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Title: Observation regarding Report of the Committee to inquire into complaint made by some members regarding alleged offer of money to them in connection with voting on the Motion of Confidence.

MR. SPEAKER: Hon. Members may recall that on 22 July, 2008, during the debate on the Motion of Confidence in the Council of Ministers, Sarvashri Ashok Argal, Faggan Singh Kulaste and Mahavir Bhagora, Members of this House, came to the well of the House with two bags, took out bundles of currency notes from the bags and started placing them on the Table of the House. Amidst pandemonium, hon. Deputy Speaker, who was then in the Chair, adjourned the House.

In the meeting of the Leaders, which was immediately thereafter held in my Chamber, I heard the three members who *inter alia* alleged that the money had been offered to them to refrain from voting on the Motion of Confidence. I observed that it would have been proper if the bag containing the money was brought to the Speaker's Chamber, instead of being brought to the House. While expressing my anguish over this unprecedented act which had severely impaired the dignity of the House, I directed the members to give their complaint in writing.

, Thereafter, when the House met I made the following observation :-

"Sometime back, when my distinguished colleague, hon. Deputy Speaker was presiding over the proceedings of the House, certain incidents have taken place, which according to me, are most unfortunate. It is a very sad day in the history of Parliament that such a situation has happened.

We have heard the three hon. Members of the House. They had some complaints to make. I requested them to put their complaints in writing to me. I assured them, I assured the leaders and I assure the House that all possible steps that are required in that connection will be taken by me as the custodian of this House. It is my duty to do that, and I seek the cooperation of all sections of the House. Please allow me to apply my judgment, look into the matter, and I can assure you, nobody will be spared if found guilty."

This was made on that day. Sarvashri Ashok Argal, Faggan Singh Kulaste and Mahavir Bhagora, MPs, in their jointly signed statement submitted to me on 25 July, 2008, *inter alia* alleged that they were "sought to be bribed by the leaders of the Congress and the Samajwadi Party to help the UPA Government by refraining from voting against the Confidence Motion."

In view of the facts and circumstances of the case, I felt that it was necessary to ascertain the truth or otherwise of the complaint made by the said three Members in their letter dated 25 July, 2008, and that it would be possible to take appropriate action only upon the ascertainment of the same. [\[p1\]](#)

I, accordingly, with the knowledge and without any objection by any Party, appointed a-seven member Enquiry Committee on 26 July, 2008, to investigate and enquire into the matter, to which no Party nor any Hon. Member raised any objection.

The Enquiry Committee have since completed their enquiry and submitted their Report to me on 12 November, 2008. The Report has been laid on the Table of the House on 15 December, 2008.

The finding of the Committee is that "material on record does not conclusively prove that the money contained in the bag, which was eventually displayed in the House, was actually sent" by the persons who-were alleged to have sent it "for the purpose of winning over Shri Ashok Argal, Shri Faggan Singh Kulaste and Shri Mahavir Bhagora to vote in favour of Motion of Confidence." The Committee have, however, found the evidence given before the Committee by three persons involved in this episode as unconvincing and the Committee have suggested that their role in the matter needs to be investigated by investigating agencies.

I am, accordingly, referring the matter pertaining to the said three persons to the Hon. Minister of Home Affairs for appropriate action in the light of the recommendations of the Committee.

The currency notes, which were brought to and displayed in the House by the three members, are presently kept in the custody of the Secretary-General which is giving him sleepless nights. As this money may be required for the purpose of investigation, if any, as suggested by the Committee, it will be retained by the Secretary-General for one month, after which if no request is received for it for the purpose of investigation, it will be deposited with the Government as unclaimed money.

Before I conclude, I would like to make a further observation. The Enquiry Committee, in their Report, have expressed their "grave concern as also their anguish" over publication of news reports in certain newspapers (named in the Report) published on 18 August, 2008, 19 August, 2008 and 6 October, 2008, respectively as also reports carried by several TV Channels and newspapers on 7 October, 2008 which *inter alia* either projected factually incorrect report of the deliberations of the Committee or amounted to premature disclosure of the evidence tendered before the Committee or were based on unsubstantiated and unauthorized sources.

The Enquiry Committee have rightly observed that "such reports, besides amounting to a breach of privilege and

contempt of the House, also amount to lowering the dignity of the Enquiry Committee as well as the House and may attract penal powers of the House".

While the House is usually reluctant to exercise its penal powers in case of such transgression, newspapers and television channels need to realize that they do not enhance their dignity by lowering the dignity of the Parliamentary Committees and the House in such a manner. Commitment to democratic traditions and sense of responsibility require that well-established parliamentary conventions - the prohibition of premature, disclosure of the contents of the draft report of a Committee being one of them - are observed by one and all. It may be kept in mind that indulgence shown by the House in the event of such transgressions indicates neither its weakness nor its inability to act.

**श्री संतोष गंगवार :** महोदय, यह सर्वसम्मत रिपोर्ट नहीं है, ... (व्यवधान)

MR. SPEAKER: This is part of the record.

**श्री संतोष गंगवार :** महोदय, यह सर्वसम्मत रिपोर्ट नहीं है, इसमें वोट आफ डिसेंट भी दिया गया था। हम चाहते हैं कि वह बात भी सामने आए जिससे लोगों को यह समझ में आ सके कि वास्तविकता क्या थी। ... (व्यवधान)

MR. SPEAKER: That is part of the record of the House. No more discussion on this is allowed.

**मोहम्मद सलीम (कलकत्ता - उत्तर पूर्व) :** महोदय, मेरा विनम्र निवेदन है कि इस पूरे मामले की इनवेस्टीगेशन करानी चाहिए। ... (व्यवधान)

MR. SPEAKER: You cannot discuss my ruling or observation.

**रेल मंत्री (श्री लालू प्रसाद) :** महोदय, मेरा एक विनम्र निवेदन है कि इस रिपोर्ट में ... (व्यवधान)

SHRI ANANTH KUMAR (BANGALORE SOUTH): How are you allowing him to speak? ... (Interruptions)

MR. SPEAKER: Let me hear what he is saying. I will delete it. I have only said that the Minute of Dissent is part of the Record. Let me hear what point he is making. If it is not permissible, I will reject it.

... (Interruptions)

SHRI ANANTH KUMAR : According to the rules he cannot make a point ... (Interruptions)

MR. SPEAKER: Do not teach me the rules.

... (Interruptions)

MR. SPEAKER: What do you want to say?

**श्री लालू प्रसाद :** मैं यह कहना चाहता हूँ कि इसके गैरिंट या डीगैरिंट पर हम नहीं जाना चाहते। जिसे भी विलन विट मिली है, जो हो गया, वह ठीक है। लेकिन जो लोग लेकर आए ... (व्यवधान)

**अध्यक्ष महोदय:** वह छोड़िए। This is not a matter to be discussed. I do not allow this discussion.

... (Interruptions)

MR. SPEAKER: This is not allowed. I have said that it is not a relevant matter.

... (Interruptions)

MR. SPEAKER: Item 19 – Dr. Raghuvansh Prasad Singh.

... (Interruptions)

MR. SPEAKER: Proper action is being taken according to rules and law. I have no doubt about it.

... (Interruptions)

MR. SPEAKER: Hon. Members, please. I have said that I have not entertained his remarks. Why are you shouting?

... (Interruptions)

MR. SPEAKER: Do not record anything except the submission of the Minister.

(Interruptions) \* \* \*

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\* Not recorded