

LOK LABHA DEBATES

LOK SABHA

(Wednesday, July 27, 1994 Sravana 5,
1916 (Saka))

THE LOK SABHA met at Eleven of the
Clock

[MR. SPEAKER in the Chair]

RE : ACTION TAKEN REPORT ON
THE RECOMMENDATIONS OF JOINT
PARLIAMENTARY COMMITTEE ON
IRREGULARITIES IN SECURITIES AND
BANKING TRANSACTIONS.

[English]

SHRI NIRMAL KANTICATTERJEE
(DUMDUM) : There can be no Question
Hour today unless the Action Taken report is
returned. Congress Members of JPC should
immediately decide the matter.

[Translation]

SHRI SHARAD YADAV
(MADHEPURA) : Mr. Speaker, Sir, this Action
Taken Report renders the whole Lok Sabha
redundant. It is, in fact, a No Action Taken

Report. It was a unanimous report. The report
that has come today... (*Interruptions*)... the
Government has taken no action on it. Never
before has there been a more grave contempt
of Lok Sabha than today. The way Lok Sabha
has been rendered meaningless today, I do
not think that there is any sense in running
the House. Not a single person has been
identified for awarding punishment. In this
Action Taken Report, responsibility has been
fixed on none for this scam. Then, what is the
fun in running this House. The contempt of
Parliament, today, is unprecedented.
(*Interruptions*)

[English]

SHRI NIRMAL KANTICATTERJEE
: We want a discussion on JPC report.

SHRI SAIFUDDIN CHOUDHURY
(KATWA) : There is a fraud of thousands of
crores of rupees on this. Nobody is punished.
Nobody has owned any responsibility. No
moral responsibility is taken.... (*Interruption*)

SHRI SRIKANTA JENA (CUTTACK)
: It is an insult to Parliament.

SHRI SAIFUDDIN CHOUDHURY :
Where is the Action Taken Report ?

SHRI NIRMAL KANTICATTERJEE
: Let the Congress Members of JPC decide.

They are sitting here.

[Translation]

SHRIRAMKRIPALYADAV (PATNA) : Mr. Speaker, Sir, the report of the JPC constituted by this Parliament has been rendered meaningless...*(Interruptions)*...

SHRI HARIN PATHAK (AHMEDABAD) : Why on earth was the JPC constituted if this was going to be the fate of Action Taken Report. The JPC worked day and night and prepared the report. *(Interruptions)*... It was a unanimous report.

[English]

MR. SPEAKER : One can understand that you are agitated.

(Interruptions)

SHRINIRMALKANTICATTERJEE : The Leader of the Opposition came running agitatedly.

MR. SPEAKER : Well, now this Question Hour is your hour. You can go on with the Questions and Answers in the House. Later on, you can take it up and see what can be done.

SEVERAL HON. MEMBERS : No. *(Interruptions)*

MR. SPEAKER : Shri Sharad Yadav, let me know what do you want?

(Interruptions)

MR. SPEAKER : I am asking you what do you want ?

[Translation]

SHRI SHARAD YADAV : I ask you to guide us. The Committee submitted a unanimous report but it has wholly and solely been turned into a No Action Taken Report. There has been an effort of contradicting and opposing everything contained in the report.

MR. SPEAKER : Sharad ji, what do you want ?

SHRI SHARAD YADAV : Mr. Speaker, Sir, I want you to accept our notice of adjournment motion and conduct a debate on that so that we may get an opportunity to express our viewpoints in the House *(Interruptions)*

MR. SPEAKER : You please sit down. If there is an important matter, let him speak and let us listen to him.

(Interruptions)

SHRI ATAL BIHARI VAJPAYEE (LUCKNOW) : Mr. Speaker, Sir, I am sorry for being a little late.

You are aware that our party is in favour of running the question hour smoothly. It has always been our endeavour to ensure that but you and I can well understand the provocation generated today. In this report, there has been an effort to hush up the greatest scam of the century, the Ministers have been exonerated, the officers have retired and the probe is on. How long will this enquiry last? Until the people in this Government do not retire; the Government is not changed? This is what has generated provocation.

JPC had given a unanimous report and the Parliamentary Committees do not

function on the basis of party politics. What fate has that report met? This report is contemptuous and violates the dignity of Parliament. Everybody has been given a clean-chit and the enquiry of the rest is on. How long will this enquiry be conducted? Now, the hon. Prime Minister has started speaking against corruption and this is the result.

Mr. Speaker, Sir, I agree with you that the question hour is our own hour but, today, it seems to have become dreadful. We, too, have given a notice of adjournment motion and want a discussion on it under Rule 184. We are not in favour of a short duration discussion. We want to record our vote through Rule 184. The House may record its opinion and the treasury benches may make their mind on it.

