

Mr. Speaker: I am not allowing questions. He should rather render help in coming to the right conclusion. He should assist the enquiry.

Shri P. Venkatasubbaiah: I would request the hon. Minister to get information from the State Government as to what immediate medical arrangements have been done to those children who are still in great danger.

Mr. Speaker: He will collect all this information.

Shri Hari Vishnu Kamath (Hoshangabad): Who is conducting the inquiry: whether it is a sort of roving enquiry, or whether any terms of reference have been given to the officer or the person who is to conduct the enquiry? I would like to know.

Shri M. C. Chagla: Every relevant enquiry will be made; every relevant information will be obtained, and all that will be placed before the House.

Mr. Speaker: He has yet to get the information from the State.

Shrimati Yashoda Reddy (Kurnool): May I know whether he has got any information—this happened in a small village—as to the difference in time, the time when this tragedy occurred and the time when medical aid was given?

Mr. Speaker: That is yet to be known.

श्री यशपाल सिंह : मेरी सरकार से अर्ज यह है कि जब चारो तरफ से मांग आ रही है कि कोई हाई कोर्ट का रिटायर्ड जज हो जो इस एन्क्वायरी को करे, तो मैं कहना चाहता हूँ कि शिक्षा मंत्री जो खुद हाई कोर्ट के जज भी रहे हैं और खुद ही इस मामले को देख रहे हैं तो वे खुद ही इस एन्क्वायरी को अपने हाथ में क्यों न ले लें ।

12.45 hrs.

RE: CALLING ATTENTION TO MATTER OF URGENT PUBLIC IMPORTANCE (*Query*)

Shri S. M. Banerjee (Kanpur): Sir, our Calling Attention Notice on the arrest of Bakshi Ghulam Mohammad has been rejected. We find that it is on the Centre's advice which was given to the State Government that he was arrested, and—

Mr. Speaker: I am very sorry I have again and again to tell this hon. Member that once I have rejected some notice, the question cannot be raised here.

Shri Hem Barua: Then how to raise it, Sir?

Mr. Speaker: He should write to me if he is not prepared to come again. (*Interruption*). Order, order.

Shri S. M. Banerjee: It has become a story.

Mr. Speaker: Whether it has become a story or not, I do not allow it.

Shri S. M. Banerjee: He has been arrested under the Centre's advice.

Mr. Speaker: I would not allow it to be raised here. I cannot depart from the procedure. He can write to me immediately and I will certainly look into it.

Shri S. M. Banerjee: I am going away today, and so—

Mr. Speaker: I have no powers to detain him if he is going away! (*Interruption*).

Shri Hem Barua: I beg to submit that, about the Calling Attention Notice in regard to the arrest of Bakshi Ghulam Mohammad, we hear that he was arrested under the DIR and therefore, it comes under the purview of this Parliament—

Mr. Speaker: Order, order. What I have said to Shri Banerjee equally

applies to Shri Hem Barua also. He can write to me and I will answer him and I request him to go over and I can then just find out and then afterwards—

Shri S. M. Banerjee: You must help us and guide us.

Several Hon. Members rose—
(*Interruption*).

Mr. Speaker: Order, order. Not three Members at a time. Shri Bade. When one Member is speaking, the others have to sit down.

श्री हृषम चन्द कछवाय (देवास) : यह बड़ा महत्वपूर्ण प्रश्न है, इस पर . . .

अध्यक्ष महोदय : मैं तो कहूंगा कि मुझे बड़ा अफसोस होगा अगर सब मेम्बर इस तरह पर बोलें जब मैं एक मेम्बर से इसके लिए कह रहा हूँ। इस तरह से यहां नहीं चलेगा।

श्री बड़े (खारगोल) : आप को रास्ता तो बतलाना चाहिये।

अध्यक्ष महोदय : मैं रास्ता बतलाता बतलाता रोज थक गया।

Shri Hem Barua: The Home Minister is waiting to make a statement.

Mr. Speaker: I am not allowing it now.

श्री योगेश्वर झा (मधुबनी) : बड़ा अच्छा होगा अगर मंत्री महोदय एक बयान दे दें।

Shri Hem Barua: It has been mentioned in the lobbies here; people's minds are very much agitated about it.

