

construction and commission of at least 100-150 rooms with complete facilities as prescribed for the 5-Star Hotel category before the commencement of Asian Games 1982.

6. The licensees shall obtain the prior approval of the Director General of Tourism to the tariff to be charged at the said 5-Star Hotel.

7. The licensor shall have the pre-emptive right to purchase the property built on the site after deducting the market value of the land.

8. The allotment will be made on the licence basis and the licenced premises including the building to be constructed will be a public premises within the meaning of the Public Premises Act.

9. The licensee shall run the 5-Star Hotel themselves. However, the licensees may allowed sub licensees for running Car parking, Cycle-Scooter stand and shopping arcade, bank, offices (within the shopping arcade) etc.

10. The licensee after completion of the building shall not make any additions/alterations without prior permission of the licensor.

11. In the event of breach of any of the terms and conditions of the licence, the licensor shall terminate and revoke the licence.

12. The licence fee in terms of the fixed minimum annual guaranteed amount only will be enhanced after every 33 years provided that the increase in the licence fee shall not exceed 100% of that immediately before the enhancement is due.

13. All the arrears of the licence fee and other payments due shall be recoverable in the same manner as arrears of land revenue.

14. In the event of any question, disputes or defiances in regard to the terms and conditions and their interpretation, the same shall be referred to the Sole Arbitration of the Lt. Governor of Delhi and the award of the Arbitrator shall be binding of the licensee and the licensor.

12.00 hrs.

[English]

MR. SPEAKER: We are going to consider as to when the atrocities and attacks on harijans will be considered. I am just retiring to my chamber, and I am requesting the leaders of different all parties to assemble over there so that we can fix the time. So, I am not taking up that issue now. I am just allowing other Members to make their say.

[Translation]

SHRI DEVENDRA PRASAD YADAV (Jhanjharpur): Mr. Speaker, Sir, I have given a notice. I seek your permission to raise the question of breach of privilege under Rule 222 of the Rules of Procedure and Conduct of Business in Lok Sabha. By prominently printing my photograph on page 4, Col. 2 of the newspaper "Sunday Observer" dated 11th August, 1991 deliberately under the heading "Astitva ke ladaae la rahe D.P." (D.P. battlaing for existence) the editor, publisher, reporter Shri Alok yatri and the photographer, Shri Sandeep Mishra of the above newspaper have not only attempted to tarnish my public, social and political image among crores of people but have also tried to create hindrance in the discharge of my Parliamentary work during the session of Parliament by creating mental tension. This is clearly a case of breach of my privilege.

Mr. Speaker, Sir, you are the custodian of the rights of the hon. Member. I would request that a notice be served immediately on the said newspaper to ascertain the facts

and the matter be referred to the Privileges Committee to examine, inquire and report upon it. Here is the photograph that has been printed and the case pertains to D.P. Yadav of Ghaziabad (*Interruptions*)... It is a deliberate attempt at my character assassination... (*Interruptions*)

SHRI RAM VILAS PASWAN (Rosera): Mr. Speaker, Sir, this is a very serious matter. The case pertains to D.P. Yadav against whom criminal cases are pending. They have printed the photograph of Shri D.P. Yadav, i.e. Devendra Prasad Yadav in his place just because he has been raising the matter of L&T against the proprietor of that newspaper in the House. All these things are inter-linked. This is not something to be laughed at. The way attempts are made at black mailing and character assassination, the matter assumes all seriousness. Either the newspaper should express apology, failing which the matter should be referred to the Privileges Committee.

(*Interruptions*)

SHRI GEORGE FERNANDES (Muzaffarpur): Mr. Speaker, Sir it is very clear that this has been done deliberately so that D.P. Yadav-Devendra Prasad Yadav is arrested. You know that the police is on the look-out for D.P. Yadav. A news paper has published a long interview of Shri D.P. Yadav with one of its correspondents in a small village of Haryana with the news that D.P. Yadav is absconding and the policies on the look out for him. A search is being carried out for him and two Delhi based journalists had met him yesterday in the same village of Haryana. Their interview with him has appeared in the newspaper. I am afraid, there is a deep rooted conspiracy behind it. On the one hand the the police is on the look out for him and on the other hand, the photograph of the hon. Member has been printed. The police of any State can arrest him. This can happen today even... (*Interruptions*) An hon. Mem-

ber of this House had raised the matter relating to some cases against the proprietor of the newspaper in question. The issue had become a matter of debate both inside as well as outside the House and the opinion was that this has been done deliberately. (*Interruptions*) Therefore, I would urge that this matter may be referred to the Privileges Committee. If it is proved that it was not a conspiracy, you may take decision whatever you deem fit. (*Interruptions*)

[*English*]

SHRI BASU DEB ACHARIA (Bankura): Sir, the matter is very serious. (*Interruptions*). It was deliberately done, not by mistake. Sir, thousands of copies of the newspapers have been sent to his constituency for character assassination. So, we want that action against the proprietor of this newspaper should be taken.

