

[Shri M. Meghachandra]

Manipur for the grant of sanction of Messing allowance, Uniform allowance, Dhobi allowance to the nursing staff and also to the Training staff since the above allowances are granted now to their counterparts in Assam and since they enjoyed the said allowance in the past also; and

(b) if so, the decision taken thereon ?

THE DEPUTY MINISTER IN THE MINISTRY OF HEALTH, FAMILY PLANNING AND URBAN DEVELOPMENT (SHRI B. S. MURTHY) : (a) and (b). The request of the Government of Manipur is under examination.

DEATHS DUE TO FLOODS IN DELHI AND U.P.

3636. SHRI DEVEN SEN : Will the Minister of IRRIGATION AND POWER be pleased to state :

(a) the total number of deaths due to floods in 1967 in Delhi and U.P.;

(b) whether Government have made any investigation into the causes of floods; and

(c) if not, the results thereof ?

THE MINISTER OF IRRIGATION AND POWER (DR. K. L. RAO) : (a) 230 in Uttar Pradesh and 9 in Delhi.

(b) and (c). The flood situation in 1967 in the areas served by the Inter-State Drainage Systems of Haryana, U.P., Rajasthan and Delhi, was examined, in detail, by the technical officers of the States and later, by the Ministers of the concerned States and proposals finalised for improvement of Ujjina-Pahari Kaman-Goverdhan Drain; improvement of Gaunchi Drain; construction of Sahibi Nadi Dam; and improvements to Najafgarh and Mangeshpur Drains.

A Consultant of the Ministry of Irrigation and Power has also been requested to make a thorough study of the flood control works in Delhi and recommend necessary additional measures. His report is expected shortly.

The performance of the protective works along the Gandak River during the 1967 floods were examined by the Chitauri Committee and recommendations for further works made.

The Government of U.P. have also appointed an Enquiry Committee to enquire into the breach in the Nanaksagar dam. The report of the Committee is awaited.

12.16 Hrs.

CALLING ATTENTION TO MATTER OF URGENT PUBLIC IMPORTANCE

CONSTITUTIONAL CRISIS IN PUNJAB

SHRI P. VENKATASUBBAIAH (Nandyal) : I call the attention of the Minister of Home Affairs to the following matter of urgent public importance and I request that he may make a statement thereon :

"The constitutional crisis in Punjab arising out of the abrupt adjournment of the Legislative Assembly."

THE MINISTER OF HOME AFFAIRS (SHRI Y. B. CHAVAN) : We understand from the State Government that the Speaker has adjourned the current Budget session of the Punjab Legislative Assembly on March 7, 1968 for a period of two months. This decision of the Speaker came in the wake of earlier proceedings in the House arising out of a discussion relating to motions of no-confidence against the Speaker. The Speaker is also reported to have ruled the two motions of no-confidence as unconstitutional. In a subsequent statement to the Press, the Speaker has explained the reasons for adjourning the House. The situation arising out of the Speaker's decision to adjourn the House is being examined by the State Government and the Governor of Punjab. I hope it would be possible to find a way out so that the Assembly is in a position to transact its urgent financial business.

SHRI HEM BARUA (Mangaldai) : These Speakers have become autocrats.

SHRI J. B. KRIPALANI (Guna) : This is a comprehensive question. May I submit that you allot some time to discuss it ?

MR. SPEAKER : You can make the suggestion later.

**SHRI P. VENKATASUBBAIAH :** By adjourning the House on flimsy and irrelevant grounds when a no-confidence motion against him had been admitted, the Punjab Speaker has gone beyond his counterpart in West Bengal, and this action of the Punjab Speaker is doubly distressing in view of the fact that in December last he wisely refrained from following the West Bengal Speaker's dubious example. This action of the Speaker seems to be pre-meditated with the connivance of the opposition parties.

**MR. SPEAKER :** You want to finish the discussion now itself? I thought you had also asked for a discussion and therefore the speech prepared today may be made then.

