

12. 46 hrs.

### TERMINATION OF SUSPENSION OF MEMBER

(*Shri Hukam Chand Kachwai*)

**SHRI SFZHIYAN** (Kumbakonam) : Under rule 374 (2), I move the following motion, of which notice has been given :

"That the suspension of *Shri Hukam Chand Kachwai* ordered by the House on the 2nd May 1972 be terminated with immediate effect."

I do not want to go into the background, as has been presented in the official report of the proceedings...

**SHRI PILOO MODY** (Godhra) : And the Press.

**SHRI SFZHIYAN** : It is unfortunate and regrettable the some words of acrimony have been used in this House which was questioned by the Chair. I am not here to challenge the decision of the Chair. The Chair should always be obeyed. I think *Shri Kachwai* also made it clear that he did not do anything against the Chair to defy the order of the Chair. Some of the words he uttered which were found objectionable have already been expunged from the proceeding.

As I said, I do not want to dwell on what happened yesterday. But I do request you and the House that we take a somewhat less harsh view of the matter, and hope that in future the decorum and dignity of the House will always be upheld not only on this side of the House but also on the other

With these words, I do beseech the House to terminate the suspension ordered yesterday of *Shri H. C. Kachwai* and enable him to participate in the deliberations of the House forthwith.

**SHRI SHYAMNANDAN MISHRA** (Begusarai) : We support the Motion. We think that forgiveness at this stage would have a greater corrective influence and perhaps be a greater punishment. In fact, the hon. member has already suffered punishment for the day. We also regret very much that some provocation was caused to him.

**SHRI B. P. MAURYA**: rose—

**SHRI K. MANOHARAN** (Madras North) : Why so many speeches ?

**SHRI B. P. MAURYA** (Hapur) : Members who were not present in the House at the time are expressing their views. Those who were present should also be allowed to have their say. Otherwise anyone may use any word here..

**SHRI PILOO MODY** : We are not taking evidence.

**श्री बी० पी० मौर्य** : इसमें ऐंबीडम का कोई प्रश्न नहीं है।

**SHRI PILOO MODY** : Has he written to you ?

**श्री बी० पी० मौर्य** : अफयज़ जी, मस्य्या सदन में यह हो गई कि कल जो शब्द सदन में इस्तेमाल हुए उनको दौबारा दोहराने की हिम्मत मेरे में नहीं है। कम ले कम उन सदस्यों को इस तरह के व्यवहार के लिये अफगोग तो जाहिर करना चाहिये कि जो कुछ उन्होंने कल किया उसके लिये वह गणिन्दा है, या अफमोम जाहिर करते हैं। अगर वह ऐसा नहीं करने और उमके वगैर ही यह तमाम चर्चा चलनी है तो यह बहुत ही आपत्तिजनक है भविष्य के लिये।

**MR. SPEAKER** : No one should speak without my permission.

**SHRI PILOO MODY** : As you know, decorum of the House is very important to all of us as it is indeed to Indian democracy.

**SHRI K. MANOHARAN** : It is systematically flouted by him

**SHRI PILOO MODY** : as *Shri Manoharan* has illustrated just now. But there are certain codes of behaviour between members which are now a matter of established practice. I think it is rather thin-skinned of people who are very willing to fling abuses, slander etc not to be able to take it in turn when it is flung back at them. I think that the people involved in this tragi-comedy of yesterday's have not risen above the level of not being able to take what each other has said. Therefore, I do not know what transpired that all of a sudden such stern action should be taken. Regrettably, I was not present ; otherwise, I assure you that this might not have happened.

[Shri Piloo Mody]

But what I feel is that in the middle of this controversy, people started hardening their attitude that so-and-so must apologise and otherwise such a thing will take place. I think that is very wrong. There is nothing that called upon any Member of the House to apologise. If the Speaker feels that something unparliamentary or unsavoury has been said, he can always expunge it and in the past, the Speaker or whoever occupies the Chair, has done so with or without reason. Therefore, it does not really matter what is said provided it does not appear on the record within reasons.

