

At Santa Cruz Airport, Bombay, a scheme costing Rs 4 crores has been sanctioned for the extension of runway to 10,500 ft. initially and to 12,000 ft. later on, if necessary. The high cost of the scheme is due to the reasons that it includes the cost of acquisition of additional land to enable the runway being extended to 12,000 ft. in future, if necessary, and also the cost of cutting the tops of four hills located to the east of the airport to bring them down to a safe height.

At Delhi, a scheme costing Rs. 1.5 crores for the construction of a new runway, 10,500 ft long at Palam Airport, has been sanctioned to facilitate the operation of jet transport aircraft. The work is expected to be completed before the end of 1960 and in the meantime, the existing instrument runway is undergoing special repairs to enable it to handle all the traffic coming to Palam before the new runway is completed.

At Calcutta, a scheme costing Rs 3.23 crores has been sanctioned for the extension of runway and construction of a new terminal building at Dum Dum Airport. The runway at Dum Dum is being extended to 8,500 ft initially and it will be further extended to 10,500 ft later on, if necessary.

Government are keeping a close watch on the execution of the works at all the three airports so that the construction works may proceed according to schedule.

12.04 hrs.

# DELHI LAND REFORMS (AMENDMENT) BILL\*

The Minister of Home Affairs (Pandit G. B. Pant): I beg to move for leave to introduce a Bill further to amend the Delhi Land Reforms Act, 1954.

Mr. Speaker: The question is:

"That leave be granted to introduce a Bill further to amend the Delhi Land Reforms Act, 1954".

The motion was adopted.

Pandit G. B. Pant: I introduce the Bill.

## DELHI PANCHAYAT RAJ (AMENDMENT) BILL\*

The Minister of Home Affairs (Pandit G. B. Pant): I beg to move for leave to introduce a Bill further to amend the Delhi Panchayat Raj Act, 1954.

Mr. Speaker: The question is:

"That leave be granted to introduce a Bill further to amend the Delhi Panchayat Raj Act, 1954".

The motion was adopted.

Pandit G. B. Pant: I introduce the Bill.

12.05 hrs.

## COMMITTEE OF PRIVILEGES SIXTH REPORT

Sardar Hukam Singh (Bhatinda): I beg to move

"That this House agrees with the Sixth Report of the Committee of Privileges laid on the Table on the 12th December, 1958".

Mr. Speaker: Motion moved.

"That this House agrees with the Sixth Report of the Committee of Privileges laid on the Table on the 12th December, 1958".

Sardar Hukam Singh: Some information may be required about this report. Earlier, this House adopted the 3rd report of the Committee of Privileges. Shri Valvi, an hon Member of this House, was required to be

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[Sardar Hukam Singh]

present before the Privileges Committee of the Bombay Legislature. He was required to be present as a witness in proceedings before that committee. The legislature sent a message to you, Sir, and therein a request was made that Shri Valvi might be given permission to appear before that committee. You referred that message to the Privileges Committee and the Privileges Committee recommended that the necessary permission might be given. The House adopted that report and that is the 3rd report of the Committee of Privileges.

Now, some doubts had arisen as to whether the same procedure prevalent between the two Houses of the British Parliament—the House of Commons and the House of Lords—could be adopted by us here so far as our various State legislatures are concerned. We agreed in the previous report that so far as the two Houses of Parliament were concerned, the same procedure might be adopted, that is, if one House or any of its committees required the presence of a Member of another House, then, a message might be sent to the Presiding Officer and the message should state the purpose for which the Member's presence was required, because that also shall be examined by the other House. Then, that reference might be made to the Committee of Privileges and the Committee of Privileges might examine it and make a recommendation, and then the leave of the House might be given in the form that if the Member so wished permission is given and he could go.

Some of the Members had expressed certain doubts whether, in a federal system such as we have got in this country, the same system could be adopted. Therefore, we examined the whole position in our Committee.

