

AND SUPPLY (SHRI CHOWDHARY RAM SEWAK) : I beg to remove for leave to introduce a Bill further to amend Tea Act, 1953.

MR. DEPUTY-SPEAKER : The question is :

"That leave be granted to introduce a Bill further to amend Tea Act, 1953."

The motion was adopted.

SHRI CHOWDHARY RAM SEWAK : I introduce† the Bill.

14.08 hrs.

QUESTION OF PRIVILEGE

AGAINST *Maharashtra Times*

SHRI NAMBIAR (Tiruchirappalli) : I was just explaining this morning in brief how this article in *Maharashtra Times* dated 20th February does constitute a breach of privilege.

The original has been submitted to you, and this is the translation of the editorial. It has the caption "A Ghost with the Bible", and it starts like this.

THE MINISTER OF HOME AFFAIRS (SHRI Y. B. CHAVAN) : It really means "Devil quoting the Scripture."

SHRI K. M. KOUSHIK (Chanda) : We should have a certified copy of the translation. Without that it is not possible for us to make up our mind one way or the other.

MR. DEPUTY-SPEAKER : He will make a brief statement explaining the grounds. He should pinpoint the particular reference to the members of this House. Other things are not relevant at all. I have got the article before me.

SHRI K. M. KOUSHIK : Who translated it? Is it certified?

MR. DEPUTY-SPEAKER : If you want it; I do not mind.

SHRI NAMBIAR : That is not the procedure. This is the first occasion when such things are demanded. Whenever we give notice of such a motion we give translation and the original copy is also submitted. It is the usual practice. Accordingly I did it.

SHRI K. M. KOUSHIK : We have not got the original also. I have nothing to say, but I want to know.

SHRI S. M. BANERJEE (Kanpur) : This is an extraordinary question which has been raised by my hon. friend. Supposing I want to raise a privilege motion in this house on anything in the press, am I to bring 500 copies of the magazine? It is not possible. Moreover, the usual practice is that if I have any objection against a particular matter to be brought to the notice of the House, I am only supposed to give a translation. He is perfectly within his rights.

MR. DEPUTY-SPEAKER : I have not said that it should be circulated.

श्री क०ना० तिवारी (बेतिया) : जब तक हम लोगों को यह पता न चल जाए कि जो ट्रांसलेशन है यह ठीक है या नहीं है तब तक हम किसी निर्णय पर कैसे पहुंच सकते हैं। श्रीरिजनल का प्रापर ट्रांसलेशन तो होना चाहिये।

SHRI NAMBIAR : This was submitted on 26th February. The original copy I have submitted. If my translation is wrong, it can be corrected. After all, what I submit is only for reference to the Committee of Privileges. No harm is going to be done.

MR. DEPUTY-SPEAKER : After he pinpoints the particular references, if he gets the permission of the House, then the question would arise.

SHRI RANDHIR SINGH (Roh-tak) : On a point of order. You know the law of evidence and the law of admissibility. Until and unless the primary evidence is available, secondary evidence cannot be led. He is depending on something which is secondary, which is not admissible according to law. So, everything is out of order. It should be ruled out.

SHRI VISWANATHA MENON (Ernakulam) : The House is the master of its own procedure.

MR. DEPUTY-SPEAKER : The procedure that we are following re-

†Introduced with the recommendation of the President.

[Mr. Deputy-Speaker]

garding privilege is this. Once permission is given to raise on the floor of the House and the Member gets permission with the requisite number of Members raising in their places, then the question comes.....

श्री अटल बिहारी वाजपेयी (बलरामपुर) : उपाध्यक्ष महोदय, आप ने कहा है कि सदन इस बारे में अपना मत बनाये। लेकिन कठिनाई यह है कि सदन मत कैसे बनायेगा, क्योंकि उस के सामने पूरा लेख नहीं है, लेख मराठी में है, जिस का अंग्रेजी में अनुवाद किया गया है और वह भी मेम्बरों के पास नहीं है; उस लेख का कुछ हिस्सा पढ़ा जा रहा है।

SHRI RANDHIR SINGH : My charge is that this is all manufactured and cooked up. It cannot be depended upon.

MR. DEPUTY-SPEAKER : That is a relevant point; normally, though we follow a particular procedure, I do not disagree with what the non-Member has said so far; but here the question arises of translation into English or Hindi...

SHRI Y. B. CHAVAN : Or both

MR. DEPUTY-SPEAKER :...or both, of an article pertaining to this particular issue and then that portion where the conduct or character of a Member of this House is impeached. I am not giving my opinion. I have gone through the article, and so far as I am concerned...

SHRI NAMBIAR : I shall explain it. You have got the copy with you already...

MR. DEPUTY-SPEAKER : I suggest therefore...

श्री अटल बिहारी वाजपेयी : मेम्बरों की कठिनाई कैसे हल होगी ?

MR. DEPUTY-SPEAKER : What I would suggest is this. What is the hurry about it? After all, if we postpone...

SHRI NAMBIAR : There is no precedent. And here is our rule in the Rules of procedure.

MR. DEPUTY-SPEAKER : Then, he may give a specific explanation regarding the reference...

