

allotted to Orissa Circle for construction of quarters at the following stations in 1971-72 :

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|-------------|--------------|
| Bhubaneswar | Rs. 3,02,000 |
| Puri | Rs. 55,000 |
| Jatni | Rs. 50,000 |

and Rs. 1,36,000 was allotted for the same in 1972-73. No funds were allotted to Balugan, Khurda and other areas in the Puri Postal Division.

A. I. R. Engineers Memo

600. SHRI PHOOL CHAND VERMA : Will the Minister of INFORMATION AND BROADCASTING be pleased to state :

(a) whether more than 70 Engineers of A. I. R. through a memorandum, have demanded immediate revision in the rules of direct recruitment so that their promotion may not be affected; and

(b) if so, the broad outlines of the action taken by Government in this regard ?

THE MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI I. K. GUJRAL) : (a) Representations have been received in this connection.

(b) It has since been decided, after consultation with the U.P.S.C., to reduce the direct recruitment quota to the grades of Assistant Station Engineer and Assistant Engineer in A.I.R. from 70% and 80% to 60% and 40% respectively.

12.06 hrs.

RE : EXPUNCTIONS FROM PROCEEDINGS

SHRI JYOTIRMOY BOSU (Diamond Harbour) : It is very clear and specific under which circumstances you can expunge things, Mr. Speaker. The rule is very clear.

MR. SPEAKER : If there is anything said which is defamatory, I can do it. I think it was defamatory. You can't give certain name of a lady without any proof. I think it is not fair.

श्री अटल बिहारी वाजपेयी (बंगालियर) : लेडी का नाम तो ठीक है। लेकिन कक्षवाय साहब जब सवाल पूछ रहे थे तब आपने कह दिया कि लिखा नहीं जायगा। अध्यक्ष महोदय

यह कहें कि हम इजाजत नहीं देते हैं यह तो अलग बात है...

MR. SPEAKER : If somebody speaks without my permission, if I say it is not relevant, if he still goes on, that will not form part of the record.

SHRI JYOTIRMOY BOSU : I seek your protection.

श्री अटल बिहारी वाजपेयी : जहाँ से आपने रोका वहीं मे निहाला जायगा या सब निकाला जायगा ?

अध्यक्ष महोदय : जहाँ से मैंने रोका।

SHRI JYOTIRMOY BOSU : The rule is very clear. You are obliged to hear me. It says :

'If the Speaker is of opinion that words have been used in debate which are defamatory or indecent or unparliamentary or undignified, he may, in his discretion, order that such words be expunged.

What was defamatory in what Mr. Kachwai said ? Don't misuse that power.

MR. SPEAKER : In the case of car, it related to the Supreme Court. Mr. Kachwai went beyond the Supreme Court judgment, beyond the fixing of prices. That was another matter. That was not relevant.

SHRI INDRAJIT GUPTA (Alipore) : Irrelevancy in the procedure can be declared so by you. You can rule it out as being irrelevant. But the rule governing expunction does not say anything about irrelevancy. You can rule out something as being irrelevant.

SHRI JYOTIRMOY BOSU : Let us set our ideas right. Here is this outstanding rule book ; here is this particular rule on the statute book. Irrelevant speeches cannot be expunged by you . . .

MR. SPEAKER : Why not ?

SHRI ATAL BIHARI VAJPAJEE : From the other side quite a lot of irrelevant things were spoken on the Simla Pact which were not expunged by you.

अध्यक्ष महोदय : शिमला पैक्ट को अभी तक आप भूले नहीं हैं ?

SHRI JYOTIRMOY BOSU : That was

[Shri Jyotirmoy Bosu]

not irrelevant because it came from a congress member.

MR. SPEAKER : If hon. Members suddenly bring in the name of a certain lady, how is that to be permitted here? They could have just said 'a lady'.

SHRI S. A. SHAMIM (Srinagar) : I would like to know whether there is not any difference between irrelevancy and a thing which is unparliamentary.

SHRI SHYAMNANDAN MISHRA (Begusarai) : The power of expunction must be used only in the last resort. You have to conform to certain rules that have been laid down. Kindly see the rules. If the power of expunction is going to be used for enforcing your order in any context, I think that that is not a proper use of the power of expunction. We can point out instances of irrelevancy here; here was the hon'ble Member, Shri Shashi Bhushan, who made a whole speech about Coca-Cola and all that, and nothing has been taken out . . .

MR. SPEAKER : What was wrong about it?

