

SHRI KANWAR LAL GUPTA:
Please give me a minute and I will finish; and your verdict will be final.

In this case it is not an inaccurate answer: it is completely wrong answer. Two days back I asked a question about tribal areas but the figures were given for 1972-73...

MR. SPEAKER: We are on one thing and you are now raising a point on some other question.

SHRI KANWAR LAL GUPTA:
This has been the practice. (Interruption)

MR. SPEAKER: You are merely rising to raise some objection. Why don't you follow the rules?

SHRI KANWAR LAL GUPTA: It is the practice of the Ministers that they don't do their homework and reply accurately. So, you have to safeguard the right of the Members: that is my contention.

MR. SPEAKER: All right. (Interruptions).

SHRI KANWAR LAL GUPTA:
You should direct the Ministers to give proper replies to questions. Kindly do this. Unless you protect us we cannot...

MR. SPEAKER: I have to protect myself against some of you. Every time, you raise a point of order or a point of submission or some other point. Please follow the rules.

PROF. DILIP CHAKRAVARTY:
Sir, just one submission.

MR. SPEAKER: You have made one submission already. Now, Papers to be laid.

12.10 hrs.

PAPERS LAID ON THE TABLE

DETAILED DEMANDS FOR GRANTS OF MINISTRY OF AGRICULTURE AND IRRIGATION FOR 1978-79

THE MINISTER OF AGRICULTURE AND IRRIGATION (SHRI SURJIT SINGH BARNALA): I beg to lay on the Table a copy of the Detailed Demands for Grants (Hindi and English versions) of Ministry of Agriculture and Irrigation for 1978-79. [Placed in Library. See No. LT-2029/78]

12.10½ hrs

RE: QUESTION OF PRIVILEGE

SHRI SHYAMNANDAN MISHRA (Begusarai): Sir, what about the question of privilege.

MR. SPEAKER: That comes after Papers Laid.

SHRI SHYAMNANDAN MISHRA:
No sir, it comes before Papers Laid. Please consult the Directions.

MR. SPEAKER: I have called for a report from the Editor, and that is the standing practice. If you want I have got all the records and . .

SHRI SHYAMNANDAN MISHRA:
But the question has to be raised in the House. The House has to know the nature of the offence; and then, of course, you can say that you have called for an explanation from the person concerned. First the House has to know at the earliest what kind of offence has been committed. It is the practice in the House of Commons and also here that at the earliest opportunity, the House has to know the nature of the offence that has been committed. So, my submission is that you may kindly allow me to place before the House what kind of offence has been committed and what kind of injury has been done, and then you can of course say that you have called for an explanation from the person concerned.

MR. SPEAKER: The practice here is... (*Interruptions*). Please! I am referring to the Directions and Rules.

The practice here is—I don't know what the practice in England is—and it is a well-established practice, that if a newspaper reports inaccurately the proceedings of the House or makes comments casting a reflection on the House or a Member, the Speaker may, in the first instance, give an opportunity to the Editor of the Newspaper to present his case before giving his consent to raising the question of privilege in the House. The Speaker normally withholds his consent to the raising of the question of privilege after the Editor or Press Correspondent of the Newspaper concerned has expressed his regret for publishing it. That is up to me, later; but the earlier procedure, which is a well-established practice, is that we should call for such comments because we should know the other side of the picture. *Prima facie*, whatever you have said may be correct, but I must give the other side also an opportunity.

SHRI SHYAMNANDAN MISHRA: That can be only in extenuation of the offence. But here the offence is so clearly established that there is no need for calling for an explanation from the person concerned. Can there be another version of this? I have the document...

MR. SPEAKER: Quite right, but in our country we do not act arbitrarily. Either the Parliament or the Speaker should not act arbitrarily.

SHRI SHYAMNANDAN MISHRA: Would it be your pleasure to ask me to give you instances where the question had been allowed to be raised and then the Chair had said that he has called for an explanation? I can quote a number of instances.

MR. SPEAKER: Let us see later. I have called for a report and probably in a day or two we will get the report.

SHRI SHYAMNANDAN MISHRA: But let it be quite clear that whatever explanation is offered by the other side, it cannot be in extenuation of the offence. I am not going to allow the matter to rest there because injury has been done and an offence has been committed, and it is so deliberate and patent that I will have to make this clear. No amount of explanation from the other side can be entertained by the Chair so far as the offence is concerned. That is my contention.

