

[مولانا آزاد]

انجام دے - یہ دونوں ممبر مسلام
یونیورسٹی کے کورٹ میں اس نے ممبر
کی حیثیت سے پانچ برس تک کام
کرینگے ۔

[Maulana Azad: I beg to move:

"That in pursuance of item (xviii) of Clause (1) of Statute 8 of the revised Statutes of the Aligarh Muslim University, this House do proceed to elect, in such manner as the Speaker may direct, two members from among themselves to be members of the Court of the Aligarh Muslim University for a period of five years."

Mr. Speaker: The question is:

"That in pursuance of item (xviii) of Clause (1) of Statute 8 of the revised Statutes of the Aligarh Muslim University, this House do proceed to elect, in such manner as the Speaker may direct, two members from among themselves to be members of the Court of the Aligarh Muslim University for a period of five years."

The motion was adopted.

COURT OF BANARAS HINDU UNIVERSITY

مولانا آزاد : جناب میں تحریک
کرتا ہوں ہوں کہ ہندو یونیورسٹی
بنارس کے ریوائنڈ اسٹیجوٹس کے
اسٹیجوٹ ۱۳ کے کلاز (۱) آئٹم ۱۷ کے
مطابق یہ ہاؤس ایک ایسے طریقے سے
جو اسپیکر تمہرا دیں - دو ممبروں کے
چناؤ کی کارروائی انجام دے - یہ بنارس
ہندو یونیورسٹی کورٹ میں اس کے ممبر
کی حیثیت سے پانچ برس تک کام
کرینگے ۔

Maulana Azad: I beg to move:

"That in pursuance of item (xvii) of Clause (1) of Statute 14 of the revised Statutes of the Banaras Hindu University, this House do proceed to elect, in such manner as the Speaker may direct, two members from among themselves to be members of the Court of the Banaras Hindu University for a period of five years."

Mr. Speaker: The question is:

"That in pursuance of item (xvii) of Clause (1) of Statute 14 of the revised Statutes of the Banaras Hindu University, this House do proceed to elect in such manner as the Speaker may direct,

two members from among themselves to be members of the Court of the Banaras Hindu University for a period of five years."

The motion was adopted.

INDIAN COUNCIL OF MEDICAL RESEARCH

The Minister of Health (Rajkumari Amrit Kaur: I beg to move:

"That this House do proceed to elect, in such manner as the Speaker may direct, two members from among themselves to sit on the Governing Body of the Indian Council of Medical Research."

Mr. Speaker: The question is:

"That this House do proceed to elect, in such manner as the Speaker may direct, two members from among themselves to sit on the Governing Body of the Indian Council of Medical Research."

The motion was adopted.

Mr. Speaker: I have to inform hon. Members that the following dates have been fixed for receiving nominations and holding elections, if necessary, in connection with the following Committees:

Date for nomination Date for election.

1. Central Advisory Board of Archaeology	} 7-7-1952 10-7-1952
2. All India Council for Technical Education	
3. Court of the Aligarh Muslim University	
4. Court of the Banaras Hindu University	} 8-7-1952 11-7-1952
5. Indian Council of Medical Research	

The nominations for these Committees will be received in the Parliamentary Notice Office upto 12 noon on the dates mentioned for the purpose. The elections, which will be conducted by means of the single transferable vote, will be held in the Deputy Secretary's Room (No. 21) in the Parliament House between the hours 10-30 A.M. and 1 P.M.

APPROPRIATION (RAILWAYS) NO. 2 BILL

The Minister of Railways and Transport (Shri L. B. Shastri): I beg to move*:

"That the Bill to authorise payment and appropriation of certain sums from and out of the Consolidated Fund of India for the service of the financial year 1952-

*Moved with the recommendation of the President.

53 for the purposes of Railways, be taken into consideration."

Mr. Speaker: Motion moved:

"That the Bill to authorise payment and appropriation of certain sums from and out of the Consolidated Fund of India for the service of the financial year 1952-53 for the purposes of Railways, be taken into consideration."

In this respect, I have practically clarified the position yesterday. There are no points that have been received or suggested to me for consideration, so far as this Appropriation Bill goes, though there are points in respect of the other Bill. I shall deal with them and dispose of them when the other Bill is taken up.

Shri S. S. More (Sholapur): Sir, yesterday, when you were pleased to restrict the scope of the discussion on the Appropriation Bills, you were also pleased to refer to the practice of the House of Commons. May I bring to your notice the practice which prevails in the House of Commons, and which has been described in this booklet *House of Commons at Work* on page 209?

