

[Shri L. N. Mishra.]
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REVISED ESTIMATES FOR 1965-66 AND BUDGET ESTIMATES FOR 1966-67 OF EMPLOYEES STATE INSURANCE CORPORATION

The Deputy Minister in the Ministry of Labour, Employment and Rehabilitation (Shri Shahnawaz Khan): I beg to lay on the Table a copy of the Revised Estimates for the year 1966-67 of the Employees' State Insu-

rance Corporation under section 36 of the Employees' State Insurance Act, 1948. [Placed in Library. See No. LT-6064/66].

12.54 hrs.

LEAVE OF ABSENCE OF MEMBERS FROM SITTINGS OF HOUSE

Mr. Speaker: The Committee on Absence of Members from the Sittings of the House in their Sixteenth Report have recommended that leave of absence be granted to the following Members for the periods indicated against each:

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| (1) Shri Kolla Venkaiah | 14th February to 13th April, 1966 (Fourteenth Session). |
| (2) Shri A. K. Gopalan | 22nd November to 10th December, 1965 (Thirteenth Session) and 14th February to 25th March, 1966 (Fourteenth Session). |
| (3) Dr. Saradish Roy | 14th February to 13 April, 1966 (Fourteenth Session). |
| (4) Shri Dasaratha Deb. | 3rd November to 10th December, 1965 (Thirteenth Session and 14th February to 6th March, 1966 (Fourteenth Session). |
| (5) Shri C. R. Basappa | 22nd November to 10th December, 1965 (Thirteenth Session). |
| (6) Shri Ghyasuddin Ahmed | 3rd November to 10th December, 1965 (Thirteenth Session and 14th February to 6th March, 1966 (Fourteenth Session). |
| (7) Shri R. K. Khadilkar | 19th November to 10th December, 1965 (Thirteenth Session). |
| (8) Shri Kashi Nath Pandey | 23rd November to 7th December, 1965 (Thirteenth Session). |
| (9) Shri Chhotubhai M. Patel | 10th November to 10th December, 1965 (Thirteenth Session). |
| (10) Shri Biren Dutta | 3rd November to 10th December, 1965 and 14th February to 6th March, 1966 (Fourteenth Session). |
| (11) Shri Laxmi Dass | 3rd November to 10th December, 1965 (Thirteenth Session) and 14th February to 6th March 1966 (Fourteenth Session). |
| (12) Shri Ananda Nambiar | 3rd November to 10th December, 1965 (Thirteenth Session) and 14th February to 6th March, 1966 (Fourteenth Session). |
| (13) Syed Badrudduja | 6th September to 24th September, 1965 (Twelfth Session), 3rd November to 10th December, 1965 (Thirteenth Session) and 14th and 15th February, 1966 (Fourteenth Session). |
| (14) Shri Yuveraj Dutta Singh | 21st February to 18th April, 1966 (Fourteenth Session). |

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| (15) Shri R. Kanakasabai | 14th February to 13th April, 1966 (Fourteenth Session). |
| (16) Shri P. Kunhan | 14th February to 13th April, 1966 (Fourteenth Session). |
| (17) Shri Madala Narayana Swamy | 14th February to 13th April, 1966 (Fourteenth Session). |
| (18) Shri K. Nallakoya Thangal | 28th March to 17th April, 1966 (Fourteenth Session). |
| (19) Shri V.T. Patil | 8th March to 20th April, 1966 (Fourteenth Session). |
| (20) Dr. B. N. Singh | 16th February to 15th April, 1966 (Fourteenth Session). |
| (21) Shri R. Umanath | 14th February to 13th April, 1966 (Fourteenth Session). |

Do I take it that the House agrees with the recommendations of the Committee?

Shri H. N. Mukerjee (Calcutta Central): I notice from this list that more than half the applications for leave, 11 out of 21, are from Members detained without trial on unspecified and judicially unascertained charges. The Committee very rightly recognise leave of absence because these Members are, for no fault of their own, disabled from attending Parliament, which is a duty, which is the first charge on the conscience of every person who has the honour of being elected to this House.

My submission to the House is that while approving of the report of the committee sanctioning leave of absence to these Members including the detenu Members, we should add a rider that the present Government practice of detaining Members to the extent of virtually keeping out an entire group, that is, Shri A. K. Gopalan's party, and thereby distorting by administrative order, the texture and character of the House, almost drawing the privilege of the House in the bargain, should cease at once.

My submission, therefore, is that as we approve of this report we recommend to Government the immediate release of all the detenu Members.

