

I am directed to enclose herewith the Appropriation (No. 3) Bill, 1970, as passed by Lok Sabha at its sitting held on the 16th August, 1970.

The Speaker has certified that this Bill is a Money Bill within the meaning of article 110 of the Constitution of India.”

(II)

I am directed to inform Rajya Sabha that Lok Sabha, at its sitting held on Wednesday, the 26th August, 1970, adopted the following motion in regard to the Comptroller and Auditor-General's (Duties, Powers and Conditions of Bill, Service) 1969:—

“That this House do resolve that the membership of the Joint Committee of the House on the Bill to determine the conditions of service of the Comptroller and Auditor General of India and to prescribe his duties and powers and for matters connected therewith or incidental thereto, be increased by 2 members, 2 from this House, namely:—

- (i) Shri Y. B. Chavan,
- (ii) Shri V. V. Chavan Shukla.

and 1 from Rajya Sabha; and

that this House do recommend to Rajya Sabha that Rajya Sabha do agree to appoint 1 more member from Rajya Sabha to the said Joint Committee and communicate to this House the name of the Member so appointed to the Joint Committee”.

I am to request that the concurrence of Rajya Sabha on the said motion, and also the name of the member of Rajya Sabha appointed to the Joint Committee, may be communicated to this House”.

Sir, I beg to lay a copy of each of the Bills on the table.

REFERENCE TO ALLEGED DEPARTURE IN PROCEDURE FOR LICENSING RICKSHAW-PULLERS IN DELHI

SHRI A. G. KULKARNI (Maharashtra) I want to mention a point which particularly refers to a news item and an agitation is being carried on by the genuine licensed rickshaw-pullers in

Delhi. It has been found that the genuine rickshaw-pullers are being harassed and the DMC which is being controlled by the Jan Sangh has passed a resolution recommending grant of 8,000 licences to unlicensed rickshaw-pullers and that also to a particular class of traders who are controlling these individual rickshaw-pullers and they are being paid only Rs. 6 or Rs. 7 per day. The Delhi Municipal Corporation, in the case of taxi-drivers and scooter-drivers are giving to individual entrepreneurs but in the case of rickshaw-pullers they are making a departure and have recommended this new procedure to the Government. I draw the attention of the Government that the Rickshaw-pullers' Cooperative Society has asked that the licences should not be regularised to the traders but if the Government wants to give the licences, they should be given only to individual applicants who are going to get loans from the nationalised banks or through the co-operative society which is an authorised society. Mr. Behl has already approached the Delhi Municipal Corporation. I strongly recommend that the Delhi Municipality be forbidden to give licences to these traders who want to exploit the individual rickshaw-pullers. I draw your attention to this, Sir.

MR. DEPUTY CHAIRMAN: The House stands adjourned till 2.30 P.M.

The House then adjourned for lunch at thirty five minutes past one of the clock.

The House reassembled after lunch at half-past two of the clock, Mr. DEPUTY CHAIRMAN in the Chair.

REFERENCE TO ALLEGED LEAKAGE OF CABINET SECRETS

SHRI BHUPESH GUPTA (West Bengal): Mr. Deputy Chairman, I want to invite your attention to a rather serious matter that concerns the privileges of Parliament. In today's papers you find that reports have appeared—almost in every paper—about a certain Bill to amend the provisions in the Unlawful Activities Act and various other things which were being discussed in the Cabinet. It is also stated in the reports that the Cabinet has sanctioned this thing. And suggestions are made as to what has been sanctioned. And also it is stated what is still under consideration. Now the question arises that such reports could not have appeared but for the calculated leakage from the side of the Cabinet to the

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press. If consciously the leakage has not taken place, then it has to be admitted that the Cabinet conducts its work in a very loose manner, in an unguarded manner, so that things get into the press before even Members of Parliament or Parliament get the thing. We do not know, what sort of Bill it is; no Bill has been circulated. Yet, even in the process of discussion of the Bill in the Cabinet reports appear in the papers. Now I think this matter should be taken serious note of by Parliament, particularly when Parliament is in session. At any time such leakage and reports of Cabinet secrets when a Bill is under consideration in the Cabinet would be objectionable. It reflects very badly on the manner of functioning of the Cabinet and the Cabinet Secretariat. It does appear that there are people in and around the Cabinet including the Cabinet Secretariat whose business is to leak out news almost immediately after a Cabinet meeting is held. Surely a Cabinet meeting took place yesterday according to the reports and what I referred to earlier has appeared in today's papers. (*Interruptions*) It has appeared in today's papers. Obviously, in a matter of hours the news was given to the press. Now, I think this matter should be clarified.

