

**Revalidation of pre-devaluation Import and Export licences**

3979. SHRI JYOTIRMOY BOSU: Will the Minister of FOREIGN TRADE be pleased to state:

(a) whether Government have already revalidated or are about to revalidate pre-devaluation Import licences and export promotion licences of several crores of rupees;

(b) if so, the particulars thereof; and

(c) the names of the firms involved?

THE DEPUTY MINISTER IN THE MINISTRY OF FOREIGN TRADE (SHRI A. C. GEORGE): (a) Government have not revalidated any such licences involving several crores of rupees. However, revalidation of import licences is provided under the I.T.C. regulations and any request for revalidation has to be considered taking into account the circumstances of the case and its merits.

(b) and (c). Do not arise.

12.30 P.M.

**QUESTION OF PRIVILEGE**

MR. SPEAKER: Mr. Stephen.

SHRI S. M. BANERJEE (Kanpur). Sir, I rise on a point of order.....

श्री शिवशंकर प्रसाद यादव (खगरिया): अध्यक्ष महोदय, दो मिनट के लिए मुझे समय दिया जाय, बिहार का स्थिति इतनी भयंकर है...

अध्यक्ष महोदय: अभी नहीं, एक आइटम और है उस के बाद।

श्री हुकम चन्द कछवाय (मुरैना): अध्यक्ष महोदय, मैं ने आप को एक नोटिस दिया है 115 के अंदर, काफी दिन हो गए, उस का क्या हुआ?

अध्यक्ष महोदय: मुझे नहीं पता है। किम बात का नोटिस?

श्री हुकम चन्द कछवाय: आप तलाश करवाए। पन्द्रह दिन में ऊपर हो गए, मैं ने 115 के अंदर नोटिस दिया है। मंत्रों महोदय

ने गलत जवाब दिया है, उस के बारे में मैं ने आप को लिखा था, आप का पत्र आया, उस के बाद मैं ने फिर आप को लिखा है...

MR. SPEAKER: I have asked the Minister for information on it and when it is received, it will be conveyed to you.

SHRI S. M. BANERJEE: Sir, I rise on a point of order.

SHRI M. KALYANASUNDARAM (Tiruchirapalli): The point of order relates to the procedure itself. So, the point of order must be disposed of first.

MR. SPEAKER: On what?

SHRI M. KALYANASUNDARAM: About this motion.

MR. SPEAKER: Mr. Stephen, have you already raised it?

SHRI C. M. STEPHEN (Muvattupuzha): No, Sir.

MR. SPEAKER: Then, let him raise it.

SHRI M. KALYANASUNDARAM: The point is relating to the admissibility of it.

MR. SPEAKER: If it is regarding item No. 3, how can a point of order come, unless he raises it?

SHRI S. M. BANERJEE: The point of order relates to the order paper itself.

MR. SPEAKER: It is there. Let us see.

SHRI S. M. BANERJEE: Kindly read Rule 376.

MR. SPEAKER: I know that. Unless it comes before the House, there can be no point of order.

SHRI P. K. DEO (Kalahandi): It should not be permitted to come.

SHRI PILOO MODY (Godhra): May I explain the situation? The order paper is printed by the office and circulated to the members. If there is something that is wrong on the order paper, what is the stage at which we draw it to the attention of the Speaker. When you have called a particular item, if the objection is on that particular item, as soon as you

[Shri Piloo Mody]

have called that item, this point of order can be raised. That can be raised before the Member actually reads or moves what stands in his name. You have already introduced this item when you called Mr. Stephen..

MR. SPEAKER: Not unless Mr. Stephen says, he is moving it.

SHRI P. K. DEO: The point of order should be disposed of first.

MR. SPEAKER: No point of order until he has moved it. Mr. Stephen.

SHRI C. M. STEPHEN: Mr. Speaker, Sir,.....

SHRI M. KALYANASUNDARAM: My point of order should be disposed of first....

MR. SPEAKER: After he moves it, not now.

SHRI M. KALYANASUNDARAM: You have not listened to the point of order.

MR. SPEAKER: After the matter comes before the House..

SHRI C. M. STEPHEN: Mr. Speaker, with your permission, Sir,....

SHRI SHYAMNANDAN MISHRA (Begusarai): May I make a submission? The point is about the priority given to it. Why has it been your pleasure to accord to it such a priority on the agenda today? Because, a Speaker must, in his wisdom, first decide whether the breach of privilege is of such an extent that it should be accorded the priority that has been given to it on the order paper..

MR. SPEAKER: This point was raised and I said, when it comes, I will see if I can allow it. Now I have allowed him to place it.

SHRI S. M. BANERJEE: My point of order relates to Rule 376(2).

SHRI C. M. STEPHEN: No point of order, unless it is moved.

MR. SPEAKER: Until and unless it comes before the House there is no point of order. There should be some matter before the House.

SHRI C. M. STEPHEN: I rise with your permission, Sir,.....

SHRI S. M. BANERJEE: Any point of order can be raised in relation to a particular business before the House.

SHRI C. M. STEPHEN: No business before the House till I move.

MR. SPEAKER: There is no business before the House; let there be business before the House.

SHRI S. M. BANERJEE: Item No. 3 of the order paper. I can raise a point of order between the termination of one item of business and the commencement of another.

SOME HON. MEMBERS: No.

SHRI PILOO MODY: In spite of my explanation, I cannot understand all this.

MR. SPEAKER: Mr. Stephen, are you moving or not?

SHRI C. M. STEPHEN: I am moving. With your permission, Sir, I beg leave of the House to raise a matter of privilege. This question relates to an incident which took place yesterday....

SHRI H. N. MUKERJEE: (Calcutta North-East): Could not a point of order be raised now, at this stage? He has already moved it.

MR. SPEAKER: Shri C. M. Stephen has raised it now, Shri S. M. Banerjee can say what he wants to say.

SHRI S. M. BANERJEE: I rise on a point of order under rule 376 (2) which says:

"A point of order may be raised in relation to the business before the House at the moment:

Provided that the speaker may permit a Member to raise a point of order during the interval between the termination of one item of business and the commencement of another if it relates to maintenance of order in, or arrangement of business before, the House."

Under this proviso, I wanted to raise a point of order in between the two items, namely the termination of the short notice question and the beginning of item No. 3 relating to the question of

privilege. I am sorry you have permitted it. It was my intention to point out that only.

Shri C. M. Stephen has tried to raise a question of privilege against Shri Jyotirmoy Bosu for his grossly disorderly conduct in throwing a bundle of papers towards the Chair and his contemptuous defiance of the Speaker on the 28th August, 1972. According to the rules, a privilege motion has to be moved under rule 222 or rule 223. Since this is the first time in this Parliament when I have seen... (*Interruptions*) People have burnt papers here; people have moved the microphones here, and nobody has raised any objection. I am not in favour of spoiling the decorum of the House. Let my hon. friends opposite please understand me. But the question is one of support and supporting it on the insistence of some people. This privilege motion has been moved against a particular Member of this House. It is most unfortunate that yesterday's incident should have happened. I do not hold any brief for Shri Jyotirmoy Bosu. There is no question of that. But it is a question of principle.

I submit that this item should not have been admitted at all on the Order Paper. Since it has been raised by an hon. Member, due notice must have been given to you under rule 222 or 223 immediately; the incident took place yesterday and so this notice would not have been given the day before yesterday in anticipation of the incident. Even when a privilege motion is moved against any editor of a newspaper or even a constable in the street, even when a Member of the House had been beaten, and we wanted it to be straightway sent to the Privilege Committee in certain cases, that was not done, and we were told that first we should get some reply from those agencies which were the culprits. But in this case, not even a notice has been served on Shri Jyotirmoy Bosu. He has not been called by you; you, Sir, in your wisdom could have taken any action against the hon. Member, and you have got all the powers, disciplinary powers, under the rules of procedure. But you have delegated your powers to the entire House. This is something extraordinary. In this House, people have burnt bills. People have moved to the microphone and snatched it away from the Secretary and shouted... (*Interruptions*)...

MR. SPEAKER: That is why we have come to this situation....

SHRI S. M. BANERJEE: My submission is that this motion is not in order. You should first kindly call Shri Jyotirmoy Bosu in your Chamber and he should be given an opportunity to explain and to say something on it.

My point of order is that this motion cannot be the subject-matter of discussion today, unless proper notice has been served on Shri Jyotirmoy Bosu and he has been given an opportunity by you to defend himself or to agree that what he has done is wrong.

SHRI M. KALYANASUNDARAM: My point of order is this....

SHRI NAWAL KISHORE SINHA (Muzaffarpur): First, one point of order has to be disposed of and then only another can be raised....

SHRI M. KALYANASUNDARAM: There can be no discussion on the point of order. May I draw your attention to the fact that there can be no discussion on the point of order....

MR. SPEAKER: Let the hon. Member please sit down. I shall have to dispose of his point of order first. Yesterday, when the adjournment motion was rejected....

SHRI M. KALYANASUNDARAM: Why can you not listen to my point of order and then give your ruling?

MR. SPEAKER: Is it on the same subject?

SHRI M. KALYANASUNDARAM: On the same subject.

MR. SPEAKER: I am very sorry.

SHRI M. KALYANASUNDARAM: You can gain time.

MR. SPEAKER: If it is on the same subject, you need not raise it.

SHRI M. KALYANASUNDARAM: I was standing from the beginning.

MR. SPEAKER: If he has already raised it, why do you repeat it? If it is a different point of order, I will listen to you later.

SHRI M. KALYANASUNDARAM: Nothing will be lost by listening to my point of order and giving your ruling on both simultaneously.

**SHRI P. K. DEO :** It will help you.

**MR. SPEAKER :** You need not repeat it.

**SHRI M. KALYANASUNDARAM :** I am not repeating it. How can you anticipate? It is not proper for the Chair to anticipate what a member is going to say.

**MR. SPEAKER :** If it is a different point of order, I will listen to you later on.

**SHRI PILOO MODY :** He is supplementing the same.

**MR. SPEAKER :** Why can he not keep quiet? If it is a different point of order, I will listen to you later.

**SHRI M. KALYANASUNDARAM :** All right.

**SHRI INDRAJIT GUPTA (Alipore) :** It is not the same point.

**MR. SPEAKER :** I will listen to him later.

The adjournment motion was rejected. Good or bad, whatever the provocation, I quite realise sometimes members do not like it. It is a very unpleasant task for the Speaker also. When I accept certain motions, they are very happy. If I reject them, then I have to meet their annoyance.

**SHRI M. KALYANASUNDARAM :** Kindly give a ruling on the point of order. I am very sorry to interrupt you when you are on your legs.

**MR. SPEAKER :** It is part of the ruling I am giving. Why are you so impatient?

The member, Shri Jyotirmoy Bosu, has written to me a letter giving the background of what happened. I am not concerned with whatever be the provocation. But I am concerned only with the subject-matter mentioned by Shri C. M. Stephen and the other member. Shri Mallanna raised this point yesterday. Then I said 'I cannot accept it offhand; let me examine it'. I examined it. I held it in order and that is why it is on the agenda.

**SHRI JYOTIRMOY BOSU (Diamond Harbour) :** Without giving an opportunity of defence?

**MR. SPEAKER :** No question of defence in this case. That is when something happened outside the House. When it has happened inside the House, within sight of the House, why defence? When it has happened within my sight, the question of defence does not come.

**SHRI PILOO MODY :** What happened?

**MR. SPEAKER :** The whole House saw it. This relates to only one thing, that the papers were thrown here opposite me. I said, all right....

**SHRI H. M. PATEL (Dhanduka) :** Can you decide it as a matter of privilege?

**MR. SPEAKER :** I did not expect this from him. This is a matter of decorum of the House, dignity of the House. It is your dignity. If you start defending cases like that, there will be no end to it. Our only fault is that we have been taking it rather quietly, leniently. Somebody tore a Bill, threw it out. Somebody picked up the Secretary's mike and started misbehaving. We ignored it. But there should be an end to it.

**AN HON. MEMBER :** So you encouraged picking the mike?

**MR. SPEAKER :** I think we missed that occasion because we thought anyway it is a matter left to the goodwill of the parties, and they will sit together and will not approve of it. But if it is going to be a practice every day, we cannot allow it to go on like that.

It is also your function to see that whatever be the viewpoints put here, whatever be the provocation and all that, at least they do not trespass on the dignity and decorum of the House. This has nothing to do with being a purely minor matter this side or that. It concerns the House, and I leave it to you. It came up. I would had to ask for his explanation if something had happened about which we did not have personal knowledge. Well, nobody here approved of it, and that is why this has come up. (*Interruption*)

**श्री राम सहाय पांडे (राजनंदगांव) :** अव्यक्त महोदय, सदन की प्रक्रिया में एक ऐसा समय श्री कर्मी आना चाहिए कि स्वयं माननीय सदस्य यह अनुभव करें कि सदन की प्रतिष्ठा और

गरिमा के विरुद्ध कोई काम हुआ है। वह दिन बड़ा अच्छा दिन होगा, जब कि माननीय सदस्य खड़े हो कर इस घटना के बारे में कहें कि मुझे इस बात का दुख है। (व्यवधान) अगर अब भी श्री ज्यातिर्मय बसु कल के किये पर खेद प्रकट करें, और कहें कि हमें... (व्यवधान)...

SHRI P. K. DEO: Take a privilege motion against him.

SHRI INDRAJIT GUPTA: Sir, I have got many things to say, if you are allowing him.

SHRI SURENDRA MOHANTY (Kendrapara): Sir, I wish to raise a point of order.

