

12.15 hrs.

CALLING ATTENTION TO MATTER OF URGENT PUBLIC IMPORTANCE

REPORTED RESIGNATION OF SHRI A. K. SARKAR FROM CHAIRMANSHIP OF INQUIRY COMMITTEE ON CSIR

SHRI UMANATH (Pudukkottai): Sir, I call the attention of the Minister of Education and Youth Services to the following matter of urgent public importance and I request that he may make a statement thereon:—

“The reported resignation of Shri A. K. Sarkar from the Chairmanship of the inquiry committee on the Council of Scientific and Industrial Research.”

THE MINISTER OF EDUCATION AND YOUTH SERVICES (DR. V. K. R. V. RAO): Shri Justice A. K. Sarkar, Chairman of the Committee appointed by the President, Council of Scientific and Industrial Research under rule 57 of the Rules and Regulations of the CSIR to inquire into the various matters specified in the order dated 1st June, 1968, has in a letter dated 26th April, 1970 addressed to the Prime Minister and President, CSIR tendered his resignation from the office of the Chairmanship of the Inquiry Committee. No reasons for the resignation have been given in the letter.

The President, CSIR, has not accepted the resignation and has requested Shri Justice Sarkar to reconsider his decision. Government are of the opinion that the continuance of Shri Justice Sarkar as Chairman of the Committee of Inquiry is in public interest. Government would like to take this opportunity of expressing their confidence in his integrity and independence and their appreciation of the high sense of public service that has motivated his assumption of the onerous duties of Chairman of this Inquiry Committee. I may also draw the attention of the House to the fact that his own colleagues on this Committee have expressed their greatest regard for the Chairman and their full confidence in his impartiality.

I am sure the House will share our hope that Shri Justice Sarkar will be good enough

to accept the request of the President, CSIR, and not press his resignation.

SHRI UMANATH: Sir, it is really a sorrowful matter that the Sarkar Committee appointed to enquire into such a major scientific institution meant for developing indigenous science stands paralysed as it is today. The resignation of Mr. Sarkar I consider to be a manifestation of the crisis and not the cause of the crisis.

It is significant to note that this Sarkar Committee has remained paralysed just on account of the fact that the Committee was about to undertake the question of the working of the C.S.I.R., as at present, under the present Director-General. It is very significant to note that this has taken place just when it was about to start that work.

The prime-mover in this operation-scuttle is really the present headquarters of the C.S.I.R. led by the present Director-General. I would like to know from the hon. Minister, was he not aware of the fact that the present headquarters tried to denigrate young scientists serving in this institutions, by giving wrong and incomplete information through the Ministers to the Parliament, either to this House or to the other house during the Question Hour or during the debates on the subject? In fact, Dr. Triguna Sen who was the then Minister is now in hot waters because the Sarkar Committee has found that in regard to qualifications of certain Directors in the C.S.I.R., complete information was not given. Dr. Triguna Sen has got to reply to the Parliament. He is in hot waters now.

Then, the headquarters of the C.S.I.R. headed by the present Director-General used influence on office of the Sarkar Committee to prepare a working paper in the way in which the present headquarters wanted it to be done. I must thank the Sarkar Committee as such that they asserted their independence and that they prepared their own report.

Finally, having failed in this attempt, the C.S.I.R. headquarters landed this time-bomb by leaking out the working paper, giving it the name of the 'original' report of the Committee. I would say that is the last straw on the camel's back. Sir, in Tamil there is a saying '*Attai Kadithu,*

[*Shri Umanath*]

Mattai Kadithu, Manithanai Kadithathu. The hon. Minister must be knowing the idiom. The dog first bit a lamb. Then it bit a cow. Then it bit the man himself. That is what has happened now.

I would like to know from the hon. Minister to seriously think and tell the house: was it not his handling on the day when the debate took place, was it not his mishandling that led to—that was the last straw on the camel's back—the resignation and all that. A major charge was made in this House. I am not saying that Members are not entitled to criticise the Committee's report. They are entitled, whatever the recommendations might be. The Members of this House are entitled to criticise the recommendations. But the charge was that that Committee under the Chairmanship of Mr. Sarkar, had, on their own, prepared an original report, submitted it to the Prime Minister and the Prime Minister sent it back pressurised the Committee to change the report and the Committee changed the report. That was a serious charge. I was surprised to find the hon. Minister while replying to that particular charge, his reply was innocuous. He said that as far as the Government is concerned, the valid report is the report submitted on such and such date. With regard to other drafts, whatever the Committee might have discussed, we are not concerned. With that he has finished.

I would like to know from the hon. Minister: was he not aware of the fact that the papers showed from this side in the House were not the original report, but, merely the working paper prepared by the CSIR of office for the purpose of assisting the Committee and not the Committee's report? (*Interruptions*) I would like to know from the hon. Minister whether he was not aware that the papers showed that day as original report were merely working paper. If he was aware, I would like to know from him, while replying to the debate why he did not categorically say that it was not a report and that those papers constituted the working paper? Why did he not say that? I would like to know from the hon. Minister.

Secondly, personal charges were levelled against Mr. Sarkar. The personal charges were that he called Dr. Zaheer after the

Committee prepared the report and he reopened the entire report. That is No. 1. The other personal charge was that he played havoc with CSIR inquiry as he played havoc in Aminchand Pyarelal Affair. He will also play havoc in the Birla Inquiry of which he constitutes the one-man commission. A demand was also made during the discussion that he must be removed from the Birla Inquiry Commission. My point is: when the hon. Minister replied to the debate, he was absolutely silent on all this. Any self-respecting man will think silence on all these charges which have been made on the floor of the House, personal charges against the Chairman himself, and if the Government does not reply—if the Government think they are true, let them say so—but if it is not true, the hon. Minister should have come forward and said that they are not true. Silence means that an impression is given to the country that these charges were irrefutable. I would like to know from the Minister through you, Sir, if similar charges were made against him in any Committee or even as a Minister, will he keep sticking to the post of Minister or whatever it is? Any self-respecting man will resign. I would like to know from the hon. Minister whether he is aware that it was this particular handling that has led to Mr. Sarkar reacting like that and resigning.

