

श्री भोगेन्द्र झा (जयनगर): अध्यक्ष महोदय
एक स्पष्टीकरण हो जाने दीजिय

MR. SPEAKER: If I allow one, I will have to allow so many. Next item. I have received some motions... (Interruptions) I am not allowing it. Once I follow this practice, there will be no end to it. There has been more than a debate on this today. That item is over.

दिनके नाम कालिग अटेंशन में थे उन्हें मैंने बुला लिया है। अब जिन के नाम नहीं हैं। उनको मैं नहीं बुलाऊंगा।

I am not calling any more. Nothing will go on record. If this is the way, we will just sit and keep watching. (Interruptions).

SHRI S. M. BANERJEE (Kanpur): Sir, I rise on a point of order....

MR. SPEAKER: I cannot permit the hon. Member. We have never allowed it in the past.... (Interruptions) Only those hon. Members whose names appear in the notice will be called. I am sorry I cannot permit the hon. Member.... (Interruptions).

They are holding the whole House to ransom.... (Interruptions).

There was a call attention motion. The Members asked questions and the Minister has replied....

(Interruptions)

If this type of behaviour continues in this Parliament and all of you do not behave, then God help this Parliament.

(Interruptions)

I am sorry I cannot tolerate this. (Interruptions) Now, a call attention motion has been discussed and now, if the matter is not *sub judice*. I have to find out.

Order please. If you so like, you can send a notice and I will see.

I will go according to the items on the agenda.... (Interruptions).

13.20 hrs.

MOTION FOR ADJOURNMENT

ALLEGED UNCONSTITUTIONAL DISSOLUTION OF ORISSA LEGISLATIVE ASSEMBLY

MR. SPEAKER: I shall call hon. Members according to the items that I have kept on the agenda. Sometimes, hon. Members ask me to take up the adjournment motion before the calling-attention-notice. Today, Shri piloo Mody did not get up. Does he not want it to be taken up?

SHRI PILOO MODY (Godhra): It is for you to decide it, Sir.

MR. SPEAKER: I think the hon. Members knows it and he understands why sometimes Members want adjournment motions after the calling-attention-notice....

SHRI PILOO MODY: I am prepared to do either. If you like, I shall raise it both times.

MR. SPEAKER: I have received three types of motions. One is adjournment motion on the situation in Orissa; this is by Shri Piloo Mody, Shri P. K. Deo, and then by Shri Dinen Bhattacharyya, Shri Samar Mukherjee, Shri Krishna Chandra Halder, Shri Saroj Mukherjee and Shri Biren Dutta; there is one by Shri Laxmi Narain Pandey, Shri Samar Guha, and Shri Jyotirmoy Bosu, and Shri Shyamnandan Mishra, and this relates to unconstitutional dissolution of the Orissa Legislative Assembly; the same wording is there almost in all of them.

There is another motion by Shri Atal Bihari Vajpayee about the unconstitutional conduct of the Governor of Orissa. The Proclamation in regard to Orissa is an item on the agenda, and that is also going to be laid on the Table of the House.

I have considered it. I have absolutely no objection against this adjournment motion....

SOME HON. MEMBERS: No. It should not be allowed in the House.

MR. SPEAKER: I hope hon. Members will kindly listen to me. There are four opportunities available. The Proclamation will come up for discussion and hon. Members will have the opportunity to discuss it and approve or disapprove of it.

SHRI SHYAMNANDAN MISHRA (Begusarai): When will it come up?

MR. SPEAKER: If hon. Members want to take Shri Atal Bihari Vajpayee's motion, I have no objection to it, and hon. Members can discuss it. Or, if hon. Members like, they may take up the adjournment motion and discuss it. But my concern is to avoid duplication and triplication of this. Now, let me know what hon. Members want.

श्री हुकम चन्द कछवाय (तुलना)

श्री वाजपेयी जी के प्रस्ताव को ले रिजिजे
उस पर चर्चा हो जाय ।

SHRI SHYAMNANDAN MISHRA: We want to discuss the Proclamation. would it be possible to take it up immediately?

MR. SPEAKER: Now, let me know what hon. Members want. Do they want the adjournment motion or a discussion on the Proclamation which is being laid on the Table today? I would like to know this, so that I can ask the hon. Minister to arrange for the discussion of the Proclamation. Which is being laid on the Table today. I shall allow only one. What does Shri Piloo Mody want?

