

other Member also to make a statement, when both are present, and if the first Member also wants to make a statement, he can also make it. Both are placed on the Table of the House and they form part of the record. The Speaker does not appoint any inquiry committee or any commission to go into the matter. This is only the privilege of the House; if any regular motion is made, of course, the House is sovereign and can take that matter up to make inquiries into allegations and come to any decisions and to appoint any committees for that purpose. So, it is not for me.

I just learn from the record that at that time, one of the hon. Members, Shri Harish Chandra Mathur had raised this point that on an earlier occasion when Shri Bagri's case was involved and Shri Humayun Kabir had made a statement, I had done something of that sort to make an inquiry. But there is a distinction there. There was no inquiry that I made. Shri Humayun Kabir made a statement alleging that Shri Bagri had a particular document which was only a demand note and that he had represented it in such a manner that the Members must have understood that it was an audit note or an audit objection. Shri Bagri at once said 'Yes, that was a mistake', and he had only this audit note. Therefore, I said that when Shri Bagri had that clearly in his hand, he must not have observed as he did and given the impression that it was an audit note or audit objection. That was what I did at that moment. No inquiry was made. No committee was appointed, and there was nothing of that sort.

Therefore, there is no case, and I cannot appoint any committee or commission of inquiry. If someone wants and a regular motion is given, that would be for the House to decide.

12.15 hrs.

RE. QUESTION OF PRIVILEGE

Mr. Speaker: Shri Daji has given notice of a breach of privilege about the calling-attention-notice that he had given earlier about the Seventh Fleet.....

Shri Daji (Indore): On the 13th instant.

Mr. Speaker: I had passed it on to the hon. Prime Minister and he had fixed the date, and I had informed the House that he would make a statement on the 19th instant.

Shri Daji and one other Member has alleged that because that statement had been made by the Prime Minister elsewhere at some other place, when the facts were known to him earlier, he could have made it earlier here, and the two Members just want to have that taken up as a breach of privilege.

I shall postpone that, because the Prime Minister is not here just now. When the Prime Minister is here, I shall take it up. But at this moment, I could just make this much clear that there is no breach of privilege involved.....

Shri Daji: It is unfair that it is not taken up. But I request that I may be given an opportunity to express my opinion before you give your ruling. If you are not taking it up, then I may be given an opportunity to express my opinion.

Mr. Speaker: Yes, he might express his opinion. We need not take up the other question so far as those facts are concerned, whether he had information, whether it was appropriate or not and so on. I would only like to know from the hon. Member how this is a breach of privilege.

Shri S. M. Banerjee (Kanpur): He did make a statement outside the House.

Shri Daji: The facts are as have been mentioned by you....

Shri Tyagi (Dehra Dun): May I make a request? Since the Prime Minister's name has come in, and it is said that that was a statement made by him, I request that it may be taken up when the Prime Minister is here.

Shri Daji: I do not mind that.

Mr. Speaker: That is a different thing altogether. But I feel, and I have held so, so many times that the making of a statement elsewhere by a Minister is no breach of privilege, though it is desirable that when such a statement has to be made, it might be made inside the House. I have given those decisions so many times earlier whether it is proper or not, whether it is desirable or not. Those are different things altogether. I am not taking that up at this moment. The only thing that I have said is that this does not involve a breach of privilege.

Shri Nath Pai (Rajapur): Even the Prime Minister had said that he did not know earlier.

Shri Daji: The facts are clear, and you yourself have very well put the case. I would just like to go on record that the notice was given on the 13th instant, and the notice was passed on to the Government, I presume, as early as the office possibly could pass it on. And you, Sir, were good enough to observe yesterday, when the hon. Prime Minister was in the House and the matter was raised at about 12 noon or 12.30 P.M. that it was the privilege of Government to claim some time and that you had been pleased to give some time to them, or time up to the 19th instant.

I would further recall, before I come to the question of privilege, that this matter was there as such on the Order Paper of the 19th December, 1963, within the knowledge and notice of the House and within the knowledge and notice of the Prime Minister

who was present in the House yesterday when this remark was made by the Chair.

