

12.40 hrs.

ELECTION TO COMMITTEE

Coir Board

THE MINISTER OF FOREIGN TRADE (SHRI B. R. BHAGAT) : I beg to move the following :

"That in pursuance of sub-rule (1) (e) of rule 4 of the Coir Industry Rules, 1954, as amended by the Ministry of Commerce and Industry S. R. O. No. 3983, dated the 12th December, 1957 the members of this House do proceed to elect, in such manner as the Speaker may direct, two members from among themselves to serve as members of the Coir Board for a term to be specified by the Central Government".

MR. SPEAKER : The question is :

"That in pursuance of sub-rule (1) (e) of rule 4 of the Coir Industry Rules, 1954, as amended by the Ministry of Commerce and Industry S. R. O. No. 3983, dated the 12th December, 1957, the members of this House do proceed to elect, in such manner as the Speaker may direct, two members from among themselves to serve as members of the Coir Board for a term to be specified by the Central Government".

The Motion was adopted

CALLING ATTENTION TO MATTER OF URGENT PUBLIC IMPORTANCE—*Contd.*

Reported Preparation by Election Commission for Mid-Term Parliamentary Elections—(Contd.)

MR. SPEAKER : We will now take up further consideration of the Punjab Legislative Council (Abolition) Bill.

SHRI S. M. BANERJEE : May I make a submission ? I have written to you a letter today. There is a serious situation in the coal mines. 90 coal mines are practically at a standstill...

MR. SPEAKER : This is not the occasion to raise the matter like that.

SHRI S. M. BANERJEE : The Labour Minister can make a statement. It is a very serious situation. 90 mines are affected.

MR. SPEAKER : You cannot get up at any time and raise any matter that you like.

MR. S. M. BANERJEE : Sir, you may ask the Labour Minister to make a statement. This is a matter of urgent public importance.

MR. SPEAKER : I will do it on a regular motion given by you. That will be judged on its own merits.

SHRI JYOTIRMOY BASU : I tabled a Call Attention notice three days ago on miner's strike. I have not heard anything from your end

SHRI SURENDRANATH DWIVEDY : Sir, Mr. Srinibas Misra wanted to raise a point of order. You called him but then there was the pandemonium.

SHRI SRINIBAS MISRA : I quoted the rule. You called me. When I stood up, you also stood up simultaneously. So, I sat down.

SHRI NATH PAI : That is according to the procedure.

SHRI SRINIBAS MISRA : Sir, I invite your attention to Rule 349. I want to submit that there are certain monopolists in the House in the sense that there is a monopoly in taking the time of the House. We poor people want to hear. We have a right to hear. Even the right of hearing is being taken away. If they want to say something, let them do it in a manner we hear them. If ten people get up at a time and shout, we cannot hear anything. Our right of hearing is taken away.

Sir, you called me and I stood up. But then that pandemonium came and I sat down. I am sitting on the back bench. I could not attract your attention. Will you kindly make some arrangement so that all of us will sit in the first row ? What is this ?

[Shri Srinibas Misra]

I have a right to hear and that right is being taken away. There are some monopolists in this House in taking the time of the House. That should be checked. That itself is a point of order.

The real point that I was trying to raise is this. In such matters when the Election Commissioner takes a stand, the Minister reads out the constitutional provision. The Law Minister imported the word '*inter alia*' in his statement while quoting the Constitution. He quoted article 324 from the Constitution that the Election Commission is vested with the superintendence, direction and control of, *inter alia*, the preparation of electoral rolls. Where from does he get the word '*inter alia*'? While quoting the Constitution, the Law Minister should quote it correctly. There is no such thing. Only these three things, superintendence, direction and control, are vested in the Election Commissioner. How has he got the power to say that within 35 days he can complete the elections?

SHRI NATH PAI : What happens if the Constitution is misquoted?

SHRI S. M. BANERJEE : The Law Minister should be called to answer it.

SHRI M. YUNUS SALEEM : The call-attention has been disposed of. There was no business pending...

MR. SPEAKER : This may be sent to the Law Minister for elucidation.

SHRI NATH PAI (Rajapur) : What is your *prima facie* reaction? (*Interruptions.*)

MR. SPEAKER : We go to the next item ..

SHRI H. N. MUKERJEE (Calcutta North-East) : Before you go on to the next business, I would ask your indulgence for a few minutes. You permitted an interruption of the proceedings of the House...

MR. SPEAKER : I told Mr. Nambiar if he could avoid it...

SHRI H. N. MUKERJEE : The interruption happened.

In regard to that particular point, we also have sent you a communication. It is a question of principle and that is the reason why I would like you to know that we have accepted this arrangement because you have directed accordingly but we have done so under protest and we would like to have a further discussion and elucidation of the principles involved in the matter before we can accept it as a permanent arrangement because the whole matter, as I said, goes to the root of the principle which has got to be clarified properly. Something has happened precipitately and with unseemly haste, if I may put it that way, and that is why I would ask you to convene a meeting of the different parties as soon as ever it is possible before this matter can be clarified and thrashed out properly; otherwise, what has happened appears to me to be an infraction of Parliamentary procedure and Parliamentary propriety, and something very serious may have to be done about it.

