

eminent in his office, had put in jeopardy the whole fabric of parliamentary democracy. Nor, could we reasonably hope, against the evidence of a deplorable trend of floor-crossing, that the present Assembly would produce a stable Government in West Bengal. Therefore, there was no alternative except to recommend to the President that he may be pleased to take action under article 356. I am sure this House will extend its whole-hearted support to the action taken by the President on our advice.

Before I conclude, I must pay my compliments to the valiant and brave attempt that Dr. P. C. Ghosh made to save democracy. (Interruptions) and work as a real servant of democracy in the country.

श्री अटल बिहारी वाजपेयी (बलरामपुर) : अध्यक्ष महोदय अभी जो सदन के सामने चर्चा हो रही है वह गृहमंत्री के प्रस्ताव पर हो रही है । उस के प्रस्ताव के द्वारा गृह मंत्री महोदय ने 16 फरवरी को जो सदन में वक्तव्य दिया था उस पर चर्चा उठाने की बात कही है । लेकिन अब नई घटनाएं घटी हैं पश्चिम बंगाल में राष्ट्रपति का शासन लागू कर दिया गया है इस सम्बन्ध में जो राष्ट्रपति की उद्घोषणा है वह सदन के पटल पर रख दी गई है । अब संविधान की धारा 356 (3) के अन्तर्गत सदन को उस घोषणा पर विचार करना होगा । मेरा निवेदन है कि अब गृह मंत्री महोदय के इस पुराने प्रस्ताव पर चर्चा करने का कोई अर्थ नहीं है । जब हमें राष्ट्रपति की उद्घोषणा पर विचार करना है तो सदन के सामने दो रास्ते हैं । या तो गृह मंत्री महोदय अपने प्रस्ताव में संशोधन कर दें और राष्ट्रपति की उद्घोषणा को विचार के लिए प्रस्तुत करें और सारी चर्चा उस घोषणा के बारे में हो । यदि ऐसा करना संभव न हो तो और वह आगे इसपर चर्चा लेना चाहें तो मैं निवेदन करूंगा कि इस पर अभी चर्चा न की जाय और यह मंत्री महोदय एक विधि-

वत प्रस्ताव लायें । उस पर सारे पश्चिम बंगाल की स्थिति पर चर्चा की जा सकती है । सदन का दोहरा समय खर्च न किया जाय यह मैं निवेदन करना चाहूंगा

MR. SPEAKER: The point is this. Naturally, he will have to lay this one before the House and then we shall have to discuss it.

He has pointed this out. Now there is no point in discussing it. Naturally, he will have to lay this one before the House and then we shall have to discuss it. Therefore, I accept his suggestion. I am sure the Home Minister also would agree to it. We shall discuss it at a later stage and we shall fix time. For the present, we shall continue with the motion moved by Shri Venkata-subbaiah. (Interruptions).

16.17 hrs.

MOTION RE: CONDUCT OF TWO MEMBERS DURING PRESIDENT'S ADDRESS—Contd.

SHRI DATTATRAYA KUNTE: Mr. Speaker, Sir, the tension has been a little relieved. When I stopped at about four O'clock I was trying to refer to the sorry spectacle that one finds in this House on many an occasion. This is the first time that I am in Parliament. I was really shocked and surprised that in this House which is supposed to be the ideal House for all the legislatures in India, which calls itself a Parliament of the biggest democracy in the world, the conduct of Members should be of such a type that rather than parleying with each other we have been trying to settle issues by methods other than those of parleys. In this respect I cannot say that my friends on the right only are responsible; my friends on the left are also responsible for this. More responsibility lies with the party in power naturally because they are concerned with conducting the Government. If they want to conduct the Government

[Shri Dattatraya Kunte.]

and call themselves the representatives of the people of India, because they say that they have got the right to govern as representatives of the people of India, they must do it as persons who want to govern and not like persons who want to be unruly, who want to shout at the people. What have we heard just now? Why did it happen? This has happened because the Governor of West Bengal wanted to do something, did something, in a manner, as I mentioned before, not in keeping with the spirit of the Constitution.

Is it laid down in article 356 that the Governor has the right to dismiss a Ministry because he appoints it? Is it the law of the land today? Even the smallest man if he is employed by someone, the employer has not the authority to fire him whenever he likes. The hirer cannot fire, as we find in some western countries. If a small man cannot be fired, if it is not according to the law laid down by the legislatures of this country, should it apply to a group of Ministers, a Cabinet, only because it does not want or it does not agree to call the Legislature on a particular day laid down by the Governor? If it was within their choice and they suggested another day and then the Governor were to ask them: "look here, have you got the majority in the Legislature?" according to me that would be misuse of power. Here I would submit that all sorts of misuse of the Constitution are being resorted to.

AN HON. MEMBER: What about the decision of the High Court?

SHRI DATTATRAYA KUNTE: I accept that High Court decision; but that does not mean that I cannot differ from it. It is a matter of opinion. I am not questioning the right of the judiciary to lay down the law. But, even while accepting the law as laid down by the judiciary, I can express my opinion. One can even go in appeal against the decision of the High

Court. So, when I am saying something about what happened in the West Bengal Assembly, or what has been done by the West Bengal Governor, I am not by any stretch of imagination trying to question what the West Bengal High Court has done.

A reference was made just now to floor crossings. Who created situations where parties without principles could come into existence? It is the party in power which encouraged them to come into existence. What was the party of Dr. Ghosh? What was the principle by which it came into existence? Dr. Ghosh was elected with the assistance of the opposition. All of a sudden, he defected from the opposition and yet he was complimented for his bravery.

SHRI J. B. KRIPALANI (Guna): What are we discussing?

MR. SPEAKER: We are discussing Shri Venkatasubbaiah's motion. But the hon. Member is talking only about West Bengal. Let him conclude.

SHRI DATTATRAYA KUNTE: I am trying to speak on Shri Venkatasubbaiah's motion. He has referred to the Constitution. We want the Constitution to be upheld. If the Constitution is to be upheld it is not only by the letter of the Constitution but also by the spirit of the Constitution that it has to be upheld, and the spirit of the Constitution is democracy. We have a democratic Constitution. If democracy is not going to prevail in this country, then we are not upholding the spirit of our Constitution. If certain members acted in a particular way and we are simply going to reprimand them, it might appear that they are being reprimanded for certain action of their own, but can anyone frankly say that this government is upholding democracy or the Constitution? No, it is only trying to stick to the letter of the Constitution, not the spirit. A reference was made to what happened in Bengal, Haryana,

Bihar and Punjab. These are symptoms of the malfunctioning of democracy. A friend of mine asked "what about UP?". Shri Charan Singh has said that he will not stand by those people who are against democracy. He is very critical of his own colleagues and friends. Therefore, he said 'look, if you do not want democracy to prevail, if you do not want the legislatures to function properly, well, I would rather go out of office'.

So, what I am trying to point out is that we are merely trying to reprimand two members without going into the basic cause of the general disorder, the general manner and method in which unfortunately many a parliamentarian behaves in this House. By so doing we are not trying to meet the main point. In my view, this matter ought to be discussed very dispassionately, not on the floor of the House, where the galleries are there and where members will play to the galleries, but in a committee room where members could sit down, discuss with each other, parley with each other, explain to each other the point that one wants to make and put it to everyone "do you or do you not want to maintain the dignity of the House?". If that has got to be done, the mover should not have brought this Resolution in this form. But, then, he did not want even to refer it to the Privileges Committee. This is a matter not only for Shri P. Venkatasubbaiah, not only for any other Member, but for the whole House. It is a matter how we should function and how we should behave. If you want to reprimand a colleague of ours for doing that and say that he did not follow what he said in 1963, even then, does it mean that we should reprimand him, or shall we say, "Look here, shall we sit again and look into the matter dispassionately and find out whether there are any ways and means or not?".

Sir, for important matters like foreign affairs and all that there is not time for the House to discuss them. There is much time for the free-style

discussion going on from 12 O'clock to 1 O'clock in the House. For the discussion of the important points, where the function of the legislature is to legislate, to sanction money and to pass policies and all that, we have very little time. When we speak on those important matters, we are told that the clock is running and there is no time. But when other matters come up, the Members are allowed to have their say. The discussions are interrupted on flimsy points of orders, having a say out of turn and all that. All that disorder goes on. Then, when a Member like Prof. Mukerjee whom Shri P. Venkatasubbaiah complimented acts in a manner different from what he thought in 1963, one must go into the deeper causes of the disease and find out the remedy and not merely bring forward a motion like this.

**श्री शिवनारायण (बस्ती) :** अध्यक्ष महोदय, मैं ने इस संविधान की शपथ ली है और आपके समक्ष जितने मेम्बर पार्लियामेंट के यहां पर मौजूद हैं, इन सब ने भी इस सम्मानित संविधान की शपथ ली है कि इस की नियमावली का पालन करेंगे और जैसा कुंठे साहब ने कहा—

Parliament means President, Upper House and Lower House. This combination means Parliament. President is the head of the State.

तो उस के सम्मान को हम अपने प्रेजिडेंट के सम्मान में व्यक्त करते हैं। हम जनता के रिप्रेजेंटेटिव हैं, जनता ने हमें विश्वास कर के, हम को यहां पर चुन कर भेजा है, इस लिये हमारा धर्म है कि हम उस के सम्मान के लिये, अपने प्राजातन्त्र के लिये, जिसको हमारे बापदादा नेहरू और गांधी ने हम को दिया, उस की प्रोटेक्शन के लिये हम को उस का यहां पर सम्मान करना चाहिये।

मेरे मित्र कुंठे साहब चले गये—वह भी स्पीकर रहे हैं, मैं ने उन के सरमन को सुना, बहुत बढ़िया सर्मन था। उन्होंने ऐसी पूजा

## [ श्री शिवनारायण ]

की है हीरेन मुखर्जी साहब की, लेकिन मैं कहता हूँ हीरेन मुखर्जी साहब को ईश्वर में कहां विश्वास है। हमारे मित्र राममूर्ति जी चले गये, उन्होंने भी गौड का नाम लिया, मैं पूछना चाहता हूँ कि कहीं किसी कम्युनिस्ट को गौड में विश्वास है, डेमोक्रेसी में तो इन को एक इंच विश्वास नहीं है, उस का नमूना अभी आपने बंगाल में देखा—10 महीने में वहां पर फेल हो गये और अपने ही फूड मिनिस्टर—डा० घोष को उन्होंने कंडेम किया। जिसको उन्होंने माला पहनाई थी, फूड मिनिस्टर बनाया था, उसी को उन्होंने कंडेम किया, लेकिन वह ईमानदार आदमी था, इनको ठुकरा कर निकल आया और अपनी गवर्नमेंट बनाई। इन के लाडले चरण सिंह भी चले गये। किसी ने कहा था कि बंगाल गया, बिहार गया और अब यू० पी० भी जाने वाला है और वह भी आज चला गया। मैं आपसे पूछना चाहता हूँ कि अगर हम यहां पर इस हाउस की डिगनिटी की, प्रेसीडेंट की डिगनिटी को, इस डेमोक्रेसी की डिगनिटी को, इस संविधान की डिगनिटी को मेंटेन नहीं करेंगे, तो कौन मेंटेन करेगा ?

