

Mr. Deputy-Speaker: All right; the hon. Minister may resume his seat. Let him have two minutes.

Shri Daji: Shri Nambiar is in jail.

Shri Hajarnavis: I meant Shri Vasudevan Nair. (*Interruption*).

श्री बाड़े : उपाध्यक्ष महोदय, मैं ने बारह पंद्रह एमेंडमेंट दिये थे और आशा की थी कि उन में से कुछ एक तो सरकार की तरफ से मंजूर कर लिये जायेंगे। लेकिन उन में से एक को भी स्वीकार नहीं किया गया है। हमेशा ऐसा ही अपोजीशन वाले जो एमेंडमेंट देते हैं, उन का हाल होता है। देवकी के पुत्र जिस तरह से मरने के लिए तैयार होते थे, बाद में भगवान कृष्ण हुए, उसी तरह से हमारे एमेंडमेंट भी मरने के लिए तैयार होते हैं। देवकी के सात पुत्र मार दिये गये थे लेकिन आठवें भगवान् कृष्ण हुए थे। मेरा निवेदन है कि हमारे एमेंडमेंट जो स्वीकार नहीं किये गये हैं, इस का हमें दुःख नहीं है, इस का हमें अफसोस नहीं है। लेकिन आप की कथनी और करनी में अन्तर नहीं होना चाहिये। कल ही प्रधान मंत्री नेहरू जी ने कहा था कि कथनी और करनी में फर्क नहीं होना चाहिये। मैं चाहता हूँ कि माननीय मंत्री जी ने जो आश्वासन दिये हैं, उन को उन्हें पूरा करना चाहिए और उन की कथनी और करनी में फर्क नहीं होना चाहिये। अगर ऐसा होता है तो जनता यही कहेगी, डाक्टर हील दार्सेल्फ। आश्वासन तो आप ने दे दिये हैं लेकिन उन आश्वासनों को आप को पूरा भी करना चाहिये। अगर ऐसा होता है तो हमारे जो एमेंडमेंट अस्वीकार कर दिये गये हैं, उस का हमें अफसोस तो नहीं है लेकिन जिस प्रयोजन को ले कर वे दिये गये थे, वह सिद्ध हो गया है, ऐसा हम मान लेंगे।

Shri Hajarnavis: Sir, I entirely agree with Shri Bade. What is more important is not the printed word of the Constitution but the manner in which it functions. I hope all sections of the House will join with me in the hope that when these institutions come into existence they will make the

people of the Union Territories masters of their own houses as people in the other parts of India are, and they will unitedly bend their energies towards the development of their territories.

Mr. Deputy-Speaker: The question is:

"That the Bill, as amended, be passed."

The motion was adopted.

15.5 hrs.

RE: ALLEGED LEAKAGE OF REPORT OF ATTORNEY GENERAL ON BOSE COMMISSION INQUIRY

Mr. Deputy-Speaker: The hon. Minister, Shri K. C. Reddy.

Shri Daji (Indore): Sir, before you call the Minister, I have to raise one issue. I have given intimation of this to the Speaker and I have also been permitted by the Speaker to raise this here.

Mr. Deputy-Speaker: Before the motion is made?

Shri Daji: Yes.

Mr. Deputy-Speaker: Is it in connection with the same matter?

Shri S. M. Banerjee (Kanpur): He gave notice of it in the morning.

Mr. Deputy-Speaker: All right.

Shri Daji: Sir, I am raising this issue not merely as an issue of technical privilege but as an issue of substance. You will recall, Sir, that the House demanded that the report of the Attorney-General and Shri Sastri, the two legal advisers appointed by the Government on the Vivian Bose Commission to decide about the actions to be taken, be placed on the Table of the House. One part of it dealing with the Company Law may be placed before the House and we demanded that Part I also may be placed. When we demanded to have Part I, there was a discussion in this House on 29th April, and the hon. Law Minister was pleased to observe as follows:

An Hon. Member: He is not in Delhi.

Shri Daji:

"The House will appreciate that it will not be desirable in the public interest to place this part of the report before the House, as it contains an analysis of the evidence in respect of these transactions and its disclosure might prejudice any further proceedings in a court of law which the Government might decide to initiate."

15:56 hrs.

[**SHRI KHADILKAR in the Chair**]

There was further discussion and my hon. friend Shri Morarka also, participating in the discussion, pointed out that the placing of such a report would only help the persons concerned whom we all wanted to bring to book. Therefore, the matter rested there and we did not press it further because it was in the public interest that the report should not be laid on the Table of the House.

Now, Sir, I discover—and here is a copy as far as I am concerned—that Part I of the Attorney-General's report has been sent to the Speaker and the Chairman of Rajya Sabha by Shri Mehr Chand Khanna with a covering letter. He has sent the whole bunch, the whole verbatim copy of the Attorney-General's report.

Mr. Chairman: Is it the original report? (*Interruption*).

Shri Tyagi (Dehra Dun): Sir, this is wrong. Shri Mehr Chand Khanna is not present here.

Shri S. M. Banerjee: He is not the minister.

Shri Hari Vishnu Kamath (Hoshangabad): Some other Khanna.

Shri Tyagi: Sir, Shri Mehr Chand Khanna is not present here.

Shri Daji: I do not know that he is not here.

An Hon. Member: What will happen if he is not here?

Shri Hari Vishnu Kamath: He is a name-sake; not the Minister.

Shri Tyagi: How can he go against his own Cabinet? It is not possible.

Shri Daji: I do not know. The letter is signed "Mehr Chand Khanna". This letter has been sent to the hon. Speaker. I do not suggest that the Speaker's Secretariat has passed it on. Certainly I did not get it from the Speaker's Secretariat. I have got a copy of it, a verbatim report of the first part which was held back from the House (*Interruption*). And, Sir, this copy has been sent, among others, to Asia Udyog and Mrs. S. Dalmia, the very persons from whom we wanted to keep back this part so that they may not get a fore-warning of the action proposed to be taken. On a reading of it it is certainly clear that what the hon. Law Minister said on the 29th is true. It chalks out the lines of possible action by Government, to take the possible evidence existing and evidence to be collected, how to collect further evidence and so on. This whole thing has now gone out and has been sent to some selected Members of the House including Shri Hanumanthaiya.

An Hon. Member: Why including?

Shri Daji: Because he is a Congress Member; others are Opposition Members.

Shri Tyagi: It is actually signed, or the name is typed?

Shri Daji: That the Speaker will be able to say from his copy. I have not been able to get the Speaker's copy. The main copy has been addressed to the Speaker. I have been given only a copy.

I would like to know whether this . . .

