213

Members are held up. Many of our Members went to the Airport and returned since the flight was cancelled

MR, SPEKER; The Minister is just wow going to make a statement on this matter ?

PERSONAL EXPLANATION

SHRI MORARJI DESAI rose-

MR. SPEAKER: I asked him yesterday. He sent me something in writing just when I was entering the House.

भी शक्ति भवण (खारगोन) : अध्यक्ष महोदय, मैं इस पत्र को पढ़ना चाहता है।

CHENGALRAYA NAIDU (Chittoor) : Let Shri Morarji Desai's letter to hon. Speaker be read first.

SHRI MORARJI DESAI (Surat): This is the letter which I wrote to you, Mr. Speaker, I quote :

"My dear Speaker,

Shri Shashibhushan, M. P. from Madhya Pradesh, made a totolly false allegation against my son on 26-11-70 in the course of a question on a Call Attention Notice that he was caught with gold in a car while coming from Meerut on 24th November. He also said that Shri Srivastava who is in the Directorate of Enforcement tried to hush up this case.

My son was in Bombay on the 24th of November and has not left Bombay during the last two months. He could not therefore be travelling in a car from Meerut on that date. This allegation is therefore false and absurd and has been deliberately made to defame my son and also myself indirectly. There cannot be a grosser and more reprehensible use of the right of an M. P. to speak with impunity in the Lok Sabha. If he makes such an allegation outside the House, he will be promptly prosecuted and sued for defamation.

It is also mentioned in the newspapers that I was present in the House at the time and said nothing. It is true. I was in the House at the time, but I did not hear this false statement, as I was sitting on the back bench talking to colleague. I learnt about reprehensible aspersion afterwards and read it in papers vesterday. I verified it from the Parliamentary record today and am therefore writing this letter to you with a request to ask Shri Shashibhushan to apologise to me and my son in the House for making this utterly false allegation in the House.

I also request you to allow me to raise this question in the House on Monday, the 30th Inst. soon after question hour.

Yours sincerely....."

-This was written on 28th November and sent to you.

SHRI J. M. BISWAS (Bankura): The same allegation earlier came out in Blitz and other papers with facts and figures. (Interruption).

MR. SPEAKER ; Mr. Shashi Bhushan sent me a letter that he was going out for a week. When he came back, I asked him to supply me the information. On the same day he give certain documents, but he took them back to prepare [a statement. So I allowed him. श्री मोरारजी देसाई ने अपना पत्र पढ़ दिया है, श्री शशि भूषण भी पढ़ दें।

भी शशि मुचण : अध्यक्ष महोदय, हमारे सदन में यह परम्परा रही है कि जब किसी माननीय सदस्य के संबंध में कोई दोषारोपण करना हो तो उसकी पूर्व अनमति भाप से लेनी होती है। मैंने 26 नवम्बर को सदन में एक घ्यानाकषंण प्रस्ताव पर बोलते हए श्री मोरारजी भाई का नाम भ्रवश्य लिया था हैकिन उन पर किसी प्रकार का कोई। भ्यक्तिगत दोषारोपण नहीं किया था।

मैं दरध्वास्त करना चाहता है कि जो तथ्य मैंने उस दिन 26 तारीख को रबे उसमें

[श्री शशि भवण]

Personal

बहत सी ग्रौर भी बातें सामने आने वाली हैं. बहुत से और भी लोगों के नाम आने वान हैं। अब उसके लिए फिर ग्रापसे आजा लेनी होगी। सारे ऋमबद्ध ये जो कांड हुए हैं, चाहे बी०ओ० ए० सी० गोल्क कांडमें 45 लाख रूपये का सोना लाया जाना हो या डोडसैल कम्पनीका सवाल है. इन सब की आज तक सरकार ने जांच नहीं कराई है. बार-बार आग्रह किया गया है कि सरकार जांच करके जो नतीजा निकले उसको सदन के सामने रखे। ग्रगर जांच में मैं उसको सिद्ध न कर सका और ग्रपनी गलती महसस करूंगा तो जरूर मैं क्षमा मांगुंगा। लेकिन जब तक सरकार सदन में सारी रिपोर्ट नहीं रखती है. तब तक मै ऐसानहीं कर सकता हं। जहांतक श्री मोरारजी भाई का सवाल है, व्यक्तिगत तौर पर मैंने उनके खिलाफ कभी कुछ नहीं कहा और न कहना चाहता हं और मैं नहीं समझता हं कि इस वक्त उनको ग्रपने लडके की रक्षा के लिए खड़े होना चाहिये। एमरी की तरह उनको कहना चाहिये कि इनक्वायरी होकर सामने सारी चीज आनी चाहिये।

श्री कंत्रर लाल गुप्त । दिल्ली सदर) : मेरा प्वाइंट ऑफ आर्डर है। श्री शशि भूषण ने...(इन्टरप्शन).

