

Birbal Sahni Institute of Palaeobotany

8728. SHRI MANIBHAI J. PATEL : Will the Minister of EDUCATION be pleased to state :

(a) whether it is fact that a Committee has been appointed to enquire into the working of the Birbal Sahni Institute of Palaeobotany, Lucknow ;

(b) if so, the personnel of the Committee and their findings so far ; and

(c) whether Central Government are taking over the Institute and if so, the expenditure involved in doing so and the liabilities of the Institute at present ?

THE MINISTER OF EDUCATION (DR. TRIGUNA SEN) : (a) Yes, Sir.

(b) A statement is laid on the Table of the House. [*Placed in Library. See No. L.T.1064, 68.*]

(c) The report of the Committee is under consideration.

Lachit Sena

8729. SHRI D N. PATODIA : Will the Minister of HOME AFFAIRS be pleased to state :

(a) whether the Central Government have been informed by the Government of Assam, about the steps taken by them either to ban the "Lachit Sena" or to curb its activities ; and

(b) if so, the details thereof ?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI VIDYA CHARAN SHUKLA) : (a) and (b). The State Government have issued detention orders under the Preventive Detention Act, 1950, against 29 persons suspected to be involved in giving publicity to leaflets of Lachit Sena. Out of this 26 have already been detained.

CORRECTION OF ANSWER TO UNSTARRED QUESTION NO. 4915 DATED 19.4.1968 REGARDING INQUIRY OFFICERS OF DELHI ADMINISTRATION

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI VIDYA CHARAN SHUKLA) : On 19th April, 1968, in reply to question No. (Un-

starred) 7915 by the Hon'ble Member Shri K. P. Singh Deo I had mentioned that in a certain disciplinary proceeding Shri K.C. Consul, Assistant Director, Industries, Delhi Administration had held only two hearings. However on verification it was detected that the number of hearings held by Shri Consul were six and not two.

12.24 hrs.

QUESTION OF PRIVILEGE

श्री रवि राव (पुरी) : अध्यक्ष महोदय, मैं आप को धन्यवाद देता हूँ कि आपने मुझे उद्योग मंत्री श्री फखरुद्दीन अली अहमद के खिलाफ स्वाधिकार भंग करने का प्रश्न उठाने की अनुमति प्रदान की।

यह जो सवाल मैं आपके सामने रखता हूँ वह प्रमाण के साथ रखता हूँ। मुख्य चीज यह है कि हम जो संसद में आये हैं तो संसदीय प्रजातन्त्र को मजबूत बनाने के लिए आये हैं। अब मेरा जो स्वाधिकार भंग का सवाल है उस का इस बुनियादी सवाल के साथ ताल्लुक है कि हमारे देश में संसदीय प्रजातन्त्र आया एक सच्चाई और सत्य पर आधारित होगा या वह झूठ, गलत बयानी और डेलीबरेट मिस्लीडिंग स्टे.मेंट पर आधारित होगा ?

आप के सामने यह जो दो बयान श्री फखरुद्दीन अली अहमद की ओर से दिये गये हैं, एक तो 2 अप्रैल का और दूसरा 24 अप्रैल का, इन दोनों बयानों से मैं आपके सामने यह साबित करता हूँ कि यह स्वाधिकार भंग के सवाल के लिए प्राइमफेसी केस है।

अध्यक्ष महोदय, श्री चिन्तामणि पाणिग्रही का 2 अप्रैल का शीर्ट नोटिस बरेडचन इस प्रकार का था ?

"Will the Minister of Industrial Development and Company Affairs be pleased to state :

(a) whether Professor M. S. Thacker, the Chairman of the Committee appointed to investigate into the question

[श्री रवि राय]

of issue of industrial licences to private monopoly houses in the country has accepted the directorship of the Bank of India and is attending its meeting ; and

(b) if so, Government's reaction thereto ?

श्री फखरुद्दीन अली अहमद उसके जवाब में कहते हैं :

"(a) and (b). The facts regarding the question are that it is understood that Professor M. S. Thacker, Chairman of the Industrial Licensing Policy Inquiry Committee, was invited informally to a meeting of the Board of Directors of the Bank of India on the 28th March, 1968, to let them know his decision on the offer made to him of Directorship on the Board of the Bank. After telling them that he required three to four weeks to consider his decision, Professor Thacker came away from the meeting. Subsequently, the Government have been informed that he has declined the offer. In the circumstances, it is not proposed by Government to take any further action in the matter."

अध्यक्ष महोदय, इसमें जो एक जुमला है ही हैज डिक्लाइंड दी और, उस जुमले की ओर मैं आप का ध्यान आकर्षित करना चाहता हूँ। वैसे तो बाद में श्री उमानाथ और प्रोफेसर रंगा के सवाल और दूसरे सदस्यों के सवालों का जवाब देते हुए मंत्री जी ने इस को दुहराया है ही हैज डिक्लाइंड दी और। लेकिन असल सवाल यह है कि हमको लगता है कि 2 अप्रैल, को जब सदन में यह चीज आई और आप ने जैसे सदन के रुख को देख कर मंत्री जी को बताया कि इस के ऊपर जांच होनी चाहिए तो हम को लगता है कि शीर्ट नोटिश क्वेश्चन जब आया तो मंत्री जी के दिमाग में यह चीज आई कि कैसे उसको घपले में डाल दें और संसद के सामने गलत बयानी करें। सवाल यह है कि जब इस पर इस सदन में बहस हो रही थी तो ठेकर साहब उस वक्त अमरीका में थे

और वहाँ से लौटने के बाद उनकी जो चिट्ठी अखबार में छपी उस चिट्ठी में से मैं यहाँ कोट करना चाहता हूँ। मैं स्टेटसमेंट से उस में से कोट कर रहा हूँ। ठेकर साहब उस में यह फरमाते हैं :

"In a letter to the Minister of Industrial Development, Prof. Thacker said the Minister would recall that he did not have any objection to his continuing as a honorary Chairman of the Committee and accepting directorship of the Bank. He further said that the whole complexion of the discussion on April 2nd in Lok Sabha would, perhaps, have changed if one important fact that 'I have taken prior permission of the Government to consider the offer of directorship had been disclosed.'"

SHRI R. D. BHANDARE (Bombay Central) : On a point of order, Sir, I am referring to Rule 225 about the mode of raising a question of breach of privilege. While raising a question of privilege...

SHRI S. M. BANERJEE (Kanpur) : You have allowed it, Sir. There cannot be any point of order.

SHRI R. D. BHANDARE : I am on a point of order under Rule 225, the mode in which it could be raised. While raising it, he is dealing with the whole subject matter. He should confine himself to— one or two minutes.....

MR. SPEAKER : A short statement.

SHRI R. D. BHANDARE : He is dealing with the merits of the case.

MR. SPEAKER : I would have myself rung the bell if you had waited for a minute more.

श्री रवि राय : माननीय सदस्य को धीरज रखना चाहिए। मैं पांच मिनट में खत्म किये देता हूँ।

SHRI R. D. BHANDARE : Therefore, my submission is that some sanctity should

be attached to the Rules. He is going into the whole matter from A to Z.

MR. SPEAKER : The point is, according to the Rules, a short statement can be made. If 25 people get up, then a discussion will come at that stage and the motion will be moved and, then, I will fix time. What is a short statement, 1 minute or 2 minutes or 4 minutes, you should leave it to me. It may be 2 minutes or 4 minutes or so. It is not one hour. I am sure about it.

SHRI R. D. BHANDARE : The whole thing, from 'A' to 'Z', is being discussed. That is the point that I am raising.....
(Interruptions).

MR. SPEAKER : They will also have a chance afterwards. Mr. Rabi Ray.

श्री रवि राय : यह प्राइमा फेसी केस है, इसको बतलाने में मैं पांच मिनट से ज्यादा नहीं लूंगा। मैं श्री ठाँकर का बयान पढ़ रहा था। वह फरमाते हैं कि :

"He further said that the whole complexion of the discussion on April 2nd in Lok Sabha would perhaps have changed if one important fact that, 'I had taken prior permission of the Government to consider the offer of directorship' had been disclosed. In his letter he further said, his going to Bombay was also within the knowledge of the Government. After obtaining your clearance, I also discussed the matter with my two colleagues and in view of the position taken by them, I had offered to resign the Chairmanship of the Committee..."

उसके बाद जब 24 तारीख को श्री अहमद बयान देते हैं तब वह अपने बयान में फरमाते हैं कि उन के बम्बई जाने के पहले हम को मालूम नहीं था कि बैंक की मिटिंग में जा रहे हैं, लेकिन दो मिनट बाद वह कहते हैं कि बम्बई जाने के पहले मेरी उन से मुलाकात हुई थी। जब बम्बई जाने के पहले मुलाकात हुई थी तब यह बात साफ हो गई थी। इसलिए मैं कहना चाहता हूँ कि यह स्वाधिकार भंग का प्राइमा फेसी केस है।

मैं पार्लियामेन्टी प्रैक्टिस के पृष्ठ 115 से पढ़ कर सुनाना चाहता हूँ। वह उद्धरण इस प्रकार है कि :

"The House may treat the making of a deliberately misleading statement as a contempt. In 1963, the House resolved that in making a personal statement which contained words which he later admitted not to be true, a former member had been guilty of a grave contempt."

इसलिये मेरा पहला मुद्दा यह है कि श्री अहमद ने जान-बूझ कर सदन में गलत बयानी की थी, दूसरा मुद्दा यह है कि इसमें जो त्रिकोण चलता है अफसर शाही, मंत्री और करोड़पतियों का, वह सदन के सामने आ जायेगा जब आप इस मामले को प्रिविलेज कमेटी के सुपर्व करेंगे। इस लिए मैं अनुमति चाहता हूँ इस मामले को प्रिविलेज कमेटी के सुपर्व किया जाय।

THE MINISTER OF INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS (SHRI F. A. AHMED) : May I just... (Interruptions).

श्री मधु लिमये (मुंजर) : इस स्टेज पर कोई भाषण नहीं होगा। मंत्री महोदय को केवल यह निवेदन करना है कि उस का आक्षेप है या नहीं।

MR. SPEAKER : I will give him a chance to speak later. Now, is there any objection to leave being granted? That is the point... (Interruptions). It is not a question of leave being granted to be sent to the Privileges Committee; it is for moving it... (Interruptions).

THE MINISTER OF LAW (SHRI GOVINDA MENON) : We object.

श्री मधु लिमये : अनुमति मांग रहे हैं। उस के बाद प्रस्ताव आयेगा।

MR. SPEAKER : Those in favour of leave being granted to move the motion may please stand up...

SOME HON. MEMBERS rose—

MR. SPEAKER : I find that the number is more than 25. Now, Mr. Rabi Ray will move the Motion. A number of members have given notice, but only one of them will move.

श्री रवि राय : अध्यक्ष महोदय, मैं प्रस्ताव करता हूँ :

“यूँ कि इस सभा की राय में औद्योगिक विकास तथा कम्पनी कानून मंत्री के द्वारा 2 अप्रैल, 1968 के दिए गए उत्तर से उनके द्वारा सदन के विशेषाधिकारों का भंग हुआ है या नहीं इसकी विशेषाधिकार समिति के द्वारा जांच कराने की आवश्यकता स्पष्ट रूप से प्रतीत होती है, इसलिए यह सभा यह मामला विशेषाधिकार समिति पर सौंप देने का निर्णय करती है तथा समिति को निर्देश देती है कि जल्द से जल्द के पहले दिन यह अपनी रिपोर्ट सदन को प्रस्तुत करें।”

MR. SPEAKER : Motion moved :

“Whereas in the opinion of this House, it clearly appears necessary to inquire whether a breach of privilege of the House has been committed or not by the Minister of Industrial Development and Company Affairs by the reply given by him on the 2nd April, 1968, this House, therefore, resolves to refer this matter to the Committee of Privileges with instructions to report on the first day of the next session.”

The motion is now before the House for discussion.

How much of time would the hon. members like to have for this ?

SHRI KANWAR LAL GUPTA (Delhi Sadar) : It is a very important matter.

MR. SPEAKER : It is because of its importance that I allowed it to be moved. Shall we have two hours.

SEVERAL HON. MEMBERS : Yes.

MR. SPEAKER : We shall have two hours.

Mr. Rabi Ray,

श्री रवि राय : अध्यक्ष महोदय, मैं आप का ज्यादा समय नहीं लूंगा। इसल में जो प्रस्ताव आप के सामने रखा गया है मैं उसके सिलसिले में कहना चाहता हूँ कि मंत्री महोदय, श्री फखरुद्दीन अली अहमद ने जान-बूझ कर संसद से यह सारी जानकारी छिपाने की कोशिश की है। यह मामला संसद की सजगता और आप के इंटरवेंशन की वजह से सदन के सामने आ गया, वरना हम को लगता है कि दोनों चीजें साथ-साथ चलतीं।

12.36 hrs.

[Mr. Deputy-Speaker in the Chair]

श्री ठंकर इंडस्ट्रियल पालिसी कमिशन के चेयरमैन भी बनते और उसके साथ-साथ बैंक के डाइरेक्टर भी बनते। इस सारे किस्से के बारे में मैं अपना राइट रिजर्व रखता हूँ और बहुत खरम होने के बाद जवाब में जो कुछ कहना होगा वह कहूँगा।

SHRI RANGA (Srikakulam) : Mr. Deputy Speaker, Sir.

श्री जगु निमये : एक बिनती है। समय पहले से निर्धारित कर दिया जाये ताकि सब को मौका मिले।

MR. DEPUTY-SPEAKER : We have got two hours. Just 5 to 7 minutes, not more than that for each Group.

श्री जगु निमये : इस तरह समय बांटिये कि सब को मौका मिले।

MR. DEPUTY-SPEAKER : I will try to accommodate.

SHRI RANGA : Mr. Deputy-Speaker, Sir, we are concerned now with the manner in which a Minister has to behave towards his subordinates and colleagues, towards his subordinates and others who have to co-operate with him in his Ministry and also towards this House and towards the country. I am not particularly anxious, as I said yesterday, we are not particularly anxious to go for any one of these Minis-

ters and this Minister in particular and try to pillory them. We are concerned with the propriety. All these four or five years, we have been concerned with this and three or four Ministers have had to go, not because the Prime Minister was not in love with them, but because it so happened that the Prime Minister found it impossible to allow those colleagues of theirs to continue to be Members of the Cabinet under those circumstances, under those unfortunate circumstances in which they placed themselves. Here is a Minister, Sir, who is not a novice to this job; he had been a Minister for many years in Assam, his own State, and he was one of the important Ministers also, second only in importance, I suppose, after the Chief Minister. Afterwards he had been here with us for some years. Therefore, there can be no such excuse as to be trotted out that he is not aware of what is happening here, the conventions that the House, the standards that the House and the public except of a Central Cabinet Minister and, therefore, he made a mistake.

It is quite clear on the face of all the facts that I have before me—and much of these facts, I think, are already public property—that the Minister has behaved badly and has not placed all the truth before this House and has, because of his interest in the Cabinet and in his own position, tried consciously or unconsciously, to mislead the House, and therefore, under such circumstances, such a Minister should have been asked by the Prime Minister, herself, on the examination of the facts, to part company with the Cabinet. Since they have not performed their duty, their obvious duty, it is the duty, of this House to consider in what manner they can deal with this Minister and the Cabinet under this set up.

What is the latest position? The latest position is that the Minister is supposed to have informed Prof. Thacker—this is my information:

“Since I had always treated you as my colleague, I could not put it more strongly at that time but did expect that you would appreciate the position of the Government and take a considered decision. Your letter dated 21st March, 1968, was, therefore, based on a mis-comprehension...”

Actually, Sir, Dr. Thacker behaved, according to me, properly.

He was not a Government officer. He did not get any pension when he was retiring from that Planning Commission or some other office and he came in there only for a particular period. Thereafter he did not apply for this chairmanship as a kind of applicant, as so many of the people are doing even for Ministerships. He was invited to be the Chairman. Afterwards he told them about his own personal difficulties because he had to go out and there was no other job for him, he had to maintain himself, and an offer of that bank was made to him and therefore he sought the advice of the Minister as well as the advisers. And who were his advisers? The Secretary of the Ministry, Shri Wanchoo, and the Secretary to the Committee, Shri Rathee. These two officers were quite clear in their minds that there would be no impropriety if only Dr. Thacker was asked to serve in an honorary capacity not drawing any salary at all but at the same time he can be allowed to continue to function as Chairman as also director of that bank. Whether it was right or wrong, is another matter.

SHRI R. D. BHANDARE : You are badly defending him.

SHRI RANGA : Badly defending whom? I am not interested in defending Dr. Thacker. Rather I am interested in accusing the Minister here. Here was this poor Dr. Thacker. It was not his job to make up his mind whether it was right or wrong. His job was to place all the facts squarely before the Minister, as well as his advisers, and he placed those facts. It is not contended that he had hidden anything at all. When the Chairmanship was offered to him he was entitled to three months leave and he could continue to draw that salary. He was not to draw anything from the Licensing Committee. Here, what was the advice that was given to him? The hon. Minister might say that it is not any of his job. But I say, it is his duty to have advised Dr. Thacker properly. And what was the proper advice he could have given? Now they have found that it would be necessary for Dr. Thacker to resign or to work as an

[Shri Ranga]

honorary Chairman. They could have told him that, and they have actually told him that he could function as an honorary Chairman without drawing any salary at all. And it was on that understanding that Dr. Thacker had functioned taking successive steps which he took thereafter.

Sir, why did this Government allow him to go to Bombay when he continued to be the Chairman? Afterwards he was allowed to go to New York and he continued to be the Chairman. He was also allowed to consult his colleagues about the propriety of his position. If they had felt that it was wrong, they need not have allowed him to take all these steps. All these things were placed before the Government. It is not as if anything was kept as a secret. Therefore it is not right for the Government to say that Dr. Thacker has misled them. They cannot say so. The next thing is, has Dr. Thacker hidden anything? I am quoting from what I consider to be the Minister's letter to Dr. Thacker dated the 21st April. He said 'You have been my colleague and I could not be harsher than this or softer than this.' That is exactly where the Minister comes in. He has got to be the hardest man and the harsnest man even towards his own son, towards his own wife, towards himself if he were to function as an upright Minister. If he finds that his wife or his son is likely to mislead him into wrong action or he is himself likely to take wrong action, he should be harsh. It is at that stage that my hon. friend the Minister has gone wrong, Sir. Instead of giving proper advice he misled him. Instead of directing him not to accept the job, he rather encouraged him to accept the other job. It was his duty not merely to discourage but to ask him not to accept it, not to consider it at all. He did not do that.

