

[Shri Morarji Desai]

very short term bank deposits and minimum rates for one-year deposits and savings deposits have been reduced. It has also been decided to reduce the rate of interest on 91 days' Treasury bills from $3\frac{1}{2}$ per cent to 3 per cent. We expect that the structure of interest rates will soon get adjusted to the new Bank rate in a manner conducive to the flow of adequate credit into desired directions.

The cooperative sector obtains at present finance facilities from the Reserve Bank at preferential rates which are $1\frac{1}{2}$ per cent to 2 per cent below the Bank rate. They would continue to enjoy this margin of preference in relation to the new Bank rate.

It is my earnest hope that productive effort in general will be encouraged by these measures. In the last analysis, it is only by greater production that we can curb inflationary pressures or meet the threat of such pressures emerging again in the economy. The Reserve Bank will no doubt continue to employ selective credit controls to the extent necessary to ensure that the credit resources are not used for unproductive purposes.

12.25 hrs.

RE. STATEMENT ON KUCHCHATIVU

MR. SPEAKER: The Prime Minister will make a statement about Ceylon which I had asked her to do on Friday. She is perhaps making it in the Rajya Sabha. The moment she comes here at 12.30 or so, she will do it.

SHRI S.M. BANERJEE (Kanpur): Why first in the Rajya Sabha?

MR. SPEAKER: She had questions to answer there and we were busy here. It is only a matter of two or three minutes only; it is not a question of a day. Meanwhile, I have allowed Shri Atal Bihari Vajpayee to raise under rule 377 a matter.

12.25½ hrs.

RE. AWARD OF KUTCH TRIBUNAL

श्री अटल बिहारी वाजपेयी (बलरामपुर): नियम 377 के अन्तर्गत मैं प्रक्रिया के एक महत्वपूर्ण विषय की ओर आपका ध्यान खींचना चाहता हूँ।

प्रश्न यह है कि क्या सरकार इस सदन और संसद् की स्वीकृति के बिना कच्छ निर्णय को लागू करने के लिए पाकिस्तान के साथ बातचीत करने का अधिकार रखती है? यह सरकार इस सदन के प्रति उत्तरदायी है या नहीं? या जेनेवा में बुलाये गये एक टाइम टेबुल के अनुसार सारी लोकतंत्रीय मान्यताओं को और संसद् की प्रक्रियाओं को ताक पर रखने के लिए उतारू है; अभी तक संसद् को कच्छ के निर्णय पर चर्चा करने का पूरा मौका नहीं मिला है। दूसरे सदन में तो अभी तक इस विषय पर चर्चा ही नहीं हुई है। इस सदन में अविश्वास प्रस्ताव पर चर्चा होते समय कच्छ के निर्णय का हवाला दिया गया था। लेकिन अविश्वास के प्रस्ताव के गिरने का अर्थ यह नहीं निकाला जा सकता कि इस सदन ने या संसद् ने सरकार को कच्छ निर्णय को लागू करने की छूट दे दी है। सचमुच में सरकार को स्वयं एक निश्चित प्रस्ताव लाना चाहिये था और कच्छ के निर्णय पर विचार करने के लिए सदन को अपना स्पष्ट मत प्रकट करने के लिए कहना चाहिये था।

अध्यक्ष महोदय, अभी आपने हमें सूचना दी है कि सदन के चार सम्मानित सदस्य भारत पाक वार्ता आरम्भ करने के विरोध में शांतिपूर्ण प्रदर्शन करने के आरोप में गिरफ्तार किये गये हैं। अब अगर बाहर दफा 144 लगा कर सरकार जनमत का गला घोंटेगी और संसद् को भी पूरी बहस का मौका नहीं दिया जाएगा तो यह लोकतंत्र के लिए अच्छा नहीं होगा।

