

MR. SPEAKER: Order please., Kindly sit down. When the Speaker is standing you must not get up. You must observe certain decorum. What is wrong with him?

SHRI JYOTIRMOY BOSU: Nothing wrong with me, what is wrong is with the Government, corrupt Government..

MR. SPEAKER: I came to know two days back that it is in one form or other, before a court. All that you can do is to ask for factual information.

SHRI JYOTIRMOY BOSU: That is exactly what I am asking for, Sir.

MR. SPEAKER: Why don't you have patience? You have no patience to listen. My request to you is to limit the scope of your information for a factual information and on that you can ask a question.

SHRI SHYAMNANDAN MISHRA: I also know that the matter is before a court. But the objections made by the Chief Justice are not under judicial review. The observations have already been made and we are bound to take notice of those observations. That is precisely the point which I wanted to submit to you.

SHRI PILOO MODY (Godhra): I want to say something on the observations made by you about the matter being *sub-judice*.

SHRI SHYAMNANDAN MISHRA: This is not *sub-judice*.

SHRI PILOO MODY: I want to make a submission and it is this. We are only discussing what has appeared in the newspapers. So if it is *sub-judice* then surely it is *sub-judice* for the newspapers also.

MR. SPEAKER: Newspaper give only news.

SHRI SHYAMNANDAN MISHRA: Observations are not coming under *sub-judice*.

SHRI PILOO MODY: Therefore, what I say is that what has appeared in the newspapers is a matter for discussion. It does not come within the mischief of *sub-judice*.

MR. SPEAKER: I have not disallowed reference to that news. What I said was because something is still pending before the court. I respect of what has appeared in the newspapers you can confine yourself to that factual information. This is what I wanted to tell Members to confine themselves to. They must confine themselves only up to that.

Now Shri Madhu Limaye.

RE. INACCURACY IN MINISTER'S STATEMENT ON ALLEGED BAYONET CHARGE BY R. P. F. PERSONNEL AT LAKHISARAI RAILWAY STATION

श्री मधु लिमये (बड़का): अध्यक्ष महोदय, मुंगेर जिले के लखी सराय नामक कम्बे में जो गोली काण्ड और बैंट चार्ज के बारे में रेल उप-मंत्री ने वक्तव्य दिया है उसमें न केवल गलत बयानी है बल्कि सदन को जान-बूझ कर गुमराह करने का उन्होंने प्रयास किया है। उन्होंने कहा है कि कोई बैंट चार्ज नहीं हुआ था लेकिन सत्य यह है कि संगीनों ने 13 14 साल के बच्चों के पेट फाड़े गये हैं। मंत्री महोदय ने स्वीकार किया है कि बच्चों को चोट के कारण पंचवर्ड इंजरीज हुई हैं। डा० एन० जे० मोदी की प्रसिद्ध किताब "मेडिकल जुरिसप्रूवेन्स के 17वें चैप्टर, पृष्ठ 221-22 पर कहा गया है :

"Punctured or stab wounds: These are popularly called stabs

[श्री मधु लिम्बये]

and are termed penetrating wounds. When passing through the tissues they enter the cavity of the body such as the thorax or abdomen. These wounds are produced by a piercing or stabbing instrument such as pin, needle, knife, scissors, bayonet, spear, dagger, pickaxe, arrow etc. The point of the instrument may be sharp or blunt."

अध्यक्ष महोदय डा० मोदी स्वयं कहते हैं कि पक्कड़ इन्जरी बैनट से भी हो सकती है और मंत्री महोदय कहते हैं कि यह पक्कड़ इजरी क्यों हुई उसके कारणों की जांच की जा रही है। जब जांच का नतीजा नहीं निकला है तो मंत्री महोदय यह कैसे कह सकते हैं कि यह बैनट से नहीं हुई है। मैं स्वयं मुगेर अस्पताल में गया था और मुगेर अस्पताल में जो डाक्टर हैं उनकी हाजिरी में मैंने उन लड़कों से बात की है। वह 13 14 और 15 साल के लड़के हैं। उन्होंने स्वयं डाक्टर के सामने कहा है कि आ० पी० ए० के सदस्यों ने रेलवे प्रोटेक्शन फांस के सदस्यों ने उनके ऊपर सगिनो में हमला किया और उनके पेट फाड़े हैं।

