Shri Gupta made a suggestion for setting up a Board. I have made a note of this suggestion.

Shri Gupta expressed an apprehension that MRTP companies may monopolise the national laboratories. I do not think this amendment will lead to such a situation.

Dr. Datta Samant always criticises the government. He does not pay any compliments to the government even when the government brings forward any good amendment. This is his second habit. Dr. Datta Samant spoke about there being nil or negative growth of indigenous R&D. While I do not have the figures for this what I do know is that the proposed amendment is likely to leàd to more research and development taking place in the country. I have got experience. If he wants I will show him our own R&D and research laboratories which are working very well. They are developing new technology; they are in the public sector. They are very good R&D Laboratories. If you go to Baroda which is near to Bombay you will find our IPCL; how are they indigenously developing petro-chemical things. You please see them and then write a letter to me.

I do not want to provoke the members unnecessarily because this amendment is a small one. I have introduced this Bill before the House with good intentions and we would take care of the implementation and certainly we will see that this is not abused or misused by those monopoly houses. Thank you.

MR. DEPUTY-SPEAKER: The question is:

> "That the Bill further to amend the Monopolies and Restrictive Trade Practices Act, 1969, be taken into consideration."

*The motion was adopted*

MR. DEPUTY-SPEAKER: We will now take up Clause by Clause consideration of the Bill.

The question is:

"That Clauses 2 and 3 stand part of the Bill."

*The motion was adopted.*

*Clauses 2 and 3 were added to the Bill*

MR. DEPUTY-SPEAKER: The question is:

> "That clause 1, the Enacting Formula and the Long Title stand part of the Bill."

*Clause 1, the Enacting Formula and the long Title were added to the Bill.*

SHRI J. VENGAL RAO: Sir, I beg to move:

"That the Bill be passed."

MR. DEPUTY-SPEAKER: The question is:

"That the Bill be passed."

*The motion was adopted*

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**16.21 hrs.**

## COMMISSIONS OF INQUIRY (AMENDMENT) Bill

[*English*]

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI SONTOSH MOHAN DEV): On behalf of S. Buta Singh I beg to move:

> "That the Bill further to amend the Commissions of Inquiry Act, 1952, be taken into consideration."

I rise to move that the Commissions of

[Sh. Santosh Mohan Dev]

Inquiry (Amendment) Bill, 1988, a Bill further to amend the Commissions of Inquiry Act, 1952 be taken into consideration.

The Bill seeks to make two changes in the Commissions of Inquiry Act, 1952.

Firstly, a specific provision is being inserted in the Act itself to enable a Commission of Inquiry to appoint assessors and make payment of travelling and daily allowance to them and to the other witnesses summoned to give evidence before the Commission. Hitherto, such matters have been regulated under the Commissions of Inquiry (Central) Rules, 1972.

Secondly, the existing procedure for taking cognizance of the offence relating to acts calculated to bring a Commission of Inquiry or any member thereof into disrepute is being streamlined.

At present, Rule 5(6) of the Commissions of Inquiry (Central) Rules, 1972 provides that travelling and other expenses, as the Commission may deem reasonable, shall be paid to a person who is summoned to assist the Commission at the stage of preliminary investigation or to give evidence or to produce documents before a Commission. Rules 6(a) and 6(d) of the Commissions of Inquiry Rules, 1972 provide that the Central Government or, with the previous approval of the Central Government, a commission may appoint assessors to assist and advise the Commission in any matter connected with its inquiry, and may determine the travelling allowance, daily allowance and other incidental expenses that may be paid to assessors.

The Committee on Subordinate Legislation (Sixth Lok Sabha) in its ninth report recommended that the Commissions of Inquiry Act, 1952, should be amended to make a specific provision in the Act itself for appointment of assessers and payment of travelling allowance and daily allowance to the witnesses and assessors. As the recommendation of the Committee remained under consideration of the Government, the Committee in its nineteenth report again recommended that the amendment of the Act be expedited. The Government accepted the recommendation of the Committee and the Lok Sabha Secretariat were informed that the Government had decided to initiate amendment of the Commissions of Inquiry Act, 1952 for the purpose. Clause 2 of the Bill seeks to insert a new Section 5B in the Act to authorise the Commission to appoint assessors and pay TA and DA to them. Clause 4 of the Bill seeks to confer on the appropriate Government power the make rules relating to payment of TA and other expenses payable to assessors and witnesses.

The need has been felt to streamline the procedure for punishment of persons doing acts calculated to bring a Commission of Inquiry or any other member thereof into disrepute. Under the procedure specified in section 10A of the Commissions of Inquiry Act, the provisions of the Code of Criminal Procedure will apply and the Commission will forward its complaint to the Magistrate who will commit the person to a court of sessions for trial; further, no prosecution can be launched except with the previous sanction of the Central Government, or the State Government, as the case may be. It is proposed to change this procedure. Clause 3 of the Bill seeks to amend section 10A of the Act to provide that an offence under this section is triable by the High Court directly, by ordinary procedure prescribed in the Code of Criminal Procedure, on a report of the Commission of Inquiry concerned without committal proceedings, and that the personal attendance of the members of the Commission of Inquiry as complainants will not be necessary.

Sir, I commend this Bill for the consideration of this august House.

MR. DEPUTY-SPEAKER: Motion moved:

> "That the Bill further to amend the Commissions of Inquiry Act, 1952, be taken into consideration".

SHRI E. AYYAPU REDDY: Mr. Deputy-Speaker, this Bill has been introduced for the purpose of giving effect to the recommendations of the Committees on Subordinate Legislation of both the Houses of Parliament. Clauses 2 and 4, which were previously provided under the Rules have now been made as a part of the Act itself. Therefore, there can be no objection so far as these two Clauses are concerned. They are based on the recommendations made by the Committees on Subordinate Legislation. They are innocuous Clauses.

But Clause 3 is the important clause. In the Statement of Objects, it has not been made clear to why we are substituting the existing provision with the present provision and how it is going to better the existing procedure so far as the contempt of the Presiding Officers of a commission is concerned. Obviously Clause 3 seems to have been inspired by the Thakkar-Natarajan Report on Fairfax. In Chapter VI of the Report, the two Judges of the Supreme Court have introduced a new idea, that is, the need for protection of members of the Judiciary, who are called upon to undertake on behalf of the judicial institution the onerous task of the commissions constituted under the Enquiries Act of 1962. Everybody knows that these two learned judges of the Supreme Court were very seriously criticised and the Commission also issued some notices to some important dailies, as to why action should not be taken against them under Section 10A of the Act. But fortunately no action was initiated by the public prosecutor as required under Section 10A(2) against any one of the dailies.

