

*arrest to the speaker, Lok Sabha,  
by Shri Subramaniam Swamy,  
A Union Minister*

(d) As provided in the project proposals, an amount of Rs. 52.50 lakh is required to complete the sub-market buildings in respect of 5 markets and an amount of Rs. 94.74 lakh is required for completion of 12 sub-markets sanctioned during 1989-90 and 1990-91 respectively.

(e) The State Government is required to complete the buildings and furnish utilisation certificate within 12 months from the date of sanction of central assistance.

**Mandays Generated Under Jawahar  
Rozgar Yojana in Punjab**

1389. SHRI KAMAL CHAUDHRY: Will the Minister of AGRICULTURE be pleased to state:

(a) the number of mandays generated in Punjab during 1990 till date under the Jawahar Rozgar Yojana; and

(b) the number of mandays proposed to be generated during the next six months?

THE MINISTER OF STATE IN THE DEPARTMENT OF RURAL DEVELOPMENT IN THE MINISTRY OF AGRICULTURE (SHRI RAM BAHADUR SINGH): (a) 14.41 lakh mandays are reported to have been generated in Punjab from January, 1990 to the end of November, 1990 under Jawahar Rozgar Yojana (JRY).

(b) At the present level of allocation of funds under JRY, wage levels and the ratio prescribed for expenditure on wages and material on works, 27.89 lakh mandays are likely to be generated in the State during the next six months' period starting from December, 1990 to May, 1991.

12.01 hrs.

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

[*Translation*]

(*Interruptions*)

SHRI RAM DHAN (Lalganj): Arrest Shri Swamy. (*Interruptions*)

MR. SPEAKER: Please sit down.

(*Interruptions*)

MR. SPEAKER: I would like all the hon. Members to first sit down. What are you doing?

(*Interruptions*)

MR. SPEAKER: Ram Dhan ji, what do you want to say, first listen to me.

(*Interruptions*)

MR. SPEAKER: Please be quiet and sit down.

(*Interruptions*)

MR. SPEAKER: Advani ji, please ask them to take their seats. Only then the proceedings of the House would start.

(*Interruptions*)

MR. SPEAKER: Madhu Dandavateji, please tell them to sit down so that I may start the proceedings of the House. I would urge the party leaders to please take their seats.

Subhashini ji, go to your seat.

(*Interruptions*)

[*English*]

MR. SPEAKER: I appeal to the leaders

of all the parties to ask their Members to go to their seats.

*(Interruptions)*

MR. SPEAKER: Devendra Yadav ji, please sit down...

*(Interruptions)*

SHRI RAM DHAN: No compromise can be made on this issue. First of all expel Shri Swamy. You are our custodian, you are supposed to protect the dignity of the House, it does not affect you only but the entire House. You cannot do like that...*(Interruptions)*

MR. SPEAKER: Ram Dhan ji, please sit down...

*(Interruptions)*

SHRI RAM DHAN: This is the question of the dignity and honour of the House. You are the custodian of the dignity of the House.*(Interruptions)*

MR. SPEAKER: I am referring to the same thing to you.

*(Interruptions)*

MR. SPEAKER: Ram Dhan ji, you are senior Member of the House, please go to your seat and sit down.

*(Interruptions)*

SHRI RAM DHAN: It is the question of the dignity of the House and not a personal issue. You should exercise your powers under the provisions of anti-defection law to give your ruling as this defection has affected the entire country...*(Interruptions)*

MR. SPEAKER: First all of you take your seats.

*(Interruptions)*

MR. SPEAKER: I request you to please

take your seats. Ram Dhan ji, Joshi ji, Kabde ji, please go to your seats.

*(Interruptions)*

MR. SPEAKER: I shall listen to all, but first all of you sit down.

*(Interruptions)*

SHRI MADAN LAL KHURANA (South Delhi): On a point of order, Sir. *(Interruptions)*

MR. SPEAKER: Let them sit down. Only then I will listen to you.

*(Interruptions)*

SHRI RAM NAIK (Bombay North): Mr. Speaker, Sir, I have also a point of order.

MR. SPEAKER: How can I hear your point of order. First of all, please sit down.

*(Interruptions)*

MR. SPEAKER: Devendra Yadav ji, Nathu Singhji, please sit down Chhedi Paswan ji, Agnihotri ji, why are you standing up again. Please sit down.

*(Interruptions)*

MR. SPEAKER: I would once again appeal to all the hon. Members. I know that all of you are interested in carrying on the proceedings of Parliament and you are in favour of Parliamentary democracy. I would like all of you to kindly cooperate in conducting the proceedings of the House properly.

*(Interruptions)*

MR. SPEAKER: Please sit down, all of you, Kindly sit down first. I will just call Shri Subramaniam Swamy.