DR. RAM SUBHAG SINGH (Buxar): You should ask the hon. Member to apologise because there is no basis for his allegations. This is baseless and absolutely unfounded. Tnerefore, you should ask him to apologise.

SHRI MORARJI DESAI: May I say that the hon. Member is making matters worse for himself? If any allegations are there against my son, and Government want to inquire, nobody has prevented them from doing it. There was a discussion here about this, and the allegation was fully refuted, and the Prime Minister also had said that she accepted that the allegation was all wrong.

Now, this particular allegation has been entirely wrong and so absurdly false, and, therefore, he should apologise. My son has also written a letter to you in this matter, where he has also said that he was there in Bombay and he was not here at all. Therefore, it is such a false allegation. Unless he can prove, it is no use saying this. What business had he to say that ex-Finance Minister's son or the Deputy Prime Minister's son was involved? Why did he mention that? If he had mentioned only his name and Shri Shrivastava's name, then perhaps, I may not have anything to say. But he had brought in my name and that was how he wanted to cast aspersion on me. Therefore, he ought to apologise and express his regret about the allegation. I think he owes it to me that he should apologise.

Explanation

श्री कंवर लाल गुप्त: मेरा प्वाइंट ऑफ आर्डर है। श्री शशि भूषण ने जो चार्ज लगाया है, अब वह उसकं बारे में अपनी जिम्मेवारी सरकार पर डाल रहे हैं...(इन्टररण्डान).

थी यज्ञवत ज्ञामी (ग्रमतसर) : अध्यक्ष महोदय, ये गाली दे रहे हैं मोरारजी के बच्चे ...(इन्टरप्शन). इस तरोके से ये बकवास करेंगे ? श्रवल का ठेका इन्होंने नहीं ले लिया है, दूसरों के पास भी श्रक्ल है...इन्टरप्शन

अध्यक्ष महोदय : इतना शोर नहीं होना चाहिये : सोचने का वक्त नहीं आप देते हैं। मेरी बात ग्राप सुनते ही नहीं हैं।

SHRI BALRAJ MADHOK (South Delhi): You will ask him to withdraw the words. Why allow all this trouble?

MR. SPEAKER: I did not hear it.

SHRI BALRAJ MADHOK: The words used are so bad. He should withdraw them.

DR. RAM SUBHAG SINGH; What he has said is baseless. Therefore, you should ask him to apologise (Intrruption).

MR. SPEAKER: Why do Members spoil everything (Interruptions).

218

श्री प्रकाशवीर शास्त्री (हापुड़) : गाली दे कर चुप क्यों बैठते हैं? यह क्या तरीका है? पालियामेंट को भी इन्होंने कलकत्ता समझ रखा है। बैठ कर मैम्बरों को गाली दे रहे हैं ग्रीर ग्राप चुप नहीं करा रहे हैं। इस पालियामेंट को भी मजाक बना रखा है। गाली देते हैं और ऊपर से एंठते हैं।

अध्यक्ष महोदय : मैंने सुना नहीं उन्होंने क्या कहा है।

श्री यज्ञवत शर्मा (अमृतसर) : यहां पर एक बात चल रही थी। श्री शशि भूषण को आप एक प्रश्न पर मुन रहे थे। जब एक विषय चल रहा हो तो एक नियम है, एक प्रक्रिया है और सदन की प्रतिष्ठा का यह तकाजा है कि उसको सुना जाए।श्री मोरारजी देसाई के सम्बन्ध में यह जो चर्च चल रही है, मेरा इससे कोई सम्बन्ध नहीं है। ये साहब बीच में इंटरप्ट कर रहे थे और तब किसी प्रादमों ने जवाब दिया तो इन्होंने कहा "तुम मोरारजी देसाई के बच्चे"। यह गन्दे दर्जे की गाली है। यह इस किस्म की गाली है जिसको सहन नहीं किया जा सकता है।

भी रामावतार शात्री (पटना) : आपने सुना है ?

