

[Shri Y. B. Chavan]

his bail application. No orders are reported to have been passed so far.

As regards Shri Madhu Limaya, according to information furnished by the State Government, he was arrested under the direction of a magistrate on duty on November 6, 1968 at Lekhisarai under Section 151 and 10/Cr. P.C. and Section 188 I.P.C. He was produced before the sub-divisional Magistrate, Nonghyr the same day, and on his refusal to furnish a bond, he was remanded to judicial custody. It is understood that Shri Limaya has filed a *habeas corpus* petition before the Supreme Court.

MR. SPEAKER: No more questions..

**श्री रवि राय (पुरी):** अध्यक्ष महोदय, हमने कल भी आप से विनती की थी कि इन दोनों सदस्यों को सदन में आने नहीं दिया जा रहा है। क्या सरकार अब भी इसी पर स्टिक है, वह उनके खिलाफ मकदमों को वापिस नहीं लेगी? यह सरकार की साजिश है, वह जान-बूझ कर उनको आने नहीं दे रही है क्योंकि दोनों राज्यों में मध्यावधि चुनाव होने जा रहे हैं। इसीलिए दोनों को गिरफ्तार करके जेल में बन्द कर दिया गया है। यह सदन चल रहा है इसलिए आपसे हमारी विनती है कि उनको सदन में लाया जाए। आप यह कर सकते हैं। श्री मधु लिमए ने चव्हाण साहब के खिलाफ विशेषाधिकार भंग का प्रस्ताव भी दिया है।

MR. SPEAKER: My information is this. From what I have got from Government, Mr. Madhu Limaye was offered bail but he did not accept it. About Shri Bhadoria, there is some court case pending in the court of law. I don't know whether I have the power to ask them to come here. It is a very serious matter. Let me see that. (Interruption)

**श्री रवि राय :** मधु लिमए जी ने केवल 144 मंग की थी।

MR. SPEAKER: I don't know.....

**श्री एस० एम० जोशी (पूना):** उनको हाउस में लाने का अधिकार तो आपका रहता ही है।

MR. SPEAKER: Not only Members of Parliament, but under the rules so many people are arrested outside. The rules are there. The rules apply to M. Ps. as well as to the citizens of the country. Whether it is MP or the citizen, the rules are the same. The law is the same. If anybody is held under the same law and if there is a trial pending, I don't know whether the Speaker can really do anything. It is a point about which I don't want to say anything just now. It is not an easy matter. I do not think it is easy for the Speaker to say that.

SHRI BAL RAJ MADHOK: (South Delhi): I agree with you that the law must have its own course. But my only submission is this. There are two hon. Members of this hon. House who are on trial. The crime is not such a heinous one or involving moral turpitude. So my submission is this. When the House is sitting some kind of a convention should be developed and in respect of such Members the case can be postponed and they can be tried later on and whenever the House is in session they can come and be present here. I think they should be present here. (Interruption).

MR. SPEAKER: Nothing more, Please.

12.58 HRS.

#### PERSONAL EXPLANATION BY MINISTER

THE DEPUTY MINISTER IN THE MINISTRY OF LAW (SHRI M. YUNUS SALEEM): The hon Member Shri Prakash Vir Shastri, in his speech on 12th November 1968 made a reference to my visit to Sheikh Abdullah. I feel I owe an explanation to the House.

I visited Srinagar mainly in connection with the work of the Official Language (Legislative) Commission, regarding arrangements for translation of Central Acts. I discussed the subject with the Chief Minister of Jammu and Kashmir and also had some talk about the administration of Wakfs in the State. The Chief Minister informed me that Sheikh Abdullah is the Chairman of the Muslim Wakf Board in Jammu and Kashmir and as such, responsible for the management of the wakfs

in the State. I, therefore, took the opportunity of exchanging views with Sheikh Abdullah relating to wakfs affairs in the State. It was a discussion purely connected with wakf matters. (Interruption).

श्री कंवर लाल गुप्त (दिल्ली सदर) : यह बिल्कुल गलत है। इन्होंने पालिटिक्स भी डिस्कस की है।

SHRI BAL RAJ MADHOK (South Delhi): Wakf's is not under the hon. Minister. It is under the Ministry of Industrial Development.

MR. SPEAKER: No, no. He is the Minister concerned.

श्री कंवर लाल गुप्त : अध्यक्ष महोदय, इन्होंने पालिटिक्स डिस्कस की है। उनके घर पर ये खुद गए थे।

MR. SPEAKER: How can you say that? When an Hon. Minister says something you have to accept it. No more discussion about that now.

12-59½ hrs.

#### CENTRAL INDUSTRIAL SECURITY FORCE BILL contd.

##### Clause 3 — contd.

MR. SPEAKER: The House will resume further consideration of the Industrial Security Force Bill. We have already taken a long time. We have already taken 20 minutes for the Clauses. We have got one hour and forty minutes now. We have already exceeded the time allotted by the Business Advisory Committee. It is an important Bill, I know. I appeal to hon. Members to see that we adhere to the time-limit.

13 hrs.

*The Lok Sabha adjourned for lunch till Fourteen of the clock*

*The Lok Sabha re-assembled after Lunch a five Minutes Past Fourteen of the Clock*

[MR. DEPUTY SPEAKER In the Chair]

#### CENTRAL INDUSTRIAL SECURITY FORCE BILL contd.

##### Clause 3 — contd.

MR. DEPUTY-SPEAKER: We are on clause 3. Shri Tyagi.

57LSS/68—8

SHRI C. K. BHATTACHARYYA (Raiganj) : Sir, before he speaks, I want to submit that yesterday had moved an amendment to clause 3, sub-clause (2), and the Minister had said that he would reply to it. After I moved that amendment pointing out the defective drafting of sub-clause (2) of clause 3, it struck me as queer that the Joint Committee composed of so many eminent men had approved of that draft. Then I went through the report of the Joint Committee and the report of the Joint Committee says on page 39:-

##### "Clause 3 to 7

The clauses were adopted without any amendment."

So the clause should stand in the Bill as it was in the original Bill. This is the Joint Committee's report if this report has to be believed.

You now compare the two Bills. You take the Bill as it was introduced in the Rajya Sabha. In the second line of the sub clause at the end there is the word "and". In the Bill which has been placed before us now that word "and" has been changed into "who". The Joint Committee's report says that there was no amendment in the clause.

Now the question is who substituted the word "and" by "who"? Anyone, Who might have done it must have done it behind the back of the Joint Committee. So this word "who" in this sub-clause is an unauthorised interpolation and it is now for you to rule whether a draft which is not warranted by the Joint Committee's report and which differs from the recommendation of the Joint Committee should be placed before the House or whether you would ask the Minister to re-submit it after drafting it according to the recommendation of the Joint Committee.

SHRI HIMATSINGKA (Godda): Any-way, it is wrong language

Mr. DEPUTY-SPEAKER : We are now considering a Bill as adopted by Rajya Sabha. In their wisdom they might have changed it. I cannot vouchsafe whether they have changed it or not.

SHRI NAMBIAR : (Tiruchirapalli) To correct it we will make an amendment.