

1089 *Re. Janakiraman* PHALGUNA 19, 1914 (SAKA) *Loan Advanced to 1090*  
*Committee's findings about* Goldstar Steel & Alloys Ltd.

jeep had hardly gone a few yards when some six or seven men with revolvers came out from house of Shri Ramesh Singh which is about two hundred yards away from my residence.

MR. SPEAKER: Please be brief.

SHRI UPENDRA NATH VERMA: They came out of that house and one of them started firing on my jeep.

MR. SPEAKER: Please listen. You please be brief. Send these papers to me, I will call for the whole information.

SHRI UPENDRA NATH VERMA: I was going to catch the Rajdhani Express on March 7. As soon as I came out of my house at 10 p.m. some miscreants whose names have been given in the papers stopped my jeep and started firing on my jeep. They stopped my jeep and tried to drag me out of the jeep. My security guard opened fire on them in return on which I went to the police station and talked to the Commissioner and D.I.G. on phone. I could not talk to the Collector and S.P. But no arrest has so far been made in this connection and no officer has gone there and those people are roaming scot free.... (Interruptions)\*

MR. SPEAKER: Please sit down. This is not going on record. Please be seated.

[English]

I would like to the Government to collect the information on this matter very carefully and give it to me for to come to a conclusion in this matter. .... (Interruptions)

12.08 hrs.

RE. JANAKIRAMAN COMMITTEE'S  
FINDINGS ABOUT LOAN ADVANCED  
TO M/s GOLDSTAR STEEL AND  
ALLOYS LTD. BY ANDHRA BANK  
FINANCIAL SERVICES LTD.

[Translation]

SHRI SHARAD YADAV (Madhepura):  
Mr. Speaker, Sir, I had made request earlier

also that Government should give some clear reply regarding Shri Prabhakar Rao case. I would only like to submit that some new facts have come into light through newspapers. We people also possess some

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[English]

MR. SPEAKER: Please take your seat. You wanted some information to be given. Well, we would like to know what is the stand of the Government?

[Translation]

SHRI SHARAD YADAV: Mr. Speaker, Sir, please listen to me. I am not saying any such thing. This is not proper. I have not said any such thing and you have started saying: .... (Interruptions) I have given notice under Rule 184...

(Interruptions)

[English]

DR. KRUPASINDHU BHOI  
(Sambalpur): I want an amendment...

MR. SPEAKER: What amendment?

(Interruptions)

MR. SPEAKER: You please take your seat. This is not going on record. I have not allowed you. You can talk to the Minister. (Interruptions)\*

SHRI RANGARAJAN KUMARAMAN-  
GALAM : When the matter was raised last time in this House, I had responded categorically saying that I understand that Shri Prabhakar Rao had issued a denial.

Today the situation is that the Jankiraman Committee has given its Fourth Report and there is a mention about Krishna Mohan and ABFSL, etc. there also.

In addition, I understand that on the 3rd

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\* Not recorded.

of this month the JPC has been supplied all the documents. I do not know whether the JPC is going to look into it or not. Speaking with authority, on the 3rd of this month information was furnished..... (*Interruptions*)

SHRI JASWANT SINGH (Chittorgarh): He has no authority.

SHRI RANGARAJAN KUMARAMANGALAM : I think it is very unfair. I seek your protection. A Minister of Parliamentary Affair cannot be challenged if he has the authority or not? The hon. Member is a very senior member, at least he should know that in the House if a Minister for Parliamentary Affair speaks in Parliament he speaks with the permission of the authority representing the Government. If he does not want me to speak and if you feel that I do not have the authority represent, I will not. I would like to know this. I cannot be asked like this that "You do not have the authority."

MR. SPEAKER: I have asked you to speak. You can speak now.

SHRI RANGARAJAN KUMARAMANGALAM: He has intervened and it has gone on record saying that. It is a misfortune, Sir. I am feeling very bad about the situation.

MR. SPEAKER: It is true

SHRI RANGARAJAN KUMARAMANGALAM: The third issue is that the CBI is also investing into the matter. We have nothing to hide on this matter. Whatever information is available would be made available to all the authorities. Whoever is guilty action will be taken under the law.

SHRI JASWANT SINGH: Sir, I am very mindful and extremely respectful of the great authority that the Minister of Parliamentary Affairs has. My objection was that he claimed to speak on the authority about the JPC.

SHRI RANGARAJAN KUMARAMANGALAM: Not on JPC.

SHRI JASWANT SINGH: What the JPC

is entrusted with or not entrusted with is a matter entirely of the Committee and not of the Minister for Parliamentary Affairs.

My submission is different. My submission is that on Friday last, the hon. Minister of State mentioned in the matter of Rs. 2 crore loan to Gold Star by Andhra Bank Financial Services Ltd. which money has been obtained by Hiten Dalal. Now the difficulty here is that Hiten Dalal is charged by CBI. Andhra Bank Financial Services Ltd. It is a matter of great concern — as a banking service floated by Andhra Bank. Hiten Dalal is under question, ABFSL is under question. Rs. 2 crores happened to move from Hiten Dalal by ABFSL to Gold Star. When we made this point in the House, the hon. Minister for Parliamentary Affairs says there is no such thing. There is no such involvement or words to that effect.

Now my submission is that, I have written to you about it, we do not casually make points about privilege of the House. But the statement that the Minister has made today and the statement that he made on Friday are totally at variance.