MR. SPEAKER: I am very sorry. He will have to withdraw it. He must withdraw it.

SHRI J. M. BISWAS: Kindly, allow me to explain. His allegation is not the gospel truth. I have my right to explain. If I have called them that, definitely I must withdraw it. But I have not called them that.

MR. SPEAKER: Did he say it or not.

SHRI NATH PAI (Rajapur): We heard it.

SHRI KANWAR LAL GUPTA: We have all heard it.

श्री कंबर लाल गुप्त: श्री शिषा भूषण ने जो चार्ज लगाया है अब उसको साबित करने की जिम्मेवारी वह सरकार पर फंक रहे हैं। यह साबित हो चुका है कि कांती भाई उस दिन बम्बई में थे श्रीर पिछले दो महीने में बम्बई से बाहर नहीं गए है। अब माननीय सदस्य के पास कोई रास्ता नहीं रह गया है सिवाय माफी मांगने के। आज वह सारी जिम्मेदारी सरकार पर डाल रहे हैं कि सरकार इनक्वायरी करे। जो चार्ज उन्होंने लगाया है वह बेसलैंस चाज है। ईमानदारी का यह तकाजा है कि जो चार्ज उन्होंने लगाया है उसके रिष्ट वह माफी मांगें।

SHRI S. M BANERJEE (Kanpur): I have a submission.

MR. SPEAKER: I have allowed only one point of order.

SHRI J. B. KRIPALANI (Guna): If you allow one member to abuse others and if you give no protection, then others will also be tempted to take the law into their hands and return abuse for abuse. This will make confusion worse confounded. Therefore, you must put down this kind of abuse of members in this House.

MR. SPEAKER: I did not hear what he said.

SHRI BAL RAJ MADHOK: We are now discussing the question of the veracity of some charges levelled by Shri Shashi Bhushan. In between, one member has abused another. We are asking that you should direct him to withdraw those words. Otherwise, we will return it in the same coin. Then where will it end?

SHRI J. M. BISWAS: I have never abused anybody. I said it is a case against Morarji ka bachha. I am not Hindispeaking. What is wrong in it?

MR. SPEAKER: I am not going to allow any bad remarks.

SHRI RAM KISHAN GUPTA (Hissar): What about Shashi Bhushan?

SHRI VASUDEVAN NAIR (Peermade): If a Member says that he did not say that, you have to accept it.

Personal.

भी प्रकाशबीर शास्त्री : हम सबने यह सुना है। (ज्यवधान).

भी स॰ मो॰ बनर्जी: अध्यक्ष महोदय. अभी श्री कंवर लाल गुप्त ने कहा है कि श्वी शशि भूषण ने श्री मोरारजी वेसाई के स्पूत्र, श्री कांतिभाई वेसाई, के बारे में जो बारोप. लगाया है, चूंकि श्री मोरारजी देसाई **नै** उसका खंडन किया है, इसलिए श्री शशि भूषण को श्री कांतिभाई देसाई से माफी मांगनी चाहिए। श्री शिश भवरा ने अपने स्टेटमेंट में साफ कहा है कि उन्होंने भी मोरारजी देसाई के खिलाफ कोई बात नहीं कही है। मै निवेदन करना चाहता हं कि संसद सदस्य श्री मोरारजी देसाई हैं. श्री कौतीभाई देसाई नहीं। (ब्यवधान), मेरा पायंट झाफ आईर यह है: इस सदन में अगर बाहर के किसी व्यक्ति के बारे में कुछ कहा जाये, तो वह कहा जा सकता है, लेकिन उसके साथ सुबूत होना चाहिए । इसी लिए श्री शशि भूषण उसका सुबृत देने के लिए तैयार हैं। तो आप इसके लिए एक निष्पक्ष जांच केमेटी बिठा दीजिए, जो कि इस मामले की जाँच करे। लेकिन यह नहीं हो सकता है कि किसी सदस्य को कहा जाये कि वह बाहर के किसी **ण्यक्ति से माफी मांगे। श्री कंवर लाल गृप्त** के भाई के बारे में यहां पर चार्जिज लगाये गये थे. लेकिन उस वक्त किसीने माफी मांगने के लिए नहीं कहा या। (इयवधान). भी मोरारजी देसाई ने अपनी मोर से इस बारे में स्पष्टीकरण किया है। मैं समझता है कि उन्होंने जायज, अच्छी भीर न्याय की बात कही है, लेकिन उसके आधार पर ग्रगर माज श्री शशि भवण से कहा जायेगा कि वह थी कौतिभाई देसाई से माफी मांगें, तो कल किसी सदस्य को बिडला से, परसों टाटा से भौर उनके दलालों से माफी मांगने के लिए कहा जायेगा। यह नहीं हो सकता है।

