

[10 August, 2006]

RAJYA SABHA

The House then adjourned at thirty-three minutes past twelve of the Clock.

The House reassembled at two of the clock,

MR. CHAIRMAN *in the Chair*.

RULING BY THE CHAIR

Rejection of Shri Natwar Singh's privilege motion against Prime Minister, Dr. Manmohan Singh

MR. CHAIRMAN: Hon. Members, I have received a notice, dated the 4th August, 2006, from Shri Natwar Singh, wherein he has stated, *inter alia*, that within a few minutes of the submission of the Pathak Commission's Report to the Prime Minister the main findings of the Report were made available to the media; that the Report had neither been shown to him nor a copy of it was laid on the Table of Rajya Sabha. He has, therefore, requested that under Rule 188 of the Rules of Procedure and Conduct of Business in Rajya Sabha, he be allowed to raise this matter of breach of privilege of the House.

As the House is aware, Justice R.S. Pathak Inquiry Authority was appointed by the Government on the 11th November, 2005. The Government laid the Report of this Authority, along with Action Taken Report, on the table of the House on the 7th August, 2006. The Report of the Authority had been presented to the Government on the 3rd August. It is sad as well as unfortunate that some contents of the Report came to be known to the media that very day. It would have been appropriate and desirable that when Parliament was in session, no part of the Report should have become public before it was presented to Parliament. This is definitely a serious matter which needs to be looked into and investigated. However, this matter, though very unfortunate and deplorable, does not involve the question of any breach of privilege of the House. Past precedents in similar cases also lead me to reach the decision that this matter does not constitute any breach of privilege of the House. I accordingly hold that the said notice is not admissible. Now, Special Mentions.

SHRI YASHWANT SINHA (Jharkhand): Sir, before you take up Special Mentions, I would like to submit that I had given a notice to raise a issue during the Zero Hour, which you had permitted to raise. (*Interruptions*)

MR. CHAIRMAN: Zero Hour is over. *(Interruptions)*

श्री एस०एस० अहलुवालिया (झारखंड): वह परमिट किया था। ...*(व्यवधान)*...

SHRI SANTOSH BAGRODIA (Rajasthan): Zero Hour is over. *(Interruptions)*

SHRI V. NARAYANASAMY (Pondicherry): Zero Hour is over. *(Interruptions)*

श्री संतोष बागड़ोदिया : आपने रूलिंग दे दी, Zero Hour is over ...*(व्यवधान)*...

श्री यशवंत सिन्हा: जब चेयरमैन साहब यहां है तो आप लोग क्यों बीच में बोल रहे हो?।...*(व्यवधान)*... am making a request to the Chairman. Who are you to give the ruling? *(Interruptions)*

श्री सभापति: आप बैठिए। ...*(व्यवधान)*... I will deal with him. *(Interruptions)*

श्री यशवंत सिन्हा: इनको क्या परेशानी है? ...*(व्यवधान)*... ...*(व्यवधान)*... ये सदन को नहीं चलाना चाहते हैं. ...*(व्यवधान)*... ये सदन को नहीं चलने देना चाहते। ...*(व्यवधान)*... यह क्या मतलब है? हम चेयरमैन साहब के पास ...*(व्यवधान)*... यह सदन नहीं चलेगा। ...*(व्यवधान)*...

MR. CHAIRMAN: Please take your seats. *(Interruptions)*

श्री यशवंत सिन्हा : यह डिक्टेट करने के लिए नहीं है। ...*(व्यवधान)*... हम इस हाउस में इनके बंधुआ मजदूर नहीं है कि ये जो कहेंगे वही होगा। ...*(व्यवधान)*... मैं आपसे बात कर रहा हूं। ...*(व्यवधान)*... मैं आपसे निवेदन कर रहा हूं। Who are they to decide? यह क्या मज़ाक है? ...*(व्यवधान)*...

श्री संतोष बागड़ोदिया: क्यों नहीं बोलेंगे? ...*(व्यवधान)*... जब चाहे ज़ीरो ऑवर कल लेंगे? ...*(व्यवधान)*... केवल आप ही बोलेंगे?

श्री सभापति : आप बैठिए। ...*(व्यवधान)*... He is talking to me. *(Interruptions)* Please take your seats. *(Interruptions)*

SHRI YASHWANT SINHA: Who are they to give the ruling? *(Interruptions)*

श्री एस०एस० अहलुवालिया : सर, ये जो मुद्दा उठाना चाहते हैं, वह राष्ट्रीय महत्व का मुद्दा है। ...*(व्यवधान)*...

श्री सभापति : आप बैठिए तो सही। ...**(व्यवधान)**... आप बैठो तो सही ...**(व्यवधान)**...

