

(SHRI ANNASAHAB P. SHINDE): (a) and (b). The press report has come to the notice of Government. The position is that movement of some stocks of urea lying in FACT unit at Cochin was held up due to strike at that factory. On the representation of Kerala Government, an additional allocation of rice was made to Kerala for July, 1974. In order to supply this additional allocation, it was necessary to obtain further contribution of rice to the Central pool from the surplus States which might not be forthcoming unless all available stocks of fertilizer were immediately allotted to these States. This position was brought to the notice of Kerala Government and they were informed that unless immediate steps are taken to intervene and have the stocks moved out of the FACT unit at Cochin it would not be possible for the Central Government to make the additional quantity of rice available for the month of July. On this the Central Government was advised that necessary arrangements have been made for the transportation of urea stocks. There has been no stoppage of rice supply to Kerala.

12 hrs.

SHRI JYOTIRMOY BOSU (Diamond Harbour): Sir, I am not pressing my adjournment motion in view of the fact that you have fixed the call attention or W.H.O. business on the G.C.M.U. programme on behalf of the United States. They are destroying our country. I hope the call attention comes up tomorrow. This is a very serious matter.

MR. SPEAKER: I am really surprised that everyday I have to invite your attention to the order of business on the agenda. If the adjournment motion is admitted, I would have called you.

Now we take up the calling attention matter.

SHRI JYOTIRMOY BOSU: This is a very serious matter.

MR. SPEAKER: You can speak when the calling attention motion comes.

SHRI JYOTIRMOY BOSU: No, Sir. This is a very serious matter. I could not really bear with that kind of patience that is required.

MR. SPEAKER: You please cultivate more patience.

12.01 hrs.

RE QUESTION OF PRIVILEGE
REPORTED STATEMENT BY THE MINISTER OF EXTERNAL AFFAIRS AT THE MEETING OF N.B.O. RE: CEMENT AND STEEL

MR. SPEAKER: This is a privilege motion by four Members on some observations made by the Minister for External Affairs. I have seen this. How is this a matter of privilege?

SHRI JYOTIRMOY BOSU: (Diamond Harbour): This is a very serious matter.

MR. SPEAKER: May I ask the Minister to make a statement?

SHRI JYOTIRMOY BOSU: No, Sir. Let me make a submission before the House. I have been informed by your Secretariat that my name is there. I thought you had called me. I shall make a brief submission.

MR. SPEAKER: One or two minutes. You have also mentioned in the motion.

SHRI JYOTIRMOY BOSU: Let us go by the usual drill that I make a submission:

"This is the second occasion immediately preceding the presentation of supplementary budget on 31-7-74 that senior government's spokesmen have said things which amount to a breach of privilege as well as leaking out of budget secrets. I have an apprehension that this is being done purposely to

make people accept a stiff dose of taxation which would undoubtedly accelerate further price rise

"It has been widely publicised in the press that while addressing the aforesaid meeting Sardar Swaran sing has stated the following

In fact I had this information sent by press even verbally stating that there will be further taxation and price rise on steel and cement

"Mr Swaran Singh, External Affairs Minister when he said that further restrictions would be imposed within one week on the supply of cement and steel for building construction purposes, clearly hinted on a dual pricing policy. It is also to soak up some of the black money in the construction and real estate business

I further read in the same news items that his remarks had an obvious pointer towards a supplementary budget to be presented in the Parliament next week

The Government has for some time now been considering hiking up steel and cement prices to wean the building industry from luxury constructions and wasteful designing to low cost building. Then it is also an anti-inflationary measure. A largely circulated Calcutta daily—Jugantar—has also published the same news.

I take it the whole news has gone to the entire length and breadth of the country. As I have already said, by saying the second time 'in seven days' he has given an opportunity to expose himself to criticism. He has taken liberty with the budget and it is a clear case of breach of privilege and it should be sent to the Privileges Committee.

