[Shri Krishan Chander Haldar]

the dismissed railway employees took part in the recent railway strike

SHRI S M BANERJEE (Rampur) Sir, the Calcutta High Court has set aside the dismisel of the railway employees The Supplementary Demands for Railways are going to be discussed tomorrow most probably Before that discussion starts, the minister should make a statement that they will not go to the Supreme Court and they will reinstate all the workers whose services have been terminated or who have been dismissed If that statement is not made, what will happen? I have gone through the Supplementary Demands

I have gone through the supplementary Demands for Grants for Railways and there is no provision made for the amount by way of payments to be made to such employees whose services have been terminated.

I would only request you to direct the Railway Minister to make a provision there Otherwise, it will be difficult to have a discussion on the Demands

SHRIMATI PARVATI KRISHNAN (Coimbatore). Sir, I want to add only one word to what has already been said by Shri Banerjee In taking this action, the Government, the Railway Minister and the Railway Board should also see that all those employees whose appeals have been rejected and whose dismissals, removals from service have been confirmed should also be taken back It should not be said that their dismissals, removals, have been confirmed because these dismissals, removals, from service, as per the judgement of the Calcutta High Court, have been shown to be totally illegal.

MR DEPUTY-SPEAKER: Shri Piloo Mody

SHRI S. M. BANERJEE: Sir, you kindly direct the Minister....

MR. DEPUTY-SPEAKER: The Supplementary Demands for Railways are coming for discussion

SHRI S. M. BANERJEE I would request you and appeal to you to kindly direct the Minister (*Interruptions*) Now that we have made our submissions, we would request you to make certain observation ..

MR DEPUTY-SPEAKER: All right—I will make some observation The only observation is that the Government will take note of the submissions made by the hon Members. Now, Shri Piloo Mody

SHRI DHAMANKAR (Bhiwandi) Sir I have given a notice under Rule 377

MR DEPUTY-SPEAKER This is not the time for notices under Rule 377.

SHRI DHAMANKAR I will take only a minute

MR DEPUTY-SPEAKER. What do you want to say?

SHRI DHAMANKAR Sir, there are reports in a section of the press that about Rs. 2 crores of insurance premia deducted from the salaries of policy holders under the Salary Savings Scheme and paid to the L.I.C are is laying un-adjusted for years in the Nagpur Division of L.I.C. Similar unadjustment of fund is also reported in other divisions of L I C It is likely that the policy holders may suffer because those amounts have not been adjusted. I would request the Government to go into this and make the necessary arrangements

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14.13 hrs

QUESTION OF PRIVILEGE—contd.

CERTAIN NEWS REPORT IN PRATIPAKSHA, A HINDI WEEKLY

SHRI PILOO MODY (Godhra): Mr. Deputy-Speaker, Sir, I must admit, to begin with, that I did not realise when I sent this notice this morning that I would be disturbing a hornet's nest because, I thought, the matter was rather innocent, that some Editor of some paper had made comments of a nature so derogatory to Parliament and parliamentary procedure that I should have imagined that every single Member of this House would have automatically, without debate without question, have submitted the issue to the Privileges Committee of Parliament and let them decide it

Unfortunately, I found that when we started sending this issue to the Privileges Committee—many Members of the Congress Party also supported the idea wholeheartedly—and all of us were certain, but the Speaker in his wisdom allowed the matter to proliferate, allowed all manner of extraneous matter to be brought into this simple motion, in fact, to the point were even the Law Minister, Mr Gokhale, was allowed to intervene, even after he had prefaced his remarks by saying that he did not wish to speak on the motion tabled by Mr. Piloo Mody but that he wanted to speak on some issue other than that and wanted the House to know what the Government's attitude on a subject outside the scope of this debate or this motion was I do not understand why this was allowed to be done Nor do I understand why the Minister of Parliamentary Affairs opposed it when the matter was finally reduced to its simple minimum, that it was merely a motion of privilege against what had appeared in the newspapers. The conclusion is only too obvious. May I ask this of the Minister for Parliamentary Affairs? Does he agree with what has been written in this paper? Does he think that what has been written in this paper is true and, therefore, the matter should not be referred to the Privileges Committee? Because, other than that, Mr. Deputy-Speaker, I cannot understand why the Minister for Parliamentary Affairs did not allow this simple matter to go to the Privileges Committee. And if he thinks that what has appeared in this paper is true, then I suggest that the question of privilege should also be brought against the Minister for Parliamentary Affairs because after all Mr. George Fernandes has written this and he is outside and should not be subjected to privilege but the Minister sitting inside the House happens to corroborate and agree with what has been written in this article.

The second thing I want to know—and this also perplexes me—is why Mr. Raghu Ramaiah has asked for time He says that they want to think about it What is there to think about? Whether a simple matter like this should be referred to the Privileges Committee or not, is that something that should be thought about? Is any mind to be applied to this subject? As I said earlier this morning is he going to change the language of it? Is he going to change the photograph? Is he going to change the contents of this? What does he want the time for? Does he want time to decide whether reference of this to the Privileges Committee is a political manipulation that is acceptable to him or not?

I am also rather perplexed about the manner in which matters are fast deteriorating in this House We have seen what has happened in the morning. We wasted about 2½ hours on something like this which should have taken precisely five minutes· the matter should have been raised, people should have been made aware of what the matter was, and within a few minutes everybody should have agreed that the matter should be referred to the Privileges Committee But that was not done. And why was that not done? The reason for that is, there is evil design, there are *mala fides*, behind the action of the Government. I do not very often make statements like this. Whatever I say I say with full responsibility, and I have come to the conclusion that this entire House is being mani-

[SHRI PILOO MODY]

pulated like a puppet show from the Prime Minister's Secretariat. The Minister for Parliamentary Affairs is merely the instrument through which this manipulation goes on and we charge the Government with being a puppet in the hands of the Prime Minister's Secretariat. I have definitely observed in this very House that the Prime Minister's Secretariat in the person of somebody whom I do not wish to name, is virtually hanging out into this House giving instructions every minute to the Minister of Parliamentary Affairs as to what should be done. (*Interruptions*).

SHRI H. N. MUKERJEE (Calcutta-North-East): He should contradict if it is not so. He has no guts, no character.

SHRI K. RAGHU RAMAIAH: I will show my guts when I reply. (*Interruptions*).

SHRI SHYAMNANADAN MISHRA (Begusarai): A regular report is made to the Prime Minister by his Secretary on the performance of the members on the other side of the House, including that of the Ministers.

SHRI BHAGWAT JHA AZAD (Bhagalpur): What is wrong about it?

SHRI SHYAMNANDAN MISHRA: This is the honour and respect given to the hon. Members of this House. Some petty official reporting on the conduct of the Minister and the Members?... (*Interruptions*).

SHRI A. P. SHARMA (Buxar): I seriously object to the remark of the hon. Member. That should not be allowed to go on record. This is definitely objectionable.

SHRI SHYAMNANDAN MISHRA: And the Minister is nodding his head in approval and appreciation.

SHRI K. P. UNNIKRISHNAN (Badagara): May I make a submission. I am concerned with the procedure of the House.

SHRI SHYAMNANDAN MISHRA: Keeping a watch on their behaviour. We see it everyday.

MR. DEPUTY-SPEAKER: Some hon Members tried to draw my attention and say that they wanted to make some submission .

AN HON. MEMBER: Consultation is going on.

