

Shri Nath Pai: When they disagree?

Mr. Speaker: Of course, the hon. Members will settle it here.

Arrest of Pakistani Couriers

*392. **Shri Raghunath Singh:** Will the Minister of Home Affairs be pleased to state whether it is a fact that the Pakistani couriers named Aktar Ahmad and Niaza were arrested by the Indian soldiers near the cease-fire line of Handwara Sector in Kashmir Valley, while carrying 5,000 rupees concealed in the copies of the Koran and letters addressed to Mrs. Sheikh Abdulla from Pakistan?

The Minister of State in the Ministry of Home Affairs (Shri Datar): Two persons were arrested with certain documents and the matter is under investigation by the State Police.

श्री रघुनाथ सिंह: मैं यह जानना चाहता हूँ कि शेख अब्दुल्ला साहब की बीबी के नाम जो बिट्टी इस पाकिस्तानी सिपाही के जरिये से प्राप्त हुई थी, उस बिट्टी में क्या लिखा था और क्या इन लोगों ने कोई स्टेटमेंट या कन्फेशन किसी कोर्ट के सामने दिया है कि पाकिस्तान सरकार ने उन को हिन्दुस्तान में शेख अब्दुल्ला की सहायता के लिए भेजा था ?

Shri Datar: May I point out that the investigation is being carried on and it would not be in public interest to divulge what is going on.

Shri Tyagi: Is this venerable lady in receipt of any monthly allowance from the.....

Shri Datar: I do not know of any venerable or other lady.

Shri Tyagi: I am talking about this lady.

Shri Datar: Which lady?

Shri Tyagi: To whom this money was sent and the letter was addressed

—the lady who is mentioned in this question. Sir, the question is:

".....whether it is a fact that the Pakistani couriers named Aktar Ahmad and Niaza were arrested by the Indian soldiers near the cease-fire line of Handwara Sector in Kashmir Valley, while carrying 5,000 rupees concealed in the copies of the Koran and letters addressed to Mrs. Sheikh Abdulla from Pakistan?"

I mean this Mrs. Sheikh Abdulla. I want to know whether she is in receipt of any monthly allowance or maintenance allowance from the public exchequer.

Shri Datar: This is an entirely different question; and I would not like to answer it—so far as Mrs. Abdulla is concerned.

Shri Tyagi: Is she receiving any maintenance allowance or not from the public exchequer. That was all the question.

Mr. Speaker: That does not arise from this question.

श्री रघुनाथ सिंह: मैं यह जानना चाहता हूँ कि क्या शेख अब्दुल्ला साहब की बीबी के खिलाफ सरकार कोई कार्यवाही इस बुनियाद पर करने जा रही है कि नहीं कि उन का सम्बन्ध पाकिस्तान सरकार से था और पाकिस्तान सरकार से उन के पास रुपया आता था और खतो-किताबत होती थी ।

Shri Datar: May I point out that it would not be possible to give any further information. What the hon. Member has asked is not about the two persons who have been arrested but about some others also.

श्री रघुनाथ सिंह: मेरा क्वेश्चन तो सीधा है। मेरा क्वेश्चन यह है कि उस के पास शेख अब्दुल्ला साहब की औरत के नाम बिट्टी थी और पांच हजार रुपया था यह बिट्टी उस के पास मिली थी, इस की सरकार स्वीकार करती है, तो शेख अब्दुल्ला की बीबी

के खिलाफ क्या सरकार कोई कार्यवाही करने जा रही है कि उस का सम्बन्ध पाकिस्तान से या और पाकिस्तान से उस के पास रकबा आता या और सतो-कितानत होती थी ।

Shri Datar: Sir, the hon. Member has framed this question on the basis of a piece of news that appeared in the Statesman of 28-5-1959. I have pointed out here that two persons have been arrested and investigation is being carried on. If any information is given it is likely to prejudice the proper process of investigation. Therefore, I would request the hon Member not to ask further questions until the investigation is complete.

Seth Govind Das: The question is this, these two persons have been arrested. Is any investigation being carried on against Mrs Abdulla and has any step been taken so far against her because this Rs 5000 was being carried to her with a letter and these two persons have been arrested?

Shri Datar: Again the hon Member wants me to tell him what is being investigated into. These two persons have been arrested. Certain clues have been found. Therefore, the investigation is being pursued. Under these circumstances, it would not be proper even for a proper investigation of the case to give further facts.

Shri Tyagi: At least this much can be given out whether these persons were carrying money or not. That is one thing. That can be done without prejudice. The second is whether they were in possession of any letter addressed to her. He need not give the contents of the letter. At least this much must be given.

