

- परिबहन तथा सभार मंत्री (श्री स०
का० पाटिल): (क) अनुमानतः ३००० ।
(ख) १९६१ के प्रारम्भ में ।
(ग) ६७.१६ लाख रुपये ।

12 hrs.

RESIGNATION OF A MEMBER

Mr. Speaker: I have to inform the House that Shri T. N. Singh has resigned his seat in Lok Sabha with effect from today, the 10th September, 1958, as he has been appointed a member of the Planning Commission.

12:01 hrs.

RE: MOTION FOR ADJOURNMENT

Abstention by Opposition Members from U.P. Assembly session.

Shri Braj Raj Singh (Firozabad): May I submit a few words about the withholding of your consent to my adjournment motion? I have to submit only this. You have written that it relates to a continuing matter. I have to submit that the Opposition there in the U.P. Assembly has been forced to keep out of the session of the Assembly and it has been a very unprecedented situation. Not a single member of the Opposition there, out of 145 Opposition members, is participating in the administration. This is a matter when article 355 of the Constitution has got to be applied. There are internal disorders, hartals, etc. Processions are going on there and also hunger strikes. So, I think that the intervention of the Centre is required. I want that that adjournment motion should be allowed.

Shri H. N. Mukerjee (Calcutta—Central): Technicalities apart, I feel that there is an occasion for the application of the healing touch to this position in Uttar Pradesh, particularly because we had a discussion in this House the day before yesterday which started rather acrimoniously, I fear,

but it ended up very well, as you yourself were pleased to note. I felt, therefore, that every effort should be made, in reason, to bring about a position where there could be a concerted, co-operative effort to solve the problem. In Uttar Pradesh, what has happened rightly or wrongly—I am not discussing it—is that the Opposition parties have all boycotted the legislature, and I am sure as the inevitable sequel to that, there would be a non-co-operative spirit in regard to an attempted solution of the food problem. Now, the policy which was announced by the Prime Minister the day before yesterday was a policy of continued co-operation between the Centre and the States, and in order to do that, the Opposition parties are sitting together with Government to find out a solution. If Uttar Pradesh, a very major State, is completely out of the purview of this co-operative effort, then the whole position becomes vitiated.

Therefore, I feel, whatever the technicalities,—I know there are some very serious technical difficulties to which you referred yesterday—I do feel that something should be done, and at least an expression of the views of this House is called for. If that is not possible, at least you can convey to Government an idea that all possible efforts should be made to bring about a reconciliation in regard to the position in Uttar Pradesh. If that does not happen, the all-India effort in which we are all very keenly interested is bound to be a failure. I would beg of you to take a very wide view of this position as it is necessary at the present moment, and at least direct us to what we should do, and how we should behave when a position of such crucial importance has cropped up and we do not quite know how to overcome the peculiar technicalities of the position.

Shri Frank Anthony (Nominated—Anglo-Indians): Nobody is more zealous of the rights and privileges of members of any State legislature than myself. But I feel, with due respect

[Shri Frank Anthony]

to some of my hon. friends, that what we are going through now is no less an abuse of the processes of this House. Matters are constantly being sought to be raised which do not come even remotely within the purview of an adjournment motion. If there is need for a healing touch, let the healing touch be applied somewhere outside on a particular occasion. But, as I sat here, I feel my patience has been exhausted. We are constantly... (Interruptions.)

Mr. Speaker: The House does not belong to only one Member. It is open to a Member to say that it is an abuse.

Shri Frank Anthony: It is definitely an abuse of the processes of the House. The House's time is being held to ransom because of some political motives here or elsewhere.

Shri S. M. Banerjee (Kanpur): May I make a submission?

Several Hon. Members rose—

Mr. Speaker: Order, order.

श्री जगदीश प्रबन्धी (बिल्हौर) : इस सम्बन्ध में मुझे निवेदन करना है कि कल आपने व्यवस्था दी थी कि यह स्टेट का सत्रकट है। मैं कहना चाहता हूँ कि उत्तर प्रदेश में इस वक्त जो पार्लियामेंटरी डिमार्क्रेसी है वह खतरे में पड़ गई है। अब केवल इस सदन को अधिकार प्राप्त है कि वह इस पर विचार करे। आप इस को देखिये। (Interruptions.) चिल्लाने में कोई लाभ नहीं, I will not stop. मैं निवेदन करना चाहता हूँ कि इस वक्त उत्तर प्रदेश में केवल एक पार्टी का एक व्यक्ति का साम्राज्य स्थापित है और वहाँ डिमार्क्रेसी खतरे में पड़ गई है। ऐसी अवस्था में मैं जानना चाहता हूँ कि इस सदन के अलावा कौन सी ऐसी जगह है जहाँ हम इस पर विचार कर सकते हैं। मैं निवेदन करना चाहता हूँ कि अब स्टेट में जो स्थिति है उसे देखते हुए आप अपनी विवेक