Sir, we raised this issue in this House three times and the Leader of the House assured us that a statement would be made on L&T.

MR. SPEAKER: I will deal with this issue.

(*Interruptions*)

SHRI BASU DEB ACHARIA: Sir, it is interlinked. (*Interruptions*)

MR. SPEAKER: If you continue talking, you don't get a proper response. You should be interested in response also.

SHRI BASU DEB ACHARIA: Sir, the Leader of the House, Shri Arjun Singhji, gave an assurance that the Finance Minister would make a statement on this. (*interruptions*). He gave this assurance. (*Interruptions*). And the Finance Minister has not made any statement on clandestine taking over of L&T. It is a very serious thing. Be-

cause of this, this has been done (*Interruptions*)

[*Translation*]

MR. SPEAKER: Please take your seat. I shall certainly reply to what you have send.

(*Interruptions*)

[*English*]

SHRI BASU DEB ACHARIA: We want to know about his assurance to the House. (*Interruptions*)

MR. SPEAKER: Mr. Acharia, please sit down. (*Interruptions*)

MR. SPEAKER: It is not necessary.

Please let me divide the subject into two parts. The first part relates to his photograph and the contents of the statement which has appeared in the newspaper. And the second part is...

(*Interruptions*)

MR. SPEAKER: Please don't interrupt me now. I am giving you the remedy and you don't want it.

Now, the second part relates to the privilege. As far as the first part is concerned, it is quite obvious that the content relates to some one and the photograph is not that of the gentleman to whom the content relates. There is a wide divergence between the two. I think this would be corrected by the newspaper.

(*Interruptions*)

SHRI BASU DEB ACHARIA: He has deliberately published it. (*Interruptions*)

MR. SPEAKER: Mr. Acharia, please sit

down first, not like this. I have not completed.

(*Interruptions*)

MR. SPEAKER: It is very unreasonable. You first sit down. This is very very unreasonable, I have not completed.

(*Interruptions*)

MR. SPEAKER: Please don't shout like that. I have not completed what I have to say. You are just jumping up. I have not completed. So, please allow my statement to be completed so that you know what is being said.

As for the privilege issue, I am not closing it. Now, I will see what can be done in the matter. Please just allow the Members to make their statements, allow the Ministers to make their statements, allow the Presiding Officer to complete the statement so that you understand what is being said and please don't do this way.

Now let me examine it and let me see what can be done in the matter, but I am giving you immediate relief as far as the photograph is concerned. Let the correct photograph be published and let that be corrected first.

(*Interruptions*)

SHRI K.P. UNNIKRISHNAN (Badagara): I am on a point of order.

MR. SPEAKER: Mr. Unnikrishnan, there is no point of order at this time.

SHRI K.P. UNNIKRISHNAN: Why there is no point of order? (*Interruption*). It is not Question Hour. But points of order cannot be regulated like this. You say there is no point of order now. There is no point of order only during the Question Hour. (*Interruptions*)

MR. SPEAKER: But everything they are doing at this hour is out of order.

SHRI K.P. UNNIKRIISHNAN: No, there is no Zero Hour mentioned in the Rules of Procedure. (*Interruptions*)

MR. SPEAKER: What is your point of order? Which procedure has been violated?

SHRI K.P. UNNIKRIISHNAN: Sir, precisely I am formulating my point of order. Rule 222 in the Rules of Procedure and Conduct of Business relates to privilege notice. I want to know at what stage we are in now. A matter of breach of privilege has been raised by a Member. I want to know whether you are satisfied about the *prima facie* case and the House is seized of the matter, because then only we can go from one stage to another. Are you satisfied that there is a *prima facie* case? In that case, either the House is seized of the matter or it is sent to the Committee of Privileges. (*Interruptions*)

MR. SPEAKER: You complete and then I will give my ruling.

