

[Secretary-General]

recommendations to make to the Lok Sabha in regard to the said Bill.”

(iii) “In accordance with the provisions of sub-rule (6) of rule 186 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to return herewith the Appropriation (Vote on Account) Bill, 1985, which was passed by the Lok Sabha at its sitting held on the 25th March, 1985, and transmitted to the Rajya Sabha for its recommendations and to state that this House has no recommendations to make to the Lok Sabha in regard to the said Bill.”

(iv) “In accordance with the provisions of sub-rule (6) of rule 186 of the Rules of Procedure, and Conduct of Business in the Rajya Sabha, I am directed to return herewith the Appropriation (No. 3) Bill, 1985, which was passed by the Lok Sabha at its sitting held on the 25th March, 1985, and transmitted to the Rajya Sabha for its recommendations and to state that this House has no recommendations to make to the Lok Sabha in regard to the said Bill.”

12.20 hrs.

[English]

**CALLING ATTENTION TO
MATTER OF URGENT PUBLIC
IMPORTANCE**

**Reported Confiscation by Custom
Authorities at Bombay Airport of
Large amount of U.S. Dollars and
Travellers Cheques intended to
be Deposited in Foreign Banks**

PROF. MADHU DANDAVATE
(Rajapur): Sir, I call the attention of

the Minister of Finance to the following matter of urgent public importance and request that he may make a statement thereon.

“Reported confiscation by Custom Authorities at Bombay Airport of large amount of U.S. dollars and Travellers Cheques intended to be deposited in foreign banks and the action taken by the Government in the matter.”

**THE MINISTER OF FINANCE AND
COMMERCE AND SUPPLY (SHRI
VISHWANATH PRATAP SINGH):**
According to reports received by the Government, officers of the Air Intelligence Unit of the Customs (Preventive) Collectorate, Bombay intercepted two passengers, namely S/Shri Chandrakanth Shivabhai Amin and Asutosh-Prafulchandra Nanavathy on the 19th March, 1985, when they were leaving for Hong Kong by flight No. AI-316, which was to depart for Hong Kong at 18.50 hours. On suspicion, the two passengers were directed to present their checked-in baggage for Customs examination. After they identified the three suitcases checked-in in their name, the same were opened and examined. On examination, one of the suitcases, checked-in in the name of Shri Asutosh Prafulchandra Nanavathy was found to contain a red/black canvas bag in which there was a large quantity of currencies consisting of :

US \$ — 3,04,526 (currency note)

US \$ — 48,900 (travellers'
cheques)

Singapore S—1

Indian currency—Rs. 500

Total equivalent to Rs. 46,63,850

Thereupon, currencies were seized in the reasonable belief that they were attempted to be smuggled out of the country in contravention of the provisions of Customs Act, 1962 read with the

Foreign Exchange Regulation Act, 1973.

In the statements recorded, the two passengers admitted that the foreign currency carried by them belonged to Shri Mrugesh Jaikrishna of Ahmedabad and that they were carrying the foreign currency to Hong Kong under his instructions. They further deposed that Shri Mrugesh Jaikrishna was scheduled to leave for Ahmedabad by Indian Airlines Flight No IC-111 that evening at 6.00 P.M. Thereafter, Shri Mrugesh was apprehended at the domestic air-terminal when he was about to board the flight for Ahmedabad. Shri Mrugesh admitted in his statement that the seized foreign currency belonged to him and had been purchased by him with the help of two persons who belonged to Ahmedabad and that the seized currency was to be sent through the Union Bank Switzerland at Hong Kong to his wife's relative in U.S.A. The two passengers and Shri Mrugesh Jaikrishna were arrested on 20-3-1985 and have been remanded to judicial custody till 2-4-1985.

As the case, *prima facie*, involves violations of the Foreign Exchange Regulation Act and Direct Taxes Laws, besides the breach of the provisions of the Customs Act, further follow-up action and investigation are in progress in close co-ordination between Customs, Directorate of Enforcement and the Income-tax authorities. As the case is under investigation, the Hon'ble Members would kindly appreciate that it will not be expedient to disclose further details at this stage. I may, however, assure this House that action would be taken against all persons involved as warranted by law.

MR. DEPUTY SPEAKER : Prof. Dandavate, I want to make some observations now. Afterwards, you can speak.

PROF. MADHU DANDAVATE : Sir, do you want to draw the attention of all the Members of the House or me alone ?

MR. DEPUTY SPEAKER : I want

to make the observation for the benefit of all including yourself, Prof. Dandavate.

Prof. Madhu Dandavate has given notice under Rule 353 intimating that during Calling Attention, he would mention names of certain persons connected with the subject. Under Rule 353, no allegation of a defamatory, or incriminatory nature can be made by a Member against any person unless the Member has given previous intimation. Prof. Dandavate gave the intimation to me in the morning and I requested him to furnish the basis on which he would mention the names of persons. So far, Prof. Dandavate has not given me the required information. I would, therefore, request Prof. Dandavate not to make allegations or mention the names of persons who are not here to defend themselves.

PROF. MADHU DANDAVATE : Your information is not up to date. I have given; it may not be up to your satisfaction. I have got all the precedents with me of Antulay and others; do not worry. I will take care of rules, and without violating the rules, I will expose corruption.

(Interruptions)

PROF. MADHU DANDAVATE : Better take care of corruption, rather than taking care of me.

MR. DEPUTY SPEAKER : Please observe the rules.

PROF. MADHU DANDAVATE : Sir, I have tabled this Calling Attention Motion basically on the question of confiscation of foreign currency and also of travellers cheques to the tune of about Rs. 48 lakhs from two industrialists who were already proceeding to Hong Kong as has been admitted by the hon. Minister.

