

[Shri M. L. Sondhi]

three years in this area. The net effect is not even Rs. 8 as Mr. Limaye said, but it is only Rs. 3 or Rs. 4. The minister is saying about others, but I would ask him to search his heart and find out whether he himself could not bring some solace to the teachers. He can provide them medical facilities by asking the CGHS to do it. He can give them housing facilities by asking the CPWD to do it. There are the NDMC teachers directly under him. He should open up their channels of promotion which have been blocked, about which Mr. Shashi Bhushan feels so much. He feels so much about the Corporation teachers but not about the NDMC teachers directly under him. I would request the minister to give an assurance here and now that these new pay scales will be widened to the extent the primary teachers have been asking for, i.e. Rs. 200 to Rs. 400. Let him do it at one stroke and create a new environment. Otherwise, I would regrettably conclude that somebody in the bureaucracy wants to bring the headmaster and the teacher in the same relationship, which exists in the Government offices between the Secretary and the chaprasi. I would like the chaprasi to come up and become more respectable to society. But you are downgrading the teachers to the level of the chaprasi. That is a shame on your Government and it can never enjoy the name it wants to enjoy in the comity of nations. There is no use of Dr. V.K.R.V. Rao going to the UNESCO if this is the hard reality. I commend this article; it is a mirror and the face you see in it, I am afraid, in spite of your sweet words, is not a very bright one.

SHRI BHAKT DARSHAN: Sir, may I start by giving my respectful compliments to the hon. Member for the interesting and invigorating speech which he made? He will be glad to know that I have already gone through this article. It does not add anything more to our knowledge. All the things are well known; everybody knows them. Only the writer has put them in a rather pungent and attractive manner. I am thankful to my hon. friend for having invited my attention to it.

As regards Dr. Sen's assurance, I have already made it clear that the only assurance that was given was that the pay scales of teachers in the Union Territories would be

uniform. That assurance has been honoured. The pay scales of the teachers of Delhi and Himachal Pradesh are exactly similar. In fact, the announcement was simultaneously made. The only difference lies with respect to retrospective effect, which has not been agreed to by the government.

श्री रवि राय : उस का क्या कारण है ?

श्री भक्त दर्शन : हिमाचल प्रदेश की स्थिति बिलकुल दूसरी थी, जबकि दिल्ली की स्थिति उस से भिन्न है। लेकिन यह सब बतलाने पर भी माननीय सदस्य को संतोष न हो तो उसके लिए मैं कैसे जिम्मेदार हो सकता हूँ ?

As far as the amenities for the teachers are concerned, I am one with the hon. Member that we should examine this question as to what further facilities and amenities can be provided to the teachers. We will take it up with the other departments and the Delhi Administration. This is a very good suggestion and I welcome it.

Then he wants to extract an assurance from me. I am sorry that I am not in a position to give him an assurance on this occasion because his demand is that the pay scales of the primary school teachers should be raised to start with Rs. 200 and go up to Rs. 400. This is the first time that I am hearing about it. Even the Education Commission has recommended that the basic pay should be raised to Rs. 150. The Delhi Administration has recommended to us that it should start with Rs. 150 instead of Rs. 135, as at present. We have taken up the matter with the Finance Ministry and I hope that a decision would be taken quite soon.

12.58 hrs.

QUESTION OF PRIVILEGE RE. ALLEGED MANHANDLING OF SHRI K. M. Koushik BY POLICE AT NAGPUR RAILWAY STATION

MR. SPEAKER: We will now take up the question of privilege raised by Shri K. M. Koushik. I have received a communication

from the Home Ministry that the Inspector-General of Police has been directed to ask the concerned Police Officer to express his regret to you and I think we can wait for a few more days. Otherwise, I will allow this motion.

SHRI K. M. KOUSHIK (Chanda): I have no objection if it is delayed by a few days. But I only want to point out that what is mentioned in the bulletin is a deliberate lie. Since false information is given to the House, the House is as much aggrieved as I am. There is one other point which I wanted to mention. In the communication referred to by the hon. Speaker there is reference to the name of Shri Padmanabhan. When I was actually quietly following the police constables after I was necked out by Shri Padmanabhan, the other police officer comes and tells me "you are a scoundrel; you deserve this treatment." But his name is not mentioned here. . . . (*Interruptions*)

श्री शिवचन्द्र झा (मधुबनी): अग्रदक्ष महोदय, यह मोशन तत्काल ऐलाऊ होना चाहिए क्योंकि ऐसा होना एक बहुत गम्भीर बात है और यदि नहीं किया जाता है तो फिर सदन का काम रुक जायेगा। यह पुलिस नहीं है अपितु कातिलों की पलटन है।

SHRI S. M. BANERJEE (Kanpur): How can a police officer call him a scoundrel?

SHRI KANWAR LAL GUPTA (Delhi Sadar): Send it to the Privileges Committee straightway.

MR. SPEAKER: May I know the name of this police officer? Because, it is not mentioned in his letter.

SHRI K. M. KOUSHIK: I could identify that person. They deliberately avoided an identification parade so that I would not be able to identify him by lapse of time. The whole story is like this.

13 hrs.

On the 27th May, 1970, I was at Nagpur. When I read in the papers that the President of India was passing through Nagpur on

way to Delhi, as I had no work I asked one of my friends in the ruling Congress Party whether he would go along with me to the railway station to meet the President. He said that he had some engagement and could not go with me. So, I went alone to the railway station at 13.55 hours. By that time the train was about to steam in.