I had myself an occasion to give a rely to a notice issued by the Thakkar Natarajan Commission to one of the dailies in the State of Andhra Pradesh. The learned Judges said, in Chapter VI of the Report that it would be difficult for the Supreme Court Judges or the High Court Judges to accept commissions if they were to be criticised and if they were to be attributed mala fides by the press. I may quote here a few sentences from Chapter VI of the Thakkar-Natarajan Report.

> "The Commission is constrained to place on record with pain and distress that the sitting Judges of the Supreme Court consisting the present Commission have been subjected to wanton and deliberate character assassination by a section of the media. The Commission would have sought some solace if the institution to which they belong had taken suo moto cognizance of the matter and extended protection to them, for they had undertaken the function at the desire of the head of the institution who had invited them to discharge these functions. In a way, they were working for the institution..."

The learned judges went on to say that they had got powers to initiate proceedings under the Contempt of Court Act because even though they were working as members of the Commission under the Commission of Inquiry Act, they still command the same position as that of the judges of the Supreme Court and that for any attack on them or any slender or any defamation or any attribution of motives to them, they would be entitled to invoke the provisions of the Contempt of Courts Act. They, however, said that in order to make things very clear, the Act must be amended so that the doubt is removed, that whenever High Court judges or Supreme Court judges or members of the subordinate judiciary preside over any commission and if there is any contempt committed against them, they would be entitled to invoke the provisions of the Contempt of Court Act. They said, though they have got powers, stilling order to remove doubts the Act should be amended. In order to give effect to the recommendation of these judges, the Government should have amended the Contempt of Court Act so as to include members of a commission if they happen to be sitting judges of a court. But that has not been done. On the other hand the Government new seems to have taken this stand that any contempt of these presiding officers will not amount to contempt of court but it amounts only to an offence under section 10A of the Act. This goes contrary to the

[Sh. E. Ayyapureddy]

recommendations or the findings given by the two learned judges in their report. That means, you have not accepted that recommendation. I am in agreement with the Government's view that that recommendation should not have been accepted because the commission of inquiry is a fact finding body. It has no powers of a court. It is not a court. That is why, in the original Act itself section 10A has been provided which required that if anybody commits contempt of the presiding officer of a commission, he shall be punishable under section 10A for a period of six months. What section 10A(2) requires is that such proceedings should be initiated by a public prosecutor with the consent of the concerned Government. Therefore, now by this amendment, you have made it quite clear that commission of inquiry is not a court, that if any motive is attributed or defamation or slender is caused against any presiding officer of a commission it will only be an offence under section 10A and it will not amount to contempt of court under Contempt of Court Act. The High Court as well as Supreme Court judges have got powers to take immediate action and impose punishment both for civil contempt as well as criminal contempt. Now you have made it quite clear that it would not amount to contempt of court but it will only be an offence under section 10(A). So far as this is concerned, I do not have any dispute with regard to that. On the other hand, the dictum of the learned judges appears to have been overruled statuatorily by this amendment if that is the intention of the Government.

Unfortunately, this Act of 1952 has been amended. This Eighth Lok Sabha itself has amended it for the purpose of preventing the publication of the Thakkar Committee's Report on the Indira Gandhi assassination. This Act originally was intended to serve a public purpose. It gave wide latitude to the State Government as well as the Central Government for the purpose of appointing commissions for public purposes, in public interest. If we take a review of the various commissions that have been appointed by the various Sate Governments and the Central Government under this Act in the last two decades, we find that this Act has been more misused than properly used. Now it has become synonymous that whenever a political issue has to be solved or when a burning topic has to be shut into the cold storage, resort is made under this Act by appointing a commission. Whenever a very important political burning topic arises and if the ruling party wants to decelerate the tension or wants to put it in cold storage or wants to derive political advantage, resort is made under this Act to appoint a commission. The commission is appointed, then the commission takes its own time, recommendations are made by the commission and then these recommendations are sent to the respective departments and they gather dust. If we take the statistics of all the commissions and the recommendations made under the Commissions of Inquiry Act, we find that eighty per cent of the reports have been gathering dust and that there have been no follow up actions at all. In a number of cases we find that a Joint Secretary or an Under Secretary site over the judgement of Commissions' Reports. The findings of the Commissions are not made final, they are not made binding. They can again be subjected to review, both by the State Government and the Central Government. If the state Government refers it for judicial process, for prosecution, again it is subjected to review. I shall give you one instance. In Andhra Pradesh, there were allegations against some police officers that they had committed rape of one lady called Ramzai Bi, known as the Ramzai Bi Rape Case. An eminent judge of the High Court was appointed as the Commissioner. he made inquiries. He made recommendations that suitable action should be taken against them. He gave the findings that the police officers had abused their positions, misused their positions and committed crime. What followed after that? An investigation took place, a charge-sheet was filed, a magistrate tried the case and the accused were acquitted. He sat over the findings of the High Court Judge. So, the findings of facts arrived at by a commission after an elaborate inquiry, after giving opportunities to both sides, have been of no value at all. If the findings of facts are inconvenient or against

the interests of the political party in power in a particular State or at the Centre, they are never published or are never given effect to. So, the net result has been that in majority of cases the Commissions of Inquiry Act has subserved the interests of a party in power.

