

श्री ब्रजराज सिंह : श्री रामसेवक यादव के इस मुझाव से कि सदन को स्थगित कर दिया जाय, मैं सहमत हूँ ।

**Mr. Deputy-Speaker:** The bell is being rung.

**Some Hon. Members rose—**

**Mr. Deputy-Speaker:** Hon. Members may resume their seats. There is no quorum, and therefore there is no House. Therefore they cannot speak now.

There is no quorum. So the House will stand adjourned till 2 P. M.

13.18 hrs.

*The Lok Sabha re-assembled at Fourteen\* of the Clock.*

15 hrs.

*The Lok Sabha re-Assembled at fifteen of the Clock.*

[MR. DEPUTY-SPEAKER in the Chair]

#### RE QUORUM

**Mr. Deputy-Speaker:** Shri Radhelal Vyas.

**Shri Hari Vishnu Kamath** (Hoshangabad): Before we begin, may I raise a point? It was, if I remember aright, the first Speaker of free India's Parliament, Shri Mavalankar, who ruled more than once that the work of Parliament should take precedence with Members of Parliament and even if there was a sitting of some party or any committee during the hours of sitting of the House, Members should give precedence to the work of Parliament and not to the extraneous committee or party meeting. Here, because of some reasons—I do not know what the reasons were—because of a party's meeting so I am told—two precious hours of parliamentary time have been wasted—by

a meeting called by the Members on the other side. It is wholly improper, wholly irregular and wholly detrimental to the growth of parliamentary democracy that this kind of party meeting should get precedence over parliamentary work.

**Shri Tyagi** (Dehra Dun): There was an old standing convention and practice in this House that during the lunch hour, quorum was never challenged. What has happened today is surprising. We were all under the impression that between 1 and 2 quorum was never challenged. It is surprising that the Opposition gives up all those conventions and challenges the quorum in this manner.

श्री रामसेवक यादव : (बाराबंकी) : श्रीमाननीय त्यागी जो ने एक प्रश्न उठाया है । उसके बारे में मैं निवेदन करना चाहता हूँ कि जो कायदे कानून हैं, उनको कोई परम्परायें जो हैं, वे तोड़ नहीं सकती हैं । दूसरी बात यह कि हम लोगों ने पूरी कोशिश की कि रहें, इसलिए कि यह सवाल ही न उठे । लेकिन हालत यह थी कि हम तो चौदह घंटे और त्यागी जी के सहयोगी सात । ऐसी हालत में दीवार से बात करने से क्या फायदा हो सकता था । ऐसे वक्त यह सवाल न उठाया जाय तो कैसे काम चलेगा ?

**Shrimati Yashoda Reddy** (Kurnool): Just as it is the duty of the Congress Members to maintain quorum, it is equally the duty of the Members on the other side also to maintain it.

श्री रामसेवक यादव : हम ज्यादा थे ये कम । इससे हमारी जिम्मेदारी का पता चलता है ।

**Shrimati Yashoda Reddy:** First of all, between 1 and 2.30, there was a sort of convention that the quorum

\*At 14-00 hours quorum bell was rung. No quorum was made, and at 14-03 hours, quorum bell was rung again and no quorum was made. The Secretary informed the Members present as follows:—

"There is no quorum. So the House cannot meet. We cannot start the House till there is quorum. The Deputy-Speaker has directed that the House will meet at 3 P.M."

bell would not be rung. If the Opposition Members who had no other work . . . (*Interruptions*), if all of them had been doing their duty within Parliament and were inside the House, the question of quorum would not have arisen.

**Shri H. N. Mukerjee** (Calcutta-Central): It was very disturbing to discover, as some of us did, that for some peculiar reason, the House rose for a particular period. It has never been our experience that between 1 and 2.30 the House was adjourned for lack of quorum, and we have developed a convention, whether we like it or not, that between those hours, the House would not be adjourned on account of lack of quorum, whether a Member raises that question or not.

I say this because my hon. friend, Shri Kamath, himself insists over and over again, and very rightfully, on a certain measure which might be on the anvil in regard to the quorum being defined in a more consistent way, consistent with the Constitution. We have not done so; Government has made no effort in that direction. Government and the rest of us are party to a convention which we have been observing that between 1 and 2.30 this House does not adjourn, but for some mysterious reason, the House did adjourn. But the reason did not remain mysterious when we discovered that the majority party was having a meeting somewhere in this building. This is contempt of Parliament, this kind of manipulating the hours of sitting of this House in order to enable the members of the majority party to meet in their own miserable conclave rather than in Parliament. This is something which is absolutely detrimental to any kind of rational parliamentary convention. I do not understand why this thing has been permitted to be done.

