

gave notice of question of privilege on 12th April, 1990, against the then Minister of Health and Family Welfare (Shri Nilamani Routray). Shri Purohit contended that while replying to Unstarred Question No. 3305 regarding "compulsory iodisation of salt" on 4th April, 1990, the then Minister of Health and Family Welfare gave "factually incorrect and deliberately false and misleading" reply with a view to "intentionally spreading disinformation about the subject of iodised salt".

Unstarred Question No. 3305 which sought to elicit information on the question whether several representations had been received by Government to remove the restriction of compulsory iodisation of salt, was replied to by the then Minister of Health and Family Welfare *inter alia* as follows:-

"The surveys carried out by the Directorate General of Health Services, I.C.M.R. and the States have revealed that no region in the country can be considered completely free from goitre and other Iodine Deficiency Disorders. Iodisation of salt is the cheapest and proven method of prevention of goitre and other Iodine Deficiency Disorders. No scientific report suggesting adverse effects of iodised salt has come to knowledge of this Ministry".

Shri Purohit has sought to establish with reference to a number of survey and study reports and published material on the subject that the reply given by the Minister was false and misleading.

I had forwarded the notice of question of privilege given by Shri Purohit to the then Minister of Health and Family Welfare for furnishing his comments thereon. I have since received the comments of the Minister. After going through the comments of the then Minister carefully, I am convinced that the then Minister of Health and Family Welfare did not mislead the House, much less deliberately.

It is well established that in order to constitute a breach of privilege or contempt of the House, it has to be proved that the statement was not only wrong or misleading but it was made deliberately to mislead the House. A breach of privilege can arise only when the Member or the Minister makes a false statement or an incorrect statement wilfully, deliberately and knowingly and with a view to mislead the House.

The then Minister of Health and Family Welfare has also assured that if the Member has got in his possession any scientific data or any scientific report substantiating his contentions regarding adverse effects of iodised salt, he would be happy to get them examined.

I, therefore, refuse my consent to the raising of the matter on the floor of the House as a question of privilege.

- (ii) **Notice received from P. Chidambaram seeking to raise question of privilege against Prime Minister on the ground that he had announced the setting up of a new Parliamentary Organisation known as National Rifles outside the House when the House was in Session.**

MR. SPEAKER: Shri P. Chidambaram has given notice of a question of privilege regarding an announcement made by the Prime Minister (Shri Vishwanath Pratap Singh) outside the House when the House is in session.

The Prime Minister is reported to have made an announcement regarding the proposed setting up of a new Para-Military Organisation known as 'National Rifles'.

It is well established that no privilege of Parliament is involved if statements on matters of public interest are not first made in the House and are made outside. Such actions may go against conventions and propriety but do not constitute any basis on

which breaches of privilege can be founded.

There have been several instances in the past when such matters were sought to be raised in the House as questions of privilege. It was held by successive Speakers that no question of privilege was involved in such matters.

In 1959, when a question of privilege was sought to be raised against the Minister of Defence for making an important policy statement regarding the expansion of NCC, Speaker Ayyangar observed as follows:-

"I am clear in my mind that there is no breach of privilege in this matter.

Even if a matter of policy were to be announced outside the House while the House is in session, it was ruled in the House of Commons that there was no breach of privilege: it may be a breach of courtesy. When the House is in session all matters of policy ought to be announced first to the House. That is the rule that has been adopted for several years in this House also'.

Similarly in 1985, my predecessor, Dr. Bal Ram Jakhar, had held that:-

'It is well established that no privilege of the House is involved if statements on matters of public interest are not first made in the House. It is, however, a matter of propriety that when the House is in session, so far as possible, important decisions should first be announced in the House. If for some reasons, like the House not being sitting on that date and important development taking place between the sittings of the House and necessitating a public announcement, earliest opportunity should be taken to bring the whole matter to the notice of the House.

I therefore, withhold my consent to the raising of the matter on the floor of the House as a question of privilege.

I would, however, like to reiterate that it is a matter of propriety that when the House is in session, so far as possible, important decisions should first be announced in the House

PAPERS LAID ON THE TABLE

12.45 hrs.

[English]

Annual report and review on the working and National Institute Hydrology, Roorkee, for 1988-89 and Statement for delay in laying these papers.

THE MINISTER OF STATE OF THE MINISTRY OF WATER RESOURCES (SHRI MANUBHAI KOTADIA): I beg to lay on the Table

- (1) A copy of the annual Report (Hindi and English versions) of the National Institute of Hydrology, Roorkee, for the year 1988-89 along with Audited Accounts.
- (2) A Statement (Hindi and English versions) (i) regarding Review by the Government on the working of the National Institute of Hydrology, Roorkee, for the year 1988-89 and (ii) showing reasons for delay in laying the papers mentioned at (1) above. [Placed in library. See No. L.T. 751/90]

SHRI JASWANT SINGH (Jodhpur): Mr. Speaker, Sir, before you call upon the hon. Minister for External Affairs to make the statement, I have to make a request to you and to crave the indulgence of the House.