Shri S. M. Banerjee (Kanpur): From the list it would appear that out

of 21 Members who have been granted leave of absence, 11 are under detention. Two of them, namely Shri Badrudduja and Shri Laxmi Daas have been released, and Shri Biren Dutta is on parole today.

I would invite your kind attention to rule 242 relating to leave of absence of Members from the Sittings of the House. Sub-rule (1) of that rule says:

"A member desiring permission of the House to remain absent from the sittings thereof under clause (4) of article 101 of the Constitution shall make an application in writing to the Speaker."

My submission is that none of these friends of ours, Members of Parliament, had desired this leave . . .

Mr. Speaker: Have they not submitted applications for leave?

Shri Khadiikar (Khed): Everyone of them has.

Shri Ranga (Chittoor): They had no other go.

Shri S. M. Banerjee: Sub-rule (2) of rule 242 reads thus:

"An application under sub-rule (1) shall specify the period for which leave of absence is required . . ."

I would like to know whether those detenu Members have specified the

[Shri S. M. Banerjee]

period. I would submit that these Members who have been detained do not know the period of detention, because they would be in jail as long as Government like. So, I would like to know whether they have specified any period.

I would also like to know from the Prime Minister, who was absent the other day from the House, whether any action has been taken in regard to the revocation of the Emergency and the DIR. Two budget sessions have passed, and those Members are still in jail and none of them has been released.

Mr. Speaker: That matter relating to the DIR and their release etc. cannot be taken up now. It is only the question of leave of absence that we are considering now. I am not allowing anything else now.

Shri S. M. Banerjee: Have they specified any period?

Mr. Speaker: I am not allowing other things now. I can only ask the chairman of the committee if he can reply to the things that have been raised in regard to leave of absence.

Shri S. M. Banerjee: He should clarify both the points. My first point is whether they have desired this leave.

Mr. Speaker: He has said already that everyone of them has sent an application.

Shri S. M. Banerjee: Secondly, I would like to know whether they have specified any period.

Shri Buta Singh (Moga): May I know one thing? . . .

Shri S. M. Banerjee: My point is that they should be released now.

Mr. Speaker: How can we take up that question now?

Shri S. M. Banerjee: You may ask them. It can go back to the committee for this recommendation. Should they remain in jail when the budget session is on?

Mr. Speaker: We are now considering only the question of leave. Whether the DIR or the Emergency should go or not is a different matter altogether (*Interruptions*).

Shri H. N. Mukerjee: The House is considering the report of the committee now. Should we not have the right to make this recommendation?

Mr. Speaker: We are now considering only the question of granting leave of absence. The committee's report is concerned only with that.

Shri H. N. Mukerjee: We have no other go.

Shri Buta Singh: There were indications in the press yesterday and today also that the hon. Minister of Home Affairs was going to make a statement on the Punjabi Suba. . . .

Mr. Speaker: That is a different thing. We are now on the question of grant of leave of absence to Members.

Shri Buta Singh: It was mentioned in the press. I want to know at what time he is going to make that statement.

Mr. Speaker: We have taken up one item now and hon. Members must confine themselves to that item.

Shri Buta Singh: I want to know when he is going to make that statement.

Mr. Speaker: How can I tell him? When one item is under consideration, how can he talk about another item?

Shri Hari Vishnu Kamath (Hoshangabad): While the House would not

and should not grudge the leave of absence asked for, I would ask for clarification on two or three points with regard to the items mentioned in this list.

First, regarding item No. 13, my hon. friend Shri Badrudduja, apparently fearing the worst, had asked for leave right up to the end of this session. But his fears did not come true, and he was released earlier; he had applied for leave from the 14th February right up to the end of this session, namely the 13th May, 1966. But he was released on the 15th February apparently, and only two days' leave has been recommended. I hope that others in this House will not be in a similar position in future.

13 hrs.

There are three other items, Nos. 15, 19 and 20, all, unfortunately, on account of illness. We are very sorry to hear that our hon. friends are ill. I hope they will have a speedy recovery. But I want information on a few points.

Shri Kanakasabai has asked for leave upto 15 April. I hope he is back in the House; 15th April is passed now, today it is the 18th April....

Mr. Speaker: Order, order.

Shri Hari Vishnu Kamath: Shri V. T. Patil has asked for leave upto 20th April. Apparently, on the very day perhaps he fell ill, the 8th March, he applied for leave upto the 20th April, that is, till day after tomorrow. I do not know whether it is humanly possible for a person to say, when he falls ill, upto what particular date he would require leave. I would like some light to be thrown on this.

