

**Shri Priya Gupta:** Yes, on this very issue. Before the motion of privilege is admitted and passed how could the hon. Member get a chance to speak on this issue? If it has not been accepted by the House, how can he clarify any point? How does he come into the picture at all?

**Mr. Deputy-Speaker:** Order, order. There is no point of order. Even before the House gives it consent, I think I should allow him to explain himself on this point.

**Shri K. D. Malaviya:** What the hon. mover of this motion, Shri P. K. Deo has stated, rather the objection which he has taken, is to what is contained in my statement. I offered my resignation at the earliest stage when false and mischievous allegations were first made. Besides the point raised by my hon. friend, the Law Minister, and my hon. friend, Shri Tyagi, I wish to state here that at the earliest stage when certain allegations were communicated to me formally by the Home Ministry, at that stage, at that point of time the first thing that I did was to offer my resignation. So, the offer of my resignation was directly connected with the formal communication of certain allegations that were made against me which, I hold even today, are mischievous and false. I have never had in my mind the specific reference that was made in this House by any member of the Lok Sabha. Therefore, I think I should object to it, along with other members of the House because there is no point in this.

**Shri P. K. Deo:** Since Shri K. D. Malaviya has made it clear to the House that he did not mean any allegations made by any particular member of this House, I beg to withdraw the motion.

**Mr. Deputy-Speaker:** Now, papers to be laid on the Table.

12.19½ hrs.

RE: MOTION FOR ADJOURNMENT

**Shri Daji (Indore):** Sir, on a point of order. Yesterday, when the hon. Speaker was in the Chair, he gave an assurance, and we took that as a solemn assurance. The assurance was that after the statement was made by the hon. Labour Minister if we are not satisfied by the information given by the Minister on the Bombay strike, he might consider the question of allowing us to raise our adjournment motion. We heard the hon. Labour Minister and we also put certain questions to him. Yet, we are not satisfied. We now feel that the adamant attitude of the Maharashtra Government is standing in the way. As per the solemn assurance of the hon. Speaker we did not press the question yesterday and we gave notice of an adjournment motion yesterday itself for today. But today again we are informed that it is being disallowed. A solemn assurance was given by the hon. Speaker that if we were not satisfied—by 'we' I mean not personally I but the House—if at least 50 hon. Members were dissatisfied with the reply and if we wanted a discussion, the discussion would be permitted. That was an assurance on the floor of the House by the hon. Speaker. In consonance of that we have given notice of an adjournment motion on a very important subject. We do feel that the Central Government does want some negotiations but the Maharashtra Government is standing on prestige and is adamant. Therefore a discussion of this issue is imperative. If the Parliament is sitting today and it cannot discuss such an important issue, most respectfully I submit that we would be betraying absolutely the trust of the people that they have reposed in us. Therefore, I submit to you that the assurance of the hon. Speaker stands and, as per the assurance of the hon. Speaker, the adjournment motion should be discussed; or, at least, the leave of the House should be allowed to be sought for discussion of the adjournment motion.

**Shri S. M. Banerjee** (Kanpur): Yesterday, not only the hon. Speaker, but when I was pressing for my adjournment motion against the 'Calling-attention' notice of Shri Kamath, even you were kind enough to say that the hon. Minister should make a statement and after that you will have no objection to consider the whole thing and you rejected it on that. Now we have tabled another adjournment motion—it is not the old one—giving the fact of the dock workers' strike. Today the whole of Bombay is paralysed and nearly half a million workers are on strike. We would like to discuss this matter. You can see for yourself whether we can get 50 hon. Members to rise. If 50 hon. Members rise, the House must discuss the matter today because tomorrow will be too late and the strike will spread throughout the country.

**Mr. Deputy-Speaker:** The strike by the port and dock workers is a sympathetic strike... (*Interruption*). They have no dispute with the Central Government... (*Interruption*).

**Shri Nath Pai** (Rajapur): They have.

**Mr. Deputy-Speaker:** It is only a sympathetic strike. Then, the notice of the adjournment motion was given before the hon. Minister made the statement. He has given full facts. Also, we have already got a no-confidence motion which is being debated for three days and if this matter is so urgent and so important, it can be raised there. There is no meaning in having another discussion on an adjournment motion. There is no point of order... (*Interruption*).

**Shrimati Renu Chakravartty** (Barackpore): But why do you not allow us to seek the leave of the House? After all, it is a very important matter. It is a matter not only dealing with the workers but also with the rise in the cost of living, the CDS etc.

