

**THE DEPUTY MINISTER IN THE
MINISTRY OF HOME AFFAIRS
(SHRI F. H. MOHSIN):** (a) Yes, Sir.

(b) According to information from the Government of Gujarat, 12 Pakistani nationals stated to have been carried by a launch from Muscat on promise of being dropped near Karachi were dropped instead between villages Dari and Navagam in Junagadh District. They were arrested on the 16th October, 1974 by the local police. Cases have been registered against them for breach of provisions of the Foreigners Act 1946 and the Passport (Entry Into India) Act 1920 and are under investigation.

(c) No, Sir.

(d) Does not arise.

12.00 hrs.

QUESTION OF PRIVILEGE—contd.

IMPORT LICENCES CASE

SHRI JYOTIRMOY BOSU (Diamond Harbour): What about my privilege motions? I have given notice....

MR. SPEAKER: I have not allowed anybody to speak. May I make one thing very clear?

SHRI JYOTIRMOY BOSU: I have not been told that you have disallowed it.

MR. SPEAKER: Kindly sit down. Why do you get up? I am not allowing you.

I have said that unless what we have already is disposed of, we cannot take up others. But I will take notice of all, whether given by him, by Shri Vajpayee or others.

SHRI JYOTIRMOY BOSU: Under the rules, the matter must be of recent occurrence....

MR. SPEAKER: I am not allowing you.

श्री बदल बिहारी बाजपेयी (गालियर) : अध्यक्ष महोदय, मुझे एक मामले में आप की सलाह लेनी है। जो प्रिविलेज मोशन थिये गये हैं, उन में से एक मोशन उस समय के गृह मंत्री, श्री उमा शंकर दीक्षित, के खिलाफ है। वह हमारे सदन के सदस्य नहीं हैं। वह दूसरे सदन के सदस्य हैं। वह प्रिविलेज मोशन हम ने उन के खिलाफ एक मंत्री के नाते दिया है। लेकिन मुझे बताया गया है कि वह प्रिविलेज का मामला यहाँ नहीं उठाना जा सकता है। आप इस के बारे में स्पष्ट निर्देश दें।

श्री दीक्षित अभी तक उस प्रिविलेज मोशन का जवाब देने के लिए नहीं आये हैं, जब कि दूसरे मंत्रियों—गृह मंत्री, विधि मंत्री और व्यापार मंत्री—ने अपने अपने वक्तव्य दे दिये हैं। लेकिन पुराने गृह मंत्री, जो आज भी मंत्रि मंडल के सदस्य हैं, आज कहाँ हैं? वह अपने पुराने आश्वासन के बारे में इस सदन में आकर सफाई क्यों नहीं देते हैं। आप उन्हें बुलाते क्यों नहीं हैं। इस तरह तो वह इस सदन की अवहेलना करने के और भी दोषी हैं। उन के खिलाफ मामला खड़ा है और वह चुप हैं। वह इस सदन में दिखाई नहीं देते हैं। प्रिविलेज मोशन एक मंत्री के खिलाफ जामा गया है, भले ही वह किसी भी सदन का सदस्य हो। क्या भी दीक्षित की वर-हाजिरी इस हाउस की नहीं अवहेलना और उस का नया अपमान नहीं है?

MR. SPEAKER: I think you have raised a very important point whether a privilege can be raised against a Minister who is not a member of this House, but who is a member of the other House. But his position is clear as a minister. I am going to study this as to what is the position if a minister belongs to the other House. We have a clear position about a member of the other House. But if a member of the other House is a minister, where does

he stand? I cannot say anything offhand. Let me see the past precedents. I cannot exactly fix any time, but I shall try to see it at the earliest.

SHRI SHYAMNANDAN MISHRA: (Begusarai): We have got two categories of privilege motions. One relates to ministers and the other to members. We have given a privilege motion against an hon. member of this House, i.e., Mr. Talmohan Ram. We have heard some of the Ministers. One minister remains to be heard on this. But what about the hon. member against whom also we have given notice of a privilege motion? Would you also ask him to come and make a statement before the House?