SHRI JYOTIRMOY BOSU (Diamond Harbour): I would like you, Sir, to give some time for us in the Opposition parties to have consultations amongst ourselves and we shall let you know in the afternoon.

SHRI P. K. DEO (Kalahandi): We want the adjournment motion.

SOME HON. MEMBERS: No, no.

MR. SPEAKER: I will allow it only after I hold it in order. How many members are in its favour?

SHRI P. K. DEO: Give me an opportunity to make a statement.

SHRI SHYAMNANDAN MISHRA: Why not allow members to make arguments? So that members' minds are prepared, we must hear the arguments. When you are holding it in order, the best thing, before allowing the discussion, is to hear the arguments.

MR. SPEAKER: He has to ask for leave.

SHRI P. K. DEO: I have to convince even the members opposite.

SHRI PILOO MODY: As you know, the developments that have taken place in Orissa leave a great vacuum in our democratic processes, as we have had a spectacular demonstration of the vultures of power all zeroing in on Orissa in a manner that is unbefitting the democratic procedures of any country.

SHRI VAYALAR RAVI (Chirayinkil): What happened in Punjab?

SHRI PILOO MODY: The hon. member needs education on Punjab and I expect that you will give it to him in your chamber, as you are closely connected with affairs in Punjab (Interruptions) Not being a Congressman, I am not used to being irrelevant.

Some of the remarks that you have just heard amply go to prove the point I am about to make.

SHRI K. P. UNNIKRISHNAN (Badagara): Are you purporting to make a long statement?

SHRI PILOO MODY: That is why you are hearing me in silence.

As a result of the election in 1971, the people of Orissa gave a verdict. Every time that it suits it, the Congress is very fond of saying that this is the people's verdict. The people of Orissa gave a verdict which gave the Congress 48 seats in a House of 140. But by some miracle, which only the Congress seems to be able to perform with such efficiency, 8½ months ago this Congress minority of 48 all of a sudden swelled to over 70 and ultimately reached even 83.

At that time, as per democratic procedure, the Orissa Government resigned and a new Government was allowed to take shape. I would like to know how the situation today is different, 8½ months after.

So many statements have been made, that this is going to lead to instability. The Governor himself has made several inaccurate statements. I read in the newspapers that even the Prime Minister has entered the fray and made several statements which I again consider as inaccurate.

THE PRIME MINISTER, MINISTER OF ATOMIC ENERGY, MINISTER OF ELECTRONICS, MINISTER OF INFORMATION AND BROADCASTING AND MINISTER OF SPACE (SHRIMATI INDIRA GANDHI): No.

SHRI PILOO MODY: I said—according to the papers. Since it did not appear in *March of the Nation*, I cannot absolutely vouch for it. It appeared in the *Time of India* which this Government very much controls.

As these statements have been made by the Congress President, I think at this point of time the Prime Minister may also want to disown him. But he made a statement that in the name of stability, all this is being done.

This question of stability is really something that I will never be able to understand in the Indian context. We know what the political scene in India is. There are 125 parties in Opposition and there is one Congress Party which spans the entire Opposition. It has been doing it now for many years, a coalition of interests, shall we say, ranging through the entire spectrum of political thought. Therefore, to think of stability in India in terms of one party-rule or two-party democracy is absurd. We will be faced in this country for many, many years with a coalition government in many States and I hope some day at the Centre also. (*Interruptions*).

SOME HON. MEMBERS: No, no.

SHRI PILOO MODY: Because, what has really taken place in the last 25 years is a coalition over here. This Congress party is not a coherent political instrument. It is a coalition of parties that have made good bedfellows for common purpose. Therefore, I would like to quote some of trite pieces. "When Mrs. Nandini Satpathy rang up Mrs. Gandhi yesterday morning she has advised not only to resign but also recommend the dissolution of the Assembly." (*Interruptions*).

AN HON. MEMBER: What is this?

SHRI PILOO MODY: I am reading from a paper controlled by you, controlled by the Government, controlled by Mrs. Gandhi and her Government "The Prime Minister had agreed that she was quite competent to make that recommendation."

Sir, I wonder how the Prime Minister arrived at the conclusion, that Mrs. Satpathy suffered from some sort of competency to advise the Governor to dissolve the Assembly. The fact, as I know it, was that she had lost her majority and if technicalities are to be invoked, even on technical grounds she had lost her

[Shri Piloo Mody]

majority, because her advice to the Governor reached a good half an hour to 45 minutes after the members of her party or most of them *en masse* had submitted their resignation to the Speaker who had noted the time on the resignation itself. So, if Mrs. Gandhi.