कुछ माननीय सदस्य: शोम, शोम।

श्री अटल बिहारी वाजपेयी: हमारी मांग थी कि अगर सरकार इस निर्णय को लागू करना चाहती है तो फिर संविधान में संशोधन करे। अगर संविधान में संशोधन करने के हमारे सुझाव से सहमत नहीं है तो उसके बारे में सुप्रीम कोर्ट की राय ले। लेकिन सरकार संविधान में संशोधन करने

के लिए तैयार नहीं है। सर्वोच्च न्यायालय में जाना तो दूर रहा, अब सरकार एक अशोभनीय जल्दबाजी में सारा काम करना चाहती है। यह संसद् की अवहेलना है, यह संसद् के अधिकारों का अतिक्रमण है।

मैं आपसे आग्रह करूंगा कि आप अध्यक्ष के नाते सरकार को आदेश दें कि जब तक इस सदन को कच्छ निर्णय पर पूरी तरह से बहस करने का मौका नहीं मिलता है तब तक पाकिस्तान के साथ बातचीत नहीं होनी चाहिए। और मैं यह भी चाहूंगा कि आप अन्य सदस्यों को भी इस मामले के सम्बन्ध में कुछ कहने की छूट दें।

MR. SPEAKER : No, not necessary.

श्री अटल बिहारी वाजपेयी : यह प्रक्रिया का सवाल है।

MR. SPEAKER : Not at this stage.

SHRI NATH PAI *rose*—

श्री प्रकाशवीर शास्त्री : (हापुड़) : वाजपेयी जी का यह कहना कि अविश्वास प्रस्ताव को इसके साथ जोड़ा जाना उचित नहीं, मैं इसका समर्थन करता हूँ। मन्त्रिमंडल पर अविश्वास को कच्छ के प्रश्न के साथ नहीं जोड़ा जाना चाहिये।

MR. SPEAKER : He has said that. The Government is also here. Let them see if and when again they want to bring forward a discussion.

श्री रबिराय (पुरी) : वार्ता हो रही है और अध्यक्ष महोदय, आपको इसके बारे में अभी कुछ करना चाहिये।

MR. SPEAKER : How can I say whether they are going to have a discussion or not? I cannot speak on behalf of the Government at least, I can speak on behalf of all of you in the sense of fixing up some time.

श्री कंवर लाल गुप्त (सदर दिल्ली) : जब तक कच्छ निर्णय की यहाँ पुष्टि न करवा ली जाए, बातचीत नहीं होनी चाहिये।

THE DEPUTY PRIME MINISTER AND MINISTER OF FINANCE (SHRI MORARJI DESAI) : I quite appreciate the anxiety of my hon. friend in the matter of the Kutch Award which was expressed very forcefully on the No-Confidence Motion. The No-Confidence motion was rejected by this honourable House. If it is said that does not mean that Kutch Award was discussed and approved by this House I am not going to quarrel about it. But that is not necessary. The agreement under which we went to the Tribunal was passed by this House and that Agreement contains a clause which enjoins the Government to carry out the Award immediately after it is given within a certain period. It is in accordance with that undertaking that the Government is taking various steps that are to be taken. It does not depend upon a vote of this House; that does not mean that the authority of this House is not accepted by Government. It is there. The authority of the House cannot be challenged. But whatever powers have been given to Government by this very Parliament and by the very Constitution are exercised by Government in its own right and that is what the Government is doing.

SOME HON. MEMBERS *rose*—

MR. SPEAKER : No further discussion. I will consider it. (*Interruptions*) He has given the reply. We are not going to have discussion here and now. After all, you cannot expect it this very minute. Let me consider it.

श्री रवि राय : अध्यक्ष महोदय, आप इस विषय पर बहस करने का मौका दीजिए। पाकिस्तान के साथ जो वार्ता हो रही है, उस को बन्द किया जाये। (व्यवधान)

श्री कंवरलाल गुप्त : पाकिस्तान के साथ वार्ता बन्द होनी चाहिए। (व्यवधान)

MR. SPEAKER : I will have to examine the legal position. Off-hand, I cannot say whether I can do this or that.