श्री एस0 एस0 अहलुवालिया: राष्ट्रीय स्वाभिमान के मसले भी नहीं उठ सकते? ...**(व्यवधान)**...

श्री सभापति: क्या कह रहे थे आप? ...**(व्यवधान)**... मैं समझता हूँ कि ज़ीरो ऑवर खत्म हो गया, आप यही बात कल उठाना चाहें तो उठा लेना। ...**(व्यवधान)**...

श्री एस0 एस0 अहलुवालिया: सर, उसको स्पेशल मेंशन समझकर थोड़ा सुन लिया जाए। ...**(व्यवधान)**...

श्री सभापति : नहीं। यह नहीं हो सकता। ...**(व्यवधान)**...

SHRI S.S. AHLUWALIA: Sir, it is a matter of national importance. *(Interruptions)* It is a matter of national security. *(Interruptions)* It is a matter of *swabhimaan* of India. *(Interruptions)*

श्री सभापति : वह ठीक है। ...**(व्यवधान)**... ठीक है, ठीक है। ...**(व्यवधान)**... आप मुझे बता दीजिए, कौन सा मैटर है। ...**(व्यवधान)**...

प्रो0 राम देव भंडारी (बिहार): सारे मॅटर्स नैशनल इम्पोर्टेंस के है। ...**(व्यवधान)**... सभी मैटर्स राष्ट्रीय महत्व के है। ...**(व्यवधान)**...

श्री एस0एस0 अहलुवालिया: सर, हमारे राष्ट्र के एक राजदूत के साथ जिस तरह से पाकिस्तान में किया गया, उसकी बात यहां नहीं उठ सकती है? ...**(व्यवधान)**...

श्री सत्यव्रत चतुर्वेदी (उत्तरांचल): सर, स्पेशल मेंशन का एक रूल है। हम लोग लिखकर भेजते है। ...**(व्यवधान)**...

श्री सभापति : मेरी सुनिए। ...**(व्यवधान)**... मेरी सुन लीजिए। ...**(व्यवधान)**... एक मिनट सुन तो लीजिए। ...**(व्यवधान)**...

श्री एस0एस0 अहलुवालिया: सर, यह राष्ट्रीय महत्व का विषय है। ...**(व्यवधान)**...

श्री सभापति : एक मिनट मेरी सुन लीजिए, एक मिनट मेरी सुनिए। ...**(व्यवधान)**... आप भी सुन लीजिए। ...**(व्यवधान)**... आज सुबह इन्होंने, पाकिस्तान में हमारे राजदूत दीपक कौल के साथ जिस तरह से बिहेव किया गया ...**(व्यवधान)**... मेरी बात तो सुन लीजिए ...**(व्यवधान)**... उस संबंध में उन्होंने नोटिस दिया था कि मैं ज़ीरो ऑवर में उठाऊंगा। ...**(व्यवधान)**... आप कल उठा दीजिए। ...**(व्यवधान)**...

श्री एस0एस0 अहलुवालिया: कल क्या बात हुई? ...**(व्यवधान)**... आज उठाने पर क्या होगा ? ...**(व्यवधान)**...

श्री सभापति : चलिए , हो गया। ... (व्यवधान)...

SPECIAL MENTIONS — (Contd.)

MR. CHAIRMAN: Shri K. Kamraj. ..(*Interruptions*)..

SHRI JANARDHANA POOJARY: Sir, I was called in the morning. ..(*Interruptions*).. Sir, it was my Special Mention.

MR. CHAIRMAN: Okay.

Concern over huge backlog of cases in various courts in the country—(Contd.)

SHRI JANARDHANA POOJARY: Sir, it is stated that 1.62 crore cases are pending in different courts, of which 1.18 crore are pending in magisterial courts. Thousands of people are said to be languishing in various jails awaiting trials. Such gigantic backlog is primarily attributed to the woeful lack of judicial officers at various levels. Poor infrastructure and facilities in the courts further compound the situation, which is more pathetic at the district level courts. It calls for concerted effort from all concerned to find a solution to the gigantic problem.

The excruciating delay in settlement of court cases is a matter of great concern to the litigants as also to the Judiciary and the Government. Cases filed decades ago still remain to be settled. Though the people have not lost hope in the Judiciary and its ability to render justice, a sense of despondency nevertheless takes over and lends credence to the age-old adage, 'justice delayed, justice denied.'

A beginning should be made by improving the infrastructural facilities in all courts. Towards this objective, the Centre should allocate, at least, Rs. 3000 crores. The Bar Associations, the Judiciary and the Government should endeavour to hasten the process of litigation. The Government could consider setting up fast track courts and introducing enhanced working hours or shift system at all courts.

All this is to be done for sustaining the hope and confidence of the people in these temples of justice.

[MR. DEPUTY CHAIRMAN IN THE CHAIR]