

[Shri Shyamnandan Mishra]

been raised in the House ? The hon. Finance Minister is here; he is keeping mum. Activities are at a standstill.

MR. SPEAKER : Shri Shamim, You seem to be fresh and happy this morning. I must read your article.

SHRI S. A. SHAMIM (Srinagar) : You will be enlightened. It is one of the best articles so far written.

MR. SPEAKER : Best articles seldom attract arrests. So long as Mr. Shamim is in the House, he is fully protected. After that he can come to my house; he will receive my best hospitality. Let him not go out. I will not allow him to be arrested so long as he is with me.

(ii) USE OF DIR TO ARREST LOCO RUNNING STAFF

SHRI S. M. BANERJEE (Kanpur) : With your permission I should like to raise the most important issue which is confronting all sections of the people in the country. It is the locomen's strike which is at present confined to the Northern and the Western Railways. There is clear enough indication that if the employees are arrested under the D.I.R. there could be an all-India strike. The hon. Prime Minister has appealed to my hon. friend Shri Samar Mukherjee not to support the strike. It is not a question of supporting or opposing the strike. Certain assurances which were given have unfortunately not been implemented. The situation is such that it is impossible for people to travel. We have sent the telegrams we received from various parts of the country. The leaders of the locomen are prepared to meet the hon. Minister; they were unable to come before the 17th. I am told that there are warrants against the leaders and important office-bearers, but once they are arrested the situation will deteriorate. In Delhi arrests have already started. Instead of condemning the strike the Prime Minister should intervene in the matter. It should be realised that the use of DIR

last time did not result in a solution. I therefore request you to ask the hon. Minister to start negotiations immediately and make a statement. We are prepared to help him provided an assurance is given that the leaders will not be arrested if they come to Rail Bhawan for discussion. I do not want to issue a warning to the Government, but if DIR is used indiscriminately to arrest them, the situation will deteriorate. The Prime Minister may be angered but the situation demands her intervention. If people are arrested, there is going to be an all-India strike, whether she wants it or not. Naturally, we on this side will have to support those who are going to be arrested under the DIR.

We want the situation to improve. It is for the Government to issue a statement and come forward to start negotiations immediately. I would request you to ask the Minister of Parliamentary Affairs to ask the Railway Minister to make a statement immediately.

SHRI JYOTIRMOY BOSU (Diamond Harbour) : I also gave notice under rule 377 about locomen strike.

MR. SPEAKER : That was an adjournment motion.

SHRI JYOTIRMOY BOSU : I gave both.

MR. SPEAKER : Please do not give so many notices at one and the same time.

SHRI JYOTIRMOY BOSU : This was given yesterday. The adjournment motion was given today. All I want to say is, Indian Airlines have come to an end, Railways are coming to an end. Postal services have been seriously and drastically cut because of lack of communications. Government has let down the workers who do hard work. If the Government had been truthful to the workers and fair to the workers, this situation would not have arisen. I support the demand made by Shri Banerjee that the Railway Minister

must come forward to have a dialogue with the employees and come to a settlement so that the railways move. Prices of all the commodities will rise further because of the railway strike.

12.22hrs.

RE. QUESTION OF PRIVILEGE

श्री मधु लिमबे (बांका) : अध्यक्ष महादय, मैंने आज विशेषाधिकार का एक बाकायदा नोटिस दिया है। जो श्री शमीम के एक लेख के बारे में है। आप उस को मानें या न मानें, लेकिन आप मुझे उस को रखने के लिए थोड़ा समय दें। जब लोक सभा का सत्र चल रहा हो, तो सदस्यों को इस तरह गिरफ्तार नहीं किया जा सकता है।

अध्यक्ष महादय : माननीय सदस्य मुझे बतायें कि इस में प्रिविलेज कैसे इनवाल्ड है।

श्री मधु लिमबे : मैं अभी बताता हूँ।

अध्यक्ष महादय : आप ने "वित्त एंड ह्यूमर" पहले ही क्लीयर है। मैं श्री शमीम के बारे में जानता हूँ कि ही इज फांड आफ वित्त एंड ह्यूमर, लेकिन वह हमेशा पं नहीं करता है।

SHRI S. A. SHAMIM (Srinagar) : It is a very serious article, not humour. Please read it.

श्री मधु लिमबे : अध्यक्ष महादय, आप मुझे एक मिनट के लिए अर्ज करने दीजिए। वह बहुत गम्भीर मामला है।

अध्यक्ष महादय : आप ने "वित्त एंड ह्यूमर" लिखा है।

श्री मधु लिमबे : मैं ने कहा है कि वह लाइटर वैन में लिखा गया है। मुझे याद है कि मैं ने क्या पत्र लिखा है। मैं ने कहा है कि जम्मू और काश्मीर के बारे में श्री बलराज पुरी और श्री शमीम दोनों ने मिल कर लाइटर वैन में, हंसी मजाक में एक लेख लिखा है। श्री शमीम स्वयं काश्मीरी हैं और श्री बलराज पुरी जम्मू के हैं। अगर वे अपने ऊपर थोड़ा बहुत मजाक करते हैं, तो क्या पुलिस अफसर 153ए के तहत विभिन्न समुदायों में दृशमनी पैदा करने के आरोप में उन के विरुद्ध वारंट निका-

लेगा ? आप हमेशा हमें कहते हैं कि जरा हंसी मजाक भी होना चाहिए। क्या एक पुलिस अफसर के हाथ में ये सारे अधिकार दिए गए हैं ? क्या आप इस सदन के सदस्यों के अधिकारों की रक्षा नहीं करेंगे ? ये लोग कभी आप के किसी भाषण को लं कर आप को भी गिरफ्तार कर लेंगे। इस तरह लोक सभा कैसे चलेगी ?

अध्यक्ष महादय : लोक सभा के अन्दर कोई भाषण करने पर तो मुझे गिरफ्तार नहीं कर सकते हैं। अगर मैं बाहर कोई भाषण करूंगा, तो मुझे गिरफ्तार करेंगे, स्पिकर होने की वजह से मुझे छोड़ेंगे नहीं।

I am not going to allow any discussion on this. If a journalist, who is not a member of the House, were to write like this, has he under similar circumstances any protection from this House? Will your co-author have the same protection?

A journalist is subject to the ordinary law of the land. That poor fellow has no protection in this House. So long as Shri Shamim is speaking in this House, he is protected. But if he does something outside the House, he is not protected. After writing that article, he can come to this House. Nobody will arrest him so long as he is sitting in this House.

SHRI S. A. SHAMIM : My charge is against the State Government that because I am a member of the opposition they will arrest me. I am attributing *mala fide* to the State Government.

MR. SPEAKER : Do not try to mislead us.

SHRI S. A. SHAMIM : I am telling you that the State Government is trying to harass me because it does not like some of my utterances in this house. That is why I seek your protection.

श्री मधु लिमबे : आप इस लेख के बारे में अपना निजी निर्णय दीजिए। हम आप का जजमेंट मानने के लिए तैयार हैं।