

[Shri S. M. Banerjee]

is over. After all, resignation is the manifestation of anger.

Mr. Speaker: I will ask him.

Shri Shree Narain (Bansi): Any member can resign at his will. The Government has no business with that.

Mr. Speaker: Mr. Krishnamoorthy Rao.

12.47 hrs.

COMMITTEE OF PRIVILEGES

ELEVENTH REPORT

Shri Krishnamoorthy Rao (Shimoga): I present the Eleventh Report of the Committee of Privileges.

श्री मधु लिमये (मुंर) : मेरा इस पर प्वाइंट ऑफ ऑर्डर है। यह जो 11वीं रपट प्रिविलेजेंस कमेटी की हमारे सामने आई है उस को कमेटी के सामने वापस भेज देने का निर्देश आप जारी कर दें। उस के दो कारण हैं।

अध्यक्ष महोदय : आप उस को लिखकर दीजिए।

श्री मधु लिमये : वह तो मैं दूंगा।

अध्यक्ष महोदय : तो इस की नोटिस दीजिए न।

श्री मधु लिमये : वह नोटिस तो दे दूंगा। लेकिन इसके बारे में मेरी शिकायत है कि कमेटी ने मुझे सुना नहीं है। . . . (व्यवधान) मैं एक मिनट में खत्म कर देता हूँ। इस के बारे में नियम है।

अध्यक्ष महोदय : मिस्टर मधु लिमये; आप चाहते हैं कि इस को रिकॉर्ड किया जाय, फिर वापस भेजा जाय। मैंने कहा कि आप लिखकर रीजन दे दें। मैं उस को देख लूँ। इस तरह से आप को सुनकर मैं रिकॉर्ड कैसे कर दूंगा।

श्री मधु लिमये : इस में अहसमति टिप्पणी भी नहीं आयी है। यह तो नियमों

के विपरीत है अध्यक्ष महोदय। मैं आप का ध्यान नियम की ओर खींचना चाहता हूँ।

श्री बड़े (खारगोन) : नोट ऑफ डिसेंट आना चाहिये otherwise it is not a complete report.

श्री मधु लिमये : अध्यक्ष महोदय, आप 303 नियम देख लीजिये।

अध्यक्ष महोदय : आप नोटिस दे दीजिये।

श्री मधु लिमये : मैं नोटिस दे दूंगा। लेकिन यह व्यवस्था का प्रश्न है। 303 का (4) आप देखें :

"(4) Any member of the Select Committee may record a minute of dissent on any matter or matters connected with the Bill or dealt with in the report.

"(5) A minute of dissent shall be couched in temperate and decorous language and shall not refer to any discussion in the Select Committee nor cast aspersion on the Committee.

"(6) If in the opinion of the Speaker a minute of dissent contains words, phrases or expressions which are unparliamentary or otherwise in appropriate, he may order such words, phrases or expressions to be expunged from the minute of dissent."

अब अपना निर्देश 91 देख लीजिये। अभी यहां पर हल्ला हुआ, अध्यक्ष महोदय, कि सेलेक्ट कमेटी के बारे में क्यों पढ़ रहा हूँ? लेकिन सेलेक्ट कमेटी के सम्बन्ध में जो नियम हैं, दूसरी कमेटीज के बारे में भी वे लागू होंगे हैं, इस लिये इस नियम का उल्लेख मैंने किया। अब आपके द्वारा जो निर्देश जारी किये गये हैं उसमें निर्देश 91 देखें :

"If, in the opinion of the Chairman, a minute of dissent contains words, phrases or expressions

which are unparliamentary, irrelevant or otherwise inappropriate, he may order such words, phrases or expressions to be expunged from the minute of dissent."

इस चीज को लेकर एक दफा यहां पर बहस हुई थी और उस पर आपने यह निर्णय दिया कि फ्रेज़ यानी वाक्य या शब्दावली का मतलब है कि अगर पूरा अनुच्छेद भी काट दिया जाता है तो वह काट सकते हैं। यह आपका निर्णय है, इसके बारे में मुझे कुछ नहीं कहना है। इस बार प्रिविलेजिज कमेटी और आगे बढ़ गई है और एक दरस्य द्वारा जो असहमति पत्र दिया गया था, उसका एक जमला, शब्दावली या अनुच्छेद ही नहीं बल्कि उस पूरे असहमति पत्र को काट दिया गया, उन को कह दिया गया कि आप असहमति पत्र ही नहीं दे सकते हैं। इस लिये रूल 303 तथा आपके द्वारा जो निर्देश दिया गया है उसका—91 का—उलंघन हुआ है। इस लिये मेरी आप से प्रार्थना है कि इस रपट को यहां सभा पटल पर रखने की अनुमति न दीजिये।

