

to the situation outside. There is nothing unnatural about this; after all Members have to satisfy their constituencies. What is wrong about it?

SHRI JYOTIRMOY BOSU: You do not allow debates on economic issues. I have written to you letters on these, but you have not bothered to reply to them.

MR. SPEAKER: I welcome it. At any time you want to speak on planning, you will get the priority.

At the Political Science Congress, 20 persons told me that they were ready to write some thesis and they asked me, "When will you discuss the Plan? We want to have the views of Parliament". And told them that I would convey their views to Parliament.

SHRI JYOTIRMOY BOSU: Economic issues enjoy the last priority. How far do the Presiding Officers study the issues debated on the floor of the House? I put that question to you, Sir. Please be honest.

MR. SPEAKER: I think, we, Presiding Officers, should not meet in future unless we have the same protection or immunity which a member gets in the House. After all, we discuss many things. If something leaks out, then we are held responsible. It is a serious case for me to consider. Do not tie down your Speaker so much that he cannot even express any opinion. Be merciful.

SHRI DINEN BHATTACHARYYA: It is unfortunate that, in our country, the Speaker speaks much. That is the difficulty.

MR. SPEAKER: No; not much. Not all.

SHRI K. RAGHURAMAIAH: Papers to be laid on the Table.

12.14 hrs.

PAPERS LAID ON THE TABLE

ORDINANCES NOS. 11, 12 AND 13 OF 1974

THE MINISTER OF WORKS AND HOUSING AND PARLIAMENTARY AFFAIRS (SHRI K. RAGHU RAMAIAH):

I beg to lay on the Table a copy each of the following Ordinances (Hindi and English versions) issued by the President under provisions of article 123(2)(a) of the Constitution:—

- (1) The Maintenance of Internal Security (Amendment) Ordinance, 1974, (No. 11 of 1974) promulgated by the President on the 17th September, 1974.
- (2) The Sick Textile Undertakings (Nationalisation) Ordinance, 1974, (No. 12 of 1974) promulgated by the President on the 21st September, 1974.
- (3) The Representation of the People (Amendment) Ordinance, 1974 (No. 13 of 1974) Promulgated by the President on the 19th October, 1974.

(Placed in Library. Sec. No. LT-8427/74).

SHRI JYOTIRMOY BOSU: (Diamond Harbour): Sir, I have already written to you on items 3 (1) and 3 (3).

SHRI S. M. BANERJEE: (Kanpur): On item 3, I have also written to you Sir.

SHRI JYOTIRMOY BOSU: I have already written to you that I wanted to speak on the Maintenance of Internal Security (Amendment) Ordinance as also on the Representation of the People (Amendment) Ordinance. How can we function in this way? You have such a vast Secretariat whereas we have to do these things singlehanded with our own hand and still you have no time to read them?

MR. SPEAKER: I am sorry. You are right. Your names were there but somehow they have been crossed. I do not know how.

SHRI JYOTIRMOY BOSU: Because I am a CPI (M) Member.

MR. SPEAKER: No, no. There are others also.

SHRI JYOTIRMOY BOSU: I will tell you something..

MR. SPEAKER: I will call you.

Now, Mr. Banerjee.

SHRI S. M. BANERJEE: I would like to make a submission on two items which are being laid by Shri K. Raghuramaiah, items 3(2) and 3(3).

Item No. 2—is the Sick Textile Undertakings (Nationalisation) Ordinance, 1974 (No. 12 of 1974) promulgated by the President on the 21st September, 1974. The moment the ordinance was brought we definitely felt and we have also pointed out that the workers of those textile mills which are likely to be taken over by the Government are going to suffer because...

MR. SPEAKER: You can only speak about the delay.

SHRI S. M. BANERJEE: We have brought to the notice of the Central Government that the pensionary and gratuity benefits enjoyed by these textile workers all these 30-40 years will be completely wiped out after take-over of these textile mills...

MR. SPEAKER: You can speak on its merits when it comes up for discussion.

