

LOK SABHA DEBATES Dated..... 27.11.2001
(Part II—Proceedings other than Questions and Answers)

3827

LOK SABHA

Thursday, 23rd December, 1954.

The Lok Sabha met at Eleven of the Clock.

{MR. DEPUTY-SPEAKER in the Chair]

QUESTIONS AND ANSWERS

(See Part I)

12 NOON

MOTION FOR ADJOURNMENT

ARREST OF MEMBER AND POLICE RAID ON PRAJA-SOCIALIST PARTY OFFICE AT IMPHAL

Mr. Deputy-Speaker: I have received notice of an adjournment motion from Shri M. S. Gurupadaswamy regarding the arrest of Shri Rishang Keishing, M.P. and others in the police raid of the Praja Socialist Party's office at Imphal on the 22nd December, 1954, and the imposition of section 144 causing serious threat to the exercise of liberty of citizens.

This matter came up before me, and of course, notice is given to the Speaker and to some officers also. As soon as notice is received, the Speaker has to find out whether it is admissible. He has to give his consent. It is not necessary for him to bring it up every day before the House except in cases where he has got doubts. On receipt of this notice, I said that this is a matter relating to law and order. Therefore, whether law and order is administered centrally or is administered by a State, it does not make a difference, and so long as, in the ordinary course, action is taken, no difference can be made between an hon. Member of this House and any other citizen. Hon. Members of this House have no

602 LSD.

3828

more immunity from arrest from criminal offences or other action in respect of law and order than any other ordinary citizen of the land. There is only this difference: when a Member of the House is arrested, as early as possible, or immediately thereafter, the fact of arrest ought to be intimated to the Speaker. I therefore said that I am not going to give consent to this motion, merely because an hon. Member of this House is arrested. However, the hon. Member, Shri Gurupadaswamy, has written to me that this is a matter not relating to a State. He has not understood my ruling correctly. Not that it does not relate to a State even though law and order is administered by the State: here, a difference ought to be made between action taken in the ordinary course for the maintenance of law and order, and any extraordinary incident. The mere fact that an hon. Member of this House has been arrested, or the person arrested is an hon. Member of this House, does not make a difference so as to invoke the jurisdiction of this House and interrupt its normal work. I would like to know what more he has to say so far as this matter is concerned.

Shri M. S. Gurupadaswamy: (Mysore): You were pleased to refer to this matter.

Mr. Deputy-Speaker: This is a simple matter relating to law and order, though the State is centrally administered. What is the extraordinary matter, so far as this is concerned, other than action taken in the normal course?

Shri M. S. Gurupadaswamy: You were pleased to refer only to law and order. I beg to submit that it does not relate only to law and order. I

[Shri M. S. Gurupadaswamy]

say that it relates to the privilege of a Member of Parliament who has gone from here to Imphal; as soon as he gets out from the plane, he is arrested without any provocation, without any strong reason. The next thing is, the Praja-Socialist Party is involved. The office of the Praja-Socialist Party has been raided by the police and I learn from the telegram—I rely upon those telegrams—that there was no reason, no provocation of any kind for this action by the police. It involves the wider question of the rights of Parliament and also the rights of the Members of Parliament and also the political agitation that is going on there for the establishment of a democratic Assembly. So, it has got wider implications. It does not in any way relate to the law and order question alone. The law and order question is only a minor affair. There are other reasons and I therefore would say that this adjournment motion should be admitted and discussed.

Shri Joachim Alva (Kanara): I want to make one submission, Sir.

Mr. Deputy-Speaker: No, it is not necessary.

Shri Joachim Alva: Please allow me to make my submission because he misled the House on the last occasion.

Mr. Deputy-Speaker: On these matters, I only ask the Government on this side to explain. I do not allow another hon. Member to explain, unless another hon. Member is also another Home Minister! I am not going to call upon the hon. Member. So far as this matter is concerned, I have not been given any further reasons except what has been stated here and which I do not consider enough for the purpose of disturbing or interrupting the proceedings of the House.

Shri Joachim Alva: Please allow me to make a submission.

Mr. Deputy-Speaker: Order, order. The hon. Member may have a submission or may not have a submission.

Shri Joachim Alva: On a point of order.

