

सिखस बगंरह अनए-प्लासड है घोर बः
बहुत दड़ी समस्या है। लेकिन बलकिस्वति
यह है इस गवर्नमेंट के कि जब तक इसको
हित नहीं किया जाता तब तक इसके कान
पर जू नहीं रेंगती, इसलिए उन्होंने
हड़ताल की और मुमकिन
है कि सारे हिन्दुस्तान में हड़ताल हो, उसकी
भी संभावना है। लिहाजा मैं सरकार से पूछना
चाहता हूँ कि बाप ने रिटायरमेंट की एज को
बढ़ा कर 55 से 58 साल किया इजीनियर्स
बगैरह की और उस के बाद 60 साल तक
एम्प्लॉयमेंट देते हैं अगर प्लानिब कमीशन या
गवर्नमेंट इस बातके ऊपर सोचती कि इजीनियर्स
की ब्यल्नेफाइड सर्विस 25 बर्से हो उस के बाद
उन का रिटायरमेंट हो जाय जिस्से कि जो
ट्रेनिंग पा रहे हैं उन को सर्विस मिल सके तो
इस समस्या का बहुत हद तक समाधान हो
सकता था। गवर्नमेंट आफ इंडिया में तो 25
परसेंट इंजीनियर्स और आफिसर्स ऐसे हैं जो
एज पार हो चुके हैं लेकिन उनकी अप्रोच एसी
है कि वह बराबर एम्प्लॉयमेंट पाते रहते हैं।
तो अगर इन को बन्द किया जाय और 25
साल की सर्विस के बाद उन को रिटायर किया
जाये तो मैं समझना हूँ कि इसमें से 50 परसेंट
को एम्प्लॉयमेंट मिल सकता है।

दूमेरे मैं यह चाहता हूँ कि एक कमीशन
बैठाय जाय जो इस बात की एन्वयरी करे
कि इन के अनएम्प्लॉयमेंट की वजह क्या है
किन्न वजह से इतने आदमी बेकार हैं।

तीसरे—क्या गवर्नमेंट यह बनने को
तैयार है कि जब तक उनको एम्प्लॉयमेंट नहीं
मिल जाती, चूकि उन्होंने जेवर बेच कर या
कच्चा लेकर ट्रेनिंग हस्पिटल की है इसलिये तब
तक उन को कुछ एम्प्लॉयमेंट स्ट्राइकड दिया
जाय? क्या गवर्नमेंट इस के बारे में कोई कदम
उठाने जा रही है?

DR. TRIGUNA SEN: It is a sug-
gestion for action. We have noted it.

SHRI RAM CHARAN: This is a

question concerning the whole nation,
not of a Minister. It is not a question
of just noting it.

DR. TRIGUNA SEN: The hon.
Member has suggested premature re-
tirement of engineer officers and
others. It is a suggestion. We have
noted it.

SHRI RAM CHARAN: Are you pre-
pared to undertake a survey of em-
ployees over 50 years of age and find
out?

DR. TRIGUNA SEN: Noted

12.23 hrs.

QUESTION OF PRIVILEGE

MR. SPEAKER: As regards the
question of privilege, Shri Umanath
may ask for the leave of the House
and then move a motion.

SHRI UMANATH (Pudukkottai): I
ask for the leave of the House to move
a motion of breach of privilege against
one Shri Ramkrishna Bajaj of Bom-
bay.

I would like to draw your atten-
tion, as well as the attention of this
House through you, to the very grave
outrage on the rights and privileges
of a Member of this House, thereby
of the House itself, committed by one
Shri Ramkrishna Bajaj, a multi-mil-
lionaire of Bombay.

On 27-11-67, with your permission,
I raised a half-hour discussion on the
Shiv Sena atrocities in Bombay aga-
inst the linguistic minorities residing
in that city. Many hon. Members of
this House, including yourself, had
appreciated the level of the debate
during the discussion on that subject.
During the discussion, I stated that
the CIA is financing Shiv Sena
through Shri Ramkrishna Bajaj. I
made this statement with a full sense
of responsibility, and I stand by it.

After that statement was made, on the 2nd of this month, Shri Ramkrishna Bajaj addresses a letter to you in which he states:

"In regard to the statement made by Shri Umanath, M.P. in the Lok Sabha on 27 November, the Lok Sabha proceedings quote him as having stated"—

And he quotes from the proceedings. The quotation is:

"Mr. Ramkrishna Bajaj is already at the receiving end of the CIA conduit. I charge that the Shiv Sena is financed by the CIA through Mr. Bajaj and I hope the Home Minister will take serious note of this."

Then he says in that letter:

"I have no hesitation in asserting that Shri Umanath, at least in respect of this allegation, is a liar."

This is the relevant portion.

Now, one should not go by the impression that this letter was addressed to you for the purpose of redressal. It was not to be, because the letter was addressed to you on the 2nd, and even before he receives any reply to this letter which he is supposed to have sent to you, within two days, on the 5th, he cyclostyles this entire letter and with a covering letter circulates it by public post to Members of the Lok Sabha as well as of the Public at large. So, it is obvious that it was not meant for any redress with regard to his individual integrity. The letter addressed to you was just a form, your address was taken advantage of to make a form and to serve as a *modus operandi* so far as Mr. Bajaj was concerned, so as to circulate this letter to the public.

Now, what is the purpose of this letter? Was it to clear himself of the charge? It was not to be, because immediately the charge was made here

on the floor of the House, on 29th November itself, he has issued a press statement where he has made his position clear. According to his own statement this press statement of his had appeared in some of the prominent national dailies on 30th November, 1967. So, he has done that job to clear himself of the charge, and in the prominent national dailies his statement of rebuttal has appeared. So, many M.P.s. have read it and the public at large has read it, and yet this method is now being resorted to. The simple purpose of this new method is to degrade me, to malign me, and to wreak vengeance on me for my particular conduct on the floor of the House. That is the main purpose of this latest letter to you. And the purpose of that letter also is to terrorise me to take a course of his choice so far as my conduct on the floor of the House is concerned, and not a course of my choice. The purpose also is to prevent me in future from exposing any links of any person in this country with any foreign intelligence agency, and particularly of Mr. Bajaj. The attempt is to prevent me in future.

Now, I would like to state that this involves slighting of the Speaker and the Lok Sabha Secretariat also, because I find from the circular that he has sent to the public that on 6th December he has written a letter to the Lok Sabha Secretariat and the Speaker and requested you to read it before the House, and the Lok Sabha Secretariat on your behalf has rightly rejected the request.

श्री प्रेम चन्द वर्मा (हमीरपुर): अध्यक्ष महोदय, मेरा प्वाइन्ट ऑफ़ ऑर्डर है। ये पहले से स्पीच नहीं दे सकते, जब तक कि हाउस से परमीशन न ले लें।

श्री बाबू लिनचें (मुंगेर): उन को वक्तव्य देने का अधिकार है।

MR. SPEAKER: He is making a short statement. After he moves for leave, you can oppose it, I will allow you,

SHRI UMANATH: On 6th December, after his request for reading the letter in the House was turned down by the Lok Sabha Secretariat on your behalf, which was rightly done, because he could not do it through you, he has taken upon himself the responsibility, and thereby he slights the Speaker and slights the Lok Sabha Secretariat.

