

[Shrimati Sumitra Mahajan]

on the issue. It is necessary to hold a full length discussion on it and invite suggestions of all the women organisation of all India level so that the Bill could be amended in view of their recommendations. So, the discussion on this Bill should be adjourned to the next session.

[English]

SHRI NIRMAL KANTI CHATTERJEE (Dumdum): It has surprised me that all the lady Members have unaniously agreed to the postponement of this Bill.

PROF. P.J. KURIEN (Mavelikara): When all the sections of the House want postponement of this Bill, we also do not object.

MR. DEPUTY-SPEAKER: I think, all the Members in the House agree that the consideration of this Bill should be adjourned to the next session; specially the lady Members of the House agree that this should be adjourned to the next session. With the agreement of all the Members and parties, consideration of this Bill is adjourned to a later date.

15.40 hrs.

COMMISSION OF INQUIRY (AMEND-  
MENT) BILL

**Amendments made by Rajya Sabha**

[English]

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI SUBODH KANT SAHAY): I beg to move that the following amendment made by Rajya Sabha in the Bill further to amend the Commissions of Inquiry Act, 1952, be taken into consideration:—

*Clause 2*

For clause 2, substitute—

"2. In section 3 of the Commissions of Inquiry Act, 1952,—

- (a) in sub-sections (1) and (4), for the words "the House of the people or, as the case may be, the Legislative Assembly of the State", wherever they occur, the words "each House of Parliament or, as the case may be, the Legislature of the State" shall be substituted; Amendment of Section 3 of Act 60 of 1952.
- (b) sub-sections (5) and (6) shall be omitted".

[Translation]

Mr. Deputy Speaker, Sir, this Bill was passed on the 29th of March by the Lok Sabha and it was returned by the Rajya Sabha on the 10th April with amendments and now it has again come to this House with amendment. The amendment seeks to make it obligatory on the part of the Government to place the findings of the enquiry before both House of the Parliament as the people have a right to know. I think the Rajya Sabha and the Lok Sabha both are equally important. I would like to request that this Bill, as amended, by the Rajya Sabha should be passed so as to make the findings of the enquiry commission to lay on the Tables of the Rajya Sabha and the Council of States, as the case may be, obligatory. This is my request to the hon. Members.

[English]

MR. DEPUTY SPEAKER: Motion moved:

- That the following amendment made by Rajya Sabha in the Bill further to amend the Commission of Inquiry Act,

1952, be taken into consideration:—

**Clause-2**

For clause-2, Substitute-

"In section 3 of the Commission of Inquiry Act, 1952.

*Amendment of Section 3 of Act, 60 of 1952*

- (a) in sub-section (1) and (4), for the words "the House of the people or as the case may be, the Legislative Assembly of the State, wherever they occur, the words" each House of Parliament or, as the case may be, the Legislative of the state" shall be substituted;
- (b) Sub-sections (5) and (6) shall be omitted

PROF. K. V. THOMAS (Ernakulam): Sir, when this Bill was introduced in this House we pointed out that the Government should not look at everything through a yellow glass. When this amendment was brought, Government was aiming at some political backgrounds. Sir, we should not forget one important point. It is a time when communal and other such problems are facing the country. When all these problems are facing the country, either the Government at Centre or the State Government has to institute some or other inquiry. Still the Government feel that all the inquiries should be revealed. Here I would like to point out one incident. Shri C. Keshav was a well known administrator in Kerala. When he was the Chief Minister, there was a fire accident in Sabarimalai. An inquiry was made into this fire accident and the report was sent to the Government. What was the reaction of the Chief Minister? He said that the report of the inquiry will not be revealed. He said that whatsoever may happen, even if hundred temples are burnt, I am not going to say it. This was the attitude of the Chief Minister at that time.

So, if the Government is serious about

it and feels that communal harmony is there, it should rethink about it. Government should not take these things in a light manner. We know very well what is in their mind. So, whatever amendments the Upper House has brought into the Bill, the Government should consider them. Government should not take a strong step in this regard because we are going through a very difficult period. We are facing a lot of problems like the communal disturbances and other such problems. So, when the communal problems are there, either the Central Government or the State Government is forced to make inquiry and if the report of these inquiries are to be released then there will be more problem. So, my request to the Government is that, do not take stubborn action on this, Please think about it and do not proceed with it.

DR. SUDHIR RAY (Burdwan): Sir, I rise to support the Bill, as amended by the Rajya Sabha. I would like to congratulate the Government for bringing forward such a Bill which would be passed unanimously. Because in a democracy, the people have the right to information. But unfortunately in India, the majority of the people are still illiterate. They cannot write. They cannot read also. Naturally, it is necessary to give the right of information to them. The previous Government not only passed some draconian laws but they had also tried to conceal the reports of the Inquiry Commissions which were appointed by the Parliament. Therefore, it would be better, if the Reports are placed before the Parliament so that the Government is compelled to take remedial action.

