

12.00 hrs.

**RE. LAYING ON THE TABLE OF GYAN PRAKASH
COMMITTEE'S REPORT ON IMPORT OF SUGAR**

[English]

SHRI SAIFUDDIN CHOUDARY (Katwa): Yesterday we demanded that the Gian Prakash Committee Report should be placed on the Table of the House.... (Interruptions) why cannot they do it.... (Interruptions) What is preventing them to place the Report? We want to know the Report.... (Interruptions)

SHRI RAM VILAS PASWAN (Rosera): No Parliamentary Minister is here. (Interruptions)

SHRI BASUDEB ACHARIA (Bankura): Now, they have appointed another Committee.

[Translation]

SHRI RAM VILAS PASWAN: This is the biggest scandle in the country.

[English]

It is more than that of a scam.

SHRI BASUDEB ACHARIA: You ask them to present the Report, Sir.

MR. SPEAKER: One of you can Speak.....

SHRI SAIFUDDIN CHOUDHURY: Sir, despite our persistent demand yesterday, it is surprising that the Government has not come forward to Table the Report of the Gian Prakash Committee on sugar scam.... (Interruptions) What was the Committee constituted for? That is all Sir.

MR. SPEAKER: Now, you sit down. Let one of you can speak. I will ask them to reply.

SHRI SAIFUDDIN CHOUDHURY: We want the Report to know the truth about the scam. Nothing can be hidden from this House. The whole country is exercised over this. (Interruptions)

SHRI BASUDEB ACHARIA: Government is hiding the Report.

[Translation]

SHRI RAM VILAS PASWAN: The Government is deliberately shielding the case of corruption.

[English]

You are the custodian. You please direct the Government, Sir.

MR. SPEAKER: You sit down. I will ask them to reply.

SHRI DASUDEB ACHARIA: Why is the Report not being presented?

[Translation]

SHRI RAM VILAS PASWAN: The Government is not concerned about it.

[English]

MR. SPEAKER: You please sit down. One of you can speak. I will ask him to reply.

SHRI BASUDEB ACHARIA: We want the Report. Why are they hiding the Report? Why is the Report not being presented?

MR. SPEAKER: You sit down. I shall ask him to reply.

[Translation]

SHRI RAM VILAS PASWAN: Mr. Speaker, Sir, yesterday we had time and again demanded that the Government should lay the Report of the Gian Prakash Committee on the the table of the House....(Interruptions)

SHRI VIRENDRA SINGH (Mirzapur): We would like to draw the attention of the House and you should expect so. I would like to submit through you that whatever is going on in Uttar Pradesh....(Interruptions)

SHRI RAM VILAS PASWAN: Mr. Speaker, Sir, you have allowed me to speak, so please listen me first. Yesterday we had urged upon the Government that the Report of the Gian Prakash Committee should be laid on the table of the House....(Interruptions) Mr. Speaker, Sir, it is an issue of corruption. The Members of the BJP knowingly want to dilute it....(Interruptions)

SHRI DAU DAYAL JOSHI (Kota): Mr. Speaker, Sir, there are rules to be followed in the House....(Interruptions)

SHRI RAM VILAS PASWAN: First of all we would like to know as to what has happened in the sugar case....(Interruptions)

SHRI ATAL BIHARI VIJAYEE (Lucknow): Mr. Speaker, Sir, you are allowing Shri Paswanji to speak. We do want that he must putforth his views....(Interruptions)

[English]

MR. SPEAKER: Please sit down. I am trying to help all the Members to put forth their points of view one after the other. I have allowed Shri Paswan to speak and the Minister will reply and then we will take up other issues.

[Translation]

SHRI ATAL BIHARI VAJPAYEE: Mr. Speaker, Sir, many Members of our party had met you. We were in need of your help....(Interruptions)

[English]

MR. SPEAKER: Yes, I agree, you should be allowed; your party should be allowed.

(Interruptions)

MR. SPEAKER: Please tell me what I can do. I am trying to help you. I am trying to clinch this issue and allow you.

[Translation]

SHRI ATAL BIHARI VAJPAYEE: Mr. Speaker, Sir, I have found a way out. Yesterday also I tried to find a way out. There are so many other important issues, please allow to raise these first. The sugar issue should be taken up later on....(Interruptions)

[English]

MR. SPEAKER: I agree with you.

[Translation]

SHRI RAJENDRA AGNIHOTRI (JHANSI): Mr. Speaker, Sir, We are the elected representative in the House. We should be allowed to raise the issues. Atrocities against women are being committed openly in Uttar Pradesh. The law and order situation there is very bad. The incidents of thefts and dacoities are taking place....(Interruptions)

12.09 hrs.

At this stage, Shri Mohammad Ali Ashraf Fatmi and some other Hon. Members came and stood on the floor near the table.

MR. SPEAKER: The House stands adjourned to meet again at 1 p.m.

12.10 hrs.

The Lok Sabha then adjourned till Thirteen of the Clock.

13.00 hrs.

The Lok Sabha re-assembled at Thirteen of the Clock.

[MR. DEPUTY-SPEAKER in the Chair]

13.0½ hrs.

(Interruptions)

(At this stage, Shri Ram Kripal Yadav and some other hon. Members came and stood on the floor near the table)

(Interruptions)

[English]

MR. DEPUTY-SPEAKER : Please allow the small business—Papers to be laid on the Table of the House—to be transacted.

(Interruptions)

MR. DEPUTY-SPEAKER : The House should function. So, please be patient.

(Interruptions)

MR. DEPUTY-SPEAKER : Kindly take your seats. Kindly oblige.

(Interruptions)

MR. DEPUTY-SPEAKER : Please get back to your seats. It is not the proper way.

(Interruptions)

MR. DEPUTY-SPEAKER : You may kindly oblige. You may get back to your seats please.

(Interruptions)

MR. DEPUTY-SPEAKER : Now the House stands adjourned to meet at 2.00 p.m.

13.02 hrs.

The Lok Sabha then adjourned till Fourteen of the Clock

14.01 hrs.

The Lok Sabha re-assembled at one minute past Fourteen of the clock.

[MR. SPEAKER in the Chair]

RE : LAYING ON THE TABLE OF GYAN PRAKASH COMMITTEE'S REPORT ON IMPORT OF SUGAR—contd.

[Translation]

SHRI RAM VILAS PASWAN (Rosera) : Mr. Speaker, Sir, you had allowed me to speak if you permit, I will continue.

MR. SPEAKER : Let me take my seat first.

SHRI RAM VILAS PASWAN : Mr. Speaker, Sir, we have been continuously demanding for the last two days that the Government had set up the Gyan Prakash Committee. You are aware about the scandal in the import of sugar and the irregularities in it. You know when the ATR crisis was coming to an end, I had said that debate on sugar scandal should be held and you had asked to raise this issue the next day. We have been continuously demanding for the last session that a judicial inquiry into this scandal should be conducted through the inquiry commission. The Government under our pressure, had said that it would inquire but judicial inquiry would be not conducted. The Government got it enquired by a committee under the Chairmanship of Gyan Prakash and when the report of the Gyan Prakash Committee released we came to know about it through newspapers, the discussions being held on TV, the statements of the former Cabinet Secretary, the hon. Food Minister, Shri Kalp Nath Raiji and the Food Secretary to this effect that not only Rs. one or two crore are involved in this scam but Rs. 25 hundred crore are duded in this bungling.

