

12.00 hrs.

RE. QUESTIONS OF PRIVILEGE
AND ADJOURNMENT MOTIONS

SHRI JYOTIRMOY BOSU (Diamond Harbour): I have to make a . . .

MR. SPEAKER: I have to make certain observations. First you listen to me and then you can do it. (*Interruptions*) I am making certain observations, Mr. Faleiro. Please sit down. I have to make certain observations. No, no, I am not allowing. You please sit down. (*Interruptions*) You first listen to me, Mr. Faleiro. I will not allow you. (*Interruptions*) Not allowed. I am making certain observations. You have to listen to me first. Mr. Lakkappa, nobody is allowed. (*Interruptions*) What are you doing? Why don't you let the House run in a proper manner? (*Interruptions*) I am making certain observations. Why don't you listen to me? (*Interruptions*)

(*Interruptions*)

AN. HON. MEMBER**

(*Interruptions*)

SHRI JAGDISH TYTLER (Delhi Sadar): He has made some unparliamentary remark.

(*Interruptions*)

MR. SPEAKER: What did he say?

(*Interruptions*)

SHRI JAGDISH TYTLER: He should be made to withdraw that remark.

(*Interruptions*)

SHRI K. LAKKAPPA (Tumkur): Can you allow this** Member to say that?

(*Interruptions*)

MR. SPEAKER: If there is any unparliamentary word, it should be expunged. No, no, that is unparliamentary. Nobody is allowed to call it.

SHRI JYOTIRMOY BOSU: Mr. Lakkappa should be made a Minister.

MR. SPEAKER: I will send your recommendation. Certain allegations were made by Shri Jyotirmoy Bosu on 9th July, 1980, against the Minister of Energy and Coal (Shri A. B. A. Ghani Khan Chaudhuri) while asking certain clarifications on the Call Attention Notice on the reported busting of inter-State coal smugglers racket involving lakhs of rupees. It was alleged *inter alia* that money was being collected illegally for permits issued for coal. The Minister had denied the charges in the House and has also sent a detailed communication to me last night.

In reply to Member's requests I had said that I would go through the proceedings.

I have gone into the matter. I find that the well-established practice is that if an allegation is made by a Member against another Member or a Minister and the latter denies it, it may be allowed to rust there. If, however, any one insists on pursuing the matter further, he has to give appropriate notice of a motion.

I have received as many as three notices from Shri Jyotirmoy Bosu. One is on alleged breach of privilege by the Minister of Energy and Coal in making unfounded allegations against the West Bengal Government; the second is a resolution for setting up an all Party Parliamentary Committee to probe into the allegations against the Minister; and the third is a notice seeking that Shri Ghani Khan Chaudhuri be dropped from the Council of Ministers. Each of these notices has been examined in accordance with the rules and precedents.

I have referred the notice of breach of privilege to the Minister of Energy

**Expunged as ordered by the Chair.

[Mr. Speaker]

and Coal to know what he has to say in the matter and on getting the requisite information I shall decide the matter.

As regards the notice for setting up an all-party Parliamentary Committee, the Member has been requested to make it self-contained.

As for the 'censure' motion I have referred it to the Prime Minister and the Minister concerned, and on receipt of reply shall go further into the matter.

Shri Jyotirmoy Bosu in his adjournment motion has drawn attention to allegatory remarks which were made by the Hon'ble Minister of Energy and Coal on the conduct of West Bengal Government yesterday in the discussion on the Call Attention.

Another Member, Shri Mani Ram Bagri has drawn my pointed attention to these remarks of the hon. Minister and suggested that these could be considered for expunction from the proceedings.

I have reviewed the position and find that these remarks are inter-linked with the allegations which had earlier been made against the Minister of Energy and Coal. A Member has also observed that the remarks against the State Government were untrue. It is a moot point whether these remarks should be expunged from the Lok Sabha proceedings at this stage. I do however, feel that these are serious matters and I propose to call a meeting of the Leaders of Parties and Groups shortly in order not only to review this matter but also to evolve procedure which would obviate recurrence of such a situation.

Shri Jyotirmoy Bosu had given notice of a question of privilege dated 26 March, 1980, against two officers of the Ministry of Industry who, according to Shri Bosu, wrote to the Ministry of Home Affairs on 21 September, 1979, to take 'such action as the Ministry may like' against another officer

of the Ministry for giving certain evidence before the Sub-Committee of Committee on Public Undertakings of the Lok Sabha on 16 October, 1978.