When I went to the first class reservation hall I found that the police officers were actually necking, pushing and manhandling people and taking them into the van. I did not know anything because I was not there; so, I asked the police officers why they were manhandling those persons.

SHRI HEM BARUA (Mangaldai): So, the word "alleged" should not be there in the motion. It is a factual matter.

SHRI K. M. KOUSHIK: Actual manhandling was going on. I asked them why this manhandling was going on. One of the police officers said that they had decided in the first instance that when the President's train arrived there, they would allow only MPs and MLAs and no other person to go inside and that since those people were neither MPs nor MLAs, they did not allow them. As I had seen that there were so many persons who were neither MPs nor MLAs—there was the Nagar Congress President, who was neither an MP nor a MLA—I asked them how they allowed them and told them that those people's contention was correct. The police officer asked me if I was an MP. I told him that I am an MP and showed my identity card to him. He said that I could go in. But I said that it was not a question of my going in; the question was why they were discriminating between one person and another; when the Nagar Congress Committee President, who was neither an MP nor a MLA, was allowed, why were they not allowing others and were necking and pushing them out. On that the Deputy Commissioner of Police, Nagpur, said that I was challenging his authority and that even though I was an MP, he was not going to allow me. He put his hand on my neck and pushed me.

SHRI S. M. BANERJEE: You should have kicked him.

SHRI K. M. KOUSHIK: I did not want to create a scene because there was the Presi-

[Shri K. M. Koushik]

dent's train coming in. . . (*Interruption*). He actually put his hand on my neck, pushed me out and asked the constable to take me into the van. The constable caught my hand and began dragging me. I said, "I am an old man; I am not going to run away; I shall come with you."

When I went out to the portico, following the constable, of the two police officers who were there, the one who necked me out came to the portico and said, "Scoundrel, you deserved this treatment." As Shri Banerjee put it, I could have retorted but I did not want to create any scene because the President's train was steaming in. I did not want to do anything and I simply followed them.

They took me into the van, detained me for one hour and then let me out. When they let me out, they took my name and all that. I asked them, what was the offence that I had committed for which they had detained me. They were not able to explain it. The police officer said that it was too big a thing for him to explain but I had disobeyed orders. I asked him, what was the disobedience; I was asked to go in; because I did not go in, was that disobedience; were they detaining me for that?

Ultimately, because my detention was illegal, they wanted to cook up the whole thing to justify my detention. So, while sending the information to the Speaker, so that the House could be informed, they wrote falsely that Koushik along with nine others disobeyed the lawful orders issued by police officers, forced his entry into the platform and shouted slogans.

SHRI RANDHIR SINGH (Rohtak): They generally do it.

SHRI K. M. Koushik: All these false accusations were cooked up to show that my detention was legal. I moved the Speaker and the Speaker, after getting the information from the State, has given his consent to me to raise the matter by way of a privilege motion. Now, I am leaving it to the House as to what should be done. . . (*Interruption*).

SHRI RANDHIR SINGH: He must be brought before the bar of the House. . . (*Interruptions*)

श्री रवि राय (पुरी) : यह सारे सदन का अपमान है ।

AN HON. MEMBER: He should be suspended. . . (*Interruptions*)

SHRI RANDHIR SINGH: This is an insult to the House, this is an insult to the supreme body. This is too much. You issue warrants against him. He must be arrested immediately. He must be brought before the House. We are deeply moved. (*Interruptions*).

श्री अटल बिहारी वाजपेयी (बलरामपुर) : श्री कौशिक ने जो कुछ कहा है उससे सारे सदन को गहरा धक्का लगा है । लेकिन हम यह जानना चाहेंगे कि इस मामले में आपने विशेषकर गृह मंत्रालय ने अभी तक क्या किया है । केवल माफी मांगना पर्याप्त नहीं है । जब संसद-सदस्य के साथ यह व्यवहार हो सकता है, तो साधारण नागरिकों की क्या गति होगी इसका आप सहज ही अनुमान लगा सकते हैं । हम जानना चाहते हैं कि गृह मंत्री महोदय ने क्या जानकारी इकट्ठी की है और वह इस बारे में क्या निर्णय कर पाये हैं ?

SHRI RANDHIR SINGH: Deterrent punishment is required.

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS, AND MINISTER OF STATE, DEPARTMENTS OF ELECTRONICS AND SCIENTIFIC AND INDUSTRIAL RESEARCH (SHRI K. C. PANT): Sir, this is not a party matter at all and all of us are equally anxious to uphold the dignity of every Member of the House. If any indignified behaviour is meted out of any Member of the House, it is a matter about which all of us are greatly concerned. Last time, when this matter came before the House, you were good enough to direct us to write to the Maharashtra Government and ask them to direct the officer concerned. . . (*Interruptions*) I do not know why these interruptions are there. Please listen to me.

Sir, you were pleased to direct us to write to the Maharashtra Government asking them

to direct the concerned officer to express regret. We did so almost immediately, the next day or the day after that. We have received a communication from them which has been sent to you also in which it has been stated that the Maharashtra Government as asked the I.G. to ask the concerned officer to tender an apology, as per the desire of the Speaker.

Sir, Mr. Koushik has just now mentioned that there is another officer also. We are entirely in your hands. If you think that we should write to them to direct the other officer also to tender an apology. . .

