

system and practices. The Committee is at work. That was the main recommendation. Secondly, the attention of the Conference was drawn to the outstandings in various towns. The steps are being taken to liquidate the outstandings.

SHRI NITIRAJ SINGH CHAUDHARY:

The Government have decided decentralisation and shifting of the Telephone Revenue Accounts completely in Rajasthan and Mysore circles whereas in Maharashtra, Madras, Kerala, Gujarat, Punjab and other places, there is partial decentralisation. May I know why in other places it has not been decentralised and why there has been partial decentralisation so far as Maharashtra, Madras, Kerala, Gujarat and Punjab are concerned ?

SHRI I. K. GUJRAL : The policy of the Government is to decentralise the entire T. R. A. which is being done in different phases. If in some States it has not been done it will be done in the second phase.

निर्वाचन के दौरान मंत्रियों द्वारा घन खर्च किए जाने पर प्रतिबन्ध

*845. श्री जगन्नाथ राव जोशी : क्या विधि मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या निर्वाचन के दिनों में मंत्रियों द्वारा मनमाने ढंग से घन खर्च करने या उसका वितरण करने के सम्बन्ध में उच्चतम न्यायालय के निर्णय को ध्यान में रखते हुए उस पर कोई प्रतिबन्ध लगाया गया है; और

(ख) यदि हां, तो उसका व्यौरा क्या है तथा राज्य सरकारों की इस बारे में क्या प्रतिक्रिया है ?

THE DEPUTY MINISTER IN THE MINISTRY OF LAW (SHRI M. YUNUS SALEEM) : (a) No, Sir.

(b) Does not arise.

श्री जगन्नाथ राव जोशी : अध्यक्ष महोदय, मंत्री महोदय का जवाब सुनकर मुझे बड़ा ताज्जुब हुआ है, क्योंकि इससे पूर्व, 1 अगस्त,

1968, को एक प्रश्न के उत्तर में यह कहा गया था :

"The Government has taken note of the observations made by the Supreme Court and Election Commission."

यहां मैं पढ़ कर बनाना चाहता हूँ कि सुप्रीम कोर्ट ने स्पष्टरूप से यह बात कही थी :

"The Commission desires that in the interest of fair and free elections, certain healthy conventions should be introduced and, if necessary, changes should also be made in the rules regulating the distribution of discretionary grants by Ministers."

इसी बात को लेकर केन्दु ने सब स्टेट गवर्नमेन्ट्स को उनके मन के लिए लिखा था। आज इतने महीनों के बाद भी यह जानकारी नहीं दी गई है कि इस विषय में राज्य सरकारों का मत क्या है। जब तक हम लोग स्वस्थ परम्परा नहीं डालेंगे, तब तक इस देश में निष्पक्ष रीति से चुनाव होना बहुत मुश्किल है। श्री सुखाड़िया के विरुद्ध एक पेटिशन डिमिस करके हुए राजस्थान हाई कोर्ट ने कहा :

"The Rajasthan High Court in its judgment, while dismissing the election petition against Shri Sukhadia has held that the construction work of Nala in Baluchistan colony, Udaipur at a cost of Rs. 2,70,000 was started on 1.2.67 in contravention of the rules requiring prior budget allotment, administrative sanction, technical sanction under the influence of Shri Sukhadia."

सुप्रीम कोर्ट के जजमेंट में कहा गया है कि यह शायद करप्ट प्रैक्टिस न हो, किन्तु यह एक ईविल प्रैक्टिस है। मैं आपको याद दिलाना चाहता हूँ कि तीसरी लोकसभा में जब आप केन्द्रीय मंत्री थे, तो जिस समय ग्रान्ट्स हाई कोर्ट ने कुछ अभिमत प्रकट किया, तो आपने मंत्री के पद से त्यागपत्र देकर एक स्वस्थ परम्परा डाली और प्रजातन्त्र की रक्षा की। मैं यह जानना चाहता हूँ कि जब राजस्थान के श्री

सुखाडिया के विरुद्ध आरोप सिद्ध हुआ, तो क्या उन्होंने उनको त्यागपत्र देने के लिए निर्देश दिया था; यदि नहीं, तो क्यों नहीं।

SHRI SHANTILAL SHAH : Will he repeat the question? We have not been able to follow.

MR. SPEAKER : The Minister has understood it.

