

श्री हुकम चन्द कछवाय : यह वक्तव्य
 वहाँ पर पढ़ा जाये ।

प्रत्यक्ष महोदय : सारा पढ़ने की जरूरत
 नहीं । मैं दूसरा मौका दूंगा सवाल करने
 के लिये ।

Shri Swaran Singh: I lay the state-
 ment on the Table of the House.
 [Placed in Library. See No. LT-
 3892/65].

श्री हुकम चन्द कछवाय : वह पढ़ा नहीं
 जायेगा तब हम सवाल क्या करेंगे ।

12.02 hrs.

RE: C.B.I. REPORT

**Shri Hari Vishnu Kamath (Hoshan-
 gabad):** Sir, before you proceed to
 the next item, may I seek your
 guidance on an important matter? In
 accordance with the directions con-
 tained in your momentous historic,
 ruling last Friday which is in tune
 with the highest traditions of the
 best parliament of the world.....

Mr. Speaker: I had requested hon.
 Members many a time that comments
 on the Speaker's conduct or his de-
 cisions.....

Shri Hari Vishnu Kamath: I sub-
 mitted to you, Sir, on Friday copies of
 the C.B.I. Report submitted to the
 Cabinet Sub-Committee together with
 the Sub-Committee's decisions there-
 on, along with the necessary certifi-
 cates and requested you to accord me
 permission to lay it on the Table. The
 difficulty is this. Every day ques-
 tions are coming up. This C.B.I. re-
 port deals with so many issues, so
 many matters which may crop up in
 the House in some manner or other
 during Question Hour or otherwise.
 There is only one copy with us. Un-
 less, therefore, it is allowed to be

laid on the Table we cannot refer to
 it during Question Hour or other-
 wise. I, therefore, request that it
 may be allowed to be laid on the
 Table. I have given notice of this to
 the Minister also this morning.

Shri S. M. Banerjee (Kanpur): Sir,
 I came to know from Shri Kamath
 that he has submitted to you a certi-
 fied copy of the C.B.I. report. Unless
 it is laid on the Table I am afraid
 when, for instance, the Demands for
 Grants relating to the Ministry of
 Home Affairs are taken up and we try
 to strengthen the hands of Shri Nanda
 by dealing with all the corruption
 cases, we will not be able to mention
 this at all. I would, therefore, re-
 quest you to direct the Minister to
 lay it on the Table without any de-
 lay.

Shri Ranga (Chittoor): Sir, you
 must have already noted how
 quite a large number of very influen-
 tial English daily papers have ex-
 pressed their comments in regard to
 this particular matter. They have
 also suggested that it would serve
 nobody's purpose and no interest
 would be advanced by not making
 this report available to the public.
 They have also mentioned that the
 Government has not served any public
 purpose at all by trying to keep up
 this illusion that it is still a secret and
 confidential document. Quite a large
 number of us have been favoured with
 the knowledge of this report. We have
 been also able to read some portions
 of this report. Under these circum-
 stances, it would serve, I think, the
 purpose of this House if you are good
 enough to permit Shri Kamath to place
 this on the Table of the House. Other-
 wise, what is likely to happen is that
 we would be knowing the contents of
 the report, we would be seeing the re-
 port and at the same time without
 proper authority and both the Govern-
 ment as well as this Parliament
 would be placed at a great disadvan-
 tage because what comes within the
 knowledge of the Members of this
 House is not allowed to be placed on
 the Table even when it is no longer

[Shri Ranga]

a secret even when the Government is proved obviously to have been in the wrong in having kept it as a secret.

Shri Surendranath Dwivedy (Kendrapara): Sir, I only want to submit one thing, now that the Prime Minister is also here. All these points have been placed here. If they do not choose to put this summary, that is the report which Shri Kamath has certified, would they like to place the fuller report, which contains about 200 pages, before the House because they feel that this report contains only a summary of the final findings of the Cabinet Sub-Committee?

Shri Nath Pal (Rajapur): Mr: Speaker, Sir, it will not be showing proper understanding and regard for your ruling if after that ruling Government does not make up its mind as to whether it should courageously and in a forthright manner come and face a reality. We will be driven, even in spite of your ruling, to hideous and not highly edifying means of quoting chapter and verse from it. Filibustering is not known to this House. But if I am to speak on the demands for Grants of the Ministry of Home Affairs—and this year I think I would like to—my recourse, after your ruling, will be to go on citing from it. Will it be adding to the prestige of the House. Will the Government emerge in a better light? I think the House knows it, the press knows it and the country knows it. The only way for them to respect your ruling and try to save such reputation as they think they still possess and to show regard for parliamentary working is either to co-operate with Shri Kamath and Shri P. K. Deo or the Home Minister himself take the initiative and volunteer to place the report on the Table of the House.

Shri H. N. Mukerjee (Calcutta Central): I was not in this House when you gave your momentous ruling. I read about it while very far away from this House. But I did get the impres-

sion, because that is the only possible concomitant of your ruling, that members of this House would have an opportunity of full study of this document which Shri Kamath was enabled by your ruling to place on the Table of this House. Then I discovered to my consternation that the document is nowhere to be seen.

