

Accordingly, the first sentence of the reply to part (b) of Unstarred Question No. 3327 answered on 23-8-1974 should be substituted as follows:—

"With the shifting of certain offices from Delhi to Faridabad Government had issued orders on 16-6-1966 granting CCA to the staff who were transferred to Faridabad on or after the 1st January, 1966 at Delhi rates as under:—

- (i) at Delhi rates for one year.
- (ii) @75 per cent of Delhi rates for next six months
- (iii) @50 per cent of Delhi rates for next six months
- (iv) @25 per cent of Delhi rates for next six months

It was discontinued thereafter.

This was done to mitigate the hardship, resulting from the shifting of these offices. Subsequently, however, on persistent demands from those Central Government employees stationed at Faridabad including the Central Government Press Employees posted there, who were not covered by the above mentioned orders, these orders were extended with effect from 1-9-1966 to all Central Government employees stationed at Faridabad as on 1-9-1966, who were not covered by the orders of 16-6-1966". I regret inaccuracies in my reply

11 19 hrs

RELEASE OF MEMBER

MR SPEAKER: I have to inform the House that I have received the following telegram, dated the 8th September, 1974, from the Commissioner of Police Ernakulam City:—

"Shri N. Sreekantan Nair, Member, Lok Sabha, who was arrested

at 10.20 hours on the 6th September, 1974, under Section 151, Criminal Procedure Code, for obstructing picketing at the High Court, Ernakulam, was released at 18.00 hours on the 6th September, 1974."

SHRI JYOTIRMOY BOSU: Diamond Harbour? Will every day one M. P. be arrested?

MR SPEAKER. The law does not count days. He is a good man. It would have been very inconvenient for him to picket there.

11.20 hrs

PERSONAL EXPLANATIONS BY MEMBERS

SHRIMATI BIBHA GHOSH GOSWAMI (Nabadwip): Sir, on 9-8-1974, I made a statement that on 14-11-1973 I was detained for four hours in Raqaghat and that no intimation to that effect was sent to the Lok Sabha. My statement so far as it relates to intimation sent to Lok Sabha was not correct and it was based upon misleading information inasmuch as I subsequently found that on 16-11-1973 the Speaker made mention of my arrest and actually read out a telegram in that behalf. I am unhappy over this mistake and I want to go on record with the corrected state of things and also my expression of regret.

SHRI JYOTIRMOY BOSU (Diamond Harbour) Mr Speaker, Sir, on 5-9-1974 I was speaking on the privilege issue. The following could be seen from the Debates (Pages 15230-31):—

"SHRI RAM GOPAL REDDY: Our information is that for every question he is putting, he is getting about Rs. 4,500/-.

SHRI JYOTIRMOY BOSU: I shall give you the whole of it. Make a check. You can come to my house and take whatever is there.

SHRI L. N. MISHRA: These are not in your house. They are elsewhere. I can challenge it. You are getting Rs. 10,000 per mensem for a House in Calcutta."

The Statesman other press reporting is as follows:—

"A Congress member, Mr. Ram Gopal Reddy, interrupted to say Mr. Bosu was receiving Rs. 4,500/- for putting each question.

"Mr. Bosu: You can come to my house, and take whatever is there.

"Mr. L. N. Mishra: It is not in your house, but elsewhere. I am told you get Rs. 10,000/- per month from a business house in Calcutta."

All that has been stated above are wholly untrue, malicious and false.

Sir, you are the custodian of the House and you are the protector of our honour and dignity, and I would be failing in my duty if I do not report to you what I apprehend, namely, a deep laid conspiracy against me which is now unfolding itself.

Shri L. N. Mishra and Shri Ram Gopal Reddy should prove before a Parliamentary Committee the above mentioned allegation made against me, and should they fail to prove it, they should resign their seats in Lok Sabha.

श्री प्रदत्त बिहारी साजनेयी : अध्यक्ष जी, मैं बसू को यह बात कहना चाहिये था कि अगर एन.जेसन साबित हो गई तो वे अपनी सीट से रिजिग्न करेगे।

SHRI JYOTIRMOY BOSU: Sir, if the allegations that I receive Rs. 10,000 p.m. from a business house and that I get Rs. 4,500 for each question I put in Lok Sabha are proved, I shall resign. I can give you a blank resignation letter. This is not the first time.

