

श्री कंबर लाल गुप्त : अगर चौंर भी हमें सहयोग नहीं देगी तो मुश्किल हो जायेगी । यह देश के डिफेंस का सवाल है ।

श्री प्रकाशवीर शास्त्री (हापुड) : मेरा निवेदन है कि जब कोई प्रश्न चल रहा हो तो जब तक अध्यक्ष ने यह घोषणा न की हो कि वह प्रश्न समाप्त हो जाता है उस समय तक वह प्रश्न कान्टीन्यू करता है । लंच-आवर का समय होने के कारण उन्होंने सदन को स्थगित कर दिया । श्री चांगला इस सवाल का उत्तर दे रहे थे । मेरे प्रश्न का उत्तर बिल्कुल नहीं आया है कि यह निर्णय कैबिनेट के स्तर पर हुआ है या सेना के स्तर पर । यह प्रश्न इस तरह कैसे समाप्त हो सकता है ?

Mr. Deputy-Speaker: I have followed what you say. When the Speaker left, the call attention notice was closed.

Shri Prakash Vir Shastri: No, no.

Mr. Deputy-Speaker: Look into the record. He has in fact called Mr. Deo. I was present here. Secondly, he has also given a ruling that you may get an opportunity when the demands on the External Affairs Ministry are discussed here. In case there is no satisfactory reply, then there will be an opportunity to raise this matter in a suitable manner in some other form. His rulings are there. This way we cannot proceed.

श्री प्रकाशवीर शास्त्री : उपाध्यक्ष महोदय यह बड़ा महत्वपूर्ण प्रश्न है । अगर इस तरह से गवर्नमेंट को बचाने का प्रयत्न किया जायेगा तो हमारी सारी धरती हमारे हाथसे चली जायेगी ।

Mr. Deputy-Speaker: It is wrong. The Chair is not to protect this side or that side. It is not a question of protection; it is a question of following certain procedure. It is not fair comment.

श्री कंबर लाल गुप्त : अगर इस सदन में मिनिस्ट्रों को प्रश्नों के उत्तर देने के लिए नहीं कहा जायेगा, अगर इस प्रकार के महत्वपूर्ण प्रश्नों का भी उत्तर नहीं दिया जायेगा तो हमारे लिए बड़ी मुश्किल हो जायेगी । (व्यवधान) ऐसी गवर्नमेंट को नहीं रहना चाहिये । उस को इस्तीफा देना चाहिए । उस ने सारी सारे देश को गिरवी रख दिया है । (व्यवधान)

Mr. Deputy-Speaker: Yesterday, the scene that took place in the House is known to you. You yourself were very sorry for it. You do not want to repeat the same scene here. Please obey the Chair and keep quiet.

श्री प्रकाशवीर शास्त्री : श्री रणधीर सिंह एक तरफ तो कहत हैं कि हरियाणा के सिपाही मर रहे हैं और दूसरी तरफ गवर्नमेंट को बचा रहे हैं ।

14.07 hrs.

QUESTION OF PRIVILEGE

MISREPORTING OF LOK SABHA, PROCEEDINGS BY AN ORIYA PAPER

Shri P. K. Deo (Kalahandi): Mr. Deputy-Speaker, under rule 225, I consider it my painful duty to bring to the notice of the House a breach of privilege which has occurred by the publication of a false and perverted version of my speech on the Home Ministry's demands on 3rd July 1967 in the Kalinga paper which was published on the 5th of July 1967 from Cuttack. I am very sorry that I have to cross swords with my very dear friends with whom my association was of thirty years—Messrs. Biju Patnaik, Surendra Mahanty, Chintamani Panigrahi and others. They are all associated with this paper and it is my painful duty now...

Shri Chintamani Panigrahi (Bhubaneswar): I am not associated with this paper now.

Mr. Deputy-Speaker: I will suggest that you please briefly state your case and I shall take whatever action is necessary.

Shri P. K. Deo: In this regard, I would like to point out that the whole caption of this news item is perverted and has ulterior motives.

It mentions "the demand before the Government to appoint a commission of enquiry to enquire into the allegations against members of the coalition government." The further heading says: "strong support by the Swatantra leader of Kalahandi Raja to the memorandum of Congress representatives." Lastly, the last para says "Our correspondent reports that the top leader of the Swatantra Party, Member of the Lok Sabha, Shri Pratap Kesari Deo supported the memorandum submitted by the Congress MPs and MLAs and made a demand for the appointment of a commission of enquiry". It is far from true. I never extended any support to this memorandum which was submitted to the President by the Congress MPs and MLAs. Rather, on the other hand, I said that this matter might be referred to the Lokpal who was going to be appointed—not a commission of enquiry. I would like to make a distinction between the commission of enquiry and the Lokpal who is going to be appointed. I said that the first item of work to be entrusted to the Lokpal would be looking into this memorandum. It will not only prove the frivolousness of the various charges and explode the myth of the memorandum but will drive another nail into the coffin of the Congress in my State. In spite of my categorical statement in this House, I beg to submit that this perverted reporting in the paper is a serious breach of privilege of this House.

Mr. Deputy-Speaker: The hon. Member should at least give us the exact translation of it.

Shri P. K. Deo: I have given you the translation; that is an exact translation.

