

"This House resolves that the persons calling themselves (1) Shri Tarachand C. Shah, (2) Shri Krishna P. Patil and (3) Shri Gulabrao R. Deshmukh who threw some leaflets from the Visitors' Gallery on the floor of the House at 12.25 p.m. today and whom the Watch and Ward Officer took into custody immediately have committed a grave offence and are guilty of the contempt of this House.

This House further resolves that they be sentenced to simple imprisonment till 6 p.m. on Saturday, the 20th December, 1969 and sent to Tihar Jail, Delhi."

MR. DEPUTY-SPEAKER: The question is:

"This House resolves that the persons calling themselves (1) Shri Tarachand C. Shah, (2) Shri Krishna P. Patil and (3) Shri Gulabrao R. Deshmukh who threw some leaflets from the Visitors' Gallery on the floor of the House at 12.25 p.m. today and whom the Watch and Ward Officer took into custody immediately have committed a grave offence and are guilty of the contempt of this House.

This House further resolves that they be sentenced to simple imprisonment till 6 p.m. on Saturday, the 20th December, 1969 and sent to Tihar Jail, Delhi."

The motion was adopted.

14.12 hrs.

BIHAR LAND REFORMS LAWS (REGULATING MINES AND MINERALS VALIDATING BILL—contd.

SHRIMATI ILA PALCHOU DHURI (Krishnanagar): I would like to make one point. I want to bring something to the notice of the House. It is something which is agitating the minds of the people of West Bengal...

MR. DEPUTY-SPEAKER: We are now in the minds of the discussion of a Bill...

SHRIMATI ILA PALCHOU DHURI: I am not talking about bank robbery, but I have received telegrams and trunk calls...

MR. DEPUTY-SPEAKER: It cannot be raised like that here. Let her do it with a proper motion.

SHRIMATI ILA PALCHOU DHURI: Cultivators are being killed in West Bengal when paddy is harvested and taken home. In Burdwan and Midnapore and other places, this has happened...

MR. DEPUTY-SPEAKER: I would request the hon. Member to do it with a proper motion.

Now, the hon. Minister.

SHRI JAGANATHA RAO: I am grateful to the hon. Members who took part in the debate this morning...

ADJOURNMENT OF THE HOUSE—
 contd.

श्री कीकर सिंह (भाटण्डा) : डिप्टी स्पीकर साहब . . .

MR. DEPUTY-SPEAKER: The hon. Member may raise his point after the hon. Minister has finished his speech.

SHRI SHRI CHAND GOYAL (Chandigarh): May I make one submission?...

MR. DEPUTY-SPEAKER: The hon. Minister has yielded and I have allowed Shri Kiker Singh to make a submission. Let him make his submission first.

श्री कीकर सिंह: आपने पहले भी यही कहा था कि इस काम को खत्म कर लेने दो, उस के बाद इस को लेंगे, लेकिन आप हाउस एडजार्न कर के चले गए। अब मेरी रिक्वेस्ट यही है कि हाउस अभी-अभी एडजार्न कर दिया जाए।

SHRI SHRI CHAND GOYAL: Usually, after the lunch-recess, new subjects are raised, and in the morning you were kind enough to point out that in the midst of the debate, it would not be desirable and proper to raise new issues.

Today is a great day. Guru Teg Bahadur had laid down his life here in Delhi. It was an act of supreme sacrifice in the history of India. We adjourned yesterday when all the Members had come here and today the attendance in the House is also thin...

MR. DEPUTY-SPEAKER: I think Shri Kiker Singh is going to make the same submission. I have allowed him. Let him first make his submissions, and then I shall allow the hon. Member.

श्री कीकर सिंह: मेरा यह कहना है कि गुरु तेग बहादुर साहब, जिनको हम हिन्दुस्तान की चादर समझते हैं, उन का आज शहीदी दिन है। आज के दिन वे शहीद हुए थे। मेरी रिक्वेस्ट है कि आज हाउस उन के सत्कार में एडजर्न हो और हर साल आज का दिन छुट्टी का दिन होना चाहिए। अगर आप मेरी इस बात को मान लें तो आपका बहुत शुक्रिया। यह मेरी खुशकिस्मती है कि इस मामले में सारा हाउस, मेरे तमाम साथी मेरे साथ है। इस के बारे में कोई मुखालफत नहीं है, इसलिए आप इस हाउस को एडजर्न कर दें।

SHRI SHRI CHAND GOYAL: I rise to support the motion moved by Shri Kiker Singh....