SHRI SEZHIYAN (Kumbakonam):
Sir, as I mentioned in my letter, the Minister of External Affairs, Mr. Swaran Singh is reported to have

some important policy announcement while inaugurating a meeting organised by the National Buildings Organisation on July 27, 1974. Sir, with your permission I quote some of the reports from the news agencies and the dailies:

"The Minister for External Affairs Mr. Swaran Singh said today that there would be further restrictions 'within one week' in the supply of cement and steel for buildings"

(P.T.I. report, published in "Indian Express" on July 28, 1974.

"Mr. Swaran Singh, who was inaugurating a meeting to mark the completion of two decades of the

National Buildings Organisation, said that in the new policy the emphasis would be on functional buildings"

(Report by the Special Correspondent of "Economic Times" dated July 28, 1974)

"In an obvious reference to the supplementary budget to be presented to Parliament next week, he said engineers and building contractors should take into account the present economic conditions in the country"

(Report by the Staff Reporter in "Patriot" dated 28 July, 1974).

"Restrictions on the use of cement and steel for construction of building—both big and small—are likely to be announced in a week

This was indicated by Mr. Swaran Singh, Minister for External Affairs while inaugurating the celebrations to mark the completion of two decades of work by the National Buildings Organisation."

(Report by the Special Correspondent of 'Hindu' dated 28th July, 1974).

"Mr. Swaran Singh Minister of External Affairs, when he said today that further restrictions would be

imposed 'within one week' on the supply of cement and steel for building construction purpose, clearly hinted at a dual pricing policy".

(Report by the Hindustan Times correspondent in 'Hindustan Times' dated 28th July 1974).

Hence, from the above reports and others in other leading aillies it is obvious that:

- (a) The Cabinet Minister has announcement a policy decision outside the House when the House happens to be in Session.
- (b) A budget proposal has been made open and indicated in his speech.

Sir, the question of privilege in this case is to be considered on par and on the same lines as that of the Chairman, Central Board of Excise and Customs that was referred to the Privileges Committee about three days ago. There the report was that he made certain announcements to the Press which go contrary to the propriety and the privileges of the House and you in your wisdom referred that to the Privileges Committee, even though the Minister denied that one. At that time the Minister of Finance denied that the Chairman has made any such statement, but that did not debar the House from referring the matter to the Privileges Committee. Therefore, whatever reply may be here, it is a fit case to be referred to the Privileges Committee, and on the report of the Privileges Committee you can take any decision.

SHRI SHYAMNANDAN MISHRA: (Begusarai): May I say a word, Sir?

MR. SPEAKER: I think the subject is the same. Is it necessary for everyone to report the same thing?

SHRI SHYAMNANDAN MISHRA: We shall not repeat we shall make some new points.

SHRI S. M. BANERJEE: (Kanpur): We should also be permitted to say something, because it is now in the possession of the House.

MR. SPEAKER: It is not yet in the possession of the House.

SHRI SHYAMNANDAN MISHRA: The hon. Minister has committed a breach of privilege on two counts. The first is that the proposals or the suggestions that he was making related to the budget. What does relation to the budget mean? That can obviously mean relation to the taxation proposals.

MR. SPEAKER: How do we know about the budget?

SHRI SHYAMNANDAN MISHRA: That is in the reports.

MR. SPEAKER: The budget is yet to come.

SHRI SHYAMNANDAN MISHRA: The budget is yet to come, but the report says that it was in an obvious reference to the budget which was going to be presented; so, it has got relation to the budget. That is very clear from all the reports which have appeared in the newspapers. Secondly, it is also mentioned that that is going to be achieved within a particular time horizon, that is, within a week. That also definitely relates to the budget. So, this relates to the taxation proposals.

Secondly, the pricing policy may have an element of taxation.

SHRI SEZHIAN: Dual pricing policy.

SHRI SHYAMNANDAN MISHRA: The Dual pricing policy would have an element of taxation. That also, therefore, means that it raises a fundamental question. Who is going to impose taxes, whether the Minister in a market place or the Parliament the hon. Minister was taking this up.

portunity to express his opinions or the opinion of the Government. Obviously he is speaking on behalf of the Government. So it affects to the basic right of Parliament in matters financial and matters relation to taxation. Therefore, my submission is that such a statement makes a nonsense of the rights of Parliament in such vital matters as financial and taxation. Therefore, this should be taken serious note of by this House?

