

[Shri K. C. Pant]

fore the House and explained that we shall have to take a co-ordinated and integrated view of the needs of security and development of the whole of the north-eastern region of this country.

Certain proposals have been formulated and these are under consideration. After that, we shall naturally be coming before this House with necessary legislation.

So far as Delhi is concerned, I need not repeat the argument. We have had many debates in this House. But I would accept the advice of my hon. friend in one respect when he said that we should not yield to political pressure in the matter of creation of new States and that we should take into account factors like economic viability, population and so on. He referred to the fact that if for Delhi no Statehood is granted, then there will be an agitation and the law and order problem will deteriorate. I am taking his advice and I can tell him that such threats will not make us change our mind.

SHRI ATAL BIHARI VAJPAYEE
(Gwalior) : Friendly warning.

SHRI K. C. PANT : Even friendly pressures will not be taken into account.

श्री कृष्णचंद बर्मा : चुनाव के समय जो वायदे किये थे वह याद दिलाना चाहते हैं ।

SHRI K. C. PANT : I do not think my hon. friend is right in saying that we made any such electoral promise. In fact, I have had occasion to come before this House several times in the past to say that Delhi will not be made a State. I do not think that is quite correct. But if he has heard it from somebody, I am willing to listen to him and if he lets me know about it, I will enquire from my party why they had said so.

MR. DEPUTY-SPEAKER : The question is :

"That the Bill to amend the State of Himachal Pradesh Act, 1970, be taken into consideration."

The motion was adopted.

MR. DEPUTY-SPEAKER : We now

take up the clause-by-clause consideration of the Bill. There are no amendments at all. So, I put all the clauses together.

The question is :

"That clauses 2 to 4 and 1, the Enacting Formula and the Title stand part of the Bill,"

The motion was adopted.

Clauses 2 to 4 and 1, the Enacting Formula and the Title were added to the Bill.

SHRI K. C. PANT : I move :

"That the Bill be passed."

MR. DEPUTY-SPEAKER : The question is :

"That the Bill be passed."

The motion was adopted.

16.13 hrs.

MOTION RE. CONDUCT OF MEMBER
DURING PRESIDENT'S ADDRESS

SHRI INDER J. MALHOTRA
(Jammu) : I beg to move :

"That this House strongly disapproves of the conduct of Shri Ram Deo Singh who created obstruction and showed disrespect to the President on the solemn occasion of his Address to both the Houses of Parliament assembled together under article 87 of the Constitution on the 23rd March, 1971 and condemns his undesirable, undignified and unbecoming behaviour."

Sir, I am not very happy when I bring this Motion before the House for the simple reason that the hon. colleague is an hon. Member of this House and I also know that he is a new Member of this House. But at the same time, it is my duty to point out and bring to the notice of this House the misbehaviour of the hon. Member on the 23rd March when the President was addressing both the Houses of Parliament in a joint session which met in the Central Hall of this Parliament House.

On that day, the President was discharging his constitutional responsibility.

He was making his Address to both the Houses of Parliament under article 87 of the Constitution. At that time, it was a solemn and significant occasion for more than one reason that, that was the first time when both the Houses of Parliament met after the recent mid-term poll. In the last mid-term poll, the people of India again re-affirmed their faith in the Parliamentary democracy.

By doing that they have also placed a great deal of responsibility on the hon. Members who have been elected in the last General Elections. So, it is the duty of the hon. Members to bring forward the grievances of the people of India as a whole and particularly, the people of their constituencies. The people of India also expect from the hon. Members to conduct their business in an orderly manner when they meet in this Chamber as Members of the Lok Sabha or in the other Chamber as Members of the Rajya Sabha or when both Houses meet in a joint session.

On that day, the hon. Member rose and interrupted the President while he was delivering his Address. He did that I was present on that occasion under the leadership of an hon. Member of the other House, Shri Raj Narain.

Although the hon. Member is new to this House, I am quite aware and also I am confident that he was also aware, that he was doing all that under instructions from leader, Shri Raj Narain, who is a Member of the other House.

When I bring this motion before this hon. House, I am quite aware that the hon. Member is also aware of the repercussions which he will have to face for his misbehaviour on that day because Shri Raj Narain told him what happened on a previous occasion when Members of his own Party were reprimanded by this House. I would only like to say one thing and I will not take much time of the House because on a previous occasion this kind of motion has already been discussed very thoroughly. In 1963 a Committee was appointed and the Committee made certain recommendations, and on the recommendations of that Committee again in 1966 a similar motion was discussed in this House. I would only say that the time has come when we, who represent the people of India here, are called upon to set an example in our behaviour

whether in this House or in the other House or when we meet in a joint session. Therefore, I would commend to this hon. House that this House may take a serious note of the misbehaviour by the hon. Member on that day when the President was addressing both the Houses of Parliament in a joint session.

Although it is not provided in the recommendations which were made by the Committee in 1963 as to what kind of punishment according to the Rules should be given, it is always left open to the House and I would only appeal to this House that keeping in view the seriousness of the matter and keeping in view the deliberate interruptions and obstructions made by the hon. Member that day, this House may take a serious note and decide what punishment should be given to this hon. Member.

Thank you, Sir.

SHRI A. K. GOPALAN (Palghat) : I very strongly oppose the motion, Sir.

SHRI ATAL BIHARI VAJPAYEE (Gwalior) : I have given notice of an amendment.

SHRI KALYANASUNDARAM (Tiruchirapalli) : On a point of order, Sir, I am not now commenting on the incident or on the merits of the resolution, but whether the resolution is permissible in this House in this form is my question. The joint session Address of the President is no doubt a constitutional obligation on the President to address openly both Houses, but it is not a session of this House. So, is this House competent to take action for an incident that took place in the joint session? That is why, you will appreciate, even the President's Address will have to be tabled in this House. Then only it forms part of the proceedings of this House. That is why that joint session is not part of the proceedings of this House and that incident cannot be a part of the proceedings of this House. I want to know whether this House is competent to take action on an incident which took place somewhere else... (Interruptions)

MR. DEPUTY-SPEAKER : Now, order please. Now, in the first place, the Motion was given due notice of. It was considered and it was accepted by the

[Mr. Deputy-Speaker]

Speaker. Secondly, it has been notified. As you know, the Central Hall is within the jurisdiction of Hon. Speaker. Anything that happens in the Central Hall comes within the jurisdiction of this House. Therefore, this motion is in order.

SHRI S. B. GIRI (Waranga): I rise on a point of order. My point of order is this. When a Motion is brought before the House, we have, first of all, to establish whether this particular hon. Member was involved in this on that day, that is, 23rd of March, because I was also present myself, and I think somebody else was involved. When the President was reading his Address, he asked him to sit down. He has not made any *gadbud*..(Interruption)

MR. DEPUTY-SPEAKER: You can speak on the motion if you like. This is point of order.

SHRI ATAL BIHARI VAJPAYEE
—rose

MR. DEPUTY-SPEAKER: It is only now that I see your amendment. According to the rules, the position is this. I will read out the rule to you. It says:

"If notice of an amendment to a clause or schedule of the Bill has not been given one day before the day on which the Bill is to be considered, any member may object to the moving of the amendment."

Now, I would like to know...

SHRI R. S. PANDEY (Rajnandgaon): I take objection.

MR. DEPUTY-SPEAKER: You did not give it according to the rules.

SHRI ATAL BIHARI VAJPAYEE: If the House accepts, we can take it up.

श्री शक्ति नूषण (दक्षिण दिल्ली): श्री अटल बिहारी वाजपेयी डिस्प्लिन को तो मानते हैं, सिर्फ लोकाचार के लिये अमेंडमेंट रख रहे हैं।

MR. DEPUTY-SPEAKER: I have to be guided by the rules of procedure of the

House. I have just now pointed out to Shri Vajpayee ji, what the rule says.

SHRI KALYANASUNDARAM: I am trying to help you. The Chair has got inherent power to allow any amendment at any stage.