**Mr. Deputy-Speaker:** I cannot allow it; I have disallowed it.

**Shrimati Renu Chakravartty:** Why do you not allow the matter to be raised?... (*Interruption*).

**Shri Nath Pai:** You observed, Sir, while disallowing the motion that there is no trade dispute between the Union concerned and the Government. I am afraid, that is not really the exact position. With regard to the strike which began at midnight last night of the Bombay dock workers, the issue relates to a trade matter, that being the potest of the Union against rising prices. The strike on which they went yesterday was a sympathetic strike and the hon. Labour Minister will bear me out that the general strike which has been in force in Bombay since midnight is a strike which is a pure and simple trade dispute.

The second point is that this is a matter which comes within the jurisdiction and powers of the Union Government. The docks are controlled by the hon. Minister of Shipping, Shri Raj Bahadur, and all these matters that are normally pertaining to labour employed by the Union Government come within the jurisdiction of the hon. Labour Minister. It is a matter patently with which the House is concerned. May I, therefore, remind you that yesterday the hon. Speaker was pleased to advise us that if we are not satisfied by the statement, he may reconsider the position. I regret to say that we were far from satisfied by the explanation that he gave and we want to raise this matter here.

**Mr. Deputy-Speaker:** I will just look into this.

**Shri Nath Pai:** I have one more small point to conclude before I sit down. Why do we want to bring up this matter? The whole week we tried. We felt that it was completely ignored that once the emergency is proclaimed Parliament is the sovereign

[Shri Nath Pai]

authority and the hon. Law Minister should have been conscious of his duty to advise the Government that though the State Legislature exists, Parliament can take up any matter. That is the law. He should have advised them accordingly. But today I am taking a matter. It is up to him to do.

**The Minister of Law (Shri A. K. Sen):** Mr. Nath Pai is giving me more importance than I really enjoy.

**Shri Nath Pai:** I hope even your colleagues will agree to give you the same importance which we give to your position.

Sir, all the requirements of rules of procedure are satisfied. I seek to raise a matter pertaining to the authority of the Central Government. We wanted to put an adjournment motion because our charge is that the Union Government has failed in discharging its duty. It is this charge that we want to bring in and discuss it in this House. No strike should be allowed to take place. This is our position. We have been pleading with the Government. Even, Mr. Deputy-Speaker, we have been pleading with them that we shall do everything possible to avert the strike because strike interferes with our defence effort. They are not conscious about it.

**Mr. Deputy-Speaker:** No speech now.

**Shri Nath Pai:** No speech, Sir.

**Mr. Deputy-Speaker:** You raised a point of order. No speech now.

**Shri Nath Pai:** All right, Sir. I conclude. The strike interferes with the successful prosecution and furthering of defence effort. Since the Government have failed to take any step to avert the strike, I plead with you that you may please give the ruling that the adjournment motion is admitted. There are 50 Members ready to support us.

**Shri A. K. Gopalan (Kasergod):** Mr. Deputy-Speaker, Sir, as far as the

first strike was concerned, the basis was the compulsory deposit scheme and the strike has followed. It is not only the concern of the working classes. It is also the concern of other sections of the people in this country. So, it is an all-India question. It is not only the question of a certain section of workers. Continuously for the last three or four days this question has been raised and the strike is also continuing. It is said that the strike will continue in other places also. It is a right for us here as well as the people outside to understand what is the position of the Government. The country wants to know the reaction of the Government, whether the Government wants to allow the strike to continue in other places or not. So, an adjournment motion sometimes has to be admitted especially on such important questions, as we see the strike today which is developing. So, I would request that this question may be taken up seriously and as far as the adjournment motion is concerned, please allow the adjournment motion if there is the requisite number of Members to support it. It is a question concerning the entire sector of the people in this country, as far as the basis of the compulsory deposit scheme is concerned. In spite of the arrests and suppression and other things, the strike is continuing. Does the Government want to continue the strike by suppression, or does the Government want to do something about it? That is the question. I again humbly request that this may be allowed for a discussion so that the people may understand what will be the policy of the Government now at least. At least on such a very serious matter it should be allowed, if the requisite number of Members is there who support it, where, outside, terrible repression is going on.

