

tonnes. This envisages the installation of L.D. Convertors for steel making, facilities for continuous casting and a plate mill for the manufacture of heavy plates. Facilities for iron ore mining and sinter making are also being suitably expanded. This scheme is under implementation.

- (ii) Installation of a Spirally welded Pipe Plant at Rourkela Steel Plant for making large diameter pipes for oil refineries, industry and public health schemes.
- (iii) A refractory plant at Bhilai for the manufacture of refractories.
- (iv) Expansion of Alloy Steel Plant at Durgapur.
- (v) A plant for the manufacture of CRGO Sheets at Rourkela.
- (vi) A seamless tubes plant.

12.00 hrs.

QUESTION OF PRIVILEGE—Contd.

IMPORT LICENCE CASE—Contd.

श्री मधु लिमये (बाबा) अध्यक्ष महोदय मंग व्यंजना का प्रश्न है। यह जान लही है कि मैं एक मामली प्रादमी हूँ इसलिए मेरी दरकामन पर मन्त्रालय दल को गौर करना ही चाहिए, ऐसा मैं नहीं कह सकता हूँ। कल मैंने आप को विनयी की थी कि प्रिविलेज की बहस का कल तक के लिए स्थगित कर दिया जाए। अगर उद्घाटन मेरी इस विनयी को नहीं मानता है, तो मैंने कुछ नहीं कहा है, लेकिन कम से कम दो मिनट के लिए इसके बारे में मेरी बात सुन लीजिए। अगर कल मैं इस सदन में हूँ तो, तो आप मझे नहीं राकते, मझे बांधने देते। मैंने आप को पत्र लिखा था। दूसरों की मुविधा देखी जाए और मेरी मुविधा बिल्कुल न देखी जाए, यह ठीक बात नहीं है।

मैं अपने अधिकारों के लिए लड़ रहा हूँ। दो मिनट के लिए मुझे सुनिये। (स्वभाविक)

SHRI H K L BHAGAT (East Delhi) Sir, a point of order can be raised only in regard to the business before the House. I am raising an objection. There cannot be any point of order at this stage. A point of order, under rule 376(2), "may be raised in relation to the business before the House at the moment." What is the business before the House at the moment? On what can he raise a point of order? He cannot raise a point of order.

SHRI MADHU LIMAYE On a pending business.

SHRI H K L BHAGAT There is no item at the moment before the House on which you can raise a point of order. I want your ruling. Points of order are being raised on matters which are not in relation to the business of the House at the moment.

He cannot raise a point of order now. As I submitted you must give a ruling as to how and when points of order can be raised because points of order are being misused. He did not come yesterday. You have concluded the debate and you said you have closed it. A Member cannot go on speaking at length on a privilege motion. He has spoken six times on this. He wants to speak again. No point of order can be raised. I want your ruling on this, whether he can raise a point of order in this manner, like this.

MR SPEAKER: Of course, at present, there is no business before the House, and his point of order relates to no business. There, you are correct. Let me know on what matter is the point of order being raised. Is it a submission or a point of order?

श्री मधु लिमये यह पार्यट ग्राफ आर्डर है। आप मुझे इजाजत देंगे, तो मैं गर्वामशन करूंगा। मैं एक पेंडिंग मैटर के बारे में सब-मिशन करना चाहता हूँ।

SHRI C. M. STEPHEN (Muvattupuzha): There is no pending matter.

MR. SPEAKER: You can make a submission; not a point of order.

SHRI MADHU LIMAYE: The privilege matter is pending.

SHRI C. M. STEPHEN: A point of order can be raised under rule 376 either arising out of an interpretation of the rules or articles of the Constitution or in relation to the business before the House at the moment. You said yesterday: 'I have closed the matter and I will give my ruling sometime later'. The matter is closed. How can it be opened? I have no objection to any subjective evaluation that he has about himself... (Interruptions). You read out the letter to the House and you asked the opinion of the House and you enquired from the Members and you came to this decision after ascertaining the will of the House. The matter was closed by you after you consulted the House. Now if somebody is permitted to reopen this matter it will be a dangerous precedent and it will be a reflection on all of us. It cannot be done; all of us are equal before law and all of us are equal before you, Mr. Limaye may have his own opinion about himself but let him remember that he is one among the 550 Members of this House; and he is no more and no less.

श्री मधु लिमये: मैं एक मामूली आदमी हूँ। मेरी कोई ओपीनियन नहीं है। लेकिन मेरे भी अधिकार हैं।

PROF. MADHU DANDAVATE (Rajapur): I have a point of order regarding what he has said. I wish to bring to the notice of Mr. Stephen that as far as the privilege matter was concerned, even on the basis of what he has read out from the proceedings of the House, the Speaker has only reserved the ruling. So, the matter is not closed.

SHRI C. M. STEPHEN: I have closed the matter—that is what the Speaker is reported to have said.

PROF. MADHU DANDAVATE: A person who raised the privilege issue has a right to intervene and he has a right to raise any point of order and make a submission in that regard. Therefore he should be heard... (Interruptions).

MR. SPEAKER: To all of them I gave a chance at the preliminary explanation in respect of the motions. Yesterday, I said that I had heard all your points of view and I have closed the matter. I also said that I should see all the debate which has taken place in the last week and find out what points have been raised and that it would take a lot of time. I will have to go through it so that I may not be in doubt as to what is the specific issue. I had promised that I would hear four Members who asked to be heard on this side and that side Mr. Madhu Limaye had written that if it could be kept pending till tomorrow, it would be better. But neither the Members wanted it, nor was it agreed to.

AN HON. MEMBER: His name was not amongst them.

