

(a) whether the Economic Commission for Asia and Far East has recently recommended that the Shelf area around the island of Ceylon and the eastern coast of the Indian Sub-continent especially Orissa and Andaman Islands should be investigated by continuous seismic profiling method with a sufficiently powerful energy sources to give deep penetration into the sedimentary section for oil exploration; and

(b) if so, Government's reaction thereto for determining oil potentiality on East Coast Shelf area in the light of the said recommendation?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS AND MINES AND METALS (SHRI D. R. CHAVAN) :

(a) This Government are not aware of such a recommendation.

(b) Does not arise.

Smuggling of Indian Films to South Africa

3194. SHRI BABURAO PATEL : Will the Minister of FINANCE be pleased to state :

(a) whether it is a fact that one Uttamchand S. Nihalani, proprietor of U S Export Corporation of Hong Kong was arrested on the 2nd February, 1970 in Bombay for contravening the provisions of the Foreign Exchange Regulation Act, the Customs Act and the Export Control Act by illegally exporting Indian films to South Africa;

(b) if so, the names of Indian films exported with the names of their producers and the possible amount of loss in revenue to Government and to the producers for these films;

(c) the *modus operandi* and the names of the film producers involved in this racket, the action taken against them and if not, the reasons therefor;

(d) whether the passport of Uttamchand Nihalani has been suspended and if not, the reasons therefor; and

(e) the reasons why Government flatly denied smuggling of Indian films to South

Africa in reply given to Unstarred Question No. 2922 on the 11th August, 1969?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI P.C. SETHI) : (a) to (c) . On 2nd February, 1970, Shri U.S. Nihalani, Proprietor of U. S. Export Corporation of Hong Kong was arrested by the officers of Enforcement Directorate for *prima facie* contravention of the Foreign Exchange Regulation Act with respect to certain Hindi and Tamil Films which had been imported by this firm from India for exhibition in Hong Kong and other approved territories and which are believed to have been subsequently diverted for exhibition in South Africa. Further investigations in the matter are in progress. It would not be in the interests of investigation to disclose any further details at this stage. Any contraventions, if any of other laws, would become clear when the investigations in hand are completed. As no duty of customs is leviable on export of films from India, question of loss in revenue to Government does not arise.

(d) Shri U. S. Nihalani is a holder of British Passport which, therefore cannot be 'suspended' by the Government of India,

(e) Question No. 2922 was answered in Lok Sabha on 11th August 1969 when the case of Shri U. S. Nihalani, referred to in Part (a) of this Question, had not been detected.

12 hrs.

RE : CALLING ATTENTION (QUERY)

SHRI HEM BARUA (Mangaldai)
On a point of order. How can a non-official meeting between the Prime Minister and Home Minister with the Chief Minister of West Bengal be the basis of a Calling Attention Motion? This meeting as far as I know was only a non-official meeting. On behalf of the Indian Government the Prime Minister might want to meet the Chief Minister of West Bengal in order to hear about the political situation in the State, to hear from the horses mouth. May I know from you if you have enlarged

ged the ambit of the Calling Attention motion in order to include non-official meetings also?

SHRI NATH PAI (Rajapur) : Whether it is official or non-official, I am not much concerned. The main point is this, whether you are going to extend the scope of the Calling Attention? We have no object if you proceed with this, but we want to raise this point. In the past we have found when such Calling Attention Motion was brought up regarding such discussion between Union Government and State Ministers you have been pleased to disallow. If it is your intention that such meeting can be the subject of Calling Attention we need to be enlightened about this. This is a new convention which is being set up. Mr. Hem Barua is also not objecting to this. We want to know whether you will be hereafter admitting Calling Attention even when there is such meeting between the Chief Minister and the Union Government. Some of the Chief Ministers remain most of the time in Delhi meeting one Minister or another Minister; that is how they sustain themselves in power. Is this going to be subject for Calling Attention?

SHRI HEM BARUA : I am not opposed to this Calling Attention as such. I just want to know this. I am not opposed to this. I want to know from you whether you have enlarged the ambit of the Calling Attention in order to embrace all the meeting between the Chief Ministers or the Prime Minister. Now the Chief Minister of Jammu and Kashmir is reported to have come here and he is going to meet the Prime Minister. Would you allow discussion on that or not?

MR. SPEAKER : I very much appreciate this point raised by you. I also feel, nobody seems to be safe from this Parliamentary debate. Some people came to me about Haryana; we had lot of discussion. Something on the same line has come about Kashmir. (Interruption)

श्री मधु लिवये (मुंगेर) : श्रीर सदस्यों की बात छोड़िये, मैं कमी आबजेकशन नहीं लेता हूँ और कमी विरोध नहीं करता हूँ। यहां सब बातों पर डिसकशन होना चाहिए।

MR. SPEAKER : Again we see some people making statement outside. This relates to Bangla Congress leaders. My objection to this was about the same. But objection was taken in the extraordinary situation. He is leader of Bangla congress; you cannot divest him from the leadership and the office he holds. How can you separate both the identities? I am calling a meeting of the Rules Committee to make certain definite suggestions in this regard. We have, no doubt, the rules, but where are the rules being observed now? A few Members get up and the rules are flouted, and the Chair and everybody else is on the nerves all the time. Now, I am going to discuss it again, concerning the Cariappa affair, the scope of calling-attention-notice and so on. I have called a meeting on the 18th inst., and we shall have a reassessment as to how to assess the whole thing. For the present, this is going on....

