12.02 hrs.

STATEMENT BY LEADER OF THE OPPOSITION RE. INFORMATION GIVEN TO THE HOUSE ABOUT COMMUNICATION RECEIVED ON THE ALLEGED THREAT TO THE LIFE OF THE PRIME MINISTER

MR. SPEAKER: Mr. Stephen.

SHRI C. M. STEPHEN (Idukki): Mr. Speaker, Sir, the announcement made by you from the Chair on Friday regarding the communication from the Commissioner of Police alleging a plot to murder the Prime Minister, has triggered off.....

SHRI JYOTIRMOY BOSU (Diamond Harbour): On a point of order, Sir.

MR. SPEAKER: I have allowed him to make a statement.

SHRI JYOTIRMOY BOSU: Under what rule have you allowed him to raise this, because the Speaker has an inherent power to make an observation. I will quote from *Kaul and Shakdher.*

MR. SPEAKER: There is no point of order. I have an inherent right to allow him to make a statement.

SHRI JYOTIRMOY BOSU: You cannot take the time of the House like this.... (*Interruptions*)

MR. SPEAKER: I have a right to allow him to make a statement.

SHRI JYOTIRMOY BOSU: Whenever he wishes to raise anything, you will allow him to make a statement... (*Interruptions*)

MR. SPEAKER: Mr. Stephen.

SHRI C. M. STEPHEN: This has triggered off reactions and has raised issues of far reaching implications. The first reaction came from the Commissioner of Police. He told the newsmen that he had never sent any communication to the Speaker about the plot. It is reported that he was 'so categorical in his denial.....

(*Interruptions*)

श्री हुकम देव नारायण यादव (मधुबनी): अध्यक्ष महोदय, मेरा व्यवस्था का प्रश्न है। आप के द्वारा उस दिन जो कहा गया उस के ऊपर आप स्टीफेन साहब को सफाई देने का मौका दे रहे हैं। लेकिन स्टीफेन साहब ने उसी दिन बिहार सरकार के एक मंत्री के खिलाफ जो आरोप लगाया था उस के संबंध म सफाई देने का मौका किस को दिया जाएगा? क्योंकि आप ने कहा कि आप को सूचना मिली प्रधान मंत्री जी की हत्या के बारे में स्टीफेन साहब अपनी ओर से उसकी सफाई देंगे लेकिन उन्होंने आरोप लगाया था कि बिहार के मंत्री श्रीमती इन्दिर गांधी की हत्या करने का षड़यंत्र कर रहे थे। समस्तीपुर में तो बिहार सरकार के ऊपर जो आरोप इन्होंने लगाया है उस संबंध में बिहार सरकार के मुख्य मंत्री को आप बुलायेंगे कि वह इस सदन में आकर सफाई दें?...(**व्यवधान**)... उनकी ओर से कौन सफाई देगा? इसलिये उनकी सफाई की व्यवस्था भी आप करवायेंगे? यह मेरा व्यवस्था का प्रश्न है।... (**व्यवधान**) ..

SHRI B. P. MANDAL (Madhepura): Shri Stephen is challenging your observations.... (*Interruptions*)

SHRI JYOTIRMOY BOSU: What you are doing is highly irregular. You are establishing all sorts of controversial standards.

MR. SPEAKER: Do not record.

(*Interruptions*)**

MR. SPEAKER: The other day I announcement that until we decided about the privileges of the Leader of the Opposition after consulting the leaders of the various Parties in the House, I am allowing the same facilities which I am allowing to other Ministers. I am allowing the Ministers to make a statement in the House

**Not recorded.

when they give me a copy of the statement. So also I am allowing the Leader of the Opposition to make a statement. That is all.

SHRI JYOTIRMOY BOSU: Why is it not in the list of business.....

(Interruptions)

MR. SPEAKER: I have heard your point of order.

SHRI VAYALAR RAVI (Chirayinkil): Sir, you have allowed Shri Stephen to make a statement under Rule 372, as he enjoys the status of a Minister. I think, he will deal with the subject that has already come up on the floor of the House. In case Shri Stephen makes some charges or states some facts before this House, is it permissible for the concerned Minister on that side to reply?.....

(Interruptions)

MR. SPEAKER: After the statement is made, if necessary, it will be allowed.

SHRI B. P. MANDAL: On a point of odrer. Just now, my hon. friend Shri Hukmdeo Narain Yadav raised a very pertinent question.

Mr. Stephen on that day said that some Minister from Bihar, of this place, had gone into a conspiracy with the under-world in Bihar to assassinate Shrimati Indira Gandhi. Now that he has been given an opportunity to explain the position of the Congress (I) he should also be first called upon to name the Minister and substantiate his charge, as to how and who is the man who was going to.... *(Interruptions)*. Otherwise it is very objectionable that you give him an opportunity to explain the position of the Congress (I). He should also clarify his allegation about the Bihar Minister.

(Interruptions)

SHRI K. GOPAL (Karur): You have been controlling the House within the rules. We have no objection.

(Interruptions)

MR. SPEAKER: I have called Mr. Gopal. Mr. Bosu, if necessary I will call you again.

(Interruptions)

SHRI K. GOPAL: I have no objection to your calling Mr. Stephen, to make the statement.

MR. SPEAKER: Let us be a little more orderly.

SHRI K. GOPAL: It was within your rights. But my submission is that every Member has a right to move a motion or make a statement or any such thing, to which you have agreed. This morning when I met you in the Chamber, i.e. when Mr. Sathe and myself gave a privilege motion against the Prime Minister, you said: "The Prime Minister has written to me; and I am convinced with whatever the Prime Minister wrote. So, I am not allowing you". When we raised a privilege motion—under rule 222 we gave a notice—you just allow us to raise the matter and ask the Prime Minister to lay his reply on the Table of the House. We do not have any quarrel. But people do not know whether we have raised the privilege motion at all. You disallowed it. I have no quarrel. Please, in future, when you allow us to do a thing.... *(Interruptions)*. when the Prime Minister has written to you.... *(Interruptions)*.

MR. SPEAKER: I have asked them to show the entire copy of the writing to you and Mr. Sathe—whoever has raised it.

SHRI K. GOPAL: Will we be supplied with the copy?. Then it is all right *(Interruptions)*

SHRI JYOTIRMOY BOSU: Please get hold a copy of *Kaul and Shakdher*. At page 348, there is a paragraph covering statements and personal explanations. You then come to page 349, and the penultimate paragraph says—you start reading from 'But' after (f):

> "But the Speaker may, in exceptional cases, allow a few clarifications in respect of a statement, if it relates to an important matter."

You have done so. There the matter has ended.

MR. SPEAKER: I have heard you. That is not a point of order.

SHRI JYOTIRMOY BOSU: Then you have to comply with Mr. Hukmdeo Narain Yadav also. You cannot have two standards in this House.

MR. SPEAKER: Even if you say that I am having multi-standards, it is all right.

(Interruptions)

DR. VASANT KUMAR PANDIT (Rajgarh): On a point of order, Sir. You may allow him to raise an issue in the House, as you would allow any other Member. You are also going to define the rights of the Leader of the Opposition to make a statement or not to.

MR. SPEAKER: It is not a point of order.

DR. VASANT KUMAR PANDIT: The point is you have now allowed it. But can any one on the same subject-matter make two statements. How are you allowing the same Member to make another statement. Till how long will you allow this?

MR. SPEAKER: Mr. Pandit, he has sent me a copy of the statement.

