

even without any discussion. One is, as you know, Sir, there is going to be a countrywide strike by the employees of the Food Corporation of India. The matter is very serious.....

MR. SPEAKER : There are so many things.

SHRI S. M. BANERJEE: Secondly, about the CIA activities as has come in the newspapers.

12.36 hrs.

RESOLUTION RE: PROCLAMATION IN RELATION TO WEST BENGAL AND WEST BENGAL STATE LEGISLATURE (DELEGATION OF POWERS) BILL—contd.

MR. SPEAKER: There are two Parties, the Communist (Marxist) and the P.S.P., who have not spoken on this. These two Parties have got some time and, therefore, I would extend it by a few minutes. The Communist (Marxist) Party has got 9 or 10 minutes and the P.S.P. has got 7 minutes.

SHRI JYOTIRMOY BASU (Diamond Harbour): We should be given more time. It is our issue, a burning issue.

MR. SPEAKER: It all depends on what type of speech you will make. If you impress the House and whoever is in the Chair, you may get a few minutes more. It all depends on the speech.

Now, Shri Chittaranjan Roy is to continue his speech. Please conclude in five minutes.

SHRI S. M. BANERJEE (Kanpur) : I rise on a point of order.

MR. SPEAKER: On what?

SHRI S. M. BANERJEE: On the Bill.

MR. SPEAKER: Now, so many Members have already spoken.....

SHRI S. M. BANERJEE: The clause-by-clause consideration may come up....

MR. SPEAKER: At that time you can raise it.

SHRI S. M. BANERJEE: The Bill should not come before the House.

MR. SPEAKER: After 20 people have spoken, you want to raise a point of order. You can raise it at a proper time, not in the middle of the General Discussion. You have already spoken; let others also speak.

SHRI S. M. BANERJEE: I am not speaking on Bengal.

MR. SPEAKER : Let other Parties also speak. At the proper time, you can raise the point of order. Mr. Roy.

SHRI B. K. DASCHOWDHURY (Cooch-Behar): May I make a submission? Yesterday, we sent a letter to you requesting that the time may be extended.

MR. SPEAKER: So many people have said it, not only you.

SHRI B. K. DASCHOWDHURY: All Members from Bengal should be accommodated.

MR. SPEAKER: Mr. Roy is also from Bengal. Mr. Tridib Kumar Choudhuri who spoke yesterday is also from Bengal. Two more Members who are now going to speak, Mr. Basu and Mr. Samar Guba are also from Bengal. What am I to do? A number of others are also there.

SHRI CHITTARANJAN ROY (Jyannagar): Mr. Speaker, Sir, what I was telling was that neither the President's Rule nor the constitutional deadlock, as was proclaimed by the Central Government, was the logical conclusion of events. It was the result of political manoeuvring of the Central Government when they tried to topple the United Front Government in the State of West Bengal.

We know that the West Bengal United Front Government was dissolved under article 164 (1) arbitrarily. We are raising this question because the same article says that the Governor has got some "pleasures" but, in our Constitution there has been no right or no power given to anybody without any reasonable restriction. We do not find any iota of reason when they toppled the United Front Government, even when the Ajoy Mukherjee Government summoned the Assembly on 22nd December. After the summoning of the Assembly, the question does not arise of dissolving the Government only because they have got some doubt that they do not enjoy any majority in the House. That is why the fraud on the constitution and the constitutional deadlock started since that time.

After that, the whole process, that was started by the Central Government, has come to its logical conclusion. The Presi

[Shri Chittaranjan Roy]

don't's rule could have been avoided if the Central Government had got any intention to establish democratic principles and democratic norms in this country. But we do not find any such intention on their part. Even after committing this error, they could have amended it by installing Mr. Ajoy Mukerjee Government and by allowing him to test his strength on the floor of the House. But that was not done. We are finding with great regret that the Central Government is gradually developing a cult to depend more and more on bureaucracy, on administrative power and strength. This is a dangerous trend towards despotism. If they let loose bad forces in their convenience, they will pay them back in the same coin.

Now I come to the question of defection. We know that defection has become an infectious bacteria in our body politic. How was it done? It was a Frankenstein awakened by the Congress Party themselves. It was Mr. Asu Ghosh who manoeuvred to create some defections in the United Front and he succeeded in that, but after that, he himself defected. That is why we are saying that it is a Frankenstein awakened by the Congress Party themselves. Ultimately they themselves fell a victim to it.
12.44 hrs.

[MR. DEPUTY SPEAKER *in the chair*]

It is a question of political ethics and political morality, and this question should be dealt with accordingly. It is not a question of bungling for immediate gain. We find that the body politic of India has been corrupted to such an extent that the future of Indian people will be left to the dark of danger. That is why we cannot support this Bill and the Statutory Resolution moved by the hon. Minister.

I will conclude by saying only this. They should think in terms of the people, they should think in terms of the democratic rights of the people and the democratic principles. Because they have the Constitutional power in their hands, they should not do anything; they should not use it at the cost of the people; they should not like to grasp power at the cost of democracy and Constitution. That is why, we cannot support this Bill and the Resolution moved by the hon. Minister.

SHRI JYOTIRMOY BASU (Diamond Harbour): At the outset, I should point out that Mr. Chavan, the spokesman of the Central Government, is not here. We do not see the Home Minister here. What sort of debate is this?

SHRI NAMBIAR (Tiruchirappalli) : Neither the Home Minister nor the Minister of State or the Deputy Minister is here.

SHRI SAMAR GUHA (Contai): On a point of order.

MR. DEPUTY-SPEAKER: I will see that the Home Minister is here. (*Interruptions*) When a matter pertaining to a Ministry is discussed, at least the Minister of State or the Deputy Minister should be present. This should be conveyed to them.

SHRI JYOTIRMOY BASU: Mr. Deputy Speaker, Sir, this motion stands in the name of Shri Y. B. Chavan. This decision was taken in a full Cabinet meeting, to which the Minister of State or the Deputy Minister has no access. Therefore, how can we have a debate here without the Home Minister being present? How do you allow this debate, Sir, when there is no responsible Minister from the Home Ministry?

MR. DEPUTY-SPEAKER: He is coming just now. The hon. Member may start.

SHRI JYOTIRMOY BASU : Sir, the Central Government sought to wreck the peoples' verdict and subvert democracy in order to help the money-bags under their pressure. And the money-bags, patrons of Messrs. Dandekar and Masanis, they make money in West Bengal; buy votes in the deserts of Rajasthan and then they come back here as people's representatives to give tall talks. People did not accept it. They rose against the money-bags. But the money-bags, in order to safeguard their interests exerted, brought pressure, agitated and the Central Government with all the money-bag pressure behind them had to yield. Sir, how much did this political speculation, this political adventurism cost the Exchequer? I will give you some very small instances.

Sir, they had put 35,000 people behind bars. If you take Rs. 5 as the daily expenditure on each person put behind the bars, it is costing that small States' exchequer more

than a lakh and a half per day, just for keeping these people behind the bars. Then there is the huge Police force, the Central Reserve Police Force and the Border Security Force and the cost of colossal Operation Hooghly of October 2nd with Mr. Chavan as the Field Marshal conducting it from Delhi. How much did all this cost? It is a huge amount. Just for what? To bring the Congress back to power to deliver the goods for the money bags.

