

THE MINISTER OF STATE IN THE MINISTRIES OF INDUSTRY AND STEEL AND MINES (SHRI CHARANJIT CHANANA) : (a) No Sir.

(b) The allotment of wheat is the responsibility of the Deptt. of Food. That Deptt. has clarified that Central Government makes lumpsum allotment of wheat to the State Governments and they in-turn, sub-allocate wheat to various roller Flour Mills in their respective States for conversion into wheat products including maida. The distribution control of these products is exercised by the State Governments under delegated powers. Accordingly, State Governments issue instructions with regard to supply of raw material to bakeries and other bulk consumers. The State Governments and Union Territory Administrations have been advised to keep a close and constant watch on the production and supply position of maida to ensure that biscuit industry and bakeries are assured, supply of their requirements of raw materials. They have also been advised to devise suitable distribution schemes to regulate the supply of the wheat products to the consumers including bulk consumers (such as bakeries, biscuit manufacturers etc.)

(c) Does not arise.

11.46 hrs.

RULINGS BY SPEAKER

PROF. MADHU DANDAVATE (Rajapur): At long last, tomorrow has come.

MR. SPEAKER: Some day it has to come.

Prof. Madhu Dandavate in his letter dated 21st July, 1982, has sought permission to lay what he describes as the verbatim record of the meeting of the Committee on Public Under-

takings of 2nd April, 1982, so as to provide the background about the oil deal with Kuo Oil and the missing file P-20.

Since under the rules the verbatim proceedings containing evidence before the Committee shall not be published by any member of the Committee, or by any person, until it has been laid on the Table by the Committee itself, I wanted to study the matter in depth and look up the past practice, precedents and rulings given by my distinguished predecessors.

I have found that, with the exception of one solitary instance in 1966, there has been not a single case, where the speaker has given directions for laying on the Table of the House such verbatim proceedings of the Committee, containing evidence which the Committee have not chosen to place on the Table. The solitary exception, as Members may recall, relates to the evidence which was given by the then Minister of Food, Agriculture, Community Development and Co-operation, Shri C. Subramaniam, to the Public Accounts Committee of his own accord. It is significant that even at that time the two Chairmen of the Financial Committees, namely, Shri A.C. Guha and Shri R.R. Morarka, had contended that the freedom with which the officers spoke before the Committee would be affected if it became a normal procedure that the verbatim record of the evidence tendered before the Committee came to be laid on the Table and publicised.

The question of making available proceedings of the Financial Committee where evidence has been tendered, has been considered a number of times ; not only once.

In 1956, the Department of Parliamentary Affairs suggested that the copies of the evidence tendered by the officials before the Public Accounts Committee and Estimates Committee might be made available to Government. The matter was considered

by the then Speaker, in consultation with the Chairman of the Committees, and it was decided that no departure from the existing practices should be made.

In February 1958, the question of laying on the Table the evidence tendered before the Public Accounts Committee and the Estimates Committee was raised in a meeting of the Speaker with the Deputy Speaker and Members of Panel of Chairman and was referred to the Chairmen of these Committees. The Chairmen of Public Accounts Committee and Estimates Committee at a joint meeting held on 21st March 1958 decided that, while the existing practice of printing and laying on the Table verbatim proceedings, whenever the Committee deemed it necessary, should be continued, the proceedings of the Committee, which had not been laid on the Table of the House, should not be made available to any person other than the Members of the Committee concerned.

In February, 1969, a Member of Lok Sabha, Shri Madhu Limaye, requested that the verbatim proceedings containing the evidence tendered before the Public Accounts Committee regarding steel transactions might be made available to him in connection with his motion regarding breach of privilege against certain officers for giving false evidence before the Committee. The Member also suggested that the verbatim proceedings of the Committee should in future be laid on the Table. The matter was referred by Mr. Speaker Reddy to the then Chairman, Public Accounts Committee, Shri M.R. Masani, who recorded a detailed minute on 1st March, 1969 to the following effect:

"I find myself in agreement with the decision taken in March, 1958 at the meeting of the Chairmen of the Public Accounts Committee and the Estimates Committee, that proceedings of the Committee which

had not been laid on the Table of the House should not be made available to any persons other than the Members of the Committee concerned. The existing practice has made for frank expression of views by the representatives of Government and it has been our experience that the Secretaries of Ministries/Departments do not hesitate to admit a shortcoming or a lapse when it is brought to their notice. If, however, Government representatives get the feeling that the verbatim proceedings are not only open to inspection but are also liable to be discussed on the floor of Parliament, they could not be expected to be so frank and forthright in their evidence before the Committee.

