

Shri P. K. Deo (Kalahandi): The statement on the food situation could also be discussed.

Mr. Speaker: It cannot be had like this. Order, order. Let us proceed to the next item of business.

12.40 hrs.

PAPERS LAID ON THE TABLE

AMENDMENTS TO KERALA SHOPS AND COMMERCIAL ESTABLISHMENTS RULES, THE PERSONAL INJURIES (EMERGENCY) AMENDMENT REGULATIONS, ADDITION TO THE FIRST SCHEDULE TO INDUSTRIAL DISPUTES ACT, AND REPORT OF CHIEF INSPECTOR OF MINES

The Deputy Minister in the Ministry of Labour and Emp'oyment (Shri R. K. Malviya): Sir, on behalf of Shri D. Sanjivayya, I beg

(1) to re-lay on the Table a copy of Notification No. S.R.O. 181/64 published in Kerala Gazette dated the 16th June, 1964, making certain amendments to the Kerala Shops and Commercial Establishments Rules, 1961, under sub-section (5) of section 34 of the Kerala Shops and Commercial Establishments Act, 1960, read with clause (c) (iv) of the Proclamation dated the 24th March, 1965, issued by the Vice-President discharging the functions of the President, in relation to the State of Kerala. [Placed in Library. See No. LT-4919/65].

(2) to lay on the Table a copy each of the following papers:—

- (1) The Personal Injuries (Emergency) Amendment Regulations, 1965, published in Notification No. S.O. 9085 in Gazette of India dated the 2nd October, 1965, under sub-section (7) of section 3 of the Personal Injuries (Emergency Provisions) Act, 1962. [Placed in Library. See No. LT-5082/65].

(ii) Notification No. 37563/H2/65/HLD published in Kerala Gazette dated the 6th July, 1965, adding Fertilisers industry to the First Schedule to the Industrial Disputes Act, 1947, under sub-section (3) of section 40 of the said Act. [Placed in Library. See No. LT-5083/65].

(iii) Report of the Chief Inspector of Mines on the fatal accident in Ena Colliery, Dhanbad, on the 24th July, 1965. [Placed in Library. See No. LT-5084/65].

12.42 hrs.

RESOLUTION RE: CONTINUANCE OF PROCLAMATION IN RESPECT OF KERALA—contd.

Mr. Speaker: We will now take up further discussion of the resolution moved by Shri Hathi on the 3rd November 1965 namely:—

"That this House approves the continuance in force of the Proclamation dated 24th March, 1965 in respect of Kerala issued under article 356, of the Constitution by the Vice President, discharging the functions of the President, for a further period of six months with effect from 11th November, 1965."

Shri Hari Vishnu Kamath (Hoshanabad): Before the affable Minister resumes his speech, may I by your leave, raise a point of order cum clarification? On Friday, the Minister—

Mr. Speaker: He ought to have informed me so that I would have also been prepared for something that comes up.

Shri Hari Vishnu Kamath: The point is that in the speech that he made on that day, he has tried to gloss over a serious blunder that the Governor of Kerala committed in the report. . .

Mr. Speaker: He has not finished his speech; unless he finishes, how can the hon. Member say that he has not made any reference to such and such?

Shri Hari Vishnu Kamath: In his vain attempt to cover up the blunder....

Shri H. N. Mukerjee (Calcutta Central): I was not here at that time; my hon. friend Shri Kamath has drawn my attention to the record where the Minister, in spite of the forbearance we practise in regard to his argumentation, has chosen to dispose of what I had said by saying in two sentences that only the words "and leaders of" were omitted by mistake. I think that clarifies the position. He disposed of the argument, and today, possibly he is going to say something, some abracadabra, to cover it up. The result is that this kind of gratuitous treatment of serious argumentation has taken place. Some objective, concrete references were made to the document which Mr. Jain is supposed to have sent to the Government of this country, and our argument was that the document which contains such glaring inaccuracies, which obviously was compiled with complete indifference to facts, is not worth the paper it is written on. Instead of trying to show that it was not an inaccurate document, but an accurate document, something is said which goes completely against facts. If he is going to explain the position today, I shall wait for him, but he disposed of the point.

Shri Hari Vishnu Kamath: He has disposed of that point already; there are other points now to which he will be coming. Is he going to proceed further, or will he reply to that point now? Let us know.

Mr. Speaker: Let us hear him; unless he concludes, how can he say that he has glossed over any point? In between how can he interrupt?

Shri Hari Vishnu Kamath: You were pleased to allow me to make the point. Shri Mukerjee has raised it now.

Mr. Speaker: Order, order, Shri Hathi.

The Minister of State in the Ministry of Home Affairs and Minister of Defence Supplies in the Ministry of Defence (Shri Hathi): Mr. Speaker, Sir, I am glad that Shri Kamath and Shri Mukerjee have specifically taken up the question of the Governor's report. It is not only, as they say, a question whether the words "and leaders of the SSP" were there or were not there, but the question is that the whole assessment of the Governor leads to certain facts; that itself is not sufficient or that the assessment is wrong, because it is not based on certain facts. That is what I feel they want to say. I will come to those points and I will try to submit that on the one hand is the Governor's report. The Governor's report was called for by the Home Minister, because before coming to a decision whether the proclamation should be further continued or not, he should be in a position to have as many sources of assessment of the situation as possible. Therefore, the Governor was requested to send his report. That report was considered along with other points also. It is not that the decision of the Government is required to be on this clause or only on the report of the Governor. It may be otherwise also. As I said, it is also on other circumstances which are narrated and also the existence of the emergency. Taking all these into consideration, the Government come to the conclusion that it is necessary, and that there is no other alternative, but to further continue the duration of the proclamation.

Dr. M. S. Aney (Nagpur) rose—

Shri Nath Pal (Rajapur): He is a veteran. Let him put his question.

Shri Hari Vishnu Kamath: He is the father of the House.

Dr. M. S. Aney: The Governor has sent his report in pursuance of some request made by the Central Government to him. Will that request or the statement or reference to the Governor be also placed on record here?

Shri Hathi: I could not follow.

Dr. M. S. Aney: You have stated that the Governor's report was asked for. So, a letter has been sent to the Governor for the sake of getting his report. Could that letter be placed on the Table of the House?

Shri Hathi: By all means: in fact, it is exactly so. The Home Minister wrote to the Governor requesting him to send a report. Definitely a letter has been written to him. There is no question of that. It is there.

Dr. M. S. Aney: Will it be placed on record?

Mr. Speaker: What the hon. Member implies probably is the note of the Government in which the Government would have suggested that such and such a report should be sent!

Shri Hathi: May be; my point was....

Mr. Speaker: That is why he wants that the direction that was sent from here might be placed on the Table, so that Members might know what the Government wanted the Governor to send.

Shri Hathi: As I submitted, the Governor was requested by a letter to submit his report on the assessment of the situation. Not that the Government wrote to the Governor to say that he should send a report in such a way as to justify the action; that would not be there.

Dr. M. S. Aney: Will that letter be placed on the Table?

Mr. Speaker: Order, order.

Shri Hathi: So far as the letter of the Home Minister to the Governor is concerned, it may contain various other points also, and I cannot say now that I will place it on the Table of the House; it may contain so many things.

Coming now to the various other questions raised by hon. Members,

mainly by Shri Vasudevan Nair and Shri Warrior and other Members from Kerala, I wish to say that they raised certain questions and pointed out that some chemical projects had been abandoned; that the plan development projects were not being pursued as expeditiously and as swiftly as they should because of the want of funds. They also complained about the banning of certain books from the schools. They also talked about certain deficiencies in administration. I submit that the Central Government has been constantly watching the progress of the plan, and wherever it is found that the projects suffer for want of finances, we have tried to see that only because of lack of resources, these projects do not suffer. In fact, the balance of Central assistance available for the last year of the third Plan was Rs. 23.9 crores. The State's estimate on their part for expenditure available was Rs. 13 crores. Normally, the State would have, therefore, only a plan of the order of Rs. 36.90 crores in 1965-66. In order to maintain the current trend of development and keeping in view the backward economy of the State, the Government of India approved an outlay of Rs. 41.65 crores for the State in 1965-66, i.e. an addition of Rs. 4.75 crores. In addition to that, when we again reviewed it, we found that if more money could be made available, more projects could be implemented. Some of the productive projects undertaken by the State Government under the plan had been proceeding slowly according to our review. So, we again sanctioned this year an additional amount of Rs. 5.63 crores. That means we have given assistance of nearly Rs. 10 crores during this period, only because we want that certain projects which were not proceeding well for lack of finance should be completed.

Another complaint was about the abandoning of the phytochemical project. It is not that the Centre abandoned the project because they did not want that project to go ahead. On

[Shri Hathi]

the contrary, we tried our best to see if the project could be proceeded with. But if there are technical difficulties and it is beyond the power of the government, then it becomes impossible for the Centre to go ahead with the project, even if they want it. I shall narrate the facts briefly which will show to the House that in spite of our best efforts to go ahead with it, it was not possible. This was one of the four drug plants to be set up in the country with Soviet collaboration. The site near Neriamangalam was chosen because of its proximity to the Munnar hills, which was to be the main source of supply of raw materials for caffeine, which was to be the largest item of manufacture. The Russian experts drew up the detailed project report. On scrutiny of the report by the Indian Drugs and Pharmaceuticals Limited, who were entrusted with the implementation of the project, it became clear that the plan was not likely to be an economic unit. A ton of this product would cost about Rs. 1 lakh while the imported cost comes to only Rs. 18,000. Even the Bengal Chemicals produce it at a cost of Rs. 50,000. Then we thought, if caffeine becomes rather uneconomical if it is produced from tea cuttings, we might try to have it from waste products, so that it might be cheaper. For that they wanted some time to prepare the project report. We gave them time and they prepared it. Even then it was found that it would not be economical. We have still in mind a smaller project, instead of a bigger project, and we would like the State Government to look into it, because we want that some project should be there. It is not indifference on the part of the Central Government. On the contrary, we have tried and tried, but if the project becomes uneconomical and technically not feasible, if the raw material is not available or it is costly, then if we invest money, it will only mean a continuous drain on the State. From that point of view, the bigger project had to be abandoned. We have asked the State Government

to look into this question whether a small project is possible. If a smaller project is economical and technically feasible, we would certainly wish that that project is proceeded with.

