

**Mr. Deputy-Speaker:** The question is:

"That leave be granted to introduce a Bill further to amend the Parliament (Prevention of Disqualification) Act, 1959."

*The motion was adopted.*

श्री यशपाल सिंह : मैं बिल को पेश करता हूँ ।

15.03 hrs.

CONSTITUTION (AMENDMENT)  
BILL\*

*(Amendment of article 352)*

श्री यशपाल सिंह : मैं प्रस्ताव करता हूँ कि भारत के संविधान में प्रागे संशोधन करने वाले बिल को पेश करने की अनुमति दी जाये ।

**Mr. Deputy-Speaker:** The question is:

"That leave be granted to introduce a Bill further to amend the Constitution of India."

*The motion was adopted.*

श्री यशपाल सिंह : मैं बिल को पेश करता हूँ ।

15.04 hrs.

DISCLOSURE OF ASSETS OF  
MINISTERS BILL—contd.

**Mr. Deputy-Speaker:** The House will take up further consideration of the following motion moved by Shri Hari Vishnu Kamath on the 20th December, 1963, namely:—

"That the Bill to provide for the periodical disclosure of assets of Ministers, be taken into consideration."

**Shri P. K. Deo (Kalahandi):** I take the opportunity of congratulating my hon. friend Shri Kamath on the most appropriate Bill that he has brought forward. I do not think that any persuasion would be required or would be needed for this House and for Government to accept such a simple Bill as this, unless of course, the intention is that something should be hidden from the House regarding the assets of Ministers.

As late as 1953, when I was a Member of the Orissa Legislative Assembly, I had tabled one non-official Bill entitled the Declaration and Periodical Verification of the Ministers' and MLA's Properties Bill, and as it was a non-official Bill, and I did not have the support from the Treasury Benches, it was negatived. I hope that this Bill will not receive the same fate.

There can be no two opinions that in order to create healthy precedents and conventions and to set examples of personal standards of behaviour for posterity, and for the future generations, we should all try hard, especially when the sapling of democracy has not yet taken its firm roots on the soil of this country.

Coming to the merits of the Bill, though corruption is an age-old phenomenon of degraded human behaviour, every civilised government and every enlightened government has taken steps and has made endeavours to stop it. Similarly, this Bill also envisages that to start with, the assets, both movable and immovable, of the Ministers should be declared and should be available to Parliament for public scrutiny. We want our Minister incorruptible. I do not think that there can be any two opinions on such a commendable Bill. It should be accepted.

Of course, those days are gone when one could think of a salary of Rs. 500

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a month for the Ministers, or of the Karachi resolution. We do not like to insist that it is feasible under the present circumstances. If the Ministers are not happy with their present amenities or emoluments, those may be increased. But their assets should not be hidden from public scrutiny. Events in the post-Independence period have unfolded that the evil of corruption has seeped much deeper into the fabric of the Indian administration and that its cancerous growth has corroded the very moral fibre of this Indian nation.

15.07 hrs.

[DR. SAROJINI MAHISHI in the Chair]

We are passing through a state of emergency. Government have been armed with special powers to deal with such cases of corruption. But I am very sorry to say that nowhere else have we heard that in such a short period of seventeen months, so many Cabinet Ministers, so many Chief Ministers and high dignitaries in services got involved in charges of corruption. After all, as my leader Rajaji has pointed out, it is the licence-permit-quota-raj which has opened the flood-gates of corruption. Touts, contact-men, and quota-procurers and licence traffickers have been minting fabulous wealth, and we often hear Ministers resorting to nepotism, high-handedness and gerrymandering and feathering their own nests through their friends or relatives.

In this regard, I would like to point out one quotation from no less a person than Shri Biju Patnaik, the ex-Chief Minister of my State. I am referring to his press statement of June 28th, 1963. This was published by the Orissa Government, and it has been circulated to all of us, and I think you also must have received one copy. Regarding the present Chief Minister of my State, he says at page 29 of that statement that:

"I put him into business in 1959, and in four years, the firm's gross

profits a year are over Rs. 16 lakhs for the period ending 31st March, 1963."

So, in a period of four years, our Chief Minister had the privilege of amassing wealth to the tune of not less than Rs. 16 lakhs, when he had absolutely no business experience, and he was just introduced to business for the first time. How did he amass this wealth? I will quote from the proceedings of the Orissa Legislative Assembly of 30th March 1962. The present Chief Minister said regarding the supply of certain tubes to the Orissa Government:

"The rest supply was given by the firm in which I am connected. This is how things stand. We are authorised agents of the Kalinga Tubes who have taken orders to supply".

From this you will understand that the wife of a Chief Minister as the representative of the Kalinga Tubes has been selling these pipes through the wife of a Deputy Chief Minister to a Government headed by Shri Patnaik, benefiting both the Chief Minister's and the Deputy Chief Minister's families with lakhs of rupees in a single deal.

I do not like to repeat other instances as my time is limited, and as they are so well known. Regarding the case of Shri Pratap Singh Kairon, I do not like to go into details,—the less said about it the better—because it is *sub judice*, a former Chief Justice of India looking into those questions.

Regarding the former Prime Minister of Kashmir, no less a person than an hon. Member from the Congress Benches, Shri A. M. Tariq, said yesterday in the Rajya Sabha:

"लेकिन अगर काश्मीर के लोगों को हिन्दुस्तान में नफरत हो। जो जज हैं उन्होंने आप की शक्ल नहीं देखी

[Shri P. K. Deo]

है। जो देखा है बरूणी गुलाम  
मुहम्मद की शकल में देखा है  
जिस ने एक मकान से शुरु किया  
और आज चालीस मकान पर  
खत्म किया।”

**Mr. Chairman:** The hon. Member knows that the proceedings in the other House cannot be quoted here.

**Shri P. K. Deo:** I am quoting the gist of it, not the whole of it.

From this it will be known that all the charges of corruption have been made not by Opposition Members but by those belonging to the Congress Benches also. I still remember those golden utterances of the Prime Minister—they are ringing in my ears—that blackmarketeers, and profiteers should be hanged by the nearest tree.

**An Hon. Member:** By the nearest lamp-post.

**Shri P. K. Deo:** In 1959, no less a person than Dr. C. D. Dehmukh, suggested that there should be a standing judicial tribunal and all cases of corruption should be referred to it. But the Prime Minister threw cold water on this proposal by saying in a press statement in January 1960 that “if such a tribunal was appointed, there would be charges and counter-charges as we were gossiping people.” In September 1962, while delivering the Feroze Gandhi Memorial Lecture, my hon. friend, Shri T. T. Krishnamachari, said that it is no use having a tribunal of this type, like the Scandinavian Ombudsman, as it has got a negative role to play. In that lecture he said:

“I do not, therefore, consider the institution of an Indian counterpart of the Ombudsman as having any positive role to play in the determination and functioning of the relationship of the citizen and the executive”.

However, wisdom has dawned now. The Vice-President in his Address has

indicated that very soon they are going to have a Central Vigilance Commission, which is mainly based on the recommendations of the Santhanam Committee. While I congratulate the Vice-President on this bold step that Government propose to take, I submit that its powers should be much wider than have been envisaged. The Vice-President says that the status of the Commission would broadly correspond with that of the UPSC. The status of the Union Public Service Commission is so very limited that its authority cannot extend to Cabinet Ministers. It controls the conduct and behaviour of the services, but it cannot look into the various activities of the Ministers. If the Vice-President is serious about it, if he wants that adequate power should be given to this Commission, then nothing short of a Scandinavian Ombudsman is going to satisfy our demand. The Scandinavian Ombudsman is a parliamentary official. He is appointed by the Parliament and is responsible to it. He has access to all the files. He can scrutinise all the activities of the Ministers. He can even call for action against those who are connected with the executive. So if the intention is to curb the scope of functions of this proposed Central Vigilance Commission and restrict it to investigation of the conduct of the services, I think we will never achieve the objective.

Here I would demand that this Vigilance Commission should be independent of the executive. It should be appointed by the President and should be directly under him. At the same time, it should be insulated from all political pressure. Now in the absence of such a commission, the Prime Minister is there as the grand arbitrator. He listens to the various complaints and explanations, at times defends the respondent and soothes the complainant. We do not want that the Prime Minister should do such a job. It is not good for the country; it undermines his personal authority. Sometimes, even motives

are attributed. I do not want that the head of the executive should be saddled with this judicial function of sitting in judgement on the integrity of individuals.

Some say that our Ministers submit returns of their assets to an anti-corruption committee of the Congress organisation or to the Congress High Command, so there is no need for them to submit such returns or disclose their accounts to Parliament. In this connection, I submit it is not a party question. The whole thing has to be viewed from a national perspective. After all, the former Chief Minister of my State has said that the Congress Party is not "a Bharat Sadhu Samaj or a Ramakrishna Mission; it needs money to fight elections, it is a militant party." So the Party needs funds for its elections. It needed Rs. 40 lakhs during this emergency to stage the *tamasha* at Bhubaneswar. So they need money. So if official pressure is used by Ministers to raise funds even for the Congress Party's Purposes—as the plea was made by Shri K. D. Malaviya that he raised some funds from Serajuddin and Company to fight a bye-election in U.P.—I do not think it could be justified.

I conclude by saying that this Bill should be wholeheartedly supported and those who oppose it are indirectly giving shelter for corruption to grow.

Mr. Chairman: Shri D. C. Sharma. I hope the hon. Member will take only six or seven minutes.

Shri D. C. Sharma (Gurdaspur): It is not enough to deal with such a big subject.

Shri Hari Vishnu Kamath (Hoshangabad): The time may be extended.

Dr. L. M. Singhvi: Five minutes is absolutely pointless. It is useless. It is better not to allow too many speakers rather than allow only five minutes to each speaker within which he cannot propound his thoughts.

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Shri Kapur Singh (Ludhiana): Shri D. C. Sharma is capable of expressing his ideas in a precis form, and because of that, this time will be enough for him.

