अत्यंत गंभीर है । बहुत से तो मार दिए गए हैं । अभी कुछ दिन पहले एक कैदी को गला घोंट कर जान से मार दिया गया लेकिन वहां के अधिकारी और डाक्टर कहते हैं कि बीमारी से मरा है । इस रवैये को लेकर बिहार की और जेलों में बहुत गंभीर स्थिति हो गई है । सरकारी अफसरान कैदियों को देखना नहीं चाहते हैं । मैं चाहूंगा कि इन कैदियों का संरक्षण किया जाय और गृह मंत्री तथा बिहार सरकार इस पर तत्काल ध्यान दें ।

अध्यक्ष महोदय : जिस बात पर सेंट्रल गवर्नमेंट के मिनिस्टर का कोई हक ही नहीं है, वह आप ला रहे हैं । इस में वह क्या कर सकते हैं ?

11.42 hrs.

RE: PUBLICATION OF THE MALAVIYA COMMITTEE REPORT

SHRI INDRAJIT GUPTA (Alipore): Thank you for allowing me to put one question to the Minister of Petroleum and Chemicals. Although this is the last day of the session, I would like to know from the Minister why the Malaviya Committee report on the ONGC has not to this day been laid on the Table. This is a very strange procedure We were told that the PUC is considering this matter. The Public Undertakings Committee is a Committee of this House, and the fact that the Committee is considering it cannot shut out its being laid on the Table. We have not had an opportunity so far to see that report. Why has it not been laid on the Table?

THE MINISTER OF LAW AND JUSTICE AND PETROLEUM AND CHEMICALS (SHRI H. R. GOKHALE): I do not remember the exact dates, because this question has come up suddenly. But the Report was submitted to the Prime Minister and to me by Shri Malaviya. It was in fact our desire that the report having been submitted, even before Government had considered it and arrived at their conclusions, should be published. But the P.U. Committee which has already given its own report earlier which was laid on the Table has given a direction. The Chairman wrote to me saying that the Report shall not be published until they consider this report and send us their comments. In fact, we did write and request the Chairman of the Committee saying that whether we liked it or not, extracts from the report were appearing in the press, some of which were very misleading, and therefore it was better that at least an authentic summary of the report should be allowed to be published. It was only when that permission was given by the Chairman of the PUC that an authentic summary of the report was published But even there, the Chairman had said that we should not publish the report until their comments are received after they had considered the report. It is only with a view not to violate the mandate of the Public Undertakings Committee that the report has not been published.

SHRI INDRAJIT GUPTA: I seek your ruling. What is the status of this House? The Public Undertakings Committee is a Committee set up by this House it cannot be higher than this House. The Chairman of the Committee is well within his right to ask the Ministry to let them first examine report, give their comments and so on I am not saying it should have been published, but the point is: can the hon Members of this House be denied an opportunity to study the report? Why should it not have been laid on the Table or put in the Library of the House? Why should an abbreviated summary version only have been published? Have we no right to see what is in the Report? This is extraordinary. This House cannot be put in a position subordinate to the Public Undertakings Committee With all respect, may I say that the PUC cannot be placed higher than this House (*Interruptions*). We do not want to have any arbitrary summary report of these important committees.

SHRI PILOO MODY (Godhra): The simple solution is, you request

[Shri Piloo Mody]

the Minister to place report on the Table of the House.

MR. SPEAKER: Let me see why the Public Undertakings Committee have taken up this stand. After that, we have to examine it, because, once we lay down certain ruling over it, then that will apply to all these Committees. Let me study it. (*Interruptions*). We will have to ask for the full report about it. Unless and until I have that material before me, I cannot give any final ruling.

SHRI INDRAJIT GUPTA: Before the next session?

MR. SPEAKER: Of course, it means like that.

SHRI INDRAJIT GUPTA: This point was raised earlier also, but he did not say anything. What can we do?

MR. SPEAKER: I think your comments are acceptable. To allow that this may be circulated to the Members—we will have to find some way out.

SHRI R. V. BADE (Khargone): Sir, a point of order. I want a ruling whether the Public Accounts Committee or the Public Undertakings Committee can ask anybody to keep the report from being placed on the Table of the House without your permission.

MR. SPEAKER: When they are seized of certain reports, naturally; (*Interruptions*). I will ask the Law Minister to study this point himself and then also discuss it with me. (*Interruptions*). I will discuss it with the hon. Member also.

