

(c) the price at which the rice has been purchased and the time by which it will be reaching the Indian shore ?

THE MINISTER OF STATE IN THE MINISTRY OF FOOD, AGRICULTURE, COMMUNITY DEVELOPMENT AND CO-OPERATION (SHRI ANNASAHIB SHINDE) : (a) to (c). On request from Government of India an agreement was signed on 25.4.1969 with U.S. Government for the supply of 1 lakh metric tons of rice under the PL-480 Agreement. Shipment is expected to be completed by July end 1969. It will not be in public interest to disclose the price at which this rice is purchased.

12 hrs.
CALLING ATTENTION TO MATTER OF URGENT PUBLIC IMPORTANCE

REPORTED EFFORTS OF CONGRESS PRESIDENT TO INFLUENCE BIBAR MLAs.

श्री मधु लिमये (मुंगेर) : उपाध्यक्ष महोदय, मैं प्रबिलम्बनीय लोक महत्व के निम्नलिखित विषय की ओर विधि मंत्री का ध्यान दिलाता हूँ और प्रार्थना करता हूँ कि वह इस बारे में एक वक्तव्य दें :—

“कांग्रेस के प्रधान द्वारा बिहार विधानसभा के सदस्यों को यह वचन देकर कि राष्ट्रपति-शासन समाप्त कर दिया जायेगा और उन्हें मंत्रिमंडल बनाने का अवसर दिया जायेगा उन पर दबाव और अनुचित प्रभाव डालने के कथित प्रयास जिनके परिणामस्वरूप गणराज्य के राष्ट्रपति का स्वतंत्र एवं निष्पक्ष निर्वाचन कठिन हो गया है, और उसके बारे में भारत सरकार की प्रतिक्रिया।”

SHRI HANUMANTHAIYA (Bangalore) : On a point of order.

MR. DEPUTY-SPEAKER : You want to raise it before the Minister replies ?

SHRI HANUMANTHAIYA : Yes.

The very motion, in my view, is not in

order. A call-attention notice arises out of something a Minister or Government does or does not do. Here the allegation is that a person who is outside the Government has done something. Even if he has done something of the kind Mr. Madhu Limaye alleges that he has done, I would appeal to you to see whether a person, a dignitary of a political organisation, whether it is Congress or any other political party..... (Interruptions)

SHRI K. LAKKAPPA (Tumkur) : I object to the point of order that he is raising. Even after 1967 elections, he submitted a charge sheet against Mr. Nijalingappa..... (Interruptions) Mr. Limaye should be allowed to put his question.....

SHRI HANUMANTHAIYA : My hon. friend has not followed what I said.

SHRI K. LAKKAPPA : I have followed everything. There is absolutely no substance in the point of order that he is raising.

SHRI HANUMANTHAIYA : Even according to Mr. Madhu Limaye, he does not make any allegation against any Minister or against any government agency ; he makes allegation against a person with whom Government has officially no connection whatsoever. Therefore, how can a Law Minister or any Minister answer and it will be quite out of order even to admit this motion.

SHRI S. M. BANERJEE (Kanpur) : I want to speak on this point of order.

MR. DEPUTY-SPEAKER : No, Sir. (Interruptions) Mr. Banerjee and Mr. Lakkappa—please resume your seats. I will reply to the point of order. When I received this notice, I gave very careful consideration to it and the point that you have raised now occurred to me then. But I have ruled in this House once that the President's election is the highest elective office under our Constitution and there should be no ground for pressure or undue influence on any platform being exercised in this election. This would be a bad thing. When I saw the original notice, I waited for some time because I thought it would be

contradicted and I need not admit. When I saw that there was no contradiction and a serious allegation has been made, I have brought it forward to give the Government an opportunity to contradict. We admit some times such calling attention notices to provide the Government an opportunity to contradict them if they so consider. But I cannot shut out the calling attention on this ground. (Interruptions)

On this ruling no point of order. If you have some new point, I will listen. But on the ruling if there is a point of order, there will be no end to it and no end to this type of debate.

As I have said I gave permission after good deal of thought. To see that there is not even a slightest suspicion that pressure or undue influence is being exercised in any corner in the highest office election, I thought that the Government should take the opportunity to contradict. Therefore, I permitted it.

SHRI CHENGALRAYA NAIDU (Chittoor) : I protest, Sir. Your ruling is unfair. I walk out.

(Then Shri Chengalraya Naidu and some other Congress Members then left the House.)

MR. DEPUTY-SPEAKER : Mr. Menon.

THE MINISTER OF LAW AND SOCIAL WELFARE (SHRI GOVINDA MENON) : The Government is not aware of—I am quoting from the motion—

"efforts made by the Congress President to bring pressure and undue influence on Bihar MLAs by promising them termination of President's Rule and opportunity to form a Ministry, thereby jeopardising free and fair election of the President of the Republic..."

After I drafted this reply and sent it to your office, I managed to get a copy of the Sunday 'Indian Nation' where the said correspondent of that paper has made an allegation like this :

"In a brief meeting lasting about 20 minutes Mr. Nijalingappa is understood to have told them (that is, the Congress Members) to give Mr. Sanjiva Reddy first preference votes equal to the strength you are claiming in the Assembly...and we shall consider your case." (Interruptions)

It reads further :

"The Congress president was of the view that the strength that the Bihar party has been claiming must be amply and explicitly demonstrated in the Presidential election. It was said on behalf of Bihar legislators that though they expected more they would in all probability muster at least 160 first preference votes for the Congress nominee".

I also came across this morning a contradiction published in the *Patriot* by Shri Nijalingappa.

SHRI S. KANDAPPAN : (Mettur) When did he join the *Patriot* ?

SHRI GOVINDA MENON : This is the contradiction :

"Congress President Nijalingappa has denied press reports that he had assured Congress MLAs in Bihar that they would be allowed to form a government if Mr Sanjiva Reddy got votes from the State equivalent to the strength claimed by them."

