

[Mr. Deputy-Speaker]

Deputy-Speaker together with an unconditional apology for the commission of a completely unintended offence."

In view of the explanation and the unconditional apology tendered by the Editor-in-Chief of the newspaper, if the House agrees, the Editor may be asked to publish his explanation and the apology on the front page of the next issue of the newspaper and thereafter the matter may be treated as closed.

This is the practice that we follow. I take it that the House agrees.

SEVERAL HON. MEMBERS: Yes.

SHRI S. M. BANERJEE (Kanpur): The House may agree. But I would like to say that the newspaper has taken it from the hand-out circulated by the Swatantra Party which does not seem to contain the official proceedings. It is, therefore, a breach of privilege on the part of the Swatantra Party.

MR. DEPUTY-SPEAKER: I will place this on the Table—the official summary which it contains. If it constitutes a breach of privilege, then it will be referred to the Privileges Committee or brought before the House. (Interruption) So far as the newspaper is concerned, with the concurrence of the House, the matter is closed. But if somebody raises the matter that an agency of any Party has circulated unauthorisedly certain communication casting as persons, then I cannot shield.

SHRI S. K. TAPURIAH: —Rose

MR. DEPUTY-SPEAKER: I am not taking any decision. I am just placing it on the Table of the House. This matter is closed. About the suggestion of Mr. Banerjee, we shall examine it.

12.43 hrs.

RE. SUIT AGAINST FORMER SPEAKER AND OTHER MEMBERS OF PARLIAMENT IN DELHI HIGH COURT

श्री मधु लिये (मुंगेर): अध्यक्ष महोदय, मैं आप से एक जानकारी चाहता हूँ। मैंने आप को लिखा भी है। 4 संसद सदस्यों के

खिलाफ जिन में भूतपूर्व स्पीकर भी हैं हाई कोर्ट में मामला चला या तो उस दिन मामला यहां उठाया गया था और नियम के अनुसार मेरी और कई सदस्यों की राय थी कि इस पर अनुमति मांगने की इजाजत दे कर बहस करवानी चाहिए। खैर, उस दिन आपने जो किया वह ठीक किया या नहीं, उसको भी छोड़ देता हूँ। लेकिन अब हमको पता चला है कि यह केस खारिज करने के बजाय दिल्ली हाई कोर्ट के जज ने चीफ जस्टिस को पत्र लिखा है कि यह मामला बहुत महत्वपूर्ण है इसलिए और बड़ा बेंच बनाया जाय। तो मामला और गहराई में चला जा रहा है। इसलिए आप की मैं अनुमति चाहता हूँ कि आप इस मामले को जो नई जानकारी मिली है उस की रोशनी में बाकायदा नियम के अनुसार उठाने की इजाजत दीजिए। यदि आप आज नहीं देना चाहते तो सोमवार को रखिए।

SHRI S. M. BANERJEE (Kanpur): I am one of those who are concerned with this. This has appeared in today's *Times of India*:

"DISPOSAL AT EARLY DATE OF SUIT AGAINST REDDY URGED"

"An application by the Union of India seeking early disposal of the libel suit against the former Speaker of the Lok Sabha, Mr. Sanjiva Reddy, and four members of Parliament at an early date was heard by the Delhi High Court today."

"Moving the application, Mr. Deepak Dutt Chowdhari, counsel for the Union of India, submitted that the Government was anxious for early disposal in view of the Presidential election on August 16 in which the former Speaker was also a candidate of the ruling Congress Party..."

MR. DEPUTY-SPEAKER: We have read it.

SHRI S. M. BANERJEE: Only one minute. It is also said:

"The request of the Union of India was

opposed by Mr. P. N. Lekhi, counsel for the plaintiffs..."

"The judge, Mr. Prakash Narain, suggesting the reference of the matter to a larger Bench, in his order, said: 'Since the matter was the first of its kind in the country and has raised a question of substantial constitutional importance, the chief justice is requested to constitute a Bench of two or more judges to decide the preliminary objection raised by the Union of India'."

What I feel is that it should be decided here and now that none of us, including Mr. Sanjiva Reddy, a candidate for the Presidential election, should appear before the High Court. This is number one.

The Law Minister when he was replying said that this is an ordinary thing. Now hearing may take place on the 7th. So, I move the motion.

SHRI SHEO NARAIN (Basti) : We all support it. This is a serious matter.

MR. DEPUTY-SPEAKER: Mr. Banerjee also has just now pointed out. I hope that the law officers will educate the lower magistracy or judiciary. From the record it has been brought to my notice that nothing has been done. We will take it up on Monday. I would like to have your statement.

THE MINISTER OF LAW AND SOCIAL WELFARE (SHRI GOVINDA MENON) : The Government counsel in the Delhi High Court was instructed by me to meet the Chief Justice and placed an affidavit before him saying that the plaint, because it is with respect to proceedings in Parliament, is absolutely barred under Art. 105 (2) of the Constitution and should be dismissed in limen under order 7 Rule 11. That has been done. The Judge before whom it has come has recommended that the matter be placed before a Bench of two Judges being an important matter.

MR. DEPUTY-SPEAKER : I want to take up the issue. Once we are seized of the matter we will have to take further steps.

SHRI GOVINDA MENON : Government have done everything in the matter. Government have moved the court. Somebody said, 'He is not serious'. The day after the discussion took place here, when I have done this, and the court has taken action, it is for the house to consider the matter.

12.47 hrs.

#### PAPERS LAID ON THE TABLE

##### REPORT OF HOTEL REVIEW AND SURVEY COMMITTEE

THE DEPUTY MINISTER IN MINISTRY OF TOURISM AND CIVIL AVIATION (DR. SAROJINI MAHISHI) : On behalf of Dr. Karan Singh I beg to lay on the Table a copy of the Report of the Hotel Review and Survey Committee 1968. [Placed in Library. See No. LT-1473/69]

##### NOTIFICATION UNDER IAS & IPS (RECRUITMENT) AMENDMENT RULES ETC.

THE DEPUTY MINISTER IN THE MINISTRY OF HOME AFFAIRS (SHRI K. S. RAMASWAMI) : On behalf of Shri Vidya Charan Shukla:

I beg to lay on the Table :

(1) A copy each of the following Notifications under Sub-section (2) of section 3 of the All India Services Act, 1951 :—

- (i) The Indian Administrative Service (Recruitment) Amendment Rules, 1968, published in Notification No. G. S. R. 1444 in Gazette of India dated the 21st June, 1969.
- (ii) The Indian Police Service (Recruitment) Amendment Rules, 1968, published in Notification No. G. S. R. 1445 in Gazette of India dated the 21st June, 1969.
- (iii) The Indian Administrative Service (Fixation of Cadre Strength) Fourth Amendment Regulations, 1969, published in Notification