मैं श्री सो० सो० देसाई साहब को बधाई देना चाहता हूँ, केवल कांग्रेस ने ही नहीं कुंठे साहब सुन लें, वह स्वतंत्र पार्टी के नेता हैं, एम्बेसेडर रहे हैं, हाई कोर्ट के जज रहे हैं, पंडित हैं, मेरा मतलब है कि कानून के पण्डित हैं, उन्होंने बता दिया कि इस देश में पंडितों का सम्मान करो, विद्वानों का सम्मान करो, उन्होंने जो शब्द कहे केवल कांग्रेस के सदस्यों ने ही नहीं, बल्कि अपोजीशन के मेम्बर्स ने भी श्री वेंकटामुब्बया के रेजोल्यूशन का समर्थन किया। मैं तो उस हाउस में बैठा हुआ था जब प्रेसीडेंट साहब से मौलाना साहब से क्वेश्चन पूछा था और प्रेसीडेंट साहब ने कह दिया था शराफत के साथ कि अभी इस का समय नहीं है।

The most learned Professor began to shout and say that this had happened and that had happened.

श्री वेंकटामुब्बया ने उन्हीं के बर्ड्स को पेश किया है। उन का खुद का कंडेम्पेशन मौजूद है। हमारा कंडेम्पेशन तो है ही। अध्यक्ष महोदय, हमारे दश में आज से नहीं पूर्व काल से, गुप्त कालीन समय से प्रजातंत्र रहा है। कल हम ने डा० के० एन० काटजू को होमेज पे किया था। वह उत्तर प्रदेश में जब ला मिनिस्टर थे तभी उन्होंने प्रजातंत्र का नमूना पेश किया था। अब हमारे बीच में पुरानी पीढ़ी के इने गिने लोग रह गए हैं। डाक्टर लोहिया भी आज हमारे बीच में नहीं हैं। मैं उन की आत्मा की शांति के लिए ईश्वर से प्रार्थना करता हूँ। वह बहुत बड़े डेमोक्रेट थे। मैं श्री दीनदयाल उपध्याय को भी श्रद्धांजलि अर्पित करता... (व्यवधान)... यह हमारी डेमोक्रेसी का ट्रेडीश है। अध्यक्ष महोदय, आप के सिर के ऊपर धर्म-चक्रप्रवृत्तनाय लिखा हुआ है। उसी के अन्तर्गत मैं यह सब बातें कह रहा हूँ। मैं कहना चाहता हूँ कि जिन लोगों ने प्रेसीडेंट का अपमान किया है उन्होंने अनुचित कार्य किया है। उन्हें भलनन्नाहत के साथ उस के लिए माफ़ी मांग लेनी चाहिए।

**Shri S. M. Banerjee (Kanpur):** I rise to oppose this Motion moved by my learned friend, Shri Venkatasubbaiah. I heard him with rapt attention when he was moving the Motion and was expressing his own good feelings about Prof. Mukerjee. I am still not convinced whether it was proper for him to move such a Motion.

May I invite your kind attention to Article 79 of the Constitution? Article 79 says:

"There shall be a Parliament for the Union which shall consist of the President and two Houses to

be known respectively as the Council of States and the House of the People."

After all, this Parliament is a creature of the Constitution because we have a written Constitution. Whether it is his House or the other House or even the President, they are all creatures of the Constitution, in my humble opinion. I am not an expert, I am not an eminent lawyer, but I have a feeling that the Constitution is supreme in this country and not the creatures of the Constitution. The Constitution says that there shall be a Parliament for the Union which shall consist of the President and two Houses. In this House walk-out is allowed; walk-out is staged (*Interruptions*) Members can go out—it is not any disrespect to you—if they are not pleased with the verdict or decision of the ruling Party or of a Minister.... (*Interruptions*). Walk-out can take place in this House. According to our Constitution, you are the custodian of Parliamentary democracy.

The ruling party may have very scant respect for the Speaker, as they demonstrated in West Bengal to the West Bengal Speaker, but we have respect for the Speaker at least. You are the custodian of parliamentary democracy. But we in our wisdom sometimes walk out. That does not mean that we show disrespect to you. On that particular day, 12 February 1968, when the President addressed a joint Sitting of both Houses in the Central Hall, I was sitting next to Prof. Mukerjee. I know that no proceedings are available and the charges are based on heresy. Shri Venkatasubbaiah cannot produce a single document in this House on which his charges are framed. It is merely heresy. Even some of the press representatives could not hear it. They said Prof. Mukerjee was not audible. But my hon. friend heard him and heard him so nicely that he has tabled a motion. What is the wording of that motion?

"Reprimands them for their undesirable, undignified and unbecoming behaviour".

He has only forgotten the word 'indecorous'—which some hon. Member opposite may add by way of amendment.

I feel that on that particular day Prof. Mukerjee voiced the sentiments of the Indian people, the sentiments of people in those States where democracy was being trampled by a nominated Governor, where a particular State was being ruled unconstitutionally by a person called B. P. Mandal, where there had been a rape of democracy, either in Rajasthan or Haryana or Punjab. He was only bringing to the notice of the President, the head of the State, the views of the people of those particular States, the genuine sentiments, the heart-breaking sentiments of those people who were suffering because of the misdeeds of his Government headed by the ruling Party, the Congress. In all humility, he did this. I must congratulate the President on giving him a patient hearing. He did not act in the manner of a policeman; he did not say anything. He could have ordered him out; he could have done anything under the sun to throw out Prof. Mukerjee. He could also asked him to shut up. But he did not do any of these things. He listened and listened with patience, because I am sure by this time, after a year, he is also aware of the misdeeds of his Government. He has to preside over a joint sitting and deliver a speech and his speech is criticised. The strangest thing is that the President is not here to reply to the debate. It is replied to by the Prime Minister who is doing all sorts of misdeeds.

So my submission is that Prof. Mukerjee did not use any word which was either indecorous or undignified. He was being fully dignified, respectful and decorous. I say this not because Prof. Mukerjee and Shri Ishaq Sambhali belong to our group. Prof. Mukerjee has never used an expression which

[Shri S. M. Banerjee.]

could be characterised as undignified or unbecoming. When somebody attacks me, I may use an expression which may not be palatable to the ruling party. It may be because I have no good control on the language. But he has control over the language. I am sure he never meant any offence to the President.

The second point, which is very important is that particular motion should have been brought under rule 222 as a privilege motion. According to rules 184 and 180, nothing should be brought in the form of a motion which raises a question of privilege. He did not consider this patiently. He only relied on a report given in 1963, on 19th March, 1963, by the former Deputy-Speaker, Mr. Krishnamoorthi Rao, read out the whole thing stating that this is the decision of the Committee, but the portion which has been read out by Mr. Venkatasubbiah was never accepted by this House. It was never adopted in this House. It was left to the good sense of Parliament.

And now today whatever Prof. Mukerjee wanted to say then has come true, that puppet Government, the puppet Chief Minister of West Bengal, has been dismissed, P. C. Ghosh does not exist today.

What did he want to say more? About high prices, about liquidation of parliamentary democracy under the note of the Prime Minister by her own Government. Is it wrong? I fully support the amendment brought by my hon. friend Shri Limaye that we should have some rule under which we are reprimanding Prof. Mukerjee.

Shri R. K. Karanjia was reprimanded under rule 222 in the form of a privilege motion. I might have been expelled from this House under various rules of the Rules of Procedure. I ask Mr. Vankatasubbalah, I ask you, in all humility, what is the rule today under which Prof. Mukerjee or my friend Shri Sambhali is to be reprimanded? Where are those rules? Can

unwritten conventions supersede the written Constitution in this country? Has he not freedom of speech? Demonstrations have taken place before the Prime Minister, even physical parade has taken place before Governors and the President in Delhi of Rajasthan M.L.As. Why were they not reprimanded for coming physically before the President and showing their strength?

It is surprising that this parliamentary democracy is being converted into a mockery and into a sharp instrument in the hands of the ruling party which is losing in every State, to suit their political ends. That is why I still request my friend Shri Venkatasubbalah not to stand on his prestige, but to accept my amendment or the amendment of Shri Limaye. My amendment reads:

"That the House, having considered the conduct of Sarvashri Maulana Ishaq Sambhali and H. N. Mukerjee at the time of the President's Address to both the Houses of Parliament assembled together under article 87 of the Constitution on the 12th February, 1968, recommends that no action be taken against them."

They are so much power drunk that when Maulana Sambhali is absent, in his constituency, they want to censure and reprimand him, and they wanted to pass it before 4.0' Clock, but thanks to you and the Deputy-Speaker it has been extended. I am happy that we have been able to highlight certain problems, and I request you, and through you, Mr. Venkatasubbalah and all those belonging to the Treasury Benches, not to establish a bad precedent in this House. Let us develop healthy conventions.

I do not support anybody being insulted, but if there is going to be a rape of democracy, if there is going to be famine in the country, if people are going to be shot dead like dogs,

I am sure you may reprimand or you may move censure motion against us, we shall again highlight these problems before the President, because the President is the head of the state. Shri Mukerjee has not done anything wrong, none of us has done anything wrong. We are being reprimanded for expressing the sentiments of the people correctly, which is our sacred duty.

