

LOK SABHA

Wednesday, November 27, 1963/Agrahayana 6, 1885 (Saka).

The Lok Sabha met at Eleven of the Clock.

[MR. SPEAKER in the Chair]

ORAL ANSWERS TO QUESTIONS

Access to Govt. Records by Ex-Minister

+

\*211. { Dr. L. M. Singhvi:  
Shri Sivamurthi Swamy:

Will the Minister of Petroleum and Chemicals be pleased to refer to the reply given to Starred Question No. 359 on the 28th August, 1963 and state:

(a) whether Government have since acceded to the request of the former Minister of Mines and Fuel for obtaining access to Government files, papers and documents for the purpose of writing a book on Oil;

(b) if so, on what grounds and considerations; and

(c) whether Government had scrutinised British and American precedents in this connection?

The Minister of Petroleum and Chemicals (Shri Humayun Kabir):

(a) Yes, Sir, but specific approval of the Government of India will be necessary if the author wishes to quote any material from Government papers or files etc.

1520 (Ai) LSD—1.

(b) Much of the information is already available to him and Government consider that the publication of an authentic book on a subject of great importance for India will be in the public interest.

(c) No, Sir.

Dr. L. M. Singhvi: Sir, before I address my supplementaries I would like to rise on a point of order, because the question in part (a) is "whether Government have since acceded to the request of the former Minister of Mines and Fuel for obtaining access to Government files, etc.", whereas the answer is that it would be necessary for him to obtain the approval of the Government. We want to know whether the Government have acceded to the request made by the former Minister?

Shri Humayun Kabir: Sir, I can only repeat what I have stated. I have said in my answer: "Yes, Sir, but specific approval of the Government of India will be necessary if the author wishes to quote any material from Government papers or files etc."

Dr. L. M. Singhvi: In that case, Sir, we would like to know whether there are any Indian precedents in the matter and whether this would be considered a precedent for future?

Shri Humayun Kabir: There may not be any precedent. But, as I have said here, a good deal of the information is already available to him. A lot of it is public and whatever is published he can certainly utilise. But if he wants to quote from any official document of the Government, specific permission will be necessary, and this

sometimes has happened in the past as well.

**Dr. L. M. Singhvi:** Am I to understand that a specific list of documents, papers and files has been submitted to which the former Minister wishes to make a reference?

**Shri Humayun Kabir:** The prospective author concerned has been asked to let us know what particular documents he would like to consult.

**Shri Harish Chandra Mathur:** Is it not a fact that, apart from ex-Ministers, all those who are conducting research and study have been given a free access to Government documents until and unless they are withheld for security reasons?

**Shri Humayun Kabir:** I stated that it has happened in the past also. When they are public documents which are not of a secret or confidential nature we have given access to them and we propose to do so in the future as well.

**Shri Tridib Kumar Chaudhuri:** May I know if the author of the proposed book is Shri K. D. Malaviya, the former Minister, or somebody else who is writing in collaboration with Shri Malaviya?

**Shri Humayun Kabir:** That question, if I may submit, does not in any way concern us. Shri K. D. Malaviya asked for permission to refer to certain documents, and subject to the conditions I have stated he will be given those facilities. As I have earlier stated, we have given certain facilities to others as well.

**Shri Hem Barua:** After the Minister was removed from office and that too on the verdict of a Supreme Court Judge on charges of corruption, what are the specific grounds on account of which permission is sought to be given to him to go into these secret documents? The Minister just now said about security and secret documents and all that. What are the specific grounds for allowing him to go into those files?

**Shri Humayun Kabir:** All the assumptions of my hon. friend.....

**Shri Tyagi:** Sir, I rise to a point of order. My hon. friend has made a wrong interpretation. He said that the Minister was pushed out of office. It was not so. He resigned voluntarily. It was not also because of charges of corruption.

