

नौगांव, छत्रपुर (मध्य प्रदेश) में सैनिक प्रशिक्षण केन्द्र की पुनः स्थापना

1598. श्री नाथूराम ग्रहिरवार : क्या रक्षा मंत्री यह बताने की कृपा करेंगे कि-

(क) क्या नौगांव (छत्रपुर-मध्य प्रदेश) स्वतन्त्रता के पूर्व सैनिक प्रशिक्षण केन्द्र रहा है,

(ख) क्या इस सैनिक केन्द्र को अन्यत्र ले जाने के कारण वहाँ की इमारत खाली और बेकार पड़ी हुई है,

(ग) क्या सरकार उक्त सैनिक प्रशिक्षण स्कूल को पुनः स्थापित करने के प्रश्न पर विचार करेगी क्योंकि यह स्थान ज़ासी और बबीना छावना के निकट है तथा खाली भवन उपलब्ध है, और

(घ) यदि हाँ, तो कब तक और यदि नहीं तो इसके क्या कारण हैं ?

रक्षा मंत्री (श्री स्वर्ण सिंह) :

(क) जी हाँ श्रीमान् ।

(ख) इस स्थान पर सैनिक भवना का पूरी तरह से उपयोग किया जाता है जिन्हें अधिकतर गृह मंत्रालय द्वारा उपयोग किया जाता है ।

(ग) और (घ), नौगांव में कोई स्कूल स्थापित करने का प्रस्ताव नहीं है । वर्तमान स्कूल विभिन्न स्टेशन की आवश्यकताओं का पर्याप्त रूप से पूरा कर रहे हैं ।

Alleged racketeering by some Steel Firms

1600 SHRI S R DAMANI Will the Minister of STEEL AND MINES be pleased to state:

(a) whether any racketeering has come to the notice of Government by some steel firms to corner the entire export quota;

(b) whether it resulted in a big loss of advantage to India; and

(c) if so, the facts thereof and the extent of responsibility of SAIL involved in this behalf?

THE DEPUTY MINISTER IN THE MINISTRY OF STEEL AND MINES (SHRI SUKHDEV PRASAD) (a) No such malpractice has come to the notice of Government

(b) and (c) Do not arise

12 hrs.

QUESTION OF PRIVILEGE

IMPORT LICENCE CASE

MR SPEAKER We will now take up the privilege question

THE MINISTER OF HOME AFFAIRS (SHRI K BRAHMANANDA REDDY) Sir, in the first instance, I would like to clarify the factual position with regard to some of the points made by hon Members

AN HON MEMBER Sir, the Minister is not saying anything further Perhaps, he is waiting for the papers . (Interruptions)

SHRI PILOO MODY (Godhra) His papers will come to him as soon as the Prime Minister's Secretariat releases them Meanwhile let him answer some of our question (Interruptions)

MR SPEAKER He does not question from where you bring your papers

SHRI PILOO MODY He cannot, he is a Minister, after all

अध्यक्ष महोदय पेपर मंगाना है तो इस में क्या हो गया ।

श्री मधु लिमये (बांका) : अध्यक्ष महोदय, मैं व्यवस्था के प्रश्न पर खड़ा हूँ।
... (अवधान)

श्री छटल बिहारी बाजपेयी : (ग्वालियर वह तैयार हो कर नहीं आये। वह पालियामेंट को चलाने का कोई तरीका है।

अध्यक्ष महोदय : एक मिनट लेट हो गये तो क्या हो गया ? कोई तुफान आ गया।
Why can't you all sit down?

SHRI PILOO MODY : Sir, I want to move that the discussion on this be adjourned for five minutes or till the Prime Minister's Secretariat is ready to send the papers... (Interruptions)

श्री मधु लिमये : अध्यक्ष महोदय मेरा व्यवस्था का प्रश्न तो सुनिये।

श्री छटल बिहारी बाजपेयी : माननीय गृह मंत्री तैयार होकर नहीं आये।
(Interruptions).

MR. SPEAKER : Order please. All of you are shouting; all of you are standing.

SHRI MADHU LIMAYE : They are shouting. I rose on a point of order.

MR. SPEAKER : May I request you not to disturb the House?

SHRI SHYAMNANDAN MISHRA (Begusarai) : What are we expected to do now?

MR. SPEAKER : You listen to him.

SHRI SHYAMNANDAN MISHRA : He is not speaking.

MR. SPEAKER : He was already on his legs; he started speaking. Whether the papers were there or not he started speaking.

SHRI H. N. MUKERJEE (Calcutta—North-East) : I would not make a frivolous point of order.

Never before have we ever seen a breach of the department expected of Members of this House particularly Ministers, that we have all seen in the case of the Home Minister. We know that the Ministers have to be assisted by officers in that Box. We know that Ministers on many occasions have to be supplied with material. But we know, at the same time, that when Ministers are informed a day before that they have to come to the House to make a statement on a certain matter at 12 O' Clock or whatever time it may be, the Ministers must be ready and prepared with the material. I am willing to forgive the Minister for not being entirely ready and being assisted at the last moment by a fresh material. But I cannot forgive when the Minister looks helplessly at the officers' Box and the entire House is so to speak, kept at ransom, at bay, kept away from anything to be done. And you, Sir, in your wisdom have chosen to overlook it at all. You are looking neither here nor there but only allowing the Minister to collect himself... (Interruptions).

MR. SPEAKER : Order please. I do not like that. You say, I am over-looking. I must look at the House. They are sitting at my back. What am I looking at that? The Minister was already standing. When I asked him, he started speaking. It was up to his colleague to collect some other papers for him... (Interruptions)

श्री मधु लिमये : आप जरा हमारी बात तो सुनिये।

अध्यक्ष महोदय : किम बात पर सुनूँ। नहीं सुनूँगा।

श्री मधु लिमये : आप का काम है सुनना, बोलना नहीं है। बोलना हमारा काम है।

SHRI PILOO MODY: The Speaker has to listen... (Interruptions)

MR. SPEAKER: He has the right to collect papers if he has forgotten them. What is wrong about it?

SHRI PILOO MODY: On a point of order.

SHRI MADHU LIMAYE: On a point of order.

SHRI JYOTIRMOY BOSU (Diamond Harbour): Sir, I want to make a submission.

MR. SPEAKER: No submission. The Home Minister.

SHRI JYOTIRMOY BOSU: The House had no business for seven minutes....

MR. SPEAKER: He was on his legs

SHRI MADHU LIMAYE: On a point of order.

MR. SPEAKER: On what?

SHRI PILOO MODY: Kindly recognise either him or me.

MR. SPEAKER: Look at the tone in which he is talking.

SHRI PILOO MODY: I am only talking loudly so that you hear me.

MR. SPEAKER: I am hearing Mr. Madhu Limaye.

श्री मधु लिमये विरोधी पक्ष के द्वारा आपत्ति इसलिए उठाई गई है कि आपने देखा नहीं कि जब वह बोलने के लिए खड़े हो गए तो पृष्ठने लगे कागज कहा है, कागज कहा है। अब तक वह क्या कहेंगे? हजामत करने के? हम लोग जब बोलने के लिए खड़े होते हैं तो तैयारी के साथ आते हैं। इनके पास हजारों सेक्रेटरीज, स्टैनोज, चपडासी आदि हैं बारह वजे खड़े होने हैं फिर भी तैयार नहीं होने हैं आप इन चीजों को नहीं देखते हैं। आप सदन में व्यवस्था स्थापित कीजिये।

SHRI JYOTIRMOY BOSU: Sir, I move a motion that the Home Minister is considered unfit for his job; he has shown utter disregard to the House...

MR. SPEAKER: No, please.

श्री इयानमन्मथ मिश्र पाच रुपये जुमाना
जुमाना कर दीजिये, मामला खत्म।

MR. SPEAKER: After all, we are all human beings. रोज ऐसे शुरु कर देने हैं।

श्री ज्योतिर्नरब बलु सोलह हजार मीमा
मे डेटेन्ड है।

अध्यक्ष महोदय तुम पिछले जन्म से
मेरी विस्मय में लिखे हुए थे।

श्री हुकमचन्द कछवाय (मुर्गा) .
और किसी के बारे में ऐसा मत कहिये।

श्री अटल बिहारी वाजपेयी: अब इस
मामले को यही खत्म कर दीजिये।

श्री शंकर दयाल सिंह (चतरा) ये
श्री इनकी देर म खड है, कुछ देरी बांगे।

अध्यक्ष महोदय मधु लिमये जी के नाम
मे वह लिखे हुए हैं।

SHRI PILOO MODY: Mr Speaker, Sir, now that you have revived the humour of the House, I will speak softly.