SHRI F. A. AHMED : He has not accepted it.

SHRI RANGA : He has not accepted later. And what is more? That is my point. It was because of the misbehaviour, the uncowardly behaviour, the uncharitable, unchivalrous behaviour of this Minister that he was obliged to resign from that

job and at the same time he was forced to accept here the position of not being an honorary chairman and thereafter he was embarrassed to such an extent and placed in such an embarrassing situation in the eyes of this House by the wrong and false statements made by the Minister, that this distinguished scientist and engineer who has had a meritorious career behind him was obliged to lose both that Directorship as well as the honorary Chairmanship of this Committee. The hon. Minister himself says that Prof. Thacker had not accepted it. So, Prof. Thacker has lost both the positions.

Now, the hon. Minister stands here condemned for having broken faith with his own colleague....

SHRI P. VENKATASUBBAIAH (Nandyal) : On a point of order...

SHRI RANGA : The next thing is that he comes here and gives this wrong information.

SHRI P. VENKATASUBBAIAH : On a point of order. With all due respect to Shri Ranga, I would submit that this is a privilege motion, and he has to draw the attention of the House to the question in what manner the hon. Minister was able to mislead the House or to whatever wrong statement has been made. Prof. Ranga has now gone about championing the case of Prof. Thacker. He is free to do so, and we have no objection. But I want your ruling clearly on this point that he should confine himself to the propriety of the privilege motion.

SHRI RANGA : Prof. Thacker has already stated it. My hon. friend Shri Rabi Ray has already read out a certain portion from his last letter. Prof. Thacker has said :

"I have never tried to do anything unbecoming of the status and the position I have had the privilege of occupying in Government."

SHRI GOVINDA MENON : Did the Minister say that he had done any such thing?

SHRI RANGA : Here is a Minister who comes and says this that he has misled the House ; he says that he had advised him, he had asked him and he had even warned him not to accept it but he did not do so. I consider that to be an untruth, to put it at the lowest.

The third point is this. How has he behaved towards the country as a whole ? How does the country look upon these Ministers and this Ministership ? The country expects a Minister to keep faith with this House as well as with his colleagues in the Ministry. This Minister has failed in keeping faith with this House as well as with his colleagues. And what is more, he has failed to maintain the standards that this House as well as the country had expected of him.

Therefore, I plead that this should be sent to the Privileges Committee.

SHRI GOVINDA MENON : On a point of order. As far as I have been able to see, there are about eight privilege motions. All these motions refer to a statement made by the Minister on the 2nd April. The debate in this House would become very easy if hon. Members would point out which particular statement or statement of fact in the answer on the 2nd April...

श्री मधु लिंगये : चर्चा के दौरान में साफ होगा ।

SHRI GOVINDA MENON : ...or which particular statement made by him on the 2nd April is objectionable, is false and has misled the House. I say this after hearing for some time what Shri Ranga has been saying. I have not been able to see which particular statement in the answer which was given on the 2nd April was objected to...

श्री मधु लिंगये : ये तो भाषण दे रहे हैं ।

MR. DEPUTY-SPEAKER : I have followed his point of order.

SHRI GOVINDA MENON : My point of order is this. On a privilege motion based on a statement referred to in the motion, the objectionable portions in that

statement should be referred to so that the hon. Minister may answer.

MR. DEPUTY-SPEAKER : As he has rightly stated, the main question is whether he has by his two statements misled the House, but to prove that the statements were not truthful to his knowledge completely...

SHRI GOVINDA MENON : Which statement ?

MR. DEPUTY-SPEAKER : The statements made by the Minister. Members will naturally refer to Prof. Thacker. I cannot completely prevent reference to Prof. Thacker. Reference to Prof. Thacker is bound to come in. That cannot be completely banned. But I would suggest that Members should not devote more time on that. They can just refer to it to prove what they want to prove and nothing beyond that.

SHRI GOVINDA MENON : I would respectfully ask with respect to what portion in the statement these things are relevant.

MR. DEPUTY-SPEAKER : I entirely agree that that must be pin-pointed. Shri Nahata.

SHRI KANWAR LAL GUPTA : I have to go at 2 p.m. If you could accommodate me and give me a chance to speak just now, it would help me.

SHRI SHEO NARAIN (Basti) : Shri Nahata is already on his legs. What is this you are being asked to do ?

MR. DEPUTY-SPEAKER : He will finish in 5 minutes.

SHRI KANWAR LAL GUPTA : If you do not accommodate us, we will not in future permit such accommodation sought by the other side.

MR. DEPUTY-SPEAKER : I have already called Shri Nahata. I will call you after him.

श्री अमृत नाहाटा (बाइमेर) : उपाध्यक्ष महोदय, मैं संक्षेप में निवेदन करूंगा कि यह विशेषाधिकार का प्रश्न उस दिन से उठा, जिस दिन ग्रसबारों में हम ने पढ़ा कि ठाकर साहब ने एक चिट्ठी मिनिस्टर साहब को लिखी है, जिस में उन्होंने कहा है कि अगर मिनिस्टर साहब सदन को यह बता देते कि बम्बई जाने से पहले ठाकर साहब ने मिनिस्टर साहब से बैंक की डायरेक्टरशिप स्वीकार करने की इजाजत ले ली थी, तो शायद सदन में ठाकर साहब की इतनी आलोचना नहीं होती। ठाकर साहब कहते हैं कि वह मिनिस्टर साहब की इजाजत लेकर बम्बई गए और उन्होंने बैंक की डायरेक्टरशिप स्वीकार की। मिनिस्टर साहब कहते हैं कि ठाकर साहब उनके पास आए और उन्होंने यह जानना चाहा कि क्या वह बैंक के डायरेक्टर बनें या नहीं। मिनिस्टर साहब ने इस सदन को बताया कि उन्होंने ठाकर साहब को जवाब दिया कि आप बैंक की डायरेक्टरशिप स्वीकार करें या न करें, यह आप का जाती मामला है, लेकिन आप को यह सोचना पड़ेगा कि आप बैंक की डायरेक्टरशिप भी स्वीकार करें और इस कमेटी के चेयरमैन भी बने रहें, ये दोनों बातें एक साथ नहीं चल सकतीं।

उस के कुछ दिनों बाद ठाकर साहब मिनिस्टर साहब के पास आए और कहने लगे कि मैं बम्बई जा रहा हूँ। ठाकर साहब बम्बई गये थे इस कमेटी के चेयरमैन के नाते। उस का खर्चा उन्होंने इस कमेटी से चांज किया। बम्बई में वह महाराष्ट्र सरकार की गाड़ी में बूमे। वह इस कमेटी के चेयरमैन होने के नाते इस कमेटी की एक मीटिंग एटैन्ड करने के लिए जा रहे थे। अगर वह मिनिस्टर साहब से यह कह गये कि मैं बम्बई जा रहा हूँ, तो इसका मतलब यह नहीं है कि वह बैंक के डायरेक्टर्स की मीटिंग एटैन्ड करने के लिए जा रहे थे। ठाकर साहब ने मिनिस्टर साहब को यह तो नहीं कहा कि मैं बैंक के डायरेक्टर्स की मीटिंग एटैन्ड करने के लिए जा रहा हूँ। जैसा कि मैंने अभी कहा

है, वह वहाँ इस कमेटी से सम्बन्धित एक मीटिंग को एटैन्ड करने के लिये गए थे।

बम्बई में उन्होंने बैंक के डायरेक्टर्स की मीटिंग एटैन्ड की, वापस आए और मिनिस्टर साहब को बताया कि मैंने वह डायरेक्टरशिप स्वीकार कर ली है। मिनिस्टर साहब ने कहा कि आप ने यह अच्छा नहीं किया है। जब ठाकर साहब को यह मालूम हुआ कि मिनिस्टर साहब नाराज हो रहे हैं और कह रहे हैं कि बैंक की डायरेक्टरशिप और इस कमेटी की चेयरमैनशिप दोनों साथ नहीं चल सकती हैं, तो उन्होंने कहा कि मैं इस पर विचार करूंगा। उन्होंने दिल्ली से बैंक वालों को बम्बई टेलीफोन किया कि डायरेक्टर्स की मीटिंग के मिनट्स में मेरी उपस्थिति और मेरे स्वागत का जो खिन्न है, उसको मिनट्स से निकाल दीजिए। फिर उन्होंने मिनिस्टर साहब को कहा कि अच्छी बात है, मैं बैंक की डायरेक्टरशिप छोड़ देता हूँ।

हजारी रिपोर्ट के आधार पर, सरकार की लाइसेंसिंग पालिसी की जांच करने के लिए, यह कमेटी बनाई गई और ठाकर साहब उसके चेयरमैन बने। इस कमेटी के कार्य के सिलसिले में कुछ मालूमात बाहर आई, जो ठाकर साहब को मालूम थीं। मुझे निश्चयपूर्वक मालूम है कि जिन लोगों के खिलाफ वह कमेटी जांच कर रही थी, ठाकर साहब ने उन्हें कहा कि आपके खिलाफ बड़ी खतरनाक रिपोर्ट तैयार होने वाली है।

MR. DEPUTY-SPEAKER : As has been rightly pointed out, the main issue should be pinpointed. Incidentally, he can refer to Prof. Thacker. That is all right. He has raised a point which is very relevant. Beyond that, he should not go.

SHRI AMRIT NAHATA : I am trying to be very relevant.

मैं बिल्कुल रिलेवेंट बात कर रहा हूँ। मैं कोई इर्रिलेवेंट बात नहीं कर रहा। मैं अधिकार-

पूर्वक कह सकता हूँ कि ठाकर साहब ने उस कमेटी के चेअरमैन होने के नाते अपने अधिकार का दुरुपयोग करके, जिन लोगों के विरुद्ध बड़े जांच कमेटी कर रही थी, उनको बताया कि आपके खिलाफ रिपोर्ट बन रही है। उन लोगों के कोशिश करके ठाकर साहब को बैंक का डायरेक्टर बनाया।

सारे देश के बड़े उद्योगपति, बिग बिजिनेस का यह षडयंत्र है कि यह कमेटी कोई जांच न कर पाये; वे इस कमेटी को खत्म करना चाहते हैं। मैं यह भी कहना चाहता हूँ कि जब से सरकार ने श्रीर इस मंत्रालय ने यह फैसला किया है कि मनेजिंग एजेन्सी सिस्टम को खत्म किया जायेगा, कम्पनीज पोलीटिकल पार्टीज को डोनेशन नहीं दे सकेंगी, बिड़लाओं के कुछ कारनामों की जांच की जायेगी और यह लाइसेंसिंग पालिसी एन्वयारी कमेटी बाकी यह मालूम करेगी कि बड़े-बड़े उद्योगपतियों को लाइसेंस कैसे दिये गए, तब से बड़े उद्योगपति इस मंत्रालय के खून के प्यासे ही रहे हैं।

मैं आपसे निवेदन करना चाहता हूँ कि सदन को यह फैसला करना है कि क्या ठाकर साहब का कहना सही है, एक व्हील्ड कामप्लेड लैकी जांच बिग बिजिनेस का कहना सही है, एक ऐसे व्यक्ति का कहना सही है, जिसने अपने पद का दुरुपयोग किया है, या मंत्री महोदय का कहना सही है, जिन्होंने ठाकर साहब को साफ कह दिया था कि या तो बैंक के डायरेक्टर बनो और या कमेटी के चेअरमैन रहो, दोनों बातें साब नहीं चल सकती हैं।

इन सबों के साथ मैं यह कहना चाहता हूँ कि मंत्री महोदय ने इस सदन के किसी भी विशेषाधिकार का उल्लंघन नहीं किया है, बल्कि ठाकर साहब ने जिस तरह से अपने पद का दुरुपयोग किया और बिग बिजिनेस के कहने पर अपने आप को ब्रेच दिया, उनके बड़े कामों की निम्ना की जानी चाहिए और इस विशेषाधिकार के प्रस्ताव को ठुकरा देना चाहिए।

MR. DEPUTY-SPEAKER : I would again warn hon. Members on both sides. One point must be made very clear at the outset. I am trying to make it clear. (Interruption) No, no. I have already said. Now, in regard to how Mr. Thacker behaved, there are other extraneous matters not relevant to the issue. The first statement and the second statement—you have got to reconcile the two. I am asking you all not to ask about the Thacker affair too much. You should not refer to it.

श्री कंबर भास गुप्त : उपाध्यक्ष महोदय मैं आप से सोलह घाने सहमत हूँ। सवाल केवल यह है कि मंत्री महोदय ने एक बात तो यह कही है कि उन्हें यह मालूम नहीं था कि जब प्रोफेसर ठाकर बम्बई गए, तो वह बैंक की मीटिंग एटेंड करने के लिए गये थे और दूसरी बात उन्होंने यह कही है कि उन्होंने प्रोफेसर ठाकर को कभी यह क्लीयरेंस चिट नहीं दी कि वह बैंक की डायरेक्टरशिप मन्जूर कर सकते हैं। उन्होंने इन दो बातों को बिल्कुल क्लैटली डेनाई किया है।

ठाकर साहब का कहना है, जो प्रश्नकारों में छपा है, कि मंत्री महोदय ने मुझे क्लीयरेंस चिट दे दी थी—मंत्री महोदय ने स्वयं दी थी, उनके डिपार्टमेंट ने दी थी और उनको इस बात का ज्ञान था।

श्री कर्णव भाइया : वह झूठ है।

श्री कंबर भास गुप्त : उन्होंने अपने रेसिगनेशन के पत्र में भी लिखा कि प्रश्न सदन में यह बात रख दी जाती, तो जिस ढंग से वहां पर बहस हो रही थी, उस में एक दूसरा मोड़ आ जाता।

मैं मानता हूँ कि जब तक हम यह एस्टाब्लिश नहीं करेंगे कि मंत्री महोदय ने गलत बयानी की है, तब तक प्रिविलेज मोशन नहीं बनेगा। मैं यह साबित करूंगा कि मंत्री महोदय ने किस तरह से गलत बयानी की है, कोर्टस की ट्रिब्यूनल किया है और कुछ तथ्यों को छिपाने की कोशिश

[श्री कंवर लाल गुप्त]

की है। अगर मैं प्राइमा-फेसी केस साबित कर दूँ, तो मेरे सामने की पार्टी को कोई एतराज नहीं होना चाहिए कि इस मामले को प्रिविलेज कमेटी या हाउस की कमेटी में भेज दिया जाये, ताकि इस बात की जांच हो सके कि तथ्य क्या हैं। मैं प्राइमा-फेसी केस साबित करने की कोशिश कर रहा हूँ।

मन्त्री महोदय ने कहा है कि मुझे इस बात का ज्ञान नहीं था कि ठाकर साहब बम्बई में बैंक की मीटिंग एटेंड करने के लिए गए। कमेटी के सेक्रेटरी, श्री राठी, ने 25 मार्च, 1968 को इन को पत्र लिखा है मैं उसको कोट करना चाहता हूँ। मैं चाहता हूँ कि मन्त्री महोदय इस को कान्ट्राडिक्ट करें।

श्री अमृत नाहाटा : यह पत्र कहां से लाये ?

श्री कंवर लाल गुप्त : यह मन्त्री महोदय ने मुझे दिया।

May I quote with your permission.

"The Chairman mentioned to Shri Wanchoo that he was going to —

SHRI F. A. AHMED : Letter to whom ?

MR. DEPUTY-SPEAKER : The question whether it was addressed to Minister or to someone else would be relevant.

SHRI KANWAR LAL GUPTA : Letter addressed to Shri Wanchoo, Secretary of the Department.

MR. DEPUTY-SPEAKER : That is all right.

SHRI KANWAR LAL GUPTA : It says :

"The Chairman mentioned to Shri Wanchoo that he was going to Bombay on 28th March, 1968. Shri Rathee was also going with him as they were meeting the representatives of the Maharashtra State Financial Corporation. The Chairman, in addition,

was also attending to his personal matter which he discussed with Shri Wanchoo."

13.00 hrs.

अध्यक्ष महोदय, दूसरा सवाल यह है कि मिनिस्टर साहब ने यह कहा है कि उन्होंने क्लियरेंस चिट नहीं दी थी, लेकिन वांचू साहब ने एग्री किया है कि वह डायरेक्टर बन सकते हैं और राठी साहब ने 19-3-68 को इसके बारे में जो चिट्ठी लिखी, उस में भी उन्होंने कोट किया है-

"I spoke to you before. And this has a further reference to my discussion with you this morning on the question of Prof. M. S. Thacker, Chairman, Industrial Licensing Policy Inquiry Committee, taking up Directorship of a Bank in the Private Sector."

आगे वह लिखते हैं:-

"And as I told you, he has to work for his living. You were good enough to appreciate this point and it would be better now than after the Committee's work is over and kindly agreed to recommend to the Minister that Prof. Thacker be allowed to take up Directorship on the condition that he will cease to draw any emoluments from the date he starts getting remuneration fees from the other source."

आगे वह लिखते हैं:-

"I also mentioned to you that Prof. Thacker is to avail of refused leave for four months. You felt that there should be no objection to Prof. Thacker taking up the work during the period of the leave provided he starts drawing remuneration from the Bank only after he has exhausted his leave and is no longer in receipt of leave salary."

आगे वह लिखते हैं:-

"Prof. Thacker had requested a meeting with the Minister of Industrial Development and Company Affairs and is meeting him at 5 p.m. tomorrow, the 20th March 1968, and I shall be grateful if you would kindly speak to

the Minister before they meet and obtain the approval of the Minister to these arrangements."

अब इसका मतलब है कि बांधू साहब ने तो एग्जीसिवेट कर के मान लिया, उन्होंने कहा कि आप मंत्री महोदय को कह दीजिये, ताकि मंत्री महोदय भी इस चीज़ को मान लें ... (व्यवधान) ...

अब मीटिंग के बाद प्रो० ठाकर ने...

SHRI M. N. REDDY (Nizamabad) : On a point of order, Sir. He is quoting from a number of letters extensively. They should be all placed on the Table. He is reading one sentence from here and one sentence from there.

SHRI KANWAR LAL GUPTA : I am prepared to lay it on the Table.

इप के बाद प्रो० ठाकर ने मंत्री महोदय, को एक चिट्ठी 21 मार्च को लिखी-20 ता० की मीटिंग के बाद उन्होंने मंत्री महोदय को लिखा-मैं इस को भी पढ़ देता हूँ, यह दो तीन लाइनों में है-

"In continuation of my D.O. No. ... so and so dated so and so, many thanks indeed for giving me the time yesterday to meet you. I am grateful to you that you have been kind enough to appreciate my position and to agree to what Rathee, Secretary of our Committee, had sent to Shri Wanchoo in his D.O. No. so and so dated so and so, concerning my personal matter."

