

दिया, उसे आप ने रिजेक्ट कर दिया। मैंने 193 में डिस्कशन के लिए दिया, वह भी रिजेक्ट कर दिया। आज एक ऐसी सीरियस बात हुई है, इस पार्लियामेंट पर हमला हुआ है, नेशनल एंथेम पर हमला हुआ है और अनटचेबिलिटी के शंकराचार्य ने जो बयान दिया था उस की हिमायत करपात्री ने की है। उस से न सिर्फ संविधान की अवहेलना हुई है बल्कि समाज के और कौम के ऊपर यह एक गंभीर चोट है। मैं ने पहले भी कहा था कि इस पर कोई न कोई डिबेट होनी चाहिए। आज मैं ने करपात्री के बयान पर भी काल अटेंशन दिया। उस पर भी कोई चर्चा नहीं होने पाई। वह भी मंजूर नहीं किया। यह एक बड़ी सीरियस बात है। मैं ने बाबू जगजीवन राम का भाषण सुना है और दूसरे नेताओं को भी सुना है। हमारे दिल पर बड़ी भारी चोट पहुंची है। हम नहीं चाहते कि कोई आदमी खड़े हो कर इस प्रकार की उटपटंग बात कह दे। अनटचेबिलिटी को जो लोग शह देते है उन को पूरे जोरे से रगड़ना है। खुशकिस्मती की बात है कि प्रधान मंत्री भी इस वक्त यहां पर बंठी हैं। मैं गवर्नमेंट से पूछना चाहूंगा कि ऐसे लोग जो देश को टुकड़े टुकड़े करना चाहते हैं, और हमारी कौम को कमजोर करना चाहते हैं उन के खिलाफ जब कामिनजेबल आफेंस बनता है, कांस्टीट्यूशन की मुसालिफत वह करते हैं तो क्यों नहीं उन के विरुद्ध ऐक्शन लेते... (अवधान) देश को जो कमजोर करना चाहते हैं उनके खिलाफ ऐक्शन क्यों नहीं लिया जाता ?

MR. DEPUTY-SPEAKER : I have read in the paper. If you have seen the news papers, you will find that some action has already been initiated. That much I know. If you want to consider the other matters, you better attend the Business Advisory Committee's meeting. Now no more time of the House should be taken. Mr. Limaye.

14.08 hrs.

QUESTION OF PRIVILEGE AGAINST
ANDHRA PRADESH CHIEF
MINISTER

श्री मधु लिमये (मुंगेर) : अध्यक्ष महोदय, नियम 225 के तहत मैं सदन से अनुमति मांगता हूँ

SHRI K. NARAYANA RAO
(Bobbili) : On a point of order.

MR. DEPUTY-SPEAKER : Please sit down. I will explain the position. Even if there is substance in the point of order, once it has been placed on the order paper, I cannot exercise my judgment on that at this stage : at a later stage, I might, but not at this stage.

SHRI R. NARAYANA RAO : So far as we are concerned, we go by what is there on the agenda. On that basis, we can rise on point of order. Please hear me, Sir. My contention is that this privilege motion is totally out of order.

MR. DEPUTY-SPEAKER : I cannot permit you now because as I have said, even though there might be some substance in your contention, once it has been placed on the order paper—a decision has been taken on that—, I cannot permit any point of order on that.....

SHRI K. NARAYANA RAO : My contention is this. So far as the motion goes, if I say that it is vague and all those things, that is a different matter. Here it is a very important matter.....

MR. DEPUTY-SPEAKER : Not at this stage. I cannot permit you at this stage. Let him get the leave. Then you will be permitted to say that.

श्री मधु लिमये : उपाध्यक्ष महोदय, नियम 224 के अन्तर्गत मुझे निवेदन करने का अधिकार है, लेकिन उस अधिकार को मैं छोड़ रहा हूँ और मैं सीधे इजाजत मांग रहा हूँ कि

नियम 225 के तहत मुझे यह प्रस्ताव रखने की अनुमति दी जाय। मैं आपकी मारफत जानना चाहता हूँ कि क्या सरकार अनुमति का विरोध कर रही है? अगर विरोध कर रही है तो आप 25 सदस्यों को इस के हक में खड़े होने के लिये कहिये, यदि 25 सदस्य खड़े होते हैं तो बहस शुरू हो जाय। मैं समय बचाने के लिये अपना वक्तव्य नहीं देता हूँ।

SHRI SONAVANE : *rose*—

MR. DEPUTY-SPEAKER : What is his point of order ?

SHRI SONAVANE (Pandharpur) : I am not referring to point of order, but to the point made by my hon. friend.....

MR. DEPUTY-SPEAKER : That may be considered in the Business Advisory Committee.

MR. SONAVANE : I am not a member of the Business Advisory Committee.

MR. DEPUTY-SPEAKER : I extend an invitation to you. You may come.

SHRI THIRUMALA RAO (Kakinada) : Are we precluded from saying something on the merits? Because the Mover has not said anything, it does not mean that we cannot say anything...(*Interruptions*).

THE MINISTER OF LAW AND SOCIAL WELFARE (SHRI GOVINDA MENON) : If you have decided that there should be a discussion, there is no purpose. (*Interruption*)

श्री मधु लिमये : इन को हाँ या ना कहना है, और कुछ नहीं बोल सकते हैं। केवल हाँ या ना कह सकते हैं।

SHRI THIRUMALA RAO : It is a property of the House.

SHRI RABI RAY (Puri) : After the leave is granted.

MR. DEPUTY-SPEAKER : I will have to ask the Government whether they are opposing or allowing. I want an answer, 'Yes' or 'No'.

SHRI GOVINDA MENON : We are opposing.

SHRI P. VENKATASUBBAIAH (Nandyal) : On a point of order. I will quote the very rule which the hon. Member has quoted. Even seeking leave under rule 225 is not at all admissible. This is what I say. Let me quote the rule.

MR. DEPUTY-SPEAKER : As I said earlier, once the motion has been admitted and put on the order paper, even if I were to consider, I am precluded from considering the matter at this stage.

SHRI P. VENKATASUBBAIAH : Even for admission, certain conditions are to be fulfilled.

SHRIMATI TARKESHWARI SINHA : (Barh) : It may be a part of the order paper. Still, we can raise it.....

MR. DEPUTY-SPEAKER : I will have to see whether 25 members are in support of the motion.

श्री मधु लिमये : उपाध्यक्ष महोदय, ये बिलकुल आउट ऑफ ऑर्डर लोग हैं।

श्रीमती तारकेश्वरी सिन्हा : ये हैडमास्टर कैसे बन गए हैं। इन को हाउस का हैडमस्टर किसी ने नहीं बनाया है।

श्री मधु लिमये : लीव के बाद प्वाइंट आफ ऑर्डर उठाया है।

SHRI P. VENKATASUBBAIAH : I will read out the rule.

MR. DEPUTY-SPEAKER : At this stage, once there is opposition from this side, I will have to see whether 25 hon. members are ready to stand in support of this motion. That is the procedure.

SHRI P. VENKATASUBBAIAH : I agree. But I would like to quote the very same rule, which Mr. Limaye has quoted, to show that he has not fulfilled the condi-

tions even for admission under rule 225. Rule 225 says ;

"The Speaker, if he gives consent under rule 222 and holds that the matter proposed to be discussed is in order, shall, after the questions and before the list of business is entered upon, call the member concerned, who shall rise in his place and, while asking for leave to raise the question of privilege, make a short statement relevant thereto."

He has not made any short statement. So, I doubt the very admissibility of the Privilege Motion.

MR. DEPUTY-SPEAKER : His motion of privilege itself is a short statement. It is good that he has saved the time of the House.

Now, I may ask the hon. Members who are prepared to support him to stand in their seats. I shall count if twentyfive are standing in their seats. I think twentyfive members are there. Now leave is granted.

श्री मधु लिमये : अब, उपाध्यक्ष महोदय, मैं आपके हुक्म से प्रस्ताव करना चाहता हूँ कि आन्ध्र प्रदेश के मुख्य मंत्री श्री ब्रह्मानन्द रेड्डी के द्वारा जो वक्तव्य दिल्ली के पालम हवाई अड्डे पर दिया गया है और जिससे इस सदन की मानहानि होती है, इस मामले को विशेषाधिकार समिति के पास भेज दिया जाय। अब किसी को कोई प्वाइन्ट आफ आर्डर उठाना हो तो मुझे कोई एतराज नहीं है।

SHRY BUTA SINGH (Rupar) ; You are not the custodian of this House. You are not to dictate.

MR. DEPUTY-SPEAKER : Why are you inviting points of orders ?

SHRI K. NARAYANA RAO : Mr. Deputy-Speaker, Sir, the practice adopted here is most irregular. That is my submission. Voting would come into the picture if this is allowed according to the rule.

Here the question is whether a particular motion is in order or not in the first instance. Before the attention of House is drawn whether a breach of privilege has been committed, the House has to see whether the motion is in order or not. Anyway I am reading rule 222 of the Rules of Procedure which says that :

"A Member may, with the consent of the Speaker, raise a question involving a breach of privilege either of a member or of the House or of a Committee thereof."

The motion must specify whether the breach of privilege is relating to the privilege of a Member or the privilege of the House or of the Committee. In this particular instance, this clarification is of paramount importance. Shri Madhu Limaye has raised the question of privilege against the Chief Minister of Andhra Pradesh for his reported statement that the appointment of a Parliamentary Committee to study the situation in Telangana would amount to interference in the affairs of that State. Whatever may be the merits of it, so far as the breach of privilege of both the Houses is concerned, that must be made very clear. The Chief minister of Andhra Pradesh has already stated that the Members have their own right to visit the State and assess the situation. So far as the power of Parliament to appoint a Committee is concerned, it is still an academic issue. So far as the privileges are concerned, it is an accepted principle of jurisprudence that it should be confined to the privileges of the Member or of the House. It is all given under Article 105 of the Constitution. It is also accepted both in England as well as in this country that the powers, privileges and immunities of each House of Parliament, and of the Members and the committee of each House, shall be such as may from time to time be defined by Parliament by law.

MR. DEPUTY-SPEAKER : Mr. Rao ; I must point out here that you are irrelevant at this stage. Please resume your seat and there will be no further debate on this. You are thoroughly irrelevant and so you please resume your seat.

SHRI K. NARAYANA RAO : Now my point is this.

MR. DEPUTY-SPEAKER : No, no. You please resume your seat. You are thoroughly irrelevant. Will you please resume your seat or not ?

SHRI K. NARAYANA RAO : Sir, this is a very important.....

MR. DEPUTY SPEAKER ; Nothing will go on record.

SHRI K. NARAYANA RAO :***

SHRI SHIV NARAIN : ***

SHRI V. KRISHNAMOORTHY (Cuddalore)***

MR. DEPUTY-SPEAKER : Order, order. Nothing will go on record. I tried to restrain the hon. Members pointing out Their irrelevancy whatever irregularity is to be pointed out regarding the procedure, as I stated earlier, this is not the occasion to do that, because once it is on the Order Paper I cannot go into it. Every issue could come in the debate. If a *prima facie* case is not made out, the Law Minister is there to reply. The hon. Member is free to say whatever he likes. Therefore, I would request the hon. Members to let us have a quiet debate. One point you must all remember and that is, it is his contention that by this statement the Chief Minister has committed a contempt of this House or has brought this House into disrepute or has challenged its authority. It is his contention and the House has not accepted his position.

श्री अटल बिहारी वाजपेयी (बलरामपुर) :
उपाध्यक्ष महोदय, उस दिन यहां पर अध्यक्ष के आसन पर जब श्री संजीव रेड्डी विराजमान थे तो श्री मधु लिमये ने अपने प्रश्न की चर्चा की थी और अध्यक्ष महोदय ने कहा था कि प्रधानमंत्री इसके बारे में जानकारी प्राप्त करेंगी और उस जानकारी से सदन को अवगत करायेंगी। मैं जानना चाहता हूँ वह जानकारी क्या है ? प्रधानमंत्री का मौन टूटेगा या नहीं ? वह अभी बोलेंगी, बाद में बोलेंगी या बोलेंगी ही नहीं ?

