

COMMITTEE OF PRIVILEGES

(NINTH LOK SABHA)

SECOND REPORT

(Laid on the Table on 12 March, 1991)



LOK SABHA SECRETARIAT
NEW DELHI

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CORRIGENDA TO THE SECOND REPORT OF THE
COMMITTEE OF PRIVILEGES
(NINTH LOK SABHA)

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PERSONNEL OF THE COMMITTEE OF PRIVILEGES*
(1990-91)

Shri Somnath Chatterjee—*Chairman*

MEMBERS

2. Shri A. R. Antulay
3. Shri Arif Baig
- **4. Shrimati M. Chandrasekhar
- ***5. Ch. Jagdeep Dhankhar
6. Shri Harmohan Dhawan
7. Shri Eduardo Faleiro
8. Shri Santosh Kumar Gangwar
9. Shri Bhogendra Jha
10. Shri K. Ramamurthy
11. Shri R. Gundu Rao
- ****12. Shri B. Shankaranand
13. Shri Mandhata Singh
14. Shri R. L. P. Verma
- *****15. Vacant

SECRETARIAT

Shri C. K. Jain—*Additional Secretary*

Shri T. S. Ahluwalia—*Director*

Shri K. M. Kamboj—*Under Secretary*

*The Committee of Privileges was nominated by the Speaker on 24 January, 1990.

**Nominated on 20-8-90 *vice* Shri Mallikarjun resigned *w.e.f.* 13-8-90.

***Nominated on 14-5-90, *vice* Shri Ajay Singh resigned *w.e.f.* 1-5-90.

****Nominated on 25-9-90, *vice* Shri Ajit Kumar Panja resigned *w.e.f.* 24-8-90.

******Vice* Dr. Shakeelur Rehman ceased to be member *w.e.f.* 11-1-91 consequent on being disqualified under the Tenth Schedule of the Constitution.

**SECOND REPORT OF THE COMMITTEE OF PRIVILEGES
(NINTH LOK SABHA)**

I. Introduction and procedure

I, the Chairman of the Committee of Privileges having been authorised by the Committee to submit the Report on their behalf, present this their second report to the Speaker on the question of privilege regarding allegations made against Shri R. Prabhu, MP, by Shri Rajveer Singh, MP, on 12 April, 1990 during supplementary question to the SQ No. 439 regarding, 'Inquiry into affairs IFFCO Project'. The matter was referred to the Committee by the Speaker on 16 May, 1990, under Rule 227 of the Rules of Procedure and Conduct of Business in Lok Sabha.

2. The Committee held 6 sittings in connection with this case. The relevant Minutes of these sittings form part of the Report and are appended hereto. The Committee considered and adopted the Report at their sitting held on 12 March, 1991.

3. At their first sitting held on 22 June, 1990, the Committee decided that in the first instance, Shri R. Prabhu, MP, and Shri Rajveer Singh, MP, be asked to furnish their written statements for consideration of the Committee.

4. At their second sitting held on 3 August, 1990, the Committee decided that Shri R. Prabhu, MP, be requested to appear before them for oral evidence on 9 August, 1990.

5. At their third sitting held on 9 August, 1990, the Committee examined on oath Shri R. Prabhu, MP.

6. At their fourth sitting held on 29 January, 1991, the Committee examined on oath Shri Rajveer Singh, MP.

7. At their fifth sitting held on 12 February, 1991, the Committee deliberated upon the matter and arrived at their conclusions.

8. At their sixth sitting held on 12 March, 1991 the Committee considered their draft report and adopted it.

II. Facts of the case

9. On 12 April, 1990, while replying to Starred Question No. 439 regarding 'Inquiry into affairs of IFFCO Project', the Deputy Prime Minister and the Minister of Agriculture (Shri Devi Lal) stated¹ as follows:—

"Enquiry has been initiated by IFFCO in respect of the irregularities in the payments involved in the execution of the Aonla Project. It will take some time before the enquiry is completed. The matter has also been referred to the Central Bureau of Investigation."

10. During supplementary questions, Shri Rajveer Singh, MP, stated² *inter alia* as follows:—

अध्यक्ष महोदय, सी.बी. आई. जो जांच करेगी वह तो केवल उन कर्मचारियों की करेगी, अगर मैं इसके पीछे एक बात पूछना चाहता हूँ कि सारे घोटाले में पूर्व सरकार के दो बरिष्ठ मंत्रियों का हाथ था, कृषि मंत्री और कृषि राज्य मंत्री का आपस में झगड़ा था।

अध्यक्ष महोदय, मुझे जानकारी है और मेरे पास उसके सबूत भी हैं। इस सारे घोटाले में हमारे भूतपूर्व कृषि राज्य मंत्री श्री श्री प्रभु का शेल्टर मिला हुआ था। कर्मचारी और अधिकारी से उनके शेल्टर के कारण से जहाँ पर बैठकें हो रही हैं वहाँ से घोटाले किए हैं। क्या मंत्री जो बतायेंगे कि उनकी जानकारी में यह सब है? क्या सी.बी.आई. की रिपोर्ट उन लोगों के ऊपर भी लागू होगी?

अध्यक्ष महोदय, मैं आपके माध्यम से माननीय मंत्री जी से पूछना चाहता हूँ कि यह बहुत महत्वपूर्ण सवाल है और इसमें इंटरनल ऑडिट की रिपोर्ट आनी चाहिए है। इंटरनल ऑडिट की रिपोर्ट के अनुसार क्या कोई कार्यवाही की गयी है, मंत्री जी बतलाने की कृपा करें।"

[Translation—

"Mr. Speaker, Sir, of course the CBI will hold an enquiry about these employees but I would like to know whether two senior ministers of the previous Government i.e. the Minister of Agriculture and the Minister of State in the Ministry of Agriculture were involved in this scandal and there were differences between them. Mr. Speaker, I have got information and some proof in this regard. Shri R. Prabhu, the former Minister of State in the Ministry of Agriculture was sheltering the whole scandal. Employees and officers resorted to large scale bungling under his shelter. May I know whether all

1. L. S., Deb. dt. 12-4-90, c. 25.

2. *Ibid.*, c. 25.

this is in the knowledge of the Hon. Minister and whether the report of CBI will cover them also?.... Mr. Speaker, Sir, I want to ask from the Hon. Minister through you that it is an important issue and the report of Internal Audit has been received in this regard. The Hon. Minister may please tell us what action has been taken on the basis of the report of Internal Audit?"]

11. Shri R. Prabhu, MP, thereupon stated³ as follows:—

"Mr. Speaker, Sir, one of the hon. members has made some wild allegations against me and my senior colleague, Shri Bhajan Lal. I would like to say Sir, that I am willing to face any inquiry by any organisation of the Government or any forum, if it so desires."

12. When Prof. P. J. Kurien and Shri Kamal Chaudhry, MPs, stated that allegations had been made by Shri Rajveer Singh, MP, against Shri R. Prabhu, MP, without obtaining prior permission of the Speaker and the same should, therefore, be expunged, the Speaker observed⁴ as follows:—

"Mr. Prabhu has made his own submissions. It is already on record... Shri Rajveer Singh has said it and Mr. Prabhu has also made his submissions here. I will look into it whether any allegatory reference has been made."

13. On 18 April, 1990, Shri R. Prabhu, MP, gave two notices of question of privilege against Shri Rajveer Singh, MP, for making allegations against him on 12 April, 1990. Shri Prabhu stated in his notices *inter alia* as follows:—

"You would kindly recall that on 12-4-1990 a member, Shri Rajveer Singh, by means of a supplementary on a Starred Question No. 439, made wild allegations against me.... The allegation was specific and by name. As you are aware, the procedure for making allegations against a member of Parliament is specifically laid down in the rules. This requires your previous permission which has to be granted after following the established parliamentary practice of getting the comments of the member

3. L. S. Deb., dt. 12-4-90, c. 26.

4. *Ibid.*, cc. 28-29.

against whom allegations are sought to be made and after you are satisfied about the *prima facie* case. The member concerned has not followed the prescribed procedure. It is highly unfortunate that he chose covert means to make a highly tendentious, defamatory and baseless statement which is not only derogatory to me and to my prestige and reputation but also tends to undermine the dignity of the House.

I now find that the remarks made by the member have gone on record in the proceedings of the House and have not been expunged. The allegations are totally baseless, false and motivated. They have been made on the floor of the House without giving any advance notice as required. This has also appeared in all newspapers and has caused irreparable damage to my reputation. This is clearly a breach of privilege and calls for a reference to the Committee of Privileges."

14. On the same day four more identical notices of question of privilege were received from Sarvashri Era Anbarasu, Krishna Kumar, P. Shanmugam, R. Jeevarathinam, G. Devaraya Naik, Kamal Chaudhry, Kadambur M. R. Janarthanan, Mohammad Shafi Bhatt, A.G.S. Ram Babu, N. Dennis, P. R. Kumaramangalam, R. Muthiah, C. Srinivasan, M. G. Sekhar and Kanchee Paneer Selvam, MPs, regarding the allegations made by Shri Rajveer Singh, MP, against Shri R. Prabhu, MP. It had been stated in the notices *inter alia* as follows:—

"On 12-4-1990, an Hon'ble member, Shri Rajveer Singh in a supplementary on a Starred Question No. 439 made allegations against another Hon'ble member Shri R. Prabhu. You promised to look into this in the record. We find from the records that Shri R. Prabhu's name has not been expunged and the allegations have also not been expunged.

Procedure for making allegations against a member of Parliament is specifically laid down in the rules under Rule 353. This has not been followed. The allegations are of a very serious nature and are defamatory in character. This is a very bad precedent where an Hon'ble member is allowed to make serious allegations against another member without following the prescribed rules. This is of utmost importance and affects the dignity of

the House and also the rights and privileges of members of Parliament.

This is clearly a breach of privilege and should be referred to the Committee of Privileges."

15. On the same day, when Shri R. Prabhu sought to raise the matter in the House, the Speaker observed⁵ as follows:—

"I have allowed you to make a personal explanation.... You can again write to me and I will again give you a chance to make personal explanation.... Where any allegations have gone on record, the Minister or the member against whom allegations have been made, is allowed, if he so requests, to make a statement in the House, clarifying the position, either on the same day or later on. And that brings the matter to an end...."

However, when Shri Prabhu stated that he had given notice of a question of privilege in the matter, the Speaker observed⁶ that he would consider the matter.

16. On 20 April, 1990, Shri Rajveer Singh, MP, was requested, as directed by the Speaker, to substantiate the allegations made by him on the floor of the House on 12 April, 1990, against Shri R. Prabhu, MP, with the help of documentary proof in his possession, if any.

17. Shri Rajveer Singh, MP, in his reply dated 4 May, 1990, stated *inter alia* as follows:—

"I enclose copies of the following documents:

1. News report in Amar Ujala, Bareilly, date line 20-2-89 (caption—IFFCO—Aonla Pariyojna ka vistar Khattai mein)
2. Newsreport in Amar Ujala dated 29-1-90 (caption—IFFCO adi Nrvarak Companiyon mein Boree ki Khareed mein karodon ka Kamishan Liya gaya)
3. Newsreport in Indian Express date line 2-11-89 (caption—An election-eve tender)
4. Newsreport in Hindustan Times dated 26-9-89 (caption—Minister in a soup)

5. L.S. Debt., dt. 18-4-90, cc. 742-44.

6. *Ibid.*, c. 745.

5. IFFCO-minutes of the meeting held with M/s. ETO during the period 10-7-89 to 19-7-89.
6. IFFCO-minutes of the meeting held with M/s. Agarwal Carriers Corporation of India (ACCI) during the period 4-9-89 to 17-10-89.
- 7-8. Newsreports in Statesman dated 23-2-89 (caption--Fun and Games at IFFCO) and Jan Satta dated 15-2-89 (caption-IFFCO ke muattal afsar ko bachane ki koshish)
9. Article in Economic Times dated 7-5-89 (caption—The gigantic Jute tender scandal)
10. Newsreport in Jan Satta dated 11-2-89 (caption—IFFCO ki Aonla Pariyojana mein Karodon ka Ghotala)
11. Audit Report ka Vistrat Vivaran.

The above documents clearly show that there have been a large number of irregularities in the IFFCO (Aonla) Project involving loss of crores of rupees. This project was under the overall charge of the then Minister of State for Fertilizers, Shri R. Prabhu. It was also reported in the newspapers that Shri S. R. Sahore who was looking after the work of the Aonla fertilizer project as its acting Director, had the blessings of the then Union Minister of State for Fertilizers, Shri R. Prabhu.

It may be pointed out that as reported in the newspapers, Shri S. R. Sahore had been suspended from service vide orders dated 8-2-89 but these suspension orders were subsequently revoked in less than a week on the intervention of Shri R. Prabhu.

This is a very serious matter involving loss of crores of rupees due to irregularities in the IFFCO (Aonla) project and needs a thorough enquiry. In this connection, I invite your attention to the reply given by the Deputy Prime Minister to SQ No. 439 on 12-4-90 in which the Deputy Prime Minister stated that the IFFCO was investigating into the case of irregularities in the Aonla project and the matter had also been referred by the Government to the Central Bureau of Investigation."

18. Shri R. Prabhu, MP, to whom a copy of the reply received from Shri Rajveer Singh, MP, together with its enclosures was forwarded, as directed by the Speaker, for information/comments, if any, gave another notice of question of privilege on 14 May, 1990, stating *inter alia* as follows:—

"In his letter dated the 4th May, 1990, the member has adduced in all 11 annexures of which no less than 8 are news-

paper reports. It is an agreed convention of Parliamentary practice that newspaper reports do not constitute 'proof'. They are nowhere accepted as such and cannot be relied upon. So this is not 'proof' as claimed by him. In any case, I deny the allegations contained in the newspaper reports. They are false, mischievous motivated and have been planted by interested parties.