Mr. Deputy-Speaker: That is all right.

Shri P. K. Deo: The Parliamentary Proceedings (Protection and Publication) Act of 1956 gives no protection, as this is a distortion and has been deliberately done and with malice. I do not want to hair-split my various arguments because the time is very limited, but there are various precedents in this House where such matters are being referred to the Privileges Committee for a fuller investigation into the matter and for a dispassionate appraisal of the whole thing, because, there, the persons concerned will get a chance to have a say and defend themselves, and they can dispassionately examine the whole thing and report it to the House. That is why, with all humility, I beg to submit that *prima facie* there has been a breach of privilege by this misreporting, and it has been done with a mischievous intention to malign me, and to blur my image in the public eye in my State. So, it is a serious matter, and I seek your protection. I submit that the most appropriate thing would be to refer the matter to the Privileges Committee.

Mr. Deputy-Speaker: Many reports in the papers appear; and once I was also an editor; sometimes inadvertently, owing to pressure of time, certain things appear. If it is a fair comment or a fair report, without malice, certainly the question of privilege does not arise. That is the first point.

Secondly, in such cases, because you say that there is a *prima facie* case we cannot accept that contention. The only question is, we will have to ascertain by writing to the paper concerned, what is the position and what he has got to say about it, and later on, we could take up the matter. So, I will just say this much: you have raised it, and you were permitted to raise it and bring it to the notice of the House. Now, we shall write to the paper concerned, ascertain what it is, the exact translation of it, and see

whether your translation is correct or that translation is correct. All the epithets that you have now used—they are your personal observations, and therefore, they have nothing to do with it.

Shri P. K. Deo: I most respectfully submit that in such cases, instead of taking the responsibility on your own shoulders, and asking for an explanation from the editor, why not assign this work to the Privileges Committee, which is part of their duty?

Mr. Deputy-Speaker: If a matter is to be referred to the Privileges Committee, this House or the Speaker must be convinced that there is a *prima facie* case; otherwise, it would not add to the dignity of the House if we refer a small inaccuracy in reporting to the Privileges Committee. In such cases, there is no precedent. (*Interruption*) Order, order, Shri Kundu.

Shri S. Kundu (Balasore): What I wish to submit is that the party itself can convince the Speaker or the Deputy-Speaker that there is a *prima facie* case, and the Speaker or the Deputy-Speaker, on the basis of the records which are placed before the Speaker or the Deputy-Speaker, may be convinced that there is a *prima facie* case (*Interruption*). First of all, this paper is associated with a man like Mr. Biju Patnaik who has been called in question by the Opposition parties, and it is a deliberate malice; as the hon. Member has so painfully put it, the hon. Member's image has been deliberately maligned; it has been blurred by such an insinuation. The paper says that the hon. Member is one with some of the Congress people who have urged to send their memorandum to the Commission of Enquiry. The paper has written as if it is a big venture suggesting that the hon. Member believes in the charges brought forward by those Members. So, the question is this; (*Interruption*)

Mr. Deputy-Speaker: Order, order. The question is, we can address a communication to the paper concerned to ascertain the facts....

Shri Ranga (Srikakulam): It is the job of the Privileges Committee, not of the Speaker.

Mr. Deputy-Speaker: If we first write to the paper about what you say, and then report back to the House, bring the matter before the House—you are the judge—that could be done.

Shri S. Kundu: If it is a question of appreciating a *prima facie* case, only you can do it. The party and yourself can sit together. All the evidence will be placed before you and if you are satisfied that there is a *prima facie* case, you must send it to the privileges committee. It is a right, not a favour. We do not have any prejudice against any paper. It is quite possible that it might be a mistake. But the privileges committee must look into it. What is your *locus standi* to call for an explanation from the newspaper? Wherefrom do you get that jurisdiction? This is a fundamental question. All of us, including yourself, Sir, are governed by the Rules of Procedure. When you say you will call for the records, it means you have accepted that there is a *prima facie* case and you are calling for further evidence. Since you have said that you want to call for the records, it goes to prove that you have appreciated that there is a *prima facie* case.

Mr. Deputy-Speaker: My mind is open and free from prejudice. I have not accepted anything.

Shri S. Kundu: Then, why do you call for records?

Mr. Deputy-Speaker: I want to ascertain the facts.

Shri S. Kundu: Since there is a *prima facie* case, it should go to the privileges committee.

