

[Sh. Ajoy Mukhopadyay]

State Governments are using ESMA against the striking employees. Against the legitimate struggle, ESMA is being used. Recently, the engineers are on strike in Rajasthan. The Rajasthan Government has promulgated ESMA. In Himachal Pradesh, the same thing has happened. The Central Government is also eager to pass such a law. You prepared the Bill. For the time being, you have not placed because of objections from different political parties and trade unions. But you have not abandoned that idea.

I say that you are trying to create illusion amongst the workers. A massive propaganda has been going on in favour of exit policy, golden hand-shake, etc. But I would like to cite one example. In MAMC, the workers, who have been given the golden Handshake, are yet to be paid their retirement and other benefits in full.

Lastly, I would like to remind you that the working class of this country will not accept all these measures which you are adopting. On 29th November last year, there was a countrywide industrial strike. But the Government did not take any lesson from that. The Congress Party and the BJP did not take any lesson from that strike. (Interruptions) The trade unions led by the Congress and the BJP were opposed to the strike but their followers joined the strike. This time again the workers are getting ready throught the country. They will not allow these things to continue any further because, you see, if the economic sovereignty of the country is compromised, then political sovereignty will be in danger. So it is high time that you should abandon that so-called new industrial policy which you have already adopted and are trying tried to follow in the forms of exit policy, national renewal fund, structural adjustment, etc., etc. You are trying to follow all these things. Do not do that. Please try to understand the reality. Do not go against the interests of, the working class and the working

people of the country, They are not silent spectators. In future, they will come to the streets in a bigger way to resist your anti-people and, to some extent, anti-national policy which they must defeat at all costs. I once agains oppose the Demands for Grants relating to the Ministry of Labour. I do not know what Mr. Sangma is, whether he is State Labour Minister or somebody else.

THE MINISTER OF STATE OF THE  
MINISTRY OF COAL (SHRI P.A. SANGMA):  
I am what I am (Interruptions)

SHRI AJAY MUKHOPADYAY: What you are assigned to do is something else. It is not the portfolio of the State Minister or something like that. I think you will try to understand the situation.

MR. DEPUTY SPEAKER: Honourable Minister for Agriculture may now make a statement regarding the Delhi Milk Scheme.

17.31 hrs.

#### STATEMENT BY MINISTER

##### Delhi Milk Scheme

[English]

THE MINISTER OF AGRICULTURE (SHRI BALRAM JAKHAR): Some of the honourable Members had raised the issue of arrest of General Manager, Delhi Milk Scheme (DMS) and other related issues at zero hour on 24th April, 1992. I fully share the anxiety and the concern expressed by th honourable Members in this regard.

The Central Bureau of Investigation (CBI) has registered a case under Section 7 of the Prevention of Corruption Act, 1968 on 13th April, 1992, against Shri Ram Singh,

General Manager, DMS, on the allegation of demand of a bribe of Rs. 2 lakhs on the basis of a written complaint. Based on this complaint, CBI raided the house of Shri Ram Singh and arrested him on 13th April, 1992 on allegedly accepting the bribe of Rs. 2 lakhs. Shri Ram Singh Was released on bail by the CBI on 14th April, 1992 after interrogation and after obtaining sureties required. Shri Ram Singh is a member of the Indian Administrative Service (IAS) of 1972 batch belonging to Madhya Pradesh cadre, who is on deputation with the Government of India since 9th October, 1987.

The honourable Member has made a revelation that he (Shri Ram Singh) was bailed out after Telephonic call from Tripathi. At least, I am not ware of any such call. It is absolutely necessary that the hon. Member should clearly confirm the identity of persons.

As to the suspension of the concerned officer, there is a prescribed procedure for suspension of officers belonging to the All

India Service. Approval has to be obtained from the Appointments Committee of the Cabinet (ACC) which is the Competent authority. The suspension can be effected only after the ACC has accorded its approval. The concerned file was received by me on 19th April 1992, on return from Tirupati and submitted to ACC on 20th April, 1992.

It has been stated by the hon. Member that the contract for supply of milk to DMS was not given to the lowest tenderers. I repudiate and indeed resent the various insinuations made. The contracts have been awarded in the best interest of the DMS. There are established procedure for audit and inspections of such cases. This is a matter of record which can be inspected by anybody.