SHRI C. M. STEPHEN (Muvattupuzha): It is his choice; nobody can compel him.

MR. SPEAKER: This point is also very important, namely, at the time when this motion is being moved, whether the member against whom it is being moved has the right to be heard or whether his right arises only after it is admitted.

SHRI SHYAMNANDAN MISHRA: You have allowed the ministers to make statements earlier. In the matter of privilege, there should be absolutely no discrimination against a member.

MR. SPEAKER: These things can be split up into many parts. About the minister, I have already said, I will study what is the position. I will examine this also.

THE PRIME MINISTER, MINISTER OF ATOMIC ENERGY, MINISTER OF ELECTRONICS AND MINISTER OF SPACE (SHRIMATI INDIRA GANDHI): We are not clear what you are going to examine. The privilege motion is against the Home Minister. The individual may change, but the Home Minister continues. That is why he is dealing with the matter.

MR. SPEAKER: I have to examine that.

SHRI SHYAMNANDAN MISHRA: Privilege relates to the person, not to the office, because the offence is committed by an individual, by Shri Uma Shankar Dikshit.

श्री अटल बिहारी वाजपेयी : यह प्रिविलेज
मोशन व्यक्ति के खिलाफ होता है ।

MR. SPEAKER: You cannot deny that he did not give this assurance as a member.

SHRI SHYAMNANDAN MISHRA: By the same token, if a minister is found to be corrupt and dishonest, would his successor in office be punished? No; it is the dishonest and corrupt minister who will be punished.

THE MINISTER OF WORKS AND HOUSING AND PARLIAMENTARY AFFAIRS (SHRI K. RAGHU RAMAIAH): By the argument of the opposition, no privilege motion can lie against Shri Dikshit or Shri Reddy. If the motion is that there has been a breach of an assurance, who gave the assurance? If it is Shri Uma Shankar Dikshit, then the question of nonfulfilment does not arise because he is not the Home Minister now. If on the other hand it is contended that Shri Reddy has not fulfilled the assurance, this contention cannot be raised because he is not the Home Minister who gave the assurance. So, according to their argument, there can be no privilege motion against either of them.

श्री अटल बिहारी वाजपेयी : अध्यक्ष
महोदय, क्या इस वा मतलब यह है कि हम
किसी मिनिस्टर के खिलाफ प्रिविलेज मोशन
नामों और उस में बचने के लिये उन्होंने
उस को मिनिस्टर से हटा दिया, तब क्या
होगा ?

[श्री अटल बिहारी वाजपेयी]

यह मामला बड़ा गम्भीर है। आप ने वादा किया है कि आप विचार करेंगे।

अध्यक्ष महोदय : एक नई बात पंदा कर देते हैं। और फिर कहते हैं कि एक और गंभीर बात पंदा हो गई।

SHRI BHAGWAT JHA AZAD (Bhagalpur): Shri Dikshit gave the assurance as Home Minister. The Home Minister is continuing and whatever has to be dealt with is being dealt with by the Home Minister. Therefore, Shri Dikshit cannot be called upon to make a statement. Secondly, even if they had anything to say, good, bad or indifferent, they cannot force any member or minister to make a statement. On these two grounds, Shri Dikshit cannot be forced to make a statement. It is absolutely wrong and we cannot permit it.

SHRI SHYAMNANDAN MISHRA: Even in a no confidence motion, nobody can compel the Prime Minister to make a statement. That is a different matter. If he does not choose to make a statement, let him do so.

SHRI PILOO MODY (Godhra): Sir, the Minister of Parliamentary Affairs has just now given the most admirable logic that I have ever heard in this House. For somebody like the Minister of Parliamentary Affairs to indulge in this sort of logic I can understand. It is his job. He is trying to save his job. But for the Prime Minister to give that logic I cannot understand.... (Interruptions). Madam Prime Minister, you rarely smile. But you were positively hilarious when he was talking.

The issue is that Mr. Uma Shankar Dikshit, as the Home Minister of Government of India, gave certain assurance to the Lok Sabha. I assume that even though, in reality, the joint responsibility of the Government would have disappeared by now, but, in fact, in appearance, as far as Parliament

is concerned, that joint responsibility... (Interruptions).