MR. DEPUTY-SPEAKER: I would like to point out the procedure and practice of the House. When a member has been identified and called, he is in possession of the floor. If he yields, others can intervene and make their submission .

SHRI K P. UNNIKRISHNAN: You should also stop others from interrupting us.

MR. DEPUTY-SPEAKER: It is not for me to tell members to sit down.

SHRI A P. SHARMA: How does Mr. Mishra come in the picture when Mr. Piloo Mody is speaking. This is uncalled for.

SHRI PILOO MODY: Mr. A. P. Sharma and Shri Shashi Bhushan—I am not yielding to you. Mr. Unnikrishnan—I am yielding to you.

SHRI K. P. UNNIKRISHNAN: What I want to point out is that unfortunately there has been a kind of manipulation going on the other side . . . (*Interruptions*) I will come to that later on...

SHRI SHYAMNANDAN MISHRA: You are under the surveillance of a petty official.

SHRI K. P. UNNIKRISHNAN: Their target of attack is the Leader

of the House herself. If you permit such unwarranted references to made, this House cannot go on. I want to make and clarify that they cannot held this House to ransom. We will not permit this to go on. It is upto you and may I respectfully submit that it is to your goodself that we look forward for pulling up the members when they interrupt when an important matter is being discussed.

MR. DEPUTY-SPEAKER: Now. who is interuppting whom.

SHRI K. P. UNNIKRISHNAN: This is very uncharitable. Now, I request you once again that if you want to have the proceedings of the House go on smoothly, you have to stop this nonsense

SHRI PILOO MODY: You must understand that I allowed Mr. K.P. Unnikrishnan to intervence and yielded to him because I expected him to provide me with the sort of material that I wanted to carry on my attack. He was very concerned about the conspiracy as he calls it of our wanting to attack the Leader of the House. I want to know—which is his idea of Parliament and parliamentary democracy? What does he presume is the role of the Opposition? Because, I know, his mentors do not believe in a parliamentary democracy where there is an opposition It is the opposition's role, at all times to attack the ruling party. If we attack the ruling party, we are guilty of committing a crime according to their accounts, but we are definitely doing our duty by the people, by the country. Now it comes as to who is attacking whom. There is no question of attacking a ruling party, which in every political sense of the word, does not function like a political party. There is no point attacking a bunch of people who are mere puppets, in the hands of the leader, an hon. Member whose presence almost is never recorded in this House except through agents of one sort or the other. And, therefore, I can understand his grievance at the fact that I am not attacking him, but that I am attacking his leader. But I am afraid they will have to put up with some sort of non-entity status till what time they themselves decide that they will be man enough and exert all right as Members of Parliament and the privileges that this country has given to them, till what time they decide to behave like a gataparcha, which can be mouled to take any form, they will have to put up with this.

SHRI SAT PAL KAPUR (Patiala): He is abusing us

SHRI PILOO MODY: It is like plasticine, which you hight have handled in your Kindergarten. Therefore, Sir, unless these gentlemen themselves insist and they want to turn into men, it is no point attacking them, it is only worth attacking those who manipulate them, and that is why the attack is directed against the Leader of the House, because all of you are mere heads to be counted irrespective of what is inside those heads. And therefore on this particular issue you have seen a very strange thing indeed. You have seen a letter being put in the notices signed by 21 Members of Parliament—21 Members of Parliament who have signed a letter either to pressurise or change the policy of the Government of India, as stated These 21 Members of Parliament, had by this action, altered and changed the policy of the Government of India and this is the main complaint. The Minister is pleading behind the fact that it was the pressure exerted by these 21 members that made them change their mind and give licences to people who had been refused the licence in the past.

The second point of the act is this, namely, some of the signatures were acquired under pressure, others under ignorance and yet another category of false signatures were added to the names of Members. May this letter

[Shri Piloo Mody]

live long and lie in peace.! I don't think any other eyes will ever see this letter again. By this time it might have been substituted six times over as the congress party has changed its stories one after the other, only to suit a particular circumstance or contingency. But the point is that pupoteers were not only being turned into forgorers, but they are turned into perjurers. Those who had the audacity to ask to be judged by their own poors, through a parliamentary investigating committee, were wraped on the knuckles punished, and made to grovel in the ground, because they were made to say, "Please let us withdraw this letter that we have written, please let us be exempted, as has been stated in the Bulletin of Parliament. Let it be ever recorded in the history of India—that the puppeteer has made two honourable Members of Parliament come here.

They demand something and then retract from their demand because this does not suit the Leader. The over all plan of the conspiracy is being hatched just to cover up scandals like Nagarwala, Maruti and the flyover. Every conceivable scandal is being covered up.

SHRI JYOTIRMOY BOSU: (Diamond Harbour): What about Jagota Brothers?

SHRI PILOO MODY: Mr. Bosu has been able to give me one more instance.

You know I participate on all occasions like this and even in a matter like the Maruti Scandal or Nagarwala Scandal, what are we doing? Then why have Parliament at all? Why have all these institutions? It is the very institutions of democracy in this country that have been eroded and which have gone beyond recognition.

Take the case of the Presidency. I do not want to say anything more than this.

What have you done to the Presidency? Take the Cabinet system. Would anybody know that there is a Cabinet in India that takes a decision?

Who accepts responsibility? This is merely an enlarge rubber stamp. Most of the Cabinet Ministers do not often know when decisions regarding their own Ministries are being taken. Shri Swaran Singh did not know about the Indo-Soviet Treaty. Shri Chavan did not know about all these recent Ordinances. What more proof do you want? And that is how the Cabinet system has been working. Look at the condition of the Opposition—I plead guilty to this. Look at the law courts—commitment and corruption have overtaken the law courts. Look at the newspapers. There are only some people who dare write up this sort of thing. Look at the daily newspapers that you get What do you read in the newspapers except what Shri Raghu Ramaiah wants you to read It is not merely what Mr. Raghu Ramaiah's thinking is but it is his thinking of somebody else's head, that is what the newspapers print We have never allowed public opinions to grow in this country We deliberately keep the people ignorant and illiterate so that we go on manipulating as we like. Fifteen years ago there were only 21 crores of people who cannot read and write. But, to-day, there are 35 crores of people who cannot read and write. This is the achievement of this Government.

This is the only government that we can have in this country? You can have your Government; you can have your stability; you can have your own seats; you can have your own corruption and you can have your plunder and you can have your puppeteers. But this kind of thing cannot go on endlessly. The anger of the people is beginning to show itself. It is showing itself in any number of ways. There is an increase in crime, increase in violence and, ultimately, what Shri Jayaprakash Narain is doing to-day in Bihar had happened six months ago in Gujarat is the only answer.

This is really the answer to the debate that we had this morning in which they tried to confuse the issues and stopped even a simple matter like this to come up before Parliament.

The conclusion is inevitable that the Congress Party led by Shrimati Indira Gandhi, the Prime Minister's Secretariat, the Minister for Parliamentary Affairs, the Council of Ministers and the Congress Party have turned this Parliament into what has been described in this paper. Therefore, I can understand the reticence, in sending this matter up to the Privileges Committee.

MR. DEPUTY-SPEAKER: Now we are discussing this under Rule 226, that we are at that stage is very clear. We shall proceed according to certain rules and according to certain procedures.

There is a little amount of confusion and I must say that I have not been able to get enough light myself in order to guide the proceedings of the House. Rule 226 says:

> "If leave under Rule 225 is granted.....

which has been granted.

> the House may consider the question and come to a decision...

