

सभा में उठाए गए भ्रष्टाचार के मामले

* 184. श्री अर्जुन सिंह भदौरिया : क्या गृह-कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या प्रशासन में भ्रष्टाचार तथा भाई-भतीजावाद के आरोपों के संबंध में सदस्यों द्वारा संसद में उठाये गये मामलों की जांच पड़ताल करने के लिए सरकार द्वारा कोई प्रक्रिया निश्चित की गई है; और

(ख) यदि हां, तो उसका ब्योरा क्या है ?

गृह-कार्य मंत्री (श्री यशवन्त राव चव्हाण) : (क) और (ख). चाहे प्रश्न भाई-भतीजावाद का हो अथवा भ्रष्टाचार का या अन्य किस प्रकार का, संसद में माननीय सदस्यों द्वारा उठाये जाने वाले हर प्रश्न पर सम्बन्धित मंत्रों द्वारा सावधानी-पूर्वक विचार किया जाता है। माननीय सदस्यों को ज्ञात ही है, कि यदि मंत्रों इस सदन में कोई आश-वासन देते हैं, तो आशवासन समिति द्वारा उनकी पूर्ति के बारे में आगे कार्यवाही की जाती है। केन्द्रीय सचिवालय कार्यालय प्रक्रिया नियम पुस्तिका के अनुच्छेद 152 और 153 की एक प्रति सदन के सभा-पटल पर रखी गई है। [पुस्तकालय में रख दी गई। देखिये संख्या LT.-1663/67] सरकार भाई-भतीजावाद तथा भ्रष्टाचार को समाप्त करने के लिये सभी उपाय करने को उत्सुक है।

श्री अर्जुन सिंह भदौरिया : अध्यक्ष महोदय, मंत्री महोदय से प्रश्न करने के पूर्व मैं आपसे कुछ गुजारिश करना चाहता हूँ। मैं यह चाहता हूँ कि प्रश्नों के इस प्रकार के उत्तर देने के पहले इस प्रकार को सम्बन्धित जानकारी सभा पटल पर रख दी जाय तथा सम्बन्धित सदस्यों के पास पहुंचाई जाय, जिससे कि उन के सम्बन्ध में और प्रश्न किये जा सकें।

अध्यक्ष महोदय : यह तो लम्बा नहीं है, छोटा सा जवाब है, आप सवाल पूछिये।

श्री अर्जुन सिंह भदौरिया : मैं मंत्री महोदय से जानना चाहता हूँ कि ऐसे भ्रष्ट कर्मचारियों तथा अधिकारियों के विरुद्ध, जिनके खिलाफ कार्यवाही की जा रही है, केन्द्रीय वरिष्ठ नेतृत्व या काबीना के सदस्यों में से कितने ऐसे लोग हैं जिन्होंने सिफारिश की है कि उनको आरोपों से मुक्त कर दिया जाय ?

SHRI Y. B. CHAVAN : It is not a question of anybody from the Government side making a recommendation for exempting anybody from action being taken against him. We have never done that. If any particular allegation is brought to my notice, certainly I will not only take action but will also explain the action taken in the House.

श्री अर्जुन सिंह भदौरिया : कर्मचारियों या अधिकारियों के अलावा जिन मंत्रियों के भ्रष्ट आचरण हैं, क्या उनके विरुद्ध भी कुछ कार्यवाही करने की बात सोची जा रही है ?

SHRI Y. B. CHAVAN : It depends on the allegations made against whom the allegations are made.

श्री राम चरण : करप्शन और नेपोटिज्म के नाम पर यह जो मिनिस्ट्रों का परसनल स्टाफ मिनिस्ट्रों के नाम पर—मिनिस्टर डिप्टायर्ड कर के लिखता है—इस चीज की जांच के लिये क्या आपके पास कोई मशीनरी है कि मिनिस्ट्रों के यहां से कितने नोट्स इस तरह से ईशू हुए हैं तथा इस को वाच करने के लिये क्या आपने कोई व्यवस्था की है ?

SHRI Y. B. CHAVAN : What can I say ? We can certainly look into all the allegations that are made, but when allegations are not made, what can I say about it ?