**Shri Ranga (Chittoor):** We are also in favour of it. I hope you will be good enough to give an opportunity to this House to discuss this. It concerns not only the local Government but also the Union Government. We have been

arguing, I think, sufficiently and satisfactorily also. Both the questions of rise in price and the compulsory deposit scheme have been before the people, before the strikers and they have raised them prominently. Therefore, before the position becomes worse, it is best that it is discussed here and the people could know what the Government of India wishes to do in order to alleviate their grievances

**श्री रामसेवक यादव (बाराबंकी) :**

उपाध्यक्ष महोदय, यह जो बम्बई में चालू हड़ताल है वह कितनी व्यापक है इसका इसी से पता चलता है कि हमारे गृह मन्त्रों ने और हमारे ला मिनिटर ने उस पर बयान दिये । सरकार की ओर से यह तर्क किया जाता है कि डाक वर्कर्स की जो स्ट्राइक चल रही है वह सफाई कर्मचारियों की हड़ताल की हमदर्दी में चल रही है और इसलिए यूनियन सरकार से उसका कोई वास्ता नहीं है, दर-असल सवाल यह नहीं है कि हमदर्दी में वह स्ट्राइक चल रही है या किस कारण से चल रही है, प्रश्न तो सामने यह है कि हड़ताल चल रही है, वह व्यापक हो गयी है और उसके और भी बढ़ने की सम्भावना है । अगर वह केवल हमदर्दी में होती है तो उसके इस वक्त तक चलने का कोई मतलब नहीं होता था ।

दूसरा प्रश्न यह है कि बराबर इस बात की कोशिश हुई कि कोई न कोई रास्ता समझते का निकाला जाय लेकिन अभी तक कोई रास्ता नहीं निकला है । कल भी मैंने निवेदन किया और आज मुझे तार मिला है कि वहां पर समझौते के लिए लोग तैयार हैं लेकिन महाराष्ट्र सरकार न तो किसी को पंच मानने को तैयार है और न ही केन्द्रीय सरकार तैयार है । मैं प्रधान मन्त्री जी से निवेदन करूंगा कि इसमें कौनसी बड़ी बात होगी अगर रक्षा मन्त्री को बम्बई भेज दिया जाय जिन्हें कि मजदूर पंच मानने को तैयार हैं और जिन पर कि उनका विश्वास है और इस तरह से वह मामला हल हो

सकता है । मैं चाहूंगा कि सरकार अपनी स्थिति को बतलाये ।

आपने कहा है कि ये सारे मसले अविश्वास प्रस्ताव में आ सकते हैं । मैं निवेदन करना चाहता हूँ कि समय का अभाव है । सभी के लिए समय का अभाव है, लेकिन कुछ लोगों के लिए और भी ज्यादा अभाव है । अगर बम्बई की हड़ताल को भी इस अविश्वास प्रस्ताव के साथ छोड़ दिया जाय तो देश की प्रमुख समस्यायें इस चर्चा में स्थान नहीं पा सकेंगी । जब सदन की इच्छा है और पचास से अधिक माननीय सदस्य यह चाहते हैं कि इस महत्वपूर्ण विषय पर, जिस से सारा बम्बई सम्बन्धित है—क्योंकि सारे बम्बई में गंदगी फैल रही है और बढ़ती जा रही है—विचार करने का अवसर दिया जाये, तो यह उचित ही है कि इसके लिए समय दिया जाना चाहिए ।

**Shri U. M. Trivedi: (Mandsaur):** It has been said that the question that has been raised about this strike is merely in relation to the law and order question so far as the Maharashtra State is concerned. I most emphatically submit that that aspect of the case is not correct, because in this case use has been made of the provisions of the Defence of India Rules, and I am told that 438 workers have been arrested (*An Hon. Member: 800 workers*). 800 workers have been arrested.....

**Mr. Deputy-Speaker:** Let us not go into the merits of the case.

**Shri U. M. Trivedi:** The question is this.....

**Mr. Deputy-Speaker:** I have not yet given my ruling.

**Shri U. M. Trivedi:** I am conscious of it. What I want to persuade you is to come to a conclusion on this basis that it is not merely a question of law and order of the State, because it is a question where implementation of the Defence of India Rules has been

[Shri U. M. Trivedi]

carried out. (*An Hon. Member*: Mis-used). And I should say it is merely a colourable piece of legislation which has been used for putting down a strike. It may be a legitimate or an illegitimate strike; we may discuss that later on. But the point is, as use has been made of the power vested only in the Central Government—that is the power that has been used—therefore this is a fit case for adjournment.