SHRI VASANT SATHE (Akola): Does he want to move a joint privilege motion against the entire Government? (Interruptions).

SHRI PILOO MODY: As long as a Member of the Rajya Sabha, when he becomes the Minister, is allowed to come here, is allowed to speak and is allowed to perform his function as a Minister of the Government of India, are you suggesting that because he is a Member of the Rajya Sabha, he can come here and tell any number of** and not be accountable for it.... Why are you ringing the Bell?

MR. SPEAKER: What are you doing?

SHRI PILOO MODY: And if he is a Member of the Lok Sabha and he is a Minister, he can go and tell any number of** in the Rajya Sabha? What sort of argument is this? (Interruptions).

MR. SPEAKER: This word should not be used. This will not form part of the record.

SHRI PILOO MODY: I am only making my submission. You said that you were going to study the problem and, therefore, I was giving my point of view. The accountability should be to the House where the statement was made. The accountability should be attached to the person and it cannot be attached to the successor.

MR. SPEAKER: How can it be? The person in office has to perform the function.

SHRI VASANT SATHE: He is on a point of submission. I rise on a point of order.... (Interruptions).

SHRI PILOO MODY: Mr. Uma Shankar Dikshit, the Home Minister, gave an assurance on behalf of the Government of India and Mr. Brahm-ananda Reddy, the Home Minister, on

**Expunged as ordered by the Chair.

behalf of the Government of India, will have to discharge that assurance.

MR. SPEAKER: We stop this now.

SHRI VASANT SATHE: I am on a point of order under rule 222.

SHRI S. M. BANERJEE (Kanpur): On the privilege motions and on the question whether the CBI report should be laid on the Table of the House or not, you had said that you would allow me, Shri P. G. Mavalankar and a few others. You have conveniently forgotten that.

MR. SPEAKER: I have not forgotten. But I got involved in other matters.

Mr. Madhu Limaye has written to me that, since he is not coming here today, I may postpone it for tomorrow.

SHRI VASANT SATHE: I object to it, Sir. How can you postpone it? Under what rule? Today Mr. Madhu Limaye asks for postponement, tomorrow Mr. Piloo Mody will ask for postponement, on the third day Mr. Vajpayee may ask for postponement and on the fourth day, Mr. Shyamnandan Mishra will ask for postponement. Then, will you go on postponing it? I oppose this, Sir.

SHRI S. A. SHAMIM (Srinagar): You have only said that Mr. Limaye has written to you. I do not think you have said that you are postponing it.

MR. SPEAKER: I thought I would enquire from the members. If you agree, we may accept his request.

SOME HON. MEMBERS: No.

MR. SPEAKER: Alright. Then we will not.

SHRI S. M. BANERJEE: Sir, yesterday I was trying to make a submission....

MR. SPEAKER: No submission. It must be a point of order.

SHRI S. M. BANERJEE: Alright, Sir. My point of order is this. When, in this House, Shri Brahmananda Reddy quoted certain things from the CBI report....

THE PRIME MINISTER, MINISTER OF ATOMIC ENERGY, MINISTER OF ELECTRONICS AND MINISTER OF SPACE (SHRIMATI INDIRA GANDHI): He did not quote from the report. He has stated that very clearly.

SHRI S. M. BANERJEE: That was my assumption. Our contention was that it was a quotation from the report but without the quotation marks and we requested you to ask him, under rule 368, to lay the report on the Table of the House. But the hon. Minister said that he had not quoted. On that day also I raised the same point of order requesting you to go through the CBI report, that particular portion. In our opinion, that was a quotation. You are the only judge, Sir, because you have got the relevant portion of the report or the relevant report. If it is established that a particular sentence or sentences or para mentioned by him—which according to us is a quotation from the CBI report—tallies with what is contained in the report, then, under rule 368, he should be asked to lay the report on the Table of the House.