Shri Sham Lal Saraf (Jammu and Kashmir): Sir, I want to make a submission. We want to be absolutely sure about the authenticity of this

document. Unless we know that it is an authentic copy, how can we take it up for discussion here?

Shri Hajarnavis: What is the motion that he has made before the House?

Mr. Chairman: May I know from Shri Daji on what grounds he says that this is an authentic copy of the report?

Shri Daji: I do not say that this is an authentic copy of the report. I am asking the Government to tell us whether it is so or not.

15.59 hrs.

[MR. SPEAKER in the Chair]

It has been given to the Government in the morning. It was given to the Minister of Parliamentary Affairs this morning. He has had about 5 hours to ascertain whether it is authentic or not. I am expecting a reply by about four o'clock.

16 hrs.

Now, Sir, the first point that we would like to know is whether this is an authentic and true copy of the first part of the report or not. Secondly, if it is so, I submit, I am not raising a technical point of privilege but a point of great substance, seriousness and propriety, if this is such a report which was intended in public interest to be kept away even from Members of Parliament—and, after reading it, I feel it was rightly done because it really speaks of all possible actions that Government were advised to take—how is it that such a report has leaked out. It is something very serious, something very shameful that we cannot get such a report, again at a time when we are just going to have a discussion on the Vivian Bose Commission report, and yet the big business could lay their hands on this top secret report and get it circulated in this way. I do not know exactly where the responsibility is. My request to the Government, first of all, through you is, let the

Government enlighten us on the point whether this is the true report. If it is a true report, and it is circulated to all and sundry, members and even non-members, are we not entitled to get a copy of it? Thirdly, from whom, from what source, from what office has this leaked out? I do not know that. It may be from the Ministry of Commerce and Industry, or the Law Ministry or the office of the Attorney-General, because these are the three persons officially known to have been associated with the top secret report; or there may be others also. We do not know; we have not got any information in the House. But, from the papers, we find that Shri Swaran Singh was appointed to a sub-committee of the Cabinet. May be, he is also aware of it. So, it is available only to these four people. In any case, Government is squarely responsible for this. If a top secret document, held back by the Government from Parliament, finds its way to the public, a report which in the public interest should not be disclosed, apart from the technical question of privilege—there is no doubt about it that the question of high propriety is involved—the propriety of the report itself going into the hands of persons against whom action is contemplated reduces the whole intended discussion and this Parliament and our rights as well as privileges to a mockery. So, if it is really an authentic and true copy, it seriously affects our rights and privileges. Therefore, I seek your permission to request the Government to enlighten us whether this is a true copy. If so, I feel the House should appoint a committee to go into the question how this top-secret document has been circulated and the entire discussion has been set at naught.

Shri Hari Vishnu Kamath: Sir, on a point of clarification.

Mr. Speaker: Shri Bade.

Shri Bade (Khargone): I submit, Sir, this is a very serious question. In the morning, you will remember,

[Shri Bade]

Sir I came to you and enquired whether we would get a copy of the first part of the report. Then you were good enough to tell me that since the report is withheld by the Government from Parliament it is not available. Then, to my surprise, I have seen in *Patriot* in bold type the substance of the first part of the report. It has appeared in the papers, copies of it are distributed everywhere in the town and yet we are deprived of this document, which is a very important document. So, I want to know whether this is a question of privilege of the House or not. If it is a privilege, then the matter should be referred to the Privileges Committee, or some action should be taken against the persons concerned. So....

Mr. Speaker: I have followed his point.

Shri S. M. Banerjee: Sir, my idea in seeking your permission to raise this point.....

Mr. Speaker: That was the joint request of both Shri Daji and Shri S. M. Banerjee.

Shri S. M. Banerjee: I want to cover some point.

Mr. Speaker: It is only one Member who can move it. I have permitted Shri Daji to raise it. Now, if he has to say anything in addition, he may do so. Otherwise, he may resume his seat.

Shri S. M. Banerjee: Sir, I raise this question only because on the 29th April, 1963 when the Law Minister wanted to lay on the Table of the House Part II of the report, I raised a point of order but, Sir, you in your wisdom did not allow me to proceed. You asked me "He cannot read the

statement?". Then I said "he reads, I want to know....". Then you said "Let him read it. If something arises....." I then said "I want to know whether it is the report of the observation of the Government.". Then you said: "Whatever it is, he will come to know when he reads." I immediately said "Then, the mischief will be done". My fear then was that I was anticipating something fishy, something hanky panky, because I knew the whole thing. I was expecting this because a lot of rumours were afloat in Delhi that this report was being shelved.

Mr. Speaker: Even then he had knowledge of the first part?

Shri S. M. Banerjee: If I had no knowledge, I would not have raised it. My only submission is this. In spite of my repeated requests to the Law Minister that it should be laid on the Table of the House, the only reply was that this House will appreciate that it will not be desirable in the public interest to do so. I have a feeling that this document has been concealed from the Members of the House. By divulging this report, this top secret report, which has been denied to Members of Parliament, Government have committed a gross impropriety and a breach of privilege. Now that Shri Daji has shown us this report, Government must here and now come forward and say whether this is a real and true copy of the report which has been denied to us. This has been circulated by one Shri Mehr Chand Khanna. He is in Vinay Nagar. He has, in his letter addressed to you, stated that Dalmia's condition is pitiable and when this particular report was shown to his wife that is the wife of Shri Khanna, she was in tears. Shri Mehr Chand Khanna was pleading on behalf of Dalmia. It has given a handle to Seth Ram Krishna Dalmia and others to represent their case. I doubt very much whether these documents have leaked out from the office of the Attorney General, or

the Law Minister, or the Minister of Commerce and Industry. There should be a probe into the matter immediately. It is a question of privilege. Why have we been deprived of the privilege of going through those documents? The other day when I raised this question, Shri Morarka, out of ignorance, asked "whom Shri Banerjee wants to help?". What is the implication of that question? Now it is clear to all as to who wants to help whom. So, I raise this question of privilege. Let the Minister come forward and say if this is an authentic copy. It runs to ten pages. It is the same thing which has appeared in the *Statesman* when I raised this question. I want this thing to be decided here. First of all, I want part I of the report to be laid on the Table of the House, because it is no more secret, though they have kept it as secret because we should not be deprived of our privilege. Then, I hope you will excuse me if I say, as I said the other day, the intention of the House seems to be to reduce this House into a post mortem house.

Mr. Speaker: Order, order. The hon. Member is going on arguing. First of all, it is not known whether it has leaked out and, if so, from where. Yet, members begin to conclude it is a privilege of the House. Unless we know the facts, how can we decide it. If the truth is known and it is found or established that it has been released by Government, or any of its agency, then alone it can be said.....