(Interruptions)

श्री उग्रसेन (देवरिया) : अध्यक्ष महोदय, मेरा एक व्यवस्था का प्रश्न है । मैं आप से एक व्यवस्था जानना चाहता हूं । हम नये सदस्य यहां पर चुन कर आये हैं, हम जानना चाहते हैं कि क्या यह आपके अधिकार में है कि आप माननीय नेता विरोधी दल को— जबकि उन्होंने यहां पर केन्द्रीय मंत्रिमण्डल के एक सदस्य के विरुद्ध यह इल्जाम लगाया है कि उनकी नालिज में है कि उन्होंने बिहार में साजिश की है—आप उसी तरह के स्पष्टीकरण के लिये उन्हें दूसरा मौका दें ? क्या आप उन से नहीं पूछ सकते हैं कि उसके पीछे तथ्य क्या हैं ? क्या आप प्रधान मंत्री जी से नहीं पूछ सकते हैं कि जो नेता दल कह रहे हैं वह ठीक है या नहीं ? माननीय हुकमदेव नारायण के प्रश्न पर आप माननीय नेता विरोधी दल से जवाब लीजिए, तब आगे कार्रवाही कीजिए ।

MR. SPEAKER: A point has been raised; if there is any improper statement or incorrect statement made in the House affecting the rights of any Member, there are rules and procedures in the House; he can take it up; it is upto him; it is not for the Speaker to take the initiative in this matter; it is for the Members to take the initiative in the matter. I am not to advise you in these matters; you can take such method which rules permit.

(Interruptions)

MR. SPEAKER: We have discussed the matter enough. This is not a debate.

(Interruptions)

MR. SPEAKER: Are you raising any point of order about Mr. Stephen's statement, that he should not make a statement?

(Interruptions)

श्री भारत भूषण (नैनीताल) अध्यक्ष महोदय, आप सदन में यह स्पष्ट करें... (व्यवधान) सदन के नेता की हत्या का षड़यंत्र है और आपकी भावना को लेकर उन्होंने आप पर आपत्ति की है कि यह झूठी घोषणा सदन में हुई थी । उन्होंने कमिश्नर से मिल कर यह कहा है कि ऐसी कोई सूचना उन्होंने नहीं दी है । इस के मायने यह हैं कि आपने मिथ्या सूचना सदन को दी है आपकी सूचना के ऊपर आप जो उन्हें यह मौका दे रहे हैं कि आपने सूचना गलत दी है या सही, इसको आप मेम्बर में डिसकस कर सकते थे, आपने उन्हें इसे सदन में लाने का मौका दिया है । इसके बारे में आप सरकार से क्या अपेक्षा करते हैं ।

SHRI SOMNATH CHATTERJEE (Jadavpur): I want to make a submission.

(Interruptions).

SHRI B. P. MANDAL: All these should be expunged from the proceedings; so many uncalled for charges have been made.

MR. SPEAKER: I have called Shri Somnath Chatterjee.

SHRI SOMNATH CHATTERJEE: Under rule 357 a Member can make a personal explanation.

AN HON. MEMBER: Do not misquote the rule.

SHRI SOMNATH CHATTERJEE. I am asking for clarification because this is not covered by 357; it can correspond to 372 or a similar provision, namely statements by Ministers; he is also treated, he is in the position of a Minister, status of a Minister and he is being allowed to make a submission, presumably because of certain charges made against his party.

MR. SPEAKER: I did not say that.

SHRI SOMNATH CHATTERJEE: Then on what basis? The Leader of the Opposition cannot get up any moment and make, any statement in the House. For the future it is very important. If a charge is made against any other party, will the leaders in those parties or groups get an opportunity?

MR. SPEAKER: We will consider that.

SHRI SOMNATH CHATTERJEE: It is an important matter. Then only in his capacity as Leader of the Opposition? He does not speak for the entire opposition. For clarification, let us know what is the position? Any charge made against any political party or group, the leader of the group is entitled to make a statement as of right, if it is 372. Therefore, if he is making a statement in relation to that, similar rights should be given to others.

MR. SPEAKER: When the matter comes up I shall certainly consider that.

SHRI K. LAKKAPPA (Tumkur): The Leader of the Opposition has got every right.....

MR. SPEAKER: This is not a point of order.

SHRI K. LAKKAPPA: I want to draw your attention....

MR. SPEAKER: Don't record.

* * *

MR. SPEAKER: He needs no support. He knows how to speak. There is no debate on this subject Only a point of order I will allow.

SHRI K. LAKKAPPA: I want to point out.....

MR. SPEAKER: You are saying the Leader of the Opposition has a right.

श्री राम विलास पासवान (हाजीपुर): मेरा एक व्यवस्था का प्रश्न है। माननीय विरोधी दल के नेता इस संबंध में स्पष्टीकरण दे रहे हैं क्योंकि कांग्रेस आई के लोगों के द्वारा माननीय प्रधान मंत्री जी की हत्या की चर्चा आपने भी की है। आपने अध्यक्ष की हैसियत से रूलिंग दिया था।

M. SPEAKER: The same point has been raised by others.

श्री राम विलास पासवान: हम लोगों को मालूम नहीं था। आपने कहा था कि पुलिस कर्मचारी के द्वारा जो सूचना आपको दी गई थी वह आपने सदन को दे दी थी कि कांग्रेस आई के द्वारा हत्या की जाएगी।

MR. SPEAKER: That is not a point of order. No further recording.

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***Not recorded.

श्री हुकम देव नारायण यादव (मधुबनी): मैं आपका ध्यान रूल 353 की ओर दिलाना चाहता हूं। मैं इसको हिन्दी में पढ़ना हूं। आप अंग्रेजी में देख लें। इसमें यह लिखा हुआ है :

> किसी सदस्य द्वारा किसी व्यक्ति के विरुद्ध मानहानिकारक या अपराधरोपक स्वरूप का आरोप नहीं लगाया जाएगा जब तक कि सदस्य अध्यक्ष को तथा सम्बंधित मंत्री को भी पूर्व सूचना न दे दी हो जिससे कि मंत्री उत्तर के प्रयोजन के लिये विषय की जांच कर सके।

मेरा यह कहना है कि स्टीफेन साहब ने उस दिन जो आरोप लगाया था उसकी सूचना न तो आपको दी थी और न ही संबंधित मंत्री को दी थी। बातचीत के क्रम में ही उन्होंने यह आरोप लगा दिया था। न आपको इसकी सूचना दी गई और न सरकार की तरफ से उसका कोई स्पष्टीकरण दिया गया। बिहार सरकार का कोई प्रतिनिधि यहां जवाब नहीं दे सकता है। वहां के एक मंत्री पर, जिम्मेवार मंत्री पर सरकार चलाने वाले मंत्री पर उन्होंने आरोप लगा दिया कि इन्दिरा गांधी की हत्या का षड़यंत्र उन्होंने किया था। यह कोई मामूली मामला नहीं है। या तो उस मंत्री का नाम आए या आपको लिख कर दे दिया बिना शर्त स्टीफन साहब उस बात को सदन से वापिस लें। नहीं तो इस मामले की सफाई होनी चाहिए। सरकार की तरफ से जवाब आए। उन्होंने कहा है कि बिहार के मंत्री ने हत्या का प्रयत्न किया है। मैं कहना चाहता हूं कि बिहार का कोई भी मंत्री इस तरह के कीट पतंगों को मारने का प्रयास नहीं कर सकता है। बिहार सरकार पर क्यों इस तरह के आरोप लगाए जाते हैं।

SHRI B. P. MANDAL *rose*—

MR. SPEAKER: How do you get up, Mr. Mandal, all the time? I have already given my ruling on that. It is up to you to interpret it.

