

12.02 hrs.

**CALLING ATTENTION TO MATTER  
OF URGENT PUBLIC IMPORTANCE****REPORTED ASSAULT ON AN M.P.**

Shri Dwalpayan Sen (Katwa): I call the attention of the Minister of Home Affairs . . .

Shri S. M. Banerjee (Kanpur): On a point of order.

Shri K. Lakkappa (Tumkur): On a point of order.

Mr. Speaker: I have allowed Shri Banerjee to raise a point of order.

Shri S. M. Banerjee: My point of order is under rule 378:

"A point of order shall relate to the interpretation or enforcement of these rules or such articles of the Constitution . . ."

I am talking of the rules. This calling attention notice is before the House. May I invite your attention to a matter which happened earlier? Just before the elections, we got the news that my hon. friend, Shri Madhu Limaye, was criminally assaulted. When the new Parliament assembled here, I along with many other friends tabled a calling attention notice on this because we thought that he was being subjected to an attempt at physical liquidation and there was a political motive behind it. You in your wisdom disallowed that calling attention notice on the ground that a question could be tabled. I generally obey the Speaker (Interruptions).— I have used the word 'generally'. May I invite your attention to the question asked on 29th March 1967 . . .

Mr. Speaker: Why does he read the whole of it? It is in my hands. The question was answered. Even his name is also there. Let him come to the point of order straight.

Shri S. M. Banerjee: My point of order is this. I have all sympathy for Mr. Ghosh, I wish him speedy res-

very, he is my colleague though he may be in the Congress, but I feel this is a case which falls within the purview of the State Government. In the case of Mr. Madhu Limaye, while replying to the question, Mr. Shukla, said that investigation was going on by the C.I.D. I would only request you and appeal to your sense of justice and impartiality that there should be no discrimination between member and member. If Mr. Madhu Limaye is beaten calling attention is not allowed, but if Mr. Ghosh is beaten it is allowed. I want a ruling whether this is in order. (Interruptions).

Mr. Speaker: I am on my legs. Perhaps there is a point of order from the Chair also! There is so much confusion.

The point is that a question was answered about Mr. Madhu Limaye. It was not banned. Again, after the question, when a calling attention notice was given . . .

Shri S. M. Banerjee: Before that.

Mr. Speaker: You have had your say, you cannot go on interrupting me like this.

Therefore, the question was answered. They did not say on that day also that it was a State subject. Even now, if any hon. member of any party, it may be Mr. Limaye or somebody else, is assaulted, should not Parliament take notice of it even? After all, I remember when our friend Mr. Umanath was in jail, we had a number of questions here, and so many other things also. If hon. members feel that even when a Member of Parliament is arrested or assaulted, nobody can raise it here, let us follow it as a principle, I have no objection, but it was raised in the case of Mr. Limaye, it was answered on the floor of the House, we did allow a question.

Shri Surendranath Dwivedy (Kandrapara): It is a good thing. Let him reply. (Interruptions).

**Mr. Speaker:** Between question and calling attention I do not make a difference. If you allow, a question, you do not allow a calling attention? I do not know how it can be. The point is whether you can raise it in Parliament or not. Therefore, I had allowed the question.

Please put the calling attention.

**Shri K. Lakkappa:** I raised a point of order.

**Mr. Speaker:** No point of order, I am not allowing it.

**Shri K. Lakkappa:** The hon. Speaker cannot take away the right of a member by saying there is no point of order.

**Mr. Speaker:** This is not proper. He told me something in the Chamber. I told him: for heaven's sake, do not press. I appealed to him and now he is raising. I will not allow.

**Mr. Sen.**

**Shri K. Lakkappa:** I want a clarification.

**Mr. Speaker:** May I ask you to sit down? It is not proper, when you discussed it in the Chamber to raise it here again, it is not proper. You are disturbing the House, I am very sorry.

**Shri K. Lakkappa:** With great respect I am submitting....

**Mr. Speaker:** Will you kindly sit down? You are not called. Nothing will be taken down. (Interruptions.) \*\*\*

I do not believe in naming, I am avoiding it. Don't you worry about it.

**Shri DwaiPAYAN Sen:** I call the attention of the Minister of Home Affairs to the following matter of urgent public importance and I request that he may make a statement thereon:

"The reported assault on Shri Bimalkanti Ghosh, M.P. in his constituency in West Bengal."

**The Minister of Home Affairs (Shri Y. B. Chavan):** Sir, we have received the following information from the State Government.