“The Short Duration Discussion” should not be like a “talked out” one and this is no excuse that the treasury benches can not express their opinion if discussion is conducted under Rule 184 and the House is put to vote. The Members of the treasury bench have had their say with regard to Assam, we also want to stir their consciences. I do not think that they will support this report. If those who have been the members of the JPC will go through this report, they will start crying. This report can not be accepted. We want you to give your ruling keeping in view the enthusiasm of the hon. Members and the importance of the matter. If you like, I am ready to persuade my colleagues to let the question hour be run and thereafter listen to us.

SHRI SHARAD YADAV : Mr. Speaker, Sir, I would like to say that the only exercise the Government has undertaken after reading this clause-by-clause unanimous report is to press the whole Government machinery into service in order to save the

defaulters. What affect will this total burial of the Parliaments unanimous JPC report, that had indicted so many people, leave on the rampant corruption in India, the inquiry committees already functioning. We have given you a notice of adjournment motion and the leader of the opposition, Shri Atal ji has asked to take up a discussion on it under rule 184.

SHRI ATAL BIHARI VAJPAYEE : We, too, have given a notice.

SHRI SHARAD YADAV : We have given a notice of adjournment motion. Without dwelling at length, I would like to request you that after this report has come the whole Parliament, the Action Taken Report, the corruption in India that has pierced thoroughly into the Public life, has rendered it redundant. Parliament is the supreme institution and here lies the unanimous report of JPC on corruption in public life and they say it is the collapse of system. The greatest of this sun of this system failure lies on political stalwarts. on this representative Parliament, on the elected Government ruling the country and on the executive. It is your responsibility to protect the public property in India. You should take drastic action against corruption. Your Members were also there in the JPC. The sole objective of that unanimous report is. ...

MR. SPEAKER : Spell out your own objective.

SHRI SHARAD YADAV : What I mean to say is that the Government has done a lot of exercise in everything-in exonerating the Ministers, the politicians, the people responsible for it, the officers—and this will continue to be done. The Government will face no difficulties in it. There are many cases of corruption in India and enquiries are

going on. The people under enquiry will be least affected.

[Translation]

[English]

MR. SPEAKER : I will allow the Government also to have Government say on this point. The Government side should be ready on this.

[Translation]

SHRI SHARAD YADAV : My request is that there is no sense in running this Parliament like that. This is the question hour and Atal ji says be it question hour or any other hour, their sole objective is to see what service do we render here to the people of India. Today, thousands of crores of rupees of the people of India have been squandered away. The Government also agrees that there have been diabolic economic adventures and yet, if the culprits, the people responsible are not awarded any punishment, then this report is rendered totally senseless and redundant. There is an all out effort to absolve people of their culpability. This Parliament is not here to shield the guilty. We are not a party to the Government's efforts of exonerating the defaulters. We will not allow this to go down in the History that we also participated in this turpitude. Therefore, I request the hon. Prime Minister to withdraw the Action Taken Report. Discussion on this matter will prove to be meaningful only if he declares today itself that in order to purge the public life in India, he will award punishment to the culprits. We want that if leave is not granted to move the adjournment motion, then discussion under rule 184 should be undertaken forthwith.

[English]

MR. SPEAKER : Thank you for giving concrete proposals.

SHRI SHARAD YADAV : If you want to do that, we will think that this has acquired some meaning and that there is sense in participating in it.

[English]

SHRI LAL K. ADVANI (GANDHI NAGAR) : Mr. Speaker, Sir, I do not think there would be any precedent in parliamentary history for a Report of this kind because a parliamentary Committee, after all, is the Parliament in miniature. And it happens, it happened. It may not have happened. But it is remarkable that these Members of the Parliamentary Committee headed by Shri Ram Niwas Mirdha came to a unanimous conclusion that this is illegal abuse of authority and you see the kind of words which they have used. I would like to pose to you. Has Government the right to reject a Parliamentary Committee Report?

I have with me the book written by Kaul and Shakhdar. I quote from Page 692. It says that "the recommendations of a Parliamentary Committee are normally accepted and implemented by the Government". This is a categorical statement - "the recommendations of a Parliamentary Committee are normally accepted and implemented by the Government". Of course, I know the word used "Normally" in between. It is to provide scope to the Government to disagree with certain recommendations of it. It does not give it the right to reject a Report. It says :

"If in regard to any recommendation the Government hold a view different from that of the Committee, the Government have to apprise the Committee of the reasons that might have weighed with them in not accepting or implementing the

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on the Recommendations of J.P.C. on
recommendation". Committee and we regard it just as a case of
certain irregularities which we are going to
correct.

So, substantially the issue that I raise is not merely how we discuss this Report, I say, when this Report can be accepted by you as a valid Report, I would think it is contrary to all the established conventions of the House that the Government rejects it. A Parliamentary Committee Report is by and large accepted and where the Government is unable to agree with it, it gives its own reasons as to why it cannot agree for practical purposes. I have not gone through the whole Report as yet, but I have seen certain excerpts in the Press in which it has been disregarded as unfair. And all kinds of epithets have been used. It is a condemnation of Shri Ram Niwas Mirdha and his colleagues of the Congress party as well as those who served on this Committee ...*(Interruptions)*...

