

PARLIAMENTARY DEBATES

(Part II—Proceedings other than Questions and Answers)

OFFICIAL REPORT

1973

1974

HOUSE OF THE PEOPLE

Wednesday, 10th December, 1952

The House met at a Quarter to
Eleven of the Clock.

[MR. DEPUTY-SPEAKER in the Chair]

QUESTIONS AND ANSWERS

(See Part I)

11-45 A.M.

QUESTION OF PRIVILEGE

PREMATURE PUBLICATION OF ADJOURNMENT
MOTION

Shrimati Sucheta Kripalani (New Delhi): Sir, I would like to raise a question of privilege. Yesterday, I and certain other Members gave notice of a motion of adjournment and before the motion was admitted, I find there was a very flamboyant report of that adjournment motion here. It says in the *Delhi Express*:

"Will Nehru swear allegiance to Queen?"

Opposition M.P.s Protest Against Reported Move.

Adjournment Motion likely today.

U. K. High Commission denies knowledge of Plan".

"All Opposition groups in the House of the People have combined to protest against Mr. Nehru's reported plan to swear allegiance on behalf of India at the forthcoming Coronation of Queen Elizabeth in London.

They have given notice of an adjournment motion on the subject, to be moved in the House on Wednesday."

It is a three-fourth column report here. This is a matter of very serious

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importance to the country and of very great significance. How is it that before the House is seized of the matter, it is reported here?

I would also like to draw your attention to the fact that there is a very well established convention with regard to this. In 1948, to a short notice question given on 6th February, the Speaker gave this ruling. The Speaker referred to the short notice question due to be answered on that day having found publicity in the Press on the previous day. He said it was a breach of the convention of the House, and added:

"This is a breach of the convention of the House. I might invite the attention of hon. Members to the desirability of no question or motion finding publicity in the press before not only these are admitted but, so far as questions are concerned, before they are answered in the House. It is fair both to the House and also to the Government that the question and answer should go to the public together."

We have not had a chance to discuss this very serious matter which goes to the very foundation of our Constitutional position and neither has the Government had a chance to give a reply, and before we have a chance to discuss it, this kind of cheap report is made about it in this paper. I would therefore request you to refer this matter to the Committee of Privileges.

Mr. Deputy-Speaker: It is a breach of convention. The Speaker is quite competent to take action on this matter. I do not know how in the face of repeated warnings, this has happened, before a matter is taken up by Parliament and before even it is admitted by the Speaker. So far as the adjournment motion is concerned, the mischief is done by publishing it before the consent of the Speaker is given, when even hon. Members are

[Mr. Deputy-Speaker]

not taken into confidence. When the consent of the Speaker is withheld, and the motions are not even read out in the House because by merely reading them even they might get publicity while otherwise they might be inadmissible. It is improper to be published as it would be read and the mischief might be done. In those circumstances, when this matter is withheld even from the Members of the House, for the Press to publish it cannot be condemned in too strong words. I will certainly take action against this paper and call for an explanation and deal with it in the right manner.

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): May I say a word? I am glad that your attention was drawn to this matter because I myself intended doing so, and I had a sense of grievance, if I may say so with all respect, against the Members who have sent that notice—there are a large number of them—and I wish to ask them if they had given it to the paper or allowed it to be sent to the newspaper. It is one thing for publication in a newspaper, but it is not right that such a thing should be bandied about so as to reach a newspaper. Both parts of this should be enquired into, if I may submit, fully.

As this matter has come up before this House, may I say something with your permission? Last evening, I was shown, I received a copy of this motion for adjournment. I was rather surprised because, knowing as I do, that hon. Members of the Opposition have tremendous faith which often runs to credulity in regard to everything, and seldom exercise any discretion about anything, that a motion of this kind should be sent to this House without consultation with or reference to me who was concerned—this struck me as most amazingly irresponsible behaviour.

Some Hon. Members rose—

Shri Jawaharlal Nehru: I will not give in. I am not giving into anybody.

Shrimati Sucheta Kripalani: It was published on the 6th.

Shri Jawaharlal Nehru: It does not matter.

Shrimati Sucheta Kripalani: It was allowed to be bandied about in the country. The country knew of it.

Shri Jawaharlal Nehru: When I am speaking and I do not give in, is it right for Members of the Opposition to get up? I wish, Sir, they would behave more responsibly in this House.

