

[*English*]

Threat to Health Due to Various New Food Fads

3951. SHRI P.R. KUMARAMANGALAM: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether there is serious threat to health especially of younger generations due to various new foods fads including junk foods, food additives, pesticides in food and irradiated foods;

(b) whether the above additives/processing lead to various ailments including Carcinoma; and

(c) if so, the remedial steps proposed to be taken in this regard?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (KUMARI SAROJ KHAPARDE):

(a) to (c). Under the provisions of Prevention of Food Adulteration Act, 1984 and Rules made thereunder, the use of food additives, presence of pesticide residues in food products are allowed/fixed taking into consideration the safe limits of these fixed by World Health Organisation/Food and Agriculture Organisation, Codex Alimentaries Commission and Research conducted in National Research Institutes in India.

The National Monitoring Agency has been set up by the Government to consider safety and technological aspect of the irradiation process.

To control the quality of food products, the Food (Health) Authorities of State/Union Territory are exercising quality control on all foods including junk foods founder the Prevention of Food Adulteration Act, 1954.

RULING BY SPEAKER RE: QUESTION OF PRIVILEGE AGAINST FINANCE MINISTER

12.00 hrs.

[*English*]

MR. SPEAKER: On 6th March, 1989, Prof. Madhu Dandavate gave notice of a question of privilege against Shri S.B. Chavan, Minister of Finance, for allegedly deliberately misleading the House on 28th February, 1989, during his Budget speech. In his notice, Prof. Dandavate stated *inter alia* as follows:

"In the Budget he has projected an overall deficit of Rs. 7337 crores. He has stated in his Budget speech that the deficit has been kept at a low level.

However, this has been done by tampering with the normal budgetary process.

In the document 'receipts budget 1989-90' on page 13 the 'Net other Non-Tax Revenue' has been shown as Rs. 4218 crores. On page 17 of the same document, it is stated that 'Budget Estimates 1989-90 include a contribution of Rs. 2300 crores from the pool account of Oil Coordination Committee lodged in Public Account'. If this contribution were not to be included in the receipts, the net other Non-Tax revenues would have been reduced from Rs. 4218 crores to Rs. 1918 crores and consequently the overall deficit for 1989-90 would have risen to Rs. 9637 crores.

The Oil Pool Fund lodged in Public Account has been created to even out the fluctuations between the domestic and international oil prices. The fund is thus to be used when the international prices of oil rise exorbitantly.

By showing the oil fund contribution of

Rs. 2300 crore in the Public Account as receipts in the revenue budget, the Finance Minister has deliberately distorted the normal budgetary process only to give an impression that the deficit in the Budget for 1989-90 is low by deliberately misleading the House the Finance Minister has shown disregard for the Lok Sabha and has committed a breach of privilege of the House."

I referred the matter to the Minister of Finance, Shri S.B. Chavan, for his comments. In his reply dated 8th March, 1989, Shri. S.B. Chavan stated *inter alia* as follows:

"The pool account of Oil Coordination Committee represents the surplus accruing to the Oil companies arising from the difference between the selling prices of petroleum products and the retention prices fallowed to the companies. The OCC keeps in deposit with Government their funds which are surplus to their normal requirements. Considering these facts, it was decided that Rs. 2300 crores should be transferred from the deposit account as contribution to Government. This is a transfer transaction from Public Account (Capital Budget) to Consolidated Fund (Revenue Budget). While Consolidated Fund has taken a credit of Rs. 2300 crore (which has been referred to by Prof. Dandavate) Public Account has taken a debit of Rs. 2300 crores (*vide* pages 19 and 29 of the document Receipts Budget which show the effect of this transaction on Public Account).

2. The overall deficit of Government is computed taking into

account the transactions of Consolidated Fund as well as Public Account. As the addition to Consolidated Fund has been neutralised by the reduction in the Public Account, this transfer transaction *does not affect the overall deficit of Central Government*. In other words, even if this transaction had not been put through, the overall deficit in the Budget would have remained at Rs. 7337 crores.

3. The Budget documents have reflected the correct position. The question of misleading the House does not arise as this transaction has no bearing on the overall deficit."

(Interruptions)

PROF. MADHU DANAVATE (Rajapur): They do not know, this is only interim ruling.

SHRI S. JAIPAL REDDY (Mahbubnagar): The sting lies in the tail.
(Interruptions)

MR. SPEAKER: It is only the Finance Minister's reply. Why do you always interrupt?

A copy of Finance Minister's reply was handed over to Prof. Madhu Dandavate.