श्री भोलानाथ मास्टर : अध्यक्ष महोदय, मेरा व्यवस्था का प्रश्न है। यह मामला सुप्रीम कोर्ट में पेन्डिंग है। यह कैसे सबजुडिस है।

MR. SPEAKER : If it is in a court of law, the Minister will say that.

THE MINISTER OF LAW (SHRI GOVINDA MENON) : I wish to clear the misapprehensions. It is true that the Supreme Court said, and, I think, I had occasion to refer to it, as follows :

"Election is something which must be conducted fairly. To arrange to spend the money on the eve of elections in different constituencies although for the general public good is, when all is said and done, an evil practice even if it may not be a corrupt practice."

When this came to my notice, I enquired of the Chief Election Commissioner whether it was possible or necessary to amend our election rules accordingly. The reaction of the Election Commission was that it should be sufficient for the time being, because the Supreme Court did not say that it is a corrupt practice, that he would issue a circular letter to all the Ministries and the State Governments. Accordingly, on the 25th June, 1968, the Election Commission did circulate a letter to all the Ministries and the State Governments. I shall be happy, in view of the importance of the matter, to place a copy of the circular, which the Election Commissioner issued in this matter, on the Table of the House. Subsequently we addressed the Home Ministry on this matter, and the Home Ministry has ascertained the views of all the Ministries and they too have agreed—I mean, the other Ministries—that there should be no spending from discretionary funds three

months before the election. The Finance Ministry has added that it would be advisable to introduce a rule with respect to the discretionary grants that it should not be made during elections.

SHRI KANWAR LAL GUPTA : What action has been taken against Mr. Sukhadia? He has not answered that. (Interruptions).

MR. SPEAKER : Order, order. Mr. Joshi. He will ask his second question.

श्री जगन्नाथ राव जोशी : अध्यक्ष महोदय, स्वस्थ परम्परा डालने की दृष्टि से ही मैंने यह बात उटार्ई थी। जब सुप्रीम कोर्ट ने कहा कि 'नेसेसरी रूल शुड बी फोर्म्ड' तो उस दृष्टि से मैं यह पूछना चाहता हूँ कि चुनाव के दिनों में और चुनाव के बाद भी क्यों कि अपने पद और पैसे का दुरुपयोग बहुत पैमाने पर होता है, मैं व्यक्तिगत रूप में जाना अच्छा नहीं समझता किन्तु बताने की दृष्टि से कहना चाहता हूँ, मंसूर के मृतपूर्व मुख्य मन्त्री और जो आज कांग्रेस के सम्माननीय अध्यक्ष हैं उनके एक उप-चुनाव में उनके खिलाफ 6 लोग खड़े थे और सब ने अपना नाम पत्र वापस ले लिया तो सब को बड़ा ताज्जुब हुआ। बाद में पता चला कि जिन्होंने नाम वापस लिया, उसमें एक दैनिक पत्र के सम्पादक भी थे जो पत्र यद्यपि दैनिक था लेकिन मप्ताह में एक बार भी उसका निकलना मुश्किल था, मेरे मित्र, इमाम साहब और कृष्णा जी, जानते हैं, बता सकते हैं, उनको मंसूर में सबसे प्रमुख जो अखबार प्रजावाणी है, उससे भी ज्यादा ऐडवरटाईजमेंट मिल गया तो इससे बात कुछ समझ में आती है कि कैसे फेवर किया जाता है। तो एक स्वस्थ परम्परा डालने की दृष्टि से चुनाव के दिनों में और उसके बाद भी ऐसा नहीं होना चाहिए, इसके लिए कोई रूल या निर्देश शासन देना चाहता है ?

SHRI GOVINDA MENON : I have stated what has been done in the matter. I would certainly communicate the hon. Member's apprehensions in the matter to

the Chief Election Commissioner because, after all, the elections are conducted, as laid down by the Constitution, by the Chief Election Commissioner. I am here answering these questions because he is administratively under my Ministry.

श्री शिव नारायण : मैंने गत वर्षों में सरकार से कहा था कि हर वोटर को आइडेंटिटी कार्ड दे दो। यह रेस्पॉसिविलिटी गवर्नमेंट शोल्डर करे या एलेक्शन कमीशन शोल्डर करे लेकिन यह चीज होनी चाहिए। और हर एक वोटर को फ्रीली पोलिंग पर आने दें, इसके लिए सरकार ने क्या किया? यहां परसनालिटीज पर अटेक किया जाता है। मैं भी जानता हूँ, मैं उत्तर प्रदेश से आता हूँ जहां जनसंघ की गवर्नमेंट थी, 90 परसेंट डामिनेंस गवर्नमेंट में इन का था, मैं सारी बातें बता सकता हूँ लेकिन मैं छोटी बातों में जाना नहीं चाहता। मैं गवर्नमेंट से चाहता हूँ कि इसका इन्तजाम सरकार कर दे कि रुपये पैसे का ज्यादा खर्च न हो। गवर्नमेंट आइडेंटिटी कार्ड ईश्यू करदे और कोई सवारी इस्तेमाल न करे, यह इन्तजाम क्या आप कर रहे हैं?

