

occupation of those double-storeyed tenements is being regularised.

Shrimati Sucheta Kripalani: I want to know what is going to happen to the people who were shifted to the double-storeyed tenements by the Ministry because Tihar colony was in a bad way. Are you going to bring them back to Tihar, or are they going to be allotted the double-storeyed tenements?

Shri P. S. Naskar: As I said, displaced persons shifted there due to floods in 1955, and the allotments of those who are eligible are being regularised.

Shrimati Sucheta Kripalani: Where?

Shri P. S. Naskar: In the double-storeyed tenements.

Shri S. M. Banerjee: May I know whether it is a fact that even lighting arrangements and water connection do not exist in Tihar, and if so, what immediate steps are being taken by the Rehabilitation Ministry or the Delhi Municipal Corporation to have these things?

Shri P. S. Naskar: As I said in my original reply, the development of Tihar village is being taken over by the Delhi Municipal Corporation as part of their slum clearance programme.

Shri Keshava: What is the difficulty of Government in sanctioning the additional sum of Rs. 4 lakhs that they want, in view of the fact that the cost of the lay out will be spread over the sites that are going to be laid out in that area?

Shri P. S. Naskar: The additional Rs. 4 lakhs was demanded to give it as an *ex-gratia* payment to the people who were occupying the site for development. We requested the D.D.A. to find out how many displaced persons there were, and we were told that the Ministry of Rehabilitation did not come into the picture in respect of this Rs. 4 lakhs except for a few thousand rupees. So, the Ministry of Rehabilitation cannot allot any funds for the non-displaced persons.

न्यायाधिकरण की नियुक्ति

+

{ श्री प्रकाश वीर शास्त्री :
 श्री सुभाषकत राय :
 श्री हरिचन्द्र माथुर :
 श्री हेम राज :
 *७१४. श्री मोहन स्वल्प :
 श्री प्र० क० गोपालन :
 श्री नारायणनकुट्टि मेनन :
 श्री प्र० मु० तारिक :
 श्री राम गरीब :
 श्री हेम बरभा :

क्या प्रधान मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि मृतपूर्व वित्त मंत्री, श्री सी० डी० देशमुख ने उन्हें मंत्रियों तथा उच्च अधिकारियों से सम्बन्धित भ्रष्टाचार के मामलों की जांच के लिये एक न्यायाधिकरण की नियुक्ति का सुझाव दिया है ;

(ख) क्या यह भी सच है कि श्री देशमुख ने इस प्रस्तावित न्यायाधिकरण के भागे भ्रष्टाचार के कुछ उदाहरण रखने का भी प्रस्ताव किया है ;

(ग) क्या सरकार ने ऐसा न्यायाधिकरण नियुक्त करने से पहले श्री देशमुख द्वारा लगाये गये आरोपों के बारे में उनसे जानकारी प्राप्त करने का कोई प्रयत्न किया है ; और

(घ) यदि हां, तो सरकार द्वारा इस विषय में क्या कार्यवाही की गई है ?

प्रधान मंत्री तथा वैदेशिक-कार्य मंत्री (श्री जवाहरलाल नेहरू) : (क) से (ग). श्री देशमुख ने कहा है कि भ्रष्टाचार के मामलों की खानबीन करने के लिये एक स्थायी

ट्रिब्यूनल होना चाहिये। उन्होंने यह भी कहा है कि यदि ऐसा ट्रिब्यूनल मुकर्रर किया जाय तो वे उन के भाग, विचार करने के लिये, कुछ मामले रख सकेंगे। इस विषय पर प्रधान मंत्री जी का श्री देशमुख के साथ कुछ पत्र व्यवहार हुआ है। श्री देशमुख किसी मामले की तफसील या किसी व्यक्ति का नाम जो कि इस से सम्बन्धित हो, बताने के लिये तैयार नहीं हैं। हां, उन्होंने यह बताया कि उनके ध्यान में जो मामले थे वे किस किसम के थे और उनकी साधारण रूपरेखा कैसी थी।