About banning of certain books, as soon as this was brought to our notice, we immediately looked into it. The order was withdrawn and the books are now among the school books. So, there is no complaint of Central Government neglecting it. About the Water Transport Corporation, members know that we had devoted a good time over it in the consultative committee. We are confronted with various difficulties. It is not that the government officials are not prepared to accommodate. This corporation has been wound up and there is an official liquidator appointed by the High Court. His hands are tied down. He cannot distribute assets without the sanction of the High Court. In giving the sanction, the High Court would see that the discharge of the debts is done in a particular proportion. They cannot give priority to a particular class of employees who have been retrenched. We have promised and I still assure the House that we shall take as lenient a view as possible. We have offered that the State Government might purchase the boats belonging to the Corporation for Rs. 3 lakhs and this may be used for payment of dues. So, we are trying to do that. The question of giving priority was also discussed and we found there are legal difficulties. Where there are legal difficulties which are beyond the scope of the officers and they have to be guided by the directions of the High Court, the official liquidator could not do anything.

Shri Vasudevan Nair (Ambalapuzha): Apart from assets, it was decided in the consultative committee on August 13th that the retrenchment benefits due to these 510 workers will be advanced as loan from the government. What has happened to that particular commitment? It has not been implemented.

Shri Hathi: Instead of loan, we are going to give them the amount outright. We will purchase the boats for Rs. 3 lakhs or so and this amount can be straightway given to them, not as loan, but as their dues. If that is not possible, then the other solution can be tried. But I thought giving away their dues straightway will be better than keeping them as debtors of the government by giving a loan.

The next question was about inadequacy of the food ration. As members know, this question was discussed in the consultation committee between the Home Minister and the members. Not only that. When we thought that there was a case for increasing the ration and the Food Minister himself said that he would try his best to see that they get something more than what is being given to them, the Home Minister requested the Food Minister himself to be present in the consultative committee. The Food Minister also came and it was discussed. The Home Minister said, now that he is in charge of Kerala, he is a Keralite and he will try to see that the problems of Kerala are solved, by taking personal interest. Complaints are made that because there is no popular government or a democratic set-up, the cause of Kerala goes by default. It was not a question of the case of Kerala going by default. The Home Minister himself took up that question with the Food Minister. He requested the Food Minister to come and hear the views of the members so that he can also know their views on the matter. But the whole question was that the Food Minister had to take into account the total availability and the total needs. Taking all these things into account, if he could not do it it was not because we were indifferent. At least I can say, and the members will bear us out, that the Home Minister or the Home Ministry was never indifferent to any of the questions which the members raised there.

12 hrs.

The other question that they raised was about the encroachment on land.

There too, we have looked into the question. This question was also discussed threadbare. We have appointed a committee consisting of members from Kerala. We have stopped evictions, and I think orders are there that there should not be any fresh evictions till the report of this committee is received. The members of the committee, who are again from Kerala, who know the work, who know the problem would be really very sincere in their attempts for a solution of this problem. As soon as their report comes, we will certainly take action on it. In the meantime, we have said that there should be no fresh evictions. That order stands.

Therefore, these are the points that were taken up. All these points we have looked into. As I have pointed out, if there is something which is holding up it is not because we are not in any way in a mood not to help them or in a mood of indifference. On the contrary, we certainly wish to help them because it is our responsibility to see that the problems of Kerala, especially, are solved.

They say, it is unfortunate that when the Plan is being discussed every time there is no popular ministry. It is unfortunate indeed that there is no popular ministry. But even there, if the Plan was to be discussed here or in the State the members of the Assembly would certainly give their views but ultimately their views have to be conveyed to the Planning Commission. The members of the legislative assembly I do not think would have an opportunity of discussing it with the Planning Commission. Here, Sir, we again invited the Deputy Chairman of the Planning Commission to the Consultative Committee and asked the members from Kerala to put their views, whatever they are, before him. Therefore, he has got a first-hand impression of the views not only of the officials but of the members representing Kerala in Parliament and of other Members. Ultimately, of course, the Plan would be a national Plan and it will have to look to various categories

[Shri Hathi]

and various priorities. But it is not correct to say that because of the absence of a popular government the Plan of Kerala would suffer. On the contrary, I would say, it gets the advantage of representing its case to the Planning Commission through its representatives elected to the Parliament. It is Kerala alone which can do that and perhaps no other State will have that benefit. But even then I would say that it does not mean that the President's Rule is in any way a substitute for a popular ministry. I do not say that. All that I say is that because there is no other alternative we have to do it, but while doing it we are fully alive to the responsibility that lies on the Central Government with regard to the development of the State and the welfare of the people of Kerala. I have cited enough instances to show that whatever their problems are we have tried to look into them, understand them and appreciate them. If something cannot be done for technical reasons or for some other reasons, that is a different matter. That may happen as it happened in the case of the phytochemical plant. Nobody could help it.

Shri Vasudevan Nair: What about the thermal plant?

Shri Hathi: There also, about the thermal plant, the Minister of Irrigation and Power, who represents Kerala so far as the Central Government and the Kerala State is concerned, looked into the question. He did suggest that a thermal plant would be beneficial too. There are so many States where so many things are necessary and beneficial. The only question, after all, is of availability of funds. There are so many schemes and all the schemes are good, but the question is of finding the necessary finances and the resources available in the country. I can understand the complaint if the Minister of Irrigation and Power had turned it down and said that the claim is false, Kerala has surplus power, there is no need for this thermal plant and

that we can expedite the Idiki or Sabarigiri project. Even then, as you know, we have given an additional amount of Rs. 2.5 crores to complete these projects.

There were certain points raised by Dr. Lohia. When Dr. Lohia was speaking, he touched a very fine ground. On, I should say, humanitarian grounds, he said, that whatever may be our attitude towards the Marxist Communists, there should be some trace of humaneness in our dealings with them. It was really gratifying to hear that. As Dr. Ram Manohar Lohia is always humane in his approach, no other suggestion could have come from him, and he wanted that Shri Gopalan and Shrimati Gopalan should be lodged together. That has already been done and orders have been issued a month before.

डा० राम मनोहर लोहिया (फर्रुखाबाद): बहुत अच्छा किया। पहली दफे हम ताली पीट रहे हैं।

An hon. Member: Dr. Lohia is a bachelor.

Shri Hathi: He complained that nobody is replying to his points. I, therefore, thought that at least I should reply to him. But there are certain points which he raised and which are incomprehensible to me. That is my difficulty. I am unable to appreciate some of the points that he raised. Therefore, his other points I cannot reply and it is not because I do not want to reply to them.

श्री हुकूम चन्द कछवाब (देवास): मेरा एक व्यवस्था का प्रश्न है और यह कि इस समय सदन में गणपूर्ति नहीं है।

Mr. Speaker: The hon. Minister may resume his seat. The bell is being rung.

Now, there is quorum. The hon. Minister may proceed.

Shri Hathi: Sir, as I have said, if I am not replying to his other points it is not because I do not want to reply to him. I would like to reply to every point that everybody raises, but if certain points are not comprehensible to me it is difficult for me to do it.

डा० राम मनोहर लोहिया : हाथी साहब आसानी से दब रहे हैं क्योंकि कोई जवाब नहीं है ।

Shri Hathi: The last point I would like to submit would be this, that certain hon. Members said that all this talk of emergency is simply when we do not want the elections to take place. They attributed some statements to the Congress President, that he was in favour of having the general elections earlier. In fact, the Congress President has not made any such statements though in the newspapers such statements might have been attributed to him. Hon. Members said that when this question of elections in Kerala comes we bring in this question of emergency, otherwise the Government was prepared to have elections for the rest of the country. It pained me to hear that. While parties and members are free to put forward their arguments, was it not a fact that the Prime Minister very soon rejected and dismissed the idea? If we have done something, if the nation has done something today, he does not want that the credit should go to the Congress alone, the credit should go to the whole nation. It is the whole nation that stood as one and it is the unity that has shown to the world that India is a mature nation, it can stand together in the face of any aggression by any enemy and that it can not only defend itself but even strike a blow. The Prime Minister has paid tribute to millions of our men and to the whole nation for the unity that it has shown. It is that unity that we have to sustain and I would be the last person to agree to any election if the unity that we want now is going to be lost. It is a valuable asset. Let us, therefore, not say that the Congress was trying to make capital out of this. That was

far from the intention of the Prime Minister when he rejected the idea of election. I only wish that that part of the story should also have been stated by the members when they referred to other subjects. I think I have replied to all the points. I would request the House to approve this resolution.

Shri Hari Vishnu Kamath: Mr. Speaker, may I, by your leave, raise a point of order-cum-clarification? My anticipations have been quite justified and the Minister of State for Home Affairs has not further elaborated the point that he made on Friday. May I read out the relevant part of his speech on Friday? It says:

...

