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Monday, September 9, 1974
Bhadra 8, 1896 (Saka)

LOK SABHA DEBATES

(Eleventh Session)



पत्रिका क्र. ४(७) ३
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(Vol. XLIV contains Nos. 31 to 38)

LOK SABHA SECRETARIAT
NEW DELHI

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LOK SABHA DEBATES

1

LOK SABHA

Monday, September 9, 1974/Bhadra 18,
1896 (Saka)

The Lok Sabha met at Eleven of the
Clock

[MR. SPEAKER in the Chair]

RE ADJOURNMENT MOTIONS

SHRI S M BANERJEE (Kanpur):
Mr Speaker Sir, I am moving an
adjournment motion on the Mana
Camp incident

अध्यक्ष महोदय विजिनेस एडवाइजरी
बोर्ड की एक फंसला करती है और हाउस उसको
अप्रूव करता है, उसके बावजूद भी आप इस तरह
की चोखा का उठा रहे है

SHRI S M BANERJEE You will
kindly allow me five minutes only
Since the refugees have been killed—
three people have been killed includ-
ing one lady—I would request you to
ask the Minister for Rehabilitation to
make a statement And the Govern-
ment should make an announcement
for a judicial probe

श्री अटल बिहारी वाजपेयी (गवालियर)
हमने फंसला किया था कि एडजर्नमेंट मोशन
नहीं लायेंगे। इसीलिये मैंने सूचना इसकी
नहीं दी। लेकिन जो कुछ हुआ है वह बहुत
दर्दनाक है। गणगणियों पर गोलियां चली
हैं, मोते हुई है। आप मंत्री महोदय को
बत सकने है कि मदन की कार्रवाई समाप्त
होने से पहले दुरुके बारे में ब्रान दे।

SHRI S M BANERJEE You may
allow me later Kindly ask the Min-
ister to make a statement

2033 LS—1

2

SHRI NOORUL HUDA (Cachar)
Sir you may direct the Minister to
make a statement.

अध्यक्ष महोदय चूंकि आपने फंसला
किया था कि कुछ नहीं लाना है इसलिये मैंने
एडजर्नमेंट मोशन को देखा नहीं है। आज
देखूंगा कि क्या आई है और मिनिस्टर को
भेज दगा। ब्यान दिलवाना हुआ तो
दिलवा दूंगा।

ANNOUNCEMENT BY SPEAKER RE.
APOLOGY TENDERED BY THE
EDITOR OF THE HINDUSTAN
TIMES FOR A NEWS REPORT
PUBLISHED IN THE PAPER.

MR. SPEAKER On the 4th Sep-
tember, 1974, I had drawn the atten-
tion of the House to a news report
published in the *Hindustan Times*
dated the 4th September 1974, in
which it was stated that according to
a competent source, the CBI proceeded
in the matter only after securing the
Lok Sabha Speaker's permission

2 I have now received a letter
dated the 5th September, 1974, from
the Editor of the *Hindustan Times*
which reads as follows —

"I am extremely sorry that your
name was mentioned in the
report carried by the *Hindustan
Times* yesterday in con-
nection with the CBI inquiries
into the Import Licence case
without reference to you

As you stated in the House this
could have been checked with
you The failure to do so was
quite inadvertent but I would
nevertheless wish to tender an
apology that this should have
happened I can assure you

[Mr. Speaker]

that there was absolutely no intention on our part to cast any embarrassment or cast any reflection on your august office."

I greatly appreciate it because the Editor of the *Hindustan Times* had read it in the proceedings and on realisation he has done it *suo motu*.

11.06 hrs

PAPERS LAID ON THE TABLE

ANNUAL REPORTS OF DEVELOPMENT COUNCIL FOR LEATHER AND LEATHER GOODS INDUSTRIES

THE DEPUTY MINISTER IN THE MINISTRY OF INDUSTRIAL DEVELOPMENT (SHRI ZIAUR RAHMAN ANSARI): Sir, on behalf of Shri C. Subramaniam, I beg to lay on the Table a copy each of the following Reports (Hindi and English versions) under sub-section (4) of section 7 of the Industries (Development and Regulation) Act, 1951:—

- (1) Annual Report of the Development Council for Leather and Leather Goods Industries for the year 1971-72.
- (2) Annual Report of the Development Council for Leather and Leather Goods Industries for the 1972-73. [Placed in Library. See No. LT-8403/74.]

SHRI S. M. BANERJEE (Kanpur): Sir, the whole difficulty is the above two reports relate to the year 1971-72 and 1972-73 and the Minister has laid these on the Table of the House without any apology. So, I would request you not to allow these papers to be laid on the Table.

अध्यक्ष महोदय : हर मिनिस्टर ऐसा होता है तो रिजलन देता है । मैं देखूंगा आफिस में रिजलन आया हुआ है या नहीं । नहीं आया होगा तो मैं ऑफिसी प्रोटेस्ट मिनिस्टर तक पहुंचवा दूंगा ।

NOTIFICATIONS UNDER WILD LIFE PROTECTION ACT AND COPY OF GUJARAT PRIVATE FORESTS (ACQUISITION) AMENDMENT ACT.

THE MINISTER OF STATE IN THE MINISTRY OF AGRICULTURE (SHRI ANNASAHEB P. SHINDE): Sir, on behalf of Shri B. P. Maurya, I beg to lay on the Table:

- (1) A copy each of the following Notifications (Hindi and English versions) under sub-section (2) of section 63 of the Wild Life Protection Act, 1972:—

- (i) The Wild Life (Stock Declaration) Rules, 1974, published in Notification No. G.S.R. 365(E) in Gazette of India dated the 14th August, 1974.

- (ii) The Wild Life (Transactions and Taxidermy) Rules, 1974, published in Notification No. G.S.R. 366(E) in Gazette of India dated the 14th August, 1974. [Placed in Library. See No. LT-8404/74.]

- (2) A copy of the Gujarat Private Forests (Acquisition) Amendment Act, 1974, (Hindi and English versions) (President's Act No 9 of 1974) published in Gazette of India dated the 23rd July, 1974, under sub-section (3) of section 3 of the Gujarat State Legislative (Delegation of Powers) Act, 1974 [Placed in Library. See No. LT-8405/74].

SHRI SHYAMNANDAN MISHRA (Begusarai): Sir, there is a most unusual phenomenon. Section 144 is clamped all over U.P. and there is complete negation of Fundamental Rights. (Interruptions).

MR SPEAKER Don't do it in a wild manner Why do you introduce it here?

SHRI JYOTIRMOY BOSU (Diamond Harbour) Sir, Dr Steidenbaker is working for the Smithsonian Institute of US Army

REPORT OF REVIEW COMMITTEE OF CENTRAL EXCISE (SELF REMOVAL PROCEDURE) VOLUMES I AND II, GUJARAT NOTIFICATIONS UNDER GUJARAT SALES TAX ACT AND BOMBAY SALES OF MOTOR SPIRIT TAXATION ACT AND STATEMENT CLARIFYING POINTS RAISED BY SHRI SEZHAYAN AND OTHER re EXPENDITURE FROM GUJARAT CONSOLIDATED FUND

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI K R GANESH) I beg to lay on the Table—

(1) (i) A copy of the Report of the Review Committee of Central Excise (Self Removal Procedure) Volumes I and II

(ii) A statement (Hindi and English versions) explaining reasons for not laying simultaneously the Hindi version of the Report [Placed in Library See No LT-8406/74]

(2) A copy each of the following Gujarat Notifications (Hindi version) under sub-section (3) of section 49 of the Gujarat Sales Tax Act, 1969, read with clause (c)(iii) of the Proclamation dated the 9th February, 1974 issued by the President in relation to the State of Gujarat —

(i) Notification No (GHN-246) GST-1074-(S 49)-(30)-TH published in Gujarat Government Gazette dated the 25th March, 1974 making certain amendments to Notification No (GHN-627)

GST-1070/(S 49)-TH dated the 29th April, 1970

(ii) Notification No (GHN-255) GST-1074-(S 49)-(31)/TH published in Gujarat Government Gazette dated the 25th April, 1974 making certain amendments to Notification No (GHN-627) GST 1070/(S 49)-TH dated the 29th April 1970

(iii) Notification No (GHN-261) GST-1074/(S 49)-(32)/TH published in Gujarat Government Gazette dated the 9th May, 1974 making certain amendments to Notification No GHN-1627) GST 1970 (S 49)/TH dated the 29th April 1970 [Placed in Library See No LT-8407/74]

(3) A copy each of the following Gujarat Notifications (Hindi version) under sub-section (5) of section 86 of the Gujarat Sales Tax Act 1969 read with clause (c)(iii) of the Proclamation dated the 9th February, 1974 issued by the President in relation to the State of Gujarat —

(i) The Gujarat Sales Tax (Amendment) Rules 1974, published in Notification No (GHN-230) GSR-1074/(11)-TH in Gujarat Government Gazette dated the 2nd April 1974

(ii) The Gujarat Sales Tax (Second Amendment) Rules, 1974 published in Notification No (GHN-252) GSR-1074/(12)-TH in Gujarat Government Gazette dated the 16th April, 1974

(iii) The Gujarat Sales Tax (Third Amendment) Rules, 1974, published in Notification No (GHN 266) GSR-1074/(13)-

TH in Gujarat Government Gazette dated the 29th May, 1974. [Placed in Library. See No. LT-8408/74.]

- (4) A copy each of the following Gujarat Notifications (Hindi version) under sub-section (4) of section 36 of the Bombay Sales of Motor Spirit Taxation Act, 1956, read with clause (c) (iii) of the Proclamation dated the 9th February, 1974 issued by the President in relation to the State of Gujarat:—

- (i) The Bombay Sales of Motor Spirit Taxation (Gujarat Second Amendment) Rules 1974, Published in Notification No. (GHN-256) MSA-1074/(21)-TH in Gujarat Government Gazette dated the 25th April, 1974.
- (ii) The Bombay Sales of Motor Spirit Taxation (Gujarat Third Amendment) Rules, 1974, published in Notification No. (GHN-264) MSA-1074(22)-TH in Gujarat Government Gazette dated the 21st May, 1974. [Placed in Library. See No. LT-8409/74.]
- (5) A statement (Hindi and English versions) clarifying the points raised by Shri Era Sezhiyan and other Members in the House on the 6th September, 1974 regarding expenditure from the consolidated Fund of Gujarat authorised by Presidential Order dated the 14th June, 1974 in pursuance of clause (c) of article 357(1) of the Constitution. [Placed in Library. See No. LT-8410/74]

SHRI SEZHIYAN (Kumbakonam): Sir, in regard to Item No. 3, I have already given a note.

MR. SPEAKER: Mr. Sezhiyan, I did not get your name.

SHRI SEZHIYAN: Sir, it is stated in Item No. 3(5):

"A statement (Hindi and English versions) clarifying the points raised by Shri Era Sezhiyan and other Members in the House on the 6th September, 1974 regarding expenditure from the Consolidated Fund of Gujarat authorised by Presidential Order dated the 14th June, 1974, in pursuance of Clause (c) of Article 357 (1) of the Constitution."

When the Gujarat Proclamation was sought to be extended, I raised a point of Constitutional procedure, and said that it was very irregular

MR. SPEAKER: That was about the question of excess demands for the year 1973-74. I conveyed it to him.

SHRI SEZHIYAN: Sir, on this, he has made a statement now. I do not want to go into the entire statement. It will take more time. But, the statement bristles with many inaccuracies and irregularities which go against the Constitution. Whatever may be the Contingency Fund etc., if they go against the Constitution, then, this will not prevail. But, in this case, may I request you to arrange for a discussion at least in the beginning of the next Session. I would appreciate if you can arrange a meeting, where the Minister, you and ourselves can sit together, so that we can get the points clarified, before we come to the House.

MR. SPEAKER: I will first discuss with you, in what form it should be brought up and then I will let you know.

SHRI H. N. MUKERJEE (Calcutta North-East). In this connection, when Mr. Sezhiyan brought up this point, the House was perturbed and the Chair took note and the direction was that the Law Minister should come and explain. I thought he owed it to the House to give an explanation verbally and not merely fulfil his obligation by a statement.

MR. SPEAKER: There was nothing else to be brought in. Everybody is under the impression that we are going according to the decision arrived at the Business Advisory Committee. I will convey this to the Law Minister also.

ANNUAL REPORT OF CONTROLLER-
GENERAL OF PATENTS, DESIGN
AND TRADE MARKS FOR 1973-74

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI A. C. GEORGE): Sir, I beg to lay on the Table a copy of the Annual Report (Hindi and English versions) of the Controller-General of Patents, Designs and Trade Marks for the year 1973-74 under section 126 of the Trade and Merchandise Marks Act, 1957. [Placed in Library. See No. LT-8411/74.]

STATEMENTS SHOWING ACTION TAKEN BY
GOVERNMENT ON VARIOUS ASSURANCES,
ETC.

THE DEPUTY MINISTER IN THE DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI B. SHANKARANAND): I beg to lay on the Table the following statements showing the action taken by the Government on various assurances, promises and undertakings given by the Ministers during the various sessions of Lok Sabha:—

Fourth Lok Sabha

- (i) Statement No. XXXV
Fifth Session, 1968.

Fifth Lok Sabha

- (ii) Statement No. XXXII
Second Session, 1971
- (iii) Statement No. XXIII
Fourth Session, 1972
- (iv) Statement No. XVI
Seventh Session, 1973
- (v) Statement No. X
Eight Session, 1973

- (vi) Statement No. VIII
Ninth Session, 1973

- (vii) Statement No. VIII
Tenth Session, 1974

- (viii) Statement No. II
Eleventh Session, 1974

[Placed in Library. See No. LT-8412/74].

SHRI S. M. BANERJEE: Sir, I have to make only two submissions, for your consideration and for the consideration of the House. Sir, Shri Shankaranand, Deputy Minister of Parliamentary Affairs has laid on the Table of the House eight statements showing the action taken by Government on various assurances, promises and undertakings given by the Ministers during the various Sessions of the Lok Sabha. Sir, I would only invite your kind attention to the two solemn assurances, one given by the hon. Railway Minister—he is not here now—and the other given by the hon. Minister of Civil Aviation, Shri Raj Bahadur. The assurance was given by the hon. Railway Minister that all those employees who merely participated in the Railway strike of May 1974 would be taken back immediately. I am mentioning about the assurance. I must say.....

MR. SPEAKER: He has already laid eight statements on the action taken by Government.

SHRI S. M. BANERJEE: They have not taken action. The whole point is about that. Although submissions were made by us.....

MR. SPEAKER: Do not make a speech.

SHRI S. M. BANERJEE: Sir, I will not speak tomorrow. I will speak only today.

MR. SPEAKER: I will allow you, if you want to speak tomorrow

SHRI S. M. BANERJEE: Sir, in this House, we pleaded before the hon. Railway Minister and the Prime Minister that those employees who merely participated in the railway strike should be taken back immediately and those who were said to be involved in violence and sabotage may be placed under suspension and not dismissed. Unfortunately, this assurance has not been met. The second thing is, pilots of Air India are prepared for a settlement. The Minister said 'doors are open'. But, the doors are closed. I would request you to kindly see that these promises are fulfilled.

COAL MINES LABOUR HOUSING AND GENERAL WELFARE FUND (RECRUITMENT TO CLASS III AND CLASS IV POSTS) AMENDMENT RULES,

THE DEPUTY-MINISTER IN THE MINISTRY OF LABOUR (SHRI BALGOVIND VERMA): I beg to lay on the Table—

- (1) A copy of the Coal Mines Labour Housing and General Welfare Fund (Recruitment to Class III and Class IV posts) Amendment Rules, 1974 (Hindi and English versions) published in Notification No. G.S.R. 872 in Gazette of India dated the 10th August, 1974, issued under article 309 of the Constitution.

- (2) A statement (Hindi and English versions) showing reasons for delay in laying the above Notification. [Placed in Library. See No. LT-8413/74.]

INDIAN TELEGRAPH (SEVENTH AMENDMENT) RULES,

THE MINISTER OF STATE IN THE MINISTRY OF COMMUNICATIONS (PROF. SHER SINGH): On behalf of Shri Jagannath Pahadia, I beg to lay on the Table a copy of the Indian Telegraph (Seventh Amendment)

Rules, 1974 (Hindi and English versions) published in Notification No. G.S.R. 935 in Gazette of India dated the 31st August, 1974, under sub-section (5) of section 7 of the Indian Telegraph Act, 1885. [Placed in Library. See No. LT-8414/74].

AMENDMENTS TO DIRECTIONS BY THE SPEAKER

SECRETARY-GENERAL: I beg to lay on the Table a copy of the amendments to Directors 55 and 115 issued by the Speaker under the Rules of Procedure and Conduct of Business in Lok Sabha.

MESSAGE FROM RAJYA SABHA

SECRETARY-GENERAL: Sir, I have to report the following message received from the Secretary-General of Rajya-Sabha:—

"In accordance with the provisions of rule 111 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to enclose a copy of the National Cadet Corps (Amendment) Bill, 1974, which has passed by the Rajya Sabha at its sitting held on the 4th September, 1974."

NATIONAL CADET CORPS (AMENDMENT) BILL

AS PASSED BY RAJYA SABHA

SECRETARY-GENERAL: Sir, I lay on the Table of the House the National Cadet Corps (Amendment) Bill, 1974, as passed by Rajya Sabha.

RAILWAY CONVENTION COMMITTEE

SECOND REPORT

SHRI S. A. KADER (Bombay—Central-South): I beg to present the Second Report of the Railway Convention Committee, 1973 regarding action taken by Government on the recommendations contained in the First Report of the Railway Conven-

tion Committee, 1971 on "Accounting Matters".

11 15 hrs.

STATEMENT RE-CONTINUANCE IN FORCE OF THE PROCLAMATION OF EMERGENCY

THE MINISTER OF HOME AFFAIRS (SHRI UMA SHANKAR DIKSHIT). Sir, Article 352 of the Constitution provides that if the President is satisfied that a grave emergency exists whereby the security of India or of any part of the territory thereof is threatened, whether by war or external aggression or internal disturbance, he may by Proclamation, make a declaration to that effect. The House is fully aware of the circumstances under which the Proclamation of Emergency had to be made on 3-12-1971. By virtue of the provisions of clause (2) of article 352, the Proclamation will continue to be in force until it is revoked by a subsequent Proclamation.

Unstarred question No 3066, answered on 21st August, 1974, sought to ascertain *inter alia* the reasons for the continuance of the Proclamation of Emergency. While considering the question of the continuance of the Proclamation of Emergency, security requirements of the country have been the most decisive. Accordingly, in the answer furnished, the first place of importance was given to the relevant considerations of security and progress of the process of normalisation of relations with Pakistan. The House had been informed from time to time of the recourse taken by the Government to the provisions of DIR for dealing with anti-social elements, whose activities are prejudicial to the larger economic interests of the nation. In fact, the use of DIR for dealing with the over-all economic situation in the country had been advocated by several quarters, including Members of Parliament. Since

the concrete effect of the Proclamation of Emergency is the continuance in force of the Defence of India Act and Rules, it was thought necessary that the use made thereof to meet the serious economic situation in the country should also be reflected in the answer furnished to the unstarred question. Thus, the reference in the answer to the over-all economic situation in the country was designed only to indicate the totality of the situation in the country.

Sir, I have removed the words 'taken into account by the Government' at the end of the statement supplied.

SHRI S. M. BANERJEE (Kanpur): Why should the emergency continue?

SHRI SHYAMNANDAN MISHRA (Begusarai): The points raised by me have not been answered at all. The point is whether any other reasons could be added to the reasons on the basis of which Parliament had agreed to the Proclamation of Emergency. Now, they have added another reason. Does not that vitiate the Proclamation altogether?

Then, he has not also referred to the statement made by the hon. Prime Minister that there is no war emergency. I had referred to that in my statement and drawn attention to the view of the Prime Minister that there was no war emergency but only an economic emergency. There is nothing like economic emergency in our Constitution. But if what is meant is financial emergency, then on that account, a further Proclamation of Emergency under article 360 is called for. The emergency cannot continue on the basis of article 352 now. The original emergency was proclaimed under article 352. All these points have not been met.

श्री अटल बिहारी वाजपेयी (ग्वालियर) :
अध्यक्ष महोदय मेरा यह एक व्यवस्था का प्रश्न है।

MR. SPEAKER: There shall not be any question or any debate after the Minister's statement which he himself had asked for.

श्री अटल बिहारी वाजपेयी : म डिबेट नहीं चाहता, मैं तो आप की व्यवस्था चाहता

अध्यक्ष महोदय : मैं आप से कहूंगा कि हर स्टेटमेंट हर बात तो कवर नहीं करता। जिस बात को स्टेटमेंट कवर करता है उसको बाद में ले कर फिर बहस कर लेना।

श्री अटल बिहारी वाजपेयी : एक बड़ी खतरनाक परम्परा कायम हो रही है गृह मंत्री महोदय के वक्तव्य का अखिरी सेंटेंस देख लीजिये

अध्यक्ष महोदय : टाइम बड़ा लिमिटेड हैं।

श्री अटल बिहारी वाजपेयी : आखरी लाइन से इन्होंने जवाब को एमेंड कर दिया है।

अध्यक्ष महोदय : आप सब लोग जब खड़े हो जाते हैं।

श्री अटल बिहारी वाजपेयी : मेरा व्यवस्था का प्रश्न है।

अध्यक्ष महोदय : आप जब सब खड़े हो जाते हैं, तो रिकार्ड पर कुछ नहीं जाता है। इसलिये मैं जब तक न बुलाऊँ, आप न बोलें।

श्री अटल बिहारी वाजपेयी : मेरा इस पर प्वाइन्ट आफ आर्डर है।

अध्यक्ष महोदय : मैंने कहा कि इस पर कोई टोका-टाकी नहीं हो सकती।

श्री अटल बिहारी वाजपेयी : मैं टोका-टाकी नहीं कर रहा हूँ। मैं बहस की मांग नहीं कर रहा हूँ।

अध्यक्ष महोदय : आप को तसल्ली नहीं है, तो उस पर बहस कर लीजिये प्रगले सेशन में।

श्री अटल बिहारी वाजपेयी : मैं इस वक्त बहस नहीं चाहता। बहस प्रगले सेशन में कर लेंगे। मैं आप की क्लिग चाहता हूँ कि क्या मंत्री महोदय ने सवान के जबाब में जो कहा है, उस को स्टेटमेंट के द्वारा एमेंड कर सकते हैं। आप आखरी वाक्य देखिये।

अध्यक्ष महोदय : मैं देखूंगा आप प्वाइन्ट आउट करें।

SHRI SHYAMNANDAN MISHRA:
How can that be done in a cavalier manner?

SHRI UMA SHANKAR DIKSHIT:
I have not said that the reply stands amended.

श्री अटल बिहारी वाजपेयी "दि रेप्लाई हेज बीन एमेन्ड, यह कसे हो सकता है ?"

श्री उमा शंकर दीक्षित : जो स्टेटमेंट सर्कुलेट हुआ है, उसके जो आखरी मफ़ज़ है, "taken into account by the Government."

इन को मैंने नहीं पढ़ा है।

श्री अटल बिहारी वाजपेयी : यह माफ़ कहना चाहते हैं कि एकेनामिक सिन्चुएशन को छोड़ा गया है।

अध्यक्ष महोदय : यह जो स्टेटमेंट मेरे पास है, इसमें जो आखरी लाइन है, इस को इन्होंने डिलीट कर दिया है।

श्री अटल बिहारी वाजपेयी : आप आखरी लाइन पढ़िये।

MR. SPEAKER: The last sentence in the statement is:

"Thus, the reference in the answer to the overall economic situa-

tion in the country was designed only to indicate the totality of the situation in the country". "taking into account by the Government"

यह वाट दिया गया है।

SHRI SHYAMNANDAN MISHRA: This amounts to surreptitiously amending the reply to a question

श्री अटल बिहारी वाजपेयी : यह जवाब कैसे काट दिया गया। पार्लियामेंट में जो सवाल पूछा गया था और उस सवाल का जो जवाब दिया गया था, उसमें एकनामिक सिचुएशन का हवाला दिया गया था और श्री श्री मिश्र जी का जो मुद्दा 377 के अन्तर्गत था, उस का असल आधार वही था।

अध्यक्ष महोदय : इससे यह गाल्लुक नहीं खर्चता। आप इस का अलग से ले लीजिये, तो मैं इसको देख लूंगा।

श्री अटल बिहारी वाजपेयी : इसको यह कैसे बदल सकते हैं।

SHRI UMA SHANKAR DIKSHIT: It is not our intention to base this on the basis of the economic situation. . .

MR. SPEAKER: He has not changed it. He has not uttered those words

श्री अटल बिहारी वाजपेयी : यह आप कैसे बदल सकते हैं।

अध्यक्ष महोदय : आप थोड़ी सी मिस-अंडरस्टैंडिंग कर रहे हैं।

श्री अटल बिहारी वाजपेयी : इन्होंने उस वक़्त हा था कि हम एकनामिक सिचुएशन को कसिडग नहीं करते। अब यह कह रहे हैं कि हमने जो जवाब दिया था और उसमें जो एकनामिक सिचुएशन का हवाला था उसको मिनाल दिया जाए।

श्री उमा शंकर दीक्षित : हमने यह नहीं कहा है। जो हम उस स्टेटमेंट में कह रहे हैं, उसको मैं बता दूँ।

I have said that what was said was merely to state certain facts to reflect the situation, the fact of the situation

that the DIR had been used for economic offences with the consent of the House and Members of Parliament It was only to have that fact reflected in the reply that that was stated. But otherwise, so far as the continuance of the emergency is concerned we have not taken that into account so far as the statement is concerned.

श्री अटल बिहारी वाजपेयी : इस सदन को भरोसा दिलाने के लिये आप आखरी वाक्य पढ़ दें।

अध्यक्ष महोदय : दीक्षित जी, आप हो पढ़ दीजिये कि आखरी स्टेट्स आपने कहा खत्म किया।

SHRI UMA SHANKAR DIKSHIT: The last portion of the statement is as follows.

"Since the concrete effect of the Proclamation of Emergency is the continuance in force of the Defence of India Act and Rules, it was thought necessary that the use made thereof to meet the serious economic situation in the country should also be reflected in the answer furnished to the unstarred question "

There is no objection to that Then, the statement goes further to say:

"Thus, the reference . . ."

This is only explanatory

"Thus, the reference in the answer to the overall economic situation in the country was designed only to indicate the totality of the situation in the country".

After that, I have not said anything. I have removed the words "taken into account by the Government".

श्री उमा शंकर दीक्षित (बाका) : मेरा व्यवस्था वा प्रश्न है।

SHRI UMA SHANKAR DIKSHIT: After that, full-stop.

श्री मधु लिमये : मेरा व्यवस्था का प्रश्न है ।

अध्यक्ष महोदय : यह जो इन्होंने नहीं पढ़ा है, यह रिकार्ड पर नहीं आएगा ।

श्री मधु लिमये : जो पढ़ा है, उस पर मेरा व्यवस्था का प्रश्न है ।

अध्यक्ष महोदय : तो फिर यह जो रूल है उसको काट दीजिये जिस में कहा गया है कि स्टेटमेंट पर बहस नहीं होगी ।

श्री मधु लिमये : मैं कोई बहस नहीं उठाऊंगा ।

अध्यक्ष महोदय : वही बात आ जाती है ।

श्री मधु लिमये : मेरा प्वाइंट ऑफ ऑर्डर बोर्डर लाइन होता है । इस में मेरा व्यवस्था का मवाल है । इस में आप देखिये कि दो विषयों को इन्होंने मिला दिया, एक एकेनोमिक सिचुएशन को लेकर एमर्जेंसी और दूसरा डी आई आर का इस्तेमाल, लेकिन मैं आप का ध्यान हम बात की और दिलाना चाहता हूँ कि एमर्जेंसी हटने के बाद भी डी आई आर के कुछ प्रोवीजन्स कानूनी वैध होते हैं । इसलिये डी आई आर के इस्तेमाल का और एमर्जेंसी का कोई संबंध नहीं है । हम यह जानना चाहते हैं कि एमर्जेंसी को बरकरार रखने में क्या आर्थिक स्थिति एक कारण रहा है? मैं श्री श्याम नन्दन मिश्र जी के मुद्दे का समर्थन करता हूँ और आप की व्यवस्था चाहता हूँ इस के ऊपर । मैं यह व्यवस्था चाहता था कि श्री श्यामबाबू ने यह कहा है कि विदेशी आक्रमण के लिये जो एमर्जेंसी थी, अब क्या विभिन्न आन्दोलनों के लिये जो कि आर्थिक स्थिति के कारण चल रहे हैं, यह चलती रहेगी । यह जो फैक्टर्स हैं उन में यह नया जोड़ने से तो यह प्रसंभानिक हो जाती है, अनुकाइटीट्युशनल हो जाती है ।

यह अनेक मुद्दे हैं । इस में आप की व्यवस्था चाहता हूँ । मेरा कहना यह है कि डी आई आर और एमर्जेंसी का, आपस में कोई सीधा संबंध नहीं है ।

SHRI JYOTIRMOY BOSU: (Diamond Harbour): Because of the emergency, no less than 8,000 political prisoners are detained without trial. By amending the Defence of India Rules, they are competent to keep them detained without any restriction on time, as long as they like. The minister should be good enough to enlighten the House as to what the ruling party have been able to get by keeping the emergency alive.

SHRI S. M. BANERJEE: Although there was a motion before the House admitted by you and although we could have demanded a discussion because of want of time, we wanted a statement. In his statement, the minister has referred to an Unstarred Question in reply to which also it was said that not only for external aggression but to deal with economic offences also DIR was used and emergency is necessary. DIR may or may not be used for political purposes or other purposes. It is not linked with that. You asked the minister to clarify because there is no external aggression and emergency is not necessary. But to deal with the economic situation, which has arisen out of the failures of this Government for the last 27 years, they are utilising it.

MR. SPEAKER: Mr. Mishra's point of order was very simple. Can the minister through his statement expand, add or detract or subtract from the answer given to the question

SHRI SHYAMNANDAN MISHRA: And also the statement made by the Prime Minister—nothing can be more authoritative than that—that there is no war emergency.

MR. SPEAKER: Your question was through this process can he expand, add or subtract from the answer given. I take this as the point of order.

SHRI H. N. MUKERJEE (Calcutta North East): Could I ask you on a point of order whether Parliament could justify itself by being told by the Minister that the Proclamation of Emergency, which was continuing on a certain basis, continues now on another basis, even though the Constitution permits it? How could we justify ourselves? And this is the last day of our session. Could we go back, after hearing the Minister say that he can continue the Proclamation of Emergency on grounds qualitatively different from the grounds promulgated earlier, even though the Constitution allows you to make the law...

SHRI UMA SHANKAR DIKSHIT:
I have not said that.

श्री अटल बिहारी वाजपेयी : जो ब्यान दिया है इसको आप थोड़ा गहराई से पढ़ें। यह बड़ा हास्यास्पद है। वह कहते हैं कि एमरजेंसी के अन्तर्गत डी आई आर है और डी आई आर इकोनॉमिक आफसेज के लिये भी काम में लाये जा रहे हैं इसलिए इकोनॉमिक सिचुएशन को भी हमें कन्सीडर करना पड़ेगा। क्या टोटेलिटो का मतलब यह नहीं निकलता है। इकोनॉमिक सिचुएशन को मीट करने के लिये अगल कायदे हैं। (अवधान) .. एमरजेंसी की वजह से डी आई आर आया और अब डी आई आर की वजह से एमरजेंसी कायम रहे यह कितना मजाक है। यह संविधान के साथ खिलवाड़ हों रहा है। (अवधान)

SHRI SHYAMNANDAN MISHRA:
My humble submission is that you kindly compare the statement made by the hon. Minister today with the statement that I had made earlier under rule 377. If you are satisfied that all the points raised by me have been adequately met by the hon. Minister, I will have nothing to say. But I have raised certain issues; the emergency is being continued on grounds which Parliament had not approved of. Now, in the name of economic offences, they cannot

continue the emergency perpetually....
(Interruptions)

श्री अटल बिहारी वाजपेयी : हम अपना अस्तोष प्रकट करने के लिये सदन से बाहर जा रहे हैं। यह फंडमेंटल राइट्स का सवाल है।

[Shri Samar Mukherjee, Shri H. N. Mukerjee, Shri Sezhiyan, Shri Atal Bihari Vajpayee, Shri Shyamnandan Mishra, Shri Madhu Limaye and some other hon. Members then left the House]

11.35 hrs.

STATEMENT RE: ALLEGED BEATING OF NEWSMEN BY POLICE IN AHMEDABAD ON 7TH AUGUST 1974

THE DEPUTY MINISTER IN THE MINISTRY OF HOME AFFAIRS (SHRI F. H. MOHSIN): I beg to lay on the Table a statement, in pursuance of matter raised by Shri Atal Bihari Vajpayee on the 30th August, 1974, regarding alleged beating of newsmen by Police in Ahmedabad on the 7th August, 1974.

Statement

According to the information received from the Government of Gujarat, a complaint was lodged by Smt. Ilaben Prakash Jagatram at Navrangpura police station, Ahmedabad alleging that she was molested by a journalist Shri Asraf Sayed of the Times of India, Ahmedabad when she was returning to her residence with her husband at 10.30 P.M. on the night of 7th August, 1974. It was further alleged that her husband was also beaten by the Journalist and some of Shri Sayed's friends.

2. Shri Sayed also filed a complaint against Shrimati Ilaben Prakash Jagatram and her husband under section 323 of the I.P.C.

[Shri F. H. Mohsin]

3. The incident is believed to have occurred between 10.30 and 11.00 P.M. on the 7th August, 1974 and the Police was informed at about 11.30 P.M. The complaint of Shrimati Ilaben Prakash Jagatram was recorded at about 1.40 A.M. and of Shri Sayed at about 3.00 A.M. after his medical examination at the Civil Hospital.

4. At about 3.30 A.M. about 25 Journalists went to the residence of Shri H. C. Sarin, Adviser to the Governor alleging that the Police had deliberately delayed the taking down of the complaint of Shri Ashraf Sayed.

5. As the matter was not so urgent as to wake up the Adviser at such an early hour, the Police asked the Journalists not to disturb the Adviser. The police put up a cordon to prevent the Journalists from getting into the residence of the Adviser. The Journalists tried to break in the cordon and a scuffle ensued. Shri Sarin however, met the Journalists at about 4.30 A.M. as soon as he was woken up. The Journalists complained to him that the Police had used force and manhandled them.

6. On receipt of a written complaint from the Journalists the Government of Gujarat have asked a senior officer Shri R. Chandramouli, Secretary, Food and Civil Supplies Department to enquire into the allegations against the Police made by the Journalists. The enquiry report is awaited. Meanwhile the two complaints are under investigation with the Police and further action will be taken on them depending upon the result of the investigation.

11.36 hrs.

DELHI SALES TAX BILL**APPOINTMENT OF MEMBERS TO SELECT
COMMITTEE**

**THE MINISTER OF STATE IN
THE MINISTRY OF FINANCE (SHRI
K. R. GANESH):** I beg to move:

"That this House do appoint Sarvashri Chakleshwar Singh, Biren

Dutta and M. Deiveekan to the Select Committee on the Bill to consolidate and amend the law relating to the levy of tax on sale of goods in the Union Territory of Delhi, vice Sarvashri Rudra Pratap Singh, Madhuryya Halder and R. P. Ulaganambi resigned."

MR. SPEAKER: The question is:

"That this House do appoint Sarvashri Chakleshwar Singh, Biren Dutta and M. Deiveekan to the Select Committee on the Bill to consolidate and amend the law relating to the levy of tax on sale of goods in the Union Territory of Delhi, vice Sarvashri Rudra Pratap Singh, Madhuryya Halder and R. P. Ulaganambi resigned."

The motion was adopted.

11.37 hrs.

**CENTRAL AND OTHER SOCIETIES
(REGULATION) BILL****CONCURRENCE IN RECOMMENDATION OF
RAJYA SABHA TO JOIN IN JOINT
COMMITTEE**

**THE MINISTER OF STATE IN
THE MINISTRY OF LAW, JUSTICE
AND COMPANY AFFAIRS (SHRI
NITIRAJ SINGH CHAUDHARY):** Sir,
with your permission, I beg to move:

"That this House do concur in the recommendation of Rajya Sabha that the House do join in the Joint Committee of the Houses on the Bill to provide for the incorporation, regulation and winding up of the Central societies and declared Central societies and regulation of aided Union territory societies and amalgamation of Central societies or aided Union territory societies with similar societies and for matters connected therewith or incidental thereto, made in the motion adopted by Rajya Sabha at its sitting held on the 6th September, 1974 and communicated to this House on the 6th September, 1974 and do resolve that the following

30 Members of Lok Sabha be nominated to serve on the said Joint Committee, namely:—

Shri Bashweshwar Nath Bhargava, Shri Chandulal Chandrakar, Shri Ishwar Chaudhry, Shri Chhotey Lal, Shri C. Chittibabu, Shri Shivaji Rao S. Deshmukh., Shri Laxman Kakadya Dumada, Shri Genda Singh, Shri P. K. Ghosh., Shri Manoranjan Hazra, Shri Kamla Prasad, Shri N. S. Kamble, Shri Inder J. Malhotra, Shri Jagdish Narain Mandal, Dr. Mahapatray Mehta, Shri Janeshwar Misra, Shri S. A. Muruganatham, Kumari Maniben Vallabhai Patel, Shri R. R. Patil, Shri Banamali Patnaik, Shri Dhan Shah Pradhan, Shri P. V. G. Raju, Shri Ram Dayal, Shri P. Narasimha Reddy, Shri Bishwanath Roy, Shri Shankar Dev, Shri N. Tombi Singh, Shri G. P. Yadav and Shri Niti Raj Singh Chaudhary.

MR SPEAKER The question is:

“That this House do concur in the recommendation of Rajya Sabha that the House do join in the Joint Committee of the Houses on the Bill to provide for the incorporation, regulation and winding up of the Central societies and declared Central societies and regulation of aided Union territory societies and amalgamation of Central societies or aided Union territory societies with similar societies and for matters connected therewith or incidental thereto, made in the motion adopted by Rajya Sabha at its sitting held on the 6th September, 1974 and communicated to this House on the 6th September, 1974 and do resolve that the following 30 Members of Lok Sabha be nominated to serve on the said Joint Committee, namely:—

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Shri Ishwar Chaudhry, Shri Chhotey Lal, Shri C. Chittibabu, Shri Shivaji Rao S. Deshmukh, Shri Laxman Kakadya Dumada, Shri Genda Singh, Shri P. K. Ghosh, Shri Manoranjan Hazra, Shri Kamala Prasad, Shri N. S. Kamble, Shri Inder J. Malhotra, Shri Jagdish Narain Mandal, Dr. Mahapatray Mehta, Shri Janeshwar Misra, Shri S. A. Muruganatham, Kumari Maniben Vallabhai Patel, Shri R. R. Patil, Shri T. A. Patil, Shri Banamali Patnaik, Shri Dhan Shah Pradhan, Shri P. V. G. Raju, Shri Ram Dayal, Shri P. Narasimha Reddy, Shri Bishwanath Roy, Shri Shankar Dev, Shri N. Tombi Singh, Shri G. P. Yadav, and Shri Niti Raj Singh Chaudhary

The motion was adopted.

SHRI JYOTIRMOY BOSU (Diamond Harbour): Sir, I have given certain notices of privilege motions.

MR SPEAKER. No privilege motion today.

SHRI JYOTIRMOY BOSU. Allright, Sir In the next Session I thought, Shri L. N. Mishra would come out with a statement, but nothing has come

श्री अटल बिहारी वाजपेयी (ग्वालियर) :
 उस दिन आई टी आई के विद्यार्थियों और अध्यापकों पर जो लाठी चार्ज की गई, पुलिस प्रिंसिपल की आज्ञा के बिना अन्दर घुस गई और बिहार में जो गोलीकांड हुआ जिस में भूतपूर्व मंत्रों को हत्या की गई है, उसके बारे में हमने बयान देने की मांग की थी। मिर्जा जी ने वादा भी किया था कि वे आज बयान देंगे....

अध्यक्ष महोदय : मैंने उनको भेज दिया है एक दम कैसे आ जाता ।

श्री अटल बिहारी वाजपेयी : दिल्ली वाला मामला तो धा ही सकता था उसके लिये तो जानकारी बाहर से इकट्ठी नहीं करनी थी।

अध्यक्ष महोदय : क्या फायदा हुआ ? उस दिन 40-45 मम्बर बोले, आपने फैसला भी किया है कि समय की बड़ी तंगी है। इसको देखते हुये आपने एक टाइम टेबल भी बनाया। अगर इसी तरह चलना है तो फिर बड़ी मुश्किल हो जाएगी इसको चलाने में। आप ने शायद को मोशन के लिए भी वक्त रखा है, यह सच है। डेढ़ घंटे दो घण्टे डिमांड के लिए चाहिए, उस के बाद दूसरा बिल है। आप ने एक घंटा यह भी ऐसे ही ले लिया तां आखिर में बड़े टाइट हो जाएंगे। इसलिए जो हाउस में फैसला करते हैं उस पर स्टिक करिए। आखिर यह कोई आखिरी दिन थोड़े ही है, फिर मिल रहे हैं दो महीने बाद।

श्री अटल बिहारी वाजपेयी : अध्यक्ष महोदय, लाहौर के बारे में मेरा मोशन कितने बजे आएगा, यह आप तय कर लीजिए। अगर यह रेलवे की बहस चलती रही तो हो सकता है.... (ध्यक्षान)...

अध्यक्ष महोदय : भौरा साहब बहुत ज्यादा आप हर फूल पर बूमते हैं। हर एक बात पर उठते हैं।

श्री अटल बिहारी वाजपेयी : क्या गोभी का फूल भी उस में शामिल है ?

अध्यक्ष महोदय : गोभी का फूल तो छोड़िये भाज कल तो आप बैठते ही नहीं कभी। अगर कहीं बैठ जायं तो आप का जरा जोश ठण्डा हो जाय।

अब यह देखिए, टाइम की पोजीशन यह है कि बेलेंस टाइम सप्लीमेंट्री डिमांड फॉर रेलवेज का 1 घण्टा 45 मिनट रहता है। दस पन्द्रह मिनट मोशन पुट करने में लग जायगा, फिर दस पन्द्रह मिनट अप्रोप्रिएशन बिल पर लगेगा। उस के बाद एक घण्टा बोनस बिल के लिए है। तो बाई बजे से पहले नहीं आसकेगा। मेरा क्याल है कि ट्वाई बजे आप सब काम खत्म कर के इसे ले लीजिए और इस में और चीजें बुसडने की कोशिश मत कीजिए, नहीं तो फिर और भागे चला जायगा।

Now, we take up the next item Supplementary Demands for Grants—Railways.

PROF. NARAIN CHAND PARASHAR.

SHRI PRIYA RANJAN DAS MUNSI (Calcutta—South): I want to raise a very important matter... *
Interruptions.

SHRI KRISHNA CHANDRA HALDER (Ausgram): I want to draw your attention and the attention of the House to the serious situation.... *
Interruptions.

MR. SPEAKER: Nothing will go on record. We have moved on to the next item. I have called Prof. Narain Chand Parashar.

श्री आप से कहूं कि जिस मम्बर को मैंने बुलाया है वही बोल रहा है, बाकी सब नहीं बोल रहे हैं। आप शोर कर लीजिए जितना करना चाहते हैं। जाते वक्त भी शुरू कर दिया। मैंने उस दिन आप लोगों को प्रनॉटिसिफाइड तौर पर एकमीटिंग किया। फिर तो नहीं होगा।

1974-75

11-47 hrs.

SUPPLEMENTARY DEMANDS FOR GRANTS RAILWAYS 1974-75—contd.

PROF. NARAIN CHAND PARASHAR (Hamirpur) I rise to support the Supplementary Demands for Railways.

At the same time, I am afraid some of the levies will be quite burdensome to the common man. I would, therefore, request the Railway Minister to have a second look at them, in particular, I would refer to paper, salt, sugar and cement. Throughout the country, to-day, there is an acute shortage of exercise books, text-books and similar other items. If the levy on paper is maintained, the country is going to suffer still further. It is not that the affluent sections will be affected but the common man and woman and still more, it will be the children who will suffer the most. I would request the hon. Minister to exempt paper from the increase of levy. Similarly, salt is the symbol of our national struggle and even Mahatma Gandhi staged a Satyagraha in Gujarat for this very purpose. I would, therefore, request the Minister that salt should also be exempted from the increase in levy. In the same way, sugar which has now become a common man's necessity may also be exempted as also cement because cement is required for so many programmes of the Government and private people and it is so much essential for enlarging the network of roads and bridges, for national highways and State highways.

I would request the hon. Minister to reconsider all these four items and exempt them from the increase in a levy.

The second point I wish to make is that he has increased the fares and exempted only the first 25 kilometres of the journey. The first 25 kilometres of the journey does not mean anything because in the far-flung border areas people have to travel quite a distance to come to the head quarters of the district. So, in order that the

common man in these areas may avail himself of the facility provided by the railways and also may have adequate relief, I would request him to come forward and increase the exemption distance from 25 km to 100 km. If the distance is increased from 25 km to 100 km people who have to come from their native home towns or villages to the District headquarters will be able to avail themselves of this opportunity and thereby, congestion in the buses and the heavy pressure on road transport will also be reduced.

In this connection, I would invite the attention of the hon. Railway Minister to one of the recommendations of the Tarlok Singh Committee on rail-road transport co-ordination. One of the specific recommendations relates to these rates and fares and I would ask the Railways and also the Government to have a new look. The committee's recommendation is

The concessions given by the railways in fares and freight rates have to be considered on merits. To the extent that these concessions are granted in the larger public interest and involve losses to the railways, account should be taken of them in determining the railways' commitments to the general finances.

I should request him to approach the Railway Convention Committee and the Ministry of Finance so that Railways commitment to the general revenues might be set right. The railways are a utility service and appropriate relief to the common man and the students. I would request him to have re-thinking on the system of increases in freights and passenger fares and especially examine the first 100 kms of passenger traffic and the four items mentioned by me, salt, cement, sugar and paper.

Mr. Mishra's coming to the Railway Ministry was marked as an historical event in the history of the Indian Railways. He is the first Railway Minister to give concrete shape to the new concept for railway lines in backward areas. Even earlier the Railway Minis-

[Prof. Narain Chand Parashar]

ters like Shri Hanumanthaiya had stressed the need. In his budget speech for 1972-73 Shri Hanumanthaiya said:

"The existing pattern of railways in India is proving to be inadequate for its growing needs. More conversions from metre gauge to broad gauge and new broad gauge lines have necessarily to be taken up."

Similarly on an earlier occasion Shri Gulzarilal Nanda when he was Railway Minister in one his speech in this House published in a book from under the title "New Tasks for the Railways", had said this:

"In view of the increasing demand from State Governments, from the public and from the Members of Parliament and, keeping in view the transport requirements of specific large industrial or mining projects or major port schemes and Railways own operational needs or those required for strategic considerations, surveys have been or are proposed to be taken up in respect of schemes covering about 2000 kms.

Shri Nanda, Shri Hanumanthaiya and thereafter Shri L. N. Mishra gave specific assurances to this House

In the gudget speech made for 1973-74, in para 41, Shri L. N. Mishra specifically said:

"The construction of new lines is one such item where an entirely new approach may have to be thought out.

In that budget Shri Mishra brought out a new concept. The concept was that the State Governments be asked to share the burden and contribution for the general revenues from the railways should be reduced. The Railway Convention Committee in one of its reports had reduced the rate for Kathua-Jammu line for the contribution to the general finances. I would request the Railway Minister that lines of strategic importance and lines in backward areas should be exempted. I invite his pointed attention to a request made by sixty Members of

Parliament to the hon. Prime Minister Indira Gandhi who suggested to the Railway Minister the survey of Nangal Talwara railways line in 1972 when Shri Hanumanthaiya was the Railway Minister. The then hon. Minister of Irrigation and Power, Shri Rao, also said that the States of Punjab and Himachal Pradesh would be able to serve the country better if these two power projects at Bhakra and Pong were connected by the railway line. A survey had been made and on 13th August, 1974, Mr. Mishra had made an announcement in reply to my starred Question in this House that the railway line had been sanctioned. In reply to a supplementary question by Sardar Darbara Singh, our great leader from Punjab, he announced that Rs. 10 lakhs would be provided in this year for the construction of that line. May I ask him whether that amount as announced in reply to starred question No 330 had been made available which will benefit and link the States in the North, Jammu and Kashmir, Himachal Pradesh and Punjab. I had been studying the whole system of railways for the last ten years. Since Independence not a single line has been given to this area Punjab, Himachal Pradesh Jammu and Kashmir had been neglected. What is our fault? We have not burnt a single railway bogie nor killed a single person; we have been peaceful. There has been political stability. Does he like that there should be political stability in Punjab, Jammu and Kashmir, Himachal Pradesh and Haryana or does he not like? Does he want the border people to continue to suffer, these are the persons who send their sons to the Armed Forces? Should they continue to be deprived of the facilities which are consequent upon the development of the railway infrastructure? Our sons are in the Army. We have no Finance we have no industries. Industries are not coming up in Northern Punjab, Himachal Pradesh, Jammu and Kashmir. These are areas which are not getting any industries because there is no railway line. I request the Minister to consider this very sympathetically. Sixty Members of Parliament from all over

India have recommended the early construction of this Nangal Talwara railway line. The P. A. C. in its 120th Report has recommended that in view of the strategic importance of the railway lines in hilly area and backward areas, these lines should not be regarded as unremunerative. The Railway Convention Committee has taken note of this point and has reduced the contribution of the railways to general revenues on the Jammu Kathua railway line. Mr. Qureshi should also attend to this line personally because this line will ultimately benefit Jammu and Kashmir also as Nangal could be linked to Pathankot via Samsarpur terrace.

I want to speak a few words about the other important lines.

MR. SPEAKER: Kindly conclude. It is not a habit with me to ring the bell.

PROF. NARAIN CHAND PRASHAR: There are some other important railway lines. Those are: Gaya to Rejghur and Laukha to Laukha in Bihar and Malda to Behurgat in West Bengal. This also should be sanctioned early.

MR. SPEAKER: Please take your seat. Your whip said that we should confine ourselves to five minutes each. There are 38 members, I will not allow more than five minutes.

PROF. NARAIN CHAND PRASHAR: The Ministry of Irrigation and Power of the Central Government has also recommended the early construction of Nangal-Talwara line because it will benefit the two power projects at Bhakra and Pong. So, this should be taken up immediately within this year itself. I request that in order to consider this question of the provision of the railway lines for hilly and backward areas and also sanctioning new branch lines as a whole in the country, a Committee of Members of Parliament should be appointed to recommend on rationalisation of the new lines and provision of missing links which would ultimately make the railway system in India more remunerative and helpful to the country.

I repeat my appeal with all emphasis at my command that in view of the demand of 60 Members of Parliament in view of the firm support and demand by the Himachal Pradesh Government, from Punjab Government and the Ministry of Irrigation and Power and the solemn assurance made by the hon. Minister, Shri L. N. Mishra on 13th August, 1974, this railway line should be constructed this year itself.

MR. SPEAKER: Why don't you confine yourself within the time please? You can pick out points which are very important, which can be considered within five minutes time.

I have a new list today from your Whip...

THE MINISTER OF PARLIAMENTARY AFFAIRS (SHRI K. RAGHU RAMAIAH): Sir, that is supplemental list. I would like to submit one On the Chair the Chair called three members from the opposition continuously as somebody wanted to go and some had to be accommodated. And the Chair made this observation that three congress members will be called in succession. I am just bringing it to your kind notice.

MR. SPEAKER: Then I have got to call Shri Tiwari and Shri Bhagwat Jha Azad. Then, I will be going to that side. Shri D. N. Tiwary.

12 hrs.

श्री डी. एन. तिवाड़ी (नोयालबंद) :

प्रध्याय महोदय, कुछ दिनों से रेलवे ऐड मिनिस्ट्रेशन का स्वरूप बहुत ही घुमिचल और और विकृत हो गया है। इसकी विकृति या नहीं है कि कोई भी काम ठीक से नहीं चल रहा है। नया ट्रेन का चलना ही, नया समय की आवश्यकता हो, वह भी अनदेखा रहता है कि कब कौन सी ट्रेन केन्सिल हो जाये। कुछ दिन पहले डी-लक्क केन्सिल हो गई। बाजूबू-नहीं कब केन्सिल होती है और लोग स्टेशन पर खबरा करते हैं, को

[श्री डी० एन० तियारी]

में कहुना कि कोई नई लाइन देने के पहले या और कोई नया कथ करने से पहले रेलवे एडमिनिस्ट्रेशन का अपना स्वरूप ठीक करना होगा। इन विधितियों को दूर करना होगा, तभी कोई काम हो सकता है और उस के लिए आप का पहले अपनी कम्पन कसनी होगी। आप को कोई ऐसा काम नहीं करना चाहिए जिस से पब्लिक को यह अन्देशा रहे कि यह अपने लिए ही कोई खास प्रवन्ध करते हैं। आज ऐसा हो रहा है आपने जब ट्रेन में जाना होता है ता आधा आधा घटे तक गाडी में डिले हो जाती है। यह अच्छी बात नहीं है। इस से मुसाफिर क्या मममने होंगे। आप ठीक समय पर नहीं आ सके, तो गाडी आधे घण्टे डिले कर दो। ट्रेन में चढ़ने में दिक्कत न हो ट्रेन को बैंक करवाते है और फिर वहा लाते हे जहा आप को सुविधा हो। ये ठीक बाने नहीं हैं। घटनाये नई दिल्ली और पटना में हुई हैं। आप को जाना है इसलिए लाउन बदलने के लिए और दूसरे प्नेटफार्म पर पर जाने के लिए गाडी को बैंक किया जाता है और इस तरह से गाडी आधा घटा लेट हो जाती है। नई दिल्ली और पटना में आपने ट्रेन को आधा आधा घटा लेट करवा दिया। इसने मुसाफिर क्या साक्मे। आप को ठीक बन्दोबस्त करना चाहिए। लोगों को न्याय ठीक से नहीं मिलता है। मैंने गत कस नटेडिव कमेटी में इस सबध में कहा था और आप ने कहा था कि दा तीन दिनों में जवाब मिल जायगा। लेकिन आज तक महीनी हो गये, कोई जबाब नहीं आया। इसलिये जब तक आप को जो विधितिया हैं, उनको दुरस्त नहीं करेगे, तो आप का एडमिनिस्ट्रेशन चल नहीं सकता है। न आप के आर्गसर्स का आप पर विश्वास होगा, न आप के कर्मचारियों का आप पर विश्वास होगा और न जनता का आप पर विश्वास होगा। इसलिये आप अपना आचरण ठीक करिये और कपरे कस कर इतजाब को दुरस्त कीजिये। अगर आप

ऐसा नहीं करेगे, तो न आप और न आप के रेलवे बोर्ड के सदस्यगण एडमिनिस्ट्रेशन को दुरस्त कर सकते हैं। आप की बजह से अघा आधा घटे ट्रेन लेट हो जाया करती है। श्रीप्री-स्ट्राइक पीरियड में जो ट्रेने चल रही थी, वे अभी तक रेस्टोर नहीं हुई है। अब आप के पास क्या बहाना है। अब तो स्ट्राइक नहीं है। अब आप कोयला मगा सकते हैं, फिर प्री-स्ट्राइक पीरियड वाली ट्रेने क्यों नहीं रेस्टोर करते हैं।

दूसरी बात यह है कि आपने 20 परसेन्ट और 25 परसेन्ट फेयर्स बढा दिये। पालिया-मेंट के इतिहास में कभी इतने फेयर्स नहीं बढाये गये हैं। मेरा ऐसा ख्याल हे कि यदि आप अपनी सम्पत्ति को रक्षा कर मरते, पिलफेज को रोकते, चोरियों को रोकते, कारखानों से जो सामान चला जाता है, उसको रोकते और टिकटलेस ट्रेवल को रोकते तो मैं समझता हू कि आप को किराया बढा की बहुत कम जरूरत होगी। आप करते क्या है? आप के पास 18, 20 लाख की जा फी है ये आप को सम्पत्ति को रक्षा नहीं कर सकती यह किस मर्ज की दवा है। क्यों आप रेलवे बोर्ड जैसे हाथी का पाले हुये है। इसको आप को हटाना चाहिए जब बिरोधी पक्ष वाले इसके बारे में कहने थे तो मैं इसका बिरोध करता था लेकिन जैसे जैसे दिन बीतते जाते है, मैं भी कबिन्स होता जाता हू कि बोर्ड व्यर्थ है। जब यह आप की सम्पत्ति की रक्षा नहीं कर सकते, तो एडमिनिस्ट्रेशन चनेगा कैसे? इसलिये यह जो पिलफेज चोरी लूट, कोयले की चोरी और कारखानों से चोरी हीती है, इसको बन्द कीजिये। टिकटलेस ट्रेवल बन्द कीजिये। ऐसा होगा तो आप सैकड़ों करोड़ रुपया बचा सकते है। लेकिन आप बचाना नहीं चाहते हैं। इसलिये मैं रेलवे मिनिस्टर साहब से और बोर्ड के लोगों से अपील करूंग कि वे अपने सामान की रक्षा करें और लोगों पर यह टिकट का भार न बढ़ाये क्योंकि जो

लोग टिकट खरीदते हैं उन पर ही यह बोझ बढ जाता है और जो लोग चोरी करते हैं और रेलवे एडमिनिस्ट्रेशन को धोखा देते हैं वे मज से रहते हैं। ठीक, क्यों हा रहा है ?

मैं रेलवे लाइन्स की मांग नहीं कर रहा हूँ, लेकिन मैं यही कहता हूँ कि जो आप की कमजोरीया है उनका आप दुर्रत कीजिये। तभी रेलवे कर्मचारी आप की बात मानेंगे। मैं यह भी कहता हूँ कि कम से कम 30 40 मील तक जो लोग चलते हैं उन पर आप रहम कीजिये क्योंकि उनको रोजाना कचहरी जाना पडता है और वे रोज पैस दत है। आप जो यह 20 25 परसेन्ट फेयर बढा रहे है इससे तो आप टिकट पैस ट्रेविल को प्रोत्साहन दे रहे है, लोग दो चार आने पैसे दे कर निवल जायेंगे। उसको आप बचा नहीं सकेंगे। तो क्यों आप ऐसा करने है ? आप की आमदनी भी न हो, नाहक पब्लिक से गाली मिले और बदनामी हो, तो ऐसा काम आप क्यों करते हैं। आप अपनी सम्पत्ति की रक्षा कीजिये, तो उससे सैकडों करोडों रुपये की बचत हो सकती है।

चाँची जो बात से आपके सामने रखना चाहता हूँ वह यह है कि आप की एडमिनिस्ट्रेटिव मशीनरी जो है, वह इम्पार्शल बर्ताव नहीं करती है। इसलिये नीचे के कर्मचारियों में सुधार होना सम्भव सा हो जाता है। नीचे का अफसर गलती से अगर किसी कर्मचारी को सजा देता है तो छ महीने बीत जाते हैं लेकिन वह चीजदुरस्त नहीं होती है। इस लिए मैं कहूँगा कि इम्पार्शल बर्ताव जो होना चाहिए वह नहीं हो रहा है। इससे काम नहीं होता है और लोगों में असंतोष बढता है। वे निष्पक्ष व्यवहार के लिये लडाईं करते हैं और यह चाहते हैं कि उनके साथ ज्यादती न हो। इन सब बातों से उनके मन में दुर्भावना पैदा होती है।

आप ने कहा कि हम रेलवे में एक यूनियन को मान्यता देंगे। मैं इसको पसन्द करता हूँ। इस वक्त दो दा फेडेरेशन है। आपके इस डेक्लेरेशन आबजेक्टिव के बाद भी आप कैंटेग्रीवाइज यूनियनों के साथ निगोशियट करने है। आप उनके साथ बात करने है और मेटलमेट करन है। इस तरह में आप का जो वह डेक्लेरेशन आबजेक्टिव है वह कहा गया। अगर आप जो लोगों स्ट्राइक हुआ था उसमें कैंटेग्रीवाइज यूनियन के साथ बात न करते तो यह दशा न होती लेकिन आप ने अपनी ही बात का ध्यान में नहीं रखा। क्या आप रेलवे में जो सैकडों कैंटेग्रीज है मौडों यूनियन है उनमें निगोशियट करेगे। यानी आप का ऐसा आबजेक्टिव टात हुये भी आप उन से बात करते है और उनके साथ साठ गाठ करते है और इस तरह में आप का दिक्कत होती है आप मर्सी नैसरी और रथलेमली ऐसी बात न करते, तो आप को यह इनकविनियंस नहीं होती और लाग रन में आप का काम ठीक चलता। इसलिये मंग कहना यह है कि आप कैंटेग्रीवाइज यूनियनों के साथ बात करने की कभी कोशिश न कीजिए।

श्री भागवत झा आजाद (भागलपुर)

अध्यक्ष महोदय, मैं समझता हूँ कि मप्लीमेटरी बजट का यह समय उन तमाम बातों को समालोचना के लिये नहीं है, जो पिछले वर्ष मैंने की थी या अगले वर्ष मार्च में करूँगा। सारी बातें अगर सब रूठ दी जाएँ, तो मंत्री महोदय और उनके मन्त्रालय का दिन बहुत दुखेगा और मैं समझता हूँ कि यह अवसर इन सब बातों को कहने का नहीं है क्योंकि इस स्ट्राइक ने और तमाम अस्त-व्यस्ताओं ने इनको इतना कमजोर कर दिया है कि इन पर दया ही करनी चाहिये बजाय इसके कि कुछ ऊपर से कहा जाय। इस समय इनकी आमदनी कम हो रही है और इनके खर्च में वृद्धि हो रही है, इसलिये इन तमाम बातों को देखते हुये मैं इनको कुछ सलाह देना चाहता हूँ

[श्री भागवत झा आजाद]

ताकि अगले कुछ महीनों के बाद जो यह बजट लावेंगे, उसमें यह कुछ सुधार कर सके क्योंकि रेलवे आज हमारे देश में सबसे बड़ी सत्ता है सार्वजनिक क्षेत्र की जो देश की सबसे बड़े भाग की सेवा करती है। दुर्भाग्य की बात यह है कि काम करने वाले जो हमारे बन्धु हैं कुछ कारणों से इतनी बड़ी हड़ताल में चले गये जिसका उनको कोई फायदा नहीं हुआ बल्कि देश का बहुत घाटा और नुकसान हो गया। इसके लिये जवाबदेह कौन है, यह मैं बत्ती जी ने पहले भी कह चुका हूँ। अगले रेलवे बोर्ड को भी बजा चुका हूँ। अगर इन लोगों ने यह मुहब्बत न दिखाई होती पिछली मार्च में, लोको म्द्राइक से इतनी दरियादिली न दिखाई होती तो हर महीने बाद, हर महीने बाद और उसके बाद इतने बड़े पैमाने पर म्द्राइक नहीं हुई होती। इसलिये हम तो यह कहेंगे कि हमारे कर्मचारी जो हैं उनके साथ दया दिखाइये, महानुभूति दिखाइये, उनकी सुविधाओं को देखिये, लेकिन साथ साथ यह भी आवश्यक है कि महानुभूति सुविधा और उनके साथ सहयोग के नाम पर कही आपकी इन भावनाओं को कमजोरी न समझ लिया जाय, इस बात का ख्याल रखे—आप और आपका रेलवे बोर्ड। कर्मचारियों के कौन खिराफ है? कौन उनका अहित करना चाहता है? उकिन आज मैं अपने कुछ बन्धुओं का ध्यान आकृष्ट करना चाहता हूँ कि आज रेलवे कर्मचारियों के नाम पर जो इन्टरनेशनल ट्रांसपोर्ट कान्फ्रेंस में स्टाकहोम गये और जाकर के उन्होंने जो प्रस्ताव वहाँ प्रस्तुत किया भारत की जनता के नाम पर, भारत देश के नाम पर, उससे बड़ा अहित कुछ हो सकता है? स्टाकहोम के उम अन्तर्राष्ट्रीय ट्रांसपोर्ट कान्फ्रेंस में जार्ज फर्नडीज ने ऐसा प्रस्ताव रखा इस देश के लिये जो मैं पढ़ नहीं सकता हूँ, उसको पढ़ना मैं अपमान समझता हूँ देश का। अगर वह यह कहें कि देश मजदूर के हित में नहीं है, तो मैं समझ सकता हूँ गो मैं ऐसा नहीं

समझता, मैं समझता हूँ हित में है, लेकिन अगर वह इतना न कहे तो उनकी लीडरी चली जाएगी। लेकिन सम्पूर्ण देश का उन्होंने उस अन्तर्राष्ट्रीय कान्फ्रेंस में अपमान किया।

श्री राजदेव सिंह (महाराजगंज) .
सरकार का किया, देश का नहीं किया ?

श्री भागवत झा आजाद प्रस्ताव पढ़िये आप। अगर आप भारतीय हैं और आपके मन में देश के प्रति दर्द और ईमानदारी है तो आपका घर शर्म से झुग जायेगा। कोई भी भारतीय उस प्रस्ताव को पढ़ कर अपना सिर शर्म से झुकायेगा। मैं आप में कहूँगा कि आप ऐसी यूनिन को मत बर्दाश्त कीजिये, ऐसी यूनिन कामत रहने दीजिये जो यूनिन देश के बाहर जा कर हमारे देश की प्रतिष्ठा का ख्याल नहीं रखती है।

कठिनाइयाँ बहुत हैं। मैं स्वयं कहता हूँ, मैंने माननीय रेल मंत्री और उनके मन्त्रालय की जो समालोचना की है वह किसी विरोधी दल से कम नहीं है, लेकिन मैं अपना इसमें अपमान समझता हूँ कि स्टाकहोम की कान्फ्रेंस में जा कर अपने देश के प्रति और जनता के प्रति इस प्रकार की भावनाएँ प्रकट की जाये। प्रदर्शित की जाये। (ध्यक्षवाण)

अगर ये माननीय सदस्य अपना मुँह बन्द कर ले और कान बोल ले तो इनकी समझ में आ जायेगा। लेकिन दिक्कत यह है कि ये कान बोलते नहीं हैं और मुँह खुला रखते हैं। इसलिये इनकी समझ में नहीं आता है।

मैं यह कहूँगा कि माननीय ललित नारायण मिश्र ने एक अच्छे सिद्धान्त का प्रतिपादन किया जो मैंने पिछली बार कहा था, कई समालोचनाओं के बीच कहा था और आज फिर दोहराता हूँ कि रेल मंत्री ने पिछले भाषों में जहाँ राजस्व की कमी के नाम पर रेल लाइनों नहीं ले जाई जा रही थीं, वहाँ

मंत्री जी चूंकि जनता के बीच की भावनाओं को समझते हैं, उन्होंने कहा कि हम रेल लाइन में आर्येण । आज रेलवे बोर्ड उदाहरण निकाल दे, शायद दो तीन ऐसी हैं, मैंने पब्लिक एकाउन्ट्स कमेटी में देखा था, वरना जहाँ जहाँ आपके रेलवे विभाग ने कहा था कि रेल लाइन नहीं खोलनी चाहिये वहाँ लाइन खोली गई, जहाँ राजस्व में कमी की बात कही गई थी, पोलिटिकल डेसीशन पर वहाँ लाइन खोली गई और वह लाभप्रद हो गई । इतने बड़े देश में कहने है कि हिमाचल प्रदेश में रेलवे लाइन न ले जायी जाय, भागलपुर मन्दार हिल रेलवे लाइन को कुमका से रामपुरहाट होकर वैद्यनाथ घाम देवघर न ले जाया जाय, क्यों ? क्योंकि राजस्व को आप नहीं होगी । इससे बड़ी मूर्खता और कोई नहीं हो सकती । अगर रेलवे बोर्ड और रेल मंत्रालय में ऐसी ही बुद्धि वाले लोग बैठें हैं तो आप उनकी बुद्धि के परिमार्जन का ब्यास चलाइये, जरा उनकी श्रेण बांशिया करवाइये । हिन्दुस्तान में जहाँ जहाँ भी पिछड़े भाग में रेल लाइन गई है वहाँ शुरू में चाहे घाटा दिखाई पड़ा हो, लेकिन अन्त में फायदा हो रहा है । ऐसी एक नहीं छोड़के लाइने हैं । इस सिद्धान्त का आपका मंत्रालय विरोध करता है तो वह बताइये हमको जहाँ कि लाइन खोली गई और हानि ही हानि रह गई । इसलिये मेरा कहना है कि इन पिछड़े भागों के लिये आपने पिछली बार जो घोषणाये की हैं उनको राजस्व की कमी के नाम पर आप छाड़िये मत । मैंने हमारे मित्र ने पंजाब हरयाणा और हिमाचल प्रदेश की बात कही, ऐसी ही मैं कह रहा हूँ भागलपुर मन्दार हिल से कुमका होते हुये रामपुर हाट हाँ कर वैद्यनाथ घाम देवघर तक लाइन ले जाने के लिए । अगर आप राजस्व में बृद्धि चाहते हैं तो आपको यह देखना पड़ेगा कि किन जगहों में नई ट्रेनें और नई लाइनें ले जाये । आप कहेंगे कि भागवत , कुम तो बार बार वही बुरानी बात कहते हो, लेकिन और हम कहें

क्या ? आपको और आपको विभाग को बिना बार बार समझाये समझ में आता ही नहीं । आपको याद होगा कि जब हम बिहार बंगाल और आसाम के मेम्बरों ने कहा था कि फरक्का ब्रिज के खुलने के बाद नई लाइन आसाम को जोड़ने के लिये फरक्का हीकर ले जायी जाय । आप के रेल मंत्रालय ने आसाम मेल को डाइवर्ट किया । लेकिन चार दिन के अन्दर जैसे उनको कोई इलहाम आया, खुदा की आवाज सुनाई पड़ी, बुद्धि उनकी परिमार्जित हो गई और एक दिन सुबह उठकर कहा कि यह गलत है । फरक्का ब्रिज के खुलने से आज आसाम जाने का सबसे सुगम रास्ता कम से कम समय में पुरा होने वाला खुल गया । अब कहते हैं कि चूंकि लाइन बड़ी है, फेयर अधिक लगेगा । तो आपको क्या ? फेयर देमे हम या आप दगे ? आपको याद होगा इनको बार बार धमकाने के बाद, इनके हाथियों को बहुत कुछ पिछली बार कहने के बाद, अब गोहाटी मेल चलने लगी है । इस मेल से अधिक राजस्व आता है । आसाम के लोग वहाँ पर चार घंटे पहले पहुँच जाते हैं जब कि टाइम टेबुल में इन्होंने गड़बड़ कर रखी है, अधिक समय रख दिया है दो दो स्टेशनों के बीच में । हमारा आपसे निवेदन है कि आप इन ट्रेनों को रोज चलाइये, अगर आपको हानि हो तो ट्रेन बन्द कर दीजिये । नही तो गीहाटी मेल आप रोज चलाइये अगर आप ज्यादा राजस्व चाहते हैं तो और मेरा निवेदन है कि ५ अक्टूबर से आप एक दिन और बृहस्पतिवार को भी इस ट्रेन को चलाइये ।

पिछले दस पन्द्रह वर्षों में मैंने अपने क्षेत्र में कम से कम पाँच सात हाल्ट खुलवाये । हर हाल्ट के लिए बीसों बार इनके रेलवे मंत्रालय ने लिखा कि सम्भव नहीं है, नाट फीजिबल, नाट पोसिबल, नाट वर्कोबल, दूढ़ दूढ़ कर शब्द निकाले । लेकिन आज वही हाल्ट चल रहे हैं जनता की भलाई के लिये उपयोगी हैं और ऐकेम्प्यू प्वाइंट आफ व्यू से प्राफि-

[श्री भगवत झा आजाद]

टेबल भी है। तो क्यों ऐसा करते हैं आप ? अम्बापाली हाल्ट बनाया गया था मेरे प्रेक्षर के बाद। अब कहते हैं कि नई ट्रेन हाल्ट करो तो कहते हैं ट्रेन खड़ी नहीं होगी। क्या चाहते हैं ? बिहार में स्वयं मूवमेंट चल रहा है हम उसमें जोड़ना नहीं चाहते हैं। पिछली बार मेने कहा था आपसे कि हिन्दुस्तान के उस भाग में रेल का चक्का जाम हो जायेगा अगर गोहाटी मेल नहीं चलेगी। वही चली। हम चक्का जाम नहीं करना चाहते हैं। मगर मेरी बात सुनिये। मैं यह कह रहा हूँ कि उस भाग में इसलिये उन्नति नहीं हो पा रही है और तब तक नहीं होगी जब तक क्यूल और साहबगज के बीच दोहरी लाइन नहीं बिछ जायेगी। कहते हैं कि 16 करोड़ का इसमें खर्च है। तो मैं आपसे एक बात पूछता हूँ कि क्या हिन्दुस्तान के किसी भाग में आज दोहरी लाइन बिछ रही है या नहीं ? अगर हिन्दुस्तान के सभी भागों में दोहरी लाइन बिछना बन्द हो गया है, नई ट्रेनों का चलना बन्द हो गया है तो इस भाग की चार और ट्रेनें बन्द कर दीजिये। लेकिन अगर हिन्दुस्तान के और भागों में लाइन दोहरी हो रही हैं तो क्यूल और साहबगज के बीच में भी दोहरी लाइन होनी चाहिये इसलिये कि आजादी के पूर्व और आजादी के बाद उस भाग की जनता ने और जनता के साथ में त्याग और बलिदान किया है, उसकी कीमत उसका मिलनी चाहिये। इसलिये यह आप कीजिये। आप कहते हैं कि चूँकि पैसे कम हैं इसलिये नहीं करेगे। तो आपने उसको बचाने के लिये क्या किया ? मैं आपके उस प्रयत्न की मरहना करता हूँ कि आपने कहा कि आप अपने जनरल वर्किंग एक्सपेसेज में पांच परसेंट कमी करेगे जो लगभग 50 या 60 करोड़ आता है। कीजिये हिम्मत के साथ। सम्भावना है आप के विभाग में खर्च में कमी करने की और इसका बेसीशन उन पर मत छोड़िये, उनसे आकडे मत लीजिये। पोलिटिकल डेप्रीशन लीजिये। आप कहिये कि इतना

आपको कम करना होगा। सैलून बन्द हो जाय, और इस तरह के काम बन्द हो जाय। इस सिलसिले में जो भी आपने किया बिलकुल सही काम किया। आप कहने हैं कि पैसों में कमी हो गई है तो मैं आपसे पूछता हूँ कि एक दिन भी एक ऐसी ट्रेन नहीं दिखायी पड़ती जो कि खाली जा रही हो, जिसमें भीड़ खड़ी न चलती हो, फिर पैसा क्यों कम हो जाता है ? सारी ट्रेनें भर दी हुई हैं लेकिन पैसे में कमी क्यों आती है ? तो जरा यह सोचिये कि उसमें चलने वाले आपके बाबू और भाई लाग जा हूँ वे क्या करते हैं ? लीक कही है या नहीं ? मैं मंत्री जी से कहता हूँ कि लीक नहीं है इतना बड़ा होल है हर जगह में हर ट्रेन में। उसका बन्द कीजिये, तब आपको सेविंग मिलेगी। देखिये क्या होता है। एक दिन किसी को भेजिये। अगर चले जाइये तूफान में देखिये कि आपके रक्षक कितने बड़े भक्षक हैं। इसलिये अगर आप अपने राजस्व को बढाना चाहते हैं तो इन सुरागों को बन्द कीजिये।

प्रोटेक्शन फोर्स को मैं पिलफरेज फोर्स कहता हूँ। आप देखिये मुगलसराय यार्ड में रोज चोरी हो रही है। मगर आप कुछ नहीं कर पाते। मुगलसराय, गहरा में रोज चोरिया हो रही हूँ। जो वहा के प्रोटेक्शन फोर्स वाले हैं आप उनको कहिये कि तुम्हारी नौकरी इस चोरी के न होने पर है। बोलो कितना और स्टाफ चाहिये। उसके बाद अगर चोरी होगी तो तुम्हारी नौकरी जायेगी। आप उनको जिम्मेदार ठराइये। दुर्भाग्य यह है कि इस देश में ईमानदार काम करने वालों को इनाम की आशा नहीं है और बेईमानी करने वालों को कोई सजा का डर नहीं है। इसलिये यह स्थिति है। आप अपने एडमिनिस्ट्रेशन में सुधार कीजिये। बजाये मुगलसराय के पिलफरेज फोर्स को ठीक करने के आप वहा से कम्प्यूटर को उठा कर वाराणसी ले जा रहे हैं। क्यों ? जितना आपका स्टाफ है आप उन्ही को

सुधारिये, जो आप चाहते भी हैं, तो काम अच्छी तरह से चल सकता है। लेट चलने वाली ट्रेनों की क्या आपने कल्पना की है कि कितनी सोशल कोस्ट पड़ रही है देश पर ? हम अगर स्टेशन पर फोन करते हैं कि ट्रेन कितनी लेट है तो कहते हैं कि आधा घंटा, जब कि तीन घंटे लेट हो गई है। तो एक बार ही बता दें कि ट्रेन तीन घंटे लेट है। क्यों लोग स्टेशन पर पहले से जाकर परेशान हो। कौन सा आपके स्टेशन पर लोगों को आराम मिलता है।

अगर आप रेलवे में सुधार करना चाहते हैं तो जिन चार, पांच बातों पर मैंने जोर दिया है उन पर गम्भीरता से विचार करें, और गौहाटी मेल रोज चलाया जाय। मदार हिल रेलवे को बड़ा दीजिये, क्यूल-भागलपुर की लाइन का दोहरा कीजिये। हम आशा करते हैं आप आने वाले महीने में आप हमारी भावनाओं को आदर करेंगे, हम आपका साथ देंगे। आप हमारी बातों पर विचार करके अमल करेंगे तो हम आपके कृतज्ञ होंगे।

SHRIMATI PARVATHI KRISHNAN (Coimbatore): The Railway Minister has come before the House with a supplementary budget asking for Rs. 56 44 crores. Of course in the beginning of his speech he sang his usual hymn in which he is always joined by people like Mr. Bhagwat Jha Azad and so on, putting the blame on the workers and then coming to us with a supplementary budget. What is the fall in earnings due to? Is it due to the strike? Time and again on the floor of the House we have pointed out the defecting functioning of the Railways. What has he done about it? Let me draw his attention to one proposition that he accepted. When the Railway Budget was being discussed and the Railway strike was being discussed both in this House and in the Rajya Sabha what did he say when it was pointed

out to him that the social burdens that are there on the railways to the tune of some crores are totally unjustified and they should be re-examined and such things as bamboos for Bir-las—I fall into alliteration—need not be carried below the cost of transport. The Public Accounts Committee of Parliament has also pointed this out and the Minister stated on 3-5-1974 in the Rajya Sabha. "I will ask the Member (Finance) to go into it and if necessary I will appoint a sub-committee with a senior member of Parliament who has an aptitude for the subject" maybe, Bhagwat Jha Azad was trying to qualify for that, I do not know—... and wants to be associated with it. I will have no objection to that. We have no sympathy for big business houses; if we could get money out of them we will be too glad to have it" Yet, he is today coming before the House to get more money out of the third class passengers

AN HON MEMBER: Second class.

