

**NOTIFICATIONS ISSUED UNDER THE
ESSENTIAL COMMODITIES ACT**

Shri M. V. Krishnappa: On behalf of Shri A. M. Thomas, I beg to lay on the Table, under sub-section (6) of Section 3 of the Essential Commodities Act, 1955, a copy of each of the following Notifications:

- (i) G.S.R. No. 815, dated the 11th September, 1958.
- (ii) G.S.R. No. 816, dated the 11th September, 1958
- (iii) G.S.R. No. 817, dated the 11th September, 1958 containing the Delhi (Guest Control) Order, 1958.
- (iv) G.S.R. No. 818, dated the 12th September, 1958, making certain further amendments to the Rajasthan Gram (Prohibition of Export) Order, 1958.
- (v) G.S.R. No. 818A, dated the 13th September, 1958 containing the Rice, (Northern Zone) Movement Control Order, 1958.

[Placed in Library, See No. LT-943/58.]

NOTIFICATION ISSUED UNDER INSURANCE ACT

The Minister of Revenue and Civil Expenditure (Dr. B. Gopala Reddi): On behalf of Shrimati Tarkeshwari Sinha, I beg to lay on the Table, under sub-section (2) of Section 2C of the Insurance Act, 1938, a copy of Notification No. S.O. 1831, dated the 13th September, 1958. [Placed in Library. See No. LT-944/58].

**PERSONAL EXPLANATION BY
MEMBERS**

Shri M. R. Masani (Ranchi—East): Mr. Speaker, yesterday I sought your permission to ask . . .

Acharya Kripalani (Sitamarhi) rose—

Mr. Speaker: Acharya Kripalani.

Acharya Kripalani: Before you begin the proceedings of the House, for the smooth running of the business of the House, I have certain questions to ask so that I may be able to regulate my conduct in future. The first is whether Members who are addressing the Chair are through the Chair, also speaking to the House, and, through the House to the public, and whether when they speak like that, on certain important national issues, they should be given the opportunity to speak out.

The second question is: Are the Members entitled to correct anything which is put in their mouth by other Members and which they have not said, whether this is done by Members or the Speaker. Have they the right to correct what has been, in their view, misrepresented? Can any arguments be raised upon that misinterpretation?

Yesterday, I repeatedly pointed out, Sir, that the impression given to the public of not allowing Dr. K. B. Menon to make his statement would be that there has been yielding on account of the bullying tactics of the Communist party. I again repeated this when the Home Minister, because he wanted to have a little fun, said that I had said that there was a clique, a league, between the Congress and the Communist party. I immediately corrected him and said that what I had said was, and the House will bear me out, that in politics it is not only that we should be correct but we should appear to the public to be correct. Then, you put it in my mouth that I had accused you of being intimidated by the bullying tactics of the Communists. I again got up and reminded you that I had not said that, but what I had said was that in public affairs it is not only that we should be correct but we should

appear to be correct, and the impression on the public, of not allowing Dr. K. B. Menon to make his statement, would be very bad and the public will think, etc. etc. I think I was entitled to do that, but you, instead of taking my explanation, said that you will be obliged to ask me to leave the House.

The Communists interrupted me in my speech and howled. I am not in the habit of howling. I have never interfered with any Member of the Communist party when he was speaking. As a matter of fact, I am the quietest Member in the House. I have never asked any question. I have never raised any points of order, and I have behaved as the leader of a party, I think, in an exemplary manner.

Some Hon. Members: Hear, hear.

Acharya Kripalani: If we are to be threatened like that, I am afraid the freedom of speech of this House is in danger.

I also want to know whether the Speaker has authority to take away the remarks of any individual from the proceedings without informing him or without informing the House. All these matters should be cleared up for the smooth working of this House. Otherwise, I am afraid this House may have to witness scenes that are witnessed in other State Assemblies. I want such things to be avoided.

I may also tell you, Mr. Speaker, that I have never acted in this House as a party man; even when my party people have left the House in protest. I have not left it. I would have left the House yesterday but for the fact that I am determined that when once I leave the House I never come back again.

Therefore, I want a clear ruling on all these points and also want to know what remedy we have when the

Chair is rude, as it was a few days back to a lady Member when she raised a question of privilege of the House, and then again when Shri Frank Anthony raised a question, his resignation from the Panel of Chairmen was accepted, but no amends were made to him; he was not even induced not to resign.

