

12.27 hrs.

**QUESTIONS OF PRIVILEGE
AGAINST SHRI R. N. GOENKA—
contd.**

SHRI BHOGENDRA JHA (Jainagar): I was standing that day.

MR. SPEAKER: I told you that you cannot speak for the second time.

SHRI BHOGENDRA JHA: Sir, my point of order is relating to the privilege issue. I shall read out. That is regarding the procedure.

MR. SPEAKER: If it is a point of order, then I shall listen to you. But do not make a speech. Then, I won't allow.

SHRI BHOGENDRA JHA: I shall simply read out from the angle of procedure.

MR. SPEAKER: What is the angle of procedure?

SHRI BHOGENDRA JHA: This is with regard to the report of the D.I.G. of CBI. I am reading:

"The Deputy Inspector General of Police while forwarding a copy of the chargesheet for our information has suggested that all credit facilities availed of by Express Group. . .

MR. SPEAKER: You cannot bring anything new now. Is this the point of order? Let me listen to his point of order before I call Shri Goenka.

SHRI BHOGENDRA JHA: I am not quoting any single sentence. I am only reading out that letter:.

"Express Group of Companies be terminated forth with and action taken in this regard may be intimated to him as continuation of facilities even after filing of charge sheet is likely to draw adverse comments from the court. The accused may also take the plea that

even after knowing about the filing of the chargesheet the bank has chosen to continue the facilities....

MR. SPEAKER: Just listen. This is a note that you gave me and that was dated 16-12 and I had passed orders that this is something new—not permitted.

SHRI BHOGENDRA JHA: I may mention one thing. It is serious that the Sr. Chief Credit Administration of Punjab National Bank has written to the Management Committee of the Bank with regard to the C.B.I., DIG's report to him. That had been violated and where it has been mentioned that the chargesheet is likely to draw adverse comments from the court. The accused may also take the plea that even after knowing about the filing of the chargesheet the bank has chosen to continue the facilities.

I quote:

"It is suggested that the case will be considerably weakened if the facilities to the Express Group of companies are continued by the bank."

MR. SPEAKER: I am sorry this is not a point of order. This is not admissible as a point of order.

SHRI BHOGENDRA JHA: Here, the matter is sub judice. In this context, I would like to know when the CBI DIG insisted that no credit facilities should be granted, in violation of this report, how can the Punjab National Bank. . .

MR. SPEAKER: This is not a point of order. This is something about investigation. This is not a point of order.

SHRI BHOGENDRA JHA: A Member of Parliament is influencing the bank to give credit in contravention of the guarantees of the CBI DIG. If you want, I can lay it on the Table.

MR. SPEAKER: No interruptions now. I cannot allow it unless I examine it.

SHRI PRIYA RANJAN DAS MUNSI (Calcutta—South): Sir, before you ask hon. Member Shri R. N. Goenka to reply, I would like to seek one clarification. The other day when Mr. L. N. Mishra replied to his privilege motion against him, hon. Members Shri Shyamnandan Mishra and Shri Atal Bihari Vajpayee raised certain important points which they said have not been clarified by Shri L. N. Mishra in his reply. I am not disturbing his speech. Let him give his reply. But, after his reply, if we are not satisfied and if we want some clarifications on some points, I would request you to kindly allow us to make those points.

MR. SPEAKER: Mr. Munsi, the circumstances in that were very much complicated and I had expressly mentioned in that case that because of the noise and shouting, some gentlemen were not heard and reporters were not able to report. I shall allow points of order or submissions. I had expressly stated that somehow or other, procedures had not been followed and it rather went out of our control. It will be my effort that this will never be repeated again, this will not be treated as a precedent and the procedures will be kept straight. It is not necessary for the Speaker to listen on points of admissibility. It is only when he is in doubt or in suspense or wants some clarification, he may. He is not bound to do it. In certain cases, if the facts are self-evident, Speaker need not even mention. Because you had given so many of them, he had given his version and so many points were brought in, I thought a few submissions on the admissibility would be permissible. But, nothing more.

SHRI R. N. GOENKA (Vidisha): Mr. Speaker, Sir, I am grateful to you for giving me an opportunity to state my position with regard to certain accusations made against me by some hon. Members on the 13th and 16th December. I had thought that the allegations would not be allowed to be made in an uninhabited manner

because, I have no doubt, you must have asked yourself first of all whether these allegations related to a period when I was a Member of Parliament and if the answer was in the negative, the very basis of this discussion did not exist. I need hardly say that a motion of privilege against a Member can be entertained only if the Member has been guilty of misconduct or misdemeanour as a Member of the House. There is not even an iota of evidence in all the speeches that have been made on the floor of this House that the allegations that have been hurled against me pertained to the period when I was a Member of the House or that they concern the discharge of my duties as a Member of this House. Hence, I respectfully submit that on these two grounds, these notices of motion are patently unsustainable and untenable. One would, therefore, be driven to the conclusion that it is part of a campaign of calumny and vilification against me which is entirely politically motivated. Besides, the Notices of Motion under Rule 222 were based only one one ground that a *prima facie* case was established against me in the Court of the Metropolitan Magistrate, Madras, on certain charges. This claim has absolutely no foundation in fact. I have already said this to you in my letter of explanation in regard to these very notices. I have also stated that even the *Patriot's* news item does not say so. I have also pointed out that the case was not committed to the Chief Metropolitan Magistrate, as was claimed in the news item in the *Patriot*, but it was only made over according to the new Criminal Procedure Code. I have drawn your attention to the fact that the prosecution wanted the case to be committed to the court of sessions, but their plea was rejected and this fact was suppressed in the news item.