On 24th June, 1967, a public meeting was held at Sardar Bazar Maidan under Uttarpara Police Station from 19.00 hours to 20.45 hours under auspices of the Bhadrakali Mondal Congress. The meeting was addressed among others by Shri B. K. Ghosh, M. P. Towards the end, the meeting was interrupted by some persons as the speaker criticised the United Front Government. After the meeting was over, Shri Ghosh went to a neighbouring house along with his companions where he was attacked by some miscreants. They chased him out of the house and severely assaulted and injured him and his three companions. They also took away their wristwatch and cash etc. Two of the assailants received simple injuries. All the injured persons have been admitted in Uttarpara Government hospital. Uttarpara Police Station case No. 136 (6)67 under section 147[323] 341,379 IPC has been started on the complaint of Shri Ghosh. Another Uttarpara Police Station case No. 137(67) under section 147/323 IPC has been started on the complaint of one of the two injured assailants. So far 24 persons have been arrested in this connection. This is the information I have got from the State Government.

**Shri Surendranath Dwivedy:** You got it from the West Bengal Government?

**Shri Y. B. Chavan:** Of course. Further on is my comment.

This severe assault on a Member of this House belonging to the Congress Party has come after several other incidents of assault on Congress men and trade Union opponents of a major partner in the West Bengal Ministry. If this kind of violence against political opponents of a party in power continues, orderly and civilized politics

[Shri Y. B. Chavan]

cal life would become impossible. It is therefore a matter of grave concern to Government and I am confident that this House will share this concern and join me in condemning it unreservedly.

Shri Jyotirmoy Basu (Diamond Harbour): The latter part of the Home Minister's statement is quite irrelevant.

Shri Hem Barua (Mangaldai): Sir, on a point of order. We are not interested whether the attack was directed against a Congressman or not. We are interested in one thing. There was an attack on a Member of Parliament and that is why we are interested in the matter. We wanted the hon. Minister to make a statement. The hon. Home Minister in giving his interpretation has tried to lay emphasis on the fact that a Congressman was attacked... (Interruptions).

Shri Y. B. Chavan: No.

Shrimati Lakshmikanthamma (Khammam): Sir, on a point of order. The hon. Member there says that what the hon. Minister has stated was irrelevant. Because a particular Government exists there...

Mr. Speaker: What is the point of order.

Shrimati Lakshmikanthamma: It says here that the Labour Minister of West Bengal has said that in the twin limitations of capitalist society and...

Mr. Speaker: What is the point or order?

Shrimati Lakshmikanthamma: He says that members should not be allowed to function there.

Mr. Speaker: The Labour Minister may have made a speech in Patna or somewhere else. What is the point of order? It is a point of disorder, not a point of order.

Shri H. N. Mukerjee (Calcutta North East): I would like you to tell me whether it was open to the Home

Minister to add certain observations of his own, particularly when the matter is, according to the information he has given to the House, *sub-judice* and also when it appears from what he has said that the miscreants took away the wrist watch and money and that kind of thing... (Interruptions.) It shows the kind of people who were involved. But his observations cast a reflection upon the political parties; he says that they were chasing each other and beating each other up and that kind of thing. He has drawn his own inference... (Interruptions.) Is it proper for a Member of the House or a Minister or both to make a certain statement on the basis of inferences which may or may not be warranted, inferences which are aimed very clearly against certain political parties functioning in this country? Is it proper for the Home Minister while giving information to make such inferential statements casting reflection upon the political parties?

Mr. Speaker: I do not think that he has mentioned any political party.

Shri Surendranath Dwivedy: I would like to have your guidance on this matter. I entirely agree that such a dastardly attack whether directed against Congressman or any other person should be condemned; there is no doubt about that. But in reply to a call-attention notice is it proper for a Minister to say these things? He may at best give information that he has with him. But is it proper for him to say: Let us join together to condemn such action. Once you permit this, the question should not remain merely for eliciting information; it will lead to some discussion, etc. Therefore, I would like you to direct him or ask him to withdraw that portion of the reply, when we are prepared to join with him and condemn such action.

Shrimati Suseela Gopalan (Ambalapuruzha): My point of order is this: whether two standards can be taken up in the case of different States. In the case of Maharashtra, recently,

three days before, I got telegrams and letters to the effect that so many have been injured by the attack of Shiv Sena, and they are in the hospital. I gave notice of a short notice question to the Minister, but he refused to accept it and he did not admit it. (*Interruption*). So, I want to know whether two different standards can be taken up like this.

Shri S. M. Banerjee: Sir, I want to raise a joint of order.

श्री सुभाषचंद्र बोस (सहस्रता) :  
अध्यक्ष महोदय, एक मंत्री जी का हाथ बताया गया है, उस के संबन्ध में गृह मंत्री जी ने क्या जांच की ?

