

[Mr. Speaker]

this issue there will be a debate for five hours on a motion to be brought up by the Home Minister. Later on, before the Home Minister could bring in a motion, an hon. Member gave notice of that motion and it was admitted. Of course, it was in order. So, in the circumstances, I think we should stick to the decision taken by the Business Advisory Committee and we will ask the other Member about it; if he wants, he will be allowed to withdraw it.

12.30 hrs.

RE : PERSONAL EXPLANATION UNDER RULE 357 BY SHRI R. K. BIRLA

MR. SPEAKER : Now personal explanation by Shri R. K. Birla.

SHRI S. M. BANERJEE (Kanpur) : Sir, I rise on a point of order.

MR. SPEAKER : Point of order on this ?

SHRI S. M. BANERJEE : Yes, on the personal explanation by Shri R. K. Birla, item 7 on the agenda. My point of order is that he cannot give a personal explanation and I will argue that. May I invite your attention to rule 357 ? If you see the Order Paper, it says that Shri R. K. Birla is to make a personal explanation regarding certain allegations made by Shri Madhu Limaye against the Wool Purchase Mission headed by Shri R. K. Birla. The rule says :

"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."

Shri Madhu Limaye has not made any charge against Shri R. K. Birla in the House. He made that outside the House in 1962-63 when Shri R. K. Birla was neither a Member nor a prospective candidate for membership. Today Shri R. K. Birla is giving a personal explanation in reply to that allegation.

tion. Personal explanation is normally resorted to when a slanderous remark is made against a member in the House. If anything is said outside against a member and he is permitted to make a personal explanation in the House it will be a dangerous precedent and, therefore, I want a ruling on this subject before he actually makes his statement.

श्री मधु लिमये (मुंबई) : अध्यक्ष महोदय, आज सवेरे जब मैं ने कार्य-सूची को पढ़ा तो मुझ को बड़ा अचम्भा हुआ ।

MR. SPEAKER : You are the best person to tell me about that.

श्री मधु लिमये : मेरी राय में यह नहीं आ सकता है । मैं तो वास्तव में बड़ी परेशानी में हूँ । मैंने आप को एक चिट्ठी भी लिखी है, पता नहीं आप ने उस को देखा है या नहीं ।

अध्यक्ष महोदय : मैं पूछना चाहता हूँ कि आप ने इस हाउस में कोई स्टेटमेंट दिया था या नहीं ?

श्री मधु लिमये : कोई नहीं दिया है । इसी लिये आज आप मेरी बात सुनिये । यह जो वुल पर्वेज मिशन है उस के सम्बन्ध में मैंने श्री आर० के० बिड़ला के इस सदन में आने के बाद कोई आलोचना नहीं की । अब इस में लिखा है कि श्री आर० के० बिड़ला वुल पर्वेज मिशन के हेड थे । मुझे उस का पता नहीं । वह वुल ऐडवाइजर के नाते वुल पर्वेज मिशन के सदस्य जरूर थे । लेकिन हो सकता है कि हेड रहे हों । यह 1962 की बात है । उस समय वह लोक सभा के सदस्य भी नहीं थे । उनके बारे में मैंने एस्टिमेट्स कमेटी को जो मेमोरैण्डम लिखा है, शायद वह उसका उल्लेख कर रहे हों, मुझे पता नहीं है । लेकिन यह कौन सा तरीका है कि उद्योगपति होने के नाते जो उन के बीस-तीस साल में अच्छे या

बुरे कारनामे रहे हैं उनके बारे में वह अपनी सदस्यता का इस्तेमाल कर के सफाई दें ? एस्टिमेट्स कमेटी के मेमोरेण्डम में मैंने जो कुछ लिखा था अगर उस पर उन को ऐतराज है तो वह एस्टिमेट्स कमेटी को लिख सकते हैं। अगर एस्टिमेट्स कमेटी की सिफारिशों पर सरकार जो कार्रवाई कर रही है उसके मुतालिक कोई मतभेद रह जाता है तो मतभेद के बारे में वह सफाई दें।

मैं साफ कहना चाहता हूँ कि आज से पहले इस सदन में श्री आर० के० बिड़ला पर कोई आरोप मेरे द्वारा नहीं लगाया गया है। ऐसी हालत में पांच छः साल पहले उन्होंने जो कुछ भी किया था क्या उसके बारे में सदस्य के नाते वह कोई व्यक्तिगत स्पष्टीकरण करेंगे ? यह कौन सा तरीका या कौन सा प्रोसीजर है, मैं यह जानना चाहता हूँ।

SHRI SURENDRANATH DWIVEDY (Kendrapara) : Under the rules a member can make a personal explanation in respect of an allegation or accusation made in the House. Secondly, before making such a statement the Member concerned will have to give an advance copy to the Speaker. It cannot be an *ex tempore* speech. It cannot be debated. Therefore, before you allow such a request you have to verify the fact whether the statement relates to something said in the House about him when he was a Member.

