

and transmitted to the Rajya Sabha for its recommendations and to state thank this House has no recommendations to make to the Lok Sabha in regard to the said Bill."

(vi) "In accordance with the provisions of sub-rule (6) of rule 186 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to return herewith the Additional Duties of Excise (Good of Special Importance) Amendment, Bill, 1989, which was passed by the Lok Sabha at its sitting which was passed by the Lok Sabha at its sitting held on the 10th May, 1989, and transmitted to the Rajya Sabha for its recommendations and to state that this House has no recommendations to make to the Lok Sabha in regard to the said Bill."

(vii) "In accordance with the provisions of rule 127 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to inform the Lok Sabha that the Rajya Sabha, at its sitting held on the 12th May, 1989, agreed without any amendment to the Representation of the People (Amendment) Bill, 1989, which was passed by the Lok Sabha at its sitting held on the 11th May, 1989."

11.23 hrs.

RULING RE: QUESTION OF PRIVILEGE  
RAISED BY SHRI V. KISHORE CHAN-  
DRAS. DEO.

[English]

MR. SPEAKER: On 10th May, 1989, Shri V. Kishore Chandra S Deo gave notice of a question of privilege against the Minister of Home Affairs, Shri Buta Singh, for allegedly misleading the House on 8th May, 1989, while replying to the discussion regarding communal situation in various parts of the

country. In his notice, Shri Deo stated *inter alia* that Shri Buta Singh misled the House wilfully and deliberately by stating that a 'three-judge Division Bench of the Allahabad High Court would decide the Babri Masjid—Ram Janambhoomi dispute by taking up the case on July 10, 1989, which is false information as reported in the Indian Express dated 10th May, 1989."

The *Indian Express* of 10th May, 1989, carried a news report captioned "Buta misleads Parliament" which read *inter alia* as follows:

"The facts are not in keeping with what the Home Minister told the Lok Sabha. Neither has any bench been constituted, nor is the case being taken up by any bench of the Allahabad High Court on July 10.

A two judge division bench of the Allahabad High Court at Lucknow is seized of an application made by the State Government for transferring four cases relating to the Ayodhya shrine pending in Faizabad courts to the High Court for their disposal. The arguments before the bench on the petition moved in February remained inconclusive on May 3 and the next date fixed by the Court for the hearing is July 10.

The division bench is yet to decide whether the petition of the Government for withdrawal of cases from Faizabad civil courts to the Lucknow Bench, their consolidation and disposal here should be admitted or not."

The Minister of Home Affairs while replying to the discussion regarding communal situation in various parts of the country on 8th May, 1989, had stated as follows—the original was in Hindi and it has been translated:

"After discussing the matter with the Uttar Pradesh Government, we said that the dispute—the whole consolidated case—should be placed before the High Court of Uttar Pradesh and a Division

bench comprising of three judges should be constituted for the purpose. They will look into the matter and their decision should be accepted by all... Now that the State Government has perhaps moved, or is going to move the High Court—it has been posted for the 10th of July and all parties are appearing before the High Court—definitely I am sure these matters can be taken before the High Court.”

It is, therefore, clear that the Minister of Home Affairs did not say that a Division Bench had been constituted and that the Babri Masjid—Ram Janambhoomi dispute was fixed for hearing before the Bench on 10th July, 1989. All that the Minister of Home Affairs is on record as having said is that the Central Government had talks with the Government of Uttar Pradesh regarding the dispute and it was suggested that a Division Bench of the Allahabad High Court comprising of three judges should hear the case.

Instead of the Minister of Home Affairs misleading the House, much less deliberately, it appears to me to be a case of misreporting of the proceedings of the House by the newspaper concerned and placing of total reliance thereon by Shri V Kishore Chandra S Deo without referring to the relevant proceedings of the House.

I have emphasised from time to time that members should not repose implicit faith in news reports and should verify their correctness or otherwise for themselves before making allegations.

No question of privilege is involved in the matter I, therefore, do not give my consent to the raising of the matter as a question of privilege on the floor of the House under rule 222.

