

(2) A copy each of the following Notifications under section 159 of the Customs Act, 1962:—

- (i) SO. 550 published in Gazette of India dated the 26th February, 1966;
- (ii) SO. 551 published in Gazette of India dated the 26th February, 1966;
- (iii) SO. 552 published in Gazette of India dated the 26th February, 1966;
- (iv) SO. 553 published in Gazette of India dated the 26th February, 1966;
- (v) SO. 554 published in Gazette of India dated the 26th February, 1966;
- (vi) SO. 555 published in Gazette of India dated the 26th February, 1966;
- (vii) SO. 556 published in Gazette of India dated the 26th February, 1966;
- (viii) SO. 557 published in Gazette of India dated the 26th February, 1966;

[Placed in Library. See No. LT-5762/66].

श्री बागड़ी : अध्यक्ष महोदय, मुझे कहने की इजाजत दीजिये । मेरा व्यवस्था का प्रश्न सुनिये । मैंने एडजार्नमेंट मोशन का नोटिस दिया है, मुझे बोलने का अधिकार दिया जाय । हरियाणा प्रान्त के लोगों के मन में शंका पैदा हो गई है कि ये पंजाब में आग लगाना चाहते हैं । खुद सरकार जब इस शंका को नहीं मिटाना चाहती, तो इसका मतलब है कि सरकार खुद आग लगाना चाहती है ।

Mr. Speaker: Order, order. Would he sit down?

श्री बागड़ी : अध्यक्ष महोदय, आप उस पर निर्णय दें ।

Mr. Speaker: Either he will sit down or I shall have to take action.

श्री बागड़ी : हरियाणा के लोगों का फैसला क्यों नहीं किया जाता ।

Mr. Speaker: Either he will sit down or I shall have to ask him to go out.

श्री बागड़ी : यह का मजाकब ना रखा है ।

Mr. Speaker: I shall have to ask him to go out if he does not sit down.

श्री रामसेवक यादव : (बाराबंकी) : अध्यक्ष महोदय, असल में हरियाणा प्रान्त के बारे में ध्यानाकर्षण प्रस्ताव था ।

श्री बागड़ी : एलान क्यों नहीं किया गया कि हरियाणा मिल जायगा ।

ANNUAL REPORT OF BHARAT ELECTRONICS LIMITED

The Minister of State in the Ministry of Defence (Shri A. M. Thomas): I beg to lay on the Table a copy of the Annual Report of the Bharat Electronics Limited, Bangalore, for the year 1964-65 along with the Audited Accounts and the comments of the Comptroller and Auditor-General thereon, under sub-section (1) of section 619A of the Companies Act, 1956. Placed in Library, See No. LT-5763/66].

12.54 hrs.

RE: PAROLE OF SHRI UMANATH

Mr. Speaker: Now, I have to announce my decision or my ruling on he came of Shri Umanath .

Shri Umanath, a Member of Lok Sabha, is under detention by the order of the Madras Government under Defence of India Rules. He asked for release on parole in order to be able to attend his ailing wife. The State

[Mr. Speaker]

Government allowed his request, but laid down the following conditions *inter alia* that:

- (1) Shri Umanath should report his presence every day at the local police station; and
- (2) He should not indulge or participate in any subversive (political) activities.

On 2nd March, 1966, a question arose in the House whether Shri Umanath, while on parole, could attend the House and participate in the discussions, if he so desired. The Law Minister explained the legal position but when further doubts were raised, the Leader of the House wanted time to study the position further and examine the implications.

Before the Government had explained its viewpoint and the House taken any decision, Shri Umanath was served with another notice on the 2nd March, 1966 that he could not go to Delhi while on parole. This new notice provoked a motion by Shri H. V. Kamath, that a breach of privilege and contempt of the House had been committed inasmuch as a new condition had been imposed on Shri Umanath hindering him from attending Lok Sabha. The Home Minister explained that the new order was only an elucidation and not a fresh condition or variation of the old ones laid down in the original order of parole and Shri Umanath had himself agreed to his release on the express conditions, including *inter alia* the daily reporting to the local police station, which implicitly meant continued stay in his residence.

The administration of Defence of India Rules is in the sphere of the State Government. The imposition of any conditions on Shri Umanath for release on parole is the exclusive jurisdiction of the Madras State and it was for Shri Umanath to agree to those conditions and secure his release on parole or not. The Central Gov-

ernment has no responsibility and this House cannot interfere, even if the conditions were such as prevented Shri Umanath from attending the House while on parole. There would be no contempt committed in such a case.