MR. SPEAKER: You were not in the House, I was in the House that day.

SHRI JASWANT SINGH: I thought I do not wish to disagree with you. I was in the House actually.

MR. SPEAKER: You were:

SHRI JASWANT SINGH : I raised the point myself but if you say I was not in the House, I will accept it.

MR. SPEAKER: No, no. This is exactly what happens when you, more than once, raise the matter in the House. Even the Speaker does not know what is going on.

SHRI JASWANT SINGH: I agree. The problem is that we are compelled to raise it more than once only because the Government does not come clear immediately.

MR. SPEAKER: Let me know from you,

1093 *Re. Janakiraman Committee's findings about what you want exactly.* PHALGUNA 19, 1914 (SAKA) *Loan Advanced to 1094 Goldstar Steel & Alloys Ltd.*

SHRI JASWANT SINGH: The problem has now become very compound. The problem will be taken up by the JPC; when it gets taken up is a different matter altogether.

MR. SPEAKER: In that case a member of the JPC should be allowed to speak on the floor of the House.

SHRI JASWANT SINGH: No, Sir, that is different.

MR. SPEAKER: If you are a member of the House, you would raise the same matter on the floor of the House.

SHRI JASWANT SINGH: My submission goes beyond that. Number of averments, assertions have been made inside the House. They have become the property of the House. The House is fully entitled to seek entire and total satisfaction on its concern relating to this transaction of Rs. 2 crores by Hiten Dalal with Gold Star. That is the point. And the assertions made by various spokesmen of the Government—it can be taken by JPC, JPC can look into it do not preclude the House from expressing its concern and seeking satisfaction from the Minister. That is my point.

SHRI RANGARAJAN KUMARAMANGALAM: With your permission, Mr. Speaker, I would like to clarify that I was not speaking on behalf of the JPC. I would like to repeat, so that the hon. Member may understand what I said. I had said that "information has been supplied to the JPC" and that is different from speaking on behalf of the JPC.

SHRI NIRMAL KANTI CHATTERJEE (Dumdum): Is he fully aware of what has been supplied to the JPC? Is he privy to JPC information? *(Interruptions)*

*[Translation]*

SHRI SHARAD YADAV: Mr. Speaker, Sir, Please listen to me. You did not listen to me earlier also. Mr. Speaker, Sir, we do

have our respect among the people of this country and in the House. I do not want to go into detail.

*[English]*

MR. SPEAKER: Let me know what you want.

*[Translation]*

SHRI SHARAD YADAV: I would like that Government should not try to avoid the matter in the name of JPC.

MR. SPEAKER: Then what should the Government do? *(Interruptions)*

*[Translation]*

SHRI SHARAD YADAV: The Government should firmly come out with a statement about all the facts. You as well as the people all over the country are aware that the persons engaged in making black money are very much involved in the present scam. We are not going by the reports of the newspapers alone, rather we are in possession of proof also Mr. Speaker, Sir, if the Government does not come out with a statement we have already given a notice under rule 184. This is a totally different matter, this is different because it is concerned with a person who is holding one of the highest posts in the country.

*(Interruptions)*

Mr. Speaker, Sir, I would like to submit to you that instead of neglecting the whole issue the Government should come out with a statement. The facts that have come to light in the last 10-12 days have not come through newspapers alone *(Interruptions)*. I rise to speak here because I am compelled to do so. We can produce the facts with documentary evidence. I can produce every fact if I am allowed to produce it. *(Interruptions)*

MR. SPEAKER: Well, Mr. Yadav, I had given you a chance to speak on the previous day and I have given you a chance even

today. Now, I would like to know as what precisely you want.

SHRI SHARAD YADAV: Mr. Speaker, Sir, I want to submit that the Government should immediately make a statement thereon.

MR. SPEAKER: Tell me whether the Government should make a statement after investigating into the matter or without investigating into the matter. (*Interruptions*)

SHRI SHARAD YADAV: Obviously, the Government should make a statement only after investigating into the matter. The Government enjoys all sorts of resources. If the newspapers and the persons like us who are devoid of resources can get facts, then the Government should get the facts even earlier. The government enjoys total authority and everything is under its own control. The Government should not take much time in gathering the facts. It can very much say that it would make statement after 2-3 days, but should the Government not make a statement about whole of the affairs immediately? Should the issues remain neglected like this and should thus the leaders within the Government go on making individual statement because of the internal bickerings and should we be required to make statements from our own ways. Through you, I would like to submit that the Government should make a statement soon. (*Interruptions*)

MR. SPEAKER: I would also like to know from you whether the same procedure should be followed in case a similar allegation is brought against any other person.

(*Interruptions*)

SHRI SHARAD YADAV: Mr. Speaker, Sir, this is not a case against any particular individual. It is not at all proper for you to speak like that after the report of the Jankiraman Committee has been presented. Mr. Speaker, Sir, after the Jankiraman Committee has gained popularity... (*Interruptions*). This issue does not pertain any ordinary person, this is not a matter con-

cerning any ordinary Member of Parliament. It is a prestige issue and it is our duty to protect this prestige and this is the duty of theirs as well. In the background of the fact that all the facts have now become public, of course they have not been revealed through newspapers alone, the Government should come out with all the details and should make a statement.