"Some mention was made about a slip that had occurred in the Governor's report. Shri H. N. Mukerjee said that the two Communists were put as belonging to PSP. Actually what happened was that there was a typographical error—the words 'and leaders of' had been omitted by mistake. I think that clears the position."

Today he has not added a word to what he said on Friday. The Minister in a vain attempt to cover the blunders committed by the Governor in his slipshod and careless report has taken recourse to this little trick. I know, I am well aware, that this Minister is not, unlike some of his colleagues, normally in the habit of wheedling or bamboozling the House, but on this occasion I am sorry to say that he has tried to mislead the House if I may put it on a low key. Sir, you will be pleased to recollect, you were not then in the Chair—may I inform you if you do not know—that that day, in the course of my speech, I had said that the Governor had labelled, slandered and defamed my party, the party to which I have the honour to belong, the Praja Socialist Party. The Governor's report

[Shri Hari Vishnu Kamath]

which the House has got reads as follows:

"Shri E. M. S. Namboodiripad said that he had met Shri Rajeshwar Prasad Rao and Adhikari of the PSP who during the course of a general talk appeared to be of the view that if elections were held in normal times the PSP would be prepared to have discussions with the Marxist Communists"

that is, pro-China Communists—

"about an electoral alliance."

Now he wants to interpolate on behalf of the Governor the words "and leaders of". How will it read if those words are interpolated? It will only make confusion worse confounded. It will read as follows:

"Shri E. M. S. Namboodiripad said that he had met Shri Rajeshwar Prasad Rao and Adhikari and leaders of PSP"

—I suppose that is what he wants.

"who during the course of a general talk appeared to be of the view".

—God knows whether it is Shri Rajeshwar Prasad Rao, Adhikari or leaders to PSP because all of them are clubbed together—

"that if elections were held in normal times the PSP would be prepared to have discussions with the Marxist Communists about an electoral alliance."

श्री मधु लिनये (मुंगेर) : प्रजा समाजवादी दल तो वहाँ है ही नहीं ।

श्री हरि विष्णु कामत : जो कुछ वहाँ है, वह सब को मालूम है । यहाँ पर उन्होंने जो बयान किया है, मैं उस की बात कर रहा हूँ ।

The PSP and the Right Communists met the Governor. According to Shri Namboodiripad the PSP and the Left

Communists had a conversation. Shri Namboodiripad conveyed it to the Governor that the Right Communists and the PSP leaders told him that PSP would be prepared to have electoral alliance with the Marxist Communists. This, I repeat once again, is a slander and libel on my party, the Praja Socialist Party. As I said the other day, I do not know whether the Governor, occupying the high office that he does, can be brought to book for defamation—I am prepared to consult my legal advisers on that matter—but now if the Minister wants to get out of this, wants to shield the Governor, wants to protect him or save him by saying that the original report, of which this is only a summary, contains something else, I would plead with you very humbly but most earnestly to call upon the Minister to place on the Table of the House the original report to which a reference has been made. He has referred to that report and I think the House is entitled to know what the original report contains. If the Governor was right, it is only then that we will know he was right; we cannot know till then. So long as the report is not placed on the Table of the House I will say with the utmost emphasis at my command that the Minister is telling, if not a lie, an untruth. May I, therefore, request you

Mr. Speaker: He has explained his point.

Shri Nath Pal: This is a very serious matter.

Shri Hari Vishnu Kamath: Sir, you should not take it lightly. The Minister has stated that it is a typographical error. If it is a typographical error, the Minister must tell the House what the error is, and who committed it. He has to answer the point that I have raised. He has tried to mislead the House. The Minister owes an explanation to the House. So, I would humbly request you to order the Minister to explain the position fully to the House.

Shri H. N. Mukerjee: Mr. Speaker, I would like to raise a point of order as well as of propriety relative to this case. We are quite accustomed to having our arguments left unanswered by Government even when a seemingly innocent member of Government like Shri Hathi makes a reply. We are accustomed to that. I am quite prepared also to be slandered by Government as we quite often are. We can answer that kind of slander with compound interest added on to it. I do not mind being slandered in this House as long as you give us an opportunity to answer that kind of slander, consistent of course with parliamentary practice. But what I am concerned about is that we, as Members of Parliament, were supplied with a summary of a report allegedly given by the Governor of Kerala to the Government of India. It was on the basis of this Report, and on the basis of this Report alone, that the House was called upon to make up its mind as to the propriety of the request made by the Government in regard to the continuation of the President's rule in Kerala. This document has been found to be bristling with inaccuracies not only in regard to what was purported to have been told to the Governor of Kerala by the representatives of different parties—I represent a party in this country which has been reported in this report to have said such things which they could not have said, at least not with the emphasis which the Governor has put in here; I am not going into that matter at all; the Governor is entitled to interpret what he thought was conveyed to him by the other fellow when he was talking to the Governor—but I am very deeply concerned about the factual aspect of the matter. And when in a document of this description, which is surely as sacred a document as in a court of law, these discrepancies take place and when Shri Hathi tries to correct the matter by suggesting the omission of a few words or the addition of a few words, it makes con-

fusion worse confounded. If the Governor, for instance, was a witness giving evidence in a court of law and making this kind of statement, he would have been dismissed as a person who could not be believed, and similarly Parliament can put no credence in this report. The Government may have very wonderful and perhaps very persuasive political reasons to get convinced of the need of President's rule; I am not concerned. I am not convinced. The Government may have its reasons. But as a Member of Parliament I am entitled to be sure of at least this thing that a document which Government places before us as the basis of their argumentation is an acceptably credible document, that it does not bristle with inaccuracies of this sort. It vitiates the entire argumentation. A document which purports to put different political parties in different dockets with complete ignorance of the real situation and, therefore, makes all kinds of misstatements is a document on which no reliance can be placed. Therefore, in view of this matter being a Presidential Ordinance which requires approval of Parliament in the case of extension of its tenure and in view of certain provisions in the Constitution, I take it—perhaps Shri Kamath can fish it out that it is in pursuance of some obligation that Government has been condescending to give us some material—that this is part of the proceedings of Parliament almost. Therefore, if it is on this basis that we are asked to support the Government, we cannot possibly do so on the basis of a document which is quite obviously inaccurate. No argument can be found in it why Government has sought to do it. I do not go into the other aspects of the matter which we tried to discuss but the Minister, in spite of his seeming innocence, has never chosen to reply. We are very familiar with this kind of tactics in all kinds of ways; the Government is quite entitled to behave politically in whatever way it chooses. We have already found out what the *bona fides*

[Shri H. N. Mukerjee]

of Government are in regard to trying to understand the Opposition's point of view; we have no illusions in the matter. But this kind of sticking to inaccuracy and trying to justify by suggesting deletion of a few words or by addition of some few words is something which goes against the grain of parliamentary activity. Therefore, I submit, if no point of order is involved, that you suggest that in all propriety Government would take back this matter, get a fresh report from the Governor and get a really accurate statement from the Governor, not this kind of shilly-shallying job which was done by the Governor. Quite obviously, he was not serious enough about it. He sent a report because he knew that a political decision had already been taken and a dittoing kind of report from Kerala would do the job. It is contempt of Parliament to send this ind of report to Parliament. It is a document which really amounts to contempt of Parliament and we cannot take any kind of a decision which will be helpful to Government.

श्री मधु लिमये : माननीय मंत्री महोदय ने कहा है कि उनकी समझ में कुछ सवाल नहीं आये इसलिये जवाब नहीं दिये। अगर उनकी समझ में आते तो वे उनका जवाब दे देते। मैं उनका ध्यान एक तो इस सवाल की ओर दिलाना चाहता हूँ कि विधान सभा की बैठक न बुलाते हुए उसको क्यों बरखास्त किया गया? सरकार बनाने का या न बनाने का जो काम है, जो जिम्मेदारी है वह विधान सभा के ऊपर सौंप देनी चाहिये थी।

दूसरा सवाल यह था कि ग्वालियर रेयन मिल का जो वहां पर कारखाना है उसका गंदा पानी नदी में जाता है जिससे मछलियां वगैरह मरती हैं। उसको बन्द करवाने के लिए सरकार क्या इंतजाम कर रही है।

तीसरी बात यह है कि यह सही है कि प्रजा समाजवादी दल के ऊपर बड़ा लांछन लगाया गया है क्योंकि जो दल उस सूत्र में अस्तित्व में ही नहीं है उसकी चर्चा करना उचित नहीं है। यह तो सचमुच बड़ा लांछन राज्यपाल ने लगाया है। एक वाक्य में तीन तीन गलतियां हैं। एक तो दल का नाम गलत है। नेता का नाम गलत है। राजेन्द्र प्रसाद राव लिखा हुआ है, जब कि राजेश्वर राव लिखना चाहिये था। कम्युनिस्ट पार्टी के नेता वह हैं। एक वाक्य में तीन गलतियां और उसमें प्रजा समाजवादी दल पर लांछन सचमुच गड़बड़ हो जाता है।

श्री बड़े (खारगेन) : श्री गवर्नर की जो रिपोर्ट है और जो समरी दी गई है उसमें उन्होंने लांछन लगाया है पी० ए० पी० के ऊपर। यह कहा है कि लेफ्ट कम्युनिस्ट्स का और उनका आपस में उठाव होने वाला है। मैं कहना चाहता हूँ कि अग्नि और पानी इन दोनों की दोस्ती नहीं होती है। इसी तरह से प्रजा समाजवादी पार्टी और लेफ्ट कम्युनिस्टों की दोस्ती कभी नहीं हो सकती है। यह जो कहा है.....