श्री मधु लिमये : अध्यक्ष महोदय, इस प्रश्न के कई पहलू हैं। एक तो सदन की मानहानि का पहलू, दूसरा राजनीतिक और तीसरा संविधानिक पहलू। आज की बहस को मैं उठार रहा हूँ, तेलंगाना में जो घट रहा है उसकी और पार्लमेंट की तबज्जह दिलाने के लिए और आंध्र प्रदेश की अक्षुण्णता को बचाये रखने के लिए—तोड़ने के लिये नहीं—इसलिए इसके बारे में मेरा दृष्टिकोण रचनात्मक रहेगा। सबसे पहले राजनीतिक पहलू से मैं इस सदन को अवगत कराना चाहता हूँ ताकि मानहानि के सवाल के बारे में हम लोग ठीक तरह से निर्णय कर सकें। तेलंगाना की हालत इस वक्त बहुत खराब है। मेरे पास तीन चार से तार आ रहे हैं, अखरबारों में खबरें छप रही हैं कि वहां जो गोलि चली उसमें सिर्फ तीन लोग मरे हैं लेकिन मुझे तो तार मिला है उसमें कहा गया है कि 21 लोग मर गए हैं और 500 लोगों की गिरफ्तारियां हो गई हैं...व्यवधान...

SHRI CHENGALRAYA NAIDU (Chittoor) : Are we debating the law and order situation in Telengana or the privilege motion here ?

SHRI BUTA SINGH : Because he is Shri Mahdu Limaye, you will not deter him; you dare not speak against him.

SHRI RANDHIR SINGH : Let him make out a *prima facie* case for breach of privilege.

MR. DEPUTY-SPEAKER : The motion of Shri Vajpayee is an independent one where all the matters regarding the present situation in Telengana could be brought in. But here only by way of giving a brief reference to the background, he may say a few words, nothing more.

श्री मधु लिमये : उपाध्यक्ष महोदय, मैं जानकारी तो दे ही सकता हूँ।

SHRI CHANGALRAYA NAIDU : You will have to allow this side also.

MR. DEPUTY-SPEAKER : I have already cautioned him.

SHRI THIRUMALA RAO : In an indirect and devious way he is trying to bring under discussion/the situation in Telengana. though it should be discussed here, it cannot be on this particular motion. We are all aware that it is purely motivated more by political considerations than anything else.

SHRI MADHU LIMAYE : Nonsense.

SHRI THIRUMALA RAO : What is the point of privilege involved ?

The issue must be narrowed down to that. He must establish whether and how a breach has been committed, not what is happening in Telengana, what telegrams he has got, what telegram I have got and so on. He wants to by pass the main issue and make this another foun for their party purposes. For that we seek your protection.

MR. DEPUTY-SPEAKER : I have already cautioned him. The main motion before us is whether that utterance or press statement or whatever has appeared in the press, constitutes in any manner a challenge to this House and brings its dignity, decorum or authority, decorum or authority down.

श्री मधु लिमये : ठीक है। और मुझे जरूरत ही क्या है।

MR. DEPUTY-SPEAKER : Therefore, by way of a reference he might do that ?

SHRI GOVINDA MENON : My submission is that the statement which the Chief Minister is alleged to have made should be read out and it should be explained how it is a breach of privilege of a member of this House, or of committee or of the House itself That is how under law it should be done:

श्री रवि राय : क्या आप उनको डिक्लेट करेंगे कि कैसे बोलें ?

SHRI GOVINDA MENON : That is not my dictation ; it is the dictation of the law.

श्री मधु लिमये : मुख्य मंत्री जी ने जो बयान दिया उसमें तीन बातें थीं। उन तीन में से दो बातों पर मेरा कोई आक्षेप नहीं है। उन्होंने कहा कि संसदीय कमेटी की नियुक्ति मेरी राय में अनावश्यक है। वह अपनी यह राय रख सकते हैं। उन्होंने कहा कि इसमें मामला और उलझ जायेगा, यह भी उनकी राय हो सकती है। लेकिन उन्होंने जो तीसरा वाक्य कहा है कि संसदीय कमेटी की नियुक्ति आंध्र प्रदेश के आन्तरिक मामलों में हस्तक्षेप है, या इसको करने का संसद को कोई अधिकार नहीं है, इसी के बारे में मेरा आक्षेप है क्योंकि ऐसे बयानों से, पार्लमेंट को जो अपना कर्तव्य पूरा करना चाहिए या सदस्यों को भी जो अपना कर्तव्य पूरा करना चाहिए, उसमें बाधा उत्पन्न हो रही है...(व्यवधान)...

SHRI RANDHIR SINGH : That is also opinion,

MR. DEPUTY-SPEAKER : There is no warrant for that in the statement ; it only refers to 'interfere'.

श्री मधु लिमये : इन्टरफियर का मतलब वही होता है। कुछ चीजों को वाई इम्प्लीकेशन भी देखना पड़ेगा।...(व्यवधान)...हस्तक्षेप हो रहा है, यह इसका साफ मतलब है कि हम अपने कार्यक्षेत्र के बाहर जाकर कुछ काम कर रहे हैं। मैं साबित करना चाहता हूँ कि पार्लमेंट, संसदीय कमेटी की नियुक्ति की चर्चा करके या उसकी नियुक्ति करके, न केवल अपने कार्यक्षेत्र के अन्दर ही कार्य कर रही है बल्कि पार्लमेंट के ऊपर यह जिम्मेदारी है। कैसे ? इसके लिए आप संविधान की धारा 371 देख लीजिए। जब राज्यों की पुनर्रचना हो रही थी उस समय राज्य पुनर्रचना कमीशन ने तेलंगाना के इलाके

[श्री मधु लिमये]

को अलग राज्य के रूप में बनाने का सुभाव दिया था। लेकिन आन्दोलन शुरू हुआ कि एक ही राज्य तेलगू भाषी लोगों का बनाया जाय और इसी को लेकर तेलंगाना के और आंध्र प्रदेश के नेताओं में करार हुआ और उस करार की रोशनी में संविधान में परिवर्तन किया गया। यह सातवां संविधान संशोधन एक्ट है जिस के तहत यह नई धारा आई है। उसका पहला हिस्सा 371 (1) में पढ़ कर सुनाना चाहता हूँ :

“Notwithstanding anything in this Constitution, the President may, by order made with respect to the State of Andhra Pradesh, provide for the constitution and functions of regional committees of the Legislative Assembly of the State, for the modifications to be made in the rules of business of the Government and in the rules of procedure of the Legislative Assembly of the State and for any special responsibility of the Governor in order to secure the proper functioning of the regional committees.”

SHRI K. NARAYANA RAO : In what way is it relevant, Sir ?

श्री मधु लिमये : अब यह बीच-बीच में टोकेंगे तो काम नहीं चलेगा।

MR. DEPUTY-SPEAKER : I am here to regulate the proceedings.

श्रीमती लक्ष्मीकांतम्मा (सम्मम) : रीजनल कमेटी का इससे कोई सम्बन्ध नहीं है।

श्री मधु लिमये : मैं यील्ड नहीं करूंगा।

इस संविधान संशोधन के तहत आंध्र प्रदेश को लेकर पूरे संविधान में बड़े परिवर्तन आ जाते हैं। इन परिवर्तनों की ओर मैं आपका ध्यान दिलाना चाहता हूँ।

जहाँ तक तेलंगाना का सवाल है, तेलंगाना से जो विषय सम्बन्धित हैं उनकी एक नई प्रादेशिक सूची 371 के तहत राष्ट्रपति ने जो

आर्डर जारी किया है फरवरी 1958 में, एक नई सूची बनायी गयी है जिसका सातवें शेड्यूल में कोई उल्लेख तक नहीं है। इस को मैं रीजनल लिस्ट कहता हूँ। और यह तो है ही प्रेसीडेंशियल आर्डर में और इसमें लिखा हुआ है कि रीजनल कमेटी को इस सूची के अन्दर, जो सूची राष्ट्रपति के आर्डर में दी गयी है, इसके अन्दर जो विषय आते हैं उन विषयों के बारे में सुभाव देने का अधिकार है।

साथ-साथ दूसरे परिवर्तन यह आये कि कानून बनाने के सम्बन्ध में 245 या 248 धारायें हैं, जिस में कहा गया है कि कानून बनाने का पार्लियामेंट को यह अधिकार है, राज्यों को यह अधिकार है। तो जहाँ तक राज्य के अधिकारों का सवाल है अगर तेलंगाना सम्बन्धी कोई कानून बनाना है तो तेलंगाना रीजनल कमेटी की राय लिये बिना आंध्र प्रदेश की विधान सभा कोई कानून नहीं बना सकती है। इसलिए मेरे कहने का मतलब यह है कि 245 धारा में कहा गया कि किसी भी विधान सभा को पूरे राज्य के लिए कानून बनाने का अधिकार है, इस अधिकार पर प्रेसीडेंशियल आर्डर से रोक लगाई गई है, जहाँ तक तेलंगाना का सवाल आता है। तो इसलिए कानून बनाने की जितनी प्रक्रियायें हैं इन सभी धाराओं में प्रेसीडेंशियल आर्डर से परिवर्तन आ गया है।

तीसरी प्रक्रिया देखिए कि मंत्री मंडल के बारे में जितनी हमारी दफायें हैं, जैसे दफा 163, जिसमें कहा गया है कि गवर्नर को मंत्री मंडल की राय से चलना पड़ेगा। जहाँ तक मंत्री मंडल की राय से चलने का सवाल, है प्रेसीडेंशियल आर्डर से इस में भी परिवर्तन आया है और कहा गया है कि जहाँ तक प्रादेशिक मामले हैं अगर रीजनल कमेटी की राय पर उन मामलों में मंत्री मंडल अमल नहीं करेगा तो गवर्नर दखल दे सकता है और रीजनल कमेटी के निर्णयों को कार्यान्वित करने के लिए मंत्री मंडल के निर्णयों को भी रद्द कर

सकता है। मैं ज्यादा समय नहीं लेना चाहता लेकिन दो तीन प्रेसीडेंशियल आर्डर की दफायें आपके सामने रखना चाहूंगा, वरना पता नहीं चलेगा कि हमारा कार्य क्षेत्र और हमारी जिम्मेदारियाँ क्या हैं। मेरे पास आर्डर है इसमें कहा गया है छठवें पैराग्राफ में...

“(6) Any Bill referred to the Regional Committee under paragraph (5) may, if so recommended by it, be passed by the Assembly with such variations as may be necessary in its application to the Telengana region.

(7) The Regional Committee shall have power to consider and pass resolutions recommending to the State Government any legislative or executive action affecting the Telengana region with respect to any schedule matters.

(10) The Governor shall have special responsibility for securing the proper functioning of the Regional Committee in accordance with the provisions of this order.

मंत्री मंडल की प्रणाली में भी परिवर्तन किया गया है आर्डर से जो तीसरे शेड्यूल में है :

The Council shall normally give effect to the recommendations of the Regional Committee made under paragraph (7) of the Andhra Pradesh Regional Committee Order, 1958 in regard to any legislative or executive action affecting the Telengana region with respect to the Schedule.....

और अन्त में कहा है :

If there is any dispute the matter shall be referred by the Chief Minister to the Governor whose decision thereon shall be final and binding on the Council and action shall be taken accordingly.”

यह कोई मामूली धारा नहीं है। इससे 163 के अन्दर मंत्री मंडल की सलाह से चलने की जो बात है उसके बारे में एक अपवाद किया गया है कि अगर तेलंगाना की रीजनल कमेटी और आंध्र प्रदेश के मंत्री मंडल, दोनों में अगर मत-भेद उत्पन्न होता है और रीजनल कमेटी की राय स्वीकार नहीं की जाती है तो गवर्नर हस्त-क्षेप कर सकता है और रीजनल कमेटी की राय को मनवा सकता है और इसके लिये कहा गया है कि स्पेशल रेस्पॉसिबिलिटी राज्यपाल की होनी है। अब स्पेशल रेस्पॉसिबिलिटी के बारे में एक संविधान के भाष्यकार हैं उन का एक उद्धरण मैं देना चाहता हूँ, वह गवर्नर के विशेष अधिकारों के समर्थक नहीं हैं, वह बहुत बुरा समझते हैं डिस्क्रिशनरी पावर को। लेकिन वह मानते हैं कि 371 के तहत इस प्रकार के अधिकार हैं। एक अजीब बात हो रही है गवर्नर के डिस्क्रिशन के बारे में बिल्कुल एक राय थी कि गवर्नरों को कोई विवेक पूर्ण अधिकार नहीं है। बंगाल वाले केस में यहां पर भाष्य किया गया कि धर्मवीर साहब को विवेकपूर्ण अधिकार है सरकार को बरखास्त करने का। लेकिन जहां साफ लिखा हुआ है संविधान में कि गवर्नर की विशेष जिम्मेदारी है उसके बारे में अगर कोई आपत्ति उठायेगा तो बान समझ में नहीं आती। यह अच्छी धारा है या बुरी है, यह मैं नहीं कहता, यह हमारे संविधान की धारा है। गवर्नर का विशेष दायित्व है और गवर्नर की विशेष जिम्मेदारी का जहां सवाल जाता है वह प्रेसीडेंट की सलाह से काम लेता है, मतलब इन लोगों की सलाह से, मतलब पार्लियामेंट की। इसलिए पार्लियामेंट का क्या कार्य क्षेत्र है यह मैंने बताया। यह उदाहरण आप देख लीजिये। इसके ऊपर भाष्य वासु के पांचवीं पुस्तक से लिया है।

“It will mean that in matters relating to the Regional Committees the Governor will be entitled to over-ride the advice tendered by his Council

[श्री मधु लिमये]

of Ministers and may be guided by directions from the President."