MR. SPEAKER: I always do it. But when you speak, I also feel tempted to do it.

SHRI PILOO MODY: This is what is known as human action and reaction....

MR. SPEAKER: I wonder if both of us are human.

SHRI PILOO MODY: Except that some people are under strain and the others are not.

[Shri Piloo Mody]

As far as the events that transpired between 1200 and 1215 hours are concerned it is a fact that the Minister was called. He also started asking for some papers at the same time. I am sorry that you in your explanation have failed to grasp this point. Thereafter, I asked in the interregnum may I ask the questions? If you had allowed me to ask these three questions, you could have saved the Government a great deal of embarrassment.

MR. SPEAKER: Just listen to me, please. I allowed those members who have given the notice. If I had allowed you, I would not have been able to stop others.

SHRI PILOO MODY: I have not finished. Then, I moved a motion and you chose not to recognise the motion. Thereafter you found that for a full 7½ minutes no papers were supplied to the Home Minister on the basis of which he has to make a statement. If he could have either produced papers or words... (Interruptions) the House would have quietened down and we would have heard him and he could have gone on for full ten minutes saying whatever he has to say. Then he received ten minutes later two files which were delivered to him...

MR. SPEAKER. What is wrong about it?

SHRI PILOO MODY: I am about to tell you what is wrong.

SHRI K. LAKKAPPA (Tumkur): He cannot make all kinds of inferences like that.

SHRI PILOO MODY: Members of Parliament, when they become Ministers find it impossible to carry their own files. Even if only one file or two light files are to be carried, they must have a chapprassi to carry them. This is one of the points we have to note

My last point is that when a particular thing happens in the House and the Speaker thereafter explains it I think

that the explanation must be commensurate with the action.

SHRI DHAMANKAR (Bhawandi): Is it parliamentary for Shri Madhu Limaye to say:

मिनिस्टर साहब क्या हजामत कर रहे थे ;

SHRI K. LAKKAPPA: Under the garb of points of order, they are making accusations.

श्री शंकर बसल सिंह : हजामत वाली बात इनको वापिस लेनी चाहिये ।

जयराज बहुबोध . इस्मा समय ले लिया, अब धाराम से सुनिये ।

SHRI PILOO MODY: There is nothing unparliamentary about the word 'Hajamat'. Only if he had said it to you, it would have been indecate.

THE MINISTER OF HOME AFFAIRS (SHRI K. BRAHMANANDA REDDY): I was in the Rajya Sabha answering some questions and naturally I went with the papers concerned with those questions. After 12 O' clock I entered here. Naturally, I wanted the file concerning this... (Interruptions) I do not want to reply to some of the remarks made.

MR. SPEAKER: I have replied.

SHRI K. BRAHMANANDA REDDY: I am prepared to reply. Even without the papers I could continue to reply. But the point was this. With regard to a few numbers that I wanted to inform the House I wanted certain papers. Yesterday while the discussion was going on I tried to submit to the House that 20 names were forged,—were found to have been forged,—and out of them the authorship is attributed to Yogendra Jha in 14 cases and in 2 cases the authorship is attributed to Shri Tul Mohan Ram. And some Members asked what about four? Where are those people? That is why I was searching and trying to find those papers from which those names could be got; Shri Jamilurrahman and Shri

Ramshekhar Prasad Singh. And regarding the other four names which were found to have been forged but whose authorship was not definite, I have already communicated to the House what the four names were. Therefore, I am just trying to give the information to the House, Sir, so that they might not put forth questions on that. One other statement which I made was that investigations did not disclose that any of the officers who dealt with the matter was involved in the commission of the offence—that is, the offence indicated in the chargesheet, that Shri S. M. Pillai had stated that Tul Mohan Ram and Shri Yogendra Jha had informed him that Shri N. K. Singh had advised Shri Tul Mohan Ram that he should submit a fresh representation signed by several Members of Parliament to strengthen the hands of the Minister for reopening the case and that Shri Tul Mohan Ram had also represented to Shri S. M. Pillai that an additional sum of Rs 20,000 would be needed for paying to Shri N. K. Singh. In the course of investigation no evidence became available to corroborate the statement of Shri S. M. Pillai. It was this information which I had communicated in my statement and nothing more should be read into my observation.

Shri Vajpayee raised the question regarding construction of a school. References were made to a letter from Shri Tul Mohan Ram recovered during investigation. I understand from the CBI that this letter was written on 13th March 1973 by Shri Tul Mohan Ram to Shri Kareshwar, Mukhiya of Village Saraini. The letter does not contain any reference to Shri L. N. Mishra or his late father. It only speaks of Shri Tul Mohan Ram's desire to have a school constructed with the help of the villagers and his intention to raise funds therefor.

So far as impounding of licences is concerned, references were also made to what some members described as the impounding of the licences in ques-

tion and I had stated that during the investigation of the case certain licences had been seized and that on an information from the CBI orders had been issued that no clearance should be allowed against the remaining licences. The object in my referring to this aspect was only to inform the House that none of these licences can now be made use of for any purpose. I had also mentioned in the course of my statement that the question whether these licences were the subject of any transactions in violation of the conditions of the grant of these licences or of the relevant provisions of the Import and Export Control Act is being looked into. I would like to elaborate that in the course of the investigation, the CBI had grounds to suspect that there might be some trafficking in these licences. When the Ministry of Commerce was informed of this they issued 'show-cause' notices to the licence-holders and took action until decisions are taken on the replies to 'show-cause' notices. It may be recalled that on 9th September my colleague, Shri D. P. Chattopadhyaya had clearly informed the House that if any malpractice came to light in the course of investigation, necessary action would follow.

References had been made in the course of discussions that the Government have not placed a copy of the report of the CBI, and that a copy of the chargesheet has not been made available to the House. I would like you, Sir, to appreciate the Government's position in the matter. It has not been the practice of place accessible documents on the table of the House. Nor have I come across any instance...

SHRI SHYAMNANDAN MISHRA : This matter involves Members and investigation has been done in accordance with the commitment made in the House. The entire CBI report will have to be placed on the Floor of the House.

(Interruptions)

SHRI K. BRAHMANANDA REDDY : I may be allowed to make my statement.

MR. SPEAKER: I would request you not to interrupt each other.

SHRI JYOTIRMOY BOSU: Sir, I rise on a point of order. I stick to my original privilege motion dated 12th September.

The Home Minister who is supposed to have known all the consequences and other implications had clearly stated:

'I am making a promise, I am giving an assurance that, after the investigation is over (Interruptions).

MR. SPEAKER: That is all there. You mentioned all this in your speech. What is all this?

SHRI JYOTIRMOY BOSU: He said:

'I am giving an assurance (Interruptions).

MR. SPEAKER: It is now beyond the scope.

SHRI JYOTIRMOY BOSU Sir, he said:

"...the first thing that we will do is to come to Parliamentary and say, 'This is where we have arrived, please tell us what we should do' It is only after that, ..(Interruptions).

MR. SPEAKER: Mr. Bosu, it is not a point of order.

SHRI JYOTIRMOY BOSU. Sir, I beg of you not to treat us like this Since you have allowed my point of order, you must hear me.

MR. SPEAKER: It is not a point of order. Where is the point of order? Do not make a speech. You have already mentioned all this in your main speech. I do not know whether you do it knowingly or unknowingly. You mentioned everything that you are mentioning now in your main speech. I allowed you only on a point of order. But, you are just repeating the speech.

SHRI JYOTIRMOY BOSU: My point of order is that the Home Minister had given a clear and categorical assurance. The Government has committed itself before the House. He said that this case may come later on after the investigation is completed and then the House may....(Interruptions).

MR. SPEAKER: This is not a point of order. This is a matter which you raised. Kindly listen to me that this is not a point of order. This is your repetition.