श्री बी० पी० मंडल (मधेपुरा) : सैंटर का यदि कोई मंत्री होगा तो उसकी जवाबदेही बड़े मंत्री, प्रधान मंत्री के ऊपर रहती है। आपको प्राइम मिनिस्टर से पूछ लेना चाहिए कि क्या उनके मंत्रिमंडल में कोई ऐसा मंत्री है जो बिहार में गुंडों से मिलकर श्रीमती इन्दिरा गांधी की हत्या कराना चाहता है ? यह तो कम से कम प्राइम मिनिस्टर से पूछ लेना चाहिए। ऐसा नहीं किया जाता है तो इस रिमार्क को एक्सपंज कर देना चाहिए। अगर यह भी नहीं किया जाता है तो उनको स्पष्ट बताना चाहिए कि कौन मंत्री है ?

SHRI DINEN BHATTACHARYYA: (Serampore): Is there any rule that the Leader of the Opposition can make any statement at any time on any subject? Is there any such rule? Under what rule are you allowing him? Even a Minister cannot do it; it has to come in the agenda paper. But here we do not find anything in the agenda. So, kindly explain on what basis you are allowing him.

I expect that you will satisfy us.

MR. SPEAKER: I have already explained it.

SHRI SHYAMNANDAN MISHRA (Begusarai): To my mind, four or five questions have been raised to which the Chair has to address itself, and the House is entitled to know the views of the Chair on these four or five points. Uptill now, after having spent about 20 minutes or so, the House is still in ignorance as to what the Chair feels about it.

The first point that was raised was by the Hon. Member, Mr. Hukmdeo Narain Yadav, and he wanted a definite ruling from the Chair whether in the case of allegations having been made against an unnamed Minister of the Central Government, the Chair

should not have performed its duty, by calling upon the Member who has made the allegation to name that Minister. Now, the House must know about it, and the Chair has a duty to give a ruling on it.

Then, the second thing is that another hon. Member raised a question about the functions of the Leader of the Opposition, with regard to the statement made by the Leader of the Opposition. You are quite right in holding the view that the functions of the Leader of the Opposition not having been defined before, you are applying certain rules which apply to the Ministers.

SHRI HARI VISHNU KAMATH (Hoshangabad): Not in all respects.

SHRI SHYAMNANDAN MISHRA: Then you will have to tell the House whether the rules with regard to the statement made by the hon. Leader of the Opposition would be the same as in the case of the Minister. In the case of a statement made by an hon. Minister, the House is not entitled to ask for any clarification or elucidation. If that privilege also relates to the statement of the hon. Leader of the Opposition, then the House would be at a great disadvantage, because it may be that in an aggressively partisan spirit, the hon. Leader of the Opposition might be making a statement, and the entire House will be entitled to know about the allegations that the hon. Leader of the Opposition makes. So, you have to answer this point also.

Again, another important point has been raised by the hon. Member Shri Somnath Chatterjee. he hon. Leader of the Opposition does not speak on behalf of the entire Opposition. What happens to the hon. leaders of the other groups in this House? The hon. Leader of the Opposition speaks for only one-third of the Opposition. Then, what happens so far as the privileges and the rights of the two-thirds of the Opposition are concerned?

Then, the fourth point, which is extremely important and which was raised by the hon. Member here, is that in such matters you have always been pleased to say that the issue would have to be sorted out in the Chamber of the hon. Speaker. The hon. Speaker has made certain observations in this House and those observations are being sought to be challenged by the hon. Leader of the Opposition. The position of the Chair would be completely untenable if the observations of the Chair are found to be untrue. You are now allowing him, and the implication up till now is, and we cannot get away from this fact, that you are not quite sure about the observations you have made, and therefore you are allowing the Leader of the Opposition.

MR. SPEAKER: That is not a correct inference.

SHRI SHYAMNANDAN MISHRA: So, you have to answer these four or five points.

चौधरी बलबीर सिंह (होशियारपुर) : अध्यक्ष महोदय, अगर लीडर आफ अपोजीशन को आप हक देते हैं, तो क्या साथ ही उनकी ड्यूटीज भी हैं कि लीडर आफ अपोजीशन जब बतौर मिनिस्टर के बात करते हैं तो उसको सब्सटेंशियेट करने के लिए आप अध्यक्ष महोदय, उन पर भी उतनी ही पाबन्दी लगायेंगे जितनी की औरों पर है ?

MR. SPEAKER: Certain points of order have been raised as regards the right of the Leader of the Opposition to make a statement.

The first point raised by Mr. Mishra and others is that Mr. Stephen, while making his statement last Friday, referred to an unnamed Minister of this Government who is alleged to have engaged himself with *goondas* to murder Shrimati Indira Gandhi.

(Interruptions)

SHRI HARI VISHNU KAMATH: The *goondas* are above the ground; he says, underworld; that is worse; it is more serious.

MR. SPEAKER: I do not know whether underworld or overworld. I was asked, I must insist on his disclosing the name of the Minister. If the statement made by Mr. Stephen is a wrong statement, there are procedures in the rules of the House to take action against Mr. St[illegible] open to any member to have recourse to those procedures.

SHRI SHYAMNANDAN MISHRA: But the hon. Member has taken the steps in asking the Chair to call upon the member to name the Minister.

MR. SPEAKER: I am asked to call upon Mr. Stephen to name the Minister. I think, it is a very dangerous step because by my doing so, I might be incriminating or defaming the Minister who may be here or who may not be here. All this purpose can be achieved by having recourse to rules.

The second point raised is, whether, when the Leader of the Opposition makes a statement, he should be subjected to cross-examination by the members. No such procedure is available in the House. Therefore, it would not be proper. If necessary, at an appropriate stage, a debate can be raised. But cross-examination of any member is not within the purview of the rules.

SHRI VAYALAR RAVI (Chirayinkil): When I raised the point of order as to what will be the position of the Government, if Mr. Stephen makes a statement, whether they can make a statement, the Chair said, "I will consider it." Now, your ruling is going the other way.

MR. SPEAKER: No cross-examination is allowed.

The third point raised is, if I allow the Leader of the Opposition to make a statement, having recourse to the principles underlying rule 372, can such a right be available to the leaders of other opposition parties also. This depends upon the nature of the allegation made and, in appropriate cases, certainly, opportunities will be afforded to make the position clear.

The last contention is that no member should be allowed to challenge the observations made by the Speaker. I have gone through the statement of the Leader of the Opposition. He has not challenged the observations made by me. But he has pointed out certain circumstances from which he wants the House to disbelieve the version of the police. That is not a matter of challenging the observations of the Speaker.

PROF. P. G. MAVALANKAR (Gandhinagar): Sir, while appreciating all that you have just now said and, more particularly appreciating your earlier statements from time to time, in recent weeks, about your anxiety and sincerity in regard to framing certain rules, conventions and practices around the office of the Leader of the Opposition, may I submit for your consideration and for the consideration of the House five points which arise out of the whole situation ....

MR. SPEAKER: Are you raising any point of order?

PROF. P. G. MAVALANKAR: Not a point of order....

MR. SPEAKER: This is not an occasion for that.

PROF. P. G. MAVALANKAR: Because you asked me to speak.....

MR. SPEAKER: I am allowing only points of order. You will have another opportunity....

PROF. P. G. MAVALANKAR: I am raising a point of order in five components.

