

[Shri Mohanraj Kalingarayar]

is the Government's decision thereon? When was this request made to Government? Secondly, due to the heavy losses there, an expert committee was set up under the chairmanship of Prof K V Subramaniam. The hon Minister answered saying that one of the recommendation was about the preparation of detailed project report for stepping up the production of lignite to 65 million tonnes per annum. I should like to know the approximate time by which the report will be submitted for this recommendation? What is the delay in setting up such a committee well in advance when there were continuing losses in this unit?

Just now the hon Minister contradicted his own brother J Kumaramangalam who has said in one of his statement

**SHRI S MOHAN KUMARAMANGALAM** The reference was to Shri Arunachalam not to my brother

**SHRI MOHANRAJ KALINGARAYAR** From the statement it appears that the estimated deficit of power in the area served by the four southern States is expected to be about 590 MW by 1973-74 and that the anticipated loadgrowth during the Fifth Plan period in the four Southern States would be 800-900 MWs per year and these States will require an additional generating capacity of between 4500-5000 MW by the end of the Fifth Plan and out of this about 3000 MWs would have to be made by thermal power

The loss in the Neyveli Lignite Corporation in 1971-72 was something like Rs 1332 crores. It is stated the main cause for this loss was due to technological difficulties in mining lignites resulting in low production of lignite which is insufficient for the operation of power. We have been having this problem since the last two years. I am really surprised why the Government cold-shoulders this. They should have had this expert committee long time back, with more

technical know-hows they could have seen that this unit is run, if not at a profit, at least to compensate the loss

**SHRI S MOHAN KUMARAMANGALAM** The hon member asked whether the Board of Neyveli Lignite Corporation has asked for financial assistance. It is a fact they have asked for it. After the submission of the expert committee report, assistance has been partly given and partly under consideration. The hon member has presumed, as he sometimes does, that there has been delay in the appointment of a team to prepare a report for the increase of production to 65 million tonnes, as recommended by the Subramaniam Committee. I am sure he will be happy to know and also to be corrected that the team of officers was appointed and it has submitted its report and that report is already under examination. So, he will be extremely happy that we have been so speedy in the matter. Regarding the allegation that Government has cold-shouldered this project, I do not think it is a fair allegation. Every attempt has been made in all these years to take whatever technical help was available both inside and outside the country to get over the problems of Neyveli. Unfortunately, on a number of occasions we have not succeeded. But that is not a ground for making such a general allegation that there has been cold-shouldering of the project. Even in relation to purchase of fresh machinery, when necessary this has been done. But we are facing problems which the hon member is well aware of. These problems cannot be smiled away or dealt with by merely saying that the management is incompetent, inefficient, useless, should be dismissed and so on. They are real technical problems which we are examining and trying to solve

12 42 hrs.

QUESTION OF PRIVILEGE—Contd.

**MR. SPEAKER:** Mr Manoharan, before you raise the matter, would

you like to hear the Home Minister's statement? That was shown to you but the House is not aware of it.

**THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI K. C. PANT):** Sir, copies of the relevant cyclostyled proceedings of Lok Sabha dated the 16th and 17th November 1972 were forwarded to the Government of Tamilnadu for a factual report. A copy of the report received from the Government of Tamilnadu is laid on the Table of the House. The Government of Tamilnadu have stated that on the basis of the statement recorded from the persons present near the scene of the alleged occurrence on 15th November and on the basis of the statement made by Shri Manoharan on the floor of the House mentioning the names of two persons as his assailants, the police are proceeding further with the investigation.

**SHRI SHYAMNANDAN MISHRA (Begusarai):** What is the report of the Tamilnadu Government? It has been laid on the Table, but for us to judge it just now, would it not be possible for the minister to read it out?

