during the last six months. Of these, 3 cases being of a serious nature were reported to the Police. In the other 12 cases action has been taken departmentally.

(d) No arrests have been made so far. Out of articles worth about Rs. 7061.00 articles worth about Rs. 2286.00 were recovered.]

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12 NOON

MOTIONS OF BREACH OF PRIVILEGE AGAINST THE EDITORS OF *"HINDUSTAN" AND "HINDUSTAN TIMES"*

MR. CHAIRMAN: A notice of a question of privilege has been received from Shri Krishan Kant and Shri Chandra Shekhar which relates to certain observations contained in an editorial in the *Hindustan*, a Hindi daily published from Delhi, of the 2nd June, 1967. I am giving my consent to raise this question. Shri Krishan Kant or Shri Chandra Shekhar may now do so. There is also a notice on the same matter from Shri Rajnarain.

SHRI G. MURAHARI (Uttar Pradesh): From me also.

MR. CHAIRMAN: Yes, from Shri Murahari also.

SHRI KRISHAN KANT (Haryana): I beg to move a motion of privilege against the Editor of *Hindustan*, a Hindi daily of Delhi . . .

MR. CHAIRMAN: You must ask for the leave of the House first.

SHRI KRISHAN KANT: I beg the leave of the House to move a motion of privilege . . .

MR. CHAIRMAN: You kindly state your question and then ask for leave.

SHRI KRISHAN KANT: I beg the leave of the House to move a motion of privilege against the Editor of *Hindustan* a Hindi daily, who has committed a breach of privilege of Members of this House.

In its editorial of 2nd June, 1967, it has attacked the Members of this House in a most deplorable and mischievous way. I would like to bring to the notice of the hon. Members some of the sentences included in the editorial which by themselves will prove the *mala fide* intentions of the Editor. It is a deliberate attempt to bring the Members of this august House into disrepute in the public eye. The editorial says—here I am quoting from the editorial:

> "In the twelve hours' debate in the Rajya Sabha, the Hazari Report was used in an incongruous and undesirable manner as a medium of shooting baseless allegations against all canons of democratic propriety. The announcements made by Shri Fakhruddin Ali Ahmed, the Minister for Industrial Development, in reply to the debate clearly indicate that these allegations are baseless and unworthy of consideration according to the Government. Not only that, the Industries Minister showed his regret at the level of discussion and for giving it an undesirable slant for propaganda purposes."

After giving his own views . . .

MR. CHAIRMAN: Will you please read out the particular passage . . .

SHRI KRISHAN KANT: That is what I am reading out.

MR. CHAIRMAN: Please read the Hindi version.

SHRI KRISHAN KANT: I have translated that.

MR. CHAIRMAN: Kindly read from the Hindi version.

SHRI KRISHAN KANT: Yes. After giving his own views of the debate, the Editor goes on to say:

"हजारी रिपोर्ट को बहस का माध्यम बनाने से पूर्व संसद सदस्यों को स्वयं उक्त रिपोर्ट को सचाई, प्रामाणिकता एवं निष्पक्षता की कसौटी पर कस कर देखना चाहिये था।"

He says "Before making Hazari Report as a basis of discussion, Members of Parliament should have tested it on the basis of facts, proofs and impartiality." After blowing hot and cold over the Hazari Report, he further goes on to say:

"ऐसी अवैज्ञानिक, अप्रामाणिक एवं दुराग्रहपूर्ण हजारी रिपोर्ट को आधार बनाकर संसद में जो हंगामा खड़ा किया गया है और जिन मिशनरी सचाई और धर्मयोद्धा के आवेश एवं आवेग में बिरला साम्राज्य का भूत पैदा किया गया, इस शोर के मूल में जितनी कुटिलता, कायरता एवं कुमति हैं उनकी शायद ही आज तक पार्लमेंट के मंच पर प्रदर्शित हुई होगी।"

I do not know whether we created this demon or the demon is speaking through the Editor Then the Editor goes on to say:

प्रश्न है कि क्या हजारी रिपोर्ट को आधार लेकर संसद के मंच से जो अनर्गलता विचलन, चरित्रहनन एवं प्रविवेक प्रदर्शित हुआ क्या यह संसद एवं उसके सदस्यों की प्रतिष्ठा के अनुरूप था ?

as if he knows more about the prestige of Parliament Members than Members of Parliament themselves. The Editorial also deplores the participation of some Congress Members in the criticism of the Birla group during the debate in this House of Parliament. The Editorial is given the heading "निराधार, अनर्गल व अनुचित" (Baseless, Reckless and Improver)" This is how he describes the debate in the Rajya Sabha. I do not know what more is required to prove the contempt of this House by the Editor of Hindustan.

