MR. SPEAKER: I have already seen what you wrote and I may tell you that when the Minister brought it to my notice; I asked him to lay it before the House.

SHRI JYOTIRMOY BOSU: According to what is said in authoritative books the Speaker comes before the House and makes it known—(*Interruptions*)—Sir, what were the observations of the Chair?

MR. SPEAKER: When any matter is brought to the notice of the Chair, whoever sits in the Chair, the Minister—as directed by the Chair—has to bring it before the House and that is why I had asked him to bring it before the House. It was for the House to decide; not for the Speaker or any individual.

SHRI JYOTIRMOY BOSU: I shall read out the observation.

MR. SPEAKER: When I say I told him to bring it before the House please do not raise it. It is no use. I asked him to bring it before the House.

SHRI JYOTIRMOY BOSU: It says:

> "The Speaker is in overall charge of discipline of the House and therefore he should be fully seized of the matter. Everything should come before him, and it would be more proper if he himself mentions to the House what has happened."

After that, a motion can be brought. I think that will be more regular. Ten days have passed. You have not bothered to come before the House and make a report to the House.

MR. SPEAKER: The House has already taken a decision.

SHRI JYOTIRMOY BOSU :I maintain again that what was done was improper, irregular and it was a serious lapse on the part of the Chair.

MR. SPEAKER: I leave it to the House. I am in the hands of the Privileges Committee. Let them examine it and let us know.

SHRI H. N. MUKERJEE (Calcutta —North-East): Would you kindly make sure that we are not treated to an exhibition where the Chair is cross-examined and all kinds of things are brought up? It is better if these things are dscussed in your Chamber.

MR. SPEAKER: He takes pleasure in bringing everything to the House. Members bring many matters here which can be confined to the Chamber. It is so painful sometimes.

SHRI JYOTIRMOY BOSU: I am rather surprised. I have quoted from what the Chair had observed. After I made a submission I quoted that.

(11) OWNERSHIP OF LAND RECLAIMED FROM THE SEA WITHIN TERRITORIAL WATERS OF INDIA

श्री मधु लिमये (बांका) : अध्यक्ष महोदय, कई हफ्ते पहले मैंने भारत के प्रादेशिक समुद्र के नीचे की जमीन की मिलकियत का हवाल उठाया था और लोक सभा का ध्यान इस बात की ओर खींचा था कि महाराष्ट्र सरकार केन्द्र के अधिकार तथा सम्पत्ति का अपहरण कर रही है। महाराष्ट्र सरकार का लैंड रेवेन्यू कोड भी धारा 297 का उल्लंघन करता है। उस को राष्ट्रपति की स्वीकृति कैसे मिली यह रहस्यपूर्ण बात है। धारा 297 इस प्रकार है —

> "All lands, minerals and other things of value underlying the ocean within the territorial waters or the continental shelf of India shall vest in the Union and be held for the purposes of the Union".

साथ साथ आप केन्द्रीय सूची की एण्ट्री 27 भी देखिये —

"Ports declared by or under law made by Parliament or existing law to be major ports, including their delimitation, and the constitution and powers of port authorities therein."

आप से मैंने बार बार प्रार्थना की है कि मन्त्री महोदय को इस प्रश्न पर सफ़ाई देने का आदेश आप दें । कभी कभी तो आप ऐसे आदेश देते है, मगर इस विषय में आप ने कोई स्पष्ट आदेश नहीं दिया है। मैंने इस सम्बन्ध मे श्री रघुरमैया जी को भी पत्र लिखा था। उन्होंने कहा कि अगले सप्ताह में श्री गोखले जवाब देंगे । श्री गोखले ने स्वयं मुझ को कहा कि बहुत जल्द उत्तर देंगे, लेकिन ताज्जुब है अभी तक सरकार की तरफ से कोई स्पष्टीकरण नहीं आया ।

कल बम्बई के मेरे एक मित्र ने "लोकसत्ता" दैनिक मे छपे एक समाचार का कतरन मेरे पास भेजा है । यह सब से अधिक बिकीवाला मराठी दैनिक है । इस में विधि मंत्रालय के द्वारा दी गई जानकारी के आधार पर लोक सत्ता के प्रतिनिधि ने मेरी बातों को गलत बताने का प्रयास किया । पूरे समाचार की मंशा है कि मेरी दलीलों को बेबुनियाद साबित किया जाय और महाराष्ट्र सरकार को सही ठहराया जाय । अगर लोकसत्ता मेरे बयान की अपने से कोई आलोचना करता तो मै कुछ नहीं कहता । लेकिन लोक सत्ता के सम्वाददाता ने श्री हरिभाई गोखले और विधि मंत्रालय का हथियार बन कर मेरे ऊपर आक्षेप किये है —यह बहुत अनुचित है । मैंने जो वक्तव्य दिया था वह आप की अनुमति से दिया था । मेरा इस में कोई व्यक्तिगत स्वार्थ नहीं था । मै केन्द्र की जमीन और जायदाद की रक्षा करना चाहता था, संविधान की गरिमा को बढ़ाना चाहता था, लेकिन यह खेद की बात है कि मंत्री महोदय अपनी सफ़ाई सदन मे देने के बजाय अप्रत्यक्ष ढंग से मेरे ऊपर समाचार पत्रों के द्वारा हमला कर रहे है । मेरे जैसे बलहीन और मतहीन सदस्य की बातें लोकसत्ता के प्रतिनिधि कभी नहीं छापते, लेकिन श्री हरिभाई गोखले स्वयं केन्द्रीय कावीना के सदस्य है, केन्द्र के हितों की रक्षा करना उन का कर्त्तव्य है, मगर वे महाराष्ट्र सरकार से मिल कर मेरे खिलाफ प्रचार करवा रहे है ।

अध्यक्ष महोदय, इसमे करोड़ों रुपये की जमीनों की बिक्री श्री बसन्तराव नायक ने की है इसलिए आप मेहरबानी करके मुझे कानून मन्त्री के खिलाफ नियम 184 के तहत प्रस्ताव पेश करने की इजाजत दे दें ।

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFIARS (SHRI H. R. GOKHALE): It is true that hon. Member had raised a question which I sought and do think, is interesting and somewhat complicated, which involves an interpretation of article 297 of the Constituion. That is why, even though you have not given any direction, I have myself written to your Secretariat, informing them that I am examining this question and will make a statement as early as possible. When I happened to meet the hon. Member a week ago, I myself told him that I am examining this question and will make a statement. I do not want to run away from that comitment, but is a question of time. This is a matter which requires careful examination because it is not a question of Bombay alone; whatever view we take on article 297 will apply to all the four shores of the country. We have to examine all the aspects of the laws of the sea and international law will have to be gone into. Sir, I assure you and I assure the hon. Member that next week I will make a statement.