

12-08 hrs.

MOTIONS FOR ADJOURNMENT

CALLING OF ARMED CONSTABULARY IN
U.P. ASSEMBLY TO RESTORE ORDER

Mr. Speaker: I have received notices of three adjournment motions. *Prima facie*, they are out of order. But inasmuch as some hon. Members have given notice of these, I am reading them out. A number of adjournment motions has been tabled thinking that we have jurisdiction over this matter.

The first is by Shri H. N. Mukerjee, Shrimati Renu Chakravarty and Shri V. P. Nayar—

“The serious situation that has arisen as a result of the persistent violation of the democratic and constitutional rights and the failure of the Government of the State of Uttar Pradesh to ensure the proper conditions for the functioning of the Constitution and of parliamentary democracy”.

The second is by Sarvashri Braj Raj Singh, S. M. Banerjee, Jagdish Awasthi, Tangamani and Hem Barua—

“Manhandling by the Armed Constabulary of hon. Members of the Legislative Assembly, Uttar Pradesh, within the precincts of the House, thereby creating conditions in the State of U.P. which virtually amounts to the failure of the constitutional machinery in the State”.

The third is by Sarvashri Nath Pai and Jadhav. It relates to:

“Action of the authorities in the U.P. Government bringing into ridicule parliamentary institution, denial of the rights conferred under the Constitution on the Opposition, abuse of police power to throttle and suppress legitimate expression of opinions, the total effect of which has been in

lowering the rights of parliamentary democracy and thus undermining people's faith in democracy”.

My *prima facie* reaction is this. I would like to hear one hon. Member from each Party, the Communist and PSP. I would like to know three things. Two relate to the breakdown of constitutional democracy outside the legislature and constitutional democracy inside the legislature. I understand it that way. Outside the legislature, it relates to the food situation. Whenever there is some inconvenience in regard to food and disturbances, we read of arrests. I read the Magistrate's report yesterday that some Members including Members of Parliament were arrested, because they wanted to advocate forcible entry into grain shops and so on.

Shri Braj Raj Singh (Firozabad): Here the matter is different.

Mr. Speaker: In that case, it is a matter of law and order. How is it a constitutional breakdown, unless the police are unable to handle the situation?

Then inside the House, a number of adjournment motions were tabled and then they were disallowed. Some Members took exception to this. When the Speaker asked them to go, they refused to go. Then he called some police. He was not able to handle the situation himself. What else could he do? He asked them to go once, twice. *Prima facie*, what is the justification for me to take note of it?

Then what is the default on the part of this Government? Whatever may be the situation there, this House only condemn the Government here. The House condemn a default on the part of Government. I must be sure about it. Otherwise, there is no purpose of discussion.

Secondly, this is a continuing affairs; the food situation and arrests have been there all along.

Shri Braj Raj Singh: That is different matter.

Mr. Speaker: Everyday arrests take place. Even though it is a new affair, it is only in continuation of the policy on food with respect to which there has been action on one side and complaint on the other. This is a continuous and general breakdown and we do not exercise jurisdiction ordinarily. I disallowed two adjournment motions already relating to Kerala. With respect to some notices of a motion I have asked for various particulars and I am not immediately rushing to the House saying that we shall go on with it or otherwise. I do not wish that this House should snatch jurisdiction over the States. Under these circumstances, if any hon. Member wants to say anything on these three points I have mentioned he will speak. Does Mr. Dange want to say anything?

Shri Braj Raj Singh rose—

Mr. Speaker: The order of precedence goes to Mr. Dange.

Shri S. A. Dange (Bombay City—Central): Sir, I wish to raise the point of the immunity of the Members of the Legislature in general from attacks when they are performing their duties. The fact is, twice this Assembly in U.P. was adjourned. During the adjournment periods, Armed Constabulary entered the House, attacked the Members, dragged them out—some of them having sat there—and the House was cleared. I want to raise the point whether such a practice conforms to democratic standards. Supposing a Member refuses to be named and to go out of the House, is it proper, is it Constitutionally proper and is it a democratic practice that Armed Constables should be brought in and the House cleared in this way? Is this not an attack....