श्री प्रकाश शीर लात्त्री (हापुड) : इस सदन की परम्परा यह रही है कि जब भी कोई इस प्रकार के विशेषाधिकार का प्रश्न आता है तो अगर अध्यक्ष या उपाध्यक्ष संविधान के अनुसार या लोक सभा की जो प्रक्रिया है उस के अनुसार वह इस बात से संतुष्ट हो जाय कि इस से किसी सदस्य के या सदन के विशेषाधिकार का हनन हुआ है तो उसी समय वह अनुमति दे देते हैं। अब तक जिन जिन समाचार पत्रों के विरुद्ध इस प्रकार विशेषाधिकार के प्रश्न आये हैं तो आज तक यह प्रक्रिया कभी नहीं रही कि पहले समाचार पत्रों से पूछा जाय और जब विशेषाधिकार बनता है या नहीं इस को स्वीकार किया जाय। श्री पी० के० देव ने जिस समाचार का अनुवाद किया है, इस सदन के किसी माननीय सदस्य के मस्तिष्क पर इतना भरोसा आवश्यक करना पड़ेगा कि उन्होंने जो उड़िया भाषा का अनुवाद किया है वह प्रामाणिक है। यदि वह प्रामाणिक नहीं है तो आप के कार्यालय में इस प्रकार के व्यक्ति हैं कि जिन से आप उस अनुवाद की प्रामाणिकता की जांच करा सकते हैं। लेकिन प्रामाणिकता की जांच कराने के बाद अगर वह बात सिद्ध हो जाती है कि सदस्य के विशेषाधिकार का हनन हुआ है तो इस बात की कोई आवश्यकता नहीं है कि पहले समाचार पत्र से स्पष्टीकरण मंगाया जाय और तब विशेषाधिकार स्वीकार किया जाय। इसलिए मेरा निवेदन है कि श्री पी० के० देव ने जो प्रश्न उठाया है उस को स्वीकार कर लिया जाय और संसद कार्य मंत्री को अगर कोई आपत्ति न हो तो इस को विशेषाधिकार समिति को सौंप दिया जाय।

श्री भधु लिमये (मुंगेर) : अध्यक्ष महोदय, हमारे जो नियम हैं उन में तीन किस्म की प्रक्रियाएं बताई गई हैं। एक यह कि आप अनुमति देते हैं। एक यह कि आप अनुमति नहीं देते हैं लेकिन आप इस प्रश्न

को महत्व का समझते हैं इसलिए सफाई के लिए उठाने की इजाजत देते हैं और तीसरे यह कि आप अनुमति देने से इनकार कर देते हैं। अब उठाने की अनुमति तो आप ने दी। श्री पी० के० देव का यह कहना है प्रिमाफेशी केस के लिए कि एक तो उनका भाषण है, उस की अधिकृत रपट है। उसी तरह उन्होंने जो अखबार बताया उस को देख लीजिए आप। जो अनुवाद है उस को भी आप जांच करवा सकते हैं। तो अनुवाद और इस की जो आधिकारिक रपट है दोनों की तुलना कर के आप नतीजे पर पहुंच सकते हैं कि प्रिमाफेशी केस है या नहीं। इस के लिए बीजू पटनायक को लिखने की आवश्यकता नहीं है ...

एक माननीय सदस्य : बीजू पटनायक का सवाल ही नहीं है। अखबार का सवाल है।

श्री भधु लिमये : अरे भाई, अखबार वालों से हमें क्या मतलब है? जो पूंजीपतियों के अखबार निकलते हैं और राजनीतिक नेताओं से संबंधित होते हैं उनहीं से हमें मतलब है। क्योंकि आखिर नरसिंह की तरह भी कुछ लोग होते हैं जो राजनीति में भी होते हैं और अखबारों के और पूंजी के मालिक भी होते हैं।

तो अध्यक्ष महोदय, इस का फंसला आप स्वयं कीजिए। मेरा खयाल है, इस में उस अखबार को लिखने की जरूरत नहीं है। आप दोनों को देख लीजिए। अगर आप की राय है कि कोई प्रिमाफेशी केस है तो विशेषाधिकार समिति को दे दीजिए। अन्यथा बतला दीजिए कि मैंने दोनों को देख लिया है, इस में कोई केस नहीं है।

Mr. Deputy-Speaker: Sri Kunte—

Some hon. Members: Sir, call some Members from this side also.

Mr. Deputy-Speaker: I would like to remind the House that when a question of privilege is raised it is not a party issue, it is not to be treated as a question of a local feud. I will listen to everyone, but I request everyone to be brief.

Shri Randhir Singh (Rohtak): Nobody is against it.

Shri Dattatraya Kunte (Kolaba): Sir, the House finds that under Rule 222 you have allowed the hon. Member to raise the question. Once you have allowed the hon. Member to raise the question you have to be guided by rules 223, 224 and 225. Having allowed that, now it does not lie, allow me to submit to the Chair most humbly, with the Chair to say now that the Chair will make its enquiry. The enquiry step was before that. For best reasons known to yourself, Sir, you allowed the matter to be raised under rule 222. That being the position, it would have been much better if you had just said, the motion is admitted and it will follow the proper course. Later on, in your own judgment, without referring to the Committee even you could have written to the newspaper. But trying to give a ruling here is creating complications. You are challenging your own decision under Rule 222. Therefore, I want to again bring to your notice this point and say, that you forget what has happened in between as you have accepted the motion under Rule 222. I will read it out.

Mr. Deputy-Speaker: It is with me. I have followed you very carefully.

Shri Dattatraya Kunte: The House also ought to know. I presume that what I am going to read is known to you, so I am not showing any disrespect by reading it out.

Mr. Deputy-Speaker: The other day, when a question of privilege was raised by Shri Bhattacharyya—it was a question of some correction—the decision taken by this House was that if it is a reporting mistake or some

correction we will refer the matter to the paper concerned. That was the decision taken here though it was allowed to be raised on the floor of the House. Only two or three days back this decision was taken. So there is that precedent. At that time you very well knew this rule but you never got up to raise it. What I suggest is, while dealing with the Press, as I said, if it is an unfair comment, if it is a malicious thing, certainly we must take serious notice of it, but if it is only wrong reporting should we take such a step....

