

12.04 hrs.

**RE: CERTAIN ALLEGATIONS MADE  
BY SHRI JYOTIRMOY BOSU ON  
DECEMBER 11, 1972**

**SHRI S. A. KADER (Bombay-Central-South):** Yesterday, Shri Jyotirmoy Bosu was making wild allegations against a highest officer. A point of order was raised by hon. Shri Raj Bahadur.

**SHRI JYOTIRMOY BOSU:** (Diamond Harbour): What is going on, Sir? Why should my name be mentioned, Sir.

**MR. SPEAKER:** The Chairman has informed me. (Interruption). I have allowed him.

**SHRI S. A. KADER:** The Chairman at that time assured us in the House that he will consult the Speaker and also the rules whether what he said should be expunged or not. Shri Jyotirmoy Bosu had made certain specific charges to which the hon. Minister of Foreign Trade replied by saying that he had received a letter.

**MR. SPEAKER:** Why is he going so much into details? I know this.

**SHRI G. VISWANATHAN (Wandiwash):** What does he want?

**SHRI JYOTIRMOY BOSU:** What does he want? They are collecting money right and left. I said that.

**MR. SPEAKER:** Let him not do that. After all, I am going to make the position clear.

Yesterday, certain allegations were made against certain individuals, and Shri Jyotirmoy Bosu said that he had given advance intimation to the Speaker, and then the Chairman said that the hon. Member had not mentioned the points on which he wanted to make those references.....

**SHRI JYOTIRMOY BOSU:** That is not required.

**MR. SPEAKER:** I can only quote from the rules. Rule 533 reads thus:

"No allegation of a defamatory or incriminatory nature shall be

made by a member against any person unless the member has given previous intimation to the Speaker and also to the Minister concerned so that the Minister may be able to make an investigation into the matter for the purpose of a reply."

Then, there is a proviso. I think I should read that also, though it is not needed at this time. The proviso says:

'Provided that the Speaker may at any time prohibit any member from making any such allegation if he is of opinion that such allegation is derogatory to the dignity of the House or that no public interest is served by making such allegation.'

So, when allegations are to be made against certain individuals by name it is very essential that the Member should give the allegation in writing..

**SHRI JYOTIRMOY BOSU:** No. only the names are enough.

**MR. SPEAKER:** No, not at all. The rule is very clear. It is necessary so that the Minister may make an investigation into it.

**SHRI SHYAMNANDAN MISHRA (Begusarai):** He will make an investigation about himself?

**MR. SPEAKER:** The rule is very clear. If the allegation is against a Minister, the Minister should know. There are other rules also in this regard. The Minister should know on what matters he is expected to reply.

**SHRI PILOO MODY (Godhra):** I would like to put all of them on permanent notice, and I want to make allegations against all of them.

**SHRI N. K. P. SALVE (Bepil):** A very important question arises as a result of your ruling....

**SHRI JYOTIRMOY BOSU:** I am entitled to make my submissions.

**MR. SPEAKER:** I have given my ruling already. Let him kindly sit down.

213 *Re Allegations*  
made by Shri Jyotirmoy

**SHRI SHYAMNANDAN MISHRA:** What is it? We have not heard it, Sir.

**MR. SPEAKER:** These are the rules.

**SHRI N. K. P. SALVE:** Please allow me just half a minute to quote what the Chairman had said. Though allegations were allowed to be made subject to your ruling on this point, an assurance was given that they would be expunged, and this was what the Chairman had state....

**SHRI PILOO MODY:** No expunging.

**SHRI G. VISWANATHAN:** No expunging.

**SHRI N. K. P. SALVE:** The Chairman said:

"Though it is on the record, unless I have gone through it, given second thought to it, and consult the Hon. Speaker and also the law, I mean, the rules of the House, I will not touch it. I shall see if it should not be there as a public document or it should remain on the records."

Therefore, if the intimation given by the hon. Member is not within the postulates of rule 353, if it is defamatory or incriminatory in character, in view of this categorical ruling given yesterday by the Chairman....

**SHRI G. VISWANATHAN:** It was not a ruling but only an observation by him.

**SHRI N. K. P. SALVE:**... though it was recorded tentatively, I submit that whatever has gone on record be directed to be expunged in terms of rule 350.