Mr. Deputy-Speaker: As long as I am on my legs, a point of order cannot be invoked merely for the purpose of asking me to sit.

It cannot be abused like this. When the hon. Member rose to make his submission, I asked him to sit down, and when I am now on my legs, he immediately changes it into a point of order making it appear that there is a point of order and thus making me not to stand but to sit down. I cannot allow that point of order. I have heard enough.

Shri M. S. Gurupadaswamy: Before your ruling is given

Mr. Deputy-Speaker: I have heard enough before my ruling, and I cannot give another opportunity to him. It is purely a matter relating to law and order. It may be that it relates to a particular party; it may be that it relates to a particular person. For the maintenance of law and order, the action taken may be both preventive as also punitive. Under these circumstances, it is not possible now to make this such an all-India matter for the purpose of interrupting the proceedings of the House. I do not feel that I am called upon to give my consent for making this motion and thus interrupt the proceedings of this House.

I may also state that this is the rule that will be adopted. No hon. Member can expect me or the Speaker to bring every motion of adjournment before the House for the purpose of discussion. It is provided in the rules strictly, that it is open to the Speaker to give his consent or not to give his consent. When he refuses to give his consent, he intimates to the hon. Member. If the Member has got any further difficulty, he can write to the Speaker, and question of time does not stand in the way. The Member if the motion is admitted, can move it the same day, the next day or on another day. Under these circumstances

hereafter, where consent is not given, the matter concerned will not be brought before the House for discussion in the House. This practice,—the one which we are at present following—interferes with and interrupts the proceedings of the House. The House will strictly go by whatever matter is put in the Order Paper.

Shri Sarangadhar Das (Dhenkanal—West Cuttack): On a point of information. You have not stated if any information has been received about the arrest of Shri Rishang Keishing.

Mr. Deputy-Speaker: I have not received any information so far.

Shri Damodara Menon (Kozhikode): On a point of clarification. I want to know whether, arising from the ruling you have given, all matters concerning law and order are covered by your ruling so that no matter connected with law and order will be allowed to be raised in this House in the form of an adjournment motion.

Mr. Deputy-Speaker: I only said that all ordinary matters relating to ordinary maintenance of law and order should not be brought up before this House. If I am satisfied that there is something extraordinary, I would certainly allow it.

Shri M. S. Gurupadaswamy: What is the difference between 'ordinary' and 'extraordinary'?

Mr. Deputy-Speaker: I am not prepared to proceed further with the matter. Hon. Members know what is ordinary and what is not ordinary. I have said that it rests with the Speaker to find out from the facts supplied whether the matter is ordinary or extraordinary. This kind of subject has been upsetting and interrupting the proceedings of this House. It has led even to a motion against the Speaker. Except making such matters appear as important issues again and again in this House, nothing more turns up. I am not going to allow such things.

JOINT STATEMENT BY PRESIDENT OF FEDERAL PEOPLE'S REPUBLIC OF YUGOSLAVIA AND PRIME MINISTER OF INDIA

The Minister of Parliamentary Affairs (Shri Satya Narayan Sinha): With your permission, on behalf of the Prime Minister, I rise to make a statement.

An Hon. Member: From the same seat?

Shri Satya Narayan Sinha: Yes. As the House is aware, His Excellency Marshal Josip Broz Tito, President of the Federal People's Republic of Yugoslavia, has spent the last five days in Delhi. During this period, he has had several conversations with our Prime Minister. A joint statement was signed by both of them yesterday at 3 P.M. I shall now read that statement:—

"The President of the Federal People's Republic of Yugoslavia, His Excellency Marshal Josip Broz Tito, who is paying a State visit to India, in response to the invitation of the Government of India, has spent five days in New Delhi. During this period, His Excellency has had several conversations with Shri Jawaharlal Nehru, Prime Minister of India.

These conversations have been informal and friendly in character and have covered, in general terms, the more basic and pressing aspects of world affairs and, more particularly, those matters of common interest which engage their common and grave concern.

The similarities of historic background and social and economic conditions of their countries and the fact that they have emerged as independent nations, through powerful movements of national liberation, have endowed their understanding of each other and of their countries with a deeper significance and given to their friendly relations a greater ease and facility.