

Clause 62

Shri M. L. Agrawal: I beg to move:

In page 17, line 36, for "or" substitute "and".

Shri Sadhan Gupta: I beg to move:

In page 17, line 36, for "or" substitute "and".

The Deputy Minister of Home Affairs (Shri Datar): I beg to move:

In page 17, lines 37 and 38, omit "adverted to or".

Clause 63

Shri Sadhan Gupta: I beg to move:

In page 18, lines 5 to 7, for "unless the Court finds the adjournment of the same beyond the following day to be necessary for reasons to be recorded" substitute:

"unless the Court for reasonable cause and for reasons to be recorded, considers it necessary in the interests of justice to adjourn the same beyond the following day."

Pandit Munishwar Datt Upadhyay: I beg to move:

In page 18, omit lines 8 to 13.

Clause 64

Shri N. S. Jain (Bijnor Distt.—South): I beg to move:

In page 18, after line 34, insert:

"Assault or criminal force to woman with intent to outrage her modesty. 354 The person assaulted or to whom criminal force was used.

Assault or criminal force with intent to dishonour person otherwise than on grave provocation. 355 Ditto."

Shri Venkataraman: I beg to move:

In page 18, line 38, after "Theft" add "where the value of property stolen does not exceed one thousand rupees".

Shri Sadhan Gupta: I beg to move:

In page 18, after line 39, insert:

"Theft in a.... 380 Ditto"
building, tent
or vessel

Shri Venkataraman: I beg to move:

(1) In page 18, line 41, after "master" add "where the value of the property stolen does not exceed one thousand rupees".

(2) In page 19, line 4, after "trust" add "where the value of the property does not exceed one thousand rupees".

(3) In page 19, lines 9 and 10, after "wharfinger, etc." add "where the value of the property stolen does not exceed one thousand rupees".

(4) In page 19, line 11, after "servant" add "where the value of property does not exceed one thousand rupees".

Shri Sadhan Gupta: I beg to move:

In page 20, omit lines 15 to 19.

Clause 65

Shri Sadhan Gupta: I beg to move:

(1) In page 20, lines 28 and 29, for "as he may permit" substitute "as may be made".

(2) In page 20, after line 29, add:

"Provided further that if requested so to do by any accused person, such Magistrate shall re-summon any one or more of such witnesses in accordance with such request and after such further examination, cross-examination, and re-examination, if any, as may be made, each such witness shall be discharged."

MOTION RE: REPORT OF JOINT
SITTING OF COMMITTEES OF
PRIVILEGES OF BOTH HOUSES

The Minister of Home Affairs and States (Dr. Katju): I beg to move:

"This House approves the recommendations contained in the

[Dr. Katju]

Report of the Joint Sitting of the Committees of Privileges of the Lok Sabha and the Council of States which was presented to the House on the 23rd August, 1954."

The Report is a unanimous report, containing the conclusions reached unanimously by the Committees of Privileges of both the Houses, and I commend their unanimous decision for approval.

Mr. Chairman: Motion moved:

"This House approves the recommendations contained in the Report of the Joint Sitting of the Committees of Privileges of the Lok Sabha and the Council of States which was presented to the House on the 23rd August, 1954."

Shri T. B. Vittal Rao (Khammam): Regarding what?

Mr. Chairman: Regarding the recommendations contained in the Report of the Joint Sitting of the Committees of Privileges of the Lok Sabha and the Council of States which was presented to the House on the 23rd August, 1954.

Shri T. B. Vittal Rao: I wanted to know the subject.

Shri A. M. Thomas (Ernakulam): Is it with regard to Shri N. C. Chatterjee's case?

Mr. Chairman: It has been circulated to Members.

Shri V. P. Nayar (Chirayinkil): Our memory does not last for four or five months to find out what actually it is. Kindly inform us as to what it is about.

Dr. Katju: May I just sum it up in one word? A question arose as to what should be the procedure, if a Member of this House commits a breach of the privileges of the other House, or vice versa, namely that a Member of the Rajya Sabha commits a breach of the privileges of this

House. The two Committees of Privileges sat together and arrived at an unanimous report. The unanimous report is that the point should be raised in the House which is the complaining House. If it is found, by the Speaker or the Chairman, as the case may be, that the point raised is of substance, that the complaint is *prima facie* well-founded, then that complaint should be sent by the Speaker or the Chairman to the other House, and on receipt of that, that House should proceed as if it was a complaint of a breach of privileges committed by its own member. They go into that and take speedy decision, and they communicate that decision. If an expression of regret is made, then that apology should be accepted and communicated to both the Houses. That was the decision unanimously reached.

Shri Raghavachari (Penukonda): It was a report submitted to the House many months ago.

Mr. Chairman: It was circulated on the 23rd August, 1954.

Shri A. M. Thomas: That was in the last Session.

Mr. Chairman: It was a unanimous report, as the hon. Minister says.

Shri V. P. Nayar: Why has this formality taken four months? The Report was submitted in August, and let us know why the ever-alert Home Minister has taken four months on this.

Dr. Katju: The Home Minister is a very slow-moving individual, sometimes. The position is that later on, the Rules Committee took the view that this decision should have the approval of the House and therefore, it is placed before the House now.

Shri Raghavachari: The Report was circulated many months ago. When was it discovered that this should have the approval of the House? (*Interruptions*)

Mr. Chairman: The matter came up before the Rules Committee. It was said that this should form part of the rules. And they recommended that this should have the approval of the House, and in accordance with that, the question is now placed before the House.

The question is:

"This House approves the recommendations contained in the

Report of the Joint Sitting of the Committees of Privileges of the Lok Sabha and the Council of States which was presented to the House on the 23rd August 1954."

The motion was adopted.

The Lok Sabha then adjourned till Eleven of the Clock on Friday the 3rd December, 1954.