MR. DEPUTY-SPEAKER: I have read out the rule to you; I shall have to be guided by the rule.

श्री अटल बिहारी वाजपेयी: उपाध्यक्ष महोदय, मेरा ख्याल है कि कोई डाइरेक्टिव है जिस के अनुसार स्पीकर या जो अध्यक्ष के आसन पर बैठे हो वह किसी भी नियम को उस समय के लिये निलम्बित कर सकते हैं। दूसरी बात यह है कि आप अमेंडमेंट के ऊपर सदन की राय लेना चाहते हैं, लेकिन मेरा अमेंडमेंट अभी सकुनेट नहीं हुआ है। मैं चाहता हूँ कि उस को पढ़ दिया जाय जिम में कि माननीय सदस्य जान सके कि वह किस अमेंडमेंट का विरोध कर रहे हैं।

MR. DEPUTY-SPEAKER: Mr. Vajpayee you are a very senior Member and you know the rules.

SHRI ATAL BIHARI VAJPAYEE: You can suspend the rules.

MR. DEPUTY-SPEAKER: I would like to be guided by the House. The rule says, if no objection is there, I can accept your amendment.

But, objections are there. Therefore, I am sorry,

SHRI ATAL BIHARI VAJPAYEE: Objection to what?

SHRI SANT BUX SINGH (Fatehpur): Before there is an objection, we should know what Shri Atal Bihari Vajpayee's amendment is?

SHRI ATAL BIHARI VAJPAYEE: Since my amendment was not given notice of before, it could not be circulated, and the House is, therefore, not in possession of

the copies of my amendment. Before the amendment is put to the House for the opinion of the Members thereon, let the amendment be allowed to be read out. How can hon. Members take objection before they know what the amendment is ?

MR. DEPUTY-SPEAKER : I do not know what their motivations are for objecting.

THE MINISTER OF PARLIAMEN-
TARY AFFAIRS, AND SHIPPING AND
TRANSPORT (SHRI RAJ BAHADUR) :
May I just say a word ? This is a case which
concerns not only the ruling party and the
Government, but involves a question of the
dignity and decorum of the whole House
and the two Houses assembled together
under article 87 of the Constitution, and I
think that each one of us should try to do
his best to maintain the dignity and deco-
rum of the House.

SHRI A. K. GOPALAN : I am
opposing the motion. I have already said
that.

SHRI RAJ BAHADUR : So far as the
question of the dignity and decorum of the
House is concerned, we are all agreed.
Regarding the amendment

MR. DEPUTY-SPEAKER : We are not
discussing the amendment now.

SHRI RAJ BAHADUR : We have no
objection to the amendment being moved.

MR. DEPUTY-SPEAKER : Does Shri
R. S. Pandey withdraw his objection ?

SHRI R. S. PANDEY : Yes, certainly,
I do.

SHRI SEZHIYAN (Kumbakonam) :
Rule 38 may be suspended ..

MR. DEPUTY-SPEAKER : Now, they
have withdrawn their objection. Therefore,
I shall allow Shri Atal Bihari Vajpayee to
move the amendment.

SHRI ATAL BIHARI VAJPAYEE : I
beg to move :

That in the Motion—

(1) for "strongly disapproves of the

conduct of Shri Ram Deo Singh
who created obstruction and showed
disrespect to the President on the
solemn occasion of his Address."

substitute "resolves that a Com-
mittee consisting of 15 Members of
this House be nominated by the
Speaker to go into the question of
alleged disorderly conduct of Shri
Ram Deo Singh at the time of the
President's Address", and

(2) for "and condemns his undesirable,
undignified and unbecoming be-
haviour."

substitute "and make a report to
the House by the 1st July, 1971".

SHRI AMRIT NAHATA (Barmer) :
This is a typical alliance between SSP and
Jan Sangh

SHRI A. K. GOPALAN : The motion
has been given notice of and after that,
very cleverly some amendments have been
tabled.

AN HON. MEMBER : 'Cleverly' ?

SHRI A. K. GOPALAN : I say 'cleverly'.
I have the right to say 'cleverly'. Can I
not say 'cleverly' ? Do I not have the
right to choose my expression ? If I have,
what objection can be there to the word
'cleverly' ?

It is very unfortunate that something
happened on that day. One may agree or
one may disagree with it. One may ap-
prove of it or one may not approve of the
subject-matter of that discussion. But in
the motion it has been said that the House
strongly disapproves of the conduct of the
hon. Member and the disrespect shown to
the President. My opinion is that there
was no disrespect shown to the President.
If disrespect is shown to the President, the
whole responsibility lies on the ruling party.
For, a similar thing had happened before,
and after that, the ruling party might have
thought of some procedure to restore order ;
after all, the Speaker was also there, and
authority should have been given to the
Speaker to control the situation. But what
authority was not given and that was not
thought of. So, the President had to get
up ; he was agitated and he had to speak.
After he had spoken, is it contended that

[Shri A. K. Gopalan]

they should have remained there? They understood that nobody else supported them. After saying something emotionally, they went out of the meeting, and they did not stay there; they went out of the joint session. If they had stayed there and they had created a situation in which they could have been turned out, then that would have been something. That is disrespect. But in a moment of emotion, they wanted to say something.

The object of this motion is to suppress the Opposition, to terrorise them and to tell them: 'If you tell anything, then you will be gagged'. That is the object of this motion. Let the people decide if a member has done something which is considered to be disrespectful.

SOME HON. MEMBERS : No.

SHRI A. K. GOPALAN : You can say 'no'. But I can say 'yes'. I am expressing my opinion which I have got the right to do here. When they are speaking, they can say 'no' to express their opinion.

So I say this has been brought forward to terrorise the Opposition. The people have elected us. Those who have been elected and come here belong to all classes, different sections of people in this country. What seems to be decent to one section or class may not appear to be so to another section or class. It is not as if there is a rule about decency, decorum and all those things. So when says if one says something, his conduct is to be questioned, it will be a difficult position.

I strongly oppose this Motion. It may lead to more disorder. Not only when there is a joint session but here also disorders may come.

16.32 hrs.

[Mr. Speaker in the Chair]

I say every member here has got a right to express his views. When he speaks, he does so in a representative capacity. There are certain very intolerable things that are happening in the country outside and one may lose one's temper and may say something that may appear unpleasant.

The first point is that there was no dis-

respect shown to the President. If there was disrespect shown, it was because the ruling party did not think of giving power to the Speaker, who was present, to control the proceedings, when the President is addressing the two Houses.

I strongly oppose the Motion.

SHRI INDRAJIT GUPTA (Alipore) : I oppose the Motion and support the amendment moved by Shri Vajpayee.

There can be no doubt that the personal behaviour of Shri Ram Deo Singh on that day was certainly impolite and offensive. I do not think there can be two opinions about that. I do not agree with Shri Gopalan that because certain things are happening in the country outside, therefore, they should be raised in any manner one thinks desirable on that particular occasion. There are other means and other occasions on which these issues can be raised. Otherwise, carried to its logical conclusion, Shri Gopalan's argument would mean that whenever the two Houses assemble together to be addressed by the President, all the 750 members can get up and raise any issues which they consider deserve to be raised there. Then there will no Address to the joint session.

SHRI SEZHIAN : There will be addresses !

SHRI INDRAJIT GUPTA : We have to look at it against a certain background. Many members of the Fourth Lok Sabha who are here will not consider that I am exaggerating when I say that practically day in and day out during the Fourth Lok Sabha, the authority of the Chair was being flouted. We have witnessed scenes here beside which what happened that day in the Central Hall pales into insignificance. But we did not take any action. Am I to understand that action was not taken simply because at that time, the ruling party did not command the majority it commands today? Much worse things have happened in this House. Are we suggesting that the authority of the Chair in the Lok Sabha is something which should command lesser respect than the dignity of the President?

SHRI K. D. MALVIYA (Domariaganj) : Does he not see the difference between the two—disorder here and indiscipline there ?