Mr. Speaker: Order, order. Please sit down. Two or three are getting up at one and the same time. Is it proper, I ask you. Shri Venkatasubbaiah.

Shrimati Suseela Gopalan: Sir, my point of order has not been answered by the Minister.

Mr. Speaker: You raised a point of order, and points of orders are not answered by the Ministers.

Shri S. Kundu (Balasore): What she raised was a point of propriety.

Several hon. Members rose—

Mr. Speaker: Please resume your seats. Shri Venkatasubbaiah.

Shri P. Venkatasubbaiah (Nandyal): My point of order is this. A Member of Parliament was assaulted; that Member of Parliament was addressing a meeting held under the auspices of Bhadrakali Mandal Congress Committee.

Mr. Speaker: That is what the Home Minister said; you are repeating it.

Shri P. Venkatasubbaiah: It is natural for the Home Minister to come that conclusion; it is politically moti-

vated, because, he had criticised that government, and naturally the result was that they had assaulted him. So, the Home Minister is within his competence to draw that conclusion.

Mr. Speaker: This is tending to become a debate. There is absolutely no point of order.

Shri Krishna Kumar Chatterji (Howrah): That is also my point of order.

Some hon. Members rose—

Mr. Speaker: If you want to have a debate, I do not mind. But this is not a debate. But then, in the name of raising points of order, discussion and debate take place. I do not know where it will lead to; there is no point, no order; nothing.

Shri Umanath (Pudukkottai): Sir, I raise a point of order.

Mr. Speaker: No, Sir.

Several hon. Members rose—

Mr. Speaker: Everybody gets up on points of order. Shri Ranga.

Shri Ranga (Srikakulam): Sir, I do not wish to offer any observations at all in regard to the Chair, but let me make it very clear; that on a point of order there can be a debate, and it has been the practice in this House all along whether a point of order can be sustained or not. That debate is held for the benefit of the Chair, and in the light of that debate, it is for the Chair to rule whether a point of order is a point of order or not. It is only to help the Chair that we have got to have this debate. That is my first observation, because you were stressing too much that it should not become a debate.

Mr. Speaker: I only said I would give time for the debate, if a debate is demanded.

**Shri Ranga:** A debate need not be demanded, but then, on the point of order, we must make the matter clear. Otherwise, it is useless. I am not raising any point of order on that point of order; I crave your permission to speak.

**Mr. Speaker:** Do you mean to say that we are having a debate?

**Shri Ranga:** On that point of order, whether it should be sustainable or not, I am venturing to make a few observations. If you think that every point of order that is being raised in the House is the same like any other point of order then we need not trouble ourselves, and I can as well resume my seat. I am not raising any point of order then we need not that what has been raised is a very important point of order. The Home Minister must have noted that in response to his appeal for general approval in this House, he got response only from his party and not from other parties. It is not because the other parties are cussed or anything like that, but because we have felt that he made the appeal in such a way that he made it impossible for us to join him. If he had made the observations on the basis that an MP had been treated in such a shameless manner as that MP had been treated and if he had appealed to us that whenever such things happen the whole House, should join him, there would have been general response. But unfortunately, for his own reasons, he wanted to say that he was a Congress MP, they had a Congress meeting and so on. Even when a Congress MP is treated in such a manner, we would certainly take note of it and see that moral support is given to him from all sides of the House. I do not say that it is improper, but where was the need for him to have that last paragraph? When we say so many things, you are good enough to say that such and such portion need not go on record. In the same way, we expect you to say that such and such portion of the statement need not go on record. That is the

point of order. I am not saying it should be expunged or withdrawn. I want the minister himself to get up and say that his purpose is served by the other paragraphs and the last paragraph need not go on record.

श्रीभक्तः ज्याडेव आह (अमरेली) :  
अध्यक्ष महोदय, मैं इन्फर्मेशन की तीर पर जानना चाहती हूँ कि क्या यह बात सही है कि बंगाल असेम्बली के अधिवेशन में जब एम० एल० एज जा रहे थे तो बीच में उन का घेराव हुआ तथा कांग्रेस के जो एम० एल० एज थे उन को रोका गया। बाद में उन के एक मिनिस्टरने उन के बीच में जाकर भाषण दिया और और उनको इन्स्टीगट किया। मैं होम मिनिस्टर साहब से जानना चाहती हूँ कि क्या यह बात सही है ?