SHRI M. YUNUS SALEEM: This does not arise under this Question.

श्री रवि राय : मैं मन्त्री महोदय से जानना चाहता हूँ, फिलहाल हमारे इस सदन के केन्द्र के जो इस्पात मन्त्री चेन्ना रेड्डी साहब के खिलाफ सुप्रीम कोर्ट ने फैसला दिया है कि जिसमें उन के चुनाव को अवैध घोषित कर दिया है, उसमें किस-किस कारण से उसे अवैध घोषित किया है?

दूसरा सवाल मेरा यह है कि अक्सर चुनाव के पहले हम लोगों की तरफ से यह मांग की जाती रही है, सभी विरोधी दलों की तरफ से कि स्वस्थ परम्परा डालने के लिए और निष्पक्ष चुनाव कराने के लिए सरकार को इस्तीफा दे देना चाहिए, लेकिन उस वक्त तो उसे टाल दिया था, अब सन् 67 के चुनाव के बाद गैर-कांग्रेसी सरकारें भी बन गई हैं और हम लोग

इसके लिए तैयार हैं तो क्या सरकार अब इस के ऊपर विचार करेगी कि स्वस्थ परम्परा सब के लिए डालने की दृष्टि से चुनाव के पहले सरकार इस्तीफा दे?

SHRI GOVINDA MENON: I am in complete agreement with the Member that elections should be impartial.

श्री रवि राय : अध्यक्ष महोदय, यह क्या उत्तर हैं? इस्तीफा देने के सवाल के बारे में क्या कहा? और चेन्ना रेड्डी के बारे में मैंने सवाल किया था कि सुप्रीम कोर्ट ने किस आधार पर जजमेंट दिया, उसमें क्या कहा?

SHRI GOVINDA MENON: Regarding Mr. Chenna Reddy, it does not arise here.

MR. SPEAKER: The judgement of the Supreme Court is an open document. Whether they have got a copy or not, I do not know, but if you want a copy, there is no difficulty. There is nothing secret about it. But the point is this. The opposing parties are prepared to resign. Have you given any thought to it?

SHRI GOVINDA MENON: That is a matter of policy. That is a different matter.

SHRI CHINTAMANI PANIGRAHI: When the administration is not able to curb the concentration of wealth in certain hands, may I know from the hon. Minister whether it is not a fact that it is only occasionally in marriages and elections that at least the wealth is being distributed to certain persons?

SHRI P. GOPALAN: Apart from spending money and distributing them arbitrarily, during the elections some Ministers are also indulging in another type of corrupt practice and make their constituencies safe constituencies for them. Recently there had been complaints about our Home Minister Mr. Chavan in the Maharashtra Assembly for giving undue attention to the development of his constituency, Karar constituency. A number of colleges have come up there and an airstrip has been constructed. Various complaints are there about the Prime Minister's constituency. In view of this may I know

whether Government is prepared to impose certain restrictions on Ministers giving undue importance for the development of their constituencies at the expense of the other areas ?

SHRI M. YUNUS SALEEM: The notification which has been issued by the Election Commissioner has categorically stated that the Ministers should take care that the interest of the State in general should be taken into consideration for dispersal of specific amounts and one particular constituency should not be selected for such purpose. Even if the constituency belongs to the Minister himself no undue preference should be given to that constituency.

SHRI C. K. BHATTACHARYYA: There is a proverb in Maithili language:

‘लड्डू लड़े तो बुँदिया भड़े’ ।

So, that happens in election. Everybody knows. There was a proposal from the Election Commission that the rule requiring a candidate to declare his election expenses should be abolished. What has been done to carry out that proposal of the Election Commission ? That, I want to know.

SHRI GOVINDA MENON: I am not aware of such a proposal.

MR. SPEAKER: There are a large number of hon. Members who want to ask supplementary questions. In view of the elections, am I to continue this question for the rest of the Question Hour ? Shri Tenneti Viswanatham has been getting up even before he occupied his seat here.