I would further submit that this is the report of a correspondent wherein he says that it is understood that this happened. This contribution also is now there. Therefore, in the light of the high importance that you attach to the election of the President of our Republic, I would submit that there should be no debate on this matter.

श्री मधु लिमये : इन्होंने पूरी रपट को नहीं पढ़ा, उसमें कुछ हिस्सा ही पढ़ा है। एक जरूरी हिस्सा जो है वह मैं पढ़ कर आपको सुनाना चाहता हूँ। जब किसी भी कांग्रेस से कोई उद्धरण दिया जाना है तो वह पूरा माना चाहिए। मैं उसको सदन के सामने रखता हूँ। जब

[श्री मधु लिमये]

कांग्रेसियों को यह बताया गया कि पार्लियामेंट्री बोर्ड का फंसला है तो उन्होंने कहा कि हमें बड़ी निराशा हुई और उन्होंने...

MR. DEPUTY-SPEAKER : Let him read out what has been left out. (*Interruption*) If a part of a statement has been read out, let him read it full. Government are there to deal with it...

श्री SHEO NARAIN : (Basti) The Congress president is not a Member of this House...

SHRI K. NARAYANA RAO : (Bibbili) On a point of order...

MR. DEPUTY-SPEAKER : There is no point of order now. Let Shri Madhu Limaye put his question now.

SHRI K. NARAYANA RAO : Sir, I rise on a point of order...

MR. DEPUTY-SPEAKER : May I request the hon. Member to resume his seat ? The Law Minister has quoted part of a statement...

SHRI K. NARAYANA RAO : Am I not entitled to raise a point or order ?...

MR. DEPUTY-SPEAKER : Let him please resume his seat. I am on my legs. I am not listening to the point of order now. I am on my legs. Let him please resume his seat.

SHRI SHEO NARAIN : You must give protection to the Congress president who is not here to defend himself.

श्री रवि राय (पुरी) : श्री मधु लिमये बोल रहे हैं। आप उनको रोकिए। बिठाइये उनको। क्या श्री सेन का कोई प्वाइन्ट आफ आर्डर है ?

SHRI A. K. SEN (Calcutta-North-West) : On a point of order. The hon. Law Minister has given the version of the Government and also placed the denial of the Congress President on the matter. We should have thought that that would be the end of the matter, having regard to the precedents of

this House, because a person who is not a Member of this House cannot be pilloried here for his own private action. All that can be done is to place his version and the version of anybody else, and we shall have to lodge a very strong protest if you allow the Congress president to be discussed here.

श्री सु० अ० खाँ (कासगंज) : श्री राव को आपने प्वाइन्ट आफ आर्डर उठाने की इजाजत नहीं दी है और श्री ए० के० सेन को आप एलाउ कर रहे हैं। यह क्या तरीका है ? आप मॅम्बर की इंसल्ट करते हैं। आप मॅम्बर-मॅम्बर में डिस्टिक्शन करते हैं।

MR. DEPUTY-SPEAKER : Shri A. K. Sen is a learned lawyer. Perhaps, he was not here when I explained earlier why I had brought up this matter here after a good deal of thought.

SHRI K. NARAYANA RAO : On a point of order...

SHRI M. A. KHAN : On a point of order... (*Interruptions*)

MR. DEPUTY-SPEAKER : I would request the Congress Members to behave. This is not the way.

Probably, Shri A. K. Sen was not here unfortunately at the beginning when the point of order was raised by Shri Hanumanthaiya and I replied to it. When the calling-attention-notice was brought to my notice, gave a good deal of thought to it, and when election to the highest elective office under the Constitution is taking place, we should not give anyone any ground for suspicion that undue influence or duress is being brought to bear on anybody. Shri A. K. Sen knows the election law very well... Therefore, in this context...

SHRI P VENKATASUBBAIAH (Nandyal) : The other day, you allowed Shri S.A. Dange to make a political speech and a canvassing speech here... (*Interruptions*)

MR. DEPUTY-SPEAKER : I prevented him twice. The hon. Member may see the record. What he says is not correct. Let

him see the record. I had not allowed him. When Shri Prakash Vir Shastri brought this matter to my notice—he will bear me out now, and other Members will also bear me out me—I stopped him. It is there on record.

SHRI P. VENKATASUBBAIAH : This is not a purely governmental action, and under no rules can it be brought up as a calling attention notice. And yet you say that you are giving your explanation why you brought this up here and you want us to bow down to your ruling... (*Interruptions*)

MR. DEPUTY-SPEAKER : Since Shri A.K. Sen has raised the point, I take it very seriously ; it is not a simple matter. All of us must take it very seriously. It is stated that it concerns a private individual. But in the context in which the whole thing has been brought forward and without any contradiction, because it came to me..

SHRI K. NARAYANA RAO : This is a contradiction here in the House...

SHRI P. VENKATASUBBAIAH : There is a contradiction. In the face of this, if this is allowed, then it violates the principles that have been laid down for allowing calling-attention-notices... (*Interruptions*)

MR. DEPUTY-SPEAKER : We cannot have fair debate like this... (*Interruptions*) Let hon. Members listen to me.— (*Interruption*) I would appeal to the whip of the Congress Party that if it continues like this, we cannot carry on. It is not good either. We are here to protect the Constitution. We are not here just to flout anything. As the hon. Member has pointed out, if the Law Minister had quoted the full thing, I would have considered it. But he has not done so. So, I am permitting Shri Madhu Limaye to read certain portions that have been left out. (*Interruptions*)

SHRI P. VENKATASUBBAIAH : We stage a walk-out in protest.