The first point is that the House, while discussing this matter, is in a peculiar position because it is handicapped by the fact that we still do not know what the Leader of the Opposition is going to say in his statement—you know, of course, because you have

read it. I think, it will be perhaps doing injustice to the Leader of the Opposition to anticipate in his statement what he is going to say. At the same time, there is equally another danger. Because we do not know, we are keeping quiet. Having known, we cannot keep quiet. We have to deal with that aspect of the matter. We keep quiet because we do not know what he is going to say. Having known what he has spoken and having seen that it is objectionable, what remedy have we under the Rules to raise objections? That is one point.

Secondly, your anxiety about building up rules around the office of the Leader of the Opposition is accepted, is well taken. But I want to make this suggestion with great respect to you, Sir. Why can't we wait until the Rules Committee, under your guidance and supervision, gives this kind of a direction and then we begin to put into practice what you wanted to? Otherwise, in the meantime, what will happen is that you will be giving successive opportunities and occasions to the Leader of the Opposition who belongs ultimately to one major Party, though, perhaps, there are three major Parties,—and here again all the Opposition cannot be combined because persons like me do not belong to any Party. Therefore, my point is this. Let us not suffer from over-enthusiasm for the Leader of the Opposition. After all, we are having this new office for the first time and thanks to the new Government, this office has come to be established and recognised as an honourable office. We must do everything to respect this office. But we must not do it an terms of over-enthusiasm.

Thirdly, my point is, I am afraid—again I say so with great respect to you—there is the danger, in what you are allowing to grow as practice, of letting the Chair be drawn into political battles and battle field. It is none of the functions of the Chair to get involved into this Party or that Party fighting against each other. The Chair should not do anything by such a practice which will mean implicating the Chair in political battles by this Party or that Party.

Fourthly, Sir, has the Leader of the Opposition given you a copy of that statement in writing?

MR. SPEAKER: Yes.

PROF. P. G. MAVALANKAR: If he has given you, you may have read it. I do not know whether the Leader of the House, the hon. Prime Minister, has also seen that statement and whether your practice of allowing the Leader of the Opposition to make a statement will automatically mean that a right accures to the Leader of the House to make a statement in reply thereof, so that the matter may be clarified factually or otherwise.

Lastly, I want to say that it will be a wrong practice to equate all statements of the Leader of the Opposition with all statements of Ministers. Ministers cannot be equated with the Leader of the Opposition; the Leader of the Opposition must be elevated to a certain level. But his statements are no statements of Government. Government statements give the official point of view; therefore, they are slightly higher than those of the Leader of the Opposition.

MR. SPEAKER: No point of order arises.

PROF. DILIP CHAKRAVARTY (Calcutta South): I would like to emphasize the last point mentioned by Prof. Mavalankar in support of my point of order which I wanted to raise. On the last occasion, as also today, possibly, you have done the right thing in your wisdom in declaring that you would like to attach some importance to the office of the Leader of the Opposition by allowing him to make a statement whenever he feels like making a statement and whenever he seeks your permission to do so. You also mentioned that you wanted to equate the Leader of the Opposition with Ministers of the Government....

MR. SPEAKER: I did not say that.

PROF. DILIP CHAKRAVARTY: You have said....

MR. SPEAKER: I have merely said about certain other rights.

PROF. DILIP CHAKRAVARTY: That part possible requires a closer scrutiny. When a Minister makes a statement which we in this House do not feel inclined to accept, we have a right to question the Minister till he satisfies the House, till he clarifies the entire situation. I would like to press upon you for your consideration whether, if the Leader of the Opposition chooses to make a reprehensible statement, a statement which is not acceptable to the Members, a statement which is devoid of facts, he would be subjected to the same amount of scrutiny as a Minister of the Government is done.

MR. SPEAKER: I have already ruled on that point.

SHRI YADVENDRA DUTT (Jaunpur): I rise on a point of order. I respect your ruling fully. But two questions have cropped up in my mind. You are the custodian of the honour, respect and privileges of the Members of this House. When such a serious allegation as the responsible Leader of the Opposition has made, that a certain Minister is in collusion with the under-world for murdering a certain person and you, in your wisdom, have observed that there are rules for it, may I ask you this: if no Member takes up the rule, will that Minister, whoever he may be, stand condemned without any clarification, without the Minister being named by the Leader of the Opposition? (*Interruptions*) As a custodian of our honour, prestige and privileges, in such a serious matter when the Chair refuses to use its power, what is the alternative for us? Secondly, how can, when the Opposition itself is divided into Groups, one person—he may be the leader of the biggest Group—be taken as the Leader of the Opposition as a whole, and how are you permitting him to make a statement like a Minister which is setting a dangerous precedent for the future?

MR. SPEAKER: No point of order arises.

SHRI HARI VISHNU KAMATH: A point of major significance that has emerged from your observation is that the Leader of the Opposition, who was accorded a certain status by an Act of Parliament passed last year, has been placed on a par with Ministers in certain respects, though not wholly at par. Now, the short point is whether the constraints and the restraints imposed by the rules on Ministers, even on the Prime Minister, do or do not apply to the Leader of the Opposition. With regard to particular matters, the rules impose certain constraints; the rules applicable to Ministers' statements, which have already been cited, are 357 and 372. Outside those rules, 357 and 372—I am not aware of anything else—my knowledge of rules is meagre, it is not very good—except, perhaps during Question Hour when Ministers have certain rights; the Leader of the Opposition, fortunately, does not answer questions here. Please read those rules, 357 and 372. Rule 357 does not obviously apply....

MR. SPEAKER: Even rule 372 in terms does not apply.

SHRI HARI VISHNU KAMATH: Yes; that does not apply; then, is it an instance where you have exercised your powers under rule 389? You have residuary powers, I know. All the residuary powers are vested in you, under rule 389. Please clarify to the House, please illumine, please throw light where there is darkness all round, please throw light in the encircling gloom, whether you have exercised your right under rule 389 to permit him to make the statement outside the scope or outside the provisions of rules 357 and 372. There is no other rule in the Rules of Procedure. So, Sir, I would like to know, the House would like to know I am sure, under what powers, if not under 389, you have permitted him to make a statement. He has not made the statement as yet. He is going to make it. You have seen

it. But we do not know what it contains Before he proceeds further, please let us know this because this will be a precedent for the future also.... (*Interruptions*)

MR. SPEAKER: I have already announced to the House that this will be tentative and this will be only until I meet all the leaders and we all evolve certain conventions.

SHRI HARI VISHNU KAMATH: Today, Sir, under what rule are you permitting him to make the statement?

MR. SPEAKER: Taking into consideration the principles underlying rule 372, I am exercising my powers under rule 389.

श्री राज नारायण (रायबरेली) : श्रीमन्, मेरा प्वाइंट आफ आर्डर है। प्वाइंट आफ आर्डर यह है कि तमाम मंत्रि परिषद् पर कोई भी सदन का मेम्बर कोई वेग चार्ज लगा दे और वह सदन की कार्यवाही में पड़ा रहे—इसको आप इन आर्डर मानते हैं? आप इस बात को गम्भीरता को समझें कि सम्पूर्ण मंत्रि परिषद् पर एक गम्भानित सदस्य, चाहे वे लीडर आफ दि अपोजीशन ही क्यों न हों या कोई आनडेस्ट मेम्बर इस सदन के हों या चाहे कोई भी माननीय सदस्य हों, मैं यह जानना चाहता हूं कि लीडर आफ दि अपोजीशन ने एक चार्ज लगा दिया लेकिन वह नाम नहीं ले रहे हैं तब वह चार्ज सारे मंत्रि मंडल पर ही माना जा सकता है, मंत्रि मंडल के एक एक सदस्य पर माना जा सकता है और वह चार्ज वेग है....