Shri Datar: I would only state that some money was with them; I would not like to tell anything further.

Shri Govind Das: That money was being carried to Sheikh Abdulla's wife; was it not?

Mr Speaker: There are certain things which can be given to the House without prejudice to the

investigation. Everybody who takes money with him will not be arrested by this Government or that Government. Therefore, the money must have been taken by these persons for some persons to whom they ought not to deliver it. Therefore that is the essence of any investigation or arrest. Further, hon Members are entitled to know whether these persons who were arrested had letters addressed to Mrs. Abdulla or not.

Shri Datar: They had some documents; I would not divulge the nature of the documents.

Mr Speaker: The question is whether they were addressed to her.

Shri Datar: At this stage I would not like to answer that. You will kindly allow me not to answer it—in the public interest.

Seth Govind Das: It is being repeatedly asked whether that letter was addressed to Mrs Abdulla or not and whether that money was being sent to Mrs Abdulla. (Interruptions).

Mr Speaker: Order, order. It is only day before yesterday or a few days ago that I gave a ruling relating to this matter. It is open to any member of the Government who is answering a question to say in public interest he is not prepared to divulge it. I am not competent here nor is the House competent to ask and know the reasons. I have allowed one question to be put, the same question was repeated also. The hon Minister says, not once but twice, that it is not in public interest. We must stop at this stage. (Interruptions)

Shri Goray: I am asking some other question, Sir. When were these persons arrested and how long will this enquiry take?

Shri Datar: The investigation had been proceeding very satisfactorily and expeditiously also. (Interruptions)

Mr Speaker: With respect to such matters as this, there is no harm in saying when they were arrested.

Shri Datar: The question of arrest is already there.

Mr Speaker: The hon. Minister, if he wants, may say that he has not got that information.

Shri Datar: It was in the month of May..... (Interruptions)

Mr. Speaker: I do not know why hon Members get excited over every small question. Why should three persons get up merely because it refers to Kashmir? The investigation would not be helped by such questions showing excess of interest in a particular matter, it might dampen the enthusiasm of the others. Let investigations proceed calmly and then we will have plenty of material.

Shri Hem Barua: Sir on a point of order. You were pleased to ask the hon Minister to give certain information. That information was innocuous and not prejudicial to the enquiry. We want to know from him what was the amount of money that was discovered.

Mr Speaker: Order, order. The hon Member raised a point of order. The point of order must be stated cryptically. The point of order is whether even ~~then~~ he can refuse to disclose the amount in public interest and if so what is the public interest in relation to this matter. But so far as the question of deciding as to what is in the nature of public interest with respect to which he can give information or refuse to give information, we are not entitled to go into that matter further, whether it is money or letter or ask to whom it was addressed. Therefore, it should be left at this stage. The Minister is ultimately responsible to this House and if he withholds any information, there are a number of ways in which he can be taken to task by this House. At this stage, let us not interfere with his discretion.

Shri Narayanankutty Menon: Sir, on a point of order. In view of your ruling the other day that it is entirely left to the Minister to say to this House that he is not prepared to disclose the contents of a particular docu-

ment in public interest, I seek your clarification whether it is entirely left to the Minister on any ground to claim that a particular document, even though that document *prima facie* is not of public interest, cannot be divulged and the Chair is completely helpless in this matter to go into the pros and cons or to decide whether it is of public interest or not.

Mr Speaker: The hon Member is a lawyer. When a ruling or judgment is given, the Judge is not called upon to explain that ruling to him. When a similar matter arises, he can raise it there. Hypothetically, I am not prepared to commit myself. Let me hear what can be given and what cannot be given when the matter arises. It will arise.

Shri Narayanankutty Menon: The matter has arisen here in view of the answer given by the hon Home Minister. I want to know whether in this particular case he can claim public interest and refuse to disclose the contents of that investigation, whether it is entirely left to the Home Minister to say that it is in public interest and whether we can request you to go into the question of pros and cons and decide whether that particular matter is of public interest or not.

Mr Speaker. I have been looking into all authorities. No authority has been shown to me so far whereby it is open to the Speaker to call upon an hon Minister to divulge something when once he says that in the public interest he is not prepared to disclose that. The Speaker also is in the same position as the other Members of the House and therefore, it is not open to me to call upon the hon Minister to explain to us as to how he claims public interest, it is his discretion. Next question.

Coal Deposits at Singrauli in Madhya Pradesh

*293 **Shri Supakar:** Will the Minister of Steel, Mines and Fuel be pleased to state:

(a) whether any further details of the recently discovered coal deposits