SHRI M. KALYANASUNDARAM: I wish to raise a point of order. If you had *suo motu* raised this matter—I wanted to refer it to the Committee of Privileges or for a discussion on the floor of this House—then my point of order would not arise. Just now, you said that it happened in your presence. It happened yesterday. In a matter of privilege, according to May, it is very clear that it should be raised immediately. (Interruption) It should have been raised here. (Interruption) As privilege motion get priority, yesterday the other proceedings could have been stopped and this must have been taken up yesterday itself and discussed. I should have no grievance then.

MR. SPEAKER: No point of order arises here.

SHRI M. KALYANASUNDARAM: You have included it in the Order Paper of today.

MR. SPEAKER: Yesterday I said it would be examined.

SHRI M. KALYANASUNDARAM: You had sufficient time to apply your mind and you thought it fit, and you thought it has a *prima facie* case.

MR. SPEAKER: No; if you are putting it like that, I do not approve of it.

SHRI M. KALYANASUNDARAM: You have now permitted him to raise it. What prevented the Chair to refer it to the Committee of Privileges under rule 22? Why should the Members be allowed to raise it and that too belatedly?

This is not very healthy. If it is moved as a motion of privilege now, it will not be healthy, and your purpose will not be served.

MR. SPEAKER: I do not think it is proper for you to defend it like that. I am very sorry. (Interruption)

SHRI SHYAMNANDAN MISHRA: I have also a point of order.

SHRI M. KALYANASUNDARAM: Let me finish. There is so much of interruption. It will be better, and the dignity of the House can be better served and preserved if you call the leaders of all the parties and discuss the matter and try to save the dignity of the House. By setting one Member against the other, the dignity of the House cannot be maintained. (Interruption)

SHRI S. A. SHAMIM (Srinagar): I have a point of order to be raised.

SHRI SHYAMNANDAN MISHRA: Sir, my point of order is this that you have been pleased to go into the merits of the case just now; my submission is that it is the business of the Privileges Committee to go into the merits of the case. (Interruption)

SHRI C. M. STEPHEN: The House can do it.

SHRI SHYAMNANDAN MISHRA: In committing this matter to the care of the Privileges Committee, whose proceedings are of a judicial nature, because it happens to be in the nature of a contempt, you have made certain remarks which prejudice the issue. (Interruption) Let me make my submission. I am doing that in the most judicial terms possible.

MR. SPEAKER: A very unpleasant task for you.

SHRI SHYAMNANDAN MISHRA: There is another thing. The issue that has been brought up before the House by the two hon. Members relates to the dignity of the House, but now there is the question of the dignity of the Privileges Committee which is at stake. (Interruption).

SOME HON. MEMBERS: No, no.

SHRI SHYAMNANDAN MISHRA: It is the dignity of the Privileges Committee that is at stake. (Interruption) Please listen.

**SHRI B. P. MAURYA (Hapur):** The Privilege Committee is the creation of this House; you should not forget this.

**SHRI SHYAMNANDAN MISHRA:** Do you approve of this procedure to interrupt a Member when he is making a submission? I am making a submission to you on a point of order.

The second thing is this. Before coming to a judgment that this requires to be accorded the priority that you have been pleased to give, you should have gone into some of the factual inaccuracies which occurred in the privilege motion. You were pleased to say just now that this happened before you, before all of us. But did it not happen before all of us that papers were not thrown towards the Chair? That is the evidence of the eye that all of us have in this matter. That was a factual inaccuracy that occurred in this motion.

There is a second factual inaccuracy also. This motion says: "... and his contemptuous defiance of the Speaker..." About 'contemptuous defiance of the Speaker', one could have some honest difference of opinion and the matter is not so easy to decide. In both these factual and material aspects, the motion is full of inaccuracies and therefore my humble submission is that the Chair has not exercised its judgment in the right manner in according it the priority which it has given and therefore it is out of order... (*Interruptions*)

**SHRI H. N. MUKERJEE:** Entirely apart from the merits of the matter, I find a very serious technical difficulty. I speak, for the moment, as a long-standing member of the Committee of Privileges. I feel that the matter can be referred to the Committee of Privileges or any comparable body in other circumstances than in regard to an incident which has happened inside of the House, where the Presiding Officer was present to do his duty, where the Leader of the House or any substitute thereof was also present, the leaders of different parties were also present and something had happened. When something happened at a meeting in the Central Hall addressed by the President, some infraction of privilege or decorum was referred to the Committee of Privileges only because at that point of time there was no presiding officer to correct the misdemeanour. On this occasion, rightly or wrongly—I was not here, it was painful to go through the proceedings what

I discovered was that there was a lot of pandemonium as usually happens in this House at zero hour. What happened was: you had permitted certain things to be said and all that and some incident had taken place. Some body had asked for a privilege matter to be raised and you said you would look into the matter.

How can the Committee of Privileges go into the question of whether privilege was affected or not in regard to the happenings inside of the House and how is the Committee going to get evidence in regard to what happened inside the House... (*Interruptions*). You were present. Neither you, nor the Minister of Parliamentary Affairs nor any Member of the House had put in a motion to name the Member concerned; you did not express your desire to name the Member; if he had behaved egregiously you should have done something of that sort. In your wisdom and generosity you did not do so; I am glad you did not. After that had happened, to come today and say: refer to the Privileges Committee something which happened inside, on the floor of Parliament on such and such day when the Speaker was present, when the Prime Minister was perhaps not present but the Leader of the House, or somebody else... (*Interruptions*) This is very serious. If I were the Chairman of the Privileges Committee, I would not have accepted the reference; I would have said, I just cannot accept it. You should have done it here. Sir, you think it is a laughing matter. So many of my friends think it is a laughing matter. It is no laughing matter. We cannot keep decorum in the House, and then we ask the Committee of Privileges to hold the baby. We cannot make sure of what happen in the Central Hall when the President delivers his Address and we want the Privileges Committee to recommend something which everybody would follow without compunction! That is the sort of way Parliament does not function.

13 hrs.

**MR. SPEAKER:** Thank you for advising how Parliament should function. (*Interruptions*).

SOME HON. MEMBERS *rose*—

**SHRI C. M. STEPHEN:** I was holding the floor and I was interrupted by a point of order. Now only points of order alone can come, no speeches can come.

**SHRI SURENDRA MOHANTY:** On a point of order, Sir, under rule 224 (1). Rule 224 relates to the conditions of admissibility of a question of privilege. Sub-clause (1) reads thus :

"The right to raise a question of privilege shall be governed by the following conditions, namely:—

- (1) no more than one question shall be raised at the same sitting".

If you kindly go though the motion. . .

**MR. SPEAKER:** I have examined it very well. Don't worry about that.

**SHRI SURENDRA MOHANTY:** The motion reads thus :

"To raise a question of privilege against Shri Jyotirmoy Bosu, M.P., for his grossly disorderly conduct in throwing a bundle of papers towards the Chair and his contemptuous defiance of the Speaker on the 28th August, 1972."

I submit that it is a combination of two matters.

**MR. SPEAKER:** It is a single matter. I do not accept the point of order.

**SHRI PILOO MODY:** On the same point of order, may I say, the privilege motion could have just as easily read as follows :

"To raise a question of privilege against Shri Jyotirmoy Bosu, M.P. for his contemptuous defiance of the Speaker on the 28th August 1972."

We have done a great many things in this House, but let us not meddle with mathematics. Two cannot become one just by your ruling.

**SHRI INDRAJIT GUPTA:** Rule 224 reads:

"The right to raise a question of privilege shall be governed by the following conditions, namely:—"

I will skip over (i) and (ii).

"(iii) the matter requires the intervention of the House."

This is an essential point. We should not mix up the merits of the case with the question whether this matter should

'be elevated by you to the status of a question of privilege which has to be decided in the House. These are two entirely different matters. We may have our own opinions, one way or the other, as to whether actions like throwing a bundle of papers or burning of papers or seizing the mike or things like that are desirable or not. My personal opinion is that these things should be deplored. But that is not the issue at stake now. The point is why this matter should be elevated by you to the status of a question of privilege which is printed in the list of business and brought before the House for its intervention.

As Shri Hiren Mukherjee has already pointed out, the incident took place in the House at a time when you were present and when others were present, when the Government ministers were present. In spite of that, though we have not been able to do anything at that time, you have subsequently thought it fit to allow it to be brought here as a motion of privilege.

My contention is that this is not a matter which requires the intervention of the House. Why? After all, we are also very often influenced to some extent in our practices and our functioning by the traditions and examples of the House of Commons. So, it is not irrelevant for me to remind you that only a few weeks or months ago in the House of Commons a lady Member, Miss Bernadette Delvin, elected from Northern Ireland, slapped a Minister inside the House. But the House of Commons did not consider it a case fit to be sent to the Privileges Committee.

**PROF. MADHU DANDAVATE (Rajapur):** The Minister might have considered it as a pleasure, being from a lady!

**SHRI INDRAJIT GUPTA:** I would further remind you that a few years ago, another very renowned Member of the House of Commons, Mr. Emanuel Shinwell, who subsequently became Minister for Labour. . .

**MR. SPEAKER:** Are you justifying it?

**SHRI INDRAJIT GUPTA:** I am saying these are matters which took place in the House of Commons. Mr. Emanuel Shinwell crossed the floor, walked across the floor and slapped a Minister

[Shri Indrajit Gupta] on the Treasury Benches. It was not a lady and so it could not have been a pleasure!

Therefore, this matter was not considered to be fit by the House of Commons to be referred to the Privileges Committee. I am only reinforcing the point raised by Shri Hiren Mukerjee. I feel that under rule 224(3) this is not a matter which requires the intervention of the House, irrespective of its merits. It has to be solved in other ways; for that we can make other suggestions, and if you are willing to hear them you can consider them. But it is not correct to mention it in the List of Business as a motion of privilege, when it is not worthy of being elevated to that level.

SHRI G. VISWANATHAN (Wandiwash) : Sir, I want to submit...

MR. SPEAKER: Let me dispose of these points of order. They cannot be mixed up with the other ones. Otherwise, they will be completely lost.

SHRI S. A. SHAMIM: Other members were allowed to raise points of order.

MR. SPEAKER: If it is the same point of order, it cannot be raised... (Interruptions) You want me to dispose of it now or after I hear them?

SHRI INDRAJIT GUPTA: It is better you hear them.

MR. SPEAKER: Is it the same point of order or something else?

SHRI G. VISWANATHAN: It is the same.

MR. SPEAKER: Why raise it then?

SHRI G. VISWANATHAN: I will take only one minute.

MR. SPEAKER: I am not allowing if it is the same.

SHRI G. VISWANATHAN: Before you give a ruling on this point of order, I want to say something on it.

MR. SPEAKER: Please sit down. Is it the same matter or a different one?

SHRI G. VISWANATHAN: It is the same subject-matter.

MR. SPEAKER: You do it after I dispose of Mr. Indrajit Gupta's point of order.

SHRI G. VISWANATHAN: How can I challenge your ruling then?

MR. SPEAKER: I am not going to allow you unless I dispose of the point of order raised by Mr. Indrajit Gupta.

SHRI S. A. SHAMIM: You have heard six Members on the same point. Please allow two of us also on the same point.

MR. SPEAKER: They were not the same point.

SHRI G. VISWANATHAN: Let me finish my submission and then you give your ruling on the point of order.

Sir, Shri H. N. Mukerjee raised a very valid point saying that the incident which took place in the House cannot and should not be referred to the Privileges Committee. In that case, we will be agreeing or we will be accepting that this House is inferior to the Committee of Privileges. The Privileges Committee cannot be the supreme body over and above the Parliament. Because it happened in Parliament, it should not be referred to the Privileges Committee.

SHRI S. A. SHAMIM: There is a fundamental difference between disapproving a particular act and raising a matter of breach of privilege. We can disapprove of a certain conduct. But to bring it under the purview of the breach of privilege, it must fulfil certain conditions. I am sure, most of the acts of many a Member are sometimes not approved by many others. But that should not constitute a breach of privilege.

Now, this particular incident should be judged in a particular context, that is, a Member sometimes, as you yourself said, getting angry, sometimes being provoked and all that. After all, it is a human conduct. We are conducting ourselves in Parliament. Instances have been quoted where the intention of contempt of the House is not there. It is just an act, a rude act sometimes, which amounts to an act of indiscretion or shouting. If you take notice of this particular incident, I am sure, you will have to haul up each one of us for committing a breach of privilege one day or the other and the result will be that breaches of privilege will lose their sanctity and prestige which is attached to them. It has been suggested by your predecessors also a number of times that



breaches of privilege should not be treated lightly. There have been instances of editors who have committed contempt of the House but no notice of them has been taken because that will involve the House in having continuous reference to Privileges Committees and giving judgments as to whether it is a breach of privilege or not. So, I would submit that the importance given to this particular incident will definitely involve you in a very complicate affair in future.

**SHRI PILOO MODY:** By admitting this motion, we have denigrated this House.

**MR. SPEAKER:** Mr. Pилоo Mody, you should have control over your tongue.

**SHRI MUHAMMED KHUDA BUKSH** (Murshidabad): About the point of order raised by Mr. Indrajit Gupta, I concede that there is great validity in the contention of Prof. Hiren Mukherjee because, as he pointed out, the matter under debate happened in the presence of the entire House. You have also very kindly observed that. My hon. friend, Mr. Indrajit Gupta, referred to the slapping of a Minister. Here, the slap has been administered to the entire House. It is not a particular Minister who can retaliate or need not retaliate. The decorum, the dignity, the sanctity and sacredness of the House has been assailed in the most undignified manner and it is a matter for this House to decide here and now as to how it wants to deal with the Member. The legalistic view taken is absolutely without substance and foundation. It is the breach of privilege of the entire House as was pointed out by Mr. Stephen. You also took cognizance of it. It is completely within the discretion of the Chair to defer the judgment. You deferred your judgment, and it is being brought today. It is perfectly in order in my opinion and it does not amount to any transgression of Parliamentary practice or Parliamentary law. But the point that hon. H. N. Mukerjee has raised remains to be decided by the House whether the House would like to deal with it or whether it would like to remand it to its own constituted committee.