The Parliament has been insulted. This is an insult to Parliament. I would not be happy discussing this insult. I would plead that instead, you go through this and urge the Government to withdraw this Report, to reconsider it and then come forth with a fresh Report. They cannot, in the name of giving a Report, reject the Parliamentary Committee's Report. My basic point is—the point of order, if you like—whether the Government has the right to reject a Parliamentary Committee's Report which in effect is what this is—that we do not agree with all that you have said; we do not regard this as a case of corruption at all; we regard this as a case of certain irregularities committed. But the fact is that the very first sentence of the Committee says that "the scam is basically a deliberate and criminal misuse of public funds through various types of security transactions with the aim of illegally siphoning of funds of banks and PSUs to select brokers for speculative return". This is the first comment and yet the Government says that we reject this Report of the Joint Parliamentary

I, therefore, feel that it is for you to direct the Government to withdraw this Report and come forth with a fresh Report.

SHRI SAIFUDDIN CHOUDHURY :
This Report is nothing but an encouragement to corruption. This is a premium to corruption. Nobody in the Government has owned up any political responsibility. No moral responsibility has been owned up. So many thousands of crores have been involved in this scam. But on these matters the Government is thoroughly silent; not only silent, they are trying to whitewash the whole scam that has taken place.

I do not know whether on the basis of majority-minority we can discuss a unanimous Report of a Parliamentary Committee. This report is only an insult to Parliament—I fully agree with Shri Advani. The point is that this Report should be scrapped. But we do not have the majority to scrap the Report. The best course of course will be—I agree with Shri Advani—that the Government must withdraw the Report. Unless that is done, I do not find anything in discussing this matter. The unanimous Report of the Parliamentary Committee gives all directions of what actions are to be taken; but no action has been taken in the real sense of the term. If this kind of thing happens in this parliamentary democracy, then down below there would not be any check to corruption, there will be thorough degeneration in public life, public morality. It is not only in terms of money that we are concerned, in terms of morality and in terms of values in the society also we are concerned.

We are concerned in terms of our system. The government have agreed on

areas like the observations of the Committee and on the general comment. The Government has accepted them. But, on the 'action taken', they are thoroughly silent and negated the recommendations of JPC. We cannot accept it. We thoroughly condemn this kind of an attitude and we think that this report must be scrapped and we should find out a mechanism by which this particular matter can be acted upon. The Government must withdraw the report. This is what I submit.

[*Translation*]

SHRI CHANDRA JEET YADAV (AZAMGARH) : Mr. Speaker, Sir, JPC was constituted after a deliberated unanimous opinion and there was another JPC before it but the former JPC could not junction because of its boycott by the Opposition. Then it was felt that there should be an all-party participation in a Parliamentary Committee that should give a deliberated opinion of the Parliament and thus, JPC was formed. It was constituted from the senior Members of all the parties and the whole country landed the work of the Committee and its Chairman. On its unanimous report, it was felt in the country that the Government would taken action on this unanimous report of Parliament. The way this Parliamentary Committee was treated and Action Taken Report submitted would lead to Parliament not even dreaming of constituting an inquiry committee of Parliament in future.

Mr. Speaker, Sir, I would like to draw your attention and that of this House to what is said in the second paragraph of this report. It says.

[*English*]

"The most unfortunate aspect has

been the emergence of the culture of non-accountability."

MR. SPEAKER : Shri Yadav, I want your advice on what should we do on this. Let us not go into the details of the report.

[*Translation*]

SHRI CHANDRA JEET YADAV : I am coming to that point I only say that the Committee felt that the most serious aspect which led to such a great scam and the emergence of the culture of non-accountability has been endorsed by the Government as well and the Government said :

[*English*]

"The Government fully shares the anguish of the Committee at the systemic weakness revealed by this time."

[*Translation*]

I want to say that the Government shared the Committee's view point but accountability has been washed away in the report it submitted later and nobody has been held accountable. I fully support the demand that the Hon. Prime Minister should himself withdraw the report. This way, the dignity of the House will be restored. During the discussion on Bofors, the hon. Prime Minister had assured the House that he will examine it thoroughly and come to the House with a statement. After his assurance, a feeling was generated in the country that he is himself examining the report and, thus, will take some action. I ask the hon. Prime Minister to say honestly whether this report will carry any credibility?

MR. SPEAKER : Kindly tell me what should I do ?

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SHRI CHANDRA JEET YADAV : have no value. The Committees that are set up will have no meaning. As Mr. Advani has pointed out, the Parliamentary Committees are the strength of the Parliament. This is a direct attack on the Parliament.

Corruption can not be checked this way. Today, corruption is eating into the vitals of our society and the public at large is expecting the Parliament to give its opinion on the rising trend of corruption. Corruption can not be checked by way of Parliament apprehending the culprits, fixing responsibility and then the Government subsequently washing its hands off.