Commenting upon Finance Minister's reply, Prof. Madhu Dandavate, in his letter dated 13th March, 1989, addressed to me, stated *inter alia* as follows:

"My objections are as follows:-

(1) The practice of transferring Rs. 2300 cores from the capital account to the revenue account is

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itself objectionable. It would be as irregular as government encroaching upon the Railway Pension Fund and using it for the payment of salaries of the Secretariat employees.

- (2) The capital account and its surpluses are to be utilised to build the capital assets and not for transferring to the revenue account to reduce the revenue deficit.
- (3) More than the overall deficit, it is the revenue deficit that is the correct indicator of the State of the economy and it is undoubtedly a fact that the Finance Minister has transferred Rs. 2300 crores from the capital account to the revenue account only to create an optical illusion of reduced revenue deficit.
- (4) My fundamental objection is to government's action in appropriating for its current spendings, moneys belonging to a specific fund set up for a specific purpose of evening out the fluctuations between the domestic and international prices of oil. The money simply does not belong to it. (If a private company were to resort to such a practice, it would have been alleged of criminal misappropriation).
- (5) Against this background I still feel that the Finance Minister has misled the House and has distorted the normal budgetary process and has thereby committed a breach of privilege of the House."

(Interruptions)

MR. SPEAKER: Now, in this House it has been evened out.

PROF. MADHU DANDAVATE: It is my ruling, sir, not your ruling!

MR. SPEAKER: I referred the above points to the Minister of Finance for his comments. In his reply dated 14th March, 1989, the Minister stated *inter alia* follows:-

"Point 1 and 4: Under the present arrangements, surpluses of the Oil companies over and above the retention prices are pooled with Oil Coordination Committee to be drawn upon if necessary to secure the retention prices. This account has over the years accumulated and every year the surpluses are being added into the account. Its present level is Rs. 8900 crores. The surplus on account of the sale of petroleum products arises mainly from the policy of the Government in regard to administered prices. This is not substantively different from the surpluses arising from procurement and sale of other commodities like edible oils. The profit on sale of imported edible oils is taken in the Budget as a revenue receipt. That the revenue Budget of the Government should have the benefit of such surplus is further justified by the fact that any losses arising from administered/controlled prices relating to certain other commodities like food and fertilizers are borne by the revenue budget of Government. The comparison of this pool account with Railway Pension Fund is, therefore, not appropriate.

Point 2: The surplus in the capital account, i.e., difference between the capital receipts and capital expenditure including capital investment has, whenever available, been in effect

applied to meet revenue expenditure as the revenue receipts of Government are not adequate to meet revenue expenditure. In 1989-90 Budget, there would have been such a capital surplus if this transfer was not made and that surplus would also have been utilised to meet revenue expenditure. Hence the transfer entry does not create any real difference in the application of the capital surplus.

"As for the rationale of the mechanism of transfer, the justification is given in the foregoing paragraph. As I have already explained, the surplus on account of administered prices appropriately belongs to the revenue side of the accounts.

Points 3 & 5: The point whether the revenue deficit or the overall deficit is the correct indicator of the state of the economy is one on which no opinion has been expressed in any of the Budget documents for 1989-90. Both the deficits have been correctly, presented and no facts have been suppressed. There is, therefore, no question of either an optical illusion being created or the House being misled or budgetary process being distorted. In any case, what has been presented to the Parliament are the estimates of the Government which have been correctly reflected in the Budget documents. The final decision on the Budget will, as usual, be taken by the Parliament. During the discussion, the Hon'ble Members have ample opportunity to express their opinion on the substantive features of the estimates."

I have gone into the matter carefully and find that the contention of Prof. Madhu Dandavate that the Finance Minister deliberately misled the House, is not borne out by the facts of the case. A perusal of the budget

documents shows that in the matter of transferring an amount of Rs. 2300 crores from the pool account of the Oil Coordination Committee, from capital account to revenue account, the Finance Minister has clearly put all the facts on record and concealed nothing. The question of deliberately misleading the House and thereby committing a breach of its privilege does not, therefore, arise.

It is nevertheless apparent that a more favourable picture of revenue deficit has been projected by transferring Rs. 2300 crores from capital account to revenue account. While it is true that this transfer does not affect the overall deficit which is computed taking into account the transactions both of the Consolidated Fund and the Public Account, I am of the view that it would have been more appropriate if the surplus in the account had not been utilised, even partially, to offset the revenue deficit.

As hon. Member are aware, it is entirely for the Government to decide the manner in which the budget proposals are to be prepared, but this House has the final authority to approve, modify or reject them.