**SHRI VASANT SATHE** (Akola): In all this din, we are losing sight of the rules. A question of privilege is to be raised under rule 222. When is this question to be raised? Rule 223 says:

"A member wishing to raise a question of privilege shall give notice in writing to the Secretary before the commencement of the sitting on the day the question is proposed to be raised."

Therefore, it could not have been raised yesterday itself when the incident took place. He gave a notice in writing and has raised it now. (*Interruption*) If it comes under 223, then the next stage is rule 225, after leave has been granted—because an objection can be raised whether leave should be granted or not—then it is for the House to decide or for you to decide whether it should be sent to the Privileges Committee or whether the House itself should take a decision under rule 226. Therefore, all this confusion does not arise at all. You have to decide first whether leave is to be granted or not under rule 225.

**श्री जगन्नाथ राव जोशी** (गाजापुर) : अध्यक्ष महोदय, मुख्य सवाल यह है कि आया इससे विशेषाधिकार की अवहेलना होती है अथवा नहीं। जब इस सदन में होता है उसका नोटिस प्रिविलेज कमेटी ले सकती है या आप ले सकते हैं। लेकिन यदि इसका निर्णय हो जाये तो आगे हमें सुविधा होगी। . . . (अवधान) . . .

**SHRI R. S. PANDEY** (Rajnandgaon): My hon. friend mentioned about the behaviour of slapping the Minister. That was in the House of Commons. But here it is a question of the honour of the Chair. Here it is about 'grossly disorderly conduct in throwing a bundle of papers towards the Chair and his contemptuous defiance of the Speaker' . . . (*Interruption*)

**MR. SPEAKER:** So many points of order have been raised. Actually most of them were just suggestions for some way-out . . .

**SHRI SHYAMNANDAN MISHRA:** How about my point of order, Sir?

**MR. SPEAKER:** I am coming to your point of order also. So far as this question of raising this point of order is concerned, the privilege motion was raised there yesterday and I then made the observation in the House . . .

**SHRI SHYAMNANDAN MISHRA:** In the House?

MR. SPEAKER: Yes, in the House, there and then.

SHRI PILOO MODY: Somebody has to make a motion.

SHRI C. M. STEPHEN: That also was moved.

MR. SPEAKER: I made the observation. . . (Interruptions)

SHRI S. M. BANERJEE: Sir, you remember a privilege motion was brought against me by Mr. Atal Bihari Vajpayee for mentioning the names of two Ministers who were supposed to be on the pay-roll of the Birlas and Mr. Joshi supported it. Even then I was given an opportunity.

अध्यक्ष महोदय : जब आप बोलते हैं तो कोई इंटरप्ट करे आप को काफ़ी गुस्सा आता है। आप मेहरबानी कर के बठिय, मुझ बोलने दीजिये।

श्री एस० ए० शमीम : गररुा ब्रीच आफ़ प्रिविलेज नहीं है।

[श्री ایس - اے - شمیم : فصہ  
برجے آف پریولج نہیں ہے - ]

MR. SPEAKER: So far as this fact is concerned, it was moved yesterday and I made the observation before the House that I will consider it.

Now, Mr. Mishra says that it is prejudging. When the motion comes to the Speaker, if he is satisfied, he allows it to be brought before the House and in my opinion. . . (Interruptions) I have to tell the House that these things entitle it to be presented to the House. I said there is only *prima facie* case and I told it to the House and it is not a question of prejudging. Even I can, on my own, say that it is a breach of privilege and I am entrusting it to the Privileges Committee or to the decision of the House. So far I have not made any observation whether I leave it to the House or to the Committee. All I said to you was that the decorum of the House is equally your responsibility as for myself and as for this side also. . . (Interruptions) I made this observation very clear to you. What I want to tell you is that if some member happens to say that such and such Minister was slapped, we do not approve of it. That is not a

good idea at all to suggest in this House. If somebody goes and slaps another Member, that is the last thing to be approved of by us. That is not a good idea at all. . . (Interruptions) I am very sorry. That is not a good defence. I do not approve of this. I take it nobody in this country will approve of it. . . (Interruptions)

SHRI INDRAJIT GUPTA: The question is whether it is a question of privilege.

MR. SPEAKER: It is a contempt of the House so far as this matter is concerned. I don't think this practice should be approved of and tolerated upon by this House at all. At least I do not advise you to go for defence of such an action. If you disapprove of it, as Mr. Shamim says, the only course, the *via media* is that the gentleman should express his regrets. After his regrets I can put it to the House whether it can be withdrawn and whether his regrets can be accepted.

SHRI SHYAMNANDAN MISHRA: The moment you say it is indefensible, there is nothing to be judged by the Privileges Committee.

MR. SPEAKER: I leave it to the House; the House may deal with it themselves or they may entrust it to the Privileges Committee. This is before them. It is before the House in the same form as it came there and then.

SHRI S. M. BANERJEE: Why did you not ask him yesterday?

MR. SPEAKER: The suggestion is that if the Member expresses regret let this be dropped.

SHRI INDRAJIT GUPTA: It ceases to be privilege issue, if he expresses regret. Is that your point?

MR. SPEAKER: My suggestion is this. It is entirely for Mr. Stephen. I have allowed it.

THE MINISTER OF PARLIAMENTARY AFFAIRS AND SHIPPING AND TRANSPORT (SHRI RAJ BAHADUR): You have expressed the sentiments and the mood of the House. You have given the opportunity to Mr. Jyotirmoy Bosu to help us maintain the decency, dignity and decorum of the House by expressing regrets. If that

comes we shall really feel satisfied that the required thing has been done but if it does not come, I would suggest, it must be referred to the Committee of Privileges.

SHRI SHYAMNANDAN MISHRA : My submission is this. We are on the point of its having been placed on the agenda and on that we are having this discussion. But we have not gone into the substantive matter. We will have to go into the substance of the matter when we come to discuss this. What you were pleased to say just now would end the matter here. That cannot be a part of the whole system, the whole system of discussion on this motion. You had made a suggestion to end this matter if he expressed regret. That does not prevent this matter from being gone into further. We shall have to decide about this, whether the substance of the matter is such as to be referred to the Privileges Committee or not...

MR. SPEAKER : I have allowed it.

SHRI SHYAMNANDAN MISHRA : That stage is yet to come.

MR. SPEAKER : I have allowed it. I have already given my consent to the motion....

SHRI S. M. BANERJEE : On your ruling, I have a very small submission.

SHRI C. M. STEPHEN : Mr. Speaker, Sir....

MR. SPEAKER : If Shri Jyotirmoy Bosu just expressed regret, I would suggest to the House that we may proceed to the next item, and in that case Shri C. M. Stephen says that he will accept it and then seek leave of the House to withdraw his motion; if he does not express regret, then it will be put to the House....

SHRI SHYAMNANDAN MISHRA : Kindly hold it over. We can discuss it informally with you and then come to some decision about it. Please hold it over....

MR. SPEAKER : What for ?

SHRI SHYAMNANDAN MISHRA : So that some informal arrangement could be made about this....

7—13 L. S. S./72

MR. SPEAKER : We cannot postpone it.

SHRI SHYAMNANDAN MISHRA : We can discuss it in an informal way outside, not in the House... (*Interruptions*)

SHRI C. M. STEPHEN : I was having the floor of the House, under rule 225. Then, points of order intervened. I presume that the points of order have now been disposed of. I am entitled under rule 225 now to make a short submission. I am proceeding now to make my submission....

SHRI S. A. SHAMIM : He has already moved.....

MR. SPEAKER : I have called him already.

SHRI C. M. STEPHEN : I was interrupted by points of order....

SHRI S. M. BANERJEE : Kindly give me half a minute. Let Shri C. M. Stephen move his motion. I only want to say something about the observations that you have made just now that you are convinced and you also feel that it is a matter of privilege. Supposing the matter is referred to the Privileges Committee and the Privileges Committee come to the conclusion that it was not a matter of privilege, there will be nothing open to you except to resign or face a no-confidence-motion....

MR. SPEAKER : What is this. If I say there is a *prima facie* case, what is wrong with it? A number of privilege motions come, and if the Speaker says that there is a *prima facie* case, but the Committee comes to a different conclusion, then should the Speaker resign? That would mean that all the Speakers should have resigned. What a fantastic suggestion the hon. Member is making.

The judgment of the Speaker is exercised only on whether he should give his consent to it or not. Suppose I give my consent that it will go to the Privileges Committee and the Privileges Committee thinks that it is not a privilege, then the hon. Member says that the Speaker must resign....

SHRI S. M. BANERJEE : May I make a submission, Sir? If you had said that it was only a *prima facie* case, I would not have raised this point. But

[Shri S. M. Banerjee]

you, Sir in your wisdom have said something different. I am not casting any aspersion on you, Sir, and I hold you in high esteem. You are the custodian of this august House, and as the custodian of the House, you have said....

MR. SPEAKER: It had happened here.

SHRI S. M. BANERJEE: ....that it is a question of privilege. You did not mention 'prima facie case'. I would have accepted it if you had mentioned 'prima facie case'. But you gave your candid opinion, and you used that expression. I am really sorry that you should have given your opinion before the House had had an opportunity to discuss it.

SHRI C. M. STEPHEN: I do not yield....

SHRI S. M. BANERJEE: On a former occasion, when there was a lot of furore in the House, and the Opposition Members and others were shouting, Prime Minister Nehru called a meeting of the Opposition leaders and the whole thing was thrashed out and the matters came to an end. But now... (*Interruptions*)

SHRI C. M. STEPHEN: The facts pertaining to the question which I am raising are well known to every Member of the House. So, I do not want to go into the details, because it is absolutely unnecessary. The only point is that I have moved this motion on the basis that according to me this constitutes a contempt.....

AN HON. MEMBER: According to Shri Raj Bahadur.

SHRI C. M. STEPHEN: I do not want to quote precedents and the law and other things, because they are very well known. It is for this sovereign body now to judge whether it constitutes contempt or not. I have only to invite your attention to an incident which took place in the course of this session. That incident was with respect to a stranger. A stranger threw pamphlets on the 9th August, and a motion was moved before this House, and this House unanimously felt that that was contempt, and the two persons were sent to jail. That was what happened.

Now I am saying that the same standard ought to apply everywhere. I am not going into details (*Interruptions*)

The only question is: what to do about this? Two courses are open, I mean for the House to decide is one course; sending it to the Privileges Committee is the other (*Interruptions*).

SHRI PILOO MODY: It can be discussed for the next three days, if you like.

SHRI G. VISWANATHAN: His statement is over.

SHRI S. A. SHAMIM: If they want to hang Jyotirmoy Bosu, let them hang him, but not for breach of privilege.

SHRI C. M. STEPHEN: Under rule 226, I move that the matter may be put to the decision of the House.

SHRI SOMNATH CHATTERJEE (Burdwan): On a point of order. The hon. member has not asked for leave under rule 225. He has not asked for that leave. So whatever he has said is out of order; what he has said has no effect. He has moved a motion which is of no use, of no effect.

AN HON. MEMBER: He has not asked for leave; see the record (*Interruptions*).

SHRI C. M. STEPHEN: I have already asked for leave (*Interruptions*).

SHRI PILOO MODY: The debate has to be adjourned and a date fixed.

MR. SPEAKER: He has asked for leave of the House.

SOME HON. MEMBERS: No, no.

MR. SPEAKER: Order please. Leave has to be asked. He has asked for leave (*Interruption*) What is exactly the position? What is your motion now? You have asked for leave (*Interruptions*).

SHRI C. M. STEPHEN: Yes.

SOME HON. MEMBERS: No, no.

MR. SPEAKER: He has asked for the leave of the House (*Interruptions*).

The question is.....(*Interruptions*). I have made it sure; he has asked for leave (*Interruptions*).

The question is:

"That leave be granted".

Those in favour will please say 'Aye'.

SEVERAL HON. MEMBERS : Aye.

MR. SPEAKER : Leave is granted, leave is granted.

SHRI G. VISWANATHAN : He has not asked for the permission of the House (*Interruptions*).

SHRI SHYAMNANDAN MISHRA : On a point of order.

MR. SPEAKER : Already leave is granted.

SHRI SHYAMNANDAN MISHRA : I have a point of order with regard to this. Please hear my point of order.

SHRI C. M. STEPHEN : I move that the matter be discussed in the House. It should be decided by the House.

SHRI VASANT SATHE : He has moved the motion now.

SHRI SHYAMNANDAN MISHRA : Sir, a point of order.

MR. SPEAKER : Leave is granted. There is no question of point of order.

SHRI SHYAMNANDAN MISHRA : We have to discuss that motion. That is my humble submission. We have to discuss the motion. (*Interruption*)

MR. SPEAKER : Let him speak now. Leave is granted to him. He will now speak. (*Interruption*) Order please. Now, the leave is granted for him to move his motion. After that, you can discuss it.

SHRI RAJ BAHADUR : He has moved the motion. The motion has been moved. You may now proceed on that basis.

SHRI VIKRAM MAHAJAN (Kangra) : There cannot be a debate on the motion.

MR. SPEAKER : He has already moved the motion. Now the motion will be discussed. He will speak on it.

SHRI C. M. STEPHEN : Now, Sir, the House has been pleased to grant leave—

SHRI K. S. CHAVDA (Patan) : Sir, on a point of order.

MR. SPEAKER : I have already allowed a discussion. No more points of order.

SHRI K. S. CHAVDA : Under rule 376, I am raising a point of order. Now, under rule 225(2), when an objection to leave being granted is taken, you should take a count of the Members before leave is granted.