Now, coming to a decision has to be by way of a motion.

> or refer it to a Committee of Privileges on a motion made either by the member who has raised the question of privilege or by any other member."

That is what the rules says. Now, I take it that Mr. Piloo Mody who has given notice of this today in time has been allowed by the Speaker to seek the leave of the House which the House has granted. I take it that Shri Piloo Mody has now formally moved motion.

But here I am fumbling with the papers right since I came to this Chair. I wanted also the officers at the Table to enlighten me as to what the Motion is and it is not clear what the Motion is.

There are only three kinds of papers before me. The first one is the original of the letter which Mr. Piloo Mody sent to the Speaker today before the Session began which is in the form of a notice. Now, a notice is not a motion. Subsequently, I have a piece of another paper scribbled and signed by Mr. Piloo Mody which is in the form of some kind of a motion.

SHRI SHYAMNANDAN MISHRA: Kindly read that.

MR. DEPUTY-SPEAKER: It reads:

> "That the question of privilege arising out of Pratipaksh story in its latest issue be referred to the Committee of Privileges for full investigation and report. That the House further resolves that all the documents and files connected with the case be seized and kept.

SHRI PILOO MODY: There is something on the back-side of the paper also.

MR DEPUTY-SPEAKER: There is nothing at the back.

Subsequently, I have a notice of an amendment to this motion by Mr. Madhu Limaye and Shri Jyotirmoy Bosu. This has been submitted to me by the office in a regular manner and not *ad hoc* directly. The notice of an amendment by Shri Madhu Limaye and Shri Jyotirmoy Bosu has been routed to me through the Office. It reads as follows:

> "That in the motion,—
>
> *add* at the end:—
>
> "That this House further resolves that all the documents in connection with the Licence Case be seized and kept under the custody of the Speaker and that the Committee submit its

(MR. DEPUTY-SPEAKER)

preliminary report before the end of the Winter Session of Parliament."

Since, we are now at the stage of discussion, I will take it that we are discussing this Motion of Mr. Piloo Mody. These are all the papers I have with me. Mr. Piloo Mody has to move the Motion. As far as Mr. Piloo Mody is concerned there are two papers—one is the notice given in the morning. As now we have come to the stage of Motion the only paper I have of Mr. Mody is the one which I have read just now.

SHRI SHYAMNANDAN MISHRA: That is precisely the submission which we were making to the hon. Speaker. The stage for moving the motion would come when Rule 226 would apply. But the hon. Speaker was pleased to remark that he found some difference between the original motion which was sent out by Mr. Piloo Mody and the subsequent motion which he was trying to read out. Then the House asked the hon. Speaker would kindly read the original motion of Mr. Piloo Mody. Then ultimately it happened that the Speaker—the supreme and the infallible authority—and to the hon. Member, Shri Piloo Mody that his notice itself was the Motion Then he read it out while taking the leave of the House. We are concerned with that motion. Whether that strange animal could be called motion there could be two opinions. But it is the pleasure of the supreme authority to characterise it as the appropriate and it is for that motion that took the leave of the house and the House granted leave for it.

SHRI DINESH CHANDRA GOSWAMI (Gauhati): Sir, there is a procedural point involved which might be useful not only for this discussion but for future discussions also. I feel we should ponder over this question seriously. It appears we have got confused as to whether for a privilege issue there should be a motion. Sir, if you look at Rules 222, 223 224 and 225 you will find the words used are "raise a question of privilege" and nowhere the word 'motion' has been used. In Rule 225 it says:

"The Speaker, if he gives consent under rule 222 and hold that the matter proposed to be discussed is in order, shall, after the questions and before the list of business is entered upon, call the member concerned, who shall rise in his place, and, while asking for leave to raise the question of privilege, make a short statement..."

MR. DEPUTY SPEAKER: I would appeal to the hon. Members. Nothing is lost by listening because that way we gain time.

SHRI DINESH CHANDRA GOSWAMI: Sir, kindly see Rule 226 also. It also does not speak of a motion. Rules 222 to 227 do not speak of a motion. Purposely the Rules of Procedure have used the word question' and have avoided the word 'motion'. That means, it is not necessary to raise a formal motion. You can raise a question of privilege pointing to attention of the Speaker that breach of privilege has been committed. It is up to you to take proper steps. Therefore, Sir, my submission will be this

(Interruptions)

Mr. Madhu Limaye has given certain amendments. My submission is, the amendments are out of order. Kindly see Rule 225. When a Member has asked for leave and leave is granted....

MR. DEPUTY-SPEAKER: Were you here before the lunch hour?

SHRI DINESH CHANDRA GOSWAMI: Sir, you are not trying to appreciate my point. Once the leave is sought for in this House and the leave is granted, unless you seek a fresh leave, you cannot extend the

scope of debate. The debate should be confined to the question regarding which leave has been granted. If by amendment, we want to extend the scope of the debate a fresh leave would have to be granted. Otherwise, my respectful submission is, there will be really no purpose for asking leave of the House. My submission is, the amendments are out of order. Mr. Madhu Limaye's first question, to extend the scope of the debate is also out of order.

(Interruptions)

MR DEPUTY-SPEAKER: Kindly sit down I will here all of you, so that we may not lose further time. Let me give my ruling at this stage. I thought, before coming to the Chair this afternoon, that I had some intelligence in my skull although Mr. Piloo Mody may not agree with me. But, after hearing my good friend Shri Dinesh Chandra Goswami, I have star-scope of debate The debate should be some intelligence. What did we do the whole morning today? What did we do?

SHRI MADHU LIMAYE (Banka): Let me help you.

MR. DEPUTY-SPEAKER: I do not want your help at this stage.

Well, it is all on record I am sure. First, the quesiton was raised by Mr. Piloo Mody and the Speaker allowed him to raise this question, and there was a lot of discussion. Then, Mr. Piloo Mody was allowed to seek the leave of the House. At one stage, as I understood, there seemed to be no opposition to this motion at all.

(Interruptions)

Well, the record will correct it.

SHRI K. RAGHU RAMAIAH: I asked for permission to speak.

(Interruptions)

MR. DEPUTY-SPEAKER: I am recapitulating. You can correct me.

At one stage, there seemed to be no opposition. Then the hon. Speaker allowed Mr. Piloo Mody to seek the leave of the House and the question was put whether there is any opposition to it. I think the hon. Minister of Parliamentary Affairs get up and opposed it, and because there was opposition, the hon. members who wanted leave were asked to stand. And they all stood up. I do not know what the number was.

PROF. MADHU DANDAVATE: Forty-six.

SHRI PILOO MODY: Hundreds of us.

MR. DEPUTY-SPEAKER: I do not know what the number was, but I think it was decided that the requisite number was there, which is more than 25.

Now if all that has taken place in the morning—leave was granted, leave has been given—we have, therefore, come to the third stage of rule 226. That is where specifically I am confused about what is the motion. I will read 226 again.

SHRI H. N. MUKERJEE (Calcutta—North-East): Did you remain quiet for half an hour and hear his speech without a motion? *(Interruptions)*.

MR. DEPUTY-SPEAKER: Now more people have 'loose' motions You have the rule book, Mr. Goswami. You are a lawer. I am not. I will read it.

"If leave under rule 225 is granted"—

and you are not disputing that leave has been granted—

SHRI DINESH CHANDRA GOSWAMI: No.

MR. DEPUTY-SPEAKER: "If leave under rule 225 is granted, the House may consider the question"—

[SHRI DINESH CHANDRA GOSWAMI].