But the service of the order dated the 2nd March, 1966 has introduced a curious element. If the new order was only elucidatory, it was unnecessary; if it imposes a new condition, it is improper to do so, as it came into force while the House was seized of the matter.

Now, let us examine the new order dated the 2nd March, 1966. This prohibits Shri Umanath from coming to Delhi and thus is expressly intended to preclude him from attending the House. This was the only question that was pending for consideration by this House, and the State Government or the officer responsible has created a situation under which Shri Umanath cannot attend the House even if the House had come to the contrary conclusion.

Attendance in the House and participation in the debates can never be considered as indulging in objectionable activities.

Shri Kapur Singh (Ludhiana): Thank you.

Shri Hari Vishnu Kamath (Hoshangabad): You have put it very well.

Mr. Speaker: If under the original restrictions Shri Umanath had reached by some plane service any day, taken part in the debates and returned by the plane the same day to report his presence to the police station, he would not have committed any breach of the original conditions; but if he does the same thing now, this would be a clear breach. I am not competent to interpret the old conditions in the strict legal sense, as that would be for the courts to decide.

It may be that courts might hold that even under their original conditions the detenu could not attend the House. If then Shri Umanath had contravened any condition, he would have done that on his own responsibility. My limited purpose now is to point out that the alleged elucidation has brought about a change in the original restrictions.

This would be more evident by a little further examination. The latest order does not prohibit Shri Umanath from visiting nearby towns or even going to Madras or other places if he can return the same day to register his presence in the evening. If the original order had laid down that the detenu would confine his movements to his village or town, this could have been understood. I can go further. Even if the later order dated the 2nd March had conveyed that the original order was intended to restrict his movements within the boundaries of the local police station and Shri Umanath could not move out of those limits, it could possibly be argued that this was an unnecessary elucidation. But in the present circumstances I have no option but to hold that this was a fresh condition specifically served to make sure that he does not go to Delhi to attend this House.

At page 109 of *May's Parliamentary Practice* it is stated that 'any act or omission which obstructs or impedes either House of Parliament in the performance of its functions, which obstructs or impedes any Member in the discharge of his duty, or which has a tendency directly or indirectly to produce such results, may be treated as a contempt, even though there is no precedent of the offence'.

13 hrs.

It is significant that the Central Government, which is answerable to this House, took no action to apprise the State Government of Madras of the discussion in the House on the 2nd March and of its undertaking to make a further statement after examining the position; and subsequently,

when it came to its notice that a fresh elucidatory order had been issued on Shri Umanath, did not advise the State Government to cancel or hold in abeyance the said order pending a decision by this House.

Shri Nath Pai (Rajapur): Most regrettable lapse. You should look at them while reading.

Mr. Speaker: It is strange that while the Home Minister stated in the House that Shri Umanath could attend the House if the conditions of parole permitted it otherwise, the State Government of Madras had already neutralised the effects of its interpretation of the parole order. In the circumstances of this case, it is possible that the House may after fuller investigation of the case come to the conclusion that the service of the order dated 2-3-1966 prohibiting Shri Umanath from going to Delhi specifically, where the Houses of Parliament sit, during the period, when this House was seized of this very matter, may amount to contempt of the House.

My function at this stage is to consider whether I should give consent to the Motion of Privilege being made. As I have stated above, there is enough material before me to give such consent. But I would urge the House to consider that as this is the first case of its kind and possibly the order has been issued in ignorance of its implications, the House would be better advised . . .

Shri Maurya (Aligarh): No, Sir.

Mr. Speaker: . . . to express its displeasure at the impropriety and let the matter rest there.

I may reiterate I am not called upon to give any opinion as to whether Shri Umanath can attend this House under the restrictions laid down by the State Government and agreed to by him. That is a legal question to be adjudicated upon by courts. This House has no objection, but if he

[Mr. Speaker]

comes and attends, he has himself to face the consequences.

Shri Hari Vishnu Kamath: Mr. Speaker, we are grateful indeed for the magnificent ruling—that is the only word I can use in this context—that you have given just now on an issue which concerns the rights and privileges of Members of this House. I would only urge one or two points by way of clarification and further elucidation—the words used by the Home Minister himself.

