

remaining amount may be met by the Government of India.

(d) Yoga training has not been considered for inclusion in this programme.

Setting up of Units for Extraction and Bottling of Coconut Oil in Kerala

2880. SHRI MULLAPPALLY RAMACHANDRAN: Will the Minister of FOOD AND CIVIL SUPPLIES be pleased to state:

(a) whether there is any proposal to set up units under the public sector for the extraction and bottling of coconut oil in Kerala;

(b) if so, the details thereof;

(c) whether any such Government unit is already functioning in Kerala; and

(d) if so, the details thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF FOOD AND CIVIL SUPPLIES (SHRI D.L. BAITHA): (a) Yes, Sir.

(b) A Central Sector Scheme for assistance to cooperatives in Kerala for integrated coconut development, inter alia, includes three processing facilities for extraction and marketing of end products.

(c) Yes, Sir.

(d) Two units are already working under the Kerala State Coconut Development Corporation, a public Sector undertaking, for the processing and marketing of coconut products.

12.00 hrs.

PAPERS LAID ON THE TABLE

[*English*]

Environment (Production) First Amendment Rules, 1989

THE MINISTER OF ENVIRONMENT AND FORESTS (SHRI Z.R. ANSARI): I beg to lay on the Table a copy of the Environment (Protection) first Amendment Rules, 1989 (Hindi and English versions) published in Notification No. S.O. 8 (E) in Gazette of India dated the 3rd January, 1989, under section 26 of the Environment (Protection) Act, 1986. [Placed in Library. See No. LT-7517/89]

Statement Correcting Reply to USQ No. 3692 dt. 22.8.1988 re: SC/ST Engineers in DDA

THE MINISTER OF STATE IN THE MINISTRY OF URBAN DEVELOPMENT (SHRI DALBIR SINGH): I beg to lay on the Table a statement (Hindi and English versions) (i) correcting the reply given on 22nd August, 1988 to Unstarred Question No. 3692 by Shri R.P. Suman, M.P. regarding SC/ST Engineers in D.D.A. and (ii) giving reasons for delay in correcting the reply. [Placed in Library. See No. LT-7518/89]

12.01 hrs.

RE: THAKKAR COMMISSION REPORT

(*Interruptions*)

[*Translation*]

MR. SPEAKER: Please, sit down.

(Interruptions)

MR. SPEAKER: What are you doing, Rao Sahib.

*[English]**(Interruptions)*

MR. SPEAKER: I have allowed Mr. Indrajit Gupta. Except Shri Indrajit Gupta none else will go on record.

*(Interruptions)**

SHRI INDRAJIT GUPTA: I want to make a brief submission. This morning you were good enough to hold a meeting with the Leaders of the Opposition in order to find some way out to resolve this problem which has arisen.

Sir, we understood you to say, since you are the custodian of the House and this is your job to see that the rules are observed, it was your opinion that you as Speaker are helpless in this matter so long as the report of the Thakkar Commission is not laid on the Table of the House by the Government. Once it is laid and if it is laid on the Table of the House then...*(Interruptions)*

MR. SPEAKER: Please do not interrupt.

SHRI INDRAJIT GUPTA: If it is laid on the Table of the House, you would not have the slightest objection to having it discussed. That I understood to be your position.

MR. SPEAKER: Right.

SHRI INDRAJIT GUPTA: As far as Government is concerned, it has been given discretionary powers by the amendment to the Commissions of Inquiry Act which was

passed, of course, in both Houses of Parliament on whether they would or would not disclose, that is, laying on the Table contents of a particular report and in this case the report of the Thakkar Commission.

SHRI R.L. BHATIA(Amritsar): For the State security.

*(Interruptions)**[Translation]*

MR. SPEAKER: Leave it now, Janga Reddiji.

*(Interruptions)**[English]*

SHRI INDRAJIT GUPTA: What Mr. Bhatia says is very correct, namely, in the interest of security. I think, Mr. Bhatia and everybody here would agree that there could not be any question or issue involving a more top priority security matter than the assassination of the Prime Minister of this country.

At least, if the Members on that side think there is some matter which is even more important from the security point of view, they may kindly say so. At least, I don't consider and I have been saying repeatedly, whenever I got the occasion in this House, that this is a matter on which we should not keep quiet because the entire country, the public, the people are exercised about it.

AN. HON. MEMBER: Please let us come to the point.

SHRI INDRAJIT GUPTA: I will see how you come to the point when your turn comes. So, we had requested you as Speaker, if you

* Not recorded.

so think fit, to request the Government that in this particular case, they may exercise their discretion in a way which enables the House to discuss this report. They have the discretion. They can do it. If they had appeared before the House and said that they challenge the veracity of what has appeared in the Press, that is a different matter. They can still do it. But they have not done it yet. The whole of yesterday, they never said that what has appeared in the Press is a concoction or a fabrication of facts. They can take that shelter. But they have not done that.

One thing they have said is that the Judge himself has remarked in his report or made a recommendation that he feels that it should not be made public in the public interest. Well, if he has done so, you should satisfy yourself, Sir. You should satisfy yourself actually what the Judge has said about making it public or not making it public. Even if he has made a recommendation like that, I would respectfully urge that he has transgressed his authority. It is not his job to make such a recommendation. His job is to make his report and give it to the Government. It is not the job of the Judge to say whether it should be made public or not made public. That is for the Government to decide.

So, now we are in a situation where this whole question of security has really become... What shall I say? I mean, people don't think there is any security because the thing has been leaked out. But what kind of high security, top security report is this? It can be leaked out like that to the Press and nobody knows how it was leaked! Now, this thing has appeared. *(Interruptions)*

MR. SPEAKER: Order, order.