**SHRI P. VENKATASUBBAIAH :** I am only elaborating my point.

The Speaker's ruling the next day ruling out the admission of the no-confidence motion against him as unconstitutional is a pre-meditated one. This has been amply demonstrated by the statement issued by Sant Fatch Singh and the ex-Chief Minister, Justice Gurnam Singh. Nobody will be sorry if the present ministry is thrown out by constitutional means, but this undemocratic attitude of the Speaker in throttling the democratic functioning of the Assembly is a great challenge and danger to democracy. This adjournment has been done on the eve of the budget session when the budget has to be passed. He has said that he adjourned the House to facilitate members to attend the harvest season. There is an interesting cartoon in *Hindustan Times* where it is stated, "My son is going abroad, we will adjourn for two weeks". May I know whether this Government will assure this House that the people of Punjab will not be treated in this way and that the normal functioning of the legislative assembly will not be paralysed because of the undemocratic attitude of the Speaker? May I know whether they will take recourse to article 365 and suspend the legislature, not dissolve it and make amendments in the rules of procedure to ensure proper and democratic functioning of the ministry?

**SHRI Y. B. CHAVAN :** As for the views expressed, I have nothing to say because Government do not propose to express any views on what happened in the Punjab legislature. I cannot give any assurance because as I said the Governor and the State Government are trying to find out a way and I do not think that we can say that there is a constitutional deadlock.

**SHRI CHENGALRAYA NAIDU (Chittoor) :** Government did not take prompt measures when the Speaker of West Bengal adjourned the House *sine die*. Because the Government was taking a lenient view over the matter, I think every Speaker is more interested in adjourning the House to avoid a no-confidence motion against him. Will the Government consider taking prompt action against the Speaker by calling the House and asking the Deputy-Speaker to preside and allow the members to pass a no-confidence motion against the Speaker? Fourteen days notice was required; the Speaker allowed the motion to be moved in the House; in a house of 102, 56 members stood up to support that motion. If the Speaker had any sense, he should have resigned immediately and asked the Deputy-Speaker to occupy the chair. Instead of doing this, the Speaker had adjourned the House to avoid the no-confidence motion on the flimsy ground that members want to attend to the harvest of crops. If this is the way assemblies function, it is a mockery of democracy. Will the Government advise the Governor to dismiss the Speaker or if there is no provision in the Constitution for this will the Government amend the Constitution to dismiss the Speaker?

**SHRI Y. B. CHAVAN :** There is no question of advising any Governor to dismiss anybody. I have nothing to add to what I have already said.

**SHRI D. R. PARMAR (Patan) :** In view of the extra-conventional manner in which the ministerialist sections in Punjab Assembly have tabled a no-confidence motion against the Speaker just before the momentous budget discussions were to be started and the obstructive adjournment of the Assembly

[Shri D. R. Parmar]

for a prolonged period of two months, thus disabling the Assembly to discharge its most important function of discussing and passing the budget—so contrary to the Speaker's sacred duty of helping the Assembly to perform such an inescapable duty—is the Government prepared to devise some constitutional remedies to prevent such an obstructive and unparliamentary activities by parties and Speakers in legislative assemblies?

SHRI Y. B. CHAVAN : I said that there were certain constitutional and legal aspects of the problem. The advisers of Punjab Government were in Delhi and they discussed some aspects. That is all that I can say; I have no more information.

SHRI KIKAR SINGH (Bhatinda) : \*\*Mr. Speaker, I want to tell the House through you that Punjab problem is similar to the Bengal one. As President's rule was promulgated in Bengal, Governor's rule be promulgated in Punjab and mid-term poll be ordered so that people of Punjab get an opportunity to express as to what they want. The Punjab Speaker has done a right thing.

MR. SPEAKER : The Calling Attention is over. Before I proceed further—

SHRI A. S. SAIGAL *rose*—

MR. SPEAKER : I will call you again, Mr. Saigal. I am on my legs now. The Speaker gets precedence over everybody. I just wanted to say that it is a very serious matter; there is no doubt about it. Therefore, I think that just three or four Members putting questions through a Call Attention Notice will not do. I would like the leaders and others to be associated with this and see what could be done, and how we shall proceed. It is a serious matter about which I am distressed. Therefore, I would like to allow a discussion. It will be allowed of course only after I consult the leaders and fix up a convenient time. I think we must have one or two hours to discuss this matter. Otherwise, democracy is

in danger, and we do not know where it will lead to. When Assemblies are adjourned and locked up and they go, I do not know where the country will go. Therefore, it is a matter where everyone is concerned. I will have to consult the leaders, and then fix up a time: perhaps a couple of hours. We take a serious note of this.

SHRI S. KANDAPPAN (Mettur) : Before we discuss it, it would be better if they give us a note as to the reaction of the Central Government on the matter.