THE MINISTER OF PARLIAMENTARY AFFAIRS AND SHIPPING AND TRANSPORT (SHRI RAGHURAMIAH): It is not a motion, but a suggestion.

SHRI SHRI CHAND GOYAL: I rise to support the suggestion made by my hon. friend Shri Kiker Singh that the House be adjourned.

MR. DEPUTY-SPEAKER: I think he has not made that submission. He has only made the submission that the House rise in honour of the memory of Guru Teg Bahadur. He did not make the submission to the House that the House should adjourn....

SHRI SHRI CHAND GOYAL: I do not know whether he has been able to convey his request clearly. His request was for adjournment of the House.

MR. DEPUTY-SPEAKER: Let me clarify from Shri Kiker Singh what exactly his submission was. I think his suggestion was that the House should rise and stand up in honour of the memory of Guru Teg Bahadur. Was that his suggestion?

श्री कीकर सिंह: मैं चाहता हूँ कि हाउस एडजर्न कर दिया जाए।

MR. DEPUTY-SPEAKER: Now, I have understood Shri Kiker Singh correctly.

SHRI SHRI CHAND GOYAL: He has made a request in his language that the House should adjourn in memory of Guru Teg Bahadur. In Indian history, such examples will be very rare where a person laid down his life in such a manner. It has no parallel in history....

MR. DEPUTY-SPEAKER: We all know the very great and glorious part played by Guru Teg Bahadur in the history of India. The country knows it. So, the hon. Member need not go into that. He has already supported the motion or suggestion of Shri Kiker Singh and I think that that should be sufficient.

SHRI RAM CHARAN (Khurja): I also support the suggestion made by Shri Kiker Singh.

SHRI SHRI CHAND GOYAL: The Government and the House should not discriminate between the various communities....

MR. DEPUTY-SPEAKER: The hon. Member has made his submission already. Everybody knows the great part played by Guru Teg Bahadur. Let us be business-like....

SHRI SHRI CHAND GOYAL: I was on a different point that we should not discriminate between community and community. It was in deference to the wishes of another community that the House adjourned, even though the festival had already been celebrated on a holiday earlier....

SHRI SONAVANE (Pandharpur): I object to the observation of my hon. friend Shri Shri Chand Goyal that any differentiation has been made....

MR. DEPUTY-SPEAKER: The hon. Member may kindly leave it to me.

SHRI SONAVANE: That was a highly objectionable remark.

MR. DEPUTY-SPEAKER: I have already said that the hon. Member may leave it to me.

SHRI BUTA SINGH (Rupar): I do not want to base my argument on the remarks that my predecessor has chosen to make, because Guru Teg Bahadur does not belong

to a community. He belong not to any community but to the whole of the community. Guru Teg Bahadur's sacrifice has no parallel in history. He had sacrificed his life, if I may say so, for the protection of the helpless people. His was the first sacrifice in India which was honoured not only by one particular community but by the whole of the community....

MR. DEPUTY-SPEAKER: We all know the great part played by him. So let not the hon. Member go into that just now. I think he is also supporting Shri Kiker Singh.

SHRI BUTA SINGH: I support Shri Kiker Singh's motion and I request that for the rest of the day the House may be adjourned.

SOME HON. MEMBERS *rose*—

MR. DEPUTY-SPEAKER: I think there is no more point in having a discussion about this. It is now before the House.

SHRI ABDUL GHANI DAR (Gurgaon): I only want to say one word. I admire the fact that you have appreciated the great and glorious sacrifice made by Guru Teg Bahadur, and you have every mind to adjourn the House....

MR. DEPUTY-SPEAKER: The hon. Member should not anticipate what I am going to say....

SHRI ABDUL GHANI DAR: I think so. Yesterday, the House was adjourned for a political reason. There was no id yesterday. It was only because the resolution on Shri Jagjivan Ram was coming up and they wanted to avoid it that they had adjourned....

SHRI SONAVANE: I do not know why he is importing politics into that. I do not know when good sense will prevail upon him.