(Interruptions)

SHRI INDRAJIT GUPTA: In to this whole thing, I would like an inquiry about the Home Ministry from the very beginning,

since the day she was murdered. Any way, I know nothing will come out of these things now. Since the matter has been made public, come out in the Press, can we leave it like that? Can we dispose of it like that? Now the entire country is seized of the matter and talking about it. And we will continue to talk about it. So, I think, in the public interest and in the interest of the Government itself and in the interest of the individual—who I don't want to name; who has been named in this report—that rather than trying to hush it up and allow all kinds of things to go on being circulated round the country, it is better to allow a proper orderly discussion in the highest institution of the country, that is, the sovereign Parliament of India and the Government should not object to that. They can state their view here. We can state our view. We can ask you: "Give us permission to ask some questions also during the course of the discussion." If they want to reply, they can reply. If they don't want to reply, they need not reply. But this way of taking refuge behind the technicality of the law that because once we have passed an amendment, therefore, we cannot move a hair's breadth this way or that way, is going to have very serious political implications. And those will not necessarily help the Government, I can say. *(Interruptions)* Please be a little patient, Sardarji. *(Interruptions)* After this you will speak many times, I know. I will not speak again. *(Interruptions)*

Yes, Certainly... *(Interruptions)*

Therefore, my point is that you can do several things. Either you can use—try to use—your good offices to persuade them to make it possible for the House to discuss that report or you can admit a motion which is, more or less, to the same effect requesting the Government to lay that report on the table of the House so that you can thereafter permit a discussion on it.

The whole security thing has been

[Sh. Indrajit Gupta]

punctured. It is obvious that there is no security of any kind in the highest echelons of the Government. Where is the report? We don't know where the report is. But somebody knows. Normally, reports of these Commissions are placed in the library. Now, it is somewhere else. We do not know where it is. Is it in your custody? Has it been put in your custody? We would like it to be put in your custody. Even if you don't want to read it, it should be put in your custody but we do not know where it is. We may not know hereafter also. Since this matter has come up in a rather unusual way, we do not know—a copy of that Report which may be in the custody of people who now do not want it to be discussed—whether there may be some further tampering also. Why not? We want to be assured that this Report will be kept safe and sound and should be given to you and kept in your custody. And now you should operate along with both sides of the House to find out a way by which the matter can be discussed instead of being kept bottled up. It is an explosive question. No. Prime Minister is killed in the country in this way as has happened. At least, I feel most upset as a citizen of this country about the circumstances surrounding this assassination, this conspiracy to assassinate and then the assassination. Do you think that these things are never to be brought to light? What is the meaning of this? We do not want to be a party to this kind of concealment... (*Interruptions*)

MR. SPEAKER: Let me conduct the House. I have listened to Mr. Indrajit Gupta very patiently...

(*Interruptions*)

MR. SPEAKER: Now you take your seats. Let me conduct the House....

(*Interruptions*)

MR. SPEAKER: Not like this..Please sit down...

(*Interruptions*)

MR. SPEAKER: Will you please sit down? Without my permission, you cannot speak.

[*Translation*]

Please sit down. Why are you insisting? I have listened to you, let me conduct the House now.

(*Interruptions*)

MR. SPEAKER: How can I listen to all of you at the same time?

[*English*]

He wants to say something.

(*Interruptions*)

[*Translation*]

MR. SPEAKER: Now you, please sit down. I can listen to you only one by one. If 50 people speak at the same time, how I can listen to them.

[*English*]

That is what i have done. And I am doing it. Let me do it now.

[*Translation*]

Now you sit quietly.

(*Interruptions*)

MR. SPEAKER: He has stated one thing.

(*Interruptions*)

MR. SPEAKER: If you want to run the House, you may come here.

[*English*]

MR. SPEAKER: You sit down...

(*Interruptions*)

MR. SPEAKER: Let them sit down.

(*Interruptions*)

MR. SPEAKER: This is not the way...

(*Interruptions*)

[*Translation*]

MR. SPEAKER: What can I say about the truth or untruth in this matter.

[*English*]

THE MINISTER OF HOME AFFAIRS (S. BUTA SINGH). We grateful to you for providing us with an opportunity of discussing in a very quite and dispassionate manner in your Chamber the issue that has engaged the attention of the House yesterday and toady also. The discussion was very frank, cordial and clear. The points which Mr. Indrajit Gupta has mentioned were points raised by the Opposition leaders with you in our presence. I would like to place before you; for the information of this honourable House, that we were equally clear on all the three counts on which the Government has taken a stand that this Report cannot be placed on the Table of the House and cannot be allowed to be discussed.

SHRI S. JAIPAL REDDY (Mahbubnagar): Why? (*Interruptions*)

MR. SPEAKER: Let us be calm. I will allow you also.

S. BUTA SINGH: Yesterday when we were discussing this, I was very clear as can be seen from the proceedings of this House, about three points. The first point is that the Commissions of Inquiry Act was amended. I do not have to repeat that amendment today. The law has been amended (*Interruptions*)

MR. SPEAKER: Why are you interrupting?

S. BUTA SINGH: In view of the amendment, we cannot break the law and go beyond that. Secondly, through a Notification, the Government decided that this cannot be placed, in the public interest, on the Table of the House and that Notification was approved by this hon. House which is also the decision of this House. Thirdly, Mr. Indrajit Gupta mentioned that the judge himself has said that this should not be made public.

SHRI INDRAJIT GUPTA: I did not tell. You told us.