**श्री प्रेम चन्द वर्मा (हमोरपुर):** अध्यक्ष महोदय, मैं अपने मित्र व माननीय सदस्य श्री वेंकटा सुब्बाया ने जो प्रस्ताव इस सदन के सामने पेश किया है मैं उस का समर्थन करता हूँ।

मैं पहली बार लोकसभा में चुन कर आया हूँ। जब मैं इस लोकसभा में आया तो मेरे मन में बड़ी आशाएँ थीं, बड़ी उम्मीदें थीं कि मैं वहाँ पर जाऊँगा जहाँ पर भारत के बड़े-बड़े विद्वान, बड़े बड़े नेता होंगे और बड़े बड़े पार्लियामेंटेरियन होंगे। मैं उन सब से कुछ सीखूँगा यह आशा लेकर इस सदन में मैं आया था लेकिन कुछ ही दिनों के बाद मैं ने महसूस किया, मैं ने अनुभव किया कि मुझे निराशा ही पल्ले पड़ेगी।

अध्यक्ष महोदय, आप एक बहुत बड़े नेता हैं। आप भी नेशनल लीडरों में से एक हैं। मैं एक नौजवान हूँ और चाहता हूँ कि नौजवानों के जो जजबात हैं, दिल में जो जोश है वह मैं आपके सासने रखूँ। हम नौजवान लोग चाहते हैं कि आप से हम कुछ सीखें, नेताओं से कुछ सीखें। किसी भी पार्टी का कोई नेता हो उस से हम कुछ सीखें लेकिन जब इस सदन में मैं आया, इस सीट पर जब मैं बैठा तो पहले ही दिन मैंने महसूस किया कि जो उम्मीदें 55 करोड़ लोग हम से लगा कर बैठे हैं वह उम्मीदें यहाँ के नेता जो हैं वह उन को पूरा नहीं करते हैं। जिस आशा को लेकर जनता ने हम को यहाँ पर भेजा है, उन्होंने हम से जो उम्मीदें बांध रखी हैं, जो काम वह हम से करवाना चाहते हैं उस

काम की तरफ हम तबज्जह नहीं देते हैं। जिन आशाओं को लेकर हम यहाँ पर आये थे, कुछ सीखना हम चाहते थे वह बात नहीं हुई है।

मैं अधिक न कहते हुए यह कहूँगा कि 12 फरवरी को संसद् के सदस्यगणों के सामने राष्ट्रपति का अभिभाषण होने वाला था। हमारे राष्ट्रपति जी इस देश के 55 करोड़ लोगों के प्रतीक हैं, भारतीय संविधान के प्रतीक हैं। उनके अभिभाषण के अवसर पर जब आदरणीय मुखर्जी साहब और दूसरे सदस्य बीच में से उठ कर चले गये और श्रेम, श्रेम का नारा जब उन्होंने लगाया तो सब जानिये, अध्यक्ष महोदय, मैं तो हिमाचल प्रदेश का रहने वाला एक डोगरा नौजवान हूँ और हम लोग देश के लिए मर मिटने वाली बहादुर कौमों से ताल्लुक रखते हैं उन माननीय सदस्यों का वह व्यवहार उस दिन देख कर हमारे दिलों के अन्दर एक बड़ी ठेस पहुँची कि जब देश के 55 करोड़ लोगों का प्रतिनिधि यहाँ भाषण देने लगा हो तो वह शक्स जोकि यहाँ इस सदन के पिछले 15 सालों से मुतवातिर मैम्बर रहे हों, सन् 1952 से 1967 तक और अभी तक मैम्बर बने रहे हुए हों, जो इतने पुराने पार्लियामेंटेरियन हैं वह सर्वोच्च सत्ता के प्रति, देश की 55 करोड़ जनता के प्रतीक के प्रति ऐसा व्यवहार करें। अब जाहिर है कि इस तरह का व्यवहार यदि हमारे यह बुजुर्ग लोग, बड़े बड़े माने हुए पार्लियामेंटेरियन करेंगे तो फिर जो आगे आने वाले नौजवान लोग हैं जो कि कालिजों आदि में पढ़ रहे हैं उन पर क्या असर पड़ेगा? वह कहेंगे कि जब 1952 से मुतवातिर मैम्बर रहने वाले, ऐसे बड़े पार्लियामेंटेरियन जब वह ही राष्ट्रपति की इज्जत नहीं करते, स्पीकर की इज्जत नहीं करते तो हमें उन को इज्जत करने की क्या जरूरत है? मैं नातजुबेकार हूँ, यहाँ पर नया हूँ लेकिन इतना मैं कहें बगैर नहीं रह सकता कि जो बावें

[श्री प्रेम चन्द वर्मा]

जो व्यवहार हम सदस्यगण लोकसभा व राज्य सभा में करते हैं, जो बातें हम इस सदन में करते हैं उन का देश की 55 करोड़ जनता के ऊपर असर अवश्य पड़ता है। बड़े लोग अगर कोई बात करते हैं अगर कोई ऐसा व्यवहार करते हैं जो कि वांछनीय नहीं होता तो उस का असर छोटे लोग भी लेते हैं और वह भी बाद में किसी के खिलाफ आरोप लगाने या उसी तरह का अवांछनीय व्यवहार करने की जुर्रत करने लगते हैं। जब बाप कोई ऐसी बेसी बात करता है तो उस का बच्चा भी वैसा करने लग जाता है। अगर लड़के का बाप अपने बड़ों की इज्जत करता हो, अपने बूढ़े मां, बाप की इज्जत करने वाला हो और ठीक ढंग से बात व व्यवहार करता है, सम्मति और संस्कृति के अनुरूप रहता व आचरण करता है तो उस बच्चे को कभी यह हिम्मत नहीं होती है कि वह कोई अवांछनीय हरकत करे या कोई किसी किस्म की बदतमीजी करे, किसी को गाली या अपशब्द निकाले।

मेरा आप से निवेदन है कि यह जो प्रस्ताव हाउस के सामने श्री बैकटामुब्बया द्वारा लाया गया है इस को पार्टी दृष्टिकोण या और किसी संकुचित दृष्टिकोण से नहीं देखना चाहिए। इस प्रस्ताव को इस दृष्टि से नहीं देखना चाहिए कि वह कम्युनिस्ट पार्टी से ताल्लुक रखता है या और किसी पार्टी से ताल्लुक रखता है बल्कि अगर इस का ताल्लुक है तो वह इस देश के संविधान से और इस देश के 55 करोड़ लोगों के जड़बात से उस का ताल्लुक है। देश की जनता चाहती है कि जो 55 करोड़ लोगों के प्रतीक हैं उन का सम्मान हो, अर्थात् राष्ट्रपति जी का सम्मान हो संविधान का सम्मान हो। कोई भी देश में ऐसा आदमी नहीं होगा जो कि संविधान की और राष्ट्रपति की इज्जत नहीं करना चाहता। उन की इज्जत कम्युनिस्ट पार्टी

भी करना चाहती है और हम भी करना चाहते हैं लेकिन वह केवल इसलिए कि ऐसा करने से प्रचार होगा, सस्ती पब्लिसिटी के लिए इस तरह से सस्ती शोहरत के लिए सदन के अन्दर ऐसा व्यवहार करते हैं बड़ा से वाक आउट करते हैं और हम ने शेम शेम के नारे लगाये हैं उस से अखबारों में हमारा प्रचार होगा।

इसलिए मैं उन से केवल इतना अर्ज करूंगा कि जिस दल से वह ताल्लुक रखते हैं उन के और दूसरे दलों के बारे में चौ० चरण सिंह क्या स्पीच देते हैं। मैं आप को उन के अलफाज पढ़ कर सुनाता हू। उन्होंने बड़े मजे की बात कही है। वह कहते हैं कि :

“संयुक्त विधायक दल में जो दल है उन्हें देश के हित की चिन्ता नहीं है, वह जनता के हित के लिए किसी काम में दिलचस्पी नहीं रखते बल्कि वह लोग ओहदों के लिये भागते हैं और अपने आदमियों को ओहदों पर बिठाने में लगे रहते हैं।”

यह सर्टिफिकेट उस व्यक्ति ने, उस चीफ मिनिस्टर ने, दिया है जिस ने आठ-दस महीने उन के साथ काम किया है।

मैं अर्ज करूंगा कि यह जो प्रस्ताव है उस को पास कर दिया जाना चाहिये और जैसा कि उस कमेटी ने, जो कि 1963 में बनी थी, कहा था अपनी रिपोर्ट के पैरा 28 में कि उन मेम्बरों को कम से कम एक साल के लिए सस्पेंड किया जाय, इन मेम्बरों को मैक्सिमम सजा दी जानी चाहिए, ताकि हम लोग, जिन में मैं भी शामिल हूँ, कोई ऐसा काम न करें जिस से समाज के ऊपर देश की जनता के ऊपर, बुरा असर पड़े। तभी इस सदन की इज्जत और राष्ट्रपति का सम्मान और इज्जत बरकरार रह सकती है।



इन शब्दों के साथ मैं इस प्रस्ताव का अनुमोदन करता हूँ ।

**श्री जार्ज फरनेन्डीज (बम्बई-दक्षिण) :** अध्यक्ष महोदय, इस प्रस्ताव पर बहस चलते समय मुझे दस-बारह वर्ष पहले का एक क्लिसा याद आता है । उस बाबू रिक्शेवाले का क्लिसा जो कि रिक्शा वालों का नेता था । प्रधान मंत्री श्री जवाहरलाल नेहरू नागपुर शहर में गये थे । बाबू रिक्शे वाला प्रधान मंत्री को एक ज्ञापन देने के लिये भगदड़ में उनकी गाड़ी के सामने आया तो उस की गिरफ्तारी हो गई । उस को ज्ञापन देने के लिये नहीं छोड़ा गया । उस को अदालत में ले जा कर उस पर गलत आरोप लगाये गये और सात या चौदह वर्षों की सजा दी गई । उस की एक ही गलती थी कि वह रिक्शे वालों की शिकायतें देश के प्रधान मंत्री के पास पेश करने का प्रयास कर रहा था । आज वही बात यहां भी हो रही है । बाबू रिक्शे वाले भी जगह पर श्री हीरेन मुकर्जी हैं और श्री इसहाक मम्मली हैं तथा प्रधान मंत्री की जगह पर मुल्क के राष्ट्रपति हैं ।

राष्ट्रपति साल में एक ही बार दोनों सदनों के सदस्यों के सामने आते हैं, और वह एक वही मौका मिलता है जब हम अपनी शिकायतों को, यानी जिन लोगों ने हम को चुन कर यहां भेजा है उन की शिकायतों को, सार्वजनिक तौर पर उन के सामने पेश कर सकते हैं । 12 फरवरी को जो किस्सा हुआ, वह इतना ही हुआ कि बंगाल, बिहार और मुल्क के कई और मसलों को लेकर प्रो० हीरेन मुकर्जी ने जनता की राय रखनी चाही । अपनी राय नहीं, क्योंकि एक बात आप याद रखें कि कांग्रेस वाले सिर्फ 38 फीसदी जनता के प्रतिनिधि हैं और 62 फीसदी जनता के प्रतिनिधि इस तरफ बैठे हुए हैं, और जिन 85 सदस्यों ने राष्ट्रपति के अभिभाषण के समय सदन त्याग किया था वे भी 30-35 फीसदी जनता के प्रतिनिधि हैं, हिन्दुस्तान की कुल जनता की आवाज को उन्होंने