SHRI S. M. BANERJEE: We have represented to the Minister of Industries as also to the President that it should be rectified, that this is an ordinance which is going to harm the textile workers.

My second submission is about the Representation of the People (Amendment) Ordinance, 1974 (No. 13 of 1974), promulgated by the President on the 19th October, 1974.

We are ashamed of this ordinance. The Supreme Court have given a decision in a particular case, but the Government should have waited, they should have discussed these matters with the hon. Members. A committee is already sitting over this matter. They should have waited. But instead of that, by bringing this ordinance, they have brought the parliamentary democracy and the process of elections into disrepute. I would like to oppose this ordinance.

SHRI JYOTIRMOY BOSU: According to the figures given by the Home Ministry, 16825 persons have been detained under MISA and the funniest thing is that the number of persons detained under MISA for conservation of foreign exchange during the period is only 474. ...

MR. SPEAKER: No speeches, please, when the papers are only being laid.

SHRI JYOTIRMOY BOSU: My submission is that he should not lay the papers to-day. He cannot take powers like this.

Within that particular period, West Bengal alone which accounts for 9 per cent of the population of the country contributes 3236 out of 3829 because we are political opponents.

I want to make a submission.

Motivated politicians and bureaucracy should not be given any sweeping powers. These powers are misused in the case of political workers. They should only proceed to prosecute economic offenders under specific provisions of the law, they should be kept as under-trial prisoners. There should not be these sweeping powers, but they should be tried under normal

(Shri Jyotirmoy Bosu)

provisions of the law. They are collecting money for political purposes. What I submit is, this ordinance should not be allowed to be laid today. We can have a discussion and then we can proceed with the ordinance. This is my submission. Sir. My third point is this. The Ordinance says:

'Any expenditure incurred by a political party or by any other association or body of persons or by any individual (other than the candidate or his election agent) shall not be deemed to be and shall not ever be deemed to have been expenditure incurred in connection with the election.'

The object of this Ordinance is to supersede and make ineffective recent Supreme Court judgements in which the court held that expenditure incurred by a political party for the election of a candidate shall be regarded as expenditure incurred by him for the purpose of examining whether the ceiling on election expenses has been exceeded or not.

The total expenses which the petitioner has alleged against the Prime Minister has exceeded Rs. 35,000. It has exceeded the limit by 20 times. This is the reason why this has been done.

MR. SPEAKER: Why don't you listen?

SHRI JYOTIRMOY BOSU: **

MR. SPEAKER: The case is sub-judice now. No such remark should be made, I do not allow that. In spite of my drawing your attention, you are saying it. No No.

SHRI H. K. L. BHAGAT (East Delhi): The case is before the court. He is making such statement in the House. It is totally wrong.

MR. SPEAKER: Shri Janeshwar Misra,

श्री जनेश्वर मिश्र (इलाहाबाद) : अध्यक्ष महोदय, आप के जरिये मैं माननीय रघुरामैया जी से निवेदन करूंगा कि राष्ट्रपति जी ने जो चुनाव खर्चों के बारे में अध्यादेश जारी किया है उस सिलसिले में वह विधेयक सदन में पेश न करें। आप ने अभी माननीय ज्योतिर्मय बसु को यह कह कर रोक दिया कि यह मामला सब-जुडिस है। लेकिन यह पूरा आर्डिनेंस सब-जुडिस हो जाता है क्यों कि सुप्रीम कोर्ट के फैसले को अनइ कर देने के लिये और केवल प्रधान मंत्री की हिफाजत के लिये ही यह अध्यादेश लाया गया है।

(Interruptions)

MR. SPEAKER: I am sorry I will not allow this. It will not form part of the record. I will not allow that to go on record.