They have not served any purpose and the reports of these Commissions have never been given effect to. Recently, we have seen a number of Commissions, even the Commission on Kiran Bedi, again it went into troubled waters, the matter was taken to the Supreme Court, some of the Members of the Commission resigned. It all went on, it did not serve any purpose. On the other hand it created additional tension. Therefore, the Act has to be amended so that the power to appoint Commissions—there are certain restrictions placed upon the Central Government or the State Governments, certain well-established criteria defined as to when a Commission can be appointed and for what purpose a Commission can be appointed, and then once a Commission is appointed and the findings on facts are arrived at, they must have some binding effect, they must have finality about it. Otherwise, most of these Commissions of Inquiry are becoming a farce. But one important observation of the Thakkar-Natarajan Commission on Fairfax deserves consideration by this House. They said: "If this is the position, if a Commission can be attached and if they don't have any power to take any action under the Contempt of Court Act, hereafter no Supreme Court Judge, no sitting Judge of the Supreme Court or the High Court must accept membership of a Commission." We fully agree with them and as a matter of fact, no sitting Judge of the Supreme Court must take up any Commission. The institution of the Supreme Court will lose its value. There they act as eminent jurists and their Judgment becomes final. Now, when they accept the Commissions, they render themselves liable to be criticised and they cannot say, 'We will sit in the ivory tower as Judges of the Supreme Court and we don't want to be criticised by anybody.' When once they accept a Commission, they render themselves liable to be criticised by other persons and they can't complain that the press has misbehaved and that they have not taken any action under the Press Council Act as the learned Judges did here in this case. No Judge of the Supreme Court must ever be appointed, no sitting Judge of the Supreme Court must ever be appointed in any condition. If a retired Judge of the Supreme Court agrees to act on the Commission, let him act, but the practice of requesting the sitting Judges of the Supreme Court must be given up once for all. As a matter of fact there must be an amendment to the Act preventing the Judges of the Supreme Court being appointed. At any rate it must be a convention, the Chief Justice of the Supreme Court must refuse to lend the services of any sitting Judge of the Supreme Court for any Commission. That also applies equally to the Judges of the High Court. I appeal to the judiciary, especially the High Court Judges and the Supreme Court Judges, the sitting Judges, in the interest of an independent judiciary not to accept any Commission whatsoever and if they accept a Commission, they will be rendering themselves liable to criticism. (*Interruptions*)

Now, the present position is that instead of 10A, (2) has been substituted by the present provision where a member of the Commission has to make a report to the High Court, the High Court itself takes the jurisdiction to try the matter, an offence punishable, within six months. You are giving for the first time a compulsory original jurisdiction in a criminal case to be tried by a High Court. In a small case like this, you are compelling the High Court to try a case originally, which used to be tried by a Magistrate. You are going out of the way. Then, I so not know how far this particular clause will stand the test of Article 14 because for the first time you are conferring on the High Court original jurisdiction to try an offence under this and then against the Judgment of the High Court there is an appeal to the Supreme Court on an offence punishable with six months. Why should the High Court be encumbered with such offences? Therefore, I say that the present Amendment is ill-conceived and it will be infructuous, it will not serve any purpose whatsoever.

With these words, I conclude.

SHRI SOMNATH RATH (Aska): Mr. Deputy-Speaker, Sir, I rise to support the Bill.

SHRI SOMNATH CHATTERJEE: Why?

MR. DEPUTY-SPEAKER: There is another Somnath who will oppose it.

SHRI SOMNATH CHATTERJEE: Every action has reaction.

SHRI SOMNATH RATH: My friend, Mr. Ayyapu Reddy from the other side has said that when the Commission is not a court. The judge is held to be a private individual and he has no greater protection against public criticism than that of a private individual. The contempt of court does not apply to individual. It applies to court. The court while discharging its duty then and then alone, the Contempt of Court Act is applicable. When a judge steps outside the duty of his office, he cannot be said that he is acting as a judge. A judge appointed under the Commissions of Inquiry Act is only meant for fact-finding. Certainly the Government has the right to accept or not to accept the report of a Commission, to act or not to act on the report of a Commission. That is provided in the original Act, from the inception of the Act. Even those who scandalise the members of the Commission who commit perjury may go unpunished. According to IPC perjury is an offence. The Cr. P.C. provides that only a court can take cognizance of an offence. Section 195(1)(b) of Cr. P.C. says that no court shall take cognizance of any offence or in relation to any person before a court except on the complaint in writing for that court or any other court to which the court is subordinate.

It is a disputed point whether the Commission is a court or not. That is why, Thakkar-Natarajan Commission had recommended that Commission be given the power to punish for contempt. Government has given a thought to it and a provision is made to see that protection is given to the persons even judges who are in the Commission. That is the very reason, why the Government has brought this Bill. There is a provision in the Bill also that the appeal lies on the Supreme Court against the decision of the High Court. The complaint has to be made either by any member of the Commission or any officer authorised by it. That is very clear. It is necessarily that the trial should be by the High Court, because the judges of the Supreme Court and High Court also act as members in the Commission. That is the reason why, complaint is to be filed before the High Court and committal proceedings will not be required. Only on the complaint, the High Court will take cognizance of it and gives a decision. There is still further protection of appeal to the Supreme Court. The intention of the Government is very clear and there is nothing to comment. The previous restriction was that only on the recommendation or approval of State Government or the Central Government, the proceedings of contempt were started, but the restrictions have been removed. So, more scope is given and protection is given to the Commission so that he can act judiciously and with confidence. Not that, he can be ridiculed in whatever manner others want. That protection has been given under this Bill.

About the assessors, that was there in the rules and it was made a provision in the Bill. I would suggest to the hon. Minister to think on another point. There is a dispute as to the manner in which the evidence is to be recorded before the Commission, whether the provision of the Evidence Act apply or not, whether a witness should be cross-examined and declared hostile and to be cross-examined by the person who calls him as his own witness. In this respect, there are many interpretations and many views and if that point would have been clarified in this Bill, it would have been comprehensive. So, I would suggest that having brought this Bill, the Government may think of this important matter, the manner of recording evidence before the Commission and if a person refuses to appear before the Commission and to give evidence, what action and power the Commission has got to take action against him and whether the evidence should be

recorded on oath. These are the points which still agitate the minds of many persons in our country. Let a clear definition be given to this aspect and another Amendment be brought.

SHRI G.M. BANATWALLA (Ponnani): Mr. Deputy Speaker, Sir, the Clauses 2 and 4 of the Bill deal with appointment of assessors and their association with the Commissions of Enquiry. That may be a welcome provision. However, Clause 3, I submit, is most ill-advised, undemocratic and unconstitutional. It is rather unfortunate that the Government has deemed it fit to come forward with these particular provisions contained in this particular Clause 3.

I do share in the concern of the Government with respect to the increasing tendency to bring Commissions of Enquiry into disrepute. But there is, however, an important point that must be considered here. It was Thakkar and Natarajan Commission which recommended that the Commissions of Enquiry should also be given the powers to treat their defamation as contempt of court. Of course, it is heartening to find that the Government has not conceded to that suggestion totally.