I would like to raise a number of issues connected with this. I am in-

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interested not merely in the technical part of confiscation of currency, but I am more concerned with the type of ganging up that is taking place in this particular affair. It involves smuggling of currency; it involves corruption by industrialists; it has also an espionage angle; it has also an association and links with high placed politicians in Gujarat. Combined with all that, there is an overriding question of public morality and that is the reason why I have raised this question.

In this House, I may remind you, Calling Attention notice is a powerful instrument in the hands of Members to unearth and expose corruption and also bring to the notice of the Minister concerned and the House certain financial transactions, as had happened in the case of the famous trust floated in Maharashtra, as a result of which a man in a very high position had to be removed from the position he had held.

Permit me to say, Sir, that with the issues which I raise, I have confidence that soon people responsible for those crimes and transactions will be out of their high political position, I have full confidence about it, and with full confidence and authority, I say this and authenticate every word that I have said on the basis of the information that I have collected.

It is already admitted that two industrialists, one Shri Chandrakanth Shivabhai Amin and the other Asutosh Prafulchandra Nanavathy were caught while proceeding to the flight going to Hong Kong and when their checked-up luggage was taken charge of, it was found out that foreign currency was there. They were taken charge of by the Customs authorities and the same evening the industrialist, Shri Mrugesh Jaikrishna, whose name has also been mentioned by the hon. Minister was proceeding to Ahmedabad by 6.00 p.m. flight. He was also taken into judicial custody and certain confessions have been made. The two industrialists, or the two representatives of the indus-

trialist magnate had admitted that it was Shri Mrugesh Jaikrishna who had handed over the currency to them and they were simply carriers of the currency. After this episode had taken place and on the one side the two industrialists were hauled up and some information was ascertained from them, I would like to know whether it is a fact that incriminating documents were found in the raid that was conducted by the authorities at Shri Mrugesh Jaikrishna's residence, and whether there was any evidence to show that the smuggled currency was sought to be carried first to Hong Kong and then to the Swiss Bank, and whether there was any evidence that the money belonged to** the Chief Minister**...(Interruptions)

PROF. K. K. TEWARY (Buxar) : There is a ruling that he cannot mention names (Interruptions)

MR. DEPUTY SPEAKER : What I have observed already will apply. I have already informed. (Interruptions) I know. I request the members to be silent.

(Interruptions)

PROF. MADHU DANDAVATE : I am not saying that it belonged to him. Being a person of high morality, I do not think that it belongs to him. But I merely want to know whether it belonged, as has been reported somewhere, to him. Being a man of high morality, I really do not think that the money has been actually given. I want to know whether the amount was given. Sir, here I want to point out something which cannot be objected to. Because, this is actually what has happened, as an administrative measure. I am not making an allegation. I am only telling about the administrative decisions that have been taken and implemented. Whether there is a nexus or not, I leave it to the Minister. I want to know whether the Chief Minister of Gujarat, **obliged Mr. Mrugesh Jaikrishna, who is the Vice-President of Cricket Board of India and the President of the

Cricket Control Board of Gujarat, in constructing a new stadium near Gandhi Nagar by giving away 50 acres of land at throw-away prices.

(Interruptions)

This is no defamation. In Delhi when the Asiad Sports were held, I have asked the question in this House whether so and so was given certain land ..

(Interruptions)

Sir, I would quote a precedent. In this very House when hotels were being constructed for Asiad, I had raised the question, mentioned particular names and also referred to the Minister whether he had granted permission to that particular individual to construct a hotel for HIL and whether it was given away at a throw away price. It was not at all rejected, but a very satisfactory answer according to the speaker as well as according to the Minister was given. I am simply raising an administrative question, whether it is a fact that as far as Mrugesh was concerned, he was given for the stadium some land—50 acres of land—at throw-away prices. Only a statement of fact is required.

SHRI GIRDHARI LAL VYAS : It is not at all connected.

PROF. MADHU DANDAVATE : It is connected. Money is accumulated. It is accepted even by the Minister. In his statement, he said that two industrialists who were carrying the currency admitted that Mr. Mrugesh had given them the money and Mrugesh when he was confronted by the Customs Authorities, he has also accepted that.

SHRI VISHWANATH PRATAP SINGH : I have informed, not accepted.

PROF. MADHU DANDAVATE : That is all right. He has confirmed

that the information was given by the two persons. I would grammatically correct my grammatically incorrect statement. He has confirmed that those two persons who were interrogated, had actually accepted the fact that Mr. Mrugesh had given that money. And who is this Mrugesh ? He is the same man who constructed a stadium near Gandhi Nagar. How did he get the land of 50 acres ? It was given by the Chief Minister,** I only want a statement of fact whether it was given.

(Interruptions)

SHRI B. K. GADHAVI (Banaskantha) : It is all irrelevant. It was long back...

PROF. MADHU DANDAVATE : So, they have admitted that it was done, but long long back...*(Interruptions)*

SHRI B. K. GADHAVI : The question is whether he is entitled to relate a matter which is totally irrelevant. He is referring to a matter three years old about the Gujarat Cricket Association...

(Interruptions)

PROF. MADHU DANDAVATE : This is important and it has got relevance....*(Interruptions)*

MR. DEPUTY SPEAKER : The Minister will reply to it. Please sit down.

PROF. MADHU DANDAVATE : Through you, I may remind him that his point of order is ruled out.

SHRI GIRDHARI LAL VYAS : Is it your ruling ?

PROF. MADHU DANDAVATE : No. I am communicating his ruling. He could not hear it properly.