**MR. SPEAKER:** Mr. Manoharan, would you like it to come up later on?

**SHRI K. MANOHARAN (Madras North):** The statement must be read in the House, so that the House can understand it.

**SHRI JYOTIRMOY BOSU (Diamond Harbour):** Let us get a copy. We can go through it.

**AN HON. MEMBER:** It can be taken up on Monday.

**SHRI K. MANOHARAN:** There is no point in postponing it.

**MR. SPEAKER:** It is not a long statement. He can read it.

**SHRI K. C. PANT:** "I am directed to state that this Government called for a report from the Inspector-General of Police about the alleged assault on Thiru K. Manoharan, M.P., at the Meenambakkam Airport on 15th November, 1972, even before the receipt of the letter cited. A copy of

the report received from the Superintendent of Police, Chingleput East District in the matter is enclosed. It is observed, from the report that the Deputy Superintendent of Police, St. Thomas Mount and the Superintendent of Police, Chingleput District rushed to the airport on receipt of information about the alleged assault and made enquiries. Statements were obtained from Thiru K. N. R. Naidu, who took Thiruvalaragal K. Manoharan and K. A. Krishnaswamy in his car to the airport and from Thiruvalaragal Ethiraj and Johnson, who accompanied the two M.Ps. to the airport in a separate car. Copies of the statements given by three persons translated into English are enclosed.

2. Neither Thiru K. Manoharan nor Thiru K. A. Krishnaswamy nor anybody else on their behalf had preferred any complaint to the local police about the alleged incident. No case was, therefore, registered by the police. However, the enquiries conducted by the police on 15th were recorded in the G.D. of the Meenambakkam Airport Police Station.

3. The Superintendent of Police, Chingleput has reported that the Inspector of Police, St. Thomas Mount conducted further enquiries and recorded statements on 16th November, 1972 from the following persons:—

1. R. Devraj, S/o M. Ramaswamy, Watchman, Meenambakkam Airport, No. 3, Banner St., Nanganallur.

2. N. Muthu, S/o Narayanan, Airport Ticket Clerk.

3. Sivaraman, S/o T. R. Vedachala Mudaliar, Higginbothams Bookstall, Meenambakkam Airport.

4. Thiru N. Damodaran, Indian Oil Company, Aviation Superintendent, Meenambakkam Airport.

5. George Kundson, Traffic Assistant, Meenambakkam Airport.

6. Thiru G. Krishnamoorthy, Chief Traffic Assistant, Meenambakkam Airport.

[Shri K. C. Pant]

According to the Superintendent of Police the enquiries reveal that, when Thiru K. Manoharan arrived at the portico of the Meenambakkam Airport port on the 15th November 1972, some persons, who had gathered there, raised slogans for and against his action in having joined the ADMK, that some persons without tickets attempted to enter the Airport, but they were prevented by airport duty personnel at the main gate and that, in the melee, the MP's shirt was torn. The Superintendent of Police has also reported that the MP was taken to the Airport Lounge soon after, by the Senior Traffic Assistant of the Meenambakkam Airport. He has further added that it is not correct to say that a police force was present at the airport and that it did not come to the rescue of the MP. On the other hand, the Sub-Inspector of Police, Meenambakkam, who was attending to security work and standing near the Customs Block, well away from the scene of the incident, on hearing the slogans, rushed to the portico with the available men. But, on arrival, there was no crowd at the portico.

4 Meenambakkam Airport is always busy and crowded during peak-hour traffic and it is customary for visitors and others to collect in large number to see off their relatives and friends. Therefore, the collection of a crowd at the portico of the airport did not attract any special attention.

5 As regards the observations made by Thiru K. Manoharan on 16th at the Lok Sabha about the alleged threat on his life by Thiru Minor Moses and a gang of 200 persons, I am directed to state that the Commissioner of Police, Madras has reported that the police have no information about this. He has further reported that on a request made by the MP on the night of 13th November, 1972, bandobust was provided at his residence by the Police. On 14th November, 1972, 200 persons, who went in a procession towards the residence of the MP, for staging a demonstration were prevent-

ed from doing so, from a place well away from his residence, arrested and removed by the Police.

