

Fourteenth Loksabha

Session : 8

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Participants : [Advani Shri Lal Krishna](#), [Dasgupta Shri Gurudas](#), [Tripathy Shri Braja Kishore](#), [Geete Shri Anant Gangaram](#), [Singh Shri Mohan](#), [Dasmunsi Shri Priya Ranjan](#), [Advani Shri Lal Krishna](#), [Dasmunsi Shri Priya Ranjan](#), [Singh Shri Prabhunath](#), [Yerrannaidu Shri Kinjarapu](#), [Pal Shri Rupchand](#), [Yadav Shri Devendra Prasad](#)

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Title : Regarding leakage of Report of Justice R.S. Pathak Inquiry Authority probing the Volcker Committee Report on Iraqi's Oil-For-Food Scheme.

SHRI KINJARAPU YERRANNAIDU (SRIKAKULAM): The Government has to explain how the Pathak Committee Report has been leaked. ... (*Interruptions*)

MR. SPEAKER: Let me hear one by one. The hon. Leader of Opposition wants to say something.

... (*Interruptions*)

SHRI GURUDAS DASGUPTA (PANSKURA): I have only one point to make. The hon. Leader of Opposition has every right and respect from us. He can come out with his views. But we should also be permitted to speak. It should not be that after he speaks, the House will be adjourned. This should not be the position. I want an assurance from you that everyone of us will speak.... (*Interruptions*)

MR. SPEAKER: Let me hear what he wants to say. Shri Dasgupta, I do not know what he will speak. I do not have any notice from Shri Advani.

श्री लाल कृष्ण आडवाणी (गांधीनगर) : अध्यक्ष जी, दो पहलू हैं जिनके बारे में सदन को इस समय तुरन्त विचार करना चाहिए। पहला तो यह है कि संसद का अधिवेशन चल रहा है। पिछले साल अक्टूबर के महीने में जब वोल्कर समिति की रिपोर्ट आई तब सदन में उस पर चर्चा हुई और सब लोग चिन्तित थे कि दुनियाभर में हमारे देश का नाम बदनाम हुआ क्योंकि यहां की कांग्रेस पार्टी का नाम वोल्कर कमेटी की रिपोर्ट में है, उस समय के हमारे विदेश मंत्री का नाम है और इसकी पूरी चर्चा होनी चाहिए। यह सारे सदन ने मांग की और सरकार ने उसके बाद कमीशन ऑफ इन्क्वायरी तो नहीं बैठाया, लेकिन कमीशन ऑफ इन्क्वायरी के पूरे अधिकार प्राप्त एक ऐसी अथॉरिटी बनाई जिसके अध्यक्ष पूर्व न्यायाधीश श्री आर.एस.पाठक थे और उन्हें कहा गया और एक समय-सीमा दी गई कि वे तथ्यों की जांच कर रिपोर्ट सरकार को दें। कल शाम अचानक हम हैरान हो गए कि संसद को कुछ पता नहीं, लेकिन एक चैनल पर खबर आने लग गई।

CNN-IBN was the first to speak that Justice Pathak has given his Report to the Prime Minister and the Congress Party has been exonerated.

MR. SPEAKER: We cannot take note of newspaper reports. Just allow me to make one observation. Will you say that the Speaker has no right to make any observation? Please show little courtesy.

... (*Interruptions*)

SHRI L.K. ADVANI : Parliament is in Session. If it has to come out, it has to come to the House first. It is not to be given to a TV channel.... (*Interruptions*)

MR. SPEAKER: May I make an observation?

SHRI L.K. ADVANI : I am sure you will take the Government to task.

... (*Interruptions*)

SHRI L.K. ADVANI : But your condemnation of the Government on this failure to give the Report to the House... ... (*Interruptions*)

MR. SPEAKER: It cannot be. The Report has been given only last night. How can I expect that it will be submitted today?