श्री अटल बिहारी वाजपेयी : अध्यक्ष महोदय, उप-प्रधान मंत्री ने जो जवाब दिया है, उस से हम सन्तुष्ट नहीं हैं। इस सम्बन्ध में सरकार की नीति के प्रति अपना रोष

[श्री अटल बिहारी वाजपेयी]

प्रकट करने के लिए हम सदन से बाहर जाना चाहते हैं। आप इस पर विचार करें, लेकिन इस तरह से सदन की अवहेलना स्वीकार नहीं की जायेगी। आज तो हम शांतिपूर्ण तरीके से बाहर जा रहे हैं, लेकिन अगर सरकार का यही रवैया रहा, तो हमें और तरीके अपनाने होंगे।

MR. SPEAKER : Give me time to consider it.

श्री मोरारजी देसाई : माननीय सदस्य पहले उस एग््रीमेन्ट की सम्बद्ध क्लोज को सुन लें

श्री हुकम चन्द कछवाय (उज्जैन) : इस को जला कर फेंक दें। (व्यवधान)

श्री मोरारजी देसाई : ... और फिर अपना रोष प्रकट करें। मैं उन को रोष प्रकट करने से रोक नहीं सकता हूँ। वह जरूर रोष प्रकट करें, लेकिन मेरी प्रार्थना है कि इससे यह काम सुलझेगा नहीं। वह क्लोज इस प्रकार है :

"The decision of the Tribunal referred to in (iii) above shall be binding on both Governments, and shall not be questioned on any ground whatsoever. Both Governments undertake to implement the findings of the Tribunal in full as quickly as possible and shall refer to the Tribunal for decision any difficulties which may arise between them in the implementation of these findings. For that purpose, the Tribunal shall remain in being until its findings have been implemented in full."

श्री कंबर लाल गुप्त : सरकार इस की स्वीकृति के लिए सदन के सामने क्यों नहीं आती है? (व्यवधान)

श्रीमती तारकेश्वरी सिन्हा (बाढ़) : पार्लियामेन्ट ने इसको रेटिफाई किया है। माननीय सदस्य उस समय कहाँ थे? उस समय वे यहाँ नहीं थे। (व्यवधान)

श्री रवि राय : हमने इसका विरोध किया था। (व्यवधान)

श्रीमती तारकेश्वरी सिन्हा : इस हाउस ने इस को रेटिफाई किया है। अगर माननीय सदस्यों को मालूम नहीं है, तो इसका क्या इलाज है? (व्यवधान)

श्री हुकम चन्द कछवाय : इस पर सदन में विचार होना चाहिए। (व्यवधान)

श्रीमती तारकेश्वरी सिन्हा : इन लोगों का एग्मेन्डमेन्ट हाउस में रिजेक्ट हो गया था। अब इन को इस पर आपत्ति करने का अधिकार नहीं है। (व्यवधान)

SHRI BAL RAJ MADHOK (South Delhi) : The Deputy Prime Minister has referred to the Agreement. But the Agreement was for demarcation of boundary. Our charge is that there has been transfer of boundary. You cannot have transfer of boundary without the approval of Parliament. He cannot go by that.

SHRI NATH PAI (Rajapur) : I have one submission to make. The Deputy Prime Minister has been good enough to read the relevant clause from that Agreement. His whole contention has been all the while that this was the Agreement. This was the Agreement entered into by the Government of India. It is only fair to point out to you and to him that those who opposed it then have the right to oppose it now. We never accepted it then and, therefore, we retain our right to disagree with that.

Sir, this is a substantial matter which needs to be before the House. I will not say that it was not discussed—it is true we did discuss it—but what we are submitting is if the Agreement was brought before the House in the form of substantive motion to which a reference was made by the Home Minister, the Prime Minister and the Deputy Prime Minister, it is only fair to the House that the Government comes before this House asking for the approval of the House to the Award as such.