I am not concerned here with the politics of Shri Umanath or the principles, programmes and policies of the party to which he belongs. My party does have very serious differences with his party but that is not the issue here. The issue, as you have rightly said, is the issue of the rights, and the cognate issue of breach of privilege. You have held, that there has been *prima facie* proof of contempt of the House but you would advise the House not to pursue the matter—that is the way you have put it.

May I urge for your consideration one or two points on which will hinge the decision of this House as to whether contempt has been committed and whether it should or should not be referred to the Committee of Privileges? The other day when I specifically mentioned this order, this notice—call it what you will—that the Madras Government served on Shri Umanath through a sub-inspector of police of Woriur, the Home Minister blandly said 'we have not served any order'. He did not even know that it had been served, though, as you have rightly said, it was his duty to have apprised the Madras Government of the proceedings of this House in this matter.

Now according to press reports, the Chief Minister, of Madras Shri Bhaktavatsalam, made statement in the House, the Assembly, the next day. According to press reports—I hope

they are authentic and accurate—he also denied any knowledge—completely—of any order served by Government on the detenu on parole. I have got a letter from a friend in that area saying he was not aware whether he spoke in Tamil or English; he attributes to the Chief Minister of Madras the statement that he charged Members of Parliament with making irresponsible statements in this House. I do not know whether it is true; the words used were that Members of Parliament make irresponsible statements in this House. That, Sir, makes the offence graver . . .

Mr. Speaker: In that connection, I have to make an observation. Here too I have found that in spite of my remonstrances, criticism is offered against State Governments, against officers, who are not present here—very severe criticism sometimes. I have wondered whether if we indulged in that practice, the State Assemblies or the State Ministers might also not do the same.

An. hon. Member: Not the Chief Minister.

Mr. Speaker: Supposing I allow such a discussion on State Governments, State Chief Ministers and other State Ministers who are not here to defend themselves, then occasion can arise when in the State Assemblies they might attack us. If we want to safeguard our own interest and protect ourselves . . .

Shri S. M. Banerjee (Kanpur): They have been doing it.

Mr. Speaker: it is better that we do not make such references here to them. If we do, it is just possible that they may some day say that the Speaker was a fool to allow such a thing and the Members were not wise in indulging in such discussion. What shall we do then? So it is best for our own protection, for our own security, that we move only in our

own sphere that is prescribed for us in the Constitution and do not move out of it, so that we can hold them also in check, so that they remain in their own sphere and not go out of it.

Shri Hari Vishnu Kamath: Thank you very much. I bow to the wisdom of your ruling; I accept it with all my heart. I never used any word, if I remember aright, which might give offence to the Chief Minister; I only made a statement of fact . . .

Mr. Speaker: He will be brief so far as that is concerned. I have only put it to the House.

Shri Hari Vishnu Kamath: My colleague said that the conditions imposed are humiliating, nothing else; we did not say any word against the Chief Minister. But he is reported to have said that Members of Parliament have made irresponsible statements in this House. If that is correct, it adds to the gravity of the offence that might have been committed, of the contempt that has been committed.

If you will condescend to accept my humble offer of assistance in coming to the right decision, I would also place, with your leave, on the Table of the House, a photostat copy of the order, the second order which was served on the detainee. Let him either affirm or deny. The Home Minister, unfortunately is not here. Or do they take the stand which they took exactly a year ago with regard to the CBI Report on Orissa, in regard to which you gave a historic ruling?

Mr. Speaker: He might pass it on to me. I will find out.

Shri Hari Vishnu Kamath: I am handing it over at the Table. I hope you recollect the notorious stance which they took regarding the CBI Report—neither affirm nor deny.

While we would certainly give very earnest consideration to your advice,

the advice that you have tendered to the House in this matter, I for one feel that the concomittant circumstances which have attended this rather serious issue that has come before us, the right of a detainee on parole to attend the House, and the way the Madras State Government has tried to circumvent or anticipate a decision by us by issuing a fresh order brings the House into contempt.....

Mr. Speaker: I think I have dealt with that.

Shri Hari Vishnu Kamath: Having come to the decision, how, may I ask in all earnestness, would you ask us not to refer this matter to the Committee of Privileges, because a question of privilege is involved, and that privilege is sought to be set at nought by this particular order, of which they say they are ignorant—both the Madras Government as well as the Home Minister here?