SHRI SHYAMNANDAN MISHRA : It discriminates between Member and Member. In regard to the attack on the Jan Sangh office, Shri Shashi Bhushan made a whole statement on it, but you were not pleased to expunge it. After all, the power of expunction cannot be used in the manner that you have been pleased to use it.

SHRI JYOTIRMOY BOSU : I move that what Shri Hukam Chand Kachwai has said be put on record. I move on the floor of the House that what has been expunged be put on record. You are acting outside your jurisdiction.

MR. SPEAKER : It is the Speaker's discretion.

SHRI JYOTIRMOY BOSU : You are exceeding your authority.

DR. KAILAS (Bombay South) : You did not allow Shri Hukam Chand Kachwai to speak, and yet he went on speaking in spite of your order and hence you had to say that nothing will go on record.

MR. SPEAKER : Shri Jyotirmoy Bosu cannot move anything here. It is the Speaker's decision. When I stop a Member but he

persists in speaking, I have to say that his observations will not go on record, because he is defying the Chair. That was why I did not allow it to go on record. (*Interruptions*)

SHRI JYOTIRMOY BOSU : But you cannot expunge it . . .

MR. SPEAKER : If this is going to be the attitude of Members, it is really very difficult for me to pull on.

SHRI S. A. SHAMIM : What is not coming on record is different from what has come on record and what is then expunged.

MR. SPEAKER : I were to permit it, then it would mean that any Member can mention any person's name and mention any bad thing about any person. After all, those persons also have their own rights.

SHRI ATAL BIHARI VAJPAYEE : You have the authority to disallow any question, but you had allowed a particular supplementary question. . . .

MR. SPEAKER : Why does he go on persisting after I have disallowed the question?

SHRI ATAL BIHARI VAJPAYEE : May I make a submission? You had allowed a supplementary question, and that was replied to by the hon. Minister.

MR. SPEAKER : Whatever question has been allowed and whatever answer has been given will stand on the record.

SHRI ATAL BIHARI VAJPAYEE : I can understand your disallowing a question, but you cannot say that nothing will be taken down. That is not the way in which the Chair can function.

DR. KAILAS : The Speaker had refused permission to him, and he did not allow him to speak.

MR. SPEAKER : When I have disallowed it will not be on record. . . .

SHRI SHYAMNANDAN MISHRA : If the power of expunction is going to be used in this manner. . . .

SHRI JYOTIRMOY BOSU : I want this to go on record that if you decide finally to expunge what Shri Hukam Chand Kachwai has said in the context of rule 380, you are exceeding your jurisdiction and acting without authority.

DR. KAILAS : That rule cannot be quoted here, because the Speaker had disallowed him and he persisted in speaking which cannot go on record.

SHRI JYOTIRMOY BOSU : You can expunge what I have said also, if you like.

SHRI S. A. SHAMIM : May I make a submission? When you order that nothing will be on record, that means that nothing is on the record, but expunging means something which has gone on record is being ordered to be expunged. Here is the difference. If you say that in this case nothing will be recorded, we have no objection to that, but something having been recorded and then being ordered to be expunged is a different matter.

MR. SPEAKER : So long as I had not stopped him, before that, everything will be on record. But if he goes on defying, and if I say that he should sit down and I do not allow him, then if he goes on after that, then I say that it should not go on record.

SHRI JYOTIRMOY BOSU : You cannot have a dictatorial rule under the Speaker's powers.

SHRI PILOO MODY (Godhra) : I have a submission to make. On this business of expunging, as you know, in the past also, I have always been against it. I do not think that these powers of expunction should be used so arbitrarily.

MR. SPEAKER : I agree to that.

SHRI PILOO MODY : The only things that can be expunged from the records are things that are unparliamentary, not necessarily things that you may consider as irrelevant. Now, in the present circumstances, I do not know what has happened, because I came in late. I know that this Parliament always considers anybody speaking the truth as being very funny. But the fact of the matter is that I do not know what the discussion is going on about. However, I have felt very strongly about this particular subject, and I have raised it several times with you. From what I understand, from what you have just said, I think it was irrelevant and that was why you had it expunged from the record.

MR. SPEAKER : No, no.

SHRI PILOO MODY : At any rate, that is what my side says, (*Interruptions*). Their side is irrelevant most of the time (*Interrup-*

tions). Therefore, I suggest that you order the Reporters to reintroduce those remarks on to the record.

SHRI CHINTAMANI PANIGRAHI (Bhubaneswar) : On a point of order.

MR. SPEAKER : The position is very clear.

SHRI CHINTAMANI PANIGRAHI : Shri Piloo Mody said something to the effect that anybody who speaks in this House appears funny.