ऐसी हालत में मेरा मुद्दा है कि एक और तो मंत्री महोदय कहते हैं कि पक्कड़ इजरी क्यों हुई उसके कारणों की जांच की जा रही है और दूसरी और उसकी जांच पूर्ण होने में पहले ही वे अपना फौमला देते हैं कि यह बैनट से नहीं हुआ। जब एक सदस्य इस सदन के अस्पताल में जाकर डाक्टर के सामने किसी में बांध करते हैं और अपनी रिपोर्ट सदन के सामने रखते हैं तो क्या मंत्री महोदय इस तरह का गुमगह करने वाला बक्तव्य दे सकते हैं इसलिये आप यह मामला प्रिविलेज कमेटी में भेजे वह लड़कों को, डाक्टर को और अन्य लोगों को बुलाये और सत्य क्या है उसकी जांच की जाये।

MR SPEAKER. This is a matter about which you said the Minister

had not given the information. Well, you raised this question it was referred to him I am told by the Secretary-General just now that the reply he sent was given to-day. But, I was not told about it. Only this morning you said that it has not yet been received. I said I shall ask the Minister to send it.

श्री मधु लिम्बये वह गलत इन्फार्मेशन इन्होंने दी है।

MR SPEAKER. The Minister has sent his reply to-day.

श्री मधु लिम्बये मिनिस्टर अपनी बात कहे लेकिन अंतिम फौमला तो आपको हा करना है। (अधक्षान) मैंने सात रोज पहले नोटिस दी है। आप मंत्री महोदय का जवाब सुन ले और उसके बाद हमको जो कहना है वह हम कहेंगे और यह मामला प्रिविलेज कमेटी के सामने जाये।

MR SPEAKER. I understand that the reply from the Minister came only today. And I must see that.

श्री मधु लिम्बये उनको कहना चाहिये था कि पक्कड़ इजरी हुई है उसके कारणों की हम जांच कर रहे हैं।

MR SPEAKER. There is no question of any finding on it. Something is under investigation.

SHRI H N MUKHERJEE (Calcutta-North East) Sir, could I raise a point of order? I expect you to rule that when a matter of this sort has with your permission, presumably, or inadvertently—I do not know that—already been mentioned by the hon. Member, then you order immediately the Minister to give a reply. Otherwise, we are in possession of a certain report which, certainly, is very disturbing. Therefore, I submit that you suggest to the Minister immediately to give an answer substantially to the points of

accusations that have been made on the basis of the hon. Member's authentic evidence.

MR. SPEAKER: Mr. Mukherjee, this was sent to the Minister.

SHRI H. N. MUKHERJEE: Sir, please forgive me. I am not interested in the history of it. I am interested in what happens in this House. I hear certain things. Everybody else is disturbed. I want an answer from the Minister.

SHRI JYOTIRMOY BOSU (Diamond Harbour): Sir, I am on a point of order. You must lay down the procedure correctly to the knowledge of everybody else in this House because, I do not think, any uniform standard has been followed. If somebody comes with a privilege motion, sometimes, it is *suo motu* admitted and listed on the List of Business as you would have seen in the case of Modern Bakeries the other day when the privilege motion was raised by an hon. Member. When the privilege motion comes from us—I have given my notice in regard to that—we should know what happens to that.

MR. SPEAKER: This is not a privilege motion. I have not allowed any privilege motion.

SHRI JYOTIRMOY BOSU: It is most regrettable that the privilege motion of ours is scuttled like this.

MR. SPEAKER: There is no question of scuttling it down.

SHRI H. M. PATEL (Dhandhuka): I wish to submit that Mr. Madhu Limaye had made this point earlier and he referred to the fact that Minister made a statement in which he asserted there was severe injury but at the same time went on to say

there was no bayonet charge. It is clear that a piercing injury can be effected only if there are certain instruments. So, the Minister should be in a position to answer. It is no use saying the matter is being investigated. On what basis does he say that there was no bayonet charge?

