

[Shri A. K. Gopalan]

So, what I say is: have an election. Not to have an election is not good. First you extended for six months and now there is another extension of six months. This is not good. It shows that they are afraid of going to the people. So, have an election.

SHRI BEDABRATA BARUA: Our party is not afraid of elections. We have only said that there should be an extension because of the emergency. The reason why extension is necessary is that there is an emergency in operation. That has been discussed in the House and the Government has explained its position in regard to the emergency as to why it was necessary to have it. The whole country has appreciated the reasons why this emergency had to be proclaimed and how the emergency has benefited the peaceful life of a developing people.

MR. DEPUTY-SPEAKER: The question is:

"That the Bill be passed."

The motion was adopted.

13.58 hrs.

FOREIGN CONTRIBUTION (REGULATION) BILL

THE DEPUTY MINISTER IN THE MINISTRY OF HOME AFFAIRS (SHRI F. H. MOHSIN): Sir, Hon. Members may kindly recall that the Government introduced in this House on the 24th December, 1973, a Bill entitled Foreign Contribution (Regulation) Bill, 1973, whose essential object is to regulate the acceptance and utilisation of foreign contribution or hospitality by organisations as well as individuals in our country. Excepting the provisions of the Foreign Exchange Regulation Act, there are no restrictions at present

regarding transmission of foreign money into India. Recipients of foreign money are not obliged under the existing law to render accounts for the utilisation of foreign money secured by them, nor are they prohibited from receiving such money in any specified situation. Being aware of the scope for foreign agencies to influence organisations or individuals in the country through such financial aid and keeping in view the need to regulate the acceptance and utilisation of foreign contribution or hospitality for ensuring that our Parliamentary institutions, political institutions, academic and other voluntary organisations as well as individuals function in a manner consistent with the values of a sovereign democratic republic, Government had brought up this Bill.

This was referred to a Joint Committee of both the Houses by a motion adopted in the Rajya Sabha on the 19th February, 1974, and by a concurring motion in the Lok Sabha on the 25th March, 1974. The Joint Committee under the Chairmanship of Shri Manubai Shah presented its report along with the Bill as amended by the Committee to this House on the 6th January, 1976.

14 hrs.

The bill envisages three kinds of restrictions of a prohibitory or regulatory nature. One is total prohibition of acceptance of foreign contribution or hospitality, the second is acceptance with prior permission of the Central Government and the third is a legal obligation to send intimation and render accounts to the Central Government after receipt of foreign contribution. Recipients of foreign contribution are accordingly grouped into three categories. The first category covers organisations and individuals who may be deemed as a sensitive and important category in our national life like candidates for elections, Government servants, Members of Legislatures, Political parties and their office-bearers, Correspondents, Colu-

models, Cartoonists, Editors, Owners, Printers and Publishers and registered Newspapers. They are totally prohibited from receiving any foreign contribution. The second category includes organisations which, not being political parties themselves, may be deemed as organisations of a political nature, having regard to their activities or their association with political parties. The Bill lays down that this category shall not accept any foreign contribution except with prior permission from the Central Government. The third category covers associations having a definite cultural, academic, religious or social programme. They are required to give within a prescribed time intimation to the Central Government about the amount of foreign contribution received by them, the source from which and the manner in which, such foreign contribution was received and the purposes for which and the manner in which such contribution was utilised by them. There is also a general clause which empowers the Central Government to impose such prohibitory or regulatory restrictions regarding acceptance of foreign contribution by any person or class of persons or associations not covered by the foregoing categories if the Central Government is satisfied that acceptance of foreign contribution by such association or person or class of persons is likely to be prejudicial to the sovereignty and integrity of India or the public interest or the freedom or fairness of election to any Legislature or friendly relations with any foreign State or harmony between religious, racial, linguistic or regional groups, castes or communities. The Bill contains appropriate penal provisions to deal with contraventions of the law.

With these words, Sir, I move that the Foreign Contribution (Regulation) Bill, 1973, as reported by the Joint Committee be taken into consideration and passed.

I beg to move:

"That the Bill to regulate the acceptance and utilisation of foreign

contribution or foreign hospitality by certain persons or associations, with a view to ensuring that parliamentary institutions, political associations and academic and other voluntary organisations as well as individuals working in the important areas of national life may function in a manner consistent with the values of a sovereign democratic republic, and for matters connected therewith or incidental thereto, as passed by Rajya Sabha, be taken into consideration."

MR. DEPUTY-SPEAKER: Motion moved:

"That the Bill to regulate the acceptance and utilisation of foreign contribution or foreign hospitality by certain persons or associations, with a view to ensuring that parliamentary institutions, political associations and academic and other voluntary organisations as well as individuals working in the important areas of national life may function in a manner consistent with the values of a sovereign democratic republic, and for matters connected therewith or incidental thereto, as passed by Rajya Sabha, be taken into consideration."

SHRI SAMAR MUKERJEE (Howrah): The Bill was introduced expressing great concern about the role played by foreign money in India. That was in 1973. Now, when we are discussing this Bill in a finalised form, many revelations have already been made, particularly in America about how multi-national corporations with the backing of the Government of America are working in various other countries through economic aid, investment, through various other trade channels, and through pay-off to subvert democracy and the sovereignty of those countries and putting all types of pressures to change the policy of those Governments, and if they fail then there is a conspiracy to topple those Governments.

Now, these are obviously very well known facts and throughout the

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world, it has created an alarming concern. That is why, when this Bill was under discussion both in the House and in the Joint Committee, every Member expressed serious concern about the role of foreign money. But the way this Bill has been drafted, it falls short of the requirement to curb the activity and the influence of foreign money in our political life to try to purchase people in public offices so that the policies of the Government can be oriented to suit their interests and that they get a Government which will defend their interests.

I am sorry to mention here that from the stage of the introduction of the Bill, we have been demanding repeatedly that the Government, particularly the Home Ministry should come out with statements of concrete facts as to what is the real position inside our country, what is the ramification and how far foreign money has penetrated deeply into various institutions and organisations and how far it has been able to influence the political elements inside the country. Despite our repeated demands, the Home Ministry has refused to give us concrete facts. Their stand is that in public interests, they are not going to give the information though they have instituted some inquiry.

Now, when we are discussing this Bill, we have no concrete facts before us. We have to make only some assumptions and have some suspicions that so many religious organisations and political institutions regularly get foreign money, particularly American money. But the Government of India and, particularly, the Home Ministry is not in a mood to give us concrete facts. I do not know why this hide and seek.

This does not show the strength of the Government. It is only the weakness of the Government.

Various facts have come to our knowledge that foreign money has corrupted even various Departments

of the Government. One of the reports of the Public Accounts Committee has mentioned how even the American Defence Department has made use of money in the name of research on genetics of mosquitoes and they have got all the data from here with the help of the officials. So, the penetration of foreign money into our country is a serious threat and danger to us. But the understanding of the Government in this regard is very formal. In the Statement of Objects and Reasons of the Bill, when the Bill was first introduced, it was stated that the Government was feeling very much concerned about it. This is what is stated here:

"There has been widespread concern about the unregulated receipt of funds from foreign agencies, by individuals and organisations in the country. The Bill seeks to regulate acceptance and utilisation of foreign contribution or hospitality with a view to ensuring that our parliamentary institutions, Political organisations, academic and other voluntary organisations as well as individuals working in the important areas of national life function in a manner consistent with the values of the Sovereign Democratic Republic."

This concern was expressed by the Government but the Government refused to give us concrete facts. Since 1973, there has been further ramification of foreign money and further corruption of public life. Now, we are very much worried particularly about the way this Bill has been brought up, for it is not to curb penetration but only to regulate foreign money; and the regulation has been suggested in a manner whereby the Government has given full authority to the officials, to the Bureaucracy, to the State machinery. Even the representative forces who are really interested in curbing the penetration of foreign influence have not been taken into confidence to help in the operation of this Bill if it is passed into an Act. The suggestion for a Commission consist-

ting of the representatives of all the parties inside parliament has not been accepted and the proposal for an Advisory Body has also not been accepted. The entire authority has been handed over to the State machinery, to the officials. Unfortunately, whether you admit it or not, corruption is so rampant that the Bureaucratic officialdom is not free from corruption. Such huge sums of money are being paid by the foreign agencies—particularly the American Multi-National Corporations—that you cannot imagine it. The recent Lockheed scandal revealed the fact: 7 million dollars were given to one man. It has also come in the papers that Italian political leaders have been bribed to influence the elections and get special favours for the American Companies. Ministers have been bribed. So, these are the types of roles that foreign money is now playing to get control over Government and their policies, their Departments, the various organisations of newspapers, the various cultural organisations, various public figures, various educational institutions and Universities.

So, the penetration is so widespread that, generally, anyone interested in the sovereignty of our country and in democracy is bound to feel concerned about this. But this Bill is totally inadequate and it cannot serve the purpose.

In particular, from the Financial Memorandum you can see the money allotted for putting a check on the operation and implementation of this Bill which is to curb the damaging influence of foreign money. In the Financial Memorandum it is stated that the Bill does not contain any provision which, if enacted, would directly involve any expenditure from the Consolidated Fund of India; but that, however, for the enforcement of the provisions of the Bill, it may be necessary to establish a Cell of two or three officers who will keep a watch over the operation of this Bill. When foreign money is penetrating through all channels, corrupting the very vitals of our political life, there is going to

be only a small Cell—and Government is prepared to spend for this only Rs. 80,000 per year. While, in this Statement of Objects it is stated that there is a feeling of widespread concern how are we acting? We are going to spend Rs. 80,000 per year only to maintain a Cell of two or three officers who will put a check on this! This is an absolutely contradictory position—between your professions and your practice.

So, the Government is not at all serious about putting a check on this, and I am opposing this. The ruling Party is in a new-found love with the multi-national corporations....

SHRI CHAPALENDU BHATTACHARYYA (Giridih):-Who said that?

SHRI SAMAR MUKHERJEE: It is not a question of saying; the Joint Economic Committee is sitting in Delhi and that the gates have been opened fully to American Multi-National Corporations for a far bigger investment in India, Opening the flood-gates to multi-National Corporations and talking of preventing their penetration—these double standards—cannot work. This Bill has exempted under Section 8 all these multi-national corporations, foreign agencies etc. in the name of normal business and trade. Section 8 indicates the persons to whom Section 4 shall not apply. Section 4 has specified the persons who are not entitled to take foreign contributions. Section 8 is the exemption section and it says:

“Nothing contained in Section 4 shall apply to the acceptance, by any person specified in that Section, of any foreign contribution, where such contribution is accepted by him, subject to the provisions of Section 10,—

(a) by way of salary, wages or other remuneration due to him or to any group of persons working under him, from any foreign source or by way of payment in the ordinary course of business transacted in India by such foreign source; or

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(b) by way of payment, in the course of international trade or Commerce, or in the ordinary course of business transacted by him outside India; or

(c) as an agent of a foreign source in relation to any transaction made by such foreign source with Government; or

(d) by way of a gift or presentation made to him as a member of any Indian delegation, provided that such gift or present was accepted in accordance with the regulations made by the Central Government with regard to the acceptance or retention of such gift or presentation; or

(e) from his relative when such foreign contribution has been received with the previous permission of the Central Government.

Provided that no such permission shall be required if the amount of foreign contribution received by him from his relative does not exceed in value, eight thousand rupees per annum and an intimation is given by him to the Central Government as to the amount received, the source from which and the manner in which it was received....."

From this, it is quite clear that taking advantage of this clause, all those foreign sources who are generally interested to subvert our democracy and sovereignty will absolutely remain free to perform their task in the way they like.

The penetration of American money, particularly the multi-national corporations on a world scale is now being discussed in various countries. Various international organizations have also set up committees to study the danger of this penetration of multi-national corporations' money. I am reading from a report:

"The U.S. private capital is turning its attention to under-developed

countries. According to a June 1975 survey by the U.S. Department of Commerce, the majority owned foreign affiliate companies in five years between 1970 and 1975 increased their capital spending in under-developed countries by 488 per cent as compared with 79 per cent in developed countries. 60 per cent of all private foreign investment in manufacturers is confined to five semi-industrialised countries.. namely India, Mexico, Argentina, Brazil and Spain. It may also be noted that India has already become a major object of interest for American private investments and the present negotiations between the two countries through Joint Commission and Sub-Committees will add more punch to this trend."

By investing, these international multi-national corporations are making their economic hold on the policies of the Government and that is why in every country this question of investment as well as other methods are not isolated. These are closely related. That is why, the threat to Indian economy, Indian democracy and sovereignty is more and more growing. It is not lessening and the policy the Government is pursuing is giving full scope for them to influence various sections of our society and particularly, the administration also.

How has foreign money played in our elections? When the Home Ministry submitted its report, our Government has accepted that foreign money has played some role in the 1967 elections and also the subsequent elections. But they have not given any concrete facts. Recently, it has been admitted in the course of evidence before a committee in the American Senate that Italian elections have been influenced by these multi-national corporations.

MR. DEPUTY-SPEAKER: You have made that point earlier.

SHRI SAMAR MUKHERJEE: So, the question is that this Bill cannot

prevent the penetration of foreign contributions and foreign money into our country through various channels which are already being used by them. I can give names of so many organizations which are acting as their agencies. This is from the background note.

"The organizations said to be financing political and social institutions in India were stated to include the Asia Foundation, Ford Foundation, Rockefeller Foundation, USIS, USAID, USEFI, Federal Bureau of investigation of USA (FBI) and agencies of various Departments of the United States Government operating in the country."

Also, the money under PL 480 is being used here in India to do political activity by American lobby. Then:

"The organizations in India receiving funds from the C.I.A. were stated to be the Congress for Cultural Freedom, International Youth Centre, Delhi and the World Assembly of Youth. The Asia Foundation was stated to have been financing a number of institutions in India including the Indian Institute of Public Administration, Foundation for New Education, Gandhian Institute of Studies, Indian Society of International Law, Institute of Constitutional and Parliamentary Studies, Universities, Press Institute of India, various newspapers/newsmen, etc. Missionaries and charitable organizations had also been receiving funds from abroad (e.g. money given in Kerala by American Christian Anti-Communist Crusade)."

That was in 1959 when the Kerala Communist Government was toppled. There foreign money played a very big role in the so-called agitation led by our Prime Minister, then Congress President.

These are some of the facts and you see how wide their ramifications are. It is increasing. Then the report of Fulbright Committee had revealed

that the Himalayan Border Countries' project sponsored by the University of California was actually a C.I.A. project sponsored by the U.S. Defence Department.

Mr. John Kenneth Galbraith, a former US Ambassador to India, stated in his publication "Ambassador's Journal":

"One of the widespread pleasures of this job is that I have at my disposal at least 10,000 dollars to spend at my discretion for charitable relief purposes...."

Through Embassies also this is being done. This is from your Research and Information service Report.

MR. DEPUTY-SPEAKER: All that is known, but what are the inadequacies of the Bill?

SHRI SAMAR MUKHERJEE: This Bill wants to regulate only. There is no effort to curb it and stop it. The regulation of this.....

MR. DEPUTY-SPEAKER: You want total ban instead of regulation.

SHRI SAMAR MUKHERJEE: People's co-operation must be ensured. Vigilance must be roused in all the organisations. Where-ever there is doubt, accounts must be properly scrutinised by the Government, particularly the Home Ministry, as to from where money has come and what damages are being caused on account of this money. My first complaint is that the Home Ministry did not place any facts before us. All the Members demanded that concrete facts must be placed before us so that they may be acquainted with the position. This hiding of facts is not something which can be ignored.

This Bill directs the institutions to seek permission from the Government or to give intimation. And there is a ban on certain types of institutions or individuals who will not accept money, such as a candidate who stands for election to Parliament to State legislature or Metropolitan Council. No

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Reporter, no journalist or employee of the Corporation would take money. But this formal banning will not prevent them from having this money or contribution by other means. They are adopting various methods which do not come to the eye of the public.

I am giving you the Times of India's news—

“But it is naive to assume, as the Government apparently does, that authorities abroad are rushing headlong with gifts in cash or kind for political parties or people in this country who are only too keen to declare the size of the donations they receive and the identity of the donors from house-tops. No Indian beneficiary of a foreign agency engaged in subversion will be so mad as to fill in particulars of “tainted money” in the prescribed form and apply for the Government's permission to complete the transaction. In fact a variety of means have already been discovered to dress up such deals as legitimate business—insertion of advertisements in periodicals at high rates, supply of literature to bookshops at throwaway prices, manipulation of invoices or commissions in the sale of goods, etc—to obviate the risks of exposure.”

We apprehend that this Bill will strength the hands of the bureaucracy. In the name of emergency, bureaucracy has been given so much of an authoritative power that all the organisations allied to the ruling party will be given a clean chit to accept this money and it is shown in their books by some of the unions, which are affiliated to some international organisations. They are getting money regularly to run their offices and daily activities. But for the solidarity of the working class movement, for the strengthening of democracy at the international scale, that money is welcomed. Money is sent from here by us in solidarity with the liberation struggle of Vietnam.

MR. DEPUTY-SPEAKER: I do not know where to draw the line.

SHRI SAMAR MUKHERJEE: That is the problem. We send money after collection from the working classes to express our solidarity for struggle in Vietnam, Solidarity fund is welcome, if there is any struggle or debacle for the working class. Generally international solidarity requires that the other sections of the working class should sent it. This is a tradition also. In the Civil War in Spain, National Congress leaders took the initiative to send volunteers; they used to collect funds. As you know there are various international solidarity committees and peace committees. There are various such international organisations and in various countries there are internationally affiliated State organisations. Those are democratic organisations. Money from those organisations will strengthen the struggle for democracy, struggle of working class against oppression, against the exploiters. This must not be stopped. Our apprehension is this. Looking at the way this Act is prepared, we feel that this will interfere with this type of solidarity actions. We apprehend that the officials will intervene and stop that solidarity effort and the people concerned will be put to harassment. Therefore we cannot support the Bill fully though the objective declared in the Bill is something which we support.

SHRIMATI MUKUL BANERJI (New Delhi) I stand here to support the Foreign Contribution (Regulation) Bill. Already the Foreign Exchange (Regulation) Act has been passed and this will also supplement that Act. As you know, so many nefarious activities were going on in this country. Money was coming from many countries; not only from American but from other countries too, sometimes directly, sometimes indirectly, sometimes through other countries, and so on. They were coming in many forms; they were coming to religious organisations; they were coming to cultural and other organisations. They were coming in and they were spoiling our body-politic and they were creating chaos in our country. I support this Bill. Firstly, it prohibits the flow of

such foreign money. Secondly, it will allow some foreign money to come in, provided the permission of the Government is taken. Mr. Samar Mukherjee said that solidarity money should not be stopped. Sir, if it is a genuine case of solidarity, if somebody takes the prior permission of the Government, naturally, the Government will not at all come in the way of having solidarity. But Government will not allow any money to come as a germ to threaten or stifle our democracy. This is allowing foreign money in certain cases where intimation is given to the Government. Previously much money was coming in but even the Reserve Bank did not have intimation about things. I agree with Shri Samar Mukherjee when he says that multinational organisations have been creating havoc. This happened in Chile. They tried their best in some other countries. They did it in Bangla Desh. They tried to break our democratic system too. But with this sort of an Act we can certainly prevent money coming from foreign sources with the idea of spoiling our democratic system

There are certain cases where acceptance of foreign money is allowed provided the prior permission of the Government is taken. Even personal present is allowed though there is a limit of Rs 1,000. I mean personal present costing upto Rs 1,000 is allowed. Therefore it is not prohibited absolutely. Any legal transaction through genuine objective which may be pursued through correct methods, keeping in view the interest of the country, can be carried on and this is not at all stopped and this should not be stopped also. There should not be any sort of suspicion in our minds about the people controlling these Acts. Our officers have proved that they have very good brains. Our officers have proved that they have very many good capacities.

Even many of our people have taken a very good place outside India and they have got sense of loyalty. So, I do not think that just because a few people were bad, we should sus-

pect all the Government officials. Our recent budget had allowed so much of money from outside India to come here and allowed the Indians abroad to come and invest that money. But, certainly we must stop any money which comes through bad channels for bad purposes. Even so many of our political parties have got money. We found even during the elections— I am happy that this Bill will check the candidates from taking or accepting money from the foreign country— so much of money were coming from the foreign country. As a result, so many good candidates suffered. Some candidates got money from outside and fought their elections. Recently we also saw that Shri George Fernandes got so much of money and the Home Ministry also declared in this House that so much money came through the Bank and also through the other sources to organise a strike in India. (Interruptions) I can quote from the pamphlet on emergency. There it is stated that so much money came from outside (Interruptions) About the facts I know. I am sorry Mr. Bosu is not here. He was giving so many wrong facts in his speech and when I contradicted him in this very House. Later on, in the Lobby he said "I have said, I am told. So, you cannot catch me legally." So we know how you played your role in this House. I do not agree with Shri Samar Mukherjee when he said that this Bill was not enough. He accused the Home Ministry of not placing the facts. I have been a Member and I know so much of pressure was brought in by Shri Samar Mukherjee's party and some other parties. There were so many people who felt—I myself felt it—that the Home Ministry should not place those important facts before the Committee because if those facts were revealed, then they would have affected the public interest. I ask: how do they know that they will not affect the public interest? If the Home Ministry had revealed the important facts when the enquiries were going on, at that time, those enquiries could not have helped. Ulti-

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mately, the wrong people could have benefited. That was why many of us thought that those facts should not be revealed. That was why those facts were not revealed by the Home Ministry. But, we know, you know and all of us know how much of money is coming or was coming. This Bill will stop that—foreign Exchange Regulations Act was not enough—to a great extent the propaganda and other things for popularising this Act among the people, political parties or other organisations who were carrying on such work should take up this job. There are other institutions also that will do the propaganda. We shall certainly try to explain to the people about the great benefits of this Act after this Bill is passed, with these words, I support this Bill.

SHRI C. K. CHANDRAPPAN
(Tellicherry): Mr. Deputy-Speaker, Sir, this is a Bill with a good objective. It says that it seeks.

