

12.52 hrs.

RE. PROROGATION OF LEGISLATIVE ASSEMBLY OF BIHAR

SHRI JYOTIRMOY BOSU (Diamond Harbour) Sir, I want to raise a matter regarding the prorogation of the Assembly in Bihar by the Speaker. After its failure to adopt a motion of thanks, it automatically collapsed. It means they have forfeited their rights to stay in and the Government goes.

MR. SPEAKER: How are we concerned with that? We do not come in.

SHRI JYOTIRMOY BOSU: Sir, I have written to you.

MR. SPEAKER: Even your writing to me does not make it relevant.

SHRI JYOTIRMOY BOSU: There is a total collapse of constitutional functioning of Government. And we expect a debate on the floor of this House. If this House cannot discuss this matter, what else can it discuss?

MR. SPEAKER: Some Assemblies are adjourned and some are prorogued. How are we concerned about that?

SHRI JYOTIRMOY BOSU: Sir, there is a constitutional breakdown.

श्री अटल बिहारी वाजपेयी : (गवालियर) यह मामला इ न. जल नहीं है। एक असाधारण परिस्थिति पैदा हुई है। बिना अन्याय का प्रस्ताव स्वीकृत हुये विधान सभा की बैठक अनिश्चित काल के लिए स्थगित कर दी गई है। आप चर्चा करने नहीं देगे तो लोग सड़को पर जाए, इसके अलावा और चारा ही क्या है? आप यहाँ हमें अपनी बात कहने का मौका दे।

MR. SPEAKER: How are we concerned with it? And how is it relevant for Parliament to discuss about this matter?

SHRI SHYAMNANDAN MISHRA (Begusarai) May I submit a point?

SHRI PILOO MODY (Godhra): Constitutional breakdown is within the jurisdiction of Parliament.

MR. SPEAKER: There is no question of defining the Parliament's jurisdiction. I have already examined this.

SHRI JYOTIRMOY BOSU: You are the Speaker of the highest national forum.

श्री अटल बिहारी वाजपेयी : आप तो इतर पार्टियों यूनिया के चारपैन हैं। आप तो एरो दुनिया को पार्लियमेंट को देख रहे हैं। क्या आप बिहार की विधान सभा के बारे में नहीं चिन्ते ?

MR. SPEAKER: Kindly listen to me

SHRI SHYAMNANDAN MISHRA: On a point of order.

MR. SPEAKER: The other day also I had said that my being the President of the Council of the Inter-Parliamentary Union has no relevance to these things. Why should it have relevance to what has happened in Bihar? I am concerned with this country and this Parliament.

SHRI JYOTIRMOY BOSU: I want to make a submission.

SHRI SHYAMNANDAN MISHRA: On a point of order.

MR. SPEAKER: No, no.

12.56 hrs

QUESTION OF PRIVILEGE

PUBLICATION IN THE PRESS ABOUT THE DELIBERATIONS OF THE MEETING HELD BY THE SPEAKER IN PRESIDENTIAL ORDER IN RESPECT OF PONDICHERY

श्री जूल चन्द डाला (पाली) : अध्यक्ष महोदय 3 अप्रैल, 1974 को प्रेसीडेंसल ऑर्डर पांडिचेरी के बारे में जो हुज़ा या जस

पर चर्चा हुई थी। तब आपने यह निर्णय दिया था :

"Whatever be the lapses, we must find a way out. After all, Pondicherry is in India. On broader considerations, I will call a meeting of the leaders of parties in which the Finance Minister and Law Minister may participate."

पांच अप्रैल को मीटिंग कनवीन की गई।

A meeting was convened.