After that, the hon. Prime Minister went to the other House. There was no motion, and no notice on the Order Paper there....

Mr. Speaker: I would not allow references to be made to what happened in the other House.

Shri Daji: A statement was made by him there....

Mr. Speaker: The hon. Member will kindly note that when I made my observation I only said that a statement had been made elsewhere. That is all, and the hon. Member also should proceed on the same lines.

Shri Hari Vishnu Kamath (Hoshangabad): He can say 'the other place'.

Shri Daji: Yes, I shall say that a statement was made in the other place.

What is much more objectionable is that a group of pressmen are reported to have met him immediately after the visit of General Taylor, and, thereupon the Prime Minister had made this statement to a group of reporters, as has been reported in the press. I am only going by the press reports. If it is incorrect, that is a different matter. Your observations and those of your predecessors are that we need not take up this matter again and again in the House simply because they relate to issue of policy statement somewhere else when the House is sitting. But, here is an instance where the item has been put on the agenda or the Order Paper, and Government have come forward before the House and claimed time for the same, and that time has been awarded to them; and on the same day within a few hours after the matter had been raised here, a spokesman of Government goes out and makes a statement

on the subject elsewhere. I submit that is no parallel case where a *suo motu* statement has been made on an issue coming up in this way. The observations of the Chair would have been relevant if the matter had not been raised here but in this case where the matter has been raised and it has been put on the Order Paper, it would not be proper to apply those observations.

I rely upon May's *Parliamentary Practice* in this connection. First of all, I would make a reference to page 120. Apart from the list of contents showing the accepted list of privileges, there is a paragraph there saying:

"OTHER INDIGNITIES OFFERED TO EITHER HOUSE:

Other acts besides words spoken or writings published....".

Mr. Speaker: I shall keep that pending. The hon. Member has raised a point which I have not considered, namely that it was on the agenda. I shall also study whether it can be considered that it is on the agenda, and whether that makes a difference, and take it up when the Prime Minister is also here.

Shri Hari Vishnu Kamath: On a point of information. This has happened not for the first time now. Is it not open to you in your capacity as the custodian of the rights and privileges of the House to enquire from any Minister, whether the Prime Minister or any other, why he chooses to make a statement in the other place and not in this House, especially before he has made a statement here in response to a calling-attention-notice or a short notice question on the subject tabled earlier? Is it not open to you to enquire of the hon. Minister about this matter?

Mr. Speaker: It is not open to me to do it.

Shri Sarjoo Pandey rose—

Shri Daji: It is open to the House.

Mr. Speaker: I cannot say that he should not make a statement elsewhere but should first make it here.

Shri S. M. Banerjee: Even when the matter is pending here? He has a right to make a statement elsewhere *suo motu*. But here the House is seized of the problem.

Mr. Speaker: I am very sorry. I have already said that I will take it up later. But again he raises it. It was a different question altogether that was taken up by Shri Kamath and then another hon. Member interfered.

श्री सरजू पण्डेय (रसड़ा) : मेरा यह निवेदन है कि मैंने स्टार्ड प्रश्न दिया था . . .

अध्यक्ष महोदय : उमका जवाब मैं इस तरह नहीं दे सकूंगा ।

श्री सरजू पण्डेय : मैं चाहता हूँ कि इस मामले में दखल दे

अध्यक्ष महोदय : माननीय सदस्य इस तरह से जवाब चाहेंगे तो मैं नहीं दे सकूंगा ।

12.30 hrs.

DETENTION OF MEMBER

Mr. Speaker: I have to inform the House that I have received the following wireless message, dated the 17th December 1963, from the Judicial Officer, Aligarh:—

"Shri B. P. Maurya, Member, Lok Sabha, also detained in crime No. 721, under Rule 41, Defence of India Rules, of p.s. Kotwali Aligarh, for delivering objectionable speeches on the 6th August 1963, at Aligarh. He is already detained in crime No. 707 under Rule 41(c) of Defence of India Rules, p.s. Kotwali Allahabad, in Naini Jail, Allahabad."