

# COMMITTEE OF PRIVILEGES

(FIFTH LOK SABHA)

## SIXTEENTH REPORT



सत्यमेव जयते

**LOK SABHA SECRETARIAT  
NEW DELHI**

*November, 1975/Agrahayana, 1897 (Saka)*

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**PERSONNEL OF THE COMMITTEE OF PRIVILEGES  
(1975-76)**

**Shri N. K. P. Salve—Chairman**

**MEMBERS**

2. Shri Chakleshwar Singh
3. Shri Somnath Chatterjee
4. Shri M. C. Daga
5. Shri K. G. Deshmukh
6. Shri H. R. Gokhale
7. Shri Indrajit Gupta
8. Shri Popatlal M. Joshi
9. Shri V. Mayavan
10. Shri Chintamani Panigrahi
11. Shri K. Raghu Ramaiah
12. Shri Erasmo de Sequeira
13. Shri Arjun Sethi
14. Shri B. R. Shukla
15. Shri Atal Bihari Vajpayee

**SECRETARIAT**

**Shri B. K. Mukherjee—Chief Legislative Committee Officer.**  
**Shri J. R. Kapur—Senior Legislative Committee Officer.**

PERSONNEL OF THE COMMITTEE OF PRIVILEGES  
(1974-75)

Dr. Henry Austin—*Chairman*

MEMBERS

2. Shri Somnath Chatterjee
3. Shri M. C. Daga
4. Shri K. G. Deshmukh
- \*5. Shri Devinder Singh Garcha
6. Shri H. R. Gokhale
- \*7. Shri Popatlal M. Joshi
8. Shri Shyamnandan Mishra
9. Shri H. N. Mukerjee
10. Shri Chintamani Panigrahi
11. Shri K. Raghu Ramaiah
12. Shri B. R. Shukla
13. Shri Maddi Sudarsanam
14. Shri Atal Bihari Vajpayee
15. Shri G. Viswanathan

SECRETARIAT

Shri Y. Sahai—*Chief Legislative Committee Officer.*

Shri J. R. Kapur—*Senior Legislative Committee Officer.*

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\*Appointed with effect from 27th November, 1974, vice Sardar Buta Singh and Dr. Shankar Dayal Sharma resigned from the Committee.

**SIXTEENTH REPORT OF THE COMMITTEE OF PRIVILEGES  
(FIFTH LOK SABHA)**

**I. Introduction and Procedure**

1. The Chairman of the Committee of Privileges, having been authorised by the Committee to submit the Report on their behalf, present this their Sixteenth Report to the Speaker on the complaints against one Shri M. L. Vinayak, styling himself as "Director, Public Relations Counsel of India, New Delhi", regarding circulation of objectionable publicity material by him relating to his firm and his lobbying work in Parliament.

The matter was referred to the Committee by the Speaker on the 26th February, 1974, under Rule 227 of the Rules of Procedure and Conduct of Business in Lok Sabha.

2. The Committee held fifteen sittings. The relevant minutes of these sittings form part of the Report and are appended hereto.

3. At the first sitting held on the 25th March, 1974, the Committee decided to call for a note from the Ministry of Law, Justice and Company Affairs (Department of Legal Affairs) on the legal and other aspects of the matter.

4. At the second and third sittings held on the 17th and 31st May, 1974, the Committee deliberated on the matter.

5. At the fourth sitting held on the 1st October, 1974, the Committee decided to examine in person Shri M. L. Vinayak.

6. At the fifth, sixth, seventh and eighth sittings held on the 17th October, 6th November and 30th and 31st December, 1974, respectively, the Committee examined Shri M. L. Vinayak on oath.

7. At the ninth and tenth sittings held on the 31st January and 13th February, 1975, respectively, the Committee deliberated on the matter.

8. At the eleventh sitting held on the 8th May, 1975, the Committee considered the request of Shri M. L. Vinayak for giving him a further hearing before the Committee. The Committee decided that it was not necessary to take any further evidence of Shri M. L. Vinayak.

9. At the twelfth and thirteenth sittings held on the 20th May and 8th July, 1975, the Committee further deliberated on the matter and arrived at their conclusions.

10. At the fourteenth sitting held on the 17th September, 1975, Shri M. L. Vinayak was called before the Committee and he was informed that the Committee considered that his and his firm's activities were clearly objectionable and constituted a breach of privilege and contempt of the House. The Committee directed that he should discontinue his objectionable activities. Shri Vinayak submitted to the Committee a written undertaking to that effect.

11. At the fifteenth sitting held on the 15th November, 1975, the Committee considered their draft Report on the matter and adopted it.

## II. Facts of the Case

12. A number of representations have been received by the Speaker, Lok Sabha, from time to time, complaining that one Shri M. L. Vinayak, styling himself as the "Director, Public Relations Counsel of India, New Delhi", has been issuing objectionable circular letters to private firms/individuals regarding the services which can be rendered to them by his firm relating to the business in Parliament and "lobbying work in Parliament", on payment.

13. Recently, when the following two communications were received by the Speaker, he 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 and report:—

- (i) From the Department of Parliamentary Affairs, forwarding a letter received by M/s. Acharya Electronics, Nagpur, from Shri M. L. Vinayak (See Appendix I); and
- (ii) From the Secretary to the Minister for Legislative Affairs, Government of Maharashtra, forwarding a letter received by the Minister for Legislative Affairs from Shri M. L. Vinayak (See Appendix II).

14. These two letters are almost identical and *inter alia* read as follows:—

"The above subject had come before Parliament and it also relates to your Company, Business and Industry. The statement as discussed in Parliament about your Company can be had against our fee Rs. 75/- cash. Please add

Rs. 2/- on out-station cheque. This is not a Circular Letter and it is being sent as it contains reference about your Company. Please quote subject matter of our Letter.

We can also place your point of view on this matter or any other and do lobbying work at the highest level. Our minimum fee for lobbying work is Rs. 2500/- or more according to the nature of the case strictly paid in advance. All expenses in lobbying work are paid by firms. Many Government policies were changed or modified. Details can be discussed."

15. Similar complaints against Shri M. L. Vinayak were also received in the past in 1960, 1962, 1966, 1969, 1972 and 1973.

16. In July, 1960, on receipt of a similar complaint against Shri M. L. Vinayak, the pass of Shri M. L. Vinayak for entry into the Central Hall of Parliament House was cancelled.

17. In 1966, when a complaint was received that Shri M. L. Vinayak was indulging in objectionable activities in connection with his firm's 'Lobbying work in Parliament', which included making out copies of proceedings of Lok Sabha and Rajya Sabha and other Papers and Reports laid on the Table of the Houses, including those which were not available on sale, and supplying them to interested parties on payment, the then Speaker referred the matter to the Committee of Privileges under Rules 227 of the Rules of Procedure and Conduct of Business in Lok Sabha.

18. The Committee of Privileges (Third Lok Sabha), after making an investigation into the matter and after examining Shri M. L. Vinayak in person, submitted their Report (See Appendix III) to the Speaker, on the 15th December, 1966 in which that Committee reported *inter alia* as follows:—

"...Making out copies of the debates of the Lok Sabha and other Parliamentary papers and Reports and selling those copies would be unauthorised and a breach of the copyright of the Lok Sabha Secretariat.

...The publicity material being circulated by Shri M. L. Vinayak regarding his firm's 'Lobbying Work' in Parliament and his activities as publicised by him are highly objectionable and unauthorised.

....The whole tone and tenor of Shri M. L. Vinayak's oral evidence before the Committee was highly objectionable, apart from being circumambient.

The Committee recommend that Shri M. L. Vinayak be summoned to the Bar of the House and reprimanded for his objectionable activities in connection with his firm's 'Lobbying Work in Parliament' and for his conduct in making false statements in his evidence before the Committee while on oath, in prevaricating before the Committee and in evading his appearance before the Committee...."

19. No further action was, however, taken against Shri M. L. Vinayak as the matter lapsed on the dissolution of the Third Lok Sabha.

### III. Findings of the Committee

20. The Committee examined Shri M. L. Vinayak on oath at a number of sittings in order to make a thorough investigation into the activities of Shri M. L. Vinayak and also to give him the fullest opportunity to have his say before the Committee. In his evidence before the Committee, Shri M. L. Vinayak stated *inter alia* as follows:—

"...If you will go through the brochure issued by the Lok Sabha Secretariat, there is a Sales Section there. You will find that anybody can go and get copies of the Questions and Answers against payment. Secondly, they have appointed certain agents also for selling Parliamentary publications. Thirdly, they have authorised certain individuals and firms to make a certain deposit in the Sales Section and get things regularly from there. I have made a deposit and I go almost every day. Generally, people go to the Lok Sabha during Sessions, but I go during the inter-Sessions also....I study those things, because that is my profession, and if somebody asks me which Bill has been passed when, I give them that information because I get the details from the Lok Sabha on payment....Whatever is discussed in Lok Sabha and Rajya Sabha is available to everybody in India on sale. This is not a secret document.

People come to me to take my advice on certain matters. I give the advice. I give them the questions that they want to be framed, against payment....

...the first thing is to draft out a Memorandum for the party concerned (i.e. the people who approach me);



then I ask them to get it printed; then they circulate it to the Members of Parliament....I do not go to any M.P. I draft things and send them the material. They themselves approach M.Ps. They send the matter and get it settled....They explain things to them. When they find some difficulties, they contact me. Again I draft things for them....I give them only the advice as to how a particular work can be done and who are the particular Members of Parliament he should meet for that work, I charge this fee.

Many Members of Parliament have been my clients also....I have been educating the Members of Parliament and drafting their questions....They (the Members) approached me on telephone, by writing letters and they have also met me. I have been very intimate with several Members of Parliament. It is a business affair ....I only draft what the Member wants...Several Members of Parliament have got it done. I shall show their letters written to me....

I have been doing lobbying work....I will tell you what lobbying is, the contents of the legislation and what efforts should be made to educate Members of Parliament....Government drafts certain things. They come before the Parliament and they get the approval of Parliament. Sometimes, amendments are accepted there. There, a man like me comes who should educate the business people and the public as to how their rights should be safeguarded, what new amendments may be put there and how can the legislations affecting either 'A' or 'B' suitably amended....Lobbying means to change Government's policy or modify it through Parliament. Lobbying work means that when certain things come up before Parliament who carry the brains of hundreds of people, you place certain facts before them in order to find out whether a particular legislation is harmful to the people there. Nowadays there is large-scale interference of the Government in their day-to-day working and it is the job of the people to study and inform them what legislation is harmful to the people—and this has to be done only through the backing of Parliament.

....in many cases Government's policies have been changed; I will prove it, I will give you instances.... when I say 'highest level', it means the Parliament of India....

....It was some years back some particular firm from Bombay asked me why certain Questions were coming against them (in Parliament). I told them that I was a professional man and I could find out why Questions were coming against them. I asked one of my men and it transpired that brother-in-law was giving certain questions against that firm because brothers-in-law were working against each other....There are so many detective agencies in Delhi. They just investigate the matters.... I think I have paid them (the detective agency) Rs. 200/-....I do not know their *modus operandi*. . . .I did it only once.

I send thousands of such letters (as complained of). I do not deny that. This was a printed circular letter; about ten thousand copies were published.

Previously, I used to visit Members of Parliament but since 1971 I have stopped. I do not meet any members of Parliament....I draft things and send them (those who want information) the material. They themselves approach MPs. They send the matter and get it settled.

I feel as a Parliamentary consultant I am not doing any thing wrong. I am doing everything legitimate. This is my profession....If you feel that some of my activities are bad, I can withdraw from those activities....it may be bad and after I have talked to the hon. Members of the (Committee), I feel that this is not a legitimate thing. I think it is not proper...."

21. The Committee requested the Ministry of Law, Justice and Company Affairs (Department of Legal Affairs) to furnish a comprehensive note on the legal and other aspects of circulation of objectionable publicity material by Shri M. L. Vinayak. The Department of Legal Affairs, accordingly, submitted to the Committee a Note on the subject on the 8th May, 1974 (See Appendix IV). Being not satisfied with the Note prepared by the Department of Legal Affairs, the Committee requested the Minister of Law, Justice and Company Affairs (Shri H. R. Gokhale), who is also a member of the Committee, to give his views on the legal and other aspects of the matter. Accordingly, the Minister of Law, Justice and Company Affairs furnished to the Committee a written Note on the 19th May, 1975, which reads as follows:—

“(I) The question whether the various types of activities carried on by Shri Vinayak and his firm would constitute a breach of privilege of Parliament or a contempt, has to be considered in the context of the relevant practice and procedure of the House of Commons.

(II) The main activities of Shri Vinayak or his firm may be divided into two groups:

- (i) Making out copies of the proceedings of the Lok Sabha and the Rajya Sabha and other papers and Reports laid on the Table of the House, including those which are not available on sale and supplying them to interested parties on payment; and
  - (ii) Doing 'lobbying work' in Parliament on behalf of the interested parties on payment.
- (III) As far as making out of copies of the proceedings etc. and supplying them to interested parties is concerned, it has to be seen whether there is any contravention of the Rules of Procedure of the Lok Sabha. Under Rules 379 & 382 of the Rules of Procedure of Lok Sabha, the Speaker may authorise the printing and publication of the Reports of proceedings and other documents in connection with the proceedings. Rule 220 of the Rules of Procedure of the Rajya Sabha contains a similar provision. The copyright of Parliamentary debates and other publications relating to Lok Sabha and Rajya Sabha is vested in the Parliament and making out copies and selling them by others is unauthorised and amounts to a breach of the copyright. In this connection, the position obtaining in England in the matter may also be summed up as follows:—

- (i) Disobedience to the orders of either House, whether such orders are of general application or require a particular individual to do or abstain from doing a particular act, or contravention of any rules of either House is a contempt of that House.<sup>1</sup> The various offences coming under the penal jurisdiction of the Houses of Parliament have been enumerated in *Halsbury's Laws of England* and these include disobedience of rules or orders of the House.<sup>2</sup>
- (ii) The publication of debates of either House has been repeatedly declared to be a breach of privilege. On 13th and 22nd July, 1641, it was ordered by the Commons

<sup>1</sup> *May's Parliamentary Practice*, 18th Edition, p. 134.

<sup>2</sup> *Halsbury's Laws of England*, 3rd edition Vol. 28, p. 465.

'that no Member shall either give a copy, or publish in print anything that he shall speak here, without leave of the House'; and 'that all the Members of the House are enjoined to deliver out no copy or notes of anything that is brought into the House, or that is propounded or agitated in the House.'<sup>3</sup> It can be inferred from the above that not only the giver of the copy of the document but also the acceptor would be guilty of the breach of privilege.

- (iii) The publication of evidence taken before a Select Committee before it has been reported to the House would constitute a contempt.<sup>4</sup>
- (iv) To abstract any record or other document from the custody of the Clerk will constitute a contempt.<sup>5</sup> On 4th May, 1780, the Commons resolved *inter alia* that 'the papers and accounts presented to' this House be carefully preserved by the Clerk in whose custody they are entrusted; and that no person be permitted to take the same from the House under any pretence whatever.'<sup>6</sup>
- (v) By the ancient custom of Parliament, no act done at any Committee should be divulged before the same be reported to the House. Upon this principle, the Commons resolved on 21st April, 1837 that 'the evidence taken by any Select Committee of this House, and the documents presented to such Committee, and which have not been reported to the House, ought not to be published by any Member of such Committee or any other person.'<sup>7</sup>

(IV) In view of the above-mentioned practice followed by the House of Commons of the United Kingdom and also having regard to the provisions of rules 379 and 382 of the

<sup>3</sup>May's *Parliamentary Practice*, 18th edition. p. 76.

<sup>4</sup>*Ibid*, p. 77.

<sup>5</sup>*Ibid*, p. 137.

<sup>6</sup>*Ibid*, p. 138.

<sup>7</sup>*Ibid*, pp. 142-143.

Rules of Procedure of Lok Sabha it can be stated that Shri Vinayak has contravened the rules of the Parliament to the extent that he procured and sold copies of Parliamentary papers unauthorisedly to interested parties. In this respect Shri Vinayak as well as the person who helps him to procure these papers will also be guilty of a breach of privilege.

- (V) The second question is regarding the legality or propriety of doing 'lobbying work' in Parliament by Shri Vinayak and his firm on behalf of the interested parties on payment. It may be mentioned that the practice of lobbying is no doubt prevalent in the United Kingdom but not to the same extent as in the United States. However, the work carried on by Shri Vinayak cannot be characterised as 'lobbying work' as generally understood in other countries. In countries where lobbying is prevalent, the lobbyist supplies information to the Members of Parliament and tries to seek influence with them. The lobbyist does some research or analysis *without charges*.<sup>8</sup> Comparing the practice in the United Kingdom with that of the United States, Anthony Barker has observed:

'So far as we know, there is no equivalent at Westminster to the American lobbyist who is physically about the place on a daily basis, seeking influence and offering any such service to Members; if M.Ps. do receive favours of this kind, it would probably be done discreetly *since it is against the present political culture of the House* for Members to be seen dealing with interest groups' representatives on anything other than an *ad hoc* basis linked to the House's current business'.<sup>9</sup>

- (VI) The activities of Shri Vinayak include placing the points of view of his clients 'at the highest level'. During his examination by the Committee, he has admitted that the highest level is Parliament. He claims that 'many Government policies were changed or modified' as a result of his lobbying work. He is claiming that he can supply, on payment, information to the interested parties on

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<sup>8</sup>The Members of Parliament and his Information by Anthony Barker, 1970, p. 287.

<sup>9</sup>Ibid, p. 289.

papers laid in Parliament which are not available for sale. He admits of indulging in the task of drafting questions and putting supplementaries in the Lok Sabha and the Rajya Sabha about the difficulties of business people for eliciting information about any particular subject, on proper payment. He also undertakes to supply any interested party, on payment of fees, the background to any question asked in the Lok Sabha, why it has been asked and who are the persons interested behind the move. These types of activities are not carried on by the lobbyists or pressure groups in other countries. Shri Vinayak is, in fact, carrying on a business on the work done in Parliament. During his evidence before the Committee, though he has admitted that MPs have been utilising his services and making payments to him, he has refrained from mentioning their names. The crucial question is whether Shri Vinayak can be allowed to carry on the above mentioned type of activities under the garb of 'lobbying'.

- (VII) The practice and procedure of the House of Commons in the United Kingdom that may have a bearing on the issue may be summed up as follows:—
- (i) Each House claims the right to punish actions which, while not breaches of any specific privilege, are offences against its authority or dignity, such as disobedience to its legitimate commands or libels upon itself, its officers or Members. Such actions would constitute contempts.<sup>10</sup> It follows from this that any action which affects the authority or dignity of Parliament will be construed to be a contempt. It will not, therefore, be open to anybody to do anything which may tend to affect or influence the course of business in Parliament. Making interested parties believe that Government policies could be got changed or modified by lobbying work will amount to an affront to the dignity of Parliament.
  - (ii) The right to exclude strangers from the House of Commons is based on the ground that such strangers should not attempt to influence debate from the galleries.<sup>11</sup> Any attempt to influence the debate even from outside the House may also constitute a breach of privilege.

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<sup>10</sup>May's *Parliamentary Practice*, 18th edition, pp. 64-65.

<sup>11</sup>*Ibid*, p. 75

- (iii) It is inconsistent with the dignity of the House, with the duty of a Member to his constituents, and maintenance of the privilege of freedom of speech, for any Member of the House to enter into any contractual agreement with an outside body, controlling or limiting the Member's complete independence and freedom of action in Parliament or stipulating that he shall act in any way as the representative of such outside body in regard to any matters to be transacted in Parliament.<sup>12</sup> It can be reasonably inferred that not only the Member but also the other party to the agreement is equally guilty of having committed indignity of the House.
- (iv) Any acts reflecting upon either House or its proceedings which, though they do not tend directly to obstruct or impede either House in the performance of its functions, yet have a tendency to produce this result indirectly by bringing such House into odium, contempt or ridicule or by lowering its authority may constitute contempts.<sup>13</sup> This is wide enough to cover any indignity to either House, including any representation that the policies discussed in the House could be changed or modified by lobbying work.
- (v) The corrupt acceptance of payment for the disclosure of information about matters to be proceeded with in Parliament obtained from other Members under the obligation of secrecy, while not held to be a breach of privilege or a contempt, has been stigmatised by the House as dishonourable conduct deserving to be severely punished.<sup>14</sup> If this be the position applicable to the Member of the House, a stranger disclosing information about matters proceeded with in Parliament would be guilty of dishonourable conduct of a higher order.
- (vi) It is not only acts or omissions which obstruct or impede either House of Parliament in the performance of its functions or any Member or Officer of such House in the discharge of his duty that would constitute a contempt; any act or omission which has a tendency, directly or indirectly, to produce such results may also be treated as a

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<sup>12</sup>Resolution of the House of Commons dated 15th July, 1947, cited in May, p. 74.

<sup>13</sup>May's *Parliamentary Practice*, 18th edition, p. 143.

<sup>14</sup>*Ibid*, p. 139.

contempt, even though there is no precedent of the offence.<sup>15</sup>

- (vii) Conduct not amounting to a direct attempt to influence a Member in the discharge of his duties, but having a tendency to impair his independence in the performance of his duty, will also be treated a breach of privilege.<sup>16</sup>
- (VIII) In the light of the above practice and procedure of Parliament in the United Kingdom, it can be stated that the activities of Shri Vinayak and his firm are clearly objectionable and would constitute a breach of privilege or contempt. Shri Vinayak or his firm make the members of the general public believe that due to lobbying work, the Government policy could be got changed or modified, if the fee as demanded is given. If as claimed by Shri Vinayak or his firm this could be got done at the highest level or any level, it would have the effect of bringing or attempting to bring pressures on the Parliament by employing any means. It would also have the effect of lowering the image and dignity of Parliament."

22. The Committee have duly considered all aspects of the matter, including the points made in the Note by the Minister of Law, Justice and Company Affairs.

23. While this matter was still before the Committee, a fresh complaint (See Appendix V), was received on the 25th August, 1975, against Shri M. L. Vinayak from M|s. Haribhakti and Co., Chartered Accountants, Bombay. M|s. Haribhakti and Co. forwarded a printed circular letter dated the 14th August, 1975, received by them from Shri Vinayak in which Shri Vinayak had *inter alia* stated that certain matter "had recently come before Parliament and it also relates to your Business and Industry" and, if the firm so liked, they could have a full statement of the discussion in Parliament on a payment of Rs. 75|-. M|s. Haribhakti and Co. complained that there was no reference to their company in Parliament and, therefore, the statement of Shri Vinayak was false. They felt that Shri Vinayak was misusing the name of Parliament and his activities amounted to cheating.

24. The Committee are of the opinion that the activities of Shri M. L. Vinayak and his firm are clearly objectionable and have the effect of lowering the image and dignity of Parliament and that, therefore, those activities constitute a breach of privilege and contempt of the House.

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15Ibid, p. 132.

16Ibid. p. 147.



25. The Committee decided to give an opportunity to Shri M. L. Vinayak to appear before the Committee and that he should be directed to discontinue his objectionable lobbying and other activities as they offended against the dignity and authority of Parliament.

26. Shri M. L. Vinayak was, accordingly, called before the Committee again on the 17th September, 1975, and he was informed of the following decision of the Committee:—

“The Committee have come to the conclusion that your and your firm’s activities in this connection are unauthorised and highly objectionable and they have the effect of lowering the image and dignity of Parliament. Those activities constitute a breach of privilege and contempt of the House.

The Committee also feel that making out copies of the debates of Lok Sabha and of other Parliamentary papers and Reports and selling those copies is unauthorised and a breach of the copyright of the Lok Sabha.

The Committee have taken note of the assurance given by you to the Committee during your evidence that if any of your activities were considered by the Committee as bad or objectionable, you would discontinue those activities. Now, the Committee would, therefore, like to know from you whether you are prepared to give a written undertaking to this effect so that the Committee may decide their further course of action.”

27. Shri M. L. Vinayak submitted before the Committee that he was prepared to give a written undertaking to discontinue his objectionable activities about which the Speaker and the Committee had received the aforesaid complaints. Accordingly, Shri Vinayak immediately submitted the following written undertaking to the Committee:—

“I have been informed that my activities styling myself as ‘Director, Public Relations Counsel of India’ as evidenced from the letters which I have been sending to various individuals and parties and which have come to the notice of the Committee of Privileges of Lok Sabha in respect of my firm’s lobbying work connected with the proceedings and business of Parliament are unauthorised and highly objectionable and that they have the effect of lowering the image and dignity of Parliament. I now understand that those activities constitute a breach of privilege and

contempt of the House. I also now understand that making out copies of the debates of Lok Sabha and other Parliamentary papers and Reports and selling those copies is unauthorised and a breach of the copyright of Lok Sabha.

2. I hereby give an undertaking that I will discontinue forthwith all my aforesaid activities which are considered objectionable and a breach of privilege and contempt of the House."

28. In view of the categorical undertaking given by Shri M. L. Vinayak to discontinue his and his firm's aforesaid objectionable activities, the Committee feel that a lenient view may be taken of the breach of privilege and contempt of the House committed by Shri M. L. Vinayak and the matter may be closed. The Committee hope that having given the above undertaking Shri Vinayak will not indulge in those activities again.

However, the Committee recommend that if Shri Vinayak indulges in any of those activities again, a severe punishment may be given to him.

#### IV. Recommendation of the Committee

29. The Committee recommend that no further action be taken in the matter and, in view of the categorical and written undertaking given by Shri M. L. Vinayak, it may be closed.

N. K. P. SALVE,

*Chairman,*

*Committee of Privileges.*

NEW DELHI;

*The 15th November, 1975.*

**ORDERS OF THE SPEAKER**

**The Report may be laid on the Table of the House.**

**Sd/- G. S. DHILLON,**

**26-11-1975.**

# MINUTES

## I

### First Sitting

New Delhi, Monday, the 25th March, 1974.

The Committee sat from 16.00 to 17.05 hours.

### PRESENT

Dr. Henry Austin—*Chairman*

### MEMBERS

2. Shri H. K. L. Bhagat
3. Shri Darbara Singh
4. Shri H. N. Mukerjee
5. Shri Maddi Sudarsanam
6. Dr. Shankar Dayal Sharma
7. Shri Atal Bihari Vajpayee

### SECRETARIAT

Shri J. R. Kapur—*Under Secretary.*

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6. The Committee then considered the complaints against Shri M. L. Vinayak, styling himself as "Director, Public Relations Counsel of India" regarding circulation of objectionable publicity material by him about his firm's lobbying work in Parliament. The Committee desired that, in the first instance, a note might be obtained from the Ministry of Law on the legal and other aspects of the matter.

*The Committee then adjourned.*

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\*\*\*Paras 2—5 relate to other cases and have accordingly been omitted.

## II

**Second sitting**

*New Delhi, Friday, the 17th May, 1974.*

The Committee sat from 11.00 to 14.35 hours.

