

there. After a long discussion, if you again raise some matter here, what is the point in discussing all this?

Shri S. M. Banerjee: If you do not want it, I will not raise it.

Mr. Speaker: The point is that this thing was considered by all the parties. It is not as though I alone do it. I just try to coordinate and bring them together and put in something. Then, if you raise something again here, what is the use of all this discussion? You are the chief whip of your party.

Shri S. M. Banerjee: I do not want to give an impression that I am disobedient to the Chair. I would only request you and, through you, Dr. Ram Subhag Singh, whether it is possible for some of the Ministers to make a statement on certain very important issues *suo motu*. Supposing you do not admit a Call Attention Notice, we have no ground and we bow to your ruling. I want that there should be some statement made by the Minister *suo motu* on a certain very important issue. Kerala M. Ps are squatting at the residence of the Prime Minister tomorrow. It is a very serious matter. Let some statement be made by the Minister *suo motu*.

13.02 hrs.

MATTERS UNDER RULE 377

(i) ALLEGED PRINTING OF MADHYA PRADESH BUDGET FOR PRESENTATION TO LOK SABHA.

श्री अटल बिहारी वाजपेयी (बलरामपुर) : अध्यक्ष महोदय, मैं नियम 377 के अधीन आप की इजाजत से सार्वजनिक महत्व के एक विषय की ओर आप का ध्यान आकृष्ट करना चाहता हूँ।

मुझे तथा मेरे अन्य सहयोगियों को मध्य प्रदेश के विरोधी क्ल के नेता का तार मिला है, जिस में यह गम्भीर आरोप लगाया गया है कि लोक सभा में पेश किये जाने के लिए मध्य प्रदेश का बजट वहीं के सरकारी

प्रेस में छपा जा रहा है। तार में यह भी कहा गया है कि उस बजट पर लिखा गया है कि यह बजट मध्य प्रदेश की विधान सभा में पास नहीं हो सका, इस लिए लोक सभा में पेश करने के लिए यह बजट छपा जा रहा है।

स्थिति यह है कि मध्य प्रदेश विधान सभा की आज बैठक हो रही है और अभी शक्ति-परीक्षा होना बाकी है। क्या मध्य प्रदेश की सरकार इस नतीजे पर पहुँच गई है कि विधान सभा का निर्णय कोई भी हो, विधान सभा भंग कर दी जायेगी और वहाँ राष्ट्रपति का शासन लागू कर दिया जायेगा। यदि यह बात सच है, तो यह बड़ी गम्भीर बात है। यह लोकतंत्र की अवहेलना है, संविधान के प्रांत धोखा-धड़ा है। मुझे यह कहते हुए दुख होता है कि जान में या अनजान में, प्रत्यक्ष या अप्रत्यक्ष रीति से, केन्द्रीय सरकार भी इस में शामिल मालूम होती है।

जो बजट लोक सभा में पेश होने वाला है, उस की छपाई मध्य प्रदेश की सरकार द्वारा अभी से कैसे आरम्भ कर दी गई, गृह मंत्री इस की जांच करें। मैं उन्हें प्रेस का नाम देने के लिये तैयार हूँ। हमारे पास समय नहीं था, वरना जो बजट छपा जा रहा है, हम उस की एक प्रति यहां लाने की कोशिश करते। क्या मध्य प्रदेश सरकार यह समझती है कि यह लोक सभा एक मुहर लगाने की मशीन है; वह जो कुछ भी छाप कर भेज देगी, हम उस को पास कर देंगे? यह मामला बहुत गम्भीर है। मैं चाहूंगा कि गृह मंत्री इस के बारे में सदन को पूरी जानकारी दें।

Mr. Speaker: Shri Vajpayee and Shri Nath Pal gave notice of this matter at 10-45 A. M. I thought it a serious matter and I just permitted him to rise the point so that the Home Minister can make a further enquiry. Shri Nath Pal.

Shri Nath Pai (Rajapur): Sir, my copy of the telegram on the basis of which we are trying to raise this matter in the House is lying with you. I find in the list there are some national dailies which have quoted parts of the telegrams which we received last night. As Shri Vajpayee has submitted to you, the contents of the telegrams are very grave and such as to give an anxiety not only in this House but throughout the country. The beginning of it is that the Chief Minister Mishra's repeated threat that he would ask for a mid-term election in case of his defeat in the voting on the Demands tomorrow has begun to pay Dividends. Here is the Chief Minister of a State who has been brandishing a sword that if the Assembly exercise its legitimate Constitutional right of expressing want of confidence in him, he will be imposing a dissolution on them. This is one thing. But what follows is equally alarming and I will then make a submission before you call upon the Home Minister.

