

[Shri S. C. Samanta]

to Third sittings of the Committee on Absence of Members from the Sittings of the House held during the current session.

MESSAGE FROM RAJYA SABHA

SECRETARY : Sir, I have to report the following message received from the Secretary of Rajya Sabha :—

"In accordance with the provisions of sub-rule (6) of rule 186 of the Rules of Procedure and Conduct of Business in Rajya Sabha, I am directed to return herewith the Central Board of Direct Taxes (Validation of Proceedings) Bill 1971, which was passed by the Lok Sabha at its sitting held on the 31st July, 1971, and transmitted to the Rajya Sabha for its recommendations and to state that this House has no recommendations to make to the Lok Sabha in regard to the said Bill."

12.06 hrs.

CONVICTION OF MEMBERS

MR. SPEAKER : I have to inform the House that I have received the following two communications dated the 10th August, 1971, from the Judicial Magistrate, First Class, New Delhi :—

I—"I have the honour to inform you that Shri Laxmi Narayan Pandey, member of the Lok Sabha, was tried at New Delhi before me on charge under section 188 IPC as he contravened the prohibitory order under section 144 Cr.P.C. by A.D.M. New Delhi by raising slogans and staging demonstration in favour of recognition of Bangla Desh. "

SHRI S. M. BANERJEE (Kanpur) : Mr. Speaker, Sir,

MR. SPEAKER : Please sit down so long as I am on my legs. Try to be a little considerate. Why do you show impatience ?

SHRI PILOO MODY (Godhra) : Because he is a Communist,

MR. SPEAKER : No crime to be a Communist.

"... To-day he was tried by me, I found him guilty on his own voluntary plea of guilt and sentenced him to undergo simple imprisonment for one day."

II—"I have the honour to inform you that undermentioned M.P.'s were sent up for trial under section 188 I.P.C. by the Police Station Parliament Street, New Delhi in case F.I.R. No. 1313 dated 10-8-1971 under section 144 Cr.P.C promulgated by ADM, South Delhi on 2nd July, 1971 by demonstrating and raising slogans in support of recognition of Bangla Desh

They were tried by me today and on their plea of guilt I found them guilty under section 188 I.P.C. and convicted and sentenced them for one day's simple imprisonment.

1. Shri Ram Chander Bade, M.P.
2. Ch. Mukhtiyar Singh, M.P."

But Mr. Kachwai is still missing here.

Mr. Banerjee, you raised this point and I have made my observations.

SHRI S. M. BANERJEE : I wanted to raise a question of privilege.

MR. SPEAKER : We cannot take cognizance of that. I have already made it clear.

SHRI S. M. BANERJEE : I am not raising the question of privileges, Sir. But I am just making a suggestion for your consideration.

MR. SPEAKER : If something is said by the court, how can we take cognizance of that ?

SHRI R. S. PANDEY (Rajnandgaon) : Sir, his submission is that the sentence is very little.

SHRI S. M. BANERJEE : Defying Sec. 144 may be a crime but conviction under Sec. 188 for raising slogans in favour of Bangla Desh is not correct, Sir. Is it not a shame on our judiciary that this is being