Shri Tyagi takes cover under the plea that it was the Opposition which made a mistake by suggesting it. But the Opposition here—I do not know which Member of the Opposition

raised the question of quorum—is within its rights in pointing out certain obvious irrelevancies, certain non-conformity with the rules of procedure and all the rest of it. Every time this matter has been raised by a Member of the Opposition or by a Member of the governing party, the Chair has ruled that as long as this convention stands, he is not going to adjourn the House between 1 and 2.30. I do not know who was in the Chair at that time. I do not know why the Chair gave this direction in regard to adjournment. But it does seem most extraordinary that this House rose for no understandable reason, and the entire time-table is upset. So many of us have been waiting for so long in order to take part in the discussion on the Preventive Detention Bill, for instance. So we have to fashion our routine, our time-table, according to the exigencies of the parliamentary situation. But we do have some expectations of courtesy from the Minister of Parliamentary Affairs so that we could know when a matter is going to come up.

By this kind of practice which the ruling party has started, today the entire time-table of the House is liable to be upset at any point of time in order to satisfy the whim or caprice of some Members of the ruling party. This is a matter which is very serious, which goes against the grain of parliamentary decency. I do wish the Minister of Parliamentary Affairs gives an explanation. I do not imagine what satisfactory explanation can possibly be forthcoming. But even so, he owes it to the House to say how it happened and then give us some satisfaction.

**The Minister of Parliamentary Affairs (Shri Satya Narayan Sinha):** The last speaker himself said that there has been a convention which we have been following that between 1 and 2.30 the House would not adjourn for want of quorum. We were also under that impression. Otherwise, our Members would not have been absent; at least we would have left as many Members as would form a quorum.

[Shri Satya Narayan Sinha]

But as he himself says, some mysterious thing happened. I do not know who adjourned the House and why it was done. So long as the convention was there, we were all under the impression that quorum could not be challenged during those hours. Otherwise, we would have never allowed all our Members to go to some party meeting, or we would not have called such a meeting. We were under that impression that no quorum would be demanded or asked. Therefore, this thing happened.

We adjourned to meet at 2 P.M. At 2 P.M. some of our friends opposite were standing in the Lobby. We could have formed a quorum. But to my great surprise—I do not know how—they said “We are not going to oblige you; we are not going to hold the baby; so long we have been holding the baby on your behalf”. If all those Members had obliged us, they could have come into the House and the House need not have been adjourned till 3 P.M. because some of the Members on this side plus those Members who were standing in the Lobby could together easily have formed a quorum. But they did it deliberately perhaps to show us in this position so that they may be able to condemn us.

**Shri Hari Vishnu Kamath:** On a point of clarification. He has made some mis-statements about the convention. This was adopted, I think in 1953. Since then much water has flowed down the Yamuna. In 1955, this matter was raised by me and Shri Mavalankar advised Government to bring forward a Bill to amend the Constitution. Now Sir, a little while ago, the Deputy Chief Whip of the Congress Party handed me a copy of the rules of procedure in the House of Commons, but as I told him earlier, unfortunately or fortunately for us, we have a written Constitution; Britain has no Constitution at all. Unfortunately again—doubly unfortunately—we have inserted a provision with regard to quorum in the Constitution itself, which need not have been done.

We have taken an oath of loyalty to the Constitution here and we are bound to uphold its provisions. Article 100(4) of the Constitution says:

“If at any time during a meeting of a House there is no quorum, it shall be the duty....”—

there is no question of any convention; “it shall be the duty—

“of the Chairman or Speaker, or person acting as such either to adjourn the House or to suspend the meeting until there is a quorum”.

It is absolutely mandatory, absolutely unambiguous. No convention can override the provisions of the Constitution. I do not know whether it was raised in the second Lok Sabha, but in the third Lok Sabha, for the last one year or so I have been raising this point. The Speaker has advised them once, twice, thrice, umpteen times to bring forward a Bill, but they have refused to do so, committed contempt of the Speaker and his directions, treated his directions with contempt. They have no desire to do it, they refuse to bring forward a Bill, and yet they want us, who have taken an oath of loyalty to the Constitution, to abide by an unconstitutional convention. They may not respect the Constitution, but we do. We abide by the oath we have taken, they may not.