**Mr. Speaker:** The position as between the Centre and the States . . .

**Sardar Hukam Singh:** Yes; between the two Houses of Parliament and bet-

ween the Houses of Parliament and the State legislatures *inter se*, as well as between one House of the State legislature and the other. We also sought the opinion of the Attorney-General in that case and he assisted us with his opinion. He said that because we have not enacted any laws so far as the rights and privileges of the Members are concerned, we ought to be guided by the system that those two Houses of Parliament in Britain have, namely, the House of Commons and the House of Lords, and that therefore we should follow the same system. This was his advice that we received and then we discussed it, and we came to the conclusion that until some specific law is made by our Parliament we have to follow the same procedure that is prevalent in England, because the whole thing is based on this idea, namely, that every House is independent and if it wants to protect its independence and guard its independence, against all encroachments, then this independence is not confined only to these two Houses but every House of the State legislature. Therefore, we have agreed with that advice and made this recommendation which is contained in this 6th report of ours, and we have made three recommendations. The first recommendation is.

"The Committee are of the opinion that the House should not permit any one of its Members to give evidence, before the other House of Parliament or a Committee thereof or before a House of State Legislature or a Committee thereof, without a request desiring his attendance and without the consent of the Member whose attendance is required. . .

"Further, such requests from the other House of Parliament or a Committee thereof or by a House of State Legislature or a Committee thereof ought to express clearly the cause and

purpose for which the attendance of the Member is desired."

This is also necessary, so that the Committee and the House might see whether for that purpose, the Member ought to be allowed to go there as a witness or not, so that he might not be confronted with such questions on such matters for which the House might not think it desirable for him to appear before that House. The second recommendation is as follows:

"The Committee recommend that no Member of the House should give evidence before the other House or a Committee thereof or before a House of State Legislature or a Committee thereof without the leave of the House being first obtained."

Shri Ranga (Tenali). That means, when the House is not in session, the Speaker will give the permission.

Sardar Hukam Singh: I am coming to that. The third recommendation is.

"When a request is received seeking leave of the House to a Member to give evidence before the other House or a Committee thereof or before a House of State Legislature or a Committee thereof, the matter may be referred by the Speaker to the Committee of Privileges. On a report from the Committee, a motion may be moved in the House by the Chairman or a Member of the Committee to the effect that the House agrees with the report and further action should be taken in accordance with the decision of the House."

This matter also was considered, viz, when a message is received by the Speaker when the House is not in session, whether the same procedure should apply or there ought to be a different procedure. We came to the conclusion that even if the House is not in session, the same procedure should apply. There were certain opinions, of course, that in anticipation of the sanction of the House, the Speaker could give that permission

for the moment. But then again, the motion shall have to be placed before the House and the same principle followed in every case.

These are the recommendations contained in the report.

Mr. Speaker: Hon. Members may be under the impression that apparently it appears to be a small matter, but I would request them to read the report; it is a very important matter. The conflict arises very often. When hon Members pass some legislation here, it ought not to be open to the other House to take a Member of this House to task and call him before that House or that committee and terrorise him. I am saying it as an instance. Taking any other House, it might terrorise, question and cross-examine the Member as to why he voted in favour or not in favour of a particular thing. It will seriously interfere with the independence of Members of this House. It is not an easy matter. Normally, when anybody is asked to appear before a court of law to give evidence, we do not go into that matter, we leave it to him and his vakil to defend himself. But, between one House and another House, it is not so easy.

If we pass some legislation here and if one State Legislature does not like it—supposing it is on a concurrent subject—it might ask the hon. Deputy Speaker to go there and explain why he voted this way or that way. It is impossible. Otherwise, the privileges of the House would be actually nullified if we do not put in these restrictions. We are only copying the practice in the House of Commons. After so much of experience there, they have come to the conclusion that without the permission of the House, no member of the House ought to go and appear before the other House. It is not as if it is entirely within the competence of the individual to go. Of course, first of all he must consent to go; even then, the House must agree to his going and giving evidence.

**Sardar Nankam Singh:** Otherwise, it would be contempt of the House.

**Mr. Speaker:** The House must have knowledge of the purpose for which he is invited. With all these restrictions, it is open to the House to give or not to give the permission. Let it not be left entirely to the Speaker. When this House is not in session, why should they be in a hurry? Let them wait till this House meets. I do not know if any other Legislature can say, "we will have the examination only on such and such day." I do not want to take this responsibility. I would like this House to consider the matter. **Shri Ranga** says that when this House is not in session, the Speaker must give that permission, as if this House is bound hand and foot always to go on supplying information to any other House, even though it might be inconvenient to us.

So, this is mainly to safeguard the privileges of this House and make it possible for any hon. Member here to speak out his mind, without his being forced by anybody else to disclose the reasons for his having acted one way or the other. That is the reason behind this.

