

ने जो घोषणायें की हैं वे संतोषजनक नहीं हैं। अर्थात् हैं। (व्यवधान) श्रम मंत्री महोदय की पत्नी स्वयं डाक्टर हैं, वह एक बार घर (व्यवधान)

अध्यक्ष महोदय : इन को तो पत्नी के बारे में कुछ पता ही नहीं, तो बात क्या करते हैं।

SHRI JYOTIRMOY BOSU (Diamond Harbour): Unless the doctors are given a fair deal, they go on strike causing untold hardships on the public... (Interruptions)

MR. SPEAKER: I am not allowing. (Interruptions)

श्री अटल बिहारी वाजपेयी : यह मामला बहुत गम्भीर है।

SHRI S. M. BANERJEE: He has made an appeal to the sobar sections of doctors. That means he wants to divide the doctors. We do not want black-legs to break any strike.

अध्यक्ष महोदय : आज मणिपुर का बजट पास करना है। उस के बाद आप जब चाहें इस को रख लें, मुझे कोई ऐतराज नहीं है।

SHRI VASANT SATHE (Akola): To avert the strike, one proposal... (Interruptions) I want a clarification to avert the strike. (Interruptions) Just as it has been postponed to the 31st, it can be further postponed.

(व्यवधान)

अध्यक्ष महोदय : अगर आप को इस के बारे में बहस करनी है तो कर सकते हैं। आज मणिपुर का बजट पास करना है, आप चाहें तो सोमवार को कर सकते हैं।

श्री भागवत झा आजाद (भागलपुर) : सोमवार को बहुत देर हो जायेगी।

SHRI SEZHIYAN (Kumbakonam): After discussing and disposing the Manipur Budget, will you please allow some time for this, Sir?

श्री भागवत झा आजाद : यह बात साफ है कि अगर स्ट्राइक हो जायेगी तो स्थिति खराब हो जायेगी (व्यवधान)

अध्यक्ष महोदय : बजट को तो हम पोस्टपोन नहीं कर सकते। अगर आप आज ही इस पर बहस करना चाहें तो उस के बाद बैठ सकते हैं।

SHRI VASANT SATHE: We are willing to sit even late.

MR. SPEAKER: If you agree, we can postpone the half-an-hour discussion and take this up.

SHRI JYOTIRMOY BOSU: My appeal is put off the half-an-hour discussion to some other date.

MR. SPEAKER: I have no objection if it is put off to another date

12.32 hrs.

RE: ALLEGED WRONG STATEMENT BY MINISTER

SHRI SHYAMNANDAN MISHRA (Begusarai): I want to draw your attention to the two communications of a very comprehensive nature that I had sent you about ten days back. One relates to the procedural position with regard to the question of privilege and you will kindly recall that you have invited the Members to give you instances how misrepresentations have constituted the basis for raising the question of privilege. I have sought to do exactly that in response to your request to the House and I have cited a number of instances in the first communication that I sent you about ten twelve days back....

MR. SPEAKER: I have seen it.

SHRI SHYAMNANDAN MISHRA: And in the second communication which I have addressed to you with regard to my second complaint about

[Shri Shyamnandan Mishra]

the further breach of privilege by the Minister of Defence Production I have cited some instances how he has further misled the House and thereby, the position has been made worse.

Now, my submission to you is that you should kindly allow me to place before the House the nature and extent of the second question of privilege. This is a matter which concerns the right and duties of every Member of the House. I would appeal to the Chair and to the hon Members to dispassionately consider the technicalities of this issue. You have to respect the right and the duty of every Member. My submission to the Chair is that if a member discover that there is a breach of privilege and according to him there has been an offence and an injury inflicted on the Member individually and the House collectively, is it not his duty to come to the House at the earliest opportunity and make known the kind of injury he is suffering from or the House is suffering from and through the House, what the entire country also is suffering from? I am certainly personally concerned with this in the sense that this is personal injury to me. The Minister concerned had made misleading statements during the course of my interpellations. It is therefore a personal injury to me. According to the principles of natural justice, I have every right and it is my duty too to come to Parliament and seek redress. The country is naturally interested in this matter as this relates to the sphere of defence and security. This is an injury on the House as a whole and on the country as a whole. This is my respectful submission to you, Mr. Speaker.

Then I come to my second complaint about further breach of privilege. . .

MR. SPEAKER: I have gone through that. . .