Several Hon. Members rose—

Shri Jawaharlal Nehru: The hon. Members of the Opposition neither have discretion nor strength.

Shri N. C. Chatterjee (Hooghly): We protest against this kind of unfair attack.

Mr. Deputy-Speaker: Order, order. When a statement is being made, and he does not give in...

Shri N. C. Chatterjee: The Prime Minister is abusing his position as Leader of the House. We will not allow that to go on.

Shri Jawaharlal Nehru: The Government has discretion and strength too. It can keep its temper too. I do say, Sir.....

Dr. N. B. Khare (Gwalior): It is temper incarnate.

Shri Jawaharlal Nehru:.....they showed extreme irresponsibility. I am the Leader of the House and I am available to them at every moment by telephone, by call or letter or by personal interview. No reference was made by any of these gentlemen or ladies to me. It is such a simple thing. Can they believe a story which appeared in an unknown German newspaper and was reproduced here which contains something which is fantastic nonsense, which any man with the least knowledge of our Constitution or our Government or of the State should have known is nonsense? And if that comes up before the House as a motion, I call that extreme irresponsibility.

Shri N. C. Chatterjee: We ought to be given a chance.

Mr. Deputy-Speaker: Order, order. When I am speaking, hon. Members will kindly resume their seats. As soon as I received the adjournment motion, I felt strongly that they should not have sent it without ascertaining the position from the Leader of the House. Many things are imaginary and appear in the papers. All that appears in the papers need not be given credence to, particularly in a matter of this kind. When we are working under a particular Constitution, it is impossible to believe that such a statement or such a course is going to be adopted by the Leader of the House. Hon. Members could have easily approached the Leader of the House and learnt firsthand from him. When all the Members are sitting here, and the Leader of the House is accessible, they could have

written to him or ascertained on the telephone. It is rather strange that a number of Members should have given credence to it and tabled a motion of adjournment.

A motion of adjournment is a very serious matter. If it is carried, the Government will have to get out of office. It is a serious censure motion. It is not as if the Opposition every day comes here to shoot the Government. The Opposition must be in a position to take the responsibility, both of office and of the statements that they are making. It ought not to be merely a crusade here. They must be able to take up responsibility for such matters of policy etc., and if they succeed, they must be able to shoulder responsibility and come this side, and much more so with respect to the statements. I was not a little surprised at this. That is why I immediately refused to give my consent. Nobody can give credence to the statement attributed to the Prime Minister. It is easy to ascertain the views of the hon. Prime Minister so far as this matter is concerned. On such matters as this, I would suggest to hon. Members here not to be hasty in giving motions of adjournment. The matter did not stop there, it has gone to the Press. To the best of my knowledge, I wanted to bury it deep, and did not allow it to go out. I do not know how it escaped. I am not going to attribute any motives or any such thing as that on the part of the hon. Members. Whoever might have caught hold of it must have got it from somebody, and thereafter this must have been published in the Press. It is rather a strange thing if we as responsible men are not able to keep this as secret. This is not an ordinary thing, and the hon. Leader of the House has not spoken in too harsh terms in referring to this matter. (Interruption) No hon. Member is irresponsible. But unfortunately sufficient care and attention has not been paid or bestowed on this matter.

Shri H. N. Mukerjee (Calcutta North-East): As far as the publication in the Press is concerned it was one of our Members Mrs. Kripalani who brought up the matter as a question of privilege, and we repudiate entirely any responsibility for the leakage. But when an item of news appears in the Press and in a newspaper which is considered to be responsible in regard to a matter which agitates very fundamentally the principles of our patriotism, then surely the only way in which we can bring an unequivocal answer from the Government is by way of bringing it up before the House—the only way which we

thought was possible and plausible for us. (Interruptions) We have acted with a due sense of responsibility, and we are very sorry that the hon. Prime Minister has gone out of his way to attribute to us motives of irresponsibility and all sorts of other things. (Interruptions)

Shri N. C. Chatterjee: May we have a chance to explain? We did not act and do not act in an irresponsible manner. The hon. Prime Minister unfortunately lost his temper but we do maintain that we have acted in a responsible manner, with full consciousness of our position, our privilege and our duty. In the *Hindustan Times*, a paper which has some reputation, is of some standing and has been maintaining some standards, the news appeared on the 6th December—and it was circulated by the PTI and was published in the *Hindustan Times* and other papers all over the country. The relevant portion I shall read:

“Not six years have passed since India achieved her independence, and the man who is to swear allegiance at the Coronation as India's representative is the man who has spent as many years in a British prison for his leading part in the struggle for that independence.”