MR. SPEAKER : Will you not stop; will not let the reply come only your speech should go on recorded, will it be good?

SHRI RAM VILAS PASWAN : No, we will listen the reply.

[English]

MR. SPEAKER : Let the Minister be ready to reply. Please call the Parliamentary Affairs Minister. ...*(Interruptions)*

THE MINISTER OF STATE IN THE MINISTRY OF DEFENCE AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI MALLIKARJUN) : We are here only to listen. ...*(Interruptions)*

MR. SPEAKER : Whose duty is it to see that somebody who replies to it, is present in the House? ...*(Interruptions)*

SHRI MALLIKARJUN : Whether to reply to it or not, has to be decided. ...*(Interruptions)*

MR. SPEAKER : What is that? ...*(Interruptions)*

SHRI MALLIKARJUN : Whether to reply to it or not, has to be decided. ...*(Interruptions)*

SHRI RAM VILAS PASWAN : Sir, how can the ruling party blame the Opposition? Now, it is not the Opposition who is doing it. ...*(Interruptions)*

MR. SPEAKER : Mr. Minister, you are exposing yourself and your Government. ...*(Interruptions)*

MR. SPEAKER : I will leave it to you. I can tell you that you are exposing yourself and your Government. ...*(Interruptions)*

SHRI MALLIKARJUN : Sir, let me make my position clear. I will convey this to the Government; and who is to reply, has to be decided. ...*(Interruptions)*

MR. SPEAKER : But, he should be here. ...*(Interruptions)*

[English]

SHRI MALLIKARJUN : I will convey this to the Government. ...*(Interruptions)*

[Translation]

MR. SPEAKER : Are you people controlling the House?

[English]

I am directing you that the one who is likely to reply to this, should be present in the House.

You should have taken the cue.

SHRI MALLIKARJUN : I take your direction seriously. I will go from here and I will convey it ...*(Interruptions)*

MR. SPEAKER : Now it is for the Government to decide. They can manage in any fashion they like.

[Translation]

SHRI RAM VILAS PASWAN : Mr. Speaker, Sir, time and again we have demanded that it should be enquired into by constituting a judicial committee or commission. The Government set up a committee under the Chairmanship of Shri Gyan Prakash ji, who is the former C.A.G. under the pressure of the opposition and keeping in view the sentiments of the people. It has given its report

and it is said in it that there is a bungling of Rs. 2500 crore. Today, itself in a reply to an unstarred question it is referred.

[English]

MR. SPEAKER : I am going to allow you time to discuss all those details. *(Interruptions)*

[Translation]

SHRI RAM VILAS PASWAN : All right, Mr. Speaker, Sir, We people have time and again demanded to enquire into this matter and you had constituted a committee, which has submitted its report. It is the right of this House to know the contents of that report. The Hon. Minister of Parliamentary Affairs has stated that public interest is not involved in it and the national security only told that there are the names of few officers, who gave their witness and it would leave a bad impact if comes to light. We had suggested in this regard to delete the names of those officers, only the contents should be kept. It was also suggested that the report may be seen in the Chamber of the hon. Speaker. I think that all the hon. Members have equal rights and I do not find any reason, why the report of the committee constituted at the directives of the House to look into the corruption should not be laid. No other matter can be more important than this and the names of the guilty should be made public.

Mr. Speaker, Sir, I do not think that all the hon. Ministers and the all officers are corrupt but it is also not good that if one or two Ministers or officers are corrupt, all of them should be blamed. My submission to the hon. Members of Congress Party and the hon. honest Members is that it would be in their favour to pressurise the Government to lay the report in the House so that it could be discussed in the House to find out the guilty so long as we do not see the report everything will remark a mystery. Mr. Speaker, Sir, therefore, my submission is that direct them to lay the report in the House.

[English]

MR. SPEAKER: Do you know what happens? I will tell you. Each Member of the party will speak and then the Minister will not be allowed to speak.

SHRI BASUDEB ACHARIA (Bankura): He will be allowed to speak.

SHRI JASWANT SINGH (Chittorgarh): Mr. Speaker, Sir, I am grateful to you for your consideration. I find it necessary to place on record exactly what the grievance is. The Opposition as a collectivity has a grievance against the Government. If my party colleagues—and quite rightly and in total justification—wish to articulate that anguish in relation to whether it is Uttarkhand or it is Aligarh—mass rape in Aligarh of Harijan and Muslim women—or if we wanted to raise the issue of Mazuffarnagar, it was only to highlight the sheer obstinacy of the Government in not conceding to a very just and entirely reasonable demand of the total Opposition.

What is the demand Sir? The demand is the placing on the Table of the House the full and uncensored and unaltered version of the Gian Prakash Report.

The first excuse or reason or rationale or lack of excuse presented by hon. the Minister for Parliamentary Affairs was that if such a step were taken, then those officers who had tendered evidence before the Committee would be compromised because their names would become public etc., etc. That was very effectively answered by our colleagues. Though the rationale does not hold, we have even gone to the extent of saying that if you wish to preserve the officers, then blank their names off. Those officers have tendered evidence based on which, surely, the Committee has come to a conclusion. Therefore, if you share the conclusions and findings of those officers with us, but simply block out the names of the officers proper, I do not know where the whole matter stands. In the Parliament, the Government has neither claimed that it would be against public propriety or public interest, nor has it claimed national security. Though they have not yet made such claims here in Parliament, I would appeal to you that before the Government makes such a claim, please reflect on it. I would also appeal to the Government to reflect on it.

Now, the Government is going to claim that this was a departmental and administrative inquiry and because it was a departmental and administrative inquiry, the rules of procedure of the Parliament do not permit the tabling of such a report.

Here, my submission is twofold. Firstly, whereas the rules of procedure of the Parliament may say that the Government cannot be compelled to lay the report on the Table of the House, the rules do not say that the Government is prohibited from laying that report on the Table of the House. The Government, by taking the stand that the rules of procedure cannot compel it to lay the report on the Table of the House, is in fact causing irreparable damage. Of course, what they do to themselves is entirely their own concern. But it is causing irreparable damage to the whole institution of government.

This inquiry arose primarily because it was an issue that was raised in Parliament. Thereafter, the Government took the device—a convenient device of ordering a departmental inquiry. As has been pointed out by my esteemed friend and colleague, Ram Vilasji Paswan, it ought not have been done. But they did it, because we were not in session and we could not question what they were doing or what they were not doing. Having taken a step, now for the Government to come forward and say, "Because it is a departmental inquiry, we cannot compel them to lay it on the Table of the House" is such a facile argument that it defeats the whole purpose of this Parliament, it defeats the original purpose of this Parliament having raised the issue inside the House, it defeats our concern and it defeats the purpose of the legislature in calling the executive to account.

