

[Mr. Speaker]

received, the message was sent through telephone on 17.11.85 to Control Room, Intelligence Bureau, Ministry of Home Affairs, New Delhi, for transmission to you. It was sent again through teleprinter the next morning (18.11.85) at 09.20 hours vide TPM. No 1329 dated 18.11.85 to Control Room of Intelligence Bureau, Ministry of Home Affairs, New Delhi."

I find that even this communication of 2nd December 1985 is not unequivocal in stating that the person arrested was a Member of Parliament in as much as it uses the language, "It appers etc."

As I have already stated, I did not take any note of the unsigned communication and in the absence of any further authentic/official information, I referred the matter to the Ministry of Home Affairs as soon as the question was raised in the House. If the teleprinter service was not working, the local authorities should have found it possible to send the communication directly to me or to my office through telephone or telegram. This was not done.

The Member, Shri Prakash Chandra, has also since written to me (on 2nd December) categorically denying his involvement in the alleged incident in Calcutta and questioning the veracity of the statements in the Police Commjssioner's Report.

The whole matter, including that of the identity of the person involved in the incident, is before the court. As the matter is *sub-judice* as per well-established practice no further action is called for at this stage. I, therefore, do not give my consent to the questions of privilege given notice of by Smt. Geeta Mukherjee, Shri Jaipal Reddy, Shri Basudeb Acharia and other.

SHRI S. JAIPAL REDDY : Sir

MR. SPEAKER : Rulings are not to be questioned.

(Interruptions)

12.06 hrs.

RULING RE : QUESTION OF PRIVILEGE
AGAINST SHRI R. N. GOENKA

[English]

MR. SPEAKER : on 2nd December, 1985. Shri K. P. Unnikrishnan and Prof. Madhu Dandavate gave two separate notices of question of privilege against Shri R. N. Goenka, for allegedly casting reflections on Members, the House and its proceedings of 26th November, 1985, relating to discussion on a motion under rule 184 about the removal of Shri Jagmohan from his office of Governor of Jammu and Kashmir, in an article published in the *Indian Express* in its issue dated 30th November, 1985.

Shri K. P. Unnikrishnan has stated that "In the article in question, the author has deliberately and wilfully attacked Minister of State for Law, Shri H.R. Bhardwaj and present Parliament. He has even made an insinuation about conduct of proceedings in Parliament which goes far beyond the right of free comment." Prof. Madhu Dandavate has stated that ".....it is not only showing contempt for the Minister but for Lok Sabha as well and that too deliberately". Both the Members have alleged that Shri R. N. Goenka has committed a breach of privilege and gross contempt of the House.

I have carefully gone through the article by Shri R. N. Goenka published in the *Indian Express* dated 30th November, 1985. I find that the tone and tenor in which the article is written is not becoming of a person who has himself been a member of this House and is well aware of its rights and privileges. In a democracy the Press has every right of fair criticism, but it should not be used in a manner so as to put the institution of Parliament and its members into disrepute or lower their dignity in the eyes of the public.

It appears that in the heat of a controversy in which he himself was involved, Shri Goenka has over-reacted to the reply of the Minister of State in the Ministry of Law and Justice to the discussion on the motion.

As the supreme representative institution of the people, this House has always shown its magnanimity and broad vision, particularly to the Press by not taking notice of critical comments made by them, in order that Parliamentary privilege in no way fetters or discourages the free expression of opinion or fair comments on the proceedings of the House. I feel that it adds to the dignity of one and all if power in a democratic system is exercised with restraint and the more powerful a body or institution is, the greater restraint is called for particularly in exercising its penal jurisdiction.

In keeping with this approach and best traditions of the House, I am of the opinion that this House would best consult its own dignity by taking no further notice of the matter.

I do not, therefore, accord my consent to the raising of the matter as a question of privilege.

PROF. MADHU DANDAVATE : Why not refer it to the Committee of Privileges ? There is one more point (*Interruptions*)

MR. SPEAKER : First I have called him.

[*Translation*]

SHRI RAM NAGINA MISHRA : Mr. Speaker, Sir, a news item has appeared in the 'Hindustan' of 2nd December.....

MR. SPEAKER : Not like this, give me in writing. This is not the way. Give me in writing. Let me enquire first.

SHRI RAM NAGINA MISHRA : I have given in writing.

MR. SPEAKER : What ?

SHRI RAM NAGINA MISHRA : I have given in writing that there is a news item in the 'Hindustan' of the 2nd instant regarding Delhi Administration which has its offices that all the name plates in Hindi should be removed and should be written in English language.....

MR. SPEAKER : You may meet me. I will enquire about this.

SHRI RAM NAGINA MISHRA : Sir, kindly bear me, it is grave violation of the Constitution.....

MR. SPEAKER : That you tell me later. Do not do like this. You may kindly meet me.

SHRI RAM NAGINA MISHRA : Injustice has been done to Hindi. Action should be taken immediately on this.....

MR. SPEAKER : You may meet me. We shall look into it and find out the exact position.

[*English*]

PROF. MADHU DANDAVATE (Rajapur) : Mr. Speaker, Sir, on 8th April, 1985 while asking a supplementary on starred Question No. 323, I requested the hon. Minister for Agriculture and Rural Development Shri Buta Singh to lay on the Table of the House copies of the reports in parts submitted by Shri Jyotirmoy Basu who headed the Committee on Central Sheep and Woollen Research Institute and its malpractices. In October 1980 the first part was submitted, in February 1981 the second part, in February 1982 the third part, but up to this day since these reports have not been laid on the Table of the House, I myself have brought these three parts and if they are laid on the Table of the House, in public interest I would like to do it so that the whole country would know about the malpractices taking place in that Institute and in public interest public opinion against the Institute is created.

MR. SPEAKER : You have given me notice today.

PROF. MADHU DANDAVATE : I have authenticated them.

MR. SPEAKER : You have given them today. You have authenticated. I will just look into this and see if they are in proper order.

PROF. MADHU DANDAVATE : But again, Sir, the same time will be taken,