

Oleum in West Bengal; what is the licensing capacity of each plant and what quantity of sulphuric acid has been produced by each of them during the last three years;

(b) what has been the total production of sulphuric acid and Oleum on an All India basis, State-wise during the last three years; and

(c) what quantity of sulphuric acid is consumed by each unit in the production of captive items such as superphosphate ferric alumina and what quantity is sold to the consumers and to dealers/distributors?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI K. R. GANESH): (a) to (c). The information is being collected and will be laid on the Table of the House.

Legislation to grant equal rights to women

8077. SHRI P. R. SHENOY: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether there is any proposal to introduce legislation giving equal rights to all sections of women in the matter of marriage and divorce to celebrate the international women's year in a befitting manner; and

(b) if so, the salient features thereof?

THE MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (DR. SARAJINI MAHISHI): (a) and (b). No, Sir. However, certain recommendations in this regard contained in the report of the Committee on Status of Women in India are being examined.

12 hrs.

QUESTION OF PRIVILEGE

MR. SPEAKER: Now, I have received the Privilege Motions from Shri Shyamnandan Mishra, Shri Madhu Limaye and Shri Jyotirmoy Bosu. The subject is almost the same. Some objections were raised in the Rajya Sabha on the presentation of the P.A.C. Report.

SHRI VASANT SATHE (Akola): Sir, on a point of order.

MR. SPEAKER: Let him present it. He has not yet mentioned it.

SHRI VASANT SATHE: Sir, you have read out just now that the notices have been given under Rule 222. This is what you have mentioned. So, my point is before anyone can say anything, kindly listen to me. Listen to my point of order. After they have said everything that they want to say, then if you allow me to speak what is the use. I have raised a point of order under Rule 222.

MR. SPEAKER: The motions are identical. I will listen to the Member who has already sent it to me. He may make a submission first.

SHRI VASANT SATHE: It is precisely the point of order that I am raising. If it is out of order, then you can certainly rule it out.

MR. SPEAKER: Let him speak. Then you can raise it.

SHRI VASANT SATHE: Rule 222 says that "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."

Now, the small point that I am raising is: Have you given your consent? If you have given your consent, then that enables him to give Notice of question of privilege under Rule 222 which says:

"A Member wishing to raise a question of privilege shall give notice in writing to...."

Then under Rule 224 the conditions to be fulfilled are laid down. Then Rule 225 says:

"The Speaker, if he gives consent under rule 222 and holds that the matter proposed to be discussed is in order...."

because then later on let us not say that this is not in order. You have to decide this. After listening to him if you decide that it is not in order, will you withdraw your consent? Is that the idea?

MR. SPEAKER: Knowing everything you have raised it again. You know the procedure that we have been following. In certain cases when I find that on the face of it the motion is inadmissible then I would say that I don't admit it. Where, I feel that before giving my consent I should hear a brief submission from the Member, in such cases I do hear him.

You know we have for long been following this practice. Now, if you go by the rule, then I will apply that to you also.

SHRI VASANT SATHE: No convention can ever over-ride the rules.

MR. SPEAKER: The Speaker has many inherent powers. You are a member of the panel of Chairmen, whom I have appointed with the full knowledge that they know the rules. The Speaker has many inherent powers and this is coming under that.

श्री मधु लिमये (बाका) अध्यक्ष महोदय, आज के समाचारपत्रों में सभी लोगों ने पढ़ा होगा कि पब्लिक एकाउन्ट्स कमेटी की एक रिपोर्ट जो जब श्री टी०एन० सिंह राज्य सभा में पेश कर रहे थे, तो कमेटी के एक सदस्य और कांग्रेस पार्टी के डिप्टी लीडर श्री बी०बी० राजू ने न केवल रिपोर्ट

को पेश करने के ऊपर आपत्ति उठाई बल्कि उन्होंने पी० ए० सी० के चैयरमैन और पूरी कमेटी के ऊपर छीटाकशी की और इसलिए इस सदन के ऊपर यह छीटाकशी की गई ।

श्री एस० एम० बनर्जी: (कानपुर) :
उन्हे यहां हाजिर किया जाए ।

श्री मधु लिमये . अध्यक्ष महोदय, सब से पहले मैं इस बात पर जोर देना चाहता हूँ ।

SHRI H. K. L. BHAGAT (East Delhi): On a point of order, under rule 354, Sir. This rule says that in this House we cannot refer to the proceedings of the Rajya Sabha. Mr. Madhu Limaye has started doing that.

