

LOK SABHA DEBATES

1

LOK SABHA

Monday, September 3, 1973/Bhadra 12,
1895 (Saka)

The Lok Sabha met at Eleven of
the Clock.

[MR. SPEAKER in the Chair]

RE: MOTION FOR ADJOURNMENT
(Query)

MR. SPEAKER: Papers to be
laid on the Table.

SHRI INDRAJIT GUPTA (Al-
pore): Sir, I have sent a notice of an
Adjournment Motion and I would
like to know what is your ruling
on that.

MR. SPEAKER: I received your
notice of Adjournment Motion. In
this session, first we have decided
that during these three days we will
not have any other motion. And
then, secondly, one no-confidence
motion is already there.

PROF. MADHU DANAVATE
(Rajapur): That is why there is this
Adjournment Motion.

MR. SPEAKER: I cannot take up
two motions. Moreover, this subject
is not the subject for an Adjourn-
ment Motion; that can be very easily
taken up along with the other items.
As the Plan discussion is going on,
you can discuss it in the Plan.

SHRI INDRAJIT GUPTA: Will
you please bear with me for a minu-
te? You said that it had been de-

2

cided earlier, and that is true, that
no other motion would be taken up
during the last three days. You also
say that the discussion of the five
Year Plan is going on. But the
reason for bringing this Adjournment
Motion is that in spite of these things,
last Friday, when the Prime Minis-
ter had a meeting with the Opposi-
tion leaders, and on the subsequent
days, from the press, it has become
quite clear and is evident to us that
the assurances which were given at
the beginning of this session to Par-
liament and to the country, that
from the coming rice crop of the kha-
rif season they are going to imple-
ment the take-over of the wholesale
trade in rice—it is quite obvious
from our talks with the Prime Minis-
ter last Friday that they are going
back on that. The Prime Minister
is leaving tonight for Algiers; Parlia-
ment will adjourn in two days' time
and so, in fact, what it means is that
all the people of the eastern region
in particular, the people in the rice-
growing States, are going to be
thrown again to the mercy of the
wolves, the black marketeers. It is
not a matter to be discussed in the
five year Plan debate. The Plan
will go on for five years. This is a
matter which concerned us in the
coming two or three months...

MR. SPEAKER: Take-over is a
question of policy; it is not a ques-
tion for of an Adjournment Motion.
Nothing has specifically happened.

SHRI INDRAJIT GUPTA: What
has specifically happened is that so
long they were saying that they were
going in implement the take-over
from the coming kharif season. What
has happened is that they have gone
back on it at the end of the session.
It is creating a very serious situation
.... (Interruptions).

MR. SPEAKER: Certain decisions on policy matters which have been taken or not taken cannot be the subject-matter of adjournment motions. So, you can discuss it during the discussion of the Plan. The Plan discussion is going on. (Interruptions)

SHRI INDRAJIT GUPTA: The Plan is going on for five years. This Adjournment Motion cannot brook any delay.

MR. SPEAKER: The House has got the opportunity to discuss it in the Plan.

SHRI INDRAJIT GUPTA: If you say that the Adjournment Motion is not admissible, (Interruptions) we want an assurance, here, on the floor of the House, before the Prime Minister leaves, that they are going to implement that decision which they have assured to the country, that the wholesale trade in rice will be taken over from the coming kharif season. Are they surrendering to the hoarders and profiteers? Here, the Prime Minister is reported to have told some deputation which waited on her—this is in the press and it has not been contradicted—that 90 per cent of the Congress men are in favour of the rice take-over. This has not been contradicted. I want to know whether it means that she and her Government are succumbing to the pressure of the remaining 10 per cent? Who are they? Who are those people who are pressurising them and want to go back?

We want to know where we stand. Parliament may adjourn in two days. (Interruptions).

MR. SPEAKER: Order, order.

SHRI JYOTIRMOY BOSU (Diamond Harbour): Sir, I want to seek the leave of the House for moving the no-confidence motion.

SHRI INDRAJIT GUPTA: According to your direction, the adjournment motion comes first and the no-

confidence motion can be taken up later.... (Interruptions). The House does not know what the adjournment motion is and you are giving your ruling; the adjournment motion is on the failure of the Government to honour its solemn assurance to the country that the take-over of the wholesale trade will be implemented from the next season, thereby betraying the people's interests and succumbing to the pressure of the landlords, rice mill owners, hoarders and profiteers.... (Interruptions).