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

(Interruptions)

[English]

MR. SPEAKER: Just one minute...Yesterday I was not present in the House. There had been something of a rumpus here. But I want to make it clear that I have got so many motions of privileges here regarding the Thacker Commission Report. I would like to make it clear that there are two options before me. I have to decide...Yesterday I had a meeting with all

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the Opposition Leaders and the Government side also and I had to come to a certain decision about which I have got the minutes. We had discussed so many things. But the final thing which we had decided upon was this, which I authorised my hon. Deputy-Speaker to lay before the House. So, I have to decide whether this Report is the whole or it is a part of it. So, this is how we did it. The typed copy is here. I will just read it for you. You have to decide it. I am going to act according to what my House authorises me and my Leaders authorise me.

"The Speaker has discussed with the Home Minister and the Leaders of the Opposition the question whether the complete Report of the Thakkar Commission has been placed on the Table of the House. There was difference of opinion on what constituted the complete Report of the Commission. The Speaker has, therefore, decided to seek the advice of the Attorney-General in the matter and thereafter give his final ruling."

So, I shall have to satisfy myself whether this is the final or full Report or not and whether something has been withheld from the House. That is what I can say. But I have to take the time because under the given circumstances and under the given rules and under the Constitution I have to seek, I have been authorised to seek whatever help I need under the Constitutional provisions. That is what I will do.

(Interruptions)

MR. SPEAKER: I can allow only one Member to speak. Why all of you stand and speak?

(Interruptions)

PROF. MADHU DANDAVATE (Rajapur): Sir, with your permission, I would like to say one thing. I have written to you also. Since you have chosen to refer to what transpired in your hon. Chamber yesterday and also since the hon. Home Minister chose to speak about what happened in the Chamber, I only want to give one clarification so that your position should not be compromised. Even yesterday we met together. You will agree with me and I will tell verbatim what exactly you had said and what the hon. Home Minister said. He said: "We are going to launch some new prosecutions in connection with the conspiracy to assassinate Mrs. Indira Gandhi. In that case if some more documents are revealed they may create difficulties in the way of the prosecution." Then you said: "I am not a lawyer". This is an important point you had raised: "If the prosecution of a certain important nature is going to be affected" —this is the question of security also—"I would like to consult the Attorney-General and if he gives me certain opinion, I will consider it." You had further said: "If I feel it necessary, I will also consult him and ask him to come before Parliament." But mainly your thrust was as to what is the Report that is laid down under the law. Incidentally, I will also tell you, I want to protect your rights as Speaker. *(Interruptions)*

(Interruptions)

[*Translation*]

MR. SPEAKER: Why are you making noise?

[*English*]

I have not allowed you.

(Interruptions)

PROF. MADHU DANDAVATE: He is under the impression that I am talking about the Finance Minister. I am talking about the Home Minister.

MR. SPEAKER: I have to express only one thing. Whatever we have discussed in the Chamber, the final outcome has come in this House here. Whatever I did, I did it with the consent of my colleagues here, hon. leaders of the opposition and the Government. I had drafted it out and read it and then we came out with whatever was decided. There were so many things discussed in my Chamber. But the final outcome is this. So, let me say it. I must find out according to what our consensus is. That I will do.

(Interruptions)

PROF. MADHU DANDAVATE: Let me complete my submission. *(Interruptions)*

[*Translation*]

MR. SPEAKER: Please do not make a noise. Why are you doing it?

(Interruptions)

[*English*]

PROF. MADHU DANDAVATE: I was completing my submission. *(Interruptions)*

[*Translation*]

MR. SPEAKER: You are persisting on it.

[*English*]

Only I have to decide it. You are not my super conductor here.

(Interruptions)

PROF. MADHU DANDAVATE: No ruling is given. *(Interruptions)*

MR. SPEAKER: If there is anything wrong, I will say 'no'. How can I decide it before listening to it?

(Interruptions)

MR. SPEAKER: Professor Sahib, what we discussed, do not give it verbatim here. What I came out with is the final decision.

PROF. MADHU DANDAVATE: I want to bring to your notice Articles 121 and 122 of the Constitution. Article 121 clearly says that Parliament should not cast aspersions on judiciary. And Article 122 says that even the judiciary cannot interfere with the working of Parliament. Article 122 says that even the judiciary, not to talk of the Attorney General, cannot interfere with the working of the Parliament. I want to leave it to you and leave it to the House.

MR. SPEAKER: Professor Sahib, look here. Please do not worry. There are constitutional provisions by which I am to be guided. Is it not? I can take some advice or help. But the final authority is mine as Speaker. I have to decide whether it is right or wrong. So simple it is.