श्री जनेश्वर मिश्र: इसलिये यह सरासर धांधली है... (व्यवधान) आप संसद कार्य मंत्री को विधेयक प्रस्तुत करने से रोके क्यों कि अध्यादेश के जरिये इन्होंने भारत में जनतंत्र की हत्या कर दी है। (व्यवधान)

(माननीय जनेश्वर मिश्र ने एक पर्चा सदन में फेंका)।

अध्यक्ष महोदय : माननीय जनेश्वर मिश्र ने यह फेंका है।

श्री मधु सिमये (बांका) : अध्यक्ष महोदय, माननीय रघुरामैया ने तीन अध्यादेश सदन के सामने रखे हैं। आप ने कई बार इस सदन में और सदन के बाहर कहा है कि अनावश्यक ढंग से अध्यादेश जारी करने के अधिकार का सरकार को दुरुपयोग नहीं करता चाहिये।

SHRI VAYALAR RAVI (Chiray-inkil): Sir, even though Mr. Mishra has mis-behaved we are sitting quietly.

श्री जनेश्वर मिश्र : आप ने सुप्रीम कोर्ट के जजमेंट को बेकार कर दिया है ।

श्री प्रियरंजन दास मुन्शी (कलकत्ता-दक्षिण) : आप इस प्रश्न को राजनीति का प्रश्न बनाना चाहते हैं, ऐसा नहीं चलेगा ।
(श्रवणान)

MR. SPEAKER: If you can solve the problem by shouting at each other, I do not come in. If some decisions can be arrived at just by shouting then I will give the decision in his favour who shouts louder.

श्री मधु लिमये : अध्यक्ष महोदय, आप ने स्वयं कई बार सदन में और सदन के बाहर कहा है कि अध्यादेश जारी करने के अधिकार का सरकार को दुरुपयोग नहीं करना चाहिये । तीन अध्यादेश हमारे सामने हैं इन में से एक भी ऐसा नहीं है जिस के लिये अध्यादेश की जो विशेष ऐक्ट्स आर्डिनरी पावर है उस का इस्तेमाल करने की जरूरत थी । नम्बर एक है सेन्टेनेंस आफ इन्टर्नल सेक्योरिटी अमेंडमेंट आर्डिनंस । 18 अगस्त को माननीय के० आर० गणेश ने एक प्रैस कान्फेंस में घोषणा की कि हम लोग स्मगलरों के खिलाफ ऐक्शन लेने जा रहे हैं । उस समय पार्लियामेंट का सत्र चल रहा था, अगर सरकार चाहती तो जिस प्रकार सिक्किम का बिल बिना नोटिस के यहां लाये उसी समय इस सम्बन्ध में भी एक विधेयक तर्जुमा के लिये सदन के सामने रख सकते थे । लेकिन 18 अगस्त को घोषणा होती है और पहला ऐक्शन 19 सितम्बर को होता है । यानी पूरा नोटिस स्मगलरों को देने का काम किया । इसलिये किया क्यों कि आप लोग अच्छी तरह जानते हैं नोटिस देने के बाद वह अपने सारे बिजनेस अफेयर्स को ठीक ठाक करेंगे । खुद यूसफ पटेल ने जो दिल्ली में आया था उस ने कहा कि अपने सारे अफेयर्स को ठीक ठाक किया । इसलिये मेरा सरकार पर अभियोग है कि

जानबूझ कर स्मगलरों को नोटिस दिया । संसद का सत्र चल रहा था तो विधेयक ला सकते थे । उस समय तो विधेयक लाये नहीं और संसद का सत्र समाप्त होने के बाद आप ने यह अध्यादेश जारी कर दिया । क्या वजह है कि विगत 10, 15 सालों से देश के विभिन्न कानूनों के तहत स्मगलरों के खिलाफ कोई ऐक्शन नहीं लिया ? कर्नाटक के गवर्नर नैन मल पुजा के दोस्त हैं, बिहार के भूतपूर्व गवर्नर श्री नित्यानन्द कानूनगो ने कुली मस्तान को पासपोर्ट देने के लिये सिफारशी पत्र दिया था । कांग्रेस के बड़े बड़े नेता स्मगलरों से मिले हुए हैं और यही वजह है कि स्मगलरों के खिलाफ यह कैसे नहीं चलाना चाहते हैं । इसलिये सरकार द्वारा जो अध्यादेश जारी किया गया है इस की कोई जरूरत नहीं थी, सीधे यहां पर विधेयक आ सकता था ।

