

[Mr. Speaker]

objection, but personally I feel that this is not the time because it is not the question of Punjab alone. Tomorrow it may happen somewhere else that a decision of the Government or of the Assembly may be reversed by the court and when the Assembly is there, is Parliament going to take up the discussion? The Assembly must be made to function.

**SHRI NATH PAI :** That is the only point we want to be assured of. I fully agree with you. We will submit to your guidance in this matter. We would not like to press this matter since you make this plea, but is Shri Chavan, the Home Minister, prepared to assure what you promise categorically that the Assembly will be allowed to discharge its duty and that the fate of the Government will be decided on the floor of the House? He has the power under article 355... (*Interruption*).

**MR. SPEAKER :** Let us not go back to shouting. It is a very important point. The Assembly must meet. The Assembly is the authority. I have been holding this view from the beginning. It is a federal Constitution; the Assembly is autonomous and is the most powerful thing there. If somebody blocks the meeting of the Assembly, I think there must be some constitutional provision somewhere to make the Assembly meet. The Home Minister may examine and look into this aspect of it.

**SHRI NATH PAI :** Under article 355 he can ask the Government .... (*Interruption*).

**MR. SPEAKER :** I am sure, the Home Minister knows about article 355.

**SHRI NATH PAI :** He knows the Constitution as well as I do; sometimes better. We are prepared to respect your plea fully as we always do, but what about his response to your plea that the Assembly must meet? He is observing a very strange silence.

**MR. SPEAKER :** I do not think it makes any difference to the Home Minister whether the Assembly meets or not.

**SHRI BAL RAJ MADHOK :** The position in Punjab today is that the Chief Minister refuses to call the Assembly. When the Assembly was called, it was not allowed to function. If this thing continues in Punjab, should we sit silent here? He should give an assurance that the Assembly will be allowed to function.

**SHRI Y. B. CHAVAN :** The hon. Member said that I should give a guarantee of calling the Assembly. How can I give it? But certainly I subscribe to your view that in this matter the State Legislature is supreme.

**SHRI NATH PAI :** It should be called immediately.

**SHRI RANGA :** It should be convened immediately.

**SHRI Y. B. CHAVAN :** Yes, I feel. But how can I give an assurance?

**SHRI ATAL BIHARI VAJPAYEE :** He dare not.

**SHRI Y. B. CHAVAN :** I cannot.

**MR. SPEAKER :** All of us are agreed that the State Assembly must meet. To the extent the Home Minister can help, they must accept it.

We shall now take up the non-official business.

श्री प्रदल बिहारी वाजपेयी : प्रिविलेज मोशन का क्या हुआ ?

**MR. SPEAKER :** मैं दूंगा ! अभी समय है । I will take a little more time. I am here throughout the day.

16.31 hrs.

ARREST OF MEMBER  
(Shri Onkar Lal Berwa)

**MR. SPEAKER :** I have to inform the House that I have received the following communication dated the 10th May,

1968 from the Sub-Divisional Magistrate, New Delhi :—

"I have the honour to inform you that I have found it my duty in the exercise of my powers under Section 64 of the Criminal Procedure Code to direct that Shri Onkar Lal Berwa, Member, Lok Sabha, be arrested under Section 188 Indian Penal Code, for taking out a procession and shouting slogans in defiance of the prohibitory orders promulgated under Section 144 Criminal Procedure Code at the Patel Chowk, Parliament Street, New Delhi, at 1.30 P.M. today."

Shri Onkar Lal Berwa, Member, Lok Sabha, was accordingly arrested at 1.30 P.M. today and is being produced before the Judicial Magistrate, Parliament Street, New Delhi for trial today."

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COMMITTEE ON PRIVATE MEMBERS' BILLS AND RESOLUTIONS

Thirty-First Report

SHRI KHADILKAR (Khed) : I beg to move :

"That this House agrees with the Thirty-first Report of the Committee on Private Members' Bills and Resolutions presented to the House on the 8th May, 1968."

MR. SPEAKER : The question is :

"That this House agrees with the Thirty-first Report of Committee on Private Members, Bills and Resolutions presented to the House on the 8th May, 1968."

*The motion was adopted.*

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16 32 hrs.

CHILD MARRIAGE RESTRAINT (AMENDMENT) BILL\*

SHRI D. C. SHARMA (Gurdaspur) : I beg to move for leave to introduce a Bill further to amend the Child Marriage Restraint Act, 1929.

MR. SPEAKER : The question is :

"That leave be granted to introduce a Bill further to amend the Child Marriage Restraint Act, 1929."

*The motion was adopted.*

SHRI D. C. SHARMA : I introduce the Bill.

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CONSTITUTION (AMENDMENT) BILL\*

*(Amendment of Seventh Schedule)*

SHRI D. C. SHARMA (Gurdaspur) : I beg to move for leave to introduce a Bill further to amend the Constitution of India.

MR. SPEAKER : The question is :

"That leave be granted to introduce a Bill further to amend the Constitution of India."

*The motion was adopted.*

SHRI D. C. SHARMA : I introduce the Bill.

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CONSTITUTION (AMENDMENT) BILL\*

*(Amendment of article 226)*

SHRI M. N. REDDY (Nizamabad) : Sir, I beg to move for leave to introduce a Bill further to amend the Constitution of India.

MR. SPEAKER : The question is :

"That leave be granted to introduce a Bill further to amend the Constitution of India."

*The motion was adopted.*

SHRI M. N. REDDY : I introduce the Bill.

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16 34 hrs.

[Mr. Deputy-Speaker in the Chair.]

ALL INDIA AYURVEDIC MEDICAL COUNCIL BILL—contd.

MR. DEPUTY-SPEAKER : Now, Shri A. T. Sarma to continue his speech.