

SHRI JAI PRAKASH AGARWAL : When it will come? Will it come when the people will be no more?

MR. SPEAKER : I will break the law neither for you nor for myself. Whatever is done, will be done properly and according to the rules and not like this.

[English]

SHRI HANNAN MOLLAH (Uluberia)
We are every day talking of national integration and communal harmony. To highlight that idea, about 30 lakh people stood hand in hand for 700 kilometres—the biggest in the world; that incident happened in Kerala on the Independence Day...

MR SPEAKER : What is the problem?

SHRI HANNAN MOLLAH : But the Television, Sir, are every day propagating communal and other obscurantist activities but they failed to cover such an unprecedented event for communal harmony and national integration. (Interruptions)

SHRI SURESH KURUP (Kottayam) : It is a very serious thing.

[Translation]

MR. SPEAKER : I have asked you to give me in writing.

[English]

It is all right. I am not concerned with it like that.

(Interruptions)

MR. SPEAKER : I am making an announcement.

12.10 hrs.

QUESTION OF PRIVILEGE

[English]

MR SPEAKER : On 11th May, 1987, Shri

Somnath Chatterjee, Member of Parliament, gave notice of a question of privilege against Shri Arun Singh, the then Minister of State in the Department of Defence, Research and Development in the Ministry of Defence for allegedly, deliberately and knowingly misleading the House, while making a statement in Lok Sabha on 15 April, 1987, on the "inquiry ordered by the former Minister of Defence into payment of commission by the supplier to an Indian agent in a defence deal". The Minister had *inter alia* stated as follows:

"On assuming office, the Prime Minister reiterated the existing instruction that the Department of Defence should not deal with any non-governmental agent of a foreign supplier in respect of any commercial negotiations. The Prime Minister also directed that foreign governments and suppliers should be told unequivocally about the decision. This policy directive has been enforced rigorously by the Department of Defence with satisfactory results".

Referring to a news report which appeared in the *Statesman* of 9th May, 1987, under the caption "Arms and the man in the middle", Shri Chatterjee stated that it appeared from the said Report that "in the matter of several defence deals, non-governmental agent(s) had important or active role to play in respect of commercial negotiations. In this connection, the role of Messrs Eureka Sales Corporation, New Delhi, has been specifically mentioned together with particulars of the correspondence exchanged between the Defence Department or Defence officers and the said Eureka Sales Corporation. The report also quotes extensively from such correspondence which clearly establishes beyond doubt that the said non-governmental concern had, in fact, acted as an agent or a middleman".

Shri Chatterjee had enclosed a copy of the said report and contended that "the

statement made by Shri Arun Singh in Lok Sabha was neither candid nor factually correct and his assertion that the policy directive allegedly given by the Prime Minister 'had been enforced rigorously by the Department of Defence', was contrary to the real state of affairs. In the circumstances, there is strong *prime facie* evidence, if not proof, that with a view to mislead the Hon. House and the Members, the Minister concerned had knowingly taken recourse to prevarication and untruth and is thus guilty of deliberate breach of privilege of the Hon. House and the Members...".

I referred the matter to Shri Arun Singh for his comments. In his reply dated 2nd June, 1987, Shri Arun Singh stated *inter alia* that the seven letters quoted in the news report, "are (implicitly) alleged to depict a situation contrary to what had been stated by me in the Lok Sabha on 15h April, 1987.... It will be clear that what I had stated was (a) that the Department of Defence should not deal with such agents and (b) the prohibition was in respect of commercial negotiations....none of the seven letters referred to in the Press Report originated from the Department of Defence. Further, none of them related to any commercial negotiations". A copy of Shri Arun Singh's reply was handed over to Shri Somnath Chatterjee.