Shri S. S. More (Poona): I oppose the motion of the hon. Member.

Mr. Speaker: I will certainly give him an opportunity. First of all it has to be seen if it is an authentic copy. Even then, supposing it is by theft. Supposing it has leaked out somewhere because of the negligence of the Government. So, unless we know the fact, how can we presuppose that a breach of privilege has been committed and then proceed? On the other hand, he has urged that an

inquiry may be made and the facts ascertained as to how it has gone out. That is a perfectly legitimate demand on the part of Members.

Shri H. N. Mukerjee (Calcutta Central): As far as I can understand, you, Sir, have already fixed a particular time in order to allow these two members to present whatever their case is, and I take it that the Ministers of Government are aware of the fact that the Speaker of this House has fixed a certain time for it. The Law Minister is not seen here, for God knows what reason. The Minister of Parliamentary Affairs is also nowhere to be seen. Only the Minister of Commerce and Industry is here, and possibly two other Ministers because they have some other business. I do not understand how it is that in the House of the People when a matter is fixed for discussion, a matter pertaining allegedly to the question of privilege, the Law Minister or the Minister of Parliamentary Affairs do not have the elementary courtesy to be present. They have been behaving in this arrogant manner over and over again and this has been drawn to your notice even this morning.

Shri Hajarnavis: May I submit....

Mr. Speaker: Order, order. There is nothing here about which we should get excited. I have fixed this discussion at this hour and a notice was given to the Government. So, some Minister, whoever he might be, responsible and capable of answering the questions that are raised here, should be present. I am told that the Minister concerned is here and will answer the question. So far as the Law Minister is concerned, I was told in the morning that he is not in the station. He has gone out of Delhi.

Shri Hajarnavis: His brother is very seriously ill. Therefore, he had to go.

Mr. Speaker: There may be some reason for it. We have learnt in the morning that both the Law Minister

[Mr. Speaker]

and the Deputy Law Minister were not here in station. Therefore, they could not be present. Here we are only concerned with the question whether there is present some Minister who might know the facts and might give the answers when an accusation is made against the Government. If the plea is taken that some particular Minister is not here, not present in Delhi, therefore, they cannot answer some question then the position is different. Now, if the whole thing is discussed here and the facts are given to us, why should there be cries of objection?

Shri Hari Vishnu Kamath: Sir, on a point of information and amplification. My hon. friend, Shri Daji, has told the House that you have also been forwarded a copy of this document.

Shri S. M. Banerjee: Sir, it is addressed to you.

Shri Hari Vishnu Kamath: It has been addressed to you along with a forwarding letter. You would be guiding the House aright and enlightening us on this matter further if you could kindly tell us when first you received this document and whether you yourself, independently of the Government, have thought it fit and necessary to have any kind of inquiry made into this aspect of the matter as to how this part came to be sent to you either by leakage or by theft, as you yourself said, and finally who this mysterious Mehr Chand Khanna is. Has any inquiry been made into this mysterious Mehr Chand Khanna and has his identity been established? Have you tried to do this, independently of the Government? We have more confidence in your machinery at this stage than in the machinery of the Government. If you would throw some light on the matter, we would be deeply obliged to you.

The Minister of Parliamentary Affairs (Shri Satya Narayan Sinha): I am told, my absence was criticized.

I do not know what for. My other colleagues were here. What have I to do with it?

Mr. Speaker: It is correct that an objection was taken that the hon. Minister of Parliamentary Affairs was not here but I must tell him that I defended him. But then he should not disown responsibility because for whatever goes on here he is responsible.

Shri Satya Narayan Sinha: Not pointedly.

Shri Kapur Singh (Ludhiana): I wanted to make a very humble submission when Professor Mukerjee and later on my hon. friend, Shri Kamath, stole the thunder. I want to remind the House that throughout his speech the hon. Member has been discreet and hypothetical. He has merely said that if it is true, there is breach of privilege. We must not forget this that he is hypothetical. He makes no categorical.

Dr. L. M. Singhvi (Jodhpur): If the allegations made by Shri Daji are correct or even have a semblance of accuracy, certainly the matter is of serious concern. But we would like to know, in the first place, whether the Government propose to proceed under the Official Secrets Act in this matter as to how this came to be disclosed, leaked out, stolen or somehow published and circulated. The second thing is of immediate concern to us. If the document happens to have been circulated to some privileged hon. Members of the House and to some other persons, there is no reason why that document should not be made available to others because, after all, the Vivian Bose Inquiry Commission's Report is divided into two parts and the Sen Report, as I have submitted earlier, is the report which relates to recommendations whereas the Vivian Bose Report is the report of inquiry. If the first part of the Attorney-General's report has been circulated

to some people—that relates to the inquiry by Mr. Vivian Bose—there is no reason why, when once the Vivian Bose Inquiry Report has been submitted to us, this report should not also be submitted.

Shri Tridib Kumar Chaudhuri (Berhampur): I only wanted to point out that three departments of the Government are concerned with this latter report, that is, the report of the Attorney-General and Shri Viswanatha Sastry, about the action to be taken on the Vivian Bose Commission's recommendations. Now the whole point is that you should also ask on behalf of the House that an inquiry should be made as to from which of these three departments this leakage has started. Evidently, it is a leakage; it is not an official circulation. So, that aspect of the matter should also be taken into consideration.

Shri Sinhasan Singh (Gorakhpur): Before we discuss anything, let us know whether the Government owns that letter or not.

Shri S. S. More: I have reasons to oppose the motion of privilege.

Mr. Speaker: It is not yet known whether really the facts disclose that there is any breach of privilege or not. First the demand is that the facts must be told as to how it happened.

Shri S. S. More: It is for them to explain how they got the document.

Shri Sham Lal Saraf: I have already raised the point about the authenticity of the document.

Shri S. M. Banerjee: Let the Government deny that.

Shri S. S. More: I think, the party who obtained that particular document must explain how and by what means they got it.

Shri Daji: By post.

Shri Surendranath Dwivedy (Kendrapara): I only want to point

out that this particular letter has been circulated by a person who says that his friend is a stenographer of an advocate and from that stenographer he has got this letter. That is how he has forwarded this letter to some of us saying that this is the first part of the report of Shri Daphtary and Shri Sastry which has not been laid on the Table of the House. That is the authenticity. The person gives his name and address. He lives somewhere in Vinay Nagar, New Delhi.

