

SHRI SURENDRA MOHANTY: I am talking of the Rules of Procedure. As soon as the resignation comes, it becomes effective. The Rules of Procedure say that a Member should merely address a letter to the Speaker that he is resigning, without assigning any reason therefor. I only wish that the same privilege is extended to other Members also, so that they may also state the reasons if they so desire.

MR. SPEAKER: There is nothing of a point of order in it

18.05 hrs.

HALF-AN-HOUR DISCUSSION—
contd.

FREEDOM FIGHTERS WHO SUPPLIED F(LSE
INFORMATION

श्रीमती सहोबराबाई राय (स गर): अध्यक्ष महोदय, शास्त्री जी ने अभी जो स्वतंत्रता सेनानियों की चर्चा उठाई है इस में इन को कुछ जलन सी हो रही है . . .

अध्यक्ष महोदय: आप पहले मेरी बात सुनिये, शास्त्री जी से बाद में झगड़ा कर लेना। इस तरह की डिसकशन में नाम देने वाले बहुत से मम्बर होते हैं, लेकिन इस में उल्लेख किया जाता जाता है और जिम चार मम्बरों के नाम आते हैं उन को बोलने की इजाजत दी जाती है। आप इस में नहीं बोल सकती है क्योंकि आप का नाम बिलेट में नहीं आया है।

श्रीमती सहोबराबाई राय: मैंने नाम नहीं दिया था लेकिन उस समय जो सभापति जी बैठे थे उनमें कहा था।

अध्यक्ष महोदय: लेकिन इस बक्त सभापति की जगह पर मैं बैठा हू।

श्रीमती सहोबराबाई राय: आप इजाजत नहीं देंगे तो नहीं बोलूंगी।

अध्यक्ष महोदय: यह मेरे बस की बात नहीं है। मेरा दिल तो करता है कि आप बोलें,

लेकिन वह इजाजत नहीं देता है। पहले सभापति जिन्होंने आप को कहा था—उन्होंने ही यहाँ बैठा देता है।

18.06 hrs.

[SHRI DINESH CHANDRA GOSWAMI in
the Chair].

सभापति महोदय श्री मधुकर।

श्री कमला मिश्र 'सुशुभा' (केसरिया): सभापति जी मैं अपने मित्र श्री शास्त्री जी को बहुत धन्यवाद देता हूँ उन्होंने इस चर्चा को यहाँ पर उठाया है साथ ही सरकार ने जो स्कीम बनाई है वह भी सराहनीय है, मैं उस की तारीफ करता हूँ। लेकिन मैं सरकार से कुछ सवाल पूछना चाहता हूँ—

1 क्या यह बात सही है कि स्वतंत्रता सेनानों, पेशान योजना के अन्तर्गत राजनीतिक भेदभाव के दृष्टिकोण में कुछ लोगों को पेशान दी गई है और कुछ लोगों को नहीं दी गई है?

2. क्या यह बात भी सही है कि जो लोग सही अर्थ में जेल गये थे और जिन्होंने अपनी एल्कीशन सही ढंग से भेजी है उनको भी अभी तक पेशान नहीं मिली है। आप के आफिस में जो लालफीताशाही चल रही है उस के चलते ऐसे लोगों को जो डिजार्जिंग कैंपेज है उनको भी अपना तक पेशान मन्जूर नहीं की गई है?

3 क्या यह बात भी सही है कि सरकार कोई ऐसा निर्णय केंद्र जा रही है कि जिन्होंने सही अर्थ में स्वतंत्रता संग्राम में भाग लिया, जिन के घर-द्वार गोरों द्वारा लूट लिये गये, जिन्होंने अपने पेशानों को छोड़ना पड़ा तथा गांधी जी के आवाहन पर अपनी शिक्षा को त्यागना पड़ा, उन्हें भी पेशान देने जा रहे हैं?

4. क्या सरकार के पास ऐसी तिकायतें आई हैं कि विधायकों और संसद् सदस्यों ने गलत ढंग से पैरवी की है इन्हीं लिये उन के पैरवी के अधिकार को छीना जा रही है?

