

हुआ था मैं ने उसके बारे में पूछा था केवल जानकारी के लिए कि क्या पब्लिक एकाउंट्स कमेटी के चेयरमैन का ध्यान उसकी ओर गया है? उस भाष्य में तो बहुत भद्दी बातें हैं। पब्लिक एकाउंट्स कमेटी का उन्होंने अपमान भी किया है लेकिन इन बातों को मैं छोड़त हूँ क्योंकि मेरा विशेषाधिकार का प्रश्न आप ने नामंजूर किया है। इसलिए मैं उस में नहीं जाना चाहता बाकी आप कृपया उस हिस्से को देख लीजिये। अगर आप की दृष्टि से यह जो नियम है इस में तीन, चार कारण बताये गये हैं किस का भंग हुआ है? इस में से मेरा अपमान छयाल है कि एक भी नियम या शर्त के विपरीत मेरा प्रश्न नहीं जाता है, तो अगर आप राजी हों तो उस को भी इस में समाविष्ट कर लिया जाये।

**Mr. Speaker:** That was not within the special knowledge of this Member from whom it could be asked. If it had appeared in the papers, the Member also has read it as everybody else. Then again, the fourth was, the Chairman's reaction to this report. This cannot be asked. I have is-allowed it.

**Shri Hari Vishnu Kamath:** I would like to raise another point of order May I know why these two questions of my hon. friend Mr. Limaye and my hon. colleague Mr. Surendranath Dwivedy, addressed to Private Members under rule 40 should be printed on this paper, this dull, morbid yellow paper and not on the bright green paper which is a very nice colour?

**Mr. Speaker:** Because those are the questions addressed to members. It is to distinguish them.

**Shri Hari Vishnu Kamath:** Better not the yellow colour. Yellow is in bad taste.

**Shri Nambiar:** It should be red.

श्री मधु लिमये: पढ़ूँ मैं? क्योंकि यह नई प्रक्रिया है इसलिए इसे पढ़ने की इजाजत ही जाये। नम्बर 1 . . .

अध्यक्ष महोदय: पढ़ने की कोई जरूरत नहीं है।

श्री मधु लिमये: शायद सब लोगों ने इसे देखा न हो।

कई माननीय सदस्य: देख चुके हैं।

श्री मधु लिमये: देख लिया सब लोगों ने तब तो ठीक है।

#### Sixtieth Report of Public Accounts Committee (1966-67)

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1. Shri Madhu Limaye:  
Shri Priya Gupta:

Will the Chairman, Public Accounts Committee be pleased to state:

(a) whether the Airways Company about which various references have been made in the Sixtieth Report of the Public Accounts Committee (1966-67) is the Kalinga Airways;

(b) whether the former Chief Minister of Orissa, Shri Biju Patnaik has been in any way connected with this Company;

(c) who was the Defence Minister referred to in para 3.15 of the Report and who opposed extension of the contract with Kalinga Airways; and

(d) who was the Cabinet Minister in-charge of Defence when the thinking of the Ministry of Defence underwent a 'radical change, for reasons not easy to understand'?

**The Chairman, Public Accounts Committee (Shri R. R. Morarka):**

(a) Yes.

(b) The Committee have on information on this point.

(c) There is no reference to the Defence Minister in para 3.15 of the Report.

(d) It is not customary for the Committee to inquire about the names of individual Ministers or Officers, during their examination of Audit Reports and Appropriation Accounts.

**श्री मधु लिमये :** अध्यक्ष महोदय, मैं उपरान्त पूछना चाहता था . . .

**अध्यक्ष महोदय :** चूंकि यह एक नई प्रक्रिया है नया प्रोसीज्योर है इस वार्से मैं इस को साफ़ कर देना चाहता हूँ . . .

**श्री बागडी :** नई को जरा और सुन्दर बना लें ।

**अध्यक्ष महोदय :** भेरे वश की बात नहीं है सुन्दर तो आप बतावेंगे ।

**श्री बागडी :** प्रश्न पूछने की इजाजत दें ।

**अध्यक्ष महोदय :** इस में मुझे मुश्किल होगा कि सप्लीमेंटरी क्वेश्चंस पूछने की इजाजत दे दूँ और इस पर भी सप्लीमेंटरीज पूछने देने से यह एक अलहदा और क्वेश्चन और बनता चला जायेगा । बाक़ी अगर आप चाहें तो जो आप के मूल प्रश्न का उन्होंने जवाब दिया है आप उस पर अपना सवाल लिख कर दे दें और उन सवालों का जवाब लिख कर वे दे देंगे लेकिन वहाँ पर मैं उस पर सप्लीमेंटरीज नहीं होने दूँगा ।

**श्री मधु लिमये :** बहुत अच्छा ।

**Shri Surendranath Dwivedy:** But under rule 40 . . .

**Mr. Speaker:** Yes, I have seen it.

**Shri Surendranath Dwivedy:** . . . it has been clearly stated . . .

**Mr. Speaker:** The last words are also there.

**Shri Surendranath Dwivedy:** Of course, but it is your inherent right, whether it is mentioned here or not, in any case it is you who have to permit.