That is why I appeal to you, Sir. This issue is beyond technicalities. It is an issue of very great importance. Senior officials of this Government, who are now retired Cabinet Secretaries, have spoken of sums

involved to the tune of Rs. 2500 crore. The reply of the government to this House itself is the greatest indictment, not simply of one Minister or one Ministry, but of the entire Government as such....

I will heed your bell with great respect and I will sit down instantly by simply saying, "Please do not stick to technicalities." This is a very big issue. Present the Gian Prakash Report in another five minutes. Please say that you are going to do it. Having done that, we can proceed with all other business and all other issues which are the collective concern of us all. They also equally share our concern for Aligarh, Muzaffarnagar and Uttarakhand. It is not that they don't share it. That is why I say that it is this obstinacy of the Government which is preventing the rightful and correct articulation of various issues that afflict our nation today. Lay the Gian Prakash Report on the Table of the House.

THE MINISTER OF WATER RESOURCES AND MINISTER OF PARLIAMENTARY AFFAIRS (SHRI VIDYACHARAN SHUKLA): As you have rightly observed, I am afraid, even today, I may not be allowed to speak. That is my apprehension. Even after all our hon. leaders of the Opposition have their say, when I stand up to say something on behalf of the Government, there would be obstructions and things like that. Yesterday when I was making my submission, it was with great difficulty that I could say something, and by great effort that you made for us to be heard, I could make some points.

Now, Shri Jaswant Singh is making a grievance of it that I did not make the other points that I should have made. How could I make those points when I am not allowed to speak in the House? I was not allowed to complete my submission and even when I was making my submissions there were interruptions.

I have been carrying this Rule book with me since yesterday and I would request you, Sir, to allow me to complete my submission. After my submissions are completed then you can take your decision and we will abide by your decision.

Sir, this is not a matter of mere technicality. It is not a matter of technicality behind which the Government is trying to take shelter. We are only upholding the traditions that have been established in this House. The traditions of this House have always been that administrative reports are not laid on the Table of the House. (Interruptions)

SHRI VIDYACHARAN SHUKLA: Kindly listen to me with some attention.

Sir, I am quoting the rule. The Rule is 368, proviso (2): (Interruptions)

MR. SPEAKER: Yes, you can argue on that. I will allow you to argue on that.

SHRI VIDYACHARAN SHUKLA: Rule 368, proviso (2) it says:

"Provided further that where a Minister gives in his own words a summary or gist of such despatch or State Paper it shall not be necessary to lay the relevant papers on the Table." ... (Interruptions)

Sir, I am saying it is not that we are prohibited from doing so. We are not prohibited from laying anything in this House. With your permission,

anything which is authenticated can be laid on the Table of the House if you permit it. But this has been a practice in this House so far that administrative reports are not laid on the Table of the House. And I do not want to make a departure from that thing.

These are the three points that I wanted to make - this particular rule, the difficulties that would be created by divulging the names publicly in this manner, thirdly my unwillingness to break a well established convention and practice in both the Houses that administrative reports are not laid on the Table of the House.

Sir, there are all kinds of administrative enquiries that are held and every month there would be several administrative enquiries made. Some of them may be raised in this House; some of them may not be raised in this House. But whenever the administrative enquiries are held, if the demand is that all those administrative enquiries should be culled out from the Government files and should be laid on the Table of the House, it will be very difficult to conduct the business of the Government in this manner. Because these administrative enquiries are meant for our internal purposes and here we are saying that we have got the whole information.

Shri Gyan Prakash was appointed so that he could point out the deficiencies, point out the difficulties, point out the various problems that were faced in this particular matter. He has given his report. On the basis of the report, an Unstarred question has been answered in this House today.

Now, Sir, when this Unstarred question has been answered, I had said that when we make the statement it will be even more elaborate than the Unstarred question that has been answered and if any hon. Member has any doubt that anything is being suppressed, he has the freedom of going and seeing the report, reading it from page one to the last page and seeing that if anything has been concealed by the Government.

I am saying that if any Minister or any official has been indicted in this report his name will not be suppressed, we will give that name also in our statement. But if there is any suppression of truth or any suppression of any part of the report, it can be easily checked up by the hon. Members if they go to your Chamber, if they take the trouble of going to your Chamber and seeing the whole thing through. The whole statement will give them the reasons—why and how and what has been done after this episode took place.

Now this completes my argument as to why we are not able to meet the demands of the hon. Members which we would have very much liked to do, but we will not like to do so by breaking the traditions and by breaking the conventions that have been followed in this House so far.

MR. SPEAKER: There is one more thing which

they wanted. They wanted to have a discussion on this. What is the Government's position?

SHRI VIDYACHARAN SHUKLA: We have said that after the Statement is made we would be very happy to participate in the discussion that the hon. Members would like to have.

SHRI JASWANT SINGH: I am on a small point, Sir, regarding the issues raised by the hon. Minister.

We have three demands: (a) that the full Report be laid on the Table (b) that the Government come out with a comprehensive statement on that Report itself and (c) that a discussion should follow. I am not on the question of discussion, because it is subject to your consent and you will decide when discussion is to take place. The Government has no objection to the discussion. I am not on the second point, which is that the Government should come out with a comprehensive statement, because the Government say that they will make a statement.

I am now on the first point in which the Government has cited a particular rule and expressed a certain inability of laying this particular Report on the Table because it is an Administrative Report. I would like to make two submissions.

My first submission is, and I say this with utmost respect to you as an individual and to your Chair, that the Speaker has no role to play in this. The Speaker cannot direct the Government to lay this Report on the Table of the House. What I am submitting, Sir, may please not be treated as disrespect to the Chair.

MR. SPEAKER: I understand the spirit with which the point is being made.

SHRI JASWANT SINGH: In any case there are residual powers through which, Sir, you can certainly say that. I am not seeking a direction from the Chair. What I am seeking is to establish that it is within the power of the Government to lay even an Administrative Report on the Table of the House. I refer to Page 872 of Kaul and Shakhder and this relates to competence to lay papers on the Table. It is not the Speaker's rulings that I am citing. I am really talking about the competence to lay and who has the right to decide which paper is to be laid. And, I find it necessary, even at the cost of taking some time, to quote here from the *Practice and Procedure of Parliament*.

"Normally, it is the Ministers who lay documents on the Table. Most of the documents are required to be laid under statutory or Constitutional provisions or, in pursuance of the rules of procedure and the directions of the Speaker."

We are not seeking direction from the Speaker. I go to the earlier ruling which has been given by your esteemed, illustrious predecessor.

"It is for the Government to decide whether a report of a department committee, or any particular report, should be laid on the Table."

We are making an appeal to the Government and that is precisely the point that I am making. I am not asking for a direction from the Speaker. I am attempting to persuade the Government that it is in their power to decide even about an Administrative Report. The Government is saying that they have no power to do so.

SHRI VIDYACHARAN SHUKLA: I am not saying that we do not have the power. I am only saying that we do not want to break the tradition.

SHRI JASWANT SINGH: From 'power', Sir, we have now come to 'not wanting to do so'.

SHRI VIDYACHARAN SHUKLA: I have said that very clearly.