SHRIMATI TARKESHWARI SINHA : Let them do it if they want.

SHRI NATH PAI : May I assure the hon. lady Member that we shall be glad to bring a motion disapproving this Award and I hope, Sir, you will be pleased to give consent. Sir, there are only two small

things that are annoying us. We raised the question that the Supreme Court might be consulted. I do not know why the Government is avoiding that. There were two courses open to this Government, either to make a reference to the Supreme Court in the light of the judgement of the Supreme Court in the Beru Bari case, or alternatively to seek the approval, substantially, of the House. Neither has been done and, therefore, it is not fair for the Deputy Prime Minister to say that the authority of the House will prevail. They are defying it at every stage and I do not know how he says that the authority of the House will prevail. May I have a reply from him on this?

MR. SPEAKER : Mr. Ranga. The Minister can reply at the end.

SHRI RANGA (Srikakulam) : When the no-confidence motion was sought to be moved here, the Minister for Parliamentary Affairs opposed the very motion here. Is it not so? (*Interruption*) If he had not opposed it and if they were prepared to accept the challenge of no-confidence motion, there would not have been any necessity for you to ask us to rise in support of it and indicate whether we would like it to be discussed or not. Since they opposed it, there was no substantive motion from them or even the acceptance of a challenge. Under those circumstances, keeping oneself strictly within the usual procedure of this House, would it not have been proper for the Government to have come forward even though accordingly to them Parliament is said to have given them the power to go to the Tribunal and also to implement the decision or the award? Would it not have been proper for them to have come here within the short period which was given by that earlier agreement to seek the permission of this House, to pursue whatever action was found necessary in order to give effect to the award? Would this not have been proper according to the Parliamentary procedure? I do not know why the Government did not think of it and I am surprised why my hon. friend, the Deputy Prime Minister wants to stick to the letter of the usual procedure of the Government that once a particular authority is given by this parliament, they would be free to pursue the line indicated in that authority without coming to this House at all at any stage. Since this is such an

important matter over which emotions are exercised and are aroused all over the country, and more particularly in Gujarat, would it not be proper for the Government to indicate their readiness to take this House once again, if need be, into their confidence and seek its approval directly so that there would be no doubts at all in regard to the procedure?

SHRI H. N. MUKERJEE (Calcutta North East) : I had no mind to intervene, but I do feel that there is a very good case for the idea that Government should bring a substantive motion on this issue. Time and again the Government shows what virtually amounts to disregard of the House by failing to perform its obvious duty. I feel that this Parliament, which was only elected last year, this Parliament which represents, for the time being, the sovereign powers of our people, have certainly the right to examine whatever decision Government wants to put forward. I know, Government is pointing out that the matter was discussed *apropos* the no-confidence motion, but to the no-confidence motion so many other factors also contributed and it is only right and proper that there is a full discussion when there is so much feeling in the country. Government continues to be run by the same Party as was in power in 1965. I have no quarrel with it; it is no good my quarrelling with it. But this is a Parliament which if it chooses to exercise its rights, even perversely, can do so. This is a Parliament which is not boundly what was done by the last Parliament, if Parliamentary sovereignty has any meaning whatever. I personally am in favour of my country going ahead without any delay in performing whatever commitments we may have made before the whole world; I do not want any delay, but there are certain Parliamentary proprieties which ought to be observed. These forms are important. That is why I feel that you, Sir, in your wisdom may be inclined to give us a proper directive.