अध्यक्ष महोदय : रखने के लिये मैं नहीं रोक सकता, लेकिन आपने जो कुछ कहा है, इस बात पर मैं गौर कर के देख लूंगा कि इस में कौन सी वैलिडिटी है।

Shri Ranga (Chittoor): What is the actual position? Was any minute of dissent submitted to this report of the Privileges Committee?

Mr. Speaker: I do not know; so, I cannot say.

श्री हरि विष्णु कामत (होशंगाबाद) रिपोर्ट पर चर्चा हो सकती है या नहीं ?

अध्यक्ष महोदय : हां, हां, चर्चा हो सकती है।

Shri Kapur Singh (Ludhiana): The House is entitled to know this simple truth that a note of dissent was given and it is being excluded on the novel

ground now that in the Privileges Committee, no note of dissent can be given at all. And when it is asked why no note of dissent can be given, the argument advanced is that it is not specifically said in the rules. Every democratic process has as one of its postulates this postulate that there might be difference of opinion. Now, to say that there is no specific provision in the rules for a note of dissent in so far as the Committee of Privileges is concerned is the type of argument which has never been advanced in the forum of any democratic assembly. This is the point which the House is entitled to know.

Mr. Speaker: This is the point, and I have followed it. But what decision can I give at this moment when it is just being laid on the Table of the House?

Shri Ranga: The Chairman of the Privileges Committee is here and he can be asked.

Mr. Speaker: The report is being laid on the Table of the House. I have told the hon. Member that he can ask for a discussion on this particular point, and he can ask that time should be allotted for a discussion on this so that he can discuss it, criticise it and then the House can take that decision.

Shrimati Renu Chakravartty (Barrackpore): This matter should be resolved...

Mr. Speaker: I do not know whether there was any minute of dissent.

Shrimati Renu Chakravartty: There was a minute of dissent. We all know it.

Is it not within the rights of Parliament to ask the chairman of this committee who has just laid the report on the Table of the House whether there was any minute of dissent and if so, why he has not included it in the report?

Mr. Speaker: Would the chairman of the Privileges Committee enlighten the House as to what the position is?

Shri Krishnamoorthy Rao: There is no provision in the rules connected with the Privileges Committee for any note of dissent to be given. Of course, Shri Kapur Singh had given a note of dissent, and the Committee then decided on the 7th November, 1966 as follows:

"The Committee further decided that it was not necessary to call Shri Madhu Limaye again before the Committee to hear him on the matter. The Committee also decided that Sardar Kapur Singh's letter referred to above need not be appended to the report of the committee, as urged by him."

It is according to this decision of the committee that it has not been included.

Shri Hari Vishnu Kamath: I would make a request that if you hold that this decision was in order, which I hope you will not, but even if you do so, I would only request that Members who are desirous of studying or perusing or having a look at the minute of dissent which was later not allowed to be included in the report by the chairman of the committee, may be allowed to do so in your Chamber, at least whoever is anxious to read or peruse it, may be allowed to do so in your Chamber.

Mr. Speaker: I shall allow that.

Shrimati Renu Chakravartty: It is a point of principle that we have got to understand. I know that a minute of dissent is allowed in the Select Committees and we are all allowed to append our minute of dissent.

There are two other very important committees, namely the Public Accounts Committee and the Estimates Committee where also this question has come up of a minute of dissent

being given. You will remember that when Shri S. A. Dange was one of the Members of the Estimates Committee this question had come up. At that time that committee also decided that there would be no minute of dissent. Now, again, in another committee, the same question has again been raised, namely, whether a Member can be deprived of his right of dissent and to give a note of dissent to a report of a committee of the House.

This is a very important point which the House has to decide or the Rules Committee has to decide and we have to be very specific in this regard because, after all, in a democracy, one of the essential principles is that every Member, even a Member belonging to a minority, has the right to give a minute of dissent....

Mr. Speaker: That I have conceded already....