5. इसी सन्दर्भ में क्या सरकार स्वतन्त्रता नेमानी की परिभाषा में परिवर्तन करने जा रही है जिस से वे सब लोगों को भी सम्मिलित किया जा सके जिन की चर्चा श्री शास्त्री जी ने की है। वे लोग दिल्ली आते हैं, हम लोगों के यहाँ ठहरते हैं, आप के कार्यालयों में आते हैं, लेकिन फिर भी उन के काम नहीं होते : इसलिये क्या सरकार कोई अन्तिम तिथि तय करने जा रही है कि जिस दिन तक इस तमाम बातों का हल कर लेंगे और उन को आप के दफ्तरो में दौड़ना या परेशान न हों पड़े ?

6. म यह भी जानना चाहूंगा कि अब तक कितने लोगों को ताम्र-पत्र दिय जा चुके हैं तथा शेष को कितने समय तक ताम्र-पत्र प्रदान कर दिये जायेंगे ?

7. क्या सरकार ने सामान्य रूप से 200 रुपये प्रतिमास की पेन्शन देने का निर्णय किया है, लेकिन कुछ लोगों को विशेष रूप से 300 रुपया प्रतिमास भी दिया गया है। क्या सरकार किरायात-शुआरी के नाम पर उस बढ़ती का रोकने जा रही है या मंहमाई को ध्यान में रखते हुए सब को 300 रुपये माहवार देने जा रही है ?

SHRIMATI T. LAKSHMIKAN-
THAMMA (Khammam): Sir, I would like to ask a question.

MR. CHAIRMAN: The difficulty is, under the Rules, only 4 Members can ask questions. Secondly, in this case, 19 Members wanted to ask questions. Fifteen were eliminated by ballot. Now, I cannot include anybody who had not asked for his or her name to be included. This will be really unfair. Shri Mohsin.

THE DEPUTY MINISTER IN THE
MINISTRY OF HOME AFFAIRS
(SHRI F. H. MOHSIN): Mr. Chair-
man, Sir, Mr. Ramavatar Shastri had
asked a question on 7th August, Un-

starred Question No. 1801. The ques-
tion was:

"(a) the number of cases where
pension of persons, who secured
Freedom Fighters pension as a result
of having supplied false informa-
tion, has been stopped."

To this, I had replied:

"Pensions have been suspended/
stopped in 175 cases."

He had also asked:

"the names and addresses of the
Members of Parliament, Ex-Mem-
bers of Parliament, Members of
Legislative Assemblies and Ex-
Members of Legislative Assemblies
and other authorities, on the autho-
rity of whose certificates such per-
sons succeeded in getting their pen-
sions and nature of action Govern-
ment have decided to take against
them."

To this, I had replied:

"It is not possible to give the
names and addresses in all these
cases. However, if, on the comple-
tion of enquiry the pensions are
found to be wrongly sanctioned, the
same will be cancelled and further
action regarding recovery etc. taken
depending on the merits of each
case."

Sir, this Half-an-hour Discussion has
arisen out of the answers given on that
day.

Mr Shastri while raising the dis-
cussion had asked for the figures, how
many applications have been received
and how many applications have been
disposed of. I want to give the up to
date information. As on 14th August
1974, the total number of application
received within the due date was
1,95,104. The due date was 31st March,
1974. The total number of applica-
tions received within the due date in-
cludes Ex. INA personnel. The num-
ber of applications received after the
due date was 9,243. This makes up a
total of 2,04,347. Out of these appli-
cations, in the case of 86,162 applica-

[Shri F. H. Mohsin]

tions, pension has been sanctioned; number of applications rejected—38,829; number of applications filed—24,732; total number of applications disposed of—1,49,823 and the number of applications pending disposal—54,824. Of course, Sir, this includes the applications received after the due date also.

Sir, a point has been made by almost all the Members that there has been delay in the disposal of the applications. I may state that even these 54,824 applications pending, except those received after 31st March, 1974 have been scrutinised more than once. But, they are pending disposal for want of evidence for want of due certificates which are required to be produced by the applicants or for want of recommendations from the State Governments which are yet to come. This is the reason, why these applications are pending. Otherwise, we would have been able to dispose of most of the applications, almost all the applications. Of course, it is true that the applications which have been received after the due date, namely, 31st March, 1974, are pending examination and scrutiny. They will be taken up as soon as the previous load is disposed of. In the case of applications which are received after the due date, they will be considered only if sufficient reasons, which are convincing, are given for the delay in giving the applications. Every effort has been and is being made to see that the applications are disposed of early and due attention is paid to the disposal of the applications.