अध्यक्ष महोदय, 19 ता० को राठी साहब ने जो पत्र लिखा था, उस में उन्होंने लिखा था... (व्यवधान) ...

श्री शशि भूषण बाजपेयी : (खारगोन) : अध्यक्ष महोदय, यह कैसी चिट्ठी है, गलत है या सही है, इसका क्या सुबूत है... (व्यवधान)

श्री मधु लिमये : वह इस का प्रौद्योगिकिकेट प्रमाणित करेंगे ।

MR. DEPUTY-SPEAKER : When the Minister replies, he can contradict it.

SHRI BAL RAJ MADHOK (South Delhi) : The hon. member said :

"वह आदमी के दलाल हैं ।"

It is a most objectionable and he must withdraw those words.

श्री शशि भूषण बाजपेयी : इस बात को क्या गारन्टी है कि यह चिट्ठी सही है, मुझे बताइये ।

श्री कंबर लाल गुप्त : 21 ता० को राठी साहब ने कन्फर्मेशन का लैटर लिखा-

"I was also present".

यह चीट्टी उन्होंने बांधू साहब को लिखी थी-

"The Minister was kind enough to appreciate the question and was pleased to agree."

इस का मतलब यह है कि राठी साहब ने जो चिट्ठी लिखी उस से साफ़ जाहिर है कि उन्होंने एग्जी कर लिया है । इन सब बातों का मतलब यही है, मैंने यहां पर सारी पोजीशन साफ़ कर दी है ।

अब मैं यह पूछना चाहता हूँ-जैसा मिनिस्टर साहब ने कहा कि उन्होंने कभी क्लियरेंस चिट नहीं दी थी, तो क्या यह केवल ओरल बात थी.? आपके पास चार-पांच चिट्ठियां आईं, क्या आपने कभी कन्ट्राडिक्ट किया कि आपने इस बात को एग्जी नहीं किया था, यदि आपने किया था तो क्या आप उस चिट्ठी को सदन के सामने रखेंगे । केवल ओरल बात कहने से कि मैंने क्लियरेंस चिट नहीं दी थी, यह सब बाद की कहानी है, तो क्या राठी साहब ने वैसे ही लिख दिया था । कल आपने राठी साहब की चिट्ठी को कोट किया था और उसमें कहा था कि राठी साहब ने लिखा था कि उन्होंने उस को रिजैक्ट कर दिया है । जब आप अपना सहारा राठी साहब की चिट्ठी से लेते हैं तो क्या राठी साहब की चिट्ठी गलत नहीं हो सकती ।

अध्यक्ष महोदय, मेरा कहना यह है कि इन्होंने

[श्री कंबर लाल गुप्त]

कोई ऐसा प्रूफ नहीं दिया जिससे यह जाहिर होना हो कि इन्होंने क्लियररेंस चिट नहीं दी थी। बल्कि मैंने आपको प्रूफ दिया है। मैं चाहता हूँ कि मंत्री महोदय इस बात को साफ करें। अध्यक्ष महोदय, इंगलैंड में प्रोफ्यूमो का केस हुआ था, जिसमें गलत बयानी की गई थी, बाद में जब "क्लियर" के साथ उन का सम्बन्ध जाहिर हो गया, तो मिनिस्टर को रिजाइन करना पड़ा। मैंने प्राइमफेसी केस यहां पर पेश कर दिया है, ये जो प्रोफ्यूमो यहां पर बैठे हुए हैं, अब इन को इस्तीफा दे देना चाहिये।

आखिर में, मेरा कहना यह है कि इस सदन की एक कमेटी बनाई जाय जो इसकी इन्कवायरी करे। अगर कांग्रेसवाले इस को वोट-डाउन करेंगे, तो मैं समझता हूँ कि वह एक पोलिटीकल डिसेम्पन होगा और मैं मांग करता हूँ कि अगर ये इस को वोट-डाउन करें, तो फिर रूल 227 में आपको पावर है, आप अपनी उस पावर का इस्तेमाल करते हुए इस को प्रिविलेज कमेटी को भेज दें।

13 10 hrs.

The Lok Sabha adjourned for lunch till ten minutes past Fourteen of the Clock.

The Lok Sabha re-assembled after lunch at ten minutes past fourteen of the Clock.

[Mr. Deputy-Speaker in the Chair]

QUESTION OF PRIVILEGE—Contd.

श्री कंबर लाल गुप्त : एक दो मिनट मैं बोलूंगा।

MR. DEPUTY-SPEAKER : I am very sorry ; you have concluded. Shri Chandra Jeet Yadhav.

श्री प्रेम चन्द्र वर्मा (हमीरपुर) : मुझे भी बोलना है।

MR. DEPUTY-SPEAKER ; I have already called Shri Chandra Jeet Yadhav.

श्री चन्द्रजीत यादव (आजमगढ़) : माननीय उपाध्यक्ष महोदय, माननीय कंबर लाल गुप्त ने इस में दो प्रश्न उठाये हैं। इनका मुख्य रूप से आरोप यह है कि मंत्री महोदय ने तथ्य को छिपाया और इस सदन के अन्दर उन्होंने गलत-बयानी की। इसकी पुष्टि में उन्होंने दो पत्र यहां राठी साहब के पढ़े...

एक माननीय सदस्य : तीन पत्र।

श्री चन्द्रजीत यादव : तीन पत्र राठी साहब के पढ़े।

श्री मधु लिमये : जी नहीं, एक पत्र ठाकर साहब का था।

श्री चन्द्रजीत यादव : राठी साहब ने जो पत्र मंत्रालय को लिखे उसमें एक पत्र ठाकर साहब का भी था जोकि उन्होंने खुद लिखा था। तो उन्होंने उन पत्रों की चर्चा यहां पर की और उसमें कहा कि धूँ कि आपने इस प्रस्ताव को स्वीकार कर लिया है इसलिये हम आपके अगुआ हैं और उन्होंने आगे की कार्यवाही करनी शुरू की। लेकिन कहीं भी कोई पत्र जो कि मंत्रालय की तरफ से हो या मंत्री की तरफ से हो, उसकी कापी उनके पास नहीं है और न उन्होंने इसकी पुष्टि ही की है।

श्री कंबर लाल गुप्त : क्या आपके पास है।

MR. DEPUTY-SPEAKER : Please do not interrupt him. When the time comes the Minister will contradict it. He is within his right to say that there is no letter or anything to show that the Minister has written it.

श्री चन्द्रजीत यादव : श्रीमान्, ऐसे लोगों के ऊपर, जिनके कन्डक्ट के ऊपर एतराज था, हम समझते हैं कि ठाकर साहब देश के पूंजी

पतियों के एजेन्ट के रूप में काम कर रहे हैं, इसी लिये इनके कान्ट्रैक्ट पर हमने एतराज किया था और राठी साहब का खुद का कान्ट्रैक्ट सस्पेंशन था, इसलिये इस्तीफा देकर वह भी विभाग से चले गये, तो ऐसे आदमियों के पत्र के उद्घरण आप यहां पर दे रहे हैं और उन पर भरोसा कर रहे हैं, मुझे अफसोस तो इस बात का है। विशेषाधिकार होता क्या है ? विशेषाधिकार का अर्थ यह होता है कि इस सदन के सम्मान की, गरिमा की रक्षा की जाये। सदन के अन्दर कोई गलत-बयानी नहीं होनी चाहिये। इस सदन के अन्दर कोई ऐसी बात नहीं होनी चाहिये जिससे सदन की प्रतिष्ठा पर आघात लगे, चोट लगे। हर सदस्य और मंत्री का अधिकार है और यह परम्परा भी है कि सदन के अन्दर हम जो बात कहते हैं, यह सदन का और इसके सदस्यों का सबसे बड़ा विशेषाधिकार है, कि उस बात को कोर्ट के अन्दर चैलेंज नहीं किया जा सकता है। मंत्री महोदय स्पष्ट रूप से बयान देते हैं कि मैंने बहुत साफ तरीके से 29 तारीख को ठंकर साहब से कह दिया था कि आप बैंक की डायरेक्टरशिप और इस कमेटी की चेयरमैनशिप, दोनों पदों पर साथ साथ नहीं रह सकते हैं।

श्री कंबरलाल गुप्त : कोई डाक्यूमेंट है आपके पास ?

श्री अन्नाजीत साहब : इसका सबसे बड़ा प्रमाण यह है कि अगर 29 तारीख को ठंकर साहब को कह दिया जाता कि आप इस कमेटी के चेयरमैन भी रह सकते हैं और अवैतनिक रूप में डायरेक्टरशिप भी स्वीकार कर सकते हैं—आरोप यही है—तो ठंकर साहब सीधे जा करके बैंक की डायरेक्टरशिप को स्वीकार कर लेते क्योंकि मंत्री जी ने इजाजत दे दी थी लेकिन वू कि मंत्री जी ने यह बात नहीं कही बल्कि उन्होंने साफ साफ कह दिया कि आप दोनों पदों पर नहीं रह सकते हैं इसीलिये नैक्स्ट डे, 30 मार्च को राठी साहब खुद लिखते हैं :

"The next day i.e. the 30th March, 1968 the Secretary of the Ministry of Industrial Development was informed by Shri K. L. Rathee, Secretary to the Inquiry Committee, on behalf of Prof. Thacker, both verbally and in writing that Prof. Thacker had decided not to accept the Bank's offer. The terms in which Shri Rathee communicated this were as follows :—"

I quote the letter :—

"Before leaving for New York this morning, Professor Thacker asked me to inform you that he has decided not to accept the Directorship of the Bank of India which was offered to him in a meeting held at Bombay on the 28th March, 1968".

अगर मंत्री महोदय ने इजाजत दे दी होती तो फिर वे पत्र क्यों लिखते ? वू कि मंत्री जी ने उनसे साफ-साफ कह दिया था कि आप दोनों पदों पर साथ-साथ नहीं रह सकते हैं इसलिये उसके दूसरे दिन ही ठंकर साहब के मंत्री, राठी साहब ने पत्र लिखा। इससे यह बात स्पष्ट हो जाती है कि मंत्री महोदय ने 29 मार्च की मीटिंग में ठंकर साहब से साफ-साफ कह दिया था कि आप दोनों पदों पर साथ-साथ नहीं रह सकते हैं और यही बयान वह सदन में भी देते हैं। फिर कहां मंत्री साहब किस बात को छिपाने की कोशिश करते हैं ? फिर राठी साहब के पत्र से यह निष्कर्ष निकलना कि नहीं, राठी साहब कहते हैं कि वू कि मंत्री महोदय ने अनुमति दी थी इसलिए उस को स्वीकार कर रहे हैं यह सदन को भ्रमिलीड करना है और यह एक गलत निष्कर्ष निकालना है। यह तो नम्बर 1 है।

नम्बर 2 यह कि मंत्री महोदय इस सदन के सामने एक बक्तव्य देते हैं, कंबरलाल गुप्त बक्तव्य दिया करते हैं इस सदन के सामने। एक आदमी कोई भी पत्र बाहर लिखता है या कोई भी बात ऐसी लिखता है जिसके अन्दर हम खुद चांज करते हैं कि उस आदमी का कान्ट्रैक्ट सस्पेंशन से भरा हुआ है, प्रश्न यह है कि सदन किस बात का विश्वास करेगा ? मंत्री महोदय जो कहते हैं उस का वह विश्वास करेगा या बाहर कोई आदमी कुछ कहता है उस का यह विश्वास करेगा ? मैं मंत्री महोदय से ही नहीं

[श्री चंद्रजीत यादव]

कहता बल्कि इस सदन का कोई भी सदस्य जो इस सदन के अन्दर कहता है उस के ऊपर आप भरोसा करेंगे या कोई अदमी सदन के बाहर आरोप लगाता है उसके ऊपर भरोसा करेंगे ? मैं समझता हूँ कि इस सदन के एक, एक सदस्य का यह विशेषाधिकार है कि जो बात वह सदन के अन्दर कहता है जिम्मेदारी से कहता है और हम उस की बात को उस के मुकाबले में जो बाहर कही जाती है सदन के अन्दर दिये गये उस बयान को स्वीकार करेंगे। यह परम्परा है और यह विशेषाधिकार भी है। इसलिये राठी साहब के उस पत्र के ऊपर-यह निष्कर्ष निकालना कि यह हम को मिस्लीड किया गया है यह खुद हमारे विशेषाधिकार के खिलाफ बात कही जाती है।

तीसरा आरोप यह है कि मंत्री महोदय का जो पत्र ठंकर साहब और राठी साहब को जिसमें यह कहा था कि श्रुं कि आप सहमत हो गये हैं और उस का यहां मंत्रालय से कोई कंट्रिडिक्शन नहीं हुआ है इसलिए यह आप का सब से बड़ा ऐतराज है। आप का सब से बड़ा ऐतराज यह है कि जब राठी साहब ने एक पत्र लिखा, यह पत्र उन का 21 मार्च का है ... (व्यवधान) किस तारीख का है ? खैर 19 से 23 मार्च तक का है। अब श्रीमन्, आप यह सुन लें कि 19 से 23 मार्च का यह पत्र है। आप यह समझते हैं कि एक हफ्ते के अन्दर उस का खंडन किया जाना चाहिये था। 23 मार्च का खत लिखते हैं राठी साहब और वह खत आता है उद्योग विभाग के सचिव के पास... (व्यवधान) सुन लीजिये। जो राठी साहब का खत है वह उद्योग विभाग के सचिव के पास आता है और ठंकर साहब का जो है वह मिनिस्टर के पास है (व्यवधान)

श्री मधु लिये : मेरा प्वाइंट ग्रीफ आर्डर है। उन्होंने पूछा है कि कौन सा खत सीधे मंत्री जी के पास पहुँचा है ? वही मैं बतला रहा हूँ। वह यह खत है। वह खत है प्रोफेसर ठाकर साहब का। 20 तारीख को मुलाकात होनी है। 21 तारीख को यह चिट्ठी जाती है प्रोफेसर

ठाकर साहब की श्री फखरुद्दीन अली ग्रहमद के नाम पर, सचिव के नाम से नहीं और उस चिट्ठी में वह लिखते हैं :

"In continuation of my D.O. No.... Many thanks indeed for giving me time yesterday to meet you. I am grateful to you that you have been kind enough to appreciate my position and to agree to what Mr. Rathee, Secretary of our Committee, had said to Shri Wanchoo concerning my personal matter."

यह प्रोफेसर ठाकर साहब का पत्र इन के नाम से 21 तारीख को गया (व्यवधान)...

श्री चन्द्रजीत यादव : 21 मार्च को ठाकर साहब पत्र लिखते हैं जिस पत्र में मंत्री महोदय को रैफ़स देते हैं। पहला पत्र मंत्री महोदय को नहीं आया। वह पत्र जिसका कि रैफ़स दिया जा रहा है वह विभाग के सचिव के नाम था। मंत्री महोदय अगर उस पत्र का जवाब देते तो उस में केवल इस बात का रैफ़स दिया गया था कि जो हम ने पहला पत्र आप के विभाग के सचिव को लिखा है उस बीच में अभी एक हफ्ता भी नहीं हुआ है। मंत्री महोदय उस पत्र को देखें जोकि सचिव के पत्र के संदर्भ में दिया गया है उस पत्र को उन्होंने भेजा इसी हफ्ते के अन्दर। दूसरा इण्टरव्यू आप से इस बीच में एक हफ्ते के अन्दर सीक हुआ। ठंकर साहब का इन से दूसरा इण्टरव्यू हुआ। उस इण्टरव्यू में बहुत स्पष्ट तरीके से मंत्री जी ने इस बात को बतला दिया कि आप दोनों पदों के ऊपर एक साथ नहीं रह सकते। उसी का यह नतीजा था कि 29 तारीख को साफ यह बता दिया तो 30 तारीख को उन्होंने इस बात का निराण्य करना था कि क्या वह कमेटी के चेयरमैन रहेंगे या बैंक के डाइरेक्टर रहेंगे। मंत्री जी ने साफ कह दिया था कि दोनों में एक पद पर रहना है। अब यह आप का फंसला करना निज का काम है कि आप चेयरमैन रहना चाहते हैं या आप बैंक के डाइरेक्टर रहना चाहते हैं ? एक हफ्ते के बाद ही वह इस बात का

निर्णय करते हैं और मंत्री महोदय से स्पष्ट तौर पर बतला दिया कि हम दोनों पदों पर नहीं रहना चाहते। हम को चेयरमैन रहना है इस लिये हम डाइरेक्टरशिप ऐक्सैप्ट नहीं कर सकते। अब इस में क्या गलती हो जाती है? एक हफ्ते के अन्दर यह कहना कि उस का उन्होंने खंडन नहीं किया उस का एक रैफ़स दिया गया है। विभाग के सचिव के नाम है तो यह एक बहुत फ़ार फ़ेचैड कनक्लूजन होगा। वृत्ति आरोप लगाना है मंत्री महोदय के ऊपर इसलिए यह कह दिया कि एक हफ्ते के अन्दर आप ने हमारे पत्र का उत्तर नहीं दिया मैं समझता हूँ कि यह बहुत ही गलत परम्परा होगी। इन परिस्थितियों में श्रीमन्, मैं आप से प्रार्थना करना चाहता हूँ कि किसी भी प्रकार के विशेषाधिकार के भंग होने का यहां प्रश्न पैदा नहीं होता।

इस सम्बन्ध में मैं एक चीज आप को बतलाना चाहता हूँ। वह जो हमारी हाल में छपी प्रिन्टिस एंड प्रोसीज्योर आफ पार्लियामेंट नामक पुस्तक है वह एक अच्छी व उपयोगी पुस्तक है। विशेषाधिकार के बारे में एक सही बात उस में कही गई है :

"If any statement is made on the floor of the House by a member or a Minister which another member believes to be untrue, incomplete or incorrect, it does not constitute a breach of privilege. If an incorrect statement is made, there are other remedies by which the issue can be decided. A breach of privilege can arise only when the member or the Minister makes a false statement or an incorrect statement wilfully, deliberately and knowingly."