I, therefore, consider that the existing practice, by which only Minutes of the sitting of the Public Accounts Committee are laid on the Table of the House, should be adhered to".

MR. SPEAKER: Reddy, declined to accede to the request of Shri Madhu Limaye.

We have on record several other instances, where requests from Members and Government for making available the verbatim proceedings of the Financial Committees where evidence was tendered, were not acceded to.

I would appeal to Hon. Members that in the interest of preserving this well-established practice, which has made for effective functioning of the Committees, particularly the Financial Committees, no departure be made. I am, therefore, unable to accede to the request of the Hon. Member, Prof. Madhu Dandavate.

Hon. Members, I have further to inform that I have received on 26th July 1982 a communication from the Rajya Sabha Secretariat forwarding a letter of Shri R. R. Morarka, Hon.

Member of Rajya Sabha dated 15th July 1982 and of Shri Lal K. Advani, Hon. Member of Rajya Sabha dated 20th July 1982. Hon. Members would recall that I had mentioned in the House earlier that the communications received from Members of Parliament regarding the Minutes of the Committee on Public Undertakings relating to the 47th Report of the Committee had been forwarded by me to the Chairman of the Committee.

While forwarding these communications of Members of Parliament to the Chairman of Committee on Public Undertakings I had also forwarded letter dated 15th July, 1982 of Shri R.R. Morarka, Hon. Member of Rajya Sabha. It is pertinent to observe that the letter dated 15th July 1982 of Shri R.R. Morarka to the Hon. Chairman of Rajya Sabha is practically the same as addressed by the Hon. Member to me. The subject of Shri Morarka's letter is thus already under reference and consideration of the Chairman, Committee on Public Undertakings.

As for the letter of 20th July 1982 of Shri Lal K. Advani, Hon. Member of Rajya Sabha, I have forwarded it to the Chairman of the Committee on Public Undertakings for consideration and for giving recommendations keeping specially in view the fact that Shri Advani had been a Member of the Committee on Public Undertakings till 2nd April 1982 and had also participated in the meetings of the Committee including that held on 2nd April, 1982.

I have no doubt that the Chairman, Committee on Public Undertakings would go into all these communications of Hon. Members of Parliament keeping in view all aspects. I have also no doubt that they would afford suitable opportunity to the Members of Parliament including the Hon. Members of Rajya Sabha to place their view-point before the Chairman, Committee on Public Undertakings.

Hon. Members from Rajya Sabha have been associated with the Committee on Public Accounts and Committee on Public Undertakings since 1954 and 1964 respectively. As is well known, the Hon. Members from Rajya Sabha have been a source of great strength to the Financial Committees and have contributed greatly to the quality of their deliberations. The Hon. Members from Rajya Sabha have always enjoyed great respect and esteem and have been appointed as Conveners of the Sub-Committees/Study Groups of these Financial Committees which are charged with the onerous responsibility of detailed examination of important subjects.

It has been our ceaseless endeavour that the sagacious counsel of Pandit Jawaharlal Nehru, the Chief architect and consolidator of the Parliamentary Institutions in India when he spoke on 13th May, 1953, in support of the Motion for association of Members of Rajya Sabha with the Public Accounts Committee should be lived upto in letter and spirit. Pandit Jawaharlal Nehru had *inter alia* observed:

"Something has been said about associate Members. Who are these Associate Members? . . . if they come to the Committee, as the major function of the Committee is scrutinising, there is no question of two grades of Members. They have the same grade and status. . . . it should be the desire of the House to cultivate to the fullest extent possible cooperation and freindly relations with the other House, the conception of the Constitution is that Parliament is an integrated whole. . . . we are joined together in Parliament shouldering the burden of Parliament."

PROF. MADHU DANDAVATE (Rajapur): Sir, I just want to seek one clarification. On any occasion if any ruling conflicts with the Speaker's

direction, what is the remedy that is left upon to the Members of Parliament ?

MR. SPEAKER: I will discuss it with you.

PROF. MADHU DANDAVATE: Only I would go on record that Speaker's Direction 58 conflicts with your ruling that has been given on my demand to lay the verbatim proceedings on the Table of the House.