(*Shri P. Venkatasubbaiah, Shri A.K. Sen, Shri Sheo Narain and some other Members then left the House*)

SHRI MANUBHAI PATEL rose— (*Interruptions*)

MR. DEPUTY-SPEAKER : If he also wants to walk out, let him walk out. But let him not shout.

SHRI MANUBHAI PATEL (Dabhoi) : You are talking sides openly. The Chair should not have done that. After you had closed the matter, you had allowed Shri Madhu Limaye...

MR. DEPUTY-SPEAKER : That is not fair. It is not fair to drag on every issue again and again..... (*Interruptions*) If Shri Manubhai Patel wants to walk out, he may walk out.

(*Shri Manubhai Patel also left the House*)

SHRI PREM CHAND VERMA (Hampi) : Mr. Deputy-Speaker, Sir...

MR. DEPUTY-SPEAKER : I am not going to listen to him. If he wants to walk out, he may also walk out.

SHRI RAGHURAMAIAH rose— (*Interruptions*)

THE MINISTER OF PARLIAMENTARY AFFAIRS AND SHIPPING AND TRANSPORT (SHRI RAGHU RAMAIAH) : Mr. Deputy-Speaker, in view of the statement made by Mr. Sen explaining the position of the Congress President, a private individual so far as the House is concerned, in view also of the contradiction issued and the strong feelings which are entertained by all sections of the House, particularly the Congress...

SHRI RABI RAY : Has he written to the Deputy Speaker ?

SHRI RAGHU RAMAIAH : ...more particularly because of the position as clarified by Mr. Sen and also the contradiction, I appeal to you not to allow further discussion of this... (*Interruptions.*)

MR. DEPUTY-SPEAKER : I would have very well considered; I have given very careful thought to what Mr. Sen said. In the context in which the whole issue has been brought forward, if I were to consider this statement in a personal capacity, it

would have been a different matter. He got an opportunity to repudiate. Even then this is the rule : if you quote only a part of a portion, then certainly the Member is entitled to quote the full. Thirdly, because a certain section of the House is very touchy about a matter, if I were to go back when I am objectively considering a matter and placing it before the House, I do not think I can preserve the dignity of the House if I obey...(*Interruptions.*)

SHRI RAGHU RAMAIAH : With great respect to the Chair, I may point out one or two factors. In the first place of course in your wisdom you have admitted it. But as pointed out by Mr. Sen the Presidents of various parties make various statements. If the alleged statements or even true statements made by the President of the Congress or the Jan Sangh or the Communist Party or any other were to be the subject of discussion, then we do not know where it will end. That is the spirit in which Mr. Sen pointed this out. You, Sir, gave certain reasons. We are not questioning your judgment. Having admitted it being brought to your notice specifically that this should not have been done. In any case it has been contradicted. If even after the contradiction you allow a discussion it would be unfair.

MR. DEPUTY-SPEAKER : Shall I apply double standards...(*Interruptions.*) I cannot do it. I cannot apply double standards here. I listened to Mr. Sen ; I am prepared to listen to any argument. Notice was given to the Government yesterday. If he wanted to raise some objection, he could have seen me in the Chamber. Full notice was given.

I would have considered whatever has appeared, afterwards but this will have repercussions. He referred to individuals. The statements of Jan Sangh Members, Shankaracharya's statement, etc. were brought forward on call attention notices. Were they Government officials ? Is it proper ? Whatever you might say, I shall appeal to this side. It is not a singular occasion. This will make history if I were to deviate just now from the path which I feel the right path, judicious path, keeping in view the dignity of the Chair. I think I shall not do justice if I do so. He

has read half of it. I shall permit him to place it on the Table of the House. But I shall permit questions pertaining only to this statement. If you go outside the purview of the statement, I shall not permit it. He may place it on the Table of the House the statement.

श्री मधु लिमये : उपाध्यक्ष महोदय, मैं नियमों और सविधान को जानता हूँ। मैं नियमों का पालन करूँगा।

SHRI GOVINDO MENON : May I say this ? In this report of the special correspondent, there are five paragraphs and the only paragraph which has anything to do with what Mr. Limaye has raised in his motion was read out by me. I did not want to take the time of the House by reading the entire report of the correspondent and having read the portion which has anything to do with this matter and having also reference to the contradiction in the *Patriot*, I suppose, even in your view, which we have to accept now that on a matter like this...

MR. DEPUTY-SPEAKER : Not only accept. I would appeal to you that if on this point you show weakness, you will have to face it. You had given notice. Even after a statement is read, the relevant part, questions arising out of the statement are permitted. That is all. Question arising from the statement that is laid on the Table of the House. I shall give you a copy of the report. Here is it. If you think that any passage.....(*Interruptions.*) Only the relevant portion.

SHRI M. L. SONDHI (New Delhi) : You pulled me up in such a strong manner yesterday and why do you not deal with him in the same manner...(*Interruptions.*)

SHRI SURENDRANATH DWIVEDI (Kendrapara) : When the House is in such an excited mood, where is the Leader of the House. She is not present. She must be here on occasions like this. The Leader of the House must be present here. The whole House is divided...(*Interruptions.*)

MR. DEPUTY-SPEAKER : This is the question referred to.

SHRI GOVINDA MENON : I place that portion on the Table of the House.

That portion is marked. In this connection, for completion of the record, I am also placing the contradiction on the Table of the House.

MR. DEPUTY-SPEAKER : I do not mind. But you have quoted and it has gone on record. It has been issued after the admission of the notice. It is not relevant now as it has been made after the admission. It is not relevant.

श्री मधु लिमये : उपाध्यक्ष महोदय, मैं पूरी रपट नहीं पढ़ता हूँ। मैं समय बचाने के लिए इण्डियन नेशन में से केवल एक ही वाक्य पढ़ता हूँ :

"It was argued by the Congress MLAs that in case permission to form the Ministry was granted immediately, the Congress would muster over forty votes more Mr. Sanjiva Reddy. Instead Mr. Nijalingappa today came out with another proposition that the strength claimed by the Bihar Congress should first be demonstrated in the Presidential Election before permission for formation of the Ministry was granted.