Now what have they done as a result? They have ruined the procurement programme in Bengal. This year the estimated production of crop was about 50 lakh maunds. Out of that the United Front Government fixed a target of 10 lakh maunds. Then the Ghosh Ministry immediately slashed it down to 7 lakh maunds. But, in actual fact since the Ghosh Ministry came into power in order to serve the hoarders and Jotedars and to exploit the people on the food front, they have procured no more than 2 lakh maunds so far. What is the remedy? What has happened, we all know. Very well, give us a mid-term poll, give a definite date. Somebody in the Home Ministry said 'We cannot give a definite date'. Well, Sir, if they go on giving that answer, it will not do them any good. If you give us a mid-term poll now, it is going to bring some sort of economy and the State can save money. The Government have already wasted enough money. Sir, by a summary revision of the electoral rolls I suppose we can conduct a mid-term poll and if the Government do not order a mid-term poll sooner you will realise Sir, that the West Bengal quota in the Rajya Sabha from the Assembly will not be filled and till such time West Bengal will remain unrepresented. That is not fair at all. Sir, in Haryana the Government have been in a great hurry to give them a mid-term poll but in West Bengal, they are dilly-dallying. Why is there this double standard? Why this step-motherly attitude towards West Bengal in every sphere?

Sir, during his last visit to Calcutta by the President, we gathered that he asked Shri Ajoy Mukerji, 'Will you get a stable Government if we give you a mid-term poll?' Sir, on that pretext the Government cannot

withhold the elections for 5 years. They may think that even in 1972 the political condition in West Bengal may not become stable. Sir, they cannot postpone the elections according to their convenience.

Another thing, Sir, if they delay the elections, what is going to happen? They have adjourned the Council on the 20th of February. It is not prorogued. It is still alive. The Members of the Council are entitled to get pay and daily allowances for an indefinite period. Now, that is going to cost the State about Rs. 50,000 a month. Have we got so much money to waste and squander? Then in the mean time what we are doing politically? They are trying to hit us below the belt, strike us below the belt. That is, they are arresting political workers, workers who oppose the Congress, workers who oppose the big industrialists and they have got 40 such persons behind the bars. Was the intention behind the P.D. Act this? What they said was that this Act is going to be applied against black-marketeers, hoarders and anti-social elements but in actual practice, in actual application, in the field they are using it as a suppressive weapon against their political opponents. Now, amongst the P.D. Act they have done artificial classifications and they are discriminating in favour of anti-social and other varieties. But, on the whole this thing is being done in such a manner that the political workers of certain active political parties could be conveniently put behind the bars. And by keeping them there, they want to prepare their grounds for the mid-term poll. Besides this, they are again turning to the old method of engineering communal riots. In this recent communal riot in Calcutta, we know that the great guru, Golwalkar visited Calcutta, and there were 5,000 volunteers produced to escort and to salute him. There were two quite eminent congress leaders. One of them was the former congress minister, originally Hindu Mahasabhaite, Shri Bijoy Singh Nahar and another a former congress M.L.A., Shri Nepal Roy. They had seen him and taken instructions from him and then afterwards had engineered this communal riot, in Calcutta. All this shows that certain faction of the congress is closely involved in this communal riot in Calcutta.

[Shri Jyotirmoy Basu]

Then, they dissolved the assembly, and that was an illegal act done on the 21st of November. They did not suspend it. They did not want an exhibition of the congress falling into bits and pieces. So, they were compelled to promulgate the President's rule, not for giving the people a right for mid-term poll. In U.P., it is a different thing, a different prescription. But whatever they may do, the congress is not going to come back under any circumstances. Another thing, Sir. Why has the Home Ministry not cared, why has the Congress Government not bothered to take the Parliament into confidence before they promulgated the President's rule? Because, they could not have done so. Now, what have they done with the Speaker? They did not like straight people, people with integrity and conviction. They want quislings, renegades and turn-coats. They want Kabirs, Mandals and P.C. Ghoshes. They cannot have Bijoy Banerjee. What have they done to Bijoy Banerjee? They became so revengeful that they thought of dropping his name from the ensuing Commonwealth Speaker's Conference. They were so revengeful that.

SHRI DWAIPAYAN SEN (Katwa): He is no more the Speaker.

SHRI JYOTIRMOY BASU: Before that thing happened, they went and removed his name. In 1956, under similar circumstances the Orissa Speakership was kept alive and the Speaker was paid and kept alive as Speaker. I do not know why this double standard is being followed.

Then, Government have suspended article 179 of the Constitution. I would submit that Government cannot do it. It is not a consequential or incidental change but a basic and fundamental one. The Speaker is neither a body nor an authority. Article 179 reads as follows:

A member holding office as Speaker or Deputy-Speaker of an Assembly:

- (a) shall vacate his office if he ceases to be a member of the Assembly;
- (b) may at any time by writing under his hand addressed, if such member is the Speaker, to the Deputy Speaker, and if such member is the Deputy Speaker, to the Speaker, resign his office; and

(c) may be removed from his office by a resolution of the Assembly passed by a majority of all the then members of the Assembly.

None of these provisions is applicable in this case. So, the removal of the Speaker is again another illegal thing. The Speaker even by himself has no right to resign under similar circumstances. The principle of continuity has been set at nought, and the legality and propriety of taking away the proviso to article 179 is also open to question. For removing the proviso, the Constitution requires to be amended. I would like to ask Government whether they have done so.

Actually, Shri Y. B. Chavan was panicky about the Speaker and he apprehended a blow from a dead man. So, after depriving him of all his powers, he wanted to give him another blow. By removing the Speaker, what has he done? He has created administrative difficulties for the Assembly and he has caused a lot of financial complications. On top of all this, the whole removal is guided by a spirit of revengefulness which is very dangerous.

Up till now, Government have not formed an advisory committee to advise the West Bengal administration as has been done in the case of Haryana. I have another suggestion to make in this regard and I would like the Home Minister to make a note of it, that for advising the administration there, they might take some Members of Parliament and the elected representatives of the people to serve on an advisory committee so that they could serve the causes of West Bengal till such time as the mid-term poll is finalised.

MR. DEPUTY-SPEAKER: Now, Shri Samar Guha.

SHRI SAMAR GUHA (Contai): It is only one minute to one O'clock.

MR. DEPUTY-SPEAKER: He might just stand up and begin his speech.

SHRI SAMAR GUHA: Just towards the fag end of the morning sitting, you have asked me to stand up and begin my speech..

MR. DEPUTY-SPEAKER: The hon. Member may resume his speech after lunch.

13 HRS.

*The Lok Sabha Adjourned for Lunch
till Fourteen of the clock*

*The Lok Sabha reassembled after
Lunch at fourteen of the clock*

[SHRI G. S. DHILLON *in the Chair*]

RESOLUTION RE-PROCLAMATION IN
RELATION TO WEST BENGAL AND
WEST BENGAL STATE LEGISLATURE
(DELEGATION OF POWERS.) BILL—
Contd.

MR. CHAIRMAN: Shri Samar Guha may now continue his speech.

SHRI SAMAR GUHA: While extending my support to the promulgation of President's rule in West Bengal, I am doing so with a sense of agonizing shame, I feel that this sort of proclamation of President's rule is a sort of indirect censure upon the system of parliamentary democracy. I am also feeling a sense of excruciating anxiety because these proclamations coming one after the other in succession may ultimately become a procession of proclamations which may lead us to the graveyard of parliamentary democracy in India. My party did not ask for dissolution of the Assembly, but wanted a temporary President's rule with the hope that perhaps the scene of ochlocracy in West Bengal will be changed and a saner mood will prevail, so that a climate would be created for the functioning of parliamentary democracy in West Bengal. But now that it is an accomplished fact that President's rule is there, I want to analyse the background of the state of affairs into which not only West Bengal but other States also have been forced.

Why is it that within 10 months of the general elections, the elected Assemblies in one State after another collapsed? What are the basic reasons? We may accuse this or that party. We may say many things, but I want to make fundamental observations on these issues. I quite agree that the opposition parties, including my party, are responsible to a certain extent for creating such an unfortunate climate in our country for the collapse of the elected Assembly in one State after another. But primarily the responsibility squarely lies with the

Congress. With the Congress the problem is psychological rather than political. 20 years of monopoly rule by the Congress had created some sort of a power psychosis in the mind of the Congress, not only power psychosis in general sense but psychosis of absolute power—and the Congress forgot the mechanics as well as the dynamics of parliamentary democracy. After having monopoly rule over this country for 20 years, the Congress party thought that they had been ordained to rule over India perpetually. They could not adjust their power of psychosis to this changed situation after the general election. The Congress could contribute to a great extent to the sense of stability, dignity and growth of parliamentary democracy in our country if they realised that in a parliamentary democracy, no party can be perpetually in power and the opposition is a part of parliamentary democracy and has constructive role to play.