[*English*]

SHRI. BH. VIJAYAKUMAR RAJU (Narsapur): It is established in the Fourth Report of the Jankairaman Committee. We have got evidence about all this. Unnecessarily, they are bringing in false reports. I can prove with evidence. The Goldstar Company has nothing to do with the loan of Rs. 2 crore. Only Shri Krishna Mohan has taken the loan of Rs. 2 crore from Andhra Bank Financial Service Ltd. Unnecessarily they are dragging the names of the Prime Minister and his son into this. (*Interruptions*)

[*Translation*]

SHRI CHANDRA SHEKHAR (Ballia): Mr. Speaker, Sir, I would precisely like to know one thing from the Government. When this question was raised in the past, a clarification on the part of the Government was given by several hon. Ministers that the Mr. Prabhakar Rao has already given a clarification in this regard. Now, I would like to ask if the Government has the boldness to declare in an authentic way that the statement of Mr. Prabhakar Rao made earlier is authentic and that the Government agrees to his statement and the Government is ready to own the responsibility in case the statement of Mr. Prabhakar Rao is wrong.

SHRI ATAL BIHARI VAJPAYEE (Lucknow): Mr. Speaker, Sir, I would like one clarification from you... (*Interruptions*)

[*English*]

SHRI CHANDRA SHEKHAR: I have asked the question because they referred the statement of Shri Prabhakar Rao. (*In-*

terruptions)

[Translation]

SHRI ATAL BIHARI VAJPAYEE: Mr. Speaker, Sir, we held a discussion on this issue that day also. We got the impression from the discussion that the issue of Gold Star was also being referred to the Joint Committee. But not it is clear that it is not like that. Can this House or you yourself not refer the issue to the Committee? The Committee is already investigating into the matter and the present issue is a related one. Unfortunately the name of the hon. Prime Minister has been involved in it. This House would obviously like that the Government should make the position clear by giving a statement. But if the Government wants time for investigation then I would like to suggest that the matter should be referred to the Joint Parliamentary Committee which is already investigating into similar matter and moreover, the Committee may be instructed that it should go in the depth of the matter to find the truth. (*Interruptions*)

[English]

SHRI SOMNATH CHATTERJEE (Bolpur): Mr. Speaker, Sir, this is a matter which should not be treated as a routine matter of complaint or any grievance made about the financial irregularities here and there. The image of the Prime Minister is involved. For days together things are coming out in the newspapers. There is no official version on this. Subject to correction, I have not seen it. Now, we do not know as yet authoritatively whether this matter has been given to the JPC for the purpose of investigation. If it is not done, I would like to know whether either you as a Presiding Officer will do that or the Government will offer that this matter should also be investigated by JPC. We should be told, the country should be told and the House should be told about it. In any event, I think, a reference to JPC does not pre-empt or preclude this House from raising the matter. This is very important. Therefore, the House cannot sit, wait indefinitely, specially when such and such complaints are made. It is not

known when the JPC will give its report, whether at all they are going into it. Therefore, the last the Government should do, I believe, specially when the name of the highest executive of this country is involved, rightly or wrongly, I do not know, I have no personal view except what appeared in the papers is that the Government should at least make a statement on this. It is not saying that 'after full investigation, the CBI investigation is made or JPC investigation is made'. The Government must have a version of its own on the allegations that have come here. I am sure that they are not precluding or pre-empting any enquiry either by CBI or by JPC. But what is it that they have said, except that, information has been given to JPC? That is what the hon. Minister said. What does it mean Is it in response of JPC's enquiry? Has JPC taken up the investigation? At least you take the House into confidence. We are not JPC Members. We cannot run after JPC Members to find out what is happening indoors. Therefore, let the Government make a statement which will at least help. We do not want that mud should be thrown at anybody unless he is guilty. Therefore, it is also necessary that when such persons names are brought in, there should be a response forthwith, so that people can come to know about it and form their views. Let there be a decision.

I have a very substantive matter to raise regarding the Tripura issue. Please allow me to raise it later. (*Interruptions*)

THE MINISTER OF WATER RESOURCES AND MINISTER OF PARLIAMENTARY AFFAIRS (SHRI VIDYACHARAN SHUKLA): Sir, I had the occasion of stating before the House that there is really nothing for the Government to hide in this matter. We have made our position absolutely clear. The Secretary, of the JPC made a telephonic request for supplying all the relevant documents of this matter to JPC, which has been duly complied. Now, JPC has to make up its mind as to what they want to do with the information that has come in their possession. As soon as they made up their mind, whatever they want to do, they can decide about it.

We have also asked the CBI to go into this matter immediately so that the facts can be brought out. As I said, we are one with the House to find out the truth, to go to the button of the truth and not to hide anything and not to said anybody. We are not interested in that. .... (*Interruptions*)

[*Translation*]

Let me first conclude and you should speak only thereafter Mr. Speaker, Sir, I should be allowed to complete my speech. Moreover, I would also like to submit that the statements made by the other concerned persons should also be taken into close consideration. I would also like to add that the Members of the House are of the opinion that no protection should be provided to those Members of this House who indulge in malpractices. Law should take its course so that the truth may come forth. Here I would like to say that there has been a futile exercise of referring the names of such persons who may not necessarily here linked with the present issue. So far as we know, there is no such person having any link what that affair, and it was on the basis of that knowledge that we stated before you that we did not want to detain anybody. I therefore, propose that there should be a comprehensive inquiry by the C.B.I. and whatever documents we have with us would be sent to the J.P.C. alongwith the documents that is to be handed over to us by the hon. Member. It would then be the responsibility of the J.P.C. to decide as to what action should be initiated in regard to that matter.