SHRIMATI INDIRA GANDHI: Sir, may I interrupt? The hon. Member may make any comments he likes, but let him not base them on some imaginary conversation. (*Interruptions*).

MR. SPEAKER: You will have enough time to speak on it after notice is given, Mr. Mody.

SHRI PILOO MODY: I have been waiting for Mrs. Gandhi to repudiate the *Times of India*. I have been waiting for some time to hear this.

MR. SPEAKER: Please finish in two or three minutes.

SHRI PILOO MODY: I want to quote another passage from Chandrajit Yadav. (*Interruptions*).

"The present situation in Orissa and that in June last year, when several Utkal Congress MLAs joined the Congress could not be considered identical, these MLAs had not defected to the Congress. They were admitted to the party following a dissolution of the Utkal Congress. What has followed now was pure defection."

I heard somebody mentioning double standards just now. Either he does not understand the language or I have to make certain allegations against him which you, in your wisdom, will expunge.

MR. SPEAKER: If you are going to say this thing, better not say it.

SHRI PILOO MODY: I am not saying it. I therefore leave it to your imagination which of late has been helped by the Members of the Opposi-

tion. I believe that we have come to a certain point in our life when we can use words, bandy about facts, treat the Constitution as just that such mechanism to be used in their favour. Is not peculiar, Sir, that out of 26 times the Presidential proclamation has been proclaimed, 23 times it has helped the Congress to come to power or deprived the Opposition from coming to power? This seems to be a statistically remarkable phenomenon that the Constitution, the President and the Governors are instruments of this ruling party to be used for the benefit of, of the benefit for, with the concurrence of, the ruling party.

Sir, if under circumstances like that some of us in the Opposition feel aggrieved, if we feel that justice is not being done, if we feel that the law of the land has been so loaded, so misused and abused, we cannot be blamed. The constitutional set-up and machinery, like the report of the Governor, incidentally is absurd. Who is the Governor and for that matter how are Governors appointed? You will remember that there was a Conference of the Presiding Officers of this country and they had unanimously adopted a resolution.

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI K. C. PANT): He referred to the report of the governor; he has not seen the report of the Governor. It has not yet been placed on the Table of the House. He has had to resort to something written in newspapers. Would it not be much more meaningful, if he wanted a serious discussion, that the Governor's report should first be placed on the Table of the House and Members had an opportunity to read it and then there should be discussion?

SHRI PILOO MODY: If the Home Minister wants time to fiddle with the report of the Governor...

SHRI K. C. PANT: Do not beg the question.

SHRI PILOO MODY: I am not begging the question; I am coming to it. The Home Minister requested time so that he can alter the recommendations of the Speakers' Conference and the Governors' Conference.

MR. SPEAKER: It is going to be laid just now, that is already on the agenda.

SHRI PILOO MODY: You mean, he has already tampered with it? Let me pass a pre-judgment on it. If the Presiding Officers in Conference or the Governors in Conference have recommended unanimously anything else besides the acceptance of the only acid test for the majority and that being on the floor of the House they have done grave injustice to our democratic procedures.

SHRI K. C. PANT: Why not read the report first?

SHRI PILOO MODY: Because there is no way of changing time forward or backward, because I have to refer to it now; that is why I cannot read it first.... (*Interruptions*)

A certain sort of moral depravity has descended on us. A Government which was acceptable to the people was allowed to be formed because they could not do anything about it. Only 8-1/2 months ago it was toppled by the Congress through defections. But today it becomes all of a sudden unacceptable and all of a sudden unstable. What has really happened is that the *status quo ante* 8 1/2 months ago has been restored. The will of the people has been restored in the new configuration of the Orissa Assembly. Then all of a sudden it becomes unacceptable to the Central Government, Governor, to the President and to the Home Ministry. I ask you how could it happen? I describe it as nothing but moral depravity.