श्री मधु लिमये: क्या प्राइम मिनिस्टर श्रीर श्री रघुगर्मैया के नाम उन में थे? उन्होंने क्यों इन्टरबीन किया? मैं एक मामूली आदमी हूँ, लेकिन इस सदन में मेरे अधिकार श्रीमती इंदिरा गांधी के कम नहीं हैं।

SHRI K LAKKAPPA (Tumkur): He is not the Leader of the House. The Leader of the House has a right to intervene. He is not the Leader of the House unfortunately.

MR SPEAKER. If you will not kindly mind what I say, I want to say thus. It is a different matter. You can make a submission to the Speaker in spite of what has happened.

श्री कश्चु लिम्बे मान लिया।

अध्यक्ष महोदय अपनी मैंने अपनी बात ही नहीं खत्म की, माना क्या ?

But the way you address and the way you wrote is exasperating. You write: "I have given you a detailed notice based on the chargesheet against Shri L. N. Mishra. If you are interested in the orderly business of the House then immediately upon the conclusion of the Question Hour you should invite me to raise this question, you may invite such other Members as you want to." Now, I am very much interested in the orderly business of the House. I am prepared to accommodate Members on this side or that side in spite of some obstacles that may have been there. But this is not the way to address the Chair or write to me. I do not mind. After all, if something basic is left out, I can make an exception but not under this type of pressure.

श्री कश्चु लिम्बे : अध्यक्ष महोदय, चूंकि ये बार-बार मुझे टोकते हैं और इतना टोकते हैं इस लिए मुझमें प्रत्याभवाभाविक है। अगर ये बार-बार नहीं बोलें तो आप जानते हैं कि मैं बहुत ही विनम्रतापूर्वक अपनी बात करता हूँ। मैं केवल तीन प्रार्थना करना चाहता हूँ।

बल अटल जी ने सवाल उठाया था कि क्या उमाशंकर दीक्षित जी का बक्तव्य अध्येगा? उन पर श्रीमती इंदिरा गांधी ने कहा :

"We do not see what you are going to examine because the privilege motion is against the House Minister, the Home Minister continues, the persons may change but the Home Minister continues. That is why he is dealing with the question."

मुझे पता नहीं उन को कौन उपदेश देता है। अब मामला और गहराई में जा रहा है। मविधान की धारा 75 के अन्तर्गत कलेक्टिव रेस्पॉन्सिबिलिटी होती है। आज उमाशंकर दीक्षित गृह मन्त्री नहीं हैं। लेकिन मंत्रिपरिषद् के सदस्य आज भी हैं। अगर वह अपने द्वारा मंत्रिमण्डल की ओर से दिए गए आश्वासन को पूरा नहीं कर सकते हैं तो उमाशंकर दीक्षित का हम सदन के सामने आना चाहिए कि मैं लाचार हूँ, मैं मंत्रिमण्डल में हट रहा हूँ, नोहम लागे उन के खिलाफ मामला नहीं उठाएँगे अगर हम प्रश्न पर वह इस्तीफा दे देंगे तो मैं लाचार हूँ मैं बक्त का पूरा नहीं करवा सकता, मैं हट रहा हूँ। फिर उस के बाद मामला सरकार के प्रमुख के खिलाफ, प्रधान मन्त्री के खिलाफ चलेगा। आप बहुत गहराई में जा रहे हैं, मैं केवल चेतावनी दे रहा हूँ आप का।

दूसरी प्रार्थना यह है कि जब यह सवाल उठा कि दूसरे सदन के जो सदस्य हैं उन के खिलाफ अगर प्रिविलेज का मामला इस समय उठता है तो क्या प्रक्रिया होनी चाहिए, प्रायः इन्फिर्मेटिव, लेकिन सरकार की विज्ञापन के पृष्ठ 26.3 के ऊपर इसके बारे में प्रक्रिया दी गई है। जो दोनों सदन का कमेटी बैठे या उस कमेटी ने निर्णय किया है और लोक सभा ने उस को तारिख की है। मैं एक ही अनुच्छेद उस का पढ़ेगा :

“Accordingly, when a question of breach of privilege or contempt of the House is raised in either House in which a member, officer or servant of the House is involved, the procedure followed is that the Presiding Officer of the House in which the question of privilege is raised, refers the case to the Presiding Officer of the other House, only if he is satisfied on hearing the member who raises the question or on perusing any document where the complaint is based on a document, that a breach of privilege has been committed. Upon the case being so referred, it is the duty of the Presiding Officer of the other House to deal with the matter in the same way as if it were a case of breach of privilege of that House or of a member thereof.”

तो अपने निर्णय के बाद अगर आप इस नतीजे पर पहुंचे हैं कि श्री उमाशंकर दीक्षित ने इस सदन का अपमान किया है तो राज्य सभा के अध्यक्ष को इस बात को वहां पर उठाना पड़ेगा। और राज्य सभा के सभी सदस्यों को हमारे अधिकारों की रक्षा करना पड़ेगी।

दूसरी बात यह है कि उमाशंकर दीक्षित जी ने जो वचन दिया अगर वह सरकार की ओर से दिया है तो उमाशंकर दीक्षित जी को सफाई नहीं देनी है, तब हम को प्रधान मन्त्री इंदिरा गांधी के खिलाफ विशेषाधिकार का सवाल उठाने की इजाजत मिलेगी क्योंकि मंत्रियों के द्वारा जो वक्तव्य दिये जाते हैं उस की अंतिम जिम्मेदारी प्रधान मन्त्री की है।

दूसरी बात मैं यह कहना चाहता हूँ कि तुलसीमोहन राम का सवाल आया। अगर ये बिल्कुल चुप्पी साधते, कोई सफाई नहीं देते तो कोई बात नहीं थी। लेकिन उन्होंने दो सत्रों के बीच में पत्रकारों के सामने असत्य वचन कहे हैं और जो चार्जशीट आई है जिस की काफी लाइब्रेरी

में रखी गई है उस चार्जशीट से बिल्कुल प्राइमाफेसी केस बन जाता है कि उन का जो वक्तव्य था पत्रकारों के सामने वह सरासर गलत और झूट था। ऐसी हालत में आप तुलसीमोहन राम से कहिये कि वह सफाई देने आएँ और वह नहीं आते हैं तो फिर इस का यह निष्कर्ष निकलेगा कि तुलसीमोहन राम हमारे इल्जामों को कबूल करते हैं, प्राइमाफेसी केस बन जाता है, उन का मामला प्रिविलेज कमेटी के सामने जाय और या तो उमाशंकर दीक्षित जी यहाँ आएँ या प्रधान मन्त्री के खिलाफ विशेषाधिकार का मामला चले।

SHRI SHYAMNANDAN MISHRA (Begusarai): May I make a brief submission?