(Interruptions)

PROF. MADHU DANDAVATE: According to Article 122, you are the final authority and Judiciary cannot interfere. And according to Article 122, even the judiciary cannot interfere with the working of the Parliament.

[*Translation*]

MR. SPEAKER: You are disturbing the proceedings by making a noise.

[*English*]

Nobody on earth except this House will decide. I can call anybody for my assistance. But he is not my master. Nothing doing.

(Interruptions)

MR. SPEAKER: Now the Home Minister.

(interruptions)

SHRI SURESH KURUP (Kottayam): I want only one clarification.

MR. SPEAKER: You are not the master. As I allowed Prof. Dandavate, now I have allowed the Home Minister. It is wrong you always try to dictate.

SHRI SURESH KURUP: I am only making a request.

MR. SPEAKER: Request is one thing. But shouting is something else. I have allowed Shri Buta Singh.

THE MINISTER OF HOME AFFAIRS (S. BUTA SINGH): Mr. Speaker, Sir, with a view to put the record straight, I just want to say only two points. The hon. member Shri Madhu Dandavateji has given his version. I am not going to improve upon that. I am only going to say what I said and which I hold today. You will kindly recall that in my letter dated the 27th, on the day when the Report was laid on this House, I had already requested you that according to me and according to the Commission, what has constituted the Report has been placed before the House. *(Interruptions)*

SOME HON. MEMBERS: No, no.

MR. SPEAKER: That is the contention. That is what I am going to decide.

(Interruptions)

S. BUTA SINGH: Further, to remove any doubt, I had offered that the Government will place before you what is called the proceedings of the Commission and certain documents which the Commission had given separately which were given to the Government 20 days after handing over the final report to the Home Minister. And also at

the same time in the presence of the Hon. Leaders of the Opposition I did make this plea that these documents, which are minutes and proceedings of the Commission, are likely to harm the case that will be filed on a larger conspiracy in the court. *(Interruptions)*

Yesterday I said this to Indrajit Guptaji. Also in the letter that I have written to the Speaker on 27th I had made this point. I have taken this plea before the Hon. Speaker that the disclosure of the papers which are included in the minutes of the Commission are likely to prejudice the case which is going to be filed in the court.

Therefore I have left it to the Hon. Speaker and the Chairman of Rajya Sabha; after seeing the documents, it is for them to draw the conclusion; and it is for the Hon. Speaker to consult the Attorney General. Nobody can bind the hands of the Hon. Speaker for that matter. This is what I wanted to reiterate here. *(Interruptions)*

Having agreed to the common approach which I though had been evolved and after your advice I though the Hon. Leaders of the Opposition will exercise their control over the Hon. Members following them and this House will start conducting its business smoothly. Very unfortunately yesterday this did not happen and I recorded my anguish here. *(Interruptions)*

MR. SPEAKER: One by one I will allow you all. Not like this. Mr. Acharia.

SHRI BASUDEB ACHARIA (Bankura): Sir you have allowed me. The Prime Minister on 17th—when we were all, the entire Opposition, suspended—made a statement here in this House that the entire report, the Thanker Commission Report—he never said excluding the portion which has been withheld—will be placed on the table of the House. *(Interruptions)*

MR. SPEAKER: Can I interrupt you for a minute?

(Interruptions)

MR. SPEAKER: Please take your seat. Please for God's sake sit down.

(Interruptions)

MR. SPEAKER: I just want to say that what you are saying is under my consideration whether this is the full report or not the full report.

(Interruptions)

[*Translation*]

MR. SPEAKER: I told you to sit down. Why do not you sit? Is there a spring your seat?

(Interruptions)

[*English*]

SHRI BASUDEB ACHARIA: Then on 27th, Shri Buta Singh also made a statement. I quote from what he has said. (*Interruptions*)

[*Translation*]

MR. SPEAKER: Please sit down.

[*Translation*]

What is happening to you. Why are you standing, you please sit down.

[*English*]

SHRI CHANDRA PRATAP NARAIN SINGH(Padrauna): Three or four people keep standing all the time. Why should you allow them? (*Interruptions*)

MR. SPEAKER: I am requesting the same thing, what you are requesting, with folded hands.

(Interruptions)

MR. SPEAKER: Please sit down.

SHRI BASUDEB ACHARIA: This is what the Home Minister has said.

" Since the SIT has completed the task entrusted to it, there is no longer any impediment to releasing the interim and the final report of the Thakkar Commission."

[*Translation*]

MR. SPEAKER: If you keep silent, I shall be able to carry on the work properly.