SHRI SOMNATH CHATTERJEE (Burdwan). Knowing that the subject-matter involves a question of privilege, you have allowed it. This is nothing but questioning your decision.

SHRI H. K. L. BHAGAT: Rule 354 says:

"No speech made in the Council shall be quoted in the House unless it is a definite statement of policy by a Minister."

MR. SPEAKER: You are quoting a rule against yourself. Kindly read the proviso. It says.

"Provided that the Speaker may, on a request being made to him in advance, give permission to a member to quote a speech of make reference to the proceedings in the Council, if the Speaker thinks that such a course is necessary in order to enable the member to develop a point of privilege or procedure."

I never knew that a lawyer like you would quote a ruling against himself.

I have to say that if this rule applies to Madhu Limaye and others today, the same will apply to you tomorrow; don't grumble then.

SHRI H. K. L. BHAGAT: If you have given your consent, then it is all right.

श्री मधु लिमये : सब से पहले मैं इस बात पर जोर देना चाहता हूँ कि वित्तीय मामलों में इस सदन को विशेषाधिकार प्राप्त है। जो अनुदान होते हैं, एस्टीमेट्स होते हैं उन पर वोट केवल इसी सदन में होता है। जो एप्रोप्रियेशन बिल है, या फाइनेंस बिल है, उनको हम लोग पास करते हैं। राज्य सभा को उनको रिजैक्ट करने का, अस्वीकार करने का भी अधिकारी नहीं है। लेकिन सुविधा के लिए जो पी ए सी या एस्टीमेट्स कमेटी बनी है उन पर राज्य सभा के प्रतिनिधि भी हम लोग लेते हैं। अगर अधिकारों का सबाल उठाया जाए ऐसी अवस्था में तो मैं तो यह भी कह सकता हूँ कि ई सी और पी ए सी पर राज्य सभा के प्रतिनिधियों का आना ही बन्द कर दीजिये अगर यही उनका दृष्टिकोण रहे तो। मैं फिर एक बार कहना चाहता हूँ कि वित्तीय मामलों में यह सदन सार्वभौम है और इस में राज्य सभा का अधिकार नहीं चल सकता है। पी ए सी दोनों सदनों की बनी है। लेकिन पी ए सी को राज्य सभा का चेयरमैन कोई निर्देश नहीं दे सकता है। मैं आपको यह बात बतलाना चाहता हूँ कि राज्य सभा के चेयरमैन पी ए सी के कामकाज के बारे में कोई निर्देश नहीं दे सकते हैं। अगर कोई झगड़ा होता है, बिबाद होता है तो आपको निर्देश देने का अधिकार है। पी ए सी के अन्दर जो बात हुई है उसको गलत ढंग से प्रस्फोट करने का श्री बी० बी० राजू का जो काम है यह सवर्ध अनुचित है। मुझे जानकारी मिली है कि पी ए सी में मिनट आफ डाइसेंट की प्रणाली नहीं है और पहली बार श्री बी बी राजू ने मिनट आफ डाइसेंट की प्रणाली चालू की है और यह भी असत्य के आधार पर.....

एक माननीय सवस्य : ऐसा नहीं किया है।

श्री मधु लिमये : उन्होंने कहा कि मंजूर नहीं हुई रिपोर्ट। इसके बारे में पी ए सी के चेयरमैन से भी मैं पूछना चाहता हूँ। मेरी जानकारी यह है कि रिपोर्ट स्वीकृत हो गई थी.....

श्री बाई० एम० महाजन (बुलडाना) : नहीं।

श्री मधु लिमये : एक आध आदमी का मतभेद भी होता है तो सदन में आ कर बिना आपकी इजाजत लिए उसको उसके ऊपर बोलने का अधिकार नहीं है। किसी भी सदस्य को नहीं है....

SHRI Y. S. MAHAJAN: The Report was not adopted by the Committee.

श्री मधु लिमये : अगर प्वाइंट आफ आर्डर है तो मैं बैठता हूँ। इस तरह आर्डरली डिबेट नहीं होगी। जब इस सदन में पेश हुई थी तब क्या आप सो गए थे। आज हल्ला कर रहे हैं। पी ए सी के चेयरमैन ने उस दिन रिपोर्ट पेश की थी। आप को चिट्ठी लिख कर और आप की अनुमति से महाजन साहब या साठे साहब वह पी ए सी के मेम्बर हैं या नहीं मुझे मालूम नहीं.....