श्री रामेश्वरानन्द (करनाल) :

उपाध्यक्ष महोदय, मेरी एक प्रार्थना है।

**Mr. Deputy-Speaker:** No more speeches. Order, order.

आप कृपा कर क बैठ जाइए।

**Shri Tyagi** (Dehra Dun): This adjournment motion is another name for a no-confidence motion.

**Some Hon. Members:** No, no. (*Interruption*).

**Mr. Deputy-Speaker:** Order, order.

**Shri Tyagi:** My friends feel that I am not right.

**An Hon. Member:** Is it a point of order?

**Mr. Deputy-Speaker:** I have allowed him to speak.

**Shri Tyagi:** My friends expressed their views. I am expressing my views. I beg to differ from them. Sir, my feeling is that an adjournment motion is essentially a no-confidence motion in the sense that as soon as an adjournment motion is...

**Shri Daji:** No, no.

**Shri Tyagi:** You have said 'No' ten times. I understand you.

**Shri Daji:** I will say it a hundred times.

**Shri Tyagi:** Sir, I beg to agree that these gentlemen do not agree with me. But my feeling is that once an

adjournment motion is passed, the Ministry has to resign. That is a convention. Adjournment motion means that—of course, passing of an adjournment motion. Adjournment motion is a motion of censure. I am sure if they were in power, tens of adjournment motions will not turn them out. But a respectable Government will immediately resign as soon as an adjournment motion is passed. (*Interruption*). I may be wrong; after all, I am not a lawyer. Let me express myself.

Sir, there are certain restrictions about an adjournment motion. The rule says:

"Notice of an adjournment motion shall be given before the commencement of the sitting on the day on which the motion is proposed to be made to each of the following:—

- (i) the Speaker;
- (ii) the Minister concerned; and
- (iii) the Secretary". . .

**Mr. Deputy-Speaker:** I will go through all that.

**Shri Tyagi:** Then it says, "not more than one such motion shall be made at the same sitting". It is a sitting in which we are considering the motion of no-confidence, and this adjournment motion is a similar type of motion. So, in this very sitting two motions cannot come. One is this point. (*Interruptions*).

**Mr. Deputy-Speaker:** The hon. Member has to finish now.

**Shri Tyagi:** I am sorry that hon. Members should interrupt me like this. My hon. friends have attended Parliament for a long time, and I thought that they would behave like parliamentarians.

Then under item (vi), it has been stated.....

**Mr. Deputy-Speaker:** I shall look into all those things.

**Shri Tyagi:** I shall just say one more word.

**श्री बागड़ी (फिसार) :** मेरा व्यवस्था का प्रश्न है ।

**उपाध्यक्ष महोदय :** आर्डर, आर्डर ।

**श्री बागड़ी :** क्या माननीय सदस्य इस किताब को ज्यादा जानते हैं या आप जानते हैं ?

**उपाध्यक्ष महोदय :** आर्डर, आर्डर, आप बैठिये ।

**श्री रामेश्वरानन्द :** उपाध्यक्ष महोदय, मेरा एक निवेदन है ।

**उपाध्यक्ष महोदय :** आप बैठिये ।

**श्री रामेश्वरानन्द :** एक मिनट में आप मेरी बात सुन लीजिये ।

**उपाध्यक्ष महोदय :** नहीं । आप माफ कीजिये । आप बैठ जायें ।

**श्री रामेश्वरानन्द :** मैं आप के द्वारा निवेदन करना चाहता हूँ कि बम्बई की घटना और यों पर गाजियाबाद के जो किसान आय हुये हैं, इन छोटी छोटी घटनाओं से देश के हालात खराब होते जा रहे हैं । सरकारों का काम है हालात को संभालना । आप से निवेदन है कि...

**उपाध्यक्ष महोदय :** आर्डर, आर्डर ।

**श्री रामेश्वरानन्द :** आप मेरी प्रार्थना सुन लीजिये । सरकार हालात को संभालने का यत्न करे ।

**उपाध्यक्ष महोदय :** आर्डर, आर्डर । आप बैठ जाइये ।

**श्री रामेश्वरानन्द :** मैं बैठ जाता हूँ, लेकिन मेरी प्रार्थना आप सुन लें ।

**श्री बागड़ी :** मेरा व्यवस्था का प्रश्न है ।

**उपाध्यक्ष महोदय :** आर्डर, आर्डर ।

**Shri Tyagi:** Under item (vi) it has been stated that:

“the motion shall not anticipate a matter, which has been previously appointed for consideration. In determining whether a discussion is out of order on the ground of anticipation, regard shall be had by the Speaker to the probability of the matter anticipated being brought before the House within a reasonable time.”.