उपाध्यक्ष महोदय, इस वक्त बिहार में कांग्रेस के टिकट पर केवल 116 लोग हैं। इस लिए यह प्रश्न उठता है। अभी कुछ पायंट आफ आर्डर उठाये गये थे। उपाध्यक्ष महोदय, आप को इन से अनुमय विनय करने की, एपालोजेटिक होने की कोई जरूरत नहीं थी।

MR. DEPUTY-SPEAKER : That is not the question. I have given my ruling.

श्री मधु लिमये : मैं आपकी मदद कर रहा हूँ। आप यूनिनयन लिस्ट, केन्द्रीय सूची, देखिये :

"UNION LIST 72 : Elections to Parliament, to the Legislatures of States and to the offices of President, Vice-President and the Election Commission."

इसलिए यह सवाल यहां पर उठता है। जैसे मैं नोटिस लेकर इस बारे में आप के पास आया,

उसी तरह मैंने चीफ इलेक्शन कमिश्नर को एक पत्र लिखा। उसमें से कुछ जुमले मैं पढ़ूंगा। चीफ इलेक्शन कमिश्नर की ओर से मुझे जो तुरन्त पत्र आया है, और श्री निजालिंगप्पा को भी गया है, वह मैं पढ़ूंगा। यह इससे सम्बन्धित है।

MR. DEPUTY-SPEAKER : I am watching whether it is relevant or not.

श्री मधु लिमये : वह रेलिवेंट है। कैसे रेलिवेंट नहीं है।

MR. DEPUTY-SPEAKER : At this stage you have taken certain other steps. You need not read out what transpired between you and the Election Commission; it is not relevant to that extent. You can make that point because you have taken sufficient precautions to point out to the Election Commission also what effect such propaganda will have and how it will prejudice and all that. You can argue that point but that correspondence does not come in.

श्री मधु लिमये : मैं कुछ भी पढ़ सकता हूँ, जो इससे सम्बन्धित है वह पढ़ने दीजिए।

MR. DEPUTY-SPEAKER : I have given my ruling. That, I will not permit. Whatever you can say. But the entire correspondence, I will not permit.

SHRI H. N. MUKHERJEE (Calcutta North East) : It is not the entire thing ; it is not only part of the letter. (Interruption).

MR. DEPUTY-SPEAKER : I will only permit the relevant portion pertaining to this point, but not the full thing.

SHRI MADHU LIMAYE : I will read only the relevant portion. This is the letter which I wrote to the Election Commission on the 5th August. I will read only one or two sentences :

"I wish to draw your attention to a very serious matter concerning the forthcoming election of the President of the Republic..."

श्री विभूति मिश्र (मोतीहारी) : उपाध्यक्ष

महोदय, यह जो चिट्ठी इन्होंने लिखी इसका इससे क्या सम्बन्ध है ? एलेक्शन कमीशन को क्या लिखा क्या नहीं लिखा इससे क्या मतलब है ।

श्री रवि राय : आप स्पीकर नहीं हैं । यह बिलकुल रेलीवेंट है । आप बैठिए ।

MR. DEPUTY-SPEAKER : I am dealing with the matter, Mr. Bibhuti Mishra. The question is very serious, because, this is a matter where you should not look at it from a party or an individual angle. I am not concerned with that. We are subject to a certain election law under the law. If there is an apprehension that a certain act or speech creates an impression that undue influence is used, as the hon. Member feels, he has taken the precaution to point out to the Election Commission, because the Election Commission is a supervisory, statutory body. I will permit that portion only.

SEVERAL HON. MEMBERS rose—

SHRI GOVINDA MENON : Sir, on a point of order. Please look into the letter which he has written to Mr. Sen Varma. It is with him. And see if there is anything relevant. Otherwise, how can it be quoted ?

MR. DEPUTY-SPEAKER : He will quote only the relevant portion. I am not concerned with other things.

SHRI GOVINDA MENON : Please look into it.

MR. DEPUTY-SPEAKER : I am not permitting him to place the letter on the Table of the House. Only the relevant portion, he will quote. (Interruption) This is a valid point.

SHRI MADHU LIMAYE : What is the valid point now ? The Chief Election Commissioner is in charge of the elections.

MR. DEPUTY-SPEAKER : Just now I have ruled that if a part of the statement is read, you will have to place it on the Table of the House. As I said, you can argue on the basis of your letter to the Election Commission. You cannot quote the whole thing.

SHRI MADHU LIMAYE : You show me the rule which prevents me from doing it.

MR. DEPUTY-SPEAKER : Whether you agree with me or not, I am giving you the final ruling. You can refer to it. Do not read it.

SHRI MADHU LIMAYE : I will only quote a few sentences.

MR. DEPUTY-SPEAKER : Do not quote. I will not permit it. From memory, you can ask whatever you want to.

SHRI MADHU LIMAYE : You must go according to the rules.

MR. DEPUTY-SPEAKER : I have given my ruling. Do not question it.

SHRI MADHU LIMAYE : What is your ruling ? (Interruption)

MR. DEPUTY-SPEAKER : Order, order.

SHRI MADHU LIMAYE : I want to know your ruling.

MR. DEPUTY-SPEAKER : I have said that so far as your correspondence with the Election Commission is concerned, you are within your rights to point out....(Interruption). Order, order. Shall I close it here ?

SHRI MADHU LIMAYE : You may do what you like.

MR. DEPUTY-SPEAKER : I have given my ruling. You have got to obey it.

