

Bengal, during the discussion on calling attention matter regarding reported busting of inter-State coal smugglers' racket, I am also referring these notices to Shri A. B. A. Ghanj Khan Chaudhuri for his comments in the first instance.

(Interruptions)

SHRI JYOTIRMOY BOSU: . . .***

SHRI K. LAKKAPPA: . . .***

MR. SPEAKER: Without my permission whatever has been said will not form part of the proceedings; I am not allowing anybody and nothing is going on record.

12.10 hrs.

RE. ADJOURNMENT MOTION

STRIKE BY DOCTORS IN DELHI HOSPITALS

MR. SPEAKER: I have received two notices of Adjournment Motions—one from Shri Jaipal Singh Kashyap regarding strike by Doctors in Delhi hospitals. This matter has already been discussed in the House on Calling Attention on 8th July, 1980. I, therefore, withhold my consent.

12.10 hrs.

ARREST OF MEMBER

MR. SPEAKER: I have to inform the House that I have received the following wireless message dated 9th July, 1980 from the Judicial Magistrate, Meerut (U.P.), on 10th July, 1980:

“Shri Rashid Masood, Member of Parliament sent to Jail, U/S 188 IPC from PS Baghpat, District Meerut, today and remanded upto 10-7-1980”.

(Interruptions)

12.11 hrs.

PAPERS LAID ON THE TABLE

CERTIFIED ACCOUNTS AND AUDIT REPORT OF POST-GRADUATE INSTITUTE OF MEDICAL EDUCATION AND RESEARCH, CHANDIGARH FOR 1978-79

THE MINISTER OF EDUCATION AND HEALTH AND SOCIAL WELFARE (SHRI B. SHANKARANAND): I beg to lay on the Table a copy of the Certified Accounts (Hindi and English versions) of the Post-graduate Institute of Medical Education and Research, Chandigarh, for the year 1978-79 together with the Audit Report thereon, under sub-section (4) of section 18 of the Post-Graduate Institute of Medical Education and Research, Chandigarh, Act, 1966. [Placed in Library. See LT-1049/80].

A STATEMENT SHOWING REASONS FOR DELAY IN LAYING CENTRAL ADVISORY COMMITTEE FOR LIGHTHOUSES (PROCEDURAL) AMENDMENT RULES, 1979

THE MINISTER OF STATE IN THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI BUTA SINGH): I beg to lay on the Table a statement (Hindi and English versions) showing reasons for delay in laying the Central Advisory Committee for Lighthouses (Procedural) Amendment Rules* 1979, published in Notification No. GSR 867 dated the 23rd June, 1979. [Placed in Library. See No. LT-1050/80].

12.12 hrs.

ARREST OF MEMBER—contd.

(Interruptions)

MR. SPEAKER: What is the matter before the House?

There is no matter before the House. Papers are just being laid on the Table of the House.

***Not recorded.

*The Rules were laid on the Table on the 3rd July, 1980.

SHRI JYOTIRMOY BOSU (Daimond Harbour): About the arrest of the officers, I want to . . .

MR. SPEAKER: No. That matter has passed. (*Interruptions*)

No, I have disallowed. No, you cannot. The matter has passed.

(*Interruptions*)

MR. SPEAKER: You have to give notice.

SHRI CHANDRAJIT YADAV (Azamgarh): Under which jail the Member has been lodged.

(*Interruptions*)

SHRI JYOTIRMOY BOSU: Under what law?

(*Interruptions*)

MR. SPEAKER: He has been remanded till 10-7-1980.

SHRI CHANDRAJIT YADAV: In which jail he has been lodged.

MR. SPEAKER: Rule 229 says—

“When a Member is arrested on a criminal charge or for a criminal offence or is sentenced to imprisonment by a court or is detained under an executive order, the committing judge, magistrate or executive authority, as the case may be, shall immediately intimate such fact to the Speaker indicating the reasons for the arrest, detention or conviction, as the case may be, as also the place of detention or imprisonment of the member in the appropriate form set out in the Third Schedule.”

SHRI CHANDRAJIT YADAV: I would like to know in which jail he has been lodged.