Shri S. M. Banerjee: Please give us guidance.

Mr. Speaker: Order, order. I have no guidance to give.

Shri M. L. Dwivedi (Hamirpur): A statement has been made in the Rajya Sabha.

Mr. Speaker: Unless... Order, order. Unless the Member is allowed, why should he begin to speak? When I am asking other Members not to speak, some other Members from this side also stand up. Is it fair?

Shri M. L. Dwivedi: I beg your pardon.

Shri S. M. Banerjee: The statement has been made in the Rajya Sabha. They are all speaking about it. But we are not allowed to have a statement.

Shri Bade: It is allowed in the Rajya Sabha.

Mr. Speaker: No record shall be kept about these proceedings.

Shri S. M. Banerjee: Which portion of the proceedings, Sir?

Mr. Speaker: I will see when the record comes. (*Interruption*) I have said it already, and I shall repeat it again that if Members are not satisfied with any decision of mine, they may just send a chit for seeing me and as soon as I go back—

Shri S. M. Banerjee: Kindly hear us. We are not satisfied with the position. I request you to guide us and protect us. Something has happened; everything is being discussed and sometimes the Prime Minister makes a statement outside, and they are converting this House into a post-mortem House.

Shri Bade: It has already come in the radio.

Shri S. M. Banerjee: We are not casting any aspersion on you.

Mr. Speaker: What is it then, if it is not an aspersion on me?

Shri S. M. Banerjee: We want your protection against the ruling party.

Mr. Speaker: The attitude does not change simply by saying "I most respectfully submit" or "I do not mean any disrespect to you". The effect of that is just the same. I have asked the hon. Member so many times that he should not persist in that. I am requesting him again. He can write to me and I will find out from the Minister whether really there was some advice given or not. After that information comes to me and I find that there was some advice given, I might admit (*Interruption*). They do not have the patience even to hear me.

Shri Hem Barua: Kashmir comes under the purview of this Parliament.

Mr. Speaker: I am not prepared to argue it here. I have told the hon. Member. . .

Shri Hem Barua: I want a clarification from you.

Mr. Speaker: As I told the House the other day, after I have come to a decision on a certain matter and if the hon. Members who do not feel satisfied with it start a discussion here and it goes on, how can we carry on the proceedings. I may give some decision which may not be thought to be correct by some hon. Members. There is just that possibility and probability also. But my request is. . .

Shri Hem Barua: On that should we not be given an opportunity to make a further submission? When you feel some of your rulings may not be correct—we might not feel like that—could you not allow us to make our submission? In this particular case, what will happen is this. Tomorrow it will be in the newspapers. Tomorrow the Minister might make a statement outside the House. Today one of the Ministers might make a statement in the Rajya Sabha. But this House is denied the opportunity of knowing the thing straight from the Minister.

Shri Bhagwat Jha Azad (Bhagalpur): The statement has been made in Rajya Sabha now.

Mr. Speaker: I have always said that that House is independent and I cannot interfere with their discretion.

Shri S. M. Banerjee: That House also deals with the central matter. (*Interruptions*).

Shri Hem Barua: Though we are the elected representatives of the people we feel that we are treated in a very shabby manner by the Government. They do not take us into confidence. They do not make statements here.

Mr. Speaker: There is a procedure for making any statement. I have only said that if hon. Members do not feel satisfied they can just write to me and it might be a matter of minutes for me to get the information.

Shri S. M. Banerjee: It is not a question of any aspersion on your ruling. Our point is only this. Supposing the Minister makes a statement in the other House or the Prime Minister makes a statement on this subject, knowing fully well that this is the House of elected representatives they could have made the statement here. If he does not want to make a statement here and he makes a statement there, what is this House reduced to? We only want to know whether advice was given by the Centre to arrest him on corruption charges or for the Hazaratbal affair—anything might happen in the States, they are autonomous.

Shri Hem Barua: Sir, we are grateful to you for giving us an opportunity to write to you about this question. But, then, what happens is. . .

Mr. Speaker: I do not take that credit that I have given him an opportunity to speak. It is all being done against my wishes, against my request. That is what I am objecting to, not

the subject. The attitude of the Members is really what I do not like; otherwise I might not have any objection to the subject being taken up or even calling upon the Minister to say something. What I am objecting to is.... (*Interruptions*).