Mr. Chairman: Let us see. If the number of speakers is more, we shall see.

Shri D. C. Sharma: My hon. friend Shri Kamath has been an inventor if nothing else. It is said about the Chinese that they used to invent new engines of torture. So, Shri Kamath is always coming up in this House with verbal attacks which are irrelevant to the question that he puts, and with verbal assaults on the party which happens to be the ruling party.

I can understand the spleen of some persons who do not want us to be the ruling party, and I have every sympathy has not come into being as a remember that the ruling party was not brought from heaven, that the ruling party has not come into being as a result of some kind of magic. It has come through the ballot box, which is as much theirs as that of the ruling party.

Shri Surendranath Dwivedy (Kendrapara): Now we have separate ballot boxes.

Shri D. C. Sharma: Therefore, if they want to blame the ruling party, they have to blame those rules and procedures of democratic elections which we have in this country. So long as they are going to be there, I think they have no reason to call us names or do things of that kind.

Now, one of the well-known practices in the world is that one should always look for the tall poppy. My hon. friend who has moved this Bill has his eye on the big ones, on the tall poppies, and he thinks that he will be doing a great deal of service to the country by bringing forward this Bill, but I ask you one question. I

[Shri D. C. Sharma]

think every public man, whether he belongs to the Congress Party or the P.S.P. or any other party is under the constant gaze of the public. Every movement of that gentleman is watched, every word that he speaks is taken note of, everything that he does is recorded in the memory of the public, or in the log-book of the people. In the face of this over-all scrutiny by the public of all public men, including the members of the Swatantra Party, I do not exclude them, I do not think we should try to invent any new engines of torture for our public men.

Public life is already very hazardous in this country. It has few prizes, but many pitfalls; it has many dangers, but few comforts; it has many troubles, but very few amenities. Therefore, I think that no democrat should try to make public life more difficult than it is. And above all, we are under the surveillance of the public, if I can use that expression all the time. Our Ministers, Deputy Ministers, and even those unfortunate Parliamentary Secretaries are always exposed to the eagle eye of our public. Do we not put questions on the floor of the House? We know what their electricity bills are, what their water rates are, how much their lawns cost, how many rooms they have in their bungalows, we know all these things. Why? Because democracy is a game of exposure, democracy is not a hush-hush game, and therefore, if democracy is like that, and we know all about them already, we get to know all about them through our questions, I do not see why we should bring forward this Bill.

For instance, only this morning I read in the papers how much has been spent upon the T.A. of these Ministers. I believe that whatever devices we have at present in our possession to know all about these Ministers and Deputy Ministers and other functionaries who constitute the Council of Ministers, is more than enough, and I do not see any reason.....

Shri Tyagi (Dehra Dun): About this T.A. business, if he does not mind my interruption, I may say that this is not money received by Ministers, because I know something about financial matters. This T.A. is for meeting the expenditure incurred on railway and other things. It is not that the money has passed into the pocket of the Minister. That is not the meaning of this T.A.

Mr. Chairman: I think the hon. Member also knows it very well.

Shri D. C. Sharma: I think Shri Tyagi is in a very happy mood and a good mood today, and I congratulate him on this mood.

I was submitting that one of the sanctions of public life is this, and that is what Lord Baldwin also said in one of his most memorable utterances in the Houses, namely that when you ask a person to pilot the ship of your State in any form or under any designation, you should not attach a gadfly to that person.

Shri Tyagi: Yes, I am one of them.

Shri D. C. Sharma: Therefore, this kind of Bill is infructuous in its conception, and is going to prove unfruitful in its execution, because I submit very respectfully.....

Shri Bhagwat Jha Azad: What is wrong?

Shri D. C. Sharma: Because each one of us, even Shri Bhagwat Jha Azad and myself, who are not Ministers, and who have no hope of becoming Ministers, even we.....

Shri Bhagwat Jha Azad: Do not be so disappointed.

Shri D. C. Sharma: I am not disappointed, I am only stating a fact.

Shri Bhagwat Jha Azad: He has come to that age when one should be a Minister.

**Shri P. Venkatasubbaiah** (Adoni): Why are you committing Shri Bhagwat Jha Azad?

**Shri D. C. Sharma:** It is not a question of hope, it is a question of realistic assessment of our capabilities and of our future possibilities.

Even we Members of the Congress Party who belong to the Lok Sabha have to give returns of our assets to the Congress Party, and I think that if the Congress Members have to give that, the Ministers also have to give that. Therefore, I think that already the party has taken precautions to see that this thing is done.

My hon. friend referred to this Minister and that Chief Minister. Have we not appointed a Commission to go into these cases?

**Shri Surendranath Dwivedy:** Which Commission?

**Shri D. C. Sharma:** Do we not take action whenever anything is brought to our notice?

**Shri Surendranath Dwivedy:** Which Commission is going into the assets of Ministers?

**Mr. Chairman:** No interruptions.

**Shri Surendranath Dwivedy:** Interruptions are allowed.

**Mr. Chairman:** I request the hon. Member to conclude.

**Shri D. C. Sharma:** I was submitting that the checks which the Congress Party has already devised, the vigilance of the public already exercised over the Ministers, which the newspapers of this country exercise over the Ministers and other persons are enough. I do not think that any useful purpose would be served by doing this. Mr. Kamath does not only want that the Central Ministers should suffer from this Bill but he wants that this should become the pattern of State administration also. I think the vigilance commission and all those things are there.

**An Hon. Member:** Vigilance Commission is only for officials.

**Shri D. C. Sharma:** Other vigilance bodies are there. I feel that this Bill is not going to do good to anybody; it is only going to hamper the Ministers in the rightful discharge of their duties and in the fine exercise of their functions which the nation has entrusted them with.

**Shrimati Yashoda Reddy** (Kurnool): I have been listening to Shri D. C. Sharma with rapt attention. With all respect to him and with great humility I beg to differ from every word of what he said. I welcome Mr. Kamath's proposal for many reasons. He wants the assets of the Ministers to be made public. Not only Ministers but every Member of Parliament and of the legislative assemblies of any political party should make his financial assets public. If he finds it necessary to hide it, he should not be in the political field. Some months back Shri Lal Bahadur Shastri as Home Minister said about a tribunal to check corruption of the officials. An Opposition Member interrupted: what about Ministers? Speaking a little afterwards I said that our Party has led the country for 16 years and we should set an example and so we should be open for public gaze. We have come through the ballot box but that does not mean that we have no other moral obligations towards people. To have correct moral standards is superior to coming through even ballot boxes. Supposing a person worth Rs. 10,000 becomes a Member of Parliament and in five years makes a lakh of rupees, he will have to give an explanation. (An Hon. Member: Income-tax officer will get it). It may be so. But there may be many loopholes and real things may not come to light. You have Criminal Procedure Code and other legal restrictions to stop unsocial acts. We have not stopped murders but yet the need for law is there. Maybe, here there is constitutional difficulty and

[Shrimati Yashoda Reddy]

the Ministers may say they are responsible to the Chief Minister or Prime Minister. Many corruption charges have been levelled against Ministers. Strictures have been passed by courts. Ministers should bow down to public opinion. It is our Government's policy to nationalise and the Chief Minister of my State had done nationalisation of road transport. The High Court held that there were no malafides on any ground. But for reasons known to the Supreme Court, they have not given the benefit of doubt to a person who did not appear before them. But here was one man in my Party who bowed down to the Supreme Court and discarded his Chief Ministership. His prestige has gone up and I am proud of my State and of my organisation. If he is to come back to politics his stature will be more glorified. So, an uncorrupt man has nothing to hide or fear. Perhaps this Bill may not be acceptable on technical reasons but that does not prevent us from giving whole-hearted support to this Bill. Our Ministers have in their heart of hearts no objection to this Bill. There may be constitutional or legal objections. Let there be an independent tribunal for Ministers whether it is for corruption or for anything else. I congratulate Mr. Kamath and I support the principle which is wholesome and very welcome at the present time.

**Dr. L. M. Singhvi (Jodhpur):**  
**Madam Chairman,** although it is far from my mind to point an accusing finger at any particular person, I stand here to support the underlining idea of the Bill. Mr. Kamath has done a service to all of us and to the Ministers in particular by bringing forth this piece of legislation for our consideration. My task in supporting this Bill is made easy by the charming advocacy of the hon. Member who spoke before me; it takes the winds out of the sails of the kind of arguments pressed into service by my hon. friend Prof. Sharma who unfortunately is not

here now to argue or interrupt me. Personal allegations of corruption against Ministers are not conducive to good standards in public life but I think the laws as at present constituted leave no other option. There ought to be institutionalisation of procedures where complaints and suspicious could be ventilated, grievances could be brought forward and scrutinised so that Ministers themselves will be protected from irresponsible allegations of corruption, at the same time protecting public life from the maladies of corruption about which we hear all the time. There is no small measure of mud-slinging in our national life and if this procedure is brought into existence it would obviate the need for such mud-slinging at least the wholly irresponsible part of it. I am therefore justified in claiming that Mr. Kamath's Bill would be of service to the Ministers themselves. If we have adequate machinery we could put an embargo on ourselves, or a self-imposed restraint on ourselves from employing platforms other than the procedure provided by such an enactment for ventilating grievances of the possession of assets disproportionate to their income by the Ministers. But when in the general body of law we make presumptions against a public official, who happens to have assets disproportionate to his income, there is no reason why the specially privileged class of Ministers should be exempted from that sort of presumption.

I would also like to say that I feel strongly that the salaries of our Ministers in our country are very low. As a matter of fact, I would be strongly in favour of raising the salaries of Ministers but for reducing the various perquisites which they get otherwise than under the straight head "Salaries". For example, the judges of the Supreme Court here get Rs. 4,000 each a month. They get also a residence, but they do not get all kinds of different perquisites. Give the Minister, the very best of things for a decent comfortable life, but do not

allow them to draw large sums of money under different heads by preparing wrong sort of statements of travelling allowance and dearness allowance and thus compelling some persons in public life to talk about it all the time and to bring the dialogue of democracy to a very low pitch.