Shri Hari Vishnu Kamath: It is here with me.

Shri H. N. Mukerjee: My submission, therefore, is that you permit this document to be placed on the Table of the House so that every member would have access to it without having any kind of difficulty about it. I do not want to be in a position to wangle access to this particular document. If it is laid on the Table of the House by Government, or by Shri Kamath with your permission, then I have a regular access to it. I want every member of this House to have a regular opportunity of access to it. And I do feel, therefore, that it follows upon your ruling that the document is enabled to be placed on the Table of the House and since the Government is in the picture and since the Government can give us a fully authorised version of the document, it is the duty of the Government to place it on the Table of the House.

डा० राम मनोहर लोहिया (फर्रुखाबाद) :
अध्यक्ष महोदय, मैं चाहता हूँ कि यह रपट यहाँ पर रखी जाए, खास तौर पर इस लिए कि ऐसे मामलों को लटकाकर रखने से हमारी संसदीय पद्धति को बड़ा भारी नुकसान पहुंचता है, इसलिये कि जो सरकारी पक्ष है उसके अन्दर के आपसी विरोधों का हमारे विरोधी पक्ष के अन्दर भी घुस आना हो जाया करता है ।

पहले भी भ्रष्टाचार के मामले हुए हैं, पहले प्रताप सिंह कैरों फंसे अब दूसरे लाहब आ गए हैं । लेकिन इससे उसकी जड़ के बारे

में समझ में नहीं आ पाता। खाली यह होता है कि एक व्यक्ति गया तो दूसरा आ गया। ऐसे मामलों को लटकाकर रखने का नतीजा यह होगा कि पटनायक साहब चले जाएंगे और दूसरा कांग्रेसी आ जाएगा। फिर उसके विरुद्ध अविश्वास का प्रस्ताव रखा जायगा। इस तरह इन मामलों को खत्म नहीं किया जा सकता। इसलिए इन सारे मामलों को जनता के सामने साफ़ करने की जरूरत है। यह खास तौर से इसलिए भी जरूरी है कि कहीं ऐसा न हो कि कांग्रेस के आपसी विरोध के हम भी प्रतिबिम्ब या साया बन जाएं, जिसका मुझे बहुत ज्यादा खतरा दिखायी दे रहा है।

Mr. Speaker: In the ruling that I have given I have tried to make it clear in what cases I can ask the Government to place the document on the Table of the House. Both Government and the Members of the Opposition already know that there are rules which relate to the laying of documents on the Table—how it can be done and when it can be done. So far as quotations are concerned, as I have said in that ruling, when some discussion is going on members can quote what is relevant to the discussion; not otherwise. In other words, time cannot be provided simply for the sake of quoting a document. At this moment, there was no occasion to refer to this document. There is nothing, no discussion, at this moment on which I can just say whether a reference to a particular document is relevant or not. When some discussion is going on and when the opportunity arises or when a separate discussion is asked for and a member quotes from a document, then only this question will arise.

Shri S. M. Banerjee: There is a Bill coming soon.

Mr. Speaker: Because it is coming, I should allow it now? When the opportunity comes and the question

arises, certainly we can consider what follows from that and what decision should be given. If any further clarification is needed at that time, I can give it then; not at this moment.

Shri Nath Pal: Now he may be permitted to lay it on the Table of the House.

Mr. Speaker: No permission has yet been given and it cannot be laid on the Table in this manner. He will kindly resume his seat.

Shri Hari Vishnu Kamath: Sir, I am grateful to you for your clarification. But may I ask for a further clarification? The practical difficulty is this. Today there was a question on the Santhanam Committee's recommendations. Had that question been reached, in the course of supplementaries, I would have asked about the C.B.I. report in the light of the recommendations of the Santhanam Committee. I would have asked whether its findings do not justify prosecution, judicial inquiry and all that. Suppose tomorrow there is another question, because there are several matters mentioned in the C.B.I. report. Now, we have all equal rights, whether on that side or this side. Unless the report is available to every member equally, how can a member make use of the material contained in the document for raising supplementaries during the question hour or during other business of the House? That is the practical difficulty. Kindly resolve that.

Shri H. N. Mukerjee: I am sorry I am getting up again, but I want your direction. As far as I remember, the hon. Member, Shri P. K. Deo was trying to quote from a document which Shri Kamath had offered to place on the Table of the House, which the Deputy-Speaker was willing to allow to be laid on the Table of the House but which, because the government resisted, was not placed on the Table of the House. Shri Kamath could go on quoting extracts from whatever document he had in his hand. But when

[Shri H. N. Mukerjee]

Shri P. K. Deo had quoted from Shri Kamath's document you stopped him. Not only you stopped him but you took some time in order to make up your mind what exactly the position was and you made up your mind after careful thought and after hearing all sides, including the Minister of Law and some other people. And when you decided on the fact that this was a document which rightfully should have been permitted to be placed on the Table of the House, which was not done, when you decided this document was being referred to by a particular member whom you were constrained to stop, then naturally, it is to the part of the proceedings relative to that particular discussion that your ruling was applicable. When you gave your ruling about the right of the member to have that document placed on the Table of the House and accessible to everybody—not by way of going to Shri Kamath as a personal friend and trying to put pressure on him one way or the other, but as the right which accrues to one as a Member of Parliament. In view of your ruling—and I can quote no more authoritative pronouncement—I have a right to have complete access, here and now, to that document because that is the ruling that you have given in your wisdom.