MR. SPEAKER: This morning Mr. Madhu Limaye asked me that I should enquire from the Minister why his reply has not come.

श्री मधु लिमये : मुझे नहीं मिला था । मैं झूठ बोल रहा हूँ । आप क्या कहते हैं ? अभी ला कर दिया है ।

अध्यक्ष महोदय : आप क्या कहते हैं ?

श्री मधु लिमये : इस तरह आप मिस प्लोड करेंगे तो मुझे बोलना ही पड़ेगा ।

अध्यक्ष महोदय : आप बंट जाइये ।

Please sit down.

श्री मधु लिमये : मैं नहीं बैठूंगा इस तरह ।

MR. SPEAKER: I am not prepared for this. Will you please sit down? You do not know. Please sit down. He told me that the Minister has not sent the reply. I am told the Minister has already sent the reply, but I have no knowledge about it.

श्री मधु लिमये : मुझे अभी दिया है । पहले नहीं दिया । इस तरह बच्चों का पेट काढ़ेंगे यह मैं बर्दाश्त नहीं करूंगा ।

MR. SPEAKER: Now, the reply has gone to the Member. At least I should have the opportunity to see that also. He has given it when he is sitting in the House. I have knowledge. I must see that.

SHRI SAMAR GUHA (Contai):
Sir, on a point of order. The Minister has said the matter needs investigation. If the matter is under investigation what right had the hon. Minister to make a categorical observation that there was no bayonet charge? You have also observed that as the matter is under investigation you cannot allow him to raise this point. So, your ruling is necessary.

MR. SPEAKER: I have not allowed it for any privilege. He had told me only this that he has not received the reply. I said when you ask about it I will ask the Minister to send it. In the meanwhile, while the House is sitting he has passed on the reply. I have not seen the reply. I must see the statement.

PROF. MADHU DANDAVATE (Rajapur): A charge has been made inside the House and the Minister is present in the House. Why should he not make a statement?

श्री मधु लिमये : उन को पहले वीजिये न। कौन रोक रहा है।

श्री मधु लिमये : मैं देखूंगा पहले।

He has already given it to the Member and the Member is putting questions. The statement which he should have given to me has been given to the Member.

श्री मधु लिमये : आप के आफिस ने ही मुझे दिया है।

श्री मधु लिमये : मुझे नहीं मीका मिला देखने का।

श्री मधु लिमये : यह प्रिविलेज का साबल है मंत्री महोदय झूठ बोल रहे हैं।

श्री अटल बिहारी वाजपेयी : आप कल देख लीजिये।

श्री मधु लिमये : यही तो मैं भी कह रहा हूँ। मैंने देखा नहीं है।

I will see the statement. He has already given the statement to the Member.

I must see it. There is no question of his statement unless I see it. I will not give my ruling without seeing the statement.

SHRI PILOO MODY (Godhra):
Are you going to correct his statement?

MR. SPEAKER: I must see it. There is no question of correcting it. Don't talk like that. I cannot give my ruling without seeing the statement.

श्री मधु लिमये : जरा बच्चों का ब्याल कीजिये जिन के ऊपर संगीने चली है।

(Interruptions)

MR. SPEAKER: You go on shouting, it will not solve the matter.

श्री मधु लिमये : अध्यक्ष महोदय, मेरा प्वाइन्ट ऑर्डर है।

MR. SPEAKER: There is no point of order. Unless all the hon. Members who are standing sit down. I cannot listen to anyone. All of them must sit down before I allow anyone. I shall not allow anybody, unless all of them sit down. Nobody will speak unless he is called.

श्री मधु लिमये : सदन की व्यवस्था के बारे में मेरा प्वाइन्ट आफ ऑर्डर है।

श्री शंकर दत्त सिंह (चतरा) : मेरा व्यवस्था का प्रश्न है मुझे बोलने का मौका वीजिए।

MR. SPEAKER: There is no question of any point of order now. I have plainly said that I shall first

see the statement which the hon. Minister has given and then do whatever is possible.