**Shri Tyagi:** They do not get any travelling allowance.

**Dr. L. M. Singhvi:** I mean daily allowance.

**Shri Tyagi:** I would suggest to my hon. friend to study the rules governing the travelling allowance and daily allowance of Ministers. They actually do not get these allowances unless they stay outside somewhere for their daily meals.

**Dr. L. M. Singhvi:** My hon. friend Shri Tyagi, I know, has a very considerable knowledge of these matters, having been a Minister himself, and being the Chairman of the Public Accounts Committee. If he thinks that these allowances are realistic and are not disproportionate to what the requirements are, I have nothing to say.

**An Hon. Member:** Rs. 30 a day.

**Dr. L. M. Singhvi:** For example, we have the figures about consumption of electricity, matters which otherwise are really of very small and trivial import, but they are played up to a pitch which does not add to the self-respect even of the Ministers. But they are necessitated mainly because we do not pay them a decent enough salary. I think we ought to pay them a better salary but reduce all other perquisites and give them a straight, honest salary which is adequate for their requirements. Otherwise we would be en-

couraging all kinds of wrong allegations and wrong practices.

I also think that the arguments used by Shri D. C. Sharma that members of the Congress party are required to file a statement of their assets before their party and the Ministers must naturally be complying with the same requirements is one which is not justifiable. I will quote a statement of Mr. Sanjivayya, the then President of the Indian National Congress, who himself has said that very few Congressmen responded to the circular for declaration of assets of liabilities which was issued by the AICC. He had also said that the AICC circular requested the Ministers and members to send their report about the contact work which they were doing in the electoral constituencies in their respective States and the reports were not filed. There is a strange contradiction; there is a very little contact work done by Ministers and therefore there is hardly any return to be filed! But even if the assets acquired by them are not disproportionate to their usually known sources of income, it would be right for them to make a statement. When the President of the Indian National Congress himself pleaded his inability to enforce the circular of the AICC, when he himself says that the Ministers and other people have been unwilling to comply with those requirements—

**The Minister of State in the Ministry of Home Affairs (Shri Hajarnavis):** I just checked it up with my colleague. He said he had not made such a statement. He said that his words were it is alleged that this is done. (*Interruption*). He told me that he had issued a press contradiction.

**Dr. L. M. Singhvi:** I have the entire press cutting file from Parliament, and find no trace of any contradiction having been issued by Shri Sanjivayya. This is as categorical as it could be, where in he says that only a very negligible number of



[Dr. L. M. Singhvi]

**Congress Ministers and Legislators** have so far sent statements of their assets and liabilities in response to the circular issued by the AICC some time ago. It is the report dated 1st August, from Indore. (*Interruption*) I would very much like him to tell us as to how many of the Congress legislators and Ministers have actually filed their statements of assets and liabilities before the Congress party.

**Shri Hajarnavis:** I have ascertained the position from the Secretary of the AICC yesterday; all the MPs have sent.

**Shri Bhagwat Jha Azad:** (Bhagalpur): How can Dr. Singhvi ask how many have filed the statements? That is for the Congress organisation. How can he ask?

**Dr. L. M. Singhvi:** Because the Congress happens to be responsible for the administration of this country and because this Bill seeks to require the Ministers to file a statement of their assets and liabilities and because the Minister claims now that as a matter of fact, contrary to the statement made by the President of the Indian National Congress . . .

**Mr. Chairman:** The hon. Minister was only saying that he will get it ascertained.

**Shri Hajarnavis:** I have said that I have ascertained yesterday from the Secretary of the AICC. They have all sent the returns.

**Dr. L. M. Singhvi:** I think our right to ask the Congress party and the Government to put their house in order and to keep it in order is undisputed. It is the first time that I have heard the hon. Member **Shri Bhawgat Jha Azad** disputing this right in respect of an organisation which happens to run the Government. At any rate, if that is being done in a manner which does not satisfy public opinion then we should place on the statute-book an enactment which requires the Ministers to declare their assets and liabilities.

I am not wholly happy with the various provisions of the Bill, and I would like them to be amplified and to be discussed further. I would conclude by suggesting that a Committee of this House should go into this legislation.

**Shri V. B. Gandhi** (Bombay Central South): Mr. Chairman, **Shri Kamath's** case as he has made it depends on a number of assumptions. One of these assumptions is that the Opposition Members have a monopoly of virtues including incorruptibility.

**Shri Hari Vishnu Kamath:** He is presuming. I never said that.

**Shri V. B. Gandhi:** I need not say how untenable and even irrational such an assumption is. I would just say to **Shri Kamath** that virtue untried is not virtue proved. He has said that Ministers are liable to temptation and have opportunities for corruption. Having temptation for corruption is one thing. But to prove corruption as a fact is another thing. Most of his case is full of generalisations and very ingeniously made up, casting doubt on the integrity of Ministers.

He has said something about the public image of Ministers in India. The public image of Ministers in this country is very much based on the image of our Prime Minister and of a large number of first-class men in the Central Government as well as in the States all over the country. The Congress Party's position in the estimation of the people is in fact as high as it has been all the time and it does not depend on what the opposition Members think of that position. The esteem of the people is there and is proved. A vast majority of the people in three consecutive elections have given their testimony to the position and the esteem in which the Congress Party is held. I hope it is proved beyond doubt.

The Minister like any other citizen of this country has the fear of law.

We are very proud of the legal system in this country and of our courts. I do not think that the Ministers enjoy any special immunity from law. The Minister also in a special degree has to have the fear of public opinion. Finally, the Minister has the need to contest elections and in elections nothing counts so much as his public image and also his record of incorruptibility. Rather than being maligned, I think the Minister deserves our respect and our gratitude. After all, we must not forget that he is performing a public service often at great personal sacrifice.

**श्री सरजू पाण्डेय (रसड़ा) :** अध्यक्ष महोदय, मैं इस बिल का समर्थन करने के लिए खड़ा हुआ हूँ। अभी एक माननीय सदस्य ने यह कहा कि अगर इस तरह के बिल पास किये जायेंगे तो देश में शासकों के प्रति अविश्वास का भाव उत्पन्न होगा। मैं नहीं समझता कि यह तर्क कहां तक ठीक है? अगर आप के अन्दर कोई भ्रष्टाचार नहीं है, कोई गलत काम आप नहीं करते हैं तो फिर अपना हिसाब देने में आपको डर क्या है? इस से तो हमारे देश का नैतिक स्तर ऊंचा होगा गिरेगा नहीं। मैं समझता हूँ कि यह तो बात कहने की नहीं है, खुद कांग्रेस मेम्बरों ने, दूसरे लोगों ने और खुद कांग्रेस प्रेसिडेंट ने अभी थोड़े दिन हुए यह फरमाया था कि लोग जो शरीर थे वह करोड़पति हो गये। इसलिए मैं तो कहता हूँ कि अगर यह पार्क रखा जाए कि हिसाब देने से देश में लोगों में एक अविश्वास की भावना उत्पन्न होगी तो यह कतई तौर पर गलत है। अभी बहन यशोदा रेडडी ने जो सब का हिसाब देने के लिए बड़ा तो मैं तो इस के पक्ष में हूँ कि अगर आप सब का हिसाब लेना चाहें तो ले लीजिये। मुझे उस में कोई ऐतराज नहीं है। एम० पंजा०, एम० एल० एज, मिनिस्टर्स, चपड़ासी हर एक का हिसाब ले लिया जाय लेकिन यह बहुत जरूरी है कि मिनिस्टर्स साहबाल का हिसाब हाउस के सामने घाना चाहिए क्योंकि उन लोगों के बारे में तरह तरह

की बातें कही जाती हैं। जांच होती है, अपीलें हो रही हैं, कमिशन बैठते हैं, आखिर यह सब क्या साबित करते हैं? आज पंजाब में क्या हो रहा है? वहां जो कुछ हो रहा है उस से क्या देश का नैतिक स्तर ऊंचा हो रहा है? उत्तर प्रदेश में क्या हो रहा है? वहां एक स्टेट मिनिस्टर के खिलाफ यह चार्ज लगाया गया कि उस ने फार्म से गाय को चुराया और गाय के साथ उस मिनिस्टर का फोटो कांग्रेस पार्लियामेंटरी पार्टी उत्तर प्रदेश के सामने पेश हुआ था। इसी तरह एक मिनिस्टर के खिलाफ वहां यह चार्ज लगाया गया कि वह गांजा बिकवाता है। उस पर गांजा बेचने का चार्ज है। अब उनका हिसाब मालूम करना चाहिए कि आखिर यह पैसा उनके पास कहां से आया। इसी तरह से अभी एक मिनिस्टर के बारे में उत्तर प्रदेश में यह चार्ज लगाया गया कि एक महीने के अंदर बैंक में उनके खाते में एक लाख रुपया जमा हुए। अब उन से हिसाब मांगा जाना चाहिए कि आखिर यह एक लाख रुपये उनके पास कहां से आये? आज जब देश में से करप्शन को हटाने की बात चल रही है तो यह जरूरी है कि मिनिस्टर्स को भी हाउस के सामने अपना हिसाब देने को कहा जाय।

श्री नन्दा ने भ्रष्टाचार निवारण के लिए कुछ कदम उठाने की घोषणा की। विजिलेंस कमिशन की बात उन्होंने कही। जब खुद हम लोगों ने गृह मंत्री जी से मालूम किया कि साहब यह विजिलेंस कमिशन तो सिर्फ सरकारी कर्मचारियों व अफसरों के सम्बंध में जांच करेगा तो फिर मंत्रियों की कौन करेगा तो उन्होंने जवाब दे दिया कि मंत्री लोग तो विजिलेंस कमिशन के अन्दर आते नहीं हैं ऐसा मान बैठते हैं।

उत्तर प्रदेश में विजिलेंस कमिशन बना है। उस के अन्दर पुलिस के एक डी० आई० जी० रखे गये हैं। अब जो आदमी सब से ज्यादा करप्शन के लिए जिम्मेदार है वही