The change of power from the Opposition to governmental authority forms part of the mechanics or, I would say, the dynamics of parliamentary politics. But, Sir, the Congress after losing power in so many States almost got, I should say, psychologically collapsed. This psychology of loss of power created a sense of frustration and out of this frustration a new mood was created in the Congress. That mood was some how or other to get into power again. I should say, it was an artificially created mood of lust for power.

It is for this reason that the Congress tried to create trouble in almost all the non-Congress States. I would again say and I quite admit that in West Bengal during the rule of the United Front Government conditions were not very exemplary. I quite admit there have been many lapses. I quite admit that there have been instances of lawlessness. I quite agree that subversive and anti-national forces raised their heads. My question is, if the Congress really wanted that parliamentary democracy in India should survive, what was the function of the Congress? Instead of conspiring with big business, instead of trying to find some sort of constitutional subterfuge to scuttle parliamentary democracy, the Congress should have come out in the open and appealed to the people raising a tearing campaign in the popular level to challenge

[Shri Samar Guha]

all subversive forces, all anti-national forces.

We being inside the Government, we in the Praja Socialist Party being a part and parcel of Government, did not hesitate in taking popular actions. When we found these subversive elements, these anti-national elements who believe not in democracy but in some sort of ochlocracy, raising their heads, even being inside the Government, being a part and parcel of the Government, we appealed to the people and tried to mobilise public opinion to curb these forces and have a check on them with a view to restrain these anti-national and subversive forces.

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI VIDYA CHARAN SHUKLA): But you did not leave the Government.

SHRI SAMAR GUHA: The Congress could have done that. The Congress could have come out in the streets, held public meetings, held demonstrations with thousands and thousands of people just as any other Opposition party could have done. The Congress did not do that.

As I have already said, taking advantage of certain constitutional subterfuge the Congress tried to make, what I should say, a microscopic analysis of the import of the phrase "pleasure of the Government". By that subterfuge the Congress tried to justify the Governor's action in, as I said undemocratically convening the Assembly and then dissolving a Ministry without reference to the West Bengal Assembly.

Legally, *i.e.* from legal niceties, it may so happen that the Governor's action can be justified as legal. By this tenuous means of interpretation of certain constitutional points it may be possible to do that. But, Sir, in doing so, what has the Congress done? They have butchered the spirit of democracy in India. The Congress is responsible today for the tragic state of affairs that has been created in India. Today if the people are losing their faith in constitutional democracy, if the people are losing their faith in parliamentary politics, if the people are losing their faith in political parties, it is the Congress which is mainly responsible for that.

The Congress devised the silly method of installing certain puppet minority governments. These puppet minority governments combined some sort of a farce and an element of immorality in them. The combination of elements of force and immorality ultimately lead to create some sort of a political chimera in the form of minority government. When the minority government were just trying to rule over the States, they lacked a sense of confidence in themselves; they had no sense of stability in themselves. They created a sense of instability in the administration and also a sense of want of confidence in the people. As a result, as it happened in West Bengal, as it happened for a brief period in Bihar, as is happening in Punjab, this political chimera of the minority government made a farce of constitutional democracy and parliamentary system of government. As I have already said, they led to a sense of instability and they created a climate of ochlocracy in place of the democratic norms of behaviour. Therefore, if the situation which has developed is so unfortunate and tragic in most parts of India to day, as I have already said, the responsibility squarely lies with the power psychosis of the Congress. Did not the Congress President make an observation in the Hyderabad Congress that he thought that it was a God-ordained duty for the Congress to topple non-Congress Ministries in one State or another? Now what we find is, after scuttling the non-Congress Ministries, the Congress Ministries or Congress supported Ministries, the political chimeras of the minority Ministries, are now themselves being scuttled one after another.

MR. CHAIRMAN: The time that was left over for his party was 7 minutes. I would request him to conclude soon.

SHRI SAMAR GUHA: I would have been happy if I could support my hon. friend, Shri Indrajit Gupta when he said that the Speaker of West Bengal did a brave work there. But standing in this House in defence of the future of democracy in India, I should say that the Speaker of West Bengal Assembly played a game of politics quite well as a partisan. As one who was to act as an impartial umpire to conduct the business of an Assembly, he

has not only miserably failed but he has even while challenging the power of the Governor ultimately challenged the right and authority of the Assembly. He usurped the right of the West Bengal Assembly by denying an opportunity to the Members of the Assembly to challenge the power of the Governor, and the orders of the Governor, in the forum of the Assembly itself. Again, when on a second occasion the Assembly was summoned, what did he do? According to article 176(1) of the Constitution the Speaker was bound to report to the Assembly about the Address that the Governor made in the Joint Session of the West Bengal Legislature and Council. But, when he subsequently addressed the West Bengal Assembly under article 176(2), he made a report that he did not know whether the Governor really addressed the Joint Session or not. If he failed to report whether the Governor addressed the Joint Session or not, if he did not know that, then his observation invalidated the second sitting of the West Bengal Assembly also and by that omission his own ruling was also invalidated.

He had taken many incongruous, illogical and contradictory steps. He was challenging the right of the Governor as illegal when the latter dismissed the Ministry but again he asked the same Governor to apply those illegal means to dismiss the PDF-Congress Ministry and instal President's rule in West Bengal.

I want to make an observation, maybe, very strong. As the Congress discovered the virus of political defection—and now that virus of political defection has attacked almost all parties including Congress—similarly, the Speaker of West Bengal discovered another virus] of paralysing the functioning of an Assembly. And this virus has attacked Punjab Assembly also. Therefore, I cannot commend the role played by the West Bengal Assembly Speaker.

I have already said, as one finds in the press also that the Congress Party as also some other opposition parties are vying with one another to demand early mid-term poll in West Bengal. To me the question is not whether an early mid-term poll is practicable or not but the question with me and with the people is whether there is a

sense of stability in West Bengal, whether the people have gathered again their lost faith. I emphasize it, the lost faith—in political leaders of all parties, in politics of all parties, and in the parliamentary system. If you go to West Bengal and if you look at the columns of the newspapers, you will find that hundreds of letters are being published in West Bengal today, (what a shame to us!)—demanding continuation of President's rule in West Bengal. What do these indicate? It is a censure not of us only, not of the Opposition only but of the Congress also, of us all. It is some sort of a foreboding of a collapse of parliamentary democracy in India. Therefore, I would urge the Government to have fundamental thinking on the problems of parliamentary democracy that confront us today.

For this, I would ask, firstly, that as early as possible a National Convention of all the political parties and national elders be convened to thrash out the problems that are confronting the system of parliamentary democracy in India today. Secondly, I would request the speaker to convene a meeting of the Speakers of all the State Assemblies to redefine the role, the function and the authority of the office of a Speaker. Thirdly, as I have made an observation on an earlier occasion, a fresh Constituent Assembly should be convened without delay to amend the Constitution so as to clearly define the role of the Governor and the role of the Speaker and to remove other difficulties that have cropped up during the functioning of our Constitution in the last 20 years.

I will end with a caution and an warning again with which I had started. Today the ground under the feet of all of us is fast passing away. People are losing their faith in the parliamentary system of democracy, in political parties and in political leaders. This is the tragic state in our country today. The climate is growing ripe for the growth of some kind of totalitarian force. If that Frankenstein is released, nobody of us would be spared in this House—perhaps, even this House itself.

SHRI B. K. DASCHOWDHURY : May I speak? I have sent my name.

