

FIRST REPORT OF THE COMMITTEE OF PRIVILEGES

Third Lok Sabha



सत्यमेव जयते

**LOK SABHA SECRETARIAT
New Delhi**

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PERSONNEL OF THE COMMITTEE OF PRIVILEGES

CHAIRMAN

Shri S. V. Krishnamoorthy Rao

MEMBERS

2. Shri N. C. Chatterjee
3. Shri Sachindra Chaudhuri
4. Shri P. K. Ghosh
5. Sardar Kapur Singh
6. Shri Nihar Ranjan Laskar
7. Shri H. N. Mukerjee
8. Shri V. C. Parashar
9. Shri Purushottamdas R. Patel
10. Shri Shivram Rango Rane
11. Shrimati Yashoda Reddy
12. Shri Asoke K. Sen
13. Shri Satya Narayan Sinha
14. Shri Sumat Prasad
15. Shri Indulal Kanaiyalal Yajnik.

SECRETARIAT

1. Shri B. B. Tewari—*Deputy Secretary*
2. Shri M. C. Chawla—*Deputy Secretary.*

FIRST 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 House on the question of privilege raised¹ by Shri S. M. Banerjee, M.P., and referred² to the Committee by the House, on the 6th May, 1965, regarding publication of a news-report in the *Indian Nation*, Patna, dated the 17th April, 1965, containing certain remarks purported to have been made by the Minister of Home Affairs (Shri G. L. Nanda) at Arrah (Bihar) in a public speech, regarding the report of the Public Accounts Committee of Lok Sabha on the Bharat Sevak Samaj, which the Minister of Home Affairs had subsequently denied in a press report.³

The relevant portion of the news-report, which appeared at page 8 of the *Indian Nation*, dated the 17th April, 1965, under the heading "Nanda Opens B.S.S. Confce—B.S.S. Defended", read as under:

"The Home Minister strongly defended the Bharat Sevak Samaj and said 'It is doing a pretty good job'. He referred to the recent comments of the Public Accounts Committee on grants and funds of the B.S.S. and said the 'Samaj was regularly submitting audited accounts of its funds'.

He said the Samaj was working to arouse public conscience and to enlist their co-operation for the successful implementation of the development plans. He asked the B.S.S. to popularise family planning."

2. The Committee held two sittings.

3. At the first sitting held on the 10th May, 1965, the Committee noted that the Editor of the *Indian Nation* had since by a letter⁴ dated the 5th May, 1965 received in the Lok Sabha Secretariat on the 7th May, 1965, expressed regret for the publication of "an inaccurate report regarding certain remarks of the Minister of Home Affairs at a public function at Arrah" and had assured that "it was far from our intention to cast any reflection on the Public Accounts Committee of Lok Sabha on B.S.S."

1. L. S. Deb. dt. 6-5-1965, cc. 13492—97.

2. *Ibid.*

3. Appendix I.

4. Appendix II.

4. The Committee also noted that a press report⁵ containing the denial issued by the Minister of Home Affairs was promptly published in the *Indian Nation* dated the 23rd April, 1965.

5. At the second sitting held on the 16th August, 1965, the Committee considered their draft report and adopted it.

II—Findings of the Committee

6. The Speaker, before giving his consent to Shri S. M. Banerjee, M.P., to raise the question of privilege in the House on the 6th May, 1965, had, in accordance with the established practice, given an opportunity to the Editor of the *Indian Nation*, Patna, to state for the consideration of the Speaker what he had to say in the matter. A registered (Acknowledgement Due) letter to this effect was sent to the Editor of the *Indian Nation* on the 23rd April, 1965 which was received by him on the 26th April, 1965. The reply from the Editor, *Indian Nation*, was, however, received only on the 7th May, 1965.

7. The Committee feel that if the Editor of the newspaper had replied earlier or even sent an interim reply, the House and the Committee would have been saved of the time and vexation in considering this matter.

III—Recommendation of the Committee

8. The Committee recommend that the regret expressed by the Editor, *Indian Nation* be accepted and that no further action be taken by the House in the matter.

NEW DELHI;
The 16th August, 1965.

S. V. KRISHNAMOORTHY RAO,
Chairman,
Committee of Privileges.

MINUTES

I

First Sitting

New Delhi, Monday, the 10th May, 1965.

The Committee met from 15-30 to 15-40 hours.

PRESENT

CHAIRMAN

Shri S. V. Krishnamoorthy Rao

MEMBERS

2. Shri Sachindra Chaudhuri
3. Shri P. K. Ghosh
4. Sardar Kapur Singh
5. Shri Nihar Ranjan Laskar
6. Shri H. N. Mukerjee
7. Shri V. C. Parashar
8. Shri Shivram Rango Rane
9. Shri Asoke K. Sen
10. Shri Sumat Prasad.

SECRETARIAT

Shri B. B. Tewari—*Deputy Secretary.*

2. The Committee considered the question of privilege referred to them by the House on the 6th May, 1965, regarding publication of a news-report in the *Indian Nation*, Patna, in its issue dated the 17th April, 1965, at page 8, under the heading "Nanda Opens B.S.S. Confce", containing certain remarks allegedly made by the Minister of Home Affairs (Shri G. L. Nanda) in a public speech at Arrah (Bihar) about the Report of the Public Accounts Committee of Lok Sabha on Bharat Sevak Samaj, which he had subsequently denied in a press report.

3. The Committee noted that the Editor of the *Indian Nation* had since by a letter expressed regret for the publication of "an inaccurate report regarding certain remarks of the Minister of Home Affairs at

a public function at Arrah" and had assured that "it was far from our intention to cast any reflection on the Public Accounts Committee of Lok Sabha on B.S.S."

4. The Committee decided to accept the regret expressed by the Editor of the *Indian Nation* and to recommend to the House that no further action was called for in the matter.