First of all I should like to know whether the report is correct. If it is correct, then the practice is entirely wrong. If the Government wants to make any news known to the country, then Government can come before the House and say they are thinking of bringing a Bill of this kind and they are thinking of including such and such provisions and they are thinking of drafting the Bill along these lines instead of telling us through the press and through leakage of this kind. This is one thing. Secondly I think that Government should hold an enquiry as to how things are being leaked out in this manner. Sometimes I may like this leakage; sometimes it may not suit me. But the issue is not whether I like it or not; the issue is whether it should take place, whether such things should be tolerated and encouraged. Now this is what I would like to bring to your notice, and I say this thing all the more because Parliament is now in session. Today I think many Members have read about a certain Bill, which is still under discussion in the Cabinet. But the Members do not know anything about it

otherwise. This is a strange situation I cannot think of such a situation arising in any country, which has really a parliamentary system, a situation where such Bills are leaked out, or the discussion on a Bill inside the Cabinet is leaked out, when the Bills are on the anvil of the Cabinet. But here such things are happening.

So I say clarification is needed. Such things should not be done.

SHRI A. D. MANI (Madhya Pradesh): I would like to say one word on this.

MR. DEPUTY CHAIRMAN: No, no.

SHRI A. D. MANI: Sir, I would like to make a humble submission.

MR. DEPUTY CHAIRMAN: No, Mr. Mani; you please sit down.

SHRI A. D. MANI: You know, Sir, I never stand up often. This is a very important thing.

MR. DEPUTY CHAIRMAN: Every thing that is raised here is important. We have to complete the business before us. So, please sit down.

SHRI N. G. GORAY (Maharashtra): How can that be? When an important question has been raised if you say that nobody else should say anything what can we do? When he says it is a question of privilege do you mean to say that others should not speak?

MR. DEPUTY CHAIRMAN: We have discussed this question ten or fifteen days earlier also about this leakage.

SHRI BHUPESH GUPTA: Mr. Goray is right, Bills are to be introduced in the House and circulated to Members; they are to be made public in that way. Cabinet can discuss anything inside; they formulate the Bills but a Bill is to be made public through Parliament by circulation to Members of Parliament preparatory to its being introduced. That is how the privilege question comes in.

MR. DEPUTY CHAIRMAN: All right, Mr. Mani.

SHRI A. D. MANI: Sir, I want to make a humble submission. I am a newspaperman and a Member of Parliament also. Sir, the newspaper has got the right,

to collect information from any quarter but when Parliament is in session, first an item of news appears in the press that the Privy Purse Bill is going to be introduced on such and such a date, then the Unlawful Activities Bill is going to be introduced. When that kind of information is leaked out to the press, Parliament is certainly concerned about the matter. The announcement should be made in Parliament. We do not want to fetter the right of the newspapermen to get news from any quarter but once such news is leaked out and if we get such information only from the press, then certainly it is a breach of privilege on the part of Government because the leakage takes place on the part of the Government.

SHRI N. G. GORAY: What I wanted to point out in this connection was that we are responsible to our constituents also. After the news appears that certain measures are being contemplated naturally people begin to ask us whether we know about it and our position becomes unenviable because we have to say we do not know anything about it. You can well imagine how embarrassing our position becomes when newspapers know all about a Bill and we do not know anything about it. In this case not only have they said that such a Bill is contemplated but they have given certain provisions also. Therefore I am saying that this is something deliberately done by somebody. I do not know who did it but.....

MR. DEPUTY CHAIRMAN: How can you say that?

SHRI N. G. GORAY: Otherwise how can the provisions be known? I myself know that they are going to introduce the Privy Purse Bill but I do not know what the provisions are going to be. Therefore I would like to know from some responsible member of the treasury benches, preferably from the Leader of the House, as to what actually has happened.