S BUTA SINGH: I think at the time when this amendment was discussed in this House, that was mentioned from this side of the House, and that is also one of the reasons. If you have to look into the nature of this Commission's terms of reference, the terms of reference of the Commission are the pre-investigative exercises and it binds also that the Government should get the matter investigated. He has also mentioned the name of an individual, about which doubts have been raised; many things have been written. The detailed investigation was carried by a special team. The investigation reveals that Shri R.K. Dhawan was not in any way involved in any crime and conspiracy connected with the assassination of Shri-mati Indira Gandhi. The team has confirmed that he is totally innocent. (*Interruptions*)

SHRI DINESH GOSWAMI (Guwahati): On a point of order... (*Interruptions*)

[Sh. Dinesh Goswami]

MR. SPEAKER: I will allow later on.

(Interruptions)

S. BUTA SINGH: I want to respond to the last point....*(Interruptions)*. I wish to respond to the last point raised by Shri Indrajit Gupta and which is very relevant...*(Interruptions)*. I want to give the Government's response to the last point..*(Interruptions)*

MR. SPEAKER: Let him first say what he wants to say....I shall find out. Let him finish.

S. BUTA SINGH: Sir, in the last point he said that it is the discretionary power of the Government; about that I want to say one word...*(Interruptions)*

SHRI DINESH GOSWAMI: On a point of order....*(Interruptions)*

SHRI SPEAKER: Let me first listen to his point of order. What is your point of order?

AN. HON. MEMBER: Under what rule?

SHRI DINESH GOSWAMI: Under Rule 370...*(Interruptions)*

MR. SPEAKER: I have allowed him on a point of order.

(Interruptions)

SHRI INDRAJIT GUPTA: I never mentioned any individual's name. It is he who mentioned...*(Interruptions)*

S. BUTA SINGH: You said an individual and you raised that issue. That is why I have responded...*(Interruptions)*

MR. SPEAKER: Let me first deal with the point or order.

(Interruptions)

S. BUTA SINGH: He wanted to know the response of the Government to this suggestion whether the Government is willing to use its discretionary power..*(Interruptions)*

SHRI DINESH GOSWAMI: My point of order is....*(Interruptions)*

MR. SPEAKER: Let me first listen to him. How do I know unless he tells me? How can I overrule him without listening to him.

(Interruptions)

SHRI DINESH GOSWAMI: My point of order is that when S. Buta Singh refers to the report, then the House has the right to discuss about the report. He cannot refer to the report...*(Interruptions)*. The moment he refers to the report...*(Interruptions)*. I am making objections ...*(Interruptions)*.

MR. SPEAKER: I have to overrule or sustain his point of order. Let me first listen to him.

SHRI DINESH GOSWAMI: If Shri Buta Singh makes a reference to the report, then the report becomes property of the House. He must place the report in the House and we have the right to make our own submissions. You must permit us....*(Interruptions)*

MR. SPEAKER: Let me listen. I have to listen to him and then decide..

(Interruptions)

MR. SPEAKER: It is my job to do it.

(Interruptions)

[*Translation*]

MR. SPEAKER: When I want to say something you are interrupting. So you speak first.

(*Interruptions*)

[*English*]

SHRI SHANTARAM NAIK (Panaji): Interruption is no point of order.

MR. SPEAKER: I over-rule you, Mr. Naik. I am listening to him.

SHRI SHANTARAM NAIK: He is making reference; he is not quoting any Rule.

MR. SPEAKER: He has quoted rule 368.

SHRI SHANTARAM NAIK: He is interrupting the speech. This is no point of order.

MR. SPEAKER: I will over-rule it or sustain it, not you.

SHRI DINESH GOSWAMI: I am referring to Rule 368

It Says:

If a Minister quotes in the House a despatch or other State paper which has not been presented in the House....(*Interruptions*)

Therefore, if he makes any reference to the Report—even post—investigative—then he must place it. Therefore, the moment Mr. Buta Singh referred to it...

S. BUTA SINGH: I have not quoted any report. (*Interruptions*)

MR. SPEAKER: I have to reply to him. I

can reply only to one. Can I reply to both of you at the same time?

SHRI DINESH GOSWAMI: My point of order is that Mr. Buta Singh's position up till now has been that this report cannot be presented in the House. (*Interruptions*)

MR. SPEAKER: Let him say now.

SHRI DINESH GOSWAMI: If my friends want to disturb, then let me point out that we can also disturb them. (*Interruptions*)

Mr. Speaker, Sir, if I am not permitted to have my say, then we will not allow Mr. Home Minister to have his say. (*Interruptions*)

MR. SPEAKER: he has not referred to the Report. If he refers to the contents.

(*Interruptions*)

SHRI DINESH GOSWAMI: It is for you to decide whether you permit me or not.

MR. SPEAKER: I have to say that if he refers to any content, then I will take note of it.

(*Interruptions*)

SHRI DINESH GOSWAMI: Let me formulate my point of order.

MR. SPEAKER: If you read the Rule first; I will read the Rule for all of you. I am reading the Rule only at the moment. I am not sustaining or rejecting your point of order, I am only reading the Rule. The Rule says.

" If a Minister quotes in the House a despatch or any other State paper which has not been presented to the House, he shall lay the relevant paper on the Table."

SHRI V. SHOBANADREESWARA RAO (Vijayawada): Now, He must lay.

MR. SPEAKER: Why are you so agitated? You jump around for everything. It further says:

“ Provided that this Rule shall not apply to any documents which are stated by the Minister to be of such a nature that their production would be inconsistent with public interest.”

So, that is what the Rule says. Under that proviso it has to be seen.

(Interruptions)

SHRI DINESH GOSWAMI: Let me formulate my point of order *(Interruptions)*

MR. SPEAKER: I have stated the Rule and now let him say.