6 On their return journey from New Delhi on 19th November, 1972, Thiruvalluvar K. Manoharan and K. A. Krishnaswamy were approached at the Meenambakkam Airport by the Inspector of Police St Thomas Mount, for enquiry into the alleged incident. Both of them refused to give any complaint or statement regarding the alleged incident. Later in the evening, the Inspector of Police met Thiru K. Manoharan in his house and requested him to give a definite version about the alleged incident. Again, the MP declined stating that he had placed the facts before the Lok Sabha.

7 Though Thiruvalluvar K. Manoharan and Krishnaswamy did not agree to give complaint, on the basis of the statements recorded from the persons present near the scene of the alleged occurrence and on the basis of the statement made by Thiru Manoharan on the floor of the Lok Sabha mentioning the names of two persons as his assailants, the police are proceeding further with the investigation.

8 In this connection, I am also to state that immediately on learning about the incident through PTI news, the Chief Minister of Tamil Nadu issued a statement through the press condemning such acts of violence.

Yours faithfully,

Sd/-

23-11-1972."

SHRI K. MANOHARAN From the statement sent by the Government of Tamil Nadu, I would like to say only one thing. It is clearly accepted that I have been prevented from coming to Delhi. That is No 1. Secondly, it is clear that I have been assaulted and some statements have been already obtained by the police. Even in their statement, they have agreed that in the *melee* Mr. Manoharan's shirt was torn. They have accepted it.

On my return from Delhi to Madras, the Sub-Inspector came to my house and asked for a statement. I said, "I am not going to give any complaint to you for the simple reason, I am a Member of Parliament and the privilege of mine is involved in this matter." So, the only body which could protect me and protect my interests is the sovereign body of the nation, that is, Parliament.

This is the statement obtained from three persons, according to the statement, Shri K. N. K. Naidu, Shri Ethiraj and Shri Johnson. These three persons are my good friends. Let me explain that these three persons were taken to the police station after 8.0' Clock in the night and they were detained till 12 O'Clock. They were terrorised and intimidated and they got the statement...

**SHRI SEZHIAN** (Kumbakonam): These are new factors he is bringing in.

**SHRI K. MANOHARAN**: Mr. Sezhiyan, you must understand and you may also come to face with such a situation.

**SHRI C. T. DHANDAPANI** (Dharampuram): We don't defect.

**SHRI K. MANOHARAN**: This is not a matter pertaining to me only. This is a matter of a Member of Parliament.

These three persons were terrorised and intimidated. When I went to Madras, all the three persons came to me. Shri Ethiraj is a A.D.M.K. Councillor; he is a good friend of mine. He said that he was intimidated by the police and even then he said, "I saw Shri K. Manoharan, the Member of Parliament from a distance and his shirt was torn." Shri Naidu was terrorised. He does not speak Tamil; he only speaks Telugu. Something was written and he was asked to sign. He came back and told me, "I was terrorised and I signed." Shri Johnson also said the same thing.

The funniest part of the statement I am very sorry to say is this. The Chief Minister of Tamil Nadu, once the leader of mine is the Police Minister also. The last paragraph says:

"In this connection, I am also to state that immediately on learning about the incident through the P.T.I. news, the Chief Minister of Tamil Nadu issued a statement..."

The Chief Minister had to depend on the P.T.I. news about the assault on me at the Meenambakkam airport though he is the Police Minister also

I refused to give a complaint to the police for the simple reason that I did not consider it a criminal case at all. The statement says, "Shri K. Manoharan had not lodged any complaint." You know, I was one of the passengers. The plane was about to take off. For argument sake, I am saying, I had no time left. How could I lodge a complaint, file a complaint with the police?

According to the Superintendent of Police, there were no policemen at the airport. I have learnt reliably that before I reached the airport, there were policemen and that the moment I reached, they disappeared. I do not know how it happened.

Then, it says, "In the *melle*, Shri Manoharan's shirt was torn." Unless an attempt was made, unless an assault was made, how was my shirt torn? I have never heard in the history of the world that by shouting somebody's shirt can get torn. So, it is clear that an attempt was made on me to prevent me from attending Parliament.