... (*Interruptions*)

THE MINISTER OF PARLIAMENTARY AFFAIRS AND MINISTER OF INFORMATION AND BROADCASTING (SHRI PRIYA RANJAN DASMUNSI): Sir, there was no leakage from the Government at any point of time, neither from the Prime Minister's Office nor from the Office of the Minister of Finance. I can only tell you that the Subramanyam Committee Report before it was even discussed was leaked by the Government and it was never allowed to be debated in the House when the NDA was in Office. ... (*Interruptions*) The Leader of the Opposition, who was the Minister of Home Affairs at that time, is talking like this. It is unfair on his part to give instructions to the Government. ... (*Interruptions*)

MR. SPEAKER: Now let me listen to Shri L.K. Advani. Please do not disturb your Leader.

... (*Interruptions*)

SHRI L.K. ADVANI : The hon. Minister of Parliamentary Affairs is opening the case for another inquiry as to how it was leaked. Are you willing to do that? I can give you all the facts. ... (*Interruptions*)

SHRI PRIYA RANJAN DASMUNSI: We have not leaked any information or the Report's content from the Government side. How it was leaked is a different matter. One can inquire and one can find out. ... (*Interruptions*)

MR. SPEAKER: Nothing will go on record.

(Interruptions) ...*

MR. SPEAKER: Prof. Malhotra, you cannot make such allegations. It is not fair. ... *(Interruptions)*

MR. SPEAKER: No allegations, nothing will be recorded.

(Interruptions) ...*

SHRI L.K. ADVANI : Sir, basically, as I have said, the whole nation was disturbed to find out that in the Volcker Committee Report, two names have been mentioned – the Congress Party and Shri Natwar Singh. ... *(Interruptions)*

MR. SPEAKER: Please do not go into this so-called Report.

... (Interruptions)

श्री हरिन पाठक (अहमदाबाद) : नकली चेहरा मत दिखाओ, असली चेहरा दिखाओ।...*(व्यवधान)*

SHRI PRIYA RANJAN DASMUNSI: Shri L.K. Advani is putting motive; the Leader of the Opposition is putting motive. ... *(Interruptions)*

MR. SPEAKER: You have made your point.

... (Interruptions)

SHRI L.K. ADVANI : I do not know. ... *(Interruptions)*

MR. SPEAKER: When the Report is placed, you can make all these points. You can make all these points at the time of the debate.

... (Interruptions)

* Not Recorded

MR. SPEAKER: No, you cannot proceed on the basis of a newspaper report.

SHRI PRIYA RANJAN DASMUNSI: The Report has not been examined, the ATR has not been ready. ... *(Interruptions)*

MR. SPEAKER: Let us go to Questions. Q. 181 – Dr. Chinta Mohan.

... (Interruptions)

श्री अनंत गंगाराम गीते (रत्नागिरि) : न्यूज़ में जो आया है, क्या वह गलत है? सरकार को इस बारे में बयान देना चाहिए।... (व्यवधान)

अध्यक्ष महोदय : एक-एक करके बोलिए। गीते जी आप बोलना चाहते हैं तो आप बोलिए।

... (व्यवधान)

MR. SPEAKER: Hon. Leader of the Opposition, I did not expect it from you. I am making a personal request to you. I have said that it should not have been done. I expressed my resentment. The House is in Session. When Parliament Session is going on, that Report should have been placed only before the House and should not have been made available to anybody. The question is, at the moment, who has done it and who is responsible. The Government certainly has to explain. But you cannot expect an immediate reply. Shri L.K.Advani, you know very well, of all the persons, that on the basis of contents of newspapers, it cannot be discussed today. How can you take note of it; how can the House take note of it? There is a well-established procedure. During the earlier period also, it was never done. When it is placed before the House, such things can be discussed.

... (Interruptions)

MR. SPEAKER: No, I would not allow.

... (Interruptions)

श्री अनंत गंगाराम गीते : अध्यक्ष जी, वोल्कर कमेटी की रिपोर्ट में सीधे-सीधे ... (व्यवधान) में उसकी मैरिट पर नहीं बोल रहा हूँ, लेकिन हमारे जो पूर्व मंत्री *उस रिपोर्ट में सीधे-सीधे आया था। उस पर जो कमेटी एपाइण्ट की गई, ... *

MR. SPEAKER: No. I am not allowing that portion. It is not to be recorded.