S. BUTA SINGH: Sir, let me complete what I was saying.

MR. SPEAKER: One minute, I have allowed him.

SHRI DINESH GOSWAMI: Let me formulate my point of order. My point of order is that now the position taken by the Hon. Minister for Home Affairs is that the Report... *(Interruptions)*

Will you kindly permit me to have my say? If the position taken by the Hon. Home Minister is that the Report is something which cannot be discussed, cannot be placed, it means that no portion of the Report can be discussed. This is a prohibition put to the Opposition. If that prohibition is lifted, we will be very happy because we will then from our own source quote and place it.

MR. SPEAKER: There is no point of order.

SHRI DINESH GOSWAMI: You are not permitting us that. If you are not permitting us that, then the same prohibition must apply to the Home Minister also. The Home Minister cannot really refer to the Report and refer to any pre-investigative or post investigative report.

MR. SPEAKER: Now, the question is...

SHRI DINESH GOSWAMI: There cannot be two standards, one for the Opposition that we will not be allowed to refer and another for the ruling party that they can refer. If the Home Minister quotes...

MR. SPEAKER: Mr. Goswami, you please listen to me. I have heard about it. Now, let me say something.

The first thing that you said was that I am not allowing the discussion. It is incorrect.

SHRI DINESH GOSWAMI: No, I have not said it.

MR. SPEAKER: No, you said it.

SHRI DINESH GOSWAMI: I am sorry if I have said it. I am saying that you are doing it under the Rule.

MR. SPEAKER: Now, don't be in a hurry. Mr. Indrajit Gupta completely stated my position in the House. Listen to me also. Have patience. I have patience. I agree with what Mr. Indrajit Gupta has stated on the floor of the House. In my position, I fully agree with him. My stand is the same as before.

(Interruptions)

MR. SPEAKER: Now look here. One minute please.

SHRI BHADRESWAR TANTI (Kalia-bor): You should not take a partisan view, Sir.

MR. SPEAKER: No question of my being partisan. Why should I take a partisan view?

(Interruptions)

SEVERAL HON. MEMBERS: Sir, he must apologize and withdraw his words.

(Interruptions)

MR. SPEAKER: You withdraw those words... You must withdraw the words.

S. BUTA SINGH: Sir, I take serious objection. He must apologise.

MR. SPEAKER: I am asking, Mr. Tanti, will you withdraw that word?

S. BUTA SINGH: I take very serious objection to it. He must withdraw the word. It cannot be allowed to go on record.

MR. SPEAKER: I am asking the hon. member to withdraw those words.

S. BUTA SINGH: He must apologize to the Chair. *(Interruptions)*

SHRI DINESH GOSWAMI: I apologize on behalf of my party man. *(Interruptions)*

S. BUTA SINGH: No question of any party here. He must withdraw and apologize to the Chair. *(Interruptions)*

SHRI BHADRESWAR TANTI: Sir, I withdraw it... *(Interruptions)*

12.27 hrs.

Shri Bhadreswar Tanti then left the House

MR. SPEAKER: He has withdrawn from the House.

(Interruptions)

MR. SPEAKER: Please sit down. He has withdrawn from the House.

S. BUTA SINGH: No Sir. It must be withdrawn from the record of the House. He should also apologize. An unconditional apology must be tendered. *(Interruptions)*

MR. SPEAKER: He has withdrawn.

[Translation]

Leave it now, I have listened to you.

[English]

S. BUTA SINGH: This cannot be allowed. He has insulted the House by walking out.

MR. SPEAKER: I have accepted his apology and he has withdrawn.

SHRI DINESH GOSWAMI: When I said that you were not permitting what I meant was that you were bound under the law. You had gone on record saying that the law did not permit you. I did not cast any aspersion on you. What I meant was that the law did not permit you. You had expressed in your Chamber also that because the law did not permit, you could not permit... *(Interruptions)*

We are all along pointing out that so far as you are concerned, you have been fair to us. What I have been pointing out is this. If the law does not permit us to raise the matter, the law does not permit Shri Buta Singh also to raise the matter. If Shri Buta Singh raises it, then we have a right... *(Interruptions)*

MR. SPEAKER: Under the rule if he says that it is in the public interest or something, I will not be able to do it. But he cannot refer to it. I can only say this.

(Interruptions)

S. BUTA SINGH: Sir, I was responding to the last suggestion of Shri Indrajit Gupta...*(Interruptions)*

SHRI K.P. UNNIKRIISHNAN (Badagara): Sir, I am on a point of order.

MR. SPEAKER: Is it on the same thing or something else?

SHRI K.P. UNNIKRIISHNAN: I am on a different rule, Rule 370.*(Interruptions)*

[Translation]

MR. SPEAKER: Let me listen to what he is saying.

SHRI NIRMAL KHATTRI (Faizabad): Sir, you have been insulted.

MR. SPEAKER: If it is my insult, leave it to me. I have accepted the apology.

SHRI NIRMAL KHATTRI: This walk-out is against the rule.

MR. SPEAKER: This walk-out is not against the rule...

(Interruptions)

MR. SPEAKER: Let me hear for a while. I have listened to it. My insult...

(Interruptions)

MR. SPEAKER: I have accepted the apology.

SHRI NIRMAL KHATTRI: He has not apologised. He has staged a walk-out against your ruling.

MR. SPEAKER: This walk-out is not against my ruling.

KUMARI MAMATA BANERJEE

(Jadavpur): Sir, he has staged a walk-out.

[English]

SHRI BHADRESWAR TANTI: I withdraw that. By mistake I have done it. I am sorry.

