

RE. QUESTION OF PRIVILEGE

ALLEGED UNTRUE INFORMATION GIVEN TO
A STARRED QUESTION ON DECEMBER
8, 1978.

MR. SPEAKER: Shri Eduardo Faleiro gave notice of a privilege motion in December, 1978, against the Minister of Energy, Shri P. Ramachandran, for giving certain informations which according to him are untrue. These informations were given during the supplementaries to Starred Question No. 249 on 8th December, 1978 regarding the loss incurred by Coal India Ltd. I called for the comments of the Minister of Energy in that regard.

From the factual note furnished by the Ministry of Energy with the approval of the Minister, I found that the allegation that untrue informations had been given to Lok Sabha deliberately and wilfully by the Minister was not well founded. I did not, therefore, give my consent for raising the matter as a question of privilege under rule 222. A copy of the factual note of the Ministry of Energy was under my direction, given to Shri Faleiro.

In his letter dated the 6th March, 1979, Shri Faleiro took objection to the fact that the note was submitted by Shri R. P. Khosla, Joint Secretary and not by the Minister himself. This objection is not tenable. The note in question was submitted in accordance with the usual practice. I do not think that the Minister has committed any error in doing so, much less a breach of privilege.

By the same letter, Shri Faleiro had given notice of a privilege motion against Shri R. P. Khosla. He contended therein that the factual note supplied by Shri R. P. Khosla with the approval of the Minister was 'not only uncalled for in this matter but also contained grossly untrue statements to the knowledge of the officer concerned'.

In his reply dated 5th March, 1979, Shri Khosla has reiterated the facts submitted by him earlier. He asserted that the facts stated in the note are correct. Shri Faleiro has not placed before me any material to show that the note contained any untrue statement. He has merely asserted that according to his information the facts stated are not correct. He has not even disclosed the source of his information. It may be noted that he was not basing his contention on the basis of personal knowledge. No breach of privilege can be founded on such hearsay information.

Moreover, the note submitted by Shri Khosla was with the approval of the Minister and, therefore, the responsibility for the same is that of the Minister and not of Shri Khosla. He was merely the channel through which the facts were submitted to me. Hence, there can be no question of any privilege motion against Shri Khosla. The consent asked for is not accorded.

12.04 hrs.

PAPERS LAID ON THE TABLE

NOTIFICATION UNDER DRUGS AND COSMETICS ACT AND ANNUAL REPORT OF POST GRADUATE INSTITUTE OF MEDICAL EDUCATION AND RESEARCH, CHANDIGARH FOR 1977-78.

THE MINISTER OF HEALTH AND FAMILY WELFARE (SHRI RABI RAY): I beg to lay on the Table—

(1) A copy of the Drugs and Cosmetics (First (Amendment) Rules, 1979 (Hindi and English versions) published in Notification No. G.S.R. 42(E) in Gazette of India dated the 25th January, 1979, under section 38 of the Drugs and Cosmetics Act, 1940. [Placed in Library. See No. LT-4048/79.]