MR. SPEAKER: No. I have not to discuss it here, but I have gone through that also. I will discuss it with you.

PROF. MADHU DANDAVATE: I just want it to go on record.

MR. SPEAKER: I took into account the minutest details in the best interests of this institution. That is all I have to say.

श्री राम विलास पासवान (हाजीपुर) : अध्यक्ष महोदय, बैकवर्ड क्लासिज कमीशन की रिपोर्ट पर कब बहस होने जा रही है ?

अध्यक्ष महोदय : आप मुझ से पूछ रहे हैं ? मैं आप से पूछूँ या आप मुझ से पूछें ?

SHRI RAM VILAS PASWAN: Because you are in the Chair.

अध्यक्ष महोदय : आप मौजूद थे ?

श्री राम विलास पासवान : कहां मौजूद थे ?

अध्यक्ष महोदय : कल नहीं थे ?

SHRI RAM VILAS PASWAN: No, I am not a Member of the B.A.C.

अध्यक्ष महोदय : कल बुलाया नहीं था आपको ?

श्री राम विलास पासवान : जी नहीं, हम नहीं थे ।

अध्यक्ष महोदय : आप पूछ लीजिएगा ।
(व्यवधान)

अध्यक्ष महोदय : मेरी बात सुनिए ।..... मेरी बात सुनिए । गरम होने से कोई फायदा नहीं होता और बिना वजह बात को बढ़ाने से कोई फायदा नहीं होता । समय आप का है, मेरा तो है नहीं । मैं तो आपका सेवक हूँ । जैसा कहेंगे वैसा करूँगा और वही मैंने आप को कल कहा था । मैंने कल कहा था आपसे कि बिजनेस एडवाइजरी कमेटी सारे हाउस की रिप्रेजेंटेटिव है । मैंने उस के सामने सारी बातें रख दी थीं । यादव जी के भी विचार रख दिए थे और जगपाल सिंह जी के भी विचार रख दिए थे कि क्या चाहते हैं । उन्होंने अपनी समझ से यह रख लिया है कि करेंगे जरूर डिस्कशन लेकिन यह बाद में आ रहा है ।

(व्यवधान)

अध्यक्ष महोदय : देखिए, फिर वही बात कर रहे हैं । मेरी बात सुनिए ।

(व्यवधान)

अध्यक्ष महोदय : मेरी बात सुनिए जगपाल सिंह जी । या तो आप यह कह दीजिए कि कमेटी की बात मैं न मानूँ । अगर मैं उसकी बात मानता हूँ तो मुझे आप उलाहना देते हैं । तो मेरा रास्ता कौन सा है, बताइए । मैं कहां जाऊँ ?

(व्यवधान)

SHRI CHANDRAJIT YADAV (Azamgarh): I want to raise a point of order.

(Interruptions)

MR. SPEAKER: I will put it to the vote of the House.

SHRI CHANDRAJIT YADAV: I want to raise a point of order. You observed here now that you yourself put these things before the Business Advisory Committee and the Business Advisory Committee in its wisdom did not give priority to this discussion on the Backward Classes Commission. This Committee has been keeping it at a very low priority.

अध्यक्ष महोदय : यह तो बात नहीं है।

SHRI CHANDRAJIT YADAV: You are the Chairman of that Committee. Suppose the Committee ignores that, 52% of our population is very much concerned with this report.

MR. SPEAKER: That does not arise.

(Interruptions)

I would not uphold that point of order.

SHRI CHANDRAJIT YADAV: Two Commissions have already been ignored.

MR. SPEAKER: I would not uphold that point of order because the Business Advisory Committee represents all sections of the House.

SHRI CHANDRAJIT YADAV: Will this House have an opportunity to discuss it ?

अध्यक्ष महोदय : वह तो कर दिया है।

(व्यवधान)

अध्यक्ष महोदय : अब लीडर्स बैठे हैं सामने।

PROF. MADHU DANDAVATE: I would like to bring to your notice, in the light of what he has said, there is already one notice pending. That notice is dated 21st May, 1982. It is a privilege notice against Shri Venkata-

subbaiah because he had violated Article 340. He has not laid on the Table of the House the Action Taken Report along with the Report itself. You must allow that issue to be discussed.

MR. SPEAKER: Not allowed.