यह बहुत महत्वपूर्ण बात इस में लिखी हुई है। यह मैंने उस पुस्तक के पेज 216 से उद्धृत की है। अब यहां पर मंत्री महोदय ने न तो सदन को मिस्लीड करने की बात की है और न ही उन्होंने कोई गलत या भूठा स्टेटमेंट दिया है। ऐसी स्थिति में इसमें विशेषाधिकार भंग का कोई प्रश्न नहीं उठता है। मेरा आपसे अनुरोध है कि इस मामले को विशेषाधिकार

समिति के पास न भेजें क्योंकि इसमें कोई विशेषाधिकार के भंग का प्रश्न नहीं बनता और इसलिए इसे यहीं पर समाप्त कर दिया जाय।

श्री मधु लिमये : उपाध्यक्ष महोदय, मैं बहुत ही संक्षेप में अपनी बातें कहना चाहता हूँ। सब से बुनियादी बात को ही मैं लेता हूँ बाकी जितनी गलत बयानियां हुई हैं उन को मैं छोड़ देता हूँ। एक मात्र सवाल यह है कि 20 तारीख को जब प्रोफेसर ठाकर साहब मंत्री महोदय से मिले तब दोनों के बीच में जो बात हुई तो क्या मंत्री महोदय ने उनको अपनी सम्मति दी थी कि वह बैंक आफ इंडिया के डाइरेक्टर का पद ले सकते हैं? यह सवाल इस में है कोई मैं छोटे-मोटे सवालों में नहीं जाता। सबसे बड़ा सवाल यही है कि क्या वह चेयरमैन रह कर डाइरेक्टर बन सकते हैं? अब इसके लिए सबूत क्या सामने आया है? राठी साहब कोई राजनीतिक नेता नहीं हैं। मेरा ब्याल है कि वह सरकारी आदमी हैं..... (व्यवधान) अब बनने जा रहे है राजनीतिक नेता न? मैं यह कह रहा हूँ कि वह समझ नहीं रहे हैं बातों को। खैर, जैसा मैंने कहा सब से बड़ा सवाल यह है कि अगर प्रोफेसर ठाकर और श्री राठी जो कि सरकार का हिस्सा थे और इस में सबसे बड़ा सवाल यह है कि प्रोफेसर ठाकर और राठी अगर बड़े पूंजीपतियों के दलाल हैं, यह आरोप किया जाता है, यहां पर किया गया है तो मैं पूछना चाहता हूँ कि पूंजीपतियों के कामों की जांच करने के लिए जो कमेटी बनाई गई थी उसका अध्यक्ष इन को और राठी साहब को सेक्रेटरी बनाने का यह काम जिस मंत्री और सचिव ने किया है वह पूंजीपतियों के सब से बड़े दलाल हैं। अब आप ही नियुक्त करते हैं और आप को शर्म नहीं आती यह कहने में कि वह दलाल हैं। दलालों को आप नियुक्त करते हैं और पूंजीपतियों के कामों पर चादर बिछाने की कोशिश करते हैं। इसलिए इस आरोप का मैं पहले खंडन करना चाहता हूँ।

[श्री मधु लिमये]

उपाध्यक्ष महोदय, तीन सत्र के तीर पर यहां पर कागजात पेश हुए हैं। एक प्रोफेसर ठंकर साहब की मुलाकात को लेकर 24 घंटे के अन्दर और उनके द्वारा भेजी हुई चिट्ठी। दूसरे वांचू साहब के नाम से राठी साहब का लिखा गया पत्र, दोनों सरकारी नौकर हैं, दोनों जैसा मैंने कहा वह सरकार के अंग हैं इस लिए राठी साहब द्वारा वांचू साहब को लिखा गया पत्र। इतना ही नहीं इन के पास जो उन की मंत्रालय सचिव के लिए बैठक हुई उस की रपट भी मौजूद है। मंत्री महोदय की ओर से कोई कागजात कोई उसकी रपट पेश नहीं की गई है। न आप लोग कर पाये हैं और न ही मन्त्री महोदय कर पायेंगे इसके बारे में मुझे बिल्कुल शक नहीं है।

अब सवाल यह आता है कि वह कैसे हुआ कि 20 को सम्मति देने के बाद 27 और 29 मार्च को जो बैठक हुई उस में मंत्री महोदय ने इस बात का विरोध किया? इस का स्पष्ट उत्तर मैं देना चाहता हूं। इस बीच में समिति के दूसरे दो सदस्य हैं उनके साथ चेन्नरमन-ने बात की। मंत्री महोदय ने मुझे क्लियरेंस दिया है और इसलिए मैं बैंक आफ इंडिया की डाइरेक्टर-शिप स्वीकार ने वाला हूं। उसमें डाक्टर परांजये शुरू में कुछ नहीं बोले। लेकिन मोहन कुमारमंगलम को मैं इस बात के लिए धम्यबाद देना चाहता हूं कि इस में श्रीचित्तव नहीं है इस बात की ओर उन्होंने प्रो० ठाकर का ध्यान खींचा, और जब कुमारमंगलम साहब ने एतराज किया तब उनकी आंखें खुलीं और उन के ध्यान में यह बात आई कि 20 तारीख को तो यह सहमति वे दी गई, लेकिन जब कुमारमंगलम साहब कहते हैं कि इस में श्रीचित्तव का अंग होता है तब आकर वह ऐस बान्ध इन्फोर्माइंटो है और उस का अस्सर क्या होगा यह मंत्री महोदय के दिमाग में धाया। मैं हर चीज के लिए मंत्रियों को जिम्मेदार नहीं कहता। लेकिन अभी-अभी

मैंने एक किताब देखी है "बी पावर आफ दी ब्राइव मिनिस्टर" जो कि कंजर्वेटिव पार्टी के एम० पी० मि० बकले की लिखी हुई है। उसमें एक बहुत अच्छा वाक्य है जिस को मैं आप के सामने रखना चाहता हूं। जिस से आप को बात का पता चल जाय। मैं हर दोष के लिये मन्त्रियों को जिम्मेदार ठहराने वाला नहीं हूं, लेकिन जैसा आप ने कहा है, अगर कुछ सरकारी नौकरों की इसमें कांस्पिरेसी है, तो मन्त्री का दोष है या नहीं है, यह तय करने की जगह मह नहीं है। यह प्रिविलेज कमेटी में तय होना चाहिये।

आप इस वाक्य को देखिये:

"The twentieth century has seen an immense extension of the administrative powers of government. Both developments have given power to bodies which are irresponsible in the sense that they are not subject to democratic direction. The former has immensely increased the power of the Civil Service....."

* * *

"Oddly enough the strict application of the doctrine of ministerial responsibility which still exists in theory....."

केवल हाउस आफ कामन्स में ही नहीं, यहां भी वही थियूरी चल रही है।

".....has actually added to the power and invulnerability of the Civil Service. For the Minister alone....."

मैं "एलोन" शब्द पर जोर देना चाहता हूं

"For the Minister alone to be judged to be accountable to Parliament for actions of which he may have no knowledge (and of which he might disapprove if he had) is another example of the conflict between myth and reality in our constitutional practice which actually prevents Parliament from carrying out one of its traditional functions of redressing grievance. For under our practice the civil servant who in many cases is actually responsi-

ble for decisions cannot be questioned on them."

मुझे यह इत्सा मिली है कि यह जो सारे पत्र बांधू साहब के पास गये—एक तो सीधा मंत्री जी को गया था, उस के लिये कुछ कहा ही नहीं जा सकता—लेकिन जो पत्र बांधू साहब के पास गये थे, मुझे पता लगा है कि उन के उपर नोटिंग है "सीन एंड डिस्पीज्ड आफ"। अगर सचमुच यह नोटिंग है तो मुझ को तो उस को देखने का अधिकार नहीं है, लेकिन प्रिविलेज कमेटी सारे कागजात मंगा सकती है, प्रिविलेज कमेटी बांधू साहब को बुला सकती है, प्रिविलेज कमेटी प्रो० ठाकर को बुला सकती है, प्रिविलेज कमेटी कुमारमंगलम साहब को बुला सकती है, और उन की गवाही बहुत महत्वपूर्ण होने वाली है। हो सकता है कि कुमारमंगलम साहब ने, मंत्री महोदय ने जो पहले सहमती दी, लेकिन बाद में जो ऐतराज किया इस लिये मंत्री महोदय 27 और 29 मार्च को बदले है। मैं जानना चाहता हूँ कि क्या इन मामलों में सफाई इस सदन में बहुमत के आधार पर की जायेगी ? यह जो हमारे यंग टाक्स हैं यह आये दिन वामपन्थ की बात करते हैं लेकिन यह नकली वामपन्थी हैं ।

श्री शशि नूबरल वाजपेयी : अगर यह मामला प्रिविलेज कमेटी को भेजा गया तो दुनिया यह समझेगी कि यह सभा ठाकर और पूंजीपतियों के दलालों के प्रागे झुक गई ।

श्री मधु लिमये : अगर आप में हिम्मत है तो इस को भेजिये । अगर आप की राय में यह प्रो० ठाकर, पूंजीपतियों, राठी और बांधू साहब की कॉस्पिरेसी है और यह बिल्कुल निष्पाप और मासूम बच्चे हैं...

श्री अटल बिहारी वाजपेयी (बलरामपुर) : दूध के घुले हैं ।

श्री मधु लिमये : हां, दूध के घुले हुए हैं तो यह तो प्रिविलेज कमेटी कह सकती है । लेकिन आज मैं कहना चाहता हूँ कि अगर हमारे

फसदहीनधली महमद साहब प्रिविलेज समिति से भागने के लिये बहुमत का इस्तेमाल करते हैं तो दुनिया का यह निर्णय होगा कि वह अपराधी हैं और उन को हटाना चाहिये । आप तो प्रोफ़ुयुमो से भी गन्दा काम इस वक़्त कर रहे हैं । आप ने यह इंडस्ट्रियल लाइसेंसिंग एम्बवायरी कमेटी क्यों बिठलाई है । आज जो यह नियन्त्रित अर्थ-व्यवस्था है उस के अन्दर नौकरशाही में, सरकार में बहुत ताकत और शक्ति इकट्ठी हो गई है, केन्द्रित हो गई है, और हर दफे उस का दुरुपयोग किया जाता है, और इसीलिये इस की जांच करने के लिये एम्बवायरी कमेटी बैठी है । क्या अब आप एम्बवायरी कमेटी के अध्यक्ष और सचिव के ऊपर खुद उन की नियुक्ति करने के बाद कीचड़ उछालेंगे ? क्या उनको नियुक्त दांडेकर ने किया था, मैंने किया था ? इस तरह की बात की जाती है और उस के बाद उन के ऊपर कीचड़ उछाला जाता है । यह मामला प्रिविलेज कमेटी के सामने जाय, वना दुनिया कहेगी यह सरकार कायर है, यह गुनाहगार है, यह पूंजीपतियों से मिली हुई है ।

MR. DEPUTY-SPEAKER : Shrimati Tarkeshwari Sinha.

SHRI NATH PAI (Rajapur) : Mr. Deputy-Speaker. I beg your pardon. I do not want to interrupt.

MR. DEPUTY-SPEAKER : Mr. Nath Pai, I have looked to Acharyaji. Your intervention is not necessary. I will call him just now.

SHRI NATH PAI : Very strange for me to claim that. I am going to make a totally different submission. This is the second time that I have heard an hon. Member accusing another hon. Member of being a 'dalal' of Mr. Thacker. (Interruptions) Discharging his duty we can disagree with hon. Mr. Madhu Limaye.

SHRI MADHU LIMAYE : I did not appoint Mr. Thacker.

श्री नथ पाई : बार बार कहा जाता है ।

MR. DEPUTY-SPEAKER : All these expressions are not in good taste.

श्रीमती तारकेश्वरी सिन्हा (बाढ़): उपाध्यक्ष महोदय, जो कुछ यहां कहा जा रहा है उस से आज के इस मोशन का कोई ताल्लुक नहीं है। इस मोशन का ताल्लुक इतनी बात से है कि हमारे मन्त्री महोदय ने जो कुछ यहां कहा वह सही नहीं कहा। अगर हम इन सारे वाक्यात को देखें और मन्त्री महोदय ने जो वक्तव्य दिया है उस को देखें या और बाकी चीजें भी जो हर अखबार में आई हैं, जैसे श्री ठंकर की चिट्ठी या राठो साहब की चिट्ठी, जिस का हवाला हमारे मन्त्री महोदय ने दिया है, उन चीजों को देखने से यह बात साफ हो जाती है कि जो कुछ मन्त्री महोदय ने कहा, उसी तरह से घटनायें घटीं।

अगर माननीय सदस्यों ने मंत्री महोदय के वक्तव्य को पढ़ा होगा और मैं समझती हूँ कि सब ने पढ़ा होगा, तो वह पायेंगे कि मन्त्री महोदय ने उस में ही कहा है कि श्री ठंकर ने इस की चर्चा कभी किसी समय उन से की थी कि उन के पास इस बात की सूचना आई है कि बैंक आफ इंडिया वाले उन्हें डाइरेक्टर बनाना चाहते हैं। इस का मन्त्री महोदय ने स्वयं इकार किया है, माना है, कि उन्होंने इस की चर्चा की थी। परन्तु यह सवाल उठता है कि इस बात को आम तरीके पर कहने और इस बात की सूचना किसी खास मौके पर देने में, जब वह बैंक की मीटिंग में जा रहे थे, बड़ा फर्क हो जाता है।

माननीय मंत्री महोदय ने अपने वक्तव्य में उस दिन कहा कि जब श्री ठंकर बम्बई जा रहे थे तब मुझ से मिले। जाने के पहले उन्होंने यह नहीं कहा कि वह बैंक की मीटिंग में जा रहे हैं। अगर बैंक की मीटिंग में वह परमिशन ले कर जाते, मिनिस्टर साहब से इजाजत ले कर जाते, तो बम्बई से आ कर 29 तारीख को मिनिस्टर साहब से मिलने की उन को क्या जरूरत हो सकती थी? एक बार अगर इजाजत मिल गई तो उस के बाद 29 तारीख को उस

की इजाजत लेने की जरूरत नहीं थी। (व्यवधान) मुझ को बोलने दीजिये और जो कुछ मैं कह रही हूँ उस को सुनने की कोशिश कीजिये। मैं यह भी उदाहरण दे रही हूँ कि अगर मेरी या मधु लिमये साहब की मन्त्री महोदय से दो दिन पहले किसी चीज के बारे में बात होती है, तो दो दिन बाद उस की पुनरावृत्ति करने की क्या जरूरत हो सकती है? यह स्वाभाविक चीज मानने की हो सकती है और उस को हम मानें। 27 तारीख को मिले। कहा यह जा रहा है कि 27 तारीख को मिनिस्टर साहब ने उन्हें अनुमति दे दी और बैठक में जा कर इस बात को कह देने की कि हां आप डाइरेक्टरशिप मान लीजिये। ठंकर साहब 29 तारीख को आये। 29 तारीख को फिर मिनिस्टर साहब से मिले और मिनिस्टर साहब से मिल कर उन्होंने बात की। मिनिस्टर साहब में और ठंकर साहब में जो बात हुई उस को या तो मिनिस्टर साहब जानते हैं या ठंकर साहब जानते हैं। इस संसद की बहुत सी मान्यताएं रही हैं। पर आखिर क्या मान्यता है? संसद के जो विशेषाधिकार हैं उन का मकसद क्या है? मकसद यह है कि संसद में हम लोगों को पूरी छूट है बात करने की। जो बात हम यहां कहते हैं पूरी जिम्मेदारी से कहते हैं और पूरी जिम्मेदारी अपने ऊपर लेते हैं। बाहर वाले किसी भी व्यक्ति को सदन के सदस्य से ज्यादा महत्व नहीं दिया जाता है इस बारे में कि वह क्या कह रहा है। मधु लिमये जी जानते हैं कि पिछले दिनों संसद में यह घटना घटी थी। बाहर वाले व्यक्ति ने संसद सदस्य श्री लिमये द्वारा कही गई बात को काटा। लेकिन संसद ने लिमये जी की बात को माना, उस व्यक्ति की बात को नहीं माना। पचांस करोड़ आदमी हैं इस देश में। उनकी बात को संसद सदस्य की बात से ज्यादा महत्व नहीं दिया जा सकता है। यही हमारा विशेषाधिकार है। इस में मंत्री भी आते हैं और सदस्य भी आते हैं। दोनों में कोई फर्क नहीं है। दोनों के एक समान विशेषाधिकार हैं। ये बहुत महत्वपूर्ण विशेषाधिकार हैं। जो बात हम यहां कहते हैं

उसी की मान्यता होगी उस वक्त तक जब तक कि बाहर वाला कोई व्यक्ति किसी दूसरे तरीके से, डाकुमेंट्स के बेसिस पर या कागज पत्रों के बेसिस पर उसको डिसप्रूव न कर दे। उस बात को भी डिसप्रूव हाउस में ही करना पड़ेगा। मैं एक उदाहरण देना चाहती हूँ। मैंने आपको चिट्ठी लिखी या चिट्ठी नहीं भी लिखी। आठ दिन के बाद मैंने दूसरी तरह की चिट्ठी लिखी और उस में उस चिट्ठी का हवाला भी दे दिया जो मुझे माफिक गुजरता है और उसको साइक्लोस्टाइल करवा कर दोनों चिट्ठियों को सब को बांट दिया तो क्या इसको एवीडेंस माना जा सकता है कि मैंने पहली चिट्ठी लिखी थी। इसको एवीडेंस नहीं माना जायेगा। मैं चाहती हूँ कि पार्लियामेंट के सदस्य चाहे इस तरफ के हों या उस तरफ के और चाहे मन्त्री हों इस बात को देखें। पार्लियामेंट में अगर कोई मन्त्री या कोई सदस्य बाहर वाले किसी व्यक्ति द्वारा कही गई बात को काटता है तो सदस्य अथवा मन्त्री द्वारा कही गई बात को मान्यता दी जाती है। इसलिए प्रो० थैकर या मि० राठी जो भी बाहर कहें उसको मन्त्री महोदय की बातों के ऊपर जा कर मान्यता नहीं दी जा सकती है। यह हमारा प्रिवलेज है, मन्त्री महोदय का प्रिवलेज है, सदस्यों का प्रिवलेज है।

यह तो मन्त्री महोदय की बात है। अगर मैं रहती और हमारे विरोधी दल के सदस्य रहते और अगर वे किसी बात को यहां रखते और बाहर इस तरह की कोई दूसरी बात कोई अफसर कहता तो ईमानदारी के साथ मैं आप से पूछना चाहती हूँ क्या आप यह कहते कि अफसर जो कह रहा है वह ठीक है या विरोधी दल का सदस्य जो कह रहा है वह ठीक है और अगर आप यह कहते कि अफसर जो कह रहा है वह ठीक है और सदस्य जो कह रहा है वह गलत है तो मैं नहीं समझती हूँ कि यह उचित होता। यह संसद की परम्परा नहीं रही है। संसद की परम्परा यह रही है कि सदस्य जो कह रहा है उसको वह ठीक माने।

एक बात और मैं कहना चाहती हूँ। थैकर साहब कोई बच्चे तो थे नहीं। राठी साहब भी बच्चे नहीं थे। अगर मान भी लें कि मिनिस्टर साहब के साथ उनकी बातचीत में तय हो जाता है तो प्रो० थैकर राठी साहब से क्यों कह कर जाते कि मिनिस्टर साहब को यह सूचना आप दे दें कि हमने बैंक आफ इंडिया की डायरेक्टरशिप लेने के पक्ष में अपना इरादा बदल दिया है, हम उसको मान नहीं रहे हैं। मिनिस्टर साहब ने संसद में क्या कहा? उन्होंने कहा कि थैकर साहब ने जब वह मुझे 29 तारीख को मिले तो यह नहीं बताया कि हम इसको विचाराधीन रखे हुए हैं, हमने इसको अंडर कंसिड्रेशन रखा हुआ है और मिनिस्टर साहब ने उन से कहा कि आप अंडर कंसिड्रेशन रखें, इसका अधिकार आपको है, आप की यह अपनी बात है आप चाहें तो बैंक आफ इंडिया की डायरेक्टरशिप ले लें, लेकिन मुझे एतराज है या नहीं यह बात अलग है। लेकिन दोनों चीजें एक साथ नहीं चल सकती है।

उपाध्यक्ष महोदय, बैंक की डायरेक्टरशिप लेना कोई पाप नहीं है। या किसी कम्पनी की डायरेक्टरशिप लेना कोई पाप नहीं है। हमारे पार्लियामेंट के सदस्य भी कितनी सारी कम्पनियों के डायरेक्टर हैं। इस में कोई पाप नहीं है। लेकिन वह इंडस्ट्रियल पालिसी लाइसेंसिंग इनक्वायरी कमेटी के चेयरमैन थे और एक महत्व के पद पर थे। थैकर साहब के बारे में इतना कुछ यहां कहा गया है कि कोई हिसाब नहीं। यह बहुत आसान है पार्लियामेंट में किसी के ऊपर छाँटा उड़ाना...