[श्री सरजू पाण्डेय]

आदमी अगर विजिलेंस कमिशन में रखा जाता है तो मैं नहीं समझता कि वह कहां से न्याय करेगा ? इसलिए मैं यह समझता हूँ कि मंत्रियों के लिए भी जैसा कि आपने श्रीों के लिए किया है, उनके लिए भी लाजिमी कर दें कि वह अपनी आमदनी का हिसाब दोनों हाउसों के अन्दर रखें। यही इस बिल की मंशा है। इससे हमारे देश का नैतिक स्तर ऊंचा होगा। लोगों में विश्वास की भावना पैदा होगी और वह यह समझेंगे कि दरअसल हमारे यहां कोई गलती नहीं है।

अगर मैं मंत्रियों के खिलाफ क्या क्या चार्जज हैं उन की मिसालें देने लूँ तो आपको अचरज होगा। अजीब अजीब चार्जज उनके खिलाफ हैं। एक मिनिस्टर के खिलाफ यह सीरियस चार्ज लगाया गया कि उसने फार्म से गाय चुरा ली और गाय के साथ उन साहब का फोटो कांग्रेस पार्टी के सामने पेश होता है। क्या यह कोई कम सीरियस चार्ज है ? अब अगर मिनिस्टर्स साहब सब दूध के धोये हैं तो फिर वह हिसाब पेश करने से आखिर घबड़ाते क्यों हैं ? अभी त्यागी जी ने फरमाया कि उनका जो ट्रैवलिंग एलाउंस होता है या डेली एलाउंस होता है वह उसमें शुमार नहीं किया जाता है लेकिन मैं बखूबी जानता हूँ कि किस तरीके से यह मंत्री लोग दौरा करते हैं, किस तरह से दावतें उड़ाते हैं, किस तरह से कर्म-चारियों के ऊपर उन दावतों का खर्चा लगाया जाता है और फिर बाद में अपना डी० ए० और टी० ए० खजाने से लेते हैं। स्टेट मिनिस्टर्स के बारे में तो मैं साफ़ तौर से कह सकता हूँ कि जब यह दौरे पर जाते हैं तो उनके सारे अख़राजात का भार वहां के छोटे छोटे क्लक्टोरेट के एम्पलाइज पर डाला जाता है और मिनिस्टर साहब बाद में उसका बिल बना कर सरकार से पैसा वसूलते हैं। गाजीपुर का वाक़या मैं बयान करूँ। एलेक्शन के दौरान एक स्टेट मिनिस्टर आधी रात को गाजीपुर पहुंचते हैं और क्लक्टोरेट के मुलाजिमों से १०-१२ आदमियों के लिए खाने का

बन्दोबस्त करने के लिए कहते हैं। अब गाजीपुर जैसे छोटे शहर में जहां कोई होटल नहीं है और जहां एक छटांक दूध भी नहीं मिल सकता था जब उन बेचारे मुलाजिमों ने खाने का इंतज़ाम करने में अपनी असमर्थता जाहिर की तो मिनिस्टर साहब ने लिख भेजा कि उन पांचो क्लक्टोरेट के मुलाजिमों को फौरन मुअ्तिल कर दिया जाय . . . .

**एक माननीय सदस्य:** इसका कोई सबूत है आप के पास ?

**श्री सरजू पाण्डेय :** सबूत अगर चाहिए जायगा तो वह भी मैं देने को तैयार हूँ और जांच कर के मालूम किया जा सकता है। अगर कोई जांच की जाय तो यह बात भा सकती है। इसलिए मैं चाहता हूँ कि इन मंत्रियों के जिनके कि दसियों होटल चल रहे हैं, सिनेमा हाउसेज चल रहे हैं, गलत नाम से उन्होंने अपने परिवार वालों के लिए लाइसेंस और परमिट लिये हुए हैं, उन का हिसाब लोक सभा और राज्य सभा में पेश होना चाहिए। इस से देश का नैतिक स्तर ऊंचा होगा और तभी हम छोटे लोगों को सजा देने में जस्टिफ़ाइड होंगे। अब आज होता यह है कि करप्शन के सिलसिले में छोटे लोगों को, चपड़ासियों को पकड़ लिया जाता है, लेकिन बड़े लोगों को पकड़ने की तरफ़ ध्यान नहीं दिया जाता है। अभी मैं ने देखा कि करप्शन के सिलसिले में दो पेशकार पकड़ लिये गये लेकिन मैं पूछना चाहता हूँ कि लखनऊ और दिल्ली में, दूसरे सूबों में, केरल में और हर एक राज्य के अन्दर मंत्रियों के खिलाफ़ रोक शिकायतें आती हैं कि वहां पर मंत्रियों ने नाजायज़ तौर पर पैसा कमाया लेकिन उन के बारे में कोई जांच करवाने के लिए सरकार सामने नहीं आती। यह जरूरी है कि मंत्री लोग इस सम्बन्ध में आदर्श उपस्थित करें ताकि देश के अन्दर विश्वास की भावना फले। इसलिए कामत साहब के बिल को स्वीकार करना चाहिए और उसमें डरने या घबड़ाने की कोई बात नहीं है। मुझे विश्वास है कि इस से देश का नैतिक स्तर ऊंचा उठेगा।

**Mr. Chairman:** Mr. Chatterjee.

**Shri Tyagi:** Madam Chairman, I do not know whether you are proceeding by the list. I do not know whether it will be parliamentary to say that I have been trying to catch your eye; you being a lady, it may be misunderstood.

**Mr. Chairman:** The hon. Member also may get a chance.

**Shri N. C. Chatterjee (Burdwan):** Madam Chairman, I ought to say that the whole country will be watching this Parliament very carefully and we will stultify ourselves if we turn down this Bill. I am happy to find that a lady Member from the Congress Benches supported this Bill strongly. I understand Mr. Sinhasan Singh who is an old Member of the Congress Party also supported the Bill. I thought the Minister should have welcomed such a motion coming from one of the opposition leaders. Let us not tackle it from the party point of view. Let us look at it from the national point of view and in the interest of securing a clean democratic set-up in this country.

16.00 hrs.

Eradication of corruption is the prime need and we should all do our best to stamp out corruption mercilessly. Why are Congressmen afraid of it? Should their conscience not be clean? Has not the Congress President used these words? I am quoting his language. The Congress President said that some among Congressmen lacked "integrity and honesty". He further said—I am using his exact language—"people who were paupers in 1947 are now millionaires and multi-millionaires own palatial buildings and factories, have immense property without having any ostensible source of such vast incomes." If this is the verdict of the head of the big organisation which is the ruling party is it not time for them to accept this elementary proposition that they should do something to put their own house

in order? A Minister, like a High Court judge or a Supreme Court judge, should be above suspicion. What is the objection in accepting the suggestion that there should be periodical disclosures?

Do not our Members know that in the other House an hon. Member from Kashmir has disclosed that the members of the family of one who was an ex-premier of one State own large tracts of land at Okhla, Friends Colony and Green Park besides their having lands in Jammu and Kashmir and other places. They have received monopolies of products in the public sector. I need not go further into the details. They have lands in Bombay, Dehra Dun, Bangalore and other places and a big shop of automobiles at Indore. This is what that hon. Member has disclosed. Is it not quite clear that there is a *prima facie* case which warrants this Parliament to take some action? If it does not do it, it will stultify itself.

It is not only that. We know that there is a commission which is headed—a one-man Commission—by Shri S. R. Das, who was the Chief Justice of India for many years, to probe into charges of corruption and other serious charges against one who occupies the position of Chief Minister of a State. *Prima facie* case there was, otherwise why should a Commission be appointed, a Commission manned by a man who occupied the position of a judge of Calcutta High Court, the Chief Justice of Punjab High Court and the Chief Justice of the Supreme Court?

Why should we bring in the issue of corruption? Everybody knows that the common people make this charge and that there are good reasons for making the charge that corruption has increased manifold after the British left and after we got our independence. It is a shame and a national disgrace, and we must do our best to stamp it out. What is the hon. Home Minister doing? He has started an anti-corrup-

[Shri N. C. Chatterjee]

tion campaign. I think he has started it in his own constituency, and it is gratifying to note that he is taking strong action. I wish he had started it in the city which is the citadel of corruption, which is the fountain-head of corruption. I am referring to the city of Delhi where there are so many blackmarketeers and other people hovering round the city approaching the powers that be.

Therefore, it is absolutely important that some action should be taken. What is Shri Kamath saying? He says that the evil of corruption in the administration must be ruthlessly fought at all levels. Can there be any objection, can there be any possible dissent, is there any scope for a caveat against it? He wants that to be done lest freedom, democracy and socialism should cease to have any meaning at all for the people of our country. What I am pointing out is this. Sufficient disclosures have been made which warrants some action to be taken. So what Shri Kamath has suggested is nothing very revolutionary. He wants only periodical disclosure of the extent of their wealth. If there is nothing to hide they should welcome this opportunity of placing all their relevant facts before the Parliament. That would silence public criticism. As a matter of fact, we are very happy that Shri Reddy has resigned. We pay a tribute to him. That shows that he respects the rule of law, that he respects the verdict of the highest judiciary in this country and that he is not trying to snap his fingers because he occupies a position of advantage.

Now, after the Kairon Commission, after the ugly disclosures in Kashmir and after the many reports that are coming from other quarters, something should be done. This House will remember that one Chief Minister—he is dead and gone and I need not name him—has heirs or legal representatives who have inherited assets worth more than Rs. 1 crore—it may be even Rs. 2 crores or more. Therefore, public mind

is perturbed. They are suspecting the men occupying the highest position. If there is nothing immoral, nothing dishonest in their activities, they should welcome this opportunity of placing the relevant facts before the Parliament. By that their responsibility, both legal and constitutional, will not at all be shaken. On the other hand, their prestige will be enhanced, the Parliament's position will be stabilised and that will restore public confidence.

