

MR. DEPUTY SPEAKER : I will go through the records. I am not creating dangerous precedent. Please take your seat. Do not make remarks like this.

I told you that I would go through. Why are you saying 'dangerous'. I am not a dangerous man

(Interruptions)

MR. DEPUTY SPEAKER : Have you finished Mr. Jaipal Reddy ?

SHRI S. JAIPAL REDDY : I hope my facts and clouds will both go together on record.

(Interruptions)

MR. DEPUTY SPEAKER : Do not cast such aspersions on the Chair.

(Interruptions)

PROF. MADHU DANDAVATE : Do not refer to the Chair. Concentrate on the Prime Minister.

SHRI S. JAIPAL REDDY : The ruling party in the House has more than 80 per cent Members. On this side of the House also, they have their allies. Why is the Government afraid of enquiry by the House Committee ?

Sir, Mr. Gadgil was referring to the examples of House of Commons of Great Britain. I am not as learned as Mr. Gadgil. I am only aware of Indian precedents. Sir, in our country we have always functioned on the Committees on a supra-partisan basis take for example Public Accounts Committee, Public Undertakings Committee, Privilege Committee, etc. Kuo-oil deal was referred to the Public Undertakings Committee. The Public Undertakings Committee produced a unanimous report, though the Committee was unanimous in finding fault with the Government. Sir, a Parliamentary Committee has many privileges and immunities provisions of the Official Secrets Act which of late assumed manacing proportions will not stand in the way of enquiry by the Parliamentary Committee, but they could and would stand in the way of enquiry by a Judge, Sir. I

want the Government to clarify this point. Shri Shiv Shanker who is a legal luminary is sitting by the side of Minister of State in the Ministry of Finance. The Government can withhold information from the Supreme Court Judge on the plea of executive privilege. The Government will not be able to do that in regard to a Parliamentary Committee. Sir, we do not know the terms of reference. The terms of reference however wide may not some times suffice. The judge will be inhibited. The Parliamentary Committee will not be inhibited. I am try to state as to how an enquiry by the Parliamentary Committee is superior to an enquiry by a Supreme Court judge. In view of these facts I hope that better sense will prevail on the ruling party Members.

18.06 hrs.

STATEMENT RE : CONSTITUTION OF
A COMMISSION OF INQUIRY TO
ENQUIRE INTO THE ARRANGEMENTS
ENTERED INTO WITH THE FAIRFAX
GROUP INC. OF USA

[English]

THE MINISTER OF STATE OF THE
MINISTRY OF PETROLEUM AND
NATURAL GAS AND MINISTER OF
STATE IN THE MINISTRY OF FINANCE
(SHRI BRAHMA DUTT) : Mr. Deputy
Speaker, Sir, the Finance Ministry, Govern-
ment of India, in response to the letter of
the Law Minister suggested the two sitting
judges to constitute the Commission. They
are - first Shri Justice M. P. Thakkar, Chair-
man, second Shri Justice S. Natarajan,
Member. The Government accepted his re-
commendations of according the appointment
of the Commission. The notification reads as
follows :

S.O. WHEREAS the question of utilising
the Fairfax Group Inc. of the United States
of America has been the subject matter of
debate and it is definite matter of public
importance;

AND WHEREAS the Central Govern-
ment is of opinion that it is necessary to
appoint a Commission of Inquiry for the

purpose of making an inquiry into such matter to set all controversies at rest;

NOW, THEREFORE, in exercise of the powers conferred by Section 3 of the Commissions of Inquiry Act, 1952 (60 of 1952) the Central Government hereby appoints a Commission of Inquiry consisting of :

- (i) Shri Justice M. P. Thakkar, Judge, Supreme Court of India, Chairman;
- (ii) Shri Justice S. Natarajan, Judge, Supreme Court of India, Member.

to enquire into the matters specified in paragraph 2 below.

2. The Commission shall inquire into the events and circumstances leading to the arrangements entered into with the Fairfax Group Inc. and, in particular shall look into the following specific aspects, namely :

- (i) Was the Fairfax Group Inc. engaged ?
- (ii) if so,
 - (a) The facts and circumstances under which it was engaged,
 - (b) What is the nature of the engagement ?
 - (c) Under whose authority was it engaged ?
 - (d) For what purpose was it engaged ?
 - (e) On what terms and conditions was it engaged ?
 - (f) Was it competent to carry out the task that was entrusted to it ?
- (iii) (a) Was any payment authorised to be made to the Fairfax Group Inc. ?
- (b) Was any payment made to the Fairfax Group Inc ?
- (c) If so, for what services ?

(iv) What information, if any, has the Government of India received from the Fairfax Group Inc. ?