Mr. Speaker: If the Member refuses to go and creates disturbance—we will assume it hypothetically and I am not accepting this version or that—and the Speaker has decided rightly or wrongly and the hon. Member persists and refuses to go, lies down or does some such thing, what is the Speaker to do? He sends for the Marshal. The Marshal is unequal to the task. What will the hon. Member do in such circumstances?

Shri S. A. Dange: In the debate which took place here, the serious situation and disturbance arising out of food were proposed to be relieved by the Leader of the House by an all-party discussion and a conference. If the Members developed such a serious situation in the proceedings of that particular Assembly, it would have been easy to call and the parties together and discuss the issue and relieve the deadlock. Immediately to call in the Armed Constabulary, to my mind, is a matter of being too much in love with the use of arms.

One can understand—I do not know whether it is justified or not—the calling of the Armed Constables against strikers and workers; but now the use is being extended against the Assembly Members also and I do not know where it will end. Therefore, there should be discussion on that level, whether such a practice is correct or not. May be it is a constitutional point on which there is no ruling. May be the Speakers' Conferences which are held annually have not perhaps discussed this problem at all.

Mr. Speaker: We never contemplated any such situation arising.

Shri S. A. Dange: I would like to place before the House a telegram which I have received from Shri A. K. Gopalan who is a Member of this House. The telegram is addressed to me and it reads as follows:

"Parliamentary democracy has almost come to a standstill in U.P. today. Some thirteen MLAs

[Shri S. A. Dange.]

arrested. Raj Narain MLA and other MLAs dragged out; while dragged out were kicked, abused and beaten. Altogether twenty MLAs arrested...." (Interruptions)

Mr. Speaker: Let us hear the hon. Member.

Shri S. A. Dange: There are enough armed constables here also outside.

An Hon. Member: They will not be called in.

Shri S. A. Dange:

"....Out of six opposition leaders, four in jail and fifth suspended for fifteen days. After lunch two very controversial bills passed in thirty minutes, first reading of a very important Bill, U.P. Corporation Bill having 576 clauses was over in 75 minutes. Democracy crushed; opposition put in jail. Legislature nothing but farce. Intervene to save democracy.

A. K. Gopalan, M.P."

This is the telegram I am laying before you, Sir.

An Hon. Member: Telegram from whom?

Mr. Speaker: The telegram is from Shri A. K. Gopalan.

An Hon. Member: He is there on the spot.

Shri S. A. Dange: So, I would request you to take note of the situation and tell us what kind of democratic procedure is going to be evolved when the authorities in U.P. used Armed Police against MLAs and cleared them out of the Assembly hall.

An Hon. Member: Kicking them out.

Shri Asoka Mehta (Muzaffarpur): Mr. Speaker, Sir, I believe when we opened the newspaper this morning,

every single Member of this House, irrespective of party affiliation, was deeply distressed by what he read in the newspapers.

Some Hon. Members: No, no.

Some Hon. Members: Shame, shame. (Interruptions).

Mr. Speaker: Order, order; what is the harm in his saying so? I am sure every hon. Member should be deeply distressed one way or the other. Those hon. Members who are in favour of the Government or of the Speaker should have been distressed that the Leader of the Opposition should have lied down there and forced the Speaker to do whatever he did. There is a case for Members being distressed from all sides of the House.

Shri Asoka Mehta: I suggest that there was common distress that these parliamentary institutions that we are trying to build up in this country and which we hope will be the bulwark of the freedom and liberties of the people are imperilled today—no matter from which side the peril may come.....

Shri Joachim Alva (Kanara): Is there non-obedience to the Chair or not?

Shri Asoka Mehta: I hope at least we shall not permit this august House to become a replica of some of the State Assemblies, and therefore.....

Mr. Speaker: It lies in the hands of the hon. Members here.

Shri Asoka Mehta: We are all very anxious to co-operate with the Chair; we are all very anxious to see that this House helps in creating conditions whereby such things, such dangers to our parliamentary institutions may not arise anywhere. What has happened there has deeply agitated at least this side of the House.