Mr. Speaker: My difficulty is that Shri Mukerjee was not here when certain proceedings took place. In his absence, Shri P. K. Deo and others had pointed out that if the decision was not given and this discussion on the President's Address was concluded, he would be precluded from quoting from that document. I said that was correct but, then, other discussions would be coming up, like the general discussion on the budget, when members would have ample opportunities.

Shri Hari Vishnu Kamath: Not before that? What about the question hour? Then there is the Income-tax Bill.

Mr. Speaker: About question hour also. Shri Kamath had stated

that if his question had been reached he would have quoted from it. Then I would have certainly considered what was to be done and what was proper. I might even have given a ruling. Now the fact remains that question had not been reached.

Shri Hari Vishnu Kamath: Some other members also want it, but only one copy is available.

Shri S. M. Banerjee: I beg to submit.....

Mr. Speaker: Let me finish.

Shri S. M. Banerjee: I only wanted to say....

Mr. Speaker: Shall I leave my statement in the middle?

Shri Nath Pai: He is in a very chastened mood now. We should hear him.

Mr. Speaker: Shri Nath Pai and Shri Banerjee have always been in a chastened mood. The difficulty always has been with me. Now, let me hear Shri Banerjee in a chastened mood, according to him.

Shri Ranga: The government should also be in a chastened mood.

Shri S. M. Banerjee: Shri Kamath's contention was that had the question been reached then some of the members would have requested you for the document. Now you state that other opportunities may be utilized when we have a discussion. I have before me the agenda paper in which the first Bill to be considered is the Income-tax Amendment Bill. What is it about? The Statement of Objects and Reasons says: "The main object of the Bill is to replace the Income-tax (Amendment) Ordinance...."

Mr. Speaker: Now, should I take up the Income-tax Bill?

Shri S. M. Banerjee: It is relevant.

Mr. Speaker: When I come to that, then he might tell me how it is relevant.

Shri S. M. Banerjee: I will explain my whole difficulty. Kindly hear me. I will explain why I want this document. The Statement of Objects and Reasons clearly says:

"The Ordinance was promulgated... and contains provisions which were found to be immediately necessary, relating to searches and seizures, voluntary disclosures and validation of certain searches....."

The powers of search and seizure are being enlarged, enabling seizure of any money, bullion, jewellery or other valuable article or thing which represents either wholly or partly undisclosed income or property."

We know that these officers or gentlemen and even non-officials have amassed wealth. That is our information. We would like to see the CBI report to speak on this Bill. It is very relevant.

Mr. Speaker: There is one Bill that is to come after some time here.....

Shri S. M. Banerjee: Immediately after this.

Mr. Speaker:...when he might require or feel the necessity of quoting from it and therefore I should get this placed on the Table, I do not agree there. These 20 minutes have not been spent so usefully as we ought to have done.

Papers to be laid on the Table.

श्री बागड़ी (हिसार) : अध्यक्ष महोदय, बेर एक विशेषाधिकार का प्रश्न है...

अध्यक्ष महोदय : वह विज्ञान तो खत्म हो गया ।

श्री बागड़ी : मैंने आप के पास एक विशेषाधिकार सम्बंधी नोटिस भेजा था मैं उसके बारे में.....

अध्यक्ष महोदय : वह मैंने नहीं देखा । देर में पहुंचा होगा ।

श्री बागड़ी : मैंने वह नोटिस 11 बजे से पहले दिया था ।

अध्यक्ष महोदय : मेरे पास तो वह अप्रत्याशित नोटिस जब मैं अन्दर आने लगा, 11 बज कर जब आखिरी टिक हुआ तब तक मेरे पास नहीं पहुंचा था । बहरहाल मुझे उसे देख लेने दीजिये और अगर वह वाकई विशेषाधिकार का मामला है तो मैं उस पर अवश्य गौर करूंगा ।

श्री बागड़ी : मेरा वह विशेषाधिकार...

अध्यक्ष महोदय : अभी जब वह लिया नहीं जा रहा है तो माननीय सदस्य कैसे कर रहे हैं ।

12 22 hrs.

PAPERS LAID ON THE TABLE

ANNUAL REPORTS OF THE INDIAN REFINERIES LIMITED AND THE COCHIN REFINERIES LIMITED

The Minister of Petroleum and Chemicals (Shri Humayun Kabir): Sir, I beg to lay on the Table a copy each of the following papers:—

- (i) Annual Report of the Indian Refineries Limited, New Delhi, for the year 1963-64, along with the Audited Accounts and the comments of the Comptroller and Auditor General thereon, under sub-section (1) of section 619A of the Companies Act, 1956.
- (ii) Review by the Government on the working of the above Company.

[Placed in Library. See No. LT-3893/65.]