On the action, therefore, that has been taken on this heated exchange—I do not know what Mr. Raj Bahadur would have done had he been a Member of the Fourth Lok Sabha, because in that case I think he would have spent his entire tenure chasing these motions from one Member to the other. Therefore, I suggest that let us laugh it off. Let us regret the fact that we have made fools of ourselves not only in our eyes but also in the public eye. Therefore, accept the motion that has been placed before the house and forget the matter and laugh about it thereafter.

SHRI N. K. P. SALVE (Betul) : Sir, while I accept the sentiments expressed by the mover of the motion, I must in the most unequivocal terms express my complete non-agreement with what Shri Piloo Mody has stated. In fact, implicit in what he said is distrust in the impartiality of the Chief himself. It is not as though the action which has been taken should be challenged here. That was not the motive of the mover of the motion. Shri Sezhiyan's one difficulty in being on the Panel is—and I have experienced it myself in this House. —

MR SPEAKER : I put you for that !  
(*Interruptions*).

SHRI N. K. P. SALVE : It is this. There are certain Members in this House who think it is always their prerogative to go out of their way not only to flout all the rules and regulations, the rules of procedure and conduct of business in this House, but also to flout all the norms of decency. There is a limit to which we can sink (*Interruptions*) and the Chair can allow these things to go down. We do not want a complete abrogation of authority of the Chair nor do we ever

want that the basic norms which should govern the conduct of business in this house should be dispensed with.

While I do accept the punishment meted to the Member concerned, it should not look like a punishment given to one single person, it should be given to anyone who indulges in this kind of—

SHRI PILOO MODY : The entire Opposition.

SHRI N. K. P. SALVE : Not the entire Opposition. Why do you have a guilty conscience? I said anyone who indulged in this type of activity. Now, to maintain the dignity of the Chair and to maintain the dignity of this House and to maintain certain basic norms of decency over and above the rules, I would have no objection to supporting the motion competely if there were an unreserved apology for what has happened yesterday.

SEVERAL NON-MEMBERS *rose*—

MR. SPEAKER : There should be no debate on it now

SHRI DINEN BHATTACHARYYA (Serampore) : The motion should be taken in this spirit in which it has been moved by the mover. If the issue is opened again, many things will come out and that will create difficulties for you to decide—

MR. SPEAKER : That is what I thought.

SHRI DINEN BHATTACHARYYA : I request you to immediately dispose of the matter.

SHRI S. M. BANERJEE (Kanpur) : Sir, almost everytime a motion has been moved and the Member concerned has been suspended, the house in its wisdom takes up the matter and you, Sir, in your wisdom consider it and give your decision. I therefore request you to decide it according to your wisdom (*Interruptions*).

SHRI SAMAR GUHA (Contai) : I want to draw your attention to one thing. First, I am glad to note—and we have been told—that Shri Kachwai has expressed his regret to you. (*Interruptions*)

MR. SPEAKER : No question of regret.

SHRI SAMAR GUHA : I am glad to say that the best in Mr. Kachwai has not

been taken away by the fit of his anger. I would like to draw your attention to one point. That is, in essence what Mr. Kachwai has done is great service to this House, and that is, not by using abusive language but by constantly, I should say, being the watch dog of this House and the rights and privileges of the House and the dignity of this house.

AN HON. MEMBER : Hear, hear. (*Interruptions*)

SHRI SAMAR GUHA : It is almost everyday that the quorum bell rings, and indeed for several times every day the quorum bell has been ringing. I should like to draw your attention to the fact that this should be taken as the sounding of the tocsin for the future of our democracy. The massive victory or the massive majority in this House of this Government, has become so oppressing that the proceedings of this House have become dull and listless every day. Because, even the members of the Treasury Benches are not present, Although I regret that he lost his temper in using abusive language, I must say that he has been guarding the rights and privileges of this House by raising the question of quorum.

I want to draw your attention to one point. The Chairman has made one observation, which is a breach of the provisions of the Constitution...(*Interruptions*).