I would now like to make an enquiry, because it is related to this problem : whether prominent Congress (I) leaders,

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including four MPs, even MLAs—and I congratulate them—and about ten district Congress presidents wrote to former Prime Minister Shrimati Indira Gandhi about the questionable relationship between the Chief Minister** and Mrugesh, and warned that the Indira Stadium might one day prove as harmful as the Indira Gandhi Pratibha Pratishthan floated by Mr. A. R. Antulay. (Interruption) If they challenge, I will produce the letter, Sir. But that will embarrass the Congress members. I will produce the letters.

That industrialist wanted the stadium to be called as Indira Gandhi Stadium or Indira Stadium

SHRI B. K. GADHAVI : It is called Gujarat Stadium.

PROF. MADHU DANDAVATE : No; he wanted it to be called as Indira Gandhi Stadium. I am congratulating you. Your friends told the late Prime Minister : "Don't get trapped into the trap of Mrugesh", I am congratulating them. (Interruptions) What I am telling is that 4 MPs., 7 MLAs. and 10 district Congress presidents went to Mrs Indira Gandhi and told her : "Mrugesh wants the stadium to be called Indira Stadium. Please don't listen to the Chief Minister** That will be another episode of Indira Gandhi Pratibha Pratishthan. We would warn you not to do it." I congratulate the former Prime Minister, Mrs. Indira Gandhi. She openly declared: 'I do not want my name to be given to this stadium. It will not be called as Indira Stadium. You can call it by any other name.' As my colleague rightly said, it is called Gujarat Stadium. Long live Gujarat'. I have no quarrel with it.

In a letter addressed to Shrimati Indira Gandhi in the middle of November 1982—take note of the month; if they want the date, I will be prepared to give it—did they not say that they would leave the party if the Chief Minister's conduct in this regard was not controlled? Is it not a fact that

Shrimati Indira Gandhi responded favourably and persuaded with all her persuasive powers, the Chief Minister** to dissociate her name from the stadium, and give it any other name?

I would like to know from the hon. Finance Minister: who forced the public sector organizations in Gujarat to become Life Members of the Gujarat Cricket Control Board, of which Mr. Mrugesh who has been arrested was the Vice-President? All public sector organizations. You will be surprised to know which are the organizations which joined as Life Members—even the Slum Clearance Organization joined the Cricket Control Board I do not know whether they wanted to play cricket, or they wanted to build....

SHRI GIRDHARI LAL VYAS : What is your thinking?

PROF. MADHU DANDATE : My thinking will not be palatable to you.

SHRI PRIYA RANJAN DAS MUNSI (Howrah): For Mr. Dandavate's information.

(Interruptions)**

MR. DEPUTY SPEAKER : Mr. Das Munsi, what you have said will not go on record because you have not given the Calling Attention motion. He has given it. He is speaking on it.

PROF. MADHU DANDAVATE : I am Very sorry. I thought be rose on a point of order. That was why I sat.

SHRI PRIYA RANJAN DAS MUNSI : We want to help and cooperate in the House.

MR. DEPUTY SPEAKER : The cooperation is welcome.

PROF. MADHU DANDAVATE : Is it a fact that there is a close relationship between the Chief Minister** and

the entire business, industrial and family circles of Jaikrishna? it a fact? Is This is a very important administrative matter. There is no question of defamation. Is it a fact that about 16 textiles in Ahmedabad closed down during the last two years? Sixteen textile mills closed down. It is not defamation against anybody. It is really defamation against the unemployed workers. Sixteen textile were closed down, and the Relief Act was invoked. what is the purpose of the Relief Act ?

How was the patronage through Relief Act given by the Chief Minister to this great industrialist who is caught in the trap now ? The Relief Act which gives protection to an undertaking and prevents creditors from recovering dues was extended, out of 16 textile mills, with were closed down, it was extended, the Relief Act was extended only to one mill in Ahmedabad.

(Interruptions) My friend is a trade unionist. He should join me.
 (Interruptions)

MR. DEPUTY SPEAKER : I do not like members to go on talking like this.

(Interruptions)

PROF. MADHU DANDAVATE : Out of 16 textile mills that were closed two years back, only in the case of one mill in Ahmedabad and that is Saharangpur Cotton Mill No. 2, the Mill under the management of Jaikrishna family, was given the benefit of Relief Act. If this Relief Act. was applied in a spirit of compassion we have no objection. But, what are the economic consequences? From where did this business magnate get money to be sailed through his friend to Hong Kong by the benefit of this law; and Jaikrishna family saved Rs. 2 crores by denying creditors their right to recover their dues because once this Act is extended to a particular undertaking, if creditors approach them and ask for the return of the credit, they can say, that according to the Relief Act, I am completely exempted from all these obligations.' So, they were able to save Rs. 2 crores.

Within a couple of days of this benefit from** I would like to know whether Mrugesh Jaikrishna had gone to Switzerland.

Now I would like to refer to a High Court case, a criminal case filed by Jaikrishna against their cashier for misappropriation of funds, because their deals were found to be shady. It always happens that in a bank if some person in a high authority is found to be guilty of a fraud, he places the entire blame on a peon that is standing at the entrance of his building or some clerk or Head clerk. So, in the criminal case filed by Jaikrishna against their cashier for misappropriation of funds, what was the judgment that was given by the Gujarat High Court? They did not accept the contention of Jaikrishna family that all the fraud and misappropriation was due to their employees and they quoted Sherlock Holmes. It adds a little tinge to this particular calling attention. Quoting Sherlock Holmes, the Gujarat High Court says :

“When the theft is committed at night and the watch-dogs do not bark, the reason is that the owner himself is the chief.”