## PRESENT

Dr. Henry Austin—*Chairman*

## MEMBERS

2. Shri H. K. L. Bhagat
3. Shri Somnath Chatterjee
4. Shri Darbara Singh
5. Shri Nihar Laskar
6. Shri H. N. Mukerjee
7. Shri Vasant Sathe
8. Dr. Shankar Dayal Sharma
9. Shri R. P. Ulaganambi

## SECRETARIAT

Shri J. R. Kapur—*Under Secretary.*

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7. The Committee then considered the question regarding circulation of objectionable publicity material by Shri M. L. Vinayak, styling himself as "Director, Public Relations Counsel of India" regarding his firm's lobbying work in Parliament.

The Committee decided to defer further consideration of the matter to their next sitting.

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*The Committee then adjourned.*

## III

**Third sitting**

*New Delhi, Friday, the 31st May, 1974.*

The Committee sat from 11.00 to 13.05 hours.

## PRESENT

Dr. Henry Austin—*Chairman*

## MEMBERS

2. Shri H. K. L. Bhagat
3. Shri Somnath Chatterjee
4. Shri Darbara Singh

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\*\*\*Paras 2—6 and 8 and 9 relate to other cases and have accordingly been omitted.

5. Shri Nihar Laskar
6. Shri H. N. Mukerjee
7. Shri Vasant Sathe
8. Dr. Shankar Dayal Sharma
9. Shri Maddi Sudarsanam
10. Shri Atal Bihari Vajpayee

## SECRETARIAT

Shri J. R. Kapur—*Under Secretary.*

\* \* \* \* \*

7. The Committee considered further the question of privilege regarding circulation of objectionable publicity material by Shri M. L. Vinayak, styling himself as "Director, Public Relations Counsel of India", regarding his firm's lobbying work in Parliament. The consideration of the matter was not concluded.

\* \* \* \* \*

*The Committee then adjourned.*

## IV

## Fourth sitting

*New Delhi, Tuesday, the 1st October, 1974*

The Committee sat from 11.00 to 11.50 hours.

## PRESENT

Dr. Henry Austin—*Chairman*

## MEMBERS

2. Sardar Buta Singh
3. Shri M. C. Daga
4. Shri K. G. Deshmukh
5. Shri Chintamani Panigrahi
6. Shri K. Raghu Ramaiah
7. Shri B. R. Shukla
8. Shri Maddi Sudarsanam

## SECRETARIAT

Shri J. R. Kapur—*Under Secretary.*

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\*\*\*Paras 2—8 and 8 and 9 relate to other cases and have accordingly been omitted.

\* \* \* \* \*

3. The Committee took up further consideration of the question *re.* circulation of objectionable publicity material by Shri M. L. Vinayak, styling himself as "Director, Public Relations Counsel of India" regarding his firm's lobbying work in Parliament.

The Committee directed that Shri M. L. Vinayak be asked to appear before the Committee for oral examination.

4. The Committee decided to hold their next sittings on the 17th and 19th October, 1974.

*The Committee then adjourned*

V

**Fifth sitting**

*New Delhi, Thursday, the 17th October, 1974.*

The Committee sat from 11.00 to 13.20 hours and again from 15.00 to 17.05 hours.

**PRESENT**

Dr. Henry Austin—*Chairman*

**MEMBERS**

2. Shri Somnath Chatterjee
3. Shri M. C. Daga
4. Shri K. G. Deshmukh
5. Shri Shyamnandan Mishra
6. Shri H. N. Mukerjee
7. Shri Chintamani Panigrahi
8. Shri B. R. Shukla
9. Shri Maddi Sudarsanam

**SECRETARIAT**

Shri Y. Sahai—*Deputy Secretary.*

Shri J. R. Kapur—*Under Secretary.*

**WITNESS**

Shri M. L. Vinayak—*"Director, Public Relations Counsel of India", New Delhi.*

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\*\*\*Para 2 relates to another case and has accordingly been omitted.

2. The Committee took up further consideration of the question regarding circulation of objectionable publicity material by Shri M. L. Vinayak, "Director, Public Relations Counsel of India", New Delhi, regarding his firm's lobbying work in Parliament.

3. Shri M. L. Vinayak was called in and examined by the Committee on oath.

*(Verbatim record was kept)*

4. The evidence of Shri M. L. Vinayak was not concluded and the Committee directed Shri M. L. Vinayak to appear before the Committee again on the 4th November, 1974\* for further examination and to produce certain documents/papers relating to his firm's activities, before the Committee at their next sitting.

*(The witness then withdrew)*

*The Committee then adjourned.*

## VI

### Sixth sitting

*New Delhi, Wednesday, the 6th November, 1974*

The Committee sat from 11.00 to 13.30 hours.

### PRESENT

Dr. Henry Austin—*Chairman*

### MEMBERS

2. Shri M. C. Daga
3. Shri K. G. Deshmukh
4. Shri Chintamani Panigrahi
5. Shri Maddi Sudarsanam
6. Shri Atal Bihari Vajpayee
7. Shri G. Viswanathan.

### SECRETARIAT

Shri J. R. Kapur—*Under Secretary.*

### WITNESS

Shri M. L. Vinayak—*"Director, Public Relations Counsel of India", New Delhi.*

\* \* \* \* \*

\*On the 4th November, 1974, Shri M. L. Vinayak was asked to appear before the Committee on the 6th November, 1974.

\*\*\*Paras 2—8 relate to other cases and have accordingly been omitted.



7. The Committee then took up further consideration of the question regarding circulation of objectionable publicity material by Shri M. L. Vinayak, styling himself as "Director, Public Relations Counsel of India" regarding his firm's lobbying work in Parliament.

8. Shri M. L. Vinayak was called in and examined by the Committee on oath.

Shri M. L. Vinayak, submitted before the Committee copies of two documents and informed the Committee that he was unable to produce before the Committee the remaining documents asked for by the Committee at their last sitting. He requested that four to six week's further time might be granted to him by the Committee to produce those documents. The Committee took a serious view of the failure on the part of Shri M. L. Vinayak in producing all the relevant documents asked for by them. The Committee directed him to produce the requisite documents within a month's time.

*(Verbatim record was kept)*

*(The witness then withdrew)*

*The Committee then adjourned.*

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## VII

### Seventh sitting

*New Delhi, Monday, The 30th December, 1974.*

The Committee sat from 15.00 to 16.35 hours.

### PRESENT

Dr. Henry Austin—*Chairman*

### MEMBERS

2. Shri M. C. Daga
3. Shri K. G. Deshmukh
4. Shri Popatlal M. Joshi
5. Shri Shyamnandan Mishra
6. Shri H. N. Mukerjee
7. Shri B. R. Shukla

## SECRETARIAT

Shri Y. Sahai—*Chief Legislative Committee Officer.*

Shri J. R. Kapur—*Senior Legislative Committee Officer.*

## WITNESS

Shri M. L. Vinayak—*“Director, Public Relations Counsel of India”, New Delhi.*

2. The Committee took up further consideration of the question regarding circulation of objectionable publicity material by Shri M. L. Vinayak, styling himself as ‘Director, Public Relations Counsel of India’ regarding his firm’s lobbying work in Parliament.

3. Shri M. L. Vinayak was called in and examined by the Committee on oath.

*(Verbatim record was kept)*

4. Shri M. L. Vinayak submitted to the Committee copies of some of the documents called for by the Committee earlier. The Committee observed that Shri M. L. Vinayak had not so far produced most of the documents called for from him and took a serious view of his lapse. The Committee directed him to produce the cash books regarding his firm before the Committee on the 31st December, 1974 at 12.00 hours.

*(The witness then withdrew)*

*The Committee then adjourned to meet again on the 31st December, 1974.*

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**VIII**
**Eighth sitting**

*New Delhi, Tuesday, The 31st December, 1974.*

The Committee sat from 11.00 to 13.30 hours.

**PRESENT**

Dr. Henry Austin—*Chairman*

**MEMBERS**

2. Shri M. C. Daga
3. Shri Popatlal M. Joshi
4. Shri Shyamnandan Mishra

5. Shri H. N. Mukerjee
6. Shri B. R. Shukla
7. Shri Atal Bihari Vajpayee

## SECRETARIAT

Shri Y. Sahai—*Chief Legislative Committee Officer.*

Shri J. R. Kapur—*Senior Legislative Committee Officer.*

## WITNESS

Shri M. L. Vinayak—*“Director, Public Relations Counsel of India”, New Delhi.*

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6. The Committee then took up further consideration of the question regarding circulation of objectionable publicity material by Shri M. L. Vinayak, styling himself as “Director, Public Relations Counsel of India” regarding his firm’s lobbying work in Parliament.

7. Shri M. L. Vinayak was called in and examined by the Committee on oath.

*(Verbatim record was kept.)*

8. Shri M. L. Vinayak submitted before the Committee two small note books as “Cash Note Books” containing entries of certain payments received by him during the year 1974.

*The witness then withdrew.*

*The Committee then adjourned.*

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 IX

## Ninth sitting

*New Delhi, Friday, The 31st January, 1975.*

The Committee sat from 11.00 to 12.45 hours.

## PRESENT

Dr. Henry Austin—*Chairman*

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\*\*\*Paras 2—5 relate to other cases and have accordingly been omitted.

## MEMBERS

2. Shri K. G. Deshmukh
3. Shri Shyamnandan Mishra
4. Shri H. N. Mukerjee
5. Shri Chintamani Panigrahi.

## SECRETARIAT

1. Shri Y. Sahai—*Chief Legislative Committee Officer.*
1. Shri Y. Sahai—*Chief Legislative Committee Officer.*

\* \* \* \* \*

3. The Committee then took up further consideration of the question regarding circulation of objectionable publicity material by Shri M. L. Vinayak, styling himself as "Director, Public Relations Counsel of India" regarding his firm's lobbying work in Parliament.

In this connection, the Committee considered the suggestion of Shri B. R. Shukla, a member of the Committee, for calling further evidence of some of the employees and ex-employees of Shri Vinayak and also of the Investigating Officer of the Police regarding the theft of papers alleged by Shri Vinayak during his evidence earlier before the Committee. The Committee decided that it was not necessary to take any further evidence in the matter.

4. The Committee also noted that the note containing the considered views of the Minister of Law, Justice and Company Affairs on this matter had not yet been received from the Minister.

The Committee decided to postpone further consideration of this matter to their next sitting on the 13th February, 1975.

\* \* \* \* \*

*The Committee then adjourned.*

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**X**

**Tenth sitting**

*New Delhi, Thursday, the 13th February, 1975.*

The Committee sat from 14.00 to 15.50 hours.

**PRESENT**

Dr. Henry Austin—*Chairman*

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\*\*\*Paras 2 and 5 relate to other cases and have accordingly been omitted.

**MEMBERS**

2. Shri Somnath Chatterjee
3. Shri M. C. Daga
4. Shri K. G. Deshmukh
5. Shri Shyamnandan Mishra
6. Shri H. N. Mukerjee.

**SECRETARIAT**

Shri J. R. Kapur—*Senior Legislative Committee Officer.*

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9. The Committee then took up further consideration of the question regarding circulation of objectionable publicity material by Shri M. L. Vinayak, styling himself as "Director, Public Relations Counsel of India" regarding his firm's lobbying work in Parliament.

The Committee decided to defer further consideration of the matter to a sitting to be held after the note containing the considered views of the Minister of Law, Justice and Company Affairs on this matter was received.

*The Committee then adjourned.*

**XI****Eleventh sitting**

*New Delhi, Thursday, the 8th May, 1975.*

The Committee sat from 16.00 to 17.15 hours.

**PRESENT**

Dr. Henry Austin—*Chairman*

**MEMBERS**

2. Shri Somnath Chatterjee
3. Shri M. C. Daga
4. Shri K. G. Deshmukh
5. Shri Papatlal M. Joshi
6. Shri H. N. Mukerjee
7. Shri B. R. Shukla
8. Shri Maddi Sudarsanam

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\*\*\*Paras 2—8 relate to other cases and have accordingly been omitted.

## SECRETARIAT

Shri Y. Sahai—*Chief Legislative Committee Officer.*

Shri J. R. Kapur—*Senior Legislative Committee Officer.*

\* \* \* \* \*

5. The Committee considered the request of Shri M. L. Vinayak for further evidence by him before the Committee on the question of privilege against him. The Committee decided that it was not necessary to take any further evidence of Shri M. L. Vinayak.

6. The Committee decided to hold their next sittings on the 19th and 20th May, 1975, to consider the cases pending before them.

*The Committee then adjourned.*

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**XII**
**Twelfth sitting**

*New Delhi, Tuesday, the 20th May, 1975.*

The Committee sat from 15.00 to 16.40 hours.

**PRESENT**

Dr. Henry Austin—*Chairman*

**MEMBERS**

2. Shri Somnath Chatterjee
3. Shri K. G. Deshmukh
4. Shri Shyamnandan Mishra
5. Shri H. N. Mukerjee
6. Shri Atal Bihari Vajpayee

**SECRETARIAT**

1. Shri B. K. Mukherjee—*Chief Legislative Committee Officer.*
2. Shri J. R. Kapur—*Senior Legislative Committee Officer.*

2. The Committee took up further consideration of the question regarding circulation of objectionable publicity material by Shri M. L. Vinayak, styling himself as 'Director, Public Relations Counsel of India' regarding his firm's lobbying work in Parliament.

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\*\*\*Paras 2—4 relate to other cases and have accordingly been omitted.

The Committee perused the note on the legal aspects of circulation of objectionable publicity material by Shri M. L. Vinayak and his lobbying work, received from the Minister of Law, Justice and Company Affairs.

3. The Committee came to the conclusion that the activities of Shri M. L. Vinayak and his firm were clearly objectionable and had the effect of lowering the image and dignity of Parliament and those activities constituted a breach of privilege and contempt of the House.

4. The Committee directed that Shri M. L. Vinayak be called before the Committee and be informed of the decision of the Committee on the matter and also be directed to discontinue his said activities.

\* \* \* \* \*

*The Committee then adjourned.*

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### XIII

#### Thirteenth sitting

*New Delhi, Tuesday, the 8th July, 1975.*

The Committee sat from 10.30 to 11.45 hours.

#### PRESENT

Shri N. K. P. Salve—*Chairman*

#### MEMBERS

2. Shri Chakleshwar Singh
3. Shri Somnath Chatterjee
4. Shri M. C. Daga
5. Shri K. G. Deshmukh
6. Shri Popatlal M. Joshi
7. Shri V. Mayavan
8. Shri Chintamani Panigrahi
9. Shri Erasmo de Sequeira
10. Shri B. R. Shukla.

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\*\*\*Para 5 relates to another case and has accordingly been omitted.

## SECRETARIAT

Shri B. K. Mukherjee—*Chief Legislative Committee Officer.*

Shri J. R. Kapur—*Senior Legislative Committee Officer.*

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4. The Committee then considered further the question regarding circulation of objectionable publicity material by Shri M. L. Vinayak, styling himself as "Director, Public Relations Counsel of India" regarding his firm's lobbying work in Parliament. The Committee decided that Shri M. L. Vinayak be called before the Committee at their next sitting to be informed that his own as well as his firm's activities were clearly objectionable and had the effect of lowering the image and dignity of Parliament and those activities constituted a breach of privilege and contempt of the House and also to be directed to discontinue his said activities. The Committee also decided that if Shri Vinayak gave an undertaking to the Committee to discontinue his said activities, the Committee might recommend to the Speaker that a lenient view might be taken in the matter. However, if Shri Vinayak declined to give an undertaking to discontinue his activities, or after having given an undertaking indulge in those activities again, a severer punishment to him might be recommended.

\* \* \* \* \*

*The Committee then adjourned.*

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**XIV**
**Fourteenth sitting**

*New Delhi, Wednesday, the 17th September, 1975.*

The Committee sat from 10.00 to 13.05 hours.

**PRESENT**

Shri N. K. P. Salve—*Chairman*

**MEMBERS**

2. Shri Chakleshwar Singh
3. Shri Somnath Chatterjee
4. Shri M. C. Daga
5. Shri Popatlal M. Joshi

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\*\*\*Paras 2 and 3 and 5—7 relate to other cases and have accordingly been omitted.



6. Shri V. Mayavan
7. Shri Chintamani Panigrahi
8. Shri Erasmo de Sequeira
9. Shri Arjun Sethi
10. Shri B. R. Shukla

**SECRETARIAT**

Shri B. K. Mukherjee—*Chief Legislative Committee Officer.*

Shri J. R. Kapur—*Senior Legislative Committee Officer.*

**WITNESS**

Shri M. L. Vinayak—*“Director, Public Relations Counsel of India, New Delhi.”*

2. The Committee took up further consideration of the question regarding circulation of objectionable publicity material by Shri M. L. Vinayak, styling himself as “Director, Public Relations Counsel of India”, New Delhi, regarding his firm’s lobbying work in Parliament.

Shri M. L. Vinayak was called in and examined on oath.

As per the decision taken by the Committee at their sitting held on the 8th July, 1975, the Chairman informed Shri Vinayak that the Committee had come to the conclusion that his and his firm’s activities in connection with his firm’s lobbying work relating to the proceedings and business of Parliament were unauthorised and highly objectionable and had the effect of lowering the image and dignity of Parliament. The Chairman also informed him that those activities constituted a breach of privilege and contempt of the House. The Chairman further informed him that the Committee felt that making out copies of the debates of Lok Sabha and of other Parliamentary papers and Reports and selling those copies was unauthorised and a breach of the copyright of the Lok Sabha. The Chairman asked him whether he was prepared to give a written undertaking to the effect that he would discontinue his aforesaid objectionable activities which constituted a breach of privilege and contempt of the House.

Shri M. L. Vinayak agreed to give the required written undertaking to the said effect.

*(The witness then withdrew)*

Shri Vinayak then submitted the following letter dated the 17th September, 1975, addressed to the Chairman, Committee of Privileges:—

"I have been informed that my activities styling myself as 'Director, Public Relations Counsel of India' as evidenced from the letters which I have been sending to various individuals and parties and which have come to the notice of the Committee of Privileges of Lok Sabha in respect of my firm's lobbying work connected with the proceedings and business of Parliament are unauthorised and highly objectionable and that they have the effect of lowering the image and dignity of Parliament. I now understand that those activities constitute a breach of privilege and contempt of the House. I also now understand that making out copies of the debates of Lok Sabha and of other Parliamentary papers and Reports and selling those copies is unauthorised and a breach of the copyright of Lok Sabha.

2. I hereby give an undertaking that I will discontinue forthwith all my aforesaid activities which are considered objectionable and a breach of privilege and contempt of the House."

Thereafter, the Committee deliberated on the matter and decided to recommend that the matter might be treated as closed in view of the above written undertaking given by Shri M. L. Vinayak to discontinue his and his firm's said activities. The Committee also decided to recommend that in case he indulged in those activities again, a severe punishment might be given to him.

\* \* \* \* \*

*The Committee then adjourned to meet again on Thursday, the 18th September, 1975, at 10.00 hours.*

## XV

### Fifteenth sitting

*New Delhi, Saturday, the 15th November, 1975.*

The Committee sat from 10.30 to 12.05 hours.

### PRESENT

Shri N. K. P. Salve—*Chairman*

### MEMBERS

2. Shri Chakleshwar Singh
3. Shri Somnath Chatterjee

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\*\*\*Para 3 relates to another case and has accordingly been omitted.

4. Shri M. C. Daga
5. Shri K. G. Deshmukh
6. Shri Arjun Sethi
7. Shri B. R. Shukla

SECRETARIAT

Shri B. K. Mukherjee—*Chief Legislative Committee Officer.*  
 Shri J. R. Kapur—*Senior Legislative Committee Officer.*

\* \* \* \* \*

5. The Committee then took up consideration of their draft Sixteenth Report re. circulation of objectionable publicity material by Shri M. L. Vinayak, styling himself as "Director, Public Relations Counsel of India, New Delhi"

The Committee adopted the draft Report with the following modification:—

For the existing para 22 of the draft Report, the following shall be substituted—

"22. The Committee have duly considered all aspects of the matter, including the points made in the Note by the Minister of Law, Justice and Company Affairs."

*The Committee then adjourned to meet again on Saturday, the 27th December, 1975.*

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\*\*\*Paras 2—4 relate to other cases and have accordingly been omitted.

**MINUTES OF EVIDENCE TAKEN BEFORE THE COMMITTEE  
OF PRIVILEGES**

*Thursday, the 17th October, 1974*

**PRESENT**

**Dr. Henry Austin—Chairman**

**MEMBERS**

2. Shri Somnath Chatterjee
3. Shri M. C. Daga
4. Shri K. G. Deshmukh
5. Shri Shyamnandan Mishra
6. Shri H. N. Mukerjee
7. Shri Chintamani Panigrahi
8. Shri B. R. Shukla
9. Shri Maddi Sudarsanam

**SECRETARIAT**

**Shri Y. Sahai—Deputy Secretary**

**Shri J. R. Kapur—Under Secretary**

**WITNESS**

**Shri M. L. Vinayak—“Director, Public Relations Counsel of  
India”, New Delhi.**

*(The Committee met at 11.00 hours)*

**Evidence of Shri M. L. Vinayak, “Director, Public Relations Counsel  
of India”, New Delhi**

*(The witness, Shri M. L. Vinayak, took the oath)*

**Mr. Chairman:** Mr. Vinayak, are you running any firm? What is the name of your firm?

**Shri M. L. Vinayak:** It is known as Public Relations Counsel of India.

**Mr. Chairman:** What is the position you hold in it?

**Shri M. L. Vinayak:** I am the Director of the Public Relations Counsel of India. I started this office.

**Mr. Chairman:** In which year did you start?

**Shri M. L. Vinayak:** In the year 1957.

**Shri B. R. Shukla:** Is it correct that you have issued circulars to certain firms styling yourself as Director, Public Relations Counsel of India, New Delhi.

**Shri M. L. Vinayak:** Yes, Sir.

**Shri B. R. Shukla:** Since when did you start doing this?

**Shri M. L. Vinayak:** From 1957.

**Shri B. R. Shukla:** Do you visit Members of Parliament?

**Shri M. L. Vinayak:** No, Sir. Previously, I used to visit Members of Parliament but since 1971 I have stopped.

**Shri B. R. Shukla:** You try to know as to what questions relating to particular firms are scheduled to be asked in Parliament.

**Shri M. L. Vinayak:** No, Sir.

**Shri B. R. Shukla:** Apart from your individual interest have you any professional interest in knowing the nature of discussions, debates affecting certain individuals or firms?

**Shri M. L. Vinayak:** No, Sir.

I want to make a submission. I will not hide anything from this Committee. I am very happy this Committee has been pleased to call me. I will explain all the things for hours together about the nature of work I do. But I have got an important engagement to see my daughter at Hyderabad. Accordingly, I wrote a letter to the Committee that I will not be able to come on the 17th. But I again thought it better that my absence may not be misunderstood by hon. Members of this Committee, so I cancelled my reservation for the 15th. I request that my evidence be postponed to some other date as I am mentally perturbed and at a later date I can give evidence in a cool manner and to the entire satisfaction of the Committee. I feel as a Parliamentary consultant I am not doing anything wrong. I am doing everything legitimate. This is my profession. Perhaps, I am the only person doing this profession in India and, as such, some people are jealous about it.

**Mr. Chairman:** What is the engagement that holds you in Hyderabad?

**Shri M. L. Vinayak:** Sir, a son has been born to my daughter and in our Hindu society there are certain customs and my daughter asked me that I should come on the 15th.

My second submission is when I got a letter from the Lok Sabha on the 4th October they were not pleased to send me a copy of the complaint. They have sent me a copy of letter dated 11th December, 1973 but it does not show to whom it is addressed. I send thousands of such letters. I do not deny that.

**Shri B. R. Shukla:** I think, the Committee may give you further extension of time for giving you an opportunity to put forth your views but I shall confine myself to general aspects of the matter. Since how long have you been carrying on lobbying work in Parliament?

**Shri M. L. Vinayak:** Since 1961.

**Shri B. R. Shukla:** Do you choose to visit the precincts of Parliament?

**Shri M. L. Vinayak:** No, Sir.

**Shri B. R. Shukla:** You don't get passes.

**Shri M. L. Vinayak:** I will tell later on as to what was the method. I have got so many things to tell to the Committee.

**Mr. Chairman:** Mr. Vinayak, please be specific.

**Shri B. R. Shukla:** Do you charge any fee from any individual or firm for helping them in their work in Parliament,

**Shri M. L. Vinayak:** People come to me to take my advice on certain matters. I give the advice.

I give them the questions that they want to be framed.

**Shri B. R. Shukla:** Whatever work you do or whatever advice you tender to a particular individual or firm, you do it against payment.

**Shri M. L. Vinayak:** Yes, Sir.

**Shri B. R. Shukla:** You also advertise about your profession to individuals and firms.

**Shri M. L. Vinayak:** Yes, Sir.

**Shri B. R. Shukla:** What kind of advice is generally sought from you and what advice do you give,

**Shri M. L. Vinayak:** People come to me to take advice on different matters.

**Shri B. R. Shukla:** Please give an example.

**Shri M. L. Vinayak:** A few days back I was approached to give them the names of the Muslim Members of the CPI(M). I went through the list of members of Parliament. Party affiliation is given there. I could know that they were two—one from West Bengal and one from Assam.

**Shri B. R. Shukla:** Do you charge the fee?

**Shri M. L. Vinayak:** Yes, Sir.

**Shri B. R. Shukla:** What is the rate of fee that you charge?

**Shri M. L. Vinayak:** My minimum fee is Rs. 50/-.

**Shri B. R. Shukla:** People come to you getting the questions framed.

**Shri M. L. Vinayak:** So many people come to me to take advice saying that this question is to be drafted. I draft it and give the same to them.

**Shri B. R. Shukla:** You do not draft the question at the instance of the Member of Parliament.

**Shri M. L. Vinayak:** No, Sir.

**Shri B. R. Shukla:** Your approach is only to firms and individuals and not to Members and you do it at your own place.

**Shri M. L. Vinayak:** Yes, Sir. That is correct.

**Shri B. R. Shukla:** You have represented to some firm that you can supply information as to why certain question is being put in Parliament.

**Shri M. L. Vinayak:** It is correct but I do not know why it is being mentioned. It was some years back some particular firm from Bombay asked me why certain questions were coming against them. I told them that I was a professional man and I could find out why questions were coming against them. I asked one of my men and it transpired that his own brother-in-law was giving certain questions against that firm because brother-in-law were working against each other.

**Shri B. R. Shukla:** You see nothing objectionable in making a probe into the causes and circumstances which induce a Member to put certain questions in Parliament. You think it a legitimate affair of yours to go into the motives behind putting certain questions in Parliament against certain individuals.

**Shri M. L. Vinayak:** No, Sir. That was only once. Personally I feel I may be right.

**Mr. Chairman:** There is a specific question being put to you. Whether it is right or wrong, that is a different matter. We want to know facts. You did probe.