Of the remaining 3 annexures, 2 are minutes of meetings held between IFFCO and its transport contractors. These minutes contain no reference to me and have nothing to do with me. They are obviously part of the day-to-day working routine of the society.

As far as the last remaining enclosure is concerned, it is entitled 'Audit report ka Vistrat Vivaran'. The Hon'ble member has not indicated where this has been obtained from or of what document it forms part. Obviously it is a purported Hindi translation of some audit report of IFFCO. Even so, going through the entire annexure I cannot find any reference to me. This document is not even authenticated and we don't know the genuineness of the contents.

The member has reiterated the main thrust of his allegations in the last 3 paras of his letter dated 4th May, 1990. When the Hon'ble member talks of my 'shelter to employees and officers', he is obviously referring to newspaper reports that Shri S. R. Sahore, Executive Director of Anola project of IFFCO was suspended by a sitting of the Board of Directors and the suspension orders were revoked by the Ministry (Department of Fertilizers). This single action taken in public interest in the normal course by the Department does not in any way constitute a general 'shelter for doing irregularities in an unprecedented manner' as the member claims. Although I do not have to justify this perfectly legal action (I understand that the Delhi High Court later upheld this action) within its purview by the Department of Fertilizers, I would definitely do so when an opportunity is given to me before the Privileges Committee.

It is also to be noted that whereas the SQ No. 39 to which the Hon'ble member was putting supplementaries and making allegations, relates only to 'Anola expansion project' of IFFCO, the newspaper reports furnished by him relate to all kinds of matter not relevant to nor related to

this subject. It is obviously an after thought. He has done this just to confuse, prejudice and throw a 'red herring' across the trail.

The Hon'ble member has made baseless and derogatory allegations against me on the floor of the House and I have been defamed in the process. He is now trying to justify his action by producing newspaper reports which he calls 'proof'. It will be a year bad precedent where members flout rules of procedure and make such wild allegations and defamatory statements against another member and later on produce newspaper reports to justify the same.

I seek your protection to uphold my honour and the dignity of this august House. The grounds for the privilege motion are now even more strengthened by the failure of the member to produce evidence as required. I request you to please refer this whole matter to the Privileges Committee so that my privilege is protected and my honour restored."

19. On 16 May, 1990, the Speaker referred the matter to the Committee of Privileges under rule 227 of the Rules of Procedure and Conduct of Business in Lok Sabha for examination, investigation and report.

III. Findings of the Committee

20. In his written statement dated 6 July, 1990, Shri R. Prabhu, MP, has *inter alia* stated as follows:—

"I would only like to reiterate that in this case the *prima facie* case of privilege has risen inasmuch as baseless allegations of a derogatory nature have been made against me. When asked to substantiate, the Hon'ble Member has produced only some newspaper reports as 'proof'. It is an accepted, long-standing convention in Parliamentary practice that newspaper reports do not constitute proof and are not adequate evidence for making allegations.

* * * * *

When asked by Lok Sabha Secretariat to substantiate the allegations, the Member has adduced 11 annexures, of which 8 are newspaper reports. It is a long standing, accepted convention of Parliamentary practice that newspaper reports do not constitute 'Proof'. They are never treated as such and cannot be relied upon. So this is not 'Proof' as claimed by him. In any case, I deny the

allegations contained in the newspaper reports. They are false, mischievous, motivated and have been planted by interested parties.

* * * * *

I deny the allegations the Member has made including the allegation that Shri S. R. Sahore 'had my blessings'. I was appointed as Minister of State of Fertilizers on October, 1986 and as such all companies and Cooperative Societies which were under the overall administrative control of the Department of Fertilizers automatically came under my overall charge. IFFCO is a multistate Cooperative Society which has its own Board of Directors. There is a Managing Director who is the Chief Executive and a hierarchy of officers who are responsible for the day to day running of the Society. The annual turnover of IFFCO exceeds Rs. 1,000 crores. The Aonla project was implemented by IFFCO through its officers and neither the Department of Fertilizers nor I, as the Minister of State, were directly involved in either the implementation of the Aonla project or in the day to day affairs of the Society. Three officers from the Department were nominee directors on the Board of IFFCO at that relevant time. These Government directors brought it to the notice of the Government that in a hurriedly called for meeting of the Board, without it being on the agenda, Shri S. R. Sahore, Executive Director, who was then acting Chief Executive due to the leave of absence of the Managing Director, was suspended. This suspension was done on the basis of an interim internal audit report which mentioned some over payments to some transport contractors. The Government directors also informed that, against their specific objections, some members of the Board took it upon themselves to suspend the acting Managing Director of the Society, thus leaving the Society without even an acting head. The Department of Fertilizers after going through the whole matter decided that there was no case for such a hasty suspension because the internal audit report talked about over payments which were part of a continuing transport contract and which had already taken place quite some time ago. The final figures had not been tallied. Moreover, there was transgression of laid down proper procedures and even

principles of natural justice were not observed in this abrupt suspension. The Department then directed the Society to give no effect to the resolution, with an advice to get the final audit report expedited and take action on the guilty after following prescribed procedures. This action was taken by the Department of Fertilizers and was endorsed by me only in my capacity as Minister of State. This was not an action taken by me in my personal capacity to protect any officer. There was no personal intervention on my part in this whole affair. This single action taken in public interest in the normal course by the Department of Fertilizers cannot be construed as a general 'shelter by me for doing irregularities in an unprecedented manner' as the member claims (I understand that this whole matter is pending before the Delhi High Court and the High Court has *prima facie* upheld this action of the Department). I have stated all these facts from memory and for a proper appreciation, the relevant file may be called for from the Department of Fertilizers, if considered necessary. Although I do not have to justify this perfectly legal action taken by the Department of Fertilizers in the normal course of its functions. I would definitely do so when an opportunity is given to me before the Privileges Committee."

21. In his written statement dated 19 July, 1990, Shri Rajveer Singh, MP, has stated *inter alia* as follows:

"...there have been a large number of irregularities in the IFFCO (Aonla) Project involving crores of rupees. This Project was under the overall charge of the then Minister of State for Fertilizers, Shri R. Prabhu. It was also reported in the newspapers that Shri S. R. Sahore who was looking after the work of the Aonla fertiliser project as its acting Director, had the blessings of the then Union Minister of State for Fertilizers, Shri R. Prabhu.

It may be pointed out that as reported in the newspapers Shri S. R. Sahore had been suspended from service *vide* orders dated 8-2-1989 but these suspension orders were subsequently revoked in less than a week on the intervention of Shri R. Prabhu."

22. Shri R. Prabhu, MP, in his oral evidence before the Committee stated¹, *inter alia*, as follows:—

“When the hon. Speaker asked him (Shri Rajveer Singh) to substantiate his allegations or produce proof of the allegations, he has failed to substantiate them. Instead he has given eleven annexures and I have gone through them. Eight of them are newspaper reports and this is what he calls proof. We all know and it is an accepted long-standing convention of Parliamentary practice that newspaper reports are never taken as proof. I am not a lawyer but I know that even the Supreme Court has held that newspaper reports cannot be taken as evidence.

Of the remaining three annexures two are minutes of some meetings between IFFCO and some other transport companies. Even these minutes have nothing to do with me because they do not say anything about me. The last one is some audit report. It does not have a head or a tail. It is something taken from in-between of a report and it is not even authenticated.

In his letter of May 4, the main thrust of his (Shri Rajveer Singh's) allegations is:

‘The above documents clearly show that there have been a large number of irregularities in the IFFCO (Aonla) Project involving loss of crores of rupees. This project was under the overall charge of the then Minister of State for Fertilizers, Shri R. Prabhu. It was also reported in the newspapers that Shri S. R. Sahore who was looking after the work of the Aonla fertilizer project as its acting Director, had the blessings of the then Union Minister of State for Fertilizers, Shri R. Prabhu.’

I would like to explain this particular portion, so that you will have an idea. Again, I would like to say that the only evidence he has produced is newspaper reports.

Shri S. R. Sahore was the Executive Director of IFFCO. IFFCO has its own Board of Directors. Even then, it is a multi-state cooperative society. It has got Executive Chairman and also Chief Executive who is the Managing Director of the Company. The Executive Director, Finance Director and the whole hierarchy of the Officers will look after the day-to-day work of the company and implementation of whatever project they have. The annual

¹. See Minutes of evidence.

turn-over of the company exceeds Rs. 100 crores; it may be Rs. 105 or 106 crores. Some Officers of the Department of Fertilizers are also Directors on the Board of IFFCO. IFFCO and all other companies are in the public sector. It is also one of the companies in the public sector which comes under the overall charge of the Department of Agriculture of which I was incharge. Because it is a cooperative society, a lot of Directors are there. There are 30 Directors, three from the Department of Fertilizers and two from Agriculture; that is five out of 30. Suddenly without any notice, Shri S. R. Sahore, the Executive Director was suspended. The Managing Director was on leave and so the Executive Director was holding charge of the company. In the evening he was suspended and they took the suspension notice to his house and all that. This came to the notice of the Department through the Government Directors on the Board. They gave a report to the Department of Fertilizers and subsequently Fertilizers Department was of the opinion that this hasty suspension was not necessary. The basis of the suspension was that, in the interim internal audit report, they said that some overpayments were made to a transport contractor in the execution of the Aonla Project. I would like to explain about the interim Internal Audit Report. Whenever big projects are implemented in Government, normally they have internal audit—checks and balances—in the company itself so that the people sitting on top would know exactly if some overpayment has taken place or some underpayment has taken place. This is something which is very much internal in the company and even it will not come to the notice of the Board of Directors. It is only upto the management of the company to look after the affairs. In the interim Internal Audit Report, some reference was there, saying that some overpayment has been made to a transport contractor for an ongoing project. Normally, these things are adjusted over the period of time, and it is not a final report also. Based on this interim Internal Audit Report, the Executive Director, who was in charge of the project was suspended. even though his name did not figure anywhere in the Report.

So, the Department felt that there is no cause to suspend a person who is the acting-head, because the Managing Director was on long leave. So, they asked, 'to suspend

the Resolution for the present time; let the Final Internal Audit Report come and take action in the normal course; let it take the normal course and let him be given natural justice and ask him to explain'. The file came to me and I just signed the file. It was not in the personal capacity, I signed it. It was in my capacity as the Minister and it was my duty to look after and so I endorsed the Department's view. This single action by itself cannot say that some officer was protected and I protected the officer and allowed some irregularities in the Company. You would see from the Annexures which that hon. Member has given, that he has given all sorts of newspaper reports. Only four of them refer to the Aonla Extension Project and four others refer to other things just to confuse the whole issue. I would like to say again that by doing this deliberately and after not producing any real evidence and then producing the newspaper reports—regional newspapers which are not national newspapers—that person has deliberately violated all rules of procedure with the intention to cause damage to my reputation.

23. When asked whether the Department of Fertilizers was empowered to give directions to IFFCO, Shri Prabhu stated⁸ as follows:—

“Yes Sir, the Department has the authority under the multi-state Cooperatives Act. I forget the sections. There are two sections. Also, there are loan agreements with IDBI and various other banks and the Government gives guarantee. Because of that guarantee, the Government has right to interfere.

Here, I would like to mention that a final audit report has been given after that and there has been no over payment.”

24. Shri Prabhu's attention was invited to various news reports published in newspapers about the alleged scandal in IFFCO and he was asked whether he felt defamed by the said reports. Shri Prabhu stated as follows:—

“I would like to submit here that unfortunately, today in this country there is no objective journalism, it is only subjective journalism... But I never bothered for the journalists, unless it was a very big national paper. So

⁸. See Minutes of evidence.

many things come against so many people in this country. I am a small fry. If something comes about me in the newspaper, I would not go and bother about that... Newspaper report is one thing and what is said in the House is something else. If I give shelter to somebody to do *ghotala*, that means I am also involved. What is stated in the House goes on record. The proceedings can be used tomorrow anywhere. It definitely lowers my dignity and prestige because I have no other remedy. Against newspapers I can always go to the court. Newspapers have said so many things, but I was convinced that there was no *ghotala*. When I was Minister, nobody asked any question about it, otherwise I would have replied. So many other questions had been asked when I was a Minister, but not this. So, I did not take any cognizance. In fact I do not know how to read Hindi. Most of them appeared in Hindi newspapers and I don't even see Hindi newspaper.

There were so many other reports annexed about the Department being pressurised for Phosphoric Acid import. In fact the Economic Times wrote against me because I refused to import. I mean, I just do not bother about newspaper reports which have no authenticity."

25. Shri Rajveer Singh, MP, in his oral evidence before the Committee stated⁹ as follows:—

"A senior friend of mine who was involved in the whole matter from the beginning told me about the confrontation. You will come to know of all the facts if you go through that file... Please call for the file and go through it. Secondly, the reply I received from the hon. Minister was published in full in newspapers but I would not like to rely much on these newspapers here. It was written in the reply that the newspapers have distorted the facts and thus misled the public, but he was not involved in it. I say that I had furnished all the cuttings of material which was being published in the newspapers for last two years. He (Shri R. Prabhu) did not take any action or launch any legal proceedings against those newspapers. Neither he served any notice on them. As far as the procedure is concerned. I am a new member and I will

⁹. See Minutes of evidence. (Original in Hindi).

acquaint myself with the procedure gradually. But I had no *malafide* intention in asking the said question."