“To regulate the acceptance and utilisation of foreign contribution or foreign hospitality by certain persons or associations, with a view to ensuring that parliamentary institutions, political associations and economic and other voluntary organisations as well as individuals working in the important areas of national life may function in a manner consistent with the values of a sovereign democratic republic, and for matters connected therewith or incidental thereto.”

There is no difficulty to support this object of the Bill. But the question is: whether by this Bill—a legislation like this—we are going to achieve the goal which is set before ourselves. Sir, if you remember in the Select Committee itself important witnesses expressed their doubt in regard to this point as to what extent this is going to be successful and as to what extent Government will succeed in implementing this legislation.

Sir, one very important point I would like to make is that nobody financially helping a movement or giving contribution or whatever it is with the purpose of subverting the democratic system in our country will not do so through the Reserve Bank or with Mr. Mohsin's permission. This is a fact of life that they will pump money into a country where they want to do de-stabilisation. They will not come and seek your permission. They will send it through various means. This is a thing which is so much played down by the authors of this Bill as if they do not understand.

Let us not shut ourselves from the realities which are taking place in the world where we are living. I do not know whether the Government is that non-political that they think that the operation of de-stabilising democracy of other countries is an action which is completely detached from the political policies being pursued by the Government. I don't think so. I think that there is a very good connection between the two. After the last world war when countries after countries become independent, the colonial system had broken up and when new independent countries emerged in Asia and Africa and in Latin America and tried to pursue a path of their own for making their own future then started the politics of de-stabilisation. It is not merely by contributing a little money that they achieve the end. I am sure the Minister might be knowing about the Marshall Plan. In Europe after the second world war the U.S. Government told Italy and France that they would throw out the communists from the Ministry and then only the money will flow. It is not that the communists were less democratic. The communists in Italy and France took part in the Partisan movement against Fascism and their sacrifices are accepted by the entire world but the money-power of the U.S. imperialists forced

the communists to go out of the Ministry.

Then, Sir, Mr. Samar Mukherjee was mentioning about multi-nationals. Well, there is mention of the multi-nationals in this but are we to believe that ITT will come and ask the Home Ministry to fill up applications and forms and let us contribute this much. Let us not be under that impression. It is ITT which organised a military coup in Chile and brought down the Government there. This is now an accepted fact.

MR. DEPUTY-SPEAKER: The Bill provides for an Indian citizen or a group of Indian citizens to make an application.

SHRI C. K. CHANDRAPPAN: They have done it through Pinochet.

MR. DEPUTY-SPEAKER: They have to apply to the Indian Home Ministry.

SHRI C. K. CHANDRAPPAN: I do not think you have understood what I mean. Pinochet is a Chilean citizen, a man who played into the hands of ITT. In India, let us hope there will be no Pinochets. But there will be; they can find them.

So my point is that so long as multi-national corporations are allowed to invest money and when Government is going more and more for collaboration even for making tomato sauce, then this possibility of getting our democracy de-stabilised is increasing. This possibility is under-estimated by the framers of this Bill.

When I speak of ITT, I should be very careful to see that I am not saying anything to which a sudden twist could be given. Let me ask one question. Can you consider every country an enemy of India? No. The fact of life is not that. The fact is that the CIA is an instrument of destabilisation of imperialism, which is no more kept a secret. They say 'we will destabilise countries

which we do not like, systems we do not like'. They say, 'if our security is threatened, we 'will destabilise'—this is what Kissinger and Ford have said. They say overt and covert methods will be utilised. What is that covert method? What is that overt method? We have seen these in many countries, even in Bangladesh. We have seen what it does mean.

How is this Bill going to help us find these? I do not think there is any hope. Even after adopting this Bill, who will stop them? The only thing is vigilance, not by the Home Ministry; you have to make the people of this country aware of these dangers. It is a big task; it is not a task the Minister and a few bureaucrats can do. The patriotic feelings of the people should be roused. They should be able to stand up against any threat posed by imperialism. Then this country will have a future

But here the assumption and the background note supplied is very interesting. When they speak of foreign intervention, they always try to bracket the CIA and KGB together. I can understand that politics. That is the politics of the enemies of India who are saying that 'there are two super-powers and be careful with them'. From whom are you facing danger? I do not say you support the KGB. I am not saying that. The KGB and CIA are instruments of two political systems. One political system, imperialism, is standing to subvert the countries which they do not like, the systems which they do not like. You never see the Soviet Union doing that. There are international movements friendly to India and unfriendly to India. You have to demarcate them.

For example, when this country faced such a threat from the JP movement which resulted in the declaration of emergency, who came out in support of India? Did everybody support, did everybody oppose? No. In India, the World Peace

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Council sponsored a meeting which was supported by both the Congress and the Communist Parties and other people. We also offered hospitality and invited the representatives of anti-fascist forces to come to India. They came. They said what happened in India was a dangerous thing. What they meant was the JP movement. They said that the emergency was correct. What is your stand about that? At the time of the Bangladesh crisis, when this country was being isolated by the imperialist world and when there were even voices here saying that 'you stand so isolated in the world', at that time the socialist countries stood firmly by you.

The World Peace Council and many other democratic organisations mobilised public opinion.

MR. DEPUTY-SPEAKER: What is your point? Where necessary Government should have the authority to grant permission? Is that so? What are you driving at?

SHRI C. K. CHANDRAPPAN: I do not think you understand my point; otherwise you will not ask.

MR. DEPUTY-SPEAKER: I do understand. What are you driving at?

SHRI C. K. CHANDRAPPAN: Demarcate between friends and enemies.

MR. DEPUTY-SPEAKER: This Bill does not prevent that; the Bill gives the authority to government to grant the necessary permission.

SHRI C. K. CHANDRAPPAN: I will tell you what the Bill gives. Please refer to clause 4.

SHRI F. H. MOHSIN: We cannot distinguish between one political party and another.

SHRI C. K. CHANDRAPPAN: I understand your legal difficulties. But for a political problem, you cannot find a legal solution.

SHRI F. H. MOHSIN: Even the Congress Party is covered.

SHRI C. K. CHANDRAPPAN: I am not saying that the Congress party should not be covered. But will you put the Congress party and the RSS in the same bracket? I do not like it. Legislation should be such as to curb the activities of such parties who are anti-national, unpatriotic and who are agents of imperialism. Take for instance clause 4. There is a blanket ban on many kinds of people: candidates, correspondents, government servants, members of legislature political parties office bearers and all that. Let me tell you one example. If a communist party leader wants to go and attend a world communist meeting to get a chance to say that the emergency declared in India was good and correct; it was a firm measure against the imperialists and subversive activities, he could not go because he cannot accept hospitality. These parties are not rich men's parties to get tickets from monopolists... (Interruptions). It is not a question of permission. It is a question of accepting hospitality in such cases. We cannot also invite friendly leaders of parties from other countries and we have to go and take a certificate from some small bureaucrat to the effect: he can come to this country. It is ridiculous.

Another thing is this. This Bill leaves the gate open for all kinds of subversive agents to come and work in this country. There is a provision in clause 2 where they refer to the World Bank and the International Monetary Fund; they are exempted. I do not know whether government is so ignorant about these things. Why do they mention specifically, those two bodies? I could have un-

derstood if they say: United Nations is exempted. They may also declare from time to time which other bodies are to be exempted. World Bank is an organisation known for its direct intervention in countries where American interests are in danger. You are allowing the World Bank to come and operate here freely. What does it mean?

MR. DEPUTY-SPEAKER: World Bank? Is it not an organisation under the United Nations?

SHRI C. K. CHANDRAPPAN: World Bank is an organisation holding high the interests of U.S. Imperialism. It may be under the U.N. It is using U.S. money.....

MR. DEPUTY-SPEAKER: Even the United Nations Organisation....

SHRI C. K. CHANDRAPPAN: Not today; even the United Nations was like that. The World Bank is even today like that; he who gives money dictates the policy. The United States gives money. That is what is happening. And Mr. McNamara, the present leader of the World Bank, was the Chief of Staff in the Vietnam war. You know that.

MR. DEPUTY-SPEAKER: Do you want that all these international organisations should be banned here?

SHRI C. K. CHANDRAPPAN: The Bill gives an exemption. I am against it. The Bill should not give exemption to such organisations. In regard to multi-national corporations I will not speak any more. But after hearing the Lockheed scandal and after hearing the Rockefeller report and so many other things, I think they have a direct intervention in assassinating the political leaders. The multi-national organisations play dubious roles. When the words 'multi-national' is there, we cannot say that this Bill is good. Now, we were in the Select Committee. Many prominent persons including Mr. Rajni Patel, who are popular with the Government expressed their doubt as

to what extent the Government was going to succeed in implementing this Bill. They have also said that it gives such wide powers that the bureaucracy can misuse this Bill to a great extent and the Government did accept in that Select Committee certain things. But what Mr. Samar Mukerjee was mentioning is very important. He mentioned about the review body. If it is a review body, why was it denied by the Government? That means what? Now, clause 10 of the Bill and Clause 14 of the Bill remain more or less in the same old fashion providing a very very authoritarian power to the bureaucracy. I do not mind if Mr. Mohsin runs the whole thing. But he will only sign it and the bureaucracy will run the whole show. Government had always been arguing in the Committee when we said that the ruling party might misuse this law and Mr. Mohsin had met this argument by saying that tomorrow we might be the ruling party. But the point is not that. In a democracy there is a possibility that every party can be a ruling party but in a democracy like this when we are enacting legislation, it is not fair, it is not democratic to leave such powers in the hands of bureaucrats. Now, what is power? On the basis of this doubt you are receiving some foreign money, not even on the basis of facts, but a doubt is enough. Your house can be searched. Well, against an individual, it is one thing but the records of the political parties can be taken away by the officers. The offices can be searched. I do not think this will help to strengthen the democracy in this country. If they have reasons to believe, that is one thing; they can believe it, but on the basis of doubt they cannot. Mr. Rajni Patel was telling while giving evidence that there should be a judicial sanction before allowing the officer to search. That was his position. But the Government said that a higher officer will come for search, that is a concession which Mr. Mohsin has given. When the Bill was first proposed, it was mentioned that no officer would come, but now the reply is that a higher grade officer will come. But his coming is inevitable.

[Shri C. K. Chandrappan]

There is no remedy for that. I do not think that will help anyone.

MR. DEPUTY-SPEAKER: I am not able to make out what really you want to say.

SHRI C. K. CHANDRAPPAN: I really want to say that this Bill is highly bureaucratic.

MR. DEPUTY-SPEAKER: With reference to the whole speech, I am not quite clear what you are driving at.

SHRI C. K. CHANDRAPPAN: I will tell you that the Government should make a distinction between good and bad, between enemy and friend.

MR. DEPUTY-SPEAKER: As a general principle, it can be accepted. But friends of today may be enemies of tomorrow.

15 hrs.

SHRI C. K. CHANDRAPPAN: Life is not like that. It may be a good philosophy to argue but in the present day international politics, things are not like that. A friend of today is not an enemy of tomorrow. There are definite forces like imperialism which are the enemy of all the developing countries. Can you take bold measures against them and save democracy from their intervention? I have tabled specific amendments which I will move later. I think the government have under-estimated the danger of multi-nations and dangers involved in the present situation when countries are speaking about de-stabilisation and they have brought forward a Bill by which they think they can remedy every political evil. I think that is not possible. That is where we disagree. Otherwise, the objects of the Bill are noble.

SHRI DHARNIDHAR DAS (Mangaldai): Sir, if there is any doubt about the importance of this Bill, we should look to the emergency which has opened the eyes of all to the dangerous role of foreign money and foreign agencies working inside various countries, particularly the developing

countries including India. The emergency has opened our eyes as to who are our friends and who are our enemies.

While supporting the provisions of the Bill, which should have come much earlier, I suggest that the Home Ministry should devise ways to mobilise public opinion as we are doing now under the emergency for the implementation of the 20-point programme. Though there are various Acts, even then it is public opinion and mass involvement to which we have attached more importance for fighting the right reactionary and fascist forces in the country.

The mere passing of this Bill is not sufficient to stem the danger posed by foreign money and foreign agencies working in India. Our friends in the opposition have read out from the background note the different agencies through which CIA is working here. The CIA is a matter of great concern not only of the developing countries where U.S.A. has planned to de-stabilise their governments but also of the peace-loving citizens of America. I can add some more organisations to the list given in the background note because we are aware of the menace of those organisations in the north-eastern part of India, including Assam. One such organisation is the MRA—Moral Rearmament. You might remember, Sir, a question was put in this House to the then Home Minister, Dikshitji, about certain minister of Meghalaya being member of MRA and he admitted it. I may tell you that in Assam all the anti-Government agitations were engineered by the officers from U.S. Embassy and the MRA leaders. Before each agitation, we have records of visits of MRA leaders and also US Embassy officials. What I want to emphasise is that it is not easy to detect CIA because they work through different organisations in our country. In a Committee meeting I asked a question whether it has been possible anywhere to prove any person to be a CIA agent although he is known to be a CIA agent by all. It is very difficult because it needs ideolo-

gical clarity. It is not a question of bureaucracy or bureaucrats, who are not ideologically oriented. Even among political persons there are not many ideologically so equipped as to be able to detest CIA. I say ideological because the Statement of the objects of the Bill has referred to certain values that our Nation stands for. What are those values? The U.S.A. stands for a particular value system and a different system of economy, namely capitalism. Here in India, if we want to defend any system it is the democratic system of Government and the system of socialist economy in the country. That is what this Government stands for.

As regards Mr. Chandrappan's point regarding clubbing of all countries together, this ideological stand clearly identifies different forces which are for different systems.

I may quote here RSS Chief, Golwalkar.

"By God's grace, the USA is the leader of the free world. Dharma and Adharma are engaged today in a world-wide war. In this war, the USA heads the side of Dharma."

Now, these are the banned organisations in India in Emergency—RSS, Ananda Marg and other communal organisations. The Chief of the communal organisation, Golwalkar says that they drive inspiration and leadership from the USA for defending capitalism by fomenting Communalism to create internal disorder and chaos. So, in this Emergency, we have made it clear that we are fighting the right reactionary forces. It has been stated in the House as well as in the Press by different leaders before Emergency and after its proclamation that enormous money power is behind these communal organisations to create anarchy in the country. What is the interest of America? The American capitalists and their Government in USA claim to have on their head the burden of defending capitalism and of fighting socialism and communism in the world.

This certainly calls for international cooperation in fighting imperialism and colonialism. Pandit Jawaharlal Nehru had made this clear at the Anti-Imperialist Conference held at Brussels in 1927. He had gone there as a representative of the Indian National Congress. (Interruptions) I am saying this to point out that the bill does not restrict international cooperation. Pandit Nehru had said that it was the policy of the Indian National Congress to seek international cooperation in fighting imperialism and colonialism. That policy was adopted by the Congress Party long ago. Therefore, there should not be any doubt that this bill prohibits international cooperation which is a *stiva qua non* for promoting world peace and progress. The emergency has made our task quite clear, viz. that we should fight the right reactionary forces which are financed by the foreign powers; and that is the object of the bill. This has been made clear, so that the foreign money may not be able to subvert our sovereignty and our economic policy of socialism. Having said that, I support the bill; and I appeal to all the progressive forces to support the bill. I also urge that the Home Ministry should arrange for mass mobilization in this regard and create public opinion in its favour.

SHR B. V. NAIK (Kanara): Mr. Deputy Speaker, Sir, since I am not likely to move my amendments today at the stage of clause-by-clause consideration, I would like because of our friends on the other side—to dwell now itself on the intent of the amendments. If I am able to convince the hon. Deputy Minister of Home Affairs or, in his turn, he is able to give convincing arguments, we will leave it to the choice of the Government to accept the amendments that I have suggested, or not to do so.

MR. DEPUTY-SPEAKER: Only when you move the amendments, would the question of accepting them arise. You can speak on the general principles of the bill now.

SHRI B. V. NAIK: The Indian Constitution was adopted in the year 1949, on the 26th day of November. It is mentioned in the bill that the main purpose for which it has been brought forward, is to keep up

“the values of a sovereign democratic republic, and for matters connected therewith or incidental thereto.”

We tend on many occasions to lock up our stables after the horses have bolted. It is almost 30 years now. There must have been a vast accumulation of data, as to which were the institutions, who were the individuals, who were the political candidates for election and who were the political parties that had collected huge funds during the last 24 years. I am quite sure that with the intelligence system which the Ministry of Home Affairs has developed, they must be in a position to have certain data—if not to prove it beyond all reasonable doubt—as to who have been the recipients. The philosophy of letting the by-gones be by-gones has done a lot of harm to us. We allow the evil to exist for quite a long time; and then the State comes and tells us: “Let whatever has happened till now, go; let it be as it is”.

But, in future, do not like that if you do that, we will punish you. This approach is unfair, because it does not conform to the ideals of eternal values of justice. Therefore, why not pick out something which is wrong in our national life, find out the culprits and punish them, even with retrospective effect? There is nothing wrong in that. In that case, we would have got prestige to the Government and the ruling party.

Then, some of the facts which have been mentioned regarding Moral Re-armament and the things which were mentioned by my hon. friend, Shri Dharnidhar Das have to be taken into consideration. I would not touch upon the Association of Voluntary Agencies for Rural Development. We do not know what is the actual am-

ount received by this agency. The paper reports say that it is about Rs. 5 million. But like all contributions, what is apparent to the naked eye may not be the whole thing. It may be the tip of an iceberg. What is the real dimension of the amount one can only make a guess or estimate, what is called ‘gustimate’.

Then, recently, we had the sensational case of the Bala Yoggeswar who became phenomenally rich in the course of four or five years. He was a teen-ager and he married a woman ten years older to him. He was not even of the marriagable age when he married, and then it was revealed that this young charming lady is an agent of the Central Intelligence Agency of the United States. It is shocking. When he came here there was so much of noise and big crowds received him. Then his brother, who was wearing a bigger crown on his head, claimed that he was the real guru. I witnessed during the last Vaisakhi day when I was at Banaras the fabulous amounts they are spending on their receptions etc. It must be costing them Rs. 10 lakhs to 15 lakhs, which is what the political parties spend once or twice on their plenary sessions. Where does this money come from? Why don't you catch hold of the fake saints, fake swamis, fake gurus, who are making money in dollars, going about in air-conditioned planes, moving about in air-conditioned cars in this country and selling a fake culture to the western society. I do not know whether it is only this fascination for something oriental and exotic or there are unseen hands of the foreign espionage agencies.

My hon. friend, Shri Chandrappan, was righteously indignant that we are putting the friend and foe in the same line and that we are cutting them with the same axe. As was once mentioned by a statesman, we have no permanent friends or permanent enemies, we have only permanent interests. How can you say that taking of money or hospitality to the

extent of Rs. 1,000, or taking any other facilities, from the USSR or the East European countries is fair enough, you have not transgressed the rules if you have taken it from the Eastern bloc, but you have transgressed it if you have taken it from the American bloc? I think in such legislations of a country like this, which is virtually a sub-continent if not a continent, it would be difficult for us to discriminate in the international sphere. Similarly, in regard to the various international agencies.

I will come to the other aspect. We have in this country quite a few organisations which are growth points. The hon. Minister has blocked the sensitive areas of our national life, the politicians, the candidates for elections, the printer, the publisher, the editor etc. It has been clearly laid down here.

There are those who contribute to the essential culture of this country, not these dance and drama troupes and things like that, but those who contribute through the written or the spoken word. As, I said, these are sensitive areas.

Are there not various clubs in this country like the Rotarays, the Lions, the J. C. and half a dozen others who cater to a special category of our country's population? Have you examined their transactions and cultural activities?

Secondly, you have forbidden me from taking either dollars or roubles or other forms of foreign money, but how do you stop my agent, my tout, my broker, or go-between taking it and passing it on to me? Therefore, there will be many loopholes in implementing this legislation.

Some Members may be upset at the same principle being applied to the USA and the USSR, but let us have a certain amount of objectivity. South America, for instance, has all along been what is called a base of Yankee imperialism. They are there neighbours. But I do not think that

even the most powerful Secretary of State or the cleverest person in America, be he a Kissinger or anybody else, will be able to do the same mischief in this sub-continent as they have done in South America or might still do in Cuba because South America has always been a place of protected imperialism, a new type of colonialism. Therefore, I would not subordinate my judgment to what was obviously a very brutal and heinous act, the ITT participating as an agent provocateur of the CIA. We condemn it roundly, but I would not abandon my judgment and subject all my decisions to this fixed idea.

Why am I saying this? Because I find that up to 31st March, 1974, as per the report of the Ministry of Finance, our actual indebtedness to the other countries of the world stood at the astronomical figure of Rs. 8,913 crores. So much of money is coming to back our economic and international policies. So, there must be a certain amount of realism.

When it comes to the question of multi-national corporations, we have clearly stated that a corporation incorporated in a foreign country or territory shall be a multi-national corporation if it has a subsidiary or a branch or a place of business in two or more countries or territories and carries on its activities in two or more countries or territories. I had suggested that to be even-handed, we should include multi-nationals registered and operating in India also. Simply because it is registered in India, a corporation having a branch or a place of business in two or more other countries or territories does not cease to be a multi-national corporation.

It is a multi-national corporation, whether it is in India, foreign, exotic, indigenous, be what it may, but the method is the same. Therefore, an amendment has been moved. Since it is time barred, I have moved it today. This is a law which will do quite a lot of good. It is like the Law

[Shri B. V. Naik]

of Gresham that when good and bad money are in circulation the bad money drives out the good money Whether it is a bureaucracy or a Minister, it is likely to hit the innocent person.

I request the Ministry of Home Affairs and the Government in particular to see that they do not throw the baby with the bath water, and hoping that they will take care of the baby also I support the Bill.