SHRI PILOO MODY (Godhra): On a point of order. What was that point of order?

Explanation

भी यज्ञवत शर्मी : इमका मतलब है कि यहां पर चाहे किसी पर कीचड़ उछाला जाये भौर उस पर कोई प्रतिबन्ध न हो ?

श्री रामसेवक यादव (बारावंकी) : घ्रध्यक्ष महोदय, माननीय सदस्य. श्री शशि भूषण, ने 26 नवम्बर को यहां पर जो तच्य दिये थे और आरोप लगाये थे. माननीय श्री मोरारजी देसाई ने ग्राज उनके बारे में वक्तव्य दिया है। (ग्यवधान) प्रश्न बिल्कुल सीमित है। माननीय सदस्य ने जो ग्रारोप लगाये थे. उनके बारे में उनके पास क्या तथ्य हैं ? अगर वह अपने तथ्यों को यहां पर नहीं रखते, और उन्होंने इतने दिनों के बाद भी भापको वे तथ्य नहीं दिये हैं तो यह एक काबिले-एतराज बात है। अगर यह बात सदन में चलेगी. तो यह उचित नहीं होगा। अगर कोई ग्रारोप लगाये जाते हैं, तो उनकी जांच की जाये. सरकार कार्यवाही करे और सम्बद्ध व्यक्तिको दंडित किया जाये। अगर इस सदन का कोई सदस्य निश्चित आरोप लगाता है भौर उसके बारे में प्रमाण नहीं देता है, तो यह उचित नहीं है और यह इस सदन के कायदे कानून के खिलाफ है। (ध्यबधान)।

श्री महाराज सिंह भारती (मेरठ) : मैं श्री रामसेवक यादव का समर्थन करता हूं। श्री कौतिभाई देसाई के मामले की जांच होनी चाहिए। श्री मधुलिमये ने यह प्रक्त उठाया था। सरकार को इसकी जांच करनी चाहिए। (व्यवधान)

भी जि॰ मो॰ विश्वास : इस बारे में जरूर जांच होनी चाहिए। (व्यवधान)।

भी शंभूनांच (सैदपुर) । इन लोगों ने प्राइम मिनिस्टर के पी० ए० पर उत्तर प्रदेश के बारे में आरोप लगाये हैं। वह भी इस हाउस में नहीं हैं। (व्यवधान)।

222

SHRID, N. PATODIA (Jalore): There are two specific issues involved in the matter. One is whether by quoting name of Shri Kanti Bhai, Mr. Morarji Desai was involved or not. Mr. Shashi Bhushan made it clear. On 26 November when he said 'Kanti Bhai son of the ex-Deputy Prime Minister and Finance Minister' was involved, there was clear intention to involve the prestige and reputation of Mr. Morarji Desai and he cannot get away today by saying that he meant nothing against Mr. Morarji Desai. Secondly, there were certain specific charges made by Shri Shashi Bhushan. Today he has failed to prove those charges and he has made rambling remarks on some other matters. If you are satisfied, as Chairman, that he has not proved those charges, it is

open to you to reprimand him.

