Esso (Acquisition of undertaking in India) Bill

the present Middle-East situation, or the shortage of crude, had not cropped up. These problems were not there. But a solid case was made out by the organised workers in the oil industry. The Government at that time did not make up their mind. They only said that though we are not against nationalisation, we do not want to make up our mind about it.

On the floor of the House when question was asked and also when a memorandum was submitted. Government that there were three alternatives open to the Government on which Government would take a decision. One was termination of the refinery agreements; they were 25-year agreements and the scheduled dates of expiry were 1979 and 1980; whether they should be terminated in a premature stage, that was one point which, Government said, was also open for their consideration. The second alternative whether to held only a percentage of equity shares of these refineries. The third alternative was nationalisation. Government had no clear perspective even on that. Now, for the last about two years, especially, when the situation in the international level had changed completely, from glut of crude to shortage of crude, from the prices going down to a situation of prices rapidly rising, when a complete change in situation had taken place, probably Government did not take any decision because they knew that the crux of the problem was availability of crude and Government must get the crude directly from government to government level in the international market. In the first 18 months Government did not get it. But now we have to compliment our petroleum Minister. Shri Borooah: he did succeed in coming out of this vicious circle and has entered into agreement with the Middle Fast countries for getting crude. Then he has tried to bargain and has taken a decision. the Bill has come. The point is, what do we call it. The Minister is still not openly saving that this is nationalisation. How then do we characterise it? Do we call it a phased-out nationalisation, if not nationalisation by expropriation? It is not nationalisa-

tion by expropriation. We do not use the wird 'compensation' because of the constitutional Amendment. But then the amount that has to be paid is phased out. I think. there was some procedure. The petroleum Ministry had appointed a Committee to consider the offer of the Esso Company itself. There was a surprise when this offer had This offer had come because the oil company knew that in India the Government's policy is moving towards takeover; at the same time it also knew situation in the international changing level. We do not know; but somehow or other the General Manager all of a sudden gave two types of offer and asked Government to take a decision, either to take-over completely or take-over a percentage of the shares. Now Government. in its negotions, with the Esso, modified Esso's offer, and as we understand whatever has come into the Press, some kind of a scheme has come out. I would not like to oppose the Bill or to make any suggestion to send this Bill to a joint Select Committee because it would again delay the take-over of Esso. The agreement has already been arrived at. Today the situation is so delicate that any delay in taking over of Esso would not help our country; inside our country Burmah-Shell and Caltex would be enjoying any delay in passing this Bill and in taking over this. So, I would like that there should not be any opposition to the Bill as such but it should be expedited as early as possible. Now how far the provisions of the Bill have been proper and fair, how Esso also agre**ed** this. .

MR. DEPUTY-SPEAKER: Please continue on the next occasion.

15.30 hours

Committee on Private Members Bills and Resolutions

THIRTY-sixth Report—

MR. DEPUTY-SPEAKER: Now. take up the Private Members' Business.

CHAWALA SHRI **AMAR** NATH (Delhi Sadar): I move:

"That this House do agreee with the Thirty-sixth Report of the Committee Fair and MARCH 1, 1974 Free Election (Res.)

[Shri Amar Nath Chawala] on Private Members' Bills and Resolutions presented to the House on the 28th February, 1974."

 $MR.\ DEPUTY\mbox{-SPEAKER}$: The question is :

"That this House do agree with the Thirty-sixth Report of the Committee on Private Members' Bills and Resolutions presented to the House on the 28th February, 1974."

The motion was adopted.

15.31 hrs.

RESOLUTION RE FREE AND FAIR ELECTIONS—Contd.

MR. DEPUTY-SPEAKER: Now we take up the further discussion of the Resolution moved by Shri Atal Bihari Vajpayee. Shri Atal Bihari Vajpayee to cotinue his speech.