MR. SPEAKER : He has already asked for leave, and leave has been granted by more than the number required.

SHRI K. S. CHAVDA : Secondly, after the leave is granted, the House may discuss it or refer it to the Committee of Privileges on a motion being made.

MR. SPEAKER : More than the number required were in favour of it. So, there is no point of order. I do not listen to this point of order. Leave is already granted.

SHRI PILOO MODY : He wants to know if you took a count.

MR. SPEAKER : We always count it. There is no more question.

SHRI M. KALYANASUNDARAM : Rule 226 says that if leave under rule 225 is granted, the House may consider the question and come to a decision or refer it to a Committee of Privileges on a motion made either by the Member who raised the question of privilege or by any other Member. Now, a Member made the motion. It should be put to the House and then alone leave is granted.

MR. SPEAKER : Leave has been granted to him. (*Interruption*)

SHRI C. M. STEPHEN : Sir, I move that this matter should be referred to the Committee of Privileges. I move :

"That the matter be referred to the Committee of Privileges."

SHRI M. KALYANASUNDARAM : I move that the matter be discussed in this House. There is another motion moved by me; that the matter be discussed in this House.

SHRI S. M. BANERJEE : I move that the matter be dropped in the larger interests of parliamentary democracy and decorum.

MR. SPEAKER : No; the point is this. The discussion is going on. It is open for discussion.

SHRI C. M. STEPHEN : My submission is that no discussion can take place in the House now, because the discussion which takes place here will prejudice or prejudice the issues before the Committee of Privileges. Therefore, a decision may be taken on this.

SHRI P. K. DEO : How can he take away a thing which is already the property of the House?

MR. SPEAKER : Mr. Stephen, what is your suggestion ? What do you say about it ?

AN HON. MEMBER : He says it should be referred to the Privileges Committee.

SHRI PILOO MODY : He said that no discussion should take place here.

श्री श्याम नन्दन मिश्र : हम डिस्कस करेगे । जो इनकामल बोटींग हुआ है उससे हमें बहुत तज्जुब हुआ था । इस तरह के विषय पर इनकामल बोटींग आज तक नहीं हुआ था जैसा आपने लीव ग्रांट के लिए किया ।

SHRI JAGANNATH RAO (Chakapur) : According to the Rules, the Speaker shall request those members who are in favour of leave being granted to rise in their places. We have done that. There could be no discussion here.

MR. SPEAKER : It is open for discussion.

SHRI M. KALYANASUNDARAM : There are three motions.

MR. SPEAKER : That cannot come at this stage. It is open for discussion.

SHRI S. M. BANERJEE : I have moved my amendment also.

MR. SPEAKER : It must come in writing, not verbally.

SHRI S. M. BANERJEE : They all moved orally yesterday.

MR. SPEAKER : They gave in writing.

SHRI VIKRAM MAHAJAN : Under rule 344, an amendment shall not be moved which has merely the effect of a negative vote. He is trying to scuttle the motion and that could not be accepted.

MR. SPEAKER : Anyone wanting to speak ?

SHRI VIKRAM MAHAJAN : There is nothing to discuss.

SHRI S. M. BANERJEE : We are not computers, we shall give you in writing our amendment.

SHRI G. VISWANATHAN : You have first to hear Shri Jyotirmoy Bosu. You have to request him to say what he wants to say.

MR. SPEAKER : Why should I request him ?

SHRI JYOTIRMOY BOSU : No, Sir. I am listening. I have been listening with great care and attention. I want to speak. How much time do I get ? One hour ?

MR. SPEAKER : How much time?

SHRI G. VISHWANATHAN : Two days.

SOME HON. MEMBERS : Four days.

श्री हुकूम चन्द कछवाय : सरकार इसको महत्व का विषय मानती है । तब क्यों न इस पर चार दिन तक बहस हो । चार दिन इस पर बहस चलनी चाहिये ।

SHRI RAJ BAHADUR : Once the matter has been referred to the Committee of the House, the Committee should be allowed to do its work unhindered. . . (Interruptions) Members who want to express their views on this matter may do so before the Committee. If you allow a discussion now, I may respectfully submit that the whole purpose of referring it to the Committee will be lost. . . (Interruptions)

MR. SPEAKER : This motion has come; in writing : "That the question of privilege motion by Shri Stephen be considered in this House".

SHRI S. M. BANERJEE : And also my amendment ". . . and be dropped".

MR. SPEAKER : I do not think it is in order because it is completely negative. I will put the motion to the House.

The question is :

"That this motion be considered in this House."

*The motion was negatived.*

MR. SPEAKER : Now, the other motion is that this will go to the Privileges Committee. (*Interruptions*)

SHRI SHYAMNANDAN MISHRA: My submission is, even if there was no motion from Mr. Kalyanasundaram, this motion of Mr. Stephen could not have escaped discussion in this House. It was rather irregular for the Chair to ask for a vote on that motion which was submitted by Mr. Kalyanasundaram, because this motion will necessarily have to undergo a discussion in this House. You had been pleased to ask Mr. Bosu to begin his observations. Is everything in this House going to be treated in this informal manner?

MR. SPEAKER : You did not raise any objection to his motion that this be considered by the House. That is why I put it.

SHRI SHYAMNANDAN MISHRA: We will discuss whether this matter should be referred to the Privileges Committee.

MR. SPEAKER : Under Rule 226, after leave is granted, the House may consider the question and come to a decision or refer it to a Committee of Privileges. I was not in favour of this motion by Mr. Kalyanasundaram. But you also said that it should be considered by the whole House. Now that his motion has been negatived, the other motion will be that this matter be referred to the Committee of Privileges. You can speak on that.

SHRI SHYAMNANDAN MISHRA: So, the earlier vote was irregular. (*Interruptions*) . . .

SHRI S. M. BANERJEE : The time for this discussion should be at least ten hours.

MR. SPEAKER : I think an hour or two would be sufficient. The only question that will be discussed will be the throwing of papers.

SHRI S. M. BANERJEE : The motion contains two issues—contemptuous behaviour and the throwing of papers. There are two matters in the motion. So, it is against the rules.

MR. SPEAKER : There has been enough discussion on that.

SHRI JYOTIRMOY BOSU : Sir, as I pointed out earlier, if the House comes to disorder, I shall resume my seat. So, I would request you to bring order in the House.

I was really surprised, that during the last six years of my tenure here, a privilege motion of that character was listed on the list of business abruptly and brought here without giving me a chance to defend myself. I was also surprised yesterday how the Speaker could be pressurised to reverse his own decision. Here we are seeing on the floor of the House. . . (*Interruptions*)

SHRI C. M. STEPHEN : It is an unfair allegation which should be expunged.

SHRI JYOTIRMOY BOSU : Sir, we have modes of bringing a no-confidence motion against you with a notice of fourteen days, whether you have been competently handling the affairs with impartiality. That is a different matter; I shall deal with it some other time. You can take indications from what I say now whether somebody is worth the salt. . . (*Interruptions*)

SHRI NAWAL KISHORE SHARMA (Dausa) : These remarks are objectionable. . . (*Interruptions*)

SHRI VIKRAM MAHAJAN : These remarks cast aspersion on the dignity and prestige of the Chair. They should be expunged. . . (*Interruptions*)

MR. SPEAKER : If after this disorderly behaviour and all that, if a motion comes up against me, I shall welcome it.

SHRI JYOTIRMOY BOSU : We will give you a chance.

MR. SPEAKER : I accept your challenge.

**SHRI JYOTIRMOY BOSU :** We will give you a chance. But that is a different issue.

**THE PRIME MINISTER, MINISTER OF ATOMIC ENERGY, MINISTER OF ELECTRONICS, MINISTER OF HOME AFFAIRS, MINISTER OF INFORMATION AND BROADCASTING AND MINISTER OF SPACE (SHRIMATI INDIRA GANDHI) :** The hon. Member is casting aspersion on the Chair... (*Interruptions*) I would appeal to all opposition members... (*Interruptions*)

**SHRI JYOTIRMOY BOSU :** I am not showing disrespect to the chair.

**SHRI RAJ BAHADUR :** I formally propose that the hon. Member be named... (*Interruptions*)

**MR. SPEAKER :** He has very often been rude to me. I am not going to tolerate it... (*Interruptions*)

**SHRI RAJ BAHADUR :** He should be named. I move a formal motion that he should be named and for the rest of the session... (*Interruptions*)

**MR. SPEAKER :** May I give one suggestion? (*Interruptions*). Order, order. All of you please sit down. I would not hesitate to name him but the subject which is under discussion concerns him. We want to give him a chance on that. (*Interruptions*)

**SHRI SHYAMNANDAN MISHRA :** I rise on a point of order. Although many of us would not approve of the observation made by the hon. Member, may I submit to you that your pleasure that you would name him, I think, is completely beside the point. The suggestion is for naming him... (*Interruptions*).

**MR. SPEAKER :** I am refraining from naming him in spite of the behaviour of the hon. Member that I witnessed...

**SHRI SHYAMNANDAN MISHRA :** What has he done?

**MR. SPEAKER :** The way he speaks.

**SHRI SHYAMNANDAN MISHRA :** The only thing that can be construed from what he has said is that he has

held out a threat of bringing up a No-Confidence Motion against you. You should have been the first person, and you were the first person, to welcome such a move. What is there objectionable? I can say that I will bring a motion against you. How is it objectionable?

**MR. SPEAKER :** Kindly sit down; don't interrupt.

**SHRI SHYAMNANDAN MISHRA :** This is certainly not in good taste. But no objection on any technical or constitutional ground can be taken. Many of us would disapprove of it. We will not use the same words against you.

**MR. SPEAKER :** Don't try to encourage that kind of behaviour. I expect something better from you. I am not sitting here to hear that any time the Member wants to say something, he should extend threats to me. I am not sitting here to hear all those threats. I have been listening to them all this time.

**SHRI R. S. PANDEY :** Sir, you are enjoying the confidence of the House. He is entitled to give his explanation. But so far as the sanctity of the Chair is concerned, that cannot be challenged. He can explain his position. But in the course of his explanation, if he says anything against the dignity of the Chair, we cannot tolerate it. The dignity of the Chair cannot be challenged by him.

**SHRI JYOTIRMOY BOSU :** Sir, I am acting within the rules. I suppose the House will be kept in order.

**MR. SPEAKER :** Kindly do not provoke others.

**SHRI JYOTIRMOY BOSU :** I can try to please the Chair by being respectful. But I am not here to waste my energy to speak things to please the people sitting opposite. Let it be clear in your mind. My job will be to expose them as best as I can. Kindly don't interrupt me.

The question is this. Let us go into the technicalities of the things. Here is Question of Privilege at item No. 3 of the Revised List of Business, Tuesday, August 29, 1972/Bhadra 7, 1894 (Saka), etc. etc. It reads like this. It is a very pernicious piece of document. It might go into the archives; it might be put in polyethene bags after 2000 years.



Is it not your responsibility to see that whatever goes in the List of Business, under your command, under the signature of Mr. Shyam Lal Shakhder, your Secretary, is accurate and correct? It reads as follows :—

“...to raise a question of privilege against Shri Jyotirmoy Bosu, M.P., for his grossly disorderly conduct in throwing a bundle of papers towards the Chair and his contemptuous defiance of the Speaker on the 28th August, 1972.”

Hon. Mr. C. M. Stephen, in his letter, has been kind enough to write this :

“C. M. Stephen  
Member of Parliament  
(Lok Sabha)

“17, Janpath,  
New Delhi-1.  
28th August, 1972.

“To Secretary,  
Lok Sabha,  
New Delhi.

“Sir,

I beg to give notice under rule 222 to seek the permission of the Speaker to raise on 29th August, 1972 a question involving breach of privilege of the House.

This morning, after the question hour, in the course of controversy that followed the attempts of Shri Jyotirmoy Bosu to make a statement, Speaker gave a direction. In protest against the direction Shri Bosu threw towards the Chair....”

Please do not forget that word.

“...towards the Chair a bundle of papers. He shouted and gesticulated in contemptuous defiance of the Speaker and of the House.”

This is the letter. You are an eminent lawyer, Sir. You were teaching law. As an accused, I should be given the freedom of expressing my mind clearly and openly; there should be no barrier on that. I have an apprehension in my mind (*Interruption*) that just because the privilege motion came from a member of the ruling Party, it was printed

then and there without going into the merits of the matter. How, Sir? I will quote from four newspapers of Delhi not one and none of them is run by CPM or, for that matter, by anybody belonging to this side.

This is the *Indian Express*. It says:

“In one of his angry moments, Mr. Bosu threw the bundle of half-burnt newspapers in front of the Speaker’s table.”

Not towards him. In front of the Speaker’s table.

Then I quote from the *Statesman*. They all draw newsprint quota for government advertisements. We know who have the control. We do not have it. (*Interruption*) please bring the House to order, Sir. (*Interruption*) I quote from the *Statesman* :

“At this stage Mr. Bosu threw the bunch of burnt papers near the podium. Nothing could be heard in the ensuing din.”

What is podium? It is Speaker’s Chair.

Then I quote from the *Times of India* controlled by trustees appointed by Government under the orders of High Court. We know what they are. It says :

“The Lok Sabha was thrown into a tumult today when the CPM member, Mr. Jyotirmoy Bosu, brandished a sheaf of partially burnt newspapers and flung them on the floor of the House.”

Does the Speaker sit on the floor of the House.”

Another paper, *‘Motherland’*, says :

“During the uproar, Shri Bosu...”

Mr. Raj Bahadur, kindly listen to me quietly.

“During the uproar, Shri Bosu who had brought a bundle of papers which he said were the remnants of the burnt papers and periodicals dropped them in the well of the House.” May I ask, hon. Mr. Speaker, ‘Do you sit inside the well of the House?’