(Interruptions) ... *

MR. SPEAKER: I have expunged it. हमने एक्सपंज कर दिया है।

... (Interruptions)

MR. SPEAKER: I have already expunged it.

... (व्यवधान)

श्री अनंत गंगाराम गीते : अध्यक्ष जी, जो खबरें, जो न्यूज़ आज अखबारों में आई हैं, यदि वे गलत हैं तो सरकार को बयान देना चाहिए कि खबरें गलत हैं। सरकार को कहना चाहिए था कि सारी खबरें गलत हैं। यदि ये न्यूज़पेपर में खबरें गलत हैं तो सरकार को यहां पर स्टेटमेंट देना चाहिए था। ... (व्यवधान)

अध्यक्ष महोदय : आपने बोल दिया। आप बयान मांगते हैं, आप स्टेटमेंट मांगते हैं, ठीक है। प्रभुनाथ सिंह जी, आप बोलिये।

...(व्यवधान)

MR. SPEAKER: That portion will not go on record.

*(Interruptions) ...**

MR. SPEAKER: I have expunged it.

श्री प्रभुनाथ सिंह (महाराजगंज, बिहार) : अध्यक्ष महोदय, माननीय विपक्ष के नेता आडवाणी जी ने जो सवाल उठाया है और आपने जो उस पर नियमन दिया है, उस पर सहमति व्यक्त करते हुए मैं आपसे सिर्फ एक बात कहना चाहता हूँ। आपने भी यह महसूस किया है, आसन ने भी यह महसूस किया है कि सदन में चलते सत्र में बिना सदन में प्रतिवेदन आये हुए, बिना प्रधानमंत्री को प्रतिवेदन दिये हुए डेढ़ घंटे पहले टी.वी. चैनलों पर चला। यह बात प्रमाणित कर रही है कि जिन लोगों ने प्रतिवेदन दिया है, कहीं न कहीं उस प्रतिवेदन को लिखवाने में कोई न कोई हावी है और यह मामला भी सामने आ चुका है कि ...*

* Not Recorded

MR. SPEAKER: That portion is not to be recorded.

*(Interruptions) ...**

MR. SPEAKER: Nothing is being recorded. Why are you agitated?

*(Interruptions) ...**

अध्यक्ष महोदय : आपकी बात हो गयी।

SHRI KINJARAPU YERRANNAIDU : Mr. Speaker, Sir, I do not want to go into the merits of the case.

MR. SPEAKER: You cannot.

SHRI KINJARAPU YERRANNAIDU : Today, it came out in the newspapers that yesterday Justice Pathak submitted the report to the hon. Prime Minister. If the contents of what has been reported in all the newspapers are not correct, the Government have to condemn them. The report is with the hon. Prime Minister. When it is with the hon. Prime Minister, how has it been leaked? Who has leaked it? Who is responsible? So, there should be an inquiry and severe and stringent action should be taken.

Secondly, the report should be placed on the floor of the House immediately without any delay along with the Action Taken Report.... *(Interruptions)*

MR. SPEAKER: Please take your seat.

SHRI GURUDAS DASGUPTA : Sir, I have no hesitation in saying that the leak was extremely unfortunate....
(Interruptions)

MR. SPEAKER: I have called Shri Dasgupta to speak. Only his comments should be recorded.

* Not Recorded

SHRI GURUDAS DASGUPTA : The leak should be disapproved. The leak was absolutely in violation of the Parliamentary system, Parliamentary norms because when Parliament is in session, all these sensitive things must come to Parliament. But it is also true that the leak was made as soon as the report was delivered. There is something intriguing. The moment it was delivered, maybe simultaneously or a little before or within minutes, it was sent to the Press or maybe the Press has prior knowledge or prior copy or prior extracts. There appears to be an unusual coincidence – I do not say nexus – between the delivery of the report to the hon. Prime Minister's Office and leaking out to the news channel. The Government undoubtedly owes to Parliament an explanation why it has happened.... (Interruptions)

MR. SPEAKER: You have already said it. You need not repeat it.