The Deputy Minister in the Ministry of Home Affairs (Shri Hajarnavis): Some time earlier the hon. Law Minister stated in this House that a certain part of the report was confidential and that the Government would not place it before the House. That position we still adhere to and it has not changed merely because some individual takes it upon himself to say that here is a copy of that report which is in our possession, which we regard as confidential and which we maintain is confidential, and try to draw us out to admit it or deny it. We have not reached that stage at all.

Dr. L. M. Singhvi: It is most unrealistic. . . . (*Interruption*).

Shri Hajarnavis: I do not agree that merely because someone alleges that he has got a copy and therefore Government should either confirm it or deny it. That is a proposition which, I submit, Government cannot accept without a severe restriction upon their responsibility. . . . (*Interruption*). That is so far as the production of the report or making any statement on the report is concerned.

So far as the matter of leakage on the motion of privilege of the House is concerned, I have not yet been able to find out its exact nature. What exactly does it say? Is it a privilege motion? Treating it as a privilege motion, I submitted, I hope they will satisfy you *prima facie* that if the facts are proved, the Government or any other party against whom the

[Shri Hajarnavis]

complaint is made is guilty of breach of privilege. The question of privilege cannot be raised in the air. It cannot be raised merely because someone says, "You have done something which is improper." Suppose, today I have a highly confidential document in my possession and somebody steals that document. I will assume that. Then how is the question of privilege raised? How does it arise? How am I called upon to explain? It may be that at an appropriate stage of the proceedings, Government may be criticized for not taking proper care of the things it regards as confidential, but the question of breach of privilege of the House as a whole does not arise. I submit that the essential ingredient of that would be if something which we ought to have done, that is, document or information which under our responsibility to Parliament we ought to have given here, we have given to someone else. Is there any allegation of that nature? Someone who has a stenotypist as his friend sends out a letter. Suppose that he does a wrong act, how is Government to be fastened with that responsibility?

Shri Priya Gupta (Katihar): On a point of order, Sir. The point of privilege is in respect of bringing to light information which was not given to us. How it came to light, either through a concealed channel or due to the intention of the hon. Minister, is not the criterion for judging the question of privilege. The question of privilege arises because it has been brought to light and it has not been given to us by the hon. Minister.

Mr. Speaker: What is the point of order?

Shri Priya Gupta: The point of order is that he cannot say....

Mr. Speaker: What rule of our Rules of Procedure or what article of the Constitution has been violated?

Shri Priya Gupta: I am just bringing to your notice his statement in respect of the question of privilege for your ruling.

Mr. Speaker: That cannot be a point of order.... (*Interruption*). **Shri Bade.**

Shri Bade: The explanation given by the hon. Minister is quite correct.

Mr. Speaker: But let him finish first.

Shri Bade: He has finished.

Mr. Speaker: Has he finished?

Shri Hajarnavis: I will only beseech you that before you are asked to give your consent to the motion of privilege, the nature of the allegations must be such that *prima facie* they must constitute one of the known instances of breach of privilege. I submit that that responsibility—mover's responsibility, whatever the motion it is—has not been discharged.

Shri Tyagi: I have not yet seen that report. But as my hon. friends have put it.....

Shri Surendranath Dwivedy: I will show it to you.

Shri Tyagi: It seems to me that some Mehr Chand Khanna—I do not believe he is our Minister—has circulated that report. If it is a genuine one, the question of privilege can be considered by the.....

Mr. Speaker: I might just inform the House that there is no motion for breach of privilege before the House.

Shri Tyagi: That is right. That does not arise. So long as the allegation is there that a Minister or Government is held responsible to publicise a document which the Government has refused to put on the table of the House, it is a clear case of the breach of privilege. Only then... (*Interruption*).

Mr. Speaker: Order, order. When an hon. Member is speaking he ought to be given a hearing.

Shri Tyagi: At the same time, I could not understand one thing. My hon. friend said, if the document is genuine, even then it should remain secret. He insists that it should remain secret because Government has not left that position. He still insists on that. That is something illogical. I cannot understand it. Will it remain officially secret or factually secret?

Shri Surendranath Dwivedy: Officially secret.

Shri Tyagi: Officially, I understand, it is secret. So long as the Government goes on calling it secret, it will remain secret. I cannot understand that.

Shri Surendranath Dwivedy: For them it is sacred.

Shri Tyagi: My hon. friend still maintains that the document is secret. Despite the fact it be in the hands of all the public, he shall continue to call it secret which I do not understand. Therefore, the simplest thing which I expect from the hon. Minister is to see the document and see if the secrecy has been betrayed by somebody. They can enquire into this matter. At the same time, it is for them to tell the House whether it is genuine or not because secrecy is gone. One cannot remain chaste and deliver a child.

Mr. Speaker: Mr. Mahavir Tyagi has made that delivery.

Shri D. C. Sharma: My simple point is, whether it is a point of privilege or not. Evidently, it is not a point of privilege because the other Members of the House who sit on my right have got a copy of it and we have not been able to get that copy. They have got it by post. It has come to them by post. The letter has been signed by somebody. Therefore, if there is any matter of privilege, it belongs to us

who should raise a point of order saying, "Why have they got a copy of it? Why has that gentleman chosen them for special treatment and why has he not chosen us for that kind of treatment?". (*Interruption*).

Shri Sonavane (Paudharpur): We have got something.

Shri D. C. Sharma: My point is this. As you have put it very rightly, it is not a question of privilege. It is a question of fact finding. We have to find out the facts as to how this thing has leaked out and whether what is leaked out is an authentic copy of the original. We have to find out, if what has leaked out is an authentic copy and how it has leaked out. I think it is not a matter for this House to decide. It is a matter for the Government to decide and the Government can make use of its machinery for finding this out.

Shri Khadilkar (Khed): I fail to understand the position taken up by the hon. Minister because apart from the report that is in the hands of the opposition, or some members of the opposition... (*Interruption*).

Shri Daji: Why opposition only? You have got it. (*Interruption*).

Shri Hanumanthaiya: I may straightway say, he is making repeated references to me. (*Interruption*). I am not aware of it. I have not looked into any of the papers connected with this. (*Interruption*).

Mr. Speaker: Order, order.

Shri Surendranath Dwivedy: You have also got it. (*Interruption*).

Shri Hanumanthaiya: When the hon. Member makes a personal allegation he should verify whether it is correct. It is not in my hands. (*Interruption*).

Shri Daji: I am not making any allegation. It is written here. (*Interruption*).

Mr. Speaker: Order, order. The hon. Members should have patience.