SHRI NATWARLAL PATEL (Mehsana): You should not monopolise everything to yourself. The hon. Minister is making a statement. If you want to put questions, you may put them afterwards.

MR. SPEAKER: What is your point of order, Mr. Limaye?

SHRI SHYAMNANDAN MISHRA: I have got a point of order. (Interruptions)

श्री मधु लिमये अध्यक्ष महोदय, मैं मंत्री महोदय को सूचना चाहता हूँ। लेकिन उन्होंने कहा है कि एक्सेम्प्लर डाकुमेंट सब को देने की परिपाटी नहीं है। क्या एफ० आई० आर० एक्सेम्प्लर डाकुमेंट नहीं है? लेकिन बाद में हमारी मांग पर वह रखा गया। आप ब्लिटन नम्बर 2 देखिये। वह कैसे कहते हैं कि यह परिपाटी नहीं है। वह यह कहें कि उन को देना नहीं है। मेम्बरों की सूविधा के लिए मेम्बरों की मांग पर और चर्चा की मदद करने के लिए मंत्री महोदय को कोई एक्सेम्प्लर डाकुमेंट देने में कोई हिचक नहीं होनी चाहिए। आप हम को प्रोटोकॉल कीजिए। जर्जशीट देने में क्या कठिनाई है? क्या हम एडिशनल डेटा मांग लेने के लिए अदायत में अफसोस समय बर्बाद करेंगे?

SHRI H. K. L. BHAGAT (East Delhi): Sir, I rise on a point of order.

MR. SPEAKER: What is your point of order? My ruling is that the Home Minister is not bound to supply you

accessible documents. He may do that or may not. The rule is very clear. If he wants to do it on his own, he may do that very well but, there is no compulsion under the rules as far as the accessible documents are concerned. The rule is very clear on it.

I say that the Minister is not bound to produce the accessible documents. But, if he, on his own, obliges a Member, he can do it very well. (*Interruptions*).

Don't quarrel with me. The rules are very clear.

श्री मधु लिमये : अध्यक्ष महोदय, मेम्बरों की मदद करनी चाहिए। लेकिन आप भी उन की मदद नहीं करना चाहते हैं। मैं सदन का काम करूँ या सर्टिफाइड कापी के लिए अदालत में जा कर बैठूँ? आप मेरे प्रश्न का उत्तर नहीं दे रहे हैं। क्या मैं इस सदन की सेवा में रहूँ या सर्टिफाइड कापी के लिए अदालत में दस घंटे बर्बाद करूँ? आप संसदीय प्रक्रियाओं का मज़ाक उड़ा रहे हैं। वे लोग हल्ला करते हैं और आप दबा जाते हैं। आप मेरे पॉइंट ऑफ़ आर्डर पर रूलिंग नहीं दे रहे हैं।

MR. SPEAKER : I have given my ruling.

SHRI H. K. L. BHAGAT : My point of order relates to the points of order being raised by the hon. members. I want to know how many points of disorder can be raised in this House in the name of points of order by a member at the same time and day unconnected with issues before the House. I want you to decide this once and for all. How many points of disorder can be raised in the name of point of order? (*Interruptions*) I have not finished. I am speaking with your permission. It has become a habit with those honourable members to raise points of disorder in the name of points of order and misuse it. I want to know how many times can a member raise points of disorder in the name of points of order and not let

the Minister speak thus creating disorder in the House? I want your ruling.

SHRI MADHU LIMAYE : I want your ruling on my point of order.

SHRI H. K. L. BHAGAT : How many points of disorder can be raised? I want to know (*Interruptions*).

SHRI MADHU LIMAYE : Is a Presidential Notification not an accessible document? Is Gazette not laid on the Table?

यह आप बाएजेंडा है। इसको देख लीजिए। आप अपनी प्रक्रियाओं को नहीं जानते हैं। मैं अपने पॉइंट ऑफ़ आर्डर पर रूलिंग चाहता हूँ।

MR. SPEAKER : My ruling is that he is bound to give an accessible document. He is not bound to supply it. If he wishes to give it, I have no objection. The rule is very clear. I do not come in.

श्री मधु लिमये : आप को कहना चाहिए कि मेम्बरों की मांग पर ऐसा डाकुमेंट देना चाहिए। मैं कल से मांग कर रहा हूँ।

श्री अटल बिहारी वाजपेयी : अध्यक्ष महोदय, आप ने कहा है कि जो दस्तावेज़ उपलब्ध है, उन को रखने के लिए मंत्री महोदय बंधे हुए नहीं है। लेकिन आप के निर्देश के अनुसार उन्होंने रखा।

अध्यक्ष महोदय : मैंने निर्देश नहीं दिया है।

अगर वह सफ़ाई करने के लिये तैयार हैं तो

I do not come in. But you cannot compel him.

श्री अटल बिहारी वाजपेयी : अध्यक्ष महोदय, मेरा व्यवस्था का प्रश्न है। गृह मंत्री महोदय सी० बी० आई० की जांच रिपोर्ट के कुछ अंश पढ़ रहे हैं। मैं मांग सकता हूँ कि पूरी जांच रिपोर्ट सभा पटल पर रखी जाये। अभी उन्होंने श्री ललित नारायण

[श्री अटल बिहारी वाजपेयी]

मिश्र के पिता के नाम पर बनने वाले स्कूल के बारे में सी० बी० आई० की रिपोर्ट का एक हिस्सा बताया। लेकिन उन्होंने दूसरा हिस्सा नहीं बताया है। वह मैं बताना चाहता हूँ। केवल पत्र का सवाल नहीं है। (व्यवधान) यह बहुत गंभीर मामला है। (व्यवधान) मेरा आरोप है कि गृह मंत्री महोदय विद्यालय के निर्माण के बारे में सारे तथ्य सदन के सामने नहीं रख रहे हैं। सी० बी० आई० के अफसर जांच करने के लिये गये। उन्होंने विद्यालय की प्रबंधकारिणी समिति की कार्यवाही का रजिस्टर अपने कब्जे में लिया। उस रजिस्टर में समिति की बैठक की कार्यवाही लिखी गई है। उसकी एक तकन मेरे पास है। मैं इसको पढ़ कर सुनाना चाहता हूँ। मंत्री महोदय कहते हैं कि एल० एन० मिश्र का नाम नहीं है उसमें। एल० एन० मिश्र का नाम है। 22 फरवरी, 1973 को उनमें उल्लिखित सदस्य थे। श्री तुलमोहनराम, श्री कालेश्वर मंडल, श्री नारायण, श्री रघुवर मंडल, श्री रामकरण सिंह, श्री कालेश्वर पासवान, श्री जयनारायण साह। इतने नाम हैं और ये नाम सी० बी० आई० को पता है।

“उच्च विद्यालय के नामकरण को लेकर सदस्यों के बीच काफी देर तक बहस होती रही। श्री रघुवरमंडल मधिया ने इस विद्यालय का नाम कोशी उच्च विद्यालय रखने पर बल दिया। उनके प्रस्ताव का समर्थन श्री कालेश्वर पासवान ने किया। श्री मंडल ने इसके समर्थन में बताया कि विद्यालय में अध्ययन करने वाले अधिकतर छात्र कोशी-मंडित इलाके के हैं। इस नामकरण से किसी को किसी तरह की आशंति नहीं हो सकती। किसी व्यक्ति विशेष के नाम पर बहुत बड़े डाँडा खड़ा हो सकता है। लोग जब कि सामूहिक चन्दा से विद्यालय का निर्माण करेंगे तो व्यक्ति विशेष का नाम क्यों रखा जाय। श्री तुलमोहनराम एम० पी० ने बताया कि इस विद्यालय का नामकरण श्री ललित नारायण मिश्र, केन्द्रीय रेल मंत्री के स्वर्गीय पिता श्री रविनन्दन मिश्र के नाम पर

ही करने पर ही जोर दिया। उन्होंने बताया कि स्वर्गीय श्री रविनन्दन मिश्र के नाम पर विद्यालय खोलने पर विद्यालय आर्थिक समस्याओं से करीब-करीब मुक्त हो जायगा। ललित वावू स्वयं धनी मानी व्यक्ति है।” ...

अध्यक्ष महोदय : यह एक स्पीच के दरमियान में स्पीच आपने कैसे शुरू कर दी ?

