

ही मज्जते खासे तगड़े रह सकते हैं तो प्रागे चल कर इम्लीड पर जितने भारोसे में रहेंगे उतने न रहते हुए हम को भी कुछ अलग अस्तित्व के रूप में डीलक करने के बाद ग्लोड पैरिटी में मान ली किन्तु प्रागे चल कर हम को भी दुनिया के साथ सीधे सम्बन्ध स्थापित करने चाहियें। यह जो रुपी ट्रेड के साथ पूरे इस्टर्न यूरपियन कन्टीज को जोड़ दिया है, वहाँ तो स्विस ट्रेड होकर हम फिर घाटे में रहते चले आ रहे हैं तो डायरेक्टली उन्ही देशों के साथ सम्बन्ध रख कर अपना निर्यात बृद्धि करने के हेतु, और प्राज कल की 7 प्रतिशत निर्यात की दर कैसे होगी, इस दृष्टि से कोई ठोस उपाय हों तो बतलाने की कोशिश करें।

SHRI YESHWANTRAO CHAVAN:
 Most of the points that the hon. Member has raised on this, I have tried to deal with them in my reply. The only new point that he has raised, if I have understood him correctly, is how we are going to achieve the indication that we have given about expansion of export trade. That naturally will have to be in the non-conventional items. That also we will have to see to which countries we go. Naturally, competition is not merely in terms of rates, but it is also in terms of quality—the point to which hon. Member, Shri Indrajit Gupta made a reference. Ultimately it will depend not merely on the rate but also on the quality of the product and the commodities that we supply. Certainly we have got an edge over the currency in some of the third countries. That only shows the objective situation. In what way we will be able to do that, it is certainly a question of going into the details of it. I do not think that strategy can be explained openly in detail, if it is going to be competitive like this. But we wish that we will certainly do that.

His main point was that the currencies, Deutsch Mark and Yen, are strong today. Really speaking, Dollar has made this attack to make them

more weak. Let us not consider that they are strong and they will remain permanently strong. It is a very shifting ground and in the shifting ground we will have to be very careful.

MR. SPEAKER: Now, I will call the members at the proper time.

SHRI SHYAMNANDAN MISHRA:
 The question of privilege should receive precedence, according to the Rules of Procedure, over other matters. This is my only submission.

MR. SPEAKER: I shall be calling the members at the proper time.

SHRI JYOTIRMOY BOSU: After you have called him, Sir, please allow me to make a mention about burning of the Harijan bastis at Raniganj.

MR. SPEAKER: I will come to that later on.

SHRI JYOTIRMOY BOSU: My complete obedience to the Chair.

MR. SPEAKER: What a change overnight!

12.55 hrs.

MATTER UNDER RULE 377

ALLEGED WRONG STATEMENTS BY
 MINISTERS

MR. SPEAKER: Shri Shyamnandan Mishra,

SHRI SHYAMNANDAN MISHRA (Begusarai): It is with a great sense of responsibility and in no lighthearted spirit that I have to raise a question of privilege under Rule 222 of the Rules of Procedure and Conduct of Business, which has got very serious implications and dimensions, against the hon. Minister of Industrial Development, Shri C. Subramaniam and the hon. Minister of State in the Ministry of Defence, Shri Vidya Charan Shukla, for having deliberately made wrong and misleading statements before this House on the 22nd December 1972, while intervening in

[Shri Shyamnandan Mishra]
the debate on the policy of manufacture of a small car which has come to be.....

MR. SPEAKER: You give only a brief summary.

SHRI SHYAMNANDAN MISHRA: That is what I am trying to do.

While intervening in that debate which has come to be known popularly as the 'Maruti debate', pointed allegations were made that there have been infringements of certain rules and regulations framed by the Ministry of Defence in connection with the construction of buildings and other structures in the vicinity of the air-force installations.

In support of my arguments and contentions, I would like to refer this hon. House to the proceedings of the House on the 22nd December 1972:

"Shri Shyamnandan Mishra: What about the defence installations? How are they going to take them away from there now?

Shri Vidya Charan Shukla: Nothing has to be taken away. There is no objection from them.

Please underline the words 'There is no objection from them'.