So far as the law is concerned, because I am requesting for leave, the law is very clear on this. May's Parliamentary Practice says at page 53:

"A member may state whatever he thinks fit in debate, however offensive it may be to the feelings or injurious to the character of individuals, and he is protected by his privilege from any action for libel as well as from any other action or molestation."

Here, the word "molestation" is used in the sense of verbal attack, not mere physical molestation, verbal or oral attacks for conduct inside the House.

At page 124, May's Parliamentary Practice says:

"Molestation of members on account of their conduct in Parliament: It is a breach of privilege to molest any member of either House on the ground of his conduct in Parliament. The following are instances of this type of contempt:

Sending insulting letters to members in reference to their conduct in Parliament or letters reflecting on their conduct as such members.

On 20th February, 1701, the House of Commons resolved that to print or publish any libels reflecting upon any member of the House or reflecting on his service

therein was a high violation of the rights and privileges of the House.

(a) Written imputations as affecting a Member of Parliament may amount to a breach of privilege and will perhaps be liable under common law;

(b) To constitute a breach of privilege, a libel upon a member must concern the character or conduct of the member in the discharge of his duties."

So, so far as the law is concerned, it is very clear. So, I would request this House through you that this should not be allowed, that Mr. Bajaj should not be allowed to treat this House and the rights of the members of the House in the same way in which he treated the *Indian Express* staff when they wrote an editorial by telephoning and threatening them.

He may have the power of money but he must submit himself to the procedures laid down by Parliament.

MR. SPEAKER: What does the Minister of Parliamentary Affairs say?

THE MINISTER OF PARLIAMENTARY AFFAIRS AND COMMUNICATIONS (DR. RAM SUBHAG SINGH): As there is no breach of privilege I oppose this motion.

MR. SPEAKER: I shall allow an opportunity for Mr. Umanath to move his motion. No more speeches are necessary now. Dr. Ram Subhag Singh says he is opposed to this motion. Those in favour of this motion may rise in their seats—I find the requisite number standing up. Leave is granted and Mr. Umanath may move his motion.

SHRI P. RAMAMURTI (Madhurai): It may be referred to the Committee.

MR. SPEAKER: The House may take a decision. He may move his motion.

SHRI UMANATH: I move.

"That this matter be referred to the Committee of Privileges."

I should also like to request you under rule 227 which says that notwithstanding anything contained in these Rules, the Speaker may refer any question of privilege to the Committee of Privileges for examination. The thing is obvious and the facts are there.

MR. SPEAKER: Whatever it is Mr. Bjj wrote to me; it was very embarrassing for me to read out any letters. Normally I forward the letters I get to the concerned Ministers. But I did not want to take any action when he wrote to me. I instructed the office to write to him that it was not my job to read out those letters. I do not want to enter into any controversy; I shall leave it to the House.

SHRI N. DANDEKER (Jamnagar): This is a remarkable attempt by Mr. Umanath to slide out an exceedingly bad position by having made a statement of an extra-ordinarily serious character in regard to which Mr. Ramkrishna Bajaj is not making any allegations or insinuations. He has stated as a question of fact that what Mr. Umanath had stated was false and that Mr. Umanath was consequently a liar. I do not wish to enter into the merits of the case. All I want to say at the moment is that it is an assertion of fact and there are no imputations of any kind here.

The second point is,—I am not concerned with its truth nor is it relevant for the consideration of his motion, whether his statement was made by Mr. Umanath in the course of a debate or in relation to Shiv Sena. All that is entirely irrelevant. The question that merits consideration is this: during the course of a certain discussion Mr. Umanath made a statement.

I shall read it out because it is important. He said: Mr. Ramkrishna Bajaj is already at the receiving end of the CIA financial conduit. I charge that the Shiva Sena is financed by the CIA financial conduit. I charge that the Shiva Sena is financed by the CIA through Mr. Bajaj and I hope the Home Minister will take serious note of this."

Mr. Ramkrishna Bajaj very promptly indeed released to the Press statement which I shall ask the liberty of reading because it is important in regard to what followed: He wrote:

"Ordinarily it is not my practice to take note of statements made by communists against me as they are usually inspired by motives other than a concern for truth. But as this statement has been made on the floor of the Lok Sabha and a grave and specific charge had been levelled against me, I feel it necessary to put the record straight. I should like to State categorically that I have never had any contacts with the CIA nor have I received any financial assistance from them for myself or for any person or organisation. Similarly, the charge that I have extended financial support...."

I shall not read the other portion because I am not concerned with that at the present moment; I am only concerned with the CIA question now. What was it that one would ordinarily expect from Mr. Umanath in the face of such public statement? Why did he not then come to this House and move the motion that Mr. Bajaj be proceeded against in the Committee of Privileges for breach of privilege, namely, accusing a Member of being a liar in respect of matters which he stated within this House?

Mr. Umanath did not think fit either to take that action or the other action that was open to him in regard to such matters in accordance with established practice, namely, to have

[Shri N. Dandeker] made this charge outside, so that it was open to Mr. Ramkrishna Bajaj to defend himself in any manner he could.

Mr. Ramkrishna Bajaj did the right thing. He complained to you. He wrote to you on the 6th December, making a suggestion that his letter might be, because of the seriousness of the allegation against him, be placed before the House or read out to the House. I do not wish to question your ruling. You came to the conclusion that you could not get involved in this and therefore your office sent the reply that it was not for you to probe into a matter of this kind. Thereupon, Mr. Ramkrishna Bajaj again wrote to you and has then sent copies to us since you were good enough to say you would not take the responsibility of bringing the matter to the notice of the Members of the House; he has taken the liberty, I think quite rightly, of sending copies of this correspondence to all Members of this House.

AN HON. MEMBER: Not all.

SHRI N. DANDEKER: To some Members of the House. Now, the question before us is this. There are two questions that arise.

In the first place, this is a belated complaint about the breath of privilege of a Member of the House, because the session was going on—the last session—when Mr. Ramkrishna Bajaj published this thing in the newspapers. Now comes Mr. Umanath with a belated complaint that there has been a breach of privilege and that Mr. Ramkrishna Bajaj should be hauled up before the Committee of Privileges. That is a question which the House must decide, whether this is a proper way of going about this matter, whether Mr. Umanath did take proper action at the proper time, when he should have done so either by a motion of privilege in this House during the last session or by making a statement outside.

