

[श्री यजपाल सिंह]

लोगों को न गुजरने दे। मैं जानना चाहता हूँ कि इस मामले में बर्मा की सरकार ने आपको हमदाद की है या इन्कार किया है ?

Sbri Y. B. Chavan: I think, Sir, I have told that in this matter we are in touch with the Burmese Government.

Shrimati Renuka Barkatski: What is the reaction of the Burmese Government?

Sbri Y. B. Chavan: I would not like to drag in the Burmese Government in this matter in more details.

Sbri Vasudevan Nat (Ambalapuruzha): Is it a fact that powerful elements or sections among the hostile Nagas are against the truce that exists now and they have placed a condition before the Government that the negotiations that are now taking place should be raised to the ministerial level; if so, may I know whether that is the reason for the Prime Minister proposing to meet the leaders himself?

Sbri Y. B. Chavan: Personally I think this question should be put to the Prime Minister himself.

Sbri M. L. Jadhav (Malagaon): May I know the measures taken to disarm the rebel Nagos?

Sbri Y. B. Chavan: When we come in contact with them we not only disarm them but possibly we will resort to something else.

श्री राम हरक्ष बाबू (घाजमगढ़) :  
ऐसा मामूला हुआ है कि वह नागा लीडर्स प्रधान मंत्री से मिलना चाहते हैं और इस मामले में जो उपड्रव हो रहे हैं उन पर भी बातचीत करना चाहते हैं। क्या यह बात सही है ?

श्री यजपालसिंह चव्हाण : हाँ, एक दफे उन्होंने अपना इरादा तो जर्किर किया था और मुझया था कि वह मिलना चाहते हैं। यह बात सही है।

12.11 hrs.

RE: QUESTION OF PRIVILEGE

Sbri Daji (Indore): Yesterday it became very clear that the assurance given to this House about furnishing information regarding the foreign exchange spent by the Ministers, Deputy Ministers and officers on tour abroad have not been fulfilled despite the fact that more than two years have elapsed. Yesterday we were further told by our friend, the Minister of Parliamentary Affairs that though he has been chasing it his chasing has yielded no results. Further, we were also informed that the Secretariat of the Lok Sabha has written to the Ministry of Finance repeatedly for supplying the information for the use of the Committee on Assurances but even that has not yielded any results. I submit that this continued neglect and delay amounts to disobedience of the order of the House and the order of the Committee and amounts, therefore, to a clear case of breach of privilege of this House.

Sir, in this connection, I would like to draw your attention to pages 111 and 112 of *May's Parliamentary Practice* where the question whether disobedience of rules and orders of the House amount to contempt of the House has been discussed. The matter came up in the case of *Chandrich and Mariners* and the question there posed was whether delay in supplying returns amounted to disobedience. The Committee unanimously held that even delay without excusable reasons amounts to disobedience. Further, there is discussion whether even disobedience of orders of the committee,

delay in submitting information and returns to the Committee of the House, amount to contempt or breach of privilege of the House itself, in the sense that the assurance was given on the floor of the House and it was held that it is a breach of privilege of the House.

In this case, there has been a long delay, rather the information has been withheld from the Committee of the House, the Committee on Assurances. Therefore, it is a breach of privilege of the Committee. As the information has been delayed despite the request from the Secretariat of the Lok Sabha, the officers of the Lok Sabha which is part of the Lok Sabha itself, it is again a breach of privilege of the House. Therefore, I submit that the delay in this case of more than two years is almost unconscionable. And as the Minister of Parliamentary Affairs has been reduced to the state of saying that he has been helpless and his chasing has yielded no results we can surely conclude that, as in the case of Chandrich and Mairiners the delay constitutes a disobedience of the direction of the House and, therefore, I submit that the Minister of Finance, who is responsible to the House for his department has committed a breach of privilege of the House and so he should be condemned for the contempt of the House and necessary steps be taken in the matter.

**The Minister of Finance (Shri T. T. Krishnamachari):** Mr. Speaker, before I adduce my explanation I would like to say that I am deeply sorry for the very appearance of not respecting the House or any lack of alertness on the part of my Ministry and I apologize for the same.

There are two sets of questions. One is the question in regard to technicians, which is an old one. My colleague, Shri Bhagat, had written to the Minister of Parliamentary Affairs on the 23rd of November saying that this is a matter where we have to go to very many places and

that we have not got the information. That, I think, we will be able to get. In regard to the other question, one question was raised yesterday in regard to Government servants who went abroad. I think this question was answered on 16th September, 1965. I would like to mention, if I may, that my responsibility which is undoubtedly real is also extremely vicarious. I am not the person who really handles this; 46 ministries and departments are handling it.