We have not had any contradiction of this so far from the 6th December up till now. Five days ago a short notice question was sent but it was not answered, and nothing has been done so far. Therefore, we thought it our duty to let the hon. Prime Minister have a chance of repudiating it. I want to know from the hon. Prime Minister what action he is going to take against the paper which published this kind of “fantastic nonsense”, and what action he has taken or is going to take against the PTI for circulating this kind of news.

Shri Jawaharlal Nehru: May I say a word, Sir? The hon. Member opposite has said something which seems to be very extraordinary. He said that this thing appeared in the newspaper. I was not aware of it. I regret to say that I do not perhaps read all the papers very carefully. But when I saw it, I found that it is just an extract from an unknown newspaper, which has been given by the *Hindustan Times* or the PTI—an unknown German newspaper of the U. S. High Commission at Frankfurt has said something which apparently has moved my hon. friend Mr. Chatterjee and others to raise this adjournment motion. And even if I had known it, that I should get excited over what an unknown German paper says, is a thing which is patently absurd and false.

[Shri Jawaharlal Nehru]

Secondly, the hon. Member said that this is the right and obvious course for him and his colleagues to adopt, namely bringing in an adjournment motion. I wish to submit that this is not the right course. It is a very very extraordinary and unusual course. A motion for adjournment is a very rare procedure to be adopted, wherever it is allowed in Parliaments, and it is allowed both on rare and important occasions, not to elicit information or to ask for a denial or affirmation. These are done by means of either questions or personal approach immediately. But to adopt a method of an adjournment motion in order to get a denial of some statement in some Press is not a right course at all. There are ever so many other courses open. I think motions for adjournment should be treated, as you, Sir, have said, with far greater respect.

12 Noon

Shrimati Sucheta Kripalani: This is not an unknown German newspaper which has published this. It is a German language newspaper...

Mr. Deputy-Speaker: Order, order. Whatever it might be, in the opinion of the hon. Prime Minister, so far as this matter is concerned, he must be in the know of many papers which are responsible and very important in various places. It is his business to get informed. But so far as this matter is concerned, it has escaped not only his attention, but also the attention of all of us, then it must certainly be a very insignificant paper.

Shri Jawaharlal Nehru: No hon. Member has even heard of that paper. (Interruptions)

Mr. Deputy-Speaker: Order, order. This is a matter which need not be debated. It is clear that this matter has appeared, for which there is absolutely no foundation. So far as the hon. Prime Minister is concerned, he had absolutely no knowledge of it; if he had only known it, he would have repudiated it as strongly as he has done now. This matter need not be pursued here any longer.

So far as the procedure for an adjournment motion is concerned, I would like to repeat to hon. Members that an adjournment motion is a serious motion, a motion of censure against the Government. For eliciting information, there are other methods, like short notice questions etc. If no short notice questions are possible long notice questions etc. are there, even without such formalities. And this matter can be ascertained by various other methods also.

In these circumstances, it is not necessary to pursue this matter any further. I have taken due notice of the matter that has appeared in the Press, in the *Delhi Express* today, and I will take such action as is necessary to find out how exactly it has leaked out, and what steps ought to be taken in that regard.

Dr. Lanka Sundaram (Visakhapatnam): On a point of procedure, Sir. The hon. Leader of the House said certain things about short notice questions etc., at the beginning. I gave notice of a short notice question yesterday morning on this identical subject. We are at a very great disadvantage, and we do not know when and how and where the short notice question will be admitted. What is the remedy for us? (Interruptions)

Mr. Deputy-Speaker: Order, order. Something comes to the notice of the hon. Member. He thinks that it is so urgent and that ten days' notice is not necessary. It was given only yesterday, the office has to look into it and see whether it is in proper form etc., and then send it to the Minister and find out whether he will accept short notice or not. So even within 24 hours after giving notice of the short notice question, is it necessary for the hon. Member to rush in with an adjournment motion? The notice of adjournment motion was not given today. (Interruption) Hon. Member cannot say that. The short notice question was given, it was not answered, there was delay, and so he says he was forced to come here by way of an adjournment motion. That is the impression he has sought to create. The facts are different. On the other hand before the short notice question was given, the adjournment motion came to my hands. Without thinking of the normal procedure for an adjournment motion, without ascertaining even whether it can be ascertained at close quarters as to find out whether the information is right or not, the hon. Member has jumped into an adjournment motion. I would say generally—and particularly so far as this matter is concerned—that this is a little hasty step that was taken by the hon. Members. That is why I refused to give my consent, and I do not think it is necessary to go further into this matter.