SHRI SAIFUDDIN CHOWDHARY (Katwa): Sir, what about my notice?

MR. SPEAKER: I have got that Report

and I am satisfied.

You can now raise that matter under Direction 115

SHRI SAIFUDDIN CHOWDHARY: under Direction Why 115, Sir? He has deliberately misled the House.

MR. SPEAKER: I have got the reply also.

SHRI SAIFUDDIN CHOWDHARY: 115 is not adequate. One cannot deliberately mislead the House. He has to tender an apology.

SHRI BASUDEB ACHARIA (Bankura): Sir, what happened to my Privilege Notice against Shri Buta Singh. He has deliberately mislead the House by saying that.

[Translation]

MR. SPEAKER: I have disallowed. I said it is enough

[English]

SHRI BASUDEO ACHARIA: He has deliberately misled the House by saying that before appointing the Governor of West Bengal, the Chief Minister of West Bengal was consulted. He said that in the House. (Interruptions)

[Translation]

MR. SPEAKER: That has been settled. I have disallowed. Now leave it.

[English]

SHRI AMAL DATTA (Diamond Harbour): You have not given your ruling on that.

SHRI SAIFUDDIN CHOWDHARY: Sir, Rule 115 is about correcting a mistake. It was not a mistake. He must express regret for misleading the House.

MR. SPEAKER: I am satisfied and I will talk to you. No problem.

[Translation]

We will see in the forth coming session.

[English]

SHRI V. KISHORE CHANDRA S. DEO (Parvathi Puram): What about my privilege notice against the Indian Express?

MR. SPEAKER: Deputy Speaker will look after that.

SHRI V. KISHORE CHANDRA S. DEO: Sir today is the last day and they are publishing all.

MR. SPEAKER: I told you that because it concerns me so, I did not do it. I am only answerable to you.

SHRI SHANTARAM NAIK (Panaji): I have given a notice of breach of privilege against Mr. kishore Chandra Deo for casting aspersions on the Privilege Committee. To quote his own words, he said that the "Privileges Committee ran away" ... So, you kindly take action.

[Translation]

MR. SPEAKER: It has come just now what can be done Now, Shri Rajiv Gandhi.

11.27 hrs

[English]

CONSTITUTION (SIXTY-FOURTH AMENDMENT) BILL\*

THE PRIME MINISTER (SHRI RAJIV GANDHI): Mr. Speaker, Sir, I beg to move for leave to introduce a Bill to further amend the Constitution of India.

Sir, democracy was the greatest gift of

our freedom struggle to the people of India. Independence made the nation free. Democracy made our people free. A free people are a people who choose their own representatives. A free people are a people who are governed by their will and ruled with their consent. A free people are a people who participate in decisions affecting their lives and their destinies.

Gandhiji believed that democratic freedoms have to be founded in institutions of self-government in every village of India. He drew his inspiration and his vision from the 'Panchayats', the traditional village republics of India. Panditji established the institutions of Panchayati Raj as the primary instrument for bringing development to the doorstep of rural India. Indiraji stressed the need for the people's participation in the processes of economic and social transformation.

Yet, there is no denying that in most parts of the country we have failed to fulfil the high hopes we had vested 30 years ago in the institution of Panchayati Raj. Elections have been irregular. They are of ten unnecessarily delayed and frequently postponed.

This is not a matter of political will. The best record of regular elections to Panchayati Raj institutions is of two State Governments which since the inception of Panchayati Raj have almost continuously been ruled by the Congress Party. Gujarat and Maharashtra (Interruptions)

In recent times. (Interruptions)

SHRI AMAL DATTA: (Diamond Harbour): What is the record of U.P.?

(Interruptions)

SHRI RAJIV GANDHI: You hear the next sentence.....(Interruptions)

Sir, in recent times, some State Governments run by the Opposition Parties, such as, the CPI (M) in West Bengal and the Telugu Desam Party in Andhra and the Janata

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