

[Shri Shinde]

try (Regulation) Act, 1958. [Placed in Library. See No. LT-5703/66].

ANNUAL REPORT OF INDIAN CENTRAL SPICES AND CASHEW NUT COMMITTEE

Shri Shinde: Sir, I beg to lay on the Table a copy of the Annual Report of the Indian Central Spices and Cashewnut Committee for the year 1963-64 (Hindi version). [Placed in Library. See No. LT-5702/66].

12.14 hrs.

RELEASE OF MEMBER

(*Shri Badrudduja*)

Mr. Speaker: I have to inform the House that I have received the following communication, dated the 5th March, 1966, from the Superintendent, Alipore Special Jail:

"I have the honour to inform you that Syed Badrudduja, Member, Lok Sabha, who was detained in this Jail from the 10th September, 1965, was released from this Jail on the 4th March, 1966, under Government Orders."

Shri S. M. Banerjee (Kanpur): Can we have an assurance that he will not be re-arrested?

12.14½ hrs.

RE: PAROLE OF SHRI UMANATH

Mr. Speaker: Is the Home Minister making a statement about Shri Umanath?

The Minister of Home Affairs (Shri Nanda): When I am making a statement in the afternoon I will say something about the question of parole also.

Shri Hari Vishnu Kamath (Hoshangabad): May I make a request to you about this matter?

Mr. Speaker: Since the Minister is going to make a statement, he should wait till then.

Shri Hari Vishnu Kamath: Sir, I want to bring some facts to your notice before he makes the statement. As I may not be present then, kindly accommodate me. I only wish to state that when on the 2nd of this month, last Wednesday, the House discussed this matter—the right of a Member of the House, a detenu on parole to attend the sittings, the session of Parliament—I was gratified to find that my view that he is entitled to attend the House received wide support from all sections of the House, except for a stray voice here and there. I am sorry to say, I am constrained to say that the Government, through their officers, have acted in this matter improperly, to say the least, to put it very mildly. When the House is seized of the matter, when the Government promised a statement today—and they are going to make a statement today—I learn on reliable authority, from an authentic source, that a sub-Inspector of Police of that area served a fresh order on Shri Umanath, a Member of the House, the detenu on parole, to the effect that under the present conditions of parole, he should not go to Delhi. That was a fresh order served, the same evening, conveying the order of the Madras Government, soon after the discussion in the House on the 2nd morning—it was served the same evening on the 2nd—saying that under present conditions of parole, he should not go to Delhi.

Mr. Speaker: That is all. (*Inter-ruption*). Order, order.

Shri Hari Vishnu Kamath: In this connection, may I also mention that last year, if I remember aright, in August or September, 1965, when there was a writ petition pending before the Supreme Court, the same detenu, the same Member of the House, along with another colleague of his, Shri Nambiar, had come to Delhi on the written permission of the Madras

Government that they had no objection to their staying in Delhi. Then, as you will recollect, Sir, they saw you at that time and consulted you and got your view on the matter and you, apparently, told them that you had no objection, as far as you were concerned, if they attended Parliament and you were pleased to forward their representation to the Home Ministry. The Home Minister, brusquely or blatantly—whichever word you may prefer—told them that they should not attend Parliament and that they should not stay in Delhi any longer. They had remained in Delhi on the written permission of the Madras Government. However, within two days, the Madras Government, obviously acting on instructions from the Central Government, the Home Minister, wrote to the detenus that they should return to Madras. Sir, that happened even when your decision was pending at that time and you were agreeable to their attending Parliament—they were staying in Delhi at that time,—and they were asked to go back to Madras. What has happened now is adding insult to injury. This is most humiliating. When the House is seized of the matter, when the Government's decision is pending, the Madras Government serves a fresh order that under the present conditions of parole, he should not go to Delhi. I plead, therefore, that this is not merely a serious breach of privilege of the House and of a Member thereof, but it tantamounts to contempt of Parliament. Whoever is responsible should be brought before the bar of the House and reprimanded.

Mr. Speaker: There is one thing that I can just say, that is, because the matter has to come up in the afternoon, this point also can be taken up at that time. Mr. Kamath told me that he was going away and, therefore, I just permitted him to have his say.

Shri H. N. Mukerjee (Calcutta Central): Sir, here a point of principle has arisen. I have a letter from Shri

Umanath in regard to the latter point which the hon. Member made. But he has referred also to another report which goes to the root of the matter, the matter of principle, if it is a fact, as he says if it is a fact, that after our discussion in this House regarding the interpretation of the parole restrictions, the Government of Madras, through whatever police officer it may be, has served on Shri Umanath a fresh restrictive order. That action is contempt of Parliament and that action is something of which the Home Minister, of all people, should be aware. Since the allegation has been put up before the House by Mr. Kamath, which I am sure he has done with his usual sense of responsibility, it is for the Home Minister, here and now, to deny or to plead guilty to it. Quite apart from what we are going to discuss in regard to the interpretation of the parole restrictions, the allegation has come up before the House which should be denied or accepted here and now.... (*Interruption*).

Mr. Speaker: The Home Minister says that he is going to make a statement.... (*Interruption*). Order, order, I would not take this matter separately. This can be taken up along with that. I hope, when the Minister makes his statement, he will make a mention of this fact also. (*Interruption*).