श्री अटल बिहारी वाजपेयी : मैं स्पीच नहीं कर रहा हूँ। यह दस्तावेज सी० बी० आई० के पास है। गृह मंत्री महोदय इस दस्तावेज को छिपा रहे हैं। वह कह रहे हैं कि वाजपेयी जी ने जो कुछ कहा, सी० बी० आई० ने उस की नुष्टि नहीं की। (व्यवधान)

SHRI SHYAMNANDAN MISHRA:
Dishonest CBI.

श्री अटल बिहारी वाजपेयी : आप पूरा सुन लें। श्री तुलमोहनराम कहते हैं कि :

“ललित वावू स्वयं धनी मानी व्यक्ति हैं। सरकारी सेवा में हैं और प्रभावशाली व्यक्ति हैं। विद्यालय को उनके प्रयास से स्वीकृति प्राप्त करने में भी विजम्ब नहीं होगी। मंत्री महोदय से उसकी व्यक्तिगत बातचीत हुई है।”
.. (व्यवधान).....

SHRI K. LAKKAPPA: I rise on a point of order. How do you allow a speech now? He is making a speech. The whole speech must be expunged. (Interruption)

श्री अटल बिहारी वाजपेयी : अध्यक्ष महोदय, मैं जानना चाहता हूँ कि क्या सी० बी० आई० ने इस दस्तावेज को नहीं देखा है ? अगर देखा है तो मंत्री महोदय अपने बयान में इस दस्तावेज का हवाला क्यों नहीं दे रहे हैं ? (व्यवधान) . . . अगर आप की इजाजत हो तो मैं इस टेबल पर रख दूँ।

अध्यक्ष महोदय : जब आपने पढ़ ही दिया तो टेबल पर ही रखा गया।

SHRI PILOO MODY: Sir, since I was the first to be on my legs, on a point of order, I would like to draw your attention to rule 368 of the Rules of Procedure. It says:

"If a Minister quotes in the House a despatch or other State paper which has not been presented to the House, he shall lay the relevant paper on the Table:

Provided"—etc.

Please note the word "shall". "He shall lay the relevant paper on the Table."

An HON. MEMBER: Read the proviso also.

SHRI PILOO MODY: Since he insists on my reading the whole of it, I shall read the proviso also; it says:

"Provided that this rule shall not apply to any documents which are stated by the Minister to be of such a nature that their production would be inconsistent with public interest."

Now, since he has forced me to read the second paragraph also, let me say that under no stretch of imagination can protecting Members of Parliament, guilty Ministers and officials be part of public interest.

Sir, the Minister said that it was not the practice—I want you to note each word—not the practice, to lay accessible documents on the Table of the House. Quite apart from the fact that it is a totally false statement, because there are many accessible documents that have already been laid on the Table of the House;

What is more.... (Bell rings).
What is the point of that Bell?

MR. SPEAKER: You have put it.

SHRI PILOO MODY: No, I have not finished. What is more the fact is that this particular enquiry was ordered by this House and therefore the report must come to this House, not to some judge, not to some judi-

ciary, not to some Government office, but to this House.

SHRI SHYAMNANDAN MISHRA: One point of order relates to the Chair itself. During the last session, you would be pleased to recall that I had demanded certain papers including the FIR and you had been pleased to say—other Members also took up this issue—that had I informed you would have taken steps to make these papers available to the House. So this case comes at a particular stage in the development of the matter. It does not come all from the blue; it has got a history behind it.

Secondly, so far as the CBI report is concerned, may I ask you whether the commitment of the hon. Minister, that facts would be placed before the House so that the House would be able to decide what is required to be done in this matter, stands or not. Would that requirement or commitment be met by presenting to the House a mutilated and manipulated and distorted version? Because the House must be placed in a position to judge what course of action is required in the given circumstances. Therefore, for the hon. Home Minister to tell the House that the CBI report would not be made available to the House is something which the House would not countenance. And since it involves the honour of the Members and the dignity of the House, the entire document will have to be placed on the Table of the House.

SHRI SOMNATH CHATTERJEE (Burdwan): The question of accessibility of a document is only relevant when there is a specific rule. Here we have a rule, 368. Whether a document is accessible or not, whether it is convenient or inconvenient for Members to get it, that rule specifically provides that if any reference is made to any State paper or despatch it shall be laid on the Table of the House irrespective of its

[Shri Som Nath Chatterjee]

being accessible. If there is any practice as he said, such practice cannot override the specific rule. It is not even a direction by the hon. Speaker; it is a rule of the House which has a constitutional backing and it cannot be overridden in the manner done by the hon. Minister; it is a mandatory provision. If the security of the State is involved, only when there is overriding public interest involved, an exemption is provided. In the background of the matter in which this question has come up, it is not showing respect to the House to ask the Members to go in procession to Tis Hazari Court to apprise themselves of the contents of any police report; when a commitment has been made by the hon. predecessor to this House it must be honoured. The Ministry is a continuous process and a change in the incumbent of a Ministry could not mean getting away from an assurance given to the House.

MR. SPEAKER: May I make the position very clear? There is no need for any excitement. The rule is about accessible documents, of which you can get copies, printed reports, etc. My remarks applied to that. As you all know in that case when it was held to be an accessible document, I did not deny that. That is the background. I did not deny. When he said accessible document, whether the CBI report is really accessible or not, I am much in doubt about this.

I am clear about FIR, about statements before courts, about reports, publications, etc. When you get excited, you do not listen to me.

SHRI SHYAMNANDAN MISHRA:
No, Sir.

MR. SPEAKER: Really you think that my observations have come because of your long, harassing speeches. Kindly take it for granted that they are not. If simply this question has been asked whether this report is accessible or not, that

would have been enough instead of spending so much time.

About the other matter, not only here but in the House of Commons also the practice is the same when a member quotes from a paper. It has come up a number of times in this House and there are rulings on that. We will observe those rulings.

SHRI SHYAMNANDAN MISHRA:

You have to consider the peculiar circumstances of this case, namely, a commitment has been made to the House that facts enabling the House to come to a judgment about the future course of action would be placed before the House.

MR. SPEAKER: I will see the wording of that also. I will look into the whole case. Mr. Limaye, I think I did not give my ruling to contradict you, but I just invited your attention to the rule about accessible documents.

श्री मधु लिमये : आप माफ कीजिये—मेम्बरों की सुविधा की बात कह रहा था और कोई बात नहीं थी ।

अध्यक्ष महोदय : मैं रुक बतला रहा था ।

श्री मधु लिमये : क्या इसके लिये हम कोर्ट में जायें ? यह कैसे ऐसा नहीं है, हर एक केस के लिये मैं आपसे नहीं कहता हूँ—

Parliament is seized of the matter. All the documents, whether accessible or not, should be made available.

SHRI P. K. DEO (Kalahandi): On a point of order, Sir. Today Mr. Vajpayee quoted from the CBI report. A similar incident happened in the third Lok Sabha and Sardar Sukam Singh gave the ruling. He asked me to produce an authenticated copy of the CBI report. At that time, the CBI report was on Mr. Biju Pattnaik. Now it is on the entire licence issue.

So, taking into consideration the historic ruling of the Speaker, the Government should *suo motu* place the CBI Report on the Table of the House. It may be placed in the library so that all of us can study the entire CBI report.

MR SPEAKER Now the question is whether it should be continued now or taken up after lunch.

SHRI P K DEO Sir, what is your ruling on the CBI report?

SHRI K BRAHMANANDA REDDY I can complete it in another ten minutes.

श्री अटल बिहारी वाजपेयी अध्यक्ष जी
प्रगरये फिर कोई सलत बात कहेंगे तो फिर
प्लाइड आफ़ आर्डर उठेगा।

अध्यक्ष महोदय बहन दाजिये।

SHRI K BRAHMANANDA REDDY I was not quoting from any report. After checking up with the investigating authority, such information as is available I have sought to give to the House. Reference has been made in the course of discussions that the Government have not placed a copy of the report of the CBI and that a copy of the chargesheet has not been made available to the House. I would like you, Sir, to appreciate the Government's position in the matter. It has not been the practice to place accessible documents on the table of the House. Nor have I come across any instance when a chargesheet in a criminal case has been placed on the Table of the House. I have already communicated to the House all the relevant information contained in the chargesheet. Since, however, some hon. Members seem to think that we are trying to withhold information from the House, I am arranging to have copies of the chargesheet made available to the Parliament Library.