[Shri Jyotirmoy Bosu]

Then, I come to another question. He has talked about and it has been said in the letter as well as in the order of business which is issued under your command, with great anxiety and great haste, it has been done and never again Mr. Jyotirmoy Bosu could be trapped. Let us see. I have copies of the proceedings provided by your kind Secretariat, not my typing. It says what?

*“Shri Jyotirmoy Bosu :* But, let me point out to you, Sir, that you are sufficiently equipped to give any directive that you wish to give, under rule 389 which reads as follows :

‘All matters not specifically provided for in these rules...’

when they defied you and when they forced you to reverse your earlier decision. I repeat it :

“All matters not specifically provided for in these Rules and all questions relating to the detailed working of these rules shall be regulated in such manner as the Speaker may, from time to time, direct.’

*Mr. Speaker :* I am regulating it now....”

Very good.

“...I have allowed him two minutes to say what he wants, but not on the motion...”

*Shri Jyotirmoy Bosu :* You are competent to allow me to say this. I had given an adjournment motion on the Government's failure..

*Mr. Speaker :* Let him not refer to the adjournment motion now. Let him say what he wants to say.

*Shri Jyotirmoy Bosu :* All right....”

Here it is very important.

“...In obedience to your wishes, let me know whether you want me to read the telegram..

*Mr. Speaker :* No, no. Let him say what he wants to say.

*Shri Jyotirmoy Bosu :* What do you want me to do. Sir ?

*Mr. Speaker :* He may say in two minutes what he wants to submit.”

In the third person.

Then, I made a submission and there you see the defiance of the Chair. May I lay this on the Table, a second copy for you to present, Sir ?

Then, I come to another issue. I have given you the idea as to how it came. I want to ask another question.

SHRI VIKRAM MAHAJAN : You cannot ask questions.

SHRI JYOTIRMOY BOSU : They want us to be orderly and we reciprocate.

Mr. Speaker, Sir, I came in a great hurry and delivered a letter. This warrant, this privilege motion notice was handed over to me here in the Parliament House after about 7 O'clock by Profulla Kanti Patnaik, your Joint Secretary and I went and burnt my oil till midnight consulting books. You would appreciate that I cannot even borrow a copy of the book that I would very much like to read, written by Mr. Shyamal Shakkher and Mr. Kaul. There was no copy available in the library. The opportunity to defence is very wonderful. So, I sat down till midnight. In fact, at 2 O'clock I went to bed. I drafted a letter which was typed in the morning and delivered at your desk at 10-25 a.m. to-day.

I want to ask you: have you gone through that letter ? I have quoted extensively from most well-known books on parliamentary practices including May's *Parliamentary Practice* and I have pointed out that what happened yesterday did not at all constitute a breach of privilege. You have not bothered to mention about it or make a reference about it in the House that Mr. Jyotirmoy Bosu in reply to the charge that has been put down on the List of Business has given a detailed information.

SEVERAL HON. MEMBERS : He has said it.

THE DEPUTY MINISTER IN THE MINISTRY OF FOREIGN TRADE (SHRI A. C. GEORGE) : The Speaker has said it.

SHRI JYOTIRMOY BOSU : I am very sorry, Mr. George, you will be elevated soon. Please keep quiet...

MR. SPEAKER : Order, please.

SHRI JYOTIRMOY BOSU : Now I have to read out what I said to you. To-day, I have to read out a little speech, unfortunately so.

"During the question hour I was informed by Shri Anand, your Assistant, that my Adjournment Motion was disallowed by your goodself.

(2) Immediately on receipt of the information I wrote a letter to you seeking your permission to make a mention of the issue which I had covered in my Adjournment Motion. . . By indication you had shown your reluctance to allow me to do so."

Sir we will not distort a single thread of the facts. . .

I wanted to seek your permission to get an opportunity to make a mention of the issue under reference, and try to argue my case in favour of acceptance of the Adjournment Motion, because I was firmly of the opinion that the matter under reference fully covered the requirements of the rules of procedure that covered admission of adjournment motions.

I admit that I repeatedly tried to persuade and plead to allow me to pursue my path and many leaders of the opposition and other Members lent full support to my argument, and I thank them for that.

Sir, you were pleased enough to grant me two minutes to read out the telegram which I received from Calcutta.

MR. SPEAKER : I did not allow you.

SHRI JYOTIRMOY BOSU : If you had not come to politics, you would have been a High Court Judge. . .

MR. SPEAKER : You say I allowed it. I did not allow it.

SHRI JYOTIRMOY BOSU : Am I casting aspersions on you, Sir ? If so I can correct myself. You were pleased enough to grant me two minutes to read out the telegram. . .

AN HON. MEMBER : It is wrong.

SHRI JYOTIRMOY BOSU : Which I received from Calcutta narrating the atrocities that are causing severe hindrance on the freedom of press which I consider is a Central subject. When you had given this directive to me there was defiance of the Chair from congress benches and terrific noise came from the same direction and I was prevented from making use of the opportunity that was allowed to me. Later on, the decision was reversed which prevented me from getting the opportunity that was earlier given to me.

This caused serious resentment in the minds of everybody in the opposition and no doubt by the utterances that were hurled on me from congress benches, it caused provocation in my mind which was reflected in my action, that I had to express my resentment by throwing a small bundle of half burnt newspapers on the well of the House.

I had never thrown the bundle of papers towards the Chair and I had not gesticulated in contemptuous defiance of the Chair and the House. All the Delhi newspapers will corroborate this.

I am sorry and a little surprised to note that Privilege Motion has been admitted without giving me any opportunity to explain myself which is unusual and uncommon. The Joint Secretary informed me that it was placed on the List of Business for the next day. I have already said about it. I respectfully register my protest against this unusual step, to my mind, after reading books of authority. It is the ancillary nature of privilege, a necessary means to fulfilment of functions, which is the distinctive mark of a privilege in its ancillary character. The privileges of Parliament are rights which are "absolutely necessary for the due execution of its powers." They are enjoyed by individual members because the House cannot perform its functions without unimpeded use of services of its Members, and by each House for the protection of its Members.

SHRI VASANT SATHE : Not disservice.

SHRI JYOTIRMOY BOSU : According to May's *Parliamentary Practice*, breach of privilege is. . . (*Interruption*) Could you kindly bring them to order, Sir ?

[Shri Jyotirmoy Bosu]

Shri Vasant Sathe is not in order. He is out of order.

According to May's *Parliamentary Practice*; a breach of privilege is defined as follows :

"When any of these rights and immunities, both of the members, individually, and of the assembly in its collective capacity which are known by the general name of privileges are disregarded or attacked by any individual or authority, the offence is called a breach of privilege and is punishable under the law of parliament."

It further says :

"that the assaulting, insulting or menacing a member of House, in his coming to or going from the House, or upon the account of his behaviour in Parliament."

That is also another thing. Many of us are having a sombre experience every day. In Delhi, how many MPs have been beaten up by the police while they were coming to the Parliament. Only the other day, we had a Member who was intercepted at Asansol station, and he would have been murdered because the police and the railway officials collaborated. That also did not constitute a breach of privilege.

SHRI VASANT SATHE : Is this quite relevant to the subject before the House ?

SHRI JYOTIRMOY BOSU : Now, I am saying this for your information I have only shown my resentment in the House which is a part of my parliamentary privilege, and I shall continue to exercise that.

AN HON. MEMBER : By throwing papers ?

SHRI JYOTIRMOY BOSU : Now, let me explain to you why I was resentful. Since about March, 1971 in West Bengal, a reign of semi-fascist terror has been let loose and democracy has ceased to prevail..

THE MINISTER OF STEEL AND MINES (SHRI S. MOHAN KUMAR RAMANGALAM) : On a point of order. What the hon. Member is saying now is not relevant to the motion

before the House. It has nothing to do with what is being discussed, and that should not be allowed.

SHRI JYOTIRMOY BOSU : Since about March, 1971 in West Bengal, a reign of semi-fascist terror has been let loose....

MR. SPEAKER : The point is that the hon. Member can only speak about the motion which relates to the fact that the papers were flung towards the Speaker. As far as any other matter which is extraneous to that is concerned, that would not be relevant on this point.

SHRI JYOTIRMOY BOSU : I have no opportunity and no chance to explain ? Then, I say nothing. Then, I say nothing. I have no right to do so ?..

MR. SPEAKER : I am sorry..That is not relevant....

SHRI JYOTIRMOY BOSU : I am sorry you cannot prevent me. You cannot hang me and hang me hard too..

SHRI PILOO MODY : May I make a submission ? When a man is defending himself, according to normal laws, he is allowed to do so even if he says irrelevant things. That aside. Secondly, this House is trying to accuse. Shri Jyotirmoy Bosu of having broken the privileges of the House and been in contempt. Now, as regards the reasons why he was moved in that particular direction and why he lost his temper, he has a right to explain, even as a relevant part of the evidence....

MR. SPEAKER : There is no question about it. There is no doubt about it. We all concede that he lost his temper. There is no question of moving in that direction....

SHRI JYOTIRMOY BOSU : But I must say why. I must tell you why.

AN HON. MEMBER : By throwing the papers ?

SHRI JYOTIRMOY BOSU : I must tell you why...

MR. SPEAKER : This motion relates only to the action of throwing the papers before the Speaker.

SHRI JYOTIRMOY BOSU : Be kind to me, Sir.

SHRI R. S. PANDEY : How much time have you allowed him to explain ?

SHRI JYOTIRMOY BOSU : Now, it might be of interest for you to know what caused resentment in me. Since about March, 1971, in West Bengal..

MR. SPEAKER : I am not going to allow him to go beyond the motion.

SHRI JYOTIRMOY BOSU : ..a reign of semi-fascist terror has been let loose and democracy has ceased to prevail..

MR. SPEAKER : I am not going to allow all this.

SHRI JYOTIRMOY BOSU : The last assembly elections were mostly rigged..

MR. SPEAKER : The hon. Member should confine himself to the motion. What he is saying is not connected with the motion. (*Interruptions*).

SHRI PILOO MODY : Any time, any criticism of the ruling party is made, immediately, there are interruptions.

MR. SPEAKER : Everything will be all right if the hon. Member cares for himself. We shall control them.

SHRI JYOTIRMOY BOSU : The freedom of expression and press which are the basic rights in a democracy have totally disappeared. Newspapers and periodicals which criticised Shrimati Indira Gandhi..

MR. SPEAKER : I shall not allow him to say now what I did not allow him to say at that time. He can just speak on the motion as it is. That is not a part of the discussion.

SHRI JYOTIRMOY BOSU : I am saying about the freedom of the press, which was the subject-matter of my adjournment motion.

MR. SPEAKER : Now, the question is about this motion and not what freedom of press is and what the subject of the adjournment motion was. I am not allowing all that on this motion.

SHRI JYOTIRMOY BOSU : Papers were burnt.

MR. SPEAKER : That is an irrelevant matter.

SHRI JYOTIRMOY BOSU : The freedom of expression and of the press which are basic rights in a democracy have totally disappeared.

SHRI C. M. STEPHEN : On a point of order. The Motion we are now considering is that this matter be referred to the Privileges Committee.

MR. SPEAKER : The only question is whether it should be referred to the Privileges Committee.

SHRI K. P. UNNIKRISHNAN (Badagara): It has been referred already.

MR. SPEAKER : I am concerned with the scope of the discussion. So far as going into the adjournment motion which was disallowed is concerned, I am not allowing him.

SHRI JYOTIRMOY BOSU : Sitting in judgment over the issue, kindly hear me.

Newspapers and periodicals which criticised..

MR. SPEAKER : Please do not mention them.

SHRI JYOTIRMOY BOSU : How can I not ?

MR. SPEAKER : So far as this background or anything is concerned, we do not dispute it. The only question is his conduct in throwing papers towards me.

SHRI JYOTIRMOY BOSU : It is against this background..(*Interruptions*)

MR. SPEAKER : There must be some relevance.

SHRI JYOTIRMOY BOSU : Newspapers and periodicals which criticised the ruling party were subjected to serious physical threats and attacks. Editors and reporters are constantly threatened with direct consequences. The offices of newspapers were raided by people belonging to the ruling party. These newspapers were exposing starvation deaths, unemployment and corruption; they talked about the Nagarwala

[Shri Jyotirmoy Bosu]

case; they talked about the Research and Analysis Wing; they talked about the *Anand Bazar Patrika* sending a credo to an American agency during the India Bangladesh..

SOME HON. MEMBERS : No, no.

SHRI JYOTIRMOY BOSU : These are all the threats. That is why papers have been burnt.

MR. SPEAKER : That is no part of this motion.

SHRI JYOTIRMOY BOSU : This is a part of this motion.

If you want to hang me, you may hang me, but not without giving me a chance.

MR. SPEAKER : I do not want to hang him.

SHRI K. P. UNNIKRISHNAN : On a point of order.

SHRI S. A. SHAMIM : He must get a clear chance.

SHRI R. S. PANDEY : He is crossing the boundary. No Member of Parliament is against freedom of the press (*Interruptions*). The question is that he has to explain his conduct on the floor of the House yesterday and he has to justify it.

MR. SPEAKER : I have already asked him not to go beyond the scope.

SHRI R. S. PANDEY : He is moving round the world by quoting many things. What relevance has all that got to do with the motion? (*Interruptions*).

MR. SPEAKER : I have already told him.

SHRI K. P. UNNIKRISHNAN : Is it permissible?

SHRI JYOTIRMOY BOSU : Newspapers are forcibly seized and burnt.

MR. SPEAKER : I say; do not mention that.

SHRI JYOTIRMOY BOSU : Why not? It is defending my action.