श्री कंबर लाल गुप्त (दिल्ली सदर) : अध्यक्ष महोदय पंजाब के गवर्नर बहुत मिस्बिहेव कर रहे हैं। वह अपनी पावर के खिलाफ जा रहे हैं। वह जो चीफ मिनिस्टर और स्पीकर में कम्प्रोमाइज करवा रहे हैं उसका उन्हें कोई अधिकार नहीं है।

MR. SPEAKER : You are making a long speech again.

SHRI BAL RAJ MADHOK (South Delhi) : Sir, I am thankful to you for having agreed that there should be a separate discussion on this matter. But what I want to submit is this. Constitutionally, of course, the Home Minister is right when he says that he is nobody to advise the Governor. But the world knows who advises and who work on his advice. Therefore, he should advise the Governor there that he should not dabble in the party politics of Punjab and play the role only of a constitutional Governor. (*Interruption*).

SHRI Y. B. CHAVAN : The Governor himself has made it very clear yesterday. What was broadcast over the radio was that he is not going into the various political aspects of it. But he is certainly looking into the constitutional aspect of the problem. He has himself made it very clear that he is not concerned with the political aspects.

श्री य० ब० चवर्मा (अमृतसर) : अध्यक्ष महोदय, वह परिस्थिति आप के ध्यान में लाना चाहता हूँ.....

\*\*Translation of the remarks made in Punjabi.

MR. SPEAKER : I am giving two hours for the discussion. You cannot discuss it now. Otherwise it will end in confusion.

श्री स. सि. सहगल (बिलासपुर) : अध्यक्ष महोदय, मेरा प्वाएंट आफ आर्डर सुन लिया जाय। मेरे मित्र का जो कौलिंग अटेंशन नोटिस था उसको आप ने मंजूर किया है। इस सम्बन्ध में मैं संविधान की धारा 179 के पार्ट सी० की तरफ आप का ध्यान दिलाना चाहता हूँ जोकि इस प्रकार है :

“Provided that no resolution for the purpose of clause (c) shall be moved unless at least 14 days notice has been given of the intention to move the resolution.”

क्या इस रेजोलूशन को मूव करने के लिए पंजाब स्पीकर के पास 14 दिन का नोटिस था ? लेकिन यदि इन्होंने उसे एडमिट करने का आर्डर दे दिया है तो उम आर्डर को चैलेंज नहीं कर सकता वह मैं आप के ऊपर छोड़ता हूँ।

MR. SPEAKER : He is questioning my authority for admitting it. Whether I have authority or not, something has happened and I have admitted it.

श्री भोगेन्द्र झा (जयनगर) : अध्यक्ष महोदय, जब इस पर बहस के लिये इजाजत दी है आप ने तो आप से केवल यही कहना है कि आप यह आदेश दे दें कि यहां पर बहस होने के पहले केन्द्रीय सरकार कोई निर्णय पंजाब के बारे में न ले ले।

SHRI P. VENKATASUBBAIAH : Sir, I am thankful to you for having said that a discussion on this will be allowed. But in today's papers the Governor has said.....

MR. SPEAKER : Do you want to discuss now what the Governor has said ?

श्री स. द. शर्मा : अध्यक्ष महोदय, मैं अभी चन्डीगढ़ से आया हूँ और मैं जानता

हूँ कि गवर्नर महोदय और कांग्रेस के लोग इस सम्बन्ध में क्या कर रहे हैं। यह वक्तव्य केवल समाचार पत्रों के लिये है। वास्तविकता इसके अतिरिक्त है।

MR. SPEAKER : Order, order. I am not allowing any more discussion on this now. I would request hon. Members to reserve their arguments for that day when I will be allowing a discussion on this.

श्री य. द. शर्मा : बहस से पूर्व सरकार पंजाब में कोई निर्णय न ले, इसके सम्बन्ध में आप केन्द्रीय सरकार से अवश्य कह दें।

MR. SPEAKER : Will the hon. Member kindly resume his seat ? This is a serious matter. I do not want any hon. Member to take it lightly. It may be Punjab today, yesterday it was Bengal and tomorrow it may be some other State. I do not want hon. Members to take it on party lines. Tomorrow anything may happen anywhere. We will fix up some time as quickly as possible. I am sure the Government also will help in this matter.

Let us proceed with the business before the House.