My submission is that if a Minister happens to be a member of the other House, the Minister in committing a breach of privilege would be accountable to the House where the breach of privilege had been committed. It would be only in the case of a member of the other House that the rule applies because the member would not be available here to give explanation for what he has done. Therefore, that matter will be referred to the Presiding Officer of the other House. But since the Minister is available here to explain his conduct, to put up his own defence, this matter does not require to be referred to the Presiding Officer of the other House. So, we have to deal with him here.

श्री अटल बिहारी वाजपेयी (ग्वालियर) :

अध्यक्ष महोदय, मेरा प्रिविलेज मोशन है। नियम के हिसाब से प्रिविलेज मोशन पहले आना चाहिए।

अध्यक्ष महोदय : यह प्रिविलेज का कहां है मैं तो इस को प्रिविलेज नहीं समझता हूँ यह जो है—सर्वेंट डेमोक्रेसी . . .

श्री अटल बिहारी वाजपेयी नहीं वह तो एडजर्नमेंट मोशन है वह मैं बाद में लया।

श्री एन० एन० मिश्र के खिलाफ मैं न प्रिविलेज मोशन का नोटिस दिया है। जो चाजशीट लाइब्रेरी में रखी गई है उस के आधार पर यह प्रिविलेज माशन है। उस दिन हम न जो चार प्रिविलेज मोशंस दिए थे उस में उस का समावेश नहीं था क्योंकि चाजशीट बाद में रखी गई है। अब आप का कहना यह है कि मामले जुड़ हुए हैं, इमालिफ थे मामल अलग-अलग कर के नहीं लिए जा सकते। लिए जाया ता बाद में लिंग जाएगा। मुझे आप में यह सूचना है

THE MINISTER OF WORKS AND HOUSING AND PARLIAMENTARY AFFAIRS (SHRI K RAGHU RAMAIAH) He must give a prior notice. Suddenly, he gets up

SHRI ATAL BIHARI VAJPAYEE I have given notice of it

SHRI K RAGHU RAMAIAH I know But we did not know that this was going to be taken up today We should have prior information

SHRI ATAL BIHARI VAJPAYEE I have already given notice I gave notice yesterday

SHRI K RAGHU RAMAIAH We have no information that it will be taken up today

श्री मधु लिंगये मरा नाइट्स 25 तारीख का है। तीन दिन का है।

श्री श्यामलवन मिश्र श्री ज्यातिर्मय बसु ने तो बहुत पहले दिया था।

श्री अटल बिहारी वाजपेयी चाज-शीट आने के तुरन्त बाद हम ने नोटिस दिया। अगर मे आप का प्रश्न बान पछा चाहता है।

मैं जाना चाहता हूँ कि यह प्रिविलेज मोशन उठाने के बारे में क्या प्रक्रिया होगी? आज आप को एक पत्र मिला है

अध्यक्ष महोदय चार पांच तो राज आते हैं।

श्री अटल बिहारी वाजपेयी आज आप का एक पत्र मिला है श्री भुवनेश्वर राम का जो श्री तुलसाहन राम के यहाँ भेजा है

अध्यक्ष महोदय वि० का मिला है।

श्री अटल बिहारी वाजपेयी अध्यक्ष महादय का श्री भुवनेश्वर राम ने लिखा है। अध्यक्ष महादय इस में बड़ी गंभीर बान करी गये है इस में कहा गया है

अध्यक्ष महोदय एमे मालूम देना है कि यह आप का पत्र मिला गया मर लिये आज भी गन्त म है।

श्री अटल बिहारी वाजपेयी अध्यक्ष महादय इस पत्र में यह आराप लगाया गया है कि सी०बी०आई० ने तुलसाहन राम के नोकर का बयान लिया

अध्यक्ष महोदय वह प्रिविलेज कहा है मुझे तो भिन्न नहीं रहा है

SHRI VASANT SATHE (Akola) On a point of order under rule 222 before you allow Mr Vajpayee.

अध्यक्ष महोदय : वाजपेयी जी मैं आप के प्रिविलेज को रूठ रहा हूँ, कहूँ है, मेरे पास तो नहीं है।

श्री अटल बिहारी वाजपेयी : यह आप का सचिवालय जाने । यह पत्र डाक से भेजा गया था और काफी मेरे पास है ।

MR. SPEAKER: I will see to it.

श्री अटल बिहारी वाजपेयी : आप हमारी बात सुन लीजिये । अगर आप को पत्र नहीं भी मिला है तो भी हम यह मामला उठा सकते हैं क्योंकि वह मुझसे मिलने आया था ।

श्री वसन्त साठे : आप पहले हमारा प्वाइंट ऑफ आर्डर सुनिये ।

MR. SPEAKER: Mr. Tulmohan Ram has become a nightmare to me.

आप देखिये—तुलमोहम राम को तो शायद मटैल स्ट्रेन होगा, लेकिन मेरे लिये तो आप यहां रोजाना पांच-सात बातें लेकर आ जाते हैं । अब इसको ठोडिये अगले हफ्ते इस को करेंगे, दो दिन की छुट्टियों में आराम से जाइये ।

श्री अटल बिहारी वाजपेयी : अध्यक्ष महोदय, आप अपने दिमाग पर तनाव पैदा न कीजिए . . .