This is the quotation from Sherlock Holmes ; and I admire the literary Indian ingenuity of the High Court Judge who rightly quoted. Is not the management responsible for this misappropriation of fund? Was it not done for their benefit and did they not amass wealth through this misappropriation ?

Jaikrishna Hari Vallabhdas continued as Chairman of the Gujarat State Fertilizer Corporation only because of the patronage given by the Chief Minister**. Otherwise, he would not have continued.

SHRI B. K. GADHAVI : He was appointed by the Janata Party Government, for your information.

PROF. MADHU DANDAVATE : No. Action against Mrugesh and his wife; After the seizure of foreign currency on 19th March, I am referring to this incident. Is it not a fact that Mrugesh Jaikrishna who was Director of Gujarat Industrial Investment Corporation and Gujarat Tyres Limited was removed from these posts on 31st March 1981? They had accepted the *bonafide* case and allegation. Otherwise, they would have been removed from the post. They have said, "We are awaiting a full investigation". But I know, with all the elementary legal knowledge at my command, I can tell you, that whenever certain matters are being investigated, if there is a *prima facie* case, some quick action is taken, and therefore, he was removed from both the posts. Was not his wife, M-s. Parul Mrugesh who was the Director of Gujarat Tourism Corporation, also removed from her post on the 31st March 1985?

And now, I would like to know further whether the report that Congress (I) funds were kept with Mrugesh for distribution to candidates—correct, or it might be wrong—whether 65 Congress (I) candidates (and if the time comes I will produce the list of those 65 Congress (I) candidates), whether these 65 Congress (I) candidates, Assembly candidates were given about Rs. 10 lakhs from Mrugesh's residence. So, the distribution was conducted from his house. I would like to know the position. I have full confidence, having placed before the House all the information...*(Interruptions)*

SHRI PRIYA RANJAN DAS MUNSI : How can the legislators or Congress (I) candidates, whoever it is come into this matter? That is the position. This is not the way...

(Interruptions)

SHRI K. P. UNNIKRISHNAN (Badagara): He is telling the particulars *(Interruptions)*

MR. DEPUTY SPEAKER : Please sit down. Professor, you are telling particularly regarding some Congress (I) MLAs. Are you having any contention?

(Interruptions)

PROF. MADHU DANDAVATE : They have not become MLAs. I would raise a technical point. If I refer to MLAs you can object. At the time at which they were given the money they were not MLAs; they were candidates. *(Interruptions)* I am not referring to MLAs. I am referring to candidates. They were pure and simple candidates.

(Interruptions)

MR. DEPUTY SPEAKER : I will go through the proceedings. Please sit down. I will go through the proceedings.

(Interruptions)

SHRI K. P. UNNIKRISHNAN : He is establishing the link with the Chief Minister** and the party in power.

(Interruptions)

MR. DEPUTY SPEAKER : I am telling the House that I will go through the proceedings; whatever is not correct I will not allow....I will expunge it.

(Interruptions)

MR. DEPUTY SPEAKER : Whatever is not relevant, if here is anything against the rules, I shall go through the record.

(Interruptions)

MR. DEPUTY SPEAKER : I will go through the proceedings. All of you please sit down. Please sit down.

SHRI PRIYA RANJAN DAS MUNSI : I raise a point of order,

whether in any matter in this House any allegation in the nature of defamation against any legislator of any State Assembly can be there. Can any allegations against the candidates of any recognised political parties be referred to in the discussion in the House ?

MR. DEPUTY SPEAKER : I will go through the proceedings. If there is anything against the rules I will expunge it. I assure you.

(Interruptions)

MR. DEPUTY SPEAKER : I will go through the proceedings.

SHRI K.P. UNNIKRISHNAN : I am on a point of order. Rule 353 really says that any allegation of a defamatory or incriminatory nature against a person requires intimation.

PROF. MADHU DANDAVATE : I have given.

SHRI K.P. UNNIKRISHNAN : As far as the 'person' connected referred to, a 'person' is a legally different term. About 'person' referred to, I am sure, he must have given intimation. Now, today he has referred to a group of persons. He is not identifying X, Y, Z.

SHRI PRIYA RANJAN DAS MUNSI : It is not...*(Interruptions)*

SHRI K. P. UNNIKRISHNAN : I will quote five precedents, Mr. Das Munsii.

(Interruptions)

MR. DEPUTY SPEAKER : This is not the way of conducting the proceedings. You have to address me; do not address others...*(Interruptions)*

SHRI K. P. UNNIKRISHNAN : Therefore, it is perfectly valid for him because it is relevant. What he wants

to establish is the complicity of the Chief Minister.***

(Interruptions)

MR. DEPUTY SPEAKER : That I have already ruled out. No point of order. Please sit down. *(Interruptions)*

SHRI AJITSINH DABHI (Kaira) : When Mr. Munsii was speaking, you said that he had not given the notice so far as the Calling Attention was concerned and you did not allow him to speak. Now you are allowing Mr. Unnikrishnan.

MR. DEPUTY SPEAKER : He has raised a point of order which I have ruled out. I have ruled out your point of order.

PROF. MADHU DANDAVATE : Congratulations for ruling out the point of order. All that I want to tell you is that I will take care of the rules...*(Interruptions)* Doctor, will you listen to the patient ? Be more kind.**

(Interruptions)

MR. DEPUTY SPEAKER : I will not allow. Let him finish. No point of order. Too much time is taken. Nothing will go on record.