Shri Nath Pal (Rajapur): Shri Bhattacharyya's case never came up before the House.

Shri Dattatraya Kunte: Sir, I have not yet finished. I am thankful to the Chair for referring to Shri Bhattacharyya's case, but I humbly submit that, it has no relation to the present case and therefore I need not go into it. I am referring to the proviso to rule 225 which says:

"Provided that where the Speaker has refused his consent under rule 222 or is of opinion that the matter proposed to be discussed is not in order, he may if he thinks it necessary, read the notice of question of privilege and state that he refuses consent or holds that the notice of question of privilege is not in order."

For whatever reasons, best known to yourself or might be, due to the wrong traditions that have been established in this House, the hon. Member has been allowed to raise the question. Once he is allowed to raise the question it is presumed that the Chair has given him permission under rule 222.

Mr. Deputy-Speaker: I do not agree with the interpretation of the rule. So far as the rule is concerned I entirely agree with you.

Shri Dattatraya Kunte: The question of interpretation of the rule will arise only when the rule leads to more than one interpretation. Rule 222 is

[Shri Dattatraya Kunte]

very clear and, therefore I must read out that rule again because, I am afraid, there are some doubts in some quarters, who feel that there is another interpretation.

“A Member may, with the consent of the Speaker, raise a question involving a breach of privilege either of a member or of the House or of a Committee thereof.”

Therefore, the interpretation is very clear. I find, everyone in this House finds, that Shri P. K. Deo has been allowed to raise a question, and it is presumed that it has been done with the permission of the Chair. As long as this presumption is there, there can be no other interpretation. Therefore, I most humbly say that all that you have said may be treated as *obiter dicta* and that you have to deal with it according to the rules of this House.

श्री रणधीर सिंह : डिप्टी स्पीकर साहब, यह श्री पी० के० देव की इज्जत का सवाल नहीं है, इन के प्रिविलेज का सवाल नहीं है यह इस हाउस की इज्जत का सवाल है। मुझे महसूस होता है कि इस मामले को हम पार्टीबाजी या अपोजीशन या ट्रेजरी चन्जेज का सवाल बना रहे हैं; यह मायूसकुन बात है। मैं समझता हूँ कि अगर थोड़ी बहुत भी जरब मेरे भाई पर चाहे, वे किसी भी पार्टी के हों, आई है, उनकी इज्जत पर, उनकी दुखदारी पर, उनकी अहलियत पर, उन की काबलियत पर और उनकी इमपाशियेलिटी पर किसी किसम का भी हमला बाहर से होता है, तहरीर में होता है, तकरीर में होता है, जल्से में होता है, उस का हम को कागनी-जेन लेना चाहिये, वजाय इस के हम डायरेक्ट करें कि प्राइवेट चैनल से बात कर लीजिये। मैं इस चीज बिलकुल खिलाफ हूँ क्योंकि इस किसम की टेन्डेन्सी बढ़ती जा रही है। मेरे खिलाफ भी ऐसी चीज आई थी, लेकिन

मैंने उसको दरगुजर कर दिया। एक ऐसी टेन्डेन्सी बनती जा रही है कि हमारे जो मेम्बर साहबान हैं उन के स्ट्रेचर को गलत तौर पर डिपिक्ट किया जाता है।

श्री सिंह का जो मोशन है, मेरा क्याल है कि न किसी को उस के बारे में मुखालफत करनी चाहिये और न किसी को मुखालफत है। इस में कोई तन्त है या नहीं है, इस में कोई प्राइमाफेसी केस बनता है या नहीं बनता है, यह चीज प्रिविलेजेज कमेटी को सौंप दिया जाय और वह देखें कि यह चीज साबित होती है या नहीं होती है। मैं समझता हूँ कि सब इस मामले में यूनैनिमस हैं, इस लिये कोई डिस्कशन नहीं होना चाहिये और यह मामला प्रिविलेजेज कमेटी को सौंप दिया जाये और मैं प्रिविलेजेज कमेटी से भी यह कहूंगा कि वह ऐसे मामलों में सीरियस नोटिस ले ताकि हम इस तरह के हर रोज के झगड़ों से बचे और कोई हमारे इस हाउस की तरफ बुरी नजर से न देखे।

Mr. Deputy-Speaker: Shri Chintamani Panigrahi.

Shri P. K. Deo: Sir I rise on a point of order. It is a well-established convention in all Parliaments that those who had any pecuniary benefit should not take part in the discussion where he is interested.

Mr. Deputy-Speaker: I do not think anybody is interested in that sense in this discussion.

Shri P. K. Deo: Sir, before you call Shri Panigrahi I would like to draw your attention to *May's Parliamentary Practice* 17th Edition, page 116. On the 22nd June 1958 the House of Commons resolved:

“That it is contrary to the usage and derogatory to the dignity of this House that any of its members should bring forward, promote or advocate in this House

any proceeding or measure in which he may have acted or been concerned for or in consideration any pecuniary fee or reward."

Shri Chintamani Panigrahi: I strongly repudiate any such charge.

Mr. Deputy-Speaker: Please read the proviso also.

Shri P. K. Deo: I will read it.