SHRI MULKA GOVINDA REDDY (Mysore): And this is not the first time during this session.

SHRI AKBAR ALI KHAN (Andhra Pradesh): I think, in this matter let us also understand that in this democracy the press is also a very important part.

SHRI MULKA GOVINDA REDDY: Nobody is criticising the press. We congratulate the press.

SHRI BHUPESH GUPTA: I will criticise the press. But we are not concerned with the press. Now we are concerned with

the Government and ourselves. We congratulate the press because they have got such undependable and purchasable Ministers and, shall we say, officials. They can get anything out of them whenever they like. Do not bring in the press. Our duty is to Parliament.

SHRI AKBAR ALI KHAN: I think my honourable friend, as usual, has made certain very irresponsible observations with which no one agrees. Not only in this country, but in other countries also there are two things. One is the policy statement by the Government. If there is any policy statement, while in the course of the Session if it is leaked out or made public, certainly it is a matter in which Government will take action. But there are certain conjectures, intelligent conjectures and forecasts published by the press. We have to make a distinction between these.

SHRI BHUPESH GUPTA: Mr. Khan it is not intelligent... (Interruptions) The Bill contains these provisions.

SHRI AKBAR ALI KHAN: Mr. Gupta, you know better because...

MR. DEPUTY CHAIRMAN: Mr. Akbar Ali Khan.....

SHRI AKBAR ALI KHAN: I feel, Sir, let us draw this distinction. Otherwise unnecessarily everytime this question is coming up. We are all concerned with the privileges of the House. We do not want any important policy statement to be made outside the House when Parliament is in Session. But over news and such other things if we get agitated I think it will be detrimental to the business of the House.

SHRI NIREN GHOSH (West Bengal): Sir, I am compelled to make.....

MR. DEPUTY CHAIRMAN: We have had enough discussion on this subject. Now there is no point.....

SHRI NIREN GHOSH: I am compelled to make a point. I will, because our friend, Shri Akbar Ali Khan, suddenly stood up to protect the Government. How can he protect the Government? He assumed this role all of a sudden. But it shows that the executive treats this Parliament as a show-piece. They choose to handle it in any way they like, without any concern for its privileges and perhaps it is actually

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show-piece. That is how they treat it. This game is going on for a pretty long time now. So our duty is, whether they treat us as a show-piece or not, to focus attention on all those things. When the privileges of Parliament are broken we are compelled to draw attention to it. What else can we do ?

SHRI BHUPESH GUPTA: Sir, I cannot understand. I cannot understand your attitude.

MR. DEPUTY CHAIRMAN: You please sit down.

SHRI BHUPESH GUPTA: Do you not think you are indulging in frivolities? Do you think that is not a serious matter?

MR. DEPUTY CHAIRMAN: You have already made your point.

SHRI BHUPESH GUPTA: You should ask the Government whether it is correct or not. Do you not think you are indulging in frivolities?

MR. DEPUTY CHAIRMAN: Mr. Gupta, have you given me a chance to say anything? You are bringing the same points again and again. What I am trying to say is when we are developing a system of speakership.....

SHRI BHUPESH GUPTA: The Speaker has a dialogue with the Opposition all the time, and not once with the Government. Sir, as a parliamentarian and the Deputy Chairman if you think we are going to agree that when a matter is under discussion inside the Cabinet.....

MR. DEPUTY CHAIRMAN: I had told the Government that they should protect the rights and privileges of Parliament and it is their responsibility to see that these things do not appear in the press. That is what I have said 10 or 15 days earlier. It is the same matter and again I am saying it. I am repeating the same thing again. Government should be careful and Government should take note of the sentiments of the honourable Members and see to it that such important decisions are not leaked out to the press.

SHRI DAHYABHAI V. PATEL (Gujarat): You have rightly voiced the sentiments of the House. This has happened not for the first time. I think this is the

third or fourth time during this Session that it has happened. That is what agitates and concerns us. You have very rightly tried to express the views of Members to the Government, but it does not seem to take any notice of it. There is no senior Cabinet Minister even today, when such important Bills are coming up. If the Government is going to treat this House with contempt, why do you want to continue this House ?