I repeat the words—"may be guided by directions from the President".

"The Governor will have the exclusive and final powers to determine whether any matter has to be referred to the Regional Committee or whether the Government or the Legislature shall have to act according to the recommendations of the Committee. Though the object may be very beneficial, the introduction of this special responsibility into the Constitution is a retrograde measure since individual judgment and special responsibility which are repugnant to the democratic principles of ministerial responsibility has been totally abolished by the original constitution".

मतलब जो 26 जनवरी, 1950 को आया ।

"empowering the Governor to act in his discretion only in a few specified matters".

जैसे आसाम, आदिवासी, कल्याण और दफा 200 जिसके तहत गवर्नर कोई भी कानून राष्ट्र-पति की सम्मति के लिए रोक सकता है ।

अध्यक्ष महोदय, अब मेरा यह निवेदन है कि आंध्र प्रदेश की रीजनल कमेटी को जो राय है, उसके द्वारा जो सुझाव दिये गए हैं, कई बार आंध्र प्रदेश ने इनको ठुकरा दिया । मैं लम्बे में नहीं जाना चाहता, मैं सिर्फ तीन बातों को लेकर प्रेसिडेंशियल आर्डर का कैसे उल्लंघन हुआ, इसकी चर्चा करूंगा क्योंकि मैं समय ख्वामस्वाह बरबाद नहीं करना चाहता हूँ ।

SHRI RANDHIR SINGH : Sir, you are a seasoned lawyer. What is the case he is making out ? He has not even touched the fringe of breach of privilege.

श्री मधु लिमये : अध्यक्ष महोदय, तेलंगाना की अतिरिक्त आमदनी तेलंगाना के ऊपर खर्च होनी चाहिए, यह हुआ नहीं । नतीजा यह हुआ

कि 19 जनवरी को स्वयं मुख्य मंत्री को सुझाव देना पड़ा कि केन्द्र का एक आफिसर आये और जांच करे । मैं कोई बहस में नहीं जा रहा हूँ । इसलिए इस अफसर ने कहा है कि सारे आंध्र प्रदेश की सरकार के स्पष्टीकरणों को मंजूर करने के बाद भी 34 करोड़ 10 लाख रुपया बच जाता है जो खर्च नहीं हुआ ।

श्रीमती लक्ष्मीकांतम्मा :—उपाध्यक्ष महोदय, इनके पास जो राजस्व वसूल होता है, ऐसा प्रिविलेज में आता है तो स्पीकर साहब के जमाने में जब वह चीफ मिनिस्टर थे तो 24 करोड़ रुपया खर्च नहीं हुआ तो यहां बहस नहीं उठी ।

श्री मधु लिमये :—आपने बहस क्यों नहीं उठाई ?

MR. DEPUTY-SPEAKER : May I point out to the hon. lady Member that he is now arguing his case ..(Interruption),

SHRI K. NARAYANA RAO : He is obstructing the proceedings...(Interruption).

MR. DEPUTY SPEAKER : I will have to take stern action if he does not resume his seat. The Governor was entrusted with some special responsibility and the contention of the hon. Member is that the Governor failed to discharge those duties. He is arguing that. Whether it is right or wrong is a different matter...(Interruption).

श्री मधु लिमये :—अध्यक्ष महोदय, दूसरा उल्लंघन जो हुआ प्रेसीडेंशियल आर्डर का, वह नौकरियों के बारे में है । नौकरियों के बारे में जो नियम थे उन नियमों को तोड़ दिया गया और यह स्वयं रीजनल कमेटी ने अपनी रपट में कहा है । आपकी इजाजत से, अगर आप चाहते हैं तो मैं इसमें से भी पढ़ सकता हूँ, पर कोई जरूरत नहीं है, क्योंकि यह एक मानी हुई बात है और आंध्र प्रदेश सरकार ने भी कबूल किया है कि नौकरियों के सम्बन्ध में जो नियम थे उन को तोड़ा गया है और 10-12 साल जो तेलंगाना

के बाहर के लोग थे उनको नौकरियां मिली हैं।

तीसरी बात जो सबसे महत्वपूर्ण बात है वह यह है कि रीजनल कमेटी के निर्णयों को लाजमी तौर पर मानना चाहिए था और गवर्न-मेंट की भी जिम्मेदारी थी, लेकिन रीजनल कमेटी के कई निर्णयों पर कार्यान्वयन नहीं हुआ है।

अब अध्यक्ष महोदय, मैं यह निवेदन करना चाहता हूँ कि जब आंध्र प्रदेश की सरकार ने इस तरह प्रेसीडेंशियल आर्डर का उल्लंघन किया जिससे यह सारी आग लगी है तेलंगाना के असंतोष से—मैं इसमें नहीं जा रहा हूँ कि इसके पीछे कांग्रेस के अंदरूनी झगड़े हैं या नहीं, दूसरी बातों को छोड़ दीजिए—लेकिन इस मुल्क की हिफाजत करना, आन्तरिक शान्ति बनाए रखना और परकीय आक्रमण से राज्यों का संरक्षण करना, यह 355 धारा के अन्तर्गत केन्द्र का कर्त्तव्य है। इसलिए मेरा यह निवेदन है कि आज मुख्य मंत्री स्वयं प्रेसीडेंशियल आर्डर का उल्लंघन करके, आंध्र प्रदेश में आग लगाकर, आंध्र प्रदेश राज्य के अस्तित्व को खतरा पैदा करके, जब पार्लियामेंट मदद के लिए जाती है तो यहां आकर हमारे ऊपर गौर मुनासिब ढंग से दबाव डालते हैं कि आप हस्तक्षेप कर रहे हैं।

SHRI BUTA SINGH : This is unfair to the man who is not present in the House.

श्री मधु लिमये : अध्यक्ष महोदय, आप जानते हैं कि राज्य और केन्द्र के बीच में किस तरह का... (व्यवधान)

SHRI THIRUMALA RAO : Do you allow all these irrelevant things to come in ? This is absolutely irrelevant. He is going into the merits.

श्री रवि राय : आप चेयरमैन थे। अब इस तरह टोकते हैं।

SHRI THIRUMALA RAO : With the constitutional position most of us agree, but he is utilising it for some other purpose.

श्री मधु लिमये : अध्यक्ष महोदय, मैं अंत में यह भी कहना चाहता हूँ कि वैसे तो पार्लियामेंट को समूचे मुल्क की स्थिति का अध्ययन करने का पूरा अधिकार है। लेकिन जहां तक आंध्र प्रदेश का सवाल है यह न केवल आपका अधिकार है, बल्कि आपका कर्त्तव्य है और कोई भी बड़ा अफसर, मुख्य मंत्री हो या और कोई हो, हमारे कर्त्तव्यों में बाधा डालने का काम करेगा, सदस्यों के ऊपर दबाव डालेगा तो इसमें सदन की मानहानि ही हो जाती है। आप अगर चाहते हैं तो मैं कई उद्धार दे सकता हूँ, लेकिन मोटी बात है जो सबकी समझ में आनी चाहिए कि अगर कोई भी बड़ा आदमी या छोटा व्यक्ति पार्लियामेंट के कर्त्तव्यों में, कर्त्तव्यों का पालन करने में अगर बाधा उत्पन्न करता है, पार्लियामेंट को डराता है यह कहकर कि हस्तक्षेप हो रहा है, राज्य और केन्द्र के रिश्ते टूट जायेंगे, इसलिए आपको कमेटी नहीं बनानी चाहिए तो हमारी बड़ी भारी भूल होगी। इसलिए मैं—इनको सजा दिलाने की दृष्टि से नहीं कह रहा हूँ—कहना चाहता हूँ कि 371 में जो हमारे कर्त्तव्य हैं उनका अच्छी तरह पालन हम करें और इस तरह की जो बाधाएँ हैं उन बाधाओं के बारे में समिति और सदन अपनी राय स्पष्ट शब्दों में व्यक्त करे। इसी दृष्टि से और इसी उद्देश्य से मैंने यह अपना प्रस्ताव रखा है। मेरा विश्वास है कि इस प्रस्ताव के पीछे जो भावना है, जो जो उद्देश्य है, उसको मद्देनजर रखते हुए प्रधान मंत्री इस पर पुनर्विचार करेंगी।

MR. DEPUTY-SPEAKER : Motion moved.

“That the question of privilege against the Chief Minister of Andhra Pradesh be referred to the Committee of Privileges for investigation and report.”

THE MINISTER OF LAW AND SOCIAL WELFARE (SHRI GOVINDA MENON) : I shall not travel or trespass upon the political conditions in Telengana or in Andhra Pradesh ; I shall strictly confine myself to the question of privilege involved and in that matter I can travel along with Shri Madhu Limaye a long distance and we will separate only towards the end.

For example, there is a provision in article 371 providing for the constitution of a regional council and for Presidential orders giving special responsibility to the Governor. It is there ; there is no doubt about it.

In the Presidential Order, which was issued under article 371, according to me the relevant paragraph is paragraph 10 which reads :

“The Governor shall have special responsibility for securing proper functioning of the regional committee in accordance with the provisions of this Order.”

Nowhere in article 371 or in the Order issued under article 371 is there a reference to any other authority than the Governor who will have a special responsibility.

I may accept the contention of Shri Limaye that in the discharge of the duties imposed upon the Governor by article 371 and the Order issued, he may not be governed by the advice given by the Council of Ministers because it is his special responsibility. There has been nothing shown whether the Governor has failed to discharge his special responsibility or not. I will assume for argument's sake that the Governor has failed to discharge his special responsibility.

SHRI S. M. BANERJEE (Kanpur) : Thank you.

SHRI GOVINDA MENON : For argument's sake—I do not know—I will assume that.

Now the question is whether Shri Brahmananda Reddy, the Chief Minister, has committed any breach of privilege

because of what he is reported to have stated to the correspondent of *The Times of India*. That is what is quoted in Shri Limaye's notice. And that report is :

“New Delhi, 2nd April...”

On the 2nd April, as soon as he got down at the Palam Airport, somebody met him, a correspondent of the newspapers, and there are three or four sentences attributed to him. Certainly, Sir, the interview between the Correspondent and the Chief Minister of Andhra Pradesh could not have been so short as is reported in the newspaper. That is the reason why, probably, the hon. Speaker wanted the Prime Minister to give more details about it.

What is it that was discussed ? Supposing the discussion was regarding law and order situation in Andhra Pradesh and, particularly, Telengana, then, he would say, in his assessment, and as the head of the administration his assessment is very important, there is no need to appoint a Parliamentary Committee. I am glad Mr. Limaye has agreed that there is no breach of privilege when he stated that there was no need to appoint a Parliamentary Committee. What he further said—this is how it appears in the newspaper—is that when a reporter, not even *The Times of India* reporter, asked him whether he would consider the appointment of a Parliamentary Committee as interference in the affairs of his State—it is what we lawyers would call a loaded question, that is to say, a question in which the answer is also there—Mr. Reddy said, “Yes”.

Now, it may be an interference in the affairs of the State because the Governor is a part of the State. Nowhere in article 371 or in the Order issued under article 371 do I come across the word “Parliament”. Not that Parliament has no jurisdiction. That is a different matter. Parliament, as I understand it, and, I hope, the Opposition also will agree, is a deliberative body. Parliament is not a body vested with executive powers. Supposing the Governor has not discharged his functions, his special responsibility as enjoined by the article and by the Order, and

assuming for arguments sake what is stated is correct that in the discharge of his special responsibility, he accepts directions from the Central Government, assuming he has failed in his responsibility, what is the right of Parliament? This Parliament can give advice, can guide and can condemn the Government for failure to do certain things and, if a Parliamentary Committee is appointed, it must be to enable the Committee to collect material, not to direct action in a certain matter, and to come to Parliament with a report thereon, based thereon, in order to condemn the Government, the Central Government, in that the directions of the Governor given by article 371 and the Order issued under article 371 have not been properly looked after. These are the facts.

Now, the motion is defective, as was pointed out by one of my hon. friends, in that it has not stated as to against whom did he committed breach of privilege.