SHRI ATAL BIHARI VAJPAYEE What about the CBI report?

SHRI K. BRAHMANANDA REDDY The chargesheet is really the result of the CBI inquiry.

SHRI SHYAMNANDAN MISHRA We do not want any information which is distorted (*Interruptions*).

श्री अटल बिहारी वाजपेयी ये उस देन में मना कर रहे हैं। इसके बारे में आप को रुलिंग देना है।

SHRI K BRAHMANANDA REDDY I would, however, like to crave your indulgence in respect of demands for copies of other statements recorded during the investigation. The law provides that these statements can be used only for limited purposes in the course of a criminal trial. We would not like to do anything that may not be strictly in accordance with law, and may prejudice a fair trial. The duties of the investigating authorities have been set out at length in the Code of Criminal Procedure, to which I have drawn your kind attention on the 12th. One of the principal duties of the investigating officer is that as soon as the investigations are completed, a chargesheet or a final report shall be laid before the concerned Magistrate. I can quote some decisions of the Supreme Court to substantiate this, but I am not doing that to save the time of the House. My object in referring to the legal provision was only to indicate that the investigating officer had no option or choice in the matter.

This brings me to the most important issue raised in the course of yesterday's discussion. At the time the discussion took place in this House early in September, the position of the Government was that it would be necessary to ascertain by competent investigation the full facts concerning the serious issues raised. If you would recall, Sir, all that was

[Shri K. Brahmanand Reddy]

definitely known in the first week of September was that except one Member, all the other 20 had denied having signed the memorandum in question. There was no information as to how then these forgeries had been brought about. Whatever may have been the suspicions of the different sections of the House or even of the Government, it was not clear as to what the motivation was for perpetrating something unheard of in the annals of our Parliamentary history. Above all, though stray references were made to different individuals, there was no definite information as to the persons who were behind the representation containing the forged signatures of 20 Members of Parliament. When repeated demands were made in the House that an investigation into this matter should be undertaken by a Committee of the House, the Government reiterated their stand that such investigation should be left in the hands of the appropriate statutory agency, particularly when there are suspicions about commission of criminal offences. It was in this context that my predecessor and the Law Minister had assured the House that the results of the investigation would be promptly communicated to the House.

13 hrs.

It could not have been anticipated by the Government that the investigation would disclose that several persons of whom only one was a Member of Parliament would be involved in the commission of the concerned offences. The investigations have *prima facie* established that outsiders are as much responsible for the commission of the concerned offences as one Member of this House. It would now be for the courts to give a finding about the nature and complicity of not only the Member of Parliament but also the strangers involved.

In his speech on the 5th September, the Law Minister had clearly indicated that the investigation may result in criminal prosecutions. He could not have been more explicit. The assurance to inform the House of the results of the investigation did not, therefore, preclude the possibility of chargesheets being filed in respect of those against whom criminal offences were *prima facie* made out. The House was equally aware of its own rules and practices and so were the Ministers concerned. We should not read into their speeches, intentions that would be wholly inconsistent with their knowledge of parliamentary practice and of law. The law requires that as soon as the investigation is complete, either a chargesheet or a final report should follow. The rules of parliamentary procedure exclude discussion on matters which are *sub judice*. Hence when my predecessor and the Law Minister spoke in the House, they should not be assumed to have promised a discussion which would be either violative of the legal requirements or of the parliamentary practice. What was promised was only what would be consistent with law as well as parliamentary practice.

The fact of the matter was that we wanted to seek and would still wish to seek the guidance of the House about appropriate steps to be taken for protecting the rights of the hon. Members. In our view, Sir, the action taken by the Government by way of expeditious investigation and prosecution of persons suspected to have forged the signatures of several Members of the House is the appropriate step to protect the rights of the hon. Members.

References were made to the Mudgal case and it was suggested that the present case is similar to that earlier precedent. In my view, Sir, there are two distinguishing characteristics of the Mudgal precedent which are relevant in the present discussion. In the first place, as far as

I have been able to understand the facts, there was never any question of Mudgal having committed any criminal offence. It was only the question of propriety of his conduct that was involved. In the present case, it is not only a question of impropriety of conduct. If only questions of impropriety of a Member's conduct have been raised, there cannot be any doubt that the Mudgal precedent should be strictly followed. But where questions of impropriety are indistinguishably mixed up with questions of criminality, it would be in the best traditions of this House to await a judicial verdict before considering any action on the improprieties involved. Secondly, in Mudgal's case, again as far as I have been able to ascertain, no stranger was involved. It was the conduct of Shri Mudgal and Shri Mudgal alone. In the present case, the House will recall that three persons are being prosecuted of whom only one is a Member of Parliament. The importance of this distinction should not, in my view, be missed.

It is, therefore, our view, Sir, that no breach of privilege of any kind has been committed by any of my colleagues.

SHRI MADHU LIMAYE: On a point of order. He cannot speak for other Ministers. Mr. Brahmananda Reddy can speak only for himself. प्रिविलेज का सवाल श्राद्धविजुषल मानिस्टस के खिलाफ होता है। गृहमंत्री, श्री ब्रह्मानन्द रेड्डी केवल अपने लिए ही बोल सकते हैं। सर्वश्री डी० पी बट्टोपाध्याय और उमासेकर दीक्षित को कटवरे में माना होगा।

MR. SPEAKER: If need be, I can ask him also to come. We adjourn for lunch to reassemble at 2.00 p.m.
13.0 hrs.

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

The Lok Sabha re-assembled after Lunch at four minutes past Fourteen of the Clock.

[MR. DEPUTY-SPEAKER in the Chair.]

QUESTION OF PRIVILEGE—Contd.

IMPORT LICENCE CASE—Contd.

MR. DEPUTY-SPEAKER: Papers to be laid.

श्री मधु लिमये : श्री ब्रह्मानन्द रेड्डी ने कहा था कि सदस्यों के द्वारा जो मांग की गई थी कि चार्ज शीट—

MR. DEPUTY-SPEAKER: I understand your point of order. Would you listen to me now?

श्री मधु लिमये : सुना ही नहीं, समझ भी गये ? आपने चार्ज शीट सभा पटल पर रखा है जो लाइब्रेरी में देखने को मिलेगा। ठीक बात है। लेकिन मैं एक प्वाइंट ऑफ ऑर्डर उठा रहा हूँ। उस विषय को मैं चलायाना नहीं चाहता हूँ। मेरे मित्र श्री पीएल मोदी के द्वारा क्लस 368 के अन्तर्गत उठाया गया था कि चूकि डी पी आर्डी की रिपोर्ट का एक हिस्सा मंत्री महोदय ने पढ़ कर सुनाया है इसलिये सदस्यों को यह अधिकार प्राप्त होता है कि पूरी डी पी आर्डी की रिपोर्ट सदन की मेज पर रखने के लिये कहें। उस चर्चा को मैं नहीं उठा रहा हूँ हालांकि मुझे पता नहीं था कि उस चर्चा को कल लेने का इनका इरादा है। आप 368 के तहत क्लसिंग दें और उसके बाद जो विषय आप लेना चाहते हैं लें।

MR. DEPUTY-SPEAKER: I am afraid Mr. Limaye has got the stick at the wrong end. I know that this matter is hanging.

AN HON. MEMBER: You are shirking responsibility.

MR. DEPUTY-SPEAKER: I do not shirk responsibility. But I don't also

[Mr. Deputy Speaker]

intrude into other people's responsibility; it is not in my nature. But I have been told that Speaker has kept this matter pending. (Interruptions) Don't dispute what I say please. At that time, the proceedings in the House were continuing, the Home Minister had concluded his statement, some Members were on their feet and the Speaker said, he would look into the matter. And I suppose what you say also is part of the matter to be looked into.

SHRI MADHU LIMAYE: No.