Commenting on Shri Arun Singh's reply, Shri Chatterjee has, in his letter dated 12th August, 1987, addressed to me, stated as follows:

"In his letter, Shri Singh has himself referred to said seven different letters/communications and has not challenged their authenticity and has given his reply accepting the genuineness of the same....It is clear that Shri Singh is trying to make a distinction between Department of Defence simpliciter and Defence establishments/organisations and apparently between commercial negotiations and commercial

transactions. There cannot be any difference between commercial negotiations and commercial transactions.... Further, it is amazing that the letters and correspondence from high defence officials of the Air Head Quarters and other important Defence Establishments are treated to be totally divorced from the Department of Defence. Is it the contention of Mr Arun Singh that important Defence Establishments and organizations were having deals with middlemen, and that there was an embargo only on Department of Defence as has been emphasised by Shri Singh in his letter.... Are not important military establishments / organizations under the control of the Department of Defence? They cannot be independent authorities de hors the control of the Defence Department"

Shri Chatterjee has contended that "it is abundantly clear that there was a deliberate attempt to mislead the House and the Hon. Members and it seems to me that the breach of privilege on the part of Shri Arun Singh is almost self-confessed".

I have gone into the matter carefully. In an earlier case of this nature in 1979, the then Speaker, Lok Sabha, while giving his ruling on a question of privilege regarding an alleged misleading statement made by a former Minister of State in the Department of Revenue and Banking and a member of Rajya Sabha, regarding voluntary disclosures of income and wealth in the context of recommendations made by Public Accounts Committee in their 123rd Report (Sixth Lok Sabha), referred the matter to the Chairman of Rajya Sabha in accordance with the procedure laid down in the Report of the Joint Sitting of the Committees of Privileges of Lok Sabha and Rajya Sabha.

As hon. Members are aware, Shri Arun Singh is a member of the Rajya Sabha. The question of privilege can, therefore, be dealt with only by that House in accordance with the procedure laid down in the above Report which was adopted by the Lok Sabha and Rajya Sabha on 2nd and 6th December, 1954 respectively. I, therefore, propose to refer the matter to the Deputy Chairman, Rajya Sabha, for such action as she may consider necessary and proper.

MR. SPEAKER : Shri G.S. Dhillon.

SHRI HAROOBHAI MEHTA (Ahmedabad) : May I invite the hon. Speaker's attention to the notice given by me against the *Indian Express* for a breach of privilege for their editorial of 8th August 1987, where the Speaker has been categorised as partisan?

MR. SPEAKER : We have already referred it to them.

PROF. MADHU DANAVATE (Rajapur) : There are three privilege notices given by me. Please try to expedite them before the end of this Session.

MR. SPEAKER : We are going to sit for some more days.

(Interruptions)

SHRI V. SOBHANADREESWARA RAO (Vijayawada) : We had given the notices almost at the beginning of the Session.

MR. SPEAKER : Certain things take time.

12.16 hrs.

PAPERS LAID ON THE TABLE

[English]

Notification under Multi-State Co-operative Societies Act, 1984

THE MINISTER OF AGRICULTURE (DR. G.S. DHILLON) : I beg to lay on the

Table a copy of the Multi-State Co-operative Societies (Registration, Membership, Direction and Management, Settlement of Disputes, Appeal and Revision) Amendment Rules, 1987 (Hindi and English versions) published in Notification No. G.S.R. 653(E) in Gazette of India dated the 10th July, 1987 under sub-section (3) of section 109 of the Multi-State Co-operative Societies Act, 1984. [Placed in Library. See No. LT-4619/87]

Notifications under Industrial Dispute Act, 1947 and Employees' State Insurance Act, 1948

THE MINISTER OF STATE OF THE MINISTRY OF LABOUR (SHRI P.A. SANGMA) : I beg to lay on the Table—

- (1) A copy of Notification No. S.O. 1919 (Hindi and English versions) published in Gazette of India dated the 25th July, 1987 adding item 27 viz., Service in the International Airports Authority of India to the First Schedule to the Industrial Disputes Act, 1947 under sub-section (3) of section 40 of the said Act. [Placed in Library. See No. LT-4620/87]
- (2) A copy of the Employees' State Insurance Corporation (Junior Microbiologist) Recruitment Regulations, 1987 (Hindi and English versions) published in Notification No. A-12(11)-4/84-Estt. 1(A) in Gazette of India dated the 28th March, 1987 under sub-section (4) of section 97 of the Employees' State Insurance Act, 1948. [Placed in Library. See No. LT-4621/87]

Review on the working of and Annual Report of Rajasthan State Agro Industries Corporation Ltd., Jaipur for 1984-85 and Statement for delay in laying these papers and Statement explaining reasons for not laying the Annual Reports and Audited