MR. SPEAKER: Probably you have not read the statement. He has not charged the entire Ministry.

श्री राज नारायण : ये लोग हल्ला क्यों मचाते हैं? जरा ला की स्पिरिट में जायें, केवल पत्तों पर चलने से काम नहीं चलता है। लीडर आफ दि अपोजीशन ने कहा कि एक केन्द्रीय मंत्री ने श्रीमती इन्दिरा नेहरू गांधी की हत्या कराने का षड़यंत्र किया तो वह मंत्री कौन हैं? जब तक मंत्री का नाम नहीं आता है तब तक यह चार्ज सारा मंत्रि परिषद् पर माना जाएगा (**व्यवधान**) हर आदमी कह सकता है, पब्लिक कह सकती है कि प्रधान मंत्री हों, या डिप्टी प्राइम मिनिस्टर बनने वाले हों या श्री जगजीवन राम जी हों या कोई दूसरे मंत्री हों। मैं कहता हूं कि यह बिल्कुल वेग चार्ज है इसलिये आप इसको सदन की कार्यवाही से निकाल दें।

मैं बराबर इस बात को मानता हूं कि लीडर आफ दि अपोजीशन का स्थान किसी भी मंत्री से ज्यादा है। टैक्निकैलिटीज में प्रश्नों का उत्तर देने या कोई और इन्फार्मेशन देने के अलावा दूसरी बातों में लीडर आफ दि अपोजीशन का स्टैटस किसी भी मंत्री से ज्यादा है। मैं स्वयं लीडर आफ दि अपोजीशन रह चुका हूं और बराबर मैं इसके लिये लड़ा हूं। लीडर आफ दि अपोजीशन को एक आफिस मिलता है और दूसरी फैसिलिटीज मिलती हैं। बाहर से कोई लीडर आफ दि अपोजीशन हमारे देश में आते हैं तो बाकायदा उनको रिसीव करने के लिये लोगों को बुलाया जाता है और जाना भी चाहिए (**व्यवधान**) मेजारिटी की बात ही हमेशा सही हो, ऐसी बात नहीं है। कभी कभी एक आदमी भी राइट हो सकता है और 99 आदमी गलत हो सकते हैं। इसलिये मैं कहता हूं ट्रेजरी बेंचेज के लोग अनावश्यक हल्ला न मचायें। मेरा सवाल बिल्कुल सिम्पुल है। इस सदन के कितने लोग रूल्स को मानते हैं? "आप" शब्द का प्रयोग केवल स्पीकर के लिये होना चाहिए लेकिन जो माननीय सदस्य भी बोलता है, कहता है आपने यह कहा, आपने यह कहा। श्री एम एन मिश्र भी यही करते हैं। "आप" शब्द केवल स्पीकर के लिये कहा जाता है, किसी और के लिये आप शब्द नहीं कहा जाता है। आप आनरेबल मेम्बर कह सकते हैं। "आप" नहीं कह सकते हैं। (**व्यवधान**) मैं यह कहना चाहता हूं कि जो कुछ भी स्टीफेन साहब ने कहा है उसको

[श्री राजनारायण]

आप सदन की कार्यवाही से निकलवा दीजिए । इस तरह का जो वेग एलीगेशन स्टीफेन साहब ने लगाया है उसके लिये उनको खुद यहां पर खड़े होकर कहना चाहिए कि इपोशंस में आ कर, प्रिविलेज मोशन के महत्व को थोड़ा कम करने के लिये मैं ने यह कह दिया । ऐसा कह कर वे इसको समाप्त करें और इसके लिये सदन से क्षमाप्रार्थी हों । वरना इस पर भी प्रिविलेज का मोशन बन सकता है । कोई भी कैबिनेट का मिनिस्टर कह सकता है कि इन्होंने हमको कहा है । मैं नहीं समझता कि मंत्रिपरिषद् के किसी सदस्य में आज यह गट्स है कि वह खड़ा होकर कहे कि इन्होंने सदन में गलत कहा है और इन्होंने हम को कहा है । अगर मैं केबिनेट का मेम्बर रहता तो मैं आप से खड़े होकर कहता । .....

MR. SPEAKER: I see the point.

श्री राज नारायण : माननीय विरोधी दल के नेता सर्वश्री स्टीफन साहब ने मुझ को कहा है, कृपा कर वह सिद्ध करें कि मैं हूं या नहीं .....

MR. SPEAKER: I do not advise anybody.

श्री राज नारायण : वरना इस सवाल को प्रिवलेज कमेटी में ले जाइये या इस को आप यहां से निकलवाइये ।

SHRI B. P. MADAL *rose.*

MR. SPEAKER: You have spoken thrice. You cannot go on. Mr. Desai. (*Interruptions*)** I am not allowing any body. Mr. Desai. (*Interruptions*)** You are as good a Member for once at least. (*Interruptions*).**

SHRI D. D. DESAI (Kaira): Sir, the Leader of the Opposition.... (*Interruptions*).**

SHRI B. P. MANDAL *rose*....

MR. SPEAKER: I have heard you. I must hear others also, Mr. Desai.

SHRI D. D. DESAI: Sir, the Leader of the Opposition in a Coalition is elected as the Leader of all the Opposion Parties. Similarly, you must think that the Leader of the Opposition is the Leader of all the Opposition Parties when you are talking about it. Therefore, I request you not to refer to the Leader of the Opposition as a Leader of all the Opposition parties.

MR. SPEAKER: This is not the point of order.

श्री युवराज : (किटहार) अध्यक्ष महोदय, हमारा प्वाएट आफ आर्डर यह है कि उस दिन आपने यह कहा था कि पुलिस कमिश्नर की रिपोर्ट के आधार पर जो अराजक स्थिति की सम्भावना है और माननीय प्रधानमंत्री की हत्या की साजिश आपको मालूम हुई और उसी सिलसिले में माननीय विरोध पक्ष के नेता ने यह कहा कि बिहार के रहने वाले केन्द्रीय मंत्रिमण्डल के जो एक सदस्य हैं उन्होंने श्रीमती इन्दिरा गांधी की हत्या की साजिश समस्तीपुर में की थी तो मैं जानना चाहता हूं कि वे मंत्री कौन हैं । बिहार के मंत्री माननीय जगदम्बी प्रसाद यादव, बाबू जगजीवन राम हैं । मैं जानना चाहता हूं कि क्या होम मिनिस्ट्री ने इस बात का कोई नोटिस लिया कि जो एलीगेशन माननीय विरोध पक्ष के नेता ने लगाया वह ठीक है या नहीं ? उसकी कोई जांच की गयी या नहीं ? अगर यह बिल्कुल असत्य और निराधार है तो विरोध पक्ष के नेता को इसको वापस लेना चाहिए ।

MR. SPEAKER: This is not the point of order.

SHRI HARIKESH BAHADUR (Gorakhpur): Sir, the allegation made by the hon. Leader of the Opposition against the Minister of the Central Government regarding conspiracy is of a very serious nature. It must be clarified clearly. This is a very serious allegation.

**Not recorded.

SHRI K. LAKKAPPA: My point of order is this. A Member from the Opposition is standing. You never enjoy what we speak. When Shri Raj Narain speaks you are enjoying and laughing from the Chair. It is discriminatory.

MR. SPEAKER: I enjoy your speech most.

SHRI K. LAKKAPPA: You must listen to me once for a minute.

MR. SPEAKER: I am only hearing the points of order.

(*Interruptions*)

SHRI A. K. ROY (Dhanbad): Mr. Speaker, Sir, the controversy with which we are all concerned here, for that you will never get a solution by any single provision of your rules book. You will have to find the solution by combining Rule 357 and 372 and substracting something. Then only you will get the solution.