PROF. MADHU DANDAVATE: What is the problem? Do you think that the statement is dangerous?

MR. SPEAKER: My problem is that I have not seen the statement.

PROF. MADHU DANDAVATE: Kindly take the House into confidence and tell us what the problem is.

MR. SPEAKER: How can I say anything on a statement of which I have no knowledge?

SHRI SAMAR GUHA: Since the statement is directed through your office, is it not to be presumed that you have seen that statement?

MR. SPEAKER: This is the position that he has seen it, but I have not seen it. It has come after I have entered the House.

श्री संकर दयाल सिंह : मेरा व्यवस्था का प्रश्न है। मैं निश्चय करता हूँ कि मुझे को पहले समय मिलना चाहिये। आप की बात मान कर हम खीच बैठे रहते हैं और इस का नतीजा यह है कि इस का यह लाभ मिलता है। मैं चाहता हूँ कि आप मेरा बात सुन लें। आप उन की बात सुनते हैं, तो हमारी भी बात सुनिये।

शब्दगत महोदय : आप बैठिये। खोर करने से कोई मतला हज न हूँ होया।

श्री संकर दयाल सिंह : आप पहले मुझे सुन लीजिए।

श्री मधु लिनये : आप मेरी बात सुन लीजिए। जो बात-बात करिये उस को हज मान लिये।

MR. SPEAKER: Mr. Limaye had told me that he was going out and he would not be coming back, but that should not make him insist that I should not see the statement.

श्री मधु लिनये : आप मेहरबानी कर के मेरी बात सुन लीजिए।

श्री संकर दयाल सिंह : मेरा व्यवस्था का प्रश्न है। आप मेरी बात को सुन लीजिए। श्री ज्योतिर्मय बसु को आप ने बोलने का मौका दे दिया। मुझे भी आप अपनी बात कहने का मौका दे। आप पहले मेरी बात सुन लीजिए।

SHRI JYOTIRMOY BOSU: I have been trying to catch your eye several times but you have not called me.

MR. SPEAKER: I cannot be forced to lend my eyes and ears to him until after I have listened to the other hon. Member. I listening to Shri Limaye now.

SHRI JYOTIRMOY BOSU: Why don't you call me now?

MR. SPEAKER: May I invite the attention of hon. Members to the act that this hon. Member, in spite of my requests is threatening me and trying to cow me down? I am not prepared to be cowed down. I may tell him that I shall not be cowed down by this kind of behaviour. This will be of no avail to him.

SHRI JYOTIRMOY BOSU: I am requesting you to give me one minute.

MR. SPEAKER: Let him please sit down.

SHRI JYOTIRMOY BOSU: I have sat down twice....

MR. SPEAKER: He cannot sit down like that.

SHRI JYOTIRMOY BOSU: I shall sit down. But please call me again.

श्री शंकर दयाल सिंह : मेरा व्यवस्था का प्रश्न है ।

अध्यक्ष महोदय : पहले मुझे उनको सुन देने दीजिए ।

श्री शंकर दयाल सिंह : पहले आप किस को सुन रहे हैं ?

अध्यक्ष महोदय : मैं श्री मधु लिमये को सुन रहा हूँ ।

श्री शंकर दयाल सिंह : पहले आपने उसको बोलने को कहा और अब आप उनको बुला रहे हैं । जो आपकी आज्ञा मानता है, उसको आप नहीं बुलाते हैं ।

MR. SPEAKER: He is on a point of order.

SHRI JYOTIRMOY BOSU: I am on a point of order too.

MR. SPEAKER: No, no. I am listening to Shri Madhu Limaye.

श्री शंकर दयाल सिंह : मैं उनसे पहले खड़ा हूँ । पहले मेरा प्वाइंट आफ आर्डर सुन लीजिए ।

SHRI PILOO MODY: Being an inferior member of the House, you have not been recognised.

MR. SPEAKER: Kindly sit down. Mr. Shankar Dayal Singh. Let me proceed with the business before me.

SHRI JYOTIRMOY BOSU: Sir..

