

(xlii) The Indian Administrative Service (Pay) Twelfth Amendment Rules, 1978 published in Notification No. G.S.R. 1326 in Gazette of India dated the 11th November, 1978.

(Placed in Library. See No. LT-2905/78)

STATEMENT SHOWING RESULT OF MARKET LOANS ISSUED BY GOVT. OF INDIA IN OCTOBER AND NOVEMBER, 1978

SHRI S. D. PATIL: Sir, on behalf of Shri Zulfiqarullah. I beg to lay on the Table a statement (Hindi and English versions) indicating the result of the market loans issued by the Government of India in October and November, 1978. (Placed in Library. See No. LT-2906/78)

MESSAGES FROM RAJYA SABHA

SECRETARY: Sir, I have to report the following messages received from the Secretary-General of Rajya Sabha:-

(i) "In accordance with the provisions of rule 111 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to enclose a copy of the Constitution (Authorised Translations) Bill 1978, which has been passed by the Rajya Sabha at its sitting held on the 27th November, 1978."

(ii) "In accordance with the provisions of rule 127 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to inform the Lok Sabha that the Rajya Sabha, at its sitting held on the 28th November, 1978, agreed without any amendment to the Prize Chits and Money Circulation Scheme (Banning) Bill, 1978, which was passed by the Lok Sabha at its sitting held on the 20th November, 1978."

CONSTITUTION (AUTHORISED TRANSLATIONS) BILL

AS PASSED BY RAJYA SABHA

SECRETARY: Sir, I lay on the Table of the House the Constitution (Authorised Translations) Bill, 1978 as passed by Rajya Sabha.

RE. PERSONAL EXPLANATION BY MEMBER

(Interruptions)

MR. SPEAKER: I will give you time but not now. Do not record.

(Interruptions)

MR. SPEAKER: Order, order. I have informed Mr. Paswan that if he wants to make a statement, he has to follow the rules. He has to give me a written statement under the rules. I said: If and when you give a written statement, I will give you an opportunity to make a statement.

(Interruptions)**

MR. SPEAKER: Don't record anything.

Now, Calling Attention. Shri Janardhana Poofary.

SHRI SHYAMNANDAN MISHRA (Begusarai): I want to raise a point of order.

MR. SPEAKER: I will give you time.

SHRI SHYAMNANDAN MISHRA: This is regarding the observation that you made just now. This is regarding the situation in Bihar in which the hon. Member.....

MR. SPEAKER: I have said, under the rules, he must give a statement to the Speaker.

SHRI SHYAMNANDAN MISHRA: The submission that has been made is that you had allowed a Member of this House to make a statement after the incident,—soon after the incident.

**Not recorded.

MR. SPEAKER: Even for him, I have informed him yesterday itself. Order please. I am on my legs. I have informed him yesterday itself. Let him give a statement. Under the rules I am allowing him; I have told him.

SHRI JYOTIRMOY BOSU (Diamond Harbour): I want you to tell us how you allowed Mr. Stephen to say something yesterday. Why this double-standard, Sir?

SHRI SHYAMNANDAN MISHRA: Two points have to be met by the Chair in this connection.

SHRI C. M. STEPHEN (Idukki): I made no reference to the M.P. In my statement I made no reference to the M.P.

SHRI SHYAMNANDAN MISHRA: Two points have to be met by the Chair in this connection.

There was an opportunity given to another hon. Member in this House to make an oral statement, without formally submitting a statement to the Chair.

Secondly, matters surrounding the same case were allowed to be raised not through a written statement but an oral statement by the hon. Leader of the Opposition yesterday. These matters had a hearing on the case in which the hon. Member, Shri Ram Vilas Paswan is involved. He might not have mentioned his name, but he did refer to the surrounding circumstances in which the incident occurred relating to the hon. Member, Shri Paswan. One would like to know, whether the Chair would like to make a discrimination in this matter between the Leader of the Opposition and an hon. Member of this House. Why was the Chair pleased to allow the hon. Leader of the Opposition to make a statement which had a hearing on the same case very directly? Now the House feels very much exercised and concerned over it and the House would not like to lose a moment over it because it involves the respect and dignity of a Member of this House. In fact,

it should have been the concern of the Chair to see that there was no moment lost in allowing the House to know the full facts of the case. Why should we wait for the next day in this matter when we are feeling so much exercised?

The hon. Member has suffered some ignominy and humiliation at the hands of the district officials and we naturally feel very much exercised over it. We would like to know straight from the mouth of the hon. Member what happened to him. We would not like to be confronted with any mutilated statement or a statement which had undergone the scrutiny or the censorship of the Chair in this matter.

PROF. SAMAR GUHA (Contai): In today's papers, it has been stated that Shri Paswan was arrested and released, but he is saying that he was not arrested. This is a very serious matter. If he had not been arrested, how could the office communicate this to us? That point should also be explained.

MR. SPEAKER: The point of order raised deals with two aspects. First, what is the right of a Member to give his personal explanation and two, what is the privilege of the Leader of the Opposition in making a statement? I shall first deal with the first point set out above.

The right of a Member to make a personal statement is governed by Rule 357 of the Rules of Procedure and Conduct of Business in Lok Sabha and Direction 115C given by the earlier Speakers. Rule 357 reads:

"A Member may, with the permission of the Speaker, make a personal explanation although there is no question before the House, but in this case no debatable matter may be brought forward, and no debate shall arise."