Shri Khadilkar: The question is whether that document is genuine or fake. There is another aspect to the question that has been raised. Some portions of that report have been published in the press and it is the duty of the Minister concerned to see whether facts stated therein are correct or not, whether they are absolutely false or not. Otherwise, in what way is he going to guide this House? One more thing I would like to say. Mr. Daji has cast aspersions on all the Members of this honourable House when he stated that Government will misguide, if I correctly understood him... (*Interruption*). So far as this issue is concerned, it is not a question of Government and the Members... (*Interruption*). It is the question of the privilege of the House.

Shri Daji: I have not said it.

Shri Surendranath Dwivedy: He was absent minded.

Mr. Speaker: I could not follow him.

Shri Khadilkar: If any breach of privilege has taken place, every Member of this House will stand for his own rights and the rights of the House that they should be preserved. Therefore, I would humbly submit that it is the duty of the Government to enlighten the House on this point as to whether what has been published is correct or not, leaving aside the document in their possession.

Shri Sinhasan Singh: I want to make a submission. In reply to the factual question, whether it is a true copy of the report of the Attorney General or not, Government does not deny it, nor affirm it. There is neither denial nor affirmation. When the Government itself is not taking a positive attitude of denial or admission, the fact is that the original copy has been misused and they must enquire whether this copy corroborates the true copy given to the Government or not. If the Government is not prepared to deny or affirm, I think, the

House is prepared to take it that it is a true copy and if that is a true copy—and that is the ruling given—then the question of privilege arises. I submit that it should be decided whether Government is in a position to take that position—the non-admission and non-denial of the Government. When the Government takes that position, then, Sir, I think that will be the bad day for our democracy. Government neither affirms nor denies and still the country will go on accusing the Government that Government is somehow or other hiding true facts from the nation.

Shri Hajarnavis: I will not repeat what I have said. It is suggested that I should answer this. I ought to know what is the nature of the proceedings before the House. If a question is asked, I can answer that. If a Calling Attention is given, I can answer that. If any motion is raised by way of any breach of privilege, I can meet it. But merely because someone mentions that a certain document has been... (*Interruption*).

If it comes to us by one of the known methods of procedure, then alone I can adopt my answer to the procedure which the House follows. There cannot be any enquiry at random, any answer at random... (*Interruption*).

Shri Tridib Kumar Chaudhury:
rose—

Mr. Speaker: This cannot go on indefinitely. He has had an opportunity to speak.

Shri Tridib Kumar Chaudhury: I am not speaking anything. It is not my habit to raise points of orders, which the Chair has held frivolous. I want to raise a point of order.

Mr. Speaker: Yes.

Shri Tridib Kumar Chaudhury: The point of order is this that the Minister has not taken the plea of public interest as regards this document is concerned. He has refused either to say it is an authentic document or it

is not an authentic documents. But he has not taken the plea of public interest, that in the public interest he refuses to do so. It seems he is not willing to take that plea. So, I want to know what exactly is in the mind of the Government in regard to this matter. Can he refuse to withhold information from the House on that score?

Shri Tyagi: Can the document which is under discussion be placed on the table of the House by the Opposition Members?

Mr. Speaker: There are various aspects of the question that are to be considered here. Members have taken objection on many points. Though they were rather a little, I should say, excited on certain things, the facts are not yet clear. So much we have learnt that some person just calling himself or giving it out that he is Mehr Chand Khanna, has sent some copies to a few Members. . . .

Shri A. P. Sharma (Buxar): That is pseudonymous.

An Hon. Member: It is anonymous. (Interruption).

Mr. Speaker: Mehr Chand Khanna is the name that is given out. The Minister would not have sent that.

Shri Surendranath Dwivedy: The name is the same; the spelling is the same.

Mr. Speaker: One Mehr Chand Khanna has sent some copies to a few Members. . . .

An Hon. Member: To you also.

Mr. Speaker: I am coming to that. Personally also Mr. Kamath has put me a pointed question whether I have received a copy of it.

Shri A. P. Sharma: That is the name which is said to be typed in it. (Interruption).

Mr. Speaker: The material has been forwarded to certain Members by

post and the person who has despatched these manuscripts calls himself Mehr Chand Khanna.

Shri D. C. Sharma (Gurdaspur): is not a copyright name. (Interruption).

Mr. Speaker: Order, order; Where is the question of copyright? Why should there be irrelevant questions? (Interruption). If Members are not prepared to listen to me, I might sit down.

Shri H. N. Mukerjee: We are waiting for your statement. You do not listen to the Members.

Mr. Speaker: How can I be oblivious? Certainly I have ears and I do hear those voices.

Shri H. N. Mukerjee: You cannot hear and speak at the same time. Either you speak or hear.

Mr. Speaker: This raises many questions. One thing, in the beginning, that I have to say is that the Minister has not said even this much that the Government is going to make any enquiry into the facts that have been alleged. At least this has now been known. Because from the facts that I learnt in the morning, this very question was raised in the Rajya Sabha and a copy was given to the Minister of Parliamentary Affairs. He got it and probably he said—I am not sure whether he said it—but he was asked that Government might ascertain whether it is a real copy of the original. It was promised or they expected that the Government would give a reply whether really this was a copy of the original of that first part of the report that had been made by the Attorney-General. So, the Government by now might have been able to find out whether this was really a true copy of that original or not. If the Government has not been able to find out up to this time, then, at least, they could give some assurance, some indication that they are going to make enquiries into it. At least

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this much is due to the House that they should be told whether what has been circulated to the Members is a copy of that report or not. That question must be settled and it is the Government's duty to satisfy the House in that respect.

Then comes the second question. The hon. Minister has asked technical questions that no question has been formed and it has not been put in a proper form. That is quite a different thing. The whole question is about this copy. The first question that Members ask is whether what they have got is really a copy of the original report that was made to the Government by the Attorney-General and the Government owes to this House that this must be disclosed. One thing, if the Government is not ready by this time to affirm or deny that, Government at least could give an assurance and satisfy the House that they will make enquiries into that and find out whether really the one that has been circulated is a true copy or not. That is the second one.

Shri Tyagi: How much time does it take?

Mr. Speaker: Order, order; I will ask them.

Great emphasis has been laid by presuming that it is or rather there has been a breach of privilege though alternatives also have been discussed here if it is not a deliberate release. But, nobody has said that Government has released it deliberately. No one has charged the Government of that act. Unless we prove that the Government is responsible for the release or one of its spokesmen, there cannot be any question of a breach of privilege. Or at least it ought to be established that there has been gross negligence on the part of the Government and on account of that negligence, this has escaped. . . .

Shri Priya Gupta: Leaked out.

Mr. Speaker: . . . leaked out—1 correct myself—through other sources and then too, probably it might be a question for the House to consider whether that negligence is such where breach of privilege can arise.