श्री मधु लिम्बे : आपके लोग उड़ा रहे हैं।

श्रीमती तारकेश्वरी सिन्हा : मेरे ऊपर उड़ाने की हिम्मत आप में नहीं है।

श्री मधु लिम्बे : भाषा का अर्थ भी नहीं जानती हैं। उपाध्यक्ष महोदय, मैं इसका खुलासा कर देना चाहता हूँ। कांग्रेस के लोग थैकर साहब पर उड़ा रहे हैं।

श्रीमती तारकेश्वरी सिन्हा : मैं उस में जाना नहीं चाहती। सवाल यह है कि डायरेक्टरशिप उन्होंने स्वीकार नहीं की, यह उनकी अपनी राय की बात थी। लेकिन मधु लिमये जी या हम में से अगर कोई किसी कम्पनी का डायरेक्टर बने तो हमारे लिए कोई यह दुर्गुण या डिसकवालिफिकेशन नहीं है। सवाल इतना ही है कि क्या थंकर साहब के लिए यह मुनासिब था कि वह डायरेक्टर भी बनते और इस लाइसेंसिंग इनक्वायरी कमेटी के चेयरमैन भी बने रहते जोकि एक बहुत महत्व की कमेटी है? लेकिन जब वह राठी साहब को लिख कर भेज देते हैं तो उसका अर्थ क्या निकलता है इसको जानने के लिए ज्यादा विभाग लड़ाने की जरूरत नहीं है। मिनिस्टर साहब ने अगर उनको कहा होता कि आप ने खूब किया और अच्छा किया कि जा कर डायरेक्टरशिप ले ली तो दूसरे दिन राठी साहब को चिट्ठी क्यों आती मिनिस्टर साहब के पास कि थंकर साहब ने विचार किया है और वह डायरेक्टर नहीं बनेंगे। इस वास्ते मैं समझती हूँ कि मिनिस्टर साहब ने जो कहा सही कहा।

इस में प्रोप्राइटी का सवाल भी आता है। थंकर साहब के लिए इन हालात में क्या करना उचित था? कुमारमंगलम साहब से उनके क्या रिस्ते थे, उसका हमें हवाला नहीं देना है। लेकिन मन्त्री महोदय ने कहा है कि उनका उत्तर पाने के पहले ही उन्होंने चिट्ठी प्रेस को दे दी। उपाध्यक्ष महोदय, मैं उन सदस्यों में नहीं हूँ जिन को बहुत जानकारी इन सब बातों की रहती है कि परदे के पीछे क्या होता है। इस में मेरी दिलचस्पी नहीं है। परन्तु इतना जरूर मैं कहना चाहती हूँ... थंकर साहब किस तरह से आए, कौन उनको लाया, कुमारमंगलम का या और किसी का जोर उन पर चल रहा था, या किस का जोर किस पर चल रहा था, या किस के यहां कौन बात हुई या कौन बात नहीं हुई, किस के यहां नाश्ता या खाना खाया, इस सब से मुझे कोई मतलब नहीं है और न ही संसद को कोई मतलब है... पर जो एक मुनासिब बात थी वह यह थी कि मिनिस्टर साहब का जवाब

पाने के पहले उनको अपनी चिट्ठी बाहर नहीं करनी चाहिये थी। हालांकि एक बात के लिए थंकर साहब की दाद दी जानी चाहिये। उन्होंने जब सुना या जब उनको पता लगा कि पार्लियामेंट में उनका विरोध हुआ है और जब उनको पता चला कि संसद ने उनके बारे में अपने विचार प्रकट कर दिये हैं और उनके इस कार्य से कमेटी के सम्मान को धक्का लगा है तो उन्होंने त्यागपत्र देने का निर्णय कर लिया। वह डायरेक्टर हों या न हों, इससे हमें कोई मतलब नहीं है, हमारी बला से, वह चाहें तो दस कम्पनियों के डायरेक्टर बन सकते हैं, और उस में कोई पाप भी नहीं है, परन्तु अगर इंडस्ट्रियल लाइसेंसिंग पालिसी इनक्वायरी कमेटी के अध्यक्ष की हैसियत से पार्लियामेंट के सदस्यों ने इस बात को उठाया तो एक शरीफ आदमी के सामने यही विषय रह जाता था कि वह अपना त्यागपत्र उस पद से दे दें। मैं समझती हूँ कि संसद को उनकी इस कार्रवाई के लिए तारीफ करनी चाहिये कि उन्होंने त्यागपत्र दे दिया और बिना मजबूर किए दे दिया। सरकार ने उन से त्यागपत्र मांगा नहीं, उनको त्यागपत्र देने के लिए मजबूर किया नहीं, मिनिस्टर साहब ने कोई पत्र नहीं लिखा थंकर साहब को लेकिन खुद ही थंकर साहब ने महसूस किया कि उनके ऊपर अगर आंच आई है तो उनको त्यागपत्र दे देना चाहिये और त्यागपत्र देकर मैं समझती हूँ कि उन्होंने एक सिद्धान्त की रक्षा की है और एक बहुत बड़ा महत्व का रास्ता अपनाया। इसके लिए थंकर साहब को हमें गाली नहीं देनी चाहिये। उनकी इस कार्रवाई का हमें स्वागत करना चाहिये। इतने महत्वपूर्ण पद पर आसीन कोई आदमी इन हालात में अगर त्यागपत्र देता है तो वह बहुत ऊंचा सिद्धान्त पैदा करता है और जो एक स्वस्थ परम्परा है, उसकी वह रक्षा करता है।

श्री मधु लिमये : शेर तो सुनाइये कोई।

श्री नाथ पाई : शेर हम उन से सुनना चाहते हैं।

श्रीमती तारकेश्वरी सिन्हा : अगर आप आज्ञा दें तो मैं सुना देती हूँ ।

MR. DEPUTY-SPEAKER : No. If I permit it, I will have to allow Shri K. L. Gupta. That can be recited in the Central Hall, not here.

SHRI S. M. BANERJEE (Kanpur) : I should like to make it clear that I and my group do not hold any brief either for Prof. Thacker or for the Minister in charge of the particular department. The questions is whether in reply to questions the other day on this subject, the Minister misled the House or concealed some of the facts which he should not have done.

Before coming to the real question, may I say that Prof. Thacker's antecedents should have been verified before making him Chairman of this Committee? I had said in this House when the Short Notice Question came up that before coming to the Scientific Research Ministry, Prof. Thacker was employed in, and was subscribing to the ideology of, the private sector. I had no illusion in my mind even then. I know that during those days I wrote many letters to the Secretary of the particular Ministry, when he was controlling the Scientific Research Ministry and was Director of the Survey of India. I pointed out how he was helping certain business houses.

I charge the Minister with appointing the same Prof. M. S. Thacker, said to be one of the biggest scientists—I doubt very much his scientific genius—as Chairman of such a big Committee and that too to investigate the affairs of a very big business house. Whether there is a privilege motion, or no privilege motion, who have gained out of it? The Birlas. (*Interruptions*)

MR. DEPUTY-SPEAKER : The time is limited. I will not give you more than five to seven minutes. If you go to other matters I will have to stop it. (*Interruptions*)

SHRI S. M. BANERJEE : The investigation was going on against Birlas, not against Mr. Modi. So, I ask, is it true? So many letters were read, Mr. Rathee's

letter to Mr. Wanchoo and so on. After reading those letters, after hearing them, it is quite obvious that there was serious bungling. Who has done this bungling, whether it is Mr. Wanchoo or the Minister Shri F. A. Ahmed, knowingly or unknowingly, intentionally or unintentionally, is a matter to be decided. Mr. Thacker had no business to approach the department for accepting the directorship of a particular bank which is controlled by the big business-houses the conduct of whom was under enquiry.

Then, is it a fact that when this question was referred to Mr. L. K. Jha, the Governor of the Reserve Bank, he also heard it? I am told that Mr. Jha rang up the Deputy Prime Minister, Shri Morarji Desai—the Finance Minister and said, "I have no objection." Shri Morarji Desai also said—I am speaking subject to correction and if I am wrong I am prepared to correct myself—that now that the Banking Bill is coming after social control which was sought to be imposed on banks, there will be no difference between the State bank and the Reserve Bank or other banks. So, naturally there was no objection if he accepts the directorship of a particular bank.

I want a clear answer to this House. Let the hon. Minister answer this point. I plead—and I support the motion—that this matter should be referred to the Privileges Committee because we want to know what was happening to the underworld. We want to know what was happening between Mr. Thacker, Shri F. A. Ahmed and Mr. Wanchoo. Is it like the old Mundhra episode? What was that? We want to unearth what was happening behind the scene.

SHRI J. B. KRIPALANI (Guna) : You will never discover.

SHRI S. M. BANERJEE : I know; when Shri Kripalani became the Chairman of the Anti-Corruption Committee and then resigned: I asked him why. He said "I would have become corrupt if I remained." I know the reason. Now, I want the whole thing to be unearthed. I therefore request that this matter should be referred to the Privileges Committee, and anybody who is guilty, whether he is the Minister or anybody else, he should gracefully and peace-

[Shri S. M. Banerjee]

fully resign even at this stage. (*Interruption*) Mr. Thacker should never have been brought to work as Chairman of this Committee and should never be allowed to continue in this Committee. With these words I support this motion and say that it should be referred to the Privileges Committee.

THE MINISTER OF LAW (SHRI GOVINDA MENON) : Mr. Deputy-Speaker, Sir, the copy of the motion which has just now been circulated, the motion by Shri Rabi Ray, reads as follows :

“Whereas in the opinion of this House it clearly appears necessary to enquire whether a breach of privilege of the House has been committed or not by the Minister of Industrial Development and Company Affairs by the reply given by him on the 2nd April, 1968, this House, therefore, resolves to refer this matter to the Committee of Privileges with instructions to report on the first day of the next session.”

The Members of this House will now be called upon to vote on this motion, and I am amazed to find that nobody who supported the motion referred to any passage in the statement made by the Minister on the 2nd April, which was either false—

श्री मधु लिमये : 24 अप्रैल के वक्तव्य को भी देखिये ;

SHRI GOVINDA MENON : —or which was calculated to mislead the House.

The hon. member wants me now to look into the 24th April statement.

श्री मधु लिमये : क्यों नहीं ? उसी में से एराइज किया है, उत्पन्न हुआ है ।

SHRI GOVINDA MENON : That can not be. This is a privilege motion with respect to certain statement made by the minister on a certain date.

MR. DEPUTY-SPEAKER : The motion is clear.

SHRI GOVINDA MENON : 7 out of the 8 motions are dated 23rd April. These cannot be with respect to the statement made on the 24th April. The eighth motion by Mr. Limaye is dated 24th April, but it says :

“In response to the short notice question No. 15 answered on the 2nd April, MR. F. A. Ahmed; Minister for Industrial Development and Company Affairs stated...” etc.

This motion was given at 10 A.M. on that day. If rambling statements are made, if statements which were not made on 2nd April are referred to, if statements made by others with respect to other matters are referred to, if it is alleged that if some members of this House vote against the motion; they would be doing it out of political motives, that is not correct. Some of us on this side will vote against the motion because in the statement made by the minister on 2nd April, I have not been able to see from the official record...

SHRI J. B. KRIPALANI : How can you see ?

SHRI GOVINDA MENON : It may be my inability. If the hon. member is able to see, I am very happy. He will be able to see things which are not there. The record is clear. The question raised by Mr. Panigrahi was :

“Will the Minister of Industrial Development and Company Affairs be pleased to state :

(a) Whether Professor M. S. Thacker, the Chairman, of the Committee appointed to investigate into the question of issue of industrial licences to private monopoly houses in the country has accepted the directorship of the Bank of India and is attending its meetings ; and

(b) if so, Government's reaction thereto ?”

The written answer read out by the minister was :

(a) and (b). The facts regarding the question are that it is understood that Professor M. S. Thacker, Chairman of the Industrial Licensing Policy Inquiry Committee, was invited informally to a meeting of the Board of Directors of the Bank of India on the 28th March, 1968, to let them know his decision on the offer made to him of Directorship on the Board of the Bank. After telling them that he required three to four weeks to consider his decision, Professor Thacker came away from the

meeting. Subsequently, the Government have been informed that he has declined the offer. In the circumstances, it is not proposed by Government to take any further action in the matter.

I fail to see anything which is false or which was calculated to mislead the House in this answer. If the wise Mr. Kripalani could find anything in this which was calculated to mislead the House, I have no objection. Experienced Members of Parliament like him should have some basis before making allegations here. I have not been able to understand from any of the speeches made here which of the three statements in this answer was deliberately false and calculated to mislead the House. Is it false to say that he went to attend informally a meeting of the Board of Directors of the bank? It is admitted to be correct. Is it not correct that he said that he would answer sometime later? Is it not correct that before he went to New York, he informed, through Mr. Rathee, the minister that he does not propose to accept the directorship of the Bank of India?

15 00 hrs.

These are the three statements made. We are told that these statements are false and are calculated to mislead the House and therefore there should be an inquiry in the Committee of Privileges. Is the Committee of Privileges a body to inquire into matters which are not relevant to the issues raised? Is the privilege of this House which is very important to the Members of the House and to the House to be so lightly treated that anything could be sent to the Committee of Privileges? If some of us would vote against it is because we want to see that the privilege of having a privilege for the Members of the House should be preserved as a sanctified privilege and it should not be tossed about or attempted to be tossed about like this.

The hon. Member, Shri Limaye, when he found difficulty said that we should refer to the statement of 24th April. Why not the statement of 30th April which would come later? We are now on the question of the statement of 2nd April. I will come to the subsequent answers in answer to supplementaries. The next answer made by the Minister is so far as the

visits of Professor Thacker to any house of the monopolists are concerned. He said he had no information. That was in reply to Shri Umanath. Another question was by Shri Banerjee, whether he does not know that Shri Thacker's antecedents were of a certain character. To that also he said that he had no information.

What is it that should be sent to the Privileges Committee? We heard many speeches here. With due respect to those who made these speeches, those who supported the motion—some of our friends opposed the motion—covered a very wide ground most of which was irrelevant (*Interruption*). They are irrelevant because the motion is with respect to the statement made on 2nd April. Do not get offended with me when I throw the torch light on the true facts in the debate. It was said that the Minister might have agreed at a certain stage....

SHRI MADHU LIMAYE : Why "might have agreed", he agreed.

SHRI GOVINDA MENON : He might have agreed at a stage that he might hold both the things. I do not know. And, it was suggested that it was at the instance of Shri Kumaramangalam that later the Professor thought that he would resign. I do not think it is so. But assuming it is so, is it a matter to be sent to the Committee of Privileges?

श्री मधु लिमये : और कौन सा प्रश्न है ?

SHRI GOVINDA MENON : Now, it has been from statements made here and from letters read out—I do not know from where those letters came, and there was objection to the use of the word 'dalal' and all that—I do not use that word but letters were read out...

SHRI MADHU LIMAYE : Do you challenge those letters?

SHRI GOVINDA MENON : I do not say. I say they have come and they are very suggestive...

SHRIMATI TARKESHWARI SINHA : Not 'suggestive' but 'subjective'.

श्री मधु लिमये : सबर्जेक्टिव क्या है ?
उपाध्यक्ष महोदय, मेरा प्वाइन्ट ऑफ़ ऑर्डर है ।

SHRI GOVINDA MENON : I do not say you are a 'dalal'.

श्री मधु लिमये : दलाल के ऊपर प्वाइन्ट ऑफ़ ऑर्डर नहीं है। आपके मन में दलाली है, मैं क्या करूँ। जिस माननीय सदस्य ने यह पत्र रखा, उन के ऊपर एसपर्शन कास्ट करने, लाइन लगाने की कोशिश की गई है कि यह आर्थेन्टिक है या नहीं है। क्या ये इस को चैलेन्ज कर रहे हैं ?

MR. DEPUTY-SPEAKER : When objection was raised earlier I said then and again say it is for the Minister concerned to contradict it.

SHRI MADHU LIMAYE : Let him say that. Why should the Law Minister insinuate.

MR. DEPUTY-SPEAKER : The only person who can contradict it is the Minister. We cannot say whether it is correct or not.

SHRI MADHU LIMAYE : Let him deny it.

MR. DEPUTY-SPEAKER : In his reply not now. There is no point of order.

SHRI MADHU LIMAYE : Why is the Law Minister insinuating. It is for the Minister of Industrial Development and Company Affairs to say whether it is correct or not.

MR. DEPUTY-SPEAKER : Shri Limaye may please refer to the resolution. He is well within the ambit of the resolution.

SHRI GOVINDA MENON : I am extremely sorry that...