You would have noticed, as I told you in the letter, that this is a fact that there was a submission to the court that the matter be made over

[Shri R. N. Goenka.]

or committed to the sessions and it was rejected. Still there is not a line about it in the publication that has been made in the *Patriot*.

The news item arranged to be published in the newspaper was, you will appreciate, a garbled version unrelated in time or content to any new developments in the case. The report of the case has been published quite a number of times on one excuse or the other and did not deserve any further publication as a matter of news. The newspaper report was clearly instigated by the CBI who issued a press release, a copy of which I would like to place on the Table of the House subject to your approval, wherein they suppressed the fact that their plea before the Metropolitan Magistrate, Madras, to commit the case to sessions had been rejected and the case was merely made over to the Chief Metropolitan Magistrate, Madras, and not committed to any court. It was only made over under the Cr.P.C. This was a question of procedure and nothing more. But the fact that their plea for committing the case to the sessions court was rejected was suppressed in the news item. I have got a copy of the order dated 30th November, 1974 of the Metropolitan Magistrate, Madras, and with your permission, I would like to place it on the Table of the House. This makes the position absolutely and abundantly clear.

It is my respectful submission that the CBI by their press release and the *Patriot* by its publication are, *inter alia* guilty of *suppressio veri* and *suggestio falsi*. You will therefore find that not only was the case not committed but the contention of the hon. members that a *prima facie* case was established is untrue and *mala fide*.

It will not be out of place to mention here that the *Patriot* published this CBI press release on 4th December, 1974 wherein it was mentioned that the "case was committed for trial

by the Special Metropolitan Magistrate, Madras, to the Court of the Chief Metropolitan Magistrate, New Delhi, on Saturday". They said it was transferred to New Delhi. Although it was later corrected to the effect that the case was committed to the Chief Metropolitan Magistrate, Madras (and not New Delhi), enough damage has already been done to me inasmuch as the news of the transfer to New Delhi carried innuendoes adverse to me.

It is also not for me to say whether the use of the word 'committed' was deliberately made to create a wrong impression that the allegations were as good as *prima facie* established. The lavish display given to the press release in the *Patriot*, which was out of all proportion to its news value and the promptness with which the press release has been seized upon by hon. friends opposite to malign me would lead one to the inevitable conclusion that there is something more than what meets the eye in all this and appearances suggest a compact between the CBI and all other interested elements.

I am grateful to my friend just now who said that the CBI went to the extent of asking the Punjab National Bank to close down my account to give a flip to their case. I would like to submit here that it is none of the business of the CBI to go and ask the Punjab National Bank to close down my account. What is their business? Their business is to prosecute me and put facts before the court, but not the business of asking the Punjab National Bank to harass me, close my account and put me out of business. You will appreciate from this to what depths this Government can go down to, to what depths their agencies can go down to. I want to establish this before you this afternoon. The charge of which I am accused is of cheating the Punjab National Bank of Rs. 40 lakhs in 1968. You, sir, and the Members of the House may not be aware that the Punjab National Bank, the party

affected has not made any complaint at any time in this regard. Myself and the Express Company still continue to be their clients and, I take it, esteemed clients. It is admitted by all concerned including the Prosecution that no amount has remained unpaid in this connection. I really wonder that it is. The Punjab National Bank does not say so; but the Government says that I have cheated them!

SHRI PRIYA RANJAN DAS MUNSI: What did the chief accountant give out as a witness before the CBI?

SHRI R. N. GOENKA: The Punjab National Bank is under the control of the Reserve Bank of India and the Government of India and if at any time I had cheated the Punjab National Bank, the Punjab National Bank will be the first to make a complaint against me. However, it is for your consideration whether allegations or charges appearing in newspapers against some hon. Members should be allowed to form the basis of discussion in this House.....(Interruptions). If this practice develops I can make hold to say that even now there would be a crop of privilege motions against a number of hon. Members....

SOME HON. MEMBERS: Bring them up.

SHRI R. N. GOENKA: ...hon. Members, Congress Members. I am not going to mention them now. There is a case pending with identical charges amongst others, against an hon. Member belonging to the Congress Party.

SOME HON. MEMBERS: Name?

SHRI R. N. GOENKA: You know the name of that Member belonging to the Congress Party; Mr. Sen, former Minister of Law.

SOME HON. MEMBERS: No names.