श्री बसन्त साठे : मैं नहीं हूँ।

श्री मधु लिमये : तो फिर क्यों बोल रहे हैं। इनको कैसे मालूम हुआ कि एडाप्ट हुई या नहीं हुई।

श्री बसन्त साठे : जो जानकारी मिली है, उसके आधार पर बोल रहा हूँ।

श्री मधु लिमये : अगर महाजन साहब यह कहना चाहते हैं कि वह स्वीकृत नहीं हुई तो उनके लिए ही प्रक्रिया यही थी कि आपको पत्र लिखने और आपका निर्णय मांगते और आपकी अनुमति से फिर वहाँ विरोध करते.....

श्री पीलू मोदी (गोधरा) : पत्र लिखा, विरोध किया ? अगर नहीं तो अब क्यों बोल रहे हैं ?

श्री मधु लिमये : इस में शुरू से आखिर तक गलत ढंग से कार्रवाई हुई है । अगर आप समझते हैं कि प्राइमा फेसाई कैसे है तो श्री बी० बी० राजू के खिलाफ हम कार्रवाई नहीं कर सकते हैं । लेकिन दो सदनों के बीच का जो फैसला हुआ है उसके अनुसार आप राज्य सभा के चेयरमैन को लिख सकते हैं और इस आधार पर राज्य सभा कार्रवाई कर सकती है कि अपने ही मदन का अपमान हुआ है, हालांकि लोकसभा का हुआ है लेकिन यह मान कर चलना पड़ेगा कि अपमान राज्य सभा का हुआ है । एक माने में हुआ भी है क्योंकि उस में राज्य सभा के भी सदस्य है । इस में बहुत से बुनियादी सवाल उठते हैं । पता नहीं अगर कोई विवाद था तो वह आपके पास गया था या नहीं और आपने अपना कोई निर्णय दिया या नहीं । हम लोग आज भी यही मान कर चल रहे हैं कि चेयरमैन ने जो रिपोर्ट पेश की वह कमेटी के द्वारा स्वीकृत की गई थी और स्वीकृति के बाद ही लोक सभा सैक्रेटरिएट की अनुमति से पेश की । उसको साइक्लो-स्टाइल भी किया गया, प्रिंट भी किया गया और इस तरह से इस लोक सभा सैक्रेटरिएट का भी उत्तरदायित्व है । इसलिए मैं कहना चाहता हूँ कि यह सदन के विशेषाधिकार का मामला बन जाता है । सदन की मानहानि हुई है । क्योंकि चेयरमैन की मानहानि पी ए सी की मान हानि है, मतलब पूरे सदन की मानहानि है । इसलिए मेरी प्रार्थना है कि इस प्रस्ताव को आप विशेषाधिकार के रूप में ले लें ।

SHRI PILOO MODY: If they do not behave themselves, we will abolish the Rajya Sabha also!

SHRI Y. S. MAHAJAN: Sir, at that time in the Committee there were only six members.

SHRI PILOO MODY: Under the rules he has no right to disclose what has happened in the Committee.

SHRI Y. S. MAHAJAN: I assert that the report was not adopted by the Committee.

SHRI SOMNATH CHATTERJEE: Sir, kindly see rule 275(2). It says:

"No part of the evidence, oral or written, report or proceedings of a Committee which has not been laid on the Table shall be open to inspection by anyone except under the authority of the Speaker."

The next sub-rule says:

"(3) The evidence given before a Committee shall not be published by any member of the Committee or by any other person until it has been laid on the Table."

He is trying to divulge the proceedings of the Committee without taking any authority from you.

MR. SPEAKER: He is not divulging the Proceedings.

SHRI SOMNATH CHATTERJEE: Whatever has happened in the Committee is in the proceedings of the Committee—when it was placed before the House, was it approved and so on. Under the garb of making an explanation he cannot divulge the proceedings of the Committee.

SHRI NARASINGH NARAIN PNADEY (Gorakhpur): Sir, I want a ruling. A member of the Committee says that a report which was not adopted by the Committee was presented in the House. So, an hon. Member could raise it in the House.

MR. SPEAKER: He is not divulging the proceedings.

SHRI Y. S. MAHAJAN: He has said that the report was adopted, I say that it was not adopted. When I try

[Shri Y. S. MAHAJAN]

to quote the proceedings to substantiate my point, it is stated that it will become a matter of privilege. Then, how can I prove my point? Let the Speaker enquire into it. I suggest that the Speaker should enquire into the matter whether it was adopted.