The other question that arises is one of procedure. There is a lacuna in the procedure in this House because it results otherwise in this situation. I suggest that there has not to be a procedure in the House whereby when people outside, people who have no means and manner or way of vindicating themselves and defending themselves or even saying "this is not true", when they have no such opportunity, and if Members make allegations of an irresponsible kind, I think there has got to be some machinery by which the Member concerned might be required, before the Speaker at least, to produce prima facie evidence, and if there was no such prima facie evidence he should have the grace in this House to say, "I am sorry, I said this. It was not correct. I have no evidence to produce and the Speaker has told me that he is not satisfied that I have produced prima facie evidence." This business of calling people names, flinging about allegations of the most serious kind even against Ministers, against the Prime Minister, against everybody, has now reached a stage of awful dimensions. It has reached such an awful stage that there is urgent necessity for the protection of people. Of course, in regard to allegations made against Members of the House, they have a procedure. It is not they who need protection, because if they will not take the protection of the House it is their lookout, but when allegations are made irresponsibly against outsiders who have no opportunity of any kind, I suggest that apart from this question of privilege, a matter of procedure arises, and I would beg of you to apply your mind to this, namely, how the people concerned could vindicate their stand.

I think this privilege motion is just nothing but a trifling business, merely for Mr. Umanath to feel compelled to reply to this letter in the manner he has done instead of in the only proper way, which was in the last

session or in the other way, which was that he should have thrashed it out in public.

SHRI RANE (Buldana): Sir, I rise to oppose the motion moved by Shri Umanath. I have two grounds on which I oppose this motion.

SHRI NATH PAI (Rajpur): Which one?

MR. SPEAKER: The motion moved by Mr. Umanath.

SHRI SEZHIAN (Kumbakonam): The motion has been moved and leave has already been granted. There is no point in opposing it now.

MR. SPEAKER: He is opposing the motion, the regular motion which has been moved now. First, leave was granted. Now, the motion has been moved, namely, that it be sent to the Committee of Privileges. That is the stage when everybody can either support or oppose it.

SHRI RANE: Mr. Umanath quoted May's Parliamentary Practice. In this connection, I invite attention to Rule 353 of our Rules of Procedure which specifically lays down that a member cannot make any defamatory statement against any person. He claims he has the right and privilege to make that statement. I say he is not entitled to make any defamatory statement against any person. Therefore, he has no right to claim privilege under the rules of the House.

Then, if you look at para 7 of Mr. Umanath's letter, he has said, "Shri Ramkrishna Bajaj's attempt is to defame me in the eyes of the other members and the public." I would like to point out that rule 224 lays down that the matter must require the intervention of the House. If Mr. Umanath has a grievance that he has been defamed, he can go to a court of law. He has no business to come to the House to seek a relief to which he is not entitled. Rule 224 also lays down that it must be of a

recent occurrence. As Mr. Dandekar pointed out, there is a time lag. Mr. Bajaj wrote to you on 6th December and the House was in session till the 22nd. Therefore, he should have brought this motion at that time.

With these words, I oppose this motion.

SHRI S. M. BANERJEE (Kanpur) Sir, while supporting the motion, I request you kindly to consider some of the previous rulings given in this House. Today Mr. Dandekar has very vocally advocated the cause of Mr. Bajaj in his absence. I wish him all good luck. But the tragedy is, an hon. member of this House in the discharge of his duties as an MP and as a representative of the people said that Shiv Sena is getting finances from the CIA. Even the Home Minister does not know how many people in this country are getting money from CIA. Therefore, Mr. Dandekar cannot vouch that Mr. Ramkrishna Bajaj is not there. I agree with Mr. Dandekar that people who are not members of this House should have the right to protest against any irresponsible statement made in the House. I am for codification of the privileges. But I would like to remind the House that our learned friend, Acharya Kripalani was quoted in Blitz as "Kripalooni". The only objection was to the word 'looni' that it comes from lunatic". The editor of Blitz explained everything, but still he was taken to task and reprimanded by your predecessor, Mr. Ayyangar. If the House is so touchy about certain expressions used in the press and outside, what is the position here? Whether Mr. Ramkrishna Bajaj is a millionaire or not, I do not care two hoots, but he has definitely called Mr. Umanath a liar. With all his eloquence, Mr. Dandekar did not condemn the word "liar" at least. I request Mr. Dandekar to consider whether the expression used by Mr. Bajaj was justified. Sir, communist hunting generally results in suicides. What has Mr. Ramkrishna Bajaj said in his letter?

[Shri S. M. Banerjee]

"The statement is grossly defamatory. I have no hesitation in saying that Shri Umanath at least in respect of this allegation is a liar."

Otherwise, Mr. Umanath is a very truthful man, but when he touches the sensitive corner of Mr. Ramkrishna Bajaj, CIA agent, he is a liar! Otherwise he is a truthful man and he has nothing against him; only in respect of this allegation he is a liar. So, Sir, I request you and I request this House not to take shelter under the plea that this is an old case. Shri Umanath might or might not have seen that statement at all when it came out in the newspaper. He said that it was published in all the national dailies. Even I have not read it. I read newspaper at least thrice a day. Nobody read it. But he has reproduced it, circulated it and by mistake he has sent a copy of his letter to us also.

I say, Sir, that this is a matter of privilege, and if the rights of the Members are not defended in this House, tomorrow somebody will call you a liar and we will have nothing to do about it.

MR. SPEAKER: Now, before I call any hon. Member I want to find out how many hon. Members from this side are going to speak. I thought the Law Minister would explain the position and, if necessary, Dr. Ram Subhag Singh also might say a few words. But I find that so many of them are getting up. Every one has got a law book or a rules book in his hand. I have no objection. If it is the desire of the House I will put it down for the whole day. Nobody should think that I am not calling him. I wanted to hear the leaders of the different parties one by one. From this side I will hear the Law Minister and some on or two others also. If so many of them get up like this I do not know how I can

call all of them. I leave it to the leaders of the party on this side to decide who are the Members to speak on this and give me two or three names. First I will hear two or three leaders of the opposition parties and then I will call the Law Minister and some one or two others.

श्री शिव नारायण (बस्ती) : या तो आप अभी बोट करा लीजिये, या फिर अगर डिस्कशन होना है तो एक इधर से बुलाइये और एक उधर से ।

MR. SPEAKER: I know Shri Sheo Narain. I respect him very much. But I would like to take instructions on behalf of the party from the Leader of the Party, the Deputy Prime Minister or the Whip. I have no objection in calling every one of them. From the opposition parties I am calling their leaders one by one. They have given me a list giving the names of the Members who will speak on behalf of their parties. I have with me their chits. The Swatantra Party wrote to say that Shri Dandekar would speak. Like that other parties have also written. Similarly I want a list from this side also. Then there will be no quarrel that somebody tried to catch my eye and because he could not do that he will catch my nose. Therefore, what I say is, let the Congress Party also give me a list so that I will not be put in an embarrassing position.

DR. RAM SUBHAG SINGH: What is the time you are allowing for his?

MR. SPEAKER: I want to finish it as quickly as possible. If it is possible to finish it in another half-an-hour I would like to do that. If hon. Members take only one or two minutes, it will be possible.

DR. RAM SUBHAG SINGH: Then Shri Sheo Narain may be given a chance.

SHRI J. B. KRIPALANI (Guna): Sir, may I correct a few mis-statements by our labour leader? He said

that the proceedings in this House against Blitz were taken on the use of one word. He is very much mistaken. It was a series of articles. Not only that, I never raised the question of privilege myself. It was others who raised it.

SHRI S. M. BANERJEE: We raised it.