"Shri C. Subramaniam: Shri Shyamnandan Mishra made a point and somebody also had made the point. That was why I sent for the Defence Minister and he tells me that there is no such infringement as far as their works are concerned....

Shri Shyamnandan Mishra: Let him say that.

Shri Vidya Charan Shukla: There is no basis for that.

Shri C. Subramaniam: I am saying it on his behalf. My saying it is much more responsible than even his saying it...."

Please mark his asserting with confidence.

Now, Mr. Speaker, the conclusive evidence in this matter I would like to adduce in support of my argument is this letter from the Defence Headquarters... (Interruptions) This communication is dated the 11th March, 1971. The notification for the acquisition of the land was made on the 24th February. So, the Defence Headquarters was quite alert and we have all praise for them. In this notification it is stated:

"Reference is made to the Air Headquarters letter No.... addressed among others to the Headquarters, Maintenance Command. It has come to the notice of this Station that the Haryana State has acquired certain land around this depot vide their notification No....., dated 24th February, 1971. On an examination of the area involved, it has been revealed that a major portion of the land so acquired falls within the restrictions imposed by the Government of India, Ministry of Defence, letter No..... Stores dated 13th August, 1965, that:

(a) It is within 3500 yards of the perimeter of the run-way at Gurgaon;

(b) It is within 3500 yards of the perimeter of the explosives depot at Gurgaon;

(c) It is within flying funnel area of the run-way of the Gurgaon airport and within 1500 yards from the nearest end of the run-way. Whereas the purpose for which this land is being acquired is not specifically stated in the notification, it is understood that the land may be under acquisition for construction of a factory.

It is clear that if this land should be acquired for some use by agencies other than those of the Government, it will con-

stitute a risk to the security of the explosives depot as well as the airfield..”

Please bear this in mind. 'It will constitute a risk..”

- (d) This acquisition will also be in contravention of the restrictions imposed on utilisation of land by agencies other than the airforce around the explosives depot—the restrictions which are indicated in the Indian Works of Defence Act 1903..”

13 hrs.

I have got a copy of that Act in my possession here and I would also like to refer to a declaration which is very important for the House. The Defence Headquarters communication says that this acquisition policy will also be in contravention of the 1903 Act and a due declaration has been made under Sec. 3 of the 1903 Act. I have got in my possession that important document which is very relevant. Lastly, the communication says:

“Your Headquarters is requested to take up the matter with the Air Headquarters and the State of Haryana to have this notification cancelled.”

Now, this letter is marked to the Air Headquarters, New Delhi and also to the Chief Secretary of Haryana. When I had made this pointed question, I had all this in mind. This document which I have in my possession. I am prepared to authenticate and I place it on the Table of the House.

It is quite clear that there had been an objection from the Defence Headquarters and that was also in time in the year 1971, and that there is an Act which specially prohibits construction within particular distance. There has also been a declaration under Sec. 3 of that Act.

Therefore, it is quite clear that these two Ministers to whom we put our questions with a certain amount of tenacity, and also answered our questions with an equal tenacity. Thus they have prescribed in making deliberately wrong statements and, therefore, it is a fit case for reference to the Privileges Committee for examination.

MR. SPEAKER: I will examine it and then I will also invite their comments and let you know later on the position.

THE MINISTER OF STATE (DEFENCE PRODUCTION) IN THE MINISTRY OF DEFENCE (SHRI VIDYA CHARAN SHUKLA): May I say something on it with your permission?

SOME HON MEMBERS: Why now?

श्री अटल बिहारी वाजपेयी (ग्वालियर) : श्री मिश्र ने जो कुछ कहा है उससे प्रिविलेज का मामला साफ हो जाता है ।

MR. SPEAKER: I have to see the other side's version.

श्री अटल बिहारी वाजपेयी : अध्यक्ष महोदय, आप क्या देखना चाहते हैं । मैं तो समझता था कि इस मामले को आपने पहले देख लिया होगा, फिर सदन में लाने की इजाजत दी है । अगर मंत्री महोदय कुछ कहना चाहते हैं तो उन्हें मौका दीजिये ।

MR. SPEAKER: I will have to examine it.

श्री अटल बिहारी वाजपेयी : : मेरा निवेदन है कि आप मामले को प्रिविलेज कमेटी में भेज दीजिये ।

SHRI INDRAJIT GUPTA (Aiz-ore): To hear the other side? The Minister is here. You can hear him.