श्री मधु लिमये : अच्छा छोड़ दीजिए । आज यह खुश रहें, अब मैं उद्धृत नहीं कर रहा हूँ अगर कोट करने से नफरत है इन लोगों को । मैं यह कह रहा हूँ कि चीफ एलेक्शन कमीशन को मैंने कहा कि इण्डियन नेशन में यह रपट आई है इसका साफ मतलब होता है कि अगर 42 विधायकों का वोट अतिरिक्त, कांग्रेस को मिलेगा चुनाव में तो वह मंत्रिमंडल बनाने देंगे, विधान सभा बर्खास्त नहीं करेये । यह विशुद्ध रिदवत है, दबाव है...(व्यवधान)... इसलिए चीफ एलेक्शन कमीशन ने मेरा पत्र

मिलते ही निजलिगप्पा साहब को पत्र लिखा। उन्होंने मुझ को टेलीफोन किया...(व्यवधान)...

MR. DEPUTY-SPEAKER : Please listen to him.

श्री मधु लिमये : उनका यह पत्र है निजलिगप्पा के नाम से। चीफ एलेक्शन कमीशन ने निजलिगप्पा को कहा कि राष्ट्रपति चुनाव संबंधी जो धारा 18 है, धारा 18 को देखें, चीफ एलेक्शन कमीशन निजलिगप्पा को लिखता है कि प्रेसिडेंशियल चुनाव संबंधी कानून की धारा 18 देखें जिसमें लिखा है, मैं समझता हूँ धारा कोट करने से तो इनकार नहीं हो सकता है, सेक्शन 18 आफ दि प्रेसिडेंशियल ऐंड वाइस प्रेसिडेंशियल एलेक्शन ऐक्ट 1952 में से मैं उद्धृत कर रहा हूँ :

"Section 18 of the Presidential and Vice Presidential Election Act, 1952 reads :

"If the Supreme Court is of opinion that the result of the election has been materially affected by reason of the offence of bribery or undue influence of the election has been committed by any person who is either the returned candidate or a person acting with his connivance the Supreme Court shall declare the election of the returned candidate to be void."

You will observe that this is a very drastic provision, so drastic in its nature that a similar provision is not to be found in Section 100 of the Representation of the People Act, 1951."

इसके बाद भी न आपको न मुझको न चीफ एलेक्शन कमीशन को निजलिगप्पा ने कोई पत्र लिखा है। पैट्रिअट में क्या आता है इसमें कोई मतलब नहीं है। यह पैट्रिअट के समर्थक कब से समर्थक बन गये हैं ?

अब मेरा सवाल है बिहार में विधान सभा भंग होने से विधायक लोग परेशान हो जाएंगे, चुनाव के लिए खर्चा नहीं पाएंगे। इसलिए सभी दल के विधायक चाहेंगे कि विधान सभा चले। इस मनोवृत्ति और मनोदशे का नाजायज इस्ते-

माल करके कांग्रेस प्रेसिडेंट उनको कह रहे हैं कि अगर आप 160-170 वोट हम को दिलाएंगे तो हम सरकार बनाने देंगे।...(व्यवधान).....मैं पूछना चाहता हूँ इनसे आप के माफत कि निजलिगप्पा कौन होते हैं ? मंत्रिमंडल के बारे में फंसला गवर्नर और राष्ट्रपति शासन के बारे में फंसला राष्ट्रपति करते हैं। निजलिगप्पा को यह अधिकार नहीं है। तो जो अधिकार उनके हाथ में नहीं है उस अधिकार का इस्तेमाल करेंगे और इस तरह का लालच दिवाकर वोट खरीदेंगे तो यह कानून की मर्यादा का भंग है।

दूसरा मेरा सवाल है जो दबाव और अनुचित प्रभाव डालने वाला जो व्यक्ति है...(व्यवधान)... मैं एक मिनट में खत्म करूँगा, आज के अखबार में आप ने देखा होगा कि केरल में केन्द्रीय कर्मचारियों के केस वापस लेने के राज्य सरकार के निर्णय को लेकर हाई कोर्ट ने उनकी प्रालोचना की है, लेकिन जब निजलिगप्पा चीफ मिनिस्टर थे तब उन्होंने बागलकोट सीमेंट कंपनी के खिलाफ 36 केसेज जो चल रहे थे, उनको उन्होंने वापस लिया.....(व्यवधान).....मैं दस्तावेजों, डाक्यूमेंट के आधार पर कह रहा हूँ(व्यवधान).....

MR. DEPUTY-SPEAKER : Order, order. I am not allowing this.

श्री मधु लिमये : 10 हजार रुपया रिश्वत का निजलिगप्पा ने लिया था—आज के कांग्रेस प्रेसिडेंट और उस जमाने के चीफ मिनिस्टर ने ... (व्यवधान)...

MR. DEPUTY-SPEAKER : No please ; I have disallowed it completely. Only first question may be answered.

SHRI MADHU LIMAYA : I am proving my case. मैं अपनी बात सिद्ध करना चाहता हूँ।

MR. DEPUTY-SPEAKER : It has no relevance. You should not refer to irrelevant thing.

श्री मधु लिमये : असबन्धित नहीं है।

MR. DEPUTY-SPEAKER : I am to judge it. I will not permit that. Nothing of that sort is before the House. You only say about the election.

श्री मधु लिमये : अच्छा, प्रनड्यू-इन्फ्लुएंस के बारे में बोलूंगा। उपाध्यक्ष महोदय, न आपको, न मुझ को, न चीफ इलेक्शन कमिश्नर को, न प्राइम मिनिस्टर को—निर्जालिगप्पा साहब ने इसका खंडन करते हुए पत्र लिखा—क्या इस बात को कोई काट सकता है। अब बताइये—प्रनड्यू-इन्फ्लुएंस की सम्भावना है या नहीं? इसके बारे में एक स्थिति तो मैंने बताई—बिहार के एम० एल० एज० की मनोदिशा। अब दूसरी स्थिति बता रहा हूँ—रिश्तत देने वाली नहीं...
.....(शुधबधान).....