SHRI GURUDAS DASGUPTA : My last point is this. Really – Why should I say I am satisfied or I am really gladdened - the hon. Finance Minister has given an immediate response. He has said that the Enforcement Directorate would take necessary steps and the law would take its own course. This is a statement which is expected from the Government.

MR. SPEAKER: It is a red letter day for Shri Chidambaram for your certificate!

... (Interruptions)

MR. SPEAKER: You have said enough. Please take your seat.

SHRI GURUDAS DASGUPTA : Yes. I will finish it. I will take one more minute.

(Interruptions) ...*

अध्यक्ष महोदय : आप लोग छोड़िये।

... (Interruptions)

* Not Recorded

MR. SPEAKER: Nothing is being recorded. Only Shri Gurudas Dasgupta's statement is recorded[R1].

... (Interruptions)

MR. SPEAKER: Please conclude. Don't make it a debate.

SHRI GURUDAS DASGUPTA : Sir, I am only suggesting that the Report should be placed on the Table of the House as soon as possible. The House must know, the House must debate and the law should take its own course without fear or favour.

MR. SPEAKER: Already 15 minutes of Question Hour have gone. Important questions are there. If you had raised it at 12 o'clock, would the country have gone to dogs?

श्री मोहन सिंह (देवरिया) : अध्यक्ष महोदय, यह प्रकरण पिछले साल आया था। उस समय यह आशंका व्यक्त की गयी कि एक बड़े राजनैतिक भ्रष्टाचार का मामला देश और दुनिया के सामने आने वाला है। इसके तथ्यों की सफाई के लिए या तो सीबीआई इन्क्वायरी हो या कोई हाई लेवल इन्क्वायरी कमेटी बनायी जाए। भारत सरकार ने एक जुडीशियल कमीशन मुकर्रर किया, यह अलग बात है। चिदंबरम जी ने कहा था कि इसका वही स्टैटस है, जो इन्क्वायरी कमीशन के हमारे देश के कानून है, उसी के तहत इसकी भी जांच हो रही है। उस जांच रिपोर्ट के संबंध में हम लोगों ने मांग की थी कि बजट सत्र के अंतिम पखवाड़े में इसे सदन के सामने लाया जाए। अब अखबारों और मीडिया के जरिए खबर आयी है और जिसके अनुसार भारत के प्रधानमंत्री जी को जस्टिस पाठक ने वह रिपोर्ट सुपुर्द कर दी है। हमारी मांग है कि वह एक्शन टेकेन रिपोर्ट है, इसी सत्र के भीतर सदन में रखी जाए।

दूसरी बात हम कहना चाहते हैं कि आज की तारीख में हम उसकी मेरिट पर बहस नहीं कर सकते, लेकिन देश के सामने परस्पर विरोधी खबरें आ गयी हैं, इसलिए सरकार को और कांग्रेस पार्टी को अपनी प्रतिष्ठा के बचाव में उसको सफाई देनी चाहिए कि उसके वस्तुतः कंटेंट्स क्या हैं? इसकी भी इन्क्वायरी होनी चाहिए कि किन लोगों ने प्रेस को यह खबर लीक की है और उनके खिलाफ सरकार क्या कार्यवाही करने जा रही है? सदन में बहस के पहले किसी कमीशन की रिपोर्ट को मीडिया के जरिए देश में प्रसारित कर देना, मैं समझता हूँ, यह सदन का कंटेम्प्ट है और इसके लिए सरकार भी अपने को निर्दोष नहीं मान सकती, ऐसा हम मानते हैं।

SHRI RUPCHAND PAL (HOOGHLY): Mr. Speaker, Sir, while the Parliament is in Session, such leakage, as is being reported, is a very serious matter, it is very unfortunate and the Government owes an explanation for this. Of course, they must share with this House how this could have taken place and what they propose to do in this regard. But I do not know what are the contents because I am told by the hon. Minister of Parliamentary Affairs just now on the floor of the House that only last night the Report was submitted to the hon. Prime Minister in a

sealed cover. So, it might have been leaked from some other place and the Government owes an explanation for this at the earliest. The Government should institute an inquiry as to how this leakage could have taken place.