**Shri M. L. Vinayak:** Once I did.

**Shri B. R. Shukla:** Since 1971 i.e. during the tenure of the present Parliament how many business Houses or concerns or individuals have approached you for ascertaining the causes which led to the putting of questions in Parliament regarding them?

**Shri M. L. Vinayak:** None.

**Shri B. R. Shukla:** Do you pay income tax?

**Shri M. L. Vinayak:** Yes, Sir.

**Shri B. R. Shukla:** Do you keep a record of the payments which are made to you from time to time?

**Shri M. L. Vinayak:** Yes, Sir.

**Shri B. R. Shukla:** You carry on no other profession?

**Shri M. L. Vinayak:** I carry on no other profession.

**Shri B. R. Shukla:** Accounts since 1971 up-to-date are in your possession?

**Shri M. L. Vinayak:** Yes, Sir.

**Shri B. R. Shukla:** The names of the firms are recorded there?

**Shri M. L. Vinayak:** Yes, Sir.

**Shri B. R. Shukla:** You maintain the record showing what work has been done by you for a particular individual?

**Shri M. L. Vinayak:** Since 1971 I have not been doing this work. I have stopped lobbying.

When any particular firm wants questions to be drafted, I do the same. Previously I used to charge Rs. 50/- now I charge Rs. 75/-.

**Shri B. R. Shukla:** Records will be available in your office that you have charged this much for a particular work?

**Shri M. L. Vinayak:** Yes, Sir.



**Shri B. R. Shukla:** You have written that we draft questions and put supplementaries in the Lok Sabha and Rajya Sabha about the difficulties of business people or to elicit information about a particular subject and our charges are Rs. 75/- to Rs. 350/- per question according to the nature of the work.

**Shri M. L. Vinayak:** I am not doing it. The material that you have got pertains to some years back. My health has fallen down. I am not doing any lobbying work since 1971.

**Mr. Chairman:** Have you written to the Managing Director, M/s. Acharya Electronics, Nagpur?

**Shri M. L. Vinayak:** Offhand I cannot say. From the copy I have received, there is no mention about whom I have written to.

**Mr. Chairman:** Is there a usual standard form for writing?

**Shri M. L. Vinayak:** Yes, Sir. If the name would have been mentioned on the copy I got, I would have said 'yes' or 'no'.

**Shri B. R. Shukla:** The letter which I am reading to you is dated 11-12-1973. It is written here.

"Managing Director,  
M/S Acharya Electronics,  
Nagpur.

Subject:—Your Company given licences for TV sets, capacity, others, several steps to assist to commerce production, value of capital goods, foreign allocation to import the necessary equipment, raw materials, etc. etc.

The above subject had come before Parliament and it also relates to your Company, business and industry. The statement as discussed in Parliament about your Company can be had against our fee Rs. 75/- each. Please add Rs. 2/- on out-station cheque. This is not a circular letter and it is being sent as it contains reference about your Company. Please quote subject matter of our Letter.

We can also place your point of view on this matter or any other and do lobbying work at the highest level. Our minimum fee for lobbying work is Rs. 2500/- or more according to the nature of the case strictly paid in advance. All expenses in lobbying work are

paid by firms. Many Government policies were changed or modified. Details can be discussed.

Thanking you,

Yours faithfully,

Sd/-

(M. L. Vinayak)

Director."

You said, you ceased to do lobbying work since 1971, but here there is a clear admission by you that you can do lobbying work at the highest level.

**Shri M. L. Vinayak:** I have said, Sir, that since 1971 I am not doing this work.

This was a printed circular letter about ten thousand copies were published. We have since dropped this thing. I am not doing lobbying work since 1971 because of my failing health.

**Shri B. R. Shukla:** You mean to say that this old form was issued inadvertently.

**Shri M. L. Vinayak:** I do not deny having sent this letter. What I have said was that since 1971 I had not done any lobbying work.

**Shri B. R. Shukla:** Your letter is at variance with and is contradictory to what you say today before this Committee.

Reverting to your old activities, upto 1971 you used to do lobbying work against payment of Rs. 2500/- or more according to the nature of the work.

**Shri M. L. Vinayak:** Yes, Sir.

**Shri B. R. Shukla:** What was the nature of the lobbying work at the highest level done by you upto 1971?

**Shri M. L. Vinayak:** I cannot give you an answer off-hand. I have handled many cases.

**Shri B. R. Shukla:** That was not your isolated act. It was your deliberate professional job. And when a person carries on a certain professional job, he may not be able to tell exactly the individual instances, but he can very well remember the nature of his professional work. That cannot escape his memory.

**Shri M. L. Vinayak:** I will give you each and every item of the work I have done. But as requested in the beginning, my evidence

may be postponed to some other day. I will explain everything to the Committee.

**Mr. Chairman:** If you wanted to apply for adjournment, you should have done earlier. I would advise you to simply answer the questions.

**Shri B. R. Shukla:** Please tell us, what type of lobbying work you used to do upto 1971 and what was the highest level at which you promised to the people that you could do that work?

**Shri M. L. Vinayak:** There is no promise in lobbying. What is Parliamentary Democracy after all? It is to place the viewpoint of the individuals before the Parliament, and see that if something is coming, that is set right. In 1971, one man from Calcutta came to me. He said, "we have gone to each and every man in the Government on one problem and we are unable to convince them." That was about the seizure of enemy property by Pakistan Government during 1965 war. In West Pakistan, after the transfer of power and the migration of people to India, the entire evacuee property of Hindus and Sikhs was taken over by the Pakistan Government. There was Nehru-Liaquat Pact. That transfer was not applicable to East Pakistan at that time. Still even after that partition, there were certain Indian firms which had their offices in West Pakistan and East Pakistan and they were carrying on their activities and business; their mills were running there. The profits, however could not be repatriated.

**Shri B. R. Shukla:** What lobbying work did you do?

**Shri M. L. Vinayak:** Those people told me that the Pakistan Government had taken away all their properties and those had been declared as enemy properties. They were not getting any compensation. I worked out on that matter and I told them that this was a contravention of the Nehru-Liaquat Pact. I drafted large scale representations for them; they met so many Members of Parliament. I do not meet any Members of Parliament. No Member of Parliament will agree to what they used to say.

As a Parliamentary consultant, I have got a brain; I can visualise things which are coming after five years. I have got that capacity. I can tell you what is going to come in 1980.

**Mr. Chairman:** Do not go into all these things. First talk slowly, distinctly and clearly, and then be brief in your answers. We are also, at the moment, not very much worried about your political clairvoyance. May be you are right, but it is not relevant here.

**Shri M. L. Vinayak:** Very well.

So, I drafted the calling attention notice for them and they approached certain Members of Parliament. But the Foreign Minister said that they cannot give any compensation for the property seized by West Pakistan and East Pakistan. Then I made a study to see whether West Germany or Japan gave any compensation to the people whose properties were seized by Burma or Czechoslovakia or France...

**Shri B. R. Shukla:** I have tried to follow what Parliamentary work you do. As I understand it, on the presentation of some difficulties found by certain individuals or firms who approach you, you study their case, you consult law, you utilise your acqirements and your intuitive talents to help them. But the question is, did you approach any M.P. or any officer of the Government or any Minister of the Government?

**Shri M. L. Vinayak:** No, Sir.

**Shri B. R. Shukla:** I think you understand the import and connotation of the word 'lobbying'? What is the meaning of 'lobbying'?

**Shri M. L. Vinayak:** To change Government's policy or modify it through Parliament.

**Shri B. R. Shukla:** So, if you write an article in the newspaper that such and such a policy of Government is not correct and it should be like this etc., would you call it 'lobbying' work?

**Shri M. L. Vinayak:** No, Sir.

**Shri B. R. Shukla:** If you frame a question and hand it over to the person concerned to be put in Parliament, is it lobbying work?

**Shri M. L. Vinayak:** That is not lobbying work. Lobbying work means that when certain things come up before Parliament who carry the brains of hundreds of people, you place certain facts before them in order to find out whether a particular legislation is harmful to the people there. Nowadays there is large-scale interference of the Government in their day-to-day working and it is the job of the people to study and inform them what legislation is harmful to the people—and this has to be done only through the backing of Parliament.

**Mr. Chairman:** What kind of work do you involve yourself in with a view to changing Government's policies? Your interpretation of 'lobbying' is to 'change Government's policies', as you have said: so what are the ways you are adopting or the measures you are taking to change Government's policies?

**Shri M. L. Vinayak:** The first thing is to draft out a memorandum for the party concerned (i.e. the people who approach me); then I ask them to get it printed; then they circulate it to the Members of Parliament.

**Mr. Chairman:** What is your part in it? You only write the memorandum and you have no other part?

**Shri M. L. Vinayak:** I gave them advice. I am a Parliamentary Consultant.

**Mr. Chairman:** Would you say that your part is only to write a memorandum? Don't tell me what *others* are doing but tell us what you are doing.

**Shri M. L. Vinayak:** As far as this particular case is concerned, I only drafted it out for them and they circulated it.

**Mr. Chairman:** I am not bothered about what others are doing.

**Shri M. L. Vinayak:** I gave them advice as to how the Government can be influenced.

**Mr. Chairman:** What was your advice?

**Shri M. L. Vinayak:** I asked them to put up a Call-Attention Notice in Parliament, first.

**Mr. Chairman:** So you first advised them to put up a Call-Attention Notice and you drafted the notice; what is the next stage?

**Shri M. L. Vinayak:** The Minister did not agree to the draft which I had drafted. He said that it would be a contravention of the Act. Then I studied some cases, in the cause of my clients, to see whether any compensation has been paid by any other country during the Second World War.

**Mr. Chairman:** After drafting it, what did you do?

**Shri M. L. Vinayak:** I have to explain it to you.

**Mr. Chairman:** So much explanation is not necessary.

**Shri M. L. Vinayak:** There are so many things, and since I have been called, I have to explain them to you so that you can consider whether what I am doing is wrong. Personally, I feel that nothing is bad about it.

**Mr. Chairman:** We have also not decided anything as yet; at the moment we consider you innocent.

**Shri M. L. Vinayak:** I have come before the Committee to give evidence. You can examine me for hours together and I will satisfy the Committee that in many cases Government's policies have been changed; I will prove it; I will give you instances. But I have not brought those papers now.

**Shri B. R. Shukla:** So, according to you, there is nothing objectionable in the lobbying work that you used to do upto 1971. Now, may I know what induced you to discontinue that work after 1971?

**Shri M. L. Vinayak:** So far, I am not doing any lobbying job after 1971.

**Shri B. R. Shukla:** My last question is this. Were you used to supplying literature concerning the discussions in Parliament or concerning the questions and answers in Parliament?

**Shri M. L. Vinayak:** Yes, Sir.

**Shri B. R. Shukla:** Did you circulate or sell this type of literature on the basis of authorised copies or did you get it done through unauthorised sources?

**Shri M. L. Vinayak:** If you will go through the brochure issued by the Lok Sabha Secretariat, there is a Sales Section there. You will find that anybody can go and get copies of the questions and answers against payment. Secondly, they have appointed certain agents also for selling Parliamentary publications. Thirdly, they have authorised certain individuals and firms to make a certain deposit in the Sales Section and get things regularly from there.

I have made a deposit, and I go almost every day. Generally people go to the Lok Sabha during sessions, but I go during the inter-sessions also. For example, a few days back the Lok Sabha issued a bulletin showing the legislations pending and the legislations passed. I study those things, because that is my profession, and if somebody asks me which Bill has been passed when, I give them that information because I get the details from the Lok Sabha on payment. I tell them that such and such a Bill has been passed on such and such a date. I read it from the publications issued by Lok Sabha Secretariat. So I charge from them a fee of Rs. 75 for giving that information. Anybody who comes to me for my service I charge them for my work.

**Shri Somnath Chatterjee:** Is my impression correct that you have not done any lobbying work since 1971 because you have not got a client?

**Shri M. L. Vinayak:** It is because my health has failed and I have been advised by the doctor not to strain much that I have stopped lobbying work.

**Shri Somnath Chatterjee:** Your usual fee is Rs. 50. Now you have increased it to Rs. 75.

**Shri M. L. Vinayak:** Yes, Sir. I have increased the fee ever since Lok Sabha Secretariat increased the cost of Notices from ten paise to fifty paise.

**Shri Somnath Chatterjee:** Now for drafting a Memorandum what would be your fee?

**Shri M. L. Vinayak:** That may be Rs. 200, Rs. 300 or Rs. 500.

**Shri Somnath Chatterjee:** What is the maximum fee?

**Shri M. L. Vinayak:** It all depends on the nature of work.

**Shri Somnath Chatterjee:** When you charge, say, Rs. 500 for drafting a Memorandum, do you charge something else for giving advice?

**Shri M. L. Vinayak:** Only to give them the advice as to how a particular work can be done and who are the particular Members of Parliament he should meet for that work, I charge this fee.

**Shri Somnath Chatterjee:** Only for giving this advice and for drafting the Memorandum you are charging Rs. 2500 as your fee.

**Shri M. L. Vinayak:** As I have already said, this was a Circular letter already printed.

**Shri Somnath Chatterjee:** But for your drafting work, you may charge a maximum fee of Rs. 500.

**Shri M. L. Vinayak:** May be more, Sir.

**Shri Somnath Chatterjee:** You have said that the maximum fee is Rs. 500.

**Shri M. L. Vinayak:** No. It may be Rs. 300, Rs. 500... or Rs. 700.

**Shri Somnath Chatterjee:** You have said in this letter that your minimum fee is Rs. 2500 or more which will include, according to you, drafting of Memorandum and giving advice as to how that Memorandum should be utilised.

**Shri M. L. Vinayak:** That fee may be for six months or for a year and it may be for 15 months, that is, till that matter is decided.

But on that particular matter I charged Rs. 2500. It took me about 10 months.

**Shri Somnath Chatterjee:** You have mentioned that a particular fee was the minimum for lobbying work and so far as the other work like giving advice, etc. you were charging Rs. 75. That means you were charging Rs. 2575.

**Shri M. L. Vinayak:** The fee of Rs. 75 is for supplying individual information on any matter. It has nothing to do with the lobbying work.

**Shri Somnath Chatterjee:** Do you incur expenses for doing this lobbying work?

**Shri M. L. Vinayak:** No, Sir.

**Shri Somnath Chatterjee:** Would your account show anything of this kind?

**Shri M. L. Vinayak:** No, Sir.

**Shri Somnath Chatterjee:** What is your staff?

**Shri M. L. Vinayak:** I have got 4 people.

**Shri Somnath Chatterjee:** What sort of work are they doing?

**Shri M. L. Vinayak:** They are stenos and typists.

**Shri Somnath Chatterjee:** You have said that for lobbying work you engaged a man to find out why certain questions were put in regard to a firm in Bombay. Was he one of your four staff?

**Shri M. L. Vinayak:** No, Sir.

**Shri Somnath Chatterjee:** Who was he?

**Shri M. L. Vinayak:** There are so many detective agencies in Delhi. They just investigate the matters.

**Shri Somnath Chatterjee:** You engaged a detective agency to find out this matter.

**Mr. Chairman:** You are diluting the matter with so many other things.



**Shri Somnath Chatterjee:** Therefore, in this particular case you engaged a detective to find out whether certain Members of Parliament put the questions. But you did not advise the detective as to what procedure he should follow.

**Shri M. L. Vinayak:** No, Sir.

**Shri Somnath Chatterjee:** How much have you paid to that agency?

**Shri M. L. Vinayak:** I think I have paid them Rs. 200.

**Shri Somnath Chatterjee:** Have you got the copy of that report?

**Shri M. L. Vinayak:** I cannot say that now, Sir.

**Shri Somnath Chatterjee:** How would the detective agency know this fact unless they approach the Members?

**Shri M. L. Vinayak:** I do not know their *modus operandi*.

**Mr. Chairman:** As a Director of the firm, are you interested in giving sound advice to your clients? In that case, your advice can only be based on facts and figures. Is it not so?

**Shri M. L. Vinayak:** Yes, Sir.

**Mr. Chairman:** Therefore, when the detective gives you the report naturally you should be satisfied that the report must be based on facts and figures and you should have asked him wherefrom he got this report. It is your responsibility to see that your advice is a sound one. Have you asked your detective the source from where he had collected the information?

**Shri M. L. Vinayak:** No, Sir. I did only once.

**Mr. Chairman:** Why is it that you did not verify it? If somebody gave you some incorrect report, why did you not verify it?

**Shri M. L. Vinayak:** As I have said in the beginning, I am the only person doing this kind of job. If you feel that some of my activities are bad, I can withdraw from those activities.

**Shri Somnath Chatterjee:** Is that detective firm still acting as your agent?

**Shri M. L. Vinayak:** I cannot say that, Sir. I asked them to find out this particular report and after that they did not come to me.

**Shri Somnath Chatterjee:** One of your jobs is to find out the background of questions that are put in the House and also the background of the debate raised in the House. Is that not your job?

**Shri M. L. Vinayak:** It is not my job. Only once, somebody approached me. Then, I mentioned that thing. It was some years back.

**Shri Somnath Chatterjee:** Once you did it?

**Mr. Chairman:** You answer specifically that one question. Then, you say only once you did it.

**Shri M. L. Vinayak:** This was only once.

**Mr. Chairman:** You did once.

**Shri Somnath Chatterjee:** You issued circulars also saying that your services were available to ascertain the background to any question that may be put in the House?

**Shri M. L. Vinayak:** Only once somebody approached me. That is all.

**Shri Somnath Chatterjee:** You issued circulars to that effect, offering your services for that job?

**Shri M. L. Vinayak:** If the Committee feels, I can withdraw that.

**Shri Somnath Chatterjee:** Kindly say 'yes' or 'no'.

**Shri M. L. Vinayak::** Yes. I admit.

**Shri Somnath Chatterjee:** For which you want Rs. 700?

**Shri M. L. Vinayak:** Yes.

**Shri Somnath Chatterjee:** When you issued that circular, you must have had in your mind that if somebody approaches you to find out the background, you would help him?

**Shri M. L. Vinayak:** This is a very hypothetical question. Nobody approached me. So, the question of my agreeing does not arise.

**Shri Somnath Chatterjee:** Please appreciate. You have yourself said that you can supply the background to the question.

**Shri M. L. Vinayak:** Correct, Sir.

**Shri Somnath Chatterjee:** This is an invitation to the public.

**Shri M. L. Vinayak:** Correct, Sir.

**Shri Somnath Chatterjee:** If somebody in answer to that approaches you, you have to find out.

**Shri M. L. Vinayak:** No, Sir.

**Shri Somnath Chatterjee:** But, you had decided that in such a case, what would be your fees, namely, Rs. 700.

**Shri M. L. Vinayak:** Correct, Sir.

**Shri Somnath Chatterjee:** Therefore, you must have known what efforts you will have to make to find out the background.

**Shri M. L. Vinayak:** As I said, after 1971, I have stopped this thing. If somebody comes to me, I can refuse it even, because I am only concentrating on giving individual information charging Rs. 75.

**Shri Somnath Chatterjee:** Therefore, you want to tell us that these circulars were issued without any consideration by you, without any application of mind by you and in a casual manner, whether you wanted to do this job or not, you got them printed and circulated. Is that so?

**Shri M. L. Vinayak:** I have done in good faith, not with any bad motives because I feel that in lobbying of this nature, this may be one of the jobs. I have done in good faith.

**Shri Somnath Chatterjee:** So, do I take it that—if I am wrong, please correct me—according to you, trying to find out the background of a question being put in Parliament is not a proper work to do?

**Shri M. L. Vinayak:** It may be bad and after I have talked to the hon. Members, I feel that this is not a legitimate thing.

**Shri Somnath Chatterjee:** You now realise?

**Shri M. L. Vinayak:** Yes. Correct, Sir.

**Shri Somnath Chatterjee:** What do you do, if somebody tries to find out who are the persons interested behind the question being put?

**Shri M. L. Vinayak:** As I said, since 1971, I am not doing this work. I am only concentrating on giving advice on a particular thing coming in the Parliament.

**Shri Somnath Chatterjee:** Do you think it is proper to try to find out the background to any question?

**Shri M. L. Vinayak:** I think it is not proper.

**Shri Somnath Chatterjee:** You did that, as you said.

**Shri M. L. Vinayak:** I have said that. The Constitution was adopted in 1950. From that time, till today, Parliament has not defined its privileges nor has it said that the Privileges of the House of Commons will be applicable. Discussions have been going on.

**Shri Somnath Chatterjee:** What question are you answering?

**Shri M. L. Vinayak:** What I am trying to say is....

**Shri Somnath Chatterjee:** Are you answering a question?

**Mr. Chairman:** I am very soft. I can simply stop you from bringing in extraneous matters. We are trying to find out the facts. Don't explain too many things and circumlocute. Please confine your answers to specific questions.

**Shri Somnath Chatterjee:** The last question I wish to put to you is this. Whom did you refer to as the highest level in the circular of 11th December, 1973?

**Shri M. L. Vinayak:** That is Parliament of India. In my next evidence, I will tell you what lobbying is, the contents of the legislation and what efforts should be made to educate Members of Parliament.....

**Shri Somnath Chatterjee:** We are not interested in your general theories about lobbying. We are only interested to find out what are your activities. You have said that on payment of a minimum charge of Rs. 2500 you can do lobbying work at the highest level. You have again tried to define the scope of your lobbying work as meaning drafting of memoranda and giving advice to your clients. How does Parliament of India as such come in, in your activities?

**Shri M. L. Vinayak:** If the Government is to be run by Ordinances and other things, there is no need for Parliament. Government drafts certain things. They come before the Parliament and they get the approval of Parliament. Sometimes, amendments are accepted there. There, a man like me comes who should educate the business people and the public as to how their rights should be safeguarded, what new amendments may be put there and how can the legislations affecting either A or B be suitably amended.

**Shri Somnath Chatterjee:** Educating the people about their rights, how are they being affected etc. you have equated that with your job of lobbying at the highest level. Is that so?

**Shri M. L. Vinayak:** When I say 'highest level', it means the Parliament of India.

**Shri Somnath Chatterjee:** What work you do in relation to Parliament? That is what I am asking you. I am not interested in what advice you give to the parties. You have mentioned lobbying work at the highest level, for which you charge a special fee of minimum Rs. 2500. What do you do?

**Shri M. L. Vinayak:** In 1970, I took up this question of compensation to the Indian nationals in East Pakistan and West Pakistan. So, I did the work. First, I advised them to put a Calling Attention. The Minister did not agree. Then, I cited them the example of West

Germany and Japan where they have paid compensation. Then, those people met the Members of Parliament. They were educated there, how in Japan, after the Second World War, they have paid compensation for the enemy properties.

**Mr. Chairman:** You can just say that you have mentioned this. Don't repeat this.

**Shri M. L. Vinayak:** Hon. Member was asking me. So, I said that. It is the fundamental right....

**Mr. Chairman:** By highest level, you mean Parliament?

**Shri M. L. Vinayak:** Yes, Sir. Every legislation can be changed by Parliament.

**Shri Somnath Chatterjee:** After drafting the Calling Attention Notice, did you hand it over to a Member?

**Shri M. L. Vinayak:** No. I do not meet any Member of Parliament.

**Shri Somnath Chatterjee:** You have never met any Member of Parliament?

**Shri M. L. Vinayak:** I have met thousands of Members. Many Members have been my clients also. But, I will tell you in my next evidence why I stopped that work. It may be very embarrassing to Members of Parliament.

**Shri Somnath Chatterjee:** After the new Parliament came into being in 1971, you stopped it?

**Shri M. L. Vinayak:** Yes, Sir.

**Shri Chintamani Panigrahi:** You said that you also draft questions for Parliament.

**Shri M. L. Vinayak:** For those people who come to me.

**Shri Chintamani Panigrahi:** Those people, those Members who come to you?

**Shri M. L. Vinayak:** As I have said....

**Shri Chintamani Panigrahi:** The parties who come.

**Shri M. L. Vinayak:** Anybody in India can come to me.

**Shri Chintamani Panigrahi:** How many questions you draft for a Session?

**Shri M. L. Vinayak:** If ten people come, I draft ten questions.

**Shri Chintamani Panigrahi:** You must have been basing your income on the number of questions.

**Shri M. L. Vinayak:** I charge Rs. 75. If there is one person, I draft one question. If there are ten people, I draft ten questions, charging Rs. 750.

**Shri Chintamani Panigrahi:** How many you drafted during the last Session of Parliament? How many people came to you?

**Shri M. L. Vinayak:** None. As I said, from 1971, I have stopped lobbying work.

**Shri Chintamani Panigrahi:** Are you still drafting questions?

**Shri M. L. Vinayak:** No. As I said, I stopped. Whatever is discussed in Lok Sabha and Rajya Sabha is available to everybody in India on sale. This is not a secret document. That is not a secret document.

**Shri Chintamani Panigrahi:** You are not drafting any questions now, I think. Now nobody is coming to you. But you were drafting till 1971.

**Shri M. L. Vinayak:** Till 1970.

**Shri Chintamani Panigrahi:** After 1970 you stopped it. You might be knowing that a Member only can put a question in the House. Nobody else can put a question. When you draft a question you give to a particular Member.

**Shri M. L. Vinayak:** I will tell you later on. Business people are more intelligent than me, they know whom to approach,—there are no Tul Mohan Rams in the Parliament now.

**Shri Chintamani Panigrahi:** Please don't speak in that way.

**Shri M. L. Vinayak:** In my next evidence I will tell you about this. There are so many things which I have to mention. If I divulge these things, they may be embarrassing to Members of Parliament.

**Shri Chintamani Panigrahi:** You should divulge; you should do it. You said business people are more clever than yourself.

**Shri M. L. Vinayak:** They know. After 1971 elections the con-

ception of the people has changed. They know whom to go, how to get the work done. They don't need me now. After 1971 they don't need me now. I mean, the March elections . . .

**Shri Chintamani Panigrahi:** You mean, the business people don't come to you . . .

**Shri M. L. Vinayak:** They know where to go, they know where the work is to be done and whom to approach. There is no need for a man like me.

**Shri Chintamani Panigrahi:** Your importance ceased after 1971.

**Shri M. L. Vinayak:** Yes.

**Shri Chintamani Panigrahi:** You said, you employed some detective agency in Delhi. How many agencies you know?

**Shri M. L. Vinayak:** In the Telephone Directory you can find. There are 8 or 9. We may say, please find out the information.

**Shri Chintamani Panigrahi:** Are they Government?

**Shri M. L. Vinayak:** No, they are private people.

**Shri Chintamani Panigrahi:** How many agencies are now working in Delhi who supply this sort of information?

**Shri M. L. Vinayak:** There was a question in Parliament some years back. Then it was said, there were about 5 or 6 detective agencies or so. Even during the last session there was some question. The question was whether the American Embassy has employed any detective agency to do watch and ward duties and to collect important intelligent information. The Minister for Foreign Affairs, as far as I could recollect, replied on these lines that USIS has taken this work. They have employed certain agency and given them watch and ward duties and the Government is thinking of having some sort of control and legislation, and what will happen if other missions also do like that. I think this was in the last session of Parliament.