But it must be pointed out here as to from where do these Judges really draw their dignity and self-respect. The hon. Member Shri Somnath Rath was arguing just now that these powers are meant to try the people for attempting to bring the Commissions of Inquiry into disrepute and these powers will give confidence to the Presiding Judges . But it is a mistaken motion of the entries situation. Are the Presiding Judges so weak as to think that their self-respect should always be based upon such penal provisions which may help them like crutches on which they may stand? I respectfully submit that it is not provision, with respect to contempt of court which preserve the dignity and self-respect of Judges. They derive their dignity and respect from the manner in which preserve they perform their duties. We have, of course, a scenarie of criticism, violent criticism against the procedures adopted by the Thakkar-Natarajan Commission. But, here, I would like to draw the attention of this House to an important observation made by no less a Jurist than H.M. Seervai. He, in his article published in the Indian Express on 30th December, 1987, said and I quote:

> "If the manner in which the two-member Thakkar-Natarajan Commission conducted its enquiry has met with withering criticism, and its report has been condemned by competent opinion outside the ruling party, the faulty must lie not in the Commission of Inquiry Act, but in the manner in which the two Judges conducted their inquiry and made their report".

This is an important point to be borne in mind that dignity is derived not from these legal crutches; in trying to draw power to try a person for contempt. Rather, this dignity arises from the manner in which the Presiding authorities perform their duties.

Sir, in contract to the functioning of the Thakkar-Natarajan Inquiry Commission, I may draw the attention of this House to the functioning of another Commission in Bombay, popularly known as the Lentin Commission which injured into the 14 deaths that took place in the JJ Hospital which brought out a report of a very far-reaching consequence. Its report and the working of the Lentin Commission drew wide public acclaim. I need not try to contrast the procedure adopted by the Thakkar-Natarajan Commission and the Procedure adopted by the Lentin Commission. But, any person who has made a study of these two things will know well how wide acclaim, wide support and appreciation the Lentin Commission drew. It brought a great and fair name even to the judiciary.

**16.59 1/2. hrs.**

[SHRI SHARAD DIGHE *in the Chair*]

It is therefore wrong to think that we must resort to such provision, penal provi-

[Sh. G.M. Banatwalla]
sions of contempt in order to maintain the sanctity, the dignity and the respect of even our judiciary.

**17.00 hrs.**

In the case of the commissions of inquiry, they are of course, not a court, and Thakkar-Natrajan Commission suggested that though they are not a court, yet their defamation be construed as contempt of court.

What is the attitude of court to contempts committed? It is seldom that one comes across cours exercising or wielding the powers granted to them under the Contempts of Court Act. It is seldom. Their act is to restrain with their own dignity and consult their own dignity. It is here, perhaps, in the Parliament that we talk a lot about breaches of privilege and so on and so forth. But as far as courts are concerned, it is very rare that they try to exercise power despite vehement criticism. It is very rare that they think of exercising their power under the Contempts of Court Act. Why is it so? And our courts should be complimented for this attitude. It is because something mere than more contempt of court is involved. Something that is of far greater importance is at stake. At stake is the freedom of speech itself, the freedom of the press itself. I must here point out to a famous observation of Lord Dennings. Lord Dennings has said:

> "Let me say at once that we will never use the jurisdiction as a means to uphold our own dignity. That must rest on surer foundations."

Even our courts realise that the question of their dignity and self-respect must rest on surer foundations rather than these legal crutches which can even go to suppress the freedom of expression and speech held so sacred by our democratic Constitution.

Mr. Chairman, Sir, therefore, the first point that I was trying to make is that is is totally wrong to think that we have to give more teeth to our laws of libel and defamation in order to protect the dignity and self-respect of these commissions of inquiry.

Of course, commissions of inquiry—it has been held—are not courts and when they are not courts, any person who presides over the commission of inquiry does not perform any judicial function. The Commissions of Inquiry Act, Section 3 says that any person can be appointed to preside, can be appointed as a member or chairman of commissions of inquiry. It is not necessary that the presiding officer will always be a sitting judge. Therefore, you just look at the absurdity of the recommendation of the Thakkar-Natrajan Commission. The Thakkar-Natrajan Commission says in its Report: "that the judges who preside over the commissions of inquiry should be given the power to try their defamation as contempt of court." Why the judges who come to preside over the commissions of inquiry should be given that particular power in contrast to any other person who may have been appointed and that other person may not be a sitting judge and may be appointed to preside over a commission of inquiry.

SHRI H.A. DORA (Srikakulam): Clear discrimination.

SHRI G.M. BANATWALLA: That would be a discrimination between the presiding authorities themselves.

A sitting judge whether of the High Court or the Supreme Court who comes out of the court cannot ask for privileges and powers that he enjoys in the court. If he chooses to write a book, if he chooses to make a speech or if he chooses to come out and preside over a commission of inquiry, then he must submit himself to the comments of the people. He cannot have the same powers.

It is of course correct on the part of the Government not to have treated the commissions of inquiry as court. That particular aspect is a healthy one. It is also correct not to have clothed these commissions inquiry with powers of the Contempt of

Court Act.

However, there are so many points connected with Clause 3 which are ill advised. An offence of defamation of the presiding authority of the commission of inquiry is an offence under Section 10A of the Commission of Inquiry Act. But this Section 10A itself needs to be relooked and reviewed. It is highly defective, unsound, discriminatory and violative of Article 14 of the Constitution of India where unequal treatment is being given. I am sorry to find that while coming before this House with a Bill to amend the Commission of Inquiry Act, a deep thinking has not been given to the subject.

The law of defamation is to be found in Section 499 of IPC. This very section 499 of the IPC lays down ten exceptions and explanations. Nearly ten safeguards are laid down. A person proceeded against under 499 IPC has nearly ten safeguards; but those ten safeguards have not been repeated here under Section 10A of the Commission of Inquiry. Why is this discrimination.

I may be told that this Section 10A was perhaps framed in accordance with the recommendations of the 24th report of the Law Commission. I don't know for what reasons the 24th Report of the Law Commission merely came to this conclusion without an indepth study of the same that it is not necessary to burden Section 10A of the Commission of Inquiry Act with so many exceptions and explanations and that the High Courts will decide with reasonable justice. A person is left at the mercy of courts and this standard of reasonableness may differ from court to court. One cannot be penalised for the vagueness of our legislation. I, therefore, submit that even in the case of defamation of the President, the Vice President, the Governor, the Chief Minister or the Prime Minster the law provides all these ten safeguards.