There can be other things also which the Government has to enquire. As I said in the beginning, it might be theft by a person and then to cloak himself or to take protection, he may have adopted that method of sending on copies to other persons. In such a case, really, it becomes the duty of every hon. Member to help and assist the Government in finding out the real culprit whoever that might be.

Therefore, the first duty of the Government is to find out now how it has gone out, whether the Government say it is theft or it is leakage or any official has been responsible for its disclosure or its release. That much at least must be known first before we can proceed further in this matter.

Shri Hajarnavis: I do not want to argue after the decision has been given. I consider it my duty to carry out whatever directions you have been pleased to give. There is, however, one point on which I wish to seek your guidance and clearer direction. It is this. As I said, this is regarded and we intended to keep it as a secret document. If the claim were not made, we would have disclosed it. We will certainly go into the question whether there has been any leakage and if the leakage has occurred, how it has occurred and who are responsible. We as Government cannot shirk our responsibility in finding out where documents which we regard as confidential have been placed in the hands of non-official persons. That is a very serious matter. So, from the administrative point of view, we are bound to undertake an enquiry very soon, expeditiously as soon as it was brought to our notice and as far as possible moved.

The next question which would arise is, having ascertained it, we would urge before you, respectfully submit before you, to go further and say—the document has leaked; there is evidence that it has leaked—further to say that this is the document is, I submit, to take away from the secrecy which we intended to keep.

Shri Surendranath Dwivedy: If this is not the document, what is the leakage? (*Interruption*).

Mr. Speaker: Order, order.

Shri Hajarnavis: There may be a case, it may have leaked; it may have leaked and yet may not have been published. This may not be the document. It may have gone into the hands of a person who has not given it, but some other person, knowing that it has leaked, in order to draw us out, publishing something which is entirely different. That is a possibility which cannot be ruled out. (*Interruption*) I, therefore, would seek from you a direction. Having made an enquiry we will go into these things. Must we go further and say whether this is a copy or this is not a copy? Must we say this?

The Minister of Parliamentary Affairs (Shri Satya Narayan Sinha) rose—

Mr. Speaker: Now probably the hon. Minister recognises that his presence is necessary?

Shri Satya Narayan Sinha: Because my name has been brought in by you and I said something in the other House. I said, on the question of leakage or otherwise, it is a leakage only when it is a genuine thing. Otherwise, if it is something which is not genuine, there cannot be any question of leakage.

Shri Surendranath Dwivedy: What did you say?

Shri Satya Narayan Sinha: I, therefore, say, the question of leakage will only arise when the document which hon. Members have got in their hands is a genuine thing. Otherwise, if it

is something faked, there is no question of leakage.

Some Hon. Members: Correct. (*Interruption*).

Shri Satya Narayan Sinha: I do not understand; I was wondering all the time; all the Members taking part asked whether it is leakage or not and you also said something about it. Unless the thing is genuine—we cannot run away from that.

Shri Surendranath Dwivedy: That is the first question. (*Interruption*).

Mr. Speaker: Order, order; why should all hon. Members stand up? When the hon. Minister argues that the case of leakage can only arise if the document is first established to be a genuine one or a true copy of the original. . . .

Shri Satya Narayan Sinha: If it was something else. . . .

Shri Yallamanda Reddy (Markapur): It is quite correct. It is genuine.

Mr. Speaker: The first demand is that the Government should come out with the reply whether it is really a copy of the original or not. The second step can only arise after that.

Shri S. S. More: May I know from you whether the document in question has been submitted to the House?

Mr. Speaker: No.

Shri S. S. More: Unless it is placed on the Table of the House, how can Government make an enquiry? Unless they get a copy of that document, how can Government proceed with the enquiry?

Mr. Speaker: I was told that the hon. Minister of Parliamentary Affairs had been handed over a copy of that. He owns it in his hands now.

Shri S. S. More: There may be different copies.

Shri Tyagi: Despite your ruling, one point has not been made clear. You

[Shri Tyagi]

were pleased to say that it was for Government to find out whether the document was genuine or not. The hon. Minister feels that if that thing were to be judged, namely whether the document is genuine, then it will be difficult for Government to recognise that it is genuine, because otherwise the secrecy is lost. That is what my hon. friend says. Therefore, on that plea, he says that because it is a secret document, though it may be published or anything else may be done regarding that, they will not verify the genuineness of it, because the secrecy will be lost. This is an argument which I cannot follow.

Shri Hajarnavis: I may assure my hon. friend Shri Tyagi that that was not my argument.

Dr. L. M. Singhvi: On a point of order, Sir. I hope you will concede that it is a valid point of order. A reference has been made to the fact that the Minister of Parliamentary Affairs already has a copy of this document. I presume that this is the copy which was given to him in the other House by Shri Bhupesh Gupta.

An Hon. Member: How do you assume that?

Dr. L. M. Singhvi: This was what I had come to know in the Central Hall. The whole point is that under our rules of procedure, we are neither supposed to refer to the proceedings of the other House unless they are published, nor can we make reference to those proceedings. At any rate, in regard to the demand made by Shri S. S. More, as long as we do not have this document placed on the Table of the House or at least the House has taken cognizance of the document, I would say, that we are discussing an object which is not there; we are not on *terra firma*, because we do not know what this document is. How can we discuss it when we do not know what this document is?

An Hon. Member: Let him place it on the Table of the House.

Shri S. M. Banerjee: Shri Khadilkar has mentioned it already.

Mr. Speaker: Why do those Members ho have received that copy not produce it here?

Shri H. N. Mukerjee: You were going to answer Shri Kamath's question, Sir.

Shri Daji: I was making my submission before you, and meanwhile, the other Member got up.

Mr. Speaker: I get into difficulty because some other Member gets up. When he knows that there is no point of order, but he says that there is a point of order, I have to give him priority. That / is the difficulty.

Dr. L. M. Singhvi: Under our rules of procedure, this House cannot take cognizance of the proceedings of the other House. I suppose you would recognise it.

Mr. Speaker: The document is in the hands of the Minister and he is just showing it.

Shri Satya Narayan Sinha: I have got the copy which was given to me in the other House. I do not know what copy the hon. Member has got.

Shri Daji: I wanted to make a submission on two points. Now that a third point has been raised, and you were pleased to say something about this document, I shall make my submission on the third point also.

First of all, let me say that the document which has been already handed over to the Minister of Parliamentary Affairs is *verbatim* the same as I have got, as Shri Surendranath Dwivedy has got and as the other Members also have got. Therefore, first I was surprised at the absence of the Minister when I first put this question. He has been treating us in such a way as if he is an Alice in

Wonderland and as if he does not know. The document has been in his hands now for 4 hours and 45 minutes, and he has had more than four hours to ascertain whether that document is genuine or not. I refuse to believe...