[*English*]

I will deal with it, does not matter.

SHRI BASUDEB ACHARIA: Now I want to know whether the 700 pages which have been withheld from this House can be withheld by him. (*Interruptions*)

[*Translation*]

MR. SPEAKER: What happened now? You talk very irrelevant things.

[*English*]

He is talking unnecessarily. There is nothing new.

(Interruptions)

[*Translation*]

SHRI INDRAJIT GUPTA(Basirhat): Sir, there is a lot of difference between what you

[Sh. Indrajit Gupta]

have said and what he says.

[*English*]

We want to know. (*Interruptions*)

[*Translation*]

MR. SPEAKER: If you sit silently, that will do. The only thing required is that you sit silently.

(*Interruptions*)

[*English*]

MR. SPEAKER: Mr. Archaria, I am not on a lecture point here. I have heard what you said. Whatever you have said is already under my consideration. It is nothing new which you are saying.

THE MINISTER OF PARLIAMEN-
TARY AFFAIRS AND MINISTER OF IN-
FORMATION AND BROADCASTING
(SHRI H.K.L. BHAGAT): Sir, it was very kind of you to have called the Opposition leaders, the Minister of Home Affairs and myself for discussing the matter in question to find some way out. (*Interruptions*) I am only clarifying. Prof. Dandavate rose on a point of clarification. I want to clarify that point. The hon. Deputy Speaker on your behalf read in the House the draft which was written there itself. It was read to everybody. Everybody had agreed to that draft. (*Interruptions*) I am expressing my anguish. Why do you run away from the truth.? I am not happy because normally the discussions in the Speaker's Chamber have a certain sanctity and they should normally never be discussed. All of us had agreed to that draft. The draft was read. It was approved by everybody. (*Interruptions*) Certainly I want to make it clear that all of us had agreed that the Home Minister will make available to you all the papers. You said you will consult the Attor-

ney General and whatever ruling you give on the issue in question will be accepted by everybody. That was agreed to. (*Interruptions*)

Mr. Indrajit Gupta has virtually said the same thing. I had appreciated Shri Indrajit Gupta, Prof. Dandavate and Shri Basudeb Acharia for accepting what was discussed and decided in your presence. I am sure they will stand by what they had accepted.

SHRI BASUDEB ACHARIA: Already extracts of other chapters have come out in the newspapers.

MR. SPEAKER: Mr. Acharia you are so incorrigible. You always...

(*Interruptions*)

[*Translation*]

MR. SPEAKER: Why do you interrupt, Shri Acharia? Please sit down.

(*Interruptions*)

MR. SPEAKER: Mr. Acharia, why do you interrupt?

(*Interruptions*)

MR. SPEAKER: Mr. Acharia, please keep quiet for a while. Please be silent at least for a while. Please, do not make a noise.

(*Interruptions*)

[*English*]

SHRI INDRAJIT GUPTA: Sir, I think you will agree it is the right of the House to know exactly on what point or points you are going to take the advice of the Attorney General. Just now you have stated, if I have heard you correctly, that the difference which arose as to whether what has been laid is the whole

report or not the whole report on that point you are going to consult the Attorney General. Is that so? Because immediately after that the Home Minister got up and made a statement which makes the confusion worse confounded. What he is saying, if I understand him right is that that portion which he calls minutes and proceedings that portion they are withholding because they think it may pre pre-judice the proceedings which are going to be started against some people in terms of a bigger conspiracy. What I want to know from you, Sir, because we must understand clearly whether you are going to take the advice of the Attorney General on (a) Whether what has been laid constitutes the whole report or only part of the report; or (b) whether you are going to consult him as to whether this portion referred to as minutes and proceedings should be withheld.

SHRI BUTA SINGH: These are two independent grounds.

SHRI INDRAJIT GUPTA: ... because it is likely to pre-judice some future proceedings. What are you going to do? Is the Attorney General to decide whether this is the whole report or part or is he to tell you that whether a part should be withheld for some particular reason.

MR. SPEAKER: My commission at the moment is simple and straightforward. I am to decide after taking the whole advice and opinion. I am to be guided by whatever possible means I can get by my own efforts to see whether this report is the whole final one, complete report or some portion has been left out. That is what I say. I am bound to that portion only.

(Interruptions)

[*Translation*]

MR. SPEAKER: Why are you making noise? I shall call you one by one. I shall ask

everybody.

[*English*]

If you have to say something new, please don't repeat what has been already said and what has already been replied. I will ask one by one as to what you have to .

(Interruptions)

MR. SPEAKER: I will give you full time. But it should be within the bounds and within two minutes.