After this report, check on corruption will be impossible. Therefore, this report should be withdrawn. A meeting inviting the hon. Prime Minister and all other leaders should be convened to evolve methods of dealing with the question effectively.

[English]

SHRI LOKANATH CHOUDHURY (JAGATSINGHPUR) : I accept that the action taken report has agitated the minds of all. It has agitated the minds of not only the opposition; but, I think, it should also agitate the minds of our friends on the other side. On the background, the strength of parliamentary democracy lies in consensus.

So, in the background of the Bofors, the Opposition boycotted the Report of the JPC. The opposition joined the time with the hope that the consensus that will take place in the Committee will be respected. But it is quite unfortunate that by the Action Taken Report, the Government has tried to protect themselves.

MR. SPEAKER : At this point of time, Lokanathji, you shall have to tell me what you expect this House to do.

SHRI LOKANATH CHOUDHURY : I am just coming to that. It has denigrated the whole Parliament. So, that Parliament will

The Action Taken Report is a direct attack on the whole parliamentary system to its very root. Therefore, I will appeal to the Prime Minister, who has tried to run this country by consensus, that the immediate thing that he should do is to scrap this Report and discuss with the Opposition also. ... (Interruptions) Let there be another round of discussion of the Opposition with the Prime Minister. The way the Report has been presented is a direct attack on the parliamentary system we have created and which we want to strengthen for the transformation of the country. To denigrate it will also mean to denigrate ourselves and to denigrate the objectives for which we stand. Therefore, I appeal to the Prime Minister especially to scrap this Report. They can have a round of discussion with the Opposition.

Now, number two, Sir...

MR. SPEAKER : Number one is enough please.

SHRI LOKANATH CHOUDHURY : It is also not good to raise the question in the Question Hour because that is also a part of the parliamentary system. But as we are agitated, to that extent, at times we forget just like the Government has forgotten. Therefore, I submit that the Report should be scrapped. The Government must have another round of discussion. Any discussion here will be decided by vote.

MR. SPEAKER : Do not repeat now. Yes, Mr. Nirmal Kanti Chatterjee, please be brief and advise the House.

SHRINIRMAL KANTI CHATTERJEE : I will do that, Sir. But permit me to begin by saying that it is with deep anguish that I am standing up to speak. Very frankly, I feel stabbed on my chest. Anyone who was a participant in the JPC would know what intense labour was required to arrive at what the minimum could be said about the whole scam. It was not only formal meetings of JPC but beyond of the formal meetings, Members from all parties had to break their backs in order to arrive at what is the minimum that must be stated to the House.

It is in that process that we arrived at the unanimous conclusion. And I feel stabbed. I am sure that if it is not a total partisan approach, then each Member of the Congress Party, each faction even of the Congress Party - if one likes to acknowledge that - who has represented in the JPC, would like to have the same kind of feeling as I have.

Now, what is the way out? It is an affront on us. My initial reaction after this kind of a reaction was that it is not an Action Taken Report. They have given only their reaction. They have tried to combat. They have tried to find out if the JPC statements are valid. They have tried to find out the ways in which they cannot implement the JPC Report but contradict the JPC Report.

I felt what is the use in participating in any Parliamentary proceeding if a unanimous decision of a Committee which was unanimously chosen by the Parliament results in this. So, it is the anguish which we wish to express before the whole House.

MR. SPEAKER : We are not going into this. Let us know what procedure we should adopt. I do not want your reaction at this point of time.

SHRINIRMAL KANTI CHATTERJEE

: I will submit what is the way out. There are so many roads open.

MR. SPEAKER : And you will support them with precedents.

SHRINIRMAL KANTI CHATTERJEE : Roads are open not only to you, but the road is open to the Prime Minister. Shri P.V. Narsimha Rao. The road is open to those Members of the Congress party and factions who have represented on the Joint Parliamentary Committee and the road is open to us also.

Today, the newspapers say that the Prime Minister is thinking of preponing the elections. If this is the Action Taken Report, let him prepone elections this year. Within this September-October let us go to the polls saying that this is the unanimous verdict of the JPC and here is what the Government think about the JPC Report. That is one road. There is another road. If there is an iota of sensitivity, if there is an iota of prestige for being a Member of Parliament, at least the Congress Members who were there in the JPC should submit their resignations and go to the country. That is another road open. Sir, if you want us to submit our resignations we are prepared to do it here and now.

MR. SPEAKER : Why should I say that ?

SHRINIRMAL KANTI CHATTERJEE : These are different roads open to Members of Parliament. Or, if these things are too unpalatable to the Treasury Benches the minimum that can be done is that the Prime Minister should stand up and say, "We regret this present Report and we withdraw this Report." and he should come to the House in another seven days and submit the Report which can be discussed. Otherwise, this is not a Report which can be discussed. There

is nothing. Actions are not being taken. Sermons are being preached to the JPC which cannot be preached in their own formation. I am suggesting a very constructive road to you, Sir, should request the Prime Minister to withdraw this Report.