I repeat that it is not our intention to hide any fact, nor do we want to shield anybody.

SHRI SHARAD YADAV (Madhepura): Mr. Speaker, Sir, I had already submitted through you that there should be an inquiry into the entire matter which has also been suggested by the Member who has just concluded his speech.

The same suggestion has also been given by a large number of my colleagues. I would like to repeat that the present issue

is concerned with a man sitting on the top post. The Government has all the sources at its disposal. It will, therefore, not take much time for it together all the facts. The way statements have been made and are still being made causes concern. I would again submit to you that you should ask the Government to make a factual statement. We are raising this issue seriously, under rule and with due submission as was directed by you. I would once again submit to you that you should give permission. I do not say that the Government should place all the facts right today to hold a discussion thereon.

MR. SPEAKER: Sharad Yadav Ji, you please listen.

SHRI SHARAD YADAV: The Government must make a statement.

MR. SPEAKER: Please listen to me for a minute. I ask you, if a similar allegation is brought against/someone else in future, should I then take that for holding a discussion there on?

SHRI SHARAD YADAV: Mr. Speaker, Sir, I would like to state very clearly that in cases of corruptions of the present kind there should be no consideration about the dignity of the person allegedly involved in these cases. This is a big issue simply because it concerns the person who is sitting on the highest post. Through you we simply want to submit that the Government should make a statement on the basis of whatever facts it has with it and that it should not act like a postman. We would prefer to raise the issues inside the House instead of engaging ourselves in providing facts to the Government. We would have certainly ignored it if the Member in question had been an ordinary Member. We know this much. For the last 10 days there has been a debate on this issue throughout the country.

It is the talk of the town inside the House as well as outside also. The Government should give a statement on such an important issue. Through you, I would like that the Government should make a statement on the issue. The way they are delaying the

matter is not good. 'He did not give any reply to the question raised by Shri Chandrashekhar Ji. There are some facts on which the Government should say something.

SHRI CHANDRA SHEKHAR: Mr. Speaker, Sir, it is an amazing situation. I would like to know from the hon. Minister Shri Vidyacharan Shukla if he can say that till date he does not have the report of the C.B.I. As far as my information, C.B.I. made an enquiry in the case, it investigated the matter and interrogated Hiten Dalal and two officers of the Financial Services. The Government has the recorded statements in this respect. Will the Government say that it did not have the C.B.I. report till yesterday? Will they say that the hon. Minister of Parliamentary Affairs have not read the paragraph written by the Janaki Ramnan Committee? The para 16 of the Report reads as under:

[English]

"ABFSL were managers to the Rights Issue, had provided underwriting standby support and had sanctioned a bridge loan to M/s Goldstar Steel and Alloys Ltd."

Further it says:

"The funds had been routed through ABFSL, the shares were lodged with ABFSL and the repayment by Shri N. Krishna Mohan was to be to ABFSL and not to HPD.

"The above facts suggest that the ABFSL had not arranged the loan but, in fact, had entered into back-to-back transactions where by it had borrowed the funds from HPD and lent the same to Shri Krishna Mohan but had not recorded the transaction as a borrowing and the loan."

[Translation]

The Government is not aware of it. Mr. Speaker, Sir, time and again you repeat that if something comes to the light then this

matter will be raised. (*Interruptions*)

Let me speak for a while. A number of days have gone when the Janaki Ramnan Committee's report had come but this matter is frequently being raised in the House. We do not want to say anything against the high personality of the hon. Prime Minister but I am surprised at the warning given by you regarding the dignity and the decorum of the House and it appears to me that either we have changed or the House has changed, since it is not such an issue as should be neglected. In the whole of the issue, one thing is notable that no one is leveling personal charges against anyone. The matter related to Prabhakar Rao was raised here. Who is Prabhakar Rao and I do not know if he is the son of the hon. Prime Minister? Hon. Prime Minister would himself clear the position whether Prabhakar Rao is his son or not. This issue is appearing time and again in the newspapers and it is told in the House that the investigation is going on and everything will be done on the basis of the report of investigation. I would like to ask the views of the Government about the report of the Janaki Ramnan Committee, Kumaramanglam Sahib had said on that day that one could go through the statement of Prabhakar Rao which had appeared. Should we take the statement of Prabhakar Rao, as that of the Government and will the Government be stick to it. Has Shri V.C. Shukla not received the copy of the report of the Janaki Ramanan Committee? There is no need at all to give him advice in this regard. These are such issues as are associated with the decorum of the House and the procedure of the Parliamentary democracy. It is not a personal matter.. (*Interruptions*)

SHRI LAL. K. ADVANI (Gandhi Nagar): Mr. Speaker, Sir, when Sharad Ji had raised this issue on Friday, at that time too, I had said that this issue could not be taken as a simple one or an issue of corruption. Whatever the names are being referred to in the matter, they create a sense of seriousness. I had guessed from the reaction of the Government on that day that the Government would give a statement on it in a day

or two and would clarify the position. But the hon. Minister of State in the Ministry of Parliamentary Affairs had stated that Prabhakar Rao had denied:

[English]

How is this relevant? This is not at all relevant. It is like saying...

[Translation]

On the day when Harshed's name was raised the Government stated that Harshad had denied and when the names of Krishnamurthy was referred to the Government that he too had denied.

[English]

That is not the issue at all. The issue would have been...