नम्बर दो यह कि आज भी सरकार द्वारा दो किस्म की कार्यवाहियां नहीं हुई हैं । पहली तो यह कि जो पुलिस और कस्टम्स के अधिकारी हैं जो 15 साल से इन से मिले हुए थे उन में से किसी भी अधिकारी को सस्पेंड नहीं किया, और इसी तरह जो पोलिटिकल कनेक्शन्स स्मगलरों के हैं उन के खिलाफ कोई कार्यवाही नहीं हुई ।

आप दूसरा आर्डिनंस ले लीजिये सिक टेक्सटाइल्स अन्डरटेकिंग्स का । कितनी जल्दबाजी में अध्यक्ष महोदय काम हो रहा है इस का प्रमाण आज हमारे सामने है । आज भी सरकार द्वारा तीन, चार पन्ने के संशोधन परिचालित किये गये हैं इस के बारे में । यहां जल्दबाजी में इस तरह के अध्यादेश जारी किये जाते हैं जिन पर सोचने का हम को मौका नहीं मिलता । आर्डिनंस का मतलब यह है कि यह मामला जोइंट कमेटी या एलेक्ट कमेटी में न लाये । तो इस तरह आप सदन के अधिकारों को छीनते जा रहे हैं । टेक्सटाइल्स अन्डरटेकिंग्स आर्डिनंस के बारे में एक विधेयक

[श्री मधु लिमये]

यहाँ पर आया था, इस के ऊपर इन्होंने सोच समझ कर ड्राफ्टिंग नहीं की है, आर्डिनंस जारी कर दिया और आज तीन-तीन पेजेज के अमेंडमेंट्स हमारे सामने आते हैं। मैं आपका रूलिंग इस पर चाहता हूँ। हर एक मामला अगर अध्यादेशों से तय किया जाएगा तो ज्वायंट कमेटी और सिलबट कमेटी के जितने प्रोसीजर्स हैं वे सब एक दम खत्म हो जाएंगे। टक्सटाइल वाला बिल एक ऐसा बिल है जिस पर बड़ी गम्भीरता से हग लोगों को सोचने की जरूरत है। सरकार ने हम लोगों के अधिकारों को इस में छीनने का काम किया है।

प्रिजेंटेशन आफ दी पीपल एमेंडमेंट आर्डिनंस को आप लें। आपने सब जूडिस की बात कही है। लेकिन अदालतों में जो हलफनामा दाखिल किया जाता है वह सब-जूडिस नहीं है। वह पब्लिक डोकुमेंट होता है। उस में से मैं उद्धरण दे सकता हूँ। स्वयं प्रधान मंत्री ने राय बरेली की चुनाव याचिका के बारे में जो अदालत के सामने एफीडेविट फाइल किया है, उस में से मैं उद्धरण देना चाहता हूँ—(इंटरप्राज) इसीलिए आप आर्डिनंस लाए हैं। और किस लिए लाए हैं? इनको घबराहट क्यों हो रही है। एफीडेविट में से कोट करने का मुझे अधिकार है—

अध्यक्ष महोदय : उससे मैं इंकार नहीं करता। मुझे उस पर कोई आबजकशन नहीं है। लेकिन जब विधेयक पर बहस हो तब आप यह सब कर सकते हैं।

श्री मधु लिमये : उस समय जो कहना है कहेंगे। जहाँ तक इस आर्डिनंस का सम्बन्ध है, यह मोटिवेटेड आर्डिनंस है, सत्ता का दुरुपयोग इसके द्वारा किया गया है। इसकी इजाजत सदन को नहीं देनी चाहिये। इन्होंने अपने एफीडेविट में यह कबूल किया है कि मेरे क्षेत्र में 35 जीपें चल रही थीं। उनका

खर्चा मैंने नहीं किया है। उन्होंने केवल सीलह हथार रुपये का खर्चा दिखाया है—

एक माननीय सदस्य : बारह हजार रुपया।

श्री मधु लिमये : बारह हजार दिखाया है।

श्री शशि भूषण (दक्षिण दिल्ली) : आपके इलकशन में खर्च कौन कर रहा था?