As a result of these decisions, I am happy to say that more milk was procured by the DMS than was committed by the suppliers. For example, the private contractors supplied more milk to DMS than was committed by them as follows:

| Name of the Contractor                  | Committed Quantity<br>in thousand kgs per day | Quantity supplied in<br>thousands Kgs per day |          |          |      |
|---|---|---|----------|----------|------|
|   |   | March<br>1992                                 |          | April    |      |
|   |   | 1st week                                      | 2nd week | 3rd week |      |
| M/s. Prakash Dairy<br>Maradnagar        | 15  | 54.0  | 41.2     | 42.7     | 20.2 |
| M/s. Nanak Food Industries<br>New Delhi | 15  | 81.4  | 116.8    | 69.9     | 64.1 |
| M/s. Sikhbir Singh Delhi<br>Palwal      | 15  | 38.6  | 1.2      | 33.0     | 14.1 |

Similarly, the Cooperatives also supplied milk to the DMS than was committed by them as follows:

| <i>Period</i>        | <i>Committed quantities in thousand kgs. per day</i> | <i>Quantities actually supplied in thousand kgs. per day</i> |
|----------------------|--|--|
| March 1992           | 38.1   | 35.4   |
| 1st Week of April 92 | 38.1   | 78.6   |
| 2nd Week of April 92 | 38.1   | 79.2   |
| 3rd Week of April 92 | 38.1   | 75.4   |

I would like to state firmly, and once again, that my Ministry is fully committed to the development of cooperatives. Hon'ble Members are already aware of my life-long commitment to the development of cooperatives. Even in this case, the cooperatives and their federations were actively encouraged and supported. I had specifically directed that we should ensure adequate protection and encouragement to genuine cooperatives. Only on this criteria of genuineness, if a cooperative can meet all the requirements of the DMS or whatever percentage of requirements, they should be fully taken note of. I therefore, reiterate my commitment to development of and support to cooperatives in all sectors including dairy sector, subject to the condition that they are genuine.

It has been stated that there was a tanker whose milk did not conform to the prescribed standards and was accordingly rejected but it was accepted when the same tanker with changed number plate was brought in. This is not correct. The samples as per the practice were drawn from the tanker and tested. The milk in it was found of acceptable quality. In order to doubly ensure the preserved samples, which were drawn and kept were, again tested and were again

found of the acceptable standard.

Some instances of alleged malpractices by the suppliers of Milk to DMS have also been stated. I would like to say that same procedure and tests are being followed for testing the quality of milk which were in vogue when the hon'ble Member Shri Nitish Kumar was Minister of State incharge of DMS. I would further like to assure the hon'ble Members that stringent quality checks are undertaken before supply of milk to the consumers. The DMS tests both incoming milk as well as the out-going milk for sale to consumers. No milk is accepted by DMS which does not conform to the well laid down standards. The DMS milk is available in thousands of booths in Delhi. Any one can pick up a sample and get it tested for the quality of milk.

In conclusion, I would like to assure the House that no favour has been shown to any individual officer or any milk supplier and that all possible steps are taken to ensure that only wholesome milk is offered for sale to the public by the DMS.

[*Translation*]

SHRI NITISH KUMAR (Barh): Sir I am on a point of order. It is not a normal practice.

I know that there should be no clarification after the statement of the hon. Minister but I am sorry to say that the hon. Minister has given a statement which is not true and my name has been mentioned in it. The test being followed for testing the quality of milk are the same as were in vogue earlier. I am sorry to say that the statement of hon. Minister is not correct at all and documentary evidence is available to prove that each point, stated in the statement, is not true. How the tanker was taken inside, how it was rejected, how the numberplate was changed and it again went to D.M.S. It was all published in newspapers. The police registered the case, investigated the matter but no action was taken afterward because it was the manager who investigated the matter. There is documentary evidence for all this.