SOME HON. MEMBERS: On a point of order.

श्री अटल बिहारी वाजपेयी (ग्वास्वियर): अध्यक्ष महोदय, मेरा व्यवस्था का प्रश्न है।

श्री मधु लिनये : (बांका) : मैं पहले से खड़ा हूँ, आप सुन नहीं रहे हैं, पहले हम लोगों को सुने।

श्री अटल बिहारी वाजपेयी: यह पहला मौका नहीं है जब एडजर्नमेंट का नोटिस दिया गया है—लेकिन पहले आप ने कभी ऐसा मौका नहीं दिया कि हम अपने एडजर्नमेंट मोशन को पढ़ कर सुनाये ...

श्री मधु लिनये : अध्यक्ष महोदय, क्या यहां कोई व्यवस्था चल रही है। व्यवस्था के सवाल पर तो सब चीजों पर प्रेसिडेंट वरीयता मिलना चाहिये, मैं पहले ही क्षण से प्वाइन्ट ऑफ ऑर्डर पर खड़ा हूँ—आप इस सदन में व्यवस्था चलने दीजिये। अध्यक्ष महोदय, अब चिल्लाने की शक्ति मेरे गले में नहीं है—प्वाइन्ट ऑफ ऑर्डर पहले उठे तो उमे पहले सुनना चाहिये।

अध्यक्ष महोदय : पता ही नहीं चलता कि कौन बोल रहा है—प्वाइन्ट ऑफ ऑर्डर के लिए। आप का प्वाइन्ट ऑफ ऑर्डर किस चीज के बारे में है ?

श्री मधु लिमये : घाईर पेपर के बारे में है—श्री इन्द्रजीत गुप्ता बोल रहे थे, मैं उन के पहले ही खड़ा हो गया था। अब मेरे गले में चिल्लाने की शक्ति नहीं है।

अध्यक्ष महोदय : मेरे गले में भी अब चिल्लाने की शक्ति नहीं है।

श्री मधु लिमये : मैं चाहता हूँ कि आप इस सभा की व्यवस्था ठीक तरह से चलाइये। अध्यक्ष महोदय, हमारे सदन का यह नियम है कि स्वयं प्रस्ताव को तभी लिया जा सकता है, जब उस के सम्बन्ध में कोई अन्य मोशन न आया हो, और जिस के ऊपर चर्चा करना लाजमी है। जब अविश्वास का प्रस्ताव दे दिया गया है, तो वह तो आप की मर्जी पर नहीं है, वह मॅन्डेटरी मोशन है। एडजर्न-मेन्ट मोशन को आप स्वीकार कर सकते हैं और न भी कर सकते हैं। तो पहले अविश्वास प्रस्ताव के बारे में जब आप का निर्णय और इस सदन का निर्णय हो जायगा, उस के बाद आप काम रोकने मोशन को लीजिये। हमारे यहां एन्टीसिपेशन का नियम है, अगर आप चाहते हैं तो मैं नियम पेश करता हूँ....

अध्यक्ष महोदय : हम डायरेशन 2, पेज 2 को फौलो करते हैं।

श्री मधु लिमये : मैं उस के बारे में नहीं बोलना चाहता हूँ—मैं दूसरी ही बात कह रहा हूँ—आप इस नियम को देखिये—रूल 58(6) को आप देखें :

Rule 58(vi) :

"The motion shall not anticipate a matter, which has been previously appointed for consideration. In determining whether a discussion is out of order on the ground of anticipation, regard shall be had by the Speaker to the proba-

bility of the matter anticipated being brought before the House within a reasonable time;"

प्रोबेबिलिटी का आपको विचार करना है, सम्भावना का विचार करना है यह इनमें साफ लिखा हुआ है। इसलिए श्री ज्योतिर्मय बसु का प्रस्ताव आपके सामने है, हमारे नेता श्री समर गुह का प्रस्ताव है, जिसकी संभावना का आपको विचार करना है। यह आदेशात्मक प्रस्ताव, मॅन्डेटरी मोशन है। यदि सदन इसको चर्चा के लिए नहीं लेता है तो मैं श्री इन्द्रजीत गुप्त के रास्ते में आने वाला नहीं हूँ।

श्री अटल बिहारी वाजपेयी श्री इन्द्रजीत गुप्त इस मोशन को सपोर्ट कर सकते हैं और अपनी बात कह सकते हैं। (अवधान)

SHRI INDRAJIT GUPTA: We want this particular issue to be highlighted because the Government is playing mischief on this issue and we must get an assurance from them. There may be a hundred other things which can be brought up in the no-confidence motion. (Interruptions)

MR. SPEAKER: I am not allowing any adjournment motion.