Mr. Shastri made some allegations that there are thousands of fake applicants who are receiving pension. It is true that he has written some letters, but he has complained only about 30 cases of this sort. We have got the details of all these 30 cases. The total number of complaints received throughout the country is 426. The number of cases in which pension has been suspended as on 15th August, 1974 is 186. The number of cases disposed of is 24, out of which in 21 cases

the complaints were found to be baseless. In 2 cases pensions have been cancelled as the complaints were found to be correct. In the remaining one case, the complaint was received before the pension was sanctioned. So, the case has been rejected. From these figures, we cannot conclude that there are a large number of fake applications.

SHRI RAMAVATAR SHASTRI: How did you conclude that the complaint was baseless?

SHRI F. H. MOHSIN: Usually when a complaint is received, we ask the State Government again to verify it. We will verify whether the records are correct. If there is even some slight doubt about the genuineness of a document, we ask the State Government to verify it from the jail authorities. We cannot make a direct enquiry from here throughout the length and breadth of the country.

Shastriji made a complaint about an employee in the freedom fighters section in Bihar. That was also sent to the State Government to be enquired into. He did not mention the name. Even now he is not definite. He says it may be Lal Babu or Ram Babu. There were two persons by these names. Lal Babu is already under transfer orders. We will suggest that Ram Babu also should be shifted. This much we can do. If there are complaints against any other officers, we will ask the State Government to enquire into it. If Shastriji gives the names of any persons who are taking this pension by producing false certificates, we will enquire into the matter.

He had written about the case of Shri Hazari Lal of Patna District. In that case, a complaint was received by Shri Shastri, which he forwarded to us.

MR. CHAIRMAN: The Minister will remember that when the names were cited by Shri Shastri, I objected to the names being mentioned. If you start

giving individual names, this half an hour discussion, which has already gone to one hour, will go on endlessly. So, leaving aside individual cases, you can refer to them generally.

SHRI F. H. MOHSIN: All the cases which have been referred to by Shri Shastri, we have got them examined. In many cases the pension was sanctioned on the basis of the recommendation of the State Government. In the case of that particular individual, whose name he mentioned, the person was sentenced to imprisonment in another case. He had suffered imprisonment for four years. It was known as Bhikhan Pahari Bomb case. Of course, in another case he was an approver.

SHRI RAMAVATAR SHASTRI: It was in the same case. I was in the jail.

SHRI P. G. MAVALANKAR (Ahmedabad): Sir, on a point of order. The Half an Hour discussion is meant to raise general principles and general problems. I do not think this House is meant for going into individual cases, however grave and serious those cases may be. Therefore, I think the Minister should simply give an assurance that he will examine the individual cases.

MR. CHAIRMAN: You are perfectly correct. That is why I asked him not to cite individual cases. But Shri Shastri in the discussion has referred to one case. Therefore, I thought he can refer to that particular case to keep the records straight.

SHRI DINEN BHATTACHARYYA (Serampore): Shri Shastri is making a very serious allegation

SHRI A. P. SHARMA (Buxar): Since when have you become his supporter?

SHRI F. H. MOHSIN: In many cases the pension was sanctioned on the basis of the recommendation of the State Government. In some cases, complaints were made against persons whose applications have not been received at all. There are such com-

plaints also. I have got here details of all the 30 persons. But, as the Chairman has ruled, I cannot give the information in individual cases. I can show him the whole list so that he can know what action has been taken. In some cases the inquiry is going on. In some cases the allegations are found incorrect. If Shri Shastri is interested, I can show him the full details.

He also mentioned about mentioning the names of MPs and MLAs who have given certificates to these persons. Of course, there is no harm in mentioning their names. But there are about 426 cases. If the Members go on asking who has recommended whom, this will involve so much of labour and time to give this information. It is not commensurate with the labour and time involved. We want to give as much publicity as possible to the names of freedom fighters who have been awarded pensions. I have no hesitation even to divulge the names of MPs and MLAs who have recommended their cases. It is not a secret document. It is a question of only labour and time involved in that.