In other words a person who has defamed the President of India is far better protected than a person who is alleged to have defamed the presiding authority of the Commission of inquiry. What is this situation It is unequal treatment. Equality of law that is the dictum under Article 14 of the Constitution. It has been thrown to the winds. Therefore, Section 22A(1) of the Commission of Inquiry Act itself is highly defective and here further discriminations have been added in the law. Even a sitting judge, it he comes out of the court and chooses to preside over a commission of inquiry which according to the law is not a court, then he is in the stage of a private citizen. The law of libel, the law of defamation applicable to a private citizen should be applicable to him also. There can be no other discrimination. Section 499 of the IPC will apply in both cases. To discriminate would be violative of Article 14 and also violative of Article 21 of the Constitution. But here the discrimination is still continued further. Not only are those 10 safeguards laid down in Section 499 of the IPC not incorporated in the present Bill but the discrimination is still carried forward. Now notwithstanding anything contained in the CrPC—hats off to the Commissions of inquiry—the reference can be made directly to a High Court and not to the magistrate. Defame the President of India and go to the magistrate. Defame this great man presiding over a commission of inquiry and directly go to the High Court with six months punishment. What are we doing! We are playing havoc with our laws and adding discrimination after discrimination and then not rest content with that we go still further. So I take strong objection to that particular provision in the Bill. It is in Clause 3 proviso to subclause (v) that High Court may take cognizance under sub-section (i), that is, cognizance of an offence alleged to bring the presiding authority or a member of the commission of inquiry into dis-repute. They may take cognizence of it on a report by Commission of Inquiry itself and it is provided that the personal attendance of a member of commission of inquiry or complainant or otherwise is not required. Why is this particular safeguard given to a member of the commission of inquiry that his personal attendance is not required? I am afraid

[Sh. G.M. Banatwalla]

it means that the complainant cannot be cross-examined. He sits in his ivory tower. We know very well now-a-days how some of the commissions of inquiry at least function—whether Misra commission or Fairfax commission. Now you are giving them added protection which is neither deserved nor it leads to any amelioration of the situation. It is a mockery of our Constjtution and the democratic principles of equality before law.

Of course, while the powers to try the cases as contempts of court have not been given to the commissions of inquiry, it is also well stated that an appeal shall lie to the Supreme Court against the decisions of he High Court. That may be a silver lining in the whole thing. But as I submitted that the provisions under clause 3 are ill-advised, undemocratic, unconstitutional, no deep thinking has been given to the entire question.

Furthermore, it is necessary that certain other important points connected with commissions of inquiry should be understood. The safeguards given under section 499 required to be incorporated here. Those safeguards are necessary if we are to safeguard and guarantee the freedom of expression of an individual or the Press. Sir, the great American Judge, Mr. Justice Frank further has observed and I quote:

> "The history of liberty has been the history of procedure safeguards."

Let us, therefore, not take this entire question very lightly and have a very callous attitude towards it.

I must also urge upon the Government to consider that they should come forward with an amendment of the Commissions of Inquiry Act in order to do away with the mandatory provision that a commission must sit in camera at the request of the Central Government. Whenever that request is made, it must. I do not know why you should be clothed with the oath of secrecy. The commissions of inquiry are appointed on matters of public importance and their inquiry must be conducted under public gaze.

Then again, the Government has also reserved the right to publish the report or not to publish or place it on the table of the House here. Again there, these things need to be properly regulated. There are also very condemnable failures to act upon the recommendations of the reports of the commissions of inquiry. Several reports gather dust in the various Department and the Ministries. I wanted to give so many examples on this particular point that I am making.

MR. CHAIRMAN: Please conclude.

SHRI G.M. BANATWALLA: But in respect to the bell that you have rung, I will conclude.

SHRI SOMNATH CHATTERJEE (Bolpur): That was the first one.

PROF. MADHU DANDAVATE (Rajapur): You can ask him for whom the bell tolls.

SHRI G.M. BANATWALLA: I must conclude by urging upon the Government to come forward to withdraw this clause 3—an obnoxious clause—in this particular Bill. Thank you very much.

SHRI RAM SINGH YADAV (Alwar): Hon Chairman, Sir, I rise to support the Commissions of Inquiry (Amendment) Bill, 1988. Initially, the Commissions of Inquiry Act was a complete legislation, complete enactment. But the views have been changed later on. Initially, under section 4, the commission' was stated as a 'civil court'. But a couple of months back, the Supreme Court has given a judgment by which it has been decided that commission is not the court. It does not come in the definition of a court. It has been recently decided by the Judges of the Supreme Court. Mr. Justice A.P. Sen while delivering the judgement noted that while several acts had declared tribunals to be courts, none had done that to

the commissions of enquiry. He further observed that a commission of enquiry was appointed by the Government 'for the information of its own mind' so that it could decide the course of action to be followed.

So, this judgement of the Supreme Court has compelled the Government to bring forward this legislation because now all allegations against the Commission, or any type of scurrilous writings or defamatory publications against the presiding officer or chairman of a commission cannot be dealt with in any way. The Commission cannot take any action because it does not come under the definition of a court under Section 4. This has been decided by the judgment of the Supreme Court. Now, what is left to the presiding officer? He cannot come under Section 199 for defamation. He cannot also come under Section 195 of the Criminal Procedure Code, which defines the courts. So, there was no other option with the Government or the Minister but to bring this amendment. Therefore, he has moved this amendment very appropriately.

The second point which has been mentioned by the judgment is that following varying inter-pretations of Section 195, the Law Commission had recommended that for the sake of clarity, 'court' should mean only civil, criminal or revenue courts. Tribunals having the attributes of a court could be regarded as courts only if the statute concerned specifically declared so Not only the Supreme Court, but even this Parliament has accepted this because this is a Law Commission's recommendation. Accepting the Law Commission's recommendation, the Parliament made suitable changes in the Criminal Procedure Code in the year of 1973. Now, both ways are closed for the Commission of Inquiry to take action against contemners, after the amendment to the Cr. C.P. and the judgment of the Supreme Court in September 1988. Therefore, the amendment which is sought to be incorporated in the Commission of Inquiry Act is quite relevant and very necessary. The argument of Shri Ayyapu Reddy that the Government has got this idea only because of Thakkar-Natarajan Commission is not true. Rather, the Government has been compelled to bring this legislation because of the judgement of the Supreme Court. When there is no other option open for the Government, they have to bring this legislation.

SHRI SOMNATH CHATTERJEE: Did anyone has any doubt that the Commission of Inquiry is not a court?

SHRI RAM SINGH YADAV: Shri Ayyapu Reddy has expressed a doubt about the intentions of the Government...