**Shri H. N. Mukerjee:** The Minister of Parliamentary Affairs is welcome to have a fling at us, but the convention in regard to the quorum not being raised between 1 and 2.30 P.M. was due to the fact that Members have, after all, to eat, we cannot live on air, it was not due to the fact that they wanted to give an opportunity to participating political parties to hold their meetings during the interval.

श्री काशी राम गुप्त (अलवर) : उपाध्यक्ष महोदय, जब प्रथम बार कोरम के बारे में प्रश्न उठा था उस समय श्री राने मौजूद थे और जब दो बजे घंटी बजी तो अपनी पार्टी को वे सूचना दे सकते थे। इसलिये पार्लिय-

मेंटरी अफेयर्स मिनिस्टर महोदय बहाना कर रहे हैं कि यह लोग बाहर खड़े रहे और वे अपने आदमियों को ला सकते थे। इसलिये दुबारा जो कुछ हुआ है वह साबित करता है कि वे अपनी पार्टी की मीटिंग को महत्व दे रहे थे और दुबारा कोरम बनाने का प्रयत्न नहीं किया।

श्री रामसेवक यादव : शगड़े का समय निकल जाये, तय हो जाय मामला और बिल आये इसलिये वे यह सब कर रहे थे।

श्री बजर्राज सिंह (बरेली) : अभी जो हमारे मिनिस्टर आफ पार्लियामेंटरी अफेयर्स ने कन्वेंशन का जिक्र किया और कोरम का जिक्र किया उस का सिर्फ बहाना लेकर वह आप पर आरोप लगाना चाहते थे कि जो कुछ आपने किया वह गलत किया था। मेरा निवेदन यह है कि कन्वेंशन और कोरम से ज्यादा खयाल उनको रखना चाहिये डि कोरम का। यहां पर जो सात मेम्बर्स बाकी रह गये थे, मेरे खयाल से अगर यह तमाशा न हुआ होता तो शायद उनसे जवाब तलब होता कि तुम लोग पार्टी मीटिंग में क्यों नहीं आये। इसके बजाय उन लोगों का सहारा लेकर वे कहते हैं कि हमारे सात आदमी मौजूद थे। अब आप इस पर गौर करें कि कन्वेंशन और कोरम इन दो चीजों का सहारा लेकर वे आपके ऊपर आरोप लगाना चाहते हैं, जिसको मैं बहुत खराब समझता हूं।

कुछ माननीय सदस्य : हम इसको सहन नहीं करेंगे।

कुछ अन्य माननीय सदस्य : हम इसको बरदाश्त नहीं करेंगे।

Mr. Deputy-Speaker: I am very sorry for the incident that has happened. A convention is a convention only as long as it is observed, and so when the quorum is challenged, I have no option but to adjourn the House if there is no quorum. I was

in the Chair when the House was adjourned, and according to the Constitution, I had to adjourn the House.

In fact, this point was raised on 22nd November, 1963. Shri Kamath raised an objection, and it reads:

"Shri Hari Vishnu Kamath: He has not said anything about the Anti-Quorum Bill.

Mr. Speaker: Therefore, the hon. Member is free. He has thrown a challenge that if the Bill is not brought before the session expires, he will not be bound by the unconstitutional convention as he called it. He can execute that."

It is implicit that when there is no quorum, there is no option but to adjourn the House, and I had to adjourn the House till 2 O'Clock. At 2 O'Clock the bell was rung twice, but the House could not meet for want of quorum. I hope such things will not occur in future.

15.14 hrs.

MOTION RE: REPORT ON MID-TERM APPRAISAL OF THIRD FIVE YEAR PLAN—contd.

श्री राखेलाल व्यास (उज्जैन) : उपाध्यक्ष महोदय, इतने दिनों से जो इस प्लैन पर चर्चा चल रही है उस में सब से बड़ी अखरने वाली बात यह है कि कुछ माननीय सदस्यों ने प्लैनिंग कमिशन के बारे में कटु आलोचना की है। मैं समझता हूं कि प्लैनिंग कमिशन के जो सदस्य हैं वे काफी अनुभवी, योग्य, विद्वान और सेवा भावी हैं और उन्होंने देश की काफी सेवा की है, जो कि हमारे सामने है। उन्होंने अध्ययन करके जो आंकड़े और जो स्थिति रखी है उस से उन के प्रति हम जितना भी आभार प्रकट करें वह कम है। उन की कटु आलोचना करना कोई अच्छी बात नहीं कही जा सकती।

हमारी राष्ट्रीय आय जो ५ प्रतिशत प्रति वर्ष के हिसाब से बढ़नी चाहिये थी वह ढाई