लेकिन छः अप्रैल को हिन्दुस्तान के सारे पेपर्स में इस तरह से खबरें छपी।

This is in *The Hindustan Times* of 6th April: 'No Special Session on Pondy Bill'; then *The Times of India* said: 'Plea for early Rajya Sabha session rejected'; *The Statesman* head-lined 'Pondy Order Tangle: Cabinet Rejects Opposition Move'; *Indian Express* had this headline 'Government agrees to prepare Bill on Pondicherry'; *Motherland* 'Tangle over Pondy Affair unresolved'; *The Hindu*: 'Pondy Issue: No Early Convening of Rajya Sabha', and so on.

सारे पेपर्स ने आपके रूलिंग के खिलाफ डायरेक्शन के खिलाफ इनको छापा। आप रूल को देखें :

"The proceedings of a Committee shall be treated as confidential and it shall not be permissible for a member of the Committee or any one who has access to its proceedings to communicate, directly or indirectly, to the press any information regarding its proceedings including its report or any conclusions arrived at, finally or tentatively, before the report has been presented to the House".

The House has not been informed about what happened. But it has appeared in the press.

PROF. MADHU DANDAVATE (Rajpur): It was an informal meeting.

SHRI M. C. DAGA: It was not an informal meeting.

SHRI JYOTIRMOY BOSU (Diamond Harbour): On a point of order.

MR. SPEAKER: No point of order.

SHRI PILOO MODY (Godhra): On a point of order.

MR. SPEAKER: Let me listen to him first. Later on I will see about the point of order.

SHRI PILOO MODY: He is on a matter of privilege. I am raising a point of order on that.

MR. SPEAKER: Let me first know what he says.

SHRI PILOO MODY: This is a point of order on what he has said.

MR. SPEAKER: He will finish in a minute and then I will listen to you.

3.00 hrs.

श्री मूल सन्ध डागा : एक मीटिंग कनवीन की गई और सारी पार्टीज को उस में बुलाया गया। वहाँ पर डिस्कशन हुआ, डिलिबरेटेशन हुआ और उन सब को बिना हाउस के नोटिस में लाए पहले ही पब्लिश कर दिया गया है। और सारी जगह..... (व्यवधान) यह आप को मीटिंग में तय करना चाहिए या कि यह पब्लिश को जायेगा। सारी मीटिंग..... (व्यवधान)....

अध्यक्ष महोदय : यह क्या करते हैं ? आप में वेजेंस क्यों नहीं है ?

श्री मूल सन्ध डागा : यह कोई तरीका नहीं है। हाउस के अंदर हम ने एक निर्णय लिया। स्पीकर महोदय ने कहा था कि मीटिंग बुलायी जायेगी और मीटिंग में डिस्कशन होंगे।

[श्री ज्योतिरमोय बोस]

स्पीकर साहब ने 4 तारीख को सीक्रेट मीटिंग काल की। उस की प्रोसीडिंग्स हुई और वह मारी प्रोसीडिंग्स पेपर में प्रकाशित हो गई। इस प्रकार यह झोठ झूठ प्रिविलेज झूठ दि हाउस हुआ और बिना हुन हमारी मान-हानि इससे हुई है। मैं चाहता हूँ कि इस की जांच की जाये।

SHRI JYOTIRMOY BOSU: Sir, I must express my surprise that an hon. Member is allowed to make certain statements which are wrong. We had convened a meeting on the 5th April; we had a meeting of the Opposition leaders for an informal chat in which we had put forth certain points— (Interruption).

SHRI PILOO MODY: This is what happens to the procedures! I had a point of order and I rose; you did not allow me but you have now allowed him to raise his point of order.

MR. SPEAKER: He rose on a point of order earlier than you.

SHRI PILOO MODY: On what?

MR. SPEAKER: I do not know.

SHRI JYOTIRMOY BOSU: Sir, the point is, an informal meeting of the Opposition leaders was convened by the Government in your room—

MR. SPEAKER: By me; it was not by the Government.

SHRI JYOTIRMOY BOSU: Yes; by your good self. A meeting was convened by your good self where the Opposition parties and their representatives were invited to attend. There, a dialogue took place in which we had put forward our requirements of the Government about the Appropriation Bill on Pondicherry. We wanted them to get the clearance of the Rajya Sabha.