Mr. Speaker: I am thankful to the hon. Member for inviting my attention to some booklet which is referring to that. I can assure him that the practice in the House of Commons has been studied by me and all the Officers of the Parliament Secretariat in greater detail, and the debates of Parliament will show to him, if he studies them, instead of making a mere reference to some little booklet, that the practice as mentioned by me is the correct practice. But, I may also mention to him one point, that though the practice in the House of Commons will certainly be a very valuable guide, I do not think, in all matters of details also, we need necessarily bind ourselves to the House of Commons practice. In so far as the practice represents general principles, we accept them, because they show the result of human experience and the result of the working of democracy for a pretty long time. But there too, the practice is changing from year to year as circumstances change. In this light, I do not think we need go on the basis of the practice in the House of Commons. The chief and principal point is, as I said yesterday, that usually we have no repetition of the same debate. It is therefore that I said that if any new points of public importance which were not discussed previously are going to be discussed, then matters stand on a different footing. The points are not merely to be different points of details, but generally points

of public importance. I stated that yesterday very clearly, and specifically requested Members of the Opposition to state their points. In pursuance of that, they have already stated the points. I believe, the hon. Member who now wishes to raise this point on the Railway Appropriation Bill is also a signatory to that. Naturally, the presumption is—or rather the fact is—that so far as the Railway Appropriation Bill is concerned, they have no points which they wish to discuss, as they have not intimated any to me. I really do not see what now the point is in again raising this point of order or information.

Shri S. S. More: May I make one submission, Sir? As a matter of fact, I am interested in having the liberties or the freedom for discussion according to the rules which have been framed in the Constitution. One of the articles refers to the Appropriation Bills and there is also another rule in the Rules of Procedure, which do not mention any such restriction on the right of the Members to discuss the relevant points. Even in the House of Commons, the members are allowed to discuss the relevant points without any insistence by the Speaker that new points should be mentioned. I am only therefore asking you to allow a discussion on those points. I am only academically interested in the principle, not that I am going to participate in the discussion. Chiefly, I am academically interested in seeing that our rights should be clearly defined for the purpose of our future guidance.

Mr. Speaker: I do not think any further discussion on this point is necessary. I am not so much interested in the academic discussion of problems. I feel interested in a fair and equitable opportunity being given to every Member of this House to participate in the debate, and the fullest opportunity of freedom of expression and speech. I do not see how any Member's right is restricted, if he is told not to repeat or if he is told that he may not take an inordinately long time, as if he has the right to hold the entire House in detention, because he wants to exercise his right. I need not go into the general question, of what the rights are or liberties are. Hon. Members will agree that any right of any Member has to be so exercised as to allow an equal right to all other Members. Taking that into consideration, it is not possible to allow any discussion according to the sweet will of an individual Member. He has to adjust himself to the convenience of all and the greatest liberty can be achieved by society only with the greatest restraint upon an individual Member in that sense. So, I am very clear on

[Mr. Speaker]

that point. I have no desire to come in the way of the liberty of any person. That is why I said yesterday that if there are any important points. I should like to know what those are, because after all, the responsibility of regulating the debate is on the Chair. An individual Member has no responsibility in that matter, he only knows himself and his arguments and his liberties. But it is the Chair that has to protect the liberties of all, and therefore it is necessary that I should have some information, some inkling or some knowledge of the points that they are going to raise. Otherwise, if I were not to do that, what will happen is that any hon. Member may get up and say that he has something new to say, and I must allow him to speak and by the time he has finished, I will find that he has merely repeated what has already happened. It is because of that kind of waste that this becomes necessary. I need not refer to the rules which the hon. Member has referred to. But I may invite his attention to rule 279 of the Rules of Procedure, which says that:

"All matters not specifically provided in these rules and all questions relating to the detailed working of these rules shall be regulated in such manner as the Speaker may from time to time direct."

It is impossible that there shall be a detailed code of rules to regulate every point that arises. Somebody has to be there to exercise some discretion, and I believe we need not go here into those points.

So far as the Railway Appropriation Bill is concerned, the hon. Member himself has said that he is not anxious to take part in the debate and that it is an academic question. I would grant him that right, but so far as practice is concerned, I shall stick to what I have said. I think on the academic side that ought to satisfy him.

Shri Nambiar (Mayuram): Sir, I have got a fresh point which I wanted to bring to your notice. It came to me only this morning.

Mr. Speaker: Order, order. He need not mention that point.

Shri Nambiar: I will give you.....

Mr. Speaker: Unfortunately, I may say he is too late. A passenger coming to the station after the train time cannot expect the train to come back. (Interruption.) I asked yesterday for notice. I am so sorry he is too late. He will get an opportunity next year.

Shri Nambiar: In Madras there is a strike, Sir.....

Mr. Speaker: Order, order. May be; we have nothing to do with that at present. The point should have been mentioned. It is in the interest of the House, hon. Members will see that we lay certain precedents which would be useful for us as best traditions for all times. It is not a question of establishing certain practices, traditions and conventions for all times to come. We have to take into consideration the balance of convenience and inconvenience of hon. Members. I quite appreciate the hon. Member may feel the inconvenience just at this moment, but I am not much impressed by his argument. But whatever it may be, I am putting the motion to the House. So far as the other Bill...