श्री जगन्नाथ मिश्र (मधुबनी) : उपाध्यक्ष महोदय, यह कहा जाता है और माना जाता है कि इस सदन के विचारार्थ बड़े अच्छे और सुन्दर विधेयक हम देश को दे रहे हैं। मैं निस्संकोच कह सकता हूँ कि यह विधेयक उनमें से एक है। आज विदेशी मुद्रा मारे संसार में कोहराम मचाये हुए है। यह बात सही है और किसी से छिपी नहीं है। हमारा देश भी और हम भी उनके अपवाद नहीं हैं। इसलिए सरकार का यह कर्तव्य है कि वह यह विधेयक सदन में पेश करे, उस पर हम विचार करें, उसकी स्वीकृति मिले और उनके प्राधार पर काम हो ताकि विदेशी मुद्रा का कोई भी दुरुपयोग कम से कम हमारे देश में न हो पाये।

श्रीमन् आज विश्व में कोई तरह के मत हैं। उनमें दो तरह के खाम मत है। उनमें मे पूँजीवादी मत पर मैं प्रकाश डालना चाहूँगा। पूँजीवादी देशों के पास पैसे की तो बर्फी है नहीं, उसका अभाव नहीं है। वे जिस ढंग से भी, जिस तरीके से भी हों, अपने रुपये बाहर भेजते हैं और जहाँ भेजते हैं, उस देश में वह च हते हैं कि वहाँ की शासन प्रणाली उनके अनुकूल हो। वहाँ की सरकार उनकी अनुगामी हो, उनकी फोलोअर हो। जो देश ऐसा नहीं कर पाता है, या वैसा करने की स्वीकृति नहीं देता है, उसकी वे सहायता बन्द कर देते हैं, उसे तरह तरह की थेट देते हैं और उसे घमकाते हैं। श्रीमन्, अपना देश

भी उनमें से एक है। किन्तु अपने देश को आत्म विश्वास है और वह विश्वास करता है कि अगर हमको विदेशी सहायता न भी मिले तो भी हम अपने साधनों से अपने देश को आगे बढ़ा सकते हैं। ऐसा हम बहते ही नहीं हैं, श्रीमती इन्दिरा गांधी जी के नेतृत्व में हमने ऐसा करके दिखाया है कि किस तरह से हम अपने साधनों से अपने देश को आगे बढ़ा सकते हैं और उसका विकास कर सकते हैं।

श्रीमन्, यही एक कारण है जिससे विदेश के कुछ देश हमारे खिलाफ हो रहे हैं, हमारे दुश्मन हो रहे हैं। वे कहते हैं कि हिन्दुस्तान में जो महंगाई हुई है, उससे वह परेशान होंगे, हिन्दुस्तान में गलतफहमी फैली। इसके विपरीत हम देखते हैं कि हमने बुद्धिमत्ता से काम किया है, हांगियारी से काम किया है। हमने जिस विलक्षण बुद्धि का परिचय दिया है उसमें देश आगे बढ़ा है, पीछे नहीं हुआ है। देश आज बढ़ा है जहाँ उसकी होना चाहिए था।

श्रीमन् हम विदगी मद्रा के बारे में बात कर रहे हैं। हमने अपने विरोध के सदस्यों के विचारों को भी सुना। उनमें से एक सज्जन ने कहा है कि सभी लोगों को, सभी पार्टियों को एक जगह खड़ा कर देना खराब है। मैं कहता हूँ कि जब नियम बनेंगे, कानून बनेगा, वह सब के लिए होगा, किसी एक के लिए नहीं होगा। श्रीमन् मैं एक उदाहरण पेश करना चाहता हूँ। टिकट कटा कर हप्त गाड़ी पर चढ़ने है और कोई बिना टिकट के भी चढ़ जाता है। जब चेकिंग होगी तो दोनों की होगी—जिसने टिकट कटाया है उसकी भी और जिसने नहीं कटाया है उसकी भी। जिसने टिकट नहीं कटाया है उसकी तो बैट्रज्जती होगी, टिकट कटाने वाले की बैट्रज्जती नहीं हो सकती।

इसलिए यह जो नियम बना है, उसमें सरकार ने अपनी पार्टी को भी नहीं छोड़ा है इसमें शंका की कोई गुंजाइश नहीं है। बिना किसी विमोद के, बिना किसी अन्तरे के उन्होंने कहा है कि पोलिटिकल पार्टीज को बिल में सभी दल या जाते हैं, लेने की इजाजत नहीं होगी। इन वास्ते में नहीं समझता हूँ कि किसी दल को इन पर आपत्ति करने की कोई गुंजाइश रह जाती है या कोई मौका रह जाता है।

जहां तक इन बिल के आवश्यकत्व का तात्पर्य है, सभी ते स्वीकार किया है कि इनकी आवश्यकता थी और सभी ने इनका समर्थन भी किया है। साथ ही मैं समझता हूँ कि मुस्तेदी के साथ इनका पालन भी होना चाहिए। विदेशी मुद्रा का नग्न नृत्य हमारे देश में न होने पाये, यह देखने की जरूरत है। मंत्री जो को इन बिल को लाने के लिए मैं धन्यवाद देता हूँ। मैं समझता हूँ कि एक वहाँ ही मुन्दर बिल उन्होंने पेश किया है।

यह बिल 29 दिसम्बर 1973 को को इन सदन में पेश किया गया था। इन पर एक ज्वॉयेट निरैस्ट कमेटी ने विचार किया। 6 जनवरी 1976 को यह पर उनके द्वारा इसे पेश किया गया। जायन्तिरैस्ट कमेटी में विचार के बाद जो उनसे इनका रूप तैयार किया है वहाँ हमारे आने आया। इन वास्ते और भी गुंजाइश नहीं रह जाती रह जाती है कि इनके कोई आलोचना करे।

मैं दो एक मुद्दाव मंत्री ज्वॉयेट को देना चाहता हूँ। मल्टीनेशनल कारोरेसन जिस की चर्चा माननीय सदस्य ने की है उनके बारे में कुछ शंका की गुंजाइश अवश्य रहती है। इन कारोरेसन का क्या बाहर से आता है। वे चोरी

से भी ला सकती हैं। किस ढंग से और किस तरीके से वे इस रुपये का इस्तेमाल करती है कोई गलत प्रचार तो नहीं करती है, गलत ढंग से और देश के हितों के विरुद्ध उनका इस्तेमाल तो नहीं करती है इसका पता लगाने के लिए सरकार को एक जर्बंदस्त स्कैम तैयार करनी होगी, प्रोजेक्ट तैयार करना होगा। उनको खोजना होगा कि वे लोग कहीं गड़बड़ी तो नहीं कर रहे हैं। हो सके तो इस तरह से पैसा लेने पर सरकार रोक लगाए और न हो सके तो कम से कम वह यह देखे कि इस रुपये का वे दुरुपयोग न कर सकें। मैं यह आग्रह मंत्री ज्वॉयेट से खास तौर पर करना चाहूंगा।

हमारा मेरा आग्रह यह है कि विदेश जाने और विदेशी रुपये लेने और देने की जहाँ बात आती है आफिशल ढंग से स्वीकृति देने की बात आती है वह आफिशल कोई निम्न दर्जे का नहीं होना चाहिए, लेभर ग्रेड का नहीं होना चाहिए। मेरे विचार से कम से कम ज्वॉयेट सैनेटरी या लेबल का वह होना चाहिए।

इस बिल को या जो विदेशी मदद लेते हैं उनको तीन श्रेणियों में इन्होंने विभाजित किया है। एक वर्ग उन लोगों का है जोकि विदेशी मुद्रा लेने का अधिकारी ही नहीं है। दूसरा वर्ग वह है जिस के बारे में कहा गया है कि वे पूर्व सूचना के आधार पर ले सकते हैं। तीसरे वर्ग के बारे में कहा गया है कि पूर्वसूचना की आवश्यकता नहीं है। लेकिन किन्तु ढंग से खर्च करते हैं, इनका विवरण दे दें तो कोई आपत्ति नहीं होगी। जिन संघों पर या जिन दलों पर प्रतिबन्ध लगाया गया है वह बिल्कुल साफ हैं, पोलिटिकल पार्टी है, पोलिटिकल लीडर है और इन तरह के और भी लोग हैं।

[श्री जयन्नाथ मिश्र]

एक क्लाज है जिसके बारे में संज्ञा रख जाती है और उस के बारे में कुछ बुद्धिपूर्ण रख जाते हैं। उनके बारे में भी धारण बारीकी से पढ़ा जाए उसको भी देखा जाए तो सरकार के पास पाबन्ध है जिसके आधार पर वह उन पर भी धाराधर्य रख सकती है, उनको भी अपने दायरे में, कानून के दायरे में ला सकती है और उसकी बुद्धिपूर्ण इस बिल में है। इस बारे में उस पर भी किसी प्रकार की संका नहीं होनी चाहिए।

जो किसी का आतिथ्य स्वीकार करेगा उसके बारे में भी बिल में क्लाज 8 (ई) है जिसमें लिखा हुआ है कि आठ हजार रुपये तक बिना स्वीकृति के ले सकेगा। और ज्यादा लेते हैं तो...

MR. DEPUTY-SPEAKER The Bill says, You can receive money, rent, etc., from your relative abroad up to Rs. 8,000, not to accept hospitality abroad.

श्री जयन्नाथ मिश्र कुछ माननीय सदस्यों का यह भी कहना है कि ट्रेड यूनियनों को इसमें ले लिया गया है और उन्होंने उदाहरण दिया है कि आजादी के पहले ऐसा होता रहा है। आजादी के पहले जो स्ट्राइक और हड़ताल आदि होती थी तो घबल्ले में विदेशी मुद्रा आती थी और उस रुपये में हमारे देश की मदद होती थी। लेकिन उस समय वः और आज के समय में अन्तर है। आज इसको होने नहीं दिया जा सकता है। हम लोग स्ट्राइक नहीं चाहते हैं। हम चाहते हैं कि वर्कर्स के रिप्रेजेंटेटिव, यूनियन के रिप्रेजेंटेटिव और गवर्नमेंट के लोग मिल बैठ कर झगड़ों का तण्डिका कर लिया वः। ऐसी अवस्था में रुपया लेने की छूट दी जाए यह सम्भव नहीं है। जनता की भलाई के काम करने के लिए अगर पैसा लिया जाता है तो उसका विवरण देने में कोई एतराज किसी

को नहीं होना चाहिये। देखना इसको विवरण देना है कि और हमने इतना बताया इस काम के लिये लिया है, जिसको देखना और उस पर विचार करना सरकार का काम होता है। इसलिये यूनियन पर जो यह प्रतिबन्ध लगा है, यह बिल्कुल ठीक है, इसमें घबरावने की बात नहीं है।

15-53 hrs.

[SHRI BHAGWAT JHA AZAD in the Chair]

यह शका प्रकट की गई है कि अच्छे काम के नाम पर रुपये आयेगे और उनका दुसरायोग होगा। बिल के क्लाज 6 में ऐसा प्रावधान किया गया है कि उसके अन्तर्गत सभी चीजों पर कब्जा कर सकते हैं। धारण ये क्लाज 6 का उपयोग करेंगे तो कोई भी उससे बहर जा नहीं सकता है। इसमें सावधानी बराने की जरूरत। आज की स्थिति में इसका सही इस्तेमाल होगा, ऐसा हम विश्वास करते हैं।

तीसरी शका यह प्रकट की है कि साहित्य और पुस्तकें मुफ्त में आती हैं, लेकिन उनके एजेन्ट अत्यधिक दाम लेकर उन किताबों को बेच देते हैं और उन रुपयों का दुसरायोग करते हैं। मैं मंत्री महोदय से अपेक्षा करूंगा कि यह शिकायत जायज है और टम पर उन्हें ध्यान देना चाहिये। और अपना जवाब देते समय वह इसके बारे में बतायेगे कि क्या कर रहे हैं।

हमारे देश के छ सेमिटिव पार्ट्स है, जैसे नागार्लेण्ड, मिर्जोरम वगैरह, जहां कि कुछ षडयंत्रकारी लोग विदेशों से रुपया लेते हैं, उनको इससे रोकना हमारा फर्ज है। वहां पर कुछ मिशन है, जो विदेशों से रुपया लेते हैं, जो कि सरकार के लिये एक तरह का चेलेंज है, और सरकार को इसे स्वीकार कर वहां पर विदेशी मुद्रा का आना रोकना होगा इस विषय में सरकार कर भी रही है और मुझे आशा है कि उसे सफलता प्राप्त होगी।

अखिरी बात सी० आई० ए० के बारे में आपको बताना चाहता हूँ। आज हर व्यक्ति जानता है कि सी० आई० ए० कितना अन्याय कर रहा है, पाप कर रहा है। उसके एजेंट देश में अर्थात् ही नहीं बल्कि हुआ करने के लिये वैसे कार्य करते हैं। उन्होंने अपनी मैनोपली बनाई हुई है। आप पढ़ने-लिखने वाले लोग हैं, अमेरिका के प्रेजिडेंट मि० फोर्ड ने अभी हाल में उनसे ऐसा करने के मनाही की है। सी० आई० ए० ने मनसूबे बढ़ो-बढ़ो यहां तक चले गये हैं कि किसी देश के शासन को यदि अमेरिका वाले चाहते हैं तो वहां का जो पैसा होता है उसका ५० प्रतिशत देते हैं। ऐसे कुचक्र भी वे करते हैं। नीदरलैंड की शासिका एक महारानी हैं वहां सी० आई० ए० वालों ने उसने तस-बंद को मिला लिया और उन विलाफ कार्यवाही करी। जहां ऐसी बात हो, वहां कोई भी अन्याय हो सकता है।

हमारा देश बहुत बड़ा है, जो कि स्वयं में एक विश्व है। हम इसको कभी भी नजरअंदाज नहीं करते और न हमको करना चाहिये। हमें आत्म-समर्पण करने वालों की तरह नहीं बैठे रहना है, हमें इसके लिये नगर रहना चाहिये। सी० आई० ए० की गतिविधियों को हम नजरअंदाज नहीं कर सकते हैं। हम उस पर निगाह रखनी चाहिये। ताकि वे अपना कोई भी काला कारनामा वहां प्रदर्शित न कर सकें।

अन्त में मैं यह कहना चाहता हूँ कि इस बिल की मशा मे किसी को सन्देह नहीं होना चाहिये। इन शब्दों के साथ मैं इस बिल की अपना हादक सम्र्थन देता हूँ।

SHRI SHYAM SUNDER MOHAPATRA (Balasore): Sir, this Bill is very timely; it is very good on the part of the Government that our Prime Minister has thought, at last, of bringing up a Bill of this kind to control foreign contributions flowing into this

country.

Much has been spoken on both sides of political philosophy, but I can feel, as a Congress man and as a man who believes in the Gandhian economy and politics, that we have to fear as much from the American eagle as from the Russian bear. We are nationalists first, if I may quote a great philosopher. My Country Right or Wrong; we are nationalists first and we are not to be swayed either by the American sense of democracy or by the Russian sense of communism. We are first Indians, we are first nationalists and, second only, anything else. Judging from this standpoint, I think, this Bill is very timely because India is very much reeling under the impact of foreign domination and foreign money coming into our country.

Whether it is the Ford Foundation or the Rockefeller Foundation or the USIS or the USALD or the Indian Institute of Public Administration or the Foundation for New Education or the Gandhian Institute of Studies or the Indian Society for International Law or the Institute of Constitutional and Parliamentary Studies or the Press Institute of India, whether it is a research bureau in a University or a foundation outside, it is very difficult to know how many millions of dollars have come into our country during the last 27 years. They have made corrupt every political person who looks to America or Russia; they are trying to corrupt parties, they are trying to corrupt Parliamentary institutions, they are trying to corrupt university professors and students, they are trying to corrupt brilliant boys who are after some scholarship. And judging from all this from the black cloud that is pervading the sky of political India, I must say that the Prime Minister's view on this is very clear, and our Home Minister had said once:

"We have already informed the House that we are undertaking drafting of a legislation to impose suitable restrictions on the receipt

[Shri Shyam Sunder Mohapatra]
of foreign contributions by individuals and institutions in this country."

Some Members have said, particularly Mr. Chandrapan, that KGB and CIA should be considered as instruments of two systems. Am I to take it that KGB and CIA are vying with each other to penetrate into the body-politic of India? We have no support either for KGB or for CIA. KGB might be supporting international communism, trying to bring upsurge of communism in South East Asia or Middle East or African countries. The Americans might be trying to intervene in Angola or in any other African State, or might be trying to create disruption in the Arab world. But we, as Indians, believe that we have nothing to interfere or intervene in any foreign country. They are left to themselves. That is why, precisely, our esteemed Prime Minister took a very neutral line, took a very sober and liberal line when we found the upsurge of CIA in Bangladesh. India had all the might to intervene in the Bangladesh affair when we saw that Mujibur Rahman was assassinated and a puppet regime was put up there by the CIA. But great Indiraji thought that it was none of our business, it should be left to the people of Bangladesh. That ought to be the attitude of a statesman who thinks that we believe in non-alignment, we do not believe in intervention. We do not forget that the Russians also intervened in Czechoslovakia or Hungary, We do not forget that the Americans also intervened in many countries. But India stands by the ideal of Gandhiji and Pandit Jawaharlal Nehru. We do not forget that, in the Russian Encyclopaedia, Gandhiji was called the fountain-head of India capitalism. But we have love for them because today against fascism and right reaction, we are one. Their ideology is different from ours. We are not certainly one with them as far as their ideology is concerned. But as far as practical realism prevalent in the world is concerned, we have to fight

imperialism, we have to fight the onslaught of fascism. There, India and Russia are joining hands today; it is friendship as far as practical politics is concerned, but it is not friendship as far as mixture of ideology is concerned.

I very much appreciate that the Government will now have a say in the donation or contribution, whatever it is, coming to our country.

Mr. Naik has told us about the religious head, Bal Yogi—Today there is some *Hare Rama Hare Krishna* going on in the Ram Leela Grounds. There is one Thathaji in Adoni in Andhra Pradesh who has five limousines, each costing Rs. 2 lakhs. We see that innumerable religious heads have sprung up in our country. In today's newspaper I saw a report about some Muslim saint who died recently in Madras; the CBI is investigating into the matter; earths have been dug up and crores of rupees worth of things are coming up from under the earth. Why do Americans run after religious saints or sages? If they want to imbibe Indian philosophy, if they have any love for Indian philosophy, they must love as they loved Swami Vivekananda, they must love as they loved Ramakrishna. Let them send contributions here, but without any vile interest, without any design to subvert our economy or politics. Let them not think that through philosophical approaches, through relief organizations like CARITAS and so many catholic organisations they will try to penetrate into the rural areas and say that the Indian Government could not do anything, that the Prime Minister could not do anything. Congress could not do anything. It is from American that we send things worth millions of rupees. It is true that we are poor, but we are trying to assert our economy, we are trying to assert our political stability; it is not that we look to America with a begging bowl in our hands.

Mr. Chairman, Sir, only a few months ago, a professor from Israel was

delivering lectures in the Delhi University and he was trying to foment some agitation in the Delhi University. The point was raised here in the Indian Parliament itself and the hon. Minister could not give a correct picture. Let us not be that liberal, let us not say that since India is a democratic country, the Israel professor has all the right to deliver lectures in the University and he has all the right to come and mix with the Indian students. We must find out who is our friend and who is our enemy and once we find it out we should try to check the activities of these organizations.

This Bill is very timely, I again repeat. The multinational corporations are trying to operate in different countries through their agencies. The CIA operates in a very subtle way. When Allen Dulles built the CIA in America, it was made clear by him in different speeches that CIA would not tolerate any Communist Government; any Government that threatens democracy. They have a peculiar sense of democracy and that is why, they did everything nasty possible in Vietnam, but the result was that they were rooted out by the mighty Vietnam people. It is in their creed, it is their policy and it is their doctrine that they will try to do all these things, but let us try to find out, who are the persons who belong to the CIA, who are the persons who belong to KGB Group and who are the persons who belong to certain foreign powers.

The Government of India must be very vigilant about the officers that they have. The Secretaries, the Joint Secretaries and technocrats, who rush to different embassies to cocktail parties, secret confabulations and meetings arrange to get their sons educated in foreign countries by these people. I have first-hand knowledge that many of our political leaders got their sons educated in foreign countries. How? Many of our Secretaries, incharge of Commerce, Indus-

try and other economic Ministries, somehow or the other, manage to send their sons abroad and it is the foreign companies who pay for them. These are the things that the Government has to probe into, so that these officers do not go scot free. We always criticise the politicians and political parties organizations, but the one class that goes scot free absolutely is these officers, technocrats, and bureaucrats. Whenever they go abroad for foreign agreements, something goes under the table, one per cent, two per cent or three per cent. Even the CBI within 15 years could not get to know, what they do in foreign countries and where this one, two or three per cent remains, whether in Swiss Banks or somewhere else. It is an open fact. One officer of the State Trading Corporation was telling me: Sir, it is difficult to compete with Japan and other countries, because they pay one, two or three per cent to the Government officers there in Middle-East and East European countries and America. Then I asked; what do you do? He said: Somehow, we are trying to manage this 3 per cent, and Government had given approval to this, but this is unaccounted. These officers try to grab and pocket this.

While considering all these things, I say, that we should not lose sight of the fact that the officers are also primarily responsible to allow this foreign money to come into our country and the CBI has already enquired into this. The CBI's report is with the Government of India.

Will all this, I support the Bill and I hope that unnecessary harassment in the name of this Bill would not be meted out to bona fide organizations, social, cultural, friendship organization and political parties, and our Home Minister a few days ago had assured in Rajya Sabha that no unnecessary harassment would be made. I conclude and I support this Bill.