Another point is this, and I want your ruling on this. You have not directed him to lay the report; you have said that it is upto the Government to do it. But they are not going to lay the report on the Table of the House. Therefore, I have already moved a motion, yesterday, and I request you to put that motion to the vote of the House. Whether that motion is in order or not, it is for you to judge. My motion is very simple. It says that this House appoints a Committee of various members of this House—members to be selected by you,—with you as the Chairman to go through the entire report, every aspect of the report and then come before the House to say whether the report should be laid on the Table of the House or not. This is a very simple motion. This House may reject it. Even then I shall be satisfied.

[Shri S. M. Banerjee]

Otherwise, I will tell you, Sir, what is going to happen. Nothing is secret in this country and within four or five days, you will see that the report is in my hand or in his hand. We will spring a surprise and then you will ask us to lay the report,—as was done by Shri H. V. Kamath. I want a ruling from you whether my motion is in order or not. If you really find it in order, then kindly allow me to move the motion. Let the motion be defeated. I shall be satisfied. Let the country know where do we stand.

SHRI SHYAMNANDAN MISHRA:
It is a good motion.

SHRI DINEN BHATTACHARYYA (Serampore): You may admit this motion and put it to vote and let the matter be finished.

MR. SPEAKER: My ruling was that when we are already seized of one motion...

SHRI S. M. BANERJEE: Kindly read my motion.

MR. SPEAKER: I will take notice of all motions, whether privilege or others, whether of Mr. Banerjee or of others.

SHRI S. M. BANERJEE: My motion has nothing to do with the privilege motion. Privilege motion is theirs. My motion is very simple that a Committee of Lok Sabha be constituted with the hon. Speaker as the Chairman to go through the entire report submitted to the hon. Speaker by the Home Minister and take a final decision whether or not the report should be laid on the Table of the House. It is a simple one.

SHRI H. N. MUKERJEE (Calcutta—North-East): I have also given notice of a motion and you do not care to take notice of that.

MR. SPEAKER: I absolutely do not deny your right to move a motion or a privilege motion. I take due notice of all of them and as soon as this one is disposed of, we will take all others

also, but not during the time when the discussion is going on one motion.

SHRI S. M. BANERJEE: Should I then take it that it is pending?

MR. SPEAKER: Yes.

SHRI INDRAJIT GUPTA (Alipore): Is the discussion on the privilege motion to continue for the whole of the session?

MR. SPEAKER: I think it is up to you to conclude it.

SHRI SHYAMNANDAN MISHRA: To resolve the conundrum in which we find ourselves, if we accept the motion of Mr. Banerjee and of Prof. Mukerjee, that will resolve your difficulty and the difficulty of the entire House. Let them reject it.

MR. SPEAKER: In that case it will be put before the Business Advisory Committee.

SHRI INDRAJIT GUPTA: The Business Advisory Committee only fixes the time, nothing else.

SHRI SHYAMNANDAN MISHRA: We, on this side of the House, are unanimous. . .

MR. SPEAKER: Now you fix the time whether this one should be taken or postponed and when the other one is to be taken. After all we cannot be seized of two motions at one and the same time. It is up to you because we are already seized of a motion.

SHRI INDRAJIT GUPTA: The motions of Mr. Banerjee and Prof. Mukerjee, according to you, are admissible under the Rules. Then this problem that we have been facing for the last six to seven days can be resolved, as Mr. Mishra has said. We are trying to help you out of your difficulty also.

SHRI VIKRAM MAHAJAN (Kangra): The House is already

seized of a privilege motion. Now, the hon. Members have started another matter and they do not want to finish the privilege motion. I will submit it to you—let the privilege motion be decided.

MR. SPEAKER: If you say that it will stop all my problems, need I presume that this privilege motion also lapses?

SHRI SHYAMNANDAN MISHRA: No, no.

MR. SPEAKER: Then, how will it solve my problem?

SHRI SHYAMNANDAN MISHRA: The privilege motion does not end because of that.

MR. SPEAKER: Unless that is disposed of, we cannot take up the other one.

SHRI VASANT SATHE: Under what rule this Motion of Mr. Banerjee will come in? Under what rule? That will not supercede the other one.