श्री मधु लिमये : क्या वह इस तरह से आरोप कर सकते हैं कि लैटर कहां से आया है, यह सही है या नहीं.....

MR. DEPUTY-SPEAKER : I should say that he has said nothing about it.

श्री मधु लिमये : उन को लैटर रखने का अधिकार है।

MR. DEPUTY-SPEAKER : He only referred to the contradictions.

श्री मधु लिमये : आप लैटर के ऊपर जो क्रिटिसिज्म करना है, वह करिये, लेकिन इनसिन्यूएट न कीजिये।

SHRI GOVINDA MENON : I am extremely sorry, I have been misunderstood.

श्री कंबर लाल गुप्त : जो लैटर मैंने यहां पर रखा है, उस पर माननीय मंत्री यह कहें कि मैं किसी की दलाली करता हूँ... (व्यवधान)... क्या यह भाषा इन के लिये ठीक है ?

SHRI GOVINDA MENON : I did not say that.

श्री कंबर लाल गुप्त : क्या यही इन का स्टैंडर्ड है।

MR. DEPUTY-SPEAKER : Nobody has said that. It is in bad taste. He has not used that word. Let him conclude now.

SHRI GOVINDA MENON : I did not use the word 'dalal' and I do not want to use it. Shri Madhu Limaye took it as if I made an insinuation against him. I am very sorry. I did not want to make any such impression.

SHRI HEM BARUA (Mangolia) : He says. I do not want to call him a *dalal*. That is an indirect way of insulting the House and the members also.

श्री शशि भूषण बाजपेयी : उपाध्यक्ष महोदय, मैं परसनल एक्सप्लेनेशन के लिये कहना चाहता हूँ। मैंने किसी आनरेबिल मेम्बर को दलाल नहीं कहा है। मैं दलाली के पेशे को बुरा नहीं समझता हूँ। मैंने ठक्कर को ज़रूर कहा था कि वह बिग-बिजनेस के दलाल हैं।

MR. DEPUTY-SPEAKER : Even then I said it is not in good taste. I observed it. When we are discussing a serious matter we should not use such terms.

SHRI GOVINDA MENON : I have not used that word, I will not use that word and I do not want to use that word. I am very sorry that whatever I said has been taken to be an insinuation of Shri Madhu Limay. That was not my intention. All that I say is that with respect to the statement made by the Minister on the 2nd April these letters are irrelevant. Subsequently, other things are built up and questions are being raised whether, as a matter of fact, the Minister did consent to Shri Thacker occupying both the places. All that I say is it is all irrelevant. I do not believe it is true. And if it were true, there is no reason why the Professor before going to New York should inform the Minister "after all I do not take up that job." Before going to New York, he gives the information to the Minister saying that he will not take up that job. It means "after all, I am not going to take that job"; that is what it means. Therefore, I would submit with very great respect to the eight hon Members...

SHRIMATI TARKESWARI SINHA : The hon. Minister should understand what is being said in the House. All that has been said by Shri Yadhav. Now he is saying everything said here has been irrelevant. He should understand what is being said in the House.

SHRI GOVINDA MENON : Therefore, what I mean is that the hon. Members who have moved this motion should confine themselves to what has been said by the Minister on the 2nd April. And if there are members here who think that the statement made here on the 2nd April is not complete, that is a different matter. That does not give an occasion for raising a privilege issue. Shri Yadhav read out from page 216 of that book, a passage based upon the ruling given by the Speaker of the Third Lok Sabha. Under these circumstances, I think this motion does not deserve to be sent to the Committee of Privileges.

SHRI J. B. KRIPALANI (Guna) : Mr. Deputy-Speaker, Sir, I think this is a very

simple question. There have been so many names mentioned, Shri Thacker, Shri Wanchoo and Shri Rathee and I do not know them from Adam. But I am surprised that one Congressman says that this Thacker is an honest man while another Congressman says : no, he is the *datal* of big business. And my poetic sister praised him in one sentence and condemned him in another.

SHRIMATI TARKESHWARI SINHA : I praised his resignation.

SHRI J. B. KRIPALANI : She praised him in one sentence and condemned him in another. But I must say that is poetic licence which is allowed. But when this question is voted upon, if this is voted upon at all, then they (Congressmen) will all be together. They have been contradicting each other here about the character of a person. But when they vote, they will vote solidly together. If they have such divergent views about one person whose conduct is being discussed here and if they vote in one way only, I ask : Are they going to be honest to themselves ? If they are not honest to themselves, how are they going to be honest to the country ?

AN HON. MEMBER : They are honest to the Party.

SHRI J. B. KRIPALANI : They are honest to the Party not to the nation.

SHRIMATI TARKESHWARI SINHA : My colleague, the lady Member, has asked me to say to you that your speech is completely irrelevant.

SHRI J. B. KRIPALANI : It is for you, Sir, to decide whether my speech is relevant or not. It is not for my poetic sister and she is not supposed to be a messenger of others here. She has her own independent existence.

What I want to say is this. This is a very simple question. The hon. Minister could have said that he saw no harm in a particular person occupying these two posts but afterwards he realised that it should not be so. There is nothing in that. There would have then been no discussion at all. It is quite possible. I say that such a thing is permissible that afterwards when my

[Shri J. B. Kripalani]

attention is drawn to it and I say it is not permissible to hold two positions. The matter would have ended there. This is a simple matter. Prof. Thacker was a member of the Planning Commission. The Planning Commission was appointed by Pandit Jawaharlal Nehru. Was he a good judge of men or a bad judge of men or did he purposely put perverse people in office? Why did not the Minister know something about his (Thacker's) credentials before he appointed him? On that day, if you remember, I had said that this report should not be sent to prof. Thacker or to anybody and that it should be sent to the Planning Commission who had authorised Prof. Hazare. But I say even the Planning Commission did not authorise him. Nobody authorised him. It was an irrelevant report. I do not know why the House is concerned with it. If it has concerned itself with it and they have contradicted each other and if the Congress Members are going to show a united front when, if at all this is to be put to the vote, I say, they are not honest to themselves.

Another thing is: Why should they be afraid of putting this matter before the Privileges Committee? After all, in the Privileges Committee also, the Congress Members are in a majority. They can vote together there also if they are voting here together.

MR. DEPUTY-SPEAKER: May I correct him? The Privileges Committee Reports are not based on a majority or minority.

SHRI J. B. KRIPALANI: If the whip can have currency here, if the whip prevails here, what is there to check them from having the whip there also? Here also, they are contradicting each other. Therefore, I would suggest that this is not a question which should be left to the House to decide. It is a question for the Presiding Officer to decide whether it should go or not to the Privilege Committee.

That is your function. You are delegating that function to a party which is not true to itself, which is not true to each other and which votes only in one way. It is perfectly wrong. You will be quite justified in deciding on your

own judgment whether this thing should be referred to the Privileges Committee. Our Law Minister has said that both the parties have been talking non-sense. I believe him in this. He is perfectly right. I have no quarrel with him. I agree with him. It is your bounden duty to decide this question yourself and not shirk the responsibility. If you shirk it, it will be said that you are siding with one side or the other.

MR. DEPUTY-SPEAKER: But for the hon. Member's remark, I would not have intervened. As the hon. members know, the report of the Privileges Committee comes before this House and this House is supreme. Therefore, whether I should exercise my discretion or judgment at this stage, though the Chair or the Presiding authority could exercise that, for failure to exercise that discretion, the hon. Member should not say that the Presiding authority is inclined towards this side or that side. That is not correct.

Mr. Rabi Ray's motion was circulated a little late. Mr. Kanwar Lal Gupta is moving an amendment to that which I am permitting him to do.

SHRI KANWAR LAL GUPTA: I beg to move.

That in the motion moved by Shri Rabi Ray, after "2nd insert" and "24th".

MR. DEPUTY-SPEAKER: The amendment is before the House.

Ms. Umanath. He should be brief.

SHRI UMANATH (Pudukkottai): You said in the beginning that time will be given for each Group. I will take only that time.

The central point, so far as this particular privilege motion is concerned, is the conduct of the Minister and not that of Mr. Thacker. So far as Mr. Thacker is concerned, he had been a Trojan horse in the committee and now he is a dead horse. There is no use whipping the dead horse.

With regard to the Minister's conduct, the Law Minister was saying so much that we must limit ourselves to the reply of the Minister made on the 2nd April. Of course, now that amendment is there. He wanted to know which portion constituted a breach of privilege. I am now relying only on the reply of 2nd April itself. On 2nd April, the hon. Minister, towards the end, in reply to Prof. Ranga's question—as I said, towards the end only—made this statement where he says :

"Just before his departure for New York, he came and told me that this is the position and asked for the Government's reaction. I said, if he becomes the Director of the Bank, it would be in possible for him to remain as the Chairman of this Committee".

It is only here, only once, he has made this statement and that too, towards the end.

According to the statement, at the very first instance, the Minister told him that he should never be on the other committee he must resign in that case. This is the statement made; I am touching that portion.

The point for determination now is whether at the very first instance the Minister told him like this or at the first instance he told him something different and that was suppressed in the House on 2nd April when he replied. That is the question for determination... (*Interruptions*)

AN HON. MEMBER : Just a repetition.

SHRI UMANATH : It may be a repetition. It cannot be helped.

With regard to that point, I am convinced so far as the records go that the Minister had actually accepted that there is no harm in serving as Director while remaining as the Chairman here. On the basis of the records—I go by the records—the sequence has been explained. The first sequence is prior to 20th.

One Secretary, that is the Secretary of that Committee, writes to the Secretary to the Ministry whereby he requests the Secretary of the Ministry to recommend to the Minister to permit Mr. Thacker to serve as a Director while

remaining here. This is the first letter. Second is the 20th meeting between Mr. Thacker and the Minister. The third is the confirmation letter.

Now the point is : Shri Chandra Jeet Yadav said, 'Are you to rely on these letters'? No, I am not relying on the letters. I am relying on the conduct of the hon. Minister *vis a vis* the letters. I am there. What was the conduct of the Minister? The third letter clearly says, 'I am glad that in yesterday's meeting you accepted such and such thing'. Now, according to the Minister, at the very first meeting, he said, 'You cannot be there'. Now, here is a letter which says that he accepted just the opposite. The first thing that the Minister should have done was to write 'No, you are wrong. I am contradicting this position. You are wrong'. He did not do that. Shri Kanwarlal Guptaji rightly put it 'Why it was not contradicted'. It is so because the contents were true. You know, Sir, in official correspondence—I am seriously on that point—when two people meet and talk orally, either there will be joint minutes or minutes will be circulated between both the parties or there will be a note on which both the parties will sign or the last method is that one party will write to the other party, 'This is what we understood' and that closes the whole thing. Sir, here the Minister did not contradict because...

MR. DEPUTY-SPEAKER : The hon. Member's time is up.

SHRI UMANATH : Why, Sir? You said in the beginning...

MR. DEPUTY-SPEAKER : Only 5 or 7 minutes. Now please try to conclude.

SHRI UMANATH : So, Sir, the point is this : because the contents were true, he did not contradict.

The second point is what Shri Limaye said. That is also what I came to understand that on the letter there is a noting by Mr. Wanchoo. According to my information, that noting by Mr. Wanchoo is 'File'. You know in official correspondence if on the file a noting is made to 'file', that means that it is accepted, the whole

[Shri Umanath]

thing is finished and there is nothing more to pursue; it is closed. (*Interruptions*) This is the strongest point. I want the hon. Minister in his reply to tell us how he would explain these two positions. The 30th reply, I would say, is an afterthought. That is the clear position. It was an afterthought.

Now another thing I would like to bring to the notice of the hon Law Minister is with regard to the 2nd April statement where the hon. Minister said about his first meeting just before his departure for New York that he came and told him, 'This is the position' and asked for Government's reaction. The impression given by the Minister is that the first meeting of Mr. Thacker with his proposal and for his reaction was just before his departure to New York, that is 27th-29th and it means that the first meeting was on the 28th. So, my second point is that so far as the reply of 2nd April by the Minister is concerned—for the attention of the hon. Law Minister who is now unlawfully going through some other papers—the reply is unfortunate for him and that the reply is that the first meeting was on the 28th. On the 2nd April when he was replying, he was actually suppressing the fact of the first meeting on the 28th.

SHRI NATH PAL : *Suppressio veri suggestio falsi.*

SHRI UMANATH : Finally, on the question of susceptibility, the hon. Minister misled the House and here also I am referring to his 2nd April statement. On the 24th he said that was a revelation to him. 'It was a shocking revelation' he said. At the first meeting, that was on the 24th, he said that Mr. Thacker said, 'I am in financial difficulties'. That was on the 24th. I was surprised. In the first meeting he said 'I was in financial difficulties. I had to make certain security for the future. So I want to accept the Directorship of the Bank'. Although the statement of the Minister says that Mr. Thacker is susceptible to weaknesses in views of his financial difficulties, yet on 2nd what did he say? He misled the House by saying on the 2nd, 'I do not for a moment believe that a person of his stature and status

would fall a prey to such temptations'. Is it not misleading the House on the susceptibility of Mr. Thacker? All this means that the Minister has misled the House and I say this must go to the Privileges Committee because so many letters have been quoted, minutes of the Enquiry Committee are also in the picture, also the meetings between the Minister and Mr. Thacker are there, then written editorials of newspapers are there calling the Minister without using the word 'liar', but there are editorials in leading newspapers that he has misled the Parliament.

But this is the position. The question is whether this House can merely by a majority take a decision in such cases. So many letters are being quoted. So many minutes and records of committees are mentioned here. Our people will have this feeling that here is Parliament which, without going through the minutes, is deciding things by majority vote, and this will be spoiling the reputation of this Parliament in the entire country and in the entire world.

SHRI P. VENKATASUBBAIAH (Nandyal) : Mr. Deputy-Speaker, Sir, I am sorry to state that this whole discussion has been more influenced by certain ideological predilections and it is being used so as to bring in some political colour on this entire matter. Sir, on one thing I must say what I feel, and that is, I am not happy with regard to the composition of this Committee itself. As a matter of fact, my humble submission is that the hon. Minister should have been very careful in constituting this Committee. This committee consisting of Dr. M. S. Thacker and Shri Mohan Kumaramangalam had more than what looked on the surface. All this trouble started with this composition of this committee and the moment it has begun to function. So, Sir, I do not want to attribute any motives and say this man is honest and that man is dishonest. What I want to say is, Professor Thacker has committed an act of impropriety more than dishonesty. Here is a matter between the hon. Minister and Professor Thacker and this matter has come up for discussion whether the Minister can agree to his taking up the directorship

of that Bank. And, during the course of conversations it is evident and it is clear, and it has been substantiated by later facts, that the Minister has clearly stated to Professor Thacker that it is not only improper but it also goes against the position he holds that he should not accept this Directorship of the Bank. This has been later substantiated by the Secretary when he has written in writing and also verbally that Professor Thacker has decided not to accept this position. Sir, here all the factors come into being. The correspondence is all one-way traffic. Mr. Rathee writes to Mr. Wanchoo; and even Mr. Wanchoo writes to Mr. Rathee. The Minister is not at all in the picture. By the correspondence that has been written it is now our hon. friends' right to draw certain implications and meanings that the hon. Minister has been misleading this House! Sir, it is all entirely false.

If the hon. Members demanded that there should be an enquiry constituted into this whole episode I am one with them. But if they want to take this up under the garb of Privilege motion, I am entirely against it. It does not at all constitute any breach of privilege because the Minister, in the course of his statement, has stated facts, and subsequently also he has never made an attempt to mislead the house nor has he committed any breach of the privilege of the House. Thank you.

MR. DEPUTY-SPEAKER : Now, Shri Srinibas Misra.

SHRI NATH PAI : Before Shri Srinibas Misra starts, may I make one submission? Do we take Shri P. Venkatasubbaiah seriously when he makes this sporting offer? Here is a very senior Member of the ruling party who has thrown a challenge at us ..

SHRI G. VISWANATHAN (Wandiwash) : He is the secretary of the Congress Party.

SHRI NATH PAI : He is a senior Member, none-the-less.

I think you, Sir, have heard him very clearly; he threw a challenge at us that he was prepared to accept an independent inquiry. Whose inquiry was it? Was it his inquiry or else whose inquiry was it?

MR. DEPUTY-SPEAKER : He said 'independent committees'. I had followed him. He said that there could be an independent committee to go into this whole affair. That is what he has said. It is a personal view that he has expressed.

SHRI NATH PAI : Since he is a senior Member, I wanted to know whose offer it was.

MR. DEPUTY-SPEAKER : I cannot allow this cross-examination now.

SHRI NATH PAI : I am not asking you, but I am asking the hon. Member.

MR. DEPUTY-SPEAKER : It is a personal viewpoint that he has expressed.

SHRI NATH PAI : Then, let them say that they resile from it.

SHRI P. VENKATASUBBAIAH : Let me make it very clear to Shri Nath Pai. What I said was this. If hon. Members want I have said let there be an independent inquiry constituted. I meant an inquiry by Government into all those matters.

SHRI NATH PAI : We welcome this clarification. Inquiry by Government? That is the best joke of the year. I never knew such a strange sense of humour before.

SHRI SRINIBAS MISRA (Cuttack) : It appears that the Law Minister has underscored the privileges of this House. He wants to say that privilege is so valuable that it has to be preserved by all means. Is it contradictory with the privilege that the matter in respect of which a privilege of this House has been alleged to have been broken by the Minister concerned should be examined by the Privileges Committee? I agree with him that the matter is so great and that the privilege of this House is so valuable. So, I submit that it should be examined by a committee of this House. What objection could the Law Minister have to this?

The hon. Law Minister also wants that in a debate in this House, there should be charges framed against the Minister detailing them one by one and pointing out

[Shri Srinibas Misra]

that he is guilty of such and such a thing, but that has not been done.

SHRI NATH PAI: I shall do it later.

SHRI SRINIBAS MISRA: Had he read the privilege motions which had been submitted, he would have found that there were some in which the charges had been framed pointing out that such and such a sentence which was uttered by the Minister on the 2nd April was false, that such and such a sentence misled the House and so on.

MR. DEPUTY-SPEAKER: I would request the hon. Member to read the motion. There is no such thing there. It only wants that an investigation should be made. There is no question of charges being made that such and such a thing was false and so on.

SHRI NATH PAI: He is making them now.

SHRI SRINIBAS MISRA: The Law Minister had said that there were no specific charges which had been made. I would like to point out that Shri Umanath had brought forward some definite charges, and let the hon. Minister exercise his right of reply under natural justice. Then, there are other charges also in regard to the statements made in this House on 2nd April. I would like just to quote. The hon. Minister said:

"Subsequently, the Government have been informed that he declined the offer."

