

for me to allow anybody to raise the subject? I would request them to consider this. They came to me yesterday and they were good enough to discuss it with me. (Interruption) It would be most unfair, in the circumstances, if I allow anybody now to raise such things here. A number of gentlemen came to me yesterday. Mr. Sambhali was there. I need not mention the names. I requested them. Now, just because some Members want to raise it here without notice, am I fair to the others, I want to know. I want to know if I shall be fair to those who came and discussed it with me, if it is raised here now. (Interruption).

SHRI HEM BARUA rose—

MR. SPEAKER: I am not allowing anyone—Shri Hem Barua also—to rise now. (Interruption).

SEVERAL HON. MEMBERS rose—

12.17 Hrs.

RE. MAKING OF POLICY STATEMENTS

श्री मधु लिमये (मुंगेर) : मैं संविधान की पांच धाराओं और नियम 376 की ओर आपका ध्यान आकर्षित करना चाहता हूँ। मैं किसी ध्यानाकर्षण या कामरोको के बारे में नहीं बोलने जा रहा हूँ। मैं केवल आपकी व्यवस्था इस विषय के बारे में चाहता हूँ कि इस सदन की कार्यवाही कैसे चलने वाली है। संविधान की पांच धाराओं में आपके सामने रख रहा हूँ जिन में लोक सभा के अधिकारों को निश्चित किया गया है। सब से पहले मैं आपका ध्यान धारा 81 की ओर दिखाना चाहता हूँ। इसमें कहा गया है कि हिन्दुस्तान की जनता सीधे चुनाव के ज़रिये इस लोक सभा को चुनेगी। मैं इसको पढ़ कर समय बरबाद नहीं करना चाहता हूँ। फिर संविधान की धारा 75 है जिसमें कहा गया है कि यह सरकार अपनी नीति और कार्यक्रम के लिए इस सदन के प्रति उत्तरदायी है राज्य सभा के प्रति नहीं। फिर 117 धारा के अनुसार जितने वित्तीय विधेयक हैं मनी बिल जिन को कहते हैं वे इस सदन के सामने प्रस्तुत किये

जायेंगे, राज्य सभा के समक्ष नहीं। चौथी एक धारा है कि अनुदान सम्बन्धी बहस केवल इधर होगी।

MR. SPEAKER: How can a point of order arise now? There is no point of order.

श्री मधु लिमये : मैं आ रहा हूँ। मैं लोक सभा और राज्य सभा के अधिकारों के बारे में कह रहा हूँ। सभी धाराओं को मुझे बतला देने दीजिये। 108 में कहा गया है अगर किसी कानून के बारे में, विधेयक के बारे में मतभेद हो तो दोनों सदनों की संयुक्त बैठक में बहुमत से फैसला होगा।

अब मेरा प्वाइंट आफ आर्डर यह है कि नीति सम्बन्धी वक्तव्य जैसे केनिया के बारे में राज्य सभा में हुए हैं और कांग्रेस पार्टी की बैठक में, वह पहले यहाँ पर क्यों नहीं हुआ। आप व्यवस्था दें कि क्या नीति सम्बन्धी महत्वपूर्ण वक्तव्य चाहे केनिया के बारे में या और किसी के बारे में हो पहले इस सभा के सामने किये जायेंगे या राज्य सभा के सामने किये जायेंगे। अगर वहाँ किये जाते हैं और वहाँ बहस होती है तो फिर हम लोग क्या कर रहे हैं? हम लोगों को जनता ने सीधे चुना है। संविधान की इन धाराओं के अन्दर जो हमारे अधिकार हैं उनके तहत मैं आपकी व्यवस्था चाहता हूँ कि क्या नीति सम्बन्धी वक्तव्य सदन में आएँ या राज्य सभा में आएँ?

MR. SPEAKER: I wish the hon. Members would write to me, and then I can look into it.

SHRI NATH PAI (Rajapur): I have written.

MR. SPEAKER: Even now, while the Question Hour was on, after we began the questions, a number of things have come to me. They came to me after I came here, not before. The rule is that all hon. Members should write to me before 10.30. But then, when I am sitting here, after half the Question Hour was over, the Secretary

[Mr. Speaker]

has received a bundle of things. May I know how I can look into it? Hon. members should realise it.

