

लोग यह समझते हैं कि अगर वे अपनी भाषा चलत बोलते हैं तो उन्हें ऐसा लगता है मानों वे हिन्दी बोल रहे हों।

2.05 hrs.

E: MOTIONS FOR ADJOURNMENT

DEMONSTRATION OUTSIDE PARLIAMENT
HOUSE

Mr. Speaker: Papers to be laid on the Table.

Some Hon. Members rose—

Shri Khadilkar (Ahmednagar): Sir, there is an adjournment motion.

Shri S. A. Dange (Bombay City—Central): Sir, we have submitted an adjournment motion, and you were pleased to give a reply. On that reply, Sir, I would like to point out one or two things. The demonstrators from Maharashtra who have come here and are now sitting near the Parliament House have not come here to upset the law of the Parliament as you understand it and as I read it in the reply you have given. They have come here to persuade the Parliament to change its own Act and not upset an Act of Parliament; that is one thing I would like to point out. They might be able in the Bombay City to upset the Bombay Government even by elections, but here they have not come to upset the Parliament or its Acts. That is one point which I would like to point out about your ruling. They have just come to meet the Members of Parliament so that they themselves might change their own Act.

The second point is, there is something new in this. There is the question of the Zonal Council not having decided on the problem of border areas between Mysore and Maharashtra. The Zonal Council could not decide it. If two States cannot come to a conclusion, the only reasonable course that could be suggested is arbitration. Arbitration is such a

principle and so much loved by Government and the Congress Party that we thought in a dispute between two States arbitration with certain principles would be easily acceptable, but it was surprising to find that even this principle of arbitration in a dispute between two States is not being accepted.

So these demonstrators have come here to plead with the Ministries concerned and also with the Members of Parliament that they might look into this question as to why even the beloved principle of arbitration, beloved by all parties in labour disputes or border disputes, is not being accepted. Therefore, Sir, this is a new element, the question of border areas and the question of persuading Parliament to change its own law.

I would submit to you, therefore, Sir, that this motion could be admitted, and the hon. Home Minister also could enlighten us on this question of arbitration with certain guaranteed principles.

Some Hon. Members rose—

Mr. Speaker: Am I to hear 24 hon. Members?

Shri Nath Pai (Rajapur): You were pleased, Sir. . . (Interruptions).

Mr. Speaker: Very well; I will hear one hon. Member from each group.

Shri Nath Pai: Sir, I should like to point out that a very large assembly which composes among others the Lord Mayor of Bombay, the Mayor of Poona, a very large number—nearly 100—M.L.A.'s. from Bombay and all the city fathers from the leading cities of Bombay State is a matter that deserves earnest consideration from this House. They have come here not only to see the House but to seek justice from this House. Time without number, Sir, it has been said that if you do not like a thing ask Parliament to change it. Only day before yesterday the Prime Minister stated at

Ahmedabad, it is upto the Parliament to change a thing which it has gone into. Naturally, therefore, the people have come here to plead with Parliament, to appeal to Parliament to rectify the wrong which has been done to them. I should like to point out....

Mr. Speaker: Order, order. The hon. Member may kindly resume his seat; I will call him again if necessary.

We are not arguing this matter here. What I am concerned at this stage is, how far an adjournment motion on a matter like this is permissible. I do not deny that this is a serious matter. This may or may not be a matter that requires consideration. As to whether we can discuss this matter on a resolution, or a no-day-yet-named motion or any other motion is a thing to be considered. I am not preventing any discussion, wherever I think it is necessary and the public are interested.

But an adjournment motion must relate to a failure on the part of Government and it must be a matter of urgent and immediate public importance. It should not be a long-standing matter. Here, the demand for a separate Maharashtra State and a separate Gujarat State has been there since the passing of the previous Act. Almost every day it has been going on. First of all, I must be satisfied as to the urgency. There is no urgency.

Secondly, regarding the demonstrations, shall I allow all the demonstrators to come into this House now? (*Interruptions*) Shri Dange said that they have come here, to Delhi. Certainly, whatever is being done outside the House, the hon. Members who come into the House know it, and they know what exactly is happening there. But it is open to hon. Members, and Shri Dange himself, as the leader of a group, might have tabled an amendment to the previous Act that was passed in this House and canvassed public opinion here. That is not at all difficult. Many non-official Bills are coming, and we get many such Bills passed or at any rate get them

discussed in this House, as official Bills. Under these circumstances, adjournment motion is not the proper remedy for getting an Act of Parliament modified. That is my answer to this single point.