**Shri Krishna Kumar Chatterji:** Rule 376 lays down clearly that on a point of order no debate shall be allowed. In your wisdom for coming to a decision on the point of order, you can ask some people to say something. That is another matter. What we are afraid of is this. We are very much agitated on this point. The calling attention notice is on a matter of urgent public importance. It is being sabotaged in this manner. That is what we are afraid of. Therefore, you should put a limit on this and allow us to put questions because we have got many things to say.

**Mr. Speaker:** I have also got the rules in my hand. On a point of order, there should be no debate. If the Speaker wants he can request the leader of the opposition or some party leader or the Law Minister to help him to come to a decision.

**Shri Umanath:** My point of order is this, about the last para of his statement. He said that there were two cases and a number of arrests were made. Till that point it was quite within the rules. But beyond that, the observations he has made are out of order because there is a provision in the rules that things which are *sub judice*, which are before a court or commission should not be brought in

on the floor of the House. According to his own statement, two cases have been registered and they are before the court. The court is seized of the matter. It is for the court to come to a conclusion ultimately whether there has been an assault by the accused, whether they belong to any political party, whether the assault had been politically motivated, and whether those assaults were a part and parcel of what was going on in West Bengal. It was for the court to decide all that. Before the court has given its decision, the Home Minister makes an appeal here to condemn all that. It means, as far as the Home Minister is concerned, even when the court is seized of the matter, he has himself come to the conclusion that it has been politically motivated and he wants this House to condemn that. Therefore, from that angle, it is out of order. Secondly, I would like to submit that the last portion of his statement is an inference and a political observation on the information that he has submitted. Under the rules of procedure, you will find, there should not be any insinuations or inferences. The Home Minister, on the facts given by him, has made an inference that it was politically motivated. Sir, a Member is not supposed to abuse his right. That is given under the rules of procedure. The Home Minister has abused his right to make a statement in response to a Calling Attention Notice. I demand, Sir, that it must be expunged from the records.

**Shri Jyotirmoy Basu:** Sir, I fully support Shri Umanath that that portion must be expunged from the records.

**Shri Bal Raj Madhok (South Delhi):** Sir, I have carefully read the statement of the hon. Minister. What he has said in the second part of the statement is generally true. In this country there is an air of violence today. Assaults are taking place against political opponents; somewhere a Congressman is being assaulted, somewhere a Jan Sangh man is assaulted and somewhere else a PSP

man is assaulted. If the hon. Minister had said that such assaults are bad and the House should condemn all such assaults on political opponents the Whole House would have agreed with him.

**Shri Y. B. Chavan:** That is what I said.

**Shri Bai Raj Madhok:** Therefore, I would request him to amend his statement and say that all such assaults should be condemned.

**Shri S. M. Banerjee:** Sir, I may only add one point to what Shri Umanath has said. Sir, the Deputy-Speaker was in the Chair during the half-an-hour discussion that day when a particular letter was read out by the hon. Member, Dr. Ram Manohar Lohia. Then a point of order was raised by the hon. Law Minister.

**Mr. Speaker:** You are bringing in some other thing.

श्री मधु सिन्धु (भुंगेर) : मेरी समझ में नहीं आता कि कभी किसी भूदे को इलस्ट्रेट करने के लिये कोई उदाहरण दिया जाता है तो आप उसको इन्कार कैसे कर सकते हैं।

He is illustrating his point.

**Shri Vasudevan Nair (Peermade):** The Law Minister is sitting like a stone now.

**Shri S. A. Dange (Bombay Central South):** Sir, Shri Madhok forgot to mention "assaults by imported sadhus on parliamentary people".

**Shri S. M. Banerjee:** When Dr. Lohia was reading that letter the Law Minister and the Minister of Transport raised points of order and said that since extradition proceedings were going on the matter was *sub judice*. To my utter surprise I find that the Deputy-Speaker in his wisdom expunged the whole thing telling that the matter was *sub judice*. Today, when it is a question of assault on a Congressman, a poor Congressman, who has no base in that area, the whole thing is allowed. I want a ruling from you on this point.

Some hon. Members rose—

**Mr. Speaker:** Order, order. Through so many points of order the views of all sections of the House have been made very clear. May I now request the hon. Minister to say something about it?

**Shri Surendranath Dwivedy:** Sir, you have to give your ruling on this. We do not dispute what he said. We agree with him, but if in reply to Calling Attention Notices these things are allowed there will be no end to it. Therefore, a ruling from you is necessary. Either he should withdraw that portion or you should give a ruling on this.