(घ) गवर्नमेंट की राय है कि श्री देशमुख के सुझाव के मुताबिक एक स्थायी ट्रिब्यूनल मुकर्रर करना न ही मुमकिन है और न ही उचित। हां, यदि कोई ऐसे आरोप लगाये जायें जिन में कुछ हकीकत हो तो उन की छानबीन करने और ऐसे मामलों को जल्दी से फैसला करने का पूरा यत्न करना चाहिये।

[(a) to (c). Shri C. D. Deshmukh has publicly stated that there should be a permanent tribunal to enquire into cases of corruption. He has further said that if such a tribunal was appointed, he would be able to place some cases before them for their consideration. The Prime Minister has had some correspondence with Shri C. D. Deshmukh on this subject. Shri Deshmukh was not prepared to give particulars of any case or any individual involved in it. He stated, however, the type and general nature of the cases he had in mind.]

(d) Government are of opinion that the appointment of a permanent tribunal, as suggested, would not be feasible or desirable. Where, however, any charge of substance was made, every effort should be made to enquire into it and further to expedite the disposal of such cases.]

श्री प्रकाश बीर शास्त्री : पीछे प्रधान मंत्री जी ने एक प्रेस कॉन्फ्रेंस में पंजाब के मुख्य मंत्री और सम्बन्धित मंत्रियों के सम्बन्ध में जांच का आश्वासन दिया था। मैं जानना

चाहता हूँ कि अब तक इस सम्बन्ध में क्या कार्रवाई हुई है।

श्री जवाहरलाल नेहरू : मुझे याद नहीं पड़ता। आप क्या कह रहे हैं कि पंजाब के मुख्य मंत्री के बारे में मैंने कहा था ?

श्री प्रकाश बीर शास्त्री : पीछे एक प्रेस कॉन्फ्रेंस में आप ने यह कहा था कि पंजाब के मुख्य मंत्री तथा अन्य कुछ मंत्रियों के सम्बन्ध में आप जांच करायेंगे। मैं जानना चाहता हूँ कि अब तक इस सम्बन्ध में क्या प्रगति हुई है।

श्री जवाहरलाल नेहरू : मुझे तो याद नहीं कि मैंने ऐसा कहा था। मैंने जो कहा था, जहां तक मुझे याद है, वह यह था कि मेरे पास कुछ शिकायतें आई हैं। मैं उन की जांच करा रहा हूँ। यह कहा था मैंने, और दो तीन बातें आई थीं मेरे पास। कोई कार्रवाई करने के लिये भी कुछ बुनियाद होनी चाहिये, कुछ इत्मीनान होना चाहिये, तब भ्रमला कदम उठाया जाता है, या नहीं उठाया जाता है भ्रमर न हो उठाने लायक। जो कुछ मैंने कहा था उस की मैं काफी देखभाल करवा रहा हूँ।

श्री प्रकाश बीर शास्त्री : मैं जानना चाहता हूँ कि क्या माननीय राष्ट्रपति ने भी इस प्रकार के किसी ट्रिब्यूनल के लिये प्रधान मंत्री को सुझाव दिया है ?

श्री जवाहरलाल नेहरू : जी नहीं।

Dr. Ram Subhag Singh: May I know whether on being acquainted by the Prime Minister that it is not feasible to appoint such a tribunal, Shri C. D. Deshmukh has offered to give any case or not?

Mr. Speaker: He has said that he is prepared to give categories. He has got only the categories now.

Shri Jawaharlal Nehru: I have said that he has not mentioned the name of any individual or the name of any place, I mean, any particulars

about the case. What he has mentioned is the categories or types of cases that he had in mind.

Shri Harish Chandra Mathur: May I know what Shri C. D. Deshmukh's objections are to placing the real facts and the names of the individuals, before Government, and whether he has indicated any reasons in his letter?