MR. SPEAKER : It is not defending your action.

SHRI SHYAMNANDAN MISHRA : He is not questioning your action on the adjournment motion. He is only narrating certain circumstances (*Interruptions*).

SHRI JYOTIRMOY BOSU : Why were the papers burnt?

SHRI SHYAMNANDAN MISHRA : When our turn comes, we will refer to these things.

SHRI JYOTIRMOY BOSU : Leaders belonging to the ruling party, including a Member of Parliament, gave repeated threats in a public meeting against such papers. There are numerous such instances and we had been receiving numerous trunk calls, telegrams and letters seeking intervention and protection of freedom of the press and expression, which are in serious danger. Sir, four papers were mainly involved : *Bangladesh, Darpan, Satyajug* and *Ganasati*. I maintain that I am here to represent the people and reflect their mind before this august House. The resentment came to my mind because of that and I brought it to your mind in the House. At no point of time today I have cast reflection on you. On the contrary, I was anxious to strengthen your hands.

MR. SPEAKER : My hands are already strong.

SHRI JYOTIRMOY BOSU : Finally, I must make it clear once again to your good self that I have not shown, that did not show any disregard to the Chair because I am mindful of the fact that you are the hon. elected Speaker of this august House, of the people's representatives, of the country.

SHRI VIKRAM MAHAJAN : Sir, you have already rejected that this House should consider the question. The only other alternative is that it should be referred to the Committee of Privileges. Therefore, the explanation has been given by Mr. Jyotirmoy Bosu. Now, the question should be put that it may be referred. There should be no more discussion.

MR. SPEAKER : Mr. Mahajan, let them participate in the debate for sometime.

SHRI N. SREEKANTAN NAIR (Quilon) : Sir, as one who has stood the charge of committing a breach of privilege on another matter almost allied to this, will you allow me to speak a few words ?

MR SPEAKER : On what ?

SHRI N. SREEKANTAN NAIR : On the privilege motion.

AN HON. MEMBER : Not with restrospective effect.

MR SPEAKER : Order, order. Yes, Mr. Nair.

SHRI N. SREEKANTAN NAIR : On the question of the language, I had lost my temper and I wanted to go out and I was prevented from going out, and I broke the door of this Parliament House, which gave rise to a question of privilege in this House. It was raised by Mr. Fernandes and others alleging that it was a question of breach of privilege; it was imposition of Hindi as national language that was being debated. But I found that the entire Congress and other opposition benches refrained from voting and the motion was lost. I am giving this instance...

MR SPEAKER : Mr. Nair, will you please move a little to the front ? I am not catching your words.

SHRI N. SREEKANTAN NAIR : Mr. Speaker, Sir, I was referring to a previous incident in this House in connection with the issue of language. The doors were closed after the first voting. I wanted the Watch and Ward staff to open the doors, but they refused. Then I broke open the glass panels of the door. A privilege motion was moved in this House by the SSP leaders. Then, the entire Congress benches refused to vote on the motion, and the motion fell, because there were not sufficient Members to vote in favour of it. The basic fact behind it was that I did something out of my emotional upsurge. They felt that, even though they did not agree with me, such a motion was uncalled for.

Now, in this particular case, the whole House is aware of the matter. I do not understand why my friend Mr. Jyotirmoy Bosu should object to papers being burnt. They have already

been read; I have read the burnt newspapers. It was given undue importance by the people on the other side; so it got a lot of publicity, which it should never have got. By raising this question of privilege, you are giving hundreds of opportunities to reiterate and publicise his views. We are wasting all our efforts on such a small matter.

MR. SPEAKER : I very well know that he gets publicity; he has the knack, he knows how to get it. But after all these story incidents sometimes which are ignored, should not form a regular part of the practice of this House. That was the idea. The only thing is this. In the very beginning I said that instead of stretching it too far, it would be much better if he just gets up and says before the House: he did not mean anything. But he did not accept it. We were not at all going to this extreme. Personally I expressed my wish in this House. He can write to me and express his regrets and say he did not mean it at all. That would have ended the matter. Even that he was not prepared to do.

SHRI JYOTIRMOY BOSU : I have said that; you did not hear me.

MR. SPEAKER : In your speech now you could have just said that you never meant any disrespect and that it should not have happened. Other members could have just persuaded you. Anyway that is not a good practice.

SHRI SHYAMNANDAN MISHRA : The whole tenor of the letter is there.

MR. SPEAKER : In that letter he has said so much. The motion was before the House. The question was about the motion and I suggested that it was much better when this motion came you said it in the House.

SHRI PILOO MODY : This could have been done before it came on to the Order Paper.

MR. SPEAKER : I just requested him to do that. We could then request Mr. Stephen to withdraw it. He did not agree to it.

श्री बी० पी० मोदी : अध्यक्ष जी, अभी कुछ बिगड़ा नहीं है। बसु महोदय ने स्वयं प्रार्थना करता है कि वह अपने इस शर्मनाक काम के

[श्री बी० पी० मोर्य]

लिये अफ़सोस जाहिर कर दे। अभी श्री हाउस को पूरी शक्ति है कि इस मोशन को विदड़ कर दे। इसलिये मैं माननीय सदस्य से प्रार्थना करूँगा कि जो कुछ हुआ उस के लिये आप कहिये कि गलत हुआ।

I am sorry for that. Let the House withdraw the motion.

MR. SPEAKER : From my point of view, we do ignore such things as acts on the spur of the moment and all that. When this motion came yesterday, immediately at that time, I said so. That is why in the very beginning I said let him say : I am very sorry. He did not agree. How can I help his getting publicity, Mr. Sreekantan Nair? I tried to stop it. He is very found of doing it.

SHRI JYOTIRMOY BOSU : You are casting reflections on me; I am entitled to a personal explanation. I am not doing it.

The internal functioning of Parliament must be more democratic. I want to say so, I represent the people of West Bengal. I carry their wrath, if they have a wrath against the Government. I am individually nobody.

MR. SPEAKER : We are nobody individually.

SHRI JYOTIRMOY BOSU : I must express their feelings. That is my privilege and I will be doing it again and again... (Interruptions.)

SHRI INDRAJIT GUPTA : Sir, I rise to oppose the motion moved by Mr. Stephen. I do not want to take much of the time of the House. But I hold firmly to the view, that is the view of our party, that the matter under issue has got nothing to do with privilege. It is at the most a matter of indecorum of some exhibition of bad manners, but that has nothing to do with privilege. Mr. Stephen's motion reads : "...raise the question of privilege against Shri Jyotirmoy Bosu for his grossly disorderly conduct, "Mark the word 'grossly'. Apparently the Movers of this motion had at the back of their minds that if it were just disorderly conduct which is going on here very often then it would not constitute a breach of privilege. So the word

'grossly' had been injected grossly disorderly conduct, implying that it amounts to breach of privilege. There is nothing in what they have said to prove that it is grossly disorderly in the sense that it was qualitatively more disorderly than the other forms of disorder which are frequently taking place. There is nothing like that. Then it says, I suppose to define this grossly disorderly conduct, "in throwing a bundle of papers towards the Chair"—that is a specific matter no doubt; everybody saw that a bundle of papers was thrown; nobody disputed it, including Mr. Bosu, and then it says "and his contemptuous defiance of the Speaker". There are so many things mixed up here. I know members on the other side are angry. They think Mr. Bosu should be taught a lesson. Because they are now in a position, of course numerically speaking, to pass anything, they can do it, despite everything we say. I remember in the previous Lok Sabha scenes taking place before which what happened yesterday just pales into insignificance. But that was a period when the ruling party did not enjoy this massive majority, so that it could bring motions of privilege and pass them according to their own sweet will. Therefore, it was not done. All those incidents which took place at that time are just passed over.

SHRI RAJ BAHADUR : Do you want to continue them ?

SHRI INDRAJIT GUPTA : No, but what do you want today ?

SHRI RAJ BAHADUR : With your cooperation, we want to end them.

SHRI INDRAJIT GUPTA : If you put this on the plane of indecorum or breach of parliamentary manners, I may be one with you, despite all that Mr. Bosu said about the provocation under which he was labouring. I do not dispute it. There are many things happening outside this House which constitute extreme provocation for many members and parties here. DMK is very much provoked by something happening in Tamilnadu, but no DMK member has as yet thrown something in this House as a measure of his anger. The Swatantra Party friends may be very much provoked by what has happened in Orissa, but they have not yet thrown something at anybody. I am not disputing the fact that Mr. Bosu was



agitated very much by certain happening in Bengal. That day also I pointed out or endeavoured to point out to the Speaker that you may differ violently with the opinions expressed by particular newspapers or periodicals, but I do not think that justifies anybody to go and burn those things in the street. If you want to fight that view, you must fight it politically. Otherwise, you take to the path of Hitler. If you do not like the views expressed in certain books and papers, you organise squads and demolish them physically. But I do not think it is a good practice. If it is begun by somebody against somebody else in one place, it may snowball and later on this may become a practice. I would like to ask Mr. Raj Bahadur whether he wants that to happen. He asked me some time back, "Do you want to continue them?" I want to ask him, does he want that people should go about burning books and papers because they differ from the views expressed therein? I understand that Mr. Bosu was certainly acting under provocation and was very much agitated about it. He has mentioned it in his letter also. As a result of that he did something here. I do not approve of it. I would not have it despite any provocation. Many other members have not done it though they have been provoked by many things happening outside. But that is a question of decorum. How does it become elevated to the status of a question of privilege of this House? I am not able to follow that. Just because some members took it into their head that it must be brought here in the form of a motion for referring it to the Committee of Privileges, are we to accept it? A very senior member of this House, Shri Hiren Mukerjee, who for years has been a member of the Committee of Privileges, has pointed out the difficult situation with which the Committee of Privileges will be confronted if this is the kind of thing which is resorted to. Because, with all the best intentions in the world, nobody here can guarantee that such things are not going to happen again in this House, not outside, and every time something is going to happen in this House it becomes a matter of privilege and it is referred to the Privileges Committee, then there will be no end to it.

It can be treated as bad manners, bad taste and something can be done about it in a different way. That is why I have

been suggesting that it would have been much more appropriate if we had some method, by discussion and consultation if you like, some kind of a code of conduct, some kind of attempt in that direction. We would all have co-operated with you. But just because the government have got a massive majority, they come forward with a motion that it must be sent to the Privileges Committee. It is the most dangerous system and we cannot agree to it.

I do not want to take up more time, but I would still appeal to the other side to withdraw the motion. If you wish to deal with such matters, there are many other ways, which we can discuss in a cooler atmosphere later. We should not be so defeatist that just because we could not find a solution once, so there is no other way of doing it and, therefore, let us send him to the court and get him hung. That is not the way of doing it... (Interruptions) I am prepared to make fifty appeals if you first agree to put it on that plane. We will find a remedy; I am sure of it. But if you put it on this plane...

SHRI K. MALLANNA (Madhuri) : In spite of all that has happened, he still says that he is going to do it in the House. That is why we are suggesting that it may be referred to the Privileges Committee.

SHRI INDRAJIT GUPTA : Whether he will do it again or not, I do not know; but he did not, say "I will do it". I do not wish to take more time of the House. I appeal to the other side once again that if you insist on this motion, we have got no other alternative except to oppose it because a dangerous procedure is sought to be introduced.

श्री राम सहाय पांडे : अध्यक्ष महोदय, मुझे सदन में आप की आज्ञा से केवल दो ही मिनट चाहिये। आज के पूर्व एक अवसर या जब तीसरी लोक सभा का उद्घाटन होने का मौका पर मुझे प्राप्त था। एक बार तत्कालीन अध्यक्ष जी ने कहा था कि उन के बच्चे यहाँ आय हुए थे और गैलरी में बैठ गए थे। घर लौटने के बाद उन्होंने सदन की कार्रवाई के सम्बन्ध में अपनी प्रतिष्ठा अध्यक्ष महोदय को बताई कि जब एम स्कूल में पढ़ने जान हैं और अत्या-

## [श्री रामसहाय पाण्डे]

एक चुप होने का आदेश देता है तब हम सब लोग तुरन्त चुप हो जाते हैं, लेकिन, प्रेंड पा यह कैसा सदन है कि आप से बार बार शांत शांत कहने पर भी कोई शांत नहीं होता है।

मैं आप के पूर्ववर्ती अध्यक्ष का उदाहरण इस लिये देना चाहता हूँ कि मौलिक प्रश्न सदन के सामने यह था कि सदन की गरिमा और प्रतिष्ठा तथा अध्यक्ष की गरिमा और प्रतिष्ठा की रक्षा की जानी चाहिये, और इस में किसी प्रकार का मतभेद नहीं हो सकता है। हम आप का आदर करना चाहते हैं, और विरोधी दल का होना गणतन्त्र में बहुत आवश्यक है, लेकिन यह स्थान गरिमा और प्रतिष्ठा का है। 56 करोड़ लोग यहां पर हम को देखते हैं, हमारे आचरण और व्यवहार को। जब माननीय सदस्य यहां पर बाहर की प्रतिक्रिया ले आ कर प्रदर्शन करते हैं तब क्या उन को यह एहसास नहीं होता कि अगर एक दिन वह यहां पर जले हुए अखबार अध्यक्ष पर फेंक सकते हैं तो दूसरे दिन आक्रोश में आ कर पत्थर भी फेंक सकते हैं? इस प्रकार एक प्रकार का हुड़दंग भी उपस्थित हो सकता है। जब हम इस सदन में प्रवेश करें तब हमें बाहर की प्रतिक्रिया के साथ सदन की गरिमा और प्रतिष्ठा का भी खयाल रखना चाहिये। इस लोकतंत्र की रक्षा की जितनी जिम्मेदारी हम पर है उतनी ही जिम्मेदारी विरोधी दलों पर भी है। हम उनका आदर करना चाहते हैं। यदि गरिमा और प्रतिष्ठा के नाम पर इतना सब कुछ कहने के बाद भी श्री ज्योतिर्मय बसु विवेक के साथ यह कहते कि यदि सदन को दुख है और अध्यक्ष महोदय को दुख है तो मैं इसके लिए क्षमाप्रार्थी हूँ तो यह अनुचित न होता। उनकी जगह पर अगर मैं होता और आप यह कहते तो मैं आप से पूछता कि हमारे आचरण में अगर कोई इस प्रकार की बात हुई है, अगर आक्रोश में या गुस्से में जब हमने अपनी प्रतिक्रिया व्यक्त की तो उससे आपकी और सदन