Shri S. M. Banerjee: I am sorry, Sir.

Shri Hem Barua: We offer our apologies to you, Sir. Would you please ask the Minister to make the statement?

Mr. Speaker: The apology can only be offered in this manner that he might write to me later on.

Shri Hem Barua: I will write a letter to you begging pardon.

Mr. Speaker: I am not asking that he should write to me for pardon. Again I am being misunderstood. I have never said that he should ask for pardon.

Shri Hem Barua: I will write a letter of apology to you.

Shri P. K. Deo (Kalahandi): Is the Minister going to make a statement now?

Mr. Speaker: I have told hon. Members that. . .

Shri Bhagwat Jha Azad: May we request you, Sir, to ask the Government to make a statement if they have got it ready with them? You have given your ruling; we have nothing to say about that. But is it fair for the Government to make an important statement in the other House and not in this House?

Mr. Speaker: My ruling on this point has always been very clear. I have several times asked the Government that they should take care that this House is not treated in a manner as if it is in some way inferior to the other. Both Houses are equal, they have their own independence and we do not say that that House is in any way inferior to us. But we

also claim that this is a House that is directly elected and, therefore, some regard should be given to this House. If any Minister makes a statement there he should take care that that statement is made here also. What I am objecting to is this. Notices are given independently to each Presiding Officer in the two Houses. Then it is possible that I might come to a different decision. They have their own Rules of Procedure and their Presiding Officer might come to a different decision. What I was requesting again and again was that if hon. Members feel that a statement has been made there or that there is a case that it is central responsibility or they have information that it was on the advice of the Centre that the arrest was made and therefore this Government should answer or reply to the Calling Attention Notice, that might be brought to my notice simply by writing a line and I will immediately . . . (*Interruptions*).

Shri Rajaram (Krishnagiri): Tomorrow we can see it in the papers.

Mr. Speaker: Is the procedure to be reversed? (*Interruptions*) Order, order. I do not want to deviate from the procedure. That is one thing that I resent very much and still it is going on.

Shri Sham Lal Saraf (Nominated—Jamu and Kashmir): Shri Azad has made a submission, that about this very important matter—our minds are very much exercised about it—a statement has been made in the other House. We are not very much concerned as to why it was made there. We only want to know what statement has been made there.

Mr. Speaker: I am saying this again and again. If this is a fact that a statement has been made there, it must be made here as well. I agree there. I have absolutely no objection to that. (*Interruptions*).

The Minister of Home Affairs (Shri Nanda): Sir, I am sorry, there were so much of questions being put that I was not able to catch your eye.

Mr. Speaker: There is one thing that I want to say. I have been put in a very embarrassing position. The Government should take care of that. When they have made a statement, they should send me also an intimation. I am rejecting calling attention notices here, I am not allowing the statement to be made and the same Minister makes the statement there. If the Home Minister has made that statement, at least there ought to be some collaboration among the Whips and they should inform me that such a statement has been made there, so that I might not be put in this embarrassing position.

13.00 hrs.

Shri Ranga (Chittoor): All this time I did not intervene in this unpleasant interlude, but there is something wrong. Earlier there was some other procedure. Before you gave your decision, if only you were good enough to consult them and find out whether they were going to make a statement or had any objection or anything like that, it would have saved you from so much embarrassment.

Mr. Speaker: Prof. Ranga would object to the same procedure again. If I were to consult at every moment what the Government has to say and then decide accordingly.... (*interruption*).... it is a question of procedure. I did not look to this side deliberately. I was being told that the Home Minister was prepared to make that statement. But I did not turn my face this side, because there was the question whether the procedure is to be departed from.

Shri Nanda: May I first clarify, Sir, that I or any colleague of mine in the Home Ministry did not make any statement there, and the Government did not send any intimation or notice to the Rajya Sabha for such a statement. In fact, it was in the course of the Question Hour that we got some further information on the basis of which it seems that the Prime Minister, when asked about it, made some statement. I have got a

copy of that too, Sir, and I can place it before the House.

Some Hon. Members: Read it.

Mr. Speaker: He is reading it. Why should there be so much impatience, I can't understand.