SHRI PILOO MODY : I do not think Shri Panigrahi has yet realised that it was a direct aspersion on him.

MR. SPEAKER : When a member asks a question and I allow it, it is answered and that will go on record. But when he puts another question and I tell him it is irrelevant, he should stop, because it is not relevant. But if he goes on defying the rules—there is a definite rule on this—he may order him to discontinue, and after that whatever he is not permitted to speak, whatever he speaks after that will not form part of the record. This is the procedure we have been following in this House since many years.

SHRI SHYAMNANDAN MISHRA : Which is the rule?

MR. SPEAKER : "The Speaker, after having called the attention of the House to the conduct of a member who persists in irrelevance or in tedious repetition either of his own arguments or of the arguments used by other members in debate, may direct him to discontinue his speech".

After that direction, if he speaks, nothing goes on record.

SHRI PILOO MODY : We want the rule.

MR. SPEAKER : This is the rule.

SHRI PILOO MODY : There is nothing in the rule which says that nothing will go on record.

MR. SPEAKER : After I ask the member to discontinue, if he goes on, it will not form part of the record.

SHRI PILOO MODY : That is not what the book says, nor what the rule says. This is just one interpretation of the rule.

MR. SPEAKER: Do you think that after the Speaker says that he should discontinue, if he continues, what he says should go on record?

SHRI PILOO MODY: You can ask the member to leave. You have all the powers. You can shut down Parliament. You can reopen Parliament. You can stop people. But I do not think you should tamper with the record.

SHRI JYOTIRMOY BOSU: I refer to rule 35b.

MR. SPEAKER: What are you doing? These are the accepted rules.

SHRI JYOTIRMOY BOSU: Where are your powers?

"The Speaker, after having called the attention of the House to the conduct of a member who persists in irrelevance or in tedious repetition either of his own arguments or of the arguments used by other members in debate, may direct him to discontinue his speech".

Where is your power to expunge what he has already said?

MR. SPEAKER: If any member who is not called or who is asked to discontinue, goes on speaking, it does not go on record.

SHRI SHYAMNANDAN MISHRA: Where is it mentioned?

MR. SPEAKER: Seeing how they behave sometimes, if I say that he should discontinue and still he goes on saying what he likes, there is no power in the hands of the Chair?

Now Call attention motion.

SHRI SHYAMNANDAN MISHRA: *rose*—

MR. SPEAKER: I am sorry. I expected a much better understanding from him.

SHRI SHYAMNANDAN MISHRA: My submission is this. Your power to ask a member to discontinue is not synonymous with your power to expunge the proceedings.

MR. SPEAKER: Only the observation of the member who speaks with my permission will go on record. A member should speak with the permission of the Speaker. I tell you this finally.

SHRI PILOO MODY: I am now seeking your permission.

MR. SPEAKER: You are holding the House to ransom.

SHRI HARI KISHORE SINGH (Pupri): I fully appreciate the concern of Mr. Jyotir-moy Bosu and Mr. Kachwai.

MR. SPEAKER: You have no permission to speak. (*Interruption*) I am sorry I do not allow anybody. I am moving on to the next item.

श्री हुकम चन्द कछवाय (मुरेना) : अध्यक्ष महोदय, आपने मुझे अनुमति दी थी। आप ही की अनुमति से मैंने सवाल पूछा था। मन्त्री महोदय ने जो जवाब दिया उस पर मैंने सवाल पूछा था। अभी मन्त्री जी ने कहा कि छोटी तर बनाने का इरादा हमने कैमिल कर दिया है। तो फिर प्रधान मन्त्री के पुत्र को जो नाटकेम दिया गया, जिसके लिये 300 एकड़ भूमि गुड़गाव में खरीदी है

अध्यक्ष महोदय : आप बैठ जाइये। मैंने आपको इजाजत नहीं दी है।

12.22 hrs.

CALLING ATTENTION TO MATTER OF URGENT PUBLIC IMPORTANCE

REPORTED BURNING ALIVE OF TEN HARIJANS IN MACHHARIYA VILLAGE OF MORADABAD DISTRICT IN U. P.

SHRI HARI SINGH (Khurja) : I call the attention of the Minister of Home Affairs to the following matter of urgent public importance and request that he may make a statement thereon :

'Reported recent incident of burning alive of ten Harijan women and children in Machhariya village of Moradabad District in U. P.'

SHRI NAWAL KISHORE SHARMA (Dausa) : Sir, before the Minister makes his statement, may I submit that the statement is not complete. The Government says that they are collecting the information. My submission is that the statement may be deferred to a future date.