

12 hrs.

RE. QUESTION OF PRIVILEGE

SHRI SUNIL MAITRA (Calcutta-North East): I have given an adjournment motion...

(Interruptions)

MR. SPEAKER: I am on my legs. Please sit down. I have got so many adjournment motions, 15 of them.

Dr. Subramaniam Swamy had given notice of a breach of privilege against Shri Inderjit, a well known journalist, who had written two articles in which he had raised the pertinent point whether the original report given by the Committee of Privileges of Australia had, in fact, been gone into before the ruling had been given by the Chair. Dr. Subramaniam Swamy had also met me subsequently in the Chamber and then raised the subject in the House in December last and I had told him that we were making earnest efforts to get a copy of the Report of the Privileges Committee from Australia.

I have now got a copy of the Report and have gone through it carefully with a view to see if the previous ruling given by me required any material modification. I have come to the conclusion that the ruling need not be modified. It, in fact, has already served the purpose of drawing pointed attention to the omnibus provisions for censorship at all times as existing in The Indian Post Office Act, 1898. I find that Members have already taken initiative to table Private Members' Bills to effect amendments to the Indian Post Office Act, 1898 and this would naturally afford an opportunity to the House to go into all aspects of the matter.

SHRI SUNIL MAITRA: Are they going to accept that?

MR. SPEAKER: I do not know...

SHRI SUNIL MAITRA: You please advise them.

MR. SPEAKER: I cannot do that.

SHRI SUNIL MAITRA: You are referring to an archaic law.

MR. SPEAKER: I will reply to that also.

May I also take this opportunity of thanking my distinguished friends for underlining the need to consult the original report of the Committee of Privileges of Australia, rather than merely relying on a secondary source?

I would also like to refer to the point raised by Mr. Sunil Maitra. He has asked me as to why I referred to an archaic law. Hon. Members must realise the conditions in which I have to work, like a judge. I am the Speaker here. A judge has to interpret the law and I have to interpret the rules as they have been laid down and have been handed down to me. It is not my job to change them. I cannot change the laws. You have to change them.

SHRI SUNIL MAITRA: You can advise them.

MR. SPEAKER: I cannot advise them. It is you who have to do it. That is why, I referred to this point at this time because I cannot take into my hands the legislative powers. They are with you. I have to interpret the rules as they have been handed down to me.

(Interruptions)

MR. SPEAKER: I remember it. I cannot change. You will hang me tomorrow, if I do so...

(Interruptions)

MR. SPEAKER: I cannot do it. It is not within my powers to change it.

SHRI SUNIL MAITRA: Why don't you exercise your powers?...

MR. SPEAKER: There are no powers.....There are no powers.

SHRI SUNIL MAITRA: Why do you not exercise your powers?

MR. SPEAKER: There are no powers.

DR. SUBRAMANIAN SWAMY: (Bombay North East): First of all, I thank you for taking the trouble of going through the Australian precedent. What you have said about a part of my Motion I fully accept and I am satisfied. But there are two other related questions which I have raised and want to bring to your notice.

One is the principle of discrimination.

MR. SPEAKER: That comes under the Act. No discussion.

DR. SUBRAMANIAN SWAMY: Parliamentary papers cannot be subject to censorship.

MR. SPEAKER: If you read the Act, it is already there. I have gone through it. In the 1898 Act it is there. You will find it in my original ruling. It is there.

DR. SUBRAMANIAM SWAMY: What about the principle of discrimination? There cannot be discrimination (nterruptions)

MR. SPEAKER: No discussion now.

DR. SUBRAMANIAN SWAMY: The papers for Shri Rajiv Gandhi are not censored; mine are censored. Why this discrimination?

MR. SPEAKER: You amend the Act.

(Interruptions)

श्री राम विलास पासवान(हाजीपुर):
मैंने एडजर्नमेंट मोशन का नोटिस दिया है।
होम मिनिस्टर यहां बैठे हुए हैं। पिछड़ा
वर्ग आयोग की रिपोर्ट के सम्बन्ध में दो बार
इन्होंने सदन को.....

MR. SPEAKER: You can discuss it.
(Interruptions)

सारे इकट्ठे क्यों बोल रहे हैं?

श्री राम विलास पासवान : होम
मिनिस्टर यहां बैठे हुए हैं, विधि मंत्री जी
बैठे हुए हैं.....

MR. SPEAKER: Nothing goes on record.

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SHRI KAMAL NATH : (Chhindwara); Sir, I have given notice of a privilege motion.

MR. SPEAKER: That is under my consideration.

SHRI KAMAL NATH: Please listen to me. It is concerning the whole House.. (Interruptions) If this is going to continue like this, it will not be Lok Sabha but Joke Sabha.

SHRI SUNIL MAITRA: What about my adjournment motion?

MR. SPEAKER: Adjournment motion cannot be allowed. You will have an opportunity on the President's Address, the Budget etc.

(Interruptions)

PROF. MADHU DANDAVATE (Rajapur); Sir, you have already received a letter from the Maharashtra Assembly Speaker, regarding the privilege motion against me in the Assembly. . .

MR. SPEAKER: I will talk to you.

PROF. MADHU DANDAVATE:
I have given my explanation also.

MR. SPEAKER: You come to me. I have got them. You come and see me. It is something judicial. You can see me any time.

PROF. MADHU DANDAVATE:
Sir, you have to be serious. . .

MR. SPEAKER: I have been very over-serious in that.