SHRI NAMBIAR : I shall explain it. Why should it be prejudged? Kindly hear me and then you will be able to apply your mind and the whole House can apply its mind.

SHRI RANDHIR SINGH : This is something very serious and it should not be done in a hurry.

MR. DEPUTY-SPEAKER : If Members are not satisfied then I shall postpone it.

SHRI NAMBIAR : What I am raising does not concern one hon. Member only but it is common for all.

श्री बिभूति मिश्र (मोतीहारी) : उपाध्यक्ष महोदय, आप ने उस लेख को पढ़ा है। श्री चन्हाण भी मराठी जानते हैं। वह इस लेख को पढ़ कर अपना मन बना लेते कि इस में क्या लिखा है, क्या नहीं लिखा है और क्या इस में कोई आपत्तिजनक बात है। इस समय हमारे सामने उस लेख का जो भी अंग्रेजी अनुवाद पढ़ा जायेगा, क्या हम उसी को मान लें? सरकार उस लेख को देखे कि उस में किन शब्दों का प्रयोग किया गया है, उन के क्या मानी हैं और क्या वे आपत्तिजनक हैं।

SHRI NAMBIAR : After all, it goes to the Privileges Committee. We are not giving a judgment here. If the matter is *prima facie* objectionable, then the question will go to the Privileges Committee and the Privileges Committee will go through every word of it and then only give its decision, and again it will come back to the House.

MR. DEPUTY-SPEAKER : It will go to the Privileges Committee after the House considers that it is *prima facie* objectionable. The House must consider it objectionable, not the hon. Member only.

SHRI NAMBIAR : Why should it be prejudged ? I am explaining the position.

MR. DEPUTY-SPEAKER : If the House finds that there is anything wrong then only it can be done.

श्री रघुबीर सिंह शास्त्री (बागपत) :
उपाध्यक्ष महोदय, हम अपनी प्राइम-फेसी ओपीनियन भी तो किसी बेसिस पर ही बनायेंगे न।

MR. DEPUTY-SPEAKER : I have given him permission. But if hon. Members feel that before coming to a decision on this point and before deciding to rise in their places for or against this, they would like to have a translation of the editorial, then certainly we shall have to postpone it.

SHRI NAMBIAR : Then the whole procedure will have to be altered. The rule is this...

MR. DEPUTY-SPEAKER : I have seen the rule.

SHRI RANDHIR SINGH: On a point of order. I am in possession of order. My hon. friend may not understand it. I am saying something substantial and something fundamental. The proceedings relating to breach of privilege...

SOME HON. MEMBERS : Under what rule is he raising his point of order ?

MR. DEPUTY-SPEAKER : I shall stop him if I find that he is saying anything irrelevant. (*Interruptions*)

SHRI RANDHIR SINGH : I am in possession of the House. I am not yielding. I am in possession of the House and I am in possession of the floor. I am not yielding.

MR. DEPUTY-SPEAKER : The hon. Member may address the Chair.

SHRI RANDHIR SINGH : I am addressing the hon. Deputy-Speaker. Mr. Deputy-Speaker, sir, the proceedings involving breach of privilege are quasi and semi-judicial proceedings, and the law of admissibility, the law of interpretation and the law of construction are applicable as in the CPC and Cr. P. C. Here is a matter in which

ab initio a preliminary point of a judicial nature is involved, namely whether a case is made out. This case depends entirely on secondary evidence. At this preliminary stage, unless a *prima facie* case of breach of privileges is made out, this House cannot take cognizance of the matter, to start with: until and unless that case is made out, it cannot be referred to the Privileges Committee. My submission is that a judicial mind has to be brought to bear upon these proceedings. My hon. friend has not been able to support his contention by any judicial record or any judicial document. Since the primary evidence is not there and the original record is not there, and since the certified copy is not there and it is not also a published document, the basis is missing, and therefore, no *prima facie* case has been made out, and therefore, I would submit that it should be thrown out....

SHRIMATI SHARDA MUKERJEE (Ratnagiri) : May I submit something ?...

SHRI S. M. BANERJEE : May I make one clarification ?

SHRIMATI SHARDA MUKERJEE : May I submit for your consideration that I have gone through the article ? The article is a general political article...

SHRI NAMBIAR : Why should hon. Members prejudge before I read out ?

MR. DEPUTY-SPEAKER : I may tell Shrimati Sharda Mukerjee that we are not going into the merits at this stage...

SHRIMATI SHARDA MUKERJEE : There is nothing insinuating in that article.

MR. DEPUTY-SPEAKER : The only question now before us is whether a translation of the article should be circulated before we take up the matter. The other matter will come up in case there is permission given to raise the issue. So, at this stage, nothing is being raised except what I have stated. What Shri Randhir Singh has said is relevant up to a point.

SHRIMATI SHARDA MUKERJEE : It is a very difficult article to translate. It is written in colloquial Marathi, and it is very difficult to translate it.

MR. DEPUTY-SPEAKER : What Shri Randhir Singh has said is right up to a point. The proceedings of the Privileges Committee are quasi-judicial in character. There he is perfectly correct. But so far as admissibility and debate on this issue is concerned, we are governed by this rule. When it is referred to the Privileges Committee, then it becomes quasi-judicial...