5. The Committee, however, felt that the House and the Committee would have been saved of the time and botheration in considering this matter, had the Editor, *Indian Nation*, sent his reply expeditiously.

6. The Committee decided to meet again on the first day of the next session of Lok Sabha to consider their draft report.

The Committee then adjourned.

II

Second Sitting

New Delhi, Monday, the 16th August, 1965.

The Committee met from 16-00 to 16-05 hours.

PRESENT

CHAIRMAN

Shri S. V. Krishnamoorthy Rao

MEMBERS

2. Shri Sachindra Chaudhuri
3. Shri H. N. Mukerjee
4. Shri Shivram Rango Rane
5. Shri Sumat Prasad.

SECRETARIAT

Shri M. C. Chawla—*Deputy Secretary.*

2. The Committee considered their draft report and adopted it.

3. The Committee authorised the Chairman and, in his absence, Shri Shivram Rango Rane, to present their report to the House on the 19th August, 1965.

The Committee then adjourned sine die.

APPENDIX I

(See paras 1 and 4 of Report)

*Press report in the Indian Nation, dated the 23rd April, 1965,
re: denial by the Minister of Home Affairs.*

NANDA DENIES

NEW DELHI, April 21: Mr. G. L. Nanda, the Union Home Minister, today denied that he had made any reference to the Public Accounts Committee or its report in his speech at the fifth Bihar Bharat Sevak Samaj Conference held at Arrah on April 16, reports PTI.

"I made no reference to the PAC or its report at any stage in the course of my speech there," he said.

In a signed statement Mr. Nanda said:

"My attention has been drawn to the reports of my speech delivered at the fifth Bihar Bharat Sevak Samaj Conference held at Arrah on April 16, 1965, as appearing in a few newspapers. These have attributed a reference to the P.A.C. report in my speech. I made no reference to the P.A.C. or its report at any stage in the course of my speech there.

"Most of the newspapers have carried the correct version and make no mention of P.A.C. in their report of my speech."

APPENDIX II

(See para 3 of Report)

Copy of letter dated the 5th May, 1965 from the Editor, Indian Nation, Patna.

THE INDIAN NATION

Ref. No. 104/E/2

REGISTERED A.D.

Dated May 5, 1965.

Shri B. B. Tewari,
Deputy Secretary,
Lok Sabha,
Parliament House,
New Delhi.

Sir,

I am in receipt of your letter dated April 23, 1965, No. 75/C/65, stating that certain members of Lok Sabha have given notice of question of privilege regarding a report appearing in the *Indian Nation* of 17th April, 1965, under the heading "Nanda Opens B.S.S. Conference" in respect of certain remarks alleged to have been made by the Minister of Home Affairs at a public function at Arrah in Bihar. It is pointed out that Mr. Nanda's reference to the report of the Public Accounts Committee of Lok Sabha on Bharat Sevak Samaj at the said Arrah meeting was not true. The denial issued by the Minister of Home Affairs in respect of reference in his speech at Arrah to the report of the Public Accounts Committee on Bharat Sevak Samaj was duly published in the *Indian Nation* dated 23-4-65 at page 8.

I am sorry that an inaccurate report regarding certain remarks of the Minister of Home Affairs at a public function at Arrah was carried by the *Indian Nation* on the 17th of April, 1965. In pursuance of the accepted code of ethics, the contradiction issued by Mr. G. L. Nanda, was published. I thought that the matter had ended there.

Some members of Lok Sabha, I am told, have alleged that in publishing a wrong or distorted report of the Minister of Home Affairs, reflections have been cast on the Public Accounts Committee of Lok Sabha, and thereby a breach of privilege and contempt of the House have been committed by the *Indian Nation*. I am thankful for the opportunity given to state for the consideration of the Speaker what I have got to say in the matter. The Minister of Home Affairs, Mr. G. L. Nanda, who happens to be the Chairman of the Bharat Sevak Samaj, made his speech at a public function at Arrah in his

capacity as the Chairman of B.S.S. I have already stated that we regret the publication of certain remarks of Mr. G. L. Nanda which were incorrect and inaccurate. I know it is difficult to attempt an enumeration of every act which might be construed into a contempt. I am conscious that technically any act or omission which obstructs or impedes either House of Parliament in the performance of its functions or which obstructs or impedes any member or officer of such House in the discharge of his duty may be treated as a contempt. The question of privilege arises in connection with newspapers in two ways: (1) the publication of proceedings of Legislatures, and (2) comments casting reflections on individual members or on the House as a whole or its officers. In this particular case, the report objected to, related to the speech of the Chairman of B.S.S. at a public function. Under the law and usage of the British Parliament, proceedings for breach of privileges are not taken in the case of every unfair, inaccurate and defamatory statement. The contempt proceedings are generally resorted to in extreme cases only. The Speaker of Lok Sabha, I have noticed, favours liberal interpretation of contempt of Legislature. Editors in this country naturally look up to the Speaker for liberal interpretation of the issue of privilege. The Press Commission of India in its report published in 1954, pleaded for liberal interpretation of contempt in the interest of newspapers, and it pointed out that "there is nothing sacrosanct about the procedure of the House of Commons" and that "it is not imperative that the House of Commons practice should be followed in every detail". In the circumstances, I submit that the publication of inaccurate report is regretted, that the contradiction issued by Mr. G. L. Nanda was duly published and that it was far from our intention to cast any reflection on the Public Accounts Committee of Lok Sabha on B.S.S. I trust that the Speaker will take a liberal view in the matter of contempt of the House, said to have been committed through the publication of an inaccurate report in the *Indian Nation*.

I request you to place this letter for the consideration of the Speaker.

Yours faithfully,

Sd/- Sachin Sen
Editor.