Is it against any Member here? Is it against Parliament as a whole or is it against the Committee of Parliament? That is how the date, 2nd April, becomes important. I just enquired of office and, on the 2nd, April, when this gentleman was interviewed, there was absolutely no notice given to Parliament Office for the appointment of a Parliamentary Committee. It was not in the office. Then if a Parliamentary Committee is appointed, would you take it to be an interference with the jurisdiction or with the affairs of the State? Even when Parliament exercises its jurisdiction and authority, it may be an interference with the State. He said, if Parliament appoints a Committee, it may be interfering with the affairs of the State, and, that time, it was not in the contemplation of Parliament, it was not in the contemplation of any Member of Parliament, to appoint a Committee.

A notice has come from my hon. friend, Shri Vajpayee, and I understand that it was given on the 3rd April.

SHRI ATAL BIHARI VAJPAYEE :
What about the debate in the House?

SHRI GOVINDA MENON : 'Debate' is not a notice.

श्री रवि राय : डिबेट नोटिस से ज्यादा महत्वपूर्ण है।

श्री मधु लिमये : सभापति महोदय ने भी कुछ कहा था।

SHRI GIVINDA MENON : The debate did not end in a conclusion or a determination by Parliament that a committee should be appointed. I understand that the Home Minister said that it would not be useful to appoint a committee. It is suggested in Mr. Limaye's letter that the Home Minister was persuaded to that opinion by Mr. Brahmananda Reddy. If that is so, there is nothing wrong. Or, it may be that Mr. Brahmananda Reddy was persuaded to that opinion by the Home Minister, and even so, there is nothing wrong. Or it may be that both of them are wise men and came to the same conclusion independently. In any event, there is nothing wrong. They come to this opinion, i.e., if a Parliamentary Committee comes, it may be an interference with State according to Mr. Brahmananda Reddy—or it may not be useful in the situation—according to Mr. Chavan. That was the opinion. If, on these premises, the House would come to the conclusion that the House is brought to condemnation, that the privileges of the House are affected, then I should think, as a Member of Parliament, I would not plead for such flimsy privileges for Parliament.

I remember, sometime back, Mr. Vajpayee himself produced a motion here, rather gave an opinion here: since the Union Government has a power see that there is internal security in every State under article 355, just as under article 371 Government has got a right or a duty to see that things go on well in Telengana, Mr. Vajpayee said that a Parliamentary Committee should be sent to Naxalbari when there was trouble in Naxalbari, and I remember many friends here on the Opposition then saying that it would be an interference in the internal affairs....

श्री रवि राय : 371 था नहीं। 371 बंगाल के लिए लागू नहीं होता है यह मंत्री महोदय को जानना चाहिए।

MR. DEPUTY-SPEAKER : He has referred to article 355 at this stage.

SHRI GOVINDA MENON : Under article 355 there is one obligation and under article 371, there is another obligation, both with respect to States. At that time, probably rightly, many members in the Opposition thought that it would be an interference with the State.

SHRI ATAL BIHARI VAJPAYEE : Not rightly.

SHRI GOVINDA MENON : Not Mr. Vajpayee. He stands on a common ground, then and now. Consistency is his quality. (*Interruptions*) I also remember the then Chief Minister of West Bengal—also the present Chief Minister of West Bengal—Shri Ajoy Babu, saying that if a Parliamentary Committee was sent, it would be interfering with the internal affairs of West Bengal. I did not find a Limaye then to raise a question of breach of privilege...

श्री मधु लिमये : मंत्री महोदय बिल्कुल गलत बात कह रहे हैं। मैं ने संसदीय समिति का सुझाव दिया था शायद मंत्री जी यह बात नहीं जानते हैं।

SHRI GOVINDA MENON : It is now when this came from the mouth of Mr. Brahmananda Reddy that Mr. Limaye raises with great indignation a problem regarding breach of privileges of Parliament. In this connection I would like to draw the attention of the House to a passage in a recent decision of the Supreme Court, *i.e.*, with respect to the U. P. Vidhan Sabha case wherein Chief Justice Gajendragadkar, speaking on behalf of the Constitution Bench, said as follows...

SHRI S. M. BANERJEE : Is it a certified copy ?

SHRI GOVINDA MENON : I certify that it is printed in A.I.R. For the satisfaction of Mr. Banerjee, I would say that this is published in A.I.R. 1965, Supreme Court, on page 745. It is in the library.

Chief Justice Gajendragadkar, quoting with approval the famous statement of Lord Atkin that was made in the *Hindustan Times* case when Mr. Devdas Gandhi was convicted by the Allahabad High Court for contempt of court, observed this the famous statement of Lord Atkin :

"Justice is not a cloistered virtue. She must be allowed to suffer the scrutiny and respectful, even though outspoken, comments of ordinary men".

Chief Justice Gajendragadkar continues :

"The same principles would apply to the privileges of Parliament which cannot be stretched to an extent as to prevent the scrutiny and outspoken comments of any citizen on the propriety and competence of Parliament or, for that matter, any authority functioning under the Constitution."

On 2nd April, before Parliament had thought of appointing a Parliamentary Committee, Mr. Brahmananda Reddy, although Chief Minister yet a citizen, thought that in his opinion, if a Parliamentary Committee were appointed, which had not been contemplated, it would be an interference with the affairs of the state.

15 hrs.

Let Mr. Limaye and those who think with him understand that justice is not a cloistered virtue and nor is the privilege of Parliament a very tender reed which will be broken if some body says something at some time. I would also now quote what Mr. May has said. That is the Bible by which we swear often. In the Seventeenth Edition, at page 117, he says that it is only the statements which are libellous and derogatory to the character and prestige of Parliament or any acts which tend to obstruct the proceedings of the House in the performance of their functions by diminishing the respect due to them, that are considered as breach of privileges or contempt. So, that is the test - whether whatever was said by Mr. Brahmananda Reddy tended to diminish the respect due to this august House and

tended to obstruct the functioning of the House or its Committees. What is our fear? If tomorrow a Committee is appointed, do you think that the Committee of Parliament, of this august House, will not be permitted to go to Telengana? Will it be obstructed from discharging its duties? Why then this frequent resort to the rule regarding privileges which, by constant abuse, creates a feeling of disrespect towards this assembly in the minds of the public. That is most important. It is true that we belong to a privileged group. That privilege is there in order to enable us to discharge our functions. In the wrong sense of the word, Members of Parliament do not and should not form a privileged group. This constant iteration regarding breach of privileges in season and out of season by friends like Mr. Limaye tends to create an opinion in the minds of the Public of the country whom we represent and he represents that there is an attempt by some people to constitute the Members of Parliament into a privileged group; thereby, he is committing a breach of privilege, he is bringing down the respect which is due to Parliament. I, therefore, submit that there is absolutely no basis for this motion against the Chief Minister.

MR. DEPUTY-SPEAKER: We will have to fix a time limit.

SEVERAL HON. MEMBERS: No, no.

SHRI C. C. DESAI (Sabarkantha): The opposition parties should be given an opportunity to express their points of view.

MR. DEPUTY-SPEAKER: If I permit one I will have to permit seven. It will take a long time.

श्री रवि राय : इस पर बहस होनी चाहिये ।

MR. DEPUTY-SPEAKER: I had given him enough opportunity and the Law Minister has replied. Now at this stage, I do not think we should carry on. Let us dispose it of here itself. I know you would like to express your view-points. But if

I permit one group, I will have to permit seven groups.

SHRI VASUDEVAN NAIR (Pærmade): That is the practice followed on such occasions in the House. Why should there be any departure? When the Chair had allowed a discussion on a motion like this, the Chair had allowed the leaders of all the Groups to speak.

MR. DEPUTY-SPEAKER: I know. You see we have spent a lot of time. Mr. Desai. I will request the hon. Member not to take more than 5 minutes.

SHRI S. M. BANERJEE: May I remind you of 1958 when an entire debate on Mr. E. M. S. Nambudiripad took place.

SHRI C. C. DESAI: While we hear Mr. Madhu Limaye with the attention to which anything from him is deserved, I am afraid we remain unconvinced. In so far as the question of remitting this case to the Privileges Committee is concerned, as the Law Minister stated a few minutes ago, we in this House are over-sensitive with regard to privileges. Before the matter is referred to the Committee of Privileges, we should find out who said and what he said and in what way does it interfere with the normal functioning of the Parliament. What was his motive? These are relevant questions when you refer a matter to the Privileges Committee. One is: he merely said that in his judgment, in his opinion, the appointment of a Parliamentary Committee would amount to interference in the internal affairs of the State. That is a legitimate expression. It does not prevent us, it does not cast any disability on this House nor does it bring any pressure. Whether to appoint or not to appoint a Committee, that matter is coming up tomorrow. I hope the Government also will accept the request of the Opposition Parties. We feel that no purpose will be served by referring the case to the Committee of Privileges. That does not mean that we are in agreement with the Chief Minister of Andhra Pradesh. We are not in agreement with his view that the appointment of a Committee would amount to interference in the internal affairs of the State. We feel that the mismanagement of Andhra Pradesh

has gone to such an extent...(*Interruptions*) that the appointment of a Committee is necessary. I hope that the Government would also accept that position. Government here and the Parliament have a special responsibility with regard to Telengana. This is not a normal case of law and order. This is not a case of interference in the internal affairs of any State. This is not a matter in which any Chief Minister, even of Orissa, should feel that this is a bad precedent. We are very particular to ensure that the views and susceptibilities every of Chief Minister should be taken into consideration. I feel that the matter of appointment of a committee of the House, which subject is coming up tomorrow, will be discussed and if necessary, that will be agreed to and I hope that the committee will be given the fullest cooperation by the Chief Minister and the Government of Andhra Pradesh.

SHRI SHIVAJIRAO S. DESHMUKH (Parbhan): The point that has arisen out of the privilege motion, notice of which has been given my hon. friend, Shri Madhu Limaye, raised certain series of questions wherever the competency of Parliament or the legitimacy of Parliamentary action is likely to be challenged by ordinary citizens. This Parliament enacts a law. According to the opinion of the individual citizen it is in contravention of the Fundamental Right conferred upon him. That citizen moves the High Court or the Supreme Court for appropriate writ and a judgement, saying, this law contravenes the Fundamental right and interests with his individual rights. Now, that person would be committing a breach of privilege if the logic which Shri Madhu Limaye advances is to be taken to be true. Similarly there is nothing in amended Article 371 or in Presidential Order in respect of failure to implement certain things, or in respect of matters falling within the regional committee or between the regional committee and the Government of Andhra Pradesh, to warrant any such view. These are all matters purely and simply and strictly within the purview of the State Government concerned. Even though the Constitution has conferred certain discretionary powers on the Governor, which

the Governor has to discharge specially, it does not by implication confer any right on this Parliament or committee thereof to interfere into internal affairs of State. It does not clothe us to interfere with the legislative powers of Andhra Pradesh. The Andhra Pradesh legislature continues to be functioning and the Telengana Regional Committee continues to work as part of the Andhra Legislature. As long as the Government of Andhra Pradesh is responsible to the legislature of Andhra Pradesh it is free for a Chief Minister to say that any overt or covert act by Parliament which goes to abridge that freedom which is due to that Government and that Assembly, constitutes interference into the internal affairs of the State. On this analogy, law and order are traditionally issues which are directly the responsibility of the State Government. So long as the Central Government does not feel that the constitutional apparatus in that Government has broken down, and so long as the Presidential order is not proclaimed (by which the legislature is dissolved) the Parliament of India has not got any authority,—by imputation even,—to interfere in what are strictly constitutional matters, falling within the purview of the State Government concerned.

It is not for me to say that this Parliament is not competent to appoint a Parliamentary Committee to study any question anywhere. But to say that this constitutes interference in the internal affairs of a State Government or State Legislature will not be upheld by any stretch of imagination as a breach of privilege. I hope Shri Madhu Limaye will see the light of the day and will have wisdom enough to restrain himself from going into breach of privilege cases where no privilege is involved and keeping in silence in cases where real privileges are involved.

