

## LOK SABHA

*Monday, August 21, 1978/Sravana 30,  
1900 (Saka)*

*The Lok Sabha met at Eleven of the Clock*

[MR. SPEAKER in the Chair]

### RE. MOTIONS FOR ADJOURNMENT, CALLING ATTENTION, ETC.

MR. SPEAKER: Now the House will take up the 45th Constitutional Amendment Bill. . . .

(Interruptions)\*\*

MR. SPEAKER: I have received a large number of Adjournment Motions. I am going through them. I will let you know my decision tomorrow morning.

(Interruption.)\*\*

I am considering all of them.

(Interruptions)\*\*

MR. SPEAKER: I will enquire from the Minister about the bonus and let you know.

(Interruptions)\*\*

SHRI SAUGATA ROY (Barrackpore): Sir, the Minister is there. You can ask him to make a statement.

श्री राम बिलास पासवान (हाजोपुर):  
अध्यक्ष महोदय बिहार में जमशेदपुर में 6  
आदिवासियों का ठेकेदार के गृहों द्वारा  
स्वर्णरेखा नदी में फेंक दिया गया है।  
यह बहुत गम्भीर मामला है। . . . . .  
(व्यवधान)

MR. SPEAKER: I have received a number of Calling Attention Notices. I will give you an opportunity either tomorrow or day after.

SHRI SAUGATA ROY: Apart from adjournment motion, whether my notice under rule 377, my Calling Attention and my Short Notice Question have been considered?

(Interruptions)\*\*

MR. SPEAKER: I have told all of you that the matter is under consideration. (Interruptions) I have told every one of you that the matter is under consideration. Is it the idea to obstruct the regular business?

(Interruptions)\*\*

MR. SPEAKER: Even after I mentioned to you that the matter is under my consideration, you are still at it.

I allowed you for more than ten minutes. Let us go to the business.

(Interruptions)

SHRI JYOTIRMOY BOSU (Diamond Harbour): About bonus, we want the Government to make a statement. (Interruptions)

MR. SPEAKER: You have mentioned it hundred times. What is the point in it?

(Interruptions)

MR. SPEAKER: Mr. Bagri is raising a point of order. Let us go according to some order.

श्री मनोराम बागड़ी (मयुरा): अध्यक्ष महोदय मेरा पांचवें आर्डर है। जो आदमी पार्लियामेंट का मेम्बर नहीं है जो इस सदन का सदस्य नहीं है उसकी चर्चा यहां पर नहीं होनी चाहिए। श्री कन्दमान गुप्त इस सदन के सदस्य नहीं हैं। उनकी चर्चा यहां पर नहीं होनी चाहिये।

MR. SPEAKER: That is not the point of order.

(Interruptions)

MR. SPEAKER: What is your point of order, Mr. Mavalankar?

PROF. P. G. MAVALANKAR (Gandhinagar): I am rising on a point of order.

In the Bulletin Part II, dated August 18, the Secretariat, presumably, under your direction, has drawn the attention of the Members to the entire procedure under Rule 376. . . . (Interruptions)\*\*

श्री मनोराम बागड़ी : जो व्यक्ति यहां पर न हो क्या आप उस पर चर्चा करने का अधिकार देंगे ? श्री चन्द्रमान गुप्त इस सदन में जवाब नहीं दे सकते हैं । श्री चन्द्रमान गुप्त पर जो आरोप लगे हैं .. (व्यवधान) हम दस करोड़ चंदा करें इस से आप को क्या मतलब है ?

MR. SPEAKER: This is not a point of order.

What is your point of order, Mr. Maivalankar?

PROF. P. G. MAVALANKAR? I am inviting your attention to the Bulletin Part II, dated August 18, Item No. 976 in which presumably under your direction the rule for point of order has been printed. Some time back also you had given direction about the fact that there is no zero hour and that if members want to raise the points, they must see you in your chamber, take your consent and raise something here.

MR. SPEAKER: What is the point of order?

PROF. P. G. MAVALANKAR: Today from 11 to 11.17 so many things have been....

MR. SPEAKER: There is no point of order.

PROF. P. G. MAVALANKAR: I am not speaking on any of the subjects. I am seeking your guidance under Rule 376 and Rules 380 and 381. Rules 380 and 381 are about expunction. I want to know as to what happened today. So many members have been speaking simultaneously. Only parts of it were being recorded. Others were not being recorded. What happens is this—what you say is being recorded, what we say is not being recorded. My point is, often I see, you say—'do not record, do not record.' That is correct, according to you. When you say something in response to something which is not recorded, that is recorded. How are we to know, sitting in this House? I am sorry, I have not understood a word of it what was being demanded for the last fifteen minutes. Apart from that, how are the press going to report what is going on in this House? If you say, something is off the record, they will not be allowed to report that. But if it is on record, then they should be able to report. So, you kindly tell us what has gone on record so that the press people may know that much.

(Interruption)\*\*

MR. SPEAKER: Do not record anything. This is not a point of order.

11.22 hrs.

CONSTITUTION (FORTY-FIFTH AMENDMENT) BILL—Contd.

Clause 33—(Omission of article 257A)

MR. SPEAKER: Before we take up further clause by clause consideration of the Constitution (Forty-Fifth Amendment) Bill, I have to inform the House that voting on clauses and amendments moved thereto will start at 3 p.m. today.

We may now take up consideration of clause 33 of the Bill.

SHRI SHAMBHU NATH CHATURVEDI (Agra): I beg to move—

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for clause 33, substitute—

"33. In article 257A of the Constitution, after sub-clause (1), the following proviso shall be inserted, namely:—

Provided that the State Government shall be kept informed of such deployment." (183)

Prior to the amendment, the practice was that the Centre could send forces to states even without their consent. After the inclusion of this clause for withdrawal of this Article, it completely gives a different interpretation. That is why, I say that 'provided that the State Government shall be kept informed of such deployment.' By including this clause, I say that a different situation has been created because this provision was included in the constitution and now, it has been withdrawn. It would not restore *status quo* and it would give a different interpretation. That is why, my amendment should be accepted.

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI SHANTI BHUSHAN): It is not possible to accept this amendment because it is not right that, when the law and order is a State subject, the Centre should have any power to deploy armed forces in the States without the consent of the State. So, I am not in a position to accept this amendment for deleting this clause even with any condition at all.