SHRI CHANDRAJIT YADAV: You said yesterday that there was a lot of Government business. The Minister of Parliamentary Affairs, therefore, would not be able to find time except for one or two
(Interruptions)

PROF. MADHU DANDAVATE: Have you given the ruling on that ?

MR. SPEAKER: I do not admit it. There is no question of privilege.
(Interruptions)

PROF. MADHU DANDAVATE: But he has not said it. Have you given the ruling ?

अध्यक्ष महोदय : रूलिंग मैं दे दूंगा। बिना वजह ऐसा करने से क्या फायदा है ?

PROF. MADHU DANDAVATE: I was waiting for a *suo motu* statement from your side.

SHRI CHANDRAJIT YADAV: I would like to know. The Home Minister is sitting here. Let the Home Minister say what is their attitude ?

(Interruptions)

अध्यक्ष महोदय : मैं आप से पूछता हूँ चन्द्रजीत यादव जी, मुझे आप बताइए कौन सा साधन है जिस तरीके से मैं चलाऊँ ?

(व्यवधान)

श्री राम विलास पासवान : आप स्पीकर हैं, आप रूलिंग दे सकते हैं कि इस पर बहस होगी और आप डेट फिक्स कर सकते हैं। कौन है जो इस का विरोध करेगा ?

MR. SPEAKER: Do you want me to assume all the powers of the Business Advisory Committee?

(Interruptions)

SHRI CHANDRAJIT YADAV: Let the House decide.

अध्यक्ष महोदय : एक छोटी सी भावुकता में आ कर आप यह कर रहे हैं। यह अच्छा नहीं है।(व्यवधान)...

अध्यक्ष महोदय : इतना ही है तो आप अपने मेम्बर से क्यों नहीं कहते हैं? आप मुझसे क्यों कहते हैं? ..(व्यवधान) ..

No question. It is a Committee of the House.

(Interruptions)**

MR. SPEAKER: I have not allowed anybody.

(Interruptions)*

अध्यक्ष महोदय : सरकार ने भी इनकार नहीं किया है।(व्यवधान) ..

DR. SUBRAMANIAM SWAMY (Bombay North-East): Mr. Speaker, Sir, you have informed the House that despite the demand from here, the Business Advisory Committee had decided to have the discussion of the Mandal Commission Report late.... (Interruptions). We must know the reason why the Business Advisory Committee....

MR. SPEAKER: No, no.

(Interruptions)

DR. SUBRAMANIAM SWAMY: At least, you tell us what is the motivating reason for delaying this discussion. We may accept the Business Advisory Committee's opinion, if the reasons are compelling. It cannot be done so arbitrarily.

MR. SPEAKER: You change the Committee if you don't like it.

DR. SUBRAMANIAM SWAMY: If the reason is not acceptable, we will change the Committee.

(Interruptions)

MR. SPEAKER: I have not allowed anybody. Without my permission, they are speaking.

(Interruptions)*

श्री चरण सिंह (बागपत): अध्यक्ष महोदय, मैं कुछ अर्ज करना चाहता हूँ। आर्टिकल 340 के मातहत रिपोर्ट के साथ एक ऐक्शन टेकन मेमोरैण्डम आना चाहिए था। जबकि यह दिया जा रहा था कि वह मेमोरैण्डम नहीं तैयार हुआ है, क्या ऐक्शन गवर्नमेन्ट ले रही है यह वह तह नहीं कर पाई इस लिए रिपोर्ट रख दी गई। उसके बाद रिपोर्ट रखी गई, पर मेमोरैण्डम नहीं रखा गया। अब आप से दरखास्त कर रहे हैं कि डिबेट के लिए कोई डेट फिक्स हो जाए। उसके लिए मालूम होता है कि गुस्ताखी माफ आप भी तैयार नहीं हैं और शासक दल भी तैयार नहीं है।

MR. SPEAKER: Please take back your words. मैं बिल्कुल तैयार हूँ।

श्री चरण सिंह : मान लीजिए, आप तैयार हैं। आर्टिकल-340 का वायोलेशन हुआ है, इस लिए इसके प्रोटेस्ट में हम हाउस से वाक-आउट करते हैं।

अध्यक्ष महोदय : मैं तो तैयार हूँ।

SHRI CHANDRAJIT YADAV: We thank you for your support.

But the Government is not doing it.

Therefore, in protest, we walk out. It is a serious matter.

(Interruptions)

[At this stage, Shri Charan Singh and some other Hon. Members left the House].