जी अदल बिहारी काश्यप (बलरान-पुर) : अदल महोदय यह प्रतिक्रिया का सवाल है। गृह मंत्री ने जो कुछ कहा है उस से हम लोग सहमत हैं। लोक सभा के कितने भी सदस्य पर आक्रमण हो तो उसकी निन्दा होनी चाहिये। मगर निन्दा के लिये उन को इन तरह से अपील करने की जरूरत नहीं है, निन्दा हम स्वयं करेंगे, उन्हें कम से कम विरोधी पक्ष की प्रतिक्रिया जाननी चाहिये थी। अगर काल-एग्जेशन के जवाब में इन तरह की अपील की जायेंगी तो यह अनुचित होगा। इसकी तरफ आपको ध्यान देना चाहिये।

**Shri Bedabrata Barua (Kaliabor):** Sir, I am rising on a point of order because a new point has arisen. So long when the Home Minister had stated in the House that a number of arrests were made in West Bengal, we thought that they were normal arrests for criminal charges. Now, Shri Umanath, who is more intimately connected with that State Government, has stated that the inquiry will go into the political question, the motives of the people and the political character of the people who have made the assault, which means that this is a judicial inquiry. Will the Home Minister enlighten us whether the West Bengal Government propose to make a judicial inquiry or not?

**Shri N. C. Chatterjee (Burdwan):** The point that I want to make is that in the last paragraph of the statement which the Home Minister has made, he has clearly gone beyond the purview of rule 197, in Chapter XVI. The rule says that a member may, with the previous permission of the Speaker, call the attention of a Minister to any matter of urgent public importance and that the Minister may make a brief statement or ask for time to make a statement at a later hour or date. Sub-rule (2) says that there shall be no debate on such statement at the time it is made. Therefore, it is perfectly clear that no debatable question can come in and only a statement as to facts should be placed before the House. Therefore, under sub-rules (1) and (2) of rule 197 it is perfectly clear that the Minister has no business to go out of his way to pass strictures on the character of the assault.

**An hon. Member:** He is twisting the rule too far.

**Shri N. C. Chatterjee:** That is my submission. The reply to a Calling Attention Notice could not be utilised for the purpose of giving *obiter dicta* or making any aspersion of this character. This is not meant for this purpose. Sir, you ought to have stopped him with the last sentence of the first paragraph.

**Mr. Speaker:** I think enough has been said on this. Now I would request the Home Minister to say something on this and then we can go to the next item. He may himself correct it; I do not know what he will himself say... (*interruptions*). He has heard all that you have said.

**Shri A. B. Vajpayee:** What is your directive?

**Mr. Speaker:** The point has been raised. I will give my ruling. But it will take time. On the spot, you cannot expect me to do that. If I feel that there is something wrong, after hearing him—I have heard others al-

head; I cannot simply give it without hearing him—I will give my decision.

**Shri Hem Barua:** Sir, may I submit that you were slightly mistaken? You are asked to give your ruling on the last paragraph of the Home Minister's statement. But you say that you will give your ruling after hearing the Home Minister. There is nothing to hear from the Home Minister. His statement is there. You have to give your ruling on that.

**Mr. Speaker:** That is true. Even for giving a ruling I have to hear the Home Minister and, perhaps, the Law Minister. I would like to be enlightened. For my own enlightenment I would like to hear not only hon. Members but also hon. Ministers about the rules and so on. Certainly, I have the right to ask the Home Minister to enlighten me on this matter with his opinion. Perhaps, even the Law Minister is going to say a few words about it, at least for my own enlightenment.

**Shri A. B. Vajpayee:** It is a question of propriety.

**The Minister of Law (Shri Govinda Menon):** I do not want to enter into the merits of the statement made by the Home Minister. I want to make an observation regarding the point raised by Shri N. C. Chatterjee. So far as I know, this rule 197, Calling Attention to a Matter of Urgent Public Importance, is a rule unique in the Indian Parliament. So far as I know about it, there is no such rule in the British House of Commons. This was developed in our own Parliament. What does it mean?

**Shri Pillee Mody (Godhra):** This is the Parliament of India.

**Shri Govinda Menon:** As I understand it, what happened here is this. One hon. Member got up and put a question to the Minister: Did the Minister hear about such and such a matter? The Minister said, "Yes, I heard about it; it is regrettable." That is all.... (Interruption).

Some hon. Members: No.

**Shri Govinda Menon:** Yes. I say this because the rule does not say that the statement which the Minister should make should be a statement of facts. "A statement of fact" are not the words used in the rule. It should be a statement and the statement may be a statement of fact or may be of views.