SHRI JASWANT SINGH: I understand that. Earlier we were under the impression that the Government said that it is not bound to do so. Now, the Government says it does not want to do so. I go further or to Page 873 of the *Practice and Procedure of Parliament*

"The responsibility for laying on the Table correspondence between the Union and State Governments, or circulating it to Members..."

There is a way out, Shahabuddin ji, If they feel shy, if they go behind the technicality, what prevents the Government from circulating it to all the Members? Let it be sent to each individual Member of this House. Then, though it is not laid on the Table, it will meet the requirement of everyone because it is then made public. Again I quote.

"The responsibility for laying on the Table correspondence between the Union and State Governments, or circulating it to Members, rests with the Government."

Again, we are not asking the Speaker to direct. On this matter, therefore, for the Government to say now that there is no precedent, is a very feeble explanation because this is an issue of very high public importance. The whole inquiry arose as an extension of the Parliamentary concern and as has been pointed out even earlier, this way the Parliamentary concern could be defeated on every occasion.

We raise a concern, you will order an administrative enquiry and say, "no, it is not possible for me to lay it". It is not a question of technicality, Sir, and it is not a question of precedence. We are not asking for Speaker's direction. We are demanding of the Government: you have powers to lay it on the Table of the House, or as my friend Shahabuddin Sahab had earlier said, to circulate it to the Members. If you do not want to lay it on the Table of the House merely because you want to stick to a technicality, the small point, even in the face of this large issue, then circulate it to all Members. Sir, this is the appeal that I am making to the Government. *(Interruptions)*

MR. SPEAKER: Right.

SHRI VIDYACHARAN SHUKLA: May I say a word, Sir.

MR. SPEAKER: Yes. ...*(Interruption)*

SHRI VIDYACHARAN SHUKLA: Sir, I am not taking shelter under any technicality. I am saying that if there is a demand in Parliament for knowing about a certain matter, we enquire into it. We have enquired into it and after the enquiry into the matter the entire knowledge that we gathered is being given to them. It is only a question of tabling the Report, or not tabling the report. That is the only contention; there is nothing else. All facts contained in the Report are open to the hon. Members.

SHRI JASWANT SINGH: I am offering circulation.

SHRI VIDYACHARAN SHUKLA: All fact contained in the report are open to the hon. Members. In the Statement to be made by the Government as well as in the debate that will follow the statement, all such facts will become known to everybody. The only question is, Sir, I am saying that a tradition has been maintained in this House right from 1952 that no administrative reports had been laid on the Table of the House. I do not want to be the first one to break the tradition, and I do not want Mr. Jaswant Singh to be only one to demand for such a thing as to break the tradition in the House. That is the only thing I am saying. Otherwise, the entire facts of the ...*(Interruptions)*

SHRI JASWANT SINGH: If the hon. Minister will yield for just half a minute! I am very grateful to the hon. Minister for this courtesy. If you do not wish to lay it on the Table, circulate it to all Members.

SHRI VIDYACHARAN SHUKLA: I am saying that it is available with the Speaker. Every Member can go and see it. There is no restriction of Members. If you have objection in going to Speaker's Chamber and looking at it, I cannot help it. You have full freedom to go and have a look at it. *(Interruptions)*

MR. SPEAKER: Mr. Saifuddin, I will allow you. I would like to hear you on the legal point. You said that you want to clarify. ...*(Interruptions)*

SHRI SAIFUDDIN CHOUDHARY (Katwa): Sir, the Minister has not given any legal point.

MR. SPEAKER: He has quoted the rule

SHRI SAIFUDDIN CHOUDHURY: That rule has no relevance here.

MR. SPEAKER: That is what you will explain to me.

SHRI SAIFUDDIN CHOUDHURY: A fact that has not yet taken place, cannot be taken recourse to for argument. He has not made any statement and so, he cannot say that if some document is quoted in his statement he is bound to give it to the House. It is yet to happen. Even before he makes a statement we are demanding that the Report has to be given to Gyan Prakash Committee which was constituted after a demand was made in this House. The Government cannot take it as a device to evade public enquiry and public knowledge. You order an administrative enquiry, and then in order not to give the Report to the House, you say that you have not quoted from the statement. You may not quote it but you may refer to the Report. So, this cannot be a ploy to deny the knowledge of a scandal to the people as a whole. That is the main point,

Sir, In this House we demand that this report should be tabled to ensure that in future in any such large scale scandal, no Government dares to institute an administrative enquiry to scuttle public knowledge of the truth about the matter. That has to be forestalled for all times to come. There has to be a public enquiry, there has to be public knowledge of things that happened, that exercised the people as a whole. That is our concern. The rule he was talking of has no relevance at all....(Interruptions)

SHRI VIDYACHARAN SHUKLA: Yesterday a statement was made that the whole matter will be made known to the public. Public knowledge will be available as soon as the statement is made. The debate that will follow will make it even more explicit. Everybody will be able to know every thing....(Interruptions)

SHRI SAIFUDDIN CHOUDHURY: Your statement may not carry the whole truth.

SHRI BASUDEB ACHARIA: I have a new point, Sir....(Interruptions)

SHRI VIDYACHARAN SHUKLA: There is a convention of the House and I do not want to break that convention. I would plead my inability to do so.....(Interruptions)

SHRI INDRAJIT GUPTA (MIDNAPORE): I am very sorry to point out, Sir, that yesterday, the hon. Minister when arguing against the laying of this Report on the Table had taken refuge behind only one main argument and that argument was what he himself had called a technical, namely, the need to respect the confidentiality of certain officers or certain persons (interruptions)

SHRI VIDYACHARAN SHUKLA: I was not allowed to complete.

SHRI INDRAJIT GUPTA: What do you mean by saying that you were not allowed to complete? This is what you were arguing yesterday. Yesterday, you were not arguing on the ground which you have taken up today. Today, your main argument, Mr. Shukla, is that this is a time-honoured convention, tradition and so on which has been followed since 1952 and therefore you do not want to be the first Minister to break that convention. Such Administrative Committees' Reports have never been laid and this Report will also be not laid. This is a very different argument from what you were arguing yesterday. It is because what you were arguing yesterday was a point on which we were all prepared to sit together with you and find a way out for a solution as to how to see that the names of certain people who do not want their names to be divulged can be avoided. That could be done. It is not a difficult thing to do. Today, you are saying that it is a question of convention.

Mr. Speaker, Sir, Administrative Committees are set up to go into so many different things. Can we equate all these issues just because it is an administrative matter? Can one administrative matter and other matter be equated with each other irrespective of the magnitude, importance and degree of public importance which is involved? Here is a matter in which hundreds and thousands of crores of rupee—I do not know how many crores of rupees of public money have been siphoned off into the pockets of sugar

mill-owners, the wholesale traders of sugar and other people due to certain mistakes or lapses and things created by the Government itself. This is a matter where public who were paying Rs. 12 a kilo have suddenly found that they have to pay Rs. 20 per kilo for sugar overnight due to what the Government has done or failed to do. Is it a matter which can be treated so lightly just like any other administrative matter? So, we submit that this is a major scam which has come on the heels of some other scams which have taken place recently. This is a matter in which public is vitally interested and this is a matter which public wants to know why such things happen and how they happen. You look at the reply given today to the Unstarred Question. It says: "That the reasons for what had taken place are due to following factors." Those factors show that the Government has been working or operating its Departments, its Ministries without the least respect for certain principles and certain procedures which the Government is bound to follow. It has not been doing that. Of course, if a discussion is held, we all speak in more detail on this point. But it is a very serious matter. Such a thing can happen again. It can recur over and over again. There is no safeguard against it. There is no protection for public interest. If this is the way we have to go with and you have to take refuge behind the technical argument that because no Administrative Report had ever been laid and therefore this should also not be laid as though they are all same, we do not accept this argument at all.