MR. SPEAKER : I am not allowing it ; do not bring the Chairmen in to the picture.

SHRI K. MANOHARAN : Now that views have been expressed, you should dispose of the matter.

MR. SPEAKER : I thought that he would take only one minute.

SHRI SAMAR GUHA : I do not want to criticise the Chairmen ; I am raising a very important constitutional point. There are the observations of the Chairman :

"Let the bell be rung Now there is quorum. The convention of this House has been that after 6, there will be no challenging of the quorum ; the Chair is not bound to accept the challenge."

SHRI PILOO MODY : It is in violation of the Constitution ; everybody agrees with it.

SHRI SAMAR GUHA : It is a violation of the provisions of the Constitution.

श्री रामावतार शास्त्री (पटना) : अध्यक्ष महोदय, मेरा निवेदन है कि यह मसला इस तरह से हल नहीं होगा और सरकार की जवाबदेही है कोरम बनाये रखने की... (व्यवधान)

अध्यक्ष महोदय : आर्डर, आर्डर ।

SHRI K. S. CHAVDA (Patan) . Hemade a personal remark against me May I there fore request you to give me an opportunity:

THE MINISTER OF PARLIAMEN-TARY AFFAIRS AND SHIPPING AND TRANSPORT (SHRI RAJ BAHADUR) : Mr Speaker, I welcome and appreciate the sentiments behind this motion. But may I say something about "the code of behavi-our", spoken of by Shri Piloo Mody ?

SHRI SHYAMNANDAN MISHRA : Why do you go into all that now ?

SHRI RAJ BAHADUR I would only say this. I have to read a letter too. This is not a matter between two persons, Mr. Shashi Bhushan and Mr. Kachwai It is not merely some incident taking place. It is a matter which concern the whole decorum and diginty of this House and how do we conduct the affairs of this House. In that con-text, the question of quorum which was brought in, is not relevant We have to maintain quorum and we do it. But is the responsibility for quorum unilateral ? Yesterday, there was only one solitary Member on the opposition Benches.

I want to go on record as having said this.

SHRI K. S. CHAVDA : I was also present.

MR. SPEAKER : We are here to make some amends but not aggravate the situation. 13 hrs.

SHRI RAJ BAHADUR : Now I would like to be excused, Sir, if I cannot resist the temptation, because he made a personal reference to me. If I were not here to look

[Shri Raj Bahadur]

Sabha—Fourth Lok Sabha—I would only say that the results of the mid-term poll have completely vindicated the stand that we have taken in this matter yesterday.

MR. SPEAKER : Those were lucky people who were not in the Fourth Lok Sabha.

SHRI RAJ BAHADUR : But I say I was in all the three Lok Sabhas and also in the Constituent Assembly. Sir, but I have not seen any thing like the one that happened yesterday. Now, Sir, letter has been written by Shri Hukam Chand Kachwai addressed to you. I will only read it out. (*Interruptions*)

MR. SPEAKER : Well, of course, he will have to read it.

SHRI RAJ BAHADUR : I will not read it. You read it, sir.

SHRI PILOO MODY : The letter should be expunged from the record.

SHRI RAJ BAHADUR : Mr. Piloo Mody's observations may be expunged from the record. I wish it is not taken lightly. I would say, about the letter that, it is a sort of conditional offer.

SHRI PILOO MODY : I have said that there should be no apology. (*Interruptions*)

SHRI K. MANOHARAN : This is a very bad attitude.

MR. SPEAKER : So many bad things happen. What happened yesterday when my friend Mr. Tiwary was presiding in this House—I too was sitting in a meeting I opened the amplifier and I myself was very much shocked at what was going on in the House. I thought that it may be a usual story but it took a very bad turn. We are sorry about what happened later on. Now, about the quorum. It is alright ; it is a Member's right. He can raise this question any time. But what happens sometimes is, every ten minutes, the quorum bell rings, people come running in ; then they go out ; it is not a fun, it is not a hobby. There should be some reasonable time in between two bells. Some people come here, then they go out ; and after another 10-15 minutes

there is another quorum bell. There should be some reasonable time.