SHRI S. M. BANERJEE : On the 17th I wrote you a letter. All the 'directions by the Speaker' have been set aside...

SHRI NAMBIAR : I have got Mr. Mavalankar's direction.

MR. SPEAKER : I do not allow anybody now.

SHRI RANGA (Srikakulam) : You have allowed certain things to be said. Mr. Mukerjee rose to make a few remarks and you allowed that also.

MR. SPEAKER : I did not know what he wanted to say till he said it.

SHRI RANGA : When these things are allowed to go on record, it is only proper that our observations also should be allowed to be stated here.

SHRI S. M. BANERJEE : I have not yet finished.

MR. SPEAKER : I do not know what has gone wrong. Every time when a member gets up, so many members get up simultaneously. I am not going to allow either Mr. Ranga or Mr. Banerjee. I do not allow any debate on this.

SHRI RANGA : You allowed those things to be said...

MR. SPEAKER : I do not know what he wanted to say till he said it. Do you want to prolong it ?

SHRI RANGA : I am not in favour of the suggestion made just now that you call a meeting of the different parties. If you do not allow me to say what I want to, what am I to do ?

MR. SPEAKER : I am not calling a meeting, but I will consult the people concerned.

SHRI S. K. TAPURIAH : You should hear the other side also.

SHRI RANGA : I am not in favour of your calling any conference or any meeting of the leaders of parties. This is not the first time that a split has taken place. When the Socialist Party split, they were recognised here ; at that time there was no such meeting as is suggested now. Later on, the Communist Party split into two and there was no such meeting. The Speaker exercised his own prerogative and right...*(Interruption.)* This time so many of his friends have broken away from the main party, and have formed a group...*(Interruptions.)*

MR. SPEAKER : I am not allowing any discussion please.

SHRI S. M. BANERJEE Mr. Speaker, Sir.....

12.50 hrs.

PUNJAB LEGISLATIVE COUNCIL
(ABOLITION) BILL—Contd.

MR. SPEAKER : The House will now take up further consideration of the following motion moved by Shri Mohammad Yunus Saleem on the 18th November, 1969, namely :

"That the Bill to provide for abolition of the Legislative Council of the State of Punjab and for matters supplemental, incidental and consequential thereto, be taken into consideration."

Shri Ishaq Sambhali.

श्री इसहाक सम्भली (धर्मरोहा) : अध्यक्ष महोदय, पंजाब लेजिस्लेटिव कौंसिल को एवालिश करने के लिए जो बिल धारा है मैं उसकी तारीफ करता हूँ और सबसे पहले बंगाल के मौजूदा यूनाइटेड फ्रंट गवर्नमेंट को इस मौके पर मुबारकबाद देना अपना फर्ज समझता हूँ कि इस यूनाइटेड फ्रंट ने कौंसिल को एवालिश करने की तरफ एक अच्छा कदम उठाया। चाहिए तो यह था कि कांग्रेस यह कदम उठाती। लेकिन बदकिस्मती यह है कि कांग्रेस ने तो अंग्रेजों की उन परम्पराओं को, उन तरीकों को जो उन्होंने अपने मकसद के लिए अपर हाउसेज कायम किए थे, उनको कायम रखा और प्रपोजीशन पार्टीज ने, खासतौर पर बंगाल की यूनाइटेड फ्रंट गवर्नमेंट ने उसको एवालिश करने के लिए रहनुमाई की। हमें खुशी है कि उसके बाद पंजाब की प्रकाली पार्टी ने इसके लिए कदम उठाया और वहाँ की प्रसेम्बली ने एक राय होकर के यह रेजोल्यूशन किया। हम तो यह उम्मीद करते हैं कि अब वह वक्त जल्द आ जाना चाहिए कि इस पार्लियामेंट में रेजोल्यूशन पेश हो और राज्य सभा को एवालिश किया जाय।

अध्यक्ष महोदय, आप जानते हैं कि यह अपर हाउसेज अंग्रेजों ने अपने मकसद के लिए कायम किए थे ताकि वह अपने मतलब के लोगों को इस तरह पर वहाँ कायम करके अपनी मंशा के मुताबिक लेजिस्लेशन पास करा सकें। इस सरकार ने भी उसी चीज को कायम रखा। कहां पर तो यह कहा गया था कि उसमें बड़े-बड़े एक्सपर्ट्स हुआ करेंगे, वह अपर हाउस इसलिए होगा कि भिन्न-भिन्न टाइप के एक्सपर्ट किस्म के लोग उसमें आ सकें लेकिन देखने में यह धारा कि जो जनरल एलेक्शन में हार गए जिनको पब्लिक ने रिजेक्ट कर दिया उनको लाकर अपर हाउस में बैठा दिया गया। मैं अपने ही मूब की बात कहता हूँ। हमारे यहाँ से अभी हाल में राज्य सभा में कौन चुन कर आए हैं ? श्री मोहनलाल गोत्रम जिनका पब्लिक