**SOME HON. MEMBERS:** No expunging, absolutely none.

**SHRI G. VISWANATHAN:** Whatever Shri N. K. P. Salve has said should be expunged.

AGRAHAYANA 21, 1954 (SAKA) 214  
Bosu

**SHRI N. K. P. SALVE:** We are not interested in academic rulings..

**SHRI PILOO MODY:** Let history judge us. No expunging should be there.

**SHRI JYOTIRMOY BOSU:** I shall also make my submissions under Direction 115, but at the present moment I say that I had given a written notice in time indicating the names, under rule 353 does not require me to give the points.

**MR. SPEAKER:** What is this rule then?

**SHRI JYOTIRMOY BOSU:** Do not interrupt me, always; kindly allow me to speak. 363 does not anywhere—if I know a little bit of English, if I know how to read it—provide that we should give the Speaker and the Minister the points; that will amount to giving my cards before hand. How do you expect it? I want to have an element of surprise in the statement that I make before the House. Then, secondly, if somebody does something, goes on taking money right and left, ruins the economy of the country...

**MR. SPEAKER:** You have already said enough.

**SHRI JYOTIRMOY BOSU:** I am not mentioning any name. If some political party makes use of the political machinery for collecting money, have I no right to say so here? You can as well shut up this Parliament and we shall walk out. This is a forum where I shall always say this and I shall continue to say this.

**MR. SPEAKER:** This forum has its rules. In the same rule which I quoted just now, it says that you should inform the Minister concerned so that the Minister may be able to make an investigation into the matter... (Interruptions) If the matter is not given, there is no use giving this

[Mr. Speaker].

information. How can I allow it? This is a rule of the House that you should not bring in any individual name. If you give a certain individual by name, who is not present in the House, than this rule must apply. If you want to censure the conduct of a Minister, there is a separate rule, but not this. In this case, when you make an allegation against even any Member of this House and individual outside the House, you must give notice.

SHRI JYOTIRMOY BOSU: I have given notice..

MR. SPEAKER: Merely mentioning that I am going to mention somebody's name—that is no application of the rule. I think you better go for lunch now.

SHRI SHYAMNANDAN MISHRA: We shall have to make some submission because this is a very important ruling that you are giving now.

MR. SPEAKER: It is there; I am not adding anything on my behalf.

SHRI SHYAMNANDAN MISHRA: My submission is that you are interpreting the earlier rulings on the subject in a not very correct way.

MR. SPEAKER: Let me know what is meant by this word 'matter'.

SHRI SHYAMNANDAN MISHRA: You were yourself pleased to say that there is a provision for no-confidence motion. Do you expect therefore even for the purpose of no-confidence motion that we should submit in writing the allegation that we are going to make against the Minister?

MR. SPEAKER: I said there is a separate procedure or it... (Interruptions).

SHRI SHYAMNANDAN MISHRA: I am coming to 353. Your ruling, I must submit, is not correct.

MR. SPEAKER: We adjourn for lunch to reassemble at 2.15.  
 12.15. hrs.

The Lok Sabha adjourned for Lunch till fifteen minutes past Fourteen of the Clock.

The Lok Sabha re-assembled after Lunch at twenty minutes past Fourteen of the Clock.

[MR. DEPUTY SPEAKER IN THE CHAIR]  
 RE SWEEPERS' STRIKE IN DELHI

SHRI S. M. BANERJEE (Kanpur): Sir, you must have read in today's newspapers that the sweepers' strike has been declared illegal. No effort has been made to have a negotiated settlement with them. Under the Essential Services Maintenance Act, the sweepers are being arrested under the DIR. The services of a lot of temporary and casual sweepers have been terminated. Since this has happened in Delhi, let the Minister take note of it. None of the Ministers either of the Cabinet or of State or even Deputy Ministers is present.

MR. DEPUTY-SPEAKER: The Deputy Minister for Finance is here.

SHRI DINEN BHATTACHARYYA (Saranpore): This is a very serious matter.

श्री शशि भूषण (दक्षिण दिल्ली) :  
 स्वीपर्स को पांच पांच साल की सजा और सरकार चुप बैठ कर देखती रहे, यह कैसे हो सकता है। सरकार को इसमें इंटरमीन करना चाहिये। कारपोरेशन लीडर्स पर डी घाई झार लगना चाहिये।

SHRI DINEN BHATTACHARYYA: There is no ruling from you. Do you justify the application of the DIR to them?

MR. DEPUTY-SPEAKER: I am not here to give any ruling on it. (Interruptions). You make me shout and