श्री राधे सिंह भाई (झारखण्ड)

समाप्त हो जायेगा, मैं इस बिल का समर्थन करने में तैयार हूँ। पक्षी बाण तो यह है कि प्रसारकत्व में यह चर्चा हुआ करती थी कि प्रमुक्त पार्टी को प्रमुक्त देना से विदेशी धन मिलना है, प्रमुक्त को प्रमुक्त में मिलना है और हमेशा चर्चा के दौरा यह भाग थी कि ऐसा बिल लागू चाहिये, ऐसा कानून बनाना चाहिये जिससे कि विदेशी धन का प्रभाव राजनीति पर न पड़े। हमारे देश की राजनीति विदेशी धन से गन्दी न हो। इस बात को लेकर यहाँ पर प्रसारक चर्चा हुआ जाती थी और उन्हीं आधार पर यह बिल यहाँ लाया गया है। दोनों सदनों की एक ज्वाइंट कमेटी ने इस बिल के ऊपर विचार जो किया है। जो एविजेंस प्राये हैं उनको पढ़ने से यह साफ जाहिर होता है कि ज्वाइंट कमेटी ने, जितना भी हो सका है सावधानी बरती है और इस बिल को अच्छे से अच्छा बनाने की कोशिश की है।

माननीय सदस्यों ने कुछ ऐतराज उठाये हैं। बहुराष्ट्रीय कम्पनियों की बात कही है। ठीक है, लेकिन कुछ बातें ऐसी हैं जो इस कानून में लायी जा सकती हैं। कुछ बातें ऐसी हैं जिन पर अन्तराष्ट्रीय आधार पर विचार किया जा सकता है, राजनीतिक आधार पर विचार किया जा सकता है। बहुराष्ट्रीय कम्पनियों को एक-दूसरे बन्द कर दिया जाये, हिन्दुस्तान में उन पर बंदिया लगा दी जाये इस प्रकार करने से हमारी स्थिति बहुराष्ट्रीय की दुर्घटिका में है। हम भी दुनिया में रहना और विचारण करना चाहते हैं। मैं समझता हूँ जो एक सबसे बड़ी कठिनाई है वह है दूतावासों की। आप चाहें कि कानून बना दें, उसे उपाय करें लेकिन हमारी छाती पर जो दूतावासों का है उनको द्वारा किस पार्टी को कितना विदेशी धन मिलता है, बतल नहीं सकता। उस पर कोई बंधन नहीं लगाई जा सकती है। कुछ अन्तराष्ट्रीय कानून हैं जिनके

रहते प्राप्त क्या कर सकते हैं। क्या आप ऐसा कानून बनायेंगे कि कानून की स्वीकृति का दूतावास से कोई धन प्राप्त नहीं कर पायेगा? तो इस तरह की जो कठिनाइयाँ उनको देखते हुये हूँ प्रिक्टिकल बनना चाहिये, देखल हेबाई बातें करने से क्या फायदा होगा? ज्वाइंट कमेटी ने इन बातों पर अच्छी तरह से सोच विचार किया है। आज हमारे देश में चाहना से सीधे धन या रहा है। जब हमारे देश के लोग चाहना में जाकर ट्रेनिंग ले सकते हैं, वहाँ से हथियार लेकर वापिस आ सकते हैं और हमारे देश में सुरक्षा मचा सकती है, मचाते हैं तो फिर धन धाने में क्या दिक्कत हो सकती है? आज लोग खुद अपने को बंधते हैं, विक रहे हैं, सतयुग में भी बिकते रहे हैं—यह इतिहास पुराण बताता है। यह मामला बड़ा प्रजीव है। कब किसकी नीयत बिगड़ती है यह कहना कठिन है।

तो यह जो बिल है, इसमें ठहरा गया है। इसमें पक्षी बाण तो यह रही है कि विदेशी धन हमारी पार्लियामेंट को, हमारी राजनीति को बिगाड़े नहीं, उसको छुष्ट न करे—इसलिए वह राजनीतिक पार्टियाँ विदेशी धन प्राप्त नहीं कर सकती। दूसरी बात यह कही है कि जो ले सकते हैं लेकिन उन्हें गवर्नमेंट ने पहले इजाजत लेनी होगी। तीसरी बात कुछ के लिये यह कही है कि जिन्होंने निगा है उन्हें उसकी सूचना देनी होगी। चौथी बात यह कही है कि लिये गये का डिस्क्रिप्शन बताना होगा कि किस प्रकार से उनको खर्च किया है। जब इसके ऊपर किन्हीं शर्तियाँ रखी जाती हैं वह बाल अल्प, क्योंकि खून कर्म वाले के लिये पानी की सजा है, लेकिन हिन्दुस्तान में रोड़ाना किन्ने खून होते हैं और उनमें से किन्ने की खाली होती है? कानून बनाने जाते हैं, लेकिन पास करने में बहुत कठिनाइयाँ आती हैं, वह किन्ने के लिये सतयुग है।

में कुछरे विषय में ज्यादा जाना नहीं चाहता, मेरे साथियों ने धन संगठनों के बारे में बहुत कुछ कहा है। लेकिन लेबर के बारे में मैं इस सीके पर प्रभवय कहना चाहता हूँ, क्योंकि जब से मैंने होश सम्भाला है, धन संगठन का कार्यकर्ता रहा हूँ। आप ने विदेशी धन के लिये ट्रेड यूनियनों पर बन्दिश लगाई है, यह बड़ा पुण्य का काम किया है। अगर विदेशों से धन ट्रेड यूनियनों को नहीं मिलेगा, तो मैं ऐसा समझता हूँ कि भारतीय ट्रेड यूनियन अच्छी संगठित होंगी और ज्यादा अच्छे तरीके से काम करणी, क्योंकि फिर वही लोग आगे आ सकेंगे जिनको बास्तव में अधिकों के हित का काम करना है, मजदूर भी उन्हीं को चढ़ा और साथ देगे। समापनि महोदय, मेरा अनुभव है—अगर एक दिन में एक लाख रुपया इकट्ठा करने की मैंने इच्छा की है, तो मजदूरों ने एक दिन में ही इकट्ठा करके दिया है, क्योंकि मैं उनके बीच में काम करता हूँ। किन्तु मजदूर फिर उन्हें धन कैसे देंगे, जिनके "रजमोन पर नहीं टिकते है, जो हमेशा हवाई जहाज में ही उड़ने रहते हैं, मजदूर जानते हैं कि उनके पास तो पैसा बाहर में घाटा है, तभी हवाई जहाज में उड़ते हैं।

समापनि महोदय, मुझे खडगपुर की हड़ताल की याद है, जब रेलवे में वह हड़ताल हुई, मैं बहुत छोटा था। ट्रेड यूनियनों की हड़ताल में बहुत मदद की, विदेशों से भी उनके पास काफ़ी धन आया और उस धन में ट्रेड यूनियन के नेता हड़ताल चलाने वाले के बजाय इतने मस्त रहे कि उन्होंने मजदूरों की कोई खबर ही नहीं ली और बाद में वह हड़ताल टूट गई. . . .

श्री सचिव भूषण (दक्षिण दिल्ली) : यह किस सभ की बात है ?

श्री राय सिंह झाई : 1923 की बात है। स्वर्गीय पित जी ने भी कहा था—बंगाल तो हड़तालों और झूठों का घर रहा है। इसी

तरह से 1928 में हुआ—मुझे अच्छी तरह से याद है—बम्बई में हड़ताल हुई, वह 6 महीने चली। उस हड़ताल के वक्त भी बाहर से करोड़ों रुपया इकट्ठा हुआ। यहाँ राष्ट्रीय कांग्रेस ने भी इकट्ठा किया। पतित जी ने अच्छी तरह से उनमें मदद की, सारे देश से मदद की, हमारे जैसे छोटे-छोटे लोग भी हमारे रुपये इकट्ठे कर लाये। प्रहमदाबाद मजदूर महाजन, जो ऐपी एन्टीविटिड में हिस्सा नहीं होता था, उसने भी खपया दिया, लेकिन वह हड़ताल भी 6 महीने चलने के बाद टूट गई। उसी आधार पर 1929 में फिर हड़ताल हुई, वह भी 6 महीने चली। इन सब में भी काफ़ी धन बाहर से आया किन्तु अधिकों की मदद नहीं की गई।

श्रीमान्, प्रश्न यह है—अगर हड़ताल चलाने के लिये आप विदेशों से पैसा लेंगे, तो फिर आप में राष्ट्रीयता कहाँ है? वही कारण है कि भारतीय मजदूर संगठन जो राजनीतियों के पिछलगू बना रहा है, स्वतन्त्र ट्रेड यूनियन हमारे देश में पनप ही नहीं पाई है, क्योंकि उनको धन संगठनों के नाम पर विदेशों से धन मिलना है। इस बिल में जो यह कहा गया है कि अगर किसी ट्रेड यूनियन को बाहर से मदद मिलती हो तो उसे उसके जिर गवर्नमेन्ट की इजाजत लेना चाहिए। इन पर बन्दिश नहीं लगाई गई है, लेकिन किस मकसद के लिये वह पैसा विदेशों से आ रहा है उमका पता तो सरकार को होना चाहिए कि यह पैसा क्यों दिया जा रहा है। इसी कोई बुरी बात नहीं है।

हमारे मित्र ने यहाँ अच्छी कथा कि ट्रेड यूनियनों पर बड़ी बन्दिश लगा दी है। मैं निवेदन करना चाहता हूँ—आप ने धारवागत और प्रतिपत्सकार के नाम पर ट्रेड यूनियन कीइस विदेशों में जाते है, 6-6 महीने, 12-12 महीने बाहर रहने है, लेकिन यहाँ मैंने उनके अधिक कार्यकर्ता देखे है जो टी०बी० के मरोग है, यहाँ उन्हें कोई पावो

[श्री राम सिंह भाई]

पिलाने वाला भी नहीं है। आप ट्रेड यूनियन लीडर्स का इलाज तो विदेशों में होता है, लेकिन ट्रेड यूनियन का एक स्थानीय कार्यकर्ता अगर बीमार है तो उसे आप घर से उठा कर ई०एन०आई० के अस्पताल में भी नहीं पहुँचाने। सलिये इन्में जो ट्रेड यूनियन्स के बारे में प्रावधान रखा है, बहुत अच्छा रखा है। 1974 में क्या हुआ था? रेलों की हड़ताल के बारे में जो हमने रिप्रेचर पड़ा है यहां से माओ तक का लैंटर्स पहुँचे। इन्होंने न बातों पर विचार करना होगा और हमारी राष्ट्रीयता और राजनीति को शुद्ध बनाना होगा।

इन शब्दों के साथ जो बिच लाया गया है उनका मैं हृदय से समर्थन करता हूँ।

16.00 hrs.

श्री शशि भवण : (दक्षिण दिल्ली) : सभापति जी, जो मोहसिन माहब बिल लाये हम के लिये मैं उन्हें मुबारकबाद देता हूँ। यह बहुत मुनासिब बिल लाये हैं, हम को पहले ही आना चाहिये था। अभी हमारे भाई राम सिंह जी ने ट्रेड यूनियन्स के बारे में कहा है, इन का बहुत पुराना तजुर्बा है, हम तो बचपन से देखते आये हैं इन को ट्रेड यूनियन मूवमेंट में, और यह सही कहते हैं। लेकिन मैं इनसे एक दखिस्त करूंगा कि कम से कम हमारी पार्टी जिन ट्रेड यूनियन्स से कनेक्टेड है उन के लिये कम से कम एक आर्डर करवा दें कि वह किसी भी विदेशी ट्रेड यूनियन के साथ ऐफिलियेटेड न हों। दुर्भाग्य से चाहे डाक वर्कर्स फेडरेशन हो, ट्रांसपोर्ट वर्कर्स फेडरेशन हो इन का इंटरनेशनल ट्रांसपोर्ट वर्कर्स फेडरेशन के साथ ऐफिलियेशन है और एक, एक करोड़ २० की बिल्डिंग बम्बई में ट्रेड यूनियन के लिये बनाई गई। ट्रेड यूनियन मूवमेंट विदेशी सहायता से

बहुत चषा हमारे देश में। तो मैं अपनी पार्टी के लिये चाहता हूँ कि हम लोग एक ऐसा वातावरण तैयार करें कि वह सोशलिस्ट कन्ट्रोज और सी०आई०ए० फेडरेशन के साथ, किसी के साथ भी, ऐफिलियेशन न करें। इस दिशा में अगर हम चलेंगे तो और बाकी ट्रेड यूनियन्स भी हमारे रास्ते को अपनायगी। मैं किमी के व्यक्तिगत आचरण पर दोष नहीं देना, लेकिन इस से देश को काफी नुकसान हुआ है पिछले दिनों में और ट्रेड यूनियन अपने पैरों पर नहीं खड़ी हुई।

मैं एक बात का और खास तौर से जिक्र करना चाहता हूँ और वह यह कि हिन्दुस्तान में सामाजिक संस्थाओं को जो विदेशों ने एड आती है उस ने तो अपना घर कर लिया है। चाहे पंचायत राज परिषद् हो, चाहे नेहरू जी के नाम पर बनी हुई बहुत सी एपोसियेशन्स हों। इसी तरह अर्वाइड अर्गनाइजेशन है—एनोसियेशन आफ बॉलेन्ट्री अर्गनाइजेशन्स फीर दरल डेव्लोपमेंट—इन में 111 अर्गनाइजेशन्स ऐफिलियेटेड हैं और मारे देश में वह फैंनी हुई हैं, खादी में, विनेज इंडस्ट्रीज में, आदिवासीयों में, और आप के जिले में भी सभापति जी, इसी प्रकार की एक संस्था है जो जयप्रकाश जी से ऐफिलियेटेड है। इस संस्था को अब तक 7 करोड़ २० मिला है। 3 लाख २० तो अर्वाइड ने जयप्रकाश जी के टेलीफोन बिल का दिया, और 30 लाख २० टोटल रिबोल्यूशन के दौरान दिया। अर्वाइड एक ऐसी संस्था है, अभी रेड हुआ है, वहां एक, एक कार को तीन तीन बार बेचा गया है, ब्रिपीज तक के बिल मिले हैं जिन का सामाजिक काय से कोई सम्बन्ध नहीं है। 1962 से मैं इस संस्था को जानता हूँ जब कि इन ने नेहरू जी के खिलाफ सारे देश में पर्बे बटवाये थे और इन संस्था ने नेहरू जी के खिलाफ

काम किया। उस के बाद दूसरी संस्थाओं को भी मदद देती रही। यहाँ "ऐबरी-वैन्स बीकरी" को भी, जिसको कि जयप्रकाशजी ने निकाला उसको भी मदद की इस संस्था ने। तो ऐसी संस्था पर तो बहुत पहले रेड होना चाहिए था और जो हुआ भी वह पूर्ण तौर पर नहीं हुआ। जिन विदेशी एजेन्सीज ने इस को पैसा दिया है, जो इस से ऐफिलियेटेड सैकड़ों आर्गेनाइजेशनस हैं जिन को इस ने पैसा दिया है, आज तक उन पर कोई रेड नहीं हुआ। ऐसी 111 सामाजिक संस्थाएँ हैं, उन पर भी रेड्स होने चाहिये। हमारे जीवन का कोई भी क्षेत्र ऐसा नहीं है जहाँ इस संस्था का कुप्रभाव न हो, चाहे यूनिवर्सिटी हो, या विद्यार्थी एसोसियेशन हो, चाहे गांधी पीस फाउन्डेशन हो, यह सब अवार्ड से ऐफिलियेटेड हैं। इसी तरह से यूथ आर्गेनाइजेशन है, इंटरनेशनल यूथ होस्टल भी डमी से ऐफिलियेटेड था। उम पर भारत सरकार ने रेड किया है और पता लगा कि वह सी०आर०ए० का सब से बड़ा डैन था। अब उस को दिल्ली ऐडमिनिस्ट्रेशन ने ले लिया है और अब उस को ट्रस्ट कोरपोरेशन बना दिया है। तो इस प्रकार से हमारे सामाजिक जीवन में इन विदेशी एजेन्सीज ने गलत काम किया है।

एक बात और बहनी है कि स्विस एड ऐबरीड नाम की एक स्विटजरलैंड की आर्गेनाइजेशन है उस के 5 सदस्य स्विटजरलैंड में अमरीकन है और 4 स्विटजरलैंड के हैं, उन्होंने गुजरात के अपोजीशन एम०एल०एज० को 9, 9 लाख रुपया स्कूल बनाने के लिये दिया। अगर उन को स्कूल बनाने के लिये पैसा देना भी था तो और पार्टीज के एम०पीज० और एम०एल०एज० को देते। सिर्फ अपोजीशन के लोगों को ही क्यों दिया? और जिन एम०एल०एज० ने एड की है

है वह गुजरात विद्यापीठ की मार्फत की है। गुजरात विद्यापीठ को इस ने कितना पैसा दिया, यह देखना चाहिए और खास तौर से इस टोटल रेबोलूशन के बाद उन का स्पेशल रेप्रेजेन्टेटिव अहमदाबाद में ही बैठ रहा और उस के बाद जब वह स्कूल बन गया तो उस को 15 परसेंट पर सरकार को किराये पर दे दिया और उस का सोल ट्रस्टी एक एम०एल०ए० हो गया और फिर 125 परसेंट सरकार उस के खर्च का हर साल देने लगी ताकि वह स्कूल चले। इसीलिए वह ट्रस्ट बनाया गया और आप देखे कि इस ढंग से पालीटीकल एड बाहर से आनी रही और मैं नहीं जानता कि रिजर्व बैंक ने कैसे यह पैसा आने दिया और खास तौर से गुजरात में जबकि एक इतना बड़ा तूफान चल रहा था। इन तरह से पैसा स्विस एड ऐब्रीड से पैसा भारत में आता रहा है। इसलिए मैं यह कहना चाहता हूँ कि इन के बारे में और एनाइ की जो एफिलियेटेड संस्थाएँ हैं, उन के बारे में पूरा विचार होना चाहिए और आप को पूरी जानकारी प्राप्त करनी चाहिए। मैं यह समझता हूँ कि इस देश में डाइरेक्ट पैसा रिजर्व बैंक के जरिये से या किसी भी दूसरे जरिये से सरकारी आर्गेनाइजेशन के पास आना चाहिए और किसी भी बालन्सी आर्गेनाइजेशन को डाइरेक्ट पैसा बाहर से नहीं मिलना चाहिए। यह भी कानून बनना चाहिए।

यह क्या बात हुई कि एक करोड़ रुपये का फंडाइजर्स एनाइ का दे दिया गया और उन्होंने उम को किस को दिया, यह पता नहीं। आदिवासियों को दिया या किस को दिया, कैम्प में दिया या काइड में दिया, इस का पता ही नहीं है। मैं यह भी बताना चाहता हूँ कि इतने में मिनिस्ट्री के बहाने से अधिकारी भी शामिल होते हैं। पता लगा है कि एक एफिलियेटेड आर्गेनाइजेशन से गवर्नमेंट

[श्री ललित भूषण]

आफ इण्डिया के सेक्रेटरीय भी शामिल हैं। मेरा कहना यह है कि अगर कोई बालूनी आर्गनाइजेशन मदद करना चाहती है, तो यह क्या बात हुई कि जिस संस्था के श्री जय प्रकाश नारायण जी च्येरमैन हैं, उसी को मदद दी जाए। अगर उन को मदद करनी है तो सीधे भारत सरकार को पैसा दें और वह अपनी बालूनी आर्गनाइजेशन बनाए और उस को वह पैसा मिलना चाहिए। इसलिए मैं यह चाहता हूँ कि इस समय जो संस्थाएँ हैं चाहे वह गांधी पीएम फाउन्डेशन हो या एवार्ड हो, किसी भी संस्था को विदेशी धन नहीं मिलना चाहिए और किसी भी ट्रेड यूनियन मवमेंट का बाहर के किसी आर्गनाइजेशन से एफिलियेशन नहीं होना चाहिए जैसा कि अभी हमारे श्री रामजी भाई ने कहा है।

इस के साथ ही साथ मैं यह कहना चाहता हूँ कि हिन्दुस्तान में बहुत से अखबार निकलते हैं। "मदरलैण्ड" निकलता रहा, "आर्गनाइजर" निकलता रहा और हम बराबर इस बारे में कहते रहे हैं कि इन को इनका इशतहार कहा सँ मिला और इन को इतना पैसा कहा से मिलता है जिस से ये दिन रात आजादी के नाम पर, लिखने, पढ़ने और बोलने की आजादी के नाम पर, करोड़ों रुपया खर्च करते हैं। एवार्ड का पैसा हिन्दुस्तान से कास्पीरिसी में लगाया गया है भारत सरकार के खिलाफ और जो टोटल रेबोलूशन था उस के अलावा भारतीय लोगों की हत्या करने की भी कास्पीरिसी थी और कुछ दिनों के बाद आप देखेंगे कि जो आनन्दमार्गियों को पैसा मिलता रहा, वह कहाँ से मिलता रहा और मेरा ख्याल है कि इस को भी अमेरिकन रिबील करने और न्यूयार्क द्राइव्स इस को एक्सपोज करेगा चाहे वह

श्री ललित नारायण मिश्र की हत्या का मायला हो। आप को याद होगा कि एक नौजवान पिस्तील ले कर रिवाल्वर ले कर आया था और बाद में पता लगा कि वह आनन्दमार्ग में था और फिर पता लगा कि वह श्री जय प्रकाश नारायण के साथ था। हम ने उस को 15 दिन की सजा दे कर छोड़ दिया। हम से भला आदमी कौन होगा कि कभी इन लोगों के बारे में जाब तक नहीं की। सन् 1942 में जब हम लोग हथियार रखते थे तो अग्नेज उम के बारे में पता लगाते थे और चाहे उस के दो टुकड़े भी हो जाते हों, उम का वह पता लगा सैते थे लेकिन यहाँ पर एक गुप्ता नाम का नौजवान रिवाल्वर ले कर आया, बम ले कर आया लेकिन हम ने उम के बारे में पता ही नहीं किया कि वह कहाँ से आया और उस के पास पैसा कहाँ से आया है। कोई जकरत ही नहीं थी, यह सब मान्म करने की। पार्लियामेंट ने उस ने जो सेक्यूटिटी आफिपर को बयान दिया, उस में उस ने कहा था कि मैं श्री ललित नारायण मिश्र की हत्या के लिए आया था। उस बयान का भी यहाँ पार्लियामेंट में जिक्र नहीं किया गया और यह कह दिया गया कि एक मिगफिरा नौजवान था। आप पार्लियामेंट के सेक्यूरिटी आफिर्म की रिपोर्ट को मंगा कर देखिए। उम ने बयान दिया है कि वह यहाँ श्री ललित नारायण मिश्र की हत्या के लिए आया था। एक साल पहले उस को वार्निंग दे कर छोड़ दिया गया। तो यह साजिश जो होती है यह बाहर के लोगों द्वारा होती है। आप यह देखिये कि आज नक्सेलाइट्स ने दुबारा कलकत्ता में अपना दौर शुरू किया है कौन नहीं जानता कि उन का सीधा सम्बन्ध माओइस्ट्स से है, वे माओइस्ट्स जो बाहना के भी दुश्मन हैं और अपने पड़ोसियों के भी दुश्मन हैं। छोड़ा था मैं वह अपना भी

बन्द कर चाते हैं और अपनी कार्यवाही करते हैं। इसी एक्ट ने बर्मा देश में एक प्रोजेक्ट बोला और उसे को खोलने के बाद वह ऐसा वहाँ पर पेत्र मजोशुर्व-हमान के खिलाफ इस्तेमाल हुआ। इस प्रवाह का काम आजादी को खत्म करना है और अभी भी एक्ट का दफतर खुला हुआ है और उसको कोई बन्द करने वाला नहीं है। तलाशी हो गई। सब कुछ हो गया लेकिन कानून हमारे देश का इस तरह का है, भ्रमालतें हमारे देश की इस तरह की हैं कि कुछ इ नहीं सका है। गांधी मर्डर केस में तार साल लग गए। प्रवाह को बंद करने में पता नहीं पचास साल लगेंगे। इन प्रोजेक्ट की तलाशी होने के बाद में फेर उन्हें रुपया दिया गया है, ए गिनिस्ट्री ने रुपया दिया है। पता नहीं कि कौन सा ऐसा काम कर रही है जो मन् सरकार नहीं करना सकती है। ज. वालैण्टरी वर्कर हा क्या कर सकते हैं? क्या तहसीलदार से, डी सी से नहीं करा सकते हैं, क्या आपन वालैण्टरी वर्कर नहीं कर सकते हैं। क्या जरूरत है कि वह जो वालैटरी ग्रागोनाइजेशन है उनके जरिये से आप करवाएं। बाहरी सहायता मिलना उनको बंद होना चाहिए। बिल्कुल बन्द होना चाहिये। बिहार हर जिले में वह मौजूद है। हरिजन नाम पर, आदिवाशियों के नाम पर तब मौजूद है। वहाँ में एम पीज को पता नहीं, एम० एन० एज को पता नहीं जिलों में संस्थायें बन गई आदिवाशियों की तरफकी के लिए। पता था रहा है। चार्टर्ड एकाउंटेंट वगैरह उस में हैं। पता नहीं कहां से बना लेते हैं। नॉर्वेस पार्टी को पता है और न वहाँ की सरकार को पता है। जब प्रकाश को हु जाता है। स्विस् एण्ड एंग्लिश प्रगोनाइजेशन भी है उसकी तरफ भी सरकार ध्यान दे। उसी तरह से और प्रचार निकलती रहे

हैं पिछले दिनों, मबरक है, आर्गनाइजर है वे बन्द हुए हैं। उसी तरह से और भी जो प्रचार है वे चाहे किसी की भी संस्था के हों और जो इस कटेवरी में आते हैं, उनको भी आपकी फौरन बन्द करना चाहिये।

SHRI B. R. SHUKLA (Behraich): Mr. Chairman, Sir, the Bill is very timely and is welcomed. It deals with various categories of foreign contribution, namely, contribution to political parties; to a candidate at an election duly nominated, contribution to cultural, religious and educational groups or associations and contribution to persons by way of stipends and scholarships.