श्री त्यागी (देहरादून) : सभापति महोदय, जिन भावों से प्रेरित हो कर श्री कामत ने यह बिल रखा है उन से मैं पूरी तरह सहमत हूँ। मैं इस बात पर लज्जा प्रकट करता हूँ कि बावजूद इस के कि हमारी पार्टी इतने दिनों से पावर में है, हिन्दुस्तान के अन्दर यह गिरावट, अर्थात् भ्रष्टाचार, सचमुच बढ़ता गया है। मैं इस बात को बड़ी शरमिन्दगी के साथ तसलीम करता हूँ। मैं बहुत लज्जित हूँ कि अंग्रेजों के समय में जो भ्रष्टाचार था उस से कहीं अधिक भ्रष्टाचार आज है, और इसलिये जो भी देशभक्त है, उस के दिल में इस बात की तकलीफ और कष्ट है। हर एक आदमी तिलमिला रहा है। इस से बच्चा बच्चा तिलमिलाता है कि कोई ढंग ऐसा निकले जिस से गवर्नमेंट के तमाम कामों में ईमानदारी आ जाये और वह कुछ उसूल के ऊपर काम करने लगे ताकि भ्रष्टाचार बन्द हो जाये। यह मांग आज सिर्फ श्री कामत की नहीं है, यह देश भर की मांग है, और मैं शरमिन्दा हूँ कि हमारी गवर्नमेंट इस करप्शन को रोकने में नाकामयाब रही।

इसी तरह से मिनिस्टर्स वगैरह की भी बात है। मिनिस्टर किसी और जगह से तो आते नहीं। एक थैली में से चावल अगर आप लें तो चाहे आप उसे सोने की कटोरी में रखें चाहे पीतल की कटोरी में रखें, चाहे मिट्टी के बरतन में रखें, टूटे हुए चावल का जो परसेन्टेज है वह सब जगह एक सा ही रहेगा। यही देश के लेवेल की बात है। मारल लेवेल लोग उठा सकते हैं, गिरा सकते हैं, लेकिन उस का

परसेन्टेज सब जगह पर बराबर होता है । मैं मानता हूँ कि मिनिस्ट्रों में कुछ ऐसे होंगे, और बहुत सी ऐसी चर्चियाँ हैं, पर हमारा कुछ ऐसा रिवाज पड़ गया है कि हम न इस के बुरे बनें और न उस के बुरे बनें । इस तरह से यह चीजें बढ़ती गई । सख्ती की ज़रूरत है, मैं भी समझता हूँ, और सख्ती हम तभी कर सकते हैं जब पहले अपने ऊपर करें । मिनिस्टर कोई अपने मातहत को सजा नहीं दे सकेगा, करप्शन को नहीं रोक सकेगा जब तक सरकारी कर्मचारियों के अन्दर एक भावना न हो जाय कि मिनिस्टर के अन्दर करप्शन नहीं हो सकता । यह विश्वास आ जाना चाहिये लोगों में । इस के लिये कोई तरीका निकालना चाहिये । मेरे खयाल में इस के लिये चिन्ता जायज है । लेकिन माननीय सदस्य ने इस का जो इलाज सोचा है उस से मैं सहमत नहीं हूँ कि खाली उनका स्टेटमेंट ले लिया जाय । एक साहब कहते हैं कि गांजा बेच दिया । अगर यह सच है कि गांजा बेच दिया तो गांजे की आमदनी वे कोई अपने स्टेटमेंट में थोड़े ही दिखलायेंगे । स्टेटमेंट के लिखने से फायदा क्या । इस स्टेटमेंट से क्या हम कुछ चेक कर पायेंगे । मेरी राय में अगर मिनिस्टर अपने आप लज्जित हो कर इस्तीफा नहीं देते हैं उन का मुँह काला कर दिया जाये, उन को सूली पर चढ़ा दिया जाय, लिच कर दिया जाय । दो चार के साथ किया जाय तो बेहतर है । उन को कड़ी से कड़ी सजा दी जाय, फांसी दी जाय । जो इस ट्रस्ट की जगह पर बैठ कर बेईमानी करता है वह आदमी इस लायक नहीं है कि भारत की पवित्र भूमि में रह सके । लेकिन माननीय सदस्य ने जो छोटी सी चीज रक्खी है उस से क्या फायदा होगा । यह कह देना कि बयान ले लिया जाय मिनिस्ट्रों का तो इस से तसल्ली हो जायगी आप की, इस बात से जनता को तसल्ली हो जायगी, यह ठीक नहीं है ।

श्री हरि विष्णु कामत : यह पहला कदम है ।

श्री त्यागी : यह पार्लियामेंट एक जिम्मेदार संस्था है, इस की तरफ से अगर कोई बिल रक्खा जाता है तो ऐसा रक्खा जाय जिस से जनता पर कुछ अच्छा असर पड़े । मेरी राय में इस कानून से जनता पर कोई अच्छा असर नहीं पड़ सकता कि हम सब लोग हर साल अपना रिटर्न दे कर यह समझ लें कि करप्शन दूर हो गया । मैं मानता हूँ कि हमारी भी बहुत कमियाँ हैं, लेकिन मेरी अपनी राय में हमारे अन्दर जो करप्शन है वह हमारे अपोजीशन की नाकामयाबी की वजह से है । जो पार्टी इन पावर है उस पर ये इल्जाम तो लगाते हैं लेकिन उन को साबित नहीं कर पाते । अगर मैं उनकी जगह पर होता तो मैं ऐसी चीज को हरगिज आगे नहीं चलने देता । (Interruption). तो यह कमी है असल में अपोजीशन की । हमारी पार्टी तो आज अपोजीशन की कमजोरियों की वजह से तबाह हो गयी । अगर अपोजीशन अपना फर्ज मजबूती से अदा करता तो हमारे अन्दर डर रहता । हमारे दोस्तों ने हम को मार डाला और ये कम्युनिस्ट हम को सपोर्ट कर कर के मार रहे हैं । खैर वह तो अलग बात है । मैं तो यह चाहता हूँ कि जो कमीशन या कमेटी बने उसमें सारी पार्टीज एक साथ बैठ कर आपस में कोई रास्ता निकालें । ऐसे कमीशन के पास इस तरह की शिकायतें जाया करें । और मैं समझता हूँ कि मिनिस्ट्रों पर भी उस को लागू कर दिया जाय । मैं इस में उन का साथ दूंगा । लेकिन अगर अकेली लिस्ट बनवा कर ले ली जायगी तो वह काफी नहीं होगी । मेरी प्रार्थना है कि इस बिल को वापस लिया जाय और जैसा मैंने सुझाव दिया है वैसी कमेटी बनाई जाय ।

वैसे हमारी अपनी पार्टी में भी इस बारे में काफी जागृति आ गयी है और हम भी

[श्री त्यागी]

देखेंगे कि हमारे बीच कोई श्रादमी गन्दा काय न करे क्योंकि उस की वजह से हम सब बदनाम होते हैं। तो हम भी चौकीदारी करेंगे और अपोजीशन वाले भी करें। इस से देश की भलाई होगी।

श्री श्रींकार लाल बेरवा (कोटा) : यह जो बिल आया है, मैं उसका समर्थन करता हूँ। यह बिल आना बहुत जरूरी था। अगर यह बहुत पहले आता तो अब तक इस पर कुछ निर्णय ले लिया गया होता।

16.13 hrs.

[MR. SPEAKER in the Chair]

त्यागी जी ने कहा कि अपोजीशन की कमजोरी से यह सारा हो रहा है, केवल लिस्ट बनवाने से काम नहीं चलेगा। ऐसा तो मैं नहीं मानता कि लिस्ट बनवाने से कुछ काम नहीं चलेगा। साथ ही मैं यह भी कहना चाहता हूँ कि इस में सारा दोष हमारे प्रधान मंत्री का है। सुप्रीम कोर्ट के फैसले के होते हुए भी वह कैरों को मरे हुए बन्दरी के बच्चे की तरह चिपकाए हुए बैठे हैं। क्या इस से भ्रष्टाचार नहीं बढ़ता। आन्ध्र के मुख्य मंत्री ने इस्तीफा दे कर बहुत भ्रष्टा किया। मैं तो समझता हूँ कि प्रधान मंत्री के कारण मंत्रियों का भ्रष्टाचार चलता है। आज पब्लिक मंत्रियों की तरफ आंखें लगाए देख रही है। हर एक श्रादमी मंत्रियों के बारे में रेडियो पर सुनता है। लोग सवा आठ बजे रेडियो पर सुनते हैं कि दिल्ली में लोक सभा में क्या हुआ। वह आज सुनेंगे कि मंत्रियों के बारे में क्या हुआ। वह सुनेंगे कि आज जो मंत्रियों से हिसाब देने के बारे में बहस चल रही थी उसका क्या हुआ। मैं कहता हूँ कि बहस होना सही है। लेकिन उस को हमारे ही मिनिस्टर लोग दबा देते हैं और कोई न कोई कमीशन बिठा दिया जाता है। कमीशन क्या कर लेगा जब प्रधान मंत्री ऐसे कैसों को दबा कर बैठ जायें। इसलिए मैं तो कहता हूँ कि इस की जांच के लिए

विरोधी पार्टियों के सदस्य होने चाहियें तब जा कर यह जांच ठीक हो सकती है। अगर त्यागी जी उस कमीशन के सदस्य हो जाएं तो मुझे कोई उज्र नहीं। जब तक विरोधी पार्टियों के सदस्य इस कमीशन में नहीं होंगे तब तक जांच पूरी नहीं हो सकती।

अध्यक्ष महोदय : आप त्यागी जी को विरोधी पार्टी में समझते हैं ?