SHRI KANWAR LAL GUPTA (Delhi Sadar) : Will you permit me to make a submission? श्री नाथ पाई ने जो कहा है, मैं उससे एग्री नहीं करता हूँ। स्पीकर को इस बारे में काम्प्लेटेस हासिल है। अगर कोई मीटिंग इम्पार्टेन्ट है, तो प्राप उसके बारे में डिसकशन वगैरह एलाऊ करें और अगर इम्पार्टेन्ट नहीं है, तो न एलाऊ करें। इस बारे में कोई रूल या कानून नहीं बना हुआ है। इस सदन को यह डिसकशन करने का अधिकार होना चाहिए।

SHRI PILOO MODY (Godhra) : There is no question of enlarging or reducing the scope of it,

SHRI HEM BARUA : There is no question of challenge to your competence.

SHRI NATH PAI : I do not know if the hon. Member followed what I said. There was no challenge to your competence. What I was asking was only this. What was the tradition in the past?

SHRI KANWAR LAL GUPTA : You may decide on the merits of each case. It depends upon the circumstances.

SHRI NATH PAI : Chief Ministers come to Delhi by the dozens. There are 17 Chief Ministers, and some of them are

[Shri Nath Pai]

all the time here and having some meeting or the other.

SHRI KANWAR LAL GUPTA : It depends upon the circumstances.

12.07 hrs

CALLING ATTENTION TO MATTER OF URGENT PUBLIC IMPORTANCE

MEETING OF BANGLA CONGRESS LEADERS WITH PRIME MINISTER AND HOME MINISTER

SHRI JYOTIRMOY BASU (Diamond Harbour) : I Call the attention of the Prime Minister to the following matter of urgent public importance and I request that she may make a statement thereon:—

“The recent meeting of Bangla Congress leaders with the Prime Minister and Home Minister and the reported decision of the Chief Minister of West Bengal to resign.”

We were expecting to receive a written statement from the Prime Minister, but I regret to say that we have not received any written statement. We were entitled to a written statement in this regard.

THE MINISTER OF HOME AFFAIRS (SHRI Y. B. CHAVAN) : The Chief Minister of West Bengal, along with another Bangla Congress leader....

SHRI JYOTIRMOY BASU : On a point of order. I had called the attention of the Prime Minister and I have requested her to make a statement. How does the Home Minister come in? How does the Home Minister butt in?

AN HON. MEMBER : Any Minister can answer.

SHRI JYOTIRMOY BASU : I have called the attention of the Prime Minister and we expect her to answer. We are not anxious to hear the Home Minister.

SHRI HEM BARUA (Mangal dai) : The calling-attention-notice is directed to the Prime Minister, and it for the Prime Minister to reply.

SHRI JYOTIRMOY BASU : Shri Y. B. Chavan may be aspiring to be the Prime Minister but he is not the Prime Minister of India now.

MR. SPEAKER : Who reads it out does not matter.

श्री हुकम चन्द कछवाय (उज्जैन) : अध्यक्ष महोदय. ध्यानाकर्षण प्रस्ताव में मुख्य मंत्री के प्रधान मंत्री और गृह मंत्री, इन दोनों, से मिलने की बात कहीं गई है। सरकार की ओर से कोई भी उत्तर दे सकता है। इस बारे में कोई भ्रापत्ति नहीं की जा सकती है।

THE PRIME MINISTER, MINISTER OF FINANCE MINISTER OF ATOMIC ENERGY AND MINISTER OF PLANNING (SHRIMATI INDIRA GANDHI) : I can read it. There is nothing much.

SHRI JYOTIRMOY BASU : We do not know if Mr. Chavan has been made the Prime Minister. if he has been made so, then we can accept it.

SHRIMATI INDIRA GANDHI : The Chief Minister of West Bengal along with another Bangla Congress leader met me and the Home Minister on the 12th March. The Chief Minister apprised us of the situation in West Bengal, and informed us of the decision of the Bangla Congress that he should submit his resignation from the Chief Ministership.

SHRI JYOTIRMOY BASU : Arising out of what she has said, she has managed to omit a number of things. With your permission, may I make clear those things? It has come out in the press that the Governor is wanting a certain confirmation in that regard. May I say that in Madras in 1962, the UDF had a strength of 172 against the Congress's 152 in a House of 376, and yet the Governor, Sri Prakasa invited the leader of the largest party in the Assembly to form the Ministry? He did not ask for any proof that he has the majority but left it to the legislature which met after a long period of one and a half months. Here, in West Bengal, where the leader of the largest party, namely Shri Jyoti Basu has offered to test his majority in the legislature within two days, should he not be invited to form the Ministry and thus take recourse to the only correct and infallible test, or will a different standard be adopted because the largest party in the West Bengal Assembly does not happen to be the Congress Party?

MR. SPEAKER : Let him not read out from a prepared statement, but let him ask a question.