Mr. B. P. Maurya had to come with bended knees and apologise for making a similar statement on the floor of the House.

SHRI P. K. DEO (Kalahandi): I rise on a point of order.

THE MINISTER OF STATE IN THE MINISTRY OF AGRICULTURE (SHRI B. P. MAURYA): Don't misquote me; I never apologised. Don't misquote me.

SHRI P. K. DEO: Sir, this forum should not be, should never be used for mutual recrimination. When a certain allegation is made and it has been challenged by Mr. Jyotirmoy Bosu, it should be referred to a Parliamentary Committee, or to a Privileges Committee. Mr. Ram Gopal Reddy should not bring it up and waste the time of the honourable House on a statement which is not in the order paper. (Interruptions).

MR. SPEAKER: I am very sorry, all of you may please sit down. Let there be no debate on this.

SHRI DINEN BHATTACHARYYA (Salem): Mr. Ram Gopal Reddy has already admitted Mr L N M Mishra should come. He should say about it.

MR. SPEAKER: I quite agree with Mr. P K Deo that we should not indulge in mutual recrimination.

SHRI MADHU LIMAYE (Banka): Mr. Bosu is ready for a Parliamentary enquiry. Are they prepared?

श्री हुकम चन्द्र कछवाय : '(मुरना) : अध्यक्ष महोदय, क्या इस की एन्वयारी होगी? मैं चाहता हूँ कि पार्लियामेंट्री कमेटी इस की जांच करे।

SHRI JYOTIRMOY BOSU: The matter has come in the List of Business. There is the name of Mr. L. N. Mishra. Is it not his duty to come,— who is the Minister concerned, whose name is listed here?

SHRI PRABODH CHANDRA (Gurdaspur): I accept his challenge. I charge him that he has brought down the dignity of the House by his undignified behaviour. If he is prepared to accept the challenge I am prepared to resign my seat. Just now I give my resignation, on this issue. Let him resign his seat.

MR. SPEAKER: Mr. Reddy what do you want?

SHRI M. RAM GOPAL REDDY (Nizamabad): I never said that. I never said that Mr. Jyotirmoy Bosu is taking money from somebody for every question. What I meant is that he is wasting the time of the House, for every minute the cost of this House is Rs. 4,500/-.

SHRI JYOTIRMOY BOSU: Where is Mr. L. N. Mishra?

MR. SPEAKER: You have given your explanation. Kindly sit down please.

SHRI P. K. DEO: Sir, we have been demanding discussion on various grounds on the conduct of Shri L. N. Mishra so far as Bharat Sevak Samaj is concerned. In the Business Advisory Committee we were assured it will be taken up in the next Session. He sides from the House. (*Interruptions*)

SHRI PRIYA RANJAN DAS MUNSI (Calcutta-South): Sir, it is unfortunate sometimes out of emotion or in the heat of arguments some Members make some comments which, rightly or wrongly, malign the character of the hon. Member of the House. It is unfortunate to make any comment against any Member without any base but don't you agree this atmosphere to malign somebody's character came from the hon. Member, Shri Jyotirmoy Bosu himself. (*Interruptions*).

You have said many a time that Uma Shankar Dikshit is a thief; Smt. Indira Gandhi is a thief. You must be careful about making your observations.

MR. SPEAKER: This is again going to vitiate the atmosphere. We have said enough against each other during the last 4-5 days.

श्री ब्रह्म विहारी वाजपेयी : एक निश्चित आरोप श्री ललित नारायण ने लगाया है। श्री ज्योतिर्मय बसु ने उसका खंडन किया है। अब आप ही बताइये कि मामला यही खत्म कर दिया जाए या पार्लियामेंट के सदस्यों द्वारा इसका जांच करे और देखें कि क्या सचमुच में श्री ललित नारायण मिश्र के पास कोई प्रमाण है। आप इसके बारे में अपनी बयान देना चाहिये।

SHRI SHYAMNANDAN MISHRA (Begusarai): Sir, I want your guidance on two points. The first is: when any personal statement is made by an hon. Member in vindication of his honour should it not be a practice that the other man concerned who has made the allegation must be present? If there is a lacunae in the rules, it is for your consideration whether that lacunae should not be filled.