वहां बलन्द करते हुए अपनी शिकायतों को राष्ट्रपति के सामने पेश करने की कोशिश की थी ।

यहां पर शान और इज्जत की बहस चल रही है । मेरी समझ में नहीं आता कि किस की शान और किस की इज्जत की बात हम लोग करते रहते हैं । आखिर इस मुल्क की शान, और इज्जत जो है वह इस मुल्क की जनता जो है उस की शान और इज्जत में रहती है । राष्ट्रपति की इतनी बड़ी गाड़ियों में, 365 कमरों के राष्ट्रपति भवन में, डेढ़ हजार एकड़ विस्तार के बागीचे में सारी शान और इज्जत नहीं रहती है । उनकी शान और इज्जत की रक्षा करने की बात हम लोगों के सामने नहीं है । शान और इज्जत इस मुल्क के 50 करोड़ लोगों की रहनी चाहिये । जब कभी भी शान और इज्जत की बात कही जाती है, प्रस्ताव के द्वारा हो या तकरीरों के द्वारा हो, तब उन के बारे में सब से ज्यादा सोचा जाना चाहिये ।

एक बात मेरी समझ में नहीं आती । उस दिन यहां पर राष्ट्रपति का अभिभाषण हुआ, वह अभिभाषण देने के लिये यहां आये, हम लोगों ने उठ कर अपनी राय उन के सामने रखी । दो तीन मिनट में उन्होंने हम लोगों की राय सुन ली और हम वहां से उठ कर चले गये । 80-85 व्यक्ति एकदम से उठ कर नहीं चले जा सकते, एक व्यक्ति हम लोगों का नुमाइन्दा हो कर चला गया, तो उस के लिये आप यहां शान और इज्जत की बात लाते हैं ? उस शान की बात हम रोज देखते हैं । जब प्रधान मंत्री की गाड़ी आती जाती है, सड़कों पर, तो हम लोगों की गाड़ियां रोकी जाती हैं । यह उन की शान है । 26 जनवरी आती है । हम देखते हैं कि एक तरफ तो कोयनार के भूकम्प होने की वजह से स्कूल के छोटे छोटे बच्चे स्कूलों में नहीं, पेड़ के नीचे बैठ कर अभ्यास करते हैं और राजधानी में 50 लाख

## [श्री जार्ज फरनन्डीज]

६० खर्च कर के हम लोग अपने देश की शान और इज्जत दिखलाने की बात करते हैं।

मैं यह चाहता हूँ कि रोज चिल्लाने वाली जनता की शान और इज्जत के बारे में हम सोचना शुरू करें। अपनी शान को नम्बर 2 पर रखें और उन की शान और इज्जत को नम्बर 1 पर रखें। उन लोगों के शरीर पर कपड़ा हो, उन के पेट में खाना हो, उन के बच्चों की शिक्षा हो, उन के लिये शिक्षा शालायें हों। आप उन लोगों की शान और इज्जत को आज देखिये, अपनी शान और इज्जत को नहीं। जिन का आज बहुमत है वह हम लोगों का डराने का काम करते हैं। लेकिन उन का यह बहुमत रहने वाला थोड़े ही है।

यहां पर नियमों की बात कही गई। श्री वेंकटासुब्बा ने नियमों की किताब उठा कर बहुत कुछ कहा। लेकिन नियम हम लोगों के लिये बने हैं, हम लोग नियमों के लिये नहीं बने हैं। इसलिये जब नियमों की बात होती है तब मैं यह विनती करना चाहता हूँ कि हम लोग इस को नियमों के दृष्टिकोण से न देखें। अगर आप उस दृष्टिकोण से देखना चाहते हैं जिस दृष्टिकोण से श्री वेंकटासुब्बा दिखलाना चाहते हैं, तो मुझे आप से बड़े अफसोस के साथ कहना पड़ता है कि रोज ही हम लोग किसी न किसी व्यक्ति के बरताव के बारे में आप के सामने इस किस्म के प्रस्ताव पेश कर सकते हैं। हालांकि मुझे मालूम है कि आप उस को नहीं मानेंगे और कहेंगे कि जाने दीजिये क्योंकि यहां रोज ही न जाने कितनी चीजें होती हैं। अगर आप मेरी बात मानते हैं तो हम लोग भी तो ऐसा करते हैं। हम भी करते हैं और वह भी करते हैं, इसलिये इस को जाने दिया जाये। अगर हम उन के खिलाफ कोई चीज आज रखेंगे तो कल वह हमारे खिलाफ रखेंगे।

अध्यक्ष महोदय, आप हम को बतलाइये कि देश के उप राष्ट्रपति की इज्जत क्या राष्ट्रपति

से कुछ कम है? अगर उस किस्म की इज्जत की बात हम करें जिस की श्री वेंकटासुब्बा करते हैं, तो इस मुल्क के उपराष्ट्रपति की इज्जत राष्ट्रपति से बहुत कम हो जाती है। वह रोज सुबह 11 बजे उपराष्ट्रपति होने के नाते राज्य सभा में बैठते हैं। तब उस सदन में क्या होता है? चाहे कांग्रेस के पक्ष के लोग चाहे गैर कांग्रेसी पक्ष के लोग हों वहां वह कौन से प्रश्न नहीं उठाते? वहां पर क्या नहीं चलता है? क्या वहां पर अधिकारों का उल्लंघन नहीं होता? वहां पर कौन सी बात सुनने में नहीं आती है? क्या उपराष्ट्रपति की इज्जत राष्ट्रपति जैसी नहीं है? हम आप की इज्जत का ही प्रश्न उठाना चाहेंगे? आप को इस सदन ने चुना है, आप इस सदन के अध्यक्ष हैं। आप यह बतलाइये कि क्या आप की इज्जत कम है। अब आप इस सदन के अध्यक्ष के नाते यहां बैठते हैं तब यहां लोग चिल्लाते हैं। हर पार्टी के लोग चिल्लाते हैं। हम भी चिल्लाते हैं। अगर हम चिल्लाते हैं और गुनाह करते हैं तो उधर वाले भी गुनाह करते हैं। लेकिन आप तो कोई शिकायत नहीं करते। जब आप इस सदन में बैठे हुए रहते हैं अध्यक्ष के नाते, तब क्या हम लोग आप की इच्छाओं का उल्लंघन नहीं करते हैं? रोज 12 बजे से 1 बजे तक हम लोग कोई न कोई प्रश्न उठाना चाहते हैं और नियमों को तोड़ कर ही उठाते रहते हैं। इसलिये हम नियमों को तोड़ कर उठाते हैं कि हम जानते हैं कि नियम हमारे लिये हैं, हम नियमों के लिये नहीं बने हैं।

आखिर को इस सदन में जनता की आशा और आकांक्षाओं को हम अभिव्यक्त करते हैं, उनका हम प्रतिबिम्ब मात्र हैं। इसीलिए आप भी हम लोगों की बातों को सुनते हैं। इसका मतलब यह नहीं है कि आप नियमों को जानते नहीं हैं या हम लोग नियमों के साथ मस्ती से या उनके साथ मजाक करते हैं और उनको तोड़ते हैं। हम लोग अगर

गलती करते हैं तो आपने देखा होगा कि ये लोग चिल्लाते हैं। क्या यह इनके लिए उचित है? क्या इस तरह से आपका ये अपमान करेंगे? रोज इस तरह से ये करते हैं। अपनी इज्जत कम नहीं है। उस आधार पर तो यहां रोब प्रस्ताव आने चाहिये। उस तरह के ही प्रस्ताव आने चाहिये जिस तरह का बदनाम करने वाला, रेप्रिमांड करने वाला प्रस्ताव माननीय श्री वेंकटामुब्बया ने पेश किया है।

अब तो प्रस्ताव पेश हो चुका है। इस प्रस्ताव पर श्री मधु लिमये ने एक तरमीम दी है, जो इस प्रकार है :

"after taking into consideration the happenings at the time of the President's Address to Members of Parliament on the 12th February 1968, is of opinion that the Rules of Parliament should provide for the ventilation of grievances by Members of Parliament at the joint opening session of Parliament every year".

मैं कहना चाहता हूं कि अगर माननीय श्री वेंकटामुब्बया साहब को अपना प्रस्ताव वापिस लेने में कोई तकलीफ होती हो तो वह इस तरमीम को मान लें। इस प्रस्ताव पर बहस हो चुकी है, आपके दल के लोगों ने जो कुछ कहना था वे कह चुके हैं और इसको आप बड़ी चीज न बनायें और वापिस ले लें लेकिन अगर आप इसको वापिस लेना नहीं चाहते हैं तो मधु लिमये जी की तरमीम को आप स्वीकार कर लें।

17 hrs.

अतः मैं एक बात मैं कहना चाहता हूं। राष्ट्रपति जी को लेकर यहां बहस हो रही है। इस मुल्क में जिस तरह से राष्ट्रपति हैं उस तरह से दूसरे मुल्कों में भी राष्ट्रपति हैं। यहां पर राष्ट्रपति भवन पर जो झंडा लहराया जाता है वह इस देश का झंडा नहीं है। कई बरसों से हम इस बात को कहते आ रहे हैं। बरसों तक डा० लोहिया इस सदन में इस चीज को कहते रहे हैं। जब भी उनको मौका

मिलता था वह इसको कहा करते थे। क्यों नहीं राष्ट्रपति भवन पर, इस मुल्क के सब से बड़े अफसर के मकान पर, उस मुल्क के जो प्रतीक हैं उन के मकान पर राष्ट्र का झंडा लहराया जाता है। उप प्रधान मंत्री तथा दूसरे लोग बैठे हुए हैं। मैं उनको याद कराना चाहता हूं कि अमरीका के राष्ट्रपति के घर पर अमरीका का राष्ट्रीय ध्वज लहराता है। हिन्दुस्तान के राष्ट्रपति के घर पर भी राष्ट्रीय ध्वज लहराने का काम ये लोग करें।

मैं अतः मैं फिर श्री वेंकटामुब्बया से प्रार्थना करता हूं कि वह अपने प्रस्ताव को वापिस ले लें।

SHRI BAKAR ALI MIRZA. (Secunderabad): Mr Speaker, Sir, the speech we have heard just now was not so much on the motion before the House but it was on the President's Address. Discourtesy to the President, the highest person in the country, no one will approve, whether it is from this side of the House or that side. It is not at all a party question and therefore it should not be viewed in that light.