SHRI INDRAJIT GUPTA : I would also support Shri Gopalan on this point. I raised it the other day in another place.

I do think there is a lacuna in the rules of procedure or in the Constitution. When the two Houses meet together to transact legislative business, the rule is very clear. The Speaker of the Lok Sabha is the presiding officer in that joint session.

But when the two Houses are assembled together to be addressed by the President, there is nothing clear in the rules as to who constitutes the Chair there. The President comes there to inaugurate a session of Parliament, to deliver an Address, but it is not at all clear as to who constitutes the Chair during that joint session which is addressed by the President.

Is the President to function as the Chair? It does not say so anywhere. I regret to say that a situation was created that day in which the President was put in a position where any observer would have thought that he was functioning as the Chair. I do not think that is what is meant to be his role there.

Certainly the Speaker of the Lok Sabha is not clearly anywhere invested with the responsibility of functioning as the presiding authority in that joint session where the President makes his Address. There is a lacuna here. It should be remedied. This thing should be cleared, and something should be provided so that there can be no two opinions about that in future. Otherwise we may be put in a much more difficult and embarrassing situation over and over again.

Thirdly, I do not go into the merits of the particular issue which was sought to be raised by certain Members in that unbecoming fashion, but we have also to recognise that after all a day will come, the sooner it comes the better in my opinion, when the President, whoever he may be and from whichever part of the country he may come, can address the joint session in his own mother tongue and there will be no difficulty for other Members in understanding it because of facilities being provided, facilities which are not provided today. There is nothing wrong in visualising a

situation where the President of India will be able to address the joint Houses in his own mother tongue without any difficulty for the Members to understand him.

We should also take into account the fact which many Members have brought to our notice that Shri Ram Deo Singh is a new Member. I presume he is a new Member who has no previous experience. I do not know his background at all. I also think that perhaps he might not have acted the way he did if he had not been inspired by some senior leaders of his party. I do not wish to mention them because they are not Members of this House. But certainly I would not excuse them.

Further, in the Fourth Lok Sabha we were helpless spectators, and the ruling party was a helpless spectator because it was a minority Government, it did not have this massive steam roller majority which it wants to use today to pass this motion.

Therefore, let us be a little realistic. And so I would appeal to the Government, rather to the sponsors of the motion as it stands here, to withdraw it and accept the amendment which has been moved by my hon. friend Shri Vajpayee, which is much more reasonable, because it implies in my opinion that the Committee which will be set up should not confine its work only to judging whether Shri Ram Deo Singh that day had behaved in a disorderly manner or not. Of course, they will go into that also, but they should go into the wider question whether the procedure that is laid down for this occasion when the two Houses assembled together are addressed by the President, is adequate or not to cover all contingencies and whether any lacunae or omissions are there in the procedure which should be removed, and they should make recommendations on that point also.

These are our submissions. We support the amendment.

SHRI K. MANOHARAN (Madras South) : I am one of the Movers of this motion. The Parliamentary Affairs Ministers and some others have told me that Shri Ram Deo Singh is a new Member of the House, and rightly pointed out by my hon. friend Shri Indrajit Gupta, probably he is not aware of the implications of this issue, but about one thing I am definite. I agree with Shri Indrajit Gupta that he was inspired

[Shri K. Manoharam]

by certain people who are, I am sorry to say, frustrated by the election returns of a particular constituency.

I am not discussing it because that person is not a Member of our House. I have got respect for the age, intelligence and experience of Shri A. K. Gopalan. But I cannot concur with him today when he says that we have been elected by the people of different political persuasions and different political temperaments and different political ideologies and therefore if anybody wants to ventilate the grievances of the people, he must be given due chance to express himself even if the President is addressing both Houses of Parliament. The President is the linch pin of the Constitution and when he is addressing both Houses of Parliament, he must be listened to with due respect. If anybody has anything to say on that, he has enough opportunity while discussing the President's Address in either House of Parliament. I think ours is a democracy which is getting more mature. We are expected to follow some norms and codes of conduct, and if anybody says that he is not interested in doing so, that he does not mind the Constitution going to the sea, that he does not mind the rules and regulations going to the gutter, I do not think I should answer that.

I am told he is a new Member, but he has committed this offence. The fact that he is a new Member does not mitigate the offence he has committed. But because of his lack of knowledge of the grave nature of the issue involved I think his action can be condoned by this House. That is exactly the reason why I am inclined to accept the amendment moved by Shri Vajpayee. Normally I shall never accept any amendment moved by him *(Interruptions)*...this time he wants to have a complete compromise and he wants to save the whole situation...

AN HON. MEMBER : For you ?

SHRI K. MANOHARAN : Not for me. There was a feeling that somehow or the other a compromise must be found out. And this is the first time that Mr. Vajpayee has come forward with a compromise. I am happy about it. Considering all this we feel that the particular action of this Member

who had created this disorderly scene when the President was speaking may be condoned. According to the amendment that has been moved, a committee of 15 members can be constituted by you, Sir, in your wisdom and as Mr. Indrajit Gupta has rightly pointed out...

SHRI JYOTIRMOY BOSU (Diamond Harbour) : Drop it here and now.

SHRI K. MANOHARAN : Cannot he keep quiet ? Calcutta is being displayed here. And on behalf of my Party I want to place on record our views. To create a disorderly act and scene with a deliberate design of destroying the solemnity of the occasion when the President of India who is the linchpin of the Constitution and part of our Parliament is addressing both Houses of Parliament is not only not in keeping with the dignity and decorum of Parliament but also creating a very obnoxious and abominable precedent.

I am sure, this House which represents different and opposing political persuasions would bear with me in the matter.

With feeling I am speaking today. Twice such kinds of incidents took place. A special Committee had already gone into them and given out its findings in the year 1963 which were adopted by the House in 1968.

I am one of those who believe that proper climatic conditions must be created and we must cultivate the habit of following certain norms and rules already laid down. I have been informed that Mr. Ram Deo Singh is a new Member. This does not mean that the offence committed by the Member can be justified. Being a new Member this can be condoned. But the problem does not stop there. That is precisely why I accept the amendment moved by Shri Vajpayee. With the concurrence of my hon. friends Shri Inderjit Malhotra and Shri Nihar Ranjan Laskar, I think they will follow suit, I withdraw this motion..... *(Interruptions)*.

SHRI R. D. BHANDARE (Bombay Central) : While moving the amendment, Mr. Manoharan and other Members have raised certain points of constitutional importance. But let me tell him and the

Members opposite that there are no constitutional points involved in this matter. There is *per se* the unbecoming behaviour of Shri Ram Deo Singh, and that is a question beyond any shadow of doubt, because we have got to define Parliament as it is. Parliament, constituted as it is, consists of the Lok Sabha, Rajya Sabha and the President. These three constituents, constituting together, form the Parliament. Therefore, under article 87, when a special session of both the Houses is being addressed by the President it is a Parliament and it cannot be challenged or it cannot be doubted. In that sense, any person, whatever the place and position he may occupy, whether he is a newcomer or a very senior Member his behaviour cannot be condoned, but I accept the amendment for some other reasons.

Sir, I am accepting the amendment for three reasons mainly.

AN HON. MEMBER : Why ?

SHRI R. D. BHANDARE : Kindly listen to my reasons. I am not challenging the constitutionality or otherwise or the propriety of the resolution as such.

MR. SPEAKER : You can very well support it, but not accept it. You are not amongst the movers. You can support the amendment but not accept it.

SHRI R. D. BHANDARE : I am supporting the amendment. But I was just trying to deal with the constitutional propriety of the proposition laid before this House, and in that sense only I said that this *per se* constitutes misbehaviour on the part of Shri Ram Deo Singh. But I am prepared to give him a latitude by accepting the amendment for three reasons.

First, we would like to give some opportunity to the Member to explain his conduct. The amendment speaks of one fundamental proposition, namely, the principle of natural justice. If the resolution as it is accepted, without giving the Member any chance to explain his conduct, we will be condemning the Member of this hon. House. Therefore, on the ground or on the principle of natural justice, if a Committee is constituted, the Member may explain his conduct.