Mr. Speaker: Order, order. A technical objection was raised that we cannot refer to what passed in the other House except from the published proceedings.

Shri Daji: Apart from that, I know as a matter of fact that he has got the document. It has been with him from quarter past 11. For more than four hours, the document is with him. Certainly, he must have inquired, he has made an inquiry as to whether it is genuine or not. I want to put this question to the hon. Minister of State in the Ministry of Home Affairs: does Government understand this fact that this document has been circulated somehow and if the Government does not contradict it and say that it is not genuine, whether the Government owns it or not, the mischief is there? The position has, therefore, to be rectified. Merely saying that even if it is genuine, the moment they go into it and say whether it is genuine or not, it will cease to be secret is not the answer. Does Government understand that to allow this document, such report to be circulated....

Mr. Speaker: How does he presume that.....

Shri Daji: I am not presuming anything. What I am saying is that unless they contradict it, the mischief will be done. So I am anxious that the position should be made known. If this document is not genuine, let it be contradicted.

The third point is about laying it on the Table of the House. I can certainly pass it on to you and through you to the Minister concerned for authentication.

Shri A. P. Sharma: Shri Daji has just now made the statement that the document that the Minister of Parliamentary Affairs has received in the other House is the same document that the hon. Member has received in this house. We do not know what the document is. Before we know what the document is, we cannot say anything.

Shri Bhagwat Jha Azad (Bhagel-pur): I want a clarification. What has been received is stated to be a document. I submit that unless it is signed by somebody, the House cannot take cognisance of an anonymous document. What Shri Daji wants Government to say is whether the document he has received is the same as the report that the Attorney-General has made. Every day ten or twenty members get a dozen documents. I get one signed by somebody. 'Shri Sri Ram Sharma.' Another Member gets one signed by somebody else. It is just an anonymous petition. The House should never take cognisance of such documents. Otherwise, what will happen is this. The party who is concerned in this and who is going to be penalised will everyday try to surmise something and get printed one, two or three dozen different copies and send them to Members. Everyday these three dozen petitions, signed by somebody, not verified, not genuine, will be brought before this House and Government would be called upon to say whether they are genuine or not. This point has to be clarified. This copy which has been referred to is nothing but an anonymous letters. Therefore, Government cannot say, and should not be called upon to say, whether it is a true copy or not. If you allow it to be done, this will become a precedent in this House, and if any Member receives some document, he can bring it and call upon Government to say whether it is genuine or not. This is the first point to decide. We should proceed on that.

Shri Surendranath Dwivedy: I have got a copy of that document signed by the person who as sent it to me. If you agree, I can lay it on the Table of the House.

Mr. Speaker: Order, order. Documents are not placed on the Table in this manner. If a document is quoted from or referred to, any hon. Member has the right to get up and ask that the document which is being read out or quoted from might be placed on the Table of the House. Also, a Minister has a right to lay any paper on the Table of the House. But any hon. Member cannot bring in a paper and lay it on the Table of the House. So, I cannot take it in this manner that Shri Dwivedy wants to put it on the Table of the House. I cannot allow that. But the Member can pass it on to the Government, and the Government might look into that, whether this is the document that they have got, and they might make enquiries about it.

Shri Surendranath Dwivedy: But, here the document in question has been challenged. You have asked the Minister to find out whether the document that has been mentioned here is genuine or not. When this has been discussed in the House, the whole document is before the House including the portion that would be quoted.

Mr. Speaker: Nothing has been quoted, and I do not allow anything to be quoted.

Shri Bhagwat Jha Azad: If tomorrow I get a document in which it is said that the leader of the PSP has taken Rs. 1 lakh as bribe, am I to understand that I would be allowed to put it on the Table of the House?

Dr. L. M. Singhvi: This is not fair for a Member. He should never do it. Even the hypothesis is improper and indecent.

Mr. Speaker: Has he said anything different from what I said?

Shri Bhagwat Jha Azad: Unless somebody takes an affidavit and says on oath that this is the original copy of the document, it cannot be allowed to be laid on the Table of the House by any Member just because he has got it by post.

Mr. Speaker: Even on affidavit I am not allowing anybody to put it on the Table of the House. I have said that unless a document is quoted from, it cannot be placed on the Table of the House. I do not know what Shri Azad is pressing for. I have not followed him. I have said and laid down clearly that a document can be laid on the Table of House in response to a demand by the House only after a Member has quoted from it in this House. Then, certainly a demand can be made, but unless something has been quoted from a document, any document which any Member brings cannot be placed by him on the Table of the House. Therefore, I am not allowing it or asking the document to be laid on the Table of the House. But I say because this point has been raised that some Member has circulated through post to other Members some parts of the report which the Government said was confidential and were not going to disclose to Parliament, Government should make enquiries and find out whether really there is some official responsible for it, if it is the same document as that in the possession of the Government, how this happened, whether some theft has taken place, what other sources there are and how it has gone to the hands of some person who has taken this courage to distribute it when clearly it was claimed by the Government that it was a confidential document. Then alone, whether some proceedings ought to be started against any person, whether it is a breach of privilege, whether the Government has been negligent in this matter—all these questions can be decided. So, my request was that this document now with the Members, who allege that they got it

through post, might be passed on to the Government. But I would like just now to know from the Minister concerned whether he has also to say anything on this subject or not.

Shri Hari Vishnu Kamath: Before he says anything....

Mr. Speaker: There is nothing more to be added.

Shri Hajarnavis: I was in the service of the House from 11 O'clock. I have not been able to consult my papers. I will be able to make a statement later.

Shri Satya Narain Sinha: If I may permitted to say a few words, what I said in the other House was exactly on the same lines as you have mentioned. I have promised on behalf of the Government to do it with regard to that document. We do not know which document hon. Members are referring to.

Shri S. M. Banerjee: Let us exchange it.

Shri Satya Narayan Sinha: I have promised on behalf of the Government to see about that particular document in the other House. I do not know what they talk of, may be exactly the same thing. They should also pass it on to us and we can compare.

Shri Daji: On your direction, I shall pass it on to him.

Mr. Speaker: There is no question of my direction. He is asking. You may pass it on.

Shri Hari Vishnu Kamath: If I heard the Minister in the Home Ministry aright, the statement of his implies a reluctance to implement your direction, because you said, clearly said, that the Government "owes it to the House"—these are the words, I remember—to enquire and report as to whether the document with us, with some of us, is a copy of the report, whether it is a genuine copy.

