

श्री अटलबिहारी वाजपेयी (ग्वालियर)
तमिलनाडु की स्थिति के सम्बन्ध में हम प्राप
से मिले थे और भावेदन किया था कि इस
सदन को उत प्रसाधारण परिस्थिति पर
विचार करने के लिए अवसर मिलना चाहिए।
अगर प्राप ने विचार न किया हो तो थोड़ा
समय लेकर विचार करें और हमें मौका
दें।

अध्यक्ष महोदय : विचार किस चीज का ?

श्री अटल बिहारी वाजपेयी : हम इस
पर चर्चा कर सकें।

SHRI K. MANOHARAN (Madras
North): I have also given notice to
you to discuss the unprecedented
developments in Tamil Nadu.

MR. SPEAKER: I have not decided
on it.

SHRI K. MANOHARAN: Sir, it is
a clear case of break down of the con-
stitutional machinery in the State of
Tamil Nadu. The regime that is con-
tinuing there is fascist (Interruptions)
Sir, you must allow us to have a dis-
cussion.. (Interruptions).

MR. SPEAKER: I would request all
of you to sit down.. (Interruptions).
I have received this notice quite late
this morning.

SHRI K. MANOHARAN: Do not be
too much technical about it.

MR. SPEAKER: Further, those hon.
Members who came to see me were
with me till the last minute. So, I did
not get any time to go through it or
apply my mind to it (Interruptions) I
sincerely believe that hon. Members
must pass through the Zilla Parishads
and State Assemblies and then come
here so that they will be mature by
the time they come here. Nobody
should be allowed to come to Lok
Sabha unless he has gone through the

mills. Coming to the notice, I did
not get time to consider it.....
(Interruptions). Why are you so im-
patient?

अब इस तरह से अगर प्रापन में एक
दूसरे से यहां पर कहना हो तो फिर मैं बैठ
जाता हूँ। वहां मद्रास में जो हो रहा है यहां
भी प्राप कर लीजिये। लेकिन स्पीकर ऐसा
नहीं करेगा जैसा कि वहां पर हो रहा है।

श्री अटल बिहारी वाजपेयी : यह अध्यक्ष
महोदय प्राप ने ठाक हो कहा है है। यही
हम प्राप से सुनना चाहते थे।

अध्यक्ष महोदय : जो वहां का चीफ
मिनिस्टर हैं उन के लिए मैं कह नहीं सकता
मैं तो अपने काउंटर पार्ट के लिए ही कह
सकता हूँ।

SHRI S. M. BANERJEE (Kanpur):
Suppose an incident of a similar na-
ture occurs here.

MR. SPEAKER: I would not go to
that extreme.

SHRI R. P. ULAGANAMBI (Vil-
lore): The difficulty in Tamil Nadu
is that the Speaker is not prepared to
step down.... (Interruptions).

SHRI M. KALYANASUNDARAM
(Tiruchirapalli): Sir, you have said
that you will not behave in the way in
which the Tamil Nadu Speaker has
behave. It is not proper for you to
say that about the Speaker of an-
other Assembly. What you said in
Hindi I did not understand. But the
Hindi translation of what I heard was,
"I would not behave in the way in
which the Tamil Nadu Speaker has be-
haved." You should expunge that from
the record.... (Interruptions) Without
knowing the views of the Speaker of
Tamil Nadu, how can you say about
that? (Interruptions).

श्री प्रतल बिहारी वाजपेयी : इसलिए
 मैं कह रहा हूँ कि आप यहां पर हमें बहस करने
 का मौका दे दीजिये तो हम लोग बड़ू कह
 लेंगे और आप को कहने की जरूरत ही नहीं
 पड़ेगी ।

अध्यक्ष महोदय : आप बैठ जाइये ।
 आप लोग इस में बहस कैसे कर सकते हैं ?

SHRI K. MANOHARAN: Kindly
 speak in English.

MR. SPEAKER: When I am speak-
 ing to you, I will speak in English.

The position as I see is this. It is
 not a question of the notice that you
 have given me. That notice came to
 my knowledge very late. You were
 sitting with me. I know, you assured
 me that you will stand by me if I
 make a reference in the House. You
 were with me right upto 11 A.M. You
 did not give me any chance to study
 that.