This morning, those of us who belong to the Opposition, irrespective

of this group or that group, the leaders of different groups, met together and we felt that this is a matter which needs to be looked into. Unfortunately, the Leader of the House is not here. We have approached this matter in the way of an adjournment motion because there is no other way in which these matters can be brought to your attention and to the attention of the House. But the desire is not—at least to extent I am able to understand—to bring an adjournment motion and discuss it that way. But let us sit down with you calmly in your chamber; let us have the benefit of the views of the Leader of the House also and see in what way this matter can be discussed in this House, this kind of challenges that are being offered to the parliamentary institutions—whether it is from one side or the other. It is a matter which has to be looked into and will be looked into, not in a partisan spirit but in a spirit to see that these institutions are cherished and safeguarded. That needs to be done. And, I suggest that you should not pass any kind of orders on these adjournment motions but give a little time for us to place our case before you, for the Leader of the House also to be consulted so that a matter of this profound importance is not brushed aside as sometimes we are in the habit of doing.

श्री अश्वराज सिंह : अध्यक्ष महोदय में निवेदन करना चाहता हूँ कि जो कुछ प्राज विभिन्न प्रांतीय प्रसिद्धियों में हो रहा है और खास तौर पर उत्तर प्रदेश प्रसिद्धियों में, वे कोई सर्व-सत्ता प्राप्त प्रसिद्धियों नहीं हैं जो सब से बड़ी कानून बनाने वाली प्रसिद्धियों हैं वह यह सभा है यह लोक सभा है, यह पार्लियामेंट है। जो कुछ हमारी प्रसिद्धियों में वहाँ होता है या जो कुछ यहाँ किया जाता है तथा जो क्लिग कीमन् प्रापके द्वारा चिये जाते हैं, उनका दूसरे लोग तथा दूसरे स्वीक से अपनी अपनी प्रसिद्धियों में पालन करते हैं। श्री कुछ उत्तर प्रदेश की प्रसिद्धियों में ही रहा है, उसकी बारे में मैं यह कहना चाहता

हूँ कि वहाँ पर जनतंत्र का हत्या हो रही है। अभी तक तो इस सदन में या दूसरी प्रसिद्धियों में जो प्रसिद्धियों के साथ हुआ है वह यह हुआ कि पुलिस उनको बसीटा करती थी, या छोटी मोटी चोट पहुँचा दिया करती थी। लेकिन उत्तर प्रदेश की प्रसिद्धियों में जो कल हुआ उस से सभी का मिर शर्म से झुक जाना चाहिए। एक प्रसिद्ध को वहाँ बसीटा गया जिस की बजह से वह बेहोश हो गया। दूसरे के कपड़े फाड़ डाले गये। तीसरे ने यह कहा कि जिस तरह से बेइज्जती की जा रही है, जिस तरह से चोट पहुँचाई जा रही है जिस तरह से उन के साथ व्यवहार किया जा रहा है उन से गोली मार देना ज्यादा अच्छा होगा। यह कहना कि इस पार्लियामेंट को उस पर अधिकार नहीं है, मैं ठीक नहीं समझता हूँ और मैं इस से सहमत नहीं हूँ। यह जो हमारा सदन है यह सर्व-सत्ता प्राप्त सदन है। दूसरे देश में कोई भी प्रसिद्धी सर्व-सत्ता प्राप्त प्रसिद्धी नहीं है। जो कुछ भी प्रसिद्धीत्व में होता है वह भले ही स्पेसिफाइड सबजेक्ट्स में हों, भले ही उन क्षेत्रों में कानून बनाने का अधिकार उनको मिला हुआ हो लेकिन पूरे तौर से जो अधिकार हैं वे सब इस हाउस को मिले हुए हैं।

अध्यक्ष महोदय मैं बतलाना चाहता हूँ कि अगर किसी स्टेट में कांस्टीट्यूशनल बैथीनरी स्वयं होती है या उसका ब्रेक डाउन होता है तो उस स्टेट का कौन चार्ज लेगा ? उसका चार्ज वही सर्व-सत्ता प्राप्त पार्लियामेंट तो लेगी। इसलिए मैं कहना चाहता हूँ कि जो कुछ भी उत्तर प्रदेश की प्रसिद्धियों में हुआ है उस पर चाहे किसी प्रस्ताव के द्वारा हो और चाहे किसी और तरीके से हो, इस सदन को पूरा अधिकार है कि यह उस पर विचार करे। मुझे पूरी आशा है कि इस सदन के लोगों की यह इच्छा है कि वे आपकी धनदाया में कोशिश करें इस बात की कि प्रागे प्रागे वाले हिन्दुस्तान के लिए यहाँ पर जनतंत्र पनपे, यहाँ पर जनतंत्र का विकास हो।

