

12.40 hrs.

PANEL OF CHAIRMEN

MR. SPEAKER : I have to inform the House that under sub-rule (1) of rule 9 of the Rules of Procedure and Conduct of Business in Lok Sabha, I nominate the following Members on the Panel of Chairmen. Normally as one year is over, all Committees are changed.

1. Shri M. Thirumala Rao
2. Shrimati Tarkeshwari Sinha
3. Shri R. D. Bhandare
4. Y. Gadilingana Goud
5. Shri P. K. Vasudevan Nair, and
6. Shri Hem Barua

CONVICTION OF MEMBER

(Shri Kameshwar Singh)

MR. SPEAKER : Hon. Shri Pilo Mody wanted to know about arrests. I have to inform the House that I have received the following telegram, dated the 30th April, 1968 from Judicial Magistrate, Bhuj :

"Shri Kameshwar Singh, Member, Lok Sabha was convicted under Section 143 and 145, Indian Penal Code and sentenced to simple imprisonment for seven days, and convicted under Section 188 and fined Rs. 25/- in default simple imprisonment for three days on the 29th April, 1968 at Bhuj."

12.41 hrs.

CORRECTION OF ANSWER TO S.Q. NO. 282 RE. HINDUS IN PAKISTAN

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI B.R. BHAGAT) : In reply to Starred Question No. 282 answered in this House on the 27th November, 1967, the Hindu population of Pakistan at the time of partition was stated to be 18.4 million. The correct figure is 18.1 million.

12.42 hrs.

STATEMENT BY MEMBER UNDER DIRECTION 115 (RE. RAILWAY COMMUNICATION SERVICES AT GORAKHPUR AND RAILWAY MINISTER'S REPLY THERETO

श्री हुकम चन्द कछवाय (उज्जैन) : अध्यक्ष महोदय, दिनांक 23 अप्रैल, को तारांकित प्रश्न संख्या 1384 के उत्तर के सम्बन्ध में रेल मंत्री श्री सी० एम० पुनाचा तथा रेल मंत्रालय के राज्य मंत्री श्री परिमल घोष ने कुछ गलत बयानियां की हैं। मैं सदन का ध्यान उन गलतियों की ओर दिलाना चाहता हूँ।

माइक्रोवेव टावर के लिए जो टेंडर टेली-कम्युनिकेशन विभाग (गोरखपुर) ने क० एन०/टी०पी०/190 दिनांक 28-4-1966 मांगे थे, उन पर अंतिम निर्णय 1966 तक नहीं लिया गया था। मंत्री ने यह तथ्य जान-बूझ कर सदन को गलत बताया है जिसकी पुष्टि रेल मंत्री द्वारा की गई है।

इस टेंडर पर अंतिम निर्णय दिनांक 30-11-67 तक भी नहीं हुआ - जिसकी पुष्टि एन० ई० रेलवे के चीफ सिगनल और टेली-कम्युनिकेशन इंजीनियर के पत्र द्वारा तीनों पार्टियों को दी गई सूचना (पत्र संख्या एन० टी०पी०/190 सी०/2214 दिनांक 17-10-67) से हो जाती है। श्री परिमल घोष का कथन गलत है कि उनके मंत्री बनने के पूर्व ही इस पर निर्णय लिया गया था। यह जानबूझ कर सदन को गुमराह करने वाला है सत्य यह है कि मंत्री बनने के लगभग एक वर्ष बाद ठेका दिया गया है।

यह कहना कि टेंडर खुलने के समय जिस का सबसे कम था उसको दिया गया है यह भी जानबूझ कर गलत बयानी की गई है। यह टेंडर नेगोशिएटिड था।

समय-समय पर टेंडर समिति ने स्ट्रक्चरल डिजाइन और फाउन्डेशन डिजाइन को बदला जिसका मुख्य कारण पक्षपात ही था।

[श्री हुकम छन्द कछवाय]

श्री परिमल घोष के ब्रादर-इन-ला श्री बी० सी० गुहा (सगा साला) सास टावर प्राइवेट लिमिटेड के मैनेजिंग डाइरेक्टर हैं, जिसका रजिस्टर्ड आफिस 9, वाटरलू स्ट्रीट कलकत्ता में है और सास इंजीनियरिंग कम्पनी प्रा० लि० का रजिस्टर्ड आफिस भी वहीं है (9 वाटरलू स्ट्रीट)। श्री बी० सी० गुहा और उनके अन्य डायरेक्टर लोग कई बार बातचीत के लिए गोरखपुर गये जिनको कई बार शाक्षकीय तौर पर बुलाया गया था। अन्तिम मीटिंग जो दि० 1-9-67 को हुई थी, एन० ई० रेलवे के पत्र संख्या एन०/टी० पी० 190 (सी) 1719 दिनांक 24-8-1967 और जिस पर श्री बी० रामास्वामी के हस्ताक्षर हैं फार सिगनल और टैली-कम्युनिकेशन इंजीनियर—और जिसमें संलग्न "ए" का आइटम नं० 8 के अनुसार नये टेंडर मांगे गये, मन्त्री सहोदय के इस वक्तव्य के विरुद्ध है कि टेंडर एक ही बार वर्ष 1966 में मांगा गया था यानि परिमल घोष के मंत्री पद पर आने से पहले।