श्री कामेश्वर सिंह : इस भाई-भतीजा-वाद के प्रश्न पर मैं पूछना चाहता हूँ कि कुछ काबीना के मंत्रियों के लड़के तथा सरकार के उच्च अधिकारियों के लड़के जो हमारे बड़े-बड़े उद्योगों में काम करते हैं, यदि उनमें से

किसी पर मामला आता है तो आपस में बचाने का प्रयास करते हैं, जिसके कारण कोई इन्वैस्टिगेशन या जांच समिति नियुक्त होती है तो उस की प्रोसेस में बहुत बाधा आती है तो क्या मंत्री महोदय इस को दूर करने का प्रयास करेंगे और सभा पटल पर रखेंगे कि ऐसा कौन कहता है और जांच कमेटो काम करती है।

SHRI Y. B. CHAVAN : It is very difficult for me to answer any vague question or vague suggestion of this type.

SHRI S. S. KOTHARI : Is it a fact that judicial proceedings in corruption cases are unusually protracted and take an unduly long time due to legal technicalities and often due to lack of evidence in certain cases, many of the culprits escape? Has the hon. Minister considered any alternative procedure whereby expeditious disposal could be done in such cases and effective action taken in the interests of good administration?

SHRI Y. B. CHAVAN : Certainly, some cases have been brought to my notice where some delays are involved. But I do not know what I can do about the matter. Delay is involved in judicial proceedings, because the rights of the person against whom the proceedings are taken are also involved and sometimes they want copies of many documents etc. and it certainly takes a long time. I know that there are certain cases of that type. But we take from time to time expeditious action to expedite these matters.

श्री कंबरलाल गुप्त : अध्यक्ष महोदय, उत्तर प्रदेश सरकार ने और दूसरी कई सरकारों ने मंत्रियों के भ्रष्टाचार के बारे में कुछ योजना बनाई है कि यदि कोई आदमी या सदस्य किसी मंत्रों के बारे में कुछ शिकायत करे तो वह सीधे लिख कर गवर्नर को अपने एफिडेविट के साथ भेज सकता है और उसके बाद किसी हाईकोर्ट के जज को नियुक्त करके वह उसके ऊपर कार्यवाही करेगा। इसी तरीके से कुछ सरकारों ने कुछ बोर्ड बनाये हैं मिनिस्टर्स के लिए कि वह किसी से चंदा

नहीं लेंगे, पार्टी के लिए इकट्ठा नहीं करेंगे तो मैं पूछना चाहता हूँ कि क्या केन्द्रीय सरकार ने भी इस प्रकार की कोई योजना बनाई है जिसके तहत इस प्रकार से कोई एक फूलप्रूफ प्रोसीज्योर हो जाय जिसमें सरकार का दखल न हो? दूसरा हिस्सा उसका यह है कि कोई इस तरीके का कोड भी आप ने बनाया है जिसके द्वारा कोई मंत्र चंदा वगैरा पार्टी के लिये इकट्ठा करे या इस प्रकार का और कोई करप्शन हो तो उस के वास्ते कोड आफ कंडक्ट के मुताबिक व्यवहार किया जाय?

SHRI Y. B. CHAVAN : Yes, it is a fact that the UP Government have promulgated an ordinance, instituting some sort of new institution in this matter and some procedures have been laid down, and that is under the examination of the Government of India also. But I may say that this is under examination in connection with the Lok Pal and Lok Ayukt scheme about which the Administrative Reforms Commission has made a recommendation. That is being examined. We have in principle accepted these recommendations of the Administrative Reforms Commission. But naturally we were in consultation with the State Governments and waiting for their reactions. That whole matter is under the examination of the Cabinet at present.

SHRI KANWAR LAL GUPTA : The second part of my question was in regard to the code of conduct for Ministers.

SHRI Y. B. CHAVAN : The code of conduct was formulated and it was laid on the Table of the House. Hon. Members know about it.

श्री नरेशु लिवये : मंत्रों जो ने अभी कहा कि साधारण बातों का मैं जवाब नहीं दे सकता कोई ठोस और निश्चित आरोप हो तो उसके बारे में मैं बतला सकता हूँ। आज की प्रश्न सूची में मेरा 20 नम्बर का प्रश्न देखा जाय जोकि छोटी सदरों के बारे में है। अध्यक्ष महोदय, आप जानते हैं कि पिछले वर्ष कई संसद सदस्यों ने और राजस्थान विधान सभा के सदस्यों ने मुख्य मंत्रा सुखाड़िया के खिलाफ आरोप पत्र दिया था और कहा था