SHRIMATI PARVATHI KRISHNAN: I am sorry; second class passengers I must say they are very vigilant when it comes to the class question. I wish they are equally vigilant when it comes to victimisation. Before asking for this blanket increase in fares and freights charges he should tell us about the transportation below cost? What about the social burdens? He does not say anything about them. Before asking us to vote the increased fares and freight rates, it is only fair to Parliament that you put all your cards on the Table. How can you do it when the cards are not in your hands? It was time both the Minister and the Deputy Minister rose above the PRO's and the Railway Board. Time and again they are misleading the House by giving wrong information. Once our Deputy Minister was graceful enough to say that he was wrong. On 23rd July, Mr. L. N. Mishra in reply to a question about the removal from service of motormen in Central Railway said "none". Yet, on as late as

[Shrimati Parvathi Krishnan]

5th August, 5 motormen of the Central Railway were not taken back. Whether it is victimisation or late running of trains, we are being constantly given information which we have to point out are wrong. Why should the ministers come here, maybe well-meaning, maybe not, and give us assurances which they are totally incapable of seeing are implemented by the administration? We have repeatedly asked for a policy decision on victimisation for the simple reason that even the Prime Minister has said that Government does not want to adopt an attitude of humiliating the railway workers and its attitude is to see that proper justice is done to them. But still thousands of workers are still waiting with their appeals not even examined. A whole lot of workers have been reinstated and reverted. In only one case which was brought up here, an assurance was given. What about extending that assurance to all similar cases? A number of workers have been reinstated in Tambaram and in the NE Railway and in other railways who have been reinstated and reverted. When dismissed people are taken back, what about the break in service? What about the pay for the intervening period? These questions have to be clarified. If you want the railways to be run as they should be run, that is possible only by getting the cooperation of the workers, not by humiliating them, not by General Managers calling them and saying, "Are you married? Have you got a wife? How many children have you? Four children? Let your wife and children, each one of them, hit you with a chapal once. Then I will go into your appeal". This is the kind of thing which is happening, which I have already brought to the notice of the minister.

Then there are complaints about late running of trains. Mr Ramavatar Shastri described how he travelled from Gauhati to Delhi without fan or light. Your trains are being run by

loyal workers who have been given monetary reward. Are they capable of running the trains when their colleagues are starving at a time when prices are rising? The strike was called off on 28th May. Thousands of dismissed workers are waiting with their appeals. In Southern Railway, cases have not moved. The other day some Members of Parliament were travelling in the train from Delhi to Lucknow. There were no lights or fans in the train. When I asked the conductor he said that they will be there half an hour before the train starts. There were fifteen minutes for the train to depart and still no signs of light or fan. My colleague from Rajya Sabha, Shri Ahmed, said that he will not allow the train to move unless the lights and fans were set right. Of course, they were set right. The passengers in the second class were saying that it is only because of these Members of Parliament that they could also get fan and light. When your officers were manning the trains they were running like this.

Do not forget that you are sitting on a snake-pit. It is on a time bomb that you are sitting which may explode at any time.

Shri Bhagwat Jha Azad referred to new lines. It is said that they are not being opened because they would be uneconomic. But there are some lines which are uneconomic and you are still running them for prestige. Some of the lines which you claim are uneconomic are running to 94 per cent of their capacity. Then where does the ill lie? Shri Qureshi said that the wagon turnover and maintenance stock are not sufficient. I know that one of their arguments is that the productivity is low because many wagons are not moved. But, apart from that, have you bothered to go into the question why sub-standard wagons are being accepted by your railway authorities? How many sub-standard wagons have been accepted by the railways from private manufacturers? Have you gone into that question? For every single illness do not put the

[Shrimati Parvathi Krishnan]

blame on the door of the working staff who are the red herring for Shri Bhagwat Jha Azad, Shri A. P. Sharma, Shri L. N. Mishra and Shri Shafi Qureshi... (Interruptions) Shri George Fernandez is a nightmare for them. I challenge you that the railways are in the present position not because of the workers but because it is a cess-pool of corruption of the bureaucrats of the railways.

Year after year you come again and again for extra money by increasing the fares and freights. Yet, the juggernaut of the Railway Ministry remains untouched by that. Therefore, I would request the Minister, I would demand from the Minister, I should say, because I have got the protection of the House, that today, here and now a policy decision be taken that all the victimised railway workers be taken back, the existing procedure where selective reinstatement is taking place, where reversions are taking place, where room is being given for humiliation, that should end forthwith and that all those who have been taken back do not suffer from break in service.

So far as the working of the railways and uneconomic railway lines are concerned, let a committee be appointed to examine this. When there were negotiations with Shri Qureshi on this point the Railway Board issued a press note through the PIB saying that the representatives of the trade unions wanted that the railways should not bear the social burdens and that they should be passed on to the public. You allow them to slander us in this way. You allow the Railway Board to slander the working class and the representatives of the working class. In fact this is the only point where Shri A. P. Sharma and myself agree. We did not refer only to the social burdens of the railways but in fact we wanted to go into the entire financial working of the railways. If a parliamentary committee goes into the entire working of

the railways from top to bottom, there can very well be another scandal like the licence scandal about the placing of orders for wagons, the use of wagons as warehouses by hoarders of grains and other essential commodities.

All that we ask of the Railway Minister is to be careful, to be on guard against his administration, against those who are seeking to rob and discredit this major industry of the country. And you can only succeed if a democratic industrial relations policy comes into the Railways and the victimised workers are back again and there is smooth industrial peace in the Railways.

श्री रणबहादुर सिंह (सिंधी) अध्यक्ष जी, मैं रेल मंत्री महोदय से केवल एक बात पर अनुरोध की अपेक्षा कर के कुछ बातें उन के सामने रखना चाहता हूँ।

कुछ दिन पहले जब हम सब अपने क्षेत्र के लोगों की आकांक्षाओं के आधार पर रेल मंत्री महोदय के पास इस बात को लेकर आए थे कि मध्य प्रदेश के उत्तरी पूर्वी कोने में 7 जिले ऐसे हैं जिन पर आज तक भी कोई रेल सेवा नहीं है, तो रेल मंत्री महोदय ने बड़ी कृपा कर के हम लोगों से कहा था कि हम उन क्षेत्रों का सर्वेक्षण करायें और सर्वेक्षण में जो तथ्य सामने आएँ, उन के आधार पर कुछ निर्णय हो सकता है। अभी करीब तीन, चार महीने पूर्व जब पुनः मैं ने एक प्रश्न इस सम्बन्ध में पूछा था, तो रेल मंत्री महोदय की ओरसे मुझे यह उत्तर मिला कि सर्वेक्षण से उस क्षेत्र में रेल लाइन डालने के लिए जो तथ्य सामने आए हैं, वे आर्थिक दृष्टि से इस बात के लिए रेल मंत्रालय को सहायता नहीं दे रहे हैं कि वहाँ पर रेल लाइन डाली जाए।

अध्यक्ष महोदय, अपने क्षेत्र में जाने से पहले मैं रेल मंत्री जी से केवल इतना ही

[श्री रणबहादुर सिंह]

अनुरोध करना चाहता हू कि अपने क्षेत्र से जा कर मैं अपने लोगों को क्या बताऊँ, उन की जो आकांक्षा है कि रेल सेवा हमें मिलनी चाहिए, उस के लिए उन से क्या बहू। अध्यक्ष महोदय, वहाँ पर खुजराह जैसा स्थान है जहाँ पर रोज हजारों लोग जाते हैं। इस के आवाला वहाँ पर लाटमस्टोन के इतने बड़े रिजर्वर्ज है कि शायद इतने बड़े रिजर्वर्ज देश में और कहीं नहीं है। साथ ही साथ, अध्यक्ष महोदय, रेल मंत्री जी को यह भी पता है कि अभी अभी पेट्रोलियम मंत्रालय ने एक एंसा आदेश निकाला है कि बस सेवा 500 मील से अधिक पर नहीं जा सकेगी। हमारे क्षेत्र में मारा यातायात केवल मडको पर आधारित है, केवल बसों के ऊपर लोग वहाँ पर यात्रा करते हैं और अब जबकि पेट्रोलियम मंत्रालय की ओर से इस तरह के आदेश चले जाएंगे तो वहाँ पर यातायात सम्भवन अब बिल्कुल ठप्प होने वाला है। तो मैं यह पूछना चाहता हू कि अपने क्षेत्र के लोगों को मैं क्या बताऊँ क्या मैं उन से यह जा कर कहूँ कि आज भी हमारी रेल सेवाएँ पुराने बानून पर आधारित हैं, वह कानून जो कि सौ वर्ष पहले बना था और जो केवल शासकीय सुविधा के लिए बना होगा, जनता की आवाकांक्षा को मूर्तिमान करने के लिए वह अभी नहीं बना होगा और उसी कानून के आधार पर सम्भवतः सर्वेक्षण भी किया होगा। तो मेरे क्षेत्र के लोग सम्भवतः मुझ में यह पूछ सकते हैं कि यदि वह बानून आज भी रेल के सर्वेक्षण के लिए मार्ग-निर्देशक है, तो हम किस दिन की राह देखें जबकि मेरे हमारे रेल सेवाएँ उपलब्ध होगी। क्षेत्र के लोग क्या करें कि रेल सेवाएँ उन्हें मिल जाएँ। वहाँ पर कौन सी बात गम्भीर स्थिति की जाए ताकि रेल की सेवा उस क्षेत्र को उपलब्ध हो सके। मैं केवल मंत्री महोदय से इतना ही माग दर्शन चाहता हूँ। यदि आर्थिक दृष्टि से लाभदायक होने पर भी वहाँ रेल सेवा प्रदान करना सम्भव नहीं है तो रेल सेवा की सुविधा उपलब्ध हो सके,

इसके लिए क्या किया जा सकता है? क्या वहाँ के लोग धरणा दे उतपात मचाएँ अथवा वहाँ पर कोई बाह्य से परिस्थिति तैयार हो और ला एंड आर्डर की सिंबुएशन फ़ायट हो तभी रेल सेवाएँ वहाँ उपलब्ध आप कर सकेंगे? वहाँ सब चीजें उपलब्ध हैं। खजुराहो है, वहाँ पर लाइम स्टोन के भंडार हैं, बाणसागर बाध बनाया जा रहा है। अब आपको इनके सिवा और क्या चाहिये। भोग साहब कहते हैं कि पैसा की कमी है। मैं बहना चाहता हूँ कि आप बताएँ कि पैसा किन किन कामों के रास्ते में अडचन बना है? जो चीज तय कर ली जाती है उसके लिए पैसा आ ही जाता है। आप आश्वासन दे दें कि जब पैसा आ जाएगा तभी रेलवे बन जाएगी।

मैं मंत्री महोदय के समक्ष एक और दिक्कत रखना चाहता हूँ। वह दिक्कत उस क्षेत्र में सम्बंधित है यहाँ रेलवे लाइन और रेल जहाँ चलती है। मैं न्यू वटनी मोगवा लाइन की बात कह रहा हूँ। उस लाइन पर रोज दो तीन कोयले की ट्रेज चलती है। वहाँ पर मडको एक भी नहीं है। बरसात से किसी व्यक्ति को एक जगह से दूसरी जगह जाना होता है तो उसको तैरना पड़ता है, अपने कपड़े सिर पर बांध कर नाला को पार करना पड़ता है। वहाँ पर ट्रेन चलती है लेकिन उस पर लोगों को चढ़ने की इजाजत नहीं है, उस में केवल कोयला जाता है। उस कोयले की ट्रेन में क्या यह सम्भव नहीं है कि एक कम्पोजिट बोगी लगा दी जाए जिस से फर्ट और सैविड क्लास का एक ही डिब्बा हो, और फर्ट नहीं तो केवल सैविड क्लास का हो? वहाँ पर लोगों को इस परिस्थिति में क्यों डाला जाता है नालों पर वे अपनी जान को जोखिम में उठाते तैर कर एं स्थान से दूसरे स्थान पर जाएँ।

अपने क्षेत्र के लोगों की जो आकांक्षाएँ हैं उनको मैंने महोदय मंत्री के सामने बार

बार रखा है। मैं उन से केवल यह चाहता हूँ कि मुझे वह कोई ऐसी बात बता दे ताकि सल समाप्त होने के बाद जब मे अपने क्षेत्र में जाऊ तो लोगों को यह सक् वि रेल मंत्रालय सौ वर्ष पुरानी साम्राज्यवादी नीतियों पर आज स्वतन्त्र भारत में नहीं चल रहा है बल्कि जन आशाक्षामा की प्रति वरने में उसका जो दृष्टिकोण है वह सहानुभूतिपूर्ण है और वहा लागू की समस्याओं को सुलझाने के लिए तत्पर है।

SHRI N. K. SANGHI (Jalore): I rise to support the Supplementary Demands for Grants for Railways for the year 1974-75. In fact this is a second supplementary budget brought forward by the Railway Minister in the same year and this Budget has tried to raise the revenues to the extent of Rs. 140 crores raising fares and freights by 36 per cent. in the whole year.

I have gone through the speech of the Railway Minister which was followed by the Supplementary Demands. I would not call it a Supplementary Demands in the strict sense of the term, I would call it a second Supplementary Budget.

The question is that it is very dismal picture of its finances that the Railways have completely failed to discharge its duty towards the nation. The railway finances are like a mirror of the nation and this Supplementary Budget gives us a feeling that this mirror has blurred.

The resources of the railways have gone down to a low level now, especially when we have been told that the freight and originating freight traffic and passenger traffic have gone down to a low level in the last three months.

What is the situation? The railways are expected during 1973-74 to carry 192 million tonnes. But it only carried 185 million tonnes. There was an assurance that they would carry 25 million tonnes extra than the 1973-74 targets and that there will thus be

an originating freight traffic of 217 million tonnes, that is, 54 million tonnes per quarter. But it could succeed only to the extent of carrying 42 million tonnes which means a shortfall of 12 million tonnes which in terms of freight amounts to Rs. 92.45 crores of deficit.

12-45 hrs.

[MR. DEPUTY-SPEAKER in the Chair]

Regarding passenger traffic, we have lost 150 million travellers in three months. That is to say, 150 million people travelled less in three months. Even if we reduce the strike period, we have lost 40 million travelling passengers. I do not know who fixes the targets, whether it is the Railway Ministry or the Planning Commission. I want to know what steps are being taken to achieve the targets in the coming nine months of the year. It is advisable that the targets have to be kept as per the previous year's actual performance, rather than make imaginary targets and make all the deficit revenues. The workers of the Railways are completely demoralised and disgruntled and the efficiency has gone down to the lowest ebb. We have raised a total revenue of Rs. 276 crores in the two budgets, Rs. 136 crores in the first Budget and Rs. 140 crores in the Supplementary Demands for Grants for the whole year. We also heard from the Minister on Supplementary Grants since Supplementary Grants are not followed by speeches, we consider this also as Second Budget. In the Budget speech we have been told that 'The common man has been spared by not raising freight on foodgrains, edible oil, milk and vegetables'. But the point is, has the common man been helped really? At one time the prices of these essential commodities were very low and a small increase in the price would have made the difference in the end price. But now the price of the essential commodities is sky-high. Now the position is, a small increase in the freight of these goods would not increase the price of these goods.

[Shri N. K. Sanghi]

Today the wheat procurement price is Rs. 105 and the sale price is Rs. 135 a quintal. And, even if you want to raise Rs. 2 for a bag, the wagon would have got you extra, Rs. 500 to Rs. 600 worth of freight. This is my point. This would have given you larger revenues without increasing the prices of the essential commodities.

The Finance Minister levied excise duty on certain essential raw materials like copper, DMT, Caprolactum. Though these were essential items, he said he was mopping up the extra profits here. If he can levy excise duties on these items (which are essential for production), why a small levy could not be raised on the essential commodities in respect of rail transport, so that the Budget is balanced, rather than raising freights with the high-rated and other goods traffic and fares to the poor passengers? In fact, the law of diminishing returns has started operating. That is to say, the more freight and fares you raise, the lesser traffic of goods and passengers you will get. This is the crux of the matter, here.

When you have raised these freights and fares, you have not mentioned as to what steps you have taken to improve the efficiency of the Railways, to reduce the inefficiency and infructuous expenditure.

I would like to refer to the Seventy-ninth Report of the P.A.C. This is at page 9. We have been told there that there was an increase of 21 per cent in operating kilo-metre cost between 1967-68 and 1970-71. We should have been told as to what is the percentage of increase in the operating kilo-metre cost between the years 1970-71 to 1973-74. Because your operating cost is increasing gallopingly, this is where you have to have a sort of effective check to see that your operating cost is less.

In the Budget speech you have increased your air-conditioned and First

Class fares and it looks that there is a feeling that in socialism there is no limit to increasing the fares of first class and air-conditioned class. The reasoning of air condition charges to be made equal to air fare has no justification. If you want to have real socialism, then, you must provide seats and guarantee accommodation for the last class—second class now—of travelling public and only when they have been provided, then only, you may think of providing first class coaches and only when you have sufficient coaches to take care of these passengers, you can provide air-conditioned accommodation. In fact, it would be a better to remove these air conditioned coaches rather than keep them and increase the fares which are now higher than air fare. Now a stage has come when the Railways have come to the lowest level of their efficiency.

Now, Sir, I would like to take up the matter concerning the efficiency in coal economy. When Shri Nandaji was the Railway Minister he brought a ten point efficiency programme. He wanted to save coal and diesel oil and wanted to bring the trains to the Stations punctually. What has happened to it?

I would like to quote a line from the Seventyninth Report of the Public Accounts Committee which has come to us only in March, 1973. This is what they say on page 26 of this report. I quote:—

"The Committee are concerned over the unprecedented increase in the missing and unconnected coal wagons on the Railways during 1970-71."

In the 79th PAC Report we are told that the value of missing coal amounts to Rs. 29.57 crores. The report further says in the next page:

"The Railways have paid compensation on missing private coal wagons to the tune of Rs. 90.11 lakhs during 1970-71. The Committee expect that there ought to be a thorough check of the position in this regard."

This is the position. And you are losing coal of the value of Rs. 29 to 30 crores belonging to the railways and paying 90 lakhs by way of compensation to the private coal wagons. What have you done to minimise this loss at least in the current year? We would expect that in the current year the loss should be very much reduced. What is the loss during the current year? The Seventyninth Report of the P. A. C. again says:

"The percentage of missing coal wagons in relation to the total loco coal loading which was 4.2 in 1965-66 jumped to 7.1 in the subsequent year and further increased to 8.8 in 1970-71."

This is the percentage of missing coal wagons. It is a very high percentage. How are you going to effect improvements in this regard? Besides this, we have no statistics for the current year and for the previous year to show as to which way the Railway Administration is going.

As regards the quality of coal, year after year, it has gone down in quality. As per rules and regulations, about 5 per cent of the coal loaded from the colliery should be checked by the railways. But, we find from the report of the Public Accounts Committee that only 2 per cent of the wagons of coal has been checked. The quality of coal loaded is very inferior. Even after nationalisation, we have lost the coal content. We find that as high as 23 per cent of the wagons were found to be below specification. This percentage rose upto 30 per cent in 1969-70 and still further upto 59 per cent in 1970-71. During 1971-72, the percentage of wagons found sub-grade was as high as 100 per cent on Eastern and North-east Frontier Railways.

Since you have rung the Bell I would like to suggest points only. I now come to wagon turnaround. The wagon turnaround is defined as the time interval which elapses between two successive utilisations (Loadings) of a wagon. I do not know how much time you will take to improve your wagon turnaround. There has been a deterioration in wagon turnaround. I do not know how much time you are going to take to improve this position. We should be told about the third terminal for Delhi. Is it Barar, Nazamuddin, Safdarjung or East Patel Nagar. In PAC Report there is a reference about the hiring of costly computers purchased from the Multi-national Corporation (IBM). Its C & F cost comes to Rs. 6.14 lakhs. Hire charges paid up to June 1972 came to Rs. 50.17 lakhs. But for devaluation of rupee in 1966, the hire charges would have been Rs. 30.64 lakhs. The hire charges were mentioned in dollars and not in rupees who was responsible for this sort of working? These are some of the matters which have been brought to the notice of the Ministry of Railways. We would like to know what has been done by them after the report of the P. A. C.? Unless we give attention to the importance of public transport, I do not think by merely raising these freights and fares you would be able to get finances for the railways.

MR. DEPUTY SPEAKER: Like great King Canute of old I will not try to command the waves to be still, I will also not try to command time to stand still but I would like the House to help me as to how to conduct and dispose of the business. I was told that we are to take up the motion of Sri Vaipayee at 2.30 P.M. after disposing of these railway demands and Appropriation Bill. We have another Bill to which we have allowed one hour.

My good friend, the Minister for Parliamentary Affairs has sent me names of only 40 more Members from

[Mr. Deputy Speaker]

his Party to speak and I find that from among the Opposition there are eight more hon. Members who want to speak. On top of it there are four or five other hon. Members and redoubtable Members—I emphasise the word 'redoubtable'—who have given certain points to speak on the Appropriation Bill and many of them are very skilled in rules and procedures. You tell me how should I manage this to enable us to give one hour for the other Bill and to take up motion of Shri Vajpayee at 2.30 P.M.

AN HON MEMBER: Let us extend the House for one more day.

THE MINISTER FOR PARLIAMENTARY AFFAIRS (SHRI K. RAGHU RAMAIAH): No, No. We will finish it today.

13 hrs.

SHRI P. M. MEHTA (Bhavnagar). Mr. Deputy-Speaker, Sir, the railways is the biggest factor to keep the prices high and this increase in fares and freights will push the prices further up. There is no justification to increase the fares in the third class and the freight in the essential commodities. I will come to it later.

I would like to make one important point, that is, regarding the construction of Bhavnagar-Tarapur railway line. This proposal is pending before the Railway Ministry and the Railway Board since long. This is a long pending proposition made by Government of Gujarat. I would urge the Railway Minister to attend to this thing. Sir, I would request you to pull up the Minister and ask him to hear what the Member says. I am making the point that there is a long pending proposal regarding the construction of Bhavnagar-Tarapur broad gauge railway line. Sir, all the Governments in Gujarat, Dr. Jivraj Mehta's Government, late Balwantrao Mehta's Government, Shri Hitendra Desai's Government, Shri Ganshyam Oza's Government and the Administration under the Presi-

dent's Rule including the former Governor Shri Shriman Narayan and the present Governor Shri Viswanathan, have given top priority to this. But, Sir, Railways are not coming forward to implement this important project. Now, Gujarat is in the grip of drought and thousands of labourers, educated youth, uneducated youth and farmers are without any work today in Gujarat. Sir, if this project is implemented, it will create a good deal of employment. Sir, this House will recall that during the last drought in Maharashtra, the Prime Minister announced the decision of the Government to take up the construction of four railway lines in Maharashtra for the relief of the drought stricken people. Why not the same to Gujarat? Sir, recently, the Governor has given a proposal for the implementation of this project, Bhavnagar-Tarapur broad gauge line, for the drought-stricken areas. It will not only give relief to the drought stricken area, but, since it is a work of a permanent nature, will also boost the economy of this backward area of Bhavnagar as well as other districts of Gujarat. It is also economically viable and remunerative. Not only that, Sir, Government of Gujarat has given an assurance to make good the deficit if any deficit occurs at the end of the sixth year. This assurance has been given and Gujarat Government is also ready to give the land on the same terms on which Government of Maharashtra has given the land. These are the assurances given by the Government of Gujarat. Therefore, Railways should implement this long-pending proposal, construction of Bhavnagar-Tarapur railway line. Sir, as I mentioned, all the Governments in Gujarat, right from the beginning have recommended this and have given top priority to this.

Now, Sir, regarding the third class fares. This is a terrific increase. Sir, I would request the Railway Minister Mr. L. N. Mishra to hear me.

AN HON. MEMBER: He is hearing.

SHRI P. M. MEHTA: Are you reading or hearing?

THE MINISTER OF RAILWAYS (SHRI L. N. MISHRA): I am hearing.

SHRI P. M. MEHTA: You are reading. You are not hearing.

SHRI L. N. MISHRA: You go on. I am hearing you allright

SHRI P. M. MEHTA: How can you read and hear, at the same time?

Sir, my friend, Mr. Dandavate says that he is able to do many things at a time.

MR. DEPUTY-SPEAKER: One mistake that we always commit is to judge others by our own standards.

SHRI P. M. MEHTA: Sir, I would like to ask him this question. When did he travel last in third class? Could he tell me? He cannot dare reply on this point

MR. DEPUTY-SPEAKER: You make your point. I am hearing you.

SHRI P. M. MEHTA: Sir, he has increased the third class fares in an unreasonable manner. Recently, I travelled from Ahmedabad to Delhi and from Delhi to Bhavnagar by third class.

श्री शंकर दयाल सिंह (चतरा)
उपाध्यक्ष जी, माननीय मेहता जी कह रहे हैं कि अभी अभी उन्होंने ने थर्ड क्लास में टूवल किया है। मैं उन को बताना चाहता हूँ कि अब थर्ड क्लास नहीं है, बल्कि उस की जगह सेकेन्ड क्लास हो गया है।

MR. DEPUTY-SPEAKER: Let us not lose more time. You are familiar with the saying that a rose called by any name smells as sweet. Third class called by any name, second class or even first class remains third class or second class, called third class remains second class.

SHRI P. M. MEHTA: I thank my friend Shri Shankar Dayal Singh. This

is a historic contribution of Shri L. N. Mishra. Overnight he elevated the third class passengers to the glory of second class, without giving any additional facility or amenities the fares had gone up. This is the socialist approach to remove class disparities.

My accommodation was reserved in a two tier compartment.

MR. DEPUTY-SPEAKER: Do you want to tell us all these personal stories?

SHRI P. M. MEHTA: He never travels in third class. What does he know about it? His General managers never care to go and see the third class compartments. He has now come to the House with a proposal to increase fares and freights.

MR. DEPUTY-SPEAKER: You have more than made your point.

SHRI P. M. MEHTA: The old third class .

MR. DEPUTY-SPEAKER: Now called the second class, may be called first class very soon.

SHRI P. M. MEHTA: The two tier compartment was an old third class compartment, it was written by chalk that it was two tier sleeper coach. Is this the way? There were no safety bolts inside, no fans, no lights, no water.

MR. DEPUTY-SPEAKER: I am telling you that these points, no light, no water, no food, are not made by you for the first time; every other Member who has spoken has made that point, not only this time but on every occasion when there was a debate on the Railway Demands.

SHRI P. M. MEHTA: I shall now come to the second point.

MR. DEPUTY-SPEAKER: We are losing more time... (Interruptions)

श्री वाजपेयी अक्षय शर्मा (सीतामढ़ी) :
उपाध्यक्ष जी, चाहे रात को 12 बज तक
बैठना पड़े हम बैठने के लिये तैयार हैं। हम
रुब को बोलने वा प्रवसर दिया जाय। आप
समय बढ़ा दीजिये। मैं बोलता ही रहूंगा नहीं
तो आप टाइम बढ़ाइये।

(Interruptions)

MR. DEPUTY-SPEAKER: I am on my legs; nothing is going on record. When I am trying to restrain one hon. Member some other members get up and raise their voices. I do not know how we can conduct the proceedings in this way. I was trying to point out to Mr. Mehta the tightness of time. He has taken almost ten minutes and he wants to go on and on. Other Members are anxious to speak. How is it possible? Is it fair?

SHRI P. M. MEHTA: May I make a small point?

MR. DEPUTY-SPEAKER: You may make the point and then sit down.

SHRI P. M. MEHTA: I will be brief. When the Janta for Ahmedabad leaves Delhi at 6.45 hundreds of passholders enter the train and they occupy the reserve berths and seats. The conductors dare not enter the coaches; it will create a law and order problem for them if they enter. I appeal to the railway authorities to go to the platform and see the condition for themselves and ensure that proper facilities are provided on the Jayanti Janata bound for Ahmedabad.

Some Hon. Members rose—

MR. DEPUTY-SPEAKER: I can't do the impossible. I will do my best. I have so many names in front of me. It is not my duty to pick up a fight with every member and shut him out. I am not going to run the House in this manner. I would call these names in their order and I would request them to confine their remarks to 5 minutes

each. If the members cooperate, we shall try to finish it. If we cannot, I shall have to go by the desires of the members of this House.

श्री स्वामी महापालम्बजी (हमीरपुर) :
उपाध्यक्ष महोदय, मैं कम बोलने वाला हू।
युझे यह दुख है कि भारी रेलवेज जो कि एक
फायदे की चीज होनी चाहिए, श्री, वह फायदा
न दे कर, आज हम को नुकसान दे रही हैं।
कुछ चीजे ऐसी होती हैं जिन से इन्कम
होती है और कुछ चीजे ऐसी हैं जिन से
इन्कम नहीं होती। खेत में जो बाढ़ रुकी
होती है, उस से कोई इन्कम नहीं होता है
लेकिन उस के अन्दर खेत में जो गल्ला पैदा
होता है, वह फायदे की चीज है, लेकिन अगर
गल्ले का रखवाला ही गल्ला खा जाए, तो
क्या किया जाए। इसलिए मैं यह कहना
हू कि जब आप की रेलवेज आप को फायदा
नहीं देती है, तो इन को आप टाटा वा बिडला
या मूल्क के दूसरे ऐसे लोगों को ठेके पर
भोप दीजिए। क्या फायदा है इस को अपने
पाम रखने में जबकि इस में आप तान अरब
रुपये का नुकसान दिखाते हैं। यह फायदे
के लिए चीज है या नुकसान के लिए? मैं
जानता हू कि इस समय देश में हालत खराब
है और विरोधी पार्टियों में इतनी समर्थन
नहीं है कि वह उस को ठीक कर सके। हमारी
कांग्रेस के अन्दर ही ऐसी ताकत है और इतना
बड़ा बहुमत है लेकिन मैं यह नहीं समझता
कि इस के मातहत रेल के अन्दर 3 अरब
रुपये का नुकसान होना चाहिए। इस में
तो 3 अरब रुपये का फायदा होना चाहिए,
परन्तु मालूम होता है कि कुछ फायदा होने
वाला नहीं है।

हमारा बुन्देलखण्ड बहुत पिछड़ा हुआ इलाका
है। वहाँ कोई रेल लाइन नहीं है लेकिन
मैं इस समय यह नहीं कहता कि आप वहाँ
पर रेल लाइन बनवा दें। मैं तो यही कहता
हू कि इस रेलवे से आप को इन्कम क्यों नहीं
होती है और इतना बाटा क्यों हो रहा है।

अप्रेमों के जमाने में तो घाटा नहीं होता था बल्कि इन्कम होती थी। इस का कारण यह है कि आप के यहाँ चोरी होती है, बिना टिकट सफर होता है, और जो चोरी करता है, उस को सजा नहीं होती है। मैं आप को ऐसे बहुत से उदाहरण दे सकता हू। आप के स्टेशन मास्टर होते हैं वे झूठे दावे करवा देते हैं। बेगनों में भूसा भरवा देते हैं और कह देते हैं कि इस में फला कीमती थाल था। आप को जो स्टेशन मास्टर है वह 50 हजार रुपये का दावा करवा देता है और उस पैस को, जो कि उन को क्लेम के रूप में मिलता है वे आपस में बाट लेते हैं। इस तरह की बदमाशी आप के स्टेशन मास्टर करते हैं और इस में आप को बड़ा नुकसान होता है। मैं आप को सही बात बताता हू। मैं एक छोटा सा देश भक्त हू। पार्टी देश के लिए होनी है न कि देश पार्टी के लिए होता है।

श्री नरोत्तम प्रसाद यादव आप का प्रेम पार्टी में है।

श्री स्वामी ब्रह्मानन्द जी वही पार्टी असली पार्टी होती है जो देश का भला कर सकती है। आज आप देखें कि दश को क्या हालत हो रही है। मैं आप को एक उदाहरण देता हू जिस में सब को समझ लेना चाहिए। मैंने एक बार विदेश के एक प्रखबार में पढ़ा था कि किसी पार्क में एक नौजवान स्त्री और एक नौजवान घूम रहे थे। पुलिस के लोगों ने कहा कि यह बदमाश औरत किस आदमी को लिये घूमता है। वह उस के पास पहुँचे और उन्होंने उन स्त्री से कहा, 'यह तेरा कोन है?' उसने कहा कि यह मेरा पति है। तो उन लोगों ने कहा कि नहीं, यह तेरा पति नहीं है कोई बदमाश है। इस पर उस स्त्री ने घाटा मारा। बाद में वे लोग उन दोनों को पकड़ कर थाने में ले गये। रात का समय था। जो घर उस समय ब्रह्मा का पुलिस मिनिस्टर

भी घूम रहा था और वह यह सब देख रहा था। वह भी उन के पीछे पीछे थाने चला गया और उन दोनों स्त्री-पुरुष को उस ने छुड़वा दिया और उन पुलिस अधिकारियों को बन्द करवा दिया। अगले दिन पुलिस मिनिस्टर ने इन्तीफा दे दिया। लोगों ने पूछा कि आप ने तो न्याय दिया था लेकिन फिर भी आप ने इन्तीफा दे दिया। तो उन्होंने कहा कि मेरे विभाग में ऐसी बदनायती क्यों आई है? इसलिए मैंने इन्तीफा दिया है और चाहता हू कि कोई ताजा विभाग वाला व्यक्ति कार्य करे ताकि विभाग में बदनायती न आ सके। तो आप यह देखें कि एक वह देश है जहाँ मिनिस्टर विभाग में बदनायती आ जाने पर ही इन्तीफा दे देते हैं, दूसरी तरफ हम लोग इस बारे में अपनी जिम्मेदारी ही नहीं समझते। कुर्सी घर का चीज समझ ली है कि कुर्सी मिल गई तो उस में ही चिपट जाते हैं। क्यों घाटा पड़ता है? तो मैं कहता हू कि अगर श्री एल० एन० मिश्र से यह विभाग नहीं चल सकता है, तो छोड़ दें और ये जो और नौजवान बडे हैं, वे इसको समझे। मैं चापलूसी पसन्द नहीं करता हू। हडताल होने का क्या कारण है? क्यों हडताल हो, क्यों चोरी हो और क्यों आप के स्टेशन मास्टर बदमाशों करें? इन बातों की जिम्मेदारी सरकार का है। मैं पहले भा कह चुका हू कि हमारी पार्टी के सिवाय विरोधी पार्टियों में ताकत नहीं है, जो इन को ठीक कर सके। मैं विरोधियों का दुश्मन नहीं समझता। जो भी पार्टी होती है, वह देश के लिए होता है और वह देश का भला कर सकता है। हमारी कांग्रेस में ताकत है, इसलिए मैं कांग्रेस में हू। जब मैं समझूंगा कि यह निष्कर्षों को पार्टी हो गई है, शराबीयों का पार्टी हो गई है, भ्रष्टाचारियों का पार्टी हो गई है, तो मैं इस को बदामन नहीं बलूंगा चाहें मैं भ्रष्टेला ही क्यों न रहू। गांधी जो ने कहा था 'भ्रष्टेला चल' मैं भ्रष्टेला चलूंगा, भ्रष्टेला कहूंगा गांधी जी के नाम पर। जो भ्रष्टाचार इस

[श्री स्वामी ब्रह्मानन्द जी]

वक्त ब्याप्त है, मैं इस को पसन्द नहीं करता हूँ ।

श्री रामकंठर (टोंक): उपाध्यक्ष महोदय, मैं रेलवे अनुदान की पूरक मांगों की बहस में भाग लेने के लिए खड़ा हुआ हूँ । मैं इस अनुदान की अनुपूरक मांगों का विरोध करता हूँ ।

दोनों तरफ़ के सदस्यों के जितने भी भाषण हुए हैं, उन में उन्होंने कहा है कि रेलवे में जो अकुशलता है, रेलवे में जो कर्मचारी हैं उन में भ्रष्टाचार है और नाना प्रकार की जो बाधाएँ हैं, उन से आज जनता बहुत दुखी है और शासन को चलाने वाले जो अधिकारी हैं, वह उन से संतुष्ट नहीं हैं । मिनिस्टर साहब ने अपने भाषण में जो असंतुष्टता प्रकट की है, इस कारण से यह रेलवे का प्रशासन चलना बहुत ही असम्भव दिखाई देता है । उपाध्यक्ष जी, मैं मंत्री महोदय से कहना चाहूँगा कि आखिर आप ने इस के लिए कोई कारण भी बूढ़े हैं । आप की जितनी भी सौ सौ किलोमीटर की दूरी की छोटी छोटी रेलवे लाइन है, वे 6, 7 घंटे लेती हैं । इसका क्या कारण है, यह आप को देखना चाहिए । जितनी भी आप की छोटी छोटी रेलवे लाइन है वे धीमी गति से चलती हैं और इस वजह से बहुत से लोग उन में आना जाना पसन्द नहीं करते हैं । मेरे क्षेत्र में उदयपुर से टोक तक जो रेलवे लाइन का तकरीबन सौ किलोमीटर का टुकड़ा है, वह सौ मील की दूरी को पूरा करने के लिए रेलवे 7 घंटे ले लेती है । इसलिए लोग यह सोचते हैं कि कौन 7 घंटे खराब करें । इस से भी आप को घाटा होता है । इसलिए जितनी ये गाड़ियाँ हैं, उन की आप रफतार तेज़ कीजिए ।

दूसरा मेरा निवेदन यह है कि जब से वह चुनाव प्रणाली चली है तब से राजस्थान

की ओर रेलवे मंत्रालय का कोई ध्यान नहीं गया है और राजस्थान का हरेक इलाका जो पिछड़ा है, उस का कारण भी यही है । एक ओर तो वहाँ कभी बाढ़ आ जाती है और कभी सूखा उसे घेर लेता है और दूसरी तरफ़ भारत सरकार का राजस्थान की तरफ़ विशेष ध्यान नहीं है । जितनी भी नई रेल लाइन बनती हैं, वह दूसरे प्रदेशों को मिल जाती हैं और राजस्थान में कोई नई रेल लाइन नहीं दी जाती है, मैं आप से यह निवेदन करूँगा । और प्रधान मंत्री जी से मैं यह निवेदन करना चाहता हूँ कि एक दफा आप राजस्थान के किसी सदस्य को रेलवे मंत्री बनने का मौका दें ताकि राजस्थान का डेवलपमेंट हो सके । ताकि राजस्थान का भी थोड़ा बहुत डेवलपमेंट हो सके ।

कोटा से अजमेर वाया देवली केकड़ा गाडी के बारे में पिछले संशन में, बजट संशन में मंत्री महोदय ने जवाब दिया था जोकि नकारात्मक सा ही था । उस उत्तर से राजस्थान की जनता को कोई मन्तोष नहीं हुआ है । अगर आप ने इस तथा दूसरी कुछ लाइनों के बारे में काम चालू किया तो लोगों को काम मिलेगा । और वहाँ लोगों को रेल से सफर करने का लाभ भी मिलेगा । मैं चाहता हूँ कि इस ओर आप ध्यान दें ।

अहमदाबाद रेलवे लाइन को बड़ी लाइन में बदलने के लिए आप पिछले साल प्रस्ताव लाए थे लेकिन वह काम आगे नहीं बढ़ा है । मैं चाहता हूँ कि इस काम को आप आगे बढ़ाएँ ।

मैं कैदीनों बारे में जो कमेटी है उसका मيم्वर रहा हूँ । मैं कहना चाहता हूँ कि आप रेलवे स्टेशनों पर कैदीन एंसाट करते समय—शैंडयूल्ड कास्ट्स और शैंडयूल्ड ट्राइब्स का किस्कुल ध्यान नहीं रखते हैं, उनके बास्ते कोई रिजर्वेशन आपने नहीं कर रखा है, उनको कोई कैडीनों आप एंसाट

नहीं करते हैं। इस और भी आपका ध्यान जाना चाहिये और उनका कोटा फिक्स करके उनको आपकी कंटीन एलाट करनी चाहिये।

जहा तक सर्विसिस मे रजिर्वेशन का सम्बन्ध है क्लास वन मे शीड्यूल्ड कास्ट्स और शीड्यूल्ड ट्राइब्ज का कोटा जीरो है। क्लास दो में शीड्यूल्ड कास्ट्स का तीन परसेंट है और शीड्यूल्ड ट्राइब्ज का जीरो है। क्लास तीन मे फ्राट परसेंट है और क्लास चार मे पद्रह परसेंट है। मैं प्रार्थना करता हूँ कि उनको उनका पूरा कोटा मिलना चाहिये। इन जातियो के लोगो को कोई प्रोत्साहन आपकी ओर से नहीं दिया जाता है। मैं चाहता हूँ कि आप ऐसी व्यवस्था करे ताकि सभी क्लासिस मे इनका कोटा पूरा हो सके।

श्री चंद्रक प्रसाद (बलिया) नई रेलवे बिछाना देश के विकास के लिए बहुत आवश्यक है। देश के जो पिछड़े हुए भाग है वहाँ पर अगर रेलवे लाइये बिछेगे तो न केवल उन इलाको का विकास होगा बल्कि—रेलवे का जो घाटा है उसकी पूर्ति भी कुछ हद तक हो सकेगी। उससे रेलवे की आय भी बढ़ेगी। मैं आपकी प्रशंसा करता हूँ और आपका बड़ा आभारी हूँ कि आपने बैकवर्ड एरियाज मे रेलवे लाइने बिछाने का काम आरम्भ किया है लेकिन इसकी जो गति है, जो स्पीड है वह बहुत धीमी है और साथ ही इस मे एक रूपता नहीं है। इसके बारे मे मैं एक सुझाव देना चाहता हूँ। जो समद सदस्य बैकवर्ड एरियाज से आते है और जो रेलवे लाइनों की माग कर रहे है उन सब का आप सर्वे करा लें और उनका एक मास्टर प्लान बना लें और धीरे धीरे एक एक करके उनको आप हाथ मे लेते जाएँ। उनको पता लग जाना चाहिए कि उनके एरिया की बारी कब तक आएगी। इस मामले मे आपकी यूनिफार्म पालिसी बना कर चलना चाहिए। जहा तक एक रूपता का सम्बन्ध है वह भी नहीं आ पाई है। आप बिहार को ही

ले। उत्तर बिहार का दक्षिण बिहार से अभी तक भी सम्बन्ध नहीं जुड पाया है। इस बास्त एक-रूपता आप लाये और यूनिफार्मली एक पालिसी बना कर उस पर आप चर्चें। उत्तर प्रदेश, बिहार, मध्य प्रदेश, राजस्थान, आदि मे जो बैकवर्ड एरियाज है और जहा रेलवे लाइन बिछाने की माग है, उन सब के लिए आप एव मास्टर प्लान बना लें और धीरे धीरे उन लाइनों को हाथ मे लेते जाएँ। इससे लाभ यह होगा कि लोगो को पता चल जाएगा कि कब तक उनकी बारी आने वाली है। मैं रेल मंत्री की एक बात के लिए प्रशंसा किए बगैर नहीं रहा सकता हूँ। रेलवे बोर्ड उनको इस मामले मे आगे नहीं बढ़ने दे रहा था लेकिन उन्होंने इसकी परवाह न करके आगे कदम बढ़ाया है और सर्वेक्षण का काम हाथ मे लिया है। सारे देश का सवागीण विकास हाँ मके और आपकी आमदनी भी बढ़ सके इसके लिए आवश्यक है कि आप पिछड़े क्षेत्रों को प्राथमिकता दे रेलवे लाइने बनाने के मामले मे।

अब मैं कुछ रेलवे लाइनों के बारे मे जो बहुत देर से माग की जाती रही है, उनको आपके सामने रखना चाहता हूँ। मधुपुर से बासुकीनाथ होते हुए दुमका तक नई बडी लाइन का निर्माण आप कराएँ। मधुपुर का प्रधान कार्यालय दुमका मे आज तक भी आजादी के 26 वर्ष व्यतीत हो जाने के बाद सीधा रेल सम्पर्क नहीं हो सका है। इस और आप ध्यान दे। मधुपुर मे दुमका तक अगर रेल लाइन बिछाई गई तो इसमे खर्चा भी बचेगा क्योंकि मधुपुर एक बहुत बड़ा जकधान है और वहा बहुत सी लाइने आ कर मिलती है। समस्तीपुर से बनेपुर, अससोल के बीच मे टाटा एक्सप्रेस नाम से नई ट्रेन चालू की जाएगी तो उत्तर बिहार के छपडा, समस्तीपुर, वैशाली दरभंगा, मधुवनी, कटिहार, सहरसा जिले तथा असम तथा उत्तरी बंगाल के लाखो लोग लाभान्वित होंगे। अब तक इस प्रश्न पर सीधा सम्पर्क दक्षिण बिहार से नहीं है।

[श्री चन्द्रिका प्रसाद]

असंसोल से हावड़ा के लिए स्टील एक्सप्रेस चालू की जाए जो मुख्यतः असंसोल, रानीगंज, दुर्गापुर, खमका, बर्दवान हावड़ा जाए। वर्तमान जो ट्रेन है उसका समय कोल फील्ड से आगे किया जाए अर्थात् हावड़ा मेल 9-30 पर पहुंचे ताकि कर्मचारी समय पर आफिस पहुंच सकें उनको सुविधा हो सके।

समस्तीपुर से मद्रास बाया असंसोल (बनेपुर साउथ ईस्टर्न रेलवे) हो कर एक नई एक्सप्रेस मेल ट्रेन चालू की जाए। वर्तमान में दक्षिण के लिए जितनी भी ट्रेनें हैं वे हावड़ा से ही हैं। बिहार, उत्तर प्रदेश, असम एवं उत्तरी बंगाल के लाखों यात्रियों को इस कारण से असुविधा हो रही है। इस ट्रेन के चालू होने से एक और जहाँ हावड़ा स्टेशन पर भीड़ कम होगी वहाँ दूसरी ओर उड़ीसा के यात्री भी लाभान्वित होंगे। वर्तमान में असंसोल पुरी पैसेन्जर जो है उसके अतिरिक्त एक एक्सप्रेस भी आप दें ताकि यात्रियों को सुविधा हो सके। समस्तीपुर पुरी, असंसोल हो कर नई समस्तीपुर मद्रास एक्सप्रेस के चालू होने से रेलवे को भी लाखों रुपये की अतिरिक्त आय होगी।

मैं यह भी चाहता हूँ कि असंसोल को सुबर्बन एरिया घोषित किया जाए। बर्दवान से असंसोल तक सुबर्बन ट्रेनें बढ़ाई जाएं। इस सम्बन्ध में असंसोल से हजारों प्रस्ताव भी आपके पास आए हैं।

असंसोल से लखनऊ तक एक नई एक्सप्रेस गाड़ी भी दी जाए। इस गाड़ी के चालू होने से असंसोल, दुर्गापुर रानीगंज के कोल के इस्पात अंचल के श्रमिक जो मुख्यतः उत्तरी उत्तर प्रदेश, बिहार आदि के हैं लाभान्वित होंगे।

सोनपुर-बनारस के बीच एक नई एक्सप्रेस ट्रेन चलाई जाए। ऐसा आपने किया तो सोघा बिहार और उत्तर प्रदेश का सम्बन्ध हो जाएगा।

वाराणसी-दार्जिलिंग एक्सप्रेस एक ट्रेन चालू की जाए। इसकी बहुत दिनों से मांग हो रही है।

मलयाबीह-मीटपी लाइन जो मीटरगेज है इसको ब्राड गेज में कनवर्ट आप करें। इसका सर्वे हो चुका है। खेवमान भी इसकी है। लेकिन इसको प्रायोरिटी नहीं मिल रही है। इसको आप प्रायोरिटी दें। बेकबर्ड एरिया को यहाँ विकसित करने का यह एक मात्र साधन है। बनारस छपरा होड़ी लाइन को बड़ी में कनवर्ट किया जाए।

शाहगंज से ईदारा और ईदारा से बलिया बड़ी लाइन की जाए। बलिया जनपद को विकसित करने के लिए बेलथरा रोड से बाया सिक्करपुर मनियर बांसदी होते हुए बलिया तक नई लाइन बिछाई जाए।

बेलथरा रोड से बाया नगरा, एसड़ा में इंदौरा और बलिया की लाइन में मिला दिया जाए ताकि यह पूरा जनपद विकसित हो सके।

कानपुर और पटना के बीच में गंगा पर पुल बनाने की बात चल रही है जिस की हम लोगों ने कई बार मांग की है और रेशा मंत्री ने ध्यान-बासन भी दिया है। इस पुल को बक्सर और उच्चियारघाट के बीच बनाया जाए और बक्सर को बलिया से बड़ी लाइन से जोड़ दिया जाए।

मैं यह भी चाहता हूँ कि दूसरे दर्जे का किराया न बढ़ाया जाए। रेल यात्रियों का बीमास किया जाए एक लाख रुपये का और सॉफ्ट क्लास के पैसेंजर्स से एक टिकट पर एक रुपया लिया जाए और पहले दर्जे के यात्रियों से दस रुपया लिया जाए जैसे हवाई जहाज में होता है। रेल दुर्घटना होने पर आपको मुआवजा नहीं देना पड़ेगा, बीमा कम्पनी देगी। आप को जो बीस पच्चीस हजार देना पड़ता है वह आपको नहीं देना पड़ेगा और आपकी बचत ही जाएगी। सॉफ्ट क्लास में लोगों को बैठने तक जगह नहीं मिलती है और आप उनका किराया बढ़ा रहे हैं। यह आपको नहीं करना चाहिए। जो फिजूलबर्ची

हो रही है रेलवे में इसको भी आपकी बन्द करना चाहिए। हमने देखा है कि सिकंदराबाद प्लेटफार्म पर रंग रोगन करने पर आप तीन लाख रुपया खर्च कर रहे हैं जबकि उसकी हालत बहुत अच्छी है। दूसरी जगहों पर जहाँ प्लेटफार्म तक नहीं है आप ध्यान नहीं देते हैं और यहाँ आप तीन लाख खर्च कर रहे हैं। इस तरह की जितनी फ़ैलवारीयिया है वे बन्द होनी चाहिए।

डिपार्टमेंटल केटॉरिंग खत्म करने आपको चाहिए कि प्राइवेट केटॉरिंग आप शुरू करें। इससे आपको जो करोंबाँ का बाटा हो रहा है वह नहीं होगा और आपको नफा होगा। इसमें अष्टाचार भी बहुत बढ़ा है। मुझे मालूम है कि आगरा के एक इन्स्पेक्टर ने एक महीने में एक लाख रुपया पेटे में कमाया है। यह भी पता चलता है कि इसका बहाव है हटाया जा रहा है लेकिन अब फिर उसका बही रखा जा रहा है।

मैं यह भी चाहता हूँ कि शक्कर, नमक, पेपर, सिमेंट आदि जिनको आन्ध्र प्रदेश में इस्तेमाल करता है उनको इस बढोतरी से मुक्त रखा जाए।

मैं यह भी जाहता हूँ कि स्ट्राइक के दौरान जिन लोगों ने हिंसात्मक काम किए हैं, तोडफोर का है, उनको तो चाहे आप, चापिस नौकरी पर न लें लेकिन बाकी सब लोगों को आप ड्यूटी पर अविलम्ब ले लें। अपील का जो मसला है उसका आप ज्यादा देर लटकाए न रखें और एक साथ आदेश आप दे दें कि उनको ड्यूटी पर बला लिया जाए। ऐसा बूकि आप नहीं कर रहे हैं इस कारण से अन्सरोष बढ रहा है और सज़ूर समर्पन हमारी जो नीति है उसको हमसे ठेस पहुँच रही है।

MR. DEPUTY-SPEAKER. Nothing displeases me more than to fight with Members. (Interruptions) I would like today that we part with some sweetness but when I am just half through my sentence, Members take the words out of my mouth. How can we go on like this? I was trying to say that nothing displeases me more than to be deprived of the right of listening to the

Members. I respect every Member's views. When I am placed in this position to shut out Members, I do it with great reluctance. May I request you, that when I run the House and I want to say something, you please do not interrupt.

Now, Shri Ram Deo Singh.

श्री राम देव सिंह (महाराजगंज) : इन अनुदान की मांगों का मैं विरोध करता हूँ। रेलों में आज जितना नुकसान हो रहा है और बिच तरह से इसकी वित्तीय स्थिति नीचे ही नीचे घसती जा रही है, ऐसा आज तक के रेलों के इतिहास में कभी नहीं हुआ। नई रेलवे लाइनों की जो मांग हुई है उसका मैं विरोध नहीं करता लेकिन मैं चाहता हूँ कि जो पुरानी गाडिया चलती हैं, जो पुरानी लाइने हैं, उनको तो आप ठीक तरह से मेंटेन करें। हमारा अनुभव यह है कि थोडा सा हनमतयया जी के जमाने में जो प्रोग्रेस दिखाई पड़ी थी वह मिश्र जी के आते आते समाप्त हो गई है, दक्षता का अभाव हो गया है। श्री भागवत झा आज्ञाद ने कहा कि श्री जार्ज फरनेंडीस ने इन्ट्रनेशनल कांफरस में जा कर रेलवे की शिकायत की। मैं समझता हूँ कि देश के तथा दुनिया के कौने कौने में रेलों की जितनी भर्त्सना की जाए थोडी है। इतने बडे त्वास का सामना आज तक रेलों का कभी नहीं करना पडा है। स्ट्राइक किस तारीख की हुई? आप ने रेल को किस तारीख से बन्द कर दिया? हडताल के पहले तो आप खुद ही हडताल पर चले गए। सारी गाडिया सल्वेड करदी और उस जमाने की सल्वेड की गई गाडिया बहुत सी आज भी सल्वेड है। जो जन्ना चलती थी छोटी लाइन पर लवनऊ ने आज भी वह सल्वेड पड़ी है, नहीं चलाई जा रही है।

फिर ये जा रहे हैं किराया बढ़ाने की लिस्ट। मैं पूछना चाहता हूँ कि यह लूट जो रेलवे में चल रही है वह कभी आप की नजरों के सामने आया है? अगर उस लूट को आप बन्द कर दें

[श्री राम देव सिंह]

तो एक नया पैसा भी बढ़ाने की जरूरत नहीं होगी। लेकिन यह रेलवे प्रोटेक्शन फोर्स जिस को दिन पर दिन आप शक्ति देते जा रहे हैं। आप ने कभी कभी पता लगाने की कोशिश की है किसी स्टेशन पर जाकर के कि किस तरह से रेलवे प्रोटेक्शन फोर्स रेलवे को लूट का भ्रडडा बना हुआ है? इन फोर्स का एक एक आदमी लूट में लगा हुआ है। मैं इस को चेंलेंज करता हू। गया जिले के पहाड़गंज स्टेशन पर जरा देखेंगे तो वर्षों वर्षों से वहां पदासीन लोग लूट में लगे हैं। कोई उन का ट्रांसफर नहीं कर सकता। किसी का ट्रांसफर होगा तो वह ट्रांसफर लेटर लि कर दिल्ली चला जाएगा, लूटा हुआ पसा खर्च होगा, उस का ट्रांसफर समाप्त हो जाएगा।

हड़ताल के सिलसिले में इस सभ्य सरकार ने इतनी बर्बरता की कार्यवाही की है, जो अपने को समाजादी सरकार कहती है उस ने जितनी क्रूरता दिखाई है उस की कही मिसाल नहीं मिलेगी। मैं भागलपुर जेल में डिटेनशन में था, मिसा के अन्तर्गत बन्द था तो वहा छोटे छोटे बच्चे धनबाद के और समस्तीपुर के पकड़कर लाए गए थे। मैंने उन से पूछा कि क्या तुम रेलवे में काम करते हो? कहा नहीं। हमारे बाप करते हैं। पुलिस गई हमारे बाप को पकड़ने के लिए वह नहीं थे, हमी को पकड़ कर ले आई, मा बहनों को घसीट घसीट कर, उन का मोटा पकड़ कर बाहर निकाला, पानी बिज्जी बन्द कर दी, क्वार्टर से निकाल कर उन में ताले बन्द कर दिए थे अपनी कुछ भायों को ले कर हड़ताल कर रहे थे। उन के साथ इस तरह का क्रूर व्यवहार क्या किसी सभ्य सरकार के लिए उचित था? क्या यह नतिकता थी? उन के साथ इस तरह का दुर्व्यवहार करने का कोई औचित्य था? मैं आप से पूछना चाहता हूँ कि क्या आप को जूडिशियरी में विश्वास है? न्यायपालिका के न्याय में आप को विश्वास है? अगर होता तो संविधान की धारा 311 के अन्तर्गत कलकत्ता हाईकोर्ट ने जो कहा है कि जिन लोगों की सर्वसेज समाप्त हो गई है वह असंवैधानिक है, गैरकानूनी है, उस को

खत्म करना चाहिए उस को आप मानते। लेकिन मुना है कि रेलवे मंत्रालय अब सुप्रीम कोर्ट में ले जाने की तयारी कर रहा है। अगर इन को न्यायपालिका में विश्वास होता तो जैसे ही हाईकोर्ट का जजमेंट हुआ इन का सकुलर जाना चाहिए था सारे रेलवे के अधिकारियों को कि जिनकी सेवाएँ समाप्त कर दी गई है पुनः उन्हें सेवा में ले लिया जाए। लेकिन सेवा में नहीं लिया।

एक बात मैं और कहना चाहता हूँ। अभी थोड़े दिन पहले एक बार मिश्रा जी डी-लकम से सफर कर रहे थे। कुछ एम पी लोग भी उस गाड़ी में थे। गाड़ी दिल्ली में चली तो एक जनेरेटर उस में पहले से ही खराब था। काफी डिटेनशन के बाद गाड़ी चली। जब गाड़ी टूंडला पहुची तो वहा दूसरा जनेरेटर भी खराब हो गया। गाड़ी रुक गई। अब हम लोग तो फस्ट क्लाम वगैरह में खिडकिया होती है, उन को खोल लिए और बाहर भी आ गए, मगर मिश्राजी अपने उसीमैलून में मेंढक जैसे फूलते रहे, निकल कर बाहर नहीं आए। रामावतार शास्त्री जी भी उसी गाड़ी में थे। सारे लोग अपने तरीके से इसकी निन्दा कर रहे थे।

फाल्स क्लेम करके जो रेलवे से लोग पेमेट लेते हैं उसकी आप सी बी आई से जांच कराइए या किसी पार्लियामेन्टरी कमेटी से कराइए, उस को आप पकड़ नहीं पाएंगे। लाखों लाख रुपये उसमें गलत तरीके से लोग ले जाते हैं जिसमें कोई औचित्य नहीं होता है।

सिवाल स्टेशन पर अनधिकृत तौर पर सारी जमीन लाठी के बल पर वहा के लोगों ने दखलपकर ली है और उस पर अच्छे अच्छे मकान, अच्छी अच्छी दूकान खोलकर बैठ है। मैं ने उस के लिए चिट्ठी लिखी, यहाँ लोक सभा में बोला, लेकिन आज तक हुआ कुछ नहीं। अफसर ज्यादा कड़ाई करने लग तो आदमी दिल्ली आय, जी एम के नाम का मैसेज ले गया कि कड़ाई

न की जाये। नखीजा यह है कि आज भी वह उसी जमीन पर जम कर बैठे हुए हैं बिना किसी बन्दोबस्त के। कोई देखने वाला नहीं है।

मैं रेलवे की नई लाइने निकालने के कोई खिलाफ नहीं हूँ। लेकिन जो रेलवे लाइने ठप्प पड़ी हैं और उनकी व्यवस्था बिगड़ रही है उसे तो ठीक किया जाये। आप की व्यवस्था जो जनता के अहित में जा रही है उसको तो ठीक करिए, जो बरबादी हो रही है उसको बचाइए। अगर नहीं बचा सकते और व्यवस्था ठीक नहीं कर सकते तो लाल बहादुर शास्त्री की तरह इस्तीफा देकर त्यागपत्र देकर आप को हट जाना चाहिए।

*SHRI R. N. BARMAN (Balurghat): Mr. Deputy-Speaker, Sir, I rise to support this supplementary budget presented by the hon. Railway Minister. This budget seeks to raise an additional revenue of Rs. 140.07 crores out of which Rs. 41.55 crores will be raised through passenger fare and Rs. 98.52 crores through freight on goods. Incidentally it may be mentioned that in the Railway Budget presented in February this year a revenue of Rs. 136.38 crores was sought to be raised. Therefore comparatively a larger revenue is sought to be raised through this supplementary budget than was done through the regular budget. It has further been stated that it may be necessary to present another budget in December this year. I am sure that it will be necessary to bring forward another budget in December because enhanced rates of dearness allowance has been sanctioned for railway employees w.e.f. April 1974 and two more slabs of dearness allowance have already become due.

Now we should examine why it was necessary to bring forth this supplementary budget. It was necessitated primarily due to three reasons. Firstly,

on account of an increase in the working expenses of the Railways; secondly due to the loss suffered on account of the Railway strike and thirdly due to a fall in passenger and goods traffic. Sir, long discussions have taken place in this House on the railway strike and I do not propose to go into that at present. I will only say that in the present difficult economic situation in the country when the prices of all essential commodities are rising at a fast pace and when the difficulties of the people are mounting every day, it is very necessary that the Railways keep on running efficiently and smoothly. The economy of the country is dependant to a large extent on the railways. It is not the railway economy alone that has suffered a loss due to the Railway strike. If the loss suffered by the entire country could be properly estimated, I am sure it will run into several crores. Sir, I have heard many people asking that why should the burden of the loss suffered due to the railway strike be passed on to the common man? Why should they be taxed again and again? Now, the logic of their question cannot be totally ignored.

The labour in our country, as they become more organised, are inclined to press their demands more and more. They seem to forget that there is a huge section of consumers also in the country who are thereby adversely affected. We find this condition prevailing not only in the railways but in all other industries also. Whether there is any production or not, whether there is any increase in production or not, the workers must get their demands. As a result of this attitude production is not increasing anywhere as expected. Every day strikes and go-slow etc. has become a common feature. Of course I do not mean that the workers should be deprived of their rightful and legitimate demands. It is not proper to say that and nobody will say like that. Our Government also has never said like that. I only want to say that negotiations should be held with all the railway

*The original speech was delivered in Bengali.

[Shri R. N. Barman]

unions and an agreement should be reached that there would not be any disruption of railway movement for the next three years at least and efficiency of the railways would increase. You would be surprised to know that during the strike period loading and unloading on the railways had actually gone up. This goes to serve that with the cooperation of the workers, the efficiency of the railways can surely be increased to a considerable extent.

I will request the various railway unions to consider whether their duty ends with pressing the demands of the workers or that they should also see how the production capacity of the railways can be improved. I will like to know from them what are the various schemes they have submitted to the Government for increasing the efficiency of the railways and which have not been implemented by the Government.

I will like to draw the attention of the hon. Minister to a report published in the 'Financial Express' dated 22nd August, 1974. It says:

"The Railway spokesman, briefing newsmen on the Budget maintained that in spite of the steep increase in freight, the rise in the whole sale price index should not be more than 1.5 to 2 per cent while consumer price index would go up by around one per cent."

That means the consumer price index will go up by hardly 1 per cent as a result of the present budget. I want to know on what basis did the Railway Board arrive at such a conclusion. I will be much obliged if the Railway Minister kindly explains this. If this conclusion is correct, then I will like to know what were the expectations of the Railway Board regarding the resultant rise in prices at the time of presentation of the original railway budget in February this year and how far has that budget contributed to the terrible inflationary

pressure that has built up in the last six months. I do not think that the aforesaid claim of the officer of the Railway Board regarding the present budget is correct, because in the last one year freight rates have been increased by 34 per cent and passenger fares have also gone up by 20 per cent to 25 per cent which is an all time record. As a result of the present increase in freight rates, the price of coal and steel will go up. The price of controlled cloth will also have to be raised. This will also cause a rise in the prices of aluminium goods, raw cotton, kerosene oil, charcoal, firewood and even salt. But the important thing is this that in a year in which four budgets are presented, two general budgets and two railway budgets, prices are sure to go up in that year. Then why not admit this fact and why indulge in statistical jugglery? It will be better if the Railway Board officials devoted more time and attention to stop ticketless travel on the railways, to prevent pilferage of goods from railway stores, to stop theft of coal meant for the railways which was also mentioned in the Public Accounts Committee, to ensure the punctual running of trains etc., instead of wasting time in statistical jugglery. On the one hand, it is said that railway earnings are falling because of decline in goods traffic, on the other hand, they are saying to the public sector as well as to the private sector industries that they are unable to carry goods in time for want of wagons. Some days back I read a report that only 10 per cent of the passengers travelling by the Indian Airlines pay their own fare. I will like to know what is the number of such passengers on the railways. Sir, the Estimates Committee has suggested that railway free passes should be discontinued. Why are we unable to accept this? What is the difference between the employees of the Railway Board and the employees of the Central Secretariat? Why do the former get a free pass for travelling on the railways? Even now there are some railway officers who are no

longer working in the Railway department but have gone over to other departments and have even been confirmed there. But surprisingly they continue to get the benefit of a free railway pass. What is the justification for this? Therefore, I will tell the hon. Minister that by putting a check on thefts and pilferage and by effecting economy in the Railways we may be able to forestall the necessity of a third budget in December. I will further suggest that the railways' contribution to the general revenues should be totally overhauled. The Railway Convention Committee should go into this matter seriously. The Railway Board should also sit up and function constructively, their indulging in statistical jugglery alone will not serve any purpose. Statistics only aggravate the miseries of the people they don't relieve them.

Sir, for the last three years I am only demanding that Malda and Balurghat may be connected by a broad gauge line. At first a survey was conducted and it was decided that the line should pass via Gajol. The survey report kept lying in the Railway Ministry. After prolonged correspondence I received a letter on the 5th August 1974 which said, "Earlier a Traffic Survey was sanctioned for a new B. G. line from Old Malda to Balurghat via Gajol. The alignment was changed to run from Eklakhi to Balurghat via Gajol, Buniadpur, Gangarampur and Rampur because the portion from Old Malda to Gajol lies by the side of the existing line upto Eklakhi. The Traffic Survey has been completed and the report is under examination." That means the earlier report was shalved and the new survey report is now under examination. The earlier report was under consideration for about two and a half years and I do not know how many years it will take to consider the new report. We are only adding to the misery of the people by changing our decisions again and again and by conducting fresh surveys. Had we implemented the earlier survey report at least work could have started on this

railway line. But that was not done. About the new survey that was conducted on this proposed line, it was stated in the Lok Sabha in reply to unstarred question No. 6833 on the 16th April 1974 that "*Eklakhi-Malda (new B. G. line)*: A traffic survey has been completed and the report is under examination. The estimated cost of this 90.0 km. long line is Rs. 10.35 crores. According to the Survey report, the line is seen to yield a negative return." I want to know when a final decision will be taken in this regard and when will the work commence on this railway line or will this area still remain backward even after 27 years of independence? Sir, for the last 27 years the people of this area had only been getting assurances. All the earlier Railway Ministers had only been giving assurances but nothing concrete has been done. Why is it so?

****MR. DEPUTY-SPEAKER:** Please conclude now. You have already taken more than 5 minutes.

SHRI R. N. BARMAN: Yes Sir. The people of this area had all along been returning the Congress candidates in the elections. But now the impression is gaining ground that had they voted for some candidates of the Opposition party then the Government would have taken up this work long back. They are delaying this project as the demand has come from a member of their own party. I will earnestly request the Railway Minister to ensure that this proposed railway line from Balurghat to Malda is completed within the next Five Year Plan. In the end I will say that the railway passengers are being made to pay higher and higher fares only but no attention is being paid to the facilities provided to them. The third class (now second class) passengers are often not provided with water, light, fan etc. Even now there are many stations where the platforms are not provided with sheds. I have one more request

[Shri R. N. Barman]

that the New Delhi to Gauhati Mail via Farakka at present runs bi-Weekly. This may be run daily or at least on three days in a week. Sir I will conclude by saying that the proposed increase in railway freight charges will strike a severe blow on the mustard oil mills in West Bengal and this industry will have to close down. I will request the hon. Minister to remove the disparity in the freight rates on mustard seeds and mustard oil.