MR. SPEAKER: We are aware of that rule.

SHRI H. N. MUKERJEE: I wish to make a submission explaining why I have given notice of that Motion and that is this, that you, Sir, gave a ruling which, in spite of your considering it to be categorical, was found to be so difficult of implementation that in defiance of all rules, the Speaker's ruling remains unimplemented. After all, when you gave a decision, it has to be implemented. The book says so. If it is not implemented your job is only half done and to that extent, in order to see that your ruling is properly and concretely implemented the only way is to come out with this.

MR. SPEAKER: Kindly allow me to give a chance to these gentlemen. As soon as we dispose of this motion we will see the others. It is impossible not to discuss when we are seized of this, which is already under

discussion. In the meantime we cannot introduce another new thing into the discussion. So I cannot accept that.

SHRI H. N. MUKERJEE: Certain documents you got from the Home Minister. You brought in this thing.

MR. SPEAKER: I returned everything to him. I am not prepared to discuss the merits of it....

SHRI H. N. MUKERJEE: From the Chair you said you are in possession of documents from Mr. so and so....

MR. SPEAKER: I made it clear, I have nothing to do with it.

SHRI H. N. MUKERJEE: If you say you cannot deal with it, the House has to deal with it and you have to nominate whoever you like to examine this position.

MR. SPEAKER: You cannot say I don't know what to do with it; the House has to be helped, Mr. Shamim.

SHRI C. M. STEPHEN: I have been standing again and again. I am on a point of order.

MR. SPEAKER: I have called Mr. Shamim because I promised to hear him yesterday.

SHRI C. M. STEPHEN: I am on a point of order. This is what you said yesterday. Will you kindly hear me?

SHRI S. A. SHAMIM: I remind you of your promise you made yesterday.

MR. SPEAKER: I will give you chance, in between there is intervention by Mr. Stephen.

SHRI C. M. STEPHEN: Sir, I am rising on a point of order. I have to assert my right to speak.

SHRI S. A. SHAMIM: With your permission, Sir,—

SHRI C. M. STEPHEN: My point of order is with respect to his right to speak.

MR. SPEAKER: May I request you all to sit down? I called Mr. Shamim. That is why I am asking you, Mr. Stephen to sit down. I dispose of your point of order.

Mr. Shamim desires to raise another point of order. This kind of thing detracts us so much that it will take quite a few minutes to come to the normal position. Now, Mr. Shamim.

SHRI C. M. STEPHEN: Sir, I rise on a point of order. Yesterday when we adjourned... (Interruptions). why don't you hear me? I am on a point of order and I must be heard. My point of order is this.

MR. SPEAKER: Mr. Stephen, I have already called Mr. Shamim.

SHRI C. M. STEPHEN:**

MR. SPEAKER: Whatever you say will not go on record. Unless I call you I am not allowing you. Mr. Stephen, will you kindly sit down? You are so much excited. As you will see the proceedings of yesterday, these gentlemen will be given the first chance to raise their points of order and then later on I shall call the others.

SHRI C. M. STEPHEN: I am reading:

"So, we will take it up again tomorrow. Then I will hear only Shri S. M. Banerjee, Shri Sezhiyan and Shri P. G. Mavalankar."

I am rising on a point of order today. Only these three people have been allowed and they alone come into the picture. My second point of order is that after hearing Mr. Banerjee, no one other than these Members must be heard. Shri Shamim is not in the picture.

SHRI PILOO MODY: These three wanted to speak to-day. Others cannot be allowed. Only Mr. Shamim will be allowed to speak. (Interruptions).

SHRI K. LAKKAPPA (Tumkur): He has already called Mr. Shamim. (Interruptions).

MR. SPEAKER: All of you will please sit down. When this came to me I had mentioned Mr. Shamim's name also. But, unfortunately, it was left out. I corrected it this morning.

SHRI C. M. STEPHEN: Now, my point of order is relevant.

MR. SPEAKER: When this list came to me, I corrected it this morning. I told the Secretary General that there are only three names and asked him about the fourth name. We came to know that this was Mr. Shamim. I did not know that you had been quarrelling on this, all the time.