Therefore, I for one would strongly urge that notwithstanding the status that the Madras Chief Minister holds in public and in his own State, notwithstanding the status of the Home Minister, who is also somewhat involved in this matter, in that he failed to apprise the Madras Government of the facts of the case, of the debate in the House, I do feel that, keeping in view the historic traditions that this House has been laying down in the last few years, in the last few months, in your time, keeping in view the highest traditions that should be laid down by this House, we should not be deterred by the consideration that a high dignitary, whether at the Centre or at the State, is involved in this matter. We must proceed to refer the matter to the Committee of Privileges.

Shri H. N. Mukerjee (Calcutta Central): The House should not let this occasion pass without an expression of our gratitude for the historic ruling which you have given, historic because of its relevance to the concept

[Shri H. N. Mukerjee]

of parliamentary democracy and the rights of Members of Parliament. I do not want to expatiate on the point, because it is not necessary.

You have given a ruling which is, in effect, a reprimand to certain forces operating on the government side both at the centre and in the state, but you, in your generosity, have recommended that this being the first case of this nature, it should not perhaps be made any further use of, and that perhaps is the consequential result of your advice that the matter need not be referred to the committee of privileges. In regard to that I would make a humble submission, and I am sure you would give serious consideration to this point.

I know that on recent occasions there have been many instances when you have been forced to make certain observations about the peril to parliamentary democracy and the way it is functioning in our country. As far as I am concerned, I am ready to say that occasionally things happen in the country which are of such a nature that perhaps we on our part operating even inside this House sometimes overstep the boundaries which we should not do in normal circumstances. I am ready to admit that, but there has to be a differentiation between transgressions of certain codes of conduct by an Opposition in the country which is harried and flustered by all kinds of most melancholy events taking place which impinge upon the life of this country in the most disastrous fashion; one has to differentiate between certain perhaps unconscious defaults on the part of the Opposition in so far as the working of parliamentary democracy in its finest form is concerned, and defaults committed by a party which has a massive majority here and all over the country. There is not a link in the chain of the monopoly of the power which the Congress Party exercises in this country. That

being the factual matter, it so happens that even in regard to something which ought to be considered sacred, namely the rights of Parliament, if not of the Opposition Members, the right of Parliament as a whole, when it is in possession of a certain matter, has been sought to be circumvented and disregarded by certain actions which have emanated from official sources both at the centre and in the state.

On the last occasion, Mr. Kamath and I happened to have been able to point out certain circumstances which made you decide that you had to make an investigation into the position, and on investigation you have arrived at the decision which is, as I have said before, equivalent to a reprimand as far as the Government is concerned, but this being a sort of reprimand deserved by the Government in regard to a very serious issue, parliamentary issue, and this being a sort of offence by people who are in power—and power seems to have corrupted these centres of life—I submit to you in all humility that in view of the particular circumstances of the case this should be gone into a little more especially in view of the further facts which have emanated from Mr. Kamath.

I would, therefore, suggest to you that you be pleased to refer the matter to the Committee of Privileges, where, in very seemly surroundings, we can discuss this matter. Government representatives can appear before us and perhaps they might even offer an apology to Parliament, and it would do with the very best of grace perhaps that we can say finale to this incident.

Shri Ranga (Chittoor): I very much appreciate the ruling that you have given today. It strengthens the hands of Members of Parliament. It also upholds the status and the importance of the membership of this House. But now, what would be the consequence of our not proceeding

with this matter. Would it not be said, would it not be taken by the Government, that this House did not consider it of such importance as to refer it to the Committee of Privileges, and has chosen to drop it. That is a very important consideration to which I would invite your attention as well as the attention of the Government.

That is where the last remark made by Mr. Mukerjee becomes so very important and relevant. Instead of the Government and the Home Minister waiting until the Committee of Privileges goes into this matter and calls upon the Government to offer an apology, if the Government are prepared to come forward even now, in response to the advice, the criticism the observations that you have made this morning as well as our own observations, then possibly it might not be possible either for the State Government or the Union Government hereafter, and their secretariats to sleep over these matters and be indifferent in regard to such matters.