The position as I see is that there
 are three things. The first is as to
 what happened inside the legislative
 Assembly of Tamil Nadu. Then, there
 are two cases pending in the Tamil
 Nadu High Court. The earlier one is
 that in which certain Members of the
 Legislative Assembly have gone to
 court. On that the judgment is reserv-
 ed. That has not yet been announced.
 Today, as I see, the Speaker is going
 to the Court. He has made an an-
 nouncement. Again, as Mr. Sezhiyan
 told me, the Assembly met this morn-
 ing at 9 O'Clock.... (Interruptions).

SHRI M. KALYANASUNDARAM:
 The Opposition parties have boycotted
 it.... (Interruptions).

SHRI E. R. KRISHNAN (Salem):
 This is not correct. There are three
 opposition Parties participating in the
 Debate today in Tamil Nadu Assembly.

MR. SPEAKER: Order, Order. If
 you want to quarrel, you quarrel there

in your own State. Why do you make
 Parliament the forum for this?

SHRI M. KALYANASUNDARAM:
 Let Parliament know what is happen-
 ing there. You give us an opportunity
 to discuss the matter. (Interruptions).

MR. SPEAKER: If you do not want
 it. I will not allow anything (Inter-
 ruptions) If you do not want to listen
 to me, I am not going to allow any-
 thing. I go to the next item; papers
 to be laid.

SHRI K. MANOHARAN: We are
 prepared to listen to you.

MR. SPEAKER: I have not studied
 that motion. I was going to tell you
 what are the points involved. If you
 are not going to listen to me, I am not
 going to allow anything. An entirely
 different procedure is being evolved
 that the Speaker should sit down
 when such Members get up.

The Speaker adjourned the House
 to the 5th December. There is a case
 pending in the court on which the
 judgment is already reserved. There
 was unseemly conduct by various
 people in the Tamil Nadu Assembly,
 as it appeared in the press, the two
 Presiding Officers presiding in the
 same House.... (Interruptions) The
 hon. Member asked me what will
 happen if Mr. Swell sits by my side...
 (Interruptions). I give this reply that
 I would not behave by the example
 set in Tamil Nadu. Neither Mr. Swell
 will sit nor will I sit. He is a good
 man. I am also a good man. I do
 not aspire for anything. I am quite
 happy as a Member or as Speaker,
 wherever I am. We would not put up
 a show as was done in Tamil Nadu
 Assembly. I am very much confident
 that our Prime Minister also can never
 put up a similar show. It will never
 happen in this Parliament. We have
 to set an example to the rest of the
 country. Whether you are some of
 my good friends or not, as Speaker I
 can never approve of what happened
 in the Tamil Nadu Assembly. Now
 you want to discuss it. First of all,

[MR. SPEAKER]

two cases are already pending in the High Court. Secondly, I have to see whether we can discuss the conduct of the Presiding Officer or any other member inside the Tamil Nadu Assembly, that is a fact to be seen for which....

SHRI K. MANOHARAN: Where a Constitutional crisis is involved..... (Interruption).

MR. SPEAKER: Thirdly, if Constitutional issue is involved, let us wait for the judgment of the Court. That is coming very soon. They will decide whether it is right or wrong.

SHRI K. MANOHARAN: That is not the position.

MR. SPEAKER: I have never heard Speaker going to a court. Mr. Manoharan, you may beseech and request him not to set such an example. No Speaker should go to the court. I am really surprised.

SHRI K. MANOHARAN: I am prepared to answer your questions. What happened in the Assembly is unparalleled, unprecedented and unconstitutional.... (Interruption).

MR. SPEAKER: If you want to discuss it....

SHRI SEZHIYAN (Kumbakonam): I do not want that to be discussed. If you set up such a precedent, then what happens here will also be discussed in some State legislature.... (Interruption).

श्री अटल बिहारी वाजपेयी : हम ने हरियाणा के बारे में चर्चा की मध्य प्रदेश के बारे में चर्चा की थी पश्चिम बंगाल के बारे में चर्चा की थी। यह कोई नई बात नहीं।

MR. SPEAKER: Order, order. If the Speaker does not go to the court, we may discuss it. But if the Speaker goes to the court, he binds our hands.

SHRI K. MANOHARAN: What we are going to discuss is about the constitutional issue involved, how the Speaker has been removed.

MR. SPEAKER: You are seeking the judgment of the High Court on this issue.

SHRI K. MANOHARAN: That is true.