(Interruptions)

MR. DEPUTY CHAIRMAN: Mr. Bhupesh Gupta just raised this question today immediately after lunch.

SHRI BHUPESH GUPTA: It is within your right to appoint a Committee and ask it to go into this matter on behalf of the House, enquire into it. Give us the power. We shall cross-examine these Cabinet Ministers and officials and bring to you a report. Therefore, you can act on your own. I say you are not listened to. We are disregarded. Everybody knows that things are leaked out according to the convenience of someone or other in the Government all the time and today I have brought to your notice a very serious matter. The Bill under discussion, clause by clause, has appeared in the press. You can find out privately by talking to the Government whether this report is correct. Satisfy yourself that the report is basically correct. If you think you are satisfied, take such action as you think you should take. Here is the paper. Otherwise you are ignoring it.

SHRI MAHAVIR TYAGI (Uttar Pradesh): I am grateful to you for having protected the old convention of the House by your past ruling and also today. There is no objection to that. As far as coming into the press of Bills is concerned, I think conventionally if the item is limited to this that a Bill on that subject is coming up, that would not be any violation, but if the clauses and the whole gist of the Bill appear in the press, then the question comes up that before it is put in the House, it has come in the press. So, this is something which is a violation of the privilege of the House and that cannot be tolerated. We want to make it clear that the Minister-in-charge must be taken to task and the Privilege Committee must look into it. The House should penalise such Ministers because it is an old, established convention, not here alone but even in England for centuries, that the dignity of the House has to be

maintained. This is not an ordinary question. If every day things go on like that to the press that is really very bad.

MR. DEPUTY CHAIRMAN: I think most of the Members have read that news item. I think Mr. Om Mehta who is here will convey to the Government what has happened here.

SHRI N. G. GORAY: I want to ask . . .

MR. DEPUTY CHAIRMAN: Why do you want to repeat it now?

SHRI N. G. GORAY: Had it been only a conjecture . . .

MR. DEPUTY CHAIRMAN: The point is clear.

SHRI N. G. GORAY: It is not a conjecture. All these clauses of the Bill have appeared. Here it says :—

“The Union Cabinet today approved after a detailed discussion two important legislations, one seeking to amend the Aligarh University Act and the other to put effective curbs on communal organisations such as RSS and Jamait Islami.

The Bill dealing with the communal parties seeks to amend section 153 of the Indian Penal Code. Under the existing law, the Government has powers to take strong action against individuals indulging in communalism, but it cannot deal effectively with communal organisations. The present lacuna in the Act is sought to be removed to make it foolproof the main purpose being to clip the wings of such organisations.

A proposal is also under consideration to amend the Unlawful Activities Act to curb the activities of both Naxalites and communal bodies.

The main purpose of the Aligarh University Amendment Bill is . . .”

The whole thing is given there.

MR. DEPUTY CHAIRMAN: All right. Order order, please. I have also said earlier that it is undoubtedly a serious matter and it is the responsibility of the Government as well as the Cabinet to see that the Government secrets and the Cabinet secrets are not leaked out either to the press or to any other person.

It is the established convention that all such matters or important policy decisions should be announced in Parliament first and then only they should be reproduced or given out to the press or to some other persons.

SHRI MAHAVIR TYAGI: On what he has read I submit one thing.

MR. DEPUTY CHAIRMAN: It is clear now Tyagiji. So I hope the Government will take due note of the views expressed and the sentiments of the hon. Members. I hope in future at least the Government will realise its responsibility and the importance of such matters and see that such important decisions are not given to the press first.

SHRI MAHAVIR TYAGI: As far as whatever has been read out is concerned I must say that this does not directly violate against the privileges because the language in which it has appeared in the press does not signify, does not give details of the Bill, section-wise or anything. It is only a decision Government has taken on that subject.

SHRI BHUPESH GUPTA: Details are given :

SHRI MAHAVIR TYAGI: The mention of a decision taken by the Government is no violation of the privileges as far as I understand. If it were to be said that a Bill of such and such nature is going to be brought then it would be wrong. If it were said that a Bill containing such and such items is going to be introduced, it would be wrong. But if only a policy decision taken by the Government is publicised, then that does not violate the privileges.