26. In reply to a question, "What was the racket you mentioned?", Shri Rajveer Singh, MP, stated as follows:—

"A Central Purchase Committee was formed. Prior to this, the gunnybags were purchased directly by the factory and the fertilizer plant. The cost per gunnybag was around rupees six at that time. But the Central Purchase Committee bought each gunnybag for rupees 9.50. As a result of this, IFFCO had to pay about rupees 15 crores more. the gunnybags were purchased directly by the factory might have paid. Secondly, the staff and officers also indulged in bung'ing in the construction work in a similar fashion. Same thing happened in the matter of loading of goods also. I have presented some documents also for your reference. You please study them and get them examined and the whole situation will become crystal clear."

27. On being asked whether he had made the impugned allegations with a view to defaming Shri R. Prabhu, Shri Rajveer Singh stated as follows:—

"I did not put the question to defame or profligate anybody; I only wanted to get my information confirmed by the Minister... I wanted the public to know about it and also wanted to draw the attention of the Cabinet and Senior Officials through the House to the fact that such type of corruption is prevailing in the country which should be investigated into. I was feeling very perturbed that a handful of corrupt persons are pocketing the hard earned public money. That is why I asked this question."

28. Shri Rajveer Singh, when asked whether he had any personal animosity against Shri R. Prabhu, stated as follows:—

"The question of animosity arises only when persons know each other. I did not know him. Animosity was therefore out of question."

IV. Conclusions

29. The Committee note that the present case of alleged breach of privilege arose on 12 April, 1990 out of a supplementary question asked by a Member of the House, Shri Rajveer Singh on Starred Question No. 439 pertaining to the IFFCO Project. The contention of Shri R. Prabhu, a Member of the House, who has

complained of the breach of privilege, is that Shri Rajveer Singh, MP, in his supplementary made baseless allegations against certain actions of the former when he held the office of the Union Minister of State for Agriculture. As regards the affairs of the IFFCO Project, the Committee note, the Deputy Prime Minister and the Minister of Agriculture stated in his reply to the question that an enquiry had been initiated by the IFFCO in respect of the irregularities in the payment involved in the execution of the Aonla Project and the matter had also been referred to the Central Bureau of Investigation. Shri Prabhu through an intervention allowed by the Speaker refuted the allegations against him. The Committee also note that the Project is situated in the constituency of Shri Rajveer Singh.

30. After a careful analysis of the evidence, both written and oral, the Committee have come to the conclusion that while Shri Rajveer Singh, MP, could not substantiate his impugned statements against Shri R. Prabhu, MP, with the help of any other evidence than certain newspaper reports and other papers mentioned by him, Shri Rajveer Singh categorically stated before the Committee that he had no *malafide* intention in asking the supplementary question, which the Committee have no reason to hold otherwise. In view of this, no question of privilege is involved in the matter and the Committee feel that no further action need be taken in the matter.

V. Recommendation of the Committee

31. The Committee recommend that in view of the denial of the allegations by Shri R. Prabhu on the floor of the House and also in view of the fact that Shri Rajveer Singh, MP, had no *malafide* intention in asking the supplementary question on SQ No. 439 regarding 'Inquiry into affairs of IFFCO Project' and also there being no question of privilege involved in this case, the matter need not be pursued and it be dropped.

NEW DELHI;
March 12, 1991
Phalguna 21, 1912 (Saka)

SOMNATH CHATTERJEE.
Chairman,
Committee of Privileges.

2

MINUTES

MINUTES

I

First Sitting

New Delhi, Friday, 22 June, 1990

The Committee sat from 15.00 to 18.05 hours.

PRESENT

Shri Somnath Chatterjee—*Chairman*

MEMBERS

2. Shri A. R. Antulay
3. Shri Arif Beg
4. Ch. Jagdeep Dhankhar
5. Shri Eduardo Faleiro
6. Shri Santosh Kumar Gangwar
7. Shri Bhogendra Jha
8. Shri Ajit Kumar Panja
9. Dr. Shakeelur Rehman
10. Shri K. Ramamurthy
11. Shri R. Gundu Rao
12. Shri Mandhata Singh

SECRETARIAT

Shri K. C. Rastogi—*Joint Secretary*

Shri T. S. Ahluwalia—*Deputy Secretary*

Shri A. N. Gupta—*Assistant Director*

2—5 ** ** ** **

6. The Committee then took up consideration of question of privilege regarding allegations made against Shri R. Prabhu, MP, on 12th April, 1990, during supplementary questions on Starred Question No. 439 regarding 'Inquiry into affairs of IFFCO Project'. The Committee decided that in the first instance Shri R. Prabhu and Shri Rajveer Singh, MPs, be asked to furnish their written statements for consideration of the Committee.

7—8 ** ** ** **

9. The Committee tentatively decided to hold their next sitting on 25th July, 1990.

The Committee then adjourned

II

Second Sitting

New Delhi, Friday, 3 August, 1990

The Committee sat from 15.00 to 15.30 hours.

PRESENT

Shri Somnath Chatterjee—*Chairman*

MEMBERS

2. Shri A. R. Antulay
3. Shri Arif Beg
4. Shri Santosh Kumar Gangwar
5. Shri Bhogendra Jha
6. Shri Ajit Kumar Panja
7. Shri K. Ramamurthy
8. Shri Mandhata Singh
9. Shri R. L. P. Verma

**Paras 2—5 and 7-8 do not relate to this case and have accordingly been omitted.

SECRETARIAT

Shri K. C. Rastogi—*Additional Secretary*

Shri T. S. Ahluwalia—*Director*

Shri A. N. Gupta—*Assistant Director*

2. The Committee took up for consideration the question of privilege regarding allegations made against Shri R. Prabhu, M.P., on 12th April, 1990 during supplementary questions to Starred Question No. 439 regarding 'Inquiry into affairs of IFFCO Project'.

3. The Committee decided that Shri R. Prabhu, M.P., be requested to appear before them for oral evidence on 9th August, 1990.

4—5

* * * *

The Committee then adjourned

III

Third Sitting

New Delhi, Thursday, 9 August, 1990

The Committee sat from 16.30 to 17.50 hours.

PRESENT

Shri Somnath Chatterjee—*Chairman*

MEMBERS

2. Shri A. R. Antulay
3. Shri Santosh Kumar Gangwar
4. Shri Bhogendra Jha
5. Shri Ajit Kumar Panja
6. Shri K. Ramamurthy
7. Shri Mandhata Singh

*Para; 4 and 5 relate to another case and have been accordingly been omitted.

SECRETARIAT

Shri T. S. Ahluwalia—*Director*

Shri A. N. Gupta—*Assistant Director*

WITNESS

Shri R. Prabhu, M.P.

2. The Committee took up for consideration the question of privilege regarding allegations made against Shri R. Prabhu, M.P., on 12th April, 1990 during supplementary questions to Starred Question No. 439 regarding 'Inquiry into affairs of IFFCO Project'.

3. Shri R. Prabhu, M.P., was called in and examined on oath.

(Verbatim record of evidence was kept)

(The witness then withdrew)

4. The Committee decided to hold further sittings on 23rd and 30th August, 6th, 19th, 20th and 21st September and 3rd, 4th, 15th, 16th and 17th October, 1990.

The Committee then adjourned

IV

Fourth Sitting

New Delhi, Tuesday 29 January, 1991

The Committee sat from 12.00 to 13.05 and 16.00 to 17.25 hours.

PRESENT

Shri Somnath Chatterjee—*Chairman*

MEMBERS

2. Shri A. R. Antulay
3. Shri Arif Beg
4. Shri Santosh Kumar Gangwar
5. Shri R. Gundu Rao
6. Shri Mandhata Singh
7. Shri R. L. P. Verma

SECRETARIAT

Shri C. K. Jain—*Additional Secretary*

Shri T. S. Ahluwalia—*Director*

Shri K. M. Kamboj—*Under Secretary*

MINUTES

Shri Rajveer Singh, MP.

2—7 ** ** ** **

8. The Committee then took up consideration of the question of privilege regarding allegations made against Shri R. Prabhu, MP, by Shri Rajveer Singh, MP, on 12 April, 1990 during supplementary questions to Starred Question No. 439 regarding 'Inquiry into affairs of IFFCO Project'.

9. Shri Rajveer Singh MP, was called in and examined by the Committee on oath.

10. Shri Rajveer Singh, during the course of his evidence requested the Committee to call for the relevant file and CBI Report on the 'IFFCO Project'.

(Verbatim record of evidence was kept)

(The witness then withdrew)

11. After some discussion, the Committee decided that the Ministry of Agriculture (Department of Fertilizers) be asked to furnish a copy of the Report submitted by the Central Bureau of Investigation to whom the matter regarding IFFCO Project at Aonla was referred by the Government, as disclosed by the Deputy Prime Minister and Minister of Agriculture on 12 April, 1990 in his reply to a supplementary on SQ No. 439 regarding 'Enquiry into affairs of IFFCO Project'.

12—19: ** ** ** **

The Committee then adjourned.

**Paras 2—7 and 12—19 relate to other cases and have accordingly been omitted.

- | | |
|-------------------------|--|
| 7. Shri Bhogendra Jha | |
| 8. Shri R. Gundu Rao | |
| 9. Shri B. Shankaranand | |
| 10. Shri Mandhata Singh | |

SECRETARIAT

Shri C. K. Jain—*Additional Secretary*

Shri T. S. Ahluwalia—*Director*

Shri K. M. Kamboj—*Under Secretary*

2—3 ** ** ** **

4. The Committee then considered and adopted their draft Second Report on the question of privilege regarding allegations made against Shri R. Prabhu, MP, by Shri Rajveer Singh, MP, on 12 April, 1990, during supplementay questions to Starred Question No. 439 regarding 'Inquiry into affairs of IFFCO Project'.

5. The Committee authorised the Chairman to submit the Second Report to the Speaker and to recommend that it might be laid on the Table of the House.

The Committee then adjourned.

MINUTES OF EVIDENCE

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MINUTES OF EVIDENCE TAKEN BEFORE THE COMMITTEE
OF PRIVILEGES

Thursday, 9 August, 1990

PRESENT

Shri Somnath Chatterjee—*Chairman*

MEMBERS

2. Shri A. R. Antulay
3. Shri Santosh Kumar Gangwar
4. Shri Bhogendra Jha
5. Shri Ajit Kumar Panja
6. Shri K. Ramamurthy
7. Shri Mandhata Singh

SECRETARIAT

Shri T. S. Ahluwalia — *Director*

Shri A. N. Gupta — *Assistant Director*

WITNESS

Shri R. Prabhu, M. P.

(The Committee met at 11.00 hours)

Evidence of Shri R. Prabhu, M.P.

MR. CHAIRMAN : Shall we start?

Shri R. Prabhu, you have been asked to appear before this Committee to give your evidence in connection with the question of privilege regarding allegations made against you by Shri Rajveer Singh on 12th April, 1990 during a supplementary question to a Starred Question Number 439 regarding enquiry into the affairs of the IFFCO project.

I may inform you that under Rule 275 of the Rules of Procedure and Conduct of Business in Lok Sabha, the evidence that you may give before the Committee is to be treated by you as confidential till the Report of the Committee and its proceedings are presented to the Lok Sabha. Any premature disclosure or publication of the proceedings of the Committee would constitute a breach of privilege and contempt of the House. The evidence which you will give before the Committee may be reported to the House.

Now you may please take oath or make affirmation as you like.

SHRI R. PRABHU: I R. Prabhu, swear in the name of God that the evidence which I shall give in this case shall be true and I conceal nothing and that no part of my evidence shall be false.

MR. CHAIRMAN : On the 12th of April, 1990, in relation to a Starred Question 439, certain statements or allegations were made by Shri Rajveer Singh while putting a supplementary Question. On that day itself, that is, 12th of April, 1990, you had objected to the same. But subsequently, on 18th of April, 1990, you gave two notices of question of privilege against Shri Rajveer Singh which were followed by notices given by some other hon. Members of Parliament. Then a reply was given by Shri Rajveer Singh on the 4th of May to which you also gave a reply on the 14th of May, 1990. After this matter was referred to this Committee you have been given an opportunity to file a statement and you have submitted a statement on the 6th of July, 1990 addressed to the hon. Speaker. Now with regard to this matter, would you be good enough to say in your own words what you like to tell this Committee?

SHRI R. PRABHU: Thanks to you and the Members of this Committee for the opportunity I have been given. I would like to take you briefly direct to the question and answer of the 12th April and I can just read out the question and answer quickly so that you would have proper appreciation. On 12th April, Shri Rajveer Singh put a Starred Question to the Deputy Prime Minister and the Minister of Agriculture. The question is as follows:

- “(a) whether any inquiry is being conducted into the affairs of IFFCO project, Aonla (Uttar Pradesh);
- (b) if so, the details thereof and the present stage of the inquiry; and
- (c) if the enquiry has been completed, the outcome thereof?

ANSWER

The Deputy Prime Minister and the Minister of Agriculture:

- (a) to (c): Enquiry has been initiated by IFFCO in respect of the irregularities in the payments involved in the execution of the Aonla Project. It will take some time before the enquiry is completed. The matter has also been referred to the Central Bureau of Investigation."

Here I just like to say what IFFCO is. IFFCO is a company registered under the Multi-State Cooperative Act. It is a fertilizer company which has three units. This Aonla unit is in Uttar Pradesh. It manufactures ammonia and urea. It is the first company to have completed along the HBJ pipeline and it is the first which came into operation. On that when he was allowed by the Speaker to ask a supplementary question, Shri Rajveer Singh said, and I say it in the translated form, that he has knowledge and also proof that in all these *Ghotala* the former Minister of State for Agriculture Shri R. Prabhu was giving shelter to his employees and on account of his shelter irregularities took place in an unparalled manner.