MR. DEPUTY-SPEAKER: What do you want to dispute? You don't want me or somebody else to come halfway and try to cook the dinner again. Too many cooks spoil the broth. Somebody has started cooking the dinner and if I come in between I would put more of salt or more of something then what happens? So, I would advise you to leave the matter at that; you never had it so good; the whole matter would have been finished yesterday. You had the whole of yesterday and all headlines in the papers today. (Interruptions) Just a minute please. Today again the matter has been raised. Tomorrow you will have headlines and when it is raised tomorrow, day after tomorrow it will come again. Thus the whole week had gone. I think you should be satisfied with that; you never had it so good. Now, Papers to be laid on the Table.

SHRI MADHU LIMAYE: Let Mr. Brahmananda Reddy have all the headlines by giving the CBI report.

सी बी आई की रिपोर्ट आएगी उन्हीं को हेडलाइज मिलेंगी। इसलिये कह रहा हूँ कि कल के अखबारों में या लाइब्रेरी में जा कर सी बी आई की रिपोर्ट को पढ़ कर हम लोग कल तैयार हो कर आयेंगे। मन्त्री तरह कागजों में कम्बल नहीं करना चाहता हूँ। आज ही चाहता हूँ।

Under what rule are you preventing this, I would like to know. A point of order was raised under Rule 368.

कलिंग किस बिना पर पोस्टपोन हो रहा है। इसमें कोई नया मामला नहीं है दर्जनों बार इस तरह के मामले आये हैं और स्पीकर या चेयर का कलिंग हुआ है। इसमें कौन सी नई बात मैं कह रहा हूँ यही मामला आगे नहीं जायेगा।

I am dead serious about it. कल बहस के पहले मैं सी. बी. आई. की रिपोर्ट पढ़ना चाहता हूँ।

How can you stop me? I am claiming a right under the rules of procedure. You cannot stop me.

बाकी जो बातें हैं वे मैंने मान ली हैं।

SHRI S. M. BANERJEE (Kanpur): The point raised by Mr Madhu Limaye is quite valid. References were made to certain statements and report, said to be CBI report—we don't know whether that is CBI report or not..read out by the hon. Minister before lunch hour. What is demanded under Rule 368 is: Supposing a particular portion has been read from a particular report that report should be laid on the Table of the House. The question is very simple. For your information I may quote two instances. One is about the audit report regarding Asiatic company.

MR DEPUTY-SPEAKER: No. No. Your point is clear Please sit down.

श्री जनेश्वर मिश्र (इलाहाबाद)

उपाध्यक्ष महोदय, हम लोगों की एक दिक्कत है। हम लोग लच से पहले देर से यह बहुत मुन रहे थे। अध्यक्ष महोदय ने कहा कि हम लच के लिये उठ रहे हैं। उस समय यह बात तय नहीं हुई थी। मान लीजिये कि श्री रेड्डी ने जो बयान दिया है, उस पर बहस होती है। लेकिन सी बी आई की रिपोर्ट की कानी हमें

तीस हजारी कोर्ट में जाकर मिलेगी—बायद वहाँ भी नहीं मिलेगी। तो क्या हम वहाँ में बहस करेंगे। जब चार्ज लगा हुआ है, तो वकील तो बहस कर सकता है और मुद्दा चल सकता है। लेकिन इस मामले में हम सदन के एक सदस्य, और पूरे सदन की गरिमा का सवाल फसा हुआ है। हम समझते हैं कि सत्तारूढ़ दल के लोगों को भी इस पर आपत्ति नहीं होनी चाहिए कि इस तरह के गन्दे काम के बचाव से ये सदन को भ्रमण रखें और किसी अदालत में जाकर मुकदमा चलाये। अदालत में जेबनटी बर्गह के आई मुकदमे चलते हैं। हम उनकी रिपोर्टें नहीं मांगने जा रहे हैं। यह रिपोर्टें हम महज इन्फॉर्मेटिव माग रहे हैं कि इसमें सदन के एक सदस्य, और इस सदन, की गरिमा का भ्रमण फैला हुआ है।

MR. DEPUTY-SPEAKER: I am on my legs Please sit down. Again I am saying that you are catching the wrong end of the stick I am not stopping anybody. The only thing I want to point out is that the Speaker has said, he will consider it and, therefore, the ruling will come from him Please, do not expect a ruling from me.

SHRI MADHU LIMAYE: Please read out the Speaker's direction.

SHRI INDRAJIT GUPTA (All-pore): Just before the House recess a demand had been made by some hon. Members on this side that the CBI report should be made available. The Speaker had said: according to the rules the Minister is not bound to lay anything which is an inaccessible document. The rule might not bind the Minister to lay it but it also does not prevent him from laying it. If he takes an attitude of assisting the House then there is no reason why that chargesheet should not be made available as the FIR had been made available. Subsequently the question arose about CBI report. In the past many CBI reports had been made available to the House. If it is

the view of the Chair that this matter has reached a stage where everybody should try to assist the House in coming to a considered conclusion, at least, as far as the rights and responsibilities of Parliament go in the matter, without encroaching on the authority of the courts, the Parliament has certain rights and responsibilities in the matter. For that purpose, it would be of assistance to the House to get the relevant documents and papers. I think that would be the correct attitude to take instead of standing on some technical plea. What is wrong with that? (*Interruptions*).

MR. DEPUTY-SPEAKER: Kindly listen to me. Please sit down quietly.

SHRI MADHU LIMAYE: The rule is 'shall lay' (*Interruptions*).

MR. DEPUTY-SPEAKER: Order please I am here to regulate the proceedings of the House. As I can understand, there may be confusion, may be a dispute about what the Speaker said before.

SHRI MADHU LIMAYE: We are not concerned with what the Speaker said. We are concerned with the rules and the Constitution.

MR. DEPUTY-SPEAKER: That is the difficulty. You do not even allow me to put the things to the House so that we may understand what we are doing.

Now, as I understand, the Speaker has said 'I shall consider all these matters', that is to say, this particular item of the agenda—the privilege notices and almost everything that has been said including points of order. I understand there is not one point of order but there are many other points of order too. This item is held over by the Speaker and he said he would consider the matter. That is the main point. And that is why before coming to the Chair I ascertained from the officers of the Table as to what happened.

SHRI INDRAJIT GUPTA: The proceedings can be soon. (*Interruptions*).

MR. DEPUTY-SPEAKER: Order, please. I was told that these are the Directions of the Speaker that we proceed to item No 2—Papers to be laid on the Table and onwards and, therefore, I am not going back on that.

PROF. MADHU DANDAVATE (Rajapur): Please permit me to make my submission. You were not present in the House and I would like to give some information which might probably help the Chair. I may tell you that there are a number of Members who raised the privilege issue. The issues raised were not related only to one Minister but a number of Ministers. To-day the Home Minister had made a statement in connection with the privilege issue raised. The Speaker then said that we adjourn for the lunch and the matter would be taken up at 2 O'clock or even afterwards. He made that statement. There are a number of issues that are to be taken up. There are three additional privilege issues and, therefore, that matter has to be separated from the issue that has been raised by Shri Limaye. For the convenience of the House, in order to facilitate the discussion tomorrow and consideration of the entire matter tomorrow, if we are in possession of the C.B.I. Report, it will help tomorrow's proceedings. And that is why we want that you should give a clear direction that the C.B.I. Report should be placed on the Table of the House. That is exactly our contention.

श्री मधु लिमाये : उपाध्यक्ष महोदय, जब स्पीकर साहब उठे, तो उन्होंने कहा कि इन मामले को दो बजे लिया जायेगा। मेहरबानी करके आप रिवाइड को चैक कर लीजिये इसीलिए हम दौड़ते हुए वापिस आए। तब मालूम हुआ कि साउटसाइड वि हाउस कोई प्रॉब्लम है.....

MR. DEPUTY-SPEAKER: Just a minute. I have got some additional information. Here is the situation in which I get no help whatsoever. May be, the Ministers on this side may be able to help me. I have ascertained from the Table that the proceedings are not yet available. What the Table tells me now is that Speaker adjourned the House for lunch and he only said that the House will re-assemble at 2 O'clock.

SOME HON. MEMBERS: Yes.

SHRI MADHU LIMAYE: Right.

SHRI P. G. MAVALANKAR (Ahmedabad): That is the position.

SHRI INDRAJIT GUPTA: In other words he did not say that at 2 O'clock when we reassemble, papers will start being laid on the Table.

MR. DEPUTY-SPEAKER: Kindly sit down—This is my difficulty. When things are kept hanging in this way, we all run into trouble.