As to what action is taken when the application is found to be a fake application, in that case, if the application is found to be not genuine, action could be taken and action is contemplated to be taken. He could be proceeded against under Section 420 I.P.C. for cheating. The amount paid could be recovered from him. But we do not contemplate to take any action against MPs and ex-MPs who have given certificates on the basis of which pension was drawn. Any way, we can recover the amount from him and also take criminal action against the person who cheated the Government.

The hon. Member, Shri Arjun Sethi, from Orissa made a rather wild allegation that only the fake applicants have been getting pensions and that genuine applicants have not been given pensions. It is not true. Most of them are genuine applicants. The fake applications are very few. From

about 426 complaints, that were received so far we have found only 2 fake applications. By no stretch of imagination, we can say that all these are fake applications. If there are any genuine freedom fighters who have suffered and who have not been given any pension, we will consider them. He said that a person who has suffered imprisonment for a number of years has not been given any pension. It may be because some document is not forthcoming. There may be some delay because the certificate or some document is not forthcoming. If my hon. friend, Shri Sethi, writes to us about such cases, we will take expeditious action in the matter.

SHRI ARJUN SETHI: I have already written to you.

SHRI F. H. MOHSIN: Then, Shri K. C. Halder made a point that people from the former united India which now form part of Pakistan or Bangladesh who have come here and have also taken part in the freedom movement have not been granted pension because they cannot get the jail certificate. In these cases, of course some leniency is also shown. We do realise that it may be difficult for them to produce jail certificate because they cannot go there and get it. For such persons, we require some other circumstantial evidence. A certificate from MP/Ex-MP or MLA/Ex-MLA who were with them as co-prisoners will be sufficient. Also, on the basis of the State Government certificate, after making some inquiry if they are found to be real freedom fighters, we can give pension. If there are any such cases, we will look into them.

Another hon. Member from that side said that political discrimination is being made. He made that allegation. We do not make any distinction between this political party or that political party. What we want is, whether he is a genuine freedom fighter or not. Let him belong to any political party. We have never made

any discrimination. We are not going to make any discrimination.

It is true that Tamrapatras are not being distributed expeditiously. There has been a delay in distributing these Tamrapatras because they are being distributed by the State Governments. It is very difficult to distribute from Delhi. Of course, the first distribution was made by the Prime Minister here on that Independence Day. But later on, we have been requesting the State Governments to distribute tamrapatras as early as possible. We will pursue this matter.

One hon. Member made a point: why not given pension to those persons who were released prematurely due to Gandhi-Irwin Pact. For these people we have already shown some concession. If they had been released before completing six months, and if they were there even for five months, they are being considered for pension. But the demand is made to bring it down further so that the case of 4 months and 25 days is covered. Then there may be another case of 4 months and 24 days. Then there may be another case of 4 months and 23 days. There is no end to it. We have to fix the period somewhere, and after full consideration of the matter and also the overall situation of the freedom fighters throughout the country, this has been decided.

Our basis of sanction of the pension is the actual suffering. Suppose a person was convicted and the judgment was delivered for ten years but he did not suffer, he did not stay in the jail, even for one month; then he is not entitled. It is mainly based on the suffering of the person.

He also made another point that some people were getting Rs. 300, when others are getting Rs. 200. That also depends on the actual suffering. There are some persons who have suffered for more than five years and who have more dependents. So, it depends on the actual suffering and

also on the number of dependents on him and also his financial condition. All these are taken into account while giving the enhanced pension.

He has said about under-trials. Even now the position is that we have extended to give pension to the persons who were under trial also not only in the former native States but also in what was known as British India provided they were in jail for six months.

For those who went underground, there must be some kind of evidence. Otherwise, every one will come and say that he was underground. Therefore, in order to decide who remained underground and who did not, there must be some kind of evidence; for example, some proclamation by the Government to award so much price to those persons who gave information. If some kind of official evidence is forthcoming, we can give provided he had gone underground for more than six months. As I said, here, proof is necessary.

We have been taking expeditious action in giving pensions to those who are very old and who are sick. The first priority is given for those persons who are more than 80 years old. We give the second priority to those who are more than 70 years old. If they are sick, then also we give priority. We dispose of those applications early. Priority is also given for widows who are in a very difficult position; we examine those applications early. Every effort is being made to see that the applications are disposed of as expeditiously as possible. There is no cause for any complaint or concern. The apprehensions of Shri Ramavatar Shastri are not well-founded.

