

**Appointment of a Lawyer to Assist the  
Proceedings of Netaji Enquiry  
Commission**

\*814. SHRI SAMAR GUHA : Will the Minister of HOME AFFAIRS be pleased to state :

(a) whether number of Members of the last and present Lok Sabha have written to the Prime Minister to appoint a lawyer to assist the proceedings of the Netaji Enquiry Commission ;

(b) whether a similar appeal was made before the Commission and the Commission favourably responded to it and forwarded the same to Government ;

(c) if so, the reason for not appointing a lawyer till now for assisting the proceedings of the Commission on behalf of the public ; and

(d) whether Government propose to make such an appointment ?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI K. C. PANT) : (a) to (d). A statement is laid on the Table of the House.

*Statement*

On behalf of a National Committee for assisting the Netaji Enquiry Commission, some Members of Parliament had suggested to the Prime Minister last year that a Senior and a Junior Counsel may be appointed at Government expense to assist the said Committee as well as the Commission. The advice of the Commission was sought on the suggestion. The Committee was of the view that while it could not recommend the appointment of Counsels to assist the said Committee, it would facilitate the task of the Commission to have a suitable Counsel appointed to assist the Commission. The Government agreed with the Commission and in consultation with the Commission a Senior Counsel was selected for appointment. However, the Counsel was otherwise busy and could not accompany the Commission on their recent tour abroad. The Commission have now been requested to advise whether they would still require the services of a Counsel.

SHRI SAMAR GUHA : I am sorry I could not go through the Statement. If you permit, I request him to read it.

SHRI K. C. PANT : With your permission, may I read it ? He says he has not read it.

MR. SPEAKER : The statement is laid on the Table. It was his duty to read it.

SHRI SAMAR GUHA : You may kindly give me the privilege by asking him to read it.

MR. SPEAKER : Ask your question. Do not set a precedent. When statements are laid on the Table, it is the Members' duty to read them.

SHRI SAMAR GUHA : In view of the fact that the appointment of the Netaji Enquiry Commission to go into the mystery of the disappearance of Netaji Subhas Chandra Bose has been highly appreciated in the country, and in view of the fact that all relevant facts about Netaji may be effectively presented to the Commission and the same carefully tested and sifted and the whole set of facts may be presented before the Commission objectively to the satisfaction and the expectations of the people of this country, and thus help the proceeding of the Enquiry Commission, may I know whether the National Committee for assisting the Netaji Enquiry Commission made a request for Justice Khosla to appoint a senior and a junior counsel to assist the proceedings of the Commission and whether the Chairman of the Commission agreed to the suggestion and made a recommendation to the Government for appointing such counsels and, if so, may I know the steps taken by the Government in this regard ?

MR. SPEAKER : It is already there in the statement. He will read it for your benefit, but kindly do not do it again. It is your duty to have read the statement before putting the question.

SHRI K. C. PANT : I will read it.

On behalf of a National Committee for assisting the Netaji Enquiry Commission, some Member of Parliament had suggested to the Prime Minister last year that a

Senior and a Junior Counsel may be appointed at Government expense to assist the said Committee as well as the Commission. The advice of the Commission was sought on the suggestion. The Commission was of the view that while it could not recommend the appointment of Counsels to assist the said Committee, it would facilitate the task of the Commission to have a suitable Counsel appointed to assist the Commission. The Government agreed with the Commission and in consultation with the Commission, a Senior Counsel was selected for appointment. However, the Counsel was otherwise busy and could not accompany the Commission on their recent tour abroad. The Commission have now been requested to advise whether they would still require the services of a Counsel.

MR. SPEAKER : Does the reply fit in with the question ?

SHRI SAMAR GUHA : Yes, Sir. May I know who is the Senior Counsel who has been appointed and why he did not accompany the Commission to Japan to help the Commission to find out the facts. May I also know whether the Government received in application on behalf of Mr. J. P. Mitter to serve as *amicus curiae* without charging any fees from Government and if so, why he has not been appointed ? Sir, Mr. Mitter is an outstanding Counsel and Government appointed him in the Kashmir case paying him Rs. 2000 as fees...

MR. SPEAKER : He gets lost in the question and we also get lost in the question.

SHRI SAMAR GUHA : You have taken it upon yourself to pin down a particular member on every point. I am really sorry.

MR. SPEAKER : I wish you could be pinned down !

SHRI K. C. PANT : The name of the advocate is Bipin Behari Lal. The Commission left for Japan on 23rd March and returned on 27th April. As I said, the Counsel could not accompany the Commission. That is why we have asked the

Commission whether they would still require the services of counsel. In this matter, we are guided by the advice of the Commission.

SHRI SAMAR GUHA : What about the offer of Mr. J. P. Mitter to serve as *amicus curiae* ?

