

it comes to item 6A. I want to make out my case. Then you can ask the House.

MR. SPEAKER: Let him make the statement.

SHRI JYOTIRMOY BOSU: Privilege motion, according to your Direction..

MR. SPEAKER: I do not hold it as a privileges motion.

12.16 hrs.

STATEMENT RE: STRIKE IN CEAT TYRE FACTORY, BOMBAY

THE DEPUTY MINISTER IN THE MINISTRY OF LABOUR (SHRI BALGOVIND VERMA): Regarding the strike in the Ceat Tyre Factory, Bombay I said that I would ascertain the facts. According to the information available....

MR. SPEAKER: You may lay it on the Table of the House.

SHRI BALGOVIND VERMA: Sir, I lay the statement on the Table of the House.

Statement

On December 3, 1973 Shri Dinen Bhattacharyya drew attention to the strike in the Ceat Tyre Factory, Bombay. I had said that I would ascertain the facts. According to the information made available by the Government of Maharashtra, which is the appropriate Government in this case, there is complete strike in this unit from November 12, 1973, involving 1200 workers. The immediate cause of the strike was the disciplinary action by the management against Shri Bharucha, an office bearer of the union, who according to the management was responsible for acts of indiscipline and is also alleged to have abused the Supervisors and officers on October 14, 1973. There were also acts of alleged go-slow and indiscipline in the Truck-Tyre Building Deptt. of the Company employing about 100 workers for sometime in the past. The strike

from November 12, 1973 was preceded by a sit down strike by the workers in the truck-tyre department on October 25, 1973, and token strike by all the workers in the Factory on October 29, 1973, in support of their demand concerning withdrawal of charges against Shri Bharucha. The State Industrial Relations Machinery is looking into the matter.

SHRI DINEN BHATTACHARYYA (Serampore): The only information I want to know from the Minister is whether the Centre considers the necessity to settle the matter.

MR. SPEAKER: The statement has been laid.

SHRI DINEN BHATTACHARYYA: There is a great dearth of tyres and the foreign company is doing all this mischief.

12.17 hrs.

STATEMENT BY MEMBER RE:
ALLEGED INACCURACY IN
THE INFORMATION GIVEN
BY THE MINISTER

SHRI JYOTIRMOY BOSU (Diamond Harbour): On the 28th September, I gave notice and it is upto you and the House to decide.

Under Rule 222/223 of the Rules of Procedure, I hereby seek the consent of the Speaker to raise a question involving a breach of privilege of the House. Facts of the case are as follows:—

On 8th December, 1972 while replying to Starred Question No. 370 on the disparity of pay scales and conditions of service of the two classes of Income Tax Officers Shri K. R. Ganesh stated the following:

“SHRI K. R. GANESH: The hon. Member has asked three questions. First, he has asked whether the PAC had recommended the abolition of Class

[Shri Jyotirmoy Bosu]

II officers' cadre in the Income Tax Department. I am informed that the PAC did recommend this, but the Department later on discussed it with the PAC and the PAC was persuaded to withdraw this position."

I may point out here that the PAC did not make any such recommendation nor they were persuaded to withdraw anything because that does not arise at all.

In this connection, I am quoting the relevant recommendation from the 29th report (4th Lok Sabha) of the PAC (1967-68), page 29, para 2.41 which reads as follows:—

"The Committee feel that one of the reasons for declining standards of output in the Department is due to an imbalance in the service conditions of employees of the Income-tax Department. A note has been submitted by the Chairman of the Board of Direct Taxes which is appended to this Report (Appendix V). The Committee is sure that Government will examine the suggestions contained in the note and take suitable action on it."

From the above you may please see that the Minister has misled the House, not withholding the information, but he has deliberately misled the House and by his utterances, also lowered the Public Accounts Committee in the eyes of the people. I may mention here that very recently, while as a Member of the Taxation Law (Amendment) Bill Committee, I was hearing the representation of the Gazetted Officers of the Income-Tax Department, they expressed their shock and disappointment on this that the Public Accounts Committee could have been persuaded to withdraw from a position that they were said to have taken.