श्री अटल बिहारी वाजपेयी (बलरामपुर) :

आंध्र के मुख्य मंत्री श्री ब्रह्मानन्द रेड्डी के जिस वक्तव्य को लेकर मेरे माननीय मित्र श्री मधु लिमये ने मर्यादा भंग का प्रस्ताव रखा है वह वक्तव्य नितान्त दुभाग्यपूर्ण है। किसी भी प्रदेश के मुख्य मंत्री को यह नहीं करना चाहिये कि अगर उस प्रदेश के सम्बन्ध में

संसद किसी संसदीय समिति का निर्माण करती है तो उस समिति का निर्माण उनके आन्तरिक मामलों में हस्तक्षेप होगा। उन्होंने संसद् की सर्वोपरिता को चुनौती दी है न तो वह संसद के अधिकार समझते हैं, न संविधान के प्रावधान समझते हैं और न वह अपनी सीमायें समझते हैं। जिस अनुच्छेद 370 ए, का श्री मधु लिमये ने उल्लेख किया है यदि वह अनुच्छेद न भी होता तो भी इसके साथ में जोड़ना चाहूंगा कि कुछ ही दिन पहले संसद ने एक पब्लिक एम्प्लायमेंट (रिक्वायरमेंट एज दू रेजीडेंस) एक्ट पास किया था और उस का हमने समय बढ़ाया था और उस के सम्बन्ध में सर्वोच्च न्यायालय ने निर्णय दिया है। इस संसद को अधिकार है कि यह एक समिति का निर्माण कर सकती है जो कि आंध्र में जा कर देखें कि जो रिजनल कमेटी बनी है वह ठीक तरह से काम कर रही है या नहीं कर रही है, सेवाओं में तेलंगाना के निवासियों को जो संरक्षण दिये गये थे, वे संरक्षण ठीक तरह से कार्यान्वित किये जा रहे हैं या नहीं किये जा रहे हैं। इस संसद् के इस अधिकार को कोई चुनौती नहीं दे सकता।

लेकिन यह कहना कि उन्होंने मर्यादा का उल्लंघन किया है इससे मैं सहमत नहीं हूँ। मुझे ऐसा लगता है कि इस संसद को तेलंगाना की स्थिति की जांच के लिये एक संसदीय समिति का निर्माण करके यह सिद्ध करना चाहिये कि यह संसद् सर्वोपरि है और मुख्य मंत्री के कथन की कोई कीमत नहीं है, कोई मूल्य नहीं है। लेकिन हम किसी मुख्य मंत्री को यह कहने से नहीं रोक सकते हैं। अब देश में तरह तरह के मुख्य मंत्री आने वाले हैं....

एक माननीय सदस्य : आ चुके हैं।

श्री अटल बिहारी वाजपेयी : और मुख्य मंत्री अगर अपना यह मत व्यक्त करें कि उनकी दृष्टि से यह उनके अधिकारों पर अतिक्रमण है तो उनके इस कथन को अनुचित, अन्यायपूर्ण और दूभाग्यपूर्ण मानते हुए भी मैं उसे मर्यादा भंग की कोटि में नहीं रखूंगा।

जहां तक मेरा प्रश्न है, मेरे दल का प्रश्न है हम यह मानते हैं कि संसद् भारत के किसी भी भाग में संसदीय समिति भेज सकती है, वहां की स्थिति के सम्बन्ध में जांच कर सकती है और न तो इसके सम्बन्ध में नक्सलवाड़ी अपवाद हो सकता है और न तेलंगाना अपवाद हो सकता है। आंध्र के मुख्य मंत्री ने जो घोषणा की है, उसका एक ही जवाब है कि सदन कल यह निर्णय करे कि हम एक संसदीय समिति भेज रहे हैं।

एक बात और है। आंध्र के मुख्य मंत्री ने एक औचित्य का भी उल्लंघन किया है। विधि मंत्री का यह कहना ठीक नहीं है कि दो अप्रैल को संसद के सामने कोई फार्मल मोशन नहीं था। गृह मंत्रालय के अनुदानों की मांगों पर जब चर्चा हो रही थी तो आंध्र में समिति भेजने का सवाल निरंतर सदन के सामने आता रहा। गृह मंत्री ने भी समिति भेजने का विरोध नहीं किया। हां यह बात अलग है कि उन्होंने अपनी जिम्मेदारी स्वीकर महोदय पर डाल दी कि अगर स्वीकर महोदय चाहते हैं तो समिति भेजी जा सकती है। किसी भी मुख्य मंत्री को यह कहने का साहस नहीं हो सकता था कि हम उनके भ्रदरूनी मामलों में दखल देना चाहते हैं। आंध्र के मुख्य मंत्री ने जब समिति भेजने के बारे में कहा तो संसद की चर्चा उनके सामने थी, गृह-मंत्री श्री चव्हाण का वक्तव्य भी उनके सामने था और सब से बढ़ कर लोक सभा के अध्यक्ष की राय भी उनके सामने थी। उन्होंने एक औचित्य का उल्लंघन किया है। इसके लिए वह क्षमा मांग सकते थे और मैं आशा करता था कि जब यह मामला यहां उठ गया था तो श्री ब्रह्मानन्द रेड्डी अखबारों में यह कह देंगे कि उनका मंशा संसद के किसी अधिकार को कम करने का नहीं था। लेकिन ऐसा लगता है कि वह अड़े हुए हैं और शायद उन्हें केन्द्रीय सरकार का समर्थन प्राप्त है। उनको उत्तर देने का का ही तरीका है और मैं चाहता हूँ कि इस प्रश्न पर दलबन्दी

से ऊपर उठ कर विचार किया जाए। भारत के किसी भी भाग में संसदीय समिति को भेजने के अपने अधिकार को प्रतिष्ठित करने का यह मौका है और सदन इस अधिकार की प्रतिष्ठा करके आंध्र के मुख्य मंत्री को ठीक जवाब दे सकती है।

SHRI CHENGALRAYA NAIDU (Chittoor) : I am very glad that even the Opposition wants that Parliament should have power to send a Parliamentary Committee to the States. But are they following the same thing in regard to other States? You know that when the Central Government employees were arrested and cases were filed against them, Kerala, West Bengal and some other States withdrew those cases. According to the Constitution, they had a right to prosecute them. But they did not do that. At that time, did we send a Parliamentary delegation or Parliamentary Committee to visit Kerala or West Bengal?

We have not done that. At that time if these people who talk about all this had pleaded for sending a Parliamentary Committee, I could understand them. There cannot be double standards; they must have one yard-stick whether it is for Andhra or for Kerala or for Bengal. They are not following that. Sir, have we thought of sending a Parliamentary Delegation to find out whether the Andhra Government is implementing the Telengana safeguards or to find out the law and order situation there? If it is a law and order situation, we cannot interfere in the Andhra affairs. When the law and order is a State subject, how can we send a Parliamentary Delegation to study the law and order situation there?

SHRI DHIRESHWAR KALITA (Gauhati) : But, how did you send a Delegation to Assam?

SHRI CHENGALRAYA NAIDU : Probably you would have pleaded for that. You were not in Parliament then. I was also not in Parliament. Otherwise we could have opposed it.

Now, Sir, regarding the implementation of the Telengana safeguards, in the Consti-

tution itself they have said that the Governor will look after the interests. When the Governor has got that power, how can Parliament interfere in that? If the Governor has failed and if the Central Government comes forward and says that the Governor has failed to look after the interests, then we can think of sending a Parliamentary Committee there—not before that.

SHRI C. C. DESAI : But the Governor is the agent of the President.

SHRI CHENGALRAYA NAIDU : We are not in for such a trouble. What is most important now is whether the Chief Minister has committed a breach of privilege or not. We have not appointed a Committee. Nor have we sent a Committee to Telengana. If we have sent the Committee and if he has stated that, then we can think of that.

The other point is this. There is an elected Legislature there. The Chief Minister has been elected and he is responsible to the Assembly. How can we therefore interfere in their affairs? If Shri Brahmananda Reddy were not Chief Minister and if there were President's rule and if he has stated that, then that would come under the privileges, and not before that. Shri Limaye cannot think of it. What happened really was that probably when the press people told him that the Parliament was going to send a Parliamentary Delegation to Telengana because there was a lot of trouble going on regarding law and order, he would have thought that they were going to find out how the law and order situation arose; he would have then told them that that would be an interference in their affairs. This was because the press people put that question to him. The question put by them was this, 'will you think that this is an interference?' To this he said 'Yes'.

AN HON. MEMBER : This was a leading question.

SHRI CHENGALRAYA NAIDU : If it is a leading question on law and order, then we have no business to send a Parliamentary Committee to Andhra especially

when there is an elected Government and an elected Chief Minister.

Recently, about 15 or 20 days back, he faced the Assembly and he had come out with a very good record from it. How can they say that everything has gone wrong there? Nothing has gone wrong there. Now, some people—some interested parties have gone there and they have found out that there is some fire and hence they want to pour petrol in it; for this, Shri Limaye and other friends wanted to visit Andhra Pradesh. Otherwise they are not interested at all. And there is no privilege in this. So, Shri Limaye's privilege motion must be thrown out.

15.24 hrs.

[SHRI VASUDEVAN NAIR *in the Chair.*]

SHRI ANBAZHAGAN (Tiruchengoda) : Mr. Chairman, Sir, when this privilege motion was moved here by Shri Limaye, after listening to his arguments, I thought that there was some privilege issue. But, after having heard the Law Minister, I felt that I am completely in appreciation of the arguments of the Law Minister. This is such a delicate issue that the ruling party has to defend their own Chief Minister of Andhra Pradesh and at the same time they have to protect the interests of this august body as well. When such privilege issues are raised in any elected body, naturally the feeling and the psychology of the Members is simply to support such privilege issues. But this should not be taken only in the sense that what a Chief Minister or for that matter any other citizen has expressed as a view, as an idea or as an opinion on an issue which involves him most—in this case the Chief Minister of Andhra Pradesh is more or less completely involved and we should know also his anxiety—is a matter of privilege issue.

The Parliament may consider itself as the body which is very much interested in solving the issues that have been raised in Telengana. But the Chief Minister of Andhra State as well is interested or has got the real interest in solving the issues that

have arisen in his State. It is natural for any Chief Minister, who has been elected by the people and elected by the Legislature concerned as the leader of the majority party, to take the real interest in solving the issues. When he tries to solve such issues, it has reached the national level. The action to be taken by the Parliament or by some other body may be useful in solving the issue or may not be useful. In that context, the Chief Minister expressed his view that there is no need for a Parliamentary Committee and afterwards when a leading question was put by a Reporter whether he thought that this was an interference in the internal affairs of his State, he simply supported that idea. I don't think that Shri Brahmaanda Reddy would have supported his idea in toto and I am also doubtful whether he might have thought over the word 'interference' in the particular context that it meant an infringement of the privileges of this august body or not.

On that occasion when the question was put to him, the Chief Minister might have thought that the appointment of a Parliamentary Committee to investigate or to go into the things that were happening in Telengana might be conducive to solve the situation or might not be conducive to solve the problem because a Parliamentary Committee would consist of people from different parties with different ideologies and with different motives. In that, there might be some people who would support the cause of separation of Telengana from Andhra region. So, the Chief Minister has got every right to protect the interests of Andhra either this way or that way. Therefore, the opinion expressed by the Chief Minister need not be taken so seriously by this body as to constitute a breach of privilege.

In our State, on so many occasions when the Editors of Newspapers had written certain editorials condemning the action or the views of the Legislature, the Madras State Legislative Assembly, the then Ministers, who were responsible leaders, had argued in favour of not taking any action on the ground of infringement of the privileges of the Assembly; they had argued that we should also protect the interests of the Editors of Newspapers and their rights to express their views or to ventilate their

[Shri Anbazhagan]

grievances. This body has every rights to solve the national issues, when there is a serious conflict in a State endangering the national cause. This Parliament has every right to take action. But, at the same time, in my humble view, it is also within the right of the Chief Minister or the elected Members of a State Assembly to express their opinion about such action which the Parliament may consider necessary.

In my view, if we pursue the matter to the Privilege Committee, It may create strong resentment and reaction in the people who are holding responsible posts in the Legislatures and also shake the confidence in the authority of the Parliament. The authority of the Parliament is not saved by the Members alone. Because the people support this Parliament, we have got the authority. If we make the people doubt that this Parliament is only interested in its own way and if we let down the Chief Minister or representatives of the elected bodies on the flimsy ground of breach of privileges of this body, they will lose faith in the authority of the Parliament. We cannot take action on a reply to a Reporter's question whether it would mean an interference in the internal affairs of the State. In so many cases, interference may mean something not advisable. Yet, in other cases like where there is husband and wife fighting each other the interference of a third man is always good. I am not an expert in legal and constitutional interpretation of this word 'interference', whether legally it means infringement, etc. But the word 'interference' by itself need not be construed as meaning something very bad.

Therefore, I think after having discussed the issue, we need not pursue the matter to the extent of reference to the Privileges Committee.

SHRIMATI TARKESHWARI SINHA (Barh) : The Law Minister has very ably pinpointed the issue before the House. Some very relevant points have also been raised by the hon. Member who preceded me.

Actually, the question of a parliamentary committee and the entire discussion today

which Shri Limays has raised is irrelevant neither has a parliamentary committee been appointed nor was there any intention to do so. Therefore, the entire matter brought before the House, which is taking so much of its time to discuss, the entire debate on this matter looks un-fruitful. It is neither conducive to building up sound parliamentary conventions nor contributing to any lasting arrangement on the basis of the presidential power under art 371.