SOME HON. MEMBERS: No, no. *(Interruptions)*

SHRI RANDHIR SINGH: That officer must be arrested and brought before the House. The deterrent punishment must be given. . . *(Interruptions)*

SHRI K. C. PANT: As I said, this is one course of action which is open to you. The other is that you may refer it to the Privileges Committee. I have already said in the very beginning that we are all equally anxious to uphold the dignity of every Member of the House. I leave it to you to take a decision.

SHRI N. DANDEKER (Jamnagar): Sir, the hon. Minister has said that one officer concerned has apologised. I am astonished that he should have accepted it as adequate and have the brass to say that they will ask the other officer also to tender an apology. . .

SHRI K.C. PANT: May I submit. . .

SHRI N. DANDEKER: I am not yielding.

SHRI K. C. PANT: He is saying the wrong thing. . . *(Interruptions)*.

SHRI N. DANDEKER: The other alternative that he suggested was that these officers should be brought before the Privileges Committee. The Privileges Committee will come in if there was any dispute as to what happened. The facts are there. The Minister himself admits that they have asked the officer concerned to apologise. The simple question is as to whether an apology is adequate or something more is necessary. I suggest

the action that has now to be taken is that the officers concerned must be brought before the bar of the House.

SHRI H.N. MUKERJEE (Calcutta-North-East): This is a matter where the position is quite obvious. The Minister himself has admitted that of the persons concerned, one of them has offered an apology and the other is still to do so. But I should agree entirely with Mr. Dandeker that on the obvious facts, the offence is so serious and deliberate that something more ought to be done about it. But a reference to the Privileges Committee is not called for. The House itself can take possession of this matter and decide here and now that you, Sir, representing the House, can direct that these two offenders be brought before the Bar of this House and reprimanded.

MR. SPEAKER: May I make the position a little clear? When Mr. Koushik sent this, I sent it to the Government for inquiry as to who were the persons and what was the position. *(Interruptions)* I sent the statement I got to Mr. Koushik. He met me. He said that he was not satisfied with it and that the facts were just the other way. I said, 'What then I should do?' He said that he should at least express a regret and, on the same lines as he told me, I wrote to the Home Minister as to what could satisfy him. So, I have received a letter from the Home Ministry which says:

"In continuation of our earlier communication of even No. this is to inform the Lok Sabha Secretariat that according to the letter received from the Government of Maharashtra to-day, the Inspector-General of Police has been asked by the State Government to communicate to Shri Padmanabhan, the desire of the Speaker of Lok Sabha that he should express regrets to Shri Koushik, M.P. for the incident of 27th May."

SHRI H.N. MUKERJEE—*rose*.

DR. RAM SUBHAG SINGH (Bihar): *rose*.

MR. SPEAKER: Please listen to me. This is exactly what Mr. Koushik wanted me to write. *(Interruptions)*. Will you please listen to me so that I may complete? Why

[Mr. Speaker]

do you interrupt? This has been sent. I do not know what is the reaction there. (*Interruptions*). If you do not want to listen. . . (*Interruptions*). Please let me explain the position.

Then after I got the reply, I conveyed my desire through the Secretariat that they should inform Mr. Koushik that I have admitted his privilege motion. I said that he could raise it in the House and that is how this came on the Order Paper.

SHRI RANDHIR SINGH: We are grateful to the Home Ministry, but we are not satisfied. (*Interruptions*).

MR. SPEAKER: This is in accordance with the wish expressed by the hon. Member. But, in my opinion. . .

SHRI HEM BARUA: It was your desire.
DR. RAM SUBHAG SINGH: Now he is changing his mind.

MR. SPEAKER: There is no question of changing my mind. I asked Mr. Koushik as to what exactly he wanted. He said that he should express regret. (*Interruptions*).

SHRI NATH PAI (Rajapur): You please find out what we want.

MR. SPEAKER: My position, as Speaker is that I told Mr. Koushik that I am really very much grieved at it and it is too bad a thing and I am not going to allow it as it is. (*Interruptions*).

SHRI RANDHIR SINGH: He should be summoned before the Bar of the House.

MR. SPEAKER: Please don't distract me.

In my own opinion the world has changed and lot of developments have taken place. Somehow the Police. . . (*Interruptions*).

SHRI RANDHIR SINGH: Sir, he was not a goat; he was caught hold of by the neck. He is an honourable Members of Parliament. Why was he caught by the neck? We cannot accept it.

SHRI S. M. BANERJEE: Our M.Ps. have been beaten up by the Police.

SHRI RANDHIR SINGH: Tomorrow they will catch the biggest leader.

श्री मधु लिमये (मुंगेर) : मुझे प्रस्ताव रखने की अनुमति दीजिये । मैं प्रस्ताव रखना चाहता हूँ ।

SHRI RANDHIR SINGH: It has become a tussle between the bureaucracy and the representatives of the people. They do not know what they are doing. We here are representing the masses. They must behave in a better way.

SHRI M. L. SONDHI (New Delhi): We are not a Police State yet, Sir.

MR. SPEAKER : I know that. मेरी अपनी राय में जब ऐसी बातें होती हैं तो हम सभी को दुःख होता है । देश बदल रहा है, दुनिया बदल रही है, हालात बदल रहे हैं लेकिन पुलिस वहीं की वहीं पड़ी है ।

एक माननीय सदस्य : पुलिस को भी बदलना है ।

SHRI RANDHIR SINGH: They should be taught to change themselves. They are not changing; but they must be taught to change themselves.