PROF. MADHU DANDAVATE:
Let that expression of seriousness be stated in this House.

MR. SPEAKER: Certain things are not in my power. I have to see it. It is beyond my control.

PROF. MADHU DANDAVATE:
You asked for my explanation a month back.

MR. SPEAKER: I have got it from the Speaker only two days back.

PROF. MADHU DANDAVATE:
Just a minute. There is something wrong, you had received it in the last session. Sir, there is a gap in the communication. You have received the communication from the Speaker of the Maharashtra Assembly in the last session. Immediately after that, I have sent my explanation. The entire vacation has passed. When is the issue coming up?

MR. SPEAKER: We will talk on that. Come to me. We will talk.

SHRI E. BALANANDAN (Mukundapuram): After the summons for the meeting of the House, the Communications Ministry has imposed a tax.

MR. SPEAKER: We will have a discussion on that.

श्री अटल बिहारी वाजपेयी (नई दिल्ली):
यह गंभीर मामला है ।

अध्यक्ष महोदय : पेपर जब रखें तब
आबजैकशन कर लेना ।

श्री अटल बिहारी वाजपेयी : इसके
बारे में आपका रूलिंग हो चुका है ।

अध्यक्ष महोदय : इस पर नहीं है ।
आपने देखा नहीं होगा । कोई रूलिंग
नहीं है । आप देख लीजिए । पी एण्ड
टी के बारे में मेरा कोई रूलिंग नहीं है ।

श्री अटल बिहारी वाजपेयी : प्रोप्राइटी
का सवाल है ।

श्री रशीद मसूद (सहारनपुर) : मेरा
एक प्रिविलेज मोशन है डिप्टी मिनिस्टर
के खिलाफ ।

अध्यक्ष महोदय : आपके पास आयेगा ।
(व्यवधान)

अध्यक्ष महोदय : हर एक बात को
इतना तूल नहीं देना चाहिए ।
(व्यवधान)

अध्यक्ष महोदय : आपने पढ़ा नहीं है ।
आपने कहा था कि किसी भी सेशन में रखवा
दीजिए । अगले सेशन में उन्होंने कहा था ।
यह पिछले सेशन की बात है । अगर आप
पढ़ लेते तो आपको भी कष्ट नहीं होता
और मुझे भी नहीं होता । सुनते भी आप
नहीं हैं । आपने कहा था कि इनसे वादा
दिलवा दीजिए । मैंने कहा था कि अपने
वायदे पर ये कायम हैं । उन्होंने यह कहा
था :

"The Report has been under the
consideration of the Ministry of
Home Affairs, in consultation with
other Ministries and the Planning
Commission. Government propose
to place the Report before the two
Houses of Parliament, together
with the Action Taken Memorandum,
during the ensuing budget
session."

(व्यवधान)

अध्यक्ष महोदय : आप मेरी बात तो सुनिए ।

Why can't you have the patience to listen to me? कल ही सेशन शुरू हुआ है ।

You could have at least given me the time to talk to them. हो जायेगा ।
I will get you. मैं आपको अगले हफ्ते बता दूंगा ।

(व्यवधान)

बहुत अनुचित बात है ।

श्री राम विलास पासवान : हिन्दुस्तान की बैकवर्ड कम्यूनिटी का मामला है । होम मिनिस्टर यहां मौजूद हैं, पार्लियामेंटरी मिनिस्टर बैठे हुये हैं । मैं गृह मंत्री से जानना चाहता हूं कि कब आप....
(व्यवधान)...

अध्यक्ष महोदय : मैं बतवा दूंगा । मैंने कह दिया कि मैं करवा दूंगा ।

श्री राम विलास पासवान : हमें विश्वास नहीं है ।

अध्यक्ष महोदय : तो कैसे काम चलेगा ?

I have given you an understanding.

(Interruptions)

MR. SPEAKER: You are trying to make the mountain of a mole hill unnecessarily. It is going to be placed on the Table of the House.

श्री राम विलास पासवान : लोग वोट क्लब पर आये हुए हैं और गिरफ्तार हुए हैं ।

SHRI NIREN GHOSH (Dum-Dum): The rationing system is breaking down because of the non-supply of requisite amount of foodgrains by the Centre.

अध्यक्ष महोदय : आप किसी और तरीके से दे दीजिए ।

Give me some motion.

कोई और मोशन दे दीजिए, फिर बात करेंगे ।

Mr. Harikesh Bahadur.

SHRI HARIKESH BAHADUR (Gorakhpur): Sir, the institution of Parliament is being denigrated by this Government. Postal rates have been increased just before the budget session of Parliament....

अध्यक्ष महोदय : मैंने कह दिया बाबा, डिस्कशन हो रहा है ।

This is nothing.

(Interruptions)

अध्यक्ष महोदय : अगर आप रूल पढ़ लेते तो ऐसा नहीं कहते ।

If you had studied the rules, you would not have talked like this.

12.08 hrs.

PAPERS LAID ON THE TABLE

NOTIFICATION UNDER INDIAN POST OFFICE ACT

THE MINISTER OF COMMUNICATIONS (SHRI C.M. STEPHEN): I beg to lay on the Table a copy of the Indian Post Office (First Amendment) Rules, 1982 (Hindi and English versions) published in Notification No. G.S.R. 59(E) in Gazette of India dated the 11th February, 1982, issued under the Indian Post Office Act, 1898.

[Placed in Library. See No. LT—3309|82.]