After these allegations were made, the Whip of the Congress Party, the Deputy Whip and also the Parliamentary Secretary of our Party made an objection saying that these are serious allegations and the hon. Speaker said that he would look into it and see whether there were any allegations.

But the next day it was reported in the newspapers and when we got the proceedings of the House the whole thing was there. After that I gave a Motion of Privilege along with some other Members.

As you are aware, there are specific rules in the Rules of Procedure for making allegations against an MP. If I may refer to Rule 352 (ii), it says:

"A member while speaking shall not make a personal charge against a Member."

There is also a specific rule if you want to make an allegation against anybody. Rule 353 says:

"No allegation of a defamatory or incriminatory nature shall be made by a member against any person unless the member has given previous intimation to the Speaker and also to the Minister concerned so that the Minister may be able to make an investigation into the matter for the purpose of a reply."

Afterwards when it goes to the Speaker and if the Speaker feels that there is *prima facie* case, he will allow the Member to make the allegation.

But this hon. Member has transgressed all rules of procedure. He has deliberately violated them. I am saying 'deliberate' because when he was given an opportunity by the Speaker to justify what he has said, he did not apologise but had produced only some newspaper cuttings. But I was left with the *fait accompli* because this had already come in all the newspapers all over the country. This had come in the Tamil newspapers also in my constituency and that has affected my rights and privileges as a Member of this House. It is not only my rights and privileges, it is the rights and privileges of all the Members of this House because if this Member gets away like this without getting any sort of punishment, then in future any Member can make wild allegations against any other Member and get away with it.

When the hon. Speaker asked him to substantiate his allegations or produce proof of the allegations, he has failed to substantiate them. Instead he has given eleven annexures and I have gone through them. Eight of them are newspaper reports and this is what he calls proof. We all know and it is an accepted long-standing convention of Parliamentary practice that newspaper reports are never taken as proof. I am not a lawyer but I know that even the Supreme Court has held that newspaper reports cannot be taken as evidence.

Of the remaining three annexures two are minutes of some meetings between IFFCO and some other transport companies. Even these minutes have nothing to do with me because they do not say anything about me. The last one is some audit report. It does not have a head or a tail. It is something taken from in-between of a report and it is not even authenticated.

In his letter of May 4, the main thrust of his allegations is:

"The above documents clearly show that there have been a large number of irregularities in the IFFCO (Aonla) Project involving loss of crores of rupees. This project was under the overall charge of the then Minister of State for Fertilizers, Shri R. Prabhu. It was also reported in the newspapers that Shri S. R. Sahore who was looking after the work of the Aonla fertilizer project as its acting Director, had the blessings of the then Union Minister of State for Fertilizers, Shri R. Prabhu."

I would like to explain this particular portion, so that you will have an idea. Again, I would like to say that the only evidence he has produced is newspaper reports.

Shri S. R. Sahore was the Executive Director of IFFCO. IFFCO has its own Board of Directors. Even then, it is a multi-state cooperative society. It has got Executive Chairmen and also Chief Executive who is the Managing Director of the Company. The Executive Director, Finance Director and the whole hierarchy of the Officers will look after the day-to-day work of the company and implementation of whatever project they have. The annual turnover of the company exceeds Rs. 100 crores; it may be Rs. 105 or 106 crores. Some Officers of the Department of Fertilizers are also Directors on the Board of IFFCO. IFFCO and all other companies are in the public sector. It is also one of the companies in the public sector which comes under the overall charge of the Department of Agriculture of which I was in charge. Because it is a cooperative society, a lot of Directors are there. There are 30 Directors, — three from the Department of Fertilizers and two from Agriculture; that is five out of 30. Suddenly without any notice, Shri S. R. Sahore, the Executive Director was suspended. The Managing Director was on leave and so the Executive Director was holding charge of the company. In the evening he was suspended and they took the suspension notice to his house and all that. This came to the notice of the Department through the Government Directors on the Board. They gave a report to the Department of Fertilizers and subsequently, Fertilizers Department was of the opinion that this hasty suspension was not necessary. The basis of the suspension was that, in the interim Internal Audit Report, they said that some overpayments were made to a transport contractor in the execution of the Aonla Project. I would like to explain about the interim Internal Audit Report. Whenever big projects are implemented in Government, normally they have internal audit—checks and balances—in the company itself so that the people sitting on top would know exactly if some over-payment has taken place, or some under-payment has taken place. This is something which is very much internal in the company and even it will not come to the notice of the Board of Directors. It is only up to the management of the company to look after the affairs. In the interim Internal Audit Report, some reference was there, saying that some over-payment has been made to a transport contractor for an on-going project. Normally, these things are adjusted over the period of time, and it is not a final report also. Based on this interim Internal Audit Report, the Executive Director, who was in charge of the

project was suspended, even though his name did not figure anywhere in the Report.

So, the Department felt that there is no cause to suspend a person who is the acting-Head, because the Managing Director was on long leave. So, they asked, 'to suspend the Resolution for the present time; let the Final Internal Audit Report come and take action in the normal course; let it take the normal course and let him be given natural justice and ask him to explain'. The file came to me and I just signed the file. It was not in the personal capacity, I signed it. It was in my capacity as the Minister and it was my duty to look after and so I endorsed the Department's view. This single action by itself cannot say that some Officer was protected and I protected the Officer and allowed some irregularities in the Company. You would see from the Annexures which that hon. Member has given, that he has given all sorts of newspaper reports. Only four of them refer to the Aonla Extension Project and four others refer to other things just to confuse the whole issue. I would like to say again that by doing this deliberately and after not producing any real evidence and then producing the newspaper reports—regional newspapers which are not national newspapers—that person has deliberately violated all rules of procedure with the intention to cause damage to my reputation. My reputation has been damaged beyond repair because the allegations found a place in the proceedings of the House and were widely reported in the national press and also Tamil newspapers which are widely circulated in my constituency. My privileges and rights have been affected and also the dignity of the august House has been lowered. If these baseless and derogatory allegations are allowed, tomorrow flood-gates will be opened where all sorts of allegations can be levelled. I cannot go to the court because he is protected. So, I have come to this august Committee with the request to uphold my rights and privileges and also to uphold the dignity of this august House. Thank you.

MR. CHAIRMAN: Thank you Mr. Prabhu. We shall give our most anxious consideration.

There are two clarifications that I want. You have referred in your statement, sent along with your letter of 6th July, to a proceeding in the High Court:

"I understand that this whole matter is pending before the Delhi High Court and the High Court has *prima facie* upheld this action of the Department."

Have you any further information?

SHRI R. PRABHU: I have no information. You have to get that from the Department.

MR. CHAIRMAN: Since you have mentioned this, I understand that there was some proceeding in the High Court. Are you personally aware of it?

SHRI R. PRABHU: I am not aware of it. I do not know what has happened.

MR. CHAIRMAN: We shall ascertain about that.

Secondly, at page 5 of your statement, you have said:

“The Department then directed the Society to give no effect to the resolution, with an advice to get the final audit report expedited and take action on the guilty after following prescribed procedures.”

Under the rules of the Society, which is registered under the multi-State Cooperative Act, is there any authority given to the Department to give any directions?

SHRI R. PRABHU: Yes, Sir. The Department has the authority under the multi-State Cooperative Act. I forget the sections. There are two sections. Also, there are loan agreements with IDBI and various other banks and the Government gives guarantee. Because of that guarantee, the Government has right to interfere.

Here, I would like to mention that a final audit report has been given after that and there has been no over payment.

MR. CHAIRMAN: One more thing is that you have denied the allegations. Isn't it?

SHRI R. PRABHU: Yes, Sir.

MR. CHAIRMAN: Do you wish to call any other witness or produce any further document?

SHRI R. PRABHU: At the moment, I have nobody in mind. I would not like to lead any evidence unless I have a right to cross-examine.

SHRI A. R. ANTULAY: In your statement, you have said at page 4:

“This suspension was done on the basis of an interim internal audit report which mentioned some over payments to some transport contractors.”

I think, what you explained just now was that over payment was not actually over payment, but it was given as an interim payment, to be ultimately adjusted in the final bill. Am I right?

SHRI R. PRABHU: In a project of this nature, what happens is that normally you cannot adjudge the correct payment. Normally, advances are given. This happens in all companies.

In the normal course, it is in an ongoing contract. Over payment was there, which was part of a continuing transport contract, which it had adjusted later.

SHRI A. R. ANTULAY: You said, the Department of Fertilisers after going through the whole matter decided that there was no case. So, should we understand that by 'Department', you mean 'the officers of the Department'?

SHRI R. PRABHU: Yes.

SHRI A. R. ANTULAY: Did they initiate the matter?

SHRI R. PRABHU: Yes. They initiated and then the file came to me.

SHRI A. R. ANTULAY: There are two ways in this matter. As I happened to be in the administration some time ago, I know something. Sometimes, a representation comes to the political head and he writes on that as 'Please put up the papers' and so on. This is one way. The other way is, the file may come to you in its normal course and then put up before the political head. Now, I would like to know as to which of these two ways was followed.

SHRI R. PRABHU: The file came to me by its natural course. It was put up by the Department. It came to the Secretary and then came to me. And this was a hasty decision. I signed as the Minister in charge.

SHRI A. R. ANTULAY: Did you concur with the decision?

SHRI R. PRABHU: Yes. I concurred with the decision.

श्री संतोष कुमार गंगवार : आपने जैसा अभी बताया कि आप विभाग के मंत्री के नाते इस सब के प्रभारी थे तो सिहोर साहब का जब निलम्बन हुआ तो वह भी आपकी जानकारी में हुआ होगा, उस समय भी आपको मालूम होगा कि मि० अवधानी छुट्टी पर थे और यह हेस्टो डिस्मिज्ड हुआ है और अगले ही दिन उनकी बहाली हो गई तो क्या इसकी जिम्मेदारी सीधे प्रभारी के ऊपर नहीं आती है ?

SHRI R. PRABHU: As far as the terms between the Cabinet Minister and the Minister of State are concerned, we are now-a-days reading in the newspapers as to what is happening to Smt. Maneka Gandhi today. The point is, according to the work allocation, I was looking after the Department of Fertilisers and only the papers relating to policy matters and other important papers were going to the Minister. So, the Minister of Agriculture was not involved in this matter at all. So far as your statement that it was my responsibility, that I was in charge and that I must take the blame of everything that was happening, etc. is concerned, whenever I get the information, I get it only from the Department such as in cases of fire or accident in any plant, etc. Normally, the reporting procedure is that the Secretary of the Department is informed of everything that happens. Nothing goes to the Minister direct. Messages through telephones or telegrams go to the Secretary first. Then the Secretary puts up a note to the Minister of whatever had happened like in cases of fire or accident. So, it comes from the Secretary of the Department to the Minister. In this case also, the two officers who are Directors in the Company do not come to me and report to me directly. They always go to the Secretary and inform him and then he puts up a note to the Ministry. This was the procedure when we were in the Government. I presume that would be the procedure even now.

श्री संतोष कुमार गंगवार : जब यह समाचार निकल रहे थे तो इन्वला के इफको प्रोजेक्ट के बारे में काफी कुछ अखबारों में निकला और घोटालों की जानकारी भी दी गई और उनमें आपका नाम भी आया तो उस समय आपको नहीं लगा कि इससे आपकी प्रतिष्ठा में कमी आ रही है ?

SHRI R. PRABHU: I would like to submit here that unfortunately, today in this country there is no objective journalism, it is only subjective journalism. Journalists sometimes come to Ministers with pre-conceived ideas and tell them: Look, do this otherwise we would publish this. But I never bothered for the journalists, unless it was a very big national paper. So many things come against so many people in this country. I am a small fry. If something comes about me in the newspaper, I would not go and bother about that.

श्री संतोष कुमार गंगवार : आपने अभी कहा कि समाचार पत्रों में निकलने से आपकी प्रतिष्ठा में काफी कमी आई है। मैं यह कहना चाहता हूँ कि राजवीर सिंह जी ने सीधे आरोप नहीं लगाया कि आपने कोई ऐसा काम किया है जिससे आपकी प्रतिष्ठा गिरती है, उन्होंने कहा कि श्री आर. प्रभु का शैल्टर है। चूंकि आप विभाग

के मंत्री थे इसलिए आपकी डायरेक्ट जिम्मेदारी थी और अखबारों में जो निकला है उस सम्बन्ध में सी. बी. आई. जांच कर रही है; और स्तरों से भी जांच हो रही है। अखबारों में अब भी निकला है कि यह 50-60 करोड़ की बात है तो इतनी सारी बात में शल्टर की बात उन्होंने कह दी, चूंकि यह आपकी सीधे जिम्मेदारियों में था और आपकी जिम्मेदारी में घटना हो रहीं हैं तो आपके लिए भी कहा जायेगा और हो सकता है जांच से भी यह सिद्ध हो जाय तो मैं यह नहीं समझ पाया हूँ कि इस सबसे आपकी प्रतिष्ठा में कितनी कमी आई। मैं नहीं समझता हूँ रीजनल पेपर्स में बहुत ज्यादा आपके खिलाफ आया होगा। मैं उस दिन सदन में मौजूद था, राजवीर सिंह जी ने आरोप लगाया, उसको मैंने भी सुना और आपने उसके बारे में कहा और स्पीकर महोदय ने कहा कि हम इसको देखेंगे, सम्भवतः बात वहीं पर समाप्त हो जानी चाहिए थी लेकिन एसा नहीं हुआ। अब भी पंजाब केसरी में इस सम्बन्ध में करोड़ों रुपये के घोटाले की बात छपी है तो इस सबसे आपकी प्रतिष्ठा में कितनी कमी आ गई और आप को इससे कितना मानसिक आघात लगा? मेरे ख्याल से अगर राजवीर सिंह जी को बुलाया गया होता तो उनके पास जो प्रमाण थे वह उनको दे देते तो बात साफ हो जाती।

SHRI R. PRABHU: Newspaper report is one thing and what is said in the House is something else. If I give shelter to somebody to do *ghootala* that means I am also involved. What is stated in the House goes on record. The proceedings can be used tomorrow anywhere. It definitely lowers my dignity and prestige because I have no other remedy. Almost newspapers I can always go to the court. Newspapers have said so many things, but I was convinced that there was no *ghootala*. When I was Minister, nobody asked any question about it, otherwise I would have replied. So many other questions had been asked when I was a Minister, but not this. So, I did not take any cognizance. In fact I do not know how to read Hindi. Most of them appeared in Hindi newspapers and I don't even see Hindi newspaper.