SHRI S. KANDAPPAN: All of us want to contest the elections.

SHRI HEM BARUA: May I know whether Government are aware of the fact that there was recently a bye-election in the State of Assam in the Chaigaon constituency due to the sad demise of Shri Harishwar Goswami, where the State Minister of Transport went and started distributing Government funds to the elementary schools although the responsibility of the Minister of Transport is limited to the State buses and it does not extend up to the elementary schools, and if so, whether Government consider this

particular act as an act of corruption indulged in by the Minister concerned, and if they do, what steps Government are going to take against such Ministers ?

SHRI GOVINDA MENON: Questions of corruption in elections are not dealt with by Government. They are dealt with by the courts.

SHRI HEM BARUA: It may be dealt with by the courts. But here is an instance which I have cited. Here was a Minister of Transport, his responsibility was limited to the State buses, but on the eve of the election he went to the constituency and started distributing money to the elementary schools.

THE MINISTER OF PARLIAMENTARY AFFAIRS AND COMMUNICATIONS (DR. RAM SUBHAG SINGH): It is a wrong allegation.

SHRI HEM BARUA: It is not wrong. I have all the papers with me.

DR. RAM SUBHAG SINGH: He is a responsible Minister, and his responsibilities are heavy, and no such allegations can be made against him.

SHRI KARTIK ORAON: Most of these corrupt practices arise out of the transport facilities provided by the various political parties to the voter to go to the polling booth and cast his vote. I would like to know whether Government would like to think in terms of providing such facilities to the voters to go the polling booth so that this corrupting influence could be cut down.

MR. SPEAKER: He wants to know whether Government will provide the transport facilities to the voters.

SHRI M. YUNUS SALEEM: According to the rules, the candidate is not expected to provide any transport facilities to the voter....

MR. SPEAKER: Will the Government provide it ?

SHRI M. YUNUS SALEEM: Regarding Government providing the facilities, no such proposal has been received so far.

MR. SPEAKER : If it is received, he will consider it, I suppose.

SHRI TENNETI VISWANATHAM : I wanted to ask a particular question but then you were cautioning me. . .

MR. SPEAKER : I was cautioning hon. Members because otherwise this question itself might go on till 12 noon.

SHRI TENNETI VISWANATHAM : I think I should not embarrass the Ministers very much. But the question relates to abuse of official power in view of the coming elections. Several pious hopes, do's and don'ts and wishes have been expressed by the hon. Minister. But we have found that these things have not so far worked. On the other hand, they are giving scope to an increase of corruption. Will the Government, therefore, think of either revising these things, or at least if they cannot do, follow up the suggestion made by one of the High Courts that at least on the date of filing of the nomination, the Minister will resign and will continue to work only as a care-taker Minister during the election period ? That would not be very much embarrassing to the Minister, I suppose. It was a very good decision.

SHRI GOVINDA MENON : Government are not prepared to accept this decision.

SHRI AMRIT NAHATA : Before referring the matter to the Election Commission for consideration, will Government consider the question of including acceptance of donations from public companies as a corrupt practice ?

SHRI GOVINDA MENON : This does not arise out of the main question.

SHRI RANGA : I find that Government are not prepared to accept the very innocent suggestion, made by Shri Tenneti Viswanatham that the Minister should resign at least on the date of filing the nomination. So, I cannot expect them to agree to our demand that they should resign five or six months before the general elections. But may I know whether Government would at least see to it that the Ministers as such would not act as treasurers for

their respective parties at the time of the elections, and secondly that while continuing as Ministers they would not accept donations, from various people as well as companies and then utilise it or channel it possibly and utilise it for elections not only for themselves but for their parties ? Would they at least observe this honourable rule, this rule of honour in our public life ?

SHRI GOVINDA MENON : The Congress party has framed some healthy rules in that respect . . .

SHRI RABI RAY : Most unhealthy rules.

SHRI PILOO MODY : Do you agree that it was said with a straight face ? Healthy rules or filthy rules ?

SHRI HEM BARUA : Can the Question Hour be used for party propaganda ?

SHRI GOVINDA MENON : The Congress Party has framed some healthy rules, and I hope that the other parties will follow suit.

SHRI RANGA : My hon. friend only talks about the Congress Party. I have not put my question on the basis of party at all. I have put the question referring to Ministers in general, to whichever party they may belong. While they are Ministers, let them not function in such a manner . . .

SHRI SHEO NARAIN : He must set up an example in Orissa.