श्री राम हेडाऊ (रामटेक) : उपाध्यक्ष जी, देश में जो कुप्रशासन जारी है उसमें सब से अग्रला नम्बर रेल मंत्रालय का लगता है। कहते हैं यह कलियुग है, जब कि मैं इसको अष्टाचार का युग कहता हूँ। और अष्टाचार के लिये सब से अधिक जिम्मेदार आज की सरकार है जिसके हाथ में देश की बागडोर है। अष्टाचार के बारे में जितना कहा जाय काम होगा। मैं आपको रेलवे प्रशासन की अनियमितता का एक ज्वलन्त उदाहरण देना चाहता हूँ। हमारे रेल मंत्री जितने अनियमित तरीके से काम करते हैं उससे भी अधिक इनकी रेलगाड़ी अनियमित ढंग से चलती है। राष्ट्रपति के चुनाव में वोट देने का जो मेरा हक था उससे मुझे इनकी अनियमितता के कारण वंचित होना पड़ा। मैं बम्बई में मतदान करने जा रहा था जो गाड़ी बम्बई में मबरे पहुँचती थी वह गाड़ी उम दिन रात को 1 बजे पहुँची। दोनों गाड़ियाँ 15 घंटे लेट पहुँची। परिणाम यह हुआ कि मैं मतदान नहीं कर सका। मैं तो कहूँगा कि इस अपराध के लिए रेल मंत्री को इस्तीफा देना चाहिए क्योंकि मुझे अपने हक से वंचित किया गया।

एक तरफ कहा जाता है कि बैगन्स की कमी है, और दूसरी तरफ लाखों बैगन्स रिपेयर होने के लिए पड़े हुए हैं। एक एक

स्टेशन पर 15, 20 दिन तक बैगन्स खड़े रहते हैं। इसके लिये कौन जिम्मेदार है? चोरियों के बारे में कल, परसों कहा गया।

श्री नगेन्द्र प्रसाद यादव (सीतामढ़ी) ** :

श्री राम हेडाऊ : जब राजा खुद चोरी करता है तो नौकरशाही भी चोरी करती है।

MR. DEPUTY-SPEAKER: Order please. The hon. Member on this side seems to be particularly in high spirits. I would like to ask Mrs. Ray, who is sitting near him, whether he is deriving inspiration from her.

SHRIMATI MAYA RAY (Raiganj): Sir, I consider that to be the greatest compliment paid to me!

MR. DEPUTY-SPEAKER: Will you kindly listen at least to your neighbour and try to restrain yourself now?

श्री राम हेडाऊ : रेलवे प्रोटेक्शन फोर्स खुद चोरी करता है इसके लिये रेलवे का कुप्रशासन ही जिम्मेदार है। आपने रेलवे का किराया बढ़ाया, लेकिन मैं पूछना चाहता हूँ कि यात्रियों के लिये कौन सी सुविधा दी? मंत्री जी इतने बड़े जगलर हैं कि कहने को थर्ड क्लास की जगह सेकेन्ड क्लास कर दिया। मेरी मांग है कि प्रोटेक्शन फोर्स में सुधार किया जाय।

20 लाख रेलवे कर्मचारियों के प्रतिनिधियों को रेलवे के मनेजमेन्ट में रिप्रेजेंटेशन दिया जाय। कर्मचारियों पर अत्याचार रहा है, नागपुर में इनका रिबरसन हो रहा है उसको रोका जाय। टिकट चैकिंग स्टाफ को रनिंग स्टाफ माना जाये। रेलवे बोर्ड के चेयरमैन पर पूरी जिम्मेदारी सौंपी जाये अन्यथा उस पद को समाप्त कर दिया जाय। रेल हड़ताल के समय जो कर्मचारी निकाले

गये उन सब को काम पर वापस लिया जाये ।]

अब मैं कुछ रेलवे मार्गों के बारे में कहना चाहता हूँ । वणी से चनाखा रेलवे मार्ग बनाने का जो काम निश्चित हुआ था विदर्भ में वह काम क्यों बन्द कर दिया गया ? क्या इसलिये कि विदर्भ का विकास न हो ? दूसरे नरखेडा से अमरावती मार्ग के लिये वहा के लोग आन्दोलन करने के लिए तैयार हो गये है । इसका सब भी हो चुका था लेकिन अभी तक काम शुरू नहीं हुआ । मेरी मांग है कि उस मार्ग को हाथ में लिया जाये ।

अब मेरे कुछ नये सुझाव है जैसे आदिनाबाद से राजुरा मार्ग बनाया जाये । इसी प्रकार ब्रौड गेज पर जबलपुर से गोंदिया और गोंदिया से चन्द्रपुर मार्ग बनाया जाय । इसी तरह से भडारा और अमरावती को मेन लाइन पर लाया जाय । नागपुर और कामठी में यात्री काफ़ी चलते है इसलिये एक एक रेलगाड़ी सबेरे और शाम चलाई जाय । इसी प्रकार नई दिल्ली से जो जी० टी० नागपुर जाती है उस को नारखेडा पर तीन मिनट रोका जाय ।

श्री नागेन्द्र प्रसाद यादव : उपाध्यक्ष जी इन्होंने ने जो शब्द इस्तेमाल किये है उन को प्रोसीडिन्स से निकाल दिया जाय ।

श्री शंकर बेब (बीबर) : उपाध्यक्ष जी 'बीर' शब्द अनपार्लियामेण्टरी है या पार्लियामेण्टरी इस बारे में आप की रुलिंग चाहता हूँ ।

MR. DEPUTY-SPEAKER: In all this noise, I am not able to follow what has been said and what has not been said. If there is anything that is objectionable, unparliamentary or undignified, I shall look into that.

श्री शंकर बेब : जब तक आप निर्णय नहीं देते तब तक क्या "बीर" शब्द हम इस्तेमाल कर सकते हैं ।

MR. DEPUTY-SPEAKER: I am not going to give my ruling on a hypothetical point of order. I am saying that in all this noise, I am not quite sure of what was said and what was not said. There is so much shouting on all sides. If there is anything that is unparliamentary, I shall go into that and delete it.

श्री राजेन्द्र प्रसाद यादव (मधेपुरा) : उपाध्यक्ष जी मैं रेलवे की अनुदानों का समर्थन करता हूँ । यह बात सही है कि गत दो सालों का रेलवे का इतिहास हड़तालों, काम बन्द करो, धीमे काम करो या नियम के मुताबिक काम करो का इतिहास रहा है । और परिकाष्ठा तब देखी गई जब कि हाल में रेलवे स्ट्राइक हुई । मैं उस हड़ताल को राजनीतिक हड़ताल कहता हूँ क्यों कि राजनीति से प्रेरित हो कर वह हड़ताल की गई ।

मुझे भी रेलवे कर्मचारियों के बीच काम करने का मौका मिला है इसलिये मैं कह सकता हूँ कि श्री जार्ज फ़रनान्डीज ने रेलवे के मुवमेंट को 10 वर्ष पीछे ढकेल दिया है । आज किसी भी रेलवे कर्मचारी की यह हिम्मत नहीं है कि वह अपनी सही मांग के लिये प्रशासन के सामने खड़ा हो सके । जहां तक अभी हमारे दोस्त ने बताया कि इंटरनेशनल कानफ़रेंस जो स्ट्राइकहोम में हुई थी उस में जो माननीय फ़रनान्डीज ने कहा था रेलवे स्ट्राइक के बारे में उस को मैं देशद्रोह तथा अनैतिक कहना चाहता हूँ । और वह इसलिये कि इन्होंने देश का ध्यान नहीं रखा । पहले देश बचेगा तब और कुछ हो सकता है । इसलिये यह देशद्रोह था और अनैतिक था ।

यह बात सही है चन्द कारणों के चलते रेलवे प्रशासन का खर्चा बढ़ा है । जिस में नम्बर (1) है... (अध्यापक) इन के बेज बिल में 60 परसेण्ट की बढ़ोतरी

[श्री राजेन्द्र प्रसाद यादव]

हुई है। नं० 2 महगाई भत्ता जनवरी 1 को फरवरी 1 को प्रोग प्रग्रेस 1 को बढ़ा है। इस के बाद यह भी बात सही है कि भियाभाई ट्रिब्यूनल का जो एवार्ड है उस को भी इम्पलीमेंट करना पड़ा है। इस में भी इन का खर्चा बढ़ा है और रिकगनाइज्ड फेड्रेशन से बात करके जो इन्होंने म दूरों को रियायतें दी हैं, उन से भी इन का खर्चा बढ़ा है। ये सब बातें हैं और सब से बड़ी बात यह है कि हड़ताल जो हुई तो इन्होंने बताया कि 4 करोड़ रुपया केवल उस को मैनेज करने में लगा। इस के अलावा रीलिंग स्टॉक के रिपेयर में भी इन का खर्चा बढ़ा है। ये सब बातें सही हैं लेकिन विचाराणीय बात यह है कि क्या इस की पूर्ति किसी और माध्यम से की जा सकती है या नहीं। इन्होंने कहा है कि ये बेस्टफुल एक्सपेंडीचर को कट करना चाहते हैं। वास्तव में इस दिशा में ये करना क्या चाहते हैं इस की जानकारी होनी चाहिए। बेस्टफुल एक्सपेंडीचर के बारे में मैं एक दो बातें कहना चाहता हूँ।

आप को जानकर हैरत होगी कि जी० एम० साहब की जो स्पेशल चलती है उस पर एक दिन में दो लाख रुपया खर्च आता है। क्या इस को बेस्टफुल एक्सपेंडीचर नहीं कहा जाएगा। दूसरी बात मैं रेलवे बोर्ड के जो बड़े बड़े अधिकारी हैं जो कि बड़ी बड़ी तन्ख्वाह पाते हैं उन के बारे में कहना चाहूंगा क्योंकि इन्होंने बार बार कहा है कि टेक्निकल एक्सपर्ट्स को इन्होंने रखा हुआ है। मैं जानना चाहूंगा कि टेक्निकल एक्सपर्ट्स को इन्होंने इसलिए रखा है कि जितने भी सवाल पूछे जाए उन का जबाब 'नो' में बंदे? हमारे माननीय सदस्यों को यह अनुभव होगा कि एक की प्रश्न अभी तक ऐसा नहीं होगा जिस का उत्तर इन्होंने 'हां' में दिया हो। क्या यह रेलवे बोर्ड के लोग इसीलिए हैं? क्या इस को बेस्टफुल एक्सपेंडीचर समझा जायेगा या नहीं?

अगली बात मैं यह कहना चाहता हूँ कि आर० पी० भ्राऊ को हमारे बहुत सारे दोस्तों

ने कहा है कि यह पिलफ्रेज फोर्स है। मैं इस को दोसराना नहीं चाहता लेकिन मैं इमानदारी से कहना चाहता हूँ कि यदि आर० पी० एक को एबोलिशन कर दिया जाए, तो इन की चोरी 50 परसेंट टुराडु बन्द हो जाएगी। इतना मैं गारंटी के साथ कह सकता हूँ। इन्होंने यह कहा है कि आर० पी० एक को हम भ्रामनाइज करना चाहते हैं। हम जानना चाहेंगे कि उस दिशा में क्या कुछ कदम उठाये हैं जिस से पिलफ्रेज बन्द हो।

इन्होंने पेनेल भ्राऊ लाइयर्स की बात पहले भी मानी है। पेनेल भ्राऊ लाइयर्स हर जगह मुकर्रर किये जाएं। (घंटी) मैं एक बात कह कर खत्म कर रहा हूँ।

अन्त में यह कहना चाहूंगा कि हम चाहते हैं कि किस तरह से रेलवे में पैसे की बचत की जा सकती है। इन के एक अधिकारी है, डाइरेक्टर हैं आर० डी० एस० जी मि० पुरी।

MR. DEPUTY-SPEAKER: Do not bring in the names of individuals. I have said many a time that the names of individual officers should never be mentioned here.

SHRI R. P. YADAV: I am not telling anything against him.

MR. DEPUTY-SPEAKER: The names should not be mentioned. He should conclude now.

SHRI R. P. YADAV: This is my last point.

उन्होंने इन के पास एक प्लान दिया था जिस में उन्होंने कहा था कि किस तरह 400 करोड़ रुपया बचाया जा सकता है। रेलवे बोर्ड ने उस को माना है और साइंस और टेक्नोलाजी मिनिस्ट्री ने भी उस को देखा है और माना है। मैं यह कहना चाहूंगा कि सही महोदय उस रिपोर्ट को देखें और गौर करें और उस को इम्पलीमेंट कराने की कोशिश करें। तकलीफ यह होती है उपाध्यक्ष महोदय, कि

इस तरह के जो त्रिलियेट आफिसर्स हैं जो अपना प्लान देते हैं, पर चूँकि वे केडर में छोटे पड़ते हैं, इसलिए रेलवे बोर्ड के उच्च अधिकारी उस को खटाई में डाल देते हैं। इसलिए मैं मंत्री महोदय से आग्रह करूँगा कि उस रिपोर्ट को आप देखे कि किस तरह से पैसे की बचत आप कर सकते हैं और उस तरह के आफिसर को आप पेनेलाइज न करें बल्कि वाजिब इन्साफ उन्हें दिया जाय।

श्री शिव कुमार शास्त्री (अलीगढ़) : उपाध्यक्ष जी, आप ने इस विभाग का डिप्टेड में भाग लेने वाले अधिकांश वक्ताओं को यह कहा है कि आप बार बार उन्हीं बातों को दोहराते हैं जैसे कि पंखा नहीं है, लाइट नहीं है या पानी नहीं है। तो इस का एक अर्थ यह भी तो है कि बुराई और करप्शन इस विभाग में इतनी व्याप्त है कि इस से प्रत्येक यात्री दुखी और संतप्त है। इसलिए जब तक प्रत्येक वक्ता इन बुराइयों की निन्दा न करे, तब तक सम्भवतः यह विभाग इन पर ध्यान नहीं देगा। समय की बचत की दृष्टि से मैं भी उन के स्वर से स्वर मिला कर इन बातों को और मंत्रालय का ध्यान खींचना चाहता हूँ और चाहता हूँ कि वह इन बुराइयों को दूर करे।

साथ ही मैं यह कहना चाहता हूँ कि दूसरे दर्जे का किराया बढ़ा कर आप ने उस गरीब जनता के साथ बहूँ ही निर्दयता का व्यवहार किया है जो टिकट तो लेती है लेकिन जिस को बैठने के लिए आप जगह नहीं देते। या तो वे खड़े रहते हैं या पायदान पर लटकते जाते हैं। गाड़ी में जब बैठने का समय आता है तो खिड़की से वे अन्दर घुसते हैं और उतरने का समय होता है तो बाहर भी खिड़की से वे कूद पड़ते हैं। आप यह भाड़ा बढ़ा कर उन के साथ घोर अन्याय कर रहे हैं। कम से कम सुविधा के नाम पर बैठने के लिए जब उन को आप सीट मुहैया नहीं कर सकते, तो अत्यन्त आवश्यकता होने पर जब वे यात्रा करते हैं तो उन के ऊपर आप को दया करनी चाहिए।

थी और दूसरे दर्जे का आप को भाड़ा नहीं बढ़ाना चाहिए था। साथ ही जिन क्रमियों का और आप का ध्यान खींचा गया है उनमें से एक कमी पानी की है। पानी के पिलाने की व्यवस्था के लिए जो पानी पिलाने वाले एक दो दिखलाई देते हैं जबकि गाड़ी बहुत लम्बी होती है और वे सब को पानी नहीं पिला सकते। इसलिए गाड़ी स्टेशन पर ठहरते ही यात्री नलके की ओर दौड़ते हैं और वहाँ पर बहुत भीड़ लग जाती है। इसलिए इस ओर भी आप का ध्यान जाना चाहिए और कम से कम गाँवों में तो आप को पानी पिलाने के लिए अधिक संख्या में आदमियों को रखना चाहिए।

14 hrs.

रिजर्वेशन के सम्बन्ध में भी आपका एक से अधिक बार ध्यान आकर्षित किया गया है और यह बताया गया है कि लाइन के पास से कुछ इस प्रकार के व्यक्ति खड़े होते हैं जो कि जब लोगों को यह कहा जाता है कि जगह नहीं है तो वे कहते हैं कि आप थोड़े पैसे से दे दें तो हम आपके जगह की व्यवस्था कर देते हैं। जब जगह नहीं होती है तो वे कैसे प्रबन्ध कर सकते हैं? इसका अर्थ यह है कि जरूर कोई न कोई अन्दर ही अन्दर साँठ गाँठ है। इस वास्ते आपको इस बुराई का भी दूर करना चाहिये।

अब मैं आपका सुरक्षा व्यवस्था का और ध्यान आकर्षित करना चाहता हूँ। आप दिन खबरें आती है कि फलां जगह गाड़ी में मसाफिरों को लूट लिया गया। अभी दस अगस्त की बात है। अलीगढ़ से जो शटल चलती है रात के साढ़े दस बूजे जिस में अधिकांश देहात वाले होते हैं... चोला और बैर स्टेशनों के बीच में उस गाड़ी में यात्रियों को लूट लिया गया। आप कह देंगे कि सुरक्षा राज्य सरकारों का विषय है, सुरक्षा व्यवस्था करने का दायित्व राज्य सरकारों का है लेकिन इसका असर आप पर भी पड़ता है। अगर लोगों को भरोसा नहीं होगा कि वे सुरक्षित सफर कर सकते हैं तो गाड़ी में सफर करना

[श्री शिवकुमार शास्त्री]

छोड़ देंगे। इस बारे में इस घोर आपका जरूर ध्यान जाना चाहिये।

छात्रों की घाघली की ओर भी मैं आपका ध्यान आकषित करना चाहता हू। देहात के गरीब भावभी तो बेचारे टिकट लेकर सफर करते हैं, तो बैठने तक भी उनको जगह नहीं मिलती है लेकिन इन पढे लिखे छात्रमियों और खास तौर पर कलेजों के विद्यार्थियों की हालत है कि वे एक तो टिकट नहीं लेते हैं और फिर फस्ट क्लास में सफर करते हैं और अगर कोई उनको कुछ कहता है तो उसकी बेइज्जती करते हैं, अपमान करते हैं। इसकी कई बार शिकायत को जा चुकी है लेकिन स्थिति में कोई सुधार नहीं हुआ है।

स्टेशन पर बिकने वाली खाने पाने की चीजों को भी चैक करते रहना चाहिये, उनकी देखभाल होनी चाहिये। अधिकांश चीजे इस प्रकार की होती हैं कि लोग पैसे भी खर्च करते हैं और बीमारी भी खरीद लेते हैं। उनकी जाच पड़ताल होनी चाहिये। आज भी रात के बारह एक बजे खोमचे वाले गर्म खाने की चीजों की आवाज लगते हैं। मैं समझता हू कि ग्यारह साढ़े ग्यारह बजे के बाद कोई खाने की चीज बिकने का कोई तुक नहीं है। सबेरे तथा रात को भी चाय पी जा सकती है लेकिन रात के बारह एक बजे खोमचे वाले न जाने कब की ठंडी पूरिया लेकर फिरते हैं और बेचते हैं और गर्म पूरी की आवाजें लगते हैं। यह बन्द होना चाहिये।

भोजन की व्यवस्था के बारे में अनेक बार कहा जा चुका है। खाने की व्यवस्था आप के यहाँ अच्छी नहीं है। आटा बहुत निकम्मा होता है, सब्जिया सब की सब खराब होती हैं। इस में भी सुधार होना चाहिये।

अब मैं अपने क्षेत्र की बात कहना चाहता हूँ। बहा पर यूनिवर्सिटी है और बिजनेस भी वहाँ बहुत अच्छा होता है।

अलीगढ़ से आगे जाने वाली प्रत्येक गाड़ी में अलीगढ़ का रिजर्वेशन कोटा नहीं है और जो है भी वह बहुत थोड़ा है। वह बढ़ना चाहिये।

अपने भाषण को अधूरा ही छोड़ता हूँ, क्योंकि आप घटी बजाते जा रहे हैं मैं समाप्त करता हू।

MR. DEPUTY-SPEAKER: Now I would require the assistance of the Minister for Parliamentary Affairs...

AN HON. MEMBER: He is not here.

MR DEPUTY-SPEAKER: His deputy is here. The list of speakers from the Opposition groups is exhausted, and I have just only 37 more from the Congress Party to speak.

SHRI R. R. SHARMA (Banda): What about my name?

MR DEPUTY-SPEAKER: You have taken your Party's time, not only yours

श्रीमती सहैबरा बाई राय (सागर)
हम को भी मौका मिलना चाहिये।

MR DEPUTY-SPEAKER: Now, I would like to have his assistance because he can assist me if he can say. (Interruptions) don't you listen to me? — That these members from his Party may not speak and the Minister may be called now. Then, we may be able to manage the business of the day. Otherwise, it is not possible. If you insist that all these 37 Members should be given the right. I shall give the right, but the consequences have to be seen. If you forget your right and may not speak and say that the Minister may be called, then, we may be able to manage somehow.

SHRI SYED AHMED AGA (Bara-mula): Why can't we extend the time by one hour?

श्री नागेन्द्रप्रसाद भावच : बारह बजे तक हम बैठने के लिए तैयार हू। आप व्यवस्था कीजिये कि हम सभी मौक ल सकें।

क्याम्बस महोदय : इतना ऊंचा क्यों बोलते हैं । जरा ठंडा होकर बोलिये । आहिस्ता-आहिस्ता बोलिये ।

I cannot understand this hon. Member. He speaks always at the top of his voice. Let me hear him. Kindly sit down, Mr. Aga.

Now, Mr. Yadav, what do you want?

श्री नागेन्द्र प्रसाद यादव : रेल मंत्री

MR. DEPUTY-SPEAKER: We are all talking on different wave lengths. I was trying to regulate the business of the House and he speaks at the top of his voice. When I ask him what his opinion is on this, he starts speaking on the Railways. How can we go on in this way? I want the Minister of Parliamentary Affairs to tell me... (Interruptions)

The difficulty is that you compel me to raise my voice when I am saying something. After all, I am a human-being. What is my natural reaction? My natural reaction will be to raise my voice if you raise yours.

THE DEPUTY MINISTER IN THE DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI B. SHANKARANAND): I agree that there is a long list of speakers. I am also aware of the Speaker's direction that the resolution of Shri Vajpayee be taken up at 2.30 p.m. It is our desire also that the Bonus Bill should be passed. I am entirely in the hands of the Chair and this House. We are also keen that the Resolution should be taken up according to the time schedule.

PROF. MADHU DANDAVATE (Rajapur): He has spoken as a Hamlet.

SHRI B. SHANKARANAND: I am entirely in your hands.

श्री अरुण बिहारी बाजपेयी (स्वालिपर):
सुबह स्पीकर साहब के सामने यह चीज लाई

गई थी । अब देखने में आ रहा है कि कांग्रेसी सदस्यों के मन में रेलवे बजट पर बोलने की लागता बड़ी बलवती हो गई है । 35-37 और बोलने वाले हैं । बोनस बिल भी है । ऐसी अवस्था में ढाई बजे मेरी मोशन को कैसे लिया जा सकेगा ? ढाई बजे आप इस काम को रोक् कर पेरा मोशन ले ।

SHRI S. M. BANERJEE (Kanpur):
The Bonus (Amendment) Bill is very important.

MR DEPUTY-SPEAKER: This is the difficulty; we are all trying to take *ad hoc* decisions and very often unrealistic decisions. We decided that at 2.30 we must take up the Resolution. Here is the problem before us. Is it possible to take it up at 2.30 even if all those Members of the Congress Party give up their right to speak? The Minister is yet to reply. He will take at least half an hour.

THE MINISTER OF RAILWAYS (SHRI L. N. MISHRA): Half an hour is enough for me.

MR. DEPUTY-SPEAKER: That will take us beyond 2.30 and, then, there is the Appropriation Bill and honourable and redoubtable members like Shri S. M. Banerjee and Shri Madhu Limaye have given notice that they would like to make submissions at the time of the Appropriation Bill on certain points, which is their right. If that is taken another half an hour will go. Is it realistic to say that we can take up this Resolution at 2.30 p.m.? Then there is the Bonus Bill, it is important to pass it. Whenever we do something let us be realistic. I am entirely in the hands of the House and that is why I seek your cooperation and put the problem to you. Let us collectively take some decision that is realistic. I just cannot do it on my own. I am very sorry that the hon. Minister for Parliamentary Affairs has put the whole burden on me, knowing full well that this is not possible; he

[Mr. Deputy-Speaker]

says, there are so many names, and then he says, do what you like....

PROF. MADHU DANDAVATE: Normally he points out a way, today only he is so....

THE MINISTER OF PARLIAMEN-TARY AFFAIRS (SHRI K. RAGHU RAMAIAH): Sir, you kindly fix any reasonable time; apply the guillotine. That is all my submission. What else can I say? You kindly fix any reasonable time and apply the guillotine.

MR. DEPUTY-SPEAKER: I am very happy that at least some positive suggestion is made by the Minister for Parliamentary Affairs. He says, you can apply the guillotine. Then, with his consent, I will call the Minister now and that means a guillotine. The Hon. Minister.

THE MINISTER OF RAILWAYS (SHRI L. N. MISHRA): Sir, I have listened to the debate very carefully. And, I must thank hon. Members who have participated in the Debate.

Sir, my intention is not to go into the various problems and the various questions which have been raised. And, I will take up only three questions, namely, Finance, Performance, and Industrial Relations. Regarding the other questions which have been raised, I think, it will not be possible for me to cover all the points within the short span of half an hour.

At the outset, I would like to refer to some small points raised by hon. Members. Shri Azad said that we could have been able to avoid the strike if we had not negotiated with the locomen in last May or so. Mr. Azad is correct that we should not have any negotiation on category-wise basis. So far as the principle is concerned, I am in agreement with him, but, Sir, my experience has been this. If we had not settled the locomen struggle in last May or June, we would not have been able to face this strike in the manner we have

done. The locomen stood by us and it was because of them that we could fight the situation.

Sir, about the question of 'Loss on New Lines' my principle has been enunciated and I will say about it later.

About Gauhati Mail, he wants it to be made more frequent. This train has proved to be very popular. And I thank Mr. Azad who has brought forward this suggestion, and I will look into it, and see if it can be made more frequent and this area gets this facility. Sir, Kiul and Sahabganj doubling will be difficult at this stage because of lack of finance.

Then, regarding railway lines construction in Madhya Pradesh, I am fully aware of the problem. He raised the question earlier also. Orders for survey have been issued. Economically it is said that it will not be viable. But, as you know, it has been my considered view that we should not go only by the economic considerations; a line which is not economic today might prove, and my experience has been, it has proved, economical next year. Therefore, it is one of the main considerations that we should provide facilities first and wait for the result.

As I have said earlier, I believe in this principle, power and transport create their own demands. It is not necessary for us to say that we should know what we will get in the first year. The moment we provide transport and power, the area develops, industry comes, and then, in a few years' time, the railway line, the transport and power system etc., become economical and rather, profitable also. Therefore, I say, I still stick to that principle and I am not going to change that. About certain district railway line which Mr. Rana-bahadur Singh mentioned, there will be some line, but at this stage, I cannot make any positive commitment. We have to get clearance from the

Planning Commission and Finance also, but in principle, I accept.

Then, Sir, a question has been raised in very strong language about the rise in fares. Sir, it is not done as has been painted. We are raising the fares and freights.

It is for the first time that in a supplementary budget such a big rise has been made. I confess that I have been compelled to do that. If I did not act like this, it would have been impossible to run the Indian Railways. I might say for the information of the hon Members as to how many people will be affected by the rise in fares. How many people are travelling by the Railways? Our calculation is (*Interruptions*) that about the 72 per cent of the people who travel by the Railways are exempted from the rise in fares. In this way, the commuters constituting nearly 50 per cent. of the railway passengers are not being asked to pay the higher fares as also the passengers travelling by ordinary II class from 1 k.m. to 25 k.m constitute about 49.27 per cent of traffic in non-suburban areas. If you put these two together, the travelling commuters and the railway passengers travelling upto 25 km. to 72 km., 72 per cent passengers are exempted. It is a fact that 28 per cent of the people will have to pay a higher fare. And there is no doubt about it.

I would come to the proposal of the new lines a little later. Members felt concerned about Railway Finances. Also the same has been raised here and outside in newspapers as well as in economic journals saying that in a year's time or two year's time, the finances of the railways have been ruined. It is not fair to say this about the functioning of the railways. I would like to go into the history of it in a few minute's time as to how we have landed ourselves into this situation. The members were concerned about the railway finance. And I share their anxiety equally, Sir, it is with much hesitation and, after a great deal of deliberation, that I have approached the House with the pro-

posals for increases in fares and freight rates within a few months of the presentation of the annual Railway Budget. I have, however, been compelled to do so because railway finances are indeed in a state of crisis. But, I must say, Sir, that it has not happened overnight.

The genesis of this crisis can be traced to the year 1964-65 when railways could not raise adequate resources for their Development Fund Works. The position further deteriorated from 1966-67 onwards and the Railways could not meet fully even their annual dividend liability to the General Exchequer. The accumulations of Rs 100 crores at the end of 1963-64 in the Revenue Reserve and Development Funds were not only wiped out but the Railways had to obtain loans from General Finances from year to year. The indebtedness of the Railways to the General Revenues stood at Rs. 110.68 crores at the end of 1972-73 and would exceed Rs 200 crores at the close of 1973-74. It must be appreciated that this parlous state of railway finances has not come about during any single year but is the result of a number of factors which have operated during the last decade to the disadvantage of the Railways. I shall now explain these briefly. The fortunes of Railway Finances cannot be isolated from the state of National Economy. The physical performance of Railways, as reflected in the volume of traffic carried by it, is crucially dependent on the overall pace of economic expansion.

The financial performance of the Railways is affected not merely by the rate of general economic growth but also by the rate of inflation in prices, particularly the disparity between the rate of increases in fares and freights on the one hand and that of wages and prices of inputs on the other.

The House would be interested to know that over the 5 years ending in 1966-67, there was a welcome rise of 30.6 and 31.8 per cent respectively, in the tonnage and net tonne kilometrage of revenue earning during freight traffic. During the next 5 years, how-

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ever, tonnes originating increase by a mere 3.7 per cent and the net tonne kilometrage by only 17.7 per cent. The originating tonnage recovered by 3.1 per cent in 1972-73 but it dropped by as much as 7.3 per cent. in the year 1973-74, year after year, in a big way.

The staff costs of the Railways, which constitute the major portion of Working Expenses, have been steeply rising due to increases in Dearness Allowance, interim reliefs recommended by the Pay Commission, enhancement in the rates of running, night duty and city compensatory allowances, awards of the Railway Tribunals and implementation of the Third Pay Commission's recommendations, etc.

As a result, staff costs, which stood at Rs. 518.8 crores in March, 1973, reached Rs. 827.4 crores in March, 1974. They are now expected to touch Rs. 841 crores by the end of March, 1975, without taking into account further increases in the rates of Dearness Allowance which may be sanctioned after April, 1974. Consequentially, the share of wages and salaries in the overall working expenses of the Railways has shot up from 60 per cent to 70 per cent in two years

The increase since 1961-62 in the cost of other inputs like coal has been 245 per cent, mineral oils 383.4 per cent, electricity 179 per cent, iron and steel 275.2 per cent and cement 183.2 per cent. Thus since 1961-62, our working expenses have gone up by 370.3 per cent. On the other hand, even after including the effect of the proposals which I have outlined in my budget Speech, the fares and freight rates would go up by 182.7 and 181.2 per cent respectively during the corresponding period. It will, therefore, be seen that the percentage increase in freight and fare structure is only half the rate of the increase in our working expenses.

I have given considerable thought to the manner in which this shortfall can be made good.

The options before me were either to pass on the total burden to the General Exchequer in which case the entire community would have had to pay by way of increased taxation or that the burden should be borne only by rail users. I have chosen the middle path after considerable thoughts and deliberation. Even here I had to adopt a balanced and composite approach. I have therefore proposed to raise additional revenues to the extent of Rs. 140.07 crores—an amount equal to the anticipated drop in earnings. In proposing these increases, I have kept the socialistic approach and the interest of the common man in mind. Accordingly—

- (i) foodgrains, pulses, edible oils, milk and vegetables—which constitute a substantial portion of common man's family budget—have been exempted from the proposed increases. I propose to exempt salt and gur also.
- (ii) short distance travellers up to 25 Kms. by ordinary second class and commuters holding second class season tickets have been left untouched. These people are mostly students, wage earners, office going staff and small self-employed persons, etc. Thus, nearly 72 per cent of the rail passengers will not be affected by my proposals.

Hon'ble Members will appreciate that the Railways are passing through a period of crisis and require sympathetic understanding and a helping hand.

We have not only to intensify economy in expenditure by creating an atmosphere of austerity all around but devise ways and means of carrying a higher level of traffic by more intensive utilisation of assets, increased productivity and improved quality of service. With the object of generating a new sense of awareness, I have made it clear to the higher management on the Railways that every officer, right from the Member of the Railway Board down to the lowest

level should put in his very best and that his performance would be solely judged on the basis of actual achievement of the tasks entrusted to him.

I here also decided to fix individual responsibility for every laps and failure. The erring officer will have to bear the consequences.

Sir, I will come to the question of new railway lines. It has always been said that North Bihar and Eastern UP are being given more railway lines. I will reply to this question. It has to be explained. North Bihar and Eastern UP are the poorest parts of the country with perhaps the lowest *per capita* income. The entire region has been devastated for decades by the floods of the Kosi and Gandak which have been shifting their courses every year, washing away the towns, villages, railway lines, roads, industries and even the agricultural fields, thus wiping out all the development which had taken place in the past. This has also acted as a deterrent to investment for the development of new industries in the region. After Independence, however, both the rivers have been trained and the area has become comparatively free from the menace of floods. The soil of North Bihar and Eastern UP is fertile and is suitable for cultivation of cash crops like jute, sugar and tobacco in addition to paddy, wheat and other cereals and pulses etc. There is tremendous scope for development of agro-industries in the area. Therefore, priority treatment has been given to these areas along with the hilly regions. I will give the allotment which I have made for the different areas. On pressing demand for the construction of a railway line in the hilly region of Himachal Pradesh—Mr. Parashar, this is for you—I propose to take up Nangal-Talwara railway line some time this year, Sir. Now, I would like to inform the House what is the allotment made for each region for new lines and gauge conversion. This will make it clear, whether Eastern UP and Bihar have received any favoured treatment compared to the other parts of the country.

	(Rs. in crores)
North Eastern Region	33.00
West Bengal	22.70
Bihar	32.65
U. P.	65.25
Jammu and Kashmir	14.02
Haryana	8.41
Rajasthan	3.79
Gujarat	45.78
Madhya Pradesh	10.51
Orissa	49.9
Maharashtra	33.30
Andhra Pradesh	33.71
Mysore	44.62
Kerala	15.30
Tamil Nadu	12.54

Bihar and Eastern UP have not received any favoured treatment from our hands although they deserve very much because of the past sufferings of the people in these areas.

PROF. NARAIN CHAND PARASHAR. What about Himachal Pradesh?

SHRI L N, MISHRA I told you. You did not hear. Sir, a question has been raised that the maintenance of our coaches, wagons and locomotives has been very bad and it compares very poorly with the standard of maintenance in other parts of the world. I have tried to make some study into this and I would like to inform the House that the standard of maintenance of our coaches and locomotives is not as bad as is being made out by some persons. I had mentioned in my Budget Speech that during the last two years, on account of the widespread labour unrest, the maintenance of steam locomotives, diesel electric locomotives and carriages and wagons has suffered. In addition to our own labour problems, there was widespread law and order problem in the country. The year 1973 faced massive power cuts in various parts of the country which had seriously affected production in workshops, sick lines and loco sheds.

As regards the maintenance of coaches, there has been wide-scale vandalism specially in the Eastern region where organised thefts in trains of lighting equipment and other fittings have been going on.

With the improvement in labour conditions, I can now re-assure the House that we have embarked upon

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a crash programme to improve the maintenance of rolling stock. Intensive efforts made have increased procurement of spares, resulting in a striking improvement on the availability of diesel locomotives for meeting traffic requirements.

The restoration of normalcy has assisted the workshops in securing spares from trade, including industrial gases, and this has been reflected in many workshops, showing a rising trend in outturn. In an effort to speedily pull up the arrears of overdue overhaul of the wagon fleet, a redistribution of workload has been arranged. This will assist in gradually clearing up the arrears in a phased manner.

An intensive drive has also been launched to improve the conditions of coaches. This has been done by personal inspection not only by Railway Board officers but also by the concerned officials of the Zonal railways. In addition, steps have been taken to provide better security to prevent theft and vandalism.

Earlier some statements had been made saying that the utilisation of our locomotives, coaches, wagons, etc. was only 60 per cent or so. This is not correct. On an average our performance is about 85 per cent and it compares favourably with the performance in any country of the world. We maintain this standard in spite of many hardships and difficulties which the advanced countries have not.

In respect of coal loading, I am glad to inform the House that after several months of labour agitations, interruptions to work etc. . . ., culminating in the All India strike in May, 1974, which was of unprecedented magnitude, the Railways have made a rapid recovery. This is reflected in the all round improvement in the loading performance.

Coal loading which averaged only 7300 wagons per day in the six months ending May, 1974, showed a vast improvement and in the full month of August we have loaded an average of

8200 wagons per day. In the Central India Coalfields serving the Western Sector, a record level of loading was achieved at 1200 wagons per day in August. In the outlying coalfields like Singareni, Pench and Chanda, Assam etc., Railways are in a position to lift all the coal offered for movement. In the Bengal and Bihar coalfields also, the transport capacity is adequately matched presently with the coal offered for movement.

Movement of coking coal and washed coal to steel plants is being fully met. The coal loading in the Bengal and Bihar coalfields can be improved to much higher levels if some of the customers, both in the private and public sector, cooperate and reduce the detentions to loaded wagons by improving their handling capacities and releasing them promptly. Recently, we are faced with the problem of large scale immobilisation of loaded wagons on account of poor releases by some of these consumers. We appeal to them to help the Railways serve better the needs of the community in general.

Railways have been successful in moving 16.4 lakh tonnes of finished steel between June and August, 1974. Not only the current production of the steel plants has been cleared but a further 1.2 lakh tonnes of material was moved thereby reducing the ground stocks, which were tending to rise in the disturbed months preceding the strike.

All the demands for the movement of imported and indigenous foodgrains and fertilisers are being met currently. There is also a sizeable improvement in meeting the demands for movement of other general goods. The Railways have been able to lift an additional 3 million tonnes of traffic in the last 3 months as compared to the corresponding period of last year. Only in the case of movement of POL, there has been a perceptible drop in the demand which has resulted in under-utilisation of some of our assets.

I want to assure the House that I am very confident that the Railways are geared up now to meet the various

demands for movement of traffic and with the various demands for movement of traffic and with the cooperation of our customers, we hope to achieve this objective. There must be an earnest consciousness on the part of the consignor and consignee that Railway wagons must be loaded and unloaded promptly and not detained or misused. Such delays and misuse which seriously reduce the Railway's capacity to lift traffic has been causing us much anxiety. Unfortunately, demurrage and wharfage levied by the Railways are not proving sufficiently deterrent.

Demurrage is a charge levied after the expiry of the free time allowed for loading or unloading of the wagon. It is meant to be a deterrent against undue detention to wagons and against their misuse for purposes of storage.

Wharfage is a charge levied on goods unloaded and not removed from the railway premises after the expiry of the free time allowed for such removal. It is meant to discourage the consignee from using the railway goods shed and premises as warehouses.

The rates of demurrage and wharfage charges were made more stringent from December, 1972. At the revised rates, demurrage charge on a four-wheeled broad gauge wagon works out to Rs. 134 at the end of the first day, Rs. 296 at the end of the second day and Rs. 510 at the end of the third day. In the case of vegetable oil tank wagons it works out to Rs. 322 on the very first day. These rates are sufficiently deterrent keeping in view the fact that the gross earning capacity of a BG wagon per day is about Rs. 52 currently. Similarly wharfage charge payable at a large station on a full wagon load consignment works out to Rs. 112 at the end of the first day, Rs. 246 at the end of the second day and Rs. 470 at the end of the third day.

As a result of increased rates, the total amount of wharfage and demurrage charges collected during 1973-74 went up to Rs. 22.4 crores as compared

to Rs. 17.91 crores in 1972-73 and Rs. 15.3 crores in 1971-72.

A question may well be asked why these charges should not be enhanced further as heavy detentions to goods in wagons in goods-shed and premises is continuing. Members would realise that any further increase may have a punitive effect on the consumer instead of the trader, who would pass on the penalty to the consumer by way of increase in prices. We are, therefore, considering the amendment of the Indian Railways Act and other rules so that such goods either in wagons or unloaded in the goods shed premises not taken delivery of, as come in the way of uninterrupted transport by rail, are taken over by the State Governments or other agencies, as the case may be for disposal.

I come to industrial relations. When the strike started, it was found that out of about 14 lakhs of railway employees, about 8.5 lakhs employees stuck to their post and it is only the minority that joined the strike and that too as a result of intimidation and violence. Even out of those who took part in the strike in the earlier period, the majority came back to duty while the strike was going on. This supports the information that we had that intimidation and violence played a great part in preventing employees from going to work.

As the strike started, there were a large number of sabotage cases all over the Indian Railways. It is only because of the vigil exercised by the various forces, like the Border Security Force, the State Government Police, the Railway Protection Force, Home Guards and others that untoward incidents could be avoided and the safety of the travelling public assured. Employing all these forces to protect the railway, to prevent sabotage and to protect the lives of the travelling public and the willing workers, cannot be construed as a repressive action. On the other hand, if the Government had not taken necessary steps and the public life was endangered it would

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have been a failure on the part of the Government. When the nation's economy and the public life is in danger, the Government had necessarily to take appropriate action.

Before the strike started, there was large-scale intimidation and violence let loose in various railway centres and colonies and there were reports of preparations for sabotage. In view of this, Government had to take appropriate action and preventive arrests had to be made. A number of employees had also to be dismissed or removed from service, for their violent activities before and during the strike. This had to be done as otherwise the safety of a large number of staff who stuck to their duties and the safety of the travelling public would have been jeopardised. The latest position regarding the staff who were arrested, removed from service, etc. is given below:

No. of staff arrested--19833.

No. of staff released--19858.

No. still to be released-- only 25.

No. of staff taken back to duty out of those released from detention--16239.

No. of staff dismissed, removed or whose services were terminated--16749.

The number so far taken back to duty out of those dismissed or removed or service terminated is 8,090. It is a continuing process. Their appeals should be heard and then they will be taken back. The casual labour discharged is 13,887 and the casual labour taken back to work so far is 10,427. Here also the process is going on. The railway staff who got a break in service as a consequence of their participating in an illegal strike is 5.91 lakhs. Out of this the number of railway staff whose break in service has been condoned is about 2 lakhs.

Individual appeals from staff are being reviewed sympathetically and so far a large number of staff have been reinstated or their break in service condoned. This is a continuing process and the railway administration is doing everything possible in this matter.

As regards casual labour, on taking them back, they do not get their temporary status. This is because of the fact that their continuity of employment has been interrupted by their going on illegal strike, and therefore they have to start afresh. Of course, after a period of four months, if they work continuously on the open line they will again regain their temporary status. The Industrial Disputes Act also makes it clear that employment of a casual labour can be considered continuous only if they do not go on illegal strike.

Shri S. M. Banerjee, M. P. has raised the issue of non-reinstatement of railway employees who participated in the strike. Railway employees have been dismissed or removed from service not merely for participation in the strike, but for specific offences against the law of the land. However on their individual appeals, depending upon the extent of their offence, a lenient view is taken and they are put back to duty on the merits of the case.

We have already taken back to duty about 50 per cent on consideration of individual appeals. I have also directed the railway administrations to see that individual appeals are considered sympathetically and expeditiously. I have now set them a general target of about six weeks from the time of receipt of the appeal to consider it and come to decision and communicate the same to the employee.

Some of the opposition members have referred to the judgment by the Calcutta High Court in respect of certain employees who had filed writ petitions. In one case where certain number of employees had filed writ peti-

tions, the learned judge has given judgment. This judgment has upheld the right of the railway administration in taking action under rule 14(ii) of the Railway Servants Discipline and Appeal Rules, 1968. However, in the specific case of these employees, the learned judge has quashed the dismissal order on the ground that the reasons given are not adequate.

Since important issues are involved, the judgment is under study and action will be taken by the Government on the basis of legal advice.

Shri S. M. Banerjee has raised the question of funds for payment to the employees who are put back to duty. All the establishment charges for the staff in position on 1.4.1974 have been provided in the original budget. As such, there is no requirement for additional funds to pay the employees already put back to duty or who will be put back to duty in the course of the year.

The discipline has been restored on the railways and the staff at all levels are putting in their best effort. There has been a steady improvement in the matter of loading of coal, steel and other essential commodities.

Reverting back to the break in service. Shrimati Parvathi Krishnan was most vociferous that the break in service should be condoned. I may assure her that this question will be looked into again as sympathetically as possible, of course within the ambit of the law, and I hope that justice will be done to the people, although they erred at the time of the strike.

The punctuality in trains is steadily being improved. For the week ending 31st August 1974, that is, about ten days back the punctuality was as follows. In the Central Railway it was 87.5 per cent, in Eastern 41.3 per cent, in Northern broad gauge 89.9 per cent and metre-gauge 90.5 per cent, in the North-eastern broad-gauge 87.0 per cent, metre-gauge 83.8 per cent and in the North East Frontier broad-gauge

9 per cent and metre-gauge 42.2 per cent and in Southern Railways broad-gauge 39.3 per cent and metre-gauge 87.8 per cent. In the case of South-Central Railway, the figures for broad gauge and metre gauge are 97.3 and 95.4 per cent, respectively. In South-Eastern Railway, it is only 40.5 per cent; in Western Railway, the figures for BG and MG are 89.2 and 82.6 per cent.

I would assure the House that, so far as the cases of casual and striking workers are concerned, they will be looked into with as much sympathy as possible but never at the cost of those dedicated workers and officers who stood by us at the time of crisis; they will get better treatment and the assurances will be implemented in the case of those dedicated workers who stood by us in difficult times. (*Interruptions*).

MR. DEPUTY-SPEAKER: Order, please. I can understand members on the side of the House being dissatisfied and seeking to seek more clarification. But I do not understand why members on this side are excited...

SHRI MD. JAMILURRAHMAN (Kishanganj): We also want to seek certain clarifications.

MR. DEPUTY-SPEAKER: Order, please. Instead of losing more time in raising our voices and competing in lung power, I think it is much better if I allow members to ask one or two questions. But they should not make speeches. We have not lost all chivalry yet and, therefore, I will give the ground first to the lady member.

Shrimati Parvathi Krishnan.

SHRIMATI PARVATHI KRISHNAN: I would like to seek clarification from the Minister on two issues that I have raised. First, I had asked the Minister to consider going into the question of the financial working of the Railways and he has, in his reply, indicated that the instability of the railway finances

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and the shambles in which they are have a long history. What does he propose to do about them? (*Interruptions*). The Government has woken up to the position that there has been a steady deterioration. Then, there is something wrong in the State of Denmark. What is going to be done about it?

The second clarification is on the issue of victimisation. He says that the process has started and he has given a six-week limit. Six-week limit from when? These appeals have been lying with the railway authorities for much longer than six weeks already. Therefore, we want these appeals to be dealt with here and now, within the next 24 hours or 72 hours at the latest.

Lastly, Sir, he has talked about operational efficiency on the question of steel. The Steel Ministry have said that it has touched a record accumulation, on 1-6-1974, of 550,000 tonnes in the integrated steel plants, and there is a serious problem of shortage of wagons. I would like him to clarify that position.

SEVERAL HON MEMBERS *rose*

MR. DEPUTY-SPEAKER: If all of you want to put questions, you are welcome. But, I pity the Minister of Parliamentary Affairs.

श्री सुहृन्मन्व जमीलुर्हमान (किशनगंज) : मैं मोहतरिम वजीर से इस बात को जानना चाहता हूँ जो डेडिकेटेड ग्रीर लायल वर्कर्स थे जो स्ट्राइक के वक़्त में स्टुड बाई किए उनके बाल बच्चों के साथ स्ट्राइकर्स ने, जैसे किसी नौजवान बच्चे के चेहरे पर एसिड फेंक दिया या किसी के हाथ तोड़ दिए, किसी के पैर तोड़ दिए तो इस सिलसिले में क्या रेल मंत्रालय को मालूम है कि ऐसे कितने केसेज इंस्टीट्यूट हुए और वह केसेज किस स्टेज पर हैं और

जिनको ऐसी तकलीफ़ बसुंकी है उनके लिए रेल मंत्रालय ने क्या कदम की है ?

SHRI DINEN BHATTACHARYYA (Serampore): My first point had already been put here in this House only two weeks ago in the presence of the Prime Minister by Mr. Somnath Chatterjee who referred to a case where an employee who was in jail under MISA for two years, was charge-sheeted and victimised for taking part in the strike and charged with provoking and instigating other workers to take part in the strike. What have you done in that case about which the Prime Minister herself gave an assurance that it will be looked into?

My second question is a very simple one. The Railway Board gave an assurance to the people of West Bengal that the Howrah-Amra railway line will be opened and it will be a broad-gauge line. The Prime Minister was very sympathetic and she had also laid the foundation stone for starting the railway in broad-gauge. But what has been done in that regard? No money is sanctioned here. Is it only a stunt or are you really very serious about it?

MR. DEPUTY-SPEAKER Now, this will be your third question.

SHRI DINEN BHATTACHARYYA: My last point is about the light railway at Arach-Sasaram in Bihar. It is on the point of collapse. A representation was made by myself to the Railway Minister and he assured me that he would look into the matter. What have you done about it till now?

MR. DEPUTY-SPEAKER: Now, the right hon. Member with a strong voice on my right.

श्री नानेन्व प्रसाद बनर्ज : मैं माप के द्वारा रेल मंत्री से जानना चाहता हूँ

SHRI S. M. BANERJEE: Will you kindly ask the hon. Member to go to his seat and speak from there?

श्री नाबेन्द्र प्रसाद यादव : मैं आपके द्वारा रेल मंत्री से जानना चाहता हूँ क्या रेल मंत्री की, नरकटियागज से पहलेजाघाट वाया दरभंगा सीतामढ़ी, निकट भविष्य में एक एक्सप्रेस गाड़ी चलाने की योजना है ? यदि हा, तो कब से ?

दूसरे मैं जानना चाहता हूँ क्या दरभंगा से नरकटियागज वाया सीतामढ़ी बड़ी लाइन बनाने की कोई व्यवस्था है ? (व्यवधान)

मैं आपके द्वारा मंत्री जा से यह भी जानना चाहता हूँ कि दरभंगा में नरकटियागज बाईर एरिया में है, वहाँ से 8 मील, 2 मील, 5 मील नेपाल का बाईर है अतः क्या निकट भविष्य में दरभंगा से नरकटियागज बड़ी लाइन ले जाने की व्यवस्था मंत्री जी करेंगे या नहीं ? यदि नहीं, तो उसके क्या कारण है ?

MR. DEPUTY-SPEAKER: What is your point of order Mr. Mavalankar?

SHRI P. G. MAVALANKAR (Ahmedabad): I am sorry I am not able to speak in the same voice. I thought you had permitted certain clarifications to be sought by Members and I thought therefore that only these Members whom you had called to speak in the debate which just ended would ask questions. But, I find that even those who did not make a speech are also asking questions. (Interruptions).

MR. DEPUTY-SPEAKER: Order, please. I have never said that only those who made speeches will ask questions. As a matter of fact, if we were to go strictly by conventions, then those who have made speeches should not ask questions. Now I see that their numbers keep on increasing. And each time I turn my eyes this side, instead of two, there are four or five and when I turn my eyes to that side, instead of two, there are three or four. As I say this is the

last day. I would very much wish that at the end of it, we should part with some kind of pleasantness, with some kind of a spirit of comradeship and all that and that is why I do not want to shut out anybody. But, on the other hand, Members should also have some restraints. We have plenty of business in front of us. I have made this appeal before. If you want to do that, I shall go along with you and the consequence is that the House will have to take it collectively.

Now, may I make this suggestion that only one Member from one group about the Congress Party, I cannot make that because they are one-thirds in the House and therefore it would not be fair to equate them as one group. So, we shall make that difference. About the Opposition what I am saying is this. If one member from the group or party asks one question the second member from that group and the party may not ask another question. Now, Mr. Bade

SHRI R. V. BADE (Kharagone): Sir, there are 15 persons under dismissal and 17 persons under suspension and fifty persons' services are under termination. There are 2,000 cases pending in whose cases break in service is not condoned. 350 cases are pending in courts. In M.P. there is a proposal to levy professional tax. But, in Baroda (Gujarat) there is no professional tax levied by them. I want to know why in M.P. professional tax is levied on railway servants whereas in Gujarat, the same is not levied and the employees are exempted from payment of professional taxes. The same yardstick should be applied here too.

श्री शंकर बयाल सिंह : उपाध्यक्ष जी, चतरा और हजारीबाग के रास्ते गया से बरकाकाना तक बड़ी रेलवे लाइन बहुत दिनों से विचाराधीन है। इस सम्बन्ध में 1945-46 में सर्वे हुआ था और उस सर्वे के अनुसार मैं जब से इस सपन में आया हूँ,

[श्री शंकर दयाल सिंह]

चिन्ने तीन साल से यह मामला भी उठा रहा है। मैं मंत्री महोदय से यह अनुरोध करता चाहता हूँ कि 1945-46 में चतरा धीर हजारबाग के रास्ते से क्या से बरकाकाना तक रेल लाइन का जो सर्वेक्षण हुआ था उसका पुनः सर्वेक्षण कराये धीर जो आपने पत्र लिखा है कि 27 करोड़ रुपये खर्च होगा तो कम खर्च का कोई रास्ता निकाल कर इस रेलवे लाइन को अपनी स्वीकृति प्रदान करे।

PROF MADHU DANDAVATE: Mr. Deputy-Speaker, Sir, I wanted to seek clarifications from the Minister on one point only. In this you, Mr. Deputy-Speaker, are also involved. In this House I raised this issue.

MR. DEPUTY-SPEAKER: Whenever I handle Railways I am always in trouble. Left to myself I would never travel by railways!

PROF. MADHU DANDAVATE: You might recall that I have raised the question in this House that after the Calcutta High Court had come out with a judgment in which they said that in violation of Art. 311 of the Constitution, illegally the services of railway employees were terminated, any such termination would be illegal and, therefore, they should be re-instated. I had raised this issue and you had commented that Government should take note of this submission made by hon. Members. I would like to know whether notice has been taken and what is the outcome?

15 hrs.

SHRI M. RAM GOPAL REDDY (Nizamabad): Sir, I want an assurance from the hon. Minister that he is not going to spend a single pie on the salaries and dearness allowance of the staff out of the funds which he has raised to the tune of Rs. 142 crores.

SHRI P. M. MEHTA: Sir, 2,500 workers will be thrown out of job if

coal is not rushed to Bhavnagar. I would like to know whether the Minister will take any action to this effect.

SHRI L. N. MISHRA: Sir, Shrimati Parvathi Krishan has asked about the financial position of the railways. I have given the position but I agree with her that some vital exercise has to be made and the matter has to be gone into and some new methods evolved to improve the finances of the Railways. Sir, by six weeks I mean the date on which the appeal is received. The moment it is received it should be disposed of within six weeks. She asked what happened to those who appealed earlier I can only say that six weeks will be from today for those also. I will be happy if all the disputes are settled within six weeks. These disputes run in lakhs. About steel I have already stated the latest position.

Shri Jamilurrahman said about the plight of the dedicated workers. I spoke about them. Certain facilities have been provided to them and if something more has to be done we will not hesitate to do more for them. There are quite a large number of people who went on duty during the strike and they had to undergo torture and physical harassment.

Shri Dinen Bhattacharyya raised the question of the number of persons arrested under MISA. Only the other day I had said that that information is not with me. He has raised that question. At the moment, I do not have the information with me. If he likes, I will write a letter to him tomorrow. Shri Shankar Dayal Singh raised the question about the railway line Chatra-Hazaribagh. He wants that a fresh survey should be made. If he thinks that a fresh survey should be made, I will be only too glad to sanction the survey. Mr. Dandavate mentioned about the judgment of the Calcutta High Court. In my speech, I have already stated that we are

examining it. We are taking legal opinion. Only after this, we will be able to reach a decision.

श्री नरेश्वर प्रसाद शर्मा : मान्यवर, मेरे प्रश्न का उत्तर क्ली जी ने नहीं दिया ।

श्री एल० एन० सिन्घ : मैं भूल गया था । जहाँ तक दरभंगा से नरकटियागंज का सवाल है वह लाइन डबल नहीं हो सकती । दरभंगा तक ब्रॉड गेज हो रही है और एक ऐक्सप्रेस गाड़ी चलाना चाहते हैं, उसको मैं देखूंगा कि नरकटियागंज से पहलेजाघाट चाया सातमड़ो ऐक्सप्रेस गाड़ी हो सकती है कि नहीं ।

MR. DEPUTY-SPEAKER Now, there are a number of cut motions. Unless any hon Member wishes any particular cut motion to be put to the vote of the House, I will put all of them together.

SHRI S. M. BANERJEE Sir, I would like my cut motions Nos. 90 and 91 to be put separately to the Vote of the House

(Interruptions)

MR. DEPUTY-SPEAKER: Please understand what I am saying. Kindly sit down I am saying there are a number of cut motions, and if any Member wants any particular cut motion to be put separately to the House, I will do that. I will put others together. Mr. Banerjee has indicated that he would like cut motion Nos. 90 and 91 to be put separately to the House. Is there any other Member?

SHRI M. KATHAMUTHU (Nagapattinam): Sir, I would like to have my cut motion Nos. 151, 152 and 208 put to the vote of the House, separately.

SHRI P. M. MEHTA: Sir, I would like to have my cut motion No 95 to be put to vote separately.

SHRI R. V. BADE: Sir, I would like to have my cut motion Nos. 66 and 67 to be put to vote separately.

SHRI P. G. MAVALANKAR: Sir, I would like my cut motion No. 47 to be put separately and cut motion Nos. 51 and 63 together.

MR. DEPUTY-SPEAKER: I will put cut motion No. 47 by Shri Mavalankar to the vote of the House.

Cut Motion No. 47 was put and negatived

MR. DEPUTY-SPEAKER: I will now put cut motion Nos 51 and 63 by Shri Mavalankar to the vote of the House.

Cut motions Nos. 51 and 63 were put and negatived

MR DEPUTY-SPEAKER: I will now put cut motion Nos. 66 and 67 by Shri R V. Bade to the vote of the House.

Cut motions Nos. 66 and 67 were put and negatived

MR. DEPUTY-SPEAKER: I will now put cut motion No. 90 by Shri Banerjee to the vote of the House. The question is:

"That the Demand for a Supplementary Grant of a sum not exceeding Rs 8,81,62,000 in respect of ordinary working expenses Administration be reduced by Rs. 100.

[Failure to re-instate all Railway employees who were discharged, dismissed and removed from service due to strike in May, 1974] (90)"

The Lok Sabha divided.

15.16 hrs.

AYES

Division No 26]

Bade, Shri R. V.

Banera, Shri Hamendra Singh.

Banerjee, Shri S. M.

Bhagirath Bhanwar, Shri

Bhattacharyya, Shri Dinen

Bhattacharyya, Shri Jagadish
 Bhattacharyya, Shri S. P.
 Bhaura, Shri B. S.
 Chaudhary, Shri Ishwar
 Chavda, Shri K. S.
 Chowhan, Shri Bharat Singh
 Dandavate, Prof. Madhu
 Das, Shri R. P.
 Deb, Shri Dasaratha
 Gowder, Shri J. Matha
 Haldar, Shri Madhuryya
 Halder, Shri Krishna Chandra
 Hazra, Shri Manoranjan
 Horo, Shri N. E.
 Huda, Shri Noorul
 Kalingarayar, Shri Mohanraj
 Karni Singh, Dr.
 Kathamuthu, Shri M.
 Krishnan, Shrimati Parvathi
 Lalji Bhai, Shri
 Limaye, Shri Madhu
 'Madhukar', Shri K. M.
 Malik, Shri Mukhtiar Singh
 Manjhi, Shri Bhola
 Mavalankar, Shri P. G.
 Mayavan, Shri V.
 Mehta, Shri P. M.
 Misra, Shri Janeshwar
 Modak, Shri Bijoy
 Mody, Shri Piloo
 Mukerjee, Shri H. N.
 Narendra Singh, Shri
 Pandey, Shri Sarjoo
 Parmar, Shri Bhaljibhai
 Pradhan, Shri Dhan Shah
 Ramkanwar, Shri
 Ranabahadur Singh, Shri
 Reddy, Shri B. N.
 Roy, Dr. Saradish
 Saha, Shri Ajit Kumar
 Saha, Shri Gadadhar

Sambhall, Shri Ishaque
 Sen, Shri Robin
 Sharma, Shri R. R.
 Shastri, Shri Ramavataf
 Shastri, Shri Shiv Kumar
 Singh, Shri D. N.
 Smha, Shri Satyendra Narayan
 Vajpayee, Shri Atal Bihari

NOES

Aga, Shri Syed Ahmed
 Ahirwar, Shri Nathu Ram
 Ambesh, Shri
 Ansari, Shri Ziaur Rahman
 Azad, Shri Bhagwat Jha
 Babunath Singh, Shri
 Banerjee, Shrimati Mukul
 Barman, Shri R. N.
 Barupal, Shri Panna Lal
 Bhagat, Shri B. R.
 Bhagat, Shri H. K. L.
 Bheeshmadev, Shri M.
 Bist, Shri Narendra Singh
 Brahmanandji, Shri Swami
 Brij Raj Singh-Kotah, Shri
 Chakleshwar Singh, Shri
 Chandrika Prasad, Shri
 Chaturvedi, Shri Rohan Lal
 Chavan, Shrimati Premalabal
 Chootey, Lal, Shri
 Chutten Lal, Shri
 Daga, Shri M. C.
 Darbara Singh, Shri
 Das, Shri Anadi Charan
 Das, Shri Dharnidhar
 Dasappa, Shri Tulsidas
 Daschowdhury, Shri B. K.
 Dhusia, Shri Anant Prasad
 Dinesh Singh, Shri
 Dixit, Shri G. C.
 Dixit, Shri Jagdish Chandra
 Dumada, Shri L. K.

Dwivedi, Shri Nageshwar
 Engti, Shri Biren
 Gaekwad, Shri Fatesingh Rao
 Ganesh, Shri K. R.
 Ganga Devi, Shrimati
 Gangadeb, Shri P.
 Gavit, Shri T. H.
 Godara, Shri Mam Ram
 Gohain, Shri C. C.
 Gomango, Shri Giridhar
 Gotkhinde, Shri Annasaheb
 Hansda, Shri Subodh
 Hanumanthaiya, Shri K.
 Harj Kishore Singh, Shri
 Hari Singh, Shri
 Jamilurrahman, Shri Md.
 Jha, Shri Chiranjib
 Joshi, Shrimati Subhadra
 Kadannappalli, Shri Ramachandran
 Kailas, Dr.
 Kakodkar, Shri Purushottam
 Kakoti, Shri Robin
 Kale, Shri
 Kamala Prasad, Shri
 Kamble, Shri T. D.
 Kamla Kumari, Kumari
 Kasture, Shri A. S.
 Kavde, Shri B. R.
 Kedar Nath Singh, Shri
 Kinder Lal, Shri
 Kisku, Shri A. K.
 Kotoki, Shri Liladhar
 Lakshmikanthamma, Shrimati T.
 Lutfal Haque, Shri
 Mahajan, Shri Y. S.
 Mahata, Shri Debendra Nath
 Majhu, Shri Kumar
 Malhotra, Shri Inder J.
 Mandal, Shri Jagdish Narain
 Mishra, Shri Bibhuti
 Mishra, Shri Jagannath
 Mishra, Shri L. N.

Mohammad Yusuf, Shri
 Mohan Swarup, Shri
 Muhammed Khuda Bukhsh, Shri
 Munshi, Shri Priya Ranjan Das
 Murmu, Shri Yogesh Chandra
 Naik, Shri B. V.
 Negi, Shri Pratap Singh
 Nimbalkar, Shri
 Oraon, Shri Kartik
 Oraon, Shri Tuna
 Painuli, Shri Paripoornanand
 Pandey, Shri Mamodar
 Pandey, Shri Sudhakar
 Pandey, Shri Tarkeshwar
 Parthasarathy, Shri P.
 Paswan, Shri Ram Bhagat
 Patel, Shri Prabhudas
 Patil, Shri C. A.
 Patil, Shri T. A.
 Patnaik, Shri J. B.
 Pradhani, Shri K.
 Qureshi, Shri Mohd. Shafi
 Raghu Ramaiah, Shri K.
 Rai, Shrimati Sahodrabai
 Rajdeo Singh, Shri
 Ram Dayal, Shri
 Ram Prakash, Shri
 Ram Sewak, Ch.
 Ram Surat Prasad, Shri
 Ram Swarup, Shri
 Ramshekar Prasad Singh, Shri
 Rao, Shrimati B. Radhabai A.
 Rao, Shri Jagannath
 Rao, Shri M. S. Sanjeevi
 Rao, Shri P. Ankneedu Prasad
 Rao, Shri Pattabhi Rama
 Raut, Shri Bhola
 Ray, Shrimati Maya
 Reddy, Shri M. Ram Gopal
 Reddy, Shri P. Narasimha
 Reddy, Shri Sidram
 Roy, Shri Bishwanath

Rudra Pratap Singh, Shri
Sadhu Ram, Shri
Saini, Shri Mulki Raj
Samanta, Shri S. C.
Sanghi, Shri N. K.
Sankata Prasad, Dr.
Sarkar, Shri Sakti Kumar
Satpathy, Shri Devendra
Savitri Shyam, Shrimati
Sayeed, Shri P. M.
Sethi, Shri Arjun
Shafee, Shri A
Shahnawaz Khan, Shri
Shailani, Shri Chandra
Shankar Dayal Singh, Shri
Shankar Dev, Shri
Shankaranand, Shri B.
Sharma, Shri A. P.
Sharma, Dr. H P.
Sharma, Shri Madhoram
Sharma, Shri R. N.
Shastri, Shri Sheopujan
Shenoy, Shri P. R.
Shukla, Shri Vidya Charan
Siddheshwar Prasad, Shri
Singh, Shri Vishwanath Pratap
Sinha, Shri R. K.
Sohan Lal, Shri T.
Suryanarayana, Shri K.
Tayyab Hussain, Shri
Tewari, Shri Shankar
Thakur, Shri Krishnarao
Tiwary, Shri D. N.
Tombi Singh, Shri N.
Tula Ram, Shri
Tulsiram, Shri V.
Uikey, Shri M G
Verma, Shri Balgovind
Vidyalankar, Shri Amarnath

Vikal, Shri Ram Chandra
Yadav, Shri Chandrajit
Yadav, Shri D. P.
Yadav, Shri Karan Singh
Yadav, Shri N. P.
Yadav, Shri R. P.

MR. DEPUTY-SPEAKER: The result* of the division is:

Ayes 54: *Noes* 161.

The motion was negatived.

MR. DEPUTY-SPEAKER: I shall now put cut motion No. 91 to the vote of the House.

Cut Motion No. 91 was put and negatived.

MR. DEPUTY-SPEAKER: I shall now put cut motion No. 95 of Shri P. M. Mehta to the vote of the House.

Cut Motion No. 95 was put and negatived.

MR. DEPUTY-SPEAKER: I will now put cut motions Nos. 151, 152 and 203.

Cut Motions Nos. 151, 152 and 203 were put and negatived.

MR. DEPUTY-SPEAKER: I will now put all the other cut motions to the House.

*The following Members also recorded their Votes:

AYES: Shri Ram Hedov;

NOES: Shrimati Sheila Kaul and Shri Kushok Bakula.

All other Cut Motions were put and negatived.

MR. DEPUTY-SPEAKER: The question is:

"That the respective Supplementary sums not exceeding the amounts shown in the third column of the order paper be granted to the President to defray the charges which will come in course of payment during the year ending the 31st day of March, 1975, in respect of the following demands entered in the second column thereof—Demand Nos. 4 to 6, 8 and 10."

The motion was adopted.

[The motion for Supplementary Demands for Grants which were adopted by the Lok Sabha are reproduced below—Ed.]

DEMAND No. 4—WORKING EXPENSES—
ADMINISTRATION

"That a Supplementary sum not exceeding Rs. 8,81,82,000 be granted to the President to defray the charges which will come in course of payment during the year ending the 31st day of March, 1975, in respect of 'Working Expenses—Administration'."

DEMAND No. 5—WORKING EXPENSES—
REPAIRS AND MAINTENANCE

"That a Supplementary sum not exceeding Rs. 23,20,00,000 be granted to the President to defray the charges which will come in course of payment during the year ending the 31st day of March, 1975, in respect of 'Working Expenses—Repairs and Maintenance'."

DEMAND No. 6—WORKING EXPENSES—
OPERATING STAFF

"That a Supplementary sum not exceeding Rs. 20,16,47,000 be granted

to the President to defray the charges which will come in course of payment during the year ending the 31st day of March, 1975, in respect of 'Working Expenses—Operating Staff'."

DEMAND No. 8—WORKING EXPENSES—
OPERATION OTHER THAN STAFF AND FUEL

"That a Supplementary sum not exceeding Rs. 1,34,25,000 be granted to the President to defray the charges which will come in course of payment during the year ending the 31st day of March, 1975, in respect of 'Working Expenses—Operation other than Staff and Fuel'."

DEMAND No. 10—WORKING EXPENSES—
STAFF WELFARE

"That a Supplementary sum not exceeding Rs. 2,91,66,000 be granted to the President to defray the charges which will come in course of payment during the year ending the 31st day of March, 1975, in respect of 'Working Expenses—Staff Welfare'."

15.16 hrs.

APPROPRIATION (RAILWAYS)
NO. 4 BILL*, 1974

THE MINISTER OF RAILWAYS (SHRI L. N. MISHRA): I beg to move for leave to introduce a Bill to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of India for the services of the financial year 1974-75 for the purposes of Railways.

MR. DEPUTY-SPEAKER: The question is:

"That leave be granted to introduce a Bill to authorise payment

[Mr. Deputy Speaker]

and appropriation of certain further sums from and out of the Consolidated Fund of India for the services of the financial year 1974-75 for the purposes of Railways."

The motion was adopted.

SHRI L. N. MISHRA: I introduce the Bill.

I beg to move:

"That the Bill to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of India for the services of the financial year 1974-75 for the purposes of Railways, be taken into consideration."

MR. DEPUTY-SPEAKER: Motion moved:

"That the Bill to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of India for the services of the financial year 1974-75 for the purposes of Railways, be taken into consideration."

SHRI S. M. BANERJEE (Kanpur): Sir, I have heard the assurance given by the hon. minister. I only request him that he should see to it that it is not delayed further. Even today according to his figures nearly 10,000 permanent employees and thousands of casual labour who have completed more than 5 to 10 years of service are on the streets. I have in my hand a list of those whose services have been terminated in Kanpur alone. Out of 506 employees, only 172 have been taken back. Not even one officer of the union of the Allahabad Division has been taken back. I request him to accept my suggestion: All railway employees, whether permanent, regular, temporary or casual, who merely participated in the strike should be taken back immediately. Those who are charged with sabotage or violence should be suspended and not dismissed. In this country when very serious

charges of corruption are levelled, we are not demanding the termination of service of those people. Even in this House, we are not demanding the expulsion or dismissal of Shri Tulmohan Ram, although it is said that he has taken money. In the case of those instances where there was violence or intimidation, let them be decided in a court of law. In all the cases the order of dismissal should be set aside.

Secondly, although we are not discussing the question of bonus, I would plead that the railway employees, the defence employees and the P & T employees should become entitled to bonus now that the report of the Bonus Committee has come.

Thirdly, it should be decided once and for all whether the railways is an industry or not. Now that the court has given a judgement in the matter, I hope it will be considered.

Lastly, if the hon. Railway Minister wants the industrial relations to improve, two employees of the railways should be taken in the Railway Board or, alternatively, the Railway Board should be abolished. I will conclude by renewing the request that those employees who have been dismissed from service for participating in the strike should be taken back.

श्री शंकर बयाल सिंह (चतरा) :
उपाध्यक्ष महोदय, मैं एक निवेदन करना चाहता हूँ। डा० कर्णो सिंहजी हम लोगों के बीच आ गए हैं

MR. DEPUTY-SPEAKER: Order. order. Let us act in a matured manner. I do not really understand this. Reference was made to this once in the House. I only say that we should act in a matured manner as a matured nation.