MR. CHAIRMAN : Shri Bhajhari Mahato. He has only 5 minutes.

[Mr. Chairman]

There is no time left for any other party. After him the hon. Minister in charge will reply.

SHRI S. M. BANERJEE : I would like to know from you whether he is going to reply to the debate both on the Proclamation and on the Bill. If he is replying to the debate on the Bill, I have a point of order to raise.

MR. CHAIRMAN : He will reply to all the motions.

SHRI S. M. BANERJEE : Then, I have a point of order regarding the Bill and you will have to hear me because when I tried to raise it in the morning the Speaker said, "You can raise it at the appropriate time." So, before he replies, I have got that point of order to raise.

MR. CHAIRMAN : The Business Advisory Committee had decided not to have a separate discussion on the Bill and that both will be taken up together.

SHRI S. M. BANERJEE : I want to raise a point of order on constitutional and technical grounds saying that a particular clause of the Bill cannot be discussed in this House.

MR. CHAIRMAN : When that clause comes up for discussion, you can raise it at that time.

SHRI. S. M. BANERJEE : Are you going to discuss the Bill clause by clause?

MR. CHAIRMAN : Yes. When I put the motion, I will have to take up the clauses also. Shri Bhajahari Mahato.

SHRI BHAJAHARI MAHATO (Purulia)** I will speak a few words in Bengali. The President's rule has been introduced in West Bengal. It seems that the Congress rule in the State is over. The United Front government came next. In between the two regimes, there was a B.D.O. rule introduced by Shri Profulla Ghosh.

The District of Purulia situated in the west of the State, had been referred to in government reports as a surplus district. Agriculture is the main occupation of the people of this district and they have no other means of livelihood. The Congress rule had imposed an oppressive procurement

policy on the poor and the middle income group agriculturists. The United Front Govt. had tried to ease the situation, but they failed. The United Front Government also made their exit. During their three months stay the Profulla Ghosh Ministry played havoc with the people and they too made their exist. Under the President's rule the B.D.Os consider themselves as the Presidents of India in their respective areas. They are enforcing the procurement policy and imposing levy on the poor and middle income group agriculturists with cruelty.

On the other hand they are not procuring the paddy grown by the *Jotdars*, *Majahans* and the big capitalists so that they are able to sell them at a higher price.

The Food Minister during his visit to the District last year had witnessed what a dreadful famine had spread in that district. Today the foodgrains that are produced in this district are being sent outside and nothing is being stored there. Unless immediate steps are taken, the inevitable consequence of the government's policy would be the out break of famine in the District of Purulia and Bankura. None can prevent this because the people of this region have no means of livelihood other than agriculture. I would therefore, request the Speaker and the Food Minister to take steps to ensure that the poor and middle income agriculturists are not harassed. This is all that I have to say.

14.29 hours

[Mr. DEPUTY-SPEAKER *in the chair*]

MR. DEPUTY-SPEAKER : The hon. Minister.

SHRI B. K. DASCHOWDHURY : May I have just two minutes?

MR. DEPUTY SPEAKER : I am sorry, not a minute now.

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI VIDYA CHARAN SHUKLA) : Mr. Deputy-Speaker, Sir, familiar ground was covered during this debate and we have heard almost the same arguments and the same allegations as those when the West

**The original Speech was delivered in Bengali.

Bengal matters were discussed in this House earlier. To that extent, my task becomes easier.

Sir, while making their points, some of the hon. Members of the Opposition chose to make certain insinuations against the Governor, against this leader and that leader, this party and that party. I am not standing here trying to defend any particular political party or to make any allegations against any particular political party. But if we consider the political picture of West Bengal, we have to consider as to what happened in our country after the last General Elections. Charges have been made that the Congress has been acting with bad political motives, the Congress has been creating unhealthy political trend in this country. I would like to take the House back to the condition or situation in which we found ourselves after the last General Elections in the country. In certain States the Congress did not get the absolute majority, but a combination of political parties which took place before the General Elections obtained the majority, the total majority in the House. This happened in the States of Kerala, Madras and Orissa. Some United Front Governments were formed in these three States and, as I said earlier, the United Fronts were formed in these States before the General Elections; they went to the people with a particular programme and they got the confidence of the people on that programme, on their alliance, and they formed the Governments on that basis. But in other States like West Bengal, Bihar and Punjab, these political parties fought against each other, they decried each other's programme, they called each other names....(Interruptions). They did all sorts of things; the kind of jargon that we have heard here was being used by them against each other during the General Elections; the Party of Mr. Basu was calling the Party of Prof. Hiren Mukerjee all kinds of names; the same epithet that he used for our Party was being used for the Right Communists; the same thing was being used for the Party of the other hon. members like Mr. Samar Guha and others. When they found that the Congress did not get a full majority, then they threw all their principles to the winds and tried to grab the power by unholy alliances and that is how the so-called United Front or Samyukta

Vidhayak Dal Governments came into being. Unfortunately, these Parties did not stop at that. Where the Congress Governments were formed, there also.....

SHRI JYOTIRMOY BASU : What happened in Madhya Pradesh ?

SHRI VIDYA CHARAN SHUKLA :they started the game of toppling. They tried to topple, win some Congressmen, the Government in Uttar Pradesh, they tried to topple the Government in Haryana and they tried to topple the Government in Madhya Pradesh. All these things were based not on ideological grounds, not on any ideological alliances; it was only a lust for power; they wanted to grab the power by toppling down the Ministries somehow or other. The kind of thing that they are blaming the Congress for(Interruption) they were the victims of the worst political....(Interruptions)

AN HON. MEMBER : How was the Gill Ministry formed ?

MR. DEPUTY-SPEAKER : Order, order. We are hard pressed for time. Let him continue.

SHRI VIDYA CHARAN SHUKLA If they want to criticise, they must develop the capacity to hear some criticism also. They should not be intolerant of truths. They should also develop some tolerance and hear the truth without becoming uncomfortable about it.

What I am saying is that this particular attitude of political opportunism and the lust for power shows the futility; it shows, it typifies the void and the troublesome nature of the negative approach to politics. The main reason why these parties came together was, as I said, to capture power and secondly, to keep the Congress somehow out of power. They did not have any faith in the so-called programmes that they kept for themselves. That became apparent. When I say all these things, I am not giving my opinion, I am only giving the opinion that these gentlemen have been expressing about each other, what Mr. Banerjee's party has been saying about the Government in U.P., what Mr. Samar Guha's party has been saying about the Government in U.P., what Jan Sangh itself has been saying about the Government in U.P....(Interruptions)

MR. DEPUTY-SPEAKER : This is an analogy.

SHRI VIDYA CHARAN SHUKLA : Sir, it is the same thing about the Governments. These very Parties, the CPI, CPM, PSP and SSP have been saying about their own Governments in Bihar, in West Bengal and in Punjab. These things have been all published in the newspapers. They have never been contradicted. These opinions have been voiced in this very House. I am not saying that this is my opinion. They have themselves been saying that these Governments have not done any good to the people. Even the leaders of Opposition have been saying that these Governments have not followed their programmes, they have only lust for office. This is the opinion expressed by responsible leaders of the Opposition. Sir, I am not giving my opinion about this matter. This shows how futile it is to level charges that the Congress is solely responsible for this state of affairs in the country. In this connection, what happened in West Bengal has not gone out of people's mind so soon. It is all on record in this very House—good and responsible speeches made by hon. Members like Shri Hem Barua, Prof. Guha and several others, about the functioning of the U.F. Government in West Bengal. There is no use throwing the balame on the Governor and giving all kinds of names to the Governor and the Central Government.

