

RAJYA SABHA

(1975)

Point of privilege

Alleged withholding of information from the House by a Minister during a discussion on a Calling Attention matter.

Facts of the case and ruling by the Chairman

On the 26th March, 1975, Shri Bhairon Singh Shekhawat, a member sought to raise¹ a question of privilege against the Minister of Defence (Sardar Swaran Singh) for allegedly withholding certain information from the House while speaking on a Calling Attention matter regarding leakage of certain vital defence information by two Officers of Indian Air Force.

While raising the question of privilege, Shri Shekhawat stated that on the 17th March, 1975, during discussion on a Calling Attention matter, in reply to a question by Shri Loknath Mishra, another member, 'whether the two gentlemen who indulged in these activities and who are from Soviet Union, belonged to the K.G.B. or they belonged to Soviet Embassy in India, or they were only private citizens of Soviet Union', the Minister had replied that I would like to say quite clearly that they were not private citizens, which class they belong to I do not know'. Shri Shekhawat stated that in a writ petition filed by an Indian Air Force Officer in the delhi High Court, it had been stalled inter alia that "he had been instrument in causing security leakage on vital defence information to one Major I. V. Kanavsky, Assistant Military, Naval and Air Attache of the Embassy of the USSR at New Delhi'. According to Shri Shekhawat this indicated that the Minister was aware on that day of the information but he did not disclose the same to the House, Thus he had committed a breach of privilege of the House.

2. The Chairman (Shri B. D. Jatti), observed that he had not allowed the question of privilege but it would be better if the Minister of Defence clarified the position in the House.

3. Thereupon, the Minister of Defence, made² inter alia the following statement: -

"The first thing is that it is quite interesting that while the questioner was hogn'ble Shri Lokanath Mishra who is apparently stasfied with my reply, Mr. Shekhawat somehow or the other feels that I gave a wrong reply to Mr. Mishra.. he has read out a statement but he is not able to point out as to which part in my statement. according to him, is incorrect He (Shri Mishra) wanted to know whether he belongs to the K.G.B. and I said I do not know. I do not even now.. Then it was asked to which particular branch they belonged. I never said that they do not belong to the Soviet Embassy. It is true that the name of the person was Major Kanavsky and he was an Assistant Military Adviser..... Even new I cannot say, nobody can say whether they belong to K.G.B. or to which other branch they belong.... that I did not know on that day to which particular branch of the Soviet Embassy he belonged The question that was asked was as to which branch of the Soivet Embassy he belonged, to which I said 'I have no information'. I have now made enquiries and I

find that his designation was Assistant Military Adviser. At that time I had no information as to which branch of the Embassy he belonged. I do not see what is the point for me to suppress if I did not know to which particular branch of the Soviet Embassy he belongs."

Thereafter, the matter was closed.

1. R.S. Deb. dt. 26.3.1975 (original in Hindi)
2. Ibid