[श्री ब्रज राज सिंह]

हम में से कोई भी आपके साथ नाम-कोभोपरेट करना नहीं चाहता है और न किसी ने किया है किसी ने भी यह नहीं चाहा है कि आपकी रुसिंग का पालन न हो। अब तक हमारी यही कोशिश रही है कि जो भी आपकी रुसिंग हो उसका पालन किया जाए।

जब स्पीकर्स काफ़ेस में, श्रीमन्, आप बैठते हैं या दूसरे स्पीकर बैठते हैं तब आप मिलकर तय कर सकते हैं कि हाउस में धार्डर कायम रखने के कौन से तरीके हो सकते हैं और किस तरह से धार्डर कांस्टेबुलरी को सदन के अन्दर बुलाने से रोका जा सकता है और किस तरह से सदस्यों को बल प्रयोग द्वारा, घसीट करके या बहज्जती कर के बाहर निकालने की घटनाओं को रोका जा सकता है। जिस तरह की ग्राज बुरी स्थिति वहां पर है उस तरह की बुरी स्थिति किसी भी सदन की नहीं हो सकती है। जहां पर कानून बनाने वाले लोग बैठते हैं, वहां का धगर यह हाल होना शुरू हो जाय तो भागे क्या होने वाला है इस का आप सहज ही धंदाजा लगा सकते हैं। कल सुप्रीम कोर्ट में या हाई कोर्ट में पुलिस जा करके उन लोगों को, जजों को भी खींचने की कोशिश कर सकती है।

मैं कहना चाहता हूँ कि यह बहुत गम्भीर मामला है और इस पर जब तक इस सदन में, किसी भी तरह से सही, विचार नहीं किया जायगा तब तक मुल्क के अन्दर जनतंत्र का जो भविष्य है वह खतरे में पड़ा रहेगा। इस बास्ते में प्रार्थना करता हूँ कि इस पर गम्भीरता से विचार किया जाए और कोई तरीका निकाला जाए जिस से कि इस प्रश्न पर इस सदन में विचार हो सके ताकि पूरे ही हिन्दुस्तान के लिए जनतंत्रीय परम्पराओं को आगे बढ़ाने के लिए कोई रास्ता निकल सके।

Some Hon. Members rose—

Mr. Speaker: I have allowed opportunities to all the three Groups.

Shri Nath Pai (Rajapur): What about the Movers, Sir?

Mr. Speaker: The movers had been amply represented by hon. Members who belong to their Parties. Mr. Nath Pai's party by Shri Asoka Mehta. Shri Dange has spoken on behalf of Shrimati Renu Chakravarty and others. I have allowed Shri Braj Raj Singh as a person representing the Socialist Party to which Party I believe Mr. Rajnarain of that Assembly belongs. I do not want to allow any more hon. Members. (Interruptions.)

Shri S. M. Banerjee (Kanpur): It is very serious.... (Interruptions.)

An Hon. Member: He is an independent.

Mr. Speaker: If the hon. Member is independent, I will allow him a seat somewhere there..... (Interruptions.)

Dr. Gangadharra Siva (Chittor—Reserved—Sch. Castes): Sir, too many chances are given to the Opposition to speak on this matter; may we know whether a chance would be given to us also to speak on this?

Mr. Speaker: The hon. Member did not move an adjournment motion.