कि गैर कानूनी ढंग से सोने को इकट्ठा करना या उसकी स्वर्ण तुला करना यह सारा काम राजस्वान के मुख्य मंत्री जी ने किया है। आज भी वह कांग्रेस प्रेसिडेंट केवल इसलिए नहीं बन रहे हैं कि अगर वह मुख्य मंत्री पद से हट जायेंगे तो जो जांच की जायेगी और उसमें छतरा है और शायद उनको जेल भी जाना पड़ेगा। तो मंत्री महोदय इसका साफ-साफ बचाव दें कि जबकि कई संसद् सदस्यों और विधान सभा के सदस्यों ने मांग की है कि छोटी छदरी कांड की जांच की जाय तो मैं माननीय मंत्री से जानना चाहता हूँ कि क्या कमिश्नर आफ इनक्वायरीज ऐक्ट के तहत वह इस तरीके का कोई पब्लिक कमिश्नर क्लायम करने के लिए तैयार हैं ?

SHRI Y. B. CHAVAN : There is no question of having any public inquiry commission in regard to this matter. This question has many times been discussed on the floor of the House. In the information that was given to this hon. House, it has been stated that there is nothing against Shri Sukhadia which can be proved. But certainly as regards some further investigation into this matter like one by the CBI, I had said that such investigation could be undertaken on some evidence, because in between there was some inquiry by the CBI in regard to this matter in which Shri Sukhadia was not found guilty.

SHRI RANGA : We were never told about this. This is the first time that he is making such a statement.

SHRI Y. B. CHAVAN : I had said that here also. We discussed this matter here last time.

But some further probe would be required, but that probe cannot be undertaken because the whole matter is *sub-judice*. I will answer that particular question when it comes up.

SHRI LOBO PRABHU : May I enquire if the Minister is aware that statutory corporations like the Housing Board and Electricity Board which are not under the jurisdiction of the Vigilance Commissioner

are more corrupt than ordinary government servants? Would he consider placing these institutions within the jurisdiction of the Vigilance Commissioner?

SHRI Y. B. CHAVAN : This is a good suggestion; I will have it examined.

SHRI HEM BARUA : Certain allegations of corruption of a very serious nature were made on the floor of this House against Shri Biju Patnaik, an ex-Chief Minister of Orissa. May I know if Government have inquired into those allegations by now?

SHRI Y. B. CHAVAN : This matter has many times been discussed on the floor of the House and answers given then.

SHRI HEM BARUA : We are not satisfied with the reply. We do not have such a memory as to remember all those actions that Government have taken.

MR. SPEAKER : Nor can he.

SHRI Y. B. CHAVAN : He has a good memory.

SHRI H. N. MUKHERJEE : Does the Minister appreciate, if he is to be true to his salt, that allegations against high-placed Ministers like Shri Sukhadia have been hanging fire for a very long time and unless specific, concrete steps are taken against very high-up people against whom allegations are continuing for a long enough period, the entire atmosphere in favour of corruption will not be dissipated? If he realises this, what steps does he contemplate taking in order to make sure, that expeditious decisions are made particularly in regard to such an egregious case as the Sukhadia case which ostensibly, from the *prima facie* evidence, appears to be terribly serious? Why does he continually take shelter behind dilatory tactics which is characteristic of an attitude of mind which favours corruption?

SHRI Y. B. CHAVAN : I must say there was no *prima facie* case against Shri Sukhadia.

SHRI H. N. MUKHERJEE : Ask people who know. I do not know the man; but I have seen the documents.

श्री मधु लिमये : प्रिमाफेसी केस है। पहले आप पार्लियामेन्टरी कमेटी बनाइये, मैं साबित करने के लिये तैयार हूँ। सी० बी० आई० ने कहा है। अध्यक्ष महोदय, आप पार्लियामेन्टरी कमेटी क्वायम कीजिये, हम एक-एक आरोप साबित करने के लिये तैयार हैं। हवा में बात करते हैं। अभी संसदीय कमेटी बनाइये हम साबित करते हैं।

SHRI RANGA : As my hon. friend has said, this has been hanging fire for such a long period. The Home Minister himself admitted that this came up before this House on many previous occasions. But on no occasion have Government taken the trouble to give of a satisfactory answer that it had been referred to an impartial tribunal, that it was being investigated and a report was going to be placed before us. My hon. friend just now said that the CBI went into this and something was said here. The House knows only this much that these allegations were made by responsible people in a responsible manner and they were placed before the President as well as the Home Minister, but till now Government have not taken the trouble to enlighten the House and the country about the serious and responsible steps they have taken to prove to the Parliament and the country that there is no *prima facie* case, and if so for what reasons, or if it has been considered either by the CBI or the Home Minister, and thereafter what steps they have taken to assure the country that this question need not be proceeded with further.