SHRI R. N. GOENKA: I did not want to give the name but they insisted; I do not want to give the name. I want to point out the depths to which they descend. Can this be made the subject matter of discussion in this House when the matter is *sub judice*?

There is a case against another Member of the House, again belonging to the Congress Party.

AN HON. MEMBER: Name?

SHRI R. N. GOENKA: No, I will not give the name; it relates to the most heinous crime.

SOME HON. MEMBERS: What?

SHRI R. N. GOENKA: Murder. In this case also charges have been levelled against the Member by the CBI and he had been released on bail. Allegedly an offence had been committed by the Member while he was a Member of Parliament. Could this again be the subject matter of discussion in this House....

SHRI PRIYA RANJAN DAS MUNSI: What about Radha and Company?

SHRI R. N. GOENKA: Wait, I will come to Radha and Company when necessary. I refrain from mentioning the names because I do not want to go to that depth which some of the hon. Members on the other side have gone down to. There has been a news item, even editorial commentary in a Malayalam paper, on the conduct of a Member of this House, who also belongs to the Congress Party..(Interruptions).

SHRI K. P. UNNIKRISHNAN (Badagara): I reserve my right of personal explanation.

SHRI R. N. GOENKA: ... Therein not only certain allegations of vicious crimes had been made but it was also further alleged that the Member concerned used his influence as a Member of Parliament to hush up the matter. This hon. Member is one of the sponsors of this motion. Will it

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be proper or appropriate for the dignity of the House to discuss the conduct of the hon. Member on more allegations or charges?

There are a number of election petitions pending in courts in which wild charges have been made against some of the sitting Members of Parliament. Can mere charges be sufficient to discuss their conduct in this House? I refuse to be provoked into making such wild allegations because I believe that the dignity of the House should be fully protected and maintained, and the Members of the House should not be obstructed in discharging their duties independently, fearlessly and without being intimidated or issues being sidetracked. I have no doubt that you will not countenance such motions and would not depart from the salutary traditions built up so far that no Member should be permitted to be maligned on unsubstantiated allegations and on mere newspaper reports.

I may mention in passing before I reply to the allegations made against me by the hon. Members the other day, that the CBI, the Government and some of their agencies have gone out of their way to harass me. The CBI has not gone to the Court with clean hands; but this is neither the place nor the occasion to go into this matter.

Coming to the allegations made by Members against me in this House, I shall deal with them seriatim. My hon. friend Shri Priya Ranjan Das Munsri merely repeated what was published in the Patriot and tried to go into the merits of the case. I am sorry I am not in a position to go into the merits of the case since the matter is pending in a court of law. This House is not a trial court. The allegations and charges made by the hon. Members should not have been permitted by you, Sir. I shall present my rebuttal in the Court. This House is concerned only with the question of misdemeanour. The Hon. Members have not been able to make out any case in this regard.

Shri Bhogendra Jha accused me of defalcation of Rs. 25 crores. Where he gets the figure from, I do not know. I am not able to understand this. I only wonder why the amount was not raised to a higher figure to make it look even graver. (Interruptions). He also referred to some note from the Chief Cost Accounts Officer of the Finance Ministry to the Ministry of Information and Broadcasting. No such note has ever been made available to me nor has any question in regard to their note been asked from me. He is obviously in the confidence of the Ministries of the Government of India but all that I can say is that the assets of the Express Group of Newspapers far exceed their liabilities. Shri Jha also referred to a certain speech of the Prime Minister in Calcutta. I am sorry that in a discussion of this nature he should have brought in irrelevant matters and dragged in even the name of the Prime Minister, I have great respect for the Prime Minister and the Nehru family for decades and I would not bring them into this discussion. I do not want to discuss any matter which concerned the Prime Minister and the Nehru family. I have known them for decades.

श्री जनेश्वर मिश्र : बहुत पैसा दिया है
अध्यक्ष महोदय, इन्होंने उनको ।

SHRI R. N. GOENKA: The best part of Shri Bhogendra Jha's speech referred to the activities of Shri Jayaprakash Narain. How it was relevant to the question under discussion, I do not know. Certain allegations that have been made against me that I went to Patna to bribe the Legislators are absolutely untrue and I treat them with the contempt they deserve. JP can speak for himself. But there is a salutary rule established in this House that no allegations or charges can be levelled against anybody or his name should be dragged into this House, who cannot defend himself on the floor of this House. This has been completely ignored so far as this discussion is concerned.

Shri S. M. Banerjee admits that the court has not yet adjudicated on the merits of the case and it cannot be done until the case is established. Yet, he would like the matter to be sent to the Privileges Committee. I have already answered this point. He also says there are four cases against me. So far as I am concerned, there is only one case against me which has been the subject matter of discussion. If there are others in the making, I have no knowledge. He knows better.