MR. SPEAKER: I have accepted that.

SHRI K.P. UNNIKRIISHNAN: I am on a point of order on a different Rule, i.e. Rule 370. Rule 370 says..*(Interruptions)*

MR. SPEAKER: The hon. Members will realise that it is only in my powers to sustain or reject it. If I allow it...

(Interruptions)

MR. SPEAKER: It is my job.

(Interruptions)

MR. SPEAKER: Mr. Harish Rawat, if you have to decide that, you better come here.

(Interruptions)

MR. SPEAKER: It is my job whether I sustain it or reject it. That is what I can say. I am not to be cowed down by you or by them. I have to stick to my position according to what the rule says.

(Interruptions)

MR. SPEAKER: Before I let Mr. Unnikrishnan say, I must again quote this rule also for your information because you have to go through this Rule 370.

(Interruptions)

SHRI K.P. UNNIKRIISHNAN: Let me formulate my point of order. You cannot anticipate..

MR. SPEAKER: I am not anticipating. I am just reading again for the same purpose. It says:

" If, in answer to a question or during debate, a Minister discloses the advice or opinion given to him by any officer of the Government or by any other person or authority, he shall ordinarily lay the relevant document or parts of document containing that opinion or advice, or a summary thereof on the Table."

The word is " ordinarily."

(Interruptions)

SHRI K.P. UNNIKRISHNAN: I am grateful to you for lessening my labour by reading out time rule and also anticipating what the Minister may have to say. We are at a particular point where for reasons best known to him or for compulsions best known to him, he has gone a step further and tried to refer to an Investigating Team's Report. He has already done it. It is already on the record. *(Interruptions)*

[*Translation*]

MR. SPEAKER: Why are you making a noise?

(Interruptions)

MR. SPEAKER: You may stop your people.

(Interruptions)

[*English*]

SHRI K.P. UNNIKRISHNAN: Unless the Minister now says that he wants to withdraw that sentence which is already on record.... *(Interruptions)*

Records cannot be tempered with or changed. He has already quoted. It is already on the record. He can listen to the tape also. Unless the Minister wants to say, "I was wrong" it is there. Therefore, now my point of order is that he has to lay it on the table—the Special Investigating Team's report.

MR. SPEAKER: If need be, it can be...

SHRI K.P. UNNIKRISHNAN: He takes another plea. There are two or three courses open to him. One is that he can say, "I am sorry, I withdraw that remark about the Special Investigating Team's Report" or he can say, "It is not in the public interest." *(Interruptions)*

[*Translation*]

MR. SPEAKER: For God's sake, let him conclude.

(Interruptions)

MR. SPEAKER: Will you let him conclude?

(Interruptions)

[*English*]

SHRI K.P. UNNIKRISHNAN: Therefore, I am requesting you to uphold it. *(Interruptions)* He has already quoted it. It is on record. It is on record now.

MR. SPEAKER: Do you have to say anything more?

SHRI K.P. UNNIKRISHNAN: You; and I want a ruling on that. *(Interruptions)*

MR. SPEAKER: The whole point of order raised by Mr. Unnikrishnan so far, is not sustainable. There is no question of it. He has not sustained it so far.

(Interruptions)

MR. SPEAKER: No; it is not sustained, according to rule 370.

[Translation]

MR. SPEAKER: What is wrong with you?

*(Interruptions)**[English]*

MR. SPEAKER: I over-rule it, I over-rule it.

(Interruptions)

SHRI S. JAIPAL REDDY (Mahbubnagar): Sir, I have a substantive issue.

[Translation]

MR. SPEAKER: Please sit down, Shanta Ramji.

*(Interruptions)**[English]*

MR. SPEAKER: Anything new, Mr. Reddy?

*(Interruptions)**[Translation]*

MR. SPEAKER: You please sit quietly for a while.

*(Interruptions)**[English]*

SHRI SHANTARAM NAIK (Panaji):

Just because you are tolerating, Sir... *(Interruptions)*

[Translation]

MR. SPEAKER: It is their job, they will do it. You do your own.

*[English]**(Interruptions)*

SHRI S. JAIPAL REDDY: The legislative ban which Mr. Buta Singh is referring to, applies only to the Thakkar Commission's report; and not to the post-investigative report..Therefore, the post-investigative report acquitting Dhawan of the involvement of the crime has not been covered by the ban. Therefore, let the port-investigate report be laid before the House. *(Interruptions)*

MR. SPEAKER: Over-ruled.

(Interruptions)

MR. SPEAKER: No; it is the same point

(Interruptions)

SHRI S. JAIPAL REDDY: What is your ruling, Sir?

MR. SPEAKER: Over-ruled.

SHRI S. JAIPAL REDDY: What have you overuled? There is no legislative ban... *(Interruptions)*

SHRI SOMNATH CHATTERJEE (Bolpur): I have a submission, Sir; you have been good enough to refer to the proviso. But he has not referred to it at all, knowing full well...

MR. SPEAKER: When the time comes, we will see.

(Interruptions)

SHRI SOMNATH CHATTERJEE: He has read out, and quoted from the special investigation committee's report...*(Interruptions)*

MR. SPEAKER: No.

[*Translation*]

Your impatience spoils every thing.

[*English*]

SHRI SOMNATH CHATTERJEE: Therefore, the second report cannot come under the proviso at all.*(Interruptions)* Sir, you have to decide it straightaway.*(Interruptions)*

MR. SPEAKER: Over-ruled.