SHRI P. K. KUMARAN: (Andhra Pradesh): Who is the owner?

SHRI KRISHAN KANT: The Birla Group. Now I may refer to May's Parliamentary Practice, page 109.

MR. CHAIRMAN: You need not refer to all that. There is no necessity to refer to that You can sit down.

THE LEADER OF THE HOUSE (SHRI M. C. CHAGLA): Before the discussion goes on, may I . . .

श्री राजनारायण (उत्तर प्रदेश) : श्रीमन्, मैं वह पोर्शन पढ़े दे रहा हूं . .

MR. CHAIRMAN: The Leader of the House wants to say something.

श्री राजनारायण : श्रीमन्, वह पोर्शन अभी नहीं आया है, उसे सुनने तो दीजिये। मेरा क्या विशेषाधिकार का प्रश्न है, कृपा कर के उसको सुनने दीजिए। उसे बड़ी आसानी से मंत्री जी कह सकते है वह विशेषाधिकार का प्रश्न नहीं है . . .

श्री ब्रजकिशोर प्रसाद सिंह (बिहार) : नहीं, नहीं।

श्री राजनारायण : सुनिये पहले। विशेषाधिकार अवहेलना के बारे में मेरा पत्र इस प्रकार है :

"श्री सचिव, राज्य सभा, नई दिल्ली।

प्रिय महोदय,

राज्य सभा में हजारी रिपोर्ट पर हुई बहस के सम्बन्ध में गत 2 जून के सम्पादकीय में हिन्दुस्तान हिन्दी दैनिक पत्र ने लिखा है 'किन्तु खेद का प्रसंग है कि कतिपय संसद सदस्यों ने इस रिपोर्ट को उसके मूल उद्देश्य के बिन्दु से नहीं परखा और केवल वैयक्तिक एवं दलीय प्रचार अथवा एक संस्थान विशेष एवं व्यक्ति विशेष को बदनाम करने के माध्यम के रूप में ही इसका इस्तेमाल किया।'

संसद में सदस्य अपने कर्त्तव्यों का पालन किसी राग द्वेषपूर्ण ढंग से नहीं करते और न तो व्यक्तिगत प्रचार या दल प्रचार के लिये किसी व्यक्ति को बदनाम करके संसद्

[श्री राजनारायण]

का इस्तेमाल करते हैं । ऐसा दोषारोपण करना सदन का अपमान है और संसद् के विशेषाधिकार की अवहेलना है और संसद सदस्यो पर इस प्रकार का साम्पादकीय अग्रलेख लिख कर संसद के सदस्यों को अपने कर्त्तव्य से च्युत कराने का दुष्प्रयास है । अतः मैं हिन्दुस्तान के सम्पादक, व्यवस्थापक, के विरुद्ध विशेषाधिकार अवहेलना का प्रश्न प्रस्तुत करता हूं ?"

श्रीमन्, इस संबंध में मैं आपके द्वारा सदन के सम्मानित सदस्यों से निवेदन करना चाहता हूं कि मैं किसी भी सम्पादक या किसी भी व्यक्ति का जो अधिकार है, उसको भी सुरक्षित रखना चाहता हूं । मैं जानता हूं और कतई मैं इस मत का हूं कि कोई भी सम्पादकीय अग्रलेख लिख सकता है कि संसद में जो यह विचार हुआ बिल पर या किसी और विषय पर, उसके वह सहमत नहीं है, जो आरोप लगाये गये वे निराधार हैं, वे ग़लत हैं, वे सत्य नहीं है—इसमें कोई विशेषाधिकार का प्रश्न नहीं खड़ा हो सकता है । यह किसी भी अखबार को लिखने का हक़ हासिल है । मगर कोई भी सम्पादकीय अग्रलेख इस तरह से नहीं लिख सकता कि संसद के सदस्यों ने व्यक्तिगत द्वेषपूर्ण भाव से और किसी को बदनाम करने के लिये कोई काम किया—यह हर्गिज नहीं कह सकते किसी के बारे में । इसलिये यह सीधा, कनटेम्पटुअस कन्टेम्प्ट आफ दि हाउस है । And every contempt of the House is a question of breach of privilege. इसलिये मैं आपके द्वारा उस अखबार के सम्पादक और उसके मैनेजमेन्ट के विरुद्ध विशेषाधिकार अवहेलना का प्रस्ताव प्रस्तुत करता हूं ।

MR. CHAIRMAN: Has the Member the leave of the House to raise this question?

(No hon. Member dissented)

Leave is granted.