SHRI NATH PAI : Sir, I think the House is called upon to take a calm and cool attitude towards the issue which has been raised here today, It is not Mr. Morarji Desai's reputation or the reputation of Mr. Kanti Bhal Desai which is at stake. Of late there has been severe criticism of the way Parliament conducts itself. The recent occasions on which some persons come to be admonished or reprimanded by you have also drawn some adverse criticism. There is such a feeling: whether it is genuine, justified or not is a different matter. None-the-less we have to take note of it. There is the feeling that Parliament is super-sensitive about its own rights and not about the rights of citizens. There are two issues here. There is a Member involved; there is a citizen involved. The Member and the Citizen happen also to be closely related. So far as Shri Morarji Desai is concerned, I think you ought to have told this House that after having given sufficient opportunity to the Member who made the allegation, you are satisfied that there is no evidence to substantiate that allegation. I invite you, even at this late stage to guide us because so far as the reputation of the Member is concerned, I think you are the legitimate and the first guardian because the reputation of Members cannot be separated from that of the House as a whole. There was the other thing in which a demand has come for investigation. When we raise the names of citizens-he

may happen to be Kanti Bhai also whose name has come on previous occassions-I think it is fair that the Member should accept the kind of suggestion that I am making, not to say that I will say here in this House, since I am protected, what I like, but I shall do my other duties as a citizen...(Interruptions), I am not concerned with party politics in this matter; it is absolutely important to realise that there is no question of the reputation of any party or individual but of Parliament as a whole and the nation is taking a critical view of how we conduct ourselves on this issue. Then, it is only fair that the hon, Member. having used the platform of this House. goes in the open and repeat the allegation which he has made here, if he is prepared. Therefore, I made a distinction between the two issues, that of Shri Morarji Desai and Shri Kanti Bhai Desal, Regarding the first. hethas made amends and said that he did not mean him. Mr. Speaker, you are called upon, because you gave an assurance and vou extended the time to satisfy yourself. Regarding the second, I would request Shri Shashibbushan that he repeat the charge, since it must not appear that we take the privilege of Parliament to attack those who cannot defend themselves here.

MR. SPEAKER : Thank you: I think I stand guided by what you said. As a matter of principle, I wanted to say that when he made this allegation, I took it as an allegation against Shri Moraril and his son together because he mentioned both the names. I also feel that when we act as Parliament we have to be very scrupulous when we levy such charges against any hon. Member of this House, and especially I have time and again emphasised that we must follow procedure that is prescribed if we want to bring in the name of any person in this House or allegations or charges or whatever that may be. Unfortunately, inspite of that everything is lost in the commotion that follows sometimes.

In this particular case, the names are two: first, a very distinguished Member of this House, and second, his son who is not a Member of this House. We can take him as a citizen like any other citizen of this country. When it came, I asked him to let me know why he did not get my

(Mr. Speaker)

permission if he wanted to mention any names. I gave him a chance. The very next day or a day after. I received a letter from him, not delivered to me personally but it came through my office, saying that he was going out to some place. I do not know--he mentioned some name--and also that he was coming back after a week and will see me and explain his position. When he came he spoke to me on these lines. as he has suggested in his statement. I wanted that if it is to be taken as a proof I must have certain documents. Of course, he could not supply me the documents, and he said he would come to me again. He saw me vesterday. I told him I have received two letters from Shri Morarji Desai. He got up in the House also to know what is the position. He then said that he will, with my permission, make a statement. I got this letter on which I wanted a decision. When I was entering the House, when I was coming in, the letter was delivered to me. I had no time except to have a hurried glance. Then I saw it here.

In that letter he has demarcated and distinguished a Member who is an hon. Member of this House from his son, and in this letter, as he says, the position is like this : that he did not say anything against Shri Morarji Desai and that he has also expressed his regrets to me also, that he is very sorry that he made it without the previous permission of the Speaker. So far, this is the position.

As for the rest of the question that has been raised in this House, Shri Nath Pai has made the position very clear. Should we accept that so far as Shri Morarji Desai's person is cocerned--Shri Morarii Desai personally-he has expressed his regret ?

AN HON. MEMBER: Where has he expressed his regret ? (Interruption).

MR. SPEAKER: We have to go by the statement as he has mentioned. Let us not go in for wishful thinking,

SHRI MORARJI DESAI: He has not expressed regret. He has only regretted that the has not taken your previous permission. That is not regret.

Explanation

MR. SPEAKER! He said there is nothing againt Shri Morarii Desai. So far as Shri Moraaji Desai is concerned, I think we can take it that there is nothing against him personally. (Interruption).

SHRI HARDAYAL DEVGUN (East Delhi): Let him say that.

MR. SPEARER: This is what he said. He has clearly stated it.

SHRI PILOO MODY: Let him say it himself in the House.