Shri Fernandes said that every day things are happening here which if you take seriously in the same light as Shri Venkatasubbaiah has taken about discourtesy to the President, can be raised day in and day out. The fact that these things are not raised here is really, I think, unfortunate. They have to be raised and this Parliament has to reach a status where we can decide matters after discussion, deliberation and with deep thought.

Discourtesy to the President is the question before the House. Discourtesy to the President is as important as discourtesy to the Speaker and to the Chairman of the other House. They are all alike with a little difference of degree. But I ask you, Sir, as Speaker, and ask Shri Venkatasubbaiah, when President is addressing a

[Shri Bakar Ali Mirza.]

joint session is it not a joint session of Parliament, and if it is a joint session of Parliament do I not sit there as a Member of Parliament with certain rights and privileges? When I sit there what are the rights and privileges that I enjoy? Am I to sit there just mum, listen respectfully and go back home? I can do that on the radio or I can read the Address. So certain rights and privileges of Members of Parliament are involved. Those rights and privileges should not be expressed in the form which appear as discourtesy to the President, to the Speaker or the Chairman. Therefore, I invite the attention of Shri Venkatasubbaiah to this point. I was there and I heard Shri Mukerjee speak. He made a definite statement "we do not mean any disrespect to you, Sir, Mr. President; these are the feelings that we have and we want to express it". Suppose it is a question of war and peace and the President comes with an Address tomorrow in which it is mentioned; do you mean to say that the whole House will just keep mum? No, the members would react. But that reaction should be expressed with decorum, dignity and all that sort of thing. The intention of Shri Venkatasubbaiah is to bring to the notice of the House and to the country the way in which this Parliament is functioning. That has been done. So, I would now request him to withdraw this Resolution.

One more thing I would like to mention before I finish. We are following in our Parliament May's Parliamentary Practice. But there is a distinct difference in quality between our Parliament and the House of Commons. In England the Head of the State is a monarch, who is there by the right of his birth; he is not elected. He acts as a constitutional rubber stamp. In our case, the President is elected and certain bias goes along with the President that cannot be denied. Therefore, that also has to be

taken into consideration. Similarly, our Rajya Sabha is an elected body. We cannot compare our Rajya Sabha, which is elected, with the House of Lords, which is not elected. There is a distinct difference. In our case, the President, the Lok Sabha and the Rajya Sabha are elected. So, we sit there during the Address of the President as elected Members of Parliament. We do not want to surrender our rights and privileges just because the President is addressing the joint session. There are certain inherent rights of the members which should be respected. So, I would request Shri Venkatasubbaiah to withdraw his motion.

SHRI HEM BARUA (Mangaldai): It is very heartening to hear a Congress member who does not support the motion of Shri Venkatasubbaiah. That hon. Member has made an appeal to the mover of the motion to withdraw the motion. It is so nice to hear a Congressman say that. But I do not know what is the reaction to that appeal. For instance, what is the reaction of Shri Morarji Desai to it? This motion of Shri Venkatasubbaiah raises a constitutional issue—the dignity of the President of the Republic vis-a-vis the dignity of the Members of Parliament. To say that the constitutional position of the President is not defined is to misread and misinterpret the Constitution. To say that the power of the President is like a glass of beer, where you do not know where the foam ends and beer begins is wrong.

SHRI PILOO MODY: Shri Morarji does not know anything about beer.

SHRI HEM BARUA: Because, the President is the repository of all constitutional rights and obligations and also of the values that we have cherished so long.

What shocked us that day was not the conduct of Professor Mukerjee. He was very polite. For a dignified

man like him, a man who is just like a dove, for him to be polite is quite understandable and he staged a walk out. What shocked us was the remark of this gentleman, Shri Maulana Ishaq Sambhali. Shri Nath Pai immediately reacted to that. Shri Maulana said:

“हिन्दुस्तान में मुस्लिम समाज को बर्दाद किया जा रहा है”

I can understand a tirade against this government, but I cannot understand a tirade against mother India, an attempt to tarnish the fair name of our country, and we must not try to cover up our sins by all sorts of statements. Shri Nath Pai immediately reacted against it, asserted that it is a shame. So, I would say that this motion has to be studied, examined and analysed in a wider perspective. What is happening in the country today? There is a challenge to the cherished values of India and, at the same time, there is a challenge to the parliamentary democracy which is so much cherished in the country today. Only yesterday, Madurai Students Anti-Hindi Agitational Council has adopted a resolution saying that they would not pay any honour to the National Flag—it is a matter of utter shame—saying that they would not sing the National Anthem and saying that they want to liberate their part of the country. This is how the fabric of Indian democracy is being challenged today. Therefore, we who are Members of Parliament must be able to uphold a sort of dignified attitude. If we fail, how can you blame the young people when they fail and challenge the democratic fabric of the country. It is the bounden duty of us all to lay down a tradition which the younger generation might follow.

SHRI PILOO MODY: God forbid!

SHRI HEM BARUA: The tradition must be one of dignity, one of decorum and one of decency. This motion to reprimand the two Members would not serve the purpose and, at

the same time, the recommendation made by that Committee that an erring Member should be suspended for a year would not also serve the purpose.

SHRI S. M. BANERJEE: That was not adopted.

SHRI HEM BARUA: Our suggestion is that there should be a committee of the leaders of the different political parties to see that these things are not repeated either here or on the floor of the State Assembly. Even on the floor of the State Assembly, there is a challenge to the value or to the dignity of the Governor. The Governor of West Bengal was prevented from addressing the joint session of the Assembly there. Then, when he got in by a back door, there was a criticism as to why should the Governor sneak through back door. If the front door is not kept open, if there is no security for him, it is right and proper for the Governor in the discharge of his constitutional obligations to use back door.

There is a challenge to the dignity and the authority both of the President and of the Governor. I have made a suggestion that there should be a committee to examine the entire problem in a comprehensive way and to suggest ways and means to maintain and preserve the dignity not only of the President, not only of the Governor, but also of the Parliament and of the representative bodies.

I have another suggestion to make. The President or the Governor is to creation of the Constitution. It is done after the pattern of the British practice. It is a ritualistic thing done in the light of what we have learnt from Britain during their rule in this country. I do not understand why should the President be subject to the ordeal of addressing the joint session of Parliament. That does the President's Address contain? It is only an enumeration of programmes.

[Shri Hem Barua.]

and policies of the Government, nothing else. Then, he gives an enumeration of the Bills that are going to be discussed on the floor of the two Houses of Parliament. That is what the President's Address contains mostly.

AN HON. MEMBER: That is the work of Dr. Ram Subhag Singh.

SHRI HEM BARUA: My hon. friend is right. That is the work of Dr. Ram Subhag Singh or the Secretary who might give enumeration of the Bills that are going to be discussed on the floor of the two Houses. Why should you drag the President in like that in order to make him a subject of or a victim of insult and humiliation? Therefore, this old practice of the President addressing the two Houses of Parliament or the Governor addressing the State Assembly should be done away with and, if necessary, the Constitution should be amended in that light.

श्री अब्दुल गनी दार (गुडगांव) : जनाब स्पीकर साहब, राष्ट्रपति जी ने दोनों हाउसिज को एड्रेस किया, तो आप वहां पर मौजूद थे। मुझे बड़ी खुशी होती, अगर श्री वेंकटा-सुब्बया आप के नोटिस में यह बात लाते कि लोक सभा के इन दो सदस्यों ने इस तरह का जो रवैय्य अख्तियार किया, यह उनकी गलती है, इस तरह उन्होंने राष्ट्रपति का अपमान किया है। अगर आप मुनासिब समझते, तो आप इन दोनों मेंबर साहबान को जिन में एक बहुत बड़े प्रॉफ़ेसर हैं और दूसरे एक नये भाई, मौलाना इसहाक हैं, अपने पास बुलाते। अगर ये मेंबर साहबान आपको सेटिसफाई कर देते और श्री वेंकटासुब्बया सेटिसफाई हो जाते, तो फिर शायद इस मामले को इस हाउस में लाने की जरूरत ही न होती।

17 hrs.

[MR. DEPUTY-SPEAKER in the Chair]

मैं सरकार से यह अपील करता हूँ कि वह अपनी तरफ से एक अमेंडमेंट लाए

कि इस मामले को स्पीकर साहब के सुपुर्द कर दिया जाये और अगर स्पीकर साहब आईन्दा के लिये इस हाउस में और खास तौर पर राष्ट्रपति जी के आने पर, मेंबरान के लिए कोई तरीका वगैरहा मुकर्रर करना चाहें, तो वह इस बारे में तमाम पार्टियों का सहयोग ले सकते हैं। ऐसे मौके पर सरकार ही कोई एमेंडमेंट ला सकती है, मैं नहीं ला सकता हूँ।

इस वक्त सरकार और सरकारी पार्टी को यह नहीं भूलना चाहिये कि "आंध्र जो कुछ देखती है लब पर आ सकता नहीं"। इस वक्त मुल्क के सामने एक अजीब मुसीबत है। एक तरफ तो हम ईमानदारी के साथ यह महसूस करते हैं कि वियतनाम और वेस्ट एशिया में शायद जंग के ऐसे जबरदस्त बादल छा जायें, जो सारी दुनिया को अपने घेरे में ले लें। दूसरी तरफ हमारे कुछ भाई रण कच्छ के बारे में एक बड़ा तूफान उठाने की सोच रहे हैं। ऐसे मौके पर सरकार को क्या करना चाहिये, सरकार का क्या फर्ज है? जब वह अपनी और मुल्क की मुसीबत को समझती है, तो उसे अपोजीशन के मन को ज्यादा नर्म करना चाहिये, उसको ज्यादा अपने साथ लेना चाहिए और पाकिस्तान हो या चाइना, अमरीका हो या कोई और मुल्क, जो भी इस वक्त हमारे देश पर मुसीबत लाना चाहता है, हम सबको मिलकर उसका मुकाबिला करना चाहिये।

इसलिए डिपुटी प्राइम मिनिस्टर, होम मिनिस्टर या मिनिस्टर फ़ार पार्लियामेंटरी ऐफ़ेयर्स से मेरी दरख्वास्त है कि वह इस वक्त हाउस में एक तरमीम लायें ताकि अपोजीशन और ओफ़िशियल पार्टी में तलखी और ज्यादा न बढ़े। मैं अगर्चे राष्ट्रपति जी की तकरीर को सुनता रहा और मैं वाक-आउट में शामिल नहीं हुआ, लेकिन इस के माने ये नहीं हैं कि मैं यह समझ लूँ कि श्री मुकर्जी और मौलाना इसहाक