I cannot appeal to the democratic conscience of the Prime Minister because I have come to the regrettable

conclusion that it does not exist but I can appeal to the democratic conscience of the House. I hope that the House in session when all of us are here does possess a certain conscience not the conscience of convenience but the conscience which will make them answerable to somebody someday. Therefore I should like to appeal to all those who are here to help us discuss the issue.... (*Interruptions*) I appeal to those of us over here who share with us something in common, that is the human soul, at least to permit a discussion of this issue on the floor of this House and not to run away from it. Why are they afraid of discussing it? They have got their President's rule.... (*Interruptions*)

These are the double standards we are talking about. It was the same people who said: no, no, when I said I wanted an adjournment motion and now they say they are not afraid. It is an amazing sort of situation because they saw, the Prime Minister put up her hand and say: we are not afraid of it. I hope you will permit the adjournment motion, Madam.... (*Interruptions*) I do not see why an adjournment motion against the Government cannot be welcomed by the Government to exonerate itself from the charge that is being made. Is it seriously suggested that the Government is going to lose? We know the massive mandate and the number of heads they have, which they can count at will. Why are they afraid?

Therefore I would like to appeal that these gentlemen accept the adjournment motion which I have tabled and in the failure of their accepting it, to hold elections as soon as possible within two or three months in Orissa. Therefore, Sir, I beg leave of you to permit this adjournment motion. (*Interruptions*).

MR. SPEAKER: Those who are in favour of this motion may please rise in their seats.

[Mr. Speaker]

The number of members who are standing is 41. They are less than 50. So, leave is not granted. (*Interruptions*).

PAPERS LAID ON THE TABLE

ERRATA TO "ECONOMIC SURVEY", 1972-1973

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI K. R. GANESH): On behalf of Shri Y. B. CHAVAN, I beg to lay on the Table a copy of the errata (Hindi and English versions) to the 'Economic Survey, 1972-73., [*Placed in Library. See No. LT-4366/73*].

AUDIT REPORT AND ANNUAL ACCOUNTS OF KANDLA PORT TRUST AND MADRAS PORT TRUST FOR 1970-71 AND REVIEW AND ANNUAL REPORT OF CENTRAL ROAD TRANSPORT CORPORATION LTD., CALCUTTA.

THE MINISTER OF SHIPPING AND TRANSPORT (SHRI RAJ BAHADUR):

I beg to lay on the Table:—

(1) A copy of the Annual Accounts (Hindi and English versions) of the Kandla Port Trust for the year 1970-71 and the Audit Report thereon, under sub-section (2) of section 103 of the Major Port Trusts Act, 1963. [*Placed in Library. See No. LT-4367/73*].

(2) A copy of the Annual Accounts (Hindi and English versions) of the Madras Port Trust for the year 1970-71 and the Audit Report thereon. [*Placed in Library. See No. LT-4368/73*].

(3) A copy each of the following papers (Hindi and English versions) under sub-section (1) of section 619A of the Companies Act, 1956:

(i) Review by the Government on the working of the Central Road Transport Corporation

Limited Calcutta for the year 1971-72.

(ii) Annual Report of the Central Road Transport Corporation Limited, Calcutta, for the year 1971-72 along with the Audited Accounts and the comments of the Comptroller and Auditor General thereon. [*Placed to Library. See No. LT-4369/73*].

PREVENTION OF FOOD ADULTERATION (AMENDMENT) RULES, 1973

THE DEPUTY MINISTER IN THE MINISTRY OF HEALTH AND FAMILY PLANNING (SHRI A. K. KISKU): I beg to lay on the Table a copy of the Prevention of Food Adulteration (Amendment) Rules, 1973 (Hindi and English versions) published in Notification No. G.S.R. 133 in Gazette of India dated the 10th February, 1973, under sub-section (2) of section 23 of the Prevention of Food Adulteration Act, 1954. [*Placed in Library. See No. LT-4370/73*].

NOTIFICATION UNDER ESSENTIAL COMMODITIES ACT, 1955 AND ANNUAL REPORT OF RAJASTHAN STATE AGRO INDUSTRIES CORPORATION LTD., JAIPUR

THE MINISTER OF STATE IN THE MINISTRY OF AGRICULTURE (SHRI ANNASAHEB P. SHINDE):

I beg to lay on the table—

(1) A copy of Notification No. G. S. R. 500(E) (Hindi and English versions) published in Gazette of India dated the 30th December, 1972, under sub-section (1) of section 12 of the Essential Commodities Act 1955 [*Placed in Library. See No. LT-4371/73*]

(2) A copy of the Annual Report (Hindi and English versions) of the Rajasthan State Agro-Industries Corporation Limited, Jaipur, for the year 1971-72 along with the Audited Accounts, under sub-section (1)