

# LOK SABHA DEBATES

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2

LOK SABHA

Wednesday, March 30, 1977/Chaitra  
9, 1899 (Saka)

The Lok Sabha met at Eleven of the  
Clock

[MR. SPEAKER in the Chair]

MEMBERS SWORN

Thakur Girjanandan Singh  
(Sheohar).

Shri M. N. Govindan Nair  
(Trivandrum).

Shri Tukaram Sadashiv Shrangare  
(Osmanabad).

Shri Arjun Singh Bhadoria  
(Etawah).

12.02 hrs.

PAPER LAID ON THE TABLE

ANNUAL REPORT ON WORKING AND  
ADMINISTRATION OF COMPANIES ACT,  
1956 FOR THE YEAR 1975-76

THE MINISTER OF LAW, JUSTICE  
AND COMPANY AFFAIRS (SHRI  
SHANTI BHUSHAN): I beg to lay  
on the Table a copy of the Annual  
Report (Hindi and English versions)  
for the year 1975-76 on the working  
and administration of the Companies  
Act, 1956, under section 833 of the  
said Act. [Placed in Library. See  
No. LT-14/77].

153 LS—1

CALLING ATTENTION TO MATTER  
OF URGENT PUBLIC IMPORTANCE

REPORTED PRINTING AND NUMBERING  
OF DUPLICATE BALLOT PAPERS BY  
GOVERNMENT PRESS, ALIPUR,  
CALCUTTA

SHRI JYOTIRMOY BOSU (Dia-  
mond Harbour): I call the attention  
of the Minister of Law, Justice and  
Company Affairs to the reported  
printing and numbering of duplicate  
ballot papers in laks by Government  
Press, Alipur, Calcutta, under the  
control of a senior IPS Officer.

THE MINISTER OF LAW, JUSTICE  
AND COMPANY AFFAIRS (SHRI  
SHANTI BHUSHAN): Mr. Speaker,  
Sir, Ballot papers with identical serial  
numbers were detected by the Return-  
ing Officers for Parliamentary Consti-  
tuencies in West Bengal on verification  
of the bundles of ballot papers receiv-  
ed by them from the Government  
Press before issuing them for use at  
polling stations. The particulars of  
such ballot papers were as follows:—

13-Barasat Parliamentary Consti-  
tuency:

S. Nos. 563501 to 563600 (100 numbers)

15-Joynagar (SC) Parliament Consti-  
tuency:

S. Nos. 656551 to 657000 (450 numbers)

S. Nos. 644001 to 645000 (1000 numbers)

19-Barrackpore Parliamentary Consti-  
tuency:

S. Nos. 669001 to 670000 (1000 num-  
bers)

S. Nos. 585401 & 586700 (2 numbers)

[Shri Shanti Bhushan]

20-Dum Dum Parliamentary Constituency:

S. Nos. 458272, 458273 & 739728 (3 numbers)

1-Cooch Behar (SC) Parliamentary Constituency.

S. Nos. 298001 to 299000 (1000 numbers)

S. Nos. 522776 (1 number)

3-Jalpaiguri Parliamentary Constituency:

S. Nos. 236001 to 237000 (1000 numbers)

S. Nos. 293001 to 294000 (1000 numbers)

S. Nos. 421001 to 422000 (1000 numbers)

S. Nos. 473001 to 474000 (1000 numbers)

S. Nos. 475001 to 476000 (1000 numbers)

S. Nos. 556001 to 557000 (1000 numbers)

S. Nos. 640001 to 641000 (1000 numbers)

31-Contai Parliamentary Constituency

S. Nos. 4950 numbers

34-Purulia Parliamentary Constituency:

S. Nos. 1000 numbers

The total number of ballot papers with duplicate numbers was 16506.

The serial numbering of ballot papers in West Bengal was done by means of hand numbering machines. The work was done by outsiders on contract basis within the premises of the Government Press under strict supervision of the Press authorities and police. The method of work this time has been that 9 squads, with 30 persons in each squad, were in operation in respect of each Parliamentary Constituency. In all, there are 42 Parliamentary Constituencies in West Bengal. They worked under the overall supervision of employees of the

Press earmarked for the purpose. Numbering was done in bundles of one thousand each and the serial numbers to be printed on each bundle was assigned to each squad by employees of the Press. The duplicate number of a few thousand ballot papers was due to the wrong assignment of the same sets of serial numbers to more than one squad engaged for the serial numbering of the ballot papers of one Parliamentary Constituency. As a result, a few bundles of thousand ballot papers each had the same serial numbers. The mistake was detected by the Returning Officers in the course of the verification of ballot papers received by them before issue to the Presiding Officers of the polling stations. As soon as the mistake was detected, all the ballot papers with identical serial numbers were returned to the Press for safe custody and substitute ballot papers with correct serial numbers were printed afresh by the Press and supplied to the Returning Officers.