**Mr. Speaker:** It will be a wholesome thing that if something is left, we can get that answered separately through another question.

**Shri Hari Vishnu Kamath:** But then it is the fag end of the session.

**Shri Tyagi:** May I submit that sometimes, if the answers are not exactly relevant to the question or there is some such irregularity, it is the privilege of every member to raise the point and get the clarification, whatever be the question. This is the inherent right of all the members.

**Mr. Speaker:** Any other member can also put a question in writing, and I will get an answer, not that here I should open it to discussion.

**Shri Ranga:** You have introduced a welcome innovation, but then there are so many points arising out of this, and we have not had any opportunity of discussing it either privately or publicly with you under the rules.

**Mr. Speaker:** If they want, I can meet them.

**Shri Ranga:** So far as supplementaries are concerned, you say they should not be put, that also without our having any chance of discussing with you.

Secondly, it is good that you have introduced it, but then it would have been really good or better if you have enunciated or accepted the principle which has been accepted by all the other Speakers, for which we have been asking for your compliance in this House so many times, namely that the Chairman of all these three committees should be chosen from the Opposition, and not from the ruling party. Otherwise, what would happen is this. Now that you have introduced this thing, it would come to be this; that these Chairmen also will be either prospective Ministers or dem-Ministers or half-Ministers or something like that, since today they happen to be all from the ruling party.

**Shri Tyagi:** Every Chairman from the Public Accounts Committee has become a Minister.

**Shri Ranga:** My hon. friend was one of my successors. Later on he came to be promoted as a Cabinet Minister, I do not want similar things to happen. In any case, the Chairman, for

very good reasons, in England as well as in the States where your own colleagues, the Speakers, have accepted the principle, is from the Opposition, and therefore we would like you to consider that also.

Several points also arise from it in regard to the notice to be given, how many days notice, etc., and they will have to be discussed separately on some other occasion.

**Shri Tyagi:** If these questions were treated as unstarred questions, that would have been better.... (*Interruptions*).

**Shri H. N. Mukerjee:** You were good enough to put this on the order paper and we made a special note of this matter and we came ready to listen to what the answers were going to be. The answers to questions put orally according to the usual expectation give rise to supplementaries, and the answer given by the hon. Chairman of the PAC has put in our minds certain new ideas which we wish to have clarified. You suggest that the Member concerned might write. But this is not a matter between this Member and another Member there.

**Mr. Speaker:** I have not said so; I have said he can give me notice.

**Shri H. N. Mukerjee:** Which means nothing will happen because we are at the fag end of the session.

श्री मधु लिमये : उनसे पूछिये कि क्या वह तैयार हैं या नहीं, सप्लीमेन्टरी के लिये।

**Shri H. N. Mukerjee:** How it is that the House is being intimated of certain facts in answer to certain questions....

**Mr. Speaker:** I can explain the reason; we can sit together and discuss it.

**Shri H. N. Mukerjee:** Once the House has got in possession of this subject, these questions which arise out of it have got to be put before the House before the House disperses.

**Mr. Speaker:** I cannot take another hour for these questions because the

time that is to be taken is out of the Government's business time. I think the hon. Members also agree that it would not be possible. I have to consult the Government also.

**Shrimati Renu Chakravarty:** I want to congratulate you for having given this opportunity of a new procedure, Rule 40 says:

"A question may be addressed to a private member provided the subject matter of the question relates to some Bill, resolution or other matters connected with the business of the House for which that member is responsible and the procedure in regard to such questions shall as far as may be, be the same as that followed in the case of questions addressed to a Minister with such variations as the Speaker may consider necessary."

I would plead with you that we on our part should naturally use it sparingly and in regard to important questions, but at the same time I would request you, having made that innovation, to allow us to follow the procedure as far as possible.

**Mr. Speaker:** I have told the Members that we can sit and discuss it.

**Shri Namblar:** It is not for the Third Lok Sabha; the decision will be for the Fourth Lok Sabha.

**Mr. Speaker:** If that is what is needed, I will not take a decision.

**Shri Bade:** Under rule 40 you can make variations, but there is no bar that Government's time should not be taken. On the contrary, instead of asking questions again and again and going on *ad infinitum*, you can allot five or ten or fifteen minutes for putting supplementaries.

**Shri Hari Vishnu Kamath:** Under rule 40, the question can be addressed to any Member, any private Member other than the Chairman of the three committees.

**Mr. Speaker:** Only if that is within the special knowledge of some person who is in charge of that business before the House.