श्री रामाबलार शस्त्री (पटना) :
उपाध्यक्ष जी, मैं दो सवाल पूछना चाहता हूँ। पहली बात—पिछली हड़ताल के सिलसिले

में जितने कर्मचारियों के खिलाफ कार्यवाही को गई है उसके बारे में मुझे कहना है कि शीघ्र से शीघ्र उन तमाम कार्यवाहियों को वापस लिया जाय। मैं बह भी कहना चाहूंगा कि ईस्टर्न रेलवे के दानापुर डिवीजन में 2 हजार से अधिक कर्मचारियों के खिलाफ कार्यवाहिया की गई। जहां तक मेरी जानकारी है सबसे कम लोगो को वहा डायटी पर लिया गया है। इंडियन रेलवे वर्कर्स फेडरेशन के 55 आफिस डेयरर्स और एग्जीक्यूटिव के मेम्बर है जिन में सब के सब रेलवे एम्प्लोई है, इन मेंसे 53 के खिलाफ कार्यवाही वापस नहीं ली गई है। केवल दो को वापस लिया गया है। तो यह पता नहीं आपका काम किस तरीके से चल रहा है और इम तरह से चलेगा तो आप रेलवे के अन्दर शांति व्यवस्था कायम रखने में कामयाब नहीं हो सकेगे।

दूसरी बात मैं कहना चाहता हू कि सरकार कहती है कि अर्थभाव के कारण रेल किराया बढ़ाना पडा। मैं यह कहना चाहता हू और बार बार मैंने इम सवाल पर चर्चा चलाई है—अष्टाचार और फिजूलखर्ची रेलवे के अन्दर बहुत बढ गई है। मैं उसका एक नमूना देना चाहता हू। दानपुर में जून के महीने में अफिमर्स क्लब का एयर कंडीशन कराया गया और जब मैंने सवाल पूछा तो 21 अगस्त का जवाब दित गया कि और जगह नहीं कराएंगे। दानापुर में जो एयर कंडीशन हुआ है उस पर 30 हजार रुपये खर्च हुआ है। मैंने यह भी पूछा था कि क्या एयर कंडीशन कराया गया तो उसका कोई जवाब नहीं दिया गया मुझे खबर मिली है कि मंत्री महोदय के लड़के को शादी थी और उस शादी के मौके पर बहा बारात रखने के लिए या नववदम्पनी को रखने के लिए या स्वयं मंत्री जी को रखने के लिए एयर कंडीशन कराया गया। यह फिजूलखर्ची है या नहीं? अष्टाचार है या

नहीं? उसी तरीके से जब ये पटना जाते हैं तो पटना में नहीं उतरते। जनता से इनको घबराहट है। वे दानापुर में उतरते हैं। स्पेशल सड़क बनाई जाती है। क्या यह फिजूलखर्ची है या नहीं? डा० राजेन्द्र प्रसाद हमारे देश के प्रथम राष्ट्रपति, दूसरे राष्ट्रपति राधाकृष्णन जी और पंडित जवाहर लाल नेहरू हमारे प्रधान मंत्री जब मुगलस राय जाने थे तो पुल चढ़ कर के पार उतरने थे। मैं मुगलसराय से आज ही आ रहा हू। कल मैं वहा गया था। वहा मालूम हुआ कि जब ये जाते हैं तो इनके लिए स्पेशल सड़क बनती है नीचे नीचे जिम में ये प्लेटफार्म पर से हो चले जायें, ऊपर न जाना पडे। मैं इसलिए यह सवाल उठा रहा हू कि ये तमाम बातें फिजूलखर्ची है या नहीं? दानापुर के डी एस एक एक आदमी को बहाली में ढाई हजार तीन हजार रुपया लेते हैं। इसकी जानकारी रेलवे बोर्ड की है मंत्री जी को है। अष्टाचार के सवाल को सरजू पाण्डेय जी न उठाया, उमका आज तक जवाब नहीं दिया गया। तो मैं समझता हू कि जब तक वर्तमान चेयरमैन और मंत्री जी हैं तब तक रेलवे की हालत नहीं सुधरेगी। दोनों का हटाया जाना चाहिए, डिसमिस किया जाना चाहिए।

श्री मधु लिमये (बाका) : उपाध्यक्ष महोदय, रेल हडताल के दिनों में एक स्टीम लोकोमोटिव के ड्राइवर को जो हडताल पर नहीं था बोर्डर सेक्योरिटी फोर्स ने अगजनी के केस में कैसे फास दिया इसकी कहाती में बयान करना चाहता हू। इम ड्राइवर के ऊपर इल्जाम है कि इसने एक शाबेल में जलता हुआ कोयला भर कर बी० एस० एफ० के टैट पर फेंका जिसके चलते टैट भी जल गया और टैट में जो ऐम्पुनिशन था वह भी नष्ट हो गया। यह आरोप है उसके ऊपर। ड्राइवर को गिरफ्तार कर जेल में रखा गया।

[श्री मधु लिमये]

सत्य तो यह है कि एक बी० एस० एफ० के सिपाही ने सिगरेट का जलता टुकड़ा टेंट में फेंका था जिसके चलते टेंट जल गया और ऐम्प्युनिशन भी नष्ट हो गया। लेकिन बोध बेचारे ब्राह्मण पर थोप दिया गया। यह घटना करबी स्टेशन के पास बेतवा नदी पर जो पुल है उसकी रक्षा के लिये बहाल किए गए बी० एस० एफ० के यूनिट में हुई। यह स्टेशन मध्य रेलवे के भासी मानकपुर रेलवे लाइन पर है। इसलिये मे मजदूरी से कहूंगा कि जब हडताल का आवाहन किया जायेगा तो चुपचाप हडताल पर जाइये क्योंकि सायल बर्कर बनने का नतीजा क्या होता है यह मैंने अभी आपको बताया। मंत्री महोदय से मे इसकी सफाई चाहता हू।

दूसरी बात—जो रेल कर्मचारी 1 मई की मध्य रात्रि में पकड़े गये थे उनके बारे में मंत्री महोदय ने यह आश्वासन दिया था जब हमारा डेलीगेशन मिला था, कि जो 1 मई को पकड़े गये थे उनके द्वारा हिंसा होने का या सैबोटेज होने का कोई मामला ही नहीं उठ सकता है। सैबोटेज क्या इटीमिडेशन का भी सवाल नहीं आ सकता। इसलिये ऐसे सभी रेल कर्मचारियों को काम पर वापस लिया जायेगा। कल मैं अटल जी के ग्वालिअर में गया था तो एक रेल मजदूर से मुलाकात हुई। उसका नाम नूरल है। 1 मई की मध्य रात्रि को उसे गिरफ्तार किया गया था और अभी तक उसको काम पर वापस नहीं लिया गया। उसको और उसके जैसे कर्मचारियों को और यूनियन के जो पदाधिकारी हैं उनको जब रेलवे बोर्ड के बेरी साहब मिलते हैं या डिवीजनल सुपरिन्टेंडेंट मिलते हैं तो सब एक आवाज में कहते हैं कि जार्ज फरनान्डीश को मध्य रेलवे की यूनियन से और आल इंडिया रेलवे मेन्स फेडरेशन के प्रेसीडेंटशिप से हटा दीजिये, सबको काम पर

लिया जायेगा। बेरी से लेकर डिवीजनल सुपरिन्टेंडेंट तक यह बात कही जा रही है। इस ढंग से ट्रेड यूनियन आन्दोलन को मजबूत करने का यह काम कर रहे हैं। इसलिये मैं चाहता हू कि इसकी भी सफाई मंत्री महोदय दें, क्या इन्हीं दावों के आधार पर रेल कर्मचारियों के आन्दोलन को वह खत्म करना चाहते हैं ?

तीसरी छोटी सी बात यह है कि मेरे क्षेत्र में जो जसीडीह का इलाका है वहा इन दिनों में कई सवारी गाडिया बन्द हो गई हैं, मेरे पास पत्र आये हैं, जिसकी बजह में बैचनाब घाम और गया के जो पिलग्रिम्स है, यात्री हैं

श्री शंकर दयाल सिंह पहली बार अपने क्षेत्र के बारे में यह बोल रहे हैं इसलिये इस पर जल्द ध्यान दिया जाये। (व्यवधान)

श्री मधु लिमये क्या शंकर दयाल सिंह 24 घंटे यहा बैठे रहते हैं और मेरी बात को सुनते हैं ? मतो आपके क्षेत्र के बारे में भी बोला करता हू। अब आप चुपचाप सुनिये (व्यवधान)

बिहार में एक करोड़ लोग भूखे मर रहे हैं और यह चुपचाप सहत चले जा रहे हैं। (व्यवधान)

तो मैं कह रहा था कि सवारी गाडिया बन्द हो गई हैं और यात्रियों को बड़ी तकलीफ हो रही है, ता क्या मंत्री महोदय सदन को आश्वासन देंगे कि जसीडीह के इलाके में सभी सवारी गाडियों को फिर से चालू किया जायेगा जिससे बैचनाब घाम के जो यात्री हैं उनको राहत मिल सके ?

SHRI DINEN BHATTACHARYYA (Serampore) I raised certain points but the Minister did not reply.

Regarding the light railway, one in Bihar and another one in Howrah, West Bengal, he has not said anything. He is keeping silent and I want a categorical reply from him regarding normalcy. I can emphatically state that there is no normalcy anywhere, in any railway and it will never come unless and until you take back all the dismissed and suspended employees in their old positions. Those who are working are also dissatisfied. You are not giving them bonus. You are deducting 50 per cent of their dearness allowance increase. How can you expect that they will be satisfied? There will be no normalcy in the railways and you cannot bring normalcy unless you satisfy the worker. So, my point is don't try to mislead the House.

I again repeat that Shri Somenath Chatterjee raised a case here . .

MR. DEPUTY-SPEAKER: He has replied to that.

SHRI DINEN BHATTACHARYYA: He has not replied in a categorical manner. That gentleman who was kept in jail . .

MR. DEPUTY-SPEAKER: You are raising the same point . .

SHRI DINEN BHATTACHARYYA: You have at least respect . .

MR. DEPUTY-SPEAKER: I will go according to the Rules. No new point is made. It is the same old one.

SHRI DINEN BHATTACHARYYA: The Calcutta High Court declared *ultra vires* their dismissal orders...

MR. DEPUTY-SPEAKER: It is also an old point. It was raised by many others also.

SHRI P. G. MAVALANKAR.

SHRI DINEN BHATTACHARYYA: Yes, the point was raised. But, when will it be settled?

In the Calcutta Underground Railway project 32 persons are still not being taken. No strike, no *goindai*, nothing of that sort. Still, I do not know why they were dismissed. They were not taken back. He is playing drakes and ducks with West Bengal. Not a single Manager is there. Nobody is in charge of it. Who is doing all these things? I do not know.

SHRI PRIYA RANJAN DAS MUNSHI (Calcutta-South): I know it. I am here to take my responsibility.

SHRI DINEN BHATTACHARYYA: Mr. Mishra should assure us regarding the Calcutta Underground Railway project as to what he is doing in that regard.

SHRI P. G. MAVALANKAR (Ahmedabad): Mr. Deputy-Speaker, Sir, I think it is high time that we do away with the separate status of railway finance and administration which has been going on for so many decades. How long shall we allow and tolerate this?

I therefore support the contention of my friend Shri Madhu Limaye; and, for meeting the requirements of modern times, I hope, the Minister will come forward with an urgent amendment of the entire Railway Act.

Then, Sir, I feel that the Railway Board and its officials should really be related to this because, under the old Act, what I find is that the weight of the officials from the Railway Board is so terrible and so great on the heads of the Railway Minister and his colleague, that even if the Railway Act amendments are accepted, I do not know how this can break through the functioning of the Railway Board. Now, I do not want to go into details about the question of the striking railwaymen because I have already moved my various cut motions. Even if we lose our cut motions here because

[Shri P. G. Mavalankar]

of our being in a minority in this House, the country at large is very much agitated on the problem. I shall say this to the Government: If you want the railway workers to serve the country, please see that the bitterness is reduced to the minimum extent possible. Those who are not involved in charges of acts of violence or sabotage should be taken back in service speedily and with sympathy and grace.

Before the strike, during the strike and after the strike, I find that, even upto this date, a large number of passenger trains in Gujarat are still remaining as cancelled and they are not being restored. This particular question has not been replied to by the Minister. I want early restoration of these trains. Now I come to the point about the salt industry. Here I would say that a lot of salt is not being lifted from the areas in Saurashtra and Kutch because the wagon supply is very scarce.

SHRI MADHU LIMAYE: He charges Rs. 50,000.

SHRI P. G. MAVALANKAR: I do not know. The point here is that the salt industries are unable to get an adequate wagon quota. So, I would request the Minister to go into this question and to see as to why it has not been possible for Government to upgrade the salt from 'E' to 'C' category so that it becomes an essential item like the carrying of foodgrains. If you upgrade it from 'E' to 'C', I am sure, that the salt industries in Saurashtra and Kutch would get a great relief.

Finally I want to ask one question. Some time ago, Shri Qureshi gave me a reply on a point raised by me last time on the Railway Budget that about 9,000 and odd residents at Sabarmati Railway Colony, a part of my constituency is not getting pure drinking water supply.

MR DEPUTY-SPEAKER: You have made that point.

SHRI P. G. MAVALANKAR: I would like the Minister to reply to the point. When I asked him about not supplying pure drinking water to these people, he wrote back to me saying that they are getting pure drinking water. I have a report of the medical officer of the Ahmedabad Corporation saying that the drinking water that is supplied to the residents of Sabarmati Railway colony is unfit for drinking. The Minister says that it is fit for drinking. He is not competent to give this answer. I hope he will go into this question and see to it that pure and good drinking water is supplied to the residents, and, then there is also the question of providing proper educational facilities to the boys and girls and small children of this Sabarmati railway colony.

MR DEPUTY-SPEAKER: Mr Mavalankar, you have made that point. Why are you elaborating it?

SHRI P. G. MAVALANKAR: Sir, my point is that these boys and girls and small children should not be forced to go two or three miles away and sometime, even eight miles afar, for their schooling. The Railway Minister should please see to it that the railway colonies get certain basic facilities.

THE MINISTER OF RAILWAYS (SHRI L. N. MISHRA): With your permission, Sir, I start with Shri Mavalankar regarding allotment of wagons. I do not want to repeat what has been already mentioned. As I understand it, the allotment of wagons for salt is made by the Salt Commissioner on the recommendations of the State Government and so, the Railways as such have nothing to do with this except that they go by the recommendations of the Salt Commissioner. They allot the priority so far as salt for human consumption is concerned. Railways come in the picture for honoring the recommendations of the Salt Commissioner. On their

own initiative Railways cannot allot wagons for salt. As regards the question of a number of railway trains having been cancelled in Ahmedabad area I would like to tell him it is not only in the Ahmedabad area but all over the country that number of trains have been cancelled due to the non-availability of steam coal. We are trying to get over this difficulty soon Mr Mavalankar also wanted amendment of the railway Act. I have already stated we are getting this whole Act being examined. I am in entire agreement that this century old Act has to be amended.

Now, I come to the points raised by Mr Bhattacharyya. Sir, it is not possible for us to take over the Arra-Sasaram light railway in Bihar. We have no funds to provide for that. So far as Howrah-Ramta railway line is concerned the work has been started and it is on priority list. As regards the underground railway it is going according to schedule but I want to tell him we are going it in collaboration with the Soviet Union. We are having difficulties in regard to certain points and a delegation has to go to Soviet Union to sort them out but the work is going according to schedule.

माननीय मधु लिमये जी ने एक आदमी की गिरफ्तारी के बारे में सवाल उठाया था, शायद पहले भी उन्होंने यह सवाल उठाया था। मैं उमका देख रहा हूँ, अभी मेरे पास सूचना उपलब्ध नहीं है। सूचना मिलने पर उनको बताऊंगा। ग्रीफ हेड सूचना नहीं दे सकता। लेकिन पता लगा कर बता दूंगा कि क्या पोजीशन है। अभी मेरे पास सूचना उस आदमी की गिरफ्तारी के बारे में नहीं है।

जहां तक पहली मई की बात है हमस माननीय मधु लिमये जी और लोग मिले थे, लेकिन हमने कोई आश्वासन नहीं दिया था कि पहली मई को गिरफ्तार हुये सब छोड़ दिए जायेंगे। हमने कहा था जनरल ऐमनेस्टी नहीं हो सकती। लेकिन जिन पर

वायलेंस का, हिंसा का चार्ज नहीं वह सब छोड़ दिये जायेंगे।

माननीय एस० एम० बनर्जी ने भी इसी तरह का सवाल उठाया था कि सबको छोड़ दिया जाय।

श्री मधु लिमये : मैंने कहा था कि रेलवे बोर्ड के चेयरमैन श्रीर डिवीजनल सुपरिन्टेंडेंट्स सभी रेलवे कर्मचारियों से कहने हैं कि चार्ज फरना-डीज को अर्धसक पद से निकालिये, आपको रीइन्स्टेट किया जायेगा।

श्री एल० एन० मिश्र : मैं उसी पर आ रहा हूँ, आप धीरज रख। जहां तक माननीय एस० एम० बनर्जी का सवाल है जनरल ऐमनेस्टी का वह मैंने बता दिया। लेकिन जितनी जल्दी हो सकता है और जो हमारा फार्मूला हो सकता है उसके अनुसार जो हो सकता है वह करेंगे। श्रीमती पार्वती कृष्णन को मैंने बताया था कि किस तरह से करना चाहत है। श्री मुञ्ज उम्मीद है कि वह दिलचस्पी उसी तरह से लेती रहगी, जैसे अभी तक लेती रही है।

माननीय रामावतार शास्त्री ने दानापुर डाक बंगले के बारे में कुछ व्यक्तिगत बातें उठायीं। मैं स्पष्ट कहना चाहता हूँ कि 21 तारीख को न मेरी बहू, न मेरा बेटा और नबरात वहां ठहरी थी। मैं जरूर डाक बंगले में ठहरा था रेल मंत्री के नाते। मैं नहीं जानता कब वह डाक बंगला एयरकंडीशन्ड हुआ। केवल एक बार मैं दानापुर में उतरा। क्योंकि हवाई जहाज पकड़ कर मुझे बाढ़ इलाके में जाना था। वहां से हवाई अड्डे गया। अगर शास्त्री जी को देखना है कि पटना स्टेशन पर मैं किस तरह से उतरता हूँ तो वह छिप कर देख कि कितने हजार आसामी पटना स्टेशन पर रहते हैं। उनको ईर्ष्या होती है। पटना की जनता किसको साथ है वह भाकर देखें।

(श्री एल० एन० सिन्हा);

माननीय लिम्बे जी ने जांच फरमान्डीख की बात उठायी। यह बात सत्य नहीं है कि हमारे रेलवे बोर्ड के चैयरमन य मेम्बर उनको हटाने की बात सोच रहे हैं। श्री फरमान्डीख को संगठन ने चुना है, वह बने रहे। लेकिन एक बात सही है कि जार्ज फरमान्डीख मजदूरों के लिये जो काम करना चाहते हैं जिससे मजदूर आन्दोलन मजबूत हो, हम लोगो की धारणा है कि वह ऐसा नहीं कर रहे है बल्कि मजदूरों को गुमराह कर रहे हैं। और अगर उनको गुमराह करने की कोशिश करेंगे तो हम उस रास्ते में आयेंगे। क्योंकि हम स्वस्थ ट्रेड यूनियन चाहते है।

MR. DEPUTY-SPEAKER: Now, the question is:

"That the Bill to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of India for the services of the financial year 1974-75 for the purposes of Railways, be taken into consideration."

The motion was adopted.

श्री रामाबतार शास्त्री (पटना) : उपाध्यक्ष जी, मेरा प्वाइंट ऑफ आर्डर है। आप मेरी बात नहीं सुनते तो मैं नारा लगाऊंगा जो बात माननीय रेल मंत्री ने कही है उस पर मेरा प्वाइंट ऑफ आर्डर है।

MR. DEPUTY-SPEAKER: Will you please sit down? Kindly listen to me. I will listen to your point of order. First understand what is the order and then raise your point of order. What is the order now? Members have raised certain points and the Minister has replied. I am on my legs putting the question to the House. That is the order. If you have a point of order on that, on my putting the question.... (Interruptions). I will hear you. The

order is that I am putting the question to the House. I am on my legs. If you have a point of order relating to my being on my legs and putting the question to the House, you are welcome.

श्री रामाबतार शास्त्री : उपाध्यक्ष जी, माननीय मंत्री जी जब जवाब दे रहे थे तो मैं बीच में जब टोकने लगा तो उन्होंने कहा कभी तो इन्सान बनने की कोशिश कीजिये। यानी मैं इन्सान नहीं हूँ। यह बात उन्होंने कही है। या तो वह इसको विद्वान् बने और नहीं तो उसका मतलब बतायें। अगर वह मुझे इन्सान नहीं मानते तो मैं उन्हें कैसे मानूंगा।

जो इन्सान नहीं है वह इस हाउस में कैसे आयेंगा ?

जहां तक एयर कंडीशनिंग का सम्बन्ध है, मेरे पास कुरैशी साहब का जवाब है जिसमें उन्होंने कहा है कि तीस हजार रुपये खर्च किये गये हैं। एसा क्यों किया गया है ? इसका आपने अभी तक जवाब दिया है

श्री एल० एन० सिन्हा : मेने कहा हूँ कि मैं ठहरा हुआ था।

श्री रामाबतार शास्त्री एयर कंडीशनिंग क्यो की गई (इयबचान)

MR. DEPUTY-SPEAKER: Shall I call you to order now? About the controversy, about a particular celebrated dak bangalow somewhere.... (Interruptions) Whatever it is, that is a matter between the hon. Member and the hon. Minister.... (Interruptions). Now, the only question of order is whether it is proper to ask another Member to behave like a human being. My ruling is that it is; because we are all human beings and it is only when we assume that the other person is a human being that we ask him to behave like a human

being. All of us are human beings. The only person who is doubted whether he is a human being or not is the person sitting in this Chair; either he is a supra being or an infra being.

The question is:

"That clauses 2 and 3, the Schedule, Clause 1, the Enacting Formula and the Title stand part of the Bill."

The motion was adopted.

Clauses 2 and 3, the Schedule, Clause 1, the Enacting Formula and the Title were added to the Bill.

SHRI L. N. MISHRA: Sir, I beg to move:

"That the Bill be passed."

MR. DEPUTY-SPEAKER: The question is:

"That the Bill be passed."

The motion was adopted.

15.52 hrs.

PAYMENT OF BONUS (AMENDMENT) BILL

MR. DEPUTY-SPEAKER: We take up the next item of business, the Payment of Bonus (Amendment) Bill. This is a simple Bill, which only seeks to enable the Government to pay bonus to the workers for the years 1973-74. I do not think any body has any objection. If you all agree we shall just go through the formalities of adopting this Bill.

THE DEPUTY MINISTER IN THE MINISTRY OF LABOUR (SHRI BALGOVIND VERMA): Sir, I beg to move:

"That the Bill further to amend the Payment of Bonus Act, 1965, as passed by Rajya Sabha, be taken into consideration."

SHRI S. M. BANERJEE: Bonus must be given to all the employees.

SHRI DINEN BHATTACHARYYA (Serampore): I do not have any quarrel with the Minister. I want to say that this should be extended to the Government employees, the Railways and other employees who are not getting bonus at present.

SHRI PILOO MODY (Godhra): And the C.P.I. Members of Parliament.

SHRI DINEN BHATTACHARYYA: Parliament Members get many benefits. But there are some cases like the Birlas Rayon who during the last year have not paid bonus and your counterpart in West Bengal is keeping silent. I do not know what is the logic or what is the reason. Birlas are not being forced to pay bonus for the last year. They have not been prosecuted.

SHRI PRIYA RANJAN DAS MUNSIF (Calcutta-South): Will you please tell me what agreement you have signed with the Birlas?

SHRI P. M. MEHTA (Bhavnagar): This only reflects the hand to mouth labour policy of the Government. All the employees of the Central Government, the State Governments and commercial undertakings of Government should be covered by this Act.

SHRI S. M. BANERJEE: Let the Minister assure the House that after the submission of the report by the Bonus Commission, the cases of all employees of Central Government, State Governments, commercial undertakings and corporations will also be taken into consideration.

MR. DEPUTY-SPEAKER: I hope the Minister will take all these points into consideration. The question is:

"That the Bill further to amend the Payment of Bonus Act, 1965,

as passed by Rajya Sabha, be
taken into consideration "

The motion was adopted.

MR DEPUTY-SPEAKER. The
question is:

"That clauses 2 and 3, clause 1,
the Enacting Formula and the
title stand part of the Bill "

The motion was adopted

*Clauses 2 and 3, clause 1, the Enact-
ing Formula and the Title were
added to the Bill.*

SHRI BALGOVIND VERMA. I
beg to move

"That the Bill be passed "

MR DEPUTY-SPEAKER. The
question is

"That the Bill be passed "

The motion was adopted

MR DEPUTY-SPEAKER. Before,
we take up the next item, there are
some important papers to be laid on
the Table for which the ministers
have sought permission. They may
do so now

STATEMENT RE PROPOSED
TRANSFER OF SHARE OF
CENTRAL PROVINCES
MANGANESE ORE
COMPANY, LTD

THE DEPUTY MINISTER IN THE
MINISTRY OF STEEL AND MINES
(SHRI SUBODH HANSDA) I beg to
lay on the Table, a statement in res-
ponse to the matter under rule 377
raised by Shri Vasant Sathe in the
House on the 21st August, 1974 re-
garding proposed transfer of share of
the Central Provinces Manganese Ore
Company Limited

STATEMENT

On 21st August, 1974, on a motion
raised by Shri Vasant Sathe about the
activities of one Shri R N Kapur with
regard to the acquisition of shares of
Central Provinces Manganese Ore Co.
Ltd I had Promised to make a state-
ment

Central Provinces Manganese Ore
Co Ltd is a sterling company incor-
porated in Great Britain It had been
operating in some districts of present
Madhya Pradesh and Maharashtra from
1901 In 1961 the question of renewal
of some of the leases held by this
Company came up It was then
mutually agreed to form a new com-
pany to operate 18 of the 19 leases
held by CPMO Manganese Ore India
Ltd thus came into existence in which
CPMO held 49 per cent of shares and
the remaining 51 per cent were shared
equally by the Government of India
and the State Governments of
Madhya Pradesh and Maharashtra

The one lease that of Balapur
Hamesha held by CPMO became due
for renewal in 1971 The renewal was
refused by the Government The
Company instituted legal proceedings
in the Nagpur Bench of the Maha-
rashtra High Court and obtained a
stay order permitting them to remain
in working possession of the property
The stay order is still in force

Steps were taken to contest the suit
In August 1972, CPMO sent its re-
presentatives from London for a settle-
ment of the case out of the Court The
offer included surrender of the lease
held rights on this mining lease subject
to the 49 per cent shares held by
CPMO in MOIL being acquired by the
Government of India at a negotiated
price

Negotiations were held during Feb-
ruary '73 with representatives of the
then Management of CPMO While
the matter was still under considera-
tion it came to the knowledge of the
Government that the ownership of the
CPMO Company had undergone a
change. It was understood that the

majority interest in the CPMO had been acquired by newcomers of "Indian origin". Enquiries revealed that one Shri Ram Narain Kapoor had become Chairman of the Company and his son, Shri Ram Nath Kapoor had been appointed a Member of the Board of Directors.

Since the start of negotiations with CPMO for the acquisition of 49 per cent shares held by it in MOIL, the financial position of MOIL had deteriorated. This factor combined with the change in management of CPMO necessitated a review of the earlier proposal to acquire the shares held by CPMO in MOIL. It has been decided to call off the negotiations that had been earlier conducted with the then Management of CPMO.

Under the Foreign Exchange Regulation Act 1973, foreign companies operating in India or holding shares in Indian Companies are required to obtain the permission of the Reserve Bank of India for continuing to hold these share or carry on their operations in India. These applications have been received from C.P.M.O. and are under examination with the Reserve Bank of India.

Reports have appeared in a section of the press about the activities of the C.P.M.O. and one Shri R. N. Kapur. These refer to the transactions in acquisition of shares of several companies by these two. We do not as yet possess full facts about this. The question whether the alleged activities of present management of C.P.M.O. or Shri R. N. Kapur are actionable will be decided after full facts become available. I would like to assure the House that the Government would consider the matter from all aspects before taking any decision.

STATEMENT RE. INCIDENT ON
5-9-1974 AT INDUSTRIAL
TRAINING INSTITUTE,
ARAB-KI-SARAI,
NEW DELHI

THE MINISTER OF STATE IN
THE MINISTRY OF HOME AFFAIRS
AND IN THE DEPARTMENT OF
PERSONNEL (SHRI RAM NIWAS
MIRDHA): I beg to lay on the Table,
a statement on the incident on the
5th September, 1974 at the Industrial
Training Institute, Arab-Ki-Sarai,
Nizamuddin, New Delhi.

Statement

On 5th September, 1974, at about 12.20 P.M. information was received at the Police Station Nizamuddin that buses were being stopped by the students of the Industrial Training Institute, Arabi-ki-sarai, Nizamuddin. On receipt of this information a small police force from Police Station Nizamuddin went to the gate of the Institute and on their intervention the buses were allowed to move. The students attempted to stone some buses, but no damage was caused to them. The students resented the movement of the buses and started brick-batting the police. The brick-batting became heavy and additional police force was called. The traffic on the Mathura Road had to be diverted. The number of students increased to about 400 and the Superintendent of Police and the Sub-Divisional Magistrate also reached the spot. The police continued to deal with the situation with the utmost patience.

2 At about 2.00 P.M. the situation became tense when it was apprehended that some constables had been dragged into the building of the Institute. At this point, the Police had to enter the building to search for the missing constables. Stiff resistance was encountered from the students and the police used eighteen shells of tear-gas to disperse them. Students then retreated to the various parts of the building and continued to brick-bat

[Shri Ram Niwas Mirdha]

and cause injury to the police from various points, including the roof tops

3 When a search was being made in the workshop for the missing constables, the students continued to offer stiff resistance. At this stage the Principal of the Institute informed the police party that an injured constable was lying in the dispensary of the Institute which was located in the middle of the main building of the Institute. When a police party was sent towards the dispensary this party also encountered resistance from the students. Police had to resort to mild cane charges also on a few occasions. Further search of the remaining parts of the building had to be made to confirm that no other constable had been detained and in this search members of the staff of the Institute were associated. No other constable was found inside the building. By about 2.30 PM the situation was brought under control.

4 Fifty students were arrested. Nine of them were found to have simple injuries. Orders have been passed to release all the students on bail. In this incident, the Sub-Divisional Magistrate and 21 police officials, including the Superintendent of Police and the Sub-Divisional Police Officer received injuries. Three injured constables are still in the hospital. A case has been registered under sections 147/149/186/353/332/341/342 IPC at Police Station Nizamuddin against the arrested students and is being investigated.

STATEMENT RE POLICE FIRING
AT KURTHA TOWN IN BIHAR
ON 5-9-1974

THE MINISTER OF STATE IN THE
MINISTRY OF HOME AFFAIRS
AND IN THE DEPARTMENT OF
PERSONNEL (SHRI RAM NIWAS
MIRDHA). I beg to lay on the Table
a statement regarding police firing at

Kurtha town in Bihar, on the 5th
September, 1974

Statement

With your permission I rise to make a statement on the police firing at Kurtha town in Bihar on the 5th September 1974.

According to the information received from the Government of Bihar, a demonstration and a gherao of the Block Office at Kurtha was organised by the Soshit Dal in defiance of prohibitory orders promulgated under section 144 Cr PC and rule 69(1) of DIR 1971. At about 12 noon a mob of about 1000 strong broke through the police cordon and resorted to heavy brick-battling. They also attempted to burn effigies in the verandah of the Block Office. In order to disperse the crowd the police resorted to lathi-charge. The mob which had in the meantime swelled considerably grew more furious and violent. Some members of the unlawful assembly were armed with country-made fire-arms, spears, garasas and lathis. Heavy brick-battling by the mob resulted in injuries to 65 officials, including a Dy S P. The lathi charge by the police proved ineffective in controlling the violent mob which was on the rampage. The mob was incited by its leaders to resort to violence, to attack the office and the staff and to forcibly occupy the Block Office. Some gun shots were fired from the mob resulting in pellet injuries to three lady members of families of the Block staff. As the situation was getting out of control and as there was an imminent danger to life and property and as the lathi-charge by the police did not prove effective in controlling the mob the SDM, Johanabad ordered CRPF to open fire. In all five rounds were fired. As a result thereof Shri Jagdev Prasad, a Soshit Dal leader and an ex-Minister died and three other persons received injuries. The injured were removed to Patna Medical College Hospital. Three lady members of families of the Block Staff who re-

ceived pellet injuries were also shifted to Patna Medical College Hospital.

The Government of Bihar have set up a Commission under the Commissions of Inquiry Act to inquire into the incident. The Commission would consist of Shri S. C. Roy, Additional Member, Board of Revenue. The State Government have also sanctioned an ex-gratia payment of Rs 20 000 to the bereaved family

The situation is under control.
16 hrs

SHRI JYOTIRMOY BOSU (Diamond Harbour): Sir, on a point of order. The hon. Speaker had announced from the Chair that the Government was under an obligation to make a statement on the starvation deaths and scarcity conditions. Although a week has passed, so far they have not come forward with a statement, to my knowledge I would like you to make some observations in this regard, because this is the last day of the session.

SHRI SHYAMNANDAN MISHRA (Begusarai): The statement on the Kurtha firing which involves the death of an ex-Minister, has caused so much anxiety. Since it is a very small statement, could it not be read?

MR. DEPUTY-SPEAKER: Whether it is short or long it has been laid.

श्री रामावतार शास्त्री (पटना) :
उपाध्यक्ष महोदय, एक चीज मैंने कही थी, मेघालय के बारे में बार बार मवाल उठाया गया कि मेघालय की गवर्नमेंट के अन्दर सी० आई० ए० की एजेसी काम कर रही है एम० आर० ए० नाम पर, उसके ऊपर गृह मंत्री को बयान देना था। वह बयान अभी तक नहीं आया। हमारी यह स्टेट बहुत ही महत्वपूर्ण स्टेट है, सीमा का राज्य है। तो यह अभीब तरीका है सरकार का कि सभी क्वेश्चनों पर वह बैठी रहती है और जवाब नहीं देती। देश आज जानना चाहता है कि वहां

के लिये सरकार क्या कर रही है? और सी० आई० ए० को खत्म करने के लिये क्या किया जा रहा है?

MR. DEPUTY-SPEAKER: I hope the Ministers will take note of the submissions.

SHRI S. M. BANERJEE (Kanpur): Sir, let the discussion be over and then let the statement be made. Three refugees have been shot dead. It is a very serious matter. The people are really aggrieved. Let the Minister make a statement.

MR. DEPUTY-SPEAKER: Sometimes the Chair has to play the role of a sounding board, and I have done that. If the Speaker has said like that, I reinforce it. The Ministers may take note of what the Members have submitted

16 04 hrs.

MOTION RE: CONSTITUTION OF PARLIAMENTARY COMMITTEE TO EXAMINE MATTER RELATING TO ALLEGED SIGNATURES OF 21 MEMBERS OF LOK SABHA ON A REPRESENTATION TO MINISTRY OF COMMERCE RE: GRANT OF LICENCES

MR. DEPUTY-SPEAKER: Now we take up the motion of Shri Atal Bihari Vajpayee.

श्री शंकर बेब (वीदर) : उपाध्यक्ष महोदय, मेरा एक प्वाइंट ऑफ आर्डर है। इसी प्रकार का मोशन तीन चार दिन पहले मूव किया गया था और उसके ऊपर कितना हुआमा हुआ था, कितनी गड़बड़ हुई थी यह आप जानते हैं। तो मैं यह आश्वासन चाहता हू कि इस मोशन को मूव करने के बाद उसी प्रकार का हुआमा फिर रिपीट नहीं किया जायेगा। आप जानते हैं कि हिन्दुस्तान की

[श्री शंकर देव]

पालियामेंट की गरिमा और इसके गौरव को देख कर हमारा पड़ोसी राज्य सिक्किम जैसा देश हमारे साथ एक सदस्य के रूप में आना चाहता है। अगर इसी प्रकार का हंगामा होता रहा और जैसा उस दिन मधु भाई ने किया ... (व्यवधान) ... अगर ऐसा ही होता रहा और पालियामेंट की गरिमा और उसके गौरव को गिराया गया तो क्या कोई हमारे साथ आने को सोचेगा ? इसलिये मैं आपसे प्रार्थना करता हूँ और आश्वासन चाहता हूँ कि इस बार वीमा हंगामा नहीं होना चाहिये।

MR. DEPUTY-SPEAKER: I fully endorse what you say, that we should conduct ourselves with dignity. But may I request that you start beginning it with yourself now? Now, Shri Vajpayee.

श्री शंकर देव : उपाध्यक्ष महोदय, जब तक यह एम्बोरेंस नहीं मिलेगा तब तक मैं हाथ जोड़ कर यहीं खड़ा रहूंगा। मैं यहाँ से हटूंगा नहीं। मैं हाथ जोड़ कर प्रार्थना करूंगा, मधु निमये जी जिन्होंने उस दिन सभापति के हाथ से माइक छीना, वे इसके लिए खद प्रकट करें और कहे कि वह कभी इस प्रकार का काम नहीं करेंगे।
.. (व्यवधान) ...

मैं वँटूंगा नहीं। मैं आपके चरणों में खड़ा रहूंगा। मैं आपका एम्बोरेंस चाहता हूँ कि मदन की गरिमा और इस के गौरव को नीचे नहीं गिराया जायेगा। मैं यह चाहता हूँ कि आप दम तरह का आश्वासन दें।

MR. DEPUTY-SPEAKER: Since the hon. Member is very worked up about this, he should be given some attention. Every member deserves some attention. May I draw his attention to the fact that this whole matter was gone through first in the Business Advisory Committee, some

agreement was arrived at by all sections of the House; then, I think, two or three days ago, Shri Madhu Limaye made a statement here, to which the Prime Minister also responded. Therefore, do not rake up the whole thing again. I would request you to keep quiet. Let us proceed with the business of the House.

SHRI P. G. MAVALANKAR (Ahmedabad): On a point of order. While the House is about to debate a very serious matter in the form of a motion by my esteemed friends, Shri Atal Bihari Vajpayee and Shri Jyotirmoy Bosu, today being the last day of the current extended Monsoon Session, may I know at what stage the Leader of the House will intervene and give a reply on behalf of Government? We all know that the hon. Speaker himself had to cancel his visit to Shri Lanka because of Parliament being in session. The other day the Leader of the House had said that they had a great regard for the authority of the Chair. Therefore, I would like to know whether the Prime Minister is going to intervene and if so, at what stage, and if she is not intervening, whether she is in Delhi and if not, whether she has taken permission of the Chair to be out of Delhi when an important business is discussed in Parliament.

MR. DEPUTY-SPEAKER: In the first place, I extremely dislike bringing in any personal programme into the proceedings of the House. (Interruptions) Order, please. I am on my legs. Since he has raised this point, I would like to say that it is extremely undesirable for anybody to bring in his personal programme into the proceedings of the House. It is wrong for me to say, "I have this programme or that programme and I cancel it because of this and this will go into the proceedings of the House." I think, it is not desirable.

Secondly, with regard to the debate, the Government can field anybody, the Opposition can field anybody, to speak and to reply. For your information, I have before me here the letter which the Prime Minister has written to the Speaker. She has shown that courtesy to this House.

"I write to inform you that I shall not be able to attend the sitting of the House on Monday, September 9, as I have to go out of Delhi to keep certain prior public engagements which were fixed before I knew that the House was sitting on that day."

We have to remember this... (Interruptions). Will you kindly allow me to say in peace what I want to say?

In the first place, this has been an extra-ordinary session. From the 30th July, we have had to extend it to the 9th. Who can anticipate this? Nobody could have anticipated this. Therefore, I think we should not make too much of a point of that. Let us, every one of us, avoid bringing in personal affairs into the proceedings of the House. I do not like this.

Shri Vajpayee.

SHRI JYOTIRMOY BOSU (Diamond Harbour): No personal affair.

श्री अटल बिहारी वाजपेयी (ग्वालियर) :
उपाध्यक्ष महोदय, मैं निम्नलिखित प्रस्ताव करता हूँ "कि यह सभा संकल्प करती है कि इस बात को सुनिश्चित करने के उद्देश्य से कि संसद सदस्य सार्वजनिक जीवन में प्राचरण का उच्च स्तर बनाये रखे, अध्यक्ष द्वारा नाम-निर्दिष्ट 11 सदस्यों की एक समिति गठित की जाये जो लोक सभा के 21 सदस्यों के कथित हस्ताक्षरों में वाणिज्य मन्त्रालय को दिये गये अभ्यावदन, मंत्री द्वारा किये गये इस रहस्योद्घाटन कि उनमें से अधिकांश हस्ताक्षर जाली हैं और अभ्यावदन में उल्लिखित फर्कों को

वास्तव में छलट किये गये लाइसेंसों से सम्बद्ध समूचे मामले की जांच करे और उस बारे में आवश्यक सिफारिशें करे।"

16.12 hrs.

[MR. SPEAKER in the Chair]

अध्यक्ष जी, सरकार द्वारा इस प्रस्ताव की चर्चा के लिये मनवाने की घटना को समाचारपत्रों ने प्रतिपक्ष की भारी विजय बताया है। प्रतिपक्ष से मेरा अभिप्राय श्री जार्ज फरनांडीज के "प्रतिपक्ष" से नहीं है। प्रतिपक्ष से मेरा अभिप्राय विरोधी दलों से है। मुझे लगता है कि अगर यह विजय है तो भारतीय लोकतंत्र की विजय है, केवल विरोधी दलों की विजय नहीं है लेकिन यह विजय झूठी है। यही कारण है कि मैं किसी उल्लास की भावना से नहीं, गहरे विवाद की भावना से भर कर इस चर्चा को आरम्भ करने के लिये खड़ा हुआ हूँ।

मेरी दृष्टि में लाइसेंस काण्ड भारत का वाटरगेट है। वाटरगेट ने अमरीकी लोकतंत्र की विकृति और अमरीकी लोकतंत्र की शक्ति—दोनों का एक साथ प्रकटीकरण कर दिया। लोकतन्त्र कितना दूषित हो सकता है इसका दृश्य हमने देखा, लेकिन लोकतंत्र जागृत और ज्वलन्त होने पर मत्ता में बैठे हुये सर्वश्रेष्ठ व्यक्ति को किस तरह से अपः पद छोड़ने के लिये विवश कर सकता है, यह चित्र भी हमने अमरीका में देखा। लाइसेंस काण्ड ने भारतीय लोकतन्त्र की दुर्बलता और विकृति को बहुत उजागर किया है लेकिन अभी उसकी शक्ति पूरी तरह से प्रकाश में नहीं आयी है।

लाइसेंस कांड के तथ्य सदन के सामने आ चुके हैं। बम्बई के साप्ताहिक में 30 मार्च, 1974 को एक खबर छपी थी, उसके आधार पर राज्य सभा में एक प्रश्न हुआ था, प्रश्न के उत्तर में वर्तमान वाणिज्य मंत्री श्री चट्टोपाध्याय ने स्वीकार किया—(1) एक ज्ञान जिस पर 21 संसद् सदस्यों के हस्ताक्षर

[श्री अटल बिहारी वाजपेयी]

बताये जाते हैं, मन्त्रालय में 23 नवम्बर, 1972 को प्राप्त हुआ था। (2) मंत्री महोदय ने यह भी माना कि ज्ञापन के अनुसार यमन, पाडिचेरी की 6 फर्मों को लगभग 30 लाख रुपये के आयात के लाइसेंस दिये गये। (3) मंत्री महोदय ने यह भी कहा कि मामले की केन्द्रीय जाच ब्यूरो के जरिये गुप्त जाच कराई गई।

जो प्रश्नोत्तर हुये उनमें श्री चटोपाध्याय ने कहा कि जो चीजें मगाने की इजाजत दी गई, वे हैं

Carriage tools, instruments, apparatus and appliances parts, carriage, scientific and medical and surgical instruments, motor vehicle parts.

इसके बाद सदस्यों के पूछने पर उन्होंने यह भी दबी जबान से स्वीकार किया कि इन फर्मों को बाड़ी, जिन और बिल्स्की मगाने की भी इजाजत दी। श्री चटोपाध्याय ने दावा किया कि इन फर्मों को जो लाइसेंस दिए गए हैं वे नियमानुसार हैं मे उनके शब्दों को ही उद्धृत कर रहा हूँ

"All was done according to norms and forms and rules and regulations"

अब यदि यह सच है कि सब कुछ कायदे के अनुसार हुआ, यदि यह सच है कि ये फर्म पुरानी आयतक हैं, यदि यह सच है कि कभी इनके नाम काली सूची में नहीं रखे गए, यदि यह सच है कि बीच में इनके मामले पर विचार करके इनके मामले रद्द करने का जो फैसला किया गया, वह फैसला गलत था और मंत्री महोदय ने केवल उसी गलती को ठीक किया—किस मंत्री ने ठीक किया उस पर बाद में आरंभ—अगर यह बातें सब ठीक हैं तो मैं जनाना चाहता हूँ इन

फर्मों की सिफारिश में अन्वेषित करने वाले 21 सदस्यों में कोई एक भी ऐसा क्यों नहीं निकलता जो यह कहे कि इन फर्मों के साथ अन्याय हुआ था, अन्याय की घटना हमारे दृष्टिकोण में लाई गई, हमने अन्याय के परिमार्जन के लिए इनके मामले मन्त्रालय को भेजे ?

आप यह स्वीकार करेंगे कि सत्सदस्यों के नाते जब भी अन्याय की कोई घटना हमारे सामने लाई जाती है, वह चाहे व्यक्तिगत हो या सामूहिक तो उसके बारे में हम मंत्री महोदय को लिखते हैं, लिखने में कोई सकांच नहीं करते हैं। लेकिन इस मामले में कोई भी व्यक्ति नैतिक बल के साथ खड़ा नहीं हुआ और न यह कहा कि हा, हमने लिखा और ठीक लिखा। इसके बजाये, इस मामले में तो स्थिति यह है कि 21 लोकसभा के सदस्यों में से 20 सदस्यों ने बारी बारी से इस सदन में खड़े होकर कहा कि हमने किसी आवेदन पर दस्तखत नहीं किये। इतना ही नहीं, उन्होंने यह भी कहा कि हमारे दस्तखत जाली बनाये गए। एक सदस्य जो अब तक कुछ नहीं बोले हैं, वह है श्री तुलमोहन राम। 21 सदस्यों की सूची में उनका नाम सर्वोपरि है, वह इस काण्ड के हीरो दिखाई देते हैं। उन पर आरोप है कि उन्होंने और सदस्यों के जाली दस्तखत बनाये। दूसरा यह भी आरोप है कि उन्होंने लाइसेंस दिलाने में षय्या बनाया। कोई कहता है डेढ़ लाख और कोई कहता है कि एक लाख 80 हजार। यह भी प्रकाशित हुआ है कि जब सी० बी० आई० ने उनमें पूछताछ की तो वे टूट गए, और उन्होंने अपना अपराध मान लिया। श्री तुलमोहन राम कहा है ? (ब्यवधान) इस सदन में आकर वे अपनी सफाई क्यों नहीं देते हैं ? मेरा निवेदन है कि उनका मौन बाकी और सदस्यों के प्रखर इनकार से भी अधिक मुखर है। उन की चुप्पी अपराध की स्वीकृति है। कांग्रेस

पार्टी कम से कम उन के मामले की तो संसदीय जांच के लिये भेज सकती है । लेकिन यह भी निर्णय नहीं किया गया । क्या इस का कारण यह है कि श्री तुल मोहन राम भकौले नहीं हैं, उन के साथ कुछ और भी ऊंचे पदों पर बैठे हुए व्यक्ति शामिल हैं ?

अध्यक्ष जी, श्री तुल मोहन राम बिहार के सदस्य है, शायद ही वे कभी वाद विवाद में भाग लेते हों । मैं प्रयत्न करने पर भी उन की शकल सूरत ध्यान में नहीं ला सकता । प्रश्न यह है कि पीडिचैरी, करायकल, माही और यनम की फर्मों उन के पास सिफारिश के लिये कैसे पहुँची ? श्री तुल मोहन का नाम मारे देश को ज्ञात नहीं है । अगर मेरे मित्र श्री बसन्त साठे के पास हिन्दुस्तान के किसी सुदूर कोने से कोई फर्म आ जाय और अपने अन्याय के प्रति शिकायत करे तो जनता समझ सकती है वे एक जाने माने व्यक्ति है . .

श्री बसन्त साठे (अकोला) में उन्हें माननीय वाजपेयी के पास भेज दगा ।

श्री अटल बिहारी वाजपेयी जरूर भेज दीजिये लेकिन रुपया खुद रखकर न भेजिये रुपये के साथ भेजिये ।

अध्यक्ष महोदय आप दोनों ही न रूखिये, इस टेबिल पर रख दीजिये ।

श्री अटल बिहारी वाजपेयी जिन्हें मिल गया वह तो रुपये समेत गायब है और जिन्हें मिलने वाला है वह टेबिल पर रखने वाले नहीं हैं, वह जेब में रखने वाले है ।

अध्यक्ष महोदय, स्पष्ट है कि इन फर्मों के कुछ व्यक्ति दिल्ली में रहते थे, रहते हैं, जो इन फर्मों को लाइसेंस दिलाने के लिये इलाक़ का काम करते थे । श्री तुल मोहन राम के साथ उन के सम्बन्ध थे । मैं उन के

नाम लेने के लिये तैयार हूँ । लेकिन मैं नाम नहीं लेता । अगर संसदीय जांच हो तो इस सम्बन्ध में कई सबूत मेरे पास हैं, मैं उन्हें पेश करूंगा । लेकिन अध्यक्ष मैं लाइसेंस लेने के लिए श्री तुल मोहन सम्पर्क काफी नहीं है । श्री तुल मोहन राम तो हमारे जैसे सदस्य है । जब तक उन का किसी मंत्री से सम्बन्ध न हो तब तक वह लाइसेंस नहीं दिला सकते । इम्पोर्ट का लाइसेंस विदेश व्यापार मंत्री दिला सकते हैं । यह घटना जब हुई तो श्री ललित नारायण मिश्र विदेश व्यापार मंत्री थे । मैं आरोप नहीं लगा रहा । मैं तथ्य मात्र कह रहा हूँ, एक तथ्य यह भी है कि श्री तुल मोहन राम के साथ श्री ललित नारायण मिश्र के बड़े घनिष्ठ सम्बन्ध हैं । श्री तुल मोहन राम ग्राम सरौनी, जिला सहरसा के निवासी है । वे अपने ग्राम में श्री ललित नारायण मिश्र के पिता पूज्य पंडित रवीन्द्र नाथ मिश्र के नाम पर एक स्कूल बनवा रहे हैं । उम के लिये चन्दा इकट्ठा किया गया है ।

रेल मंत्री (श्री एल० एन० मिश्र) : हम को ज्ञात नहीं है ।

श्री अटल बिहारी वाजपेयी लेकिन हमें ज्ञान है । आप को अगर ज्ञान नहीं है तो थोड़ा सा ज्ञान हम में प्रहग कीजिये । उस स्कूल के लिये पैसा इकट्ठा किया गया है, रसीदें छापी गई हैं । ललित बाबू कहते हैं कि उन्हें ज्ञान नहीं है, मैं मान लेता हूँ । लेकिन अगर पिता के नाम पर स्कूल बने तो प्रत्येक सपूत का काम है कि उसके निर्माण में मदद दे । अध्यक्ष महोदय, हम सभी लोग अपने पितृ ऋण से उद्धार होना चाहते हैं । ललित बाबू इस में अपवाद नहीं हीना चाहेंगे । श्री मिश्र ने कहा है कि इन फर्मों को उन के भ्रित्त्वकाल में लाइसेंस नहीं दिये गये । लेकिन उन्होंने माना

[श्री अटल बिहारी वाजपेयी]

क्रि आवेदन मिला। लेकिन यह नहीं बताया कैसे मिला? डाक से मिला या हाथ से मिला? अगर हाथ से मिला तो किस के हाथ से मिला? सूची जातकारी के अनुसार आवेदन श्री ललित नारायण मिश्र के निर्देश पर तैयार हुआ।

श्री एल० एन० मिश्र गलत बात है, एकदम गलत बात है।

श्री अटल बिहारी वाजपेयी : उन को जानकारी थी कि उस आवेदन पत्र में कितने हस्ताक्षर सही हैं, कितने जाली है। मन्त्रालय छोड़ने में पहले उन्होंने ऐसा प्रबन्ध कर लिया जिस से इन फर्मों को लाइसेंस दे दिया जाय।

अध्यक्ष महोदय, श्री ललित नारायण मिश्र का मन्त्रालय बदल गया। मगर श्री तुल मोहन राम के साथ उन के सम्बन्ध नहीं बदले। नाता बड़ा गहरा है, परिस्थिति बदल सकती है मगर नाते नहीं टूटा करते। अन्तर इतना ही हुआ कि श्री तुल मोहन राम ने इम्पोर्ट लाइसेंस दिलाने के बदले रेलवे के बैगन दिलाने का काम अपने जिम्मे सभाल लिया। इस सम्बन्ध में मैं एक रहस्य का उद्घाटन करना चाहता हूँ। 13 फरवरी, 1974 का फलौदी राजस्थान से एक सज्जन दिल्ली आये, वे मैसर्स विश्वकर्मा नमक उद्योग के लिये बैगन चाहते थे। वे रेलवे बोर्ड गये, वहाँ उन्हें रेलवे बोर्ड के दो कर्मचारी मिले। उन के नाम भी मेरे पास हैं, मैं समय पर उन का उद्घाटन करूँगा। वे कर्मचारी उस व्यापारी को ले कर श्री तुल मोहन राम के पास गये। श्री तुल मोहन राम ने कहा हम बैगन दिला सकते हैं, रेल मंत्री हमारे आदमी है। 25,000 का वायदा किया गया, 3,000 रुपये उन कर्मचारियों को दे दिये गये और श्री तुल मोहन राम को केवल 1,000 रुपये मिले। इस से श्री तुल मोहन

राम नाराज हो गये। उन्होंने कहा हम यह बैगन दिलाने का काम रोक देंगे। इस पर मैसर्स विश्वकर्मा नमक उद्योग के आदमी ने कहा बताइये आप कितना चाहते हैं? श्री तुल मोहन राम ने कहा हमें 20,000 पये चाहिये। आदमी ने कहा हम 21,000 रुपये देने को तैयार हैं। 21,000 रुपये का बैंक ले लिया गया। यह बैंक श्री सुरेन्द्र कुमार मिह के नाम से लिया गया। श्री सुरेन्द्र कुमार सिंह श्री तुल मोहन राम के सर्वेन्ट्स क्वार्टर में रहते हैं। श्री तुल मोहन राम सुरेन्द्र कुमार सिंह को अच्छी तरह से जानते हैं। वह श्री सुरेन्द्र कुमार मिह के सर्टिफिकेट पर दस्तखत कर चुके हैं। वह काफी मेरे पास है, अटैस्टेड बाई श्री तुल मोहन राम। यह सर्टिफाइड है

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इस पर अटैस्टेशन है श्री तुल मोहन राम का, हालांकि जाच में श्री तुल मोहन राम की पत्नी ने कहा हमारे यहाँ सुरेन्द्र कुमार मिह नाम का कोई लड़का नहीं रहता हम उस को नहीं जानते।

अध्यक्ष महोदय, वह बैंक 28 फरवरी, 1974 को भुनाया था। वह बैंक स्टेट बैंक आफ बीकानेर और जयपुर के नाम था। वह बैंक मिलने के बाद श्री तुल मोहन राम बिहार चले गये। जिस व्यक्ति ने बैंक दिया उस ने कहा था कि आप भुनाइये नहीं, मैं जयपुर से नरुद रकम भेज दूँगा। लेकिन इतना सब कहा था। 28 फरवरी की जगह वह बैंक 26 फरवरी को भुना लिया गया अब इस घोटाले में बैंक भी शामिल है। बैंक ने नहीं देखा कि बैंक 28 फरवरी का है। 21,000 पये ले लिये गये। लेकिन,

जब शाम को हिसाब मिलाया तो देखा कि जिन्होंने बैंक दिया है उन के हिसाब में 200,400 रुपये से ज्यादा नहीं है । यह भी देखा कि बैंक 28 तारीख का है लेकिन 26 तारीख को भुन गया । इस पर बैंक के अधिकारी श्री तुल मोहन राम के स्थान पर गये । श्री तुल मोहन राम घर पर नहीं थे । श्रीमती तुल माहन राम ने कह कि सुरेन्द्र कुमार मिह नाम का कोई व्यक्ति यहाँ नहीं रहता । बैंक ने जयपुर फोन किया । जयपुर से जिस व्यक्ति ने बैंक दिया था उसने कहा बड़े दुर्भाग्य की बात है कि 'प्रह घपल' हो गया । रेलवे बोर्ड के दा कर्मचारियों से सम्पर्क करो । वह इस मामले का हल करा सकते हैं । रेलवे बोर्ड के वही दा कर्मचारी 34 गुरुद्वारा रकब गज पर गए, लेकिन मामला लटका रह । जब होला के दिन श्री तुल मोहन राम जानिस आए तो सालह हजार रुपये लाटया गया । उसमें साठे चार हजार रुपये एक गरीब आदमी का था, साठ पाच हजार रुपये एक दलाल का था और कुछ रुपये बैंक कर्मचारियों न मुसीबत में बचने के लिए इफ्टा किया था बैंक के सारे कागजात बैंक हैटक्वार्टर में चले गए हैं । पार्लियमेंटरी कमेट में तो इस आरोप का भावित करने के लिए अपनी सारी शक्ति लगा दूंगा । यह तथ्य मनगढन्त कहानी नहीं है, लेकिन सुनने में एक उपन्यास जैसा लगता है । लेकिन यह सच है और ऐसा सच है कि जा मदन में बैठे हुए किसी मध्यम का कर्चर नही लग सकता । बात इतनी ही नहीं है । श्री तुलमोहन राम के विरुद्ध तोसरा आरोप है कि उन्होंने नरेला के एक व्यापारी का डालडा की एजेंसी दिलवाने का वादा करके 5400 रुपये लिया । इस बात के भी सबूत पेश किए जा सकते हैं । श्री तुलमाहन राम समक्ष सदस्य हैं उनके नाते लोग अपनी ब्याथा कथा ले कर उनके पास आते हैं । उनका प्रभाव है । वह लोगों को मदद कर सकते हैं ।

एक ऐसा ही व्यक्ति खडा कला का निवासी श्री छोटू राम है । श्री तुलमोहन राम ने उनकी जमीन बिकवाई 33200 रुपये में । जमीन को रजिस्ट्री दम जनवरी 1974 को हुई । श्री छोटू राम के कथानुसार उसी दिन श्री तुलमोहन राम ने अनाज खाने में तीस हजार रुपये जमा कराए और उसी दिन स्टेट बैंक सहगमा का एक ड्रफ्ट भेजा गया । रुपया मिलना चाहिये था श्री छोटू राम को ड्रफ्ट लिया श्री तुलमोहन राम ने । यह रकम और राम के बीच में जो होड लग रही थी उसमें रावण भी मात खा गया । अभी तक करीब तेरह हजार रुपये वापिस किए गए हैं शेष श्री तुल मोहन राम के पास है । कुछ और भी तथ्य मेरे पास है—

श्री श्याम नन्दन मिश्र (बेगुमराय)
यह तो पूरी जन्म पत्नी है आपके पास ।

श्री अटल बिहारी वाजपेयी : यह जन्म पत्नी नहीं, कर्मदात्री है ।

अब इस मदन में ही नहीं बल्कि मदन के बाहर सारे देश में और विदेशों में भी इस काट की चर्चा हो रही है । इस बात को लेकर विवाद उठ खडा हुआ है कि मामले की जांच कौन करे । यह मांग बड़े जोरों से उठ रही है कि चूंकि यह ससद सदस्यों के आचरण का प्रश्न है, इस वास्ते इसकी जांच समदीय समिति द्वारा होनी चाहिए । लेकिन सरकार अडो है इस बात के ऊपर को जांच पहले सी० बी० आई० द्वारा कराई जाएगी । लेकिन हम सी० बी० आई० के द्वारा जांच कराने के पक्ष में नहीं हैं । कारण स्पष्ट है । पहला यह कि सी० बी० आई० एक सरकारी एजेंसी है । ऐसे मामले जिन में प्रभावी व्यक्ति फते हैं और उन से भी अधिक प्रभावी लोग उन्हें बचाने के लिए रात दिन एक कर रहे हैं, सी० बी० आई० से सही जांच की आशा नहीं की जा सकती है ।

[बी प्रदल बिहारी बाजपेयी]

इस सारे कांड के केन्द्रबिन्दु श्री ललित नारायण मिश्र हैं। उनके कथनानुसार उन्होंने आवेदन आने पर किसी अफसर से कहा कि इसको देखें—

श्री एल० एन० मिश्र ऐसा हमने नहीं कहा। जो कहा है उसको ध्यान से पढ़िये।

श्री प्रदल बिहारी बाजपेयी फिर क्या आवेदन श्री एल० एन० मिश्र अपनी जेब में रख कर अपने घर ले आए? यह समाचार पत्रों में छपा है कि उम फाइल पर श्री एल० एन० मिश्र ने कुछ लिखा। क्या यह गलत है? क्या यह भी गलत है कि जो मूल आवेदन है वह गायब कर दिया गया है। मचाई यह है कि इन फर्मों को लाइसेंस पहले न देने और बाद में देने के कारण जात में हेरा फेरी की गई है। केवल इम और बड़े हुए सदस्य ही अनुभव नहीं करते, राज्य सभा के कांग्रेस के एक विरिष्ठ सदस्य श्री कृष्ण कान्त भी कह चुके हैं कि जाच सी० बी० आई० द्वारा नहीं होनी चाहिये। मैं उनके शब्दों को उद्धृत कर रहा हूँ।

“CBI cannot do it. We know the CBI was headed by Mr. Darbari and now he is in the Railway Ministry. Therefore, no more CBI. It must be held by Parliament.”

श्री इयामनंदन मिश्र अब श्री कृष्ण कान्त को कहीं निकाल न दें।

श्री प्रदल बिहारी बाजपेयी हम उनका स्वागत करने के लिए तैयार हैं।

तीसरी बात यह है कि प्रधान मंत्री इस कांड पर सदन में नहीं बोली। आज उनकी अनपस्थिति में हम अवगत हैं। यह कांड बहुत दिनों से चर्चा का विषय बना हुआ है। यह इस सदन की नेत्री हैं।

इस कांड में उनके मंत्रिमंडल के सदस्य फंसे हैं, उनकी पार्टी के सदस्य फंसे हैं। क्या उनका यह कर्तव्य नहीं था कि वह इन के बारे में यहा बाने। लेकिन वह नहीं बोली। अम्बाला में जा कर वह बोली। वहा जा कर उन्होंने क्या कहा है? उन्होंने कहा

“The Prime Minister yesterday criticised the opposition parties for raising the bogey of corruption. It only detracted attention from the grave economic and other problems facing the country. She said, ‘after combing the length and breadth of the country, the opposition has found only four corrupt people—myself, my son Mr Bansilal and Mr Lalit Narayan Mishra.’”

श्री इयामनंदन मिश्र हम दो हमारे दो।

श्री प्रदल बिहारी बाजपेयी हम दो हमारे दो। चलना है, चलने दो।।

जब प्रधान मंत्री श्री ललित नारायण मिश्र को अपने दर्जे पर रख रही हैं तो क्या सी०बी०आई० में किसी की हिम्मत हो सकता है जो इनके खिलाफ जाच कर सके? किम का माहम है उनको हाथ लगा सके? श्री ललित नारायण मिश्र को प्रधान मंत्री का पूरा संरक्षण प्राप्त है। सी०बी०आई० उनके मामले का जाच नहीं कर सकती है।

सी० बी० आई० के डायरेक्टर श्री टी० सैन की नियुक्ति किस तरह से हुई है, यह एक आम चर्चा का विषय है। पहले डायरेक्टर श्री अरूण को दिल्ली से मद्रास भिजवाने में जिन व्यक्तियों का हाथ था, आज के डायरेक्टर उन्ही के हाथ का खिलोना बने हुए हैं, यह कहने की आवश्यकता नहीं है। हाल ही में श्री सैन को एक्सटेंशन

देने का फैसला किया गया। क्यों क्या देश में योग्य व्यक्तियों का अभाव है? क्या सी० बी० आई० में कोई ऐसा नीजवान नहीं है कि जो इम गुरुतर दायित्व का निर्वाह कर सके? उन्हें एक्सटेंशन दी जा रही है क्योंकि श्री मेन एक सुविधाजनक व्यक्ति रहे हैं। उन से जो चाहा कराया जाता रहा। एक्सटेंशन उनकी योग्यता का प्रमाण नहीं, उनकी सेवाओं का प्रतिदान है। उनकी कार्य कुशलता दक्षता तथा प्रशासनिक क्षमता की एक घटना मेरे ध्यान में लाई गई है। 1970-71 और 1972-73 में सी० बी० आई० ने विदेशों से "हाईली सौफिस्टिकेटेड इन्फ़ॉर्मेशन" मंगा। उनका मूल्य वरीर एक करोड़ रुपया होगा। यह सामान विशेष विमान से विशेष व्यवस्था कर के लाया गया। यह सामान रखने के लिए वातानुकूलित स्थान जरूरी है। किन्तु हालत यह है कि सामान का आयात कर लिया गया, उसे रखने का इंतजाम नहीं किया गया। वह सामान अभी तक फ्रेट में पटा है और बरबाद हो रहा है। डी० जी० एम० एण्ड डी० के डिप्टी सचिवरेंटर ने पांच महीने पूर्व मिस्टर सेन का लिखा था कि सामान को ठीक तरह से रखने की व्यवस्था करे। मिस्टर सेन कहते हैं कि उस के लिए 16 राज्यों में लेबोरेटरीज बननी हैं, जब वह वनेगी तब रखा जायगा। अगर फिर यह सामान मगया बयो गया? अगर इस मामले की जाच की जाय तो इस के बारे में भी ऐसे तथ्य निकलेगे जो सदन को चौंका देंगे। अष्ट नाकरशाही तथा अष्ट राजनीतिज्ञों के अपवित्र गठबन्धन का परदा-फाग कर देंगे। श्री मेन एक पार्लियामेण्टी कमेटी के सामने आए थे। श्री श्यामनन्दन मिश्र भी उस के सदस्य हैं। उन्होंने श्री सेन से पूछा कि क्या सी० बी० आई० किसी मन्त्री के खिलाफ जाच कर सकती है? श्री मेन का उत्तर था—नहीं। यह कार्य-बाही मे लिखा हुआ है। श्री समर गुहा भी उस कमेटी में हैं। कुछ कांग्रेस वाले

भी थे जो बोल नहीं रहे हैं अगर मेरी बात की सच्चाई की दाव दे रहे हैं। अगर सी० बी० आई० मन्त्री की जाच नहीं कर सकती तो इस लाइसेंस कांड में यदि किसी मन्त्री का हाथ है तो सी० बी० आई० कैसे जाच करेगी? अगर निवेदन है कि ऐसे मामले में सी बी आई प्रारम्भिक जाच भी नहीं कर सकती। मैं वाणिज्य मन्त्री श्री डी० पी० चट्टोपाध्याय की स्मृति को ताजा करना चाहता हूँ। गत अधिवेशन में मैंने उन से प्रश्न पूछा था कि क्या यह सच है कि सी० बी० आई० के कार्यालय में काम करने वाले दो अधिकारियों के विशुद्ध सी० बी० आई० न इस आरोप की जाच की है कि उन्होंने बम्बई की एक फर्म को इम्पोर्ट लाइसेंस देने में धांधली की? मन्त्री महोदय के कहने पर मैंने उन अफसरों के नाम भी बताए—मिस्टर मनोचा और मिस उस्मानी। मन्त्री महोदय ने कहा कि ये दो व्यक्ति उन के कार्यालय में हैं, किन्तु उन्हें इस बात का ज्ञान नहीं है कि उन के किसी आरक्षण की जाच सी बी आई ने की है। मन्त्री महोदय ने वादा किया था कि वे तथ्या का पता लगाएंगे। किन्तु उन्होंने पता नहीं लगाया। यदि पता लगाया तो सदन को सूचित नहीं किया। अब इस मामले में कुछ और तथ्य मेरे पास आए हैं। इस फर्म का नाम है माडर्न सिक्सटीन सिने लेबोरेटरी, बम्बई। इसे फिल्म रिडक्शन मशीन का एक ऐकम्सरी लर्जेमीटर आयात करने के लिए 40 हजार विदेशी मुद्रा की स्वीकृति दी गई। यह स्वीकृति 10 अक्तूबर 1968 को दी गई। किन्तु कुछ ही दिन बाद 40 हजार की रकम बढ़ा कर 2 लाख 92 हजार कर दी गई। क्यों की गई? कारण यह बताया गया कि फर्म यह माग करती रही है। यह कोई वैध कारण नहीं था। फिर भी लाइसेंस दे दिया। इस लाइसेंस को दिलाने में अम्ब्यर नाम के एक व्यक्ति का हाथ था। मामला प्रारम्भिक जाच के लिए सी० बी० आई० की भेजा गया। उस में पता लगा कि सारे

[श्री छटल बिहारी राजपेयी]

कांड मे से एक ससद सदस्य सबधित है । अग्र्यर ने ससद सदस्य का नकद रुपया देने के अलावा एक रेडिओ ट्राजिस्टर, एक हम कुलर और एक रेकार्ड प्लेयर भेट किया । सी० बी० आई० ने जिन दवानो से यह माल गया था उन से पूछताछ की और यह सिद्ध हो गया कि सारे सामान का पैसा अग्र्यर ने दिया है । सामान दवानो से सी० बी० ससद सदस्य के घर भेजा गया । यह भी प्रमाणित हो गया । जब सी बी आई के अधिकारी ने ससद सदस्य के घर की तलाशी के कर माल बरामद करने की इजाजत मागी तो इजाजत नही दी गई । उस समय के होम सेक्रेटरी भी इस मामले मे रुचि लेते थे । यह 1968 की बात है । नतीजा यह हुआ कि मामला न केवल दबा दिया गया, उस ईमानदार अफसर का दिल्ली से तबादला कर दिया गया । सी०बी०आई० एक ससद सदस्य के मामले की जाच नही कर सकती, तथ्य को प्रकाश मे नही ला सकती, उन के पाप का घडा नही फोड सकती तो जिस मे मत्री लिप्त है वह मामला कैसे सी०बी०आई० के द्वारा तथ्य-परक जाच के लिए भेजा जा सकता है, यह मैं नही समझ सकता ।

इस सदन मे ससदीय जाच की माग केवल प्रतिपक्ष ने नही की है, सत्तापक्ष दल के सदस्यों ने भी की है । अगर समाचार पत्रों मे प्रकाशित रिपोर्ट सही है तो कांग्रेस पार्लियामेन्ट्री पार्टी के 50 मेम्बर जिस मे कहा जाता है श्री भागवत झा आजाद, श्री शकर दयाल मिह, श्री कृष्ण कात शामिल है उन्होन प्रधान मत्री को स्मृति पत्र द कर सारा मामला ससदीय समिति को सौपने को कहा है । इस सदन मे भी आप ने 29 अगस्त को एक नो-डेट नेम्ड मोशन बिच्युर के लिए स्वीकार किया है जो हमारे कांग्रेसी मित्रो द्वारा दिया गया था । कहते

हैं कि उस मे से दो ने अपने नाम वापस ले लिए । अगर बाकी अभी तक डटे हुए है । उन का मोशन यह है कि

no-date-moved motion

"This House resolves to appoint a Parliamentary Committee to go into all questions arising out of replies given to Starred Question No 730 on the 27th August, 1974 in the Rajya Sabha"

आप जनमत को ले, समाचार पत्रों की राय ले, आम अदामी की राय ले सब इस सबध मे एक मत है कि इस कांड के तथ्य तब तक मामने नही आ सकते जब तक कि सारा मामला एक ससदीय समिति को नही सौपा जायगा ।

मैं अपनी बात को उपसहार की आर ले जाना चाहता हू । जब हम इस मामले पर विचार करते है तो हमे मुदगल कांड की याद आती है । श्री मुदगल भी लोक मभा के सदस्य थे । वे भी कांग्रेस पार्टी के मेम्बर थे । उन्होने बम्बई स्टाक एक्सचेंज के प्रेमीडेट और कुछ डायरेक्टर को उस समय के वित्त मत्री श्री देशमुख से मिलाना चाहा । वित्त मत्री ने मिलने से इन्कार कर दिया ।

श्री दशमख ने लिख :

"I do not understand why the Bombay Stock Exchange members should seek to make an appointment with me through you I would prefer to deal directly with any request that they may have to make"

SHRI SHYAMNANDAN MISHRA that was the Congress Party in those days.

SHRI PILOO MODY (Godhra): The virtue lay in the fact that Shri Deshmukh was not a Member of the Congress Party.

श्री छटल बिहारी राजपेयी एक आरक्षण का वह स्तर था । आज यह है कि

बाणिज्य मंत्री को कोई भी लाइसेंस की सिफारिश वाला मेमोरेण्डम दे सकता है। न केवल दे सकता है बल्कि उन में लाइसेंस भी ले सकता है। श्री मुद्गल ने ससदीय जाच से बचने के लिए कांग्रेस पार्टी द्वारा जाच का सुझाव दिया। लेकिन पंडित जवाहर लाल नेहरू ने उसे ठुकरा दिया। उन्होंने 27 मई 1951 को मुद्गल के नाम अपने पत्र में लिखा

"You suggest that an inquiry be made by the Congress Party. I am afraid this is neither feasible nor desirable as the whole House is concerned with this matter. It is not a party question."