I now come to Shri Unnikrishnan. He referred to a series of enquires by the CBI. I do not know anything about the series of enquiries. He is in the confidence of the Government and probably he knows better than I do. He accused me of misuse of funds of Lord Venkateswara Devasthanam, Tirupathi. This matter was raised earlier by a Communist member in this House in 1968. The then Speaker had asked for an enquiry to be made and later the then Law Minister, late Shri Govinda Menon, reported in the Lok Sabha on 13th May, 1969 as follows:

"Mr. Speaker, Sir, in the course of supplementaries to Starred Question No. 1384 dated 29th April, 1969, I was directed by you, Sir, to find out the facts regarding an allegation made by Shri Indrajit Gupta that the funds of the Tirupathi Temple are being misused to corner shares in the Indian Iron & Steel Co Ltd., by the Goenkas. The Deputy Minister, Shri J. B. Muthyal Rao, was instructed by me to go to Tirupathi, look into the registers, talk to the authorities of the Devasthanam and the Andhra Pradesh Government and report to me on this allegation. He had been to Tirupathi along with an officer of the Ministry of Law and they had a series of de-

tailed discussions with the Minister of Religious Endowments, Government of Andhra Pradesh and the officials of the Tirupati Devasthanam. They had also gone through the registers of investments and books of accounts maintained by the Devasthanam under the statutory provisions applicable to the Devasthanam. The registers were seen to be duly audited by the Assistant Commissioner of Local Fund Accounts. As a result of the discussions and the examination of the various registers, it was seen that there has been no misuse of funds of the Devasthanam as alleged. The rules made under section 100(2)(k) of the Madras Hindu Religious and Charitable Endowments Act, 1951, relating to the custody of moneys of the religious institutions, their deposits in, and withdrawals from, banks and investment of such moneys, were found to have been observed. I am, therefore, to mention that there is no truth in the statement that the funds of the Tirupati temple were misused, as alleged."

There cannot be a better enquiry than the enquiry that was held by the Government of India on the accusation made by Mr. Indrajit Gupta.

SHRI S. M. BANERJEE (Kanpur).
Don't mention the name of God.

SHRI R. N. GOENKA: I worship God. You don't believe in God.

SHRI PILOO MODY (Godhra): The Congressmen believe in a Goddess!

SHRI R. N. GOENKA: This would show the utter irresponsibility of the members who have made these allegations again knowing the same to be untrue. There can be no privilege without responsibility. If there is an allegation, that must be made

[Shri R. N. Goenka]

with a sense of responsibility. If it is proved to be irresponsible, then I do not think that deserves privilege. This is the position to which we have been bringing down the privilege. They make wild allegations which are being publicised all over the world. They are not talking to us, they are talking to the world outside. These allegations are being made with a view to malign me. I should not go into it very much for the time being. This clearly establishes that their sole object is to malign me by introducing insinuations. Kindly permit me to ask you Sir, whether you consider such remarks to be justified.

I have nothing more to add except to emphasise that some of my hon. friends do not miss any opportunity of maligning me in spite of the fact that they know that the allegations are baseless. The hon. Member also referred to the alleged report by the Chief Cost Accounts Officer, the same charge made by Shri Bhogendra Jha. I have already replied to it. A reference has been made to what Shri Raghunatha Reddy, the then Minister for Company Law, has said in the Rajya Sabha in 1970 about my association with National Company Limited. I had issued a statement, refuting all the insinuations in his statement, which I characterised as malicious and misleading. My hon. friend has conveniently omitted to refer to that statement refuting the allegations.

An accusation has been made in regard to under-invoicing and over-invoicing by National Company Limited. Although I am not in touch with the day to day management of that Company, yet I have not come across any such case. I am sure the accusation is as usual untrue. He refers to one Mr. Choraria who is employed in the National Company Limited and he wants to know if he was the same Choraria who is accused of trafficking in foreign exchange. There are hundreds of Chorarias, and this

Choraria in the National Company Limited is certainly not the one who had anything to do with trafficking in foreign exchange.

Shri Unnikrishnan, whom I heard with great attention and who, will your indulgence, spoke at great length, was pleased to call me an "old offender". I think I should accept his compliment, because I have been an "offender" since 1971 in a sense which probably my hon. friend Shri Unnikrishnan may not be able to understand or appreciate. I had indeed been an "offender" against the British when I learnt the lessons about patriotism at the feet of Mahatma Gandhi, Acharya Kripalani and Babu Brij Kishore Prasad when I was a student in Bihar. (interruption).

I was nominated to the Madras Legislative Council in 1926 by the then British Government. I sat in opposition and I had the privilege of standing for the country's cause along with Congressmen. There was hardly any other nominated Member in the country who voted against the Government. I certainly committed the "official" of being disloyal to the British Government which nominated me. That is one of my offences.

I, along with other distinguished leaders, protested against the Simon Commission and was lathi charged. I was an "offender" in transgressing the law.

13 hrs.

As there was no paper to raise the national voice, I associated myself in conducting papers like the Indian Express, the Dinamani, the Andhra Prabha, etc. during the thirties. The role played by these papers against British imperialism in extraordinarily difficult circumstances was appreciated by every patriot of this country. This is certainly one of the 'offence'. I committed against the British for the sake of our country and for which

I had to face the wrath of the British. I was prosecuted and persecuted for these offences.