**Shri Hari Vishnu Kamath:** Private Members' Bills and Private Member's Resolutions are included in its scope.

**Mr. Speaker:** That is different. We can consider that.

**Shri Radhelal Vyas:** I have to raise a point of order. Questions can be asked either of a Minister or a private Member. The Chairman of the EC or the PAC or the PUC or any other Committee cannot be treated as a Minister; he can be treated only as a private Member even in spite of the fact that he is the Chairman. Under the rules a question can be asked of a Minister or a Private Member. Rule 40 says that if a question is asked of a private Member, then it is limited in its scope. The rule specifically says that a question may be addressed to a private Member provided the subject-matter of the question relates to some Bill, resolution or other matter connected with the business of the House for which the Member is responsible. Now, the Public Accounts Committee's report is not the business of the House. The business of the House is only that business which is put on the agenda paper for the day. *(Interruption)*. I, therefore, submit that the new procedure that is being introduced is fraught with danger. It will create so many complications and questions may be addressed to private Members whose number exceeds 500. Therefore, I request you to kindly consider this again and I submit that such a procedure should not be followed.

**Mr. Speaker:** I will consider that.

**Shri Surendranath Dwivedy:** Before I put my question, it seems you have been good enough not to permit any supplementary. I would like to have one clarification from you. The 60th report of the Public Accounts Committee is a very revealing document. Apart from what we have

stated here, it has been stated that the particular company of which Shri Biju Patnaik is the owner, has taken about Rs. 32 lakhs; they almost cheated the Government, and the report has also stated... *(Interruption)*

**Mr. Speaker:** Advantage should not be taken of this to say so many things...

**Shri Rama Chandra Mallick:** The gentleman is not here to defend himself. *(Interruption)*.

**Shri Surendranath Dwivedy:** I want a clarification from you, before I put the question. I do not know what he is shouting about.

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

**Shri Surendranath Dwivedy:** Crores of rupees, according to this report again, though the Government have... *(Interruption)*... I am not quoting and I am not going into the details.

**Mr. Speaker:** We are not discussing the report as it is or any part of it.

**Shri Surendranath Dwivedy:** Bear with me for a few minutes, and I will finish.

**Shri Rama Chandra Mallick:** Shri Biju Patnaik is not present here to defend himself.

**Mr. Speaker:** Mr. Mallick, you should not stand up like this now.

**Shri Surendranath Dwivedy:** Secondly, as you know, on the floor of this House and outside, an allegation was made that supplies meant for NEFA have been sold in the Calcutta markets, about which there is a reference. I would only like to know from you whether, since you are not permitting any supplementaries, this question will remain unanswered or whether the Government are going to make a statement on these very revealing matters contained in the report before we adjourn or you will permit a short discussion of this report before the House adjourns.

**Mr. Speaker:** How can I say that now? Only when a request is made about that, it can be considered. I will see. Now, he can put his question.

**Shri Rama Chandra Mallick:** Sir, I rise on a point of order.

**Mr. Speaker:** Mr. Mallick, there is nothing to be said about it. I have stopped him.

**Shri Rama Chandra Mallick:** Shri Biju Patnaik is not present in this House; he is not a Member of this House nor of that Committee.

**Mr. Speaker:** Order, order. Reference is made to the report of the Public Accounts Committee that is published and circulated. How can he go on like this?

**Shri Radhela Vyas:** Sir, there is no reply to my point of order.

**Mr. Speaker:** I have said I will consider it. What else can I say?

**Shri Rama Chandra Mallick:** Shri Biju Patnaik is not present to defend himself.

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

#### Sixteen Report of Public Accounts Committee (1966-67)

2. **Shri Surendranath Dwivedy:** Will the **Chairman, Public Accounts Committee** be pleased to state:

(a) whether the Public Accounts Committee examined witnesses on behalf of Kalinga Airways who had taken contracts from Government for supplies in N.E.F.A. and Nagaland areas;

(b) whether there is anything in the record to show that this contract was ultimately sanctioned after consultations with the Prime Minister, the Defence Minister and the Home Minister;

(c) whether any Audit Reports were submitted to Government before the expiry of the first contract and re-

newal for the second period pointing out gross irregularities and whether it has come to the notice of the Public Accounts Committee on record that this aspect of the question was never brought to the notice of the proper authorities either at the official level or at the Ministerial level before finally extending the contract for a second period; and

(d) whether Kalinga Airways at any time submitted any explanation for not paying the dues as pointed out by the Public Accounts Committee?

**The Chairman Public Accounts Committee (Shri E. E. Morarka):** (a) No. In accordance with well established convention, the Committee examine only official witnesses and do not summon private parties.

(b) In this connection attention is invited to para 4.4 of the 60th Report of P.A.C.

(c) The Committee have no information whether any Audit Reports were submitted to Government before the expiry of first contract and renewal of second contract.

If the reference is to the Report of the D.G.C.A. who was appointed to look into the alleged malpractices and irregularities indulged in by the Company, attention is drawn to paras 2.45 to 2.47 of the Sixtieth Report of P.A.C.

(d) No such explanation was submitted by Kalinga Airways to the P.A.C. However, in this connection, attention is invited to paras. 3.4 to 3.18 of the 60th Report of P.A.C. which deals with the excess payments made to the Company.

**श्री मधु लियये :** अध्यक्ष महोदय, एन. बाल है . . .

**अध्यक्ष महोदय :** प्रबन्धन हो गया है ।

**श्री मधु लियये :** स्पष्टीकरण तो कुछ हुआ नहीं है । किसी का नाम तो आया नहीं है ।