Here, the word 'he' refers to Prof. Thacker.

The second statement which he made was:

"Since he has not accepted the directorship of the bank, the question of replacing Prof. Thacker does not arise."

This is intended to mislead the House.

Then, in answer to Shri Chandra Jeet Yadav, he had stated:

"But before leaving, he told me that he had declined the offer."

The fourth statement which he made in reply to Shri Ranga was:

"He has not accepted the offer."

I would take these things one by one. First, I shall take up the last one. That is glaringly not true that he has not accepted the offer. Subsequent events have shown that he was about to accept the offer. According to the hon. Minister, the standard of proof in these matters must be records. Some records and some documents were sought to be placed by an hon. Member from our side of the House, and no contradiction has yet come. My hon. friends opposite do not say that the letters are false and they do not say that they are fabricated. Once the records are there and there is no contradiction, the House must take those documents as true and correct copies of the letters that were exchanged.

While answering the calling attention-notice on the 24th inst., this was the statement that the hon. Minister made.

"If it had been a fact that I had agreed to Prof. Thacker continuing as Chairman of the Committee even after becoming a Director of the Bank, surely there would have been some communication by the Government to him or to the Committee to that effect".

So the hon. Minister accepts that for proving his acceptance of Prof. Thacker's dual role, there must be some document on record. As there is no record, so that has not happened. This is his argument. I would like to point out that this argument can hold good for proving that the statement made by the Minister on 2 April is false. Had he declined the offer or the terms and conditions of Prof. Thacker accepting this dual role, there should have been something on record. The hon. Minister does not come forward with any statement, anything on record, to show that he told Prof. Thacker: 'You cannot act in this dual role'. What does it mean? It only means that with his connivance, Prof. Thacker had accepted, or was about to accept, the directorship.

The correspondence between Shri Rathee and Shri Wanchoo would show that the terms and conditions of this dual

role were also mapped out. The hon. Minister had accepted that. On the 20th, it is accepted that Prof. Thacker met the hon. Minister. On the 21st, in confirmation Prof. Thacker writes to the Secretary of the Ministry that this was the conversation; it has reference to a previous letter wherein the terms and conditions were set out.

After 21st, what becomes the position? The Secretary to the Ministry knows that Prof. Thacker is about to accept the directorship of the Bank of India. But how is it that the Minister does not know? How is it that the Minister who gets the answers and brief from the Secretary to answer in this question does not know this? How is it that he can say 'I do not know anything about it'? How can the Minister here make such a statement unless he wants to mislead the House? How could he make a statement like that, that 'I do not know whether he has accepted'? Rather he has made a contradictory statement saying that he has not accepted.

Therefore, my contention is that whatever the Minister has stated in these four sentences is either designed to mislead the House or is false. So I support the Motion for reference to the Privileges Committee.

SOME HON. MEMBERS *rose*—

MR. DEPUTY-SPEAKER: There are several requests for the floor. Shri Dandeker had written to me also. Shri Sheo Narain will resume his seat.

SHRI SHEO NARAIN: Have I no right to speak in this House?

MR. DEPUTY-SPEAKER: We have already exceeded the time.

SHRI K. NARAYANA RAO (Bobbili): My name is there.

MR. DEPUTY-SPEAKER: Several names are here. I will call the Minister. We have to conclude this by 4 P.M.

SHRI N. DANDEKER (Jamnagar): May I have a few minutes?

MR. DEPUTY-SPEAKER: No. I am very sorry. There is no time. I was in-

clined to give some time to Shri Dandeker because he had written to me at the beginning itself. But if I do that, I will have to allow others from either side. Members will excuse me.

SHRI NATH PAI: We will always excuse you.

THE MINISTER OF INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS (SHRI F. A. AHMED): The House has had the benefit of hearing the views of many members so far as this Motion is concerned.

The relevant point under it is whether I made any statement on 2nd April which was either false or could be interpreted as one which had misled the House to take up a certain position.

SHRI J. B. KRIPALANI: Nobody is misled—that is wrong.

SHRI F. A. AHMED: Sir, I would like to say that so far as the question of any statement on the basis of which the House was likely to take a decision is concerned, that was not the issue on the 2nd April. Certain questions were put to me and I replied to those questions, and today I stand by what I stated on that day. Therefore, the question today is whether on the 2nd April, I had stated—[*Interruption*]—Mr. Gupta, you will please give me this indulgence. When you were speaking I did not utter a single word and I gave you full opportunity. I am here now in the place of an accused and I hope you will not deny me the principle of natural justice for what I have to say. Now, the only question is whether I gave false information to the House on the 2nd April.

SHRI J. B. KRIPALANI: Knowingly.

SHRI F. A. AHMED: Knowingly or unknowingly,—that question does not arise. I would only say that the question is whether I gave any false information to the House on that day. I would not like to repeat or read what has been said. There was the question whether Prof. Thacker had accepted the directorship of the Bank of India and, if so, what action the Government proposed to take. My reply to the first question was that Prof. Thacker was offered the directorship of the bank and he

[*Shri F. A. Ahmed*]

went to Bombay and informed in an informal meeting of the Board of Directors that he wanted three or four weeks' time and later he has informed me that he has not accepted that offer. And therefore the question of taking any action against him does not arise.

Now, in what particular manner, so far as these three statements are concerned, have I given information on facts which today are being denied by me, or, am I saying something different from those facts? I stand by every word of what I stated on that day. You will also remember that on that day, a large number of hon. Members took part and they actually criticised the conduct of Prof. Thacker. I said that he is a man of integrity, a man of such status and stature that I did not doubt about his honesty, and when I said that I did not propose to take any action against him, there was the opinion practically from all sections of the House that such a person should not be allowed to remain in office, and even the Speaker was pleased to say that Government should reconsider the decision of keeping Prof. Thacker in this post. This is what happened on that day.

Now, I would like to say this : in reply to the last question put by Mr. Rangra, I would like to repeat what I said in reply to that question. "As I have already pointed out he has not accepted the offer of becoming the Director of the bank .."—is this fact denied, and did I give wrong information so far as this fact is concerned ?

SHRI UMANATH : It was wrong information because on the 20th, you uttered to the contrary.

SHRI F. A. AHMED : I am making a statement on the 2nd April, and on the 2nd April I am making this statement that he has not accepted the offer of becoming a Director of the bank. Supposing he had accepted earlier, how could he give me the information that he has not accepted on the 30th ? I have not been able to understand the reasoning of the hon. member. If he had accepted on the 22nd, how could he send me a letter saying he is not accepting the offer of the bank, on the basis of which I made that statement ?

Just before his departure for New York,

he came and told me, after he had been to Bombay, he came and told me that he had taken three or four weeks' time from the bank. I said, if he becomes a Director of the Bank,—till then he had not become—it would be impossible for him to remain as the Chairman of this committee. Where is the inconsistency or falsehood in this ? On that day, none of the members had asked me whether Prof. Thacker had seen me on 20th and what I had told him or whether he had seen me on the 27th and what I had told him. I only referred to the meeting which I had on the 29th and when he said that he has taken three or four weeks' time, I said he could not remain as Chairman of this committee if he become a Director of the Bank. The next day, he said he has declined the offer. Where have I misled the House or made a wrong statement which can be taken exception to by any member ?

MR. DEPUTY-SPEAKER : The hon. member should not read newspapers in the House like that.

SHRI F. A. AHMED : In this connection, I would refer to the observation made by Kripalaniji where he said that there was no harm in the minister having one opinion at one time, but if subsequently he had changed his opinion and communicated that opinion to Mr. Thacker and also the House, there would have been no breach of privilege. Assuming for the sake of argument that what is being alleged on the 21st is correct, on the 29th this position was there and the position of the Government was made clear to him that it would be impossible for him to remain as the Chairman of this committee.

SHRI MADHU LIMAYE : The cat is out of the bag.

SHRI NATH PAI : He stands self-condemned now.

SHRI F. A. AHMED : I am referring to Kripalaniji's observation that if later the minister had said this, there would have been no breach of privilege. At least he is convinced that there is no breach of privilege which I have committed so far as this matter is concerned.

श्री मधु लिमये : आप एडमिट कर रहे हैं क्या ?

SHRI F. A. AHMED : Admit what ?

श्री मधु लिमये : यही जो कृपालानी जी ने कहा है कि आपने बीस तारीख को स्वीकृति दे दी थी ।

SHRI F. A. AHMED : He had put in a hypothetical question and I had replied to that. (*Interruptions*).

Therefore, I humbly submit that so far as the facts are established, so far as the facts stand on record of the 2nd April and of what I have stated today, there is not a single fact from which it can be said that I said something which either misled the House or which was not correct. Therefore, I have not committed any breach of privilege and I am really very much distressed that without any substance the motion should have been placed before the House, that without even a *prima facie* case being there this motion should have been placed before the House.

Now I would like to refer to some of the observations that have been made during the course of this debate. I would first of all like to refer to the observation made by the hon. Member. He said that I am a person who has been in the legislature of Assam and in Parliament and he expected a better conduct from me. I can tell the hon. Member that I need not take any advice from him. I have had more than 33 years of parliamentary life both in the State legislature, in the Rajya Sabha and also in the Lok Sabha. I do not remember a day when on any single occasion I showed any disrespect to either the State legislature or to the Parliament. I had been all these 33 years time trying to see how the dignity of the House should be maintained. I think, Sir, that has been the experience of hon. Members of this House. I have been trying to do my job scrupulously. If I had committed any wrong, if I had given a wrong statement I would have been the first person to come before the House and say that I had given a wrong statement and I would like to correct it.

Secondly, some letters have been read by my hon. friend, Shri Kanwar Lal Gupta.

I do not know what is the source from which he got those official letters.

SHRI MADHU LIMAYE : Source is not important, its contents are important.

SHRI F. A. AHMED : I do not know the source from which he got those official letters. That itself indicates that those people who have come forward with this motion for reference to the Committee of Privileges have not come with clean hands.

श्री मधु लिमये : उपाध्यक्ष महोदय, मेरा व्यवस्था का प्रश्न है । (व्यवधान)

श्री शशि भूषण बाजपेयी : उपाध्यक्ष महोदय, इन को तहजीब सिलाइये । यह क्या तरीका है ? हर दो मिनट के बाद यह खड़े हो जाते हैं ।

MR. DEPUTY-SPEAKER : Once a point of order is raised on a specific issue when certain expressions are being used from this side, I cannot just shut them out. I must listen to him.

SHRI BUTA SINGH (Rupar) : That is your weakness.

MR. DEPUTY-SPEAKER : It is not a question of weakness, it is a question of fairness.

SHRI NATH PAI : Sir, an insinuation has been made about your weakness. We strongly repudiate this insinuation.

श्री मधु लिमये : उपाध्यक्ष महोदय, अगर मेरे व्यवस्था के प्रश्न में कोई दम नहीं है, तो आप उस को अस्वीकृत कर दीजिये । मुझे कुछ नहीं कहना है । यह इस सदन की गौर हाऊस आफ कामन्स की परम्परा रही है कि सदस्य इस तरह की जानकारी प्राप्त करने की कोशिश करते हैं । किस लिए ? - इस लिए कि सत्य की प्रतिष्ठापना हो । तो यह अच्छा काम करने वालों के बारे में ऐसे शब्दों का प्रयोग बिल्कुल उचित नहीं है । (व्यवधान) अगर ये लोग पार्लियामेंटरी प्रैक्टिस को नहीं जानते हैं, पार्लियामेंट के सदस्यों के कर्तव्य को नहीं

[श्री मधु लिमये]

जानने हैं, तो मैं समझता हूँ कि इन को यहाँ बैठने का नैतिक अधिकार नहीं है। जब कोई सदस्य इस सदन और जनता के प्रति अपने कर्तव्य को निभाते हैं, तो उनके बारे में इस तरह का लांछन लगाना बिल्कुल अप्रतिजनक है कि चूँकि वह सोर्य नहीं बताते हैं, उसी से यह पता चलता है कि उनके हाथ गन्दे हैं। मैं माँग करना चाहता हूँ कि मन्त्री महोदय बिला-शर्त इन शब्दों को वापस लें।

श्री शशि भूषण बाजपेयी : उपाध्यक्ष महोदय, अगर बे-ईमानदार हैं, तो ये बतायें कि उनको खत कहां से मिला।

श्री मधु लिमये : नहीं बतायेंगे।

श्री शशि भूषण बाजपेयी : उपाध्यक्ष महोदय, ये लोग घोड़े में आ कर पैसे वालों से इस तरह की खबरें लेकर आते हैं।

MR. DEPUTY-SPEAKER : If a certain expression is used and objection to that is taken by senior Members from this side, am I not to listen to them? (Interruptions)

श्री शशि भूषण बाजपेयी : उपाध्यक्ष महोदय, हम लोग इन से ज्यादा वोट ले कर आए हैं। ये सीनियर कब से हो गये?

श्री मु० अ० खां (कासगंज) : चार साल इनको पार्लियामेंट में आए नहीं हुए, आप ने इन को "सीनियर मेम्बर" कैसे कह दिया?

श्री शिव नारायण : उपाध्यक्ष महोदय, मेरा पायंट आफ़ आर्डर है।

MR. DEPUTY-SPEAKER : The question is very simple. You must listen to him. The Minister has stated "you have not come here with clean hands".

AN HON. MEMBER : What is wrong with it?

श्री शशि भूषण बाजपेयी : बहुत सही कहा है।

MR. DEPUTY-SPEAKER : I want to be fair. If you read the resolution, they have not raised anything of this sort. The only thing is that the method used for procuring the document may not be clean. But that is within their rights. If one says "because the motion is brought forward, therefore, your hands are not clean", that is correct. That is the point. Now, let the Minister conclude his speech..... (Interruptions).

MR. DEPUTY-SPEAKER : May I appeal to the House to allow the Minister to conclude his speech?

SHRI NATH PAI : He must first withdraw those words about unclean hands.

SHRI RANGA : This should not be difficult for the Minister. He can withdraw those words. Because, only a few minutes ago, by inadvertence he used the word 'dishonest' instead of 'honest' and he was able to correct himself. We accepted it with good humour. So, he should be prepared to be chivalrous this time also and withdraw those words which are unbecoming of him and which are not proper to us..... (Interruptions).

श्री शशि भूषण बाजपेयी : जैसी इनकी पालिसी काली है, वैसे ही दिल भी काले हैं। ये समाजवाद को दफना रहे हैं।

श्री शिव नारायण : उपाध्यक्ष महोदय, मैंने पायंट आफ़ आर्डर रोज़ किया था, लेकिन आपने मुझे नहीं बुलाया। जब आपने सब को मौका दिया, तो फिर मुझे क्यों मौका नहीं दिया? श्री रंगा को आप ने क्यों बुलाया? वे लोग हल्ला करते हैं, इसी लिए आप उनको मौका दे देते हैं।

MR. DEPUTY-SPEAKER : I will give him an opportunity and listen to him later.

SHRI J. B. KRIPALANI : This is not a question only for this occasion. It raises questions of permanent importance, whether

the Members of Parliament, in discharging their duty, are entitled to get information from any quarter in order properly to serve the country and to serve the Parliament. This is the question that has got to be decided. As the editors of papers, so also the Members of Parliament are not required to disclose the source from which they got their information. This is a permanent issue which you have to decide.

16 00 hrs.

MR. DEPUTY-SPEAKER : I quote the ruling given by my predecessor. On this point, there is a clear ruling. (Interruptions).

SHRI AMRIT NAHATA (Barmer) : I want to make a submission... (Interruptions).

MR. DEPUTY-SPEAKER : It is a question of the right of Members of this House. It is a fundamental issue. I am not going to permit anyone.

SHRI AMRIT NAHATA : When I asked Shri Kanwarlal Gupta, from where he got the letter, he said that he got it from the Minister.

MR. DEPUTY-SPEAKER : I am reading the ruling given by my predecessor which was delivered from the Chair.

"It is a fact that a document which is treated by the Government as secret or confidential can be obtained through leakage or stealth or in an irregular manner. But the Chair would not compel the Member to disclose the source from which copies have been obtained by him."

So, the ruling is quite clear. This is the ruling.

SHRI CHANDRA JEET YADAV : But it has to be authenticated. (Interruptions).

THE DEPUTY PRIME MINISTER AND MINISTER OF FINANCE (SHRI MORARJI DESAI) : Sir, it will not be possible for Members of the House to function if they are not able to get information from whenever they can get it. So long as

no corrupt methods are employed, that is, bribery or otherwise—if there is bribery employed, it can be said it is wrong—if anybody gives them, I do not think any source can be disclosed or we can ask for it.

MR. DEPUTY-SPEAKER : So, this chapter is closed now. Let the hon. Minister conclude now. (Interruptions) The Deputy Prime Minister has made the position clear. He has supported the ruling.

श्री शशि भूषण बाजपेयी : उपाध्यक्ष महोदय, जो बान में कहेंगा उस पर आप रुलिंग दे सकते हैं।

SHRI KANWAR LAL GUPTA : The Minister should be asked to withdraw those words.

MR. DEPUTY-SPEAKER : Whatever he has to say, let him say. I have already given the ruling. I have read out the earlier ruling. The Deputy Prime Minister also has upheld it. In such a situation, I would request the Minister to say whatever he has got to say.

SHRI MORARJI DESAI : I have to to accept the ruling. Where is the question of my upholding it ?

SHRI F. A. AHMED : If the hon. Members will have a little patience, I would just say that I had not asked a question or asked anyone to disclose the source of information. As Prof. Ranga has appealed to me, if it has really hurt the feeling of some of the hon. Members, I unconditionally withdraw it but... (Interruptions) But I hope and trust that they will also take into consideration my own feeling when I have been subjected to a motion for which there is no substance.

श्री रवि राय : उपाध्यक्ष महोदय, मैं अब सदन का ज्यादा समय नहीं लूंगा, केवल एक ही चीज सामने रखना चाहता हूँ। मेरा मुख्य आरोप था उद्योग मंत्री फखरुद्दीन अली अहमद के खिलाफ कि इन्होंने जान-बूझ कर और कौन्सेन्साली सदन को गुमराह किया है और यह चीज आज के वितर्क से साबित हो चुकी

[श्री रवि राय]

हैं। आज सारे सदन के सामने श्रीर दुनिया के फखरुद्दीन अली अहमद (..... व्यवधान).....