श्री मधु लिमये : मेरे लिए यह नहीं इशू किया गया है। यह आपके प्रधान मंत्री के लिए बना है। कुछ तो शम करिये।

उन्होंने स्वयं कबूल किया है कि मेरे चुनाव क्षेत्र में 35 जीपें चल रही थीं। एक जीप पर अगर दो सौ रुपया लगाया जाय एक दिन का तो सात हजार रुपया एक दिन का हो गया। अगर पच्चीस दिन ये जीपें चली हैं तो इसी से आपको पता चल जाता है कि अकेला जीपों का जो खर्चा है वह 35 हजार की लिमिट से कई गुना अधिक हो जाता है—

श्री नरेन्द्र कुमार साल्हे (बेतूल) : आप इशू पर आ गए हैं। आप को चाहिये था कि आप एफीडेविट पर ही अपने को कनफाइन रखते। खर्चा कितना हुआ यह इशू है।

श्री मधु लिमये : मैं 35 जीपों की केवल बात कर रहा हूँ।

मैं कहना चाहता हूँ कि प्रधान मंत्री ने महज अपनी कुर्सी को बचाने के लिए जो सत्ता उनके हाथ में है उसका दुरुपयोग किया है। इसीलिए उन्होंने आर्डिनंस जारी किया है। हम इस आर्डिनंस का सख्त विरोध करेंगे।

दूसरा मेरा मुद्दा रूलज का है। रूलज में एमेंडमेंट भी मैंने दिया हुआ है यह आपको याद ही होगा। आपको याद होगा

कि रूलज कमेटी में रखलिया जी ने कहा बा कि हर आर्डिनंस के साथ स्पेक्टिकरण देने के बारे में सरकार की जी राय है वह मैं आप लोगों को बता दूँगी। अभी तक वह राय सरकार की हमारे सामने नहीं आई है। आर्डिनंस के साथ एक्सप्लेनेटरी स्टेटमेंट आना चाहिये या, यह मेरी सीमा है। वहाँ कैसे उता चलेंगा कि किस कारण को लेकर यह जारी हुआ है। गोखले साहब ने इस सदन को बड़ा सम्मान किया है। वह बाहर बयान बाजी कर रहे हैं। उनकी जरा भी यह सम्यता नहीं है कि सदन के सामने आ कर सफाई देनी चाहिये। आप कानून मंत्री को आदेश जारी करे कि वह आर्डिनंस की सफाई में जो कुछ अवसरों के सामने बोल रहे हैं वह इस सदन के सामने आ कर बोलें। लेकिन यहां सफाई देने के लिए वह तैयार नहीं हैं। मैं साहब ने मीसा के बारे में एक्सप्लेनेटरी स्टेटमेंट दिया है लेकिन रिप्रिजेंटेशन आफ पीपल्स आर्डिनंस के बारे में कोई स्पेक्टिकरण सरकार के द्वारा नहीं दिया गया है। आप सरकार को आदेश दे कि वह स्पेक्टिकरण सदन के सामने रखे।

श्री अटल बिहारी वाजपेयी (गालियर) : मैं एक प्रीशोर्टी की संज्ञा उठाना चाहता हूँ। मैं आर्डिनंस के मीटिंग में नहीं जाना चाहता हूँ। यह उसके लिए उपयुक्त वक्त नहीं है। यह ठीक है कि संविधान आर्डिनंस जारी करने का सरकार को अधिकार देना है। लेकिन यह अधिकार प्रयोजित नहीं है।