SHRI RANDHIR SINGH : Here also, because a judicial mind has to be brought into play on this issue. The proceedings of the Privileges Committee are an offshoot of the proceedings here at the preliminary stage. If nothing is made out here, then there can be absolutely no reference.

SHRI VISHWANATHA MENON : Preliminary evidence is there already.

SHRI N. SREEKANTHAN NAIR (Quilon) : In the morning, the Hon. Speaker had given the ruling that it was difficult for the Member to circulate five hundred and odd copies of the edition, and, therefore, he might read out the translation in the House so that the House could judge. That is how this matter has come up at 2 p.m. today. So, he has already ruled on that. I do not know if you want to go beyond that ruling.

SHRI RANDHIR SINGH : On a point of order...

MR. DEPUTY-SPEAKER : Shri Randhir Singh, may resume his seat. This is not fair. I want to dispose of matter in two minutes.

SHRI RANDHIR SINGH : Kindly allow me. I have something very important to raise...

MR. DEPUTY-SPEAKER : May I point out to Shri N. Sreekantan Nair that the issue was to be taken up at this stage, and as I have indicated just now, we have got to make up our mind whether it is worth admission or not? That is the first thing before us. Once it is admitted, then the second stage, namely of discussion begins and we shall have to dispose of it. We are now at

the preliminary stage; after his brief statement if the House feels not satisfied, then I shall have to postpone till the translation is submitted. I have made that position very clear. So, let hon. Members bear with Shri Nambiar for two or three minutes and let him finish.

SHRI NAMBIAR : I have given notice under rule 222...

MR. DEPUTY-SPEAKER : I have seen his notice.

SHRI NAMBIAR : Rule 223 reads thus :

"A member wishing to raise a question of privilege shall give notice in writing to the Secretary before the commencement of the sitting on the day the question is proposed to be raised. If the question raised is based on a document, the notice shall be accompanied by the document".

I have complied with the requirements of rule 223. There is no necessity on my part to give any more documents so far as this rule is concerned. I have supplied the original, and I have completely satisfied the requirements of rule 223.

Now, I am coming to the merits. The editorial of the *Maharashtra Times* dated...

MR. DEPUTY-SPEAKER : Here, I have some objection. So far as the technical requirements about notices are concerned, you have fully satisfied them. But the issue is to be judged from the document. You are giving a certain translation. The Home Minister corrected your translation. There is certain annotation behind that. What I suggest is that if you have no objection we shall take it up after the correct translation is circulated.

SHRI NAMBIAR : This was not done during the last seventeen years in this House. You should not create a precedent. That is my submission. With the material that I am furnishing if a *prima facie* case is established the House can always send it to the Privileges Committee which can go into all the details; every word can be scrutinised and weighed there and a decision taken. Why should Members be exercised on it now?

SHRI RANDHIR SINGH : On a point of order. A very relevant point of order flowing out of your remarks ?

MR. DEPUTY-SPEAKER : I have permitted him to make a preliminary statement. According to him, on the basis of an article there is *prima facie* case. Whether there is a *prima facie* case or not has to be judged by the House. To give permission at this stage would not be correct. I have already said that.

MR. S. M. BANERJEE : I bow to your ruling. You say that some Members feel that this may not be an actual translation. In that case may I remind you of the dangerous precedent which might be established in this House ? Supposing Mr. Patil speaks in his own language, he always gives a translation in English. It was never challenged that it was translated wrongly.

Mr. Patudia also some months ago brought a privilege motion perhaps against the same paper and he gave a translation of his own. Now, some Members say that Mr. Nambiar had translated it wrongly ; in that case it is an aspersion on the Member. Why is a translation needed every time ? I do not know.

MR. DEPUTY-SPEAKER : I have not given my final ruling. In case hon. Members of this House feel that they are not in a position to decide on this translation, we shall have to give them time. I am not throwing it out.

SHRI NAMBIAR : The editorial is about the speech that hon. Member Shri Ramamurti made on the 18th February. It appeared on the 20th February and I shall read only the relevant portions of it. It begins like this :

"It is inevitable that the echo of the Bombay riots should be heard in Parliament,"

Referring to the opposition party Members it says :

"Their statements betrayed the pleasure at the stick they found to beat the Central Government and in particular the Home Minister Shri Yeshwantrao Chavan and the Maharashtra State Government...

Attempts were made to take to task Chavan, Naik and Congressmen in Maharashtra for encouraging national chauvinism. All this happening is evoking anger. People of Maharashtra do not require lessons from Bhupesh Gupta and Ramamurti on peace and nationalism...But why should Bhupesh Gupta, Ramamurti and Rajnarain think so much about it ? The plan of communists was thrown overboard when Shiv Sena defeated Menon and whenever they got opportunity they try to take revenge. Therefore, they are trying to malign Marathi people and leaders, particularly Congress leaders taking advantage of the Bombay riots, maligning the Marathi people"—This is how it misrepresents the things. Again, here also (*Interruption*).

AN HON. MEMBER : Translation.

SHRI NAMBIAR : Every minute, this "translation" nonsense should not be raised. That is decided. It is not only the first time that you are having this translation question raised. Let the Privilege Committee go into the merits.

MR. DEPUTY-SPEAKER : Please address the Chair.