The second thing is. if the hon. Member who denies these allegations as completely malicious, fabricated and false and also suggests that a machinery be set up to ascertain the truth in the matter, whether his suggestion for the setting up of a special machinery should be completely ignored or should Parliament take notice of it. The hon'ble Member, Shri Bosu, has said that he is prepared for an enquiry by a special machinery to ascertain the truth in the matter, so if the other party is not prepared to accept his suggestion, then, the conclusion would be inescapable—and it should be recorded by the Chair—that the other hon'ble Member has indeed deliberately mis-represented to the House, and is therefore, guilty of breach of privilege of the House.

श्री बसु लिखते : मेरा बयान श्री श्रीचित्त का सवाल है। श्री ज्योतिर्मय बसु ने न केवल इन इलजामों से इंकार किया है बल्कि उन्होंने मांग की है कि संसदीय समिति

बैठे। और जब 21 सदस्यों वाली बात आई तो वे लोग बिरोध कर रहे थे। हम लोगों के आचरण और सत्ताधारी दल के आचरण में आप फर्क देखिये। मैंने बार बार कहा है कि जब इस तरह का अभियोग किया जाता है तो या तो उसको बिना शर्त वापिस लिया जाए उसकी जाच के लिए आप कोई कार्रवाई करे। अभी सनित नारायण जी के बारे में चार चार मैमोरेडम हम लोगों ने राष्ट्रपति का दिए हैं। मैंने, श्री बसु ने और बिहार के विधायकों ने ये दिए हैं। उसका, वे जाच कर नहीं रहे हैं। कपूर कमिशन का माना भी है। उल्टे आरोप करते जा रहे हैं। जिम मन्त्री के बिनाफ सब से ज्यादा अभियोग है वह जाच के लिए तैयार नहीं है। और आरोप करता चला जा रहा है और उसको जाच करने के लिए आप तैयार नहीं है।

SHRI H. N. MUKERJEE (Calcutta—North-East): Sir, you have been pleased to put this on the Order Paper.

MR SPEAKER: I am bound by this. But, after the statement, there cannot be any debate.

SHRI H N. MUKERJEE: Sir, my additional submission would be that since the matter is on the order paper, and since the hon. Minister of Parliamentary Affairs and you have been pleased to say that this would be on the order paper, I should take it that the Minister concerned was honour bound at least to give the House some indication of what he was likely to put up before you. Because, Sir, after what Mr. Bosu has told us, the House is in bounden obligation to pursue this matter and see that the honour of its Members on this side or that is cleared.

You can find out some mechanism for it. But, I should have thought that the Minister concerned should have come today, not that Mr. Ram Gopal Reddy should come and say something. I do not understand. Either Mr. Raghu Ramaiah has neglected to

tell Mr. L. N. Mishra or Mr. L. N. Mishra chose to forget all about his obligations (*Interruptions*). It is in the Order Paper. This is what I have said in the beginning. Sir, you should give us some guidance as to what to do and why do Ministers in the last day of the Session just not come at all with regard to answering these allegations.

SHRI S M. BANERJEE (Kanpur): Mr. Speaker Sir, I am on a point of order (*Interruptions*). My point of order arises out of the personal explanation given by Mr. Jyotirmoy Bosu, and the specially the last portion of his statement. May I remind you, the convention of this House, the decision taken by your predecessor in two cases. One was, Shri Mani Ram Bagri, an ex-Member of this House made certain sweeping remarks against Prof Humayun Kabir when he was a Minister....

AN HON. MEMBER: Not Shri Mani Ram Bagri but Shri Prakash Vir Shastri.

SHRI S M. BANERJEE: Shri Prakash Vir Shastri's was the second. This was by Shri Mani Ram Bagri. Sardar Hukam Singh was in the Chair and then both the parties requested him that the matter be investigated because the charges were very serious and both the Member and the Minister maintained their stand and, therefore, Shri Humayun Kabir demanded investigation by the hon. Speaker or by a Committee of Parliament.