अध्यक्ष महोदय : इसके बारे में हाउस में काफी कुछ कहा जा चुका है।

श्री अटल बिहारी वाजपेयी : आपने बार-बार कहा है कि जो बात कानून बना करके पूरी हो सकती है और जिस मामले की सरकार सदन के सामने ला कर उसकी स्वीकृति ले सकती है उसके बारे में आम तौर पर अध्यादेश जारी नहीं किया जाना चाहिये। मीसा के बारे में आप ने देखा है कि क्या हो रहा है। तस्करों को पकड़ने

के लिए मीसा एम्बेडमेंट किया गया है। हाई कोर्ट में मामला जा रहा है, तस्कर छूट रहे हैं। इसका मतलब यह है कि मीसा के बारे में एम्बेडमेंट करते समय सरकार ने पूरा ध्यान नहीं दिया। सरकार अगर चाहती तो हाउस को विश्वास में ले सकती थी। मामला यहां ला सकती थी। लेकिन जल्दबाजी में आर्डिनंस जारी किए जाते हैं। जहां तक सुप्रीम कोर्ट के फैसले के बारे में अध्यादेश जारी करने की सम्बन्ध है, यह तो सुप्रीम कोर्ट की मान-हानि करने जैसा मामला है। जब यह मामला आया हम इस पर बोलेंगे। मैं चाहता हूँ कि आप आर्डिनंस के बारे में जो आपकी राय है उसको आप व्यक्त करें।

अध्यक्ष महोदय : आर्डिनंस के बारे में मेरी राय अननोन नहीं है।

श्री अटल बिहारी वाजपेयी : फिर से बता दें।

अध्यक्ष महोदय : आर्डिनरी लेजिस्लेशन से काम चलता हो तो उसकी क्या जरूरत है, यह मैं कह चुका हूँ।

SHRI DINEN BHATTACHARYYA: (Serampore): How is it that this Ordinance was promulgated only 21 days before this session?

SHRI JYOTIRMOY BOSU: May I point out that since the Ordinance is being challenged in the Supreme Court, it becomes a *quo judice* matter and you cannot allow this to be laid on the Table?

MR. SPEAKER: No. There is nothing to prevent action for legislation. There have been rulings on this so many times.

SHRI K. RAGHU RAMAIAH: Regarding the suggestion made...

SHRI PILOO MODY (Godhra): Has he written to you? If so, I would like to see it.

MR. SPEAKER: When he is asked to give an explanation, the Minister can do so if he likes. I cannot ask to see it.

SHRI SAMAR GUHA (Contai): Sir, I had really no mind to take part in this procedural matter of laying a copy of the ordinance before the House, but a situation has developed in the country which is a menace in the sense that the Government has already introduced a system of barricaded democracy in Bihar. It is not only in Bihar but the Government are doing the same in regard to the Centre also. (*Interruptions*). The barricaded pattern of governing this country by totalitarian means, an indication of which is evident by the way in which ordinances are promulgated, is not proper. The Central Government is setting up a pattern for all the States. Look at Bihar. There are 256 ordinances; now, Bihar is being ruled by 256 ordinances, none of which has been regularised by the State. And now, West Bengal has taken the cue from the Central Government. Just two days before the commencement of the Assembly session, an ordinance in regard to the levy was passed by the West Bengal Government. This is done not only there. We find similar instances in other States also. They are promulgating ordinances just one or two days before or even one or two days after the session.

You in your wisdom not once but several times asked the Government to see that this kind of practice of promulgation of ordinances during the inter-session period should be stopped. They are going to introduce a barricaded democracy not only for the States but for Parliament itself.

MR. SPEAKER: So far as the ordinance is concerned, you may bring up these points at the time when the Bill is brought up before the House.

SHRI PILOO MODY: You are making him nervous. (*Interruptions*).

SHRI SAMAR GUHA: Shri Piloo Mody is saying—

MR. SPEAKER: He says I am making you nervous. I said, "No, I am feeling nervous!"