SHRI NAMBIAR : The second headline is "hoodwinking." Then, the next headline is "Sheer hypocrisy." This is another headline.

MR. DEPUTY-SPEAKER : I think the translation of that phrase should be "throwing dust." I will translate it for you.

SHRI NAMBIAR : I am prepared to abide by your translation because your knowledge of Marathi is much more than anybody else's knowledge of it. I appreciate that. I am prepared to abide by your judgment. I do not want any other translation or translator. I am prepared to abide by your translation. Now, let me read further :

"Otherwise, since when Bhupesh Gupta, Ramamurti and Rajnarain and their parties began to preach loyalty to peace ? Those who often raise a hue and cry in Lok Sabha

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and who are expelled by Speaker several times from the House are now advising Marathi people and their leaders to be reasonable, Moreover what right this troika has to condemn the riots in Bombay?"

The rights of the Members are questioned, the rights that they have got in relation to "condemning" the Shiv Sena activities and not the people of Maharashtra. That is the point. These Members are "expelled by the Speaker." It is not a fact. Here, Mr. Ramamurti is not at all yet expelled by the speaker. I do not know whether Mr. Rajnarain and Mr. Bhupesh Gupta have been expelled. That is the business of the other House.

MR. DEPUTY-SPEAKER : If I remember aright, you had been expelled in the first House.

SHRI NAMBIAR : Yes ; I was. But I was not expelled as such. I may be allowed to correct myself. I was asked to withdraw which I first did not and then I obeyed. It was only a matter of five minutes' difference. Now, I am coming to the point. I shall read from debates. These are the points which I am making because these are misrepresentations. Then I have another point. That is, reflection on the Member; is a reflection on the House. I shall show you where the reflection comes in. Before I come to that, I shall read out Mr. Ramamurthi's speech where you will find—it is only one paragraph.

MR. DEPUTY-SPEAKER : I have the article before me. As I said in the beginning, unless you show me or point out to the House a specific charge that in the discharge of his duties—

SHRI NAMBIAR : I am doing that. (*Interruption*). What is this? I am reading. I have read the editorial. Now, I am going to read from Mr. Ramamurthi speech. Please have patience. This is from the uncorrected records of the House. I am quoting from page 511.

"It is not a question of South Indians *versus* North Indians. We have no grouse against the Maharashtrian people and

Maharashtrian working class. We know that they are foremost working class in the country and they united to fortunately, in the battle of capitalism. Unfortunately, in the name of the Maharashtrian people, and the Maharashtrian working class, a vicious, pernicious, poisonous propaganda is allowed to percolate the public life of Maharashtra saying that the Maharashtrian people are not able to get jobs because some other citizens of this country—Tamilians, Keralites, Mysoreans and Cannadiga people—are taking away their jobs. This propaganda has been allowed to be continued for months and months."

Mr. Ramamurti had a word of praise for the Maharashtrian people and the working class of Maharashtra. He never "maligned" or even indirectly imputed motives to the Marathi-speaking people. Therefore, this is a misrepresentation of the facts which are imputed directly to Marathi people. Therefore, there is a grave danger to Mr. Ramamurti's reputation among the people of Maharashtra which is going to be jeopardised by this publicity if it goes unchallenged, whereas Mr. Ramamurti spoke in praise of the Maharashtrian people.

Therefore, it is a clear case of misrepresentation. I will quote from *Practice and Procedure of Parliament* by Shri M. N. Kaul and Shri S. L. Shakhder, page 207 : I am not presently quoting May's *Parliamentary Practice* because they may say it refers to England. I am reading from our book...page 207 :

"The publication of false or distorted, partial or injurious reports of debates or proceedings of the House or its Committee or wilful misrepresentation or suppression of speeches of particular members, is an offence of the same character as the publication of libels upon the House, its Committees or members ; and the persons who are responsible for such publication are liable to be punished for a breach of privilege or contempt of the House."

Case-law also is given.

In page 119 of May's *Parliamentary Practice* it is said :

"The following are instances of misconduct in connection with the publication of debates which has been treated as a breach of privilege :

Publishing a false account of proceedings of the House of Lords. Publishing scandalous misrepresentation of what had passed in either House or what had been said in debate. Publishing gross or wilful misrepresentations of particular Members' speeches."

Therefore, this is a clear case of wilful misrepresentation of fact, according also to May's *Parliamentary Practice*. That is my first charge.

Secondly, it is a reflection of the member. I will show you how. Now, the Editorial goes on to say :

What were Gupta and Ramamurti doing when in the name of revolution, murders were committed in Naxalbari in Bengal? Where was the love of peace of Bhupesh Gupta and Ramamurti hiding when in Kerala police station was attacked and telephone operator was murdered?

This clearly is a reflection on a member for having spoken in the House in such a way explaining the Shiv Sena atrocity, the Editorial states that the member who spoke on such and such date is responsible for encouraging the killings in Naxalbari and Kerala.