SHRI J. B. KRIPALANI: All right, all credit to you, you raised it. Then, Sir, I went to a court of law and this man had humbly to apologise.

SHRI BAL RAJ MADHOK (South Delhi): Mr. Speaker, Sir, the question of privileges is being taken up in almost all the democratic countries today and the need is being felt on codifying them or putting a limit on them. As a Member of the House I want to defend my privileges. At the same time, I feel that every Member has a responsibility towards the country and towards the people whom we represent. Therefore, it is very important that when any Member, whether belonging to my party or any other party, speaks in the House he should not make insinuations or charges against anybody which cannot be proved in a court of law. Otherwise, if charges are to be made like this against anybody and he has no way out to defend himself it will be very difficult. Therefore, it is a question of procedure. I think we should not blindly follow what the House of Commons has been doing. We must adopt a procedure by which people from outside can defend themselves.

Secondly, in this matter there is the question of time. You will please recall that I brought to you a question of privilege. The *Al Jamiat* a local daily wrote a very strong article in which it abused you, the whole House, me and everybody. I wanted to raise a question of privilege, but because I was a bit late you said that there was the question of time, it

should be a matter of immediate and recent occurrence and all that. If that was true in that case, it is true in this case also. On these two points I think this has no validity now.

SHRI SEZHIYAN (Kumbakonam): Sir, I shall confine my remarks only to two points. One of the points raised by Shri Rane was that it is not of recent occurrence. Shri Umanath spoke in November and afterwards Shri Bajaj issued a statement. The privilege question has arisen out of a letter written on the 2nd February and in his letter he has categorically said:—

“The statement is found to be grossly defamatory and I have no hesitation in asserting that Shri Umanath in this respect is a liar.”.

‘Liar’, as we know, is a very grave and unparliamentary word. Therefore defamation has been caused and is of recent occurrence.

Secondly, instead of discussing this question here, it should go to the Privileges Committee. The Privileges Committee has been set up to go into the question and the pros and cons of the case can be represented before the Privileges Committee. It will have the opportunity of hearing Shri Bajaj himself. Discussing the question openly will not do any good to the dignity of the House because so many things may be said here. Therefore I appeal to the Leader of the House that there is no harm in committing it to the Privileges Committee. The Privileges Committee can also come to a conclusion that it is not a case of privilege because it is a committee where sober counsels prevail. Therefore I appeal that it should go to the Privileges Committee.

MR. SPEAKER: Now I would appeal to hon. Members to be brief because we should finish it before we adjourn. Secondly, they should enlighten the House and me also on what I should do when I receive letters saying that some allegations are

[Mr. Speaker] made against persons and they are not in a position to defend themselves. Not this alone but some other letters also have come to me saying that they are helpless and what they should do. When hon. Members speak from the other side they may touch on this point also, that is, what the Speaker should do when allegations are made against people who are not Members of the House and they bring it to my notice saying that the allegations are false.

SHRI HEM BARUA (Mangaldai): All Indians cannot be Members of this House.

SHRI H. N. MUKERJEE (Calcutta North East): Pending solution of the long-term problems, some of which you have indicated now, a very short but very basic point has emerged and that should not be clouded over by any kind of prejudice. I was very sorry to note that Shri Dandeker quoted with obvious relish a particular observation made by this Shri Bajaj in regard to his allergy towards Communists and his inclination to disbelieve whatever Communists say. It is not a question of Shri Umanath being a Communist or not; it is a question only of a Member of Parliament according to his lights trying to do his duty and in the performance of his duty as he conceives it rightly or wrongly he brings out certain facts which you might call allegations. It so happened that Mr. Umanath said something in the House which he says, even today, he is ready to stand by. Whether he and Mr. Bajaj has any right outside to go to a court of law is a different proposition. It may or may not be desirable for them to do so. We are not concerned with it. We are concerned here only with parliamentary rights of the Members in the House and of the hon. House also. Since Mr. Bajaj has chosen to circulate this letter to so many Members of this House—I have got also a copy of that letter—and he has chosen also, according to Mr. Umanath,

to circulate it to people outside this House, it is broadcasting a slander of a Member of Parliament in so far as his conduct inside the House is concerned. Therefore, obviously, it is a matter which goes to the Committee of Privileges.

Sir, my appeal to you would be to make sure that we do not make up these matters a partisan issue. On account of our loyalty to Congress or Communism, let us not try to vitiate the work of the Committee of Privileges and of parliamentary procedure in general. Not on the basis of the voting strength in this House should this kind of a thing be decided not on the strength of prejudices and partisan attitude of one party or the other. I feel, in view of the parliamentary propriety, this is a matter which should be referred to the Committee of Privileges.

SHRI SHANTILAL SHAH (Bombay—North West): Mr. Speaker, Sir, two questions of fact have arisen. Mr. Umanath has alleged that Mr. Ramakrishna Bajaj has been receiving funds from the C. I. A. and that, with these funds, he has been financing the Shiva Sena in Bombay. If Mr. Umanath has any evidence, he can certainly, produce it before the House. If he had the courage of conviction, the better way for him was to repeat the statement outside the House so that Mr. Bajaj can sue him for defamation. Mr. Umanath is, obviously, misusing one of the privileges of a Member of the House in raising the matter here. He is not able to substantiate his allegation either in this House or outside. He must have the courage either to make a statement in this House and he can produce evidence before the House or to make the statement outside. Let him give the evidence and prove his case. This is an attempt to shirk an inquiry. Mr. Bajaj has said in this respect Mr. Umanath is a liar. Well, that statement is made outside the

House publicly and if Mr. Umanath has the courage, he can go to a court of law.

SHRI UMANATH: It is with regard to my conduct inside the House.

SHRI SHANTILAL SHAH: If Mr. Umanath has been defamed, let him file a suit against Shri Bajaj. Mr. Mukerjee said that we should not use the voting strength. I say, we should not use the shouting strength either. Let us argue . . . (*Interruptions*).

SHRI S. M. BANERJEE: Tomorrow I can say that the Prime Minister is a liar.

SHRI SHANTILAL SHAH: The better course for Mr. Umanath is to take action outside the House against Mr. Bajaj for defamation, for calling him a liar which has been said outside the House. It will be proved who is a liar. After all, the liar must be afraid. The man who is telling the truth need not be afraid.

Sir, suppose we refer the matter to the Committee of Privileges. The Committee of Privileges can only find whether Mr. Bajaj in describing Mr. Umanath a liar has committed a breach of privilege. That is a side issue. The real issue is: Is Mr. Umanath justified in saying that Mr. Bajaj has received funds from the C. I. A. which he has passed on. The Committee of Privileges will not be able to go into that question. The honourable course open to him is to take action against Mr. Bajaj outside the House for defamation or to make this statement outside so that Mr. Bajaj can do it. This House is not to be misused for making defamatory statements and then raise a issue of breach of privilege. It is apparently frivolous and I oppose the motion.