श्री मधु लिमये : मैं इस मेरिट्स में नहीं जाना चाहता। (व्यवधान) मैं पूरे सदन के अधिकारों की बात कर रहा हूँ।

MR. SPEAKER: I am prepared to look into it if they give me notice and allow me to think about these things. The things which came to me before I came to the House, I have been looking into in my chamber. But after I occupied the Chair at 11 o'clock, if they go on sending letters and other things, how can I look into them?

SHRI HEM BARUA (Mangaldai) : That does not apply to my letter.

MR. SPEAKER: Your letter, of course, I saw earlier. I had already spoken about that particular subject to four hon. members of this House. I will see what best can be done.

SHRI HEM BARUA) : You can direct the Home Minister to make a statement on it.

MR. SPEAKER : Let us see. The point raised by Mr. Limaye is a fundamental, major issue, whether the Government could make a statement in the Rajya Sabha...

SHRI MADHU LIMAYE : Major policy statements.

MR. SPEAKER : I cannot offhand give a ruling on it now. It has been going on for so many years. We have to think about it deeply. We should not have a rupture between the two Houses.

श्री कंवर लाल गुप्त (दिल्ली सदर) : अध्यक्ष महोदय, यह एक बहुत सीरियस, गम्भीर मामला है। आप ने दो तीन दिन पहले केनिया से हिन्दुस्तानियों के निकाले जाने के सम्बन्ध में मेरा मोशन मन्जूर करने की कृपा की थी। उस के बाद कांग्रेस की पार्लियामेंटरी कमेटी की बैठक में प्राइम मिनिस्टर ने इस विषय पर एक पालिसी स्टेटमेंट दिया। मैं उन से कुछ नहीं कहना चाहता हूँ लेकिन

मैं आप से यह कहना चाहता हूँ कि इस स्थिति में हमारे मोशन का कुछ फायदा नहीं होगा। गवर्नमेंट की तरफ से एक सिस्टमेटिक एटेंप्ट की जा रही है कि मेम्बर्स के राइट्स को दबाया जाये, इस हाउस को अलग रखा जाये और इस को फ्रेस न किया जाये। यह सरकार लोक सभा के प्रति जिम्मेदार है। विशेष रूप से जब इस सदन का सेशन हो रहा हो तो बाहर पालिसी स्टेटमेंट्स करना गलत बात है। मेरी प्रार्थना है कि आप सरकार से कहिये कि इस हाउस में जो कोई भी मोशन आदि एक्सेप्ट हो जायें तो उस विषय पर बाहर कोई स्टेटमेंट न दिये जायें बल्कि जो कुछ कहना हो वह यहीं कहा जाये।

MR. SPEAKER: I cannot tell the Government anything on any subject raised here offhand like that. This is a new thing which has come up during the last three days again—the zero hour. They do not write or give notice to the Speaker in advance. They just get up after Question Hour and raise some points. The rules are there.

AN HON. MEMBER : You are the custodian of our rights.

MR. SPEAKER: Certainly, but you should give me notice. Also, it does not mean the moment any hon. member has written to the Speaker about something, he has the right to raise it in the House. The Speaker must permit it. Yesterday I permitted Mr. Vajjapyece to raise some point and we had a brief discussion in which all of you participated. It was very good. But the moment you write a letter, that does not mean you have the authority to raise it here. That is what is happening. I have not seen some of the letters, they are perhaps with the office or with the Secretary. May I appeal to hon. members? Let this be the last day this sort of thing happens.

SHRI HEM BARUA: Whatever you permit is very good. It means, if you do not permit, it is very bad?

MR. SPEAKER: Unfortunately I am the Speaker and you are not. What I permit is good. Of course, under the

rules only what I permit, that alone comes up here. I know you are a senior to me, and more learned than me, but unfortunately I happen to be the Speaker.

SHRI NAMBIAR (Tiruchirapalli): You are the Speaker fortunately.