SHRI SAMAR GUHA: I want to know humbly what is your attitude

on this. Of course, we have all agreed to accept your contention—what you said at the Business Advisory Committee. Whatever came out in the press may not be reported from your source or you might not have stated before the Committee. But the trend of the country, as is evidenced by—I repeat it—the introduction of a barricaded pattern of democracy in Bihar, is dangerous. There, the government is ruling by ordinances. They have violated the democratic norms not once but several times, by issuing such ordinances.

Take, for example, the MISA ordinance. It could have been done two days before the session concluded. What haste was there for this ordinance regarding the People's Representation Act? It could have been taken up ten days after, when Parliament re-assembled. So, unless you passed a strict, strong stricture on the Government, things would not improve. The trend has been set for a system of barricaded democracy really and practically, with the one-party system of government, a totalitarian system of government. There is now a barricaded type of democracy in this country. Therefore, a caution must be given to the Government and it is your responsibility, as the custodian of the rights and privileges of the House, and as the upholder of the Constitution of India, to give a strong stricture to the Government, so that this promulgation of ordinances in a hurry during the intersession should be stopped and stopped for good.

SHRI P. G. MAVALANKAR (Ahmedabad) Sir, I have not given my name and I do not want to speak on the merits because we will have chances later on about the subject matter of the Ordinances. I have a point of order; it is short and simple. We find that between two sessions of Parliament a number of Ordinances are issued. Some are issued immediately after the end of the session; it appears that Government were waiting for the session to end so that they could start with the Ordinances. Similarly, just a few days before the session begins, they issue them. My

point of order is this. Is it in conformity with the parliamentary procedure and practice all over the world, wherever there is parliamentary democracy? Are Parliaments meant merely for rubber-stamping executive decisions reflected in the various Ordinances? Because Ordinances do not give us a chance to amend or say new things; we are merely asked to say: yes or no.

In between two sessions, the Speakers' Conference was held in Shillong. Was this matter of great parliamentary and democratic significance discussed there? Perhaps you discussed many points like disorder, members' speaking to the galleries, etc. But this practice of issuing Ordinances is a matter which corrodes and erodes the rights of Members of Parliament; was this not discussed?... (*Interruptions*)

SHRI H. K. L. BHAGAT (East Delhi): I want to know whether a Member who has not sought your permission to make his comments on the procedural aspects can rise on a point of order and say all that has been said. Have you permitted a discussion on the merits of these Ordinances? While making improper use of this facility, not only he but other Members like Mr. Limaye have made absolutely false and politically motivated baseless allegations against the Prime Minister and the Government. Surprisingly even the names of persons like Shri Nityanand Kanungo were brought in though they were not present here and no notice was given to you. This is against the rules; they are trying to misuse the permission and are trying to make political capital out of it. There must be some end to this misuse of this forum.

MR. SPEAKER: This seems to have gone a little out of control. Normally we have been calling Members only on things like delay or some technical matters. But even gentlemen who did not send their names got up on points of order. This is a matter of convention; if they do not observe the

convention I have no power to prevent a point of order. I hope this exception will be only for today. We shall stick to the practice we have been following for the past so many years.

SHRI JYOTIRMOY BOSU: What are your comments on the Ordinances? You give so much sermon to all of us.. (*Interruptions*)

MR. SPEAKER: My comments are here. This time we decided to throw open the proceedings of the Speakers' conference, which are more than seven years old. Initially we did not do so; now we said that it was much better to throw it open. Previously we had given the decisions in short, not the proceedings because some people say something and they will be in trouble, in their own legislature and I here in the Lok Sabha. So we thought that was the right thing, that we decided. In spite of that they come out and create trouble for us... You can very well imagine the embarrassing position of the Speaker for some remark involving a Member, without meaning any illwill to him. My views about this question of ordinances are not only my views but they are the views of my predecessors, including your distinguished father, Mr. Mavalankar. I just reiterated them and added a bit of my own emphasis in my own words, according to the situation. I stand by those various observations. Mr. Raghu Ramaiah will explain it.