I would also like to know from the hon. Minister that on the 25th when the Sarkar Committee met—in which all the Members including a scientist and most of the Members who submitted a dissenting note, belonging to all Parties—Jana Sangh, Swatantra, Congress (O), Congress (R) and an independent Member—they were all present on the 25th when the Sarkar Committee met. (*Interruptions*) In that committee they took it that these allegations must be refuted and they refuted. I would like to know from the hon. Minister: when the Committee says that these are major charges which deserve refutation, how does it happen that so far as the hon. Minister is concerned, he did not consider them important enough to refute. I would like to know from the hon. Minister whether now at least he will let us know what the Government position is on these specific charges. At least will he now come forward and clear the position as far as these charges

are concerned? Finally, I want to know what concrete steps he is taking so that confidence is restored among the members and the Chairman of the Committee, so that their work will be smoothly permitted to go on. Will the Government now consider the question of removing the present Director-General who is carrying on the entire affair, bringing about such a situation?

SHRI CHENGALRAYA NAIDU (Chittoor): That is the purpose—you want a pro-communist.

SHRIMATI TARKESHWARI SINHA (Barh): He must be removed because he does not support the communist party of India.

SHRI SAMAR GUHA (Contai): We want neither a pro-communist nor an anti-communist but we want a patriotic, nationalist scientist.

DR. V. K. R. V. RAO: The hon Minister has asked many questions. He wanted to know whether I am aware of any wrong information given by the CSIR headquarters to the Ministry with the purpose of denigrating the scientists. My answer is, I am not so aware. Then, Sir, the hon. Member went on to suggest that the CSIR had prepared a working paper for the guidance of the Sarkar Committee.

SHRI UMANATH: Sarkar Committee office prepared a working paper, influenced by the C.S.I.R. headquarters.

DR. V. K. R. V. RAO: I would like the records to be referred to. The hon. Member did not say what he said just now. I am quite prepared to accept the correction which he now makes; but the record is there and the record will show that he made no reference to Sarkar Committee Office.

SHRI UMANATH: That is what I said. Influenced by the C.S.I.R. headquarters.

SHRI SAMAR GUHA: It is again an insinuation against the whole committee. He says, the Committee was influenced by the C.S.I.R. H. Q. and the committee office. He is accusing the whole committee.

DR. V. K. R. V. RAO: I am glad the hon. Member has corrected the wrong impression which was conveyed by his inadvertent remarks in the beginning. As he goes on he might correct also some other wrong impressions created by similar inadvertent remarks which are included in his opening speech. He asked me whether I was aware that this was a working paper. How could I be aware? I did not see it. The paper was not handed over to me. The paper was flourished by Shri Samar Guha. I did not know whether that was a draft or what that paper was. As a matter of fact some confusion was caused in my mind as well as in the mind of the Committee. Certainly I made it very clear. I want to read from what I said for the benefit of the House, for the re-information of the House. I said:

“The President’s office or the Vice-President’s office or the Director-General’s office or the Prime Minister are not aware of, nor are they concerned with any draft which the Committee might have considered.”

Every Committee prepares many drafts; these drafts undergo constant alterations and nobody is entitled to go behind these drafts excepting the Members of the Committee. And, I made it perfectly clear that as far as Government are concerned, the only report we consider as the report is the one signed by the Chairman, and the members of the Committee.

I do not know what more the hon. Member expected from me? He says that my mishandling of the debate led to the resignation of Shri Sarkar. I can only go on the basis of what Shri Sarkar has written not the Prime Minister, who is the President of the C.S.I.R. Mr. Justice Sarkar has stated no reasons for his resignation. I do not know what is the reason for it.

As far as I am concerned, it was not possible for me at that stage—I do not know whether the hon. Member was present in the House—when the debate was at the fag end to say anything. Something was said on demands for Grants for Education Ministry which was relevant. I rightly or wrongly accepted every important public engagement at about 5-30 P.M. and so I wanted to finish the debate even though I had spoken already

[Dr. V. K. R. V. Rao]

for about 50 minutes and I thought that I should be as brief as possible on the subject of the C.S.I.R. And since I promised the House, and you, Sir, had agreed on it, that an official motion would be introduced in the House for the consideration of the Sarkar Committee's Report in which all these factors—C.S.I.R., G.D., draft working paper and the original report—would be brought up for discussion, I do not think I could have done anything better in that debate. And I am pretty certain about it. I said that I did not have full information about Dr. Zaheer. How could I know anything about what he did? And how could I know what was stated in the draft original report? Under the circumstances, I do appreciate that if anything more is necessary, this can be sent to the Privileges Committee. I think the House will not bring me—a timid man like myself—to be placed in that position and to get into the difficulties that are likely to be created by my respectable and venerable Dr. Ram Subhag Singh who happen to sit now in the opposition. (*Interruption*)

I think I have answered all these questions and I have no doubt that the Chairman of the Committee will respond to the request which the Prime Minister has made and which has been endorsed—I hope it will be endorsed by the House—by the House. I would say that this constant repeating by the hon. Member is not going to do any good. The D. G. is not a villain of the peace. (*Interruption*). Mr. Speaker, what is sauce for goose is sauce for the gander.

SHRI UMANATH: Who is goose and who is gander here?

DR. V.K.R.V. RAO: Both. If anybody should be charged like this, I would suggest to the hon. House that it is not fair on anyone's part to do it. Constantly you should not go on making charges against the persons who are not here to defend themselves in the House. (*Interruption*). If the hon. Member would look at the Sarkar Committee Report, he will find that it has completely exonerated Dr. Atma Ram of many allegations that have been made against him.

So, as far as that part is concerned, I think that this will satisfy the hon. Member.

श्री यशपाल सिंह (देहरादून): अध्यक्ष महोदय, मैं जानना चाहता हूँ कि जिन लोगों ने ऊँची-से-ऊँची सविस् की है और जिनका हमारी नेशन के निर्माण में बहुत ऊँचा हाथ है, जिन्होंने रात-रात जाग-जाग कर इस इंस्टीट्यूशन को इतना ऊँचा उठाया, क्या कारण है कि रिटायर होने के बाद यह उनकी 20 साल की सविस् के बाद उनको हम इस तरह से हलका करने की कोशिश करें जबकि कोई कौनक्रीट प्रूफ हमारे सामने न हो ?