There were so many other reports annexed about the Department being pressurised for Phosphoric Acid import. In fact the Economic Times wrote against me because I refused to import. I mean, I just do not bother about newspaper reports which have no authenticity.

श्री संतोष कुमार गंगवार : मैं सवाल भी तय नहीं कर पाया हूँ कि इस समिति में बैठकर कितना विचार इस सम्बन्ध में हो सकता है। यदि राजवीर सिंह जी अपनी बात की सफाई आपके सामने कर दें और आपको ठीक लगे तो आप उससे संतुष्ट हो जायेंगे ?

SHRI R. PRABHU: Sir, Rajveer Singh should have met me before he made allegations. After all, I am a senior Member and I have been a Minister. He should have come to me and asked

if there is any truth in it. If the Member has any courtesy, he should have come first to me and not now.

SHRI BHOGENDRA JHA: You have quoted Shri Rajveer Singh. One point is that irregularities were committed which may be done honestly or dishonestly. You have also stated that the payment was there but that was a continuing process. So, irregularities do not necessarily mean dishonesty or defalcation.

It has also been alleged that you have given shelter to those officers—or whosoever was there—who have resorted to these irregularities. Shelter again may be given without knowing whether the irregularities have been committed or not. It is neither aiding or abetting. Do you mean to say that the shelter must involve your knowing participation? Secondly, does irregularity necessarily mean dishonesty or defalcation?

SHRI R. PRABHU: Irregularity in a company is done either through stupidity or through dishonesty. This man has alleged that irregularity has occurred. I was the Minister then and as far as I know in this particular incident there was no irregularity committed. Regarding shelter, if you read it again—I am reading it again—“In all this *ghotala* our former Minister of State for Agriculture Shri R. Prabhu’s shelter was there. Employees and Officers under his shelter have deliberately involved in an irregularity.” It does not mean stupidity and because of shelter they have done it which means I had also connived.

SHRI BHOGENDRA JHA: That may be done without your knowledge.

SHRI R. PRABHU: I am sorry, I don’t do anything without my Knowledge. If I as a Minister cannot find out before taking action then I am not fit for being a Minister.

MR. CHAIRMAN: I believe what Mr. Jha is saying is that suppose some dishonest action was taken by IFFCO Officers, and this was a deliberate action on their part, your approval does not mean that you are approving dishonesty.

SHRI R. PRABHU: In the normal course, I will tell you that no day to day affairs come to the Ministry. Only the basic money sanctions come to the Ministry. They go to the Cabinet. The management of company, implementation of project etc. are completely done by the officers. It does not come to the Secretary of the Department or the Ministry.

MR. CHAIRMAN: A directive was believed to be sent and that is why it came to you.

SHRI R. PRABHU: Yes. One Joint Secretary and one Director of the Ministry are Members of the Board. They went to the Board Meeting. They told them that "this is a hasty decision. Without any proper proof, without giving any explanation you should not take any such decision. It was an interim internal audit report wherein it was mentioned that some overpayment was made. After that, if there is anything really, then we can suspend him." They overruled the Department and suspended him. Then, we said the company will get demoralised. It is one of our best companies. The cost of this project was Rs. 695 crores. It had been implemented within 36 months. This was a first gas-based unit of the HBJ Pipeline. If tomorrow, an MP catches me and asks me, why have you allowed this, then what shall I do? We have to protect the interests of the company.

SHRI BHOGENDRA JHA: Giving shelter itself is not an offence.

SHRI R. PRABHU: I have not given any shelter. If one act by the Department in a case is found to be wrong, that does not mean that we have given a shelter. Shelter means, a man sheltering a particular man to do something.

MR. CHAIRMAN: If you give protection to an honest officer or whom you believed to be honest, that is not wrong.

SHRI R. PRABHU: That is not a blanket protection.

MR. CHAIRMAN: Supposing you knew that a particular officer was good, then what will you do?

SHRI R. PRABHU: We know nothing. We are only saying that you look at it and get the final figures and then take action after giving him an opportunity to answer the charges made against him. Do not take hasty decision. We did not go into the merits of the case.

SHRI BHOGENDRA JHA: It was done because he was wrongly suspended. You said he was suspended because of overpayment.

SHRI R. PRABHU: We didn't give any shelter. I object to the word 'shelter'. That was not a shelter. One single act does not mean that we have given a shelter.

SHRI BHOGENDRA JHA: In your statement, you have said that this action was taken by the Department of Fertilizers and was endorsed by you only in your capacity as a Minister of State. This was not an action taken by you in your personal capacity to protect any officer. As a Minister, if you do not know the facts and do something, then you are not fit to be a Minister. This is what you said. But here, you said that you endorsed and signed it only because the Department had forwarded it.

SHRI R. PRABHU: The Department put up a note to me. I was convinced that that was a hasty decision because the Department did not go into the merits of the case by saying that the man was honest or dishonest. They saw only the Internal Audit Report and the Interim Internal Audit Report.

You see, the Final Audit Report did not say anything about this particular officer. They only said that there was an overpayment and that had to be adjusted. What we have said in the file was "do not take any hasty decision: "Please do it after seeing everything". This was what was in the file. I read it completely. I read and signed it, and not put a rubber stamp.

SHRI BHOGENDRA JHA: Within a week of the order of suspension, it was revoked by the Department and by you, in the normal course, as a Minister. Naturally, in any other capacity you would not have done it. But you sincerely agreed with the decision of the Department in undoing the decision of the Board. Even now it is your belief.

SHRI R. PRABHU: There are hundred of files. We do not know what is exactly in every file. If I signed a particular file, I take full responsibility for it.

SHRI BHOGENDRA JHA: In this particular case, you even now agree that the Department acted correctly, and the Board acted hurriedly.

SHRI R. PRABHU: Our view was justified, because the final Audit report came, which has been accepted by the Board and the Department, that there was no over-payment.

SHRI BHOGENDRA JHA: At that time also, was there no over-payment? In the particular period when the Board took the decision whether on the basis of the basis of internal audit or otherwise, was there over-payment, or not?

SHRI R. PRABHU: Interim internal audit reports never come to the Board. They are not put up to the Board. They are only supposed to be looked at by officers at a lower level, so that they can adjust their work accordingly. I do not know why it came to me. The interim internal audit report was the basis for this suspension.

SHRI BHOGENDRA JHA: This was another irregular thing, viz. that the interim internal audit report went to the Board, and the Board decided on its basis.

SHRI R. PRABHU: Yes.

SHRI BHOGENDRA JHA: There was an Acting Executive Director. Was that over-payment made during his acting period, or during the time of the previous officer?

SHRI R. PRABHU: This Executive Director was in charge of the Aonla project. He was the over-all in-charge. This over-payment was in that particular project when he was the Executive Director in charge of that project. Ultimately, the Managing Director is the overall in-charge. During his tenure it happened. It was not during the time of the Acting Managing Director. Here, he was acting as Managing Director, because the latter was on a long leave.

SHRI BHOGENDRA JHA: You said you did not mind its publication in the newspapers. Even after a Member of the Lok Sabha has depended upon the newspaper publications, did you not find it necessary or reasonable to file a suit against any of the newspapers which are being depended upon by that Member?

SHRI R. PRABHU: I did not say I do not mind; I only said that I am not bothered about newspaper reports; otherwise, we will go on going to the courts. These cases take a long time. So, I did not think it proper at that time to file a case.

SHRI BHOGENDRA JHA: After this Member has depended, on newspaper reports in the main, at that time and even now you do not find it necessary to go to the court.

SHRI R. PRABHU: They are small people. Newspapers cannot be cited as evidence, whereas what the Members of Parliament say can be quoted as evidence.

SHRI AJIT KUMAR PANJA: In this annexure there is a letter dated 18th April, 1990. There is another letter dated 17th April, 1990. Are the statements contained therein true and correct?

SHRI R. PRABHU: Yes.

SHRI AJIT KUMAR PANJA: There is a letter dated 14th May, 1990, in annexure 4. Is the statement contained therein true and correct?

SHRI R. PRABHU: Yes.

SHRI AJIT KUMAR PANJA: There is a letter dated 6th July, 1990. You have also given a detailed statement along with that letter addressed to the hon. Speaker. Are these statements contained therein true and correct?

SHRI R. PRABHU: Yes.

SHRI AJIT KUMAR PANJA: When did the final Audit Report come?

SHRI R. PRABHU: I am not sure when it came. I cannot give the approximate date. I know it has come and it has been accepted by the Department.

MR. CHAIRMAN: Did it come when you were the Minister?

SHRI R. PRABHU: After that.

SHRI AJIT KUMAR PANJA: Where is that Report?

SHRI R. PRABHU: It should be with the Department of Fertilisers.

SHRI AJIT KUMAR PANJA: You told the Committee that there was nothing wrong according to the Audit Report. But some irregularity of over-payment was found in the internal audit report. How did you come to know about it?

SHRI R. PRABHU: Some officer came and told me that the final report had come and there was nothing.

MD, Shri Avadani, was dismissed as soon as the new government came to power. There was no reason for his dismissal. He was one of the finest officers. So, he came to see me. At that time, he told me that the final Audit Report had come. I have not seen that Report.

SHRI AJIT KUMAR PANJA: Since how long do you know the Executive Director who was suspended?

SHRI R. PRABHU: I had seen him two or three times.

SHRI AJIT KUMAR PANJA: Did you know him before you came to the Ministry?

SHRI R. PRABHU: No, I have no personal knowledge about him.

SHRI AJIT KUMAR PANJA: What was the occasion when you saw him?

SHRI R. PRABHU: Once he came in connection with Aonla Project. I had no personal rapport with him.

SHRI AJIT KUMAR PANJA: Is it your case that whenever you met this gentleman, the Executive Director, Shri Shoree, you met him in the course of your work as a Minister?

SHRI R. PRABHU: Only during my official duties. I never met anybody at my residence because my residence is very small.

SHRI AJIT KUMAR PANJA: In this English translation which you have been given, do you find those allegations which were made by the hon. Member Mr. Rajveer Singh?

SHRI R. PRABHU: No, I have not seen. I have not gone through any Hindi newspaper. But this language has not been used.

SHRI AJIT KUMAR PANJA: How long do you know Mr. Rajveer Singh?

SHRI R. PRABHU: I do not know him even now. I may know him only by sight. Even when he was making those allegations I was caught unawares. I saw him only then.

SHRI MANDHATA SINGH: We will be obliged if you kindly tell us the designations of the five members who are supposed to represent the Government on the Board of Directors. You have mentioned two; you may mention the other three also.

SHRI R. PRABHU: Do you want the names?

SHRI MANDHATA SINGH: Names will be better.

SHRI R. PRABHU: There were three from the Department of Agriculture and two from the Department of Fertilizers. From the Department of Fertilizers, Shri Bhowmick, Joint Secretary and Shri Anand another Joint Secretary were there. Shri Srivastav, Director was also there. From the Department of Agriculture three officers were there. I do not remember their names.

SHRI MANDHATA SINGH: The report that was given to you about the so-called hasty suspension, was it given to you by your Joint Secretary and the Director?

SHRI R. PRABHU: That was put up to the Secretary and shown to me.

SHRI MANDHATA SINGH: Do they make any mention about the order or anything?

SHRI R. PRABHU: I do not remember all those things.

SHRI MANDHATA SINGH: You have been a Minister and you are an hon. Member. Do you regard suspension as a punishment?

SHRI R. PRABHU: If a man has done something wrong, he should be suspended. But you should give him an opportunity to be heard and after going through the normal procedure it has to be done.

SHRI MANDHATA SINGH: I am told that suspension and transfer are not punishments. That is an interim action pending enquiry. I want to know your personal opinion and your experience as a Minister, whether suspension is a part of punishment.

SHRI R. PRABHU: Transfer and suspension are two different things. If a lower down official has done something wrong you can suspend him. But you cannot suspend the Chief Executive of a public company. There will not be anybody to look after the company.

SHRI MANDHATA SINGH: But an order was passed.

SHRI R. PRABHU: The Board of Directors passed a resolution.

SHRI MANDHATA SINGH: Who revoked it?

SHRI R. PRABHU: Nobody revoked it. The Department of Fertilizers advised the Company not to give effect to that Resolution.

SHRI MANDHATA SINGH: Do you think that it is not an order?

SHRI R. PRABHU: It cannot be an order, I think.