MR. SPEAKER: What is the point of order?

SHRI JYOTIRMOY BOSU: The point of order is, he is making a wrong statement on the floor of the House. (Interruptions) We were quite entitled to say to the press that they have rendered a service by publishing in all the paper what had happened. I am thankful to the press for rendering this service.

SHRI PILOO MODY: First of all, you have admitted somebody to make his presentation on privilege. He ends up his presentation by saying

इसकी जांच होनी चाहिये

whom is he accusing, first of all? What is the objective in his raising the question of privilege has not been understood by the House. He has read out the rules referring to statutory committees of Parliament, and if I may say, what was decided in the House the other day, by calling a meeting in your room, can be described as nothing short of a public conspiracy to defraud the Constitution. It was a public conspiracy to defraud the Constitution (Interruption) And those who attended it are fellow-conspirators

MR. SPEAKER: You better raise your point of order.

SHRI PILOO MODY: If as a result of it no agreement was reached to defraud the Constitution, I think it should be a matter of public knowledge

श्री अटल बिहारी वाजपेयी : (स्वा-
लियर) : अध्यक्ष महोदय मेरा व्यवस्था का प्रश्न है। पीलू मोद ने जो कुछ कहा है वह बहुत आपत्तिजनक है। वह पार्लियामेंट कमेटी थी या नहीं? इस के बारे में अलग अलग राय हो सकती है लेकिन आप ने पार्लियामेंट के मेम्बरों की बैठक बुलाय। आप के कम में यह बैठक हुई। वह इस बात पर हुई कि कोई संविधान में के रास्ता निकाला जाय। लेकिन उस के लिए यह कहा जाय।

कि यह कांसपिरेस थीं और कार्ट'टेशन का फाड था यह तो रेप्लिकेशन है। इस को कार्यवाही में नहीं जाना चाहिए।

SHRI S. M. BANERJEE (Kanpur): Sir, Mr. Daga has brought a privilege motion.

AN HON. MEMBER: Against whom?

SHRI M. C. DAGA: I have mentioned the names of the newspapers.

(Interruptions)

MR. SPEAKER: You expect me to reply to all the Members. You expect me to listen carefully. But, then, so many voices come in between. Kindly be patient and be silent. Let me listen to him.

SHRI S. M. BANERJEE: Sir, my submission is this. He has brought a privilege motion. The privilege motion is either against the newspapers or against those who attended the meeting. Sir, it cannot be both. Either it is against the Members or against the newspapers. Firstly, Sir, this is surprising and this is something extraordinary because when we get the proceedings the next day it is always written 'Not for publication' while everything is published. It is written there 'Not for publication', but it is published in the newspapers. Then, daily, I can move a privilege motion against the newspapers. It is not to be published but it is published. In regard to the particular meeting, whether it is formal or informal, if certain proceedings have been published, there is nothing wrong. So, I would request Mr. Daga not to raise this sort of privilege issue. This also involves the question of the freedom of the Press. This should be maintained.

श्री अटल बिहारी वाजपेयी : अध्यक्ष महोदय इस बात से इनकार नहीं किया जा सकता कि यदि किसी सैद्धान्तिक महत्वपूर्ण

मामले पर आप के द्वारा संसद सदस्यों की कोई बैठक बुलाई जाती है उस में जो निर्णय होते हैं उन निर्णयों की बाकायदे सदन में घोषणा की जानी चाहिए। जो सदस्य उस में भाग लेते हैं उन्हें यह सावधानी बरतनी चाहिए कि उस बैठक की मर्यादा और इस सदन की मर्यादा इस में कोई भ्रन्तविरोध पैदा न हो। लेकिन मैं यह समझने में असमर्थ हूँ कि क्या जो बैठक आप ने बुलाई थी उसे पार्लियामेन्टी कमेटी की बैठक कहा जा सकता है ? पार्लियामेन्टी कमेटी की पार्लियामेंट के अंदर आप के द्वारा घोषणा की जाती है। उस कमेटी का कम्पोजीशन उस के सदस्यों की संख्या नाम यह सब वहाँ घोषित किया जाता है। इस का मैंने निबंधन देखा तो मुझे लिखा था कि आप आएँ या अगर आप न आ सकें तो किसी और को भेज दें....