Then, it goes on to say :

"No one could ever see communist belongs to both the groups coming forward to condemn this. Rajnarain of the SSP is also in the same boat. He is well-known for violating the rules of parliamentary politics and he had played no mean role in instigating the students of Banaras Hindu University. The SSP is relying only on disorder and confusion and the same Rajnarain is now resorting to peace-mongering. This is sheer

hypocrisy of persons like Bhupesh Gupta, Ramamurti or Rajnarain will not be helpful to solve the border problem due to which the rioting had taken place in Bombay. On the contrary we have a suspicion that having failed to find an agreed solution to the border problem, these opposition parties are spending all their time in attacking Shiv Sena and the Marathi leaders in order to save their prestige."

SHRI RANDHIR SINGH : The translation is wrong.

MR. DEPUTY-SPEAKER : Let him finish. I will give you an opportunity.

SHRI RANDHIR SINGH : He is not an aggrieved party.

SHRI NAMBIAR : I am a member of this House and I have got a right to raise it.

On page 117 of May's *Parliamentary Practice*, it is said :

"Speeches or writings reflecting on either House :

Reflections upon members, the particular individuals not being named or otherwise indicated, are equal to reflections on the House."

Our book by Shri M. N. Kaul and Shri S. L. Shakhder also says the same thing :

"Reflections on the character and impartiality of the Speaker reflections on the Members in the execution of their duties is a breach of privilege."

In this article there are portions which come under the mischief, of what I call 'misrepresentation' and under the mischief of 'reflection on the Member' which is a reflection on the House. Therefore, hon. Members must feel ashamed that the entire House is brought into contempt. It is not one Shri Ramamurti alone, it is not a reflection on him alone saying that he is a hypocrite, he has done this, he has done that and he has instigated killing etc. It is a reflection on the whole House because Shri Ramamurti is being vilified directly referring to the speech that he made in

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the House on the 18th. If Shri Ramamurti is attacked outside or his party is attacked outside surely it will be defended there. But this has been done for something he said while performing his duty as a Member. He has, as I explained earlier in very clear terms, made no disparaging statement against the people of Maharashtra. He has only said that the Government by its omissions and commissions, both the State Government and the Central Government, is responsible for the situation. I, therefore, request you, Sir, to send this question to the Committee of Privileges and let them decide it. If there is any mistake in my translation you may correct it.

SHRI TULSHIDAS JADHAV (Baramati) : Sir, how can you allow a translation which is not correct to be discussed in the House? Have you or your office found out whether the translation is correct or not?

MR. DEPUTY-SPEAKER : At this stage that does not arise.

THE MINISTER OF PARLIAMENTARY AFFAIRS, AND SHIPPING AND TRANSPORT (**SHRI RAGHU RAMAIAH**) : Mr. Deputy-Speaker, Sir, many hon. Members have expressed their desire to have a correct translation. It all depends on the actual working. Only on the basis of that we can make up our mind whether there is a *prima facie* case or not. It depends on the language used. All the leaders have expressed a desire to have a correct translation. We would like to have your direction on that matter.

MR. DEPUTY-SPEAKER : On this point the practice so far followed is that we have never circulated a translation. I have got the fact verified. In this case there is another difficulty because if a translation of this article is done by A or B it will be questioned. Is it possible for the Home Minister to circulate a translation of this article? That would be acceptable to all. The Home Ministry has got the necessary machinery also.

SHRI Y. B. CHAVAN : Normally we would have accepted it but in this particular case I would plead with you not to entrust this work to me.

श्री अटल बिहारी वाजपेयी : उपाध्यक्ष महोदय, आप इसे सूचना मंत्रालय को दे दें।

MR. DEPUTY-SPEAKER : Is it all right if someone from the Ministry of Information and Broadcasting does it? The Minister of Parliamentary Affairs may make the necessary arrangements for providing a translation.

SHRI RAGHU RAMAIAH : I have no staff to do it.

SHRI Y. B. CHAVAN : I would make a request. If at all you want an objective translation, you Lok Sabha Secretariat can secure the services of translators. Let it be a translation on behalf of the Lok Sabha Secretariat so that it will be accepted as objective translation.

SHRI H. N. MUKERJEE (Calcutta North-East) : Shri Nambiar has already conveyed to you certain difficulties in regard to this procedure you are suggesting about translations. I can understand the Committee of Privileges, if the matter is referred to it, having the translation made in whatever manner it thinks fit. But if you are going to start a new precedent in the House that a member who presents a matter before the House is to have his translation vetted by some authoritative body, then that would be going entirely against the conventions that we have passed. We have to take a member of this House on trust. Whether we trust X or Y or not is a different matter, but the convention in Parliament is that when a member produces a certain translation, *prima facie* we accept that translation. If, on the basis of that, the Privileges Committee refers it to verification, that is a different matter. But if you make it a condition precedent that a member who is bringing up any newspaper comment before this House would be under an obligation to have that translated by an authoritative agency, which would be acceptable to everybody, then you are making a mockery of the provisions in regard to privileges, as far as this is concerned. Therefore, if you do want an authoritative translation, it can be called for by the Committee of Privileges. As far as the translation which Shri Nambiar has

given us is concerned, I am prepared to believe him *prima facie*, subject to whatever corrections we may later find necessary. Sir, you happen to be a person who knows the Marathi language, but that is a matter of accident. On account of that, I am not going to let you have last say in this matter. I am going to trust a fellow member. That is the only basis on which privilege matter has been founded in this House. Therefore, do not take a step which goes against the conventions which have been built over the years.