Now that this question has been brought so prominently to the notice of the House by Mr. Kamath and other friends on our side -as well as by yourself as our Speaker, I would like to draw your attention and the attention of the House to this very important and relevant fact and position. When Members of Parliament are taken into detention either under the Preventive Detention Act or under DIR, they are being prevented from discharging their duties to Parliament as well as to their constituency and the whole of the country. Under these circumstances, if for relevant or for sufficient reasons Government thinks it fit to take them into detention, and if, thereafter they find it also necessary to release them on parole for whatever purpose it may be, it stands to reason, and it would only be dignified and decent that they should not impose such conditions as had been imposed in this case, as are being imposed in several cases also, that they should report every day to the local

police, that they should not move out of the local police jurisdiction or any such other things giving room to the Member to doubt, whenever it would be possible for him to attend Parliament, whether he would be doing the right thing or doing the wrong thing, whether he would have to take the consequences and so on.

Therefore, I would like you to invite the attention of the Government to the need to see that the concerned government whether it be the State Government or the Central Government does not impose such onerous, dishonourable and, from the parliamentary point of view, undignified conditions.

The Minister of Parliamentary Affairs and Communications (Shri Satya Narayan Sinha): After the ruling which you have given stating all the facts, so far as we are concerned on this side, we have never tried to defy your ruling, nor turn down your request, the request which you have made to the House. I hope the House would agree to that.

Shri Hari Vishnu Kamath: What is that? He is not expressing any regret.

श्री मधु लिमये (मुंगेर) : अध्यक्ष महोदय,
मुझे तो अज्ञ करने दीजिये ।

अध्यक्ष महोदय : जी नहीं । और मैं
इसमें नहीं चल सकता ।

Shri G. N. Dixit (Etawah): On a point of order.

Mr. Speaker: The House should realise that it is not the punishment or any apology that matters most. It is really the assertion of the right that is most important, and its declaration. The House always enhances its prestige when it asserts it, declares it, establishes it and then ordinarily lets go the offender because in that case more weight is added to its dignity. This is my interpretation of it. So, I would plead that the hon. Members again not to press it now, just to reconcile themselves in this context,

[Mr. Speaker]

accept my request in that regard and let it go, drop it there. Already, displeasure has been expressed. Apology would have been needed if that had not been expressed. A Displeasure has been expressed already, and—
(*Interruption.*)

Shri Vasudevan Nair (Ambalapuzha): A deliberate action.

Mr. Speaker: I think that should be enough. This is my request and I hope the House will agree to it. (*Interruption.*)

Shri Hari Vishnu Kamath: As my hon. friend Shri Mukerjee has said, in the Committee, after coolly and calmly considering the issue and after getting the Madras Government's expression of regret, then, the matter may be closed. Not now. (*Interruption.*)

Shri G. N. Dixit: Sir, with due respect to your advice and with due respect to the observations made by the Leader of the House, my submission is that it appears that one fact has been overlooked by you and also by the Leader of the House, and that is,—as you yourself have properly stated that we should not consider State matters in the absence of the Chief Minister or State Minister, and if we accept your advice, by accepting your advice, we will be convicting and sentencing the Madras Government without giving them an opportunity to be heard. And that will be going against the very principle of natural justice.
(*Interruption.*)

Mr. Speaker: Order, order. Probably he has not heard me properly. The dissatisfaction is against the Central Government, that it has not done something; not the State Government.

Shri Ranga: That is why I am saying that they are allergic and I earlier called upon the Home Minister and the Government to come and apologise.
(*Interruption.*)

Mr. Speaker: Order, order. I request hon. Members to resume their seats.

Shri Ranga: Sir, did you follow my observations? I insist upon not only the Leader of the House but also the Home Minister, because you made the observation that....

Mr. Speaker: He has made these observations that the Government would be careful hereafter. (*Interruption.*)

Shri Ranga: So many things are happening all over India, and in regard to them, we express our concern and our views. Is it not the duty of the concerned Minister here immediately to apprise the local government in regard to the attitude of Parliament and the observations that are being made, especially on a subject so important like this, in which the Home Minister should immediately take action, contact the State Government over the telephone.

Shri H. N. Mukerjee: It is quite clear from what the Leader of the House has said that as far as the Government is concerned, they are only glad at having been able to get away with it, because of your generous request to the House. On the part of the Government there is not the slightest gesture of an expression of apology for what appeared, according to your own adjudication, to be a contempt of the House. In these circumstances, I beg of you to see that in your generosity you should not bind the House to a course of action which disables us from exercising a right which has been infringed by the highest possible authority in the country because they are in power, which power has corrupted them, and so they are presuming to behave in that same fashion even in relation to this Parliament, and that is why in your great generosity you recommended a course of action which may be all right but they do not deserve that generosity.