MR. SPEAKER: Do you wish us to discuss this matter which is sub-judice already?

SHRI K. MANOHARAN: The main point at issue is that there is a Constitutional break-down, complete constitutional break-down....

SHRI C. T. DHANDAPANI (Dharampuram): Mr. Manoharan does not know anything about it. (Interruptions).

SHRI K. MANOHARAN: I want to ask whether it is proper or not that the Constitutional issues involved must be discussed on the floor of Parliament.

श्री अटल बिहारी वाजपेयी : क्या इस सदन में इस बात पर चर्चा नहीं हो सकती कि तमिलनाडू में जो परिस्थिति पैदा हो गई है उस के बारे में राज्यपाल ने केन्द्र को कोई रिपोर्ट भेजी है या नहीं? अगर भेजी है तो केन्द्रीय सरकार ने उस पर विचार किया है या नहीं? मैंने ऐसा नहीं कहा है कि वहाँ का मामला यहाँ उठाया जाये। हमने यह कहा है कि वहाँ एक अनप्रिसिडेंटेट सिचुएशन पैदा हो गई है। यह सदन लोकतन्त्र का प्रहरी है। यह ऐसे मामलों में चुप नहीं रह सकता। अदालत कोई भी निर्णय करे लेकिन कुछ ऐसे मुद्दे हैं जिनका लोकतन्त्रीय परम्पराओं से सम्बन्ध है उन पर इस सदन को बहस करने का मौका मिलना चाहिए। अगर केन्द्रीय सरकार को

राज्यपाल से कोई रिपोर्ट मिली है तो उस के धारे में इस सदन को विश्वास में लिया जाना चाहिए ।

SHRI R. P. ULAGANAMBI: The question is: whatever has happened within the Chamber of another legislature which is supreme in regulation of its business, no outside authority including this House is competent to intervene in the matter.

SHRI K. MANOHARAN: The Rules and regulations of a particular Legislative Assembly.... (*Interruptions*) One word—I am finished.

MR. SPEAKER: Kindly sit down.

SHRI K. MANOHARAN: One word. After that, I will not rise.

The Rules and regulations of a Legislative Assembly cannot have any competence to ride rough-shod over the constitutional Articles and provisions. That is my submission.

SHRI S. M. BANERJEE: I support Shri Atal Bihari Vajpayee when he says that this is an unprecedented constitutional crisis. This has been stated so by all the newspapers. Whether the Speaker is wrong or whether the Deputy Speaker is wrong or all of them including the Chief Minister may be wrong.... (*Interruptions*). I do not impute any motive to the Chief Minister I say, let us take it that everybody is wrong including the Chief Minister.... (*Interruptions*). I say everybody is wrong including Mr. S. M. Banerjee and the Chief Minister....

SHRI K. MANOHARAN: Probably, the DMK Members are following the dictum—the King can do no wrong.

SHRI C. T. DHANDAPANI: Sir, the hon. Member was elected on DMK ticket. Let him resign first.

SHRI K. MANOHARAN: I know the hon. Member. He has defected from the DMK some years ago and then he came back.

SHRI S. M. BANERJEE: You remember, Sir, that in this House the conduct of the previous Speaker of the West Bengal Assembly, Shri Bijoy Banerjee came up and when it was sought to be discussed here, we protested that the conduct of a Speaker of another legislature should not be brought here, but, in spite of our protests, his conduct was discussed. Sir, I am only requesting that we are all concerned with the functioning of Parliamentary democracy. You can well imagine, Sir, when the Speaker is presiding here, can the Deputy Speaker possibly pull out the chair and place it by the side of Mr. Shahdher and preside over the House?.... (*Interruptions*).

SHRI DINEN BHATTACHARYYA (Serampore): Sir, what was done in respect of West Bengal Assembly was the most illegal thing and it should not be allowed to be repeated in the case of Tamil Nadu also. Whatever has happened there, right or wrong, that should be decided by Tamil Nadu MLAs and on the floor of the Tamil Nadu Assembly.

SHRI SEZHIYAN: I am not trying to shut out any discussion. All I want to know is whether we are going to set up any precedents here. What has happened inside the Assembly is the concern for the local legislature. Therefore, one should seek the redress in the Assembly itself for anything done there.