I would like to know basically what is the difference between putting the Report—as you are prepared to put the whole Report in the Speaker's Chamber—and making copies of it and giving them to all the Members. Please explain to me. Yesterday you said that the Leaders can go and look at it. Today you are saying any Member can go and look at it. What is the difference between that and circulating copies to all the Members? What is the difference between circulating copies to all the Members and laying it on the Table? You need not lay it on the Table.

SHRI VIDYACHARAN SHUKLA: I will explain that. Since we attach a great deal of importance to such matters we want a full-scale debate to be held here. We are for the debate. We are not prohibiting the debate. We welcome the debate on this matter and let the debate come and it will clarify the entire atmosphere. People would know that wherever there is any default from the side of the Government, we will be very happy to accept that and we will see that it is all corrected. We will welcome the Member's suggestions to come and tell us that these are the difficulties which have to be sorted out and these are the guilty persons who are to be punished. If there are things like that, they will be thrown up in the debate. We shall certainly take note of that and take action accordingly after the debate has taken place.

As far as this matter of placing the report in the Speaker's Chamber is concerned, there are ways of doing it—I would say four ways of doing it. One is placing it on the Table of the House; second is placing the copies of it in the Library where every Member can go and look at it in

the Library. Even the press persons can go and have a look in the Library. Third way that has been suggested is that every Member should be given a copy of the report without laying it on the Table of the house; and the Fourth way is to keep it in your Chamber where any Member can go and have a look at it.

I said leaders because normally it is the leaders, on behalf of their parties, who go to the Speaker's Chamber to consult him or to give their suggestions. I did not mean to say that only leaders are allowed and others are barred from there. It depends upon you. If you want to send other Members, they can also go and have a look at it... (Interruptions) But I am saying that in the fitness of things, let a debate take place and after the debate takes place, in response to the debate we will respond to the debate and accept or give our opinion of various suggestions that will come up during the discussion... (Interruptions) When the debate takes place, I am sure that this House will be able to make very helpful suggestions for us to take action so that such difficult situation does not arise in future.

This shortage of sugar or import of sugar or any such matter is not a matter which we take on a partisan line... (Interruptions) This is something on which we are all concerned. We want that this kind of a thing should not arise. Therefore, in reply to the Starred Question today, we have given the main features as required by the questionnaire of the particular thing.

Sir, I would again appeal to the hon. Members to have a look at the report, table a motion and have full fledged discussion on the matter. After discussion we will take whatever action is necessary so that such things do not repeat in this country... (Interruptions)

SHRI JASWANT SINGH: No, Sir, I am also not on technicality. I do not wish to say how do we have a look at this report. You circulate it. You are ready now to place it in the Speaker's Chamber. you were not ready yesterday to place it... (Interruptions).

SHRI MANI SHANKAR AIYAR (MAYILADUTURAI): It is on record, we were ready yesterday also... (Interruptions)

SHRI JASWANT SINGH: He is now saying that he is ready to place it in the Speaker's Chamber for all the Members to see. This is not a practical suggestion... (Interruptions) He has got two options now. He has cited four of them. He can place it in the Library if he is finding shy to circulate so that all Members can see it... (Interruptions) let him accept that he will place it in the Library... (Interruptions)

MR. SPEAKER: Shri Hari kishore Singh Ji, very brief please.

[Translation]

SHRI HARI KISHORE SINGH (Sheohar): Mr. Speaker, Sir, I would like to conclude within two minutes. Sir, I would like the hon. Minister of Parliamentary Affairs to recollect his memory.

[English]

MR. SPEAKER: I must help you also, so be brief please.

SHRI HARI KISHORE SINGH: A same type of dispute had come up twenty years back in the 5th Lok Sabha regarding the licence scandal. At that time also when the House was running like this, it was decided that the report of the Licence Scandal would be placed in the Library. My submission is that the report of the sugar scandal should also be placed in the Library.

[English]

SHRI BASUDEB ACHARIA: Sir, the Committee which was appointed by the Government—the one-man Committee—how can it be said to be an Administrative Committee because the person who was appointed as the Member of the one-Member Committee was an outsider?

He is the former C&AG. The Parliamentary Affairs Minister has said that this report is for their internal purposes. This is what he has said on the floor of the House. This report cannot be treated as an ordinary report like any other administrative report. This is a very important report. A demand was made on the floor of the house. As we made this demand, the Government was compelled to appoint one man Committee, which inquired into the whole gamut of the problem and then submitted its report. Sir, the Parliamentary Affairs Minister has agreed to place the report in your Chamber and said that it will be available for all the hon. Members, 540 Members, and the hon. Members can go to your Chamber to see the report and to study the report. It is a voluminous report. We do not know how many pages are there in that report. It will take at least one hour to study the report for one hon. Member. **

MR. SPEAKER: That is not going on record..

SHRI BASUDEB ACHARIA: Sir, when he has agreed to place it in our Chamber, why can this report not be placed in the Parliamentary Library—not one copy but sufficient copies—so that we will be able to gauge it; Without the report, what can we discuss here? ... (Interruptions) They will make sufficient copies available in the Parliament Library and we will get it.

So, there is no rule, which prevents the Government placing the report, even any administrative inquiry report, on the Table.

KUMARI MAMATA BANERJEE (Calcutta South): Mr. Speaker, Sir, I am very grateful to you. I appreciate the sentiments expressed by the hon. Members, especially Shri Jaswant Singh. We also agree that this is a matter of public importance. ... (Interruptions) Why do you not allow me to speak? Allow me to speak. Why are you clapping? I do not want any clapping from you. ... (Interruptions)

MR. SPEAKER: The only thing she is probably trying to convey you is that you clap after she completes.

KUMARI MAMATA BANERJEE: In our democratic system if there is any need for public importance, we have to do it. And in this scandal, I think, the guilty persons must be punished and the people should know who are actually involved in this. The Parliamentary Affairs Minister has

already said that due to the administrative reason it cannot be laid on the Table of the House but at the same time. ...*(Interruptions)*

SHRI BASUDEB ACHARIA: What is the administrative reason?

KUMARI MAMATA BANERJEE: I cannot you give the reply. Let me finish first.

The Minister has said that it will be available in the Parliament Library and also in the Speaker's Chamber. We can have a full discussion on this so that we can discuss this matter very seriously and can go into the details as to who are actually the guilty persons and who are not. This is not a matter of politics. Public interest is involved in this matter. That is why, I fully endorse whatever the Parliamentary Affairs Minister has said in regard to having a full discussion on this. At the same time, I want to know from the hon Opposition Members, in their State Legislatures how many administrative reports they have laid on the Table of the House. Please let us know that fact also. *(Interruptions)*

SHRI SAIFUDDIN CHOUDHURY: How many times have they succeeded to force the Government to place the report on the Table?... *(Interruptions)*

KUMARI MAMATA BANERJEE: No report.