हमें कांस्टीट्यूशन के जरिए यह पढ़ाया जाता है:

"Everybody is honest unless proved otherwise."

जिनका कोई कसूर साबित नहीं हो सका है जिनकी बीस-बीस साल की सविस् है, क्या कारण है कि उनके रास्ते में इस तरह से रोड़ा अटकाया जाय, खास तौर से ऐसे सरकार साहब जो कि इतने बड़े जज रह चुके हैं, इतनी ऊँची डिगनेटरी है, जिनकी कि हम इज्जत करते हैं, जिन्हें कि अपनी 20 साल की सविस् में कभी इस्तीफा देने की जरूरत नहीं पड़ी क्या कारण है कि 4 महीने के भीतर उन्हें इस्तीफा देना पड़ गया ? अगर सरकार इस तरह से इंटरफीयर करेगी तो क्या जुडिशिएरी का और सरकार का कामकाज सही तरीके से और अच्छे तरीके से चल सकता है ? सवाल यह नहीं है कि वहां क्या हुआ बल्कि सवाल तो यह है कि जिन लोगों पर हमने इसाफ करने का काम सौंपा जिनके ऊपर हमारा पूर्णतया विश्वास है उन्हें किसी तरह की चीज को करने के लिए क्यों प्रेस किया जाय भले ही वह रिपोर्ट नाकिस हो ? उसे पार्लियामेंट की मेज पर क्यों नहीं रखा गया और मैम्बरान पार्लियामेंट को मौका क्यों नहीं दिया गया कि वह उसे डिस्कस कर सके ?

DR. V. K. R. V. RAO: I do not know what the hon. Member is referring to. The

report has been placed on the table of the House. And it is going to be discussed by this House. As far as the first remark is concerned, I entirely share the views of the hon. Member. Well, Sir, all of us, as Members of Parliament, have got every right to question the report of any Committee even if it is headed by the Chief Justice or an ex-Chief Justice and the logic of it if differences of opinion are expressed, I think it would become very difficult for self-respecting people to accept chairmanship of committees, if we start attacking their impartiality, integrity or independence. I wholly deplore such observations because if such observations are made the situation to which my hon. friend referred, will come to pass, namely, that it would be difficult for us to get good chairman for our committees.

SHRI CHENGALRAYA NAIDU: Instead of explaining, the Minister is only shielding and creating more trouble to the Committee. I was told the Committee appointed a sub-committee to get all the evidence in which Dr. Zaheer had tried to help or appoint his associates in Hyderabad to the high offices like Deputy Directors and Directors even though better qualified and more experienced people were there. Over their heads, his people were promoted in his own interest, that is people belonging to the pro-communist group to which he also belongs. Not only this. . .

MR. SPEAKER: Do not make a speech on these lines. Put the question.

SHRI INDRAJIT GUPTA: Has he read the report?

श्री यशपाल सिंह : अध्यक्ष महोदय, जो अपने डिफेंस के लिए यहां पर हाज़िर नहीं हैं क्या उन के सम्बन्ध में यह कहा जा सकता है कि वह प्रोकम्युनिस्ट है ?

MR. SPEAKER: I am sorry this bad practice is growing where members make critical references to people who are not present here.

SHRI CHENGALRAYA NAIDU: The Sarkar Committee went into the question of these cases of favouritism practised by Dr. Zaheer. Original files relating to these officers

who had been favoured were called for from the CSIR secretariat and several of the documents establishing *mala fide* in these appointments were also collected. . .

SHRI S. M. BANERJEE (Kanpur): What is he quoting from?

SHRI CHENGALRAYA NAIDU: I am taking only half the time taken by Shri Umanath.

MR. SPEAKER: So long as he is relevant, I will not stop him.

SHRI DHIRESWAR KALITA (Gauhati): Expunge it.

SHRI CHENGALRAYA NAIDU: What Shri Umanath did, I am doing likewise.

MR. SPEAKER: He was perfectly relevant.

SHRI CHENGALRAYA NAIDU: I am presenting the opposite side of what Shri Umanath said. It is definitely relevant.

As I was saying, they collected reports from the CSIR office, the files relating to these appointments. There was a sub-committee appointed by the Sarkar Committee. This sub-committee prepared a note. That was the note submitted here by Shri Samar Guha in which the entire facts were there.

AN HON. MEMBER: How did he get hold of it?

SHRI CHENGALRAYA NAIDU: MPs can get anything and nobody can question that.

SHRI SAMAR GUHA: I have got it by every means I have which I am not going to disclose.

SHRI CHENGALRAYA NAIDU: While discussing the Sub-Committee's report, the Committee wanted to shorten it to send it to the Prime Minister. While shortening it, the Sarkar Committee removed the entire facts of the case, the evidence of the case, and submitted only the portions which would support Dr. Zaheer in his illegal or irregular appointments. Even if members of the Com-

[Shri Chengalraya Naidu]

mittee had wanted to remove that evidence, the Chairman, himself a senior retired Supreme Court Judge, should not have agreed to it. This was very bad and it has become suspicious. Four Members of this Committee who are hon. Members of this Parliament have given Notes of Dissent saying that the removal of this evidence from this Report is bad and that they do not agree with it. That means that they have condemned this Report for removing the evidence and shielding Dr. Zaheer. Now the Minister says that they are requesting Justice Sarkar to continue as Chairman, but he is only doing harm to Justice Sarkar. What Justice Sarkar has done is very good, in the interests of the country, and in his own interest.

As these members have failed to bring forth the truth, to expose Dr. Zaheer and what he has done, the Prime Minister, as President of CSIR, should appoint another committee to get the real evidence in regard to this matter.

Is it not also a fact that after the Report of this Committee Dr. Zaheer wrote to them saying that he must not be condemned without hearing him in person, that the Committee then heard him and still found that he had committed wrong, and is it not a fact that in spite of it they removed this evidence?