SHRI RANGA (Srikakulam): I am sorry something has been said about Government making important statements in the other House. I have had the opportunity of being a member of the other House also. Except in regard to financial matters, both the Houses are equal in every way. This has been raised here several times. The first Prime Minister also had made it quite clear. I am glad the other House has had the opportunity of taking the initiative, within the time that was given to it, of raising some very important questions.

Thereby an opportunity is given to Government to state their policy or their attitude. Therefore, we should not regret that opportunity that the country has had. I would like to make one small suggestion. In regard to such questions it may not be possible for you to allow a discussion here. In such cases it is your privilege and your right to call upon the Minister concerned to make a statement, and you have ruled it already that whenever such a statement is made hon. Members in the House need not put any questions and take the time of the House.

SHRI CHINTAMANI PANIGRAHI (Bhubaneswar): Sir, you have already given a ruling in this House that whenever the House is seized of a certain matter no spokesman of any Ministry, whether it is Finance or External Affairs, should come out in the Press with any statement. Even after that they are coming out with such statements. When the Deputy Prime Minister went on a foreign tour some such statement was made by a spokesman of the Ministry of External Affairs. Then you gave a ruling that it was not right for him to do like that. Recently, Sir, when we were discussing the Kuchchativu issue on two days a

spokesman of the Ministry of External Affairs has come out with statements in the Press saying something different. The Prime Minister came out with a statement only yesterday. How is it that even after your specific ruling such statements are being made by spokesmen of the Ministries concerned?

SHRI H. N. MUKERJEE (Calcutta North East): I agree with Shri Ranga that we should not countenance any friction between our two Houses, but there is also a definite provision in the Constitution regarding the position of this House. From that point of view, my submission to you is just this. You have already indicated your desire for the discussion in this House, in whatever form it may be, of the issues arising out of the migration from Kenya, and there have been motions and all that sort of things. It is rather paradoxical, when an international issue of such great significance is being agitated in different parts of the world, the other House has an opportunity for discussing it but this House has not. From my side I do not mind confessing that sometimes we on this side may perhaps have made it rather difficult for Government to provide matters in such a way that many important subjects can be discussed. But we are the Opposition. It is not our business, it is not our responsibility to see that Parliament gets time, at whichever hour, to discuss some important issue. Here is an important issue whose importance was underlined by you yourself, and yet we have not had an opportunity to discuss it. Some of us are giving notices of motions, but nothing is being done in regard to the issue of the migration matter. The whole thing is hanging in the air.

MR. SPEAKER: We are meeting today and we will fix up some time for such matters.

SHRI H. N. MUKERJEE: I would like to submit that this is happening too often. In regard to matters of international importance there is the Kenya issue. In regard to matters of national importance we were told sometime ago that the Bengal issue was to be discussed. But nothing is taking place.

MR. SPEAKER: We will take up that also.

THE MINISTER OF PARLIAMETARY AFFAIRS AND COMMUNICATIONS (DR. RAM SUBHAG SINGH): Sir, we do not go against the provisions of the Constitution or against the Rules of Procedure of the House. But the hon. Members perhaps may not be aware that that policy statement was made in the other House because there was a Calling Attention Notice in that House whereas here there was no Calling Attention Notice.

श्री अशु लिमये : कार्लिंग एटेन्शन नोटिस हम ने भी दिया था। राज्य सभा के सदस्य कोई हम से ज्यादा मेहनती और सचेत नहीं हैं।

DR. RAM SUBHAG SINGH: There the Chairman ruled that the matter may again be taken up in the afternoon and, therefore, the Prime Minister had to make a statement (*Interruptions*).

श्री शिवनारायण (बस्ती) : अध्यक्ष महोदय, मैं आप का प्रोटेक्शन चाहता हूँ। यही लोग आप के साथ बैठ कर तय करते हैं और उस के बाद आ कर हल्ला मचाते हैं। कांग्रेस वालों को और उनकी पार्टी को यह क्यों घसीटते हैं..... (व्यवधान)

श्री हुकम चन्द कछवाय (उज्जैन) : दम बार घसीटेंगे, सब को घसीटेंगे.....