MR. SPEAKER : The hon. Member is referring to Ministers, to whichever party they may belong. He is not referring to the Congress.

SHRI RANGA : They may belong to the Swatantra Party or the Congress Party or any other party. While they continue as Ministers, let them not act as treasurers of their parties, and also let them not accept donations and channel them to their respective parties and their candidates.

SHRI GOVINDA MENON : That does not arise out of the main question.

श्री अचल सिंह : विधान सभा और लोक सभा के चुनावों में दस-दस और बारह-बारह

उम्मीदवार रुड़े हो जाते हैं। मैं सरकार से जानना चाहता हूँ कि क्या इलैक्शन कमीशन ने कोई ऐसा सुभाव दिया है कि विधान सभा के लिए 750 रु० और लोक सभा के लिए 1500 रु० सिक्योरिटी जमा कराई जाय ? यदि हाँ, तो सरकार इस पर क्या विचार कर रही है ?

SHRI M. YUNUS SALEEM: That does not arise out of the main question. Here, the question is how in view of the observations of the Supreme Court and the High Court the rules should be framed as to impose certain restrictions on the use of the discretionary amounts by the Ministers.

SHRI S.M. PANERJEE: It is generally seen that some of the Ministers do not fight elections on the basis of the performance of the ruling party or on the basis of their past performance. But they wish to fight the election on hollow assurances for the future which will never be fulfilled. I want to know whether they will try to impress upon them not to make such hollow assurances or at least ban hollow assurances which create an illusion in the mind of the people for a day?

श्री प्रकाशबीर शास्त्री: क्या यह सत्य है कि ग्रान्ध हाई कोर्ट ने श्री चन्ना रेडडी के केस में अपना निर्णय देते हुए एक सुभाव यह भी दिया था कि मन्त्री लोग चुनावों में अपने पद का दुरुपयोग करते हैं, इसलिए कम से कम 6 महीने पहले उनको अपना स्थान छोड़ देना चाहिये ? सुप्रीम कोर्ट में जब उसकी अपील हुई तो सुप्रीम कोर्ट ने भी उस पर अपनी कोई प्रतिक्रिया जाहिर नहीं की, ग्रान्ध हाई कोर्ट के निर्णय को ज्यों का त्यों रखा। ऐसी स्थिति में जब कि सर्वोच्च न्यायालय ने उस पर किसी प्रकार का कोई रिमार्क नहीं दिया—क्या केन्द्रीय सरकार और विधि मन्त्री अपनी जिद पर अड़े हुए हैं या कोई स्वस्थ निर्णय लेने जा रहे हैं, जिससे कि देश की जनतन्त्रीय परम्परा को बचाने के लिए मन्त्री लोग अपने पदों का दुरुपयोग न करें और पहले त्यागपत्र दे दिया करें ?

SHRI GOVINDA MENON: I do not agree that it is part of the *janatantric parampara* that Ministers should resign at the time of

the elections. It is true that a single judge of the Andhra Pradesh High Court did say that, but that case went in appeal to the Supreme Court and the Supreme Court has not said anything like that.

SHRI J. M. BISWAS: If the Ministers resign before the elections, none of them will be returned.

श्री प्रकाशबीर शास्त्री : सुप्रीम कोर्ट ने उस निर्णय का विरोध नहीं किया है। उसको ज्यों का त्यों ही रखा है।

Super Bazars, Delhi

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*846. **SHRI BHARAT SINGH CHAUHAN:**
SHRI T. P. SHAH:
SHRI RAM SWARUP VIDYARTHII:

Will the Minister of **FOOD AND AGRICULTURE** be pleased to state:

(a) whether the Delhi Administration have submitted some proposals for making improvements in the Super Bazars in Delhi; and

(b) if so, what action Government have taken on these proposals ?

THE MINISTER OF STATE IN THE MINISTRY OF FOOD, AGRICULTURE, COMMUNITY DEVELOPMENT AND COOPERATION (SHRI M.S.GURUPADASWAMY):(a)The Delhi Administration brought to the notice of the Government of India the observations of the statutory auditors on the working of the Cooperative Store Ltd., for the year ending June, 1967. They also suggested that the Managing Committee should include a representative of the Government of India, and that the appointments of key personnel should be by open recruitment or deputations from Government Offices.

(b) The Government of India have reconstituted the Managing Committee, which has taken action to rectify the shortcomings pointed out by audit, and has adopted measures for improvement, including economies in administrative and operational expenses,