Shri Nambiar: You promised, Sir, that if there was a fresh point you would consider...

Mr. Speaker: No, I did not promise that. I did not say merely fresh point; I said a point of importance which was not discussed before.

Shri Nambiar: It is important, Sir.

Mr. Speaker: Order, order. May be that is his estimate of it. I have no knowledge as to how far it is important. He should have given notice of it. If he was not there, his friends were there; and the document which came to me as containing important points is a common document, coming after consultation of all the Members of the Opposition parties. Now to try to raise a point like that at this moment does not really appeal to me. I would not say anything else now. (Interruption). He wants to raise a point which he thinks to have importance, but the Chair does not think so. He need not waste the time of the House on that.

Shri Dhulekar (Jhansi Distt.—South): Sir, you very kindly pointed out that the Opposition might put in any new points which they wanted. Will you kindly tell us whether on this side of the House we have no opportunity of putting our point of view?

Mr. Speaker: Order, order. I think Members of the majority party have the defenders of their points in the Government. They need not much care about it.

Shri K. K. Basu (Diamond Harbour): Do we take it, Sir, that your decision will be considered as a precedent on future occasions?

Mr. Speaker: I believe I am giving this kind of rulings right from 1950.

Shri K. K. Basu: The character of Parliament has changed.

Mr. Speaker: The character has not changed. It has changed in this sense only that it is now more representative of the Indian people. So far as the principles are concerned, I do not think there is any change at all.

Shri H. N. Mukerjee (Calcutta North-East): I have made a very cursory search of the rules and I find that rule 192 says that the procedure in regard to an Appropriation Bill shall be the same as for Bills generally with such modifications as the Speaker may consider necessary. I would submit, Sir, that the principle is that the same procedure should apply in the case of Appropriation Bills unless, of course, the Speaker, for some extremely important considerations, thinks it necessary to stop the debate.

Mr. Speaker: I quite agree with that position, and I think that any discussion on the Appropriation Bill, unless points are fresh, will be useless waste of time. It is a very important consideration, and the Chair has its own right of discretion vested in it under the rules, to make such modifications as it thinks fit. The procedure in the case of a Bill will be that first there will be the consideration motion; then there is the second or clause-by-clause reading, and then there is the final or third reading. There the procedural part, so far as that rule goes, ends. The other part is the part of allowing discussion. Now, there too, even in ordinary legislation the Speaker has got the power to stop the discussion in case he finds that there has been sufficient discussion. Then there is the closure move and hon. Members know that. Though there is usually no time-limit so far as legislation is concerned, it is not absent. The Chair has got the discretion of accepting the closure and, of course, the House may vote upon it. So I need not dilate on that. I am going to follow this procedure, that I shall put the motion before the House and I shall immediately proceed to take votes on this without any discussion on any of the motions. That is the precedent, as I said, even in Western Parliaments and we have been following it here for the last three years.

So far as the other Bill is concerned, the Appropriation Bill in respect of the other Demands for Grants, I have received the points which the hon. Members have given to me and when that Bill comes, I will state to the House what my views on those are and then I shall hear again if they want to say anything—not on the

procedural part of it. Now, without disclosing, of course, all the details I may only state that there are some points that are raised therein which are really important, and I do feel that they were not discussed in the 18 days' discussion; and therefore, some time has to be allowed. But what that time exactly will be and what those points exactly will be, I will say when I come to the second Bill. I am clear about the first Bill which I will put to the House now.

The question is:

"That the Bill to authorise payment and appropriation of certain sums from and out of the Consolidated Fund of India for the service of the financial year 1952-53 for the purposes of Railways, be taken into consideration."

The motion was adopted.

Clauses 1 to 3 were added to the Bill.
The Schedule was added to the Bill.
The Title and the Enacting Formula were added to the Bill.

Shri L. B. Shastri: I beg to move:
"That the Bill be passed."

Mr. Speaker: The question is:
"That the Bill be passed."

The motion was adopted.

APPROPRIATION (NO. 2) BILL

The Minister of Finance (Shri C. D. Deshmukh): I beg to move*:

"That the Bill to authorise payment and appropriation of certain sums from and out of the Consolidated Fund of India for the service of the financial year 1952-53, be taken into consideration."

Mr. Speaker: I will first place the motion before the House and then I will state whatever I have to state about the scope of discussion.

Motion moved:

"That the Bill to authorise payment and appropriation of certain sums from and out of the Consolidated Fund of India for the service of the financial year 1952-53, be taken into consideration."

In respect of this, I have received intimation of the points proposed to be raised. There are in all seven points mentioned. I shall read them, so that the House may know what they are:

*Moved with the recommendation of the President.