

The Lok Sabha reassembled at Twelve of the Clock

[MR. SPEAKER in the Chair]

SHRI VAYALAR RAVI (Chirayinkil): rose—

MR. SPEAKER: My ruling first.

SHRI VAYALAR RAVI: I want to make a submission, Sir. My submission is that it is unfortunate that the ruling party had made the running of the House impossible, on the very controversial question of language. I hope the Prime Minister will be able to control his men.

MR. SPEAKER: Both the sides did it.

SHRI VAYALAR RAVI: They forced the Speaker to adjourn the House. We lodge a strong protest.

श्री डी० जी० गबई (बुलडाना) : अध्यक्ष महोदय, मैं एक बड़े महत्व का सवाल उठा रहा हूँ। आपको इसे सुनना पड़ेगा क्योंकि इसमें लोगों की जान और माल का सवाल है। आपको इसे सुनना पड़ेगा। मैंने 21 तारीख को एक कॉलिंग अटेंशन दिया था मराठवाडा विद्यापीठ के बारे में। वहाँ मराठवाडा यूनिवर्सिटी का "डा० अम्बेडकर" नामकरण करने में हिन्दू और बौद्धों में बहुत बड़ी तादाद में झगड़े हो रहे हैं और बहुत लोग मारे जा रहे हैं।

MR. SPEAKER: I have allowed you a 377 yesterday. Don't record.

(Interruptions)**

MR. SPEAKER: I had given permission yesterday under 377. Nothing more will be recorded.

(Interruptions)**

I am not allowing anybody. Nothing is going on record.

SHRI VASANT SATHE (Akola): I am pleading with you only. Do not record.

MR. SPEAKER: Do not record.
(Interruptions)**

श्री राज नारायण (राय बरेल): मेरा व्यवस्था का प्रश्न है। वह यह है कि अगर सदन में लगातार सात दिन तक एक सवाल उठे और आप द्वारा उस पर कोई व्यवस्था न हो, तो फिर उसका समाधान कैसे हो, यह चीज भी आपने आप में एक अव्यवस्था पैदा करती है। अब तो चौधरी चरण सिंह होम मिनिस्टर नहीं हैं, अब तो हरिजनों पर अत्याचार नहीं होने चाहिए। मेरा आपसे विनम्र निवेदन है कि जब सात दिन से इस सदन में यह बात उठायी जा रही है तो आप कंसर्नंग मिनिस्टर को हिदायत करें कि वह सारी बातों की जानकारी इस सदन को पेश करें।

12.05 hrs.

RULING ON ADJOURNMENT MOTION RE: ALLEGED HANDCUFFING OF ROHTAK MEDICAL COLLEGE STUDENTS IN THEIR HOSPITAL BEDS

MR. SPEAKER: Shri. Vasant Sathe MP has given notice of an adjournment motion which reads as follows:

"It is reported in today's press that Medical College students who are on strike in Rohtak have been handcuffed even in their hospital beds and put in chains in their bed. This is an unheard-of act of uncivilised behaviour by the Police, and is a matter that needs to be discussed immediately."

(Interruptions)

Will you allow orderly proceedings in the House now?

PROF. SAMAR GUHA (Contai): You discuss it in the chamber and come to some conclusion.

MR. SPEAKER: I have always done it.

**Not recorded.

Yesterday I had a request and I had given 377 I shall certainly consider further suggestions. You kindly come and discuss with me, I will further consider the matter.

श्री राम बिनास पासवान (हाजीपुर) :
377 में जिन मामलों को उठाया जाता है उनका सम्बन्धित मंत्री द्वारा जवाब नहीं दिया जाता है।

MR SPEAKER It is impossible for you to force me

(Interruptions)**

MR SPEAKER Don't record

The facts placed before me in support of the adjournment motion are revolting. An adjournment motion, as held by me earlier in a sense is a motion to censure the Government. The Central Government has no direct responsibility in the matter mentioned in the motion. Hence there will be no justification for granting consent to the motion. But all the same in view of the facts of the case I have permitted a calling attention motion so that the attention of the Central Government which has an overall responsibility in the matter of law and order may be called thereto.

12 10 hrs

RULING ON THE DEMAND FOR LAYING ON THE TABLE OF THE CORRESPONDENCE BETWEEN FORMER HOME MINISTER AND PRIME MINISTER

MR SPEAKER Weighty arguments have been advanced for and against the production of the correspondence that passed between Shri Charan Singh, former Home Minister, and the Prime Minister during the months of March to May last

At the very threshold I have to go into the question whether I have competence to direct the Prime Minister or any other Minister to produce any document in their possession. Rule 368 of the Rules of Procedure and Conduct of Business in Lok Sabha relevant for the purpose is as follows:

If a Minister quotes in the House a despatch or any other State paper which has not been presented to the House, he shall lay the relevant paper on the Table.

Provided that this rule shall not apply to any documents which are stated by the Minister to be of such a nature that their production would be inconsistent with public interest. (emphasis added)

Provided further that where a Minister gives in his own words a summary or gist of such despatch or State paper it shall not be necessary to lay the relevant papers on the Table."

The first proviso to Rule 368 makes it clear that the question whether disclosure of a particular document would be inconsistent with public interest is entirely left to the discretion of the Minister. In other words the question of public interest is left to the subjective satisfaction of the Minister. The Speaker does not come into the picture in deciding that question. The basis of this rule appears to be that the question of public interest can better be left to the discretion of the Government which is responsible to Lok Sabha rather than to any other authority. The discretion given to the Minister is absolute and unconditional.

I have been asked to suspend the first proviso to Rule 368 or if that is not possible, to suspend the Rule as a whole so that justice may be done to the cause. It is not necessary for me to go into the question whether there is any justification to suspend the rule or whether I have any power to suspend either a part or the whole

**Not recorded