"We have reliable information..." the telegram says,

"...that violence is being planned by the Congress Legislature Party and on the pretext of the outbreak of violence, the Assembly will be dissolved. A Vote on Account is being prepared and is being printed at the Government Press at Gwalior to be submitted to Parliament."

Even if a part of it is true, it means that the whole process of democracy is being scuttled by the Chief Minister of Madhya Pradesh.

May I, Mr. Speaker, draw here your attention to how our authority is attracted our attention is attracted? In the first place, it is attracted under Article 236. I would like Mr. Chavan to bear this in mind that very recently he made use of this and, I think, in that case he was justified in making use of that. He used the power given to the Union Govern-

ment under this Article. Now let us not shun our responsibility in another contingency because it may be embarrassing or inconvenient to the ruling Party. Article 256 says:

"The executive power of every State shall be so exercised as to ensure compliance with the laws made by Parliament and any existing laws which apply in that State, and the executive power of the Union shall extend to the giving of such directions to a State as may appear to the Government of India to be necessary for that purpose."

The other day Mr. Chavan announced in this House that we are living in the midst of Emergency and that he is not in a position to withdraw the Emergency. If that is true, then again he is called upon to discharge his responsibility. Under Article 355, during the pendency of the Emergency:

"It shall be the duty of the Union to protect every State against external aggression and internal disturbance and to ensure that the government of every State is carried on in accordance with the provisions of this Constitution."

I want to point out here that much is being said whether the Governor is obliged to accept the advice or not...

Mr. Speaker: He may not go into all those things. The point raised is only about the interim budget....

Shri Nath Pai: I am coming to the point as to why we are raising it here. I am telling you why we are raising it here.

The Governor of State, before he enters his office, takes this oath. What is this oath? Under Article 159 it is said:

"...will to the best of my ability preserve, protect and defend the Constitution..."

Therefore, I want to point out that our authority is attracted Mr. Chavan is called upon to intervene and to issue instructions that the Chief Minister of Madhya Pradesh does not try, in the first place, to issue threats to the legislators, secondly, to create an atmosphere of fear, terror and intimidation, and thirdly that the Assembly is not dissolved..

Mr. Speaker: He may try to conclude.

Shri Nath Pai: I will not be taking more than a minute. The latter part of Article 163 says:

"There shall be a Council of Ministers with the Chief Minister at the head to aid and advise the Governor in the exercise of his functions, except in so far as he is by or under this Constitution required to exercise his functions or any of them...."

This is patently a field where the Governor of a State is not required to abide by the advice of the Chief Minister, under our own Constitution. Since you seem to be impatient, I do not want to go on quoting the authority..

Mr. Speaker: He is going to the other matters.

Shri Nath Pai: Let me conclude. Such matters should not be hurriedly rushed into.

Mr. Speaker: He is going to the other matters and that is why I am mentioning.

Shri Nath Pai: I am concluding.

Under the provisions of our own Constitution, the Government of India is enjoined, called upon—there is an imperative, mandatory direction to the Government of India to ensure that the Chief Minister of Madhya Pradesh does not make a mockery of the essence, the spirit, of the Constitution, the provisions of the Constitution, and Mr. Chavan is called upon

to ensure that the Chief Minister does not, in the first place, dissolve the Ministry, does not call upon the Governor to dissolve it and impose an unjustifiable mid-term election.

I hope, Mr. Chavan will satisfy on all the points that I have raised, though I have some more points to raise later on.

Mr. Speaker: Now, the hon. Home Minister.

डा० राम मनोहर लोहिया (कन्नौज)
अध्यक्ष महोदय, एक टेलीफोन की मैं आप को
खबर बता दूँ

Mr. Speaker: No, I am not allowing him. I had received only two notices. The hon. Member's name is not there.

Shri Ranga (Srikakulam): Let us hear the Home Minister first.

The Minister of Home Affairs (Shri Y. B. Chavan): As far as this information about any budget being printed in Gwalior for presentation to Lok Sabha is concerned, I must make one point clear, because I had consulted the Deputy Prime Minister also, that any budget to be submitted to the Lok Sabha, if at all, will have to be printed by us here; it cannot be printed anywhere else.

