

MR. DEPUTY-SPEAKER : Nothing will be recorded; I have called Shri Tenneti Viswanatham.

(Interruptions)**

14.4 hrs.

**Question of Privilege against
"The Hindustan Times"**

SHRI TENNETI VISWANATHAM (Visakhapatnam) : Mr. Deputy-Speaker, Sir, I have given notice of motion of a breach of privilege. Ordinarily, I would not give notice of a motion against anything that appears in newspapers or against a newspaper. But in the present context of Bank Nationalisation Bill and the tension that has been created in certain sections of the society and what has happened in the House, I thought it was right and proper to draw your attention to this.

The *Hindustan Times* dated 27.7.69 published on p. 6 of the issue an item under the caption "The Week in Parliament". It devoted four paragraphs commenting on the way the Deputy-Speaker conducted the business of the House. The last paragraph is as follows :

"Opposing the nationalisation Bill, Mr. Masani said that the Deputy-Speaker had allowed himself to be used by the Prime Minister in presenting the Supreme Court with the accomplished fact of a Bill."

This is apparently a reference to the waiver of notice for introducing the Bill which you were pleased to make.

SHRI RANDHIR SINGH (Rohtak) : A very serious aspersion the Chair.

SHRI TENNETI VISWANATHAM : I am reading now an extract from the official version of Mr. Masani's speech. This is what it contains :

"The Prime Minister first tried to face the Parliament with an accomplished fact by enacting ordinance on Saturday evening—when the Supreme Court moved in and defended the privileges of the House, she now tries to face the Supreme Court with a *fait accompli*."

In Mr. Masani's speech, there is not the slightest suggestion involving the Chair in the whole matter but the article in the *Hindustan Times*, however, has put in his mouth what I quoted earlier.

Apart from its reflection on Mr. Masani, about this, he is sufficiently strong to take care of himself it casts serious reflection on the Chair and the House. Its implications, in my humble opinion, are that the Chair has no compunction to be used by the Prime Minister for her own purpose; that, on this occasion, the Prime Minister wanted to use the Deputy-Speaker and the Deputy-Speaker allowed himself to be used for her purpose, namely, to defeat the ruling of the Supreme Court; and that the Lok Sabha is a silent or helpless spectator.

The passage, therefore, is couched in language which is in contempt of the Chair and the House.

I request that the matter may be referred to the Committee of Privileges.

MR. DEPUTY-SPEAKER : We shall address a communication to the Editor concerned and after that, the matter will be taken up, not now. Now we shall go to the next item.

SHRI M. R. MASANI (Rajkot) : I would like to say something by way of a personal explanation....

SOME HON. MEMBERS : No, no.

MR. DEPUTY-SPEAKER : He is on a personal explanation; he is not defending the article.

SHRI SURENDRANATH DWIVEDY (Kendrapara) : On any motion of privilege, the Chair must first decide whether he should permit it. If the Chair thinks that it is a case to be brought before the House, it will permit the mover to move it and take leave of the House to refer it to the Privileges Committee. In this case I want to understand whether you have *prime facie* found that this is a case for admission and you have permitted him to move it and take the leave of the House. What is the position ?

MR. DEPUTY-SPEAKER : You must have observed the practice that we have

followed in the past. When any privilege issue concerning a newspaper is raised, the practice that we have followed so far is that, after it is allowed to be raised here, we write to the Editor concerned asking for his explanation and then take up the matter.

SHRI SURENDRANATH DWIVEDI :

You could do that after receiving the notice. What is the use of bringing it before the House now ?

MR. DEPUTY-SPEAKER : You may see the past cases. Every time when such a notice is issued and we think that there is a *prima facie* case, we get the explanation from the Editor. That is the practice that we have followed. He has been permitted to raise it. Now we will address a communication to the Editor and after receiving his explanation, the matter will be taken up.

Mr. Masani.

SHRI M. R. MASANI : The hon. Member, Mr. Tanneti Viswanatham, has been very fair to me in exonerating me from sharing any of the odium of whatever was said in the *Hindustan Times*, which I do not recollect having read. In fairness to the paper also I have to point out what I said in this House. I do not want to shelter behind the generosity of the hon. Member. I said two separate things at two separate stages. When the Bill was being opposed by me, I said, and he rightly quoted :

“When the Supreme Court moved in and defended the privileges of the House, she now tries to face the Supreme Court with a *fait accompli*.”

It is quite true that at that point I did not reflect at all on your conduct in waiving the Rules contrary to our point of order. But when I raised the point of order, I ended my remarks then by saying—I want to be fair to the newspaper, because the freedom of the Press is as important as the privileges of the Members of Parliament. (*Interruptions*). I said :

“Let me say that if you do not do that...”

That is stand by the Rules.

“... I will have to come to the painful conclusion that you are failing in your duty.”

I stand by every word of it. The paper presumably had both these things in mind when it made the comment. It was a fair comment.

MR. DEPUTY-SPEAKER : Please resume your seat. If papers are allowed to pass such remarks, the House cannot function. (*Interruptions*). I do not want to disclose it, because it is a sort of friendly conversation. If I disclose certain thing it will put to shame some Member. I do not want to disclose it here. This is being done in a friendly manner. But if somebody were to threaten me that I should not exercise my discretion this way or that way, I take very serious exception to it. Now please resume your seat.

14.52 hrs.

PAPERS LAID ON THE TABLE

STATEMENT OF ASSETS AND LIABILITIES OF DELHI FINANCIAL CORPORATION ETC.

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI P. C. SETHI) : I beg to lay on the Table—

- (1) A copy of the statement (Hindi and English versions) of Assets and Liabilities of the Delhi Financial Corporation, New Delhi, as at the close of the financial year ending 31st. March, 1968, together with a profit and loss account, the auditor's report and a report of the working of the said Corporation, published in Notification No. F. 7 (17)/68-Ind/Fin. (G) in Delhi Gazette, dated the 23rd January, 1969, under sub-section (3) of section 38 of the State Financial Corporations Act, 1951. [*Placed in Library. See No LT—1375/69.*]
- (2) A copy of Notification No. G. S. R. 1552-1553 (Hindi and English versions) published in Gazette of India dated the 30th June, 1969 issued under section 90 of the Income-tax Act, 1961 and section 24A of the Companies (Profits) Surtax Act, 1964 regarding giving effect to Agreement between the Government of