का मन्त्रसद राष्ट्रपति का अपमान करना था । मैं यह समझने के काबिल नहीं था, मैं यह नहीं समझ सका और न ही मैंने यह महसूस किया । लेकिन अगर श्री वेंकटा-सुब्बया यह महसूस करते हैं, तो वह इस मामले को स्वीकार साहब पर छोड़ दें । स्वीकार साहब उनी दोनों मेम्बर साहबान को बुलायें, उनकी राय लें और फिर उनकी उस राय को हाउस के सामने रखें ।

यह बात अलग है कि इस हाउस में शूक नया रूल बना लिया जाये कि राष्ट्रपति के आगे पर कोई मेम्बरान नहीं बोल सकता है । इस को मैं मान सकता हूँ । लेकिन अभी तक हम ने ऐसा कोई रूल नहीं बनाया हुआ है । जहाँ तक मैं रूल को समझ पाता हूँ इस वक्त ऐसा कोई रूल नहीं है कि उस वक्त राष्ट्रपति जी के आगे कोई भी मेम्बर चाहे वह कांग्रेस का हो और चाहे ऑपोजीशन का कुछ नहीं कह सकता है । जब ऐसा कोई रूल नहीं है और जब तक रूल में कोई तबदीली नहीं की जाती है तब तक सरकार और आफिशल पार्टी के लिए यह मुनासिब नहीं है जबकि वह इकानॉमिकनी और देश के बचाव के मामले में चारों तरफ से घिरी हुई है कि वह इस हाउस में अपनी ज्यादा तादाद के जौर से श्री मुकजी और मौलाना को किसी तरह कनडम करने की कोशिश करें ।

मैं सरकार से यह अपील करना चाहता हूँ कि वह खुद एक ऐसा एमेंडमेंट लाए कि यह मामला स्पीकर साहब के सुपुर्द कर दिया जाये क्योंकि स्पीकर वहाँ मौजूद थे और वह दोनों को पूछ सकते हैं । मैं उम्मीद करता हूँ कि सरकार इस अपील पर जरूर तवज्जह देगी तवज्जह देकर अपोजीशन के दिलों को ज्यादा जीतने की कोशिश करेगी ताकि जब भी लड़ाई अगर छिड़ती है चाहे वह किसी बोर्डर पर छिड़े, पाकिस्तान से छिड़े या चाइना से छिड़े तो हम सब एक साथ होकर चलें ।

लेफ्ट कम्प्युनिस्ट्स को हालांकि काफी बदनाम किया जाता है लेकिन मुझे यकीन है जब देश का सवाल आयेगा तो यकीनन वह हमारे साथ गहारी नहीं करेंगे बल्कि हम से आगे बढ़कर अपने देश के बचाव में कार्य करेंगे ।

**एक माननीय सदस्य :** आपको इनहाम हुआ है क्या :

**श्री अब्दुल गनी बार :** यह मुझे इलहाम तो नहीं हुआ है । मैं तो एक नाचीज इन्सान हूँ । और मैंने कहा ही क्या है ? मैंने तो इतनी अर्ज की है कि सरकार ऐसी तजवीज लाये कि स्पीकर साहब के सुपुर्द यह मामला कर दिया जाये । इस में मैंने कोई पाप तो किया नहीं । और मैंने कहा कि आप के रूल में कुछ नहीं है । कोई रूल पढ़ कर सुनाइये, कोई कांस्टीट्यूशन की दफा पढ़ कर सुनाइये या स्पीकर साहब हुकुमसिंह ने बहुत सी हिदायतों की हैं उन को पढ़कर सुना दीजिये । जब आपके किसी रूल में यह नहीं है तो फिर सिर्फ तादाद ज्यादा होने के कारण आप एनन्या चेंबर इन्में जोड़िये यह मुनासिब नहीं है ।

[ شری عبدالغنی دار (کوگاؤں) جناب سپیکر صاحب - جب واشٹریٹی جی نے دونوں ہاؤسز کو ایڈویس کیا تو آپ وہاں پر موجود تھے - مجھے بڑی خوشی ہوئی - اگر شری ویلنگٹن سپیکا آپ کے نوٹس میں یہ بات لائے کہ لوک سپیکا کے ان دو سرسپوں نے اس طرح کا جو رویہ اختیار کیا - یہ ان کی غلطی ہے - اس طرح انہوں نے واشٹریٹی کا ايمان کیا ہے - اگر آپ مناسب سمجھتے تو آپ ان دونوں ممبر صاحبان کو جن میں ایک بہت لمبے پروفیسر ہیں اور دوسرے ایک نئے بھائی - مولانا اسحاق - ہیں -

[شری عبدالغنی قار]

اپنے پاس بلاتے - اگر یہ ممبر صاحبان  
قہر کو سہتسفاٹی کر دیتے اور شری  
ویلنگٹا سیبا سہتسفاٹڈ ہو جاتے تو  
پھر شاید اس معاملے کو اس ہاوس  
میں لانے کی ضرورت ہی نہ ہوتی -

17.16 hrs

[MR. DEPUTY-SPEAKER in the Chair]

میں سرکار سے یہ اپیل کرتا  
ہوں کہ وہ اپنی طرف سے ایک  
امونڈمنت لائے کہ اس معاملے کو  
سپیکر صاحب کے سپرد کر دیا جائے  
اور اگر سپیکر صاحب آئیندہ کے لئے  
اس ہاوس میں اور خاص طور پر  
راشٹریتی جی کے آنے پر ممبران کے  
لئے کوئی طریقہ وغیرہ مقرر کرنا  
چاہیں - تو وہ اس بارے میں تمام  
پارٹیوں کا سہیوگ لے سکتے ہیں -  
ایسے موقع پر سرکار ہی کوئی  
امونڈمنت لا سکتی ہے - میں نہیں  
لا سکتا ہوں -

اس وقت سرکار اور سرکاری پارٹی  
کو یہ نہیں بھولنا چاہئے کہ وہ آئینہ  
جو کچھ دیکھتی ہے - لب بر آ سکتا  
نہیں ہے - اس وقت ملک کے سامنے  
ایک عجیب مصیبت ہے - ایک  
طرف تو ہم ایمانداری کے ساتھ یہ  
محسوس کرتے ہیں کہ ریٹنام اور  
ویسٹ ایشیا میں شاید جنگ کے  
ایسے زبونت بادل چھا جائیں -  
جو ساری دنیا کو اپنے گھبرے میں  
لے لیں - دوسری طرف ہمارے کچھ

بھائی دن کچھ کے بارے میں ایک  
بڑا طوفان اٹھانے کی سوچ رہے ہیں -  
ایسے موقع پر سرکار کو کیا چاہئے -  
سرکار کا کیا فرض ہے - جب وہ اپنی  
اور ملک کی مصیبت کو سمجھتی ہے -  
تو اسے آپوزیشن کے من کو زیادہ نرم  
کرنا چاہئے - اس کو زیادہ اپنے ساتھ  
لیٹنا چاہئے اور پاکستان ہو یا چائنا -  
امریکہ ہو یا کوئی اور ملک - جو بھی  
اس وقت ہمارے دیش پر مصیبت  
لانا چاہتا ہے - ہم سب کو مل کر اس  
کا مقابلہ کرنا چاہئے -

اس لئے ڈیپٹی پرائم منسٹر - ہوم  
منسٹر یا منسٹر فار پالیمنٹری ایفرز  
سے میری درخواست ہے کہ وہ اس  
وقت ہاوس میں ایک ترمیم لائیں -  
تاکہ آپوزیشن اور آفیشل پارٹی میں  
تلفظی اور زیادہ نہ بڑے - اگرچہ  
میں راشٹریتی جی کی تقریر کو سلتا  
رہا اور میں واک آؤٹ میں شامل  
نہیں ہوا - لیکن اس کے معنی یہ  
نہیں ہیں کہ میں یہ سمجھ لوں کہ  
شری مکرچی اور مولانا استغاثی کا  
مقصد راشٹریتی کا ایمان کرنا تھا -  
میں یہ سمجھنے کے قابل نہیں تھا -  
میں یہ نہیں سمجھ سکا اور نہ ہی  
میں نے یہ محسوس کیا - لیکن  
اگر شری ویلنگٹا سیبا یہ محسوس  
کرتے ہیں - تو وہ اس معاملے و



سپیکر صاحب پر چھوڑ دیں - سپیکر صاحب ان دونوں ممبر صاحبان کو بلائیں - ان کی رائے لیں اور پھر ان کی اس رائے کو ہاؤس کے سامنے رکھیں -

یہ بات الگ ہے کہ اس ہاؤس میں ایک نیا رول بنا لیا جائے کہ راشٹریتی کے آنے پر کوئی ممبر نہیں بول سکتا ہے - اس کو میں مان سکتا ہوں - لیکن ابھی تک تو ہم نے ایسا کوئی رول نہیں بنایا ہوا ہے - جہاں تک میں رولز کو سمجھتا ہوں - اس وقت ایسا کوئی رول نہیں ہے کہ اس وقت راشٹریتی جی کے آئے کوئی بھی ممبر - چاہے وہ کانگریس کا ہو اور چاہے آپوزیشن کا - کچھ نہیں کہہ سکتا ہے - جب تک ایسا کوئی رول نہیں ہے اور جب تک رولز میں کوئی تبدیلی نہیں کی جاتی ہے - تب تک سرکار اور آفیشل پارٹی کے لئے یہ مناسب نہیں ہے - جب کہ وہ اکانومیکلی اور دیس کے بچاؤ کے معاملے میں چاروں طرف سے گہری ہوئی ہے - کہ وہ اس ہاؤس میں اپنی زیادہ تعداد کے زور سے شری ممبر جی اور مولانا کو کسی بھی طرح کٹھیم کرنے کی کوشش کرے -

میں سرکار سے یہ اپیل کرنا چاہتا ہوں کہ وہ خود ایک ایسا امپلیمینٹ لائے کہ یہ معاملہ سپیکر صاحب کے

سہرہ کر دیا جائے - چونکہ سپیکر وہاں موجود تھے اور وہ دونوں کو پوچھ سکتے تھے - میں امید کرتا ہوں کہ سرکار اس اپیل پر ضرور توجہ دیگی اور توجہ دے کر اپوزیشن کے دلوں کو زیادہ جھٹکے کی کوشش کریگی تاکہ جب بھی لوٹائی اگر چھوٹی ہے چاہے وہ کسی بات پر چھوٹے پاکستان سے چھوٹے یا چائنا سے چھوٹے تو ہم سب ایک ساتھ ہو کر چلیں - لیفٹ کمونسٹس کو حالانکہ کافی بدنام کیا جاتا ہے لیکن مجھے یقین ہے جب دیس کا سوال آئے گا تو یقیناً وہ ہمارے ساتھ غداری نہیں کریں گے بلکہ ہم سے آگے بڑھ کر اپنے دیس کے بچاؤ میں ذریعہ کریں گے -