MR. DEPUTY-SPEAKER : I have already mentioned the practice that we so far followed. Before referring a matter to a Committee of Privilege we should have a translation of the article which is under discussion. That translation is not before the members. I am not trying to change the practice. Members have to see the translation before taking a decision. So, it is a question of postponing it by a day. This is all.

SHRI VASUDEVAN NAIR (Peer-made) : Let us know whether yourself or somebody else is contesting that translation? There are so many hon. Members here who know Marathi. Are they really contesting the substance of the translation? Are they really doing that? If so, let us know that. Why these dilatory tactics on the part of the Minister of Parliamentary Affairs?

श्री अटल बिहारी वाजपेयी : जो अनुवाद किया गया है वह भी हमारे सामने नहीं है। परन्तु अनुवाद को किसी ने चुनौती नहीं दी है।

श्री तुलसी दास जाधव : जो ट्रान्सलेशन मूल मराठी का है, उसको आपके आफिस ने तो तय किया है कि वह ट्रान्सलेशन बराबर है।

MR. DEPUTY-SPEAKER : No, no, Shri Jadhav should remember one thing, Office has not given any opinion. Under the rules, we have permitted the raising of it. We have no opinion whatsoever in the matter.

SHRI TULSIDAS JADHAV : In order that the House may consider this

question, office has to find out whether it is a true translation or not. As long as it is not found out, how can we consider it?

SHRI NAMBIAR : There is a procedure laid down in rule 223.

SHRIMATI SHARDA MUKERJEE (Ratnagiri) : This privilege motion is not even on the agenda. Those of us who know Marathi had the opportunity of reading through it rapidly during the lunch break. So, we are not in a position to discuss it properly now. We may take Shri Nambiar's version; we are not questioning it. But, then, the Marathi language has, like other languages, certain natural connotations.

MR. DEPUTY-SPEAKER : Yes, every language has some subtleties.

SHRIMATI SHARDA MUKERJEE : I know that nothing personal is attributed to Shri Ramamurti. It is not a case for the Privileges Committee at all.

MR. DEPUTY-SPEAKER : I may tell Shri Mukerjee that it is not a question of questioning the hon. Member's translation. Shri Vajpayee's submission is that whatever translation he has made, that too is not before us. He has read out certain things.

SHRI NAMBIAR : That is always the case.

SHRI H. N. MUKERJEE : If it is the intention of the House to make it impossible for hon. Members to bring up privilege matters dependent upon extract from any editorials or comments by having a condition precedent that the whole thing should be satisfactorily translated and then presented, the whole procedure goes by the board. I am not concerned about the merits of this matter. As far as I have heard, I am not going to take any notice of that kind of an observation, but that is neither here nor there. I am standing on the matter of the right of a Member to bring up a matter of privilege. He could be thrown out by less than 50 Members supporting him; that is a different proposition. But he has a right to ask the opinion of the House. Once you say, "I postpone the matter to secure an authoritative translation", it is setting

[Shri H. N. Mukerjee]

a new precedent which you will have to follow later on. Are you ready to do so? Is the House ready to do so? I will not do it in the House. I will refer it for consultation in the Speaker's Chamber or somewhere before we can do something about it. That is why from the procedural point of view which in some regards is very important I would suggest that you should not take the step of having an authoritative translation made ready for the delectation of Shri Vajpayee and myself who are strangers to Marathi tomorrow or the day after. I would not care for that because that would be hurting the very basis of the principle.

श्री मधु लिमये (मुंगेर) : उपाध्यक्ष महोदय, मेरी समझ में नहीं आ रहा है कि आज ही अनुवाद पहले से परिचालित क्यों नहीं किया गया यह सवाल क्यों उठाया जा रहा है? भारतीय भाषाओं में प्रकाशित ग्रन्थों के बारे में यह विशेषाधिकार का सवाल कोई पहली बार नहीं आ रहा है। अभी तक किसी सदस्य ने भी, जब कभी यहां पर सवाल उठाये गये हैं, उसके अनुवाद के बारे में सन्देह प्रकट नहीं किया है। इसलिए अब अगर एक साधारण आक्षेप को लेकर इनको आप अड़ंगा डालने देंगे तो वह खराब बात होगी। यदि कोई सदस्य यह कहते कि नाम्बियार साहब ने जो अनुवाद किया है वह गलत है, तब तो, आप जरूर उसके ऊपर विचार कर सकते हैं लेकिन जब तक इस तरह का आक्षेप कोई नहीं उठाता है—चाहे कोई इस तरफ का सदस्य हो या उस तरफ का सदस्य हो—तब तक जो कहा जाता है उसके ऊपर विश्वास करना चाहिए।.....(ब्यबधान)तो मैं यह कह रहा हूँ कि जब तक इस तरह का कोई ठोस आक्षेप नहीं उठाया जाता है यह बितंबावाद नहीं करना चाहिए।

दूसरी बात यह है कि मैं अपने को मराठी भाषा का बिद्वान तो नहीं समझता हूँ लेकिन चूँकि वह मेरी मादरी बहान है इसलिए