श्री मधु लिमये (मुंगेर) : सब से पहले जिस चीज को लेकर विशेषाधिकार का प्रश्न

उठाया गया है उसके बारे में हम लोगों को सफाई से सोचना चाहिये। श्री राम कृष्ण बजाज के द्वारा जो खंडन किया गया है या सफाई दी गई है उसको लेकर विशेषाधिकार का सवाल नहीं उठाया गया है। यहां उमानाथ जी ने जो कुछ कहा उन्होंने कोई दुष्ट भावना से श्री राम कृष्ण बजाज पर आरोप नहीं किया। .

कुछ भ्रान्तीय सदस्य : हां, हां।

श्री मधु लिमये : नहीं कहा है। कहा है, दिखाइये (इंटरप्लान्स) यहां पर हल्ला करने से बात नहीं बनेगी। (व्यवधान) यह पत्र यहां पर है। (व्यवधान) मैं साफ कर देना चाहता हूं कि मैं इस तरह दबने वाला नहीं हूं।

13 hrs.

माननीय सदस्य श्री उमानाथ ने यहां पर कहा कि श्री रामकृष्ण बजाज को सी०आई०ए० का पैसा मिलता है और उन को मार्फत वह पैसा जिव सेना के पास जाता है। एक अरसे से सी०आई०ए० और विदेशी पैसे का मामला इस सदन में आ रहा है। हम ने गृह मंत्री जी से कहा था कि वह इस बारे में जांच करके उसकी रपट को सदन के सामने पेश करें। अगर उन्होंने अभी तक रपट पेश नहीं की है, तो उस में दोष हमारा नहीं है, बल्कि यह सरकार का दोष है। सरकार इन बातों को सफाई के साथ क्यों नहीं सदन के सामने रखना चाहती है? बार-बार इस प्रकार के आरोप लगाए जाते हैं कि इस देश में सोवियत संघ और चीन से पैसा आता है, अमरीका से पैसा आता है। सरकार को इन आरोपों के बारे में सफाई करनी चाहिए।

इस सम्बन्ध में मैं केवल इतना कहना चाहता हूं कि श्री रामकृष्ण बजाज को नागरिक स्वतंत्रता की दृष्टि से सफाई देने का पूरा अधिकार था। लेकिन मैं आप से पूछना चाहता हूं कि क्या उन को श्री उमानाथ पर दुष्ट-भाव का आरोप लगाने का अधिकार था। बिल्कुल नहीं था। श्री बजाज अपने प्रेस वक्तव्य में उन

[श्री मधु लिमये]

पर लगाए गए आरोपों का खंडन कर सकते हैं। लेकिन उन्होंने एक पत्र लिख कर माननीय सदस्य पर असद्भावना और दुष्ट भावना का जो आरोप लगाया है, उसी को लेकर यह सवाल उठाया गया है। अगर इस प्रकार के आरोप लगाए जायेंगे, तो संसद् के सदस्यों के लिए देश और जनता के हित में अपने कर्तव्य का पालन करना कठिन हो जायेगा।

मैं आपको याद दिलाना चाहता हूँ कि हिन्दुस्तान टाइम्स के एडीटर के बारे में अभी अभी आप के सामने फ़ैसला प्राया है। उस में कहा गया है कि उन को हमारी बातों का खंडन करने और नुकताचीनी करने का सब अधिकार है, लेकिन ऐसी नुकताचीनी नहीं होनी चाहिए, जिस में असद्भावना और दुष्ट भावना का आरोप लगाया जाये।

इसीलिए मैं आप से निवेदन करूँगा कि आप इस मामले को दुष्ट भावना और असद्भावना को ले कर, खंडन को लेकर नहीं, विशेषाधिकार समिति को भेज दीजिए।

SHRI HANUMANTHAIYA (Bangalore): I have listened to the reasoning of Mr. Umanath and I must straightway admit that I cannot dismiss his reasoning as inappropriate or inapplicable. I have been a Member of one House or the other for over 25 years and I have seen many privilege motions, Prof. Mukerjee appealed that it should not be looked upon in a partisan spirit, and I return the compliment to him to look at this problem in the same spirit in which he has appealed. I am prepared to look at the problem in a similar way. You will see that, when I argue, I will not be arguing for a Party position at all.

I cannot agree with my hon. friend, Prof. Madhok, when he says that no Member of the House should make allegations in this House which he cannot prove in a court of law. If that is the Parliamentary position,

then there was no necessity to create privileges at all. Parliamentary privilege has been created so that a Member may speak courageously without the fear of being harassed in a court of law. Therefore, it is not that a Member of Parliament has to justify in a court of law through evidence and through lawyers every statement that he makes in Parliament. In that case, the Parliamentary proceedings will come to a standstill. Parliamentary privilege has been given expressly for the purpose of making statements which a Member believes *bona fide*; whether it is *bona fide* or not is left to the judgment of the Member; whether it is *bona fide* or not is left to the judgment of the Speaker. Therefore, this authority is vested in the House. It is not vested outside. Even a court of law cannot question the procedural privileges and rights of this House. And it is given to us to exercise those rights ourselves with self-restraint. Therefore, everyone of us must be specially careful when we speak on privileges, to safeguard the right of the Member. A Member is doing not his own personal work here; he is not doing his family work here but he is doing public work. In the course of the public work and patriotic work, if he has to say something bitter and something unsavoury to one individual or the other, that individual has to tolerate it. The only authority on this matter is the House or the Speaker.

If a real offence has been committed, I would not mind taking it up whether it is late or early; an offence is an offence; so, I would not rule it out on that technical ground.

Now, I would like to place two considerations before hon. Members. What is it that Shri Bajaj has said? An allegation was made against him and he has replied in the same spirit more or less. Therefore, it is not as though he deliberately took a stand

to insult any Member. I say he is on the defensive. I am not going into the legal aspect or the technical aspect but the substantive aspect. He has merely been on the defensive. He was confronted with a defamatory statement. Therefore, he has said that it is not true; instead of saying that it is not true he has said that the Member is a liar. Even when Shri Umanath calls any of us a liar, I would not retort in that fashion because, he appears to me to be a very pleasing person. As you know Sir, hon. Members here have used that very word hundred times against the Ministers or anyone of us here, and we have quietly taken it without any privilege being raised on that question. Therefore, I would appeal to Shri Umanath to see the words that he and his partymen are bandying about every day should not be taken so seriously if any Member or any person uses it against him.

I would make an appeal to the House also. because I want to take a non-partisan attitude. I do not agree with the reasoning made by some of my own colleagues on this side, because if we commit ourselves to this position that a Member cannot say anything which cannot be proved in a court of law, then we cannot speak at all in this House. Therefore, I do not agree with that line of argument.

Sir, I congratulate you because you have great horsesense and commonsense. I am going to appeal to the House to follow your example and your ways. When this question came to you, you said that this was not your concern, and you said that somebody had said something and somebody else had said something else and you could not go on interfering in all these things. Though it looks as if you did not take interest in it, at the same time it shows that you are not going to deal with all manner of things. The Speaker is meant for much more important things. Likewise, this Parliament also is meant for much more impor-

tant things. When we are facing Bengal crisis and crisis all over the country on the Hindi question, the economic question and so many other questions, are we to fritter away our energies on this silly questions whether a man is a liar or not a liar?

