

[Shri Sezhiyan]

mittee regarding action taken by Government on the recommendations contained in their Forty-fifth Report relating to Railways.

113.009 hrs.

BUSINESS OF THE HOUSE

THE MINISTER OF PARLIAMENTARY AFFAIRS (SHRI K. RAGHU RAMAIAH): With your permission, Sir, I rise to announce that Government Business in this House during the week commencing 5th March, 1973, will consist of:—

- (1) Discussion on the Motion regarding rise in prices to be moved by Sarvashri Jyotirmoy Bosu and Samar Guha.
- (2) Consideration and passing of the Requisitioning and Acquisition of Immovable Property (Amendment) Bill, 1973, as passed by Rajya Sabha.
- (3) Consideration of any item of Government Business carried over from today's Order Paper.
- (4) General discussion on the General Budget for 1973-74.

SHRI G. VISWANATHAN (Wandiwash): Sir, are you allotting any time for a discussion on the Privilege Motion?

MR. SPEAKER: If you want to take up as a Privilege Motion, he raised certain questions and I will have to listen to the Law Minister as to what he says. I will call him next week and then see what I can do in this matter. When Mr. Shyamnandan Mishra came to me, he said that he wanted only a few minutes to raise this question. I told him that he could do it because every Member who is not satisfied with the answer to a question, can raise it under Direction 115 or Rule 377. But if he wants to treat it as a question of privilege, then I will have to examine and also see what the Law Minister

says to the points that he has raised in this House.

SHRI SHYAMNANDAN MISHRA (begusarai): Yesterday the Minister of Parliamentary Affairs said that he would fix a date for this purpose.

SHRI K. RAGHU RAMAIAH: In consultation with the hon. Speaker, a date will be fixed next week, because today is Friday, tomorrow is Saturday.

SHRI INDRAJIT GUPTA (Alipore): There was another pending matter. You had assured us that you would look into it and inform the House—that was regarding the odd relationship between the Malaviya Committee's Report and the Public Undertakings Committee. You had said that you would talk to the Chairman of the PUC and inform the House about it.

MR. SPEAKER: The letter from me has gone to the Chairman, and I very much hope that she will be able to meet me, and then I shall let you know.

SHRI K. RAGHU RAMAIAH: The date which Mr. Shyamnandan Mishra was asking, is in connection with what the hon. Speaker said. You, Sir, wanted to hear the law Minister and it is in that connection I have said that the date would be fixed in consultation with the hon. Speaker.

MR. SPEAKER: Throughout I had been under the impression that he raised it in the ordinary way, but if he is raising it as a privilege motion...

SHRI SHYAMNANDAN MISHRA: I have raised it under Rule 222....

MR. SPEAKER: When you said that you wanted three minutes, I allowed you. (*Interruption*).

SHRI SHYAMNANDAN MISHRA: For everybody's information I may say now that when I met you in the Chamber yesterday, I requested you that I wanted to raise it as a question of privilege. I told you so distinctly.

MR. SPEAKER: If you want that to be taken as a question of privilege, then I will have to examine it.

SHRI SHYAMNANDAN MISHRA: Please do it.

MR. SPEAKER: You have raised certain points in reply to Shri Shukla's statement.

SHRI SHYAMNANDAN MISHRA: I have torn it to smithereens.

MR. SPEAKER: It is only according to you.

SHRI SOMNATH CHATTERJEE (Burdwan): Why is the matter being referred to the Law Minister? You said that the Law Minister was being asked to look into the matter.

MR. SPEAKER: I want to be sure whether there is any question of legality about it or not.

SHRI G. VISWANATHAN: According to rules, it can be discussed here, but it cannot be referred to the Law Minister. (*Interruption*).

MR. SPEAKER: Mr. Mishra, if you want to treat it as a question of privilege, I will have to examine it. You said first that you wanted to raise it. I told you that I would send it to the Minister to explain. (*Interruption*). Now you are saying this. You have changed your position.

SHRI SHYAMNANDAN MISHRA: The Law Minister can also participate in the debate, but only as a privilege motion.

MR. SPEAKER: That too, if I allow it.

श्री हुकम चन्द कठवाय (मुरैना) :
 अध्यक्ष महोदय, यहां इतनी बार विशेषाधिकार के सवाल आये हैं लेकिन कभी ऐसा नहीं हुआ कि विधि मंत्री को भेजा हो। सारा मामला समिति को भेज दिया जाता है। इस बारे में तो प्रायः ही अधिकार है तय करने का। विधि मंत्री को भेजने की कोई जरूरत नहीं है।

MR. SPEAKER: I expressly said that I would see whether it was in order or not. I specifically said on the very first day that I would allow him under Direction 115 or Rule 377. But now he says that he wants to treat the matter as a question of privilege. In that case, I will have to examine it. (*Interruptions*).

SHRI PILOO MODY (Godhra): From the very inception, from the very beginning, it is a matter of privilege.

SHRI SHYAMNANDAN MISHRA: Please read my communication, Sir. In such cases you must not delay it, because it causes serious misgivings in our mind. So we would plead with you, Sir, that this must be taken up with an urgency which it deserves.

SHRI P. K. DEO: When will you fix up the date, Sir?

SHRI SAMAR GUHA (Contai): I want to draw the attention of the Minister of Parliamentary Affairs to the necessity to have a statement from the Government in regard to the developments in Orissa. They should take up at the very first opportunity next week to make such a statement. You, in your judgment, said, this Parliament has no right to sit in judgment over the functioning of a State Government. You are perfectly right. But, in the light of our past experience in Madhya Pradesh, we are saying this. In the case of the resignation of Mr. D. P. Mishra, who had not lost majority, his advice was accepted by the Governor. The House is apprehensive when so much time is taken by the Governor. The Governor said, he will take 48 hours. This sort of apprehension is there in our minds. The Ministry has resigned. It has lost its majority. It is the clear verdict of the Assembly.