(Interruptions)

S. BUTA SINGH: I was answering some of the points raised by Shri Indrajit Gupta. I take it as being on behalf of the Opposition leaders, because in the meeting with the Opposition leaders, this was precisely what we discussed with you—in a joint meeting; and he was proceeding to say that the Government is having the discretionary power. In the meantime, what I mentioned was about the terms of reference of that Commission, which are the property of this House—it has already gone into the records of this House. I have not quoted anything, either from any documents, or from any report. *(Interruptions)* I have only made a mention of the terms of reference; and in one of the terms of reference...*(Interruptions)* No; let me complete..I have listened to you..*(Interruptions)*

MR. SPEAKER: Kindly sit down.

S. BUTA SINGH: We are in your hands.

You have kindly decided that you will give your considered opinion, and then you will decide. We are bound by your decision, Sir. Nobody is here to defy your decision. I hope the Opposition leaders will also show the same spirit. In that terms of reference, I mentioned that this was a pre-investigative exercise in which the Government was given a direction. What I said is this, in a reference to what Shri Indrajit Gupta mentioned, viz. about an individual named in this report. *(Interruptions)* And I gave you the post-investigative information that I have, that this investigative term...*(Interruptions)*

Therefore, on the last point raised....*(Interruptions)* Will; I have placed it on record. What is there to it? *(Interruptions)* Sir, on the last point viz. that the Government has the discretionary powers, we explained it to you very humbly; and we hold that position here in this House also, that we in the public interest, are not going to, we will not place this report on the Table of the House, and we will not agree to any discussion on this subject, in the public interest. *(Interruptions)* This is the stand of the Government, Sir, and we disclosed it to you, and we maintain that stand.*(Interruptions)* That is the position, Sir. *(Interruptions)*

DR. KRUPASINDHU BHOI (Sambhalpur): I am on a point of order.

MR. SPEAKER: What is your point of order?

[*Translation*]

MR. SPEAKER: I have asked one. Why are you insisting?

[*English*]

MR. SPEAKER: He is already on a point of order.

DR. KRUPASINDHU BHOI: This is

[Dr. Krupasindhu Bhoi]

under Article 75, sub-clause 3 of the Constitution. It reads as follows:

" The Council of Ministers shall be collectively responsible to the House of the People.

Before a Minister enters upon his office, the President shall administer to him the oaths of office and of secrecy according to the forms set out for the purpose in the Third Schedule."

Para II reads as follows:

" Form of secrecy for a Minister to the Union, that I swear in the name of God that I will not directly or indirectly communicate or reveal to any person or persons any matter which shall be brought under my consideration or shall become known to me as a Minister for the Union except as may be required for the due discharge of my duties as such Ministers."

They have violated the oath and divulged Secrets.

MR. SPEAKER: There is no point of order.

(*Interruptions*)

SHRI THAMPAN THOMAS (Mavelikara): My point of order is that Mr. Buta Singh has not denied categorically the news item that appeared in *The Indian Express*. I would like to know whether he denies it or not.

MR. SPEAKER: There is nothing new in it.

SHRI BASUDEB ACHARIA (Bankura): Today you held a meeting with the Opposi-

tion leaders. (*Interruptions*)

DR. KRUPASINDHU BHOI: What about my point of order?

MR. SPEAKER: There is no point of order. Over ruled. That is something else.

(*Interruptions*)

SHRI BASUDEB ACHARIA: We demanded that the Thakkar Commission report should be placed on the Table of the House because there was no secrecy about the report. (*Interruptions*)

[*Translation*]

MR. SPEAKER: It has already been stated, tell something new.

[*English*]

I have now to refer back to it.

(*Interruptions*)

MR. SPEAKER: We will take turn by turn. You may speak on your turn.

[*English*]

Have you to add anything more?

SHRI BASUDEB ACHARIA: I have to add something more.

[*Translation*]

MR. SPEAKER: Indrajitji has said everything.

[*English*]

SHRI SOMNATH CHATTERJEE: Where is the report now, Shri Indrajit Gupta asked a question?

[*Translation*]

MR. SPEAKER: It is with the Government. What is there in it to be asked.

[*English*]

SHRI SHANTARAM NAIK: It was said that the House had voted in favour of the Notification without knowing the contents of the Notification. This was a statement made by Mr. Ashok Sen yesterday. He himself had said that.

MR. SPEAKER: This is something which requires a separate notice.

(*Interruptions*)

MR. SPEAKER: Why are you all speaking at the same time?

[*English*]

KUMARI MAMATA BANERJEE (Jadavpur): I have given a privilege notice against Mr. V.P. Singh.

[*Translation*]

MR. SPEAKER: It has already been mentioned.

[*English*]

There is nothing new in what you are saying. I have already heard about it.

KUMARI MAMATA BANERJEE: I have given a privilege notice against Mr. V.P. Singh.

[*Translation*]

MR. SPEAKER: I will look into it.

[*English*]

What is your point of order?

SHRI VISHWANATH PRATAP SINGH (Allahabad): She has given a privilege notice against me and Shri A.K. Sen. (*Interruptions*)

MR. SPEAKER: I will have to go through it.

SHRI BASUDEB ACHARIA: I have not completed.

[*Translation*]

MR. SPEAKER: Achariaji, even being a leader you go on disturbing.

[*English*]

You had not added even one more word to what Shri Indrajit Gupta had said.

SHRI BASUDEB ACHARIA: How can you know?

MR. SPEAKER: I know.

(*Interruptions*)

MR. SPEAKER: Your member has already said it.

SHRI BASUDEB ACHARIA: You are not allowing me.

MR. SPEAKER: Let me see what more you are saying.

(*Interruptions*)

SHRI BASUDEB ACHARIA: I know that the law is there. The law has been enacted by the House. But this does not mean that the Government has no power.