THE MINISTER OF EXTERNAL AFFAIRS (SHRI SWARAN SINGH): May I just clarify the position because that will help?

MR. SPEAKER: There is a fourth Member who has given notice of this. Let me call him also.

SHRI G. VISHWANATHAN (Wardha): The hon. Minister of External Affairs, Shri Swaran Singh has announced a policy decision outside the House, when the House is sitting. He has made a statement to the effect that for cement and steel there was going to be a dual pricing policy. We are already having blackmarketing in many of the products. This statement means that he is helping the country's inflation and helping the blackmarketeers in steel and cement and cement and steel are fast going underground. Shri Swaran Singh should be held responsible for the materials going underground. Hence, I would like you to consider whether this is not the same case as that of Mr. Jagjit Singh who mentioned that there was going to be an increase in excise duties. Just like that case, this is also a fit case to be referred to the Committee of Privileges.

SHRI S. M. BANERJEE: I also want to say something.

MR. SPEAKER: I have called only those who have given the notice.

SHRI S. M. BANERJEE: Will you follow this practice in all cases that only those who have given the notice will be given the chance?

SHRI SWARAN SINGH: I may say that the occasion for this was the completion of 20 years of the National Buildings Organisation, an organisation which came into existence twenty years ago when I happened to be the Minister in charge of Works, Housing and Supply, and they persuaded me that I should participate in the ceremony connected with the completion of twenty years of its existence. One of the functions of the National Building Organisation is that they have always to find alternative materials to those building materials which might become scarce or more costly. Secondly it was a body of architects, engineers, technicians....

SHRI PILOO MODY (Godhra): *Thekedars*,

SHRI SWARAN SINGH: Not contractors—that is your line.

SHRI ATAL BIHARI VAJPAYEE (Gwalior): He is an architect.

SHRI SWARAN SINGH: Yes.

SHRI PILOO MODY: I did not expect Sardar Swaran Singh to know the differences.

SHRI SWARAN SINGH: You are quite right. It is much too fine for me.

This is a technical organisation one of whose functions is that they should find alternative materials to costly materials. There is no question of my saying either about the budget or upon pricing or upon taxation. Even from what the hon. leader of the DMK said, he will notice that my statement is different from what the reporter had said. He has apparently mixed up my statement with the comment of the reporter. What is mentioned is, 'In an obvious reference to the supplementary budget....'—This is his comment not my statement—to be presented to Parliament next week, he said.... What I said was that engineers, technicians and architects should take

necessary to impose even more restrictions on them. This is quite in line with what we had publicly stated in the AICC Resolution, where we stated that such things should be used for schools etc., rather than to buildings which are not functional. This is not a new policy or a new statement.

They referred to the phrase 'within a week'. Suppose for the sake of argument it is assumed to be correctly reported; it has got no connection with the budget. Normal physical restrictions on the use of materials for instance, maida for bakery or milk for the use of *barfi* or *chenna* are imposed from time to time. What has this got to do with the budget. Physical restrictions on the use of any material have got nothing to do with the budget. Mr. Bosu has something in his mind and he connects everything that we say with the budget. Suppose I say: within a week I hope there will be a meeting with Pakistani delegation; he will again connect it with the budget. It is amazing. If the word 'week' is used it is not necessarily connected with the budget. I fail to understand either the logic or the reason behind it. I am conscious of my experience of the House and I can never say anything which even in the remotest way may treat on the tender toes of our rather oversensitive Members on the other side. I should like to say that I did not say anything at all for which I should be held responsible like this. It is nothing but a reiteration of a well-known policy. While explaining the policy, stress and emphasis can always be laid, and if we are always hauled up, even hauled up for contempt, if notices are issued and we are called upon to explain for this, I feel that this is a very drastic curtailment of our right to explain to the people in the country what is our policy. That is all that I did.