The Minister of Home Affairs (Pandit G. B. Pant): Sir, I fully share the feelings of distress with which Shri Asoka Mehta read the report of the happenings in the U.P. Assembly which are the subject matter of these adjournment motions. These deplorable scenes that were witnessed there are grossly repugnant to the spirit and practice of democracy. Democracy functions as everyone knows through reasoning and argument and it requires a certain degree at least of restraint and forbearance and readiness to some extent to appreciate the various points of views. For all these freedom of expression is to be regulated in a manner which would allow others also to express their views. De-

mocracy has two important methods of functioning; one through the assemblies and the other through compliance with the laws of the land. When the laws of the land are violated and defied in an organised manner, then democracy is outraged. When the proceedings of the assembly are conducted in a manner which is opposed to the elementary parliamentary principles, then also democracy is likely to be throttled. The first thing that is necessary is that the assemblies should function in a normal way and the first and the foremost and the basic condition of the proper functioning of legislatures is related to the attitude of the Members towards the Speaker. The Speaker's words have to be unreservedly accepted, whether one agrees with them or not. I do not suggest that the Speaker must necessarily be right always but democracy requires that even if the Speaker is entirely in the wrong, even then, his words have to be accepted; his word is law in the legislative body.

An Hon. Member: For how long?

Pandit G. B. Pant: For ever—so long as he continues as Speaker.

Now, what happened in this case? The Speaker requested a particular Member, who was speaking, to resume his seat; he requested him again and again and he did not listen to him. Now, if everyone of us here begins to speak and continues speaking regardless of the direction of the Speaker, what can we do here? I do not know. Whether democracy will function then or not can well be imagined. So, when a member does not listen to the Speaker, what should the Speaker do and how is he to protect the privileges of the House of which he is the custodian? (*Interruptions*).

An Hon. Member: Only by beating the members?

Pandit G. B. Pant: The House has a right that it must take part in the

debate, that the members should be able to speak and that others should listen to a member under the direction and in accordance with the order that may be fixed by the Speaker. The Speaker's word is not only not listened to but when he asks the member to retire, then there is defiance of his orders. Even when the Marshal goes to a member, he refuses to leave his seat and then what is the Speaker to do? The House would cease to function and be at the mercy of one member, if that procedure is to be followed and others defy the Speaker. The business of the House has to be conducted in a regular manner. In these circumstances, the Speaker sends for help.

And if I am permitted to say, I may mention that the Speaker of the legislative assembly of U.P. is not only a very patient and very humble sort of a person who is ever ready to accommodate every member to the maximum extent but also a person who never can indulge in anything which to his knowledge can be wrong. He is anxious to do what is right. He is judicious and impartial in his attitude and he treats all with respect. In the circumstances how can democracy function? How can this House function? (*Interruptions*).

Shri Naushir Bharucha (East Khandesh): Members were kicked by the police. (*Interruptions*).

Pandit G. B. Pant: I do not know why Mr. Bharucha or any other hon. Member gets excited over what I say. I may be wrong but again I claim the right as a Member of this House to say what is wrong; others may not agree with me.

Shri Jagdish Awasthi (Bilhour): What have you to say about kicking?

Pandit G. B. Pant: What I say also may not be accepted perhaps by every hon. Member here as being right.

Shri Jagdish Awasthi: What about kicking members?

Pandit G. B. Pant: In the circumstances I must submit that this House has absolutely no jurisdiction over this matter.

In every legislature (*Interruption*)

Shri Naushir Bharucha: Sir, I may be permitted to answer that question, whether this House has jurisdiction or not.

Pandit G. B. Pant: I do not know why some Members are excited. I am at their mercy. If they do not want me to speak, I do not want to speak.

Shri Naushir Bharucha: We have our self-respect; it is not merely indignation.

Pandit G. B. Pant: Well, anyway there is no indignation; that I think has been sufficiently assured.

So, I submit, it was a very regrettable and unseemly incident, and I am sorry that it should have happened. But in order to maintain not only the decorum and dignity of the House, to enable the House even to conduct its business the Speaker has to take steps, and the Speaker did take them. I am sorry that such incidents should have happened. It reflects on our democratic system, and on our ability to conduct even the affairs of the Assemblies in a smooth and dignified way.

The question of food is different. The question even of the political movements that are being today conducted in the form of organised breaches of law is also different; but so far as the conduct of the affairs of legislatures is concerned, it stands on an altogether different plane. And, I think, even though we differ in other respects, we should all be one opinion with regard to the maintenance of the dignity of the legislatures and the observance of the rules which vest full authority on the Speaker and through compliance of which alone the business of legislatures can be conducted.