Sir, this is a very serious matter not only according to me but according to all the Members of Parliament, including the leaders of political parties in the country.

I want to quote another report that appeared in *Current*. With your permission, if you allow me, I want to read it.

[Shri K. Manoharan]

This is by the Correspondent, *The Current*, from Madras:

"Only recently Mr. Nanjil K. Manoharan, M.P., who, before he emplaned from the airport to attend the Lok Sabha session at Delhi, was surrounded by about 30 ruffians "

I did not use the word 'ruffians', but he has correctly used it.

"They hurled abuses at him and nearly choked him to death." This, I have already explained in my statement.

"He was rescued by a handful of airport staff and some of his friends who had come to see him off. The security police were nowhere around.

"Mr. Manoharan is a heart patient..."

SHRI C. T. DHANDAPANI: On a point of order.

SHRI K. MANOHARAN: Please sit down

SHRI C. T. DHANDAPANI: You are not the person to ask me to sit down. Can he read from the paper?

SHRI K. MANOHARAN: He is a Constitutional Pandit.

SHRI C. T. DHANDAPANI: Do you think that you are a Constitutional Pandit? (*Interruption*).

MR. SPEAKER: Order, please.

SHRI K. MANOHARAN: "Mr Manoharan is a heart patient and according to one witness, he was saved in the nick of time from the clutches of thugs who, armed with sharp instruments, had rained severe fist blows on his chest".

"The shirt worn by Mr. Manoharan was torn to shreds and, being in great physical pain, he could hardly speak. The incident could well have resulted in a tragedy.

"This raises the question..."

This is something other than that; that is, the security is not adequate in the Meenambakkam Airport, this and that.

So, Sir, the statement sent by the Government of Tamilnadu, according to me, is a politically motivated and a concocted statement, and the police were nowhere near the Airport; nobody came to my rescue. I did not register a complaint; that is, according to the Police Superintendent. I want to ask you, Sir in the process if I am murdered—and a murdered person would not be able to register a complaint—does it mean that the case is dropped? It is a cognizable offence.

MR. SPEAKER: You are very much alive

SHRI K. MANOHARAN: Luckily I was saved. In order to save me continuously I request the House...

MR. SPEAKER: You may not be continuously in the House.

SHRI K. MANOHARAN: ...that this matter be referred to the Privileges Committee. Let the Privileges Committee go into the question and submit its findings to this House and let the House decide. This is my humble request, and I appeal to all Members of Parliament to agree and comply with my request.

SHRI SEZHIAN: Mr. Speaker, Sir I am not suggested that it should not be referred to the Privileges Committee. By all means, if the House so feels, let it go to the Privileges Committee. While it is being sent to the Privileges Committee, I, through you, would request for the terms of reference. Suppose a Member of Parliament comes here and makes a report. Without the Police report, how can a State proceed? It will be a matter for future consideration also We should clearly evolve some procedure by which these things can

be pursued in future. He says that this is a politically motivated and a concocted statement of the State Government. I am not defending my State Government. Suppose, it is said against the Congress Government somewhere else. How are you going to resolve this? Suppose some other member or persons says that is a concocted statement of the hon. Member here. How are you going to resolve that? The procedural aspect should be gone into thorough by the Privileges Committee. In future, how they are going to investigate such reports should also be laid down.

13 00 hrs.

Therefore, I am not here to object to the Member raising the point of privilege. I am not here to say that the privileges of Members of Parliament should not be protected. I am second to none here in protecting the privileges of Members of Parliament. But there should be a clear procedure laid down. Can we take it that even in non-cognizable offences the Police *suo motu* may move in the matter? In the absence of a complaint from the affected party, how do you expect the police to investigate? If there is some handicap for the State Government, that should also be appreciated by the Committee of Privileges while going into this question.

Therefore, I have no objection to this being raised here, but this point of procedure also should be borne in mind when we take a decision.

MR. SPEAKER: I think that the only course that is open to us is to let the Privileges Committee examine all these issues.

