

# COMMITTEE OF PRIVILEGES

## TWELFTH REPORT

**(Preliminary Report on the *Blitz Case*)**

(SECOND LOK SABHA)

*(Presented on the 28th April, 1961)*

संस्कृत



LOK SABHA SECRETARIAT  
NEW DELHI

April, 1961

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# PERSONNEL OF THE COMMITTEE OF PRIVILEGES

## *Chairman*

Sardar Hukam Singh

## *Members*

1. Shri Hem Barua
2. Shri C. D. Gautam
3. Thakor Shri Fatesinhji Ghodasar
4. Shri M. R. Masani
5. Shri Harish Chandra Mathur
6. Shri Hirendra Nath Mukerjee
7. Shri C. D. Pande
8. Shri Shivram Rango Rane
9. Shri Asoke K. Sen
10. Shrimati Jayaben Vajubhai Shah
11. Shri Sarangadhara Sinha
12. Shri Satya Narayan Sinha
13. Dr. P. Subbarayan
14. Shri Shraddhakar Supakar.

## SECRETARIAT

Shri H. N. Trivedi—*Deputy Secretary.*

# TWELFTH REPORT OF THE COMMITTEE OF PRIVILEGES

(Second Lok Sabha)

I, the Chairman of the Committee of Privileges, present this preliminary Report to the House on the question of privilege referred to the Committee by the House, on the 20th April, 1961, regarding certain comments published in the *Blitz* (a weekly news-magazine of Bombay), dated the 15th April, 1961, on the speech made by Shri J. B. Kripalani, M.P., in Lok Sabha on the 11th April, 1961, with instructions to report by the 30th April, 1961.

2. The Committee, at their sitting held on the 20th April, 1961, decided that, in the first instance, both Shri R. K. Karanjia, the Editor, and Shri A. Raghavan, the New Delhi Correspondent of the *Blitz*, be asked to state, by the 26th April, 1961, what they might desire to say in the matter for the consideration of the Committee. The Committee further decided that they be informed that if they desired to appear before the Committee in person, they might do so on the 26th April, 1961.

3. At their sitting held on the 26th April, 1961, the Committee considered the letters\* dated the 24th and 25th April, 1961, received from Sarvashri R. K. Karanjia and A. Raghavan, respectively.

The Committee noted that Shri R. K. Karanjia had asked for six weeks' time for submission of his explanation to the Committee and had sent in a medical certificate saying that he was suffering from some ailment and had been advised to take two weeks' rest. The Committee felt that, in the circumstances, he might be granted the extension of time requested by him.

4. The Committee also noted that Shri A. Raghavan had stated that Shri R. K. Karanjia, as Editor, had taken full responsibility for the publication of the news-report containing the comments which were the subject matter of the question of privilege. The Committee, however, are of the view that since the said news-report had appeared under Shri Raghavan's name in the *Blitz*, he cannot be absolved of his responsibility in the matter and has to explain his position for the consideration of the Committee.

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\*Appendices I and II (pp. 6—9 and 10, respectively).

The Committee also felt that they could not accede to the request of Shri A. Raghavan to grant him six weeks' time for submission of his explanation to the Committee, as his case stood on a different footing from that of Shri R. K. Karanjia inasmuch as he was in New Delhi and working as a correspondent accredited to the Press Gallery of Lok Sabha.

The Committee, accordingly, decided that he be again asked to appear before them on Friday, the 5th May, 1961, or in the alternative, to send his final written reply in the matter by that date, at the latest, for the consideration of the Committee. The Committee further decided that Shri Raghavan be informed that in the case of his failure to appear before the Committee to explain his position or to send his final written reply by the specified time and date, the Committee would proceed further with the matter *ex parte*, as they might deem fit.

5. The Committee recommend that, in the circumstances, the time for the presentation of their report to the House be extended upto the last day of the first week of the next session.

6. The Committee also recommend that in the event of re-constitution of the Committee of Privileges before the presentation of their final report to the House on this question of privilege, the matter may be considered by the re-constituted Committee.

HUKAM SINGH,

Chairman,

NEW DELHI;

The 28th April, 1961.

Committee of Privileges.

## MINUTES

### I

#### First Sitting

*New Delhi, Thursday, the 20th April, 1961*

The Committee met from 16.00 to 16.25 hours.

#### PRESENT

Sardar Hukam Singh—*Chairman.*

#### MEMBERS

2. Shri Hem Barua.
3. Shri M. R. Masani.
4. Shri Harish Chandra Mathur.
5. Shri Hirendra Nath Mukerjee.
6. Shri C. D. Pande.
7. Shri Shivram Rango Rane.
8. Shri Asoke K. Sen.
9. Dr. P. Subbarayan.

#### SECRETARIAT

Shri H. N. Trivedi—*Deputy Secretary.*

2. The Committee considered the question of privilege referred to them by the House on the 20th April, 1961, regarding certain comments under the caption "The Kripaloony Impeachment", published in the *Blitz*, dated the 15th April, 1961, on the speech of Shri J. B. Kripalani, M.P., made in Lok Sabha on the 11th April, 1961.