SHRI S. A. SHAMIM: Sir, in the last few days, we have been generating more heat than light. I would like to draw your attention not on a point of order but points of order, points of order which relate to the business of the House, how a Member is called and how a Member sometimes fails to get your eye. In any case, this practice is established by now that what matters here is not the power of arguments but it is the lung power which matters. So, the first point of order on which you will have to decide is, how Members will be called in future. Otherwise, all those Members who do not have louder voices will definitely be discriminated against which is not a very healthy practice in parliamentary democracy.

Secondly, coming to this issue, I think in the last six days—I am not very good at arithmetics but I have consulted people who know more of arithmetics than I do—we have spent about ten lakhs of rupees of public money on debating this issue. The total amount of licences involved in this scandal is Rs. 28 lakhs. Now,

on whose shoulders the responsibility for this wastage of money should be placed? Sir, having made this point, I would like to make one other pertinent point. What is the demand which we have been making, why so much time has been wasted and now is it that the Government has made it an issue of prestige and why? The simple and pure demand is that this particular report should be placed on the table of the House. Nothing more, nothing less. We are not demanding the resignation of the Ministers or the Ministry. We are not demanding anything else. We claim our natural right to know what the CBI authorities know, what the Prime Minister knows and what the Home Minister knows. The only plea which Government seems to have taken is this *sub judice* plea. It has been said that in this country when the Bhiwandi Enquiry Commission was holding its proceedings, criminal proceedings were going on, the plea of *sub judice* was not taken. In America, when the Watergate issue was being considered by the House Judiciary Committee, criminal proceedings were going on and the *sub judice* plea was not taken. The whole country wants to know, why, is it that the entire Government along with the ruling party, is determined not to lay this particular document on the table of the House. Now, while apportioning blame, I am pained to say that even the Chair cannot escape the responsibility by prolonging this agony. In your wisdom, Sir, you have to make up your mind one way or the other. Even if your decision goes against our plea, you could tell us. I am sure, with anguish, we would accept that decision. But, this practice of the Opposition trying to pass on the bug to the Government, Government trying to pass on the bug to the Opposition and your returning the bug, results in the wastage of public money. We have already wasted Rs. 10 lakhs. Within the next three days, we are likely to waste another Rs. 3 lakhs. My humble request is, please bring this agony to an end and the only way for you

is to decide it yourself and not depend on the Government.

MR. SPEAKER: I cannot do that. I am sorry, I have made my position very clear. Shri Sezhiyan. He is not here. Shri Mavalankar.

SHRI P. G. MAVALANKAR (Ahmedabad) rose—

SHRI H. K. L. BHAGAT (East Delhi): Why do you want more public money be wasted? Let not any more public money be wasted.

SHRI P. G. MAVALANKAR: Let me say at the outset that I shall not be able to raise my voice in advancing my arguments not only because I feel that this House is a place where people speak and talk and not shout, but also because of another very difficult and personal reason. It is two years today since I am living in Western Court, the MPs hostel, here in New Delhi. I had made several requests to you and other authorities that I have been forced not to fast unto death but to eat unto death at that place! So I have no energy left to shout as I have been without meals there.

SHRI K. RAGHU RAMAIAH: Why?

SHRI P. G. MAVALANKAR: It is rotten food, uneatable food, at the Western Court MPs hostel. I have no energy to shout because I have been without proper and clean meals for the last two years. . . (Interruptions) at the Western Court.

MR. SPEAKER: You have got a room there. If you do not mind, you could kindly move to my place where I will provide you with all facilities. I have got enough of accommodation. You are used to that house, you have lived there with your distinguished father. Even if you do not take me in that sense, at least as a brother you can live with me. We will look after you till matters in the Western Court are straightened.

SHRI P. G. MAVALANKAR: I am grateful to you for giving me an opportunity to speak. May I also say that I am grateful to you for remembering my father whose 88th birthday happens to fall today?

MR. SPEAKER: We all pay our homage to him.