SHRI SOMNATH RATH (Aska) : Mr. Deputy Speaker, Sir, I raise on a point of order I invite your attention to rule 197. It says that there shall be no debate on such statement at the time it is made but each member in whose name the item stands in the list of business may, with the permission of the Speaker, ask a question. That is what is stated in the rule. As such can there be a debate ? I am rising on a point of order because this rule has been infringed. The point of order is always with respect to the rules if they are infringed. This time rule 197 has been infringed by allowing the hon. Member

**Expunged as ordered by the Chair.

***Not recorded.

[Shri Somnath Rath]

to speak for a long time and making it a debate. He has to put a question only. I want a ruling on this because this rule has been infringed.

PROF. MADHU DANDAVATE : For the last 25 years we have been accepting the Member's right to make submissions even on Calling Attention.

(Interruptions)

MR. DEPUTY SPEAKER : Please conclude and put the question.

(Interruptions)

PROF. MADHU DANDAVATE : I will take only one minute. If I speak with this throat, those of us who speak will develop cancer of the throat and those who listen to us will develop cancer of the ear. *(Interruptions)*

SHRI SOMNATH RATH : When I am rising on a point of order, other Members should resume their seats. The hon. Member should not give the ruling as it will not be binding. The ruling is to be given by the Chair. Hon'ble Member is not to say anything on my point of order. That is the minimum courtesy required. I will not enter into a dialogue with the Member who speaks sitting.

PRO. MADHU DANDAVATE : I am sorry for that.

SHRI SOMNATH RATH : I raised this point of order. Please give a ruling. I want a ruling from you whether allowing the hon. Member to speak for such a long time and making it a debate does not infringe rule 197. My second point for ruling is whether the convention should prevail upon the rule...

(Interruptions)

13.00 hrs.

SHRI GIRDHAR LAL VYAS (Bhil-

wara) : Whatever the hon. Member Prof. Dandavate has spoken is irrelevant and should not go on record...

(Interruptions)

MR. DEPUTY SPEAKER : I won't allow this kind of discussions. As regards your Point of Order, I ask the Professor to put the question.

PROF. MADHU DANDAVATE : Sir, if you check the record, every time I have been using the words 'is it a fact', 'does he agree', 'will he give us the information'. Deliberately I have been putting question marks in order to fulfil the technicalities. I know the rules better than what the hon. Member knows. I will make only one clarification. While referring to the 65 persons, I have deliberately not said '65 MLAs' because at the time at which they had received the money, they had not become MLAs at all and, therefore, the question of MLA-ship does not arise. I have not referred to MLAs, I have only referred to candidates... *(Interruptions)*. Shall I request the hon. Minister to give us a clear assurance that all these aspects which we have raised are allied to the major problem under consideration, and whether a through judicial enquiry into the matter will be made? And one request to you, Sir, in the end. If you go by the advice of these Members, I am afraid, my entire submission will be expunged. For God's sake don't do it. Let it remain on the record...

(Interruptions)

MR. DEPUTY SPEAKER : No, no, you cannot speak. I won't allow. Please sit down, the Minister is already on his legs...

(Interruptions)

MR. DEPUTY SPEAKER : No Point of Order now.

PROF. MADHU DANDAVATE :

Instead of expunging my remark, expunge Mr. Vyas's remarks.

SHRI VISHWANATH PRATAP SINGH : In this stadium of the House, Prof. Dandavate was making a marathon race of his questions....(*Interruptions*).

PROF. MADHU DANDAVATE : These are called compound questions.

SHRI VISHWANATH PRATAP SINGH : I was just awaiting when he would formulate the questions. He formulated one question in the beginning and one at the end. In between he was supposedly giving lot of information...(*Interruptions*).

PROF. MADHU DANDAVATE : Well begun is half done. All is well that ends well.

SHRI VISHWANATH PRATAP SINGH : The first question he has raised is whether searches were made and, if so, what has been the progress. Before I say anything, I must compliment the alertness of the Customs Officer at the airport. He deserves all credit and we are even thinking of rewarding him for his alertness...(*Interruptions*).

PROF. MADHU DANDAVATE : Part of the reward pass on to me, Sir.

SHRI VISHWANATH PRATAP SINGH : And I think it is a very high sense of duty that he has shown. There was full follow-up action after this and the Enforcement Directorate searched the premises of the office of M/s. Ambika Mills, Cuff Parade, Bombay; Sky Jet Aviation owned by Mrs. Mrugesh Jaikrishna; the Guest House at Worli, Bombay, in occupation of Mrs. Mrugesh Jaikrishna. Apart from the Customs and Enforcement Directorates, the Income-tax authorities also searched M/s. Ambika Mills Ltd. in which Shri Mrugesh Jaikrishna is the Managing Director; Sky Jet Aviation in which Shrimati Parulben Mrugesh Jaikrishna is the Chairman; the residence of Shri

Mrugesh Jaikrishna; the residence of Shri Deepak Ambalal Shah, an employee of Shri Mrugesh Jaikrishna; and the residence of Shri Prashant Naik an employee of Shri Mrugesh Jaikrishna. The cupboards were also sealed because Mr. Mrugesh was under custody. So, by this, you will see that the Government has spared no efforts, made no compromise at any time. I can assure the House, as Prof. Dandavate said, that we will pursue this investigation and action to its logical conclusion and will not stop at any connection, high or low, whatever it may be.

As for his connection, and imputation that there have been connections, I have no information with me at the moment. I am told that Shri Mrugesh was in the GFT during the Janata period also, but it is irrelevant. When we prosecute a person under a law, for the violation of the law, the violation of the Direct Taxes Act, the violation of the Customs Act, even in that, what violations are there, we have taken action and on, what will be violative it, we will surely take action. Now whether he has Janata party connection or Communist Party connection or Congress Party connection is irrelevant, so far as the criminal prosecution is concerned. That is all I have to say.