Sir, I congratulate the Government once again for bringing forward such a Bill and getting it passed.

SHRI A. CHARLES (Trivandrum): Sir, we support this Bill. When this Bill was first introduced in the Lok Sabha, some of us had strongly said that every Report should be published. I am happy that the Rajya Sabha had considered it in a more exhaustive manner and they had suggested this amendment. I congratulate the Government also for accepting it.

[Sh. A. Charles]

[English]

So, I fully support the amendment and I request that the Bill may be passed.

MR. DEPUTY SPEAKER: The question is:

MR. DEPUTY SPEAKER: The Minister may now reply.

"That the following amendment made by Rajya Sabha in the Bill further to amend the Commissions of Inquiry Act, 1952, be taken into consideration:—

[Translation]

**Clause-2**

SHRI SUBODH KANT SAHAY: Mr. Deputy Speaker, Sir, agreeing to the views of hon. Members, we have already provided that no report or outcome of any enquiry would be debarred from making it public. Law to this effect has already been made in the last session. I, therefore, request all then hon. Members to pass this Bill as amended by the Rajya Sabha.

That at page 1, for lines 5 and 6, the following be substituted, namely:—

"2. In section 3 of the Commissions of Inquiry Act, 1952,—

Amendment of section  
3 of 60 of 1952

(a) in sub-sections(1) and (4), for the words "the House of the People or, as the case may be, the Legislative Assembly of the State", whatever they occur, the words " each House of Parliament or, as the case may be, the Legislature of the State" shall be substituted."

(b) sub-sections (5) and (6) shall be omitted."

That at page 1, for lines 5 and 6, the following be substituted, namely:—

*The motion was adopted*

"2. In section 3 of the Commissions of Inquiry Act, 1952:—

MR. DEPUTY SPEAKER: The question is:

Amendment of section 3  
of Act 60 of 1952

(a) in sub-sections(1) and (4), for the words "the House of the People or, as the case may be, the Legislative Assembly of the State", whatever they occur, the words " each House of Parliament or, as the case may be, the Legislature of the State" shall be substituted:

(b) sub-sections (5) and (6) shall be omitted."

*The motion was adopted*

MR. DEPUTY SPEAKER: The Minister to move that the Amendment made by Rajya Sabha be agreed to.

SHRI SUBODH KANT SAHAY: I beg to move:

"That the amendment made by Rajya Sabha be agreed."

MR. DEPUTY SPEAKER: The question is:

"That the amendment made my Rajya Sabha in the Bill be agreed to."

*The motion was adopted*

MR. DEPUTY SPEAKER: The Minister may now move the motion for consideration of further amendment in the Bill.

I think there are no Members who want to speak.

SHRI SUBODH KANT SAHAY: I beg to move:

"That the following further amendment in the said Bill being amendment relevant to the subject matter of the amendment made by Rajya Sabha, be taken into consideration and adopted:—

**Clause 3 (New)**

*After clause 2, insert—*

*Amendment of section 7 of Act 60 of 1952*

"3. In section 7 of the Commissions of Inquiry Act, 1952, in sub-section (1), for the words "the House of Amendment of section 7 the People or, as the case may be, the Legislative of Act 60 of 1952 Assembly of the state", wherever they occur, the words "each House of Parliament or, as the case may be, the Legislature of the State" shall be substituted."

MR. DEPUTY SPEAKER: The question is:

"That the following further amendment in the said Bill, being amendment relevant to the subject matter of

the amendment made by Rajya Sabha, be taken into consideration and adopted:—

**Clause 3 (New)**

*After clause 2, insert—*

*Amendment of section 7 of Act 60 of 1952*

"3. In section 7 of the Commissions of Inquiry Act, 1952, in sub-section (1), for the words "the House of Amendment of section 7 the people or, as the case may be, the Legislative of Act 60 of 1952 Assembly of the State", wherever they occur, the words "each House of Parliament or, as the case may be the Legislature of the State" shall be substituted."

*The motion was adopted*

MR. DEPUTY SPEAKER: Now the Minister to move that the Bill, as further amended, be returned to Rajya Sabha.

SHRI SUBODH KANT SAHAY: I beg to move:

"That the Bill, as further amended, be returned to Rajya Sabha."

MR. DEPUTY SPEAKER: The question is:

"That the Bill, as further amended, be returned to Rajya Sabha."

*The motion was adopted*