

Appropriation Accounts (Civil), 1963-64; Audit Report (Civil), 1965 and Audit Report (Commercial), 1965 relating to the Ministries of External Affairs, Health, Home Affairs, Information and Broadcasting and Labour and Employment.

13.07 hrs.

PERSONAL EXPLANATION BY MEMBER

Shri G. N. Dixit (Etawah): Sir, on Friday, the 3rd December 1965, Shri Hari Vishnu Kamath's Private Members' Constitution (Amendment) Bill came up for consideration before the Lok Sabha for the purpose of changing the name of the Union Territory of Andaman and Nicobar Islands.

13.04 hrs.

COMMITTEE ON PUBLIC UNDERTAKINGS

THIRTEENTH REPORT

Shri P. G. Menon (Mukundapuram): I beg to present the Thirteenth Report of the Committee on Public Undertakings on the Management and Administration of Public Undertakings (Planning of Projects).

Mr. Speaker: The Food Minister would be making a statement on PL 480 imports at 2.30 P.M. today.

Shrimati Renu Chakravartty (Barackpore): He is doing nothing but making statements on PL 480!

Shri Hari Vishnu Kamath (Hoshangabad): What about the Prime Minister's statement?

Mr. Speaker: That will be made at 4.00 P.M.

Shri S. M. Banerjee (Kanpur): Regarding PL 480, is he making a statement on the news which appeared this morning about President Johnson? I want to know that because we have tabled a calling attention notice on that.

Mr. Speaker: How can I say what statement he is going to make?

Shri Hari Vishnu Kamath: If I heard you aright, the Food Minister will be making a statement at 2.30 and the Prime Minister will be making a statement at 4 P.M. May I ask whether this will not result in an unusual erosion of private members' time, if two statements are to be made during that period? (*Interruptions*).

Mr. Speaker: Mr. Dixit.

I raised a point of order that the Bill could neither be introduced nor considered as under Article 3 of the Constitution a Bill for the purpose of altering the name of any State cannot be initiated except on the recommendation of the President. The point of order was resisted on the ground that the bar applied to the States and not to Union Territories. There being no definition of 'State' in Part I of the Constitution, I relied on Article 1 which says: "India, that is Bharat, shall be a Union of States". At the time I raised the point of order, the General Clauses Act was not with me. Later, I looked into it and I find that there was positive and categorical support to the correctness of my point of order. Article 367(1) makes the General Clauses Act applicable for the interpretation of the Constitution and the said Act—the General Clauses Act—gives the definition of the word State as under in section 3(58):—

"State"

(b) as respect any period after such commencement [commencement of the Constitution (Seventh amendment) Act, 1956] shall mean a State specified in the First Schedule to the Constitution and shall include a Union Territory."

While I was making my argument, and which argument was quite arguable even under Article 1, the hon. Member, Shri Nath Pai made an observation saying: "He says Union ter-

(Shri G. N. Dixit)

ritories are also States; it is a profoundly ignorant statement." I have profound regard for Shri Nath Pai as a parliamentarian and especially, therefore, I was amazed to hear this observation.

My submission is this. You, Sir, yesterday, made an observation that 99.5 per cent of the points of order that are raised in the House are fake points of order, frivolous points of order and only 0.5 per cent are real points of order. My point of order came not only amongst those 0.5 per cent points of order, but it was a real and correct point of order. It was only with an intention to save the public time of this House in considering void resolutions that I raised the point of order.

Shri S. M. Banerjee (Kanpur): Sir, this should be expunged.

An hon. Member: It is an insinuation.

Shri G. N. Dixit: Sir, I am very thankful to you for having given me this opportunity to offer my personal explanation.

Shri S. M. Banerjee: Sir, he should be named "Mr. Point of Order".

Shri H. N. Mukerjee (Calcutta Central): Sir, are we to understand that when a point of order had been raised earlier and was disposed of,—whoever was in the Chair, I am not concerned whether you were in the Chair or somebody else,—that is a matter which is finalised—and one can refer to that matter in order to justify oneself? I do not understand this. (Interruption).

Mr. Speaker: I am not revising any point of order or re-opening that. It is only a personal explanation that he has given.

Shri Priya Gupta (Katihar): Will you allow that on future occasions also? Will you permit others also to justify their stand?

Mr. Speaker: That matter is closed. I do not say I can open it again or I can make any observations on it.

