

Title: Regarding judgement of the Delhi High Court declaring strike of the lawyers" as illegal.

SHRI PRIYA RANJAN DASMUNSI : Mr. Deputy-Speaker, Sir, I am glad that today the hon. Minister of Home Affairs and the hon. Minister of Law and Justice are present at the moment in the Treasury Benches.

The other day, hon. Member Shri Mulayam Singh Yadav had raised the very pertinent issue about the Delhi lawyers' strike and the problems that they faced with the police on the 24th February.

The hon. High Court did declare the strike illegal.

MR. DEPUTY-SPEAKER: Shri Dasmunsi, this issue is coming up every day.

SHRI PRIYA RANJAN DASMUNSI : If you do not allow me, I will keep quiet but it is my right to raise the issue because this incident has been exposed by the Delhi High Court. The Delhi High Court gave a judgement through the acting Chief Justice Ravindra Singh and Justice Cyriac Joseph. In the video film, those police officers were seen beating the lawyers as if they were mad dogs on the street. Their action was totally unwarranted, unprovoked and unjustified. ...(*Interruptions*)

SHRI PRAMOD MAHAJAN: Why should one raise an issue every time one sees a Minister? ...(*Interruptions*)

SHRI PRIYA RANJAN DASMUNSI : Shri Mahajan, the question does not arise. It is my right to bring it up. ...(*Interruptions*)

The High Court has indicted the Government of India and passed strictures. The High Court has said that it is a blatant violation of the rules relating to the force. It has further said that whether these allegations were true or not, the conduct of the Government was capable of raising doubts about the sincerity and *bona fide* of the Government in taking action against those erring police officials. ...(*Interruptions*)

MR. DEPUTY-SPEAKER: Shri Dasmunsi, yesterday Shri Arun Shourie had replied to this.

SHRI PRAMOD MAHAJAN: Sir, I have a serious procedural objection. You may hear him first and then please hear me.

SHRI PRIYA RANJAN DASMUNSI : If you ask me, I am prepared to authenticate the judgement of the High Court and place it before the House.

The judgement reveals that the Government of India deliberately kept quiet, without taking cognisance of the atrocities, till the direction of the Court to suspend the police officials came. The Minister of Law and Justice and the Minister of Home Affairs should express their total apologies.

MR. DEPUTY-SPEAKER: The Minister concerned replied to it yesterday.

SHRI PRIYA RANJAN DASMUNSI : What was his reply?

MR. DEPUTY-SPEAKER: He has replied to all these points.

SHRI PRIYA RANJAN DASMUNSI : The High Court had categorically stated that the action of the Government and the action of the police raised doubts. Therefore, the hon. Minister of Law and Justice must express profound apologies to the lawyers for such things. It is the duty of the Minister of Law and Justice. ...(*Interruptions*)

MR. DEPUTY-SPEAKER: Nothing will go on record now.

(*Interruptions*) *

MR. DEPUTY-SPEAKER: Mr. Minister, do you want to say something?

...(*Interruptions*)

MR. DEPUTY-SPEAKER: Nothing will go on record.

(*Interruptions*) *

MR. DEPUTY-SPEAKER: Whatever he is mentioning will not go on record.

(*Interruptions*) *

- *Not Recorded*
- MR. DEPUTY-SPEAKER: No. I will not allow, Shri Dasmunsi.
- ...(*Interruptions*)

SHRI PRIYA RANJAN DASMUNSI : Mr. Deputy-Speaker, Sir, in your wisdom, you can order anything to be expunged. But again, I will come back tomorrow.

MR. DEPUTY-SPEAKER: You can come back tomorrow; that is a different matter.

...(*Interruptions*)

MR. DEPUTY-SPEAKER: Shri Dasmunsi, you have sent a notice just now. I was genuinely under the feeling that you have given a notice. I am guilty. I am sorry for it. You have not given a notice. I do not find your name in this list. It was my mistake. I apologise to the House.