[Translation]

After all, what is the opinion of the Government in this regard. The report which has just now been read out by Chandrashkhar ji about that matter, is more relevant. I understand that the Joint Parliamentary Committee will do its function about the scam but this issue is separate from the scam therefore it should be discussed in the House. The name of the hon. Prime Minister has been associated with it due to the statement of the Government. Had not the name of the hon. Prime Minister been associated with it or had Prabhakar Rao been some other person then we could have left it for J.P.C. to examine. My submission is that the Government should give a statement on the question raised by Sharad ji and on the basis of that in the House will take place. (*Interruptions*)

SHRI BHOGENDRA JHA (Madhubani):  
Mr. Speaker, Sir, you have said today and on that day also that it is shameful to keep mum on this issue and we know what answer will the Government give in this regard. It is natural when you say that if the other Members are also alleged in the same way then will it be a part of the discussion. I

would like to submit to all the hon. Members that they should agree on it that an action should be taken in the matter. Now this issue has been raised and if anyone among us is involved in it then we should try to understand the prima-facia of the case and if any issue needs for any investigation then there should be no laxity in it. The character of this Parliament and of the hon. Members should be blotless in the eyes of the people. There is nothing bad if anyone gets hurt in this process. There was a news item on the A.I.R. that the Chairman of the J.P.C. had said that the speaker has given permission to him to summon any hon. Member or any hon. Minister. (*Interruptions*) The hon. Minister of Parliamentary Affairs has said that this issue has also been handed over to the Joint Parliamentary Committee. I would like to know if that committee can summon the hon. Prime Minister also along with the other hon. Members, in pursuance of your permission in this regard.

Thirdly, I would like to know whether there would be any obstacle if the discussion is held on it particularly when the Joint-Parliamentary Committee is examining the issue. Please give your ruling on it, if there would be any obstacle or not.

[English]

MR. SPEAKER: Now, please allow me to say what I have to say on what you have said.

First of all, every time the hon. Members get up and say certain things. I hate to stop them speaking. But the rules are made and rules are not made by an individual Member, the rules are made by the House and the rules are made to see that no injustice is done to anybody. I am just reading out the rule and the commentary on the rule. You can deduce your inferences from what I am reading to you.

One of the rules — Rule 186 (xi) — says :

"It shall not ordinarily relate to matters which are under consideration of the



Parliamentary Committee."

Now, the JPC is a Committee appointed by the Parliament, consisting of Members of both the Houses, and if we have the information that the Secretary of that Committee has asked for information, we shall have to come to a conclusion whether the JPC is going to look into it or JPC is not going to look into it. That is one thing. No, if the JPC is going to examine this matter, the question is whether this House can examine this matter at all. Now, what the rule says is very clear to you. And then, it is stated here:

"No allegation of a defamatory or incriminatory nature can be made by a Member against any person unless the member has given adequate advance notice to the Speaker and also to the Minister concerned, so that the Minister may be able to make an investigation into the matter for the purpose of a reply provided the Speaker may, at any time, prohibit any Member from making any such allegation if he is of opinion that such allegation is derogatory to the dignity of the House or that no interest is served by making such allegation."

And again I am repeating it because this matter has been raised every now and then. So, I am repeating it.

"As a rule, no allegation of a defamatory or incriminatory nature can be made by a member against any person unless the member has given previous intimation to the Speaker and taken his permission and has also informed the Minister concerned, so that the Minister could make an investigation into the matter for the purpose of a reply. Nevertheless, the Speaker may at any time prohibit a member from making any allegation if he is of opinion that such allegation is derogatory to the dignity of the House or that it does not serve any public interest".

"It was against the rules of parliamentary date and decorum to make defamatory statements or allegations of incriminatory

nature against any person and the position was rather worse if such allegations were made against persons who were not in a position to defend themselves on the floor of the House."

Now, is this an allegation against the Member of this House or against a persons who is not a Member of this House?

"The House should not be made a forum where the conduct and character of persons should be brought into disrepute, as the person against whom allegations were made had no remedy against a speech made on the floor of the House which was privileged. In order to safeguard the honour of the people generally it was imperative that the Members applied voluntary restraint and resorted to making allegations in cases of extreme necessity where there was an element of public interest. Even in such cases, it was necessary that reasonable opportunity should be given to the Minister concerned to investigate into the matter and to produce, if necessary, defence on behalf of the person concerned."

"A Member has to be careful while making an allegation. He has to satisfy himself that the source is reliable and the allegation is based on facts. In effect, he is required to make *prima facie* investigation into the matter before he writes to the Speaker or the Minister, and more so, before he speaks in the House. A notice relating to an allegation based on newspaper reports is not allowed unless the Member tabling it gives the Speaker substantial proof that the allegation has some factual basis. In the notice to the Speaker a Member is required to give brief details about the allegation which he proposes to make against a person or another Member, so that the Speaker could judge the matter beforehand."

Now, what has actually happened in this case? Let us consider it. You have not come to me with a notice, you have not given me the evidence, you have not substantiated the evidence, you are not taking the

responsibility for what you are saying on the floor of the House, you are not giving time to the Government to inquire into the matter and come here and at the same time, everyday you are getting up and raising this matter. A matter of this kind was raised before also on the floor of the House and I remember some Members getting up and objecting to those things. They were right in objecting to such things. Such matters can be raised against any hon. Member. It is the duty of the House and duty of the Chair to see that such matters are allowed to be raised only by following the procedures. I would like to know from you as to who has given the notice. Have you obtained my permission? Have you substantiated your allegation? Have you investigated into the matter? Every now and then you are raising this matter. What is the purpose or raising this matter on the floor of the House?