As to what happened in the House, how much time a particular Bill took to be passed in the House at one stage or the other, that is not our business. If all Members who are interested in the subject choose not to speak or not to express their views....

An Hon. Member: They were forced to keep out.

Pandit G. B. Pant: and those who agree alone are here, a very important Bill and a very voluminous Bill may be passed within a few minutes. I wish that there should be complete co-operation. I wish that there should be co-operation not only inside, but even outside the House, but at least so far as the conduct of the proceedings of the House is concerned, there should be co-operation among all sections and, especially, every Member should make it a point and also his duty to carry out the orders of the Speaker without the least hesitation, promptly and fully.

Shri Jagdish Awasthi: I want to ask for one clarification from the hon. Home Minister.

Shri H. N. Mukerjee: rose—

Mr. Speaker: Order, order. I have heard both sides. Whenever there is an adjournment motion or any other motion, I call upon the hon. Members who have tabled the motion or their representatives who can speak on their behalf—they belong to groups here—to state the case.

Shri Jagdish Awasthi: I want to ask only one question.

Mr. Speaker: Hon. Member has read the papers. I have given a chance to both sides. If he has still some doubts, I do not think his doubts can be cleared at all.

Shri Jagdish Awasthi: The hon. Minister did not answer that question.

Mr. Speaker: We will assume that he did not choose to answer that

point. I am sure hon. Members must be satisfied with the procedure that we are adopting whenever there is such a motion. As I said, I always call upon the hon. Members who have tabled the motion or their representatives, and I hear them—of course, they must have confidence in their own representatives. In this case I have allowed their representatives to speak. I have also allowed the hon. Minister to reply. Now it is time for me to give the ruling, whatever I think to be proper. If at this time some hon. Members get up, I find it very embarrassing to allow them.

Shri Jagdish Awasthi: I only wanted one clarification.

Mr. Speaker: No more clarifications. I am perfectly clear as to what has occurred on one side or the other.

Regarding this matter, it is highly distressing for us; not only for us, it must be distressing for all persons inside and outside this House, in the entire country also. Now, let us be clear as to what exactly our jurisdiction is. We are working under a Federal Constitution. Each State has got an Assembly which is supreme in its own sphere. It is not as if this House is supreme or sovereign as in the case of the House of Commons in England where there is a unitary government and hence the House of Commons is supreme. There is no division of subjects there. That is not the case here. Under our Constitution, in so far as certain subjects are in the jurisdiction of States, the State Assembly is supreme over those subjects. We do not sit in judgment over them. (*Interruption*). Order, order. What is the good of interrupting me also? Hon. Members will kindly bear with me. I do not claim that this House is analogous to the Supreme Court. Though it has not been quoted here, sub-consciously it is in the minds of hon. Members that this House is something like a Supreme Court where we have got appellate jurisdiction as if from one court to the other. Absolutely it is not so. We have not got appellate jurisdiction.

There are some concurrent subjects where we can pass some legislation, and where we pass some legislations, to the extent whatever provisions are inconsistent with the provisions of the legislations passed by the State legislature, our provisions will prevail. That is the concurrent jurisdiction. Regarding other subjects, they have got exclusive jurisdiction over particular subjects and we have got exclusive jurisdiction over certain other subjects.

Now, articles 355, 356 and the direction clause in the Constitution may be invoked for the purpose of setting things right, and trying to take over the administration of any particular State where the constitutional machinery has broken down. Now, hon. Members evidently want to invoke that provision and induce Government to advise the President to take over the administration of this State as the constitutional machinery has broken down. It is an extraordinary step.

There have been two or three similar adjournment motions in this House. I did not allow any of them. But one need not be a precedent for the other. Each particular question must be decided on its own merits. Shri Asoka Mehta said that an adjournment motion is the only possible method by which he can bring it to the notice of this House. I do not agree. Whenever any serious matter which we can consider arises, it is not brought in merely by an adjournment motion. I have been allowing discussion on various matters from time to time. We can then decide what exactly is the jurisdiction of this House now any particular matter has to be disposed of in a constitutional manner in a democratic set-up. So it is not because he is unable to find out any other method or procedure to bring the matter up that an adjournment motion is brought up here relating to a particular situation.