In obedience to the wishes of Mahatma Gandhi, I was the first to close down all my newspapers in August, 1942. 46 per cent of the newspapers in the country closed down. I was elected the President of All India Suspended Newspaper's Editors Conference and some of my activities had greatly 'offended' the then British Government. I was certainly an 'offender' on this count.

In accordance with the wishes of Mr. Philips, the then Personal Representative of President Roosevelt, I surreptitiously edited and published a "book called India ravaged" giving details of all the atrocities that were committed by the British Government in the 1942 movement. This book became a notorious document during the 1942 movement. I certainly "offended" the law

I was placed in charge of the 1942 Quit India Movement in the southern region. During this period my communist friends, one fine morning, declared the imperialistic war as the people's war. They acted as informers and laid a number of charges against me. This habit, Mr. Speaker, has not obviously changed over the years and I continue to be an "offender".

Such a "habitual offender" was elected to the Constituent Assembly on the Congress Ticket in 1946 and he also remained a Member of the Provisional Parliament till 1952.

On Monday last, Shri Dharbara Singh and Shri Shashi Bhushan, following the same pattern, repeated the familiar stories, allegations and insinuations as the previous speakers, the main target being Shri Jayaprakash Narayan. They are highly motivated and divorced from realities. They also brought into discussion the name of late Shri Feroz Gandhi. It will

be highly improper for me to discuss him, who happened to be one of my best friends.

Sir, during the period of 50 years of active public life, I had the privilege of being associated with almost all the national leaders, including Mahatma Gandhi and members of the Nehru Family. I had also been a Member of the AICC since 1927. There have been some breaks. I have been in very many responsible positions, but nobody questioned my integrity. But immediately after I left the Congress, my integrity has been challenged. It is only after 1969 that all evils have been discovered in me. Until 1969 I was a good boy.

The saddest part of this debate for me is the way Shri Jayaprakash Narayan's name has been dragged in. One Member has alleged that I have helped Shri Jayaprakash Narayan in his confrontation with this Government—I think what he said was Jayaprakashji was engaged in the destruction of democracy. It was said that I have helped Jayaprakashji with funds which were improperly appropriated by me. Another Member brought up the question of Jayaprakashji's treatment at Vellore during his recent illness when I was of some assistance to him. A third has seen to see Jayaprakashji.

You, Sir, yourself admonished these Members for bringing in irrelevant considerations. You were in fact good enough to observe that I had been on friendly terms with many Congress leaders when I was in the Congress and with others after my leaving the Congress. So far as Jayaprakashji is concerned, I have known him for fifty years. I come from the same place where he comes from. You also pointed out that you could see no harm in my visiting Patna to meet Jayaprakashji. I am very thankful to you for this, but I wish those on the other side of the House would show similar objectivity.

[Shri R. N. Goenka]

I have little doubt in my mind that I have become something of a persona non grata ever since the Congress split in which my papers took a critical attitude to the ruling Congress. Things have got worse ever since Shri Jayaprakash Narayan started his present crusade.

I am proud to have been of some use to Jayaprakashji in a personal way as, for example, in securing for him the best treatment available in the country for the particular malady he suffered from and from which, I am very glad, he is now completely relieved. I consider it my good fortune to have been of some small service to a man whose patriotism at least, we thought, was beyond the reach of revilers.

The times, Mr. Speaker, are out of joint. I considered it my duty and privilege to be in attendance on Shri Jayaprakash Narayan in Vellore Hospital. I was prevailed upon by my medical friends to use the opportunity for getting an old complaint of mine treated in the same hospital. This simple circumstance has been used by some hon. friends to draw a parallel with some smugglers getting admitted into nursing home when they were about to be arrested. This is only one of the numerous examples of the flights of fancy that have characterised the accusations against me.

I most respectfully submit that the campaign of vilification has been conceived and carried out to malign me. I have not been able to meet all the points concerning the case simply because under the law I cannot do so. What I ask is whether a continuous campaign of this nature lends itself to a fair trial. I am content to let justice take its course but I respectfully submit that the atmosphere is being vitiated by open and systematic partisanship. I have nothing to fear as my confidence in the judiciary is unshaken.

I am reconciled to the fact that one in politics and public life and more

particularly in charge of a newspaper, has to face all this if the powers that be are not prepared to brook any difference in viewpoints, let alone opposition.

Finally, I am shocked and surprised that the matter has been allowed to be discussed creating an unhealthy precedent. Posterity will not excuse us for this.

SHRI K. P. UNNIKRISHNAN: A personal explanation, Sir.

(Interruptions)

MR. SPEAKER: No., please. I am not calling anybody.

SHRI PRIYA RANJAN DAS MUNSI: He did not refer to any of my points ..

MR. SPEAKER: Kindly sit down now I am not allowing.