(Interruptions)

MR. SPEAKER: Please sit down.

(Interruptions)

Mr. Purushothaman, please don't interrupt in between. Bhagatji, I will call you. Let me settle this side now.

(Interruptions)

[*Translation*]

MR. SPEAKER: Please speak one by one. I can see everybody.

[*English*]

I am not that colour blind also.

(Interruptions)

[*Translation*]

MR. SPEAKER: Please sit down. Your turn will also come.

(Interruptions)

[*English*]

SHRI SURESH KURUP: If you are

[Sh. Suresh Kurup]

seeking the advice of the Attorney-General about what the Report means or about the definition of the word 'Report', your statement and the statement of the Home Minister contradict. (*Interruptions*)

MR. SPEAKER: Let me handle it.

[*Translation*]

If you interrupt, how will the work be carried on?

SHRI SURESH KURUP: The clarification I want is whether what you said is correct or what the Home Minister said is correct.

[*Translation*]

MR. SPEAKER: Why are you making noise?

[*English*]

Why can't you sit properly?

(*Interruptions*)

SHRI SURESH KURUP: I want to know what was decided in your Chamber.

MR. SPEAKER: Mr. Kurup, this is the thing about which there was difference of opinion on what constituted the complete Report of the Commission. That is why the Deputy Speaker announced yesterday in the House: "The Speaker has therefore decided to seek the advice of the Attorney-General in the matter and thereafter give his final ruling."

(*Interruptions*)

SHRI SURESH KURUP: He is saying a wrong thing.

MR. SPEAKER: Whatever he may say,

I am only concerned with this. Please sit down.

(*Interruptions*)

MR. SPEAKER: Finished. That is all. I have given my ruling.

(*Interruptions*)

MR. SPEAKER: Do you think that he is supreme or I am supreme?...

(*Interruptions*)

[*Translations*]

MR. SPEAKER: Why do you make a noise? Mr. Tanti is more intelligent than you.

[*English*]

He is more intelligent than all of us. What do you want to say?

MR. BHADRESWAR TANTI: On 17th, the Prime Minister made a statement in this august House that the Report of the Commission will be laid on the Table.

MR. SPEAKER: I have already heard that. What have you got to say?

SHRI BHADRESWAR TANTI: We have not received the full Report.

MR. SPEAKER: That is what I am deciding now.

[*Translation*]

We devoted so much time to it but to no avail,

(*Interruptions*)

SHRI BHADRESWAR TANTI: We want to get the full Report.

(*Interruptions*)

[*Translation*]

SHRI VILAS MUTTEMWAR (Chimur):
Please listen to Shri Bhoi. It is a very important matter.

MR. SPEAKER: I have seen. I will definitely listen. Why do you worry about that? Please be silent. I will myself look into it.

(*Interruptions*)

[*English*]

SHRI SAIFUDDIN CHOWDHARY (Katwa): It is not the question of minutes or proceedings. Even what the Government considers as Report. (*Interruptions*)

MR. SPEAKER: It is the same thing.

SHRI SAIFUDDIN CHOWDHARY: It is not the same thing. Why can't you listen to me. (*Interruptions*)

[*Translation*]

MR. SPEAKER: If you keep quiet. I will be able to discharge my duties property.

[*English*]

SHRI SAIFUDDIN CHOWDHARY: Even what the Government considers as the Report, they have withheld a portion from that, namely, Part I (A) of the Report which deals with the involvement of the foreign agency. That has not been given to the House. That according to them, is a part of the Report. This is a very serious matter. (*Interruptions*)

MR. SPEAKER: I am looking into that. I am only doing the same thing.

SHRI SAIFUDDIN CHOWDHARY: No. I am sorry for you.

MR. SPEAKER: At least, feel sympathy for me because I have to withstand all this.

PROF. MADHU DANDAVATE: Sir, Jaipal Reddy will say something original.

SHRI S. JAIPAL REDDY (Mahbubnagar): Sir, I have been very silent today. I would like to be heard silently. (*Interruptions*)

SHRI S. JAIPAL REDDY: I am quoting from what the Prime Minister said in the House on 17th March.

[*Translation*]

MR. SPEAKER: I have listened to it, please.

[*English*]

PROF. MADHU DANDAVATE: This is very relevant. This will help you.

SHRI S. JAIPAL REDDY: He said:

" A version of what is alleged to be stated in a portion of the Report has reached the Press..."

[*Translation*]

MR. SPEAKER: I have read it.

(*Interruptions*)

MR. SPEAKER: Why are you making noise. Can't you see that I am talking to somebody?

