

SHRI HANUMANTHAIYA : The hon. Member has something in his mind. I will discuss it with him privately and get his opinion.

12.35 hrs.

RE. QUESTION OF PRIVILEGE

SHRI S. M. KRISHNA (Mandya) : Sir, I beg your leave to raise a matter of privilege that has been caused by the unnecessary interference of the Speaker of the Tamilnadu Assembly with reference to what transpired in this House on the 13th of this month.

SHRI TRIDIB CHAUDHURI (Berhampore) : On a point of order, Sir. We saw in the papers that when this matter was raised in the Tamilnadu Assembly, the Speaker of that Assembly said that there was a *prima facie* case, but he said he would write to you, the Speaker of Lok Sabha. So, is it proper that this should be raised at this moment before you get that communication from him? Otherwise, unnecessary bad blood would be created between the two Houses.

SHRI VIKRAM CHAND MAHAJAN (Kangra) : Bad blood has been already created. Mr. Krishna is right. No State Assembly has a right to question the right of an MP to speak in Parliament.

MR. SPEAKER : Mr. Krishna, I have not given by consent to this motion so far.

SHRI S. M. KRISHNA : I am aware of it. But I would like to quote one sentence to which serious objection has been taken by the hon. Speaker of the Tamilnadu Assembly. It pertains to what Mr. Shivappa said here. I quote :

"What was the Tamilnadu Government creating all *galatta* and hullabaloo"

This is the only sentence on which the hon. Speaker of the Tamilnadu Assembly comes to a conclusion that a *prima facie* case has been established that a breach of the privilege of the Tamilnadu Assembly has taken place. Is there any reference anywhere to the Tamilnadu Assembly in Mr. Shivappa's speech? No. There is only reference to the Tamilnadu Government. Government can never be equated with the legislature. I feel under the Constitution we have got to perform our duties as Members of Parliament without any

hindrance or outside interference, I deem it proper that this House should be seized of this matter. I am not very sensitive about privileges of MPs as well as members of State Legislatures, but I am sure, Sir, you will take it up with the Speaker of the Tamilnadu Assembly and see how far certain conventions can be established whereby a Member of Parliament could reassert his right to say whatever is proper. After all, you are the person to restrain us from going beyond limits. I would leave it at that and I would abide by whatever ruling you may give.

श्री एन० एन० पांडेय (गोरखपुर) : श्रीमन, जहा तक प्रश्न है तामिलनाडु विधान सभा के अध्यक्ष के निर्णय का, जो यहां पर माननीय श्री शिवप्पा साहब ने कालिग अटेशन मोशन पर दो शब्दों का इस्तेमाल किया, मैं नहीं समझता कि उन शब्दों में कोई ऐसी बात थी कि तामिलनाडु असेम्बली के विधान सभा के सदस्यों पर या उस हाउस के ऊपर उममें कोई ऐस्पेशन कास्ट किया गया हो, मैं आप का ध्यान उन शब्दों की तरफ दिलाना चाहता हूँ...

अध्यक्ष महोदय : जब यह मोशन आएगी तब आप कह लेंता ।

श्री एन० एन० पांडेय : मैं तो फैंक्ट्स की तरफ ले जाना चाहता हूँ क्योंकि यह हाउस अपने प्रोसीजर का मास्टर है... (ब्यबधान) ...मैं एक बात कह कर अपनी बात समाप्त करता हूँ । मैं कहना चाहता हूँ कि यह जो "गलाटा" शब्द का इस्तेमाल किया गया है, तामिल लैक्सिकन डिक्शनरी, बाल्यूम, 2 पृष्ठ 730 के अनुसार इस के अर्थ है—रायट, कमीशन, टुलुट, इसरक्शन, ट्राइफ इन अर्थों में कोई ऐसी बात नहीं है, जिसमें तामिलनाडु असेम्बली का किसी तरह से कोई अपमान किया गया हो। हुल्ला-गुल्ला भी ऐसा शब्द नहीं है जिस पर आपत्ति की जा सके, फिर भी यदि आपत्तिजनक हो, तो हमारे सदन की प्रक्रिया नियमावली के अनुसार आप को अधिकार है, आप उस को एक्सपंज कर सकते हैं। लेकिन इस के बावजूद भी तामिलनाडु असेम्बली ने—जैसा श्री कृष्णा ने कहा है—कैबल शब्दों के