SHRI SOMNATH CHATTERJEE: Nobody has any doubt that this is a court of law. There is no necessity of the judgement of the Supreme Court to know this.

SHRI RAM SIGH YADAV: You please refer to Section 4. The Commission shall have the powers of a civil court while trying case under civil procedure, but only to a limited extent. But now, the question is how to punish or take action against a person who is a contemner of the presiding officer. Tomorrow, if you are appointed as a presiding officer of a commission, you cannot take any action against a contemner. The quantum of punishment, etc. is entirely a different matter and I am coming to that aspect also.

Now the Minister has incorporated subsections 2, 3, 4, 5, 6 and 7 in section 10(A). Here he has said that directly the Presiding Officer can go as a complainant before the High Court; and in the High Court, the procedure which has been provided for the trial of a warrant case is other than the police, case; the accused be tried according to that procedure. Here I differ from the Minister. The reason is that the procedure which has been followed in the Criminal Procedure Code is like this. When their is a contempt against the President or the Vice-President, then you go to the Sessions Court. But when there is a contempt against the Presiding Officer, that is against the Commission, then he is allowed to go directly to the High Court. This is contradictory. Section 199(2) reads as follows:

[Sh. Ram Singh Yadav]

"Notwithstanding anything contained in this Code, when any offence falling under Chapter XXI of the Indian Penal Code is alleged...."

Chapter XXI deals with defamation cases. It again reads as under:

"When any offence falling under Chapter XXI of the Indian Panal Code is alleged to have been committed against a person who, at the time of such Commission, is the President of India, the Vice-President of India, the Governor of a State, the Administrator of a Union territory of a Minister of the Union or of a State or of a Union territory, or any other public servant employed in connection with the affairs of the Union or of a State in respect of his conduct in the discharge of his public functions A court of Session may take cognizance of such offence, without the case being committed to it, upon a complaint in writing made by the Public Prosecutor."

Now for complaint of the Public Prosecutor even in the case of President and Vice-President it is the Court of Session which takes the cognizance; and in this case, you have provided directly the High Court. Why have you done it when there is a procedure in the Criminal Procedure Code? Thus there is a procedure that even when there is a contempt against the President, the Vice-President, the Public Prosecutor shall file a complaint in the Session Court and he is not allowed to go directly to the High Court. But when there is a contempt against the Commission, he is directly allowed to go to the High Court though is directly allowed to go to the High Court though he does not have the status more than the President or the Vice-President.

Now you have said that the procedure which you have provided for the High Court, the procedure which has been provided for a Magistrate; that is the procedure which is being followed by a Magistrate in a warrant case; theat procedure shall be adopted by the High Court. That is against the Constitution and against the Criminal Procedure Code because the Session Court cannot be compelled to follow the procedure of a Magistrate. The Session Court has got its own procedure and that has been provided in the trial before a Court of Session. There are different procedures for trials; trial of a summon case is different; trial of a warrant case is different and trial of Session case is different. These are different procedures you have provided. While the Session Court shall follow the procedure of a Court of Magistrate, that is of the warrant case, but High Court can be compelled to follow the procedure which is being followed by the Magistrate?

That is not proper. Because what happens in the Sessions Court? I am quoting Section 225 of the Criminal Procedure Code:

"In every trial before the court of sessions the prosecution shall be conducted by a Public Prosecutor".

Any case, that may be a private case, a private complaint, whatever might be the case, as soon as the criminal matter goes to the Sessions Court, the conduct of that case in the Sessions court can only be conducted by the Public Presecutor. Although, that may be a private complaint, even that private complaint, if cognizance has been taken by the court of sessions, then that private complaint also shall be conducted by the Public Prosecutor. It is obligatory on the Public Prosecutor to conduct it in the court of sessions. And this has been provided in Section 225 of the Cr. P.C.

Now you are allowing a private individual one individual; not the Public Prosecutor to conduct his criminal case directly in the High Court. This is against the spirit of the Criminal Procedure Code. In the Sessions Court you are not allowing the individual to conduct the case, as soon as cognizance of the matter is taken by the court.

SHRI VIRDHI CHANDER JAIN (Barmer): This is a special provision.

SHRI SOMNATH CHATTERJEE (Bolpur): Why should there be a special provision?

AN HON. MEMBER: It is a legal matter.

PROF. MADHU DANDAVATE (Rajapur): Whatever is illegal you can talk.

SHRI RAM SINGH YADAV: "In every trial before the court of sessions, the prosecution shall be conducted by a Public Prosecutor." The Public Prosecutor in this case also should be allowed. As soon as the complaint is admitted by the High Court and the High Court takes cognizance then it is the Government Advocate who shall conduct the prosecution and not the private individual. Because, when there is a prima facie case, only then, and then only the Sessions court or the High Court takes cognizance of the case. This is the procedure. This has been laid down in the Criminal Prosecure Code. So, if you adopt a different procedure then it means that you are going against the previsions which have been laid down in the Criminal Procedure Code for the trial of the case in the Sessions court, as enumerated in the Criminal Procedure Code.

Now, as regards the appeal, you have provided in sub-section 6:

> "Notwithstanding anything contained in the Code of Criminal Procedure, 1973, an appeal shall lie as a matter of right from any judgment of the High Court to the Supreme Court, both on facts and on law."

I have got a doubt whether on facts any judgment can be challenged in the Supreme Court. Because in the Supreme Court only it is the interpretation of law which can be sought, or an appeal can be filed on that or when there is a point of law involved. And on facts, no judgment can be challenged before the Supreme Court.

I therefore suggest that no High Court shall take cognizance of an offence under sub-section (1) unless the complaints made within six months. This provision is already there in the Commissions of Inquiry Act. The High Court takes cognizance of an offence under sub-section (1) and shall try the case in accordance with the procedure for the trial of warrant case instituted otherwise than on police report before a court of a Magistrate; provided that the personal attendance of the member of the Commission or the complainant or otherwise, is not required in this case.

So, my suggestion is that this trial may be entrusted to the Sessions Court in place of a High Court, then all the matters will be all right. Because, when the complaint for contempt of the Vice-President or the President can be tried by the Court of Sessions, then the contempt of the presiding officer of the Commission can also be tried by the Sessions Court. So far as the trial court is concerned, the Sessions Court is the highest court so far as the trial of the criminal offence is concerned. The High Court is not the trial court so far as criminal offences are concerned. Therefore, we should take this point into consideration and we should substitute the word 'High Court' by 'Sessions Court'.