[SHRI SEZHIYAN]

Further, the matter has gone to the Court. Already there are two cases filed and another case is going to the court to-day. In that situation, what are we going to discuss here? (Interruptions). Let me complete. I am not appealing to you. I am appealing to the Speaker and the House. In this one, therefore, the question to be raised here is: suppose you are going to discuss it, then we have to discuss all the improprieties and the unconstitutional and undemocratic procedures that have been done from 13th of November. I feel that no discussion can take place here, because these are matters relating to what happened inside the State Assembly there. What will happen if Tamil Nadu Assembly is to discuss about the procedure in this House? How can that be done?

SHRI ATAL BIHARI VAJPAYEE: Why should Tamil Nadu Assembly discuss about our House? We are all functioning normally.

SHRI SEZHIYAN: My only point is about propriety. The Constitution has not broken down there. The Assembly met at 9 O'clock. It is conducting its business there. It is going on. If the opposition parties one day choose not to attend the House here, for that matter, can we say, the Constitution has broken down? (Interruptions).

SHRI DINEN BHATTACHARYYA: It is so in West Bengal; no opposition in West Bengal. Why don't they dissolve it?

SHRI M. KALYANASUNDARAM: I am not proposing that we should discuss what happened inside the Tamil Nadu Assembly, but then, as a consequence of what happened in Tamil Nadu Assembly, there are certain things which follow, which we have to consider. Tamil Nadu is a part of India. Are we not entitled to know from the Government whether any report has been received from the Governor of Tamil Nadu, asking the

Central Government to dissolve the Assembly? We want only the Constitutional position.

SHRI C. T. DHANDAPANI: It is not possible.

SHRI M. KALYANASUNDARAM: We know that you are the accused.

प्रध्यक्ष महोदय : दोनों तरफ लड़ रहे हैं कठवाय जो दरभ्यान में आराम से बंटे हुए हैं ।

We already have listened to everything from both sides.

SHRI M. KALYANASUNDARAM: Which are 'both sides', Sir?

SHRI K. MANOHARAN: It is not a question of 'Anna DMK' or 'DMK'. I am very sorry. It is a question of Constitutional propriety. Certain Constitutional impropriety has taken place in the Tamil Nadu Assembly. Parallel meeting was going on. The mikes were switched off. The Speaker's spectacles were damaged (Interruptions) So many things happened. (Interruptions).

SHRI SEZHIYAN: Our action followed after his action.

SHRI K. MANOHARAN: We depend upon papers and we depend upon some other source also.....

MR. SPEAKER: I have been in this House and I was throughout under the impression that the DMK members were non-violent and non-aggressive....

SHRI M. KALYANASUNDARAM: You must visit the State now to see what violence they are capable of.

SHRI C. T. DHANDAPANI: After the 1971 elections it was the CPI people who had taught how to be violent.

SHRI E. R. KRISHNAN: Day by day the CPI is creating so many problems in Tamil Nadu.

AN HON. MEMBER: It is their Chief Minister who is creating so many problems.

MR. SPEAKER: I shall have to consider three points, namely whether the matter is *sub judice*, whether we can discuss the conduct of the Speaker and what happened inside the House there and whether the Speaker goes to the court or not. I did not apply my mind to it yet. It came to me this morning....

SHRI M. KALYANASUNDARAM: Let us take it up tomorrow for discussion.

MR. SPEAKER: I do not promise him. But let me consider it. They are all our friends. The Speaker is a good friend of mine. We were his guests. We held our 50th Conference of presiding officers in Tamil Nadu recently, and they were quite happy and everything was peaceful when we were there. Shri K. Manoharan was in good spirits; all other friends were in good spirits. The Speaker was perfectly normal; Government were perfectly normal; I do not know what happened after we left.

SHRI ATAL BIHARI VAJPAYEE: It has nothing to do with your visit, I hope.

MR. SPEAKER: Everybody was happy there. Whatever happened was after we had left....

SHRI DINEN BHATTACHARYYA: Is it a consequence of your visit?

MR. SPEAKER: No....

SHRI K. MANOHARAN: Shall I make a suggestion? I entirely agree with you in regard to what you say. My humble submission is this. You may just take a day or two and assess the political situation in Tamil Nadu

and the question of constitutional propriety or otherwise of what has happened....

SHRI SEZHIYAN: The Speaker cannot assess the political situation in that State....

MR. SPEAKER: Let him not put me in the same position as Shri Mathiazhagan. I shall see only the procedural and constitutional side of it....