*(Interruptions)*

[English]

MR. SPEAKER: Please take your seat.

*(Interruptions )*

*[English]*

*[Translation ]*

MR. SPEAKER: Let me hear his point of order.

MR. SPEAKER: Please sit down.

*(Interruptions )*

*(Interruptions )\**

MR. SPEAKER: How do I hear you? I cannot hear anything. They must all go and resume their seats and then I will hear your point of order.

*[English]*

MR. SPEAKER: Nothing will go on record.

*(Interruptions )*

*(Interruptions )\**

*[Translation ]*

*[Translation ]*

MR. SPEAKER: Please sit down.

MR. SPEAKER: Others will listen to you, you should also listen to them. I will urge all of you to please take your seats.

*[English]*

*(Interruptions )*

I would appeal to all the leaders of the parties to assist me to run the House.

*[English]*

*(Interruptions )*

MR. SPEAKER: Please take your seats.

MR. SPEAKER I will appeal to the various leaders of the parties to assist me in running the House. I request the Members to go to their seats.

*[Translation ]*

*[Translation ]*

Ram Dhan ji, I request you to sit down and listen to Shri Swamy.

MR. SPEAKER: Please take your seats.

*(Interruptions )*

*(Interruptions )*

MR. SPEAKER: Go to your seats. Tell me how can I hear you.

MR. SPEAKER: All of you go to your seats. I will not hear unless you go to your seats.

*[English]*

How do I hear You? I cannot hear. Please take your seats.

*(Interruptions )*

*[Translation ]*

I am unable to hear anything. I will listen only when you sit down.

MR. SPEAKER: All of you sit down. I will ask Shri Madhu Dandavate to ask the members of his party to sit down.

*(Interruptions )*

*(Interruptions )*

SHRI RAM NAIK: Mr. Speaker, Sir, I have a point of order. (*Interruptions*)

MR. SPEAKER: I will hear it only when all the Members take their seats.

(*Interruptions*)

MR. SPEAKER; Ram Naik ji, what is your point of order?

(*Interruptions*)

[*English*]

SHRI RAM NAIK: My point of order is that under Rule 184 I have given a Censure Motion against Dr. Subramaniam Swamy for his reported conduct. Now unless that issue is debated fully it would not be desirable and it would not be in the democratic way that he makes a speech. (*Interruptions*)

[*Translation*]

MR. SPEAKER: I will hear you one by one. You have finished your point of order. Please take your seat.

(*Interruptions*)

MR. SPEAKER: I am listening to Shri Ram Naik. Please take your seats.

(*Interruptions*)

SHRI RAM NAIK: That is why this issue is related with the sovereignty of the House and first of all we would like to know as to what has happened. After this, the concerned Minister may make a statement. Allowing him to make his statement first is an effort to create (*Interruptions*) confusion and so my censure Motion should be taken up first for discussion. (*Interruptions*)

MR. SPEAKER: Please take your seat. I have listened your point of order. This is no point of order.

SHRI NATHU SINGH (Dausa): I have also given a notice of Censure Motion in this

regard. Unless, the censure Motion is taken up for debate in the House, Dr. Subramaniam Swamy should not be allowed to speak here. Therefore, I therefore, urge that...

MR. SPEAKER: I don't want to listen that. I have to take a decision that in this respect. I have heard you.

(*Interruptions*)

SHRI MADAN LAL KHURANA: I would like to say that it is written on page 588 in the Book of Kaul and Shakdhar that.

[*English*]

Censure Motion can be moved against the Council of Minister or an individual Ministers or a group of Ministers.

[*Translation*]

I have moved a Censure Motion under Rule 184. The convention of this House has been to give priority to a No-Confidence Motion or a Censure Motion. I request that the discussion on the Censure Motion should be taken up first and then, he should make his statement.

MR. SPEAKER; Mr. Jatiya. Mr. Jena, I will listen to you. Please take your seat. I am listening to Shri Jatiya.

SHRISATYNARAYAN JATIYA (Ujjain): Mr. Speaker, Sir, the level on which this discussion has been raised and the personality who is involved in this discussion have become a question of dignity of our set-up and it has been raised in the House.

MR. SPEAKER: Please come to your point of order. What is your point of order?

SHRI SATYNARAYAN JATIYA: My point of order is that....

MR. SPEAKER: What can I do if you want to make a speech in the garb of a point of order.



SHRI SATYNARAYAN JATIYA: Mr. Speaker, Sir, so long as everything goes on according to the provision of the Constitution and we are a sovereign state in a democratic set up and if somebody utters certain uncalled for remarks against a person of your status, who is custodian of this Lok Sabha, it can not be tolerated and it is shameful for us. *(Interruptions)*

MR. SPEAKER: All right, I have heard you. Please take your seat. Mr. Jena.