In the circumstances, since it is a clear case of breach of privilege, I would request you to send it to the Privileges Committee so that they could thoroughly look into the matter and the papers and

call for evidence and give their report to the House. This is a very serious matter because it involves the Minister. It is not that he withheld any information, it is not that he really made an inaccurate statement in regard to facts or figures. It is a question of deliberately telling the House something which is wholly baseless, untrue and false.

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI K. R. GANESH): In replying to a supplementary question on starred question No. 370 in the Lok Sabha on 8th December, 1972 I said:

"The hon. Member has asked for three questions. First, he has asked whether the PAC has recommended the abolition of Class II cadre in the Income-tax Department. I am informed that the PAC did recommend this but the Department later on discussed it with the PAC and the PAC was persuaded to withdraw this position."

The detailed position about the issue has been looked into by me. The Public Accounts Committee, in para 2.41 of their 29th Report (1967-68) observed:

"The Committee feel that one of the reasons for declining standards of output in the Department is due to an imbalance in the service conditions of employees of the Income-tax Department. A note has been submitted by the Chairman of the Board of Direct Taxes which is appended to this Report (Appendix V). The Committee is sure that Government will examine the suggestions contained in the note and take suitable action on it."

The note from the then Chairman, Central Board of Direct Taxes attached to the PAC's Report as Appendix V read in the relevant paragraph:

"The following proposals are made for improving the conditions of service of officers of the Income-tax Depart-

ment so as to improve efficiency and to combat the temptation to leave the Department:—

(i) Class II Service of the Income-tax Officers should be abolished. All Income-tax Officers should be in Class I. A new but small cadre of Examiner of Accounts may be created to absorb such Class II officers who are not considered suitable for absorption in Class I."

The above-noted observation in para 2.41 of the PAC's 29th Report was examined by the Central Board of Direct Taxes and the Committee were informed on 4-1-1969 to the following effect.

"As desired by the Committee the Government will duly examine the suggestions contained in Appendix V of their 29th Report and take suitable action thereon. As important recommendations regarding the administrative set up of the Income tax Department and the pay-scales for the different categories of officers are believed to have been made by the Direct Taxes Sub-Committee of the Administrative Reforms Commission also, it is proposed to undertake a comprehensive examination of these recommendations together. The study and the subsequent implementation of the recommendations are expected to take some time."

The above-noted interim reply sent by the Board was noted on page 87 of the PAC's 76th Report (1968-69). The matter was further examined by the Central Board of Direct Taxes and a detailed reply was sent to the PAC on 26th March 1970. In this detailed reply on the relevant issue of the abolition of Class II ITOs Service, certain comments were offered. It is a long reply offering comments and this is part of PAC's record. I will not take the time of the House in going through the long reply. Sir, after the above-noted reply was sent to the PAC nothing further was heard in the matter from them. In my reply to the supplementaries on 8-12-72. I was only referring to the abovementioned

position which was on record in the Lok Sabha (P.A.C.) Secretariat. The P.A.C. in their 29th Report had taken cognisance of the note submitted by the Chairman. Central Board of Direct Taxes suggesting abolition of ITOs Class II Service and the Committee had wanted the Government to examine the suggestion and take suitable action. The position was examined by the Central Board of Direct Taxes and elucidated to the Committee at length on 26-3-70. The Committee did not pursue the matter further. These are the two stages to which I had alluded in my reply to the supplementaries.

The first was that the Committee did include the recommendations of the Chairman of the Central Board of Direct Taxes in their Report and asked the Central Board of Direct Taxes to examine that, for which the Central Board of Direct Taxes first sent an interim reply and later on they sent a detailed reply on the date which I mentioned, that is, on 26-3-70. In reply to the direct question from the hon. Member I had stated and I shall quote this again.