**Shri Hem Barua:** If it is not a statement of fact, what should it be then?

**Shri Govinda Menon:** I do agree with Shri Umanath that matters which are sub judice should not be referred to; that is to say, the merits of the matter should not be gone into. Here, as I could understand it, all the hon. Minister has said is that there are different political parties.

**Shri Surendranath Dwivedy:** Will you read the last portion?

**Shri Govinda Menon:** I have read it. If it is objectionable, do you want it to be read out again?

**Shri Surendranath Dwivedy:** You will agree for the withdrawal if you read it.

**Shri Govinda Menon:** Shri Dwivedy is so pleased with the statement that he would like to hear it again. I have no objection.

**Shri Surendranath Dwivedy:** You have not heard it or read it.

**Shri Govinda Menon:** I have read it. What it means is that he emphasized the fact that this was due to political reasons.

**Shri Umanath:** Before the court decides.... (Interruption).

**Shri Govinda Menon:** All that he said is that the Member of Parliament belonged to the Congress Party and those who are alleged to have attacked are persons belonging to another party.... (Interruption).

Some hon. Members: No.



**Shri Govinda Menon:** According to the Home Minister, this followed a Congress propaganda meeting which was addressed by Shri Ghosh... (Interruption).

**Shri Piloo Mody:** Will the Minister please yield for one minute?

**Mr. Speaker:** I heard everybody and I want to hear the Law Minister. Let him proceed.

**Shri Govinda Menon:** He said that this altercation followed a speech in a Congress meeting made by the MP who belongs to the Congress Party.

**Shri Jyotirmoy Basu:** It was a public meeting, not a Congress meeting.

**Shri Govinda Menon:** It was a Congress meeting under the auspices of the Bhadrakali Mandal Congress Committee and the Bhadrakali Mandal Congress Committee does not call a meeting to propagate Communist ideas.

**Shri Piloo Mody:** Will the hon. Minister yield for a minute-

**Shri Govinda Menon:** No, Sir.

That meeting was held to propagate the Congress Party ideology. Immediately after that he was attacked. With due deference to Professor Ranga, I say, that a reference to the fact that Shri Ghosh belongs to the Congress Party was not to emphasize the fact that he is a Congress Member but to emphasize the fact that they belonged to different political parties. In the context that is what it means.

**Shri Hem Barua:** It does not mean that.

**Shri Govinda Menon:** Having stated the facts, the Home Minister said that this is regrettable. That is all I could understand from the statement made here. Rule 197 does not prohibit that.

**Shri N. C. Chatterjee:** May I put one question to the Law Minister?

**Shri Randhir Singh (Rohtak):** Sir, Rule 197, sub-rules (1) and (2) are very clear. The Minister may or may

not make a statement. The word "may" is used in sub-rule (1). But when he makes a statement that statement shall not be subject to debate. The word "shall" occurs in sub-rule (2). The statement may be critical, political or of any type; that statement may or may not be acceptable to the Opposition but that statement shall not be criticised by anyone because it is political or it is not acceptable to either side. If a statement is made, that statement is mandatory and binding and there will not be any debate on the statement. Sub-rules (1) and (2) are very clear on that. The rules of the House should be binding on both the parties. You would kindly note that this chapter, Chapter XVI, is a special chapter. If my hon. friends want a debate, there are other methods; but that statement shall not be challenged. It must be accepted as it is. It should not be a subject of debate.

**Shri Piloo Mody:** Sir, why is it necessary that we go into all this? Why is it necessary for the Home Minister to have the Law Minister come to his defence? After all, he belongs to one of the martial races of India and, I am sure, he can defend himself.

**Mr. Speaker:** I called the Law Minister for my enlightenment.

**Shri Piloo Mody:** The Home Minister has made a statement. The House or a certain part of the House objects to it. Either he has the grace to withdraw it or he does not have the grace to withdraw it. Let us not go further. This is the issue at stake.

**Shri M. L. Sondhi (New Delhi):** This talk of martial race is out of date.

**Shri S. A. Dange:** In his reply to a call-attention notice is the Home Minister entitled to move an additional resolution in the last part of his statement and propose to the House for its adoption? In the last part he says that he hopes that this House will join him in condemning it unreservedly. That means, he is putting a proposition before the House in his reply

that he moves a condemnation resolution and that the House should adopt it. Is that in order?

Shri D. N. Tiwary (Gopalganj): It is an appeal only.

Some hon. Members rose—

Mr. Speaker: No, please. Now I will request the Home Minister to say something.

Shri Y. B. Chavan: Unfortunately, Sir, they have not only made it a technical issue but also a political issue.

Some hon. Members: You have made it.