श्री मधु लिम्बे : प्वाइंट ऑफ़ ऑर्डर भी मेरा है और आप से निवेदन भी है । शहरी आजादी के लिये और जमहूरियत के लिये आप ने आज ऐतिहासिक महत्व का निर्णय दिया और हमारी भावनाओं की भी आप ने कद्र की ।

अब मैं आप से यह निवेदन करूंगा कि हमारी विशेषाधिकार समिति के जो नियम हैं उन के अन्तर्गत क्या यह सदन विषम व्यवहार कर सकता है सरकारी व्यक्ति और पत्रकारों आदि गैर सरकारी लोगों के बारे में । करोंजिया का मामला मुझे पता नहीं कि द्वितीय लोक सभा में आया था या तीसरी लोक सभा में । बड़ी सख्ती के साथ विशेषाधिकार समिति ने और सदन ने काम लिया । उन को तम्बीह और फटकार भी दी गई थी । अगर इस के बारे में हम कोई कार्रवाई नहीं करेंगे तो एक गलतफहमी सारे मुल्क में फैलेगी कि जहाँ सरकारी अधिकारियों का सवाल आता है यह लोक सभा दब जाती है, लेकिन जहाँ निजी व्यक्तियों का, गैर-सरकारी व्यक्तियों का और पत्रकारों का सवाल आता है, हम सख्ती का रुख अपनाते हैं । इसलिये मैं अदब से निवेदन करूंगा कि ऐसी गलतफहमी मुल्क में पैदा न हो इसलिये विशेषाधिकार समिति के पास इस मामले को भेज दिया जाये ।

Shri Vasudevan Nair: Will they withdraw that restraint order in view of what you have stated in this House? Will the Government come forward and see that they will withdraw that order? We would like to know that, whether they will ask the Madras Government to withdraw that order.

Shri S. M. Banerjee: I bow to your ruling and I have also listened with respect to the observations made by the Leader of the House. But may I remind you that there are three or four cases when expressions of apology were made? On one occa-

sion, previously, even the Chief Minister of Kerala, Mr. Namboodripad, had to apologise, and he had that much courtesy to do it. There was another case where, when myself and Shri Indrajit Gupta were released on bail from the Jamshedpur jail, the District Magistrate or the SDO did not inform this House. I moved a privilege motion and your predecessor, Shri Ananthasayanam Ayyangar was then in the Chair. He wanted to refer the matter to the Committee on Privileges, but before doing so, he took the permission of the House and referred the matter to the Bihar Government, and the Home Minister of the Bihar Government, the Home Secretary to the Bihar Government—everybody—had to apologise, and only then this House said that that question need not be pursued. I only want to say this: you have been so generous, but they do not deserve it; and if you go on doing it, it will vest a power in the hands of the Government and the executive so that they will disobey even Parliamentary principles.

Mr. Speaker: That is the usual charge: that some say that I am generous and some others say that I am weak.

Shri Hem Barua: You are generous. But you are sowing seeds of generosity on barren social! Generosity to the undeserved.

Mr. Speaker: I am weak; I am governed by many circumstances. That I am weak when I am dealing with the Opposition—that also has been said many a time.

Shri Hari Vishnu Kamath: By whom?

Mr. Speaker: Generosity and weakness are just close to each other; that does not matter. They are close neighbours!

Shri Hari Vishnu Kamath: But those who are sitting there do not understand. (Interruption).

Mr. Speaker: If my advice is not acceptable to some Members, then what can be done?

Shri Hari Vishnu Kamath: The Madras Government has committed contempt and they have not expressed regret. The Madras Chief Minister has not expressed any regret.

Mr. Speaker: I request hon. Members now to be content with what has happened now and let the matter be dropped.

Shri Vasudevan Nair: You, Sir, should try to understand us also.

Shri Hari Vishnu Kamath: Let the Madras Chief Minister express regret, which they have not done so far. Why should we close the matter now? We can hold up the matter till tomorrow or the day after. (*Interruption*).

Mr. Speaker: If my recommendation is not accepted, and if some Members have objection, I am forced to put it to the House. What should I do?

Shri Hari Vishnu Kamath: Yes; put it to the House. (*Interruption*).

Mr. Speaker: If I put it to the House, then also, I think it would not be advisable.

Shri Hari Vishnu Kamath: Under rule 225(2), "if not less than twenty-five members rise accordingly, the Speaker shall declare that leave is granted."