MR. DEPUTY-SPEAKER : This is not relevant to the issue ; nothing doing. I will not permit that.

श्री मधु लिमये : उपाध्यक्ष महोदय, मैं खत्म कर रहा हूँ—डा० तेन्दुलकर की डायरी में लिखा है कि निर्जालिगप्पा का 10 हजार रुपये और एम० के पाटिल को पांच हजार रुपये दिए जाय... (शुधबधान)...

MR. DEPUTY-SPEAKER : No please ; please resume your seat.

SHRI MADHU LIMAYE : I want to lay documents relating to this before the House ; I want a judicial inquiry... (Interruptions)

MR. DEPUTY-SPEAKER : Nothing will go on record. (Interruptions)** I will stop the debate here. Unless he resumes his seat, I will close it here. I will not permit anything like that.

श्री मधु लिमये : मैं दूसरी बात पूछता हूँ...

MR. DEPUTY-SPEAKER : Unless you resume your seat, I will close the debate. You have taken a long time already.

SHRI MADHU LIMAYE ;**

MR. DEPUTY-SPEAKER : Whatever he utters now, not a word will go on record. Order, order. The hon. Minister.

Only the question pertaining to election may be answered.

SHRI GOVINDA MENON : Mr. Deputy-Speaker, Sir, even in the din and noise of the House, I attended very closely to what Mr. Limaye was saying. He does not pretend to have any direct knowledge. His knowledge is based upon the report in the *Indian Nation* ..

SHRI MADHU LIMAYE : Uncontradicted.

SHRI GOVINDA MENON : I have a copy of it here ; there is a contradiction...

SHRI MADHU LIMAYE : I do not give any credence to that "*Patriot*" contradiction.

SHRI GOVINDA MENON : He stated that the contradiction came after the motion was admitted. He should have considered and enquired as to when this letter reached Mr. Nijalingappa. Mr. Nijalingappa is a very busy man. Suppose he received the letter only last night drawing his attention to the report in the *Indian Nation*. Then, you will see, he has contradicted it at the earliest time. After all—I do not mean any disrespect—the *Indian Nation*, so far as I know, is not a widely-read newspaper in Delhi. I say so, so far as I know.

श्री मधु लिमये : वाह, वाह, आप क्या जानते हैं। आर्यवर्त और इण्डियन नेशन सबसे ज्यादा लोग पढ़ते हैं, आप तो अज्ञानी लोग हैं...

SHRI GOVINDA MENON : So far as I know, the *Indian Nation* is not a widely read newspaper in Delhi. Speaking for myself, I have not read it before. I read many newspapers. There is the contradiction. When an allegation is made in a newspaper and only in one newspaper and when the Member himself has no direct knowledge of what happened and then that allegation has been contradicted, then what the learned

Member does is enlightening us on the provisions of section 18 of the Presidential and Vice-Presidential Act. From his conduct I should think that he is already getting excited regarding the final result of the election. Mr. Sanjiva Reddy is going to get elected and, therefore, even now he is getting excited....

SHRI K. LAKKAPPA : I object to that. He should not say that...(*Interruptions*)

SHRI GOVINDA MENON : He has informed this House about the provisions of section 18. May I, through you, advise him to raise this question, after Mr. Sanjiva Reddy is elected, in the Supreme Court?

MR. DEPUTY-SPEAKER : On one point I want clarification. He has said, whatever is the nature of the report or the circulation of the paper, that the Election Commission has taken cognizance of the matter. If some one were to argue that this House is precluded from taking cognizance of this matter, he rebutted his argument by bringing forward this evidence.

SHRI GOVINDA MENON : The Election Commission has nothing to do on this. The Election Commission supervises the elections and if anybody, whether it be the Opposition Party or the Congress Party or others, commits bribery or undue influence, the Election Commission under the law can do nothing in that matter. All that can be done is to raise the question in the Supreme Court after the election is over. I state with all the authority which I have in this matter that the Election Commission has nothing to do with this matter. All that the Election Commission did was this. When the allegation was there, that allegation was transmitted to Mr. Nijalingappa and his attention was drawn to the provisions of the Act. Mr. Limaye also drew our attention to the provisions of the Act. And I draw his attention to the fact that he might raise it in the supreme Court.

MR. DEPUTY-SPEAKER : I would, very humbly, bring this to your kind notice because this is a serious matter. As soon as the election notification is issued—I am not as eminent a lawyer as you are—and

nominations are finalised, the process of election begins and since then till the end. I.e., the conduct of election, voting and counting, he is supposed to exercise complete supervisory jurisdiction. Your statement is not correct to that extent. (*Interruptions*)

Mr. Fernandes,

SHRI ONKARLAL BOHRA (Chittorgarh) : In a way, you are participating in the debate. It will be better if you sit on this side.

MR. DEPUTY-SPEAKER : If you do not want to respect the Chair, you can walk out. Only when it suits you, you want to respect it. Am I not to quote the law of the land which you have passed? Is that not supreme?

श्री जाजं फरनेन्डीज (बम्बई-दक्षिण) :
उपाध्यक्ष महोदय, मंत्री जी ने जो अभी बयान दिया उसके मैंने बहुत गौर से सुना। 'इण्डियन नेशन' अखबार जो कि पटना से निकलता है, इस एक ही अखबार में यह खबर छपकर आई है जिसको काम में बहुत फंसे रहने वाले कांग्रेस प्रधान पद नहीं पाये, ऐसा उनका कहना रहा, जिसको आपने भी सुना। अध्यक्ष महोदय, मेरा मंत्री महोदय पर आरोप है, कानून मंत्री, श्री गोविन्द मेनन यहां खुला अव्यय बोल रहे हैं। यह अखबार है—हिन्दुस्तान स्टैंडर्ड—इस मुक्त के बड़े अखबारों में से यह भी एक है जो कि कलकत्ता से निकलता है और जो कि कांग्रेस पार्टी के समर्थकों की ओर से निकलता है।... (*व्यवधान*)... मैं आपके उम्मीदवार का प्रचार कर रहा हूँ। 4 अगस्त, 1969 का यह अखबार है। इसमें छपा है—

"Green Signal for Bihar Congress if Reddy wins?"