SHRI SHYAMNANDAN MISHRA: Even in the House of Commons they follow this procedure. The Member

comes before the House and makes his complaint publicly. I have quoted to you the procedure of the House of Commons. Even in this House an officer had been punished for misleading a Committee of the House; I have also cited an instance in which a Minister of Home Affairs himself offered to go to the Privileges Committee and get his name cleared. I have given all those instances. The House must know about them. You are the custodian of our rights, you are the custodian of our privileges, Sir, and should you not try to see that our valuable right of making complaint before the House is preserved? Therefore, I would request you to allow me to proceed to state the nature and the extent of the complaint which I want to make before the motion about the question of privileges is taken up.

MR. SPEAKER: I had your note. I have seen that. Those cases were cases where the Minister concerned accepted the facts. My view, after going through everything, is that so far as those cases are concerned, they do not apply to this case. If the facts were accepted by the Minister, he comes up. But where the facts are disputed, where there is dispute about interpretation, I am not going to allow it as a privilege motion. I do not deny the right of the House to discuss it and I said it on an earlier occasion. In the second one also the position is the same. The facts are disputed. The interpretation is disputed.

SHRI SHYAMNANDAN MISHRA: Does it not amount to saying that our raising a question of privilege depends upon the mercy of the Minister? That would be a most preposterous position, indeed.

MR. SPEAKER: There is no question of privilege when the facts are disputed.

SHRI SHYAMNANDAN MISHRA: This point has to be thrashed out whether it depends on the wishes of the Minister.

श्री अटल बिहारी वाजपेयी (ग्वालियर):
मंत्री महोदय पर आरोप लगाए कि वह जानबूझकर सदन को गुमराह कर रहे हैं तो क्या आप आशा करते हैं कि मंत्री महोदय इस बात को मान लेंगे और कह देंगे कि उन्होंने जानबूझकर सदन को गुमराह किया है ?

MR. SPEAKER: You can discuss it in the House. It is only a question of interpretation.

श्री अटल बिहारी वाजपेयी : आप चर्चा का मोका भी नहीं दे रहे हैं ।

अध्यक्ष महोदय : मैंने कब कहा है कि न करें ?

श्री अटल बिहारी वाजपेयी : उस के लिए समय आप दें ।

SHRI INDRAJIT GUPTA (Alipore): Suppose there is a dispute over a fact. The hon. Member has cited certain facts which he considers to be facts and the Minister is not prepared to accept those facts. Suppose the Minister sticks to that position while the Member is in a position to establish before you the facts which he has been citing are correct, it follows from it that the counter-facts which the Minister has are not correct. Then what is the procedure?

MR. SPEAKER: If the House wants to discuss the disputed facts the House can, but there is no question of privilege. I am not going to allow the question of legality and interpretation. Why should I take upon myself giving consent to a privilege motion when the facts are disputed? Tomorrow they may go to the court. I cannot go out of the way. The Speaker is not for legal interpretation. My opinion is, you better discuss it in this House.

(Interruptions)

SHRI SHYAMNANDAN MISHRA: I have supported my facts with documentary evidence.

MR. SPEAKER: I do not agree with the facts as you have put.

श्री अटल बिहारी वाजपेयी : आप अपने ऊपर यह ज़िम्मेदारी क्यों लेते हैं कि मंत्री जो कहता है सही है और हम जो कहते हैं गलत है ? जब तक जांच नहीं होगी सच्चाई का पता नहीं लगेगा ।

अध्यक्ष महोदय : हाउस में करें ।

12.44 hrs

PAPERS LAID ON THE TABLE

ANNUAL REPORT ETC. OF DELHI FINANCIAL CORPORATION AND NOTIFICATION UNDER COMPANIES ACT, 1962 AND CENTRAL EXCISE RULES, 1944.

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI K. R. GANESH): I beg to lay on the Table:—

- (1) A copy of the Annual Report (Hindi and English versions) of the Delhi Financial Corporation together with statement of assets and liabilities, profit and loss account and Auditor's Report for the year 1971-72 published in Notification No. F.6(11)/72-Fin. (Genl) in Delhi Gazette dated the 19th December, 1972, under sub-section (3) of section 38 of the State Financial Corporations Act, 1951. [Placed in Library. See No. LT-4662/73.]
- (2) A copy of Notification No. G.S.R. 159(E) (Hindi and English versions) published in Gazette of India dated the 7th March, 1973, under section 159 of the Customs Act, 1962, together with an expla-