What question? The question raised by Shri Piloo Mody—"and come to a decision".

Now I want to ask you, in parliamentary practice how a decision of the House is arrived at. It is only on a motion (*Interruption*). I do not accept it. I rule it now and for all future that a decision of the House can be arrived at only on a motion put to it. The question has to be put to the House. Otherwise, it cannot come to a decision.

Here the difference comes exactly at this stage whether the House should now discuss this matter fully and come to a decision or the House should decide to refer it to a Committee of Privileges. This is the limited question. Therefore, let there be no more confusion about this.

श्री मधु लिमये : उपाध्यक्ष महोदय, मेरी आधी बात को तो आपने पहले ही पकड लिया जैसा कि आप अक्सर करते है। चूंकि यह कन्ट्रवर्सग्राग न बड इसलिए मे आपका ध्यान नियम 364 की ओर दिलाया चाहता हूं

"A matter requiring the decision of the House shall be decided by means of a question put by the Speaker on a motion made..."

अब मोशन क्या है, यह मावल है। जहां तक मुझ याद है, अभी जो प्रस्ताल आपने पढ़कर सुनाया श्री पीलू मोदी का उसके उपर स्पीकर साहब ने एतराज किया था कि जो नोटिस था और जो प्रस्ताव अभी पीलू मोदी ने पढ़कर सुनाया, दोनों में फक है। इसलिए उन्होंने कहा उसमे जो नई बात जोड़ दी गई है, आखिरी पैराग्राफ में, वह काट दी जाए। यही उनका कहना था। जो डाकूमेंन्टस वे उनको सीज करने के बारे मे और पार्लिमेंट के स्पीकर की कस्टडी में रखने की बात थी। उसको काट दिया जाए। तो पहला जो अनुच्छेद है वही रह गया। अगर वह नही रहता और पूरा मोशन रहता तो मैं अमेंडमेंट किस लिए देता।

प्रिविलेज मोशन के दो जो फार्म होते है वह मैं लाया हू। यह मैंने एस० सी० मुखर्जी के खिलाफ मोशन दिया था। आप फार्म सुन लीजिये।

"That the question of privilege against Shri N. N. Wanchoo, Former Secretary, Department of Steel and....."

MR. DEPUTY-SPEAKER: What are you bringing in now

श्री मधु लिमये : मैं फार्म बता रहा हू।

MR DEPUTY-SPEAKER: Let him formalise the motion only.

SHRI A P. SHARMA: This is irrelevant.

श्री मधु लिमये मै मोशन के स्ट्रक्चर के बारे मे बोल रहा हू।

MR. DEPUTY-SPEAKER: I will take whatever the House decides now

श्री मधु लिमये : आप मुझे सुनना नही चाहते है।

MR. DEPUTY-SPEAKER: I want to listen to you. Mr. Limaye knows very well that I am very receptive and I would always listen to Madhu Limaye because I know that he knows the rules and he knows the Constitution very well. I benefit from that. But here I am engaged on this limited question. What is the form of motion that we should have. If I understand Mr. Shyamnandan Mishra just now, he said that the Speaker had remarked that the notice glen by Mr. Piloo Mody should be treated as a motion. If that is what the House understand and decides then with the little bit of edition in the form of the motion, we shall accept that as a motion.

SHRI PILOO MODY: Addition was made by me verbally.

MR. DEPUTY-SPEAKER: This notice given by Mr. Piloo Mody in the

morning with the little edition should be made into a form of motion; by the consent of the House we treat this as a motion.

SHRI K. RAGHU RAMAIAH: You have explained the circumstances in which the notice given by Mr. Piloo Mody had been treated as a motion.

MR. DEPUTY-SPEAKER: I am saying what the Speaker said.

SHRI K. RAGHU RAMAIAH: Whatever it is The hon. Speaker having treated that as a motion, where is the need for adding something now. The debate must be on the basis of the motion as accepted by the Chair already. Where is the question of adding something?

PROF. MADHU DANDAVATE: For any motion amendment can be moved

SHRI K. RAGHU RAMAIAH: Any amendment that is moved to this motion is a different thing altogether. But there cannot be any addition to the motion this way.

MR. DEPUTY-SPEAKER: Here we come to the rules. When a motion has been admitted, amendments can be moved to the motion. It is for the House to accept or reject the amendment. Therefore, I will call upon Shri Madhu Limaye to formally move his amendment.

SHRI MADHU LIMAYE: I beg to move:

That in the motion,-add at the end:-

> "That this House further resolves that all the documents in connection with the Licence Case be seized and kept under the custody of the Speaker; and that the Committee submit its preliminary report before the end of the Winter Session of Parliament".

MR. DEPUTY-SPEAKER: It has been moved. You can speak on it later on.

SHRI A. P. SHARMA: Do you want the motion to be debated?

MR. DEPUTY-SPEAKER: Yes.

SHRI A. P. SHARMA: Just now you said that you wanted a decision of the House.

MR. DEPUTY-SPEAKER: How will the House come to a decision on this motion? After a discussion... (*Interruptions*) Shri B. V. Naik

SHRI B. V. NAIK: (Kanara): We have been able to see this paper for the first time today.

15 hrs.

SHRI SEZHIYAN: (Kumbakonam): You have said that we have come to a stage where the House may consider the question and come to a decision or refer it to the privileges committee. Before the members are asked to participate in the discussion, they should be given all the material, namely, the original memorandum given by 21 members, the endorsements made by the Minister, when the question was referred to the CBI, what was the report of the CBI, etc. All these matters are interlinked with this question. Unless we get these original documents, we will not be able to come to a decision, or even have a meaningful discussion on the subject.

SHRI MADHU LIMAYE: On a point of order, Sir. I want to know the final text of the motion, together with my amendment.

MR. DEPUTY-SPEAKER: All right; I will do some verbal editing from here.

SHRI K. RAGHU RAMAIAH: Where is the question of editing? Whatever the Speaker has allowed, that is the motion.

MR. DEPUTY-SPEAKER: We are not really differing. I will take the substance of Mr. Piloo Mody's notice.

PROF. MADHU DANDAVATE: Don't take the notice as it is because it beings with the words "Mr. Speaker". That cannot be part of the motion!

MR. DEPUTY-SPEAKER: The motion will be like this:

"The report in the latest issue of Prati Paksha says that some of the 20 MPs who denied the genuineness of their signatures to the Licence Memorandum were telling a lie. The report also says that these signatures were manipulated by the Minister for Railways, Shri Lalit Narain Mishra. The front page report denounces the Prime Minister as the main source of corruption. That this is gross contempt of the hon. Members and of the whole House."

Then the amendment says:

"That in the motion, add at the end:

'That this House further resolves that all the documents in connection with the Licence Case be seized and kept under the custody of the Speaker; and that the Committee submit its preliminary report before the end of the Winter Session of Parliament'.".

SHRI MADHU LIMAYE: Now allows us to amend it.

MR. DEPUTY SPEAKER: It cannot be amended.

SHRI B. V. NAIK: The paper is dated 8th September 1974 but today is only 3rd September!

MR. DEPUTY-SPEAKER: This is all confusion. Hon. Members had made their submissions when the Speaker has said that he would treat the notice of Shri Piloo Mody as the motion.

SHRI MADHU LIMAYE: You forget it. Let us have a proper motion?