SHRI NATH PAI: I thought you are following a procedure after Shri H. N. Mukerjee spoke.

SHRI RANDHIR SINGH: Sir, Mr. Koushik is such a gentleman, an ideal gentleman. I regret why such a thing happened with him.

AN HON. MEMBER: It can happen to Randhir Singh ji.

SHRI NATH PAI: We have been wanting to move a Resolution. We want to make a Motion about it.

MR. SPEAKER: If he wants, he can make a Motion.

SHRI S. M. BANERJEE: Sir, I beg to move. . . (*Interruption*).

SOME HON MEMBERS—*rose*

MR. SPEAKER: Kindly listen to me. What are you doing? I have already allowed this. It is in the Order Paper. The Hon. Member's name is there. Let him do it; it is already on the Agenda Paper.

SHRI RANDHIR SINGH: That officer should be summoned before the bar of the House. That is my Motion, Sir. Why should he do it?

श्री रवि राय : हमें सबमिशन करने दीजिये ।

श्री अटल बिहारी वाजपेयी : मोशन की जरूरत नहीं है । आप सारा मामला प्रिव-लेज कमेटी को भेज सकते हैं ।

श्री रवि राय : श्री रणधीर सिंह का प्रस्ताव आ गया है ।

SHRI RANDHIR SINGH: It is a very serious issue. You may decide it yourself. Sir, I move my motion. I beg to move:

"That that officer should be summoned before the bar of the House."

SHRI KANWAR LAL GUPTA: I second it. Both of them should come.

DR. RAM SUBHAG SINGH: He should be summoned to the bar of the House and be reprimanded.

MR. SPEAKER: Which officer, you mean?

SHRI RANDHIR SINGH: Both should be summoned before the bar of the House. We must vindicate our honour. (*Interruption*).

MR. SPEAKER: Order, please. Let us be clear about the position. Let us be clear about what we are doing. There is no use deciding anything by losing temper. We must be precise in what we say and do. His allegation is against some officer, whose name is not there.. (*Interruption*)

SHRI DHIRESWAR KALITA (Gauhati): Name is there. He has asked for apology.

SHRI K. M. KOUSHIK: Sir, I will tell you. . .

SHRI N. DANDEKER: Let Mr. Koushik explain.

SHRI RANDHIR SINGH: The man who tendered the apology.

SHRI K. M. KOUSHIK: The position was that there were only two police officers in the first class reservation hall. I did not know the name of any person. But, actually, when the man shoved me off by holding my collar and pushed me, I asked the man who was by my side 'Who is this gentleman?', and he said that it was Shri Padmanabhan. So, I could know that his name was Padmanabhan.

Secondly, in the report sent to the Home Ministry by the Maharashtra State Government, Shri Padmanabhan has made the statement that it was Mr. Chaube who was there and who was dealing with this and who was talking to me. Therefore, there were only two officers, namely Shri Chaube and Shri Padmanabhan.

I bow to the wishes of the House. I have no objection to whatever the House wants to do. You may take the sense of the House and decide in any manner you like.

श्री अटल बिहारी वाजपेयी : अध्यक्ष महोदय, मेरा निवेदन है कि मैं सदन के सदस्यों की भावनाओं को समझ सकता हूँ, लेकिन क्या पुलिस के अफसरों को बिना सुने हुए यह सदन उन्हें कोई सजा देगा ? (व्यवधान) . .

SHRI NATH PAI: We want them to be summoned.

SHRI RANDHIR SINGH: Are you going to dismiss what the hon. Member Shri K. M. Koushik says? He cannot tell lies here.

SHRI RABI RAY: The House has the right to summon.

SHRI MADHU LIMAYE: The House has the right to summon.

SHRI NATH PAI: You are not allowing some Members to say anything. How

[Shri Nath Pai]

is it that some of us are completely debarred from making any submissions? May I make a submission?

SHRI RANDHIR SINGH: How do you disbelieve him? We have to believe him. There is a *prima facie* case.

श्री अटल बिहारी वाजपेयी : अध्यक्ष महोदय, मेरा प्रस्ताव है कि यह मामला प्रिविलेज कमेटी को भेजा जाये। पुलिस अफसरों को अपनी बात कहने का मौका देना जरूरी है। हम माननीय सदस्य पर पूरा भरोसा करते हैं, लेकिन दूसरा पहलू क्या है, वह भी हमारे सामने आना चाहिए।

SHRI NATH PAI: May I make a submission? I entirely agree with Shri Atal Bihari Vajpayee. Nobody has made a move here that the two officers stand condemned. All that we have said is this that the outrage *prima facie* is so clear that an hon. Member of this House, after he had established his identity by first disclosing his name and then by showing him his identity card—after all, the identity card is the document that we can show; it is not any medal that we carry, but it is only the identity card that we carry—and after he had asked them not to use force, none-the-less what happened was that he was assaulted and grabbed by the neck and dragged to the police station. I do not know if it has happened to any other Member here. I do not know if Shri Atal Bihari Vajpayee has undergone such a humiliation, but I as an MP have undergone this kind of thing. The police officer knowing who I was said 'To hell with the MPs' and raised his baton against me. I said 'You are not insulting me, but you are disgracing the uniform that you are wearing by indulging in this kind of thing.'