The second reason why I am supporting

it is that—there is no denying the fact that his behaviour constitutes *per se* contempt because of his unbecoming behaviour—if he tenders an apology before the Committee, in that event, there can be an end to the matter. For that purpose, I am supporting the amendment.

Third, if he tenders an unconditional apology, it can have a salient effect on the other Members. When at another time, a joint session is addressed by the President or when a new Parliament is constituted under the Constitution, no Member could behave in a manner unbecoming of his honourable Membership of this House. For these three reasons, even though I cannot agree with the constitutional propositions raised by the Members of the Opposition, yet, on these three grounds, I would like to support the amendment.

With these words, I have done.

SHRI SHYAMNANDAN MISHRA (Begusarai) : Sir, let me say very clearly and categorically on behalf of my party that we do not feel happy about the disturbance that took place when our distinguished President was delivering his gracious address to the two Houses assembled together. But I would like equally clearly and emphatically to say that it was not a very edifying sight to us to see our esteemed President involved in the incident. The great physical exertions that were caused to his august self might have been a painful sight to you and to many of us. We would like to say very clearly that we would like the majesty and dignity of this high office to be jealously maintained. But we also cannot ignore the fact that there is a dignity and majesty attached to every member of this House and that also has to be equally jealously guarded and maintained. Many a time I have an impression that this dignity of an hon. member is not sought to be preserved in the House, may be because of the disorderly conduct on the part of some other members ; may be sometimes also, if I may say so, without any loss of humility, on account of the protected orders of the Chair, because I do agree with my hon. friend, Shri Gopalan, that we have come here to perform a public duty. If we find that we have no means of expressing our sense of duty here, we are bound to feel very unhappy.

[Shri Shyamnandan Mishra]

The first thing to remember is that in all these forums which are really the national forums for great debates, they are not allowed to run at a low temperature. If the normal channels of communication are sometimes found to be choked, we are bound to find very virulent outbursts of emotions sometimes. To that probably the committee which is now sought to be constituted might give proper attention.

But I find myself in a peculiar predicament. I find in the gracious address of the President, the very first sentence is that this is the joint session of the Fifth Parliament of our Republic. That creates a constitutional problem. The President has been pleased to designate it as the joint session of the Fifth Parliament. Here is a peculiarity introduced. The concept with which we are familiar is the joint sitting, but the President has been pleased to use the concept of a joint session. By that, one can easily infer that probably the esteemed President meant by joint session what we generally mean by joint sitting. It is for your ruling in the circumstances to tell us,— If it was meant to be a joint session, as the all-powerful President from whom all powers seem to flow was pleased to designate it, than probably the responsibility would lie on the Chair, because it is the hon. Speaker who is supposed to preside over the joint sitting. What are we exactly to understand by this? If we go by the words of the esteemed President, it might be said that there was a dereliction of duty on the part of the Chair, i.e. the Speaker, who was supposed to be presiding over the proceedings. You may say, Mr. Speaker, that it is stretching the point a little too far. But I say that if it is a mistake on the part of those who drafted the gracious Address of the President, then somebody must be held accountable for it. It has also to be clearly admitted that there has been a lapse....

SHRI R. D. BHANDARE : He is going beyond the purview of the discussion of this motion.

SHRI SHYAMNANDAN MISHRA : It flows from this. What exactly was the nature of the two Houses as assembled on that occasion?

MR. SPEAKER : He is a very distinguished professor of English. But he is now meddling into the intricacies of legal and constitutional issues.

SHRI SHYAMNANDAN MISHRA : I have been a Member of Parliament for 21 years. I have studied not only the English language but also the constitutional problems. I am not feeling humble about that, because I have dealt with this problem for 21 years.

I want to draw your attention to this aspect because this motion is based on the nature of the gathering there. Therefore, either the motion has to be amended to be in step with the gracious Address of the esteemed President, or the esteemed President's Address should not have stated that it was a joint session.

Lastly, I also feel with my hon. friend, Shri Indrajit Gupta, that the vacuum remains so far as this gathering of the two Houses on the occasion of the Address of the President is concerned. We have to fill in this vacuum somehow. This point has arisen when there was an incident in the Rajasthan Assembly and this matter was brought up before the Rajasthan High Court. The High Court could not decide about the legality of the order of the Governor because the learned High Court was pleased to say that this was a matter which was pending before the Privileges Committee of the House. Therefore, the learned High Court could not pronounce any judgment on this matter.

Now, we have not had the advantage of listening to the person who is sought to be indicted, that is, Shri Ram Deo Singh. Also, so far as we recollect, the esteemed President did pass some orders on that occasion. Therefore, this should be a matter for serious consideration whether it was legal on the part of our esteemed President to have passed some orders.

Therefore, I am of this view that this Committee which is sought to be appointed in accordance with the amendment which has been moved by my hon. friend, Shri Vajpayee, is all what is required in the circumstances in order to take a comprehensive view of this matter. With these words, I would support the amendment of Shri Vajpayee. I think that this Committee

would not be on all fours with the Committee which has been appointed in the past, so that we should not suffer from any sense of the pendency in that matter, because there are some new dimensions of the matter which have opened up because of certain aspects which I have tried to submit to you.

SHRI K. D. MALVIYA : Mr. Speaker, Sir, frankly speaking, I am surprised at the opposition to the resolution that has been moved by my hon. friend. It is a simple resolution which seeks to assert the dignity and decorum of the great institution that the Constitution has devised, that is, of the President. May be, that a member while attending the joint session of Parliament might get emotionally moved and would like to say something once or twice

But we should recall the scene which was so unfortunate and tragic on that day that it did involve the honour and the prestige of the great institution that we have ourselves created through the Constitution.

17.00 hrs.

This Motion simply seeks to condemn that act of an hon. Member who might have been moved by excitement or by anything. It is not a question of condemning the Members so much as to maintain the dignity of the institution that we have ourselves created. Therefore, I personally would like the amendment to be withdrawn and this Motion to be supported by the House in the simplest manner which is nothing short of maintaining the dignity of the President.

DR. KARNI SINGH (Bikaner): Mr. Speaker, Sir, I do realise the gravity of what happened on that day. But in spite of that, I feel that I must oppose the Motion moved by my hon. friend Shri Inder J. Malhotra and support Shri Vajpayee's amendment.

I am sure, no disrespect has been meant to the President, as the head of the State. But I would like to say this much that over the years the definition of the word "disrespect" has changed. What has been said before by an hon. friend that if we could say things to you, Sir, as our Speaker, a person whom we hold in such great respect, and that is not construed as disrespect, then

why should it be construed as disrespect if the same thing is said in the Central Hall. I think, there is a great deal of force in that argument

I agree that the hon. Member was carried away by emotions. It would have been better if he had not said so. I remember, some years ago, when such scenes were created in the Central Hall, the mood of the country and the House was different then. The world was not passing through a permissive society phase. But today, the situation is different. What was twenty years ago considered as disrespect may not necessarily mean the same thing today.

The Prime Minister has told us that the country is passing through a new phase and a new mood prevails in the country. This new mood reflects not only in the country at large but it reflects in this House as well. There are many youngmen elected to this House today who are in their middle twenties. How do you expect that that generation will show the same respect to authority that my generation or my father's generation showed who might still be sitting in this House?

A dynamic change is overwhelming the world, whether we like it or not and this permissive society, again, whether we like or not, is beginning to assert itself in every walk of life through out the world. To rebel against authority is something that we will have to learn to live with. I, therefore, request that this matter should be approached realistically. The Members of Parliament are not school boys to be whipped into shape. The more you try to whip them into shape, the more rebel you will face.

I would very humbly submit to this House that Shri Vajpayee's amendment is a *via media*. The House may very kindly accept that because, don't push even a small minority Opposition, as it is, too far that one day even more unseemly behaviour will be seen when the President Addresses both the Houses of Parliament. I do not say it as a threat. But I do feel that as responsible citizens we must anticipate such things and take such steps that we do not force such unseemly things to happen in our country.

