

[Shrimati Renu Chakravarty] been in jail and then we are released, the interpretation by all officers is that they have to intimate this House. I remember very clearly the case of Mr. Indrajit Gupta and Mr. S. M. Banerjee also. That was referred to the officers and the government and they made an apology. From all points of view, the majority of people have expressed their opinion that this is a matter of privilege of this House.

Shri Kapur Singh (Ludhiana): In the matter that is being discussed by this House, two propositions have been asserted. One is that a breach of the rules should be deemed *ipso facto* a breach of privilege of this House. It has been rightly ruled by you that this cannot be the case, because a breach of the rule is not logically a breach of privilege and they are not identical things.

Another proposition that is urged is that even though it cannot be logically supported, unless we support this proposition, the consequences will be that in future we shall not be able to enforce our rules outside this House. This proposition is that although logically a breach of the rules is not a breach of the privilege, yet on parametric grounds and grounds of expediency, it should be deemed so by this House.

I am not inclined to agree with it for the reason that there is not only one way of enforcing a rule, namely through punitive action. There are other ways known to governments and to others whereby rules can be enforced. I may suggest one or two. One is through indirect or direct suggestion by the authority. We have the Home Minister here who can see to it that our rules are observed. There is another way known—the way of lifted eyebrow from those who are in a position to harm those who do not conform with the wishes of the people in authority. These methods can be taken recourse to instead of taking recourse to punitive action. I, therefore, say that we should not in-

sist on setting up a precedent which ultimately lays down a proposition that every breach of our rules is tantamount to a breach of privilege of this House.

Shri Nanda: You are, of course, looking into this aspect whether it is a breach of privilege or not. But as far as I am concerned, I take it that it is mandatory on us to ensure that this is done and I shall take all the steps to see that this is carried out.

Mr. Speaker: I think that should satisfy us. I do not think this is more than a breach of the rule. The Home Minister would kindly ensure that in future all the courts do send this information, because it is mandatory.

Shri Hari Vishnu Kamath: May I submit that though the Home Minister was good enough to say that there has been in fact a breach of the rule, he was not good enough to express an apology or regret to the House? May I remind you, Sir, that on a previous occasion, in the Provisional Parliament, when my friend, Mr. Shibbanlal Saxena was removed from Delhi during the session, both Prime Minister Pandit Nehru and Home Minister Sardar Vallabhbhai Patel apologised to the House. Has he not the grace to express his regret now?

Mr. Speaker: I will be writing a regular letter to the Home Minister. First the Home Minister should call for the explanation of the magistrate why it has not been done and then we will see.

12:35 hrs.

RE: SHRI A. K. GOPALAN

Mr. Speaker: There was a telegram received by me which I have passed on to the hon. Home Minister. There were three telegrams today, probably they might not have reached him yet. I have also been asked by Shri Mukerjee and other hon. Members also, some of whom have received those telegrams, about the condition of Shri Gopalan in his illness. Has the hon. Home Minister got any further information?

The Minister of Home Affairs (Shri Nanda): Last evening, Sir, I spoke to the Governor. He telephoned me back after consulting the doctor, and the information that he gave to me was that the doctor does not entertain any anxiety about this matter.

Shri S. M. Banerjee (Kanpur): Can't he not be released. Sir, even on parole?

Mr. Speaker: That is a different matter, Shri Banerjee (*Interruption*). Let us proceed now.

श्री मधु लिमये (मुंजर) : अध्यक्ष महोदय, विणयाधिकार के बाद आप को मेरी बात सुनना था । इस विषय पर वह नहीं है बल्कि एक दूसरी बात है. . . .

अध्यक्ष महोदय : जब मौका आयेगा तब मैं सुनूंगा ।

श्री मधु लिमये : श्रीर कौन मौका आयेगा ? अभी आपको सुनना चाहिए ।

अध्यक्ष महोदय : यह मौका नहीं है । मैंने मिनिस्टर साहब को बुलाया है ।

श्री मधु लिमये : आप सुन लेने के बाद फंसला कीजियेगा. . . .

अध्यक्ष महोदय : नहीं साहब इस तरीके से नहीं चलेगा ।

श्री मधु लिमये : अध्यक्ष महोदय, मैं. . .

अध्यक्ष महोदय : नहीं साहब, इस तरह से दरमियान में आप दखल न दें ।

श्री मधु लिमये : मैंने इस के बारे में आप के पास सूचना भेजी है । ध्यानाकर्षण का नोटिस है मुझे उस के बारे में कोई सूचना नहीं है कि उसका क्या बना ?

अध्यक्ष महोदय : मैं देखे लेता हूँ और मैं आपको इतिला दे दूंगा । अगर जरूरी हुआ तो आपको बुला लेता हूँ ।

12.37 hrs.

PAPERS LAID ON THE TABLE

NOTIFICATIONS UNDER THE MINES AND MINERALS (REGULATION AND DEVELOPMENT) ACT, 1957

The Minister of Steel and Mines (Shri Sanjiva Reddy): Sir, I beg to lay on the Table a copy each of the following Notifications under sub-section (1) of section 28 of the Mines and Minerals (Regulation and Development) Act, 1957:—

- (i) S.O. 1258 dated the 24th April, 1965.
- (ii) S.O. 1656 dated the 29th May, 1965.
- (iii) The Mineral Concession (Second Amendment) Rules, 1965, published in Notification No. G.S.R. 793 dated the 5th June, 1965.
- (iv) G.S.R. 794 dated the 5th June, 1965.
- (v) S.O. 1861 dated the 12th June, 1965.
- (vi) The Mineral Concession (Third Amendment) Rules, 1965, published in Notification No. G.S.R. 1011 dated the 24th July, 1965.

[Placed in Library, see No. LT-4643/65].

NOTIFICATIONS UNDER THE INDUSTRIES (DEVELOPMENT AND REGULATION) ACT, 1951; AND

RUBBER (AMENDMENT) RULES, 1965

The Deputy Minister in the Ministry of Commerce (Shri S. V. Ramaswamy): Sir, on behalf of Shri Manubhai Shah, I beg to lay on the Table:—

- (i) a copy each of the following Notifications under sub-section (2) of section 18A of the Industries (Development and Regulation) Act, 1951:—