[*English*]

Let me talk. Why are you taking my job?

(*Interruptions*)

SHRI S. JAIPAL REDDY: Let me go

[Sh. S. Jaipal Reddy]

through the whole thing. Further, he Said:

" This is fuelling will ful distortion, mali-
cious innuendo and irresponsible
character assassination. To put a
stop to this..."

MR. SPEAKER: I have read it so many
time.

(Interruptions)

MR. SPEAKER: Please keep quiet. For
God's sake, please let me speak. Why are
you interrupting?

SHRI S. JAIPAL REDDY: The House
must know it, Sir.

Then he said:

" To put a stop to this, it is important that
the full text of the report be made
public. I have enquired about the
current stage of the criminal investi-
gations. I have been informed that the
investigations are now complete and
necessary follow up action will be
taken soon."

(Interruptions)

MR. SPEAKER: What is wrong about
it? There is nothing wrong about it. It was
said on the floor of the House.

(Interruptions)

SHRI S. JAIPAL REDDY: Further:

" Therefore, the release of the Report
would no longer prejudice the course
of the criminal investigations."

I have three points to make. Extracts from
the three suppressed volumes have found
their way in the press today. Therefore, to

put a stop to all this, all the three volumes
...(Interruptions)

MR. SPEAKER: It is the same question
and the same answer.

SHRI S. JAIPAL REDDY: Secondly, the
plea taken by the Home Minister is wrong.

MR. SPEAKER: I do not consider that;
I have said that already.

(Interruptions)

MR. SPEAKER: It is over-ruled. Irrele-
vant.

(Interruptions)

[*Translation*]

MR. SPEAKER: What will you do Mr.
Reddy? Now it is enough. There is nothing
new in it. Why do you indulge in hair splitting?
You are a sensible person.

(Interruptions)

[*English*]

Nothing on my ruling. For God's sake,
sit down. Do not support me; your best
support is that you keep silent.

SHRI V. KISHORE CHANDRA S. DEO(
Parvathipuram): Sir, I shall not repeat what
my colleagues have already
said...(Interruptions) Subsequent to the
stand that the Government took, the report
was placed on the Table of the House at 4.00
O ' clock on 27th March. Before that even
you had not seen the report. We were told
that the report in all its totality was being laid
along with all its appendices.

MR. SPEAKER: That is whole question
here.

SHRI V. KISHORE CHANDRA S DEO:

It is only after it was placed on the Table of the House that you and we got to read what is there before us. It is out of this that we got to know that the Commission's report is in five volumes...*(Interruptions)*

MR. SPEAKER: That is what is under my consideration.

SHRI V. KISHORE CHANDRA S. DEO: Let me complete my point. My point is that the Committee, the author himself, said that the contents of the report are this and this. A portion of the report has been surreptitiously withheld. The question does not arise now, whether it should go to the Attorney-General or not, because when the report was laid, it was in consultation with the Attorney-General...*(Interruptions)*

MR. SPEAKER: It is the same thing which is under my consideration.

(Interruptions)

[*Translation*]

MR. SPEAKER: Why are you disturbing? Let me do the work.

(Interruptions)

MR. SPEAKER: I am going. I know what my ruling is.

I know what my ruling is. I know how to do it. The same thing said over again. Nothing doing.

SHRI V. KISHORE CHANDRA S. DEO: Before the report was placed on the Table of the House on the 27th, you did not deem it fit for the Attorney General to furnish his opinion. We were promised the entire report...*(Interruptions)*

MR. SPEAKER: If you want me to adjourn the House, I will adjourn it.

(Interruptions)

SHRI V. KISHORE CHANDRA S. DEO: Sir, when you didn't deem it fit to consult the Attorney General before the Report was laid on 27th.....

MR. SPEAKER: There is no point in it. I am concerned whether the Report which has been laid on the Table of the House is complete or not. That is what my job is.

SHRI V. KISHORE CHANDRA S. DEO: That is a fraud committed on the House. Sir, before they decided to lay the Report on the Table of the House.....

MR. SPEAKER: No more. Nothing doing. I have to satisfy myself.

(Interruptions)

[*Translation*]

MR. SPEAKER: How I am concerned with it?

(Interruptions)

MR. SPEAKER: What do all of you want to say? It is the same thing.

(Interruptions)

[*English*]

MR. SPEAKER: I think there is nothing new which you have said so far.

(Interruptions)

[*Translation*]

MR. SPEAKER: Are you telling anything new?

(Interruptions)

[*English*]

MR. SPEAKER: Please order.

