

Committee, because here is a deliberate misrepresentation. Therefore, this matter should go to the Privileges Committee. We would seek your guidance in this matter, not that it has to be left to the hon. Minister or anybody else, and there, the hon. Leader of the House should also co-operate with us in sorting out the issue clearly, whether it constitutes a matter of privilege, that is, a deliberate misrepresentation has been made. With regard to the offence also I should like to say that there should be a rule clearly laid down that on such frivolous grounds a Member of Parliament should not be obstructed from performing his duties. This should be clearly laid down.

MR. DEPUTY CHAIRMAN : Now, I think, we have had discussion on this for enough time today. No doubt, as pointed out by many Members, the privileges of Members and of this House are important and definitely every effort should be made to uphold the rights and privileges of Members of Parliament. There can be no doubt about it. There can be no two opinions about it. The real question is, what are the circumstances? Under what circumstances has Mr. Rajnarain been arrested? It has been pointed out by the Leader of the House that there were certain abnormal conditions and abnormal circumstances under which Mr. Rajnarain was arrested.

SHRI S. N. MISHRA: Only for slogan shouting.

MR. DEPUTY CHAIRMAN : Suppose, normally an individual Member intends to come to the House for attending the Session. In that case had he been prevented from attending the Parliament Session, it would really be a very bad thing. Suppose a Member, accompanied by thousands of persons, comes before Parliament House. (*Interruption*) Please listen to me.

HON. MEMBERS: No, no.

MR. DEPUTY CHAIRMAN : I am just saying it. Suppose a Member, accompanied by thousands of persons, wanted to enter Parliament House. Definitely, Members will agree with me that it is an abnormal condition. Therefore, if we are to distinguish or differentiate between normal conditions and abnormal conditions; we have to take into consideration all the circumstances. The second question of privilege is regarding the wrong infor-

mation given by the hon. Minister of the Magistrate. The Magistrate had informed us that he was produced before the court. What is the letter actually?

The second question is whether wrong information has been given to us. That question can be gone into. I would like to request the hon. Minister to make enquiries about that and to give us correct information and then the hon. Members can find out whether there is any breach of privilege or not, and they can discuss the matter. We can definitely consider these matters in a calm and quiet manner. I will always strive to uphold the dignity of any individual Member of this House. I can assure you about that.

(*Interruptions*)

MR. DEPUTY CHAIRMAN: We had enough discussion of this. The House stands adjourned till 2 P. M.

The House then adjourned for lunch at eleven minutes past one of the clock.

The House reassembled after lunch at two of the clock, MR. DEPUTY CHAIRMAN in the Chair.

#### LEAVE OF ABSENCE TO SHRI S. M. SAIT

MR. DEPUTY CHAIRMAN: I have to inform Members that the following letter dated the 14th December, 1969, has been received from Shri Salay Mohamed Sait:—

"This is to inform you that I am unable to come over for the present session of the Rajya Sabha as I am not keeping well. I was expecting to attend the Session after Ramzan, but still I am asked to take rest. I request that my absence may be excused."

Is it the pleasure of the House that permission be granted to Shri Salay Mohamed Sait for remaining absent from all meetings of the House during the current session?

(*No hon. Member dissented*)

MR. DEPUTY CHAIRMAN : Permission to remain absent is granted.

#### ALLOTMENT OF TIME FOR CONSIDERATION OF BILLS

MR. DEPUTY CHAIRMAN: I have also to inform Members that under rule 86(2) of the Rules of Procedure and

Conduct of Business in the Rajya Sabha, I have allotted time as indicated below against each Bill, for the completion of all stages involved in the consideration and return of the following Bills, by the Rajya Sabha, including the consideration and passing of amendments, if any, to the Bills:—

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|---|---------------|
| (1) The Appropriation (Railways) No. 5 Bill, 1969                                     | 1 hr.         |
| (2) The Appropriation (No. 5) Bill, 1969, and<br>The Appropriation (No. 6) Bill, 1969 | 2 hrs.        |
| (3) The Manipur Appropriation Bill, 1969  | 1 hr.         |
| (4) The Bihar Appropriation Bill, 1969  | 1 hr. 30 mts. |

#### REFERENCE TO ARREST OF SHRI RAJNARAIN, M.P.

MR. DEPUTY CHAIRMAN: I have also to inform Members that I have received the following communication dated the 22nd December, 1969, from the Sub-Divisional Magistrate, New Delhi:

"I have the honour to inform you that Shri Rajnarain, Member of the Rajya Sabha, who was arrested u/s 188 IPC at 3.45 P. M. in front of Parliament House on 22-12-69 for violating the prohibitory orders promulgated u/s. 144 Cr. P.C. was produced before me. He was asked to furnish personal bond in the sum of Rs. 500. Since he did not furnish the requisite bond, he has been sent to judicial custody till 23-12-69 and is at present lodged in Central Jail, Tihar".

SHRI C. D. PANDE (Uttar Pradesh) : On a point of order ...

SHRI GODEY MURAHARI (Uttar Pradesh) : Mr. Deputy Chairman, we were discussing this very matter before the House adjourned for lunch.

MR. DEPUTY CHAIRMAN : I had expressed my opinion.

SHRI GODEY MURAHARI: There was a resolution before the House moved by Mr. Bhupesh Gupta.

MR. DEPUTY CHAIRMAN: There was no resolution before the House.

SHRI GODEY MURAHARI: He did move the resolution.

SHRI OM MEHTA (Jammu and Kashmir) : No, no. He did not move.

MR. DEPUTY CHAIRMAN: How can any Member move anything without the consent of the Chair? I have said I did not give any consent. There was no question of moving any resolution. I would request the hon. Members that we have to proceed with the legislative business. The question has been discussed for nearly one hour and fifteen minutes. Everybody has expressed his own point of view. If you think that there is any question of privilege involved in it, there are ways open for you. We can discuss this. Then you can come to a conclusion. There is no point in raising points of order every now and then when there is the question of consideration of other important business.

SHRI GODEY MURAHARI: There were two issues. One was the arrest itself, and the other was the information given by the Magistrate which was a patent lie.

MR. DEPUTY CHAIRMAN: About the second issue, I have told the House about it.

SHRI GODEY MURAHARI: That is purely a question of privilege and that must go to the Privilege Committee. You will have to take a decision on that. But on the first issue regarding the arrest itself, the House was in possession of this issue and Mr. Bhupesh Gupta moved a resolution, he sought permission to move it, and it was being discussed and at that stage the House adjourned.

MR. DEPUTY CHAIRMAN: I have said there is no resolution, no resolution can be moved.

SHRI BHUPESH GUPTA (West Bengal) : Mr. Deputy Chairman, I am sure you realise that the opposition is larger in number in the House, and number matters. There is none in the opposition who said that the resolution should not be moved. It was quite clear it was the desire of the majority of the House that a resolution of this kind should be moved. Obviously we expected to get your permission. Do I take it that even when we have a demonstrative indication of the majority of the House desiring