SHRI K. MANOHARAN: Thank you very much, Sir.

MR. SPEAKER: I shall take time. But I am not concerned with what happens, there politically....

SHRI E. R. KRISHNAN: He wants some propaganda value.

SHRI K. MANOHARAN: A question had been asked whether the Governor's report had been obtained by the Government of India or not. Of course, no reply has come to that question. Secondly, there was the question whether Shri Mathiazhagan had gone to the court or not. You do not know about it. So, you can get the proper information and then take it up....

MR. SPEAKER: I read in the papers that he was going to the court....

SHRI K. MANOHARAN: I also read about it. What I am suggesting is that after having got all the information, you may please allow us to have a discussion, a thorough discussion, on the floor of the House. Please do not rush to a conclusion now. You may apply your thought and make up your mind and then come.

अध्यक्ष महोदय : मेरा खयाल था कि ऐसे काम सिर्फ पंजाबी और बंगाली करने हैं। लेकिन तुमिलनाडु ने भी ऐसे काम करने शुरू कर दिए हैं। पहले बंगाल के स्पीकर ने

शुरू किया, फिर पंजाब के ने किया—

श्री छतल बिहारी बाजपेयी : मध्य प्रदेश में हुआ है।

प्रध्यक्ष महोदय, अगर आप इजाजत दें तो मैं एक छोटा सा मवाल पूछता चाहता हूँ आप प्रिजाइडिंग आफिसर्स कॉन्फ़ेस के प्रध्यक्ष हैं। आप इस समय किस को तमिऱनाडु का स्पीकर मानते हैं।

प्रध्यक्ष महोदय : मुझे पता नहीं है अभी तक। पता लगेगा तब बताऊंगा कि कौन है।

PAPERS LAID ON THE TABLE

PREVENTION OF FOOD ADULTERATION (SECOND AMENDMENT) RULES

THE DEPUTY MINISTER IN THE MINISTRY OF HEALTH AND FAMILY PLANNING (SHRI A. K. KISKU): On behalf of Prof. D. P. Chattopadhyaya, I beg to lay on the Table a copy of the Prevention of Food Adulteration (Second Amendment) Rules, 1972 (Hindi and English versions) published in Notification No. G.S.R. 436(E) in Gazette of India dated the 10th October, 1972, under sub-section (2) of section 23 of the Prevention of Food Adulteration Act, 1954. [Placed in Library. See No. LT-3891/72.]

STATEMENT RE: CENTRAL GOVERNMENT MARKET BORROWING

THE MINISTER OF FINANCE (SHRI YESHWANTRAO CHAVAN): On behalf of Shri K. R. Ganesh, I beg to lay on the Table a statement (Hindi and English versions) indicating the result of the Central Government Market Borrowing in December, 1972. [Placed in Library. See No. LT-3891/72.]

FRUIT PRODUCTS (AMENDMENT) ORDER, AND ANNUAL REPORT OF U.P. STATE AGRO-INDUSTRIAL CORPORATION, LTD.

THE MINISTER OF STATE IN THE MINISTRY OF AGRICULTURE (SHRI ANNASAHEB P. SHINDE): I beg to lay on the Table—

(1) A copy of the Fruit Products (Amendment) Order, 1972 (Hindi and English versions) published in Notification No. S.O. 3537 in Gazette of India dated the 4th November, 1972 under sub-section (6) of section 3 of the Essential Commodities Act, 1955. [Placed in Library. See No. LT-3892/72.]

(2) A copy each of the following papers (Hindi and English versions) under sub-section (1) of section 619A of the Companies Act, 1956:—

(i) Annual Report of the U.P. State Agro Industrial Corporation Limited, Lucknow, for the year 1969-70 along with the Audited Accounts and the comments of the Comptroller and Auditor General thereon. [Placed in Library. See No. LT-3893/72.]

(ii) Annual Report of the U.P. State Industrial Corporation Limited, Lucknow, for the year 1970-71 along with the Audited Accounts and the comments of the Comptroller and Auditor General thereon. [Placed in Library. See No. LT-3894/72.]

ANNUAL REPORT OF INDIAN SCHOOL OF MINES, DHANBAD

THE DEPUTY MINISTER IN THE MINISTRY OF EDUCATION AND SOCIAL WELFARE AND IN THE DEPARTMENT OF CULTURE (SHRI D. P. YADAV): I beg to lay on the