You are fortified in the stand you have taken that you are not going to take interest in this matter not only by your judgment of men and matters but also the provisions of the rules. Take rule 224 (iii) governing conditions of admissibility of a question of privilege. It says:

"the matter requires the intervention of the House".

SHRI NATH PAI: It is admitted.

SHRI HANUMANTHAIYA: it is admitted, no doubt, I would lay emphasis on that reasoning, not technically, but whether this matter requires the intervention of this House. It is so minor a matter. It is so unimportant a matter for the 520 of us to worry about when the country is facing big problems, that are worth intervening.

Therefore, I do not want a decision to be taken whether this is a question of privilege or not, because it is too dangerous, and it is like a sword's edge. Whether we deprive ourselves of our own privileges if we tread one way or deprive another man of his privileges if we tread another way is a matter which can be more cogently and more comprehensively discussed on some other occasion.

Now, I would request Shri Umanath, my good and sweet friend, to see the point that this is not such an important matter. It has been discussed. Let him withdraw it and leave the matter at that.

SHRI NATH PAI (Rajapur): Mr. Speaker, Shri Hanumanthaiya has made a plea to the Mover that since the matter is petty, though it is load-

[Shri Nath Pai]

ed against him, he should none the less withdraw it in the interest of the consideration of the larger issues with which we are faced. Now I know why the Administrative Reforms Commission is so behind schedule in presenting its reports! I very much wish that Shri Hanumanthaiya devotes to his task that earnestness, seriousness and expedition of which we got a cogent example just now.

Every hon. Member who preceded me began with a fervent plea for approaching this issue in a non-partisan way. But somehow the partisan spirit was all the while there. There are two conflicting rights, and therefore, I want to make a plea. I find myself in agreement with something practically everyone said, but that something was later on vitiated by trying to bring in some other considerations. I would not like to define them.

There are two issues with which we are confronted. Both need to be weighed very seriously. One is the rights of a Member of this House. Shri Umanath says that he has been defamed and, even more important, his rights and privileges as a member of this House, have been tampered with by his being called a 'liar'.

In the first place, let us see the rights of a Member of this House. I am surprised at a Congress Member, Shri Rane, vehemently quoting the rules. I have seen Shri Rane for a long 11 years in this House. He was, I think, a whip, or kind of a whip. I have not seen him quoting rules when he has intervened. But today he has referred to the book of rules. This is a good beginning and augurs well for the future.

It is true that in exercising our rights, we must be very careful of the rights of those whose representatives we are. I fully agree that in this is a good beginning and augurs acting as trustees of the ultimate

rights of the citizens. There is a conflict of two rights. There is the right of Shri Umanath as a Member to express without any kind of fear on matters on which he feels agitated or called upon to express himself. In doing so, in exercising this right, we should, I fully agree with both Shri Dandekar and Shri Hanumanthaiya—never forget that we are constantly called upon to exercise restraint, restraint particularly towards those who cannot claim privilege and defend themselves. But the word 'liar' is different from the word 'lie'. I have accused this Government of uttering a lie; and the Government provides us opportunities every day to justify the charge that they utter a lie. But saying that is totally different from calling a man a 'liar'.

I want Mr. Hanumanthaiya to remember that in this House the word used is that Government is guilty of lying, we have not said a Minister is a liar.

THE DEPUTY MINISTER IN THE MINISTRY OF DEFENCE (SHRI M. N. KRISHNA): Many times.

SHRI NATH PAI: The Deputy Speaker is nodding very approvingly because the matter had come up before.

SHRI THIRUMALA RAO (Kakinada): What do you call a man who has uttered a lie? (*Interruptions*).

SHRI NATH PAI: Sometimes I may look that way, I am sorry Mrs. Sinha. I confess I try to resist temptations, but I do not always succeed!

I want to draw your attention also to this. There is the right of the member, he says that his right has been trampled upon. I would like to point one thing to Mr. Umanath. Defamation takes place by uttering a defamation. Has it been satisfied? For circulation of a defamatory statement, the statement, in the first place, must be defamatory. *Prima facie*

the word "liar" has been told by all courts of law and the Privileges Committee as a breach of privilege and a defamatory statement. Once it is circulated, it becomes a cause, but it is up to him. He may not be in a position to go to a court of law, he therefore comes to the House.

If an hon. Member of this House will not publicly utter it, nonetheless he will take the privilege which he has and make a statement which he *bona fide* believes to be right, what is the redress of the citizen? We therefore see a conflict of two rights, the privilege of the member, and the right of the citizen to be protected. The privilege of the House is not to be exercised in a manner where the citizen will feel that he is helpless.

It is in this light that I want to make an appeal to the Congress Party not to defeat it by a majority. I want Mr. Dandekar to ponder also, to see the conflict. Our rules of privilege are not full in this. We have to evolve healthy conventions. It is in this light that a hasty decision should not be taken when we are trying to reconcile the two positions which apparently appear to be irreconcilable, but it should not be beyond the purview of wisdom to reconcile our privileges and the rights of our citizens.

I do not want a hasty decision on the matter, and may I, therefore, ask you to use your discretion under rule 227 and refer this matter, and let not the Congress use its majority. He made an appeal to Mr. Umanath to withdraw his motion. I make an appeal to the Congress not to use its majority.

SHRI PILOO MODY (Gadhra): Let the minority win!

SHRI NATH PAI: May I say that I immensely enjoy the ready wit and sense of humour of my hon. friend Shri Piloo Mody, though often I am the victim of his wit, but I like to enjoy it and I hope he will keep up the spirit.

Truth is not a numerical thing, it is not decided by majority or minority. Galileo was only one when the rest of the world was against him, but truth was with him. We should try to create healthy conventions. Let us not create artificial conflicts between the citizens and Parliament. In order to reconcile them, let this matter be discussed in the calm atmosphere of the Privileges Committee. Let us sink these differences and go to the Committee where wisdom will prevail.

THE DEPUTY PRIME MINISTER AND MINISTER OF FINANCE (SHRI MORARJI DESAI): I had to desire to speak on this because a lot of time has been taken, but when I hear my hon. friend Shri Nath Pai as Daniel come to judgment, I think I must put the issues more squarely.

I am glad that he tried to put the issue in a very objective manner, but when it comes to the Congress majority, he ceases to be objective. I do not see what crime the Congress has committed in having a majority.

SHRI NATH PAI: I only said use it wisely.

SHRI MORARJI DESAI: I know my hon. friend is good at twitting everybody, but when it comes to twitting him, he immediately becomes angry. That is my difficulty with him. Therefore, I have to be very careful. I do not want, therefore, to tread on his toes in any way, but one has got to be objective in this matter.

The right of privilege is a very important right of a Member of Parliament—and it is very essential in my view—as my hon. friend Shri Hanumanthaiiah has pointed out. There is no question of treating it as a party issue in any manner. I personally hold the right of my hon. friend opposite even more important than the right of people on this side because it is necessary and yet I was somewhat pained to hear my friend

[Shri Morarji Desai]

Mr. Umanath bringing in indirectly party considerations by saying that Mr. Bajaj is a multi-millionaire which is a red rag to him.