Mr. Speaker, Sir, I am telling you the whole issue came up because you made some disclosure before the Parliament of which we are not sure whether they were meant originally for the consumption of Parliament. This point was raised that very day that if some Member gave some information to you the Member was equally eligible to raise it in Parliament but without raising it in Parliament if somebody writes to you then it presupposes it is not for the open consumption of Parliament. Once you have disclosed it actually you are in the trap and nobody else. Mr. Speaker, what I say is that our whole argument is in the wrong direction as if we are afraid something may come out from the Opposition Leader's statement. We are afraid something may come out of the Minister's statement. I would like to say that in the present political atmosphere neither the Leader of the Opposition nor any Minister is sacrosanct. Anybody can do anything. Only that day you would have read perhaps the observation.**

MR. SPEAKER: I am not allowing the mention of President.

SHRI A. K. ROY: You can expunge anything but you cannot expunge things from the memory of the people. Therefore, I say, Mr. Speaker, that if you combine 357 and 327 we the Members would like to know instead of throttling things in the mid-way, instead of allowing the suspicion to prevail all over the country that perhaps there is one Minister who is conspiring to kill Mrs. Gandhi or perhaps there were some members of the Indira Congress who were conspiring to kill the Prime Minister, it is better that we should dispel this suspicion once for all. We should be allowed to hear the detailed statement to be made by the Leader of the Opposition here and after that we will also challenge the Leader of the Opposition to state and we will also challenge this side who are coming out in support of the ministers. Mr. Speaker, Sir, we are previously from the Bihar Assembly. We know that Ministers are not above board. They are not sacrosanct. They can do anything. Only the other day one Bihar Assembly Minister said... (*Interruptions*)***

MR. SPEAKER: Do not record.

SHRI A. K. ROY: Mr. Speaker, Sir, the Prime Minister has written to that Minister as to why did he say that.

Mr. Speaker, I say that ministers can do anything and Leader of the Opposition can stoop to anything. Let the Leader of the Opposition come out and say and he should also face the challenge and take the responsibility for his statement against the Minister. So we want both the things to be discussed so that the doubts are set at rest once for all. (*Interruptions*)

SHRI SUSHIL KUMAR DHARA: How can he say that no Member is sacrosanct and no Minister is sacrosanct.

**Not recorded.

***Not recorded.

SHRI VAYALAR RAVI: Mr. Speaker, you have already given the ruling that Mr. S. N. Mishra has summed up the whole point. Now, why is it that the debate is going on. (*Interruptions*) Mr. Speaker, Sir, under the rules....

MR. SPEAKER: I have not allowed that. I have called Shri Kachwai. I have disallowed that portion.

SHRI SUSHIL KUMAR DHARA (Tamluk): He has accused all the members. Why did you allow?

MR. SPEAKER: I have disallowed that portion.

Now, Shri Kachwai.

श्री हुकम चन्द कछवाय (उज्जैन): अध्यक्ष जी, मेरा व्यवस्था का प्रश्न यह है कि आपके द्वारा जो पत्र का उल्लेख सदन में किया गया जो कि पुलिस कमिश्नर ने आपको दिया था उसका जवाब देने के लिये श्री स्टीफन खड़े हुए हैं। किसी सदस्य ने आरोप नहीं लगाया। आपके पत्र पर वह जवाब दे रहे हैं। क्या उनके उत्तर के बाद आप सदन में पुलिस कमिश्नर को बुलायेंगे गवाही देने के लिये कि उन्होंने जो पत्र आपको दिया है उसमें यह सच्चाई है? क्या इसका मौका आप उनको देंगे जिससे यह बात साफ हो जाए कि उन्होंने जो पत्र आपको लिखा है वह किस आधार पर लिखा है, कौन सा सबूत है उनके पास जिसके कारण उन्होंने आपको लिखा है कि संसद् भवन के अन्दर कड़ी सुरक्षा व्यवस्था आप करें। संसद् भवन के अन्दर कोई भी घटना कर सकता है, और यहां आने वाले वह लोग हैं जो घटना कर सकते हैं। ऐसी परिस्थिति में क्या आप मौका देंगे पुलिस कमिश्नर को अपनी सफाई देने का?

MR. SPEAKER: It is no point of order.

PROF. SAMAR GUHA (Contai): Mr. Speaker, Sir, I want to draw your attention to one very serious point. Today you are setting up a precedent. At least so far as I know such a kind of thing never existed in the life of this Parliament, that whenever the Speaker makes any observation or statement, any member of the House can raise any kind of objection or any kind of interpretation in the form of a point of order or something else. But it never happened as far as I know and as far as I can recollect that if a statement is made by the hon. Speaker, then any Member—he may be the Leader of the Opposition, he may be the Leader of the House—can make a statement countering or in any way relating to that statement made by the hon. Speaker. In this case as there is a reference regarding the plot of assassination of the Prime Minister who is also the Leader of the House it would have been

of the House and the Prime Minister to make a statement. And on the basis of the statement of the Leader of the House and Prime Minister, the Leader of the Opposition could make a statement. But today, because of the step you are going to take, in future you will be in very serious trouble. Whenever you make a statement, every time the Leader of the Opposition—leave aside the other members—may claim—privilege and the right. citing this precedent, that you allow him to make a statement on the basis of your own statement.

Of course you are using your residuary power; you are making use of the residuary rule. Residuary power may be there in certain matters. But it is a basic principle that it is for the guidance of the Speaker. The hon. Speaker is guiding the proceedings of the House. Now, in future, do you admit this claim, that in future, if you make a statement, any Member—let it be the Leader of the Opposition—can make a counter-statement, not in the form of a point of order,...

MR. SPEAKER: You have not read the statement.....

PROF. SAMAR GUHA: Today you are setting up a very dangerous precedent. It will be well-nigh impossible for you to conduct the proceedings of the House.

MR. SPEAKER: He has not countered my statement. He has countered the Police Commissioner's statement.

PROF. SAMAR GUHA: It is your statement. You should have immediately referred the matter to the Prime Minister. You should have immediately brought it to his notice. The Police Commissioner is an officer of the Government. If the Police Commissioner makes certain statement, it was your duty to refer the matter to the Prime Minister or the Government. The Prime Minister should have asked the explanation from the Police Commissioner. On the basis of that the Prime Minister should enlighten the House. On the basis of that statement of the Prime Minister, the Leader of the Opposition could make a statement. The procedure that you have adopted today will lend you in serious trouble. In future, you will not be able to control the House. On the basis of the right that you are conferring today on the Leader of the Opposition, on each and every occasion, he can rightfully claim to make a statement. I draw your attention to that serious point.

13 hrs.

MR. SPEAKER: Shri Stephen.

SHRI C. M. STEPHEN: Mr Speaker, Sir, the announcement made by you from the Chair on Friday regarding the communication from the Commissioner of Police alleging a plot to murder the Prime Minister, has triggered off reactions and has raised issues of far reaching implications. The first reaction came from the Commissioner of Police. He told the newsmen that he had never sent any communication to the Speaker about the plot. It is reported that he was 'so categorical in his denial of the Lok Sabha Speaker's statement earlier in the day that he told newsmen that a communication about a plot would normally be sent to the Home Ministry. If I had information about a plot, I would have informed the Home Ministry instead of the Speaker. Later in the day..... (*Interruptions*)

PROF. SAMAR GUHA: Again on a point of order arising out of the few sentences that the hon. Leader of the Opposition has read out. The Leader of the Opposition is making a reference to a press report in which the Chair is involved. It is also our duty to defend the Chair; it is not that the Chair will always defend us.