Mr. Speaker: Shri Mukerjee should give a lead. The objection is that that procedure which I had suggested would not be a good procedure or precedent.

Shri H. N. Mukerjee: We have pleaded with you and we persist in it, because it is our right and duty in view of the Government's attitude, and in view, particularly of the generous recommendations which you

have made, it cannot possibly be accepted by the House. You should concede that, and in the circumstances, it should be referred to the Committee on Privileges.

Shri Hari Vishnu Kamath: May I submit one thing? I am moved only by one consideration, namely, the supremacy of Parliament, before which even the highest authority must bow, and in this matter, neither the Treasury Benches nor the Government of Madras have expressed any regret so far. On the contrary, they have charged us with irresponsibility. (*Interruption*).

Shri Bhagwat Jha Azad (Bhagalpur): Would you like to postpone this matter and let the Government have time to consider the matter and come forward with a recommendation or decision?

Shri Satya Narayan Sinha: I would never like this situation to arise, namely, that after we recommend to you one thing, it should not be accepted. I think it is unfortunate that some of my hon. friends still feel that....

Shri Vasudevan Nair: Why unfortunate?

An. hon. Member: It is unfortunate for the Government.

Shri Satya Narayan Sinha: That is true. Sir, in my opinion, in view of your ruling—I do not know if on behalf of the Madras Government I can say anything—so far as we are concerned, a thing has been done unwittingly. There was no desire on the part of this Government to challenge the supremacy of this House and this Parliament, and we are really sorry for it. And we can give you this assurance, that such things will not happen in future. (*Interruption*).

Shri Hari Vishnu Kamath: Sir, in all humility, I submit one thing. The Madras Government has not expressed regret so far.

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

Shri Hari Vishnu Kamath: Even according to your ruling, the Madras Government, the Madras Chief Minister, has committed contempt of the House. They have not expressed regret so far.

Mr. Speaker: I think we should accept it.

Shri Hari Vishnu Kamath: We do not accept it.

13:31 hrs.

GENERAL BUDGET—GENERAL
DISCUSSION—contd.

Mr. Speaker: The House will now resume further discussion on the General Budget. Shri Koujalgi may continue his speech.

13.31½ hrs.

[MR. DEPUTY-SPEAKER *in the Chair*]

Shri H. V. Koujalgi (Belgaum): Sir, the other day I was speaking about the different rates of foodgrain prices in different States. Not only that, States like Punjab have complained that the foodgrains are not lifted from that State and they are also put to loss. The result is discontentment is expressed by the growers and farmers in various States. I think the malady is due to the barriers of the zonal system. It has been contended by many members on the floor of the House that the zonal barriers should be removed. The Government will have to reconsider this proposal and the barriers should be removed as early as possible, at least during this crisis and there should be free movement of foodgrains.

I want to say something about the problems of Mysore State from where I come. The percentage of irrigation in Mysore is very low. At one time it was considered a much-irrigated

area, but now things are otherwise. The State Government has taken up major irrigation projects like Upper Krishna and Malaprabha, but due to shortage of funds, the progress of these works is very slow. The State Government has recommended to the Central Government to take over the Upper Krishna scheme as a central scheme. I submit that Upper Krishna should be taken over as a central scheme and large financial aid should be given to the Malaprabha scheme. The Ghataprabha Right Bank scheme is in Balgaum district, which is a scarcity area. For want of funds, the work has not at all started. I request the Central Government to come to the aid of the State Government, so that this work can be taken up.

The Mysore Government has prepared a scheme for minor irrigation works. If all these schemes are undertaken, they would cost about Rs. 10 crores. The schemes are such that they can be executed in a year or two. They have requested the Centre to sanction Rs. 10 crores. The other day I read that only Rs. 3 crores are sanctioned. With only Rs. 3 crores, it will be very difficult to execute all these works. The financial position of Mysore Government is such that it is very difficult to provide more funds. The State Government has already tapped all possible sources of taxation and there is very little room for additional taxation. So, I request the Central Government to come to the aid of Mysore.

It is very unfortunate that the location of the fifth steel plant has not yet been decided. Hospet is one of the most recommended sites and I submit that Hospet should be given preference and it should not be dropped for political reasons.

Shri D. C. Sharma (Gurdaspur): There is a ruling by the Speaker that there should be at least one Cabinet Minister in the House. But there is no Cabinet Minister now.

Shi Bhagwat Jha Azad (Bhagalpur): Since he has raised it, you