MR. SPEAKER : You should not advise me all the time what I should do.

SHRINIRMAL KANTI CHATTERJEE : Sir, I thought you are permitting us to make some suggestions on which you can stand up and advise the Treasury Benches.

MR. SPEAKER : The advice which you are giving to others you should follow yourself also.

SHRINIRMAL KANTI CHATTERJEE : I, Therefore, submit, Sir, that this is not the Report which we want to discuss.

MR. SPEAKER : Please, let others also have their say.

SHRINIRMAL KANTI CHATTERJEE : We do not want to discuss this kind of Action Taken Report and therefore let them withdraw it.

[Translation]

SHRI NATHU RAM MIRDHA (NAGAU) : Mr. Speaker, Sir, this scam. (Interruptions)

[English]

MR. SPEAKER : I have received a letter saying that he is the Deputy Leader of the Congress (I) Parliamentary Party. So, let him speak.

[Translation]

SHRI NATHU RAM MIRDHA : Mr. Speaker, Sir, this scam has started gaining ground in 1986. Many Prime Minister, Ministers—I too was a Minister—came during this period but we did not get an incling of the scam. (Interruptions)

The BJP, the Communists and others had formed an alliance with us when I was there in the Government. When this scam started, we were in Slumber and could not notice it. It came due to the procedural lacunae and when noticed, the Government took it seriously and Constituted a Joint committee. There was a demand of suspending the question hour in order to debate this issue. So, I would say that it is right that this House has been insulted by rejecting the report. All the recommendations have been made in this report and they want a political suspension of these Ministers. They are not guilty at all. You say that Dr. Manmohan Singh is not an honest person. But we maintain that he is a proven honest person. What crime has Shri B. Shankaranand done if he invested some money in ONGC. That was not a wrong step, and it was finally decided that that was not a wrong step.

MR. SPEAKER : You have said what to do. I thank you. Now the hon. Minister of Parliamentary Affairs would like to say something.

[English]

THE MINISTER OF WATER RESOURCES AND MINISTER OF PARLIAMENTARY AFFAIRS (SHRI VIDYACHARAN SHUKLA) : Mr. Speaker, Sir, this matter was discussed with you in the Business Advisory Committee. Two views were expressed. One view was that this matter must be discussed under Rule 184

and the other view was that this matter must be discussed under Rule 193. After the discussion, it was decided that we leave the matter to you and you, in consultation with the Leaders of various political parties, will decide what procedure and under which Rule this matter should be taken up for discussion.

[English]

SHRINIRMALKANTICHATTERJEE : It is not an action Taken Report. It is a commentary on the JPC Report. ... (Interruptions)

Sir, I would request you to call a meeting of the Leaders in your Chamber and decide upon this matter so that we can take up this matter as soon as possible.

MR. SPEAKER : Thank you.

SHRI RUPCHAND PAL (HOOGHLY) : It is not a question. The Government should apologise to this Parliament.

[Translation]

SHRI ATALBIHARI VAJPAYEE : Mr. Speaker, Sir, during the discussion held with the hon. Minister of Parliamentary Affairs in the BAC, the course of discussion on the Action Taken Report was decided upon. The treasury benches continuously insisted to hold a discussion under rule 193 rather than 184. I welcome their change of stand now but, Mr. Speaker, this was decided earlier when even the Action Taken Report had not been submitted. We had not seen the report but were under the impression that most of the recommendations of the unanimous JPC report would be accepted, some Minister will be removed or some officer placed in dock or somebody put behind the bars and we will be able to catch a glimpse of how is corruption tackled but Mr. Speaker, Sir, after going through the report, there remains no sense in holding a discussion. Therefore, the Government should withdraw the report and express its reaction.

SHRI VIDYACHARAN SHUKLA : When this matter was discussed in your Chamber, we did not presume that the Report would be of this kind or that kind. The hon. Opposition Leader knew very well that the Action Taken Report was going to be laid on the Table of the House. (Interruptions) With both possibilities in view, this decision was taken in your Chamber. Nobody had assumed that it will be this way or that way. To say that they did not know what will be the decision of the Government is natural. They did not know about it.

Therefore, after they knew about it, now the matter has come up before you. This is the appropriate time for you to discuss this matter with them and then take a decision on this.

[Translation]

SHRI SHARAD YADAV : Mr. Speaker, Sir, barring treasury benches, the whole opposition has demanded the withdrawal of the report and action by the Government, afresh. This is the opinion of everybody on this side. This is the unanimous opinion you sought.

MR. SPEAKER : That is not so. Five minutes earlier the opinion was in total contradiction of what you said now. That is on record.

SHRI SHARAD YADAV : I said first what I had suggested you that

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[English]

Scrap this report.