I have got another copy of the Sub-Committee's Report, if you want for your information, giving original information which has been removed by this Committee. Can any Committee, any Judge or anybody remove evidence from the Report so as to shield somebody? I have got the Report. Will you say it is not correct? If you want, you can go through it. Why do you want to shield?

SHRI RAM CHARAN (Khurja): Please lay it on the Table.

SHRI CHENGALRAYA NAIDU: I am prepared to lay it on the Table.

SHRI RANGA (Srikakulam): It should be laid on the Table of the House.

MR. SPEAKER: I have not allowed it to be laid on the Table of the House. I will look into it.

SHRI CHENGALRAYA NAIDU: Because the Minister has not seen it, I am giving it for his information.

I want a clear answer from the Minister whether this is a fact that the Sub-Committee was appointed and this Report was prepared. Secondly, is it not a fact that the evidence given in the Sub-committee Report was removed and another Report was submitted to the Prime Minister without the evidence? Is it not a fact that due to this the Chairman of the Committee and the Prime Minister, who is the President of CSIR, got a bad name?

DR. V. K. R. V. RAO: In the long series of observations that the hon. Member has made, the only question that has emerged is whether it is not a fact that some sub-Committee was appointed by the Sarkar Committee, that this Sub-Committee produced a Report that this Report contained some evidence, and that this evidence was removed by the Sarkar Committee when formulating their final Report for submission to the President. I presume this is the question.

MR. SPEAKER: Let me ask him again so that he may not say that it has not been answered. Is anything else left out?

SHRI CHENGALRAYA NAIDU: No, Sir.

DR. V. K. R. V. RAO: I was trying to be helpful to him; he is an ex-Member of my party.

SHRIMATI TARKESHWARI SINHA: You are an ex-Member of the party.

DR. V. K. R. V. RAO: I am not aware whether there was such a sub-committee and what the sub-committee did and what the Sarkar Committee did with its report. I should like to inform the House that as a normal procedure when the Government appoint a commission or committee, they are not expected to go into the series of steps by which the committee comes to its final conclusion. Government are concerned only with the report which is signed by the Chairman and Members and submitted to the Government.

SHRI CHENGALRAYA NAIDU: When there was so much complaint you should have gone through it and you should have known it.

SHRI PILOO MODY (Godhra): The second question has not been answered—about the fair name of the Prime Minister.

SHRI CHANGALRAYA NAIDU: What about accepting the resignation and appointing another committee?

MR. SPEAKER: I have made it very clear whether that was your question and he answered it. There will be no other chance now.

SHRI CHENGALRAYA NAIDU: He has not answered parts (b) and (c) of my question. (b)—what about accepting the resignation and appointing another committee and (c) through his mishandling the whole thing the Prime Minister got a bad name and it was due to his inefficiency. Are they going to accept it or not?

MR. SPEAKER: What can I do now?
(Interruptions.) Shri Patodia.

SHRI D. N. PATODIA (Jalore): It is extremely unfortunate that the working of the enquiry committee on CSIR had been subjected to severe criticism in this House. This committee was constituted with the background of the working of the CSIR in mind. Nobody disputes in the House or outside that the working of the CSIR had been extremely deplorable and Dr. Hussain Zaheer had been making a mess of its working by inviting all sorts of people, including pro-communists, for the working of the CSIR. Even today according to my information Dr. Siddu who is a director at Hyderabad is not holding a meeting of the executive committee for as long as two years. This is the type of working which necessitated the appointment of an enquiry committee. Serious doubts have been raised with regard to the impartiality of the enquiry commission. It has been alleged that one particular draft report was prepared to be finalised by the committee but was subsequently changed under the influence of Dr. Hussain Zaheer and it has been reported that influence was somehow or the other vented through the Prime Minister. In order

to see that the Chairman of the Committee, Shri Sarkar, is relieved of this particular charge it is necessary that this House is given the fullest possible opportunity of discussing and knowing the details of the working draft. Therefore, it is necessary that the report that has been laid on the Table of the House be accepted by you and you direct the hon. Minister that it be circulated to all the Members before a discussion takes place in the House. I understand that the Government had already sent in a motion for discussion of this report. That discussion would be meaningless and would serve no purpose unless the report is circulated to the Members.

Coming to the Chairman and members of the enquiry commission, it is true that the Chairman being a very respectable person should not be subject to such criticism. It is very unfortunate that in this House all of us who are protected by privileges are making misuse of our privilege day in and day out and criticise respectable persons who hold respectable positions and who accept such appointments for the sake of public service. Therefore, it is time for us that unless we know the full facts we should not go ahead by making all sorts of allegations May I, therefore, know from the hon. Minister whether he undertakes to see that a copy of the working report will be circulated to all the Members of the House and it is circulated before the discussion takes place in the House?

SHRI K. LAKKAPPA (Tumkur): Sir, how can he answer without a question?

MR. SPEAKER: I think there was no question but only a suggestion.

SHRI TENNETI VISWANATHAM (Visakhapatnam): There must be an answer to a suggestion also.

DR. V. K. R. V. RAO: Since the hon. Member has again referred to some charges of pressure being brought on the Chairman and the members of the Committee, I would like to remind the House that the Committee headed by Mr. Justice Sarkar included several very distinguished Members of Parliament both from this and the other House. The press has already reported the observations of this Committee on the allegations which were in this House. I would like to place on

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the Table if the House—I am prepared to read it if you permit—the statement which was issued by the members of the Sarkar Committee meeting under the chairmanship of Shri Akbar Ali Khan. I would also like to point out that their repudiation of these allegations and their reiteration of complete confidence in the impartiality and integrity of the Chairman was signed by all the four members who signed the Minute of Dissent to the Sarkar Committee report. After this, one should refrain from casting aspersions on the Committee which includes not only a non. ex-Chief Justice but also many hon. Members of the Houses of Parliament.

Then, regarding the second question, whether some working report will be circulated: I do not understand what the question means. I would like to have your ruling.