SHRI PRIYA RANJAN DASMUNSI : Mr. Deputy-Speaker, Sir, you should not apologise.

MR. DEPUTY-SPEAKER: You have not given a notice.

SHRI PRIYA RANJAN DASMUNSI : Let me clarify the position.

MR. DEPUTY-SPEAKER: Let me say something. I am on my legs. I was genuinely under the impression that you have given a notice. You have not given a notice.

SHRI PRIYA RANJAN DASMUNSI (RAIGANJ): No, Mr. Deputy-Speaker, Sir. You may see my note. I met the hon. Speaker today.

MR. DEPUTY-SPEAKER: I am sorry. I have allowed you. This matter was replied to yesterday by Shri Arun Shourie.

...(*Interruptions*)

MR. DEPUTY-SPEAKER: I am on my legs. If you want to say something, I will allow you. But this matter was replied to yesterday. Today, there is no notice, which is given by you. Due to a slip, I was under the impression – you are the Chief Whip of your party – that your notice is here, and so, genuinely, I have allowed you.

SHRI PRIYA RANJAN DASMUNSI : Let me clarify it since you have quoted me in a manner that I am trying to mislead you. It is not. Let me correct it. Yesterday, the BAC took a decision that the `Zero Hour' will not be allowed today. But when I went to the Speaker in the morning and asked him, since the reply by the Prime Minister is not going to be there today, will he receive notices for `Zero Hour'. He said that he would do. But I said in that case we had not given notice, but we have a very urgent matter to be taken up. For that, the Speaker honourably told me that my leader and I are entitled to take up the issue during the `Zero Hour'. Then, I wrote a letter to the Speaker. That letter is lying before the Speaker in the Table. I gave a note also. ...(*Interruptions*) You may cross check. I gave the letter to the hon. Speaker and the Speaker said that I am at liberty to take it up during `Zero Hour'. I did not give a notice earlier because it was decided that `Zero Hour' would not be allowed. This is not the way.

MR. DEPUTY-SPEAKER: Let me say. I was not present when you talked to the hon. Speaker. This list shows the names of 20 hon. Members, but your name is not here.

...(*Interruptions*)

MR. DEPUTY-SPEAKER: How do I know that you had a talk with the hon. Speaker? It was not put up to me.

...(*Interruptions*)

SHRI PRIYA RANJAN DASMUNSI : Hon. Speaker gave me the consent. I cannot say anything in the name of hon. Speaker. ...(*Interruptions*) I cannot mislead the Chair. I never did so in my parliamentary career. ...(*Interruptions*)

MR. DEPUTY-SPEAKER: Your note does not mention that you have given a letter to hon. Speaker. Let me tell you that this list shows the names of 20 hon. Members who have given notices.

SHRI PRIYA RANJAN DASMUNSI : I did not give a notice because it was decided that `Zero Hour' will not be allowed today.

MR. DEPUTY-SPEAKER: It is a genuine misunderstanding. But I am right on my part.

SHRI PRIYA RANJAN DASMUNSI : Mr. Deputy-Speaker, Sir, you said in the House that I misled the Chair. I did not mislead the Chair. Never did I do so.

MR. DEPUTY-SPEAKER: No. I did not say that. Do not put something else into my mouth. Shri Dasmunsi, do not put all these things into my mouth. What I said was that your name is not there in the list.

SHRI PRIYA RANJAN DASMUNSI : That is why, I explained to you, why it is not in the list. It was because it was decided that 'Zero Hour' would not be allowed today.

MR. DEPUTY-SPEAKER: I was under the wrong impression that you have not given the letter. Of course, you have given a letter. You are raising it with the permission of the Speaker.

SHRI PRIYA RANJAN DASMUNSI : Yes.

MR. DEPUTY-SPEAKER: The Parliamentary Affairs Minister came running to me and said that procedural departure is there. When I checked up the list, your name was not there.

SHRI PRIYA RANJAN DASMUNSI): My name cannot be there because I did not give a notice.