We are not submitting that Shri Padmanabhan and Shri Chaube stand condemned. Nobody has said here that the two officers are punished herewith. All that we have moved is that the two officers be summoned to the Bar of the House to answer the charges of deliberately committing assault on a Member of the House. I do not think that there can be any objection to this motion.

We move,—because I do not want a Member to move it,—we move, Shri S.M. Banerjee, Shri Madhu Limaye, Shri Randhir Singh and I jointly move with your permission that the two officers, namely Shri Chaube and Shri Padmanabhan be summoned to the Bar of the House to answer the charge of committing assault on a Member of the House, namely Shri K.M. Koushik.

SHRI RANDHIR SINGH: I endorse this.

श्री अटल बिहारी वाजपेयी : अध्यक्ष महोदय, श्री नाथ पाई ने कहा है कि वह अफसरों को बिना मुनं हुए निन्दित नहीं करना चाहते। वह उन्हें यहाँ बुलाना चाहते हैं, उन्हें सफाई का मौका देना चाहते हैं। मेरा निवेदन यह है कि क्या यह ज्यादा अच्छा तरीका नहीं होगा कि उन्हें प्रिविलेजिज कमेटी के सामने बुलाया जाये। (व्यवधान) अध्यक्ष महोदय, मैं एक व्यावहारिक कठिनाई बता रहा हूँ। जिस दिन वे अफसर सदन में आकर खड़े होंगे, तब क्या सारा सदन उनसे जिरह करेगा? (व्यवधान)

श्री रवि राय : स्पीकर उनसे सवाल पूछेगा।

श्री अटल बिहारी वाजपेयी : एक मामला पहले हुआ था, जब हमने बिन्दुज के एडीटर को पनिशमेंट देने के लिए यहाँ बुलाया था। अगर हम उन्हें बुलाना चाहते हैं, तो पहले हम इस निर्णय पर पहुंच जायें कि उन्होंने गलती की है और फिर उनको सजा देने के लिए बुलाया जाये।

SOME HON. MEMBERS: No, no.

SHRI NATH PAI: Under the rules, the Speaker asks the question.

DR. RAM SUBHAG SINGH: This is a very grave matter. I could have agreed with Shri Vajpayee had the Home Ministry and the IG Police tendered an apology to Shri Koushik. Now the Home Ministry itself has agreed that this grave offence was committed by the police officers concerned.

The question is not whether the offence was committed or not. No inquiry is needed because an offence has been committed against Shri Koushik. The question is only about the number of officers. Shri Koushik says that two officers are involved. Therefore, there is no question of inquiring into the matter.

The Home Ministry has already gone into the matter and after two months or more of delay, it has reported to you that they will tender apology. Therefore, I humbly suggest there is no need to go into the matter and the two officers, whatever their names—if there is any doubt about identity, Shri Koushik can recognise them, because he said that he would recognise the two officers—should be made to suffer the consequences.

SHRI H. N. MUKERJEE: Discussion in this House is much more than a substitute for what can be done by the Committee of Privileges. This House is seized of the matter and after hearing the Minister of State for Home Affairs, this House is convinced that something very wrong has done. Therefore, they have got to be brought to the Bar and you can give admonition in terms which are very well known in parliamentary practice. The Committee of Privileges could only help you in that regard, but that help is unnecessary because the House has already had its discussion.

SHRI K. C. PANT: This will be a matter which will create a precedent. Naturally any action we take in this House is taken as a guide by the State Assemblies and others. I must, in fairness, say that the State Government and the police officers gave us a different version. Naturally, if an MP says something, I would believe the MP rather than the version given by the police officers. So I may come to a certain conclusion or Government may naturally come to the conclusion that the MP is right when he says a certain thing.

This does not mean that the persons concerned are not contesting the version. This I want to make clear. It will create an embarrassing situation here if the persons contest the version. Therefore, I entirely agree with Shri Vajpayee that the better course would be to remit the matter to the Committee

of Privileges so that the Committee can hear whatever they have to say. Naturally the Committee can come to a decision in a calm atmosphere and the House will take whatever action it deems fit on the Report of the Committee.

I have already mentioned that this is not a party matter at all and we are all equally concerned about upholding the dignity of every MP. On this, there is no question of any difference of opinion.

श्री स० मो० बनर्जी: अध्यक्ष महोदय, यह घटना मर्ड की है, जिसमें उन पुलिस अफसरों ने एक एम० पी० के साथ इस तरह का बर्ताव किया, जो कि जनता के साथ वे आम तौर पर करते हैं। चूँकि एक एम० पी० के साथ यह घटना हुई है, इसलिए यह मामला काफी लोगों के सामने आ चुका है। माननीय सदस्य ने अपना पास दिखाया, लेकिन इसके बावजूद पुलिस अफसर ने उन्हें धक्के दिये, उन्हें गिरफ्तार किया और उनको कानफाइनमेंट में रखा। जब उन पुलिस अफसरों ने माफी मांगी है, तो इससे साफ जाहिर होता है कि उनका दोष साबित हो गया है। मैं समझता हूँ कि एक नजीर, एक मिसाल, कायम करने के लिए कि पार्लियामेंट के मेम्बर जनता के नुमायंदे हैं और उनके साथ इस तरह का अनुचित व्यवहार नहीं किया जाना चाहिए, आप हमारे प्रस्ताव को मान लें, उन अफसरों को यहाँ बुलाने का आदेश दें और उनसे सवाल-जवाब करके उन्हें सजा दी जाये। मैं यह नहीं कहता कि उनको फौरन सजा दी जाये, हालाँकि उनके माफी मांगने के बाद उन्हें फौरन सजा देनी चाहिए और उनकी बात नहीं सुनी जानी चाहिए, क्योंकि वे कई बातें कानकोन्ट करेंगे और कोई स्टोरी बनायेंगे। यह सिर्फ श्री कौशिक का सवाल नहीं है; यह सारे सदन का सवाल है।