So much has been told to everybody about the changing times, that you adjust

[Dr. Karni Singh]

to the new change and that you adjust to the new thinking. I think, exactly the same new thinking has to be applied even in our relations with each other in this House.

Sir, ten years from now, the word "respect" or "authority" will almost disappear and will only be read in the history books. Twenty years from now what we consider as disrespect our children will not even consider it as disrespect. I would ask you : When we a few years ago spoke to our fathers, the respect that we showed to them and the respect that we get from our grown-up sons today is quite different. It is not that there is anything wrong in that *(Interruptions)*

श्री श्री० पी० नौयें (हापुड़) : यह राजा महाराजाओं के घराने में हो रहा होगा...
(व्यवधान)...

डा० कर्णो सिंह : इसमें राजा महाराजा या हरिजन या जाति विशेष का सवाल नहीं है, इसमें रिप्रेजेंटेटिव्स आफ दि पीपुल्स का सवाल है ।...*(व्यवधान)*...

श्री श्री० पी० नौयें : हरिजन आप कहा से ले आए ? हरिजन आप होंगे ।...
(व्यवधान)

डा० कर्णो सिंह : मैं तो हरिजन हूँ लेकिन मुझे नहीं मालूम आपकी कौन सी जाति है ।...
(व्यवधान)...आप व्यक्तिगत रूप में किसी बात को मत लाइए मेहरबानी करके । जैसे आप चुने गए हैं वैसे मैं भी चुना गया हूँ और मुझे भी वही हक है जोकि आपको है ।...
(व्यवधान)...

I believe in Nehruji's socialism. I don't believe in caste.

Mr. Speaker, Sir, there was a time when as the Head of the State went by, people folded their hands and showed respect and people went down on their knees and hands. To-day, if the President goes by in India, it is entirely upto the citizen whether he shows respect or not. What I wish to say, Sir, is that times have changed and it is not

correct to use the same yardstick that you used twenty years ago, to-day to deal with Members of Parliament to-day.

And with that, I would once more request that Mr. Vajpayee's amendment be accepted.

SHRI N. K. P. SALVE (Betul) : Sir, I rise to support the motion. I think it is entirely necessary that without mincing words or without mincing matters, things should be made clear and it should be made known to the Opposition and everybody concerned here that we want to support this motion because we want an unequivocal and categorical condemnation, disapproval and indignation of this House recorded for what has been unanimously described as an unfortunate and tragic episode.

Sir, it is unfortunate that the entire purpose and perspective of the motion has been grossly misunderstood by Sarvashri Gopalan, Gupta, Dr. Karni Singh and not to speak of Mr. Shyamnandan Mishra who excels in irrelevance. My submission is that so far as Mr. Gopalan is concerned, his entire argument proceed upon a concession that the person concerned had indulged in a behaviour which was undignified, unseemly an unworthy of a Member of Parliament, yet, he said, 'Should this House penalise this man, it would tantamount to terrorising the Opposition because it is a microscopic Opposition.' Sir, this is an exceptional argument and by this argument, it only means that a microscopic minority wants to terrorise the majority or what ? A guilty person ought to be punished, never mind to which Party he belongs. It is the guilt that matters. In all fairness, Mr. Gopalan said that he was guilty of unworthy and undignified behaviour. Further, it was stated that it was an emotional outburst. Therefore, they said—something...*(Interruptions)*. This is far more undignified—defending something which is absolutely indefensible. It was, however, sought to be defended that it was an emotional outburst and it was a new Member who indulged in this indecent behaviour. I can understand if he is a new Member but he is taking recourse always to something of which this country has been very critical, something of which this country has been sick and the country's electorate has disapproved of the extremely irresponsibility.

ble and undignified manner in which the Opposition has been conducting itself in the Fourth Lok Sabha.

Mr. Indrajit Gupta says in the Fourth Lok Sabha, times out of number, the authority of the Chair was flouted. And what happens once the authority was flouted? I wish to make it clear that it is precisely this attitude we want to put an end to once for all and if for nothing else, it is for this reason, this motion should be passed.

A word more about the flouting the authority of the Chair. Sometime ago, you were not here. Deputy Speaker was in the Chair. One of the hon. Members went on showering all sorts of invectives and undignified language saying, 'Your ruling Party is fraud. We are elected by the people.' as if we are elected by somebody else. We are also elected by the people. And the Deputy Speaker had to rest content by saying that nothing would be recorded. Sir, it is this attitude, we want to condemn. What has happened in the Fourth Lok Sabha has been something very unfortunate. That has not laid down a moral code in the public life. That has not laid down proper codes of decency in public life. It is now we want to establish... (*Interruptions*). Sir, if the stability to which President has referred in his speech is to have any meaning, it must first come here and the stability will mean that we shall never consider the rules as our private property, rules are not negotiable and never shall we flout the authority of the Chair nor shall we ever allow it to be flouted by them. Therefore, Sir, my respectful submission is this, that this Motion has to be considered in this light.

And then, a word about Mr. Vajpayee's amendment.

A whole lot has been talked about justice, equity and good conscience. My learned friend Shri Bhandare made an extremely passionate plea that in case we do not go in for the Committee suggested by Shri Vajpayee in his amendment, may be, there would be palpable denial of natural justice to the guilty person. I only wish to submit one thing. 'As the gentleman concerned was passing the chair that I was occupying, with my ears, I heard abuses hurled at me and others,—and they are not feeling guilty of their action,—and he called

us as shameless people, slave of the British people, the British language and what not. Sir, this is what we heard ourselves. It is said to put up a facade, to put up the pretence of justice, things like that is necessary. We have seen that his behaviour is undignified. It was indecent. It was accepted by everybody else. Then, why have this talk like this?

With respectful submission, I wish to submit that I completely disapprove of the amendment of the opposition.

Finally, I don't consider that these people had any nexus with the avowed object of Hindi. I happen to be one who want that Hindi must grow in this country as stated by Mr. Indrajit Gupta, as quickly as possible. But it is these types of friends who have ruined the prospects of Hindi. If such friends are got rid of then there will be no fear for Hindi. Unprincipled politicians, for cheap publicity and cheap popularity, adopt these techniques. Therefore, Sir, their behaviour must be condemned.

Finally, I will quote a philosopher who has stated—

"Unprincipled and disobedient men, if saved from gallows, are reserved for the rack to be tortured by posterity."

SHRI UNNIKRISHNAN (Badagara) : Mr. Speaker, Sir, it is rather disagreeable for a new member to cross swords with veteran parliamentarians like Mr. A. K. Gopalan, Dr. Karni Singh and others. But I am afraid, the question involved here is something concerning the very existence of our democratic frame work that new Members like me will have to stand up here to defend it, and also because this involves some basic and fundamental principles.

First of all I want to mollify the wounded feelings and sentiments of Maharaja Dr. Karni Singh when he spoke about the days of his lost authority with great nostalgia...

DR. KARNI SINGH : When did I say that?

SHRI UNNIKRISHNAN : I am just assuming or deducting from what you said...

DR. KARNI SINGH : You cannot assume something like that,

SHRI UNNIKRIISHNAN : You talked about permissive society and gave a sociological explanation also, as to how society is evolving. Naturally as a Maharaja with lost authority he knows best about these things. If I am wrong I stand corrected ; but this is how I have understood him.

So, Sir, I want to assuage his wounded feelings. But I must say, what we are trying to do here today by supporting this motion, is not in relation to one single specific act,—although we are specifically condemning it,—but it is something more than that, which we are trying to condemn—that is, what has come to be known as “Rajnarainism”—another kind of Charlatanism in our political life which is trying to be a small menace to our great democracy and this must be condemned. If it was Raj Narain alone, I would have possibly asked him to be sent to the nearest circus tent to carry on with his performances. But since this infectious pattern has been set, this has got to be condemned and this can only be condemned by this House which is the repository of our sovereignty.