श्री अब्दुल गनी डार (गुड़गांव) : अध्यक्ष महोदय, मेरा प्वाइंट आफ आर्डर है। स्पीकर की दो पोजीशन्स होती हैं। एक तो स्पीकर की तरह पर और दूसरे एज ए मेम्बर आफ दि पार्लियामेन्ट आर असेम्बली। हर एक आदमी कसम लेता है कि वह आईन और हिन्दुस्तान की बफादारी का यकीन दिलाता है। बेशक स्पीकर को काफी अच्छा है, लेकिन आप इस पर गौर फरमाइये कि क्या उन्होंने एज ए मेम्बर ठीक पोजीशन ली कि असेम्बली को दो महीने के लिये सस्पेन्ड कर दिया पंजाब के बजट को रोक कर। क्या उन्होंने इस तरह से पंजाब को नुकसान नहीं पहुंचाया ? मेरा आप से अर्ज है कि आप कोई कौलिंग दीजिये कि एज ए मेम्बर क्या उनको हक था ऐसा करने का और क्या उनको असेम्बली को चलाना नहीं चाहिये था ?

[شری عبدالغنی ڈار (گورگاؤں) :  
 ادھیکش مہودے - میرا ہوائٹ  
 آف آرڈر ہے - اسپیکر کی دو پوزیشن  
 ہوتی ہیں - ایک تو اسپیکر کی طرح  
 پر اور دوسری ایزائے ممبر آف دی  
 پارلیامینٹ آر اسمبلی - ہر ایک آدمی  
 قسم لیتا ہے کہ وہ آئین اور ہندوستان  
 کی وفاداری کا یقین دلاتا ہے - بیشک  
 اسپیکر کو کافی اختیار ہیں - لیکن  
 آپ اس پر غور فرمائیے کہ کیا انہوں  
 نے ایزائے ممبر ٹھیک پوزیشن لی کہ  
 اسمبلی کو دو مہینے کے لئے  
 سسپینڈ کر دیا پنجاب کے بجٹ کو  
 روک کر - کیا انہوں نے اس طرح  
 سے پنجاب کو نقصان نہیں پہنچایا -  
 میری آپ سے عرض ہے کہ آپ کوئی  
 رولنگ دیجئے کہ ایزائے ممبر کیا  
 ان کو حق نہا ایسا کرنے کا اور  
 کیا ان کو اسمبلی چلانا نہیں چاہئے  
 تھا -]

MR. SPEAKER : We have already gone on to the next item. We are not going back to 'Punjab' now. The hon. Member may resume his seat.

12.32 Hrs.

#### PAPERS LAID ON THE TABLE

#### NOTIFICATIONS UNDER CENTRAL EXCISES AND SALT ACT AND NOTIFICATIONS UNDER CUSTOMS ACT

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI K. C. PANT) : I beg to lay on the Table—

(1) A copy each of the following Notifications under section 159 of the

Customs Act, 1962 and 38 of the Central Excises and Salt Act, 1944 :—

- (i) The Customs and Central Excise Duties Export Drawback (General) Twenty-fourth Amendment Rules, 1968, published in Notification No. G.S.R. 403 in Gazette of India dated the 2nd March, 1968.
- (ii) The Customs and Central Excise Duties Export Drawback (General) Twenty-fifth Amendment Rules, 1968, published in Notification No. G.S.R. 404 in Gazette of India dated the 2nd March, 1968.
- (iii) The Customs and Central Excise Duties Export Drawback (General) Twenty-sixth Amendment Rules, 1968, published in Notification No. G.S.R. 405 in Gazette of India dated the 2nd March, 1968.
- (iv) The Customs and Central Excise Duties Export Drawback (General) Twenty-seventh Amendment Rules, 1968, published in Notification No. G.S.R. 406 in Gazette of India dated the 2nd March, 1968.
- (v) The Customs and Central Excise Duties Export Drawback (General) Twenty-eighth Amendment Rules, 1968, published in Notification No. G.S.R. 407 in Gazette of India dated the 2nd March, 1968. [Placed in Library. See No. LT—405/68]

(2) A copy each of the following Notifications under section 159 of the Customs Act, 1962 :—

- (i) G.S.R. 365 published in Gazette of India dated the 24th February, 1968.
- (ii) G.S.R. 366 published in Gazette of India dated the 24th February, 1968.

[Placed in Library. See No. LT—390/68]