Mr. Sezhiyan has raised another point that when there is no Police report, what would be the situation, what would be the position. I think in Mr. Manoharan's statement he has said to-day that he had no time to lodge a police report, but, later on, he said that he did not...

SHRI K. MANOHARAN: For argument's sake.

MR. SPEAKER: ...and that this House was the supreme authority to judge it.

He raised two issues. He did not like to raise any... (*Interruptions*) In his statement he made it clear that he did not like to lodge a complaint for criminal proceedings. He says he was only interested in laying it before this House as a matter of privilege, and a few facts he has mentioned, and they are already admitted in the statement the Minister has made to-day on receipt of information from the Government of Tamil Nadu.

So, the Committee may go into all these aspects. Instead of ourselves getting up here and expressing our views off hand, the Committee may study it and go through all these. The Member does not like to proceed against the assailants, or whatever you may call them, the people who attacked them, in criminal proceedings; he only wants this House to judge whether he was prevented or not from coming to this House.

There are two very distinct questions I hope all of you will rise above Party considerations because many cases will come in future. I have seen a number of cases in May's Parliamentary Practice. I hope the committee will go through them and lay down definite lines for the future occasions also and give the judgment themselves on this particular issue. If you like, I will refer.

SHRI JYOTIRMOY BOSU: The aspect of cognizable offence and non-cognizable offence has to be kept in mind.

Sir, in this matter I brief Mr. Raj Bahadur as my advocate.

MR. SPEAKER: I am not interested in the relations between yourself and Raj Bahadurji.

[Mr. Speaker]

Is it the consensus of the House?

SOME HON. MEMBERS: Yes.

MR. SPEAKER: So, this goes to the Privileges Committee. I have already indicated the lines on which the Privileges Committee may proceed. If they think that other issues are also involved—I do not lay any definite boundaries for this—they can go into the overall aspects of the question.

SHRI S. M. BANERJEE: I have written to you about the Privilege Motion against one of the Members of the House.

MR. SPEAKER: I did not allow it. It does not constitute privilege.

SHRI S. M. BANERJEE: I have sent the papers already.

MR. SPEAKER: I have seen the statements. I wanted certain information. I will get that information from you and tell you later on.

SHRI S. M. BANERJEE: Those things were not said by Mr. Indrajit Gupta. He did not mention.

MR. SPEAKER: I don't think he is quoting Mr. Gupta. I have examined this and I will re-examine this. You may submit those points to me for clarification. Kindly resume your seat.

Now, Papers to be laid on the Table.

13.07 hrs.

#### PAPERS LAID ON THE TABLE

ANNUAL REPORT OF AGRICULTURAL REFINANCE CORPORATION, FOREIGN TRAVEL TAX (AMDT.) REGULATIONS AND NOTIFICATIONS

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE

(SHRI K. R. GANESH): I beg to lay on the Table—

(1) A copy of the Annual Report (Hindi and English versions) of the Agricultural Refinance Corporation, Bombay, for the year ended the 30th June, 1972 along with the Audited Accounts, under sub-section (2) of section 32 of the Agricultural Refinance Corporation Act, 1963. [Placed in Library. See No. LT-3869/72]

(2) A copy of the Foreign Travel Tax (Amendment) Regulations, 1972 (Hindi and English versions) published in Notification No. G.S.R. 1370 in Gazette of India dated the 4th November, 1972, under section 51 of the Finance (No. 2) Act, 1971. [Placed in Library. See No. LT-3876/72].

(3) A copy of Notification No. G.S.R. 1098 (Hindi and English versions) published in Gazette of India dated the 9th September, 1972, under section 159 of the Customs Act, 1962. [Placed in Library. See No. LT-3877/72].

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

(i) G.S.R. 1342 published in Gazette of India dated the 14th October, 1972 together with an explanatory memorandum.

(ii) G.S.R. 1423 published in Gazette of India dated the 11th November, 1972 together with an explanatory memorandum.

(iii) G.S.R. 1424 published in Gazette of India dated the 11th November, 1972 together with an explanatory memorandum. [Placed in Library. See No. LT-3878/72].