उपाध्यक्ष महोदय, एक चीज जो सदन के सामने नहीं आई, मैं आपके सामने रखना चाहता हूँ। 27 और 29 ता० को ठक्कर साहब के साथ इनकी मुलाकात हुई, यानी उनके अमरीका जाने से पहले यह मुलाकात हुई, तो फिर मैं जानना चाहता हूँ कि उस आफिशियल डेलीगेशन के सदस्य के नाते इन्होंने उन को अमरीका क्यों भेजा। जब ये खुद कहते हैं कि ता० 29 को सूचित कर दिया था, तो फिर उन को न्यूयार्क जाने की इजाजत क्यों दी गई? जब संसद में यह चीज ता० 2 को उठ गई, तो फिर उन को न्यूयार्क से दोबारा बुलाया गया—यह एक नई बात मैं आपके सामने रखना चाहता हूँ।

उपाध्यक्ष महोदय, एक लेटिन वाक्य है—सप्रेशियो वेरी, सजेस्टियो फालशी।

इस का मतलब है—सत्य को छुपाना और असत्य को सूचित करना। 20 तारीख के बारे में खुद मन्त्री महोदय कोई सफाई नहीं दे पाए हैं, क्यों कि उन के पास कोई तर्क नहीं है। जैसा मधु लिमये जी ने कहा—हम को कुमारमंगलम जी को धन्यवाद देना चाहिए, क्यों कि ये तथ्य वे उनके सामने लाये। 20 तारीख को इन्होंने बाकायदा ठक्कर साहब को कह दिया था कि तुम दोनों जगह काम कर सकते हो। इस लिए मैं आपके सामने.....

श्री शशि भूषण वाजपेयी : उपाध्यक्ष महोदय, मेरा प्वाइंट आफ आर्डर है। उन्होंने कुमार मंगलम का जिक्र किया है, उन्होंने कोई इतिला नहीं दी—न मिनिस्टर को और न किसी को। बैंक आफ इंडिया के डायरेक्टर्स ने ठक्कर को रिश्वत दी है।

श्री रवि राय : उपाध्यक्ष महोदय, मैं आज कांग्रेस दल से प्रार्थना करना चाहता हूँ—एक सेकण्ड के लिये वह भूल जाय कि वह कांग्रेस

दल के सदस्य हैं और हम लोग भी भूल जाय कि हम विरोधी दलों के सदस्य हैं—आज संसदीय प्रजातंत्र को इस देश में बलशाली बनाना है—यह प्रश्न हमारे सामने है। सच्चाई के ऊपर, सत्य के ऊपर यह संसदीय प्रजातंत्र आधारित होगा या भूठ, गलत बयानी, मिसलीड करने पर यह चलेगा? इसलिए मैं अनुरोध करना चाहता हूँ—मोरारजी भाई बैठे हुए हैं, वह उप प्रधान मंत्री हैं और इस समय सदन के नेता के नाते बैठे हुए हैं—वे इस पर कांग्रेस दल को कोई व्हिप न दें और कांग्रेस दल ठन्डे दिमाग से हमारे मोशन पर वोट डाले। मैं आपसे कहना चाहता हूँ कि इस को बहुमत का सवाल मत बनाइए, संसदीय प्रजातंत्र को बनाये रखने के लिये हिन्दुस्तान ही नहीं, सारी दुनिया देख रही है कि एक मन्त्री अपनी गलत बयानी के लिये माफी मांगता है या नहीं और कांग्रेस इस को मानती है या नहीं। इन शब्दों के साथ मैं सदन से प्रार्थना करता हूँ कि आप मेरे इस मोशन को मान लें।

SHRI NATH PAI : Before you proceed to take the vote, I rise on a point of order I draw your attention to rule 227 which says :

“Notwithstanding anything contained these rules, the Speaker may refer any question or privilege to the Committee of Privileges for examination, investigation or report.”

MR. DEPUY-SPEAKER: Sir, before you call upon the House to vote on this, under this Rule 227 of the Amended Rules—page 103—I want you to read first Rule 226 and then come to Rule 227 which reads :

“Notwithstanding anything contained in these Rules, the Speaker (which includes Deputy-Speaker also) may refer...”

AN HON. MEMBER : The word used is ‘may’.

SHRI NATH PAI : My submission, therefore, to you is this :

There is a misapprehension on the part of the hon. Minister as also on the part of some others that we are trying to bring an indictment to-day. The motion is not saying that he is guilty of telling an untruth. The motion is that there is a doubt about this statement and, therefore, it may be referred to the Privileges Committee for ascertaining the truth. (*Interruptions*)

Let us understand it. The hon. Minister, Sir, in his reply said, 'I stand as an accused'. He completely misunderstood our intentions. We say that we believe that the statements which have been made by him on two occasions contradict each other. The matter has been brought so much before the House that it needs, Sir, the cool and calm reflection of the Privileges Committee. Though they will use the majority, I want to appeal to the Deputy Prime Minister to refrain from the consultations that he is having with his colleagues... (*Interruptions*) He is agreeing, he is likely to agree, it seems. (*Interruptions*) That is what he is saying. I want to make an appeal to the Deputy Leader of the Government—whatever be his status, he is the Deputy Prime Minister here—that just as he has upheld the ruling given by you with good grace, let him not use the majority. He knows this is not a party issue and for ascertaining the truth the House is not the forum.

MR. DEPUTY-SPEAKER : You have gone beyond the scope of the point of order.

SHRI NATH PAI : I am making an appeal to you to use your discretion and refer the issue to the Privileges Committee. But I am asking him to agree with my submission : let us not try to pass a judgment, let it not be said that when an issue of privilege comes, the Congress Party with its majority invariably vote it down. I want you, Sir, in case he disregards my appeal, to use your inherent discretion and refer this issue to the Privileges Committee as this discretion is vested in you.

SHRI R. D. BHANDARE *rose*—

MR. DEPUTY-SPEAKER : You want to argue.

SHRI R. D. BHANDARE : I am not arguing.

MR. DEPUTY-SPEAKER : Please be very brief.

SHRI R. D. BHANDARE : Neither I am accusing him, Sir. Since the hon. Member could not speak on the main motion, therefore, I think... (*Interruptions*) Any way I am not accusing him.

Rule 226, once it is applied, Rule 227 is redundant and cannot be resorted to and no request could be made. That request would be a compulsion in the sense of playing on the mind of the Chair and playing on the minds of hon. Members. Therefore, once Rule 226 is invoked, 227 cannot be applied.

MR. DEPUTY-SPEAKER : I have heard the hon. Member. (*Interruptions*) A very pertinent point has been raised. The rule says: 'Notwithstanding anything...' That means the recognition of an inherent right in the Chair. (*Interruptions*) Regarding the privilege issue, as I said during the course of the debate, if I were to exercise my judgment on this issue, it would have been far better to exercise it at an earlier stage. You will agree with it.

SHRI ATAL BIHARI VAJPAYEE : Better late than never.

MR. DEPUTY-SPEAKER : Even if it is referred to the Privileges Committee, for which a demand from this side has been made, ultimately, the Privileges Committee's report will have to be approved by this House.

SHRI J. B. KRIPALANI : Therefore, I suggested that at the earlier stage.

MR. DEPUTY-SPEAKER : So, so far as the privilege issue is concerned, the final judgment is to be delivered by this House. The House has a right to refer it back to the Committee or modify it, whatever they like. As a rule we come before this House. That you know. (*Interruptions*) Therefore, Mr. Nath Pai, though your point is very relevant and you have made an appeal, at this stage it would not be proper on the part of the Chair to exercise its own judgment.

Now I will put it to the vote of the House.

श्री रवि राय : उपाध्यक्ष महोदय, हमारी आपसे प्रार्थना है कि इसको आप प्रिविलेज कमेटी के पास भेज दें ।

MR. DEPUTY-SPEAKER : Mr. Nath Pai has appealed to the Deputy Prime Minister. (Interruptions).

श्री एम० एम० जोशी : इस चर्चा के बाद जब ऐसे तथ्य हमारे सामने आये हैं तो जैसा हमारे मित्र ने कहा कि इसमें कोई पार्टी का सवाल नहीं है, जहां तक इन बातों का प्रश्न है हम सब एक हैं, इस लिए यह उचित होगा कि यह देखने के लिये कि तथ्य क्या है, इस प्रश्न को प्रिविलेज कमेटी के पास भेज दिया जाये । (व्यवधान).....

श्री रवि राय : उपाध्यक्ष महोदय, सत्य का तकाजा है कि आप इस प्रश्न को प्रिविलेज कमेटी के पास भेज दीजिये ।... (व्यवधान)...

MR. DEPUTY-SPEAKER : I entirely agree. It is the privilege of the House ; but now at this stage, I am not exercising it. Now the question is... (Interruptions)

SHRI PILOO MODY (Godhra) : When these rules were framed what the framers of the rules had in mind was that when a case was brought before the House for enquiry, by merely possessing a brute majority it cannot be brushed aside. It is for that reason that this discretion was given to the Chair. Now, after having heard the arguments you still insist in not using the discretion that has been given to you. I think it is a grave miscarriage of the proceedings of the House.

MR. DEPUTY-SPEAKER : If he had read the rules he would find that there is no such thing. Now, I have to put it to the vote.

श्री रवि राय : उपाध्यक्ष महोदय, सत्य का तकाजा है कि आप इसको प्रिविलेज कमेटी के पास भेज दें ।..... (व्यवधान).....

इसका डिस्क्रिशन आप को है ।

MR. DEPUTY-SPEAKER : I will put it to the vote.

AN HON. MEMBER : You may put it to the vote, Sir.

श्री शिव नारायण : हमारी प्रार्थना है कि आप वोट कराइये ।

SHRI J. B. KRIPALANI : Here in the discussion Members wanted you to exercise your discretion. Now I can only plead with them that it is not a matter in which the party can issue a whip. At least they should not issue a whip and at least they can allow Members to vote as like.

MR. DEPUTY-SPEAKER : I will put the amendment to the vote of the House. The question is :

That in the Motion moved by Shri Rabi Ray after "2nd" insert "and 24th"

The motion was negatived.

MR. DEPUTY-SPEAKER : I will put the main motion to the vote of the House. The question is :

"Whereas in the opinion of this House, it clearly appears necessary to inquire whether a breach of privilege of the House has been committed or not by the Minister of Industrial Development and Company Affairs by the reply given by him on the 2nd April, 1968, this House, therefore, resolves to refer this matter to the Committee of Privileges with instructions to report on the first day of the next session."

Let the lobby be cleared.

The Lok Sabha divided :

16.24 hrs.

DIVISION No. 15

AYES

Amat, Shri D.
Amin, Shri R. K.
Amin, Shri Ramchandra J.
Banerjee, Shri S. M.
Singh, Shri Bansh Narain
Basu, Shri Jyotirmoy
Berwa, Shri Onkar Lal

Bhagaban Das, Shri
 Bharat Singh, Shri
 Brij Bhushan Lal, Shri
 Brij Raj Singh Kotah, Shri
 Chakrapani, Shri C. K.
 Chandra Shekhar Singh, Shri
 Dandeker, Shri N.
 Deo, Shri R. R. Singh
 Desai, Shri C. C.
 Desai, Shri Dinkar
 Devgun, Shri Hardayal
 Digvijai Nath, Shri Mahant
 Fernandes, Shri George
 Ghosh, Shri Ganesh
 Girraj Saran Singh, Shri
 Goel, Shri Shri Chand
 Gowd, Shri Gadilingana
 Gowder, Shri Nanja
 Guha, Shri Samar
 Gupta, Shri Kanwar Lal
 Haldar, Shri K.
 Jha, Shri Shiva Chandra
 Joshi, Shri S. M.
 Kalita, Shri Dhireswar
 Karni Singh, Dr.
 Khan, Shri H. Ajmal
 Khan, Shri Ghayoor Ali
 Kothari, Shri S. S.
 Koushik, Shri K. M.
 Kunte, Shri Dattatraya
 Kushwah, Shri Y. S.
 Limaye, Shri Madhu
 Madhok, Shri Bal Raj
 Maiti, Shri S. N.
 Majhi, Shri Mahendra
 Mangalathumadom, Shri
 Meghachandra, Shri M.
 Misra, Shri Srinibas
 Modak, Shri B. K.
 Mody, Shri Piloo
 Mohamed, Imam Shri J.
 Molahu Prasad, Shri
 Naik, Shri G. C.
 Naik, Shri R. V.
 Nair, Shri Vasudevan
 Parmar, Shri D. R.
 Paswan, Shri Kedar
 Patil, Shri N. R.
 Ram Charan, Shri
 Ramji Ram, Shri
 Ranga, Shri
 Rao, Shri V. Narasimha
 Ray, Shri Rab
 Reddy, Shri M. N.
 Samanta, Shri S. C.
 Santosham, Dr. M.
 Satya Narain Singh, Shri

Sequeira, Shri Erasmo de
 Sharma, Shri B. S.
 Sharma, Shri N. S.
 Sharma, Shri Yogendra
 Shastri, Shri Ramavatar
 Shastri, Shri Raghevir Singh
 Solanki, Shri P. N.
 Somani, Shri N. K.
 Sundar Lal, Shri J.
 Tapuriah, Shri S. K.
 Thakur, Shri Gunanand
 Umanath, Shri
 Vajpayee, Shri Atal Bihari
 Xavier, Shri S.

NOES

Achal Singh, Shri
 Agadi, Shri S. A.
 Ahmed, Shri F. A.
 Arumugam, Shri R. S
 Babunath Singh, Shri
 Badrudduja, Shri
 Bajaj, Shri Kamalnayan
 Bajpai, Shri Shashibhushan
 Barua, Shri Bedabrata
 Barua, Shri R.
 Barupal, Shri P. L.
 Baswant, Shri
 Besra, Shri S. C.
 Bhagat, Shri B. R.
 Bhagavati, Shri
 Bhakt Darshan, Shri
 Bhandare, Shri R. D.
 Bholu Nath, Shri
 Birua, Shri Kolai
 Buta Singh, Shri
 Chanda, Shri Anil K.
 Chanda, Shrimati Jyotsna
 Chatterji, Shri Krishna Kumar
 Chaturvedi, Shri R. L.
 Chaudhary, Shri Nitiraj Singh
 Chavan, Shri D. R.
 Chavan, Shri Y. B.
 Choudhury, Shri J. K.
 Damani, Shri S. R.
 Das, Shri N. T.
 Dass, Shri C.
 Desai, Shri Morarji
 Deshmukh, Shri B. D.
 Dhillon, Shri G. S.
 Dhuleshwar Meena, Shri
 Dinesh Singh, Shri
 Dixit, Shri G. C.
 Dwivedi, Shri Nageshwar
 Gajraj Singh Rao, Shri
 Ganesh, Shri K. R.

Gautam, Shri C. D.
 Gavit, Shri Tukaram
 Ghosh, Shri P. K.
 Ghosh, Shri Parimal
 Gupta, Shri Lakkan Lal
 Hanumanthaiya, Shri
 Hari Krishna, Shri
 Hazarika, Shri J. N.
 Hem Raj, Shri
 Jadhav, Shri Tulshidas
 Jagjiwan Ram, Shri
 Kamble, Shri
 Kumari, Kamala Kumari
 Kasture, Shri A. S.
 Katham, Shri B. N.
 Kavade, Shri B. R.
 Kripalani, Shrimati Sucheta
 Krishna, Shri M. R.
 Krishnan, Shri G. Y.
 Kureel, Shri B. N.
 Kushok Bakula, Shri
 Laskar, Shri N. R.
 Mahadeva Prasad, Dr.
 Maharaj Singh, Shri
 Mahida, Shri Narendra Singh
 Malhotra, Shri Inder J.
 Malimariyappa, Shri
 Mandal, Shri Yamuna Prasad
 Mane, Shri Shankarrao
 Mehta, Shri Asoka
 Mehta, Shri P. M.
 Melkote, Dr.
 Menon, Shri Govinda
 Minimata Agam Dass Guru, Shrimati
 Mirza, Shri Bakar Ali
 Mishra, Shri G. S.
 Mohammed Ismail, Shri
 Mohsin, Shri
 Mrityunjay Prasad, Shri
 Mukerjee, Shrimati Sharda
 Nahata, Shri Amrit
 Naidu, Shri Chengalraya
 Nayar, Dr. Sushila
 Pahadia, Shri Jagannath
 Panigrahi, Shri Chintamani
 Parmar, Shri Bhaljibhai
 Partap Singh, Shri
 Patel, Shri Manibhai J.
 Patel, Shri Manubhai
 Patil, Shri Anantrao
 Patil, Shri C. A.
 Patil, Shri Deorao
 Patil, Shri S. D.
 Radhabai, Shrimati B.
 Raghuramaiah, Shri

Raj Deo Singh, Shri
 Rajasekharan, Shri
 Ram Dhan, Shri
 Ram Dhani Das, Shri
 Ram Subhag Singh, Dr.
 Ram Swarup, Shri
 Ramshekhar Prasad Singh, Shri
 Rao, Shri Jaganath
 Rao, Shri K. Narayana
 Rao, Shri J. Ramapathi
 Rao, Shri Thirumala
 Raut, Shri Bhola
 Reddy, Shri P. Antony
 Reddy, Shri R. D.
 Rohtagi, Shrimati Sushila
 Roy, Shrimati Uma
 Sadhu Ram, Shri
 Saha, Dr. S. K.
 Saigal, Shri A. S.
 Sait, Shri Ebrahim Sulaiman
 Saleem, Shri M. Y.
 Salve, Shri N. K. P.
 Sangni, Shri N. K.
 Sapre, Shrimati Tara
 Sarma, Shri A. T.
 Sayyad, Ali Shri
 Sethi, Shri P. C.
 Sethuramae, Shri N.
 Shambhu Nath, Shri
 Shankaranand, Shri
 Sheo Narain, Shri
 Sheth, Shri T. M.
 Shukla, Shri Vidya Charan
 Siddheshwar Prasad, Shri
 Sinha, Shri R. K.
 Sinha Shrimati Tarkeshwari
 Sonavane, Shri
 Sudarsanam, Shri M.
 Supakar, Shri Sradhakar
 Surendra Pal Singh, Shri
 Sursingh, Shri
 Suryanarayana Shri K.
 Swaran Singh, Shri
 Tarodekar, Shri Y. B.
 Tripathi, Shri K. D.
 Tula Ram, Shri
 Uikey, Shri M. G.
 Venkatasubbaiah, Shri P.
 Verma, Shri Prem Chand
 Yadav Shri Chandra Jeet

MR. DEPUTY-SPEAKER : The result*
 of the Division is : Ayes : 78 ; Noes : 145-

The motion was negatived

*The following Members also wanted to record their votes :

AYES : Sarvashri J. B. Kripalani, Nath Pai, Mohammad Ismail, A. Sreedharan and D. N. Deb.

NOES : Sarvashri M. A. Khan, Ankineedu, M. N. Naghnoor and Parthasarathy.