कुछ मराठी तो मैं भी समझता हूँ। मेरे खयाल में इसमें ऐसे तीन वाक्य हैं जिनके बारे में नाम्बियार साहब को एतराज है। ढोंगी कहें, बदमाश कहें, हम डरने वाले नहीं हैं, वे जरूर कहें; मेरी राय में उसके ऊपर विशेषाधिकार का सवाल भी नहीं उठाना चाहिए। लेकिन एक बात तीन-चार जगह पर आई है, वह बहुत खराब लगती है। उस में यह गलत बताया गया है। पार्लमेंट में और पार्लमेंट के सदस्य, श्री राममूर्ति, श्रीराज नारायण, श्री भूपेश गुप्त, श्री अटल जी के द्वारा, और सभी लोगों के द्वारा शिव सेना को धिक्कारा गया है लेकिन किसी ने भी महाराष्ट्र की जनता कीबे इज्जती करने या उनको दोष देने का प्रयास नहीं किया है। तो महाराष्ट्र टाइम्स अंगर सरकार की चालूसी करना चाहता है, उस को स्टाइटवाश करना चाहता है, वह चाहे केन्द्र की सरकार चापसूसी हो या महाराष्ट्र की सरकार हो, तो वह करें लेकिन अगर मराठी लोगों को बदनाम करने का प्रयास हुआ, महाराष्ट्र की जनता को इस दंगे-फसाद के लिए जिम्मेदार ठहराया गया यह कहना बिल्कुल गलत बात होगी और उससे इस पार्लमेंट के बारे में भी गलत फहमी हो सकती है। जिस प्रादेशिकता के जहर को हम सभी रोकना चाहते हैं, इसमें उसको फैलाने की बात होगी। मैं यह भी नहीं चाहता कि इस अक्षबार को दंडित किया जाये। अगर प्रिविलेज कमेटी के सामने वे सफाई दें और यह खुलासा प्रकाशित करें कि हमारे मन में यह बात नहीं थी और हम यह कबूल करते हैं कि पार्लमेंट के किसी सदस्य ने महाराष्ट्र या महाराष्ट्र की जनता को बदनाम करने का प्रयास नहीं किया है, तो फिर हम नहीं कहते कि उनके खिलाफ कोई कार्यवाही की जाये।

हां, यह सही है कि सरकार के ऊपर हमसा हुआ है। महाराष्ट्र की सरकार को और केन्द्र की सरकार को बदनाम करने का प्रयास हुआ यह भी कहा जा सकता है अगर

यह कहा जाता है तो मुझे कोई ऐतराज नहीं है लेकिन मैं पूरी ताकत के साथ कहता हूँ कि न राममूर्ति जी ने, न अटल जी ने और न ही और किसी दूसरे माननीय सदस्य ने जिन्होंने कि शिव सेना के ऊपर हमला किया है, उन में से किसी ने भी महाराष्ट्र के बारे या महाराष्ट्र की जनता के बारे में कुछ नहीं कहा है। इसलिए पार्लियामेंट के विवाद के बारे में गलत सलत बातें महाराष्ट्र में फैलाना उचित नहीं है क्योंकि इस से राष्ट्र की एकात्मकता में बाधाएं उत्पन्न होंगी।

MR. DEPUTY-SPEAKER : You are going into the merits.

श्री मधु लिमये : अब प्रीविलेज मोशन तो मैरिट्स पर ही होता है।

MR. DEPUTY-SPEAKER : As I have already said, the practice followed is absolutely consistent. I have referred the matter and got the record clear. No Member, whenever he raises a point of this nature, was asked or the House gave a ruling that he should furnish a translation. The only thing is that the relevant part must be translated and, in making the submission, it should be made clear.

श्री मधु लिमये : अगर कोई ट्रान्सलेशन करने को तैयार नहीं है तो मैं करे देता हूँ। तीन मिनट में मैं अनुवाद किये देता हूँ। जिस को काटना हो वह काटे।

SHRI R. D. (BHANDARE : (Bombay Central) May I make a suggestion? Before the permission of the House is taken on the motion, it is far more advisable that the Speaker himself may seek an explanation from the Editor.

श्री मधु लिमये : मैं भंडारे जी के सुझाव का समर्थन करता हूँ। वह ठीक कह रहे हैं।

SHRI R. D. BHANDARE : It has been done. Before the matter is allowed to be raised as a privilege motion by a Member, generally, the Speaker seeks an explanation from the Editor. I am not

thwarting the privilege motion. If there is a breach of privilege, I will be the first to support the motion, or the second after the mover of the motion. There are certain subtleties in a language. You will not allow me to go to the merits. There is misrepresentation that the Maharashtra people are mentioned there. That is not so.

MR. DEPUTY-SPEAKER : That course can be followed once the House gives permission.

SHRI R. D. BHANDARE. No, Sir.

श्री मधु लिमये : कोई जरूरी नहीं है। आप को अधिकार है सदन का सन्स लेकर करते का और आप ऐसा हजारों मतवा कर चुके हैं।

SHRI R. D. BHANDARE : It is no use taking advantage or disadvantage of either this rule or that rule. In the last period of 2 years, it has been done invariably by the Speaker on his own authority. Of course, it will be fought on its own merits. Before coming to any conclusion, you can do that.