Since 1967 concern has been expressed inside and outside Parliament that foreign money is posing a serious problem in this country. Foreign countries have tried to subvert our democratic structure and tried to create a political base for themselves. They have tried to create a class of persons who should have extra-territorial loyalty to those outside countries. As such, any sovereign country worth the name on the surface of this earth cannot afford any intervention or interference, whether from friendly or enemy countries. What we want is that everything should be done in this country according to the regulations made by the Central Government. Just as a wedded wife cannot be allowed to have overtures even with friends or opponents similarly a citizen of a sovereign country cannot be allowed to have extra-territorial leanings towards any country, whether it is Russia, America or Britain and it is in this context that we have to examine the provisions of this Bill. It has no reference to any country. What it says is that foreign contributions should be prohibited in certain categories of cases. Foreign contribution should be obtained or received by a citizen of India only with the

[Shri B. R. Shukla]

prior permission of the Central Government. There is a third category of cases where the recipient has to give intimation to the Central Government as to the source from which he has received the contribution and the manner in which he is utilising it. He is also enjoined upon under the provisions of the Bill to maintain a regular account of such foreign contributions.

Now it has been said that international organisations, specially trade unions are helping fraternal trade union organisations in the country and most of these organisations in the country are supported only by the working class and therefore, the activities of such trade unions would be handicapped if a ban is placed on foreign contributions in this field. I am afraid I am not prepared to take this restricted view of the hon. members concerned. In this country, trade union activity can be honestly and legitimately pursued without foreign contributions. Those who are receiving foreign contributions are not serving the interest of the working class here but are serving the interest of somebody else which cannot be allowed in this country.

Now it has also been said that the bureaucracy would control the implementation of the Act. Wherever there is a government, there is bureaucracy. I want to know which country on earth can be run without the help of bureaucracy. The point is that prior permission has to be obtained from the Central Government in the manner prescribed by rules. Surely, the Minister would also be the head of the department under which the officers would be given that job. Ultimately, everything has to be implemented through official agency, but under the parliamentary system we have adopted, the Government are accountable to this House. The lapses and faults of the bureaucracy or of the responsible government of the

day are exposed to criticism in this House. That is how Parliament controls the bureaucracy.

It has been said that money to the extent of Rs. 8,000 can be paid to a citizen from a foreign source without prior permission and this leaves a big loophole in the implementation of the Act. My friends who have said this have not carefully analysed the provisions of the Bill. This applies only to a gift made by a person abroad to his relative in India if it does not exceed Rs. 8,000, it does not require prior permission.

Concern has also been voiced that multi-national corporations are creating havoc and they are interested in destabilising governments everywhere in the world which they do not like, and therefore, their activities have not been put under control. I would like to draw the attention of the critics to the facts that 'foreign source' as defined in this Bill means and includes a multi-national corporation. Therefore, contributions which come from that source come within the clutches of this Bill and are not excluded from its purview. Therefore, every conceivable aspect has been taken into account by the framers of the Bill, by the members of the Select Committee and also by the draftsman.

Of course, no Bill can be said to be foolproof. But I have gone hurriedly, but carefully, through the various provisions of the Bill. There is a penalty of a sentence of five years imprisonment in case any contravention is proved against a particular person. In order to avoid harassment, it has also been provided that no prosecution can be launched against any person except with the sanction of the Central Government. Therefore, all these precautions have been taken. Now the question arises: why are we bringing forward this Bill? The objectives have not been challenged; they are well-known. A book had been written by John

Smith: I was a CIA agent in India. Another book was written: 'Himalayan Border countries' project. That was a project which was really sponsored by the CIA but under the defence department of the United States. Shri Harsh Dev Malaviya, a Member of the Rajya Sabha has also written a book very recently: CIA and its real face.

MR. CHAIRMAN: Have you seen the latest book on CIA by a person who was an employee of the CIA for 14 years.

SHRI B. R. SHUKLA: Many writers have written about the nefarious, clandestine activities of the CIA the world over. In fact in the American Senate there have been open confessions that the CIA was interested in destabilising regimes which are not according to the likes of the government of the United States. Their nefarious activities have to be curbed. Our university associations, cultural and religious and social associations, in fact associations presided over by no less a person than Jaya-prakashji have been utilised and they were receiving money from foreign sources. Through their contributions they are corrupting our publicmen and institutions and if such activities are not curbed with strong hand, they will be a serious menace. Military intervention always creates instability but the stability of a country is no less imperilled by the contributions coming into our cultural, religious and social organisation.

A word about the hospitality enjoyed by persons who go abroad. My submission is that the government should take proper care in including in the team certain persons whose patriotism is above board, above suspicion, compared to those who have leanings towards some other countries. Unfortunately, in the present context of things such persons are always ignored. Those who have no extra-territorial loyalty, those who are patriots should not be ignored like this. With these words,

I support the Bill in its entirety; I congratulate the Ministry that it has brought forward a Bill with such perfection.

श्री ब्रज चन्द डागा (पाली) : सभापति महोदय, इस बिल के सम्बन्ध में जामेट कमेटी ने जो मेहनत की है, उस के लिए मैं उस को धन्यवाद देता हूँ । मैं ने इस बिल की सब बातों को देखा है कि, लेकिन मुझे इस में कोई कमी महसूस नहीं हुई है ।

लेकिन मैं यह कहना चाहता हूँ कि विज्ञान ने संसार को बहुत छोटा कर दिया है । कुछ देशों की संस्कृति आपस में मिलती है और उस के कारण वे एक दूसरे के नजदीक आते हैं । मुझे डर है कि इस प्रकार की रेस्ट्रिक्शन को इम्पोज करने से ऐसे देशों के आपस में मिलने में अड़चन न पैदा हो जाए । मुझे यह भी खतरा मालूम होता है कि कुछ राष्ट्र दूसरे राष्ट्रों को सांस्कृतिक क्षेत्र में और अन्य क्षेत्रों में जो मदद देते हैं, इस कानून के द्वारा रिस्ट्रिक्शन इम्पोज करने से वे यह मदद नहीं देंगे । यह एक बहुत बड़ा खतरा है । यह साधारण बात है कि कोई भी सही संस्था कानून के चक्कर में नहीं पड़ना चाहती है । आप ने इस में क्या कर दिया कि सारा प्रोसीजर ले जाउन कर दिया । इस प्रोसीजर के कारण एक देश की संस्कृति दूसरे देश की संस्कृति से मिलती भी है तो उस पर आप ने रेस्ट्रिक्शन इम्पोज कर दिया । तो एक देश दूसरे देश को सहायता नहीं देगा । क्यों नहीं देगा ? क्यों कि जो मदद देना चाहता है वह कानून के चक्कर में आना नहीं चाहता ।

एक परपज या हमारा कि कोई विदेशी ताकत अपनी दौलत इस्तेमाल कर हमारे राजनैतिक जीवन की गतिविधियों में हस्तक्षेप न कर सके । लेकिन अगर आप के राष्ट्र का चरित्र अंचा उठा हुआ हो तो यह कैसे होगा ? अब कोई रहता हिन्दुस्तान में है और किसी दूसरे देश की गवाही देता है । अपने देश में रहने वाला अपने देश की गवाही दे तो अच्छा

[श्री मूल कन्व जगज्ज]

है। तो यह जो प्रोसीजर आप ने ले हाऊन किया है उस के दो तीन क्लॉज की तरफ में मोहसिन साहब का ध्यान दिलोऊंगा। आप देखें कितने विल उस में लगेगे। 6 महीने आप ने रखा है। तो 6 महीने में कितनी तकलीफ़ एक आदमी को होगी :

"Provided that the authorised officer shall return such account or record to the person from whom it was seized if no proceeding is brought within six months from the date of such seizure for the contravention disclosed by such account or record."

मैं आप का ध्यान क्लॉज 15 की तरफ़ दिखाने रहा हूँ। अगर कोई विदेशी सहायता आती है तो आप कहते हैं :

"Provided that the authorised officer shall return such account or record to the person from whom it was seized if no proceeding is brought within six months. . . ."

तो एक ऐसे काम के लिए आप 6 महीने का समय क्यों रखते हैं। जब कोई विदेशी सहायता आ रही है तो उस को सीज कर के 6 महीने तक आप निर्णय न लें तो उस में कितनी दिक्कत होगी मदद देने वाले को और स्कालरशिप लेने वाले को। मेरा यह कहना है कि यह ज्यादा पीरियड है।

दूसरी बात क्लॉज 27 में आप देखें —

"27. No court shall take cognizance of any offence under this Act, except with the previous sanction of the Central Government or any officer authorised by that Government in this behalf."

मोहसिन साहब जरा सुन लें। अब जरा क्लॉज 28 देख लें।

"28. Notwithstanding anything contained in the Code of Cri-

iminal Procedure, 1973, any offence punishable under this Act may also be investigated into by such authority as the Central Government may specify in this behalf and the authority so specified shall have all the powers which an officer-in-charge of a police station has while making an investigation into a cognizable offence."

दो चीजों में यह कांटेडिक्शन कैसे है ?

Clause 28 says that the Officer who has been appointed by the Government will act as an S.H.O. Now, how can he act when you say that no court shall take cognizance of any offence except with the previous sanction of the Government?

जो आदमी इन्वेस्टिगेशन करेगा वह अब करेगा ? इन्वेस्टिगेशन करने का टाइम तब शुरू होता है जब सरकार परमिशन दे दे। आप ने एक जगह लिखा है कि जब तक सरकार परमिशन नहीं देगी तब तक जजकी कम्प्लेंट नहीं ली जायेगी। यह क्लॉज 27 में है जो कोर्ट शैल टैंक काग्निजेंस। काग्निजेंस होती है 200 सी आर पी सी में।

Notwithstanding anything contained in the Code of Criminal Procedure, 1973. . . .

तो कोई काग्निजेंस तब लेगा जब वह माइड अप्लाई करेगा और दूसरी जगह आप कह रहे हैं कि आफिसर इन्वेस्टिगेट कर सकता है। तो आप ने जो दूसरा क्लॉज दिया है 28, इस के अन्दर आप को कानूनी अडचन होगी। आप ने लिखा है कि क्रिमिनल प्रोसीजर कोड के अनुसार उस का इन्वेस्टिगेशन होगा।

No court shall take cognizance of any offence under this Act. Unless the court applies its mind, it does not take cognizance of the complaint.

तो क्रिमिनल प्रोसीजर कोड में तब होगा जब गवर्नमेंट परमिशन देगी लेकिन इस पर नहीं हो सकता है। इसलिए अगर आप दोनों क्लॉजों

को देखते तो पायेंगे कि एक दूसरे को कंटाडिकट करते हैं। मर्यामैट इन्वैस्टिगेशन की पावर सब देनी जबकि प्राइम-सेली केस बनेगा। दूसरे जब आप इन्वैस्टिगेशन की पावर देंगे तो हेरसबैट होगा। अगर वह रिमाण्ड लेना चाहे तो क्या वह मैजिस्ट्रेट के पास जाकर रिमाण्ड ले सकता है या नहीं? जब इन्वैस्टिगेशन होगा तो उसको रिमाण्ड लेने का अधिकार होगा। लेकिन वह कितने ही दिन जेल में रखा जाएगा, उसकी प्रापर्टी सीज होगी, उसकी बेल नहीं होगी—क्या यह प्रोसीजर एडाप्ट होगा या फिर क्या होगा? इसलिए मेरे दिमाग में यह बात नहीं आई।

दूसरी बात टाइम लिमिट की है। एक आदमी एप्लीकेशन देता है। क्लॉज 11(2) जो है :

“If an application referred to in sub-section (1) is not disposed of within ninety days from the date of receipt of such application, the permission prayed for in such application shall, on the expiry of the said period of ninety days, be deemed to have been granted by the Central Government.”

90 दिन तक इन्तजार करेंगे, इसमें बहुत टाइम कांज्यूम होगा। एप्लीकेशन का प्रेस्क्रीडिड फार्म है। एप्लीकेशन पर 90 दिन में ऐक्युट नहीं होते हैं तो? डिजिटल के लिए आपने रखा है वह तो सही है लेकिन आपने सही काम में भी अड़चन आयेगी, नई दिक्कत पैदा होगी। इसलिए मैं सज्जना हूँ इन दोनों क्लॉज में अमेंडमेंट होना चाहिए।

SHRI CHAPALENDU BHATTACHARYYA (Giridih): Mr. Chairman, I rise to support this Bill because I had an opportunity to go round the country and familiarise myself with the different approaches by multiple agencies who are trying to impose their will and project their policy in the sub-continent of India. We have seen that in depth. It has taken many forms of many agencies, educational,

cultural, in some cases, religious missions, contacts at higher research levels foundations for doing research work, etc., but the sum total of their efforts is trying to assess the weak points in the Indian polity and its economy and always trying to go for the jugular vein and attempt at destabilisation. It is no accident that when Dulles was Secretary of State, his brother Mr. Allen Dulles was the head of the CIA.

From that point onwards, a very close coordination between the foreign policy of US Government and the activities of CIA developed. That received further support and re-inforcement by, what is called, the military industrial complex in USA which even President Eisenhower was to regret later on.

Now I refer to a crucial book 'India—the most dangerous decade' by Selig Harrison. This book was, of course, a research book financed by a foundation, but you will be surprised to know that in this book there is an appreciation of all the divisive factors in Indian society—Kommos against Reddys in Andhra, Maithils against Non-Maithils in Bihar, Adivasis against non-Adivasis, and so on. He has detained all the points where the forces of disintegration may erupt. Of course, as part of their scheme, he showed lot of concern that it was the Communist Party which would bring about de-stabilisation on those lines. It was part of the cold war at its height and was directed towards India. But what they did? We saw enough evidence of this in eastern region, in Shillong, in Madras, in Bombay, through various channels—smuggling, over-invoicing, under-invoicing—and also through various cultural associations. We saw many books at throw away prices by different countries to be sold at profit. This will combine propaganda along with ready-made funds, grants to unions and hospitality at various levels. But there is a dreadful consistency in the purpose, later on, in

[Shri Chapalendu Bhattacharyya]

boundhs and student Sangharahas in Patna and elsewhere.

I welcome the Bill although I do not think the extent of the menace and threat to the Indian polity can be combated with just these provisions of the Bill. Assessing this dreadful consistency and drive in India—after the disaster that has overtaken the American policy in South-east Asia,—is of urgent importance. We have noted the Indian Assembly of Youth, World University Surveys and the University professors going abroad. In order to combat malaria and make mosquito lose re-productive powers, they made sufficient researches to carry germs in a future warfare over the widest possible limit with the help of mosquitos.

Now, about multi-national corporations. Their attack varies from country to country. In Chile, the ITI combined with CIA and brought about de-stabilisation of the Government. ITI in India with its cross bar exchange has tied up the entire telecommunication facilities in a knot so that you cannot hear anything from any place in India on telephone lines. There are other methods of attack. For example, in Britain what did the Ford Motor Company do?

It did a collective bargaining and came to what? I would call a "rogue settlement." That was the threshold; and the high boost in wages which was granted, immediately upset all the wage levels. And the threshold was gone. After an initial effort at controlling inflation, Britain had to give in regard to railway strike had to face threat of miners' strike and there was a change in the Government and a further spurt of inflation. The foreign powers are particularly inquisitive about the performance of our agricultural economy, because we are carrying a load of exploding population and a shortfall in food production. There is a very grave danger that in the name of researches, we may be led astray. We have to

follow a critical path for decades to come. These are the most dangerous decades for us, as Harrison has named them, but not for the reasons which he has indicated. The attempts at infiltration will continue. The issue is not only between C.I.A. and KGB. Just as there can be a third country collaboration in industry, there can be a third-country collaboration in intelligence and in spying. We have our "neighbours" on the north and in the west. None of my colleagues has spoken about them. What is the way out? I support the Bill; but the way-out lies not only in arousing our national consciousness. The way-out is in evolving a highly sensitive counter-intelligence machinery. Have we done it? I don't want Mr. Mohsin to reveal it to us. But the legislation alone will be of no help, unless it is supported by evolving a highly sensitive counter-intelligence apparatus, so that we can combat what is happening. Of the extent of industrial espionage that is going on in India, the little that I know of, is amazing. Those people are keeping track of the movements of all Ministers and all the Secretaries at all the crucial, sensitive points and of comings and goings of foreign delegations. What are we going to do? The threat is there; but if we can set our house in order, if we can push through the 20-point economic programme under the emergency and if we can increase our food production, the attempts at de-stabilization will fail; and they have to fail and we have to rally and give them a fitting answer. As a member of the Select Committee, I had welcomed this Bill; and in the House I give all support to it.