Shri H. N. Mukerjee: May I know the scope of "personal explanation". If somebody in the course of the debate calls me an ignorant person, I can answer him back or not answer him back. Does the right accrue to me to give a personal explanation to say that I am not an ignorant person and I am a very learned person? I do not understand the scope of this (Interruption).

Shri Nath Pai (Rajapur): Mr. Speaker, the House is a little taken by surprise as this important item was not included in the agenda for the day. Under Rule 115 . . .

Mr. Speaker: It is the last day and I had relaxed those rules. That was my difficulty also (Interruptions).

Shrimati Yashoda Reddy (Kurnool): He wants an apology from you . . .

Shri Nath Pai: I like that lady's voice, but sometimes it is absolutely irrelevant.

Sir, I claim my right to speak under Rule 115 of the Book of Directives given by you. In the first place, may I point out to him that I do not think his point was frivolous. I fully agree with him, it was substantial. What I said was 'profoundly ignorant'. That was a case of transferred epithet, I did not say that Shri Dixit is profoundly ignorant. I do not know the depth of his knowledge. But I assume that he is a very learned man. I am prepared to say it publicly. Since I do not know, it is better to say about those whom you do not know that he is learned and profoundly learned. When I say that his point is profoundly ignorant, it refers to the point. I do not want to delineate. I hope he will take it in the spirit in which I said it. I never caused any disrespect to his scholarship. If I had any doubt about his scholarship, he has removed it by his very erudite expla-

nation which he was kind enough to give just now.

13.16 hrs.

UNIT TRUST OF INDIA (AMENDMENT) BILL*

Shrimati Renu Chakravartty rose—

Mr. Speaker: Order, order. Bills to be introduced—I shall call her afterwards.

The Minister of Finance (Shri T. T. Krishnamachari): Sir, I beg to move for leave to introduce a Bill further to amend the Unit Trust of India Act, 1963.

Mr. Speaker: The question is:

"That leave be granted to introduce a Bill further to amend the Unit Trust of India Act, 1963."

The motion was adopted.

Shri T. T. Krishnamachari: Sir, I introduce† the Bill.

13.17 hrs.

BUSINESS OF THE HOUSE

Shrimati Renu Chakravartty (Barackpore): Sir, may I submit to you again, as I have done on the other occasions whenever there has been an attempt on the part of somebody to encroach upon the time of Private Members. Today we are having the statement by the Prime Minister which will take away the time allotted for Private Members' Business. There are other statements also as has already been announced by you. I think it should be possible for the Prime Minister and Shri Satya Narayan Sinha, the Minister of Parliamentary Affairs to so arrange things that they need not

bring all these things at the last moment, on the very last day of the session. Why should these important pronouncements not be made a day in advance or a week in advance. I see absolutely no reason why this small amount of time which is given for Private Members' Business should be eroded like this. I would beg of you, Sir, to make it clear that on future occasions no such thing is going to happen and we will not permit the Government to erode into our time like this.

Shri Hari Vishnu Kamath (Hoshangabad): Rule 26 is mandatory, there is no discretion allowed.

Mr. Speaker: My only difficulty is that even before 2.30 there is Private Members' Business today.

Shri Hari Vishnu Kamath: Some rules begin with "unless the Speaker otherwise directed". But, unfortunately, Rule 26 is mandatory. There is no discretion at all. This Friday or some other day, time must be found.

Mr. Speaker: I agree. My difficulty is that even now we are going to take Private Members' Business.

Shri H. N. Mukerjee (Calcutta Central): The Private Members' Business from 2.30 to 5.00 on Fridays is something different from that.

Mr. Speaker: I can take up the other things just now.

Shri H. N. Mukerjee: If a certain rule is being waived, that is a different matter.

Mr. Speaker: Instead of at 2.30 the Minister of Food may be asked to make the statement at 2.15.

श्री मधु लाल (गुजरात): अध्यक्ष महोदय, मैं एक निवेदन करना चाहता हूँ। क्या आपने यह फैसला कर लिया है कि आप मंजूर को बिल्कुल नहीं मंजूर करेंगे? मैं कितनी बार कहा हुआ हूँ लेकिन आप ने मुझे नहीं बुलाया है।

*Published in Gazette of India Extraordinary, Part II, section 2, dated 10-12-1965.

†Introduced with the recommendation of the President.