अध्यक्ष महोदय : इनकी दोस्ती हो जाने से तो बहुत ताकत पैदा होती है।

श्री बड़े : बहुत बढ़िया बात श्री मधु लिमये ने कही है। वह कहते हैं कि प्रजा समाजवादी पार्टी है ही नहीं। यह एक ऐसा स्टेटमेंट है जोकि कामत साहब को और भी ज्यादा उकसायेगा। हाथी साहब ने जो अपना खुलासा किया है उसमें उन्होंने कहा कि एंड जायन करना चाहिये। मैं कहता हूँ कि हाथी साहब ने पालियामेंट को अंधकार में रखा है, पालियामेंट को मिसलीड किया है। यह पालियामेंट की कटैस्ट है, ऐसा मैं समझता हूँ। यदि पूरी रिपोर्ट सामने आ जाये तो सारी

स्थिति स्पष्ट हो सकती है। हम आपका प्रोटेक्शन चाहते हैं। एंड जोड़ने से भी खुलासा नहीं होता है। पूरी की पूरी रिपोर्ट हमारे सामने रख कर आप हमें उपकृत क्यों नहीं करते हैं। केरल में इस वक्त ऐसी परिस्थिति है कि सभी पार्टीज अपना अपना वहां जमाव करना चाहती हैं। पी० एस० पी० और लैफ्ट कम्युनिस्टों का वहां आपस में सम्बन्ध हो रहा है, ऐसा गवर्नर ने अगर कहा है और इसकी रिपोर्ट केरल में जाती है तो बहुत हल्ला हो जाएगा। कहा जाएगा कि पी० एस० पी० घोषा दे रही है यह मिसलीड करने वाली स्टेटमेंट है। ऐसा कह कर घोषा देना है। यह ठीक नहीं है।

Shri N. C. Chatterjee (Burdwan): May I point out, Sir, that under article 356 of the Constitution, the Governor's report is certainly enjoined by the Constitution itself, and you cannot act under article 356—the President cannot operate at all unless and until he gets that report. I submit that Parliament is entitled to have that document because it is a constitutional document; it is an obligation cast by the Constitution. Article 356 reads:—

“If the President, on receipt of a report from the Governor of a State or otherwise,”

Shri Hathi: Or otherwise.

Shri N. C. Chatterjee: “. . . . is satisfied that a situation has arisen in which the government of the State cannot be carried on in accordance with the provisions of this Constitution. . . .”

Now, we are told solemnly that the Governor has submitted a report after consulting the Opposition party leaders and has come to some conclusion. He has submitted that report. We are further assured that the President has acted *bona fide*, not merely on his own emotional outburst, but on objective satisfaction based on certain facts placed in the Governor's report. Then, I submit that Members of Parliament are entitled to have that docu-

ment. That is a condition precedent to the exercise of the power by the President, and the satisfaction of the President is based on that constitutional report.

Mr. Speaker: Is a report required for the extension? Clause (4) of article 356 reads:—

“A Proclamation so approved, shall, unless revoked, cease to operate on the expiration of a period of six months from the date of the passing of the second of the resolutions approving the Proclamation under clause (3).”

We are acting on that.

Shri N. C. Chatterjee: Quite right. I am submitting that clauses (1) and (4) should be read together; otherwise, it cannot be discussed. The foundation of article 356 is the breakdown of the Constitution. The President ascertains that by some method prescribed in the Constitution.

Mr. Speaker: Has the Minister anything to say to all these things?

Shri Hathi: Firstly, I was rather surprised that an eminent jurist, like Shri Chatterjee, for whom I have great respect said that

Shri Nath Pal: Before he replies, I endorse the plea made by my distinguished colleague, Shri N. C. Chatterjee. There is a very well established precedent pertaining to the same State with which we are dealing now. When the Kerala Communist Ministry of Shri Nambudiripad was dismissed, the report of the then Governor was asked for and after a very long debate it was decided that the then Governor's report should be placed on the Table. The records can be referred to on this. We have not only an indication in the constitutional provision to which reference has been made; since the President takes the decision on the basis of the report, there is no reason why Parliament should be denied that. There is a well established precedent of the same report being made available to Parliament.

श्री० राम मनोहर लोहिया : इस सम्बन्ध में जो छोटी सी बात श्री चैटर्जी ने कही है मैं उस की तरफ आप का ध्यान दिलाना चाहता हूँ। अगर श्री हाथी राज्यपाल की रपट यहां पर न लाते तो जो आप ने कहा वह सही उतरता। क्लॉज 2 पर यहां कार्रवाई चल सकती थी। लेकिन जब वह एक बार राज्यपाल की रपट को आधार बना कर हम से चाहते हैं कि छः महीने के लिए राष्ट्रपति का शासन और करवाया जाये तो फिर आप को इसे बहुत महत्व देना पड़ेगा। आप की बात पूरी सही उतरती जब यह रपट न लाते। जब यह रपट ले आये हैं तब अगर उस में एक बात भी या दो बातें भी गलत हो जाती हैं तो सारी रपट गलत हो जाती है। इस गलती के आधार पर ही यह चाहते हैं कि लोक सभा की छाप लग जाये। मैं आप से सिर्फ यह निवेदन करूंगा कि आप का क्लॉज 2 बिल्कुल सही उतरता अगर यह रपट यहां पर न लाते।

Shri Hathl: I was rather surprised to hear from Mr. Chatterjee, for whom I have the greatest respect, that it was obligatory under the provisions of the Constitution that a decision should be taken on the Governor's report. Article 356 is very clear:

"If the President, on receipt of a report from the Governor of a State or otherwise, is satisfied..."

Therefore, it is not merely on the basis of the Governor's report alone that a decision can be taken. (*Interruption*). The President can take a decision on the advice of the Council of Ministers who may have their own assessment and the President can take into account that assessment also. (*Interruptions*).

Mr. Speaker: Order, order. We have to hear him now.

Shri Hathl: The second point is that it is only when the Proclamation is

issued for the first time that this provision comes, i.e. "If the President, on receipt of a report from the Governor of a State or otherwise, is satisfied..." When the question of extension comes, then the provision is:

"A Proclamation so approved shall, unless revoked, cease to operate on the expiration of a period of six months from the date of the passing of the second of the resolutions approving the Proclamation under clause (3):

Provided that, if and so often as a resolution approving the continuance in force of such a Proclamation is passed by both Houses of Parliament, the Proclamation shall, unless revoked, continue in force for a further period of six months from the date on which under this clause it would otherwise have ceased to operate, but no such Proclamation shall in any case remain in force for more than three years."

It is only when the Proclamation is issued for the first time that the question of the President being satisfied on receipt of a report from the Governor, etc., comes. I am replying to the point raised by Shri Madhu Limaye. Here it is not calling of Assembly again. Here the question is of extending the Proclamation for a further period of six months. (*Interruptions*). The basis is assessment of the Government. Then on the point raised by Mr. Kamath and Mr. Mukerjee

श्री० राम मनोहर लोहिया : अध्यक्ष महोदय, मेरा सबाल यह नहीं था।

अध्यक्ष महोदय : पहले मुझे यह सून देने दीजिये कि वह क्या कहते हैं।

Shri Hathi: That only on the basis of the Governor's report, it could be done. I should say here that I never mislead the House, I have never tried to mislead the House and I have not misled the House.

Shri Hari Vishnu Kamath: Normally you don't.

Shri Hathi: It was after verification that I corrected that sentence. Those three words had been left out. I have clarified it

Shri Hari Vishnu Kamath: You have not clarified at all.

Shri H. N. Mukerjee: It makes no sense; even if it makes some sense, it is against the truth.

Mr. Speaker: If the Governor submits a report and there are so many mistakes in that, what has the Government to say in that? The Government says that it is a summary. The summary must have been made by itself or by some of its agency. If the real report contains something else and the mistake has occurred in the summary, then it ought to be corrected or the original report, if the Government agrees to it, might be laid on the Table of the House.

Shri Hari Vishnu Kamath: Hear, hear. . . .

Mr. Speaker: I have not passed an order. I am just putting it before the Government. So far as my reading of the Constitution is concerned, when an extension is desired, it is not necessary that there ought to be a report from the Governor at all. But now that the Government places before the House some document, whether it is needed or not needed, and places reliance on that document, that must be a correct one and must not have such mistakes as are being pointed out. This is the question.

Shri Hathi: Whatever it is, after all what does the summary go to say?

Shri Nath Pai: The Hon. Minister should not confuse the issue.

Shri Hari Vishnu Kamath: That is not the point.

Shri Nath Pai: Has he understood the question? Is it a fair summary or is it the Government's mistake?

Mr. Speaker: Order, order.

Shri Nath Pai: He does not answer the question. We are only helping him.

Shri Hari Vishnu Kamath: Even with those words added, it is complete, unmitigated nonsense.

Shri Hathi: What does the report ultimately say? What the Governor says is that he met Shri E.M.S. Namboodiripad

Mr. Speaker: Has he, after this mistake having been pointed out, compared the summary with the original report that the Government has got? Does he find it to be an honest summary of that report? Does he propose to correct anything further in that if he finds that there is some mistake or does he hold that this is an honest summary of the report that the Government has received from the Governor?

Shri Hari Vishnu Kamath: That is it.

Shri Hathi: This is the summary of the report received. I shall convince the House and you. If we read it this way, there is no doubt whatsoever

Shri Hari Vishnu Kamath: He may read it twice or even thrice.

Mr. Speaker: Let us hear him now.