[*English*]

SHRI SRIKANTA JENA (Cuttack): Yesterday when we raise this matter you told that during the lunch hour you would meet the leaders of different political parties and then decide. Then the hon. Deputy Speaker, announced in the House that tomorrow the hon. Speaker will announce something on this issue. But as yet nothing has been announced by you. *(Interruptions)*

[*Translation*]

MR. SPEAKER: What should I do, you don't let me announce.

SHRI RAM DHAN: Please announce.

MR. SPEAKER: I am saying, you don't let me announce. Please take your seat. I have followed you.

*(Interruptions)*

MR. SPEAKER: At present, I am not allowing you in this regard. Please take your seat. I shall now listen to Shri Ram Ganesh Kapse. Please take your seat.

PROF. RAMGANESH KAPSE (Thane): I have given a notice of Censure Motion on this issue. I met you to seek the permission to move the Censure Motion. Kindly allow me to move the same. The concerned Minister has said something different on this issue. If you give your ruling... *(Interruptions)*

MR. SPEAKER: Please take your seat.

SHRI RAM DHAN: Mr. Speaker, Sir, whole nation is awaiting your decision eagerly. The words "Dharma Chakra Pravartnaya" are inscribed above your seat. You should do say something to uphold the sanctity of these words. The dignity of this House is in your hands and it is your foremost duty to uphold the Constitution. Such incidents are taking place like an epidemic in all the Legislative Assemblies of all the country. If you are being threatened to be arrested like this, such threats will be given to the speakers of state assemblies also. Therefore, immediate steps should be taken to check such tendencies and Shri Subramaniam Swamy should be dismissed. Yesterday, you had said that action will be taken after discussing the issue with all the leaders. But today, you are not saying anything in that regard. *(Interruptions)*

SHRI ARIF MOHAMMAD KHAN (Bahraich): Mr. Speaker, Sir, I would like to submit that if what Shri Subramaniam Swamy had said is true then, it is a case of contempt of the House and breach of privilege. Sir, my submission is that Shri Subramaniam Swamy is not a Member of this House. If this becomes a question of breach of Privilege and contempt of the House, it has to be sent to the other House for taking action against him. *(Interruptions)* I would only like to submit that until the action, which has to be taken against. Shri Swamy, is completed his entry in the Lok Sabha should be banned. Shri Swamy should not be allowed to speak from the bench, from where he was trying to speak, because he is an accused person and also not an hon. Member of this House. Since he is an accused person, he should not be allowed, he should not be allowed to speak and his entry in the Lok Sabha should be banned. *(Interruptions)*

[*English*]

SHRI JASWANT SINGH (Jodhpur): Mr. Speaker, Sir, you were willing to condone the reported conduct of a Member of the Union Council of Ministers, even unconditionally. You were good enough and large

[Sh. Jaswant Singh]

hearted-enough to say, "No matter, I do not pay much heed to what has happened". You were ready to condone it. I am given to understand that in the meeting that took place with the leaders of all the parties a decision was taken that the Minister...

MR. SPEAKER: I will tell the House.

SHRI JASWANT SINGH: I wish to make a submission, Sir. (*Interruptions*) There, a decision was taken that unconditional apology would be tendered to the House unconditional apology would not be with any 'ifs and buts'. Since this morning, you have witnessed, Sir, that a large number of hon. Members of Parliament, from all parties seem to be agitated about it. (*Interruptions*) I correct myself. Congress party is not a part of it. (*Interruptions*) All the parties share a sense of grievance about what has taken place, as an institutional damage. (*Interruptions*) Sir, now I am told that the Congress party has also agreed. But some parties are not agreeing to it. So, all the parties are not agreeing to it. But a large majority in the House does definitely take it as an institutional damage. A large number of hon. Members of Parliament are still aggrieved about it despite what the leaders have decided with you in the chamber. There are only two courses open and I make the submission to you in all seriousness.

Firstly, you reconvene the meeting of the entire leadership of the party. I would request the leadership to take into account what their back-benchers are saying.

Secondly, if that be not acceptable to the leadership or to you, then, I think, the censure motion that has been moved by very many hon. Members of Parliament be taken up. Let the House vote on it. I do not think there is third option. (*Interruptions*) I think, you ought to.

These are the two options available to you. (*Interruptions*) The Leadership will have to take into account what the back-benchers

are saying. This is my submission to you.

SHRI PIYUS TIRAKY (Alipurduars): Mr. Speaker, this House is run by certain rules. All the rules that are existing now have been violated.

[*Translation*]

He has brought disgrace to the position he is occupying. I urge that he should resign from his post and should go back to his constituency. This is my point of order.