3. The Committee directed that, in the first instance, Shri R. K. Karanjia, the Editor, and Shri A. Raghavan, the author of the said comments published in the *Blitz*, be asked to state, by the 26th April, 1961 what they might desire to say in the matter for the consideration of the Committee. The Committee further directed that they be informed that if they desired to appear before the Committee in person, they might do so at 16.00 hours on the 26th April, 1961.

*The Committee then adjourned.*

✓ II

**Second Sitting**

*New Delhi, Wednesday, the 26th April, 1961*

The Committee met from 15.00 to 15.35 hours.

**PRESENT**

Sardar Hukam Singh—*Chairman.*

**MEMBERS**

2. Shri Hem Barua
3. Shri Harish Chandra Mathur
4. Shri Shivram Rango Rane
5. Dr. P. Subbarayan

**SECRETARIAT**

Shri H. N. Trivedi—*Deputy Secretary.*

2. The Committee considered the letters dated the 24th and 25th April, 1961, received from Shri R. K. Karanjia, the Editor, and Shri A. Raghavan, the New Delhi Correspondent of the *Blitz*, respectively.

3. The Committee were of the opinion that Shri R. K. Karanjia, the Editor of the *Blitz*, who had asked for six weeks' time for submission of his explanation and had sent in a medical certificate saying that he was suffering from some ailment and had been advised to take two weeks' rest, be granted the extension of time requested by him.

4. As regards Shri A. Raghavan, the Committee decided that since the news-report containing the comments, which were the subject matter of the question of privilege, appeared under his name in the *Blitz*, he had also to explain his position for the consideration of the Committee. The Committee, accordingly, directed that he be asked again to appear before them on Friday, the 5th May, 1961, at 15.00 hours, or in the alternative, to send his final written reply in the matter by 11.00 hours on the 5th May, 1961, at the latest, for the consideration of the Committee. The Committee further directed that Shri Raghavan be informed that in the case of his failure to appear before the Committee to explain his position or to send his

final written reply by the specified time and date, the Committee would proceed further with the matter *ex parte*, as they might deem fit.

5. The Committee decided that in the circumstances, a request be made to the House to grant extension of time for the presentation of their report to the House by the last day of the first week of the next session.

6. The Committee authorised the Chairman to make a report to the House explaining the circumstances necessitating the extension of time for presentation of their report to the House on the question of privilege referred to them.

*The Committee then adjourned to meet again on Friday, the 5th May, 1961, at 15.00 hours.*



✓  
**APPENDICES**

**APPENDIX I**

(See para. 3 of Report)

*Copy of letter dated the 24th April, 1961 from Shri R. K. Karanjia,  
Editor of the 'Blitz', Bombay-1.*

**The Chairman,  
Privileges Committee,  
Parliament House,  
New Delhi.**

**Subject:—**Letter from the Deputy Secretary, Lok Sabha Secretariat,  
dated April 20, 1961. Ref. No. 34/I/CI-61.

Sir,

I have the honour to acknowledge the communication referred to above which reached me today from my office. I have also received, along with this letter, a telegram mentioned in the said letter. I have, for the present, to state the following in reply to the letter.

1. Allow me at the very outset to express my gratitude to your Committee and to the Lok Sabha for offering me an opportunity to state my case before your Committee on the motion moved by Mr. Khushwaqt Rai, the Hon'ble Member for Kheri. May I say that this opportunity fully accords with our democratic tradition that the Parliament, representing the sovereign power of the people, is as jealous of protecting its privileges as it is of guarding the Fundamental Rights of all citizens, guaranteed in our Constitution, as well as the inviolable principles of natural justice.

2. Permit me also to state that as the Editor of BLITZ Newsmagazine I take sole responsibility for the article referred to in the motion which is the subject matter of the deliberations of your Committee. As is customary with newsmagazines all over the world, we edited at the head office the report of the Chief of our Delhi Bureau, Mr. A. Raghavan, and, therefore, the responsibility for its final version which appeared in print rests on the editor. Following the traditions of independent journalism, I assume full responsibility for its contents and pray that the Committee may be pleased not to take Mr. Raghavan into account any further for the said article.

3. Subject to the submissions in my detailed statement, which alone can enable me to avail myself truly of the opportunity offered by your Committee, I consider it my duty at this stage to submit, without any reservations that I, as the Editor of BLITZ Newsmagazine, hold the Parliament in the highest esteem, a fact which can be illustrated by several articles published by me on the subject of the supremacy of the Parliament in recent months. It is, therefore, natural for me to place myself entirely at the disposal of the Parliament and your Committee in connection with this matter and render all co-operation necessary.

4. I am informed that my reply on the question of the alleged breach of privilege and the motion referred to your Committee should reach you before the 28th instant and, further, if I desire to appear personally before the Committee, I should do so at 4 P.M. on the same day. Despite my desire to do all that is within my power to assist the Committee in the fulfilment of its task, I regret to say that it is physically impossible for me either to send my reply or to appear personally before the Committee on the date specified in the letter of the Deputy Secretary for the following reasons:

(a) I am at present laid down with a malignant attack of influenza, and my physician advises me that it will be at least two weeks before I am in a fit physical condition to address myself to the serious task which is involved in the preparation of my reply. I attach hereto the necessary medical certificate.