आधार पर प्राइमा-फेसी केस इस्टैब्लिश कर के आप के पास ऐक्शन के लिये भेजा है ।

अब अध्यक्ष महोदय, मैं आप का ध्यान प्रिविलेज के बारे में पार्लियामेंट आफ इण्डिया की जो ज्वान्ट कन्वेंशन हुई थी, उसकी तरफ खींचना चाहता हूँ । उसमें कहा गया था—ऐसे मामले में एक हाउस का स्पीकर दूसरे हाउस के स्पीकर के पास किसी सदस्य के विरुद्ध प्राइमा-फेसी केस इस्टैब्लिश होने के बाद कार्यवाही के लिये भेज सकता है । ऐसी स्थिति में यदि तामिलनाडु असेम्बली प्राइमा-फेसी केस इस्टैब्लिश करके आप के पास रेफ्रेन्स के लिये भेजती है तो, अध्यक्ष महोदय, आप के पास उनके खिलाफ ऐक्शन के सिवा कोई दूसरा चारा नहीं रह जाता है । आप को एन्कवायरी करके अपनी कार्यवाही से उन्हें अवगत कराना होगा ।

अध्यक्ष महोदय, इस घटना ने कुछ इस तरह का व्यवस्था आप के सामने रख दी है, जिसमें इस सदन पर और इसके माननीय सदस्यों पर एक प्रकार से हमला किया गया है, जिस से इस सदन के सदस्यों का बोलना और निष्पक्षतापूर्वक काम करना मुश्किल हो जायेगा ।

SHRI VAYALAR RAVI (Chirayinkil) : Sir, Shri Lakkappa and I have also sent a motion about this. I am not going to elaborate anything about that. I will only say that I fully agree with Shri Krishna and I request you to give your consent to raise the question of privilege and to accept it.

SHRI S. M. BANERJEE (Kanpur) : About the question which has been raised by the hon. Member, Shri Krishna, about certain observations made in the Tamil Nadu Assembly and specially about the Speaker of the Tamil Nadu Assembly I would only submit that we in this House have certain privileges and the members of the State Assembly, including the Speaker, also have certain privileges. We are supreme and sovereign but we should also bear in mind that there is State autonomy and they have a right to criticize us, not on parliamentary proceedings. I am not supporting that. But should we stretch it so far ?

There is a government in Tamil Nadu. They have already written to the Speaker of the Assembly and to you. They are already seized of the matter. Let us not create tension between the State Government and the Centre. It is very bad. After all, whatever conventions we develop here should be the ideal for State Governments. Let us not be allergic. If we say something here, let us be prepared to have both brickbats and bouquets. What are we allergic about ; what are those privileges. I do not know. Immediately somebody outside says something, we haul him up, whether it is the Speaker of an Assembly or someone else. I request hon. Members not to be allergic and touchy about it. After all, there is a State Assembly there and they have a right to criticize us if we criticize them here. Once we criticize them and their actions, naturally, we have to receive both bouquets and brickbats. Hon. Members should be prepared for that.

MR. SPEAKER : About these motions sent by Shri S. M. Krishna and Shri Vayalar Ravi, and also mentioned by Shri Pandey and later on by Shri Banerjee, I also like yourselves read in the papers as to what transpired in the Tamil Nadu Assembly and that the Speaker was sending something in writing to me, which I have not so far received. I am not aware as to what exactly is the background of the whole matter, why the Speaker was compelled to hold Shri Shivappa as guilty of some privilege or haul him up for some breach of privilege. The whole background is not known to me. I am just waiting for the letter from the Speaker.