MR. SPEAKER: It is the same thing.

SHRI BASUDEB ACHARIA: Discretionary power is with the Government.

MR. SPEAKER: It is the same thing. How many times will you say it?

(Interruptions)

MR. SPEAKER: It is a rehash. All the time it is the same thing you have said.

SHRI BASUDEB ACHARIA: The report should be...

[*Translation*]

MR. SPEAKER: I have already listened to it.

(Interruptions)

[*English*]

MR. SPEAKER: Listen. Is there anything new now?

SHRI BASUDEB ACHARIA: Now, in the public interest the report should be laid on the Table of the House.

[*Translation*]

MR. SPEAKER: I have already listened to your point concerning public interest.

[*English*]

SHRI BASUDEB ACHARIA: Let me complete, Sir. The Members of this House should be given an opportunity to have a discussion. We have also written to you that we have every apprehension that the report may be tampered with. We want that the report should be kept under your custody...*(Interruptions)*

MR. SPEAKER: That has already been said.

SHRI BASUDEB ACHARIA: So that the report may not be tampered with

MR. SPEAKER: Why are you wasting the time unnecessarily?

SHRI ARIF MOHAMMAD KHAN (Bahraich): I am raising a point of order.

MR. SPEAKER: What is your point of order?

SHRI ARIF MOHAMMAD KHAN: I am raising a point of order under Rule....

MR. SPEAKER: Under what rule?

SHRI SHANTARAM NAIK: Point of order under Rule 376.

SHRI ARIF MOHAMMAD KHAN: I am raising a point of order under Rule (*Interruptions*) 172.

A resolution was moved and adopted by this House authorising the Government to keep the Report of the Commission as secret and confidential. Now, Sir, this Government—their argument is—in public interest do not want to have any discussion but they are leaking it out privately. (*Interruptions*) Let me complete.

MR. SPEAKER: There is no point of order.

[*Translation*]

Bhanu Pratapji, wait for a minute.

SHRI ARIF MOHAMMAD KHAN: Let me complete. My point is that if they do not want to have a public discussion then you have to held that there is dereliction of duty on the part of the Government. If they do not want to...

MR. SPEAKER: There is no point of

order. Overruled.

(Interruptions)

S. BUTA SINGH: The hon. Member has said that we have leaked out the report. It is preposterous. It is malicious. It is politically motivated; highly motivated. It is a premeditated conspiracy by Mr. Arif and his colleagues *(Interruptions)*

MR. SPEAKER: Now, hon. members...

(Interruptions)

MR. SPEAKER: Sit down. Take your seats. I am on my legs.

(Interruptions)

SHRI ARIF MOHAMMAD KHAN: If Mr. Buta Singh does not lay the report on the Table, then he should resign. *(Interruptions)* It is a dereliction of duty.

MR. SPEAKER: Please sit down. Now, I have listened to both sides. I have done it. Now, the question is...

(Interruptions)

[*Translation*]

MR. SPEAKER: I will not listen to all of you now.

(Interruptions)

[*English*]

MR. SPEAKER: Your leader has spoken about it, Please sit down, Raghuma Reddyji. If you behave like that, then it won't do. I have only to say this thing. I want this House to run smoothly. Jain Sahab, now sit down.

(Interruptions)

MR. SPEAKER: Mr. Madhav Reddi, I allowed you first

(Interruptions)

SHRI C. MADHAV REDDI (Adilabad): Nobody heard what I said... *(Interruptions)*

MR. SPEAKER: I heard.

(Interruptions)

SHRI C. MADHAV REDDI: Sir, I heard the hon'ble Home Minister making a statement just now telling that apart from the Commission's Report, there is a report, which he called Post Investigative Report...*(Interruptions)*

THE MINISTER OF HOME AFFAIRS
(S. BUTA SINGH): No. *(Interruptions)*

SHRI C. MADHAV REDDI: Yes, you said this...*(Interruptions)* He is laying a foundation for laying on the Table of the House some report which is not connected directly with the Commission's Report. Sir, I object to this...*(Interruptions)* We are not concerned with any Post Investigative Report, about which he was speaking. I would demand that the Commission's Report must be placed on the Table of the House...*(Interruptions)*

THE MINISTER OF PARLIAMEN-
TARY AFFAIRS AND MINISTER OF IN-
FORMATION AND BROADCASTING
(SHRI H.K.L. BHAGAT): Sir, I would like to make a brief submission, which is very relevant...*(Interruptions)* Am I not a Member of this House?...*(Interruptions)* Sir, the hon. Member Mr. Madhav Reddi and others are referring to some Post Investigative Report or something like that. Now Mr. Buta Singh mentioned some conclusion to which they arrived under the Post Investigation. He did not talk anything about the Post Investiga-
tive Report. He was not laying the foundation

[Sh. H.K.L. Bhagat]

for placing any Report on the Table of the House. He is entitled to say what he has said. He has said that Mr. R.K. Dhawan was found not involved in it very clearly. There is nothing wrong in that. This is the Government's finding, which he has very rightly and correctly placed before the House. Nothing wrong in that...*(Interruptions)* I would like to bring to your notice the resolution that was passed after the notification. It says:

" That this House approves the notification of the Government of India in the Ministry of Home Affairs No. S.O. 260 (E) dated the 15th May, 1986, by which it has been notified that it is not expedient in the interest of the security of the State and in the public interest to lay before the House of the people the reports..."