Mr. Speaker: Why should he ask for that? It is for the Member concerned.

Shri Sonavane (Pandharpur): The hon. Member is sitting here.

Shri Hari Vishnu Kamath: I am glad he is back. I am happy to know

that. That was what I wanted to know.

The last one concerns Dr. B. N. Singh. He has asked for leave from 16th February upto the 13th May, the last day of the session, that is, for 87 days, on account of illness. I hope the illness is not serious, but is trivial. I hope he is in competent medical hands. I want to know whether in his application he has stated what he is suffering from, resulting in such a long illness—87 days.

डा० राव मनोहर लोहिया (फर्रुखाबाद): क्या इस में श्री गोपालन की भी छुट्टी है? क्योंकि उस सम्बन्ध में गृह मंत्री जी ने इसी सदन में कुछ दिनों पहले कहा था कि श्री गोपालन का स्वास्थ्य संतोषजनक है और आज हमें यह सुनने को मिलता है कि उनका स्वास्थ्य बिगड़ा हुआ है, इसलिए वह छुट्टी ले रहे हैं। इसलिए मैं चाहता हूँ कि इस असंगति के ऊपर यह सदन कुछ अपना विचार करे और श्री गोपालन को रिहा किया जाये, क्योंकि ऐसा हो सकता है कि हम उन को छुट्टी देते रहेंगे और अन्त में उन की रिहाई एक ऐसे ढंग की होगी, जिस पर सब को बड़ा सदमा होगा। उन की हालत इतनी खराब है कि वह सो भी नहीं सकते हैं।

Shri Khadilkar: So far as Shri A. K. Gopalan is concerned, the Committee has recommended him leave because he is in detention. There is no question of his ill-health mentioned there.

So far as the others are concerned, every time the hon. Member, Shri Kamath, raises this question. As far as possible, we have tried to gather some information regarding the condition of their health.

Shri Yuveraj Dutta Singh has written:

"As I am better now, I beg to say that I have joined the sitting of the Lok Sabha with effect from today, i.e. 18th April, 1966".

[Shri Khadilkar]

Regarding the other four Members....

Shri Hari Vishnu Kamath: What about Dr. B. N. Singh? Is he in competent medical hands?

Shri Khadilkar: As regards Shri Ghyasuddin Ahmed, he is under the treatment of the District Surgeon, Civil Hospital, Dhubri. He will be attending the House as soon as he recovers.

As for Shri Kanakasabai, there is no response from his residence.

Shri T. V. Patil is all right now and will be attending the House....

An hon. Member: He is here.

Shri Khadilkar: He is here.

Dr. B. N. Singh is suffering from a severe attack of asthma. There is no further response from his residence.

Shri Nath Pal (Rajapur): Are they being properly looked after?

Shri S. M. Banerjee: He has not replied to my points....

Mr. Speaker: He cannot have a say twice over.

Shri S. M. Banerjee: There is no question of saying it twice over....

Mr. Speaker: I cannot allow a discussion.

Shri S. M. Banerjee: There is no discussion sought. Shri Biren Dutta is here. You have declared that he can attend. Why should he be shown as absent?

Mr. Speaker: When he has applied for it?

Shri S. M. Banerjee: I want your ruling on this. Suppose I was in jail and am released on parole for 15 days and attend Parliament. Should I be

shown as absent even when I attend Parliament? Take the case of Shri Biren Dutta. From 14th February, 1966 to 6th March, 1966, I can understand. But again he has been shown as having applied for leave from 14th February, 1966 to 31st March, 1966. Against all these names, whether they have applied or not, the total period has been shown, that is upto 13th May, 1966, for the entire session. Can they be coerced to apply for leave in such a fashion?

Mr. Speaker: There is no coercion.

Shri S. M. Banerjee: Then those dates should be struck off.

Mr. Speaker: I cannot allow him to raise irrelevant matters.

Shri S. M. Banerjee: This is not irrelevant.

Mr. Speaker: I take it that the House agrees with the recommendations of the Committee.

Several hon. Members: Yes, yes.

Mr. Speaker: Leave recommended is agreed to. The Members will be informed accordingly.

13.04 hrs.

POSTPONEMENT OF HALF-AN-HOUR DISCUSSION

Mr. Speaker: I have to inform the House that the half-an-hour discussion put in the agenda today will not be taken up today. This is at the request of the Member. He won't be here today and has requested that it might be taken up on some other day. I have accommodated him.

Shri P. K. Deo (Kalahandi): May I know when the debate on the Demands of the Ministry of Food and Agriculture will start?