MR. DEPUTY CHAIRMAN: Now, Mr. Ganesh.

SHRI BHUPESH GUPTA: It is said what will be the provisions.

MR. DEPUTY CHAIRMAN: Please sit down.

SHRI BHUPESH GUPTA: I wish that Mr. Tyagi had more experience . . .

MR. DEPUTY CHAIRMAN: I have already expressed my views. Mr. Ganesh.

I. THE WEST BENGAL BUDGET
1970-71—General Discussion.

II. THE WEST BENGAL APPROPRIATION (No. 2) BILL, 1970

THE DEPUTY MINISTER IN THE
MINISTRY OF FINANCE (SHRI
K. R. GANESH) : Sir I beg to move :

"That the Bill to authorise payment and appropriation of certain sums from and out of the Consolidated Fund of the State of West Bengal for the services of the financial year 1970-71, as passed by the Lok Sabha, be taken into consideration."

The question was proposed.

MR. DEPUTY CHAIRMAN: We are having the West Bengal Budget and the Appropriation Bill considered together by the House. Only one day has been allotted for this, and in view of the urgency of the matter it will be better to finish this thing today. Therefore, I would request the hon. Members to be brief in their observations.

SHRI MULKA GOVINDA REDDY (Mysore) : Are we discussing these two things separately ?

MR. DEPUTY CHAIRMAN: Both Budget and the Appropriation Bill.

SHRI MULKA GOVINDA REDDY: Proclamation ?

MR. DEPUTY CHAIRMAN : Proclamation not now. During next week.

SHRI DAHYABHAI V. PATEL (Gujarat) : Whenever this situation has arisen, both are taken together. Why are you separating it this time ?

DR. K. NAGAPPA ALVA (Mysore) : Mr. Deputy Chairman, I rise to speak on the Appropriation Bill as also the West Bengal Budget for 1970-71. Even from my student days I had the greatest admiration for the people of Bengal. Bengal had given the greatest of patriots. Since an attempt by the Britishers to divide that patriotism and the fight for freedom went on not only with vigour but it attracted the attention of the entire India and the world also. And even after Independence, Bengal had the largest number of leftists parties. In my opinion, the prominent among them was the party started by the great patriot and leader Subhash Chandra Bose, the Forward Bloc. And today the position in West Bengal is such that we have to make an attempt, a determined effort, to see that democracy is saved and freedom is made safe for India.

Sir, I must painfully submit that I am not satisfied with the amount that has been set apart in this Budget for Bengal because I expected a better treatment for Bengal at this critical hour. Bengal requires so much amount that a special provision ought to have been made particularly in the matter of grants assistance, and Centrally-sponsored schemes and also in particular subjects of unemployment, bearing in mind the rural and urban unemployment as also educated unemployment in particular. And here my suggestion to the Government at the outset is to allot at least one hundred crores of rupees because it is very necessary that the administration should have the strength to implement the programmes. And for that I suggest that the law and order position should improve to a considerable extent. It was painful for me to read just this morning in the front page of the Statesman—"Bengal staff strike hits Secretaria—Attendance good in districts Rival student groups fought with bombs, two buses were attacked and the police fired on clashing groups in separate incidents in Calcutta today as the State Government employees, students and secondary school teachers began their strike. "There is no doubt whatsoever that the Government servants and the teachers and the students who were involved in the strike were sponsored and encouraged and organised by political parties. There is no doubt whatsoever. And certain signs of improvement we could find during the last five months. But today we are not satisfied at all about the action that has been taken. If there are ills in this country, if there are problems in this country today which could not be solved, it is for want of firm administration. We want a firm administration, a clean administration, and an administration which will not only impose but bring about a position of discipline and the rule of law in this country. Discipline and the rule of law are the fundamentals for the growth of democracy and also for the balanced development and progress of any country.

Today inroads into democracy are being made by different parties, particularly the Communist Parties of India. It is painful to see that the Naxalites who have proved themselves a menace to this country have not been curbed. They challenge the Government. Just a few days back we saw in the paper the challenge of Kanu Sanyal and Char