[*English*]

DR. BIPLAB DASGUPTA (Calcutta South): Sir, this is not a personal matter to be resolved between the Member, the Minister, and yourself. It is a matter which concerns the whole House because while making such wild attacks, the Minister has insulted the whole House. For that reason, any settlement, which has been reached before, should be reconsidered by all the leaders.

I will request you that the censure motion, which has been moved, should be considered because this is not a matter of one individual Member and for the Speaker to decide. It is a matter for the entire House to decide. This insult will not be swallowed by the whole House. As Mr. Arif Mohammad Khan has said earlier, I think, until and unless he is censured, he is put to the dock and the whole feeling of the House is communicated to him by you, we will not allow this Member to open his mouth in this House. We will not permit him to speak. (*Interruptions*) He has no right to sit in this House. (*Interruptions*) I want to request you to write to the Presiding Officer of the other House to which he belongs. In this House also, you should take stern action against this Member as desired by Members of both the House of Parliament. he has not right to sit here. (*Interruptions*)

[*Translation*]

SHRI NITISH KUMAR (Barh): Mr. Speaker, Sir, whatever happened day be-

fore yesterday figured in the press and you as well as the entire House is aware of what happened thereafter in this House. You had to announce a decision in this House today but keeping in view the mood of the hon. Members you decided to call Shri Subramaniam Swamy. Now you are observing the reaction of the House. You will be informing the House the developments that took place in the meeting of party leaders and I need not comment on it but I want to submit this that none of the hon. Members of this august House is prepared to let Dr. Subramaniam Swamy go scot free. I want to say in very unambiguous terms that Dr. Subramaniam Swamy will not be pardoned. And Subramaniam Swamy.....\*\*..... The Members of the House do not want to see Shri Subramaniam Swamy in the Cabinet. He has brought bad name to the political system of this country.

MR. SPEAKER: Your allegatory remarks will not go on record.

*(Interruptions)*

MR. SPEAKER: The allegations as levelled by you will not go on record.

*(Interruptions)*

SHRI NITISH KUMAR: Mr. Speaker, Sir, the leader on whom various types of allegations have been levelled and who has threatened to get the hon. Speaker arrested is something beyond his jurisdiction. Ironically he happens to be the Law Minister but instead of maintaining the law and order of the country he is creating disorder...*(Interruptions)*

Mr. Speaker, Sir, no one is prepared to listen to a person who has threatened to arrest the hon. Speaker and he will not be pardoned. Mr. Speaker, Sir, in view of this, I request you not to hold any meeting in this regard. You may kindly allow discussion on the Censure Motion straightaway which has

been brought before the House and ban the entry of Dr. Subramaniam Swamy in this House...*(Interruptions)*

*[English]*

SHRI IBRAHIM SULAIMAN SAIT (Manjeri): Mr. Speaker, Sir, leaders of small parties are never consulted in such important matters. You call some leaders and take decision. I protest against this behaviour. Leaders of smaller parties should also be taken into consideration while taking a decision. I, therefore, appeal to you that when we are seized of the matter, our opinion should also be considered in the matter before taking a decision. *(Interruptions)*

*[Translation]*

SHRI SATYA PAL MALIK (Aligarh): Mr. Speaker, on a point of order, Sir, there has been a violation of the rules of procedure?

MR. SPEAKER: What is your point of order. In what respect the rules of procedure have been violated?

SHRI SATYA PAL MALIK: Mr. Speaker, Sir, there has been a violation of the rules of procedure cause this matter cannot be termed as a matter of the other House merely because the the concerned Minister about whom we are having a discussion is a Member of the other House. We should be very clear about this. I want your ruling as well as your opinion on this issue. He has showed disrespect to the House and the Chair. Since this incident took place in this House, it is only Lok Sabha which is competent to take action in this matter...*(Interruptions)*

SHRI K.C. TYAGI (Hapur): Mr. Speaker, Sir, during the course of discussion yesterday I had made a request and I am reiterating the same today. I want that the discussion, which took place between you, Subramaniam Swamy and Satya Prakash

[Sh. K.C. Tyagi]

Malviya ji, should form part of the proceedings and that you give your ruling on this issue. (*Interruptions*)

[*English*]

SHRI TARIT BARAN TOPDAR (Barackpore): Sir, there are two alternatives. Either you have to put him in the dock and hear him from the dock or you have to allow the censure motion to be moved in the House....(*Interruptions*)

[*Translation*]

SHRI SHOPAT SINGH MAKKASAR (Bikaner): Mr. Speaker, Sir, it is now clear that the incident reported in yesterday's newspaper is totally correct and whatever has been said by our respected Shri Satya Prakash Malviya yesterday is incorrect. Mr. Speaker, Sir, had the same thing been said by Shri Subramaniam Swamy outside the House, I would have lodged a F.I.R. against him and filed a criminal suit. It is a fit case of criminal suit. The only concession in his case could be that being a Minister, he should not be handcuffed. But he should be dismissed.