There is undoubtedly a lacuna in our method of accounting. If accounting is done in every department, the department would be able to furnish the information quicker; but the department has got to find out what the sanctions are that they have made and go to the Accountant General, Central Revenues. This is a matter which we hope to rectify very soon by putting the accounts in the particular department.

To go back to my story about this particular question, 46 ministries and departments are concerned with it. The question was tabled for 16th September, 1965 and these ministries were addressed on 15th July, 1965 for the information. We sent a reminder on 31st August, 1965 and again on 11th October, 1965. A.D.O. was written on 4th November, 1965 and another D.O. was written on 23rd November, 1965. With all this, still we have six departments and ministries which have not sent the information.

I would like, if I may, to supply the information as I get. If it is permissible, I could send the information departmentwise as I get; but, if the information is to be collated, I have to ask these departments. I am in the hands of the House. If the House feels that 46 ministries had not sent the information and you would want the head of the Finance Minister on a charger—well, the head has no value.

**Shri Vasudevan Nair (Ambalapuzha):** Which are the incorrigible departments?

**Shri T. T. Krishnamachari:** I think it better not to mention that. There are six departments. I will try very hard to get this information, if possible; but, if I may, I may send the information that is available next week and leave the others to be filled up later.

I have also got two other questions of the same nature, one answered on 26th August, 1965 and another answered on 11th November, 1965. The Government has got one remedy which, you know, you have acknowledged. We can certainly say that it is not possible for us to collect the information. I do not want to do it. In fact, I had tried to the best of my ability to collect such information as is available and place it on the Table of the House. But I would suggest that I may in future send such information as is available from time to time so that the inactivity of the Finance Department might be mollified to some extent.

I would once again say that we try our best to place information on the Table. I also offer my unconditional apologies for a seeming neglect of my duties and apparent lack of respect to the House which is not true.

**श्री प्रकाशचर शर्मा (विजौर) :**  
उन विभागों के नाम तो बतलाये जायें।

**श्री बहू (छागोन) :** उन डिपार्टमेंट्स के नाम जरूर बतलाये जाने चाहिये।

**Mr. Speaker:** I do not think there is need for any further discussion.

**Shri S. M. Banerjee (Kanpur):** There is no question of a discussion. We want certain clarification.

**Mr. Speaker:** In view of the statement made by the Finance Minister, I agree that his responsibility is at least vicarious in all respects; he is not directly responsible. He has to ask other ministries to send the information, though.....

**Shri Daji:** What about the technicians?

**Mr. Speaker:** .....I would certainly suggest to the Minister that those departments that have really delayed matters and have been so negligent in that respect.....

**श्री हुकूम खान कश्वाय (देवास) :**  
जिन विभागों ने जातकारी नहीं दी उन के नाम बतलाने में क्या बाधा है।

**Mr. Speaker:** Order, order.

**Shri Soremiranath Dwivedy (Kendrapara):** If the names are given, it will have a salutary effect.

**Mr. Speaker:** I would suggest that at least some particular steps must be taken against those departments that have delayed matters, because there is no doubt about it that deliberate delay in supplying information that has been asked for would constitute a breach of privilege, not against the Finance Minister, as I said. Therefore, I would say that certain special measures must be taken to get that information as early as possible and that should be placed on the Table of the House. Whatever is possible just at this moment must be placed on the Table.

**Shri T. T. Krishnamachari:** That I would do.

**Mr. Speaker:** Then, we will see whether the House.....

**Shri M. R. Masani (Rajkot):** Sir, I agree with you, with all respect, that the apology given by the Finance Minister is adequate and should be accepted. But, in so far as his attempt to divert the blame to other Ministers is concerned, the very important principle of the joint responsibility of the Cabinet and the Government to this House also arises. Surely, one Minister cannot come to the House and say: "I am helpless; my colleagues do not co-operate with me". There is such a thing as the Cabinet system of government, which is something where the Prime Minister and the Cabinet as a whole must

take responsibility. So, there is a limit to the excuse that can be made by the Finance Minister.

Mr. Speaker: I quite follow that argument, but that might be a case for censure against Government or even for a vote of no-confidence, but not for a breach of privilege against the Finance Minister.

Shri Daji: I accept your ruling, Sir. But I want to submit is that the Finance Minister is trying to screen those defaulting Ministries. He should divulge the names.

Mr. Speaker: He has promised to place that information. (*Interruptions*).

Shri Daji: Either the names of those defaulting departments must be given to us or he must bear the responsibility.