"First he has asked whether the P.A.C. has recommended the abolition of Class II cadre in Income-tax Department. I am informed that the PAC did recommend this but the Department later on discussed it with the P.A.C. and the P.A.C. was persuaded to withdraw this position."

As far as the first part is concerned, the P.A.C. did include the Chairman's note in their Report and asked the Chairman, Central Board of Direct Taxes to examine this and as far as the second part is concerned, as I have stated already, the P.A.C. was persuaded to withdraw this position. I may submit that this phraseology—this particular expression—'persuaded to withdraw' may not have been very appropriate. The fact of the matter is that the P.A.C. did recommend this note of the Chairman of the Central Board of Direct Taxes to be included in their Report and they asked the Chairman of the Central Board of Direct Taxes

[Shri K. R. Ganesh]

to examine this matter. It was examined and an interim reply was given; another comprehensive reply was also given. The only point for consideration which I leave it to you and for the wisdom of the House is whether my expression 'persuaded to withdraw this position' amounted to a breach of privilege and amounted to misleading the House. I leave it to the House.

SHRI H. M. PATEL (Dhandhuka): Mr. Speaker, Sir, the words used the 'discussed with the P.A.C. and were persuaded to withdraw'. Firstly there was no discussion and secondly there is no question of being 'persuaded to withdraw'. There is nothing in what the Minister has read out which would show that the P.A.C. agreed to withdraw at any stage. They never had a discussion, though there was a communication. You can say that the letters were sent explaining their points of view. I am really referring to what the Minister has said. I have no means of knowing it. These two are very clear.

MR. SPEAKER: Wrong phraseology seems to have been used.

श्री मधु लिमये (वाका) : अध्यक्ष महोदय, यह कोई मामूली गलत-बयानी नहीं है। इस सदन की एक महत्वपूर्ण स्टैंचुटरी कमेटी के बारे में यह बात कहने से कि उस को पर्नुएड किया गया था—यह नहीं कहा गया कि उस को पर्नुर्ड करने का प्रयास, कोशिश हुई थी, बल्कि यह कहा गया कि उस का मन-परिवर्तन करवा दिया गया—इस में सदन के गुमराह होने की पूरी सम्भावना है। मैं आप को याद दिलाना चाहता हूँ कि इसी पी० ए० सी० को ले कर तीसरी लोक सभा में भी बड़े-बड़े मामले उठे थे। जब मंत्री महोदय ने यह कुबूल किया है कि उन्होंने पी० ए० सी० के बारे में गलत बयान दिया है, तो मेरी आप से यह प्रार्थना है कि अब आप इस मामले को प्रिविलेजिज कमेटी को दे दें। नियमों में आप को ऐसा करने का पूरा अधिकार है। अगर आप

इस प्रश्न को वोट से तय करना चाहते हैं, वो भ्रमल बात है। लेकिन मेरी गुजारिश है कि इस को वोट से तय नहीं करना चाहिए, क्योंकि यह पूरे सदन की गरिमा का सवाल है। इसलिए आप अपने अधिकार का इस्तेमाल कर के प्रिविलेजिज कमेटी को यह मामला दे दें। उस में कांग्रेस पार्टी का बहुमत तो है ही। उन लोगों के डरने की क्या बात है? यह मामला प्रिविलेजिज कमेटी में जाना चाहिए अगर इस पर यहां वोट से फैसला नहीं होना चाहिए।

SHRI H. N. MUKERJEE (Calcutta—North-East): I presume I am speaking with your permission. I would not take long; I would be very brief. I take it from what the Minister says that he is unhappy about the expression 'the Committee was persuaded' which he had happened to have used. We all in this House quite often use a language which is not our own and may be, certain things are said in the manner which is not always intended. I should desire the Minister to offer a word of apology and not leave it to the House as a matter of challenge which was the spirit in which he concluded.