श्री सी० एम० पुनाचा ने बयान जानबूझ कर गलत दिया है कि टेंडर मंत्री बनने के पूर्व ही तय कर लिया गया था।

इसके अतिरिक्त भी जो और गलत बातें करके सदन को गुमराह किया गया है, वह निम्न प्रकार हैं :—

(1) डी० जी० एस० एण्ड डी० मंनुअल और रेलवे रुल्स में कोई छूट इस प्रकार का नहीं है कि कोई व्यक्ति या कोई फर्म जो कि मान्य स्पिलायर की सूची में नहीं है उनके टेंडर स्वीकृत किए जायें। इसके अतिरिक्त किसी भी सरकारी नियम में ऐसा उल्लेख नहीं है कि इस प्रकार के कन्स्ट्रक्शन के काम करने वाले व्यक्ति या फर्म को इस प्रकार के नियम से मुक्त माना जाए।

(2) पार्टी की आर्थिक स्थिति जिसको टेंडर दिया गया है, टेंडर देने के पूर्व नहीं देखी

गई थी जिसका देखना नियमानुसार बहुत आवश्यक है। पार्टी की पेड-अप पूंजी 30 हजार रुपया थी और टेंडर 14 लाख 28 हजार का स्वीकार किया गया था। यह सूचना पार्टी ने जो अपनी वार्षिक रिपोर्ट रजिस्ट्रार आफ कम्पनी, कलकत्ता को 13-2-68 को दाखिल किया था, उसमें दर्ज है।

(3) सास इंजीनियरिंग कम्पनी प्रा० लि० ने कभी भी भारत सरकार का माइक्रोवेव टावर का काम नहीं किया है। जब कि मन्त्री महोदय ने स्वीकार करके एक बहुत बड़ा असत्य बोला है।

(4) सास इंजीनियरिंग कम्पनी प्राइवेट लि०, ने कलकत्ता में एक जापानी फर्म निपुन इलेक्ट्रिक कम्पनी के लिए इरेक्शन का काम किया था। लेकिन ऐसा करने का यह अर्थ नहीं होता कि यह भारत सरकार के सीधे ठेके लेने के लिये उपयुक्त मानी जायें। सत्य यह है कि इस प्रकार का टावर बनाने का कारखाना सास इंजीनियरिंग कम्पनी लि० और सास टावर प्रा० लि० का अस्तित्व ही नहीं है। यह कितना बड़ा गलत बयान है और किस प्रकार सदन को गुमराह किया गया है।

आशा है मन्त्री सहोदय गलत बयानी को ठीक करेंगे।

अध्यक्ष महोदय, इस प्रकार से मैं कहना चाहता हूँ कि मन्त्री महोदय ने इस सदन को और सारे देश को गुमराह किया है। मैं आशा करता हूँ कि इस गलत बयानी को देखते हुए मन्त्री महोदय अपने पद से त्याग-पत्र दे देंगे।

इसके अतिरिक्त मेरी यह भी मांग है कि सी० बी० आई० के द्वारा इसकी जांच कराई जाये और पब्लिक एकाउन्ट्स कमेटी को मामला सौंपा जाय। (व्यवधान)

SOME HON. MEMBERS—rose
(Interruption.)

MR. SPEAKER : Hon. Members do not seem to know what is happening here. Here is a long statement made by the Minister. The Minister himself wanted to correct. But the person who pointed out something on the floor of the House was vigilant enough. The hon. Member pointed out the mistake. Naturally the Minister himself wanted to correct the mistake. But the hon. Member who brought to light something, who pointed out something on the Floor of the House, must be given a chance for that. The hon. Members who did not take the trouble should at least allow the others who took the trouble. The hon. Minister now.

THE MINISTER OF RAILWAYS (SHRI C. M. POONACHA) : Sir, I had made certain statements in the course of Supplementaries on Question No. 1384 on 23rd April, 1968, concerning acceptance of tenders for Microwave Towers on the North Eastern Railway. As the tender was within the competence of the General Manager, North Eastern Railway and since all details were processed and settled at his level, all the detailed information was not available when I made the statements in question and, unfortunately, therefore, certain inaccuracies had crept in.

My statement was to the effect that "before the elections the whole thing has been settled". The factual position, however, is that while the tenders were opened on 1.7.1966 and preliminary examination of tenders by the Tender Committee took place on 6.10.1966, followed by further examination on 18th May, 17th June, 20th July and 1st September, 1967, the tender was finally accepted by the General Manager only on 4th November and the letter of acceptance was issued on 6th November, 1967.