Again, I want to say one thing. Sir, if by this they try to throw dust into the eyes of the people of India by making scapegoat of the Congress or blaming the Governor, then they will be doing no good either to themselves or to the country. (*Interruptions*) I would request the hon. Members to consider calmly. Sir, as I said when I moved this resolution, this is not a Party matter. This is a matter that concerns all of us. It concerns the future of democracy. It concerns the future of this country. I entirely agree with Prof. Guha. He made a constructive speech. He drew our attention to the basic problem that we are facing in this country. I would say that instead of blaming the Congress or the Governor of West Bengal, we should think of the situation that brought about this tragic state of affairs in West Bengal

11 months after the General Elections. When the people of West Bengal went to the polls, some Parties came up. Congress did not form the Ministry. The United Front formed the Ministry. People pinned high hopes on the United Front Government. They thought, 'After 20 years, there has been a change in Government, may be this Government may do better than the previous Congress Governments.' I feel sorry, Sir, with most of the people that those high hopes were falsified. They were falsified not by the Congress, they were falsified not by a Congress Government, but they were falsified by the Opposition Parties which were running the Government. There, I want to draw Prof. Guha's attention to one thing. He was saying that they organized demonstrations, they tried to bring to the people's notice the various shortcomings of the United Front Government. But Prof. Guha's Party still continued to take part in that Government. They did not leave. So, they were a party to all the actions of that Government on the basis of collective responsibility of Government under the parliamentary system that we have.

Now these are the contradictions in behaviour of political parties which bring about all these difficulties before us. I have been saying this, I said this in the other House and here also and it is not for me to give sermons to the Members of the Opposition. They are all very responsible people, they are as patriotic as any of us. I have no doubt about it. But what I say is: out of the misery of the people of West Bengal, they should not try to score a hitting point and try to get political advantage of it. If the President's Rule has come about in West Bengal, it is no fault of the Congress, it is no fault of the Governor. As a matter of fact, Sir, you would know that we have been trying to avoid the disruption of popular rule in West Bengal and we waited till the very last. As a matter of fact, a charge has been levelled on us by responsible members of our Party like the General Secretary of our Party that we did not act in time. There was a great demand from various sections of the people that the Government in West Bengal should have been dismissed much earlier. We did not do it. We waited until it became impossible because of a

variety of reasons, to continue the democratic form of Government in West Bengal and when it became absolutely impossible because of the ruling of the Speaker, we had to take this unpleasant action and this is a victory to nobody. It is a defeat to everybody, particularly to the people of West Bengal themselves. (*Interruptions*)

I say, Sir, it is high time that all of us realised our responsibility in this matter. I can easily say that this is the time that when the polling is going to take place in West Bengal. Some hon. Members may be anxious to go on record saying "Who was responsible for this?" But as I said earlier it is a very very difficult situation and they should not throw dust in the eyes of the people. They can play through the game. Do they realise that it is the lack of a sense of responsibility and political sagacity that has brought about this serious condition in West Bengal?

SHRI JYOTIRMOY BASU: Are you recalling the Governor?

SHRI VIDYA CHARAN SHUKLA: We are not going to oblige you by recalling a man who has been doing his duty, howsoever hard it may be. He has been there. The Governor is trying his best.

SHRI JYOTIRMOY BASU: He is your own political agent.

SHRI VIDYA CHARAN SHUKLA: The Governor is trying to run the administration in West Bengal in very difficult circumstances. He has to step through as many as 14 or 15 political parties and he has been unfortunately the victim of political vendetta. I would invite any hon. member to give me any specific instance of the misdemeanour or misconduct on the part of the Governor and we shall look into it. There has been no such instance. Whatever allegations have been made against the Governor are not only absolutely incorrect, but they are all politically motivated and there is no basis for those allegations.

SHRI JYOTIRMOY BASU: On a point of order.

MR. DEPUTY-SPEAKER: He is not yielding. There is no point of order now.

SHRI JYOTIRMOY BASU: He has invited us to cite instances. But if we

can establish that the Governor has done it, what will he do?

MR. DEPUTY-SPEAKER: I have noted what he has said. He said without specific instances, certain wild allegations are made. There is no point of order now.

SHRI B. K. DASCHOWDHURY: I shall give you specific instances. What made Mr. Dharma Vira to invite Mr. Ajoy Mukherjee and Mr. P.C. Sen over a dining table just before the October 2 episode?

SHRI VIDYA CHARAN SHUKLA: About the allegation of collusive conspiracy between the Centre and the Governor, I want to mention that this kind of allegation which is made in a very very light-hearted manner can be very damaging to the very future of this country. Sir, I can say here with the greatest confidence and sense of responsibility that there has been no conspiracy of any kind either in their mind or in action on the part of the Central Government in this matter, not only in regard to West Bengal, but anywhere else in the country absolutely. Therefore, it would be wrong and there is no question of any such thing. I am only mentioning the points that these gentlemen have made. The other point that was made was about the constitutionality or otherwise of the action of the Governor. I am not going to give my own opinion. The judgement of the Calcutta high court is on record. The Calcutta high court has said that whatever action the Governor took is not only constitutional but also fully legal. Therefore there is no question of unconstitutionality. I don't think any hon. Member with any sense of responsibility should question the legality or otherwise of the Governor's action, when the Calcutta high court itself has declared that this action is constitutional and correct.

Another point was raised about the mid-term elections in West Bengal. There have been some opinions expressed about it. Shri Samar Guha was quite right in saying that the people of West Bengal, a large section of them, are wanting the continuation of the President's rule in West Bengal. But, as I have made it clear, the Central Government is not at all anxious to

[Shri Vidya Charan Shukla]

continue it beyond the point that is absolutely necessary. The amount of letters that the people of West Bengal are writing and the opinion that is being expressed in the newspapers there clearly show that there is a large section of popular opinion there which wants that President's rule should continue there for a longer time so that stability and law and order could again be brought back and got stabilised. But as I have already made clear, so far as the Central Government are concerned, we do not want the mid-term elections to be delayed there at all. We wrote a letter to the Election Commission requesting them to fix a date for early mid-term election. Hon. Member might have read in the newspapers that the Chief Election Commissioner went to Calcutta, consulted all the major political parties and then we have received a letter from the Chief Election Commissioner in the Home Ministry wherein he has indicated that by and large there was a general consensus of opinion that the elections should be held in West Bengal in November. He has also given two dates in the first fortnight of November, when he proposes to hold the elections. He will notify the exact date of election when the time comes for that.

I am quite sure that the House will join with me in wishing luck to the people of West Bengal and that by that time peace and stability would come back to West Bengal so that the elections could be held in a proper and healthy atmosphere and no political party, whichever party it may be, would be able to bully the peace-loving and orderly people of West Bengal.

SHRI S. M. BANERJEE : Not even Atulya Ghosh.

SHRI VIDYA CHARAN SHUKLA : It is when the freedom of the people to give expression to their views is fettered and when there is an attempt to interfere with the freedom of the people to give expression to their views that the whole trouble arises. I have made the position of the Government of India clear in this matter.

SHRI JYOTIRMOY BASU : What about the removal of the Speaker? Why have they removed the Speaker?

SHRI VIDYA CHARAN SHUKLA : I am not going into that, because the House

has debated that sufficiently and it is a self-evident fact how it came about and why that had to be done.

Now, I would say a word on the Bill which is also before the House. Under this Bill, the President will assume to himself the power of making legislation for the State of West Bengal as long as President's rule exists there. To assist the President or to advise the President to enact laws for the State of West Bengal, we are going to form a committee of 60 Members. As the House knows, earlier whenever such occasion arose we had a committee of 40 Members, but this time since the State of West Bengal is a bigger State with a larger population we have thought that it would be more appropriate if we had a larger committee. In this committee we are going to reflect by and large the political composition of the Union Parliament, and this committee will advise the President off and on not only legislative matters but on other matters also. Other matters also can be raised in this committee and could be discussed there. But as the very name suggests, it is only a consultative committee and the opinions expressed there will be given full weight before action is taken. This is the usual pattern. The provisions that we are making in this Bill are consequential to the Proclamation issued by the President, and I hope that the House will be indulgent enough to pass the resolution as well as the Bill.