(*Interruptions*)

SHRI K.P. UNNIKRIISHNAN: The debate can ensue only if the House is seized of the matter. Otherwise, there is no question of debate. You can say, you are considering it and then it is followed. Otherwise, you have to refer it to the Committee of Privileges. Are you referring it to the Committee of Privileges?

MR. SPEAKER: Please do not make a speech.

SHRI K.P. UNNIKRIISHNAN: I am not making a speech. (*Interruptions*)

SHRI SRIKANTA JENA (Cuttack): Sir, what is your ruling?

MR. SPEAKER: I will give my ruling. I gave you what you wanted. You should not press more than that. Please take your seat now. When the Speaker is standing, you should hear him first •

[*Translation*]

MR. SPEAKER: Please sit down. Do not go by what has been written in the booklet, there is some exaggeration in it.

[*English*]

I have divided, as I said, this matter into two portions; *prima facie* the contents and the photographs have no relation. That is why I said, if there is a patent mistake like this, that patent mistake should be corrected. That is one thing. As far as Mr. Unnikrishnan's point of order is concerned, I do not know which provision has been violated. But before I give my consent to raise that matter, it cannot be discussed at length and that is why I have said that I am applying my mind to find out whether that constitutes a privilege or not. I have not closed it. It is under my consideration. If need be, I can call for the information also and I will take a decision. That is why, Mr. Unnikrishnan, your point of order is not in order.

(*Interruptions*)

SHRI SRIKANTA JENA: Sir, it is not a mistake; it is deliberately done to malign his image. Since Shri D.P. Yadav has raised the matter of Larsen and Toubro, this newspaper has printed his photograph deliberately. (*Interruptions*)

MR. SPEAKER: I have not closed it. Mr. Jena, why do you not understand?

(*Interruptions*)

SHRI SRIKANTA JENA: Sir, this newspaper is owned by Mr. Ambani. Since Shri

D.P. Yadav has raised the matter of Larsen and Toubro, they have deliberately printed his photograph in order to malign his image and 50,000 copies of the paper have been sent to his constituency, Patna.

MR. SPEAKER: So what?

SHRI SRIKANTA JENA: You have to protect us.

MR. SPEAKER: That is what I am doing.

*(Interruptions)*

MR. SPEAKER: I would request the leaders of the parties to tell their Members that this cannot go on like this. I have said that I have not close that matter.

I have given an immediate remedy also.

Without understanding it, you are just arguing with me. That is not correct.

*(Interruptions)*

MR. SPEAKER: The hon. Members have to study the procedure in detail.

SHRIK.P. UNNIKRISHNAN: About what concerns the Members' right, even the leaders cannot restrict it. *(Interruptions)*

MR. SPEAKER: Shri Ram Naik.

*[Translation]*

SHRI RAM NAIK (Bombay-North): Mr. Speaker, Sir, an Adivasi girl of Chakradharup in Chaibasa district of Bihar was subjected to rape. The victim was working as collie. She narrated the gory tale to the villagers. There upon the villagers went to Baglatund where the crime was committed to inquire into the matter. The people belonging to Laghman-ati community are in majority in that village. They resorted to violence, as a result of

which some Adivasis were killed.

12.17 hrs.

[SHRI SHARAD DIGHE *in the Chair*]

Mr. Speaker, Sir, inquiries following the clash revealed that five people were killed as a result of the atrocities on the Adivasis. I was told that the Chief Minister of Bihar had visited the place of incident, but according to my information he did not take any follow up action. Therefore, I would request the hon. Minister of Home Affairs to make a statement in this regard in the House as it involves atrocity on an Adivasi girl and killing of five people in the caste war that followed. I hope the hon. Minister would consider my demand in view of the seriousness of the incident.

*[English]*

SHRI P.C. THOMAS (Muvattupuzha): There has been an incident which has been made known to me by a letter by an Indian who was travelling from New York to India by Trans World Airlines. While he reached London, there was about 12 hours delay for getting another flight. The TWA made accommodation for the travellers. But when this Indian passport holder went to the counter of the TWA and asked them for accommodation, he was told that Indian passport holders would not get this facility. There was no other explanation. He asked why was it so. Then, it was said that this was given only to European and American passport holders.

Sir, this is a grave discrimination and I would like to bring this matter to the notice of the Government since very stern action has to be taken. I got this letter only yesterday. I have written immediately to the Civil Aviation Minister. I am bringing it once again to the notice of the Minister for taking very serious action. It is learnt that such type of serious discrimination against a number of Indians