SHRI M. C. CHAGLA: I beg to move:

"That the complaints of breach of privilege raised by Shri Krishan Kant, Shri Chandra Shekhar, Shri Rajnarain and Shri G. Murahari, be referred to the Committee of Privileges with instructions to report before the end of the next session."

The question was put and the motion was adopted.

SHRI CHANDRA SHEKHAR (Uttar Pradesh): I have another notice of breach of privilege. With your permission, I want the permission of this august House to raise a question of breach of privilege against the Editor of "Hindustan Times," and English weekly of Delhi. There is an article in its issue of the 4th June, 1967, on page 9 under "National Affairs."

In this article the paper has offered indignity to this House and also to the Members of this House. Mr. Chairman, generally I do not like and I will not be in favour of raising any matter of privilege against the newspapers if there is a question of reporting of news but if any newspaper writes an editorial or an article it is a well-thought-out affair and the paper should be held responsible for committing a breach of privilege. I quote the relevant portion from this article 'National Affairs'. It is about the discussion on the Hazari report.

"The proposition has only to be put in this manner to recognise the absurdity of it. But this prescisely what it amounts to if we are to take with any seriousness the wild charges which have been flung in Parliament against the Birlas.

The question that now arises is how far can we go in allowing Parliament to behave like some kind of a star chamber sitting in judgment on individauls and institutions who have no means of defending themselves without undermining democracy itself. There are a hundred ways in which malefactors can be brought to book—even if they happen to be Birlas—but there are not

many remedies against those who use the freedom of an open democratic society for the express purpose of subverting it."

Now I read the next paragraph. He says that we are using the Parliament for subverting parliamentary democracy. This is what the paper has said and in the end of it, it says:

"The first thing to do is to establish some norms for public discussion not only in Parliament but outside it. The century-old libel law is completely obsolete in to-day's conditions. It has become an instrument in the hands of blackmailers and subverters. That law must be changed at once and brought in line with modern law in this matter elsewhere in the democratic world.

Restraining members of Parliament is more difficult but while privilege may continue to apply to what is said in Parliament, that privilege need not extend to published reports of discussions in Parliament."

The editor or the person who has written this article has tried to indicate that the Members, while debating on the Hazari report, adopted the means to subvert parliamentary democracy. So without going into details, I hope that the House will agree to refer this matter to the Committee of Privileges.

SHRI TRILOKI SINGH (Uttar Pradesh): Sir, along with the editor, and printer and publisher are equally responsible for the contempt of this House. Through you I request the Leader of the House to have the motion by him amended so that along with the editor, the printer and publisher also can be hauled up.

MR. CHAIRMAN: The Privileges Committee is entitled and can certainly call anyone before the Committee.

Has the Member the leave of the House to raise the question?

(No hon. Member dissented.)

787 RSD—5.

THE LEADER OF THE HOUSE (SHRI M. C. CHAGLA): Sir, I beg to move:

"That the complaint of breach of privilege raised by Shri Chandra Shekhar be referred to the Committee of Privileges with instructions to report by the end of the next session."

The question was put and the motion was adopted.

PRIVILEGE ISSUE AGAINST SHRI SHEEL BHADRA YAJYEE

श्री राजनारायण (उत्तर प्रदेश) : श्रीमन्, मैं आपके द्वारा एक निवेदन करना चाहता हूं। गत 30-5-67 को हजारी रपट पर बहस करते हुए कांग्रेस पार्टी के सदस्य श्री शीलभद्र याजी ने कहा कि " बीबीएन बोस कमीशन पर जब बहस हो रही थी तो सात सौ पचास एम पी थे, लेकिन उनमें से एक सदस्य भी रोने पीटने वाला साहू जैन को नहीं मिला। और लोहिया साहब को 1 लाख रुपया लेना था वह ले कर साइन करवाया "श्री शीलभद्र याजी ने यह षडयन्त्र करके संसोपा व संसोपा नेता डा० लोहिया को बदनाम करने के लिए द्वेषपूर्ण ढंग से बार बार मना करने पर भी सदन में इस बात को दोहराया। शीलभद्र याजी का उपरोक्त कथन (1) षड़यन्त्र का फल है, (2) द्वेषपूर्ण है, (3) असत्य, निराधार तथा तथ्यहीन है।

सदन में किसी के विरुद्ध षड़यन्त्र करके द्वेषपूर्ण ढंग से असत्य निराधार बात कहना सदन का अपमान है। इसलिये वह विशेषाधिकार अवहेलना का प्रश्न है।

श्रीमन्, यह पूरी प्रोसीडिंग है उस दिन की। श्री शीलभद्र याजी को बार बार मना किया, मगर मगर आखिर में उन्होंने कहा कि जो मैं कहता हूं, कह रहा हूं, मैं समझता हूं एकदम सही कह