(*Interruptions*)

SHRI ARIF MOHAMMAD KHAN: He should be dismissed.

MR. SPEAKER: Arif Sahab, he is also an hon. Member of the House. Therefore, we should not go to that extent.

(*Interruptions*)

MR. SPEAKER: Please take your seat. I have heard you.

SHRI SHOPAT SINGH MAKKASAR: Mr. Speaker, Sir, such a detestable person has no right to come to Lok Sabha...(*Interruptions*)

SHRI SHARAD YADAV (Budaun): Mr. Speaker, Sir, I agree that the hon. party

leaders of this House met you in your Chamber. The history of this House reveals that there has not been a single occasion in the past when any leader has been defamed. The feelings of the people have been hurt badly because of this incident. You had taken a decision after consulting all the hon. leaders of various parties. It might have not hurt you and Congress colleagues....(*Interruptions*)...Shri Jaswant Singh has also suggested.....(*Interruptions*) .....The House has large number of hon. Members having different point of view. I humbly wish to apologise before all the leaders and inform them that the people have strong feelings and the decision taken in this regard is unacceptable to them. You should allow a full fledged discussion on censure motion. This is the appropriate time and we should act fearlessly so that the business of the House could be conducted smoothly. The entire truth should be brought before this House and the country so that the future generation may appreciate our courage of practising truth maintain decorum. I am not saying as to what verdict you are going to give. A full fledged debate should be held on it, the views of most of the Members should be determined. I humbly want to urge that you should allow a debate on this censure Motion.

SHRI GUMAN LAL LODHA (Pali): Mr. Speaker, Sir, I want to draw your attention towards the Supreme Court judgement 1965 (A.I.R. 745) in which there was a confrontation with the U.P. High Court. The High Court accepted the bail application of Keshav Singh and granted him bail. Thereafter the entire House decided not to refer this case to the Privileges Committee for examination but decided to arrest the High Court judge who had accepted the bail of Keshav Singh against the directions of the Speaker and produce him before the House. The President made a reference to the Supreme Court on this case. After the hon. President's reference, all the hon. Judges after 20 days' hearing gave their verdict in 1965 that the prestige, dignity decorum and rules of the House are supreme and all the hon. Members of House take the decision...(*Interruptions*) The judi-

ciary cannot interfere unless the fundamental rights have been violated in any way. I want to draw your attention towards this, because the whole House is very much exercised about it as on the international scene, the entire world is looking towards India. As Speaker of Lok Sabha, you are the custodian of the largest and greatest democracy in India. There could be nothing more serious and despicable than to threaten him to get arrested. Mr. Speaker, Sir, this 'insult to jury' is more intensive, because the accused is not an ordinary citizen of the country who might be ignorant about law and rules, but he is the Minister of Law and Justice... (*Interruptions*) ... It is a deplorable situation. I request you to admit this censure motion.

MR. SPEAKER: Shri Ram Vilas Paswanji...

SHRI RAM VILAS PASWAN (Hajipur): Mr. Speaker, Sir, since yesterday...

SHRI MAHADEV SHIWANKAR (Chimur): Mr. Speaker, Sir.

MR. SPEAKER: Shiwankarji, I will call you later. Shri Ram Vilasji...

SHRI RAM VILAS PASWAN: We are sorry to say that the Government has been trying to mislead the House since yesterday. After a news item was published in a 'Daily', the Hon. Prime Minister made a statement in that regard in the House yesterday, but he did not mention as to what had actually happened. He simply said to the Speaker that he apologised if his sentiments were hurt in any way. After that, the Minister of Parliamentary Affairs, Shri Satya Prakash Malviya for whom I have great regard... (*Interruptions*) I expected that Shri Satya Prakash Malviya would never speak 'Asatya' (untruth), but he has stated in clear terms that whatever has appeared in the Press is totally baseless and far from truth. This was the statement of the Minister of Parliamentary Affairs. Though I do not know as to what you would further announce, yet I have come to know that a meeting of all the

leaders of opposition was held, in which it was decided to seek an apology for it, but the House wants to know as to what had actually happened in the chamber. If it is a fact that the speaker has been threatened, then as I had said yesterday also, that this is not simply an issue concerning Shri Rabi Roy or Shri Subramaniam Swamy, but this is an issue of an institution and it is an issue which concerns the dignity of the office of the Speaker. When a murder is committed, one is prosecuted under section 302. Is there a greater offence than that of murder of the office of the Speaker... (*Interruptions*) I would like to request that House should be informed if the Speaker, has been threatened or an attempt has been made to destroy the dignity of the office of the Speaker. I think that all the leaders should reconsider this matter. We should also take note of what Shri Yashwant Sinha has said. What is your stand on this issue. The whole House should be taken into confidence... (*Interruptions*)

MR. SPEAKER: Shastriji, please take your seat. Let Shri Shiwankarji speak first.