On prior occasions also, there was satyagraha on the question of Belgaum. I said that satyagraha is not the mode for changing an Act of Parliament. Otherwise, whoever is not satisfied with an Act of Parliament will start satyagraha outside or there may be demonstrations.

It is not I or anybody or any single Member of the House who has voted for a measure or not. The point is, when an Act is passed, whether they have voted for it or not, all the Members are bound to respect that Act and not allow any satyagraha to be started or be parties to it. It should not be the case where if they succeed here, it would be very well, and if they fail here, they will allow demonstrations to break this law (*Interruptions*).

Several Hon. Members rose—

Mr. Speaker: Hon. Members will kindly resume their seats. What is the responsibility of the Central Government? Let us see that. As an Act has been passed, the Government is responsible to implement that Act. The Government cannot be forced, when an Act of Parliament has been passed, by an adjournment motion or a censure. What is the censure about? When an Act is passed, and when they are implementing the Act, if it is said that their implementing the Act is an act of dereliction on the part of the Government, I am not quite prepared to accede to it. On the other hand, I would say that they deserve censure if they do not implement an Act of Parliament, and then yield to this. I have given my ruling. I am not going to allow it to be challenged here.

Shri Khadiolkar: I want to submit one point.

Mr. Speaker: I have heard enough.

Shri Khadiikar: There is a misapprehension. I want to raise a point of order.

Shri Nath Pai: Please allow us to speak.

Shri Naushir Bharucha (East Khadesh): Without getting our views, you are giving a ruling.

Mr. Speaker: Hon. Members have not satisfied me how this is an urgent matter to justify an adjournment motion.

Shri Naushir Bharucha: But you would not let us satisfy you. That is the trouble.

Mr. Speaker: The hon. Members must satisfy me as to whether this is a matter which took place yesterday or today, and whether the demonstration outside Parliament House took place today or yesterday. This matter which they want to get done or remedied is not one which arose only yesterday or today. It arose as early as when the Act was passed. That is the first point. So, there is no urgency.

The second point is whether for sticking on to an Act of Parliament, such an adjournment motion is permissible so that an Act of Parliament can be changed. These are the two points I am entitled to go into and decide.

Shri Naushir Bharucha: I shall answer those points.

Shri S. A. Dange: The question of borders is being discussed by the Zonal Council.

Shri Anwar Harvani (Fatehpur): I want to put one question.

Mr. Speaker: Order, order.

Shri S. A. Dange: It is subject to change by a decision of the Zonal Council. It is not upsetting the other Act. You may rule that way—saying that it is a Maharashtra and Gujerat question. But there is the question of

the border areas which is still being discussed by the Zonal Council, presided over by the Home Minister, and that Council is also going to meet soon. Therefore, it is not something which is closed for ever. It is still on the anvil.

Mr. Speaker: Nobody denies it.

Shri Anwar Harvani rose—

Mr. Speaker: Order, order. What I say is, an adjournment motion is not the remedy. If the Zonal Council does so, or if it does not take up that matter, it is the Zonal Council that has to be taken to task, and not this Parliament. So far as Parliament is concerned, you can go on agitating for changing the law. The agitation will be taken note of by all the hon. Members of the House. But for me to take note of it and censure the Government and allow a discussion on the adjournment motion is not a thing which is contemplated under the law.

Shri Khadiikar rose—

Mr. Speaker: I have heard the hon. Member sufficiently.

Shri Nath Pai: I shall confine myself to the points to which you have referred. The Zonal Council which is seized of this question is presided over by a Minister of the Union Government. It is, therefore, the concern of this House, if that body which was charged by Parliament to solve the question has not so far been able to do it.

We have been following the rulings you have been giving on this matter, and it is not in any irresponsible manner that we are saying this. I would further continue and say that times without number the people are told, "Appeal to Parliament. Do not do this". Would you treat it as of no consequence if the representatives of the entire.....

Mr. Speaker: Bring an amending Bill. Hon. Members are not prepared to understand.

Shri Nath Pai: We are trying to understand.

Mr. Speaker: Bring an amending Bill here.