अध्यक्ष महोदय : लेकिन यह जो आप कह रहे हैं, वह मेरे पास नहीं है ।

श्री अटल बिहारी वाजपेयी : मगर खस में क्या लिखा हुआ है, उस की ओर आप का ध्यान दिलाना चाहता हूँ ।

SHRI VASANT SATHE: Before allowing Mr. Vajpayee to proceed, please allow me, Sir, to raise my point of order, which is precisely on this,

श्री अटल बिहारी वाजपेयी : ये चेयरमैन के रूल में हैं, इसलिये बड जाता हूँ ।

श्री वसन्त साठे : आप आटा बिहारी हो गये हैं, बुलेटिन में आप का नाम गलत आ गया है ।

श्री अटल बिहारी वाजपेयी : अश्वमेध जी, बुलेटिन में भेरा नाम गलत आ गया है. यह भी प्रिविलेज का मामला है । आटे के बिना इस का काम नहीं चलेगा—दिल्ली में आटे का अभाव है ।

SHRI VASANT SATHE: Under rule 222:

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

Then follow rules 225 and 226, rules 223 and 224 intervening to say the conditions under which consent can be given. Rules 225 and 226 are well known.

Now, if you see the book by Kaul and Shakhder, which is quoted by every one as the Bible, the procedure for dealing with questions of privilege is given on page 225.

It is specifically mentioned therein that the Speaker has to give his consent first on receipt of a notice before the matter is allowed to be raised in the House. What is the procedure? If it is against a Member, then, that Member alone, either to you in the Chamber, or, if you allow, even in the House, is allowed to explain. Otherwise, after giving consent only, the Member who wants to raise, can make a small statement. There is absolutely no provision in the rules which are binding. They are not governed by 105 of the Rules of UK Parliament. Our independent rules which govern our proce-

[Shri Vasant Sathe]

cedure relating to privilege categorically state that the consent is to be given before the matter is raised. No debate is possible. You cannot take the opinion of hundred members. You cannot. There is no procedure. It is contrary to the rules. You cannot say, 'I want to listen to the advice of the Members before giving consent.' That is entirely your prerogative. You have to decide. You may consult the book and also if you like, you may consult the rules. Therefore, we are having a wrong procedure here that the matter is allowed to be raised in the House. You hear members and then you are not able to make up your mind whether consent is to be given or not. For that you listen to the members. It is a very irregular procedure which you have started and it is contrary to the rules.

MR. SPEAKER: I tell you that I have not before me either this motion or this letter which Mr. Vajpayee is quoting. When you send something, at least the paper on which you base the motion should be sent. It is the member's duty that if he quotes from a paper, he should underline it or send a clipping along with the notice. I, therefore, request you to kindly send it in a formal manner and we will take it up later on. I have nothing before me now.

श्री अटल बिहारी वाजपेयी : मैं निवेदन करूँ—मैंने कल नोटिस दिया था ।

अध्यक्ष महोदय : मेरे पास न कोई चिट्ठी है और न कोई नोटिस है ।

श्री अटल बिहारी वाजपेयी : कल मुझे कहा गया था कि 10 बजे के बाद आया है। इसलिये कल नहीं लिया जायगा, आज लिया जायगा । नोटिस आपके पास होना चाहिये । फिर भी क्या हम इस मामले को उठा नहीं सकते ? ऐसा नहीं हो सकता ।

MR. SPEAKER: Mr. Bosu has raised this matter already. You send the letter. On receipt of it, I will consider.

श्री अटल बिहारी वाजपेयी : आप जरा चुन लोजिये । जब श्री ज्योतिर्मय बसु और मैंने मोशनज दिये थे तो आपने य कहा था कि जब तक और मोशनज जो पहले के पड़े हुए हैं . . .

SHRI VASANT SATHE: What is your ruling on my point of order? Before you hear, you must give a ruling on my point of order, or is that also not required?

श्री अटल बिहारी वाजपेयी : अध्यक्ष जी मैं इस पर आपका रुलिंग चाहता हूँ—जब तक पुराना प्रिविलेज तय न हो, क्या हम शिकायत नहीं कर सकते ?

MR. SPEAKER: I am asking them what is the letter.

SHRI VASANT SATHE: Under that garb, he is narrating everything which he should have done before.

अध्यक्ष महोदय : मुझे देख तो लेने दीजिये ।

श्री अटल बिहारी वाजपेयी : मैं तो आपकी गाइडेंस मांग रहा हूँ—आपने यह कहा कि

अध्यक्ष महोदय : जब वह आ जायगा तब उसको देख लूंगा ।

श्री अटल बिहारी वाजपेयी : लेकिन अध्यक्ष महोदय अगर कोई घटना तत्काल हो जाती है, जैसी कि एक घटना हुई है—मुझे अफसोस है कि आपके सचिवालय ने आपको वह पत्र नहीं दिखाया । इसमें यह लिखा हुआ है—तुलसीमोहनराम के नोकर ने कहा है—मुझे सी० बी० आई० ने गवाही के लिये

बुलाया अध्यक्ष जी, आप इस पर
हॉलिंग दीजिये ।

SHRI C. M. STEPHEN: He objects to any reference to a matter which is not before the House. (*Interruptions*).

SHRI VASANT SATHE: Kindly refer to page 257 of Practice and Procedure of Parliament by Kaul and Shakhder. I quote:

“A question of privilege may be raised in the House only after obtaining the consent of the Speaker (a); this has been made obligatory so that the time of the House is not taken up by raising a matter which, on the face of it, is not admissible.”

How do you hear that? (*Interruptions*).

श्री अटल बिहारी वाजपेयी : यह कौन
तय करेगा ?

SHRI VASANT SATHE: Please do not waste the time of the House.