श्री नारायण अहिरवार (टीकमगढ़) :

सभापति जी, आप को धन्यवाद देता हूँ कि आप ने मुझे समय दिया और सरकार को भी कि कम से कम यह बिल ऐसा लायी जिस से कि हमारे देश की राजनीति, प्राथिक और समाजिक स्थिति को जो धक्का लग रहा था उस को रोका जाए। सरकार इस बिल को

का कर देश का बड़ा कल्याण करने जा रही है। सवाल इस बात का है कि इस बिल को लाने की आवश्यकता क्यों पड़ी? हमने पिछले दिनों देखा कि हमारे देश में जितनी भी सामाजिक और कुछ अन्य राजनीतिक संस्थाएँ थीं उन को बुरे से ले कर अब तक काफ़ी पैसा विदेशों से आया और उम का लाभ उठा कर हमारी नान-एलाइन्ड पार्लामी का अनुचित लाभ उठाया। चूँकि विदेश नीति में हम नान-एलाइन्डमेंट में विश्वास करते हैं, सब से दोस्ती चाहते हैं, तो हमारे यहां के लोगों ने उम का अनुचित फ़ायदा उठा कर कई संस्थाओं का गठन कर दिया, धर्म के नाम पर, समाज के नाम पर, ग्रामोत्थान के नाम पर, शिक्षा के नाम पर, विद्यार्थियों के कल्याण के नाम पर, महिलाओं के कल्याण के नाम पर, और इन संस्थाओं का उदघाटन कराने के लिए हमारे बड़े बड़े नेताओं को ले गए। उन को सरक्षक या पटरन बना कर एक ऐसी मोहर लग गई कि उन को सब तरह के काम करने के लिए एक छूट सी मिल गई। कितनी बड़ी धनराशि विदेशी से पाते रहे अभी तक इस का हिसाब नहीं लगाया गया। जब देश को खतरा हो गया, देश की आजादी को खतरा हो गया, देश की आजादी को खतरा पैदा हो गया तब हमारा दिमाग ठिकाने आया। कितने दिनों से देख रहे थे कि हमारे देश की मस्तिष्क नष्ट हो रही है, विदेशों से हिप्पी लोग आ कर हमारे नौजवानों को नष्ट कर रहे थे, लेकिन हम ने इन बातों पर ध्यान नहीं दिया। जहाँ आ कर धर्म के नाम पर चरण और मोने के विस्कृत हिप्पी लोग बच रहे थे। धर्म के नाम पर आप के बा नयोगे वर महर्षि योगी और दूसरे बड़े बड़े ऋषि हरिद्वार में बैठे रहते हैं और विदेशों से लोग उा के दर्शन के लिए आते हैं।

श्री बी० बी० नायक उन का रिक्ज़मेंट होने वाला है, पंचम लोगों को, और इस के लिए एडवर्टाइजमेंट आया है।

श्री नाथूराम सहिदेवार . इन तथाम बातों

को चुनचाप बैठे हुए देखने रहे और शान्त रहे क्योंकि हम धर्म को माननेवाले हैं और धर्म बहुत गहरा है। हम राम के नाम को ले कर बैठे रहे और राम के नाम पर क्या हो रहा है, कृष्ण नाम पर क्या हो रहा है, इस को नहीं देखा। हमारी राजनीति और हमारी आजादी को जब धक्का लगने लगा, तब हमारा दिमाग ठिकाने आया। हम ने देखा कि बिहार में कितना बड़ा संगठन ग्रामोत्थान के नाम पर काम कर रहा था। उस संगठन ने थोड़ा बहुत काम किया जब हमारे यहां अंचाल पडा, जब बीमारी फनी और जब फ्लड आया। उस समय उम ने थोड़ी सी मदद की। बहुत से पाप कर के थोड़ी सी मदद उम ने कर दी जैसे कि कोई डाकू डाका मार कर लाया, गरीबों को लूट कर लाया और कत्ल कर के लाया और उस के बाद एक, दो हजार किसी गरीब की लडकी की शादी पर खर्च कर दिया, कोई एक मन्दिर बनवा दिया। लोगों की उस के प्रति मद्भावना बढी और वे कहने लगे कि वह कितना अच्छा और पुण्यात्मा डाकू है कि उस ने मंकर जी के नाम पर मन्दिर बनवा दिया और भगवान की मूर्ति लगवा दी और उम ने एक गरीब की लडकी की शादी में पैसा लगा दिया। इसी तरह से हमारे देश में पैसा विदेशों से ला कर देश की जड़ों को खोखला करते रहे और हमारी आर्थिक व्यवस्था को नष्ट करने पर वे तुले रहे और अपना लाभ करते रहे। गुजरान में एक आन्दोलन हुआ और जमा कि अभी एक माननीय मन्त्र ने बताया कि कोई स्वीटजरलैंड की संस्था है। उसमें अमरीकनम और स्वीडिश दोनों ने मिल जुन कर विद्यार्थियों को भडकाया। उदाहरण के लिए मैं यह बताता हूँ कि जब जय प्रकाश जी का आन्दोलन चल रहा था तो जनवरी में मेरी कांस्टीट्यून्मी में उनरपुर एक जिला है और वहा पर महाराजपुर एक कस्बा है। वह जनसंधिया का गढ़ है, आर० एस० एस० का गढ़ है और वहा पर श्री मातादीन औरनिया एक जन संघी है

[श्री नारायण अहिरसर]

जोकि एक बड़ा चासी मेता कला जाता है। उस के रिस्तेदार अमेरिका में रहते हैं। उन्होंने यहाँ पर 40 हजार रुपया बड़ीया बैंक की शाखा में जमा कराया जनबरी और फरवरी के महीने में और जिस दिन श्री जय प्रकाश नारायण का ग्रान्दोलन चल रहा था और उन्होंने एक स्कोपन दिया था कि 6 मार्च को दिल्ली चलो, तो उसने बड़ीया बैंक की शाखा से 14 हजार रुपये निकाले और 6 सप्टीम्बर को लोगों को बलों में यहाँ लाने से उस को खर्च किया। हम ने इस के बारे में प्रश्नकारों में निकाजा और सी० बी० आई० जब इस का पता चला तो उसने जा कर वहाँ रिफाईंसज को जम्ब किया। बाकी जो 26 हजार रुपया है, वह अभी भी बैंक में जमा है। पता नहीं गृह मंत्रालय इस मामले में क्या कर रहा है। यह तो देहात की बात मैंने बताया। यहाँ पर शहरों में क्या होता है, उस का आप ग्रन्दाजा लमा सकते हैं। आप को विश्वास न हो, तो जो रिफाईंस सी० बी० आई० ने जम्ब किये है, उन को आप देख सकते हैं। धार० एस० एस० के लोगों को पकड़ा गया और उन के पास हथियार भी मिले। हमारे वहाँ घाठ काल हुए हैं और देखी तमन्वे उन के पास है लेकिन वहाँ पर छापा नहीं डाला जाता है। उन को नहीं पकड़ा जाता है। लोगों को छोड़ दिया जाता है कि वह तो फर्जा धर्म का अनुयायी है और हम भाऊ करते चले जाते हैं। अब वे लोग कांग्रेस में भी चले आ रहे हैं। ने छोड़ा देने वाले लोग हैं। इन को तरऊ आप को ध्यान देना चाहिए। यह भाकूस करना चाहिए कि इन को पैसा कहां से मिल रहा है।

अभी आप से देखा है कि गुजरात में डाइनामाइट का कितना बड़ा जाल बिछा हुआ है। इस का इस्तेमाल वे कहां

करते वाले थे। वे पटवा में कच्चे काले थे बनारस में करने वाले थे, दिल्ली में करने वाले थे और प्रहसवावाद में करने वाले थे। वे किसी को मारना चाहते हैं। प्राय इतना बड़ा ग्रन्टरग्राउन्ड बडयल्ल चल रहा है। यह पैसा कहां से आ रहा है। कहीं सी० आई० ए० का तो इस में हाथ नहीं है, यह आप को बालून करना चाहिए। मैं ने अभी धर्मयुग में पढ़ा था कि कोई अमेरिका में कोई संस्था है जिस ने कितने ही बड़े बड़े देशों के बड़े बड़े लोगों को यहाँ तक कि वहाँ के इन्ड्रम ग्राऊ डिपार्टमेंट तथा राष्ट्र को पैसा दिया है, प्रमुक्त अधिकारी को पैसा दिया है, फलाने व्यापारी को पैसा दिया है, बिजनेसमैन को पैसा दिया है और कितना ही पैसा उस ने बांटा है। आज कितने ही देशों के ग्रन्टर देश की प्रजादी को खतर से डालने के लिए यह सब गड़बड़ की जा रही है और आज हमारे सामने भी खतरा पैदा हो गया है। इसलिए सरकार जो यह बिल लाई है, वह बहुत अच्छा बिल है, लेकिन मैं यह कहूंगा कि जितनी मल्टी-नेशनल भार्वनाइजेन्स है, उन को इस तरह की एक्टिविटीज को भी कर्ब करना चाहिए और सरकार को भी इस बात का ध्यान रखना चाहिए कि जो हमारे कुछ अधिकारी लोग हैं जोकि एम्बसी से सम्बन्ध रखते हैं वे अपने लड़को को, अपने रिस्तेदारों को विदेशों में शिक्षा के नाम पर भेजते हैं, वे कोई ऐसा काम न करे।

जब कि कुछ लोग डेपुटेशन पर जाते हैं, सरकारी खर्च पर नौकरी करने के लिए जाते हैं और वहाँ जाकर उस देश में नौकरी करने लगते हैं। सरकार का उन पर जो पैसा खर्च होता है वह बेकार चला जाता है। ऐसे इंजीनियर हों या डाक्टर हों जो उनसे ज्यादा पैसा लेकर दूसरे देशों में नौकरी करने लगते हैं, उन पर भी सरकार को नजर रखनी चाहिए। उन लोगों की जो बुद्धि है, उनका ज्ञान है वह हमारे देश के शिक्षा

इस्तेमाल होने वाला है। वहाँ किसको किसका पैसा मिलता है, इस बारे में सरकार को देखना चाहिए और कुछ करना चाहिए।

रिजर्व बैंक के पास एक ऐसा सेल होना चाहिए जो यह देखे कि किसके पास किसके माध्यम से किसका पैसा जाता। 1974 में देलवे में हुआ है। उन्हीं दिनों बम्बई के एक बैंक के सोसालिस्ट पार्टी के द्वारा विदेशी धन निकाला गया और देलवे कर्मचारियों में बाँटा गया। यह सब देलवे की हड़ताल कराने के लिए हुआ। इस तरह से विदेशी धन से विरोधी दल देश की आजादी को खतरे में डालने के लिए कुछ भी कर सकते हैं।

हम यह नहीं चाहते कि यह देश किसी और देश की नीति पर चले। हम राइट और लफ्ट की नीति नहीं चाहते हैं। हम वो चाहते हैं कि हमारे देश की सुरक्षा रहे, हमारे देश का कल्याण हो। हम किसी के पिछलग्गू बन कर नहीं रहना चाहते। जो हमारी नीति के अनुसार चले, हम उसके साथ जा सकते हैं। हमें अपनी स्वयं की आजादी, अपनी सार्वभौम प्रभुता खतरे में नहीं डालनी है।

इन शब्दों के साथ बिल का समर्थन करने हुए मैं सरकार से कहना चाहता हूँ कि वह यह देखे कि विदेशों से कौन पैसा मंगाता है और किस तरह से मंगाता है। सरकार को इन पर ध्यान रखना चाहिए। अगर किसी के विदेश में रिस्तेदार हैं और वे पैसा भेजते हैं तो उनके लिए कोई बंधिब होनी चाहिए, कोई क्विट होनी चाहिए कि वे सल में, छः महीने में या इतने समय में वे अपने रिस्तेदारों को पैसा भेज सकते हैं। इन शब्दों के साथ मैं बिल का समर्थन करता हूँ।

SHRI K. LAKKAPPA: (Tumkur):
While extending my support to this Bill, I feel it ought to have been introduced a long time back.

The object of the Bill is to prevent the inflow of foreign money and its impact on Indian society, which may be political, economic and social.

The impact of foreign subversive activities has been explained by various speakers in this House. They have also narrated certain incidents and the *modus operandi* of various organisations. I would like to put forward a new idea as to how the entire system of our political activities has been subverted by various organisations with the help of foreign money. Various organisations are operating here because it is a free country. In free India, mutts and monarchs are functioning.

Many religious institutions are functioning. The Gurdwaras, various *Maulvis* and religious faiths are operating. I would like to suggest that respect religion and its operations should be regulated by this Ministry. The freedom of religion and the religion of this country should not be taken into account as the operating centre of foreign activities. Unfortunately, in this country, for the last so many years, these things have been operating and our Government did not take any action to unearth such activities; these things are going on on a larger scale.

Even today, under the very nose of our Government, in Delhi, many Rama Krishnas and Hare Rama Krishnas are operating on a larger scale. I do not know how many officers are involved in it. They are operating in different characters. In my own place, Rotary Clubs and Lions Clubs and Jaycee Clubs are actually the activities which involve activities of foreign inflow of money. In these clubs mostly officers, police officers, IPS and IAS are very much involved. I came to know your Ministry has stopped certain people who are going abroad through these organisations, but still it is not enough. You must see that

[Shri K. Lakkappa]

investigations should be made to find out who are the officers involved in it. As far as Rotary Clubs, Lions Clubs and Jaycee Clubs are concerned, invariably the prize distribution is being done by the wives of the IPS and the IAS officers. Is it not a network of the CIA activities operating where you want to implement this legislation through the nose of these officers who are already indulging in these activities?

There is a recent dolomite case in Baroda where a political people are involved. How are they operating? They are even taking advantage of the emergency. I do not know about it. Some officers, some political agents are aiding in these things. How are these things taking place in this country? Therefore, I would suggest that this Ministry has to take care of the situation, its development, its history and all these activities which are operating through the various organisations.

Then there is a Lockheed scandal; it may be an international scandal. Don't you think that India is not involved in it? I do not know. How many aircraft have we purchased and who are the people who advised about it? I do not know to what extent our country is already involved in such a scandal. It does not mean that ours is a free country and a free country cannot be exploited by the foreign agents like the imperialist power of America. The American agents have been operating throughout in developing countries and the nations. Every now and then, they have been interfering in the internal administration, and through maths, monasteries, gadhuis: sanyasis: and Guardwaras all these people are operating the cultural activities. We have to respect the culture. What culture, have we to respect? Still not even one activity has been unearthed and you have not stopped all these things; investiga-

tions have been made. The regional tendencies have been developing in this country for a long time.

In Bombay, Bal Thackeray is operating. It is hurting the feelings of Maharashtra and non-Maharashtrians. Does it not create an atmosphere of disintegration in our country and Kan-nada Chaluvaligars, the counterpart? Even in Karnataka, I am sorry to say, even our party people or whoever they may be, even the officers are associated with it. What action our Government has taken? One of my friends was telling that they were whipping up and getting up one caste against the other.

Even such feelings are there. This country is of many castes, many creeds and many religions. The people worship many gods. He was telling, there are poor people and rich gods. These are the operating centres.

17 hrs.

I quite appreciate that this country believes in non-alignment. We respect every country, every nation, and every philosophy. That does not mean that any country can prevent operating of our Constitution and operating of our political philosophy. America is operating in this country through these activities. They feel that once the people in this country achieve economic freedom, the supremacy of India will grow and it will be not only a supreme nation in the world but it will be the biggest third world. That is why America is operating even in Asia and elsewhere. After their failure in the Vietnam struggle, they are operating in Middle-East and everywhere in this region.

These are the operating grounds. They are whipping up this kind of emotional issues, cultural programmes and all sorts of things. These activities are going on a large scale. Unless vigorous steps are taken against certain bureaucratic system which is

operating in this country, we cannot stop all that completely. The bureaucrats are not committed to any programme and policy of our Government. There is the 20-point programme announced by our Prime Minister. With the declaration of Emergency and the 20-point programme, we wanted to hold the country together, to create an atmosphere of consolidation and integrity and also to make this country economically stronger. But all this has to be operated by the bureaucracy which, I believe, does not feel responsible in implementation of this programme.

SHRI B. V. NAIK: What is the alternative?

SHRI K. LAKKAPPA: That is why I am saying, unless you mobilise the public opinion, unless you create an atmosphere, unless you have people who are committed to our policies and programmes, who are committed to save democracy, Constitution and socialism, unless we have people of that character, unless the old system is changed, it will be very difficult to stop all these activities. The same people are operating our policies and programmes from generation to generation. The same type of officers are there in every Ministry, in every Department and in every organisation.

MR. CHAIRMAN, The hon. Member's time is up

SHRI K. LAKKAPPA: The biggest threat of espionage is that they have infiltrated in the Government machinery. The Government machinery always operates through the political agents. You know what happened in Madras. Madras was a flourishing ground, an operating centre of CIA activities. The CIA activities got such a wide network that in every Government machinery, every officer was a CIA agent. . . .

MR. CHAIRMAN: Please conclude now.

SHRI K. LAKKAPPA: There were officers who were operating the network activities of CIA in the whole administration. That corrupted the people. . . .

MR. CHAIRMAN: Are you hearing the bell? Please conclude now.

SHRI K. LAKKAPPA: Unless we change the old bureaucratic system, eradicate poverty and mobilise the resources of the country, we cannot stop these activities.

MR. CHAIRMAN: Shri Madhukar.

SHRI K. LAKKAPPA: I have not yet concluded.

MR. CHAIRMAN: I have now called Shri Madhukar. I have given you much more than the time allotted to you.

SHRI K. LAKKAPPA: How much time?

MR. CHAIRMAN: That is not your concern. Shri Madhukar.

श्री मधुकर शिब "मधुकर" (केमरिया) :-
समाप्ति महोदय, जैसा कि माननीय सदस्य, श्री चन्द्रपत्तन, ने कहा है, इस बिल के उद्देश्य के बारे में कोई दो मत नहीं हैं। इस बिल का उद्देश्य साफ है - हिन्दुस्तान की सभ्यता, संस्कृति और शिक्षा और राजनीति को विदेशी जन के द्वारा प्रभावित और कलुषित न होने दिया जाये। इस में कोई संदेह नहीं है कि इन प्रकार की गतिविधियाँ बहुत बड़े पैमाने पर हो रही हैं। हमारे पुरानों में सहस्रबाहू का वर्णन है। इस देश में सी० आई० ए० की एन्तिबिटीय उसी प्रकार फैलती जा रही है। माननीय सदस्य, श्री लकप्पा, ने सही कहा है कि उस का प्रभाव हमारे प्रसासन पर भी पड़ रहा है, जिस का प्रभाव बिहार में भिन्न है।

श्री बिहार में मानन्व मय्य के मन्वते वाले सरकारी अधिकारियों ने अयप्रकाय

[अ. का. म. मिथ "मधुकर"]

मांदायक के आन्दोलन को सशुभ और सहायता दी उन्होंने उस के लिए बन्दा तक इकट्ठा किया। इन लोगों ने पहले भी सरकार का ध्यान इस बात की तरफ़ दिलाया है कि पुलिस अधिकारी, जिन पर कानून की रक्षा करने की जिम्मेवारी है, आनन्द मार्ग के फ़ालीबुर हैं और वे उस की गतिविधियों में सहयोग देते हैं। श्री शास्त्री और इन लोग पहले ही कह चुके हैं कि आनन्द मार्ग देश के लिए बहुत खतरनाक है, लेकिन सरकार ने उस की तरफ़ कोई ध्यान नहीं दिया। अब सही तथ्य उस के सामने आ रहे हैं।

अब एक आचार्य रजनीश निकले हैं क्या मंत्री महोदय ने उन की किताब "समाजवाद से सावधान" देखा है ? मंत्री महोदय ने समाजवाद का लक्ष्य सामने रखा है। इस लिए वह इस बारे में सावधान हो जायें कि वह क्या लिखते हैं। वह लिखते हैं कि समाजवाद में आदमी को जानवर बना दिया जाता है। सभ्य में नहीं आता है कि सरकार ऐसी किताबों के प्रकाशन की मन्जूरी कैसे देती है।

हमारे देश में अधिकार्य अधिकारियों और पढ़े-लिखे लोगो पर आचार्य रजनीश, या आनन्द मार्ग, या जयगुरुदेव छाये हुए हैं, और छा रहे हैं। श्री शास्त्री 20-सूत्री कार्यक्रम के सम्बन्ध में एक मीटिंग करने के लिए गये थे, तो सरकार ने उन को जेल में बन्द कर दिया लेकिन आचार्य रजनीश की मीटिंग हो रही है। मुजफ्फरपुर में हाल ही में उन की मीटिंग हुई है।

इसी तरह एक दूसरी सस्था है प्रजापति ब्रह्माकुमारी। हमें देखना चाहिए कि हिन्दुस्तान में वे हैं, उपनिषदों आदि के रूप में हमारी सभ्यता और संस्कृति की ओर धरोहर हैं, क्या वे संस्थाएँ उस को सुरक्षित रखने के लिए कार्य करती

हैं, या उस को मिटाने के लिए। तथ्य यह है कि वे लोग वेदों और उपनिषदों की वसत ढंग से व्याख्या करते हैं और जगता में सुनराह करने की कोशिश करते हैं। होना यह चाहिए कि हम हिन्दुस्तान की सभ्यता और संस्कृति की सही बातों को ले लें, और आधुनिक ज्ञान और विज्ञान के साथ और समय की आवश्यकता के अनुसार, उन को आगे बढ़ायें। लेकिन यह नहीं हो रहा है। इन लोगों को धरना कुप्रचार करने के लिए पूरी आकाशी भिली हुई है। उन को कहां से पैसा मिलता है ? इन बात का पता लगाना चाहिए कि क्या उन को सी०आई०ए० से पैसा मिल रहा है या नहीं। आचार्य राजनीश की जो किताबें छप रही हैं, उस का जो प्रचार हो रहा है, उन सब के पीछे किस का हाथ है ? वह क्या आध्यात्म सिखाते हैं, उस के बारे में मैं अभी कुछ नहीं कहना चाहता हूँ।

मैं मंत्री महोदय को सावधान करना, चाहता हूँ कि आचार्य रजनीश, जयगुरुदेव, और प्रजापति ब्रह्माकुमारी आदि सस्थाएँ देश के लिए खतरनाक हैं। आनन्द मार्ग और आर० एस० एम० को बंद है, कर के सरकार ने कुछ अच्छा काम किया है लेकिन वह इन लोगों को छुट दे कर देश के लिये एक खतरनाक स्थिति पैदा कर रही है।

कुछ माननीय सदस्यों ने राष्ट्रीयता और देशभक्ति की गलत ढंग से व्याख्या की है। लेकिन श्री लक्ष्मण और श्री जयलक्ष्मण भटनाचार्य ने सही कहा है कि आज की विश्व राजनीति को समझे बिना देशभक्ति के सभी पहलुओं को समझना बहुत कठिन है। आज दुनिया के तमाम देशों में अमरीकी समाजवाद द्वारा कार्यवाहिया हो रही हैं। अमरीका के प्रेजिडेंट फोर्ड और विदेश मंत्री ने खुल-खाम ऐलान किया है कि वे दूसरे देशों के के आन्तरिक मामलों में हस्तक्षेप करेंगे। अमरीका ने अंगोला में हस्तक्षेप किया है और क्यूबा को धमकी दी है। हिन्दुस्तान की