इतना ही नहीं श्री मुद्गल ने देश में उस समय विद्यमान वातावरण का हवाला देकर कहा कि उन के खिलाफ जाच कराने के "अनफोरसीन रिपरक्यूशन" का मकत है। पंडित जी ने एक वाक्य में उसको समाप्त कर दिया। अपने जवाब में उन्होंने लिखा—

"I do not understand your reference to 'unforeseen repercussions' in the existing atmosphere in the country"

प्रधान मंत्री स्वयं श्री मुद्गल के विरुद्ध प्रस्ताव लाए। एक ससदीय समिति बनी, उस कोर्ट आफ आन्तर का दर्जा दिया गया। वह कोई भी कागज भगा सकती थी, किसी भी व्यक्ति को गवाही देने के लिए बुला सकती थी। वह किर्सा, टेकनिकल रूल में बंधी हुई नहीं थी। उस का उद्देश्य था— ascertainment of truth

fairplay and justice to all concerned."

भ्राज हमारी सरकार, सरकार के मंत्री और उन की नेत्री प्रधान मंत्री सारे मामले पर ससदीय जाच के लिए तैयार क्यों नहीं है? साच को भ्राज क्या? कांग्रेस के सदस्य कह चुके हैं कि उनके दस्तखत जाली थे। ये जाच

दस्तखत किस ने बनाए? यह दस्तखत कहाँ बनाए गए? यह दस्तखत बनाने की आवश्यकता क्यों पड़ी? यह दस्तखत किसके घर पर बँठ कर बने। क्या इन बातों की जाच आवश्यक नहीं है? सी० बी० ब्राई० नहीं जाच कर सकती है।

जिस दिन इस सदन में सदस्यों ने खड़े होकर कहा कि हमारे दस्तखत जाली बनाए गए, हमने दस्तखत नहीं किये उसा दिन सारा मामला इस सदन की सम्पत्ति बन गया। अब सदन सदस्यों का आचरण सदन की जाच वा विणय होना चाहिए किमी बाहरी एजेसी की जाच का विषय नहीं। मेरे पास समय नहीं है, इस प्रश्न पर राज्य सभा की विवेकाधिकार समिति ने गहराई में जाकर चर्चा का है बिल आफ राइट्स के नाइथ आर्टिकल के अनुसूच ससद सदस्य इस सदनमें जो कुछ कहते हैं उस पर सदन जाच कर सकता है, कोई बाहरी एजेन्सी जाच नहीं कर सकती है। आज इस परम्परा को भी ठुकराया जा रहा है। उस दिन इन सदस्यों ने इस सदन से संरक्षण मागा था अध्यक्ष महोदय, आपसे भी संरक्षण का माग का था और अब संरक्षण के बजाये इनको सी०बी० ब्राई० को दया पर छोटा जा रहा है।

सी बी ब्राई मामला तय करने में सालों लगाती है। आपने दोबारा घटी बजा दी। मेरे पास मसाला बहुत है। (व्यवधान) मूषडा काश्ड के कुछ हिस्सों के मामले को जाच अभी तक सी बी ब्राई कर रही है, जाच पूरी नहीं हुई है। (व्यवधान) ग्रहमदाबाद के एक उद्योगपति के घर पर छापा मारा गया, सीबीब्राई का जाच सौंप दी गई, वह उद्योगपति हाईकोर्ट में चला गया और सी बी ब्राई को जाच रुक गई। ससदीय समिति को जाच नहीं रुक सकती है सी बी ब्राई को जाच रुक सकती है।

अभी बम्बई के साप्ताहिक ने बसुपती के बारे में छापा है, उसल हो गए सीबीब्राई जाच कर रही है।

[श्री प्रमन बिहारी वाजपेयी]

जब श्री भ्रमोक सेन सत्तारूढ दल में होने के साथ साथ सत्तारूढ गुट में भी थे, तब तक मामला दबा रहा अब जब वे दल में तो हैं लेकिन दलदल में निकलने का थोड़ा प्रयास कर रहे हैं तब मामला लेख कर दिया गया है ।

में कहना चाहना है कि देश में इस समय मूल्यों का संकट है । मूल्य केवल भौतिक अर्थ में नहीं केवल आवश्यक वस्तुओं के मूल्य नहीं, देश में नैतिक मूल्यों का भी संकट है । सदन की प्रतिष्ठा दाब पर लगी है । मन्दीय लोकसभ कमीटी पर वसा जा रहा है । आज ससदसदस्यों का चार दलाल कहा जाता है इस सदन को चारों दलालों के झंडों के रूप में वर्णित किया जाता है । क्या हमारा यह दायित्व नहीं है कि हम अपने नाम पर लगी हुई कालिख का धोये ? क्या हमारा अधिकार नहीं है कि हम सरे मामले की तह में जाकर तथ्यों का सभन लाये जा अपराधी हों उनको कठघड़े में खड़ा करे और जो निर्दोष हो उनको निराश्रिता प्रमाणित करे ? इसी भाव से मैं यह अपना प्रस्ताव लाया हू ।

में कांग्रेसी मित्रों से कहना चाहना है इसमें पार्टी का सञ्चाल नहीं है, लोकतन्त्र अगर भ्रष्टाचार से ग्रस्त हो जायेगा अगर लोकतन्त्र की जड़ें भ्रष्टाचार खोखला कर देगा तो फिर लोकतन्त्र जनता का कन्याण तो कर ही नहीं सकता, लोकतन्त्र जीवित भी नहीं रह सकता ।

आज अनेक संकट हमारे सामने हैं मगर सबसे बड़ा संकट है राजनीतिज्ञों की प्रमाणिकता में जनता का बढ़ता हुआ अविश्वास । केवल कुछ लोग कठघड़े में नहीं खड़े हैं, हम सब जनता के सामने मुह दिखाने में लज्जित हैं । क्यों नहीं पार्लियेमेंटरी कमेटी की जाच मान ली जाती ? इस मामले पर विधि मंत्री के दो बयान हैं, वे परस्पर विरोधी बातें कहते हैं ।

कहते हैं सी बी घाई इन्वेस्टिगेशन कर रही है, इन्वेस्टिगेशन कम्प्लीट होगा तब देखा जायेगा । फिर कहते हैं देखेगा तो कोई भी देखेगा । फिर कहा बाद में चाहे तो हाउस देख सकता है । मेरे पास समय नहीं है उनके पूरे ध्यान उद्भूत करने का, लेकिन विधि मंत्री के द्वारा ऐसे लचर तर्कों की मैं भाषा नहीं करता था । यह सारे तर्क गढ़े जा रहे हैं ससदीय जाच का टालने के लिए । आज आप बहुमत के ञल पर मेरा प्रस्ताव टुकरा सकते हैं लेकिन जनता की अदालत में फंसला आपके खिलाफ होने वाला है —इसको याद रखियेगा ।

MR SPEAKER Motion moved

"That this House resolves that with a view to ensure high standards of conduct in public life by Members of Parliament, a Parliamentary Committee comprising of 11 Members nominated by the Speaker, be constituted to examine the entire matter relating to the representation made to the Ministry of Commerce over the alleged signatures of 21 Members of Lok Sabha the revelation made by the Minister that most of these signatures are forged and the actual allotment of licences to parties mentioned in the representation and to make necessary recommendations in that regard"

About this motion, you will kindly note that I have received a number of amendments to the main motion by Shri Vajpayee One is by Shri Madhu Limaye, one each, by Sarvaswari Samar Guha, Banerjee, B V Naik Janeshwar Mishra, Shenoi, Nimbalkar, Mavalankar, Sezhiyan etc

I think they are 16 in number All them are treated as moved There is not one—there are so many of them

SHRI MADHU LIMAYE (Banka) :
I beg to move

That in the Motion,—

for "that with a view to ensure high standards of conduct in public

life by Members of Parliament, a Parliamentary Committee comprising of 11 Members nominated by the Speaker, be constituted to examine the entire matter relating to the representation made to the Ministry of Commerce over the alleged signatures of 21 Members of Lok Sabha, the revelation made by the Minister that most of these signatures are forged and the actual allotment of licences to parties mentioned in the representation and to make necessary recommendations in that regard”

substitute—

“to set up a Committee consisting of 17 Members, 8 from the Opposition including the Chairman and 9 from the Ruling Party to probe the following —

- (a) Whether the signatures on the memorandum recommending grant of licence to certain parties allegedly signed by 21 members of Lok Sabha or any of them are genuine,
- (b) Whether the applications for licences of those parties had earlier been rejected
- (c) Whether any irregularity was committed by the Ministry of Foreign Trade/Commerce in amending the notification with a view to include some parts of the Union territory of Pondicherry for the benefit of the parties,
- (d) Whether the processing of this memorandum of MPs was done when Shri L N Mishra was Minister of Foreign Trade and whether the decision to clear the licences was made in principle during his tenure of office;

(e) the responsibility of the Minister of Commerce Prof Chattopadhyaya, in the issuance of the licences,

(f) whether any of the alleged Member signatory lied in denying the genuineness of his signature accepted any gratification or otherwise committed impropriety or misdemeanour,

(g) the responsibility of the officers of the Commerce Ministry or any other officer under the Central Government in this regard,

(h) whether the parties to whom the licences were issued were black-listed and were reported to have doubtful antecedents by any of the Government agencies,

(i) whether these parties have been trafficking in the licence, and have violated the conditions attached to the Letter of Authority or other rules

(j) whether the Ministry of Foreign Trade/Commerce and any Member or Members of Lok Sabha any official, the licencees and other citizens were involved in the offering and taking of gratification,

and other matters which in the opinion of the Speaker or the Committee Chairman is relevant

The House further resolves that the Committee give a preliminary report during the Winter Session of Lok Sabha” (1)

SHRI SAMAR GUHA (Contal) I beg to move

That in the motion,—
for “11 Members” substitute
“15 Members”. (2)

That in the motion,—

add at the end—

“and for appropriate and adequate examination of the whole issue, preliminary report of the CBI in this regard and all documents connected with the case which are in possession of the CBI and the Ministry of Commerce be seized immediately and kept in the custody of the Speaker and all investigations about the cases and other measures thereof registered according to different provisions of the Penal Code be suspended forthwith”. (3)

SHRI S. M BANERJEE (Kanpur):

I beg to move.

That in the Motion,—

for “that with a view to ensure high standards of conduct in public life by Members of Parliament, a Parliamentary Committee comprising of 11 Members nominated by the Speaker, be constituted to examine the entire matter relating to the representation made to the Ministry of Commerce over the alleged signatures of 21 Members of Lok Sabha, the revelation made by the Minister that most of these signatures are forged and the actual allotment of licences to parties mentioned in the representation and to make necessary recommendations in that regard.”

substitute—

“to constitute a Committee of the House consisting of 15 Members, to be nominated by the Speaker, to conduct an inquiry to identify the persons, circumstances and factors that have tended to lower the dignity of the Lok Sabha as a whole as a result of alleged association of names of some Members of Lok Sabha with the recommendation letter for the grant of licence to the parties referred to in reply to Starred Question No. 730 in the

Rajya Sabha on 27-8-1974 and that the Committee may submit an interim Report on the first day of Winter Session.” (4)

SHRI B. V. NAIK (Kanara): I beg to move:

That in the motion,—

add at the end—

“and that the eleven members nominated to the Committee be those who have honestly worked for their living all their lives and who will make a statement of their financial position before, during and after the above parliamentary probe” (5)

SHRI JANESHWAR MISRA (Allahabad): I beg to move:

That in the motion,—

add at the end—

“and further resolves that the Committee may submit its first report before the commencement of the next Session of Lok Sabha and that the proceedings of the enquiry to be made by the Committee be conducted as an open enquiry (open for Press and public)”. (6)

SHRI P. R SHENOY (Udipi): I beg to move:

That in the motion,—

after “mentioned in the representation” insert,—

“and also all cases of licences in various Ministries and departments of the Government of India in which any member or members of 5th Lok Sabha has or have or presumed to have made any recommendation or representation to any Minister or official of the Government”. (7)

SHRI MADHU LIMAYE: I beg to move:

That in the motion,—

for “and the actual allotment of licences to parties mentioned in

the representation and to make necessary recommendations in that regard”

substitute—

“the details of the licences given to the parties, the charges about illegal trafficking in these licences the question of gratification to the signatories, justification, if any, for the demands that the Minister concerned be removed from office and officers involved suspended during the pendency of the inquiry, and to make the necessary recommendations in that regard with a view to providing guidance for the future (8)

SHRI SAMAR GUHA I beg to move

That in the motion,
add at the end—

“and for appropriate and adequate examination of the whole issue preliminary report of the CBI in this regard and all documents connected with the case which are in possession of the CBI and the Ministry of Commerce be seized immediately and kept in the custody of the Speaker and all investigations about the cases and other measures thereof registered according to different provisions of the Penal Code be suspended forthwith and the terms of reference of the Parliamentary Committee should include examination of, (a) the original text of the joint signatures and the date and the names of the officers who received the recommendation of the 21 MPs, (b) noting made over it by the former Foreign Trade Minister, (c) whether any verification of the signatures was made before issuing the licences, (d) name or names of the officers who sanctioned the licences, (e) whether the Minister concerned was consulted and whether he made any noting over the applications for licences, (f) names of the licences

and the amounts of licences issued in each case, (g) whether the licences were black-listed earlier and if so, the reasons for issuing licences to them (h) whether the licences were sold out, and if so, to whom and on what conditions and whether intermediary agencies worked for transfers of such licences and when such licences were utilised for imports, (i) why and when CBI inquiry for verification of signatures of MPs was ordered and whether the editor of *Blitz* was contacted and if so the text of the report of examination of the said editor, (j) when preliminary report of CBI was submitted and whether an interim report was also sent to the concerned Ministry, (k) whether the Prime Minister and the Minister of Foreign Trade were informed about the matter and if so, their reaction thereabout, (l) why the signatories and Parliament were not informed about the CBI inquiry earlier (m) what are the relevant papers and with whom such papers have been kept, (n) whether the CBI was given the original signatures of the MPs along with the joint recommendation or their photostat copies were given to them, (o) when was the preliminary report of CBI received and it was examined by whom (p) the text of the preliminary report of the CBI (q) when fulfilled CBI inquiry was ordered and registering of cases against the licences, (r) the text of the order issued for fulfilled inquiry into the matter and the terms and conditions of such inquiry and other related matters as may be decided by the Parliamentary Committee” (9)

SHRI NIMBAKAR (Kolhapur) I beg to move

That in the motion,—

after “nominated by the Speaker” insert—

“who, in his opinion, are capable of complete impartiality and justice” (10)

SHRI P. G. MAVALANKAR:
(Ahmedabad): I beg to move:

That in the motion,—

for "11 Members" substitute "15 Members". (11)

That in the motion,—

after "11 Members" insert—

"representing various parties and shades of opinion in the House". (12)

That in the motion,—

add at the end—

"and, with a view to ensuring further that the whole examination by the said Parliamentary Committee is independent and impartial, all investigations and inquiries including the one by CBI be carried on under the direct supervision and regulation of the said Committee, and for that purpose, all necessary and relevant papers and documents be put promptly under the custody of the Speaker, so that such a free and fearless investigation into the truth of the entire episode clears the whole climate fully and effectively" (13)

SHRI M. C. DAGA (Pal): I beg to move:

That in the motion,—

add at the end—

"after the findings of the present C.B.I. inquiry have been announced and the House has given its opinion thereon" (14)

SHRI ATAL BIHARI VAJPAYEE

That in the motion,—

add at the end—

"The House further resolves that in so far as Shri Tulmohan Ram, one of the alleged signatories to this representation is concerned, his conduct ever since the revelation of this licences' issue amounts, *prima facie*, to an admission of guilt, and

that, therefore, pending the completion of the probe Shri Tulmohan Ram be suspended from the service of the House." (15)

SHRI SEZHIYAN (Kumbakonam):
I beg to move:

That in the motion,—

add at the end—

"and that the Central Bureau of Investigation shall submit to the Committee by 30th September, 1974 its report of verification/investigation in the matter along with all documents and evidence available with them and shall render further assistance as required by the Committee" (16)

श्री चन्द्रजीत यादव (आजमगढ़)
अध्यक्ष जी अभी वाजपेयी जी ने जो प्रस्ताव रखा है और अपने प्रस्ताव के सम्बन्ध में उन्होंने अपने भाषण में जिन तथ्यों को सामने रखा है, जहाँ तक माहौल और यत्न की उन फर्मों का संबंध है जिन्हें यह लाइसेंस दिए गए, वाजपेयी जी ने स्वयं इस बात को स्वीकार किया है कि वह फर्म पहले से आयातक थी (ध्वजबान)

श्री अटल बिहारी वाजपेयी: मैं ने पूछा है।

श्री चन्द्रजीत यादव वह फर्म पहले से आयातक थी। यह बात भी सही है कि वह फर्म वाली सूची पर नहीं थी। यह बात भी सही है कि यह फर्म पिछले 14 वर्षों में, जबसे इनको लाइसेंस दिए गए, इस बात की मांग कर रही थी कि उनके साथ न्याय नहीं हुआ है, उनके साथ भेदभाव हुआ है और इसलिए जो उनका हक है, जो उनका अधिकार है वह उन्हें मिलना चाहिए। (ध्वजबान)

अध्यक्ष महोदय जब वाजपेयी जी बोल रहे थे, उनको किसी ने रोका नहीं, सब आप भी न रोकिये। ऐसे गम्भीर प्रश्न में आप दूसरे पर रोकबंद डालोगे तो वह अच्छा नहीं है।

श्री बलभोजित श्रावण : अध्यक्ष जी, यह बात सही है कि जितना विलम्ब उन फर्मों को लाइसेंस देने में और उनकी बातों को मानने में हुआ, मैं समझता हूँ खुद यह बात सरकार के लिए एक नसीहत की होनी चाहिए कि अब उसके कायदे कानूनों व नियमों तथा कामों को करने में परिवर्तन होना चाहिए। कोई फर्म हो या कोई भी व्यक्ति हो अगर उसको इन्फ्रा मिलने में या उसके काम के होने में अनावश्यक विलम्ब होता है तो इस तरह की परिस्थितियाँ पैदा होती हैं जोकि दुर्भाग्यपूर्ण होती हैं।

श्री तुलसीमोहन राम जी के बारे में वाजपेयी जी ने बहुत तथ्य रखे हैं। इस सदन में पहली बार यह तथ्य आये हैं। मैं समझता हूँ एक माननीय सदस्य के आचरण से यह सम्बन्ध रखता है, यह एक गम्भीर बात है। जब इस माननीय सदन के एक माननीय सदस्य के बारे में वे इस तरह की बात करते हैं तो वे उनकी गम्भीरता को समझकर कहते हैं और मैं समझता हूँ उसके पीछे कोई तथ्य होंगे, उनकी कुछ जानकारी होगी। उनके जैसे व्यक्ति से मैं आशा करता कि वे कोई आधारहीन बात, निराधार बात कहने का प्रयास करेंगे वह अपने में एक गम्भीर बात है, वह सदन के सामने रखी गई है, माननीय तुलसीमोहन राम जी स्वयं इस सदन के एक सदस्य हैं, उनको इस बात का मौका जब भी मिलेगा (व्यवधान) वह हैं, नहीं हैं, मैं नहीं जानता कहाँ है, ठीक है आज सदन में उपस्थित नहीं है लेकिन उन्हें भी इस बात का मौका मिलेगा कि वे इस बात की सफाई दें। लेकिन मैं यह कहना चाहता हूँ माननीय वाजपेयी जी ने जिन तथ्यों को सामने रखा है उन तथ्यों को सदन के नेता के सामने रखें और जो भी उनके पास प्रमाण हैं वह उनको दें। कोई भी नहीं चाहेगा कि सदन का कोई भी माननीय सदस्य इस तरह का आचरण करे जिससे स्वयं उसकी और इस सदन की प्रतिष्ठा को धँका पहुँचे, वह सदन

जो हमारे प्रजातन्त्र में हमारी जनता की आकांक्षाओं, आशाओं और कार्यक्रमों की गरिमा का प्रतीक है। तो यह बात अपनी जगह पर सही है, इस में कोई दो रायें नहीं हो सकती। प्रश्न यह पैदा होता है कि यह प्रश्न इतना गम्भीर रूप क्यों धारण कर गया? मेरी सूचना है, मंत्री महोदय बतायेंगे जब तथ्यों को सामने रखेंगे कि इन फर्मों को लाइसेंस देने में कोई गलत तरीका नहीं अपनाया गया। इन फर्मों का अपना दावा था कि उन्हें लाइसेंस मिलना चाहिये था। प्रश्न यह है कि मंत्री जी ने कोई लाइसेंस दिया या उन के विभाग ने दिया बगैर पूरी जांच पड़ताल किये हुए, या तथाकथित 21 सदस्यों ने एक आवेदन प्रस्तुत कर दिया उस के आधार पर लाइसेंस दे दिया बगैर किसी जांच के? मैं समझता हूँ इस को पहले भी मंत्री महोदय कह चुके हैं कि इस से कोई सम्बन्ध उन का नहीं है, और माननीय वाजपेयी जी स्वयं इस बात को मानते हैं और मैं समझता हूँ कि सही मानते हैं कि हमेशा इस सदन के सदस्यों को इस बात का अधिकार है कि अगर कोई आदमी उन के पास जाय और यह बहे कि हमारे साथ इन्फ्रा नहीं हुआ है, मारे साथ अन्याय हुआ है आप हमारी सहायता करें तो सदस्य उस की सहायता करने में, अगर वह ईमानदारी से सहायता करता है, कोई गलत बात नहीं करता है, कोई रुपया या धूस नहीं लेता है, तो उस का यह अधिकार है, और इस में कोई गलत बात नहीं है। लेकिन मंत्रालय का भी यह काम है कि मंत्रालय केवल सदस्य के लिखने से ही नहीं बल्कि यह देखे कि कहाँ तक सच्चाई है, कहाँ तक उन्हें इस बात का हक है कि वह काम उन का होना चाहिये यह मंत्रालय को जांच पड़ताल कर के देखना चाहिये।

17 hrs.

इस पर पहले भी मंत्री महोदय ने कहा है कि उन्हें इस प्रकार का मैमोरेण्डम मिला। लेकिन मैमोरेण्डम के आधार पर नहीं बल्कि गुण और दोष देख कर के उन फर्मों को लाइसेंस

[श्री चन्द्रजीत दादब]

दिया गया। प्रश्न यह गम्भीर आता है कि हम में 21 सदस्यों का नाम आया। 21 में से 20 माननीय सदस्यों ने हम सदन में खड़े हो कर यह कहा कि उन्होंने हस्ताक्षर नहीं किये। अब माननीय बाजपेयी जी पृष्ठते हैं किसी के अन्दर इतना नैतिक बल होगा कि खड़े होकर बहता जब उन ने हस्ताक्षर किया ही नहीं उसे इस बात का जानकारी ही नहीं है, तो जो उन पहला अवसर प्राप्त हुआ जब सी० बी० आई० के अधिकारी पृष्ठने गये और जब उन्हें इस बात की जानकारी हुई कि हमने हस्ताक्षर किसी आवेदन पर है जिस पर उन्होंने हस्ताक्षर नहीं किये है, तो पहला अवसर मिलने पर उन्होंने इस बात से इन्कार किया, उन्होंने कहा कि हमारे हस्ताक्षर नहीं है।

मबल उठाया गया, कि सी० बी० आई० को क्यों दिया गया? आप जानते हैं एक माननीय सदस्य ने आप का एक पत्र लिखा, आप के मन्त्रालय को लिखा, मंत्री ने यह समझा इस का बेरीफिकेशन जरूरी है देख लिया जाय कि कहा तक सचवाई है किसी के हस्ताक्षर है कि नहीं, इसलिए उन्होंने एक ऐसी एजेंसी को जा एस्टेबलिशड है जिस के द्वारा जाच होती है। पुलिस के द्वारा जाच होता है। सी० बी० आई० के द्वारा जाच होती है, सी० आई० डी० के द्वारा जाच होता है, उन्होंने यह समझा कि मामला गम्भीर है इसलिए सी० बी० आई० के एक उच्च अधिकारी का जाच के लिए दे दिया। तो 20 सदस्यों ने पहला अवसर मिलते ही इस बात से इन्कार किया कि हमारा कोई वास्ता है। और जब राज्य सभा में उन के नामों को चर्चा हा गई तो पहला अवसर मिलते ही उन्होंने इस सदन में कहा कि हम को इस

कोई मतलब नहीं है, हम निर्दोष हैं, हमारे हस्ताक्षर फर्जी हैं, जाली है।

अब प्रश्न यह होता है कि इस की जाच करने के लिए क्या सिद्धियाँ पार्लियामेन्टरी कमेटी बनायी जाय या और कोई तरीका हो सकता है। प्रश्न यही है, और कोई प्रश्न नहीं है। अब दूसरा प्रश्न लाया जा रहा है। मैं कहना चाहता हू कि जो सी० बी० आई० ने इस वक्त तक एफ० आई० आर० लाज की है उन में उन्होंने कहा है कि इस केस में फोर्जरी हुई है, इस केस में चोटिंग की धाराये इन्वान्ड है (व्यवधान)

श्री मधु लिमये अध्यक्ष महोदय, मेरा पाइंट आफ आर्डर है। विजनेस एंडवाइजरी कमेटी में आप को याद होगा कि मैंने कहा था कि एफ० आई० आर० फाइल किया जायेगा, कोई ओबलाइजिंग मजिस्ट्रेट कम्प्लेन लेगा। एफ० आई० आर० का काम शायद माननीय सदस्य ने देखा है। हम लोगों को देखने का क्या नहीं मिला? इस सदन की टेबिल पर क्या नहीं रखा गया? अगर हम प्रस्ताव पर ठीक से बहस करना चाहते हैं तो सब से पहले माननीय बाजपेयी को आप का देना चाहिए था और हम लोगों का देना चाहिए था। क्या इन लोगों का ब्रीफ किया गया है? (व्यवधान)

श्री अटल बिहारी वाजपेयी . विधि मंत्री महोदय दो बार बोले। उन्होंने क्या नहीं बताया एफ० आई० आर० में क्या लिखा गया है?

श्री मधु लिमये . हम लोगों को दस्तावेज मिलने चाहिये। इन लोगों को निजी ढंग से सरकार न यह सारे दस्तावेज किये हैं, और बहा पर बकासल की जा रही है। हम लोगों को एफ० आई० आर० मिलना चाहिये।

SHRI K P UNNIKRISHNAN (Badagara) Sir, here is an allegation which has come from Mr Madhu Limaye It has to be repudiated Now, Mr Chandrajit Yadav has only said apparently a forgery has been committed I come to the point FIR is a public document (Interruptions)

श्री मधु लिमये कही उन्होंने एप्लीकेशन दी थी? स्टाम्प लग कर अर्जी दी थी? हा या नहीं कहिए (अवधान)

श्री अटल बिहारी वाजपेयी अध्यक्ष जी, अब यह एफ गम्भीर मामल है। अगर ऐफ० आई० आर० दखिल किया गया है ता विधि मत्रो ने यह तथ्य सदन से क्या छिपाया? उन्होंने यह क्या नहीं कहा ऐफ० आई० आर० दखिल किया गया है। उन्होंने यह नहीं कहा ऐफ० आई० आर० मे क्या कर चीज है। य बात कायम के मम्बरो का कैसे मालूम है? जब कंस रजिस्टर किया गया तब उन को पूछा गया था कि राजस्वर का मतलब यह है। कि आप हम केम के बने म प्री एमटिव एक्शन ले रहे है। उन्होंने यह नहीं कहा ऐफ० आई० आर० दखिल किया गया है।

SHRI SHYAMNANDAN MISHRA (Begusarai) Sir, on a point of order The point is this that earlier, we had repeatedly asked the Hon Minister of Law to tell us as to what had been registered and when But, he refused to give us any information about that Now, it appears that all that has been made available to the Members of the ruling party The House has been meeting all the time But, this information has been withheld from the House I would like to know, whether it was proper to do

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS

(SHRI H R GOKHALE) Sir, I have not kept back anything Actually, when I dealt with this matter, on the earlier occasion, one hon Member wanted to say and put it in my mouth that the matter has gone to Court I said, the matter has not gone to Court, and therefore, it is not ~~sub~~ *sub* *judice* (Interruptions) You are asking me an explanation and I am giving it What I said was, a case has been registered in respect of what appears to be commission of some offences, that a case has been registered, investigation has commenced and that we have to await the results of the investigation Anyone who knows even a little of how the criminal law is set in motion would know that when a case is registered in respect of certain offences, it always begins by way of first information report I may not have used the word 'first information report' But, as I said, a case has been registered, it has not gone to Court Investigation has commenced Any investigation can commence only on first information report

SHRI SHYAMNANDAN MISHRA Was it not the duty of the Government to tell us what was the content of the FIR, when the House was seized of it? Why was the Government withholding it from us?

MR SPEAKER Now, any case that is registered is on FIR The FIR is an accessible document and the rule on accessible documents is that they are not produced in the House

SHRI SHYAMNANDAN MISHRA No Sir this applies to documents in Parliament Library, not to documents outside

श्री मधु लिमये यह एक रीशन केस है।

SHRI SHYAMNANDAN MISHRA: He did not want to give the date on

which the F.I.R. was filed. I ask you: did he not refuse to give the date on which the FIR was filed? He said a couple of days ago. Why was the Minister so hesitant?

SHRI JYOTIRMOY BOSU: All that I want to know from the hon. Law Minister is why he had chosen to use the word 'registered' instead of mentioning that it was the F.I.R. Surely, he knows how to take the House for a ride (*Interruptions*).

SHRI NOORUL HUDA (Cochar): Unless the F.I.R. is lodged in the court, it does not become a public document

श्री चन्द्रजीत यादव आपने सही रूनिंग दिया है और सही कहा है कि वह पब्लिक डॉक्यूमेंट है और कोई भी उसे देख सकता है। सीक्रेट डॉक्यूमेंट इस मदन में तीन दिन पहले लिमये जी ने पेश किया था

श्री मधु लिसये मैं मेज पर रखने के लिए तैयार हूँ। इन्होंने मेरी चुनौती स्वीकार नहीं की।

श्री चन्द्रजीत यादव हमने अधिकार को चुनौती नहीं आप दे सकते हैं। मुझे भी सूचना है कि उम में फोर्जरी, बीटिंग के अलावा यह कहा गया है कि उस में कास्टिप्रेसी है और यह भी कहा गया है कि इलीगल प्रेटिफिकेशन उम में इनवाल्ड है। ये क्रिमिनल आफेंसिस हैं। क्या समझ बैठ कर इन बातों की जांच करेगी कि कितने लोग इनवाल्ड है बाहर के किसी आदमी ने जानी हस्ताक्षर किए हैं, किम ने घूँस ली है। कास्टिप्रेसी किस ने की है। सदन का अधिकार नहीं है कि अडर दो ला आफ दो लैंड जो क्राइम कमिट हुआ है उसका यह कागजिबेस ले। यह ब्रिटिस पार्लियामेंट की भी मानी जानी

परम्परा है। हमारे सदन की भी है। अगर किसी सदस्य के आचरण सम्बन्धी काम है या सदन का बीच आफ प्रिविलेज हुआ है या सदन का कंटेम्प्ट हुआ है या सदन की मान हानि का प्रश्न है, सदन के विसेक-अधिकारो का प्रश्न है तो उसका यह सदन नोटिस लेगा लेकिन आज जो तथ्य सामने आए हैं उन से यह प्रतीत होता है कि कई ऐसी धाराये हैं जिन के अन्दर केस रजिस्टर हुआ है, क्रिमिनल आफेंस हुआ है और अब उस क्रिमिनल आफेंस की जांच कौन करेगा? दुनिया के हर देश में इस तरह के आफेंस की जांच कोई एस्टेबलिशड तथा आर्गेनाइज्ड एजेंसी करती है और हमारे देश में चाहे न्यायपालिका हो या पुलिस हों या सी बी आई हा वही उसकी जांच करती है।

सब से बड़ी बात यह है कि बीस सदस्यो न कहा है। कि उनका वास्ता इसमें नहीं है। वाजपेयी जी ने बहुत से प्रश्न उठा दिए हैं और कह दिया है कि पार्लियामेंटरी कमेटी बना दो। अब वहाँ पर साल दो साल मामले का पटनाए रखा जाए तो क्या होगा? उनके हस्ताक्षर है या नहीं इसकी जांच कौन करेगा? इंटराडिगि एक्सपर्ट ही तो उसकी जांच कर सकता है। वहाँ जांच पड़ताल हा जाएगी तो यह साफ हा जाएगा कि जो बीस सदस्यो ने बयान किया है, उनका इससे सम्बन्ध है या नहीं है।

अब प्रश्न यह है कि जो बीस सदस्य हैं उनका दोष है या नहीं है। सयोग की बात यह है कि इन बीस सदस्यो के नाम लिख दिए गए हैं, उनके हस्ताक्षर जाली बना दिए गए हैं। अब किसी का भी नाम लिखा जा सकता था, हमारा लिख सकते थे, वाजपेयी जी का लिख सकते थे, एस एन मिश्र का लिख सकते थे और भी कोई सदस्य ही सकते हैं जिन के सिगनेचर फॉर्ज बने कर सकते थे।

वाजपेयी जी ने इस कांड के सम्बन्ध में कई तथ्य दिए हैं। इस सम्बन्ध में आपने मुडगिल का हवाला भी दे दिया है। लेकिन वह कैसे भ्रमण था। उस केम में कोई क्रिमिनल आफिस इनवाल्ड नहीं था। एक सदस्य ने यह तथ्य किया था कि वह सदन में सबाल पूछेगा, मिनिस्टर्स के पास रिप्रिजेंटेशन्स करेगा, लोगों की उनके पास वकालत करेगा और ऐसा करने के लिए उन में वह पैसा लेगा। अब इस में एक सदस्य का परसनल कंटैक्ट इनवाल्ड था। मार्च 1951 में जब यह तथ्य प्रधान मंत्री के सामने आया, तो उन्होंने इसकी पूरी जांच कराई। मार्च में यह तथ्य उनके ध्यान में आया और जून में उन्होंने प्रस्ताव सदन के सामने रखा। इस में तीन चार महीने लग गए। जांच कराने में तथा तथ्यों का सदन के सामने रखने में तीन चार महीने लग गए अब वाजपेयी जी कहते हैं कि फौरन पार्लियामेन्टरी कमेटी बिना दो और मामलों का उसके सुपुर्द कर दो। एम प्रवीत होता है कि वाजपेयी जी की बहुत हमदर्दी उनके साथ हां गई है। हमदर्दी होना अच्छी बात है। वाजपेयी जी ऐसे आदमी हैं जिन की हमदर्दी सब के साथ होनी चाहिए चाहे वह किसी भी पार्टी का हो। लेकिन प्रश्न हमदर्दी दिखाने का नहीं है। प्रश्न पैदा होता है कि जा बीम सदस्य इनवाल्ड है उनके बारे में कैसे और कौन जांच करे, सी० बी० आई० करे या कोई दूसरी एजेंसी करे। प्रमाण मौजूद है कि सदन के सदस्यों में से कुछ ने इस के पहले भी क्रिमिनल आफिस किए हैं। उनकी जांच किस ने की। पुलिस ने ही तो की। सजा अदालतों ने दी। सदन का उमसे कोई मतलब नहीं था। वह परसनल कंटैक्ट था। इस वास्ते सदन ने उसका नोटिस नहीं लिया।

अब यह कहा गया है कि सी० बी० आई० की जांच पर हमें विश्वास नहीं है, वह पक्षपात करेगी, निष्पक्ष जांच नहीं करेगी तो इसके बारे में मेरा निवेदन है कि विरोधी

दलों का काम ही है कि आप किसी भी अधिकारी को जांच करने का काम सौंप दें उसके चरित्र के ऊपर, उसकी न्याय बुद्धि के ऊपर, उसकी निष्पक्षता के ऊपर सन्देह का एक वातावरण पैदा करने की ये कोशिश करते हैं। मन्त्रियों का नाम भी लिया जाता है। यह एक गम्भीर बात है। गम्भीर इसलिए है कि सदन के बीम सदस्यों के फर्जी दस्तखत करके उनको बदनाम करने की कोशिश की गई है, गम्भीर इसलिए है कि इस सदन की गरिम का ठोस पहुंचान की किमी व्यक्तित्व ने कोशिश का है और जिन ने इस तरह का गम्भीर अपराध किया है, उसकी पूरी जांच पड़ताल होनी चाहिए, अच्छे तरीके से होनी चाहिए। मैं आशा करता हू कि उच्च से उच्च अधिकारी के द्वारा यह करवाई जाएगी। सी० बी० आई० में जो भी अधिकारी जांच कर रहा है मैं समझता हू कि प्रगर वह नीबी भ्रमों का होता उच्च रेजी के अधिकारी में इसकी जांच करवाई जाए और आपका निर्देश देना चाहिए कि जल्दी से जल्दी जांच का जो निष्कर्ष है वह सामने आए और प्रगला सत्र शुरू होने से पहले यह जांच रिपोर्ट प्राप्त करने की कोशिश की जानी चाहिए। तब तक दूध का दूध और पानी का पाना हा जान चाहिए। कौन दोषी है कौन नड है इसका पता चल जाना चाहिए।

यह कह गया है कि प्रधान मंत्री चुन रही है, उन्होंने एना कुछ नडा करण। मैं समझता हू कि प्रधान मंत्रा के पास जब यह मसल आया या इसकी जानकारी उनको मिली तो इसकी पूरी जांच पड़ताल उन्होंने की। सदस्यों ने उनके पास अपने प्रतिनिधि भेजे और उन्होंने प्रधान मंत्री को इसके बारे में बताया। प्रधान मंत्रा जी जी ने इसको देखा और कार्रवाई शुरू की। आखिर एक तरीका होता है काम करने का एक दम फैसला नहीं हो सकता है। वाजपेयी जी ने तुलसीदास राम के बारे में गम्भीर आरोप लगाए हैं। यह नहीं हो

[श्री चन्द्रजित यादव]

सकता है कि आज आरोप लगाए और आज ही उनके खिलाफ एक्शन ले लिया जाए। उस सदस्य को भी मौका मिलना चाहिए कि जो आरोप लगाए गए हैं उनका वह जबाब दे सके। उतावलेपन में कोई काम नहीं चल सकता है।

श्री इयामनन्दन मिश्र : छ महीने पहले चार्ज लगाए गए थे।

श्री चन्द्रजित यादव : 17 अक्टूबर तक के मामले में आज

श्री इयामनन्दन मिश्र : डेढ़ लाख रुपये लिए हैं।

श्री चन्द्रजित यादव : सोनियर आदमी हो कर के इस तरह अपना दिमाग गरम मत कीजिए।

श्री इयामनन्दन मिश्र : छिपाइए मत। छिपा कर बात मत कीजिए।

श्री चन्द्रजित यादव : छिपा कर बात मैं नहीं कहता हूँ। मैं सच्ची बात कहता हूँ। इसलिए आप को दर्द होता है। अटल बिहारी वाजपेयी जी ने दो चार्ज और लगाए हैं आज। जरा बुद्धि का प्रयोग कीजिए।

श्री इयामनन्दन मिश्र : पुराने का क्या हुआ ?

श्री चन्द्रजित यादव : पुराने को छोड़िए। तुलसीमोहन राम जी आज नहीं हैं यहाँ पर। उन्हें इस बात का मौका मिलना चाहिए ... (उत्सव) ... मैं किसी की बकालत नहीं करता। मैं ने शुरू में कहा है कि अगर किसी सदस्य के आचरण के संबंध में कोई गंभीर बात कही जा रही

है और अटल बिहारी वाजपेयी जी ने कही है, मैं उन की बात को चुनौती नहीं देता हूँ। मैं नहीं कहता कि वे झूठ बोल रहे हैं या ऐबसब बात कर रहे हैं, वे एक जिम्मेदार व्यक्ति हैं, उन्होंने एक तथ्य सदन के सामने रखा है और मैं आशा करता हूँ कि जब वे तथ्य सदन के सामने रख रहे हैं तो उस के साथ और जितने उन के पास प्रमाण है वह सारे के सारे प्रमाण सदन के नेता को दें या आप को दें श्रीमान्, आप हमारे अध्यक्ष हैं। आप के सामने रखें। आप के सामने एक बात आई और तत्काल आप ने उस के ऊपर कार्यवाही की। तत्काल सरकार ने उस के ऊपर कार्यवाही की, कोई परदा डालने का मशा नहीं था। लेकिन कोई बात है तो उस की जांच पड़ताल एक विधि तरीके से कायदे से होनी चाहिए और इमीलिए मैं कहता हूँ कि इन बातों के ऊपर कोई ससदीय कमेटी आज के वक्त बनाना मुमकिन नहीं है जब तक तथ्य सामने नहीं आ जाते हैं। और मैं दरवाजा बन्द नहीं करता। मुमकिन है कि सी० बी० आई० की रिपोर्ट आए, उस में सी० बी० आई० की रिपोर्ट आने के बाद यह बात साबित हो कि बहुत सी बात ऐसी है जो सी बी आई नहीं कर सकती, जैसे अगर सदस्य के आचरण का सबध है तो सी बी आई उस उस में कुछ नहीं कर सकती, सदन की मान-हानि का सवाल है तो सी बी आई नहीं कर सकती, सदन के विशेषाधिकार का प्रश्न है तो सी० बी० आई० कुछ नहीं कर सकती, इसलिए जब वे तथ्य सामने आ जायेंगे तब उस वक्त अगर सदन उचित समझेगा तो मैं आप को यह विश्वास दिलाना चाहता हूँ कि उस अवसर के ऊपर या किसी भी अवसर पर अगर यह उचित होगा कि सदन की कमेटी इस काम के लिए बनाना जरूरी है तो सदस्यों को जिन के नाम इन्वाल्ड हैं उन के नाम को इस से मुक्त करने के लिए और जिन के आचरण दोषयुक्त हो या अगर कोई अपराधी हो तो उस को उचित सजा देने के लिए सदन की कमेटी बनाई जा सकती

है। इस को मैं रूल आउट नहीं करता हूँ। इन्हीं शब्दों के साथ मैं यह समझता हूँ कि इस बात को इतना तूल नहीं देना चाहिए। हमारे 20 सदस्यों के नाम इस में इन्वाल्ड हैं। उन्होंने भी एक बात कही है। लेकिन तथ्य सामने आए, सच्चाई सामने आए, सही बात पर परदा न पड़ सके उस के लिए एक जांच हो रही है। जांच होने के बाद मैं आशा करता हूँ कि सदन को भी उस के क्या परिणाम हैं उन से अवगत कराया जायगा ताकि जो एक माहौल बन रहा है उस की सफाई हो सके।

मैं एक और प्रार्थना करना चाहता हूँ। अभी वाजपेयी जी ने कहा कि प्रजातंत्र के बड़े गंभीर दोष भी हैं। हम सब जानते हैं। लेकिन प्रजातंत्र की बहुत सारी अच्छाइयाँ भी हैं। सारे दोषों के बावजूद भी अगर दोष और अच्छाई दोनों को तराजू के दो पलड़ों पर रखा जाय तो यह दुनिया ने साबित किया है कि प्रजातंत्र से बेहतर कोई राजनैतिक व्यवस्था नहीं है और इसीलिए हम ने अपने देश में एक प्रजातांत्रिक जनवादी व्यवस्था कायम की है। हम समझते हैं कि प्रजातंत्र हमारे देश में मजबूत हो, उस की गरिमा बड़े, जनता के अधिकारों की रक्षा हो और उस के लिए जो कुछ भी करना होगा मैं इस सदन को विश्वास दिला कर कहना चाहता हूँ कि विरोधी दल का कोई भी व्यक्ति प्रजातंत्र की रक्षा के लिए और इस सदन की गरिमा के लिए जितना भी करना चाहते हैं, उससे कस हम कांग्रेस दल के लोग नहीं करना चाहते हैं। इन्हीं शब्दों के साथ मैं यह कहना चाहता हूँ कि इस प्रस्ताव को इस वक्त नहीं स्वीकार किया जाना चाहिए।

श्री अटल बिहारी वाजपेयी : अध्यक्ष महोदय, चर्चा सार्थक हो और यह चर्चा सब तथ्यों को सम्मने रख कर चले इस के लिए जरूरी है कि एफ आइ आर की एक कापी सभा पटल पर रखी जाय। यह बहुत जरूरी है।

SHRI SHYAMNANDAN MISHRA: It is very material for the consideration of the motion. Let them place a copy of the FIR on the Table of the House.

MR. SPEAKER: The Minister has already informed the House of the position. The FIR is not a secret document. Under the Indian Penal Code and the Code of Criminal Procedure, the practice is that when the case goes to the court you can see the FIR.

SHRI SHYAMNANDAN MISHRA: We are not told about the date when the FIR was registered and where it was registered. That is also not being mentioned to us.

SHRI SEZHIYAN (Kumbakonam): On that day I put a specific question as to when the case was registered and the Minister said, 'A couple of days ago'. 'A couple of days' would mean anything.

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI H. R. GOKHALE): I made the statement on the 3rd and when I was asked about date, I said, 'Within the last couple of days'....

SHRI SHYAMNANDAN MISHRA: We want the exact date.

SHRI H. R. GOKHALE: At that time the date and time of registration were not exactly known to me. I can tell the House that the case was registered on the 2nd morning.

SHRI BHOGENDRA JHA (Jainagar): We are not being told from which court a copy can be had. Unless we get the case number and the name of the court from where we can get a copy, the discussion will be incomplete. (*Interruptions*)

अध्यक्ष महोदय : अगर आप मुझ से कहते, मुझे नोटिस देते तो मैं ही उन से पूछ लेता।

श्री श्याम नन्दन मिश्र : उस दिन हम लोगों ने कई बार इत्तज़ा की, कई बार पूछा, बड़ी मिन्नत की, हमारे पूछने से इन्होंने नहीं बताया। ऐसे ही झुंझुं उधर की कहते रहे। इन को तनख्वाह हम सबों से मिलती है और काम करते हैं सिर्फ़ अपनी पार्टी का।

SHRI BHOGENDRA JHA: He must tell us the name of the court also.

MR. SPEAKER: Please try to make use of every available minute. If you start raising points of order, the time will be over.

Mr. Jyotirmoy Bosu.

SHRI JYOTIRMOY BOSU: Mr. Speaker, Sir, at the very outset I must express my disappointment at the way Mr. Gokhale, a former High Court judge and the Minister of Law of Government of India, has tried to take advantage of the ignorance of law on the part of many of us. He had chosen to evade the question which I had put to him repeatedly till such time as my friend in the *Hindustan Times* had made it a front-page story in clear and categorical terms which was the only indication available to us which was acceptable. Mr. Gokhale knew that, if he had used the words 'F.I.R.', some of us would at once make a move to get hold of a copy of that. Therefore, instead of that—he had chosen to hoodwink us—he had used another expression 'the case has been registered'. 'The case has been registered', to a layman like me, could be a case registered in a court of law. could be a case registered by the CBI. CBI itself taking cognisance? I am not really an expert. Mr. Gokhale, taking advantage of his knowledge in law, has taken advantage of our ignorance of technicalities of law. That is a matter of great shame and pity.

To say much on this issue, which has been debated considerably will amount to "gilding a lily", because

such things have been revealed during the last seven days. After that, I do not really think that there was any necessity for the Government to put up a defence to-day. If I were you, I would have boldly come forward to say that a parliamentary probe will be instituted, to put an end to all suspicion and controversies.

To-day, a day, when practically a no-confidence motion is being moved against the Government, the Prime Minister is away and her close partner and confidant in those adventures is in the dock. To-day, Mr. Vajpayee reminded us about her utterance in Ambala in which she had chosen to bracket herself with this Minister against whom serious corruption charges including the demand for the one by the Commission of Inquiry on Bharat Sevak Samaj are there.

MR. SPEAKER: The debate is purely on the licence matter but you are going over a hundred and one things.

SHRI JYOTIRMOY BOSU: I want to ask. Mr. Gokhale, have you covered in the CBI or FIR registration, the aspects of cheating, the aspects of forgery, the aspects of IPC Section 162 regarding inquiry into illegal gratification of MPs., officials and others and tell us how big the canvas of this investigation.

The CBI, as it stands to-day, cannot cover the Ministers of Governments which is so very important and necessary in this case because Mr. L. N. Mishra is the first man who should be examined.

I want to know whether you have told the CBI to submit an interim report before the winter session so that those who are in favour of the CBI inquiry, at least could see what they have to say about instituting a parliamentary probe, but we are not in that

category. We are strongly in favour of a parliamentary probe.

Secondly, the day I spotted the news in the Blitz which I congratulate for focussing the nation's attention on this matter. I immediately wrote to you, Mr. Speaker and you wrote to the Government. Then the CBI came into the picture and they kept even the Speaker in darkness. Then five months have passed after I had written. Only when I moved the privilege motion in the House a case was registered. Shame on them. In Tulmohan Ram, he had broken down and confessed that a lakh and a half of rupees had come to his pocket. I want to know. You have said categorically and clearly that you were kept in darkness. You were not given any intimation by the CBI. Why is it? Why have you kept you them in darkness? What did the Prime Minister do on the Blitz publication? Now you had five good months from the end of March. Why is it that now you are coming out with a proposal for a CBI inquiry? What were you doing during the last five months? Is it a fact that you told them to treat it as an unregistered case and an unregistered inquiry so that nothing, no document and nobody would be caught. Now, after you have been caught red-handed here, you are forced to make it a registered case and you are enacting dramas and doing gimmicks.

These licences were worth Rs 30 lakhs and I am told the market value including the premium that goes with it is over Rs. 1 crore. I am also told that Shri L. N. Mishra signed the file only two days before he relinquished charge of Foreign Trade Ministry.

SHRI L. N. MISHRA: No, I contradict it.

SHRI JYOTIRMOY BOSU: A parliamentary probe will discover it.
(Interruptions)

I want to say that this is the reason why the Lokpal Bill has been kept in

cold storage because the Ministers of the Congress Government must be kept out of the purview of any inquiry into charges of corruption.

Shri D. Sen, the present Director, as a token for his services rendered, has been promised an extension of two years, but not at a time. It would be one year and after seeing the performance he renders for the removal of Garbi Hatao of Shri L. N. Mishra and Shrimati Gandhi, he will be considered another extension.

Mr. Mishra considers Shri Darbari a competent man against whom corruption charge has been levelled. I have also written to the Prime Minister that he owns an industry in Ghaziabad, he owns shoddy mills and own taxis in Delhi. But nothing happened to that. He has to look after the interests of Shri Mishra. Let us analyse the issue now. What is it? Shri Chattopadhyaya said that seventeen parties had asked for the revival of licences. On scrutiny it was found that six cases were rejected. Whatever was allowed to be imported by them was not to the fullest extent but only to the extent of 50 per cent.

When this was pointed out by Shri Kulkarni, a Congress Member, the Minister was stating that by a mere slip of mistake those industrialists were not included. Was it not a fact that the very industrialists approached the Government in 1955-1956 for getting the licences and the government, for reasons well known to them—I do not know them—refused the licences. Then, suddenly the applications were received and Shri Mishra granted the licences. There are reasons for it. I would like to know from the Government what is the valid reason taken into consideration for issuing the licences.

Then, Sir, I want to find out from the hon. Minister whether these firms are really owned by licensed parties or whether these licences were sold and the importers themselves did not

[Shri D. Sen]

import anything. Is it also a fact that Shri Mishra's contributors wanted to make use of the title that they were established importers?

Also I want to know how many more licences were issued to the same set of firms. Also we want to know whether this issue came up before his three predecessors—Shri Manubhai Shah, Shri Bali Ram Bhagat and Shri Dinesh Singh. Is it not also true that this is a case similar to that of Messrs. Tulsia Stainless Steel Case—Karnataka Export—when my friend, Shri Mishra's vital conditions and opened the flood-gate of loot favouring the importation of the stainless steel by Shri Tulsia Steel?

Is it a fact that all the three predecessors had rejected their applications? But, all the seven applications were rejected by Shri Manubhai Shah, Shri Bhagat and Shri Dinesh Singh after considering them.

Now I would like to know what was the ground on which they had rejected the applications? They went to the Madras High Court where the litigation was going on for four years and then Shri Mishra did a good job. In that litigation case he made them withdraw the case. What was the reason? If I am right, was it for pre-1972 election fund collections? May I put the question? The Minister wrote that if justice had not been done, licence should be given. I want to ask both of you a hypothetical question. Were you in possession of all the facts before you? Then comes the question—why a memorandum from as many as 21 Congress M.Ps. was necessary? Was it to strengthen your elbow? It was all very well thought-out and all those whose signatures are genuine are very very close to Shri Mishra. Then, of course, M. Ps. from Bihar were feeling very strongly to help in the economic growth of Pondicherry in Tamil Nadu. It is very significant that Shri Mishra is a mere commissar to put the needle

and extract blood. The *Hindustan Times* clearly said at least seven to eight signatures were genuine. I want to ask Shri Gokhale, the former and the famous High Court Judge, my lord, as he was accustomed to be called a question. Did you both or advise them to refer the signatures before they were stolen and mis-placed? Did you send them to hand-writing experts? You have got so many hand-writing experts with you. The answer is 'n'. I guess in some cases signatures have been forged because I know at least one M.P. who does not even spare his own brother. The names of such M. Ps. have been included in it with whom he does not see eye to eye. He shrewdly killed two birds with one stone. That is a wonderful performance. He has feathered his own nest and at the same time broken the nest of his opponent. It has become a standing scandal in this country and particularly for the ruling party going in for permits, licences and favours.

श्री विभूति मिश्र (मोतीहारी) : हम लोग किसी के लाइसेंस के लिये नहीं जाते हैं। आप गलत कहते हैं।

श्री ज्योतिर्भय बसु : मिश्रा जी, आप के बारे में कुछ नहीं बोला, शुगर मिल और कार के बारे में कुछ नहीं बोला।

Sir, I know of one M. P. whose brother is in coal business in Bihar coal-fields area. He did not spare his own brother for giving wagon permits. He collected Rs. 30,000. There are cases of cooking gas, petroleum, railway wagons, etc. It has become a 'Give and Take' affair. That is, Mr. Minister you remain a Minister and have the plunder but let us have a little slice. Don't forget the legs of your 'kursi'. Shri L. N. Mishra has a scientific mind with regard to distribution of power. His mechanisation and arrangement in Parliament and his arrangement in Patna are superb,

I would like to learn from his methods.

Sir, many of them pressed for a Parliamentary probe but under the Prime Minister's pressure they withdrew. If you read the articles in *National Herald*, *Hindustan Times* and Part II daily one after another you would be more convinced. Sir, my information is the whole thing was done at Akbar Road residence of the Minister.

In one case the paper was taken to Nursing Home for signature and the most interesting thing is the Congress M. P. is closest to Lalit Narain Mishra. Mr. Tulmohan Ram—Mr. Vajpayee has said and the information was also in my possession with photostat copy—I am subject to correction, has already collected and contributed rupees one and a quarter lakhs. To keep him going with silk kurta and beautiful hair oil, of course complexion does not matter—why are you trying to discredit your dead father? Why are you allowing such people to build schools and give honour to your father's name?

SHRI L. N. MISHRA: How could you say I have done it?

SHRI JYOTIRMOY BOSU: Sir, I would like to ask one simple thing. The matter came up in Rajya Sabha on the 27th August and today is 9th September. Thirteen days have passed. Where is Mr. Tul Mohan Ram, Mr. Raghu Ramaiah? You have a vanishing trick, I know. Can I not demand that this Government was responsible to produce him on the 28th August. But, because of this conspiracy, which involves the fountain head of corruption in the country, down to Mr. Tul Mohan Ram, you cannot see his face. He is under the protection of the Government of India's rubber seal. You cannot approach him.

Sir, I am told that this man is reported to have confessed that he has received a lakh and a half. I would like to ask this question. Mr. Speaker,

Sir, you acted on my letter and wrote to the Government. I would like to ask, what did the Prime Minister do? She has a large establishment of information and broadcasting, who are giving out paper clippings every day. What did she do? *Blitz* is one of the largest circulated weeklies. It came out with a broad face that one of her MPs. has taken money for selling licence. What did she do? Nothing was done. This shows, corruption is from the top to the bottom. Sir, he is shielded by very powerful persons including Mr. L. N. Mishra and he is doing very brisk business in coal wagons. He has mentioned about salt. I will tell you the rates

Sir, I will take ten minutes more. This is the last day. For two months, I will not come near you. I assure you I would not take much time.

MR. SPEAKER: You conclude in three-four minutes.

SHRI JYOTIRMOY BOSU: The business in coal wagons has become one of the juiciest things. But, still, I am told, the Minister is not very happy because Industrial Development Ministry offers better scope for operation, than Railways. Applications are being made 'Let me be shifted from Railways to Industrial Development', where there is lot more money, no accounting, no *hisab*. But, you have fixed the rates for Punjab and Haryana. For one rake of 60 wagons, between 60,000—80,000 tonnes, for Bombay, it is Rs. 2 lakhs. Therefore, Sir, if Mr. Tul Mohan Ram prospers, his master also prospers and prosperity is assured. *Garibi Hatao* is taking place; distribution of wealth is taking place.

MR. SPEAKER: You confine yourself to the motion.

SHRI JYOTIRMOY BOSU: I am absolutely on the motion. I would like to ask Mr. Uma Shankar Dikshit a question. Is it a fact that Mr. Tul Mohan Ram was involved in the case of a car being caught smuggling? Is it a fact that the car was taken in

[Shri Jyotirmoy Bosu]

the name of an MP of your party, Mr. Besra and that car was taken to Bombay and caught smuggling? I would like to know the details.

MR. SPEAKER: May I tell you this. This motion is very specific. If you bring in any other MP or any other issue, proper notice has to be given. It is not a general debate

SHRI JYOTIRMOY BOSU: I am only discussing Mr. Tul Mohan Ram. Mr. Dikshit could tell us whether the car was taken out of Mr. Besra's MPs' quota and it was caught in a smuggling operation. Is it also a fact that the car was given to a person—sold or given I do not know—at the request of Mr. Tul Mohan Ram? Is it also a fact that Mr. Tul Mohan Ram collected Rs. 24,000 from a Chandigarh firm with promises made to them? I would like to know this.

MR. SPEAKER: Try be relevant on the motion.

SHRI JYOTIRMOY BOSU: Sir, Mr. Tul Mohan Ram

MR. SPEAKER: Call a man Tul Mohan Ram and damn him. What is this? You should be relevant to the motion.

SHRI JYOTIRMOY BOSU: I am not talking about Misras, Pandeys, Jadvas and Besras. I am only saying that Mr. Tul Mohan Ram is flourishing under the god-sent patronage of Shri L. N. Mishra; he is a God-fearing man; does puja with talisman all over the body; you cannot touch him. These are small fry; they are used as baits for the wolf and the wolf is sitting opposite. Even if you take Shri L. N. Mishra's personal explanation of 29th August, 1974, can he be absolved of the charges? No. According to the Chagla Commission report, it is quite clear. The report says:

"In my opinion it is a clear that constitutionally the Minister is responsible for the actions taken by the Secretary or other officers. With regard to this transaction it is clear that the Minister must take the responsibility for actions done by his subordinates and he cannot take shelter behind them nor can he disown their actions. The doctrine of ministerial responsibility has two facts: the Minister has complete autonomy within his sphere of authority, as a necessary corollary he must take full responsibility for the actions of his servants. The Minister must fully and squarely accept responsibility for his Secretary."

This clearly lays down that Mr. L. N. Mishra cannot escape responsibility. I know full well, unless proved otherwise, that he was the mastermind behind this. The reverse process had been started by him. We know his misdeeds in the Bharat Sevak Samaj and the Tulsian stainless scandal. The file was burnt. There was then the rag scandal.

He wrote to Mr. Tariq IMPEC to give Rs. 80,000 to friends in Bihar under pretext of some documentary film. Mr. Tariq refused and declined to give money. He was after Tariq. I am concluding, Sir, Tariq wrote to the Prime Minister with a photostat copy. When Mr. Tariq spoke in Ambassadors' Conference about film smuggling, Shri L. N. Mishra asked the Joint Secretary, Sardarji, to write to Mr. Tariq not to raise it because it embarrassed the Government. He says do not speak against smugglers; Mr. Haksar knew about it. In another case Mr. L. N. Mishra pressurised Tariq to give a big loan to a Hindi film.

MR. SPEAKER: This is a debate on the licence issue. You are raising all sorts of questions which have nothing to do with it.

SHRI JYOTIRMOY BOSU: I only want to say that the two reports of the

Bihar M.L.As and the Committee of Privileges should be gone through. A parliamentary probe is necessary because he is the master-mind. When they asked for further loans from the IMPC and those were refused, he immediately started attacking the IMPC and letters were written by MPs of the Congress Party. I am told that my friend Mr. Barupal can say about this. So, it should be done only by a Parliamentary Committee; the CBI is totally incompetent to do this (Interruptions).

MR. SPEAKER: The main motion is about the licence issue. If you extend the scope I am afraid that the real subject will be lost.

SHRI PILOO MODY: Shri Tul Mohan Ram is already lost.

SHRI JYOTIRMOY BOSU: I mentioned only Mr. Tul Mohan Ram whose immediate boss is Mr. L. N. Mishra and the immediate boss of Mr. L. N. Mishra is Mrs. Gandhi.

MR. SPEAKER: I think one day I will allow you to say anything that you want to say.

SHRI JYOTIRMOY BOSU: When will be that day?

MR. SPEAKER: Sometime, so that your main ambition may be fulfilled.

SHRI PRIYA RANJAN DAS MUNSI (Calcutta-South): Sir, I was listening to the speech of the most sincere and non-corrupt member, of Parliament, Shri Jyotirmoy Bosu. I do not believe that any Government can rule a country by legal and constitutional authority alone. It also requires moral authority. Now, who is the judge of morality? Morality can be judged from the past and present conduct of the party ruling the country and from that people can know about their future postures. In some cases, specially in developing nations, due to the monopoly press propaganda or suspicious efforts of character assassination are made by a section of vested interest among the people against a party or individual in the party. In such cases, morality comes from within and that cannot be judg-

ed by sayings of the people. I quote Swami Vivekananda, who is the fountain of our moral power:

“Let people say whatever they like. Stick to your convictions and rest assured, the world will be at your feet. They say, ‘Have faith in this fellow or that fellow’. But I say, ‘Have faith in yourself first.’ That is the way. Have faith in yourself. All power is in you. Be conscious and bring it out. Say, ‘I can do everything’. Even the poison of the snake is powerless if you can firmly deny it.”

The heritage and traditions of the Congress Party to which I have the honour to belong are such that in spite of some shortcomings and failures, it had proved to the people that it had never refused to face any challenge and faced the truth whatever the consequences might be, on the ground of ideology, rules and principles. Members belonging to Punjab will know that Mr. Pratap Singh Kairon had to face a probe, although he had done so much for the progress of the country. Similarly, Mr. Biju Patnaik of the Pragati Party formerly belonged to our party and the Congress Party did not spare him from a probe. There are several such instances in the States where whenever serious allegations have been made by the opposition parties or even by the Congress Party members, the Congress Party had faced the challenge with courage and came out successfully in establishing the truth. To give a recent instance, the West Bengal Government has appointed the Wanchoo Commission and the ministers are facing the probe ordered by the same Government. Mr. Vajpayee was quoting with pride the Mudgal case which was—ordered to be enquired into by Pandit Jawaharlal Nehru. From where did that heritage and tradition come? It is from this very Congress Party. Today when the country is facing such a serious economic situation, not only members of

[Shri Priya Ranjan Das Munshi]

this House but outside people also have developed some doubt in the general establishment because of their many difficulties in regard to food, shelter, accommodation, etc., and they might have challenged the Government's authority in regard to many questions like corruption, scandal or any other thing. I do not like to deny all those points. But I would like to submit that this Parliament has the authority of the Constitution, this House has the authority of the people of this country to find out the truth. At the same time, let us not place this Parliament and its Members in a situation where people will have a doubt, a suspicion or disbelief and misgivings about the very existence of Parliament and the conduct of the Members of this House. It does not matter whether a member belongs to the Congress Party or any other party, the moment he enters the office as a **Member of Parliament he undertakes** upon himself two responsibilities, one to the people through whom he got elected and another to the party and the nation which he represents.

18 hrs.

While serving as a Member of Parliament in a mixed economy, in a society like ours, can any member from the opposition or the ruling party deny that, in spite of his unwillingness, he is forced to move, to fight for individual cases, be it a person or a company, where he finds that deliberate injustice has been done in that case? It is not a question of what Blitz published or what Shri Tulmohan Ram did. Let us ask our conscience, is it not a fact that we have many a time pleaded for this party or that party, be it for an industrial licence or some other thing, to one Minister or another, for the people in our constituencies when we felt that an injustice has been done? I am not accusing any particular political party or questioning the *bona fides* of any particular member. I am only stating what is generally happening in the

performance of his duties by a Member of Parliament in this country. Merely because the society has developed a feeling of taking it for granted that anybody who functions will function only in a corrupt way because of the feeling that political people are generally dishonest, to say that every member or the leader of every party is dishonest is not proper and I cannot understand this way of looking at things.

I am extremely sorry that for the last one week arguments have been put forward by the members of the opposition on many aspects connected with this licence issue. It is alleged that the signatures of 21 members have been found in a representation and those signatures are alleged to be forged. Is it not a clear criminal case? In the case of a criminal case there are various agencies of the Government which will deal with it. It is not the function of Parliament to enquire into criminal cases. Merely because some Members of Parliament are involved in a criminal case, merely because some members belonging to the ruling party are involved in a criminal case, why bring in the agency of Parliament to enquire into such cases?

This very Parliament itself, by its own laws, set up various agencies for dealing with various aspects of administration, one of which being the CBI. If the Parliament is to take up all those functions, then let us abolish the CBI, the Vigilance Commission, the income-tax department through which Shri Ganesh is raiding lakhs and crores of rupees by way of raids. Let us also abolish the entire judicial system and let everything be done by Parliament through a Committee. If a theft is committed in the house of Shri Jyotirmoy Bosu, the whole case will go before a Parliamentary Committee. If there is a burglary in the house of Shri Atal Bihari Vajpayee, another Parliamentary Committee of ten members belonging to a particular party will look into it. If this is the

way we are going to function, then what is the point in creating those various agencies for administering the country?

Then it is being alleged that the CBI is being guided either by the Congress Party or by Shrimati Indira Gandhi. The real test is how the ruling party or the Government functions in a crisis. Can anybody from the opposition deny that in the hour of crisis, at the time of war, the Government functioned in a way which got acclaim from all sides of the House? When we fought for the liberation of Bangladesh, there was praise from all sections of the House for the way in which we functioned. I agree there are bad officers, there are bad policemen and bad political leaders. Nobody denies that because it is that society to which we belong and we are fighting to change that society.

I do not know who indulged in this game of licence. May be, it is somebody who is not wanted by the people or the House. The truth will definitely come out. I know it is the character of the Congress Party that, whosoever it may be and howsoever powerful he may be, it always takes the stand by what people desire, what people want, and not by the pressure or counter-political conspiracy or game of some mischievous political forces who always take such issues and not the issue of the people of this country. I am not saying that Mr. Jyotirmoy Bosu is a corrupt man, nor am I talking of what he does or he does not do. Mr. Jyotirmoy Bosu always uses the expression 'I am told'. He says, 'I am told that Shrimati Indira Gandhi is doing this'. 'I am told that Rs. 30 lakhs have been given' and so on. I am also told Sir, in Calcutta he does certain bad things, I am told in Calcutta that he is in league with the British controlled business; he has dealings with Hindustan Motor management. Does that amount to any substantial truth? If I say that I am told that some Members belonging to CPM were involved in employing

gangsters to rob a bank, would you agree for a Parliamentary probe? Can that be established? If I say that I am told that three or four members sitting on that side are involved in robbing the National & Grindlays Bank could that be proved? I can take advantage of 'I am told' to malign people. (*Interruptions*) Why are you getting excited, You go and file a suit against Indian Observer... (*Interruptions*).

SHRI JYOTIRMOY BOSU: That pornographer has become the biographer of the Prime Minister. Here you can see Mr. L. N. Mishra's photo

SHRI PRIYA RANJAN DAS MUNSI: I am not taking advantage of *Indian Observer* because I know its tradition is to expose, to make naked pictures, to publish vulgar things, and if Mr. Jyotirmoy Bosu belongs to that category, vulgarity, I do not find any objection. If he does not belong to that, I am glad. (*Interruptions*)

SHRI JYOTIRMOY BOSU: Mr. Durlab Singh and Mr. Harbans Singh have been paid by the Congress Party to malign us. (*Interruptions*) The pornographer has become the biographer of our Prime Minister. How many times have they been prosecuted? (*Interruptions*) You find the photo of Mr. L. N. Mishra. A shame on you. You are quoting the *Observer*.

SHRI PRIYA RANJAN DAS MUNSI: I am extremely grateful to Shri Shyamandan Mishra, Shri Atal Bihari Vajpayee, and Shri Jyotirmoy Bosu for their sympathetic observations for their attitude towards the members of this side. Three or four days back they said that it was not that they wanted to fight politically, they wanted to get the charges cleared. I am grateful to them for their sympathy towards the members on this side.

SHRI PILOO MODY: I have no sympathy.

SHRI PRIYA RANJAN DAS MUNSI: You were busy because in Orissa the Swatantra Party's Government had been trapped by the Kendu Inquiry Commission for plundering crores of rupees in which Shri Piloo Mody has a large share. Mr. Bosu, have I done anything wrong to you? Why are you then interrupting me?

Interruptions

SHRI JYOTIRMOY BOSU: Your Mr. Ram Gopal Reddy says something in the morning and says 'Galath' in the evening. Shame, shame. Do you talk through your mouth? (*Interruptions*)

SHRI PRIYA RANJAN DAS MUNSI: Have I no liberty to express my views?

SHRI JYOTIRMOY BOSU: A bunch of dishonest people... (*Interruptions*)

MR. DEPUTY SPEAKER: Order, please... (*Interruptions*)

SHRI PILOO MODY: The Chair cannot be abler than the Member.

SHRI PRIYA RANJAN DAS MUNSI: I am extremely grateful to hon. Members, Shri Shyamnandan Mishra, Shri Atal Bihari Vajpayee and Shri Piloo Mody for their sincere sympathies for the Congress members and they said that they want to protect the Congress Members from this trap. I am grateful for this but I would like to quote also one popular *shair* in this connection. It says that some members who have neither their house nor shelter nor any protection of defence do try to protect those who have found their establishment and shelter. The popular *shair* goes:

नहीं है जिनको भरोसा खुद अपनी कानो पर
दर नाखुदा के सहारों की बात करते हैं।

Now, you know Shri Piloo Mody the leader of the national alternative. Sir, if this side is full of thieves. I do not know whether the national

alternative is some better, dacoits or not. But the national alternative is also wedded to this demand. But this national alternative should know that the Kendu Leaves Inquiry Commission has come out with the truth. Let them have a look at that report first...

SHRI MANORANJAN HAZRA (Arambagh): On a point of order, Sir.

SHRI PRIYA RANJAN DAS MUNSI: This is not your Party, but his party.

SHRI JYOTIRMOY BOSU: The hon. Member said...

(Interruptions)

SHRI PRIYA RANJAN DAS MUNSI: I am not accusing your Party. Why are you getting excited?..

(Interruptions)

Mr. Jyotirmoy Bosu, please do not interrupt me. I will reveal the whole thing.

SHRI PILOO MODY: Would you not yield to me?

SHRI PRIYA RANJAN DAS MUNSI: No, no. There are three questions. The first question is that full facts are yet to come... (*Interruptions*) All the facts have come, nothing still remains to be revealed. Everything has been revealed.

The second question is: whether it should be a parliamentary probe or probe by the CBI. I have not come here in defence of CBI nor any officer of CBI. I would like to submit. Is it our task every time to accuse and condemn wholesale the agencies of the Government who had done some good work in their respective fields? Is it that the Members of the Jana Sangh are worried about the CBI because the CBI is inquiring into the Ananda Marg scandal and R.S.S. affairs? Is it that the Cong (G) is worried about the CBI because it is inquiring into the misdeeds of its

members and also because it is going to take up another scandal relating to Shri R. N. Goenka? If they are really worried about CBI and that Shrimati Indira Gandhi is protecting any officer, well, in that case, we have no objection if, after the report is submitted, members find that they are not satisfied. They have every right to demand again for the truth or the revelations as hon. Shri Samar Guha demanded the result of the Netaji inquiry. We have no objection to it, but let the investigation be first over.

About parliamentary probes in England, you know, most of the members know and especially, Shri Madhu Limaye to whom I have great respect and I do take it as a privilege to learn from him about rules of procedure of this House and those obtaining in the House of Commons. I would like him to enlighten me on one point.

Is it not a fact that in the House of Commons, immediately after the enactment of 1921 Tribunal of Enquiries Act there was a clear observation on the point that in the case of a deep-rooted nature where criminal things were involved, there, even a parliamentary probe was not sufficient because, in that case, political aversions and political vendetta are always revealed and as such, this should have been taken first for investigation by a government agency?

I would also cite one case of 1912. It is known to Mr. Madhu Limaye. It is about the British Marconi Company. The report of the parliamentary probe committee very clearly revealed that there was a tremendous fight not to reveal the truth but to pull down one political group or the other political group.

I am not questioning that this House is not above all. I am saying that they are a political wing and we too are political wing. Some of our Members will be in a Committee; some Members on the other side will also

be Members of the Committee. It is a fact that in a parliamentary democracy, everybody knows that everyone wants to test everything. But, there is a limit for this which is permitted by the Committee. If a parliamentary probe is conceded, who will examine the forgery—will he be Shri Bosu or Shri Vajpayee? They can at the most have an interlude with Shri Lalit Babu for their political satisfaction.

