

SHRI R. D. BHANDARE (Bombay Central) : The three principles involved in this case are the authority of the executive, the privileges of the member and the principles of natural justice. When there was a question of the privilege of a member and when the executive was heard, the hon. Member should also have been given full and complete hearing. Then comes the question of natural justice. Since the member was himself involved and he has made the complaint the principles of natural justice will not be fulfilled unless he is given an opportunity to be heard. So, I would suggest in all seriousness that the matter may be reconsidered by the Privileges Committee.

SHRI RANGA (Srikakulam) : I endorse that view.

SHRI HEM BARUA (Mangaldai) : Professor Mukerjee has admitted that Shri Madhu Limaye was not summoned by the Committee. I do not doubt that the Committee based its conclusions on the relevant papers that were supplied to it, but the fact remains that Shri Madhu Limaye, who was involved in this matter, was not summoned before the Committee. I feel that this should be recommitted to the Privileges Committee and Shri Madhu Limaye should be summoned to the Committee with a view to checking the papers that he has submitted before the Committee.

SHRI S. N. MISRA (Kannauj) : The Committee of Privileges deals with privilege cases as a quasi-judicial body and it is one of the first principles of natural justice that a person who has made the complaint must be heard. In this case, the decision has been taken behind the back of the complainant, without giving him an opportunity to present his case. Whenever any body, be it the Privileges Committee or any other committee, deals with a matter in a quasi-judicial capacity, the principles of natural justice demand that the affected party should be given an opportunity to be heard. It should not be done only in the present case; it should be held as one of the guiding principles for the future also that in such matters the parties will be heard at full length.

MR. CHAIRMAN : We have heard almost all sides of the House and unanimously it is felt that it should be recommitted to the Committee with the specific instruction that Shri Madhu Limaye should be heard. I shall now put the question. The question is :

"That the Eighth Report of the Committee of Privileges be referred back to the Committee of Privileges for reconsideration after hearing Shri Mudhu Limaye on the matter."

The motion was adopted.

12.50 hrs.

Re. BUSINESS OF THE HOUSE—Contd.

श्री सुलसी दास जाधव (बारामती) : सभापति महोदय, यदि प्राप कीपरमिशन हो, तो मैं एक विनती करना चाहता हूँ।

MR. CHAIRMAN : You cannot stand up and speak like this. We have got to go by the agenda. You send it in writing and we shall consider it later on.

SHRI M. L. SONDHJI (New Delhi) : Sir, under rule 224 I have notice of a privilege motion against the Minister of External Affairs, Shri Dinesh Singh. I am not able to understand why there is hesitation in coming to a decision in the matter. This House has just now decided a matter of privilege. Is it not a matter great importance that the statement of Shri Nehru should not be misquoted in this House? Now that the period of political arithmetic is over, let us at least come to the substance of the matter regarding which I gave notice of this privilege motion. I am willing to abide by anything you say, but let it not be said that in this House truth was not heard. It is a very important matter. Generations to come may forget what happened between two groups of politicians, but the truth, the absolute truth, regarding what the policies of this country should be on secularism at home and abroad is too important a matter to be put aside. I beseech you in the name of our Constitution and I appeal to you as a presiding officer who has abided by the rules and regulations of this country, whether it is not a matter of importance that from

[Shri M. L. Sondhi]

the Treasury Benches they should themselves come forward and say that they were prepared to tell the truth about Rabat and whether Shri Nehru was in favour of going to such conferences or not. Let the truth come out.

MR. CHAIRMAN : We shall consider this. You may come and discuss it with the Speaker and see how the matter could be brought before the House.

SHRI JYOTIRMOY BASU (Diamond Harbour) : On Friday it was mentioned that the whole of Tatanagar and Jamshedpur has gone on strike and we have requested the Chair to direct that the Government should make a statement. It is very important matter. Would you be so kind as to direct the Government to make a statement before the House as to what steps they have taken to settle the strike in favour of the workers..... (Interruption) ?

ADDITIONAL DUTIES OF EXCISE
(GOODS OF SPECIAL IMPORT-
ANCE) (AMENDMENT) BILL*

THE MINISTER OF STATE IN THE
MINISTRY OF FINANCE (SHRI P. C.
SETHI) : Sir, I move for leave to introduce a Bill further to amend the Additional Duties of Excise (Goods of Special Importance) Act 1957.

श्री शिव चन्द्र भा (मधुबनी) : मन्त्रापति महोदय, मन्त्री महोदय ने जो एडीशनल ड्यूटीज ग्राफ एक्साइज (गुड्स ग्राफ स्पेशल इम्पोर्टन्स) एमेंडमेंट बिल पेश किया है, मैं उसका विरोध करता हूँ। सरकार इस बिल के द्वारा राज्यों में एडीशनल एक्साइज ड्यूटीज की नेट प्रोसीड्स का जिस प्रकार बंटवारा करने जा रही है, उससे राज्यों में समानता की भावना नहीं, बल्कि विषमता की भावना बढ़ेगी। फिफथ फिनांस कमीशन ने कहा है कि राज्यों में एक्साइज ड्यूटीज की प्रोसीड्स के बंटवारा के तरीके को रिवाइज किया जाना चाहिए, क्योंकि वर्तमान तरीके से राज्यों में समानता की भावना नहीं

प्राणी है और जब तक ऐसा नहीं किया जाता है, तब तक एडीशनल एक्साइज ड्यूटीज की प्रोसीड्स को उसके द्वारा बनाये गये तरीके के अनुसार बांटना चाहिए। सरकार ने इस बिल में कहा है कि मौजूदा व्यवस्था के बारे में कमीशन की सिफारिश को नेशनल डेवलपमेंट कौंसिल के सामने रखा जायेगा और तब तक कमीशन द्वारा बनाये गये तरीके के अनुसार बंटवारा करने के लिए यह विधेयक लाया गया है।

मैं निवेदन करना चाहता हूँ कि फिफथ फिनांस कमीशन ने यह भी सिफारिश की है कि देश में एक पर्मानेंट फिनांस कमीशन मुकर्रर किया जाये, क्योंकि हर पांच साल के बाद एक फिनांस कमीशन मुकर्रर करने से राज्यों में बंटवारा सही और उचित रूप से नहीं होता है। जिस ढायात्मिक तरीके से और तेजी से हम बढ़ रहे हैं, उसको दृष्टि में रखते हुए सरकार को एक पर्मानेंट फिनांस कमीशन मुकर्रर करना चाहिए और उसकी सिफारिशों के अनुसार ही राज्यों में बंटवारा हो। जैसा कि मैंने कहा है, मौजूदा तरीके से बंटवारा करने से राज्यों में समानता की भावना नहीं, बल्कि विषमता की भावना बढ़ेगी। इसलिए मैं इस विधेयक का विरोध करता हूँ।

SHRI P. C. SETHI : Sir, the hon. Member has not raised any valid point. As far as the recommendations of the Fifth Finance Commission are concerned, they would be placed by the National Development Council as has been stated in the Statement of Objects and Reasons. Till such time the recommendations are placed, the present arrangement is to continue. The present Bill is only limited to that extent. The question of appointing a permanent Finance Commission is not within the purview of the present Bill.

MR. CHAIRMAN : The question is ;

"That leave be granted to introduce