There is some Multi-State Cooperatives Act. There are one or two sections which I remember were shown to me. That power is in the Act. The Government guarantees the loans which were given to the company by the financial institutions and banks. The Government has a right to give directions from time to time to the company.

MR. CHAIRMAN: Is it in the guarantee agreement?

SHRI R. PRABHU: Yes.

SHRI MANDHATA SINGH: Who is the appointing authority?

SHRI R. PRABHU: The Board of Directors is the appointing authority and it comes to the Government for ratification. The Managing Director of the company is appointed by the Appointments Committee.

SHRI MANDHATA SINGH: Is it a body which is competent only to appoint a person but considered incompetent to suspend that person?

SHRI R. PRABHU: Probably they have the competence to suspend.

SHRI MANDHATA SINGH: Is there any appeal to the Government against that suspension? I want to know how the revocation order came about.

SHRI R. PRABHU: It was on an appeal.

SHRI MANDHATA SINGH: As said by Mr. Gangwar, there was only 24 hours gap between the suspension order and the revocation order.

SHRI R. PRABHU: I do not think it was 24 hours. Somebody said that it was one week. I do not remember it. I come across hundreds of cases.

MR. CHAIRMAN: That is possible. One cannot remember these things.

SHRI MANDHATA SINGH: You have said a lot about the interim audit report. Probably they have an inbuilt mechanism (checks and balances). What about the final audit report? Is that the inbuilt system which gives the final audit report or is it the Government or the Ministry or some other bosses who conduct the final audit and give a complete clearance? Are the agencies same or different?

SHRI R. PRABHU: It is the same agency. There are two audits in this on-going project. They have an internal audit to see whether everything is going without any cost overruns. This internal audit report is being done mostly by all the progressive companies, especially Government companies, which implement very big projects. I understand that the final audit report also came. The same set of audit was involved in both these reports.

SHRI MANDHATA SINGH: What do you mean by 'on-going project'? Is it still 'on-going project'?

SHRI R. PRABHU: No. This project has been completed.

SHRI MANDHATA SINGH: You have said that you saw that man when you attended the inaugural function.

SHRI R. PRABHU: Inauguration of this project took place in parts. It is a very huge project. It is ammonia, urea giant fertiliser company. Inauguration took place in various departments. Ammonia plant was first inaugurated. Then, urea plant, gas plant, and power plant have been inaugurated. I had gone for one of these inaugurations. Finally, former Prime Minister Shri Rajiv Gandhi came to inaugurate this plant and dedicated to the nation, may be in July '89.

SHRI MANDHATA SINGH: So, it is no longer 'on-going' project.

SHRI R. PRABHU: It is a completed project. The *Economic Times* of today or yesterday says that this project is one of the finest projects implemented. I would like to tell you that it has bagged the best project award for implementation from the Programme Implementation Ministry also. Incidentally I may mention that it is running to the highest efficiency and internationally also it is one of the highest efficient plants.

SHRI MANDHATA SINGH: Do you feel that when so much of hue and cry was raised in the newspapers, Ministry in New Delhi never cared to order another enquiry or high level audit team to be sent there to find out the real facts?

SHRI R. PRABHU: I am sorry, I do not agree that hue and cry was made in the newspapers. Only a small newspaper, *Antar Ujala*, published this. And we knew that nothing was wrong in the company.

SHRI MANDHATA SINGH: You said that your prestige was hurt because many newspapers published it. Therefore, I was worried that you were taking so much cognisance of newspaper reports. Therefore, as Minister also, I think, one should be cautious enough to take cognisance of the units working under that Ministry if they hit headlines even in a newspaper called Amar Ujala. Amar Ujala must be published from many towns in UP. Merely going by the fact that you are cautious enough about your own reputation being hurt by the publication of the proceedings then you should have been equally hurt by adverse reporting by Amar Ujala and other papers regarding bungling and scandals in the Aonla project.

SHRI R. PRABHU: The Department also gave direction at that time to expedite the internal audit report and come to a final conclusion and if anybody is found guilty, take action against him after following the due process of law. I have seen the English translation of the news item. I was fully convinced that these were only biased reports given by certain individuals which were against the Government and the company. The Department knew that no big fraud like what they said in newspapers had been committed; otherwise we would have definitely taken some action. Mr. Devi Lal said that this matter was referred to the CBI. I do not know which matter he was talking about. The whole thing is confused. When we were Ministers, we took proper decisions and everything was above board there.

श्री संतोष कुमार गंगवार : जितने दिन आप मंत्री रहे, आपको इफको के आंवला प्रोजेक्ट के संबंध में अनियमितताओं की कुछ शिकायतें मिली थी ?

SHRI R. PRABHU: I had got no official complaint of any irregularity from the Department, because we do not give credence to reports which appear in the newspapers which are engineered.

SHRI SANTOSH KUMAR GANGWAR : For your information his suspension took place on 7th February and on 9th February he was re-instated.

SHRI R. PRABHU: I do not know about it.

श्री संतोष कुमार गंगवार : हिन्दुस्तान टाइम्स हिन्दुस्तान का अच्छा पेपर है। उसमें छपा है, वह पढ़कर सुनाता हूँ : "नई दिल्ली, 25 सितम्बर। श्री आर. प्रभु उबरकर राज्य मंत्री पिछले एक महीने से जअपने कार्यालय नहीं गये हैं और न ही उन्होंने अपना वेतन लिया है। कृषि मंत्री श्री भजन लाल ने कुछ दिनों पहले श्री आर. प्रभु से उबरकर विभाग वापस ले लिया था। उस समय से न तो श्री भजन लाल ने, जो कृषि विभाग के प्रभारी हैं, उन्हें कोई काम दिया है और न ही प्रधान मंत्री

ने श्री प्रभु को अन्य मंत्रालय में स्थानान्तरित किया है। ऐसा समझा जाता है कि प्रधान मंत्री से मिलने की श्री प्रभु को कोशिश बेकार बित हो गई है।" क्या इस सबबारे में यह समाचार निकलने से आपकी प्रतिष्ठा में कोई कमी आई है

SHRI R. PRABHU: Sir, definitely my prestige was hurt. But, there was only a newspaper report. There were only some statements which according to the Court were anonymous statements. They are not statement of facts. Something must have been left unsaid, which is very important in this particular case. Shri Rajveer Singh, MP, had made some wild allegations against me and against my senior colleague and alleged that two senior Ministers of the previous Government i.e. Minister of Agriculture and the Minister of State in the Ministry of Agriculture were involved in this racket and that there was disagreement between them over it. The hon. Member referred to me that I, being the former Minister of State in the Ministry of Agriculture, was sheltering the whole racket. Employees and officers resorted to large-scale racketing which I was sheltering and that there were so many irregularities.

MR. CHAIRMAN: He has drawn your attention to a particular publication. If you wish to react to that you can do so.

SHRI R. PRABHU: I will clarify this. Other newspaper reports had not affected my prestige. Only this particular newspaper report—Amar Ujala—had affected my prestige. The ordinary newspaper reports do not constitute evidence. But, what the hon. Member had said on the floor of the House, it is the evidence.

MR. CHAIRMAN: You said that it was important because it was said in Parliament.

SHRI R. PRABHU: It may be considered as evidence against me. The hon. Member has alleged that there are newspapers reports saying that Mr. Bhajan Lal and myself were involved in this. As you know, in the Ministry, the work allocation is done between the Cabinet Minister and the Minister of State. Before August 17, 1989, the work allocation was such that I was the in-charge of the Department of Fertilizers. All Policy matters used to come to me. On August 17, 1989, Mr. Bhajan Lal issued a circular that all the matters should be sent to him. But, later on Mr. Bhajan Lal said that all the things were not being sent to him after I had seen them.

श्री संतोष कुमार गंगवार : आपने कहा कि आपको कांस्टीट्यूटों के समाचार पत्रों में समाचार छानने से आपको प्रतिष्ठा की काफी कम किया है, अखबार की रेलेंसी कितनी है, वह अलग बात है लेकिन यह सही है कि समाचार पत्र की बात का कुछ असर पड़ता है और राजवार् सिंह जी को सदन की गरिमा के नाते बातों को सच समझकर कहना चाहिए था ।

SHRI BHOGENDRA JHA: This is from the Minutes of the IFFCO Board. On page 9 it is stated that the amount recoverable from M/S ETO is Rs. 53.68 lakhs. And then on page 10 it is stated that the amount payable to ETO is Rs. 68.50 lakhs. And then it was concluded that it was confirmed that either party will not have any claims hereafter and the above are in full and final settlement. Could you enlighten us as to what the Board has decided, whether this is the claim of IFFCO against M/S ETO.

SHRI R. PRABHU: I won't be able to tell you because this is an internal matter.

MR. CHAIRMAN: May I seek some information? If you know about it personally, say 'yes'. Otherwise you need not reply.

Mr. Rajveer Singh referred to a newspaper report against Mr. Sahore making allegations against that gentleman. Do you know whether he has initiated any legal proceedings? You need not know, but if you know, please tell me.

SHRI R. PRABHU: I do not know, Sir. The court proceeding is there about the suspicion. Other things I do not know.

MR. CHAIRMAN: Thank you very much. Please give the references which you have quoted.

SHRI R. PRABHU: Please see the para stating 'Newspaper reports can be taken in support of it, but not independently' (Samant Vs. Fernandes—A 1969 SC 1201). Also please see the para 'The statement of a fact in a newspaper is merely a heresay and is in admissible in the absence of the maker of the statement deposing to have perceived the fact.' (Nageswara Rao Vs. S.—A. 1959 SC 1376). May be there are other decisions also, but I do not know them.

SHRI MANDHATA SINGH: I have come across the proceedings of the House on that day and in the proceedings I have come across a sentence. You are reacting to a question of Mr. Rajveer Singh. You have said:

"Mr. Speaker, Sir, one of the hon. Members has made some wild allegations against me and my senior colleague, Mr.

Bhajan Lal. I would like to say that I am willing to face any inquiry by any organisation of the Government or any forum if it so desires.....”

The Aonla project of IFFCO has been completed without any cost over-run. There have been some allegations of irregularities. Your specific question to the then Deputy Prime Minister was, why has the Managing Director been dismissed? Is it because the Government wants to hush up whatever enquiry which is going on in IFFCO? So, that is a pertinent sentence. You have said on the floor of the House that you were in the seat of certain allegations of irregularities and you questioned the wisdom of the then Deputy Prime Minister in dismissing the Managing Director and by implication you said that probably the Government wants to hush up whatever enquiry which is going on in IFFCO. Do you remember anything about as to what enquiry was ordered into the affairs of IFFCO which you alleged the then Deputy Prime Minister was trying to hush up?

SHRI R. PRABHU: If you go back to the then Deputy Prime Minister's answer to the question he said that the enquiry has been initiated by IFFCO in respect of irregularities involved in the execution of Aonla project. The enquiry has been initiated by IFFCO means by its Managing Director. But, I know nothing about the enquiry. This is what he had said. I was asking him a question when I was allowed to ask a supplementary. I asked like this. Why are you dismissing the Managing Director when the enquiry is going on? But, he had not replied to that question.

MR. CHAIRMAN: In the context of the answer of the Deputy Prime Minister, you had asked this question, Is it not?

SHRI R. PRABHU: Yes; it is only a reaction to the answer of the Deputy Prime Minister.

MR. CHAIRMAN: Is it a fact that you, personally, are not aware of any enquiry?

SHRI R. PRABHU: Yes.

MR. CHAIRMAN: Thank you very much Mr. Prabhu. You can go now.

(The witness then withdrew)

Tuesday, 29 January, 1991

PRESENT

Shri Somnath Chatterjee—*Chairman*

MEMBERS

2. Shri A. R. Antulay
3. Shri Arif Baig
4. Shri Santosh Kumar Gangwar
5. Shri R. Gundu Rao
6. Shri Mandhata Singh
7. Shri R.L.P. Verma

SECRETARIAT

Shri C. K. Jain—Additional Secretary

Shri T. S. Ahluwalia—Director

Shri K. M. Kamboj—Under Secretary

WITNESS

Shri Rajveer Singh, MP.

The Committee met at 12.00 hours and again on 16.00 hours.

Evidence of Shri Rajveer Singh, MP

MR. CHAIRMAN: Shri Rajveer Singh, you have been asked to appear before this Committee to give your evidence in connection with the question of privilege regarding allegations made by you against Shri R. Prabhu, MP, on 12th April, 1990, during supplementary questions to Starred Question No. 439 regarding 'inquiry into affairs of IFFCO Project'.

I may inform you that under rule 275 of the Rules of Procedure and Conduct of Business in Lok Sabha, the evidence that you may give before the Committee is to be treated by you as confidential till the Report of the Committee and its proceedings are presented to the Speaker, Lok Sabha. Any premature disclosure or publication of the proceedings of the Committee would constitute a breach of privilege and contempt of the House. The evidence which you will give before the Committee may be reported to the House.

Now you may please take oath or make affirmation as you like.

Shri Rajveer Singh, MP, made affirmation.