SHRI K. RAGHU RAMAIAH: Sir, in placing the ordinances on the Table, I have only performed an obligation under the Constitution. I do not want to go into the merits of it except to deny a very wild allegation that one of the ordinances is meant to protect the Prime Minister. It is not meant to protect any particular member. It applies equally to some members of the opposition parties also. Regarding some new procedure which you have indicated in the rules committee about the ordinances and referred to by Mr. Madhu Limaye, I would like to say that certain suggestions were made

[Shri K. Raghu Ramaiah]

and I said, I will convey the suggestions to the Government and find their reaction thereto. That is where the matter stands.

श्री जनेश्वर मिश्र : यह खुरसैया साहब ने क्या सफाई दी मेरी तो समझ में नहीं आया । क्योंकि सारे हिन्दुस्तान में यह चर्चा है... (इंटरप्शन)... हम चाहते हैं कि आप उन से सफाई दिलवायें ।.. (इंटरप्शन) ...

श्री मधु लिमये : इस आर्डिनेंस के विरोध में वाक आउट करता हूं ।

(Shri Madhu Limaye and some other hon. Members then left the House.)

Explanatory Statement Re. Textile Undertakings (Nationalisation) Ordinance, 1974.

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY AND CIVIL SUPPLIES (SHRI B. P. MAURYA): On behalf of Shri T. A. Pai, I beg to lay on the Table an explanatory statement (Hindi and English versions) giving reasons for immediate legislation by the Sick Textile Undertakings (Nationalisation) Ordinance, 1974, under rule 71(2) of the Rules of Procedure and Conduct of Business in Lok Sabha. [Placed in Library. See No. LT-8428/74].

NOTIFICATIONS UNDER GUJARAT SLUM AREAS (IMPROVEMENT, CLEARANCE AND REDEVELOPMENT) ACT, 1974

THE MINISTER OF STATE IN THE MINISTRY OF WORKS AND HOUSING (SHRI MOHAN DHARIA): I beg to lay on the Table—

(1) A copy each of the following Gujarat Notifications under sub-section (2) of section 59 of the Gujarat Slum Areas (Improvement, Clearance and Redevelopment) Act, 1973, read with clause (c) (iii) of the Proclamation dated the 9th

February, 1974 issued by the President in relation to the State of Gujarat—

(i) The Gujarat Slum Areas (Improvement, Clearance and Redevelopment) (Constitution of Board) (Amendment) Rules, 1974, published in Notification No. GH/J|47|74|SCB-1073|A-1, in Gujarat Government Gazette dated the 31st August, 1974.

(ii) Notification No. GH/J|48|74|SCB-1073|A-1, published in Gujarat Government Gazette dated the 31st August, 1974.

(iii) Notification No. GH/J|51|74|SCB|1073|A-1, published in Gujarat Government Gazette dated the 26th September, 1974.

(2) A statement explaining reasons for not laying the Hindi versions of the above Notifications.

[Placed in Library. Sec. No. LT-8420 74].

SHRI P. G. MAVALANKAR: About Item No. 5, my enquiry is two-fold. It is noticed that the Gujarat Slum Areas (Improvement, Clearance and Redevelopment) Act was passed and brought into effect in 1973. About the notifications he is laying on the Table, I want to know why they have been delayed so much. After the passage of the Act, why is it that the Gujarat Administration did not issue these notifications immediately?

About para 2 explaining the reasons for not laying the Hindi version, etc., being the opening day I would like to say this and I would not repeat it. In spite of our repeated and strong objections which were expressed here both in English and more particularly in Hindi, this habit of disregarding an important decision of the Government is growing and Government takes shelter under this or that excuse. I want to know whether the Gujarat or the Central Government have not got facilities for ensuring promptness in providing translations in Hindi of all the communications, notifications etc.