Secondly it is absolutely wrong that the milk is being taken from co-operative societies. He has shown in his records that the more milk has been taken. The more supply has been shown during the month of March because the full supply was not made during the period of January and February. Actually only 60% supply is done in the transitional period of March-April while the co-operative societies are prepared to supply more milk. They have also written in this regard. Kamdhenu Co-operative Society, Om Co-operative Society and Jaya Co-operative Society have written that they are ready to supply milk at the lowest tender rate. But it is not being procured from them. It is being taken on high rate from a particular firm. As regard the quality of milk, the subordinate officers complained that the quality of milk is not up to the mark; that is a sub-standard. All this is present on this paper. It has been recorded that this milk is being procured on the orders of such and such officers. Though it is sub-standard-whether it contains fat content or S.N.F. content. It is very essential to keep this point as a record on the table of the House because he has talked about the quality. I am saying it for convenience of the

hon. Minister that there is an M.S.R.T. test. Either he is being misled or he is not ready to tell the truth or does not want to hear the truth. This test should be of 15 minutes, but this test was ended only in 0.05 minutes in place of 15 minutes. Now it is very surprising that the report of this short test was accepted. Though the subordinate officers pleaded for rejection yet it was accepted. All these things are no record. Mr. Deputy Speaker, Sir, I may submit that whatever he has said is not at all true. All these things have been published several times and I have also placed these points with a sense of responsibility I want to highlight only one single point as to how the Government has changed the policy? The co-operative societies and cooperative federation had the right to supply milk, but the Government changed this policy and introduced the private parties in place of cooperative societies and federations. It created the scan. Through you, I would like to request the State Minister to lay on the Table of the House that file in which contract was awarded and signed, so that all the facts may come to light and we may come to know as to how the 13 parties were called, how the number of parties were reduced how the two parties were dismissed and eight were kept in waiting, and how the negotiations were held five times. It is recorded in the minutes of the meeting of the Management Committee that the negotiation is being held for the fifth time at the order of the hon. Minister. All the proofs are available that ultimately whatsoever has happened was meant to favour a particular company and a reference was made to the A.C.C., I will say just one thing that whatsoever it is, it is just inside the Government. If it is a matter of suspension of the officer in the Appointment Committee of the Cabinet, we know it. This incident took place on 13th. Now so many days have passed. He goes on leave on 18th. He was having sufficient time to destroy all the documents from 13th to 18th. We know that the statement of the hon. Minister is being prepared, many things have

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been prepared on the basis of memory, the documents are not available. Had they seen it themselves, they would have been dumbfounded. There is no need at all to tell what is the date today. 27th is over now. An officer was caught while taking bribe. I know that you will not allow me but everything is recorded in this tape-recorder. I know that the rules do not permit. I can make the Speaker listen it in his chamber as to how the Management Procurement had a talk with the General Manager of D.M.S. about all these dealings. All this is recorded in the cassette and the people have given it to us. I cannot make you listen under rules but all the things are recorded in it. I am informing the hon. Minister that there is no question of getting trapped. The guilty person should be punished. If any error has occurred in the policy, it should be accepted and rectified tailing which the needle may move towards some other direction like Bofors if attempts are made to save the guilty. This is not desirable. I am a well-wisher of the hon. Minister and do not believe in levelling false charges. I wish that the condition should be improved. I wish that the people should get milk of good quality. I know that urea was mixed and the urea mixed milk was supplied and today there is no proof of it. I know that today the matter has come up in the Lok Sabha. Today who can dare to mix urea and machine cutting oil? This is the situation, I have raised this issue not to disrepute anybody but to seek justice and securing good quality milk to the people of Delhi and ensuring punishment for the guilty. He has not been suspended by now, the Government is responsible for it and if the Cabinet Committee is to do it as per the rule, then why an action has not been taken by Government by now? Is it supposed to extend help to an officer who was caught taking bribe of rupees two lakh? In this situation I demand that both of them should be suspended and the minutes of the negotiations of the meeting held be-

tween the two on 19.12.91 five times in connection with tenders and contract be laid on the Table of the House. If I do not know the date incorrectly, then the fraud of changing tanker took place on 28.2.92 which resulted in a police case and which was got investigated by the manager, Mr. Bhargava. If you say, I can give or place before you all the documents, reports and numbers etc. All this has appeared in the Dainik Jagran.

[English]

MR. DEPUTY SPEAKER: Nitishji, whatever documents you are having, kindly pass them on to the concerned Minister.