SHRI K. C. PANT : I have no information about it.

SHRI SEZHIYAN : In the statement it is said, "a senior counsel was selected for appointment". I want to know whether the actual appointment was made and if so, whether the counsel was made aware of the fact that he should be able to go to Japan and with that knowledge the appointment was made ?

SHRI K. C. PANT : According to the information with me, the name of Shri Bipin Behari Lal was recommended on the 20th March 1971. On the 27th March, as I said, the Commission left for Japan. So, the counsel could not accompany them.

SHRI SEZHIYAN : My question was whether the appointment was actually made.

SHRI K. C. PANT : As I said, we have asked them whether they still require the services of a counsel. From that it appears that he was not actually appointed; it was only agreed to. But since he could not accompany them, the Commission is being approached again on the matter.

श्री राम चन्द्र विकल : कमिशन की इच्छा से वकील नियुक्त किया गया था और सरकार भी उससे सहमत हो गई। वकील कमिशन के साथ जा नहीं सका। अब वकील से पूछा जाना चाहिए था कि वह क्यों नहीं जा सका लेकिन सरकार पूछ रही है आयोग से कि आपको जरूरत है या नहीं। वकील के न जा सकने के कारण सरकार बता सकेगी कि क्या थे ?

श्री कृष्ण चन्द्र पन्त : कमिशन से भी पूछा गया था कि जरूरत है या नहीं है। कमिशन ने

कहा कि कमेटी के लिये तो नहीं लेकिन अगर कमिशन के लिए हो सके तो काउंसिल को नियुक्त किया जाए। जैसा मैंने कहा काउंसिल से भी पूछा गया था। जब कमिशन ने एप्रूव किया, ला मिनिस्ट्री ने एप्रूव किया, उसके बाद काउंसिल को पूछा गया। लेकिन काउंसिल उनके साथ नहीं जा सका।

श्री बिक्रम चन्द महाजन : भारत में सिर्फ एक ही वकील था जिस को गवर्नमेंट ने एप्रोच किया ? क्या किसी और से भी पूछा गया था ?

अध्यक्ष महोदय : आप पहले कहां चले गये थे ?

श्री कृष्ण चन्द्र पन्त : पहले एक दूसरे सीनियर वकील को सुप्रीम कोर्ट से छांटा गया था। यह तय हो गया था कि उनको इसमें नियुक्त किया जाए। लेकिन बाद में कमिशन ही ने बताया कि वह एक दूसरी इनक्वायरी में इसी सम्बन्ध में जो श्री शाह नवाज खां के अध्यक्षता में हुई थी, अभीष्ट हो चुके हैं। इसलिए उनके बारे में यह कहा गया कि यह उपयुक्त नहीं होगा कि उनको इसमें रखा जाए।

#### Decline in India's Import Trade with Western Advanced Countries

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\*817 SHRI P. GANGADEB :  
SHRI NIHAR LASKAR :

Will the Minister of FOREIGN TRADE be pleased to state :

(a) whether the share of advanced countries of the West in India's import trade has declined in recent years according to the study released by the World Trade Department of the Indian Chamber of Commerce;

(b) if so, the reasons therefore ; and

(c) the steps being considered in this regard ?

THE MINISTER OF FOREIGN TRADE (SHRI L. N. MISHRA) : (a) Yes, Sir.

(b) A statement is laid on the Table of the House.

(c) Does not arise.

#### Statement

A shift in our pattern of imports as well as greater diversification of sources of supply of our imports are responsible for this outcome. Substantial reductions in imports of foodgrains (mainly wheat) manufactured fertilizers, machinery excluding agricultural transport equipment and various other intermediate and finished products from developed western countries resulted in reducing their share in India's imports between 1967-68 and 1969-70. Increase in the production of foodgrains in the country enabled us to reduce our imports of wheat from USA and Canada during the period under review by 50%. To some extent there was a fall in the import demand for certain capital goods in the country due to the industrial recession. Reduction in imports of other items to a great extent reflects the progress made by India in import substitution. This type of structural change in the economy is a welcome development. India's growing economic relations with socialist countries have helped to diversify our sources of imports and to reduce our dependence on Western countries. The share of socialist countries in India's imports increased from 11 per cent in 1967-68 to 18 per cent in 1969-70.

SHRI P. GANGADEB : I would like to know if there has been any fall in aided credit from Europe as a result of which our imports declined ?

SHRI L. N. MISHRA : This is a question about import trade.

SHRI P. GANGADEB : It is a connected question.

SHRI L. N. MISHRA : If he wants to know about exports he should give notice of a separate question. Imports from West have declined mainly because of other factors which I have explained in the statement.

SHRI P. GANGADEB : May I know the overall decline in the volume in trade and whether it is due to the European Common Market ?