Shri A. K. Gopalan was good enough to raise another point. He asked ‘who is to decide? Who is to decide what the norms are? Who is to decide what are good manners?’ and so on, I agree with him. In a fundamental sense, I agree with him. It is like discussing ‘Brahma’. Who can define Brahma? Some Philosopher had asked ‘Who can define Brahma’. In the same way, Shri A. K. Gopalan has asked ‘Who is to decide?’ I agree with him. It is a continuous evolutionary process, something which is continuously evolving. But he also said, let the people decide. When the people decide a few weeks ago, he was good enough to say that it was not the victory of the people but it was the victory of the money-power. So, Shri A. K. Gopalan can go on changing his definitions. I have considerable respect for him because he comes from my State and he has played a notable part during the Independence struggle there in our State, and, therefore, I respect him, but I am unable to follow his logic and his present-day definitions which keep on changing every day.

So, this is something basic, namely whether we should have democracy and whether this democracy should continue to

function within the specific framework of parliamentary institutions, and whether such institutions should have certain norms and so on.

That is exactly what is being challenged today by “Raj-Narainism”. I am not condemning Shri Ram Deo Singh who may be a very affable person and who may be a very nice person ; in fact, I do not know who he is, but I know more about his mentor, because once I happened along with Prof. Dandavate and others to belong to the same political party. So, I know more about that person, and he needs no defence. But today, his party’s ‘Samyukta socialism’ has been substituted by ‘Raj-Narain-ism’, which is charlatanism and a menace to our democratic frame-work. This must be strongly condemned so that we can survive as a democratic nation, and our Parliamentary institutions can carry on in the normal manner. So, I strongly support this motion, and I completely oppose all the amendments which have been moved here

SHRI S. M. BANERJEE (Kanpur) : Let us have a closure of the debate now

SHRI JYOTIRMOY BOSU . When we are so much hard pressed for time, why prolong this debate? Let us have closure now

SHRI G. VISWANATHAN (Wandiwash) : Let us know the mind of Government whether they are accepting the amendment or not?

श्री हुकम चन्द कछवाय (मुरेना) : हम पक्ष और उस पक्ष, सभी पक्षों के लोग बोल चुके हैं। अब आगे बढ़िये और दूसरी चीज को लीजिये।

SHRI SEZHIAN : There is amendment moved by Shri Atal Bihari Vajpayee. Let us know whether Government are accepting the amendment or not.

SHRI MOHAN DHARIA (Poona) : It is not a question of the Government accepting the amendment..

SHRI INDER J. MALHOTRA : It is not a Government motion,

SHRI MOHAN DHARIA : I think it is a matter of privilege. Under these circumstances, it should not be the voice of Government but it should be the voice of the Members which should prevail.

SHRI INDER J. MALHOTRA : It is not a Government motion. It is my motion. Who is Government to accept the amendment? Who is to decide it?

MR. SPEAKER : The hon. Member is quite right.

SHRI MURASOLI MARAN (Madras South) : I would like to know whether it is a private Member's motion or a Government motion.

MR. SPEAKER : The hon. Member should know that this motion has been moved by three Members and not the Government.

SHRI G. VISWANATHAN : It has been put under Government business.

SHRI MURASOLI MARAN : It has been listed under Government business.

MR. SPEAKER : Government have given some time out of their time. It is a no-day-yet-named motion.

SHRI MOHAN DHARIA : Since many hon. Members have already participated in the debate, I would not take very long. I would like to submit that I am here to share the feelings of the Mover of the motion, Shri Inder J. Malhotra. At the same time, let us not forget that an amendment has been moved by Shri Atal Bihari Vajpayee which seeks to create a good mechanism also for the future. I would like to request Shri Inder J. Malhotra to consider the amendment. By his motion, at the most, we may condemn the behaviour of the hon. Member who may have misbehaved on that day, but if we set up a Committee, naturally, that committee will go into the various aspects of the matter.

That Committee can recommend to the House the action that should be taken in future to avoid such incidents. So this shall have to be constructed in a wider perspective.

The second aspect is this. Let us not treat the whole of the Opposition as irresponsible behaviour of one Member; let us not alienate the whole Opposition like that. Let us be fair. In the interest of my own party, I would like to appeal to all its Members and say that if we can take the Opposition into confidence, let us do so. Therefore, I would request Shri Malhotra to accept the amendment. Of course, I want to make clear that I am condemning such sort of behaviour, but to be frank, it is not this hon. Member, but the hon. Member, Shri Raj Narain, who does not happen to be a Member of this House...

श्री रामदेव सिंह (महाराजगंज) : अध्यक्ष महोदय, मैं पायंट आफ़ ऑर्डर उठाना चाहता हूँ। जो आदमी इस सदन में नहीं है, जो दूसरे सदन का सदस्य है, क्या इस तरह इस सदन में उसकी आलोचना की जा सकती है?

SHRI MOHAN DHARIA : I have not said anything against Shri Raj Narain.

MR. SPEAKER : Your suggestion is to give it a wider, general scope. But this motion only relates to this particular incident.

SHRI MOHAN DHARIA : Before listening to my complete sentence, he got up. I was going to say that Shri Raj Narain being not a member of this House cannot be discussed here. But I must say that we all witnessed the incident. All of us know who is more responsible in this matter. Instead of going into all those details, I am here to submit that it is our responsibility to see that the importance, dignity and sovereignty of this great institution in this country is properly maintained and decorum is properly observed. Naturally, it is the behaviour of members from both sides of the House that can make this possible. It would be possible for the Committee to go into this aspect and to report to us.

May I request Shri Malhotra to accept the amendment? Let this matter go to the Committee. Let hon. members come there and let the Committee make its recommendations as to the guidelines for future behaviour.

MR. SPEAKER His suggestion is for a comprehensive review for future behaviour. But as I see it, Shri Vajpayee's amendment only says that a Committee consisting of 15 Members of this House be nominated by the Speaker to go into the question of the conduct of Shri Ram Deo Singh. So only one particular incident is alluded to here and nothing else.

I think enough has been said on this.

SHRI AMRIT NAHATA (Barmer) : On a point of order. Shri Vajpayee has moved a substitute motion. This amendment was not tabled in time. Then the Dy. Speaker who was in the Chair then wanted to know whether any member would object to the amendment or not. Of course, some hon. members objected. Then the objection was withdrawn.

But my objection is that this amendment is not an amendment. It is virtually a substitute motion. In the garb of an amendment. Shri Vajpayee has moved a substitute motion, an alternative motion, which should not be allowed.

Secondly, it has been said that the hon. Member is a new member. The Motion of Shri Malhotra only condemns the incident ; it does not even recommend any punishment. I think there cannot be a greater concession than this that the event must be condemned. If a committee is set up, it will go into the whole question. That means this House leaves the issue open as to whether that incident is indecent at all. As to whether the incident was indecent or not—even that becomes a subject of examination for the committee.

MR. SPEAKER : It is too long a point of order.

So, I want a ruling whether the amendment is a substitute motion or not.

MR. SPEAKER : It stands already admitted. What can I do ?

SHRI SURENDRA MOHANTY (Kendrapara) : While I yield to none in my anxiety to see that the dignity of this House is upheld, I would request the House not to convert itself into a Star Chamber to inflict punishment on erring Members.

It is true that what we witnessed on the occasion of the President addressing the

joint session was not edifying, but then if we looked for a better behaviour else, where we were also similarly disappointed.

The hon. Member, according to me, did not wilfully obstruct the proceedings of the joint session. While emphasizing a certain viewpoint, he merely indulged in a certain amount of exaggerated dramatism. This exaggerated dramatics should not be taken as a wilful insult inflicted either on the President or the House.

In the second place, the House being sovereign, it can have a certain amount of toleration and understanding, and therefore I would plead with you and with the House to treat the matter as closed and drop the proceedings while condemning the act of indiscipline.

MR. SPEAKER : That is what the resolution says.