*(Interruptions)*

SHRI JASWANT SINGH: Mr. Speaker, Sir, your observations are very valid and you have asked some pointed queries. You have asked: "Have you given a notice?" Yes, Sir, I have given a notice.

MR. SPEAKER: But I have not received it.

SHRI SHARAD YADAV: Mr. Speaker, Sir, I have given a notice.

MR. SPEAKER: You are raising this matter at a time when the unlisted business is being discussed. Let us please understand that. You do not expect even the Government to be aware that the matter is coming up. At 10.00 a.m. in the morning you come and give a letter to the Secretariat which is hand-written. It is not listed also to me and then you want the matter to be raised and some of the Members who are standing up and speaking have not even given the notices.

SHRI CHANDRA SHEKHAR: Mr. Speaker, Sir, I have not given the notice. I want your guidance as to whether these

rules were there on the Rules Book when the matters of Shri Chidambaram, Mr. Krishnamurthy and Mr. Ramaswamy, the former Attorney-General were raised. I think these rules were there when all these matters were raised in this House. That is one point. The second point is, nobody has made any allegation against anybody. The Members want just facts about certain things and here is a report submitted to the Parliament in which certain things have been written. We want the reaction of the Government. To ask the Government whether they have got a report from the CBI or to ask whether there is a relationship of a particular person to a VIP in the Government, is it an allegation? I do not think anybody has made any allegation of any sort. The Members have got every right to have knowledge or information from the Government. I wanted to ask a pointed question. The hon. Ministers from that side said that one Mr. Prabhakar Rao, whom I do not know who he is, has made a statement and that should satisfy the Members. We are just making enquiries as to whether the Government is going to take the responsibility for the statement of Mr. Prabhakar Rao.

Sir, if an impression is created that somebody is making an allegation, I am sorry. But, all these rules have been there all the time on the Rules Book and in spite of that fact the Members one after the other got up in this House and said things about Mr. Krishnamurthy. He was sent to jail; the Government was very vociferous and very brave to say that it was punishing all the guilty people. The Attorney-General was made to resign for taking a loan of Rs. 30 lakhs from somebody.

Even that question was raised in this House. You never quoted all these rules at that time. I do not know why these rules have been so effective today.

MR. SPEAKER: Now in the process, you are alleging against the Chair also, though I do not mind.

SHRI CHANDRA SHEKHAR: I am not alleging. I am asking the Chair the necessity

of quoting all these rules.

MR. SPEAKER: This is exactly I am saying — whether it is a Minister or whether it is a Member or whether it is a private person - this House is the supreme authority in the country at the apex level and anything and everything which is said on the floor of the House has to be very balanced and has to be careful so that nobody's interest, whether private individual or member's interest, is affected in a manner which will not be recouped later on. That is the rule which has to be followed by the judges as well as Parliament. Are we doing it? I am asking the question.

I was not raising the matter at that time. I am not raising the matter at this time also. I am just referring you to the rules. I am requesting you not to raise this manner in this matter and I am requesting you to raise the matter according to the rules. The rule provides that if the matter is of a defamatory nature I think, many Members have said that certain person is related to somebody. Why is that relation? If that relation is important, then you should give a notice. Now through the relation you want to establish that because of the relation, somebody's involvement is incriminatory nature. Should you not give a notice? This is exactly what I am saying.

I would request the Government to come up with what they want to say on this clearly. Let this matter not be repeated every now and then. Let justice be done. Let us not withdraw from doing the justice. At the same time, let us not attack anybody whether it is a private individual or a Member or a Minister if it is not necessary.

SHRI JASWANT SINGH: I entirely agree with you. There can be no disagreement on the general statement, on what you have said. We abide by every word in letter and in spirit. You said, no allegation ought to be made. In the intervention that I have made here, I have not made any allegation. I have merely stated that a company called Gold Star Ltd., borrowing Rs.2 crores..

MR. SPEAKER: Even the innuendoes are defamatory..

SHRI JASWANT SINGH: There is a report of Jankiraman Committee which has come out. There is no innuendo. It is a clear cut statement of finding of facts. What has Jankiraman Committee Jankirmanan has found.

MR. SPEAKER: Do not carry on the discussion like this on a matter about which you have not given a notice.

SHRI JASWANT SINGH: I crave, I have given it. It is not hard-written; it is typed. It is submitted to your office.

MR. SPEAKER: You have to obtain my permission even if you have submitted. Supposing if you have given the notice at 10 O'clock and supposing I have not seen it, you cannot carry, it on by discussing it.

*(Interruptions)*

*[Translation]*

SHRI MADAN LAL KHURANA (South Delhi): I have already given two notices — the first five days ago and the second three days ago.... *(Interruptions)* ..... We are not making an allegation My submission is that ... *(Interruptions)*

*[English]*

SHRI VIDYACHARAN SHUKLA: May I say, all of us who are sitting here have gone through this report...

*[Translation]*

SHRI SURYA NARAYAN YADAV(SAHARASA): Mr. Speaker, Sir, I have a point of information. You said that this House is Supreme, we are also of the same opinion. But has the hon. Minister got the right to give one statement on one day and other on other day. It is nothing but the House. Why does he give contradictory statements?