I had also stated that it was not a negotiated tender. Although open tender were invited and 10 tenders were received, it was seen that only 3 tenders were complete in all respects. The Tender Committee discussed various technical and other details with them on three occasions concluding on 1st September, 1967. To this extent, the tender was a negotiated settlement.

Since the tenders were opened on 1st July, 1966 and the preliminary exami-

nation was carried out in October, 1966, I had presumed that the tenders would have been settled within a reasonable period of about six months. On verification, however, I find that there has been considerable delay in awarding this contract due mainly to the following factors :—

- (i) The equipment for the communication was to be supplied by a Japanese firm, Messrs. N. E. C., and the design of the towers had to be obtained from them. This was received between June and September, 1967.
- (ii) The height of the tower at Gorakhpur was required to be cleared by the Ministry of Civil Aviation and the Indian Air Force. We had originally provided for an 80 metre high tower at Gorakhpur, which had to be subsequently cut down to 45 metres only to meet the specific requirements of these two departments.

I would now deal with the remaining specific points raised by the Hon. Member :—

- (i) It is not correct to say that the Tender Committee effected changes in the structural and foundation designs from time to time. These designs were given by the Japanese suppliers of the Communication equipment and the Tender Committee made no changes whatsoever in these designs.
- (ii) With regard to the points concerning Shri B. C. Guha, I have to state that Shri B. C. Guha is not the Managing Director of M/s. S. A. A. S. Engineering Co. Private Ltd. I do not know the names of Directors of M/s. S. A. A. S. Tower Private Ltd. as they were neither the main contractor nor associates in this contract. Shri B. C. Guha is, however, the sole proprietor of M/s. Guha and Co., who are one of the associates of M/s. S. A. A. S. Engineering Co. for execution

[Shri C. M. Poonacha]

of this work and he took part in the negotiations in that capacity. My colleague, Shri Parimal Ghosh, had nothing to do with the negotiations and no irregularity has, therefore, been committed.

- (iii) The financial position of M/s. S. A. A. S. Engineering Co. was duly taken note of by the Railway Administration in awarding the contract. Although M/s. S. A. A. S. Engineering Co. had only a share capital of Rs. 30,000/- on 31.3.1967, their estimated turnover for 1967-68 as assessed by their Chartered Accountants was Rs. 17.40 lakhs. M/s. S.A.A.S. Engineering Co. with their three associates, namely, M/s. Associated Aesby Industries Private Ltd., M/s. B. C. Guha & Co. and M/s. National Galvanising Co. had experience of foundations, fabrication, erection and galvanising respectively, and it was considered to be a good combination for carrying out a work of this nature on account of their constituents' previous experience of having carried out work on foundations and tower erection as sub-contractors of the Japanese firm for P. & T. Microwave work.

- (iv) With regard to the Hon. Member's point that only approved and registered contractors should have been considered for this work, I would like to state that open tenders had been invited in this case and the question of limiting the competition amongst any particular class of contractors, therefore, does not arise.

SHRI BAL RAJ MADHOK (South Delhi) : Now that many of the points have been accepted, may I suggest that the matter should be referred to the PAC which may go into the whole thing and the thing will be dealt with further ?

MR. SPEAKER : That could be considered later on. Anyway, he himself wanted to correct it. I must give credit to the Minister concerned. Shri Kachwai brought it to his notice. I must do justice to both of them. So, the mistake has been corrected by him and I have also given a chance to Shri Kachwai because he pointed it out. What steps to be taken next is a question which naturally will have to be considered again.

श्री हुकम चन्द कछवाय : अध्यक्ष महोदय, मुझे माननीय मंत्री के उत्तर से संतोष नहीं हुआ। मेरा यह जो आरोप है कि श्री परिमल घोष ने मन्त्री बनने के बाद उन्होंने अपने साले श्री बी० सी० गुहा को ठेका दिलाया और ऐसा जानबूझ कर और एक योजनाबद्ध तरीके से किया गया तो उस के बारे में कोई उत्तर नहीं दिया गया.....

MR. SPEAKER : Order, order. Not now.

12.55 hrs.

ELECTION TO COMMITTEE

Central Advisory Committee for National Cadet Corps

THE DEPUTY MINISTER IN THE MINISTRY OF DEFENCE (SHRI M. R. KRISHNA) : I beg to move :

"That in pursuance of sub-section (1) of section 12 of the National Cadet Corps Act, 1948, as amended by the National Cadet Corps (Amendment) Act, 1952, the members of Lok Sabha do proceed to elect, in such manner as the Speaker may direct, two members from among themselves to serve as members of the Central Advisory Committee for the National Cadet Corps for the next term commencing from the 17th June, 1968, subject to the other provisions of the said Act and the Rules made thereunder."