MR. DEPUTY-SPEAKER : First, I shall put the resolution to the vote of the House.

The question is :

"That this House approves the Proclamation issued by the President on the 20th February, 1968, under article 356 of the Constitution in relation to the State of West Bengal."

The motion was adopted.

MR. DEPUTY-SPEAKER : The question is :

"That the Bill to confer on the President the power of the Legislature of the State of West Bengal to make laws, as passed by the Rajya Sabha, be taken into consideration".

The motion was adopted.

MR. DEPUTY-SPEAKER : There is no amendment to clause 2. The question is:

"That clause 2 stand part of the Bill"

The motion was adopted.

Clause 2 was added to the Bill.

Clause 3—(Conferment on the President the Power of the State Legislature to make laws)

SHRI DEVEN SEN : I beg to move:

Page 2, line 6—omit "whether Parliament is or is not in session," (1)

Page 2, line 10—omit "whenever he considers it practicable to do so," (2)

Page 2, line 12—after "Speaker" insert—"among whom shall be included all members who for the time being fill the seats allotted to the State of West Bengal in that House" (3)

Page 2,—after line 13, insert—"among whom shall be included all members who for the time being fill the seats allotted to the State of West Bengal in that House"

SHRI SRINIBAS MISRA (Cutback): I beg to move:

Page 2—for lines 17 to 27, substitute—

"(4) Either House of Parliament may, by resolution passed within thirty sittings of the House next following the date on which the Act has been laid before it under sub-section (3), which period may be comprised in one session or in successive sessions, direct repeal or any modification to be made in the Act and if the direction to repeal or to make any modification is agreed to by the other House of Parliament before the end of the next succeeding session of that House, the Act shall stand repealed or amended according to the modifications proposed in the resolution, as the case may be:

Provided that nothing in this sub-section shall effect the validity of any action taken under the Act before such repeal or amendment unless otherwise expressly provided for in the resolution".

(6)

MR. DEPUTY-SPEAKER : As regards Amendments Nos. 7 and 9, they are the same as the corresponding ones already moved. So is the case with Shri Pandeker's amendment No. 10. Shri Sequeira and Shri Chittaranjan Roy are absent.

All these amendments together with the clause are now before the House.

SHRI S.M. BANERJEE : On a point of order. Please refer to clause 3 of the Bill which reads as follows :

(1) The power of the Legislature of the State of West Bengal to make laws, which has been declared by the Proclamation to be exercisable by or under the authority of Parliament, is hereby conferred on the President.

(2) In the exercise of the said power, the President may, from time to time, whether Parliament is or is not in session, enact as a President's Act a Bill containing such provisions as he considers necessary:

Provided that before enacting any such Act, the President shall, whenever he consider it practicable to do so, consult a committee constituted for the purpose, consisting of forty members of the House of the People nominated by the Speaker and twenty members of the Council of States nominated by the Chairman.

Under article 117(3) of the Constitution, a Bill which, if enacted and brought into operation, would involve expenditure from the Consolidated Fund of India shall not be passed by either House of Parliament unless the President has recommended to to that House the consideration of the Bill.

Then I come to rule 69(1) which says that a Bill involving expenditure shall be accompanied by a financial memorandum which shall invite particular attention to to the clauses involving expenditure and shall also give an estimate of the recurring and non-recurring expenditure involved in case the Bill is passed into law.

Here a Committee is being formed, whether for formal or informal consultation, consisting of 40 members of this House and 20 members of the other House. These 60 members will come not only during session but during inter-session as well. They may be called to consider certain important matters concerning West Bengal, and advise the President accordingly.

Therefore, financial expenditure will be there. If they are asked to come to attend the meetings during the inter-session period, certainly they will have to be paid first class fare and other allowances. So, it will involve a considerable amount.

[Shri S. M. Banerjee]

But there is no financial memorandum in the Bill. The President also has not recommended it. We do not know how long the President's rule will continue there. According to the minister, many people in West Bengal do not want mid-term elections immediately. They want Mr. Dharma Vira there and Mr. Chavan here to continue. So, this may continue for 6 or 8 months. During that time, meetings will be held and members will have to be paid the allowances. Therefore, in accordance with article 117(3) of the Constitution and Rule 69, this Bill cannot be discussed unless it is accompanied by a financial memorandum and the President gives his recommendation.

श्री मधु लिमये (मुंगेर) : बनर्जी साहब ने जो आक्षेप उठाया है उसकी मैं तार्किक करता हूँ और उस के साथ एक बात और जोड़ना चाहता हूँ। आप 69(2) देखें :

"Clauses or provisions in Bills involving expenditure from the Consolidated Fund of India shall be printed in thick type or in italics"

यह भी आपने नहीं किया। क्लॉज 3(2) जिसमें कुछ खर्चा आयेगा—उन्होंने कहा कंसीड्रेबिल एमाउन्ट—कंसीड्रेबिल तो नहीं होगा, कुछ खर्चा होगा तो इसको बड़े टाइप या इटैलिक्स में देना जरूरी है, वह भी उन्होंने नहीं किया है। इसलिए आप तीन मुद्दों पर अपना निर्णय दीजिए। एक तो यह कि राष्ट्रपति जी ने सिफारिश नहीं की। . .

MR. DEPUTY-SPEAKER : The major question is financial memorandum.

श्री मधु लिमये : संविधान की दफा 117(3) तो उससे भी महत्वपूर्ण है, क्योंकि वह तो कांस्टीट्यूशन है। तो यह तीन बातें हैं। एक तो राष्ट्रपति ने सिफारिश नहीं की जैसे कि 117(3) के अन्दर होनी चाहिए :

"A bill, which if enacted and brought into operation would involve expenditure from the Consolidated Fund of India."

यह साफ है। अगर एक रूपया भी हो तो भी राष्ट्रपति की सिफारिश चाहिए। लेकिन राष्ट्रपति की सिफारिश नहीं है। दूसरे जैसा

कि उन्होंने कहा कि फाइनेंशियल मेमोरैंडम नहीं है और तीसरे ब्लैक टाइप में या इटैलिक्स में नहीं दिया गया है।

SHRI VIDYA CHARAN SHUKLA : Nothing in this Bill will involve any expenditure from the Consolidated Fund of India.

श्री मधु लिमये : नहीं होगा ? एक घेला भी नहीं ?

SHRI VIDYA CHARAN SHUKLA : No. It is a parliamentary committee and the expenses in connection with this committee will be met out of money voted for the Lok Sabha Secretariat and Department of Parliamentary Affairs.

SHRI TRIDIB KUMAR CHAUDHURI (Berhampore) : It is not a consultative committee; it is a statutory committee.

MR. DEPUTY-SPEAKER : Even for a statutory committee comprising of members of Parliament, would you not agree that the expenses are incurred by the Lok Sabha Secretariat ? Is it not correct ?

श्री मधु लिमये : क्या हम मान लें कि लोक सभा सेक्रेटेरियट अधिक खर्चा करे ? दूसरों की कमेटियों पर ?

MR. DEPUTY-SPEAKER : For all the joint committees that are constituted here, do you expect a memorandum ?

श्री मधु लिमये : यह ज्वाइन्ट कमेटी नहीं है।

MR. DEPUTY-SPEAKER : I am using the term 'joint committees' not in the technical sense, but in the sense that members belonging to both Houses will be there as members.

SHRI VIDYA CHARAN SHUKLA : I am saying authoritatively that it will not involve any expenditure from out of Consolidated Fund of India and therefore, this does not apply to this Bill. That is why President's recommendation is not necessary. 15 hrs.

MR. DEPUTY-SPEAKER : As it would not involve any expenditure from the Consolidated Fund of India, according to the hon. Minister, there is no question of any sanction being obtained.