MR. SPEAKER: There is no question of my ruling (*Interruption*)

DR. V. K. R. V. RAO: I am sorry, this is not a matter. . (*Interruption*). . they must allow me to speak, Sir.

SHRI CHENGALRAYA NAIDU: He has clearly said that he is not able to understand. Why not the Prime Minister appoint another Minister in his place?

DR. V. K. R. V. RAO: This does not only concern. . .

MR. SPEAKER: You have already mentioned it. Why should you elucidate it further?

DR. V. K. R. V. RAO: I am sorry; because it not only concerns the Sarkar Committee report; any Commission or Committee has a number of drafts before it comes to its final report. I would, therefore, like to know whether Government is in a position to ask any Committee or Commission to make available to it the previous draft which was considered by the Committee. (*Interruption*)

श्री रामचरण (खुर्जा): जब कोई कमेटी इस प्रकार की एप्वाइंट की जाती है उसका आघार यह होता है कि उस आर्गे-

नाइजेशन में जो भ्रष्टाचार है या गलत चीजें हुई हैं वे जनता के सामने आ जायें और आगे चलकर इस तरह की गलतियां न हों। रिपोर्ट को मैं भी पढ़ा है। सी. एस. आई. आर. की जानकारी मुझे भी है। उसमें कितनी खराब बातें हुई हैं, कितनी कुरूपण है, कितनी नैपोटिज्म है, कितनी फेवरिटिज्म है, उसमें मैं जाना नहीं चाहता हूँ। केवल एक उदाहरण मैं आपको देना चाहता हूँ। एक मिस्टर कॉल थे जो कि 210 के करीब कहीं पर पाते थे। उसके बाद उनको सात सौ से ग्यारह सौ के स्केल में यहाँ रख लिया गया। पैसे वगैरह भी दिये गए। मैं यह नहीं बताना चाहता हूँ कि शैड्यूल कास्ट का सी. एस. आई. आर. में कोई भी टेक्नीकल आदमी नहीं लिया गया है। ज्यादातर उन्हीं लोगों को भरती किया गया है जो कि मिनिस्ट्रों या बड़े-बड़े अधिकारियों के रिश्तेदार थे। उन्हीं की सिफारिशों पर लोगों को रखा गया। इस तरह की बातों की जांच करने के लिए यह कमेटी सैट अप की गई थी कि जो अनफिट, इन-एफिशेंट और कुरूप आदमी रखे गए हैं उनके बारे में रिपोर्ट सरकार के पास आए। मैं जानना चाहता हूँ कि क्या इस किस्म की परसनल फाइलज जिन पर उनकी एप्लीकेशंज काल की गई थीं और जिन पर मिनिस्टर, प्राइम मिनिस्टर वगैरह के रिमार्क्स थे कि दी नेम आफ दिस मेन शुड बी टेकन इंटू कंसिड्रेशन, कमेटी के सामने आई? मैं जानना चाहता हूँ कि कितने मिनिस्ट्रज की या चेयरमेन की इस तरह की सिफारिशें उन पर हैं? क्या कोई इस तरह का रिमार्क प्राया है या नहीं प्राया है जिसकी वजह से सरकार साहब ने इस्तीफा दिया है?

DR. V. K. R. V. RAO: All the papers and files that were asked for by the Sarkar Committee were supplied to the committee. I am not in a position to say what personal files were included in them and what was in those files.

श्री रामचरण: ओरिजनल फाइलज में

नोट्स चेंज किये गये हैं। ऐसा इनक्वायरी कमेटी सेट अप होने से पहले किया गया है।

MR. SPEAKER: His reply is that all the files which were asked for were supplied. He does not have any personal knowledge about any particular file. He only knows this that they were supplied.

There are certain other members connected with this and they want to make personal explanations. They are Mr. Samar Guha, Mr. Indrajit Gupta and Mr. Chandrajit Yadav. But is it necessary that they should make personal explanations? After this clarification by the minister, do you want to say something still? Of course, as members you are entitled to make personal explanations.

श्री अटल बिहारी वाजपेयी (बलराम पुर): जब कमेटी की रिपोर्ट पर चर्चा हो तब इनको अपना वक्तव्य देने की अनुमति दी जा सकती है।

MR. SPEAKER: There is already a motion for discussion of this report. At that time, the gentlemen who want to speak may speak.

SHRI INDRAJIT GUPTA (Alipore): I cannot make any observation on the report because I am a member of the committee. I want to make a factual statement.

SHRI SURENDRANATH DWIVEDY (Kendrapara): It should be done some other time, not now.

MR. SPEAKER: They have a right to make personal explanations. I only enquired, when an opportunity is coming, whether they would like to avail of it. The position of Mr. Gupta is, he is a member of the committee and he will not be in a position to speak. Therefore, he is justified.

SHRI RANGA: Whoever is not a signatory to the calling attention notice has no right to speak. (*Interruptions*).

MR. SPEAKER: Now, Mr. Samar Guha. We have cancelled the lunch hour not for you but for discussion on the demands.

SHRI VASUDEVAN NAIR (Peermade): Is he a member of the committee?

MR. SPEAKER: He has written to me that as it arose out of his remarks, he wanted to say something and I have allowed. After him I will call Mr. Indrajit Gupta and then Mr. Chandrajit Yadav.

SHRI SAMAR GUHA: Being a member of this House and also a student of science, I was naturally exercised. . . (*Interruptions*). My friends forget that my student has been included in the CSIR committee, but for obvious reasons I have not been included. (*Interruptions*). Rs. 20.53 crores have been allotted for running the CSIR and during the last few years, over Rs. 200 crores have been spent for development. . .

MR. SPEAKER: What is your personal explanation?

SHRI SAMAR GUHA: I have been called an irresponsible person. Consciously I have never done any irresponsible thing. If I have done it inadvertently, I do not stand on prestige but I apologise if I do that. But here in the press many people have called me a politically frustrated person.

MR. SPEAKER: Come to the point.

SHRI SAMAR GUHA: I am coming to the point. I owe an explanation and you, Sir, as custodian of this House should defend the honour of a member of this House. In the discussion what have I said? I referred to the original report. I never used the term "final report." When I use the word "original report" it naturally means the original draft report that was circulated. Otherwise, I would have used the word "final report."