SHRI K. MANOHARAN : It is shameful and ridiculous on the part of the ruling party after having got its massive majority.

SHRI RAJ BAHADUR : You are taking a political advantage of a situation. (*Interruptions*)

SHRI PILOO MODY : Let us face the situation that you have turned the Parliament into ridicule.

MR. SPEAKER : Mr. Mody, you should have at least some respect for the conventions. When the Speaker is standing, you must have some respect for the contentions. This is what happens later on also, and that is how the situation worsens sometimes. We do not deny the right of a Member to raise the issue of quorum. But what happens sometimes is, it is not taken as a matter of right, but just as a nuisance, when just after every ten minutes Members go to the lobbies and then they come running in. So, in that case, I would just request all of you that at least there should be some time lapse between two bells, say, at least one hour or so.

SHRI PILOO MODY : Please do not bring the matter of quorum into this issue.

MR. SPEAKER : I leave it to you. We do not deny the right of member to raise the quorum issue, but it is my suggestion that you should not do it every 10 minutes. What we do is, sometimes we decide ourselves—the whole house decides—to extend the sitting for half an hour or to sit through the lunch hour. We have been discussing it in the business Advisory Committee also that when we agree to sit extra time, during the extended time the question of quorum should not be raised. But if somebody raised it, it is his right to rise it.

SHRI K. MANOHARAN : Sir that is a separate issue which you can discuss with the opposition separately.

SHRI PILOO MODY : We have very strong views on this subject. Let us not involve this with Mr. Kachwai's issue.

MR. SPEAKER : Yesterday when this question of quorum was raised, some-

thing happened between Mr. Shashi Bushan and Mr. Kachwai. I do not defend it, but I must say to you also that sometimes a word uttered may be quite innocent and one can tolerate it normally but in another situation it may not be tolerated. In that case there should be no stinging words, no harsh words. They may be adjudged as perfectly parliamentary, but still they convey something which hurts somebody. Mr. Kachwai got excited very much and uncontrollable. He could have just protested in a mild manner or even in a strong manner, but not continued doing it throughout the evening and raising all this *hulla-gulla* and abuses. I heard those abuses and I was shocked. I have never heard such abuses in this House during my term. We are happy they were expunged, but there is a certain limit to react. Beyond that, it becomes a nuisance. It is perfectly all right to invite attention of the Chair to certain remarks but when you involve yourself with the Chair, what is to be done? This is what happened yesterday. When the Chairman requested him to kindly express regret I know he was very humble in his request, I was listening to it but Mr. Kachwai would not care for it. Then this motion was allowed to be moved and even after it was passed, I thought Mr. Kachwai would withdraw from the chamber but he was threatening the Chair. I also heard it. Any way, what happened was rather very said. All of us dislike those bad words and abuses. They were not directed against one individual. Some of them were directed against a good section of the House. It is better this is never repeated in this House in future. (*Interruptions*). Sometimes it leaves bitter memories. You must somehow bring such members under control. It is not every member who does it. But if you give some latitude to certain people, there will be no end to it. I think it is everybody's duty, whether on this side or that side, to see that members behave. The moment they go out of limits, it is simply intolerable and this is what happened yesterday. We do tolerate many things but not such abuses. I have received this letter from Shri Kachwai in which he has expressed regret for it. I think after this... (*Interruptions*) What is this sensitiveness about it? If somebody says regret, it is so nice on his part to do it. If wiser counsel did not prevail yesterday but it came 2 hours afterwards, why do you worry about it?

SHRI RAJ BAHADUR : I would beg of you to appeal to my friends opposite to kindly appreciate whether abuses can be uttered in this House and, having uttered those abuses, will the conditional regret, be acceptable. If it were an unconditional regret, the position would have been different. In fact yesterday we did our best to make it unconditional, because two wrongs cannot make one right. I would appeal to hon. Members to appreciate the point that our proceedings are read not only in our country but also the world over. Let them not think that we are conducting ourselves in the House in a way which is not proper. From that point of view the offer of regret should be unconditional. It should not be hedged in with conditions.