We raised objection to this discussion when the matter was originally raised. We got up to have our say when the Deputy Speaker was in the Chair, but we were not allowed to proceed and point out that item 4 of the agenda was irrelevant and should not at all be taken up. We should have been allowed to make our point before this Motion was taken up after leave being granted ; we should have been allowed to question whether item 4 on the agenda was at all relevant to the situation. I say this because we are debating a certain assumed word used by the Chief Minister. I have not seen any statement made by Government verifying whether this particular word was used by the Chief Minister. Shri Limaye's Motion under item 4 itself refers to 'his reported statement'. I think it is rather unfair that this Parliament's forum should be utilised to go into the question of *reported* statement a statement not verified by any authoritative person.

Secondly, we are discussing this matter on an assumption. Art. 371 does not authorise Parliament directly to do this. Art. 371 (1) says that 'notwithstanding anything in this Constitution, the President may, by order made with respect to the state of Andhra Pradesh...provide for the constitution and function of the regional committee of the Legislative Assembly of the State, for the modifications to be made in the rules of business of the Government and in the rules of procedure of the Legislative Assembly of the State and for any special responsibility of the Governor in order to secure the proper functioning of the regional committee'.

Shri Madhu Limaye may have raised many points of substance which are not at all relevant to the statement of the Chief Minister,

because even if the question of responsibility of the President has to be discussed, since the President acts through the Central Government, it was the conduct of the Central Government which should have been questioned by the Mover ; it has nothing to do with the conduct of the Legislative Assembly of the State or the conduct of the Chief Minister which was brought under discussion here. Art. 371 (1) gives some powers to the President, who acts through the Central Government, to do certain things notwithstanding anything in the Constitution ; therefore, any censure or criticism the hon. Member wanted to make should have been directed at the Central Government or the Ministers who have not advised the President to act accordingly. Or, they should have pinpointed certain acts of commission or omission of the Governor in not carrying out the orders or directions of the President That has not been done. Mr Limaye has not mentioned any lapse on the part of the Central Government by way of specific instances, apart from vague charges. Therefore, the question of violating the privilege does not arise at all.

As the Law Minister pointed out, no specific item has been mentioned by Mr. Limaye, on which the matter of privilege has arisen. In spite of the fact that we had a seminar by the Institute of Constitutional and Parliamentary Studies, we find the privilege question has been made into such a thing that really the sanctity of Parliament is getting lost. If we raise matters of privilege on very irrelevant issues, the impression it creates is not conducive to the real dignity and decorum of Parliament. I appeal to him not to reduce this Parliament to that level.

Parliament has authority to go into the question of regional committees. By a resolution, Parliament should say that the regional committees have not functioned and these are the lapses. But raising this privilege issue, a lot of political advantage is being taken by the political parties through the back door. On the basis of the privilege question, they are trying to vindicate their political attitudes. I agree that parliamentary privileges are

precious and they should be safeguarded in order that Members of Parliament can function without fear or favour. But privilege issue should not be misused for ventilating the political attitudes of the various parties. I charge Mr. Madhu Limaye of taking advantage of this issue....

SHRI MADHU LIMAYE : I plead guilty to the charge....

SHRIMATI TARKESHWARI SINHA : I am glad once in his life time, he has realised he is doing something which he should not do. The other day we had a discussion on Telengana. There was no reason, therefore, for discussing the substance and merits of the case again on the basis of the privilege issue. I would appeal to the House that privileges should not be used as a political weapon for displaying the political attitudes of the various political parties. Privileges of Parliament are above party political attitudes, Parliament is supreme and any party in Parliament will have the same privileges and prerogatives.

Centre-State relationship is a delicate thing. It is being evoked and nothing should be done to disturb it. So far as Andhra Pradesh is concerned, there are no two opinions about maintaining the integrity and entity of that State. The Prime Minister has called for a meeting to discuss Centre-State relations and the Chief Ministers of your State, West Bengal, Madras, Andhra Pradesh and all Chief Ministers are interested in evolving good Centre-State relations in the new changing context. I do support that such a dialogue should be there and nothing should be done by anyone to disturb the evolving Centre-State relations.

SHRI S.A. DANGE (Bombay Central South) : It is very unfortunate that a very important matter like the quarrel between the Telengana section of Andhra Pradesh and the ruling party of Andhra Pradesh should have been brought here in the form of a privilege motion. If it comes to the question of policy whether a parliamentary committee should be sent or not, in this case, there is plenty of justifi-

[Shri S.A. Dange]

cation for appointing a parliamentary committee.

The reference by the Law Minister to Naxalbari is rather unfortunate because there it was a question purely of law and order in a particular village or town or area and the whole State was not involved nor was a question of policy involved. An agrarian dispute was sought to be raised to a higher level by some debates here. Here it is not that kind of a question. Here there is a special provision in the Constitution itself mentioning the relation between Telengana and the rest of Andhra Pradesh. Therefore, we as a Parliament are seized of the matter by the very fact of the Presidential Order. Therefore, I am sorry, you cannot compare Naxalbari to Telengana.

Then the question is, when this Parliament established the Andhra State and then, later on, broke up Hyderabad and parts of Hyderabad and Telengana were brought into a unilingual homogeneous linguistic State, if one part after ten years gets up and says that it wants to separate, it is not a matter for serious consideration of the House? All parties in this House which thought we should fight for a linguistic State of Andhra are faced with the problem of one part now demanding that they do not want to be a part of it. Is it not a matter for consideration? The policy of Parliament for carving out linguistic States, giving them autonomy under the Constitution, as it is and allowing them to develop on the basis of that new democratic set-up of linguistic State is being challenged, has broken down and clashes are taking place between two areas of the same linguistic State. Is this not a serious problem for the House to think of?

Why did it come about? It happened because for ten years a theft of Rs. 34 crores, an admitted theft, could not be traced. Is it not a serious matter? Who was stealing the money from Telengana and who was the party to that theft? How was the theft now ultimately discovered? Is it not a serious problem? It is not a problem for you to intervene, supervise and find out how in spite of the provision in the Constitution

and the Presidential Order one Ministry was stealing the monies allocated for one particular region under that very State? Is that not a serious problem for a Parliamentary Committee to investigate?

SHRI TENNETI VISWANTHAM (Visakhapatnam): I entirely agree with Shri Dange on hundreds of points but the word 'stealing' is not the proper word because the accounts always showed Telengana monies received, expenditure and the surplus and Andhra receipts and Andhra expenditure. Therefore, let him talk on that basis.

SHRI S. A. DANGE: All right, I will say 'admitted theft' because it is shown in the accounts that money is being thieved and is not being used for the region. Why did not Parliament, in terms of the Constitution, in terms of the Presidential Order, in terms of the Advisory Committee's function, in terms of the Governor's function and the whole presiding Ministry of Shri Brahmananada Reddy and others who preceded him including perhaps other Chief Ministers who are no longer there, go into it? Why were they party to this conspiracy of keeping money of Telengana not being used for Telengana? Why were the service rights of Telengana not given to Telengana? Why did the quarrel come out in the open now? It is because those who were sharing have now quarrelled and fallen apart. Therefore, factional quarrel inside the Congress Party has come into the open and it is bursting in various parts. Therefore it is necessary (*Interruption*). Sir, I am not yielding. I am not for the policy of making Telengana fight the rest of Andhra or Andhra Pradesh fighting Telengana. I am not in favour of fomenting factional quarrels between the two. I am only saying that Telengana was a backward part of Hyderabad State. You must know it. It has got the worst zamindari area in Andhra State. Therefore, we wanted special privileges for services, for the middle classes and a special budget. Why did you not supervise it? May we know the reason? You are now talking of Andhra State. Why did you not do it. That is my question to the Andhra people. Not only Andhra people but we as a Parliament failed to discharge our duty of seeing that the backward areas of Telengana are given all help. When Telengana area had broken away from

persecution by the Nizam of Hyderabad and was put in a linguistic State in a most beautiful way, its rights and claims were not looked after either by the Regional Committee, or by the Congress Government, or by the Governor. Finally the matter has come to Parliament and now Parliament is resisting that demand. What a fantastic thing? When a backward region of a unilingual State wants its rights to be protected, its services to be protected, is it not justified for us to look into that problem and see how the problem can be resolved without breaking the State, if possible, by giving the protection which is needed and by bringing about a peaceful relationship between all regions of the State?

SHRI P. VENKATASUBBAIAH : Sir, on a point of order. We would be very happy to hear a lucid exposition by Shri Dange. But, let him confine himself to the question of privilege.

MR. CHAIRMAN : As the hon. Member knows very well, every speaker has referred to the background material.

SHRI P. VENKATASUBBAIAH : But the background material should be relevant.

SHRI S. A. DANGE : How was Naxalbari relevant to this discussion? Yet, it was referred to by members. Why did he not get up at that time? Even though the reference to Naxalbari was very lucid, he simply laughed at it. And yet, Naxalbari is not covered by a Special Presidential Order whereas Telengana is covered.

SHRI P. VENKATASUBBAIAH : There is no objection to his lucid exposition. But how far is it relevant to the motion before the House?

SHRI S. A. DANGE : My exposition is not at all lucid. It is very bitter and pointed and it hurts you; I know it. I do not want to be lucid.

When the whole policy of this Parliament is being challenged, when an attempt is made by Shri Brahmananda Reddi to prevent Parliament from being seized of this problem in its real perspective, should we not go into it? Therefore, I would have

been happy if the Prime Minister, instead of calling leaders of her own party, had invited leaders of all the parties in this House to discuss this serious problem.

This is a burning problem before Parliament, that a unilingual State is breaking down because the services and the backward regions are not being looked after. But this problem is not related to Andhra alone. It may arise in other parts. There is the Vidarbha problem in Maharashtra. The Nagpur Pact made by the Congress Ministry is being violated and Vidarbha is rising in revolt in Maharashtra. There is the problem of Belgaum. Why do you leave all these problems which are in your jurisdiction, which can be solved under your principles? Why do you wait for a privilege motion to be raised by Shri Madhu Limaye to resolve these problems? Therefore, please accept the position and settle it.

SHRI K. NARAYANA RAO (Bobbili) : Mr. Chairman, as I have already mentioned earlier, first of all I would like to say that we oppose this privilege motion because it is out of order. Here I would like to point out that privilege is of a quasi-criminal character and, therefore, we must see that this question of privilege should not be misused by this House. Now, what exactly is a privilege and where is the necessity for a privilege? Here I want to impress upon the House that privilege is an exception to the ordinary law of the land. I will explain how privilege is an exception to the ordinary law of the land. Normally, whatever this House or for that matter whatever the other House passes is not law unless we follow the constitutional prescription of allowing it to be passed by both Houses and it is assented to by the President. But, in the case of privilege, it is the prerogative of each House. It can arrest or convict a person under its power of privilege. Such being the unlimited nature of the power of House in the matter of privilege, it should not be misused. Whenever any question of privilege is raised, we have to see whether it is absolutely necessary—I am using the term “absolutely necessary” advisedly. In order to preserve internal

[Shri K. Narayanan Rao]

order of the House or the dignity of the House, it can certainly claim it.

Here I may briefly quote from May's *Parliamentary Practice*. It says :—

“The distinctive mark of a privilege is its ancillary character. The privileges of Parliament are rights which are ‘absolutely necessary for the execution of its powers’. They are enjoyed by individual Members, because the House cannot perform its functions without unimpeded use of the services of its Members ; and by each House for the protection of its Members and the vindication of its own authority and dignity.”

Now, what is privilege ? Unfortunately, privilege has not been defined anywhere in the Constitution and for that matter in the Rules also. When I referred to May's *Parliamentary Practice*, I did not find the definition but only a description. There is no definition of privilege but only description.

So far as our rules are concerned, they assume that there is privilege and what rule 222 and thereafter provide for is only the procedural aspect. So far as the substantive aspect is concerned, what privilege is, it is undefined. Therefore we have to go back to May's *Parliamentary Practice* again. It is not a definition and we have to call out the definition from what it says under the heading, “What constitutes privilege ?” It says :—

“Parliamentary privilege is the sum of the peculiar rights enjoyed by each House collectively as a constituent part of the High Court of Parliament, and by members of each House individually, without which they could not discharge their functions, and which exceed those possessed by other bodies or individuals. Thus privilege, though part of the law of the land, is to a certain extent an exception from the ordinary law.”

Such being the case we have to see whether this privilege is there. According to article 105 certain privileges are defined ;

for instance, the freedom of speech and the freedom from court proceedings have been specifically provided for in the Constitution. In other respects it is left to the House to make a law—it is for Parliament consisting of the two Houses to lay down for the future—what is privilege and until such a law is made by Parliament, whatever privilege is enjoyed by the British House of Commons shall be enjoyed by this House.