"This resolution has been held not to preclude a member who has been concerned in a criminal case...."

—I do not think Shri Panigrahi has been involved in a criminal case—

"from taking part in a debate".

This is a well-established practice that those who had any pecuniary benefit at one time or other should not participate....

Mr. Deputy-Speaker: But you have got to establish that a particular member has a pecuniary interest.

Shri P. K. Deo: The words are "may have acted or been concerned."

In this regard I would like to point out that when Shri Chintamani Panigrahi crossed over from the Communists to the Congress he was in the pay roll of Mr. Biju Patnaik.

Shri Chintamani Panigrahi: That you have said earlier also.

Shri P. K. Deo: Secondly, he was the accredited representative of the Kalinga paper in the Orissa Assembly and till now he is in the possession of the quarters which have been allotted by the Orissa Government to the Kalinga paper. So, even up till today he derives pecuniary benefit from Kalinga paper. Therefore he should be debarred from participating in this matter where Kalinga paper is involved.

Mr. Deputy-Speaker: I have read the relevant portion. Unless it is 1330 (A) LSD—9.

established that he has continuing interest in the concern, merely on his assertion to take it.....

श्री मधु लिमये : वह इंकार नहीं कर रहे हैं ।

Mr. Deputy-Speaker: Would it be right?

Shri Umanath (Pudukkottai): He has said that he is occupying a house allotted to him. Does he deny that?

Mr. Deputy-Speaker: Let him explain his position. Kalinga is a big concern and the question is regarding the paper only. I am concerned with the paper only; I am not concerned with anything else.

Shri Chintamani Panigrahi: I am at one with the feelings expressed by hon. Members with regard to the privileges of the Members of this House. As you said, this should not be a party question. I fully share your view, but you can see the partisan way in which it is being brought here.

श्री मधु लिमये : यह तो भाषण करने लग गए हैं । आपने पूछा था कि उनका सम्बन्ध है या नहीं है (इंटरप्रांज) भाषण ये बाद में दें ।

Mr. Deputy-Speaker: Shri Panigrahi, objection has been raised and you will have to clear whether you have pecuniary interest in it.

Shri Chintamani Panigrahi: I say, I have no pecuniary interest. I am not connected with anything as Shri Deo has said. I refute all his allegations from A to Z.

Some hon. Members: What about the house?

Shri Chintamani Panigrahi: With regard to this point, as you said, the other day in the case of Shri Bhattacharyya it was referred to the editor. But today what I am feeling is as if the press has no status in this country

[Shri Chintamani Panigrahi]

and only the Members of the House have a status. The press also has within its jurisdiction its freedom... (Interruptions).

Shri S. Kundu: It is an unfortunate remark. We never meant any imputation on any press. He should not be allowed to go on like that... (Interruption).

Mr. Deputy-Speaker: Hon. Members may resume their seats. While I am standing if anybody tries to get up and defy, he will not be called at all. You will get an opportunity. I have called Shri Panigrahi to explain his position. Let us at least accept some discipline.

Shri S. Kundu: When you asked me to sit down, I sat down.

Shri Chintamani Panigrahi: In this connection I would like to bring to your notice three things. One is the reporting of the proceedings of this House. If a paper wrongly reports or wants to malign the Members, immediately it is established as a *prima facie* case... (Interruption).

Shri S. Kandappan (Mettur): Is he clearing himself of the charges Shri Deo made?

Mr. Deputy-Speaker: So far as you are concerned, you have got to state definitely and categorically that you have no interest.

Shri Chintamani Panigrahi: Nothing

Some hon. Members: What about the House?

Mr. Deputy-Speaker: Then, regarding the matter that is raised you can say anything about it, in the sense whether it is misreporting, mistranslation or wrongly placed before the House.

Shri Chintamani Panigrahi: There are three things, the one is the headline, the second is the reporting of the

proceedings in the House and the third is the separate political round-up by its correspondent. (Interruption) Therefore, as you have suggested, it must be referred to the Editor.

Shri S. Kundu: We are discussing only a limited question... (Interruption). What is this? (Interruptions).

Mr. Deputy-Speaker: Please resume your seats. Even if some Member from this side shouts I would request the other side to observe complete discipline. There is no other way.

Shri S. Kundu: We are discussing only a limited question, whether it should go to the Privileges Committee or not.

Mr. Deputy-Speaker: Either right-away or after getting the explanation from the Editor.

Shri S. Kundu: On the basis of the rules. It is not open to the Member to discuss here the merits of the case. If we do that, we will be precluding the rights of the Privileges Committee. We should not encroach upon the rights of the Privileges Committee. This gentleman on the Congress side was speaking on the merits of the case.

Mr. Deputy-Speaker: I have stopped him there, Shri D. C. Sharma. (Interruptions).

Shrimati Lakshmi Kanthamma (Khammam): Is it the privilege only of the Members on that side to abuse the Members on this side? (Interruptions).

Mr. Deputy-Speaker: Kalinga is a big industrial concern. We have not to go into that. The question is only about the paper.

Shri D. C. Sharma (Gurdaspur): Sir three different points of view have been expressed on this issue. One is

that it should be sent straightway to the Privileges Committee. The second is that you should have the original speech along with the translation of the speech as published or distorted in the paper, compare the two and then decide what action should be taken. The third point of view is that under the Rules of Procedure, 223, 224, 225, 226, you cannot get away from referring this matter to the Privileges Committee.