MR. DEPUTY-SPEAKER: If I am not present when you discussed it with the Speaker, how do I know it?

Anyway, let us put an end to this. You have asked a question, to which a reply was given yesterday. You have raised this matter with the permission of the Speaker. Have you completed?

SHRI PRIYA RANJAN DASMUNSI : But you said that everything was expunged.

MR. DEPUTY-SPEAKER: No. The latter part only. Not everything.

SHRI PRIYA RANJAN DASMUNSI : Mr. Deputy-Speaker, Sir, please hear me for a minute. If I raise an important issue and if you say it is expunged, I am sorry.

(c2/1310/rbn)

The Jamia Milia issue was raised two days before and it was allowed today also. This issue was raised by Shri Mulayam Singh Yadav even before the judgement came. I only tried to highlight the judgement. But you were saying that it would be expunged. I am sorry.

MR. DEPUTY-SPEAKER: You are taking up the same matter again. How do I know that you have talked to the Speaker? I am not expected to know that when I was not there.

SHRI PRIYA RANJAN DASMUNSI : Mr. Deputy-Speaker, Sir, I take this matter with all seriousness. As the Chief Whip of the Opposition Party, I will take up the issue tomorrow with the hon. Speaker. If I have misled the hon. Speaker and the Chair by raising the issue without obtaining the permission of the Chair, I will withdraw from public life. This is what I am saying. I never did this. I did not give the notice because it was decided that 'Zero Hour' would be suspended today. Then, Speaker told me that I can take up the issue and I will give you permission. And then only I gave the letter in the first hour. After hon. Speaker has left the Chair, I gave this letter and then I took the permission of the hon. Deputy-Speaker.

MR. DEPUTY-SPEAKER: Mr. Dasmunsi, you are right. Am I wrong?

SHRI PRIYA RANJAN DASMUNSI : But you were apologising to the House for having given me a chance to speak out of the way. It is not correct.

MR. DEPUTY-SPEAKER: You are going back to square one. Shri Dasmunsi, if you had taken permission from the Speaker, I must have been informed fully. How do I know? Am I not a human being?

SHRI PRIYA RANJAN DASMUNSI : Did I not write in my note that Speaker has given me the permission?

MR. DEPUTY-SPEAKER: That is true.

Does the hon. Parliamentary Affairs Minister have to say anything on this issue?

SHRI PRAMOD MAHAJAN: No.

MR. DEPUTY-SPEAKER: You wanted to raise some procedural matter with me. I have given permission on the basis of this letter. He is a responsible Member and he is the Chief Whip of his party. Let us have some understanding. You came running to me.

SHRI PRIYA RANJAN DASMUNSI : I only tried to highlight that the lawyers strike has been declared illegal which has come in the print media. But a message has gone that lawyers had done something wrong which is not correct. It is because the High Court has also vindicated that the police has treated the lawyers like cats and dogs in the streets. The High Court has also said that the Government of India has failed. The Law Minister and the Home Minister who are in-charge of the whole affair must tender profound apology to the lawyers after having received the strictures from the High Court. The Law Minister is a distinguished member of the Bar. He is a teacher of the law. And he knows the seriousness of the strictures of the High Court. I am not asking for their resignation. That was demanded in the other House. I am only saying that as a matter of courtesy, the Law Minister and the Home Minister must express profound apology to the lawyers who have been mercilessly beaten by the police for which the High Court has also passed strictures.

MR. DEPUTY-SPEAKER: Does the Law Minister want to react?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI RAM JETHMALANI): Sir, I do not wish to react without any notice. I have not even got a copy of the judgement. Yesterday, there was a debate in the Rajya Sabha. If a debate is needed here, I am ready any time.

MR. DEPUTY-SPEAKER: The House stands adjourned to meet again at 2.15 p.m.

1313 hours

The Lok Sabha then adjourned for Lunch till fifteen minutes

past Fourteen of the Clock.