श्री अटल बिहारी वाजपेयी : जब तक
आप सुनते नहीं तब तक कैसे फैसला कर
सकते हैं ।

MR. SPEAKER: It came yesterday. I had told that unless current motion is disposed of we cannot take up this. We are already in the process of taking another business. So, as per the procedure, how can we take up this privilege in between? I told you that I have taken notice of it and when the time comes, we shall take it up.

श्री अटल बिहारी वाजपेयी : : इसी के
वारे में मैं कह रहा हूँ । अगर कोई घटना कल

हो जाय वही मैं आपके ध्यान में ला रहा हूँ ।
आप सुनते नहीं हैं । चेम्बर में कोई बात नहीं
होगी, यह कोई प्राइवेट मामला नहीं है ।

श्री वसंत साठे : जब से सेशन चालू
हुआ है तब से रेसम पर होल्ड कर रखा है ।

SHRI SHYAMNANDAN MISHRA: Sir, I am rising on a point of order. My point of order is that this matter is pending for the consideration of the House and by yourself. Now a new and additional information has come. Let the Chair hear the point of order. Sir, the entire gamut of matters relating to the licence scandal is pending consideration before the House and also before the Chair.

SHRI C. M. STEPHEN: It is not before the House.

SHRI SHYAMNANDAN MISHRA: Now, we have an additional information. That will be made available by the hon. Member, Shri Vajpayee. That information might transform the whole character of the case. And that would be of great advantage in considering the whole matter in a proper perspective. So, this notice is to lay that information. If he wants to convey it to the House, we want a very precise ruling from you on it.

MR. SPEAKER: When you give a motion, along with that, you start reading it from a paper or a letter. And that letter must have been attached also with that and submitted to the Speaker. Mr. Sathe, when the privilege comes, the Speaker examines it and he holds whether it is in order or not. But, before giving his consent, if he is a little bit in suspense or in doubt, he has the option to listen only to the Member. That I know.

SHRI VASANT SATHE: You can do that under Rule 225.

MR. SPEAKER: When you all get up, you do not listen to me. We took up some privileges on one of which the hon. Member wants to submit his own information. It is now at the consent stage. Regarding that I wanted to hear and so I gave you the chance. That process was completed. Even today Mr. Lumaye insisted that he was left over on that. Those were only under consideration—all the previous motions. Immediately after I give my ruling, I will take notice of this and then take it up. But kindly do not negative my ruling.

SHRI SHYAMNANDAN MISHRA: Should we be deprived of the knowledge of the nature of the offence that has occurred?

MR. SPEAKER: This is not the process that in between some cases you bring in another. After the ones already with us are disposed of, we will take notice of this. How can we take simultaneously so many others? I would request Shri Vajpayee not to insist on that.

SHRI SHYAMNANDAN MISHRA: He is lodging the first information report.

MR. SPEAKER: He could have attached a copy of that letter with this.

श्री अटल बिहारी वाजपेयी: आप अगर दो मिनट मुझे दें तो अगला नहीं होना। आपने यह कहा कि इन में मोशन आया और कल अगर कोई नोटिस मेरे पास था तो कल उसे भी लगाना चाहिये था।

MR. SPEAKER: I will take notice of this only after the first one is disposed of. How can something come in between?

श्री अटल बिहारी वाजपेयी: मगर इमक बीच में एक बड़ी घटना हो गई है। बिना सुने आप कैसे फैसला कर सकते हैं।

SHRI SHYAMNANDAN MISHRA: If an important information comes to light, should it be privy between the Chair and the hon. Member?

अध्यक्ष महोदय: इसमें वा कैसे आयेगी।

श्री श्यामनंदन मिश्रा: आप इमको रिजेक्ट कीजिये। उसका ग्ल्याई दे बह।

श्री अटल बिहारी वाजपेयी: मैं कोई ऐसा जानकारी नहीं दे रहा हूँ जिसके बारे में सूचना नहीं दी गई। यह नोटिस आपका लिखा जा चुका है। श्री तुलसीदास राम के नोकर ने आज सुबह के कपड़ों आपका भेजा है। उसकी कार्यालय पास है। उसका आप बुलिये तो। (इशारा) आपके ऑफिस में मिला गया वह पत्र।

अध्यक्ष महोदय: मैं पास नहीं आया। मैं तुलसीदास राम के ना। न का इन्वजाय करूँ वह पत्र मुझे दे। आपको देना चाहिये था। This is not the proper stage.

श्री: इ इतिने इसको नकल।

श्री अटल बिहारी वाजपेयी: मगर इसमें जा जान है क्या वह बात मैं आपके सामने नहीं रख सकता?

अध्यक्ष महोदय: जब आप स्टेट आयेगी तब।

श्री अटल बिहारी वाजपेयी: प्रोपर स्टेट नहीं है। नोकर का यह आरोप है कि मैंने सा. 100 आई. के सामने जो बयान दिया वह बयान तुलसीदास राम को बता दिया।

सी० बी० आई० तुलमोहनराम के साथ मिल कर काम कर रही हैं । (व्यवधान)
 अध्यक्ष ने आपको शिकायत लिखी है
 आप इसको मामूली समझ रहे हैं ।

अध्यक्ष महोदय : मेरे पास है कहां ।

श्री अटल बिहारी वाजपेयी : सी० बी० आई० की जांच का क्या स्वरूप है यह मैं जानना चाहता हूँ ।

अध्यक्ष महोदय : मेरे पास दे दीजिये इसको । मेरे पास नहीं आया ।

श्री अटल बिहारी वाजपेयी : अगर आप देखेंगे तो आप सुनकर भी फैसला कर सकते हैं । क्या आप सुन नहीं सकते ?

अध्यक्ष महोदय : आप मेरी बात सुनिये । नियम यह है कि आप किसी अखबार से कोट करते हैं तो उस अखबार को साथ दें ।

SHRI VASANT SATHE: Nothing being said about that letter should go on record till it is given to you.