This should not be taken to be a question of one party or the other and this should not be taken to be a question of a Member of one political group vs. another Member of another political group. I think, as it has been put forward by some of my friends, this concerns the dignity of the House. I must tell you that this has to be decided here and now and that it should not be kept pending for a long time. I personally feel—you were also a Member like me—and you will remember that in this country there is a tendency towards tendentious reporting. There is a tendency towards distorted reporting. There were certain papers, you remember very well, Sir, which used to black out your speech; there were certain papers which used to distort your speech; there were certain papers which used to garble the speeches of Pandit Jawaharlal Nehru. We have got to put down these dangerous and offensive tendencies which have crept into the journalism of India... (*Interruptions*). I think that this privilege motion, which has been brought forward by Mr. P. K. Deo, should be sent to the Privileges Committee. I do not agree with his politics, either Orissa politics or Central politics, but the privilege motion that has been brought forward by him should be endorsed by us and should be sent to the Privileges Committee, so that we can put an end to this tendency, which has crept into our journalism, of blacking out some speeches. (*Interruptions*).

Mr. Deputy-Speaker: All right. We shall put an end to it.

Shri D. C. Sharma: I support Mr. Kunte also.

Shri Umanath: I will give the precedents because you have quoted a precedent saying that such motions are not straightway referred to, but the explanation is called for from the paper and then a decision is taken.

An hon. Member: No.

Shri Umanath: That is what he said.

I would give you two precedents, whether we follow a convention or whether we apply the rules, we must be consistent. That is the point. With regard to that, I shall give you two precedents. On such of the motions which are not allowed to be presented by the Speaker, he gets an explanation and then he reads out some decision or something here. But once he allows it to be raised here to be moved question to be decided immediately whether it has to be referred straightway or not. The two precedents are these. When I raised a privilege motion, sent a notice to the Speaker in the last Parliament against Mr. Kamaraja's paper, about calling the members here 'rowdies', then the Speaker did not allow me to raise it in the House, but called for an explanation and then on the basis of both the reports, he gave his decision here. In the same Parliament, when certain derogatory remarks were made in a Kashmir paper, Mr. Prakash Vir Shastri was permitted to raise the issue on the floor of the House and after having raised it, it was straightway referred to the Privileges Committee. So, in the one case it was not allowed to be raised here and the explanation was called for, and in another case it was allowed to be raised here and then it was straightway referred to the Privileges Committee. I have given you two precedents, Sir. Let us be consistent. Let it not be told by the country, let the country not get the impression, that this Parliament, when certain

[Shri Umanath]

issues and certain persons are involved, adopts different policies.

Mr. Deputy-Speaker: Now, I would like to refer to the point of consistency, which the hon. Member has raised. I have also been here for the past ten years or more. In Mr. Bhattacharya's case, when the issue was raised by Mr. Bhattacharyya... (Interruption). I am not reading the whole thing. Mr. Bhattacharyya raised the issue....

श्री प्रकाशवीर शास्त्री : उपाध्यक्ष महोदय, मेरा व्यवस्था का प्रश्न है। आप ने एक बार पहले भी श्री सी० के० भट्टाचार्य का रेफरेंस दिया है और शायद अब फिर उस के बारे में कुछ कहने जा रहे हैं। श्री भट्टाचार्य ने इंडियन एक्सप्रेस के खिलाफ अपना विश्वा-धिकार-भंग का प्रस्ताव अध्यक्ष के सम्मुख रखा और अध्यक्ष ने उस मामले को इस सदन में रखने से पहले इंडियन एक्सप्रेस के सम्पादक को लिखा। बाद में सम्पादक का स्पष्टीकरण आने के बाद उन्होंने उस को इस सदन में पढ़ कर सुनाया। जहां तक इस मामले का सम्बन्ध है, एक बार यहां आने के बाद यह हाउस की सम्पत्ति होगया है और अब इस सदन को यह अधिकार है कि वह इस बारे में निर्णय ले। इस प्रश्न के यहां पर उठाए जाने के बाद अब आप स्वयं उड़िया पत्र से स्पष्टीकरण नहीं मांग सकते हैं। इस सम्बन्ध में जो कुछ भी कार्यवाही करनी है, उस का निर्णय इस हाउस को करना है। इस सदन में बड़ बड़ कानूनी मेम्बर बैठ हुए हैं। अगर आप को ज्यादा राय की जरूरत हो, तो आप उनसे राय ले लीजिए।

Shri Sheo Narain (Basti): On a point of order, I will clear it in one sentence.

Mr. Deputy-Speaker: Shri Sheo Narain may resume his seat. . .

Shri Sheo Narain: I am raising a point of order. You must listen to me. I am also a Member of the House, and when I am raising a point of order, you ought to listen to me.

श्री प्रकाशवीर शास्त्री ने जो रिमार्क कसा है . . .

श्री शिवचरण लाल (फिरोजाबाद) : मेरा व्यवस्था का प्रश्न है।

श्री शिव नारायण : . . . मैं कहना चाहता हूँ कि . . .

Mr. Deputy-Speaker: Let the hon. Member please resume his seat.