[Translation]

MR. SPEAKER : What can I do if you repeatedly change your stand.

SHRI SHARAD YADAV : You see the record. I had at the very outset said that this report should be scrapped.

MR. SPEAKER : Who will scrap it? Who has the authority?

SHRI SHARAD YADAV : The Government may withdraw it. The unanimous opinion is that it should be withdrawn and a fresh Action Taken Report submitted that aims at taking action on people found guilty.

MR. SPEAKER : There have been two-three shuffling in five ten minutes. How will it do?

SHRI SHARAD YADAV : Mr. Speaker, Sir, everybody on this side has said "scrap this report." This is our unanimous opinion you wanted to know.

MR. SPEAKER : I have had the unanimous opinion.

Is it necessary to listen it from you?

SHRI SHARAD YADAV : I had already said, "Scrap this report" (Interruptions)

MR. SPEAKER : Please sit down. I have listened to you.

(Interruptions)

SHRI SRIKANTA JENA : (CUTTACK)
: Please listen to me for a minute.

MR. SPEAKER : Why are you on your legs whenever I do so?

(Interruptions)

SHRI SHARAD YADAV : You are not ready to listen to us even for a minute. This is not becoming of you. You get annoyed on everything. This is a national issue.

MR. SPEAKER : You may continue it for as long as you like.

[English]

Well, I have heard you for 45 minutes.

SHRI SRIKANTA JENA : What we have said in our Ajournment Motion is to find out how many Members would like to speak?
(Interruptions)

MR. SPEAKER : What new point do you want to add?

(Interruptions)

SHRI E. AHAMED (MANJERI) : It is not correct to impose any ruling on the Chair.
(Interruptions)

[Translation]

SHRI SHARAD YADAV : Why do you meddle in between. (Interruptions)

SHRI SRIKANTA JENA : Mr. Speaker, Sir, this is not.. (Interruptions)

MR. SPEAKER : Let me have the benefit of Shri Jena's advice.
(Interruptions)

SHRI SRIKANTA JENA : Mr. Speaker, Sir, you should not misunderstand us. (Interruptions)

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MR. SPEAKER : Now, please you decide how many of you want to speak and after that I will get up.

(Interruptions)

SHRI SRIKANTA JENA : Since, you have observed that we were changing our stand from time to time and within five minutes we had changed our stand, if you have gone through our notice for Adjournment Motion, you will come to know what we have said.

MR. SPEAKER : I have gone through what you have said on the floor of the House in front of everybody.

SHRI SRIKANTA JENA : We have said that this report itself is an insult.
(Interruptions)

SHRI SHARAD YADAV : As soon as you came to the House, I said only one sentence 'You scrap this report'.
(Interruptions)

MR. SPEAKER : O. K. Sharadji, you have your difficulties, I understand that and I will solve that difficulty also.

(Interruptions)

SHRI SRIKANTA JENA : In our notice for Adjournment Motion, we have said that this report is an insult to the institution of Parliament. Therefore, this report should be rejected. Since the Leader of the Opposition suggested that it should be discussed under Rule 184, we said that we had no objection. But our position was very clear that this report should be rejected outright.

MR. SPEAKER : Who will reject it, I will ask ?

(Interruptions)

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SHRI SRIKANTA JENA : That is why we are appealing to the Prime Minister and Shri L. K. Advani has clarified that.

MR. SPEAKER : You clarify who will reject it. I have not understood Shri Advani.

(Interruptions)

SHRI SRIKANTA JENA : We do not accept this report. This is an insult.

MR. SPEAKER : Who will reject it ?

SHRI SRIKANTA JENA : Unless this report is withdrawn from this House or scrapped. It is impossible for us to participate in the proceedings of this House. This is our position... *(Interruptions)*. We have to say it very categorically that unless this report is rejected, we are not going to participate in the proceedings of this House. *(Interruptions)*

SHRI RUPCHAND PAL : It is written here that this is an action taken report. But this is not an action taken report.
(Interruptions)

MR. SPEAKER : May I stand up and say something?

(Interruptions)

SHRI SOBHANADREESWARA RAO VADDE (VIJAYAWADA) : Sir, we want to say something. *(Interruptions)*

MR. SPEAKER : How can it go on like this? The rule is when the Speaker stands, you should sit down.

(Interruptions)

SHRI SOBHANADREESWARA RAO VADDE : You have not given us an opportunity. *(Interruptions)*

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on the Recommendations of J.P.C. on
MR. SPEAKER : Yes, come on !

SHRI SOBHANADREESWARA RAO
VADDE : Mr. Speaker, Sir, I am very sorry to say that this is a report of no action taken on the JPC Report. Here on Page 41, I am astonished to find the reply of the Government 'that criticism of the Committee on the five specific grounds listed in the above paragraph is unwarranted.' This is nothing but an insult to this great House of Parliament... (*Interruptions*). I am suggesting one thing, Sir. As the Prime Minister is also present in this House, let the Government withdraw this report first and take concrete action on the report of the JPC. There are several persons and institutions which have committed grave mistakes and are already identified. So immediate action should be taken against such persons and institutions.