श्री मधु लिमये : उपाध्यक्ष महोदय, दर-असल शुक्ला जी को इस बारे में सही जानकारी नहीं है। केरल पर जो कंसल्टेटिव कमेटी बनी थी उस के बारे में जानकारी देने के लिए मैं श्री रामसेवक यादव को ढूँढ रहा हूँ। उस कमेटी में वह हमारी ओर से थे और यह बात मैं निश्चित रूप से जानता हूँ कि यह हवाई-जहाज़ का सफर भत्ता वगैरह उन को दिया गया है। मैं चाहूँगा कि मंत्री महोदय पूरी जानकारी हासिल कर लेने के बाद ही इस प्रकार का बयान करें नहीं तो मंत्री महोदय इस बात के लिये जिम्मेदार होंगे कि उन्होंने सदन् को ग़लत जानकारी दी। क्या वह यह कह सकते हैं कि केरल के लिए जब कंसल्टेटिव कमेटी बनी थी तो उस वक्त उन लोगों को आने जाने का खर्चा या एलाऊंस वगैरह नहीं दिया गया था? श्री रामसेवक यादव जोकि इस सदन् के सदस्य हैं वह उस कमेटी में थे और उन्होंने मुझ को कहा है खर्चा हुआ। वह दुर्भाग्य से इस समय यहाँ नहीं हैं उनको सेंट्रल हाल में बुला लिया जाये।

MR. DEPUTY-SPEAKER : This point must be clarified. The hon. Member has referred to the Consultative Committee on Kerala. If some expenses were incurred then, I will have to take that into consideration. If the hon. Minister will give me an assurance I am satisfied, but I must satisfy myself also.

श्री मधु लिमये : असल में दिक्कत यह है कि विद्याचरण शुक्ल तैयार होकर यहाँ पर नहीं आये हैं।

श्री विद्याचरण शुक्ल : माननीय सदस्य की तैयारी का तो कल जब उन्होंने वह प्वाण्ट औफ़ आर्डर रेज़ किया था तो पता चल गया था। बिना तैयारी के उन्होंने रख दिया था और वह रूल आउट कर दिया गया।

MR. DEPUTY-SPEAKER : I would like to know from Shri Vidya Charan Shukla, being the responsible Minister piloting the Bill, whether any expenditure will be involved. If he is stating it categorically that no expenditure will be incurred

from the Consolidated Fund then I am prepared to rule out the point of order.

श्री मधु लिमये : फ़ाइनेन्स मिनिस्टर श्री पन्त बैठे हुए हैं वह इस बारे में क्यों नहीं बतलाते ?

MR. DEPUTY-SPEAKER : I would like the Minister to make the position categorically clear. Otherwise, I am not sure in my mind. Even if a small amount is involved from the Consolidated Fund for this purpose, then it has to have the recommendation of the President.

SHRI VIDYA CHARAN SHUKLA : Sir, I have made a categorical statement and I repeat it, that no expenditure from the Consolidated Fund shall be involved. What more categorical statement do you want from me (Interruptions) ?

SHRI S. M. BANERJEE : Sir, Shri Shukla is neither the Law Minister nor the Finance Minister. Such a statement should come either from Shri Pant or the Law Minister. Tomorrow Shri Shukla may not be here. I wish him all success.

MR. DEPUTY-SPEAKER : When he has made it categorically clear, I must certainly take his statement as it is.

SHRI TRIDIB KUMAR CHAUDHURI : It will be categorically clear if you look at the provision of the Bill which says: "The President shall whenever he considers practicable to do so consult a committee constituted for the purpose. . . ." So it is a statutory committee constituted for the purpose under the authority of Parliament by virtue of having passed a Bill. For this the Lok Sabha Secretariat or the Parliament Secretariat is not bound to spend single paisa if any expenditure is necessary for travelling and other things of Members and such expenses will have to be met from the Consolidated Fund of India. We cannot merely take an *ipse dixit* from the hon. Minister. He says that no expenditure will be necessary. Many hon. Members of this House will be members of this Committee and they will be immobilised if no payments will be made either from this fund or that fund.

SHRI S. KUNDU (Balasore) : Let the Minister consult, refresh his knowledge and then come before this House.

श्री रामसेवक यादव (बाराबन्की) : उपाध्यक्ष महोदय, मुझे कोई लम्बी बात नहीं कहनी है। जब केरल में राष्ट्रपति शासन हुआ था और उस सिलसिले में वह जो सलाहकार समिति बनी थी तो उस का मैं भी एक सदस्य था और मैं वहां गया भी था। उस समय गृह मंत्री जी और उस के सदस्य गये थे उन को आने जाने का रहने आदि का खर्चा दिया गया था। यह जान कारी मैं आप को इसलिए दे रहा हूँ कि इससे आप को अपना निर्णय देने में सहायता मिलेगी।

श्री मधु सिमये : एक बात मैं और आप की जानकारी में लाना चाहता हूँ कि यह चार्ज और दी कंसालिडेटेड फंड और मनी स्पेंड फ्रॉम दी कंसालिडेटेड फंड इन दोनों में में फर्क किया जाता है। यह कंसालिडेटेड फंड से ही खर्च किया जायगा और अभी तक खर्च किया गया है। एक धेला भी अगर आप इस कमेटी के काम पर खर्च करेंगे, एक धेले की भी स्टेशनरी या कागज अगर आप लोक सभा के अनुदान से खर्च करेंगे तो आप से हम जवाब तलब करेंगे कि इस की सेक्शन क्या है ? इसलिए मैं चाहूंगा कि मंत्री महोदय जरा सावधानी के साथ स्थिति को स्पष्ट करें।

श्री विद्याचरण शुक्ल : उपाध्यक्ष महोदय, यह बात बिलकुल साफ है कि जो इस कंसल्टेटिव कमेटी के मैम्बर होंगे उन्हें आने जाने का सफर भत्ता आदि दिया जायेगा लेकिन चूँकि वह पार्लियामेंट के मैम्बर होंगे, लोकसभा अथवा राज्य सभा के तो उनको भत्ता आदि लोकसभा सचिवालय या राज्यसभा सचिवालय से मिलेगा। मैं बतलाना चाहता हूँ कि इस तरीके के और भी बिल इस सदन में पास हुए हैं और किसी भी बिल में फ़ाइनेंशियल मैमो-रेंडम नहीं रक्खा गया है तो फिर इस में रखने की क्या जरूरत थी ? अगर कंसालिडेटेड फंड से कोई खर्च की बात होती तो हम इस बिल के साथ वह फ़ाइनेंशियल मैमो-रेंडम जरूर लाते।

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI K. C. PANT) : The point is not from where it will be paid. The point is this: will the allowances be paid as a result of the provisions of this Bill? That is the only limited point. Now, Members of Parliament are appointed as members of this Committee. When Members of Parliament are in their capacity as Members are appointed to committees they are paid certain allowances in accordance with the Salaries and Allowances of Members Act. It is as a result of that Act that they will be paid certain allowances by virtue of being members of this Committee and not with reference to this Bill. That payment does not arise out of the provisions of this Bill. That is why no Financial Memorandum has been attached to this Bill.

MR. DEPUTY-SPEAKER : I will point out that this is not a parliamentary committee. If it is a parliamentary committee, certainly the Secretariat of the Lok Sabha is responsible for its payment. But if it is a committee constituted out of the Members of Parliament—I have sat in several such committees like the Santhanam Committee where other Members of Parliament were there—it is not a parliamentary committee.

SHRI K. C. PANT : My point is a simple one irrespective of whether it is a committee of Parliament or a parliamentary committee. When Members of Parliament in their capacity as Members are appointed to a committee, do they draw their allowances as a result of the provisions of this particular Bill or are they entitled to draw their allowances according to the Salaries and Allowances of Members Act? Which one entitles them to draw the allowances? If the Salaries and Allowances Act was not there, then, provision would have had to be made in this Bill regarding the amount to be paid, the mode of payment etc. But this is not provided because there is the other Act which provides for such situation in which Members of Parliament are appointed to committees of Members of Parliament.