Then again, even yesterday . . .

Mr. Speaker: Order, order. I have been putting up with it thus far. The hon. Member cannot intervene in the debate like this. If he wanted to make any representation he might have asked me for permission. On account of his importance as a leader, I allowed him to carry on. He is now attacking whatever I have done here, my conduct. I have put up with two or three instances. He is trying to multiply them. If he has got anything to say, he may write to me and I shall be prepared to answer.

I might also tell him what the methods are. This is not the method in which he can proceed. So far as his own case is concerned, I allowed him to speak; I heard him. He is now going to other cases, also, as if there is a charge against me today. I would request him not to pursue it. So far as he is concerned, he has raised certain points. I shall certainly look into them. I shall look into the proceedings of yesterday and I will clarify this issue. If I have been rude—I do not want to be rude but even if I have been rude,—I will certainly say, "I am sorry; I have been rude." So far as he is concerned, he can tell me what has happened to him. So far as the other Members are concerned, he need not raise it now. I know what can be done. The Members from his own party came and talked to me. Possibly he has not been taken into confidence. Under those circumstances, he must stop with this.

So far as the points that have been raised are concerned. I will certainly look into all of them. He is a senior

[Mr. Speaker]

Member here. I expected that the would not wind up by saying "Otherwise, scenes will be created in this House". He might have stopped short of that. It is always open to him to create any scene in this House.

Shri Nath Pai (Rajapur): He said he wants to avoid any scene.

Mr. Speaker: But to say, "Otherwise, I would create scenes in this House" . . .

Acharya Kripalani: I again want to correct you. I said, the proceedings of this House will be interrupted as they are interrupted elsewhere. What I say, I say very deliberately and with calculation. Every word of it is weighed. I do not make any allegations against the Chair. But I am entitled to put forward my point of view and I do not want my point of view to be misrepresented, whether it be by any Member or even by the Chair. You will excuse me if I say that, even if we get angry, if we get excited, if we are in a passionate mood, it must be the work of the presiding authority to remain cool and have a judicial attitude of mind and not get excited himself. I have done.

12.18 hrs.

RE QUESTION OF PRIVILEGE

Shri M. R. Masani (Ranchi—East): Mr. Speaker, I have your consent to raise the question of breach of privilege of this House and some of the Members of this House. The subject, which was referred to in the notice, which I have submitted, deals with the telegram sent by the Chief Minister of Kerala to our Home Minister. In the course of that telegram, the Chief Minister is reported to have attributed the motive of 'slander' to certain Members, unnamed, of this House.

'Slander' is a very serious charge to make against hon. Members engaged in the pursuit of their duties

to the country. If Members can be attacked like this and their bona fide questioned, freedom of speech in this House is in danger. 'Slander' involves two things: It involves a lie or mendacity and in addition, according to the law and the dictionary, it also involves malice. In other words, the charge is that certain Members of this House are *mala fide* misusing their position here to slander against party.

The basis on which this privilege motion is raised is this, and it is reflected in *May's Parliamentary Practice*. People may say, "Individual Members may be attacked; what has the House to do with it?" *May's Parliamentary Practice* points out that "Reflections upon Members, even if the particular individual is not named or otherwise indicated, are equivalent to reflections on the House." *May* goes on to explain that if individual Members cannot function without being brow-beaten and maligned in this manner, they are inhibited from functioning freely. Freedom of speech is affected and the whole proceedings of the House are thereby adversely affected. That is why Parliamentary practice dictates that the House should be the sole judge of the legitimacy of its proceedings or the behaviour of individual Members of the House and nobody outside, not even courts of law, leave aside the Chief Minister of a subordinate Government, has a right to sit in judgment over the motives or honesty of the Members of the House.

I do not know who the Members in his mind were. But we know that two Members—Shri Asoka Mehta and Dr. K. B. Menon—very respected Members of this House, whose integrity is accepted all round,—are the victims of this 'slander' on the part of the Chief Minister of Kerala. I request your permission to raise this matter, so that the House may be able to take a decision, either to summon Mr. Namboodripad to the bar of this House to account for his conduct, or