Shri T. T. Krishnamachari: I humbly submit that I shall send the information as soon as I get it. Mr. Masani has mentioned that we are working under a scheme of joint responsibility. I cannot divorce myself of any responsibility in the matter. I merely mentioned the steps to indicate to the House that I have not been idle. I have not tried to shift the responsibility at all.

Mr. Speaker: When that information is placed here, the names would be disclosed.

Shri T. T. Krishnamachari: I crave your indulgence for that; I would not be able to mention the names. (*Interruptions*).

Mr. Speaker: Order, order. The Members can stand up; if I just call any one of them, then alone he can speak.

Shri S. M. Banerjee: I rise on a point of order.

Mr. Speaker: Let us first hear the point of order.

Shri S. M. Banerjee: The hon. Minister has said that because so many Ministries are involved, it is impossible for him to submit the report. My first point is this. After all, who sanctions the foreign exchange? Initially it should be known to the Finance Ministry that so much amount has been sanctioned. Secondly, the hon. Minister has craved your indulgence not to disclose the names of defaulting departments. I want to know under what rule is it permissible. Is it in public interest? What secrecy is there in this? If there are defaulting Ministries or Ministers, their names should be disclosed. We want to censure them. We want to know who are the defaulting persons?

Shri Surendranath Dwivedy: He cannot withhold the information from this House. He has not said that it is in public interest that he does not want to disclose the names. If he accepts your suggestion that the replies received from the other Ministries will be placed before the House, then automatically we will know which are the defaulting Ministries. I think he should agree now to your suggestion and place the information as to which are the Ministries which have not supplied the information.

Shri Hari Visvan Kamath (Hoshnabad): Yesterday he promised to do it.

Shri Indrajit Gupta (Calcutta South West): For once Mr. Banerjee has raised a genuine point of order. It should be considered on merits.

Shri Kapur Singh (Ludhiana): It is a very rare occasion.

Mr. Speaker: I am glad that the House agrees. I also give my agreement that for once he has raised it.

I am also of the opinion that there ought not to be any objection to giving the information to the House.

[Mr. Speaker]

If it cannot be done just now, at least it has to come here ultimately.

**Shri T. T. Krishnamachari:** I will make this submission. I will try to place as much information as I have before the House next week, when the House will have the chance.... (Interruptions).

**Mr. Speaker:** Order, order. The House should be indulgent enough to allow that opportunity. (Interruptions).

Order, order. The Finance Minister has just offered that apology. We should accept that. The question was about the breach of privilege. Under these circumstances, there is nothing that I can subscribe. (Interruptions). I have agreed that they can get that information; they need not press that it must be done just now. I shall get the information. I am taking upon myself the responsibility to get the information for the House.

12 24 hrs.

#### PAPERS LAID ON THE TABLE

##### NOTIFICATION UNDER CUSTOMS ACT

**The Deputy Minister in the Ministry of Finance (Shri Rameshwar Sahu):** I beg to lay on the Table:

(1) a copy of each of the following Notifications under section 159 of the Customs Act, 1962:

- (i) The Denatured Spirit Ascertaining and Determining) Amendment Rules, 1965 published in Notification No G.S.R. 1545 in Gazette of India, dated the 23rd October, 1965.
- (ii) G.S.R. 1648 published in Gazette of India dated the 12th November, 1965.

- (iii) G.S.R. 1689 published in Gazette of India, dated the 20th November, 1965.
- (iv) G.S.R. 1690 published in Gazette of India, dated the 20th November, 1965.
- (v) G.S.R. 1691 published in Gazette of India, dated the 20th November, 1965.
- (vi) G.S.R. 1692 published in Gazette of India, dated the 20th November, 1965.
- (vii) G.S.R. 1693 published in Gazette of India, dated the 20th November, 1965.
- (viii) G.S.R. 1694 published in Gazette of India, dated the 20th November, 1965.
- (ix) G.S.R. 1695 published in Gazette of India, dated the 20th November, 1965.

[Placed in Library. See No. LT-5285/65].

(2) a copy each of the following Notifications under section 159 of the Customs Act, 1962 and section 38 of the Central Excises and Salt Act, 1944:

- (i) The Customs and Central Excise Duties Export Drawback (General) Seventy-sixth Amendment Rules, 1965, published in Notification No. G.S.R. 1682 in Gazette of India, dated the 20th November, 1965.
- (ii) The Customs and Central Excise Duties Export Drawback (General) Seventy-seventh Amendment Rules, 1965, published in Notification No. G.S.R. 1683 in Gazette of India, dated the 20th November, 1965
- (iii) The Customs and Central Excise Duties Export Drawback (General) Seventy-