शक्ति का प्रयोग करें और सदन को अधिकार दें कि इस पर विचार विमर्श हो ताकि भविष्य में ऐसी घटनाएँ न घट सकें। आप यह देखिये कि वहाँ पर जो माननीय सदस्य थे उनके साथ सबसे प्रथम सशस्त्र पुलिस बुला कर दुर्व्यवहार किया गया, उनको खींचा गया। यह बातें कल स्पष्ट हुईं। मैं समझता हूँ कि कल यहाँ पर विरोध पक्ष ने अपने विचार प्रकट किये थे इस आशा से कि आप समय देंगे और विचार करने देंगे। मैं अनुभव कर रहा हूँ कि वह समय आ गया है जब कि लोक सभा को निश्चित रूप से ब्रह्म करके इस पर विचार विमर्श करना होगा वरना भविष्य में, अगर हम विचार नहीं करते हैं, अन्य राज्यों में इस प्रकार की अवस्था चलनी रहेगी और लोकतन्त्र खतरे में पड़ जायेगा। इसलिये मैं आपसे निवेदन करता हूँ कि आप सदन की समस्त कार्रवाई रोक कर इस पर विचार विमर्श करने दें।

Several Hon. Members rose—

Mr. Speaker: I am not going to hear anything more.

Shri Yadav (Barabanki): I request you to listen to me first.

Mr. Speaker: I am not going to listen. I am really sorry. I have been very patient.

Shri Yadav: May I request the hon. Chair to hear me first?

Mr. Speaker: I am not going to hear.

Shri Yadav: What I am going to say is—

Shri Ranga (Tenali): If he is going to be heard, then others also may insist on being heard from this side.

Mr. Speaker: Order, order. There has been an adjournment motion tabled today. It appears from what is happening here that I must scrap that particular rule which says that un-

less the Speaker gives consent adjournment motion ought not to be raised here! I have written to the hon. Member, Shri Braj Raj Singh, that I do not give my consent to it. It is a continuing affair. We know everything and we know what is happening. But still he got up and spoke. He was followed by Shri H. N. Mukerjee who said that we must do something. I am at a loss to know what exactly can be done. All of us are jointly interested in trying, as far as possible, to see that there is no trouble anywhere, not only here but outside also. But what is it that can be done? The whole thing has arisen out of the food situation, the so-called food situation. I do not know exactly what is happening. On the one side..... (Interruptions) Order. order.

Shri Hem Barua (Gauhati): There is the food situation; it is not a so-called food situation.

Mr. Speaker: Should I accept everything stated here when it is denied? I am really surprised.

Several Hon. Members rose—

Mr. Speaker: Is this democracy? I am not allowed to say what I want to say?

Shri Ragnath Singh (Varanasi): The same thing happened in Uttar Pradesh.

Mr. Speaker: What I can say is, it is unfortunate that there have been floods; there have been famines; there have been many difficulties from time to time. We have been getting questions, and I have been allowing in every session, as a rule, whether questions are put or not, a discussion on food. I have said that the food question should be debated in this House to the extent that the Centre has taken any responsibility under the Constitution, under the law, by convention and by agreement. In all these cases, I have allowed the question to be discussed without meticulously saying that this is not the concern of the House and so on.

Now, we have had a debate recently. Thereafter, so far as the State Legislative Assembly in Uttar Pradesh, at Lucknow, is concerned, they seem to have had a debate; not only a debate, but they have gone to the extent of trying to throw out the Government—from the reports that I see—and there was a no-confidence motion against the Government. But anyhow, that Government justified itself and so the majority is in favour of that Government. Otherwise, the Government would have been thrown out.

Now, after the debate, still, if some hon. Members are not satisfied, what can be done? They go into the country and say, "No, no, we will take the law into our own hands". Naturally the aid of the police is asked for, and some of them are arrested. Then adjournment motions are brought before the House.

Shri Braj Raj Singh: I want to say that the whole matter came up because..... (Interruptions).

Mr. Speaker: Order, order.

Shri Hem Barua rose—

Shri Nath Pai (Rajapur): They have been arrested without warrants.

Mr. Speaker: I do not know if Mr. Nath Pai is a lawyer.