Shri Y. B. Chavan: Why I say so is because I have given certain facts and the only point made against it is whether a *sub judice* matter can be commented upon. I have not expressed my views on who did it. On that matter I have not said anything.

Shri Uma Nath: You mentioned the major partner in the United Front Government.... (Interruption).

Shri Y. B. Chavan: Please listen. What I have said is about this severe assault on a Member of this House. Further I decried that incidentally he happens to be a member of the Congress Party.

Shri S. M. Banerjee: What about Shri Madhu Limay? You wanted to murder him. You forgot about it.

Shri Y. B. Chavan: Only because I mentioned that he is a member of the Congress Party, it becomes a political issue. Suppose, he were a member of the other party.... (Interruption).

Mr. Speaker: Let us hear him. You may not agree. You want me to give my ruling but you do not want me to hear him also. All of you expressed your views. I have allowed so much of freedom. You may not agree with him but at least hear him.

Shri Y. B. Chavan: What I am asking for is not only the condemnation of the assault on the member of the

Congress Party but what I have said is that this has come after several other incidents of assault on Congressmen and trade Union opponents of a major partner in the West Bengal Ministry. I am mentioning a fact. I have certain assessments of the West Bengal situation. What could I do about it? What I want is condemnation of violence and not of any particular incident.... (Interruption). Violence will have to be condemned. I stand by it... (Interruption).

Shri Bal Raj Madhok: Sir, look at their behaviour.

Shri H. N. Mukerjee: Is the Home Minister entitled to deduce that it is a political attack? The matter is *sub judice* and he says that it is a political attack.

Mr. Speaker: Order, order; he has not yet finished... (Interruptions).

Shri Surendranath Dwivedy: You allow a discussion on this.

Mr. Speaker: I would request all of you to resume your seats.

श्री मधु लिम्बे : उन का खत्म हुआ ।  
माम कत रहे ये कि श्री चव्हाण बोल रहे हैं ।

Mr. Speaker: Have you finished or not?

Shri Y. B. Chavan: I have finished. (Interruptions).

Mr. Speaker: You cannot get up and do talking like that.

Shri J. B. Kripalani (Guna): Sir, for the first time, I want to raise a point of order. I have no rule to quote but I only want to raise a point of order to draw the attention of the House, of the galleries to myself.

Mr. Speaker: Very correct.

Now, the statement has been made. Some Members have taken objection to certain portion in the last paragraph of the statement. Some Members want something to be deleted in this statement which they think objectionable. The Home Minister says that there is nothing objectionable, there is nothing wrong

[Mr. Speaker]

in it, and that he did not mean any party. After hearing the whole House, I must say, let me study it more closely because sometimes, on the first reading, it may look good or bad also but on re-reading it, it may also give a different view of the whole matter. So, I will look into it and give ruling on that tomorrow. We now go to the next item of the agenda.

Some hon. Members rose—

**Shri Dwaipayan Sen:** We may be allowed to put questions on this.

**Shri Shasi Ranjan (Pupri):** We would like to put questions on this.

**Mr. Speaker:** All right.

श्री मधु जिमये : इसके पहले मुझे कुछ कहना है। आपने मुझे आश्वासन दिया था।

**Mr. Speaker:** I will call you later.

**Shri Dwaipayan Sen:** May we know the present condition of Mr. Bimalkanti Ghosh in the hospital?

**Shri Y. B. Chavan:** I have no latest information with me.

श्री जति रजन : अध्यक्ष महोदय, इन सदन के एक माननीय सदस्य इस बुरी तरह घायल हुए और उनके बारे में हम लोगों ने विचार न करके, सारी परिस्थिति को एक राजनीतिक रूप देकर, उसकी अहमियत को खम कर दिया। ऐसी स्थिति में जब कि चारों ओर गम्भीर वातावरण है और परिस्थिति बहुत नाजुक है, और हम देखते हैं कि आये दिन एक के बाद एक वाक्ये हो रहे हैं, आज तर्फ हमारे जान माल का हा खारा नहीं है बल्कि विचार स्वतन्त्र्य के ऊपर भी आघात पहुंच रहा है, अद्वारों में हम देख रहे हैं कि सरकारी पक्ष के एक सदस्य को सदन में नहीं जाने दिया गया, और फिर सदन से बाहर नहीं आने दिया गया क्या मैं यह आशा करूँ कि श्री घोष के ऊपर, जो कि इन सदन के माननीय सदस्य हैं, पूरा निगरानी होगी? मैं चाहता हूँ कि उनके स्वास्थ्य की देखभाल की अच्छी

तरह से व्यवस्था की जाए। जहाँ तक लोगों के विचार स्वतन्त्र्य का प्रश्न है उन पर कोई किसा प्रकार का आघात नहीं होगा, यह भी मैं आशा करता हूँ।

**Shri Jyotirmoy Basu:** May I know whether it is a fact that a young boy, aged 21, a third year student of college, while being assaulted by Mr. Bimal Ghosh in a scuffle, was injured and while the local people tried to rescue Mr. Subash Chandra, the young boy, from the clutches of Mr. Bimal Ghosh, Mr. Bimal Ghosh was injured, and whether both Mr. Subash Chandra and Mr. Bimal Ghosh are in the hospital?

