

the warlike statements made by President Yahya Khan have also received wide publicity all the world over and we have also explained our position very clearly to the member countries of the United Nations and other important countries.

SHRI H. N. MUKERJEE : I had asked for a specific clarification about Mr. Vajpayeeji's question, namely, that the diplomatic representations of Pakistan is doing something which goes against the grain of international law and convention and that shows the nefarious conduct of Pakistan which should be highlighted before the so-called international community. Are we doing it or are we just passive, negative and pursuing a non-policy attitude all the time ?

SHRI SWARAN SINGH : We are not pursuing a negative attitude. We are very positively always highlighting our Comments about these statements where they are made by the Pakistan High Commission or by the military leaders of Pakistan. We are bringing our attitude with regard to all these statements in a very clear manner to the notice of all the countries.

SHRI H. N. MUKERJEE : Have you ever declared anybody *persona non-grata* ?

SHRI K. NARAYANA RAO : The Charter of the United Nations prohibits war but also any threat of war. I would like to know from the hon. Minister whether the statement made by the Head of State of Pakistan constitutes a threat of force or not. If so, is the Government prepared to take up this matter to the Security Council ?

SHRI SWARAN SINGH : The hon. Member can have his own interpretation of the UN Charter. It is not for me to interpret the Charter. He can himself do it.

With regard to our taking up this matter to the UN, I have explained the position on an earlier occasion and there is no change in our attitude.

Completion of Enquiry Regarding Maxwell's Book India's China War

*1512. **SHRI B. K. DASCHOWDHURY :** Will the Minister of DEFENCE be pleased to state

(a) whether his Ministry have completed enquiries about leakage of secret defence documents as focussed through Maxwell's book "India's China War" ; and ,

(b) if so, the result of such enquiry and the reaction of the Government ?

THE MINISTER OF STATE (DEFENCE PRODUCTION) IN THE MINISTRY OF DEFENCE (SHRI VIDYA CHARAN SHUKLA) : (a) and (b). The hon'ble Member may kindly refer to the reply given in this House to Starred Question No. 322 on 7th June 1971. The matter is still under investigation of the Central Bureau of Investigation.

SHRI B. K. DASCHOWDHURY : The hon. Minister referred to Starred Question No. 322 where information was given to the House that the matter is still under investigation of the Central Bureau of Investigation. The same reply has been given to-day also.

The report was published in July 1970 and it was discussed on 9th November and the hon. Defence Minister made a statement on 16th December last. Still the matter is under investigation. I would like to know as to what is the time limit within which this investigation will be completed. Will it be in a few weeks' time ?

SHRI VIDYA CHARAN SHUKLA : It is a very serious matter and the CBI has taken up the investigation in right earnest. We have been assisting them. The CBI has started this investigation vigorously. They have not yet completed the investigation and in this respect we do not want the press them to do some hurried work. They have to go into the root of the matter and find out who are the culprits so that we can weed out leakage of such kinds in future. And, therefore, Sir, I would like to plead to the House to be a little patient about this matter. Let us allow the CBI to complete the investigation. After the CBI completes investigation then we shall take appropriate action on them.

SHRI B. K. DASCHOWDHURY : What are the terms of reference the CBI investigation ? How many copies of the document were there ? This is point number one, This

should be investigated. The CBI is investigating into the matter as to who are the persons who are responsible. I would like to know as to what are the terms of reference of the CBI investigation.

SHRI VIDYA CHARAN SHUKLA : There are no terms of reference as such. Whenever such criminal cases are handled by them they can look into all connected and related matters and they have got complete freedom to go into all matters related with the main investigation. We don't put any fetters on their investigation, by giving them any specific terms of reference. They can go into any things connected with this matter and things that have any bearing which are needed to be gone into. They are free to go into all such matters and we shall fully cooperate with them as far as this matter is concerned.

SHRI BIRENDRA SINGH RAO : I want to know whether Government is aware of the fact that there is a growing practice for defence officers to write books on defence matters after their retirement. This practice was started by Gen Thimmayya ; then Lieut. General Kaul wrote a book. There was another book by one Brig the Himalayal Blunder, and only 2 days back there was a book by Lieut. Gen. Kaul, recently released. Is there any check which the Defence Ministry is exercising to see that vital and secret information with regard to defence matters is not used by defence officers after retirement, in respect of writing books using the information which they came across while they were in service, and having first-hand knowledge about them? Is there any condition which they are imposing to see that retirement benefits will only be available to them if the officers after retirement do not disclose vital information which they came to know while they were in service? Sir, all this information leaks out through these sources.

MR. SPEAKER : Your question is as long as a speech.

SHRI VIDYA CHARAN SHUKLA : There is the Official Secrets Act of the Government of India according to which an officer (whether serving or retired) is precluded from using classified documents. That is the position and if any violation takes place, action can be taken as laid down by law.

SHRI HARI KISHORE SINGH : In view of the fact that a number of books are being written not only by retired army officials but also by other officers of the Government of India after retirement, will the Government consider making materials available to the academic persons also in the universities, etc. and also bringing out its own version of the happenings narrated in those books?

MR. SPEAKER : This question is about leakage in a particular case. It cannot go beyond the scope.

SHRI HARI KISHORE SINGH : Sir, a number of such books are written every day.

MR. SPEAKER : But you can put a separate question. You can't get that out of this question.

SHRI H. N. MUKERJEE : In view of the House having been told during the Parliament when we had a discussion here that only a very few officials, two or three, very highly placed and highly trusted, had access to the secret documents which were alleged to have been passed on to this man, may I know why it is that in spite of only two or three officers having been involved this delay is taking place?

SHRI VIDYA CHARAN SHUKLA : There is no delay as such. I just checked up the position before coming to the House. The CBI have been investigating into the matter and they are completing their investigations in the sense that they have laid down the procedure, and although I cannot indicate the time that they will take to complete their reports, yet, as far as the investigation procedure and other things are concerned, I am quite satisfied that there has been no delay either on our part or on their part in conducting investigations into this matter.

Release of Foreign Exchange to Foreign Oil Companies

*1513. **SHRI N. E. HORO :** Will the Minister of PETROLEUM AND CHEMICALS be pleased to state :

(a) whether any foreign exchange has been released to foreign oil companies keeping in view the decision on prices by crude oil companies functioning in India ; and