श्री अटल बिहारी वाजपेयी : अध्यक्ष जी आप को लैटर दे दिया गया । अगर वह आपके पास नहीं पहुंचाते यह मेरी जिम्मेदारी नहीं है ।

अध्यक्ष महोदय : आज सुबह भेजा है आप ने ।

श्री अटल बिहारी वाजपेयी : अगर आपको नहीं मिला तो इसके लिये आप का साचवालय जिम्मेदार है, न कि मैं ।

अध्यक्ष महोदय : आप ऐसे लड़ते हैं जैसे दो आदमी बाजार में लड़ते हैं ।

We are dealing as member and Speaker.

श्री अटल बिहारी वाजपेयी : मैं ऐसा नहीं करता हूँ, आप जानते हैं । लेकिन अखबार मेरा मुह बन्द करने को कोशिश कर रहे हैं ।

श्री श्यामनन्दन मिश्र : इस सूचना से लोग क्यों घबराते हैं । अगर सूचना गलत है तो काटें ।

श्री अटल बिहारी वाजपेयी : यह चिट्ठी अब कहां से आपके पास आई है ?

श्री श्यामनन्दन मिश्र : इसको आप ही पढ़ दीजिये ।

MR. SPEAKER: It is on the motion. The motion is not there. You are referring to a letter that I receive it from somebody.

SHRI ATAL BIHARI VAJPAYEE: I did not say that. He said that he has written a matter to the Speaker and he has sent a copy of it to me. I think it is an urgent matter. I am seeking your permission. It is a matter of urgent public importance. It cannot wait.

Now that you have got the letter, kindly allow me to read it out. (Interruptions).

SHRI VASANT SATHE: Under what rule? Just quote the rule under which you want to read it out.

श्री अटल बिहारी वाजपेयी : आप मुझे इजाजत नहीं दे रहे हैं

SHRI C. M. STEPHEN: Sir, a very dangerous position is developing in the House. These rules that we have passed are being torn into pieces. There is a procedure, and we have to conform to that procedure; it is a right guaranteed to every Member here. Any violation of that procedure is a violation of the rights of the Member. We have been

[Shri C. M. Stephen]

sowing the seeds of violation of the rights. It should not be permitted I want to raise a vital question of importance. The question is whether in the matter of raising a question of privilege, any Member who has given notice. (*Interruptions*).

MR. SPEAKER: Please sit down.

SHRI C. M. STEPHEN: Sir, when I attempt to say something of importance, you want me to sit down; when anything is said on the other side, they go on uninterruptedly; they are permitted. We must explain our position. Our position is this. How long can this happen, I really do not understand. The point I want to raise is this, before you lay it down as a precedent. It is about any Member who has given a notice and who can raise that point here and make a preliminary statement. I went through May's *Parliamentary Practice*. I do not find that a person who has given a notice can make an open submission in this House. What I am submitting is, a complete discussion has got to take place before you lay down your decision. Now, what happens is, one side is having its say, and the other side is not having its say. That goes on. The other side is completely silent. Now, the matter can be discussed with you privately. That is what May's *Parliamentary Practice* says. This is what it says:

"As a motion taken at the time for matters of privilege is thereby given precedence over the pre-arranged programme of public business, the Speaker requires to be satisfied, both that there is a *prima facie* case that a breach of privilege has been committed; and also that the matter is being raised at the earliest opportunity. If he is not so satisfied when the circumstances are first brought to his attention privately, he may inform the Member that he is not entitled to raise the matter as a question of privilege,...."

Now, Kaul and Shakhder, in their *Practice and Procedure of Parliament* say that there is a difference between a privilege motion taken against a stranger, and against a Member. In the matter of privilege motion taken against a Member, before you are preliminarily satisfied about the admissibility of it, the Member implicated against has got the right of hearing before you either privately or on the floor of the House. It is never stated there that he who has given a notice can come before the House and make a statement by himself; that has been going on here. There are dangerous consequences. Although the matter will ultimately be adjudged untenable because a person gets the floor of the House, allegations are made against Members of the House or even outsiders and they go on record and the other side is not before the House. This is not a situation contemplated by the rules. May's *Parliamentary Practice* does not apply here because we are governed by our rules. My submission is that rules do not contemplate that sort of thing. Exceptions should not be allowed in this manner. Rules do not contemplate a public hearing before you finally come to a decision that there is a *prima facie* case. When there is a *prima facie* case, the matter comes before the House. No debate can take place here except on the basis of a motion or question. Unless a motion is moved no discussion could take place. Therefore any discussion or any debate except under rule 193 or on the basis of a motion is impermissible. Rules do not permit. 227 arises only after you decide under 222 that there is a *prima facie* case; that is permissible and tenable. Therefore any attempt made to ventilate this matter under the cover of the notice given to you before you decide that it is admissible is absolutely impermissible. Kindly do not lay down any precedent to the contrary. We have wasted two weeks in these exercises in futility; let it

not be carried on. This dangerous thing will have to be resisted.

SHRI S. M. BANERJEE: I rise on a point of order.

MR. SPEAKER: Please sit down. I have to dispose of the first point of order. Mr. Vajpayee's motion which I received yesterday was about the school in memory of L. N. Mishra's father. This motion was given yesterday. This letter was written this morning. How can this motion be set against this letter?

श्री अटल बिहारी वाजपेयी : कल मैंने प्रस्ताव की सूचना दी थी। यह पत्र आज आया है।

अध्यक्ष महोदय : यह उसमें कैसे घुसड़ गया ?

श्री अटल बिहारी वाजपेयी : मैं बताना हूँ कि कैसे घुसड़ गया।

मैंने नोटिस कल दिया था। इसमें पहले भी इस मामले में नोटिस दिए जा चुके हैं।

MR. SPEAKER: You cannot raise in your notice future events which are not anticipated.