In another case, when I mentioned the names of two Ministers in connection with a call attention motion, the two Ministers who were supposed to be according to my information, in our pay-books of Birlas—I mentioned the names of Shri Satyanarayan Sinha and Shri K. C Pant—the Ministers denied Shri Pant denied the same day and said that he had already left the Birlas but Shri Satyanarayan Sinha took wanted time and said he would reply latter on. Then, after some time, when I went

to Srinagar I came to know that a privilege motion was moved against me by Shri A. B. Vajpayee that I had tried to defame the two hon. Ministers. I immediately rushed to Delhi because I wanted to prove that I had enough proof with me that he was getting money from the Birlas and many of his bills were paid by the Birla house. Naturally, these two cases are there.

Here, a sweeping remark has been made by a Minister against a Member. It is better that in such cases where sweeping remarks are made against a Member or a Minister, it is investigated by a Standing Committee of Parliament. I feel that in this particular case, when Shri L. N. Mishra made these remarks against Shri Jyotirmoy Bosu that he was getting Rs. 10,000 from a particular business house, it is his moral duty to have come here and said, 'Sorry, that information is wrong' or that the entire matter should be referred to a parliamentary committee. It is not against Mr L. N. Mishra: Even if the Prime Minister or any Minister or any Member has made such sweeping remarks against another member, it is your duty to appoint a committee immediately to investigate the whole thing so that the cloud of suspicion is removed.

SHRI SEZHIYAN (Kumbakonam): The hon member who is aggrieved by and objected to the remarks has given a notice which has come on the order paper and in all fairness to the House, the Minister should have been present to give an effective reply. Now that he has not replied nor is he present in the House, I would request you to have this matter postponed till Monday when he may be asked to come with his explanation before the House. Only after his explanation the House can take a decision in the matter.

In this respect, I want to make one submission to you. In this House this has become almost a practice every day to pass sweeping remarks and

some of the Members are being branded. Unless such wild allegations are properly dealt with, they will leave a cloud not only on the Member but on the entire House. Therefore, when such references are made, I want you to take very serious note and ask the Member to either prove it or face the consequences. This should be made abundantly clear and made effective also.

In this particular case, we may hold the matter till Monday giving an opportunity to the said Minister, Shri L. N. Mishra to come before the House ..

SHRI SHAYAMANANDAN MISHRA: He can come to-day also, later in the day.

SHRI SEZHIYAN: Yes, but by Monday positively he should come so that the House may decide the future course of action.

SHRI DINEN BHATTACHARYYA: Before you give your ruling, let me make our position clear. This is not a question of Shri Jyotirmoy Bosu's personal matter. I know that beginning from the Prime Minister to the other members, all of them have maligned our Party. Shri Jyotirmoy Bosu is a responsible Member of our Party and Shri L. N. Mishra has intentionally maligned him. If you do not do this thing, I fully agree with Shri Sezhiyan that this matter should be postponed and a thorough investigation made.

If that fellow... (*Interruptions*)—yes, he is no better than a fellow; I do not consider him to be a Minister—was honest, he should have come here and clarified his own position. There are so many charges against him. He cannot go to Bihar. The people will beat him. He has looted the money of the people.

So I say that the matter is very serious and the proposal of Shri Sezhiyan must be accepted by you

and a final decision must be given on Monday.

SHRI P. G. MAVALANKAR (Ahmedabad): Shri Jyotirmoy Bosu has made a personal explanation. You have rightly observed that after that there can be no debate. But the whole point is not of a debate, but of a certain lacuna in the procedure and on the part of the Railway Minister. If the rule is silent, it would, I submit in all humility, be for the Chair to give guidance and direction. A Minister or any other member whose name appears on the order paper must remain present. If he is not present, I want to know why. During these last ten minutes or so that we are discussing this matter, I find that the Minister of Parliamentary Affairs is in the House, but he does not seem to be moving. Normally he is always moving from one place to another. But today, I see that for the last ten minutes he is very stationary; I do not know what has happened to him. I should have thought that after all this discussion, the Minister of Parliamentary Affairs would jump instinctively and naturally, as is his habit, and go to find out where the Railway Minister is. But he has not done so.