SHRI Y. B. CHAVAN : I have said that from whatever material that came before me, it was obvious to me that there was no *prima facie* case.

श्री मधु लिमये : यह तो आप तय करते हैं।

SHRI Y. B. CHAVAN : There are some other aspects of it about which certain further enquiry or probe would be necessary, but that could not be taken up because the matter was *sub judice*.

श्री मधु लिमये : अध्यक्ष महोदय, पार्लिया-
मेंट्री कमेटी रूखिय। आरोप उनके खिलाफ

है और वह कहते हैं कि आरोप में तथ्य नहीं है। खुद ही जज बने हैं।

SHRI SURENDRANATH DWIVEDY : May I know from the Home Minister whether the Santhanam Committee had recommended that whenever there are complaints made by ten legislators either of the Assembly or of Parliament, a *prima facie* enquiry would be made into the allegations, whether that position has been accepted by the Government of India, and whether in this particular case, when they decided that there was no *prima facie* case, it was referred to any legal authority to find out whether there was a *prima facie* case or not; or is it the stand of the Government of India that since they have accepted the Lok Pal, they would not accept this recommendation at all?

SHRI Y. B. CHAVAN : The Lok Pal is an institution which has yet to come into existence. How can I say about that. But at the present moment, from whatever material came before us, it was very obvious that there was no *prima facie* case.

SHRI SURENDRANATH DWIVEDY : He has not answered the question. The specific question was about 11 legislators and some Members of Parliament who represented about this case. According to that recommendation, if any such representation is made, it will be referred to somebody to find out whether there is a *prima facie* case or not. The question is whether that was done, or he himself decided that there was no *prima facie* case. He says he decided. Whether he referred it to anybody is the question.

SHRI RANGA : Place the facts before the country and the House.

MR. SPEAKER : Was it referred to anybody or you decided it?

SHRI Y. B. CHAVAN : There was no question. The question arises only if there is a *prima facie* case.

श्री मधु लिमये : अध्यक्ष महोदय, जवाब नहीं आ रहा है। यह कौन तय करता है कि प्रिमा फेसी केस है या नहीं?

MR. SPEAKER : The point is whether he referred it to anybody or he himself

took the decision. He has categorically stated that the question of referring to anybody does not arise, he himself decided. You may not agree with the answer, but the answer is complete.

SHRI NATH PAI : The Home Minister has been contending ever since the question was raised in the House that there was no *prima facie* case, and then he further states that he reached this conclusion. In the first place, let us examine this, what has happened. Under the Santhanam Committee's recommendation—I had something to do with the drafting of this particular section which is very categorical—it is not the Home Minister who will sit in judgment when a colleague of his party is involved. Therefore, we took into consideration this aspect of it and made a categorical recommendation that when 10 MLAs in the case of a State Minister, and 10 MPs in the case of a Union Minister, make an allegation involving the integrity of the Minister, the matter shall be referred, in the case of the State Minister to a Judge of the High Court, and in the case of a Union Minister to a Judge of the Supreme Court, and their findings will decide whether there is a *prima facie* case or not. Since Mr. Chavan has not done anything of the kind, are not we driven to the conclusion that this is a case of sheltering a guilty person?

SHRI Y. B. CHAVAN : Not at all. There is no question of sheltering anybody in this matter, I had certainly asked the evidence or material that was available to be examined by the CBI Director, and he advised me that there was no *prima facie* case.

SHRI NATH PAI : Let Mr. Chavan know that when I joined the Santhanam Committee, the late Mr. Shastri told me at my sick bed: "Whatever you recommend, we will accept." I never disclosed it. It was on this understanding that some of us agreed to work on this committee; normally we keep away from any Government committee. This was a solemn assurance that he reiterated when we signed the report. May I know, therefore, whether the present Government treat that report more or less as killed?

SHRI Y. B. CHAVAN : No, Sir. He is misinterpreting the report and whatever happened after that. (*Interruption*).

श्री नथु लिमये : अध्यक्ष महोदय, कुछ रास्ता तो निकालिये। या तो एक पार्लिमेंटरी कमेटी बनाइये या आप बटारनी जनरल की राय लीजिये।

MR. SPEAKER : Order, order. Let us see. Shri Panigrahi. This is the first time during this question that I am allowing a Member to have a chance of putting a question from this side.