Dr. Lanka Sundaram: I gave notice of my short notice question before noon yesterday, and no adjournment motion.

Dr. N. B. Khare: I gave notice of a short notice question about this matter about six days ago. (Interruptions)

Mr. Deputy-Speaker: Order, order.

Shri V. G. Deshpande (Guna): Six days before notice was given about this question.

Shrimati Sucheta Kripalani: Sir, I would request you to permit me a few minutes.

Mr. Deputy-Speaker: What for?

Shrimati Sucheta Kripalani: Because so much aspersion is being flung at us. We are perfectly within our constitutional right if we bring in this motion. Nobody can compel us to go and seek clarification from a Minister beforehand. If we do so it may be because of our personal relation with him. I would also like to draw your attention to the fact that this has not been published in an unnamed and unknown paper. It has been published in *News Zeitung*, which is a German language newspaper of the United States High Commission at Frankfurt. We have our diplomatic relations with the United States. I want to know whether the Government have taken any steps. *(Interruptions)*

Mr. Deputy-Speaker: Order, order.

Shrimati Sucheta Kripalani: ...to obtain an explanation from the U. S. Government for the publication of such a false report. With whatever little political experience I have got, I know that when a false or a wrong report is made regarding any matter of such importance, an immediate contradiction is issued. This report appeared in the *Hindustan Times* and some other important newspapers in the country on the 6th. Till today no contradiction has come forth from the Government. I am surprised and greatly pained that the Prime Minister has not thought it fit to issue a contradiction in order to clarify the situation but flings at us invectives and insults. *(Interruptions)*

Shri Jawaharlal Nehru: The hon. lady Member is overcome by emotion and cannot see light. *(Interruptions)*

Mr. Deputy-Speaker: Order, order.

Shrimati Sucheta Kripalani: I take a lesson from the Prime Minister. *(Interruptions)*

Mr. Deputy-Speaker: The House will now proceed with other business

Shri N. Sreekantan Nair (Quilon-cum Mavelikkara): On a point of information, Sir.....

Mr. Deputy-Speaker: No information.

ceived the following letter from Shri Chimanlal Chakubhai Shah:

"I am sorry that I am unable to attend the session of the House on account of my illness. I request that I may be granted leave of absence during this session".

Is it the pleasure of the House that permission be granted to Shri Chimanlal Chakubhai Shah to be absent from all the meetings of the House during this session?

Leave was granted.

CONSTITUTION (SECOND AMENDMENT) BILL—contd.

Shri Altekar (North Satara): Yesterday I was dealing with the point that the representatives who are sent to this House must be equipped with qualifications, ability and also a wider vision. Here we have to discuss questions of all-India importance, questions like Planning which we have before us, from the aspect of the whole country and not merely of here and there—of local importance. We have to discuss here questions of foreign policy, defence and other matters of country-wide importance and for this purpose, the Members who are returned to this House must be equipped with qualifications that are necessary for discharging their duties in these matters. From that point of view the constituency that is desired is one which can look to these matters from a broad perspective. If we have small constituencies, the result naturally is that the persons who, in those small localities, are of great importance—from the local point of view—will be elected and these lesser dignitaries are not endowed with the qualities of looking at larger questions from a broader point of view. If we restrict these constituencies for representation to the House of the People, then there is the possibility that these persons of narrower vision who look to local matters will be returned to the House and not those who, it is desirable, should come here in this House. The smaller the constituency then persons of local importance and narrower vision are more apt to carry the voters along with them. If we have a small constituency, say, if there is a constituency of a taluka, then the person who is known in that small area, who has considerable influence on account of his handling questions of local importance, is likely to carry the electors, but if we have a wider constituency, say, of the size of a district in these seven or eight

LEAVE OF ABSENCE

Mr. Deputy-Speaker: I have to inform hon. Members that I have re-