I have been informed by the Ministry of Home Affairs that no disciplinary action has been taken or proposed to be taken against the officer concerned for giving evidence before the Sub-Committee of the Committee on Public Undertakings of Lok Sabha on 16 October, 1979.

I do not therefore give my consent under Rule 222 to raise the matter in the House as a question of privilege. I would, however, like to emphasise that all witnesses appearing before Parliamentary Committees are protected by the privilege of this House in respect of any statements made by them during their evidence before a Parliamentary Committee. I hope that there would be no occasion for any such complaints in future.

Sarvashri K. Lakkappa, Eduardo Faleiro and Jagdish Tytler have given notices of a question of privilege against Shri Jyotirmoy Bosu for alleging false corruption charges against Shri A. B. A. Ghani Khan Chaudhuri, Minister of Energy and Irrigation and Department of Coal and his staff during the course of discussion on calling attention matter regarding reported busting of inter-State coal smugglers' racket, in the House on the 9th July, 1980.

As per established practice, I am referring these notices to Shri Jyotirmoy Bosu for his comments on receipt of which I will give my decision.

I have also received notices of question of privilege from Sarvashri Jyotirmoy Bosu, Mani Ram Bagri and Ram Vilas Paswan against Shri A. B. A. Ghani Khan Chaudhuri, Minister of Energy and Irrigation and Department of Coal for making certain remarks in the House on 9 July, 1980 regarding the Government of West

Bengal, during the discussion on calling attention matter regarding reported busting of inter-State coal smugglers' racket, I am also referring these notices to Shri A. B. A. Ghanj Khan Chaudhuri for his comments in the first instance.

(Interruptions)

SHRI JYOTIRMOY BOSU: . . .***

SHRI K. LAKKAPPA: . . .***

MR. SPEAKER: Without my permission whatever has been said will not form part of the proceedings; I am not allowing anybody and nothing is going on record.

12.10 hrs.

RE. ADJOURNMENT MOTION

STRIKE BY DOCTORS IN DELHI HOSPITALS

MR. SPEAKER: I have received two notices of Adjournment Motions—one from Shri Jaipal Singh Kashyap regarding strike by Doctors in Delhi hospitals. This matter has already been discussed in the House on Calling Attention on 8th July, 1980. I, therefore, withhold my consent.

12.10 hrs.

ARREST OF MEMBER

MR. SPEAKER: I have to inform the House that I have received the following wireless message dated 9th July, 1980 from the Judicial Magistrate, Meerut (U.P.), on 10th July, 1980:

"Shri Rashid Masood, Member of Parliament sent to Jail, U/S 188 IPC from PS Baghpat, District Meerut, today and remanded upto 10-7-1980".

(Interruptions)

***Not recorded.

*The Rules were laid on the Table on the 3rd July, 1980.

12.11 hrs.

PAPERS LAID ON THE TABLE

CERTIFIED ACCOUNTS AND AUDIT REPORT OF POST-GRADUATE INSTITUTE OF MEDICAL EDUCATION AND RESEARCH, CHANDIGARH FOR 1978-79

THE MINISTER OF EDUCATION AND HEALTH AND SOCIAL WELFARE (SHRI B. SHANKARANAND): I beg to lay on the Table a copy of the Certified Accounts (Hindi and English versions) of the Post-graduate Institute of Medical Education and Research, Chandigarh, for the year 1978-79 together with the Audit Report thereon, under sub-section (4) of section 18 of the Post-Graduate Institute of Medical Education and Research, Chandigarh, Act, 1966. [Placed in Library. See LT-1049/80].

A STATEMENT SHOWING REASONS FOR DELAY IN LAYING CENTRAL ADVISORY COMMITTEE FOR LIGHTHOUSES (PROCEDURAL) AMENDMENT RULES, 1979

THE MINISTER OF STATE IN THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI BUTA SINGH): I beg to lay on the Table a statement (Hindi and English versions) showing reasons for delay in laying the Central Advisory Committee for Lighthouses (Procedural) Amendment Rules* 1979, published in Notification No. GSR 867 dated the 23rd June, 1979. [Placed in Library. See No. LT-1050/80].

12.12 hrs.

ARREST OF MEMBER—contd.

(Interruptions)

MR. SPEAKER: What is the matter before the House?

There is no matter before the House. Papers are just being laid on the Table of the House.