MR. SPEAKER: He says -- I heve got the English translation also, "I did mention the name of Shri Morarji Desai, but there was no allegation made against him. (Interruption).

SHRI SHANTILAL SHAH (Bombay North-west): If a slur on Shri Morarji Desai was not intended, why was his name mentioned ?

MR. SPEAKER: I am going by the facts, If he did not make any allegation against Shri Morarji Desai, I should take it there is nothing against Shri Morarji Desai nor did he bring anything else. (Interrupion). Let me be clear about it. Let us not make it a matter of debate. I do not like it.

As for the other matters, the position still stands: that he has not withdrawn. Is it like that ? (Interruption). On the other hand, ShrijMorarji Desai...(Interrution)... I get distracted.

देखिए, इस तरह से जब दरमियान में कोई बोलता है तो मैं भटक जाता हैं। कई दफा सारी वात तो मैं कहता है बापसे उसमें भटक जाता है। इसलिए थोड़ा मुझे मौका दें। आप मुझे क्यों भटकातें हैं ? मेरी आदत. नहीं है, मैं हाउस में भी बैठता या तो कभी इतना कोर नहीं करता

था। अब बात यह है कि जहां तक मोरारजी की बात है That is finished.

SHRI KAMAL NAYAN BAJAJ (Wardha): May I say.....

MR. SPEAKER: I am not yielding. Kindly sit down. If you want the matter to be further complicated, I will allow you. If you speak, I will have to allow others also from this side.

SHRI KAMAL NAYAN BAJAJ: I want to help you.

MR. SPEAKER: Then I will need their help also. Why do you complicate it? As far as Mr. Kantibhal Desal is concerned, we treat it an allegation against a citzen. As I have asked him in your presence, he is not withdrawing it. What procedure should we follow when the situation is like this? Will you give me time to think over it?

HON. MEMBERS: Yes.

SHRI MORARJI DESAI: In the first place, he deliberately mentioned my name and when he says there is no allegation against me, that is obvious. But why did he mention my name? He ought to be sorry for it.

MR. SPEAKER: Are you sorry for it? He is sorry.

SHRI MORARJI DESAI: He has also written a letter to you. Either he should prove it to you or he should make a statement outside in the press and we will take it up in the court. These are the only two courses open. There is no other course. open.

श्री शशि मूलण : अध्यक्ष महोदय, आप से मैंने चैम्बर में भी कहा, यहां भी लिख कर दिया कि मोरारजी माई के प्रति व्यक्तिगत उनसे मुझे कोई मृखालिफत नहीं है। अगर उनको कोई इससे दुख पहुंचा है तो मैं उसके लिए रिग्नेट करता है। जहां तक कौर्ति भाई का सवाल है उसके लिए सारे जो तारतस्य मैंने बताए उसकी एन्ववायरी की आय।

SHRI BAL RAJ MADHOK: We are not concerned with that.

MR. SPEAKER: I am not concerned with that. I have to decide this question: When the names of citizens or officers are brought in and repeatedly insisted upon. what procedure should we follow? Most of the citizens or officers against whom you make allegations are not present here and in spite of the best care by the Presiding Officer, they slip in. Those citizens or officers represent to the Speaker or members saying, "I am unrepresented in the House. What should I do to my position clear ?" We must consider this position and evolve a general procedure about it. As I have told you, I am going to think about it. (Interruptions). Now, nothing more about it. Papers to be

12.58 hrs.

PAPERS LAID ON THE TABLE

REVIEW AND ANNUAL REPORTS OF CENTRAL INLAND WATER TRANS-PORT CORPORATION, ANNUAL REPORT OF CENTRAL ROAD TRANSPORT CORPORATION AND STATEMENTS ETC.

THE MINISTER OF PARLIA-MENTARY AFFAIRS, AND SHIPPING AND TRANSPORT (SHRI RAGHU RAMAIAH): I beg to lay on the Table —

- A copy each of the follhwing papers (Hindi and English versions) under sub-section (1) of section 619-A of the Companies Act, 1956 :—
 - (i) (a) Review by the Government on the working of the Central Inland Water Transport Corporation Limited, Calcutta, for the year 1968-69.
 - (b) Annual Report of the Central Inland Water Transport Corporation Limited, Calcutta, for the year 1968-69 along with the Audited Accounts and the comments