*(Interruptions)*

[English]

MR. SPEAKER: When some hon. Members were criticised from the Treasury Bench, I had said, "You cannot do it". I have asked them to withdraw it and apologise also.

Now here the Minister was reluctant to say anything. And then, we said you may not have information from a private person. You may have the information from the Ministry. You may have the information from your officers. You may not have information from the private person. When everybody was insisting, I said, without taking the responsibility, if they are satisfied, then pass on that information. But they will not be responsible.

[Translation]

SHRI SURYA NARAYAN YADAV: He had said that all the facts would be placed on the table of the House. (*Interruptions*)

[English]

SHRI VIDYACHARAN SHUKLA: They have gone through the relevant portion of Jankiraman Committee report.

The Chief Vigilance Officer, Andhra Bank filed a complaint to the CBI on 14th December, 1992 to inquire into the matter. CBI has started the inquiry.

SHRI JASWANT SINGH: What are the terms of reference?

MR. SPEAKER: This House is after details.

SHRI JASWANT SINGH: The hon. Minister says that reference has been made to the CBI. What are the terms of reference?

SHRI VIDYACHARAN SHUKLA: I am not yielding. I should be allowed to complete my statement. I want to give the whole information to the House. Whatever information we have, I would like to share that with the House. We have got the information

that the Chief Vigilance Officer of the Andhra Bank filed a report to the CBI. CBI has taken up the investigation. They are investigating into the matter and as soon as there is any report which is relevant, we will forward it to JPC for their consideration. (*Interruptions*)

Let me complete. We are not talking here about those people against whom allegations of various kinds have been made. We have cited the rules which prevent all of us—if we want to behave responsibly in the House — to indulge in various kinds of allegations and counter-allegations against each other. I am saying that this is a matter with which Prime Minister has nothing to do. Prime Minister has no connection with this matter at all. Unnecessarily Prime Minister's name is taken without any reason at all. The record must be kept straight. Prime Minister has nothing to do with it. Government has taken necessary steps in this matter and we will keep the Joint Parliamentary Committee informed about it and we will follow your direction scrupulously in this matter.

As far as we are concerned, we want again to say that we have gone through the report. We find that the CBI has taken up investigation and Prime Minister has nothing to do with this matter and Prime Minister's name must not be dragged into the matter at all.

(*Interruptions*)

SHRI SOMNATH CHATTERJEE (Bolpur): I wish to raise a very important matter. You have not got *suo moto* here. His name is already there. You should dispel it.

MR. SPEAKER: On this point, if his name is mentioned in the newspaper outside, the remedy is the court of law. But if it is mentioned on the floor of the House, the Members have to take up the responsibility.

SHRI SOMNATH CHATTERJEE: But he is not going to any court of law. We do not have any information that the Prime Minister has gone to a court of law. His man is being involved in this. (*Interruptions*)

i said that I do not know personally. I

myself said it. I said same is coming up and it is proper that it should be done.

The point I wanted to raise is about Tripura. We raised the matter on the floor of the House. Since then five days have lapsed. We find from the newspapers that the Governor who was here, has gone back to Agartala.

We would like to know whether the Governor has given a report and what is the Government doing about it? There is total inaction and total indecisiveness. I want the Government to immediately tell us and take the House into confidence. What decision Government is going to take in regard to Tripura? Please let us know this. (*Interruptions*)\*

MR. SPEAKER: It is not going on record.

SHRI SOMNATH CHATTERJEE: The Governor's report is awaited. What is happening? There can be no alternative but imposition of President's rule.

SHRI VIDYACHARAN SHUKLA: The Hon Minister made a statement about Tripura. In pursuance of that statement, certain auctions have been taken and I hope the consequences of that action will be available to the House by the evening.

[*Translation*]

SHRI MADAN LAL KHURANA: Mr. Speaker, Sir, my submission is that last Friday in impression was given that he would make a statement in the House today. But a news to this effect has been published in the newspapers with regard to which I have given a notice under Rule 222 You said that I have not given notice.....

MR. SPEAKER: You have given me a notice.....

SHRI MADAN LAL KHURANA: The following news item has appeared in the

newspaper for the first time:

[*English*]

In the Indian Express, it is stated: -

"PM's son not involve in Dalal deal."

[*Translation*]

The next day, the news was

[*English*]

The next day, it is stated in the Indian Express:-

"Funds from Dalal were loaned to PM's son's firm. This is the finding of the Fourth Report of the Janakiraman Committee."

[*Translation*]

Mr. Speaker, Sir, my submission is that we were given an impression that day that he would make a statement in the House today, what happened to the Statement? ..  
.....

(*Interruptions*)

SHRI SHARAD YADAV: Mr. Speaker, Sir, through you, it was submitted just now that the Government should take the House into confidence and make a statement. From the statement given by the hon. Minister, it is evident that the House is not satisfied, he is present in the House, I would like to know whether the Government would give a statement in this regard or not?

(*Interruptions*)

MR. SPEAKER: You have told.... (*Interruptions*)

[*English*]

SHRI SRIKANTA JENA (Cuttack): Sir, you have made an observation regarding the responsibility of a particular Member

while mentioning about Prime Minister's name or anybody's name. But, in this case, that is, in the Janakiraman Committee Report, the Company's name Goldstar has come.