Shri H. N. Mukerjee: Here is a specially fixed matter that is being postponed on the initiative of the Government and they do not give us any justification for that. Possibly, the Law Minister had come ready with this matter. Sir, if you were functioning as a judge, as you were at one time, and if somebody wanted postponement or adjournment of a specially fixed matter, some rational justification for it would have been asked for. Now, in the afternoon, we are going to discuss something which is of an explosive nature. What has happened in West Bengal is a matter which concerns the coun-

[Shri H. N. Mukerjee.]

try in an explosive sense and Mr. Subramaniam was conscious of this, as we all felt, during Question Hour. At that point of time, this is going to be, a sort of, put into the picture of Parliamentary debate and the whole purpose of this matter is going to be diverted and distorted. What I mean to say is that, when a matter appertains to the question of privilege, when something happens which implies that contempt has been committed—contempt of Parliament—by agents of the Government acting from whatever indications are available under the orders of Government of India, it is a very serious matter. That might be separated from the other thing and referred. (*Interruptions*). Let them give the facts of the case. Here is an allegation; we ought to know the facts.

Mr. Speaker: The allegation is there.

Shri Ranga (Chittoor): I do not want you to dismiss this plea merely on the ground....

Mr. Speaker: I have not dismissed.

Shri Ranga: I am suggesting that you should not. The plea is that it should be treated separately. In regard to two other matters, the Government has promised to give full information to the best of their knowledge to the House in the afternoon, that is, in regard to Mizo and West Bengal. This is a third matter, a matter which has already been before the House, and with regard to that, facts have been given and I do not want to repeat them again.

Mr. Speaker: This matter is connected with this subject. (*Interruptions*). There is a clear statement here in 3(b) that the Minister of Home Affairs is to make a further statement so far as release of Shri Umanath on parole is concerned. (*Interruptions*).

Shri Ranga: Now we are concerned mainly with a Member of Parliament

trying to discharge his duties as Member of Parliament during the short interregnum of freedom which the Government was good enough to vouchsafe for him. During that period, he wanted to be present here. That question arose in this House and while it was still being discussed, this new order had been passed by the local police sub-inspector. The other details have already been given by Mr. Kamath. What we are concerned with is this: of course, there is a question of privilege and that can be taken up separately; but there is also the other question of facts, whether it is true that a separate order has been served on him even while Parliament was seized of this question, while Parliament and yourself were trying to see whether it would be within the rights of our Members to rush to this House by the quickest possible transport that they could possibly get in order to discharge even a bit of their responsibility here during the short period when the Government was good enough to release from its determination to keep Members of Parliament in jail and then allow them to be on parole. That is the question and I would like you to give us an opportunity of dealing with the Government on that separately, apart from the other two questions because otherwise we would not be able to give proper consideration to this.

Shri Surendranath Dwivedy (Kendrapara): He can make the statement at 2 P.M. This can be taken up as a separate matter and the other questions also will be taken up later.

Shri Nanda: The fact of the matter is this: this information, namely, that Shri Umanath should not go to Delhi in the present conditions of parole, I thought that I must ascertain in order to be able to give to the House proper information. This is what I have got from Mr. Kamath—that such an order has been passed by some sub-inspector. I have not received the information from the State Gov-

ernment (*Interruptions*). I would like to ascertain from the Government itself. (*Interruptions*). I must have the information; I have not yet got that.

Mr. Speaker: Would it be taken up tomorrow?

Shri Nanda: Yes, Sir.

Mr. Speaker: That will be taken up tomorrow.

Shri Hari Vishnu Kamath: Tomorrow at 12 o'clock and not late in the day; it should be taken up soon after the Question Hour is over.

12.25 hrs.

BUSINESS ADVISORY COMMITTEE

FORTY-FIFTH REPORT

The Minister of State in the Departments of Parliamentary Affairs and Communications (Shri Jaganatha Rao): I beg to move:

"That this House agrees with the Forty-fifth Report of the Business Advisory Committee presented to the House on the 4th March, 1966."

श्री हनुमन्त चन्दा कच्छबाय (देवास): अध्यक्ष महोदय, मैं यह जानाना चाहता हूँ कि संचार विभाग पर जो चर्चा नहीं होगी उसके प्रमुख कारण क्या हैं जो कि आप उस पर चर्चा नहीं करना चाहते?

अध्यक्ष महोदय: वह तो उन्होंने रेकमेंड किया है।

संसद-कार्य तथा संचार मंत्री (श्री स्वयं नारायण सिंह): मुश्किल यह है कि जैसा मैंने श्रीमान् से कहा था उस

दिन यह तय हुआ था जिसमें हर मूफ के लीडर वहाँ थे। अगर वह इस पर डिस्कशन करना चाहते तो मुझे क्या उज्र था? मुझे तो खुशी होती। लेकिन वहाँ सबकी राय से यह तय किया तो टाइम बचाने के लिए ही तय किया...

श्री हुकम चन्द कच्छबाय: इसमें अध्यक्ष महोदय, बहुत सी घांघलियाँ हैं...

अध्यक्ष महोदय: तो आप तरमीम भेज देते.....

श्री हुकम चन्द कच्छबाय: मैं अब देता हूँ कि उस पर चर्चा की जाय।

अध्यक्ष महोदय: मैं हाउस के सामने रख देता हूँ।

Shri Bhagwat Jha Azad (Bhaga-pur): We would like to say in this connection that the Department of Communications is a Department that concerns us every day, and especially seeing the efficiency or otherwise, or rather the inefficiency of the Telephone Department, we would certainly like the Demands of that Department to be discussed, and we would certainly like to modify this report for that purpose and we would submit that time must be allotted for the Demands of the Department of Communications.

Shri D. C. Sharma (Gurdaspur): I support my hon. friend Shri Bhagwat Jha Azad. We must discuss the Department of Communications because it is being neglected these days.

Shri Bhagwat Jha Azad: Crores of rupees are being spent on it, and so, we cannot allow it to go without discussion.

Shri Harish Chandra Mathur (Jalore): Apart from the Department of Communications, I would specially draw the attention of the House in particular to the time allotted for the