PROF. MADHU DANDAVATE : Hon. Minister, only one clarification. I want to ask only one question, whether the father of Shri Mrugesh Jaikrishna, Shri Hari Vallbhdas, was the Chairman of Messrs. S. M. L. Maneklal & Company, whose Director, Shri Yogesh Maneklal and employee, Shri Coomar Narain, were the principal accused in an espionage case, in which the staff of the Prime Minister's Secretariat are involved. Kindly give me that information. This is a very important espionage angle. I would like him to clarify that point.

SHRI VISHWANATH PRATAP SINGH : Our investigation shows that Shri Hari Vallabhdas was a Director of S. L. M. Maneklal Industries Limited.

[Shri Somnath Rath]

But we have not got any information of his connection with espionage so far.

PROF. MADHU DANDAVATE :
Was he a Director of the same company involved in the espionage case?

SHRI VISHWANATH PRATAP SINGH I have already told you that.

[Translation]

SHRI RAM BAHADUR SINGH (Chhapra) : Mr. Deputy Speaker, Sir, the issues of smuggling and espionage activities have been discussed quite often. Such incidents are being reported daily in the newspapers and in this House also these things are raised but unless you go deep into the matter and unless you punish the offenders severely under the law, these things will go on happening.

I agree that nobody can escape the long arm of the law, it does not make much difference because you can punish the guilty only when the authorities concerned with the enforcement of the law have the long arm, that is to say, full powers. Actually, the people entrusted with the enforcement of the law do not have adequate powers, and that is why the guilty person goes scot-free. The incident under discussion is not an isolated one, such incidents occur daily. Unless you consider this issue seriously, the country cannot be rid of such evils.

Today, persons committing crime in the country can be divided into two categories—the persons in the first category take to crime for earning their livelihood and the persons in the other category take to crime to lead luxurious life and to have the benefit of the 'five star' culture. If the persons in the second category are apprehended but they escape the clutches of the law, then the inference is that the Government want to encourage that culture.

If you look at the points raised by the hon. Professor, you will find that the hon. Minister has replied to only one point while the others have been left untouched. For example, a point was raised about the construction of a stadium by the Cricket Control Board near Gandhi Nagar. He said that the land for the stadium was given to Yogesh. The person occupying the highest post in Gujarat had given the land. The Minister has not touched this point as to why and how the land was given.

The Professor referred to the 16 textile mills in Ahmedabad and according to him only one mill was given the benefit of the relief aid by the Government. On account of this concession, the mill owner was benefited to the tune of Rs. 2 crores with which he is running his own business. The hon. Minister has not revealed the name of the owner of the Mill to which the concession was given and he has also not told us why the aid was given only to one mill. The hon. Minister has also not revealed the identity of the person who was involved in smuggling. He has left this point also untouched that the people of Gujarat, the Chairmen of the District Councils of the Congress Party, the legislators and the Members of Parliament belonging to that State had given in writing to the then Prime Minister, late Smt. Indira Gandhi, that the then ****Chief Minister**** was in collusion with Mrugesh. Yogesh and that if she wanted her name to be associated with this stadium, then that would become another Antueay scandal. The Minister has not made any clarification even in this regard. If you really want that such people, who encourage wrongful activities and the 'five star' culture, should be punished, then you must reply to all these questions and tell us whether a very important person of Gujarat to whom the responsibility for the protection of the lives and the property of the crores of people of Gujarat has been entrusted by the people, is in collusion with the

capitalists. You must get it investigated if you want to dispel any doubts in the minds of the people and if after investigation that person is found guilty, on leniency should be shown to him. But if you let off that person by avoiding the taking of action on one pretext or the other, then you cannot dispel the doubts in the peoples, minds.

This House, where we are sitting, is the highest court of the people and if a doubt is created in the minds of the people that we also indulge in favouritism, then the country cannot progress. I want to narrate the story of King Rama here. Although he was above the law of the land, yet to dispel the misgivings in the minds of the people, he sent his wife, Sita to exile. Though that was a black act according to me, yet Rama rising above his personal considerations, sent Sita to exile. But today allegations are made the against the person in power that they indulge in favouritism in the enforcement of the law. If you want that such allegations are not made against you, if you want that there should be no misunderstanding in the minds of the people about you, then you must try to reply to the questions raised by professor Madhu Dandavate and assure the House that howsoever big a person might be, whether he is the Chief Minister of any State or a Central Minister, Member of Parliament or Legislator if he breaks the law, indulges in smuggling or violates laws concerning customs duty, action shall be taken against him and he shall be given the severe punishment.

SHRI VISHWANATH PRATAP SINGH. So far as the question of somebody going scot-free, in spite of the long arm of the law, is concerned, the hon. Member has been able to deliver such a lengthy speech only after we have apprehended the culprits, not before that. Therefore, the long arm which has apprehended the guilty has

a firm grip. You have said about the collusion, the exile of Sita, and all that, but rest assured there is no scope for escape under the FERA and the direct tax laws and if any one is hooked under these laws, he shall not be spared. The Government can and shall act under these laws.