SHRI JYOTIRMOY BOSU: I am on a point of order under Rule 229.

SHRI CHANDRAJIT YADAV: I would like to know the jail in which he has been lodged.

MR. SPEAKER: This was a wireless message. We will confirm it and tell you.

(*Interruptions*)

SHRI CHANDRAJIT YADAV: I raise an objection. When a Member is detained it is a great matter of privilege of the House to be informed of the jail in which the Member has been lodged. If this information has not been given, it is a direct insult of the House.

MR. SPEAKER: I got information on wireless. That I passed on to the House.

(*Interruptions*)

SHRI CHANDRAJIT YADAV: Even in the wireless message this is the minimum that the House should be informed in which jail the Member is lodged. It is not a question of an individual. It is a privilege of the Member of this House that the authorities must give this minimum information where he has been lodged, under what conditions he has been lodged, whether he is in police lock up, whether he is in the district jail or in any other jail. The Members, members of his family, the Party members and the House must be informed.

MR. SPEAKER: As my primary duty to the House I informed the House at the earliest when I got this message just now and I will look into it and find out.

SHRI CHANDRAJIT YADAV: It is not a question of finding out. It is a serious matter.

(*Interruptions*)

MR. SPEAKER: I am looking into it.

SHRI CHANDRAJIT YADAV: You are bound by the rules that you must inform the House at the earliest. But the question is that the authority has shown sheer negligence. You have always been told that Meerut authorities are vindictive and reckless. This is one of the proofs. It is a serious matter.

SHRI JYOTIRMOY BOSU: Rule 229 makes it mandatory for the arrest-

ing authority. The word used is "shall". It says:

"... shall immediately intimate such fact to the Speaker, indicating the reasons for the arrest, detention or conviction as the case may be as also the place of detention or imprisonment of the member in the appropriate form as set out in the Third Schedule."

Now what is the Third Schedule?

MR. SPEAKER: That is what I have also read. The scheduled information will be coming. (*Interruptions*) I will look into it.

SHRI GEORGE FERNANDES (Muzaffarpur): It is 24 hours since the Member has been arrested. It is less than 40 miles from here that he has been arrested and they are sending telegraphic message. What is this? They are taking the House for granted.

MR. SPEAKER: I will look into it.
(*Interruptions*)

MR. SPEAKER: I said, I will look into the matter.

SHRI CHANDRAJIT YADAV: Let us know who has sent the information.

MR. SPEAKER: We will give you a copy.

SHRI RAVINDRA VARMA (Bombay North): When there is a breach of the rule and a breach of the privilege of the House, to whom shall we go except to you? (*Interruptions*).

MR. SPEAKER: It is from the Judicial Magistrate.

SHRI CHANDRAJIT YADAV: It is a message from the Judicial Magistrate, Meerut dated 10th July: It says:

"Shri Rashid Masood, Member of Parliament, sent to jail under section 188, IPC from Police Station Baghpat, District Meerut today and remanded up to 10-7-80."

Rule 229 says:

"When a Member is arrested on a criminal charge or for a criminal

offence or is sentenced to imprisonment by a court or is detained under an executive order, the committing judge, magistrate or executive authority, as the case may be shall immediately intimate such fact to the Speaker indicating the reasons for the arrest...."

Here there is no reason given.

MR. SPEAKER: It says, under section so and so.

SHRI CHANDRAJIT YADAV: He has to give the reasons for the arrest, detention or conviction, as the case may be, as also the place of detention. Even the place of detention is not mentioned in this message.

MR. SPEAKER: I will look into it.
(*Interruptions*)

SHRI CHANDRAJIT YADAV: It should be in the appropriate forms as given in the Third Schedule. The information as required under the Third Schedule is totally lacking.

MR. SPEAKER: I will look into it and give my ruling.

SHRI CHANDRAJIT YADAV: It is a breach of privilege of the House.

MR. SPEAKER: I will look into it.

Papers to be laid—Mr. Laskar.

12.18 hrs.

PAPERS LAID ON THE TABLE—
contd.

A copy of the Drugs and cosmetics (First Amendment) Rules, 1980.