श्री मोर्य (अलीगढ़) : अध्यक्ष महोदय,...

अध्यक्ष महोदय : अब और क्या रह गया है? मैंने कहा है कि इस को लिख कर दे दें, हाउस में उस को डिस्कस कर लेंगे।

श्री मोर्य : चुन तो लोजिये।

Mr. Speaker: I cannot now refuse to allow the Report to be laid on the Table of the House. Is there any rule under which I can do so?

Shri S. M. Banerjee (Kanpur): We are not saying that. You may kindly hear me. Last time also this question was raised. When this report was going to be laid on the Table of the House, we were told or rather informed that this report also did not contain any note of dissent. As far as we know, the note of dissent was couched neither in any intemperate language nor in any indecorous language.

Mr. Speaker: May I ask Shri S. M. Banerjee whether I have the power to refuse it or to reject it and say it cannot be laid on the Table of the House?

श्री मधु लिमये : आपको यह अधिकार है ।

12.57 1

Shri Nambiar (Tiruchurapalli): We would request you to see that the report is placed in full. Now, we have not been given a complete report, because the note of dissent is missing. So, we are asking you to see that the full report with the minute of dissent is laid on the Table of the House.

श्री मौर्य : अध्यक्ष महोदय, जितनी भी कमेटियां बनती हैं, उन के सदस्यों में से आप जिसको हटाना चाहें, हटा सकते हैं, वे आपकी इच्छा के आधर पर ही काम करते हैं, यह व्यवस्था सब कमेटियों में है । दूसरी बात जब किसी कमेटी की रिपोर्ट आती है, जैसे हाई कोर्ट या सुप्रीमकोर्ट का फैसला तब तक पूरा फैसला नहीं माना जाता जब तक कि तमाम जजों के फैसले, चाहे वह मेजोरिटी जजमेंट हो, माइनोरिटी का भी जजमेंट शामिल न हो, तब तक वह पूरा फैसला नहीं माना जाता, ठीक उसी तरह की स्थिति इन कमेटियों की है । जो हां कहता, वह भी उस में शामिल किया जाता है और जो न कहता उसको भी उस में शामिल करना चाहिये, अगर उस में किसी एक सदस्य का विचार शामिल न करें, तो वह रिपोर्ट अधूरी है । इस लिये मेरा अनुरोध है कि जिस सदस्य का विचार इस में शामिल नहीं किया गया है, उस को इस में जरूर लेना चाहिये ।

12.57 hrs.

**PUBLIC ACCOUNTS COMMITTEE
SIXTY-FOURTH REPORT**

Shri Morarka (Jhunjhunū): I beg to present the Sixty-fourth Report of the Public Accounts Committee on Para 116 of Audit Report (Civil), 1966 relating to the Department of Supply and Technical Development regarding purchase of defective tyres.

**RE: REPORT OF PRIVILEGE
COMMITTEE**

Shri Hari Vishnu Kamath (Hoshangabad): There were two other issues which had been referred to the Privileges Committee. One was with regard to *The Statesman*. Are those reports going to be presented to the House during this session?

Shri Krishnamoorthy Rao (Shimoga): Yes, I expect to place two reports before the House tomorrow.

Shri Hari Vishnu Kamath: Where is the time for the discussion of those reports?

Mr. Speaker: That cannot be helped.

12.58 hrs.

**PETITION RE. COPPER AND ZINC
QUOTAS TO CERTAIN MANUFACTURERS**

श्री मधु लिमये (मौर्य): अध्यक्ष महोदय, मैं "इण्डस्ट्रियल सेमीज" के निर्र्माताओं को तांबे और जस्ते के कोटे दिये जाने के बारे में श्री धार० पी० वडके तथा अन्य व्यक्तियों की याचिका पेश करता हूँ ।

Shri S. M. Banerjee (Kanpur): May I make one submission in this connection?

Mr. Speaker: The petition has been presented already. I cannot allow any discussion on it now.

Shri S. M. Banerjee: I know that the petition has been presented. But many a time we do not know what is happening to these petitions.

Mr. Speaker: I cannot take up that petition now and open out a discussion on that.

12.58 hrs.

**STATEMENT RE: TALKS BETWEEN
PRESIDENT OF CZECHOSLOVAKIA
AND PRIME MINISTER OF INDIA**

The Minister of External Affairs (Shri M. C. Chagla): The statement