Shri Hathi: This is what the Governor says: Shri E. M. S. Namboodiripad said that he had met, i.e., Mr. Namboodiripad had met, Shri Rajeswar Rao and Adhikari. Then you add the words "and leaders of the S.S.P."

Shri Hari Vishnu Kamath: On Friday he did not say that at all. He only said that "and leaders of" had been omitted. He did not say anything about S.S.P.

Shri Hathi: I said it on the first day. "...Shri Rajeshwar Rao and Adhikari and leaders of the S.S.P..." I am not going to make any addition. On the first day I said that, instead of P.S.P., it should be S.S.P. Then I verified it. I even confirmed it from the Collector. Therefore, I did not contradict it later. So, I did not contradict then. I contacted the Governor to ascertain what he wanted to convey. What he wanted to convey was 'Shri Rajeshwar Prasad Rao and Adhikari and leaders of the SSP'.

Shri S. M. Banerjee (Kanpur): Rajeshwar Prasad Rao is a wrong name. Shri Rajeshwar Rao is the general secretary of the Communist Party, and Mr. Prasad is the adviser there. The two have been mixed up here.

Shri Hari Vishnu Kamath: Even now my point is not answered.

Shri Hathi: What he wanted to convey was 'Shri Rajeshwar Prasad Rao, Adhikari and leaders of the SSP'. The first two were leaders of the Communist Party

Mr. Speaker: There are three corrections that the hon. Minister has made. One is about the name, that it should be Shri Rajeshwar Prasad Rao and not Shri Rajeshwar Prasad or something like that

Shri Hathi: I leave that as it is.

Mr. Speaker: The second is the addition of the words 'and leaders of'. The third correction had been made by him in the beginning itself, and he had substituted the term 'SSP' for 'PSP'. These are the corrections that he has made.

Shri Hari Vishnu Kamath: Why is he fighting shy of laying the report on the Table of the House? Why should there be this hanky-panky about it? There seems to be something very fishy in this whole matter. You must direct him to lay the report on the Table of the House.

Shri Hathi: There is no question of fighting shy or doing anything fishy. The Governor says that Shri Namboodiripad had met two leaders of the Communist Party and leaders of the SSP and that he was told that it would be possible for them to form a government. When the Governor met those people from the Communist Party and SSP, they said 'No' and that there was no actual talk like that. This is the substance. Therefore, the Governor has come to that conclusion

Shri Hari Vishnu Kamath: Obviously, he should accept your sound advice.

Shri H. N. Mukerjee: He has confused the position. I am here representing a party and I happen to have gone to Kerala only recently in order to take part in discussions relating to this matter and it simply goes against the grain, as far as the Communist Party is concerned, to have said the kind of thing which the Governor puts in its mouth; and here is a document which contains all kinds of other inaccurate things; inferences, and inaccuracies are bristling all over the place in this particular document, and, therefore, on the basis of it we cannot take any decision.

Shri Hari Vishnu Kamath: On a point of order. May I invite your attention to rule 368?

It reads thus:

"If a Minister quotes in the House a despatch or other State paper which has not been presented to the House, he shall lay the relevant paper on the Table."

Now, the hon. Minister may not have quoted actually, but he has referred to it and said that that document contains those words, namely 'and leaders of the SSP'. In these circumstances, you should direct him to lay the original report on the Table of the House, even as suggested by you earlier, and this only reinforces the advice given by you earlier. He is evading responsibility and he does not seem to heed your advice.

Mr. Speaker: I only made enquiries from Government whether they were prepared to place it on the Table of the House and it was for the hon. Minister to give the answer. I did not give him any direction.

Shri Hari Vishnu Kamath: You must give reasons why you cannot give a direction, because you were requested to do so.

Shri Nath Pai: You had broadly indicated your preference.

Shri S. M. Banerjee: We would like to have your ruling on this.

Mr. Speaker: How can we go on in this manner? There ought to be some end and we should take some decision on this, because we cannot continue in this manner.....

Shri Madhu Limaye rose—

Mr. Speaker: Does Shri Madhu Limaye also want to say something? I think enough has been said already.

श्री मधु लिमये : मैं आप की व्यवस्था चाहता हूँ। आप व्यवस्था दीजिये।

एक व्यवस्था का प्रश्न यह है कि अगर राज्यपाल की रपट यहां नहीं आती और उसको आधार न बनाया जाता तब तो कोई झंझट नहीं था। अब राज्यपाल की रपट आयी है और राज्यपाल का मतलब होगा राष्ट्रपति, और राष्ट्रपति का मतलब होगा प्रधान मंत्री और गृह मंत्री, केन्द्रीय सरकार के। यह रपट आयी है और उसको

आधार बनाया गया है। जब आधार बनाया जाता है, और उसमें गलतियाँ निकलती हैं, तो पूरी कार्रवाई गलत होती है। इस पर एक व्यवस्था मैं आप की चाहता हूँ, और

दूसरा, जब कि राज्यपाल की रपट का यहां उल्लेख किया गया है और उसमें से कुछ जुमले भी लिये गये हैं, तो क्या आप उनको यह निर्देश नहीं दे सकते हैं कि इस प्रकल्प को पास करने के पहले राज्यपाल की पूरी रपट सदन पटल पर आ जाए ?

ये दो व्यवस्था के प्रश्न हैं, इन पर आप व्यवस्था दीजिये।

अध्यक्ष महोदय : अगर आप मेरी व्यवस्था जरूर चाहते हैं तो जो मेरे अपने विचार हैं वे मैं आपके सामने रखे देता हूँ।

उन्होंने एक ड्राफ्ट को यहां पेश किया है। बाद में उसकी पुस्तक किया है। उसको वह समरी बतलाते हैं। मैं ने उनसे पूछा है। अगर गवर्नमेंट यहां पूरी रिपोर्ट को पेश नहीं करना चाहती तो मैं उनको मजबूर नहीं कर सकता कि वह जरूर ऐसा करें। यहां समरी रखी गई है।

दूसरा सवाल चटर्जी साहब ने यह उठाया था कि जो रिपोर्ट आयी है वह प्रेसीडेंट के एप्रोवल से और प्रोक्लेमेशन के पहले इस्टांस में जैसे पहले आयी थी वैसे ही आनी चाहिये। उसके बारे में मैंने जाहिर किया कि मैं इस से इतिफाक नहीं करता। और इस वक्त पार्लियामेंट ने फैसला देना है कि उस प्रोक्लेमेशन को एक्सटेंशन देनी है या नहीं। रिपोर्ट आये या न आये, दोनों हालतों में पार्लियामेंट के दोनों हाउसेज में एक रिजोल्यूशन पास होगा कि वह एक्सटेंड करते हैं या नहीं उस प्रोक्लेमेशन को जो कि पहले से मौजूब है।

[अध्यक्ष महोदय]

तीसरे मैंने गवर्नमेंट को कहा था कि प्राया यह आनेस्ट समरी है। वह कहते हैं कि हमने उसमें तरमीमें कर दी हैं और यही चीज गवर्नमेंट हाउस के सामने समरी की शकल में रखती हैं। गवर्नमेंट गलतियां करती हैं और फर्ज कर लीजिये कि इस किस में भी गवर्नमेंट से गलती हुई है। फर्ज कर लिया जाए कि उसकी जो एटीट्यूड वह मुनासिब भी नहीं है और उसको वह इस्ते भी नहीं करती, इन चीजों पर ऐकशन लेना हाउस का काम है। डिमाक्रेसी में स्पीकर का यह काम नहीं है कि इंडियन डिमाक्रेसी में जो कसर नम्बर्स की कमी की बजह से है उस को पूरी कर दे। यह प्रेशर तो अपोजीशन ही ला सकता है। अगर वह समझता है कि गवर्नमेंट का बिहेवियर अनुचित है तो वह अपना प्रेशर इस्तेमाल करे। अगर यह उम्मीद की जाए कि उस नम्बर्स की कमी की कसर को स्पीकर पूरी कर दे तो यह बहुत मुश्किल बात है। मैं इस बात का कांशस हूँ कि इस इंडियन डिमाक्रेसी में स्पीकर ने बहुत बार ऐसी कोशिशें की हैं कि अपोजीशन को उसके नम्बर्स में कमी होने की बिना पर जहां कहीं मुमकिन हो मदद दी जाये जिससे कि गवर्नमेंट का एटीट्यूड अनरीजेनबिल न होने जाए और कोई ऐसी चीज सामने न आवे कि जो चीज उनको करनी मुनासिब है उसको वह न करें, मगर अल्टीमेटली डिसीशन हाउस का ही होगा और उन्होंने देखना है कि ऐसी हाकत में वे क्या फैसला दें। वह सब चीज करने का अख्तियार आखिर में हाउस पर ही छोड़ना पड़ेगा। मैं इसमें और क्या कर सकता हूँ।

श्री नाथ पाई : जो आपके अख्तियार में है उस पर तो आप फैसला दे सकते हैं।

Shri Hari Vishnu Kamath: The wording is that he shall lay the relevant paper on the Table.

अध्यक्ष महोदय : यह तो उन्होंने रख दिया है।

Shri Hari Vishnu Kamath: With profoundest respect to your well-considered ruling I beg to submit that if it is interpreted liberally or even narrowly it would mean that the Ministers or the Government would be in a position to violate the rules of the House with impunity. Rule 368 is categorical. It says that he shall lay the original report or the relevant paper on the Table. There are two provisions to the rule....

अध्यक्ष महोदय : उन्होंने समरी रख दी है।

Shri Hari Vishnu Kamath: He has quoted from that document.

