

according to your ruling. Another thing is on page number 69, which says:

"When the nation is facing a crisis in values those who were entrusted in the solemn duty of preserving State property and ensuring compliance with the legal provisions goes to throw to the winds all basic principles. The Revenue Secretary who should have functioned as a watch-dog in keeping vigil over the assets of the State, engineered a decision of allotment of a valuable plot of Government land in favour of a group including himself. The Court cannot consistent with its Constitutional obligation permit such action to go unnoticed or unchecked. We have no hesitation to quash the allotment of land for the various reasons indicated above."

Then the reasons have been given.  
(Interruptions)

SHRI DATTA MEGHE (Nagpur): It is concerned with the Revenue Secretary and not with the Chief Minister.

MR. SPEAKER: Shri Kapse, please make it brief. It is not necessary that you should interpret the entire thing. You had enough time.

SHRI RAM KAPSE: The relevant problems which were discussed are: Whether it was an isolated plot and it was decided that it was not an isolated plot; whether there was a malafide and it was decided that it was malafide; it was questioned whether the Finance's concurrence was taken and it was decided that it was not taken; then, it was asked by the Judge whether there was malafide and it was decided that it was a malafide. Again, it was asked whether the application of mind on the part of the Chief Minister was there and it was decided that it was not there.

On all the four counts, the judgment says that it is viciated. So, the whole allotment of the land is viciated according to the Court. The real problem is, the whole thing was done at the instance of the bureaucracy — the Revenue Secretary. But, at the instance by whom? By their political masters and that was written in so many words in the judgment. And the political masters are the Chief Minister and the Revenue Minister. that is, it was done at the instance of the bureaucracy by somebody, by political masters and that was part of the court judgment. And, therefore, I demand the resignation of Shri Sharad Pawar, the Defence Minister of India.

[Translation]

SHRI MADAN LAL KHURANA: There is an affidavit given by the Revenue Secretary in which it has been stated that the file has not been sent to him. The file was sent directly to the Revenue Minister and to the Chief Minister... (Interruptions)

13..27 hrs.

#### PERSONAL EXPLANATION BY MINISTER

**Matter Raised by Shri Ram Kapse MP regarding judgement of Bombay High Court dated 9.7.1992 on irregularities in Allotment of land to the government Employees Co-operative Housing Societies in Maharashtra during was Chief Minister ship.**

[English]

THE MINISTER OF DEFENCE (SHRI SHARAD PAWAR): Mr. Speaker Sir, in pursuance of the policy in vogue in Maharashtra State regarding allotment of land to the Government Employees Co-Operative Housing Societies, the Chief Promoter of Angarika Cooperative Housing Society Ltd., applied for allotment of a plot of land on 25th July, 1986. the application was processed by the Revenue Department and the Collector of Bombay and was submitted to the government for allotment of plot bearing C.S. No. 211 (Part) of Malabar Hill, Bombay.

The then Revenue Minister after clearance by the Chief Secretary and the Minister of State (Revenue) had specifically recommended on 21.6.1988 for allotment of this plot giving detailed justification for such allotment. Before a final decision was taken, there was a change of Government and I took over as the Chief Minister of Maharashtra on June 25, 1988.

The proposal for allotment of the plot was duly scrutinised and processed from July 1986 till 21.6.1988. The file was processed by the Collector of Bombay, Secretary (Revenue), Chief Secretary, Minister of State (Revenue) and Minister (Revenue), without any dissenting or a differing opinion.

SHRIGEORGE FERNANDES: (Mujjaf-erpur) Each one of them got a plot. (*Interruptions*)

[*Translation*]

SHRI MADAN LAL KHURANA (South Delhi): The plots have been allotted to the Revenue Secretary, additional secretary, Police Commissioner and 14 other Members...plots have been allotted to I.A.S. Officers also. (*Interruptions*)

SHRI DAU DAYAL JOSHI (Kota): Mr. Speaker, Sir, is it not a fact that Mahatma Gandhi had given plots to freedom fighters? But why these officers were allotted plots?..(*Interruptions*)

SHRI GEORGE FERNANDES: Mr. Speaker, Sir, each of the officers has been allotted a plot.

[*English*]

.....(*Interruptions*)..... I am sorry; do not allow the bureaucracy to take over the country. Hear is one more illustration of the IAS people taking over a prized land in Bombay. Please understand it.