SHRI INDRAJIT GUPTA: In spite of rule 58, you have been good enough to lay down in your Directions the relative precedence of different classes of business before the House. There the adjournment motion comes much higher than motions for leave to make a motion of no-confidence in the Council of Ministers. Therefore, I am perfectly within my right to raise it before the no-confidence motion. That can certainly come later on. We press that you should give us permission to move this motion. It is an urgent matter because Parliament is adjourning day after tomorrow and the Prime Minister is going away today. They have

[Shri Indrajit Gupta]

violated their solemn assurance. The Secretary and President of the All India Foodgrain Dealers' Association have demanded that they should give up this take-over of wholesale trade. They are going back under the pressure of 10 per cent of their party people, as indicated by the Prime Minister's statement. This is very urgent.

MR. SPEAKER: The Minister can make a statement on it. But I cannot give permission to this adjournment motion.

SHRI INDRAJIT GUPTA: You can ask the minister whether they will give that assurance. We do not want a statement saying that in principle we are still in favour of take-over and that sort of thing.

MR. SPEAKER: I can only ask him to make a statement. What he should say, I cannot lay down.

SHRI INDRAJIT GUPTA: If that assurance is not given, the same thing will be repeated tomorrow and the day after also. (Interruptions)

श्री अटल बिहारी वाजपेयी : मुझे यह निवेदन करना है कि सारी खाद्य समस्या रर विचार करने के लिए प्रधान मंत्री जी ने बैठक बुलाई थी, हमारे कम्युनिस्ट मित्र भी उसमें शामिल थे। वहापर यह तय हुआ था कि उस बैठक की चर्चा आगे 6 तारीख को जारी रहेगी और हमारे कम्युनिस्ट मित्रों ने अभी उस बैठक का बहिष्कार करने का फैसला नहीं किया है। तो जबतक बात पूरी न हो जाए सरकार कोई स्टेटमेंट कैसे दे सकती है।

SHRI SHYAMNANDAN MISHRA (Begusarai): Sir, you have been pleased to ask the hon. Minister to

make a statement. Now, what is the matter on which he is expected to make a statement? As has been pointed out by the hon. Member, Shri Vajpayee, we are going to discuss this subject on the 6th. May I say that my hon. friend, Shri Indrajit Gupta's Government in Kerala has not taken over the rice trade? So, what they do not want to do in their own government, they want to be done here.... (Interruptions).

SHRI PILOO MODY (Godhra): Sir, you in your wisdom in the past have ruled that there are certain matters which are not big enough for an adjournment motion because the circumstances leading to the subject of the adjournment motion are not of a nature that can be shifted from its original position so that you can discuss it in the form of a censure motion. The whole purpose of the censure is that the Government has done something and the opposition wants to censure it. At the moment, as far as I understand, the Government is may be in two or three minds whether it should do it or not do it. In that what are we going to censure them for indifference, vacillation, what are we going to censure them for? If the Government has given an assurance, either here to the CPI or elsewhere, it has not said at the same time as to when it will bring the same. Even the change in the timing of the announcement does not form the subject of an adjournment motion. Therefore, I do not really understand why you in your wisdom are even considering this subject (Interruptions) Therefore, keeping in mind that discretion is yours and anticipation theirs, I do not know whether this is a way of sabotaging the no-confidence motion.... (Interruptions).

MR. SPEAKER: I have clearly mentioned two reasons why I am not prepared to admit this adjournment motion. Then Shri Indrajit Gupta got up to make a submission.

I did not admit his adjournment motion. He got up with a submission.

SHRI PILOO MODY: For once you have ruled in my favour.

MR. SPEAKER: Not in anybody's favour—but on merits of the subject and under the rules.

SHRI DINEN BHATTACHARYYA: (Serampore): One of the grounds for the no-confidence motion is the failure of the Government to take over the wholesale trade... (*Interruptions*).

