

[Shri Krishna Chandra Halder]

Burdwan District authorities have not yet replied to the letter written by the hon. Speaker. So, again I raise the privilege motion under Rule 222 of the Rules of Procedure and request you to send this matter to the Privileges Committee.

I want to mention that more than one month has passed but they have not yet replied. This is a fit case to be referred to the Privileges Committee. This matter may be sent to the Privileges Committee immediately.

MR. DEPUTY-SPEAKER : I would like the Deputy Minister of Parliamentary Affairs who is here to take this matter seriously. I have allowed Mr. Halder to raise it because I also feel concerned about it. I feel concerned about the privileges of all Members in this House.

Now, our Rules are very clear. Rule 229 says :

“When a member is arrested on a criminal charge or for a criminal offence or is sentenced to imprisonment by a court or is detained under an executive order, the committing judge, magistrate or executive authority, as the case may be, shall immediately intimate such fact to the Speaker...”

“Shall immediately intimate such fact to the Speaker...”—

That is what the rules says.

“...indicating the reasons for the arrest, detention or conviction, as the case may be, as also the place of detention or imprisonment of the member in the appropriate form set out in the Third Schedule.”

This is a privilege of the Members that if a Member is arrested, immediate intimation must be given to the Speaker. On the 20th of November, the hon. Member was allowed to raise this question, about his alleged arrest and the Speaker on that day had observed that he would get information from the Government, which to me means, that the Government will come forward with a statement in this House and give the information whatever may be the facts. Now it is more than a month. Today it is the 22nd and we are not aware whether the Ministry of Home Affairs has any statement at all to make about this. One month is a long time. And even the length of the time itself

is an offence. The direction was given by the Speaker and for one month that has not been complied with; that to me, appears to be involving the question of privilege, but I would not like to take any very specific decision in the matter yet. I can fully appreciate the Government's having too many things at its hand; these are troubled days and this thing might have slipped their attention. On the other hand, as the Presiding Officer, I cannot just overlook the rights and privileges of the Members. Therefore, I would hold this over. I would like the hon. Deputy Minister of Parliamentary Affairs to note this and to convey it to the Government that in course of the day they should come forward, because this is the last day of the session, and say what they have to say and then I shall decide whether I should refer this question to the Privileges Committee.

THE DEPUTY MINISTER IN THE DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI B. SHANKARANAND) : Sir, I will convey it.

श्री मधु लिमये : श्री भागीरथ भंवर जी को अपना नोटिस देने में थोड़ा विलम्ब हो गया है, इन्हें थोड़ा समय दे दीजिये, आज आखिरी दिन है ।

MR. DEPUTY SPEAKER : To day we have relaxed; we have gone through many subjects. It was a long list. Why not keep something for the next session?

MATTERS UNDER RULE 377—*contd.*

SHRI P. G. MAVALANKAR (Ahmedabad) : May I make a submission, Sir? This is the last day of the current session, Sir. I want to bring to the attention of the Government, particularly to the attention of the hon. Prime Minister, that the country is awaiting her long-awaited award on Narmada water dispute. I came to this House last winter and since then four sessions have passed and each session the Prime Minister goes on telling to us that the Award is coming.

MR. DEPUTY-SPEAKER : Your point is very clear...

SHRI P. G. MAVALANKAR : Two hours we have wasted.