The persons employed in the Press who were responsible for the mistake have already been placed under suspension and inquiries have been initiated for fixing the responsibility for the mistakes.

From the experience of previous elections, the Election Commission had realised that the mistake of printing identical serial numbers on ballot papers was possible due to error in the operation of numbering of ballot papers. In paragraph 4 of Chapter IV of the Handbook for Returning Officers, 1977 Edition, the Commission had issued detailed instructions for the verification of ballot papers by the Returning Officers before they are issued to the Presiding Officers of polling stations. The instructions provide that whenever the Returning Officer detects ballot papers having identical serial numbers, the particulars of the serial numbers should be noted in a register and published on the notice board. A copy of the notice should also be sent to each of the contesting

candidates. The ballot papers with duplicate numbers will then be sealed with the seal of the Returning Officer and the seal of the Supdt. of the Government Press where the ballot papers were printed and kept in safe custody in the Government Press itself, pending directions from the Commission for their destruction. These instructions were carried out carefully by the Returning Officers in all cases in which ballot papers with identical serial numbers were detected for the last general election to the Lok Sabha.

It may also be mentioned that rule 38.1) of the Conduct of Elections Rules 1961 provides that every ballot paper before it is issued to an elector shall be signed in full on its back by the Presiding Officer. This provision ensures that every ballot paper used at the poll is genuine and that the mistake of printing a few ballot papers with identical serial numbers will not in any way vitiate the poll.

PROF. DILIP CHAKRAVARTY (Calcutta South): Is there any parallel to these things in the past?

SHRI JYOTIRMOY BOSU: Sir, the hon. Minister, I apprehend, has given the statement on the basis of the facts provided by the West Bengal Government. The Chief Electoral Officer is an officer of the West Bengal Government. These facts are not correct. It proves from the big bundle that I am having that hundreds of more such bundles were recovered and I would like your direction on the matter whether I shall lay it on the Table of the House or hand it over to the Minister.

MR. SPEAKER: Hand it over to the Minister.

SHRI JYOTIRMOY BOSU: Sir, from the statement, I would like to say that the instructions provided that whenever the Returning Officer de-

tected the ballot papers having identical serial numbers, the particulars of the serial numbers should be noted in the register and displayed on the notice board. A copy of the notice should also be sent to each of the contesting candidates. I can assure you, Mr. Shanti Bhushan, that this was not done as far as I know. What has happened in the Government Press, Alipore Calcutta, the tip of the iceberg, and I appreciate the role played by newspapers, particularly *The Statesman* in Calcutta and *Anand Bazar Patrika*. I appreciate also the role of *Jugantar* as they had published these things and brought these things to light, but we have got these things earlier because we have come to know the day it had been done.

Sir, it was a part of the Master Plan for widespread rigging in selected areas by the ruling party then in power. That is part of the master plan. Sir, fortunately the anti-Indira and anti-Congress wave was so terrific that it flooded away everything. This was not today—from Himachal to West Bengal you cannot find a single M.P. coming from one State. Nothing short of a parliamentary enquiry or a Commission of enquiry will satisfy the people and unearth the mischief behind it.

Sir, '*Statesman*' dated 11th of March says:

"50,000 to 70,000 ballot papers of Burdwan and Alipore were missing. Duplicate ballot papers were printed in lakhs."

*Anand Bazar Patrika* dated 12th March: Jalpaiguri where Mrs. Maya Ray, the spouse of the sitting Chief Minister of West Bengal is gloriously contesting—and I am glad that Mr. Kagan Dasgupta, I don't know if he is here, defeated her a substantial margin—duplicate ballot papers with same serial numbers detected in that particular place where the Chief Minister's spouse was contesting comes to about 70,000. The Deputy Commissioner