SHRI SAIFUDDIN CHOUDHURY: We will succeed here *(Interruptions)*

SHRI MANI SHANKAR AIYAR: Mr. Speaker, Sir, we have been elected in order to be able to discuss matters of public importance here and not to stop ourselves from discussing matters of public importance here! I think, there is no Member on these Treasury Benches, who is one step behind any Member of the Opposition Benches in regarding this as a matter of public importance and, therefore, wishing to discuss it.

I think irreparable damage is caused to the Parliament, I make these remarks to Mr. Jaswant Singh, through you, Sir, I think irreparable damage is caused to the Parliament when actions taken by our friends Opposite prevent us from considering matters of public importance.

Now, it is abundantly clear as a result of the remarks made by Shri Indrajit Gupta that there is no substantive difference between placing it in the Speaker's chamber and circulating it to the Members, because, as Shri Indrajit Gupta himself has asked "What is the difference between the two"? He asked this question of Mr. Shukla. I ask this question of him. What is the difference between the two? Since it is the view of Shri Indrajit Gupta that there is no substantive difference between the Report being in the Speaker's chamber and the Report being circulated, there is no difficulty whatsoever in proceeding with the discussion on this basis. In any case, I wish to reiterate that long before all this disruption of our Parliamentary proceedings for two days took place, the Minister of Parliamentary Affairs in his very initial statement stated that in addition to a

comprehensive Report which would be laid here, a statement as comprehensive as possible would be made by the Government on the floor of the House. At that time itself, he said that he would place the entire Report in the Speaker's Chamber so that if any discrepancy were to be found, that discrepancy would be brought to public attention. The argument made by Shri Saifuddin Choudhury that we are attempting to prevent the public from getting to know, is totally misplaced. We are bringing the whole matter into the public domain but in accordance with the traditions of this House. It is not in accordance with the traditions of Parliamentary etiquette to walk into the well of the House to stop Members of the Government Benches from speaking, by preventing the House from functioning. With due decorum, I submit, Sir, that it is the duty of the Minister of Parliamentary Affairs not to set a wrong precedent. It would be a wrong precedent to place this Report on the Table of the House and since there is no substantive difference, as certified by Shri Indrajit Gupta, between placing the Report in the Speaker's Chamber and circulating it to the Members, I suggest that we endorse what the Parliamentary Affairs Minister has stated, and allow ourselves, allow this Parliament, allow the Press and allow the country to get on with the substance of the issue which is what were the conclusions and findings of the Gian Prakash Committee Report. *(Interruptions)*

[Translation]

SHRI RAM VILAS PASWAN: When the advisors like you have come, the Government in Andhra Pradesh has changed*(Interruptions)*

[Translation]

SHRI MANI SHANKAR AIYAR: There are advisors like you..* I want to say something about it..* It is you who made Shri George Fernandes..* *(Interruptions)* Advisors like you are responsible for the down fall of Shri V.P. Singh.. *(Interruptions)*

SHRI RAM VILAS PASWAN: You all supported it, and supported with cheers.

SHRI DEVENDRA PRASAD YADAV (Jhanjharpur): Mr. Speaker, Sir, a direct allegation has been levelled against the hon. Member, Shri Ram Vilas Paswan.

SHRI RAM VILAS PASWAN: He has every right, of levelling charges. He is exempted. *(Interruptions)*

SHRI DEVENDRA PRASAD YADAV: He is talking of Parliamentary convention. A new Parliamentary convention is being set up. *(Interruptions)* A new Parliamentary practice is being set up. *(Interruptions)*

SHRI SHARAD YADAV (Madhepura): Mr. Speaker, Sir, without dwelling at length, through you, I would like to make two-three points. If I am not wrong, Shukla ji has given three four options. He has said that all the Members can see the report. It is an unusual report. Had it been a usual report, we all would have never pressed so hard for it. You conduct so many enquiries but we never went into the details thereof. We never stressed on the matter of your conducting a raid on Nadava. But this is a serious issue in which public money is involved. From this point of view, this is an unusual report.

* Expunged as ordered by the Chair.

Shukla ji put up 3-4 options before you and said that all the Members should be allowed to go in your chambers. If I am not wrong, he also said that this report will be placed in the library..(Interruptions)

SHRI VIDYACHARAN SHUKLA: I never said that I will place it in the Library. I only said that these 4-5 options are available. I said that it will be placed in the Speaker's Chambers, not in the library.

SHRI SHARAD YADAV: You had given these options. Will the laying of this report on the table here degrade your prestige anyway? You are allowing all the Members of Parliament to go through it in the Parliament Chamber. How will it believe your argument if they are given the facility of reading it in the Library? So far as your secrecy or the practice of not laying on administrative report on the table is concerned, you are not laying it in the House but are ready to place it in the Chambers. What difference will it make if Members read it here in the Chambers or there in the Library?

Mr. Speaker, Sir, through you, I would like to tell the Government that there are many important issues which hon. Members want to raise in this House. Not that the Government is not in favour of laying the report on the table here, my suggestion is that if the Members can go through it in your chambers, what is the problem in placing it in the Library for their perusal? There are the tables, Chairs, the lights like it is here. One may have to walk 3-4 steps here and 20 steps there. You yourself have suggested 4 options and if you agree to this option, there will be a way out from the present deadlock. It will help initiate a discussion on the important issues left out. Therefore, through you, I appeal to the Government to lay it down. I mean, if they do not want to lay it here, place it in the Library and there will be a way out... (Interruptions) I think, Shuklaji agreed to it first but now, he is deviating. I can't understand why do you want to cancel this report of such a large scale scam from the people of the country and why not lay it on the table when you have conducted an enquiry. You are not even ready to place it in the Library but only here in the Chambers... (Interruptions)

Mr. Speaker, Sir, Jaswantji is right in saying that you consider it only as the Chamber. The hon. Speaker, is the incharge of the whole House. All these chambers belong to him. Why do you not place it in the Library and I think that you are responsible for protracting the issue. I would like to tell the hon.. Minister that he holds the portfolio of Parliamentary Affairs Minister and many times make such arrangements which unnecessarily entrap you as well as this Government. If you are in favour of identifying the corrupt people, then you should not be so adamant and find a way out by placing it in the Library.

[English]

SHRI SOBHANADREESWARA RAO VADDE (Vijaywada): Sir, I thank you for giving me an opportunity to speak. I will not repeat what my other colleagues have said. I would like to touch a new point. Since Shri Jaswant Singh and Shri Indrajit Gupta have already said regarding the Rule position and other things, I would like to ask only one clarification from the hon. Minister. The Minister of Parliamentary Affairs has stated that the Government do not wish to break the convention and the tradition that has

been established. The Government is saying that it has firm belief in the tradition and convention from the previous times. I would like to seek a clarification from the Government. When in the case of Mundhra affair, the then Finance Minister, Shri T.T. Krishnamachari, a great economist and a close confidant of Late Shri Jawaharlal Nehru, had to step down for a small fraud of Rs. 3 crores and none of the Members of the Cabinet have resigned when thousands of crores of rupees have been lost in the security scam.