SHRI NARASINGH NARAIN PANDEY. This will give you the power to enquire into it.

SHRI S. M. BANERJEE: Sir, I rise on a point of order. The question of privilege raised by my hon. friend, Shri Limaye, relates to the conduct of a member of the other House, because he said that this report was not adopted. This Public Accounts Committee, headed by my hon. friend who retires as Chairman, has submitted many reports which were not liked by the ruling party and by the vested interests in the country. This report was being laid on the Table on the 25th and on that day questions were raised by Shri Limaye about milo. On that particular day, on the 25th April, that report was being laid. It was circulated a day before. I hope my hon. friend, Shri Mahajan, who is very active, a man with initiative would have read the Order Paper of the day. In that case, he should have taken the trouble of coming to office at 10.0'Clock that day and taken the pain of putting a letter in that Pandora's Box. He never did that. He did not raise any objection. So, is it open to him to do so now? Secondly, it is not open to a member of the Public Accounts Committee to divulge what happened in the Committee. Suppose I wanted to see what had happened in the Committee, I could not have done it because I was not a member of the Committee; only the members of the Committee could see them and there is an oath of secrecy. Otherwise, what will happen if the evidence given before the Committee is divulged? Apart from that, the hon. member decided to keep awful silence in this House when the Report was laid. Now, this was naturally an after-thought, and just to say

that this was the folly of the House, it is highly objectionable.

श्री विभूति मिश्र (मोतीहारी) : अध्यक्ष महोदय यह मीटिंग जिस दिन हुई थी, उस दिन लार्ड महाबीर के जन्म-दिन की छुट्टी थी। मैं उस मीटिंग में आया, मैंने यह एतराज कि कि नैगोसियेबल इस्ट्रुमेंट एक्ट के अनुसार आज गैजेटेड होलीडे है और इसलिये आज यह मीटिंग नहीं हो सकती है। मेरे एतराज को चेयरमैन साहब नहीं माने।

श्री ज्योतिर्मय बसु (डायमंड डारबर) : वाक-आउट किया।

श्री विभूति मिश्र : वाक-आउट नहीं किया। मैंने कहा कि मैं इस मीटिंग में शामिल नहीं होऊंगा। आज लार्ड महाबीर के जन्म दिन का उन्मव है, उसमें मुझे जाना है, यह धार्मिक चीज है, आज मीटिंग नहीं होनी चाहिये। इसको चेयरमैन साहब ने नहीं माना। मैं वहां से चला आया। उसके बाद आपको मैंने पत्र लिखा।

मैंने सैक्रेटरी साहब से दर्याफ्त किया कि अध्यक्ष महोदय ने क्या फैसला लिया है। आज तक कोई फैसला मुझे नहीं मालूम हुआ। एक मिद्दान्त है कि रेखागणित में पहला बिन्दू मानने है और बिन्दू के बाद मरकते-मरकते रेखागणित की मोटी किताब बन जाती है। जब बिन्दू नहीं है तो रेखागणित कहाँ है। जब मीटिंग ही गैर-कानूनी हुई, क्योंकि वह छुट्टी के दिन हुई तो मैं समझता हूँ कि उसकी सारी प्रोसीडिंग गलत है। मैंने आपको जो पत्र लिखा, उसकी कापी मेरे पास नहीं है, वरना मैं आपको पढ़कर मुना देता। वह आपके दफ्तर में है।

श्री इयाम नन्दन मिश्र (बेगूसराय) : अध्यक्ष महोदय, आपने पहले मेरा नाम पुकारा था, मुझे इजाजत दीजिये कि मैं कुछ कहूँ।

अध्यक्ष महोदय : आप जरूर कहिये।

SHRI SEZHIYAN (Kumbakonam): I want to make a submission to you. As a Member of this House, I am interested in the proper functioning of the Committee. I was also associated with the Public Accounts Committee. I want to uphold the dignity of the Committee and also of this House.