MR. SPEAKER: What is this? You are going to it every now and then. We have left that item. We have come to the other item. Is it not irregular that you are coming back to that item again? That means, you would like to stand up and say anything you like. What is it? I have to close that discussion on that subject. I will not allow it. Now, Shri Mohammed Ali Ashraf. Fatmi to speak.

*(Interruptions)\**

[*Translation*]

SHRI MOHAMMAD ALI ASHRAF FATMI (Darbhanga): Mr. Speaker, Sir, there is a very serious matter which is related to Bihar I would like to raise it in the House. Government of Bihar is passing through a severe economic crisis these days. The Chief Minister of the state requested the Hon. Prime Minister on 5th of the month to pay the arrears to the Government of Bihar. An amount of Rs. 137 crore of the Coal India, Rs. 206 crore of the Ministry of Family Welfare and Rs. 19.5 of PWD of the State Government is outstanding against the Central Government, and it should be paid immediately. Bihar is facing financial crunch. Therefore, Mr. Speaker, Sir, through You, I would like the Central Government to pay the dues to the Government of Bihar without further delay... ..

*(Interruptions)*

12.58 hrs.

[*MR. DEPUTY SPEAKER in the Chair*]

MR. DEPUTY SPEAKER: Mr. Rabi Rayji

SHRI RABI RAY (Kendrapada): Mr. Deputy Speaker, Sir.. *(Interruptions)*

DR. LAXMINARAYAN PANDEYA: Mr. Deputy Speaker, Sir..

MR. DEPUTY SPEAKER: Shri Rabi Ray ji..

SHRI RABI RAY: Mr. Deputy Speaker, ... *(Interruptions)*

SHRI RAJENDRA AGNIHOTRI (Jhansi): Mr. Speaker, Sir, I regret that 18 districts of Uttar Pradesh and Madhya Pradesh are affected by hailstorm, but no relief work has been taken there... *(Interruptions)*

DR. LAXMINARAYAN PANDEYA: Mr. Deputy Speaker, Sir loss of crores of rupees has been suffered.. *(Interruptions)*

SHRICHHEDI PASWAN: Mr. Speaker, Sir, whom are you calling? *(Interruptions)*

MR. DEPUTY SPEAKER: I have called Shri Rabi Ray to speak. Only he, and no one else should speak... *(Interruptions)*

SHRI RABI RAY: Mr. Deputy Speaker.. *(Interruptions)*

13.00 hrs.

[*English*]

MR. DEPUTY-SPEAKER: Shri Rabi Rayji to speak... *(Interruptions)*

MR. DEPUTY-SPEAKER: Whether you say that will go on record. Whether others say will not go on record.

*(Interruptions)*

[*Translation*]

DR. LAXMINARAYAN PANDEYA: Today, lakhs of farmers have come on the road.. *(Interruptions)*

SHRI RAJENDRA AGNIHOTRI: About ten lakh farmers have been ruined due to

hailstorm..... (*Interruptions*) The festival of Holi has not been celebrated there this year.. (*Interruptions*) The hon. Minister should make a statement. (*Interruptions*)

[*English*]

MR. DEPUTY-SPEAKER: May I request the hon. Members to resume their seats? Kindly resume your seats. Shri Rabi Ray ji to speak. (*Interruptions*)

MR. DEPUTY SPEAKER: Zero hour is over. Now we shall take up Papers to be laid on the Table.

13.01 hrs.

PAPERS LAID ON THE TABLE

**Review on the working of and Annual report of the Birds Jute and Exports Limited Calcutta for 1991-92 and Statement for delay in laying these papers etc.**

[*English*]

THE MINISTER OF STATE OF THE MINISTRY OF TEXTILES (SHRI G.VENKAT SWAMY): I beg to lay on the Table -

- (1) A copy each of the following papers (Hindi and English versions) under sub-section (1) of section 619A of the Companies Act, 1956:-
  - (i) Review by the Government on the working of the Birds Jute and Exports Limited, Calcutta, for the year 1991-92.
  - (ii) Annual Report of the Birds Jute and Exports Limited, Calcutta, for the year 1991-92 alongwith Audited Accounts and comments of a Comptroller and Auditor General thereon.
- (2) A statement (Hindi and English

versions) showing reasons for delay in laying the papers mentioned at (1) above.

[Placed in Library. See No. LT-3531/93]

- (3)(i) A copy of the Annual Report (Hindi and English versions) of the Wool Research Association, Thane, for the year 1991-92 alongwith Audited Accounts.
- (ii) A copy of the Review (Hindi and English versions by the Government on the working of the Wool Research Association Thane, for the year 1991-92.
- (4) A statement (Hindi and English versions) showing reasons for delay in laying the papers mentioned at (3) above.

[Placed in Library. See No. LT-3532/93]

**Notification under Companies Act, 1956 Annual Report and Review on the Working of the Indian Law Institute New Delhi for 1991-92 and Statement for Delay in laying these Papers etc.**

THE MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI H.R. BHARDWAJ): I beg to lay on the Table -

- (1) A copy of the Companies (Amendment) Regulations, 1992 (Hindi and English versions) published in Notification No. G.S.R.924 (E) in Gazette of India dated the 14th December, 1992 under sub-section (3) of Section 641 of the Companies Act, 1956.

[Placed in Library. See. No. LT-3533/93.]

- (2)(i) A copy of the Annual Report (Hindi and English versions) of the Indian Law Institute, New Delhi, for the year 1991-92 alongwith Audited