SHRI JYOTIRMOY BOSU (Diamond Harbour): Let them reply.

MR. SPEAKER: I will have to examine it and let you know.

SHRI JYOTIRMOY BOSU: My submission is that both the Ministers are here. You can hear them.

MR. SPEAKER: We have been doing it in the past. We have been asking the other party.

SHRI JYOTIRMOY BOSU: Both of them are present here. Let them give their comments. Then you can consider both the views.

MR. SPEAKER: I have to examine it before I decide on the notice.

श्री अटल बिहारी वाजपेयी : मेरा
व्यवस्था का प्रश्न है ।

अध्यक्ष महोदय : अभी कोई फैसला तो
दिया नहीं है व्यवस्था की बात क्या है ?

I have to consider it..

श्री अटल बिहारी वाजपेयी : आप ने तो
इजाजत दे दी प्रिविलेज का मामला उठाने
की । या तो उनकी तरफ से कोई आपत्ति
होनी चाहिए ।

MR. SPEAKER: Rule 377...

SHRI ATAL BIHARI VAJPAYEE:
Rule 222..

MR. SPEAKER: So far as privilege
is concerned, I will examine it and
let you know.

SHRI INDRAJIT GUPTA: When a
Member writes to you bringing it to
your attention, at that stage, before
you allow him to raise the matter in
the House, you generally ascertain
the views of the Government. Only
after that, you generally permit him
to do that, to raise it here. In this
case, you allowed him to raise it
here.

MR. SPEAKER: So far as privilege
is concerned, I will have to examine
it.

SHRI INDRAJIT GUPTA: It is
now in the hands of the House..

SHRI ATAL BIHARI VAJPAYEE:
It is a *prima facie* case. Let it be
referred to the Privileges Committee
straightway. The rule says:

"Provided further that the
Speaker may, if he is satisfied
about the urgency of the matter,
allow a question of privilege to
be raised at any time during the
course of a sitting".

MR. SPEAKER: I have just now
said I have not allowed it. I have
just heard him. I have to examine
it.

SHRI H. N. MUKERJEE (Calcutta-
North-East): Are we to waste the
time of the House like this? I take
it that you allowed the matter to be
raised here.

MR. SPEAKER: No, not yet. The
Member came to my chamber and I
said, so far as Privilege is concerned,
I will have to examine it.

SHRI H. N. MUKERJEE: I am not
interested in private conversation. As
a Member of this House, I do think
that whenever something was raised
in the House, that was permitted to
be raised in the House.

MR. SPEAKER: The hon. Member
saw me and I said, so far as privilege
is concerned, I will have to examine
it.

SHRI H. N. MUKERJEE: What
happens in your chamber is not my
concern. What happens in the House
is my concern. We do think that you
have permitted him to raise it here..

MR. SPEAKER: No, I did not per-
mit him.

SHRI H. N. MUKERJEE: Are we
to liquidate ourselves? How could
you do so? The time of Parliament
has been wasted, paid for by the peo-
ple.

SHRI SAMAR GUHA (Contai): I rise on a point of order. You had assured Mishraji that he may make a statement according to Rule 377.

MR. SPEAKER: I made it clear.

SHRI SAMAR GUHA: I want to know from you whether he already intimated you, that he wanted to raise the issue of privilege. This comes under Rule 222.

MR. SPEAKER: I told him this. Even in that case I have to examine it before I decide. I have to examine it. If you want to raise any other point, you are welcome.

SHRI SAMAR GUHA: You have allowed him to raise the issue. You said about that particular rule in our Rules of Procedure. But he has already intimated to you that this issue involves the issue of privilege against a Member. If it is so, you have already allowed it....

MR. SPEAKER: I have not held it in order yet. He just met me, but before I hold it in order, I have to examine it.

SHRI SAMAR GUHA: Even then, it is the property of the House.

MR. SPEAKER: His merely mentioning it here does not mean that it has been held in order....

SHRI SAMAR GUHA: Members should be allowed to express their opinion.

MR. SPEAKER: I am sorry there can be no debate on it now. I have to examine it.

AN HON. MEMBER: Without examining it, how could you allow the Member to raise it?