श्री देवेन्द्र प्रसाद यादव (झंझारपुर) : अध्यक्ष महोदय, वोल्कर मामले की जांच के संबंध में बनी जस्टिस पाठक की अध्यक्षता में बनी कमेटी के गुण-दोष की चर्चा तो हो ही नहीं सकती, क्योंकि जो जांच रिपोर्ट आयी है, वह सदन के सामने नहीं है। मीडिया के जरिए जो भी जानकारी लीक हुयी, यह बहुत गंभीर बात है। जब सदन चल रहा था, तब एक रिपोर्ट, जिसके बारे में सारे जनमानस को जानने की उत्सुकता बनी हुयी थी, ऐसे समय में यह संवेदनशील रिपोर्ट के जो अंश मीडिया के जरिए लीक हुए, उसकी जांच आवश्यक है। सरकार को इसकी जांच करने के साथ-साथ, यह सदन के चलते हुए लीक कैसे हुयी, इसकी भी जांच करनी आवश्यक है। सरकार को इस चीज को स्पष्ट करना चाहिए और रिपोर्ट को तुरंत पेश करना चाहिए, ताकि उस पर विस्तृत चर्चा हो सके।

SHRI BRAJA KISHORE TRIPATHY (PURI): Mr. Speaker, Sir, it is a very sensitive matter. The entire House was agitated and the country was agitated when the Volcker Committee Report had come out. It was alleged in the Volcker Committee Report that the Ruling Party was involved. Then, on the demand of this House, rightly the Government has constituted a judicial committee headed by Justice Pathak and we are expecting that the House will first discuss this Report.

MR. SPEAKER: It cannot be discussed before it comes out.

... (Interruptions)

SHRI BRAJA KISHORE TRIPATHY : But how was it leaked out... * The Report of the Committee has not yet been placed before the House, but when the House is in Session we are getting information from the media. This is most unfortunate. ... (Interruptions)

MR. SPEAKER: I have already said that from the Chair. You were not present in the House when I made that observation.

SHRI BRAJA KISHORE TRIPATHY : ... * has deliberately leaked out information to the media.

MR. SPEAKER: That will not go on record.

(Interruptions) ... *

SHRI BRAJA KISHORE TRIPATHY : This is my charge on the Government. They should respond to this[k2]. I would [Rs3]like to know whether the Government is prepared to conduct an inquiry... (Interruptions) They should respond to it... (Interruptions)

MR. SPEAKER: Would the hon. Minister like to respond to it?

... (Interruptions)

अध्यक्ष महोदय : आप बैठ जाइए। मैंने आपके लीडर को सुना है।

... (व्यवधान)

* Not Recorded

SHRI PRIYA RANJAN DASMUNSI: Sir, most respectfully, I would like to submit that your own observation is most important to us because from the Chair you said that it must be looked into seriously and you expressed your resentment also. I take note of your resentment, Sir. The Government will definitely find a method to make some understanding and observation in this matter as to how it was done. But with the responsibility at my command, on behalf of the Government, I can say that nothing from the Government till the hon. Prime Minister responds has been leaked through any source... *(Interruptions)*

PROF. VIJAY KUMAR MALHOTRA (SOUTH DELHI): Sir, it is from the Government... *(Interruptions)*

MR. SPEAKER: Nothing will be recorded except the submission by the hon. Minister.

*(Interruptions) ...**

SHRI PRIYA RANJAN DASMUNSI: Sir, the UPA Government shall make the Action Taken Report in a suitable constitutional manner and will come back to the House to make the history known to the nation... *(Interruptions)*

MR. SPEAKER: Yes, Dr. Chinta Mohan. Please put your first supplementary, please.