श्री रवि राय: अध्यक्ष महोदय, श्री नाथ पाई, श्री बनर्जी, श्री मधु लिये और डा० राम सुभग सिंह की ओर से जो प्रस्ताव आया है, मैं उसका समर्थन करता हूँ। और

[श्री रवि राय]

मैं पंत जी के साथ सहमत नहीं हूँ। इसमें एक चीज मैं सदन के सामने रखना चाहता हूँ। कौशिक साहब की जो बात हुई पुलिस अफसर के साथ उसमें उनका यह कहना था कि आप दूसरे लोगों को क्यों आने नहीं देते हैं क्योंकि साधारण लोग जो थे उनको इजाजत नहीं दी गई वहाँ जाने के लिए जहाँ प्रेसिडेंट से मिलने वाले थे, लेकिन क्योंकि दूसरे लोग वहाँ मौजूद थे फिर भी इन लोगों को नहीं जाने दिया गया इसलिए उन्होंने यह एतराज किया और इसलिए पुलिस अफसर उन पर गुस्सा हुआ। इसलिए मैं कहता हूँ इस प्रस्ताव पर फौरन एक्शन लिया जाय चौबे साहब और पद्मनाभन साहब दोनों अफसरों को सदन के सामने आना चाहिए। आप रूल के अनुसार उनसे सवाल जवाब करेंगे और उसके बाद उनको दण्ड मिलना चाहिए।

श्री शशि भूषण (खारगोन) : अध्यक्ष महोदय, हमारी संसद के एक सदस्य के साथ जो दुर्व्यवहार हुआ है यह सारे सदन का अपमान मैं समझता हूँ। किसी एक व्यक्ति विशेष का अपमान यह नहीं है और अब तक हैरानी है महाराष्ट्र की सरकार ने उन दोनों अफसरों को क्यों सस्पेंड नहीं किया इसकी भी जांच होनी चाहिए क्योंकि यह घटना इतनी आगे नहीं बढ़ सकती थी यह साधारण सी बात थी, कौशिक जी ने आपसे कहा, वहाँ की सरकार को पता है, और इसको इतनी आसानी से उपेक्षा नहीं करनी चाहिए। लेकिन मैं एक बात जरूर समझता हूँ कि इस ढंग की घटनाएं, कौशिक साहब ने तो बता दीं और सदस्य तो बताते नहीं हैं, अगर वह बताने लें तो मैं समझता हूँ कि रोजाना यहाँ अफसर लाइन लगा कर खड़े रहें, इसलिए सभ्यता के साथ उन अधिकारियों के साथ फौरन बर्ताव हो और 24 घंटे में सदन को इतिला मिलनी चाहिए कि उनका सस्पेंशन हो गया है और उनको यहीं पर सजा दी जानी चाहिए।

श्री सरजू पांडेय (गाजीपुर) : अध्यक्ष महोदय, मेरा निवेदन यह है कि पुलिस अफसरों ने जो कुछ भी गलती की है, उसके लिए उनको सजा देने के लिए कोई भी प्रोसीजर अपनाया जाये, इसमें कोई दो राय नहीं है। मगर हाउस में बुलाना यह शायद ठीक नहीं होगा। एक बार करंजिया को यहाँ बुलाया गया, और मुझे मालूम है कि इसी हाउस ने उसको कंडेम किया मगर फिर एक लाख आदमियों ने उसके दर्शन किए, तो इस क्रिम के बदमाशों को हाउस में बुलाकर उनकी प्रतिष्ठा बढ़ाना है। इसलिए मैं कहना चाहता हूँ कि आपके रूलस आफ प्रोसीजर में जो भी कायदा हो उसके अनुसार आप कार्यवाही करें मगर हाउस में बुला कर अनावश्यक रूप से उनकी प्रतिष्ठा बढ़ाना ठीक नहीं है।

श्री शिव चन्द्र झा (मधुबनी) : अध्यक्ष महोदय, सभी माननीय सदस्यों के साथ यह होता है। बहुत से सदस्य इस बात को लाते नहीं हैं। यदि उनके साथ जो व्यवहार होता है पुलिस वालों का और दूसरे अफसरों का वह बातें यहाँ आने लगे तो एक लम्बी कतार बन जायेगी, यह बात सही है। इसीलिए जो नज़ीर हमारे सामने आई है वह बिल्कुल साफ है। यह एक सदस्य का अपमान नहीं है, सारे सदन का अपमान है। इसलिए दोनों अफसरों को यहाँ पर बुलाया जाये, हम उनके साथ जिरह करेंगे ताकि सारा देश देखेगा. . . . (व्यवधान) यह फोटो का सवाल नहीं है। फोटो तो और बहुत भी जगह खिंच सकती हैं। लेकिन सारा देश देखेगा कि ऐसे लोग जो इस सदन का अपमान करते हैं उनको सजा देने की भी गुंजाइश हमारे सामने है और इससे हमारा रास्ता साफ होगा, सदन का मान बढ़ेगा। इसलिए मैं इस प्रस्ताव का बिलकुल समर्थन करता हूँ।