अध्यक्ष महोदय : उन्होंने उसी को रेफर किया है और उसी को करेक्ट किया है।

Shri Hari Vishnu Kamath: The second proviso refers to summary, but it does not say that the Minister is competent or justified in laying a wrong summary. When it is a summary or a gist, it should not be non-sensical; but it should be a correct summary.

Mr. Speaker: The House should decide.

Shri Hari Vishnu Kamath: It is a question of the rules of procedure of the House and it is a point of order and it has to be decided by you. We entreat you to direct the Minister to lay the original report on the Table of the House as was done in 1959 or 1960 when, as my colleague has pointed out, the Namboodi-ripad Government was....

Mr. Speaker: I do not know what the circumstances then were.

Shri Nath Pai: I have stated them very accurately before you.

Mr. Speaker: I could not say.

Shri Hari Vishnu Kamath: Is the House then to understand that a rule of procedure of the House could be violated by a Member or Minister with impunity, and without your intervention?

Mr. Speaker: I do not think it comes under that here. That is the difference.

Shri Hari Vishnu Kamath: What is the difference? You take us to task, rightly so, when we violate any rules of procedure. Are the Treasury Benches not bound by those rules?

Mr. Speaker: I have said that no rule is being violated. That is my opinion. I have told him that. What else can be done?

Shri Hari Vishnu Kamath: No rule has been violated?

Shri Nath Pai: Whatever ruling you give, we submit to it. Though we may disagree with it, we do bow down to it. But let this matter be clarified.

In the past, it has been the tradition of successive Speakers even to uphold the rights of the Opposition because it is in a minority. I think to a certain extent that is true. This is a claim which you have made. To a certain extent, I think it is a fair claim.

But today that is not the question. It is not a question of the Opposition wanting the help and assistance of the Speaker. I do not think that was the position. We raised a couple of points of order. You in your wisdom may rule them out. We may disagree, but we will bow down to you. Today what we are asking is not help because we are a minority. Three specific cases were cited. The point has been made in clear terms before you. The point that Shri Kamath has now made is that when a document

has been referred to by a Minister in the course of a debate, he is under an obligation to place it on the Table of the House. May I say in all humility—not that we do not need your assistance; we do need it—that we were not asking for your assistance by reason of our being in a minority; we were not today pleading for any help or leniency? We had raised a clear point of order to be ruled by you. If you rule and say that the Government is not under an obligation to place the document on the Table, well we dissent from it, but we will bow down to it. But we did not ask for any help or leniency today.

Mr. Speaker: I have given the ruling. I had asked whether Government were prepared to lay the document on the Table. The Government did not show their preparedness. They were not prepared to do that. I have given ruling on both points.

Shri H. N. Mukerjee: Before the ruling is given finally, I would like to add my voice to that of Shri Kamath who, I think, has raised a point which is very important. You were good enough to say that it is the duty of the Chair to see that the Opposition gets all adequate assistance. But as Shri Nath Pai has said, we did not want anything out of the way. We raised a point of order based on the original rules of procedure. In this case, it seems rule 368 is very explicit and there are only two provisos. One is that the rule shall not apply to any documents which are stated by the Minister to be of such a nature that their production would be inconsistent with public interest. He has not made such a claim. The other proviso is that where a Minister gives in his own words a summary or gist of such despatch or State paper, it shall not be necessary to lay the relevant papers on the Table.

Now, on this occasion what has happened is that the Minister has laid a summary or gist on the Table. The Minister laid a very wrong sum-

[Shri H. N. Mukerjee]

mary; he laid on the Table a summary in which we could point out some very serious errors. Then the Minister made certain changes which, instead of making the position very clear, has made darkness more visible, confusion more confounded. That being so, we can certainly rely upon you to see that the relevant papers are placed on the Table of the House. Heavens won't fall if that is done. The Minister himself has said that it is not inconsistent with public interest to have the House familiar with this particular document, and since the summary which he has laid is confessedly wrong and even after rectification does not seem to satisfy those of us who have tried to go into the matter with any kind of seriousness, I feel it is incumbent on you to direct that the same be laid on the Table.

Shri Bade: With due respect to you....

Mr. Speaker: Shri Banerjee rose first.

श्री स० मो० बनर्जी : अध्यक्ष महोदय, मुझे दो बातें कहनी हैं, । जहां तक आपकी रूलिंग का संबंध है मैं यह समझता हूँ कि आप ने जो बात अभी सदन के समक्ष रखी थी रिपोर्ट के बारे में और आप का संबंध यह है कि जिस रिपोर्ट की यह समरी है और समरी में जो करेक्शंस किये गये हैं वह क्या रिपोर्ट को देखे कर किये गये हैं कि वह सही हैं या नहीं उनका जबाब वह देख कर दिया गया है ? एक चीज साफ है । गवर्नर से बात-चीत हुई । बहरहाल यह मालूम हुआ कि यह समरी जाँची थी वह गलती से भरी हुई थी, या गलती उस में थी, बाद में ठीक की गई इस से यह मालूम पड़ता है । अब अगर हमारे मामले वह आये और सदन की मेज पर रख दी जाय तो हो सकता है कि कुछ और संशोधन हुई हों जिनका कि संशोधन यहाँ पर हो सकता है ।

अध्यक्ष महोदय, मैं आप का ध्यान आकर्षित करना चाहता हूँ कि अभी कुछ दिन पहले जब सदन में सी० बी० आई की रिपोर्ट पर बहस हो रही थी, कामथ साहब ने जिनके कि पास उस की पूरी रिपोर्ट थी वे उसे पढ़ रहे थे तो श्री सिंहासन सिंह ने उस पर ऐतराज किया कि जब यह सदन के समक्ष नहीं है तो उस पर कैसे बहस चल सकती है उसे सदन में पेश किया जाना चाहिए । श्री सिंहासन सिंह के ऐसा कहने के बाद आप ने काफ़ी देर के बाद कामथ साहब को कहा कि इस रिपोर्ट को संभा पटल पर रख दिया जाय । केवल इतना ही नहीं, इस से पहले की बात मैं आप के ध्यान में लाना चाहता हूँ कि जब झडिट रिपोर्ट रूबी जनरल इश्योरेन्स कम्पनी और ऐशियाटिक इश्योरेन्स की रिपोर्ट को मेरे मित्र श्री होमी दाजी ने इस सदन में पढ़ना शुरू किया तो उस के बाद अध्यक्ष महोदय का यह कहना था कि जो भी चीज जिस के कि पेश करने की सदन मांग करे वह मंत्री की तरफ से आये चाहे वह दूसरे किन्हीं सदस्यों की तरफ से आये जब तक वे हाउस की टेबुल पर उसे रखने के लिए राजी न हों वह उस से पढ़ नहीं सकते हैं । मुझे खतरा यह मालूम पड़ता है कि अगर यही रूलिंग जाती है तो उस का नाजायज फ़ायदा मंत्री महोदय उठा लेंगे । यह प्रकलियत या प्रक्सरियत का मसला नहीं है बल्कि यह हमारे जायज हक़ के हिफ़ाजत करने का गवाल है जो कि प्रजातांत्रिक निज़ाम के तहत हमें मिले हुए हैं । मैं समझता हूँ कि अगर आज आपने अपनी रूलिंग को इसीतीर पर रखा तो वे इसका सहारा ले लेंगे और आज तो इस रिपोर्ट का किस्सा हुआ, कल दूसरी रिपोर्ट होगी और यह सारी पालियामेंट विरोधी दल वालों के लिये तो महज एक समरी पालियामेंट होकर रह जायगी । गवर्नमेंट हमेशा समरी दे दिया करेगी और औरीजनल रिपोर्ट कभी आयेंगी नहीं । इसलिए मेरा आप से निवेदन है कि आप मंत्री होकर यह निर्देश दीजिये कि वह पूरी रिपोर्ट को सदन के

सामने पेश करें ताकि प्रजातांत्रिक उसूलों का इस तौर पर हनन न हो और जहां हमारे न्यायोचित अधिकारों की रक्षा हो वहां प्रजातंत्र की भी रक्षा हो सके ।

श्री बड़े : अध्यक्ष महोदय, मैं . . .

अध्यक्ष महोदय : अब यह कब तक चलता रहेगा ? एक, दो दफे नहीं, तीन, दफे सुन चुका हूं ।

श्री बड़े : मैं बड़े आदर के साथ यह भ्रज करना चाहता हूं कि आपने अभी यह कहा है कि माइनारिटी को सपोर्ट करने के लिए कभी कभी स्पीकर अपने राइट्स से भागे जाकर उन्हें हेल्प करता है । मैं समझता हूं कि आपकी यह रूलिंग जो कि विधान सभाओं में कोट की जाती है उस में यदि आप इस तरह से माइनारिटी को अपने राइट्स से भागे जाकर हेल्प करने वाली बात कहेंगे, यदि आप इस प्रकार की रूलिंग देंगे तो मैं समझता हूं कि इसमें प्रजातंत्र को एक धक्का लगेगा । यह हर जगह कोर्ट आदि में कायदा है कि कोई भी डाक्यूमेंट जो कि कोर्ट में कोट होता है और कोई उसे चैलेंज करता है कि वह गलत है या वह बाद में खुद ही कबूल करते हैं कि उसमें फलां फलां गलती हो गयी तो यह एक साधारण और माना हुआ सिद्धान्त है, हमारे यहां ह्यो नहीं सारी दुनिया में यह कायदा है कि उस हालत में प्रोरीजनल डाक्यूमेंट कोर्ट आदि में पेश किया जाता है । कोई भी न्याय प्रचारित हो, कोर्ट हो या हाई कोर्ट हो, वहां यह प्रैक्टिस है कि जब यह चुनौती दी जाती है कि जो कांट किया जा रहा है वह गलत है और मांग की जाती है कि जिस में से वह कोट किया जा रहा है वह प्रोरीजनल डाक्यूमेंट पेश किया जाये तो वह कोर्ट आदि में पेश करना पड़ता है । हमारे अध्यक्ष महोदय, जो कि हाईकोर्ट के जज रह चुके हैं वे इस से परिचित होंगे । इसलिए इस अवसर पर उचित यह होगा कि आप मंत्री महोदय को वह रिपोर्ट हाउस में पेश करने के लिए कहें ।

1657(A) LSD—7.