अब आप मुझे इजाजत देंगे कि इसमें से चार जुमले सदन के सामने पढ़कर पेश कर सकूँ चूंकि मधु लिमये जी ने जिन बातों को यहां छेड़ा उसके उत्तर में मंत्री जी ने उस अखबार के कुछ

जुमलों को पढ़कर पहले सदन को गुमराह करने की कोशिश की। मैं नहीं चाहता कि सदन को गुमराह करने का उनको फिर मौका मिले :

"From our Patna Office.

Aug. 3 —Two factors weighed heavily with the Congress High Command in not allowing a Congress-led coalition Government in Bihar before the Presidential election on August 16.

"These are : the Congress High Command did not think it advisable to over-ride the Governor's report (submitted to the Union Home Minister immediately after Mr. Bholu Shastri resigned with his Cabinet colleagues on July 1) who stated that at least 50 MLAs were unpredictable and it would take at least two months time for the new alignment of the splinter groups in the Assembly.

"The second consideration was that the High Command wanted to put to test the loyalty of those 50 or 53 MLAs who were reportedly supporting the move for a Congress-led coalition Government. With the support of these 50 or 53 MLAs the total strength of Congress supporters would be between 165 and 168 in the House of 319 with the Speaker.

"Congress leaders who returned here today said the High Command told them if Mr. Sanjiva Reddy got first preference votes equal to the strength which Congress leaders from Bihar claimed in the Assembly, they would surely consider Bihar's case after the election of Mr. Reddy as President. The High Command further gave the opinion that the strength the party was claiming must be amply and unequivocally demonstrated in the Presidential election.

"Bihar Congress leaders, including Sardar Harihar Singh and Mr. A. P. Sharma, President, B.P.C.C., assured the High Command that although they expected more, they would, in all probability, muster at least 160 first preference votes for Mr. Reddy." "The Congress strength in the Assem-

bly, however, is only 116 including the Speaker. (Interruptions)...They (the Congress leaders) hoped all supporters of the Congress-led coalition Ministry would now definitely vote for the Congress and the High Command would also be obliged to allow the formation of a coalition Ministry after the election of the President. They were of the opinion that this had enhanced the chance of securing more first preference votes for Mr. Reddy. ((Interruptions))

आप इस चीज को महसूस करेंगे कि हम यहाँ किसी भी दल का प्रचार करने के लिए नहीं खड़े हैं।

MR. DEPUTY-SPEAKER : Please put the question. Don't argue.

श्री जाजं फरनेन्डीज : इतना महत्वपूर्ण मामला है, आप बोलने नहीं दे रहे हैं। मंत्री महोदय कितना असत्य बोल रहे हैं, उसको बतला रहा था...

MR. DEPUTY-SPEAKER : You put the question now.

श्री जाजं फरनेन्डीज : मंत्री महोदय ने जो बयान किया, जिसमें उन्होंने कहा है :

all efforts made by the Congress President.

मैं पूछना चाहता हूँ कि जो इण्डियन नेशन की रिपोर्ट है, जो हिन्दुस्तान स्टैंडर्ड की रिपोर्ट है, क्या सरकार की राय में, क्या मंत्री महोदय की राय में यह अनड्यू इन्फ्लूएंस है या नहीं? अगर इसको आप अनड्यू इन्फ्लूएंस नहीं समझते हैं तो फिर यह कौन सा इन्फ्लूएंस है, इसके बारे में मंत्री महोदय खुलासा करें।

MR. DEPUTY-SPEAKER : No further. I will not permit. Only half a minute is left. I am going to adjourn.

SHRI CHENGALRAYA NAIDU : On a point of order, Sir.

MR. DEPUTY-SPEAKER : These members who have not the courtesy to show

proper respect to the Chairman I suppose I to obey them ?

SHRI GOVINDA MENON : The hon. Member Mr George Fernandes, accused me of having stated an untruth here. I do not return that charge. I should say he was irrelevant because the motion before the House was based on a report in the 'Indian Nation'. Therefore, I referred to the 'Indian Nation'.

SHRI MADHU LIMAYE : Why did you quote 'Patriot' ?

MR DEPUTY-SPEAKER : Last questioner will not get the opportunity. I am closing the debate. You are interrupting again and again. You must learn to keep silence.

SHRI GOVINDA MENON : If Mr. Madhu Limaye in his motion which is the basis for discussion had referred to the 'Hindustan Standard', I would have referred to that also. That is the position.

श्री जार्ज फरनेन्डीज : यह तो आपने बिल्कुल सीधा कहा है। नानसेन्स। हद है।...
...व्यवधान).....

SHRI MADHU LIMAYE : I am on a point of order.

MR. DEPUTY SPEAKER : I am not going to listen to your point of order.

SHRI J. M. Biswas Bankawra : The Minister is not making a correct statement.

13 hrs.

SHRI GOVINDA MENON : I referred to the *Patriot* because there was a contradiction there not only of the report in the *Indian Nation* but of press reports in general. It stated :

"Congress President Nijalingappa has denied press reports that he had assured Congress MLAs, etc.....

That is the report in the *Patriot*

The question of law was raised by Shri George Fernandes, whether in my opinion

this would amount to undue influence. I do not generally give opinion to individual Members on these matters ; I shall do it when the matter is raised. I would request him not to get agitated. The result would be announced a few days after the election, and he can get agitated then and raise the matter in the court.

