

उन लोगों के ऊपर से इस प्रकार की पाबन्दी हटा दी गई थी ?

[Seth Govind Das: Is it not a fact that even in the last general elections similar disqualifications were incurred by candidates in submitting the returns of their election expenses and does the hon. Minister know that all such disqualifications and the restrictions resulting therefrom were removed at that time?]

डा० काटजू : यह सवाल तो आप का ऐसा गोल है कि जिस का कोई जवाब नहीं। मुझे नहीं मालूम क्या अड़चने आई थीं और किस तरीके से उन को दूर कर दिया गया। अब आज कल की कौफियत यज्ञ है कि रिटर्निंग अफसर इत्तला देता है इलेक्शन कमीशन को, कि या तो पन्द्रह दिन के बाद वह इलेक्शन एक्सपेन्सेज दाखिल हुए, या उन में कुछ गलतियाँ रह गई हैं, इस वजह से वह कायदों के मुताबिक नहीं और फिर इलेक्शन कमीशन इस की इत्तला देता है और गजट करता है कि आप उस उम्मीदवार को जो चाहे कामयाब हुआ हो या नाकामयाब हुआ हो वह इम देरी और बेकायदगी की वजह बतलाये और वह उम्मीदवार वजह देता है, इलेक्शन कमीशन मेरे या मेरी मिनिस्ट्री का ताबेदार नहीं है, वह बिल्कुल एक इंडिपेंडेंट और खुदमुस्तार अफसर होता है और वह हर केस को देखता है और अगर वह समझता है कि उम्मीदवार ने जो वजहें बयान की हैं, वह मुनासिब हैं तो वह उन की डिस्क्वालिफिकेशन दूर कर देता है।

[Dr. Katju: Your question is so vague that it could hardly be answered. I do not know what were the disqualifications and in what manner they were removed. But the present position is that the Returning Officer informs the Election Commission that such and such candidate has not submitted returns of his election expenses in due time i.e. fifteen days, or that certain discrepancies have arisen which are not in conformity with the existing election

rules. The Election Commission in its turn asks the candidate, whether he may have succeeded or failed, to state reasons for the delay and the irregularities. This is also notified in the Gazette. The candidate submits his reasons. But the Commissioner is not under me or my Ministry. He is altogether an independent officer. He examines every case on its merits and if he thinks that the reasons as given by the candidate are sufficient, he removes those disqualifications.]

सेठ गोविन्ददास : मैं यह पूछ रहा था कि .....

[Seth Govind Das: I was asking.....]

Mr. Speaker: Order, order. We are now entering into an argument. The hon. Minister has not got the information he wants.

Seth Govind Das rose—

Mr. Speaker: No explanations are necessary now.

Shri N. S. Nair: Are Government aware that some of these rules are so technical and unreasonable that they almost border on absurdity?

Mr. Speaker: Order, order. He is expressing an opinion and entering into an argument.

#### ELECTIONS

\*70. Shri S. N. Das: Will the Minister of Law be pleased to state:

(a) the number of cases in which inquiries were made and prosecutions instituted under section 137 of the Representation of the People Act arising out of the first general election; and

(b) the number of such cases in which there were convictions?

The Minister of Home Affairs and States (Dr. Katju): (a) Inquiries were made in a number of cases in Punjab and Travancore-Cochin and in one case in the Uttar Pradesh but no prosecution was sanctioned in any of these cases. In two cases, one in Bombay and the other in Rajasthan, inquiries were made and sanction to institute proceedings under section 137 of the Representation of the People Act, 1951 was given. No inquiries were made or prosecutions sanctioned under this section in other States except West Bengal, PEPSU and Manipur, from where details have not so far been received by the Election Commission.

(b) There has been no conviction so far.

**Shri S. N. Das:** May I know what is the number of complaints received by the Chief Electoral Officer in each State and the Election Commission regarding the contravention of the provisions of the Representation of the People Act, 1951 by the officers engaged in the elections?

**Dr. Katju:** I shall require notice.

**Shri Dabhi:** What is the name of the gentlemen in Bombay against whom proceedings were instituted?

**Mr. Speaker:** I do not think the names should be given here as to who were proceeded against.

**Shri Punnoose:** May I know whether complaints have been received by the Government regarding the use of State cars by Ministers in certain States in the elections?

**Mr. Speaker:** Order, order. It will be a matter within the exclusive jurisdiction of the Election Commission.

**Shri Velayudhan:** Can we not ask about them in the Parliament?

**Mr. Speaker:** Not anything and everything. (*Interruption from Shri Velayudhan.*)

He may have recourse according to law.

#### BHAKRA-NANGAL PROJECT

\*71. **Shri B. K. Das:** Will the Minister of Natural Resources and Scientific Research be pleased to state:

(a) whether it is a fact that an American Engineer has been appointed for the Bhakra-Nangal project; and

(b) if so, what are the terms of his appointment?

**The Minister of Planning and River Valley Schemes (Shri Nanda):** (a) and (b). Yes, Sir. Presumably the hon. Member has in mind Mr. M. H. Slocum, who has been appointed as a Consultant for the Bhakra Nangal Project. If so, a copy of the agreement entered into by him with the Government of Punjab is laid on the Table of the House. [See Appendix I, annexure No. 24.]

**Shri B. K. Das:** May I know whether this appointment has been made to remove any special difficulty that has now arisen in the working of the Bhakra Nangal project?

**Shri Nanda:** It has been made in view of the magnitude and complexity of the whole project.

**Shri B. K. Das:** May I know whether any office has been set up for him in U.S.A. after his appointment?

**Shri Nanda:** Mr. Slocum had got it provided in the agreement that in order to recruit certain experts that might be required he would set up a small office.

**Shri B. K. Das:** Has it been set up?

**Shri Nanda:** I would require notice.

**Shri A. C. Guha:** May I know if this particular appointment has the sanction of the Government of India and also how this particular person was selected—what was the machinery?

**Shri Nanda:** The Government of India is not concerned to that extent. There is a Control Board which can initiate such matters and finalize them. This is what happened in this case also. The matter was referred to the Government of India and it agreed.

**Shri Nambiar:** May I know whether the Government of India could not get an Indian engineer for this purpose?

**Shri Nanda:** They could not get an Indian engineer.

**Shri Velayudhan:** Was any advertisement made?

**Mr. Speaker:** There is no use going into these things. I am going to the next question.

**Shri Velayudhan:** He categorically said that they could not get an Indian engineer. Therefore...

**Mr. Speaker:** Order, order. The hon. Member will not be called upon henceforth, if he persists in this way.

#### KOSI PROJECT

\*72. **Shri B. R. Bhagat:** Will the Minister of Natural Resources and Scientific Research be pleased to state:

(a) whether and what final decision in regard to the Kosi-River Project has been taken by the Government of India; and

(b) when the work on the above Project is likely to be taken up?

**The Minister of Planning and River Valley Schemes (Shri Nanda):** (a) No, Sir.

(b) Does not arise.