Shri Sheo Narain: I shall not resume my seat. I want to raise a point of order.

श्री शिवचरण लाल : मेरा भी व्यवस्था का प्रश्न है। आप पहले श्री शिव नारायण को बिठाइये और फिर मुझे बैठने को कहिए।

Mr. Deputy-Speaker: Is discipline in the House conditional on something? That is bad.

Shri Sheo Narain: On a point of order....

Mr. Deputy-Speaker: The hon. Member should resume his seat now.

Shri Sheo Narain: Do I have no privilege in the House to raise a point of order?

The Minister of Parliamentary Affairs and Communications (Dr. Ram Subhag Singh): The remarks made by Shri Prakash Vir Shastri were really objectionable. Shri Prakash Vir Shastri is one of the seniormost Members of the House. He has made that type of remark against an hon. Member of the House. उन्होंने कहा कि अगर आप को राय की जरूरत हो, तो श्री शिव नारायण से ले लीजिए। उन के लिए यह मुनासिब नहीं है।

श्री प्रकाशवीर शास्त्री : उपाध्यक्ष महोदय, मैंने तो ये शब्द श्री शिव नारायण

की प्रशंसा में ही कहे थे । इस में मेरा श्रीर कोई उद्देश्य नहीं था ।

Mr. Deputy-Speaker: Now, Shri Prakash Vir Shastri has given his explanation also that he had no intention to ridicule him.

श्री शिवनारायण : उपाध्यक्ष महोदय, आप मुझ क्लियर करने दीजिए । मुझ पर एटैक हुआ है । क्या मैं जवाब न दूँ ? शास्त्री जी ने बड़ा लैक्चर दिया श्रीर मुझ पर एटैक किया । मैं सिद्ध करना चाहता हूँ कि मैं बुद्धिमान जरूर हूँ । जब हाउस के सब पक्ष, सब मेम्बर, इस बात पर एंग्रीड हैं कि यह मामला प्रिविलेज कमेटी को सौंप दिया जाये तो फिर आप हाउस का टाइम क्यों बैस्ट कर रहे हैं ?

Mr. Deputy-Speaker: He has given his explanation already.

श्री मोनू प्रसाद (बांसगांव) मेरा व्यवस्था का प्रश्न है ।

Mr. Deputy-Speaker: The hon. Member may resume his seat.

I do not want to keep it open for discussion any more. I want to say what I have got to say and finish this. The question has been raised. . . (Interruptions).

Shri J. B. Kripalani (Guna): May I make one submission? I have only to point out that some of us come here to transact some business, and a business can be transacted only when both sides obey the Chair. The Chair is like a referee; the Chair includes the Deputy-Speaker and also anyone who occupies the Chair. Unless we submit to the decisions of the referee, nothing can be done. So, may I request both sides, let use proceed with the main business without creating confusion?

Mr. Deputy-Speaker: The House should be grateful to Shri J. B. Kripalani, because since yesterday's

incident and today's also, there is a tendency to disobey the Chair and behave in a disorderly manner. (Interruptions).

Some hon. Members: No, no.

Shri Pilo Mody (Godhra): Why don't you carry on without harping on the subject?

Shri V. Krishnamoorthi (Cuddalore): I request you to kindly dispose of it within a minute. You may kindly put it to vote and refer it to the Privileges Committee.

Mr. Deputy-Speaker: He cannot dictate to me. He should resume his seat now.

Shri V. Krishnamoorthi: I only made a request to you.

Mr. Deputy-Speaker: I am giving my decision now.

Since I have quoted Shri C. K. Bhattacharyya's case, I would like to refer to it again. The rule has been quoted. In that case, when the matter was raised, this was what happened. I am not going to read out the whole thing. Shri Umanath said:

'Unconsciously it might have come in.'

Then, Shri C. K. Bhattacharyya said:

"I feel that it is a serious matter...".

Then, the Speaker observed:

"Mr. Speaker: If it is wrong reporting, it may be by mistake or something like that; therefore, we should write to the editor. He may correct it or do something."

He had not written before the issue was raised here. Afterwards, with the permission of the House, he said we might write to the editor concerned.

"Shri Surendranath Dwivedy: It can be corrected".

He also supported the Speaker. Shri Vajpayee also supported.

[Mr. Deputy-Speaker]

Why I am saying this is this. I know the rule. Even if a matter is referred to the Committee, our usual practice is to write to the editor concerned. I entirely agree so far as the interpretation of the rules is concerned.

An hon. Member: Let us follow it.

Mr. Deputy-Speaker: The ruling was accepted by the House only as recently as on 6-7-67 without a murmur. Now, is there anything wrong if we follow this procedure?

Some hon. Members rose—

Mr. Deputy-Speaker: Shri H. N. Mukerjee.

Shri C. K. Bhattacharyya (Raiganj): I have a submission to make that I may be given an opportunity.

Shri H. N. Mukerjee (Calcutta North East): Shri Kunte made a very clear formulation that the rule is there. What has happened on the 6th—I was not present in the House—happened in spite of the rule. I have been in this House for more than 15 years now and I have always noticed that if a letter has to be sent to the editor concerned from the Parliament Secretariat, it is done before the matter is permitted to be brought before the House. Once the matter is under rule 222, permitted to be brought before the House, we should not adopt the convention, foolhardily accepted the other day, and try to write to the editor. This House is not a body which writes to an editor. If the writing has to be done, it has to be done by agencies operating behind the scene. This House can delegate the matter to the Committee of Privileges which can write to the editor. But this House is not a kind of body which writes to any editor. This House, once it is seized of the matter, has got to refer it to the Committee of Privileges.