की एनिमी लिस्ट में रखा गया है, उनको तमाम एंड वन्द की जा रही है। इसके बाद भी अगर सरकार यह समझती है कि वह केवल यह कानून बना कर इस देश में सौ० आर्ट० ए० की एक्टिविटीज को बन्द कर सकती है, तो यह होने वाला नहीं है। इसमें सावधान रहना है। दुनिया के अन्दर साम्राज्यवाद जो है वह दुनिया के तमाम नवोदित आजाद देशों, चाहे वह अफ्रीका के हों, चाहे लैटिन अमेरिका के देश हों या एशिया के देश हों जो अभी आजाद हुए हैं उनको एक मिनट के लिए भी आजाद नहीं रहने देना चाहता। वह नहीं चाहता कि उन की आजादी एक मिनट के लिए भी कायम रहे। इसलिए आजादी को खतरा है। अगर हम देशभक्त हैं और भारत माता के प्रति हमें प्यार है तो उसका तकाजा है कि हम साम्राज्यवाद का विरोध उठ कर करें। साम्राज्यवाद का विरोध जितना उठ कर करेंगे उतने ही हम देशभक्त होंगे। और साम्राज्यवाद का जितना हम समर्थन करते हैं, तबे दिल से या बेदिल से उतने ही हम देशद्रोही हैं। देशभक्ति का प्रश्न कुछ माननीय सदस्यों ने उठाया है, मैं कहना चाहता हूँ कि देशभक्ति का तकाजा यह है कि साम्राज्यवाद का विरोध किया जाये। हमारा देश आर्थिक और तौर पर अपने पैरों पर खड़ा हो जाये, देश का डेवलपमेंट बहुत तेजी से हो ताकि हमें दुनिया के दूसरे देशों के सामने झुकना न पड़े चाहे आर्थिक मामले में, चाहे इण्डस्ट्रियल मामले में, चाहे किसी मामले में। यह कैसे हो सकता है? आज दुनिया के नवोदित देशों का सेन्ट्रियागो में सम्मेलन हुआ,--लुआना में सम्मेलन हुआ, दूसरी जगहों में सम्मेलन हुआ उन्होंने क्या मांग की? उन्होंने मांग की कि जो कच्चा माल हम भेजते हैं और उसके बदले में पक्का माल लेते हैं, उसके भाव में संतुलन हो, यह कौन करेगा? इसका दुश्मन कौन है?—अमरीकी साम्राज्यवाद क्योंकि अमरीकी साम्राज्यवाद ने हम को

कुदल नहीं किया है। अभी पेरिस में सम्मेलन हुआ था—वहाँ भी ऐसी मांग की गई—लेकिन उनको भी उन्होंने नहीं माना। दुनिया के नान-एलाइन्ड कंट्रीज ने जो प्रपोजल रखा, उनको उसने नहीं माना। नवोदित देशों को विकसित होने के लिये जो सुविधाये देनी चाहिये, उसका प्रपोजल उसने कुदल नहीं किया। इसलिये आज हम मायने में भी, आर्थिक मामलों में भी, अमरीकी साम्राज्यवाद दुनिया के नवोदित विकासशील देशों के लिये खतरनाक बन गया है। अगर हम देशभक्त हैं तो हम देश की आर्थिक आजादी को मजबूत करने के लिये कार्यवाही करें। यह कैसे हो सकता है? यह तब हो सकता है जब देश का विकास हो और देश का विकास तब ही हो सकता है जबकि हम अपने देश का कच्चा माल जो कैंपिटिलिस्ट बन्ट्रीज को भेजते हैं, उसके भाव का संतुलन हो। यह तब ही हो सकता है जबकि समाजवादी देशों के साथ हमारे देश का सहयोग हो, क्योंकि उनके सहयोग से हमारे देश में जो तरक्की हुई है वह सभी के सामने जाहिर है। तो समाजवाद के मुकों से सहयोग और साम्राज्यवाद का विरोध—ये ठाने आज हमारी देशभक्ति है और यदि कोई कहता है कि हम को न के० जी० बी० की जरूरत है, न सी० आर्ट० ए० की जरूरत है, न के० जी० बी० की विकास नहीं करता, न के० जी० बी० और सी० आर्ट० ए० की बात में नहीं पडना चाहता, लेकिन मैं कहना चाहता हूँ कि जब के० जी० बी० और सी० आर्ट० ए० को एक साथ ला दिया जाता है तो इस का मतलब है कि अपने दोस्त और दुश्मन को न पहचानना। दुनिया के सामने आज जो दो सम्मन्ध्याये पैदा हुई हैं—साम्राज्यवाद का विरोध करना और साम्राज्यवाद का विरोध करने वाली शक्तियों को एक जूट करना—और इनके साथ समाजवादी मुकों की बात को जोड़ना—ये दोनों बातें एक कैसे हो सकती हैं और वह देशभक्ति कैसे हो सकती है। जो निम्नलिखित देशभक्ति की बात की जाती है, जन० व की,

[श्री कमल विश्व 'सूबुद्धर']

भार० एच० एच० की—विश्वकुल निष्ठासिद्धि
देशभक्ति वाली बात जो कहते हैं, उनकी
दुनिया के इतिहास का और दुनिया की बबलती
हई स्थितियों का ज्ञान नहीं है। वे ही लोग
अन्धी देशभक्ति की बात करते हैं। आज
देशभक्ति का तकाजा यह होता है कि हम
समाजवादी देशों के साथ सहयोग करके अपने
देश को भागे बढायें ताकि हमारे पर अपनी
धरती पर मजदूरी से बड़े हो सकें और हम
उमके जरिये साम्राज्यवाद का विरोध करे
ज; स. साम्राज्यवाद दुनिया का दुश्मन न० ।
है।

कुछ माननीय सदस्यों ने बहस को दूसरी
जगह पर ले जाने की कोशिश की है। किम
को प्रदानता देनी चाहिये, किससे सहयोग
करना चाहिये—यह चीज हमें देखनी
पड़ेगी। क्या फ्रांसे ने और जवाहरलाल नेहरू
ने स्पेन की जो लड़ाई हुई थी, उमना समय
नहीं किया था? क्या चीन के साथ सहयोग नहीं
किया था? यह जो कहा जाता है कि चीन में
हिन्दुस्तान के बालन्डीयर्स क्यों गये, क्या डा०
कोटनिस गये, क्यों दूसरे लोग गये—यह
बहुन गलती हो गई। तो यह भारतीय नेशनल
कांग्रेस की साम्राज्यवाद—विरोधी परम्परा
रही है और आज भी देशभक्ति का तकाजा यह
है कि हम उमको भागे बढायें और मजदूर करे
और मजदूर करने के सिलसिले में जाहिर
बात है कि सहयोग हो सकता है।

ट्रेड यूनियन आन्दोलन को इसमें लाया
गया—यह जाहिर बात है कि दुनिया में
मजदूर वर्ग है और मजदूर वर्ग की अन्तर्राष्ट्रीय-
यता को सब लोग मानते हैं—ऐसी हालत में
अगर कहीं मजदूरों पर हमला होता है और
उनके हकों की हिफाजत नहीं होती है तो
हमारा राष्ट्रीय कर्तव्य ही जाता है कि हम
उसमें सहयोग करें। मजदूरों के सम्बन्ध में
जो यह पुनीत कार्य है उसमें किसी तरह की
कोई बाधा नहीं होनी चाहिए, ऐसी बातों

के लिये प्रावधान होना चाहिए। यह कोई
ऐसी बात नहीं है जिसके लिये हम कह सकते
कि अनायासपूर्ण है। लेकिन इस साम्राज्यवाद
की दबलभन्दाकी को उसके साथ मिला देते
हैं—यह ठीक नहीं है। दोनों को मिलाना
कन्क्यूशन में डालना हो जाता है। शशि भूषण
जी ने सही कहा है कि इस बात को समझना
चाहिए कि जो साम्राज्यवाद की एक्टीविटीज
हैं, सी०आइ०ए० की एक्टीविटीज हैं, वे
कितने स्वरूप में, कितने प्रकारों में, कितने
विचारधाराओं में, कितनी शिक्षण संस्थाओं
में, कितनी धार्मिक संस्थाओं में,
किस किस तरह से फैली हुई हैं और वह वह
काम कर रही हैं जो काम आपके लिये खतरनाक
बिन्दु पर पहुच गया था, जिसको एमर्जेन्सी
से बचाया जा सका। तो हम लोग इन चीजों
को और गूढभक्ति को निखालिन रूप से
जो समझते हैं—यह ठीक नहीं है, ये विचार-
धाराएँ और ऐसी भावनाएँ बहुत खतरनाक
हैं, चाहे वे आपके अन्दर से निकलती हों च हे
कही और में निकलती हों।

इसी तरीके में आप जो यह बिल भाये
हैं—वह कठिनाई पैदा कर देता है, जो ऐसे
संगठन हैं जो आपके प्रोप्राय, पर्सनि, नियम
और कायदों को मानते हैं और अन्तर्राष्ट्रीय
किसी सम्मेलन में जाने हैं तो उनके लिये
कानून के जरिये बाधायें प्रस्तुत कर रहे हैं।
ये जो बाधायें हैं, वे दूर होनी च हिरें। इसके
अनुसार कानून में सुधार होना चाहिए।
एक तरफ हमारी प्रान मंत्री जी कहती हैं
कि विदेशी सहायता खतरनाक है और जिसके
विषय में माननीय सदस्यों ने भी यहाँ चर्चा
की है, लेकिन दूसरी तरफ इस बिल में इस
बात का कोई प्रावधान नहीं है कि विदेशी
सहायता के नाम पर मन्डी-नेशनल-कार्पोरेशन
भी शामिल होगी या नहीं। उनके फंड का
कैसे इस्तेमाल होना। इस सम्बन्ध में भी हममें
प्रावधान होना चाहिए।

इसी प्रकार से इस बिल में इस बात
की भी व्यवस्था होनी चाहिए कि गांधीजी

में संशोधन स्तर पर, अनाक स्तर पर, बिला स्तर पर और राज्य स्तर पर ऐसी कमेटीयों का गठन किया जाय जो इस बात को देखें कि जो फारन-मनी बिल रहा है, बिल के रूप में, धर्म के नाम पर, फटिलाइजर के रूप में, सीमेंट के रूप में, उस पर निगरानी रखें और यह भी देखें कि उसमें कौन से अधिकारी शामिल हैं, कौन सी संस्थाएँ शामिल हैं और उन पर कड़ी से कड़ी कार्यवाही होनी चाहिए।

इसी प्रकार इस बिल में इस बात पर भी ध्यान नहीं दिया गया है कि यदि इस कानून का पालन नहीं हो रहा हो, तो उसके लिये क्या व्यवस्था होगी। इसको देखने के लिये रिज्यू कमेटीयों का निर्माण होना चाहिए, जो समय-समय पर इस बिल की जांच करें और देखें कि ऐसे लोगों को कानून में जो सुविधायें मिलनी हैं, उनका दुरुपयोग तो नहीं हो रहा है तथा कानून पर सही अमल हो रहा है या नहीं। केवल कानून बना देने से ही काम नहीं होगा, समय-समय पर रिज्यू भी होना चाहिए। आप ने हम बात को इस बिल में छोड़ दिया है।

अन्तिम बात यह है कि इस कानून से हमें मल्टीप्ल हो जाने की जरूरत नहीं है। विकास के सम्बन्ध में दुनिया के तम विकासशील देशों के सम्मेलन होते हैं और अन्तिम सम्मेलन ब्रुक्सैट में होने जा रहा है। हमें देश में नवउत्प्रेरणवाद और साम्राज्यवाद-विरोधी ताकतों को उभारना पड़ेगा और ऐसे संगठनों के साथ सहयोग करना पड़ेगा, जैसे कि हमारे और आप के गठन हैं। तभी आप सही रूप में फारन-मनी बिल को लागू कर सकते हैं। मैं चाहूंगा कि सरकार इन बातों पर ध्यान दे और ऐसे लोग जिनके नाम मैंने लिये हैं उनकी कार्यवाहियों पर कड़ी नजर रखें और देखें कि वे क्या कर रहे हैं। अन्यथा आपके तमाम प्रोग्राम विफल हो सकते हैं।

इन सुझावों के साथ मैं इस बिल का समर्थन करता हूँ।

THE DEPUTY MINISTER IN THE MINISTRY OF HOME AFFAIRS (SHRI F. H. MOHSEN): I am particularly happy to see the wide acceptance the Bill has received in this House. Even the speakers on the Opposition, Mr. Samar Mukherjee, Mr. Chandrapan and Mr. Madhukar, though they had some reservations, have agreed with the objectives of the Bill.

They have dwelt at length about the foreign money coming into India which may influence the body-politic of the country through various agencies like CIA which operates through multi-national corporations. So many other members also have stated many things about many such organizations which are receiving or which may receive such funds from outside. I may point out that it is only with this objective that the Bill has been brought before the House.

Mr. Samar Mukherjee asked about the extent of money that has been received in this country from various agencies like CIA. Uptill now there was no law to prohibit inflow of foreign money, but we have got some figures to show the various institutions, religious institutions and educational institutions which were receiving money through the proper channel, i.e., the Reserve Bank of India and only of such amounts which are more than Rs. 10,000 because there was no law or regulation to maintain a separate record of the monies received by the religious and cultural organizations. But the Reserve Bank on its own has maintained some records. If I am permitted, I will place them before the House. In 1968, Rs 24 crores were received by these institutions. In 1969—Rs. 22.30 crores were received. In 1970—Rs. 23 84 crores and in 1971—Rs 23.22 crores and in 1972—Rs. 31.5 crores were received. So, this is only from the records that the Reserve Bank has kept of remittances above Rs. 10,000. The separate figures of remittances received by missionaries and religious organizations and educational institutions, we cannot give because they are not kept separately as there

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was no law to keep such a record. So, this Bill is intended to take care of the remittances and the uses to which they are put to. Broadly I have made the categorisation in my opening speech.

There are three kinds of restrictions placed on foreign remittances to our country. The first category covers a—very sensitive and important category of persons in our country. They may be individuals or organizations like governments servants, candidates for elections, Members of legislatures, political parties and office-bearers, correspondents, columnists, cartoonists, editors, owners, printers and publishers of registered newspapers. These form a very important and vulnerable section of our political life which plays an important role in formulating the public opinion. So, there is a total ban on receipt of foreign money by this category of persons.

The second category is organizations which are not political parties themselves but organizations which are of a political nature and these organizations may receive funds but with the prior permission of the Central Government.

The third category is the cultural organisations working in cultural, academic, religious and social spheres having—a definite programme. There is no ban on their receiving any funds. But after receipt they have to give intimation.

SHRI B. V. NAIK: Kindly give us the information so that it will help us to understand.

SHRI F. H. MOHSIN: I will

This Bill does not propose to put a total ban on foreign assistance. It only regulates. Mr. Samar Mukherjee said, "It does not curb, but it only regulates." I will use the words—it does not stop foreign assistance altogether for all the organisations of this kind, it regulates. It contains certain sec-

tions of society which come under Clause 4—the most scientific category of persons. The second category of organisations is that political nature and the third category is of those organisations which are working in social, educational, cultural and economic fields. They have only to intimate.

Many people have stated churches are receiving funds. Prajapitha and Brahma Kumari and so many instances have been quoted. They come under one of the categories. If they are political parties, they come in category 1;

A point of reference was made about the Trade Unions or such other organisations which may not be political parties themselves but if they are taking part in politics, if they are affiliated to certain organisations and then looking to their activities, their association and affiliation, some of them might come under the second category—organisations of a political nature. But if there are organisations working only in the economic field, trade unions which are not affiliated to any political parties which do not take part in the elections or in the political sphere, they may come in the third category. They are—religious organisations, educational organisations.

श्री कमल मिश्र "सचकर": कोन से ट्रेड यूनियन है जो किसी पार्टी से ऐफिलियेटेड नही है?

श्री एफ० ए० मोहसिन : चन्द है ।

रजपति महोदय : बहुत है मगर इतसिगनिफिकेंट है।

May be insignificant.

SHRI F. H. MOHSIN: There are so many trade unions which are not affiliated to political parties. They have kept themselves independent. They come under the third category. So, we do not want to ban all such organisations which are working in economic, educational, cultural and religious field and are receiving funds. What we

want is that the funds so received must be utilised for that purpose only and the funds should not be diverted for political parties or to the politicians or to the other categories of persons which are mentioned in Clause 4.

SHRI B. V. NAIK: Under which category will the award fall?

SHRI F. H. MOHSIN: It is subject to their objectives, the ideology they are following. It may fall in the third category.

This Bill requires them to give intimation of the amount which they have received and the purpose for which they have spent. Government can inspect the accounts of all organisations if there is any need. Supposing no organisation comes under this category, Clause 10 is there which is an omnibus clause. I will read it for the benefit of the members here.

"10. The Central Government may—

(a) prohibit any association, not specified in section 4, or any person, from accepting any foreign contribution;

(b) require any association, specified in section 6, to obtain prior permission of the Central Government before accepting any foreign contribution;"

In (c), (d) and (e) all those things are there. It is an omnibus clause. If any association does not come or an individual does not come within these categories—4, 5 and 6, still the Government have got the authority to look into the records. Government can take such action to prohibit them from receiving the funds or to ask them to keep the account. That control is with the Government. One point was raised that our politicians may not themselves receive them but they may be received by somebody else and they may pass them on to the politicians. Such cases also find a place in sub-clause (2) of Cl. 4. Clause 4 is total prohibition. Sub-clause (2) of Clause 4 is there. We have put it clearly that

no person resident in India and no citizen of India residing abroad shall accept any foreign contribution or acquire or agree to acquire any currency from a foreign source on behalf of any political party or any source referred to in that sub-section. You have got sub-sections (d), (c) etc. That will take care of the points raised by the hon. Member.

I think Mr. Naik raised certain points about the Lions Club, Rotary Club, etc. They also will come under one category or the other and so this will be covered. If they are of economic nature they will come under the third category. They are required to give intimation as soon as they receive any such foreign money.

So, Sir, this Bill will take care of all such remittances which are received by all such organisations. Suppose any doubt arises in such things: the Government certainly may have a look into the accounts and they will certainly see whether there have been any contraventions of any of the provisions of this Bill. Then of course they will be liable for any punishment which is provided for in this Bill.

Then, my hon. friend Shri C. K. Chandrapan made several points about multi-national corporations. I may tell him that all these things have been taken care of. I request him to have a look at the definition of foreign contribution. In Clause 2 it has been stated that foreign source would include a multi-national corporation within the meaning of this Act. He was saying something about the investment that is made by foreign countries in these multi-national corporations. Sir, this is a matter which is dealt with by the Minister of Finance whether investment should be permitted or not, and the Minister of Industries. It is for them to make a policy on these things. So far as this Bill is concerned, it will take care of such cases where money gets passed on by some other foreign country through multi-national corporations. They will be covered under the scope of this Bill.

SHRI C. K. CHANDRAPPAN: They often come for trade. That is our history. Even the East India Company first came for trade.

SHRI F. H. MOHSIN: If any multi-national corporation indulges in making any payment to political parties or politicians, which tries to damage our body-politic, which may become a danger to the sovereignty and integrity of the country, certainly such cases will be taken care of under the provisions of the Bill as I have already stated.

SHRI M. C. DAGA: Is there any other country where they have done this? Have they made any law like this? Is there any such country?

SHRI F. H. MOHSIN: I cannot say about which other country has done; at the moment we are concerned with our own country.

MR. CHAIRMAN: That is not relevant here. Please go to your next point.

SHRI F. H. MOHSIN: Mr Samar Mukherjee has stated that only Rs. 80,000 has been provided in the Financial Memorandum and that this is not sufficient for the implementation of the provisions of the Bill. There is proper explanation given there. It states:

"This Bill does not contain any provision which if enacted would directly involve any expenditure from the Consolidated Fund of India."

However, for the enforcement of the provisions of this Bill, it may be necessary to establish a cell for which expenditure is likely to be incurred. That is estimated to be of the order of Rs. 80,000. This is only for meeting the expenditure of this Cell which receives applications and disposes them of. Administrative machinery may be required for this purpose. For other purposes, we have got other agencies that are already in existence such as the

Directorate of Enforcement, the C.B.I., State Agencies and other Central Agencies. They will take care of all these provisions. If anything is needed I can again come up before the House. I do not foresee anything for the present.

Somebody mentioned about the books and literature that are received from foreign countries. This Bill can take care of that also because foreign contributions cannot be only in cash but they can be in kind also such as books, etc., they may not only be in cash but in kind as well, may be fertilisers also. So, these will be taken care of by the provisions in the bill.

Then, Sir, Shri Samar Mukherjee mentioned about the solidarity of working-classes. There is no ban on receipt of funds by the trade unions for solidarity purpose only. The only thing is that they have to give an intimation to the Government. If the trade unions are not of a political nature, then permission is not necessary, but if they are of a political nature, then prior permission may be required. What we want here is that it should be used only for that particular purpose and not for political purposes. If it is to be used for solidarity purposes, it may be allowed and we do not want to prohibit that if it is to be used for the betterment of the working Class. The only thing is that they have to intimate to us if that comes in category three; but, if it comes in category two, then they have to take prior permission of the Government.

Shri Chandrappan has made another point about the foreign hospitality. He said that they might have to go for international seminars to foreign countries and they might receive money from abroad for the purpose. I think what is required under the Bill is that if it is received by the politician or political party, then they have to take the prior permission of the Central Government

even if they have to accept that foreign hospitality. I would like to draw the attention of the House to what is meant by 'foreign hospitality'. If it is a purely casual one, such hospitality will not be covered by this. That is because. When one goes to a foreign country casually, that person is provided with the cost of travel to that foreign country as also with free boarding and lodging, transport and medical treatment there. You know that for all this—money comes into the picture—it may not be only in cash but it may also be in kind. The foreign influence may be there by giving the hospitality of providing with free travel or boarding and lodging arrangements. Politicians and government servants will thereby be affected and their minds will, thereby, be polluted later. We are not putting a total ban on all these things. The only thing is that they have to take prior permission. But, if that is a casual one, then they need not take that permission. But if that is repeated always, in that case, they have to take the prior permission of the Government. For the casual one we do not want them to take such a permission.

Someone mentioned about the World Bank and the International Monetary Fund which should also be brought under the purview of this clause. Sir, we have checked up that thing and the World Bank and the International Monetary Fund have been excluded from the purview of this Bill because they are specialist agencies of the United Nations and financial aid comes from these organisations to any entity in India whether government or non-government; they will all be within the knowledge and approval of the Government; they do not come without the approval of the government or without the knowledge of the Government. As such the money comes into our country. They are not coming from the World Bank or from

the International Monetary Fund without the knowledge of the Government or without the approval of the Government. That is why these organisations have been excluded from the purview of this Bill.

Mr. Chandrappan mentioned about the likely misuse of the power of the authorities concerned in going and inspecting the accounts as is provided in Clause 14. But Mr. Madhukar emphasised that there is greater need of this clause that what is provided. He pointed out that there are certain organisations which are receiving funds but there is no audit. Shri Shashi Bhushan also mentioned about the organisations receiving funds. How can we know unless we check their accounts. When there is suspicion and somebody complains, then we can go and check the accounts. That is what is provided in Clause 14 Government takes the power of inspecting the accounts.

