

apply with such variations and modifications as the Chairman may make ;

• that the Committee shall make a report to this House by the first day of the last week of the Seventy-seventh Session of the Rajya Sabha ;

that this House recommends to the Lok Sabha that the Lok Sabha do join in the said Joint Committee and communicate to this House the names of Members to be appointed by the Lok Sabha to the Joint Committee.”

(ii) “In accordance with the provisions of sub-rule (6) of rule 186 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to return herewith the Appropriation (Railways) No. 4 Bill, 1970, which was passed by the Lok Sabha at its sitting held on the 10th December, 1970, and transmitted to the Rajya Sabha for its recommendations and to state that this House has no recommendations to make to the Lok Sabha in regard to the said Bill.”

(iii) “In accordance with the provisions of sub-rule (6) of rule 186 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to return herewith the Appropriation (Railways) No. 5 Bill, 1970, which was passed by the Lok Sabha at its sitting held on the 10th December, 1970, and transmitted to the Rajya Sabha for its recommendations and to state that this House has no recommendations to make to the Lok Sabha in regard to the said Bill.”

12.44 hrs.

ARREST OF MEMBER

(SHRI HUKAM CHAND KACHWAI)

MR. SPEAKER : I have to inform the House that I have received the following

telegram, dated the 16th December, 1970, from the Station House Officer, Police Station, Nagda, Madhya Pradesh :—

“Shri Hukam Chand Kachwai, Member, Lok Sabha, arrested at Nagda, today at 19.30 hours, for violation of prohibitory orders under Sections 144 and 151, Criminal Procedure Code and sent to judicial custody.”

12.45 hrs.

PROCEDURE FOR DEALING WITH ALLEGATIONS AGAINST OUTSIDERS

MR. SPEAKER : On the 11th December, 1970 after Sarvashri Morarji Desai and Shashi Bhushan made statement in connection with certain allegations made by Shri Shashi Bhushan in the House on the 26th November, 1970 I observed that I had to decide this question : When the names of citizens or officers of Government are brought and allegations made against them on the floor of the House what procedure should be adopted to enable them to defend themselves.

Under article 105 of the Constitution, Members have complete freedom of speech in the House and no action, civil or criminal can be taken against a Member for anything said by him in the House. This freedom of speech is subject to the other provisions of the Constitutions and to the Rules and Standing Orders of the House. Thus it is left to the House to check the misuse of this privilege.

Rule 353 of the Rules of Procedure reads as under :

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

Provided that the Speaker may at any time prohibit any member from making any such allegation if he is of opinion