Shri Nath Pai: You are not giving me a chance to complete my speech. We heard you throughout and we are trying to meet the points to guide us. So, you should be patient for a minute or two. This only shows the intensity of the feeling of the people, and a very important element which you should be the first person to uphold and encourage. This shows the inalienable faith of the people who are now at the doors of Parliament—that they believe in this Parliament to do them justice. That is why they are knocking at the doors of this Parliament. Therefore, it is quite conceivable, as you pointed out, that the matter must be urgent. May I point out that we are raising in the adjournment motion the points which you have called upon us to answer? There is an urgent matter now taking place with which this Parliament is concerned, because it is this Parliament that rules the city of Delhi. There are more than 2,000 citizens coming from a distant part of the country and who are knocking at the doors of this Parliament to get justice done to them. There, they are stopped by the police, and all that they are doing is never to seek anything to upset the Parliament, but only to see that Parliament rectifies the wrong which has been done to them. Had it been their idea or intention to upset the Parliament, they would not have come. It shows their great faith in this Parliament that ultimately it will meet or remove the injustice. It will be unfair, therefore, to say that they seek to upset the law. We would, therefore, like to know why the Home Minister cannot go and meet them and try to tell them. "This is what has happened and this is what we propose to do". Why is it not being done? Why should the police stop the people there?

Mr. Speaker: We are going into the details as to what ought to be done. (Interruptions). Order order.

Shri Ansar Harvani rose—

Mr. Speaker: Does the hon. Member want to add to the confusion?

Shri Khadilkar: As you rightly pointed out just now, when the States Reorganization Bill was considered, the question of border disputes was referred to and border adjustments were to be made later on, and that responsibility was naturally taken by the Home Minister who pleaded for its acceptance. So, that part of the question, so far as the border disputes are concerned, is yet to be decided. Two years have gone. So, certain assurances to this august body, the sovereign body, the sovereign law-making body, were given by the Home Minister: "I will see that these are amicably settled", remain unfulfilled.

Our humble plea is this. Those representatives who have come here are all holders of some representative office—Gram Panchayat, local Assembly, etc.—and they recognize the sovereign body and have so come here. They do not challenge it. They come here to appeal to the highest forum in this land, "Look here, this is the injustice done". Whether you have done justice or not is not the question. The people must feel that justice has been done. That is the elementary principle accepted by this House. Therefore, I would like to say at this hour that all these representatives have come in a peaceful manner and have demonstrated. It is right and proper not only to take note of it, but give urgent consideration to the matter.

Why it has been kept pending so long? Why assurances once given on the floor of the House have not been implemented? They are solemn assurances which ought to have been implemented long ago. I would appeal to every hon. Member to realise that when once an assurance on the floor of the House is given, it is the duty of every Member to see that it is implemented here and now. Why it has not been done? That is the question.

Shri Naushir Bharucha rose—

Shri Mahanty rose—

Mr. Speaker: I have heard the points. After all, it is a simple point. I am to consider whether the adjournment motion ought to be allowed or not, and whether I should give consent to the adjournment motion or not. So far as that matter is concerned, whatever might be the importance of the matter—a number of people are interested in both the settlement of the border dispute and also in the division of the State into two; that is clear—but, whether adjournment motion is the proper method—(Interruptions) Hon Members cannot go on talking like this

Some Hon. Members rose—

Mr. Speaker: I am really surprised at this. Why did they not table a resolution and get the opportunity?

Shri Raghunath Singh rose—

Mr. Speaker: I am afraid some hon Members are not able to restrain themselves. There are a number of methods. A resolution might have been tabled and a discussion brought about. Apart from the question of division of Bombay into Maharashtra and Gujerat, the border disputes have to be settled and an assurance has been given. The matter could have been discussed more leisurely and not merely by this demonstration. This demonstration might be useful to create an interest in the minds of the Members. There is the next session. They could table a resolution and have a full discussion. Or, they can even introduce a Bill to amend the State Reorganisation Act. These are the methods by which things could be discussed in an orderly manner and decided by the zonal council or in any other way. Those methods could be adopted and the sympathy of all sections of the House gained. Adjournment motion is not the proper method. Unfortunately my sympathy is not there so far as this adjournment motion is concerned.

Shri Mahanty (Dhenkanal): You have promised that you will give permission to every group to speak.

Mr. Speaker: But I find that this is only one multiplied by one.

Shri Mahanty: You have called only two or three Members and you are calling the Minister.

Shri Dasappa (Bangalore): What about the Congress?

Mr. Speaker: It seems the very Congress gentleman would force me to allow a discussion.

Shri Dasappa: It has happened so far.

Mr. Speaker: I am not going to allow it further.

Apart from the division into Maharashtra and Gujerat, so far as the border dispute is concerned, they say that an assurance has been given by the hon. Minister that this matter may be settled. What are the steps that are being taken and why is it that those people have found it necessary to come all the way to demonstrate in front of the Parliament? Let us hear the hon Minister.