This resolution approved the notification of the Government. This becomes the decision of the House. It is wrong to say that...*(Interruptions)* Even if we had a discretion, we feel strongly in the public interest that the Report cannot be placed on the Table of the House. We do not accept your presumption that the Government will tamper with the Report. This is all politically motivated, a false propaganda. This Government is honest... *(Interruptions)* We are not for the discussion of the Report under any form or for placing it on the Table of the House. That is the position of the Government... *(Interruptions)*

SHRI BALWANT SINGH RAMOOWALIA (Sangrur): Mr. Speaker, I have something to say...*(Interruptions)* I am the last man. I have been watching for the two days...*(Interruptions)* Sir, the point is, the assassination of the hon'ble Prime Minister had a very deep fall-out on ten thousand

innocent people, who were killed...*(Interruptions)* Sir, a particular community was branded as...*(Interruptions)*

MR. SPEAKER: Nothing doing.

(Interruptions)

S. BUTA SINGH: Sir, this is again a propaganda campaign to malign a particular party...*(Interruptions)* I repudiate it. It is highly objectionable...*(Interruptions)*

This is highly objectionable..... *(Interruptions)*

*(Interruptions)**

MR. SPEAKER: Sit down. I have not allowed him.

*(Interruptions)**

MR. SPEAKER: Mr. Indrajit Gupta and other friends have asked me and I had also called a meeting early this morning. My wishes are that we must run this House smoothly and by discussion. This has been my intention, is my intention and is going to be my intention that everything should be properly discussed and through discussion we must reach some conclusion, whatever it is. But I have certain constraints. I just explained, and Mr. Gupta also explained earlier, that my stand is that if the report is laid on the Table of the House, naturally it should have been my duty to allow a discussion on it if you had asked for it because there are certain reports on which you do not ask for discussion. They are taken for granted. Then it is the wish of the House. The house is supreme...

(Interruptions)

* Not recorded.

[*Translation*]

MR. SPEAKER: Why do not you take your seat? Why do you interrupt me.

(Interruptions)[*English*]*(Interruptions)*

MR. SPEAKER: Now you are behaving the same way as they were doing. there is no difference. It is only a question of time...

(Interruptions)

MR. SPEAKER: What can I do about these people if they behave like this?

(Interruptions)

MR. SPEAKER: Can you not allow me to talk?

(Interruptions)[*Translation*]

MR. SPEAKER: Are you not a bit ashamed of it?

(Interruptions)[*English*]

When I am on my legs and I am saying something to the House, you are interrupting me. Why can you not listen to me properly? There should be some decency in the House.

(Interruptions)[*Translation*]

MR. SPEAKER: Manvendraji, you are a

gentlemen, what has happened to you?

(Interruptions)[*English*]

MR. SPEAKER: Order in the House please...

(Interruptions)

MR. SPEAKER: All right, you can have a shouting match in the House...

(Interruptions)

MR. SPEAKER: Nothing goes on record. Whatever hon. Members are saying they are saying without my permission. And without my permission this will not form part of the record.

*(Interruptions)****13.00 hrs.**

MR. SPEAKER: I can sit. I have much more patience. I can be just like an iceberg; I do not mind. But it is your time, it is your House. I am only thinking about the posterity of the future because this is an institution which will guarantee the rule of the people. That is what I mean. I am not referring to this section or that section; I am only referring to the whole House because it is more in your interest that you run this House according to what you have laid down for me. If I once digress or divert myself from the true path which you have laid down, then you can call me...

(Interruptions)

MR. SPEAKER: I have so many times said on the floor of the House that I shall be liable to you and answerable to you. I will

[Mr. Speaker]

apologize to this House that I have gone wrong but it was not intentional. If it is intentional, then throw me out. But what I say is that yesterday I saw the pandemonium and if we behave like that, what is going to happen to all of us? We have to discuss it. You have Opposition, you have a Ruling Party, whatever it is. You want me to run this House but what you have put down here, how can I break it? Mr. Gupta rightly said it that I have got no hesitation in allowing any discussion which is under the rules. I have already done it and always do it. I have done it. Now my position is simple that I allowed one sort of a Motion to be tabled in this House, by which we could discuss whether this House could recommend itself....

(Interruptions)

MR. SPEAKER: So, that was the thing. You did not approve of it. The second position is that the Government itself comes along and lays it on the Table of the House...

(Interruptions)

MR. SPEAKER: Now listen to me. That is with the Government and they have clearly indicated their decision not to lay it. So, in that condition, my position is I am helpless to do it. You have exhibited your anguish. You have exhibited your anxiety to get it laid on the Table of the House. Now it is with discussion, whatever you can have outside and inside, but not like this that you should quarrel with each other. So, I shall beg of you now to resume the debate on the Budget, which is more important....

SOME HON. MEMBERS: No, no.

(Interruptions)

MR. SPEAKER: What can I do? I am helpless...

(Interruptions)

MR. SPEAKER: I am in your hands. You let me know what can I do..

(Interruptions)

MR. SPEAKER: I have stated that I am in your hands. I am doing what you have asked me to do...

(Interruptions)

MR. SPEAKER: I have shown my helplessness. You tell me what can I do...

(Interruptions)

MR. SPEAKER: No, I cannot...

(Interruptions)

13.03

PAPERS LAID ON THE TABLE

[English]

Ambala Kurukshetra Gramin Bank (Staff) Service Regulations, 1985, Parvatiya Gramin Bank (Staff) Service Regulations, 1987, Annual Reports of Alaknanda Gramin Bank, Malwa Gramin Bank, Sangrur, etc. for the year ended 31.12.1987

THE MINISTER OF STATE IN THE DEPARTMENT OF ECONOMIC AFFAIRS IN THE MINISTRY OF FINANCE (SHRI EDUARDO FALEIRO): I beg to lay on the Table:

- (1) A copy each of the following papers (Hindi and English ver-