की प्रतिष्ठा के विरुद्ध कोई बात हुई है और आपने दुख अनुभव किया है, तो हम क्षमा चाहते हैं। ऐसा अगर श्री बसु ने किया होता तो इससे उनकी ही नहीं सारे सदन की प्रतिष्ठा ऊपर उठ जाती। उससे यह भावना पैदा होती कि हम जो कुछ करते हैं विवेक की तुला पर रख कर करते हैं और अगर हमारे आचरण से किसी को दुख पहुंचा है तो उसके लिए हम क्षमा मांगने के लिए भी तैयार हैं। अभी भी देर नहीं हुई है। हम विवश उनको नहीं करना चाहते। लेकिन यह सदन इस देश का सब से बड़ा सदन है, यह एक दर्पण है, एक जीवन है, एक आत्मा है। हम नहीं चाहते हैं कि श्री बसु या किसी भी विरोधी दल के सदस्य के साथ कोई भी इस तरह का व्यवहार किया जाए जिससे उनको दुख पहुंचे। इसी प्रकार उनको भी नहीं चाहिये कि वह कोई ऐसा व्यवहार करें कि सदन की प्रतिष्ठा, अध्यक्ष की प्रतिष्ठा के विरुद्ध कोई बात हो। मैं चाहता हूँ कि इस मामले में वह शालीनता बरते। श्री मुखर्जी की मैं बड़ी इज्जत करता हूँ। वह बड़ी सुन्दरता के साथ अपनी बात को कहने की क्षमता रखते हैं। श्री मिश्र से भी मैं कहना चाहते हूँ कि इसके पीछे मोटिवेशन नहीं होना चाहिये। जहां तक आगजनी की बात है, हिंसा की बात है, बंगाल इसको देख चुका है। जब श्री ज्योतिर्मय बसु का दल वहां शासन कर रहा था तब इसको वह देख चुका है, नरसंहार तांडव देख चुका है। सब कुछ हम समझते हैं। फिर भी हम चाहते हैं कि सदन की इच्छा का आदर होना चाहिये। आप की इच्छा का अध्यक्ष महोदय, आदर होना चाहिये। प्रत्येक सदस्य का कर्तव्य है कि वह अध्यक्ष का सम्मान करे और ऐसा व्यवहार न करे जो सदन की गरिमा और प्रतिष्ठा के विरुद्ध जाता हो।

SHRI DINESH SINGH (Pratapgarh): Mr. Speaker, Sir, no one would be happy about what happened in this House yesterday. I am quite sure that even the hon. Member, Shri Jyotirmoy Bosu, would not be happy about what happened yesterday. Nor can I say that one would look favourably at what

has been happening in this House since this morning after the Short Notice Question.

Now, we are dealing with a motion to refer the conduct of the hon. Member, Shri Jyotirmoy Bosu, to the Privileges Committee. I am not quite sure what would be the purpose of referring this to the Privileges Committee because the matter is going to come back again to this House after the Privileges Committee has examined it. Therefore, it is really a matter which this House has got to consider and decide.

You refer a matter to the Privileges Committee only when there is some dispute about the facts, only when people from outside have to be examined, only when the responsibility has to be fixed or the charges have to be assessed. Here what happened has happened in your full view and in the view of all of us. Therefore, I think, it is a matter to which the House must apply its mind and face the responsibility, because sending it to the Privileges Committee would only amount to shirking the responsibility now, while we shall have to face it again when the report of the Privileges Committee comes before us.

In the letter that the hon. Member has written to you which he read out just now, from his point of view, he says that he did not intend to do the two things that were mentioned in the Privilege motion.....

SHRI JYOTIRMOY BOSU: I did not do it.

SHRI DINESH SINGH: I am only saying what you said. It is part of the record.

Hon. Member, Shri Indrajit Gupta, has made a suggestion that, even at this late stage, it is a matter where we could sit down and discuss it. I cannot say that any of us would approve people throwing things in the House, people showing disrespect to the Chair. This House cannot function unless we all show absolute respect and obedience to the Chair. There is no question about it. And I am sure that even the hon. Member about whom we are discussing would not deny that it is the Speaker who must regulate the function of the House and all of us must show complete respect and obedience to the Speaker. If the hon. Member, Mr. Jyotirmoy Bosu, agrees to this, I am quite

sure that some suitable method could be worked out, and I would request you to direct that the leaders of the parties, specially those who have made similar suggestions, could speak with our Minister of Parliamentary Affairs, could speak with you and see if something could be settled instead of letting things go on and on; if it is to go to the Committee, it will go to the Committee, then it will come back to the House, and then all these debates will come up again, and I am not quite sure whether that will add to our better functioning.

अध्यक्ष महोदय : श्री जगन्नाथ राव जोशी ।

श्री जगन्नाथ राव जोशी : कल जो हुआ

SHRI JYOTIRMOY BOSU: I want to go out for two minutes...

MR. SPEAKER: I also want to go out.

SHRI G. VISWANATHAN: Let us adjourn for half an hour.

SHRI PILOO MODY: It will give the Minister and all of us some time for cool thinking, if you adjourn. (*Interruption*).

SOME HON. MEMBERS: Let us adjourn for some time.

MR. SPEAKER: As Mr. Dinesh Singh has made the suggestion, let some second thoughts come over it. Shri Jagannathrao Joshi also says that some time may be given....

श्री श्याम नन्दन मिश्र : कुछ खाना भी तो है हज़र ।

अध्यक्ष महोदय : भूखा रखा जाए तो अच्छा लड़ेंगे आप ।

SHRI S. M. BANERJEE: Let us adjourn for one hour, Sir.

MR. SPEAKER: I adjourn the House for one hour to re-assemble at 4.00 P.M.

14.59 Hrs.

*The Lok Sabha adjourned till Sixteen of the Clock*

*The Lok Sabha re-assembled at four minutes past Sixteen of the Clock*

[MR. SPEAKER in the Chair]

QUESTION OF PRIVILEGE—Contd.

**SHRI S. M. BANERJEE:** May I suggest that the discussion on this question of privilege be adjourned under Rule 340 and let us confine ourselves to more important business like the Supplementary Grants because that is more important?

**SHRI RAJ BAHADUR:** We have been discussing this matter and all the friends in the Opposition were there in my room and we have requested Shri Jyotirmoy Bosu to make some appropriate statement.

**SHRI JYOTIRMOY BOSU:** I am an obedient member of the House. You are not calling me.

**MR. SPEAKER:** Somebody must get up.

**SHRI JYOTIRMOY BOSU:** In that case, I take the liberty of doing so, as usual...

**SHRI JAGANNATHRAO JOSHI:** I was on my legs, Sir, when we adjourned.

**SHRI JYOTIRMOY BOSU:** We more or less act as a united team on this issue; if he is already on his legs, let him make a submission.

**SHRI SHYAMNANDAN MISHRA:** I would like to make my submission in a few minutes, Sir, so that this matter may be ended very smoothly. We do not want to go into this matter any further. It was a very unpleasant thing that happened yesterday: there has been an all-round realisation. The question was about the technical nature and so on, but even then, now we have come to a stage where even that discussion is not fruitful at all. There was the letter which Shri Jyotirmoy Bosu wrote to you which we had an opportunity to consider a little more fully when we met during this recess. We came to the conclusion that Shri Bosu had no intention of injuring the dignity of the House or showing any disrespect to the Chair; we got this confirmed when we talked to Shri Bosu also. Therefore, my humble suggestion to you would be that

you should accept it as a general opinion of the House that we do not approve of any act which would injure the dignity of the House. Every person from this side of the House is unanimous in the view that nothing should be done to injure the dignity of the House or of the Chair.

**SHRI DINESH SINGH:** And this side also.

**SHRI SHYAMNANDAN MISHRA:** Further assurance. We would like to have this further assurance also. We, on this side of the House, are always zealous to ensure that the authority and the dignity of the House and of the Chair are safeguarded; we have got it confirmed that is also the intention of our Marxist Member Shri Jyotirmoy Bosu. This is the impression we got from his letter and also the talks that we had.

**श्री जगन्नाथ राव जोशी :** अध्यक्ष महोदय मैं निवेदन करना चाहता हूँ कि सदन की मर्यादा सब की मर्यादा है। जितनी सम्भरता से हम यहां की सब कार्यवाहियां चलायेंगे, उतना ही हमारे लिए और देश के लिए अच्छा है। कोई यह नहीं समझता कि है ऐसी बातें कोई अपनी भलाई या देश की भलाई के लिए होती हैं।

लेकिन मैं एक ही प्रार्थना करना चाहता हूँ कि प्रजातंत्र या लोकतंत्र में विरोधी दलों की भी बड़ा महत्वपूर्ण स्थान रहता है। जैसे हमारी दो आंखें होती हैं, लेकिन दीखता केवल एक है, उसी तरह चाहे हम उधर बैठे हों और चाहे इधर, दोनों एक ही बात देखते हैं और वह देश का भला। यह ठीक है कि विरोधी दलों की ताकत कम है।

It may be reduced in quantity but that does not mean it is reduced in quality.

जब भावना तीव्र होती है, जब उन्मेजना होती है, उस समय ऐसी बातें हो जाती हैं। मर्यादा सब कार्य रखना चाहते हैं, लेकिन कभी कभी ऐसा हो जाता है।

Imperfection is the basis of life. कोई पूर्ण नहीं है। पूर्ण करने की कोशिश होनी चाहिए, वह बहुत आवश्यक है। ऐसी बातें केवल यहां ही नहीं होती हैं। जैसा कि मेरे मित्र ने बताया है, इंग्लैंड की पार्लियामेंट में क्या हो रहा है? यू० एन० ओ० में भी एक बड़े नेता ने अपने पांव का जूता उठाया था। कोई भी इस को अच्छा नहीं समझेगा। लेकिन इस के पीछे एक भावना होती है— उस भावना को प्रकट किया जाता है अगर सनारूढ़ दल इस बात को समझे कि विरोधी दलों का भी काम होता है, अगर इस बात को मान्यता मिले, तो आगे चल कर ऐसी घटनायें नहीं होंगी।

मुझे भी लगता है कि श्री ज्योतिर्मय बसु मेरे इस विचार से सहमत हैं।

श्री एस० एम० बनर्जी : अध्यक्ष महोदय इस वृहत्त में मेरे मुँह से एक बात निकल गई थी कि अगर प्रिविलिजिज कमेटी आप के रूलिंग के खिलाफ फैसला लेती है, तो हों सकना है कि आप के सामने अपने पद से इस्तीफा देने के अलावा और कोई चारा न रहे। मैं विश्वास दिलाना चाहता हूँ कि मेरे मत में ऐसी कोई बाह्य नहीं है। मैं तो यह चाहता हूँ कि आप स्पीकर बने रहें और हम मेम्बर बने रहें।

SHRI G. VISWANATHAN: I fully agree with what Shri Shyamnandan Mishra has said that all of us are here to see that decency and decorum is maintained in this House, and it should be the duty of the Government party also to maintain the same. Sometimes, under emotions and pressures, we go out of the way, but that should not be taken as a disrespect to the House or to the Chair. We cannot run this House merely by regulations and rules. We had many incidents in the past which I do not want to dilate upon.

With the massive mandate sitting on the other side and with the reduced Opposition on this side of the House, we expect that magnanimity should go with massive mandate, and they should not give an impression that they are browbeating the Opposition and that they are

after the blood of Shri Jyotirmoy Bosu because he is exposing the Government day in and day out. I do not want that impression to go round the country. So, we on this side of the House are fully in agreement with the views expressed by Shri Shyamnandan Mishra and others, and we would expect the same co-operation from the other side also.

SHRI PILOO MODY rose—

MR. SPEAKER: What does he want to say?

SHRI PILOO MODY: Nothing but the most parliamentary stuff. Mr. Speaker, Sir, I think that from this particular incident there is a great deal that all of us have to learn, and one of the main things that we have all realised, and which I think we should have realised many years ago, is that the Speaker of the Lok Sabha is our principal safeguard, and it is because of the authority vested in the Speaker of the Lok Sabha that this House can function, and particularly the Opposition can function. Now, in a context such as we have reached in this country, where we have a massive majority of people in one party constituting almost two-thirds or more of the House, and God knows, how many on this side of the House, it has become all the more necessary to remember that the only vestige of parliamentary democracy that can survive is through the authority of the Chair, and it is with this understanding and appreciation that we have tried in our way, we may be failing on occasions, to show the utmost respect to the Chair on all occasions. Occasionally, we say something that may hurt individually, but it is not our intention. Our intention is that Parliament should function as the Parliament of this country and that the Speaker should preside over its destiny in a manner which would not only do credit to our country as a democracy, but will further the cause of democracy in this country.

SHRI S. A. SHAMIM: The gravest of all offences listed in the Indian Penal Code is in section 302, and it is murder...

AN HON. MEMBER: He is not in a court.

SHRI S. A. SHAMIM: I am in the highest court, by the way, not in Pathankot.