श्री श्रींकार लाल बेरवा : खाली त्यागी जी हैं जो मिनिस्टर हो कर भी हमारे जैसे रह गए। मिनिस्टर होने के पहले जैसे थे जैसे ही आज हमारे सामने मौजूद हैं।

श्री त्यागी : मैं मिनिस्टर से निकाल दिया गया इस से आप को खुशी है।

श्री श्रींकार लाल बेरवा : तभी तो हमारे जैसे रहे हो।

मैं कहना चाहता हूँ कि देश पर संकट की स्थिति आई तो इस में सब ने अपना अपना सहयोग दिया, लेकिन मंत्रियों की तनखाह पर कोई असर नहीं पड़ा, और भत्ते बढ़ते चले गए। आज पालियामेंट के मेम्बर की तनखाह ४८०० रुपये है एक साल की, तो मंत्री की ६७,००० रुपए साल हो जाती है, भत्ते मिला कर। ३३,००० रुपया तो उनका भत्ता ही होता है। और ६,००० रुपया उनको चाय पिलाने के लिए प्रतिरिक्त सेवा का दिया जाता है।

साक्ष तथा कृषि मंत्रालय में राज्य मंत्री (डा० राम सुभग सिंह) : यह गलत है।

श्री श्रींकार लाल बेरवा : ३३,००० भत्ता उनको दिया जाता है, यह तो आज के पत्रों में पड़ा है।

गृह-कार्य मंत्रालय में राज्य मंत्री (श्री हजरतबोस) : मैं ने जो जवाब में एकम बताया है, उसमें सं बहुत सी ऐसी है जोकि रेलवे

को दी गई या इंडियन एयरलाइन्स कार-पोरेशन को दी गई। फिर मैं आप को बताऊँ कि जब डिप्टी मिनिस्टर बम्बई जाते हैं तो १५ रुपया या १८ रुपया भत्ता मिलता है और सेंट्रल गवर्नमेंट स्टेट हाउस में रहने का ८ से १२ रुपया तक देना पड़ता है।

**श्री बड़े (खारगोन):** मध्य प्रदेश में रेलवे न होने से बहुत भत्ता बनता है।

**श्री हजरतबीस :** यह एलाउंस नहीं होता, ट्रेवलिंग एलाउंस होता है।

It is reimbursement of the payment made to the carriers.

**श्री श्रीकार लाल बेरवा :** जो ६,००० रुपया सालाना चाय पिलाने के लिए मिलता है उसकी कोई जांच नहीं होती।

**श्री त्यागी :** चाय पिलाते नहीं हैं।

**श्री श्रीकारलाल बेरवा :** जांच होनी चाहिए। टेलीफोन पर आरडिनरी, अरजेंट और इम्प्रीजिएट काल किए जाते हैं। अरजेंट काल बिजनेस के कामों के लिए किए जाते हैं। इलेक्शन में अरजेंट काल किए जाते हैं। और जो कम्पनियों आदि का मामूली काम होता है उसके लिए आरडिनरी काल किए जाते हैं। मैं चाहता हूँ कि टेलीफोन के लिए भी एक कमीशन बिठाया जाय जो जांच करे कि ये क्या बातें करते हैं।

मैं ने धर्मयुग में एक कार्टून देखा था—तब श्री अरब। कांग्रेस अध्यक्ष ने भी कुछ लोगों के बारे में कहा कि पहले उन की आमदनी क्या थी और अरब क्या है। शायद इसलिए जांच नहीं कराते कि इन पर इनकम टैक्स का भार बढ़ जायगा। क्योंकि अगर उनका ही और भत्ते को मिलाया जाय तो इन के पास दो लाख के करीब हो जाना चाहिए। लेकिन इनकम टैक्स के भारे दबा जाते हैं। मैं चाहता हूँ कि इस की जांच करवाई जानी

चाहिए। ये लोग अपने रिश्तेदारों और बेटे बेटियों के नाम से बहुत काम करते हैं।

अभी गृह मंत्री ने कुछ हरिजनों और कारपोरेशन के कर्मचारियों को रामलीला ग्राउंड में रिश्तत न लेने की शपथ दिलाई। ठीक है वे भ्रष्टाचार नहीं करेंगे। लेकिन उन की औरतों को तो कसम नहीं दिलाई है, वे कर सकती हैं। और अगर उन को भी कसम दिला दी जाय तो बच्चों को तो कसम नहीं दिलाई जायेगी, वे कर सकते हैं। रिश्तत के कई रास्ते होते हैं।

पहले सदन में चर्चा चली थी कि इस बात की जांच की जाय कि फारिन बैंक्स में किन मिनिस्ट्रों के खाते हैं, तो सिवाय प्रधान मंत्री के किसी ने स्वीकार नहीं किया। सब ने कहा कि हमारा कोई खाता नहीं है विदेशी बैंकों में। लेकिन उन का तब का और अब का फोटो देखिये। जो लोग पहले ऐसे लगते थे जैसे तपेदिक का मरीज वह आज भरे जैसे मजे में मोटे लगते हैं। और जैसे जैसे माल बढ़ता जाता है और अच्छे सुख होते जाते हैं। जिन के पास तांगे के लिए पैसे नहीं होते थे आज वे लखपति हो रहे हैं। यह सच बात है। अगर विरोधी पार्टी के सदस्यों से जांच करवाई जाय तो यह साबित हो सकता है। लेकिन अगर आप रूनिंग पार्टी का कमीशन बनाएंगे और प्रधान मंत्री का ऐसे लोगों पर साया रहेगा तो उसका कोई नतीजा नहीं निकलेगा।

**श्री प० ला० बाबूपाल (गंगानगर) :** अध्यक्ष महोदय, श्री कामथ जी ने सदन में जो बिल प्रस्तुत किया है मैं उसका विरोध करता हूँ। मैं इस का विरोध इसलिए करता हूँ कि यह एक तरफा है। बैसे, जैसाकि हमारे साथी, त्यागी जी ने कहा, मुल्क में करणन है, भ्रष्टाचार है। सही बात है। हम उस से सहमत हैं। लेकिन मैं देना हूँ कि इस भ्रष्टा-चार को, करणन को और चोरबाजारी की अगर कोई सब से ज्यादा पनाह देता है तो



[श्री प० ला० बारूपाल]

वह वकील लोग हैं। त्यागी जी ने कहा कि करप्शन करने वाले को फांसी की सजा दी जाय। लेकिन मैं समझता हूँ कि अगर किसी करप्ट आदमी को फांसी की सजा दी जाएगी तो सब से पहले हमारे एन० सी० चटर्जी साहब उस को बचाने के लिए कोर्ट में जाएंगे। तो सब से पहले इस का इलाज होना चाहिए।

आपने पार्लियामेंट में ऐसा कानून बना रखा है कि चाहे ६६ करप्ट आदमी छूट जाएं लेकिन एक ईमानदार आदमी को सजा न हो जाय। ऐसे कानून के होते करप्शन दूर नहीं हो सकता। कानून में अगर आप ऐसी भावना रखें कि चाहे ६६ शरीफ आदमी मारे जायें लेकिन एक भ्रष्टाचारी न छूट सके तब करप्शन मिट सकता है। तो सब से पहले मेम्बरों को ईमानदारी से इस कानून को बदलना चाहिये। लेकिन आज क्या हो रहा है। मैं मानता हूँ कि कांग्रेस वालों में कमी हो सकती है, लेकिन आज उन पर ही आरोप लगाए जाते हैं। कारण यह है कि कांग्रेस की सफेद चादर है, उस पर जरा सा दाग भी दिखाई देने लगता है।

दुष्ट क्रिया दीखे नहीं जैसे जल में रेख, संत क्रिया अति अल्प भी मिला रेख ज्यों देख।  
तो हमारी जरा सी भी खराबी बड़ी दिखाई देती है, लेकिन जो हमारे विरोधी हैं, जोकि मन के काले हैं, तन के काले हैं और ऊपर से काले हैं उन की खराबी नहीं दिखाई देती। उन को सब बुरा ही दिखता है। अगर कोई चीटी अपने मुंह में नमक लिए हुए मिश्री के पहाड़ पर भा घूमती रहे तो उस को खारा स्वाद ही आता रहेगा तब तक कि वह अपने मुंह से नमक को न छोड़े। हमेशा उन के मुंह में खार की डली रहती है और इन अपोजीशन के भाइयों को नमक ही नमक दिखाई देता है। वैसे मैं इस चीज को मानता हूँ कि ऐसा कानून बनाना चाहिए जिस के अंदर न कोई अपसर छूटे और न ही कोई मिनिस्टर छूटे। ऐसा देशव्यापी और

सकत कानून बनाया जाना चाहिए जिसमें कोई भी अपराधी चाहे वह कितना ही बड़ा क्यों न हो, बच न सके और न ही विरोधी भाइयों के कोई भाईबंद यानेदार, हवलदार या तहसीलदार इस से बच सकें।

आज देश में मौरेल डिप्रेडेशन हो रहा है। हिन्दुस्तान का जो कैरेक्टर है वह बिगड़ता जा रहा है। करप्शन की अभी तक परिभाषा हम लोग नहीं कर पाये हैं। करप्शन की परिभाषा क्या है? मैं समझता हूँ कि समाज के अंदर जितनी भी बुरी और दूषित विचार-धारा है वह सारे समाज को गिराने और दूषित करने वाली है चाहे वह जुआ खिलाते हों, सिनेमा चलाते हों, ब्लैकमार्केट करते हों, व्यभिचार करवाते हों। यह सब करप्शन है। अब ऐसे करप्ट लोगों को यदि कोई वकील कोर्ट में छुड़ाने के लिए जाता है तो मैं कहूंगा कि वह भी करप्शन करता है। मैं चाहता हूँ कि इस बारे में वकील लोग एक दृढ़ निश्चय लें कि वे अब से किसी भी प्रकार के भ्रष्टाचारी व्यक्ति के पक्ष में अदालत में उलटी सीधी दलीलें दे कर छुड़ाने का प्रयत्न नहीं करेंगे। झूठे और भ्रष्टाचारी मुकदमों की पैरवी वे नहीं करेंगे। यदि ऐसा हो सका तो मैं समझता हूँ कि इस से देश में से इस भ्रष्टाचार के निवारण में बहुत मदद मिलेगी और हम भ्रष्टाचार को खत्म करने में सफल हो सकेंगे। बस मुझे इतना ही निवेदन करना था।

