

[Dr. Ram Subhag Singh]

that he should jump out from the building.

Shri Jawaharlal Nehru: I do not know the relevance of what the hon. Member says.

Mr. Speaker: Many students could place their grievances, but need not commit suicide.

Shri Jawaharlal Nehru: It is an extraordinary state of affairs. I have somebody or other sitting in front of my gate on so-called hunger strike. If I may say so, this business of hunger strike is something which we should not encourage. I am not prepared to deal with any hunger strike or...

Shri Vajpayee (Bairampur): Is it relevant on the part of the Prime Minister to refer to hunger strike? What has that got to do with the Delhi Polytechnic?

Shri Braj Raj Singh (Firozabad): It is well known that they submitted to it in the case of Andhra. Now, they are not prepared.

Mr. Speaker: Order, order. This is most irrelevant.

Shri Jawaharlal Nehru: If we make one mistake, why should we make another?

Mr. Speaker: Let us consider more calmly. There is nothing to lose oneself here.

#### ALLEGED DISTORTION OF FACTS BY MINISTERS

Mr. Speaker: There is another adjournment motion received late from Shri A. K. Gopalan. So far as this matter is concerned, Shri A. K. Gopalan has sent me a notice yesterday or day before and again sent a notice today stating that some Minister made mistakes and incorrect statements on the floor of the House in answer to questions. There is a regular procedure; I have told him. Still, he wants to raise it here. There is a regular procedure as to what has to be done, in the Directions.

"A member wishing to point out any mistake or inaccuracy in a statement made by a Minister or any other member shall, before referring to the matter in the House, write to the Speaker pointing out the particulars of the mistake or inaccuracy and seek his permission to raise the matter in the House."

When he gave the notice, he said that these are all the incorrect ones. I must be satisfied that *prima facie* there is some evidence for this statement. Merely a statement in the press or elsewhere is not enough. I must be given an opportunity to look into this. He gives the notice and immediately he says today I want to raise it. He gave notice a few minutes before the House sat. I must address myself to the various supplementaries here. When am I to make up my mind? Though I told him repeatedly that at any rate I will bring it up before the House if I think it proper and necessary tomorrow, he wants to raise it here. He was the Leader of a Group and so I should allow him to say what he wants to say: that is not right. I should have an opportunity to decide one way or the other.

Shri A. K. Gopalan: All that I wanted when I wanted to raise the matter is this. You have got the right as the Speaker to say that, as far as these matters are concerned, you will go into them and give a reply after some time. That is what I wanted, if you think that this is a matter that wants some consideration. As far as I am concerned, I have looked into this mistake or inaccuracy.

Mr. Speaker: We shall go into the matter.

Shri A. K. Gopalan: There is no mistake. It is not an inaccuracy. If it is only a mistake, certain corrections are made. It is neither a mistake nor an inaccuracy. In the reply that was given and also in answer to

the speeches something was said which was distorted. Also I wanted to bring it up because there was no precedent also. I wanted to bring it to your notice so that you may think about it.

**Mr. Speaker:** Order, order. All that I want to say is this. It is open to any hon. Member, subject to the rules, to bring any matter to the notice of the House and give notice to the Speaker. Even if there is no precedent, if the hon. Member thinks, there is a proper procedure, I am not bound to accept it. But, I must examine what it is. When I say I will bring it up tomorrow, to raise it again on the floor of the House is not right. Let me look into it and intimate what ought to be done.

**Shri A. K. Gopalan:** There is no procedure so far as this question is concerned. How can I follow any procedure when in the rules here there is no procedure as far as contempt of the House is concerned? That is why I wanted to bring it up. If there had been a procedure, I would have followed that procedure. There is no procedure. Article 105 (3) of the Constitution does give a certain direction. So, I wanted to point out that to you so that you can see. If there had been a certain procedure as far as the question mentioned in the notice is concerned, I would have followed that procedure. There is no precedent. There is no procedure as far as this question is concerned. In the first sentence itself I have said that I want your guidance. There is no procedure laid down in the Rules of Procedure. Also there is no precedent. So, I wanted your guidance as to what I can do. That is what I have said. The Constitution has given a guidance. It is said, where is no guidance or procedure, you can follow the procedure of the House of Commons. I have quoted that and said that this must be taken, it is very important. Also, it is not a question of mistake or inaccuracy. I say it is a calculated distortion of

facts given to this House. So, there is contempt of Lok Sabha, Parliament.