Last week I had said that this provision of a personal explanation is a sacred device. If a member is using it, as my hon. friend, Shri Jyotirmoy Bosu, has used it today, it is because he feels angered and disturbed that false charges are made against him. It is not a question of only Shri Bosu; it is a question of any member, on this side or that side. If members are allowed to make charges and not substantiate them, that would be rightly improper and objectionable. Sir, you see what Shri Bosu has said. He says that Shri Mishra and Shri Ram Gopal Reddy should prove the charges before a parliamentary committee, not the CBI or any other government body; if they are unable to prove the allegation they had made

they should resign their seats in the Lok Sabha.

So, Sir, I support Shri Sezhiyan's point. Please keep the matter pending. You have still time. Let Shri Mishra explain on Monday and if you are not satisfied, then you should go ahead with the appointment of a parliamentary committee. Let this whole matter be probed into so that no member of the House, whether on this side or that side, whose honour has been involved is wrongly or unnecessarily punished.

श्री अटल बिहारी वाजपेयी : अध्यक्ष महोदय, अभी अभी आपके सचिवालय ने आपको सूचित किया है कि रेलवे मंत्री को इसकी सूचना नहीं दी गई। . . (स्वध्वनि) . . . मगर मैं उनको बेनिफिट आफ डाउट देने को तैयार हूँ। उनको बहुत से काम रहते हैं। बिहार की सारी राजनीति वे चला रहे हैं। हो सकता है कि उन्होंने आर्डर पेपर न देखा हो। इसलिए उन्हें अपनी स्थिति स्पष्ट करने का मौका दिया जाना चाहिए। मगर नहीं दिया गया और कार्यवाही में यह मामला रहा तो आप ने बिजनस ऐंडवाइजरी कमेटी में तय कर दिया है कि प्रिविलेज का इश्यू आज और सोमवार को तो नहीं उठाया जा सकता है, मगर अगले सेशन में हमको यह मामला उठाना पड़ेगा। इसलिए या तो यह आरोप वापस लिया जाना चाहिए या इसको साबित किया जाना चाहिए।

SHRI SHYAMNANDAN MISHRA: It is a deliberate misrepresentation, a clear case of privilege.

MR. SPEAKER: This has been raised. We had no rule that when a member gives a personal explanation, that copy should be sent to others also. But if a member's name is mentioned in the order paper, then I think it is notice to all. The position, as I have explained a number of times, is that when a member wants to make certain allegations against another, the rule is that he must give

to the Speaker a copy of the allegations, and that is sent to the other member.

SHRI KRISHNA CHANDRA HALDER (Ausgram): He need not do that.

SHRI PILOO MODY (Godhra): Not in the case of a Minister. A Minister can be attacked without notice.

MR. SPEAKER: Even if it be that something is to be said against some citizen or member of the public, we have been following this practice that when something is to be said against somebody outside, a business concern or some individual, a copy is always given to the Speaker. But in the case of members, we have been following the practice that when an allegation is to be made against any member of the House, a copy should be given to me. I sent it to the member concerned saying that 'this allegation against you is coming' so that he gets ready.

So, I followed this practice that whenever an allegation is made, the member could there and then refute it. But if he does not choose to do it there and then and wants to make a statement on the next day, a copy is given to the Speaker and it is put on the Order Paper. But if the name is not mentioned that is a different matter. In that case, we can consult the Business Advisory Committee as to what is to be done. But when a name is already mentioned in reply to the allegations made by so and so, it is enough notice.

जो आपने दिया है उसके लिए देखूंगा क्या रास्ता निकल सकता है।

श्री पीलू मोदी: रास्ता तो यही है कि रेल मंत्री को हटा दीजिये।

श्री हुसम चन्द कछवाय सरकार से काल दीजिए।

अध्यक्ष महोदय: श्री मेडियान ने जो कहा है—

The office will convey it to him that this has come.

अगर इतना बड़ा अधिकार आपने मुझे दिया तो बड़ी मुश्किल हो जायेगी। फिर मुझे ही सब निकालेंगे।

Some procedure has to be carefully revised for it.