Now, I preside over the Speakers' Conference where we exchange views.

[Mr. Speaker]

I have no right to impose my will upon any Speaker. Each Speaker is entitled to decide matters that arise before him.

Therefore, from the facts that have been placed before the House, we can say that it is extremely regrettable. What is democracy? Democracy means persuasion, discussion, deliberation and, ultimately, decision. In case of any difference of opinion, whether in a democracy or in a dictatorship, a group or one man has to decide. How can we get out of it? We will assume that in a dictatorship or even in a People's Republic there is a difference of opinion. In that case even there one man or a group of men has to decide that particular matter.

That will happen here also. It can be said that the minority has a right to express its views. This is not a case where the minority has been deprived of the right to express its views. If that be the case, I would not have allowed a free discussion regarding this matter.

What has happened is, the whole situation seems to have arisen about the food situation. So far as the food situation is concerned, once or twice or even thrice—I do not know the number—a detailed debate with respect to food situation has been allowed in that House. The Speaker of the State Assembly did not refuse to allow democratic principles to be followed with a view to stifle the opinion of any Member who wanted to express his views. The State Government has its own views. The State Government had explained its views, and it wants to stick to that particular view. Is not the State Government to carry out whatever is ultimately decided so long as it is in office? The minority has only got a right to express its views. Of course, in a democracy, merely on account of a majority, the majority need not rule ignoring the views of the minority. It will take the minority's views also from time to time and try as far as possible to take

them along. If, in spite of that, there is a sharp difference, it is the majority view that has to prevail. When direct action is resorted to by particular Members, to whatever party they may belong, and they say one thing in the House and if it is not accepted they go out and try to break the law, then, what is the Government to do? I am not worried over what the Government has to do. It is the business of the Government itself.

So far as the Speaker of the State Assembly is concerned this is the account of what has happened. They move an adjournment motion, because one man was arrested. That man had not accepted the views of Government and he broke the law and law and order had to be maintained. The adjournment motion was, therefore, not allowed. As for disallowing or not allowing the adjournment motion, I am sure Shri S. A. Dange, Shri Asoka Mehta and Shri Braj Raj Singh will all agree that an adjournment motion ultimately has to be decided by the Speaker. The Speaker in U.P. did not allow the adjournment motion there.

Shri Braj Raj Singh: The Chief Minister was not giving any information about it. That was the difficulty there.

Mr. Speaker: We have all the information in the newspapers here.

Now, the adjournment motion was not allowed. Evidently, the Speaker thought that no purpose would be served. The Government in U.P. was pursuing a particular policy. That policy was not accepted by the Opposition. Therefore, they said openly, we are not going to accept that policy, we are taking the law into our own hands or we are going to resort to direct action, or something of that kind. Therefore, they were arrested. Then, there was the adjournment motion. Naturally, the Speaker thought that no purpose would be served by adjourning the House; Government was bound to maintain law and order, and, therefore, he said, I am not going to allow an adjournment

motion. It is for him to decide. After that, if the hon. Member persists in his conduct, what is to be done? It was asked, what is to be done even in his House or in that House. Shri S. A. Dange suggested, "Why do you not allow a discussion or a conference?" And I suggested a conference with respect to the food situation, but not under those circumstances. If an hon. Member refuses to go, and while I am speaking, he persists in speaking, and refuses to allow the House to function, I do not know if I would have ordered a conference or directed the convening of a conference to decide, as to what I ought to do in regard to this matter. (Interruptions). I suggested a conference with respect to the food situation. Of course, I expect that every person, and particularly, that Government which is in charge of food to consider my suggestion. I have no right to interfere. What is the meaning of hon. Members clothing me with that right if it is likely to be rejected by them? My honour is their honour. Therefore, I ought not to be forced to take up the jurisdiction of this House on their behalf, which ultimately will be flouted by some others, for they might tell me, "you are not the person to advise us." Under these circumstances, let us be guarded with respect to this matter, otherwise we would set up a bad example to the rest of the people. Now I have no jurisdiction to allow a discussion on whatever happened in another legislature

As to what has happened, all that I would say is this. When once the Member was asked to go and he refused to go, I think the Speaker wisely adjourned the House, seeing that the Member prevented the House from exercising its legitimate function.