If I heard him right, he has pleaded certain grounds of inability. The discussion is to start on Monday. I would request you to categorically direct the Government and the Ministers concerned to enquire and find out things. It will not take more than half an hour to compare it with the original. They have got to do this by Monday 11 O'clock, before the discussion starts and see whether the copy which has been sent is a genuine and authentic copy of the original document. That is what we want.

Mr. Speaker: The Minister of Parliamentary Affairs has asked for a copy and he has got it now. Perhaps he said this in the other House also what he said here, that the Government is going to make enquiries... (Interruptions).

Shri Bhagwat Jha Azad: Sir, I want your ruling on one thing. Are we to understand that anything, signed or anonymous sent by anybody can always be brought up in this House and that you can direct the Government to answer that in the Lok Sabha? You said that the Member can pass it on to the Government and the Government will rely to the Member. I want to understand whether any day any type of document that a Member receives unsigned can be read in this House and then will you ask the Government to answer that? Is that the ruling that you are giving?

Mr. Speaker: I am not going to answer any hypothetical question.

Shri Bhagwat Jha Azad: But you are creating a precedent.

Mr. Speaker: I have only said that the Member can pass it on to the Government. If the Member does something or passes it on to the Government, can I prevent it?

Shri Bhagwat Jha Azad: No. But how can Government be forced to make a statement in the Lok Sabha?

Mr. Speaker: It is for the Government to say—not for me or the Member.

Shri Morarka (Jhunjhunu): I am afraid that my hon. friend, Shri Azad is oversimplifying the matter. It is not a question of any document which may be placed here. The question is that there was a certain demand made by the House. Government refused on grounds of secrecy to lay that document on the Table of the House. Now this document which is purported to be a copy of that secret document is circulated by some anonymous person to some Members. Hence the hon. Members have raised this point here. If this purported copy is not a real copy of the document, it would be open for the Government to say: no. Nobody can then force the Government to lay the original copy on the Table and divulge the secret. But if it happens to be really a copy, then an enquiry has to be made and further consequences will naturally follow. It is not a question of any unauthorised or unsigned or anonymous document which is under discussion here. I think Mr. Azad will appreciate this point.

Mr. Speaker: I think I had said the same thing which Mr. Morarka has said. He is only supporting me. I had said the same thing. We will now proceed with the next business. Does the Minister want to say something?

The Minister of Commerce and Industry (Shri K. C. Reddy): With regard to this matter, I have not got much to say except that I do not know whether this document which had been circulated is genuine or not; I have not seen a copy of this document till now and it is not possible for me to say anything about that document.

The Law Minister on the 29th made a statement that Part I of the Daphtry Shastri report could not be placed on the Table of the House because that would be against public interest. Government are still of that opinion. It is being said that certain documents

sent by certain people are true copies of the original document and so Government is called upon to say something about it. I think Shri Azad was raising a very relevant point. I am putting a hypothetical case. I would like to say, supposing Government says with regard to any matter that something is secret, and it cannot be published, it cannot be placed on the Table of the House, in the public interest; on so many occasions a stand like that has to be taken, and it has been taken on so many occasions. If in respect of it, supposing, on every occasion, an hon. Member brings forward a document and says: "Here is a document which is a copy, and why do you want to withhold it from the hon. House? Please say whether it is genuine or not", then, on every occasion, either the Government should confirm it or the Government should deny it. If the Government deny it, then another hon. Member may bring forward another copy of a document and ask, "Here is the genuine copy of the document. What do you say about it?" So, they can go on producing copy after copy of documents and draw the Government out to say whether it is right or wrong, or, whether the document is genuine or not genuine. Where is the end of it? I am arguing a general aspect of this problem.

This is a very serious matter which has to be given attention to not only by the hon. Chair but also by the Government. I would say that this is a very important matter. Once a convention is established that with regard to any matter about which Government might take a stand that in public interest it cannot be disclosed if documents are put out by anonymous persons—anonymous documents or pseudonymous documents, or whatever they may be, and they may be in any numbers—and if one has to try to find out how much of it is true and how much of it is not true, it becomes an endless affair. It is a very dangerous thing to which

attention has to be given by the Chair and by the hon. House. (*Interruptions*).

Mr. Speaker: Order, order.

Shri K. C. Reddy: Apart from this, I have nothing to say about the document, because I have not seen the document. So far as I can say, the position is Government have not taken any step. Government have not given out the contents of this document to anyone after the Government stated that it is a secret document, that it cannot be laid on the Table of the House in public interest. (*Interruption*). As you said, something might have leaked out; how it leaked out and all that, assuming that, the whole matter has to be gone into. That is a different matter about which my colleague the hon. Minister of Parliamentary Affairs has already said. I would not like to say anything in addition.

Shri S. M. Banerjee: On a point of order. The hon. Minister is making a categorical statement that Government has not given any information to anyone. Should I take it—does he own responsibility, and if the document is found to be correct, is he prepared to place it? It is a very sad affair.

Mr. Speaker: Simply because the document is found out afterwards to be the correct one and therefore he is responsible—all this do not arise now, unless we know how it has gone....

Shri S. M. Banerjee: How can he make a statement like that?

Mr. Speaker: He can make that statement that so far as he is concerned he has not given it to anybody and

he has not released it. To his knowledge that has not been published or given to anybody. This is what he can say and he is saying that. Without his knowledge, and without his knowing it, somehow it has gone out. Then, he is not to be held responsible. Those circumstances would be seen after the enquiry is made. (*Interruptions*). I am going to adjourn the House now.

But it is not so simple a case as is being tried to be put here. The business of the House is the discussion of the Vivian Bose Commission report. In that case, the demand has been made that the first part might also be laid on the Table. The second part has been laid. The demand is that the first part also might be placed on the Table of the House. Therefore, the question is directly connected here. Government took this position that the first part is confidential. The Members say that the first part also has somehow—they do not know how—gone into the hands of persons who have circulated it to Members through post. Therefore, it is directly connected with the business that we have before us, and we have to discuss. The Government must find out and just satisfy themselves how it is that this is being alleged, that this is the report, that this is the genuine one, etc. (*Interruption*). The Minister of Parliamentary Affairs has said...

Some Hon. Members: Shri Mehr Chand Khanna has come.

Mr. Speaker: Order, order. The Minister has said already, and has been given a copy by one Member in our presence, and he says that the Government would make enquiries.

17.05 hrs.

The Lok Sabha then adjourned till Eleven of the Clock on Monday, May 6, 1963/Vaisakha 16, 1885 (Saka).