MR. SPEAKER: Kindly come to the personal explanation.

SHRI SAMAR GUHA: Therefore, I have never said that the report in the draft form which was circulated among the members was the "final report." I have only said that it was the "draft report" circulated among the members for discussion and making the final report.

13 hrs.

Then, what was my observation? I said that in the final report the facts, documents,

[Shri Samar Guha]

data and many other information that were incorporated in the draft report circulated among the members—note the words I have used—“were twisted, tainted and truncated”. To substantiate that I had given four or five instances, which were telling instances, which were included in the draft form but which were not in the final report. All my observations about data have been incorporated in the note of dissent to the final report.

Now I want to draw your attention to one serious point. There is a press report that the Sarkar Committee, in the absence of Shri Sarkar, being presided over by one member of the Rajya Sabha, have made the observation.

MR. SPEAKER: Let us have his personal explanation.

SHRI SAMAR GUHA: I am coming to the relevant point. They have said that my observation is utterly untrue, irresponsible and uncharitable. I want to draw your attention to one point. A committee appointed by the Parliament arrogated to itself a superior position to make such critical and irresponsible statements publicly and issued that statement to the press. If they felt some wrong has been done, according to their opinion what could they do? They could make a comment or pass a resolution and pass it on to the Prime Minister or the Minister concerned. But, instead of that, they have released it to the press and thereby, I should say, involving a breach of privilege and honour of this House and a member also.

Then, Dr. Hussain Zaheer has called me a politically motivated frustrated politician. An accused person has arrogated to himself the position of calling a Member of Parliament as a politically motivated frustrated person. This is a dangerous precedent. If you allow any committee appointed by this House to make observations on what has been mentioned on the floor of the House and then come out with a press statement—and the Minister himself says that something right has been done—it will be a dangerous precedent for the future.

I repeat that the documents were truncated, twisted and tainted. That charge has not

been refuted; that charge still stands, I would demand that in fairness to this House and the members of this House that the original draft that was circulated to the members and also the final report should be laid on the Table of the House. Let there be a really free, fair and honest discussion in this House on the findings of the committee. I again repeat that the draft report which was circulated to the members of the committee should be placed on the Table of the House and it should also be circulated among the members.

SHRI INDRAJIT GUPTA: Mr. Speaker, as a member of this House who also happens to be a member of the Sarkar Committee, I have requested you to allow me, under rule 367, to make a statement in the House by way of personal explanation in reply to the allegations made against the Committee as a whole by Sarvashri Samar Guha, Madhu Limaye and Prakash Vir Shastri on 21-4-70 during the course of the debate on the Demands for Grants of the Ministry of Education and Youth Services. I was not present in the House on that day. In this connection it will serve my purpose if you allow me to read out the statement which was unanimously adopted at the meeting of the Sarkar Committee held on 25-4-1970. This is all the more necessary because some leading newspapers which had given wide publicity to the allegations made in this House on 21-4-1970 did not care to publish the Committee's reply. The Committee's statement, which was conveyed to the President of the CSIR and not issued to the Press reads as follows:

“It is totally incorrect to describe as 'original report' a draft which was really a working paper meant for discussions to enable the Committee to arrive at final conclusions. In the normal course in the working of any Committee a number of drafts are always prepared, discussed, debated and modified by additions or deletions before the Report is finalised. This Report was signed by the Members of the Committee on 22-2-1970, and submitted to the Prime Minister on 27-2-1970. It is this document which is the Report of the Committee. The words 'original' or 'final' as alleged are not correct.

The remarks made by Sarvashri

Samar Guha, Madhu Limaye and Prakash Vir Shshtri in the Lok Sabha on 21-4-1970 regarding pressure being brought to bear on the Committee are unwarranted, without justification and cast a reflection on the Committee as a whole, which is highly unfair. (*Interruptions*) The Committee would like to place on record that the allegations made against the Chairman of the Committee are utterly untrue, thoroughly irresponsible and uncharitable to the Chairman for whom the Committee have got the greatest regard and whose impartial bearing during the conduct of the Committee's deliberations they unannimously affirm. The Committee feel very much hurt by these observations, and highly resent it.

The Committee would like that these views, expressed by the Committee unannimously, should be publicized widely because the allegations have already received wide publicity."

The Committee's meeting on the 25th April, 1970, where the aforesaid statement was unannimously adopted, was attended by the following members and this should be known:

- (1) Shri Anthony Reddy, Member, Lok Sabha;
- (2) Shri K. P. Singh Deo, Member, Lok Sabha;
- (3) Shri Indrajit Gupta, Member, Lok Sabha;—

they have all signed this statement—

- (4) Shri S. S. Bhandari, Member, Rajya Sabha;
- (5) Dr. Ramaiah, Member, Rajya Sabha;
- (6) Shri Akbar Ali Khan, Member, Rajya Sabha; and
- (7) Dr. Swaminathan, Scientist Member.

The Chairman, Mr. Justice A. K. Sarkar, was not present at the meeting.

I wish to point out that all the Committee members, who are signatory to the note of dissent to the main report, have signed the

statement just now quoted by me. This shows that there is a clear distinction between the right to make valid and free criticism of the Committee's report and recommendations—a right which is beyond controversy—and baseless and false allegations which amount to slander and personal vilification of the Chairman and members of the Committee.

I am extremely sorry that Sarvashri Samar Guha, Madhu Limaye and Prakash Vir Shastri have been badly briefed to make unfair allegations implicating some of their colleagues in this House without caring first to ascertain the real facts. . . (*Interruption*).

SHRI SAMAR GUHA: Nobody need preach Samar Guha. . . (*Interruption*). I have my conscience and that is the national conscience. . . (*Interruption*)

MR. SPEAKER: I think, Professor Samar Guha needs some silencer being fixed to him as to a car. There is no other way to control him. He is uncontrollable, unmanageable and suddenly eruptible. You should make something to silence him. But my only problem is not professor Samar Guha. I have trouble to my left also.