The experience at the Bar has been that the services of the assessors have been dispensed with by amending the Criminal Procedure Code in the year 1973. Now, when you are availing the services of the assessors, you have to give some sort of qualifications to the assessors. It it is not possible to give it in the Act, then the qualifications should be enumerated in the Rules. The experience at the Bar of the assessors in the Sessions trial has been quite unhealthy. The reports of those assessors may not have been helpful so far as the trial was concerned.

My submission is that, if you are making provision for assessors, then certainly you have to prescribe the qualification and below certain qualifications, the assessors shall not be appointed.

[Sh. Ram Singh Yadav]

I hope the hon. Minister will consider the suggestions made by me. With these words, I support the Bill.

SHRI THAMPAN THOMAS (Mavelikara): Sir, I appreciate my previous speaker Shri Yadav. He has spoken the truth and this will enlighten the Minister and the Government. Being a practising lawyer, he pointed out certain things, which the Ministry may not know.

There are some Ministers in the Ministry who are supposed to be the new intelligentSsia of the Government, whenever they hear something, they bring a law. For example, Defamation Bill. Thakkar-Natarajan Commission said something. They wanted some protection from the public criticism. Immediately, without going into the aspects of the matter, a Bill was pub before this Parliament. I tell you it is an insult to the Parliament. No practising lawyer, who has any elementary knowledge of the law can support this Act. One of the speakers from the Treasury Bench also said this..... (*Interruptions*)

What is an Inquiry Commission? It is a fact finding body appointed by the Government. They want the fact finding body to act as super power. What is our experience in the last few months here itself? Have the bodies, which were appointed for the purpose of fact finding, found the facts? Have they white washed? What was the duty assigned to them? What have they done? We have criticised it. The public have go a right to criticise it. Some persons want to go back to the ivory towers and say that they are privileged to speak like this. This is an encroachment over the democratic rights of the people.

India is an open society and people belive that they have got a right to speak and express themselves on everything. It is clear that you are going to encroach on the democratic rights of the people.

This is much more than the Defamation Bill. A fact-finding body cannot be criticised. Why do you appoint a fact-finding body? You want certain things. Some convenient people may be available for that. You appoint them and they say that everything is justified. Even the representatives of the people cannot see the report when it is laid on the Table of the House. They say that is is a privileged document and certain privileged documents cannot be shown. To make such documents privileged, you want to give privilege... (*Interruptions*)

SHRI T. BASHEER (Chirayinkil): What about Narendra Commission?

SHRI THAMPAN THOMAS: This will not only enable Narendra Commission but any Tom, Dick or Harry, who takes over as a Chairman of a body. He sits in a glasshouse and dictate terms. In no way, this can be supported. And here some judge wants to get discriminated on the ground that he is a judge. If the thing goes to this extent, where this country is leading to? I feel, there is a set of people in power who are very much chicken-hearted against criticism. Criticism is a part of democracy. People have got the right to criticise Ministers, Government and the Prime Minister. And open criticism makes the society healthy. Unless you hear criticism, understand the voice of the people and hear the people, how can you build a healthy democratic society? For that purpose criticism is necessary. When you find that it is inconvenient for you, immediately somebody tells, Oh, you have alleged a criminal offence; O.K. come on, beheaded immediately. Is it the way to approach the problem? It is mischievous and ignorance. So this is one of the laws which have been brought before the House in the recent past against the principles of Constitution.

What is the functioning of an inquiry commission? I need not go into details. There were certain laws passed in Kerala where the complaint can be convicted. Why is this inquiry conducted? Its it for personal satisfaction or to get clearance or get I am only supplementing the previous speaker from the treasury benches. There is a con-

vention in the Supreme Court that it will not admit a case of six months imprisonment in a criminal case. Those who are practising lawyers know that even for cases where two years, four years, five years or six years imprisonment is given and the finding is concurrent, to come up a case for hearing in the Supreme Court will take years together. And here the Supreme Court which is the highest legal forum, is being burdened with analysing the fact of a six months imprisonment case which was tried by a second class Magistrate. So what is the duty of the Supreme Court Judge now? He will have to function as a First Class Magistrate. If the presiding officer of an inquiry commission feels that there is disrepute of his reputation, immediately he goes and files a case. I am glad that the Bill does not contain the provision that the burden of proof is on the accused. If that was also there, then nothing can be said by anybody. Thank God, that is not there.

Mr. Banatwalla has explained in detail the constitutional provision. Article 14 of the Constitution gives certain guarantees like equality before law things done in such a manner that it looks as if all is perfect, the commission says so and the people believe that everything was all right. You remember, Jayaprakash Narayan had shown a path. Whenever atrocities were committed, he himself nominated eminent people or people nominated eminent people. for everything there is objectivity and people have got certain beliefs. Even if a judge is elevated to a Supreme Court Judge's level because of his continuation in the judicial service, because of his seniority, will he be considered equal to a man who is reckoned with by the people because of his basic beliefs and principles and activities? So, that is the difference. It is the people's confidence which has to be achieved and those who have achieved people's confidence, will never have a complaint as Mr. Thakkar-Natarajan or Mr. Misra or anybody is saying that they are being criticised. Especially when these commissions are conducting injuries for satisfying the people, it should be open to the people to know what their findings are. I have a vague memory in my mind that when I was young—eight or nine years old—everyday the newspapers used to publish the proceedings of some murder case. Some dead body was found in a forest in my part of the State. The Government ordered an inquiry. Everyday the report was coming in the newspapers. People used to read what the advocate was asking. So, when something is referred for inquiry, these things are made known to the public and finally, if there is something suspicious, if a person is found guilty, he will be brought to book and the confidence of the people will be gained and retained. But here somebody wants to hide everything and control the nation. It is not possible. People have found out what it is and they are not going to forgive him. They know what it is and where it is. You cannot hide it to the extent you want.

[*Translation*]

DR. G.S. RAJHANS (Jhanjharpur): Mr. Chairman, Sir, I was listening to the entire debate very carefully. Many legal points have been raised. I can also do the same. But I have gone through this Bill and I have found no such shortcomings for which so much of discussion should take place. It is being presumed that only a judge of the High Court or Supreme Court is entitled to hold the position of the Chairman and Members of the Commissions of Inquiry. This is not something imperative. Even a common man can become the Chairman.