SHRI S. M. BANERJEE : That is about the Cauvery waters dispute.

MR. SPEAKER : Of course, we had a number of disputes. So much happened in the West Bengal Assembly. They mentioned about us and we mentioned about them. In every part of the country we do criticize each other, not the Presiding Officers or the validity of the decisions of the House. We do have a number of precedents.

In this matter, there was some criticism by an hon. Member of this House regarding certain stand taken up by the Government of Tamil Nadu. And Tamil Nadu Members, of course, have their own grievances against the Government of Mysore and others. If we also follow the same thing, if they criticize us and

[Shri S. M. Banerjee]

we do it in our own way, we also commit the same blunder. If we also, do the same, then there is no solution. So, I think, we should observe restraint in this matter and let us wait for the communication from the Speaker of the Tamil Nadu Assembly.

Of course, I have been in the know of all the conventions and practices that we have been following. Luckily, my association with the Presiding Officers' Conference goes right from the time of Shri Mavalankar. From 1952 onwards to 1962, I have been attending the Presiding Officers' Conference as the Speaker of the Punjab Assembly and, later on, as the Speaker of the Lok Sabha. There is a long history as to how a Member of one House can be hauled up by the other House, what is the procedure to be followed and all that. I think, before writing about it, the Speaker of the Tamil Nadu Assembly must have gone through all those long records as to how to react against each other. When I receive the communication, I shall place it before the House.

RE : BUSINESS OF THE HOUSE

SHRI K. SURYANARAYANA (Eluru) : Sir, I would request you to extend the time for the discussion of the Demands relating to the Ministry of Agriculture. This is a very important subject.

MR. SPEAKER : We have been extending the time arbitrarily by 1 hour, 2 hours and like that, and the result is that we have to take up the lunch hour also. The lunch-hour decision was upto 21st. Now we are taking up the lunch hour right upto the end of the session. Still, we are running short of the time for the business to be transacted and, as the Business Advisory Committee considered it, we are taking up Saturday also. Do you want to take up Sunday also? If you want to get the time extended, the only thing will be that we will run short of it and the business will not be transacted. We will have a Constitution Amendment Bill also and there are so many other items on the agenda. So, I request you to kindly stick to the programme that we have fixed. In the beginning, 4 hours were allotted to this Ministry and, later on, we extended to 6 hours, I think, we should stick

to the schedule. I will try to accommodate as many of you as possible if you just obey my bell.

12.48 hrs.

PAPERS LAID ON THE TABLE

REPORT OF INDIAN COUNCIL OF SOCIAL SCIENCE RESEARCH, NEW DELHI

THE DEPUTY MINISTER IN THE MINISTRY OF EDUCATION AND SOCIAL WELFARE AND IN THE DEPARTMENT OF CULTURE (SHRI D. P. YADAVA) : On behalf of Shri Siddhartha Shankar Ray I beg to lay on the Table a copy of the Report (Hindi and English versions) of the Indian Council of Social Science Research, New Delhi for the period 1st August, 1969 to 31st March, 1970. [*Placed in Library. See No. LT—675/71*]

NOTIFICATION UNDER CENTRAL EXCISE RULES, 1944

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI K. R. GANESH) : I beg to lay on the Table ;

- (1) A copy of Notification No. G S R, 986 (Hindi and English versions) published in Gazette of India dated the 29th June, 1971 issued under the Central Excise Rules, 1944, together with an explanatory memorandum. [*Placed in Library. See No. LT—676/71*]
- (2) A copy of Notification No. G.S.R. 987 (Hindi and English versions) published in Gazette of India dated the 1st July, 1971, under section 159 of the Customs Act, 1962, together with an explanatory memorandum. [*Placed in Library. See No. LT—677/71*]

PAPERS UNDER COMPANIES ACT, 1956

THE MINISTER OF STATE IN THE MINISTRY OF WORKS AND HOUSING (SHRI I. K. GUJRAL) : I beg to lay on the Table a copy each of the following papers (Hindi and English versions) under sub-section