SHRI CHINTAMANI PANIGRAHI : It has been suggested that when a certain number of legislators and Members of Parliament make certain allegations against Ministers in office, then it should be referred to either CBI or to some judge for investigation. I would like to know from the Home Minister why it is that for the last six to seven months, allegations by the legislators of Orissa and also Members of Parliament from Orissa are lying with the hon. Home Minister and he is not taking any action at all over them, and he is sleeping over it?

SHRI Y. B. CHAVAN : Even in that matter, it was not for the Government of India; when there are allegations against Chief Ministers of States, we have not undertaken to see whether there is a *prima facie* case against them or not. I have forwarded the memorandum containing the allegations against him and advised him that if he wants to see whether there is a *prima facie* case he may appoint any Supreme Court Judge or High Court Judge if he wants to.

AN HON. MEMBER : Who is "he" and who is "him"?

SHRI J. H. PATEL : In view of the fact that corruption is one of the gravest problems we are facing, will the Government of India think of appointing a Commission to enquire into the very problem of corruption? What is corruption? Let it be defined: whether it is the acceptance of favours the appointment of Governor, or the policemen taking bribe or floor crossing: which is corruption?

MR. SPEAKER : Order, order. Please put your question.

SHRI J. H. PATEL : Corruption is something omnipotent. It is omnipotent; it exists everywhere. So, may I know whether they are going to appoint a Commission to define corruption and say what is corruption?

SHRI Y. B. CHAVAN : No, Sir; it is not the intention to appoint any Commission for that.

श्री सच्चन लाल कपूर : मैं बहुत अदब के साथ जानना चाहता हूँ कि क्या यह सत्य है कि एक जर्मन नागरिक यहां टेम्पोरेरी बीजा पर आया था और उसका बीजा खत्म हो चुका था। उसने उसको बढ़ाने के लिये अप्लाई किया था लेकिन गवर्नमेंट ने उसको रिजेक्ट कर दिया था। मगर नागपुर की बांडेवाला ट्यूब कम्पनी के सिफारिश करने पर सरकार ने उसका बीजा रिन्यू किया और उस आदमी को इस कम्पनी ने अपने यहां अप्वाइंट किया ?

SHRI Y. B. CHAVAN : If he gives me the details of it, even if it is an allegation against me, I will certainly explain it to him.

SHRI S. M. BANERJEE : Now that the Government has not accepted all the recommendations of the Santhanam Committee, especially those which deal with the Ministers and others, I would like to know whether the Government contemplates to appoint any Commission to go into the various charges for instance, as was wanted by the present Bihar Government which is going to be dismissed very soon—and enquire into the conduct of ex-Chief Ministers and others. I would like to know whether a Committee will be set up to enquire into the various allegations against Cabinet Ministers and other Ministers, whether they are ex-Ministers are at present working as Ministers.

SHRI Y. B. CHAVAN : Our idea is to have the institutional arrangement of Lokpal and Lokayukt. I have said that we have accepted that recommendation in principle, and naturally we will come with the Bill before the House.

SHRI N. K. SOMANI : In the month of June, if I remember aright, when the House was seized with the discussion of the Anti-Corruption Bill, an assurance was given by the Government that Ministers would be considered the same as public servants in the matter of complaints against corruption and other such matters. May I know what has been the progress achieved in that matter and whether the Government has come to any final decision on that aspect?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI VIDYA CHARAN SHUKLA) : The Bill was passed by the Parliament. If some cases come across out notice and are taken to the courts they will be decided according to the law that has been approved by Parliament.

FOREIGN FOUNDATIONS

*186. SHRI VASUDEVAN NAIR : Will the Minister of HOME AFFAIRS be pleased to state :

(a) the number and names of foreign foundations now working in India;

(b) the number of foreign and Indian staff working in each of these foundations;

(c) whether Government have made any enquiry into the activities of the foundations following the revelations in the U.S. Press that some of these foundations were a ready cover for C.I.A. agents in India;

(d) if so, the findings thereof; and

(e) the action taken thereon?

THE MINISTER OF HOME AFFAIRS (SHRI Y. B. CHAVAN) : (a) There are 3 foreign private foundations which have their offices in India. They are the Ford Foundation, the Rockefeller Foundation and the Asia Foundation.

(b) Information is being collected and will be laid on the Table of House.

(c) and (d). There was nothing in the U.S. Press about the Ford Foundation and the Rockefeller Foundation. The Asia Foundation has, however, come to notice as having received contributions from private foundations and trusts which in turn had received funds from the C.I.A.