

Title: Shri Santosh Mohan Dev raised the Question of Privilege against the Prime Minister for allegedly not sharing the information regarding tendering of resignation by two Ministers, namely Shri L.K. Advani and Dr. Murli Manohar Joshi with the House, while responding to submissions made by members regarding Babri Masjid demolition issue in the House on 1.7.1999. The Speaker withheld his consent.

12.06 hrs.

SHRI MADHAVRAO SCINDIA (GUNA): This is tantamount to grave impropriety on the part of the hon. Prime Minister. It has been reported that two Ministers, yesterday, resigned on the floor of the House, and their resignations were in the hands of the Prime Minister before he made the statement, totally sidestepping all issues of morality and propriety and seeking to hide behind the law. A few minutes later, he shared this information, which was available with him before he made the statement, with members of the Media outside the House. If this sequence of events is correct, then this is tantamount to insulting the House, to treating the House in the most casual manner, and it is a contempt of the House. My colleague, Shri Santosh Mohan Dev, has already given a notice for moving a motion of Privilege. We would like to know exactly what your verdict is on this, and how it is going to be treated because if this is allowed to pass, if this sequence of events is correct, then I do not think anyone will treat this House very seriously, especially coming from the august Chair of the hon. Prime Minister. We would like to have your reaction on this.

SHRI S. JAIPAL REDDY (MIRYALGUDA): Sir, yesterday, our hon. Prime Minister has taken an astounding legalistic position. In his statement, he asserted that anybody against whom charges are filed by the police will not necessarily be disqualified for the office of Minister. Second, he went a step further, and deliberately so, and said that even when the charges are framed by the court, that person will not be disqualified. In other words, he is taking future care of the ministers who are today under a cloud. I would like the hon. Prime Minister to tell us whether, in his knowledge, a single person facing charge-sheet anywhere in the country was allowed to remain a Minister in the last 50 years. Did not the Prime Minister set up new norms? Did he not enunciate a new dangerous doctrine of public conduct or public misconduct? The question is, is it proper on the part of the Prime Minister?

SHRI SONTOSH MOHAN DEV (SILCHAR): Sir, when a Member gives a privilege motion, the convention in the House is that it gets the first priority during the 'Zero Hour'. ... (Interruptions)

">श्री ब्रह्मानन्द मंडल (मुंगेर) : अध्यक्ष महोदय, तीन दिन से एक ही सवाल उठाया जा रहा है।

... (व्यवधान)
हमें भी बोलने का समय मिलना चाहिए।

... (व्यवधान)
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">MR. SPEAKER: Please understand that they have given a notice.

">... (Interruptions)

">MR. SPEAKER: No. They have given a notice. Please understand this.

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... (व्यवधान)
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">श्री ब्रह्मानन्द मंडल : एक ही सवाल पर कब तक हाउस चलता रहेगा?

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">MR. SPEAKER: Hon. Members please take your seats. They have given a notice.

">Yes, Shri Santosh Mohan Dev.

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... (व्यवधान)
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">अध्यक्ष महोदय : आप बैठ जाइये, प्लीज़।

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">श्री रघुनाथ झा (गोपालगंज) : अध्यक्ष महोदय, आपके स्तर पर फँसला हो गया।

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... (व्यवधान)

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">MR. SPEAKER: Nothing will go on record except what Shri Santosh Mohan Dev is speaking.

">(Interruptions) *

">SHRI SONTOSH MOHAN DEV : Sir, shall I speak on my Privilege Motion? I can speak tomorrow also ... (Interruptions)

">MR. SPEAKER: You have given a notice for a Privilege Motion. You can speak on it.

">... (Interruptions)

">MR. SPEAKER: He has given a notice for Privilege Motion.

">... (Interruptions)

">श्री ब्रह्मानन्द मंडल : यह कब तक चलता रहेगा? यह गलत बात है। ये हाउस का समय बर्बाद कर रहे हैं।

... (व्यवधान)

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">* Not Recorded.

">MR. SPEAKER: Hon. Members, please understand that they have given a notice for a Privilege Motion. Priority should be given to the Privilege Motion.

">... (Interruptions)

">अध्यक्ष महोदय : आप बैठ जाइये।

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">What is this? Yes, Shri Santosh Mohan Dev.

">SHRI SONTOSH MOHAN DEV : Sir, I gave the notice for my Privilege Motion under rule 223 pertaining to the statement of the hon. Prime Minister made to the Press, when he was going to attend a Cabinet meeting, after the debate on the subject in the House was over.