My suggestion, therefore, is that we can put a stop to these proceedings which are beginning to be rather vexatious in spite of the importance of Parliamentary Committees—statutory and other Committees. I am sorry to say this. But I should say that a veil should be drawn over this matter if the Minister gracefully comes forward and says that he is sorry he had used an expression which he had not intended in the way in which it can be interpreted. That would be the end of the matter. As a member of the Committee of Privileges, I would be happy not to be saddled with responsibility for getting into all kinds of matters which are clouding our agenda.

SHRI SEZHIAN (Kumbakonam): This reply was given on the 8 December, 1972, more than a year ago. Though the

Minister had in an open manner given the answer in the House, perhaps his secretariat should have been careful in pointing out these things and due rectification should have been made. But for more than a year this matter has been lying there.

The second thing is this. The Minister wants to pursue the matter. I would like to know the mind of the Committee. Shri Jyotirmoy Bosu happens to be the Chairman of the Committee. Since something has been said about the Committee, I would like to have a report from the Committee to the House. If the matter is to be pursued, it has first to be sent to the Public Accounts Committee and the Committee should submit a report to the House on what it thinks about it, whether there was persuasion or discussion or whatever it is, and then we can come to a conclusion, if the Minister is not coming forward, as my hon. friend, Prof. Mukerjee suggested, with an apology.

SHRI SHYAMNANDAN MISHRA (Begusarai): The matter is not so simple as the hon. Minister wants to make it out to be. If the Public Accounts Committee takes it up as a challenge, it will be difficult for the majority to get it through, as there will be a clash between the PAC and the House itself. In fact, we have got on record that the Public Accounts Committee said that it did not make any such recommendation. The Public Accounts Committee also says—probably the implication is—that the Committee would thus be deemed to have been pressurised to accept a recommendations of this kind. Our request also to you would be to ask the Minister to tender an unqualified apology for this. That is the only way to get out of this situation.

SHRI JYOTIRMOY BOSU: I want to help you.

MR. SPEAKER: I will take it if I need it.

SHRI JYOTIRMOY BOSU: I offer it *suo motu*.

MR. SPEAKER: If I need it, I will take it.

I greatly value your comments on it. All these days I had been waiting for this file to come to my notice also. In this particular situation, Shri Jyotirmoy Bosu is the mover and he also happens to be the Chairman. So many papers move between the Committee and others. One thing I want to say for the future. If he was the Chairman, he should have informally met the Minister and got his explanation as Chairman. Informally, he could do it.

श्री मधु लिखते : मंत्रिों को नहीं बुलाया जाता।

MR. SPEAKER: No, no. There are many other things also.

PROF. MADHU DANDAVATE (Rajapur): We will have to call them every alternate day.

MR. SPEAKER: Not in the regular and formal meeting of the Committee, but we do get the information otherwise too.

SHRI JYOTIRMOY BOSU: That is a precedent for me.

MR. SPEAKER: Do not use it officially.

SHRI JYOTIRMOY BOSU: You have got cold feet?

MR. SPEAKER: He is always in search of arms and weapons, more than the work he has to do.

I have seen it. There seems to be a lot of confusion.

SHRI JYOTIRMOY BOSU: No, Sir

MR. SPEAKER: I saw the whole file. I was lucky. I got it out of the Committee. He was sitting over it for quite a long time.

SHRI JYOTIRMOY BOSU: No, Sir. This kind of observation you are making is uncalled for, unwarranted and baseless. It is unfortunate.

MR. SPEAKER: Let Shri Mishra see this file. I will give it to him. Let him come with a finding.

SHRI JYOTIRMOY BOSU: Let the Privileges Committee see it.

MR. SPEAKER: Shri Mishra could see it and make his observation.

SHRI SEZHIYAN: We take your observation.

MR. SPEAKER: The recommendation of the Committee is here.

"The Committee feel that one of the reasons for declining standards of output in the department is due to imbalance in the employees of the income-tax department. A note has been submitted by the Chairman of the Board of Direct Taxes which is appended to this report."

The Committee said that they have appended a note from the Chairman, Revenue Board etc., with that.

"The Committee is sure that the Government will examine the suggestion and take suitable action."