SHRI P. G. MAVALANKAR: My place is where my place ought to be and I cannot accept your gracious hospitality. I may occasionally have a meal with you, but not everyday.

SHRI SHYAMNANDAN MISHRA: That offer was indeed very gracious of you, Sir.

MR. SPEAKER: We will personally go there and plead.

SHRI P. G. MAVALANKAR: Having thanked you for the opportunity given to me, . .

SHRI INDRAJIT GUPTA (Alipore): I have been eating in the Western Court for the last 14 years. You should extend your hospitality to me also.

MR. SPEAKER: I can say not about the member who never complained but the member who is not happy there. I was shocked to hear it. He sent a complaint. I asked the office to look into it. But I feel very sorry.

SHRI EBRAHIM SULAIMAN SAIT (Kozhikode): I have been there for 14 years and I deserve your hospitality most.

SHRI S. A. SHAMIM: In fact, both of them deserve a hospital now.

MR. SPEAKER: He does not want hospitality to be provided, but wants a hospital!

SHRI P. G. MAVALANKAR: Having expressed my gratitude, I wish to offer my apologies to you if I have offended you in any way yesterday when I intervened and requested you to let me speak. It was never my intention to offend you in any way,

directly or indirectly, and the high office you are occupying.

Now the question before the House is not a question which can be decided by majority or minority, majority on that side and minority on this side. This issue relates to the honour of the whole House. I am glad the hon. the Leader of the House is present in the House for the last some days and I am happy that she is actively participating. After all, we expect that from the Leader of the House. Yesterday she also said, while taking exception to many of the speeches and points of order from the Opposition benches that a small portion of the House cannot hold the whole House, especially the majority side, to ransom. I am not going into the question of small and big size, but I must say that although this portion is small, it represents a bigger electorate in the country.

SHRIMATI INDIRA GANDHI: Let him make his point of order without going into all these things.

SHRI P. G. MAVALANKAR: If you will kindly examine, as you have already promised us to examine, the records of the last six days, what has been said, what kinds of things have been said, then I am very much within my point of order in everything that I am saying. I may again say that although this is a small proportion of this House, it represents a larger proportion of the electorate. It is only because of certain electoral defects, and more than that, because of the rigging and the unfair way in which the elections are held and because of the money power, that there are distortions.

SHRI K. LAKKAPPA (Tumkur): How is it relevant to the point of order?

MR. SPEAKER: You had sought my permission to raise a point of order but now you are making a speech.

SHRI P. G. MAVALANKAR: I also want your ruling on one serious observation made by one of my friends from the Congress Benches yesterday; I do not want to name him. He referred to Shri Vajpayee's speech when Shri Vajpayee said that until the CBI report was placed on the Table of the House, we would not allow the proceedings to go ahead. . . (Interruptions). I want your ruling on this point.

MR. SPEAKER: There is no question of my ruling on this. You give your point of order.

SHRI PILOO MODY: The Congress Members of Parliament are totally unaware of the great debate across the country going on about electoral reform.

SHRI P. G. MAVALANKAR: If any Member of the Opposition Parties or any Independent says or does something which is unparliamentary according to the view of the majority, can they drive them out?

AN HON. MEMBER: Why not?

SHRI P. G. MAVALANKAR: Do it if you have the power; you cannot do it; that is my point. It has gone on record yesterday—I want your guidance, not one or two but many Members of the Congress Party said, I almost quote them—that if the Opposition want to obstruct, we also know how to obstruct and would not allow the proceedings to go on.

SHRI R. S. PANDEY (Rajnandgaon): I never said so; I said that if the Chair was shown disrespect, then we were not going to allow it . . . (Interruptions)

SHRI P. G. MAVALANKAR: Let them not think in terms of shouting or obstructing.