MR. SPEAKER: I have heard you on this.

PROF. SAMAR GUHA: Not on this; this is a new point..... (*Interruptions*). I do not off and on rise on my legs.....

MR. SPEAKER: I have already given my ruling.

PROF. SAMAR GUHA: This is another point. I am on a point of order on the statement that has already been made by Shri Stephen.... (*Interruptions*)

MR. SPEAKER: I have allowed Mr. Stephen to make a statement. Please allow him to do that.

PROF. SAMAR GUHA: I want to draw your attention to one point with regard to the statement that has just been made by Shri Stephen.

MR. SPEAKER: I have gone through the statement. He has raised certain issues. I want to place before the House what the real issues are. I am also going to make certain observations on that so that the matter may be cleared. Certain confusion appears to have been created at certain other quarters, not at our quarters. It is better that the House knows all the facts. That is why I have allowed him to make it to-day. I am also

[Mr. Speaker]

going to tell you how much error has crept in this statement.

(*Interruptions*)

PROF. SAMAR GUHA: My point is not on that. (*Interruptions*)

MR. SPEAKER: Please hear him.

SHRI C. M. STEPHEN: It is a statement approved by the Speaker.

PROF. SAMAR GUHA: Not that I yield to the point, but in deference to your wishes, I sit down. But it is a serious involvement. (*Interruptions*)

SHRI C. M. STEPHEN: I read it further. Later in the day, the office of the Police Commissioner issued a a statement reading "a communication on the subject was received in the Security Branch of the Delhi Police about a week ago. It was passed on to the Lok Sabha Secretariat for information and necessary vigilance since it concerned the Prime Minister as a Member of the Lok Sabha." On questioned further by the Pressmen, the Commissioner declined to make any comment on the ground *inter alia*, that the matter formed part of official secrets. A communication form the Security Branch of the Commissioner's office to the Security Branch of the Parliament is a routine matter which will be taken as such by the country even if revealed. But an official letter from the Commissioner of Policy to the Speaker of Lok Sabha purporting to convey information of a plot to murder the Prime Minister and announced as such from the Chair of the Speaker is a matter of major significance Was it a communication from one Security Branch to another Security Branch as claimed by the Police or was it from the Commissioner of Police to the Speaker as announced in the House? Was it a communication received in the Security Branch of the Delhi Police and just passed on to the Lok Sabha Secretariat as claimed by the Police, or was it, as was told to the Lok Sabha, a communication from the Commissioner of Police alleging the existence of a plot? The present position is that the anouncement in the House stands contradicted in all material particulars. This is the first time in the history of our country that a statement by the Speaker is publicly challenged. For that very reason, this episode is of considerable importance. It is absolutely essential in public interest and in the interest of the dignity of Lok Sabha that the position is clarified beyond doubt.

The Police Commissioner has claimed that the matter formed part of official secrets. The implication is that the revealing of the matter in the Lok Sabha is a revelation of an official secret. That a matter of official secret conveyed to the Lok Sabha Secretariat was revealed is an allegation of no small magnitude. This aspect of the matter also calls for a clear clarification.

Quoting a top intelligence official, the UNI has reported that the communication was on the basis of an anonymous letter. The official is quoted as saying 'such anonymous letters were not uncommon. We receive 30 to 40 letters pertaining to the lives of VIPs every day. Of these, many concern the Prime Minister. These letters, if they concern a Member of Parliament, are sent to the Marshal of the House for his information and action. The present letter is one such letter.' This news item has not been contradicted yet. That a communication emerging from an anonymous letter and conveyed to the Lok Sabha Secretariat as a part of a matter of official secret should serve as a basic document for an extremely incriminatory and defamatory allegation in the Lok Sabha against the major Opposition in the Parliament, cannot

obviously be taken as a routine incident. It should be the concern of this House to consider how to mend the damage done all round.

The Speaker's announcement came in reply to a damand from Shri Shyamnandan Mishra who said, "We are informed that you have been told by some persons, that inormation has been conveyed to the Chair, that some person's life is in danger on this very issue." A secret information conveyed to the Lok Sabha Secretariat, and I hope, made in all secrecy—how it it that Shri Shyamnandan Mishra got knowledge about it? If a convincing explanation is not forthcoming, would it not be permissible to draw the inference of a political design to create a background of allegations against the main Opposition so as to set the stage for an offensive of suppression and attack from the ruling party?

SHRI JYOTIRMOY BOSU: Not at all.

SHRI C. M. STEPHEN: I would seek of Shri Shyamnandan Mishra to tell the House as to how and where he got this information about this communication.

The statement under reference was obvisously highly incriminatory and defamatory against my Party and my Party Members. The word used was "Congress (I) people." That phrase would cover the Members of our Party in this House itself. I had immediately denied that allegation. My denial was carried by the P.T.I. teleprinter in the Parliamentary Service No. 24 in the following terms:

> "The allegation which touched off tempestuous scenes in the House, was denied as mischievous, malicious and baseless by the Leader of the Opposition, Mr. C. M. Stephen..."

At 1852 hrs, the P.T.I., with reference to the above release, teleprinted an instruction reading as follows:

> "Editors: Please hold from publication charges—LS series moved by us in 13 takes (par 24 onwards) until further advice.
>
> This is on advice from the Lok Sabha Secretariat."

A P.T.I. message at 2015 hrs. instructed the editors:

> "Please note the charges series held by the advisory (Par 110) is now realeased barring the opening take (Par 24) which is superseded by this lead."

At 2017 hrs, another P.T.I. release instructed:

> "Please kill par 24.....This is under advice of the Lok Sabha Secretariat."

In the result, the P.T.I. report that I characterised the Commissioner's allegation as mischievous, malicious and baseless was blacked out under instructions from the Lok Sabha Secretariat. This was as a result of an expungement order by the Speaker under rule 353. The spirit of rule 353 is against allegations of defamatory and incriminatory nature. Could it be that an allegation can be made as against one section and that a repudiation of the same will not be permitted on the ground of being defamatory and incriminatory nature. result of the instruction by the Lok Sabha Secretariat was that the words "mischievous, malicious and baseless" by way of my characterisation of the communication, were blotted out from the news media. Are these words defamatory and incriminatory with reference to the allegation made in the House? The power of expungement, exercised by the Speaker in the Chamber, is a matter which has come in for complaint on the Floor of the House on many occasions. Except to say that in this case I am an aggrieved party I do not propose to make any comment for lack of time. I would only appeal to the Speaker that a discussion with the Party Leaders be arranged for evolving modality for effecting expungement from the proceedings in the House.

The first sentence in the record of your observations from the Chair

[Shri C. M. Stephen]

(page 10587 of the uncorrected record of proceedings dated 8th December 1978) has been corrected to read as follows:—

> "Four days back I got a communication purported to be from the Office of the Commissioner of Police that there is a plot to murder the Prime Minister.."."

The words added in as correction are "purported to be from the office of the". You were pleased to explain to me that this correction was to put the record straight and that it is normal and permissible. To my mind, there is a lot of difference between the words 'communication from the Commissioner of Police" and the words "communication purported to be from the office of the Commissioner of Police." I am not raising any objection to this correction. But, I cannot help raising the question as to whether when a member corrects the proceedings it can be to add in something he did not say or to delete something which he said. My concept about the right of correction is that it is to conform the record with what was actually stated, barring of course, to correct a minor grammatical mistake or so. In the light of this correction, a ruling on the scope of permissible correction becomes necessary.