SHRI PILOO MODY : I think this business of asking for an unconditional apology and things like that is totally wrong.

SHRI RAJ BAHADUR : completely differ with Shri Pilo Mody. He seems to say that having uttered those abusive words, even a word of regret is not necessary.

SHRI PILOO MODY : The Minister of Parliamentary Affairs is entirely within his rights to disagree with me. But it is also within my rights to express a particular point of view, and that is that no apology should be demanded. If a member is gracious enough to make an apology of his own, it is another matter. As far as I am concerned - Sir, I cannot speak when you are standing.

MR. SPEAKER : I have not allowed you to speak.

SHRI PILOO MODY : Then I will wait for your permission.

SHRI RAJ BAHADUR : The expression of regret should be unqualified. If there is a change of heart, it can not be a conditional change of heart.

SHRI PILOO MODY : There is no change of heart. I just dislike you all the same.

SHRI RAJ BAHADUR : We shall try to love you although you are not a very lovable person.

**SHRI PILOO MODY :** That is the correct spirit.

**SHRI RAJ BAHADUR :** Then call a spade a spade.

**SHRI K. MANOHARAN :** The very fact that Shri Kachwai has offered regret shows a change of heart.

**SHRI SHYAMNANDAN MISHRA :** We should go by the general tenor of it.

**SHRI RAJ BAHADUR :** We are all before the bar of the country. The only question we have to consider is this : what norms are we setting for ourselves.

**MR. SPEAKER :** I have received two letters. The second one is slightly apologetic. In that amended letter he is more clear about expressing his right. At the same time, he says that Shri Shashi Bhushan should not have . . . . . (interruptions) Why are you all so impatient? After all, you are all grown up people. I will have to convey to you that Shri Shashi Bhushan also should not have provoked him.

श्री बो० पी० मोय (हापुड) : अध्यक्ष महोदय, मेरी व्यवस्था का प्रश्न है। कल इमी सदन में माननीय सदस्य ने कुछ अपशब्दों का उच्चारण किया और उसके कारण इस सदन ने एक फैसला किया। उस फैसले को बदलने का अधिकार केवल इस सदन को ही है। दूसरे, उस कार्यवाही के मन्त्रन्ध में माननीय सदस्य ने एक पत्र आपको लिखा है। यह पत्र इस सदन के सामने आना चाहिए। उसके बाद ही यह सदन ठीक प्रकार से विचार कर सकेगा कि उस फैसले को बदला जाये या नहीं। यह मेरा व्यवस्था का प्रश्न है।

**SHRI N.K.P. SALVF :** The hon. Member is absolutely right. There is a procedure prescribed for it. It is not as though we can act arbitrarily. We have to abide by the Rules. The Rules are absolutely clear. Under rule 374(2) the authority is vested in the House to suspend a Member. Thereafter, there is a proviso which governs the revocation of such suspension. The proviso speaks in these terms :—

“Provided that the House may, at any time, on a motion being made, resolve that such suspension be terminated.”

Therefore, before the House wants to take this decision, it will only be in the fitness of things that the House does know in which terms has the hon. Member expressed his apology so that we can make up our mind... . (Interruptions)

**SHRI S.M. BANERJEE (Kanpur) Sir,** I rise on a point of order. You have just now said that Shri Kachwai has regretted it. Even after your saying that, which Members may or may not like, they want this letter to be laid on the Table or to be read out ! I think, once you have said that, that is the final word. You have accepted the regret. It is not open to Members to question it.