Shri Nath Pai: I am.

Mr. Speaker: I am extremely glad. Then, why does he say that arrests must always be made only with warrants? As far as I remember, unless I have forgotten, arrests can be made by the police with or without warrant. There are certain cases where arrests can take place without warrant from a magistrate. Hon. Member knows the Criminal Procedure Code. Why should he ask my opinion about it? (Interruptions). I am not the Supreme Court here to decide that.

Shri Ranga: If the Speaker is not allowed to speak, what is the use of our having this House here?

श्री अर्जुन सिंह भदौरिया (इटावा): क्या स्पीकर साहब रंगा साहब के कहने हर काम करेंगे। रंगा साहब को बिठलाया जाये।

Shri Raghunath Singh: They are out to create trouble.

Mr. Speaker: Nobody need help me. Let us not repeat whatever might have happened elsewhere in this House also. Hon. Members will kindly hear me. I am not trying to shirk my responsibility even by a hair's breadth. I can discharge my responsibility to the satisfaction of all and try not merely to stand on technicalities, but really to bring a human touch about it and then try to settle that matter. I am honestly of that opinion.....

Shri Ranga: Even the Prime Minister.....

Mr. Speaker: Hon. Member, Shri Ranga, also must hold his soul in patience. One word here brings out two words there. Yesterday we had a discussion about this matter; not exactly this matter, but some other matter akin to this. (Interruptions). If hon. Members go on disturbing me like this, I am afraid I have to take disciplinary action against them. I may have to repeat all that has happened elsewhere. Have we come here to fight?

Shri Yadav: I have to say something.

Mr. Speaker: Something was said yesterday about this matter; not exactly in A, B, C on all fours with that, but similar to that. Those people were turned out and pushed by the police, etc. I am not concerned with what the police did there. An enquiry, anything might happen there. As a consequence of this, if the whole Opposition boycotted the session, what

is it that I can do? It is open to hon. Members to walk out one day and we have to carry on. Shall I say, merely because the Opposition walks out, we shall not do any business here?

An Hon. Member: There was force.

Mr. Speaker: There is no question of force. The Opposition wants to coerce the majority there. There is no doubt about it.

Some Hon. Members: Wrong.

Mr. Speaker: I stick to this. All that the Opposition can do here or anywhere in a democratic Parliament is that they can place their views before the House and leave the majority to accept it. Even if they are in power, they must enforce the majority rule if there is no unanimity. If the majority takes a particular view, it is open to the Opposition, to participate, co-operate or not to co-operate. Nobody can compel them if they go out. If they choose to go out, can I from here compel all those people to come and sit there? No. Or, am I to say, if they choose to go out, that the whole of this constitutional machinery shall break down and the majority shall not carry on, because the minority is not prepared to co-operate? Is that the Constitution?

Coming to Mr. Mukerjee's suggestion, he says that the Government there must be carried on in co-operation as far as possible with the Opposition and then try to satisfy them. I agree with him. Therefore, it is for them to come and meet me. The Socialist Party, the P.S.P. and the Communist Party are represented here. I do not know if there is any Ganatantra Parishad there; that does not appear to be the case there. All the other parties in that legislature are represented here. If they come and meet me, I will hear them and whatever I can advise as to what ought to be done, I have no objection to do. I can tell them privately, "This is what they want; go along and

do so." More than that, what is it that I can do here? Under those circumstances, there is no good bringing in unnecessarily whatever might have happened, to disturb this Parliament.

Shri S. M. Banerjee (Kanpur): After the statement made by the Prime Minister, you suggested a 'cease-fire' and I was one of those who suggested to the hon. Prime Minister to use his good offices with the Chief Minister of U.P. Now a very sad thing has happened. After the assurance of the Prime Minister that he would invite 30 Members, U.P. Government has not taken any sympathetic attitude and this is going on. All the Opposition Members have boycotted the Assembly not only because they wanted to boycott, but because they have been humiliated to the maximum. They have been kicked. What is the answer of the Home Minister to that kicking?

Shri Jagdish Awasthi: Even the doors were closed and members were not allowed to enter the House. It is reported in the Press. Mr. Rajnarain Singh was thrown out

Shri Nath Pai: We share your anxiety regarding this matter coming up every day. But I would like to point your attention to one thing that has been very heavily on our mind. Is the dead weight of procedural niceties to be allowed to kill the soul of democracy? We feel very deeply. As the final custodian of democracy in parliamentary institutions, you have to protect us in this matter when we raise our voice of protest against this. It was not Rajnarain Singh who was kicked and spat upon, but the police tried to kick and spit upon our democracy. In this we want you to express your disapproval. We feel very agitated on this point for this simple reason that if this House is to acquiesce in this mockery of parliamentary institutions, where else can we get justice to see that the prestige of democratic institutions is upheld in this country? (*Interruptions*).