SHRI PILOO MODY: I think such a matter normally runs into this sort of trouble, because we have adopted the practice that when reports are made, we do not publish them. Government is 'seized of it' and wants to look into it, and study the report and then decide what it will do. I do not think it is a good practice. The report is very important. It is the opinion of Mr. Malaviya. It does not commit the Government to it. It should be printed as it is. Thereafter the Government may comment favourably or otherwise on it, as indeed the PUC can. (*Interruptions*).

MR. SPEAKER: Papers laid on the Table.

SHRI INDRAJIT GUPTA: A cyclostyled copy of the report without any deletion or taking away something from it must be made available to the Members of this House by its being placed in the Library or laid on the Table of the House. Why should we deprived of that just because the Chairman of the PUC has given some direction to the Minister? (*Interruptions*). Then he comes forward with a summarised version. We do not want a summary. We want the whole report.

SHRI JYOTIRMOY BOSU (Diamond Harbour): Your good self was the Chairman of the Public Undertakings Committee; two years have passed, and yet the matter remains undecided. We are being fooled like this on very many occasions. We need your protection; the dignity of the House, the dignity of the Members and our right to have access to Government documents should be protected.

MR. SPEAKER: The point to be studied is, when the Committee is seized of certain reports—(*Interruptions*).

SHRI S. M. BANERJEE (Kanpur): The PUC is not a Commission.

MR. SPEAKER:—That will have to be studied. One cannot give any off-hand observation on it.

SHRI S. M. BANERJEE: Sir, may we understand that the Labour Minister is going to make a statement on the bonus issue today? Kindly direct the Minister. Let him say whatever he can.

SHRI PILOO MODY: Are you not going to be a little lenient, today being the last day of the session?

MR. SPEAKER: I will have to be a little more strict that it ends in time.

SHRI PILOO MODY: I did not hear you.

MR. SPEAKER: There is no question of leniency. We have already

been lenient for three days This is the fourth day of leniency!

SHRI PILOO MODY Does it stop at 10 minutes to 12? (*Interruptions*)

MR SPEAKER I have asked him to let the House know something about the position

SHRI S M BANERJEE The Labour Minister came here and he went away seeing that some other item was being discussed I would like him to make a statement today, at 5 O clock or 6 O'clock

MR SPEAKER Kindly sit down He will let me know something

SHRI JYOTIRMOY BOSU About the NIDC privilege motion which is kept pending since the last session (*Interruptions*)

MR SPEAKER Order, please

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11 49 hrs.

PAPERS LAID ON THE TABLE

SUGAR (CONTROL) AMENDMENT ORDER, 1972

THE MINISTER OF STATE IN THE MINISTRY OF AGRICULTURE (PROF SHER SINGH) I beg to lay on the Table a copy of the Sugar (Control) Amendment Order 1972 (Hindi and English versions) published in Notification No G S R 387(E) in Gazette of India dated the 22nd August, 1972, under sub-section (6) of section 3 of the Essential Commodities Act, 1955 [*Placed in Library See* No LT-3608/72]

ANNUAL REPORT OF CASHEW CORPORATION OF INDIA, 1970-71

THE DEPUTY MINISTER IN THE MINISTRY OF FOREIGN TRADE (SHRI A C GEORGE) I beg to lay on the Table a copy of the Annual Report (Hindi and English versions) of the Cashew Corporation of India Limited for the year 1970-71 along with the Audited Accounts and the comments of the Comptroller and Auditor General thereon, under sub-section (1) of section 619A of the Companies Act 1956 [*Placed in Library See* No LT-3609/72]

11.49½ hrs

MESSAGES FROM RAJYA SABHA

SECRETARY Sir, I have to report the following messages received from the Secretary of Rajya Sabha —

(i) In accordance with the provisions of sub-rule (6) of rule 186 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to return herewith the Appropriation (No 4) Bill, 1972 which was passed by the Lok Sabha at its sitting held on the 29th August, 1972, and transmitted to the Rajya Sabha for its recommendations and to state that this House has no recommendations to make to the Lok Sabha in regard to the said Bill"

(ii) In accordance with the provisions of rule 127 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to inform the Lok Sabha that the Rajya Sabha, at its sitting held on the 2nd September, 1972, agreed without any amendment to the General Insurance Business (Nationalisation) Bill 1972 which was passed by the Lok Sabha at its sitting held on the 28th August, 1972"

ASSENT TO BILL

SECRETARY Sir, I lay on the Table the Taxation Laws (Amendment) Bill, 1972 passed by the Houses of Parliament during the current session and assented to since a report was last made to the House on the 1st September, 1972