श्री स० मो० बनर्जी (कानपुर) :  
मुझे मालूम नहीं कि कामत साहब के बिल पर जब बहस हो रही है तो मेरे कुछ कांग्रेसी भाइयों को नाराजगी क्यों है? अभी जब मैं श्री बारूपाल का भाषण सुन रहा था तो यह मालूम हो रहा था कि उन के पास दरअसल इस का विरोध करने के लिए दलील तो है नहीं बस इस से खीज कर उन को गुस्सा आ रहा है और इसलिए उन्होंने यह चीनी, नमक और चीटी आदि की बातें कह डाली।

जहां तक इस मौजूदा बिल का सम्बन्ध है यह एक बिलकुल मामूली तरीके का बिल है। अब जैसे कि तमाम सरकारी कर्मचारियों के लिए कहा गया कि वह अपने तमाम ऐसैट्स—मूवेबुल और इम्मूवेबुल, जाहिर कर दें ताकि सरकार को यह मालूम हो जाय कि उन्होंने ने नौकरी के दौरान कोई नाजायज पैसा तो इकट्ठा नहीं किया है। अब हम चाहते हैं कि हमारे मंत्री लोग जिन को कि हम बिलकुल दूध का घोया हुआ समझते हैं और हम चाहते हैं कि वे हमेशा देश के सामने इसी तरीके से दूध के धोये हुए रहें और जब उन की पहली नियुक्ति हो और उन को बघाई दी जाय, वही बघाई जब वह मंत्रिपद छोड़ें तो उन्हें प्राप्त हो सके और जनता कहे कि इन्होंने ने अपने मंत्रिपद काल में एक अनुकरणीय आदर्श उपस्थित किया। ऐसा न मालूम हो कि जब मंत्री बने थे तो वह देश के सेवक थे, मंत्री बनने के बाद देश के शासक हुए और एक साल के अन्दर वे देश के शोषक हो गये। जब उन की पहली नियुक्ति हो तो उन को उस के लिए बघाई दी जाय और उन के पास तार आये कि आप मंत्री हुए यह बड़ी खूशी की बात है तो उस वक्त वह अपने ऐसैट्स डिक्लेयर कर दें ताकि ऐसा मालूम न हो कि जब वे मंत्री बने थे तो वे सेवक थे, मंत्री बनने के बाद देश के शासक हुए और एक साल के अन्दर वह देश के शोषक हो गये। क्योंकि यह कांग्रेसी भाइयों के खिलाफ अक्सर कहा जाता है कि यह सन् १९४७ से पहले देश के सेवक थे, सन् १९४७ के बाद देश के शासक हुए और आज इस देश के शोषक हैं। इसलिए मैं समझता हूँ कि अगर प्रापरटी के बारे में या ज्वैलरी के बारे में अगर वह लिखायें तो अच्छा ही होगा क्योंकि देश की गरीब जनता ने यह देखा कि चीनी आक्रमण के बाद उन की मां, बहनों ने देश की रक्षा की खातिर अपने मंगल सूत्रों तक को सरकारी कोष में जमा करा दिया लेकिन मिनिस्टर महोदय जितना भी सोना उन के पास रहा, जनता

यह जानना चाहेगी कि आखिर मिनिस्टरों ने सुरक्षा कोष में कितना सोना दिया। देखा गया कि देश में धनी वर्ग जिन के पास ज्यादा सोना था वह सोना भी सो गया और मंत्री लोगों के पास जो सोना था वह सोना भी सो गया। हमारे वित्त मंत्री महोदय ने गोल्ड कंट्रोल एक्ट लागू कर के उलटे ७ लाख स्वर्णकारों को बेकार कर दिया। इसलिए आज जरूरत इस बात की है कि यह बतलाया जाय कि उन का क्या योगदान रहा और यह कि उन का हिसाब क्या है। यह कोई ससपिशन का सवाल नहीं है। पंजाब के मुख्य मंत्री जी की बात सुनी गई। पर्सनली मैं उन पर आरोप नहीं लगाता लेकिन कहा जाता है कि उनके लड़कों ने कोल्ड स्टोरेज बनाये, सिनेमा बना लिये। लाखों रुपयों का इनकमटैक्स उन पर बाकी है लेकिन किसी की जूरत नहीं है कि उन के सामने जा कर उन के खिलाफ केस चलाये क्योंकि अगर ऐसा किया तो नाकरी चली जायगी

**एक माननीय सदस्य** इनकमटैक्स स्टेट्स सबजैक्ट तो नहीं है, वह तो सेंट्रल सबजैक्ट है। स्टेट का चीफ मिनिस्टर उन को हटा नहीं सकता है।

**श्री स० मो० बनर्जी :** मैं ने चीफ मिनिस्टर की बात तो नहीं कही है।

**अध्यक्ष महोदय :** आपने जो कहा उससे यही नतीजा निकलता है कि अगर इनकम टैक्स वाले उन के खिलाफ कोई पूछताछ या केस आदि करेंगे तो उन की नौकरी चली जायगी इसलिए उन्होंने ने कहा कि वह तो सेंट्रल सबजैक्ट है।

**श्री बड़े :** जान खतरे में पड़ सकती है।

**श्री स० मो० बनर्जी :** भग्नी कावमीर के मामले को ले कर कहा गया कि एक मकान जिस की मेरे ख्याल में क्रीमत ज्यादा से ज्यादा ५० हजार या ६० हजार होगी रेलवे

[श्री: स० मो० बनर्जी]

मिनिस्टरी को हैल्य रिजोर्ट के लिए दिया गया है। उस को हैल्य होम बना दिया गया है। शायद दो, ढाई लाख का पहलगाम में खरीबा गया है।

ग्राम लोगों की चर्चा का यह विषय है कि यह मंत्रिमंडल नहीं है बल्कि काजल की एक कोठरी है और उस काजल की कोठरी में से हम सही तरीके से लोगों को निकाल सकें और गांधी जी के आदर्शों का जो खद्दर था वह सफेद रखने की कोशिश करें। इस में हमारा कोई एमूर नहीं है। मैं चाहता हूँ कि वह कम से कम इस बात को मान लें। इस में कोई बुरी बात नहीं होगी और मैं समझता हूँ कि हमें यह कहने का भी मौका होगा कि हमारा जो मंत्रिमंडल है वह कम से कम आज इस करप्शन को खत्म करना चाहता है। आज हालत यह है कि देश में करप्शन बढ़ता ही चला जा रहा है। जितना उसको रोकने की कोशिश की गई करप्शन इस देश में बढ़ता ही गया। वह एक रबड़ की गेंद की मानिन्द है। जितना पटका गया उतना ही उछला और उछलता चला गया। इसलिए मैं कहता हूँ कि आप सोचिए और मैं मंत्री महोदय की जब बात कहता हूँ तो उससे यह मतलब न निकाला जाय कि मैं एम० पी० को कोई दूष का घोसा हुआ मानता हूँ। हमारे एम० पी० के बारे में कहा जाता है—ग्राम तरीके से बच्चे गाया करते हैं कि एम० पी० कौन? बच्चे गाया करते हैं ४०० रुपये माहवार, २१ रुपये रुपये रोज, हाँ, ना की नौकरी, राज भवन में मौज। बोलो बच्चो क्या? संसद् सदस्य। यह चीज हम लोगों के बारे में कही जाती है।

**एक माननीय सदस्य :** यह गाना आप का बनाया हुआ है।

**श्री स० मो० बनर्जी :** कवि तो आप हैं आप को बनाना चाहिए था। खैर बलिये मैं ने ही बना दिया।

जब हम लोगों के बारे में ग्राम तरीके से यह चर्चा होती है तो मंत्री महोदय अगर अपने एसेट्स जाहिर कर दें तो कम से कम देश के सामने जो डीप स्टेट्स सस्पिशन है कि यह करप्शन रक नहीं सकता है वह हट जाय। मैंन फ्रीम दी टोप करप्शन को रोकने के लिए इंटरस्टेट नहीं हैं। यह व्यवस्था करने से देश में एक स्वस्थ वातावरण फैलेगा और कम से कम हमारी जो आने वाली औलादें हैं वह करप्शन की तरफ नहीं झुकेंगी। आज देश में जो हालत है वह किसी से छिपी है ...

**अध्यक्ष महोदय :** माननीय सदस्य का समय समाप्त हो रहा है।

**श्री स० मो० बनर्जी :** बस एक मिनट में मैं समाप्त किए देता हूँ।

आज अक्सर यह पूछा जाता है कि यह तो हर जगह कहा जाता है कि देश में भ्रष्टाचार फैला हुआ है लेकिन क्या इस के लिए सबूत पेश कर सकते हैं कि करप्शन किस जगह मौजूद है। ग्राफटर प्रौल हिचर इज करप्शन। उस का सबूत तलब किया जाता है। अब कोई मकान नम्बर तो है नहीं कि करप्शन का नम्बर दे दिया जाय और उसे बरामद कर लिया जाय। वह कोई भूत तो है नहीं कि चूंकि देश के प्रधान मंत्री या वित्त मंत्री उसे देखना चाहते हैं और कहने से करप्शन अपनी शकल में हाजिर हो गया। करप्शन अगर देखना हो तो उद्योग भवन में जहां पर लाइसेंस ईश्यू होते हैं देखिये। बैंकों के एसेट्स को फ्रीज किया जाय अगर करप्शन देखना हैं। करप्शन अगर देखना हो तो यह देखा जाय कि प्रेजिन्ट्स कैसे और कहां से आते हैं? करप्शन अगर देखना हो तो उस बक्त देखिये जबकि मंत्री लोग चुनावों के लिए लाखों रुपयों की थैली ले कर कांफ्रेंस फंड में दे देते हैं। हमारा देश एक गरीब देश है। लेकिन पैसे से ज्यादा महत्वपूर्ण इस देश का चरित्रबल है। मुझे डर यह है कि अगर देश का चरित्रबल इसी तरह खे