ललित बाबू, आपने क्या लिया, हा हा हा
I agree that we can do this job through an agency of the Government since we have confidence in the agency of the Government. If the report of the investigation comes before the House and if the Members find that there is something lacking or if the Government has deliberately suppressed anything, there is nothing to prevent us from reopening the chapter. What I would submit is this. It is no good maligning the Members of my party or the Members of the opposite. Today Shri Tul Mohan Ram may be a Member from this side and tomorrow, he may be a Member of the other side. (Interruptions) Why are you laughing? He was once a Member of the Socialist Party. You were also a member of the British managed house. You are now not even a Member of the Communist Party (Marxist). How does this matter? I would submit one thing to Members from this side as well as the other side that this Parliament should take it as granted that truth should come out and we must ask for the truth and it should not be suppressed. I do swear in this House that if we find that after the investigation report comes that some offence has been committed by the Member, however powerful he might be, the Congress will act as it had acted earlier. If things go on like this, I know excepting a few Members from the Opposition, all other Members of parties are taking us as granted that the Congress can be bullied by character assassination. They started the character assassination with

[Priya Ranjan Das Munshi]

the Prime Minister not today but even in 1969. That was the speech made about her by the Jan Sangh and Swatantra Party. Even Shri Acharya Kripalani made that in his speech. And today there is no difference in it. Only the chapter is revised. It was at that time a paper edition and now it is a deluxe edition. Character assassination will neither help us nor you. Do you find interest if Prime Minister is being maligned in Great Britain, America, Poland, Soviet Union and in West Germany as you see here. What is the alternative that you have? Are you sure about the alternative? Is Shri Mody sure of that? (*Interruptions*) Has he taken part in our national freedom movement? Or, did Bosu take part in that in the British days when they were ruling us? Shri Shyamnandan Mishra has not understood us by staying in the Congress for a very long time.

If you go on maligning the Congress Party—I do not mind if you malign us—we know how to face it boldly. I have repeatedly heard in this House from the Members of the Opposition, particularly, the C.P.M. and J.S., that the Prime Minister had taken Rs. 20 lakhs; Shri L. N. Mishra has taken 30 or 50 lakhs; Congress Members are getting money etc. I agree with you on one thing that we are always less than you. The question asked today is this that these charges made against the Minister and the Member may be fought politically or in a manner in which country could have restored their confidence in us. Today's charges against 21 Members who admitted that we have not signed the press reports are defamatory. I cite the example of the incident of the girls in the Bombay special train. Reports carried that the girls were raped and a serious defamation committed. When I went to Bombay the girls came and admitted before me that no such incident took place and they were surprised that womanhood is being charged and insulted by the monopoly press

without any basis. How can the damage be undone?

The moment Indira Gandhi took power after 1969 elections they are finding opportunity every moment to malign the ruling party. I agree we must be careful. I agree if there are shortcomings we should try to overcome. If we give contradiction of any such defamatory news they will print it on the seventh page after the share-market schedule in such a manner that nobody takes interest to read it. I do not want to make any charge against the journalists because most of the time they have to work under the system and pressure of the monopoly press. If they get some autonomy—which the Government should consider—I hope, constructive healthy public opinion would be developed.

Now, about this whisky licence case; let us accept one fact—Mr. Bosu will agree with me as he drinks whisky—that whisky is sold at a shop and a licence has to be given by some authority. The question is whether the licence was given against the standing principles or against the natural course of law. The fact should be judged whether the Member of Parliament, whosoever he might be, recommended the case with money or without. These are the matters which are already under investigation. Is it not a fact that the moment Mr. Bosu wrote to the Speaker, the Speaker wrote to the Minister and this Ministry sent the matter for investigation?

I am grateful to Mr. Vajpayee for citing Krishan Kant's reference in Rajya Sabha. If he rightly revealed the truth nobody insults him and neither our Party takes any attitude to make him victim but certainly we do not make compromise with Members on the ground of ideology. When the time so comes we may expel many people if we like. Take the example of Prof. Balraj Madhok's expulsion. Why was he terminated? Is it because he was truthful or Jan Sangh did thing he was wrong?

So, the charges should not be levelled in that narrow angle. There should be dignity of Parliamentary democracy. The other day when Prof. Mukerjee was making a speech I was carried away by his speech as to why we are not catching the thief. Basing on that assumption we have not yet been able to project to the nation a clear image and a bold character. If you want to improve the standard of Parliament before the nation it should not be an issue of 21 Members in isolation, let the entire Members of Parliament decide their personal conduct and personal life from all the angles. I have said in this House... (*Interruptions*) The telephone and house are given on rent, I know. No enquiry was made. It is a fact. We have to judge all of us, not 21 Members. We have to improve the standard of the whole Parliament, not Congress. Congress may lose the election. It does not matter. You have to come; you have to rule the country. If I level the same charge on that day, on some fake allegation without any authority or agency, would you agree? You have not got that courage.

Sir, Mudgal case was referred to. This is absolutely a civil offence. Why don't you understand the basic difference between a civil offence and a criminal offence? Unless you understand the difference between the two, what is the use of passing the Criminal Procedure Code, Civil Procedure Code, Indian Penal Code etc. and then sitting in the Select Committees on those Bills and getting allowances? This is absolutely a farce. I submit with all humility to you, Sir, that we do feel that this is a matter, which is really to be condemned and which is really a matter for suspicion. It is very unfortunate. A stand has been taken by the Government. If it is found wrong after investigation, it is open to the Members of Parliament to come and take a stand in this regard. I know confrontation within and confrontation outside. The Congress Party is not only fighting against poverty, but we fight within also. We have the tradition of leaders like Pan-

dit Jawaharlal Nehru, Bose, Mahatma Gandhi and others. A Party should be judged by the nature of its work. It is the Prime Minister of this Government who took the risk without enjoying power for one more year and dissolved the Parliament. For what? It is not the real test of the leader of the nation? She wanted to take the mandate not from two or three people of her own Party, but, from the people of the whole nation on a basic policy issue. Have we not tested ourselves in the hour of crisis, in such matters, in such cases and on many issues? So many stalwarts from the Congress Party, those who were known to be corrupt, were removed, without any enquiry simply on the report that people did not like them. Today, for the Opposition, there is no other way to malign this Party, there is no other way to pull down this Government and there is no other way but to indulge in character assassination. Their target is not Mr. L. N. Mishra or Das Munsis. Thousands of L. N. Mishras and Das Munsis will come into the Congress and go out. But, rarely, one Pandit Nehru takes birth; rarely one Indira Gandhi takes birth; rarely one Bose takes birth; rarely one Lal Bahadur takes birth. Their target is Mrs. Indira Gandhi, because she is sitting on this side, and not Congress. They want to demolish, destroy that image in all directions without caring for parliamentary right and propriety. They want to put the country in a mess. My submission in regard to the motion moved by Shri Atal Bihari Vajpayee is—of course, he is within his right to move a motion and I have no objection to that—he should not pressurise; he should not stand on a political point, on a point of prestige, on a point of challenge. He should withdraw it.

श्री सरजू पांडे (गाजीपुर) : उपाध्यक्ष जी, मैं श्री मन्त्री का भाषण बड़ा ध्यान से सुन रहा था. और उन्होंने इस बात ने इन्कार नहीं किया कि भ्रष्टाचार है। और दूसरा तर्क यह था कि कुछ विरोधी पार्टी के लोग कुछ लोगों पर आरोप लगा कर उन की चरित्र

[श्री मन्जू पांडे]

हत्या करना चाहते हैं। और तीसरी बात यह कही कि कांग्रेस का कोई विकल्प नहीं है। मैं उन से पूछना चाहता हूँ कि पूरे देश में आज कोई भी इस बात से इन्कार नहीं कर सकता कि हमारा जन-जीवन भ्रष्ट हो चुका है। किसी भी क्षेत्र में जाइये शिक्षा के क्षेत्र में जाइये।

जन्म के हर क्षेत्र में भ्रष्टाचार है।

18.28 hr.

(Shri Ishaque Sambhal in the Chair)

श्री समर गुहू सभापति जी, माइक को अच्छी तरह से पकड़ कर रखियेगा।

सभापति महोदय मैं जब इस कुर्सी पर होता हूँ तो अपने को हाउस का खादिम समझता हूँ। और जब वहाँ हाता हूँ जहाँ आप बैठें हैं तो अपने को एक मम्बर समझता हूँ।

श्री सरजू पांडे मैं समझता हूँ कि कांग्रेस के माननीय सदस्य सिकंदर विरोधियों पर आक्षेप लगा कर कि यह लोग चरित्र हत्या करना चाहते हैं इससे इनकी देश में प्रतिष्ठा नहीं बढ़ेगी। अगर भ्रष्टाचार है तो उसको तलाश करना पड़ेगा। और मुझे तो एक शेर याद आता है, मुशी जी के जवाब में कहता हूँ कि हमारी रॉलिंग पार्टी, की क्या हालत हो रही है। हालांकि मैं जानता हूँ कि जो लोग रॉलिंग पार्टी पर आरोप लगाने वाले हैं उनका भी चरित्र अच्छा नहीं है। फिर भी आपकी जिम्मेदारी अधिक है, आप पर देश को आगे ले जाने की जिम्मेदारी ज्यादा है, शुद्ध प्रशासन देने की और ठीक दिशा की और दंग को ले जाने की आपकी ही जिम्मेदारी है। आपको ही देश की जनता ने बहुमत दिया है। मुझे एक शेर याद आता है। एक शराबी ने यह कहा था

मा मले पर आ गई है घटा शेख अभी तोपी ईमान थोट आएगा मौसम न आएगा।

यही हालत आपकी हो गई है। प्रताप सिंह कैरी से ले कर गुलाबी चना कांड तक भ्रष्टाचार की कई कहानियाँ सुनने को मिली हैं। बिहार में करप्शन के केस हुए हैं, उड़ीसा में हुए हैं। उड़ीसा में स्वतंत्र पार्टी के मंत्रियों के खिलाफ आरोप लगाए गए थे। कि उन्होंने अपनी पावर का भ्रष्टाचार किया है। छोआ कांड बिहार में हुआ है। उत्तर प्रदेश में भक्का कांड हुआ है। मध्य प्रदेश में गुलाबी चना कांड हुआ है। उड़ीसा में केन्दु पत्ती कांड हुआ था। इस सब में आपकी जिम्मेदारी सब से अधिक है। मैं तो यह समझता हूँ कि जब तक पूँजीवादी ऋष्य व्यवस्था इस देश में कायम रहेगी, भ्रष्टाचार का आप भिटा नहीं मन्गेगे। इसके लिए जरूरी है कि जो मौजूदा व्यवस्था है उसका गमल बदला जाए और उस पर जबरदस्त प्रहार किया जाए।

शर्मा जी मदन में नहीं है। किसी न किसी दिन उनका मामला भी आ सकता है। हमारे मੈम्बरों के बारे में भी खबरें छपती-रहती हैं। मੈम्बरों की प्रतिष्ठा को धक्का पहुंचाने के लिए, उम्मा गिराने के लिए प्रतिपक्ष अखबार ने काफी कुछ लिखा और यहाँ तक लिखा कि लोक सभा दलालों का अड्डा है। पार्लिमेंट के मੈम्बरों के बारे में जो यह लिखा गया कि चोरों और दलालों का यह अड्डा है इसको मैं गलत समझता हूँ, इसका मैं समर्थन नहीं करता। लेकिन यह बात जरूर है कि जनता की भावनाएँ हम सब के खिलाफ बन रही हैं और इस बात पर हम सब को गम्भीरता से विचार करना चाहिये और कोई निदान निकालना चाहिए। मंत्रियों के विरुद्ध भ्रष्टाचार के आरोप हैं। लेकिन बेचारे एक व्यक्ति का ही पकड़ लिया गया है और कह दिया गया है कि मारे भ्रष्टाचार की वही एव गड़ है इनको केवल श्री तुलसीमोहन राम ही मिले हैं। लेकिन आप देखें कि मੈम्बरों के रहने पर एक दूध की बोतल का कार्ड भी नहीं बनता है। आप सब लिख कर दे दें लेकिन आप एक दूध की बोतल का कार्ड नहीं दिलवा

सकते हैं। अगर् दस्तखत बना लिए गए थे और लाइसेंस प्राप्त कर लिया गया था तो मैं नहीं समझता हूँ कि चाहे चट्टोपाध्याय जी हों या मित्र जो ये अपनी जिम्मेदारी में बच सकते हैं। दोनों में चाहे जिन की जिम्मेदारी हो ये बच नहीं सकते हैं। अगर् अफसर दोषी है ना उनकी तलाश आरंभ की जानी चाहिये और पता लगाना चाहिये कि किस अफसर ने रिक्वैस्ट किया, चीफ कंट्रोलर कौन था और वह कहाँ तक दोषी है। यह सब आपको मालूम करना चाहिये। मन्ने मालूम हुआ है कि नारंग नाम का कार्ट अफसर था जो व. १ अर्षट है और उसने लाइसेंस देने में सरकार का धोखा किया। अफसर भी वर्मान्त नहीं है। परिवर्तों ने भी बर्खास्त होगा लाला में जानला नहीं हूँ। लाइसेंस एव गरीब प्रदमों को पकड़ लिया गया है और वह है या तलाशोहन र म और उसकी तलाश हो रहा है।

जहाँ तक पार्लियामेंट की कमेटी का सम्बन्ध है, पार्लियामेंट सी० बी० आई को बनानी है, उसकी स्वीकृति में एजेंसिया मुकर्रर होती है, पार्लियामेंट उनके लिए पैसा देती है। पार्लियामेंट के मेम्बरों के मामले अगर् उनको बुलाया जाता है तो हम में डरने की क्या बात है अगर् पार्लियामेंट के मेम्बर बैठने हैं और जाच करते हैं तो इसमें आपात्त की क्या बात है। वजाय इसके कि हम उन नौकरों को यह काम दे जिन के बारे में हम खुद समझते हैं कि वे बहुत ज्यादा चरित्र के मामले में ऊपर नहीं हैं, हम क्यों न उनकी सहायता से वर उस काम को करें। इन लोगों के बारे में भी बहुत सी कहानियाँ गुनने का मालगी है अबवालों में हम दून कहानियों को पढ़ते हैं। जो अफसर लोगों के यहाँ जाच पडताल तथा तलाशी लेने के लिए जाते हैं वर बाजारियों को पकड़ने के लिए जाते हैं वही अफसर अगर्ने दिन रचय पकड़े जाते हैं अगर् पता चलता है कि उन के घरों में सोना, भण्डा है, जेवर भण्डा है, नकद रुपया भण्डा है।

चूँकि कोई चीज विरोधी दल वालों की तरफ से आई है इस वास्ते उसको आप न मानें यह बात समझ में नहीं आती है। देश की प्रतिष्ठा को कायम रखना है तो सच्चाई जहाँ भी हो उसको आपको बाहर निकालना चाहिये और पार्लियामेंट के मेम्बरों की कमेटी बना कर आपको इसकी जाच करवानी चाहिये और पता लगवाना चाहिए कि किस की कितनी जिम्मेदारी है। श्री तुलसीमोहन को ढाल बना करके आपको अपनी जान बचाने की कोशिश नहीं करनी चाहिये।

सचियों के बारे में काग्रेस के ही सदस्यों ने सवाल उठाया है, उनके आचरण, उनके कार्यों, उनके तौर तरीकों के बारे में उठाया। यह सवाल 27 साल से उठा रहा है। यह नया सवाल नहीं है। लेकिन इन चीजों में कमी नहीं आई है। वगैरह बढ़ती ही चली गई है। प्रताप सिंह काँग्रेस के बाद, गुलाबी चना कांड मध्य प्रदेश में हुआ, छोआ कांड बिहार में हुआ, सरका कांड उत्तर प्रदेश में हुआ। बंगाल में धान वाला मामला हुआ, भूसी वाला आया। इस देश में क्या नहीं हुआ? अगर् इनको गिनाने लग जाए तो सबेरा ही जाएगा लेकिन इनकी गिनती समाप्त नहीं होगी। इस बात का पता लगाया जाना चाहिये कि किस अफसर ने लाइसेंस दिया, किस अफसर ने किस को रिक्वैस्ट किया, लाइसेंस कमेटी में कौन लोग थे और उन लोगों की क्या राय थी। सब बात यहाँ पर आनी चाहिये।

कई सदस्यों ने कहा है कि सी० बी० आई० के डायरेक्टर को एक साल का एक्स्पैशन दे दिया गया है। इस वास्ते यह नहीं हुआ कि उस अफसर ने बड़ा इंडिपेंडेंट काम किया वल्कि इसलिए ऐसा किया गया है कि उस अफसर ने सरकार की सेवा की है। अर्षटचार करने वालों को आप प्रश्रय देते हैं। इस तरह में इनाम देने से काम नहीं चलेगा।

रेलों में कितना अर्षटचार है इसकी भी आप देखें। रेल कारखानों में आग चने जाएं

[श्री सरजू पांडे]

तो आपको इसकी कई मिसालें मिल जाएगी। लखनऊ के रेल कारखाने से पीतल कूड़े के टुकों में भर भर कर रोज बाहर जाता है। हिंडालको में ओबरा में जो बिजली का कारखाना है वहां से स्टेनलेस स्टील चोरी होती है और एक एक अफसर आठ आठ किलो स्टील के हीटर बनवाते हैं। भक्तियों को भी भ्रष्ट किया जाता है। मैं कहना चाहता हूँ कि हिन्दुस्तान में जब तक ये 75 मीनोपोली हाउसिस है जब तक ये कायम रहेंगे तब तक आप भी भ्रष्टाचार में इतना करत रहेंगे।

काग्रेस की जो आपस की लड़ाई है उसकी खबरे राजाना अखबारों में छपती हैं। पूजापति आपको खरीदेंगे ही हम व्यवस्था में आपको आपस में लड़ाएंगे ही मंडा कली मस्तान पैदा करेंगे। अभी तो एक ही कुली मस्तान की चर्चा आई है। प्रधान मंत्री ने कहा है कि कुली मस्तान मुझ से नहीं मिला। अगर जनता में मिल गया हा तो मैं नहीं कह सकती हूँ। मैं उनके चरित्र पर कोई आरोप नहीं लगाया चाहता। वह देश की प्रधान मंत्री है। लेकिन जनता में यह विश्वास हावा चाहिये कि कम से कम उनके चरित्र पर कोई उगली उठाने वाला नहीं है। उनका माफ साफ कहना चाहिये था कि मुझ से नहीं मिला। अब गणेश जी कहते हैं कि हम सत्याग्रह करेंगे। भ्रष्टाचारियों से, तस्करा से लड़ नहीं सकते हैं तो वहने लग गए हैं कि उनके खिलाफ हम बम्बई में सत्याग्रह करेंगे। मैं कहता हूँ कि ये जा तम्बर है या भ्रष्टाचारी है या आपका समुद्र में डूबा देगे। यह जो भ्रष्टाचार है यह तब तक नहीं मिट सकता है जब तक पूजाबाद समाप्त नहीं होता है। पूजाबादी अर्थ व्यवस्था ही भ्रष्टाचार का जड़ है।

उन बेचारे बीस सदस्यों के दस्तावेज बना दिए गए हैं और उनके पीछे आप पड़े हुए हैं। एम पी बेचारे ऐसे भी हैं जो

बगैर पत्र हुए भी दस्तावेज कर देते हैं। एक आध एम० पी० का मुझे मालूम है कि अगर कोई चिट्ठी लिखकर लाता है तो पढ़ तो नहीं सकता है लेकिन दस्तावेज कर देता है। इन को कुछ भी मालूम नहीं है। ऐसे लोग भी हैं। लेकिन मैं जानता हूँ कि आप एम पी के कहने में लाइसेंस नहीं देने वाले हैं। कुछ न कुछ मामला गभीर है और अगर कोई एम पी जाता है मुझे मालूम है एक एक्स एम पी यहा पर रहने है, भूतपूर्व लोक सभा के सदस्य मैं उन का नाम नहीं लेना चाहता, उन के बारे में भी बड़ी चर्चा है, लोग कहते हैं उन का नाम योगेश्वर आ है, उन का भी नाम लिया जाना है कि उन्होंने दस्तावेज बनाए हैं, यह चर्चा मेट्रोल हाल में भी है और उस के बाहर भी है तो मैं आप में यह कहना चाहता हूँ कि यह जो उन में मेम्बरो की बात है मैं नुरमाहन राम के बारे में भी लोगो का कहना है कि उन्होंने तीन लाख रुपया दिया है और जमीन खरीदी है। तो यह तो मान्यता हा जायेगा जाच से कि जमीन खरीदी है या नहीं और असल काम जो कुछ भी करना हो, भाषण देने में तो ये बड़े मास्टर हैं मे ममझता हूँ कि भाषण तो उन में बढ़िया कोई दे ही नहीं सकता—सत्य अहिंसा ब्रह्मचर्य और क्या क्या दिन भर बवते हैं और उस के उलटा करते हैं। तो हम तो यह कह रहे हैं आप से कि चाहे तनमोहन राम हो चाहे कोई भी हो, मुझे याद है, मैं ठीक समय तो नहीं बता सकता लेकिन जब गुनजारी लाल नन्दा यहा गृह मंत्री थे तो उन्होंने कासेस वर्कर्स की मीटिंग में यह कहा था कि 200 लोक सभा के सदस्य एंगे है जिन का साग खर्चा बिरला चलाता है। यह अखबार में आया था और यह बयान खद नन्दा जी ने दिया था। उन्होंने यह भी कहा था कि हर इतवार को उन के खान के लिए राशन उन का साबुन, उन के घर में टस्तेमाल होने वाली और सारी चीजे उन के घरों में पहुंच जाती है। तो अगर ऐसी दशा देश में होगी

तो यह कह कर आप नहीं बच सकते कि हमारी बड़ी परम्परा है । मैं समझता हूँ वह कांग्रेस अब रही नहीं जो गांधी जी के जमाने में थी । मैं जानता हूँ जिस कांग्रेस ने भद्रोजों से लोहा लिया उस का स्वरूप बदल चुका है । आज कांग्रेस में ऐसे लोग आ गए हैं जो भ्रवसरवादी हैं, भ्रष्टाचारी हैं और जिन का पेशा है दिन भर रुपया कमाना । उन का कोई मिद्धांत नहीं है । ईंदिरा जी ने कहा था कलकत्ता की सभा में . . .

श्री मूल चंद डागा : यह कांग्रेस पर क्यों कीचड़ उछालते हैं ? . . .

श्री सरजू पांडे : आप का नाम नहीं लिया है ।

श्री मूल चंद डागा : जो बात है उस पर बात कहें, इधर उधर क्यों जाते हैं ?

श्री सरजू पांडे : मैं यह कह रहा हूँ कि मुंशी कह रहे थे कि कांग्रेस बड़ी अच्छी है, ठीक है, कोई खराब तो आप को कहता नहीं, लेकिन मेरा यह कहना है कि वह कांग्रेस बदल गई जो पहले थी । अब आज वह कांग्रेस नहीं है और इस की छानबीन होनी चाहिए । लेकिन आप की पार्टी में कोई इस की डिमांड करने वाला नहीं है । देखना चाहिए कि दरअसल आज कांग्रेस में कौन लोग हैं ? आप चाहे हम को बुरा कह लीजिए, जनसंघ के लोगों को गाली दे लीजिए, जनसंघ के लोगों के बारे में भी घटनाएँ छपा करती हैं, दूसरे लोगों के बारे में भी छपा करती हैं, लेकिन यह उस का कोई जवाब नहीं हो सकता कि हम किसी लड़के से पूछें कि क्यों बेटा तू फेल हो गया तो वह कहने लगा कि सारा स्कूल फेल हो गया, मैं अकेले थोड़े ही फेल हूँ । सारी दुनिया भ्रष्टाचारी है, हम अकेले थोड़े ही हैं, यह कोई जवाब नहीं हुआ । आप भ्रष्टाचार में पकड़े गए, आप जवाब दीजिए । आप ऐसे भ्रष्टाचार करने वाले

लोगों के खिलाफ कार्यवाही कीजिए और ऐसे मंत्रियों को निकालिए । आप को डर नहीं होना चाहिए ।

जो प्रस्ताव उस में है हमारी साथी बैनर्जी माहब ने एक प्रमैडमेंट दिया है कि इस मदन के 11 मेम्बरो को नामिनेट किया जाये और उन के सामने यह मामला लाया जाये । सी बी आई का बहाना न बनाया जाये । मुझे विश्वास है और कोई भी मेम्बर यह न सगझे कि हमारा कोई प्वाइंट आफ व्यू है, या हमारा कोई राजनैतिक दृष्टिकोण है, हम किसी को बदनाम करेंगे या झूठी बात कहेंगे, मैं समझता हूँ कि ऐसा समझना उन मेम्बरो के चरित्र पर अविश्वास लाना है । आप को यकीन करना चाहिए और इस सुझाव को मानना चाहिए । इस में कहा गया है कि अध्यक्ष को ही इस बात का अधिकार हो कि वह कमेटी नामिनेट करे और उन मेम्बरो को हक हो कि वह मारी चीजों को देखे । यह भी कहा गया है कि अगले मज में इस को पेश किया जाय ।

श्री बूटा सिंह (रोपड़) : ये 11 धर्मपुत्र कम्युनिस्ट पार्टी के होंगे ?

श्री सरजू पांडे : चाहे जहा से बना लीजिए हमारा कहना है कि 11 मेम्बर अध्यक्ष नामिनेट करेंगे और बिस् को करेंगे यह उन के जिम्मे होगा । हम तो कहते हैं कि कांग्रेस को ही बना लीजिए लेकिन आप को तो डर वहां पर भी है कि कौन आप का साथ देगा कौन नहीं देगा ? दिल में डर है, सच्ची बात तो यह है । और कम्युनिस्टों को बना दिया आप ने तब तो दूध का दूध और पानी का पानी निकल आया । यह मैं दाबें के साथ कह सकता हूँ । आज भी केरल में कम्युनिस्ट पार्टी के मंत्री हैं, उन के ऊपर कोई आरोप नहीं लगा सकता कि उन्होंने धूस ली । हमारे मंत्री संबिध सरकारों में

[श्री सरजू पांडेय]

रहे हैं, बिहार में रहे हैं, पंजाब में रहे हैं, उत्तर प्रदेश में रहे हैं। मैं दावे के साथ कह सकता हूँ कि आप को कभी हिम्मत नहीं होगी कि कम्युनिस्ट मंत्रियों के खिलाफ कोई आरोप लगा सकें।

तो मैं चाहता हूँ कि इस मामले की जांच पार्लियामेंट के मेम्बरों के द्वारा हो। लाइसेंस मिश्रा जी के जमाने में मिला, चट्टोपाध्याय जी के जमाने में मिला नारंग के जमाने में मिला किस के जमाने में मिला और वह बेचारे तुलमोहन राम कहा चले गए? उस गरीब को पकड़ कर लाना है। तीन लाख रुपया वह अकेले खाएगा? है हिम्मत उसको? वह तुलमोहन राम जो बकरी भी नहीं चुरा सकता वह तीन लाख रुपये हजम कर गया और आप देखते रहे? उस ने 21 मेम्बरों का जाली दस्तखत बनाया? इन के दस्तखतों की जांच होनी चाहिए और उस तुलमोहन राम को हाजिर करना चाहिए ताकि हकीकत भानूम हो सके और किसी मेम्बर ने दस्तखत किए हैं तो उस को स्वीकार करना चाहिए। आपना नहीं चाहिए। हजारों दस्तखत होने रहते हैं जब कोई एक आदमी हमारे पास आता है और कहता है कि दस्तखत कीजिए यह बात है, तो हम तो एक्स-पार्टी उस की बात मान लेते हैं। इसलिए मेम्बरों के निरखने से ज्यादा अच्छा है कि गहगाई में जाइए। उन भ्रष्टाचारियों को पकड़िए, मंत्रियों को पकड़िए जो इस के लिए जिम्मेदार हैं और इस के लिए हम फिर आप से मांग करते हैं कि पार्लियामेंट के मेम्बरों की एक कमेटी बनाइए। उसी से देश में आप की प्रतिष्ठा बढ़ेगी, इज्जत बढ़ेगी और देश सही माने में आप को जान सकेगा कि आप हम से बचना चाहते हैं और सी बी आई को दे, धर दे, उधर दे, इस से काम नहीं चलेगा। लोग कहेंगे कि सी बी आई तो इन्हीं की है जो चाहे

करवा ले, तो फिर इस से आप की प्रतिष्ठा साफ नहीं होगी बल्कि और बपले में पड़ेगी।

देश में रक्थ शासन लाने के लिए मैं फिर आप से कहता हूँ कि समाजवाद का नारा देना बन्द कर दीजिए। समाजवाद का नारा अगर देना है तो हिन्दुस्तान के पूजोपतियों पर हमला कीजिए जो मंत्री खरीदते हैं, न्याय खरीदते हैं, जज खरीदते हैं। इनको खत्म किए बिना आप कभी भी प्रप्टाचार मिटा नहीं सकते। वे दिन भर यहाँ घूमा करते हैं। मारे पूजोपति यहाँ दिन-भर चक्कर लगाते हैं। (अवधान) रेड्डी माहब उम में आप भी एक हैं। पकड़ जाइएगा और हम तो आप से बता देते हैं कि अगर कम्युनिस्ट पार्टी की सरकार होगी तो हम तो रहम करने वाले नहीं हैं। हम इन पर दया नहीं करेंगे। कम्युनिस्ट पार्टी की सरकार होगी तो चाहे कितना बड़ा भी उस का प्रभाव हो हिन्दुस्तान के पूजोपति और प्रप्टाचारी लोग पकड़ जाएंगे।

मैं इस प्रभाव का समर्थन करता हूँ और आशा करता हूँ कि आज पार्टी में ऊने उठकर आप इस को स्वीकार करेंगे। केवल दलील देने वाली बातें नहीं करेंगे। मुशी अभी आए हैं इसलिए मैं फिर इन से कहता हूँ कि चाहे कितना भी आप ने कांग्रेस के बारे में पढ़ा हो, अगर कांग्रेस की प्रतिष्ठा तभी उठ सकती है जब कि मेम्बरों के सामने सारी चीजें किताब की तरह खुल जाय और पूरा पूरा वाक्या मालूम हो जाये। सभी देश की जनता का विश्वास भी बढ़ेगा।

SHRI DINESH CHANDRA GOSWAMI (Gauhati) Mr. Chairman, Sir, Shri Atal Bihari Vajpayee's eloquence and oratorical ability has few parallels in this country. I concede that the flow of words from his mouth is like the flow of the river Ganges or Brahmaputra.

I concede that I lag far behind him in his ability as a Parliamentarian. But, Sir, let me assure him and assure all the members of this House that I do not lag behind any one of them in their concern for the maintenance of the dignity and decorum of this House and also in their concern for the maintenance of the honour and the prestige of the members of this House. In fact, I feel that my concern for maintenance of the dignity and decorum of members of this House is much more than that of the Members of the Opposition who have preceded me, because though Shri Vajpayee and the others have many innings to play in this Parliament and in the political life of this country they have scored many runs and some centuries. But I am a newcomer into this House. Not to speak of scoring centuries, I have not even been able to get a proper feel of the wicket as yet till now. I feel that many of us newcomers not only of this side of the House but also those who are on the other side of the House have taken great risks in our life because to us, politics is not the be-all and end-all of our lives. We came to politics from different professions, taking a great risk of our career because the water-shed of 1969-71 opened up new avenues for us. It created an atmosphere where we thought that we should also make our contribution to the national reconstruction. Therefore, those of us for whom politics is not the be-all and end-all of our life, we want to go out of our parliamentary life, whether it be in the next few years or after many years, with our heads high. Anything which creates a cloud in our integrity, in our honour should be cleared and I am more concerned about it than anybody else.

A question may be asked. Why is it that when I am so concerned with the honour and dignity of this House and its members, I am opposing a parliamentary probe? At one stage, I concede, many of us thought that a parliamentary probe would be desirable. But, after listening to the debates of the last seven days, I have come

to the positive conclusion that a parliamentary probe is not going to be the solution of the entire issue and I am going to place before you my own reasoning as to, why I have come to this conclusion.

Of course, nobody can equal the eloquence of Shri Vajpayee. Undoubtedly, in the parliamentary probe some of his own Members or himself will be there. Now, he told the House that he would bring all the materials to prove that Shri Tul Mohan Ram was guilty. May I ask him? In the parliamentary probe will you be a prosecutor or will you be a witness or will you be sitting as a Judge or will you act in all these capacities? What will be the tasks of the probe? The task of the probe will be to act as a quasi-judicial body to find out the truth and report the same to this House. Shri Vajpayee said, 'I have got all the evidence to prove to guilt of the member.' Then, in that case, you stand as the prosecutor. The moment you say that you have all the evidence to prove the charge, you have lost all your rights to be a member of the probe because you become not a judge but a prosecutor or a witness.

AN HON. MEMBER: He may not be on the committee.

SHRI DINESH CHANDRA GOSWAMI: But when you say that we are being pressurised by our leaders, how can we be sure that he will not pressurise his own members?

I have heard the speeches of Shri Shyamanandan Mishra and Shri Jyotirmoy Bosu. I ask you again. You have levelled a charge against Shri Lalit Narayan Mishra. I am not here to defend him. But will not Shri Lalit Narayan Mishra to-day have an apprehension that if you are asked to judge his case, he will get a fair-play and justice at your hands? After you have prejudged this case and because of the fact that you have tried to make a political game out of it, this House has lost all its moral and legal right as a parliamentary body to probe into

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this entire episode. Therefore, I feel that on the first ground, I think this Parliament has lost its right to act as a probe-making authority.

Undoubtedly, when this case will go before the court, I expect Shri Vajpayee to place all the material before the court. If a certain thing is found against a Member of Parliament or against a minister, or against anybody; I can assure you that I shall lend my support for taking action against that member or Minister for the misconduct. We do not want to suffer because of their misconduct. At the same time we do not want to pre-judge the issue. Otherwise you will try to make a political gains out of it. That is my objection.

We have seen from the trend of speeches that the entire attack is directed against the Prime Minister, our leader. The opposition parties have now come to realise that so long as the image of our Prime Minister remains in this country, they cannot have a political base in this country. You want to throw mud at us. I ask: what qualification does Shri Modi have to become a Prime Minister except that his initials in the name begin with P.M.? Coming to the second point, under the law of the land, every citizen has equal rights. I can say that in matters of privileges if, under the law of the land, a certain action is taken we cannot claim any higher privileges than of any other citizen. I may quote:

"Every detention, by whatever name it is called, preventive or any other, as was pointed out by the Committee of Privileges in the House of Commons, concerns the community as a whole."

In this particular case, we are not merely concerned with the maintenance of the dignity and decorum in this House. When we are concerned with a criminal offence, that is a crime against a society and if it is a crime

against a society, by any individual in this country, be he in this House or outside, has a right to follow up the proceedings. We have got no moral right to keep that within the preserves of our own. In that Committee Deshpande Committee—in the First Report of the Privileges Committee, they say:

"It has further to be remembered that the fundamental principle is that all citizens including Members of Parliament have to be treated equally in the eyes of law unless it is specified in the Constitution or in law that a Member of Parliament cannot have any higher privilege than that enjoyed by any ordinary citizen in the matter of application of the laws."

Therefore, what is the law of the land to-day? The law of the land is that when a person commits an offence, he has to subject himself to the criminal jurisdiction of this country. We have no moral or legal right to claim a higher privilege than other citizens of this country on this aspect. Therefore, I feel that on that ground, we have got no moral authority. The moment it has been established that it is a case where some criminal offence has been committed we have to subject ourselves not to the parliamentary probe, but to the jurisdiction of the court. In the Mudgal case, reference to which has been made by many members, a committee was appointed to find out whether the conduct of Shri Mudgal was derogatory to the dignity of the House and inconsistent with the standards that Parliament is entitled to expect from a Member. The facts of the case are entirely different from the present case as in that case no criminal offence was committed but there was a breach of parliamentary ethics.

19.00 hrs.

After all, these are two finer things which we all must remember—one is an offence which amounts to a crime against the society and the moment it becomes an offence, it goes out of

the preserve of us and it becomes a property of the nation and the other is the ethical question of this House which is not an offence. In such a case where there is a breach of the ethics, it is for us, the Members of Parliament, to decide. I may give numerous other examples. Take the case of a member of the bar. If a member of the Bar is found guilty of his professional misconduct, which does not amount to an offence it is for the Bar Council which has got the right to try him for the breach. If a member of the medical profession has committed a breach of medical ethics, it is for the Medical Council to try him for the professional misconduct. Similarly, in a journalist ethics it is for the Press Council to try him as this is primarily the concern of the Press Council. But if a criminal offence is committed all these bodies do not come into the picture. The law of the land comes into operation as the matter comes under their jurisdiction. Similarly, if a criminal offence is committed and Members of Parliament are involved in it, with all the rulings of this House and the constitutional provisions that we have, we are no better than ordinary citizens and in such cases, only a criminal court can try them for such criminal offences. We are entitled to maintain the interests just as the members of the Press, Bar or medical profession are entitled to maintain the interests of their own. Otherwise, pressmen may say are we in any way inferior to the legislators? In the same way, even if an offence is committed by a member of the Bar Council, the Bar Council may say—you cannot go to a court of law. So, my submission will be this. On this count, that if it is a criminal offence, the criminal offence must be tried in a court of law which has got the criminal jurisdiction. We have got no authority to take the entire case within our fold. I do agree that when the report or when the judgment connected with the entire criminal case comes if the court has come to a conclusion that certain acts have been committed

which does not constitute offence but breach of Parliamentary ethics, then this House can sit in judgment and find out itself as to what punishment can be given to such Members. At the same time, when a case is under investigation, we cannot take one part here and another part there. Therefore, my submission will be that apart from political considerations, from purely legal considerations also I feel that this case cannot be tried by a body of this House. During this Debate, Shri Vajpayee and others said that they have no confidence in the C.B.I. They referred to the cases referred to the C.B.I. against the officials. In criminal cases when the officers are tried by the C.B.I., cannot a Member of Parliament be tried for similar offences? You are saying today that you have no confidence in the criminal courts even. Cannot an ordinary citizen come and say that you Members of Parliament have framed I.P.C., Cr.P.C. etc. and when you do not have confidence in the court of law, then what moral authority have you got to ask us to be tried by the same court of law?

By so saying you are not only creating a cloud in Parliament but you are also unconsciously hitting at the concept of rule of law of our country. My objection lies there. The feeling of Shri Vajpayee is that for all times to come, his House will ask for a reference of a case to the C.B.I. The C.B.I. is a beautiful organisation. And so far as officers are concerned, cases are referred to this organisation. But, I object to this case being referred to a Parliamentary Committee for a probe on this ground alone. I want to emphasise once more with all the emphasis at my command that if a Parliamentary Probe is agreed to, then we want that the cloud hanging over the names of these 21 members should be removed. We would strongly urge that those who are guilty should be tried and punished irrespective of the fact whether he belongs to our party or to any other party. I urge upon the Government to take steps to dispose

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of the cases as expeditiously as possible. After this is done, then the entire case record may be placed before the House and at that time if we feel that there are certain matters which the House should deal with apart from the legal jurisdiction we shall consider it at that stage. I feel that it is essential for every Member of Parliament to maintain the dignity and decorum in the House and we should not allow the reputation of this Parliament to go down. Therefore, I plead for strong action in this case. For all the reasons that I have stated, I feel from my heart of hearts, from my own conviction, that Parliamentary probe is not a desirable course at this stage and that is why, I am opposing this motion.

SHRI SEZHIYAN (Kumbakonam). Mr. Chairman, Sir, this sordid affair of the import licence scandal has done incalculable damage to the prestige of the House, to the confidence that people have in parliamentary democracy in this country. Sir, in the last thirteen or fourteen days, legislatures and legislators have become fit subjects for cartoons and caricatures. Take any paper. You see a cartoon like this. In one cartoon, a group of legislators are coming out. I do not know whether they are Ministers or not. The cartoon says 'Yes. They are calling us crooks and gangsters, but, just don't pay any attention. Otherwise, our name will be in mud'. Another one says 'I cannot say whether the signature is mine or not; I change it every day to guard against forgery'. To this extent, legislators have been brought down in the esteem of the country, have become the laughing stock of the intelligentsia in this country. The feeling is 'Don't pay attention to any of these charges; It will die down of its own accord; Another crisis will come and this will be forgotten'. This is the pet theory the other side is having. I am not able to find any logical and plausible reason why the Members on the other side are opposing this

motion moved by Shri Atal Bihari Vajpayee. Sir, in this case, it is not important whether the signatures are genuine or not, whether they are forged or genuine ones. This is only secondary. Even granting that all the signatures are genuine, are you going to accept this position that licence can be bartered?—if it is 20 signatures—Rs. 30 lakhs and if it is 40 signatures, Rs. 60 lakhs. More than individual Members, it is the system, it is the attitude of the Government, which is under question now. It stands discredited this day in the eyes of the public and unless it is retrieved, people will lose all confidence in the working of parliamentary democracy in this country. Sir, again and again, I say, it is the attitude of the Government that is worsening the entire situation. It is the attitude of the Government in sulking, in refusing to give even the basic details that the Opposition has been wanting all these days, which is in question now. Even to know when the case has been registered, it took seven days for us. He says 'within a couple of days'. Why not give the exact date? By refusing to give all the details, what happens? It gave more room for speculation, rumours, more slander and slighting. This has happened inside the country. The Members who preceded me Mr. Goswami and others, were again and again saying that this House cannot take notice. Somebody said it has lost its moral capacity. I do not want him to judge by his own standard the entire House.

SHRI K. P. UNNIKRISHNAN: DMK's standards will be tragic.

SHRI SEZHIYAN: Mr. Chairman, I am ready to face any of these charges that is claimed against DMK. DMK has never hesitated to place the facts before the House whenever any charge was brought. Even now, I would ask, if any of the Congress members have the guts to come before the Assembly of Tamil Nadu and ask for a legislative probe, I will

ask my party to subject itself to that. Do you have that guts?

SHRI K. P. UNNIKRISHNAN (Badagara): You walk along the streets of Tamilnadu; it stinks... (Interruptions)

SHRI SEZHIYAN: I belong to a small group here. Please come and see the Tamilnadu Assembly; when the Members of the opposition speak we patiently hear because we believe in debate and in democracy. We do not go taking petitions to other places. I am glad that they are not complacent. It is also hurting them in the most despicable way. That is why Members are coming forward like this. It is not the Tamilnadu Assembly that is in question here.

Some hon. Members say that the CBI is the most appropriate machinery to investigate. They find fault with Mr. Vajpayee and others for not relying on the CBI. But even before Mr. Vajpayee could speak, what did your own members in the Rajya Sabha say? Mr. Krishna Kant in the course of the debate in Rajya Sabha said: "If they are genuine signatures Parliament should go in for an enquiry. CBI cannot go into it. We know that the CBI was headed by Darbari and now he is in the Railway Ministry. Therefore, no more CBI; it must be held by Parliament." Again on the 28th when this question came up here, Mr. H. K. Singh said: "I most emphatically demand a parliamentary probe into the whole issue." He is still in your ranks. Shri Inder Malhotra said that a special parliamentary committee be constituted to go into the entire episode. Even today in the amendments given to the main motion, Mr. B. V. Naik has come with an amendment, saying add at the end—"and that the eleven members nominated to the committee be those who have honestly worked for their living all their lives and who will make a statement of their financial position before, during and after the above parliamentary probe."

That means he accepts the basic resolution. He differs on the composition.

SHRI B. V. NAIK (Kanara): Why are you prejudging me. You are a seasoned parliamentarian. Does an amendment invariably mean acceptance of a resolution? You are forfeiting my right to participate in the debate. Kindly wait for sometime.

SHRI SEZHIYAN: I cannot prophesy what he is going to say, I have only read what he himself had written. I do not know whether he holds the opinion that there is no Member inside the House who fulfils this qualification.

SHRI B. V. NAIK: I do not hold that opinion.

SHRI SEZHIYAN: Shri Shenoy has moved an amendment. Shri Nimbalkar has moved another amendment. They are worried about the composition of the committee. Now let me refer to the charges which have been made. Their main objections are these. Before appointing a parliamentary committee, we should first have the investigation done. Secondly, unless a *prima facie* case is established, you cannot have a parliamentary committee. Thirdly, there are other parties involved and so a parliamentary committee will not satisfy the need of the situation. Fourthly, this case is different from Mudgal's case. That was a civil case; this is a criminal case. They ask, if a doctor, after committing a serious crime says, "I would not allow myself to be examined by a court of law; I should be examined by my own tribe", will you accept it? To this my reply is, we are not concerned here about the criminal act of individuals. We are concerned with the conduct of members in their capacity as MPs. As MPs these 21 members have done something which has roused some suspicion. Even now I am not quite sure; they may all be

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honest, as honest as Shri L. N. Mishra, if not more. But in the mind of a normal person, some suspicion has been created. Otherwise, this Government would not have ordered a CBI enquiry. Prof. Chattopadhyaya never used the word 'investigation' in the other House; he was very careful to say 'verification'.

I will take their objections one by one. Firstly, the attitude of the Government is changing. When certain charges have been made against MPs, it should have been the duty of the Government to go to the Speaker before taking any action. That is what happened in Mudgal's case. Pandit Nehru said.

"When certain information was brought before me as Prime Minister, I gave careful thought to it and I proceeded to draw the attention of the hon. Speaker to that information. On his advice, I moved the House in this matter so that a committee of enquiry may be appointed."

It is not as if he rushed to the CBI.

SHRI VAYALAR RAVI (Churayinkil): In that case, other members complained to the Prime Minister that Mr. Mudgal was misusing his membership of the House. In this case, the concerned members have denied the charge on the floor of the House and said their signatures were forged.

SHRI SEZHIYAN: It is not merely forging of signatures; it is much more. The whole country is agitated over the way the import licences are dispensed with. In that case, before referring it to a parliamentary committee, Pandit Nehru thought whether he can hold a secret enquiry, but he ruled it out. He said:

"I can either myself make an enquiry publicly or secretly in Bombay or elsewhere or come to the House for a formal enquiry rather than any kind of secret enquiry which we may get going and then report to the House. That would

not have been fair. I thought the best course would be to place all the facts before the House and ask the House, if it so chose, to appoint a committee to go into the matter..."

Therefore, it is not as if he wanted to have his own enquiry. He did not use the CBI before coming to this House. He said that whatever facts are before him he will place before the House and it is for the House to judge it. This is what Shri Jawaharlal Nehru said as Prime Minister. He said that even though he is not able to prove it *Prima facie*, since there is room for further enquiry, a proper enquiry, he could not think of any other way of holding the enquiry except by bringing such a motion before the House.

Here I want to raise some fundamental questions. Firstly, we have not been given any material worth the name. It took us seven long days to find out that the case was registered on the 2nd of September. We could not have even the FIR before us. The House is naturally very much concerned with the basic facts.

I would here very briefly summarise the case. In 1955 additional quota permits were given, as rightly pointed out, in Pondicherry and Karaikkal, omitting Mahe and Yenam. In 1956 the rectification came, but it did not help, because there was discontinuity. Then things went on for some time. In 1959 it was made a uniform policy so much so whether it is Karaikkal, Mahe or Yenam, they were merged into one pattern. Afterwards, they were applying again and again. Writ petitions galore were filed in the courts of both Madras and Delhi. They engaged the best talent in the legal profession to fight and the Government was also fighting. I have got some friends in the Madras High Court. Late in 1971 or the beginning of 1972, when litigation was going on, suddenly one day it was called off. They said that they were withdrawing their cases. How did it

happen? I want to know why these writ petitions were suddenly withdrawn. Secondly, I want to know who were the persons who filed writ petitions in the High Court, who withdrew them and how many of those who withdrew their writ petitions were favoured with licences. It would be interesting to know this.

Then, towards the end of 1972 or the beginning of 1973 some top official connected with the sanctioning of import licences specially went to Pondicherry and went through these applications and after he came to Delhi the licences were issued. I want to know whether it is a fact or not that a top official from the Import Controller's office went to Pondicherry.

Then, I have been told by some people in Pondicherry that one of the signatories in the long list, in fact the very first name, Shri Tulmohan Ram, had earlier written an individual letter on the same subject. Then, what was the need for him to write another memorandum, securing 20 more signatures? Then I want to know how the officials of the Ministry come to doubt or suspect whether the signatures were genuine or not. Who told them? It is not the CBI that moved in the matter first. It was some officials in the Ministry who rang up individual members to find out whether they had signed the letter or not. I want to know who gave the clue, where it started. The CBI came later. I want to know why, after interrogation from the officials or investigation or verification by the CBI, the concerned members did not come to the Leader or Speaker from whom they are expecting all the patronage and protection now. Why did they not come earlier? My understanding is that the CBI came even earlier than 30th March when the revelation in the Blitz had come. I also want to know what were the endorsements made by the hon. Minister when he received this, whether any acknowledgement was sent to all the members as is usually the case and when

the import licences were issued, whether any intimation was sent to the members who had signed that letter. More than these things, I want the file to be gone through very carefully because I understand from a person coming from Pondicherry that he came all the way here. He says that, about a few days before February 6, 1973, one of the top officials connected with the Minister and the Ministry sent a note to expedite this case it is not as if the Minister himself had put the endorsement. It has been done three times. I am told these things will be there. Please find out.

Therefore, the question is not merely whether these signatures are genuine or not. That is only secondary for me. I want to know how these licences came to be issued, why a particular member who first wrote a letter thought it fit to send another letter with the purported signatures of 21 MPs, why the writ petitions were withdrawn, what was the understanding, written or oral, why those persons who contested the case in the court came to be favoured with licences later on. These are all things which only a Parliamentary Committee can go through. These things cannot be left to the CBI. The CBI is only a creature of the Government. The CBI, rightly or wrongly, has been asked to investigate or verify. Therefore, in my amendment I have said that the following be added at the end of Mr. Vajpayee's motion:

"and that the Central Bureau of Investigation shall submit to the Committee by 30th September, 1974, its report of verification/investigation in the matter along with all documents and evidence available with them and shall render further assistance as required by the Committee."

If you want that Parliamentary democracy should continue, you should agree to a Parliamentary probe. If you want to regain the confidence of the people in the working of Parliamentary system, it can be done only

[Shri Sezhiyan]

by a Parliamentary probe. That was what Prime Minister Pandit Jawaharlal Nehru did 23 years ago. Now, 23 years later, things have changed. What a fall in the standards!

THE MINISTER OF COMMERCE (PROF. D. P. CHATTOPADHYAYA): Mr. Speaker, Sir, I have carefully heard the interventions made by the Hon'ble Members on both sides of the House, today and over the last week or so, on the 'import licence issue'. The numerous legal, administrative and other aspects of the issue have been commented upon at length during the earlier part of the debate. I would at this stage like to set some factual aspects of the matter straight.

After the merger of the former French Possessions, viz., Pondicherry, Karaikal, Yanam and Mahe, with the Union of India in November, 1954, the Import-Export Control Act and the Orders issued thereunder were made applicable to the said territories. Of these territories, only Pondicherry and Karaikal were ports of call. Government allowed additional licensing facilities to the former French Possessions, and the first Notification in this respect was issued on June 11, 1955. The caption of the Public Notice was "Grant of Additional Licences to importers in the former French Indian Establishments for the period January-June, 1955". In the said Public Notice it was mentioned that additional licences would be issued to the Established Importers in Pondicherry and Karaikal, while no mention was made to Yanam and Mahe. The importers in Pondicherry and Karaikal were not satisfied with the facilities given and a Public Notice was issued on July 14, 1955, giving some further special additional licences. Again, Yanam and Mahe were not mentioned. This continued to be so in the announcement made for the ensuing period on November 21, 1955. The importers of Yanam and Mahe had been representing their case for the social additional licences to the Government and Government ordered in the Public Notice

issued on December 20, 1955, that the facilities given to the importers of Pondicherry and Karaikal should be extended to Yanam and Mahe for the first time.

Hon'ble Members will appreciate, therefore, that the rectification of the Public Notice has not been done recently but was done as early as in 1955. Some importers of Yanam and Mahe, who had offices in Pondicherry and Karaikal, could avail themselves of this facility. However, others could not, for the last date prescribed for filing applications under this Public Notice was December 30, 1955, leaving the intended beneficiaries scarcely ten days to apply and the Christmas holidays intervened. Later on, it was decided in 1964 that any application received between the 1st and the 31st January, 1956, would also be considered. Unfortunately, this administrative decision was of no benefit to the importers of Yanam and Mahe, who had not applied prior to January 31, 1956. The policy for the next ensuing period was announced on May 10, 1956. The importers of Yanam and Mahe could not take advantage of this policy because only those importers who had obtained licences in January-June, 1955, and July-December, 1955, were eligible for licences on a "repeat basis". The licensing policy on "repeat basis" continued till September, 1959, and thereafter the facility for special additional licences was abolished.

During these years, the importers of Yanam and Mahe, who were left out, have been representing off and on for securing additional special licences for the period 1955 to 1959. Government continued to take the stand that since they were not eligible for securing these facilities on a "repeat basis", their claims could not be entertained. Accordingly the Ministry answered a Question in Parliament in 1967 to the effect that no discrimination had been made against the importers of Yanam and Mahe. The representations from the importers of Yanam and Mahe, however,

continued. Some of the importers had also filed writ petitions to the Delhi High Court. During the pendency of these petitions it was not possible for Government to take any decision on these representations. After the writ petitions were withdrawn the Ministry re-examined the matter from a point of view of whether the denial of these licences was consistent with the principles of equity and justice. In this connection this memorandum which has been the subject matter of our discussion for the last few days, addressed to the then Minister of Foreign Trade, was received on November 23, 1972. Even prior to the receipt of the memorandum three other representations on the identical subject were received in the Ministry and were under examination. The earlier representations of the importers of Yanam and Mahe and this memorandum were duly examined and processed in the Ministry and in the Office of the Chief Controller of Imports & Exports. After a thorough examination we came to the conclusion that some injustice had been done to the importers of Yanam and Mahe, even though this was not the intention of Government. I, therefore, decided in September, 1973, that some relief may be accorded to such of the importers of Yanam and Mahe, who fulfilled the rules of eligibility. While taking this decision. I was promoted only by the consideration that when a case of injustice causing hardship had come to the notice of Government, the hardship caused thereby should be removed to the extent possible. However, while granting this relief, certain special precautions were taken and conditions imposed, circumscribing both the monetary ceiling and the permissible items of imports. I would like to submit here, Sir, that these firms were not black-listed, debarred or non-existent.

Sir, after the issue of the licences a reference was received from the Lok Sabha Secretariat raising suspicions about the matter. Immediately

the matter was referred to the Department of Personnel which is the administrative Ministry for the C.B.I. A preliminary verification was undertaken. The preliminary verification of the C.B.I., which contacted the Hon'ble Members of Parliament, their statements before this House, and the letters which I have subsequently received from them show that their signatures were not genuine. Only one of the Hon'ble Members concerned, Shri Tulmohan Ram, has admitted his signature according to the C.B.I. report. (*Interruptions*).

सभापति महोदय : मेरी आप से दर-
 खास्त यह है कि आपको मालूम है इसके
 वास्ते चार घंटे दिए गए थे, टाइम काफ़ी
 हो चुका है और अब टाइम बहुत कम है।
 मैं दो तीन मेम्बरान को मौका दूंगा कि मिनि-
 स्टर साहब की स्पीच के बाद उनसे कुछ
 क्लैरिफिकेशन कर सकें।

SHRI D. P. CHATTOPADHYAYA:
 I received the Report of the C.B.I. on the 31st of August and I passed orders on the 1st of September for the registration of a case on the basis of the preliminary findings of the C.B.I. I would like to add here that the investigation by the C.B.I. will cover all aspects of the matter. If any malpractice come to light in the course of the investigation, necessary action will follow.

I would like to emphasise that whatever I said in the other House of the Parliament on August 27, 1974, was not intended even in the faintest manner to show any disrespect to any of my Hon'ble colleagues, Members of Parliament, or to impair the dignity of this august House. I am just as anxious as other Hon'ble Members to get to the root of the whole matter. Our Government and I are committed to uphold the values of Parliamentary democracy and to maintain the highest possible forms of administration and public morality.

श्री मधु लिमये : मेरा सवाल यह है
 कि इन्होंने कहा इसी विषय के बारे में तीन

[श्री र.धु. लिमये]

रिप्रजेन्टेशन धाये थे। तो किन लोगों ने अपना दस्तखत दिया था, और क्या उस में लोक सभा और राज्य सभा के सदस्य थे, भूतपूर्व या वर्तमान ?

और दूसरा यह कि जो लाइसेंस है ऐक्स-ग्रेशिया है। और क्या वह उस में ट्रफिक कर सकते हैं ? आप ने कहा कि वह ब्लैक लिस्टेड फ़र्म्स नहीं है। लेकिन क्या यह बात सही नहीं है कि इन लोगों ने अपने लाइसेंसों को बेचना शुरू कर दिया है ?

SHRI JYOTIRMOY BOSU: I repeat my question. How many years did litigation continue? Who took the initiative for the withdrawal of the case? What was the basis and reasons for the same? Three predecessors of Shri L. N. Mishra, I am told, rejected the applications of these people and that one what ground and on what grounds it was reversed. As far as CBI enquiry is concerned I have suggested four distinct items. When he says all aspects does he mean all the four things are covered?

SHRI K. P. UNNIKRIISHNAN: Would the hon. Minister clarify and state whether it is a fact that a former Member of this Parliament belonging to Communist Party (Marxist) was the first to put in representation with regard to these licences and whether he is aware of the allegations that he had also taken Rs. 1½ lakhs for the same.

समापति महोदय . आप को तो जवाब देना है।

श्री अटल बिहारी वाजपेयी जवाब कैसे दूंगा जब तक सवाल नहीं पूछूंगा। प्रो० कट्टीपाध्यायने इस बात पर प्रकाश नहीं डाला कि राज्य सभा में इस सदन के 21 सदस्यों के नाम लेने से पहले उन्होंने उन सदस्यों से सम्पर्क कर के यह पता लगाने का प्रयत्न

क्यों नहीं किया कि उन में से कितनों के दस्तखत सही हैं और कितनों के जाली हैं। क्या यह सच है कि जब उन्होंने राज्य सभा में सवाल का जवाब दिया तो उनके सामने सी० बी० आई० की जाच की रिपोर्ट नहीं थी ? और अगर थी तो उन्होंने फिर नाम क्यों लिये ? और आज कह रहे हैं कि सदस्यों की गरिमा की रक्षा करना चाहते हैं। उनकी गरिमा खतरे में डाल कर रक्षा करने का दावा करने का क्या मतलब है ?

SHRI PRIYA RANJAN DAS MUNSHI: I want to have a clarification whether in this particular case the Ministry acted on the merits of the licence holders or just on the memorandum of the MPs?

SHRI PILOO MODY: I want to know who fabricated this fairy tale.

PROF. D P. CHATTOPADHYAYA: I will be speaking first from Mr. Limaye's questions. To the best of my memory and recollection One of the previous representations was submitted by Shri Tul Mohan Ram. Sir, then, the question of *ex-gratia*... (Interruptions). I am saying, Sir, that one of the representations was submitted by Shri Tul Mohan Ram; the other two by the importers themselves. Sir, in regard to the question of trafficking, this possibility, I have taken care of when I said that if any malpractice comes to our notice, we will take care of it.

SHRI MADHU LIMAYE: No other Member was involved?

MR. CHAIRMAN: No discussion please.

आप की तरफ से जाननीय मनु संभवते बोलने वाले हैं।

श्री मधु लिमये : सभापति महोदय, मैं ने पहले ही पूछा था क्या श्री तुल मोहन राम के मलावा भी किसी लिसेन्स का दस्तखत था ?

PROF. D. P. CHATTOPADHYAYA: Sir, they have raised some points. I am answering them. But, before I finish, if they start rising, how could I finish? Nothing to our knowledge has been brought raising or wanting any doubt that these licences have been trafficked into. If it is brought to our notice, we will look into it

SHRI MADHU LIMAYE: I have already brought to your notice

PROF. D P CHATTOPADHYAYA: Bearing that in mind, I am observing this

Sir, I now come to the question of Mr Jyotirmoy Bosu. Once in 1962 or 63, the Delhi Court, that is, the Delhi Bench of the Punjab High Court, went into this matter and then it was settled later on

SHRI JYOTIRMOY BOSU: When?

PROF D P CHATTOPADHYAYA: This is in 1962 or 1963.

SHRI JYOTIRMOY BOSU: When? was it settled?

PROF D P CHATTOPADHYAYA: It is a fact I am answering all the facts.

SHRI JYOTIRMOY BOSU: When was it settled and on what basis?

PROF. D P. CHATTOPADHYAYA. The basis is not known. People have withdrawn cases. That is the end of the story. As I said, between 1967 and 1971, cases were pending in the Delhi High Court and they were withdrawn and cases were re-examine, as I said. (Interruptions). Sir, the other question was this. I have said already that when I passed those orders on the 1st September, I

impose certain conditions and restrictions circumscribing monetary ceiling and the items permitted. *Ex gratia* is not on the full value of the entitlement. If they had been given during 1955, only 50 per cent of that entitlement would have been given, on an *ad-hoc* basis and under conditions.

SHRI MADHU LIMAYE: What about *ex gratia*?

PROF. D. P CHATTOPADHYAYA: What is wrong in *ex gratia*?

SHRI JYOTIRMOY BOSU: *Ex gratia* means out of gratitude.

PROF. D. P CHATTOPADHYAYA: Laterally, it may mean so.

But, on the basis of equity and justice, it is possible. To meet the ends of justice and equity we could do I would like to submit that it is inherent, it is constitutionally inherent in the power of the Government or and organ thereof to review its decision and if necessary to reverse it. One gentleman raised this question, perhaps it is Mr. Unnikrishnan. This matter was also represented by another Member, by name, Shri V. P. Nair

(Interruptions)

SHRI JYOTIRMOY BOSU: When?

PROF. D. P CHATTOPADHYAYA: It is during third Lok Sabha.

SHRI JYOTIRMOY BOSU: Sir, hon. Minister has misled the House. It was not the CPI(M), at that time. It was the undivided party.

(Interruptions)

MR. CHAIRMAN: He is answering.

SHRI JYOTIRMOY BOSU: It is not the CP(M).

PROF. D. P. CHATTOPADHYAYA: When I answered the question, I have just mentioned the name. I did not question the right or competence of

[Prof. D. P. Chattopadhyaya]

the Member to represent a public cause. I find nothing wrong that a case was represented by a Member of this party or that party. Let me make it clear.... (*Interruptions*). Mr. V. P. Nair who happened to be an M. P. represented the case of the importers as an advocate, during the Third Lok Sabha. Shri Vajpayee asked: while I answered the question in Rajya Sabha on 27th August, had I at that time the CBI's report with me? My answer is no. Therefore, I did not know anything about the possible outcome of the CBI report. About the fairy tale, I do not know about fairy tale.

SHRI JYOTIRMOY BOSU: Shri V. P. Nair was not in our party.

SHRI SHYAMNANDAN MISHRA (Begusarai): Mr. Chairman, the House has been treated to a most amusing and interesting phenomenon by the hon. Minister of Commerce. The parties to whom they were pleased to grant licence now have been painted as paragons of good conduct. In effect, the hon. Minister said that the Government had been wrong over a long period of 18 years. What the hon. Minister has said amounts to this that all the Ministers who preceded him including my hon. friend who sits by his side, namely, Mr. L. N. Mishra, B. R. Bhagat, Dinesh Singh and Manubhai Shah were devils who did not grant licence to them. This is what you have said in so many words. This is a very simple question. Why was so much resistance put in the grant of licence to derelict in its duty for 18 years, these 7 parties over the course of 18 years? If this Government had been whose fault is it? Have you taken to task those officials? Although Mr. Mishra has left the department, there are officials who are steeped in these scandals and they have been making money and leading the most scandalous lives possible.

The ruling party is hell bent to defeat this motion by physical force. They speak the language of numbers. Our language might be feeble, but it has the strength of logic and reasoning. If a secret ballot is taken in the ruling party, the majority of the ruling party would be in favour of this motion. That is what we find in the Central Hall. Although this motion may be defeated in the Lok Sabha hall, it has already been carried in the Central Hall. All your members would not hesitate to exercise their conscience, because conscience once aroused in 1969 cannot be expected to be lulled to sleep. Why are they coming in the way of passing this resolution? It would have redounded to their credit and to the credit of the parliamentary system as a whole. The hon. Deputy Speaker made some ringing, resounding observations the other day:

"I am deeply and personally involved in this matter for the simple reason that I am the Deputy Speaker. When the names of hon. members are besmeared and when the whole country is talking about it, if we are not concerned, who else will be?"

He went on to say:

"It is also to be considered whether MPs. could abdicate their authority when something affecting their dignity is concerned and hand over everything to some other machinery outside the House."

But this has been completely lost on them. Any such reasoning and logic is lost on them as water lost on the back of a duck. What kind of regard do they pay to the House? The opposition must be satisfied in such matters, that is what has been established in the U. K. What did Mr. Mac Millan say to Mr. Wilson in the Profumo Affair? And, mind you, this is no less stinking than the Profumo Affair. When Mr. Wilson raised the question of security in the Profumo Affair, Mr. Mac Millan said:

"I have been thinging about our talk on Monday. I am sure in my own mind that the security aspect of Ward's case has been fully and efficiently watched. But I feel it is important that you should have no doubt about it."

Here the entire opposition is full of doubt about the way they are proceeding in this matter. But you have absolutely no regard for the views of the opposition, you have no regard even for the views of the hon. Members of your own party. They have been living from one day to another. There were these glorious 21 and the other glorious 51 have represented to you that there must be a parliamentary probe into this matter. What are you doing about it? You did not heed to the voice of the chair, the hon. Deputy-Speaker, you did not heed to the voice of the opposition, you did not heed to the voice of a section of your own party. That is how you have been behaving in this matter

20 hrs.

SHRI DINESH CHANDRA GOSWAMI: Do you heed the advice of the Chair?

SHRI SHYAMNANDAN MISHRA: Now, because of the most irresponsible attitude that the ruling party has taken in this matter, the entire Parliament is in the dock, the entire government is in the dock. You hear the worst speculative allegations against the entire fraternity of Members of Parliament and the entire parliament is now living under a cloud of innuendos. Who is responsible for it? If you had agreed to a parliamentary probe right in the beginning, all this speculation would not have been rife in the country. I must repeat this is all because of the kind of irresponsible attitude you are taking in the matter.

Are you saving the reputation of the 21, or 21 minus 1, Members of Parliament? There is bound to be a pen-

umbra of speculations around their names. Unless there is a parliamentary probe in this matter, dirty allegations would continue to dog their names. There can be absolutely no doubt about it. And the impression in the country is that groups of MPs are on sale, they have stuck up on their heads the banner "come on, we are prepared to sell ourselves to the highest bidder." This is the unfortunate impression you have created because of your approach.

Should it be an enquiry of the kind that they are now suggesting? Would a CBI enquiry be enough? Would that kind of enquiry be full and sufficient for vindicating the honour of the Members of Parliament whose names are alleged to be associated with the letter? This is a very basic question to which you must address yourself as this is not going to clear their names, whatever you might say. Therefore, one is bound to ask is this enquiry meant for the satisfaction of the Ministers and the members of the ruling party only? If that is your limited view if that is the limited dimension in which you are looking at this problem, I think, you are bringing the whole Parliamentary system into disrepute.

The real question, therefore, is how to restore the confidence of the people in the honour and integrity of Parliament which has been so rudely shaken . . .

SHRI PRIYA RANJAN DAS MUNSII: By going to the people.

SHRI SHYAMNANDAN MISHRA: Yes. Come to Bihar:

Has not a reasonable belief been created that there has been something unsavoury and shady in this matter? What did Lord Denning say in the Profumo affair? The crucial question was not whether Profumo had slept with a girl, the question was whether there were circumstances in which a

[Shri Shyamnandan Mishra]

reasonable belief could be created that he had indeed, slept with a girl. (Interruptions). Similarly, the question here is whether, in the given circumstances, a reasonable belief would be created or not that certain shady things had taken place in this matter. And who has deepened the suspicion regarding the involvement of the Members of Parliament in this matter? It is not the Opposition which has deepened the suspicion about them; it is the ruling Party and particularly the Ministers of the Government who have deepened the suspicion about the conduct of these 21 MPs, even after many of them, about 18 or 19, had specifically and categorically disowned their signatures. The Government's statement is tantamount to saying with a degree of plausibility that there is a *prima facie* case established after investigation that 'X' number of Members of Parliament seem to have committed an offence. That was the statement of the hon'ble Law Minister. He has said that, after investigation by the CBI, a *prima facie* case has been established that a certain number of Members of Parliament seem to have committed an offence.

AN HON. MEMBER: No. That has been corrected.

SHRI SHYAMNANDAN MISHRA: I am giving the corrected version. Let us see what the authoritative statement from the Law Minister was. He has said that the CBI has come to the *prima facie* conclusion that some offences seem to have been committed. Then he said something which was not correctly reported, according to him. So, he said on the following day, after correcting this, when he was cross-examined, that what he said was; as a result of the investigation, it had been found that the persons who might have committed the offence might not be all Members of Parliament of the House; the argument that he was developing was that outside

persons could be involved. Now the proposition that the hon. Law Minister established was that there might be 'X' number of Members of Parliament involved but there was an extraneous element also. So, it might be X plus one or Y. So the hon. Law Minister has definitely deepened the suspicion about the conduct of many Members of Parliament and there can be no gain saying this.

Then, the view is taken—the contention is—that a *prima facie* case must be established before any other step is taken. But what is a *prima facie* case? I ask. Is there established in regard to two possible offences that might have been committed in this particular context? Whether forgery was committed by some elements—is that not now clearly established? The hon. Members of Parliament have said, one after the other that they did not append their signature to any such letter. Now, if that is so, then the plain fact of forgery has been established as also the fact that somebody had organized the forgery. Is that not a *prima facie* case? If that is a *prima facie* case, what are you doing about it? Who organized the forgery? It is not a matter which is coming out of my head. It is on the record of Parliament; they had said the same thing to the CBI. These hon. Members of Parliament had said earlier to the CBI what they told us the other day. So, the point is clearly established that these hon. Members have disowned their signatures. And, as they have disowned their signatures, it means that there was a conspiracy to forge their signatures. If that is so, that must be gone into. The hon'ble Minister of Commerce had also said to the Rajya Sabha to the same effect they had disowned their signatures.

Now, I come to the other part of the offence. Who forged the signatures?

MR. CHAIRMAN: Please try to conclude.

SHRI SHYAMANANDAN MISHRA:
You are feeling uncomfortable?

Now, who could be interested in forging? So the question is whether the interest could be at the Ministerial level—and who could exculpate the ministerial level in this matter so easily, whether the interest in the forgery was evinced at the administrative level; whether the interest was at the level of the parties who wanted to get their licences cleared and, finally, whether the interest could be at the level of the hon'ble MPs

MR CHAIRMAN The hon Member's time is up

SHRI SHYAMNANDAN MISHRA:
Mr Chairman, with regard to both these offences, I have still to go over and cover a great deal of ground

These two offences have already been established *prima facie* about forgery and about the interest in the forgery and they are required to be gone into.

When the Mudgal case was being debated in this House, I happened to be a Member of the House at that time and I recollect how the hon'ble Member, Mr Frank Anthony had pleaded at that time that there must be a *prima facie* case before the matter was referred to an *ad hoc* Committee of Members of Parliament. And our great Prime Minister, Mr Pandit Jawaharlal Nehru, said in effect 'Whatever data we have, just establishes a *prima facie* case' So, it is for the House to judge whether a *prima facie* case is there or not. So, even that point at that time was effectively met and the House said, 'Go ahead with the appointment of a committee in this matter'

A great deal of stress has been laid by the Government the executive, on the CBI—it can play an adequate role in this matter. That creates a lot of suspicion about the role of the CBI

What, after all, is the reason that you are laying so much of stress on the CBI going ahead with this matter? You trust the CBI more than a Committee of Members of Parliament? That is your scale of value (Interruptions) So far as we are concerned, we do not, for a moment suggest that there could not be certain agencies employed for the purposes of investigation. Certain agencies could certainly be employed but the whole question is under whose aegis and auspices? If the investigation is conducted under the auspices of the present executive we are having doubts that they would be able to create an atmosphere in which the CBI would be able to function objectively or impartially in the matter

After all the auspices under which the investigation is conducted makes a world of a difference. When there is a corrupt minister, the entire department functions in a corrupt and inefficient way but when there is a clean and honest minister the entire department functions in a different way

It has been suggested that if there is a parliamentary probe that parliamentary probe would bar prosecution in a court. It has never been suggested that there should be no prosecution. What happened in the case of Mr Nixon? There the matter was processed at the parliamentary level in the first instance. Later, the matter was to be taken to the court. This morning's news is that the U S President has granted him pardon because he did not want Mr Nixon to be tortured in a court of law. So, there the court of law came later. In the case of the American watergate, the matter was first processed at the parliamentary level.

समाप्ति महोदय : प्राय 23 मिनट
ले चुके हैं ।

श्री श्यामनन्दन मिश्रा . हमने घबराने से
काम नहीं चलेगा ।

श्री शंकर दयाल सिंह सभापति महोदय, इस बहस के लिये चार घंटे का समय निर्धारित किया गया था, सवा चार बजे बहस आरम्भ हुई थी और अब सवा आठ बज चुके हैं, मैं जानना चाहता हूँ सदन की कार्यवाही इस विषय पर कब तक चलेगी। आप सदन से पूछ लीजिए तब सदन का समय बढ़ाइये।

सभापति महोदय : इतने इंटरप्शनस आप सहायन ने किये हैं, अगर वह नहीं किये होते तो मेरा सवाल है मिश्रा जी दो मिनट पहले ही अपनी स्पीच खत्म कर देते।

श्री शंकर दयाल सिंह : सवा आठ बजे इस बहस को समाप्त होना था, चार घंटे का समय इसके लिए निर्धारित था, अब मैं जानना चाहता हूँ सदन की कार्यवाही इस विषय पर कब तक चलेगी ?