श्री अटल बिहारी वाजपेयी : अध्यक्ष महोदय, इसके पहले कि मैं आपकी इजाजत

से एक प्रस्ताव रखूँ मैं दो तीन बातें निवेदन करना चाहता हूँ। पहली बात तो यह है कि यह मामला मर्ड का है। यह आपके ध्यान में लाया गया था। किन्तु, उस समय सदन के सामने उपस्थित नहीं हुआ। दूसरे आप स्वयं इसे प्रिविलेज कमेटी में भेज सकते थे। आपने नहीं भेजा और फिर श्री कौशिक से आपने बातचीत की। उन्होंने कहा कि अगर वह माफी मांग लें तो बात हल हो जायेगी। यह ठीक है कि श्री कौशिक का यह कहना पर्याप्त नहीं है। एक संसद के सदस्य के नाते उनका अपमान हुआ है। यह उनका बड़प्पन है कि केवल माफी मांगने से उनका संतोष हो जाये लेकिन हमारा संतोष नहीं होगा। लेकिन मेरा निवेदन है कि मामला प्रिविलेज कमेटी में भेजने का विरोध क्यों होना चाहिए। प्रिविलेज कमेटी सदन की कमेटी है। प्रिविलेज कमेटी सारी जांच करके एक परिणाम पर पहुँच सकती है। देखिए, अभी एक नाम के बारे में भी सन्देह है। यह नाम सुना हुआ है. . . .

एक माननीय सदस्य: जब उन्होंने आफेंस मान लिया, माफी मांग ली तो जांच की क्या जरूरत है ?

श्री अटल बिहारी वाजपेयी: अध्यक्ष महोदय, इतना कहना काफी नहीं है कि उन्होंने आफेंस मान लिया। उन्होंने अपने पत्र में इसीलिए लिखा है और इस पर सदस्यों को आपत्ति है, क्योंकि आपने कहा कि रिप्रेट एक्सप्रेस करो इसलिए वह रिप्रेट एक्सप्रेस कर रहे हैं। इसलिए एक बार उन्हें सफाई का मौका देना जरूरी है। आप मामला प्रिविलेज कमेटी को भेज दीजिए और फिर यह सिफारिश कर सकते हैं कि पन्द्रह दिन के भीतर उसकी रिपोर्ट आए और फिर सदन उनको बुलाकर उन्हें दंडित कर सकता है। . . . (व्यवधान)
अध्यक्ष महोदय, मेरा प्रस्ताव इस प्रकार है :

"That the question of privilege arising out of the alleged manhandling and removal of Shri K. M. Kaushik, M.P. by the police at Nagpur railway station on the 27th May, 1970 be referred to the Committee of Privileges."

SHRI NATH PAI: My motion is before you; it reads 'We, the following Members move. . . . ' I move that motion:

"That Shri Choube and Shri Padmanabhan who committed an assault on a Member of this House, Mr. Koushik, be summoned to answer the charge before the House."

MR. SPEAKER: This is something else which I have got here. Anyway, I shall put the motion moved by Shri Vajppayee and then the one moved by Shri Nath Pai, in the order in which they were moved. The question is:

"That the question of privilege arising out of the alleged manhandling and removal of Shri K. M. Kaushik, M.P. by the police Nagpur railway station on the 27th May, 1970 be referred to the Committee of Privileges."

Let the Lobbies be cleared.

MR. SPEAKER: Order, order. The lobbies are cleared. The convention that we set up sometime back was that if there is going to be any voting, that should not be during the lunch-hour. (Interruption) There is a reason for my saying it. Tomorrow, you will say that voting was taken during the lunch-hour.

THE MINISTER OF PARLIAMENTARY AFFAIRS, AND SHIPPING AND TRANSPORT (SHRI RAGHU RAMAIAH): Let it be after the lunch-hour.

DR. RAM SUBHAG SINGH: Sir, the division has been ordered by you. So, once the voting process is on, it should not be interrupted. The House is seized of the matter. (Interruption).

SHRI RAGHU RAMAIAH: Let it be after the lunch-hour.

SHRI ANBAZHAGAN (Tiruchengode): Sir, this is the concern of the whole House. So, on this issue, let the House not divide. Let the hon. Speaker decide the issue so that it becomes the unanimous decision of this House, so that it becomes a moral right.

श्री अटल बिहारी वाजपेयी : मैं आपके हाथ में हूँ, आप जो भी फैसला करेंगे, मुझे मान्य होगा।

श्री कंवर लाल गुप्त : अध्यक्ष महोदय, उनको बुला लिया जाये और बुलाने के बाद कमेटी को भेज दिया जाये।

MR. SPEAKER: May I make a submission? In no way did I regard it as a less serious matter. It is a quite serious matter, and I join the House on that respect. But we must have a little time, and then, whatever the House would like, that will be done. We must call them, I will call them, or we can have a short sitting of the Committee; they may satisfy themselves, or any Member whom you like. After that, we can see. I do not deny the House its wishes, because I am only a servant of the House. (*Interruption*).