श्री राम गोपाल शालवाले (चांदनी चौक): उपाध्यक्ष महोदय, मैं भाई कीकर सिंह के प्रस्ताव का समर्थन करता हूँ। कल जो सभा स्थगित की गई थी, वह ईद के कारण स्थगित हो गई थी, मेरे भाई को घ्रान्ति है, यहाँ पर यह बात कही गई थी कि विस्की के

लोग ईद आज मना रहे हैं और उसी आधार पर सभा स्थगित की गई। मैं निवेदन करना चाहता हूँ कि आज दो बजे से गुरू तेग बहादुर महाराज के सम्बन्ध में चांदनी चौक से, जो मेरा निर्वाचन क्षेत्र है, जुलूस निकलनेवाला है, हम भी वहाँ जाना चाहते हैं, उस में शामिल होना चाहते हैं। आज उन का शहीदी पर्व है, इसलिए उन के सम्मान में यह सभा स्थगित होनी चाहिए, इस में आपस में कोई भेद-भाव नहीं होना चाहिए। जैसा कल सब सम्मति से हुआ था, वैसा ही आज होना चाहिए।

SHRI RAGHURAMALAH: Government are no less in their devotion and respect to the late martyr. There can be no two opinions about that. It is for the Hon. Speaker and the leaders to meet and decide from time to time what should be holidays and what should not be. Government have regard for all communities and for all religions and for saints in an equal degree.

If that is the wish of hon. Members and if it is a question of taking part in the procession, may I say that we may sit till four o'clock and then adjourn? That will enable Members to attend the procession and also pay their respects to the sentiments expressed here, and those who want to take a procession can do so. This is only a humble suggestion by me. Hereafter, the Speaker and the hon. Members....

श्री राम गोपाल शालवाले: कल भी ऐसा हो सकता था लेकिन आपने सारे दिन के लिए हाउस स्थगित किया था। मेरी मांग है कि आज भी उसी तरह से सारे दिन के लिए हाउस स्थगित होना चाहिए। यह आप भेदभाव की बात कर रहे हैं कि जो जुलूस में शामिल होना चाहते हैं वे चले जाएँ। यह कहकर आप हमारी बेइज्जती कर रहे हैं। कल आपने ईद के लिए सारे दिन की छुट्टी की थी, उसी तरह से आज भी होना चाहिए। (व्यवधान)....

SHRI RAGHURAMALAH: I am not saying no to anything at all. The Government is entirely in the hands of the House in this matter. Without showing any dis-

[Shri Raghuramaiah] regard to anybody, I would only suggest this for the consideration of the House. The hon. member said there is a procession in Chandni Chowk at 4 o'clock. The House may consider whether it would sit till 4 o'clock. To avoid any misunderstanding in future, I suggest that the Speaker may meet the leaders of various parties and groups and decide what holidays should be observed by the House. So far as today is concerned, I am in the hands of the House.

SHRI KANWAR LAL GUPTA : You can take the sense of the House.

SHRI RAGHU RAMAIAH : In any case, it is not an adjournment of the House.

MR. DEPUTY-SPEAKER : The whole country knows the great part played by Guru Teg Bahadur. This House also knows it. As Sardar Buta Singh said, he does not belong to any one particular community, but to the whole of India. Today the House is half way through its business. It is not an adjournment of the House any more, but as the Minister of Parliamentary Affairs has said, if the House is so pleased, to enable members to participate in the procession, we may agree to sit till 4 o'clock

श्री राम गोपाल शानवाले : वह प्रोसेशन दो बजे निकलेगा ।

MR. DEPUTY-SPEAKER : For the future, it would be very good if the leaders of the various parties and groups and the hon. Speaker meet and decide as a matter of policy what is to be done. You don't expect the House or the Speaker to take any snap decision on a matter like this. So far as today is concerned, since the matter has been raised and the Minister of Parliamentary Affairs has made that suggestion, it is for the House to decide now.

SHRI KANWAR LAL GUPTA : We may finish this Bill and then adjourn.

SHRI RANGA (Srikakulam) : That is a very good compromise.

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI VIDYA CHARAN SHUKLA) : After this, there is a small Bill for reference to the Joint Committee. It is about the Commissions of Inquiry (Amendment) Bill. It may

be passed without discussion because after the Committee has considered it, it will come back for our consideration.

SHRI KANWAR LAL GUPTA : If you want us to adopt it without discussion then we have no objection.

SHRI RAGHU RAMAIAH : May I appeal to the House to pass that motion also without discussion because it is only for reference to the Joint Committee ?