SHRI ZAINUL BASHER (Ghazipur): Mr. Deputy Speaker, Sir, first of all, I congratulate the hon. Finance Minister under whose strict orders the action to apprehend the offenders has been initiated. So far as this particular incident is concerned, there is nothing special about it. Currency has been seized, certain persons have been arrested and have been sent to jail and legal action is being taken against them. But just now, a respected opposition leader, Prof. Madhu Dandavate, has tried to give it a political colour and it seems, because of this politicking, the importance of this Calling Attention Motion has been reduced. Otherwise, these are routine matters that persons are caught by Customs Officers and sent to jail and legal action is taken against them. The long speech of Prof. Dandavate related more to the **Chief Minister and less to this incident. I do not know he was so much annoyed with the **Chief Minister and why he is so irritated with him. It is the **Chief Minister who had to bear the brunt of all his anger. There cannot be two opinions that our Prime Minister as well as our Government are committed to provide clean politics and clean public life. If a person, howsoever big he may be, does a wrong, he should not be spared, whether he is Gujarat Chief Minister or Karnataka Chief Minister or anybody else. Old order should change now. During the Janata Party regime, Prof. Dandavate was a Minister, why did he not show morality at that time?

[*English*]

SHRI S. JAIPAL REDDY : I am on a point of order. He has to put the question.

MR. DEPUTY SPEAKER : He is putting the question. Mr. Basher, please put the question.

SHRI VISHWANATH PRATAP SINGH : He is talking in the same way as Prof. Dandavate talked.

SHRI S. JAIPAL REDDY (Mahbubnagar) : He is referring to what Mr. Dandavate has said. He is not seeking any clarification from the Minister.

MR. DEPUTY SPEAKER : There is no point of order.

SHRI ZAINUL BASHER : I am entitled to take as much time as Prof. Madhu Dandavate has taken.

PROF. MADHU DANDAVATE : He should be given more time, Sir.

MR. DEPUTY SPEAKER : You put everything in the form of a question.

SHRI ZAINUL BASHER : Thank you very much, Sir. But this is not the way. (*Interruptions*).

[*Translation*]

At the time when Dandavate was a Minister in the Janata Government, a Chief Minister of a State had sent money to Nepal to be deposited in his account; where was morality at that time? I do not want to name anybody. This incident is known to everyone that the Janata Party Chief Minister of a State... (*Interruptions*)

PROF. MADHU DANDAVATE : I know only this much that I was not involved in that.

SHRI ZAINUL BASHER : But you were a Minister, when this incident took place. At that time, a Chief Minister of a State had deposited Rs. 50 lakhs in Nepal and the helicopter or the State plane used for the purpose was seized. What action did Shri Dandavate take at that time? These things were published in the newspapers. This is an open thing and everything is clear. Perhaps that Chief Minister is now no longer a member of that Party but at that time he was a Member of the Janata Party.

Similarly, many points were raised regarding the activities of the son of the then Prime Minister (Janata Party Prime Minister) and investigations were also made and a charter of allegations was also submitted in Rajya Sabha.

(*Interruptions*)

[*English*]

SHRI S. JAIPAL REDDY : I am on a point of order.

MR. DEPUTY SPEAKER : What is this? Don't disturb. There is no point of order. Please sit down. You can't go on interrupting the Member like this.

SHRI S. JAIPAL REDDY : He is always referring to Dandavateji.....

(*Interruptions*)

MR. DEPUTY SPEAKER : Please sit down. Your point of order is ruled out. I ruled out your point of order. That is all.

[*Translation*]

SHRI ZAINUL BASHER : One who lives in a glass house, should not throw stones at others. Do not forget it.

A charter of allegations was submitted. Had Shri Madhu Dandavate resigned on that, he would have become a hero,

he would have earned a great name. But, he did not do so.

[English]

PROF. MADHU DANDAVATE : I cannot resign with retrospective effect now.

[Translation]

SHRI ZAINUL BASHER : Thereafter, gold was auctioned during the Janata rule. Gold Control [Enquiry Commission was set up. It held an inquiry into that.

[English]

SHRI S. JAIPAL REDDY : What is this, Mr. Deputy Speaker ?

MR. DEPUTY SPEAKER : Is anything objectionable ?

SHRI SURESH KURUP : Is this allowed in the call attention motion ?

SHRI JAINUL BASHER : Some day, you will also have your call attention. Don't forget it.

SHRI K.P. UNNIKRIISHNAN : We must have all this right. I agree with you. (*Interruptions*).

MR. DEPUTY SPEAKER : He is on his legs. Why are you interrupting him ? Please sit down.

SHRI ZAINUL BASHER : When Dandavate Saheb was speaking, why did you not argue in this manner ?

[Translation]

The report of the Gold Control Inquiry Commission was discussed in this very House last time. Where was his morality at that time ? So far as

this case is concerned, it was said that two persons had already been arrested.

SHRI K.P. UNNIKRIISHNAN : I tell you, have you forgotten Vaidyalin-gam Commission ?

SHRI ZAINUL BASHER : In the first instance, Shri Chandrakant Shiv-bhai Amin and Shri Nanavati were arrested. Both of them disclosed that money belonged to Shri Mrugesh. Shri Mrugesh was also arrested. I want to ask the hon. Minister whether Shri Mrugesh had said or not that the money belonged to the Chief Minister of ** ? On being interrogated, both of them disclosed the third name and revealed that they were carrying his money. Was the third person arrested and on being interrogated did he say that the money belonged to the Chief Minister of ** and that they were going to deposit the money some-where ? In case he did not say so but he said that the money belonged to him, how did it affect the Chief Minister of **. If he has said that the money belonged to the Chief Minister...

SHRI K. P. UNNIKRIISHNAN : You will give a chance.

SHRI ZAINUL BASHER : In case they have disclosed that the money was given to them by the Chief Minister of ** for carrying it. Then I would request the hon. Minister not to repeat what was done by the Janata Party to save their Chief Minister, who had secretly deposited Rs. 50 lakhs. If such a thing has happened, action should be taken against the Chief Minister. There are no two opinions about it. Our Govern-ment have promised the people a clean administration. Therefore, who soever he may be, even if he is the Chief Minister of any State, he should not be spared. In this particular case, the hon. Minister will tell us whether it was said or not.

