

you are not to be put in an embarrassing position. I have given a notice of privilege under Rule 222 against Dr. Swamy and I have said that it is not your behaviour that is being discussed. We cannot discuss the conduct of the Speaker in the House. It is likely that the report is wrong also and I have said that you would be the first person to verify the report that has appeared whether it is correct or not. There are three aspects that I would like to point out. It is learnt from the report that he came to yours saying that extension should be given to those who had to reply to the notices regarding disqualification and you have said that it cannot be done. Further three issues are involved in this matter. Firstly, disqualification does not concern the Speaker. As far as disqualification is concerned, if we go to Tenth Schedule of the Constitution, paragraphs 6 and 7 very clearly say that the ruling, regarding disqualification, by the Speaker is final.

Secondly, in para 7 it is stated that no court has jurisdiction as far as the issue of disqualification is concerned. So your decision is final. The Constitution is being violated and it is an affront to the Constitution. The provisions of the Anti-Defection Law are also being violated. If, in your wisdom, you have decided to give extension, it is different. But nobody can threaten you. Everybody has a right to request. The Leader of the House can request you to extend the time because some members have yet to give explanation. It is not the question of your conduct that we seek to discuss through the privilege motion. I said that very clearly.

As far as Dr. Swamy is concerned, first of all it is a deliberate contempt of the House, of the Speaker and also an affront to the Constitution. As far as Scheduled 10 is concerned, it is completely violated. Therefore, at whatever time you want it, you should allow our privilege motion to be heard and then you should decide. I do not think there is any other case. I will sit down by quoting just this.

In the regime of Charles I, the King come to the House of Commons to arrest

certain members and said, "Mr. Speaker Sir, I want to arrest these four persons." The Speaker said, "Your Majesty. I am the servant of this House. I see with the eyes of this House, I hear with the ears of this House and I am the servant of this House. Your Majesty, I cannot oblige you." He went away and all the members on both the sides of the House of Commons shouted against His Majesty, "Your Majesty, breach of privilege, breach of privilege." The King came with the army but he had to walk out. That was how the Speaker showed dignity.

It is not the question of Mr. Rabi Ray. It is the question of the seat that you are occupying and it is the dignity of the House. No member can threaten you. Even when the Kind challenged the Speaker, he was driven out of the House. I would like you to take that position and allow our privilege motion to be heard at the appropriate time.
(Interruptions)

SHRI NIRMAL KANTI CHATTERJEE:
We do not know what the press has reported. We do not know whether they have reported correctly or not. But it is obvious, and it is true that the entire House is agitated over what has appeared in the press. If it is true, the gravity of the crime is all the more. Therefore we feel that this is not merely an insult to the Chair. The Chair represents the House and this is an indignity heaped on the entire House and through the House on the entire country... (Interruptions)

MR. SPEAKER: Please sit down. I am on another matter.

11.18 hrs.

WELCOME TO THE PRESIDENT OF
THE REPUBLIC OF NAURU

MR. SPEAKER: Hon'ble Members, I have to make an announcement.

As the Hon'ble Members are aware, His Excellency Mr. Bernard Dowiyogo, President

of the Republic of Nauru is currently on a state visit to India.

I am glad to inform the House that his Excellency Mr. Bernard Dowiyogo, President of the Republic of Nauru is now seated in the special box to watch the proceedings of this Honourable House.

On my own behalf and on behalf of the Honourable Members of the House, we extend a warm welcome to His Excellency Mr. Bernard Dowiyogo. We wish him a happy and fruitful sojourn in our country. We also wish to convey our greeting to the Parliament and the friendly people of the Republic of Nauru.

11.19 hrs.

RE. ALLEGED THREAT OF ARREST TO THE SPEAKER, LOK SABHA BY SHRI SUBRAMANIAM SWAMY, A UNION MINISTER—CONTD.

[English]

SHRI NIRMAL KANTI CHATTERJEE (Dum Dum): Any person in this country who threatens the Speaker with arrest is not fit to be a citizen of the country. A person can be arrested for burning the Constitution. This is worse than burning the Constitution. Thus, the matter of threatening the Speaker is very serious. It is an insult to the country that such a person—if the report is true—has been inducted into the Cabinet. In this case, the minimum sanction is that he is liable to be arrested without any delay. If the Prime Minister does not come out either with the facts or with an explanation of the facts, we cannot allow this House to continue in this fashion. This is our birth right. We have come here to revive the Parliamentary democracy. We cannot allow anyone to thwart the Parliamentary democracy and subvert the Constitution. We, therefore, request you for a full discussion and all the reports must be

immediately placed by the Prime Minister so that we can be taken into confidence and we can take a decision as to what should be done with that particular individual.

This is my request to you. I wish that you would request the Prime Minister to immediately come forth with the facts and explain them.

SHRI LOKANATH CHOUDHURY (Jagatsinghpur): Mr. Speaker, Sir, it is not only the question of Speaker, but it is the question of the House. The issue involves the question of the Constitution also. The way the news has come, whether it is true or not is not known to us. But the whole country is disturbed. Even, Charles the I, did not care to arrest the Speaker, who was beheaded.

So, Mr. Subramaniam Swamy's the remark he has made against the Speaker, if it is true—conduct is under question. We want the Prime Minister to make a statement not only to get him dismissed from the Cabinet but also arrest him. It is not only in the interest of the Speaker Rabi Ray but it is also in the interest of the Parliamentary democracy and the Constitution.

[Translation]

SHRI K.C. TYAGI (Hapur): Mr. Speaker, Sir, I want to raise a basic issue. Since it is an issue which concerns the decorum of this House and you are holding the top most position in this august House, I request you kindly to enlighten us with the entire details of the conversation you had with Dr. Subramaniam Swamy in your chamber and Shri Satya Prakash Malviya in this regard.

Before the Prime Minister gives a statement in this regard, I would like that the conversation between these three people should go on record.

I had already objected that a person who has links and loyalties outside the country, had no right to be a Minister

He should be arrested.