**Mr. Speaker:** Let the answer be given.

**Shri Humayun Kabir:** When I was interrupted, Sir, I was saying that all the assumptions of my hon. friend appeared to be incorrect and were wrong and unjustified. Therefore, the rest of the question does not arise.

**Shri Hem Barua:** May I submit....

**Mr. Speaker:** Now he is applying as a prospective author. There, are we to see what character he has? The only thing is, care has to be taken to see that there is not anything which it is not in the public interest to disclose to him. Therefore, those presumptions and inferences were not justified.

**Shri Hem Barua:** May I submit that the hon. Minister has not expressed the idea in so many words? Sir, it is you who have expressed that idea.

**Mr. Speaker:** I have also heard the answer.

**Shri Hem Barua:** He has said that the author is Shri K. D. Malaviya and, secondly, he would be given access to the documents and all that. He has categorically stated like that. On the basis of that....

**Mr. Speaker:** Government have to determine the question after a list of documents is received. The list is yet to come. That is what he said.

**Shri Hem Barua:** No, Sir. He said that the author will have to seek permission only if he has to quote them.

**Mr. Speaker:** He has further stated that he has asked what documents are required by that person.

**Shri Humayun Kabir:** Yes, I have already said that.

**Shri Indrajit Gupta:** I would like to know whether Shri Malaviya has asked, or if he has not asked if he asks in future, for access to documents, papers or files, secret or otherwise, which were already accessible to him when he was a Minister—if that is so—we would like to know whether the position is this that in fact he is asking for access to papers to which he had already access when he was a Minister.

**Mr. Speaker:** He is arguing. Let him ask what he wants to know.

**Shri Indrajit Gupta:** If I understood the Minister correctly, in his original reply he has said either "a good deal" or "a great deal" or something like that. So, a great deal of documents were already accessible to him.

**Mr. Speaker:** Repeating the same argument. Shrimati Savitri Nigam.

**Shrimati Savitri Nigam:** Is it a fact that this book which Shri Malaviya is intending to write is going to be of much use to the Ministry of Mines and Fuel and to people who are already engaged in this work?

**Shri Humayun Kabir:** It may be so, but I cannot say about the future.

#### Barauni Refinery

+  
 \*212. { **Shri P. C. Borooah:**  
           **Shri Bhagwat Jha Azad:**  
           **Shri Mohan Swarup:**  
           **Shri E. Madhusudan Rao:**

Will the Minister of **Petroleum and Chemicals** be pleased to refer to the reply given to Starred Question No. 349 on the 28th August, 1963 and state:

(a) the progress so far made in the setting up of the Barauni Refinery;

(b) when the first stage of this refinery is likely to be commissioned so as to put the Noonmati-Barauni Oil Pipe-line into operation; and

(c) the depreciation that has already accrued to the Noonmati-Barauni Oil Pipe-line since it was completed?

**The Minister of Petroleum and Chemicals (Shri Humayun Kabir):**

(a) and (b). Civil works for atmospheric vacuum unit No. 1 have been completed and those for unit No. 2 are nearing completion. Civil works for the coking unit and the thermal power station have also been completed. It is expected that the first phase of the Refinery, comprising one million tonne distillation capacity will be ready by April 1964 and the Second phase with an additional million tonne capacity by July 1964.

(c) The matter is under examination.

**Shri P. C. Borooah:** The first public sector oil refinery at Noonmati was delayed for a considerable length of time for want of water. Now the second one had been suffering because of excessive water and had to be shifted from its original site. What is the cost involved in the shifting and to what extent will it delay the completion of the construction of the refinery?

**Shri Humayun Kabir:** I think this question is a little too late. As I said, the first unit is nearing completion. Out of about 2,400 tons of total erection work, 2,385 tons have been completed and only about 15 tons remains. So, it is rather late in the day for putting that question.

**Shri P. C. Borooah:** May I know why work on both the units namely construction of 750 miles of pipe-line and of the Barauni refinery could not be co-ordinated?

**Shri Humayun Kabir:** Because they were taken up at different stages,