(b) I am confident that the Committee will appreciate that the matter involved is of considerable importance. I observe from the relevant extracts of the Lok Sabha debate, enclosed with the letter of the Deputy Secretary, that Mr. Khushwaqt Rai relied on the following, among other authorities, in support of his motion:

- (i) May's Parliamentary Practice.
- (ii) Parliamentary Debates 1880, Vol. 215.
- (iii) Debates of the House of Commons, 1935-36.
- (iv) Commons Journal, 1947-48.
- (v) Lok Sabha Debates, Part II (30-8-1955).
- (vi) Lok Sabha Debates (10-2-1959).
- (vii) U.P. Assembly Debates, Vol. 96.

You will appreciate that this is a formidable list of authorities cited entirely in support of the case against me. I am confident that you will also appreciate that there are equally formidable, and in

my submission more telling, authorities on the subject which I am bound to rely on. An average citizen has, however, neither the facilities nor the assistance which a Member of Parliament has in working on a subject like the one under issue. I need at least four weeks to prepare my reply concerning the question of Parliamentary privileges and I submit that this is the shortest period in which a citizen can equip himself on so complicated a subject.

(c) It is my respectful submission that the privilege motion raises certain fundamental issues concerning the freedom of the press and more specially the role of the press as a corrective agency in the interests of safeguarding the defence and security of the country. I submit that the Hon'ble Mr. Nath Pai went to the heart of the matter during the debate on this motion when he stated: "A free press is both a safeguard and a safety valve of democracy. We cannot think of a sovereign Parliament without a free press. It is well-nigh impossible to separate the one from the other; so mutually inter-connected and inter-dependent they are". In my reply I shall have to deal, of necessity, with this matter, and it requires considerable time to be able to do so, and to do so is as much in my interest as, I respectfully submit, it is in the interest of the growing traditions of democracy in our country.

5. Therefore, in order that I may be permitted to exercise my right to avail myself of the opportunity offered to me by the Lok Sabha and your Committee, it is essential that I be granted six weeks' time to prepare my reply. I am sure that it is inessential to submit that an opportunity to be a real opportunity must allow the one who is offered it time to utilise it. I observe that during the debate on this motion, the Hon'ble Speaker of the Lok Sabha reiterated this principle when he stated: "No question of privilege can be disposed of without giving notice and a *fair opportunity* to the person against whom a privilege motion is brought". [Lok Sabha Debates (20-4-61), p. 18234; emphasis supplied]. May I, therefore, request you and your Committee to grant me six weeks' time to really avail myself of the opportunity offered me by the Parliament? May I, with due respect, further submit that only if I am given reasonably sufficient time, can the opportunity offered become a fair opportunity as referred to by Hon'ble the Speaker?

In conclusion allow me, once again, to assure you and your Committee of my highest regard for the Parliament and of my determination to vindicate the true principles on which the privileges

of the Parliament and the freedom of the Press are based irrespective of any personal consequences.

With compliments,

Yours truly,  
(Sd.) R. K. KARANJIA.

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Dr. M. J. F. Desai,  
Maison Belvedere,  
Queen's Road,  
Churchgate.

Con. Tel. 241667

Bombay, 24-4-1961.

Certified that Mr. R. K. Karanjia is under my treatment Re, an Acute Influenzial Bronch attack with very marked Constitutional symptoms.

Is a little better but has been advised to take rest and not to expose to Physical strain for at least a fortnight.

(Sd.) M. J. F. DESAI  
(Reg. 8879)

✓ APPENDIX II

(See para 3 of Report)

Copy of letter dated, New Delhi, the 25th April, 1961, from Shri A. Raghavan, local Staff Correspondent of the "Blitz".

The Chairman,  
Privileges Committee,  
Parliament House,  
New Delhi.

Subject:—Question of privilege raised by Shri Khushwaqt Rai, M.P.  
Reference:—Letter from Deputy Secretary, Lok Sabha Secretariat,  
No. 34/1/CI/61, dated 20th April, 1961.

The Hon'ble Chairman,

I have the honour to state the following in reply to the letter under reference.

1. At the outset, as a correspondent who has been functioning in the Parliament press gallery for the last nine years, permit me to extend my wholehearted co-operation to you, Sir, and the Hon'ble Committee over which you have the privilege to preside in deciding a question which is of primary importance to Parliament and Press.

2. Permit me also to submit that I have been advised by my Editor that he, as the Editor of the publication, has taken full responsibility for the report which has become the subject matter of privilege, and that the Editor has pleaded for more time for submitting his detailed reply.

3. If the Hon'ble Committee in their wisdom hold that I should still be considered a party in this issue, I shall gladly submit my detailed reply. And in this respect may I crave the indulgence of the Hon'ble Committee to grant me six weeks' time for preparations and submission.

Thanking you and assuring you, Sir, of all co-operation,

Yours faithfully,  
(Sd.) A. RAGHAVAN.