MR. SPEAKER: No please.

श्री मधु लिमये : अध्यक्ष जी, आप जो भी निग्रह देंगे, वह हम मानने के लिए तैयार हैं लेकिन तथ्यों को आप पहले सुन लीजिए । 1 अप्रैल को मेरा प्रिविलेज का नोटिस जाता है । आप से मुझको जलजारी मिलनी है कि आपने मेरा नोटिस मिनिस्टर साहब के पास भेज दिया है और उनका जवाब आने के बाद आप निग्रह करेंगे । आज जब मैं फिर आप से मिला, तो आपने कहा कि अभी तक मिनिस्टर साहब का जवाब आपके पास नहीं आया है और आप इसे उठाइए । अध्यक्ष महोदय, अब जब कि जवाब आया है . . . **व्यवधान** . . . दस मिनट पहले जो इनका जवाब मिला है ।

अध्यक्ष महोदय : मैं तो जवाब देखूँ । मैंने जवाब नहीं देखा है ।

श्री मधु लिमये : मैं यहाँ कह रहा हूँ कि आपने जवाब देखा है । मैं सिर्फ यह कह रहा हूँ कि 3 तारीख को उन्होंने जो जवाब भेजा है . . . **व्यवधान** . . .

MR. SPEAKER: I am pursuing other business in the House.

श्री मधु लिमये : आपको मालूम नहीं है, तो ब्यान देने दीजिए । खत्म हो गया मामला ।

SHRI JYOTIRMOY BOSU: On a point of order.

SHRI INDRAJIT GUPTA (Alipore): How was it that it was sent to him without your having seen it?

MR. SPEAKER: I was in the House; when that came, it was not with me.

AN HON. MEMBER: It was received by your office.

MR. SPEAKER: It was received by the office and it was straightway passed on to him.

SHRI MADHU LIMAYE: It was sent to you on 3rd April.

MR. SPEAKER: You came to me and said that you had not received it as yet. I had not received it yet. It was passed on during my absence from my chamber. I am sitting in the House. I have not seen it. How do you expect me to give my finding on it without my seeing it?

SHRI PILOO MODY: The point Shri Madhu Limaye is making is that your office received the reply on April 3.

MR. SPEAKER: I will inquire into it; I will have to inquire into it.

SHRI PILOO MODY: That makes a second inquiry.

MR. SPEAKER: Yes.

SHRI JYOTIRMOY BOSU: On a point of order.

श्री शंकर दयाल सिंह : मेरा व्यवस्था का प्रश्न है। मैंने उनमें पहले इस को उठाया था।

MR. SPEAKER: I will come in the same order in which they were raised.

श्री शंकर दयाल सिंह : आप पहले मुझे सुन लें और अपनी रुलिंग दे दें। मैं माननीय सदस्य से अनुरोध करूंगा कि यह मेरी बात सुन लेने दें।

SHRI JYOTIRMOY BOSU: In our country, there are a number of States which are under President's rule. That was why I wanted to highlight the issue of State Government employees numbering four million. (Interruptions).

You call Shri Shankar Dayal Singh to order, I cannot continue.

MR. SPEAKER: Please sit down, Mr. Shankar Dayal Singh. But this

is no point of order. I do not allow it.

SHRI JYOTIRMOY BOSU: I am just trying to understand your theory. Four million State Government employees have gone on a token strike today on a very limited demand of a minimum wage.... (Interruptions).

श्री शंकर दयाल सिंह : मेरे व्यवस्था के प्रश्न का क्या हुआ। आपने कई लोगों को समय दिया। श्री ज्योतिर्मय बसु और श्री मधु निमये समय ले लेते हैं। मैं भी उसी तरह समय लूंगा; यह कोई तरीका नहीं है मदन की कार्यवाही चलाने का। वह आपको थोट करके समय ले लेते हैं। मैं वायदब कहता हूँ कि मेरा प्वाइंट आफ आर्डर सुन लीजिए। मैं पुनः आपसे निवेदन करता हूँ, प्रार्थना करता हूँ कि आप मुझे सुन लें। मैं निधम के अनुसार प्वाइंट आफ आर्डर रख रहा हूँ। इंगलिये मैंने आपसे समय मांगा है।

SHRI PILOO MODY: He is accusing you of partiality to the Opposition.