DR. RAM SUBHAG SINGH (Buxar): I object to this remark.

MR. SPEAKER: I am referring to Shri Sheo Narain.

DR. RAM SUBHAG SINGH: There is nothing like personal explanation in this. You have allowed it in the wrong way. Unnecessarily you are getting the time of the House killed by such explanations.

MR. SPEAKER: I have allowed that.

DR. RAM SUBHAG SINGH: But you do not allow that on the calling-attention.

MR. SPEAKER: It was not a part of the calling-attention.

DR. RAM SUBHAG SINGH: It is being done under pressure. You are doing this under pressure.

SHRI CHENGALRAYA NAIDU: We are not agreeing with the Committee's report; we reject it.

SHRI SHEO NARAIN (Basti): On a point of order, Sir.

SOME HON. MEMBERS: Under what rule?

MR. SPEAKER: Let me finish some trouble that is there to my left. May I ask all of you if you have heard anything or you have just started doing it? There is no question of asking for any rule when he is on a point of order.

श्री शिव नारायण : मैं अपना परसनल एक्सप्लेनेशन देने के लिए खड़ा हुआ हूँ। आपने दो मर्तबा मेरे ऊपर रिमार्क किया . . . (व्यवधान) . . .

I am an elected Member of the House and have the same privileges and rights as Shri Indrajit Gupta, the Prime Minister, the Food Minister or anyone else. . . (Interruption). You rebuked me twice or thrice. I also have been a member of the Public Accounts Committee for two years and I know what is a personal explanation. He had no right to read out the Committee's report on a personal explanation. . . (Interruption). What is going on in this House? Have we no right to say anything? We are not going to be cowed down by these Communists who are creating havoc in this House. I hope you will help us to work in this House.

SHRI S. M. BANERJEE: Sir, I would only submit that the statement made by Shri Indrajit Gupta was a statement of the Committee and it was meant for adults only. (Interruptions).

MR. SPEAKER: Shri Chandra Jeet Yadav.

श्री चन्द्रजीत यादव (भ्राजमगढ़) : अध्यक्ष महोदय, मुझे कोई लम्बा वक्तव्य नहीं देना है। मैं भी उस समिति का सदस्य हूँ जिसकी चर्चा यहाँ की गई और जिस प्रकार से चर्चा की गई समिति की कार्यवाही के बारे में, अध्यक्ष के बारे में और प्रधान मंत्री के उस कमेटी में हस्तक्षेप करने के बारे में उस संबंध में श्री इन्द्रजीत गुप्ता ने जो प्रस्ताव

उस कमेटी में पास हुआ उसे यहाँ पढ़ दिया। मैं कमेटी के उस प्रस्ताव से अपने को सम्बद्ध करता हूँ और इस सदन से केवल यह निवेदन करना चाहता हूँ कि उस समिति में जनसंघ पार्टी के श्री सुन्दरसिंह भंडारी, स्वतंत्र पार्टी के श्री के. पी. सिंह देव, कांग्रेस प्रपोजीशन के श्री एंथानी रेड्डी यह सभी उसके सदस्य हैं। इस प्रकार का आक्षेप सदन के भन्दर जो किया गया, मैं एक सदन का सदस्य होने के नाते. . . (व्यवधान) . . .

SHRIMATI TARKESHWARI SINHA: Let him give his own explanation. He cannot give explanation on behalf of others.

SHRI CHANDRA JEET YADAV: They have condemned your allegations made on the floor of the House. . . (Interruptions)

SHRIMATI TARKESHWARI SINHA: You better give your own personal explanation; don't mention about my party Members. We will give personal explanation, if necessary. Don't be the guardian of our party; be your own guardian. . . (Interruptions)

SHRI SHEO NARAIN: We know what you are. (Interruptions)

श्री चन्द्रजीत यादव : अध्यक्ष महोदय, इसलिए मैं यह कहना चाहता हूँ कि अगर इस प्रकार के गैर-जिम्मेदारी के वक्तव्य सदन में दिए जाएंगे तो सदन के किसी भी सदस्य के लिए किसी भी कमेटी में काम करना संभव नहीं हो सकेगा। इस सदन के भन्दर जो मांग की गई थी, सदन की मांग के ऊपर इस कमेटी का निर्माण किया गया था और इस कमेटी में इस सदन के सदस्य, और इस देश के माने जाने व्यक्ति इसके सदस्य थे, मैं यह कहता हूँ कि यह बहुत गैर-जिम्मेदारी के आरोप हैं और इस आरोप का मैं पूरे जोर से खण्डन करता हूँ और यह कहना चाहता हूँ कि इस कमेटी के दौरान किसी भी स्टेज पर कमेटी के सदस्यों ने व्यक्तिगत रूप से या कमेटी की ओर से न तो प्रधान मंत्री, न

शिक्षा मंत्री से कभी इस संबंध में राय मश-
 विरा लिया न उनको कमेटी की रिपोर्ट
 दिखाई। वह ड्राफ्ट केवल कमेटी के अपने
 विचार के लिए प्रस्तुत किया गया था और
 जो रिपोर्ट आई हैं वह हमारी फाइनल रिपोर्ट
 हैं। जो आरोप लगाए गए हैं, वह बिलकुल
 निराधार और गैर-जिम्मेदारी के आरोप हैं
 और उनको इस सदन को तिरस्कृत करना
 चाहिए।

SHRI D. N. PATODIA: On a point of
 order, Sir. I want your ruling, whether any
 Member while making his personal explana-
 tion is entitled to mention the names of other
 Members of the House and whether he is
 permitted to quote any communication which
 is signed by many other Members, apart
 from him.

MR. SPEAKER: You want my ruling on
 every little thing. Because he is associated
 with the Committee, he said, not only he
 but other Members of other parties also
 signed it.

SHRI SURENDRANATH DWIVEDY:
 What is the procedure? We want to know
 that. As we understand the rules, if any
 Member wants to make a personal explana-
 tion—he has every right; you should allow
 it—an advance copy of the statement should
 be sent to the Speaker because we do not
 want, when a personal explanation is made,
 there should be any criticism and another
 debate continues. To avoid all that, it has
 been laid down in the rules that an advance
 copy should be sent to the Speaker, the
 Speaker will see it and then he will permit
 the Member to read it. Here, what is happen-
 ing is that Members are making personal
 explanations, there is criticism and the debate
 goes on.