श्री श्यामसुन्दर जिन्ध : अध्यक्ष महोदय, दस लाख लोगों से हम चुन कर आते हैं। क्या हमें अपनी बात भी नहीं कहने की जायेगी ? (अव्यवधान)

श्री अटल बिहारी वाजपेयी : मैंने प्रारम्भ में कहा था कि जो प्रिविलेज मोशन आपने पेश किया रखे है, जिन्हें आपको बाद में लेना है, अथवा उस पर विचार करने के बीच में कोई ऐसी घटना हो जाये, जो बड़ी गम्भीर हो और जिसकी तरफ़ आपका ध्यान खींचना जरूरी हो, तो उसके सिधे क्या किया जाये।

2712 L.S.—10.

मैंने यहाँ से शुरू किया था और मैंने कहा था कि मैंने आपको एक पत्र लिखा है कि श्री मुलमोहन राम के नौकर ने आपको एक पत्र लिखा है, जिसकी कारपी मेरे पास है। (अव्यवधान) अध्यक्ष महोदय, अगर ये लोग इस तरह बोलेंगे तो काम नहीं चलेगा। (अव्यवधान)

SHRI K LAKKAPPA: Sir, they must have bribed the servant of Shri Tul Mohan Ram and thus got this petition. Their strategy is to hold the House to ransom. The petition is fake. It must have been invented in collusion with the servant. They are bringing in all kinds of fictitious petitions. How can you allow them under the rules? (Interruptions).

श्री अटल बिहारी वाजपेयी : अध्यक्ष महोदय, आप स्वीकार करेंगे कि सारा मामला लाइसेंस स्केडल से जुड़ा हुआ है। जो भी प्रिविलेज मोशन आ रहे हैं, वे लाइसेंस स्केडल को लेकर आ रहे हैं। एक नई बात—एक बड़ी गम्भीर बात—हा गई है, और हम आपको सलाह चाहते हैं कि इस मामले को हम कैसे उठाये। स्वाभाविक है कि आप पूछेंगे कि वह नई बात क्या हो गई है। मैं बताना चाहता हूँ कि श्री तुलमोहन राम के नौकर ने आपको एक पत्र लिखा है। उस पत्र की कारपी मेरे पास है। उस पत्र में लिखा हुआ है

“मैं भुवनेश्वर राम पुत्र श्री बाबू जी
राम”

(अव्यवधान) अध्यक्ष महोदय, क्या आप इनको काबू नहीं कर सकते ?

(अव्यवधान) यह पत्र पढ़ा जायेगा। (अव्यवधान) ये पत्र पढ़ने से कैसे रोक सकते हैं ? (अव्यवधान)

SHRI VAYALAR RAVI (Chirayenpil): Sir, you cannot allow him to read the letter.... (*Interruptions*).

SHRI K. LAKKAPPA: Sir, this cannot be read in the House under the rules.

श्री अटल बिहारी वाजपेयी : अध्यक्ष महोदय, आप मुझे यह पत्र टेबल पर रखने की इजाजत दीजिये ।

अध्यक्ष महोदय : आप दे दीजिये । मैं इसको देख लूंगा ।

श्री अटल बिहारी वाजपेयी : आप क्या देखेंगे ? पत्र आपके पास आया हुआ है । मैं इसको आयेन्टीकेट करता हूँ । मैं इसका टेबल पर रख रहा हूँ । लेकिन इन्में जो मामला उठता है, वह बड़ा गम्भीर है । नौकर वा आरोप है कि उन्में सी० बी० आई० के सामने जो बयान दिया, वह बयान सी० बी० आई० ने श्री तुलमोहनराम को बता दिया । नतीजा यह है कि नौकर को नौकरी से निःशान्त किया गया है और उसकी पुरानी तन्त्रवाह जन्त कर ली गई है । क्या सी० बी० आई० और श्री तुलमोहन राम मिल कर काम कर रहे हैं ? (*अव्यवधान*) मैं इसको आयेन्टीकेट कर टेबल पर दे देता हूँ ।

SHRI S. M. BANERJEE (Kanpur): Sir, on a point of order. I am not talking about the letter and I do not know the contents of it. My point of order is this. Shri Vajpayee has read out from a letter written to you by the servant of Shri Tul Mohan Ram. A particular sentence has been read out from that document, which raises a very important matter on which I would request you kindly to give a ruling. It is also confirmed that this letter has been written to you. You have got the original letter and a copy is with Shri Vajpayee. A serious charge has been made against the CBI it-

self. In the larger interest, you kindly send the letter to the CBI, to find out whether it is true or not. Moreover, if the CBI has shown the document to Shri Tulmohan Ram, it means that the entire CBI Report is nothing but an eye-wash or a white-wash.

I would request you that this document should be allowed to be placed on the Table of the House and it should be circulated to all the Members. On Monday, we should be given a chance to discuss the entire letter. (*Interruptions*). I have not finished. In the larger interest of the House, if our integrity is challenged, it should be cleared of Shri Tulmohan Ram is not attending the House. If it is proved that he is in league with the CBI. (*Interruptions*) This document which has been authenticated should be circulated to all the Members.

SHRI K. RAGHU RAMAIAH : According to procedure that has been followed, I object to it. (*Interruptions*). I would like to submit that you have allowed a certain document to be placed on the Table of the House.

SOME HON. MEMBERS: No, no

SHRI K. RAGHU RAMAIAH: We object to the laying of the document on the Table of the House. We have a right to object to it. We have no earlier notice of what the document is. If a document like that is to be laid on the Table of the House, we will be prejudiced. We have no opportunity to contradict it or to comment on it or say what we have to say about it. It is but fair that when a document like that is brought before the House, we should have a prior opportunity of examining it, an opportunity to see whether it is genuine or not.