Coming to the question of appointment of the committee, let me submit that there is a distinction between ‘power’ and ‘privilege’. Article 105, clause (3) says :—

“In other respects, the powers, privileges and immunities of each House of Parliament, and of the members and the committees of each House, shall be such as may from time to time be defined by Parliament”.

Here is a question of a subtle distinction between power and privilege. There is confusion about this particular point and it has been brought out by May's *Parliamentary Practice* ; for instance, the superiority of the House of Commons in all fiscal matters is loosely referred to as financial privilege but in May's *Parliamentary Practice* it is made clear by drawing a distinction between a function, a power and a privilege. I quote :—

“The distinction between privilege and function is not always apparent. Thus the financial powers of the house of Commons, including rights both against the Crown and against the Lords, are sometimes referred to as financial privileges ; it is often a matter of individual choice whether a particular financial right is called a privilege or constitutional power.”

SHRI S. M. BANERJEE : What is he reading from ?

SHRI K. NARAYANA RAO : “Financial privilege is more conveniently treated as a special power of the House of Commons, and dealt with” accordingly.

"It is more convenient to reserve the term 'privilege' to certain fundamental rights of each House which are generally accepted as necessary for the exercise of its constitutional functions,"

Now, coming to the question of the power of the House, it is the power of the House to appoint a committee. About that there is no quarrel, but in what matters the power of appointment of a Parliamentary committee could be exercised is a matter on which there is scope for one to debate, discuss and dissent.

In this particular context it is open to the State Chief Minister to interpret the Constitution in his own way and say that the appointment of a parliamentary committee would constitute intervention. We may differ from him. I do not say whether he is right or not, but he is entitled to hold that interpretation of the Constitution and we may quarrel with him and, in spite of whatever the Chief Minister has stated, may still appoint a committee. The hon. Law Minister has clearly stated about the opinion and the way in which the opinion has been expressed not an expression of view, and I have yet to see a situation where the person has been held, for contempt for holding an opinion.

With these remarks, I feel, this privilege motion may be rejected by the House.

SHRI E. K. NAYANAR (Palghat) : Mr. Chairman, Sir, Parliament has a right to pass any legislation so far as the States are concerned. The States Reorganisation Commission and the Andhra-Telangana Integration Council were set up after passing a legislation by Parliament under the Constitution.

So far as the present-day situation in Andhra is concerned, it is worsening day by day. Even yesterday, the papers have reported that 25 Congress M. L. As. have also demanded separated separation of Telangana State. The fratricidal war inside the Congress party in Andhra State and in the vested interests is going on. The shootings are taking place; the students' strikes are going on. It is a serious situation. You

could not solve the situation in Andhra. It is created by the Congress Government in the last 12 years. The Integration Council reported that Rs. 34 crores were not spent for Telangana area. We discussed it in Parliament sometime back.

Now, I am very amazed to hear the Law Minister arguing about article 371 and 355. During 1957 to 1959 period, in Kerala State, whenever our Communist-led Ministry came to power and there was a small incident in some places, they argued to send a Parliamentary delegation to Kerala. Then, in 1968, they argued to send a Parliamentary delegation to Naxalbari. But they are now reluctant to send a Parliamentary delegation to Andhra where the fratricidal war is going on in the Congress Party and even 25 Congress M. L. As have demanded a separate Telangana State. I am not hearing a word from the Members of the ruling Party about that. Even yesterday's paper has reported it. With Mr. Brahmananda Reddy's attitude and top-Congress people's attitude in the last 12 year, such a situation has been created. There are just demands of the Telangana people. Backwardnesses are there; employment problems are there. We are not taking these issues seriously. Even now they are agitating. The ex-Minister, Mr. Venkatalakshaman, has begun the hunger-strike. The situation is very serious. It is you who have created this situation, not we. At the same time, you are justifying what Mr. Brahmananda Reddy has spoken and what Mr. Brahmananda Reddy has done.

So, Parliament must discuss the situation and take appropriate steps. About this particular issue, the opinion expressed by Mr. Brahmananda Reddy, he might be looking into it. According to my opinion, it is not a breach of privilege. I do not see it as a breach of privilege. I am not supporting the motion of breach of privilege. But we must take serious note of the situation and take appropriate steps. The situation is worsening day by day. These are just demands of the Telangana people. The fratricidal war is going on between the two factions of the Congress party in Andhra Pradesh. Parliament should take serious note of the situation, discuss it and take appropriate steps. to meet the situation.

16 hrs.

श्रीमती लक्ष्मीकान्तम्भा (सम्मम) : सभापति महोदय, आन्ध्र प्रदेश के चीफ़ मिनिस्टर के केस के बारे में कोई प्रिविलेज नहीं है। शान्ति और सुरक्षा के प्रश्न पूर्णतया राज्य सरकार के अधीन हैं। पालियामेंट या या केन्द्रीय सरकार को इस मामले में हस्तक्षेप करने का संविधान से कोई अधिकार नहीं है। केवल अमरजेंसी वाले उपबन्धों में ऐसा अधिकार है। इसलिए साधारण परिस्थिति में संसदीय दल को नहीं भेजा जा सकता। केन्द्रीय सरकार ने इस बात को स्पष्ट किया है कि आन्ध्र प्रदेश राज्य का पुनर्गठन नहीं होगा। ऐसा कोई सुझाव संसद के आगे नहीं है। इसलिये संसद को इस मामले में हस्तक्षेप करने का अधिकार नहीं है। तेलंगाना में रीजनल कमेटी काम कर रही है जिसका निर्माण राष्ट्रपति के आदेश से हुआ है। इस रीजनल कमेटी कमेटी का शान्ति और सुरक्षा के मामले में कोई सम्बन्ध नहीं है। अन्त जितने मामले हैं उनका निपटारा राज्य सरकार कर सकती है और कर रही है। मतभेद उत्पन्न होने पर राज्यपाल का निर्णय अन्तिम होगा। इस प्रक्रिया में कोई वाधा नहीं पड़ी है, कोई सैंकट उत्पन्न नहीं हुआ है अभी तक। इसलिये इस संसद को तेलंगाना के मामलों से छानबीन करने के लिए किसी दल को भेजने की न कोई आवश्यकता है, न कोई अधिकार है।

अध्यक्ष महोदय, अभी शंभू साहब और कई दूसरे सदस्यों ने भी कहा है कि नक्सलवाड़ी में एक ऐसी संसदीय कमेटी भेजने को सरकार तैयार थी। इस तरह से नक्सलवाड़ी और तेलंगाना की तुलना नहीं हो सकती। नक्सलवाड़ी में अपने राष्ट्र के अस्तित्व की समस्या थी, वहां केन्द्र सरकार का हस्तक्षेप अनुचित नहीं कहा जा सकता।

में एक बात मधु लिमये साहब से पूछना

चाहती हूं कि यिषान में सबको प्रिविलेज प्राप्त है, केवल हमारी पालियामेंट को नहीं है। एक प्रिविलेज सबको है। किसी एक हाउस का एकाधिकार नहीं है। इसलिए यदि इस प्रकार का मामला उठाया जाता है तो सभी जगहों में प्रिविलेज के मामलों पर बहस हो सकेगी। इसलिए मैं सदन से कहना चाहता हूं कि इसमें कोई प्रिविलेज नहीं है।

SHRI S. KUNDU (Balasore) : So far as we are concerned, we want to treat this subject in a dispassionate manner. The whole trouble starts when we associate such important issues with the position and office held by certain individuals. Perhaps if this unfortunate gentlemen, Mr. Brahmananda Reddy, had not been a Chief Minister and that too a Congress Chief Minister, all this argument which the Law Minister, brought forward would not have been brought, I want to treat this matter from a different perspective. The first point is whether there was a obligation on the Governor and with this obligation the Parliament is connected, or was intimately connected. I am glad, the law Minister has, to some extent, advocated that, by the President's direction and order, certain obligation was there on the Governor of Andhra Pradesh to see that there was some sort of protection for the regional interests of Telengana. But this obligation has not been discharged. The Governor is appointed by the President and the President acts on the advice of the Council of Ministers, and the Council of Ministers is responsible to this House. Therefore, the matter is called in question in this House. The Chief Minister's statement came suggesting "inference" at a time when the house was discussing the problem. We should not go by the legalistic concept : it is not a question whether a notice was given or not. It is a fact that it was within the knowledge and cognizance of the Chief Minister that the House was discussing that matter. So it was highly improper on the part of the Chief Minister to say anything on this topic, and it was highly objectionable on his part to speak about "interference" the parliamentary Committee is liking because in the affairs of the State. This is the first point.

My second point, which I would now put before you is this. After all, what were we discussing? We were discussing the appointment of a Parliamentary Committee not to go and abuse or scold or to do certain political things as some hon. Member suggested. Our approach was to heal the wound, to start a dialogue, to discuss with the people of Telengana and to tell them that there is a higher body in India which is also deeply concerned with the affairs in Telengana. We want to tell them that we are there to protect them if any wrong has been done by the Congress Ministers there. This was with good intentions. Respecting these good intentions the Home Minister requested the Speaker who is rated more than the Chief Justice of the Supreme Court, to appoint a Committee. At this moment the Chief Minister says that if this Committee is appointed, it will amount to interference. May I say that this statement is meant to sabotage the formation of a Parliamentary Committee. Any statement which was made with *mala fide* intentions to sabotage certain work done by this Parliament, having said that it will interfere with the affairs of the State, would also, most humbly I put it to the Law Minister, constitute a breach of privilege of the House. The Minister says that Members make a privileged group for themselves. Privilege is everything to everybody and as far as I am concerned, it does not mean anything. Every time we come out and say that we have certain rights, but you say no privilege is involved. Did you not hear from us that privileges must be codified and certain rights must be there to protect us from the tyranny of vested group? The rights of Parliament Members must be spelt out and protected. It is unfortunate that the Law Minister comes and says that there is no privilege involved. I am really sorry that he should have treated this matter in such a cavalier fashion. He should have said 'Yes, for M. Ps. privilege is necessary and should be codified. The members should be protected and members should be allowed to do things freely and put forth their points of view fearlessly. To me, an impression went on that he is going to ridicule the little privilege which we have, which we try to establish from

various decisions here and there. Therefore, I consider that there is a *prima facie* case. Let it be examined. If there is nothing, then the Committee will say no privilege has been tampered with by the Chief Minister of Andhra Pradesh or whoever he may be, can go scot-free. Therefore, to me there is a *prima facie* case and these matters should be examined by the Committee.

One thing. There is one tendency now developing which I would like the Home Minister to understand. Now after the linguistic States, a second phenomenon is developing—within the linguistic States the demand for formation of another State. We should do something quickly and immediately and try to understand the reason of such demands, their fears and aspirations, the reason of their anger and find out a solution for it.

MR. CHAIRMAN: I will have to call upon Mr. Madhu Limaye now to reply to the debate. After all if I allow some hon. Members, it will be only repetition. I am sorry I cannot accommodate any more members.