श्री अटल बिहारी वाजपेयी : उपाध्यक्ष महोदय, एक रास्ता यह था कि अध्यक्ष महोदय अपने चैम्बर में यह निर्णय करते कि इस को सदन में लाने से पहले उस के सम्पादक से इस का स्पष्टीकरण मांग लेते। हालांकि सदन में यह मामला आ गया है फिर भी सदन यह आम राय से फैसला कर सकता है कि इस को प्रीविलेज कमेटी में भेजने के बजाय स्पीकर महोदय सम्पादक का ध्यान इस बात की ओर खींचे और उस से स्पष्टीकरण मांगें। मैं समझता हूँ कि उस से संतोष हो जाना चाहिए।

MR. DEPUTY-SPEAKER : With the permission of the House, I can do it. Does the House give permission to that?

SEVERAL HON. MEMBERS : Yes.

श्री मधु लिमये : लेकिन वह मराठी जनता के बारे में। बाकी के बारे में हमारा आप्रह नहीं है।

MR. DEPUTY SPEAKER : That is

[Mr. Deputy-Speaker]

all right. What happened here, the whole thing, will have to be referred to him. The House has accepted the position that before seeking the permission of the House, the Speaker will write to the Editor concerned. The Speaker will do it in his chamber. So, that is disposed of.

SHRI NAMBIAR : My submission is that the editor of the same paper, the *Maharashtra Times* was once called by the Speaker and he had tendered an apology after 7th May, 1968.

MR. DEPUTY-SPEAKER : That would be a different matter.

SHRI NAMBIAR : This is happening for the second time. This paper has got a reputation for this... (*Interruptions*)

MR. DEPUTY-SPEAKER : We have already decided. With the proceedings, the whole matter will be referred to him. With the unanimous concurrence of the House, I am referring it to him.

Now we proceed to the next item.

14.56 hrs.

RAILWAY BUDGET-GENERAL DISCUSSION—Contd.

MR. DEPUTY-SPEAKER : Now we resume general discussion on Railway Budget. Mr. Nar Deo Snatak was on his legs. Mr. Nar Deo Snatak.

श्री नरदेव स्नातक (हाथरस) : उपाध्यक्ष महोदय, रेलवे बजट पर दो दिन से इस हाउस में बहस चल रही है और करीब दो दिन और अभी इस पर बहस चलेगी ।

हमारे माननीय सदस्यों ने चाहे वह कांग्रेस पक्ष के हों या विरोधी दल के, उन्होंने अपने अपने विचार रेलवे बजट के बारे में रखे हैं ।

पिछले करीब 20 सालों से मैं लगातार रेलवेज में सम्बन्ध में यहाँ पर यह चर्चा सुनता आ रहा हूँ । विशेष कर यहाँ पर रेलवे बोर्ड के सम्बन्ध में काफ़ी अधिक भालोचना होती आई है । यह ठीक है कि

आगे भी इस तरीके से भालोचना होगी पहले भी हुई है और आगे भी होगी परन्तु रेलवे बोर्ड के जो अधिकारी है उन को आप बदल नहीं सकते । हम बदलना भी नहीं चाहते हैं । चाहे रेलवे बोर्ड कह दीजिये, रेलवे कमेटी कह दीजिये या रेलवे परिषद कह दीजिये उस को तो रखना ही है । अलबत्ता रेलवे बोर्ड के अधिकारियों से मेरा निवेदन है कि उनके ध्यान में यह बात आ जानी चाहिए कि समाजवादी व्यवस्था को इस देश में लाने के लिए उन को भी समाजवादी व्यवस्था में रहना होगा ।

यह ठीक है और हमारे विरोधी दल के माननीय सदस्यों ने भी कहा कि ऐयरकंडिशन में रहने वाले हमारे रेलवेज के अधिकारी सैलूस में चलते हैं, ऐयरकंडिशन फर्ट क्लास में चलते हैं, वह भालसी हैं और काम करने में लापरवाही बर्तते हैं इस लिए रेलवे बोर्ड को तोड़ देना चाहिए । लेकिन मेरा निवेदन है कि रेलवे बोर्ड को तोड़ने का कोई प्रश्न नहीं उठता । अलबत्ता उन से यह कहा जा सकता है कि उन्हें जो भारी सुविधाएं दी गई हैं जैसे ऐयर कंडिशन सैलूस में चलने की श्रयवा ऐयर कंडिशन कमरों में रहने की उन सुविधाओं में कुछ कमी कर दी जाये । यदि ऐसा किया जायेगा तो मैं समझता हूँ कि उस से उधर के हमारे माननीय सदस्य भी खुश हो जायेंगे और देश के लोग जो कहते हैं कि रेलवे बोर्ड के अधिकारी या मिनिस्टर्स लोग सिर्फ अपनी सुविधाओं को निरंतर बढ़ाने की तरफ ध्यान देते रहते हैं और आम जनता को सुख सुविधा पहुंचाने की उन्हें कोई चिन्ता नहीं रहती है वह उनकी भालोचना बहुत हद तक दूर हो जायेगी ।

यह देखने में आता है कि रेलवे बोर्ड के सामने केवल तीन बड़े शहर अर्थात् कलकत्ता, मद्रास और बम्बई ही रहते हैं