So, this is neither a recommendation nor a submission. It is something which I have not been able to follow. They have just put it that this note came and we are forwarding it to you to examine it. There is no definite recommendation added to it. Then it comes again:

"As desired by the Committee, the Government will duly examine the suggestion contained.."

etc., and all that.

"It is proposed to undertake a comprehensive examination of these recommendations."

I fail to understand what was the action taken. Action taken is always on the

recommendations. Here there is a suggestion and not recommendation. Both sides are sticking to their point. If they had seen it, and if he had seen it, they will see that these are suggestions and not recommendations. You can examine it. Now, in these suggestions alone, if you had just seen, then you would not have mentioned the word "recommendation." That is the reason why I always invite the attention of over-zealous Ministers and say, "Please be cautious before you reply." And that is not to harm anybody. That is because in the heat of the moment, sometimes they make such observations. This was just a suggestion. A representation has come from the Chairman and we are forwarding it for necessary action. And they say we will examine it. But on both sides, there is a misunderstanding that this was a recommendation. Once you yourself said that there is a little wrong description in describing the whole situation—"and persuaded them to withdraw the recommendations." It was neither recommendation nor persuasion; nor is it proper. I would advise you, as our friends have advised you, just express your regret; and never do it in future. I hope there is nothing wrong. You authorise, and I can do it on your behalf. Just say you are sorry for this; that this was a little wrong expression.

SHRI H. M. PATEL: Sir, before the Minister replies, may I point out one thing? You have said that this was a suggestion and not a recommendation. Even if it is a suggestion, a suggestion from the Public Accounts Committee, when he uses the words, "persuaded to withdraw the suggestion", even then, it is inaccurate.

MR. SPEAKER: What seems to have gone on is, as is the case with all Committees, the department came and they discussed it—may be with the Lok Sabha Secretariat, the Secretaries concerned, the Audit and the Chairman, this and that. But the words are not mentioned there in the open House. You cannot say that an outside agency has persuaded them.

You say that the Committee had discussed it, and that was all.

SHRI JYOTIRMOY BOSU: Now, may I render you my help?

MR. SPEAKER: No, please. I do not need it.

SHRI JYOTIRMOY BOSU: I do not want any fees.

MR. SPEAKER: I do not need your help. Now, Mr. Ganesh, there is nothing wrong in just saying that you regret it.

SHRI K. R. GANESH: Sir, I would make a submission. Firstly, as you yourself said, there has been some confusion about the "suggestion" and "recommendation." The Central Board of Direct Taxes have been in correspondence with the PAC. They first sent an interim reply. Then they sent a final reply. Their interim reply was included in the 76th report. So, as you yourself have said, there is a confusion as far as the "suggestion" and the "recommendation" are concerned. That is one aspect of the matter.

I had already said....

MR. SPEAKER: My advice to you is, a regret over the words. Mr. Ganesh, there is no dispute about "suggestion" or "recommendation." The whole discussion has arisen because of the words that the Committee were "persuaded." And that is a wrong expression used; and you are sorry for that; that is all right.

SHRI K. R. GANESH: I have already said that. I am saying it out. (*Interruptions*). They cannot take my blood like that. (*Interruptions*) All right, let them have it done. I am saying it out. If I had committed a mistake.... (*Interruptions*) Let them have it. (*Interruptions*)

MR. SPEAKER: I leave it to the hon. Minister.

As I said, there is nothing in this except the use of a wrong expression. There is nothing deliberate and there is nothing wrong, but some wrong expression had

been used. Instead of referring to the matter having been discussed and dropped, he said 'persuaded' which perhaps will not be a good instance for the future. That was why I had suggested that persuasion was a wrong expression used, just by slip of tongue or otherwise....

SHRI JYOTIRMOY BOSU: I must make it clear that I have nothing against him personally. This is a matter of the House.

MR. SPEAKER: After all, they are all human beings. Hon. Members commit mistakes, and similarly they may also commit mistakes.