(Interruptions)

MR. SPEAKER: May I tell you to please sit down. Members who raised this Privilege Motion were given a chance on admissibility Mr. Goenka got his chance at the end to reply. I am not going to take up any further points now.

Mr. Goenka, there is a Motion now of Privilege against A.I.R. I am going to send it to the Minister, I will get information on that....

AN HON MEMBER: We may take it up tomorrow.

MR. SPEAKER: All right, tomorrow.

SHRI H. N. MUKERJEE (Calcutta—North-East): We do not want to harangue a colleague who is a Member. Please tell us how you are going to deal with this matter. I think you may have to listen to some other Members who may have something to say on this matter. Tul Mohan Ram's case has led to a dramatic ex-

perience all over the country in regard to these sorts of allegations and we have to be very strict. It is no defence to say that Mr. X or Y of this side or that side is involved. We have to take a strenuous attitude in this matter. I would therefore like you not to go by the ritual by the order of rows but certainly to apply your mind in a definite fashion which is why I feel more Members must be permitted to say what they know in regard to this, and what they feel in regard to this kind of thing. I don't want to say much at this moment. I only want to ensure that we should have an opportunity to place what we consider to be our observations.

MR. SPEAKER: I have made it very clear. I am not going to reopen this.

SHRI PRIYA RANJAN DAS MUNSI: Let him say yes or no to the privilege issue which I raised. I mentioned the incident about Radha and Company. By false name he got Rs. 56 lakhs. He should say whether it is correct or not correct. He said, he will speak in court. What is he to say in Court? He should say whether what I said is correct or not correct. This is my first submission. Secondly, he said, as Member of Parliament I did not do anything. As Member of Parliament I am told, last year, in respect of the Calcutta National Jute Mill Company, when there was a strike, he gave Rs. 50 lakhs black-money to** a protege of Birla. Let him answer this. Let there be an inquiry. Rs. 50 lakhs black money by Shri Goenka came to the National Bank Ltd. I know this.

SHRI PILOO MODY: (*)

MR. SPEAKER: All of you please sit down. I am not going to allow this. I have not called Mr. Mody. Nothing will go on record. It is a normal practice. When you strike at

others you try to strike at you. There is nothing to lose your temper.

SHRI PRIYA RANJAN DAS MUNSI: I shall expose him within this week. I know the case. I have met the employees and Rs. 50 lakhs has been given (*Interruptions*).

SHRI PILOO MODY: (*)

SHRI ATAL BIHARI VAJPAYEE: (Gwalior): Sir, a false allegation has been made by Mr. Munsi and so, that allegation should be expunged.

SHRI PRIYA RANJAN DAS MUNSI: I am told—I referred to it the other day—that Mr. Goenka is involved in the National Company Limited. Whether there is any enquiry or not. I do not know. I am told that last year he gave Rs. 50 lakhs black money when the company was on strike.

MR. SPEAKER: You have mentioned all this.

श्री जनेश्वर मिश्र (इलाहाबाद) :
अध्यक्ष महोदय, जैसे आपने श्री प्रिय रंजन दास मुंशी को एलाऊ किया है, उसी तरह आप सबको एक एक मिनट के लिए एलाऊ कीजिए। मैं पहले भी कह चुका हूँ कि गोयन्का साहब फिरोज गांधी को 3000 रुपया महीना दिया करते थे, जिसमें से फिरोज गांधी 1500 रुपया श्रीमती इंदिरा गांधी को देते थे। गोयन्का साहब इस बात की सफाई दें कि क्या वह फिरोज गांधी को रुपया दिया करते थे या नहीं। (व्यवधान)

MR. SPEAKER: Will you please sit down?

SHRI K. P. UNNIKRISHAN: I am thankful to you for giving me this opportunity to make a personal explanation.

MR. SPEAKER: Only one or two minutes at the most. This time I am not going to move any further.

**Expunged as ordered by the Speaker.

(*) Not recorded.

SHRI K. P. UNNIKRISHNAN: I am deeply indebted to Seth Gol Mal Goenka a Member from Vidisha (*Interruptions*). Nobody has been spared here including the Prime Minister. The other day Shri Mishra was called as 'Nagad Narain'. I shall use this word a hundred times I reapt; I will repeat it a hundred times.

I am deeply indebted to Seth Gol mal for drawing in my name indirectly through an innuendo and referring to an adverse editorial in a Malayalam daily casting aspersions on me.

PROF. MADHU DANDAVATE (Rajapur): Before his name was uttered, he got up.

SHRI PILOO MODY: It was a case of self identification.

SHRI K. P. UNNIKRISHNAN: There are two things He referred to a Malayalam daily. Secondly, he referred to the sponsors of motions. It can only mean and obviously refer to a Member from Kerala. Two sponsors of this motion from Kerala are Vayalar Ravi and myself. Vayalar Ravi is not here. So, obviously, it concerns me.

SHRI PILOO MODY: Wonderful logic.

PROF. MADHU DANDAVATE: This is a point of identification.