MR. SPEAKER: What is your suggestion?

SHRI SOBHANADREESWARA RAO VADDE: I am making my suggestion, Sir. I would like to say that to clear doubts among the public, close on the heels of the security scam, in the ruling party's interest, you yourself must come forward and make available the copies of the Committee's Report to all the Members of the Parliament. If you really feel that you do not want to protect any guilty person, you must make available the copies of the Report to all the Members of this House. That is my suggestion.

SHRI P.G. NARAYANAN (Gobichettipalayam): Sir, everybody is anxious to know what is in the Gyan Prakash Inquiry Committee's Report. The Minister says that it is not necessary and relevant to place an administrative Report on the Table. Admittedly, it is a matter of public importance because it is a multi-crore rupees scandal. To solve this problem, in the light of the *prima facie* case established in the administrative Report, I would suggest that the level of inquiry may be upgraded to judicial inquiry. At the time when the administrative inquiry was ordered, it was questioned and criticised because it was not adequate to find out the whole truth. So, I would suggest that judicial inquiry is the only answer for this.

SHRI AMAL DATTA (Diamond Harbour): Sir, I think a distinction is first to be drawn and not just say that this is an administrative Report and, therefore, it cannot be laid on the Table of the House because there is no precedent for this. I think the time has come to make a distinction. The distinction might not have been necessary earlier when the question of accountability of the Executive to the Legislature had not assumed such crucial dimensions as it has assumed now, particularly with regard to the corruption into which, one after the other, scandals have made their appearance in the Indian political scenario. So, I suggest that insofar as administrative Report are concerned, only in case of such Reports where it is purely a matter which concerns the administration and very little the people outside the administration, this precedent of not laying them on the Table of the House may continue. But when the questions in the inquiry involve substantial matters of public interest where thousands of crores of rupees are said to have been siphoned off from the pockets of the ordinary consumers and very poor people, and have gone to those who have machinated to raise the price of sugar and by various means have probably succeeded in stalling the imports, a distinction has to be made. This is a matter which involves the public. Therefore, in Parliament, we had demanded an inquiry. That demand was sought to be satisfied by this one-man Inquiry Committee. As a result,

when the Public Accounts Committee of this Parliament wanted to take up this matter, it was not allowed to be taken up on the ground that already an inquiry was afoot. Therefore, a distinction has to be made between Administrative Reports of one kind and Reports of this kind where substantial public interest is involved. This is a principle which is applied in the case of jurisdiction of the States and the Parliament to frame legislations under the Constitution, by the Supreme Court itself. It is a doctrine of pith and substance, that is, what is the substance of this Report and does the substance touch a matter of public interest and is of so vital concern that this has to be brought before the public.

15.00 hrs.

In that case, the question of not tabling would not arise.

SHRI CHIRANJI LAL SHARMA (Karnal): Mr. Speaker, Sir, I have listened with rapt attention to the arguments being advanced by my learned friends from the Opposition. I would refer to Jaswant Singhji and Sharad Yadavji. Jaswant Singhji quoted from Kaul and Shakdhar's Book.

MR. SPEAKER: I am not going to hear the replies to the points made by him. You make your points and take your seat.

SHRI CHIRANJI LAL SHARMA: Sir, the point is simple. The argument that has been advanced by the hon. Minister of Parliamentary Affairs is that there are four ways. He did not say that the Government is ready and willing to put the report in the library. He said, there are four ways.

MR. SPEAKER: On that point you need not say anything.

SHRI CHIRANJI LAL SHARMA: Sir, kindly permit me. It is necessary because Sharad Yadavji laid stress on the statement of the hon. Minister of Parliamentary Affairs by saying that he had made the statement. That is a wrong interpretation being put on the statement of the Minister of Parliamentary Affairs.

MR. SPEAKER: Why are you interpreting it. He has himself said it. You were not there.

SHRI CHIRANJI LAL SHARMA: I was very much here, Sir. The hon. Member is interpreting it in the wrong way.

MR. SPEAKER: You need not say anything more on this point. You go to the other points.

SHRI CHIRANJI LAL SHARMA: Sir, there is a discretion with the Government. It is not obligatory and it is not mandatory for the Government to table the Report. It is an administrative report and since 1952 if there has been no tradition why should we break it? Now, they are talking of public interest. In public interest, the Minister has categorically stated: "Let there be a threadbare discussion." The Government is not willing to table the Report because certain persons were reluctant to appear as witnesses fearing that their names may be disclosed. Otherwise, there is no idea of suppressing the truth or concealing anything.

SHRI SYED SHAHABUDDIN (Kishanganj): Mr. Speaker, Sir, I have just three very brief points. Firstly, no

rule can anticipate all possible contingencies. As far as I can see, the rules neither oblige the Government nor prohibit the Government from placing the report. But, in view of the circumstances, in view of its importance and in view of the public interest, we have been demanding what we have been demanding. Therefore, I hope that the Minister should accede to it in public interest.

Secondly, the Minister has no competence to invite us to your chamber. Your chamber, specifically as in the rules in these circumstances, is limited to the leaders. How can your chamber possibly accommodate every Member? How can he do it? He has no competence in this matter.

MR. SPEAKER: Shahabuddinji, probably he thinks that if the leaders go through the report they would be able to persuade their Members.

SHRI SYED SHAHABUDDIN: Sir, my third point is very brief. The Minister has very kindly offered a comprehensive debate on this subject. We welcome it. But, how can there be a debate without the report? When the former Comptroller and Auditor General of India has done the field work, has collected the data, has compiled all the facts, we want the discussion to be a constructive discussion, to be a healthy discussion, to be a useful discussion and such a discussion is not possible unless the report is available to us either by circulation or by being placed on the Table of the House or by being placed in the Library. If the consensus is for placing it in the Library, I am for placing it in the Library.

[Translation]

SHRI MOHAMMAD ALI ASHRAF FATMI (Darbhanga): Mr. Speaker, Sir, it is very unfortunate that today the people of India want to know how this sugar scam took place and who are responsible for that but the Government is keeping mum. The Government is banking upon the tradition which does not allow to lay this report on the Table of the House or in the Library. I do not think that the hon. Members sitting here or the people of India will mind if such tradition is revoked in the public interest. One can be humbled by taking recourse to law in maintaining such a tradition. I do not think there is anything wrong in deviating from this tradition when there is such a serious issue, a scam of about Rs. 2500 crores.

SHRI RAMSAGAR (Barabanki): Since yesterday, the leader of the Opposition and the Members have been demanding that the complete report be laid on the Table of the House. Most of the Members have, today, agreed to place this report in the Library.

So, in my opinion, the Government should concede to their demand and place the report in the Library so that the deadlock is resolved.

SHRI PIUS TIRKEY (Alipurduars): Mr. Speaker, Sir, my new point is that the press is reporting that something is tried to be concealed. The people are guessing what it could be. Therefore the Government should immediately lay the report on the table of the House.