श्री शिवनारायण : तो मैं यह अर्ज करता हूँ कि जो रूस आफ प्रोसीजर है उस के अनुसार काम होना चाहिये।

अध्यक्ष महोदय : अच्छा आप बैठिये। मैंने नाथ पाई को बुलाया है।

SHRI NATH PAI: I would have abided by your wish that you would read my letter and indicate your mind on the subject, but now that you have allowed it, I am making my submission. I have taken the necessary precaution of writing to you. I have also sent you the requisite cuttings from the dailies of Delhi...

MR. SPEAKER: For my information, may I know when you gave that letter, because I have not seen it?

SHRI NATH PAI: It was given at about 11.30.

MR. SPEAKER: How can I know about it? I have been sitting in the Chair from 11.

SHRI NATH PAI: I am not blaming you, Sir. Now that you have allowed me, I am raising it. The whole of last week we tried to raise it.

MR. SPEAKER: I have not read it. I do not know the subject.

SHRI NATH PAI: It is precisely the subject which Mr. Limaye has raised. I am endorsing it.

MR. SPEAKER: Don't refer to your letter, because I have not seen it, as you yourself said, you sent it at 11.30.

SHRI NATH PAI: Since the matter has been raised, I am submitting my point. Otherwise, I was abiding by your wish. Sir, I have given you the necessary cuttings. Our objection is on two grounds. Time and again this matter has been brought before the House. You have indicated in the last session of this House that if on any important policy matter Government wants to come forth with a statement, this House will have to be given preference. I do not want to go into details, because the minister says, "Let us sit and discuss it". I do not want a false controversy with the other House. But we find that this is not accidental. I gave a calling attention, adjournment motion and a substantive motion on this subject. That is not admitted, but the minister tells the House that a calling attention notice was admitted in the other House and therefore a statement was made there. I agree, Sir, that you have a difficulty in this matter. Secondly, Sir, I fully respect the right of the ruling party to discuss any matter. We are not challenging it, because we claim the same right to us. I have no objection to the Congress Party discussing any issue including the issue of Indians in Kenya of Indian origin. But I object to the fact that

both the Prime Minister and the Minister of State for External Affairs made major policy statements at the party meeting, thereby rendering any debate in this House meaningless at all. I want to seek your protection. If the Government does not find time to take this House into confidence, are we to sit idle? Are major policy statements to be made before party caucuses? I draw a distinction between discussion and making major policy statements. Mr. Panigrahi rightly said they have a right to discuss it. I cannot challenge it. Even if I challenge it, you will not uphold it. Only yesterday the Deputy Prime Minister told us that this House shall not be side-tracked. But within 5 hours, they proceeded to do this by making a major policy statement on the issue of Indians in Kenya that Government will not withdraw from the Commonwealth and so on. What do we sit here for, Sir? May I know your mind now whether the Government was justified in doing it?

MR. SPEAKER: I cannot give my mind now.

SHRI D. C. SHARMA (Gurdaspur): Sir, it has become a habit with some of us to pit the Rajya Sabha against the Lok Sabha and the Lok Sabha against the Rajya Sabha. I think this is a very very unhealthy trend.

AN HON. MEMBER: How? (*Interruptions*).

MR. SPEAKER: He has a right to hold his own view.

SHRI D. C. SHARMA: That is a very very unhealthy trend that is gaining momentum in this House. I have been in this House for the last 16 years and every time I have been told by the late Pandit Jawaharlal Nehru and by other Prime Ministers that these two Houses are the limbs of the same body; they have the same importance and they have the same kind of power and influence. Therefore, I think that this should not be done.

Secondly, they do not understand the difference between the Lok Sabha and the other House, though some of them have been members of the Rajya Sabha. I am very sorry to say that. They have forgotten their past. Now that they have come to the Lok Sabha they have got used to the atmosphere of the Lok Sabha. In the Lok Sabha we discuss so many things.

SHRI KANWAR LAL GUPTA: What about the Congress Parliamentary Party? (*Interruptions*).

SHRI D. C. SHARMA: You give time for one hour discussions, for discussions which last for two hours, and for 2½ hour discussions. All these things take place here. This house enjoys in that way much more power and influence, much more responsibility than any other House in any democratic part of the world.