मंत्री जी भले ही कहें कि उसे पेश करने में उन्हें आपत्ति है लेकिन अध्यक्ष महोदय को सर्वमान्य सिद्धान्त के अनुसार उसे उन्हें पेश करने का निर्देश देना चाहिए । लेकिन अध्यक्ष महोदय का यह कहना कि चूंकि अपो-जीशन माइनारिटी में है, उनका नम्बर थोड़ा है इसलिए वह अपने राइट्स से भागे जाकर भी उनकी हेल्प करते हैं यह कहना कुछ जंचता नहीं है

अध्यक्ष महोदय : मैं ने क्या बुरा कह दिया ?

श्री बड़े : अब यह जो बार बार कहा जाता है कि चूंकि वह माइनारिटी में हैं उनका नम्बर थोड़ा है और इसलिए . . .

अध्यक्ष महोदय : वह मेरा कसूर हो गया जो मैंने ऐसा कह दिया । बस खत्म कीजिये ।

श्री स० मो० बनर्जी : अंधे को अंधा कहने से दुःख होता है ।

श्री बड़े : बारबार इस चीज को कहना कि हम माइनारिटी में हैं हमारा नम्बर कम है . . .

अध्यक्ष महोदय : मैं उसको वापिस ले लेता हूं । मैं ने कसूर किया जो यह कह दिया कि माइनारिटी में हैं, उनका नम्बर थोड़ा है, इस बास्ते स्पीकर को उन्हें हेल्प करना चाहिए ।

श्री बड़े : दरअसल सवाल तो प्रजातंत्र की हिफाजत करने का है और सर्वमान्य सिद्धान्त को अमल में लाने का है . . .

अध्यक्ष महोदय : वह प्रजातंत्र आदि की सब बात मैं ने सुन ली । एक डिस्कशन हो उस पर मैं रूलिंग दूं, फिर उस पर डिस्कशन हो । उस पर फिर नुक्ताचीनी हो और फिर उस पर मैं रूलिंग दूं और उस के बाद फिर एतराजात उठाये जायें, मुझे तो समझ में नहीं आता कि इस तरह से कैसे यहां का काम चलेगा ?

[अध्यक्ष महोदय]

मैं एक बात मंत्री जी से पूछना चाहता हूँ और वह यह कि यह 368 जो आप सामने लाये तो आप इस के कौन से सेक्शंस पर अपना आधार करते हैं? उस 368 में दो ही प्रोवाइडेंस दिये गये हैं या तो यह कि उस रिपोर्ट को सदन में पेश किया जाना आप पब्लिक इंटरैस्ट के बरखिलाफ़ समझते हैं और इस बास्ते आप उसे पेश करना नहीं चाहते या provided further that where a Minister gives in his own words a summary.....

इन दोनों में किसी चीज पर आपको रिलाइड करना है ।

14 hrs.

Shri Hathi: On the ground of public interest.

Shri S. M. Banerjee: He has not claimed it till now.

Shri Hathi: It contains so many things that I cannot disclose it. (Interruptions)

Shri Hari Vishnu Kamath: It is a blanket privilege.

Shri Indrajit Gupta (Calcutta South West): He did not take the plea of public interest throughout the discussion. This is purely an after thought.

Shri Hathi: No.

(Interruptions)

अध्यक्ष महोदय : माननीय सदस्यों के इनसिस्ट करने पर मैं ने मिनिस्टर साहब से पूछा है कि वह रूल 368 की किस क्लास में एग्जम्पशन मांगते हैं । मैं यही कर सकता था—और क्या कर सकता था ?

Shri Hari Vishnu Kamath: May I submit that the summary has been brought before the House? If that is not opposed to the public interest, what plea of public interest can there be against the original report being brought before the House.

Mr. Speaker: But that report might contain many other things.

Shri Hari Vishnu Kamath: But we want that part which deals with this particular point.

Shri H. N. Mukerjee: The report is supposed to contain many other elements which it might be prejudicial to divulge, but this report is something which is part of a constitutional obligation, even though it is a continuation of the emergency. Unless a report is forthcoming, or unless the Government has other means of finding out the exact position in that particular State, nothing can happen. Therefore, this is something which was done in pursuance of the constitutional obligation. Whether it was absolutely of the nature when presidential rule is imposed for the first time is a different question altogether. It is in the nature of a constitutional obligation that certain information has to be sought from the State by the Government of India. The Government of India did seek that information, on the basis of which they are postponing elections and all kinds of democratic processes and continuing presidential rule. How can it be said at this point of time, and in answer to a question which you asked, which was almost in the nature of a leading question, in view of the inaptitude of the Minister....

Shri Hathi: I object to this.

श्री मधु सिन्घे : अध्यक्ष महोदय, आप जज रह चुके हैं । क्या जज किसी वकील को ऐसा सवाल पूछने देते हैं ?

Shri H. N. Mukerjee: This is an after-thought.

Shri Hari Vishnu Kamath: This is a shameful attitude to Parliament.

Mr. Speaker: That I should think is rather a reflection on me.

Shri H. N. Mukerjee: I am very sorry.

Mr. Speaker: If there are two provisions—one is public interest and the second is about summary—I have to ask what provision he relies upon.

Shri Hari Vishnu Kamath: Till now he did not claim that privilege. It is a most shameful attitude to Parliament. Parliament is held up to contempt and ridicule. The Treasury Benches should know better. They have no wisdom, they do not want to learn from you.

Mr. Speaker: What should I do?

Shri Hari Vishnu Kamath: You should compel the Minister to lay the original report on the Table. Till then this debate should be held over.

Mr. Speaker: There are no powers with me by which I can compel the Government.

Shri Hari Vishnu Kamath: Under the rules, the debate can be adjourned.

Mr. Speaker: It is for the House to take a decision. I have no powers under any provision by which I can compel the Government to do certain specific things as in the case before me.

Shri H. N. Mukerjee: We are grateful to you for the way in which you have conducted these very difficult proceedings, but from what you have been pleased to say, we are constrained to observe that the House, if you permit it to do so, would now, in its present mood, certainly ask the Government to place the document and hold over this matter. If you yourself are not in a position to take a decision, would you permit that kind of motion to be moved in this House, and let Government go in to a division over it? As far as the House is

concerned—and those Members who are present, who have heard the argumentation are concerned—I take it that morally the Government will have to meet with its wishes. I quite understand that you cannot direct the Government to do something. You say the House can. Please permit us, please permit me, if you are so kind, to move that it is the desire of this House that the Government holds over this matter till this document is placed before the House.

Mr. Speaker: Is this the motion, that this matter be held over till the Government produces that document?

Shri H. N. Mukerjee: Yes, Sir.

श्री मधु लिमये : अध्यक्ष महोदय, इस पर बहस कराइये ।

अध्यक्ष महोदय : बहस का सवाल नहीं है ।

श्री मधु लिमये : यह ठीक नहीं है ।

Mr. Speaker: So, the question is:

“That the further discussion on this resolution be held over”.

Those in favour may kindly say “Aye”.

Some hon. Members: Aye.

Mr. Speaker: Those against may kindly say “No”.

Some hon. Members: No.

Mr. Speaker: The Noes have it.

Shri Hari Vishnu Kamath: The Ayes have it.

Mr. Speaker: Let the Lobbies be cleared.

[Mr. Speaker]

An hon. Member: The lights have failed.

The Lobbies have been cleared. The question is:

"That the further discussion on this resolution be held over".

Mr. Speaker: I am calling for division again. Members should be ready. The question is:

An hon. Member: Till Government produces that document.

"That the further discussion on this Resolution be held over."

अध्यक्ष महोदय : मुझे शक है कि वह लीगल होगा या नहीं ।

The Lok Sabha divided.

Division No. I]

AYES

[14-11 hrs.