The entire episode throws up many question marks and many important issues. I do submit that these questions and doubts clamour for immediate clarifications.

SHRI VAYALAR RAVI (Chirayinkil): I am on a point of order. This is the concern of this House and every Member. Mr. Stephen has made a serious observation. I know that no question was allowed, no debate was allowed. But one serious question is this which I want to clarify. When any Member makes a statement on the Floor of this House, sometimes, it may be objected: sometimes some Members raise a point of order that it is discriminatory should be expunged or not. No Member had raised any objection at that time. The Speaker himself should have expunged it at that moment.

The question is whether you can expunge, as an afterthought? This is the point I am raising; please tell all of us whether it is permissible, whether you can expunge as afterthought.

MR. SPEAKER: Let me first of all observe that I shall be only too glad to meet the leaders of parties or groups as suggested by the hon. leader of the Opposition to go into the general question of expunction of observations made in the House.

Three points are raised by Mr. Stephen in his statement made before the House. He has objected to my editing my observations made on the 8th December. In this respect Shri Stephen had sent a letter to me on the 9th December and to his letter I had sent the following reply on the 10th December:

> "I have gone through the proceedings again and find that the words 'the Commissioner of Police' occur twice at page 10587 of the uncorrected proceedings. While at the second place, the words 'the Commissioner of Police' have been left as they were, the words 'purported to be from the office of' were inserted in the first place to put the record straight as I understood that the letter had emanated from an Officer subordinate to the Commissioner."

This is permissible under the rules. It has been done in the past; there are earlier precedents covering the matter.

Shri Stephen desird to hear the tape. I have permitted him to do so. I understand that he had heard the tape. It is very important because of certain words which are coming later.

He has also raised objection to my expunging some of the observations made by him. It may be noted that objection to some of his observations was raised in the House itself. I had

mentioned then that if there were any objectionable observations, I would examine the matter. I went through the proceedings and retained the following observations made by Sri Stephen:

"Now I am submitting finally, I want to totally deny it, the allegation made as irresponsible by the Commissioner, irresponsible....."

What were taken out were one sentence and another part of a sentence which were defamatory/incriminatory in nature and therefore attracted the provisions of rule 353. In the portion expunged the words 'baseless' or 'malicious' were not there at all. Mr. Stephen has heard the tape. I do not know how the P.T.I. came to publish them; it is nowhere there in the record. Mr. Stephen has made a complaint of that no such words were used by Mr. Stephen and I have not expunged those words at all.

SHRI JYOTIRMOY BOSU: How can he do it, after hearing the tape?

MR. SPEAKER: I have not expunged it at all; he is speaking about the P.T.I. statement and not his statement.

The communication in question was addressed to the concerned official of the secretariat in accordance with the usual practice but it was intended for the information of the Speaker. All the official communications are normally addressed to the officers, and not to the Speaker, except where Members or others address the Speaker. I am unable to agree that the communication in question was a routine communicaton, I have given you the substance of the communication. It is for you to judge whether it is a routine communication. The communication in question was intended to be secret but as a pointed query was made in the House about the communication, it would have been improper on my part to suppress it from the House. Mr. Stephen himself in his statement said: I did not communicate to you about a Minister's attempt to murder Mrs. Gandhi because once it emanates from me it becomes a property of the House. I do not fully agree there. I cannot keep it back from the House when I was specifically asked about some information in which the House was deeply interested.

SHRI JYOTIRMOY BOSU: You are very right.

MR. SPEAKER: I do not want a certificate from anybody.

As regards the alleged instructions to the News Agencies, I am given to understand that no special instructions were issued by the Lok Sabha Secretariat. The usual procedure of making available the authorised proceedings to accredited press correspondents and News Agencies who wanted to refer to them was followed. If the Press Agencies use words of their own making and very interesting words, my secretariat is not responsible for it.

SHRI HARI VISHNU KAMATH: They should be pulled up at least.

SHRI JYOTIRMOY BOSU: What action are you taking against this gross impropriety? The House has a right to know. We are not silent spectators.

MR. SPEAKER: I am not hearing anything more.

SHRI JYOTIRMOY BOSU: What steps do you propose to take against this gross impropriety? It is unbecoming of a Member.

SHRI HARI VISHNU KAMATH: The Press is free, but it cannot be free in every way, in all respects, they should be pulled up when they go astray.

MR. SPEAKER: Shri Shyamnandan Mishra.

SHRI SHYAMNANDAN MISHRA (Begusarai): Mr. Speaker, reference has been made to me by the hon. Leader of the Opposition in his statement and I think it is my duty to clear my position in this regard. I am not obliged to reveal the source of my information and it should be the Leader of

[Shri Shyamnandan Mishra]

the Opposition who should uphold the right of a Member not to reveal the source of information. Otherwise the Opposition in particular would not be able to function effectively in this House. Secondly, may I make it absolutely clear that my information did not come either from the office of the hon. Speaker or from the office of the Home Minister, in this regard. This position must be made clear and I am very glad that my information has been confirmed 100 per cent. I am glad about it.

Finally I would have failed in my duty as a Member of this House if I did not bring this matter to the notice of the House. Therefore, I did it.

SHRI VASANT SATHE (Akola): We are not satisfied with your reply.

MR. SPEAKER: I am not here to satisfy you.

SHRI VASANT SATHE: What is the position? Does it not mean that you have revealed certain information without getting it verified from the government?.... (*Interruptions*)

MR. SPEAKER: I am not obliged to answer any question.

SHRI VASANT SATHE: Are you not entitled to tell it to the country that you have received this information without getting it verified.... (*Interruptions*).

MR. SPEAKER: Don't record.

SHRI NARENDRA P. NATHWANI (Junagadh): I am going to the next item.

MR. SPEAKER: I have not called the next item yet; I am first to dispose of a point of order raised by the Leader of the Opposition the other day.

SHRIMATI PARVATHI KRISHNAN (Coimbatore): I understood Mr. Mishra to say that he was glad that his information was correct. Does he mean by that he is glad that there is a plot to assassinate the Prime Minister? This is what I want to know.

13.24 hrs.

MOTION *RE.* THIRD REPORT OF THE COMMITTEE OF PRIVILEGES—*contd.*

MR. SPEAKER: On the 8th December, 1978, after the motion, "That this House do conisider the Third Report of the Committee of Privileges presented to the House on the 21st November, 1978" was adopted by the House, Shri Morarji Desai, Leader of the House, moved a substantive Motion stating that the House agrees with the findings of the Committee of Privileges and that the House authorises the Speaker 'to take steps to ensure the presence in this House of Shrimati Indira Nehru Gandhi in her place, Shri R. K. Dhawan and Shri D. Sen before the Bar of the House, on such date as may be decided by the Hon. Speaker, to hear them on the question of punishment and to receive such punishment as may be determined by the House'.

Shri C. M. Stephen, thereupon, raised a point of order that the Motion moved by the Leader of the House was not in conformity with the provisions of Rule 315(3) of the Rules of procedure of Lok Sabha, which reads as under:—

> "After the motion made under subrule (1) is agreed to, the Chairmen or any member of the Committee or any other Member, as the case may be, may move that the House agrees or disagrees or agrees with amendments, with the recommendation contained in the report."

In this connection, I may mention that a similar point of order was raised in Lok Sabha on the 18th August, 1961 in the *Blitz* case, when the Chairman of the Committee of Privileges had moved a motion 'that Shri R. K. Karanila, Editor, *Blitz*, Bombay do attend this House on day and time, within a week of the adoption of this motion, to be fixed by the Speaker'. On that occasion, my distinguished

**Not recorded.