MR. SPEAKER: Order; order Shri Samar Guha. Let me hear Shri Samar Guha. I am not allowing any of you except Shri Samar Guha.

SHRI SAMAR GUHA (Contd.) : I want to draw your attention to two things. Firstly, the No-Confidence Motion anticipates all the problems that will be discussed and the problem of rice take-over is the most important aspect of it. Naturally, our friend Mr. Indrajit Gupta is feeling very strongly about it and he can speak about it. Secondly, in regard to your observation that let the Government make a statement on the issue of rice take-over there has been a meeting with the Opposition leaders and it has been said that there will be further discussion on the 6th. Mr. Indrajit Gupta was present in the meeting and he never raised the issue that a statement has to be made on the floor of the House, that the Government will make a statement without concluding a dialogue with the Opposition leaders in regard to food policy. Therefore, unless and until the Government concludes discussion with the Opposition leaders, you can only ask the Government to extend the session upto 7th or 6th so that, after discussion with the Opposition leaders, the Government will be in a position to make a statement.

SHRI S. M. BANERJEE (Kanpur): Sir, I rise on a point of order.

The contention of some of the hon. Members, including Shri Samar Guha, is that the No-Confidence Motion will

cover the issue of rice take-over. That is not correct... (*Interruptions*). Shri Dinen Bhattacharyya says that one of the items of the No-Confidence Motion might be, the failure to take over rice trade... (*Interruptions*).

SHRI DINEN BHATTACHARYYA: We are very clear about it. It is one of the issues.

SHRI S. M. BANERJEE: The No-Confidence Motion is a very omnibus one, a one-line motion. The most burning problem before the nation is the food trade... (*Interruptions*). This adjournment motion should be admitted. Shri Piloo Mody and others oppose it because they are in league with the hoarders and black marketers... (*Interruptions*).

MR. SPEAKER: The Direction is very clear about it

SHRI INDRAJIT GUPTA: In the meeting that we had on Friday, they had made it clear that for the coming kharif season, they are not going to do compulsory take-over. They want to discuss other alternatives. Secondly, Mr. Dinen Bhattacharyya may have that issue in mind... (*Interruptions*).

SHRI DINEN BHATTACHARYYA: That is one of the most urgent issues. (*Interruptions*).

SHRI INDRAJIT GUPTA: We have the liberty not to support the no-confidence motion which is also supported by the people who do not want the take-over of the wholesale trade. If he wants to do it, he can do, but we are not prepared to do it... (*Interruptions*). I know my friend, Mr. Shyamandan Mishra here... (*Interruptions*). But on this issue, will he support us?

PROF. MADHU DANDAVATE: I want to raise one procedural point.

According to the accepted rules, if any motion in this House depends upon some other motion, in that case,

[Prof. Madhu Dandavate]

the motion on which it depends, gets priority. Mr Indrajit Gupta's adjournment motion depends on the no-confidence motion. Therefore, the no-confidence motion should get the priority.

SHRI INDRAJIT GUPTA: If you are not going to admit this—we will have to accept your ruling—but I want to know, in that case, will you please ask him to give an assurance on the floor of the House? That is the minimum we demand...*(Interruptions)* This is the minimum we demand. They have got to give the assurance.

SHRI ATAL BIHARI VAJPAYEE: We would like to know the maximum condition on which they can support the Government... *(Interruptions)*

MR. SPEAKER: Order, please. If you think it is a competition in shouting. I cannot help it. Please sit down.

SHRI PILOO MODY: Mr. Indrajit Gupta is acting like a jilted bride... *(Interruptions)*.

MR. SPEAKER : May I request you to please sit down ?

So far as this motion is concerned, I do not admit it. Moreover, when I see the shape of the motion, though I have already disposed of it, it is also in the form of a no-confidence motion or a censure motion 'Failure of the Government to honour its pledge etc.' A No-confidence or censure motion is always in this shape.

SHRI INDRAJIT GUPTA : Will you please read out no-confidence motion ?

MR. SPEAKER : Adjournment motions are always in this shape, namely "To discuss urgent matters of recent occurrence" and as I see it is as good as a no-confidence motion. I am sorry, I am passing on to the next item.