**Shri Chintamani Panigrahi:** How many times you have done that?

**Shri M. L. Vinayak:** Only once when somebody came to me and wanted some information.

**Shri Chintamani Panigrahi:** Your income must have gone down after 1971.

**Shri M. L. Vinayak:** It has gone down.

**Shri Chintamani Panigrahi:** What was your income before 1971 for doing this sort of lobbying work?

**Shri M. L. Vinayak:** In terms of profit and loss, Rs. 8 to 9 thousand a year. I pay income-tax.

**Shri Chintamani Panigrahi:** You said about the people employed.

**Shri M. L. Vinayak:** Staff of 4 people, typists and others.

**Shri Chintamani Panigrahi:** Do they go?

**Shri M. L. Vinayak:** They don't go; the entire work is done by me. They only type what I ask.

**Shri Chintamani Panigrahi:** We have come across two circulars, one dated 11th December, 1973 and another dated 15th December, 1973. You said, you stopped this work since 1971.

**Shri M. L. Vinayak:** I have stopped lobbying job since 1971.

**Shri Chintamani Panigrahi:** Here it is 15th and 11th December.

**Shri M. L. Vinayak:** It is typed.... I send letters in hundreds. I don't keep a record. The last lobbying work which I did was on 27th of February, when Government of India decided to give *ad hoc* compensation of Rs. 25 lakhs. After that I have not done any lobbying job so far.

**Shri Chintamani Panigrahi:** Then how were these dates printed? This is 15th December and 11th December. How they were printed in your circular? What about the dates?

**Shri M. L. Vinayak:** The dates are typed. Every day or every week I send so many letters.

**Shri Chintamani Panigrahi:** For the whole year...

**Shri M. L. Vinayak:** For the whole year I may have sent 2,000 letters.

**Shri Chintamani Panigrahi:** Till 15th December, 1973 you have sent 2,000 circulars like this.

**Shri M. L. Vinayak:** For the whole year.

**Shri Chintamani Panigrahi:** That means in 1973 you were signing a circular.

**Shri M. L. Vinayak:** Yes.



**Shri K. G. Deshmukh:** I will be brief; you may also please be brief. What is your educational qualification?

**Shri M. L. Vinayak:** M.A., Political Science. I have been a very senior Government official also. I will tell you later what sacrifice I have made for the country and how ungrateful the country has been to me.

**Shri K. G. Deshmukh:** When did you leave that service?

**Shri M. L. Vinayak:** Left in 1947, Punjab Government service at Lahore.

**Shri K. G. Deshmukh:** What I am asking now relates prior to 1971. After that you said you have left the job. But earlier to that you framed questions. And also, according to your circular, you say, you can put supplementary in Lok Sabha and Rajya Sabha. How can you put questions in Lok Sabha and Rajya Sabha?

**Shri M. L. Vinayak:** I draft supplementary for any questions and give to the party concerned.

**Shri K. G. Deshmukh:** Please say yes or no to my question.

**Mr. Chairman:** Did you put questions?

**Shri M. L. Vinayak:** I did not put questions.

**Shri K. G. Deshmukh:** You said, you supplied copies of Demands for Grants to your clients. There are separate books containing the various Demands of various Ministries. They give us the expenditure for the next year. For different items it seems you can procure them through your influence.

**Shri M. L. Vinayak:** Sir, you are asking me a certain thing. One of the fundamental principles of justice is that when you ask anybody to come before you and when he himself appears before the Committee, he should be given all those things which have been circulated so that he can answer those things. I am not hiding anything.

**Shri K. G. Deshmukh:** It seems that you had a Central Hall Pass to enter it.

**Shri M. L. Vinayak:** No, Sir.

**Shri K. G. Deshmukh:** Our information is that the Central Hall Pass issued to Shri Vinayak was cancelled under the orders of the Speaker in 1959.

**Shri M. L. Vinayak:** I shall explain to you later why it was done. I say that was not cancelled.

**Shri K. G. Deshmukh:** That is my information. Tell us 'Yes' or 'No' to this.

**Shri M. L. Vinayak:** Since you want me to be very frank, I should be permitted to give my answers. I was called in 1966 before the Privileges Committee. I shall tell you why the Speaker did not agree with the findings and no action was taken. As far as that is concerned as one of the accused, I shall not mention any name. That is why I discontinued my connections with the Members of Parliament. Moreover I did not get payments from so many Members of Parliament. Their cheques were also dishonoured. I made payments for their electricity for the houses. Those payments were never made to me. I thought it better not to have any connections with the Members of Parliament.

**Shri K. G. Deshmukh:** You are charging us. I ask a simple question. You answer that specifically. Why are you going into details and saying something which has no relevance at all?

**Shri M. L. Vinayak:** It has got relevance. So far I have never communicated with any one. The Central Hall pass was not cancelled.

**Shri K. G. Deshmukh:** Now tell us whether it was cancelled or not.

**Shri M. L. Vinayak:** It was not cancelled.

**Mr. Chairman:** Please put your question about the central hall pass. Was it cancelled or not? Tell us.

**Shri M. L. Vinayak:** Never.

**Mr. Chairman:** That matter is over. It is the hon. Member's information that that pass was cancelled. Tell us whether it is right or not.

**Shri M. L. Vinayak:** Never.

**Shri K. G. Deshmukh:** You procured some leaflets and books regarding the Parliament from the Publications Counter.

**Shri M. L. Vinayak:** Correct.

**Shri K. G. Deshmukh:** What is the procedure in getting them? I think that only during the session a Member can procure them.

**Shri M. L. Vinayak:** Anybody in India can go and get them. The Lok Sabha has given instructions in this regard. Anyone can get these Parliamentary papers from there.

**Shri K. G. Deshmukh:** If budget is presented to-day in Parliament, you may get the budget papers tomorrow from there. Is that so?

**Shri M. L. Vinayak:** They are available from the Lok Sabha Sales Section for Rs. 15/-. The supplementary budget paper is available for Rs. 25/-. Anybody can go there and pay Rs. 15 and get the budget papers. Similarly, as I said, for the supplementary budget, the Lok Sabha will charge Rs. 25/-. I am not the only one person who gets them from there and there are thousands of people who go to the Sales Section and by paying the amount can get the papers.

**Shri Chintamani Panigrahi:** While he was speaking, in answer to a question, he remarked that the report of the Privileges Committee was not agreed to by the Speaker. Did you make this observation?

**Mr. Chairman:** Did you make such a statement?

**Shri Chintamani Panigrahi:** You made the statement that the Speaker did not agree with the findings of the Privileges Committee of Parliament.

**Shri M. L. Vinayak:** There are certain rules under which the Committee was asked to inquire into certain allegations made against me. The Committee was to send that report to the Speaker. I wrote a letter to the hon. Speaker, Shri Hukam Singh in March, 1967 giving my information. I was penalised for nothing at all at that time. I shall tell you later on how it was manoeuvred by the Deputy Secretary.

**Shri Chintamani Panigrahi:** I asked my question in a minute. You take so much time to reply to it. It will only embarrass you.

**Shri M. L. Vinayak:** Why I take so much time is this. I have been given these two papers. I have to reply. I never knew that the members of the Committee have supplied with certain papers.

**Shri Chintamani Panigrahi:** We shall come to that later. You answer my main question.

**Mr. Chairman:** I find that in spite of repeated warning to you in reply to questions, you go on replying with all kinds of things. I must tell you that if this is the position, the examination of yours will have to be conducted for days and days. You talk all sorts of things. We will have to find out the truth.

I would tell you that if you go on saying these irrelevant things they would not help you. We are lawyers and we know how to proceed with these things. You should first realise that when you make some allegations against anybody, you will be held responsible for

that unless you are able to substantiate them. Be careful in all these things and answer specifically the questions put to you. I shall rule out any answer which is not germane to Mr. Panigrahi's question.

**Shri Chintamani Panigrahi:** Well, in reply to some question you made a certain observation that the findings of the Privileges Committee of Third Lok Sabha were not agreed upon by the Speaker. You know about the Privileges Committee and how it functions.

**Mr. Chairman:** Did you make a statement that the Speaker did not agree with the recommendations of the Privileges Committee?

**Shri M. L. Vinayak:** I do not think I have made this specific statement.

**Mr. Chairman:** We want your explanation. Do not say any other thing.

**Shri M. L. Vinayak:** I have been asked to appear before the Committee. I have not come prepared to give answers to the very thing. I am being asked certain questions which pertain to 1966. That is why I have said that I do not have that material with me, I cannot answer it.

**Mr. Chairman:** You say you do not know.

**Shri M. L. Vinayak:** Since the Committee may be pleased to supply those things, I will help you to know what things happened because so many...

**Mr. Chairman:** He said he has not said that.

We shall now adjourn to meet again at 3 P.M.

*(The Committee then adjourned for lunch)*

*The Committee re-assembled after Lunch.*

*(DR. HENRY AUSTIN in the Chair.)*

**Shri M. C. Daga:** The Public Relations Counsel of India—is it a Company or a firm or society?

**Shri M. L. Vinayak:** It is a firm.

**Shri M. C. Daga:** How many partners are there in this firm?

**Shri M. L. Vinayak:** Myself only.

**Shri M. C. Daga:** When did you start this firm?

**Shri M. L. Vinayak:** I added this name in 1957.

**Shri M. C. Daga:** Since 1957 you have been paying income-tax?

**Shri M. L. Vinayak:** I have been paying income-tax only from 1965-66 because earlier to that, I had no taxable income.

**Shri M. C. Daga:** From 1965 you have been maintaining regular accounts?

**Shri M. L. Vinayak:** No.

**Shri M. C. Daga:** Just now you said that you charged them Rs. 75 and you gave them the list of CPI(M) Members. When was it?

**Shri M. L. Vinayak:** I do not remember.

**Shri M. C. Daga:** Have you issued him a receipt?

**Shri M. L. Vinayak:** No.

**Shri M. C. Daga:** Whenever you charge Rs. 75 or Rs. 100 or Rs. 200 or Rs. 2500, do you not issue receipts?

**Shri M. L. Vinayak:** Whenever I receive a cheque, I issue a receipt.

**Shri M. C. Daga:** You have the counterfoil?

**Shri M. L. Vinayak:** Yes.

**Shri M. C. Daga:** Can you produce it? You have got the counterfoils of the years 1972, 1973 and 1974?

**Shri M. L. Vinayak:** Yes, Sir.

**Shri M. C. Daga:** Who are the persons working with you and their names?

**Shri M. L. Vinayak:** They are typists. One is Bhupinder Kumar who is with me for the last two years. Second is Gulshan Kumar who is with me for the last two months. Third is a part-time. He was a Member of the Rajya Sabha and I would not like to mention his name.

**Shri M. C. Daga:** What remuneration you pay to these people?

**Shri M. L. Vinayak:** I pay Rs. 400/- to Shri Bhupinder Kumar and Rs. 200/- to Shri Gulshan Kumar.

**Shri M. C. Daga:** Prior to 1970 how many persons approached you for lobbying work and paid Rs. 2,500/- and also what are their names?

**Shri M. L. Vinayak:** I cannot say off-hand. In 1970 a Marwari from Calcutta paid me Rs. 2,500|- for this work. There is another firm Steam Navigation Company.

**Shri M. C. Daga:** How many customers you had in the years 1968, 1969, 1970, etc.

**Shri M. L. Vinayak:** I will submit the list. I cannot say off-hand.

**Shri M. C. Daga:** You have a complete list about Rs. 75/-.

**Shri M. L. Vinayak:** Yes, Sir.

**Shri M. C. Daga:** About Rs. 700/-?

**Shri M. L. Vinayak:** Only one firm, that is, Meckenzie Ltd., Bombay came to me.

**Shri M. C. Daga:** Supposing you stopped your lobbying business in 1971 but this letter is dated 15th December, 1973.

**Shri M. L. Vinayak:** Sir, this is a printed circular letter which is being sent. In early 1974 the previous papers were exhausted and I got printed a new circular eliminating this portion.

**Shri M. C. Daga:** Have you got the second circular with you?

**Shri M. L. Vinayak:** No, Sir.

**Shri M. C. Daga:** Have you got an inward and outward register?

**Shri M. L. Vinayak:** No, Sir.

**Shri M. C. Daga:** You have said:

“We can also place your point of view on this matter..... lobbying work at the highest level.”

Have you been attending Parliament?

**Shri M. L. Vinayak:** No, Sir.

**Shri M. C. Daga:** You have never visited the Parliament?

**Shri M. L. Vinayak:** No, Sir.

**Shri M. C. Daga:** You do not know how discussions take place in Lok Sabha?

**Shri M. L. Vinayak:** I know the rules of procedure. I have been educating the Members of Parliament and drafting their questions. I have got with me the debates after the Constituent Assembly from 1946. I have also got the printed debates of Lok Sabha and Rajya Sabha. I have got the reports of Estimates Committee and other committees. I study these reports.

**Shri M. C. Daga:** There are certain papers which are laid on the Table of the House and there is no publication. Then how do you manage to have those papers?

**Shri M. L. Vinayak:** I am not concerned with it. A businessman is concerned with Questions and Answers. He is not concerned with the papers laid. In the next hearing I will tell you how the papers are laid and from where they are available.

**Shri M. C. Daga:** Here is a letter addressed to the Managing Director, Acharya Electronics in which you have said your licence No... How do you get it?

**Shri M. L. Vinayak:** Sir, I have been only sent a copy of a blank letter. So, I cannot go through my own record.

**Shri M. C. Daga:** I presume these are not the copies. Did you meet the Managing Director of the Company or did you exchange correspondence with him?

**Shri M. L. Vinayak:** No, Sir.

**Shri M. C. Daga:** This second letter to Abdul—no allegation of smuggling against Minister, etc., was it written by you?

**Shri M. L. Vinayak:** No, Sir. If any letters are written by me, office copies are maintained by my office. If circulars are sent, I do not keep copies. I write in the out register that 50 circular letters have been sent to such and such persons.

These are the two blank documents which have been sent to me by the Committee and I have been feeling handicapped.

**Shri M. C. Daga:** You were examined in 1966. You must have known then that these activities of yours are not appreciated.

**Shri M. L. Vinayak:** If the Committee would have indicated to me I would certainly have been pleased to stop it. I am the only person in India who has created interest. You ask your Sales Department and see the sale which has increased by 20 per cent.

**Shri M. C. Daga:** Did you receive letter from Mr. Hukam Singh or did you write to him?

**Shri M. L. Vinayak:** Yes, Sir. It is about eight years old thing and I will have to find out.

**Shri M. C. Daga:** After 1967 did you prepare questions for Members of Parliament?

**Shri M. L. Vinayak:** I used to prepare.

**Shri M. C. Daga:** You stopped it after 1971.

**Shri M. L. Vinayak:** Yes, Sir, because my health has gone down.

**Shri M. C. Daga:** In the years 1968—70 you had been preparing questions and the Members of Parliament used to come personally.

**Shri M. L. Vinayak:** I shall show the copies of the letters which I have been sending.

**Shri M. C. Daga:** Have the Members approached you personally?

**Shri M. L. Vinayak:** They approached me on telephone, by writing letters and they have also met me.

**Shri M. C. Daga:** Can you give names of the Members of Parliament who had been coming to your residence?

**Shri M. L. Vinayak:** I have been very intimate with several Members of Parliament. It is a business affair. So, I would request you that this question may not be asked.

**Shri M. C. Daga:** If a Member has come to you and he must have paid you the amount, I want to know who are the Members so that we can find out whether this is so.

**Shri M. L. Vinayak:** I will show their letters. Right from 1954 I have been taking money in cash or through cheques—a cheque was for Rs. 2000 on the State Bank of India, Parliament House.

**Shri M. C. Daga:** Have you any say in politics?

**Shri M. L. Vinayak:** I only draft what the Member wants. I have no say or have no politics of my own.

**Shri M. C. Daga:** Have they given you in writing?

**Shri M. L. Vinayak:** I may have letters but some time it is oral.

**Shri M. C. Daga:** Do you draft questions only, or half-an-hour discussion too?

**Shri M. L. Vinayak:** Half-an-hour and points for discussion too.

**Shri M. C. Daga:** Has anybody got half-an-hour prepared?

**Shri M. L. Vinayak:** Several Members of Parliament have got it done. I shall show their letters written to me.

**Shri M. C. Daga:** 'We can supply information about your one industry and our subscription is Rs. 600'. Was this written by you?



**Shri M. L. Vinayak:** Yes, Sir.

**Shri M. C. Daga:** To whom was this letter addressed?

**Shri M. L. Vinayak:** I do not know whom it has been addressed. This is a printed matter which is dated 11. 1974. Who can remember?

**Shri M. C. Daga:** But it is correct that this was written by you.

**Shri M. L. Vinayak:** Yes.

**Shri M. C. Daga:** I want to know the name of that industry.

**Shri M. L. Vinayak:** Suppose somebody wants information about Cement Industry. I can supply information. So many people from the Sales Section come. At least 20 people come. They get the questions drafted.

**Shri M. C. Daga:** Are some Members your regular customers or every year you have new members? Suppose one member comes to you in 1965, does he become your regular customer.

**Shri M. L. Vinayak:** Not a regular customer. Whenever they require anything, they write to me and I charge Rs. 75/- previously it was Rs. 50/-, but since the Sales Section has increased the prices of synopses and other publications, I also increased my rates. As I make a regular deposit, I just take things and study them very minutely. In the synopses, everything is mentioned and if people ask me anything, I charge Rs. 75/- and give them the information.

**Shri Shyamnandan Mishra:** The learned witness claims to have discontinued the business of lobbying in the year 1971 or thereabouts, and yet we find that, as it has been rightly pointed out by some Hon'ble Members of the Committee, this business has still figured in his circular letters in 1973 also.

**Shri M. L. Vinayak:** Correct.

**Shri Shyamnandan Mishra:** I am not able to get it. Was it due to inadvertence or simply slackness on your part that you allowed the same business to come into all the circulars which have been issued since 1971 when you claim to have discontinued the business of lobbying?

**Shri M. L. Vinayak:** It may be by oversight; it should not have gone into them.

**Shri Shyamnandan Mishra:** Can it be attributed to mere slackness or inadvertence on your part?

**Shri M. L. Vinayak:** It can be either slackness or inadvertence, because there were eight to nine thousand copies.

**Mr. Chairman:** Since you decided not to do any lobbying after 1971, what steps did you take in pursuance of that decision? It is a high office that you are holding in an all-India organisation; what responsibility have you shown?

**Shri Shyamnandan Mishra:** How do you explain the fact that it continued figuring in all the correspondence you carried on with your potential customers even after you discontinued this function of yours?

**Shri M. L. Vinayak:** I had got printed about eight to nine thousand copies of the letter which was circulated; and so it continued.

**Shri Shyamnandan Mishra:** What is this nine thousand business? I am not able to understand it.

**Shri M. L. Vinayak:** It may be a mistake; it should not have continued in my letters.

**Shri Shyamnandan Mishra:** You had sent one of the circulars to an Electronics company and it was mentioned there also. Now, what would you expect any reasonable person to infer from this circular letter of yours dated 11th December 1973 which you had written to the Managing Director of Acharya Electronics, Nagpur? You don't deny sending it?

**Shri M. L. Vinayak:** I do not know whether I had sent it or not because, in the copy, there is no mention of the name; but it must have been sent.

**Shri Shyamnandan Mishra:** What does the wording of the letter convey to any reasonable person? I am reading from that letter:

"Dear Sir,

Sub: Your Company given licences for T.V. Sets, Capacity, others, several steps to assist commence production, value of capital goods, foreign allocation to import the necessary equipment, raw materials, etc.

The above subject had come before Parliament and it also relates to your Company Business and Industry. The Statement as discussed in Parliament about your Company can be had against our fee of Rs. 75/- cash".

You are making a commitment to your potential customer that you can get this information on the basis of Rs. 75/- cash. Then, the last para says:

“We can also place your point of view on this matter or any other and do lobbying work at the highest level. Our minimum fee for lobbying work is Rs. 2500/- or more according to the nature of the case.”

That means that you are trying to sell two of your functions to your potential customer. One is that you can tell them, for Rs. 75/-, all that has taken place in Parliament on this subject and, secondly, for the purpose of lobbying also you are available to them if they pay Rs. 2500. Now, is it your view that one would infer from correspondence of this kind that you have discontinued the function of lobbying; and do you attribute it to mere inadvertence or slackness on your part that it was not taken away?

**Shri M. L. Vinayak:** I feel that I will get the same impression that you have drawn before me—that I do this work still; anybody would get that impression. But, even if any letter had come to me asking me to do this work, since I am not doing that work now, I would have refused.

**Shri Shyamnandan Mishra:** That is a different thing—that because of certain difficulties or handicaps you may not be able to perform this function. But this function continues to be one of your firm's.

**Shri M. L. Vinayak:** No, Sir.

**Shri Shyamnandan Mishra:** Then, I would put it to you whether you have taken any definite action to withdraw this function from the functions of your firm.

**Shri M. L. Vinayak:** After the copies of this letter were exhausted, I deleted this portion in my next circular which I got printed.

**Shri Shyamnandan Mishra:** Since when?

**Shri M. L. Vinayak:** Since January 1974. I will show you that letter.

**Shri Shyamnandan Mishra:** So it is only since 1974 that you have not mentioned it in your circular; otherwise it did figure till 1974?

**Shri M. L. Vinayak:** Yes, Sir.

**Shri Shyamnandan Mishra:** The reason given by you for discontinuing this function, so far as I can recollect, was that your health did not permit you to undertake this function?

**Shri M. L. Vinayak:** There were certain other reasons also.

**Shri Shyamnandan Mishra:** That is the impression I gathered in the morning.

**Shri M. L. Vinayak:** Correct; that is what I mentioned. But I had said in the beginning that since I have come prepared only for these two things and certain other matters are also being raised....

**Shri Shyamnandan Mishra:** But I am not raising any other matter; I am only asking you whether the reason for discontinuing this function was not your indifferent health, as you seem to have conveyed. You seem to have conveyed in the morning that it was only because of your indifferent health that you discontinued it.

**Shri M. L. Vinayak:** I mentioned two reasons; one was my health and the second was a change in the attitude of business people from 1971. They now know where to go, where to pay money, what is the work to be done etc. and they don't need the services of Mr. Vinayak.

**Shri B. R. Shukla:** Then the second reason is that there has been a change in the attitude of the businessmen, that is not to utilise your services.

**Shri M. L. Vinayak:** Now, they do not come to me, Sir.

**Shri B. R. Shukla:** It is a very lucrative business because the fee is Rs. 2500/-. I do not know why you should stop this business. I think that because they have stopped coming to you, you stopped working for them.

**Shri M. L. Vinayak:** There may be two reasons. First is that my health does not permit me to do the job. I was suffering from arthritis and I was in the Medical Institute and I am still undergoing treatment. I cannot take that laborious job. The second reason is that because people stopped coming to me, I stopped working.

**Shri Shyamnandan Mishra:** I would like to know about your activities. Has any enquiry been made by the authorities concerned about your activities? If so, can you recollect and tell me how many times such enquiries have been made since your firm came into being?

**Shri M. L. Vinayak:** I do not know, Sir. It was only in 1966 when I was asked to appear before the.....

**Shri Shyamnandan Mishra:** So, please say that there was only one enquiry made about your activities.

**Shri M. L. Vinayak:** Yes, Sir.

**Shri Shyamnandan Mishra:** But earlier you said 'No'. After the enquiry, entry pass to Parliament House was cancelled in your case.

**Shri M. L. Vinayak:** I do not know anything because no intimation was sent to me. I got no intimation informing me that my pass had been cancelled or I was debarred from entering Parliament House.

**Shri Shyamnandan Mishra:** Was that pass valid for the whole season—that is for five years?

**Shri M. L. Vinayak:** No, Sir.

**Shri Shyamnandan Mishra:** Did you not apply for it again?

**Shri M. L. Vinayak:** No, Sir.

**Shri Shyamnandan Mishra:** Have you applied for admission to Lok Sabha at any time through any Member?

**Shri M. L. Vinayak:** What type of admission, Sir?

**Shri Shyamnandan Mishra:** For admission to the visitors' gallery.

**Shri M. L. Vinayak:** I think it was in 1957 when Mundra affair was discussed I had applied for admission.

**Shri Shyamnandan Mishra:** After that, did you not apply for it?

**Shri M. L. Vinayak:** Never, Sir.

**Shri Shyamnandan Mishra:** Will there not be any record to show that you had applied for admission?

**Shri M. L. Vinayak:** I have never come to Lok Sabha.

**Shri Shyamnandan Mishra:** Have you at any time applied for admission to Rajya Sabha?

**Shri M. L. Vinayak:** I go there.

**Shri Shyamnandan Mishra:** Are you going to the visitors' gallery of Rajya Sabha? Or you are only keeping touch with the people at the counter to get the papers and the publications?

**Shri M. L. Vinayak:** Sir, I get all the papers, Memoranda, bills etc. from the sales counter of Lok Sabha and the Rajya Sabha. I have got a library of my own having collections and all the publications right from the Constituent Assembly period, that is, from 1946.

**Shri Shyamnandan Mishra:** Were you at any time informed that you were violating the rules governing the copy right assigned to Lok Sabha?

**Shri M. L. Vinayak:** I do not remember that because as I have said I have come prepared to answer these two questions only. If I had been supplied with the copies of the material which had been circulated I would have studied and would have given all the information.

**Shri Shyamnandan Mishra:** You simply answer this question. Whether at any time it was pointed out to you that you were violating the copy right of Lok Sabha Secretariat?

**Shri M. L. Vinayak:** I cannot recollect a thing which had happened eight years back.

**Shri Shyamnandan Mishra:** Now, was there any doubt, at any point of time, when you were asked to appear before the Committee as a witness in connection with the signature that you would have appended in the Memorandum?

**Shri M. L. Vinayak:** Yes, I admitted having signed it.

**Shri Shyamnandan Mishra:** Was there a great effort on the part of the Committee to get you here as witness?

**Shri M. L. Vinayak:** It is because that was the first time for me to appear before the Committee and at that time no papers were sent to me. Even I was denied the opportunity of knowing who was the complainant. I was not at all informed and I was confused in this matter. Only when the hon. Member Mr. Mukerjee explained to me this matter that I had said they were my signatures.

**Shri Shyamnandan Mishra:** You claim that you had rendered service to Members of Parliament and in that connection you have mentioned some names. Did those hon. Members deny the fact of having utilised your services?