SHRI MADHU LIMAYE: Unfortunately, you were not in the House; otherwise, there would not have been any doubt.

PROF. MADHU DANDAVATE: You remain in the House.

MR. DEPUTY-SPEAKER: I will tell you one thing. I may not meet any of you, I may not meet any of the officials, but there is nothing that happens in this House that I do not know.....

SHRI MADHU LIMAYE: What was the last remark?

MR. DEPUTY-SPEAKER: Let this be taken note of by everybody.

SHRI MADHU LIMAYE: I take it that you have a listening device installed in your office.

MR. DEPUTY-SPEAKER: Order, order. This is exactly where I want the House to help me as to how to proceed with the business. The House was adjourned. A certain item is be-

ing considered and the Speaker said, 'We shall reassemble at 2 O'clock'. Is that so?—There is another additional information. A matter is being discussed by members of this House quoting made by members of this House quoting a particular rule of the House. The House was adjourned. The Speaker said that the House would reassemble at 2 O'clock and that the would consider the matter.

SHRI INDRAJIT GUPTA That is over lunch

SHRI MADHU LIMAYE What matter?

MR DEPUTY-SPEAKER Tell me what I should do

SHRI MADHU LIMAYE I will help you.

मुझे सुनने के बाद मंत्री जी जो बोलना चाहते हैं। वह बोलें।

ब्रह्मचन्द रेड्डी साहब का बयान हुआ।
(अवधान)

MR DEPUTY-SPEAKER Let us get on with the business first

श्री मधु लिमये मैं बिजनेस पर आ रहा हूँ। श्री ब्रह्मचन्द रेड्डी का बयान जैसे ही पूरा हो गया स्पीकर साहब उठे और स्पीकर साहब ने कहा कि अब सदन की कार्यवाही को लंच के लिये स्थगित रखा जाय और दो बजे फिर हम लाग मिलें। दो बजे कोना बिजनेस लेना चाहिए इसके बारे में सदन में उनका कोई प्रोनाउसमेंट नहीं हुआ। तो मानना पही चाहिए कि जो मामला चल रहा था उसी को आगे चलाना चाहिए प्रिविलेज की नोटिस वाला मामला। अब अगर लंच के समय में कोई अम्बरस्टैंडिंग हुई है तो उसे मैं रेस्पेक्ट करने के लिये तैयार हूँ जहां तक वहन का संबंध है

MR DEPUTY-SPEAKER There is no understanding with me—this much I can say.

SHRI MADHU LIMAYE The official conveyed to you the information. Then ignore it completely.

MR DEPUTY-SPEAKER Which information?

SHRI MADHU LIMAYE This was not stated in the House. Why are you relying on this information?

SHRI INDRAJIT GUPTA Some agreement was reached with somebody.

MR DEPUTY-SPEAKER I do not know anything

SHRI MADHU LIMAYE Then ignore it. Let us proceed with the matter

आप मुझे पूरा करने दीजिये। आप दोनों बातें कहते हैं। एक कहते हैं कि अम्बरस्टैंडिंग का मुझे पता नहीं है, फिर मामला जो चल रहा है उसमें इंटरप्शन क्यों हो रहा है? अगर बाहर की अम्बरस्टैंडिंग का मामला लेते हैं तो मुझे कोई एतराज नहीं है लेकिन इतना मैं चाहता हूँ कि कूल 368 क्या कहता है वह देख लिया जाय। अब उसके उपर महाजन साहब अपना इंटरप्रिटेशन न दें।

"If a Minister quotes in the House a despatch or other State paper ..

MR DEPUTY-SPEAKER Do not go to the rule again. That does not come in now

SHRI MADHU LIMAYE "which has not been presented to the House, he shall lay the relevant paper on the Table"

He shall lay it on the Table.

एक मिनिट की भी देरी नहीं होनी चाहिए बार बार जो हमारे अधिकार हैं उनका उल्लंघन दिया जाता है। इस को मैं टाबरेड करने के लिये तैयार नहीं हूँ।

Shri Hukam Chand Kachwai rose—

MR. DEPUTY-SPEAKER: Please sit down. I have understood the situation.

Now I am not concerned at the moment with this particular rule. I am concerned with how to proceed with the business of the House. This is what I am concerned with. Now I have heard you. I have heard others. Let me also hear what the Minister of Parliamentary Affairs has got to say.

THE MINISTER OF WORKS AND HOUSING AND PARLIAMENTARY AFFAIRS (SHRI K. RAGHU RAMAIAH): Sir, some hon. Members said that there was a lunch upstairs which was hosted by the hon. Speaker.

SHRI RAMAVTAR SHASTRI (Patna): Lunch for whom?

SHRI K. RAGHU RAMAIAH: That is not very relevant, I suppose. At the lunch—I do not want to mention names—one of the hon. Members opposite was also present. I was also there. I asked the hon. Speaker, what is to happen at 2 O'clock. He said "You will proceed with the rest of the business. This will hang over; this will remain; but you will get on with the other business;" meaning, the laying of papers, Call Attention, and so on.

SHRI MADHU LIMAYE: Laying of papers, that is, the CBI report.

SHRI K. RAGHU RAMAIAH: Laying of papers as per the agenda, and then the Call Attention. That is what the hon. Speaker has told me. One of the Members sitting opposite was also present and he heard it.

SHRI MADHU LIMAYE: I am not concerned with your understanding. I go by the rights. What are our rights?

श्री हुकम चंद कछवाय : उपाध्यक्ष, महोदय, जिस समय यह चर्चा चल रही थी तो माननीय अध्यक्ष महोदय ने यह कहा कि कुछ बाहर के लोग आये हुये हैं विदेश के और वे

भोजन के लिये इंतजार कर रहे हैं, इसलिये मुझे वहां जाना है और अब हम लंच के लिये उठ जायें। तो गृह मंत्री ने कहा कि मेरा थोड़ा सा वक्तव्य है उसको मैं पूरा कर दूँ तब आप ऐसा करें। उन्होंने अपना वक्तव्य पूरा किया। उसके बाद अध्यक्ष महोदय ने लंच के लिये सदन को स्थागत करते हुये यह कहा कि इसी विषयको फिर से लेना है, उस समय जो सदन की कार्यवाही चल रही थी उस देख लीजिये। वार्ड देख लीजिये, रिकार्ड में बात साफ है।

SHRI P. G. MAVALANKAR: Mr. Deputy-Speaker, Sir, what happened two minutes before 1 O'clock was this. The Home Minister was on his legs and gave a statement, certain information. In the middle of the statement, a large number of points of order were raised by many of us on these Benches. They have been heard by the Speaker. Then, when we were approaching 1 O'clock, and there was some kind of official lunch, the Speaker interrupted by saying that we shall now adjourn for lunch. At that point of time, without the Speaker entering into the merits of the points of order—he was waiting and wondering—at that point of time, the Home Minister got up and said that "because my statement is very short, if you will allow me, I will be able to finish it." Therefore, he was allowed to make it. He made the statement, and when he completed the statement, immediately, several of us got up, because we wanted to raise points of order. At that point of time, the Speaker said, "Now, we adjourn for lunch to re-assemble at 2 O'clock." He never said that after two, when we re-assemble, we shall go to the next item; nor did he say that we will continue whatever is going on. All that he said was that now we shall adjourn for lunch and re-assemble at 2 O'clock; it obviously means that the matter which was left over at 1 O'clock before lunch should be continued without interruption. At that point of time, several of us got up and were on our legs; we wanted to raise points of order.

So, I request you that we should be permitted to raise our points of order on the statement which was made by the Home Minister on the matter. That is where the matter stands. (*Interruptions*) What happened between 1 and 2 at lunch-time between the Minister of Parliamentary Affairs and the Speaker is not the property of the House. We must proceed from the point left at the time when the House adjourned.

SHRI H. K. L. BHAGAT: Sir, a point of order was raised when some of the Opposition Members stood up and said that the CBI report should be placed on the Table of the House. They said that the Home Minister was quoting from the same. The Home Minister, in his reply said that he was not quoting from the report. But the Speaker made certain observations; he said that he will have to look into those aspects whether it is an accessible document or not.