अध्यक्ष महोदय : यह तो हम बिजनेस ऐंड-वाइजरी कमेटी में भी करते हैं।

श्री अटल बिहारी वाजपेयी : बिजनेस ऐंडवाइजरी कमेटी का दर्जा इस को देना है तो फिर प्रिविलेज का मामला नहीं आ सकता। लेकिन मैं समझता हूँ कि इस में आप ने थोड़ी सी डील रखी थी क्योंकि आप सभी दलों के सदस्यों से बिचार विनिमय करना चाहते थे और समिति के सदस्यों की घोषणा नहीं की गई। आप ने निबंधन दे कर बुलाया। पर इसमें कोई विशेषाधिकार का सवाल पैदा नहीं होता और समाचारपत्रों-को कैसे दोषी ठहराया जा सकता है ? इस सरकार की गुप्त से गुप्त बात समाचार पत्रों तक पहुँच जाती है और इस के लिए समाचार पत्रों को दंडित नहीं किया जाना चाहिए बर्खास्त दी जानी चाहिए। अगर किसी के विनाश विशेषाधिकार का प्रश्न थाता है तो जो समिति में उपस्थित थे उन के खिलाफ आ सकता है। आखिर पत्रों की पत्र कैसे

भी अटल बिहारी वाजपेयी :

लगा ? जब किसी ने बताया तभी तो पता लगा ।

मेरा निवेदन है कि इस को विशेषाधिकार के रूप में न लिया जाय लेकिन इस के बारे में सब लोग बैठ कर निर्णय कर सकते हैं कि जब इस तरह की बैठक हो तो उस के निर्णय सदन में घोषित होने चाहिये । इस तरह की बात सदन के बाहर पहले ही समाचार पत्रों में आ जाये तो जिस विषय को महत्वपूर्ण मान कर चर्चा करते हैं उस का महत्व घट जाता है ।

श्री अशु लिवये (बाका) : अध्यक्ष महोदय मेरी आप से अपील है कि इस को आप एकदम क्ल-माउट कर दें। मैं इस के कारण बतलाता हूँ—यह बता रही है कि सदन को अपनी प्रोसीडिग्स पर पूरा अधिकार है और प्रोसीडिग्स को आप की इजाजत के बिना या सदन की इजाजत के बिना नहीं छपा जायगा । लेकिन आप ने जो अनौपचारिक बैठक बुलाई थी वह सदन की कार्यवाही का हिस्सा नहीं है सदन की कमेटी की कार्यवाहियों का हिस्सा नहीं है इसलिए इस तरह का कोई प्रिविलेज बनता है अनुसार या मेज पार्लियामेन्ट प्रेक्टिस के नहीं है । जॉर्जटा हाऊस आफ कॉमन्स के अनुसार या मेज पार्लियामेन्ट प्रेक्टिस के अनुसार प्रिविलेज है या नहीं उस पर प्रिविलेज आ ही नहीं सकता । पहले साबित करना पड़ेगा कि उस से कौन सा प्रिविलेज वायोलैट हुआ है । अगर किसी संसद सदस्य ने जानकारी दी भी है तो मैं समझता हूँ कि कोई गलत काम नहीं किया है । उस के लिये जिम्मेदार ठहराना है और मुझे ही जिम्मेदार ठहराना है तो मैं जिम्मेदारी लेने की तैयार हूँ ।

SHRI SHYAMNANDAN MISHRA (Begusarai): Sir, to my mind, no privilege arises in this matter because there are no privileges belonging to an

informal get-together. No privileges pertain, Mr. Speaker, Sir, to an informal get-together of Members of Parliament, the kind of meeting that you had called and secondly, if any breach of privilege arises, to my mind, it arises against the Government whose Political Affairs Committee gave publicity to a news that the Government member had not agreed with the views of the Opposition, in this matter. That is one authoritative ...