(v) What information, if any, has been made available by the Government of India to the Fairfax Group Inc. ?

(vi) Was the security of India prejudiced in any manner in making such arrangements ?

3. The Commission shall complete its inquiry and submit its report to the Central Government within a period of three months and the same shall be laid before the Parliament.

4. AND WHEREAS, the Central Government is of opinion that, having regard to the nature of the inquiry to be made and other circumstances of the case, all the provisions of sub-section (2), sub-section (3), sub-section (4) and sub-section (5) of Section 5 of the Commissions of Inquiry Act, 1952 (60 of 1952), should be made applicable to the Commission, the Central Government hereby directs, in exercise of the powers conferred by sub-section (1) of the said Section 5, that all the provisions of the said sub-section (2), (3), (4) and (5) of that section shall apply to the Commission."

SHRI C. MADHAV REDDI (Adilabad) : I want some clarification, Sir.

(Interruptions)

PROF. MADHU DANDAVATE (Rajapur) : With you permission, one clarification. Mr. Minister says...

MR. DEPUTY SPEAKER : Mr. Bipin Pal Das.

(Interruptions)

PROF. MADHU DANDAVATE : I want one clarification, I hope the new amendment to the Act won't be invoked. That is all.

THE MINISTER OF COMMERCE (SHRI P. SHIV SHANKER) : Sir, already the Parliamentary Affairs Minister has announced this morning that it will be laid on the Table of the House.

THE MINISTER OF PARLIAMEN-
TARY AFFAIRS AND MINISTER OF
FOOD AND CIVIL SUPPLIES (SHRI
H. K. L. BHAGAT) : It is also mentioned
in this Notification.

PROF. MADHU DANDAVATE : That
is all right.

(Interruptions)

SHRI S. JAIPAL REDDY (Mahbub-
nagar) : I would like to know whether the
inquiry against Mr. V. P. Singh...

(Interruptions)

MR. DEPUTY SPEAKER : Mr.
Bhagat, you may move for extension of
time.

SHRI H.K.L. BHAGAT : Hon. Member,
Professor Madhu Dandavate, I invite your
attention, I said it in the morning.

(Interruption.)

PROF. MADHU DANDAVATE : Don't
waste the time. I have followed you before
you had spoken.

SHRI H. K. L. BHAGAT : I am glad at
least once you have followed me. Sir I move
that the sitting of the House be extended by
another one hour.

(Interruptions)

MR. DEPUTY SPEAKER : He wants
the sitting of the House to be extended by
one hour.

SHRI C. MADHAV REDDI : Sir, how
long are we going to sit ?

MR. DEPUTY SPEAKER : One hour.

(Interruptions)

SHRI H. A. DORA (Hanamkonda) : Sir,
why can't we take it up day after tomorrow ?
How long we have to sit now ? *(Interruptions)*.
We will take up this issue day after to-
morrow.

SHRI H. K. L. BHAGAT : Sir, I am
moving this motion for extension by one
hour. If necessary, we are prepared to sit till
midnight if you want.

MR. DEPUTY SPEAKER : I hope the
House will accept this. Now, Mr. Bipin Pal
Das may speak.

(Interruptions)

18.13 hrs.

DISCUSSION ON THE STATEMENT OF
PRIME MINISTER REGARDING
APPOINTMENT OF A SUPREME
COURT JUDGE TO ENQUIRE IN-
TO ISSUES CONNECTED WITH
UTILISING FAIRFAX GROUP
OF U. S. A.—*Contd.*

[English]

SHRI BIPIN PAL DAS (Tezpur) : Mr.
Deputy Speaker, Sir, even before the Hon.
Minister made his statement regarding the
appointment of Inquiry Commission in detail,
I could not follow for what purpose the
Opposition wanted to debate. I could not
follow this because what they have said to-
day, with all respect to my distinguished
friends on the other side, whatever they
have spoken today are mere repetitions of
what they spoke on 31st of March, Sir, on
that day we had an exhaustive debate. All
points were answered by the Hon. Minister.
They wanted to have a dig at the Prime
Minister or the Finance Minister or the for-
mer Finance Minister or Mr. Amitabh
Bachchan, and all those allegations were
countered. Today they are trying to drive a
wedge between Shri Vishwanath Pratap Singh
and Shri Dinesh Singh. If that is the pur-
pose of this whole motion and debate, I am
sorry to say that they are not doing justice
to this Parliament, as Members of Parliam-
ent. As I have said, in the last debate,
all points were cleared. When all points
were cleared, the bunch of tyres of
the Opposition were totally punctured. And
today, taking a clue from the Prime Minis-
ter's statement, they are trying to reinflate
the tyres. They will not succeed in that.