SHRI ARIF MOHAMMAD KHAN (Bahraich): Sir, I am only making this point to seek a clarification from the hon. Home Minister.

[*Translation*]

MR. SPEAKER: There is nothing in it. You are repeating the same thing.

[*English*]

SHRI ARIF MOHAMMAD KHAN: Sir, the Hon. Home Minister has made a statement here. I am not going into your ruling. Since his statement...

MR. SPEAKER: He might make any statement. I am bound by my own...

SHRI ARIF MOHAMMAD KHAN: His statement has gone on record. I am not charging him; I am only seeking on line clarification from him.

MR. SPEAKER: There is no point in wasting the time.

SHRI ARIF MOHAMMAD KHAN: Sir, under the Commission of Inquiry Act, the Government is bound to lay on the Table of the House the report of any Commission in a stipulated period. Now that the resolution which has authorised the Government to keep the Report secret and confidential has been withdrawn and since the Hon. Home Minister feels that in order to launch proceedings in the larger conspiracy case and in order that those cases which are to be launched are not prejudiced by the disclosure of these sections they have been withheld, my only point is whether the Government is going to bring another resolution in the House to authorise itself to keep those portions secret and confidential.

MR. SPEAKER: Over-ruled. It is immaterial and irrelevant. Nothing doing.

(*Interruptions*)

MR. SPEAKER: Mr. Arif Mohammad Khan, the question before me is whether this constitutes the complete report or not. If it does not then other points will come in, otherwise not.

MR. MADHU DANDAVATE: You are going to consult the Attorney General, why don't you consult Somnath Chatterjee also?

[*Translation*]

MR. SPEAKER: When did I say that he will not be consulted? I am calling one by one.

(*Interruptions*)

MR. SPEAKER: You may speak after he resumes his seat.

SHRI THAMPAN THOMAS (Mavdikara): Sir, my point is whether the right of this House to know the entire thing will be blocked on the ground that subsequently it will be sub-judice. So, you have to take that part...

MR. SPEAKER: That part has not come still.

SHRI THAMPANN THOMAS: That will be coming subsequently. I would like to submit that subsequently if it is said that it is sub-justice and cannot be given, we will be precluded from getting the copy. You should safeguard our interests, the paramount interests and rights of this House.

MR. SPEAKER: Over-ruled. Sit down.

[*Translation*]

When I am calling one by one, why all of

[Mr. Speaker]

(Interruptions)

you are making noise? I fail to understand as to how do you relish it?

MR. SPEAKER: No exhibition in the House. I cannot allow it. It is not fair.

[English]

(Interruptions)

SHRI SOMNATH CHATTERJEE (Bolpur): With all sympathy to the Chair, as you said, after the revocation of the resolution of the notification, it is the mandatory duty of the Government to disclose the Report. There is no option, no choice. Nobody can give any opinion. *(Interruptions)*

SHRI B.R. BHAGAT (Arrah): Sir, I want to draw your attention to a very serious matter which has appeared in this morning's newspaper. The report says that there is a very clear and categorical nexus between the Afghan rebels and the terrorists of Punjab. Mr. Hiqmatyar, the noted Afghan leader has said in a message, "Our brothers are active with the Punjab terrorists."

What is the report is a question of fact and it is not a question of law. And what is the Report, has been stated as four volumes of 2000 pages each. There is no question of legal opinion. Law cannot change the fact.

MR. SPEAKER: I have already admitted your motion. We shall fix a date for it.

MR. SPEAKER: Over-ruled.

12.46 hrs

SHRI SOMNATH CHATTERJEE: What is over-ruled?

PAPERS LAID ON THE TABLE

MR. SPEAKER: Your objection.

[English]

(Interruptions)

Annual Report, Annual Accounts and Review on the working of National Cooperative Housing Federation of India, New Delhi for 1987-88

MR. SPEAKER: Please, order, order.

[Translation]

Please take your seats. What are you doing please?

THE MINISTER OF URBAN DEVELOPMENT (SHRIMATI MOHSINA KIDWAI): I beg to lay on the Table:

[English]

DR. KRUPASINDHU BHOI (Sambalpur): Mr. Speaker, Sir, thousands of people are dying by taking this intravenous liquid.

(1) (i) A copy of the Annual Report (Hindi and English versions) of the National Cooperative Housing Federation of India, New Delhi, for the year 1987-88.

MR. SPEAKER: This is objectionable.

(ii) A copy of the Annual Accounts (Hindi and English versions) of the National Cooperative Federation of India, New Delhi, for the year 1987-88 together with

MR. SPEAKER: No please. It is not fair to exhibit it in the House...