[Shri S. A. Shamim]

That section defines murder and a few exceptions are provided. Under those exceptions, a murder is culpable homicide not amounting to murder, and one of the exceptions is that it has been committed under sudden and grave provocation. Shri Jyotirmoy Bosu when he was explaining his case gave a long list of provocations which he was subjected to, provocations outside the House, hundreds of miles away in Calcutta, and provocations in the House. So, that is one extenuating circumstance why Shri Jyotirmoy Bosu should not be hanged or should not be punished for an act which can at best be disapproved but which does not fall within the purview of breach of privilege. Therefore, as other friends have pointed out, some acts of indiscretion take place, when the mind is agitated. When you allow a member to speak and the massive mandate does not allow that member to speak, that is a most innocent way of expressing himself. There are people who beat their chests; there are people who are in a majority and shout. The hon. Member in the heat of the moment has not hurt anybody. Instances have been quoted where members have slapped other hon. members. He does not hurt anybody; only throws a few pieces of paper, and that too under sudden and grave provocation. I think that is sufficient ground for taking no notice. I am glad that the ruling party after the lunch recess has realised what it should have realised much before (*Interruptions*).

SOME HON. MEMBERS: No. no.

PROF. MADHU DANDAVATE: Mr. Speaker, on this occasion, if I say a few things, I say it more with a feeling of anguish and sorrow than with a feeling of anger. I may recall that in my very first speech in this Parliament while you were elected as the Speaker of the House, I had said that a sense of accommodation by the Treasury Benches, a sense of responsibility by the Opposition Benches is always a function of the balance in the House, and when this balance is disturbed, sometimes the sense of accommodation is destroyed on the side of the Treasury Benches and probably the sense of responsibility also is destroyed on the side of the Opposition.

Therefore, the balance has to be restored. You, as the custodian of this House should see that this accommoda-

tion balance is restored by an intelligent handling of the situation, as you are capable of. It should be possible for you to maintain the balance in this House.

I must point out that anyone sitting in the Galleries, particularly the youngsters, if they watch the proceedings of this House, will not go away with an inspiration from the proceedings of this Parliament. Therefore, all of us have to learn lessons.

I may again remind you that yesterday when the debate was going on, there were certain decisions taken. You gave certain rulings. You said that the adjournment motion could not be admitted for certain reasons, and Shri Jyotirmoy Bosu might make a statement for two minutes, and the telegram might also be read. The statement was made. Other sections of the House were disturbed. Again a big hubbub took place in the House. In the heat, a number of things took place over here. I feel that Shri Jyotirmoy Bosu was trying to reflect the feelings of his comrades and friends outside. He was very much agitated by certain events. Certain newspapers were being destroyed and burnt to ashes. He then said that freedom of the press was being destroyed. He was very much agitated. Very often agitation outside gets reflected in the agitation inside. When he was agitated... (*Interruptions*)—let them please hear me though they may not agree with me. He actually threw a bundle of papers on the floor of the House. Probably, if I were to feel similarly agitated, I do not know what I would have done, I do not know whether I would also have thrown the papers. But I must say that under the circumstances, if I were impelled to throw papers, because I could not function in this Parliament, without throwing papers on the floor, I would have resigned my membership and gone out to function at the extra-parliamentary level.

Of course, this is a matter of temperament. But all said and done, it should be considered that he acted under heavy provocation. Even when a man is accused of murder in a court of law, actually his motivation is taken into account. Here, for instance, he has made a statement. In that he has very categorically stated 'I have not at all insulted the Speaker; I had no desire to do so'. If everyone of us wants a pound

of flesh from Shri Jyotirmoy Bosu, we can ask for it, but I think in a sense of accommodation, we should not ask for it. I think we should talk out the issue. We have said enough on it from the Treasury Benches as well as from the Opposition. I make one constructive suggestion. In order that such episodes should not happen in the future, I suggest that you convene a meeting of all the leaders of the groups including the Treasury Benches and the Opposition and let us try to evolve a code of conduct in the future and also some methodology by which the resentment and agitated minds of the Opposition will all be adequately reflected on the floor of the House, and, at the same time, the Treasury Benches will not be forced to bring forward such a motion.

I do not want to say anything about Mr. Stephen. Just as Mr. Jyotirmoy Bosu was agitated, similarly Mr. Stephen was also agitated, and this was really a conflict between two agitators. Let us end all this conflict and let us call a halt to this. We have talked enough over the matter. I only suggest you convene ultimately a meeting of all the leaders of the Opposition, including the Treasury Benches, and try to evolve some procedure.

**SHRI JYOTIRMOY BOSU:** Sir, Prof. Dandavate has spoken. I have heard him with rapt attention. He has spoken for us also—a part of it—and in keeping with the wishes of hon. Members, especially the Members of the Opposition, I wish to reiterate what I had stated categorically in my letter. As I have stated in my letter to your good self, I had not the slightest intention of showing disregard to the Chair or the House. I had no intention of showing disrespect either to the Chair or to the House.

One more submission I wish to make, with due respect and with due regard to you, if you allow me. I only wish you give us protection that there is no misquoting in the press with regard to what I have stated.

**SHRI SHYAMNANDAN MISHRA:** This will conclude the matter.

**MR. SPEAKER:** Mr. Stephen, are you withdrawing your motion?

**SHRI C. M. STEPHEN:** One sentence.

**MR. SPEAKER:** Are you withdrawing it or not?

**SHRI C. M. STEPHEN:** One sentence. Mr. Speaker, Sir, all is well that ends well. Let me say a few words by way of explanation as to how this came up. As I said, all is well that ends well. Now that this matter is coming to a close, I feel happy that this matter came up for discussion, because, the three or four hours that were spent, according to me, were spent more fruitfully than was spent on any other day, especially because there has been a feeling that the dignity of the House and the authority of the House were being marred by this incident. Both on this side of the House and in the minds of quite a number of Members on the other side also, there was a feeling that the dignity of the House was being marred, and so this matter had to be brought up. That was the reason why I sought to raise this question.

Vindictiveness was far from our minds. Nothing is more painful for us than to have to raise an issue against a colleague and a valued friend, and a very active parliamentarian, if I may say so. Nothing is more painful than that. The purpose was to raise this question, to have a discussion on that, and the purpose has been served. Therefore, I am extremely happy that the matter is ending.

There has been acknowledgment on all sides that the dignity of the House has got to be maintained and the authority of the House has to be maintained, because, the privilege of each Member depends on the authority of this whole House. If this House does not have its own authority and its authority does not remain unmarred, no privilege of any Member can ever be maintained by any rule or any procedure. That principle has been accepted now that all of us are feeling in the same way.

I have great pleasure in submitting that I seek your leave to withdraw the motion that I have moved.

**MR. SPEAKER:** Mr. Mallanna, do you also agree?

**SHRI K. MALLANNA:** I do not know what has transpired between Mr. Jyotirmoy Bosu and Mr. Stephen. (*Interruption*).

**MR. SPEAKER:** He has withdrawn it on your behalf also.

**SHRI RAJ BAHADUR:** Sir, I am grateful to my hon. friends in the Opposition for bringing about a happy and satisfactory end to a matter which had agitated our minds. I may assure the hon. Members that it was no pleasure for us to have been compelled to table this privilege motion. Something happened which should not have happened. I will not go into the rights or wrongs of it. I think that four hours or so that had been spent on this debate had not been spent without a purpose, without some fruitfulness. We all again assure you or our sense or loyalty to the Chair our willing co-operation and obedience to what you say and on behalf of my party I can say that we are entirely at your disposal so far as your functioning is concerned.

Some points had been made; I do not want to reply to them; they are about accommodation, about the right to speak and about the functioning of the Opposition... (*Interruptions*). About Mr. Banerjee's allegation just now I do not know whether servant's quarters are being rented out; I thought that they were being used for genuine, legitimate purposes.

We have tried our best never to be wanting in that cooperation. It fell from your lips yesterday. Sir, that we on this side have also some pent up feelings, for a number of days, for quite a few months. That was exhibited in the stand that Members of our party took yesterday. So far as our assurance to the Members of the Opposition is concerned, we shall certainly extend all our co-operation to you in making democracy function in a manner of which our country could be proud and the entire world might see. We are all devoted to democracy and this House is a temple of democracy, we are all devoted to this House. We are trustees for our present generation as well as for posterity and for the democratic ideals and spirit. But I would say that this is mutual. We would certainly expect the leaders, Members of the Opposition would respect our feelings. We have got a massive majority. I should say that the massive majority is there to express the massive will and the massive views and the massive opinion of the people and that it should be respected.

It reminds me of what Mr. Piloo Mody said once, referring to me; he referred to me as a cipher. I very

much value that remark and I think unwittingly he and my friend Mr. Mukerjee gave me a compliment. In mathematical terms zero i.e., cipher represents anything from one to infinity; in metaphysical terms it represents the universe and in physical terms, if I may say so it represents my friend Mr. Piloo Mody.

**MR. SPEAKER:** Has Mr. Stephen leave of the House to withdraw his privilege motion?

*The motion was, by leave, withdrawn.*

**MR. SPEAKER:** I thank you all. During the discussion some very harsh words were uttered and all the time I knew that they were not to hurt anybody but that they were under excitement and in anger and all that. I take it in that spirit. As the Mover said the Speaker's job was getting really very difficult. In this difficult task you may combine against the Ministry, not involve the Speaker in it. When you always suspect that there must be something black in it, something bad about it, I really feel pained. I honestly tell you that we study the motions, we see the precedents and rulings and then I come forward. When I see Mr. Mishra frowning at me, I feel a little pained. Please do not do like that. Professor Mukerjee, we are all friends. I know you cannot frown; we know each other for the last fifteen years. I never see those frowns except when a privilege motion or something else comes. I do not know from what place they come and whether they are artificial or genuine.

**SHRI SHYAMNANDAN MISHRA:** Everybody calls me a smiling person.

**MR. SPEAKER:** I take you as a smiling person, not a smiling lady.

**SHRI SHYAMNANDAN MISHRA:** A lady considers me more.

**MR. SPEAKER:** So far as this massive mandate or otherwise is concerned, that is not the Speaker's fault that they have come. Now it should be your effort to make up. There is enough time. I think people have got enough time to study. In this House, we go by reasons and full-fledged debates, which will never be denied so far as they are written in the rules. If I go out of the rules, you catch me. If I do not go out of the rules, you say, I am rigid. It is very difficult to keep a middle line. The axiom I frame is, more



massive the majority, more aggressive the minority. In that case, you may be aggressive in your arguments, in refuting their actions or whatever may be coming in the House in the form of debates or any other motion. But when you speak under some provocation or intolerance or sometimes excitement, I am not able to catch your speeches. You are not able to listen to each other and Reporters are not able to record the proceedings. My humble advice not only to you but to both sides is that situations should be avoided. I hope you will kindly accept my advice. Thank you very much, Mr. Jyotirmoy Bosu, for at least showing grace on this occasion. After all, in the very beginning I said, I do not doubt your provocation. . .

**SHRI R. S. PANDEY:** Basically he is a good man.

**MR. SPEAKER:** Basically all of us are very good people, but we cannot admire our own selves all the time. People are keeping an eye on us. Don't think what we talk or do is confined to the four walls of this chamber. It goes out through the press and other media of communication.

One thing I must say. Whatsoever be the provocation, kindly try to keep it within yourself and don't throw these things. If I do not take notice of it, it is bad. If I take notice of it, then too it is bad. What we tolerate one day becomes a precedent. So, we have to take notice. I thank you very much. We pass on to the next item.

16.35 hrs.

**RE: DEMONSTRATION BY MEMBER OF PARLIAMENT**

**MR. SPEAKER:** Sarvashri Jyotirmoy Bosu—he is everywhere—S. M. Banerjee and Madhu Dandavate have written to me about the demonstration resorted to by Shri Shiv Shanker Prasad Yadav, a Member of this House. Shri Jyotirmoy Bosu, in his letter, he requested me to make my observations in that regard.

The facts of the case are that yesterday Shri Shiv Shanker Prasad Yadav wrote to me saying that since the Central Government as well as the State Government of Bihar have failed to take

any effective steps regarding the drought situation and near famine conditions prevailing in Bihar, he would go on hunger strike in Parliament House for 48 hours with effect from 3 p.m. yesterday.

He was informed in writing that it was not permissible for anyone to resort to hunger strike or dharna or any demonstration in the precincts of the Parliament House and Parliament House Estate. After the House rose for the day at 7 p.m., Shri Yadav continued sitting in the Inner Lobby. A little later, Shri Raj Bahadur, Minister of Parliamentary Affairs, persuaded him to go to his office room in Parliament House. They had some discussions and later the Member went outside the Parliament House building and squatted outside Gate No. 1 of the Parliament building. Someone brought his bedding and he slept there at the Gate. At 10.15 p.m. he was requested by the Watch and Ward Officer to leave the Parliament House Estate since any demonstration or dharna in the Parliament House Estate was not permissible. He refused to go. Therefore, under my orders, he was removed from the Parliament House Estate by the Watch and Ward Assistants.

This morning at 8.30, he again came there with his bedding and squatted there. He was requested to take away his bedding from there. He refused. So, his bedding was taken out and kept in the Watch and Ward Office. He continued squatting there till about 11 a.m. and then came into the House.

**SHRI S. M. BANERJEE (Kanpur):** Sir, you may not agree with the procedure. . .

**MR. SPEAKER:** There is not going to be any discussion on this.

**SHRI JYOTIRMOY BOSU:** May I make a submission ?

**MR. SPEAKER:** Then I will have to allow others also.

**SHRI JYOTIRMOY BOSU:** The starvation deaths and famine conditions and the failure of the government to tackle them in Bihar and many other parts of the country is a very serious matter. When an hon. Member of this House is fasting in front of the House,