**Shri M. L. Vinayak:** I do not know anything.

**Shri Shyamnandan Mishra:** But you claim that those hon. Members whom you have mentioned, had received your services.

**Shri M. L. Vinayak:** I can show the letters written by them.

**Shri Shyamnandan Mishra:** Can you produce those letters?

**Shri M. L. Vinayak:** Yes, Sir.

**Shri Shyamnandan Mishra:** The witness has claimed that he had been rendering service to the Members of Parliament. In that connection, he has also received letters from the Members of Parliament. Now, he says that he has certain letters which would go to show that they had been received.

**Shri M. L. Vinayak:** I will produce.

**Shri Shyamnandan Mishra:** Is it a fact that you did not appear before the Committee, that is, the Committee of Privileges, on a number of occasions, when the Committee required your attendance?

**Shri M. L. Vinayak:** I cannot recollect, because this is a matter about eight years back. I cannot recollect.

**Shri Shyamnandan Mishra:** Did not the Committee express their displeasure to you that you were not making yourself available to the Committee? That also, you do not remember?

**Shri M. L. Vinayak:** As far as I remember, whenever I was asked, I came before the Committee. I never missed any meeting. As far as I remember, I never missed any meeting.

**Shri Shyamnandan Mishra:** Then, finally, we would like to know this. You have mentioned earlier in reply to a question that one Member of Rajya Sabha had been working on your staff. Do I get it correctly?

**Shri M. L. Vinayak:** No, Sir. This is absolutely wrong.

**Shri B. R. Shukla:** You have just said in reply to a question. I think in reply to Mr. Daga's question, that your firm is a one-man concern, that is yourself, and that others are working to assist you—two stenos, one of them engaged only for the last two months and the third one . . .

**Shri M. L. Vinayak:** Clerk, I said.

**Shri B. R. Shukla:** You said that one Member of Rajya Sabha was working on your staff, whose name you did not like to disclose.

**Shri M. L. Vinayak:** No, Sir.

**Shri B. R. Shukla:** You say that you have not said it. Let it go on record. We shall consult the record.

**Shri M. L. Vinayak:** What I said was, a clerk from the Rajya Sabha. He has been typing my work. That is all.

**Shri B. R. Shukla:** That word he says now. Previously?

**Shri M. L. Vinayak:** Rajya Sabha staff.

**Shri B. R. Shukla:** Were the persons with whose assistance you prepared questions and other relevant things, on your pay roll? Did they render their services free or did they obtain your remuneration from you for assisting you in your activities?

**Shri M. L. Vinayak:** Who?

**Shri B. R. Shukla:** The clerk; the stenographer.

**Shri M. L. Vinayak:** Paid part-time.

**Shri B. R. Shukla:** So, it means that even the member of the staff from Rajya Sabha used to get something from you.

**Shri M. L. Vinayak:** No. There are so many people from the Government of India. They were working part-time.

**Shri B. R. Shukla:** They may be working part-time. My point is, a member of the staff of Rajya Sabha used to work in your firm and whose name you did not like to disclose.

**Shri M. L. Vinayak:** I can disclose.

**Shri B. R. Shukla:** So, he used to get some money?

**Shri M. L. Vinayak:** He used to get Rs. 70/- for typing my work.

**Shri M. C. Daga:** We should get all the documents from him.

**Mr. Chairman:** What are the documents?

**Shri Shyamnandan Mishra:** We can discuss this among ourselves. Why should we mention it here?

**Shri M. C. Daga:** Receipts for the payments made to him.

**Shri B. R. Shukla:** Also, the account books showing the names of the persons from whom you used to receive money for the years 1970 and onwards, till now.

**Shri M. C. Daga:** For the period before 1970 also.

**Shri M. L. Vinayak:** I can produce the records from 1971.

**Shri M. C. Daga:** The correspondence file.

**Shri Shyamnandan Mishra:** The notices you have received from the Privileges Committee in the past.

**Shri M. C. Daga:** The names of Members of Parliament who have been receiving your services and from whom you received payments.

**Mr. Chairman:** I would like to have another document. You said you were issuing circulars, in printed form, previously and that you made certain amendments in that. We want both, the earlier one and the modified one.

**Shri M. C. Daga:** The names of MPs from whom.....



**Shri M. L. Vinayak:** I shall show you their dishonoured cheques. They have not returned so far the money which they have taken from me.

**Mr. Chairman:** Why have they taken from you?

**Shri M. L. Vinayak:** I do not know.

**Mr. Chairman:** Did they borrow from you?

**Shri M. L. Vinayak:** They borrowed from me and one Member wanted to stand for election. He did not have money for paying the security deposit.

**Shri B. R. Shukla:** We are not concerned with that.

**Shri M. L. Vinayak:** That is why, I severed my connection with the Members.

**Shri B. R. Shukla:** We do not want that.

**Shri M. L. Vinayak:** I will produce.

**Shri B. R. Shukla:** You cannot force your documents on us.

**Mr. Chairman:** Has it any relevance to this matter? You said that you have no contact at all with Members of Parliament with reference to your work and you just give advice to firms and individuals.

**Shri M. L. Vinayak:** No.

**Mr. Chairman:** Please listen. You have no other connection with Members of Parliament or the Secretariat staff. This is a different matter. You may have, in your individual capacity, loaned money to so many persons. We are not concerned with that. It has no relation to this.

Now, I would like to ask some questions. How many persons are working?

**Shri M. L. Vinayak:** Four.

**Mr. Chairman:** In 1971?

**Shri M. L. Vinayak:** In 1971, two.

**Mr. Chairman:** What are the names? You have given. Can you say it again?

**Shri M. L. Vinayak:** I have mentioned the names: Bhupendra Kumar. Mr. Gulshan.

**Mr. Chairman:** What are the newspapers you read?

**Shri M. L. Vinayak:** All important papers I get. I read practically most of the newspapers from Delhi.

**Mr. Chairman:** Most of the important newspapers from Delhi you read. Was any of the clerks working in your organisation apprehended by the police or arrested or was there any case like that?

**Shri M. L. Vinayak:** Yes, one of my employees....

**Mr. Chairman:** When was he arrested?

**Shri M. L. Vinayak:** I made report against him to police in July and he was arrested.

**Mr. Chairman:** When was it?

**Shri M. L. Vinayak:** 13th of July.

**Mr. Chairman:** Reports of his arrest came in papers? Do you know?

**Shri M. L. Vinayak:** May have come. He stole away some of my papers, correspondence etc. He started a firm of his own. He felt that he has gained experience.

**Mr. Chairman:** What was the reason for his arrest?

**Shri M. L. Vinayak:** He stole away my papers. He was arrested.

**Mr. Chairman:** You complained. At your instance this was done. He was arrested. What has transpired later?

**Shri M. L. Vinayak:** Still pending.

**Mr. Chairman:** You have informed the police and you took initiative.

**Shri M. L. Vinayak:** I am only complainant. The case becomes State *versus*....

**Mr. Chairman:** You say, certain documents have been stolen. They can't just shirk responsibility. Did you enquire at what stage the case is?

**Shri M. L. Vinayak:** I have not received summons from the magistrate. He was arrested and was bailed out. After that, I have not received any intimation.

**Mr. Chairman:** Documents were stolen, according to you. What was there? Any idea?

**Shri M. L. Vinayak:** Question papers, Lok Sabha, Rajya Sabha correspondence etc. These are the files. He has destroyed some of the files.

**Mr. Chairman:** What were the correspondence which he stole? How many?

**Shri M. L. Vinayak:** He stole about 14 or 13 files.

**Mr. Chairman:** Some correspondence files were also stolen. What were they?

**Shri M. L. Vinayak:** He stole certain correspondence file with Members of Parliament and other Chief Ministers.

**Mr. Chairman:** Your correspondence with Members of Parliament were stolen, and with Chief Ministers. Who were the Chief Ministers whom you contacted?

**Shri M. L. Vinayak:** I will supply information. I sent letters to about 18 or 19 Chief Ministers. That was in March. I got reply from one or two. One was Chief Minister of Nagaland. He sent me cheque of Rs. 1,000. There was the Chief Minister from Mysore, Dev Raj Urs. Also, one Chief Minister from Haryana. The other Chief Ministers said, the matter is under consideration.

**Mr. Chairman:** What were the contents of the correspondence?

**Shri M. L. Vinayak:** If there is any political reference about any Chief Minister, about them specifically, if they want information, I can collect it and sent it on to them. The Chief Minister of Nagaland said he would like to get that.

**Mr. Chairman:** Did you supply any information?

**Shri M. L. Vinayak:** There was a Calling Attention in Rajya Sabha. I sent them a copy.

**Mr. Chairman:** Rs. 1,000 for..

**Shri M. L. Vinayak:** For one full year.

**Mr. Chairman:** They were supplied....

**Shri M. L. Vinayak:** Only political reference about Chief Minister, not about the State. Many of the States have got liaison departments here. They circulate material to Members of Parliament, posting them with various points, about Kerala also this was done. The late Mr. Harish Chandra Mathur used to speak and he pointed this out once in Rajya Sabha that this practice of State Governments to have liaison officers and approaching Members of Parliament etc. should be stopped.

**Mr. Chairman:** There was this report of the arrest of your clerk. Did you try to find out what appeared in the Press?

**Shri M. L. Vinayak:** We came to know that he has been arrested.

**Mr. Chairman:** I put a simple question. You were told by the police that this was done. Did you try to find out what kind of news has appeared, is it derogatory to you, because you will be naturally very much concerned?

**Shri M. L. Vinayak:** It appeared in one newspaper, may be *Motherland*. I read that cutting.

**Mr. Chairman:** Did you get back the correspondence or they are with the police?

**Shri M. L. Vinayak:** The police raided his office which was non-existent. They got hold of all the papers.

**Mr. Chairman:** When they raided did they recover documents from him?

**Shri M. L. Vinayak:** I think they have recovered.

**Mr. Chairman:** Did they call you after that?

**Shri M. L. Vinayak:** They did not call.

**Mr. Chairman:** You also did not think you should go to the police.

**Shri M. L. Vinayak:** I took up once or twice. They said we have sent challan to magistrate and you will get intimidated.

**Mr. Chairman:** What are the number of documents they seized? You should be naturally concerned, as all-India organisation. Did you make any effort with the police to find out these things?

**Shri M. L. Vinayak:** Whatever documents were recovered the police had made a mention in the challan.

**Mr. Chairman:** That is all right. The point is this. Did they check up with you when so many had been recovered as to how many more you had lost?

**Shri M. L. Vinayak:** They recovered only the two documents.

**Mr. Chairman:** How many have you lost?

**Shri M. L. Vinayak:** I think I have lost about 12 files.

**Mr. Chairman:** Did you make any further representation to the police for the remaining ten to be recovered? In other words, what efforts did you make in that regard?

**Shri M. L. Vinayak:** I think I have gone to the police once or twice to take the case to its logical end. But, I cannot force them to do that.

**Mr. Chairman:** That is a different matter. Were you sufficiently vigilant enough to pursue the matter so that the entire files could be traced?

**Shri M. L. Vinayak:** I just wrote a letter to the LG of Police.

**Mr. Chairman:** The information that you first gave was that you had lost about 12 files. Of these, two were recovered by the police. Did you make further representation to see that the twelve more should also be recovered?

**Shri M. L. Vinayak:** I wrote a letter to the highest authority.

**Mr. Chairman:** Can you produce a copy of the letter?

**Shri M. L. Vinayak:** Yes.

**Mr. Chairman:** Please give us a copy of the F.I.R. with the police and further letters that you have written.

**Shri M. L. Vinayak:** Yes, Sir.

**Mr. Chairman:** This is a Parliamentary Committee. Tell us why you did not mention the name, that is, Shri Chandradhar Saini when you mentioned the names of all the persons who had worked with you in 1964. We have to get the truth from you. Why did you not mention this name?

**Shri M. L. Vinayak:** I have forgotten to mention the name of Shri Chandradhar Saini.

**Mr. Chairman:** I asked you to mention all the names. You mentioned the name of Shri Kumar also. When I put the question clearly, you did not mention that. You now mention that because so many things have happened and on your own admission you were apprehended by the police. The newspaper reports have given that. How is it that you had failed to mention the name?

**Shri M. L. Vinayak:** I can only say that it is by mistake or due to loss of my memory.

**Mr. Chairman:** Is it by mistake or you were deliberately trying to hide this? You just answer this.

**Shri M. L. Vinayak:** I have told you that it is mistake or due to loss of my memory that I have failed to mention his name.

**Mr. Chairman:** All right. In the printed circular you have stated that 'we can place your point of view on this matter or any other matter at the highest level'. What do you mean by saying that 'we can place your point of view on this matter at the highest level'? That is what you have written. In an earlier answer to a specific question you said that it is your business to receive papers. How can you tell us that you can place their point of view on this matter? What do you mean by this? Do not give too much of your explanation.

**Shri M. L. Vinayak:** I have explained to you that this is a printed circular letter.

**Mr. Chairman:** It is under your signature. Do not bring in any explanation. Do you place the point of view of an individual or a firm at the highest level. This is in contradiction to your earlier statement that your duty ends by giving your draft or sending some material asked. What do you mean by that?

**Shri M. L. Vinayak:** I said in the beginning and in the morning also that I have been doing lobbying work. I had been doing all sorts of things till 1970.

**Mr. Chairman:** I am reading to you from a circular that you have written in 1973. Under your signature, you have written on the 11th December 1973—you explained this position and how do you reconcile this position—that you will place their point of view at the highest level? That is the statement that you have made while despatching these papers.

**Shri M. L. Vinayak:** What I said was that this letter was printed some three years back. About 9,000 copies were printed.

**Mr. Chairman:** That may be so.

**Shri M. L. Vinayak:** This is continuing. Nobody has come to me. I have now stopped that work.

**Mr. Chairman:** You just explain why in 1971 you stopped this kind of lobbying. Your explanation does not support that you had four members on your staff. You later said that there was some trouble and you have lost your memory or you are not well. You can always give standing instructions that this portion might be deleted. Now that you have stopped lobbying activity, you explain that as to why have you stopped it?

**Shri M. L. Vinayak:** It has escaped my attention. That should not have happened. I have deleted it now.

**Mr. Chairman:** Have you been told that you should not enter the Central Hall by the Lok Sabha?

**Shri M. L. Vinayak:** I have never received any letter. It was, for the first time, that I hear from you. I did not have anything in writing with me and so I could not write to the Speaker.

**Mr. Chairman:** You wanted to go to Hyderabad.

**Shri M. L. Vinayak:** Yes Sir.

**Mr. Chairman:** Did you make your reservation?

**Shri M. L. Vinayak:** Yes, Sir.

**Mr. Chairman:** Have you ever applied for a Parliament House entry pass?

**Shri M. L. Vinayak:** Never.

**Mr. Chairman:** Have you deputed any of your staff or anybody connected with your organisation to go to Parliament to collect the materials?

**Shri M. L. Vinayak:** We go to the Sales Section.

**Mr. Chairman:** That is part of the Parliament House. Who are the persons whom you have deputed?

**Shri M. L. Vinayak:** Sometimes I go myself and sometimes my staff themselves go.

**Mr. Chairman:** So, you occasionally collect the materials?

**Shri M. L. Vinayak:** Yes Sir.

**Mr. Chairman:** Otherwise, you send your people.

**Shri M. L. Vinayak:** Yes, Sir.

**Mr. Chairman:** Have you gone at any time after 1973 to Parliament House to collect the materials?

**Shri M. L. Vinayak:** Even now I am coming. Sometimes I go and collect the papers myself from the Sales Section.

**Mr. Chairman:** From whom do you get this permission to come to Parliament House? From a parliament member?

**Shri M. L. Vinayak:** Anybody in India can go to the sales section. Everyday thousands of people go there.

**Shri H. N. Mukerjee:** Mr. Vinayak, you are a journalist by profession?

**Shri M. L. Vinayak:** No.

**Shri H. N. Mukerjee:** You are not a journalist. You are by chance a lawyer?

**Shri M. L. Vinayak:** No.

**Shri H. N. Mukerjee:** You are just a man of all work.

**Shri M. L. Vinayak:** No. I am a professional. I learnt this method from Mr. Feroze Gandhi during the Mundhra affair.

**Shri H. N. Mukerjee:** You set up a Public Relations Counsel on the basis of your knowledge of the world?

**Shri M. L. Vinayak:** Correct.

**Shri H. N. Mukerjee:** You have already had occasion to be hauled up before this Committee?

**Shri M. L. Vinayak:** In 1966.

**Shri H. N. Mukerjee:** Our information is that you did have a Central Hall Pass which was cancelled on the orders of the Speaker.

**Shri M. L. Vinayak:** I do not know.

**Shri H. N. Mukerjee:** You deny it?

**Shri M. L. Vinayak:** Because I have not got in writing any intimation from the Speaker or from the Lok Sabha that 'your pass has been cancelled'.

**Shri H. N. Mukerjee:** If I put it to you that you did have a Central Hall Pass issued to you and then that pass was countermanded by the orders of the Speaker, do you deny it?

**Shri M. L. Vinayak:** No, what I say is that after 1958, I have not come to the Lok Sabha and no intimation has been sent to me that 'your pass has been cancelled'. I do not require to come to the Lok Sabha because I get all the debates. I pay for it. I have got debates of the Constituent Assembly right from 1946. I get reports of the Select Committees on payment. By roaming here and going there, you cannot get anything. It is the debate which gives information.

**Shri H. N. Mukerjee:** I am not interested in what went on in your mind. I want to know from you as a matter of fact whether or not you did have a Central Hall pass issued to you which Pass was later countermanded by order of the Speaker.



**Shri M. L. Vinayak:** I never had any Central Hall Pass. At that time, if I remember correctly, in 1958, daily a pass could be issued by any member to the Central Hall. I was doing certain work of certain MPs. One MP, a lady, did not pay me my fee, the charge for the work I was doing. I asked her to pay. But in order not to pay, she wrote a letter to the Speaker that 'Mr. Vinayak is harassing me'.

**Shri H. N. Mukerjee:** Do you recall any occasion when your presence in Parliament House and its environments was considered undesirable by the authorities of Parliament?

**Shri M. L. Vinayak:** I do not know. I did not have any intimation in writing that 'we will not issue any pass'.

**Shri H. N. Mukerjee:** On this, we shall have to find out the fact of the matter.

Repeatedly, you have been asked about your letter dated 15 December, 1973 where you say your minimum fee for lobbying work is Rs. 2500 or more. That is a matter of fact?

**Shri M. L. Vinayak:** Correct.

**Shri H. N. Mukerjee:** Which means to say that by the use of money you influence the conduct of people in Parliament?

**Shri M. L. Vinayak:** No. I take my professional fee. That is all. I am not concerned with any MP.

**Shri H. N. Mukerjee:** You were explaining that you would perform certain service to your clients in relation to all sorts of things, that is to say, their requirement of licence for TV sets, capacity, assistance to commence production in factories, capital allocation, foreign allocation, raw material etc.

**Shri M. L. Vinayak:** No, no.

**Shri H. N. Mukerjee:** Is this the kind of work that you undertake?

**Shri M. L. Vinayak:** No. Professor, I have got very great regard for you because you were very kind to me in the previous Committee also. What I have mentioned is this. Two or three questions came in the Lok Sabha or Rajya Sabha—I do not know which. These are the subjects mentioned there. So I have mentioned the subjects, three or four subjects. The question was already asked. The answer was also given. I sent them a letter saying, 'if you want this information concerning your company, I will charge Rs. 75'. If somebody sends me Rs: 75, I send the answer to him. That is all.

**Shri H. N. Mukerjee:** You have told us in the beginning that you are a man of the world well aware of how the world conducts itself. Do you expect us to believe that your clients would pay you Rs. 2,500 or more and they would not expect any recompense, anything in return for it?

**Shri M. L. Vinayak:** No, they must.

**Shri H. N. Mukerjee:** How would they get it? In the shape of some benefit from governmental sources through the instrumentality of MPs?

**Shri M. L. Vinayak:** No, I may tell you I do not go to any MP. I draft things and send them the material. They themselves approach MPs. They send the matter and get it settled. For instance, take the enemy property matter. The Government did not do it. They said it is a contravention of the Nehru-Liaquat Pact.

**Shri H. N. Mukerjee:** Do you mean to say that you expect to get results in your favour and in the favour of your clients without contacting MPs and influencing them to do something in favour of your clients?

**Shri M. L. Vinayak:** I do not go; I never meet any MP.

**Shri H. N. Mukerjee:** In that case, do you pray to God and ask for results?

**Shri M. L. Vinayak:** I do not pray to God; I work for it.

**Shri H. N. Mukerjee:** What is your modus operandi as Public Relations Counsel?

**Shri M. L. Vinayak:** I just draft things and send them. They go to the MPs. They explain things to them. When they find some difficulties, they contact me. Again I draft things for them.

**Shri H. N. Mukerjee:** If I want a licence or permit and I want your assistance, I give you some money and you would arrange for me with the particular section that licence?

**Shri M. L. Vinayak:** No. I have nothing to do with any licencing, with any permit. I do not visit any government department. In licence, I do not do lobbying.

**Shri H. N. Mukerjee:** What is your benevolent agency? Why do you charge Rs. 2500 from your clients? For service which appears to be very peculiar and imponderable?

**Shri M. L. Vinayak:** That is for them to think about. Because I know that in regard to the enemy property matter, it was my brain and my work. Government and Parliament was pleased to be influenced because I asked them to meet them. The Government made an announcement on 27 February saying that Government had decided to give an *ad hoc* compensation upto a maximum of Rs. 25 lakhs and they should send their claims and other things to the Custodian of Enemy Property. Many firms did so.

**Shri H. N. Mukerjee:** I cannot go into all the details. If I put it to you that you tell the world that you can get some advantage from members of the Government and members of Parliament are your clients and, therefore, you charge them?

**Shri M. L. Vinayak:** I only give them advice. I draft things for them. That is all.

**Shri H. N. Mukerjee:** Do you draft petitions on behalf of citizens of this country to Government, to Parliament, or applications to Ministries or things of that kind?

**Shri M. L. Vinayak:** No. I do not do anything with the Ministries, no licensing, no permit; only to Parliament.

**Shri H. N. Mukerjee:** You charge Rs. 2500 from Mr. X to do some service, I expect?

**Shri M. L. Vinayak:** Correct.

**Shri H. N. Mukerjee:** What is it exactly that you do?

**Shri M. L. Vinayak:** I just draft things. They get it printed. They circulate it. If Mr. X says this is the result, again I do the drafting.

**Shri H. N. Mukerjee:** You are neither a lawyer nor a journalist nor anything that we can label on. According to you, you do this work. You pay income tax, if I correctly remember what you said earlier. You carry on this work. You make some money.

**Shri M. L. Vinayak:** I do not make money. I...

**Shri H. N. Mukerjee:** You tell the world you are a Public Relations Counsel?

**Shri M. L. Vinayak:** Yes.

**Shri B. R. Shukla:** I think the evidence will be circulated.

**Mr. Chairman:** Yes. Now, the next meeting may be at 3 p.m. on the 4th November, provisionally. The witness may come with all the documents.

Mr. Vinayak, I would have asked you to come here on another day, but you did not advance any plea that you were not well or anything like that, but that you wanted to go to Hyderabad. If you had said you were not well, it would have been a different matter. You said you wanted to go to Hyderabad. It was not a sufficient reason for postponing the meeting.

**Shri M. L. Vinayak:** My daughter wanted it. I have now cancelled it.

**Mr. Chairman:** That is all right. I just wanted to mention it. Don't feel that we wanted to put you to any inconvenience. You may go now.

*(The witness then withdrew)*

Wednesday, the 6th November, 1974

PRESENT

Dr. Henry Austin—*Chairman.*

MEMBERS

2. Shri M. C. Daga
3. Shri K. G. Deshmukh
4. Shri Chintamani Panigrahi
5. Shri Maddi Sudarsanam
6. Shri Atal Bihari Vajpayee
7. Shri G. Viswanathan

SECRETARIAT

Shri J. R. Kapur—*Under Secretary.*

WITNESS

Shri M. L. Vinayak—*“Director, Public Relations Counsel of India,” New Delhi.*

*(The Committee met at 11.00 hours)*

**Evidence of Shri M. L. Vinayak, “Director, Public Relations Counsel of India”, New Delhi.**

**Mr. Chairman:** You may kindly take the oath.

**Shri M. L. Vinayak:** I, M. L. Vinayak do swear in the name of God that the evidence which I shall give in this case shall be true and that I will conceal nothing and that no part of my evidence shall be false.

**Mr. Chairman:** Last time you were asked to produce certain documents. What are the documents you have brought?

*(Shri Vinayak passed on documents to the Chairman)*

Have you brought the counter-foils of receipts of payments received by your firm in 1971?

**Shri M. L. Vinayak:** I need time for it because as I had said at the end of my evidence, one of my servants had stolen away certain files and I have to reconstruct my accounts. In my police report I stated that he had taken the file of accounts also. I am trying to reconcile my things from my bank papers.

**Mr. Chairman:** How much time do you require?

**Shri M. L. Vinayak:** I want four weeks.

**Mr. Chairman:** All right you take one month.

What about the Account Books from 1971 onwards?

Have you brought your firm's correspondence file?

You have to produce seven documents listed here. You have complied with only two items 5 and 6, and that also not completely. Where are the copies of old and new forms of circulars?

**Shri M. L. Vinayak:** I have these two documents. I will bring them. I have forgotten.

**Mr. Chairman:** How is it that you have not complied with the directions of the Committee.

**Shri M. L. Vinayak:** I have got a copy of the letter that I have sent to the police authorities. I am sorry, I forgot to bring that.

**Mr. Chairman:** You cannot forget like that.

**Shri M. L. Vinayak:** If you like, Sir, I can give these copies tomorrow to the office.

**Mr. Chairman:** I tell you that serious action will follow, if you do not produce these documents.

**Shri M. L. Vinayak:** I am not concealing anything. It may be my mistake. I felt that the report that I made to the police was needed and I have brought that.

**Mr. Chairman:** Partial fulfilment would not help you. You will have to produce all the documents called for; otherwise we would make such presumptions as law would warrant.

**Shri M. C. Daga:** Where is the F.I.R.?

**Shri M. L. Vinayak:** The police took action on this report only.

**Shri M. C. Daga:** Here is the list of documents. Where is the F.I.R.?

**Shri M. L. Vinayak:** I can get a copy of that.

**Shri M. C. Daga:** In your letter, you have written 'This is with reference to the complaint....'. Where is that complaint?

**Shri M. L. Vinayak:** They said that they wanted a complete list of the documents found missing.

**Shri M. C. Daga:** You lodged a report on 9th July and later on the police wanted a list. I want to have a copy of the FIR lodged with the police.

**Mr. Chairman:** Where is the first letter?

**Shri M. L. Vinayak:** I will bring that. This was the complaint on which the police took action.

**Mr. Chairman:** You are referring to some letter.

**Shri M. L. Vinayak:** One of my employees was absconding from my office. They said that no action could be taken unless the list of missing documents was given. I gave them the list on the next day. The police asked me to do that orally. I have got a copy of the letter of 9th July. I will produce that.