Shri Jawaharlal Nehru: That is rather difficult for me to answer, but he did state that he was not prepared to do so because he did not wish to put his informants into a difficult or embarrassing position. Thereafter, I had said I do not want to know the names of your informants, you need not tell me the names of the informants but only the other particulars about the case, so that I can enquire, because obviously it is not possible for me to enquire if I know nothing about the matter.

Shri Hem Barua: In view of the fact that very serious charges are made by Shri C. D. Deshmukh against persons, high officials and Ministers, what positive steps do Government propose to take to remove the lurking suspicion in the minds of the people, because the statement is made by a man of the stature of Shri C. D. Deshmukh?

Shri Jawaharlal Nehru: I am not aware of a single charge yet. I shall gladly take steps if I knew of the charge, but merely saying that people high up or low down are bad is not a charge against any individual.

सेठ गोविन्द दास : देशमुख साहब जिस तरह का एक ट्रिब्यूनल बनवाना चाहते हैं, दुनिया के किसी भी देश में इस तरह का क्या कोई ट्रिब्यूनल है ?

श्री जवाहरलाल नेहरू : सारी दुनियां का तो मुझे इल्म नहीं है ।

सेठ गोविन्द दास : सास सास मुल्क जहां कि इस तरह के ट्रिब्यूनल कायम करने की कार्यवाही हुई हो ?

श्री जवाहरलाल नेहरू : मैं ने तो सुना नहीं कि कहीं पर ऐसी कार्यवाही की गई हो ।

श्री सुशबल राय : क्या प्रधानमंत्री महोदय इस बात पर तैयार हैं कि श्री देशमुख के साथ जो उन का पत्र व्यवहार हुआ है उसको सभा-घटल पर रख देने की कृपा करेंगे ?

श्री जवाहरलाल नेहरू : जी नहीं, मैं तैयार नहीं हूँ कि जब इस तरह का कोई निजी पत्र व्यवहार हो तो उसको शायद किया जाये ।

Shri H. N. Mukerjee: Apart from the safeguards which are necessary for informants, since there is a feeling that a tribunal with judicial status is very much more capable of commanding the confidence of the country rather than this sort of inquiry which, administratively speaking, the Prime Minister may conduct, may I know if the Prime Minister will consider this matter more seriously in view of the very serious charges being bruited about,—rightly or wrongly, we do not know?

Shri Jawaharlal Nehru: I would beg the hon. Member to consider that first of all when he talks about an administrative inquiry, that is merely meant as a preliminary inquiry to take some steps. That is not the end-inquiry. If any charge is made, any odd charge is made, one does not immediately rush to a court of law; one has to inquire into it whether there is any *prima facie* basis for it, before anything else can be done. If there is none, it drops there; if there is, we proceed further.

As for the other matter, I really submit to you and to the House that it is an extraordinary position. People talk vaguely about these matters without specifying them, and I am afraid I am not clairvoyant enough to see further into their minds.

Dr. Ram Subhag Singh: As the allegations which have been reported to have been made by Shri C. D.

Deshmukh include some of the Ministers, as has been mentioned in the House, and since, though he had been asked to acquaint or let the Prime Minister know of the nature of the cases, he has not so far given anything, will you consider the utility of calling Shri C. D. Deshmukh to the House, because some of the Members who are Ministers are involved in such cases?

Mr. Speaker: Myself calling Shri C. D. Deshmukh?

Dr. Ram Subhag Singh: Yes; he should either substantiate or withdraw those charges.

Mr. Speaker: Very well. (*Interruptions.*) The suggestion is transferred from the Prime Minister to this House itself. The Prime Minister is asked to appoint a tribunal; and the hon. Member suggests that the whole House of Parliament may go into this matter asking him to establish the charges.

