

12 hrs.

RE. ADJOURNMENT MOTIONS

MR. SPEAKER: I have received a number of notices of adjournment motions by Sarwashri Mukunda Mandal, Ajoy Biswas, Basdev Acharia, Rupchand Pal, Satyasadhan Chakraborty, Dinen Battacharyya, Niren Ghosh, Hannan Mollah, Ajit Kumar Saha, Ram Bilas Paswan and Jyotirmoy Bosu on the subject of unabated dastardly attacks on Harijans in various parts of the country, rape of Harijan and tribal women at various places and failure of the government to protect the weaker sections of the society. I have considered this matter. Rule 58(vi) provides—

“the motion shall not anticipate a matter which has been previously appointed for consideration. In determining whether a discussion is out of order on the ground of anticipation, regard shall be had by the Speaker to the probability of the matter anticipated being brought before the House within a reasonable time.”

The grounds on which the Speaker may withhold his consent on notices of adjournment motions are also given in the handbook for Members. The relevant grounds are—

“It relates to a matter which is likely to be debated in the near future/discussion on which has already been fixed.

The matter can be raised during discussion on the Demands for Grants of the Ministry/Finance Bill Motion of Thanks on President's Address.”

(Interruptions)

MR. SPEAKER: Please listen; do not interrupt. I have also seen the precedents in this regard and I would mention some of them for the information of hon. Members—

(1) Matters which can be raised during discussion on Budget and Finance Bill cannot be raised through an adjournment motion.

SHRI DINEN BHATTACHARYYA (Serampore): You must mention the rule.

MR. SPEAKER: I am mentioning the rule, that is what I am doing. I have got the rulings thereon from Legislative Assembly debates of 15-2-1943 and House of People debates on 20-2-1953.

On 25 March, 1969 several members raised points regarding notices of adjournment motions regarding firing by CRP on security personnel of Durgapur Steel Plant. Speaker observed that the demands of the Home Ministry would be discussed the following day and that when there was an opportunity for Opposition to throw out Government, adjournment motions were not admitted. I am giving the ruling, they are in the Lok Sabha debates dated 25-3-1969 and 20-2-1973. They are on pages 207—222.

SHRI JYOTIRMOY BOSU (Diamond Harbour): I will give you precedent.

MR. SPEAKER: Please do not speak when I am speaking

On 4 March, 1974, Speaker withheld consent to adjournment motions regarding announcement by government about increase in prices of petrol and petroleum products, observing that in view of earlier rulings when Budget was coming up for discussion, such matters could be discussed on Demands for Grants. This is in the Lok Sabha Debates of 4-3-1974.

I have also checked up that during the years 1971, 1972, 1974, 1975, 1976; 1977 and 1978 adjournment motions were not discussed during the period demands for grants were under discussion. While I fully realise the gravity of the situation and the im-

portance of the matter, I feel that it would not be appropriate to depart from the well-established practice and allow adjournment motions on the subject. This matter was also discussed at a meeting I held with some of the leaders of the parties and groups this morning.

In view of the circumstances, it has been agreed that a discussion may be held on this matter tomorrow at 4 p.m.

SHRI JYOTIRMOY BOSU: On a point of order... (*Interruptions*)

MR. SPEAKER: Please sit down, I am making an announcement (*Interruptions*) I want to make an announcement.

(*Interruptions*)

12.05 hrs.

ANNOUNCEMENT BY SPEAKER RE QUESTION OF PRIVILEGE

MR. SPEAKER: In connection with a question of privilege given notice of Sarvashri Ram Vilas Paswan, Atal Behari Vajpayee, Jyotirmoy Bosu and cut K. A. Rajan against the Minister of Health and Family Welfare Shri B. Shankaranand,

(*Interruptions*)

MR. SPEAKER: Please take your seat. We are discussing it tomorrow. Please sit down.

SHRI JYOTIRMOY BOSU (Diamond Marbour): We do not accept the interpretation of rules.

MR. SPEAKER: I cannot make my discretion according to ones likes or dislikes.

(*Interruptions*)

MR. SPEAKER: In connection with a question of privileges given notice of by Sarvashri Ram Vilas Paswan, Atal Behari Vajpayee, Jyotirmoy Bosu and K. A. Rajan against the Minister of Health and Family Welfare (Shri B. Shankaranand) for making an alleged misleading statement in the

House regarding receipt of a Memorandum by the Minister from the Junior Doctors' Federation of Delhi, some members raised a point on 30th June, 1980, that the factual note furnished by the Ministry of Health and Family Welfare should have been sent by the Minister himself instead of being sent by an Officer of the Ministry. I had then observed that I would look into the matter and give my decision.

A question of privilege can be raised in the House only with the consent of the Speaker under Rule 222 of the Rules of Procedure and Conduct of Business in Lok Sabha. While giving his consent, the Speaker has to decide whether the matter should be given precedence over the pre-arranged items of business. In order to determine whether consent should be given under Rule 222 to raise a question of privilege in the House against a Member/Minister, it is a well-established practice that a factual note/comments are called for from the Member/Minister and the Ministry concerned for consideration of the Speaker.

It may be useful to divide the nature of reference to Ministries/Minister under the following broad heads:

(i) Where factual information is called for and the Minister is not directly concerned; e.g. omission or incorrect mention of a Member or the party to which he belongs to, in the radio/television broadcast.

In such cases, the communication may be signed by an officer in the Ministry/Department not below the rank of Joint Secretary and should clearly indicate that the communication is being sent with the specific approval of the Minister.

SHRI JYOTIRMOY BOSU: Within how many days?

MR. SPEAKER: (ii) Where the notice of privilege relates either