In this respect, now, you are considering a privilege motion to be moved. It is for you to decide whether to admit it or not. I want you to confine all the arguments and the pleadings to this particular point without diverting or divulging what was happened inside the House. Sir, if you allow this thing, then it will set a bad precedent for the future. As far as what happened inside the Committee is concerned, we may have our differences there. When I was the Chairman of the P.A.C., I had my own differences. I had quite often to control the Members of the Congress Party not to make very harsh remarks. I was a moderating force there. If all these things, we make on the Floor of the House, then the utility for the proper functioning of this Committee will be nullified. Once we allow such remarks to be made on the Floor of this House—a meeting was held on a holiday and the proceedings were invalid—I can say that the utility of the Committee will be completely lost. It will be another mini-Parliament where the party politics will enter, and all these things will go away. If the hon. Members want, we can abolish these Committees and conduct all the proceedings here. If you want the Committees to function, I would appeal to the hon. Members on the other side who form a majority in all these Committees to uphold the dignity of the Committees.

What we gain is not the gain on the party lines. It is the gain of the Parliament. The Parliament cannot go into all these questions in detail. We remit many of the things to the Committees. If the Committees also are not allowed to function and what

happens inside the Committees is aired here in the open, I feel, a day will not be far off when the Committee will lose their functioning, specially, the Public Accounts Committee. It is the Opposition leaders who are asked to Chair the Committee. If such a Committee is not allowed to function properly and what happens inside the Committee is disclosed here, then it is not upholding the dignity of the Committee. So, I appeal to you that such things should not be allowed here. It will be an affront to the functioning of the Committee itself which has been constituted by the Parliament in a unanimous way.

MR SPEAKER: I do not advise that there should be any debate on it.

श्री विभूति मिश्र : अध्यक्ष महोदय, मेरा प्वाइन्ट ऑफ ऑर्डर है । मैंने आपको पत्र लिखा है, पहले आप उम पर रूलिंग दीजिये कि यह मीटिंग जायज़ है या नहीं । आपन ही चैरमैन को बद्दल किया है । छुट्टी के दिन मीटिंग नहीं हो सकती है । इसलिये मैं उम मीटिंग की कार्यवाही को नाजायज़ और गैर-कानूनी मानना हूँ । पहले उस पर रूलिंग दीजिये, फिर आगे कार्यवाही कीजिये ।

SHRI SHYAMNANDAN MISHRA (Begusarai): Sir, to my mind, the House has to begin by recognising the fact that the Report was presented to this House and there was absolutely no objection from any hon. Member of this House. That being the basic fact, what we have to consider is whether any outside authority or any outside body has any right to take objection to the Report which was presented to this House. That is the basic fact about which there can be no controversy.

I am deliberately using the word "outside body" even in relation to the other House. It is indeed a respectable House. I do not want to bring

[Shri Shyamnandan Mishra]

in the question of the conflict of jurisdiction of the two Houses in this matter nor do I want to bring down the dignity of any Member of that House or of that House as a whole.

The whole question is that we have a certain clearly demarcated authority in financial matters. That clearly demarcated authority cannot be trifled with by any outside agency. The other House is indeed associated with the Public Accounts Committee. Let it be clearly realised, however, that their membership is only of an associate nature. They are made the Members of this Committee by a motion of this House. It is not by a motion originating in that House that they become the Members of the Public Accounts Committee. So, the authority for their membership originates from this House. If the whole authority is derived from this House, if this body is basically a body of this House and it has presented a Report to the House, it does amount to a denigration of this body of the House and the House as a whole if anybody casts a reflection on any Report presented to the House by the Chairman of the Committee.

What kinds of remarks have been made during the course of a brief discussion that took place in that House? The hon Member who happens to be associated with this Committee said that he wanted his objection to be noted. This is a clear whittling down of the authority of this House. No objection can be taken to the Report that has been presented to this House. That House cannot vote down the Report that has been presented to this House. The opinion of that House cannot matter in any way so far as the Report presented to this House is concerned. He further said that it is against 'fact and truth'. Those are the words used by the Hon'ble Member associated with this Committee—that this Report is against fact and truth. He has also said that it has not been duly approved—that is, it

was not the final report. And it was not only one Hon'ble Member of that House who had said something to this effect, but there was another hon. Member also. One Member's name has been mentioned as Shri V. B. Raju and the other Member is Shri Osman Arif—the latter also said something to the same effect.

Now, Mr. Speaker, that being the case, it does mean that they have cast aspersions on a Committee of the House and my humble submission is that it is not only an aspersion on a Committee of the House but on the House as a whole because the Committee functions as the House itself.

