

THE

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PARLIAMENTARY DEBATES  
(Part II—Proceedings other than Questions and Answers)  
OFFICIAL REPORT

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HOUSE OF THE PEOPLE

Friday, 30th May, 1952

The House met at a Quarter Past  
Eight of the Clock.

[MR. SPEAKER in the Chair]

QUESTIONS AND ANSWERS

(See Part I)

9.15 A.M.

MOTION FOR ADJOURNMENT  
TENSION IN AGARTALA OF TRIPURA

**Mr. Speaker:** I have received notice of an adjournment motion from Shri Biren Dutt which reads as follows:

"To discuss a matter of urgent public importance, namely, the promulgation of Section 144 in Agartala of Tripura State, for two months which has created a great tension and fear among the people of the State."

I take it that what the hon. Member means is that an order is in force for the last two months or is it his intention to say that the order has now been promulgated to continue in force for two months?

**Shri Biren Dutt** (Tripura West): It has been promulgated now.

**Mr. Speaker:** On what date?

**Shri Biren Dutt:** Yesterday we received a wire that the promulgation has been made just now. Because all the elected members were under warrant and after arriving here hon. Member Dasaratha Deb got his warrant withdrawn.

**Mr. Speaker:** Let me know the date. I am concerned only with admissibility. When was the order promulgated?

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**Shri Biren Dutt:** Yesterday I got a wire.....

**Mr. Speaker:** Does it state as to the date on which the order was promulgated?

**Shri Biren Dutt:** Yes, for two months from 29th May (Interruption). Yesterday the promulgation was made for another two months.

**Mr. Speaker:** I wanted to be sure about it, whether it had been promulgated and has been in force for two months, in which case the adjournment motion.....

**Shri A. C. Guha** (Santipur): He says for another two months. Is it an extension or a new promulgation?

**Mr. Speaker:** Is it an extension of the old order?

**Shri Biren Dutt:** No meeting is allowed in Agartala even in the time of general Election.

**Mr. Speaker:** So it was merely an extension of the old order?

**Shri Biren Dutt:** It is a new order. There was an order which never allowed meeting on conventional meeting grounds within Municipal area.

**Mr. Speaker:** So he is not very clear. Assuming that the order was passed day before yesterday, and it came to the knowledge of the hon. Member only last night, I need not decide the point on the question of urgency, because there are two other serious objections. One is that the motion is vague. It refers to "great tension and fear". That is not a very specific or definite issue to be discussed. Then this matter is covered by a previous ruling and I will only read a portion of it:

"The order has been passed under section 144 in exercise of powers under the Criminal Procedure Code. This motion cannot be in order."

[Mr. Speaker]

I believe the Criminal Procedure Code makes provision for a reference to the High Court by the party who feels aggrieved. There is a legal remedy about it. That is the meaning of the previous ruling. Therefore, it has been the general rule in this House that, there shall be no adjournment motions in cases where orders under section 144 of the Criminal Procedure Code are promulgated, the remedy having been provided by the Code through the ordinary course of law. (*Interruption*). That is very clear. I do not think I need mention the whole string of rulings in this House. This procedure has been adopted and accepted for 25 years and I do not think I should change that now. (*An Hon. Member*: We are under a new Constitution.) It is a new Constitution and therefore perhaps further restrictions are called for.

**Shri R. K. Chaudhury** (Gauhati): May I know for future guidance when an order is passed by the local Government and it is not appealable to any authority, whether such an order may be a subject for discussion here?

**Mr. Speaker**: It is a hypothetical question. The hon. Member may take the opinion of his legal advisers. I cannot imagine that the provisions of the Criminal Procedure Code can apply only when orders are passed by certain States and not by other States. It applies to all.

**Shri Nambiar** (Mayuram): A short notice question may be allowed on the subject, Sir. (*Interruption*).

**Mr. Speaker**: Order, order. He can try that remedy.

#### REPORT OF PRIVILEGES COMMITTEE

**Shri N. L. Sharma** (Sikar): May I know, Sir, when the House will get the report of the Privileges Committee?

**Mr. Speaker**: I understand that the Committee is meeting at 5 P.M. today.

**Shri N. L. Sharma**: When will the House get the report?

**Mr. Speaker**: When the report has been made. (*Interruptions*). Order, order. The Privileges Committee of the House is not interested in this or that party. It is a Committee whose function is to protect the rights of all

Members, irrespective of their political leanings. The Privileges Committee does not work, as is done in the House, on a party system. Whether it is the case of a Member of this or that party, the Privileges Committee is concerned with the prestige and privileges of every Member of this House, irrespective of his party inclinations: the prestige of the entire House is concerned. The report will take some time but it does not matter. Let these questions be decided once for all. I would earnestly request Members of the Opposition that they should not treat questions of privilege, purely as party questions.

**Dr. S. P. Mookerjee** (Calcutta South-East): That should be addressed to Government Benches. (*Interruption*).

**Mr. Speaker**: Order, order. The Chairman of the Committee, the hon. Home Minister, is a well known lawyer and a good Parliamentarian but I thought that Members of the Opposition were new ones. That was why I referred to the Members of the Opposition.

#### PAPERS LAID ON THE TABLE

(i) Appropriation Accounts Posts and Telegraphs); and (ii) Audit Report.

**The Minister of Finance** (Shri C. D. Deshmukh): I lay on the Table a signed copy of the Appropriation Accounts (Posts and Telegraphs) 1949-50 and the Audit Report 1951 under Article 151 of the Constitution. [*Placea in Library. See No. IV N.O.(6)*].

#### GENERAL BUDGET—GENERAL DISCUSSION

**Mr. Speaker**: We shall now proceed to the discussion of the General Budget. I have to announce to the House that under Rule 184(3), I fix that the time-limit for speeches will ordinarily be 15 minutes for each Member excepting the Finance Minister for whom one hour or more will be allowed, if necessary.

At this stage the House will be at liberty to discuss the Budget as a whole or any question of principle involved therein.

I am making this suggestion so that, Members may make the best pos-