

RE: QUESTION OF PRIVILEGE

Shri V. Raju (Visakhapatnam) Mr. Speaker, I had given a privilege motion, which I would like to refer to at the moment.

Mr. Speaker: Order, order The hon Member sent me a privilege motion Under the rules, it is for the Speaker to give consent and if he gives consent he will intimate to the Member that he may raise it on the floor of the House I received a telegram with respect to the same matter and I am not satisfied that there is a breach of privilege Therefore, I have referred it under rule 227 to the Rules Committee for their opinion and report I have intimated to the hon Member that I am not giving consent and, therefore, he ought not to raise it There are, under the rules, provisions for giving consent by the Speaker before certain matters are brought before the House

I am noticing a tendency on the part of some Members that notwithstanding the fact that I intimate to them that I withhold consent on a particular matter on its merits they get up and make reference to it I will take serious notice of this as a contravention of the order of the Speaker They consider that, automatically when some motion is given, notwithstanding the rules and notwithstanding the fact that the Speaker can exercise discretion in certain matters, they can take the law into their own hands and bring it before the House I will have to deal with them seriously Otherwise, the rules will have to be scrapped and I will be merely a dummy here receiving every paper and bringing it before the House

That is the situation today to which they would like to reduce the Speaker and that is what I told the hon. Member, I take serious notice of it, if he still persists If he still thinks that I must bring it before the House, he may come to my Chamber, This is not the forum, I refuse to give consent and I proceed to the next item.

Shri V. Raju: I do not know whether you informed the House that you have sent the matter to the Rules Committee

Mr. Speaker. I need not say all that.

Shri V. Raju: Mr. Speaker, you have sent the paper to the Rules Committee

Mr. Speaker. Order, order I withhold my consent to bring the motion and I am not satisfied that it is a matter of privilege at all

Shri V. Raju: But that is not the information given to me by your staff. The staff members came and told me that you had already sent the motion to the Privileges Committee. That means you have allowed the motion. Therefore, if you have sent it to the Privileges Committee, you should inform the House that you have referred it to the Privileges Committee

Mr. Speaker: The hon Member will kindly read the rules Matters are allowed to be raised in the House in which case they can be sent to the Privileges Committee Independently, however, if the Speaker has got doubts, he can refer, for his own information, certain matters

The matter in substance is this. I received a telegram that one hon. Member was arrested. He sent me a telegram that he was not produced before the Magistrate within less than 24 hours ..

Shri V. Raju: For fourteen days.

Mr. Speaker: Let it be so Under the rules or, generally under the law, whether in England or here, no exception or no special privilege attaches to the Member merely because the matter is reported to the House He can go to the Supreme Court or if it is an illegal arrest, to any other Court competent to deal with the matter. According to the Fundamental Rights of our Constitution, he has no special Fundamental Rights as a Member All that has to

(Mr. Speaker)

be done by the Magistrate is to intimate the House so as to put it on notice regarding the inconveniences, if any, that is caused to the House. No more privilege arises. I did not want to commit myself in regard to this position though I am clear about this matter. The hon Member has forced me to say so I wanted to guard, in exceptional circumstances, the safety of the Members of this House. But, this is the way in which the hon. Members make it impossible for me to give them some guarantees; notwithstanding there is no such provision under the ordinary law, I would like to stretch it and establish a convention. But, this is the result of what the hon Member has done

So far as this matter is concerned, I refuse to give my consent. I did refuse to give my consent.

Shri V. Raju: I do respect the Chair. The staff come and tell me a particular position and you take a different position. Whom am I to accept or believe? I was told that it had been sent to the Privileges Committee but you say that it has been sent to the Rules Committee. How am I responsible for any disrespect to the Chair when the staff members come and tell me that you have already sent it to the Privileges Committee.

Mr. Speaker: Even if it has been sent to the Privileges Committee under rule 227, I do not allow the hon Member to raise it here. (Interruptions) Even after all these, if he wants to disobey, he will take the consequences of disobeying the Chair. The House will now resume further discussion of the Demands for Grants relating to the Ministry of Education and Scientific Research. Out of four hours allotted for the Demands of this Ministry, one hour has already been availed of and three hours now remain. Ten more minutes have been taken in this discussion in the House....

Shri V. Raju: The officers come and tell me.

Mr. Speaker: The business and the work of this House ought not to be interrupted like this; it ought not to be interrupted except on a notice which I allow to be brought before the House. It is open to me to consider it in my Chamber and not to allow a particular motion to be brought. In that case, the hon. Members can come to my Chamber and convince me that it should be brought and then I will bring it before the House. They have no right to interrupt the proceedings of the House. I have been noticing it. That is why, special rules have been provided for.

If I am in the wrong, I will certainly change and I will consent to it. I am not going to allow this to be brought up before the House though I was informed that he was going to raise it, notwithstanding the fact that I was not allowing him to bring it (Interruptions) Order, order. The hon Member will kindly read the rules. Let the matter end here.

DEMANDS FOR GRANTS—Contd

MINISTRY OF EDUCATION AND SCIENTIFIC RESEARCH

Mr. Speaker: The list of Selected Cut Motions relating to the Demands of this Ministry has already been circulated to Members on the 25th July, 1957. I shall ask Members to move these cut motions subject to their being otherwise admissible.

How much time would the hon Minister require for reply?

The Minister of State in the Ministry of Education and Scientific Research (Dr. K. L. Shrinani): I will need at least half an hour.

Mr. Speaker: The debate should conclude at 3 P.M. today. So, I will call upon the Minister of Education and Scientific Research to reply to the debate at 2-30 P.M.