On this, the Direction given by the earlier Speakers was:

"No Member shall be permitted to make a statement by way of personal explanation under rule 357 unless a copy thereof has been submitted in writing by the Member to the Speaker sufficiently in advance and the Speaker has approved it. Words, phrases and expressions which are not in the statement approved by the Speaker, if spoken, shall not form part of the proceedings of the House."

Mr. Paswan yesterday sent me a statement in third person. It is not his statement. He merely stated what somebody else appears to have stated. Therefore, I requested him to make a personal statement so that he himself takes the responsibility for the statement, because the statement a copy of which was sent to me is not a statement made by him. I requested him to make a statement in first person. No such statement has been sent to me yet. I believe it has just now been received by the office. Certainly after examining the statement, I will give him an opportunity at the earliest possible time. The statement he has sent just now is in Hindi. I am sorry I am incapable of reading and understanding Hindi. I will get it translated and if possible I will give him an opportunity this afternoon itself.

Coming to the second question as to why the Leader of the Opposition was allowed to make a statement without his giving a copy of the statement under rule 377, the office of the Leader of the Opposition has been newly created. We have not yet formulated what are his rights and privileges in the House. So far as the perquisites are concerned, it is contained in the Act. But so far as the rights and privileges and position is concerned, it is yet to be evolved by convention. I have already got letters written to the Secretary of the British Parliament as well as other Commonwealth Parlia-

ments to find out what are all the positions and privileges of the Leaders of the Opposition in those Houses, so that we may gradually evolve them.

SHRI DINEN BHATTACHARYA (Serampore): We have to copy that?

MR. SPEAKER: No, we are only trying to understand it. Once we give him certain position and certain privileges in the scheme of things, he must have certain rights inside the House also. What those rights are, we are yet to give thought and evolve. But I have been following certain principles in this matter. Whenever the Leader of the Opposition or for that matter the leader of any Group rises to put a supplementary, I have tried to give them preference over others because they represent that party or Group. But whenever I thought their intervention was likely to create confusion, I have disallowed it. In the matter of making a statement, when a Minister requests to make a statement, invariably I allow him to make a statement even without getting a copy of the statement. There again it is not governed by rules. It is only by convention. I do not want the Leader of the Opposition to be placed in the position of submitting a statement in writing under rule 377 whenever he wants to make a statement. This is only the first step. We are trying to gradually evolve conventions, but before we evolve the whole of it, I propose to call a meeting of the leader—I will request the Prime Minister, also to be present—to find out what privileges or rights the Leader of the Opposition should have within the House. Subject to that, I have merely allowed at present priority in putting questions and priority in making statements. This is all temporary. It is not permanent. The rights shall have to be evolved gradually. Now, we go to call attention. (Interruptions)

MR. SPEAKER: Don't record.

PROF. SAMAR GUHA: In Part II Bulletin, it is stated that he was arrested and released.

MR. SPEAKER: I am going to allow him an opportunity to make a statement this afternoon itself. I am going through his statement.

PROF. SAMAR GUHA: How could the officer record it and circulate it?

MR. SPEAKER: The Government of Bihar had sent a communication to say that he had been arrested and released. The District Superintendent of Police has sent me a communication to say that he had been arrested and released. Yet I am giving the Member an opportunity to make a statement.

SHRI VASANT SATHE (Akola): I also.

MR. SPEAKER: You also, when you comply with the rules.

SHRI VASANT SATHE: I have done it.

MR. SPEAKER: I will go through the matter.

SHRI SHYAMNANDAN MISHRA: I agree that conditions had to be created for the effective functioning of the institution of the Leader of the Opposition. I have absolutely no doubt about it. In fact it was my friends on the other side who did not subscribe to this view earlier. So far as our Party is concerned, our party is fully in favour of creating conditions for the effective functioning of this institution.

The charge of discrimination related to another case. The hon. Member Mr. Atal Bihari Vajpayee was allowed to make a statement when an incident occurred involving him without requiring him to submit a written statement to the Chair during the last session but when an incident has occurred in which an ordinary Member, a private Member is involved, you are

not allowing him an opportunity. That the charge of discrimination to which the Chair has to address itself.

MR. SPEAKER: I shall look into it.

CALLING ATTENTION TO MATTER OF URGENT PUBLIC IMPORTANCE

REPORTED ATROCITIES BY LANDLORDS ON HARIJANS IN BAJITPUR (BIHAR).

SHRI JANARDHANA POOJARY (Mangalore): I call the attention of the hon. Minister of Home Affairs to the following matter of urgent public importance and request that he may make a statement thereon:

"Reported atrocities by landlords on Harijan families in Bajitpur, District Begusarai (Bihar) on 15 November, 1978."

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI S. D. PATIL): Sir, the Government deplore the unfortunate incident in village Bajitpur, District Begusarai (Bihar) on the 15th November, 1978.

According to the report received from the Government of Bihar, about 300/400 musclemen of Shri Durgaprasad Singh, ex-landlord of the Village raided the village Bajitpur and damaged over 62 houses and looted belongings of the villagers. They assaulted a number of villagers and one person, Shri Jugeshwar Sao was killed. They are reported to have taken away about 400 heads of cattle of villagers and damaged their crops. It is reported that the target of the attack was the house of Shri Ramjiwan Thakur, Sarpanch of the village. The miscreants looted his property and damaged his house. The looted property was also carried away by them on tractor.

The ex-landlord of the village, it is reported, has lodged a complaint with the police on the 15th morning that a mob had burnt his kacheri in the village. The same day the village was attacked by his musclemen. The police reached the village on the 16th. The