श्री मधु लिमये : अभी मैंने ख़त्म नहीं किया। इस नियम में श्री बनर्जी ने जो पढ़ा है कि इस में कोई वाद विवाद नहीं उठना चाहिए वह भी ठीक है। मेरा पहला आक्षेप यह है कि इस सदन की कार्रवाई से इसका कोई सम्बन्ध नहीं है और दूसरा यह कि इसमें विवाद उठेगा और नियम भंग होगा।

MR. SPEAKER : The points raised by Shri S. M. Banerjee, Shri Madhu Limaye and Shri Surendranath Dwivedy are, in my opinion, very strong points. I have before

me the statement that is sought to be made by Shri R. K. Birla. I have gone through it. He has not mentioned anything against Shri Madhu Limaye.

श्री मधु लिमये : मेरे खिलाफ क्या करेंगे ?

SHRI S. M. BANERJEE : But he has no right to make a statement today.

MR. SPEAKER : Will he kindly listen to me ? He will not listen to others. Even before I say something he jumps to his own conclusions. Why should he not wait to hear what I am going to say ?

I was under the impression that Shri Birla wanted to invite attention of the House to the observations made by the Estimates Committee. At the same time, I wonder if he is entitled to go back to a period when he was not a Member of this House. That is a very strong and cogent point. I am going into the background of the whole question. I am postponing it and I will give my ruling later on.

SHRI MADHU LIMAYE : If any decision is to be taken, call both of us.

SHRI R. K. BIRLA (Jhunjhunu) *rose* —

MR. SPEAKER : No, you are not allowed to speak now. If I am of the view that you are entitled to make a statement then I will allow you to read your statement.

SHRI R. K. BIRLA : May I make my position clear ?

SHRI S. M. BANERJEE : In the Central Hall or in the streets ; not here.

SHRI R. K. BIRLA : When they were speaking I was keeping quiet.

SHRI S. M. BANERJEE : Because we were speaking sense.

अध्यक्ष महोदय : आप क्यों इतने जोश में आ जाते हैं ?

A point has been raised that under the Rules of Procedure a member cannot take advantage of his present position for giving

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personal explanation of something that had taken place when he was not a member. On the face of it, it looks a strong objection. I will go into it and give my ruling later on.

श्री हुक्म चन्द कछवाय (उज्जैन) : यह लिस्ट में आया ही क्यों ? क्या पहले अध्ययन नहीं किया गया था ?

अध्यक्ष महोदय : फिर आपके लिये कोई काम नहीं रह जायगा अगर ऐसी चीजें नहीं आयेंगी ।

12.39 hrs.

TEA (AMENDMENT) BILL—Contd.

MR. SPEAKER : The House will now take up further consideration of the Tea (Amendment) Bill.

SHRI K.M. Koushik (Chanda) : This Bill enables the Tea Board to receive grants or loans from the Central Government for financing schemes for the development of the tea industry for which there is no provision in the existing Act. My only regret is that this has come after such a long time. Be that as it may, as it has now come, I support it subject to certain observations of my own.

I will confine my observations to the Nilgiri tea estates. A perusal of Page 9 of the Report of the Tea Finance Committee will make it clear.

Out of a total of 5,128 holdings, about 4,725 are of less than 12 acres and 299 are slightly more than that, about 20 acres. So, nearly 95 per cent of the tea estates in the Nilgiris form very small holdings which depend for their sale on what is known as the bought-leaf factories which in many cases have no estates of their own. They purchase leaves from the small growers. They purchase since they have no estates of their own, these purchases will support that industry and ultimately tea is manufactured and sold. Therefore these bought-leaf factories are, as a matter of fact, complementary to the small

growers in the whole of the Nilgiri area. Therefore my first submission to the Minister in this particular case is that whatever grants-in-aid, subsidies and assistance are being given to factories in general should also be given to these bought-leaf factories so that the small growers who depend upon these bought-leaf factories are not left to the winds or thrown to the wall's and they also have a proper price for this produce.

Secondly, Nilgiris produces a very poor type of tea compared to the Assam or Bengal area. Therefore the way excise duty is being assessed appears to be absolutely disproportionate. The whole of the Nilgiris tea area has been divided into two zones, Class IV and Class I. The Class I zone is what is known as the Gudalur area. In fact, there is no difference in the quality of tea produced in the rest of the Nilgiris and Gudalur which is classified as a separate zone with lesser excise duty. The 1st of the Nilgiris area barring Gudalur, should be formed into a separate zone with the same excise duty as Gudalur. The grower will not get the proper price and will be suffering if the present excise duty continues. This is another matter which I request the hon. Minister to take note of and to do something to relieve these people of the excessive excise duty.

The auction sale also enjoins me to make a request in this regard that the quality of tea produced in the Nilgiris is not of the same type though the excise duty is almost the same as for first class tea that is produced in Assam, Darjeeling and all those places.

Thirdly, the Government promised a refund of duty on tea consigned to London auctions but in spite of long lapse of years and considerable delay this refund has not been made. It was also promised that a formula will be evolved for the refund of this amount. Since 1965-66 this formula has not come out and is still in cold storage. I request the Minister to look into this matter and see that this formula is made up and refund is actually done according to the formula that they want to make up,