Shri C. K. Bhattacharyya: I had repeatedly stated that I have a submission to make.

Precedents have been quoted by Shri Umanath. Just now Shri Mukerjee has spoken. There is a precedent relat-

ing to Shri Mukerjee himself. One of his speeches was not fully reported in some papers but incompletely reported. The Opposition the next day brought it to the notice of the Speaker that a speech like that of a leader of Shri Mukerjee's stature is not completely or fully or sufficiently reported. The Speaker held that the reporting was not properly done. Even in that case, instead of sending the matter to the Privileges Committee, he took it upon himself to say that 'I shall write to the editor'. And he wrote to the editor. The editor expressed apology and explained the difficulty in that connection, and the matter was closed. I believe Shri Mukerjee himself knows it. I believe you may yourself be knowing it, having been a Member of this House at that time. Sardar Hukam Singh was the Speaker then.

श्री कामेश्वर सिंह (खगरिया) उपाध्यक्ष महोदय स्थिति बिलकुल विपरीत है यहां पर। आप इस सदन के अधिकारों का हनन कर रहे हैं।

Mr. Deputy-Speaker: It is over.

I am following the rules, as you have pointed out. Shri P. K. Deo.

Shri P. K. Deo: I beg leave of the House to move:

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

Mr. Deputy-Speaker: Is there any objection from any Member?

Some hon. Members: No.

Shri P. K. Deo: I beg to move:

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

Mr. Deputy-Speaker: The question is:

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

Those in favour of the motion will kindly say 'Aye'.

Some hon. Members: Aye.

Mr. Deputy-Speaker: Those against will kindly say 'No'.

The 'Ayes' have it, the 'Ayes' have it. The motion is carried and the matter is referred to the Committee of Privileges.

The motion was adopted.

Shri A. T. Sarma (Bhanjanagar): Mr. Deputy-Speaker, how is it that you have not asked for our vote on this motion? You have declared the motion carried without asking for our vote. This is wrong procedure.

Mr. Deputy-Speaker: Papers to be laid.

Shri A. T. Sarma: This is wrong procedure. I strongly protest against it.

14.54 hrs.

PAPERS LAID ON THE TABLE
MYSORE GOVERNMENT SAVINGS BANKS
RULES, 1967

The Minister of State in the Ministry of Food, Agriculture, Community Development and Cooperation (Shri Annasahib Shinde): On behalf of Shri Morarji Desai, I beg to lay on the Table a copy of the Mysore Government Savings Banks Rules, 1967, published in Notification No. G.S.R. 990 in Gazette of India dated the 30th June, 1967, under sub-section (3) of section 15 of the Government Savings Banks Act, 1873. [Placed in Library. See No. LT-1017/67].

NOTIFICATIONS UNDER CENTRAL EXCISE
AND SALT ACT, 1944 ETC.

Shri Annasahib Shinde (On behalf of Shri K. C. Pant): I beg to lay on the Table—

- (1) A copy each of the following notifications under section 159 of the Customs Act, 1962 and section 38 of the Central Excises and Salt Act, 1944:—
- (i) The Customs and Central Excise Duties Export Draw-back (General) Forty-third Amendment Rules, 1967, published in Notification No. G.S.R. 984 in Gazette of India dated the 1st July, 1967.

(ii) The Customs and Central Excise Duties Export Draw-back (General) Forty-fourth Amendment Rules, 1967, published in Notification No. G.S.R. 985 in Gazette of India dated the 1st July, 1967.

[Placed in Library. See No. LT-1018/67].

- (2) A copy of Notification No. G.S.R. 986 published in Gazette of India dated the 1st July 1967, under section 159 of the Customs Act, 1962 [Placed in Library. See No. LT-1019/67].
- (3) (i) A copy of the Emergency Risks (Goods) Insurance (Second Amendment) Scheme, 1967, published in Notification No. S.O. 2228 in Gazette of India dated the 27th June, 1967, under sub-section (6) of section 5 of the Emergency Risks (Goods) Insurance Act, 1962.
- (ii) A copy of the Emergency Risks (Factories) Insurance (Second Amendment) Scheme 1967, published in Notification No. S.O. 2229 in Gazette of India dated the 27th June, 1967, under sub-section (7) of section 3 of the Emergency Risks (Factories) Insurance Act, 1962. [Placed in Library. See No. LT-1020/67].

14.56 hrs.

CORRECTION OF ANSWER TO S.Q
NO. 813 RE JET FUEL

The Minister of State in the Ministry of Petroleum and Chemicals and Planning and Social Welfare (Shri Raghu Ramiah): In the supplementaries Starred Question No. 813 answered in the Lok Sabha on 29th June, 1967, regarding jet fuel, Shri George Fernandes had asked if ATF is distributed through the Indian Oil Corporation or the refineries which produce this oil. Both he and Dr. Ranen Sen also asked from which company the foreign airliners which come for fueling at Indian ports receive their