MR. DEPUTY SPEAKER: How can I do that? That is why I said I was confuse when I came to this House because there is no motion in a formal form. It was agreed, in accordance with the direction of the Speaker, to treat the notice of Shri Piloo Mody as a motion. It will mean a little edition to bring to form. Otherwise, there is no motion.

SHRI MADHU LIMAYE: What are we discussing? Let us know what the motion is.

SHRI PILOO MODY: When the Speaker insisted that my first notice to him was the motion and insisted that he would not accept the second motion, I converted the first one into a motion. You will find from the records what I have said early in the mornmg. It reads like this:

"May I draw your attention to the report edited in the latest issue of 'Prati Paksh' (copy enclosed) published by a former Member of Parliament.

The report says that some of the 20 MPs who denied the genuineness of their signatures to the Licence Memorandum were telling a lie. The report also says that these signatures were manipulated by the Minister for Railways, Shri Lalit Narayan Mishra The front page report denounces the Prime Minister as the main source of corruption. This is a gross contempt of the hon. Members and of the whole House. I should be grateful, therefore, if you will refer this matter to the Privileges Committee."

SHRI K. RAGHU RAMAIAH: I would like to know from the records whether the last sentence is there in the motion accepted by the Speaker, on which the discussion is going on.

SHRI PILOO MODY: If it is there, will you eat crow, Mr. Minister?

SHRI K. RAGHU RAMAIAH: He thinks of eating all the time. That is why he talks like that.

MR. DEPUTY-SPEAKER: If you are not so very discriminating, there is not much difference between a cock and a crow. It is as tasteful.

SHRI SHYAMNANDAN MISHRA: The last line of the letter is the operative line.

SHRI K. RAGHU RAMAIAH: Please find out from the record whether it is there.

SHRI PILOO MODY: I am absolutely definite and positive that I read the last line when I moved the motion. If it is not on the record, the puppeteer has been at it again.

SHRI K. RAGHU RAMAIAH: Whether Shri Mody has read it or not, the question is whether the Speaker has treated the last portion as the motion which we are to discuss.

SHRI PILOO MODY: Naturally What did we get up on? We did not get up on "Yours faithfully".

SHRI SHYAMNANDAN MISHRA: It is this that impelled me to make the remark that now a privilege motion will be accompanied by a statement of objects and reasons. In the earlier portion there are preliminary remarks, and they are on record. The operative part is in the last line, that it should be referred to the Committee of Privileges. That is clear enough.

SHRI H. N. MUKERJEE: I should have thought that when the Members were asked to rise in their places to indicate, if they wish to, their desire to accede to the proposal for the admission of a reference to the Committee of Privileges, then that is the motion for reference to the Committee of Privileges. I am astonished that you heard 40 minutes' speech without insisting on the motion being read out once at least by the great mover of the motion. I should have thought that when we were asked to get up in our seats, the motion should have been read out because the usual practice is that when the motion of No-Confidence or Adjournment is moved, that is read out. So, I took it that this should have been assumed a long time ago and all this waste of time could have been prevented. I am very constrained to say, I do not know what led you not to interrupt the mover of the motion even for half a second to read out the motion with the result that we have been treated to this particular thing.

SHRI S. M BANERJEE: Sir, my submission is only this. When the question came up for discussion and when the Speaker said in his wisdom, pointing to Mr. Piloo Mody, to spell out what was the motion, he did so. Taking of that, advantage I thought unless there was a specific motion under Rule 222, he would not admit it. So, I immediately sent a motion under Rule 222. The wording is very clear that the matter be referred to the Privileges Committee. The motion is there; the discussion has stared. Now, it is for you to consider whether you will allow this to go to the Privileges Committee after discussion or, *suo motu*, after hearing Mr. Piloo Mody, you will refer it to the Privileges Committee.

MR. DEPUTY-SPEAKER: Let us put an end to this.

Now, the whole thing since morning revolves round the question of privilege. The Members were asked to stand up for the leave to be granted on the question of privilege. That is how the leave has been granted.

I am putting this because there was a lot of confusion in the morning. I am repeating it. Everybody has accepted that the Speaker said that the notice given by Mr. Piloo Mody would be treated as a motion. Is there any

[MR. DEPUTY-SPEAKER]

difference of opinion about this? This is exactly what the Speaker said in the morning. It is a question of fact, whether the Speaker said this. I think, everybody has agreed that he said this.

Therefore, to me, once the thing is treated as a motion, it is a mere question of edition, putting it in the form of a motion. That follows. It is a mere question of edition. The decision has been taken by the Speaker. It is a formal matter how to put it in the form of a motion. I take it that way.

SHRI MADHU LIMAYE: Let the motion be under Rule 222.

MR. DEPUTY-SPEAKER: Now, I will ask Mr. Limaye this question, since he has been raising so many questions. When you sent this notice of an amendment to your name, which you have moved, can I ask you: With reference to which motion did you send this amendment? You just now read out that.

श्री मधु लिमये : उपाध्यक्ष महोदय, मैं सोचता था यह मोशन है . . . .

(*Interruptions*) Don't threaten me; Don't bully me. (*Interruptions*)

MR. DEPUTY-SPEAKER: To which motion does this amendment of yours relate?

श्री मधु लिमये : उपाध्यक्ष महोदय, मैं यह मान कर चल रहा था कि मोशन यह है कि :

"That the notice given by Shri Piloo Modi against Pratipaksh be referred to the Privileges Committee."

(*Interruptions*) You have asked me a question. Why are they interrupting?

MR. DEPUTY-SPEAKER: Order, please. Why don't you allow me to seek a clarification from Mr. Madhu Limaye?

Whenever we send notices of amendments, they are always in relation to a motion which has been given notice of. Because Mr. Madhu Limaye has been getting up again and again protesting against this which I do not understand, I am putting to him this direct question. When you sent the notice of amendment, it was in relation to which motion? What was the motion that you had in mind?

श्री मधे लिमये : उपाध्यक्ष महोदय, मेरी बात जब तक पूरी नहीं होती मुझे डिस्टर्ब न किया जाए ।

SHRI A. P SHARMA (Buxar): There is no question of listening to his talk. He should straightway reply as to which motion it related to.

श्री मधु लिमये : उपाध्यक्ष महोदय, जैसा आप ने सुना कि श्री पीलू मोदी का जो नोटिस है वही मोशन कर के ट्रीट किया जाएगा। अब मुझे अमेंडमेंट देना था तो उसी को मैं ने इस तरह मोशन के रूप मे माना है, और आप व्यवस्था दें कि क्या मेरा कहना गलत है, अगर गलत हो तो आप मुझे रोक दीजिए ? जब तक मोशन की फोरमुलेट अपने शब्दों में नहीं करते तब तक स्पीकर की रूलिंग का मान कर लीजिए। मैंने इस पर अमेंडमेंट दिया है।

"That the notice given by Shri Piloo Mody against Pratipaksh be referred to the Privileges Committee."

और इसलिए मैं ने यह अमेंडमेंट दिया है। अगर कमेटी का उल्लेख नहीं होता तो मैं अमेंडमेंट नहीं देता।

"That the notice given by Shri Piloo Mody against Pratipaksh be

referred to the Privileges Committee; and that this House further resolves that all the documents in connection with the licence case be seized and kept under the custody of the Speaker and that the Committee submit its preliminary report before the end of the Winter Session of Parliament."