SHRI K. P. UNNIKRISHNAN: I am thankful to you, Sir, because I know this blackmailing fraternity and the ties between black mailers and with those who indulge in black mail, That daily—otherwise he must give me a clarification, he must give the name of the daily to be fair—can only be an example of yellowest of yellow journalism in Kerala. Otherwise, he should identify the daily. If Seth Golemal has to defend himself and come here and face the House with crutches of **allegations, he

should have had the courage to identify the newspaper before coming here with * allegations and insinuations. (*Interruptions*).

SHRI P. G. MAVALANKAR (Ahmedabad): Is that a good word?

SHRI JYOTIRMOY BOSU (Diamond Harbour): Sir, on a point of order. I would like to know whether that word should remain on record. (*Interruptions*).

MR. SPEAKER: This should not remain on record. This is not a happy word. I am sorry.

I will not allow it. This word will not be in the Parliamentary proceedings. This word is not going to be in the proceedings.

SHRI PILOO MODY: (*Interruptions*).

MR. SPEAKER: Here is a very interesting man. I wonder whether he has said it. This will not also remain on record. These are irresponsible remarks. May I tell you, in the heat of the moment, it is very difficult to keep a proper balance. But, you are all hon. Members of Parliament. You may be excited. But, you should not use words which are not permissible and which are unparliamentary.

SHRI K. P. UNNIKRISHNAN: I do not call anyone anything. (*Interruptions*).

MR. SPEAKER: The utterances of Mr. Piloo Mody also will not remain on record.

SHRI K. P. UNNIKRISHNAN: I was characterising the nature of the allegations. I was referring to the nature of the allegation.

MR SPEAKER You should be moderate in language—Kindly sit down You have expressed yourself there is not going to be a debate again.

SHRI K P UNNIKRIISHNAN Where have I explained?

SHRI BISHWANATH JHUNJHUNWALA (Chittorgarh) On a point of explanation (*Interruptions*)

SHRI K P UNNIKRIISHNAN Sometimes truth hurts, and bitter truth stings and probably sometimes stinks I can understand the wrath of the member for Vidisha, that he has been confronted with the anatomy of his own self, of the habitual offender

SHRI SAMAR GUHA (Contal) Is it explanation? Or is he making counter-allegations? Has he a right of reply?

SHRI K P UNNIKRIISHNAN I would request you to ask him to identify the Malayalam paper and send you also a copy of the translation You should inquire into the nature of this allegation Or I am prepared to leave it—I am making a challenge to any of the hon members sitting over there, Shri Madhu Limaye or others to inquire into this

SHRI MADHU LIMAYE (Banka) I am not interested

SHRI K P UNNIKRIISHNAN Otherwise, he should apologise for using a filthy reference. Because he could not answer all the points the charges, he has said it I still repeat the charge He is a habitual offender All the records should be placed here so that we will be able to prove the substance of our motion.

SHRI PILOO MODY I think this must be the worst personal explanation ever made in this House.

MR SPEAKER Mr Goenka, if you quoted from a paper, you will produce that paper before me

Shri R. N. Goenka

SHRI BISHWANATH JHUNJHUNWALA With your permission I wish to make an explanation

SHRI PRIYA RANJAN DAS MUNSI I said** I did not say 'member of the House' if he is that** well

श्री बदल बिहारी बाजपेयी : अब यह कुछ बोल रहे हैं । अभी अभी इन्होंने** कहा था ।

You should have the courage

SHRI PRIYA RANJAN DAS MUNSHI I repeat what I said I said**

MR SPEAKER If you are not that gentlemen, why do you get up?

SHRI BISHWANATH JHUNJHUNWALA Shri Priya Ranjan Das Munsi has mentioned in the House that** has paid Rs 50 lakhs

(*Interruptions*)

SHRI BISHWANATH JHUNJHUNWALA Mr Priya Ranjan Das Munsi has mentioned in the House that** has paid Rs 50 lakh, in black to Mr Ramnath Goenka in the affair of the National Company I want to tell you that the charge made by my friend is completely baseless and without any foundation

MR SPEAKER Why do you drag yourself when he says that you are not the person?

SHRI PRIYA RANJAN DAS MUNSI Kindly see what I said.

PROF MADHU DANDAVATE He said**

SHRI PRIYA RANJAN DAS MUNSI I will help him

SHRI MADHU LIMAYE On a point of order

SHRI PRIYA RANJAN DAS MUNSI Kindly check from the record what I said (*Interruptions*)

MR SPEAKER Kindly sit down.

**Expunged as ordered by the Speaker

SHRI JYOTIRMOY BOSU: You are making the House a gutter. What is going on here?

श्री जयु लिनये : अध्यक्ष महोदय, मेरा व्यवस्था का प्रश्न है। या तो आप पूरी बात को एकतरफ कर दीजिये, या इनको व्यक्तिगत स्पष्टीकरण देने दीजिये।

अध्यक्ष महोदय : एकतरफ होगा अगर लिखा होगा**।

May I request you to kindly cool down your tempers. If it is an occasional phenomenon, it is OK but if it is going to be a daily affair it will be difficult. Nobody could keep pace physically with what is going on in this House. The simple question was about privilege, that he as a Member of the House used his influence. All sorts of biographies, I had been made to listen. My job is listened and I am trying to look at that from that point of view. Why do you quarrel over matters which may not form part of the discussion or which may not be relevant to the issue?