SHRI SURENDRA MOHANTY : My point is that no committee should be appointed to go into this question. The recording of the disapproval of the House, I think, is enough punishment for the erring Member.

श्री राम सहाय पांडे : श्रीमन् प्रस्ताव बहुत सीधा और सरल है। प्रस्ताव में यह कहा गया है कि—

“राष्ट्रपति के कार्य में बाधा डाली और उनके प्रति अनादर का भाव दर्शाया और यह सभा श्री राम देव सिंह के अवांछनीय, अमर्र तथा असोभनीय व्यवहार की निन्दा करती है।”

श्रीमन् यह प्रस्ताव इतना स्पष्ट है। कहीं पर भी उनके अधिकार की रेखा का उल्लंघन इसमें नहीं कहा गया है। कहा यह गया है—प्रतिष्ठा, गरिमा, आदर, अनुशासन और आचरण की बात है। जिस समय राष्ट्रपति जी दोनों सदन की समवेत सभा में बोल रहे थे, उस समय माननीय सदस्य श्री राम देव सिंह जी ने जो आचरण किया, उसमें केवल एक बात है और यह है हमारे व्यवहार, हमारे आचरण, हमारे अनुशासन गरिमा और प्रतिष्ठा की बात और इस प्रस्ताव के माध्यम से उन्होंने

जो अभद्र व्यवहार किया, हम उसकी निन्दा करना चाहते हैं। इसका कारण यह है कि लोक तन्त्र में आज आप जिस स्थान पर बैठे हुए हैं, अगर हम आपको आज्ञा को नहीं मानेंगे तो उस से आप का ही नहीं, सारे सदन का अनादर होगा, सम्पूर्ण जनता का अनादर होगा। एक बार जब स्वर्गीय नेहरू जी इस देश के प्रधान मन्त्री थे, उस समय जब अध्यक्ष का चुनाव हुआ तो उन्होंने एक बात कही थी—“जैसे ही हम आपको चुनते हैं, हम यह भावना राष्ट्र की तरफ से प्रकट करते हैं, आप इस स्थान को ग्रहण कीजिये।”

“The moment you go and sit there you will be considered the custodian of democracy.”

ये उदगार उस समय नेहरू जी ने प्रकट किये थे। उसी तरह से यह हमारे राष्ट्रपति जी के प्रति हमारे व्यवहार की बात है, आचरण की बात है, इसमें अधिकार की सीमा की कोई बात नहीं है।

एक नयी बात मैं यह निवेदन करना चाहता हूँ—माननीय सदस्य श्री राम देव सिंह को यदि कुछ कहना था, जैसे उन्होंने हिन्दी के सम्बन्ध में कहा या कोई और बात कहना चाहते थे—तो इस सदन में आकर कहते। वह यहां आकर अपने विचारों की अभिव्यक्ति करते और कहते कि राष्ट्रपति जी को अपना अभि-भाषण हिन्दी में करना चाहिये। जहां तक हिन्दी का प्रश्न है, वह केवल संसोपा दल की ही धरोहर नहीं है, हम सब हिन्दी के प्रति आदर करते हैं और उपराष्ट्रपति जी ने उस दिन हिन्दी में ही अपना प्रवचन किया, हिन्दी और अंग्रेजी दोनों का समन्वय था, हिन्दी का अनादर नहीं हुआ था।

यहां पर कहा गया है कि वे नये सदस्य हैं अगर नये सदस्य हैं तब तो हम उनसे और अच्छे, सुन्दर, भद्र आचरण की अपेक्षा करते हैं। संसोपा संस्था का यह आचरण रहा है कि

हायेस्ट-अथॉरिटी का, हमारे देश के प्रथम नागरिक-राष्ट्रपति जी का अपमान किया जाय। यह पहली बात नहीं है जो संसोपा दल के माननीय सदस्यों ने की है। गत सत्रों में जैसे ही राष्ट्रपति जी समवेत सदन को सम्बोधित करने के लिए आते थे, वे कोई न कोई ऐसा अभद्र और अवांछनीय व्यवहार करते रहे हैं—इसको हम चीप-पोपुलैरिटी कह सकते हैं। इस लिए मैं चाहता हूँ कि इस की निन्दा होनी चाहिए। फिर भी अगर आप बाजपेयी जी के संशोधन को स्वीकार करने हैं तो मुझे कोई आपत्ति नहीं है।

श्री शंकर बयाल सिंह (चतरा) : अध्यक्ष जी, मैं इस लिए दो मिनट का समय आप से ले रहा हूँ चूकि यह मामला हिन्दी और माननीय सदस्य श्री राम देव सिंह का है। शायद इस सदन में बहुत लोगों को इस बात की जानकारी नहीं होगी कि संसोपा के माननीय सदस्य श्री राम देव सिंह, जिनके आचरण को लेकर यह प्रस्ताव यहां आया है, श्री महामाया प्रसाद सिंह जी को हरा कर यहां आये हैं और उस क्षेत्र में बिहार के भूतपूर्व मुख्य मन्त्री श्री महामाया प्रसाद सिंह और श्री राम देव सिंह में हमेशा इस बात का कम्पटीशन होता है कि सब से ज्यादा अशोभनीय और अभद्र आचरण पर कौन चल सकता है। उसकी ट्रेनिंग लेकर ही हमारे माननीय सदस्य यहां पर आये हैं। अध्यक्ष जी, मैं यह भी कहना चाहता हूँ कि हमारे इन माननीय सदस्य को इस सदन में आने का सौभाग्य इस लिए प्राप्त हुआ है कि हमारी कांग्रेस का कोई भी उम्मीदवार वहां पर लड़ा नहीं था। इस सदन में हमारे माननीय सदस्य बुजुर्ग हैं और इसका हिन्दी भाषा भाषी जनता पर यह प्रभाव न पड़े कि ऐसा आचरण करके उन्होंने हिन्दी की लड़ाई लड़ी है। बल्कि इस प्रकार का व्यक्तिगत आचरण करके उन्होंने हिन्दी का नाम लज्जित किया है।... (व्यवधान)...

अध्यक्ष महोदय : आप प्रस्ताव पर ही बोलिए ।

श्री बंकर, बयल सिंह : मैं केवल यही कहना चाहता हूँ कि निन्दा का जो प्रस्ताव इन के प्रति है वह ज्यों का त्यों पारित हुआ तो भी मैं विश्वासपूर्वक कह सकता हूँ कि हमारे माननीय सदस्य आगे भी इस तरह की हकैत जारी रखेंगे। परन्तु मेरा विवेक है कि जो निन्दा का प्रस्ताव रखा गया है वह ज्यों का त्यों पारित किया जाय ताकि आगे भी इस सदन की मर्यादा ज्यों की त्यों बनी रहे।

अध्यक्ष महोदय : श्री देश मुख ।
...(व्यवधान)...

श्री आनन्द सिंह (गौडा) : अध्यक्ष महोदय किसानों का 40 करोड़ रुपया गन्ना मिले दबाये बैठी है।...(व्यवधान)...कम से कम उन बीस लाख किसानों की तरफ भी आपका ध्यान जाना चाहिए। इस विषय पर तो एक घण्टे से माननीय सदस्य अपने विचार व्यक्त कर रहे हैं लेकिन उस प्रस्ताव पर भी आपका ध्यान जाना चाहिये क्योंकि अगर आप उस पर ध्यान नहीं देंगे तो फिर और कौन ध्यान देगा ?
...(व्यवधान)...

MR. SPEAKER : May I request you to sit down? Now, I have been shown an amended amendment by Shri Dharia.

SOME HON. MEMBER rose—

MR. SPEAKER : Please sit down. You are all new Members. You should wait for some time. All great men waited for some time, and they kept waiting even for two years, watching and studying. But you are standing up so soon. Kindly be patient. (Interruption). Kindly listen to me.