Shri Surendramath Dwivedy (Kandrapara): We want to know whether it is a fact. May I remind the Home Minister that these are printed in the States? We know that when the budget of Orissa was presented here it was printed in the Orissa State.

Shri Y. B. Chavan: I had just now consultations with the Deputy Prime Minister because I also wanted to know the procedural—part of it.

Really speaking, the question of budget being submitted here does not arise because the legislature of the State is functioning today. It is meeting today. We have no information on this point whether such a thing is being done. Unless I make enquiries

[Shri Y. B. Chavan]

from the State Government. I cannot give the information. But the Central Government have no information on this, and the Central Government have not given any directions

डा० राम मनोहर लोहिया : अध्यक्ष महोदय.....

Shri Surendranath Dwivedy: Has he not received a copy of the telegram?

डा० राम मनोहर लोहिया : अध्यक्ष महोदय, सुबह पहला टेलीफोन मेरे पास आया। वहां पर कोशिश हो रही है कि जूते और चप्पल फेंके जाय। मैं ने अपनी तरफ से जगदीश जोशी को कहा कि आप लोग बरफ की तरह ठण्डे बैठे रहना। उधर से जो कुछ भी हो जाने दो। लेकिन फिर भी अगर कुछ कोशिश हो गई और उस का परिणाम यह हुआ कि वहां दंगा फसाद हो गया तो मैं आप से निरोधात्मक कार्यवाही के लिए नहीं कह रहा हूं। बाबा बाद में फिर आप श्री द्वारका प्रसाद मिश्र के कहने पर कोई कार्यवाही न करिएगा। यह है बाद की कार्यवाही, निरोधात्मक नहीं।

Shri Surendranath Dwivedy: He must have received a copy of the telegram that had been sent to all of us. Did he make any enquiries to find out whether there is any truth in the allegation or not?

Shri Y. B. Chavan: I saw that telegram. As regards this information also, I saw this information last night, at about mid-night from the teleprinter message, as a matter of fact.

Shri Ranga: He must have seen it even earlier. Why did he have to wait till mid-night. We had all received it by 9 p.m. last night, or between 9 and 10 p.m. Are we to understand that the Home Minister's source of information is more defective than ours?

Shri Y. B. Chavan: I only said that I did not lay my hand on it till mid-night. Certainly it must have been sent to me, but I could read it only at about mid-night. I function rather late at night; I cannot help it.

श्री अटल बिहारी वाजपेयी : आप जांच करिए।

श्री यशवंत राव चव्हाण : मैं जांच करूंगा

Shri Ranga: We have also received this wire and I am sure so many other friends too must have received it. The press also has published all these things. All that I can say is this. It is easy for my hon. friend to say that he is completely ignorant of what all is happening, and he has not given any directions and he has not even given any advice and nobody has seen him or reached him and so on, and we are required to accept his statement because he is an hon. Member on the other side.

We wish to warn him and we wish to warn this Government that if by any chance, all these rumours that are now being canvassed in the press as well as through these wires come to be true and in the end a disturbance is caused in the Assembly and the Assembly is not given a proper opportunity to come to a definite decision in regard to this particular matter, we shall hold the Government of India morally as well as constitutionally and politically responsible.

Shri Surendranath Dwivedy: He has not replied to my point. He admits that he had received the telegram late at night. I want to know whether he had made any enquiries.

Mr. Speaker: He has said that he has no information and he will look into it.

Shri Surendranath Dwivedy: It is a very important thing.

Mr. Speaker: He says he has taken the information. I allowed this to

be raised under rule 377 so that the hon. Minister may look into it and give us the information later on. I shall myself give consideration later on to this if he can give some information.

Now, Shri Nath Pai.

Shri S. Kundu (Balasore): The specific question is whether he has taken any action during these eighteen hours or not. He may look into the details of it, but the question is whether he has taken any action or not.

Mr. Speaker: Shri S. Kundu must allow the Members from the other parties also to have their say. Now, Shri H. N. Mukerjee.

Shri S. Kundu: I am just helping you. You had said that he would look into it. Let him look into it by all means. But what has he done during these eighteen hours?

Mr. Speaker: His leader has spoken already. There seem to be so many leaders in a party. That is my difficulty.

Now, Shri H. N. Mukerjee.