MR. SPEAKER: I have not been able to follow what is your point of order. बात क्या है ?

श्री शंकर दयाल सिंह : आप मेरा प्वाइंट आफ आर्डर सुनिये।

SHRI JYOTIRMOY BOSU: What about me?

अध्यक्ष महोदय : एक ही को मैंने परमिट किया है। वाजपेयी जी का जो है उसको परमिट किया है। और कोई परमिट नहीं किया है।

13.00 hrs.

SHRI JYOTIRMOY BOSU: Let me conclude. Let the Home Minister make a statement.

MR SPEAKER: I have not permitted anything I have not permitted anything How can I allow it as Speaker?

SHRI JYOTIRMOY BOSU: There are so many precedents

MR SPEAKER: I am not calling you I am calling Shri Shankar Dayal Singh

श्री शंकर दयाल सिंह मैं बहुत दुखी होकर अपना प्वाइंट ऑफ ऑर्डर आपके सामने रख रहा हूँ ।

अध्यक्ष महोदय : मेरे से ज्यादा दुखी नहीं हैं ।

श्री शंकर दयाल सिंह मैं आपकी इस पर कृपिण चाहता हूँ । नियमावली के नियम 361 के अनुसार जब स्पीकर खड़े हो तो सदस्यों को बैठ जाना चाहिये । साथ ही नियमावली के नियमों 350, 351 और 352 के अनुसार सदन की प्रक्रिया के बारे में लिखा हुआ है कि जब स्पीकर बुलाए तब सदस्य बोलें और किस तरह से आप को सम्बोधित करें उन्हें लिखा हुआ है । इन चार नियमों का हवाला देते हुए मैं आपसे कृपिण चाहता हूँ । क्या आप इन प्रक्रिया को मान कर, नियमों की रक्षा करने हुए इनका पालन करके सदस्यों को कहेंगे कि वे ऐसा न करेया जो नियमों का उल्लंघन करने है उनकी नाक में ? मैं धारण करता हूँ कि 361 के अनुसार जब अध्यक्ष खड़े हो तो सदस्यों को बैठ जाना चाहिये । इसलिये मैं कहना चाहता हूँ कि जब आप खड़े हो और सदस्य उम बोल म खड़े होकर बोले और बोलना बन्द न करे तो हमें सदस्यों को आप बाहर चले जाने को बहे ।

SHRI PILOO MODY He is threatening the Chair We object to it. We cannot allow it

MR. SPEAKER: The point is that he is so envious and so jealous of

the rights of the Speaker. I am very happy about it.

इसमें बूझने वाली कौन सी बात है ? जब अध्यक्ष खड़े हो तो धीरा को बैठ जाना चाहिये । जिसको नहीं बुझा और वह बोलता जाए और कहना न माने ता उसको सम्झाना पडता है और अगर न समझे तो फिर बाकी और तरीके इस्तेमाल करने पडने हैं ।

श्री शंकर दयाल सिंह नहीं मानता तो उसका नाम लेकर उसको मदन से बाहर जाने को कहे । आपके आदेशों ता जो उल्लंघन करता है उसको समय मिलता है ।

SHRI INDRAJIT GUPTA. Sir, what about your ruling on the point raised by Mr. Madhu Limaye?

MR SPEAKER. I am going to see the statement.

SHRI INDRAJIT GUPTA: It was raised by the hon. Member. Let it be read out.

MR SPEAKER: It has already gone to the office There is no question of reading it I shall see it.

PROF MADHU DANAVATE: Please permit Mr Madhu Limaye to read out the statement.

MR SPEAKER I must see the statement first

1308 hrs.

PAPERS LAID ON THE TABLE

DETAILED DEMAND FOR GRANT OF MINISTRIES/DEPARTMENTS FOR 1974-75.

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHR K. R. GANESH): I beg to lay on the Table a copy each of the Detailed Demands for Grants (MINS