Of course, I may say in this connection that I have received notice of a privilege motion. Ministers are responsible Members of Parliament; and we have always been taking serious notice of allegations of corruption against Members of Parliament, because it detracts them from doing their duty. The privilege that is conferred on Members of Parliament is that they may speak here without fear or favour; otherwise, if there is a constant threat of some prosecution, no Member, and much less a Minister, will be able to discharge his duties. I have received notice of a privilege motion. I am sending it to the Leader of the House and then I shall ask for the opinion of the Committee. The impression in my mind is whichever Member is deterred from the discharge of his duty by a vague allegation cannot discharge his duty at all; and, therefore, the article in the Constitution relating to privileges becomes absolutely useless much more so with respect to the Minister who has to take action, because before he goes one step forward, he has to look four

steps behind. That is the difficulty. Therefore, I am seriously considering as to what ought to be done. At this stage, I am not able to say what it will be.

Shri Goray: May we know what exactly is the difference between the position that Shri C. D. Deshmukh has taken and the position which the Prime Minister has taken? It started with one speech by Shri C. D. Deshmukh in which he said that a tribunal should be appointed. In his letter to the Prime Minister he has stated that he has got certain cases. Now, what is the position that the Prime Minister has taken? Does he want that Shri C. D. Deshmukh should place all the papers before him before he appoints a tribunal, or is it Shri C. D. Deshmukh's stand that unless the tribunal is appointed, he would not place all the matters before him?

Mr. Speaker: For myself, I would say this.

Shri Goray: This question is agitating the minds of the public (*Interruptions*).

Mr. Speaker: Whoever has heard the hon. Prime Minister, once, twice and thrice will come to this conclusion. In the absence of definite allegations, merely on the basis of vague allegations that all the Ministers are bad, is he to go on appointing a high Court judge or a Supreme Court judge for this purpose? That is his difficulty. The very appointment itself may make administration impossible. All that the Prime Minister says is that 'Let me be trusted, I shall go into the charges, if I have a *prima facie* case, I shall certainly appoint a High Court judge or a Supreme Court judge'.

Shri Ranga: People can draw their own conclusions.

Shri Raghunath Singh: There is a very important question about Shri C. D. Deshmukh, which I want to ask. (*Interruptions*).

Mr. Speaker: Order, order.

Shri Raghunath Singh: I should be allowed to ask one question.

Mr. Speaker: Order, please. Is the Prime Minister prepared to say anything on this matter?

Shri Jawaharlal Nehru: I am prepared to give as much information as is in my possession, to the House, because, all this puts me, as the House will appreciate, in a difficult and embarrassing position. If it is a question of my word or my *bona fides* being doubted, I have nothing to say about that, because I can hardly stand up here in defence of my own honour. But the simple position is this that first of all, I do not think, and my Government does not think, that a tribunal as it has been asked for should be appointed in the air, first of all, a permanent tribunal just to receive complaints etc. There are processes of the law which anybody can take advantage of. There are other ways too. And in addition to all that, wherever a serious charge is made which has any substance, inevitably, Government have to look into it to see whether it has substance, and thereafter take action. We have various ways to root out corruption, but we are not prepared to appoint a tribunal in the air for such charges as might be made; as for a permanent one, we do not think that that is at all proper; it would make all administration impossible; it will encourage all kinds of charges which may have no substance. But wherever there is an important charge, we shall look into it. Unless I know something of the nature of the charge, not the informants' names—I do not want any informants' names—I cannot say in the air that a High Court judge or a Supreme Court judge or any tribunal will be appointed on a charge which might be made in the future; I must know the nature of it. (Interruptions).

Shri Surendranath Dwivedy: He has mentioned the categories.

Shri Raghunath Singh: May I know whether Shri C. D. Deshmukh is in

the employment of Government and drawing a salary of Rs. 3000 per month, and whether the Government service rule applies to him or not?

An Hon. Member: No.

Shri Ranga: In what way is it relevant to the main question?