SHRI HARI VISHNU KAMATH (Hoshangabad): Sir I am referring to proviso to Rule 225 and I hope that you will make a liberal interpretation of this particular proviso—not a narrow interpretation but a liberal interpretation. My Hon. friend Shri Mishra is quite right when he raised this point. There are two provisos to Rule 225 and the first proviso says that if the Speaker does not give his consent, he may, if he thinks it necessary—I hope he thinks it necessary in this case (that is why I said 'liberal interpretation')—he may read the notice of question of privilege and state that he refuses consent or holds that the notice of question of privilege is not in order.

MR. SPEAKER: Quite right; before refusing it, that procedure will be followed. If I am refusing it, I will certainly follow that. At this stage, I have merely called for an explanation.

SHRI HARI VISHNU KAMATH: Your ruling, I submit in all humility, is incomprehensible.

MR. SPEAKER: How? The proviso says that before I refuse I may read out to the House. It is 'before I refuse': I have not refused it at all. You have not followed Mr. Kamath. I have not refused permission. I have called for an explanation from the Editor and I will thereafter consider it. That is what I have said—and that is a well-established practice in this House.

SHRI HARI VISHNU KAMATH: Is the position now that you have neither withheld your consent nor given your consent? Is it hanging fire?

MR. SPEAKER: I have not refused: it is under consideration.

PROF. DILIP CHAKRAVARTY (Calcutta South): About the submission I made before you, when do I get your permission to raise the issue?

MR. SPEAKER: I don't know why everybody wants to make himself felt in the House'

PROF. DILIP CHAKRAVARTY: I tried to contact you yesterday and day before you can ask your bearer

tion is being considered in accordance with the rules. If you have any doubt about it, you can come and discuss. After putting a question you cannot again raise the matter here. I don't know whether you are a new Member or an old one, but if your question has not been selected, it may be that the ballot has not favoured you. Or if it has not been admitted, you will be informed. We can discuss this, but it should not be raised in the House.

SHRI SHYAMNANDAN MISHRA: Sir, I would like to know whether you have given any time to the Editor within which he should submit his explanation.

MR. SPEAKER: I have said 'Immediately'.

SHRI SHYAMNANDAN MISHRA: That is, by Monday...

MR. SPEAKER: If we don't get it by Monday, we will see. But I am sure we will be getting it before Monday

श्री सुरेश्वर शिक्म : (शाहजहापुर) ।
अध्यक्ष महोदय, प्रश्नों के सम्बन्ध में मेरा एक व्यवस्था का प्रश्न है । मैंने उत्तर प्रदेश के देहरादून जिले में जंगलों में कुछ विदेशी राजनयिकों द्वारा शिकार किए जाने के सम्बन्ध में दिया था । वहा पर राजनयिकों द्वारा बिना परमिशन लिए क्लोउड सीजन में शीतल का शिकार किया गया जिस की शिकायत वहा की सरकार के अधिकारियों ने केन्द्रीय सरकार से की है । इसके बारे में मैंने प्रश्न दिया तो आपके सचिवालय के प्रश्न विभाग के अधिकारी मेरे पास आए और मुझे उन्होंने कहा कि विदेशी राजनयिकों के बारे में इस तरह से प्रश्न पूछने की परम्परा नहीं रही है, इस बास्ते मेरा प्रश्न स्वीकार नहीं हो सकता है । वे लोग हमारे यहां के नियम तोड़े और हम उसके बारे में प्रश्न पूछ कर जानकारी भी न ले सकें तो हम से बड़ा नालायक कौन होगा ? अतः प्रश्न स्वीकृत हो ।

MR. SPEAKER: Everybody who gives a question has a right to raise it in the House, is it? Every ques-

12.14 hrs.

PAPERS LAID ON THE TABLE—
Contd.

SHRI K P UNNIKRISHNAN (Badagara): Sir, regarding Item No 3(2)(i) and (ii), this should have come before Parliament, as was the normal practice, in the last July session itself because these accounts relate to the year 1975-76. Now, here he comes before the House even without a statement of reasons for the delay. This has become the normal practice in this House and I am sorry you are permitting it instead of asking him to produce the reasons for the delay. This House cannot be taken for granted like this. This has become the normal feature here: they bring forward any account relating to any period and without even a statement explaining the reasons