श्री शशि भूषण : मैंने दो मजाल क्लीयरली पछे थे । एक तो यह कि जितनी फारम-एंड मोशल प्रागेनाइजेशन्स को प्राती है वह बन्द हो और उमका बंटवारा सरकार द्वारा हो, और दूसरे जो अर्वार्ड से सबधित सोशल प्रागेनाइजेशन्स हैं, उनके अन्दर गवर्नमेंट प्राफिशियलस न हों । मंत्री महोदय, इसके बारे में बताये ।

SHRI F. H. MOHSIN: He says that the amount that is received should be collected at one place and then distributed. It is not practical. We do not want to hamper the development of those organisations which are working in the educational and economic fields. Only when a suspicion arises then we can take action.

We want the involvement of the people. They can do it more than the enactments. I hope all have appreciated the idea as to how much

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havoc can be played by foreign funds coming into our body-politic, so I appeal to the Members of Parliament and through them to all the people at large in our country to give such an information as they possess if any institution or individual is receiving funds and utilising it for illegal purpose or diverting the funds for objectionable purpose. I assure the House that immediately on receiving such information, action will be taken.

श्री शशि भूषण : सभापति जी मैंने यह कहा था कि अर्वाइ से एफिलिएटेड जो सोशल आर्गेनाइजेशन्स हैं, उनमें सरकारी वरमचारियों को नही होना चाहिये। गवर्नमेंट आफ इंडिया के सैक्रेटरीज और ज्वायन्ट सैक्रेटरीज को तथाकथित अर्वाइ से संबंधित सोशल आर्गेनाइजेशन्स से अपने आपको विद्वृत्त कर लेना चाहिये और आइन्दा भी उसमें शामिल नही होना चाहिये।

SHRI F. H. MOHSIN: If any Government official is associated with such organisations which take part in political agitation or anti-national agitations it should be taken care of. If any information of such officials is with the hon. Members he may pass on the same to us. We will take care of it. We can take care of it even before the Bill is passed. But I would like to point out if they are not taking part in the anti-national or violent agitations then there is no bar on the Government servant to take part in educational and economic organisations of social nature.

श्री कमला मिश्र "मधुकर". मंत्री महोदय, यह बताय कि बिहार में आनन्द मार्ष से संबंधित जो अधिकारी थे, क्या उनकी कोई सूचना मिली है और उसके बाद क्या कार्यवाही की गई ?

SHRI F. H. MOHSIN: As far action taken against the officers, he may put a separate question. We are now concerned with the Foreign Contribution (Regulation) Bill. For the present, it is not relevant.

SHRI C. K. CHANDRAPPAN: That is the difficulty in implementing it.

SHRI F. H. MOHSIN: I am in agreement with what Shri Dharnidhar Das and others have said about the importance of public vigilance in this matter. I would seek the co-operation of all sections of the House and also of the people at large in being vigilant. I can assure you that Government are vigilant. Do not think that Government are not vigilant. We know the activities going on of the foreign agencies elsewhere and also in India. The US press itself has come out with so many revelations concerning the involvement of the CIA in these matters. We know about these things.

SHRI DHARNIDHAR DAS: There should be some machinery for public co-operation.

SHRI F. H. MOHSIN: We have already got machinery to have vigilance, not that we do not have any machinery.

SHRI DHARNIDHAR DAS: For public co-operation.

SHRI F. H. MOHSIN: Only a Bill of this kind was not there. We could not check the inflow of foreign money to religious or political parties. There was no Act. So money was coming. This Bill would go, to a great extent, in plugging that loophole whereby foreign money comes to a sensitive sector of our body politic.

I think the Bill as it is has been received very well. I am thankful to all the members who took part in the debate. I do not think there is any opposition to the clauses. When we come to the clauses, I will reply to the amendments that have been tabled.

MR. CHAIRMAN: They may not move them. Why do you presume?

SHRI F. H. MOHSIN: If they do not move them, that means they are satisfied with my reply.

I move.

सभापति महोदय : प्रश्न यह है :

“कि संसदीय संस्थाओं, राजनीतिक संघों और अकादमिक तथा अन्य स्वयंसेवी संगठनों तथा राष्ट्रीय जीवन के महत्वपूर्ण क्षेत्रों में कृत्यशील विभिन्न व्यक्तियों का सम्पूर्ण प्रभुत्व-सम्पन्न लोकनवात्मक गणराज्य की मान्यताओं के अनुरूप कार्य करना सुनिश्चित करने की दृष्टि से कुछ व्यक्तियों या संगठनों द्वारा विदेशी अभिदाय या अतिथि का स्वीकार या उपयोग किया जाना विनियमित करने के लिए तथा उससे संबंधित या उसके आन्तरिक विषयों का उपबन्ध करने वाले विधेयक पर, राज्य सभा द्वारा पास किये गये रूप में विचार किया जाये।”

The motion was adopted.

सभापति महोदय : अब २० विधेयक, १२ अण्डवार विचार होगा।

Clause 2— (Definitions)

SHRI B. V. NAIK: I am not moving amendment No. 2.

SHRI C. K. CHANDRAPPAN: I move:

Page 2, line 9,—add at the end,—

“to the office of the President and Vice-President of India, Speaker of Lok Sabha and Speakers of the State Assemblies, Deputy Chair-

man of Rajya Sabha, Deputy-Speaker of Lok Sabha and Deputy-Speakers of State Assemblies” (7)

Page 2, lines 27 and 28,—omit “the World Bank, International Monetary Fund” (8)

Page 4,—after line 3, insert—

“Explanation.—In case of those political parties, which are not registered with the Election Commission of India, for the purposes of this Act, the Government shall from time to time publish the list of such parties in the Official Gazette”. (9)

The first is about the definition of ‘candidate for election’. It is very clear that the top office of the country is that of the President; then the offices of the Vice-President, Speaker and the others, all these are important offices having consequences. These are not mentioned in the definition. If at all you are serious about the implementation of this Bill, there is no point in keeping them out of the definition of ‘candidate for election’.

As regards the World Bank and the IMF, the Minister has just now explained, but I am not convinced of the explanation. I would just like to remind the House once again of a very recent development in Bangladesh. Until Sheikh Mujibur Rehman was assassinated, until that Government was overthrown, the World Bank held back the financial assistance. I do not think it was accidental. I think that is a way they interfered with the affairs of a country, and we are no exception. It is for the Minister to accept the amendment. I would make an appeal to him to do so.

SHRI B. V. NAIK: Could he kindly cite the source of his information? It is of great interest to us.

SHRI C. K. CHANDRAPPAN: The World Bank itself said so that ‘we-

[Shri C. K. Chandrappan]

'will not give financial assistance until you reverse your policy'. India was also under pressure on many other occasions. That is why I say that they should not be exempted. The Minister's answer was not so convincing.

The UN has got so many other specialised agencies, WHO, ECAFE etc. Why these two are exempted? Why not include a list of all? I do not know how many there are. More than a dozen specialised agencies are there with which India has connections. But the Government thought it necessary only to exempt these two. I do not attribute any motive, but it is rather not intelligent to do it.

The third thing is about political parties. I want to bring to the notice of the House that there are political parties who do not believe in elections. Political parties means parties which are registered for the purpose of elections with the Election Commission with a symbol and so on. There are so many Maost parties in this country which refuse to believe in elections; they do not come anywhere near your definition. But if you want to implement your Bill, I think these are the three explanations.

SHRI F. H. MOHSIN: Amendment No. 7 says that the candidate for election should also include the President and the Vice-President of India, the Speaker of the Lok Sabha, the Speakers of the State Assemblies, Deputy Chairman of the Rajya Sabha, Deputy Speaker of the Lok Sabha and the Deputy speakers of the State Assemblies. I might say in this respect that the Speakers, Deputy-Speakers, etc. are all covered; because they come under the category of Members, Parliament or State Assemblies. They are covered under that definition.

SHRI C. K. CHANDRAPPAN: For six months, they need not even be Members of Parliament.

SHRI F. H. MOHSIN: Your presumption is not correct; unless he is a Member of the House, he cannot be Speaker or a Deputy-Speaker.

About the President and Vice-President, candidates for the presidency would come under this if they receive foreign contribution on behalf of a political party. But as soon as one is elected as the President, one could not be prosecuted so long as one remains in office as President under the provisions of our Constitution. An ordinary law cannot override the provisions of the Constitution. If other candidates for presidency are there and they have received money from foreign sources, on behalf of a political party they would definitely come under this Act. Any person who receives foreign money on behalf of a political party would be covered.

AN HON MEMBER: Not only the President; the Governors also.

SHRI F. H. MOHSIN: He has not referred to Governors and I am now replying only to his point. Governors do not contest the election and they are not candidates for election. Hence, I submit that the point mentioned by him is covered.

About the World Bank and International Monetary Fund, he says that India is under pressure. He referred to some incident in Bangla Desh. I do not know the circumstances in which Bangla Desh was refused assistance from the World Bank and I cannot hazard any guess about it. But what I can say is that India is under no pressure from any quarter nor do we yield to any pressure from any corner. We have got an independent foreign policy and also an independent policy for internal administration. We are not guided by any outside country. Our policy is laid down by our own leaders and formulated by our own people. We do not yield to any pressure from World Bank or International Monetary Fund. Then, Sir, the third point mentioned by him is this. In

case of those political parties which are not registered with the Election Commission of India, the Government from time to time shall publish a list of such parties in the official Gazette. Here he wants the Government to publish a list of such parties which are not registered. How is it possible? We can only publicise the names of political parties which are registered. But those which are not registered may be in thousands. For a negative picture he wants the Government to publicise those names which are not registered. That cannot be done. After all the Election Commission keeps a record of those political parties which are registered with them and they have been published by the Election Commission and that is sufficient. We cannot give a negative picture of the organisations which are not registered. So, Sir, I do not accept this.

MR. CHAIRMAN: Mr Chandrappan, are you pressing for it or withdrawing it?

SHRI C. K. CHANDRAPPAN: I would have withdrawn it, but the answer given by the Minister is not satisfactory. (Interruptions). There is one more thing you mentioned about the two specialised agencies of the United Nations. What about the other agencies? Why don't you mention them? And when you say about the function of the political parties, it means that there are other political parties working. Don't make a political speech here. We are discussing here the amendments.

THE MINISTER OF WORKS AND HOUSING AND PARLIAMENTARY AFFAIRS (SHRI K. RAGU-RAMIAH): I understand that if he clarifies the position, you won't press for your amendment.

SHRI F. H. MOHSIN: It is mentioned "any international agency, not being the United Nations or any of its specialised agencies, the World Bank, International Monetary Fund or such other agency as the Central Govern-

ment may, by notification in the official Gazette, specify in this behalf." So, it is quite exhaustive. Any other agency may come into being tomorrow. We cannot predict all those things.

MR. CHAIRMAN: Now, he has given the explanation. I think you are not pressing.

SHRI C. K. CHANDRAPPAN: Yes, Sir, I am pressing.

सभापति महोदय : सब मैं सहोदय
सं ७, ८ तथा ९ सदन की रकब्त के
लिये प्रस्तुत करता हूँ।

Amendment Nos. 7, 8 and 9 were put
and Negatived.

सभापति महोदय प्रान है—

‘के लखंड ३ विरोधक का द्रग देने।’

The motion was adopted.

Clause 2 was added to the Bill.

Clause 3 was added to the Bill.

Clause 4.— (Candidate for election,
etc., not to accept foreign contribu-
tion.)

SHRI C. K. CHANDRAPPAN: I
beg to move:

Page 5,—

omit lines 1 to 4. (10).

Sir, I think these lines which I wanted to omit from the Bill, if they are included, will go in favour of Corporations. I think they will play havoc. I think the Minister will answer to this.

SHRI F. H. MOHSIN: I have already replied to this. If the amendments are accepted, the word Corporation would include all private Corporations also. This is not envisaged in the Bill. There is no point of bringing into this Bill all private establishments in the country. The intention is to bring only Govern-

[Shri F. H. Mohsin]

ment controlled corporations. So, we have no intention to cover all private corporations.

MR. CHAIRMAN: I think you don't press for it.

SHRI C. K. CHANDRAPPAN: I wish to withdraw it.

सभापति महोदय : क्या माननीय सदस्य को अपना संशोधन वापस लेने की अनुमति है ?

माननीय सदस्यगण : हाँ।

The amendment was, by leave, withdrawn.

सभापति महोदय : प्रश्न है—

“कि खण्ड 4 विधेयक का अंग बने।”

The motion was adopted.

Clause 4 was added to the Bill.

‘Clauses 5, 6 and 7 were added to the Bill.

‘Clause 8, (Persons to whom section 4 shall not apply.)

SHRI C. K. CHANDRAPPAN: I beg to move:

Page 7, line 26, for “eight thousand” substitute “four thousand” (5).

This is about transactions between relatives. It is not a very good thing. People can pass on money for political purposes also.

18 hrs.

SHRI F. H. MOHSIN: There are so many relatives—sons, brothers, etc.—who are working in foreign countries. Rs. 8000 per annum would come to Rs. 700 per month, i.e. roughly \$90 or £35. If the children are working elsewhere and they want to send some money to their parents or dependents here, it would not be a big sum. I think this is reasonable. We have discussed it in the com-

mittee also and we have convinced Mr. Chandrappan at that time.

सभापति महोदय : क्या आप अपने संशोधन को प्रैस करना चाहते हैं ?

SHRI C. K. CHANDRAPPAN: No. I want to withdraw my amendment.

सभापति महोदय क्या माननीय सदस्य को अपना संशोधन वापस लेने की अनुमति है ?

माननीय सदस्यगण हाँ।

The amendment was, by leave, withdrawn.

सभापति महोदय प्रश्न है—

“कि खण्ड 8 विधेयक का अंग बने।”

The motion was adopted.

Clause 8 was added to the Bill.

Clause 9 and 10 were added to the Bill.

Clause 11.—(Application to be made in prescribed form for obtaining prior permission to accept foreign contribution or hospitality.)

SHRI C. K. CHANDRAPPAN: I beg to move:

Page 9, after line 6, insert—

“Explanation.—In case of hospitality offered for attending a meeting, conference or any such event, the disposal of the application referred to in sub-section (1) shall be made before ten days of the commencement of the said event and if disposal has not been made within the said period, it may be deemed that the central Government has given permission to accept the hospitality.” (11).

There is a provision in the Bill that if an application is receive for acceptance of a contribution, with 30

days the reply should be given. Otherwise, it will be deemed that the government has no objection. In regard to hospitality, there is no such provision. That is why I have moved this amendment.

SHRI F. H. MOHSIN: International conference etc. are usually arranged sufficiently in advance and there would be enough time for them to apply and get permission.

SHRI C. K. CHANDRAPPAN: There will be sufficient time to make an application. But if somebody in the government sleeps over it and no reply is given, I have said that if within 10 days of the commencement of the meeting no reply comes from government it shall be deemed that the government has no objection.

SHRI F. H. MOHSIN: Clause 11(2) says:

"If an application referred to in sub-section (1) is not disposed of within 90 days from the date of receipt of such application, the permission prayed for in such application, shall on the expiry of the said period of 90 days, be deemed to have been granted by the Central Government."

SHRI C. K. CHANDRAPPAN: Even for hospitality?

SHRI F. H. MOHSIN: Yes.

सभापति महोदय : क्या आप अपने संशोधन को प्रेरु करना चाहते हैं ?

SHRI C. K. CHANDRAPPAN: No; I want to withdraw my amendment.

सभापति महोदय : क्या माननीय सदस्य को अपना संशोधन वापस लेने की अनुमति है ?

माननीय सदस्यवचन : हा

The amendment was, by leave, withdrawn.

सभापति महोदय : प्रश्न है—

"कि खण्ड 11 विधेयक का अंग बने।"

The motion was adopted.

Clause 11 was added to the Bill.

सभापति महोदय : खंड 12 और 13 में कोई संशोधन नहीं है।

प्रश्न है—

"कि खंड 12 और 13 विधेयक के अंग बने।"

The motion was adopted

Clause 12 and 13 were added to the Bill.

सभापति महोदय : मेरा डायल है कुछ लोगों को 'हाँ' और 'ना' बोलना नहीं आता। वह इसको सीख लें। इसका मजाक न करें।

Clause 14—(Inspection of accounts or records.)

SHRI C. K. CHANDRAPPAN: I beg to move:

Page 9, line 29,—

for "Suspect" substitute—
"believe" (6)

If somebody has only a suspicion, the party offices, should not be raided. There should be reason to believe. That is why I say that the word 'suspect' be substituted by the word 'believe'.

SHRI F. H. MOHSIN: It is only if the Central Government has, for any reason, to be recorded in writing, any ground to suspect that any provision of this Act has been or is being contravened by any political party. Members have spoken today that many organisations are receiving funds. So, if we receive such information from the Members or from any respectable person in the public, that would be a cause for

[Shri F. H. Mohsin]

suspicion. On that suspicion only we can go and inspect the accounts. After the inspection, if something contrary is found, then only we can seize the accounts.

SHRI C. K. CHANDRAPPA: If they have no reason to suspect, then it will lead to harassment,

SHRI K. RAGHU RAMAIAH: In their case it is always 'suspect' and in our case, it is always 'believe'.

SHRI F. H. MOHSIN: Sufficient safeguards are there. The reasons have to be recorded in writing.

SHRI C. K. CHANDRAPPA: I would like to withdraw the amendment.

सभापति महोदय : क्या माननीय सदस्य को अपना संशोधन वापस करने की अनुमति है ?

"माननीय सदस्यगण ; हाँ।

The amendment was, by leave, withdrawn

सभापति महोदय : प्रश्न है—

"कि खंड 14 विधेयक का अंग बने।"

The motion was adopted

Clause 14 was added to the Bill.

सभापति महोदय : खंड 15 से 20 तक कोई संशोधन नहीं है।

प्रश्न है—

"कि खंड 15, 16, 17, 18, 19, 20 विधेयक के अंग बने।"

The motion was adopted

Clauses 15 to 20 were added to the Bill.

New Clause 20A.

SHRI C. K. CHANDRAPPA: I beg to move:

Page 11,—

after line 4, insert—

"20A. The Central Government shall constitute a body consisting of seven members, under the Chairmanship of the Minister concerned, which shall review and examine the implementation of this Act. This body shall have two members of Parliament, one each from Rajya Sabha and Lok Sabha." (12).

This is a very important Act. When the Government will come to enact it, we fear that it will be done by the bureaucracy in such a manner that it will harass innocent and ordinary people. That is why, we suggested even in the Select Committee that there should be some safeguards against it. A review Committee was suggested.

Some of the Ministers were not convinced about it. But I make a request to you in this House. It is not that something is going to stand in the way of the implementation of this legislation. On the contrary, if you accept a reviewing committee, it will only enhance the prestige of the Government, when you implement this kind of a legislation—which can lead to many controversies. Also, there will be a guarantee for the people who are genuinely the aggrieved party that they can come and seek justice from the hands of a committee. My suggestion is that the Minister should be the Chairman and we can include two Members of Parliament. I think that there is no reason for the Minister to refuse to accept this kind of an amendment. I believe that he will at least be convinced of the genuineness of the nature of this suggestion; he may accept it. He need not be rigid.

SHRI F. H. MOHSIN: I am not rigid; but I want to convince the hon. Member that there is no necessity for it. He can read clause 19. It says:

Adjudication of confiscation.

19. Any confiscation referred to in section 18 may be adjudicated—

- (a) without limit, by the Court of Session within the local limits of whose jurisdiction the seizure was made.

It is not as if a bureaucrat can give a decision. It is a Court of Session. Again it says:

- (b) subject to such limits as may be prescribed, by such officer, not below the rank of an Assistant Sessions Judge, as the Central Government may, by notification in the Official Gazette, specify in this behalf.

And again Clause 20 is there, which says:

“No order of adjudication of confiscation shall be made unless a reasonable opportunity of making a representation against such confiscation has been given to the person from whom any article or currency has been seized.”

Then there is clause 21, which is more important:

“Any person aggrieved by any order made under section 19 may prefer an appeal—

- (a) Where the order has been made by the Court of Sessions, to the High Court to which such Court is subordinate; or

- (b) where the order has been made by any officer specified under clause (b) of section 19, to the Court of Session within the local limits of whose jurisdiction such order of adjudication of confiscation was made.”

There is a provision for both. There is no necessity for a reviewing com-

mittee. The court is a better forum for deciding all these controversies— I mean the points which have been raised, by the hon. Member.

SHRI C. K. CHANDRAPPA: I am sorry I am not convinced. I am also more surprised that the Government is emphasizing so much that the courts will do everything. But for an ordinary man to go to the court, will be very difficult. It will be easier for him to go to a committee on which the Minister presides and where there are Members of Parliament, and to get justice. Otherwise, I am very sure that in the course of the implementation, you will harass ordinary people, but the sharks will always escape. They can go to the court you have yourself said that you were also harassed.

MR. CHAIRMAN: Are you pressing?

SHRI C. K. CHANDRAPPA: Yes; I am pressing.

सभापति महोदय : अब मैं संशोधन नं० 12 सदन की स्वीकृति के लिए प्रस्तुत करता हूँ।

Amendment No. 12 was put and negatived.

सभापति महोदय : अब मैं खंड 21 से 32 तक सदन की स्वीकृति के लिए प्रस्तुत करता हूँ।

प्रश्न है—

“कि खंड 21 से 32 तक विधेयक के अंग बनें।”

The motion was adopted.

Clauses 21 to 32 were added to the Bill.

सभापति महोदय : खंड 1 में श्री बी० बी० नायक का एक संशोधन है परन्तु मामनीय सदस्य उपस्थित नहीं हैं।

प्रश्न है—

“कि खंड एक, अधिनियम सूत्र और नाम विधेयक के अंग बनें”

The motion was adopted.

Clause 1, the Enacting Formula and the Title were added to the Bill.

SHRI F. H. MOHSIN: I beg to move:

“That the Bill be passed”.

सभापति महोदय : प्रश्न है—

“कि विधेयक पारित किया जाये”

The motion was adopted.

18 12 hrs.

The Lok Sabha then adjourned till Eleven of the Clock on Tuesday, March 30, 1976/Chautra 10, 1898 (Saka).