PROF. MAHADEO SHIWANKAR: Mr. Speaker, Sir, I want to say that the Speaker's chamber is a part of this House. So, the incident which has occurred in the Chamber of the Speaker and the way Shri Subramaniam Swamy has threatened the hon. Speaker in his chamber, poses a great threat to our democracy. Mr. Speaker, Sir, if some one can threaten you, it means that whether it is the Law Minister or the Government, we can also be arrested by them anywhere and there is risk to our life and property and to the common man as well. If there is any threat to our democracy, this country may disintegrate...

MR. SPEAKER: Shiwankarji, speak something new. You are repeating the same thing.

PROF. MAHADEO SHIWANKAR: Mr. Speaker. I want to say that in case the censure motion cannot be admitted, let an adjournment motion be admitted.



MR. SPEAKER: You may sit now as you have made your point. Let Yadavendraji speak now.

*(Interruptions)*

SHRI YADVENDRA DATT (Jaunpur): The incident which is being discussed here is very shameful...*(Interruptions)*

MR. SPEAKER: All right. Let Shashtri ji speak first.

SHRI YAMUNA PRASAD SHASTRI (Rewa): Mr. Speaker, Sir, in the Parliamentary system, the conventions are not less important than the rules. Our Parliament is regulated through both the conventions as well as the rules. Sir, I would like to refer to one such convention which has not been mentioned by anyone here this time. Sir, you might be knowing that in 1978-79 here in this House late Shrimati Indira Gandhi has alleged of obstructing some officers from discharging their duty and admonishing them when they tried to reply to certain Parliamentary question. That issue was sent to the Privilege Committee later on where her act was treated as the breach of Privilege, because she had obstructed certain officers in discharging their faithful duties to the House. After that, a lot of discussion on that issue had taken place in this House and Shrimati Indira Gandhi thereafter became ready to tender an apology for her act, but the House decided not to accept her apology as her fault was not of a simple nature. The act was extra-ordinary as that was an insult to the House.

Sir, I want to say that the present issue of threatening the hon. Speaker to arrest him by Minister is even more serious. Hence an apology for this incident cannot be accepted by the House. *(Interruptions)* The then Prime Minister had moved a resolution in this House against Shrimati Indira Gandhi that besides terminating her membership from the House, she should also be sent to jail for her offence. And this very House had punished her. In my opinion, Shri Subramaniam Swamy has committed even a greater offence than that

of her *(Interruptions)* because he has threatened the hon. Speaker. Sir, therefore, the hon. Prime Minister should move a resolution in the House for termination of the membership of Shri Subramaniam Swamy and most stringent punishment should be given to him for his offence. *(Interruptions)* There could be no other option except this. *(Interruptions)*

MR. SPEAKER: Shastriji, please resume your seat now. You have adequately made your point and we have understood your point.

PROF. VIJAY KUMAR MALHOTRA (Delhi Sadar): Sir, I would like to say that the Speaker is also bound by certain rules. Whenever a censure motion is moved by some Members, it can either be withdrawn by them or their leader may ask them to withdraw it, but in case the censure motion is not withdrawn and if it stands, no one, not even you have got the right to stop the censure motion from being moved if it continues to stand in the name of a Member. In this House many a times, the censure motions have been moved against the Ministers. A censure motion moved in this House against Chaudhary Charan Singh also. A full-fledged discussion was allowed and a decision was taken thereon. You have no right to stop the censure motion from being moved which has been tabled by some Members against the Minister. The incident amounts to the "Rape of democracy" and in case some one commits a crime, of fender has to be punished. He cannot be pardoned and I, therefore, request you to give your consent for moving of the censure motion here.

*[English]*

SHRI INDRAJIT GUPTA (Midnapore): As one of the members who, along with my colleagues, attend the meeting in your Chamber this morning, I feel we are now faced with rather an awkward situation. *(Interruptions)*

MR. SPEAKER: Please sit down. Mr. Munda, will you please take your seat? Sit down.