Secondly, Parliament is the mirror of the country and the public at large wants to know what is being concealed in the report? It will earn a bad name to the Government

and its party if things are tried to be concealed more and more. I am saying it in favour of the Government. Therefore, it should be brought to light immediately.

[English]

MR. SPEAKER: Well, after all of you have made your points, I think, it is incumbent on me to say a few words on the points which are relevant and made by both the sides.

First of all, I must say that you have tried to use all the devices to highlight certain points. If we cannot fully appreciate, partly it can be appreciated. There are other Members who want to discuss the Economic Policy of India; the Agricultural Policy is on the agenda. It was on the agenda in the last Session, it is on the agenda even today. We have the draft report on Cultural Policy of India on the agenda. And the lady Members, since last two or three Sessions, have been asking for a discussion on the position and condition of women in India. And it has not been possible for us to discuss these Policies on the floor of the House.

It is the bounden duty of the Members to hold the Government accountable, to question the decision taken by them, to criticise them. They are well within their rights in doing that. But it is also the duty of the Members to guide the Government, the Parliament and people outside on the Policies which are to be made in this House and which will be followed not for five years, but may be, for ten years or even 50 years. That is why, we all have to cooperate with each other and to find time for the discussions in a brief and relevant manner on all these points. My only worry and only sorrow is that it has not been possible to do so.

On the point, without saying, I would like to read from the book, *Kaul and Shakdher*. Now, I am reading from page number 872. I would be reading relevant portions. The relevant portion is:

"Most of the documents are required to be laid under statutory or constitutional provisions and in pursuance of the rules of procedure and the directions of the Speaker."

Let us be very clear on this point. If there is a statutory requirement, if there is a constitutional requirement, if there is a requirement under the rules or if the directions are given by the Speaker, the document have to be placed on the record. It is to be seen whether this is a statutory document or a constitutional document or a document required to be laid on the Table of the House or whether the Speaker has given the direction in this respect.

Now, as far as the directions, in this respect, to be given by the Speaker are concerned, the book reads:

"In respect of other documents, the Minister have to use their judgment whether to place a paper on the Table or not, and if so, when."

"With respect to other documents" means, the documents which are not required to be laid on the Table of the House under the statute, constitutional provisions, rules or the directions. It is the judgment of the Minister or the Executive which is final.

Again it reads:—

"It is for the Government to decide whether a report of a departmental committee or any particular report"

Now, certainly this is a report of the Committee appointed by the Department, I suppose.

SHRI BASUDEB ACHARIA: It is appointed by the Prime Minister.

MR. SPEAKER: It reads as follows:—

"should be laid on the Table if the Speaker has declined to give any directions to the Government whenever requests by the Members suggesting the laying of such report have been made to him."

Shri Jaswant Singhji has made it very clear. Again I would like to quote:—

"However, if a Minister declines to lay it on the ground that its production would be inconsistent with public interest, the Speaker cannot compel the Minister to lay it on the Table of the House."

In view of these facts, I am sure everybody is interested in discussing these matters and in finding out what has really happened and in giving directions to the Government as to how they should conduct themselves in future to discuss these matters. If I have not wrongly understood, the Government is ready to put on the Table of the House, the finding of the Committee. The Government is ready for a discussion on this point. The Government is ready to keep the report in the Chamber of the Speaker which is a sort of convention which was done in the past and the hon. Minister has said that all the Members can go and have a look at it.

I do not know what would happen if all Members come! Even then, if he has said it, it should be allowed, if it is necessary. But I would rather expect the Members of different Parties and, I am sure about it, to rely upon the advice given by their own Party leaders. They would be certainly interested in bringing the facts to light and they would be interested in protecting the interests of the people at large and protecting their own Party.

[Translation]

SHRI RAM VILAS PASWAN: Mr. Speaker, Sir, you have rightly said that it is the discretion of the Government. Through you, I would like to tell the Government to understand the feelings of both the sides. You are the controller, the custodian of the whole House. Not only the chamber but the library also belongs to you. If this is decided today (*Interruptions*)

We want to make it public. We want that public should know it. I urge upon the Government not to make it a point of prestige. If it is ready to place it in the Speaker's chambers, why it is not being placed in the Parliament Library. As Sharadji said that it was one of the four options you had given. Therefore, I can't compel you but can urge upon you. You said that the Speaker does not have such powers. Therefore, if the Government is not ready to accede to it even, then my direct charge on the Government is that it wants to conceal it because the high officials of PMO and Ministry of Food is involved in it.

[English]

SHRI VIDYACHARN SHUKLA: I would request the hon. Member not to question the ruling of the Speaker. The ruling of the Speaker has been given and I want the hon. Members to make it possible for the debate to ensue. (Interruptions)

SHRI BASUDEB ACHARIA: The hon. Speaker has not given any ruling. (Interruptions)

SHRI VIDYACHARAN SHUKLA: Whatever the hon. Member Shri Ram Vilas Paswan has said now about the involvement of everybody, he is most welcome to go through the Report and find out who is involved. (Interruptions)

SHRI BASUDEB ACHARIA: Where should we go to find it? Why can you not place it on the Table of the House? (Interruptions)

SHRI VIDYACHARAN SHUKLA: The ruling of the Speaker cannot be questioned. You should not question the ruling of the Speaker.

SHRI SAIFUDDIN CHOUDHURY: What is the problem in placing the Report in the Library? We want to know categorically (Interruptions)

We want to know categorically what is the problem. Why can it not be placed in the Library?

SHRI BASUDEB ACHARIA: He has not replied to that question. (Interruptions)

MR. SPEAKER: I appreciate it very much that you were very intellectually and wisely discussing this matter. We will always welcome that. We are not having a recourse to sound and fury. We are having a recourse to reason, judgement and it is to be appreciated.

[Translation]

MR. SPEAKER: Please sit down. First, take your seat. ... (Interruptions)

MR. SPEAKER: Look, the way you are expressing

yourself is different in its own way; carries a different connotation but if this thing prevails unchecked, then, I may tell you and the whole House that the other important matters like discussion on Agriculture Policy can't be taken up.

(Interruptions)

SHRI RAM VILAS PASWAN: Mr. Speaker, Sir, this issue is now upto the Government ... (Interruptions)

AN. HON. MEMBER: We are in favour of this report being made public. The whole House is unanimous on this issue. How can the treasury benches turn down this demand... (Interruptions)

[English]

DR. RAM CHANDRA DOME (Birbhum): We want the full Report.

15.17 hrs.

At this stage, Dr. Ram Chandra Dome and some other hon. Members came and stood on the floor near the Table.

MR. SPEAKER: You are behaving as if you are behaving in a street.

(Interruptions)

DR. RAM CHANDRA DOME: What is the difficulty for the Government to place the full Report? ... (Interruptions)

MR. SPEAKER: I want to say that it may be recorded that this is not the manner in which all important issues are to be discussed on the floor of the House.

...(Interruptions)

15.18 hrs.

The Lok Sabha then adjourned till Eleven of the Clock on Thursday, December 15, 1994/Agrahayana 24, 1916 (Saka).