**MR. SPEAKER :** I cannot accept it; it is the House which will accept that.

**SHRI S.M. BANERJEE :** They cannot challenge your statement.

**SHRI RAJ BAHADUR :** Sir, you have asked me that I should convey to Shri Shashi Bhushan something about Shri Kachwai's letter. May I say with all respect that yesterday this question was raised by certain Members, including Shri Chavda, and this is what the Chairman has already ruled :—

‘आप यहाँ नहीं थे। उन्होंने कोई अप-पार्लियामेंटरी शब्द इस्तेमाल नहीं किये। उन्होंने कहा है कि जिसकी गोदी, उसका मतलब यह था कि जिसकी हैलप में वे यहाँ आये हैं...’

It has been ruled by the Chair that Shri Shashi Bhushan's remark was not unparliamentary. I also maintain, Sir, that this was not unparliamentary. We still maintain that this is not unparliamentary. . (Interruptions)

**SHRI SEZHIYAN :** Provocative and harsh words should not be used. That is what the Chair said.

**SHRI RAJ BAHADUR :** And I submit that the apology by Shri Kachwai is conditional. A decision on this should be taken independently .....(Interruptions)

SHRI S.A. SHAMIM (Srinagar): His words have been expunged; he has been suspended and he has regretted it. Do they want his head? (*Interruptions*)

MR. SPEAKER: Order, order.

SHRI SAMAR GUHA: On a point of order, Sir. The Minister of Parliamentary Affairs has quoted only one portion of the observation made by the Chair yesterday about the words used by Shri Shashi Bhushan. Subsequently, on being requested by other Members, the Chairman agreed that he would examine the words used by Shri Shashi Bhushan. On subsequent examination the Chairman himself expunged all the remarks that were made by Shri Shashi Bhushan. That is in the papers and in the record. Shri Shashi Bhushan's observations have been expunged also.

MR. SPEAKER: There were days, when the Speaker was standing, nobody else stood up. Now I have to sit down when the Member is standing. I was standing and he got up on a point of order. He did not have the courtesy to see that I was standing.

This decision was taken by the House and it is only the House that can revoke it. I have received this letter of regret. Two points are mentioned. One is about regret and the other is about the observations of Shri Shashi Bhushan. I am quoting his letter. If you want a debate on it and if you think that the question of regret is also a part of the debate, then this letter will have to be circulated. I can not call it an unconditional regret. The first part of his letter is unconditional. He says, he is very sorry. I have been able to read what is typed. What is written in hand is rather difficult for me to read.

AN HON. MEMBER: Language problem.

MR. SPEAKER: No; it is not a language problem.

This is the second one. I am treating the second one as final because the first one stands cancelled after he sent a second one. In the second one, he sends an unqualified regret in the first paragraph. In the second paragraph—it is written in his own hand or

somebody else's hand; I think, he has just signed below; the hand-writing differs but I take his signature as final—he says,

आशा करता हूँ शशिभूषण अपने शब्द वापस लेंगे—

It is just a hope. Let *asha* be *asha*. We take the first paragraph as regret and the hope, whether it gets realised or not, is a hope, after all.

What is the position now? Should I put it to the House now? I think, it is enough.

SHRI RAJ BAHADUR: I accept your advice.

MR. SPEAKER: I take it as regret and about the hope he has expressed, I am conveying his hope to you and, through you, to Shri Shashi Bhushan.

SHRI RAJ BAHADUR: Our hope is also that such incidents will not be repeated in future.

MR. SPEAKER: The hope is not a part of regret or commitment. It is just a hope. I also hope that these things will not occur in future. Now, I put the motion to the vote of the House.

The question is:

“That the suspension of Shri Hukam Chand Kachwai ordered by the House on the 2nd May, 1972, be terminated with immediate effect.”

*The motion was adopted*

13.25 hrs

DEMANDS\* FOR GRANTS 1972-73-(Contd)

MINISTRY OF LABOUR AND REHABILITATION  
—Contd.

MR. SPEAKER: Shri Balgovind Verma was on his legs yesterday. He may continue.

श्रम और पुनर्वास मंत्रालय में उपमंत्रि  
(श्री बालगोविन्द वर्मा): अध्यक्ष महोदय, कल श्री इन्द्रजीत मल्होत्रा जी ने जम्मू काश्मीर के