श्री रवि राय : उपाध्यक्ष महोदय, मैं कोई लम्बा सवाल पूछ कर सदन का समय नहीं लेना चाहता हूँ। सदन को अन्तर्मुख बन करके इस सवाल के बारे में सोचना चाहिये। सवाल यह है कि भले ही कल पैट्रियट में श्री निजलिगप्पा इसका खंडन करके कोई बयान दिए हों, यह लोगों को मालूम नहीं है। लेकिन एक चीज देश के लोगों को मालूम हो चुकी है कि तीन तारीख को श्री निजलिगप्पा पटना में जाकर के वहाँ अनुचित प्रभाव कांग्रेस के विधान सभा के सदस्यों पर डाल रहे थे। इस चीज को मद्दे नजर रखते हुए, और माननीय लिमये जी का जो आरोप है कि श्री निजलिगप्पा कांग्रेस के विधायकों पर अनुचित, अनइयू इन्फ्लूएंस डाल रहे थे, इसको मद्देनजर रखते हुए, क्या प्रधान मंत्री सी० बी० आई० की जांच या न्यायिक जांच कराके सारे देशवासियों के मन पर जो अमर पड़ा है कि कांग्रेस के अध्यक्ष इस तरह का अनइयू इन्फ्लूएंस डाल रहे थे, इसको देशवासियों के दिमाग से निकालेंगी ?

SHRI GOVINDA MENON : All that I can say is that it has not been proved that anything has been done by the Congress president.....

श्री रवि राय : इसीलिए इन्क्वायरी चाहिए। प्राइम फेपी केस मूव हो गया है।

SHRI GOVINDA MENON : Let him please listen. Let him not shoot into the gun.

All that I said was that nothing has been stated here which would prove that the Congress president did anything. Assuming he did anything, I again

[Shri Govinda Menon]

submit that the only forum before which it can be raised is the Supreme Court, after the election.

13.03 hrs.

*The Lok Sabha adjourned for
Lunch till Fourteen of the
Clock.*

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*The Lok Sabha reassembled after
Lunch at two minutes past
Fourteen of the Clock*

SHRI GADILINGANA GOWD in
the Chair

SHRI JYOTIRMOY BASU (Diamond
Harbour) : **

MR. CHAIRMAN : Nothing that he has said will go on record. These matters should not have been raised at this time without prior notice. This is not zero hour.

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QUESTION OF PRIVILEGE AGAINST THE "INDIAN EXPRESS"

श्री शक्ति भूषण (खारगोन) : सभापति महोदय, मैं आप का ध्यान दिल्ली से प्रकाशित ग्रंथेजी दैनिक 'इण्डियन एक्सप्रेस' में छपे समाचार की ओर दिलाना चाहता हूँ, जिस में मेरी प्रतिष्ठा पर आघात पहुंचाने का जानबूझ कर कुटिलतापूर्ण प्रयत्न किया गया है। 29 जुलाई, 1969 को बैंक राष्ट्रीयकरण के सम्बन्ध में सदन में हुई बहस में मैंने अपने सुझाव में जो कुछ भी कहा, इस समाचार-पत्र ने उसके बिल्कुल विपरीत प्रकाशित किया जो कि सदन तथा सदस्य दोनों की मर्यादा के विरुद्ध है। सदन में, मेरी बातों, संसद् के रिकार्ड में उपलब्ध है। इस समाचार पत्र में प्रकाशित किया गया है कि मैंने श्रीमती शारदा मुखर्जी को सी० आई० ए० का एजेंट या बैंक राष्ट्रीयकरण संबंधी बिल को सेबोटज

करने को दोषी ठहराया है, जो कि निराधार असत्य है क्योंकि सदन के रिकार्ड में कहीं उसका जिक्र नहीं है। श्रीमती शारदा मुखर्जी सदन की प्रतिष्ठित और माननीय सदस्या हैं और व्यक्तिगत तौर पर मैं उनका हमेशा आदर करता रहा हूँ, ऐसी स्थिति में उनके सम्बन्ध में इस प्रकार की बात कहने का कोई प्रश्न ही नहीं उठता और न ही मेरी ओर से क्षमा याचना का, जैसा कि मेरे सम्बन्ध में इस समाचार-पत्र में लिखा गया है।

इस समाचार पत्र की नीति जान बूझकर उन सभी सरकारी निर्णयों का विरोध करना है जिन में सामान्य-जन की भलाई निहित होती है तथा पूंजीपतियों, इजारेदारी का विरोध होता है। जब से बैंक राष्ट्रीयकरण का प्रश्न उठा है, इस समाचार-पत्र ने उससे सम्बन्धित वक्तव्यों को पार्टी में फूड डालने के लिए और उसकी प्रतिष्ठा को धक्का पहुंचाने के लिए हमेशा गलत ढंग से प्रस्तुत किया है। इतना ही नहीं आज तक यह समाचार-पत्र प्रत्येक उस निर्णय को जो जनता की भलाई के लिए लिया जाता रहा है, विदेशी इशारों की प्रतिक्रिया कहता रहा है।

अतः आप से अनुरोध है कि इस पत्र (इण्डियन एक्सप्रेस) द्वारा सदन की कार्रवाई को तोड़ मरोड़ कर गलत छापने के सिलसिले में, विशेषकर मेरे सम्बन्ध में जैसा कि इस समाचार पत्र द्वारा भ्रम फैलाया गया है, मुझे इस प्रस्ताव को विशेषाधिकार समिति को सोपे जाने की अनुमति प्रदान करें ताकि इसके लिए उत्तरदायी इस समाचार-पत्र के मालिकों तथा संपादक के विरुद्ध आवश्यक कार्रवाई की जा सके।

MR. CHAIRMAN : According to past practice, the Editor will be asked to explain. After the receipt of his reply, further action will be taken.