Shri Raghunath Singh: It is relevant. (Interruptions). Is he entitled to level a charge against Government? He is getting pension. Then he is getting salary. He is a government servant. His wife is also getting salary from the Government. My question is whether the Government Servants' Conduct Rules apply to him or not.

Mr. Speaker: That is a different matter altogether. Now we are on the question whether a tribunal should be appointed or not. Next question.

Shri Raghunath Singh: What about my question?

Mr. Speaker: I overruled that question.

So far as this matter is concerned, enough has been asked. The hon. Prime Minister has unequivocally replied that it is not possible for him, in expectation of some charges, to appoint a tribunal. Unless some charges are given to him and he is able to find out whether *prima facie* there is a case, there is no purpose in appointing a tribunal. What more is necessary? (Interruptions). Shri H. N. Mukerjee.

Shri Raghunath Singh: My question is whether the Government Servants' Conduct Rules apply to him or not.

Mr. Speaker: Unfortunately, the hon. Member is trying to disturb the House.

Pandit D. N. Tiwari: On a point of order. This matter was debated fully during the discussion of the President's Address. Again, it is being debated now. This will again be discussed during the discussion of the General Budget. Once again, it will be discussed during the time the De-

mands for Grants of the Home Ministry are before the House. But here we have taken more than 10 or 15 minutes on this question alone, with the result that other questions are being elbowed out.

Mr. Speaker: There is no point of order.

Several Hon. Members rose—

Mr. Speaker: I will not allow all hon. Members to stand up simultaneously and ask questions. I will allow two or three more supplementaries and then proceed to the next question.

Shri H. N. Mukerjee: In view of the apparent inadequacy of the presently-available channels for having such allegations as have been recently made investigated by the usual government agencies, and in view of serious charges even in regard to categories against highly placed government officials having already been presented to the Prime Minister, may I know if Government would merely stand on legal ceremony and say that because of the likely inconveniences ensuing out of the procedure they would not take some definite steps and see that this kind of thing is investigated properly?

Shri Jawaharlal Nehru: I would like to know what kind of thing. My difficulty is that I do not know it. Government does not stand on any legal or trivial thing. It does not want to.

Shri Hem Barua: Specific categories....

Shri Jawaharlal Nehru: May I be permitted to continue?

Government is not standing on any legal quibble in this matter, but on a very fundamental proposition. Government thinks it a fundamentally wrong thing, and an absolutely wrong approach, to appoint a tribunal to hear something about which it knows nothing, about which no charge has been made. I think it is a fundamentally wrong thing for any Member or any

person outside to make charges without coming up and satisfying some kind of authority that there is some substance in them.

Shri Goray: Whom is he to satisfy? Should he satisfy the people whom he is accusing? *(Interruptions)*.

Shri Braj Raj Singh: I have to ask a question.

Shri Ranga: Is it not open to a Member to accuse the Prime Minister? *(Interruptions)*.

Shri Raghunath Singh: What about my question?

Shri Braj Raj Singh: May I know whether Shri C. D. Deshmukh has sought the permission of the Prime Minister to release the correspondence between the Prime Minister and himself to the Press, and whether in view of the importance of the correspondence, the Prime Minister is prepared to release it to the Press?

Mr. Speaker: Has he made any such request?

Shri Jawaharlal Nehru: In regard to one matter, as far as I remember, he did suggest that in case he is asked at a Press Conference or something like that, he might—I forget now whether it was the letters or the substance. That is true. To that I replied that it would not be desirable—it is the whole correspondence; it is not a question of a summary of it being released to the Press—for this confidential correspondence to be published in the Press.

Several Hon. Members rose—

Shri Raghunath Singh: What action is Government taking against Shri C. D. Deshmukh who, being a servant of the Government, has levelled charges against the Government itself?

Mr. Speaker: Next question. Hon. Members have enough opportunities to discuss these matters in the debate and so on, if they find it necessary.