SHRI P. VENKATASUBBAIAH (Nandyal) : From what I could understand from the Finance Minister, this House has ratified the reference of this matter to a tribunal with all its implications and the terms of reference etc. This matter was brought before the House for discussion. Many Opposition Members had moved

[Shri H. N. Mukherjee] certain amendments which were thrown out. Ultimately this House approved of the decision to refer this matter to a tribunal with all the conditions involved in it. When this matter has had the seal of approval of the House, the question is whether it is necessary that this matter should again be discussed and should have the approval and ratification of this House. I am not going into the merits of this question. I also agree with my hon. friends that this is a very important matter that concerns every citizen of the country. But if we say that every matter which the previous Parliament had in its wisdom ratified should be reopened by this Parliament and should be discussed again, I do not think that it would be in keeping with our parliamentary practice. So, I endorse the Finance Minister's opinion.

श्री रवि राय : अध्यक्ष महोदय, पिछली पार्लियामेंट में जब इस पर बहस हुई थी तो हम लोगों ने इसका विरोध किया था। अभी जो अविश्वास का प्रस्ताव आया उसमें और चीजें भी मिल गईं, बंगाल का मामला भी आया और और चीजें भी आईं लेकिन यह जो साढ़े तीन सौ वगं मील सरकार ने पाकिस्तान को दे दिया है और फिर आज वात्ता कर रही है तो इस सिलसिले में हमारा फर्ज हो जाता है कि सरकार कोई सबस्टैंटिव मोशन नहीं लाती तो हम को अनुमति दी जाय, हम सबस्टैंटिव मोशन लायें जिसके द्वारा अपना विरोध प्रकट करें।

श्री मनु भाई पटेल (डमोई) : अध्यक्ष महोदय, जब यह एप्रोमेन्ट इस सदन के सामने लास्ट टाइम आया तो सारे सदन ने 269/28 वोट से इसको पास किया। तब उसका क्या परिणाम आयेगा यह मालूम नहीं था। लेकिन ट्राइब्यूनल की दिया था तो इसका परिणाम हमारे हक में आये तब तो हम स्वीकार करें और हमारे में न आये तो स्वीकार न करें, यह तो उचित नहीं होगा। तो इसको फिर से रेफर कर के इसको चर्चा का मंडान बनाना इससे कोई फायदा नहीं होगा। इससे तो हल-निल ही ज्यादा बढ़ेगी। इसलिए

अच्छा तो यही होगा कि इस सदन ने जो एक पवित्र काम किया था उसको फिर से न उठाया जाये। यह कहना कि

'Because we did not agree, therefore, we are not prepared to accept it' is not proper. That is what their argument amounts to. After all, in parliamentary democracy once it is passed by the majority, then it has to be acceptable to all.

श्री प्रकाश बीर शास्त्री (हापुड़) : अध्यक्ष महोदय, भारत और पाकिस्तान के राजनैतिक ढांचे में बहुत बड़ा अन्तर है। पाकिस्तान में जनतंत्र की आड़ में डिक्टेटर-शिप है और भारत के अन्दर जनतंत्रीय पद्धति की सरकार है (व्यवधान)।

श्री ओंकार लाल बेरवा : आ गई अमेरिका में भारत का कबाड़ा करके (व्यवधान)

SHRIMATI TARKESHWARI SINHA: Why should the Opposition Members indulge all the time in sarcastic remarks? They have no business to behave in this manner: (Interruptions) I have not come here after doing smuggling. I really protest against these kinds of remarks. The hon. Members sitting there do not even know how to speak in a dignified manner and they indulge in certain dirty remarks and improper remarks and they take credit for it and they think that it is a great dignity attached to membership. (Interruptions) Certainly, we come from better stock and we have never seen this sort of behaviour, and, it certainly offends our dignity. The hon. Member can go and behave in this manner in the bazaar but he cannot behave here in this manner. He may go and behave like this in the bazaar where that kind of remark may be pertinent, but not in Parliament.

I have not come here after smuggling.

MR. SPEAKER: I am very sorry that any hon. Member should pass any remarks against another hon. Member.

SHRIMATI TARKESHWARI SINHA: Let hon. Members sitting in the front in the Opposition Benches ask their friends behind to behave in a dignified manner and speak in a dignified manner. Let them not look at me but let them look behind and tell their friends to behave in dignified manner.