**Mr. Chairman:** You are not complying with the directions of the Committee. When the Committee takes a decision, you will have to bear the consequences. You should produce all these documents within a month's time. That is the maximum we can give you.

**Shri M. L. Vinayak:** Should I get the FIR also from the police, or should I send my copy, Sir?

**Mr. Chairman:** We will get that from the Police Officer. You bring the first report. At what stage is the case?

**Shri M. L. Vinayak:** So far I have not received any summons from the court for giving evidence. They have filed the case.

**Mr. Chairman:** Was the accused traced?

**Shri M. L. Vinayak:** He was arrested and was in jail for three days. He was bailed out later.

**Mr. Chairman:** Has the examination of the accused taken place?

**Shri M. L. Vinayak:** The police has charge-sheeted him. The case is before the court.

**Mr. Chairman:** Has the court summoned any witness?

**Shri M. L. Vinayak:** I have not received any summons so far.

**Shri G. Viswanathan:** Mr. Vinayak, do you want to hide anything from this Committee or would you undertake that you will tell this Committee everything that is within your knowledge?

**Shri M. L. Vinayak:** Previously also, when I was called here, I had stated all the facts. I have nothing to hide from you because my own belief is that I have done nothing objectionable or un-constitutional. But I place myself entirely before the Committee and if they feel that such and such a thing is objectionable, I will stop it at once.

**Shri G. Viswanathan:** You have stated before this Committee that in many cases Government policies have been changed by your lobbying; can you narrate a few instances?

**Shri M. L. Vinayak:** I have mentioned that I will submit all the papers which have circulated to the Members of Parliament...

**Shri G. Viswanathan:** Your circulating them is a different thing. Can you mention a few cases where the Government policies have been changed because of your lobbying?

**Shri M. L. Vinayak:** One was in regard to ad hoc compensation to Indian nationals whose properties were seized in East Pakistan and West Pakistan.

**Shri G. Viswanathan:** You had already mentioned that. Is there any other case?

**Shri M. L. Vinayak:** There are so many cases.

**Shri G. Viswanathan:** Can you mention one or two?

**Shri M. L. Vinayak:** One was the Merchant Shipping Bill, in 1968.

**Shri G. Viswanathan:** How was it changed?

**Shri M. L. Vinayak:** I am talking off-hand from memory and, if I remember correctly, (although I am not a lawyer, I study them minutely) in the Bill there was one clause in which the Ministry of Shipping suggested that foreign capital should be invited for the shipping industry and that it should be 70 per cent while the Indian interest would be 30 per cent, and that the management should also

be in the hands of foreigners. I studied it and, when certain people also approached me, I circulated material to all the Members of the Select Committee on the Merchant Shipping Bill and I told them the dangers which would be there if foreigners were given a hand in the management of the shipping industry. I also canvassed with the Members of Parliament. If I remember aright, foreign interests were lobbying among the Members of Parliament; and one Mr. Haji who was ex-MLA of the Central Legislative Assembly and a former General Manager of the India Navigation Company was going, after retirement into collaboration with certain foreign shipping magnates of Greece and wanted to bring them here. I met Members of Parliament and convinced them, and that clause was amended. After that, you know about the Jayanti Shipping Company and Dharam Teja's case also.

**Shri G. Viswanathan:** So, you met Members of the Select Committee and convinced them?

**Shri M. L. Vinayak:** Yes, Sir. I sent letters also and, eventually, the Government reversed the policy.

**Shri G. Viswanathan:** In other cases also, when the aggrieved parties approach you, you prepare memoranda and other material, meet the Members of the Select Committees and convince them?

**Shri M. L. Vinayak:** Yes, Sir.

**Shri G. Viswanathan:** But you had stated previously that you never used to meet Members of Parliament and that you only ask the parties to meet the Members?

**Shri M. L. Vinayak:** That was in 1971, when my health failed—because I had an attack of arthritis and I was in a medical institute for one year. Then I was all right but, again, this March, all of a sudden—due to adulterated medicine—my hands were frozen and legs were frozen and the doctor advised me not to do strenuous work. I now do hardly one hour's work; I cannot help it. But previous to that, I had been meeting Members of the Committees, talking to them, sending letters to them, sending memoranda to them and convincing them. I had been doing all these things openly.

Some time back, in 1967 (again, I am talking from memory) there was a case where the Government gave a contract to a contractor for the Ashoka Hotel. Here, also, I made the history of the contractor known and Calling Attention notices were issued by certain Members and the matter even went up to the Public Accounts Committee. A few days back, I was reading the Report of the



Public Accounts Committee and, if I remember aright, they took certain action against the contractor and, previous to that, they took certain action against the Chairman. All this is just professional.

**Shri G. Viswanathan:** In convincing the Members, have you incurred any expenses?

**Shri M. L. Vinayak:** No, Sir, nothing; because I had association with Members of Parliament from 1953 onwards. What to talk of my giving money to them, they gave me money and took my advice.

**Shri G. Viswanathan:** So, to put it bluntly, you have not paid any money to MPs but have received money from them?

**Shri M. L. Vinayak:** I will give you copies of my circular letters. I openly send letters to Members of Parliament saying that I can give advice on the following matters regarding Parliamentary work—because, in foreign countries, MPs take advice from experts. I do it professionally. There are no politics. Of course, I have my own political views but, if it is a Communist Member, I do the work according to his wishes, if it is a Jana Sangh Member, according to his wishes etc. and there are no politics involved.

**Shri G. Viswanathan:** You have stated: "Many Members of Parliament have been my clients also, but I will tell you in my next evidence why I stopped that work; it may be embarrassing to Members of Parliament". What does this mean?

**Shri M. L. Vinayak:** I had stated that I could produce evidence but since the Committee does not want it, I won't do so.

**Shri G. Viswanathan:** What is that? I want it.

**Shri M. L. Vinayak:** At certain times, when the cheques of certain MPs were dishonoured, I paid to the parties from my own pocket. Sometimes I paid their electricity bills also. These amounts were not paid back to me. So, then, I thought it is of no use working for Members of Parliament.

**Shri G. Viswanathan:** If certain firms were to ask you to put certain questions through Members of Parliament, you will do so?

**Shri M. L. Vinayak:** Neper. I had two functions. In 1952 or 1953 I thought it over—taking a clue from the House of Commons and the Congress in America where the experts advise the Members of Parliament—and I sent letters to the Members of Parliament of the Lok Sabha and the Rajya Sabha. Certain Members

wanted to utilise my services and I was doing what they wanted of me; if they wanted a question to be drafted or a certain speech to be drafted or certain points for arguments, I have been drafting them myself—but only what they wanted, because I cannot force my views on them. In my letters it is clearly mentioned that I will never disclose the names of my clients to other MPs and so far I swear that I have never disclosed that I am doing the work of so and so. Even a few days ago an MP wanted certain questions to be drafted, but I will never disclose his name. I have even got a cheque for Rs. 400/- from the Member, but I will never disclose his name.

**Shri G. Viswanathan:** Do they give you the subject matter or do they simply sign a blank form of the Lok Sabha and give it to you?

**Shri M. L. Vinayak:** No, Sir, they say that these are the points, and then I draft them, because, I may have my own views on certain matters and the Members may have their own views.

**Shri G. Viswanathan:** If some other client, apart from an M.P., wants to put certain questions, and the Member also wants to put questions on the same matter, how do you draft them?

**Shri M. L. Vinayak:** Under no circumstances do I impose myself on Members of Parliament. I do only whatever they want.

**Shri G. Viswanathan:** But what about your other clients all over India?

**Shri M. L. Vinayak:** They get information from me about the work done in Parliament.

**Shri G. Viswanathan:** If they want to put certain questions?

**Shri M. L. Vinayak:** I will never do it.

**Shri G. Viswanathan:** You have said that you will draft the questions for them and also you will give instructions to them. You have stated that you will meet certain MPs. Can you tell who are those MPs?

**Shri M. L. Vinayak:** I have already stated that I would give those names within four weeks.

**Shri G. Viswanathan:** Before 1971, you used to get clients from all over India.

**Shri M. L. Vinayak:** Yes, Sir. I had been drafting Memorandum for them suggesting various amendments to the proposed Bills which were before the Select Committee.

**Shri G. Viswanathan:** Do you take the parties with you when you meet the Members?

**Shri M. L. Vinayak:** I meet the MPs alone and I do not take the parties with me, because I have got my own brain.

**Shri G. Viswanathan:** In the last meeting you have stated in answer to a question put by Mr. Panigrahi that you would tell later the names of the MPs and the parties for whom you prepared Memoranda. You have further stated that "business people are more intelligent than I in approaching the Member." What do you mean by this?

**Shri M. L. Vinayak:** Because there are certain things about which I should not speak.....

**Shri G. Viswanathan:** But here you will have to speak the truth.

**Shri M. L. Vinayak:** I will now read out the relevant portion from the *Daily Milap* dated 13-10-74.

“पार्लियामेंट का मेंबर क्यों बनते हैं ?

मेंबर बन जाने के बाद पांच साल तक खूब ऐश व इशरत की जिन्दगी बसर करते हैं। लाखों रुपये जमा करते हैं। . . . .”

**Shri G. Viswanathan:** How is it relevant here?

**Shri M. L. Vinayak:** This is to show that I have been a very close observer of things at all levels. Now, I will read out some other portion from the *Blitz* dated 5-10-74.

“According to a report, one of the signatories to the memorandum recommending the import licence for the Yanam and Mahe industrialists put his signature because he wanted the money very badly to hold a reception in connection with his daughter's marriage.”

**Mr. Chairman:** How is that relevant here? You simply answer the questions put by the hon. Members.

**Shri G. Viswanathan:** Is it because the clients are more intelligent that they do not come to you nowadays?

**Shri M. L. Vinayak:** There may be certain other reasons for their not coming to me. One of the reasons which I have already mentioned is that my health does not permit me to hard work nowadays.

**Shri G. Viswanathan:** You have stated that the previous findings of the Privileges Committee have not been accepted by the Speaker and therefore no action was taken on them.

**Shri M. L. Vinayak:** I have been asked to give a letter to this effect and accordingly I have sent a letter to the Speaker. I think that letter must be with the Committee.

**Shri G. Viswanathan:** You have stated that among the 4 employees who were working under you, one of them was Member of Rajya Sabha—they were working as part-time employees—and you would not mention their names. But after a few minutes in continuation of your reply, you have stated he was not Member of Rajya Sabha.

**Shri M. L. Vinayak:** He was only a staff in the Rajya Sabha. It may be misreporting. What I said at that time was that he was a staff of the Rajya Sabha and when I was again asked about this, I corrected myself and said that he was a staff of the Rajya Sabha.

**Shri G. Viswanathan:** So, he was not a Member of the Rajya Sabha.

**Shri M. L. Vinayak:** Yes, Sir. He was not a Member of the Rajya Sabha.

**Shri G. Viswanathan:** You have stated that you used to take money from MPs. Was it only for drafting the questions or for something else?

**Shri M. L. Vinayak:** I was taking money from them only for helping them in the preliminary work and for nothing else. It was purely a professional work.

**Shri G. Viswanathan:** So far as your work is concerned, have you any jurisdiction or does it cover the whole of India?

**Shri M. L. Vinayak:** First, I send letters to MPs. They will then call me and I talk to them and settle with them. After that I do the work for them.

**Shri G. Viswanathan:** How much you have charged from them?

**Shri M. L. Vinayak:** I do not charge any fixed amount. I have drafted letters for Ministers. Whatever they want I draft for them. I also give them political advice as to how they could go up.

**Shri G. Viswanathan:** You have stated that you have stopped all your business from 1971 onwards. But you go on circulating letters or the printed papers even now.

**Shri M. L. Vinayak:** I have explained that I continue to do my work in so far as the parliamentary information is concerned. I am doing it even today. I charge Rs. 75/- for sending any reference made in Parliament on any matter. People ask me and I type it

out and send the same to them. I have got the old letter-heads which were previously used for other than the circular letters and which are now being used for the restricted purposes, that is for sending information only. As soon as these letter-heads are exhausted, I would start using new forms.

**Shri G. Viswanathan:** Who contacted you for getting the reference made in Parliament?

**Shri M. L. Vinayak:** Many people. Even the Chief Ministers of various States contacted me.

**Shri G. Viswanathan:** You have also stated that one of the Chief Ministers had contacted you. For what purpose the Chief Minister contacted you?

**Shri M. L. Vinayak:** He had asked for some information connected with Lok Sabha and the Rajya Sabha.

**Shri G. Viswanathan:** But they have not their own offices in Delhi. Why should they contact you?

**Shri M. L. Vinayak:** I do not know that, Sir.

**Shri G. Viswanathan:** Can you produce the correspondence in this connection?

**Shri M. L. Vinayak:** Yes, Sir. Even the DMK Chief Minister once wrote a letter to me.

**Shri G. Viswanathan:** I want to know whether all the Chief Ministers wrote letters to you.

**Shri M. L. Vinayak:** No, Sir. When the no-confidence motion was moved here, against the Prime Minister or some such discussion was there, the Deputy Principal Information Officer or the Principal Information Officer or some such officer came here from Madras.

**Shri G. Viswanathan:** Did you go to the Capitals of some of the Chief Ministers?

**Shri M. L. Vinayak:** No, Sir.

**Shri G. Viswanathan:** Have you met any Chief Ministers in this connection in person?

**Shri M. L. Vinayak:** Yes, Sir.

**Shri G. Viswanathan:** What are their names?

**Shri M. L. Vinayak:** I met one Dr. Parmar Personally.

**Shri G. Viswanathan:** What about others?

**Shri M. L. Vinayak:** I did not meet them because there was a clash of time.

**Shri G. Viswanathan:** Has Dr. Parmar paid you anything?

**Shri M. L. Vinayak:** Nothing. He is not my client.

**Shri G. Viswanathan:** Do they pay in cash and is it by the Government of the State?

**Shri M. L. Vinayak:** By cheques.

**Shri G. Viswanathan:** Have you received payment from the Chief Ministers?

**Shri M. L. Vinayak:** I have received payment from one Chief Minister and bills have been sent to other Chief Ministers.

**Shri G. Viswanathan:** From which Chief Ministers have you got payment?

**Shri M. L. Vinayak:** From the Nagaland Chief Minister.

**Shri G. Viswanathan:** From the State Government of Nagaland, is it a Government cheque?

**Shri M. L. Vinayak:** Yes, Sir.

**Shri G. Viswanathan:** That means you are an employee of the Government, that is, part-time employee of the Government.

**Shri M. L. Vinayak:** No, Sir. I am a professional.

**Shri G. Viswanathan:** From which department it has been paid?

**Shri M. L. Vinayak:** From Chief Minister's Secretariat.

**Shri G. Viswanathan:** Who has signed it?

**Shri M. L. Vinayak:** The private Secretary to the Chief Minister.

**Shri G. Viswanathan:** Do you remember who has signed those cheques?

**Shri M. L. Vinayak:** I do not know. I can find out and tell you.

**Shri G. Viswanathan:** At the time of your producing the other documents, you also produce full details regarding the cheques.

**Shri Atal Bihari Vajpayee:** Mr. Vinayak, you must be having a big staff to do this job?

**Shri M. L. Vinayak:** Four People.

**Shri Atal Bihari Vajpayee:** What are your expenses in this regard?

**Shri M. L. Vinayak:** About Rs. 1000/- on the salary side.

**Mr. Chairman:** We will hold another meeting of this Committee after four weeks. Mr. Vinayak, in the meantime, you should try to get all those documents ready with you and you will be further examined with reference to those documents. Now, you may withdraw.

*The witness then withdrew*

*Monday, the 30th December, 1974*

**PRESENT**

Dr. Henry Austin—*Chairman*

**MEMBERS**

2. Shri M. C. Daga
3. Shri K. G. Deshmukh
4. Shri Popatlal M. Joshi
5. Shri Shyamnandan Mishra
6. Shri H. N. Mukerjee
7. Shri B. R. Shukla

**SECRETARIAT**

Shri Y. Sahai—*Chief Legislative Committee Officer.*

Shri J. R. Kapur—*Senior Legislative Committee Officer.*

**WITNESS**

Shri M. L. Vinayak—*“Director, Public Relations Counsel of India”, New Delhi*

*(The Committee met at 15.00 hours)*

**Evidence of Shri M. L. Vinayak, “Director, Public Relations Counsel of India”, New Delhi**

*(The witness took the oath)*

**Mr. Chairman:** Last time, when you were examined, we felt that certain documents should be produced, and we had called for them. Have you brought all of them?

**Shri M. L. Vinayak:** Yes.

**Shri B. R. Shukla:** All the documents?

**Shri M. L. Vinayak:** All the documents. Only, one or two letters are missing, which I have mentioned, because my letter to the police, to the higher authorities, to take further action, that letter I may get tomorrow or the day after, because I could not find it in my file. All others are complete.

These papers which I have brought are very bulky, and if they are circulated to the Members of the Committee, then I think my evidence and cross-examination would be very useful, because, as I mentioned last time also, I find that all the hon. Members of the Committee are very nice to me, and I do not want to hide anything, but you cannot usefully cross-examine me unless and until these documents, which I have brought with me, are perused by all the Members of the Committee.

**Mr. Chairman:** In that case, you should have sent us a copy of these documents. Have you brought a list of the documents?

**Shri M. L. Vinayak:** Everything.

**Mr. Chairman:** List also?

**Shri M. L. Vinayak:** Yes. No. 1, then the whole document, No. 2, then the whole document etc.

**Shri Popatlal M. Joshi:** When did the theft take place?

**Shri M. L. Vinayak:** In July. My employee was absconding some time in the third week of April, 1974, and I only came to know that he had taken most of my papers when I got a ring from Bombay from some company, because he had an identical name of my firm. So, he was sending letters, and they gave me a ring, and then I checked up my papers. For the last six or seven months I have been ailing, and have not been taking any interest.

**Shri Popatlal M. Joshi:** When did the theft take place?

**Shri M. L. Vinayak:** In April, on 20th.

**Shri Popatlal M. Joshi:** When did you come to know that the papers were missing?

**Shri M. L. Vinayak:** Some papers I found were missing in June.

**Shri Popatlal M. Joshi:** When did you know that these papers which we had asked for were missing?

**Shri M. L. Vinayak:** When I made a report to the police also, when I searched my papers.



**Shri Papatlal M. Joshi:** You have mentioned all these papers to the police also?

**Shri M. L. Vinayak:** Yes, I have given a copy of my F.I.R., my letter also, that is also attached with this. And all these things are mentioned, all the papers that are missing from my office and what he has taken.

**Shri Papatlal M. Joshi:** When were you summoned for evidence?

**Shri M. L. Vinayak:** I think in October, 1974.

**Shri B. R. Shukla:** You have brought the counterfoils of receipts of payments received by you or your firm from 1971?

**Shri M. L. Vinayak:** As I have said in my letter, when I appeared before the Committee on 6th November, all my papers, account books, had been taken away. So, I have prepared the things which are with me from my bank papers of 1974.

**Shri B. R. Shukla:** That is, the original papers, according to you, are missing?

**Shri M. L. Vinayak:** Practically he has taken my account books and the ledger also.

**Shri B. R. Shukla:** Let us confine ourselves to the list of papers which were summoned from you. You have got the list of documents which were summoned from you. No. 1 is: counterfoils of receipts of payments received by you, your firm, since 1971. Have you brought them, or they are not with you?

**Shri M. L. Vinayak:** I have mentioned here the dates and the amounts I have received in 1974.

**Mr. Chairman:** From where did you get them?

**Shri M. L. Vinayak:** From my bank account.

**Shri Papatlal M. Joshi:** Names also?

**Shri M. L. Vinayak:** Names I have not mentioned.

**Shri B. R. Shukla:** Let us be precise. The counterfoils as such are not in your possession, they have been stolen. That is your case?

**Shri M. L. Vinayak:** What I mentioned last time was that all my account books have been stolen, but now, from 1974, I only maintain my Cash Book.

**Shri B. R. Shukla:** That is only a secondary type of evidence. From your bank account you have again prepared a list of persons from whom you have received amounts, but the point is that you must have been maintaining a Receipt Book in which there were counterfoils.

**Shri M. L. Vinayak:** I do not maintain any Receipt Book or Bill Book. I only send cash memos.

**Shri B. R. Shukla:** That is, when your clients send money to you either through a cheque or in cash, you enter the amount in some accounts book, is it so?

**Shri M. L. Vinayak:** I issue a cash memo to the party.

**Shri B. R. Shukla:** You send some receipt to the person?

**Shri M. L. Vinayak:** Just a cash memo to the party. I issue a cash memo only.

**Shri B. R. Shukla:** So, the cash memo is maintained in duplicate or not?

**Shri M. L. Vinayak:** No. In my diary I note down: Received Rs. 75 from so-and-so.

**Shri B. R. Shukla:** Do you maintain duplicates also, duplicates in book form or loose paper?

**Shri M. L. Vinayak:** In my book.

**Shri B. R. Shukla:** Where is the book?

**Shri M. L. Vinayak:** That I have not brought.

**Shri B. R. Shukla:** Why?

**Shri M. L. Vinayak:** Because you wanted the amounts which I received.

**Shri B. R. Shukla:** No, no. Counterfoil means nothing but the receipt issued to the person who pays, and its copy is retained by you. That is the meaning of a counterfoil.

**Shri M. L. Vinayak:** But for a cash memo, no copies are retained.

**Shri B. R. Shukla:** You have just said that when you issue a cash memo, you also maintain its duplicate.

**Shri M. L. Vinayak:** Duplicate in my book. I just mention: on this date I have received so much.

**Shri B. R. Shukla:** Have you brought that diary?

**Shri M. L. Vinayak:** No, Sir, I can give that, but I have mentioned the dates and amounts received.

**Shri B. R. Shukla:** That is a secondary thing that you have prepared on the basis of papers which are in your possession. We want to see the original from which you have prepared this.

**Shri M. L. Vinayak:** I can give.

**Shri B. R. Shukla:** When? To-morrow, can you give?

**Shri M. L. Vinayak:** After some time.

**Shri B. R. Shukla:** What about the Account Books of your firm?

**Shri M. L. Vinayak:** I do not maintain any account books.

**Shri M. C. Daga:** He maintains diaries and hand-books.

**Shri M. L. Vinayak:** I just maintain the date on which amount was received, amount received and the name of the party. You can say it is a cash book.

**Shri M. C. Daga:** Have you been maintaining it since 1971?

**Shri M. L. Vinayak:** I submitted that my servant had taken away my account books.

**Shri B. R. Shukla:** What is the use of giving you date again and again for a purpose which will never be fulfilled? You should state categorically that you have or do not have the accounts referred to.

You have not brought account books of your firm since 1971.

The account books prepared with the help of some other papers relate only to the current year and not to the years 1971, 1972 or 1973.

What about your firm's correspondence files with your clients?

**Shri M. L. Vinayak:** I have submitted. They are there.

**Shri B. R. Shukla:** That also relates to the year 1974. What about item No. 4—the names of MPs. (and correspondence with them) who have been utilising your service and making payments to you? Have you submitted the document?

**Shri M. L. Vinayak:** I will not show the names. This has been clearly mentioned in the letters to the M.Ps. that we have not got political views of our own in parliamentary work and the work done by us remains confidential.

We do not disclose the names of M.Ps. at any cost.

**Shri B. R. Shukla:** So, you are not in a position to disclose the names of M.Ps. and the correspondence with them, because you treat that as confidential.

**Shri M. L. Vinayak:** I have brought circular letter which I sent to all the 760 Members of Parliament. Suppose I am working for 'A', it is professional dishonesty if I disclose his name.

**Shri B. R. Shukla:** What about the copies of old and new forms of circular letters?

**Shri M. L. Vinayak:** I have already submitted them. These are there in the bunch given by me.

**Shri B. R. Shukla:** This relates to 30th December, 1974.

**Mr. Chairman:** We sent you a letter dated 21-10-1974 asking you to send us counter-foils of receipts given by your firm since 1971. Did you get that letter?

**Shri M. L. Vinayak:** Yes, Sir.

**Mr. Chairman:** Have you conformed to the direction in that letter? Please be brief. I have got the papers before me that you have given.

**Shri M. L. Vinayak:** I had papers for the year 1974. I have brought all the payments which I received right from 3rd or 4th of January, 1974 up to 22nd of December, 1974.

**Mr. Chairman:** Item No. 1 is counter-foils of payments received by you since 1971. From where did you collect it?

**Shri M. L. Vinayak:** From my bank papers and cash book which I maintain.

**Mr. Chairman:** Your transactions are through bank?

**Shri M. L. Vinayak:** Some are through bank.

**Mr. Chairman:** If you had gone to the Bank you could have certainly got your receipts from 1971. That is what we want. What is the point of giving it from 1974? We gave you one month's time. What is your justification for not producing receipts from 1971? Assuming that your things were lost but you are having bank account, you could have given information from 1971.

**Shri M. L. Vinayak:** I have got this statement from my cash book which I maintain.

**Mr. Chairman:** Where is that cash book?

**Shri M. L. Vinayak:** I will produce that.

**Mr. Chairman:** You should have produced. We are going to make our own presumption. This statement, as it is produced in response to item 1, cannot be accepted. It is a loose sheet.

**Shri M. L. Vinayak:** I can sign it. The letter is signed by me.

**Shri Shyamnandan Mishra:** You should not give an assurance which you are not going to fulfil.

**Shri M. L. Vinayak:** Please do not cast any aspersion on my integrity. I am a man of integrity. You do not know my background. I have sacrificed my official career at the age of 24.

**Shri M. C. Daga:** When did the theft take place in your house?

**Shri M. L. Vinayak:** In April, Sir.

**Shri M. C. Daga:** We must get copies of all the relevant documents.

**Mr. Chairman:** You said that you had prepared this list from the bank. You should have said on this list, something like "Copy of a statement prepared from my ledger book" etc. or 'from such and such bank'. You have only said, 'Payments received on different dates; from whom?'

**Shri M. L. Vinayak:** I can write that.

**Mr. Chairman:** You say that you are a man of integrity and experience; that should be reflected in your actions. This is a loose sheet with no signatures. You have marked it 'confidential'. What is confidential about it? Each statement has to be signed by you.

**Shri M. L. Vinayak:** I can sign it now.

**Mr. Chairman:** You should have also said 'payment received from such and such party'. We wanted counterfoils of receipts of payment received by you from 1971. Their names and everything would have been there.

**Shri B. R. Shukla:** Should we infer that despite the fact that you were given a list of papers to be produced before this Committee, you are in a position to produce only these papers and you are not in a position to produce any other papers besides these?