">Sir, it was telecast in various electronic media that the hon. Prime Minister told the Media that two of his Ministers had submitted their resignations but he did not accept those. That is his privilege. But he has set a precedent in the debate when he said that it was his privilege as to whether he would include a tainted Minister or a Minister charged with criminal offences ... (Interruptions) I do not challenge that ... (Interruptions)

">SHRI BISHNU PADA RAY (ANDAMAN AND NICOBAR ISLANDS): Sir, how is he speaking? he is using offensive words ... (Interruptions)

">SHRI SONTOSH MOHAN DEV : Why are you getting excited? ... (Interruptions)

">MR. SPEAKER: Hon. Member, please take your seat.

">SHRI SONTOSH MOHAN DEV : Sir, my pointed question is, do you not think that it is the privilege of this House to know from the hon. Prime Minister the fact that he received two resignation letters? He kept one of them in his pocket and put another below the file and then went outside the House and disclosed it to the Media.

">The hon. Prime Minister had been such a successful parliamentarian in the past; and he was conferred the best parliamentarian award also. But, what is he doing? Please tell us. I have all respect for him. He is a lovable person. He is a respected man and he should not create such a precedent in the House just to protect two of his Ministers. He can get better people there. He can easily fill up the posts.

">THE MINISTER OF PARLIAMENTARY AFFAIRS AND MINISTER OF INFORMATION TECHNOLOGY (SHRI PRAMOD MAHAJAN): Only Shri Sontosh Mohan Dev can ... (Interruptions)

">SHRI SONTOSH MOHAN DEV : He can take anybody. The hon. Prime Minister should reply to this ... (Interruptions) Hon. Prime Minister I want to know ... (Interruptions) Sir, he is not listening.

">MR. SPEAKER: Shri Sontosh Mohan Dev, please understand that you have not given the notice for the Privilege Motion to the hon. Prime Minister. You have given it to the Speaker. You should address the Chair. You are a senior Member. (Interruptions)

">SHRI SONTOSH MOHAN DEV : I am sorry for that, Sir.

">Sir, my request is that you kindly verify from the hon. Prime Minister as to when he received the resignations. Did he receive them during the debate on the subject yesterday? If so, why did he not divulge it in the House and why did he reveal it outside? This is my pointed question.

">MR. SPEAKER: Anything from the Prime Minister?

">... (Interruptions)

श्री. विजय कुमार मल्होत्रा (दक्षिण दिल्ली) : अध्यक्ष महोदय, आपने प्रिविलेज मोशन उठाने की इजाजत दी है। माधवराव सिंधिया जी ने कहा और नयपाल रेड्डी जी ने जो बात कही है

">... (व्यवधान)

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">MR. SPEAKER: This is a privilege matter. Please take your seat.

">DR. VIJAY KUMAR MALHOTRA : I want to say something on this, Sir. ...(Interruptions)

">MR. SPEAKER: Please understand the issue. This is a privilege matter and the Chair has to give its observation on this. Please take your seat.

">... (Interruptions)

">MR. SPEAKER: Shri Basu Deb Acharia, Shri Sontosh Mohan Dev has given the privilege notice, not you. Please take your seat.

">As for the Chair's observation, it is well-established that no privilege of Parliament is involved if statements on matters of public interest are not first made in the House and are made outside.

">... (Interruptions)

">SOME HON. MEMBERS: No.

">MR. SPEAKER: Please hear me first.

">... (Interruptions)

">MR. SPEAKER: The hon. Member has asked the Chair for a ruling. When the Chair is giving its observation, it should not be objected to.

">... (Interruptions)

">SHRI S. JAIPAL REDDY : Sir, the Prime Minister is sitting here. You can ask him to respond. ...(Interruptions)

">SHRI BASU DEB ACHARIA (BANKURA): Sir, let the Prime Minister respond in this regard. ... (Interruptions)

">MR. SPEAKER: Please understand the issue. The privilege notice is given to the Speaker, not to the Prime Minister.

">... (Interruptions)

">SHRI BASU DEB ACHARIA : Sir, let the Prime Minister reply.

">MR. SPEAKER: Shri Acharia, please take your seat. This is not a good practice.

">... (Interruptions)

">MR. SPEAKER: Shri Madhavrao Scindia, please understand the situation. This is not a good practice. Privilege notice is given to the Speaker.

">... (Interruptions)

">SHRI S. JAIPAL REDDY : We are only requesting the Prime Minister to respond, Sir. ... (Interruptions)

">MR. SPEAKER: Shri Jaipal Reddy, you are a senior Member. Please understand the issue. You should not disturb the Chair when it is making an observation.