[Shri Jyotirmoy Bosu]

admitted that duplicate of several thousand ballot papers came and those were being sent to Calcutta. He admitted this himself, Sir. The Chief Electoral Officer corroborated that 3500 duplicate ballot papers were detected at Jalpaiguri. This is far from correct. Demonstrations were taken out by the people of Jalpaiguri in protest. The 'Jugantar' which is a paper owned by a Congressman, Tarun Kanti Ghosh, till the other day, a sitting member of the West Bengal Government says on 13th of March that at four places—Contai, Purulia, Jadavpur, Tufangunj—duplicate ballot papers were received. At Contai it was 3000, at Purulia it was over 7500, for Tufangunj we have not got the number but it runs to 10,000. The presiding officer detected this and the Chief Electoral Officer confirmed it. *Ananda Bazar Patrika* dated 13-3-77 says that the Chief Electoral Officer confirmed it. Duplicate ballot papers of Jadavpur, Burdwan, Howrah and Durgapur were received.

Mr. Krishna Chandra Halder is sitting behind me. The Returning Officer and the Assistant Returning Officer confirmed this to me.

Sir, I quote from 'The Statesman' dated 13th March:

"The detection of a large number of "duplicate ballot papers" in several districts of West Bengal—only two days after such discovery in Jalpaiguri—caused a flutter in political circles in Calcutta on Saturday. Leaders of some Opposition parties said this confirmed their suspicion that agents of a certain political party—well we know that the political party it is—were engaged in rigging the election to ensure Congress victory at the poll."

Therefore, Sir, Mr. Bijoy Singh now sitting M.P. claims that duplicate ballot paper at the rate of 20,000 per constituency were printed at Alipore, West Bengal Government Press. Sir,

such duplicates went to local Congress offices. At Tamruk the number went as high as 86,000 *vide Ananda Bazar Patrika* dated 16th March, page 1. The same thing happened at Basirhat and Mathurapur. Sir, mind you, at the counting time the printed serial numbers are not checked. So, it is an easy task. Being not satisfied in Midnapur they went to the extent of stealing ballot boxes. The Congress President, Shri Arun Moitra, has admitted this *vide Ananda Bazar Patrika* issue of 13th March, page 10. The CPI also sent telegrams demanding an immediate inquiry into this. Shri P. C. Sen said one Central Cabinet Minister—I am told he is Mr. Chattopadhyaya but I do not want it to go on record—and two senior most officials—one of them got extension after retirement—conspired in Writers Building to do this. In some constituencies even 50,000 to 60,000 duplicate and forced voting was done.

Sir, the erstwhile Prime Minister and West Bengal Chief Minister's arrangements were well-planned. For Government Press, Alipore, Calcutta they imported a senior police officer to be incharge of printing about one and a half year's ago. Perhaps Mrs. Gandhi thought she needed to hold election in 1976. This Controller of Printing has a very shady past. The CBI raided his house. He is a drug addict. During the raid—I regret to say—bunch of photographs of nude tribal girls was found in his house. When he was S.P. Burdwan there, were 225 political murders and not a single prosecution took place. The then Prime Minister recommended President's Police medal for him for rehabilitating the Congress in Burdwan.

Ballot papers far in excess for each constituency were there. Outside private individuals brought 300 persons called private daftries for serial numbering. They were forced to do duplicate serial numbering on threat.

They were paid abnormally high remuneration. When this thing leaked out the innocent employees were suspended. I would like the hon. Law Minister to tell us as to how many such persons have been suspended from service. Why the big shots were not suspended. Shri Mukherjee is still holding that post. Why is it so?

Sir, in Barrackpur out of 743 booths as many as 500 booths were captured by Congress hooligans. In Katwa many booths were captured. We demanded a re-poll there. Because of this the margin in Dum Dum and Diamond Harbour got substantially reduced. Prof. Chakravarty was hurt so seriously that he had to go to hospital. Mr. Swaminathan was kept informed about all this through telegrams, cables and telephones. I am sorry to say that Mr. Swaminathan when he went to Calcutta and held a press conference there did not hear the grievances of the opposition parties before organising the press conference. He said: सब कुछ ठीक है।

Sir, inspite of all this there has been massive defeat of the Congress. Under the present circumstances, how can the present West Bengal Government remain in power when it is established that the West Bengal ruling party, the Chief Minister, other Ministers and some senior officials entered into a conspiracy to commit the most heinous and shameful fraud which has damaged the image of this country in the whole world. In the face of this, how can they remain in power and remain revetted to their chairs. I reiterate that there should be immediate suspension, this is absolutely necessary.....

MR. SPEAKER: You have said that; please resume your seat and let the hon. Minister reply.