Now, in the discussion on the no-confidence motion, this question has already been raised, and it is going to be discussed still, and the question raised has not yet been answered by the Treasury Benches. So, that question is still under the consideration of the House. I beg to submit that under this item (vi), it is not possible to allow another similar discussion, because the discussion is being anticipated, and in fact, not only is it anticipated, but it is current.

Therefore, in the light of these rules, the Speaker had already ordered that since the consideration of this very question was pending in the no-confidence motion, he had disallowed it. I submit, therefore, that you should not allow the motion now. (*Interruptions*).

**Mr. Deputy-Speaker:** Order, order.

I shall see what assurance, if any, the Speaker had given yesterday, and then give a ruling at two o' clock. Shri Daji and some other Members said that the Speaker had given some assurance yesterday. I shall get the records and see what assurances he had given, and I shall give my ruling in the afternoon.

**Shri Hari Vishnu Kamath (Hosangabad):** May I invite your attention to rules... (*Interruptions*). I am

[Shri Hari Vishnu Kamath]

addressing you, Sir. (*Interruptions*). Shut up. (*Interruptions*). I am addressing you, Sir. In order that it may be helpful to you, I am pointing out the rules only for your consideration.

**Mr. Deputy-Speaker:** What are those rules? I shall make a note of them.

**Shri Hari Vishnu Kamath:** I am inviting your attention to rules 56 to 63 which deal with adjournment motions, and then to rules 198 and 199 which deal with no-confidence motions. There are specific sets of rules for the two matters. Shri Tyagi has tried to confuse these two things. It is astounding that a senior Member like Shri Tyagi should try to confuse these two things.

**Shri Tyagi:** In the United Kingdom, the use of an adjournment motion is quite clear. I want to place this before the House.....

**Mr. Deputy-Speaker:** The hon. Member may please pass it on to me.

Now, Papers to be laid on the Table.

**श्री रामसेवक यादव :** उपाध्यक्ष महोदय, एक निवेदन सुन लें। मैं आप से एक जानकारी चा-ता हूँ।

**Mr. Deputy-Speaker:** I am sorry.

**श्री रामसेवक यादव :** श्री मान, मैं गाजियाब द के किसानों के बारे में निवेदन करना च-हता हूँ।

**उपाध्यक्ष महोदय :** आर्डर, आर्डर। माननीय सदस्य बैठ जायें।

**श्री बागड़ी :** मेरा व्यवस्था का प्रश्न है।

**Mr. Deputy-Speaker:** The hon. Member is taking undue liberty with the House. He is getting up every time and disturbing the business of the House. I shall have to take very serious notice if he continues like this.

Now, Papers to be Laid on the Table.

**श्री बागड़ी :** उपाध्यक्ष महोदय ...

**Mr. Deputy-Speaker:** The hon. Member may please sit down. I have passed on to the next item now.

12.39 hrs.

PAPERS LAID ON THE TABLE  
 NOTIFICATIONS UNDER MERCHANT SHIP-  
 PING ACT

**The Minister of Shipping in the Ministry of Transport and Communications (Shri Raj Bahadur):** I beg to lay on the Table a copy each of the following Rules under sub-section (3) of section 458 of the Merchant Shipping Act, 1958:—

(i) The Merchant Shipping (Apprenticeship to Sea Service) Amendment Rules, 1963, published in Notification No. GSR. 768 dated the 4th May, 1963; [Placed in Library, See No. LT-1478/63].

(ii) The Merchant Shipping (Examination of Engineers in the Merchant Navy) Rules, 1963 published in Notification No. GSR. 1030 dated the 22nd June, 1963.

[Placed in Library, see No. LT-  
 [Placed in Library, see No. LT-

**श्री बागड़ी (हिसार) :** उपाध्यक्ष महोदय, ...

**Mr. Deputy-Speaker:** I have called the next business.

**श्री बागड़ी :** एक व्यवस्था का प्रश्न है. . . .

**Mr. Deputy-Speaker:** Order, order. Please sit down.

**श्री बागड़ी :** एक प्वाइंट आफ आर्डर है। क्या एक मैम्बर को व्यवस्था का प्रश्न उठाने का अधिकार नहीं है . . . .

**Mr. Deputy-Speaker:** Order, order. Will the hon. Member please sit down?