**Shri Krishna Kumar Chatterji:** I have to ask two important questions. The statement of the hon. Minister omits two things.

Does he know that Mr. Bimal Ghosh was stripped of his clothings and was paraded in a naked form? Has he got any information about it? This is number one.

The second question is this. The hon. Minister has said in his statement that two Congress workers, along with him, were injured. It is not two. It is reported in the papers that three were injured.

Is the Minister aware that such conditions are prevailing there where there is no safety for anybody to lead a sort of normal and civilized life.

This is a very important thing, Sir. Let him answer categorically whether this information has come from the State Government.

**Shri Y. B. Chavan:** Three or four questions have been put. About the condition of Shri Bimal Ghosh, certainly he will be looked after very well in the hospital. I have not got the latest report about him.

About the charge made by some hon. Member about.... (Interruptions).

**Shri Jyotirmoy Basu:** Is he sure that Mr. Ajoy Mukerjee's letter is not waiting in his office?

**Shri Y. B. Chavan:** .... I have not received any complaint against Mr. Bimal Ghosh like that, nor the report...

**Shri Jyotirmoy Basu:** Is he sure that no wireless telegram is waiting in his office?

**Shri Y. B. Chavan:** .... nor the report of the West Bengal Government mentions this particular aspect. In the written report that I received, I was informed that Mr. Bimal Ghosh was humiliated in the course of that. I made enquiries from the I.B. officers this morning and my information is that Mr. Bimal Ghosh was tripped of his clothings and was paraded in the street.

Some hon. Members: Shame, shame.

**Shri Jyotirmoy Basu:** Who is that I. B. officers? (Interruptions).

12.54 hrs.

#### RULING ON QUESTION OF PRIVILEGE

श्री मधु लिमये (मुंबई) : प्रश्न महोदय, तीन चार दिन पहिले आपने काय बाकि श्री एस० एम० बनर्जी के खिलाफ ...

**Mr. Speaker:** I am coming to that.

श्री मधु लिमये : प्रश्न आरोपों जो ने फिर इन आरोपों को दोहराया है।

**Mr. Speaker:** On the 23rd June, 1967, Shri A. B. Vajpayee sought to raise a question of privilege against Shri S. N. Banerjee, M.P. for certain observations made by the latter on the 30th May, 1967 while asking a question on a calling attention matter. Shri Vajpayee laid stress that the question arose out of my ruling on the 31st May, 1967. This request was supported by Sarvaswari Madhu Limaye and George Fernandes. Shri S. M. Baner-

jee submitted that he welcomed the privilege motion against him and that if he committed any offence by trying to defame the two Ministers he was prepared to undergo punishment for that.

The Minister of Law raised two objections: first that rule 338 barred the raising of a substantially identical question on which the House had given a decision in the same session and, secondly, that Shri Vajpayee had not sought to raise the matter at the earliest opportunity. As regards the second objection of the Minister of Law, Shri Vajpayee stated that the Prime Minister had made her statement on Shri Arjun Arora's allegations on the 20th June, 1967 in the House and that he had given his notice against Shri S. M. Banerjee on the same day.

After hearing the Members and the Minister of Law, I reserved my ruling. I have since considered all the points of view that have been urged and I have to state as follows:

(i) On the 30th May, 1967, during the course of proceedings on the calling attention-notice, Shri S. M. Banerjee had sought clarification on the reported news of certain allegations and the two Ministers whom he had named made statements in regard to those allegations the same day. The statements of the Member Shri S. M. Banerjee and the two Ministers are on record. Thereafter, Shri S. M. Banerjee did not move in the matter. The procedure laid down by me in my ruling dated the 31st May, 1967 does not, therefore, apply in this case.

(ii) If as stated by Shri A. B. Vajpayee, his question of privilege arises after the Prime Minister made a statement on the 20th June, 1967, then the objection raised by the Minister of Law that the matter is barred under rule 338 becomes pertinent, as the House has already decided on the question of privilege which directly arose out of the Prime Minister's statement.