ایک مائلی یہ سہیہ - آپ کو الہام ہوا ہے کیا -

شری عبدالغلی قار - یہ مجھے الہام تو نہیں ہوا ہے - میں تو ایک ناچیز انسان ہوں - اور میں نے کہا ہی کیا ہے - میں نے تو اتنی عرض کی ہے کہ سرکار ایسی تجویز لائے کہ سپیکر صاحب کے سہرہ یہ معاملہ کر دیا جائے - اس میں میں نے کوئی پاپ تو کیا نہیں - اور میں نے کہا کہ آپ کے رولس میں کچھ نہیں ہے - کوئی رول پڑھ کر سنائے کوئی کانستبلشن کی دفعہ پڑھ کر

[ شری عبدالغنی دار ]

سناٹے یا سہہکر صاحب سردار حکم  
سنگم نے بہت سی ہدایتیں جاری  
کی ہیں ان کو پڑھ کر سنا دیجئے۔  
جب آپ نے کسی رول میں یہ  
نہیں ہے تو پھر صرف تعداد زیادہ  
ہونے کے کارن آپ ایک نیا چیمپر  
اس میں جوڑیں یہ مناسب نہیں  
ہے ]

SHRI H. N. MUKERJEE (Calcutta North East): Mr. Deputy-Speaker, Sir, I feel somewhat self-conscious and hesitant about speaking in this debate, but I am glad it has taken place because there are certain points of principle involved about which this House should determine its mind.

I do not make a grievance of it, but I cannot help saying that it is rather unusual that in a discussion of this description, one Leader of the house is conspicuous by her absence. I appreciate the load which she has to carry, the load of anxiety which largely she and her party have brought on themselves; but even so, if Parliamentary forms have any validity, and if all the talk that we indulge in from time to time, sometimes rather glibly about Parliament being this or that, has any validity, a debate of this description should have been attended, as a matter of principle, by the Leader of the House. Whoever he or she is, as long as he or she functions in this House is in the capacity of Leader of the House, not only the Leader of a party but the Leader of the entire body. But, as I said, I make no grievance of it. We are accustomed to many things much worse than this which has happened.

I shall begin by saying that not only on behalf of myself but also on behalf of Maulana Ishaq Sambhali and the rest of us, some 80 or so Members

of Parliament walked out together, on behalf of all of us, I deny the charge of undignified and unbecoming conduct. I am very glad that so many members of the House have taken an attitude very similar to mine, and am particularly appreciative of what was said by at least one Congress member, Shri Bakar Ali Mirza, in this connection.

The head and front of my offending appears to be that I have a reputation for being somewhat mild-mannered in spite of the language which quite frequently I am constrained to apply in regard to the policies of Government over there, and that I was a signatory to a report of a Committee set up in 1963. I did happen to have been a member of that Committee. But the House must remember, and this is a point which was made by some members, particularly by my hon. friend Kandappan, that much water has flowed down the Ganga and the Yamuna since 1963. You, Sir, have been in the House for a long enough time to relise the sea-change which has come over the political atmosphere of this country which requires to be reflected on the floor of Parliament. The fourth Parliament, this particular Parliament for instance, a body of people very different from the bodies which have preceded it. My hon. friend over there, I liked his speed, said that because he was a young man, he expected a great deal from Parliament, but was largely disillusioned. I am not surprised. Who in this country is not disillusioned by the performance of ourselves, and for that who will take the discredit more than the elderly generation which is so largely represented in this Parliament?

But we know for a fact that in Parliamentary life, as in other aspects of our political life, a sea-change has come, and among our members there are so many who can not speak in a

language except their very own, which is why the linguistic question has become such very serious proposition. And we ought to realise that this is a Parliament where the voice of the people has got to be heard, and that is the idea with which every member is permitted, and the functioning of this Parliament cannot be dominated and dictated by whatever conventional or regulatory process that have been laid down at an earlier period.

So, I do not intend to be vituperative. Sometimes I am afraid I am misunderstood, but I would like to say in regard to this report in particular, that this report was made at a particular point of time. You remember this was February 1963, soon after what happened on our frontier. This happen at a point of time when the unity of the country as represented by Parliament and symbolised by the President was something very much worth cherishing. This was a point of time when some of us felt rather disturbed. Even so, many of us on this committee were not agreeable to the decisions that were reported to the House. You had occasion to refer to my having not been present at many of the meetings. I was not present at some of these meetings, and so were some other members absent from certain meeting, because we wanted to register our difference with the decisions ultimately reported.

We used to have a convention, but conventions are today in the melting pot, that as far as these parliamentary committees are concerned, we do not put in notes of dissent. Once, in regard to the Blitz case I broke the convention by having a line, only one line that I dissented from the report of the committee. Later on, a colleague of ours, who is not here unfortunately, Sardar Kapur Singh, differed from the committee and put in a long note of dissent, but we cried to keep up the old convention right'y or wrongly. Some of us did have a kind of adherence to old conventions

that these committee reports should not have notes of dissent.

The Estimates Committees never has a note of dissent, but do not imagine, you know it very well that people do not dissent? They do dissent. On one occasion, when the Estimates Committee went over something in relation to Dandakarnya, there was a note of dissent, one or more notes of dissent, but generally speaking, we do not have notes of dissent.

I am not making a point of it, but in regard to this report I say that some of us did not want to associate ourselves with the recommendations of this report. Even so, even if this report is to be considered as something very important and all that sort of thing, we have to remember that things have changed. If we want to interpret our laws as if they were the laws of the Medes and the Persians, we shou'd know what to expect. Is this Parliament to be a pale and anaemic body pursuing some ceremonial functions which we think we should follow in accordance with the British practice? If this Parliament is to be a pale and anaemic body, it would not be that pulsating platform of people's representatives from where really and truly the voice of the people should express itself. When I remember the circumstances which had taken place just before the summoning of the present session of Parliament, when I remember the accumulated grievances of our people whether in West Bengal or in Bihar or in Punjab and also the totality of our people who are today being badgered and battered by so many grievances that there is hardly any time for anybody to catalogue them, when I remember the difficulties and the emotional atmosphere in which Parliament was summoned on the 12th of this month, I am astonished at my own moderation and at the fact that I insisted on a certain kind of dignity of behaviour. I have always believed that one could be effective in a parliamentary forum if one combines dignity with power and that

[Shri H. N. Mukerjee.]

is why we did it with dignity and, I hope, with a certain amount of effectiveness. I have no regrets about it at all.

My hon. friend Mr. Madhu Limaye when he spoke earlier on his point of order took advantage of that occasion and referred to certain things which had happened. As a matter of fact the President himself never took it amiss. In this report, you will find a reference to the fact that in 1963 the President himself felt somewhat disturbed and he spoke to the then Speaker about it. That is why the Speaker came to this House and suggested the appointment of a committee as the President felt disturbed on that occasion. My feeling is that the President should not have felt disturbed but then he did feel so. It was not so on this occasion. I hate to have to defend myself in this House; this House has known me for nearly sixteen years. But I must say that the President never took amiss whatever we did. As a matter of fact he strained his ears to listen to what I was going to say. I was upbraided by some friends after I had gone out because they said: "the President wanted you to speak for a longer time; you should have said more as we wanted you to do; the President himself strained his ears in order to find out what you were going to say." I do not know who among the Congress Members are going to deny that. Let them go to the President and find out. I do happen to know the three Presidents who have graced our country. (Interruptions). I have known all of them. Let them find out if the President himself had any kind of feeling that we were treating him with disrespect....

**SHRI MANUBHAI PATEL:** What about the shout of 'shame'? The President liked that also?

**SHRI H. N. MUKERJEE:** I do not know who said 'shame' behind my back; whether it was somebody

there or here. I do not know. Mr. Limaye said: let there be some document and some kind of a record of what happened. I did what I did and my hon. colleagues who followed me did what they did. They can speak about themselves; some have already spoken and I am not concerned with them. I am concerned with what took place and with what was reported in the newspapers. The newspapers also insisted that it was done in a dignified manner. They stressed what I said there specially; without disrespect to you and your office, we are doing what we were doing, we were unable to participate in the ceremonial occasion." That is exactly what I said. If this comes under the mischief of some kind of privilege matter, I cannot help it. We should remember the kind of times in which we live. The President has gone to Calcutta today. May be, the eleventh hour decision of the Government to have the President's rule imposed on that harried State has brought about an improvement in the situation. Surely, we know the President himself going to Calcutta would have had to be confronted with the seething sorrows of our people in that part of the country. How can we forget this matter which is common knowledge that in spite of so many of us having great personal respect for the present President, was it not reported in the papers that when last year this Government was carrying on its egregious policy, in relation States like West Bengal, Bihar and others, so many of the Members of Parliament went to try even the last extremity of impeachment of the President? Who wants to impeach the President in the normal course of events, particularly the President who is presiding over our destinies today? Who among us wants to say a bad word about him? But we were constrained, so many of us, to try even to impeach the President not because we wanted to do anything drastic, to hurt the sovereignty and integrity and the honour

of our country, but because the President's advisers were pursuing an egregious policy and we had to do whatever we could constitutionally do in order to expose and to eliminate that policy. That is what we were trying to do.

Have we not in this House gone to the extent of having a discussion on a resolution recommending to the President that he should dismiss the Governor of West Bengal? In his own area of West Bengal, being a Governor in fortuitous circumstances, he is entitled to as much respect as the President is in the rest of India. He also has more or less the same kind of ceremonial, elevatory prerogatives as the President. But we have not in this House discussed this idea of the dismissal of the Governor and would we not have impeached the Governor if there was a provision in the Constitution regarding impeachment of the Governor? We are doing this kind of thing.

We see today the antics of the Governors in the different States. I would not like to go into it. Even a former Chief Minister—Congress—of Bihar, Shri Binodanand Jha, has gone on record saying what a massacre of the Constitution is taking place." He has said it. I saw it reported in the Patna papers. This kind of thing is going on. The Governors' antics are being discussed. This is the atmosphere in which we are working, and that is why we did what we did, that is to say, on the occasion of the President's Address we registered our sorrow and our indignation and our anger at the policies of the Government whose programme of work in Parliament the President was going to announce. That is the gravamen of our action.