Regarding others, CBI and other enquiries should be made and action taken must be informed, only then there will be a fruitful discussion on such an action taken report and not on this. This is only a threat to parliamentary democracy... (*Interruptions*). This Government cannot table such a report on the Table of the House. (*Interruptions*)

DR. KARTIKESWAR PATRA
(BALASORE) : Sir, Government has taken this decision and this is an action taken over the JPC report. (*Interruptions*)

MR. SPEAKER : I really appreciate the advice given by all the hon. Members and it helps me a lot. I appreciate the difficulties and the feelings of the Members also. If I understood, what have said on the floor of the House, correctly, my conclusion is this.

That some Members want that this report should be accepted in totality and they say that it is for the Government to accept it.

The Government's stand is that 'we have reasons to say that certain recommendations can be accepted and certain recommendations cannot be accepted.' Why they cannot be accepted, probably, if I have not understood incorrectly, they want to explain on the floor of the House.

Now this is something which should be allowed to be done. It is entirely for the House to decide what to do in this matter. As the Constitution stands, as the law stands, as the Rule stands, no one else has an authority to reject the Report given by the JPC or the Action taken Report Given by the Government.

(*Interruptions*)

SHRI ATAL BIHARI VAJPAYEE : It can be withdrawn... (*Interruptions*)

MR. SPEAKER : That is there.

(*Interruptions*)

SHRI SAIFUDDIN CHOUDHURY :
The Prime Minister can withdraw this Report... (*Interruptions*)

MR. SPEAKER : Well, that is not for me to say anything. But, before you say what should be done, probably in all fairness, all the sides should come before the House and through the House to all other outside also. If I understood Shri Sharad Yadav correctly, he did say that he has an Adjournment Motion and then he did say, "Well, if it is to be discussed, let us discuss and other Members also ..."

On the point whether it should be taken under Rule 193 or Rule 184 and all those things, there was a difference of opinion in the Committee also and still that difference

of opinion continues in the House also. I would be very happy to hear you all. It will be our desire to see that the maximum number of Members in the House to get satisfaction out of it and not dissatisfaction. Let us discuss it in my Chamber. This kind of discussion, probably, having done so much here may not be useful to continue here on the floor of the House. I will withdraw to my Chamber and there I will hear all the leaders.

(Interruptions)

SHRI RAM VILAS PASWAN
(ROSERA): Mr. Speaker, Sir, ... *(Interruptions)*

MR. SPEAKER: Shri Paswan, please do not do like this. You always help me. Today also you help me. I would request Shri Sharad Yadav, Shri Vajpayee, Shri Advani, Shri Chandra Jeet Yadav, Shri Indrajit Gupta and other Members also and even Shri Jena also - and if necessary, I will call Shri Panigrahi also - to come to my Chamber and there we can discuss it. I think, having discussed so much now, we should continue with the business of the House and then we meet and discuss about this in my Chamber.

(Interruptions)

SHRI LAL K. ADVANI : The Government has not responded .The Government, Sir, as you have rightly said, can withdraw this Report ... *(Interruptions)*

MR. SPEAKER : They have said, "Let us discuss it if you want."

Now, I would like to hear first Shri Indrajit Gupta and if necessary, Shri Ram Vilas Paswan.

(Interruptions)

DR. KARTIKESWAR PATRA : Sir, kindly give me only one minute

... *(Interruptions)*

MR. SPEAKER : If you get up, then Shri Jena also will get up.

DR. KARTIKESWAR PATRA : Sir, kindly allow me to express my feelings also ... *(Interruptions)*

MR. SPEAKER : I will hear you in my Chamber over a cup of tea.

DR. KARTIKESWAR PATRA : Sir, I want to express my feelings... *(Interruptions)*

MR. SPEAKER : I will hear you in my Chamber.

DR. KARTIKESWAR PATRA : I want to express my feelings not privately but in this House, Sir ... *(Interruptions)*

MR. SPEAKER : I will be in a better position to understand you in my Chamber.

(Interruptions)

SHRI INDRAJIT GUPTA :
(MIDNAPORE) : Mr. Speaker, Sir, I am sure that you will consider the seriousness of this matter. It is not an ordinary matter. I am not going into its merits or its contents at the moment. But overall, what message is going out to the country, to the world from this Report, that has to be considered before you decide how it is going to be discussed or whether it will be discussed at all or whether this Report will be withdrawn or not. That message, in my opinion, Sir, is that in our system, in our parliamentary system, in our democratic system, there is no such thing as accountability. Accountability has been massacred. Nobody is accountable. Nobody is responsible. Nobody is to be found guilty. Nobody is to be hauled up. We made such a commotion three or four years ago in this House and we resigned, one hundred and

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odd Members and resigned and left the House because of Rs. 60 crore or Rs. 70 crore deal in Bofors. This is the 'grandfather' of Bofors. Some Rs. 12,000 or Rs. 8,000 crore had disappeared and the totality of the findings of this Government's Action Taken Report is that there is no such things as accountability.