SHRI SHRI CHAND GOYAL : No, Sir. Two hours have been allotted for this Bill. We want to discuss it and make some suggestions for its improvement.

MR. DEPUTY-SPEAKER : So, the consensus of the House is that we must finish this Bill. Let us see what happens after that.

SHRI KANWAR LAL GUPTA : That is not fair. It was a compromise formula which was presented to you and all of us agreed to that. So, do not make your ruling vague. In that case, we will demand immediate adjournment of the House. You have to appreciate the feelings of the Members. Why do you insist that the other Bill should be taken up ?

SHRI RAGHU RAMAIAH : Sir, as I have said, in a matter like this Government would not like to stand in the way. But this should not be treated as a precedent. So far as the future is concerned, I would suggest that all these matters should be thought out in advance by the Speaker in consultation with the leaders of groups and let us have a settled policy. Today, in view of the fact that it is the martyrdom day of a Sikh guru, we do not want to stand in the way. We leave it to the House to take a decision. If the House so desires, we can adjourn after this Bill is passed.

MR. DEPUTY-SPEAKER : It seems that the consensus of the House is that the House will rise immediately after the passing of this Bill.

14.27 Hrs.

BIHAR REFORMS LAWS (REGULATING MINES AND MINERALS) VALUATION BILLS—*contd.*

SHRI JAGANATHA RAO : Mr. Deputy-Speaker, I am thankful to the hon. Members who have supported this Bill in the morning. No point has been made out by

any hon. Member against the Bill, Hon. Members have given their whole-hearted support to the Bill. Most of them spoke about matters which are extraneous to the subject-matter of this Bill, most of them political. Almost every member stressed the need for ushering in popular government in Bihar. I am sure the House would not expect any reply from me on that point.

Some hon. Members spoke about the early implementation of the Bihar Land Reforms Act. It is true that the Bihar Land Reforms Act, like Land Reform Acts of other States, has to be implemented soon. I also feel that the ceiling on land put by the various State governments in their enactments should be revised because of the development of agriculture in the State Sector. But they are all matters not connected with the Bill.

One point made by Shri Ranga and repeated by one or two other Members is that the State Assemblies pass Bills without proper scrutiny by the respective Law Departments. In this case, may I submit that this legislation relating to mines and minerals was adopted by this House in 1957? Act 67 of 1957 was passed by this House under entry 54 of the Union List under which Parliament alone has the power to make laws for regulation and development of mines. Subject to this law, there is entry 23 in the State List which gives power to the State Government to legislate on matters which fall in the State List. So, there was no misunderstanding on that.

But the Supreme Court in a writ petition filed by a party which was aggrieved, has interpreted the position differently and stated that once the power of regulation is taken away by the Union Government under entry 54 of the Union List, all matters connected therewith should also be legislated by Parliament and not by the State Assembly. That was the interpretation given by the Supreme Court, the highest judiciary in the land and everybody is bound by that. Therefore, I am forced to come to the House to validate the enactments and rules made by the Bihar State Assembly and the Bihar

Government so that no injustice, difficulty or hardship is caused to the State Government. Otherwise, they may have to make refund of the royalties and other sums collected by them.

It is a simple Bill. Every precaution is taken and every thought is bestowed before a Bill is brought before Parliament. But when the Supreme Court gives a different interpretation of the Constitution, we are all bound by it. That is the reason why this Bill has been initiated and we have come before the House with it.

MR. DEPUTY-SPEAKER : The question is :

"That the Bill to validate certain provisions contained in the Bihar Land Reforms Act, 1950, and the Bihar Minor Mineral Concession Rules, 1964, and action taken and things done in connection therewith be taken into consideration."

The motion was adopted.

MR. DEPUTY-SPEAKER : The question is :

"That clause 2, the Schedule, clause 1, the Enacting Formula and the Title stand part of the Bill."

The motion was adopted.

Clause 2, the Schedule, clause 1, the Enacting Formula and the Title were added to the Bill.

SHRI JAGANATH RAO : Sir, I move :

"That the Bill be passed."

MR. DEPUTY-SPEAKER : The question is :

"That the Bill be passed."

The motion was adopted.

14.31 hrs.

The Lok Sabha then adjourned till Eleven of the Clock on Monday, December 15, 1969/Agrahayana 24, 1891 (Saka).