Mr. Speaker: I have heard Mr.

Nath Pai. What it amounts to is this. Hon. Members want me to convey what? That the police there committed excesses. What led to that? Shall I say, all that Mr. Rajnarain Singh did may be repeated in this House and elsewhere? Shall we give an imprimatur to that and then approve of that conduct?

Now, a member is entitled to say something and then the Speaker says, "No, I do not agree with you; please resume your seat." He refuses to resume his seat and goes on speaking. Then the Speaker says, "You must go out" and then the Marshal comes and asks him to go out. He refuses to abide. Then the Speaker finds it impossible to carry on notwithstanding the support of the majority of members. Then he leaves the House. That is, a situation has been created by one of the Members, the Leader of the Opposition or somebody, making it impossible for the Speaker to continue in that House. Hon. Members here want me to say that that is not constitutional breakdown; that that man is in the right and the Speaker who sends the Marshal is wrong. That is, I have to give advice to the Speaker there, "You keep quiet and allow that man to continue". Is that what hon. Members here want me to say? Not only did he continue, but as soon as the Speaker went away, he takes physical possession of the House, goes to the Chair, and makes it impossible for the Speaker to carry on the administration. That is not constitutional breakdown.

Some Hon. Members: Shame!

Mr. Speaker: What that individual does is right! It is rather strange that instead of saying to that Rajnarain Singh that it is improper that he should have done so, hon. Members come here and tell me that I must tell the Police that they were in the wrong. What is the poor Speaker to do? When the Speaker went away, the police came and tried to lift that member. But the other members surrounded him and he refused to get up. It is said that he is one of the heaviest

[Mr. Speaker]

persons there—200 lbs.—(Interruptions). Then the police lifted him and others and in lifting them, the clothes might have been torn or the police might have committed excesses.

Shri Nath Pal: They stripped him naked.

Mr. Speaker: All right; shall the Speaker by himself see to it that the cloth is immediately tied round his body? What is it that he wants to be done?

Therefore, it is a matter of regret to me that in this House not for one day, but for two days, there is nobody here who condemns the conduct of that Rajnarain Singh, but they all come here and say that the police had misbehaved. It is very wrong. The police did what they ought to do. The Speaker did what he ought to do. (Interruptions). I would not allow it to happen here in this House—a few people trying to make it impossible for the Constitution to be observed. The majority will rule, so long as they are in the majority. The minority won't be allowed to cow down the majority. That is what has happened there; it shall not do so here. We will proceed to the next item. Sardar Amar Singh Saigal. (Interruptions).

12.20 hrs.

COMMITTEE ON PRIVATE MEMBERS' BILLS AND RESOLUTIONS

TWENTY-SIXTH REPORT

Sardar A. S. Saigal (Janjgir): I beg to present the Twenty-sixth Report of the Committee on Private Members' Bills and Resolutions.

RE: MOTION FOR ADJOURNMENT —contd.

Some Hon. Members rose in their seats and were making observations simultaneously.

Mr. Speaker: Order, order.

Shri H. N. Mukerjee: May I make a submission?

Mr. Speaker: I am not prepared to allow him. Hon. Members are advising me. Instead, let them advise those hon. Members in the State. We will go to the next business. Shri Karmarkar.

Shri H. N. Mukerjee: You are throwing the concept of brute majority in our face and this is completely against parliamentary democracy. It is impossible for us to remain in this House.

12.21 hrs.

At this stage Shri H. N. Mukerjee and some hon. Members left the House.

श्री यादव : चकि मुझे बालने का मोका नहीं दिया गया इसलिये मे सदन मे बाहर जा रहा ह ।

The Minister of Health (Shri Karmarkar): I beg to move:

"That the Bill to amend the Indian Medical Council Act, 1956, be taken into consideration."

Shri Nath Pal: May I ask something?

Mr. Speaker: Order, order. He will resume his seat I have closed the discussion.

Shri Mahanty rose—

Mr. Speaker: I am not going to allow any further discussion on that.

Shri Mahanty (Dhenkanal): May I make a submission? It has no relevance to the adjournment motion.

Shri Nath Pal: I want just one minute.

Mr. Speaker: I have allowed sufficient time.

Shri Mahanty: May I make a submission which has no relevance to the adjournment motion?