[Translation]

SHRI NITISH KUMAR: I want to tell you that how serious the matter is and how such things have taken place in D.M.S., how undesirable it is. (*Interruptions*)

DR. LAXMINARAYAN PANDEYA: Mr. Deputy Speaker, Sir, the hon. Member is levelling serious charges in the House. A number of other Members want to speak on this issue. Therefore, it will be better if you allow a detailed and specific discussion on it in the House. (*Interruptions*)

SHRI NITISH KUMAR: The hon. Minister is being compelled not to tell truth, I am not saying that he is not telling truth but whosoever has furnished facts to him is compelling him not to tell the truth and I want to inform you about the facts.

[English]

SHRI NIRMAL KANTI CHATTERJEE (*Dumdum*): These are serious charges. The Minister should respond to these charges.

[Translation]

DR. LAXMINARAYAN PANDEYA: Mr.

Deputy Speaker, Sir, this matter involves a case of bribe. It also relates to adulterating urea. It seems that other irregularities have also taken place. A discussion should be held on it since other hon. Members also want to speak on it. Therefore I request you to allow a specific discussion on the statement of the hon. Minister so that the other hon. Members can also put their views before the House and the facts may come out. This matter should not be treated as ordinary.

SHRI NITISH KUMAR: I want that the file moved between both the Ministers Shri K.C. Lenk and Shri Balram Jakhhar should be laid on the Table of the House because whatsoever has been recorded in the minutes of the meeting held on 19.12.91, by the incharge - the Joint Secretary - who has recorded that the negotiations are being held for the 5th time as per the orders of the hon. Minister. The minutes recorded at that time should be laid on the Table of the House. The other documents related to this matter, whatsoever are available, the news published in the newspapers should be gone through and the action should be taken. At least I will submit that the statement of the hon. Minister is completely unsatisfactory, therefore, you give permission (under rule 193) for having a specific debate on it so that the fact, which the other Members are having with them may come out. If everything is being done by the Government itself then, it is all right and if the Government does not want to do it, it certainly amounts to offence, it must be exposed before the world in this matter.

[English]

MR. DEPUTY SPEAKER: This is a statement made by the hon. Minister. Since Nitish Kumar's name had appeared in the statement, therefore, he was given a chance to ask some clarifications and place certain documents. Or else he would not have been

given any chance for participating in this or asking for any clarification. It should be treated as a precedent.

[Translation]

PROF. RASA SINGH RAWAT (Ajmer): On that day some other Members had also spoken along with Nitish Kumarji, they should also be given a chance.

SHRI BALRAM JAKHAR: What Shri Nitish Kumar ji has said is just a reading of what someone has given him in writing. He has believed on that. But whatever action will be taken that will be in the public interest since we have made a commitment. He has gone to the extent of believing that there was a telephone call from Tirupati to let him off. (Interruptions) Who gave that ring? I want to know it from him that who had given the ring. He has trusted in a worthless piece of paper while he did not believe his colleague. Why did he do so? (Interruptions) No one knows. I am saying it, I am talking about a piece of paper and none other. I am saying that he has relied upon a piece of paper while he did not trust in what I had said. (Interruptions) Please listen, every thing does not become true just by being publishing it in the newspaper. I was in Tirupati upto 18th and I could not come to know about it, I do not know why I was not informed about it. (Interruptions) I came to know about it only on the 19th after reaching here, the file comes to me on the 19th and on 20th, after the recommendation of suspension I returned the file to Lenka ji. On the same day he forwarded the file from there. I could do only this much at the earliest. Not only this, I also commanded the Chief of C.B.I., Shri vijay karan to take prompt action. How could I recommend a person? Had I tried to get him released, could I have stooped so low? It would have been far better for me to eat humble pie. I could not do so, rather I immediately enquired whether there was a telephone call from him. I would like to request him to find out the person who

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had given you all this in writing, informed him about the telephone call and also said that I had tried to get him released. I want to get that man found out. I do not need anyone in it. I have earned by hard labour and I have not said such things.

Secondly, he has talked about the file. It came to me on 19th and went back on 20th morning. I had returned that on the 20th. Not only this, I also asked the Cabinet Secretary and Principal secretary to the Prime Minister to suspend this person immediately, he may ask them. It can be enquired and not only this.

SHRI SYED SHAHABUDDIN (Kishan-ganj): A.C.C. has its own procedure which takes few hours only.