Shri H. N. Mukerjee (Calcutta North East): I do not usually intervene because there is such a pandemonium. But is it not proper and right for us in this Parliament to expect from the Government of the day that when this kind of information is brought before the notice of Government through the presentation of this type of telegram, telegrams which have reached most of us, they should come forward and give us the correct information? But Government merely try to get away by saying that they have no information. Do we not have a right to expect that they should give us the correct information? These reports indicate a certain erosion of parliamentary proprieties and decent modes of political conduct by the Governments which are running the administration, and in Madhya Pradesh there is a Congress administration. Is it not

proper for him to come forward and say that he repudiates every intention of doing the kind of enormity which is indicated in this telegram? Have we not got the right to expect the right type of conduct from Government? Should we not function on the basis of ethical considerations and some kind of morality, about which Acharya Kripalani shouts from the house-tops, but nothing happens? I could beseech you to please do something about it and to tell Government to behave properly.

Mr. Speaker: This was brought to my notice at 10.45. Two leaders had come to me. I thought it to be an important matter and must be brought to the notice of Government. Failing a satisfactory reply, we have other methods of proceeding further with the matter in the form of discussion and so on. The Minister must also be given time. Perhaps he has not got the full information. Under rule 377, there is provision to bring a matter to the notice of the House. After that, we can have a discussion for one hour, two hours, whatever it is.

Shri Bal Raj Madhok (South Delhi): Does the Minister confirm or deny the statement?

Mr. Speaker: He is not asked to do anything now. He is only requested to get the information.

Shri Surendranath Dwivedy: I agree with what you say. He has admitted that he received the information. The only point is whether after receiving it he made inquiries about it. To that, he can say 'yes' or 'no'.

Shri Y. B. Chavan: After I received this information, I asked them to find out the facts about it. After that, I was in the Rajya Sabha from 11 to 12. I got notice of this and straightway I came here at 12.

Shri Kanwar Lal Gupta (Delhi Sadar): After the receipt of the telegram, what did he do?

Shri Nath Pai: I am not satisfied with the reply given by the Minister as regards the telegram. I submit to you that the telegram is signed by the Leader of the Opposition who commands a majority now and who, unless democracy is subverted there, will be the next Chief Minister. Therefore, the telegram should be looked into with greater attention.

(ii) DISPLAY OF A SHOE IN THE HOUSE
ON 27-7-67

Shri Nath Pai: Mr. Speaker, it is with considerable reluctance that I am raising this matter regarding what transpired yesterday afternoon in the House at about 5 P. M. during the clause by clause consideration of the Finance Bill.

I had given you under rule 222 notice of a motion of privilege against an hon. Member of this House, Shri N. N. Patel. You were good enough to inform me just now that I should raise it under rule 377. I still plead in all humility that I should be allowed to rise it under rule 222 and I have every hope that after hearing me you would allow me to do so.

Since I had given notice according to the requirements of the rule, this matter ought to have been permitted to be raised soon after the question hour under rule 222.

I would like to assure the hon. member, to whom I am going to make a reference, that I have no kind of ill-will towards him. I have nothing but the best will towards him. But I am a little concerned about the precedents which we set in this House. What happens in the Lok Sabha becomes the pace setter for all the other legislatures in the country. That being so, I do not know what will be happening in this country, unless we take cognisance of what happened here yesterday. Already we have received some gravely disturbing reports about the

methods employed to express oneself, by free exchange of shoes and other missiles.

I will now draw your attention to the proceedings of yesterday concerning this. Shri N. N. Patel, taking out his shoe, says:

"This is the shoe...."

Immediately, Shri Madhu Limaye objects and asks:

"उपाध्यक्ष महोदय, यह क्या कर रहे हैं"

This expresses simply the agony of the hon. Member and the pain that it has caused him and the sense of of disgust produced in him. Then the Deputy Speaker intervenes:

"This is not proper".

In between, Shri S. M. Banerjee comes in. As soon as one Member takes out his shoes, another member takes out his chappals and says:

"This is the chappal".

Mr. Speaker: Shri Banerjee came only second.

डा० राम मनोहर लोहिया : पहला छा श्वेद, दूसरा पटेल और तीसरा बैनर्जी ।

Shri Nath Pai: I would have liked to include the name of Shri S. M. Banerjee also in the motion of privilege, but I refrained from it because I talked to him and he assured me that the reason why he took out his chappal and showed it was only to discourage Shri N. N. Patel from indulging in such practices.

It is very likely that Shri Patel did not mean any disrespect to anyone. But shoes have their proper place. Once they leave their proper place under our feet and travel to our hands, I do not know where they will be tempted to travel from there. Though there was so intention possibly, and accept it, I think this is a reprehensi-