It is the system, the system itself which generates corruption. That is what they want to say. If no individual, no authority, no Minister, no official, nobody is to be hauled up, it means that the system is such that it itself *suo moto* is generating corruption and no such thing as accountability can be found. Do you want this message to go out from this Parliament?

MR. SPEAKER : I am asking for the advice from the senior Members as to what they expect me to do in this matter.

SHRI INDRAJIT GUPTA : This Report is totally unacceptable. I do not know whether they withdraw it or not. But it is totally unacceptable to us at least.

MR. SPEAKER : What should this House do ?

SHRI NIRMAL KANTI CHATTERJEE : You adjourn the House and allow a Cabinet meeting.

MR. SPEAKER : I have said that let us discuss it. In what form, you can please tell me.

SHRI INDRAJIT GUPTA : First of all, I think, all Members would like to speak at some length on the Report itself.

SHRI JASWANT SINGH (CHITTOGARH) : The problem is with the presentation.

SHRI INDRAJIT GUPTA : What presentation ?

SHRI JASWANT SINGH : Mr. Speaker, Sir, there are occasions and I say this with humility when it is no longer simply a procedural matter. I appreciate with great regard, the exactitude and the punctiliousness with which you perform a very difficult duty, but I appeal to you also, Sir, simultaneously that there are occasions for us, as Members of Parliament, when it is no longer simply a matter of procedure.

MR. SPEAKER : What do you want this House to do ?

SHRI JASWANT SINGH : The collective voice of this House and my senior friend on the right has yielded...
(Interruptions)

SHRI NIRMAL KANTI CHATTERJEE : You adjourn the House and then allow a Cabinet meeting to be held in Parliament.

SHRI JASWANT SINGH : Some objections have been raised by the Treasury Benches about the phrase that I used the 'collective' voice of this House. Indeed the hon. Prime Minister found it humorous enough to finally smile, actually smile at my use of the words 'collective will of this House'. I am flattered Sir, that the hon. Prime Minister actually responded at least after one hour's discussion of very serious matter....
(Interruptions)

I would like to share something with you and I would like to remind the hon. Prime Minister... I am sorry, I interrupted my friend, Shri Indrajit Gupta.

SHRI INDRAJIT GUPTA : You are a Member of the JPC you have every right to speak. I am very interested to know what

JPC Members feel on this issue.

MR. SPEAKER : Again it is a very delicate point as to what can be done with respect to JPC Members speaking. I am not sure this way or that way.

... (Interruption)

12.00 hrs.

WRITTEN ANSWERS TO QUESTIONS

[Translation]

Agreement in Space Science

*41. SHRI CHETAN P. S. CHAUHAN :
SHRI SATYA DEO SINGH :

Will the PRIME MINISTER be pleased to state :

(a) whether any agreement has been signed between India and U. S. A. for cooperation in the field of Space science under which U. S. A. proposes to obtain data through Indian Remote Sensing Satellite;

(b) if so, the details thereof; and

(c) the conditions laid down either by the Government of India or by the U. S. Government in the above agreement?

THE MINISTER OF STATE IN THE PRIME MINISTER'S OFFICE AND MINISTER OF STATE IN THE DEPARTMENT OF ATOMIC ENERGY AND DEPARTMENT SPACE AND MINISTER OF STATE IN THE MINISTRY OF SCIENCE AND TECHNOLOGY (SHRI BHUVNESH CHATURVEDI) : (a) National Remote

Sensing Agency (NRSA), an autonomous Society under the Department of Space, Govt. of India, and Earth Observation Satellite Company (EOSAT), a commercial company, USA have entered into agreements for receiving and distribution/sale of data from Indian Remote Sensing Satellite (IRS) in USA.

(b) The following four agreements were signed on October 21, 1993;

(1) IRS-1B data reception agreement

(2) IRS-1C data reception agreement

(3) Mutual representative agreement

(4) Landsat-6 data reception by NRSA

(Since Landsat-6 Satellite failed, the agreement No. 4 above is not applicable now)

Under these agreements EOSAT would receive IRS data at Norman, USA Ground Station and distribute this data in the world market. EOSAT has the exclusive rights to sell IRS data in the world market, with certain exceptions. Also EOSAT would promote IRS data sales and augmentation of other foreign ground stations for the IRS data reception.

As part of these agreements, EOSAT shall pay annual access fee for IRS data received at Norman Ground Station and shall pay royalty towards the IRS data sales.

Antrix Corporation Limited (ANTRIX), a Commercial Company under the Department of Space, is executing these agreements.

(c) There are no special conditions laid down between Indian Government and