अध्यक्ष महोदय : उस में कमेटी के भी मेम्बर हों और गवर्नमेन्ट के मेम्बर हों । और ऐसा कर द तो जो होगा पकड़ेगा कमेटी पकड़ेगी ।

SHRI SHYAMNANDAN MISHRA: Let me make my full submission. Then, Sir, it should have been the concern of the Chair, it should have been the concern of the hon. Speaker, to have brought *suo moto* a privilege motion against the Government because that is an authoritative statement given by....

MR. SPEAKER: I am prepared to give it myself.

SHRI SHYAMNANDAN MISHRA: Against the Government? No privilege arises in an informal get-together.

अध्यक्ष महोदय : पहले इस कमेटी को कमेटी मानगे तभी प्रोसीडिग्स की बात आयेगी । अगर कमेटी मानगे तो गवर्नमेन्ट पर भी बात आती है और आप पर भी बात आती है ।

SHRI SHYAMNANDAN MISHRA: Now, Sir, if anybody can have any grievance against the Committee, it is myself, whose views were mis-represented. They said, Sir, that I had agreed to the issuance of an ordinance, whereas others had urged the re-convening of the Rajya Sabha. This was not my view. My view was that there must be immediate legislation of the illegal act. So, in this case, I

can raise an issue of breach of privilege.

This was an informal get-together.

PROF. MADHU DANDAVATE: At this rate it would be difficult to accept even your lunch invitation.

अध्यक्ष महोदय : अब तो इस पर काकी बात हो गई है अब और क्या करता है ?

SHRI G. VISWANATHAN (Wandiwash): Why was this allowed to be raised in this House?

MR. SPEAKER: I allowed it to be raised so that we can have some views about it. I wanted to bring it to your notice, but not as a privilege motion, so that I can have your views.

SHRI H. N. MUKERJEE (Calcutta—North-East): Sir, I would have liked Shri Daga to have specified his point more clearly, by trying to indicate which persons or institutions come within the ambit of his thinking, in so far as the violation of the privilege is concerned. But, as far as I could make out, he has said nothing of that sort. But I am positive that in so far as the meeting was held in pursuance of your statement in Parliament, it was a meeting whose proceedings were not to be divulged, if propriety was to be maintained by whoever attended it. That is a point on which I think we ought to be very clear. I do not agree that only because it was an informal meeting, one could do whatever one liked about its proceedings, either shout about it from the house tops or, if necessary, keep completely mum, irrespective of the results. To my mind, that is not permissible because the meeting took place in pursuance of a decision which you took, as representing the House and in the normal course of things I should have thought the meeting should have been reported back to the House, if it was thought necessary. Whatever has been published has been published by

perhaps an enterprising press, and I do not think there is any point in trying to muzzle the enterprise of the press, particularly when on Government's side, not only on this occasion but on so many occasions, they refuse to divulge what goes on inside a committee, as was mentioned a little while ago. Even when consultative committee meetings are held, Government puts out its own material. So far we have never been able to have a code of conduct in regard to the non-divulgence of information in regard to what goes on inside a committee. The Members of Parliament are equally to blame, in so far as this is concerned.

Therefore, I feel it can be a matter of theoretical interest if this idea could be thrashed out a little bit. If a privilege does appear to have been violated, then it can be agitated in the Committee. Otherwise, you could call another meeting, which again would be getting unauthorised publicity. But, for heaven's sake, evolve some kind of code of conduct to prevent members of a particular description from loading the press with all kind of information relative to their activities in the party, beneficial or otherwise. This is a thing which has passed muster for such a long time and that has got to be stopped.