AN HON. MEMBER: Why should Congress defend a millionaire?

SHRI MORARJI DESAI: I am not trying to defend anybody; I am only trying to advance reasons if reason is allowed to be heard. If it is not to be heard I have no quarrel. I am interested in seeing that the privilege of every Member is preserved and upheld by this House. What is the right of privilege? That has got to be decided upon by the Privileges Committee. It requires to be seen. Has a breach of privilege been committed? My hon. friend Umanath says that the question of privilege arises because he was called a liar, that he is trying to shut him up so that he may not speak in future. Does that flow from what he had said? Who had started defamation? He says that the right of a Member of the House is important but what about the right of the citizen? Is it less important? Therefore, this rule 357 had been made:

"No allegation of a defamatory nature shall be made by a member against any person unless the member has given previous intimation to the Speaker and also the Minister concerned so that the Minister may be able to make an investigation into the matter for the purpose of reply."

Did my hon. friend Mr. Umanath refer the matter to you, Sir, before making that statement? (*Interruptions*). Can there be a worse defamation? He said that a citizen of this country is receiving money from the CIA. If it is not defamation what else is it? It is not a fact. If it is a fact, I will not call it defamation. He further said that Mr. Bajaj utilised that money to strengthen Siva Sena. I do not approve of Siva Sena at all even though an hon.

friend from Madras yesterday was saying that I was shameless about it. He did not mind calling me shameless but when I said that he made shameless use of something, my friend Mr. Umanath began to complain about. When I used the word there was complaint about it but when he used the same word, there was no protest! Is this partisanship or not? Is this the way of guarding the right of every Member of this House? Who is taking a partisan attitude? I did not say anything after that. I did my duty and finished with it. But it is not a correct attitude. If Mr. Bajaj is charged with certain things, who is better qualified than he to say that it is a lie, unless it is proved otherwise. What is the remedy before him? Can a Member do this again and bring in a motion of privilege and threaten citizens like this? They cannot speak here; they cannot defend themselves at all anywhere by saying that what was said about them was not a fact. Now, Mr. Bajaj is not saying that he is a liar in everything; he only refers to this statement and says that it was false. My hon. friend Mr. Umanath does not seem to have been careful in reading those words.

SHRI S. M. BANERJEE: The only objection was to the word 'liar'. You are speaking and I am asking. Be more objective.

SHRI MORARJI DESAI: My hon. friend can never be objective. Therefore he does not see anybody as an objective person. He claims to be objective by remaining outside the party, but he belongs to that party and still he says he is objective. Therefore, he cannot do this kind of thing. I am not going to take it like that, and there is no breach of privilege in this when I say this. Therefore, there is no remedy for it.

Now, my hon. friend said that the word 'liar' is objectionable. If the word 'lie' had been used it would not

have been objected to, which is exactly what he has said. He said that "in this matter he is a liar". That means that this is a lie. It does not mean that he is a liar all the while. That is not what he has said.

I know my hon. friends have been speaking here, and I have myself gone through the process here. I have not objected because I was called jhoota by some of the Members here. They called me jhoota, and jhoota means a liar; what else is it? This was said, and I did not bother about it. Such words were being bandied about in the House, where a reply can be made. But I did not mind about it. I did not raise any question of privilege nor did I say that it was a question of privilege. I said it is wrong; that is all that I said.

But in this matter, what is a citizen to do? What has a citizen go to do? He first took the step of writing to you. You very rightly said that you cannot interfere in this matter. I absolutely and entirely agree with that. What is this man to do then? Therefore, he sent copies of letters to some Members and if he had sent some of them also to my hon. friend Shri Banerjee, I think he did it wisely so that he also knows there was nothing wrong; therefore, he was not doing it in a partisan manner. So, this has happened; to say that this is a breach of privilege is, I think, a breach of privilege of the House. That is what I would say. Therefore, Members cannot be guarded in this manner.

We are raising a question of breach of privilege in this House often, I am afraid, and that is to my mind a far more grievous matter. It is, therefore, necessary—I agree—that this should be codified, and let us know what happens. We must also see that the rights of the citizens are preserved and the rights of Members of Parliament are also preserved. That should be done. I have no doubt about it. But I do not see by

any stretch of imagination any question of breach of privilege in this, that is, a breach of privilege being committed in what has been done in this matter.

SHRI P. RAMAMURTI (Maduria): I think this issue has been—I say it deliberately—and has become clouded by what the Deputy Prime Minister has said in spite of his claiming that he is trying to be objective. I wish many of the people have pleaded that when people are not here to defend themselves, such statements should not be made. I am glad Mr. Dandekar has taken up this position and I only wish that he has taken up that position when we were being defamed when we were not in the House and when we were being shut in the jails and when there was no opportunity for us to reply to them. Therefore, "we can be defamed but a person of the type of Mr. Ramkrishna Bajaj cannot be defamed." That is what their arguments amount to.

Anyway, I am now concerned with only one question. If Br. Bajaj said that the statement that Mr. Umanath had made is unfounded as is contained in the first letter to you, he would have absolutely no cause of action whatsoever. The point, however, is that the reference is to the statement made in this House in reference to the conduct of a Member as a Member of this House in respect of the discharge of his duties as a Member of this House. He comes and says he is a liar. We are now concerned with that specific question. 'Liar' is a subjective thing. Liar means a person who, knowing it to be a false statement, makes a statement. That is the meaning of the word "liar". If he says that the statement is without foundation, there is no quarrel. He is perfectly justified to come and say that his facts are not true or that the facts on the basis of which he makes his allegations are not true, and if he says so, I have no quarrel with him.

[Shri P. Ramamurti]

That is what is contained in the earlier letter. But in the latest letter, Mr. Ramkrishna Bajaj says that Mr. Umanath, in making the statement, is a 'liar'. That means he is motivated by some motive. And this is in respect of the discharge of his duty as a Member of Parliament, and therefore, it is for that specific purpose he is circulating it among all the Members. What else is it except trying to intimidate Mr. Umanath? It is a very simple issue. There is no use asking him to go to a court of law. He says he has made this statement with a full sense of responsibility. He does not even know Mr. Bajaj. After all, he has asked the Home Minister to investigate the whole thing, but the Home Minister has not so far cared to investigate and refute it. If I say something in the discharge of my duty as an MP, if somebody alleges that I am doing it not out of a sense of responsibility of discharging my duty, but by being motivated by some other consideration, what else is it except defaming me as an MP in the discharge of my duty? Mr. Dandekar was wrong when he said, "Why did he not go to a court of law?", because in that statement he did not use the word "liar". All that he said was that the statement was not correct. Today, he has gone further and said that in this respect, he is a total liar. I may tell the Government, tomorrow we can call every one of you liars. So far we have been restraining ourselves. But if this is going to be allowed, I do not know where this will lead us to.