तभी इसका कोई मतलब होगा। अगर यह प्रस्ताव नहीं होता तो नरसीम और वहम का कोई मतलब नहीं है।

SHRI S. M. BANERJEE: On a point of order. May I invite your kind attention to rule 226? We have covered upto rule 225. Rule 225 says:

"The Speaker, if he gives consent under rule 222 and holds that the matter proposed to be discussed is in order, shall, after the questions and before the list of business is entered upon, call the member concerned, who shall rise in his place and, while asking for leave to raise the question of privilege make a short statement relevant thereto:

"Provided that where the Speaker has refused his consent under rule 222...." etc., etc.

"If objection to leave being granted is taken, the Speaker shall request....." etc., etc.

So, Sir, all the formalities upto rule 225 have been completed. Now we have come to rule 226. Rule 226 says:

"If leave under rule 225 is granted, the House may consider the question and come to a decision or refer it to a Committee of Privileges on a motion made either by the member who has raised the question of privilege or by any other member."

After hearing Shri Piloo Mody, I have moved a motion just now....

MR. DEPUTY-SPEAKER: How have you moved? I have not permitted you.

SHRI S. M. BANERJEE: You may not permit but under the rule either the Member who moves the privilege motion or any other member, after hearing, may move a motion that the issue be referred.

MR. DEPUTY-SPEAKER: Let us be clear about the rules so that there is no confusion.

The only person who can move a motion is Mr. Piloo Mody....

SHRI S. M. BANERJEE: Or any other Member.

MR. DEPUTY-SPEAKER: Here I have accepted Mr. Piloo Mody's motion. So, there is no question of any other Member moving.

SHRI PILOO MODY: How many times should I move it?

MR. DEPUTY-SPEAKER: They are confused among themselves As far as I am concerned, only the motion moved by Shri Piloo Mody is before us. He has read it out just now. That has gone on record. I take that as the motion and also the amendment to the motion given by Shri Madhu Limaye and Shri Jyotirmoy Bosu which also they have moved. These are the things under discussion. Nothing else.

SHRI A P. SHARMA: Shri Madhu Limaye's amendment does not refer to Shri Piloo Mody's motion.

MR. DEPUTY-SPEAKER: I have allowed them to move and they are moved.

SHRI KARTIK OREAN: I want to raise one point of order as to whether the conditions of admissibility for a question of privilege are satisfied

Shri Kartik Oraon—*Contd.*

under Rule 224(3) and whether the matter is such that it requires the intervention of the House.

I would like to say that this has arisen out of a publication in *Pratipaksh*. There are two aspects of this publication:

(1) The contents of the paper as a whole;

(2) The publishing and uattering of derogatory and defamatory words against the Parliament.

So far as the first part is concerned, it is not and cannot be the subject matter of privilege...

MR. DEPUTY-SPEAKER: What is the point of order?

SHRI KARTIK ORAON: Please hear me.... (*Interruptions*).

MR. DEPUTY-SPEAKER: Your voice is so strong that I find some difficulty in following you.

SHRI KARTIK ORAON: I have already said in the morning in this House that anything can be said under the sun in this House and even those that are subject-matter of the courts of law. The privileges and the supremacy of Parliament have given this protection to the Members of Parliament. But if the acts done and words uttered outside this Parliament even by Members of Parliament, are of criminal nature, they can attract criminal responsibility.

Regarding the second part, the publication has denounced this House as a den of thieves and corrupt men, etc. It is here that the question of privilege against the publisher of the paper, arises for his action in bringing down the Parliament to ridicule, hatred and disrepute and only this part is a subject matter of the question of privilege.

SHRI B. V. NAIK: From the mover of this nation, Shri Piloo Mody, I received a copy of the *Pratipaksh*. If the Chair is good and kind enough, I have go to go through that publication.

It is supposed to be a weekly published every Sunday...

AN HON. MEMBER: How do you know it?

SHRI B. V. NAIK: I am saying it on the basis of the publication here. Here is a publication dated 25th August. Here is the second publication Revivar, New Delhi. 1st September, 1974. We are on the 3rd September, 1974 and the good editor of thise paper has already published his entire weekly publication due on 8th September. To-day in the morning the hon. Member has stated that he procured it to-day. What does all this lead to?

PROF MADHU DANDAVATE: One more privilege.

SHRI B V NAIK: This leads to the fact that there seems to be a distinct amount of conspiracy in collusion with an ex-parliamentarian. Sir, it is a very important problem for the country. I am quoting for example, *Patriot* It has defined Mr. George Fernandes as a politician in search of an identity. These are the sort of unscrupulous gentlemen, that he has been described to be trying to find out his identity, to see to it, that this privilege motion is brought on the floor of this House. Therefore, it is in the fitness of things, so long as the Government has been doing what all is necesseary, so long as Government is seized of the matter and they have initiated *suo motu* discussion under these circumstances it is in the fitness of things that any grand design of this conspirator at all, is defeated. I

am trying to take aside only one point. I am trying to oppose yellow journalism in this country, which has been flourishing in recent years. Sir, you will distintcly remember the case of my home State, in the case of a poor Harijan Backward-clause Minister called as Mr. Kittur, who, only on the basis of paper reports, was put out of his office and after six months of the notorious All India scandal that was called as Sumitra Desai case, cropped up, and when it was ultimately found out that there was absolutely no substance in the allegation and that the Minister was absolutely innocent...

SHRI JAGANNATHRAO JOSHI: Still nothing is found out, it is still a mystery.

SHRI B. V. NAIK: I had the good fortune to speak about it even at the time of the Press Council Bill. My point is, the time of the House should not be wasted. Otherwise it would be only a futile exercise in Parliamentary democracy and nothing else. My hon. friend Mr. Piloo Mody has been trying to give us certain kindergartan lessons in parliamentary conduct and so on. I would urge upon the hon. Members of the opposition that on the basis of the advice given by Mr. V. V. Giri. ex-President of India, it is time that Members of the opposition, collectively follow certain ground-rules in regard to their conduct in parliamentary proceedings, and not holding up the proceedings of the House from time to time.

Under these circumstances I oppose the motion. Investigation after all is being done by the Central Bureau of Investigation. It is ultimately accountable to Parliament. I am not going further than that. It is an organ of an executive wing of the Goverment of India. This motion is brought to smear the fair.name of the Leader of the Congress and her image. The mere fact that we are not as vocal except when we have been called upon by the chair to participate, does not mean that we are pupets. We know how to defend democracy in this country. We know how to defend the character as well as integrity of the Government and the parliamentary democracy. We do not need any kindergarten lessons. The law will take its own course. Here is a case of alleged forgery and it becomes a cognisable offence and action can be taken. There is nothing wrong about it.

MR. DEPUTY-SPEAKER: Can I put a very simple question? What shall we do with that paper and the editor who is alleged to have vilified this House and the Members of this House? What shall we do?

SHRI B. V. NAIK: I rarely ask you to repeat your question.

श्री सतपाल कपूर (पटियाला) : यह एक पालीटीकल स्टंट है और यह गाली देकर हाऊस में आना चाहते हैं। इसलिये मैं समझता हूं कि इसके नोटिस लेने की कोई जरूरत नहीं है।

MR. DEPUTY-SPEAKER: I am asking, what shall we do with that paper and the editor of that paper who was alleged to have vilified all of us?

SHRI B. V. NAIK: Sir, I think the leader of the House as well as the Congress Government here at the Centre which alone is the most appropriate body to deal with this. (*Interruptions*). As the Minister of Parliamentary Affairs said today that they would come out at the appropriate time.... (*Interruptions*).