सभापति महोदय : मैं ने खुद आप से कहा था कि चार घंटे इसके लिए थे, 45 मिनट एडजस्टमेंट के वास्ते हैं, वह मैं ने नहीं कहा था इस वास्ते 9 बजे तक इसके जरूर खत्म कर देना चाहिए।

श्री मधु सिमिये : दस बज तक समय बढ़ा दिया जाये। (व्यवधान)

SHRI SHYAMNANDAN MISHRA: I have been always interrupted. I know that my observations are very inconvenient to them.

An impression has been created that the C.B.I. has not been allowed to go ahead in this matter and that they have been stopped and prevented from going to the logical end. Otherwise, how do you explain that for the last five months, the C.B.I. could produce the result of only verifying the signatures? This is the only precious result that the C.B.I. has been able to produce. Where they sucking their thumb?

MR. CHAIRMAN: Mr. Mishra, you have taken twentyfive minutes. Kindly conclude.

SHRI SHYAMNANDAN MISHRA: Mr. Chairman, Sir, this is a very complicated matter. One cannot make broad remarks and go away.

They have been prevented. Otherwise, the CBI would not have produced only a mouse of the result which it has been able to produce during the course of the five months.

When they came to know about this Blitz report, it contained a serious allegation that one hon'ble Member of Parliament had received a bribe of Rs. 150 thousand, I put this question squarely to the hon. gentleman on the other side—this question was evaded—What did the hon'ble Minister do in this matter?

When there was such a definite allegation about it, what did he do with it? Later it came to be established that the hon. Member had also admitted that it was his signature. Then what step did he take? That was precisely the question which seemed to have been evaded. So, I would like them to tell us why should we believe the C.B.I. in the kind of conditions in which you ask them to function? It has been rightly pointed out by my hon. friend, Shri Vajpayee, that when I put this question to the head of the C.B.I. in the Select Committee on Foreign Contributions (Regulation) Bill in this very building as to whether he could not proceed against the Minister—the question was related to something I had at the back of my mind—the answer was 'No'. The question was not without significance and I was told clearly that CBI need not go into the conduct of the Minister.

In this case it is being said that a criminal offence, if any, has to be prosecuted in a court of law. Is it altogether a criminal offence? It is an amalgam of both. It is a misdeemeanour on the part of an hon'ble Member and definitely on the part of

the Minister concerned too because the Minister failed to pose to himself the right questions when he was confronted with the letter of recommendation. Why this letter comes to me from MPs of far off. Why did not the Members from Pondichery or Karnataka or Tamil Nadu recommend the case of these gentlemen? Did the hon. Minister or Ministers pose to themselves that there was something fishy on the face of it. So, it would seem that they have been working hand in gloves with of the Members who have committed this misdemeanour.

Therefore, it is not a pure undiluted case of criminal offence. It is an amalgam of both and the Parliamentary Committee also could have separated the two aspects and wherever prosecution was required to be launched in the court of law, the Parliamentary Committee would certainly have gone in for it.

Finally, my humble submission to you is to consider whether Government in this matter is acting honourably and justly, whether it is acting with a certain degree of political prudence. About political prudence, of course, they are the masters but the House is entitled to know whether this Government which has been given the function to run the country of 600 million is acting honourably and justly in this matter and you must consider whether this Government which has destroyed the probity of the administration and political system is not out to destroy the probity of the Parliamentary system as well. We are deeply concerned with this aspect of this matter—the probity of the Parliamentary system which they now seem out to destroy. Therefore, my submission would be that the ruling party must agree to heed the voice of reason and should not try to vote this motion out. This is a comprehensive motion and will try to do justice to all concerned if a committee is appointed. They must not hesitate to agree to the constitution of the Committee.

SHRI B. R. BHAGAT (Shahabad): Mr. Chairman, Sir, after hearing the debate for about four hours I come to this irrestible conclusion that the honorable mover, Shri Vajpayee, and other Opposition Members have used this occasion for framing out a catalogue of charges against the Government. It has been their star performance in the past and even today. In his speech, Mr. Vajpayee said that he is worried about the decline in moral values. My esteemed friend, Mr. S. N. Mishra said that the question of the whole future of parliamentary functioning is involved and that there is no party consideration. I would like to join issue with them on this matter, because it has been said in this House and outside, and particularly my friend, Mr. Hiren Mukerjee, has been saying there is a decline of parliamentary system. But, in matters like this, when you, leaving the most urgent problems, national problems of the country, use certain occasions, either public discontent or certain other trivial issues, to beat the Government and bring charges with a view to lowering the prestige of the Government, either, wholly or individually, it shows your distrust in the whole system, in the functioning of the Government, in the various instruments which that system has created, without which no system can be effective. When you basically distrust the system, destroy the instruments, I think it is the best way to bring down the standards of parliamentary functioning. Sir, parliamentary system is the highest form of moral system, because it is based on the trust of the people. It functions in an open manner. Now, a reference has been made about Watergate. The main reason why the highest executive in that land had to go was, he tried to subvert this system, he tried to subvert the Constitution. I do not lay this charge against the Opposition. But, inadvertently, because of raising certain false issues, because of raising certain irrelevant issues, they are bringing down the standards of our functioning and they are contributing to, what Prof. Mukerjee calls, the decline of the parliamen-

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tary system. When I say this, I say this because of my past 24 or 25 years of experience and the privilege of continued membership of this House. I say, every fibre in me is full of the highest standards of dignity and decorum about this House, and therefore, when I see certain things which contribute to the declining of this system, it hurts me and I think it hurts every democrat in this country.

In 1971, elections were held and what was said at that time? Because, people voted in a massive manner for our party, it was said that we won because of the invisible ink. It was said that we rigged the elections and that we used official patronage. I have the experience I was then a Cabinet Minister, having a lot of power. But, in my constituency, I know that because I represented the weaker sections, because I represented the poorer sections, in 50 of the booths, votes were captured. I could not do anything. In my own district, a national leader, a man of national stature, Shri Jagjivan Ram, was contesting. In his constituency, booths were captured. By whom? By the affluent sections, by the dominant sections and even though we were powerful people, we could not do anything. Therefore, it is not the Government, it is not the power of the Government that is rigging

SHRI PILOO MODY: Who did it?

SHRI B. R. BHAGAT: Your friends, the landlords and the affluent sections. The danger to our Government is from the vested interests, in this country. They say, it is because of invisible ink. What happened in the UP elections? We got 32 per cent of the votes. But, all the parties said that we rigged the elections.—But, the position is, the elections. But, the position is, the Opposition has failed to provide the alternative, they have failed to raise national issues on the national sphere and they have failed to provide the ed in this Parliament—this is an national alternatives. They have fail-

important point—to create a consciousness in the country. Because they have not been able to do anything at the policy level, they are indulging in mudslinging and character assassination. They have started from the top because they think that by attacking the Prime Minister and the leader of the country, they will create distrust in the Government. Similarly, about the CBI, oftentimes Members come and say: sent it to the CBI. Why? Because it is an instrument of investigation and that is the way parliamentary system works. Who gives facts? It is the Government which has the agencies; they give the facts. If any hon. Members have different facts, they should be given to the House so that the House may judge them. But the point is that the finality about any facts after investigation is that of the Government. There is no point in confusing issues. Mr. Vajpayee gave a catalogue of charges and he himself says that it reads like a detective novel; he says they are all true. Whether it is true or not, that is a different matter. Whatever Mr. Vajpayee or other Members have said does not justify in any manner, even remotely, a parliamentary probe. A parliamentary probe is beset with various difficulties. In our 25 years of history, we had only one instance of Mudgal case. That did not involve any criminal offence or any subversive or seditious act. It was a *bonafide* transaction. A resolution was there money passed through cheques. The director Mr Nandkarni reported to the Government that a resolution was there. After investigation it came here. The stage is important. The facts were all known; they were not contested even by Mr. Mudgal. The House decided it was a specific issue. This case here is not like that. It is alleged that a representation has been made by Members of Parliament. In the first Lok Sabha there is a ruling by Speaker Mavalankar on how Members can represent individual case or collective cases or cases from their constituency. There is a clearly laid down procedure and any Member whether from the Opposition or the

ruling party can represent a case to the Ministers. There is nothing wrong about it. The point is that while doing so, the conduct should not be unbecoming of a member, it should not be done for personal gain. Now that is a point to be looked into. Twenty members out of 21 have said that their signatures were forged. It is asked, why did they not raise it if an injustice had been done to them? The hon. Members can say that they should raise that issue.

Is that a point against members whose signatures have been forged? When this matter was first raised in the weekly, it was the Congress Member, who raised it in the other House. We do not treat it as a party issue. I am sorry opposition members have brought in political considerations. In this atmosphere, any impartial independent enquiry is not possible. Even when an enquiry had to be conducted into the activities of a member of the Cabinet, it was conducted under the Official Secrets Enquiry Act. The same was done in the cases where some Chief Ministers were involved. Never a parliamentary probe was conducted because it was not considered feasible. This has been our experience.

What is the experience of U.K. which has a longer experience of parliamentary system? The Royal Commission on Tribunals of Enquiry said that for almost 300 years from the middle of the 17th century until 1921, whenever any matters of public disquiet about alleged misconduct of ministers etc. were raised, they used to appoint a parliamentary select committee to go into it, but they have reached the conclusion that such a committee of enquiry had no claim to impartiality. It was actuated solely by party political motives. So, this is what is going to happen here also if you appoint a parliamentary committee. It cannot be impartial and independent. It will be governed by party political motives, which is the characteristic defect of such committees enquiring into matters of this

kind. So, in 1921, the British Parliament gave up this practice. There was a very interesting case referred to by Mr. Das Munshi also. In what was called the Marconi Scandal, a tender was accepted by Government and some irregularities were found in that. So, a committee was appointed. The voting in that committee went exactly along party lines. The Conservative majority exonerated the ministers. The minority said, the ministers were guilty. When it came to the House, the same thing was repeated. So, this is exactly what will happen here also if a parliamentary committee was adopted. A reference was made to the Watergate scandal and the judiciary committee in the US. Their system is different from ours, although both are democratic. I happened to be there when their judiciary committee went into it. I saw the strength of public opinion there. But in US the parliamentary committee functions in a different way. The voting curbs across party lines. There they do not function on party lines as it takes place here. Even in the Judicial Committee as many as 11 Republican Members voted for the motion.

SHRI ATAL BIHARI VAJPAYEE: We are also in the Privileges Committee we do not go by the party lines.

SHRI B. R. BHAGAT: In the United States they make this departure, which is very important that we should take note of. Even though a parliamentary committee may be functioning better in the United States, there is the famous case of the assassination of President Kennedy which was not referred to a Congressional Committee but an outside commission, the Warren Commission, because it was a highly political matter. So, even in the United States they made a departure.

I welcome the opposition members saying that this is not a party question. But the whole ethos of their political functioning, the way they

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have been functioning, shows the utter frustration of the opposition members. Because they find that they are not able to unseat us, therefore, instead of evolving an alternative policy or system, they are trying to bring motions like this.

SHRI SHYAMNANDAN MISHRA: I ask you with folded hands, because you were also a Minister in that department, why did you not grant licences to these paragons of virtue?

SHRI B. R. BHAGAT: I do not know what I did five years ago. For that I have to depend on the hon. Minister. So, this is again ignorance of parliamentary practice. The Minister today is the custodian of not only himself but all his predecessors in office.

So, let us not depart from the parliamentary practice. I say that in the present climate let us build some conventions, not on party matters but on national issues, on issues of war and peace. Today when the whole country is faced with a serious economic crisis, let us try to strengthen the moral values, of which the hon. Member speaks, let us strengthen the parliamentary institutions, instead of bringing such calumny of charges, or character assassination or catalogue of charges. Let us have a national platform in which all these national issues could be dealt with. That is how we can strengthen the Parliament, or the moral values, or the political values in the country.

Of course when I say that I do not mean that what they have said is not worth probing into. It is, and it will be. But, let them not mistrust the Government. They think the Government is shielding somebody. There are ways of doing it. We have the Commissions of Inquiry Act.

The hon. Member was saying that he asked the Director of the CBI in a Committee whether he can deal with the question of a Minister. Well, if I had been in that Committee, I would have immediately asked him whether he can deal with an opposition Member of Parliament. I am sure the answer would have been "No"

SHRI SHYAMNANDAN MISHRA: What happened in Bihar? (*Interruptions*)

It is the Corruption Bureau of India... (*Interruptions*)

SHRI B. R. BHAGAT: I do not mean to say that any Minister or Member of Parliament is above the law. I am not going to say that. It is a highly political matter when you deal with a Minister. If some irregularities have been committed by a Minister or a Member of Parliament belonging to the ruling Party or a Member of Parliament belonging to the Opposition, it cannot be left to an officer. It has to be decided at the political level. If it is a case of Minister, the matter is brought to the notice of the Prime Minister. She has to decide whether her colleague has done something wrong and if she finds that he has committed something wrong, the Minister goes away. Similarly, in the case of others, it has to be decided at the political level (*Interruptions*) I am trying to clear the mess that you have created. The CBI man has honestly said that he cannot deal with the case of a Minister. (*Interruptions*) That is the difference between democracy and despotism. Our instruments are correct. The support of the Opposition is needed to strengthen the CBI so that, whoever commits an offence, whoever it may be, he may be dealt with under the law of the land. And, in this matter, as has been pointed out, the Prime Minister has clearly said that the CBI is enquiring into this matter. Action by Parliament is not foreclosed. After the inquiry report comes, if there has been a breach of privilege, if there has been a misconduct by any member, if there has been a contempt of the House—

certainly, forging the signature of a member is a contempt of the House—and if these facts are established, at that stage, the House can take a decision so as to protect the dignity and honour of the House, so as to deal with even a member or any other person who had tried to invade on the privilege of the House, whose conduct was derogatory. Therefore, my appeal is that this is not a party issue, this is not an issue in which a Parliamentary probe can be undertaken now because it cannot lead to a fair and impartial inquiry. The whole political atmosphere is different. Therefore, we do not add to the dignity of the House, we do not add to the privilege of the members, we do not strengthen the roots of Parliamentary system, by demanding such a probe because it will not be possible to deal with the situation at this stage in the light of the facts that I have stated.

PROF. MADHU DANDAVATE (Rajapur): Mr. Chairman, Sir, when I participate in this debate, I do it more in pain and shame, than in anger because, when many of us go out, we find for the first time that the entire Parliament is completely denigrated. Irrespective of the fact whether one belongs to the ruling Party or to the Opposition, people outside have started feeling that the only sacred instrument of Parliamentary democracy that existed in this country is also vitiated, that instrument is also denigrated. Let me make it explicitly clear at the very outset that while I express my views in support of the motion that has been moved by Shri Atal Bihari Vajpayee, I am not interested in carrying on character assassination of individuals. None of us is interested in character assassination. But, we are interested in cleansing the corrupt system in this country. If we have raised the issue regarding the forging of signatures and the licensing policies, we have done it not merely on ethical or moral grounds but because as a result of this particular malpractice, on the one hand, the instrument of parliamentary democracy and the

instrument of Parliament is being undermined and on the other hand, we find that if the present corrupt system continues as it is, if the mal-practices are tolerated, if there is no probe by a parliamentary committee, in that case, there are disastrous economic consequences of this corrupt system and that is the reason why we are discussing and debating this issue very seriously.

When my hon. colleague, Shri Madhu Limaye and myself repeatedly brought to the notice of the House, the lapses on the part of the Government in not submitting certain reports, it was not merely a procedural wrangle but because the non-submission of those reports has economic consequences and as a result of that, there are distortions in the prices. As a result of these economic consequences, we have made this issue and it is only from this perspective, to defend the economy of the country, to remove the distortions in our economy that we are pressing this issue.

It is not merely a technical problem as to who has forged the signatures and who are guilty of mal-practices, but we have to view this entire problem in the context of a series of mal-practices that are taking place in the country.

20.52 hrs.

[MR. SPEAKER *in the Chair*]

I do not agree that this particular issue is restricted merely to forging of signatures. The problem is far wide. It is an integral part of the wider conspiracy that is going on in the country. It is not merely this scandal that is there. It is part and parcel of a series of scandals that have gone on in the country. Not only there is the Pondicherry licence scandal, there is the Karnataka Export House scandal, there are the barter deals scandal of STC and MMTC involving millions of rupees and the diversion of steel, cement and other controlled items which have also resulted in a number of malpractices....

SHRI PILOO MODY: There is a conspiracy going on even now.

PROF. MADHU DANDAVATE: My friend, Shri Madhu Limaye had brought before this House four important documents. (1) He has pointed out to the House that there is an engineering unit in Punjab which managed to secure imported wool and polyester fibre though these raw materials were not required by the unit.

(2) He has brought to the notice of this House that two small scale industrial units acquired licences of a very high value by taking undue advantage of nomination facilities.

(3) He had brought to the notice of the House that an eligible export house acquired licences of a high value and used them for obtaining stainless steel sheets.

(4) Fourthly, he has pointed out that an exporter indulged in over-invoicing in order to obtain a higher entitlement for sensitive items.

These are some of the malpractices he has mentioned....

SHRI P. G. MAVALANKAR: On a point of order, Sir, Prof. Madhu Dandavate has just now, while referring to the general question of licensing, referred to as many as four cases and he has referred to four documents. I recollect very vividly that earlier in the House, from this side, my friend, Shri Madhu Limaye had referred to the same documents.

Sir, I would therefore like you to direct Shri Limaye to lay those documents* on the Table of the House. Under Rule 368 these must be made available to this House because Members are referring to the documents and we do not know what the documents are. I am referring to Rule 368. You will please direct Shri Limaye to lay them on the Table of the House.

MR. SPEAKER: I cannot agree with this unless I see them.

PROF. MADHU DANDAVATE: Sir, as I was pointing out to the House, this is not merely an isolated scandal. Unfortunately, both inside the country and also outside the image of our entire system has been denigrated to a very great extent. I just now made a cursory reference to four important cases in which abuse of the powers of licensing had been indicated. Those papers have already been laid on the Table of the House. I wish to point out to this House, while we discuss this scandal regarding the licensing policies as also the misuse of powers, we shall also remember that in countries outside to-day we find that there is denigration of the image of our entire system. We find for example that the agencies like the S.T.C. are suspect in the eyes of a number of countries. The MMTC officials in various countries have been declared *persona non-grata*. Some of the embassy staff is suspected of smuggling. That is the reputation that we have built up and if the debate in this House regarding the licensing scandal also goes abroad with all the details, the prestige of the country will go down and it will demoralise those who sympathise with our country.

The hon. Minister, Prof. Chattopadhyaya had brought before the House a certain written statement. For the first time I came across a new definition for the old concepts. He tried to explain to us what was the meaning of 'ex gratia' licences. According to the dictionary meaning, 'ex gratia' is something that is given as a favour; something that is given as a gratitude, something that is given as a grace. For the first time I hear that the concept of *ex gratia* is linked up with justice and equity. It is a strange paradox that a concept of *ex gratia* is being linked up with justice and parity only to cover up the lapses on the part of the Government. In the course of the debate, it has been ex-

*The documents were laid on the Table. [Placed in Library. See No. LT-3419/74]

explicitly made clear that Shri Tul Mohan Ram had admitted before the C.B.I. of having signed the memorandum.

I would like to know from the hon. Minister whether he has admitted only regarding his signature or whether he has also admitted before the C.B.I. that he had received a certain amount. If he has admitted that, then I would like the Minister to tell us from which particular source he has received this amount. Will he throw some light on that?

There is another important aspect of it to which I would like to draw the attention of the House. It seems from the discussion and from various informations that have come before the House that Shri Tul Mohan Ram is a signatory not only to one memorandum but also he is a signatory to another memorandum. Here Shri Tul Mohan Ram is a signatory along with others. This itself establishes a *prima facie* case and, if a *prima facie* case is established in that case, it is better that we allow the entire matter to be investigated by the Committee of Parliament.

It was revealed by an hon. Member that as far as U.K. was concerned, this particular *modus operandi* or a probe by a Parliamentary Committee was completely failed. He has given not a complete truth but only a half-truth. As far as U.K.'s experience regarding parliamentary probe is concerned, politically motivated decisions have been arrived at. But, at the same time, when he has tried to quote one aspect of democracy in U.K. he has forgotten to quote the other important aspect. In the U.K. we have found out that when a *prima facie* case has been established against a Minister in the House of Commons, resignation is not demanded but on their own, *suomoto* the Ministers in U.K. tender their resignations. I wish that when the ruling party quotes certain precedents from the U.K.'s experiments, they should also quote the precedents in which the ministers do

not remain stiff in their chair. Here people have expressed their vociferous feeling against the malpractices, but still the Ministers remain stiff. As regards the impartial character of the Parliamentary Committee, we are proud in this Parliament that our Parliamentary Committees have a glorious tradition. We have a Committee called the Committee on Welfare of Scheduled Castes and Scheduled Tribes. If you go through the proceedings, of this Committee, you will find that whenever cases of atrocities against harjans and adivasis are taken up, irrespective of whether those who have committed the atrocities are the supporters of the Opposition or the supporters of the Congress, they are discussed cutting across the party lines. This Committee on the Welfare of Scheduled Castes and Scheduled Tribes has developed a procedure which transcends all political considerations.

21 00 hrs.

We have the Privileges Committee and it has been the experience of the Members of the Privileges Committee whether they belong to the Opposition or the Ruling party that on a number of issues they had risen above the party-loyalties and party considerations. Therefore, the tradition in all the Parliamentary Committee has been that we had taken an attitude which is unbiased and impartial. The demand for Parliamentary probe should not therefore be rejected on grounds of fear and partisan attitude.

I warn this House that if you reject the demand for a Parliamentary probe then the out-moded devices of impeachments which prevailed till the nineteenth century in U.K. would be revived. I will conclude by quoting from May's *Parliamentary Practice* (17th Edition), page 39:

"In impeachments, the Commons, as a great representative inquest of nation, first find the crime, and then as prosecutors, support their charge before Lords, exercising at once the

[Prof. Madhu Dandavate]

functions of a High Court of justice and of a jury, try and also adjudicate upon the charges preferred.

Impeachment by the Commons, for high crimes and mis-demeanours beyond the reach of the law, or which no other authority in the State will prosecute, might still be regarded as an ultimate safeguard of public liberty, though it has not been employed since the beginning of the nineteenth century.

Impeachments have directed particular attention against a Minister of the crown, but the growth of the doctrine of collective cabinet responsibility, and of the resignation of the Cabinet following a successful vote of censure, against a minister, resulted in the decline of impeachments in modern times."

In India by refusing parliamentary probe of such a serious scandal shall we introduce outdated concepts like impeachment by Parliament, a device not brought into effect after the beginning of the nineteenth century. But if you do not want to adopt those outmoded methods it is better the demand for a Parliamentary probe should be accepted.

I want you to look at the history of corruption in different parts of the world and you will find that where Government refused to have a probe into corruption in a number of countries that led to revolutions. The French revolution was a product of rampant corruption. In Soviet Russia again it was the corruption of Czar which resulted in revolution. Likewise in Chiang-ke-Sheik's China full of corruption, there was unprecedented revolution. In Soekarno's Indonesia there was an upheaval against the corrupt regime. If the present ruling clique refuses a probe they will also go the same way as of Soekarno and Chiang-kuai-Sheik.

I will conclude by appealing not to the ruling party, not to the opposition Members but to the conscience of this House, which I hope is not yet nationalised, to support the demand for parliamentary probe so that the honour of our Parliament as an instrument of democracy is vindicated. Parliamentary democracy with all its failings and shortcomings, among all the existing political systems, is the best because it gives expression to the spirit of man, his hopes and aspirations.

In that spirit I again appeal to the conscience of the House to adopt Shri Vajpayee's motion unanimously so that we go outside this House with a shining face of our Parliament.

SHRI M. RAM GOPAL REDDY (Nizamabad). Sir, on a point of order. Four hours have been allotted for this. We have exceeded this limit. We do not know up to what time, we have to go on.

MR. SPEAKER This is not a point of order. Mr. Ram Gopal Reddy, you could have otherwise asked. Why do you use a point of order for this purpose? Mr Bhagat

SHRI H K L. BHAGAT (East Delhi) Mr Speaker, Sir, not even tonnes of strong words and sentimental outbursts can make a weak case a strong case. After listening to the speeches made by the various Members of the opposition today on this subject, I found, they were diverting from the subject, they were digressing from the subject and they were trying to use this motion virtually as some kind of a No Confidence Motion, not really concentrating on the issues which they have raised through this motion. Mr. Jyotirmoy Bose very clearly said that this motion was some kind of a No Confidence Motion. Sir, the very fact that they have discussed they have diverted from the motion, bringing in all kinds of other things, repeating things which they have said earlier, shows that the case which they have brought through this motion is a weak case, and as I said, no amount

of strong words, not even tonnes of strong words, would convert a weak case into a strong case. Just now, Prof. Madhu Dandavate was very sentimental in reminding us of the UK traditions of parliamentary democracy and making an impassioned appeal to us. I believe he is a very sincere man, though somewhat hyper emotional. I would like to ask him this question: I am not talking of the 18th or 17th or 16th Century. I am talking of the 20th Century. I would like to ask him or Mr. Shyamnandan Mishra or the laborious Mr. Madhu Limaye, who always goes and searches one thing or the other, may be relevant, may be irrelevant sometimes he is irrelevant. I would like to ask them how is it that after searching through the *May's Parliamentary Practice*, and after searching through the various debates of the House of Commons, they have not been able to—I challenge—find out a single case where the Mother of Parliament, the British Parliament has ever entrusted the investigation of any criminal case to any Committee of the House? I would like to know that. Any single case? I challenge them. They cannot. Let them quote any single case where a case of this type a case of this nature has been left to a Parliamentary Committee to investigate. Now I come to our Parliament. I know you are not referring to that case.

SHRI MADHU LIMAYE What about the *Mudgal case*?

SHRI H. K. I. BHAGAT I am coming to that case. You have referred to it. Your friends have referred to it, very feebly. I am going to refer to it more. Shri Shyamnandan Mishra hit in regard to what he described as *Profumo case*. Was any suggestion of involvement of any offence made in that case? No. Not at all. What is it? The difficulty with the opposition is they want to make all kinds of charges all kinds of allegations all kinds of insinuations with all the inferences. But, they do not want to stick to it and face the consequences in the debate or discussion in this House.

Now, Sir, what have they said? They have tried to put before the House—I take them by their words—that a forgery has been committed, document has been used, that there was a conspiracy, that the whole thing was fabricated, that money has been taken that money has been passed at various levels and that it was a big conspiracy to do this and that and so on. The Opposition Members have shown an astonishing ignorance of law, particularly criminal law. They make wild allegations, they have not produced any *prima facie* evidence in support of them. The only relevant evidence and important evidence is that 20 hon. Members of this Parliament have said that their signatures were forged by somebody. My friends say that a parliamentary committee should probe into it. I have great respect for Shri Vajpayee and I want to know from him. He has shown absolute lack of knowledge even elementary knowledge of criminal law. Supposing somebody is charged with committing forgery, A or B. You have got to take their signatures compare his admitted signatures. Even the opinion of the hand-writing expert is not conclusive. Courts do not treat them as conclusive. If anybody can be convicted of the offence of forgery it is only the court of law which can do it. My friend Goswami said that prosecutors should not be judges and witnesses, both. It is not a case of mere prosecutors it is a case of persecutors they are trying to become judges.

Let us assume for a moment that Mr. Vajpayee becomes the Chief Justice or the chief presiding officer of this committee. I am going to ask him some inconvenient questions. Suppose you say that so and so is guilty of forgery. Suppose that man goes to a court of law which is the competent authority to say whether somebody has committed forgery or not and that the court says No, what happens? You have not raised only the question of dignity of the House. I will come to the question of privilege and I shall refer to the *Mudgal case* in a more detailed manner. The facts

Shri H. K. L. Bhagat.—Contd.

are inter-dependent. Whether the conduct of any person will lower the dignity of the House or whether he has committed a breach of privilege or not, whether he has committed an offence or not is all dependent on the ascertainment of certain facts. Whether somebody has forged and if so who has forged, whether somebody has taken money or not,—who will decide this and how are these things to be decided? They will have to depend upon the aid of some agency. We sit in the Privileges Committee. What do we do? Even there we want facts to be ascertained; we take the help of others, either it is the police or some other agency. Even if such a committee were to be constituted they will have to go to the police or the CBI to go and ascertain facts. I do not remember who said it but it is probably Shri Shyamnandan Mishra—If I am wrong, I will apologise. Leaving aside what was said in the House, I was surprised some newspaper editorials also were saying that the CBI can investigate under the supervision of Parliamentary Committee. That again shows an astonishing ignorance of law, whether they are newspaper editorials or Members of this House. Because nobody can interfere with the investigations. Once the case is registered, it would be absolutely illegal to do so Parliament can change law but parliamentary committee cannot influence the course of investigation in one way or the other. Suppose a Parliamentary Committee is there with Mr. Vajpayee sitting on one side and Priya Ranjan Das Munsi sitting on the other side, what direction can it give to the CBI? There is an amendment to suspend the investigation by the CBI as if this House has the power to do it! This House can change the law, but even Parliament is governed by the law it makes. The Cr. PC. makes it clear that once a case is registered, it is only the court which can file it. It can be withdrawn only with the permission my hon. friends do not under-

mission of the court. This simple stand.

Mr. Vajpayee says, he has no faith in the CBI. In this very House several times the opposition members have demanded investigation by the CBI in so many cases. But now CBI has become particularly inconvenient for Mr. Vajpayee, after they started investigating the great corruption in the Delhi Municipal Corporation I have great respect for Mr. Balraj Khanna and I do not mean any disrespect to the dead. But I have some very inconvenient questions for Mr. Vajpayee to answer. How is it that he committed suicide and why did he choose his party building to do it? There are many whispers around. Even committing suicide is an offence I do not know whether the police or CBI have taken cognizance of it, though I am not asking for it. CBI may or may not have investigated a case properly but to condemn CBI outright and say that we have no faith in it is not fair to them and to the country.

Mr Vajpayee quoted only one part of the Mudgal case. He said, Pandit Jawaharlal Nehru was asked, "why not have a probe by the Congress Party?" and he replied "No; that will not be desirable" I am happy Mr. Vajpayee is quoting Shri Jawaharlal Nehru at least after his death. He has become wiser. But what is the relevance of his quotation? Nobody has asked for a probe by the Congress Party in this case. Then, in the Mudgal case, it was a precise definite motion against one despite person and there was no criminal offence involved. Thirdly, the allegation was that he entered into an arrangement. But Mr. Mudgal said that the arrangement was by the Mudgal Publications. The committee said, whether it was Mr. Mudgal or Mudgal publications, he was supposed to keep his conduct above board. But the facts were admitted. The facts were ascertained by Shri Nehru by writing letters to Mr. Murwgal and getting his replies. Notices of the

motion for enquiry was given to Mr. Mudgal and he spoke in the House. Now, in this case, there is no specific name mentioned in the motion. They say all kinds of things. They want a motion to be adopted in this House without giving any opportunity to anybody, without the ascertainment of facts by anybody.

Then, Shri Madhu Dandavate—he is also a lawyer, I believe; I do not know; he is a Professor in any case; I believe he knows a little bit of law—I am surprised that he has asked in a motion that the Minister must resign, without hearing him. The Mudgal case stands on a different footing because there is no criminal offence there.

The tragedy is that one can understand ignorance. Ignorance is very dangerous, but where ignorance and malice are combined, it becomes, well, I do not know what to say. The trouble with the opposition is, at least on this occasion, they have shown complete ignorance. With that malice is combined.

I find that Shri Jyotirmoy Bosu has gone away. He asked why the Prime Minister has not come to the House and why she has not spoken. The Prime Minister is a responsible leader of the nation. She has got to weigh every word before she speaks. She has to ascertain facts before she speaks. She is not like this small, mini, fake addition of fictitious James Bond.

PROF. MADHU DANDAVATE: Mini and small mean the same thing.

SHRI H. K. L. BHAGAT: He says that mini and small mean the same thing. The difference between mini and small is the difference between himself and Shri Jyotirmoy Bosu.

You can act like a drain inspector and spread rumours. We cannot help it. Shri Vajpayee described this as the Watergate of India. My respected friend and his party has been in-

fluenced by the perpetrators of Watergate, but not those who stood against him. Shri Vajpayee was shaking in his legs when he said that the Bangladesh refugees will never go back. Then he had in mind the threat of Mr. Nixon because he was afraid of him. We never bothered about it because we are not afraid of him. You are thinking of a fictitious Watergate. But you will never be able to deceive the people. You are only deceiving yourself and nobody. Ultimately, you will find to your disadvantage that these theatricals, these antics, these dramatics do not help the opposition. The question of question is why during all these 25 years we did not have an alternative in this country. It is because you behaved in this manner. You have not behaved in a responsible manner.

Lastly, as somebody was saying, it is very sad day for this country that we find that the opposition is not a vigilant instrument of defending democracy, upholding democracy. It is this opposition which by its irresponsible theatrical behaviour is trying to tarnish the image of democratic institutions in this country. You are responsible for this.

Mr. friend has expressed concern for "20 innocent Members of Parliament". They are innocent. Shri Vajpayee gave a very curious argument. He said that these 20 members have denied their signature, therefore there must be something in it. He is a very great political leader. I hope he will not mind my personal remark that he is a great political actor also, a political leader—a great hero. I have never heard more queer logic—because they have denied their signature, therefore, there must be something in it. They are innocent, but the sympathy of Shri Vajpayee for them is not genuine. I think, the very fact that they have themselves diverted from the motion shows that their motion is weak, without any precedent, without any cogent arguments, and, therefore, it deserves to be rejected.

श्री जनेश्वर मिश्र (इलाहाबाद) : अध्यक्ष महाशय, सबसे पहले तो मैं बता दू कि मत्स्यकृषि दल के लोग इस पूरी बहस को जिला कचहरी की बहस के स्टैंडर्ड पर ले जा कर खड़ा करना चाहते हैं और सी० एर० पी० सी० का सहारा ले कर सार्वजनिक जीवन में जिस तरह से भ्रष्टाचार व्याप्त है, गन्दगी आई है और धब्बा आया है उस को छिपाने की कोशिश कर रहे हैं। असल बहस है हस्ताक्षरों के बारे में, 21 इस मदन के सदस्य हैं जिन लोगों के हस्ताक्षरों को लेकर यह बहस है कि वे हस्ताक्षर जाली हैं या जनुइन हैं। वे हस्ताक्षर पैसा लेकर किए गए हैं या कोई भ्रष्टाचार का काम इन हस्ताक्षरों के पीछे किया गया है, बहुत यह है और देश भर में इस की चर्चा है। इस इस को लेकर दूसरा सवाल एक यह छिड़ेगा कि जिन लोगों को लाइसेंस दिए गए हैं वे लोग उस के हकदार हैं या नहीं। यह विवाद बहुत देर से चल रहा है इस लिए इस को से छोड़ना नहीं चाहता हूँ। लेकिन मैं यह जरूर जानना चाहता हूँ कि उस में जो कर्नाटक वाली कम्पनी है तुलसदायन कम्पनी क्या उस कम्पनी का हिस्सा कहीं न कहीं जा करके भारतीय कम्पनी में भा पड़ता है ? यह आप साँचिए। यह तो प्रधान मंत्री से गिना होता है। उस के बाद रेल मंत्री माहव पर आता है। रेल मंत्री जिन दिना विदेश व्यापार मंत्री से इन का कहना है कि इन के कार्यकाल में ये लाइसेंस नहीं दिए गए थे और इसके साथ साथ उन्होंने यह भी कहा है कि यह सही है कि मेमोरेडम हम को मिला था। वहाँ से बँटे बँटे बहस जब चल रही थी तो टोक कर कहा था ? खड़े हो कर व्यक्तिगत सफाई के तौर पर टोका था। फिर लोगों ने कहा था कि यह व्यक्तिगत सफाई नहीं है, यह इंटिग्रेशन है। तो यह तो इनका सफाई होती है। अब सवाल उठता है कि मार्च के छ. महीने में जिनके अखबार 21 मई, वर्तमान रेल मंत्री और तत्कालीन

विदेश व्यापार मंत्री के खिलाफ एक पॉर्टिकल छापत हैं। मार्च से ले कर यह सितम्बर का महीना है, इतने दिनों तक हम यह नहीं समझ सकते कि ये 21 मई या हमारे मंत्री जी जो कि जिनके लोग हैं अखबार जरूर ठीक से पढ़ते होंगे, उन के सामने जरूर अखबार आया होगा, शक तो तब होता है कि इन लोगों ने हम के खिलाफ कोई अपवाद का बयान क्यों नहीं दिया ?

दूसरी बात 21 मई से 20 लोगों ने बयान दे दिए अध्यक्ष महाशय की मौजूदगी में और उन में से कई लोगों ने यह भी कहा था कि हम चाहते हैं कि समक्ष जाच कमेटी विटाई जाय। उस के तीन दिन बाद उन में से कितने ही लोगों ने कहा कि हम अपनी इस भाग का वापस ले रहे हैं। अब मुझे इन लोगों में चर्चा पर शक करने का भाव इजाजत देगे या नहीं देगे जो दो दिन पहले एक बयान देते हैं और दो दिन बाद अपना बयान स्वयं बदल देते हैं। आज सारे देश में यह चर्चा है। ये लोग भी कहते हैं कि इन के मनखन जाली है और सारे देश में अदर यह चर्चा चल रही है कि सार्वजनिक जीवन में जो लोग जाच दखलत करने के आदी हो गये हैं। यह भी चर्चा चलती है कि कई लोग बाए हाथ से दखलत कर दिया करने है इसलिए कि पकड़े न जाए। इस को जाच हानी चाहिये या नहीं और कौन जाच करगा इस पर? मंत्री जा पंडित ललित नारायण मिश्र यहाँ से चले गये। (अवबधान)... ये लोग हल्का इसा तरह में करने रहेंगे। मैंने इन लोगों का हस्ताक्षर बहुत बार देखा है। उन्होंने कहा इंटिग्रेशन करने हुए कि हमारे कार्यकाल में यह लाइसेंस नहीं दिया गया। यहाँ होते तो मैं उनसे पूछता, लेकिन फिर भी पूछना चाहता हूँ और एक बार और पूछा था, आप को अलग अलग में और मंत्री बँटे हैं, मैं यह नहीं कहता वे सब मंत्री लोग बहुत; इमानदार हैं, मैं

बह भी नहीं कहता कि ये बहुत इमानदार की तरह से रहते होंगे, लेकिन इतना जरूर कहना चाहता हूँ कि इन मंत्रियों पर क्या नहीं उगली उठती? क्या वजह है कि सिर्फ पंडित ललित नारायण मिश्र पर ही हत्या मचा करती है? कहीं न कहीं कोई कारण तो हुआ करता है और मे कहूँगा उत्तर प्रश्न के भूतपूर्व मुख्य मंत्री श्री चन्द्रबान गुप्त न एक बयान दे, किया हुआ था जिनके बारे में भ्रष्टाचारा में भी आया था कि उन पर प्रेश और युजरात के चुनाव के लिये 5 कराह रूपया सत्कार्ड बन न इक्ट्टा किया। उस टैप का मैं मुना और उस टैप में हमें पंडित उमाशंकर दीक्षित का नाम मुनने का नहीं मिला, पत जी जा नाम मुनने को नहीं मिला, विद्याचरण शुक्ल का नाम मुनने का नहीं मिला।

विद्याचरण शुक्ल का नाम मुनने का नहीं मिला, श्री बी० आर० भगत का नाम मुनने का नहीं मिला फिर ग्ल मंत्री श्री ललित नारायण मिश्र का ही नाम मुनने का क्या मिला? (इशारा) यहाँ पर कितने मंत्री बैठते हैं प्रधान मंत्री २, ललित नारायण मिश्र के बाद श्री ललित नारायण मिश्र के बाद मैं ही चर्चा चलता हूँ क्योंकि यह अकसर लिफाफा बलादा करत हूँ। (इशारा) जो हल्ला करने ने उसे भी मैं कह देना चाहता हूँ कि आप भी हल्ला करत हो तो उस लिफाफे की घटना का याद रखना, उसके बाद आपकी जवान स्वयं बन्द हो जायेगी अगर आप में जरा भी शर्म होगी तो।

श्री बेचारे तुलमोहन राम जी इमसे कसे हुए हैं। उनके बारे में हमको बताया गया कि पिछले 6 महीने के अन्दर उन्होंने 66 एकड़ जमीन खरीद लिया है, 5 हजार रूपया एकड़ के हिसाब से (इशारा) यह सफाई दे रहे हैं। लेकिन उन्होंने जमीन खरीदी है यह हकीकत है। वाजपेयी जी ने

जिस छोटराम भगवान का जिक्र किया है उस छोटराम ने मुझे चिट्ठी भेजी है। तीस हजार रूपया श्री तुलमोहन राम न डम छोटराम से लिये है। जब वाजपेयी जी बोले थे तो छोटराम यहाँ गैररी में बैठा हुआ था। कहिये ना मैं आपकी जानकारी के लिये यह चिट्ठी रख द। वह निश्चिन्ता है

मेरा नाम छोटराम भगवान है। मेरा घर खेडा कला पा० रोडा कला, दिल्ली 12 में है। मेरे गांव कुछ बदमास मेरे ऊपर अत्याचार करत थे और मेरे लडके को अहूत करके छिपा दिया लगभग तीन माल पहले। मैं उस लडके को खोज के लिये राज्य गृह मंत्री श्री के० सी० पत्र और दिल्ली र उपाज्यपाल के यहाँ श्रील को। उनके कुछ वाद मेरा दूसरा लडका भी गायब कर दिया गया। एस० डी० एम० श्री अग्रवाल की कोशिश में एक लडका तो लिया पर दूसरा लडका डड माल बाद मिला। श्री वायेंद्र झा, एम० पी० के यहाँ मैं अपना दुखड़ा मुनात गया वहाँ पर श्री तुलमोहन राम, एम० पी० उल्लिखित थे। उन्होंने मेरी नाराजता का आश्लासन दिया और दम रुपाय भी मेरे बच्चा का खिनात के लिये दिया और अपने यहाँ रहने के लिये कहा। उनके दबाव डालने पर मैंने अपने दो भाइया की जमीन र साथ 16 बीघे 2 अट्टा जमान बेचा जिनमें मेरा हिस्सा 33 800 रूपये हाता था

अध्यक्ष महोदय : पांडिचेरी की फर्मों का लाइसेंस देने के बारे में यह मोशन था है, उनके बारे में कुछ कहिये, यह छोटराम का आप कहा से ले आये।

PROF MADHU DANDEVATE He came along with Tulmohan Ram

SHRI S M BANERJEE May I draw your attention to my amendment to Shri Vajpayee's resolution?

अध्यक्ष महोदय: तुलसीमोहन राम का जो फैसला करना है, आपके सामने मुझ एक मोशन थाया कि हाउस सीज्ड हो, कमेटी बने या न बने, कोई जहान की बात नहीं जो आरने नहीं की लेकिन जो मोशन है उसपर भी तो कुछ कह।

SHRI S. M. BANERJEE: Why do you not read it? It is there already.

अध्यक्ष महोदय मैं ने आपको नहीं बुलाया है।

श्री जगदेवदर मिश्र तुलसीमोहन राम जो के बारे में मोशोधन है जिनके बारे में बनर्जी सहाब कहना चाहते हैं।

तुलसीमोहन राम केवल इम सदन के लिये नहीं, सारे देश के लिये एक रहस्य बनने रहे हैं। केवल लाइसेंस कान्ड की ही बात नहीं है, इसके पहले भी वह कैसे रहे उसको भी देखना पड़ेगा। जैसा वाजपेयी जी ने कहा यह तुलसीमोहन राम श्री ललित नारायण मिश्र जी के पिता जी के नाम पर अपने क्षेत्र में एक स्कूल चलाने हैं। अब मैं एक सबाल पूछना चाहता हूँ, मिश्रजी होते तो उन्हीं में पूछता वह कोई राजनेता थे क्या, वह कोई शिक्षाविद थे क्या, हैं उनके नाम पर स्कूल चलाया गया? (उत्तरवाचन) आज भी यह बहुत अपनी जगह पर फसी रहेगी क्योंकि जब आज की बात चलती है तो प्रधान मंत्री कहते हैं सी बी आई ने जांच होगी। सी बी आई ने क्या हुआ करता है? बड़ा इस सरकार के तीकर ही तो हैं। क्या तीकर अपने मालिक के बारे में कोई जांच कर सकना है इमानदारी के साथ? हम लोगों के बारे में हमारे खिलाफ जो चा जांच करवा सकते हैं क्योंकि हम आपकी प्रजा हैं विराधी होते हुए भी जो भी रबट आप चाहे वह आप निखर सकते हैं क्योंकि सी बी आई का जो इन्फरेक्टर

होता है वह जानता आपकी मर्जी के खिलाफ कलम बनाएगा आपकी प्रधान मंत्री की मर्जी के खिलाफ कलम बनायेगा तो एक दिन भी तीकरी में नहीं रहेगा। उसकी हिम्मत नहीं है कि आपको मर्जी के खिलाफ अपनी कलम चला सके। आज तुलसीमोहन राम भी नहीं है और प्रधान मंत्री जी भी गायब है। दोनों गायब हैं साथ साथ। इतनी महत्वपूर्ण चर्चा जिसके बारे में सारे देश में चर्चा हो रही है ऐसे भीके पर इस सदन में गायब रह तो एक तरह में यह इम सदन का अपमान है। मुझे डर है मुझे ही नहीं सारे विरोध पक्ष को डर है कि यही दोनों गायब नहीं हैं लाइसेंस कान्ड के मिलसिले में जिनने कागजात है वह भी गायब करने की साजिश चल रही है।

अब मैं साजिश के बारे में भी कुछ बता दूँ। एक दो मिनट थे हो खन्म करूँगा (उत्तरवाचन) आज जब श्री ललित नारायण मिश्र का रेल बजट चर रहा था—आप वह पर नहीं थे उपाध्यक्ष महोदय बैठे थे—य. ए. इ. एक गुरारमैया जी ने बालीन काप्रेनो सदस्यो की लिस्ट दे दी कि यह सब इम बहस में पाटिसिपेट करेंगे। यानी लाइसेंस स्कैंडल वाली बात किसी तरह में टल जाये इसी लिये उन्होंने 40 लोगों के नाम दे दिये। लेकिन उपाध्यक्ष महोदय ने उसमें केवल 5 नाम ही रखे।

THE MINISTER OF PARLIAMENTARY AFFAIRS (SHRI K. RAJGHU RAMAIAH): Sir, I am very sorry that my name has been brought in. I have myself told the Deputy-Speaker that he can guillotine the list. The list was given immediately after the debate was taken up. It is not true that forty names had been given just to scuttle the debate (interruptions).

श्री जनेश्वर मिश्र : यह चाहने थे कि
किन्हीं तरह से यह बहस टाल दी जाये।

SHRI K. RAGHU RAMAIAH. Sir,
about the Prime Minister, the matter
came up before the Business Adv's-
ory Committee I myself made it
clear then that she would not be here
today and all the Members said that
even if the leader of the House was
not there, we would go on with the
debate. So, what the hon Member
said just now was wrong

श्री जनेश्वर मिश्र : विधि मंत्री जी ने
सदन में आकर यक व यक कह दिया कि
मुकदमा मजिस्ट्रेट की अदालत में दायर होने
जा रहा है। वह अपनी तरफ से कोशिश करना
चाहते थे कि यह मामला सबजुडिस हो जाये
और इस पर बहस न चल सके। यह सारी
की सारी हरकतें आज के "हिन्दुस्तान" अखबार
में छपी है कि प्रधान मंत्री ता बाहर रहेगी
लेकिन कांग्रेस पार्टी की ममदीय पार्टी जो है वह
इस बात का ब्यहतरवारा नहीं है कि आज
विराध पक्ष व लोग अगर लाइसेन्स काण्ड पर
बहस करना है तर्कस उमन मुकावला किया जाये
लगना है न कि चीन का हमका होना जा रहा है।

MR SPEAKER: May I tell you that
the letter of absence of the Prime
Minister at this stage was sent to me
much earlier before the debate was
fixed! This was then referred to
this Committee. Please do not refer
it again.

श्री जनेश्वर मिश्र अब अध्यक्ष महोदय,
में दूसरी बात कह रहा हूँ। इस समय पूरे देश
का सार्वजनिक जीवन एक तरह से अष्टाचार
का गन्दा हो गया है। खाम तौर से जो सरकार
चला रहे हैं उनके चमने पूरे देश की अर्थ-
व्यवस्था लाइसेन्स और परमिट की अर्थ-
व्यवस्था ही गई है। सरकार चमने वाले
कोशों की उससे थोड़ा अपना हाथ साफ
रखना पड़ेगा, अपने का अलग रखना
पड़ेगा। दूसरी नहीं होना कि बाव' या

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बेटा रोजगार में रहे, वह लाइसेन्स पाता
रहे, रिश्तेदार और दूसरे लोग लाइसेन्स
परमिट पाते रहे और ना या बेटा सरकार
में रहे। यह दोनों बातें नहीं चल सकती
है। (अध्यक्ष न) तब मैं कहूंगा कि
कि एक तरफ मा अपने बेटे के नाम पर
कार का कारखाना खोलती हो और
बेटा अपने बाप के नाम पर स्कूल खोलता
हो. (अध्यक्षान) मैं कहता हूँ आप किस
लिए गेज पार्लियेन्टरी की बात करते हैं
क्योंकि हिन्दुस्तान का अष्टाचार कुछ अलग
किसम का हो गया है। (अध्यक्षान)
इससे अगर मुक्ति पानी है तो मैं कहूंगा
कि वाजपेयी जी जो प्रस्ताव यहा लाये हैं
उसको कांग्रेस पार्टी के लोग इमानदारी के साथ
स्वीकार करें। (अध्यक्षान)

श्री शंकर देव : मवान यह नहीं है
कि अष्टाचार है या नहीं, बहस इन पर होनी
चाहिए कि सी० बी० आई० का जाच
होनी चाहिए या ससदीय ममिति को जाच
हाना चाहिए। (अध्यक्ष न)

श्री जनेश्वर मिश्र : अगर अष्टाचार
छोटा होता और सी० बी० आई० जाच
कर लेदी तो मुझे एतराज नहीं होता।
ने इन अष्टाचार बडा है, देश के सार्वजनिक
जीवन से संबंधित है इस लिये मेरी अका
है कि मा० बी० आई० अपने म.सिको
के खिलाफ जाच नहीं कर सकनी। इस
लिय मैं कह रहा हूँ कि एक संसदीय कमेटी
बने और उसकी जाच खुली हो, अष्टाचार
बाले बँडे, देश की जनता देखे कि उस के
चुने हुए प्रतिनिधि कितने अच्छे है।
मैं खुद चाहता हू कि जो संसद है जिन पर
धारीय लग रहे हैं और जिन के कारण
हमारे ऊपर आरोप लगा रहे हैं वह सब बँधाय
हो जाए; और जो बोकी हैं उनको कोई सजा
भिस' जने। अगर मंत्री पर आरोप है
तो उसकी सजा भिसे। (अध्यक्षाने संसदीय

[श्री जनेश्वर मिश्र]

कमेटी को जाच को सत्ताकूट दल के लोग ईमानदारी में मान ले और सर्व-सम्मान में इस को पास कर दे।

श्री शंकर दयाल सिंह (बनर):

अध्यक्ष जी, हम लोग एक गम्भीर विषय पर विचार कर रहे हैं। लेकिन दुख की बात है कि जिस गम्भीरता से विचार होना चाहिये था उस गम्भीरता को विरोधी दलों ने हास्यास्पद बना दिया है। माननीय जनेश्वर मिश्र के भाषण को सुन रहा था। इन को बहुत गम्भीरता से लेने की आवश्यकता नहीं है और न ही लोग लेते हैं। इन को देखने के बाद और इन की शकल सूरत पर ध्यान देने से पता चल जाता है कि यह क्या है। (व्यवधान)

श्री जनेश्वर मिश्र : किसी की शकल सूरत पर यहाँ बात होगी तब तो मैं कहूँगा कि प्रधान मंत्री की नाक भी बहुत बड़े-बड़ी है। (व्यवधान)

अध्यक्ष महोदय : आप अपनी बात कहिये शकल सूरत तो बड़ी छोखे वाली होती है।

श्री शंकर दयाल सिंह : अध्यक्ष जी इन लोगों के सामने मुख्य रूप से दो प्रश्न हैं। एक प्रश्न यह है कि जो गम्भीर मामला सदन के सामने है जिस पर पूरे देश की आंखें लगी हैं उसकी जाच सी० बी० आई० करे या समदीय जाच कमेटी उस के लिये बने ? इस के लिये बार बार जो भी यहाँ भाषण दिये गये और आज से नहीं बल्कि 27 अगस्त से भाषण दिये जा रहे हैं उन को सुनते सुनते काम पक गये और अध्यक्षार में पड़ते पड़ते आंखें सूज गईं। लेकिन मुझे पता नहीं चला कि हमारे विरोधी दल के नेता क्या कहना चाहते हैं। बार बार उन्होंने ये यह बचकर कहा कि सदन की प्रतिष्ठा के

लिये और सदस्यों की मर्यादा के लिये संसदीय समिति का गठन होना चाहिये। लेकिन मैं जानना चाहता हूँ कि सदन की मर्यादा को याद दिलाने वाले और उसको बार बार सामने रखने वाले ने पिछली 5 तारीख को सदन के सामने जो किया वही क्या उन की मर्यादा का प्रतिमान है ?

अध्यक्ष जी, दूसरी बात यह कि सदस्यों के लिये सहानुभूति और उनको प्रतिष्ठा की दुहाई बार बार दी गई। मुझे बड़ी खुशी है कि सदस्यों के प्रति सहानुभूति और हमदर्दी है। लेकिन सहानुभूति और हमदर्दी के नाम पर जले पर नमक छिड़कना और ध्यगवाण छोड़ना यह क्या तब मनुष्यता का तकाजा है ?

मैं केवल दो, चार बातें कहना चाहता हूँ और खामकर माननीय वाजपेयी जी से क्या कि वह एक समझदार आदमी हैं। यह ठीक है बंचारे बीच में बँठ गए हैं, एसी जमानत में और दल में भी हैं, फिर भी कुछ समझदार है। इन का स्नाव क्या है

समद सदस्य सार्वजनिक जीवन में आचरण का उच्च स्तर बनाये रखे अध्यक्ष द्वारा नाम-निर्दिष्ट 11 सदस्यों की एक समिति गठित की जाय।" अध्यक्ष जी, माननीय वाजपेयी जी चाहते हैं कि 11 समद सदस्यों की एक समिति गठित हो इस बात का फैसला करे। लेकिन 20 सदस्यों ने यहाँ खड़े हो कर कहा कि उन के दस्तखत जाली किये गये हैं अब जो 20 सदस्यों की बात नहीं मानता तो 11 सदस्यों की बात कैसे मानेगा। उन सदस्यों ने खुद अध्यक्ष जी से स्वयं निवेदन किया है कि हमारे जाली हस्ताक्षर बनाये गये हैं, इस पर कड़ी से कड़ी कार्यवाही होनी चाहिए। तो जब 20 की बात नहीं मानते हैं तो 11 का औचित्य क्या है ? मान्यवर, गणित पढ़ने का जो मुझे यौका जिला तो मेरे मुठ ने पढ़ाया कि 11 से बड़ी 20 की संख्या

होती है, और मैं जब 11, 20 की बात कर रहा हूँ तो माननीय वाजपेयी जी खुद नौ दो ग्यारह हो गए ।

अध्यक्ष महोदय, जहाँ तक सी० बी० आई० की बात है आप सदन की कार्यवाही उठाकर देख लें जब भी कभी कोई बात हुई है हम लोगों ने नहीं कहा है, लेकिन विरोधी दल के माथियों ने बार बार जरूर कहा है कि इस की जाच सी० बी० आई० द्वारा होनी चाहिये । बार बार कहा है कि सरकार कतना रही है कि इस की जाच सी० बी० आई० द्वारा कराई जाय । और जब आज हम सी० बी० आई० द्वारा जाच करा रहे हैं तो आप कतना रहे हैं । इसलिये इस मामले का महानुभूति का, निष्ठा का और ईमानदारी का मामला बनाया जा सकता है, लेकिन राजनीति का व्यापार नहीं बनाया जा सकता है ।

अध्यक्ष जी, इन्हे समदीय प्रणाली किनना विश्वास है और सविधान के प्रति किननी मर्यादा है इस का कई बार प्रदर्शन स्वयं देख चुके हैं । 5 मिनटभर को जो सदन में घटना हुई "प्रतिपक्ष" अखबार को लेकर, पूरे "प्रतिपक्ष" ने जो नाटक रचा उस को पूरे देश ने देखा और माननीय लिमये के क्षेत्र बाका के लोग जब बेचारे भरे यहाँ आते हैं 5 को यह घटना हुई 6 तारीख के अखबारों में यह बात आयी और 7 तारीख को इन्हीं के क्षेत्र के लोग मुझ से मिलने आये उस में से एक व्यक्ति ने, जो माननीय लिमये जी का समर्थन रहा है, कहा कि माननीय मधु लिमये को हम लोगों ने संसदीय प्रणाली की रक्षा के लिये यहाँ पर भेजा था, नोटकी करने के लिये नहीं भेजा था । यह मैं नहीं कह रहा हूँ, मैं तो उन का बड़ा आदर करता हूँ, लेकिन इन के क्षेत्र के एक ऐसे सभ्यक ने जिस ने केवल वोट ही नहीं दिलाये बल्कि अपने ट्रैक्टर पर बोटर डो डो कर के गया और वोट दिलाये, उस ने मुझ से यह शब्द कहे । अध्यक्ष जी, जैसे उस घटना का नाम सुनते ही अपने अपने गाल पर

हाथ रख लिया वैसे ही उस आदमी ने उस घटना को सुन कर अपना मर नीचे कर लिया । मैंने कहा ठीक है आप ऐसे ही नमूने चुन कर भेजिये ।

आपके मामले दो प्रश्न हैं । एक प्रश्न तो नाट्यम पद्धति में सम्बन्ध है । उस में कौन भी भूल हुई है कौन सी अनियमितता हुई है कौन यह घोटाला हुआ है लाटमेम के लिए जो ला बना हुआ है उसका क्या प्रति-क्रमण हुआ है उसको आप पक और रखें । जिन सदस्यों के नाम टम में घसीटे जा रहे हैं उसको आप दूसरी ओर रखें । वीम सदस्यों के जार्नी हस्ताक्षर किए गए हैं और उनको गलत ढंग से टम में घसीटा गया है । मैं चाहता हूँ कि चाहे राम को दो वज्र जाएं हमें बैठ कर इन सदस्यों के नामों के बारे में सफाई कर देनी चाहिये उनको बिल्कुल बरी कर देना चाहिये ताकि बल में उन पर कोई उगनी न उठा सके । अगर आपने ऐसा नहीं किया तो ये लोग अभी नहीं बल्कि 1976 के इलेक्शन तक उनके नाम ही भेजे जायेंगे । आज ही सत्र समाप्त होने के पहले गृह मंत्री या सरकार की ओर से बयान आना चाहिये कि जिन के जार्नी हस्ताक्षर करके इतना बड़ा जाली काम किया गया है वे निर्दोष हैं उनका इस घटना से कोई सम्बन्ध नहीं है, कसई नहीं है और अगर कल से—कोई इन सदस्यों का नाम लेगा तो वह उनकी मर्यादा हनन करने का दोषी होगा । उसके साथ जो जो भी इस जालसाजी के लिए दोषी हों चाहे वह अधिवारी हों या व्यापारी हों उसको सरकार को किसी भी हालत में नहीं बख्शना चाहिये ।

वाजपेयी जी ने कहा कि देश में नैतिक मूल्यों का बहुत मकट है । लेकिन मैं कहूँगा कि अनुभूति का भी बहुत बड़ा मकट है और इसलिए कि कुछ दिन पहले इस सदन का एक जो बुलेटिन होता है वह आया था या नोटिस आया था और उस में एक करेला जार्ज फरनेडीस थे और दूसरे नीम चड़ा

[श्री शंकर दयाल सिंह]

पिंतू मोदी ये और मोदी जी ने समझा कि उन्होंने बहुत बड़ी करामात की है और समझा कि संसद की इससे मर्यादा ऊंची होगी लेकिन संसद की मर्यादा पर ही उन्होंने कुठाराघात किया और जब संसदीय प्रणाली का इतिहास लिखा जाएगा तो उनको उस में कभी क्षमा नहीं किया जाएगा। आपने श्री जार्ज फर्ने-डीस से यह कहलवाया कि संसद दलालों का झड्डा है। आप इस तरह की बातें लिखा सकते हैं, इस तरह की भाषा का प्रयोग कर सकते हैं लेकिन हम लोग इस प्रकार की भाषा का प्रयोग नहीं कर सकते हैं।

अध्यक्ष महोदय : इस से इसका क्या तात्पर्य है ?

श्री शंकर दयाल सिंह : आपने इनके भाषणों को नहीं सुना होगा। ये तो बिल्कुल लाइन से हट गए थे। मैं तो बड़ी लाइन से हट कर छोटी पर आया हूँ लेकिन ये दोनों में से किसी पर नहीं थे।

प्रश्न पैदा होता है कि जाली हस्ताक्षर कैसे हुए होंगे। लेकिन यह मवाल अलग है। अश्लील जो बात है वह यह है कि बीरू सदस्यों ने कह दिया है कि हमारा इससे कोई सम्बन्ध नहीं है, हमने हस्ताक्षर नहीं किए हैं। अब संसदीय प्रणाली का हमारे यहां जो ढांचा है, संसद जो हमारे यहां है, यह सर्वोच्च है और इससे बड़ कर कोई दूसरी चीज नहीं है। अब जब उन्होंने कह दिया है कि हमारे ये हस्ताक्षर नहीं हैं तो शक और शुभहा करने की जरूरत ही नहीं रह जाती है। आपको इस पर विश्वास कर लेना चाहिए। एक बात और आप देखिए फर्म दाखिल की है और हस्ताक्षर करने वाले उत्तर के हैं। ऐसा क्यों हुआ ? इस लिए हुआ कि ऐसे अज्ञानके आदमियों के हस्ताक्षर कर दो जिनको पता ही न चले

दक्षिण वालों के अगर हस्ताक्षर दिए जाते तो तुरन्त पता लग जाते। इसलिए उत्तर वालों के किये गये अब हैडराइटिंग एक्सपर्ट जब इन हस्ताक्षरों को देखेगा तो ही कल्पना है कि आप में से ही कोई लोग उस में फस जाएं। इस वास्ते मेरी प्रार्थना है कि सी० बी० आई० की रिपोर्ट आप आने दो, जांच पूरी हो लेने दो उसके बाद हम इस पर विचार कर सकते हैं।

इन शब्दों के साथ मैं इस मोशन का विरोध करता हूँ और साथ साथ सरकार से अनुरोध करता हूँ कि शीघ्र से शीघ्र वह जांच कार्य को पूरा कराए और रिपोर्ट को सदन पटल पर रखें।

SHRI P. G. MAVALANKAR (Ahmedabad): Sir, I have been in this House for nearly two years now and I must confess that I have never felt more sad than I do today. The whole debate in more than one sense has been curious to say the least. Many members of the ruling party have tried their best and utmost to use their debating skill and logic such as they possess, to rebut the main arguments. But, Sir, we are really discussing not so much the question of alleged forgery of signatures of 21 members of this House. That incident, unfortunate and sordid as it is, has only given us an opportunity to do some hard and sincere and complete searching within. Instead of doing that, the ruling party members are making fun of the whole thing. When 21 members of their party are under severe attack not only by this House but by the entire country, they should have fielded their spokesmen in such a way that they will come out candidly with their arguments instead of making fun of the situation. Enough has already been said on both sides in favour of one indisputable fact, namely, the prestige of the whole Parliament is at stake. Therefore, we must take a whole view and not a

partial or partisan view of the entire situation

Sir during the debate several scandalous points and events have been narrated and a number of skeletons have been brought out of the cupboards and dissected on the floor of the House. The entire thing had thus started sinking in this House itself. Now instead of ridiculing the whole thing, we should have started a critical self-analysis to find out where we, individually and collectively have gone wrong and we should then apply ourselves as to how to restore the credibility in the public eye of this august Parliament. I have no desire to add to the number of incidents narrated in such a flowery language nor is it within my power or temperament to do so. I have been watching the Government side. Those in the centre of not attraction but attack are sitting here almost from 4 o'clock continuously. Some have chosen to be absent may be because of prior engagements. I should have thought however that no prior public engagements can have precedence over the engagement in Parliament. All public engagements, however important they may be they should have a secondary priority. The first priority for every hon. Member should be to remain present here and listen and if necessary speak. So while I do not want to make an issue of it I should have liked the Leader of the House to be present here and reply to all the points herself.

I find the Ministers particularly one Minister who has been attacked again and again—I do not know whether I should admire him or marvel his capacity but I must certainly say that I am both amazed and amused—I am sorry to say that he is unperturbed. It is said of politicians

22:00 hrs.

MR SPEAKER What do you think he should do—weeping the whole night?

SHRI P. G. MAVALANKAR I should have thought that a Minister who is under attack would at least not take these things lightly or in a casual manner. But the Congress Members are taking this matter casually and gracelessly.

It is not this or that member who has been discredited. The entire Parliament has been utterly discredited. This is not character assassination of this or that individual Member of Parliament or of this or that political party. It is the character of the whole Parliament that has been assassinated in the country at large today. Should we then, take a partisan viewpoint? All of us have become suspect in the public eye. Do we want to tolerate this? Are we not bothered about this blot on Parliament? Should we not remove it immediately and effectively?

The other day I happened to overhear the talk of some security guards of our Parliament. It was very painful but interesting to hear what those security guards said. And they are the security guards who are watching us guarding us both our physical and moral selves. One of them said in so many words, nowadays do not take anything that is happening in Parliament seriously. All of us Ministers and Member have become the target of criticism. This is the view of an ordinary man in this country about our behaviour about our functioning. The people who are away perhaps we can fool and deceive them, but the people who watch us every minute, what we speak inside the House and what we do outside the House we cannot deceive them. They are the better judges. So I want to ask whether you are going to take these things lightly. Only a full and an independent and a truly full-fledged parliamentary probe can repair the severe damage that has already been done.

MR SPEAKER Why do you involve the staff here in your discussion? They

[Mr. Speaker]

have no business to talk like that and you have no business to quote them like that.

SHRI P. G. MAVALANKAR: I am only giving expression to what they have been talking about us. Some of us may deny it. People are afraid of saying these things because of the question of parliamentary privilege. But the fact remains that millions of people are openly talking without fear of what is happening in this House.

Now, Sir, my hon. friend, the Commerce Minister, Prof. Chattopadhyaya, intervened in the debate. But instead of clarifying the points, he has only further deepened the issue. Instead of giving all the details, he has brought in more involvement and more complication. He has left many things unanswered or half answered. Therefore, I ask: can we at this stage take a merely legalistic view of the matter? Do we want to get bogged down in technicalities? Should we not lift ourselves above party warfares and legal squabbles?

I would not deal with the 21 MPs' alleged signatures. Many members have done that.

I want to point out that, when the Commerce Minister gave one name of a member who, he said, allegedly belonged to CPM—some friends here challenged it—, when the Minister gave the name of one former Opposition MP, the whole group of Congress benches became very jubilant and started jeering at the CPM members....

SHRI S. M. BANERJEE: Sir, I want to make a submission. I was not here when this point was raised. I came to know that the hon. Minister, Prof. D. P. Chattopadhyaya, mentioned the name of Shri V. P. Nair and said that he was a member of the Third Lok Sabha. Shri V. P. Nair was not in the Third Lok Sabha at all. He was a member of the Second Lok Sabha. In 1957 he was just an independent, sup-

ported by the CPI; he was an associate member. In 1962 he was asked not to contest, but he fought against Shri Sreekantan Nair, a candidate of the United Front. The Party disowned him and threw him out of the Party. Now, are you in a position to throw out Shri Tulmohan Ram? (*Interruptions*).

SHRI P. G. MAVALANKAR: My point is that, when one name of a former Opposition Member was cited, the Congress Benches became very jubilant. Is it something to be happy about? Whether it is a Congress MP or an Opposition MP, whether it is a sitting Member or an ex-Member, it is the dignity of the House which is involved. Therefore, we should not be happy about it. Here, the dignity of the entire Parliament is involved.

MR. SPEAKER Please try to conclude.

SHRI P. G. MAVALANKAR: I am concluding, Sir. The Mudgal case was referred to and it was argued that there was no parallel. Maybe or may not be. But why can we not ourselves take today the only bold step available to us, namely, constitute forthwith a Parliamentary Committee to probe into this? That is why, I have also moved three amendments.

My good friend and a former Minister, Shri B. R. Bhagat, said that never before was a Parliamentary probe instituted. Perhaps he is right. But then the answer to Mr. Bhagat and his friends is that never before such a scandal of gigantic proportion and multiple dimensions took place. That is why this Parliamentary probe becomes essential and obvious.

My friend, another Mr. Bhagat, also talked about some other things. He has said that the CBI enquiry is going on, and he then asked as to why do we demand a Parliamentary probe. It is not that, when a Parliamentary probe is instituted, the CBI inquiry is ruled out. As a matter of fact, what the Parliamentary Committee

will do is to have all these governmental agencies come directly under its control so that Government will not tamper with any documents. The people at large will have confidence not in a governmental inquiry but in a Parliamentary inquiry. That is why we want to have it that way.

I conclude by saying that, when the issue at stake is one of character and integrity of the whole House and of the Parliamentary institutions it cannot be the prerogative of a veto of the majority to view it as a party prestige matter or a government prestige issue, and Government should not stand doggedly against having a Parliamentary probe. So, I hope that Government will take a fresh view of the whole matter and will support the motion so ably and so objectively and so movingly put before this House by Shri Atal Bihari Vajpayee.

THE MINISTER OF HOME AFFAIRS (SHRI UMA SHANKAR DIXIT) The question has been discussed very comprehensively. In the course of the debate many members have brought matters—some partly relevant, some remotely, some others having no relevancy at all, matters relating to other States and to other occasions. But one thing can be said: that every aspect of the question has been remarked upon.

I feel that the case of the Opposition has been best put by three or four members by our hon. friend, Shri Atal Bihari Vajpayee who moved the resolution, Shri Shyamanandanji and one or two others. I will refer to them briefly, but before I enter into a detailed examination of the arguments placed before the House I would like to enter a very strong protest against the manner in which the last speaker, my friend, Shri Purushottam Mavalankar has thrown mud at everybody around. In the first place, he began by saying that all the members who have denied their signatures are under

a cloud, that they are under suspicion. Then he said that the entire House is now in disgrace. Has a more untenable and unsupportable charge ever been made in any country? I do not know whether he made it in an impulsive mood. But, let him not so exaggerate things. He is himself an hon. Member of this House. Is he serious? Does he accept this proposition that all the hon. Members of this House are under a cloud? Possibly there is a very small number, possibly it may be only one member. In such a situation for the hon. Member to go and blacken every face is not fair. He has mentioned one source of his information, namely a security guard whom he happened to meet. What did he say? He said that the Ministers and Members are constant targets of attack and targets of criticism. Who is responsible for this? Friends like Shri Purushottam Mavalankar who day in and day-out in season and out of season always only criticise. Naturally therefore the atmosphere gets vitiated. But I would advise him that if he wants to understand the public opinion in this country then it is not the security guard he should consult though even security guard can give him correct advice. If he had the sense to understand the significance of what the security guard said he would not have repeated that statement.