MR. SPEAKER: Please don't do like this. I am not going to allow it.

SHRI BHAGWAT JHA AZAD (Bhagalpur): In this House, we

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should not condemn the action of the Governor. If you say something about Madhya Pradesh, I can also say about Punjab. In Punjab, Congress was in majority. It was not allowed to form the Government there.

SHRI SAMAR GUHA: It is a Constitutional matter. Governor is responsible to the President. Home Ministry is responsible in this House. I have not said this way or that way.

MR. SPEAKER: You cannot bring in State matters. I have already told you.

SHRI SAMAR GUHA: This House has the right to ask the Government to make a statement arising out of the resignation of the Chief Minister there.

MR. SPEAKER: Now, let him please conclude.

SHRI SAMAR GUHA: For my knowledge, I want to ask this to you. Am I not perfectly entitled to ask the Government to make a statement arising out of the situation in Orissa due to the resignation of the Chief Minister and uncertain conditions prevailing there?

MR. SPEAKER: He has said what he wanted to say. Now, let him proceed on.

SHRI SAMAR GUHA: I want to know whether I am not within my right in raising this.

MR. SPEAKER: I am not giving my opinion on it. He has already said what he wanted to say.

SHRI SAMAR GUHA: You have raised a very important point by saying that you were not allowing me...

MR. SPEAKER: He has said already what he wanted to say.

SHRI SAMAR GUHA: I am asking for my future guidance.

Now, I would call the attention of the House to another serious matter. Yesterday, the spokesman of the Finance Ministry had held a press conference and there they had made a very serious observation. First, I shall have to read it out and then I shall make my observations, and that is regarding the Pay Commission.

MR. SPEAKER: He must give notice to me first. Why does he avail of this opportunity? The hon. Minister has only announced the business of the House. But the hon. Member is bringing in other matters. Now, let him say something about the business of the House.

SHRI SAMAR GUHA: I want Government to make a statement on this.

MR. SPEAKER: Will he please send something in writing first?

SHRI SAMAR GUHA: I have already given you notice earlier, and you have allowed me. It is a serious matter....

MR. SPEAKER: God help.

SHRI SAMAR GUHA: The report in the *Statesman* is:

"Explaining the implications of the budget proposals here today, the spokesman of the Finance Ministry said, the amount of the deficit, Rs. 85 crores mentioned by Mr. Chavan was exclusive of the impact of the forthcoming Pay Commission's report; inclusive of the expenditure the Centre might have to incur as a result of the Commission's recommendations, the deficit was likely to reach Rs. 200 crores."....

MR. SPEAKER: How is that concerned with the announcement of the business of the House?

SHRI SAMAR GUHA: This impinges on the rights and privileges of one officer....

MR. SPEAKER: Let him bring forward a motion for the purpose.

SHRI SAMAR GUHA: There is no question of any motion. If a statement is made by Government clarifying the position, there is no question of any motion. I am just going to make a request to Government to clarify the position.

What is the implication of this statement? The implication is this. Even the hon. Finance Minister only that he might have to come forward for sanction of Supplementary Demands for Grants, but the implication of this statement is that the recommendations of the Pay Commission will have some kind of ceiling, and it may be that the Pay Commission's recommendations will not exceed the ceiling of total expenditure of Rs. 115 crores; that means that Government are exerting pressure upon the Pay Commission not to exceed this ceiling. It is a serious matter....

MR. SPEAKER: This is not the time for making regular speeches. I am not going to allow speeches now. He has availed of this opportunity to make long speeches. (*Interruptions*).

May I request the hon. Member to listen to me? Let him please listen to me. Let him not try to show excitement every time. After all, it is a question of himself and myself keeping ourselves in proper spirits and in proper mood. If he gets excited every time, he confuses others also. (*Interruptions*)

Will my dear professor have some patience? Will he listen to me? Or should I sit down? He does not want me even to explain something to him?

When the hon. Minister announces the business of the House, the hon. Member may just mention that he wants that certain other items also should be discussed, and that should be enough. But let him not make

speeches. This should not be taken as an opportunity for a regular debate. He may just make his suggestion and that is all. That is my request to him.

SHRI SAMAR GUHA: I wholly agree with your observation. I do not want to make any speech. In view of the apprehension that is being created by the statement of an officer of the Finance Ministry that the ceiling may not exceed Rs. 115 crores as a result of the recommendations of the Pay Commission, this may be construed as an indirect pressure on the Pay Commission not to exceed that ceiling.

I want Government to make a statement clarifying the position, whether any communication was sent to the Pay Commission, or indirectly any pressure was brought to bear on the Commission, not to exceed the limit of Rs. 115 crores.

SHRI BHAGWAT JHA AZAD: How is it relevant to the proceedings of the House?

श्री हुकम चन्द कछवाय : अध्यक्ष महोदय....

अध्यक्ष महोदय : इस वक्त में 377 की तहत श्री रघुरामैया ने जो अनार्वंसमेंट किया है उस के बारे में मੈम्बरों को बुला रहा हूँ। इस के लिए श्री समर गुह ने अपना नाम भेजा है इस लिए मैं ने उन को बुलाया है।

श्री हुकम चन्द कछवाय : मैंने पत्र भेजा है।

अध्यक्ष महोदय : आप का कोई पत्र नहीं आया है।

श्री हुकम चन्द कछवाय : मैं ने स्वयं पत्र डाला है और आप कहते हैं कि नहीं आया है। मैं सिर्फ दो सवाल पूछना चाहता हूँ।

अध्यक्ष महोदय : कभी तो हम को तरीके से चलना चाहिए।