SHRI J. B. KRIPALANI (Guna): Sir, have you given permission to everybody to express his views?

MR. SPEAKER: I entirely agree with Acharyaji, but this is happening. Today shall be the last day. I will myself tell that.

SHRI D. C. SHARMA: Now, some persons say that the Prime Minister made a statement in the Congress Parliamentary Party.

MR. SPEAKER: All right. I have understood the point. Will you kindly sit down now?

SHRI D. C. SHARMA: Do they read the proceedings of the House of Commons? Do they know what is happening in the House of Commons? Do they know what is happening in the Labour Party? Do they know what is being done by Mr. Harold Wilson? Do they know all those things? If they know all this, they will not criticise a Congress Parliamentary Party.

MR. SPEAKER: I appeal to you again to sit down. I plead with hon. Members of this House to co-operate with me. At this rate it will be difficult for me to continue. They must follow the rules. It has become a

[Mr. Speaker]

terrible thing after the Question Hour. We do not know who will get up after the Question Hour and what subjects they are going to raise. After the Question Hour I am in such a difficulty. If anything is given before time and it is discussed and permitted, you can certainly raise. But when there is a vacuum, after the Question Hour, how can a point of order be raised? I can understand some point of order being raised about a subject, but then you raise points about something which is not there or something about a Minister.

SHRI S. M. BANERJEE (Kanpur): Under rule 376.

MR. SPEAKER: That also must be confined within the rules. There must be a subject before the House about which a point of order can be raised. But you simply cannot raise a point about the working, about Parliament, about the Constitution and say that the Constitution is wrong; therefore, there is a point of order. Therefore, if anything has to be raised after the Question Hour, it has to be with the permission of the Chair. Senior Members are there; all parties are there and I expect the leaders and hon. Members to co-operate with me. They can discuss with me, if they think it necessary, and convince me; or, I will convince you. Yesterday I convinced four hon. Members from all the four parties when they came to me. I convinced them, "Please, for heavens sake, do not raise this; this will be the difficulty if I admit this and this will be the problem; we will discuss it between ourselves." I was happy that I convinced them. At other times you can convince me.... (*Interruption*).

SHRI HEM BARUA: I do not know what happens in your Chamber.

MR. SPEAKER: You are only 24 hours late; they were 24 hours in advance.

With your willing co-operation only I can run this House. I do not know how many motions I have admitted.

They are all pending. Today in the evening we have to meet and fix time for them. On everything of some importance, I am admitting one hour discussion, two hours discussion, etc. You must only find the time. It is for the Business Advisory Committee to consider whether we sit extra in the evening or sit on Saturday to dispose them of. All this will have to be considered by the Business Advisory Committee.

Now, may I appeal to you from tomorrow don't misunderstand me if I am not going to allow any subject to be raised like this. If you cannot help me, I will be helpless in this Chair and I will not be able to conduct the proceedings. Papers to be laid.

12.40 HRS.

PAPERS LAID ON THE TABLE
FINAL REPORT OF BHOOHALINGAM
COMMITTEE ON RATIONALISATION AND
SIMPLIFICATION OF TAX STRUCTURE

THE DEPUTY MINISTER IN THE
MINISTRY OF FINANCE (SHRI
JAGANNATH PAHADIA): On behalf
of Shri Morarji Desai, I lay on the
Table a copy of the Final Report of
the Bhoothalingam Committee on
Rationalisation and Simplification of
the Tax Structure. [*Placed in Library. See
No. LT-337/68*]

SHRI S. M. BANERJEE (Kanpur):
Sir, I want to say something on item 3.
The Final Report of the Bhoothalingam
Committee on Rationalisation and
Simplification of the Tax Structure has
been laid on the Table. I would also
request, through you, Sir, to the hon.
Minister, Shri Morarji Desai, or his
deputy that the Report of the Sarkar
Committee which has already come out
in the press may also be laid.

MR. SPEAKER: What has that got
to do with this I want to know. Any-
thing Mr. Bhoothalingam does will be
connected with this!