Further, I would also submit that it is also a reflection on the Chair—a reflection on the Chair in the sense that it was Chair who had permitted the Report to be placed on the Table of the House; and in addition to that, the Chair had been informed, before the Report was presented, that a particular sentence was going to be inserted—and that sentence was inserted with the due permission of the Chair. That is what we were told—that you were pleased to accord your approval to the sentence being included in the final Report of the Committee

Therefore, it appears to me that the controversy now raging is with regard to the permission that you had granted for the inclusion of that sentence. The controversy raised is not with regard to any other matter, but with regard to the permission you had accorded to the Chairman of the Committee for including the sentence. That sentence was, as far as my the Government had refused to supply to the Committee certain documents which were called for and which were considered necessary by the Committee. Now, we are grateful to you for having accorded your approval to the

inclusion of a sentence to the effect that the Government had refused certain documents which were considered necessary for the consideration of the Milo case.

Therefore, it is a question of breach of privilege. It is a breach of privilege against a Committee of the House; it is a breach of privilege against the House as a whole; and it is a breach of privilege—at least to my mind—against the Chair also.

Now, Mr. Speaker, the question is not only of breach of privilege by two individual Members of that House, but by that House as a whole—that is, the other House—because this matter should not have been allowed to be raised in the House by the Chair. It clearly lies outside the jurisdiction of the House? This matter is exclusively within the authority of this House, and the Presiding Officer of that House should not have allowed this matter to be raised in that House.

Further, we are told that the whole matter has been remitted to your care, which creates a kind of uncertainty about the Report, although it has been allowed to be laid on the Table of the House. The Presiding Officer of that House has forwarded to you the discussions that took place in that House yesterday for your consideration. That means that an element of uncertainty, of indefiniteness has been sought to be introduced into the Report which had been presented to the House. Therefore, a breach of privilege lies against two individual Members and against the House as a whole which allowed this matter to be raised and, if I may say so with all respect, against the Presiding Officer of that House for forwarding the whole matter for your consideration. He has also lent himself to the charge that he had done something which is in contempt of the Presiding Officer and of this House as a whole.

SOME HON. MEMBERS rose—

MR. SPEAKER: May I request also you to resume your seats? This is a

matter which I also saw in the papers this morning....

श्री मधु लिमये : अध्यक्ष महोदय, आप के रुलिंग देने से पहले मैं यह वाक्य पढ़ना चाहता हूँ :

“The Committee have been informed that a high-level Purchase Team headed by the former Secretary went from New Delhi to USA for the purchase of foodgrains. The Committee desired to have relevant files relating to (i) the visit of this high-level Purchase Team; (ii) the purchase of milo without calling for global tenders; and (iii) selection of suppliers operating in the market for purchase of wheat and milo in the last two years in America. The Committee regret that, despite a specific request to this effect, the Department of Food did not make available the relevant files for inspection by the Committee. The files referred to in (ii) above have been refused on the ground that it would be prejudicial to the safety and interest of the State.”

मैं यह जानना चाहता हूँ कि क्या आप ने इस लिए इजाजत दी थी या नहीं ।

श्री पीलू मोदी : मैं यह जानना चाहता हूँ कि क्या दाल में कुछ काला है, इस लिए फाइल नहीं दिखाई ।

श्री मधु लिमये : माइलो और गेहूँ के सम्बन्ध में स्टेट की सेफ्टी का भी सावल आ रहा है ।

SHRI Y. S. MAHAJAN: Mr. Shyamnandan Mishra has spoken about the Members of Rajya Sabha. They are not second rate Members; they are as good members of the Committee as we are. (Interruptions).

MR. SPEAKER: I also saw this matter in the papers. I did not know that the matter originally raised by Shri Madhu Limaye would be raised

[Mr. Speaker]

to such a multi-dimensional scale by Shri Shyamnandan Mishra. I never knew about. I thought that there was only one side of it, but the dimensions pointed out are too many; it seems to be multi-dimensional; it takes a full round. Of course, Shri Jyotirmoy Bosu will be leaving the Committee tomorrow. The question of his leaving the Committee or not apart, the point is about the report laid on the Table. It is said that, when the ghost is willing to leave, if somebody annoys him, he re-enters the house. And this is actually what has happened. The ghost was already leaving and you have made him re-enter the house. I have just received, while sitting here the proceedings and everything from the Rajya Sabha. I want to go into the full proceedings; I want to consider as to what actually is the position. I do not agree with many things said about the other House and about the Chairman unless I go through the report and see where we stand. So, we leave the matter here till I full examine this issue.