MR. SPEAKER: I asked Prof. Samar
 Guha to confine himself to the points he has
 made in his letter. I am happy that Shri
 Indrajit Gupta observed it. He said, he was
 mentioning the same points. I think, in
 future, if there is going to be a personal ex-
 planation, instead of verbal, it should be a
 written one. It is much better for the Members
 to read what they give to me.

SHRI SURENDRANATH DWIVEDY:
 That is the rule.

MR. SPEAKER: I am not going to stop
 all oral explanations.

श्री अटल बिहारी वाजपेयी: अध्यक्ष
 महोदय, यह बात नहीं है, इसमें लिखने और
 जबानी कहने की बात नहीं है। यह बहुत
 महत्वपूर्ण बात है, इस सदन का कोई भी
 सदस्य यदि किसी कमेटी में है, और यदि उस
 कमेटी की रिपोर्ट पर यहाँ आलोचना हो,
 तो जब डिबेट हो, तो वह सदस्य उस कमेटी
 के सदस्य के नाते अपना दृष्टिकोण यहाँ रख
 सकता है, लेकिन इसमें परसनल एक्सप्लेनेशन
 कहाँ आता है.

श्री चन्द्रबीर यादव: लेकिन जब आरोप
 लगाया जाता है कि उस कमेटी को प्रेश-
 राइज कर रहे हैं, तो जवाब देना जरूरी हो
 जाता है।

श्री अटल बिहारी वाजपेयी: श्री यादव
 जो कुछ बोलते हैं, बहुत समझदारी से बोलते
 हैं, पता नहीं आज उनको क्या हो गया है।

श्री चन्द्रबीर यादव: आपके जैनरल
 सेक्रेटरी ने उसको साइन किया है, इसलिये
 आपको परेशानी है।

श्री अटल बिहारी वाजपेयी: श्री यादव
 ने जो कुछ कहा है, उसमें परसनल-एक्सप्लेनेशन
 क्या था, मुझे लगता है कि नियमों का दुरु-
 पयोग किया गया है, जब रिपोर्ट पर बर्चा
 होती, उस समय ये अपने विचार प्रकट कर
 सकते थे।

SHRI INDRAJIT GUPTA: In view
 of the fact that the Sarkar Commtee has not
 completed its work and has yet to submit
 part II of the report, I don't think Mr. Vaj-
 payee is right when he says that when the
 debate is held on the report, it is open to the
 members of the committee to speak on that.
 (Interruptions).

MR. SPEAKER: This was a question not concerning the report. It arose out of certain remarks made by Prof. Samar Guha because it was in a general way a reference to the Committee. The Members of the Committee took it personally and they came to me and said 'We are members of the Committee and we are members of this House. If Prof. Samar Guha could do it, if Prof. Samar Guha could not wait for the debate on the report—he certainly got it and started shoving that report and the papers here—we have got every right to explain the whole position so far as it concerns us.' I am sorry that this has created a lot of trouble.

MR. SPEAKER: Papers to be laid.

SHRI HEM BARUA (Mangaldai): I want a statement from the hon. Minister on the death of a Press Correspondent in Bhutan while accompanying the President.

PAPERS LAID ON THE TABLE

STATEMENT SHOWING ADVANCE DRAWN FROM CONTINGENCY FUND OF INDIA FOR NEW SERVICES.

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY PLANNING; AND WORKS, HOUSING AND URBAN DEVELOPMENT (DR. S. CHANDRASEKHAR): I beg to lay on the Table a statement (Hindi and English versions) showing advance drawn from the Contingency Fund of India during the 'Vote-on-account' period for expenditure on 'New Service' for which necessary provision had been made in the Budget Estimates for 1970-71. [Placed in Library. See No. LT-3338/70].

NOTIFICATIONS UNDER THE NAVY ACT

THE MINISTER OF DEFENCE, AND STEEL AND HEAVY ENGINEERING (SHRI SWARAN SINGH): I beg to lay on the Table:

- (1) A copy each of the following Notifications (Hindi and English versions) under section 185 of the Navy Act, 1957.
 - (i) The Naval Ceremonial, Conditions of Service and Miscellaneous

(Second Amendment) Regulations, 1969, published in Notification No. S.R.O. 309 in Gazette of India dated the 1st November, 1969.

- (ii) The Naval Ceremonial, Conditions of Service and Miscellaneous (Third Amendment) Regulations, 1970, published in Notification No. S.R.O. 1E in Gazette of India dated the 21st February, 1970.
- (iii) The Navy (Discipline and Miscellaneous Provisions) First Amendment Regulations, 1970, published in Notification No. S.R.O. 126 in Gazette of India dated the 28th February, 1970.

- (2) A statement (Hindi and English versions) showing reasons for delay in laying the Notification mentioned at (1) (i) above. [Placed in Library. See No. LT-3339/70].

AUDIT REPORT ON THE ACCOUNTS OF THE TEA BOARD, 1967-68

वैदेशिक व्यापार मंत्रालय में उप-मंत्री
(श्री राम सेवक) : अध्यक्ष महोदय, चाय बोर्ड के वर्ष 1967-68 के लेखे सम्बन्धी लेखा परीक्षा प्रतिवेदन की एक प्रति मैं सभा-पटल पर रखता हूँ। [Placed in Library See No LT—3340/70]

ARREST AND CONVICTION OF MEMBERS

[SARVASHRI RAMESHWAR RAO AND SURENDER REDDY]

MR. SPEAKER: I have to inform the House that I have received the following two telegrams, dated the 28th April, 1970, from the Deputy Commissioner, Secunderabad, and Shri A. Venkatrao, respectively:—

- (1) "Sarvashri J. Rameshwar Rao and R. Surender Raddy, Members of Lok Sabha, were arrested for defying prohibitory orders this day at 10 A.M. near Purana Pull, Hyderabad."