SHRI SEZHIYAN: The press report clearly says:

"The use of cement and steel in residential buildings both big and

small is being curtailed. Restrictions will be imposed within a week, according to the External Affairs Minister Swaran Singh."

This is the opening sentence in Patriot.

"The Union Government will impose fresh restriction within one week on the supply of cement and steel for building construction activities, External Affairs Minister Swaran Singh said on Saturday morning."

This is not an inference or comment. I am quoting what he is reported to have said: He said, "in the new policy emphasis would be on functioning building". When there is a new policy and fresh restrictions are being imposed, is it not proper for him to bring it to the notice of the House before he makes an announcement outside? This may or may not have implications with the budget. But this announcement of a new policy outside the House is indiscreet, improper and goes against the grain of parliamentary democracy.

श्री प्रमल बिहारी बाजपेयी . अध्यक्ष जी,
आप कोई कैमला में मगर एक बात का ध्यान रख कर कि बिछले सप्ताह इतने मरह का एक मामला उठा था जो एक सरकारी इकतमर में सबधित था। उमे हम ने प्रिवलेज कमेटी को भेज दिया। अब प्रिवलेज को नापने के दो तरीके नहीं होतें चाहिये— पहले के लिए एक प्रीर मिनिस्टर के लिये दूसरा। ऐसा अगर होका तो ठीक नहीं होला।

श्री इमाम जवद मिया . सब के लिये एक ही मापदंड होना चाहिये।

MR. SPEAKER. Unless I hold it in order, I am not allowing others.

SHRI FILOO MODY: How is it different from the issue we decided a few days ago. It is identical in every respect with that.

SHRI SHYAMNANDAN MISHRA: You seem to convey an impression that the points made by the hon. Minister could not be met by the other side. It is very clear from his statement that he wanted to skirt round the phrase "within a week". We see a definite nexus between his statement and the coming budget. He says, even executive action can be taken, it need not be only through budget proposals. There also, executive action will be based on a new policy and a new policy cannot be announced except in the House when the House is in session. This was outside the House. Even from that point of view, the hon. Minister does not escape. It is very clear. Did you not see how he was prevaricating on the words "within a week", how he was trying to skirt it. A person must be truthful to the core. The way we have been functioning in this House pains me; we find so many getting away with all kinds of untruthful statements. The hon. Minister was not very clear and he was trying to shove everything it on to the shoulders of the news agency. Within a week, this untruthful statement was.....
 (Interruptions).

MR. SPEAKER: I do not understand why all of you should get up like this. If I allow one, I will have to allow others, and then it will become a regular debate.

SHRI S. M. BANERJEE: Sir, I invite your kind attention to your previous ruling on the same subject where the Chairman of the Central Board of Direct Taxes and Customs was involved. In that case a privilege motion was allowed. You used your discretion in favour of the motion even without 25 members getting up.

MR. SPEAKER: That was on the basis of a letter produced by Shri Vajpayee.

SHRI PILOO MODY: That was on land grab case, whereas Shri Banerjee is referring to the case of the Chairman of Direct Taxes. You are mixing up several issues.

SHRI S. M. BANERJEE: In that case the Chairman addressed a group of newsmen and disclosed something which was objectionable, which was denied by Shri Ganesh later on. Sir, believe me, I have nothing against Shri Swaran Singh except my love. All these incidents show that the Finance Bill No. 2 has been kept a secret only from us and not from any Minister. There is a rumour in the country that there is going to be a policy statement that black money should be declared within six months. I am not imputing any motive on Shri Swaran Singh, but his statement has definitely given a feeling to this effect. Whether he is wrongly quoted or rightly quoted, we do not know. If he is wrongly quoted, in that case the privilege motion may be against the press correspondent. But, under no circumstances, Sardar Swaran Singh should shirk his responsibility. He should boldly go to the Privileges Committee. I am sure, he will do it.

Sir, you are the custodian of the rights of this Parliament. The scale is in your hands. Whether it is the Chairman of the Central Board of Customs and Excise or Sardar Swaran Singh ..