(Interruptions)

SHRI JYOTIRMOY BOSU: Allegations were made that Mr. Goenka used his influence as a Member of Parliament to pressurise the Ministers and officials to further his personal interest....

(Interruptions)

MR. SPEAKER:** If any name has been mentioned it will be expunged. I shall look into that

SHRI JYOTIRMOY BOSU: Therefore I want that the CBI report should be brought before the House or else you must censure that Member for saying things which are far from truth.

MR. SPEAKER: I will be concerned only with what is relevant;

all these volumes of words that had passed on, are really not relevant.

SHRI PILOO MODY: I am making a constructive suggestion. Shri Priya Ranjan Das Munsi has mentioned a** according to him. There is also** in this House. Both of them are face to face. Let Mr. Munsi have the courage to identify him or if he could not identify him, you kindly expunge.

SHRI PRIYA RANJAN DAS MUNSI: No, I reserve my right. I said this. You check up from the record Mr. Goenka has answered all my points except one point which I referred to the other day. That was about Radha and Company. So, you check up the record and then expunge. I am told that another allegation is there, that there is a National company, a jute mill in Howrah Calcutta in which last year there was some strike. Mr. Goenka benami paid** fifty lakhs of black money which is under enquiry; if there is not any enquiry, whether this allegation is right or not, let him say if this is an enquiry or not. I said it, You check up the record what I have said. I said**

SHRI ATAL BIHARI VAJPAYEE: He said it.

SHRI PRIYA RANJAN DAS MUNSI: Yes I said that: Is that** a Member of the House? I will be happy to know, because I will hear some clarification; if he is not a Member of the House, I say: let there be enquiry. I said. You check up.

SHRI PILOO MODY: You identify.

SHRI PRIYA RANJAN DAS MUNSI: I do not go to Goenka and**

MR. SPEAKER: Leave this task to me—identifying business. I will see the proceedings and find out.

**Expunged as ordered by the Speaker.

Shri R. N. Goenka

SHRI PRIYA RANJAN DAS MUNSI: In the record if you see anything other than this, you ask me and I am ready.

SHRI PILOO MODY: What about your ruling? ** Will be expunged?

MR. SPEAKER: **Will be totally thrown out of the proceedings...

SHRI PILOO MODY: **is an unparliamentary word, today, tomorrow and the day after.

MR. SPEAKER: If you were the person, you could not be bodily lifted and thrown out... (Interruptions).

SHRI JYOTIRMOY BOSU: We want to make a purposeful dialogue and we want to reflect the miseries of the people and we want to talk about them. You should not allow the time of the House to be wasted.. (Interruptions.)

MR. SPEAKER: I have called Shri Bhogendra Jha.

SHRI BHOGENDRA JHA (Jainagar): After hearing Mr. Goenka I want to submit that some important points have been left.

MR. SPEAKER: You can give a personal explanation; nothing more.

SHRI BHOGENDRA JHA: A *prima facie* charge of criminal conspiracy and cheating had been established; that is what I said. The hon. Member has said that it was a lie. He has also given a good chit to the Punjab National Bank of which he was previously the proprietor. I am prepared to repeat and say and authenticate also that a *prima facie* charge of cheating and forgery and other charges had been established against him and a charge sheet had been framed and it is in the report of the Chief Administrator of the Punjab National Bank.

MR. SPEAKER: This is not a personal explanation.

SHRI BHOGENDRA JHA: My statement has been declared to be false.

MR. SPEAKER: In that case I will have to ask Mr. Goenka again. I only allowed a personal explanation.

SHRI BHOGENDRA JHA: I am prepared to authenticate and submit it to you. Similarly the Punjab National Bank itself says that if more moneys were not paid to the Express Group of Companies the entire money already invested would be lost. Here the hon. Member says that it has got more assets than liabilities. I am prepared to authenticate this document and place it on the Table of the House for the information of the hon. Members. I want to lay it on the Table.

MR. SPEAKER: It is not a discussion. I shall see everything and then decide on it. I shall examine it. Papers to be laid.

13.36 hrs.

PAPERS LAID ON THE TABLE

REVIEW AND ANNUAL REPORT OF ELECTRONICS CORPORATION OF INDIA FOR 1973-74

THE MINISTER OF ENERGY (SHRI K. C. PANT): I beg to lay on the Table a copy each of the following papers (Hindi and English versions) under sub-section (1) of section 619A of the Companies Act, 1956:—

(i) Review by the Government on the working of the Electronics Corporation of India Ltd., Hyderabad for the year 1973-74.

(ii) Annual Report of the Electronics Corporation of India Ltd., Hyderabad, for the year 1973-74