SHRI N. K. P. SALVE (Betul): Shri Daga has not been able to crystallize the issue very well. The basic question is whether it is the prerogative of the House to know the decisions of a committee. Whether it should be earlier than that of the press is a different matter. If the press knows it earlier, it is certainly a question of impropriety. It is an important issue. Today you called a meeting of this nature. Tomorrow you may call some other people for informal discussion and again it will be the prerogative of the House to know what is your decision and what is the decision of that informal committee which meets under your chairmanship. How is the House to be guided in that matter?

[Shri N. K. P. Salve]

As to who is responsible, it is for you to decide. What is of importance for us is to know clearly whether or not in a matter like it is the prerogative of the House to know your decision, first and foremost, if it is published and leaked out, what happens to those who are responsible for this leakage. We would like to know your views clearly and categorically on that.

THE MINISTER OF PARLIAMENTARY AFFAIRS (SHRI K. RAGHU RAMAIAH): Sir, this is a very important matter. I would request the hon. Members opposite and the leaders, particularly, to treat it as a non-party issue. Whether technically it is a question of privilege or not, it is a matter for you to decide. I am not going into all those details.

I would like to submit for your consideration and for the consideration of the House that situations do often arise when the hon. Speaker has to consult the leaders of Opposition and other important people in smaller committees. We must have some norms, some code of conduct, as Prof. Mukherjee said, whether such proceedings should be divulged to the press. It is a matter for all of us to consider. I am talking of committees concerning the Lok Sabha with the hon. Speaker in the Chair. Various occasions may arise in future also. This is an important matter. If everything that we talk in committees goes to the press, then we better talk to the press than talk between ourselves. We cannot give free expression to our feelings..

SHRI SHYAMNANDAN MISHRA: Why did the Government, the Political Affairs Sub-Committee, give it to the press that they were not agreeing with the views expressed in the meeting?

SHRI K. RAGHU RAMAIAH: Let us not mix up the issue. I am not suggesting anything over your heads. I am saying that it is a matter for

all of us to consider. I would suggest a meeting of the leaders to see what should be done in such circumstances. After all, it is in the common interest that some norms should be adopted. This is my humble suggestion.

SHRI INDRAJIT GUPTA (Alipore): Sir, if I might have the temerity to make a suggestion to you with all respect, you had announced in this House that in view of the grave importance of the issue which had been raised and which had reached an impasse, some sort of solution should be found out by consensus or consent and you made a suggestion which was accepted by everybody that there should be a meeting of the leaders of various parties under your Chairmanship. Now, that decision which was accepted by everybody was known to the country and to the public at large. I would suggest that it is not unreasonable or unjustified for the country or the people at large to know what is the result of that meeting. When it had been announced here that since a Constitutional problem had arisen which was not being solved on the floor of the House and that a consultation should be held, and if, subsequent to that meeting, nothing officially was given out to the House and to the country as to what was the result of that meeting, then inevitably there will be a provocation for what is described as a leakage.

After all, why should the press be bound by any sort of a conspiracy of silence? It is not their job. They will try to find out what happened in the meeting. They may approach various people; they may approach Government quarters; they may approach Opposition quarters or anybody. Therefore, I would suggest that it would be much better in such a case, when it is known to everybody that the hon. Speaker, in his wisdom, has convened such a meeting in order to find out some solution, it would be much better for the hon. Speaker himself to inform the House at as

early a moment as possible as to what has been the outcome of the meeting, whether anything has been agreed to or not. Otherwise, it is really most unreasonable to expect that there will not be some ventilation in the press, which is not desirable because it will not be the correct version also.

And that is what is being alleged now by so many people from different points of view. When such an informal meeting was held under your guidance and chairmanship—and it was not so informal that the country did not know about it; the country knew about it; it was waiting, anticipating that some result would follow—it would have been better if you had officially given out something.