MR. SPEAKER: Why do you mix up both the cases? That is an entirely different case.

SHRI S. M. BANERJEE: Either there is a leakage of certain proposals of the Budget or, as a member of the Political Affairs Committee, he must be knowing about the proposals. I would only request you to tell the Finance Minister, let this Budget which is being exposed be circulated to us also. Why should it be circulated to Ministers only?

I would request you to send this case to the Privileges Committee.

MR. SPEAKER: You have referred to the case of Mr. Jagjit Singh. To be on a little more certain ground, I will have to go through the proceedings. On the face of it, as far as my memory goes, there is no analogy. That was a

different case, this is a different case I may be wrong in that. I must see the proceedings. I will give my ruling after seeing that. There is no question of postponing it. I just want to be more sure as to what is that case and what is this case.

When something happens to an M.P. either some difficulty in the train or some quarrel or some mal-practice or any other thing, you have always been telling me to accept as correct what an M.P. says. Why not in the case of a Minister also?

SHRI PILOO MODY: He is a Minister, not an M.P. Ministers are on a different level altogether.

MR. SPEAKER: About the analogy of the case of Mr. Jagjit Singh, to be more sure, I will have to see the proceedings. Papers to be laid.

बी अटल बिहारी वाजपेयी : विदेश मंत्री ने विदिन बन बीक बानी बात को डिनाई नहीं किया है । इबूल प्राइम पालिसी की बात भी कही है और उसको भी डिनाई नहीं किया है । अगर डिनाई कर दे तो मामला खत्म हो जाए ।

बी इयाज मन्मथ मिश्र : 'विदिन ए बीक' को नहीं डिनाई किया है ।

12 38 hrs.

PAPERS LAID ON THE TABLE

NOTIFICATIONS UNDER CENTRAL EXCISE RULES 1974, FOREIGN TRAVEL, TAX (AMDT.) RULES, 1974 AND ANNUAL REPORT OF INDUSTRIAL FINANCE CORPORATION OF INDIA FOR THE PERIOD ENDED THE 30TH JUNE, 1973

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI K R GANESH): I beg to lay on the Table:—

(1) A copy each of the following Notifications (Hindi and English versions) issued under the Central Excise Rules, 1944:—

(i) G.S.R. 759 published in Gazette of India dated the 20th July, 1974 together with an explanatory memorandum.

(ii) G.S.R. 760 published in Gazette of India dated the 20th July, 1974 together with an explanatory memorandum.

[Placed in Library. See No. LT-8067/74].

(2) A copy of the Foreign Travel Tax (Amendment) Rules, 1974 (Hindi and English versions) published in Notification No. G.S.R. 734 in Gazette of India dated the 13th July, 1974, under section 51 of the Finance (No. 2) Act, 1971. [Placed in Library. See No. LT-8068/74].

(3) A copy of the Annual Report (Hindi and English versions) of the Industrial Finance Corporation of India for the year ended the 30th June, 1973, along with the statement showing the Assets and Liabilities and Profit and Loss Account of the Corporation, under sub-section (3) of section 35 of the Industrial Finance Corporation Act, 1948 [Placed in Library. See No. LT-8069/74].

SUGAR (PRICE DETERMINATION FOR 1973-74 PRODUCTION) 6TH AMDT. ORDER, 1974

THE MINISTER OF STATE IN THE MINISTRY OF AGRICULTURE (SHRI B. P. MAURYA): I beg to lay on the Table a copy of the Sugar (Price Determination for 1973-74 Production) Sixth Amendment Order, 1974 (Hindi and English versions) published in Notification No. G.S.R. 279 (E) in Gazette of India dated the 24th June, 1974, under sub-section (6) of section 3 of the Essential Commodities Act, 1955 [Placed in Library. See No. LT-8070/74].

NOTIFICATIONS UNDER ESSENTIAL COMMODITIES ACT, 1955 AND ANNUAL REPORT OF MAHARASHTRA AGRO-INDUSTRIES DEVELOPMENT CORPORATION LTD. BOMBAY FOR 1972-73