*(Interruptions)*

**SHRI INDRAJIT GUPTA:** Rightly or wrongly, that meeting of group leaders or party leaders came to a sort of an agreed formula for resolving this issue. I cannot claim that everybody in that meeting was fully satisfied; but in the interests of an agreed solution, we came to a certain position. Now it is quite clear from what is going on in the House, that there is not a ghost of a chance of this House accepting that formula which we had agreed upon in the morning, which really means Mr. Swami making a statement in this House of an unqualified apology for what happened. The House is not in a mood to accept that. And, therefore, I would humbly say that there will be no use in your re-convening a meeting of the leaders, again. There is no point in it at all, because the House is supreme, and the House, at least a big section of the House, except that side—that side of the House is quiet; that side of the House does not say anything; but this side of the House has made it amply clear that they are not in a mood to accept the compromise, if you like to call it a compromise formula which was arrived at, by agreement, this morning. Therefore, I do not think any purpose will be served by your re-convening meeting of the leaders again. This House is supreme, the House is seized of the matter now; I think it is quite irrelevant to argue that he is a member of the Rajya Sabha and, therefore, the Lok Sabha cannot take action against him, and all that. Sir, when he was in your Chamber and made some remark to you, he was not there in his capacity as a member of the Rajya Sabha. He was there as a Minister. He is a Minister of the Council of Ministers of this Government, which of does not belong to this House or that House. He is a member of the Government. If we go by the report which appeared in Hindustan Times—that is all we have got at the moment to go by; we do not know exactly what has happened; you have not told us, Sir, nor any of the others. Mr. Swami has not told us; the Parliamentary Affairs Minister has not told us. So, we have to go only by what has appeared in the Press, and there it is quite obvious that he was speaking to you, ad-

ressing certain remarks, which we consider to be highly reprehensible to the Speaker, in his capacity as a Minister, not as a member of the other House. And that is why the whole House is very much taken affront to what has happened. Unless it is a wrong report, as the Parliamentary Affairs Minister says that the report is all wrong, then somebody should clarify; and if it is not clarified, we have to proceed on the basis of that report. Therefore, I would humbly suggest: many of the party leaders were not able to accurately gauge or assess the mood of the House and the Members. We agreed to something which we thought will settle the matter. But the House is apparently not going to agree to that. Therefore, there is no point in calling a meeting of the leaders again. I would suggest that the Motion which has been moved already, the adjournment motion—sorry, the censure motion be taken up for discussion in the House; and let the House decide.

[*Translation*]

\***SHRI GOVIND CHANDRA MUNDA** (Keonjhar): Mr. Speaker, Sir, you are only allowing big leaders to make their submission. I have been trying to raise the issue, but you are not allowing me. As a Member of this House I have a right to speak.

[*English*]

**MR. SPEAKER:** Mr. Munda, please take your seat. Will you please take your seat? Sit down, sit down.

**SHRI INDRAJIT GUPTA:** Sir, rightly or wrongly...

**MR. SPEAKER:** Mr. Govind Munda.

[*Translation*]

\***SHRI GOVIND CHANDRA MUNDA:** Mr. Speaker, Sir, India is a large country. Our's is the largest democracy in the world. Parliament is supreme. Whatever happens

[Sh. Govind Chandra Munda]

in the country is reflected in the House. If injustice has been done to anybody, it must be discussed in the House. We should try to give justice to everybody as far as possible. It is our prime duty to maintain dignity and decorum of the House. We have got a set of rules and procedures for this House. Every Hon'ble Member should abide by those rules and procedures. We should also abide by the decision taken by the Hon'ble Speaker. But it is unfortunate that serious lapse has taken place in the behaviour of Minister with the Hon'ble Speaker. I have been in politics since long. I have never heard any member or Minister has ever behaved in this manner. Right from the time of the Prime Minister Pandit Jawahar Lal Nehru to Shri Rajiv Gandhi and Shri V.P. Singh, no such ugly incident had ever taken place. Now Shri Chandra Shekhar is the Prime Minister, Rules are being violated in the House after Shri Chandra Shekhar is made the leader of the House. There is anti-defection law. The Chandra Shekhar Government is not willing to implement the anti defection law. Sir, you are our Speaker. You are the custodian of the House as well as the people through this House. They are not even willing to abide by what you say. They are threatening to arrest you. How shameless they are ! We must follow the ideals of our great leaders. We must restore the decorum and decency in the House. Sir, if a Minister of the union Government behaves in an undignified manner and if we have to ignore what he said and what he did, then what our countrymen will learn from us, what will be their impression about the Parliament. So, you have to take action, you have to do it, you have to do it immediately.

[English]

**SHRI NIRMAL KANTI CHATTERJEE** (Dumdum): After listening to all that has been said here, I most humbly like to differ from our esteemed colleagues, Shri Indrajit Gupta.

**MR. SPEAKER:** Do you agree with him?

**SHRI NIRMAL KANTI CHATTERJEE:** No. What I want to submit is that first of all the guilt has to be established. I believe that first of all we want a statement from Mr. Subramaniam Swamy whether he admits his guilt here. On the basis of that admission only we can re-consider what further steps should be taken.