Alvares, Shri
Aney, Dr. M. S.
Bade, Shri
Banerjee, Shri S. M.
Bhattacharya, Shri Dinen
Brij Raj Singh, Shri
Buta Singh, Shri
Chatterjee, Shri N.C.
Deo, Shri P. K.
Gupta, Shri Indrajit
Gupta, Shri Priya

Himmatsinhji, Shri
Kechhavaiya, Shri Hukam Chand
Kamath, Shri Hari Vishnu
Lohia, Dr. Ram Manohar
Masani, Shri M. R.
Mate, Shri
Misra, Dr. U.
Mukerjee, Shri H. N.
Nair, Shri Vasudevan
Pandey, Shri Sarjoo

Pattnayak, Shri Kishen
Pottakkatt, Shri
Ramabadrnan, Shri
Reddy, Shri Narasimha
Sezhayan, Shri
Singh, Shri J. B.
Solanki, Shri
Utiya, Shri
Warior, Shri
Yudhvir Singh, Shri

NOES

Ankineedu, Shri
Arunachalam, Shri
Bal Krishna Singh, Shri
Baswant, Shri
Bhanu Prakash Singh, Shri
Bhargava, Shri M. B.
Brajeshwar Prasad, Shri
Brij Raj Singh-Kotah, Shri
Chandrabhan Singh, Shri
Daljit Singh, Shri
Dasa, Shri C.
Dorai, Shri Kasinatha
Gandhi, Shri V. B.
Jadhav, Shri Tulshidas
Jedhe, Shri
Jha, Shri Yogendra
Joshi, Shri A. C.
Kamble, Shri
Kappen, Shri
Kedaria, Shri C. M.
Kisan Veer, Shri
Kotoki, Shri Liladhar
Kripa Shankar, Shri
Kureel, Shri B. N.
Lalban Chaudhry, Shri
Lalit Sen, Shri

Mahishi, Dr. Sarojini
Malhotra, Shri Inder J.
Maniyangadan, Shri
Mehta, Shri Jashvant
Melkote, Dr.
Mirza, Shri Bakar Ali
Mishra, Shri Bibhuti
Mukane, Shri
Muthiah, Shri
Naik, Shri D. J.
Pande, Shri K. N.
Pandey, Shri R. S.
Pandey, Shri Vishwa Nath
Parashar, Shri
Pratap Singh, Shri
Raghunath Singh, Shri
Rai, Shrimati Sahodra Bai
Rajdeo Singh, Shri
Raju, Shri D. B.
Raju, Dr. D. S.
Ramanathan Chettiar, Shri R.
Ramaswamy, Shri V. K.
Ramshekhar Prasad Singh, Shri
Rane, Shri
Ranga Rao, Shri

Rao, Shri Krishnamoorthy
Rao, Shri Muthyal
Saigal, Shri A. S.
Satyanarayana, Shri
Shah, Shrimati Jayaben
Sharma, Shri D. C.
Shyam Kumari Devi, Shrimati
Siddananjappa, Shri
Singh, Shri S. T.
Sinha, Shrimati Tarkeshwari
Sonavane, Shri
Soy, Shri H. C.
Subramaniam, Shri T.
Sunat Prasad, Shri
Swamy, Shri P. M.
Swaran Singh, Shri
Tiwary, Shri D. N.
Tiwary, Shri K. N.
Tiwary, Shri R. S.
Uikey, Shri
Varma, Shri Ravindra
Wadiwa, Shri
Wanik, Shri Balkrishna
Yadab, Shri N. P.
Yadava, Shri B. P.

Mr. Speaker: The result of the division is: Ayes 31, Noes 76.

श्री मधु लिमये : मेरा नहीं आया है ।

अध्यक्ष महाशय : इनका नोट कर लिया जाए ।

The motion was negatived.

Mr. Speaker: I shall put the Resolution to the vote of the House.

The question is:

"That this House approves the continuance in force of the Proclamation dated 24th March, 1965, in respect of Kerala issued under article 356 of the Constitution by the Vice-President discharging the functions of the President for a further period of six months with effect from 11th November, 1965."

The Lok Sabha Divided.

Division No. 2]

AYES

[14.16 hrs.

Akkamma Devi, Shrimati
Alvares, Shri
Aney, Dr. M. S.
Ankineedu, Shri
Arunachalam, Shri
Bal Krishna Singh, Shri
Balmiki, Shri
Baswant, Shri
Banu Prakash Singh, Shri
Bhargava, Shri M.B.
Brajeshwar Prasad, Shri
Chandrabhan Singh, Shri
Daljit Singh, Shri
Das, Shri C.
Durai, Shri Kasinatha
Gandhi, Shri V. B.
Jadhav, Shri Tulshidas
Jedhe, Shri
Jha, Shri Yogendra
Joshi, Shri A. C.
Kamble, Shri
Kappen, Shri
Kedaria, Shri C. M.
Kissen Veer, Shri
Kotaki, Shri Liladhar
Kripa Shankar, Shri
Kureel, Shri B. N.
Lahari Chaudhry, Shri
Lakhan Das, Shri
Lakshminanthamma, Shrimati

Lalit Sen, Shri
Mahishi, Dr. Sarojini
Malhotra, Shri Inder J.
Maniyangadan, Shri
Maruthia, Shri
Mehta, Shri Jashvant
Melkote, Dr.
Minimata, Shrimati
Mirza, Shri Bakar Ali
Misra, Shri Bibhuti
More, Shri K. L.
Mukane, Shri
Muthiah, Shri
Naik, Shri D. J.
Pande, Shri K.N.
Pandey, Shri R. S.
Pandey, Shri Vishwa Nath
Parashar, Shri
Patel, Shri P. R.
Patel, Shri Rajeshwar
Pratap Singh, Shri
Raghunath Singh, Shri
Rai, Shrimati Sahodra Bai
Rajdeo Singh, Shri
Raju, Shri D. B.
Raju, Dr. D. S.
Ramanathan Chettiar, Shri R.
Ramaswamy, Shri V. K.
Rameshkar Prasad Singh, Shri
Rane, Shri

Ranga Rao, Shri
Rao, Shri Krishnamoorthy
Rao, Shri Muthyal
Reddiar, Shri
Salgal, Shri A. S.
Samanta, Shri S. C.
Setyanarayana, Shri
Shah, Shrimati Jayabam
Sharma, Shri D. C.
Shastri, Shri Lal Bahadur
Shyam Kumari Devi, Shrimati
Siddananajappa, Shri
Singh, Shri S. T.
Sinha, Shrimati Tarakeshwari
Sonavane, Shri
Soy, Shri H. C.
Subbaraman, Shri
Sobramanyam, Shri T.
Sumat Prasad, Shri
Swamy, Shri M. P.
Swaran Singh, Shri
Tiwary, Shri D. N.
Tiwary, Shri K. N.
Tiwary, Shri R. S.
Uikey, Shri
Varma, Shri Revindra
Wasnik, Shri Balkrishna
Yadav, Shri N. P.
Yadava, Shri B. P.

NOES

Bade, Shri
Banerjee, Shri S. M.
Bhattacharya, Shri Diacon
Brij Raj Singh, Shri
Buta Singh, Shri
Chatterjee, Shri N. C.
Deo, Shri P. K.
Gupta, Shri Indrajit
Gupta, Shri Priya
Himmatsinhji, Shri

Kachavaiya, Shri Hukam Chand
Kamath, Shri Hari Vishnu
Ker, Shri Prabhat
Lohia, Dr. Ram Manohar
Masani, Shri M. R.
Mate, Shri
Misra, Dr. U.
Mukerjee, Shri H. N.
Nair, Shri Vasudevan
Pandey, Shri Sarjoo

Pattnayak, Shri Kishan
Pottekatt, Shri
Ramabadrans, Shri
Reddy, Shri Narasimha
Seahiyam, Shri
Singh, Shri J. B.
Solanki, Shri
Utiya, Shri
Warior, Shri
Yudhvir Singh, Shri

Mr. Speaker: The result of the division is: Ayes 89, Noes 30.

श्री मधु लियवे : मेरा फिर नहीं आया है ।

सभ्यक्ष महाशय : नोट कर लिया जाए ।

The motion was adopted.

Shri Braj Raj Singh-Kotah (Jhalawar): I have pressed the wrong button.

14.17 hrs.

[MR. DEPUTY-SPEAKER in the Chair]

RAILWAYS (EMPLOYMENT OF MEMBERS OF THE ARMED FORCES) BILL

The Deputy Minister in the Ministry of Defence (Dr. D. S. Raju): Sir, I beg to move:

"That the Bill to make certain provisions relating to the employment of members of the Armed Forces of the Union in the working and management of railways, be taken into consideration."

Mr. Deputy-Speaker, the Bill now before this House was actually introduced in the last session on the 24th of September but for want of time it could not be passed. In view of the emergency, an Ordinance was promulgated and the Bill has now been brought forward.

This Bill has got five clauses. Clause 1 gives the title of the Bill and clause 2 says that it extends to the whole of India, including Jammu and Kashmir.

When Armed forces personnel are inducted for the assistance of the railway administration, they do not actually come under the definition of the railway servants and we have experienced some difficulties because they do the duties and responsibilities but are not given the protection under the Railway Act of 1890. Clause 3 of the Bill gives them such protection. Since they do not come under that

definition according to the Act of 1890, naturally they could not handle railway property or give instructions. These difficulties had been encountered and so this clause had been introduced providing that the Armed Forces personnel when they are sent for the assistance of the railway administration come under the Railway Act with this proviso that so far as Chapter VIA is concerned, it does not apply to them when they are so inducted. Chapter VIA of the Indian Railways Act, 1890 deals with certain hours of work and periods of rest for various categories of personnel. So far as this chapter is concerned, it does not apply to the armed forces, although they come under this clause, namely, clause 3. Also, so far as the discipline and control of the armed personnel are concerned, the Railways Act does not apply to them. That is also covered now in clause 3.

In regard to clause 4, when it becomes necessary in an emergency for the army to take over certain sections of the railway, then these Armed forces personnel so inducted will come under the Army Act for the duration of the emergency. The Railways Act does not apply to them. That is the substance of clause 4.

A new clause—clause 5—has been added to the Bill by way of an amendment. It is because, in view of the emergency and because of the fact that this Bill could not be passed during the last session an ordinance was promulgated, and as an amendment, clause 5 has been introduced.

These are the two or three important clauses of the Bill.

Then, there is an amendment to the effect that at page 1, lines 6 and 7 may be omitted. Then, at page 2, after line 29, the following words be added:

"5.(1) The Railways (Employment of Members of the Armed Forces) Ordinance, 1965 is hereby repealed.