Coming to main issues, there are two main aspects involved. One is the more restricted and more immediate aspect and the other is more important and certainly relevant and broadbased. The restricted aspect

is, if I may put it quickly and briefly: it is for the Chair to decide whether the various assurances given by the Ministers on the floor of the House during the last session and the early part of this session have been implemented not only in letter but also in spirit. It is for the Chair to decide and I am glad the Chair is going to examine the speeches of various Ministers. I will not tire the House by quoting from at least one of them, the hon. Law Minister who in four speeches he made on the 3rd, 4th, 5th and 9th. . . Sir, please do not interrupt. His four speeches are full of contradictions. If he says that what he said on the 9th is not final and what he said on the 3rd or 4th or 5th is final, please give a ruling whether the Minister's final observations were final or the previous observations were final.

MR. SPEAKER: A point of order should appear to be a point of order, not a speech.

SHRI P. G. MAVALANKAR: My next point is that the Government have deliberately gone in vulgar haste in expediting the CBI report while in many other matters we know that the CBI has not gone ahead and submitted their reports. My point is that while the session was going to start on the 11th November, on that very same day Government deliberately went to court to make the whole matter sub judice and thus deny this House an opportunity of discussing it. Apart from the criminal aspects involved, the Chair will have to go into this point of order. Apart from the criminal aspects, there was certain political, parliamentary and moral aspects involved. If you ask the Minister not to place the CBI Report before the House, before the Parliament and before the country, this House will be deprived of the chance to go into the parliamentary, political and moral aspects of the matter. While examining all the evidence before you, let

[Shri P. G. Mavalankar]

the Chair give a clearcut ruling. I suggest that the Chair should consider the appointment of a special committee representing all shades of opinion; so that it will be a parliamentary committee. You should take the House into confidence or there could be a secret session as Mr. Bosu said. If the Government is determined not to give information to the House, this House has a duty to see that its right to know everything about public affairs safeguarded. That right is being denied. Therefore your ruling must be definite, firm and clear-cut and positive. Government deliberately put you in a dilemma. If the Government is so honest why are they afraid of truth? If they have nothing to hide, let everything come to the House. I hope you will not take an attitude of hesitation, but an attitude of firmness so that this Parliament and the country can protect its dignity and indeed enhance its dignity.

MR. SPEAKER: Mr. Sezhiyan is not here. There are some volumes of this debate in the last week and I will have to go through it and cull out various points and come out with my ruling sometime later, not tomorrow but next week. I want to see all the points raised by you because you have raised many points, either on this or that. Many things have come in and I think it is difficult to remember them. We adjourn now for lunch to re-assemble at 2. I have closed this matter and I will give my ruling sometime later.

13.00 hrs.

The Lok Sabha adjourned for lunch till Fourteen of the Clock.

The Lok Sabha reassembled after Lunch at Five Minutes past Fourteen of the Clock.

[MR. DEPUTY-SPEAKER in the Chair]

**PAPERS LAID ON THE TABLE
NOTIFICATIONS UNDER ALL INDIA
SERVICES ACT, 1951**

**THE DEPUTY MINISTER IN THE
MINISTRY OF HOME AFFAIRS
(SHRI F. H. MOHSIN):** On behalf of Shri Om Mehta, I beg to lay on the Table a copy each of the following notifications (Hindi and English versions) under sub-section (2) of section 3 of the All India Services Act, 1951:—

- (i) The Indian Administrative Service (Pay) Twentieth Amendment Rules, 1974, published in Notification No. G.S.R. 467(E) in Gazette of India dated the 15th November, 1974.
- (ii) The Indian Administrative Service (Pay) Twenty-first Amendment Rules, 1974, published in Notification No. G.S.R. 468(E) in Gazette of India dated the 15th November, 1974.
- (iii) The Indian Administrative Service (Pay) Twenty-second Amendment Rules, 1974, published in Notification No. G.S.R. 469(E) in Gazette of India dated the 15th November, 1974.
- (iv) The Indian Police Service (Pay) Fifth Amendment Rules, 1974, published in Notification No. G.S.R. 470(E) in Gazette of India dated the 15th November, 1974.
- (v) The Indian Police Service (Pay) Sixth Amendment Rules, 1974, published in Notification No. G.S.R. 471(E) in Gazette of India dated the 15th November, 1974.
- (vi) The Indian Forest Service (Pay) Second Amendment Rules, 1974, published in No-