**SOME HON. MEMBERS:** No, no.

**SHRI NIRMAL KANTI CHATTERJEE:** Whether or not he admits the guilt that should be the first step that should be taken.

**AN HON. MEMBER:** No, no.

**SHRI NIRMAL KANTI CHATTERJEE:** After that, after the admission of the guilt, what should be done about that, that the House can reconsider. But before that all, whether or not he admits his guilt, that is what we want to know. On the basis of his admission, the House will consider what steps should be taken after he has admitted the guilt. After that, we are prepared to reconsider it.

[Translation]

**SHRI ARIF BAIG (Betul):** Mr. Speaker, Sir, the matter being discussed in the House, is very serious. The Panchayat of the largest democracy of the world is spending its time on it and the entire country is looking towards us. Sir, I would like to know whether the incident, as has been reported in a leading newspaper of the capital, is true? The Law Minister of this country has made allegation against the Speaker of the House and threatened to get him arrested. So I would like to know whether it is true or not? If it is true, then it is a very serious matter. Therefore, either the Prime Minister should drop the that Minister from the Council of Ministers or that Minister himself should tender his resignation.

Mr. Speaker, Sir, if the that Minister does not resign, the Censure Motion should be brought in the House and then in Minister can give his personal explanation. First of all



the motion should be admitted and then that Minister can give his personal explanation. The House is not ready to accept anything less than that (*Interruptions*)

SHRI PURUSHOTTAM KAUSHIK (Durg): Mr. Speaker, Sir, the House does not want any information from Shri Subramaniam Swamy or from any other member of the Government regarding the incident of threatening the Speaker by Shri Subramaniam Swamy. In this regard Mr. Speaker, Sir you can give the factual position, because till now you have not denied that he has not threatened you. The House believes that such threat was given to the Speaker. Secondly, I would like to raise a point of order, particularly on your statement. We have read in today's Newspapers that you have announced to close the chapter. My humbly submission in this regard is that such remarks by Shri Swamy is not your individual insult but it is our insult to the entire House and when it is a matter of insult to the House, I think you have announced to close the matter without obtaining any opinion of the House on this point. You might have done so to show generosity, good will or large heartedness but the matter is not under your jurisdiction. Instead of taking any decision, you should have obtained the opinion of the House. Therefore, I would like to submit that on this issue you might have had discussion with senior leaders and those leaders might have presumed that their party members would agree with their views. But keeping in view the opinion of the House, the Censure motion, which has been moved in the House should be taken up and the action should be taken in accordance with the decision of the House. (*Interruptions*)

[*English*]

MR. SPEAKER: I have listened to the submission.

(*Interruptions*)

[*Translation*]

SHRIMATI SUBHASHINI ALI: Mr. Speaker, Sir, I would like to know whether Shri Devi Lal has been sworn in as Prime Minister? (*Interruptions*)

SHRI RAM DHAN: Shri Devi Lal is sitting in the Chair of the Prime Minister. (*Interruptions*)

MR. SPEAKER: Please sit down.

THE DEPUTY PRIME MINISTER AND MINISTER OF AGRICULTURE AND MINISTER OF TOURISM (SHRI DEVI LAL): I would like to say that I have left enough room for the Prime Minister. I have occupied my own seat and not that of the Prime Minister. (*Interruptions*)

[*English*]

MR. SPEAKER: I have listened to the submissions made by hon. members.

(*Interruptions*)

MR. SPEAKER: Please take your seat. I will give my decision about the admissibility of the Censure Motion when the House meet after lunch hour.

The House stands adjourned for lunch to meet again at 2.20 P.M.

13.19 hrs.

*The Lok Sabha then adjourned for Lunch till twenty minutes past Fourteen of the Clock.*

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*The Lok Sabha re-assembled after Lunch at Twenty two minutes past fourteen of the Clock*

[MR. SPEAKER *in the Chair*]

487 *Re. Alleged threat of arrest to the speaker, Lok Sabha, by*

JANUARY 3, 1991 *Shri Subramaniam Swamy,* 488

*A Union Minister*

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

*(Interruptions)*

*[English]*

SHRI HANNAN MOLLAH (Uluberia):  
Sir, what is your ruling?

*(Interruptions)*

MR. SPEAKER: The House stands adjourned to meet again at 4.30 p.m.

14.23 hrs.

*The Lok Sabha then adjourned till thirty minutes past Sixteen of the Clock*

16.31 hrs.

*The House re-assembled at thirty-one minutes past Sixteen of the Clock*

**[MR. SPEAKER in the Chair]**

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

*(Interruptions)*

*[English]*

MR. SPEAKER: I had adjourned the House upto 4.30 p.m. at the request of various leaders who wanted time to consult their colleagues to arrive at a consensus. These leaders have not requested me for some more time for that purpose. I therefore, now adjourn the House until 11 A.M. tomorrow.

16.32 hrs.

*The Lok Sabha then adjourned till Eleven of the Clock on Friday, January, 4, 1990/ Pausa 14, 1912 (Saka)*