एक माननीय सदस्य : जब आपने डिबीजन मांग लिया है, तो उसके बीच में कोई भाषण नहीं हो सकता है।

MR. SPEAKER: I only request that we should set up a precedent which would not later on create any complications. I assure you that.

SHRI PILOO MODY (Godhra): Sir, what sort of precedent will you be setting up if you first call a division and now will not allow the House to proceed? What kind of precedent will that be? . . . (*Interruption*).

THE MINISTER OF FINANCE (SHRI Y. B. CHAVAN): This is not a party issue. We do not want to divide the House. I would also request the hon. Member to withdraw his motion.

SHRI ATAL BIHARI VAJPAYEE: Sir, I withdraw the motion.

SHRI NATH PAI: I endorse the plea of Shri Vajpayee.

The motion was, by leave, withdrawn.

MR. SPEAKER: This is the motion by Shri Nath Pai. . . .

SHRI RANDHIR SINGH: I am also a signatory to it.

MR. SPEAKER: This is the motion by Shri Nath Pai and other hon. members:

"That this House resolves that Shri Padmanabhan and Shri Choube. . . .

SHRI ATAL BIHARI VAJPAYEE: Are you sure of the names?

MR. SPEAKER: I do not know. This is what is written here. I cannot change it. This is what the member has written.

SHRI S. M. BANERJEE: I move an amendment. We can say, "police officers concerned with the assault."

DR. RAM SUBHAG SINGH: You can ascertain the names through the Home Ministry.

SHRI NATH PAI: Kindly read the motion as a whole. You have stopped in the middle.

MR. SPEAKER: There is something written in one corner, something in another corner and so on. You yourself may read it.

SHRI NATH PAI: I apologise for my bad handwriting. That is one thing I have in common with great men.

श्री अटल बिहारी वाजपेयी : अध्यक्ष महोदय, जरा हम नामों के बारे में पता लगा लें। मेरी समझ में नहीं आ रहा है, यह सदन किस तरह से काम कर रहा है। मेरा प्रस्ताव है कि आप इस मामले को कल लीजिये नामों के बारे में हमें जब मालूम नहीं है, तब यह कैसे हो सकता है?

SHRI NATH PAI: I have said here '*prima facie*.' I share the anxiety of Mr. Atal Bihari Vajpayee that this House must not

give an impression of impatience and lack of fairplay. That is why I have used the word 'prima facie.' I will read the motion:

"That this House resolves that Shri Padmanabhan, Deputy Commissioner of Police, and Shri Choube, Sub-Inspector of Police of the State of Maharashtra, be summoned to appear at the bar of this House to answer the charge of breach of privilege and contempt of this House for allegedly assaulting and abusing Shri K.M. Koushik, a Member of this House, at the Nagpur Railway Station on the 27th May, 1970."

SHRI K. M. KOUSHIK: My privilege motion consists not only of this but also of the deliberately false report given to the Speaker so that it may be conveyed to the House. What about that ?

MR. SPEAKER: That will complicate the matter. That is why I said, 10 or 15 days would not have mattered and if it had gone to the privileges Committee, the names and other facts would have been known and there would be definite recommendations brought before the House.

As the temper of the House goes, nothing can stand against it.

SHRI NATH PAI: So, the motion is carried?

MR. SPEAKER: I am just wanting to know by what date.

DR. RAM SUBHAG SINGH: By next week.

श्री शशि भूषण : अध्यक्ष महोदय, चौबे और पद्मनाभम् तो सरनेम हैं इसलिए कम से कम उनके कोई नाम तो दीजिए ।

SHRI NATH PAI: Why this legal quibbling? Why is the government not helping you? Government could have helped you by ascertaining and supplying you the initials. For instance, who is the officer who has expressed regret?

MR. SPEAKER: So, it will be any of these people who happen to be police officers; not any Padmanabhan but Padmanabhan who is a police officer.

श्री रणधीर सिंह : जिस पद्मनाभम् ने और चौबे ने इन से माफी मांगी उनको बुलाया जाये और जिनके सामने माफी मांगी उनको बुलाया जाये । . . . (व्यवधान) . .

अध्यक्ष महोदय : मेरी तरफ से गया है होम मिनिस्ट्री को । I suggested that those officers should be found and asked to express their regret, as wanted by the Member. But the matter has gone still further and I do not know what to do. Everyone has the privilege of bringing matters to your notice and it is for you to decide; it is in your hands. Could it be by the 3rd of December?

SHRI NATH PAI: 30th November.

SHRI RANDHIR SINGH: 30th November is not good. Let it be 1st December.

MR. SPEAKER: 1st December is a holiday. Then, will you specify what will be the procedure when they come here?

SHRI NATH PAI: Under rule 227 you have to decide all these details.

MR. SPEAKER: I will now put the motion of Shri Nath Pai to the vote.

The question is:

"That this House resolves that Shri Padmanabhan, Deputy Commissioner of Police, and Shri Choube, Sub-Inspector of Police, of the State of Maharashtra, be summoned to appear at the bar of this House on Thursday, the 3rd December, 1970, at 12.00 hours to answer the charge of breach of privilege and contempt of this House for allegedly assaulting and abusing Shri K. M. Koushik, a Member of this House, at the Nagpur Railway Station on the 27th May, 1970."

The motion was adopted.