SHRI INDRAJIT GUPTA: Neither you are admitting this nor the Government is prepared to give the assurance is that the position? I want to know the position.

MR. SPEAKER: I must make it clear.

So far as the Government is concerned, they should come out with a statement, but...

SHRI S. M. BANERJEE : When ?

MR. SPEAKER: You are asking me as if I am to make the statement. You are asking as if somebody is standing in the dock—how this and how that. I am making a suggestion.

Please sit down. Order please.

SHRI SAMAR GUHA : To avoid the no-confidence, they are preparing the ground for a walk-out.... *(Interruptions)*.

MR. SPEAKER : I will keep sitting. You better go on. ...*(Interruptions)*

Can I be assured of silence if I have to get up ?

The no-confidence motion is also coming before the House.

This is meant to be an adjournment motion. It is in the shape of a no-confidence motion. If the no-confidence motion is going to be discussed, of course, this will also be stated in the course of that. The Minister will have to reply.

During the course of the debate, the Minister will also reply to this specific subject. But, if the no-confidence motion does not come, in spite of that, I will ask the Minister to come out with a statement.

SHRI INDRAJIT GUPTA : We are not satisfied with any statement. We want a categorical assurance.

MR. SPEAKER : Whatever it be, it is for the Minister, not for me. When he comes with a statement, whether he is going to give a categorical assurance or not, it is upto them. I cannot assure you what type of assurance he is going to give

SHRI INDRAJIT GUPTA : I don't support the No-Confidence Motion in which the champions of hoarders and profiteers are also involved. (Interruptions)

Shri Indrajit Gupta and some other hon. Members then left the House.

MR. SPEAKER : Papers to be laid on the Table. Shri Bhola Paswan Shastri.

श्री रामाबतार शास्त्री (पटना) होर्डेज बोनी तरफ हैं, उघर भी हैं और इघर भी हैं।

श्री समर गुहू मीने पहले कहा था कि यह एक बाक प्राउट के लिए बहाना है।

11.30 hrs.

PAPERS LAID ON THE TABLE

NOTIFICATION UNDER U.P. BUILDING (REGULATION OF LETTING, RENT AND EVICTION) ACT AND HYDERABAD MUNICIPAL CORPORATIONS (AMDT.) AMENDING ACT, 1973

THE MINISTER OF WORKS AND HOUSING (SHRI BHOLA PASWAN SHASTRI): I beg to lay on the Table—

(1) A copy of Uttar Pradesh Notification No. 7352/29-E-55/73 (Hindi and English versions) published in Uttar Pradesh Gazette dated the 1st May, 1973, under section 42 of the Uttar Pradesh Urban Building (Regulation of Letting, Rent and Eviction) Act, 1972 read with clause (c) (iii) of the Proclamation dated the 13th June, 1973, issued by the

President in relation to the State of Uttar Pradesh. [Placed in Library. See No. LT-5593/73.]

(2) A copy of Hyderabad Municipal Corporations (Amendment) Amending Act, 1973 (Hindi and English versions) (President's Act No. 5 of 1973) published in Gazette of India dated the 23rd July, 1973, under sub-section (3) of section 3 of Andhra Pradesh State Legislature (Delegation of Powers) Act, 1973. [Placed in Library. see No. LT-5594/73]

COMPTROLLER AND AUDITOR GENERAL'S REPORT RE APPRAISALS OF WORKING OF (i) HINDUSTAN SHIPYARD LTD. (ii) MARKETING DIVISION OF THE IOC LTD, AND (iii) MODERN BAKERIES (INDIA) LTD.

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI K. R. GANESH):

I beg to lay on the Table a copy each of the following parts of the Report of the Comptroller and Auditor General of India for the year 1970-71—Union Government (Commercial), under article 151 (1) of the Constitution :—

Part VI. Appraisal of the working of the Hindustan Shipyard Limited.

Part VII Appraisal of the working of the Marketing Division of the Indian Oil Corporation Limited.

Part VIII Appraisal of the working of the Modern Bakeries (India) Limited

[Placed in Library. See No LT-5595/73.]

NOTIFICATIONS AMENDING ANDHRA PRADESH MOTOR VEHICLES RULES, 1964

THE MINISTER OF STATE IN THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI M. B. RANA) : I beg to lay on the Table—

(1) A copy each of the following Notifications (Hindi and English versions) under sub-section (3) of