AN HON. MEMBER : I think a particular Member has been singled out....

MR. SPEAKER : If any particular Member has been singled out then that is unfortunate. That is not proper. I would appeal to all sections of the House that undignified remarks should not be passed.

श्री य० द० शर्मा (अमृतसर) : मुझे ऐसा लगता है अध्यक्ष महोदय, कि माननीय सदस्या और कहीं से बिगड़ कर आई हैं और अपना गुस्सा यहां उतार रही हैं.. (व्यवधान)...

श्रीमती तारकेश्वरी सिन्हा : अपने पीछे के लोगों को सुनिए वह क्या कह रहे हैं?

MR. SPEAKER : May I now request Shri Yajna Datt Sharma to sit down? It is this cross-talk across the tables that is encouraging all this. From whichever side it may be, they are ignoring the Speaker completely and talking between themselves. How can I control any such remarks if they do so? Therefore, now I am helpless.

Now, Shri Prakash Vir Shastri.

SHRI HEM BARUA (Mangaldai) : We are interested in knowing the offending words that had been used.

MR. SPEAKER : Why should he rake it up now? He is not helping the situation. Why does he want those words to be repeated now?

श्री तुलशीदास जाधव (बारामती) : अध्यक्ष महोदय, मैं एक मिनट आपसे विनती करना चाहता हूँ... (व्यवधान)... मैं इसी सबजेक्ट के बारे में बोलना चाहता हूँ, कच्छ के बारे में नहीं। मेरी विनती सुन लीजिए..

MR. SPEAKER : I shall clarify the position. All this talk was without the permission of the Chair. Some remark had been made and some protest was made. The hon. Member is now asking for my permission to legalise the whole thing. I am not able to understand this. The thing passed without any 'permission' being sought from me. Now, the hon. Member wants to legalise the whole thing by asking for my permission.

SHRI HEM BARUA : You said that the Speaker had been ignored. Therefore, we are pained.

श्री प्रकाशवीर शास्त्री : अध्यक्ष महोदय, इस अन्तर्वाधा से पूर्व मैं यह कहना चाहता था कि भारत और पाकिस्तान के राजनीतिक ढांचे में मौलिक अन्तर है और वह मौलिक अन्तर यह है कि पाकिस्तान में प्रेसीडेंट अयूब का वक्तव्य उन के लिए फरमान का काम करता है मगर भारत में एक जनतंत्रीय पद्धति के आधार पर बनी हुई सरकार है जिसमें जनता की भावना का प्रतिनिधित्व करने वाले सदस्य आप के सम्मुख उपस्थित हैं। कुछ समय पूर्व श्री बलराज मधोक द्वारा जो अविश्वास का प्रस्ताव लाया गया था उस प्रस्ताव के स्पष्ट शब्द यहाँ थे कि यह सदन मंत्रि-परिषद में अविश्वास प्रकट करता है। यदि श्री बलराज मधोक के प्रस्ताव में स्पष्ट रूप से इस बात का उल्लेख होता कि कच्छ के निर्णय को भारत सरकार ने स्वीकार कर लिया है इसलिए सदन मंत्रि-परिषद में अविश्वास प्रकट करता है और फिर वह अविश्वास का प्रस्ताव गिर गया होता तब श्री वेंकटसुब्बइया साहब के शब्दों में और सरकार के शब्दों में भी कुछ बल होता। हमारी शंका का सबसे बड़ा कारण यह है कि उप-प्रधान मंत्री ने जिस धारा का उल्लेख किया है उस धारा का उल्लेख करने के बाद भी इन के अपने निकटतम सहयोगी और देश के प्रमुख न्याय-शास्त्री श्री मोहम्मद करीम चागला ने राज्य सभा में बड़े बल-पूर्वक इस बात को कहा है कि यह राजनैतिक निर्णय है और इस को कोई वैधानिक निर्णय नहीं माना जा सकता।...