So far as his connections are concerned, he has connections with the Chief Minister and so the money could belong to him. Shri Madhu Dandavate also knows it, he is also in politics and so am I. Many people come to us and similarly many people also come to meet him. If some theft is detected, it can be construed that the person concerned used to visit Shri Dandavate and so he might be carrying Shri Dandavate's money.

PROF. MADHU DANDAVATE : I do not have anything to carry.

SHRI ZAINUL BASHER : They do not visit my place.

[*English*]

PROF. MADHU DANDAVATE : One thief came to my house and he abused me that I had nothing to be stolen.

SHRI ZAINUL BASHER : Dandavate Sahab, at least you have got a pistol, take pistol.

PROF. MADHU [DANDAVATE : That was borrowed from S.H.O.

[*Translation*]

SHRI ZAINUL BASHER : In this very House, you had shown that you had a pistol. It is a very dangerous thing. You are keeping a pistol. If that illegal weapon is caught and somebody says that it belongs to Shri Dandavate, action should be taken against you. Therefore, the thing is not like-that. If the Chief Minister is guilty, action should be taken against him. The wife of Shri Mrugesh, whose name perhaps is Parul Mrugesh, has a connections with R.S.S. She attends the R.S.S. functions as the Chief Guest. Therefore, she is pro-R.S.S. It is just possible that one of his brothers or relatives may be in the Janata Party.

Prof. Madhu Dandavate may enquire about it. Perhaps one of them may be in the Janata Party. He should find out by writing to their Gujarat Unit. When people join the Congress or the R.S.S., some may be in the Janata Party also.

So far as the question of constructing the stadium is concerned, this stadium is not his personal property. This is a public property. Even test matches were played there; you may give it any name. This is a good work. Anybody can do it, donations can be collected anywhere, there is nothing objectionable about it. Everything is going on well. So far as this case is concerned, investigations are going on and I hope the hon. Finance Minister would spare none. Prof. Madhu Dandavate has tried to politicize this Calling Attention. I condemn it. It has because his habit always to find out from the newspapers who is friendly to whom.

PROF. MADHU DANDAVATE : What is your opinion about my speech ?

SHRI ZAINUL BASHER : I am replying to that. Your speech was aimed at only giving this case a political colour and not at assisting there proceedings. Had you wanted to assist and had you any definite information with you, you would have quietly informed the hon. Minister of Finance instead of raising it here in this manner. Then only I would have been convinced that you did a good job. It is not good to throw political mud in this way.

SHRI VISHWANATH PRATAP SINGH : I fully agree with the hon. Member that politics should not be brought into this question. Politics should neither be brought into the question nor into the proceedings. He has also said that his wife had links with the R.S.S. or a Chief Minister went to Nepal or he mentioned the name of the son of a former Prime Minister—in my opinion, these questions need not be answered.

So far as the statement of Shri Mrugesh is concerned, when he was questioned whose money that was, he said that the money was his own, and this currency was purchased by him through two persons, Deepak Shah and Prashant Nayak. Of these two, Deepak Shah has been arrested. He did not say that the money belonged to the ** Chief Minister.

[English]

SHRI HAROOBHAI MEHTA (Ahmedabad): Now that the Finance Minister has stated that the statement of Mr. Mrugesh does not involve the Chief Minister of **, will Prof. Dandavate withdraw the insinuations made by him against the Chief Minister ?

PROF. MADHU DANDAVATE : I shall not withdraw a single word. I will be prepared to prove every word that I have uttered on the floor of the House.

STATEMENT RE : CONSTITUTION OF WAGE BOARDS FOR WORKING JOURNALISTS AND NON-JOURNALIST NEWSPAPER EMPLOYEES

[English]

THE MINISTER OF STATE OF THE MINISTRY OF LABOUR (SHRI T. ANJIAH) : Hon. Members are aware that the first Wage Board for Working Journalists under the Working Journalists (Conditions of Service) and Miscellaneous Provisions Act, 1955 was headed by Mr. Justice Divetiya whose decisions were published in May, 1958. The Second Wage Board for working journalists was constituted in 1963 headed by Mr. Justice Shinde and the majority of its recommendations were accepted by Government in 1967. The Second Wage Board for non-journalists and the Third Wage Board for working journalists were set up in June, 1975

and February, 1976 respectively. In view of the difficulties experienced in the functioning of these Wage Boards, Government decided to amend the Act of 1955 providing for replacement of Wage Boards by one man Tribunals and accordingly this Act was amended in 1979. The Tribunals submitted their recommendations to Government in August 1980 and subject to certain modifications their recommendations have been accepted by Government as notified in December, 1980.

Government have been receiving persistent requests for constitution of new Wage Boards both for working journalists and non-journalists newspaper employees. Accordingly, it has been decided to set up fresh Wage Boards for the purpose. We are now in the process of constituting these Wage Boards. I want to take this opportunity to appeal to all the representatives of the working journalists and non-journalists employees as well as the managements of the newspaper establishments to extend their co-operation to Government so that the reports of the Boards can be finalised early and their recommendations considered for implementation.

13.32 hrs.

[English]

MR. DEPUTY SPEAKER : Shri Khursheed Alam Khan will make a statement on Shri Lanka at 2.00 P.M. Now Matters under Rule 377.

MATTER UNDER RULE 377

[Translation]

- (i) Need to allocate adequate funds for vaccination of children against various diseases

SHRIMATI MADHURI SINGH (Purnea): Mr. Deputy Speaker, Sir, I am speaking under rule 377.