श्री ग्रटल बिहारी वाजदेवी (ग्वालियर): उपाध्यक्ष महोदय. स्वतंत्र ग्रौर निष्पक्ष चनाव लोकतंत्र के स्राधार है किन्तु यह खेद का विषय है कि भारत में चुनाव अधिकाधिक भ्रष्ट होते जा रहे हैं। प्रथम, भारत में चुनावों पर पूंजी का प्रभाव बढ रहा है । दूसरे, चुनावों में शासन तन्त्र का खला दुरुपयोग होने लगा है । कानुन के अन्तर्गत उम्मीद. वारों के चुनाव व्यय पर रोक लगाई गई है, एक सीमा निर्धारित की गई है-यह सीमा लोक सभा के लिए 35 हजार रुपये तथा विधान सभा के लिए. ग्रन्तर के साथ, 12 हजार रुपये है किन्तु सभी जानते हैं इस सीमा का पालन उल्लंघन में ही ग्रधिक होता है । चुनावों में राजनीतिक दल जितना धन व्यय करना चाहे कर सकते हैं। मेरी पार्टी को छोड़ कर शायद ही कोई राजनीतिक दल ऐसा हो जो जनता के पास जाकर थोड़ा बहुत धन इकट्ठा करने का प्रयास करता है। किन्तु केवल उसके बलबूते नहीं चुनाव लड़ा जा सकता है। सभी दलों के ग्रधिकांश उम्मीदवारों को चनाव के लिए धन कुबेरों के दरवाजे खटखटाने पड़ते हैं। कम्पनियां कानून से राजनीतिक दलों को चन्दा नहीं दे सकती हैं लेकिन राजनीतिक दल धन एकल करते

हैं। स्पष्ट हैं यह धन नं० 2 का होता है । इस

धन का कोई हिसाब नहीं होता है।

.सोकसभा, विधान सभाग्रों ग्रादि के चुनावों पर भारत में लगभग 100 करोड रुपया खर्च होता है। उनका कथन है कि ग्रमरीका में होने वाले चुनाव व्यय की तुलना में यह खर्च ज्यादा है। ग्राप यह स्वीकार करेंगे कि जो तत्व 100 करोड़ रुपया काला धन चुनाव लड्ने के लिए राजनीतिक दलों को देते है वे उसके बदले में स्वयं कितना काला धन बनाते होंगे, इसकी सहज ही कल्पना की जा सकती है। तन्त्र के दुरुपयोग की घटनायें न केवल बढ़ती जा रही हैं, उसके स्वरूप में भी परिवर्तन हो रहा है। पिछले चुनावों के पश्चात् कई ऐसी चनाव याचिकायें ब्राई जिनमें ट्रिब्युनल को, हाई कोर्ट को यह निर्णय देना पड़ा कि रिटर्निग ग्राफिसर उम्मीदवारों को ग्रनुगृहीत करने के लिए मत-पत्नों में हेरा फेरी करते हैं, गलत तीर पर नामजदगी पर्चे रद्द कर देते हैं। श्री एस० पी० सेनवर्मा ने, जब वे मुख्य चुनाव ग्रायुक्त थे, ऊटी में यह बात कही थी कि अगर रिटर्निग ग्राफिसर निष्पक्षता से ग्रपना कर्तव्य पालन नहीं करेंगे तो चनावों ो स्वतन्त्र नहीं रखा जा सकता है लेकिन स्राश्चर्य की बात यह है कि कानून में सरकारी कर्मचारियों के विरुद्ध केवल व्यक्तिणः ह्प से कार्यवाही हो सकती है। स्रगर कोई उम्मीदवार किसी सरकारी कर्मचारी के प्रभाव

डाक्टर सेठी की गणना के अनुसार राष्ट्रपति,

चाहता हूं :

'The conditions obtaining procurement or abetting or attempting to obtain or procure any assistance for the furtherance of a candidate's election from any Government servant.'

का या उसके ऋधिकार का उपयोग ऋपने पक्ष

सम्भवतः वह कर्मचारी भी दण्ड का ग्रधिकारी

वन सकता है लेकिन जहां संगठित रूप से सत्ता-

रूढ दल मतदातास्रों को भ्रपनी स्रोर स्राकृष्ट

करने के लिए या उन्हें भ्रष्ट करने के लिए शासन

तन्त्र का दुरुपयोग करता है उसके विरुद्ध कानून

में कोई प्रावधान नहीं है। इस दृष्टि से कानून

बहुत ही सीमित है। मैं एक ग्रंश उद्धृत करना

में करें तो उसका चुनाव श्रवैध हो सकता

लेकिन जहां सरकार का सारा ढांचा सत्तास्ट दल