Secondly he made certain other observations. (*Interruptions*)

SHRI MADHU LIMAYE: Don't misquote the proceedings. You cannot tell lies.

SHRI H. K. L. BHAGAT: Please do not interrupt and do not treat me like that.

MR. DEPUTY-SPEAKER: Allow him to finish.

SHRI H. K. L. BHAGAT: You, Sir, will see from the record yourself. The Speaker said that there are certain practices in the House of Commons and "I will have to look into all these." That means, on the points of order which were raised, the Speaker kept his ruling reserved. On this, some of the Members said that assurances had been given. The Speaker went to the extent of saying that "I will check from the records; I am not giving any assurances but I will look into this." So, when those points were raised, what he had to say finally, his point of view, the Speaker kept it reserved.

Now, the hon. Members on that side are getting up and raising the matter again. You, Sir, are absolutely correct. Now, they are compelling you, and are raising the same points of order again and asking you to give a ruling right now. Supposing the Speaker takes up the position, he says, he will study the matter and then give a ruling, can the Speaker be compelled to give a ruling right then? This is what they are doing.

MR. DEPUTY-SPEAKER: Will you kindly listen to me in calm; let there be a finality to this. After all the matter has to be clinched and has to be decided and this Chair has to do it. This is the accepted practice. I am concerned with this limited question: the business of the House. Let us not confuse the two. What is the business of the House? Let us confine ourselves to this item?

PROF. MADHU DANDAVATE: The business of the House is to respect the rules.

MR. DEPUTY-SPEAKER: I am here to safeguard the rules. I am here also to conduct this House. I am here also to say that these rules are not adequate to run this Parliament in modern conditions in this country; I have said this many times.

SHRI MADHU LIMAYE: We need your assistance.

MR. DEPUTY-SPEAKER: Kindly take my assistance. Let me state the case very clearly. The Table has given me the information that this privilege question was being discussed; the Speaker adjourned the House for Lunch and said that the House would meet at 2. In the ordinary course when the House adjourns it means that a business under discussion would be resumed; you would take it that way.

SHRI INDRAJIT GUPTA: Are we to take cognisance of what happened outside in lunch time? We cannot take cognisance of that.

MR. DEPUTY-SPEAKER: When any hon. Member speaks I must listen very patiently; but whenever I get up to say something, Members....I do not know what I should say.

I am grateful to Mr. Raghu Ramaiah for the information that he has passed on to the House because I think it is a help....(Interruptions) Whatever he has said in the House has gone on record and therefore the Chair must take cognisance of it.

SHRI INDRAJIT GUPTA: He is referring to some private conversations over lunch.

MR. DEPUTY-SPEAKER: It does not matter. If he has said something outside I do not know but he has said this in the House.

PROF. MADHU DANDAVATE: If he mentions the menu of the lunch, that will also go on record.

MR. DEPUTY-SPEAKER: Why don't you allow me to speak? There is a big difference between what a man says outside and what a man says inside the House. The moment he brings it in the House....Even if I bring my wife into the House, it is open and it goes into the record....(Interruptions). Whatever I say to my wife in my bed room, it does not matter; but when I mention it in the House, it is part of the records.

SHRI S. M. BANERJEE: Did you say 'bring my wife'? Do not bring; otherwise people will ask that she should be laid on the Table....(Interruptions).

MR. DEPUTY-SPEAKER: Mr. Raghu Ramaiah has made a statement in the House; it has gone on record; apart from being a statement it has come from the Minister in charge of Parliamentary Affairs. He has also quoted the Speaker and said that the Speaker had told him that at 2 O'clock this item would be taken up. This was not told to me; this was told by Mr. Raghu Ramaiah to the House and

through the House to me. I take cognizance of that.

SHRI MADHU LIMAYE: Any direction from the Speaker must come to the person in the Chair not through the Minister. We do not recognise him and his messages.

MR. DEPUTY-SPEAKER: It does not matter. The minister has passed on the information and I take cognizance of it. Rule 25 says:

"Arrangement of Business:

On days allotted for the transaction of Government business"—I think this is Government business—"such business shall have precedence and the Secretary-General shall arrange that business in such order as the Speaker may after consultation with the Leader of the House determine:

Provided that such order of business shall not be varied on the day that business is set down for disposal unless the Speaker is satisfied that there is sufficient ground for such variation."

From what Mr. Raghu Ramaiah has told me I take it that the Speaker has solemnly conveyed to the Minister for Parliamentary Affairs and the Minister for Parliamentary Affairs has solemnly conveyed to the House that the Speaker has varied the business and we go on to item No. 2, Papers to be laid on the Table.

श्री मधु लिमये : उपाध्यक्ष महोदय, मेरा प्वाइंट आफ आर्डर है—यह क्या प्वाइंट आफ आर्डर है—यह जो आइटम है—डिस्मिशन आन दि प्रिविलेज नोटिस—यह आर्डर पेपर में नहीं रहता है—इसके लिये आप रूल 25 को देखिये—आप किस आर्डर पेपर पर जा रहे हैं ?

MR. DEPUTY-SPEAKER: The Speaker has varied the order.

श्री मधु लिमये : लेकिन इसके बीच में जो आइटम था, जो चल रहा था, उसका क्या

हमारे पास जो भी है—यह बात—
रेखा को देखिये—दिसते यह है कि आपके
अफसरों—एजेंटों—होता है और हम लोगों के
पास भी सफाई होता है वह अलग होता है—
इसमें लिखा है—विजय को इस आर्डर में लिया
जानेगा—सबसे पहले “आप-आफ-एफसर्स”—
यह आज नहीं है। फिर “आविष्करी रेफरेंस”
ये भी नहीं है। कब-कब-ये है। उसके बाद
एजेंटों में मोमान-यह नहीं था। उसके बाद
विजय—यह चल रहा था—इसको कैसे छोड़
सकते हैं—इस पर फैसला होना चाहिए।

SHRI INDRAJIT GUPTA It is not Government business. It is business arising out of the privilege motion moved by members on this side of the House. That is given priority, according to these Directions.

MR DEPUTY-SPEAKER. I concede in the printed order paper circulated to members, perhaps this item was not specifically mentioned but in this order paper before me and the Speaker it is mentioned.

Here the entry in typed letters is “1A”; it is not “2”.

SHRI INDRAJIT GUPTA That is for the Chair's guidance.

MR DEPUTY-SPEAKER It is the business of the House. Soon after item 1, Questions, he took up this business, because it is there. It is the Speaker's prerogative. You have agreed to his taking it up. Not only the Speaker has the prerogative to arrange the business, but you also agreed on it. Now, again, I say it is the Speaker's prerogative to vary the business of the House, and he has done it. Therefore, let us get on with the business.

14.41 hrs.

PAPERS LAID ON THE TABLE

DOCK WORKERS (ADVISORY COMMITTEE) AMENDMENT RULES, 1974, NOTIFICATIONS UNDER MERCHANT SHIPPING ACT, 1958 AND ANNUAL ADMINISTRATIVE REPORT OF GUJARAT STATES ROAD TRANSPORT CORPORATION FOR 1972-73

THE MINISTER OF STATE IN THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI H. M. TRIVEDI): I beg to lay on the Table—

(1) A copy of the Dock Workers (Advisory Committee) Amendment Rules, 1974 (Hindi and English versions) published in Notification No SO 2820 in Gazette of India dated the 26th October, 1974 under sub-section (3) of section 8 of the Dock Workers, (Regulation of Employment) Act, 1948 [Placed in Library. See No LT-8522/74].

(2) A copy each of the following Notifications (Hindi and English versions) under sub-section (3) of section 45b of the Merchant Shipping Act 1958 —

(i) The Examination of Masters and Mates (Amendment) Rules 1974, published in Notification No G.S.R 1129 in Gazette of India dated the 19th October 1974

(ii) The Merchant Shipping (Examination of Engineers in the Merchant Navy) Amendment Rules 1974, published in Notification No G.S.R 1130 in Gazette of India dated the 19th October, 1974 [Placed in Library. See No. LT-8523/74].

(3) (i) A copy of the Annual Administration Report of the Gujarat State Road Transport Corporation for the year 1972-73 under sub-section (3) of section 35 of the Road Transport Corporation Act, 1950 read with clause (c) (iii) of the Proclamation