MR. DEPUTY-SPEAKER: I have asked a very simple question. I did not get any light. If it is your proposal that what affects this House will be decided by some other body, then it is a new proposal altogether, I do not know that. If somebody vilifies the Members, I think, the House must decide what to do with that fellow who vilified us.

SHRI SHYAMNANDAN MISHRA: Sir, my first submission would be this. In matters like this, the House must take them as issues which extends beyond the party barriers and which cannot be decided by a majority. It would indeed be a bad day for all of us, if a murder is decided by majority even an offence which may be committed in this House itself will also be decided by a majority. We do decide certain offences in this very House. When an offence was committed recently in the gallery, the hon. Minister of Parliamentary Affairs come to us and told us that since it had happened in the presence of all of us, let us not go into hair-splitting of it Otherwise, the suggestion might well be that if the issue is to be decided by a majority, then, even if an offence had been committed in the House it should be decided by a majority Do you realise the consequence of it? If you do not, then I should say that you are lacking in foresight and a situation might confront you sooner than later when everybody will say, "there had never been a more desociable regime than this?' What could be a greater calamity than the Government which governs us"

Therefore, an issue like this must not be decided by a majority. However, if the suggestion of the hon Minister of Parliamentary Affairs is that this issue should be decided by a majority, I shall first formulate the issue in general terms and then come to the specific aspects of it. The issue is like this The journal hae made a most scurrilous 'and derogatory remark against the House as a whole. Can there be any denial about it? Does anybody challenge it that this paper has made the most scurrilous and derogatory remarks against the entire House? Let any person come forward and challenge it. This is a most scurrilous remark that has ever been made. What does the paper say. It says:—

"There is a set of thieves. brokers and forgerers in this House."

Then the paper says: "with a certain amount of approval and rightly because such elements in the country must have their representatives in the House"

In other words the paper says:

'Such elements are in large in this country and must have representation in the House. Naturally, this House has got a fair share of them"

Then the paper 'has likened the House to a brothel Can anybody challenge this Mr Deputy Speaker, the paper says Is it Parliament or the den of thieves brokers and contact men That is the blazing headline of this Paper

(*Interruptions*)

MR DEPUTY-SPEAKER I am reminded of the other day when the Speaker asked an hon Member

क्या ग्राज ग्राप ठीक-ठीक हैं ।

I think, I should ask the same question now

SHRI P G MAVALANKAR· Sir, I am rising on a point of order My point of order is this· I should have thought that the motion which is being discussed right now is one of the most serious motions before this House and whatever we may say here is not only going to be recorded in the debates but the entire country through the Press gallery and the Visitors gallery also is watching our behaviour and our talk. We may have very acute and sharp difference of opinion and we are here to express them in as sharp and as pointed a manner as possible, but do you consider within order for any hon. Member of this House to get up and shout and say whatever he likes and sit down and begin to laugh? I would submit to the hon. Minister of Parliamentary Affairs to persuade his colleagues to behave in such a way that even while they oppose us they do not do

something which only further add reason to moving our motion. Sir, I want your ruling on this.

MR. DEPUTY-SPEAKER: Mr. Mavalankar asked for my ruling. I am afraid he is going to compound the whole thing by asking for a ruling. There are ways and ways of dealing. We are all human beings. Although we are now about 4 billion strong in the world yet God has not made two of us alike and we have different ways of reacting to a situation. I think Mr Mavalankar feels the seriousness of the situation and my good friend, Shri Kartik Oraon, also feels the seriousness of the situation. Some people are exhibitionists. When something serious happens they go into a little corner and contemplate while some others are extroverts When they are seized with a trouble they go out and accuse the whole world Let us take the world as it is and stop the matter here

SHRI SHYAMNANDAN MISHRA Sir, your gracious remark has reminded me of a saying of a great writer:

> "When you quarrel with others you produce rhetoric; when you quarrel with yourself you produce poetry."

Now, Sir, after the broad characterisation of the House in the most scurrilous fashion the paper has come to some specific charges against some of the elements of the House The first element is a chunk of this House—21 Members of the House—and the Paper says that these Members were really associated with the letter of recommendation that had been written and these Members were lying before the House when they dis-owned their signatures. Are we going to put up with a situation like this when some papers go on calling us as a bunch of liars? Does the other side of the House suggest to us that we should excuse it or allow it to Pass without any punishment from this House?

The Paper has also made a specific charge against an hon. Minister. It has said that all these 21 Members had signed that letter at the instance of the hon. Minister, that is, Shri Lalit Narain Mishra. Thus it has made a specific charge against Shri L. N. Mishra that the letter was produced at his instance and probably the suggestion also is that the forgery was committed at his instance. The Paper has proceeded further. It has not only referred to one hon'ble Minister but has referred to the head of the Ministers, that is, the hon'ble Prime Minister My hon. friend, Shri Naik, was telling us that it was a smear campaign against the leader of his party. Sir, the leader of the ruling party is the Prime Minister of the country and the honour and dignity of the Prime Minister is not the exclusive, demestic concern of his party Mr. Deputy-Speaker, Sir, the leader of the ruling party also happens to be the leader of the House. Is she not the leader of the House? Is she the leader of the House, meaning only this bunch of 370 on the otherside or is she the leader of the entire House? If the leader happens to be the leader of the entire House and the entire House takes it as matter of privilege, as a matter of contempt, do you find fault with it? I hope you must find fault with your brains. What is happening, Mr. Deputy-Speaker, Sir?

Now, in view of all this, there was found to be such a blatant and an aggressive case of the breach of privilege that the other side of the House also heartily agreed with us, till the hon Minister of Parliamentary Affairs made his appearance on the scene. They were so exuberant in their enthusiasm to welcome this measure that they were competing, vying with one another. Did we not witness that wonderful spectacle in this House, and may I name some of the hon. Members, who had been popping up and down at that time to accord support to this measure? I will mention some of the names. I do not find my hon. friend. Mr. Bhagwat Jha Azad who stood up to accord a full throated support to us and then the hon'ble

[SHRI SHYAMNANDAN MISHRA].

Member Mr. Sathe also gave his support. My hon. friend Mr. Priya Ranjan Das Munsi, in his characteristic rhetorical fashion—he also did not want to lag behind—agreed to support this proposal. Now, I come to the crown and consummation of this farce which was provided by no less a person than the ex. Minister of External Affairs, Raja Dinesh Singh. With all the authority of his background and with all the weight of the support of his party he accorded support to this proposal. And what did he say? He said that since the Privileges Committee happens to be a Committee representative of all sections of the House, it will do justice to the matter. Now, all these things are on record. Then, Mr. Deputy-Speaker, Sir, the circus master appears on the scene, the hon. Minister of Parliamentary Affairs, Mr. Raghu Ramaiah appears on the scene. The situation changes radically, and all of them were hanging their heads in shame. I saw this, this was visible on their faces.

Now, Sir, ultimately, after having seen this spectacle of great enthusiasm and exuberance on the other side of the House, I was impelled to make a remark which has gone on record. I said 'Mr Speaker, Sir, now the issue is clinched and the matter is going to be referred to the Committee of Privileges'. That is also on record. After all that, there is a complete change, a somersault and a volte face on the part of the Members of the other side That is what we have seen.

Whose face are you tarnishing? You are tarnishing your own face.