">... (Interruptions)

">SHRI MANI SHANKAR AIYAR : Sir, with due respect to the Chair, I would say that the Prime Minister should react to this.

">MR. SPEAKER: Shri Mani Shankar Aiyar, this is not good. Please take your seat.

">SHRI PRIYA RANJAN DASMUNSI (RAIGANJ): Sir, have you verified the facts before making your observation on the notice? You must find out from the Prime Minister if he had received the resignations or not before you give your ruling.

">MR. SPEAKER: I have verified the facts in regard to the privilege notice given by the Member.

">SHRI MANI SHANKAR AIYAR : Sir, with due respect to the Chair I request you to verify the position from the Prime Minister. The Prime Minister is here. He should respond when an issue is raised on the floor of the House. I have been taught these lessons by Shri Vajpayee himself.

">MR. SPEAKER: Shri Aiyar, you are not giving due respect to the Chair?

">SHRI MADHAVRAO SCINDIA : Sir, the Prime Minister must tell us what happened actually. Had he received the resignations on the floor of the House, or not? He must tell us that. If he had received them on the floor of the House before making his statement, then it tantamounts to breach of privilege.

">MR. SPEAKER: Shri Scindia, please understand the situation. When the Chair is making an observation, you should not disturb him like this.

">... (Interruptions)

">SHRI MANI SHANKAR AIYAR : It is against the conventions and rules of the House. ... (Interruptions)

">MR. SPEAKER: This is not a ruling. This is an observation. Please understand. ... (Interruptions)

MR. SPEAKER: You are not allowing even me to make my observation? What is this?

">... (Interruptions)

">MR. SPEAKER: As a matter of fact, even making of announcements regarding policy decisions of Government outside the House while the House is in Session, does not involve any privilege of Parliament. Hence, the instant matter does not involve any breach of privilege and contempt of the House. I therefore, withhold my consent to the notice of privilege given by Shri Sontosh Mohan Dev.

">... (Interruptions)

">MR. SPEAKER: Now, Shri K.K. Kaliappan.

">... (Interruptions)

">1222 hours

">(At this stage, Shri Madhavrao Scindia and some other

">hon. Members left the House.)

">SHRI SOMNATH CHATTERJEE (BOLPUR): Mr. Speaker, Sir... (Interruptions)

">MR. SPEAKER: Shri Somnatha Chatterjee, the matter is over now.

">SHRI SOMNATH CHATTERJEE : Sir, I am not referring to your ruling. The question that was raised was not of announcement of any policy decision outside the House. The question was of disclosure of information within the possession of the hon. Prime Minister. That is the question... (Interruptions)

">MR. SPEAKER: Shri Somnath Chatterjee, it is over now.

">SHRI SOMNATH CHATTERJEE : Sir, I am not questioning your ruling. What I am seeking is a clarification for future, so that we can also know how to conduct ourselves in the House.

">MR. SPEAKER: Shri Somnath Chatterjee, it is already over, please.

">... (Interruptions)

">SHRI SOMNATH CHATTERJEE : We want to know whether the hon. Ministers including the hon. Prime Minister can divulge half of the information in their possession... (Interruptions)

">MR. SPEAKER: Shri Somnath Chatterjee, please take your seat. It is already over.

">... (Interruptions)

">SHRI SOMNATH CHATTERJEE : All that information is relevant... (Interruptions)... Then, in future, I have to suspect that every Minister would be keeping half the information to himself... (Interruptions)... This is for future working of Parliament.

">MR. SPEAKER: Shri Somnath Chatterjee, please take your seat.

">SHRI SOMNATH CHATTERJEE : Sir, I am requesting you to lay down norms for that. I am not questioning your ruling... (Interruptions)... I am saying that kindly lay down the norms as to whether a Minister can divulge a part of information here and keep a

part of information for utilization outside the House... (Interruptions)...Sir, this is a basic question. I am requesting you to kindly guide us... (Interruptions)... Sir, kindly give us this guidance as to how far we have to decide in future... (Interruptions)... In future, if any Minister does not disclose everything then we have nothing to catch hold of him... (Interruptions)

">MR. SPEAKER: Shri Somnath Chatterjee, the ruling is clear.

">... (Interruptions)

">MR. SPEAKER: Now, Shri Shankar Prasad Jaiswal.

">... (Interruptions)

">MR. SPEAKER: Nothing will go on record except what Shri Shankar Prasad Jaiswal says.

">(Interruptions)*

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">* Not Recorded