SHRI UMANATH: Sir, I am not going to cover all the points, but will touch only two or three points. First of all, I want to reiterate that my statement on the floor of the House that Shiv Sena is being financed by CIA through Shri Ramkrishna Bajaj was a *bona fide* one and I made it with my own reasons and facts. I went to Bombay and made investigations. After that I made the same

statement in hundreds of public meetings, I can assure you that in future also whenever any opportunity arises in this House, I will definitely give facts about Mr. Ramkrishna Bajaj having taken money from the CIA. I have not made that statement on the floor of the House in any light moment. I have made it *bona fide* with my own reasons and facts.

About the question of its being belated....

MR. SPEAKER: Now it has been admitted and it is before the House.

SHRI UMANATH: I have not brought it with a view to avoiding the court of law.

SHRI MORARJI DESAI: The hon. Member says he made speeches in many places. Can he show one instance where it has been published?

SHRI UMANATH: How am I responsible for that? That is what Mr. Bajaj must have asked. I am not surprised and this confirms that Mr. Morarji Desai speaks for Mr. Ramkrishna Bajaj and not for Parliament's rights and privileges.

It is not a question of avoiding court. In future, I am going to make this statement in public. There is no doubt about that. This House should consider, that when a statement of mine on the floor of the House has been termed as a malicious lie and for that purpose I have been called liar, whether it is not for this House to give me relief. I thought the Congress members and members of other parties will agree that when the conduct of a Member of Parliament in the discharge of his duties is being maligned, the right forum to give relief was this Parliament because it was the Parliament's rights and privileges that were being questioned and the Privileges Committee is there to protect our rights and privileges. So I came here. So I would again make an appeal to all of

you to consider this question very calmly. Shri Hanumanthaiya, when he spoke, in the earlier part of his speech said, apart from sweetness and all that, that when this question is with regard to the conduct of a Member of the House in the discharge of his duties we must take it seriously. That was the relevant point that he raised. Later on he made an appeal that I must leave it as some petty matter. Sir, I do not consider the rights and privileges of the Members of this House as a petty matter. This is a very serious matter. Therefore, I would like to make an appeal to the Members of the Congress Party. It is obvious that they are going to vote against this, but I would like to place the facts before them.

There are two issues before the Congress Party. Shri Morarji Desai was all along asking "what about the citizen's right?" Is it just today that this question has come up? For the past twenty years so many members of the public in the officers rank and other citizens were mentioned on the Floor of this House. Yet Shri Morarji Desai or his party-men did not come up before this House to ask "what about the citizen's rights?" Now he talks of citizen's rights only when the name of Shri Ramakrishna Bajaj is mentioned. For him in this country Shri Ramakrishna Bajaj and his likes are the only citizens and that is why he is talking in the name of citizens. My appeal to the Congress Party is this. Two privileges are there and they have to choose either of the two. There is the privileges of persons like Shri Ramakrishna Bajaj just because of their wealthy position to talk anything, to do anything and to violate the privileges of this House and its Members. On the other side there are the privileges of this House and its Members. As between the privileges of big business and the privileges of the House if the Congress Party votes in favour of Shri Ramakrishna Bajaj then the people will take it up. The people already know it. My appeal

is, please do not use your majority to make the House look into the eyes of the people that this House will consider the privileges of Shri Bajaj and not its own. That will be another stone taken away from the foundation of this democracy about which they daily talk as noble and other things.

MR. SPEAKER: Now it is getting very late. I am putting to the vote of the House the motion moved by Shri Umanath that this matter be referred to the Privileges Committee. The question is:

"That this matter be referred to the Committee of Privileges."

Those in favour may kindly say 'Aye'.

SOME HON. MEMBERS: Aye.

MR. SPEAKER: Those against may please say 'No'.

SEVERAL HON. MEMBERS: No.

MR. SPEAKER: I think, the 'Noes' have it.

SOME HON. MEMBERS: The 'Ayes' have it.

SHRI NATH PAI: No division.

SOME HON. MEMBERS: The 'Noes' have it.

MR. SPEAKER: They are not pressing. The 'Noes' have it.

SHRI S. M. BANERJEE: Let them have Shri Bajaj.

The motion was negatived.

SHRI H. N. MUKERJEE: Sir, I am told that the matter about which I have given a motion is likely to be taken up.

MR. SPEAKER: I have not allowed it. The adjournment motion....

SHRI H. N. MUKERJEE: Could I make a one-minute submission to you regarding this?

MR. SPEAKER: We have to meet again.

SHRI H. N. MUKERJEE: I shall confine myself to one minute.

MR. SPEAKER: At 4 O'Clock.

13.40 hrs.

PAPERS LAID ON THE TABLE

NOTIFICATION UNDER INDIAN TELEGRAPH ACT

THE MINISTER OF PARLIAMENTARY AFFAIRS AND COMMUNICATIONS (DR. RAM SUBHAG SINGH): On behalf of Shri I. K. Gujral to lay on the Table a copy of the Indian Telegraph (Ninth Amendment) Rules, 1967, published in Notification No. G.S.R. 1901 in Gazette of India dated the 19th December, 1967, under sub-section (5) of section 7 of the Indian Telegraph Act, 1885. [Placed in Library. See No. LT-37/68].

NOTIFICATIONS UNDER RICE-MILLING INDUSTRY (REGULATION) ACT, ETC.

THE MINISTER OF STATE IN THE MINISTRY OF FOOD, AGRICULTURE, COMMUNITY DEVELOPMENT AND COOPERATION (SHRI ANNASAHIB SHINDE): I beg:

(1) to re-lay on the Table a copy each of the following Notifications under sub-section (4) of section 22 of the Rice-Milling Industry (Regulation) Act, 1958:—

- (i) The Rice-Milling Industry (Regulation and Licensing) Third Amendment Rules, 1967 published in Notification No. G.S.R. 1465 in Gazette of India dated the 30th September, 1967. [Placed in Library. See No. LT-2192/67.]
- (ii) The Rice-Milling Industry (Regulation and Licensing)

Fourth Amendment Rules, 1967, published in Notification No. G.S.R. 1772 in Gazette of India dated the 29th November, 1967. [Placed in Library, See No. LT-2055/67.]

(2) to lay on the Table—

- (i) A copy each of the following Notifications under sub-section (6) of section 3 of the Essential Commodities Act, 1956:—
 - (a) The Indian Maize (Temporary Use in Starch Manufacture) Second Order, 1967 published in Notification No. G.S.R. 1886 in Gazette of India dated the 18th December, 1967.
 - (b) The Indian Maize (Temporary Use in Starch Manufacture) Third Order, 1967, published in Notification No. G.S.R. 1902 in Gazette of India dated the 19th December, 1967.
 - (c) The Roller Mills Wheat Products (Price Control) Second Amendment Order, 1967, published in Notification No. G.S.R. 1932 in Gazette of India dated the 23rd December, 1967.
 - (d) The Delhi Roller Mills Wheat Products (Ex-mill and Retail) Price Control (Second Amendment) Order 1967, published in Notification No. G.S.R. 1934 in Gazette of India dated the 26th December, 1967.
 - (e) The Solvent-Extracted Oil, De-oiled Meal and Edible Flour (Control) (Second Amendment) Order, 1967, published in Notification No. G.S.R. 1939 in Gazette of India dated the 30th December, 1967.