SHRI VASANT SATHE: In the meantime, may I request that the remarks of Shri Piloo Mody made against the Members of that House be expunged? That portion should not be on record. It is not in keeping with the dignity of the House.

MR. SPEAKER: If it is just a casual remark, it is all right. I will see if there are any disparaging remarks I did not hear anything.

SHRI PILOO MODY (Godhra): Mr Speaker, Sir, since pointed attention has been drawn to the remark that I am supposed to have made, I think, that it is necessary that the position as has been clarified by Shri Shyamnandan Mishra already should be re-asserted. This is the trouble with our parliamentary system. Under no parliamentary system, could the Upper House ever be involved in financial matters, which has been the absolute prerogative of the Lower House in any parliamentary system. But being the

sort of dharamsala that we are all, we want to have little of this and little of that also and through this muddle-headed procedure, this House, through a Motion, invites some Members of the Rajya Sabha on to these financial committees. This can, at best, be considered as charity. They, as Members of the Rajya Sabha, have no business to be on that Committee. And, therefore, Sir, not only has a fundamental precept of parliamentary democracy been violated, but now having become Members, they are slowly usurping the functions of the Lok Sabha itself. The function of the Lok Sabha is to accept these reports or to reject them; Rajya Sabha, as a House, is not at all concerned and, therefore, the remark that I had made was consistent with the ideas that I am expressing.

MR. SPEAKER: I did not hear anything from him, but you made him come out with remarks now.

SHRI SHYAMNANDAN MISHRA: I would like to make one respectful submission. The convention should be upheld that in this House we should not air the differences and controversies that arose inside the Committee. About that you should make the position clear. In these Committees, even the minutes of dissent are not being entered. That is the position which we have to maintain... (Interruptions)

THE MINISTER OF WORKS AND HOUSING AND PARLIAMENTARY AFFAIRS (SHRI K. RAGHU RAMAIAH): One observation made by Shri Piloo Mody made me rise. After all, we are all interested in both the Houses and the parliamentary system and it is not fair to say that the Rajya Sabha members have no business to be on this Committee. They are there under the rules, and they have as much business to be there as any of our Members have. This, I want to make clear... (Interruptions).

MR. SPEAKER: Order, please. Kindly sit down. There are rules. I do not personally like such remarks against Members of the Rajya Sabha. They are Members of that Committee, there is no denying about it. We have all respect for the Members of the Rajya Sabha; there is no question about that.

The question is not about the internal differences or the dissent or all that. The question raised was that this report cannot be laid on the Table, because this was not agreed upon. Secondly, Mr. Mishra has asked me, I quite appreciate, that in all matters, the convention and practice has been, that in the working of the Committees we go by consensus and not by dissent. But here the point raised is besides that, and that is the reason, I have told you that I have received the intimation just now from the Rajya Sabha; I cannot read it while listening to you. I will look into it, I will see all the proceedings and then come out with some observations, not before that.

SHRI H. M. PATEL (Dhandhuka): May I make a submission? I want to seek certain clarification. Statements have been made... (Interruptions). Will you please let me make a very brief submission? If you say that I should not say anything on this subject, I will not.

You have said that you will study this matter. One of the things that has been said is that this report was not adopted....

SHRI R. S. PANDEY (Rajnandgaon): Why is he opening the question again?

MR. SPEAKER: The question is not about this thing. The objection raised was that this report was....

SHRI PILOO MODY:was not adopted. That is what Mr. Mahajan said.

SHRI H. M. PATEL: That is the statement some members of the committee made to-day on the floor of the House. On that would you permit me to clarify the position?

SOME HON. MEMBERS: No. no.

SHRI PILOO MODY: Yes, Why not?

MR. SPEAKER: Kindly sit down. When the matter comes up, you can have your say. Now I will have to go by the records.

SHRI H. M. PATEL: Only a brief submission.

SHRI VASANT SATHE: You said that you are going to examine it. Why not he go to your Chamber and make his submission?

MR. SPEAKER: Mr. Patel, if I listen to you, I have to listen to others also.

SHRI PILOO MODY: When you have allowed Mr. Mahajan, you should allow Mr. Patel also.

SHRI SHASHI BHUSHAN (South Delhi): After Mr. Patel, you should hear us also.

SHRI R. S. PANDEY: Since you have informed the House that the matter is closed....

MR. SPEAKER: I am not allowing any Member now. Please sit down, all of you. Shri Ganesh.