**Mr. Speaker:** I have heard. Where there is no specific rule guiding as to what ought to be done in a particular case, there is a provision, there is a rule that what the Speaker says is the rule. (*Interruption*) Whenever there is no rule, he must take the guidance of Speaker. I said I will look into the matter tomorrow. What is the meaning of raising it today?

**Shri A. K. Gopalan:** About procedure there is a direction in the Constitution. I never knew that the Speaker is above the Constitution. There is a certain provision in the Constitution. The Constitution lays down something. I never knew the Speaker has a right above the Constitution.

**Shri H. N. Mukerjee** (Calcutta—Central): We had thought, rightly or wrongly, that there was such a thing as a concept of contempt of Parliament which is interpreted in a certain way in Erskine May. We also thought the Finance Minister has behaved in a manner which comes under the orbit....

**Mr. Speaker:** We are not going into the merits.

**Shri H. N. Mukerjee:** We want your guidance in ascertaining what the concept of contempt is, and that is why, this being such a serious matter, the whole country having been roused to the sense of discrepancy between what the Minister said here and elsewhere in a very responsible manner after making an oath, we want that concept to be determined by you. After consultation with the Leader of the House, we can discuss it in the House or round a table, but this is a matter which has to be taken notice of.

**Shri Jawaharlal Nehru:** I find that advantage is being taken of question and answer to discuss this matter. It

[Shri Jawaharlal Nehru]

is hardly a proper way to discuss the matter. You have said you will consider it. I do not see what other question arises.

Mr. Speaker: I am also a little surprised at this. The erstwhile leader and the deputy leader of the group place certain matters before the Speaker. The Speaker says: "I will look into this matter and see whether I can bring it before the House or not". Then immediately he wants to force it. In one breath he says "I want the guidance of the Speaker"; in another breath, even before the guidance is available as to whether it ought to be brought before the House or not, they start speaking referring to various matters. What is the procedure? Hon. Members want to do without the Speaker himself?

I shall look into this matter. If I have any doubts as to whether it should be brought up or not, what ought to be the procedure regarding this matter etc., I shall talk to them, and ultimately, whether today or tomorrow or the day after, I shall bring it up, if there is need to bring it up. I shall send for them and discuss the matter with them.

This matter will stand over till tomorrow or the day after.

Dr. Sushila Nayar (Jhansi): I take very strong objection to the way in which the Communist leader and deputy leader referred to the Speaker being above the Constitution. In the House the Speaker is the interpreter of the Constitution. The Speaker's word is the last word, and therefore I suggest that the hon. Members should take back their remarks. They have no business to cast reflection on the Speaker's rulings.

Mr. Speaker: I feel that in an attempt to correct a contempt, hon. Members are unconsciously trying themselves to commit contempt of this House. It is very wrong. I will proceed to other subjects. It is no good getting excited over these matters.

Shri Tangamani (Madurai): We are trying to explain.

Shri V. P. Nayar (Quilon): May I draw your attention to your own ruling.....

Mr. Speaker: Later on, not now.

Shri V. P. Nayar.....to your direction in this matter which you quoted to us. It is stated that a member wishing to point out.....

Mr. Speaker: I have looked into that. I shall consider. I shall look into this matter as to what ought to be done. A notice is given. Straightaway as soon as a notice is given, it is not open to a Member to say: "I will raise this matter here".

#### PAPERS LAID ON THE TABLE

##### MODIFICATIONS IN STERLING PENSIONS ARRANGEMENTS OF 1955

The Deputy Minister of Finance (Shri B. R. Bhagat): I beg to lay on the Table a copy of the letters exchanged between the Finance Minister and the High Commissioner for the United Kingdom setting out the agreements reached on certain modifications in the Sterling Pensions arrangements of 1955. [See Appendix I, annexure No. 46.]

##### STATEMENT SHOWING ACTION TAKEN BY GOVERNMENT ON ASSURANCES ETC.

The Minister of Parliamentary Affairs (Shri Satya Narayan Sinha): I beg to lay on the Table the following statements showing the action taken by the Government on various assurances, promises and undertakings given by Ministers during the various sessions shown against each:

(1) Supplementary Statement No. I—Third Session, 1957 of Second Lok Sabha. [See Appendix I, annexure No. 47.]

(2) Supplementary Statement No. VII—Second Session, 1957 of Second Lok Sabha. [See Appendix I, annexure No. 48.]

(3) Supplementary Statement No. VIII—First Session, 1957 of Second Lok Sabha. [See Appendix I, annexure No. 49.]