MR. DEPUTY-SPEAKER : I want a clarification. When I serve on a committee, which is not a parliamentary committee in the sense in which we understand it, from

where do I get the money? I have served in two such committees, one as Chairman and another as member, and the allowances were paid to me by Government and not by Parliament. This is my personal experience and this is the experience of many of us. So, if it is not a parliamentary committee, you will have to make a provision for this.

श्री मधु लिमये : उपाध्यक्ष महोदय, आप जरा शान्ति से सुनेंगे तो सारी बातें साफ हो जायेंगी।

पहले आप देखिये कि संविधान की धारा 117 में क्या दिया हुआ है। आप इस से सन्तुष्ट हो जायेंगे। इस धारा 117 में लिखा हुआ है कि :—

“A Bill which, if enacted and brought into operation, would involve expenditure from the Consolidated Fund of India”.

एक धेला भी। असली सवाल यह है कि इस बिल के कारण कोई खर्च बढ़ेगा या नहीं। श्री रामसेवक यादव निश्चित रूप से कह रहे हैं कि जब वह केरल कमेटी के मँबर थे तब उन को टी० ए० और डी० ए० भत्ते के रूप में दिया गया था।

मंत्री महोदय का जब यह कहना है कि यह पार्लियामेंट्री कमेटी है। पार्लियामेंट्री कमेटी कौन सी है यह हमारे नियमों में दिया हुआ है। नियम 2 की तरफ मैं आप का ध्यान दिलाना चाहता हूँ। 2(1) में व्याख्याएँ, डेफिनिशन्स हैं। आप गौर से पढ़ेंगे तो पृष्ठ 2 पर लिखा हुआ है कि :

“‘Parliamentary Committee’ means a Committee which is appointed or elected by the House or nominated by the Speaker and which works under the direction of the Speaker and presents its report to the House or to the Speaker and the Secretariat for which is provided by the Lok Sabha Secretariat;”

इस व्याख्या के अनुसार यह कमेटी न अध्यक्ष की निगरानी में काम करेगी, न यह कमेटी अपनी रिपोर्ट इस सदन को या अध्यक्ष को देगी, न तो इस का सचिवालय ही आप के

द्वारा दिया जायेगा। ऐसी स्थिति में किस दृष्टि से पार्लियामेंट्री कमेटी है, यह मेरी समझ में नहीं आता है। इस तरह से पार्लियामेंट्री कमेटी बनाई भी नहीं जा सकती है क्योंकि इस के लिये भी प्रक्रिया हमारे यहाँ निश्चित है।

जहाँ तक कंसोलिडेटेड फंड का सवाल है, चाँज औन कंसोलिडेटेड फंड जो हैं वह हमारे संविधान के अनुसार निश्चित किये गये ह। आप 112 (3) देखिये। उस में यह नहीं आता। 112 (3) में दिया हुआ है कि

“The following expenditure shall be expenditure charged on the Consolidated Fund of India—

the emoluments and allowances of the President”—

इस में इमलुमेंट्स ऐंड अलाउंसेज आफ दि प्रेजिडेंट आदि की बड़ी लम्बी सूची दी गई है।

SHRI VIDYA CHARAN SHUKLA : I would like to submit for your consideration that we have formed several committees of this kind in the past—I have just now checked up and I can state here authoritatively—and for all such committees the expenditure has come from the budgetary grant of Lok Sabha Secretariat.

श्री मधु लिमये : तो फिर पब्लिक अकाउंट्स कोटी क्या कर रही है, एस्टिमेट्स कमेटी क्या कर रही है ?

SHRI VIDYA CHARAN SHUKLA : That is why in none of the Bills of this kind, which we have brought before this hon. House, a financial memorandum was attached. I would also invite your attention to article 117(2) of the Constitution. This particular Bill before the hon. House does not make any provision for any expenditure whatsoever. The expenditure is going to come from other provisions which are on the statute. This particular Bill has made provision of no expenditure of any kind.

SHRI MADHU LIMAYE : What is the budgetary sanction for this?

SHRI VIDYA CHARAN SHUKLA : Therefore this point of order that has been raised is not valid.

श्री मधु लिमये : इस के लिये आप को बजेटरी सेंशन ही नहीं है।

MR. DEPUTY-SPEAKER : So far as "Parliamentary Committee" is concerned, there is a clear definition in rule 2. I need not read it; it was read out.

SHRI MADHU LIMAYE : I have quoted it.

MR. DEPUTY-SPEAKER : He has quoted it just now and you go through it. If we take, firstly, that definition into consideration and, secondly in the sense that it is not a parliamentary committee, definitely, some expenditure is involved. I feel whatever has been done in the past, whether it was regular or irregular, I am not concerned with it nor there is any provision made for such contingencies in the Lok Sabha Budget, so far as I know, and, therefore, unless you submit some Financial Memorandum, I cannot proceed with it.

15.15 hrs.

DEMANDS FOR GRANTS (ON ACCOUNT) (WEST BENGAL) 1968-69 AND DEMANDS FOR SUPPLEMENTARY GRANTS (WEST BENGAL), 1967-68

MR. DEPUTY-SPEAKER : We shall now take up the next item. It has been agreed that Demands for Grants on Account (West Bengal) for 1968-69 and Supplementary Demands for Grants (West Bengal) for 1967-68 will be passed without any discussion.

DEMAND No. 1—4—TAXES ON INCOME OTHER THAN CORPORATION TAX.

MR. DEPUTY-SPEAKER : Motion moved :

"That a sum not exceeding Rs. 3,05,000 be granted to the President out of the Consolidated Fund of the State of West Bengal, on account for or towards defraying the charges during the year ending on the 31st day of March, 1969, in respect of '4—Taxes on Income other than Corporation tax'."

DEMAND No. 2—9—LAND REVENUE

MR. DEPUTY-SPEAKER : Motion moved :

"That a sum not exceeding Rs. 1,95,72,000 be granted to the President out of the Consolidated Fund of the State of West Bengal, on account, for or towards defraying the charges during the year ending on the 31st day of March, 1969, in respect of '9—Land Revenue'."

DEMAND No. 2—76—LAND REVENUE—OTHER MISCELLANEOUS COMPENSATION AND ASSIGNMENTS.

MR. DEPUTY-SPEAKER : Motion moved.

"That a sum not exceeding Rs. 9,61,000 be granted to the President out of the Consolidated Fund of the State of West Bengal, on account, for or towards defraying the charges during the year ending on the 31st day of March, 1969, in respect of '76—Land Revenue—other Miscellaneous Compensation and Assignments'."

DEMAND No. 2—92—LAND REVENUE—PAYMENT OF COMPENSATION TO LANDHOLDERS, ETC. ON THE ABOLITION OF THE ZAMINDARI SYSTEM.

MR. DEPUTY-SPEAKER : Motion moved :

"That a sum not exceeding Rs. 1,16,66,000 be granted to the President out of the Consolidated Fund of the State of West Bengal, on account, for or towards defraying the charges during the year ending on the 31st day of March, 1969, in respect of '92—Land Revenue—Payment of Compensation to Landholders, etc. on the abolition of the Zamindari system'."

DEMAND No. 3—10—STATE EXCISE DUTIES.

MR. DEPUTY-SPEAKER : Motion moved:

"That a sum not exceeding Rs. 28,22,000 be granted to the President out of the Consolidated Fund of the State of West Bengal, on account, for or towards defraying the charges during the year ending on the 31st day of March, 1969, in respect of '10—State Excise Duties'."

DEMAND No. 4—11—TAXES ON VEHICLES.

MR. DEPUTY SPEAKER : Motion moved:

"That a sum not exceeding Rupees 5,72,000 be granted to the President out of the Consolidated Fund of the State of