SHRI PILOO MODY: I wanted to say exactly the same thing; except that if it was not possible for you to inform the House by virtue of the fact that the House may have adjourned for the day, you yourself, with the agreement of the Committee, should have issued some statement or communique. That would have been better.

MR. SPEAKER: I am thankful to you for the views expressed. The normal procedure is that we have Committees, either elected or nominated—elected by the House or nominated by the Speaker—and we have rules concerning their proceedings, that they cannot be published except the resume or a small summary given with the consent of the Committee. Normally this practice has been followed. Since my friend Bosu became the Chairman of the PAC, he has been over-elaborating it, and I have invited his attention to it. But, as far as committees which are summoned on ad hoc basis are concerned, they are to be governed, in my own opinion, by the rule of propriety. And the propriety is this as if we have discussed something in a meeting. A stray remark is all right, but in this case the report appeared as

if the full press gallery was sitting inside the Committee room, all the papers had their representatives inside, the proceedings were reported verbatim.

SHRI SHYAMNANDAN MISHRA: It was not correct; I was misrepresented.

MR. SPEAKER: Now the position is like this. It is only a question of propriety. Why should we blame the press? They always welcome such news. After all, they are meant for this purpose, fishing for something here and there; and some people are all the time ready to oblige them. It is their job, and it is your job also to keep them satisfied. As far as proper briefing on behalf of myself or my secretariat is concerned, we did not know that everything would be reported. We had called a meeting and we thought that there was some understanding between us. If it had been known to me that this would come in this shape later on, the very next day I would have told the House at least the broad out lines of agreement or discussion....

SHRI SHYAMNANDAN MISHRA: But no agreement had been reached.

MR. SPEAKER: . . . the broad out-lines of agreement or disagreement. But I never expected that this would come in such an elaborate shape in the Press and that the public will have the access to know what we were thinking, sitting in a private meeting.

So we will certainly sit together again and consider it now. It never happened earlier. When I called a meeting of the leaders on an ad hoc basis, it never came to the Press. It is only this particular subject matter that appeared. . .

SHRI PILOO MODY: If you permit me, Sir, it was because there was an announcement in the House prior to that.

MR. SPEAKER: That is the reason, because there was an announcement in the House. I wish there was much more restraint and responsibility about the question of propriety.

This, I think, is enough. I will call the meeting on this sometime.

श्री जगत बिहारी बाबूदेई : अध्यक्ष जी उस की मीटिंग में क्या हुआ हम को तो अभी तक नहीं मान्य ?

अध्यक्ष महोदय : जो प्रेम में आया बही हुआ । घोर क्या होना था ।

SHRI VIKRAM MAHAJAN (Kangra): Now the House should thank Mr. Daga for bringing this issue before the House.

SHRI PILOO MODY: What did happen in the meeting that led to this? Where did the meeting take place?

MR. SPEAKER: The meeting considered all aspects. The opinion was divided. It was decided that the Finance Minister should lay the Budget and the Financial Statement etc. etc....

SHRI SHYAMNANDAN MISHRA: No, Sir. There was no decision.

SHRI MADHU LIMAYE: The order was illegal.

SHRI SHYAMNANDAN MISHRA: We did not agree with it.

MR. SPEAKER: Why do you get up in the midst of this?

First we asked the Finance Minister as to how much time he would take. He said that it was a question of printing this and that and getting ready and that on the 11th he would come with the papers and present it to the House and that about the 15th or 16th the Grants and Appropriation Bill would come for discussion in the House. Then; the Opposition demanded that an immediate meeting of the

Rajya Sabha be called so that this could be pushed through without delay. So; this was exactly what took place.

SHRI MADHU LIMAYE: One more thing. How to cure the illegality?

SHRI SHYAMNANDAN MISHRA: What about curing the illegality of the continuing illegal expenditure?

MR. SPEAKER: There was no decision on the legality or the constitutionality.

SHRI MADHU LIMAYE: You will have to give your finding.

