो कुछ हो रहा है वह इस सदन में प्रति-ध्वनित होना चाहिये, नहीं तो दिल्ली में बैठकर दिल्ली की जनता के साथ इतना बड़ा अन्याय होगा—यह हम से सहन नहीं होगा।

SHRI S. M. BANERJEE : I would make only one submission. We are not satisfied with the answers given by the hon. Minister. He has refused to have a judicial inquiry into the matter. I would beg of you to give to any one of us the opportunity to ask for leave to move the adjournment motion, though not the other motions.

SHRI KANWAR LAL GUPTA rose—

MR. SPEAKER : Why does the hon. Member want to speak now? His leader has already spoken. He would be repeating the same thing again.

श्री कंवर लाल गुप्त : मेरा कहना—स्पीकर साहब, सिर्फ इतना ही है कि सारे ला एंड आर्डर के बारे में विचार किया जाये। एक आस्पैक्ट तो मिनिस्ट्रों का है, लेकिन जो दूसरा आस्पैक्ट है, उस को भी लिया जाये।

MR. SPEAKER : I thought I could explain the position. It is not as though I had not considered this matter. I had discussed not only this aspect but the other motions also. I had discussed all the motions put together. It is not as though I did not know the position before I came to the Chair. A number of calling-attention notices, adjournment motions and censure motions and motions under other rules have been tabled. I thought that I should make up my mind after getting a little information

from the Home Minister, and the Home Minister has said that he would like to get a little more information. While I would be prepared to allow the discussion, I do not know, and I have not decided how it should be done, whether it should be a one-hour discussion or a discussion on an adjournment motion or on a motion given under rule 193 or 184 and so on; I do not know under what rule these motions have been given. These are the types of motions which have been given notice of under different rules. Shri Kanwar Lal Gupta has given some motion relating to the Delhi University, but there cannot be a separate discussion in regard to the Delhi University, a separate one in regard to something else and so on; there can be only one comprehensive discussion. While I agree that there should be a discussion, let me see which fits in and which should be taken up. That is the only point which I am considering now. It is no use rising now to say something. I am not going to change my mind on this issue.

श्री मधु लिमये : आप की बात को मैंने गौर से सुना। अगर आप कोई व्यापक बहस उठाना चाहते हैं तो मुझे ऐतराज नहीं है लेकिन जो स्थगन प्रस्ताव होता है वह किसी विशिष्ट काम के लिए होता है। मैं आप का ज्यादा समय नहीं लेना चाहता लेकिन टाइम्स आफ इंडिया में जो एक वाक्य आया है वह देख लिया जाय :

“Outside the court room, they again started shouting slogans. The magistrate on duty outside the court room shouted :

“मार कर भगा दो सालों को ”

श्री शशि भूषण वाजपेयी : यह गलत बात है।

MR. SPEAKER : Why does he say that? Why does he take up the case of the magistrate or somebody else here? It is not as though he is representing the magistrate, if any such thing has happened, the Home Minister will also enquire and certainly find out. We do not know whether the magistrate has said such a thing. None of us here knows. It is just a news given in the press.



श्री मधु लिमये : अध्यक्ष महोदय, मैं उसे पूरा नहीं पढ़ना चाहता हूँ। उस में से एक ही जुमला मैं नें पढ़ कर सुनाया है। यह लोग गिरफ्तारी से पहले राष्ट्रपति जी से मुलाकात करने गये थे। राष्ट्रपति जी से इन की बात हुई। अब उस के बाद यह प्रधान मंत्री और गृह मंत्री जी का कर्तव्य था कि इस तरीके का काम करने से पहले, उन का दृष्टिकोण क्या है, उस को वह पहले समझने की कोशिश करते लेकिन यह उन्होंने नहीं किया।

इसी तरीके से अदालत के बारे में कहा गया है कि वहां पर बयान नहीं लिया गया है, गवाहों को नहीं बुलाया गया और फिर भी उस के बारे में उन को सजा दी गई है। इसी तरीके से ब्रिटीश के बारे में आरोप किया गया है। मानवता का व्यवहार करने के बारे में सरकार की जो असफलता रही राष्ट्रपति जी से मिलने के बाद इन से बातचीत करने में जो इन की असफलता रही इसलिए यह विषय काम रोको प्रस्ताव का है। मुझे इस के लिए कोई ऐतराज नहीं है आप वाजपेयी जी का या बनर्जी का पहले ले लीजिये हमारा पहले न लिया जाय लेकिन हमको सरकार की निंदा करने का हक होना चाहिये।

SHRI RAM SEWAK JADAV rose—

MR. SPEAKER: The leader of his party has spoken already

श्री रामसेवक यादव : अध्यक्ष महोदय, मुझे आप को लाला रामगोपाल शालवाले की आज्ञा की गई गिरफ्तारी के बारे में जानकारी देनी है . . . .

अध्यक्ष महोदय : आर्डर, आर्डर।

SHRI P. RAMAMURTI (Madurai) : It is not a general law-and-order question. A specific question, and a very important one at that, concerning the very bad treatment of these Ministers by the Delhi Administration and the magistracy is there. It is not an ordinary thing. So any general discussion will not serve the purpose. It is in order to rivet attention on that

specific question that a specific adjournment motion has been tabled.

MR. SPEAKER: I agree. But there is also some other aspect, whether Ministers can offer satyagraha. Somebody may want to raise that. It is involved in that.

SHRI P. RAMAMURTI: No, no. That is a different matter.

MR. SPEAKER: If it is a debate on some motion like that, that aspect will also come, whether Central Ministers can offer satyagraha in States and whether State Ministers can offer satyagraha here. It is a big question. A question of principle is involved.

12.54 hrs.

ANNOUNCEMENT RE. ARREST OF MEMBER

(Shri Ram Gopal Shalwale)

MR. SPEAKER: I have received the following communication from the Sub-Divisional Magistrate, Tughlaq Road, New Delhi:

"I have the honour to inform you that I have found it my duty, in the powers under sec. 64, Cr. P.C. to direct that Shri Ram Gopal Shalwale, Member of Lok Sabha, be arrested for violation of Prohibitory Order under sec. 144 Cr.P.C. outside Iron Gate No. 2 of Parliament House Estate and thereby committing an offence under sec. 188 IPC in my presence.

"Shri Ram Gopal Shalwale was accordingly arrested at 11.05 hours today (14-12-67) and is at present in custody with the Police Station Parliament Street, New Delhi. He will be produced before a competent Magistrate without delay".

12.54½ hrs.

PAPERS LAID NO THE TABLE  
ORDINANCES ISSUED IN RELATION TO THE  
STATE OF HARYANA

THE DEPUTY PRIME MINISTER  
AND MINISTER OF FINANCE (SHRI  
MORARJI DESAI) : I beg to lay on the  
Table a copy each of the following Ordinances under article 213(2)(a) of the Con-