MR. CHAIRMAN: On 12th April 1990, the Deputy Prime Minister and the Minister of Agriculture, Shri Devi Lal gave a reply to Starred Question No. 439 regarding an enquiry into the affairs of IFFCO Project, in which he said:

“Enquiry has been initiated by IFFCO in respect of the irregularities in the payments involved in the execution of the Aonla Project. It will take some time before the enquiry is completed. The matter has also been referred to the Central Bureau of Investigation:

You put a Supplementary question. Let me quote the English translation of your question:

“... I would like to know whether two senior ministers of the previous Government i.e. the Minister of Agriculture and the Minister of State in the Ministry of Agriculture were involved in this racket and whether there was disagreement between them over it. Sir, I have got information and some proof in this regard. Shri R. Prabhu, the former Minister of the State in the Ministry of Agriculture was sheltering the whole racket. Employees and officers resorted to large scale racketeering under his shelter. May I know whether all this is in the knowledge of the hon. Minister and whether the report of CBI will cover them also? Mr. Speaker Sir, I want to ask the hon. Minister through you that it is an important issue and the report of Internal Audit has been received in this regard. The hon. Minister may please tell us what action has been taken on the basis of the report of the Internal Audit.”

श्री राजवीर सिंह : मेरा यह प्रश्न ठीक है, मैंने यह प्रश्न पूछा था ।

MR. CHAIRMAN: Mr. Prabhu had made certain comments on that. He said that he was willing to face an enquiry into the matter. Then, Shri Prabhu gave notices of question of privilege as also some other hon. Members. He had also submitted us a statement which was given to you and you had given a reply on the 4th May in which you had referred to eleven documents

which, were mostly Newspaper Reports and two Minutes of IFFCO's Meeting and one was an Audit Report.

With regard to this, do you wish to say anything more?

श्री राजवीर सिंह : मेरा इतना ही कहना है कि मैंने जो प्रश्न पूछा था, क्योंकि इफको फैंक्ट्री मेरे क्षेत्र में ही बनी है। इसके प्रारम्भ से लेकर आखिर तक मैं उसमें रहा। जो चर्चाएँ चलती हैं, अन्दर से जो बातें पता भी लगी हैं, वह मैंने अपने सप्ली-मेंट्री सवाल में दुबारा पूछी थी। उसमें मैंने जो पूछा था वह यह है "अध्यक्ष महोदय, सी. बी. आई. जो जांच करेगी तो वह केवल उन कर्मचारियों की करेगी, मगर मैं इसके पीछे एक बात पूछना चाहता हूँ कि सारे घोटाले में पूर्व सरकार के दो वरिष्ठ मंत्रियों का हाथ था, कृषि मंत्री और कृषि राज्य मंत्री का आपस में झगड़ा था। अध्यक्ष महोदय मुझे जानकारी है और मेरे पास उसके सबूत भी हैं। उसके बाद मैंने कहा है कि इस सारे घोटाले में हमारे भूतपूर्व कृषि राज्य मंत्री श्री आर. प्रभु का शेल्टर मिला हुआ था। मेरी जानकारी में यह है कि भूतपूर्व कृषि मंत्री और कृषि राज्य मंत्री का आपस में झगड़ा था, वह हमें भी दिख रहा था और लोगों को भी दिख रहा था। आप कृषि मंत्रालय की उन दिनों की फाइल मंगवाकर देख लेंगे तो उस समय के कृषि राज्य मंत्री के सारे अधिकार विद्वंडा कर लिए गए थे और वह इसी कारण से हुए थे। यदि चेयरमैन साहब फाइल मंगवाकर देख लें तो मेरी बात का तथ्य आपको पता लग जाएगा।

MR. CHAIRMAN: That was about the disagreement between the Minister of Agriculture and the Minister of State for Agriculture. You say there was a disagreement between them.

SHRI RAJVEER SINGH: Yes.

MR. CHAIRMAN: The powers of the Minister of State had been withdrawn which you say will be seen from the records of IFFCO. You had also mentioned that there is a racket and that the Minister of State was sheltering the whole racket.

इस सारे घोटाले पर भूतपूर्व कृषि राज्य मंत्री श्री आर. प्रभु का शेल्टर मिला हुआ था।

How do you assess that?

श्री राजवीर सिंह : मैं इसलिए कहता हूँ कि वहाँ के जो ऐक्जीक्यूटिव डायरेक्टर थे उनको 7 तारीख को सस्पेंड किया गया और बिना जांच के 9 तारीख को बहाल भी किया गया।

सभापति महोदय : कौन से महीने की 7 तारीख है, बताइए ?

श्री राजवीर सिंह : 7 फरवरी 1989 को निलंबित कर दिया गया था।

सभापति महोदय : उनका नाम क्या है ?

श्री राजबीर सिंह : श्री एस. आर. सहोरा। ये कार्यकारी निदेशक थे। इनको 7 फरवरी को निलंबित किया गया और उसके बाद 9 फरवरी को तुरन्त बहाल भी कर दिया गया। मेरा उसमें यह कहना था कि आखिर वे इतनी बड़ी शक्तिशाली तो थे नहीं कि बिना जांच के बहाल कर दिया गया। उन पर चार्ज लगे थे, बोर्ड की मीटिंग में वे सस्पेंड हुए थे, बिना सरकारी हस्तक्षेप के तो बहाल नहीं हो सकते थे। मैं एक प्रश्न और रखना चाहता हूँ। मैंने पूरक प्रश्न पूछा था। श्री आर. प्रभु ने तुरन्त सदन में उसी समय खड़े होकर उसका प्रतिवाद भी कर दिया और अध्यक्ष महोदय ने कहा कि मैं इसको देख लूंगा। उस वर यह विशेषाधिकार का सवाल कैसे उठा? अध्यक्ष महोदय ने भी देखा और कहा कि आपत्तिजनक होगा तो निकाल देंगे। मेरे पास पूरी डिबेट है, आप देख लें।

MR. CHAIRMAN: We shall consider that. But do you wish to say anything more about this, i.e. the objection that had been taken by Mr. Prabhu and which had been brought to your notice?

श्री राजबीर सिंह : इसके बारे में मैं कहना चाहता हूँ कि एक तो सी. बी. आई. की जो जांच हो रही है उसकी रिपोर्ट आ जाने दीजिए। सी. बी. आई. के जो डायरेक्टर जांच कर रहे हैं उनको आप बुला लीजिए। दूसरे, फाइल मंगवा लीजिए, उससे सारी बातें स्पष्ट हो जाएंगी। सरकार की फाइल है, मिनिस्ट्री में है, आप ही मंगवा सकते हैं, मैं तो देख नहीं सकता हूँ, मंगवा नहीं सकता हूँ।

MR. CHAIRMAN: On the basis of what material did you make that charge in your supplementary question?

श्री राजबीर सिंह : मुझे किसी सीनियर मित्र ने जो इस सारे उसमें थे, कहा था कि— आपस में झगड़ा था। यदि आप फाइल मंगवा लें तो इससे पूरी जानकारी मिल जाएगी। मैं उसी फाइल के बारे में कह रहा हूँ, उसकी आप मंगवा लें, देख लें। दूसरी बात यह है कि मुझे जो जवाब आया था, समाचार पत्रों में उस समय सारा छपा था, मैं समाचार पत्रों को ज्यादा आधार नहीं बनाना चाहता हूँ मगर माननीय मंत्री जी ने मुझे जो जवाब दिया उसमें लिखा है कि समाचार पत्रों के कारण से गड़बड़ी हुई है, मैं इसको नहीं करता। मेरा कहना यह है कि समाचार पत्रों में पिछले दो वर्षों से छप रहा था, उनकी पूरी कटिंग मैंने दी है। उनके खिलाफ उन्हें कोई मुकदमा नहीं किया, कोई नोटिस नहीं दिया और कोई कार्यवाही नहीं की गई। जहाँ तक प्रोसीजर का सवाल है, मैं तो नया मेम्बर चुनकर आया था, मुझे प्रोसीजर की जानकारी तो धीरे-धीरे होगी मगर जो सवाल पूछा है उसके पीछे कोई दुर्भावना नहीं है क्योंकि मैं जिस क्षेत्र से चुनकर आया हूँ वहाँ का बच्चा-बच्चा जानता है, वहाँ पर रोज इस बात की चर्चा होती है, वहाँ पर मंत्री जी एक बार गए थे। उस समय जो खर्चा उनके स्वागत-सत्कार में हुआ उनके बारे में वहाँ के हर कर्मचारी और अधिकारी फूस-फूस कर बातें करते हैं।

सभापति महोदय : What was the racket you mentioned?

घोटाला क्या हुआ

श्री राजबीर सिंह : एक सेंट्रल परचेज कमेटी बनी थी। इसके पहले जो बोरियॉ खरीदी जाती थीं उनको सीधे तौर पर फ्रैंकटी खरीदती थी और फ्रंटिना इजर फ्रॉट

उसे खरीदता था। उस समय लगभग 6 रुपये के आसपास में बोरी की खरीद होती थी। लेकिन जब सेंट्रल परचेज कमेटी बनी तो उसने साढ़े 9 रुपये में प्रति बोरी खरीदी इस तरीके से इफ़को को लगभग 15 करोड़ के आसपास का अधिक भुगतान करना पड़ा और फ़ैक्ट्री ने कितना किया होगा यह मैं नहीं बता सकता। दूसरा वहाँ के कर्मचारी थे, स्टाफ़ था, अफ़सर थे, उन्होंने निर्माण कार्य में भी किया। सामान दुलाई में भी यही सब कुछ हुआ। इसके बारे में मैंने कुछ कागज़ आपको दिखाये हैं। कृपया आप उन्हें देख लें और उनकी जांच करा लें तो बिल्कुल दूध का दूध और पानी का पानी पता चल जायेगा।

MR. CHAIRMAN: Do you wish to refer to any document particularly apart from what you have mentioned or the copies which you have given?

श्री राजवीर सिंह : वह फ़ाइल कृषि मंत्रालय से मंगा ली जाये और उसका अध्ययन कर लिया जाये।

MR. CHAIRMAN: You have referred to news reports Amar Ujala Bareilly, Indian Express, The Hindustan Times, The Statesman, Economic Times and also some minutes of the IFFCO meetings. Do you wish to draw our attention to any particular portion of these documents or to the Audit Report or any particular portion of that Audit Report?

श्री राजवीर सिंह : यह बहुत बड़ा देश के साथ छोटा हुआ है। किसने किया और कैसे हुआ, इन सबकी जानकारी आप करें तो आपको बहुत सारे तथ्य पता लग जायेंगे।

MR. CHAIRMAN: Now the honourable Deputy Prime Minister in his reply mentioned about the inquiry by the CBI. Do you know about this? What has happened after this?

श्री राजवीर सिंह : मुझे उसके बारे में पता नहीं है। मैंने जब दुबारा पूछा तो कह गया कि जांच चल रही है।

MR. CHAIRMAN: Did you put the other question?

श्री राजवीर सिंह : जब मैंने पूछा कि इस पर आगे क्या कुछ हो रहा है तो कहा गया कि उसकी जांच हो रही है।

MR. CHAIRMAN: There are two parts of your question. One is about the disagreement between the Minister and the Minister of State. The other is about Mr. Prabhu's involvement in what you call some racket.

श्री राजबीर सिंह : मुझे पता नहीं था कि यह सवाल पूछा जायेगा वरना मैं देख कर आता । सी. बी. आई. इसकी जांच तो कर रही है । आप फ़ाइल मंगा कर देख लें । कुछ सबूत थे जिनके आधार पर कहा जा सकता था कि कृषि मंत्री और कृषि राज्य मंत्री के बीच में झगड़ा था । आप भी फ़ाइल मंगा कर देख लेंगे तो आपको झगड़े के बारे में पता चल जायेगा ।

MR. CHAIRMAN: You had mentioned that the Minister of State was sheltering the whole racket.

श्री राजबीर सिंह : मेरा कहना यह है कि उन्हें आर. प्रभु का शेल्टर मिला हुआ था । मैंने यह नहीं कहा कि वह घोटाले में शामिल थे ।

सभापति महोदय : आपने कहा है कि उन्हें आर. प्रभु का शेल्टर मिला हुआ था ।

Now you have also referred to the report of the Internal Audit.

श्री राजबीर सिंह : वह मैंने आपके पास जमा किया हुआ है ।

MR. CHAIRMAN: We shall certainly look into that. Do you wish to add anything before the other hon. Members put their questions to you?

श्री राजबीर सिंह : मुझे इतना ही कहना था ।

MR. CHAIRMAN: Do you wish to suggestion anyother witness to be called?

श्री राजबीर सिंह : मेरा सुझाव तो यह है कि इसमें दो ही बड़े साक्षी हो सकते हैं । उस समय के समाचार पत्रों में भी छपा था और वैसे भी लोगों ने यह बताया था कि उस समय कृषि राज्य मंत्री जी के अधिकार छीन लिये गये थे । उस समय के कृषि मंत्री या तत्कालीन प्रधान मंत्री यही दो गवाह उसके हो सकते हैं ।

MR. CHAIRMAN: You do not wish to call anybody.

श्री राजबीर सिंह : मैं चाहूंगा कि उन दोनों को बुलाकर पूछा जाये ।

SHRI R. GUNDU RAO: Who was the Chairman then in IFFCO? Was there any difference of opinion between the Chairman and the State Minister Mr. Prabhu?

श्री राजबीर सिंह : उनके बीच में क्या सहमति हुई थी इसकी मुझे कोई जानकारी नहीं थी ।

श्री आर० गुंडु राव : चेयरमैन को शिकायत किया था ।

श्री राजवीर सिंह : मुझे कोई शिकायत की कापी नहीं मिली है ।

श्री आर० गुंडू राव : श्री आर. प्रभू के समय में चेयरमैन को बूला कर कुछ इस बारे में कहा गया ।

श्री राजवीर सिंह : मेरी जानकारी में नहीं है ।

SHRI MANDHATA SINGH: We have already recorded the statement of Mr. Prabhu. Now we are listening to the hon. Member Shri Rajveer Singh. Mr. Rajveer Singh relies upon the Audit Report, the talk of the town, the talk amongst the employees. I remember that I had put a straight question to Mr. Prabhu.....