**Shri M. L. Vinayak:** It is just possible that there may have been some lapse on my part.

**Shri B. R. Shukla:** It is upto you to produce the documents summoned by the Committee.

**Shri M. L. Vinayak:** I am not going to hide anything. It may be a lapse on my part.

**Shri B. R. Shukla:** You have been given ample time.

**Shri M. L. Vinayak:** I can give you the cash book and the names of the parties also.

**Mr. Chairman:** When did you complain to the police?

**Shri M. L. Vinayak:** On 9/10th July, 1974.

**Mr. Chairman:** In the letter addressed by you to the Station House Officer, Sabzi Mandi Police Station, you have mentioned a number of files and documents missing or stolen by your employee. In our last cross-examination, we wanted you to produce certain documents. Those documents are not mentioned in the list. For instance, item 1, 'counterfoils', it is not mentioned there.

**Shri M. L. Vinayak:** Please see item (10) 'file of accounts and vouchers of his salary, signed receipts till April, 1974'.

**Mr. Chairman:** We wanted counterfoils of receipts.

**Shri M. L. Vinayak:** File of accounts means all the account books also.

**Mr. Chairman:** I cannot believe that story. It does not mean that.

**Shri B. R. Shukla:** It would not be expedient to allow the proceedings to linger on. He was summoned to produce certain documents. In response to that he has come with certain papers. Let us receive those papers, examine them on merits and draw our own presumption.

**Shri M. C. Daga:** When you submitted the FIR before the SHO, was your statement recorded?

**Shri M. L. Vinayak:** Yes, Sir.

**Shri M. C. Daga:** Did you mention that these things have been stolen?

**Shri M. L. Vinayak:** Yes, Sir.

**Mr. Chairman:** Copy of the letter is there.

**Shri B. R. Shukla:** Statement made by any person during the course of investigation is limited for that purpose.

**Shri M. C. Daga:** Where is the copy of the FIR?

**Shri M. L. Vinayak:** It is there in the documents.

**Shri M. C. Daga:** It is only the list of documents. Is this the FIR?

**Shri M. L. Vinayak:** No, Sir.

**Shri M. C. Daga:** Where is the FIR? Please get a copy of the FIR.

**Shri M. L. Vinayak:** It is there. It starts:—

“One of our employees, Shri Chander Saini, is absconding from office since April 10, 1974”.

**Shri B. R. Shukla:** Is your servant, who was responsible for the disappearance of these papers, still untraceable or has he been arrested?

**Shri M. L. Vinayak:** He has been arrested and is on bail.

**Shri B. R. Shukla:** Do you know his whereabouts?

**Shri M. L. Vinayak:** Yes, Sir.

**Shri B. R. Shukla:** What are his whereabouts?

**Shri M. L. Vinayak:** It is mentioned in the FIR.

**Shri B. R. Shukla:** His present whereabouts?

**Shri M. L. Vinayak:** Yes, Sir.

**Shri B. R. Shukla:** The present whereabouts are the same as are mentioned in the FIR?

**Shri M. L. Vinayak:** Yes, Sir.

**Shri M. C. Daga:** You have said that your papers were missing since April 20, but you have lodged the first information report only on 9th July. Why did you lodge the FIR after nearly three months? What was the reason?

**Shri M. L. Vinayak:** I have said in the beginning that I was in bed and was not moving about. I had an attack of arthritis and could not work. I could not even move from my bed.

**Shri M. C. Daga:** You have not mentioned this fact in the FIR.

**Shri M. L. Vinayak:** I am not a legal man. I came to know on the 9th July from Messrs Mukand Iron and Steel Company Limited, who just telephoned to me that they had got a letter signed by somebody else. Then I sent my man to find out and came to know of it. Immediately when I came to know of it, I lodged a report.

**Shri Papatlal M. Joshi:** You have said that you were not well and you were not working. Was there anyone working in your office?

**Shri M. L. Vinayak:** My staff used to work.

**Shri M. C. Daga:** What is the progress of the case?

**Shri M. L. Vinayak:** He has been arrested and has been bailed out by the magistrate.

**Shri M. C. Daga:** Have you given any evidence for this?

**Shri M. L. Vinayak:** So far the summons have not come to me from the court.

**Shri M. C. Daga:** You were simply examined by the police and no other evidence was recorded.

**Shri M. L. Vinayak:** The police raided his house and office and recorded the statement of some people there. On the basis of that he was arrested and his record was seized. He was in jail for about three or four days.

**Shri M. C. Daga:** Have you produced any other evidence from your side to the police?

**Shri M. L. Vinayak:** I gave my statement. The police recorded my statement.

**Shri M. C. Daga:** Was there simply your statement or was any other clerk from your side also examined?

**Shri M. L. Vinayak:** There is only my statement.

**Shri M. C. Daga:** Did the police not ask for further evidence?

**Shri M. L. Vinayak:** No, Sir.

**Shri M. C. Daga:** Did the police make an inventory or not?

**Shri M. L. Vinayak:** They made a list according to the law.

**Shri M. C. Daga:** On what date did you give your statement?

**Shri M. L. Vinayak:** On the 11th or 12th July, I think.

**Shri M. C. Daga:** Nothing has been done since then.



**Shri M. L. Vinayak:** Nothing.

**Shri M. C. Daga:** And you are silent on this?

**Shri M. L. Vinayak:** No, Sir. I wrote certain letters to the higher authorities saying that this case should be proceeded with further.

**Shri M. C. Daga:** Where are those letters? Have you got copies of those letters?

**Shri M. L. Vinayak:** I have mentioned it in item No. 2. I wrote to the IG, the DIG and the DSP saying that this man had done other things also. He has changed his name also from Chander S. Saini to C.S. Powar and action should be taken against him for that also. He has opened an account in the name of C.S. Powar. So, I have said that action should be taken not only for theft but also on other issues.

**Shri M. C. Daga:** Have you got a copy of it?

**Shri M. L. Vinayak:** They are misplaced in my office and I am tracing them out.

**Shri B. R. Shukla:** What you are referring to is itself a reminder drawing attention of the authorities that previous to this letter you have been drawing the attention of the authorities that no action has been taken.

**Shri M. L. Vinayak:** That is correct.

**Shri M. C. Daga:** At the time of theft who were working in your office?

**Shri M. L. Vinayak:** Shri Saini and one man more.

**Shri M. C. Daga:** What is his name?

**Shri M. L. Vinayak:** Shri Bhupinder Kumar.

**Shri M. C. Daga:** Is he still working with you?

**Shri M. L. Vinayak:** He is still working with me.

**Shri M. C. Daga:** Has he appeared before the police and given his statement?

**Shri M. L. Vinayak:** No, Sir. The police recorded only my statement.

**Shri M. C. Daga:** What is Shri Bhupinder Kumar's father's name?

**Shri M. L. Vinayak:** He is my son.

**Mr. Chairman:** You could have avoided all this by saying earlier that he was your son.

**Shri B. R. Shukla:** Mr. Chairman, the point is that for further elucidation we summoned certain documents from the witness. For good, bad or indifferent reasons, he is not in a position to produce all those papers. He has come with certain papers. What would be the worth of those papers will be decided by the Committee. Now let us extend no more time. He has been heard and it is for him to satisfy us on certain points on which he is being indicated. No useful purpose will be served by extending time for the production of those very documents for which he has various pleas and reasons for not producing.

**Mr. Chairman:** We will discuss it among ourselves.

**Shri M. C. Daga:** You have said in this list that documents for the year 1974 are missing. What about documents for 1971, 1972 and 1973?

**Shri M. L. Vinayak:** After the session is over I sell away all the papers because there are printed debates and I get them.

**Mr. Chairman:** Before your first statement of 9th July you had not taken action earlier because, as you said, you were ill.

**Shri M. L. Vinayak:** I wrote a letter after three or four days to the higher authorities in the police in July saying that on my complaint the police has been pleased to arrest my employee and certain facts have been brought to notice and that I want that action should be taken against him on those counts also.

**Mr. Chairman:** Earlier, you said, you were not well.

**Shri M. L. Vinayak:** That was from March to July.

**Mr. Chairman:** What did you suffer from?

**Shri M. L. Vinayak:** I was suffering from arthritis.

**Mr. Chairman:** What type of work Mr. Saini was doing?

**Shri M. L. Vinayak:** He was looking after all the records and also doing some typing work.

**Mr. Chairman:** Then your son joined. Is it not so?

**Shri M. L. Vinayak:** He was working with me for two years.

**Mr. Chairman:** Since which month he was working with you?

**Shri M. L. Vinayak:** From 1973.

**Mr. Chairman:** Now, when you were suffering from arthritis, you could not have worked.

**Shri M. L. Vinayak:** Yes, because my hand was affected and my left leg was also affected.

**Mr. Chairman:** Now, your hand was affected. But did you receive any payment during the months from March to July?

**Shri M. L. Vinayak:** Yes, Sir.

**Mr. Chairman:** For what purpose?

**Shri M. L. Vinayak:** Because I sent the letters already to the persons who wanted information from me. They may need the information further after one month, two months, three months or four months. Since I have already started the work, I must have to send thousand of letters. Today I send a letter to a person 'A'. That person may not require further information immediately. But he may need some more information after two or three months for which I may have to send letters to him.

**Mr. Chairman:** It is noted from the papers supplied by you that you had been receiving payments several times during the months from March to July. How would you account for having received these payments? How could you write the accounts and issue receipts when you were suffering from arthritis?

**Shri M. L. Vinayak:** My son could sign the cash memos. My employees, Mr. Saini, could sign the Cash Memos. Anybody can sign the cash memos.

**Mr. Chairman:** Now, you can withdraw for a while.

*(The witness withdrew)*

*The witness was called in again and examined.*

**Shri B. R. Shukla:** Mr. Vinayak, you have to produce the documents, the cash memo. . . .

**Shri M. L. Vinayak:** The cash book, I will produce the cash book.

**Mr. Chairman:** In regard to Item No. 1, in regard to counter-foils and all that, which we have asked for, instead of producing the original thing, which we wanted you to do, you have produced a sheet of paper quoting certain figures. On questioning you as to

from where you got all these things, you said you had the guidance of certain cash book from which you copied this thing. That is what he means.

**Shri B. R. Shukla:** You may produce by tomorrow those cash books on the basis of which you produced the alleged accounts, submitted to us.

**Mr. Chairman:** Tomorrow, we are meeting at 11 A.M. We will give you time up to 12 Noon.

**Shri M. L. Vinayak:** I think if some more time is given. . .

**Mr. Chairman:** No time, not even one minute. We have already given you two months' time.

**Shri M. L. Vinayak:** The Committee has been kind to me so far. . .

**Mr. Chairman:** The cash book is with you. Where is the need for time?

**Shri M. L. Vinayak:** There are other papers. I want to produce my representations to the police authorities also.

**Mr. Chairman:** You may produce it by 12 Noon tomorrow or take the risk yourself. You may also note that the documents which you have produced on perusal do not conform to our requirements as communicated to you in our letter dated 21st October, 1974.

**Shri M. L. Vinayak:** You can tell me if there is any lapse on my part.

**Mr. Chairman:** You have been given enough time. The Committee cannot give you any more time.

**Shri B. R. Shukla:** The papers were fully specified in that letter. There should have been compliance.

**Shri M. L. Vinayak:** I have complied with it according to my ability. It is just possible, there may be some lapse on my part.

**Mr. Chairman:** All right. You may please withdraw.

*(The witness then withdrew)*

**Mr. Chairman:** We adjourn now and we shall meet tomorrow at 11 A.M.

*(The Committee then adjourned)*

*Tuesday, the 31st December, 1974*

**PRESENT**

**Dr. Henry Austin—Chairman**

**MEMBERS**

2. Shri M. C. Daga
3. Shri Popatlal M. Joshi
4. Shri Shyamnandan Mishra
5. Shri H. N. Mukerjee
6. Shri B. R. Shukla
7. Shri Atal Bihari Vajpayee

**SECRETARIAT**

Shri Y. Sahai—*Chief Legislative Committee officer.*

Shri J. R. Kapur—*Senior Legislative Committee Officer.*

**WITNESS**

Shri M. L. Vinayak, "*Director, Public Relations Counsel of India, New Delhi.*"

**(The Committee met at 11.00 hours)**

**Evidence of Shri M. L. Vinayak, "Director, Public Relations Counsel of India", New Delhi.**

**Mr. Chairman:** Mr. Vinayak, please take the oath.

**Shri M. L. Vinayak:** I, M. L. Vinayak, do swear in the name of God that the evidence which I shall give in this case shall be true, that I will conceal nothing and that no part of my evidence shall be false.

**Mr. Chairman:** Yesterday you were directed to produce the cash books and other documents. Have you brought them with you now?

**Shri M. L. Vinayak:** This is the cash book.

*(At this stage, two cash books were handed over to the Committee).*

Before we proceed further, yesterday, I gave some papers to the Committee. There is a small correction which I would like to make. On page 3, there is an error in typing. Against 16-9-74

instead of Rs. 600/- it should be Rs. 1000/-. This is the amount which I got from the Nagaland Government.

**Shri M. C. Daga:** This note-book is not numbered. It is correct?

**Shri M. L. Vinayak:** Yes. I don't think there is any need to number it.

**Mr. Chairman:** He is only putting you a question.

**Shri M. L. Vinayak:** It is not numbered, Sir.

**Shri M. C. Daga:** Whose hand writing is this?

**Shri M. L. Vinayak:** This is my staff's hand writing.

**Shri M. C. Daga:** What is his name?

**Shri M. L. Vinayak:** Shri Bhupinder Kumar.

**Shri M. C. Daga:** This writing is with the same pen and same ink?

**Shri M. L. Vinayak:** This is written with a ball point.

**Shri M. C. Daga:** You have not given the number of you cash memo?

**Shri M. L. Vinayak:** As I said, I have got a note-book where I note down the amount as and when I receive.

**Mr. Chairman:** Do we have to return it to him or shall we keep it for perusal in the next sitting?

**श्री एम० सी० डागा :** इस पर इन के सिगनेचर नहीं हैं ?

**श्री एम० एल० विनायक :** मुहर लगी है और मेरे हाथ का लिखा है । आप चाहें तो मैं सिगनेचर कर देता हूँ ।

**Mr. Chairman:** Is your signature there?

**Shri M. L. Vinayak:** No, Sir. If you want, I can sign.

**Shri M. C. Daga:** You do not mention the receipt No. or money order number, etc.?

**Mr. Chairman:** Are you paying income tax?

**Shri M. L. Vinayak:** Yes. I have been paying right from 1944.

**Mr. Chairman:** In that case, do not the income tax people ask you to produce vouchers in original?

**Shri M. L. Vinayak:** I had just now given you a statement that I am a regular income-tax payee.

**Mr. Chairman:** Did not the income-tax people ask you to produce some documents?

**Shri M. L. Vinayak:** Whatever they wanted, I just produced them. They want the accounts books and the cash books. I tell them by saying that this is my income and this is my expenditure.

**Mr. Chairman:** Have you got any letter to say that you have received such and such amount from such and such person?

**Shri M. L. Vinayak:** This is a letter from the Private Secretary to the Chief Minister of Nagaland. My contacts are with the Chief Ministers not in their personal capacity.

**Shri Shyamnandan Mishra:** Why don't you have some international contacts so that you can get information about foreign parliaments on exchange basis and then feed it to your clients?

**Shri M. L. Vinayak:** Yesterday, I requested that my letter should be circulated. If that document had been circulated, then you would have come to know. As I said, I am an authority on public relations in India.

**Shri H. N. Mukerjee:** Are these the only books which you can produce in substantiation of the summary list you gave?

**Shri M. L. Vinayak:** Yes.

Sir, I would also like to submit this letter to the Chairman. I have said here:

“Though Parliamentary information service was started by me for the first time in India in 1957 and besides me following firms and persons are also supplying informations about questions and answers to people on payment.

\*\*

\*\*

\*\*

(2) Indian Press Service, French Colony, New Delhi and they are issuing weekly bulletin.

- (3) Business Information Bureau, Friend Colony, New Delhi. They are publishing Parliamentary Digest.
- (4) United News and Information Bureau, 95, Krishan Nagar, New Delhi.
- (5) Associated Chamber of Commerce and Industry, Allahabad, Bank Building, Parliament Street, New Delhi.
- (6) Birla Institute for Scientific and Industrial Research, Ring Road, New Delhi-24. It is being presided by Shri Suresh Desai, ex. M.P.

श्री इशान लाल मिश्र : बिड़ला इंस्टीट्यूट से आपका क्या ताल्लूक है ?

श्री एम० एल० बिनायक : मेरा उससे कोई ताल्लूक नहीं है.

What I am saying is, the work which I am doing, for which I am being called upon by the Committee to produce all the documents is also being done by other people. These are the organisations which are also supplying questions and answers to the people, business firms, on payment.

- “(7) Bureau of Parliamentary Information Service, 1|8 M. M. Road, New Delhi-55.
- (8) Orient Press Service owned by Press Correspondent for Muslim Mission in India and foreign countries.
- (9) National Federation of Cooperative Sugar Factories, South Extension, New Delhi,
- (10) Free News and Features Service owned by Shri Ram Swarup of Anti Communist League, Sujan Singh Park, New Delhi-3.

Besides this, I am told many foreign embassies and business firms have got deposit accounts with the Sales Section of the Lok Sabha as I have got also deposit account.”

S.r, I would also like to say that I am at the disposal of the Committee. Whatever is wanted from me, I am prepared to give to the Committee. If I just give a word of honour, if there have been some errors, the Committee can direct me and I will not do that. Thank you.

Mr. Chairman: Thank you.

*(The witness then withdrew)*

*(The Committee then adjourned)*



## APPENDIX I

(See Para 13 of the Report)

### DEPARTMENT OF PARLIAMENTARY AFFAIRS (SANSADIYA KARYA VIBHAG)

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SUBJECT.—*Activities of Shri M. L. Vinayak, Director of the Public Relations Counsel of India.*

Will the Lok Sabha Secretariat kindly refer to their U.O. No. 17|3|CI|73, dated the 12th April, 1973, on the above subject?

2. A copy of the letter No. PMS-22704, dated the 28th December, 1973, received from the Private Secretary to the Prime Minister is sent herewith (See Annexure) for information and for such action as may be deemed necessary.

Sd/-

(K. N. KRISHNAN)  
*Deputy Secretary.*

Lok Sabha Secretariat (Committee Branch-I).

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DPA U.O. No. F.4(3)/71-Leg., dated 6th February, 1974.

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### ANNEXURE

to

### APPENDIX-I

Prime Minister's Secretariat  
New Delhi-11.

S. P. Khanna,  
Private Secretary  
to the Prime Minister

December 28, 1973.

pms 22704

Dear Shri Krishnan,

In continuation of N. S. Sreeraman's letter No. PMS-3543, dated the 22nd February, 1973 regarding the activities of the public Rela-

tions Counsel of India, I forward herewith another letter (see Annexure) (No. PRC/45/73, dated the 11th December, 1973) which Shri M. L. Vinayak has addressed to the Managing Director, Messrs. Acharya Electronics, Nagpur.

Yours sincerely,  
Sd/-  
(S. P. Khanna)

Shri K. N. Krishnan,  
Deputy Secretary,  
Department of Parliamentary Affairs,  
New Delhi.

**ENCLOSURE**

to

**ANNEXURE**

Phone: 516455

Cable: 'Publations' New Delhi.

Public Relations Counsel of India  
PRC/45/73 Press & Public Affairs Counsellors  
Post Box No. 52, New Delhi-1.

Managing Director,  
M/s. Acharya Electronics,  
Nagpur.

11th December, 1973.

Dear Sir,

**SUBJECT.**—*Your Company given Licences for T.V. Sets, Capacity, others, several steps to assist to commence production, value of capital goods, foreign allocation to import the necessary equipment, raw materials, etc. etc.*

The above subject had come before Parliament and it also relates to your Company, Business and Industry. The statement as discussed in Parliament about your Company can be had against our fee Rs. 75/- cash. Please add Rs. 2/- on out Station Cheque. This is not a Circular Letter and it is being sent as it contains reference about your Company. Please quote subject matter of our Letter.

We can also place your point of view on this matter or any other and do lobbying work at the highest level. Our minimum fee for

lobbying work is Rs. 2500/- or more according to the nature of the case strictly paid in advance. All expenses in lobbying work are paid by firms. Many Govt. policies were changed or modified. Details can be discussed.

Thanking you,

Yours faithfully,

Sd|-

(M. L. Vinayak)

Director.

## APPENDIX II

(See para 13 of the Report)

**CONFIDENTIAL**

No. MIS-1074-LC,  
Office of the Secretary to the Minister  
for Legislative Affairs,  
Sachivalaya, Bombay-400032.

Dated the 11th January, 1974.

From

Shri S. H. Belavadi,  
Secretary to the Minister for Legislative Affairs,  
Bombay.

To

The Secretary,  
Lok Sabha Secretariat,  
Parliament House,  
New Delhi.

Sir,

I am directed to forward herewith (See Annexure) a copy of letter No. PRC/15/73, dated the 15th December, 1973, from Shri M. L. Vinayak, Director, Public Relations Counsel of India, New Delhi, addressed to the Minister for Law, Government of Maharashtra, Bombay, for such action as deemed fit.

Yours faithfully,

Sd|-

(S. H. Belavadi)

Secretary to the Minister for  
Legislative Affairs.

Encl.—As above.

ANNEXURE  
to  
APPENDIX II

Phone. 516455

Cable: 'PUBLATIONS' NEW DELHI.

PUBLIC RELATIONS COUNSEL OF INDIA  
PRESS & PUBLIC AFFAIRS COUNSELLORS

Post Box No. 52, New Delhi-1 (India).

PRC/15/73

15th December, 1973.

*Private and Confidential*

Mr. Abdul Raheman Abdul Gafoor Antualay,  
Maharashtra Minister of Law and Judiciary,  
Bombay.

SUBJECT.—*No allegation of smuggling against the Minister, etc. etc.*

The above subject had come before Parliament and it also relates to your Company, **Business and Industry**. The full statement as discussed in Parliament about your Company can be had against our fee Rs. 75/- cash. Please add Rs. 2/- on out Station Cheque. This is not a Circular Letter and it is being sent as it contains reference about your Company. *Please quote subject matter of our Letter.*

We can also place your point of view on this matter or any other and do lobbying work at the highest level. Our minimum fee for lobbying work is Rs. 2500/- or more according to the nature of the case strictly paid in advance. All expenses in lobbying work are paid by firms. Many Govt. policies were changed or modified. Details can be discussed.

Thanking you,

Yours faithfully,

Sd|-

(M. L. Vinayak)

Director.

FOUNDED 1950

Regd. Office; Mohan Bhawan, 12-R, Indira Market, Subzi Mandi,  
Delhi-7.

THE ONLY COUNSEL IN WHOLE OF INDIA AND THE EAST.

ENCLOSURE

to

ANNEXURE

OFFICIAL STATEMENT

1. The full statement as discussed in Parliament about you or Company can be had against our fee of Rs. 75/- payable in advance strictly by Bank Draft, Cheque M.O. or CASH. Please quote subject matter of our Letter. On receipt of our fee, a typed copy of statement will be sent by Ordinary Post No V. F. is sent. Please add Rs. 2/- on out Station cheque.

BACKGROUND TO QUESTION

2. We can supply you the background to this Question or debate and the people interested behind the move, against our fee 700/- payable in advance strictly. We will only collect the information when the fee has been received. This will be sent by registered post.

3. Reports, Speeches, Bills and Papers can be had against our fee of Rs.

4. We can supply you information about your one Industry and our Annual Subscription is Rs. 600/-.

PUBLIC RELATIONS COUNSEL OF INDIA, Post Box No. 52,  
New Delhi-1 (India).

NOTE—Please send M.O. and Registered letters at Mohan Bhawan,  
12-R, Indira Market, Subzi Mandi,  
Delhi-7. Phone: 516455.

**Appendix III**

(See para 18 of the Report)

**CONFIDENTIAL**

**COMMITTEE OF PRIVILEGES**

**(Third Lok Sabha)**

**Report on the complaint against Shri M. L. Vinayak (Director, Public Relations Counsel of India, Delhi) for his objectionable activities in connection with his Firm's lobbying work in Parliament.**

**LOK SABHA SECRETARIAT  
NEW DELHI**

*December, 1966*

REPORT OF THE COMMITTEE OF PRIVILEGES  
(Third Lok Sabha)

I—Introduction and Procedure

I, the Chairman of the Committee of Privileges, having been authorised to submit the report on their behalf, present this report to the Speaker in regard to the complaint against Shri M. L. Vinayak (Director, Public Relations Counsel of India, Delhi) for his objectionable activities in connection with his firm's lobbying work in Parliament.

The matter was referred to the Committee by the Speaker under Rule 227 of the Rules of Procedure and Conduct of Business in Lok Sabha (Fifth Edition).

2. The Committee held fifteen sittings.

3. At the first sitting held on the 5th August, 1966, the Committee decided that Shri M. L. Vinayak be asked to appear before the Committee in person on the 19th August, 1966.

4. At the second sitting held on the 19th August, 1966, the Committee noted that Shri M. L. Vinayak, who had been asked through a Registered A.D. letter to appear before the Committee, was not present. The Committee also noted that the postal acknowledgment card, duly signed by Shri M. L. Vinayak, had not been received back in the Lok Sabha Secretariat. The Committee directed that another letter be issued to Shri M. L. Vinayak through the Delhi Administration authorities, asking him to appear before the Committee on the 31st August, 1966.

5. At the third sitting held on the 31st August, 1966, the Chairman informed the Committee that he had received a letter from Shri M. L. Vinayak stating that he would not be able to appear before the Committee on that date as he was going to Jullundur to attend the marriage of the daughter of Shri Jagat Narain, M.P., and requesting for being given another date after fifteen days. The Committee decided that Shri M. L. Vinayak be asked to appear before the Committee on the 5th September, 1966.



6. At the fourth and fifth sittings held on the 5th and 6th September, 1966, the Committee examined Shri M. L. Vinayak on oath. The Committee directed him to appear again before them on the 5th October, 1966 and to produce certain documents.

7. At the sixth, seventh and tenth sittings held on the 5th and 27th October and 17th November, 1966, the Committee noted that Shri M. L. Vinayak failed to appear before the Committee giving one ground or another.

8. At the ninth sitting held on the 10th November, 1966, the Committee examined Shri D. D. Mantri, M.P., who had authorised Shri M. L. Vinayak to purchase Parliamentary papers at concessional rates by operating upon his deposit account from the Sales Section of the Lok Sabha Secretariat.

9. At the tenth sitting held on the 17th November, 1966, the Committee arrived at their conclusions.

10. At the eleventh sitting held on the 24th November, 1966, the Committee considered the matter further and decided to give a final opportunity to Shri M. L. Vinayak to appear before the Committee and to explain his position, as requested by him in his letter dated the 22nd November, 1966. The Committee also decided that Shri Hari Bedi, Public Relations Manager of the ESSO Standard Eastern, Inc. New Delhi, who had originally brought the matter to the notice of the Lok Sabha Secretariat be asked to appear before the Committee and to produce the material received by his firm during the last 2 or 3 years from Shri M. L. Vinayak and a statement of the payments made to him by the firm.