SHRI SHANTI BHUSHAN: Sir, I may submit that the facts about which I have made a statement have been

obtained from the Election Commission. The hon. Member Mr. Jyotirmoy Bosu has promised to supply more ballot papers and we shall make further enquiries about them in due course and make further statements. ✓ He has also made an allegation that copies of the register were not sent to the candidates about duplicate papers as required by the manage, we shall make enquiries about that. So far as the query as to which officers had been suspended, and what action had been taken, and other allegations about the capture of the booths etc. are concerned, we shall ascertain facts and if necessary make a further statement about it....(Interruptions).

AN HON. MEMBER: How so many ballot papers came into his hand?

MR. SPEAKER: Order, order. It is not a question hour. There are many new Members and they may not know the procedure. On call attention notices, only those people who give notice will be allowed to ask a question after the hon. Minister has replied. If there are a number of members, the names will be balloted and only 4 or 5 names will be allowed to come and they alone will be allowed to ask questions. No other name is allowed.

We have to go to the next subject and I want to take the opinion of the House as to how many hours they would like to have for the discussion of the Finance Bill. Because already we have spent about two hours and fifteen minutes. The Tamil Nadu Budget, the Pondicherry Budget and the Nagaland Budget are also to be completed today and they will have to be sent to the Rajya Sabha. I think we can devote one hour for each, that means three hours and two hours for our budget which means five hours. Even that will be too much today. Still I suggest for the consideration of the House, five hours would be more than enough. I cannot help it because it

[Mr. Speaker]

has to go to the Rajya Sabha and there is no other alternative left to us.

PROF. DILIP CHAKRAVARTY: We should like to have a parliamentary probe as demanded by him.

MR. SPEAKER: You can give notice of that; you are entitled to do that.

श्री अर्जुन सिंह भदौरिया (इटावा) :

श्रीमान्, मेरा व्यवस्था का प्रश्न है। ऐसा लग रहा है कि एमजैसे का भूत हिन्दुस्तान में मरने के बाद लोक सभा के लोहे के फाटकों पर आकर जम गया है और आने वाले सदस्यों तथा दूसरे व्यक्तियों पर झपटा है। इस स्थिति को समाप्त किया जावे।

MR. SPEAKER: It was brought to my notice by the Minister. Are the gates still closed? The gates are all open; whatever position was obtaining before 26th June, 1975 is being re-established. The position is being reverted. I am told some gates are closed because, otherwise they are used as a thoroughfare by people who want to use this as a shortcut; I have already issued instructions that the gates should be opened. But we should not allow others to use this as a thoroughfare or as a shortcut. Otherwise all gates are open; if they are not open, they will be opened immediately.

श्री अर्जुन सिंह भदौरिया : अध्यक्ष

महोदय, आपने हमारी पूरी बात नहीं सुनी है। मैं अपनी पूरी बात कहे बिना नहीं बैठूंगा। हमारा निबंदन है कि . . . . .

MR. SPEAKER: I have taken pains to explain the position. I have already taken steps. The Minister has told me. Instead of taking the time of the House for these things, he could have talked to me... (Interruptions). I cannot allow this.

श्री अर्जुन सिंह भदौरिया : दूसरा तथ्य

जो अभी तक आपके नोटिस में नहीं आया है— इस संसद के दो अधिकारियों को एमजैसे में पकड़ कर गिरफ्तार किया गया, जेल में भेजा गया, उनको अपमानित किया गया। लोक सभा और संसद के इन अधिकारियों को अभी तक क्यों मुअत्तिल रखा गया है या बरखास्त किया गया है, इसको आप कन्सिडर कीजिये। यह सदन का मामला है, सरकार का मामला नहीं है, इस पर खामोश नहीं रहा जा सकता है।

MR. SPEAKER: The Minister of Parliamentary Affairs has brought it to my notice. I have already discussed this matter with him. If you want to waste the time of the House on all issues, everyone can speak, I have no objection. We can just discuss all these problems one day. Otherwise we can go on spending time on these issues. He has told me about the matter and he has brought it to my notice. I have already discussed these things. What is the point then? We all can discuss in this House all matters, about all parliamentary matters; not in this way but in a quiet way. You bring it to the notice of the Minister of Parliamentary Affairs and he will bring it to my notice. If you are not satisfied, then you can directly come to me. I am available. That is the way of doing things. If the time of the House is taken on these matters, there will be no end to it. As I said, we have to pass so many budgets.