MR. SPEAKER: I had made it very clear to him that I shall have to examine it, and I shall have to ask the hon. Minister.

If hon. Members are going to take these matters like this, it would be very natural for me that I should also behave like that. The hon. Member came to me and said that he had a certain matter to bring to my notice, and I told him that if he wanted to raise it as a matter of privilege, then I would have to examine it, but if he wanted to raise it otherwise, he would be welcome to do it, but before I could treat it as a privilege matter, I shall have to examine it. It was on this basis that I had allowed him.

SHRI VIKRAM MAHAJAN (Kangra): Rule 225, has two parts. One is that you have to give your consent to the Member to raise it, and the other is to decide whether it is in order. So, they are wrong in saying that rule 222 gives them the right to raise it straightway.

SHRI K. S. CHAVDA (Patan): On a point of order....

MR. SPEAKER: I have made it very clear already. There can be no question of point of order now.

SHRI SHYAMNANDAN MISHRA: I would be satisfied if you would be pleased to consider this matter. But my submission is under rule 222, raising a question of privilege. Kindly give me another half a second. The additional information which I wanted to bring to your notice is the letter that I wrote to the hon. Minister of State on 22nd November. It has remained unanswered till today....

MR. SPEAKER: He can give it to me.

SHRI SHYAMNANDAN MISHRA: Now, the House will realise the reason behind it. Why has he not answered my letter dated 22nd November?

SHRI FRANK ANTHONY (Nominated—Anglo-Indian): May I rise to a point of order? I am not interested in the personal aspect of it. I am

[Shri Frank Anthony]
only interested in the plain meaning
of the rule

MR SPEAKER I had already told
the hon Member that before I hold
it in order, I would have to consider
it and allow it only later I had
made that very clear

SHRI FRANK ANTHONY You
cannot do that With great respect,
I would submit that the matter is
outside your consideration now You
have just read rule 222 I have just
read rule 225 The whole scheme
and intention is clear beyond a per-
adventure When he submits his
notice, you have to apply your mind
Then, if you read rule 222, if you
consider it out of order, and you
refuse your consent at that stage, he
cannot even begin to raise it, it is
only when you give your consent that
the hon Member raises it

SHRI VIKRAM MAHAJAN There
are two parts in it One is that you
have to give your consent and the
second is that you have to consider
whether it should be permitted to be
raised in the House or not

SHRI FRANK ANTHONY The rule
is very clear

MR SPEAKER The rule is very
clear If hon Members are going to
be so strict about interpretation, then
I shall have to be very cautious in
future

SHRI R S PANDEY (Rajnand-
gaon) Please do not allow any Mem-
ber to come and meet you in your
Chamber All this trouble is due to
that

MR SPEAKER May I request hon
Members that when they send any
notices under rule 377, they should
send only one each? Some of them
have sent so many notices. I shall
take up only one or two notices under
rule 377. It is very difficult to take
up all of them.

SHRI R S. PANDEY Nowhere is
it mentioned in the rules that mem-
bers could see you in your Chamber
and then make a statement in the
House

MR SPEAKER. That is a separate
one

13.15 hrs

RE MEDICAL TREATMENT OF
SHRI NAGABHUSHAN PATNAIK
DETAINED IN AN ANDHRA JAIL

SHRI CHINTAMANI PANIGRAHI
(Bhubaneswar) I would like to
bring to your kind notice and the
notice of the hon Minister that one
of the finest and most devoted social
workers of our country, Shri Naga-
bhushan Patnaik who is now in jail
in Andhra Pradesh, is fast deteriora-
ting Perhaps it has become very
serious and he is in a dying condition

More than 100 MPs belonging to
all sections of this House had made
a petition to the hon President and
to the Prime Minister and had plead-
ed for mercy and for commuting his
death sentence

The immediate question before us
is this There is a strike in Andhra
and the doctors are not attending to
their duties He is not getting pro-
per medical treatment in jail His
condition is very serious

Therefore, I would beg of the hon
Minister to see that he is shifted to
some other medical Institute so that
he gets immediate medical care and
attention and best of treatment

MR SPEAKER, Shri D K Panda

SHRI G VISWANATHAN (Wandi-
wash). Let him ask Government to
release all the doctors.

MR SPEAKER: Do not do it at
every stage.