SHRI BALRAM JAKHAR: It is not so, if it were so, I would have got it done immediately.

[English]

I wanted to dismiss him *fata fat*.

[Translation]

This thing cannot strike my mind. It is unthinkable. It is wrong to say unfair things.

Secondly, he has said that the file was not forwarded. When the file has not been received, how it would be returned back. It will go through me. When it comes to me at night at 10.00 O'clock, I returned it back next day morning. As he has asked me how it happened. My intention was not to give tenders to anybody. I did not care for anybody. I favour neither 'A' nor 'B'. I wanted to check the loss being suffered by D.M.S. I wanted to give it to cooperative societies. If he sees my note, he will come to know everything. I will show it to him. I have nothing to hide. The

day I commit a mistake, I will not show him my face I have asked to do the work in any way. Cooperative societies has stopped to supply milk. They wanted more money. We had no milk. We were making milk with butter and powder. I have said first to accept the supply of those who can meet the full requirement. Afterwards take milk from others.

[English]

This is complete my order.

[Translation]

I will tell him. He need not worry. The whole record is with me. It is not done by one person but it has been done at least by 10 people.

SHRI NITISH KUMAR: The hon. Minister is furnishing. It is causing loss to the tune of Rs. 2 lakh per day. (*Interruptions*)

[English]

SHRI RAM KAPSE (Thane): I am on a point of order. The hon. Minister is referring to many papers. Will he place those papers on the Table of the House? That is my demand. (*Interruptions*)

SHRI BALRAM JAKHAR: That is not.....(*Interruptions*)

MR. DEPUTY SPEAKER: When you raised your point of order, he did not yield.

(*Interruptions*)

SHRI BALRAM JAKHAR: These are from the orders. Please let me speak now.

[Translation]

Mr. Nitish, the matter is that there is a

Committee, which has taken the decision on it. When I noticed that there was a loss and milk was not available, I made observations that milk be taken first from such societies which can make full supply. He can see my observations written in the file.

There was one thing only at that time and that is to know the number of genuine societies. I am not going to accept wrong dictates of others. He may confirm it. I had asked C.B.I. to look into it. He may consult Mr. Vijayakaran to ascertain the number of genuine societies. I also myself got the number of genuine societies ascertained as also the quantity of milk they can supply. I have made detailed inquiries. If five persons are having 15 buffaloes and make supply of 15000 liters of milk, then one would like to ask the source of the supply. How can these buffaloes give so much milk. I have got it inquired. As I have said that I am trying to make those persons admit as to who has swallowed money. Ifavour neither 'A' nor 'B'. I did what I observed. I can't accept wrong statements made by others. I am placing the statistics which have been received from D.M.S. Despite it, if someone has committed a mistake, he will not be spared. I will set him right. There is no need for me to supply poor quality of milk to children, friends and the people of Delhi. I can't even imagine it. He can come to me and tell me. But it can't be possible that I may direct anybody to do wrong things. This thing, I want to tell him. Whenever he comes, I will show it to him. It is wrong to say that such and such secretry has written it. It can be verified from the record. He may come to me to see the record. He will see what we are doing. I have nothing to do with other people.

[English]

Simply, straightway, I want to safeguard the interest of the DMS plus the public in general.

[Translation]

SHRI NITISH KUMAR: The case is pending in the Court.

SHRI BALRAM JAKHAR: I will show him the file. If it is a matter of tanker; I will show it to him, I have no objection. The file which is sent, will come to me. I have no intention to save any body. (*Interruptions*)

SHRI NITISH KUMAR: Please order a thorough inquiry. I don't want to bring a privilege motion against him. But facts remain there otherwise.

[English]

SHRI BALRAM JAKHAR: I can assure the hon. Member, Shri Nitish Kumar, that whatever he supplies to me, I will get him thoroughly examined.

[Translation]

I will order a thorough inquiry and then enligh the House. He has not observed it himself but has been informed by somebody else. I will give him the information which has not been given to him.

[English]

MR. DEPUTY SPEAKER: Prof. Ram Kapse and Shri Nitish Kumar want to see the documents. I believe that the hon. Minister is prepared to show them the documents.

SHRI BALRAM JAKHAR: Shri Nitish Kumar can provide me whatever he has. I can show them. They can come to me at any time.