MR. SPEAKER : The hon. Member need not go into details. All that he wants is that there should be a discussion.

श्री प्रकाश वीर शास्त्री : जो बात मैं कहना चाहता हूँ वह यह कि क्योंकि यह सरकार संविधान में संशोधन से डरती है और इस दृष्टि से सरकार उस से बचना चाहती है और अविश्वास प्रस्ताव का बहाना लेकर यह

[श्री प्रकाशवीर शास्त्री]

चाहती है कि कच्छ विवाद पर यहां निर्णय न लिया जाये। मेरा यह आरोप है कि प्रधान मंत्री और सरकार ने कच्छ के प्रश्न के ऊपर संसद की सहमति लिए बिना अपनी स्वीकृति की मोहर लगा कर के जनतंत्रीय भावनाओं के विपरीत कार्य किया है और अपने अधिकारों से बाहर वह गए हैं। इसलिए इस पर फिर से विवाद होना चाहिए और सदन की स्वीकृति लेनी चाहिए।

श्री क० ना० तिवारी (बेतिया) : अध्यक्ष महोदय, अविश्वास का जो प्रस्ताव आया उस पर कच्छ को लेकर जो बहस हुई उससे मेरी धारणा यह हुई कि इन के पास नो-कॉन्फिडेंस के लिए कोई प्वाइंट नहीं था इसलिए कच्छ-कच्छ चिल्लाते रहे और उसी पर सारा बल देते रहे। लेकिन नो-कॉन्फिडेंस में कच्छ का सवाल डिस्कस होने से कच्छ के सवाल का डिस्कस होना पूरा नहीं होता। इसलिए मैं, जो अभी बाजपेयी जी ने कहा है उससे सहमत हूँ। कच्छ का सवाल डिस्कस होना चाहिए चाहे गवर्नमेंट की साइड से आये चाहे इस साइड से आये। जहां तक संविधान में संशोधन का सम्बन्ध है मैं उस के पक्ष में नहीं हूँ। लेकिन इन लोगों ने देश में चिंता का वातावरण पैदा करना शुरू कर दिया है, इसलिये देश को मालूम होना चाहिये कि इस बारे में पार्लियामेंट की धारणा क्या है—लोगों के सामने यह चीज आनी चाहिये। इसलिये मैं चाहता हूँ कि इस पर यहां डिस्कशन होना चाहिये।

SHRI K. NARAYANA RAO (Bobbili) : There is a great amount of substance in what Mr. Vajpayee has said because last time when we discussed it, it was a negative vote. Parliament has not positively given its authority to Government to proceed with the implementation of this award. It is true that we have entered into an agreement, we have approved the agreement but the modalities through which the Government has to implement the award we have not been specified therein. There-

fore, my submission is that this is an internal disciplinary matter. In Entry No. 14 of the Union List, entering into treaties and implementation of treaties has been specifically mentioned. Therefore, on an award like this which affects at least the interests of India if not the rights of India, I feel that positive authority from Parliament is called for.

SHRI NATH PAI : We have given a motion. I hope he will accept it.

श्री कंबर लाल गुप्त : अध्यक्ष महोदय, मुझे एक नया प्वाइंट कह लेने दीजिये, उसके बाद इन का जवाब आये।

MR. SPEAKER : No, please. That means I will have to allow everybody.

SHRI JYOTIRMOY BASU (Diamond Harbour) : You know my party's stand.

MR. SPEAKER : That is why I thought you did not want to speak.

SHRI JYOTIRMOY BASU : We would very much like that Parliament should be given a chance to have a discussion on the subject, and Government should try to get the full approval of this House.

श्री कंबर लाल गुप्त : अध्यक्ष महोदय, मैं एक नई बात कहना चाहता हूँ।

MR. SPEAKER : It is impossible now. If I allow you, I will have to allow everybody.