श्री शंकर दयाल सिंह (चतरा) : अध्यक्ष महोदय, मेरा प्वाइन्ट आफ आर्डर है।

अध्यक्ष महोदय : अभी तो कोई चीज सामने आई नहीं है।

श्री शंकर दयाल सिंह: आपने माननीय सदस्य को 377 के अन्तर्गत यह मामला सदन में उठाने की अनुमति दी है। वे 5 सितम्बर, 1974 की सभा की प्रक्रिया के बारे में यह मामला उठावेंगे। 5 सितम्बर को जो कुछ भी यहां हुआ उसमें यशो को तकलीफ है। मैं आपका ध्यान नियम 373, 374 की ओर आकृष्ट करना चाहता हूं। नियम 373 इस प्रकार है :

"The Speaker may direct any member whose conduct is, in his opinion, grossly disorderly, to withdraw immediately from the House and any member so ordered to withdraw shall do so forthwith and shall absent himself during the remainder of the day's sitting."

यह बात मैं आपके सामने इसलिए उठा रहा हूं कि 377 के अन्तर्गत माननीय सदस्य अपनी बात कह देंगे तो क्या उनके वक्तव्य के बाद हम लोग भी उस पर कुछ कह सकते हैं या नहीं—यह मैं आपसे जानना चाहता हूँ ? (व्यवधान) . . . हम लोगों ने माननीय सदस्य का वक्तव्य नहीं देखा है, अगर उसमें

कुछ ऐसी बातें हुईं जिससे हम लोगों को और इस सदन की मर्यादा को चोट पहुंचे तो क्या हम उस पर बोल सकते हैं या नहीं—इस पर मैं आपका निर्णय चाहता हूँ।

MR. SPEAKER: I cannot say anything off hand. Rule 373 is not connected with Rule 377.

11.54 hrs.

MATTER UNDER RULE 377

RE. PROCEDURE IN THE HOUSE ON 5-9-74

SHRI MADHU LIMAYE (Banka): Mr. Speaker, Sir, after you re-entered the House to take your seat on the Thursday evening, I quietly returned to my seat. I said not a word during the discussion that followed. I did this because I did not wish to aggravate matters.

I have since studied Shri Vasant Sathe's so-called "Counter Motion". It was in effect an amendment, no matter by what name it is called. It should have been moved immediately after the mover of the privilege motion had finished his opening speech. I am not going into the question of its admissibility. To move it at a later stage in the Debate would have been irregular. After Sh. Piloo Mody's reply speech to allow Shri Sathe to move an amendment or a "Counter Motion" was to make nonsense of all procedures of the House. How could I tolerate that?

Lok Sabha Bulletin, Part I, says that at 6.30 P.M. Shri Atal Bihari Vajpayee moved a Motion that the House be adjourned.

But Members can move adjournment of the House only under Rules 56—63 to discuss a matter of urgent public importance and under no other rule

What the Opposition wanted was that the Chair should adjourn the House in view of the fact that the

matter under consideration, namely, Sh. Piloo Mody's Privilege Motion and my amendment to it had been disposed off, and the sitting could not be extended without the sanction of the House. At this stage, a Motion could have been moved that the sitting be prolonged upto say 7.30 P.M. or 3.30 P.M. or what-ever the time desired. Shri Raghuramaiah often moves such Motions. But Sh. Raghuramaiah moved no such Motion at 6.30 P.M. on Thursday. Did any other Member move such a Motion? The answer is an emphatic 'No'. Yesterday's Debate and Bulletin Pt. II will bear me out.

In the absence of a Motion to prolong the sitting beyond 6.30 P.M., the subsequent proceedings were irregular. Under what Rule, I would like to ask, did the Chair allow the Adjournment Motion to be moved? Under what Rule, may I know, Shri Sathe was called upon to move the "Counter Motion"? The next item on the List of Business yesterday was Shri Deva Kanta Borooah's statement; and Oil Development Board Bill.

Under what rule could the Chairman take up a Motion of which no proper notice had been given and which was not on the Order Paper?

Even the Motion seeking to suspend the relevant Rules had not been made to enable any "Counter Motion", of the type which Shri Sathe sought to move, to be discussed in the House.

You told the House after you returned to your seat that you had admitted the Motion. But you said that you did not know the stage reached in the Debate on Shri Piloo Mody's Motion. Any way, the amendment or "Counter Motion" could not come after Shri Mody's Motion had been negatived.

So at 6.30 P.M., there was no validly-constituted sitting, for no Motion for extending the sitting had been moved and adopted

I need not say that I am a person who respects Parliament and its pro-