MR. SPEAKER: This document suddenly came in. He said it is a privilege matter. The privilege

notice was given yesterday. This letter came in today. What to do? If everything is to be taken up by aggressive actions and by shoutings then there is no need of anything. I fail to understand how we can proceed.

श्री जगन्नाथ राव जोशी (शाजापुर) :
 अध्यक्ष महोदय, अब तो मी० बी० आई० की नीयत पर शक करने का कारण है। इसीलिये तो हमने पालियामेन्टरी की प्रोब की माग की थी। (ब्यवधान)

SHRIMATI MAYA RAY (Raiganj) :
 Mr. Speaker, Sir, may I make a submission?

We find, during this session, right from the beginning, every time the Chair, that means to say you, Sir, get up and give a ruling or even make an observation, several of these people stand up together. I understand that there are Rules of Procedure that guide the performance of this House. I see, even when Mr. Vajpayee stands up, Mr. Shyamnandan Mishra also stands up to speak. Can't Mr. Vajpayee speak for himself? It is not necessary for Mr. Mishra to do that. I know, they are senior Members of this House. I have no quarrel about that. How they should behave, how they should conduct themselves, I will not say anything. In all humility, I must say, this is my second year in this House. I would not say anything to cast any aspersion these senior Members. But I must make a few observations here. If they stand up like this, we can also do the same thing. What is sauce for the goose is sauce for the gander also. But I object to the way in which the Chair is being addressed each and every morning. It is not a question of this side being attacked. Why should you, the Chair, be subjected to this behaviour? I take strong objection to this. (*Interruptions*).

13 hrs.

SHRI SHYAMNANDAN MISHRA:
 The entire party of 370 members has been commanded into action against the Opposition. Who are they to tell us that we are doing something against the Chair? As a matter of fact, it is they who have been doing something against the Chair and we take strong objection to that. (*Interruptions*).

SHRI S. A. SHAMIM (Srinagar):
 Having listened to the hon. lady member, I want to assure her that the situation is not so pathetic as she seems to think. You are handling the House as it should be and you know that the Opposition has a case and it must be heard. In that particular case you are using your discretion. Therefore, she need not make the whole thing very pathetic.

Secondly, you in your wisdom have observed that, when one Privilege Motion is pending, no other Privilege Motion can be raised. I said it earlier also and I repeat that, in some cases of privilege, time is of essence. For instance, when we are debating a privilege motion here, suppose somebody finds that there is a stranger in the House and there is a breach of privilege or that somebody is voting wrongly.... (*Interruptions*).

MR. SPEAKER: There is no end to human ingenuity.

SHRI S. A. SHAMIM: What I mean to say is that, in some cases like the one which Mr. Vajpayee has referred, time is of essence.

Thirdly, I do not agree that any letter by any servant of any member can justifiably be presented before this House and a question of privilege raised. To that extent, I agree that prior notice should be given. After all, what is the *locus standi* of Mr. Tulmohan Ram's servant? Mr. Tulmohan Ram has taken so much

[Shri S. A. Shamim]

of our time—20 days; and now it is going to be Mr. Tulmohan Ram's servant. (Interruptions).

SHRI DINEN BHATTACHARYYA (Serampore): The matter regarding the attack on Mr. Jayaprakash Narayan's car in which one photographer of Statesmen was also injured, should be taken up immediately adjourning the proceedings of the House.... (Interruptions).

MR. SPEAKER: I am not holding it in order. I am not allowing it.

श्री अटल बिहारी वाजपेयी : अध्यक्ष महोदय, मेरे मामले के बारे में आपने क्या फैसला किया ? आप यह मामला तो पहले निपटा दीजिए । क्या आपने मुझे यह नॉटर टेबल पर रखने की इजाजत दे दी है ?

अध्यक्ष महोदय मैं देख लूंगा । अगर इसमें बसिकली कोई गलत बात न हुई तो मुझे कोई एतराज न होगा ।

I have to examine it and if anything is there, I will seek your guidance.

मुझे तो यह अभी मिला है । मैं देखूंगा । अगर ऐसी कोई बात इसमें हुई तो मैं आपसे पूछूंगा ।

श्री अटल बिहारी वाजपेयी इसमें एक ही बात है और मैं चाहता कि (व्यवधान) . . . मैंने इसमें आपकी माइडसे मानी थी, इस सेंटर से यह पता होता है (व्यवधान)

MR. SPEAKER: I cannot decide without seeing it. It comes to me while sitting here. I am not allowing any adjournment motion.

यह कैसे हो सकता है कि मैं यहाँ बातें भी करूं और सेंटर भी देखूं ।

SHRI K. LAKKAPPA: They are only monopolising the entire House. Have we no right to make our submissions? Are we not Members of this House? Are you not going to hear us? We are strengthening you and we are protecting the Rules of Procedure. You kindly regulate the procedure. It is not their monopoly everytime to hold the House to ransom. I have given a privilege motion against Mr. Jyotirmoy Bose. I would like to make my submission.

MR. SPEAKER: So long as the earlier one is not disposed of, I will not take up any other privilege motion.

RE. ADJOURNMENT MOTION

SHRI DINEN BHATTACHARYYA (Serampore): Here it has come in the papers—attack on JP's car.

MR. SPEAKER: Many leaders, many distinguished men move about. They are shown black flags and many other things. That cannot be a subject of adjournment motion here. Tomorrow you go somewhere and something happens. That cannot be a subject matter of an adjournment motion here.

SHRI ATAL BIHARI VAJPAYEE (Gwallor): The matter is not as simple as that.

Please read my motion.

MR. SPEAKER: I have seen it. It is not in order.

PROF. MADHU DANDAVATE (Rajapur): It is not a question of JP alone. Members of Parliament were proceeding to Kurukshetra along with JP and they were attacked. There is the failure of the Government to prevent that.... (Interruptions)