I do not know: after all, as long as the parliamentary system is there, parliament's decision is final. We all accept the discipline of Parliament. But shall we stand on dignity all the time? Shall we forget all about wisdom and shall we, in the course of

that, pursue a policy which would ultimately again not really elevate parliamentary life but do something which will go against the grain of all decency in our political functioning in this country?

We are living in very difficult times, and if in these difficult times pettifoggers can think of no other way of expressing their indignation at the Opposition, at the major section of the Opposition—I just cannot accept this kind of thing—then, God save our country. This is the depth to which we have sunk. And that is why I say that we repudiate entirely the allegation of undignified and unbecoming conduct on that occasion. On the contrary, we did that with as much dignity as was possible. We discovered that the President accepted it in good part. There is no reason why we should be under obloquy either in Parliament or in the country.

SHRI J. B. KRIPALANI: I do not want to make a speech on this. But I would only like to make a suggestion. I think we have discussed this question for a long time. It would serve the purpose of the Mover of this motion, if this motion is just spoken out, if it is stopped now.

SHRI S. M. BANERJEE: Fortunately, Mr. Mukerjee was present here and so he got an opportunity to explain what he wanted to. But Mr. Sambha'li is not in the House. He does not know anything about this motion. Can we take a decision in his absence?

MR. DEPUTY-SPEAKER: If he was present I would have given him an opportunity, but he has been ably represented by Mr. Mukerjee. So, I do not think anything can be done now.

SHRI J. B. KRIPALANI: I was requesting the Mover that this motion may be considered as having been talked out.

AN HON. MEMBER: Withdrawn.

SHRI J. B. KRIPALANI: Let him not withdraw it. Let us take it as having been talked out.

SHRI P. VENKATASUBBAIAH: With all respect to Acharyaji, I do not feel inclined to withdraw the motion or allow it to be talked out. I have been listening with rapt attention to the various speeches made by the various Members of this House, particularly, by the Members of the Opposition. It is just the devil quoting the scripture. It is they who have created this confusion. (*Laughter*). It is not a matter for laughter. It is the parliamentary system. That is being held by the Opposition in ridicule. They have gone to the extent of hitting the Governor while discharging his duties. Whether we belong to the Congress or any other party, it is our duty to preserve parliamentary democracy and respect the Constitution. It is only in that spirit that I have brought this motion before the House. I have got the greatest respect for Prof. Mukerjee and I never meant any disrespect to his person. But this is a very important constitutional matter. Lawlessness and utter disregard for parliamentary democracy is being indulged in day in and day out by the members of the opposition, bringing disrepute and contempt to Parliament and their democratic institutions. Therefore, I beg of you to put the motion to vote and I commend the motion to the House.

श्री जॉर्ज फर्नंडीज : अध्यक्ष महोदय, मतदान के पहले मेरा व्यवस्था का प्रश्न है । श्री एस० एम० बैनर्जी ने इस प्रश्न को दो बार छोड़ा लेकिन उन्होंने इसको व्यवस्था का प्रश्न करके आपके सामने नहीं उठाया । आप की गाइडेंस के लिए उन्होंने छोड़ा । आप जानते हैं, आप भी मजदूर आन्दोलन में रह चुके हैं कि

किसी के ऊपर आरोप लगाना हो तो उस व्यक्ति की सुने बिना, नेचुरल जस्टिस जिस को कहते हैं उसके नियमों को पूरा किए बिना कोई भी फैसला लेना अनुचित होगा । मौलाना इसहाक सभली यहां पर हाजिर नहीं हैं, उनकी बात इस सदन में जरूर आनी चाहिये । उन की अपनी बात यहां पर पेश करने के लिए और अपना संरक्षण करने के लिए मौका मिलना चाहिए । उन पर आरोप लगाए गए हैं । इस सदन के कोई नियम हों या न हों, भी नेचुरल जस्टिस हैं उसके जो डियम हैं उसके अनुसार मौलाना साहब को मौका देना चाहिये । इससे कोई मतलब नहीं है कि उनको आना चाहिये था । उनको नहीं मालूम था कि यह प्रस्ताव यहां पर आज आने वाला है । इस प्रस्ताव की नोटिस उनकी नजर में नहीं आई कि उन को रिप्रिमेंड किया जायेगा । अध्यक्ष महोदय, हम इसकी गंभीरता को समझ लें । आप मौलाना साहब को रिप्रिमेंड करने जा रहे हैं । उन की बातों को बिना सुने, उनके सदन में न रहते हुए उन को नोटिस न देते हुए और उनकी गैरहाजिरी में उनको रिप्रिमेंड करना मैं समझता हूं अनुचित है, अवैध है और रूज आप नेचुरल जस्टिस के बिल्कुल खिलाफ है । इसलिए मेरा आप से निवेदन है कि चूंकि वेंकटसुब्बया साहब जपनी जिद पकड़ कर बैठे हैं, और अगर आप वोट लेना ही चाहते हैं तो मौलाना साहब को नोटिस देकर, उनको यहां बुला कर उनकी राय सुनने के बाद ही इस प्रस्ताव पर वोट ले सकते हैं, वरना वोट नहीं लिया जा सकता । यही मेरा व्यवस्था का प्रश्न है, जिस पर मैं आप की स्पष्ट रूलिंग चाहता हूं ।

SHRI S. M. BANERJEE: I would like to quote a previous ruling. (*Interruptions*). Mr. Maniram Bagri

made certain attacks and levelled certain charges against Mr. Humayun Kabir. It was referred to a committee and ultimately it was decided that Mr. Bagri would be asked to apologise. That came up for discussion in this House. Mr. Bagri was to be warned, but fortunately or unfortunately Mr. Bagri was not present. The Speaker ruled at that time that if that member has to be warned, he should be physically present to get the warning. Therefore, Sir, I appeal to your sense of justice and impartiality. We have not heard Mr. Sambhali. Two members have been mentioned by name here. No political party has been mentioned.

MR. DEPUTY-SPEAKER:: I have caught your point. I was present on that occasion which you referred to. It was a matter in which two members were involved. Certain wild allegations were made and not substantiated. The question was that he should be reprimanded. Here the motion says that the House reprimands them for certain indecorous behaviour. It is a matter of general rules of discipline of the House, under which we are competent to take a decision. In the initial stage, when this objection was raised by Shri Madhu Limaye, I have replied him in detail. Therefore, with all your appeal for natural justice and other things, as I have said earlier, now it is a question of self-imposed discipline on the House which I am trying to enforce taking into consideration the dignity and decorum of the occasion. Therefore, I rule it out of order. (Interruptions).

श्री मधु लिमये : अध्यक्ष महोदय, इस प्रस्ताव पर काफी बहस हो चुकी है और जो प्रस्तावक थे उनके उद्देश्य की पूर्ति भी हो गई है। इशहाक सभनी साहब को मौका नहीं मिला है और दूसरी भी बहुत सी बातें हैं। इसलिये मेरी सदन से प्रार्थना है कि इस प्रस्ताव पर वोट न कराये। प्रधान मंत्री मेरी बात सुन रही हैं या नहीं ?

आप की मार्फत मेरी बहुत मुनासिब प्रार्थना है कि इस पर वे ज़िद न करें और वोट न कराएं।

SHRI J. B. KRIPALANI: Sir, may I again suggest to the Congress people that if they carry this motion it will be considered that they have used their majority and it will create misapprehensions. This is a very delicate affair and it must not be decided by the majority. I know that the Congress can carry this resolution but there will be some bitterness left behind. I think we have talked enough on it and everybody has understood what is to be done on such occasions.

श्री मधु लिमये : अध्यक्ष महोदय, मेरे बार बार प्रार्थना करने के बाद भी सदन की नेता कुछ नहीं कह रही हैं।

MR. DEPUTY-SPEAKER: To the point raised about not informing Maulana Ishaq Sambhali I may say that he was informed on the 14th about this motion coming up before the House.

17:48 hrs.

[MR. SPEAKER in the Chair].

SHRI C. C. DESAI: Sir I support the suggestion made by Acharya Kripalani. The debate has served its purpose. Professor Mukerjee has also made a statement. On behalf of the Swatantra Party I supported the motion, but I think in the circumstances we are now, when only ten minutes are left, it will be proper if the motion is treated as talked out and not put to vote.

SHRI V. KRISHNAMOORTHY (Cuddalore): Sir, my party is of the opinion that this motion should not be put to vote.

MR. SPEAKER: The motion has been discussed. Whether it is to be withdrawn or not it is for the party to take a decision. When it has been discussed the Chair has to put it to vote. One point which is very relevant here and on which a decision has

[Mr Speaker.]

to be taken is, whether the vote should be taken in the absence of one of the Members mentioned in the motion. That is the only point to be decided, otherwise the Chair has to put to vote a motion that has been discussed. The concerned Member was given notice, but he is not here. Of course, that does not make much of material difference.

SHRI S. KANDAPPAN: I would beg to submit that there is a material difference.

MR. SPEAKER: I have heard everything. Whether the motion is put to vote today, tomorrow or the day after makes no difference. That is what I said. Therefore, if the Leader of the House agrees, we could give a chance to Shri Sambhali to explain his conduct. He may express regret; I do not know. For example, the PSP has taken objection not to what Shri Mukerjee said or did but to what Shri Sambhali said against the whole country, not against a particular party or government. Therefore, it is a serious matter, much more serious than Shri Hiren Mukerjee saying something and staging a walk out. So, I would request the Leader of the House to tell me whether we could have the voting after two or three days.

THE PRIME MINISTER, MINISTER OF ATOMIC ENERGY, MINISTER OF PLANNING AND MINISTER OF

EXTERNAL AFFAIRS (SHRIMATI INDIRA GANDHI): We have to consult the mover in this matter. We would have no objection except that from our experience we see that such occasions are always used for another debate on the subject. That is our difficulty.

MR. SPEAKER: I entirely agree. We would give a chance only to Shri Sambhali, because what he said on that occasion was entirely different from what Shri Mukerjee said. So, I would suggest that without any further debate we would only give a chance to Shri Sambhali to say whatever he has got to say. Then we will put it to the vote. It makes no difference whether we put it to the vote today or after two or three days. What is the view of Shri Venkatasubbaiah?

SHRI P. VENKATASUBBAIAH: I agree.

MR. SPEAKER: He also agrees. So, this is postponed. We have got only 7 minutes or so. There is no point in taking a fresh subject. So, I adjourn the House.

17.53 hrs.

The Lok Sabha then adjourned till Eleven of the Clock on Wednesday, February 21st, 1968 | Phalguna 2, 1889 (Saka.)