Shri Nanda: I am reading it. May I read it Sir?

Mr. Speaker: Yes.

Shri Nanda: Lately—this is the statement made there by the Jammu and Kashmir Government, we got a message from there, and I am reproducing that here; this was placed before the Rajya Sabha also—lately, the State authorities had been investigating some cases of corruption and other criminal cases in which Bakshi Ghulam Mohammed's complicity was suspected. To forestall possible developments in this connection Bakshi Ghulam Mohammed has started acting in a manner which left no doubt that he and some of his associates were making serious attempts to create conditions likely to affect adversely the public peace and internal security in the State. (*Interruption*). At a time when the greatest need of the hour is to harness all our efforts towards the fulfilment of our programmes and our economic development, such disruptive moves were likely to have great repercussions on the normal life of the community and the well-being of the people of the State. The Government therefore decided to curb the prejudicial and anti-social activities of these elements in the larger interests of peace and public order. The Government has therefore detained Bakshi Ghulam Mohammed and six other persons under the Defence of India Rules.

Shri Bhagwat Jha Azad: Not Abdullah?

Shri Nanda: The State Government were compelled to take this action with reluctance in the circumstances stated above.

Shri Hari Vishnu Kamath: Sir, on a point of clarification . . .

Mr. Speaker: Now, is it at the instance or on the advice of the Centre that this has been done, or it was on the initiative of the State Government itself?

Shri Nanda: Sir, so far as I know—and this is the information also which I in consultation with the Prime Minister have got—this was not done at our instance and we had no information when this was done.

Mr. Speaker: Now papers to be laid.

Shri Hari Vishnu Kamath: The last part we could not hear.

Mr. Speaker: He says: We had no information before this.

13.05 hrs.

PAPERS LAID ON THE TABLE

NOTES EXCHANGED WITH CHINA

The Deputy Minister in the Ministry of Law (Shri Jaganatha Rao): Sir, on behalf of Sardar Swaran Singh I beg to lay on the Table a copy each of the following papers:—

- (1) Note given by the Ministry of External Affairs, New Delhi, to the Embassy of China in India, on the 9th September, 1964.
- (2) Note given by the Ministry of Foreign Affairs, Peking, to the Embassy of India in China, on the 27th July, 1964.

[Placed in Library. See No. LT-3199/64].

NOTIFICATIONS UNDER MAJOR PORT TRUSTS ACT

The Minister of Transport (Shri Raj Bahadur): I beg to lay on the Table a copy each of the following Notifications under sub-section (3) of section 122 of the Major Port Trusts Act, 1963:—

- (1) The Mormugao Port Trust Act, 1963 published in Notification No. G.S.R. 967 dated the 1st July, 1964.

- (2) The Mormugao Port Trust (Payment of Fees and Allowances to Trustees) Rules, 1964 published in Notification No. G.S.R. 968 dated the 1st July, 1964.

[Placed in Library. See No. LT-3200/64].

NAVAL CEREMONIAL CONDITIONS OF SERVICE AND MISCELLANEOUS REGULATIONS, 1963

The Deputy Minister in the Ministry of Defence (Dr. D. S. Raju): I beg to lay on the Table a copy of the Naval Ceremonial, Conditions of Service and Miscellaneous Regulations, 1963 published in Notification No. S.R.O. 22E dated the 3rd August, 1964, under section 185 of the Navy Act, 1957. [Placed in Library. See No. LT-3201/64].

MESSAGE FROM RAJYA SABHA

Secretary: Sir, I have to report the following message received from the Secretary of Rajya Sabha:—

I am directed to inform the Lok Sabha that the Salaries and Allowances of Members of Parliament (Amendment) Bill, 1964, which was passed by the Lok Sabha at its sitting held on the 24th April, 1964, has been passed by the Rajya Sabha at its sitting held on the 18th September, 1964, with the following amendments:—

Clause 1

1. That at page 1, for line 5, the following be substituted, namely:—

“(2) It shall be deemed to have come into force on the 1st day of June, 1964.”

Clause 3

2. That at page 2, lines 4 to 7, the words “to a member whose usual place of residence is more than seven hundred kilometres by rail or road from the place where the session of