MR. CHAIRMAN: We shall discuss it later. Mr. Rajveer Singh says that he has mainly relied on the newspaper reports. He says that we may call for other files, etc. We shall discuss it later.

श्री रीत लाल प्रसाद वर्मा : आपने बताया कि वृषि मंत्री और वृषि राज्य मंत्री के बीच में झगड़ा था । यह झगड़ा और घोटाला दोनों ही है । आप घोटाले के विषय में या झगड़े के विषय में ज्यादा जोर दे रहे हैं ।

श्री राजवीर सिंह : मैंने कहा है कि झगड़े का सबूत वह फाइल है और इसके बारे में अध्यक्ष जी से कहा कि वह उसे मंगा कर देख लें ।

श्री रीत लाल प्रसाद वर्मा : आपको उसमें ऐसी कौन सी बात नजर आई जिससे कि डिफरेंसिज मालूम हुए ।

श्री राजवीर सिंह : मुझे ऐसी कोई चीज मालूम नहीं हुई । आप उसमें रखा हुआ नोट देख लेंगे तो सब कुछ पता चल जायेगा ।

श्री रीत लाल प्रसाद वर्मा : यह घोटाले से संबंधित है ।

श्री राजवीर सिंह : जो घोटालेवाज लोग थे और जो अधिकारी घोटाले कर रहे थे उन्हें उनका शैल्टर मिला हुआ था । झगड़े इन चीजों से ही होते हैं ।

श्री रीत लाल प्रसाद वर्मा : 28 जनवरी 1990 को "अमर उजाला" ने 12-25 करोड़ रुपये के घोटाले को उजागर किया है । उसमें बताया गया कि बोरियों की खरीद और बिक्री में तीन रुपये का अन्तर है । पहले के रेट में और इस रेट में क्या भेदभाव हुआ था ?

श्री राजवीर सिंह : इसीलिए मेरा कहना है कि सी. बी. आई. की जांच रिपोर्ट को आने दीजिए, जो जांच मेरे प्रश्न के उत्तर पर ही सैट की गई है; उस जांच रिपोर्ट को आप मंगा लीजिए तो आपको उस घोटाले के बारे में पुरा पता लग जायेगा ।

श्री रीत लाल प्रसाद वर्मा : आपने बताया कि वहां के कर्मचारियों और अधिकारियों को राज्य मंत्री जी का शैल्टर था तो इससे आपका मंत्रव्य मैनेजिंग डायरेक्टर और एग्जीक्यूटिव डायरेक्टर से है ? उसमें कौन-कौन व्यक्ति इन्वाल्व हैं ?

श्री राजबीर सिंह : शैल्टर तो बड़े-बड़े लोगों को ही मिलता है ।

श्री रीत लाल प्रसाद वर्मा : उन लोगों को मंत्री जी का शैल्टर था, जैसे मैनेजिंग डायरेक्टर और एग्जीक्यूटिव डायरेक्टर को तो उनके खिलाफ बहुत सी न्युज छपती होगी ?

श्री राजबीर सिंह : छपती थीं ।

श्री रीत लाल प्रसाद वर्मा : और उन लोगों पर कोई कार्यवाही नहीं हुई थी ?

श्री राजबीर सिंह : मेरी जानकारी में नहीं हुई थी ।

श्री रीत लाल प्रसाद वर्मा : क्या कार्यवाही बोर्ड की मीटिंग में हुई कि इन लोगों को सस्पेंड किया जाय ? उस सस्पेंशन का आधार तो रहा होगा कि घपला हुआ है ?

श्री राजबीर सिंह : मगर 7 को एग्जीक्यूटिव डायरेक्टर का सस्पेंशन हुआ है और 9 तारीख को बहाली हुई है ।

श्री रीत लाल प्रसाद वर्मा : सस्पेंशन कैसे उठा, इसके बारे में आपको कोई जानकारी है ?

श्री राजबीर सिंह : यह तो फ़ाइलों से ही पता चलेगा । मैं इसलिए कहता हूँ कि उन फ़ाइलों को आप मंगाकर देखें ।

श्री रीत लाल प्रसाद वर्मा : इसमें हाउस में उप प्रधान मंत्री जी ने आपको आश्वासन दिया था कि सी. बी. आई. से इसकी जांच करा रहे हैं, वही इसे उजागर करेगी तो आप को कितने दिन का टाइम दिया गया था कि कब तक जांच करेगी और कब तक हाउस में उसकी रिपोर्ट पेश करेंगे ?

श्री राजबीर सिंह : वह समय निश्चित नहीं है । उन्होंने कहा था कि हम जांच करा रहे हैं । दरअसल हुआ यह कि एक दफ़ा में ही दोनों सवाल हो गये, तीसरा सवाल पूछने का मझे मौका मिलता तो मैं पूछता कि कब तक रिपोर्ट आ जायेगी लेकिन मौका ही नहीं मिल पाया ।

श्री रीत लाल प्रसाद वर्मा : यह जो दो दिन में ही सस्पेंशन खत्म कर दिया, जिसके बारे में श्री चित्त बसु ने भी कहा था तो इसमें मंत्री जी की तरफ़ से कोई एसी कार्यवाही की गई कि इसे वैकैट कर दिया जाय ?

श्री राजबीर सिंह : यह तो बहुत बाद की बात है । उन्होंने बाद में स्टेलिया है ।

श्री रीत लाल प्रसाद वर्मा : क्या आपको कोई जानकारी है कि संसद में इस तरह के घोटालों का या भ्रष्टाचारों का मामला उठता है तो उसमें मंत्री रहते हैं और

उस समय मामला उदत्त है जो आपको कोई कैसे मालूम है जिसमें विशेषाधिकार हनन का प्रश्न नहीं बना ?

श्री राजबीर सिंह : मुझे लगता है कि मेरे वाले मामले में विशेषाधिकार का प्रश्न बनना ही नहीं चाहिए था, उसमें मैंने कोई किसी की अवमानना नहीं की है। मेरी जानकारी में जो सवाल लाया गया, वह मैंने सीधे पूछ लिया अगर माननीय मंत्री जी ने, श्री आर० प्रभु ने तुरन्त खड़े होकर उसका प्रतिवाद किया था। अध्यक्ष जी ने भी कहा था कि प्रोसीडिंग्स को देखकर अगर कोई आपत्तिजनक बात है तो मैं उसे निकाल दूंगा। मैं आश्चर्यचकित हूँ कि कोई विशेषाधिकार हनन का सवाल क्यों लाया गया, क्योंकि, मेरा भी कोई विशेषाधिकार है।

श्री रीत लाल प्रसाद वर्मा : आपने सोच समझकर कि किसी की मानहानि हो या चरित्रहनन हो, ऐसा सोच कर नहीं कहा था ?

श्री राजबीर सिंह : मैं किसी के चरित्रहनन या मानहानि के लिए प्रश्न नहीं कर रहा था बल्कि मुझे जो जानकारी थी वह मैं मंत्री जी से कन्फर्म करना चाहता था, पुष्टना चाहता था।

श्री रीत लाल प्रसाद वर्मा : क्या आपके यहां जो परियोजना थी, उसको शुद्ध करने के विचार से आपने ऐसा कहा था।

श्री राजबीर सिंह : हां, यही था। मैं तो चाहता हूँ कि भ्रष्टाचार कहीं भी न हो।

श्री संतोष कुमार गंगवार : आपकी पूर्व राज्य मंत्री श्री आर० प्रभु से लोक सभा की सदस्यता से पहले तो कोई मुलाकात नहीं होगी।

श्री राजबीर सिंह : जी नहीं। मैंने तो उन्हें पहली बार देखा था और शायद अब मैं उन्हें पहचान भी नहीं पाऊंगा।

श्री संतोष कुमार गंगवार : आपकी शिकायत किसी व्यक्ति विशेष के, मंत्री के नाते होगी। 21 फरवरी, 1991 को अमर उजाला में बहुत ही स्पेसिफिक आरोपों के साथ श्री आर० प्रभु इसमें मंत्री के नाते लिप्त हैं और उनके बरदहस्त के कारण लोग उनसे जुड़े हुए हैं। चूंकि आप उस क्षेत्र से संबंधित हैं इसलिए आपकी जानकारी रही और आपने अपनी बात कही तो इस सम्बन्ध में आपने आरोप क्लैक्ट करने चहे तो किये या नहीं और आपकी करने की इच्छा रही ? यह आरोप पढ़ने के बाद लगता है कि गम्भीर अनियमितताएं इफकों के सम्बन्ध में रही थीं जो अमर उजाला में भी निकला था, जिसमें सीधे आरोप आर० प्रभु के सम्बन्ध में लगाये गये था तो उसके अलावा भी कोई जानकारी आप दे सकते हैं, अगर आपसे मांगी जायें, जो आपके पक्ष को रख सकें ?

श्री राजबीर सिंह : मैंने पहले भी कहा था, माननीय चेमरमन साहब के प्रश्न के उत्तर में भी कहा कि आप वृषि मंत्रालय का रिकार्ड देख लेंगे, फाइल मंगा लेंगे तो अमर उजाला में छपे आरोपों की सत्यता स्वतः प्रमाणित हो जायेगी और मेरे सवाल और मंत्री जी के उत्तर की सत्यता भी प्रमाणित हो जायेगी।

श्री आरिफ बेग : राजबीर सिंह जी, यह प्रश्न जो सभने लोक सभा में उठाया, इसमें आपका आशय किसी व्यक्ति विशेष को किसी प्रकार से बदनाम करने की तो कोई इच्छा नहीं थी ?

श्री राजबीर सिंह : मेरी किसी को बदनाम करने की कोई इच्छा नहीं थी ।

श्री आरिफ बेग : आपने जो प्रश्न किया, यह जनहित में किया था, चूंकि घोटाला हुआ है इसलिए उस घोटाले के अंदर वास्तविकता क्या है, यह आप लोक सभा के माध्यम से जनता को बताना चाहते थे ?

श्री राजबीर सिंह : मैं जनता को भी बताना चाहता था और लोक सभा के माध्यम से मंत्रिमंडल को और वरिष्ठ अधिकारियों का भी ध्यान आकर्षित करना चाहता था कि इस तरह के अप्रष्टाचार हो रहे हैं इसलिए इसकी जांच होनी चाहिए । मेरा दिल बहुत दुखी था कि भारत के करोड़ों लोगों के खून पसीने की कमाई कुछ लोग घोटाला करके फूक रहे थे, मेरे मन में यही दर्द था और उसी आधार पर मैंने सवाल पूछा था ।

श्री आरिफ बेग : श्री प्रभु से आपकी कोई दुश्मनी तो नहीं थी ?

श्री राजबीर सिंह : दुश्मनी तो तब होती है जब परिचय होता है । मेरा परिचय ही नहीं था तो दुश्मनी कहा से होती ।

MR. CHAIRMAN: It appears that you felt that as a Member of Parliament, you should get some information. But you had no personal knowledge of the matters. Your supplementary question was based on newspaper reports, and other information which you have mentioned. Now that another hon. Member of this House has taken exception to it, what is your reaction?

श्री राजबीर सिंह : मेरी प्रतिक्रिया तो इसमें केवल इतनी थी कि मेरे पास जो जानकारी आई थी, मेरी कांस्टीट्यूंसी में यह फंक्टरी है इसलिए वहां के जो चर्चे और घोटाले मुझे पता लगते रहे और चूंकि उसके बाद मैं पार्लियामेंट में चुनकर आ गया था, मंत्री बनने से पहले भी यह मेरी जानकारी में था इसलिए मैंने आते ही यह सवाल लगाया था कि असलियत क्या है, वह मुझे पार्लियामेंट में पता लग जायेगी । मैंने लोक सभा में सवाल उठाया, उसके बाद उसमें कार्यवाही हुई, सी. बी. आई. की जांच शुरू हुई और मेरी जानकारी में आया है कि सी. पी. सी., सेंट्रल परचेज कमेटी के चेयरमैन को सस्पेंड कर दिया गया है, सी. बी. आई. ने उनको अरेस्ट किया ।

MR. CHAIRMAN: What is his name?

श्री राजबीर सिंह : श्री चौहान, जो "हुमको" के श्री एम. डी. या चेयरमैन थे और सेंट्रल परचेज कमेटी के चेयरमैन थे ।

MR. CHAIRMAN: You said you have no enmity with Mr. Prabhu; you are not against him. You wanted to know the reaction of the Government on the information which had come

to you. Since Mr. Prabhu has denied that, have you got anything further to say on this?

श्री राजवीर सिंह : मेरा कहना यह है कि मेरे ऊपर तो यह विशेषाधिकार का मामला बनना नहीं चाहिए था, क्योंकि श्री प्रभु ने तुरन्त अपनी बात को सदन में रख दिया था। मैंने जो सुना बाद में और पढ़ा, पिछले विशेषाधिकार के मामले भी देखे, लोगों से जानकारी की तो पता लगा कि विशेषाधिकार का मामला नहीं बनता है, क्योंकि आरोप का तुरन्त प्रत्युत्तर मिल गया, फिर यह कैसे हो गया, वह मैं नहीं समझ पाया। मैं कोई पार्लियमेंटरी जानकारी लेकर तो सदन में नहीं आया था, घीरे-घीरे आप लोगों के पास बैठकर सीख रहा हूँ।

Mr. CHAIRMAN: Any further question. No Thank you very much.

(The witness then withdrew.)

The Committee then adjourned.

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