The Minister of Home Affairs (Pandit G. B. Pant): I do not see how an adjournment motion can be moved with regard to the matters which have been referred to in the course of the speeches that have been delivered by some of the hon. Members opposite. Whether it be the border areas or whether it be bigger tracts, they are all parts of the States that were formed by the sanction of this Parliament when the States Reorganisation Act was passed. The Government has no authority to transfer a single village from any of these States to another State. Only the Parliament is seized of the matter.

So far as the zonal councils go, there seems to be a misapprehension about their functions and scope. Zonal Councils have no authority to

impose a decision on anyone Under the State Re-organisation Act, zonal councils can discuss matters of common interest, but only agreed decisions can be recorded. If any party does not agree to anything, then the zonal council has no authority to impose anything upon anyone.

I am really surprised to hear some of the remarks that have been made. Hon. Members know that I have been making my utmost effort to see that some sort of understanding could be reached between the people interested on the one side or on the other side of the border. My efforts so far have not borne fruit. I am still continuing them, because I am not deterred by the fact that people do not appreciate the good things that are done by me or by anyone else. In this world one has to persevere in the right path regardless of what others may do. I do not see what the occasion for complaint is.

An Act was passed by this Parliament. The border areas form part of the two States. If any change has to be made, it can be made only by this Parliament. I have tried my best to bring about some sort of understanding. The effort that I have made is, I think known to those who have been actively pursuing this matter. Not only that, on every other occasion, when any grievance relating to the border areas has been brought to my notice I have done all I could in order to get it redressed. So, so far as I am concerned I have been doing my best. After all these matters were decided by a commission. The decisions were taken on the basis of the report of the commission.

Shri Surendranath Dwivedy (Kendiapara) : What about bilingual Bombay?

Pandit G. B. Pant : So far as bilingual Bombay is concerned Parliament thought almost unanimously that that was the proper decision.

Shri Nagi Reddy (Anantapur) : People at the elections thought differently.

Shri T. B. Vittal Rao (Khammam) : Congress Members were opposed to that.

Shri Nath Pai : Shri Gadgil, now Governor of Punjab, was opposed to it.

Pandit G. B. Pant : I sometimes forget that the communist party was opposed to it (*Interruptions*). If a mere demonstration is to force the hands of anyone then it is a matter over which there is a sharp difference of opinion. If anything is done in consequence of the demonstration, then those who will be dissatisfied with that will come with a bigger demonstration. Then we will have a third demonstration. If demonstrations are to lead to decisions in this House there will be no end to demonstrations.

Shri Hem Barua (Gauhati) : As long as justice is not done.

Pandit G. B. Pant : I have my sympathy with the people who have come here. I am sorry that they should have taken all this trouble.

Shri Mahagaonkar (Kolhapur) : What about the satyagrahis released in the jungles and the treatment given to women satyagrahis at Belgaum?

Pandit G. B. Pant : So far as satyagraha against a decision of Parliament goes, I think it is something which is altogether alien and repugnant to the basic tenets of democracy.

Shri S. A. Dange : This Parliament came into existence through satyagraha.

Shri Raghunath Singh (Varanasi) : That was against foreigners.

Shri Anwar Harvani : That satyagraha was in 1942.

Pandit G. B. Pant: There is lot of bloodshed sometimes in the course of a revolution, but when the State is established and the country becomes independent, if those very methods are continued to be adopted on the ground that freedom was achieved only with bloodshed, then no State can live in peace and there will be no progress (Interruptions).

Mr. Speaker: I have already disallowed all the adjournment motions I have been repeatedly saying that an adjournment motion is not the proper method by which this matter can be brought up before this House.

Shri Braj Raj Singh (Ferozabad): This Parliament and its tradition in this country are at stake

Mr. Speaker: I am here to see that the rights of Parliament and of individual Members, in groups and otherwise, are all protected. I have absolutely no bias either towards the right or towards the left I am only anxious to see that the prestige of Parliament is not brought down. There are remedies. So far as its subjects are concerned, Parliament is sovereign and supreme. So, if this matter comes up in any other form, I shall consider that matter. The strength of public opinion that has to be gauged from the demonstration has been sufficiently witnessed by hon. Members. They will take note of that. When a proper motion comes up before the House, I am not going to improperly reject that motion. I am sorry, I am not in a position to admit any of these adjournment motions.

Shri S. A. Dange: Since it is not possible for 2,000 people to come here to meet the M.P.s, I would request all the M.P.s to go out and meet them.

12.30 hrs.

(Shri S. A. Dange and some hon. Members left the House)

Shri Nath Pai: Let the Home Minister also meet them.