THE MINISTER OF HOME AFFAIRS (SHRI UMA SHANKAR DIKSHIT): This question has been discussed in this House several times, and I am afraid the exact position is not well known or well appreciated by all the hon. members.

The first point that I want to submit for the information of the House is this. My colleague has mentioned that a certain number of cases are pending. Why are they pending? They are not pending with us in the sense that we have all the information and we are not deciding. I am saying this with the full sense of responsibility. I made the enquiry about a week ago; I had called my officers. A statement has been given and all the hon. members have seen it, where State-wise we have stated the number of applications pending with each State Government. Where there is a clear evidence, we straightaway sanction; we call it a provisional sanction; that is to say, if there is confirmation, then we will finalise it; if there is no confirmation, then we will reopen it. Otherwise, we would never be able to dispose of many applications. As more and more applications come from each State saying that these are applications for sanction, we sanction them. Take, for instance, the question raised by Shri Ramavatar Shastri. In the last Session, while the Session was going on, I sent a telex message to Patna and requested the Chairman—the Chairman is no less a person than Shri Hari Nath Mishra—than whom there is no person with greater integrity, with greater trustworthiness, if I may say so. That is why he was appointed Chairman. He has got a Committee and that Committee goes carefully into every application. And when I asked him how long will he take to complete the work in respect of the applications,—I think Tiwari ji will also remember, he replied, it will take about nine months. He is going so much into details; he is doing it so carefully. Therefore Shastri ji cannot say that we are hastily doing something or sanctioning cases in indecent haste and all that.

SHRI RAMAVATAR SHASTRI: I will prove it.

SHRI UMA SHANKAR DIKSHIT: He said, Members of Parliament

[Shri Uma Shankar Dikshit]

should be punished. Well, suppose, I, as a Member of Parliament, receive an application. I receive such an application from one whom I trust; someone who had been with me in jail and whom I trust. I recommend such an application on that basis. Now, do you want me to go to jail for that? Suppose Shastri ji makes an application like that; what should happen? Sir, this is not a general discussion and we need not go into the same points over and over again. Let him have another discussion if he likes. We have had several discussions but still he is not satisfied. Certain matters which were finally settled are coming up again. My complaint is this and it is a tragedy that the same matters are raised over and over again which have been settled. I make an offer. I invite all those members who either feel that genuine cases have not been sanctioned or that non-genuine cases have been sanctioned to meet me; I invite them one by one. I will give them all the information. Let no hon. Member, however highly-placed he may be, however good gentleman he may be, think that he alone is correct and all the other Members of Parliament are false. Let that not be the attitude. Sir, we treat them all alike.

I as a human being am liable to error; Shastri ji is liable to error but on my error he is willing to punish me....

SHRI RAMAVATAR SHASTRI: I will prove....

SHRI UMA SHANKAR DIKSHIT: For that we will have another forum. I will not accept the statement merely because he insists that this is being done etc. Let the whole information come. Let the State Government come with their view. Let the Committee give a report as to what

they have done and why. Then we may know the truth. I will hold in the next two weeks, meetings with each Member, with even those who are not present today. I want this matter to be settled once and for all. I would respectfully tell the House that we are not Unduly holding up any single application for which we have got information. Now there are only those applications which have been received after time and those applications for which we have no reports from the concerned State Governments. What are we to do about them? If you like, we will close them today, but I ask, will that be fair?

Sir, it is much better, and I submit this with due respect—and also with the expectation of appreciation, if I may say so, that it will be utterly wrong to dispose of these cases and not wait until we have fully satisfied ourselves that all these cases are not genuine. And I request that Shastri ji will be the first hon. Member to see me, with whom I will be having a meeting next week, he can come and I will tell him about these facts. But I will also tell him one thing, that if he feels that his complaints are wrong, he should make such a declaration in this House, that out of thirty applications so many are wrong, so many are right and so on. If in our case our head office had made a mistake I will say so. If a State Government has said some such thing, I will say, that the State Government has said this or that.

Sir, I think, with this assurance, we should treat this matter as closed.

18.40 hrs.

The Lok Sabha then adjourned till Eleven of the Clock on Thursday, August 22, 1974 Sravana 31, 1896 (Saka).