11. At the twelfth sitting held on the 29th November, 1966, the Committee examined Shri Hari Bedi.

12. At the fourteenth and fifteenth sittings held on the 3rd and 5th December, 1966, the Committee further examined Shri M. L. Vinayak and arrived at their conclusions.

## II—Facts of the Case

13. It had been brought to the notice of the Speaker by the Public Relations Officer, ESSO, Standard Eastern, Inc., New Delhi, that a person named M. L. Vinayak, "Director, Public Relations Counsel of India, New Delhi" had issued a Circular Letter\* dated the 12th March, 1966, regarding his firm's lobbying work in the Parliament". Along with the said circular letter, Shri Vinayak had circulated some other stencilled papers reproducing certain

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\*See Appendix I. (Not enclosed).

questions (both Starred and Unstarred) and their answers given in the Lok Sabha Rajya Sabha. In one of these papers, Shri Vinayak had further given details of the services rendered by his firm to his clients regarding the business in Parliament. Relevant extracts from this paper are given in Appendix-II.\*\*

14. Some of the claims made by Shri M. L. Vinayak in his Circular Letter and other papers referred to above (Appendices I and II)\*\* were as follows:—

- (i) **"DEMANDS OF GRANTS:** In the Budget Papers, there are separate booklets containing Demands of Grants and expenditure of different Ministries, i.e. Food, Commerce, Steel, Mines, Coal, Industry, Transport, P. & T., Defence, Finance and other Ministries and this gives details of the spendings of the Government for the next year for different items. We can procure the same against our fee of Rs. 25/- per Report, to be paid by Cheque in advance."
- (ii) **"PAPERS LAID IN PARLIAMENT:** Many papers are laid every day in the Parliament about different Ministries but these papers are not priced publications and are not available for sale. We can procure these papers laid in the Parliament against our fee of Rs. 50/- per paper or Report."
- (iii) **"DRAFTING OF QUESTIONS:** We draft questions and also put supplementaries in the Lok Sabha and Rajya Sabha, about the difficulties of business people or to elicit information about a particular subject, and our charges are Rs. 75/- to Rs. 350/- per question, according to the nature of the work".
- (iv) "We can supply you the background to this question (S.Q. No. 415 dt. 8th March, 1966 in Lok Sabha re: abolition of Managing agency system etc.), why it has been asked and who are the persons interested behind this move, on payment of our fee of Rs. 450/- payable in advance."

15. Shri M. L. Vinayak also made out stencilled copies of the proceedings of the Lok Sabha and Rajya Sabha relating to ques-

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\*\*Note enclosed

tions (both Starred and Unstarred) and their answers (including supplementaries) and supplied them to the interested parties on payment.

16. Shri Vinayak's activities may thus be divided into two groups *viz.*—

- (i) Making out copies of the proceedings of the Lok Sabha and Rajya Sabha and other papers and Reports laid on the Table of the House including those which are not available on sale, and supplying them to interested parties on payment; and
- (ii) doing "lobbying work" in Parliament on behalf of the interested parties on payment.

17. It may be mentioned that complaints regarding Shri M. L. Vinayak's lobbying activities in Parliament had been received in the past also. The Central Hall Pass of Shri Vinayak was cancelled under the orders of the then Speaker as early as May, 1959 and since then no pass had been issued to him. That decision was also conveyed to the Rajya Sabha Secretariat on the 19th May, 1959 who have not also issued any pass to Shri Vinayak enabling him to have admission to the Central Hall. Even the Parliament House building passes were barred for Shri Vinayak. These orders were confirmed by the Speaker in 1960 and 1962 on receipt of fresh complaints about Shri Vinayak's objectionable activities.

18. Shri Vinayak has been purchasing such of the parliamentary papers as are available on sale from the Sales Counter of the Lok Sabha Secretariat at concessional rates through some members. Till recently, he has been purchasing such papers through a Deposit Account opened by Shri Dwarka Das Mantri, M.P., who had authorised Shri Vinayak to operate upon it and to purchase from the Sales Section of the Lok Sabha Secretariat parliamentary papers at concessional rates on his behalf. Previous to that, Shri Vinayak used to purchase Parliamentary papers at concessional rates through the Deposit Account of the late Maharajkumar of Vizianagram.

### III—Findings of the Committee

19. On the 5th September, 1966, when Shri M. L. Vinayak appeared before the Committee, he was shown by the Chairman a stencilled "Memorandum" dated the 12th March, 1966 on a printed letter-head captioned "Public Relations Counsel of India, Post Box No. 52, New Delhi-1 (India)" which bore the signatures of "M. L. Vinayak", and which formed the basis of the complaint against

him. Shri Vinayak at first denied that those were his signatures and said that his signatures might have been forged. The Committee, thereupon, asked Shri Vinayak to give his specimen signatures for examination, which he did. Later, however, when he was warned that he was giving evidence on oath and that if his statement was proved false, he would be liable for perjury, he admitted that the signature on the "Memorandum" resembled his signatures but he would have to verify from his records whether any such "Memorandum" was circulated by him on that date.

20. On the 6th September, 1966, when Shri M. L. Vinayak again appeared before the Committee, he admitted that the signatures on the stencilled "Memorandum" dated the 12th March, 1966, on a printed letter-head captioned "Public Relations Counsel of India" were his signatures. He also handed over a copy of the said "Memorandum" together with its enclosures for the perusal of the Committee. He then apologised to the Committee for having denied, in the first instance, before the Committee on the 5th September, 1966 that the signatures on the said "Memorandum" were his.

21. In his evidence before the Committee, Shri M. L. Vinayak stated that he had been purchasing parliamentary papers from the Sales Counter of the Lok Sabha Secretariat at concessional rates through some Members for their use. He specifically named Shri Dwarka Das Mantri, M.P., in that connection. He claimed that he had got Members of Parliament as his clients and that he did their entire Parliamentary Work, viz., drafting of questions and resolutions etc. and preparing background material for their use. In that connection, he gave the names of Sarvashri Dwarka Dass Mantri, Yashpal Singh and R. N. Barua, Members, Lok Sabha. He said that he had charged the Members monthly from Rs. 150/- to Rs. 300/-. He also said that he was supplying information about parliamentary papers to certain business firms also on payment.

22. Shri Dwarka Dass Mantri, M.P., in his evidence before the Committee, said that Shri M. L. Vinayak had been operating upon his deposit account with the Sales Section of the Lok Sabha Secretariat for about one and a half years for the purchase of parliamentary publications at concessional rates. He also said that he was not aware of the objectionable activities of Shri Vinayak and had he known them, he would not have permitted him to operate on his account. He, however, stated that he had since closed that Account after receiving the letter to appear before the Committee of Privileges.

Shri Mantri, however, denied that Shri M. L. Vinayak had been rendering any service to him like drafting of questions or resolutions etc. He also denied that he had paid anything directly to Shri M. L. Vinayak for helping him in his parliamentary work. He also denied that Shri M. L. Vinayak had been purchasing parliamentary papers from the Sales Counter of Lok Sabha Secretariat for his (Shri Mantri's) use.

23. The copy-right of all parliamentary Debates and other publications relating to Lok Sabha is vested in the Lok Sabha Secretariat.

Further, under Rule 382(1) of the Rules of Procedure of Lok Sabha, the Speaker may authorise printing, publication, distribution or sale of any paper, document of report in connection with the business of the House or any paper, document or report laid on the Table or presented to the House or a Committee thereof.

Making out copies of the debates of the Lok Sabha and other Parliamentary Papers and Reports and selling those copies would be unauthorised and a breach of the copyright of the Lok Sabha Secretariat.

24. The Committee are of the opinion that the publicity material being circulated by Shri M. L. Vinayak regarding his firm's "Lobbying Work" in Parliament and his activities as publicised by him (see paras 13, 14 and 15 above and Appendices I and II)\* are highly objectionable and unauthorised.

25. The Committee also consider that the conduct of Shri M. L. Vinayak in deliberately and falsely denying in the first instance, before the Committee, while he was giving evidence on oath, that the signatures on the stencilled "Memorandum" dated the 12th March, 1966, which formed the basis of the complaint against him, were his, in prevaricating before the Committee and in evading his appearance before the Committee on one pretext or another in response to repeated directives of the Committee, is highly reprehensible and constitutes a contempt of the House.

The Committee also feel constrained to observe that the whole tone and tenor of Shri Vinayak's oral evidence before the Committee was highly objectionable, apart from being circumambient.

#### IV—Recommendation of the Committee

26. The Committee recommend that Shri M. L. Vinayak be summoned to the Bar of the House and reprimanded for his objectionable activities in connection with his firm's "Lobbying Work in

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\*Not enclosed.

Parliament" and for his conduct in making false statements in his evidence before the Committee while on oath, in prevaricating before the Committee and in evading his appearance before the Committee in spite of repeated directives of the Committee.

27. The Committee note with regret that a Member of Parliament should have acted in such an ill-advised manner and permitted such a person to operate an account opened by the former with the Lok Sabha Secretariat for the purchase of Parliamentary papers at concessional rates and exploit it for his personal gain.

NEW DELHI;

The 15th December, 1966.

Sd/-

(S. V. KRISHNAMOORTHY RAO)

Chairman

Committee of Privileges.

## APPENDIX IV

(See para 21 of the Report)

### MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS DEPARTMENT OF LEGAL AFFAIRS

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**SUBJECT:**—*Note on the legal aspects of circulation of objectionable publicity material by Shri M. L. Vinayak, styling himself as "Director, Public Relations Counsel of India".*

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At the very outset we may briefly recall the facts leading to the present reference. Complaints were received in the Lok Sabha Secretariat in 1960, 1962, 1969, 1972 and 1973 regarding certain activities of Shri Vinayak, the self-styled Director of Public Relations Counsel, Press and Public Affairs Counsellors founded in 1950 and having its registered office in Delhi. At the foot of one of the letter-heads of the firm occurs the inscription that they are "the only Counsel in whole of India and the East". The main activities of the firm, as summarised in para 16 of the Report of the Committee of Privileges (Third Lok Sabha), December 1966, may be divided into two groups:—

- (1) making out copies of the proceedings of the Lok Sabha and Rajya Sabha and other papers and Reports laid on the Table of the House, including those which are not available on sale and supplying them to interested parties on payment; and
- (2) doing 'lobbying work' in Parliament on behalf of the interested parties on payment.

The *modus operandi* of the firm so far as can be gathered from the papers, is that such of the Parliamentary papers as are available on sale from the Sale Counter of the Lok Sabha Secretariat will be purchased at concessional rates through some Members. Some of the clients of the firm are Members of Parliament who get their entire Parliamentary work done through the firm including drafting of questions, resolutions etc. and preparing background material for their use, on payment of a monthly sum. The firm will procure and sell to the interested parties on certain rates, budget papers and

reports and other papers laid before the House which are not available for sale. The firm also drafts questions and also supplementaries to be put in the Lok Sabha and Rajya Sabha about difficulties of business people or to elicit information on a particular subject and will also procure and supply on payment the background material to any question, the reason why it is being asked and the persons interested in the move etc. The firm also undertakes on behalf of the interested parties to place their point of view on any matter in Parliament and do "lobbying work at the highest level" on payment ranging from Rs. 2,500 to unlimited amount. In the circular letters sent to the interested parties, it has also been claimed that "many Government policies were changed and modified" through the activity of the firm. All payments in cash or cheque are to be made in advance. Information will be given about any industry on payment of an annual subscription.

2. In July 1960 the pass of Shri Vinayak for entry into the Central Hall of Parliament House was cancelled. In 1966, the Committee of Privileges recommended that he be summoned to the Bar of the House and reprimanded for his "objectionable activities in connection with his firm's 'lobbying work in Parliament' and for his conduct in making false statements in his evidence before the Committee...." Nothing could be done pursuant to the Committee's recommendations and the Report was also not laid on the Table of the House and the matter lapsed on the dissolution of the Third Lok Sabha.

3. On receipt of further complaints, the C.B.I. got the matter referred to their legal adviser whose views have been reproduced in para 9 of the note of the Lok Sabha Secretariat as follows:—

"Shri Vinayak cannot be prosecuted merely for soliciting customers for either supplying copies of Parliamentary proceedings which have been released to the Press, or for doing lobbying work unless some specific criminal offence against him, e.g., cheating, bribery can be established. So far nobody has complained to us of having been cheated by Shri Vinayak and so no action on that account was possible...."

4. The Committee of Privileges has asked this Ministry in the present reference to furnish for their consideration a comprehensive note on the subject dealing with the various aspects mentioned in the reference. All the questions raised by the Committee for our consideration boil down to the main issue as regards the competence



of the Committee to deal with the type of activities carried on by Shri Vinayak.

5. The powers, privileges and immunities of Parliament or State Legislatures and its members have been set out in Articles 105 and 194 of the Constitution respectively. Clauses 2 and 3 of these Articles are relevant for our present purpose. Under clause 2 of Article 105 no person shall be liable in respect of the publication by or under the authority of either House of Parliament of any Report, paper, votes or proceedings. Under clause 3, the powers, privileges and immunities of each House of Parliament and of the members and Committees of each House, in other respects, shall be such as may from time to time be defined by Parliament by law, and, until so defined, shall be those of the House of Commons of the Parliament of the United Kingdom, and of its members and Committees, at the commencement of the Constitution.

6. In order to consider the content of powers, privileges and immunities of our Parliament in respect of matters not governed by the provisions of Article 105 of the Constitution, we have to look to the position obtaining in the United Kingdom at the commencement of the Constitution. As regards the publication of the debates and proceedings is concerned, the position in the United Kingdom is that the House has the right to restrain publication by others without its authority, whether by a member or a stranger. In *Erskine May's Parliamentary Practice* it has, however, been stated that "so long as the debates are correctly and faithfully reported, however, the privilege which prohibits their publication is waived" (see 18th Edition 1971 page 77). So far as publication in newspapers and broadcasting programmes is concerned, the matter is governed by a law made by our Parliament entitled the *Parliamentary Proceedings (Protection of Publication) Act, 1956*. Section 3 of the Act provides that no person shall be liable to any proceedings, civil or criminal, in any court in respect of the publication in a newspaper of a substantially true report of any proceedings of either House of Parliament, unless the publication is proved to have been made with malice. In the case of *C. K. Daphtary vs. O. P. Gupta* (AIR 1971 SC 1132), the Supreme Court has held that the protection under Section 3 is only given to the newspapers and broadcasting agencies (at page 1148).

7. Rules 379 and 382 of the Rules of Procedure of Lok Sabha authorise the printing and publication of the Reports of proceedings

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and other documents in connection with the proceedings. The copyright of Parliamentary debates and other publications relating to Lok Sabha is vested in the Lok Sabha Secretariat and making out copies and selling them by others is unauthorised and in breach of the copyright. In the present case, Shri Vinayak may be said to have violated the aforesaid rules to the extent that he has offered to procure and sell to interested parties on payment certain papers relating to Parliamentary business which are not available for sale. In the United Kingdom, disobedience to the orders of either House, whether such orders are of general application or require a particular individual to do or abstain from doing a particular act, or contravention of any rules of either House is a contempt of that House (see *May's Parliamentary Practice* page 134). It is, therefore, possible to take the view that procuring and selling papers relating to Parliamentary business which are not intended for sale and in an unauthorised manner in contravention of the rules constitute a breach of privilege and contempt of the House.

8. Shri Vinayak's activities are not merely confined to such unauthorised sales of Parliamentary papers, as mentioned above. He is carrying on certain activities which may come within the connotation of what is commonly called "lobbying". Before we proceed to examine the relevant rules and practices obtaining in other countries having democratic forms of Government, we may consider the judicial interpretation of the Parliamentary privileges by our Supreme Court in the *President's Reference No. 1 of 1964* (AIR 1965 SC 745). It may be recalled that in that case one Keshav Singh, having been held guilty of contempt of the U.P. Assembly, was produced before the House and was reprimanded under the orders of the House. He was also held guilty of a second contempt, namely, his disrespectful behaviour towards the House within the Chamber of the House, and his letter written to the Hon. Speaker, in discourteous, intemperate and unparliamentary language and sentenced to 7 days imprisonment by the House. In the course of the advisory opinion given by the Supreme Court, the Court has referred to its earlier decision in the case of *M.S.M. Sharma* (AIR 1959 SC 395) where the Court held that where Article 19(1) (a) of the Constitution was in direct conflict with Article 194(3), the particular provision in the latter Article would prevail over the general provision contained in the former. In other words Article 19(1) (a) will not be applicable if it comes in conflict with Article 194(3). In the *Reference case*, the Court has observed that Articles 20, 21 and 22 of the Constitution would be applicable and that the uncodified privileges were subject to these constitutional provisions (at page 786). The

Court has further observed that Articles 32 and 226 would also be applicable (at page 788).

In the *President's Reference No. 1 of 1964* or in other decisions, the Court had no occasion to consider the relevance of the provisions of Article 19(1) (g) of the Constitution *vis-a-vis* the uncodified privileges. The provisions of Article 19(1) (g) of the Constitution would seem to be relevant in the present context. Under this clause all citizens shall have the right to practice any profession, or to carry on any occupation, trade or business. Under clause 6, this right is subject to any law imposing reasonable restrictions in the interests of general public. The right of a citizen to earn his livelihood is covered by the right enumerated in Article 19(1) (g) of the Constitution, as has been observed by the Supreme Court in *In Re Sant Ram* (AIR 1960 SC 932, at page 935). In the present case it has to be conceded that Shri Vinayak has the right to carry on any occupation, trade or business as guaranteed in Article 19(1) (g) provided he does not contravene any law under which reasonable restrictions have been imposed on the exercise of this right in the interests of the general public. This takes us to the further question whether lobbying is permitted under the law. In India no law has been enacted specifically on the subject. It would, therefore, be necessary to consider the position obtaining in other countries having a democratic form of Government.

10. The term "lobbying" originated in American governmental experience in 1830. Certain representatives of interest group loitered in the lobbies of the Assembly Halls of the American Congress and State Legislatures, hoping to get a chance to speak to legislators and thereby attempt to influence their decisions. After a review of the development of the institution of lobbying in the United States, it has been concluded in the *International Encyclopedia of the Social Sciences* that "assuming that this leads to better-informed and higher-quality decisions, the net contribution of lobbying to the political process is probably positive" (see volumes 9 and 10, 1968 page 445). To begin with, the practice of lobbying in the United States was viewed with contempt and vituperation. Prof. Herman Finer has referred to the earlier practices when even "women were employed to trim the locks of Congressional Samsons" (see *The Theory and Practice of Modern Government*, Fourth Edition 1961 page 459) but, according to him, today "the lone wolf has vanished, and there is no slinking about upon unsavory errands. Contempt is not entirely dissipated but fear and respect have taken its place. For the "lobbyist" has come out in the open, advertises himself to the public rather than hides from it, and has sources of revenue which are

cheerfully, if not fully, disclosed and even vaunted." In other words, the propriety of lobbying activities has been admitted in the United States. The persons doing the lobbying work in the United States possess a special knowledge of the byways of legislation and the habits of Congress. According to Prof. Herman Finer, "they are recruited from lawyers, journalists, *self-constituted agents* and touts, *public relations counsellors*, former civil servants and ex-Congressmen" (see *ibid* page 460). According to him, "the lobby is the necessary adjunct to the American Party System" (see *ibid* page 462).

11. In the *Revised and Annotated Commentary on the Constitution of the United States 1964*, it has been stated that "Today lobbying is frequently regarded as the most important expression of the right of petition" (page 920). In 1946 the Congress passed the Federal Regulation of Lobbying Act under which more than 2,000 lobbyists have registered and 495 organisations report lobbying contribution and expenditures (see *ibid* page 920). The Federal Act of 1946 requires all persons seeking the passage or defeat of legislation by Congress or to influence directly or indirectly the passage or defeat of any such legislation to register and to give an annual financial accounting (see *United States Code 1964 Edition*, pages 75 to 77).

12. The constitutionality of the Federal Act of 1946 came up for consideration in the case of *United States vs. Rumely* (345 US 41). In 1949 the Congress had authorised an investigation of all lobbying activities intended to influence, encourage, promote or retard legislation. In the course of the investigation, one Rumely of the Committee for Constitutional Government, a private organisation refused to tell the House Committee, who it was that had made bulk purchases of certain politically oriented books distributed by the C.C.G. To avoid grave constitutional questions, the Supreme Court interpreted "lobbying activity" as meaning "representations made directly to the Congress, its members, or its Committees" rather than attempts to "saturate the thinking of the community". As so interpreted, the House Committee had no authority to request this information of Rumely. In the case of *US vs. Harriss* (347 US 612), the Supreme Court narrowed the application of the 1946 Act as follows:—

- (1) The person must have solicited, collected or received contributions;
- (2) One of the main purposes of such person or of such contributions must have been to influence the passage or defeat of legislation by Congress; and

- (3) The intended method of accomplishing this purpose must have been through direct communication with Members of Congress.

In this light the Act was held not unconstitutionally vague nor in violation of the First Amendment's guarantee of the right to petition. The Court observed:—

“Congress has not sought to prohibit these pressures. It has merely provided for a modicum of information from those who for hire attempt to influence legislation or who collect or spend funds for that purpose” (at page 625).

13. From the foregoing examination of the practice prevailing in the United States, it would appear that the institution of lobbying has come to stay and it has stood the test of judicial scrutiny. The Federal Legislation on the subject merely seeks to regulate some aspects of lobbying though without much success. Incidentally it may also be pointed out that the lobbyists in the United States employ every conceivable means including entertainment and bribery of legislators (see *International Encyclopaedia of Social Sciences*, page 444).

14. Lobbying is prevalent even in the United Kingdom, though individual lobbyists are less in number. Prof. Herman Finer has observed that on the whole an organised lobby of the size, importance and system of the United States does not exist in the United Kingdom. The reason is that “party is too strongly in control of English politics for members to be liable to influence by lobbyists” (*The Theory and Practice of Modern Government*, page 463). The Committee of Privileges of the House of Commons had occasion to consider the breach of privilege in a case which occurred in 1947. Two Members of the House of Commons were found guilty of disclosing information to newspapers of the proceedings at a Labour Party meeting of Labour Members of the House of Commons held in the House. It was alleged that Members gave information for pay or while in a semi-drunken state or in return for favourable attention in the press. The Committee took a strong view of the matter and adopted a resolution expressing grave displeasure of the House. Commenting on this episode, Prof. Herman Finer has remarked: “the House was warning *the tempter* as well as *the tempted*, for in this case, the buyers had not been punished”. (see *ibid* 467).

15. It would thus appear that in the United Kingdom as well, the practice of lobbying is prevalent though not to the extent as in the

United States. The Constitutions of Canada, Australia and New Zealand have, by and large, adopted the uncodified privileges of the House of Commons of the United Kingdom. It may be inferred that the same position exists in these countries. As regards the relevance of lobbying in a free society, we may refer to the following observations of Prof. Julius Stone:—

“...lively activities of a multitude of voluntary associations, intermediate between the mass of individuals and the centres of political authority, seem indispensable for well-ordered government which is also free” (see *Social Dimensions of Law and Justice*, 1966, page 634).

16. In the light of the provisions of the Indian Constitution, the Rules of Procedure of the Lok Sabha and the position prevailing in the United States, the United Kingdom and other countries having similar democratic forms of Government, it cannot be said that doing lobbying work is in any way improper or illegal. To the extent however that Shri Vinayak may have contravened any specific Rule of Procedure of the Lok Sabha, he can be deemed to have committed a breach of privilege or contempt of Parliament. This would apply only to the procuring and selling of copies of Parliamentary papers unauthorisedly. In this respect, the person who helps him to procure these papers, whether he is a Member of Parliament or not, will also be guilty of a breach of privilege. As regards the other activities of Shri Vinayak, there is no law prohibiting the carrying on of any occupation or business like the one pursued by Shri Vinayak. In other countries as well, lobbying work is sometimes done not merely to advance a cause but also to attain private ends.

## APPENDIX V

(See para 23 of the Report)

HARIBHAKTI & CO. BOMBAY MUTUAL CHAMBERS,  
CHARTERED ACCOUNTANTS. 19-21, AMBALAL DOSHI MARG,  
(HAMAM STREET)  
ASSOCIATED OFFICES FORT, BOMBAY—400023.  
AHMEDABAD, NEW DELHI, MADRAS. 21st August, 1975  
No. M-247/75

FOR PERSONAL ATT. OF SECRETARY

Secretary to the Lok Sabha,  
Lok Sabha Secretariat, Parliament Street,  
NEW DELHI.

Dear Sir,

We are sending herewith the original letter received from an organisation which has styled itself "PUBLIC RELATIONS COUNSEL OF INDIA".

In our opinion, the activity carried out by this organisation is not very much different from cheating. They are trying to fleece members of the public, taking advantage of the name of the Parliament. It is ridiculous for them to ask people pay price of Rs. 75/- for a copy of the report of the proceedings of the Parliament. They are sending a printed letter and stating that it is "not a circular letter" and they also allege that there was a reference to our company—which, of course, is false.

As the fair name of Parliament is involved and as an attempt is made to collect dishonest money from the members of the Public in the name of the Parliament, we would request you to kindly take immediate action to stop this activity and hand over the papers to the appropriate authorities for prosecuting the so-called Directors of this organisation.

We shall be grateful if you will kindly acknowledge receipt of this letter and let us know the steps taken by you in this matter.

Yours faithfully,  
Sd/-

ANNEXURE

Phone: 516455

Cable: "PUBLATIONS" NEW DELHI.

PUBLIC RELATIONS COUNSEL OF INDIA  
PRESS & PUBLIC AFFAIRS COUNSELLORS  
POST BOX NO. 52, NEW DELHI-1 (INDIA)

PRIVATE & CONFIDENTIAL

No. PRC/45/75

August 14, 1975.

Sr. Partner.

Haribhakti & Co.,

BOMBAY.

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Dear Sir,

**SUBJECT.**—*Statutory auditors appointed by the Government, procedure adopted, give priority to firms of young chartered accountants, 815 assessed for income-tax, filed complaints for their failure to perform their statutory duties, action etc. etc.*

The above subject had recently come before Parliament and it also relates to your Business and Industry. The full statement as discussed in Parliament can be had against our fee Rs. 75/- cash, M.O. or Bank Draft. Please add Rs. 3/- on out Station Cheque. This is not a Circular Letter and it is being sent as it contains reference about your company. Please quote subject matter of our letter. No. V.P. is sent.

On receipt of our fee, typed copy of the statement will be sent by Ordinary Post. If desired registered kindly add Rs. 5/- as our Service Charges. Extra typed copies can be had at Rs. 25/- each copy. Only M.O. and Registered letters be sent at Mohan Bhavan, 12-R, Indira Market, Subzi Mandi, Delhi-7.

A reply will be highly appreciated.

Yours faithfully,  
Sd/-  
(M. L. Vinayak)  
Director.



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