An Hon. Member: But why the police?

Mr. Speaker: The police comes in later.

(Interruptions)

An Hon. Member: Why should there be kicking?

Mr. Speaker: Hon. Members are putting up with shooting elsewhere.

Shri Nath Pai: But minimum force should be used.

Mr. Speaker: I am not here to decide all those matters. Hon. Members need not invite decisions from me regarding all those matters. All that I am concerned with is whether any constitutional machinery has broken down, and whether I should allow this adjournment motion or not.

Whatever the Speaker there has done is this. First of all, he asked the Member to go; he refused to go. He even adjourned the House so that in the meanwhile, he may take his papers and go, but the Member refused to go. So, the Speaker called in the aid of others. He sent the Marshal. The Marshal was unable to tackle the Member. So, he had to bring in the police, not the Armed Forces.

Shri Nath Pai: It was Armed Police there.

Mr. Speaker: ... armed police constable, not the Army. So, the Centre has nothing to do with it.

Some Hon. Members: It was the armed police.

Mr. Speaker: Armed police are under State jurisdiction. Under those circumstances, when a Member refuses to go, and in the course of taking him out, his clothes are torn, I do not know if the hon. Members want me to decide whether the Speaker there ought to keep quiet or allow some others to remove him. Therefore, under those circumstances, the Speaker of U.P. Vidhan Sabha appears to have been in the right. So far as that matter is concerned, there is no constitutional breakdown. If the Speaker had not exercised that right,

[Mr. Speaker]

on account of the conduct of a few, if the Speaker had abandoned his right if the Speaker had not risen to the occasion and asked the Member to be removed then, I would admit that democracy has broken down. It is not so now.

Under those circumstances, I disallow all the three adjournment motions. I am exceedingly sorry.

Shri Nath Pai: It is a sad thing in a democracy.

Mr. Speaker: Democracy is not a system where a single Member of the minority or a few people must control the majority, and when their disturbance is not sufficiently effective, then they create disturbances. This is not democracy, according to me. I am not going to say that democracy has broken down, so far as this particular incident is concerned. If and when other things come to my notice, there is enough time for me to decide.

Now, Papers to be Laid on the Table. (Interruptions)

Shrimati Renu Chakravartty rose-

Mr. Speaker: I have finished this matter. Now, Papers to be Laid on the Table.

12.43 hrs.

PAPER LAID ON THE TABLE

ANNUAL REPORT OF REGISTRAR OF NEWSPAPERS FOR INDIA

The Parliamentary Secretary to the Minister of Information and Broadcasting (Shri A. C. Joshi): On behalf of Dr. Keskar, I beg to lay on the Table a copy of the Annual Report of

the Registrar of Newspapers for India for the year 1957. [Placed in Library, See No. LT-900/58.]

AMENDMENT TO TEA RULES

The Minister of Commerce (Shri Kanungo): I beg to lay on the Table under sub-section (3) of section 40 of the Tea Act, 1953, a copy of Notification No. G.S.R. 749 dated the 30th August, 1958, making certain further amendment to the Tea Rules, 1954. [Placed in Library, See No. LT-901/58].

STATEMENT BY SHRI S. L. SAKSENA RE: BREAKING HIS FAST

Mr. Speaker: : Now, Shri S. L. Saksena. I have permitted Shri S. L. Saksena to make a statement.

Shri S. L. Saksena (Maharajganj). Sir, Yesterday evening, after the Prime Minister had made his statement in the House to convene an informal meeting of about 30 persons from all the parties on September 11, to discuss the food situation in the country, you appealed for a national approach to the food problem and called on all parties to 'cease-fire'. You also honoured me by a personal appeal to me to break my 20 days' old fast to help in creating the necessary atmosphere for a joint united national effort to tackle the food problem. Since then, the Prime Minister has also written to me a very affectionate letter, which I think concedes the substance of my main demand about the long-term solution of the problem of eastern UP., by promising to consider my proposal to include the multipurpose river valley scheme for the control of the rivers Ghagra and Rapti for inclusion in the Third Five Year Plan and by assuring me that the Planning Commission will give earnest consideration to the ways and means of improving the condition of the peasantry