**Shri Goray (Poona):** We were told just now that the practice followed in Britain has been taken into consideration. But was the practice followed in the USA taken into consideration, because in USA, there is a Federal Government and it is more analogous with the sort of Government we have?

**Mr. Speaker:** There is a special article in the Constitution—article 105(3)—which says, so long as we have not passed any law relating to privileges, the powers and privileges of our House are equated to those of the House of Commons at the commencement of the Constitution. Of course, if the suggestion had been made to the hon. Deputy Speaker earlier, he would have called for

information for the purpose of enabling us to come to a conclusion. But it has not been made earlier and the report has been submitted.

**Shri Ranga:** When I made that interruption, I had only one idea in my mind, viz., possibly there might be some urgency and it would be in the interest of our own Members and our own House to give the permission at once. That was why I made that suggestion that the Speaker might be given that residuary power. But I am very glad indeed that you have ~~accepted the whole report of the~~ <sup>accepted the whole report of the</sup> recommendations made by the Privileges Committee.

I am also extremely glad that this is a unanimous recommendation on the part of the Privileges Committee. I am whole-heartedly in favour of these recommendations and I am also extremely glad that with a vigilant eye the privileges of this House are intended to be protected effectively. I am convinced that these three recommendations made by the Privileges Committee would certainly strengthen us and also strengthen the Members of the other House also vis-a-vis anybody else who might possibly try to dwarf the privileges and freedom of this House.

**Shrimati Renu Chakravartty (Basirhat):** I want a clarification. I believe at the Speakers' Conference, you were pleased to refer the matter to all the State Legislatures as to what should be the procedure if some State Legislature has something against some Member of this House. I believe certain State Legislatures have enacted legislation saying that if they have anything against any Member of this House, they will refer it to this House. Such legislation has already been passed by certain States. So, it is only right that we should also enact some legislation in this respect.

**Mr. Speaker:** The hon. Member refers to another matter and she is evidently under the impression that both of them are related. This one relates to a witness; the other one relates to contempt, where somebody is summoned and asked, "Why did you make a statement of this kind? There is a breach of privilege." In the matter relating to Shri N. C. Chatterjee, there was a unanimous agreement between the two Houses. If any Member of a particular House or Legislature says something against the other House or some other legislature takes exception to a statement made by a member of this House, they do not have jurisdiction straightway against him. They must look into that matter and if they feel that *prima facie* a breach of privilege of the House has been committed, they refer it to this House, because he is a member of this House and we look into it and submit whatever action we consider necessary. So, there are safeguards. I would request the hon. Member to look into all that and see if, in spite of them, something more is necessary. They are sufficient and adequate for the present. Let us look into it as and when particular points arise.

The question is:

"That this House agrees with the Sixth Report of the Committee of Privileges laid on the Table on the 12th December, 1958."

*The motion was adopted.*

12.20 hrs.

#### APPROPRIATION (NO 5) BILL

**The Minister of Revenue and Civil Expenditure (Dr. B. Gopala Reddi):** I beg to move\*

"That the Bill to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of India for the

service of the financial year, 1958-59, be taken into consideration"

**Mr. Speaker:** The question is:

"That the Bill to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of India for the service of the financial year, 1958-59, be taken into consideration."

*The motion was adopted.*

**Mr. Speaker:** I will now put the clauses to the vote. The question is:

"That clauses 2 and 3, the Schedule, clause 1, Enacting Formula and the Title stand part of the Bill".

*The motion was adopted.*

*Clauses 2 and 3, the Schedule, clause 1, Enacting Formula and the Title were added to the Bill.*

**Dr. B. Gopala Reddi:** I beg to move

"That the Bill be passed".

**Mr. Speaker:** The question is:

"That the Bill be passed".

*The motion was adopted.*

12 22 hrs

#### DELHI RENT CONTROL BILL—contd.

**Mr. Speaker:** The House will now take up the further clause by clause consideration of the Bill to provide for the control of rents and evictions, and for the lease of vacant premises to Government, in certain areas in the Union Territory of Delhi, as reported by the Joint Committee. The time allotted for this Bill is ten hours, out of which 6½ hours were taken for general discussion and 44 minutes for clause by clause consideration. We have now got 2 hours 46 minutes. Now it is 12 20. We will conclude it by about 3 o'clock.

We have to take up clause 6. Are there any amendments?

\*Moved with the recommendation of the President.