Shri Dharia showed me an amended form of that amendment. Personally I also believe that there is some lacuna. This matter was discussed in the Presiding Officers' Conference and I happened to be the Presiding Officer of a State Legislature at that time. Later on, we had to face certain situations elsewhere also. Nobody knew

as to who presides over such kind of sittings. Actually, I was not sure as to what is the position. Sometimes we evolved a formula that if a member of the Lower House created disorderly scenes, it is for the Speaker to go into it, and if it is in respect of a member of the Upper House, the Chairman. But when we got in examined by the legal experts, this was not found as a correct procedure as to who is presiding—leave aside what is the proper procedure for punishing such a conduct. This position is not known, as to who actually is presiding over that session. So, Mr. Dharia has shown me an amended form of the amendment, and if you allow it, he can move it if it is acceptable, we could

SHRI S. M. BANERJEE : Let us know what it is.

SHRI N. K. P. SALVE : Sir, on a point of order. We are adopting an extraordinary procedure. Personally, I think the amendment is all right, though I have opposed it. Shri Raj Bahadur came and said that as a result of the amendment, if the matter goes to the Committee, the Committee will not only be entitled to examine this particular incident but it will be able to give us guidelines. (Interruption).

Kindly listen to my point of order.

MR. SPEAKER : It is not a point of order.

SHRI N. K. P. SALVE : Future guidelines are beyond the scope of the other amendment. So, my respectful submission is, the Speaker can direct the Committee to give us guidelines, and that will be the end of the matter. There is no necessity to proceed further.

SHRI SHIVAJI RAO S. DESHMUKH rose—

MR. SPEAKER : Will you please sit down or not? You must know that when the Speaker is standing you should not stand. (Interruption). That is the only way to make you sit. I suggested to him that instead of this amendment coming up with a very limited scope, there should be a general comprehensive amendment.

Let us get the whole matter examined

by a committee as to who presides, what is the constitutional lacuna, what type of conduct we expect from members when the Head of the State is addressing the joint sitting, etc. All these matters have been examined off and on by State Legislatures and even in this House once or twice in 1963 and 1968, but so many views have been expressed on it. It is much better the amendment is such as would enable us to re-examine the whole issue. Even if there is a need for a Constitutional amendment, we should not shirk it. Let us finish with it once and for all. What can the President do? There is no authority either of the Speaker or of the Chairman of the Rajya Sabha. Should we allow ourselves to be held to ransom and keep on watching the disorderly scene? The President has patience, but there is a limit to it. Let us get it examined.

SHRI MOHAN DHARIA : With your permission, Sir, I beg to move :

In the first line of the Motion, *delete* the words "strongly disapproves of" and *substitute* the words "is deeply concerned at."

In the second line, after the word "who", *add* "is alleged to have"

In line 5, after the word "and", *delete* the rest and *add*—

"therefore resolves that a Committee consisting of 15 Members of this House be constituted by the Hon'ble Speaker to go into the matter in all details and to suggest suitable action and also guidelines for the future by the first week of the next Session".

MR. SPEAKER : If need be, Members of the Rajya Sabha may also be associated with it. This will be treated as a separate motion and the other motion may be withdrawn.

SHRI A. K. GOPALAN : If the amendment is that a committee should be appointed to go into the question as to who should be the controlling authority as far as future procedure is concerned, we have no objection. But if it is also to go into the question of the behaviour of the member, then we have to oppose it.

SHRI INDER J. MALHOTRA : After

listening to the observations made here, especially your observation about the whole incident and its wider aspects, I have no objection to accept the amendment read out by Mr. Mohan Dharia if it is added at the end of the motion.

SHRI R. D. BHANDARE : This is a fresh, independent amendment to the motion.

MR. SPEAKER : If it is to be treated as a separate motion, how will you fit it with the present motion of Mr. Malhotra ?

SHRI R. D. BHANDARE : There is a motion before the House. To that an amendment was moved. There can be no amendment to the amendment. A fresh amendment may be moved to the original motion. Mr. Mohan Dharia's amendment may be accepted as a fresh amendment to the original motion.

MR. SPEAKER : We leave it to Mr. Malhotra whether he wants to keep his motion or withdraw it. But we will treat this motion as a separate motion.

SHRI R. D. BHANDARE : If it is taken as a separate motion, then it would be a substitute motion which is not permissible under the rules. But there can be a fresh amendment to the motion in a modified form, so that that formula could be fitted into the original motion.

SHRI N. K. P. SALVE : Sir, kindly have a look at the motion itself. It in terms says "and condemns his undesirable, undignified and unbecoming behaviour." Having done this, for what do we go to the Committee? The whole thing is reduced to sheer absurdity. I am suggesting a way out. Therefore, we should delete the last part and add the modified amendment so that the entire motion, together with the amendment, does not make lack of sense, with due respect.

SHRI RAJ BAHADUR : It is entirely up to the mover of the resolution, Shri Inder J. Malhotra, to accept either one amendment or the other. There are two amendments before him, one by Shri Vajpayee and another by Shri Mohan Dharia. He is entirely free to accept any one he likes,

MR. SPEAKER : My difficulty is about adjusting the amendment of Shri Mohan Dharia with the main motion.

17.50 hrs.

[Mr. Deputy-Speaker in the Chair]

SHRI JYOTIRMOY BOSU : Sir, under rule 340 I move that the debate on this be adjourned so that we can take up more important items.

STATUTORY RESOLUTION
RE: SERVICE IN FOOD
CORPORATION OF INDIA

MR. SPEAKER : We shall now take up Item No. 23.

Shri Annasaheb Shinde.

MR. SPEAKER : I am inclined to agree with the suggestion of Shri Jyotirmoy Basu. Let us adjourn the consideration of this motion to the next session. In the mean time, we will examine it. We will now leave it as it is and take up the next item. I hope all of you agree to this.

SHRI S. M. BANERJEE (Kanpur) : Sir, I rise to oppose it. I have already written to you.

SHRI RAJ BAHADUR : We do not agree to this. We have discussed it and we have spent so much time on it. Let us dispose it of.

SHRI JYOTIRMOY BOSU (Diamond Harbour) : So do I. I oppose the move to curtail the trade union right of the workers which is their birth right

MR. DEPUTY-SPEAKER : Let the Minister first move the Resolution.

MR. SPEAKER : If you are not agreeable to its postponement to the next session and if you want sometime to consider how to adjust the amendment with the main motion, we will postpone this discussion for the time being and take up the next item. We will again take up this item later today. Do you agree to this ?

THE MINISTER OF STATE IN THE
MINISTRY OF FOOD AND AGRICULTURE
(SHRI ANNASAHEB P. SHINDE) :
Sir, I beg to move

SHRI RAJ BAHADUR : Yes, Sir

MR. SPEAKER : So, we keep it pending till it is finally redrafted in such a way that it fits in with the wording of the main motion.

"In pursuance of sub-section (2) of section 2 of the Essential Services Maintenance Act, 1968 (No. 59 of 1968), this House approves of the Notification of the Government of India in the Department of Food G.S.R. No. 152 published in the Gazette of India Extraordinary dated the 29th January, 1971 and laid on the Table of Lok Sabha on the 23rd March, 1971 declaring the service in the Food Corporation of India to be an essential service for the purposes of the said Act."

SHRI RAJ BAHADUR : We will be ready with our proposals in about ten minutes.

MR. SPEAKER : In the mean while, we will take up Item No. 22.

SHRI K. N. TIWARY : Sir, on a point of order. How can you postpone a business before the House and then take it up again later ?

As is well known to the hon. Members and to this honourable House, the Food Corporation of India has assumed a very important place in the life of the community of the country. The Food Corporation of India after it was set up in 1964 is now acting as an agency for import of foodgrains, for storage of foodgrains, for distribution of foodgrains and for procurement of foodgrains. It is doing a very important work both from the point of view of protecting the interests of producers as well as protecting the interests of consumers.

MR. SPEAKER : This discussion is postponed for the time being. We will take it up later on when members are ready with their proposals.

Now, in a number of things, we find that sometimes there is a danger of break-