Shri Surendranath Dwivedy: I would submit one thing for your decision. So many persons from a distant place have come here to meet us. So, I would request you to adjourn the House to enable us to go and meet them. I would also request the Home Minister to meet them. If the House is adjourned, it would be possible for us to go and meet them and talk to them

Pandit Govind Malaviya (Sultanpur): Shall I give some advice to those who are going out?

Mr. Speaker: Let there be no more discussion. I cannot prevent hon. Members from going out and coming in.

Shri Surendranath Dwivedy: I request the adjournment of the House for some minutes to enable us to go and meet them.

Shri Mahanty: I gave notice of an adjournment motion. So, may I have the right to submit for one or two minutes about the admissibility of my motion?

Mr. Speaker: No, no I have repeatedly held that when I give consent to the adjournment motion I intimate the Members concerned. But, all the same, as it was raised I allowed some kind of a discussion to take place. Now I am confirmed in my decision that it is not right. I convened a conference of all the leaders of groups and also their representatives regarding the way in which adjournment motions have to be disposed of. I have shown extra latitude so far as this matter is concerned. I hope hon. Members will not force me to take a very harsh step or an unnecessary wrong step, and will try to abide by the decision we have taken. I am prepared to give them all latitude. So far as their going out is concerned, they may go. But it will be a bad precedent for us, for me, to adjourn the House to enable some Members to go and see the demonstrators outside. Now the House will take up the next item of business.

Shri Naushir Bharucha: You cannot solve the problem by ignoring it. You have to solve it in the correct way.

(Some more hon. Members left the House)

12.32 hrs.

PAPERS LAID ON THE TABLE

STATEMENT SHOWING ACTION TAKEN BY GOVERNMENT ON ASSURANCES

The Minister of Parliamentary Affairs (Shri Satya Narayan Sinha): I beg to lay on the Table a copy of each of the following statements showing the action taken by Government on various assurances, promises and undertakings given by Ministers during the various Sessions of Second Lok Sabha shown against each:—

(i) Statement No. I—Sixth session, 1958. [See Appendix IV, annexure No. 115].

(ii) Supplementary Statement No. IV—Fifth Session, 1958. [See Appendix IV, annexure No. 116].

(iii) Supplementary Statement No. XIII—Fourth Session. [See Appendix IV, annexure No. 117].

(iv) Supplementary Statement No. XV—Third Session, 1957. [See Appendix IV, annexure No. 118].

(v) Supplementary Statement No. XIX—Second Session, 1957 [See Appendix IV, annexure No. 119].

DECLARATIONS OF EXEMPTION

The Minister of State in the Ministry of Home Affairs (Shri Datar): I beg to lay on the Table, under the proviso to section 6 of the Registration of Foreigners Act, 1939, a copy of each of the following Declarations of Exemption:—

(i) No. 1/34/58-F. 1 dated the 4th September, 1958.—(1 Declaration).

(ii) No. 1/38/58-F. 1, dated the 10th September, 1958.—(2 Declarations).

(iii) No. 1/41/58-F. 1, dated the 6th November, 1958.—(1 Declaration).

(iv) No. 1/42/58-F. 1, dated 8th November, 1958.—(1 Declaration).

(v) No. 23/28/58-F. 1, dated the 15th November, 1958.—(3 Declarations).

(vi) No. 23/28/58-F. 1, dated the 21st November, 1958.—(3 Declarations).

[Placed in Library. See No. LT-1138/58].

AMENDMENT TO CENTRAL EXCISE RULES

The Deputy Minister of Finance (Shri B. R. Bhagat): I beg to lay on the Table, under Section 38 of the Central Excises and Salt Act, 1944, a copy of Notification No. GSR 1138, dated the 6th December, 1958 making certain further amendment to the Central Excise Rules, 1944. [Placed in Library. See No. LT-1146/58.]

12.33½ hrs.

COMMITTEE ON PRIVATE MEMBERS' BILLS AND RESOLUTIONS

MINUTES OF THIRTIETH TO THIRTY-FOURTH SITTINGS

Sardar Hukam Singh (Bhatinda): I beg to lay on the Table the Minutes of the sittings (Thirtieth to Thirty-fourth) of the Committee on Private Members' Bills and Resolutions held during the Sixth Session.

12.33½ hrs.

COMMITTEE ON PETITIONS

MINUTES OF TWENTY-THIRD SITTING

Pandit J. P. Jyotishi (Sagar): I beg to lay on the Table the minutes of the Twenty-third sitting of the Committee on Petitions held during the Sixth session.