Several points have been raised about this Commission. I will submit that you should take the example of the Shah Commission first. What all has the Shah Commission not done? If that chapter could be opened, it will be one of the darkest period in our history. The Shah Commission ignored law and did whatever was possible to do. You are raising the issue of Thakkar, Mishra and the Natrajan Commissions but why not the Shah Commission?

[*English*]

SHRI THAMPAN THOMAS: We never wanted this privilege.

[*Translation*]

DR. G.S. RAJHANS: My friend, let us talk about the Shah Commission. If we take each point of this Commission, you will have no reply.

[*English*]

PROF. MADHU DANDAVATE: You are dancing on Shah's Table.

[*Translation*]

DR. G.S. RAJHANS: I am submitting that the people who are in public life know that baseless criticism is very painful. We are all sitting in glass houses. And we should think before throwing stones at others because our glass-houses can also break: We are politicians. We read the newspapers everyday to find out whether something has been published in our praise or not. If we are criticised, we do not like it. This is common in case of every politician.

*If there is any complaint against a* Member of an Inquiry Commission or any other commission, why should it be necessary to take the permission of the Central or the State Government before filing it in the court. This is a matter of natural justice and what is wrong in it? Even now it is necessary to take the permission of the Central or the State Governments before filing any case but it takes considerable time in getting the permission. Many time the State Government could not grant permission. ...(*Interruptions*)

I have submitted that I am not a lawyer and I do not want to go into details but it is not justified to make baseless allegations. If it is done then one should have full rights to seek justice. There can be no two opinions about the fact that if there are more than one Member of a Commission and one Member of the commission is subjected to criticism, he should have the full right to go to a court of law for justice. All sorts of allegations are made now-a-days. During the last few years, the Members of the Commission have been *subjected to every kind of criticism. Char*acter assassination was indulged in through public speeches and yellow journalism. All efforts were made to divert the public mind and defame them Under such circumstances if someone wants to go to the court of law to seek justice, there should be no objection to that. If someone becomes a Member of a court of Inquiry, does it give licence to the people to hurl allegations at him? While he is a Member of the commission and even after he is out of it, does he have to tolerate undue criticism? The courts should be open to all. I think Government has taken a very bold step. Justice should be equal for all regardless of whether a High Court Judge or a Member of a Inquiry Commission is involved. Without taking more time of the House, I will congratulate the Government for this Bill and suggest that necessary attention should be paid for its implementation.

SHRI VIRDHI CHANDER JAIN (Barmer): Mr. Chairman, Sir, I support the Commission of Inquiry (Amendment) Bill *moved in this House. Two points in this* amendment are very important. Firstly, if any allegation is levelled against a Member of a Commission of Inquiry, or he is subject to criticism through the medium of Press, he will not have to seek the permission of the Central or the State Government for going to the court of law which has been necessary so far. This amendment is proper as getting permission requires a long time. The authorities used to take 6 months or a year for granting permission and by that time the very purpose was defeated. Therefore, the amendment which has been proposed is welcome.

Just now Shri Ram Singh Yadav has expressed his views and I associate myself with them. The session court is the final authority for the trial of every type of criminal case. There is no provision of trial by High

Court. According to the criminal procedure, when cases connected with the Hon. President, Vice President and the Judges are conducted in the sessions court, the provision extending special privilege to the Members of the various commissions to appeal directly to the High Courts, is not proper in any sense. And when a case is being tried in a High court, the supreme court cannot have any say in it because its function is to interpret law when there is a point of law involved. Hence, as in the Supreme Court only iterpretation of points of law can be sought, it will not hear any appeal and justice will not be granted. Therefore, this suggestion that the session court may be entrusted with the trial of such cases in place of High Court is a very important suggestion and it should be accepted by the Government. The Commission appointed to inquire into the conduct of politicians and Chief Minster usually take unduly long time in arriving at their conclusions. Though crores of rupees and much time have been spent on these commissions, apart from adverse publicity of the guilty, not even in a single case has any action been taken against anybody by the Central or State Government nor any criminal case filed under the commission of Inquiry Act. As per my information no action was taken against them. Therefore, it is my view that a radical change should be brought in the Commission of the Inquiry Act and commissions appointed under this Act should be included within the definition of a court and decisions of the commission should be considered equivalent to the judgements of the courts. It is all right if appeal is filed in the supreme court because retired judges and sitting judges may both be the members of such commissions but the point is that the awards given by these commissions should be considered as equivalent to that of a judgement by the court of law. The amendment should be given due consideration by the courts and recognized by the judges. This will at lest make it clear to the person concerned against whom charges have been levelled that if they are proved, it will have serious consequences and deterrent punishment may be awarded. Therefore, attention should be paid to this matter.

SHRI G.M. BANATWALLA: This cannot be done under Article 92. This has also been stated by the law commission.

SHRI VIRDHI CHANDER JAIN: So much time it wasted by the various Inquiry Commissions under the Commission of Inquiry Act but we find no results. Has any action been taken against any Chief Minister on the basis of the reports of any of these commissions so far? Does it mean that the complaints lodged with the commissions and the various allegations were false and baseless? What are the findings under the aforementioned Act that these Charges have been framed. Even after Charges are *prima facie* proved, no action is taken against them. This creates doubts in the minds of people regarding the provisions of this Act. This has adverse effects and politics becomes—unclean. If you want to have clean politics and administration and check corruption, you will have to make such provisions in the Commission of Inquiry Act, which will have a positive impact on the people. The decisions taken by the Inquiry Commissions should be considered as equivalent to the judgements of the court and requisite action taken thereon accordingly. Only then it will have a positive effect on the people.

**16.00 hrs.**

I want to make one submission regarding the assessors. Although there were provisions regarding the assessors in the original Act, an amendment was made in 1973 by which this provision was done away with. We felt at that time that keeping the provision of assessors will be of no use. The assessors will be of no help but they would surely complicate matter and create so much of confusion by which it will difficult to arrive at proper conclusions. I think the situation has not changed even today and it will be difficult to take proper decision with their assistance. They will not give any help. Therefore, I want to request that the provision made about the assessors in the present amending Bill should be detected. With these words, I support the commissions of Inquiry (Amendment) Bill.

[*English*]

MR. CHAIRMAN: The House stands adjourned to resemble on Thursday, the 24th November, 1988 at 11.00 A.M.

**18.01.40 hrs.**

*The Lok Sabha then adjourned till Eleven of the Clock on Thursday, the 24th November, 1988/Agrahayana 3, 1910 Saka.*

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