आप तो इस तरह से कह रहे हैं जैसे कोई बड़ी जबरदस्त बात पकड़ ली है—यह स्लिप—आफ-टैंग है—ऐसी क्या बात है।

SHRI K. R. GANESH: I have in my first submission itself mentioned already that the expression 'persuaded to withdraw' was an unhappy and inappropriate expression. If for that your suggestion has been, and it is the feeling of the House also, that I should express regret, I have absolutely no hesitation in expressing regret for this inappropriate expression which I had used. If I have reacted to anything, it is because hon. Members did not allow me even to finish the submission which I was trying to make.

MR. SPEAKER: May I tell Mr. Ganesh that it is really very good of him that he has expressed regret. He is a very good man. He does not mean anything wrong or anything of that sort, and we accept what he has stated.

SHRI JYOTIRMOY BOSU: Even we on this side do not mean anything ill of him.

MR. SPEAKER: Now, this gentleman, Mr. Bosu has always been mentioning the word 'recommendation', in spite of the fact that he is the Chairman of that committee. What is to be done in his case now? He is the chairman of the

[Mr. Speaker]

committee, and not on one occasion did he say 'suggestion', but he had always been mentioning the word 'recommendation'.

SHRI JYOTIRMOY BOSU: You are catching the wrong end of the stick.

SHRI K. R. GANESH: May I make one submission? I am quite clear about the inappropriateness, for which I have expressed regret. But I would submit to you and to the House that confusion still persists, because in the recent questionnaire which has been sent to the Central Board of Direct Taxes....

SHRI JYOTIRMOY BOSU: On a point of order....

MR. SPEAKER: Why is he creating difficulties?

SHRI K. R. GANESH: He is shutting me out.

MR. SPEAKER: It is for me. I am going to send my observations to the committee. If there is any difficulty about this, in future, the hon. Minister may write to the Speaker, and I shall forward it to him.

SHRI JYOTIRMOY BOSU: We do not want to shut him out.

MR. SPEAKER: I went through the file word by word. It seems that nobody seems to have applied his mind to this question. That was a suggestion and that suggestion was sent. In the Action-taken Report it is mentioned as 'recommendation'. I fail to understand why. What could the Ministry or the Government do if in the Action-taken report it is mentioned as 'recommendation'? I am going to send it to the committee.

SHRI K. R. GANESH: I shall write to you on this.

SHRI JYOTIRMOY BOSU: He is referring to the questionnaire sent by the PAC. Let him say here what he wants to say.

SHRI SHYAMNANDAN MISHRA:

It is clear from what he says that they have not yet decided about it.

SHRI JYOTIRMOY BOSU: If he wants to explain, I do not mind.

MR. SPEAKER: But I must say that there are very good watchdogs sitting here.

12.45 hrs.

MATTERS UNDER RULE 377

(i) LATE RUNNING AND SUSPENSION OF A NUMBER OF TRAINS

श्री शंकर दयाल सिंह (वृत्ता): मान्यवर, नियम 377 के अन्तर्गत में इस सदन तथा सरकार का ध्यान देश में 200 से अधिक रेलगाड़ियां रद्द हो गई हैं और करीब करीब 99 प्रतिशत गाड़ियां लेट चल रही हैं। इन की और दिलाया चाहता हूँ। (अन्वय) ..

मान्यवर, दिल्ली भारत की राजधानी है, पिछले 3-4 दिनों में गाड़ियां दिल्ली पहुंची हैं, मैं उन का दिव्य आप के सामने रखना चाहता हूँ:—

नई दिल्ली स्टेशन

महीना	गाड़ियां समय पर पहुंचीं	गाड़ियां लेट पहुंचीं
अगस्त, 1973	579	827
सितम्बर, 1973	990	684
अक्तूबर, 1973	1091	668
पुराने: दिल्ली स्टेशन		
अगस्त, 1973	668	1115
सितम्बर, 1973	1059	1297
अक्तूबर, 1973	1127	1255