श्री कंबर लाल गुप्त : अध्यक्ष महोदय, मेरा कहना यह है कि माननीय मंत्री जी ने जो यह कहा है कि एवार्ड में यह स्पष्ट लिखा है कि इसको माना जायेगा और इसकी अपील नहीं की जायेगी, अगर मान लिया जाये कि यह ठीक भी हो, तो क्या इस का यह मतलब है कि यह एवार्ड सदन के सामने नहीं आना चाहिये? एवार्ड में यह कहीं नहीं लिखा है कि पार्लियामेंट उस को डिस्कस नहीं करेगी। इसलिये पार्लियामेंट में इस पर अवश्य डिस्कशन होना चाहिये।

MR. SPEAKER : There is no point. Nothing new at all in this.

SHRI MORARJI DESAI : If I may take the last point first, it is not true that

this award has not been put before the House. It has been laid on the Table of the House.

SHRI KANWAR LAL GUPTA : There was no discussion.

SHRI MORARJI DESAI : When it is said that Government have disregarded this Parliament, I respectfully refute this allegation with all the strength that I can command. Let any instance be pointed out in which this Government has disregarded the authority of this Parliament in any case.

श्री रवि राय : आप लोगों ने उस दिन डिप्टी स्पीकर का अपमान किया था ।

SHRI MORARJI DESAI : This is not a matter in which the authority of Parliament is being disregarded. If anybody disregards the authority of Parliament, it is my hon. friends who do not even obey your rulings, and who create scenes here, unprecedented scenes, against all parliamentary practice, but I do not want to quarrel about it. Let the hon. members do what befits them, and it is your authority that has to prevail. I have nothing to say.

SHRI NATH PAI : That is quite a different matter.

SHRI MORARJI DESAI : If it had not been referred to I would not have made this remarks.

Coming to this, I do not dispute the right of my hon. friends who opposed the agreement in Parliament before to dispute it even today. How can I dispute anybody's right to do so? I cannot also dispute the right of this Parliament to take a decision contrary to what decision might have been taken by the previous Parliament. How can I do that? I have never tried to do it. But there is an authority vested in Government by Parliament itself, by the Constitution, and if Government does not exercise that authority, Government will not be fulfilling its responsibility.

I do not think that any Government will be worth the name if it refuses to exercise the authority which is given to it. We do not want, therefore, to give up our responsibility which has been undertaken by the Government to carry out the award as it has been given and accepted.

I have no desire to stall any discussion on this matter. That is for you to decide whether there should be any discussion. But as I said, it was not necessary for Government nor proper for Government to bring it to this House for ratification. (*Interruptions*).

MR. SPEAKER : Now that the hon. member has placed his motion, let us see what shape it takes later on .

12-57 hrs.

RAILWAY BUDGET—GENERAL DISCUSSION—contd.

MR. SPEAKER : We have already spent 4 hours and 8 hours are left for the general discussion of the Railway Budget. I think it will take a month to finish the work pending before the House. Tomorrow I have called for a meeting of the Business Advisory Committee. I would request my friends to attend that meeting so that we may arrange the work. So much work is pending that even if we sit for 18 hours a day, we will not be able to finish it. Anyhow, tomorrow we will discuss it in the chamber.

There is a half-hour discussion at 5-30 P.M.

The Prime Minister will make a statement at 5 o'clock. We shall now adjourn for lunch, because only three minutes are left and there is no point in taking up the discussion now.

12-58 hrs.

The Lok Sabha adjourned for Lunch till Fourteen of the Clock.

The Lok Sabha re-assembled after Lunch at Fourteen of the Clock

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

RAILWAY BUDGET—GENERAL DISCUSSION—contd.

SHRI B. K. DAS CHOWDHURY (Cooch Behar) : Mr. Deputy-Speaker, Sir, at the outset, I must say a word in praise of railway workmen for doing their best to improve the conditions of Railways and I thank them all.

The Budget, which the hon. Minister of Railways has introduced in the House, is a betrayal of the people and has brought