SHRI RAM KAPSE: (Thane) this is a nexus between bureaucracy and the politician. (*Interruptions*)

SHRI SHARAD PAWAR: After I assumed office on 25.6.1988, the file was once again duly processed by Minister of State (Revenue) and Minister (Revenue) of my Government and as there was no conflict of opinion on record between the previous Government and my government, the said proposal was approved in normal course.

The learned Judges, in their Judgement dated 9.7.1992, have only made a passing reference about me stating that, "the Chief Minister did not express any opinion whatsoever". this comment, by any stretch of imagination, does not amount to passing any strictures on the decision taken by me as the Chief Minister. The Judgement does not, at any point of time, raise even an iota of doubt about the *malafides* on my part in according the sanction. The Judgement also does not attribute any misconduct or motive to me.

A malicious vilification campaign was resorted by some persons for deliberate misrepresentation of the facts and distortion of the High Court Judgement to suit their political ends. Thus an impression was erroneously sought to be created that the Judgement had indicted me on some imaginary ground. The sole purpose appears to be to mislead and misinform public opinion.

Under these circumstances, I am pained and anguished to say that the demand made by some of my esteemed colleagues for my removal from the Union Cabinet, is clearly and blatantly motivated by extraneous and political considerations, more to malign my reputation in the public eye. the manner in which the demand was raised at a time when I was out of the country on an important official mission, shows the anxiety of my political detractors to discredit me. (*Interruptions*)

I would like to assure this august House that my Government's decision to grant the plot in Bombay to the above-mentioned Cooperative Society was in good faith. I am not seeking protection behind legislative quibbling. I may be permitted to assure every hon. Member of this august House that my

conscience is clear. (*Interruptions*)

MR. SPEAKER: Now, the House stands adjourned to meet again at 2.30 p.m.

13.32 hrs.

*The Lok Sabha then adjourned for Lunch till thirty minutes past Fourteen of the Clock.*

*The Lok Sabha re-assembled after Lunch at thirty seven minutes past Fourteen of the Clock.*

[MR. DEPUTY SPEAKER *in the Chair*]

### PAPERS LAID ON THE TABLE

Memorandum of understanding between Bharat Electronics Ltd. and the Department of Defence Production and Supplies, Ministry of Defence for 1992-93.

[*English*]

THE MINISTER OF DEFENCE (SHRI SHARAD PAWAR): I beg to lay on the Table a copy of the Memorandum of Understanding (Hindi and English Versions) between the Bharat Electronics Limited and the Department of Defence Production and Supplies, Ministry of Defence for the year 1992-93.

[*Placed in Library See No. 27-2381/92*]

**Review on the working of and Annual Report of National Handloom Development Corporation Ltd. Lucknow for 1991-92.**

THE MINISTER OF STATE OF THE MINISTRY OF TEXTILES (SHRI ASHOK GEHLOT): I beg to lay on the Table a copy each of the following papers. (Hindi and English versions) under sub-section (1) of section 619A of the Companies Act, 1956:-

- (1) Review by the Government on the working of the National Hand-

loom Development Corporation Limited, Lucknow, for the year 1991-92.

- (2) Annual Report of the National Development Corporation Limited, Lucknow, for the year 1991-92 along with Audited Accounts and comments of the Comptroller and Auditor General thereon.

[*Placed in Library See No. LT-2382/92*]

**Notifications under inland waterways Authority of India Act, 1985 and Motor Vehicles Act, 1986 etc.**

THE MINISTER OF STATE OF THE MINISTRY OF TEXTILES (SHRI ASHOK GEHLOT): Sri on behalf of Shri Jagdish Tytler, I beg to lay.

- (1) A copy of the Inland Waterways Authority of India Amendment Rules, 1992 (Hindi and English Versions) published in Notification No. G.S.R. 551 (E) in Gazette of India dated the 22nd May, 1992 under section 36 of the Inland Waterways Authority of India Act, 1985.

[*Placed in Library See No. LT-2383/92*]

- (2) A copy each of the following Notifications (Hindi and English Versions) under sub-section (4) of section 212 of the Motor Vehicles Act, 1986:-

- (i) S.O 451 (E) published in Gazette of India dated the 19th June, 1992 specifying the types of Transport Vehicles and Non-transport Vehicles mentioned in the table given in the Notification.
- (ii) The Overall Dimensions of Motor Vehicles (Prescription of Conditions for Exemption) Rules, 1991