MR. SPEAKER: They are adamant and the Government stand is that it is legal and you had expressed views ... (Interruptions). This was not decided at all.

SHRI MADHU LIMAYE: What is the Speaker's opinion?

MR. SPEAKER: Secondly, of course, I have already mentioned, with regard to calling a meeting of the Rajya Sabha, the Government had said that they were unable to do it before 22nd April.

SHRI PILOO MODY: Why?

MR. SPEAKER: I am not here to explain it. You may better ask them.

SHRI SHYAMNANDAN MISHRA: It gave publicity to this matter.

MR. SPEAKER: Another matter that came up was: yesterday.

Shri Viswanathan brought a letter from Shri Sezhiyan for me. He handed it over to me personally. I thought it must be a very confidential matter as he brought it personally. But I have found it in the Press to-day already published.

SHRI JOTIRMOY BOSU (Diamond Harbour): The matter is in the court.

MR. SPEAKER: A letter written to the Speaker—the Speaker sees it later whereas it goes to the Press first. This is highly improper. My consent should also have been sought.

SHRI JYOTIRMOY BOSU: Arising out of what you are saying. I want to make a pertinent point.

When the court is seized of the matter, can you proceed to legalise something over which the court is sitting in judgment?

MR. SPEAKER: I am not sitting over to legalise. You asked what had happened and I am telling you only that. There is no question of anything else.

A subject which does not suit you, you say, should not be raised here as it is before the court. But when it suits you, you even make sub judice matters quite relevant for discussion here.

SHRI R. S. PANDEY (Rajnand-gam): With regard to the question of propriety, I would like to say . . .

MR. SPEAKER: I would like to request you that when the Speaker calls a meeting, it should be treated on par with other meetings. No undue haste is to be shown in rushing every thing to the press; it is very improper. I am withholding my consent to this Privilege motion in view of the opinion expressed in this House.

1335 hrs.

RE. PROROGATION OF LEGISLA-TIVE ASSEMBLY OF BIHAR—Contd.

श्री प्रमल बिहारी बाजपेयी (बजपेयी):
असल तो बिहार का मारना था।
चाहिये।

असल कहिये : बिहार बाकों ने बरा
बिहार उन्होंने असेम्बली ऐवरी कर दी बिहार
असल तो एक है। बिहार का बरा
असल है हर में ?

श्री प्रमल बिहारी बाजपेयी : अध्यक्ष जी
अब एक संवैधानिक सफट रीदा हो गया है।

SHRI JYOTIRMOY BOSU (Dia-mond Harbour): The prorogation of the Assembly by the Governor and adjournment of the Assembly sine die are improper. That Motion of Thanks was not adopted by the House

MR. SPEAKER: Parliament has nothing to do with their adjournment or prorogation. This is not a privilege to be referred to in this House.

SHRI SHYAMNANDAN MISHRA (Begusarai): Sir, I wish to submit a point of order—it is on this point whether this matter can be considered by this House or not. It is for the honourable Speaker to consider this point and give a ruling. Sir, in 1969, when the Governor of West Bengal skipped over two passages in his Address, the matter was taken up in this House and also fully debated. It is a mandatory provision, it is a constitutional provision that the Governor shall make an Address to 'a' House or to a joint session of 'both' Houses as the case may be. It is a mandatory provision of the Constitution that time shall be allotted for discussion of the matter referred to in the Address. Now, the time had been allotted for the discussion of the matters referred to in the Address and those matters relate to the policies and programmes of the Government both in domestic and international spheres. Mr. C. B. Gupta was Chief Minister of UP in 1967. He resigned when his party was reduced to a minority. Therefore, this Address, in my respectful submission, constitutes the basis on which the opposition can vote off the Government. The Government deliberately brought in a motion in the Bihar Assembly saying that the House should be adjourned. The bell kept on ringing for some time but with the House was adjourned sine die. Then the Governor in his wisdom prorogued the House. That means that what was slated for discussion is now scrubbed