श्री मधु लिमये : अध्यक्ष महोदय, कानून मंत्री का भाषण सुनने के बाद मुझे याद आई—तीसरे वर्ग मजिस्ट्रेट की अदालत में एक दफा जब मैं बैठा था तो उस समय जो बहस मैंने वहाँ पर सुनी उस की आज मुझको याद आई। कानून मंत्री ने जो दलीलें दी हैं वे इतनी हास्यस्पद हैं कि कुछ ही मिनटों के अन्दर मैं इनके एक एक तर्क को काटूंगा।

अध्यक्ष महोदय, सबसे पहले उन्होंने कहा कि प्रिविलेज का यह सवाल इसलिए नहीं उठ सकता है क्योंकि सदन के सामने पार्लियामेन्ट्री कमेटी नियुक्त करने का कोई सुभाव नहीं था।

सभी लोगों ने बताया, बार बार बहसों के दौरान में आंध्र के ऊपर जब बहस हुई उस समय भी बार बार सदस्यों ने सुभाव दिया और

[श्री मधु लिमये]

कांग्रेसी सदस्यों ने भी सुझाव दिया कि संसदीय समिति का निर्माण होना चाहिए। इतना ही नहीं इसके लिए विवाद को एक दिन स्थगित रक्खा गया और गृह मंत्री जी को मौका दिया गया कि वह सोच विचार करके कमेटी के बारे में अपनी राय दें। लेकिन यहां हमने देखा कि अध्यक्ष महोदय, और प्रधान मंत्री दोनों के बीच में एक माने में एक दूसरे के ऊपर जिम्मेदारी डालने की बात चल रही थी जबकि स्पीकर साहब ने कहा था कि मेरे लिए यह बड़ा इम्बैरेसिंग है। ऐसी हालत में इस के बारे में निर्णय गृह मंत्री जी और सरकार को करना चाहिए था वह उन्होंने नहीं किया जबकि कांग्रेस के सदस्यों ने भी मांग की थी कि संसदीय कमेटी का निर्माण होना चाहिए। इस दलील में कोई तथ्य नहीं है कि चूंकि औपचारिक प्रस्ताव नहीं था, फौरन मोशन नहीं था इसलिए संसदीय समिति का मामला सदन के विचाराधीन नहीं था। बल्कि मैं यह आरोप करना चाहता हूँ कि ब्रह्मानन्द रेड्डी ने जान बूझकर इस तरह का बयान देकर केंद्र सरकार को डराने की कोशिश की है, पार्लियामेंट को डराने की कोशिश की है और सदस्यों को डराने की कोशिश की है ताकि वह संसदीय कमेटी की नियुक्ति का विरोध करें।

सभापति महोदय, दूसरे उन्होंने कहा कि यह गम्भीर मामला नहीं है, यह फ्रिबलस है। ऐसा कह कर मंत्री महोदय मेरी आलोचना नहीं कर रहे हैं बल्कि स्पीकर साहब की ही वह आलोचना कर रहे हैं। जिसे स्पीकर साहब ने अपनी अनुमति दी और उनकी अनुमति से इसे एजेंडा पेपर पर रक्खा गया वह फ्रिबलस है ऐसा कह कर वह उनकी आलोचना कर रहे हैं मेरी आलोचना वह थोड़े ही कर रहे हैं। हमारे नियमों के अन्तर्गत उन को यह अधिकार प्राप्त है। अब जिन मामलों में उनको लगता है कि कोई दम नहीं है अथवा तथ्य नहीं है ऐसे मामलों को उठाने की वह अनुमति ही नहीं देते हैं। कानून मंत्री ने और

श्रीमती तारकेश्वरी सिन्हा ने एक माने में इसको फ्रिबलस मोशन कह कर स्पीकर साहब की ही आलोचना की है। उन के उपर रिफ्लेक्शन कास्ट किया है और इसका जवाब मुझे देने की जरूरत ही नहीं है।

सभापति महोदय, बाकी जहां तक मेरा सवाल है मैं कानून मंत्री जी से और श्रीमती तारकेश्वरी सिन्हा से पूछना चाहता हूँ कि सबसे ज्यादा विशेषाधिकार के प्रस्ताव इस सदन में मैंने रखे हैं और अधिक से अधिक मेरे प्रस्ताव कमेटी के पास गये हैं और कमेटी ने मेरे हक में फैसला दिया है, क्या मैं साधारण नागरिकों के खिलाफ कभी कोई प्रस्ताव देता हूँ? मैं किसी साधारण नागरिक के खिलाफ विशेषाधिकार का प्रस्ताव नहीं देता हूँ। मैं हमेशा मगरमच्छों के और मंत्रियों के पीछे पड़ता हूँ। उनके जो अश्लील चार के मामले होते हैं, पुलिस द्वारा जो जुल्म किया जाता है, अधिकारियों के द्वारा जो भूठी गवाही दी जाती है पब्लिक एकाउन्ट्स कमेटी के सामने, ये सारे मामले मैं उठाता हूँ और ये तमाम मामले विशेषाधिकार समिति के सामने गये हैं। हां, हो सकता है कि जिस तरीके से इस हथियार के इस्तेमाल से भूतपूर्व मंत्री सुब्रह्मण्यम और शचिन चौधरी को तकलीफ हुई उसी तरीके से श्रीमती तारकेश्वरी सिन्हा साहेबा के नेता के दिल में भी कुछ तकलीफ मेरे प्रीविलेज के हथियार से हुई है। मोरारजी भाई को, आप जानते ही हैं कि उनको बड़ी पीड़ा हुई मेरे मानहानि के नोटिस से इसलिए उनका गुस्सा मेरी समझ में आता है। इसलिए मैं इस पर और बहस नहीं करना चाहता हूँ लेकिन इस बात का यह प्रमाण है कि जिन-जिन लोगों के खिलाफ मैंने प्रस्ताव उठाए, अंत में जनता सार्वभौम है और जनता के सुब्रह्मण्यम, शचिन चौधरी, पाटिल इन सभी लोगों को गिरा कर यह साबित किया है कि मैं जो काम कर रहा था वह बिल्कुल सही था और आप लोग जो कह रहे हैं उसमें बिल्कुल कोई दम नहीं है।

यह जो कहा गया है कि प्रिविलेज के हथियार का राजनैतिक दृष्टिकोण से इस्तेमाल होता है तो मेरा कहना है कि हर चीज में राजनीति है। अगर राजनीति नहीं होती तो पार्लियामेंट काहे के लिए होती? आंध्र का मामला राजनैतिक है। ब्रह्मानन्द रेड्डी का बयान भी पूरा राजनैतिक है। बयान भी उस बड़े आदमी से आया है, मैंने किसी साधारण आदमी के खिलाफ नहीं रक्खा है, जिन्होंने यह तेलंगाना सेफ गार्ड्स के एग्जिमेंट को, करार को माना कि तेलंगाना को सेफ-गार्ड्स दिये जायें, स्वयं ब्रह्मानन्द रेड्डी कबूल करते हैं कि उसे तोड़ा गया। क्या कबूल करते हैं :

There were lapses in the implementation of this policy.

जो स्वयं अपराधी हैं और कबूल करता है कि मेरा कसूर है वह आकर हमको कहता है कि अगर आप संसदीय कमेटी नियुक्त करेंगे तो हस्तक्षेप होगा। इसलिए वह जो कानून मंत्री साधारण लोगों के बारे में बड़ी सहायुभूति दिखा रहे थे तो मैं उन्हें बतलाना चाहता हूँ कि मेरा प्रस्ताव किसी साधारण व्यक्ति के खिलाफ नहीं है। आप जैसे लोगों के खिलाफ, ब्रह्मानन्द रेड्डी के खिलाफ है जिन्होंने आंध्र प्रदेश की जनता का सत्यानाश किया है, आग लगाई है उन लोगों के खिलाफ मेरा प्रस्ताव है।

जहां तक पार्लियामेंट में प्रिविलेज के मामले उठाने जाने का ताल्लुक है तो मैं बतलाना चाहता हूँ कि सबसे पुरानी पार्लियामेंट ब्रिटेन की है। उसके बारे में एक बड़े जो संविधान के पण्डित हैं किलमुर उन्होंने पार्लियामेंट के विशेषाधिकार के बारे में लिखा है। इंग्लैंड को पार्लियामेंट ने प्रिविलेज का इस्तेमाल किया उसके बारे में यह वाक्य है। मैं चाहूंगा कि माननीय सदस्य 105 धारा पढ़ें। इंग्लैंड की पार्लियामेंट के जो अधिकार हैं वही हमारे अधिकार हैं। इंग्लैंड के लोकतंत्रीय संघर्ष की पृष्ठभूमि हमें मद्देनजर रखनी चाहिए। उन्होंने कहा है :

Privilege was a weapon used by Parliament in its democratic struggle against absolute monarchy.

राजनीति की बात है। इंग्लैंड में यह इस तरीके से आया।

Privilege was a weapon used by Parliament in its democratic struggle against absolute monarchy.

और मैं भी उन लोगों के गलत कामों को, भ्रष्टाचारों को और देश की बर्बादी का जो काम कर रहे हैं उसको मैदान में लाने के लिए उसका भंडाफोड़ करने के लिए उनको बेनकाब करने के लिए, मैं प्रिविलेज के हथियार का इस्तेमाल करता हूँ और जब तक इस सदन की सेवा में रहूंगा जरूर करता रहूंगा।

कानून मंत्री ने क्या क्या यहां पर दलीलें दीं? दलीलें दीं कि पार्लियामेंट के कार्यक्षेत्र का कैसे सवाल आता है? नक्सलबाड़ी की भी याद दिलाई। मैंने शुरू में ही कहा था कि मेरी राय में मुल्क में जितनी समस्याएँ हैं उन सभी समस्याओं पर गौर करने का और उसका अध्ययन करने का हमें अधिकार है। नक्सलबाड़ी के बारे में भी हम ने यही सुझाव दिया था। मैंने ही स्वयं इस बात को स्पष्ट किया कि नक्सलबाड़ी और आंध्र वाली बात अलग स्तर पर है क्योंकि नक्सलबाड़ी के बारे में मैं सिर्फ अध्ययन की बात करता था यहां मैं अपने कर्तव्य पूर्ति की बात करता हूँ। केवल हमारा अधिकार ही नहीं है हमारा यह कर्तव्य है क्योंकि संविधान की दफा 371 में प्रेसीडेंट आर्डर निकालता है। उसके तहत गवर्नर की स्पेशल रिस्पॉसिबिलिटी है। उन्होंने तर्क के लिए, कानून मंत्री ने तो कम से कम कबूल किया है कि गवर्नर की स्पेशल रिस्पॉसिबिलिटी का जहां सवाल आयेगा तो उसे प्रेसीडेंट के निर्देश पर चलना चाहिए। अब प्रेसीडेंट न तानाशाह है न गवर्नर तानाशाह है। प्रेसीडेंट के निर्देश का मतलब सरकार का निर्देश, जिस

[श्री मधु लिमये]

का कि दायित्व इस सदन की ओर है और वह हमारा पूरा कार्यक्षेत्र है। आंध्र प्रदेश का निर्माण हमने किया, आंध्र प्रदेश में नागरिकों के बारे में संरक्षण देने का कानून हमने पास किया। दुबारा पास किया और तीसरी बार रीजनल कमेटी के निर्माण के लिए प्रेसीडेंटल आर्डर राष्ट्र-पति के द्वारा जारी कराया जिसका कि दायित्व भी सरकार की मार्फत इस सदन की ओर है। इसलिए यह केवल अध्ययन का मामला नहीं है। बल्कि अपने कर्तव्यों की पूर्ति करने का मामला है। अगर साधारण नागरिकों की बात होती तो मैं बिल्कुल ध्यान नहीं देता लेकिन आंध्र प्रदेश के मुख्य मंत्री जो स्वयं अपराधी हैं वह जब हमारे कार्यक्षेत्र पर आक्रमण करना चाहते हैं, पार्लियामेंट और उसके सदस्यों को दबाना चाहते हैं तो मानहानि का सवाल जरूर उठता है। इसलिए मैं चाहता हूँ कि सदन मेरे प्रस्ताव को कबूल करे और समिति उसके ऊपर विचार करे। उसके बाद आपको जो करना हो वह करिये। कम से कम यह सदन पार्लियामेंटरी कमेटी की नियुक्ति करके इस बात को प्रतिष्ठापित करे कि सदन के कार्यक्षेत्र पर जो आक्रमण करने वाले लोग हैं और उसे चुनौती देने वाले जो लोग हैं उनको हम सही जवाब दे सकते हैं और देंगे।

16.20 hrs.

[MR. DEPUTY-SPEAKER in the Chair]

MR. DEPUTY-SPEAKER : The question is :

“That the question of privilege against the Chief Minister of Andhra Pradesh be referred to the Committee of Privileges for investigation and report.”

The motion was negatived.

MR. DEPUTY-SPEAKER : Now, I take item number 6.—Paper laid on the Table. Mr. Sethi.

6.20½ hrs.

PAPERS LAID ON THE TABLE

INDUSTRIAL FINANCE CORPORATION OF INDIA (PAYMENT OF GRATUITY TO EMPLOYEES) REGULATIONS

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI P. C. SETHI) : I beg to lay on the Table a copy of the Industrial Finance Corporation of India (Payment of Gratuity to Employees) Regulations, 1968 (Hindi and English versions) published in Gazette of India dated the 22nd March, 1969, under sub-section (3) of section 43 of the Industrial Finance Corporation Act, 1948. [Placed in Library. See No. LT-629/69].

MR. DEPUTY-SPEAKER : Mr. Fernandes.

PETITION RE. PREVENTION OF FOOD ADULTERATION ACT

श्री जाजं फरनेन्डोज (बम्बई-दक्षिण) : मैं खाद्य अपमिश्रण निवारण, अधिनियम, 1954 तथा इसके अधीन बनाये गये नियमों के बारे में श्री हेमराज वेर्षी हरिया तथा अन्य व्यक्तियों की एक याचिका पेश करता हूँ।

16.21 hrs.

DEMANDS FOR GRANTS—Contd. MINISTRY OF EXTERNAL AFFAIRS —Contd.

MR. DEPUTY-SPEAKER : Now we shall take up further discussion on the Demands for Grants under the control of the Ministry of External Affairs.

SHRI SANT BUX SINGH (Fatehpur) : Mr. Deputy-Speaker, Sir, I rise to support the demands of the Ministry of External Affairs. I would like this occasion to begin.....

MR. DEPUTY-SPEAKER : Just a minute. Before the lunch hour, there was a query and a request for a statement. But