Now, the issues involved in this are whether remarks like these which I have quoted earlier constitute a breach of privilege or not, whether they constitute an injury to the reputation of the House as a whole or not? This is not a question which should be decided by majority on the other side. This is a question of merit. These remarks are so offensive, so scurrilous, so derogatory that they do palpably constitute an injury to the reputation of the House as a whole. Does anybody disagree with this proposition?

Then, the question is whether these members who have disowned it should be called liars. These members have been called liars and all of them happen to be members of the ruling party? What has the hon. Minister of Law said this morning? He has definitely thrown a suggestion that some of them—some of those 21—might probably be implicated in prosecution later on That is the suggestion which I could read

SHRI K RAGHU RAMAIAH He made no such suggestion

SHRI PILOO MODY He said they will all be prosecuted according to the law. What he did not say was that he would keep on changing the law.

SHRI SHYAMNANDAN MISHRA: Why do I mention this point Because the hon. Mover of the Motion, Shri Piloo Mody, was right in asking whether it was because of the fact that there is substance in the allegation made by the journal that you do not think it fit to be referred to the Privileges Committee. He made that point very clearly and squarely. I could read a suggestion of that kind in the statement of the hon'ble Law Minister. Although I would go by the statements, made by the hon. members from amongst the 21 who chose to make statements on the floor of the House; I will go by their own statements; I will not go even by the statement of the Minister of Law if he implied any suggestion about their being implicated in the offence of forgery.

Finally, if the House has been called a brothel, could we allow that person who has called it so to go unpunished? I would ask whether as a matter of course in the past, if any journal had made such scurrilous or derogatory remarks, the matter was not been sent to the Committee of

Privileges. You are going to make a gross departure from the past. In all such cases, in the past, the matter had always been referred to the Committee of Privileges. Now if you make a departure from the past, you are answerable to the country, to the House and to each member thereof And Mr. Deputy Speaker, Sir, if these people are impervious and insansitive to such scurrilous remarks and do not care for them, there would be some persons at least who have still shame left in them and who have a reputation to defend. You may not have a reputation to defend, but we do have a reputation to defend. And as members individually and as a House collectively, we would definitely consider it to be an injury to the reputation of the House collectively and to the reputation of members individually.

SHRI DINESH CHANDRA GOSWAMI: At the outset, I condemn in no uncertain manner George Fernandes, the editor of this paper and the printer and the publisher. They have done not only a disservice to this House but to the parliamentary system as such. You rightly observed in the last day that so long as people have confidence in the parliamentary system of this country, the unity of this country will stand and those who try to drive a cleavage in this confidence deserve the highest condemnation.

I expected from the members of the Opposition, particularly from the Mover, Shri Mody, or from Shri Shyamnandan Mishra that they would also speak something against George Fernandes, but if you go through their speeches, you will find that they have not uttered a word of condemnation against the editor, printer or the publisher. They have not uttered a single word against George Fernandes. Members of this House have been described in the most uncharitable manner, thugs and so on. But kindly have a look at the motion moved by Mr. Piloo Mody. It does not at all make mention of these facts. They repeat it times without number that this House had been described as brothel, Members of this House had been described as thugs. Unfortunately Mr. Piloo Mody's motion does not feel it necessary to mention these facts. For the first time today we find Mr. Piloo Mody and Mr. Shyamnandan Mishra have become the greatest admirers of our Prime Minister. I hope what Mr. Shyamnandan Mishra just now said will be followed by him till the end of this session and also in the sessions to follow.

In a motion like this where the House could unanimously support, what is happening There was a time when Members of this House from this side also expressed severe discontent against the criticising of Mr. Fernandes in the paper in controversy. But we find that the Members of the Opposition did not bring in this motion with the intention of punishing the printer and publisher or George Fernandes or preserving the dignity of the House and its members. but only in order to carry on their political ends. We cannot permit a malicious motion like this be carried by which the Opposition wants to gain their political ends. The dignity and decorum of this House—is not the sole preserve of theirs; the Members of the ruling party are equally concerned with it. They should search their hearts whether they are discharging their duties correctly. I never expected that in a matter of this nature Members of the Opposition would try to play politics. But it is apparent from the speeches of Mr. Mody and Mr. Mishra because they did not make a single reference to Mr. Fernandes or to the printer. The motion does not even mention the allegations that have been brought against the Members of this House and that was why I raised a point of order at the beginning The question of privilege should be sent to the Privileges Committee without being confined to a particular motion; because if you send it in the form of a motion the Committee is prevented from making a full investigation into the entire issue.

MR. DEPUTY-SPEAKER: We shall continue this debate tomorrow.

SHRI K. RAGHU RAMAIAH: Tomorrow we have got the Constitution (Amendment) Bill. Later on a date might be fixed.

MR. DEPUTY-SPEAKER: Yes Tomorrow we have fixed for the Constitution (Amendment) Bill and therefore this will be taken up later.

SHRI MADHU LIMAYE: This has priority over everything else. I shall move a motion for suspension of that item.

MR. DEPUTY-SPEAKER: You may. The Constitution (Amendment) Bill has to be passed by a special majority; therefore notice has to be given to Members. That has been done. Now before we take up the adjournment motion by Shri Vajpayee, I will allow the Secretary General to pass on a message from the Rajya Sabha.

15.59 hrs.

MESSAGES FROM RAJYA SABHA

SECRETARY-GENERAL: Sir, I have to report the following messages received from the Secretary-General of Rajya Sabha:—

(i) "In accordance with the provisions of rule 127 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to inform the Lok Sabha that the Rajya Sabha, at its sitting held on the 31st August, 1974, agreed without any amendment to the Additional Emoluments (Compulsory Deposit) Bill, 1974, which was passed by the Lok Sabha at its sitting held on the 27th August, 1974."

(ii) "In accordance with the provisions of Rule 127 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to inform the Lok Sabha that the Rajya Sabha, at its sitting held on the 31st August, 1974, agreed without any amendment to the Compulsory Deposit Scheme (Income-Tax Payers) Bill, 1974, which was passed by the Lok Sabha at its sitting held on the 27th August, 1974."

(iii) 'I am directed to inform the Lok Sabha that the Rajya Sabha, at its sitting held on the 2nd September, 1974, has passed the enclosed motion referring the Prevention of Food Adulteration (Amendment) Bill, 1974, to a Joint Committee of the Houses and to request that the concurrence of the Lok Sabha in the said motion and the names of the Members of the Lok Sabha to be appointed to the said Joint Committee may be communicated to this House.'

MOTION

"That the Bill further to amend the Prevention of Food Adulteration Act, 1954, be referred to a Joint Committee of the Houses consisting of 60 members, 20 members from this House, namely:—

1. Shri Triloki Singh
2. Shri Kamalanath Jha
3. Shri R. D. Jagtap Avergaonkar
4. Smt Ruthnabai Sreenivasa Poa
5. Shri Tirath Ram Amla
6. Shri B C Mahanti
7. Smt. Kunnudben Manishanker Joshi
8. Shri Piarelal Kureel *urf* Piarelal Talib
9. Shri Krishan Kant
10. Shri Khurshed Alam Khan
11. Shri Lalbuaia
12. Shri K. B. Chettri
13. Shri M. Kadarshah
14. Shri Sanat Kumar Raha
15. Shri Bhairon Singh Shekhawat
16. Dr. K. Nagappa Alva
17. Shri Rabi Ray
18. Shri S. A. Khaja Mohideen
19. Shri Showaless K. Shilla
20. Shri P. K. Kunjachen

and 40 members from the Lok Sabha;