अब मैं वाजपेयी जी के भाषण के सम्बन्ध में कुछ हिन्दी में बोलना चाहता हूँ। पहले तो मुझे वाजपेयी जी के शिकायत है शायद ही पहले कभी ऐसा हुआ हो कि उनके भाषण से शिकायत हुई हो लेकिन आज यह शिकायत है कि उन्होंने बहुत भी नयी बातें कई नये नाम, बिना पहले आपके पास सूचना भेजे, बनाये और आरोप लगाए कि राजस्थान में क्या हुआ दूसरी जगहों में क्या हुआ—इस प्रकार चार पाच उदाहरण दिए और घटनाएँ बताईं। सामान्य रीति से औचित्य के अनुसार वह व्यवहार होना चाहिए जैसा हमारे मित्र

[श्री उमा शंकर दाक्षित]

जो कभी मित्रता का व्यवहार करते हैं, कभी अनिश्चिता का—श्री ज्योतिर्मय बसु करते हैं वह जब भी किसी का नाम लेने वाले होते हैं तो आपके द्वारा बराबर हमारे पास सूचना शेजते रहते हैं। हम जब यहाँ पर बैठे हैं और आज इस सत्र का प्राखिरी दिन है, हम उनके बारे में तैयार होकर भी नहीं आ सकते हम बाहर जाकर पूछ भी नहीं सकते लेकिन बे यक बयक कुछ घटनाये, कुछ नाम और कुछ बातें कह देते हैं तो यह जो एक उच्च परम्परा विवाद की, उत्तर की, बहुस की स्वयं उन्होंने इस सदन में कायम की है उसको उन्हीं के द्वारा तोड़ने देखकर मुझे चिन्ता और दुख हो रहा है। (व्यवधान) नोटिस दी है तो अच्छी बात है, चारों के लिए दी है या क्या की है, मुझे मालूम नहीं। मेरे पाम सूचना नहीं आई है।

श्री अटल बिहारी वाजपेयी: अध्यक्ष जी, आज सवेरे जो मैं ने आपको पत्र लिखा जिसमें श्री तुलसीमोहन राम को हाउस की सर्विसेज से सस्पेंड करने के अमेडमेट को पेश करने की इजाजत मांगी उसमें मैं ने लिखा है कि बहुत से तथ्य कल मेरे पास आये हैं इसलिए मैं आज अमेडमेट पेश करने की इजाजत मांगता हूँ। (व्यवधान)

श्री उमा शंकर दाक्षित अगर इन्होंने यह लिखा है तो जो बात मैं ने कही वह सिद्ध हो गई और अब और कुछ कहने की आवश्यकता ही नहीं है।

इन्होंने जो मुख्य मुख्य बातें कही हैं उनके बारे में बहुत संक्षेप में कहना चाहता हूँ। एक तो इन्होंने कुछ उदाहरण दिए। और नाम लिया श्री मदगल का। कई और लोगों ने भी

उनकी बात कही है। मैं दोहराना नहीं चाहता, मैं वही बात कहूँगा जो कभी कही होगी या जो कही रह गई होगी। मदगल का उदाहरण और आज जो हमारे सामने प्रश्न उपस्थित है—इन दोनों में कोई समानता नहीं है। जो मैं ने पढ़ा है उसके अनुसार बम्बई बुलियन एसोसिएशन की एक मीटिंग थी जिसमें बम्बई सरकार का कायदे में बनाया हुआ रेजिजेंटिव रहता था, उसके मामले बड़ा एक श्री तिवारी चेयरमैन या जो भी थे उन्हीं ने यह प्रस्ताव रखा कि मदगल एक सज्जन ऐसे हैं जो हमारी जान समझ में उठा सकते हैं, हमारी बहम कर सकते हैं, उनको हम कुछ खपया दे और वह जाकर हमारी तरफ से बात करे। उन्हीं ने खुली बात कही थी। मैंने एसोसिएशन की मीटिंग में उनका निर्णय हुआ और मिनट में वह लिखा गया था। उसके बाद जो सरकार के प्रतिनिधि थे उन्हीं ने अपनी सरकार को सूचना दी यहाँ पंडितजी के पास भी आई। किसी न वकील के तौर पर कुछ लिखकर भेजा वह चाईमार्किन्स हो, चाहे सी पी आई के हों, चाहे दक्षिणपंथी हों चाहे वाम मार्गी हों (व्यवधान) वाम पंथी कह लीजिए, वाम मार्गी न कहिए, मेरे मुह से निकल गया—उस तरफ का वाममार्गी ने किसी को नहीं कह रहा है जिसकी आपने कल्पना कर ली है—तो वह किसी पक्ष के हों, सबाल यह है कि वकील के तौर पर उनको कहा गया कि वह अपने काम का पुरस्कार ले ले। जब पंडित जी के पास बात आई और पत्र व्यवहार हुआ तो स्थिति स्पष्ट हो गई और कोई बहुस की बात शेष नहीं रही। यह तो पंडित जी का महान व्यक्तित्व था कि उन्हीं ने सोचा कि बजाये इसके कि यह कहा जाये कि प्रधान मंत्री के कहने से निश्चय किया गया अत्रिक उचित होगा कि यह सबाल कमेटी के सामने रख देना चाहिए। लेकिन उस प्रश्न में कोई चीज जांच करने की बाकी नहीं रही थी। श्रीमन्, आप देखेंगे, बीसे तो आपको सब विचित होना ही कि वह प्रश्न ही उस समय तक हल हो चुका था, निरंक इतना निश्चय होना था कि

वह सदस्य रहेंगे न र । मुख्य प्रश्न धीरचित्य का था कि हम एक ऐसी परम्परा बनावें कि यदि कोई काम काज के लिए भी खपया लेता है और उसने कोई वकायदगी नहीं होती है फिर भी ऐसे सदस्य का सदस्य नहीं रहना चाहिए । इसलिए श्री मुदगल को इस्तीफा दे देना पडा । इसलिए उन मामले में और इस मामले में जमीन आममान का फक है ।

एक साहब ने प्रोफ्यूमो की बात कही । इस सम्बन्ध में मैं यह निवेदन करना चाहता हू कि जो भी प्रश्न उठे उसमें मत्य को देखकर आप विचार कीजिए, आप उसके पक्ष में मत दीजिए या विरुद्ध में उसमें मुझे कोई शिकायत नहीं है लेकिन जो भी आप मत बनाइये वह मत्यात्मक होना चाहिए, तथ्य पर आधारित होना चाहिए । श्री प्रोफ्यूमो के मामले में क्या हुआ ? पश्चिम में जैमी पर्सिसिब मोसायटी है, यदि आप बुग न माने तो कहू कि उस समय प्रोफ्यूमा का जो चाल चलन प्रकाश में आया उसके बारे में किसी ने उनसे त्याग-पत्र देने का सबाल नहीं उठाया था । प्रोफ्यूमो ने असद में झूठ बोला था ।

Therefore, when the Prime Minister came to know about it, and enquired Mr Profumo admitted what he had done. Then he had to resign immediately. (Interruptions).

SHRI SHYAMNANDAN MISHRA:
 That is the Parliamentary system
 He could not but resign.

SHRI UMA SHANKAR DIKSHIT Because he had told a lie in Parliament therefore according to prevailing parliamentary norm in Britain he had to resign. But, if you equate it or even compare it with any degree of similarity with the present situation, that is not a correct thing to do.

माननीय सदस्य ने वाटर गेट की भी तुलना दी । कोई भी तुलना दे सकते हैं । यज्ञ तो इम्यूनिटी है । मगर वाटर गेट में क्या हुआ था ? वह जा घटनाये हुई था उनका धारम्भ में अन्न तक बराबर छिपाने की कोशिश की गई थी, और जब जब उन बात के प्रकाश में आने का सम्भावना आयी तब तब श्री निक्सन के साथिया न और उन्हान स्वयं भी उन में हिस्सा लिया, छिपाने की कोशिश की ।

लेकिन इस मामले में क्या हुआ ? एक अखबार के अन्दर जो करीब 20 मार्च को छपा था, यह लिखा था कि—

"Recently, nearly 24, Members of Parliament had applied for some licences which have been issued. It is now alleged that some of these signatures on the applications were forged, and that when an officer approached one of them, he broke down, etc."

Now, Sir, there is no indication in it as to what part of the country the case related to and what kind of business it was. Any 24 Members could have written. And when we say nearly 24, it may mean 20, or 15 or even 24. This gave very little clue for CBI to follow.

What did the Minister in charge do? He immediately wrote to the Minister in charge of CBI saying that these are serious allegations about which appropriate action should be taken.

Then, he wrote to the Speaker, I am sure Sir, you will recollect it, asking for permission. He wrote to the Cabinet Secretariat, to the Personnel Department. And he wanted permission for contacting and examining the Members of Parliament in a matter like this, because this is not normally done. CBI were permitted to do so.

SHRI SHYAMNANDAN MISHRA: So, you are confirming the newspaper reports that the investigation was conducted after getting approval from the Chair? So, the newspaper gets vindicated.

SHRI UMA SHANKAR DIKSHIT: Are you a representative of the newspaper? I can quote a number of cases.... (*Interruptions*).

MR. SPEAKER: Mr. Mishra is right. He says—did you ask for the permission of the Speaker? In this House, I said that the newspaper report was not correct. Now, let me know when my permission was sought, whether anything is there.

SHRI UMA SHANKAR DIKSHIT: The Lok Sabha Secretariat was kept informed. (*Interruptions*).

SHRI SHYAMNANDAN MISHRA: On a point of order... (*Interruptions*).

SHRI JYOTIRMOY BOSU: On a point of order... (*Interruptions*).

SHRI UMA SHANKAR DIKSHIT: If I have incorrectly stated the facts, I am sorry. I am speaking from memory. I stand corrected.

SHRI JYOTIRMOY BOSU: On a point of order. I had raised the matter last week and you had made a clear categorical statement from the Chair that 'At no point of time I have been consulted or my permission had been obtained.' Now, the hon. Minister has chosen to mislead the House.

SHRI UMA SHANKAR DIKSHIT: I have said that so far I am speaking from memory, from whatever information I have. I am not in the habit of referring to notes all the time. I am sorry if I have overstated or understated the facts. (*Interruptions*) My colleague will explain in a couple of minutes.

PROF. D. P. CHATTOPADHYAYA: The Lok Sabha Secretariat was informed by a letter addressed to your Secretariat, Shri P. K. Patnaik, by my special assistant, Shri N. K. Singh on 7-4-1974.

SHRI SHAMNANDAN MISHRA: What kind of information? (*Interruptions*)

AN HON. MEMBER: Read the letter.

MR. SPEAKER: Kindly read it.

श्री प्रदल बिहारी बाजपेयी : अध्यक्ष जी, मेक्रेटेरियेट व इन्फार्मेशन प्रयोग प्रता को कमलट करना दोनो अजग बाजे हैं ।

PROF. D. P. CHATTOPADHYAYA: Sir, I am reading out the letter

"Lok Sabha Secretariat may kindly refer to their U.O. No. 34/7/X/74/P dated 2nd April, 1974 regarding the news item published in Blitz of 30th March, 1974 on the issue of licence to a particular party. The news item does not indicate the name of the Congress MP, the name of the firm, nature of the business or other particulars for enabling this Ministry to offer any substantive comments on the news item appearing in the weekly. Under the circumstances, we have passed on the letter of Shri Jyotirmoy Bosu and the reference from the Lok Sabha Secretariat to the Cabinet Secretariat, Department of Personnel, which looks after the CBI for taking such action as they consider appropriate. We have no objection if a copy of this letter is shown to Shri Jyotirmoy Bosu. This note has been seen and approved by the Commerce Minister."

(*Interruptions*)

SHRI JYOTIRMOY BOSU: Sir, the Minister has been trying to mislead you. Where is the Speaker's name mentioned?

(*Interruptions*)

श्री मधु लिमये : अध्यक्ष महोदय, न आप की इजाजा लो गट्टी श्री : आपकी कमन्ट बिना गया ।

MR. SPEAKER: This was in view of the question and you reply to hundreds of such questions, which come to you.

You informed the Joint Secretary, that reference his letter, it has been forwarded to the Cabinet Secretariat. But where does the Speaker come?

PROF. D. P. CHATTOPADHYAYA: I said the Lok Sabha Secretariat.

MR. SPEAKER: If I were not to contradict it, or the hon. Members were not vigilant, you mean I stand contradicted?

PROF. D. P. CHATTOPADHYAYA: I did not say that.

MR. SPEAKER: At what stage, I am consulted in this? This is very wrong

श्री मधु लिमये : मै दूसरी बात कह रहा हूँ । मेरा यह आरोप है कि इन्होंने हिन्दुस्तान टाइम्स को गलत खबर दी । मेरा प्रिविलेज का मोशन आयेगा, मैं पहले ही चेतावनी दे रहा हूँ वार्न कर रहा हूँ । इन्होंने न्यूजपपर को झूठी खबर दी है ।

श्री अटल बिहारी वाजपेयी : बेचारे हिन्दुस्तान टाइम्स ने माफी मागी । उनको खबर इन्होंने दी था ।

(*Interruptions*)

MR. SPEAKER: Kindly listen to the Minister now. May I request you?..

SHRI JYOTIRMOY BOSU. I am taking this opportunity because it originated from my letter. The Minister took the courage even to say that he obtained Speaker's permission. He read out the letter addressed to Mr.

P. K. Patnaik. It shows you are not in the picture at all.

(*Interruptions*)

SHRI UMA SHANKAR DIKSHIT: I was pointing out that during the verification they went into facts. They found firstly that those twenty Members of Parliament denied their signatures and also they satisfied the CBI by the nature of their signatures etc. Therefore, they decided that there was no case against those Members. Those hon. Members came up one by one and declared in Parliament that they had not signed the document. This is the practice, the known convention of this House, that when an hon. Member makes an allegation and the other denies it, there the matter ends, until the contrary is proved subsequently. In this case, we have no reason to suspect the *bona fides* of those Members who have denied the signatures. No Member in his proper senses, in a case like this which is now being investigated further, seriously investigated, by the top most agency in this country would make a statement like that, if he had really signed it? That is the circumstantial position. From the propriety angle, from the facts as are known to us, there is no reason to suspect the *bona fides* of those twenty Members of Parliament who have denied their signatures.

Then there is the 21st Member. Normally if the matter had not been further investigated I would have said .

SHRI JYOTIRMOY BOSU Where is he?

SHRI UMA SHANKAR DIKSHIT. I am not his guardian; you have got a much better source of information. more often you know more than I do . . . (*Interruptions*) I have paid you a compliment, if you understood the meaning of what I say. Now the 21st Member remains.

SHRI ATAL BIHARI VAJPAYEE: He is the first, not the 21st.

SHRI UMA SHANKAR DIKSHIT: I do not mind this description. If further investigations had not been done, I would have said just because an hon. Member of Lok Sabha or Rajya Sabha acknowledges his signature in a document that does not convict him and that does not entitle anyone to draw any adverse inference against his character.

श्री जनेश्वर मिश्र : स्कूल खोला है।

श्री उमा शंकर दीक्षित : स्कूल का सवाल यह आप के दिमाग की उपज है। जब कोई स्कूल का सवाल आ जाये या और सवाल खड़ा हो तब चिन्ता आप के दिमाग में ललित बाबू घुसे हुए है कि आप उनका नाम ले देने है। यहाँ पर दूसरा सवाल है। जनेश्वर जी, आप उस चीज को कृपा कर के समझने की कोशिश कीजिये कि कौन सा विषय उपस्थित है और सदन में क्या कहना चाहिये। आप के पास तो एं। वह विषय है। वही चीज आप घुमा देते हैं और प्रामाणिक फोन के रेकार्ड जैसा ब्रजने लग जाता है। हम लोग तो पढ़ने में ही समझ रहे थे कि आप क्या कहेंगे। (स्वबचन) अच्छी बात है, जब अबसर आये—अभी एक दो महीने बाद आयेंगे—जब आये तब फिर शुरू की। जयेंगा अपना यह गीत गोविन्द। मेरा निवेदन है, श्रीमान्, आज गीत गोविन्द तो तो खराब नहीं कहना चाहिये, कोई शब्द अच्छा या, जो ज्यादा उपयुक्त हो, मौन कर बनाऊँगा।

such document because he trusts a brother Member like Shri Unnikrishnan or Shri Dinesh Singh. On the contrary one sometimes feels that they are obliging by including one's name so that I would bring some publicity. I do not believe that every Member in every case takes care to find out what exactly is the subject, whether he will be able to go along fully with the resolution or not. In a way it happens to me also. Every day a large number of people come, in the morning and in the evening. Some have got a wrong notion that if a matter is brought to me I can settle it. Particularly police cases. It is not always possible. Yet I take the papers presented by some visitors, I do not ask my visitor: Is it your real signature? Will you give me another signature so that I can find out whether you have given your real signature or not? It is against life. It is not done. May be sometimes one is fooled by a person who is too clever. Sir, it is a tribute to the CBI that within a short time they have not only found out who are not in the wrong, but they have been able to confine the whole thing to a narrow circle where further investigation is necessary. Some names have been mentioned. I do not know whether they are correct or not. There is an association called the Importers Association in Pondicherry, whose Secretary came for securing licences. Other people also came. One Mr. Pillai, a Supreme Court lawyer, wrote the first or second letter. There are several Pillais in this business.

SHRI ATAL BIHARI VAJPAJEE: In the Commerce Ministry also, there is one Pillai.

Now so far as the hon. Member who has acknowledged his signatures is concerned, what happens to all of us could have happened to him. It happens here when a call attention motion is to be brought up, when a short notice question is to be asked or some other matter is to be raised, some hon. Members sign the papers without reading them. An hon. Member signs

SHRI UMA SHANKAR DIKSHIT: Hon. Members of Parliament should have enough discretion to distinguish between the chaff and the grain. Merely because two men have got the same name, will chalk and cheese be considered the same way?

Subsequently, after getting into all these facts, the CBI asked for permission to register a case. A case has been registered under 4 or 5 sections of the Indian Penal Code. I do not remember all the sections, but I can give the purposes. One is for conspiracy—which is the widest possible section CBI could have thought of—read with section 420, which everybody knows. There is another section which covers the forging of documents and still another against using a forged document for some ulterior purpose. Thus it is a wide enough circle. Nobody would escape out of the net.

श्री वाजपेयी जी ने कहा कि सी० बी० आई० सरकारी संस्था है। उस पर हमें विश्वास नहीं है। मेरा निवेदन है कि ऐसे जितने संस्थान हैं। जैसे एकाउण्टेंट जनरल, है, जज हैं क्या वे सरकार द्वारा मुकर्रर नहीं होते हैं—

श्री उमासनंदन मिश्र : पार्लियामेंट सरकारी नहीं है।

श्री उमासनंदन मिश्र : लेकिन पार्लियामेंट जांच करने नहीं जाती है, किसी के हस्ताक्षर मिटाने नहीं जाती है, सीज करने या सच करने नहीं जाती है। पार्लियामेंट की शक्तियां प्रयोग हैं। अगत ज. ने बहुत सन्बरतीके के इसका स्पष्टीकरण किया है इसलिए मैं इस पर ज्यादा समय नहीं लेना चाहता।

उन्होंने एक और बात कही। बाटर गेट का आगला उठाया। इन दोनों में कोई साक्ष

है। इसलिए नहीं है कि एकने छिपाया और दूसरे ने जाहिर कर दिया, रहस्य का उद्घाटन कर दिया। उनकी आपकी प्रशंसा करनी चाहिए। पी ए सी भी है। उसके अध्यक्ष यहां बैठे हुए हैं। उस की रिपोर्ट में है कि जब कभी जांच की जरूरत पड़ती है तो यही कहा जाता है कि सी बी आई के जिम्मे करो। यद्यपि यह संस्था सीधे हमारे अधीन नहीं है तथापि हमें सभी जगहों में प्रार्थन.यं आती रहती है कि कृपा करके सी बी आई को यह काम दे दो। यह सब तो, उस संस्था की प्रतिष्ठा के प्रमाण हैं। वाजपेयी जी स्वयं पी ए सी की मीटिंगों में यही कहते रहे हैं। खुद मैंने पढ़ कर देखा है। मैं बसु माहब पर कोई लाइन नहीं लगाया है। वह कोई कच्ची बात भी नहीं करते हैं। जो उनकी आत्मा कहती है वही करते हैं (अपवाधान)।

श्री मधु दंडवते : मार्क्सवादी आत्मा को नहीं मानते।

श्री उमासनंदन मिश्र : दोनों जगह पर रखते हैं। ईश्वर निकल आए तो क्या होगा ?

He is not a man who can be cowed down or influenced by the official group. Whatever we do, he regards regards all of us as incurable. Despite this, in a case where there is some doubt, he requires it to be entrusted to the CBI.

श्री मधु दंडवते : मार्क्सवादी तो आत्मा मानते नहीं हैं।

श्री उमासनंदन मिश्र : आज कल की परिस्थिति में ये दोनों बंध पर रखते हैं। क्या जाने निकल ही जाए ईश्वर उसे फिर

श्री उमाशंकर बिलित

इन की क्या दशा होगी, इसलिये दोनों तरफ हाथ पैर रखते हैं।

श्री एथोतिर्नय बबु : दीक्षित जी काहाण हैं, एक कलायट चला जायगा इन का नुकसान होगा

श्री उमाशंकर बिलित : आप को तो कलायट और दलाना को ज्यादा फिक है। (अवधान) मरा ना भूकाल स्पष्ट है। आप भी अपना पूरा इतिहास अगर बनाए तो हम भी कुछ उन को थोड़ा बहुत चबा कर सकेगे और अधिकारपूर्वक कर सकेंगे। यह नहा कि बाइट आफ आर्डर निगलते रहे और कुछ भी बात कह दे। हम तो रिमर्च करके बान कहेगे आप के निये।

Sir, C.B.I. is not a Government Department, it is a statutory agency created by law passed by Parliament, and functions under the powers given by Parliament. If that agency is not sufficient, have another agency. Even if this Committee is appointed, what will it do?

श्याम नन्दन जी अनुचिन बात सुह से नही कहते बैसे बाल को खाल निकालते हैं, यह मैं जरूर कहूंगा लेकिन जो बात जाहिर तौर पर गलत है उस को जानकर कभी नही कहते। उन्होंने कहा कि हम को स्पेशल एजेंसी रखनी पड़ेगी। अब मैं उन से पूछूंगा बाजपेयी जी बोलने वाले हैं बताएं, कि कौन सी एजेंसी मगावेंगे? सी आई ए मंगाएंगे या के जी बी० मगाएंगे या

स्काटलैंड याईं काले घाएंगे आप एक। देशभक्त व्यक्ति हैं, हमारे देश की संस्था सुन्दर ढंग से चल रही है, उस के जरिए जांच कराईये। एक और कारण है (अवधान) मैं आप को नही बाजपेयी जी को कहता हूँ आपकी बात कह कर बाजपेयी जी के प्रश्न का भी उत्तर मैं दे रहा हूँ क्योंकि मुख्य बात तो उन्हीं के ऊपर इस समय है। मैं यह कह रहा था कि स्पेशल एजेंसी की बात। दलील हो सकती है लेकिन यह व्यवहारिक कदम नहीं हो सकता है। यदि करेंगे तो मामला सालों पड़ा रहेगा। लोगों को बुला बुला कर पूछते रहेंगे, जिरह करते रहेंगे, या तो बकील कर दिये जाय जो जिरह करें और हम उसी में लगे रहेंगे। हमारी मारी बातों में आजकल राजनीति घुस गई है, कला में माहिय्य में विज्ञान में।

हमारे समद के अदर जो विषय आते है उन में राजनीति पहनं आर दूसरे तन्व वाद में आते है इसलिए जब यह चीज समद की समिति में जायेगी तो राजनीति इसके माय दोडा जायेगी। राजनाति से अलग नही रख सकनं है। अना किमी ने कहा कि आप का बहुमत है आप क्यों डरते है? मतलब यह कि बहुमत आर अल्पत का प्रश्न होने लगा अभी से। यह प्रश्न बहुमत आर अल्पत का नही है। श्री मुद्गल की बात कही गई और और दूसरी बातें कही गई। इस बात पर बड़ा जोर दिया गया कि यह बहुत गंभीर सवाल है। इस का तो बिना पार्लियामेंट की समिति के कोई समझ ही नही सकता। यह बिलकुल उलटो दलील है। परम्परा यही है हमारे यहां की भी आर ब्रिटेन की पार्लियामेंट की भी कि जहां बैरकानूनी कार्यवाही का प्रश्न होता है उस में कहीं कोई पार्लियामेन्टी कमेटी बनती नही है। इंग्लैंड

मे नहीं बनी, यहा नहीं बना। बनेग। जम
दिन उस दिन बरा ही ज.एग।

We shall not be a party to the creation of a precedent which we would regret for the rest of our lives. What would be the precedent? If there is any criminal case involving a Member then it must go to Parliament Committee and Parliament Committee must call witnesses, lawyers and expert agencies. This is not a precedent which I think, any sensible gentlemen will support. I would beg of you to consider it in all seriousness. If you want to beat us, beat us with a political weapon. Do not beat us with this, because this is a stick which can be used both ways.

SHRI SHYAMNANDAN MISHRA
Who will investigate the misdemeanour of a Member of Parliament? No other authority can do that.

SHRI UMA SHANKAR DIKSHIT In the eye of law, a Member of Parliament, an officer, a Minister, a security guard, if you please, all of them have the same position. Only there is one exception and that exception is that,— if a disclosure is made by a Member in the Session of Parliament, that cannot be enquired into or investigated by outside agency. We are not going into any such disclosure. I am saying about the disclosure regarding these 20 people. They have already finalised the matter. I think through this agency, we will be able to identify and get hold of the people who have created this problem for us. They will be able to find out whether at least one gentleman—I cannot deny the possibility—had something to do with some illegal act or not. There may be many more people outside. It looks like that. I cannot give any more details unless Shri Tulmohan Ram is examined.

Only after his statement is recorded, we can say whether he is there in it or not. Except on the question of his signature, he has not been examined. He has said only that it is his signature. If he has said that the signature, in question is his, it is no more than that. The other names that he has given are names which require more examination. Therefore, I can have sympathy for him, but I cannot plead his case.

SHRI MADHU LILMAYE Has he given the names of any other Member of Parliament?

SHRI UMA SHANKAR DIKSHIT
No, not a single Member of Parliament.

PROF MADHU DANDAVATE Has he admitted having received money?

SHRI UMA SHANKAR DIKSHIT
If he had said that, then I would have agreed to Parliament taking a decision today itself. The matter is still at a stage where you cannot say that the person is guilty. Apart from that, my main reason for opposing the motion is that, once this House agrees to accept the proposed arrangement, similar instances would come up again and again and the Parliament work would be distorted. I should not be misunderstood. Let nobody in this House, either on this side or on that side mistake the stand that the Government of India is taking or, rather, I am taking on behalf of the Government. I do not say that the matter should not come to Parliament. I do not say that, after the inquiry is completed, it may not be necessary to go to a Committee. I can imagine a possibility. Suppose, one Member is found to have committed no more than an impropriety, we may have to come here and ask you or a committee of the House to go into it. I am making a promise, I am giving an assurance, that, after this investigation is over, the first thing that we will do is to come to Parliament and say, "This is

[Shri Uma Shankar Dikshit]

where we have arrived; please tell us what we should do'. It is only after that, according to the wishes of Parliament, that we will proceed. We are not closing the door for further investigation by Parliament. There can be one remote possibility when the matter can go to a Committee. As it is, today, my request is that the matter should not be pressed.

There are many other things which some hon Members have said in order to score debating points. Only five minutes are left now and I do not want to take more time. I am confirming myself to the Central issue of the present debate, although in connection with unconnected subjects certain hon Members did raise other issues. For instance, our friend, Prof. Madhu Dandavate, raised certain things and very quickly Mr Madhu Limaye got up. Mr. Mavalankar raised some issue. I thought that it was something very innocent and very quickly he asked the question. Mr Madhu Limaye picked up the papers before he had been asked (Interruptions)

PROF. MADHU DANDAVATE: This is called vigilant opposition.

SHRI UMA SHANKAR DIKSHIT: I submit that if it is the opinion of the House that this is not a fit case, this is a matter where there is suspicion of a crime and hence it is not a fit case to be handled by a committee of the House, the resolution that my friend, Shri Atal Bihari Vajpayee has moved, should be rejected unanimously.

श्री अटल बिहारी वाजपेयी : अध्यक्ष महोदय, तीन सभा के सब की आज आखिरी रात है, कुछ लोगों के लिए यह कल की रात मान्य होती होगी। इस विवाद में सत्ता-

का पक्ष की ओर से दो मंत्रियों ने भाग लिया, अनेक सदस्यों ने अपने विचार प्रकट किए किन्तु कुछ प्रश्न ऐसे हैं जिनका अभी तक उत्तर नहीं मिला है। गृह मंत्री महोदय ने मेरे द्वारा उठाए गए ठोस तथ्यों को कह कर एक ओर रखने का प्रयत्न किया कि उनके बारे में मैंने कोई पूर्व सूचना नहीं दी थी। उन्होंने यह भी कहा कि वह तथ्य ऐस है कि उनके सम्बन्ध में अभी तुरन्त जाकर कोई जानकारी प्राप्त नहीं की जा सकती।

श्री उमा शंकर दीक्षित : मैंने एक अफसर के बारे में कहा कि एक आरोप का गलत सामान मंगा लिया, वह बेकार पड़ा है। मैं ने सी० बी० आई० से पुछवाय जो बहा म जो जवाब आया, है उस पर मैं मैं कह रहा हूँ कि उस अफसर ने बस कोई सामान मगवाया ही नहीं है। सी० बी० आई० क इन्चार्ज्डर एन नाम लेकर वाजपेयी जी ने कहा कि एक कराड का सामान आया कि... वास्तव में उन वह सामान मगवाया ही नहीं जिनका चर्चा का गई है। तीन वर्षों में सी० बी० आई० न कुल मिला कर 10 लाख म अधिक का सामान नही खरीदा।

श्री अटल बिहारी वाजपेयी : वह सामान किमने मगवाया

श्री उमा शंकर दीक्षित : अपने जा कहा था उनका मैं गलत कह रहा हूँ। अब आप दूसरा प्रश्न कीजिए तो अगले साल वह भी बता दूंगा।

श्री अटल बिहारी वाजपेयी : यह अफने साल पर निर्भर कर रहे हैं सारे सत्तावादी का जवाब देने के लिए।

श्री उमा शंकर दीक्षित : अब तीन सप्ताह होते हैं केवल दो ठोस प्रश्न ही रह गए हैं।

श्री अटल बिहारी वाजपेयी : श्री चट्टो-
पाध्याय ने जो कुछ कहा उससे इस प्रश्न
का उत्तर नहीं मिला कि इन फर्मों को जिन्हें
पिछले 18 वर्षों में लाइसेंस नहीं दिए गए
जिन्हें लाइसेंस देने से पिछले तीन मन्त्रियों
ने मना कर दिया, उन्हें लाइसेंस देने का फैसला
क्यों किया गया ? एक्स प्रेशिया का
इन्होंने एक नया अर्थ निकाला है। मेरे
मित्र श्री मधु लिमये ने वेक्सटर डिवशन्री
को अभी देख कर बताया एकम प्रेशिया
का मतलब है—आउट ग्राफ फेवर—
अनुमूहित करने के लिए जा किया जाता
है उसे एकम प्रेशिया कहते हैं। डा०
चट्टोपाध्याय अब शब्दों की नयी व्याख्या
करने लगे हैं। वे कहते हैं हमने न्याय के
लिए, इक्विटी के लिए इनको एक्स प्रेशिया
लाइसेंस दिए, उनके ऊपर कृपा की। कृपा
करने का ज़रूरत क्या है ? जब यह अदालत
में गए, जब यह फर्म अदालत में गयी, वहाँ
से न्याय नहीं पा सकी, इसका अर्थ है उनके
साथ अन्याय नहीं हुआ और मामला वापिस
ले लिया गया। श्री चट्टोपाध्याय कहते
हैं कि सेटिलमेन्ट की बेमिस क्या थी यह उन्हें
नहीं मालूम तो फिर एक्स प्रेशिया लाइसेंस
देने की ज़रूरत क्या थी ? इस प्रश्न
का जवाब नहीं मिला। श्री चट्टोपाध्याय
ने माना कि इस आवेदन के पहले तीन आवेदन
और मिले। एक आवेदन श्री तुल मोहन
राम का पहले भी मिला था दूसरा आवेदन
श्री नाथर का मिला और तीसरा आवेदन
इन कम्पनियों ने भी पहले किया था।
यह आवेदन ठुकरा दिए गए लेकिन इस बार
श्री तुल मोहन राम के साथ बीस समस्तदस्यों
का नाम जुड़ा था क्या इस लिए यह आवेदन
मान लिया गया ? जिस प्रश्न का उत्तर
दिया है मन्त्री महोदय ने राज्य सभा में
उसमें यह माना है कि ब्लिट्च में समाचार
बाद में छपा, यह आवेदन पहले प्राप्त हुआ,
23 नवम्बर, 1972 को यह आवेदन मिला।
21 संसत्सदस्यों के दस्तखत से आवेदन

मिला। सर्वोपरि जिसका नाम था वह वही
थे श्री तुलमोहन राम जो पहले भी आवेदन
कर चुके थे और जिनका आवेदन स्वीकृत
नहीं किया था। क्या यह आवेदन मन्त्रालय
में मिलने के बाद सदेह पैदा नहीं हुआ ?
जिनके हाथ में निर्णय करने की शक्ति थी
क्या उनके मन में यह जिज्ञासा पैदा नहीं
हुई कि यह आवेदन जिस पर अधिकांश
बिहार के सदस्यों के दस्तखत बताये जाते
हैं उनका पाडीचेरी, कराइल माहे और यनम
की फर्मों से क्या सम्बन्ध है ? मन्त्री
महोदय यह नहीं कह सकते कि जब
आपने लिखा, ब्लिट्च की खबर की और
विदेश व्यापार मन्त्रालय का ध्यान दिलाया
तब इनका ध्यान गया। क्या विदेश
व्यापार मन्त्रालय इसी तरह से काम करता
है ? (व्यवधान)

श्री ज्योतिर्मय बसु मुझे थोटी कुछ
नहीं हुआ।

श्री अटल बिहारी वाजपेयी : चिट्ठी
लिखने के बाद इन्होंने मामला सी० बी०
आई० को दिया। वह भी मामला जाच
के लिए नहीं दिया, "डिस्क्रीट बेरिफिकेशन"
के लिए दिया। लेकिन राज्य सभा में जवाब
देने के पहले इन्होंने सी० बी० आई० से
पता लगाने की कोशिश नहीं की कि "डिस्क्रीट
बेरिफिकेशन" का नतीजा क्या निकला।
इस सदन में जिन सदस्यों ने कहा है कि उनके
दस्तखत जाली बनाये गये, उनका इस आवेदन
से कोई सम्बन्ध नहीं है, उन्होंने कहा कि चार
पाच महीने पहले सी० बी० आई० के अफसर
उनके पास आये थे। क्या सी० बी० आई०
ने विदेश व्यापार मन्त्रालय को अपनी जाच
के परिणामों से अवगत नहीं रखा ? क्या
सी० बी० आई० केवल प्रधान मंत्री के
सचिवालय के प्रति जिम्मेदार है ? कभी

[श्री अटल बिहारी वाजपेयी]

सी० बी० आई० गृह मंत्रालय में हुआ करता था, गृह मंत्रालय के पास गृह मंत्रालय है लेकिन सी० बी० आई० नहीं है।

श्री उमा शंकर बीक्षित : जितना हथोरे पास है वही हम कर लेंतो गनीमत है।

श्री अटल बिहारी वाजपेयी : स्पष्ट है कि सी० बी० आई० का संचालन साधं हीला है लेकिन क्या सी० बी० आई० का काम नहीं है कि जिस मंत्रालय से संबंधित माधला है उस मंत्रालय के मंत्री को अपनी जाच की प्रगति के बारे में अवगत रखे ? सी० बी० आई० ने भी इस बात की आवश्यकता नहीं समझी और विदेश व्यापार मंत्री ने भी सी० बी० आई० से जानकारी प्राप्त करने की जरूरत नहीं समझी ? स्पीकर साहब ने अपनी स्थिति स्पष्ट कर दी है।

अध्यक्ष महोदय, दीक्षित जी ने कहा है कि मुदगल का मामला बेकार में उठाया जा रहा है। मुदगल और तुलमोहन राम के मामलों में कोई समानता नहीं है। (ब्यवधान)

श्री एल० एम० बनर्जी एक मरा हुआ है, एक जिव्दा है। (ब्यवधान)

श्री अटल बिहारी वाजपेयी : उन्होंने यह भी कहा कि मुदगल के मामले में तय्यों के बारे में विवाद नहीं था, एक आम राय थी इसलिए मामला पार्लियामेण्टरी कमेटी को सौंप दिया गया।

मैं पूछना चाहता हूँ कि क्या यही बात श्री तुल मोहन राम पर लागू नहीं होती ? क्या यह सब नहीं है कि...

श्री उमा शंकर बीक्षित : उस में काइम का सवाल है।

श्री अटल बिहारी वाजपेयी : काइम और पार्लियामेण्ट ने एक मेम्बर के रूप में उनका आचरण, इन दोनों में विभाजक रेखा खींची जा सकती है। ससदीय समिति ससद सदस्य के आचरण पर विचार कर सकती है। उस के साथ यदि कुछ अपराध जुड़े हुए हैं तो उन पर बाद में मुकदमा चल सकता है, कार्यवाही हो सकती है।

अध्यक्ष महोदय, एक विचित्र यह गैलरी में आकर गलत काम करता है तो इस सदन की अवमानना के लिए हम यहा उस के खिलाफ कार्यवाही करते है। लेकिन अगर वह छुरा लेकर आता है तो उस पर क्रिमिनल केस चलता है, बाहर चलता है। समद उसमें दखल नहीं देती। क्या यह विभाजक रेखा श्री तुल मोहन राम के ससदीय आचरण और उनके अपराधी आचरण के बारे में नहीं खींची जा सकती ?

श्री उमा शंकर बीक्षित अभी तक कोई ऐसा प्रमाण नहीं है। या तो बताइये।

SHRI SHYAMNANDAN MISHRA:
Taking one's position as Member of
Parliament for promoting one's own
material interest

श्री बलराम साठे (अफ्रीका) : वह कहा अभी सिद्ध हुआ है कि श्री तुल मोहन राम ने अपने मैटीरियल इण्टरेस्ट के लिए कोई कार्यवाही या काम किया था। यह स्पष्टित क्या हुआ है अब तक ?

श्री अटल बिहारी वाजपेयी : अध्यक्ष जी, अगर अब कुछ सिद्ध हो जाएगा तो जाच

के लिये संसदीय समिति बनाने की जरूरत क्या पड़ेगी ।

सवाल यह है कि जांच कौन करे ? मुद्दाल के मामले में भी जो कमेटी बनाई गई वह जांच के लिये बनी थी, इन्वेस्टीगेशन के लिये बनी थी ।

श्री उमा शंकर दीक्षित उस ने त्याग पत्र दे दिया ।

SHRI SHYAMNANDAN MISHRA
 He was condemned by the House for this affrontery

श्री उमा शंकर दीक्षित मुख्य प्रश्न है कि उन्होंने जो कहा था वह हाउस में कहा था और इसलिये हाउस के अन्दर जाने की बात आयी । उस में हाउस के अन्दर किसी ने कुछ कहा नहीं इसलिये इस में हाउस के अन्दर जाने की स्थिति है ही गयी ।

श्री श्यामनन्दन मिश्र हाउस में तो उन्होंने अपने का डिफें कियाडे था ।

श्री अटल बिहारी वाजपेयी अध्यक्ष जी, श्री तुल माहन राम ने माना कि आवदन पर उन्होंने दस्ताख्त किया । क्या उन में यह नहीं पूछा गया कि यह 20 दस्ताख्त क्या में आयें ? 20 सदस्यों ने जिन के दस्ताख्त बताये जाते हैं इस में इन्वार कर दिया है कि उन्होंने दस्ताख्त किये है ।

SHRI NIMBAKLAR It was the first signature you are saying yourself

श्री अटल बिहारी वाजपेयी । वह वह रहे हैं कि पहला उन का दस्ताख्त था इसलिये उन से पूछ लिया गया कि तुम्हारे दस्ताख्त हैं कि नहीं । दूसरों के बारे में उन से पूछा ही नहीं । क्या सी० बी० आई० की जांच करने की यह बढ़ति है ? क्या सी० बी० आई० की जांच करने की यह क्षमता है ?

श्री मधु लिम्बे दूसरे हस्ताक्षरों के बारे में श्री तुल माहन राम ने क्या कहा ?

श्री अटल बिहारी वाजपेयी क्या उन में सवाल नहीं पूछा गया ? (व्यवधान)

श्री उमा शंकर दीक्षित उन्होंने कहा उन्हें नहीं मालूम है ।

श्री अटल बिहारी वाजपेयी क्या उन में यह पूछा गया कि "ब्लिट्ज़" में खबर छपी है कि इस आवदन लिखने के लिये और लाइसेंस दिवाने के लिये आप न रुपया लिया, क्या यह आरोप सही है ?

श्री उमा शंकर दीक्षित एंसी डिपेल की कोई रिपोर्ट हमारे पास नहीं है ।

SHRI SHYAMNANDAN MISHRA
 He is trying to ignore everything

श्री अटल बिहारी वाजपेयी तो फिर जांच क्या हुई ? अध्यक्ष महोदय, मुझे क्षमा कीजिये (व्यवधान)

SHRI UMA SAHINKAR DIKSHIT
 Allegations have been made He has not been asked and he has not admitted

SHRI SHYAMNANDAN MISHRA
 Sir on a point of order Hon Member Mr Jyotirmo, Bosu had drawn attention to the entire Blitz report, which included a serious allegation that an hon Member had taken a bribe of Rs. 1,50,000 In effect the hon Minister says that he has decided to ignore all these things

SHRI UMA SHANKAR DIKSHIT
 The allegation still stands

SHRI SHYAMNANDAN MISHRA.
 What did you do about it?

श्री अटल बिहारी वाजपेयी अध्यक्ष महोदय, मुझे क्षमा कीजिए गृह मंत्री महोदय ने आज जो वाचन दिया है उस से मेरे मन में

[श्री बदल बिहारी बाजपेयी]

संदेह पैदा हो गया है कि अब श्री तुल मोहन राम को भी बचाया जाने वाला है। . . . (ब्यबधान) सी० बी० आई० अभी तक किसी ठोस परिणाम पर नहीं पहुंच सकी है। सारा मामला पांच महीने का है, यह तथ्य इस बात को प्रमाणित करता है कि जिस मामले को लटकाना हो उसको सी० बी० आई० को भेज दो। कुछ सदस्यों ने कहा अगर कोई प्राइमफेसी केस नहीं है तो समर्पण जाच क्या होगी। लेकिन विधि मंत्री महोदय कहते हैं कि प्राइमफेसी केस है। मैं पूछता हू कि वह किम के खिलाफ है? श्री तुल मोहन राम उम में शामिल हैं कि नहीं? दूसरी सितम्बर का जिस केस में एफ० आई० आर० दाखिल की गई वह किम के खिलाफ दाखिल की गई है?

SHRI MADHU LIMAYE Let Mr. Gokhale reply.

SHRI H. R. GOKHALE: I have already stated earlier, persons have not been identified. They have to be identified during investigation which has started after the registration of the case.

श्री बदल बिहारी बाजपेयी अध्यक्ष महोदय, प्राइमफेसी वा क्या मतलब है? प्राइमफेसी केस किम के खिलाफ है? क्या हवा में प्राइमफेसी केस बन सकता है। (ब्यबधान) देखिये किम तरह के जवाब दिये जा रहे हैं। क्षमा कीजिये, इस तरह के जवाब इस सरकार की प्रतिष्ठा को नहीं बढ़ाने। यह जवाब यह विश्वास भी पैदा नहीं करने कि आप इस वाड की तरह में जा कर तथ्यों का पता लगाना चाहते हैं, अपराधियों को दण्डित करना चाहते हैं और जिन के नाम गलत तौर पर टोटे गये हैं उन के सम्मान को आप सचमुच में सुरक्षित करना चाहते हैं। यह जवाब ऐसे है जो इस सदन की, इस में सर्वाधिक सदस्य की प्रतिष्ठा को और भी कमजोर करेंगे।

पांच महीने तक मामला सी० बी० आई० में पड़ा रहा। गृह मंत्री महोदय कहते हैं आज सी० बी० आई० प्रचानक विरोधी दलों के विश्वास की पाव नहीं रही है। अध्यक्ष महोदय, मैं और मामले नहीं उठाना चाहता हूँ। इस समय जहां जहां राजनीतिक भ्रष्टाचार के मामलों में जुड़े हुए हैं और वे मामले जब जब सी० बी० आई० को सौंपे गये हैं सी० बी० आई० ने या तो उन को क्षमा कर दिया है, या मामलों में घाघली की है और कुछ मामलों में घाघली की गुंजायश रही है। इमीनिये सी० बी० आई० को सेन्ट्रल ब्यूरो आफ इन्वेस्टीगेशन नहीं कहा जाता, कमिटेड ब्यूरो आफ इन्वेस्टीगेशन कहा जाता है। यह कमिटेड वा जमाना है। अब सी० बी० आई० भी कमिटेड हो गई है। गृह मंत्री महोदय कहते हैं विरोधी दल वाले मांग करते हैं कि सी० बी० आई० को मामला सौंपा। कोन से मामले सौंपे अनारिस्टेड मामले सौंपो जिन में सरकारी अधिकारी सम्मिलित है उन को सौंपो। ये न आप के मामले और सेना को गश्ती वा हवाई वा वा वा वा वा वा वा सी० बी० आई० मन्त्रियों की जाच नहीं कर सकती तो पार्लियामेंट के मन्बर के आचरण की किम जाच कर सकती है? अगर हम में केनर पार्लियामेंट के मन्बर नहीं जुड़े हुए हैं, हम में मिनिस्टर वा जुड़े हुए हैं। उन की जाच को क्या?

SHRI SHYAMNANDAN MISHRA. Who will investigate?

SHRI UMA SHANKAR DIKSHIT. After the first investigation is over, then, all these questions will arise

SHRI SHYAMNANDAN MISHRA. They have to go concurrently. Then, alone, the threads can be linked.

श्री बदल बिहारी बाजपेयी : अध्यक्ष महोदय, गृह मंत्री महोदय इस समय जो कुछ कह रहे हैं उन में और बिधि मंत्री महोदय ने इस सदन में 3 तारीख को जो कुछ कहा था उन में अंतर विरोध है।

गृह मंत्री महोदय मानते हैं कि सी बी आई जांच कर ले तो मामला फिर पार्लियामेंट के सामने आ सकता है और फिर अगर पार्लियामेंट उचित समझे तो कमेटी को मामला भेजा जा सकता है। मैं विधि मंत्री को उद्बुत करना चाहता हूँ.

"It is our view that these matters can be looked into only by a court of law. The proper agency the statutory agency that can investigate into the matter is the court"

SHRI H R. GOKHALE Please refer to my remarks on the subsequent occasion. I have said at that time that we shall take the House into confidence after the investigation report was available. After the results of investigation are available we shall take the House into confidence, the whole matter is open to the House to consider at that time

श्री अटल बिहारी वाजपेयी कमिटर क्या करेगी? जब मामला अदालत में चला जाएगा तब हाउस क्या करेगा? मुझे दुष्ट हुआ श्री भगत की बातों को सुन कर। यह ऐसा समझ रहे थे कि मारी अकल का ठेका उन्होंने ही ले लिया है। जब खुदा के यत्न अकल बट रही थी तो शायद वह अकेले वहा हाजिर थे, हम सब लोग गैर हाजिर थे। कहते हैं कि ये लोग कुछ समझते ही नहीं है। कहते हैं कि मामला अगर पार्लियामेंट की कमेटी में आ गया और फिर किसी ने कोर्ट में मामला उठा दिया तो पार्लियामेंटरी कमेटी अपनी कार्रवाई बन्द कर देगी। उन में एक मुफरिसल के वकील की योग्यता तो है लेकिन उन्हें ससदीय नियमों तथा परम्पराओं की जानकारी नहीं है। हम इसीलिए पार्लियामेंटरी कमेटी चाहते हैं कि एक बार मामला उनके सामने आ जाए तो फिर उसे अदालत में चुनौती नहीं दी जा सकती है। सी बी आई के साथ यह बात नहीं है। जो मामला सी बी आई के पास है उसे लेकर कोई अदालत में जा सकता है।

इसका मैंने प्रारम्भ में ही उत्तर दे दिया था, लेकिन यह बात उनके गले नहीं उतरी। सदन में दो ही भगत हैं

एक माननीय सदस्य वगुना भगत कौन है ?

श्री अटल बिहारी वाजपेयी मुझे अफसोस है कि वह काले चश्मे से ही मारी दुनिया को देखते हैं। इसलिए कहते हैं कि दिल्ली म्युनिसिपल कार्पोरेशन में भी झूठा वार है। वहा पर कायम के मँम्बर भी है। वहा अगर कायम के मँम्बर एन कमेटी बनाने की माग करे तो हम उनका साथ देंगे और वह कमेटी मार झूठानार की जांच कर सकती है।

एक माननीय सदस्य : वहा में शरू वांग्।

श्री अटल बिहारी वाजपेयी वहा अभी तक जाओ दमायन बनाने व आरारण में कोई गिरफ्त में नहीं प्राया है।

वेद है कि उन्हान दम विवाद में स्वर्गीय श्री बलराज खन्ना का नाम भी घोषित की कोशिश की है। मैं कहना चाहता हूँ कि सी बी आई हम वान का दोषी है कि श्री बलराज खन्ना व घर पर माओ घोषित ने तलाशी नहीं ली जबकि समाचारपत्रों में यह खबर छपी कि उसने तलाशी ली। उसने इसका खंडन नहीं किया और वह चूपी धारण करके बैठी रही। श्री बलराज खन्ना को अगर धारण हत्या की और धकेलने में किमों का हाथ है तो सी बी आई उग जिन्मेदारी स नहीं बच सकता। दिल्ली के एक मुखबार में यह भी छपा था कि सी बी आई ने श्री बलराज खन्ना से पूछनाछ की जबकि पूछनाछ नहीं की गई। सी बी आई में कहा गया कि इसका वह खंडन करे लेकिन उनमें ऐसा करने में कई दिन लगा दिए। क्या राजनीतिक कारणों से यह देर नहीं लगाई गई। इसलिए हमारा

[श्री अटल बिहारी वाजपेयी]

विश्वास सी बी आई पर से डिगा है। भगत जी कहते हैं कि श्री बलराज खन्ना दीन दयाल शोध स्मारक की इमारत से क्यों कूदे। अब इसकी जांच करने के लिए तो श्री बलराज खन्ना के पास जाना पड़ेगा।

एक माननीय सदस्य आप पता कराइये।

श्री अटल बिहारी वाजपेयी हम पता नहीं कराएंगे। भगत जी को पता करने के लिए जाना पड़ेगा। यह उन्हें मजूर नहीं है और हम भी नहीं चाहते हैं कि वह इतनी जल्दी जाए।

सारे विवाद से एक बात साफ हो गई है जो प्रारम्भ में मने कही थी कि देश में अटल राजनीतिज्ञों, बेईमान उद्योगपतियों, व्यापारियों और अप्रामाणिक नोकरशाहों में एक अपवित्र गठबन्धन है। यह लाइसेंस स्कैंडल इस अपवित्र गठबन्धन की गवाही देता है। प्रश्न केवल कुछ फर्मों को लाइसेंस देने का नहीं है। कुछ मित्रों ने सवाल किया है कि लाइसेंस देने की प्रक्रिया क्या है, यह लाइसेंस परमिट राज हमें कहा ले जा रहा है? अफसोस है कि आज जा कुछ गृह मंत्री जी न कहा है उसमें थोड़ी बहुत जा जा रहा है। यही थी वह भी रुक जाएगी, उस जांच को भी इन्होंने प्रेजुडिस कर दिया है। तथ्यों का पता लभेगा इस में सन्देह है। मैंने भाग की थी और मैं चाहता था कि मेरे सशोधन पर आप अपने विचार प्रकट करे लेकिन आपने ऐसा नहीं किया। मेरा सशोधन यह है।

"The House further resolves that in so far as Shri Tulmohan Ram, one of the alleged signatories to this representation is concerned, his conduct ever since the revelation of this licences' issue amounts, *prima facie*, to an admission of guilt, and

that therefore, pending the completion of the probe Shri Tulmohan Ram be suspended from the service of the House."

बहुमत पार्टी इस सशोधन को भी मानने को तैयार नहीं है। वह श्री तुलमोहन राम के खिलाफ भी एकजान लेना नहीं चाहती है।

एक माननीय सदस्य : वह यहां नहीं है।

श्री अटल बिहारी वाजपेयी कहां हैं। लाए क्यों नहीं गए हैं ? उन्हें कौन सरक्षण दे रहा है। आपके पास सब इटैलीजेंस है। क्या पता नहीं लगा सकती है ? श्री तुलमोहन राम किस की छत्र छाया में रह रहे हैं। गृह मंत्री जी कहते हैं कि श्री ज्योतिर्मय बसु के पास चीजों का पता लगाने के साधन हैं। क्या यह सरकार स्वयं इतनी अग्रगण्य हो गई है।

श्री उमाशंकर बोसिल एक प्रकार की चीजों का, सब का नहीं।

श्री ज्योतिर्मय बसु : वह क्या चीज है ?

श्री अटल बिहारी वाजपेयी अगर कांग्रेसी मित्र इसको पार्टी का मामला नहीं मानते हैं तो उन्हें पार्लियामेण्टरी जांच की मांग को स्वीकार कर लेना चाहिये। अभी तक हमारे यहाँ पार्लियामेण्टरी कमेटी का यह स्तर रहा है कि एक बार हम कमेटी में बैठते हैं तो फिर दलबन्दी के आधार पर विचार नहीं करते। श्री साठे और श्री भगत इस बात की गवाही देने। विशेषाधिकार समिति में हमने कभी पार्टी के रंग और रूको नहीं माने दिया। लेकिन आज उन्होंने समदीय कमेटी की प्रतिष्ठा भंग कर दी है। वहाँ बहुमत और अल्पमत का सबाल पैदा हुआ, वह कहते हैं।

क्यों होगा ? क्या भ्रष्टाचार के मामले पर, संसद सदस्यों के आचरण के मामले पर भी हम दखलबंदी के ऊपर उठ कर विचार नहीं कर सकते हैं ? अगर नहीं कर सकते हैं तो फिर इस देश में लोकतंत्र के लिए भविष्य नहीं है । मेरा ध्यान है कि मेरा सशोधन प्रस्ताव स्वीकार किया जाए वना हम इस बात पर बल देंगे कि मत विभाजन हो । आप बहुमत के बल पर उसको ठुकरा सकते हैं लेकिन प्रस्ताव को ठुकराना एक बात है और हिन्दुस्तान की 56 करोड़ जनता को समझाना दूसरी बात है । आप मेरा प्रस्ताव ठुकरा सकते हैं लेकिन अपने आचरण के औचित्य को जनता के गले की नीचे नहीं उतार सकते ।

MR. SPEAKER I will now put amendments Nos. 1 and 8 moved by Shri Madhu Limaye.

Amendments Nos. 1 and 8 were put and negatived

MR. SPEAKER I will now put amendments Nos. 2, 3 and 9 moved by Shri Samar Guha.

Amendments Nos. 2, 3 and 9 were put and negatived.

MR. SPEAKER: I will now put the amendment of Shri S N. Banerjee to the vote of the House The question is:

"That in the Motion,—

for 'that with a view to ensure high standards of conduct in public life by Members of Parliament, a Parliamentary Committee comprising of 11 Members nominated by the Speaker, be constituted to examine the entire matter relating to the representation made to the Ministry of Commerce over the alleged signatures of 21 Members of Lok Sabha. the revelation made by the Minister that most of these signatures are forged and the actual allotment of licences to parties

mentioned in the representation and to make necessary recommendations in that regard.'

Substitute—

'to constitute a Committee of the House consisting of 15 Members, to be nominated by the Speaker, to conduct an inquiry to identify the persons circumstances and factors that have tended to lower the dignity of the Lok Sabha as a whole as a result of alleged association of names of some Members of Lok Sabha with the recommendation letter for the grant of licence to the parties referred to in reply to Starred Question No. 730 in the Rajya Sabha on 27-8-1974 and that the Committee may submit an interim Report on the first day of Winter Session.' (4).

The Lok Sabha divided;

[23.21 hrs.

Division No. 27]

AYES

Bade, Shri R. V.
Banera, Shri Hamendra Singh
Banerjee, Shri S. M.
Bhagirath Bhanwar, Shri
Bhattacharya, Shri S. P.
Bosu Shri Jyotirmoy
Chandra Shekhar Singh, Shri
Chandrappan, Shri C K.
Chaudhary, Shri Ishwar
Chavda, Shri K S
Dandavate, Prof Madhu
Gowder, Shri J Matha
Hazra, Shri Manoranjan
Kalingarayar, Shri Mohanraj
Lalji Bhai, Shri
Limaye, Shri Madhu
Manjhu, Shri Bhola
Mavalankar, Shri P. G
Mayavan, Shri V.
Mehta, Shri P. M.
Misra, Shri Janeshwar
Mishra, Shri Shyamnandan
Modak, Shri Bijoy
Pandey, Shri Sarjoo
Parmar, Shri Bhaljibhai
Ram Hedao, Shri
Reddy, Shri Y. Eswara
Saha, Shri Gadadhar
Sambhali, Shri Ishaque

~~Patraik, Shri J. B.~~

Sen, Shri Robin
Sezhayan, Shri
Shastri, Shri Ramavatar
Singh, Shri D. N.
Vajpayee, Shri Atal Bihari

NOES

Aga, Shri Syed Ahmed
Agrawal, Shri Shrikrishna
Ahirwar, Shri Nathu Ram
Ambesh, Shri
Ankmeedu, Shri Maganti
Ausari, Shri Ziaur Rahman
Appanaidu, Shri
Azad, Shri B. gawat Jha
Babunath Singh, Shri
Banerjee, Shrimati Mukul
Barman, Shri R. N.
Barupal, Shri Panna Lal
Basappa, Shri K.
Basumatari, Shri D.
Besra, Shri S. C.
Bhagat, Shri B. R.
Bhagat, Shri H. K. L.
Bheeshmadev, Shri M.
Bist, Shri Narendra Singh
Buta Singh, Shri
Chakleshwar Singh, Shri
Chandrakar, Shri Chandulal
Chandrika Prasad, Shri
Chaturvedi, Shri Rohan Lal
Chaudhary, Shri Nitiraj Singh
Chawla, Shri Amar Nath
Chhotey Lal, Shri
Chhutten Lal, Shri
Daga, Shri M. C.
Dalbir Singh, Shri
Darbara Singh, Shri
Das, Shri Anadi Charan
Das, Shri Dharnidhar
Dasappa, Shri Tulsidas
Deo, Shri S. N. Singh
Deshmukh, Shri Shivaji Rao S.
Dinesh Singh, Shri
Dixit, Shri G. C.
Dixit, Shri Jagdish Chandra
Doda, Shri Hiralal
Dumada, Shri L. K.
Dwivedi, Shri Nageshwar
Engti Shri Biren
Ganesh, Shri K. R.
Gangadeb, Shri P.
Gautam, Shri C. D.
Gavit, Shri T. H.
Gokhale, Shri H. R.

Gomango, Shri Giridhar
Goswami, Shri Dinesh Chandra
Gotkhinde, Shri Annasaheb
Hansda, Shri Subodh
Hari Singh, Shri
Ishaque, Shri A. K. M.
Jagjivan Ram, Shri
Jamilurrahman, Shri Md.
Jha, Shri Chiranjib
Kadannappali, Shri Ramachandran
Kailas, Dr.
Kakodkar, Shri Purushottam
Kale, Shri
Kamble, Shri T. D.
Kamla Kumari, Kumari
Kapur, Shri Sat Pal
Karan Singh, Dr.
Kaul, Shrimati Sheila
Kedar Nath Singh, Shri
Kisku, Shri A. K.
Kotoki, Shri Liladhar
Kureel, Shri B. N.
Lakshminarayanan, Shri M. R.
Lutfal Haque, Shri
Maharaj Singh, Shri
Mahata, Shri Debendra Nath
Mahishi, Dr. Sarojini
Maihi, Shri Gajadhar
Majhi, Shri Kumar
Malaviya, Shri K. D.
Mandal, Shri Jagdish Narain
Mandal, Shri Yamuna Prasad
Mehta, Dr. Mahapatray
Melkote Dr. G. S.
Mishra, Shri L. N.
Mohan Swarup, Shri
Mohapatra, Shri Shyam Sunder
Mohsin, Shri F. H.
Muhammed Khuda Bukhsh, Shri
Munsi, Shri Priya Ranjan Das
Murmu, Shri Yogesh Chandra
Murthy, Shri B. S.
Negi, Shri Pratap Singh
Oraon, Shri Tuna
Pabadia, Shri Jagannath
Painuli, Shri Paripoonnanand
Pandey, Shri Damodar
Pandey, Shri Sudhakar
Pant, Shri K. C.
Paoki Haokip, Shri
Parashar, Prof. Narain Chand
Partap Singh, Shri
Parthasarathy, Shri P.
Paswan, Shri Ram Bhagat
Patel, Shri Prabhudas
Patil, Shri T. A.

Patraik, Shri J. B.

Pradhani, Shri K.
 Qureshi, Shri Mohd. Shafi
 Raghu Ramaiiah, Shri K
 Rai, Shrimati Sahodrabai
 Raj Bahadur, Shri
 Ram Dayal, Shri
 Ram Dhan, Shri
 Ram Prakash, Shri
 Ram Sewak, Ch.
 Ram Singh Bhai, Shri
 Ram Surat Prasad, Shri
 Ram Swarup, Shri
 Ramshekhari Prasad Singh, Shri
 Rao, Shrimati B Radhabai A.
 Rao, Shri M. S. Sanjeevi
 Rao, Shri M Satyanarayan
 Rao, Shri Nageswara
 Rao, Shri P Ankineedu Prasada
 Ravi, Shri Vayalar
 Ray, Shrimati Maya
 Reddy, Shri M Ram Gopal
~~Reddy, Shri P. Bayapa~~
~~Reddy, Shri P. Ganga~~
 Reddy, Shri P Narasimha
 Reddy Shri P V.
 Reddy, Shri Sidam
 Roy Shri Bishwanath
 Sadhu Ram, Shri
 Sami, Shri Mulki Raj
 Samanta, Shri S. C
 Sanghi Shri N K.
 Sankata Prasad, Dr.
 Sathe, Shri Vasant
 Satish Chandra Shri
 Savitri Shyam Shrimati
 Saveed Shri P M
 Sethi, Shri Arjun
 Shafquat Jung, Shri
 Shahnawaz Khan Shri
 Shailani, Shri Chandra
 Shambhu Nath, Shri
 Shankar Dayal Singh Shri
 Shankar Dev Shri
 Shankaranand, Shri B
 Sharma, Shri A. P.
 Sharma, Dr H P
 Sharma, Dr Shankar Dayal
 Shastri, Shri Biswanarayan
 Shastri, Shri Raja Ram
 Sher Singh, Prof
 Shinde Shri Annasaheb P
 Shukla, Shri Vidya Charan

Siddheshwar Prasad, Shri
 Sinha, Shri R. K.
 Sohan Lal, Shri T.
 Surendra Pal Singh, Shri
 Suryanarayana Shri K
 Swamy, Shri Sidrameshwar
 Tarolekar, Shri V. B.
 Tayyab Hussain, Shri
 Tawari Shri Shankar
 Tiwary, Shri D N
 Tombi Singh Shri N
 Ulkey, Shri M. G
 Unnikrishnan, Shri K P
 Verma, Shri Balgovind
 Vikal, Shri Ram Chandra
 Yadav Shri Chandrajit
 Yadav, Shri D P
 Yadav Shri Karan Singh
 Yadav, Shri N P
 Yadav Shri R P

MR SPEAKER The result * of the division is Ayes 34, Noes: 175.

The motion was Negatived

MR SPEAKER Then there is the amendment moved by Shri B. V. Naik

SHRI B V NAIK: Sir, I am rising on a point of order. Shri Sczhiyan said that this amendment will amount to connivance. *Interruptions* Rule 344(2) says that an amendment shall not be moved which has merely the effect of a negative vote. My amendment deals with the composition of the Committee.

SHRI ATAL BIHARI VAJPAYEE: I accept Shri Naik's amendment.

MR SPEAKER: I will now put the amendment of Shri B. V Naik to the vote of the House.

Amendment No. 5 was put and negatived.

MR. SPEAKER: I will now put the amendment of Janeshwar Misra to the vote of the House

*Sarvashri B. V Naik, Vidya Dhar Bajpai, P. R. Shenoy and S. K Sarkar also recorded their votes for NOES.

Amendment No. 6 was put and negatived.

MR. SPEAKER: Then there is the amendment by Shri P. R. Shenoy.

SHRI P. R. SHENOY: In view of the assurance of the hon. Minister, I do not press my amendment.

Amendment No. 7 was, by leave, withdrawn.

MR. SPEAKER: I now put the amendment moved by Shri Nimbalkar to the vote of the House.

Amendment No. 10 was put and negatived.

MR. SPEAKER: I now put the amendment moved by Shri P. G. Mavalankar to the vote of the House.

Amendments Nos. 11 to 13 were put and negatived.

MR. SPEAKER: I now put the amendment moved by Shri Daga and Shri Chandrika Prasad to the vote of the House.

Amendment No. 14 was put and negatived.

MR. SPEAKER: I now put the amendment moved by Shri Sezhiyan to the vote of the House.

Amendment No. 16 was put and negatived.

MR. SPEAKER: I now put the amendment moved by Shri Vajpayee to the vote of the House.

Amendment No. 15 was put and negatived.

MR. SPEAKER: I now put the motion moved by Shri Atal Bihari Vajpayee to the vote of the House.

The question is:

"That this House resolves that with a view to ensure high stand-

ards of conduct in public life by Members of Parliament, a Parliamentary Committee comprising of 11 Members nominated by the Speaker, be constituted to examine the entire matter relating to the representation made to the Ministry of Commerce over the alleged signatures of 21 Members of Lok Sabha, the revelation made by the Minister that most of these signatures are forged and the actual allotment of licences to parties mentioned in the representation and to make necessary recommendations in that regard."

The Lok Sabha divided;

Division No. 28]

[23.26 hrs

AYES

Bade, Shri R. V.
Banera, Shri Hamendra Singh
Banerjee, Shri S. M.
Bhagirath Bhanwar, Shri
Bhattacharyya, Shri S. P.
Bosu, Shri Jyotirmoy
Chandra Shekhar Singh, Shri
Chandrappan, Shri C. K.
Chaudhary, Shri Ishwar
Chavda, Shri K. S.
Dandavate, Prof. Madhu
Gowder, Shri J. Matha
Hazra, Shri Manoranjan
Kalingarayar, Shri Mohanraj
Lalji Bhai, Shri
Limaye, Shri Madhu
Manjhi, Shri Bhoja
Mavalankar, Shri P. G.
Mayavan, Shri V.
Mehta, Shri P. M.
Misra, Shri Janeshwar
Mishra, Shri Shyamnandan
Modak, Shri Bijoy
Pandey, Shri Sarjoo
Parmar, Shri Bhaljibhai
Ram Hedao, Shri
Reddy, Shri Y. Eswara
Roy, Dr. Saradish
Saha, Shri Gadadhar
Sambhali, Shri Ishaque
Sezhiyan, Shri
Shastri, Shri Ramavatar

Singh, Shri D. N.
Vajpayee, Shri Atal Bihari

NOES

Aga, Shri Syed Ahmed
Agrawal, Shri Shrikrishna
Ahirwar, Shri Nathu Ram
Ambesh, Shri
Ankmeedu, Shri Maganti
Ansari, Shri Ziaur Rahman
Appalanaidu, Shri
Azad, Shri BhagwatJha
Babunath Singh, Shri
Bajpai, Shri Vidya Dhar
Banerjee, Shrimati Mukul
Barman, Shri R. N
Barupal, Shri Panna Lal
Basappa, Shri K.
Basumataci, Shri D.
Besra, Shri S. C.
Bhagat, Shri B. R.
Bhagat, Shri H. K. L.
Bheeshmadev, Shri M.
Bist, Shri Narendra Smgh
Buta Singh, Shri
Chakleshwar Singh, Shri
Chandrakar Shri Chandulal
Chandrika Prasad, Shri
Chaturvedi, Shri Rohan Lal
Chaudhary, Shri Nitiraj Singh
Chawla, Shri Amar Nath
Chhotey Lal, Shri
Chhuttan Lal, Shri
Daga, Shri M C
Dalbir Singh, Shri
Darbara Singh, Shri
Das, Shri Anadi Charan
Das, Shri Dharmidhar
Dasappa, Shri Tulsidas
Deo, Shri S. N. Singh
Deshmukh Shri Shivaji Rao S
Dinesh Singh, Shri
Dixit, Shri G. C.
Dixit, Shri Jagdish Chandra
Doda, Shri Hiralal
Dumada, Shri L. K.
Dwivedi, Shri Nageshwar
Engti, Shri Biren
Ganesh, Shri K. R.
Gangadeb, Shri P.
Gautam, Shri C. D.
Gavit, Shri T. H.
Gokhale, Shri H. R.
Gomango, Shri Giridhar
Goswami, Shri Dinesh Chandra
Gotkhinde, Shri Annasaheb

Hansda, Shri Subodh
Hari Singh, Shri
Ishaque, Shri A. K. M.
Jagjivan Ram, Shri
Jamilurrahman, Shri Md.
Jha, Shri Chiranjub
Kadannappa, Shri Ramachandran
Kailas, Dr.
Kakodkar, Shri Purushottam
Kale, Shri
Kamble, Shri T. D.
Kamla Kumari, Kumari
Kapur, Shri Sat Pal
Karan Singh, Dr
Kaul, Shrimati Sheila
Kedar Nath Singh Shri
Kisku, Shri A. K.
Kotaki, Shri Laladhar
Kurel, Shri B. N
Lakshminarayanan, Shri M. R.
Lulfal Haque, Shri
Maharaj Singh Shri
Mahata, Shri Debendra Nath
Mahishi, Dr Sarojini
Majhi, Shri Gajodhar
Majhi Shri Kumar
Malaviya, Shri K. D.
Mandal, Shri Jagdish Narain
Mandal Shri Yamuna Prasad
Mehta, Dr Mahipatray
Melkote, Dr G S
Mishra Shri L. N.
Mohan Swarup, Shri
Mohapatra, Shri Shyam Sunder
Mohsm, Shri F H
Muhammed Khuda Bukhsh, Shri
Munsi, Shri Priya Ranjan Das
Murmu, Shri Yogesh Chandra
Murthy, Shri B S.
Naik, Shri B V.
Negi, Shri Pratap Singh
Oraon, Shri Tuna
Pahadia, Shri Jagannath
Painuli, Shri Paripoornanand
Pandey, Shri Damodar
Pandey, Shri Sudhakar
Pant, Shri K. C.
Paokai Haokip, Shri
Parashar Prof Narain Chand
Partap Singh, Shri
Parthasarathy, Shri P.
Paswan Shri Ram Bhagat
Patel Shri Prabhudas
Patil, Shri T. A.
Patnaik, Shri J. B.
Pradhani, Shri K.
Qureshi, Shri Mohd Shafi

Raghu Ramaiah, Shri K.
 Rai, Shrimati Sahodrabai
 Raj Bahadur, Shri
 Ram Dayal, Shri
 Ram Dhan, Shri
 Ram Prakash, Shri
 Ram Sewak, Ch.
 Ram Singh Bhai, Shri
 Ram Surat Prasad, Shri
 Rani Swarup, Shri
 Ramshekhar Prasad Singh, Shri
 Rao, Shrimati B. Radhabai A.
 Rao, Shri M. S. Sanjeevi
 Rao, Shri M. Satyanarayan
 Rao, Shri Nageswara
 Rao, Shri P. Ankinēedu Prasada
 Ravi, Shri Vayalar
 Ray, Shrimati Maya
 Reddy, Shri M. Ram Gopal
 Reddy, Shri P. Narasimha
 Reddy, Shri P. V.
 Reddy, Shri Sidram
 Roy, Shri Bishwanath
 Sadhu Ram, Shri
 Saini, Shri Mulki Raj
 Samanta, Shri S. C.
 Sanghi, Shri N. K.
 Sankata Prasad, Dr.
 Sarkar, Shri Sakti Kumar
 Sathe, Shri Vasant
 Satish Chandra, Shri
 Savitri Shyam, Shrimati
 Suveed, Shri P. M.
 Sethi, Shri Ariun
 Shafquat Jung, Shri
 Shahnawaz Khan, Shri
 Shaifani, Shri Chandra
 Shambhu Nath, Shri
 Shankar Dayal Singh, Shri
 Shankar Dev, Shri
 Shankaranand, Shri B.
 Sharma, Shri A. P.
 Sharma, Dr. H. P.
 Sharma, Dr. Shankar Dayal
 Shastri, Shri Biswanarayan
 Shastri, Shri Raja Ram
 Shenoy, Shri P. R.
 Sher Singh, Prof.
 Shinde, Shri Annasaheb P.
 Shukla, Shri Vidya Charan
 Siddheshwar Prasad, Shri
 Sinha, Shri R. K.
 Sohan Lal, Shri T.
 Surendra Pal Singh, Shri
 Suryanarayan, Shri K.
 Swamy, Shri Sidrameshwar
 Tarodekar, Shri V. B.

Tayyab Hussain, Shri
 Tewari, Shri Shankar
 Tiwary, Shri D. N.
 Tombi Singh, Shri N.
 Ulkey, Shri M. G.
 Unnikrishnan, Shri K. P.
 Verma, Shri Balgovind
 Vikal, Shri Ram Chandra
 Yadav, Shri Chandrajit
 Yadav, Shri D. P.
 Yadav, Shri Karan Singh
 Yadav, Shri N. P.
 Yadav, Shri R. P.

MR. SPEAKER The result of the division is:

Ayes: 34; Noes: 179.

The motion was negatived.

MR. SPEAKER After this motion, when it will be inquired into, some people might approach the Speaker for comparing the signatures of MPs and for other things. I hope, after this, our office should not have any objection if they are approached for comparing signatures or if they want to interrogate any member.

SHRI SEZHIYAN With your permission

MR. SPEAKER I want your guidance because, though I have the right to show, I thought I must sound you. There should be no excuse later on that this thing was not shown, permission was not given and hence it has been delayed. From my side, for comparing signatures or if they want to interrogate any Member out of those 21, I will have no objection.

I thank you all very much. This Session has been one of the most memorable Sessions in my life as a Presiding Officer. I have really started thinking that I should have some more tonics during the inter-session period, so that when we meet next I may be stronger.

Thank you all. We now adjourn
sine die

23.31 hrs.

The Lok Sabha then adjourned sine die.

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