गिरता गया तो देश का क्या बनेगा ? आप सेनाओं को कितना ही बढ़ाइये, लाखों भाषण भले ही दीजिये लेकिन अगर हमारा चरित्रबल घट गया तो यह देश पनप नहीं सकेगा । यह देश ऋषि, मुनियों का देश रहा है और सदैव यह चरित्र के आधार पर चला है, यह औजार और हथियार के आधार पर नहीं चला है इसलिए अपनी उस प्रचीन पूंजी को हमें खोना नहीं चाहिए । उसी के बल पर देश उन्नति पथ पर अग्रसर हो सकेगा । इसी दृष्टि से मैं निवेदन करूंगा कि यह बिल सरकार स्वीकार कर लें ।

**श्री किशन पटनायक (सम्बलपुर) :** अध्यक्ष महोदय, मैं श्री कामत के विधेयक का स्वागत करता हूँ और मैं चाहता हूँ कि कामत साहब के विधेयक का जो असली महत्व है उसकी ठीक तरीके से समझा जाय । अगर कामत साहब का बिल पास हो गया तो कोई बड़ा क्रांति देश में नहीं हो जायेगी लेकिन एक बड़ी चीज यह होगी कि देश के चरित्र को, राष्ट्र के चरित्र को सूधारने के लिए एक मौका आ जायेगा और मंत्रियों के व्यवहार में, मंत्रियों के काम में कुछ गांधी जी की झलक भी आ जायेगी । इसीलिए गांधी जी के नाम से मैं कांग्रेस वालों को यह अपील करना चाहता हूँ कि इस बिल का वह विरोध न करे । लेकिन फिर भी हमारे अन्दर यह शक रह जाता है कि कांग्रेस के मंत्री लोग और सदस्य लोग भी श्रीमती यशोदा रेड्डी या श्री त्यागी की बात को नहीं मानेंगे लेकिन श्री शर्मा के पथ का व अनुसरण करेंगे और इसलिए मुझे दुःख है । मुझे पता नहीं कि श्री नन्दा ने जिन्होंने देश में भ्रष्टाचार रोकने के लिए एक हल्ला खड़ा कर रखा है श्री कामत को बधाई अभी तक दी या नहीं दी है क्योंकि अगर श्री कामत के बिल का स्वागत नन्दा जी नहीं करते हैं तो फिर उनका जो सारा चक्र है, यह विजिलेंस कमिशन का, और दूसरी चीजों का, यह सब बिल्कुल बेमतलब है । एक धोखे की सी बात है क्योंकि

जब तक भ्रष्टाचार को मंत्रियों के स्तर पर नहीं रोका जाता है, तब तक उसको नीचे के स्तरों में रोकना बिल्कुल असम्भव है । मंत्रियों में जितना भ्रष्टाचार है वह सब कुछ अफसरों को मालूम रहता है । हमको तो नहीं मालूम रहता है लेकिन अफसरों को जरूर मालूम रहता है क्योंकि ज्यादातर भ्रष्टाचार अफसरों के जरिये होता है । कारण यह है कि व्यापारियों से, पैसोंसे अफसरों का ज्यादा सम्बन्ध रहता है, रोजाना का सम्बन्ध रहता है । अगर मंत्रियों को पैसा लेना हो, बिल्डिंग बनाना हो, व्यापार बढ़ाना हो, तो उनको भी अफसरों की मदद लेनी पड़ती है । इसलिये जब तक मंत्रियों के स्तर पर हम लोग भ्रष्टाचार दूर नहीं करते हैं तब तक अफसरों के स्तर पर या नीचे के स्तर पर भ्रष्टाचार दूर करने की बात कहना अपने को धोखा देना जैसा है । यह एक असम्भव चीज है । इसलिये मेरा कहना यह है कि श्री कामत के बिल के पास हो जाने पर भ्रष्टाचार बिल्कुल बन्द तो नहीं हो जायेगा लेकिन इससे एक लाभ यह होगा कि अगर मिनिस्टर्स की सम्पत्ति हम लोगों को मालूम हो जायेगी कि पहले कितनी थी और अब कितनी है और आगे बढ़ कर कितनी होने वाली है, तो भ्रष्टाचार को पकड़ना आसान हो सकता है ।

भ्रष्टाचार को रोकने के लिये दो मौलिक बातें हैं । एक तो देश में गैर बराबरी को मिटाना और दूसरे भ्रष्टाचार को पकड़ने की सम्भावना को बनाये रखना । अगर भ्रष्टाचार पकड़ने की सम्भावना हमेशा रहेगी तो फिर भ्रष्टाचार जरूर कम होने लगगा, इसमें कोई शक नहीं ।

श्री कामत के बिल में मैं एक सफाई भी लाना चाहता हूँ । एक तो सम्पत्ति की परिभाषा में और दूसरे परिवार की परिभाषा में । परिवार का मतलब बिल्कुल ठोस और स्पष्ट हो जाना चाहिये । किसी मंत्री के परिवार का मतलब यह नहीं कि मंत्री जिस

[श्री किशन पटनायक]

मकान में रहता है उस मकान के अन्दर जितने लोग रहते हैं वही परिवार के अन्दर आते हैं। उसको दो पीढ़ियों तक ले जाना चाहिये। अगर मंत्री की सम्पत्ति का हिसाब लिया जाना है तो उस मंत्री की दो पीढ़ियों तक जितने रिश्तेदार हैं उन सब का हिसाब लिया जाना चाहिये। यह एक सफाई है।

दूसरी सफाई यह है कि जो सम्पत्ति है उसमें मैं एक चीज और शामिल करवाना चाहता हूँ, और वह है ट्रस्ट। जिस तरह से करोड़पति लोग ट्रस्ट बना कर लाखों करोड़ों रुपयों पर अपना नियंत्रण रखते हैं, वैसे ही मिनिस्टर लोग और दूसरे लोग भी ट्रस्ट बना कर, जन मंगल जैसे ट्रस्ट बना कर लाखों करोड़ों रुपयों के ऊपर अपना नियंत्रण रखते हैं, और उस पैसे का इस्तेमाल नाजायज ढंग से करते हैं, अपने स्वार्थ के लिये करते हैं।

आखिर में मैं सिर्फ एक मिसाल रखना चाहता हूँ। श्री त्यागी ने बहुत कड़ी-कड़ी बातें कहीं, सूली और फांसी की बातें कहीं। श्री बेरवा ने कुछ बातें श्री कैरों के बारे में कहीं कि कैसे प्रधान मंत्री उनको बचा रहे हैं भ्रष्टाचार के मामले में। इस सम्बन्ध में श्री त्यागी जी को और श्री बेरवा को जंड़ते हुए मैं आपके सामने सिर्फ एक मिसाल रखना चाहता हूँ। एक छोटा सा बयान है कैरों साहब का, और उससे पता चल जायेगा . . . . .

Shri Sham Lal Saraf (Jammu & Kashmir): On a point of order, Shri Kairon is not present in the House. Can the hon Member make this reference to him?

अध्यक्ष महोदय : कैरों साहब का बयान आप कहां से लाये ?

श्री किशन पटनायक : यह कैरों साहब का दिया हुआ एक एफिडेविट है।

Shri Bade: It is a court record.

Shri Kishen Patnayak: यह एफिडेविट है, मैं इसको पढ़ सकता हूँ। मैं सिर्फ इसके एक हिस्से को पढ़ देता हूँ।

"In reply to para 6, I say that Rs. 51,000 was presented to me by cheque No. . . . . dated 14-4-61 drawn on the Indian Overseas Bank Ltd, Ludhiana. It was endorsed by me to Jan Nidhi Nidhi and was collected by Shrimati Indira Gandhi on behalf of the said Nidhi on 15-4-61.

"...through the United Commercial Bank Ltd., Ludhiana. I deny that the amount has been mis-utilised and unaccounted for.

Regarding the remaining amount of Rs. 10,000 as alleged, a cheque for Rs. 6,100 only was received by S. Darbara Singh, President, Pradesh Congress Committee."

अध्यक्ष महोदय : क्या सभी कुछ पढ़ दंगे ?

श्री किशन पटनायक : थोड़े से वाक्यों में मैं इस का मतलब साफ कर देता हूँ।

अध्यक्ष महोदय : मतलब तो साफ आप ने पढ़ लिया।

श्री किशन पटनायक : ५१,००० रु० जो कैरों साहब को एक पर्स के रूप में मिला था उस का उन्होंने क्या किया, यह देखिये। कैरों साहब या तो कांग्रेस के नेता हो सकते हैं या चीफ मिनिस्टर हो सकते हैं। अगर उन को चीफ मिनिस्टर होने के नाते यह रुपया मिला है तो वह राज्य के काम में आना चाहिये, कांग्रेस के नेता होने के नाते मिला है तो वह कांग्रेस संस्था को चला जाना चाहिये। लेकिन यह रुपया जनहित निधि में दिया गया जिस में तीन ट्रस्टी हैं।

अध्यक्ष महोदय : यह बातें जो एफिडेविट में आई हैं उन को आप ने पढ़ लिया। मैं ने

उस की इजाजत दी। उस का आप को हक था। वह हो गया। आया उस पैसे का ठीक इस्तेमाल हुआ या नहीं, यह फ़ैसला कमिशन करेगा।

**श्री किशन पटनायक :** मैं उस का फ़ैसला नहीं कर रहा हूँ। जनहित निधि क्या चीज है, वह बतला रहा हूँ। जनहित निधि के तीन ट्रस्टी हैं और तीनों ट्रस्टी प्रधान मंत्री के कुटुम्ब के लोग या उन के कुटुम्ब के जैसे लोग हैं। इस निधि में एक-डेढ़ करोड़ रुपये हो गये हैं और इस किस्म के ट्रस्टों का नियंत्रण करने का मौका प्रधान मंत्री साहब को मिल रहा है।

**Shri Tyagi:** May I offer a clarification? The *Jana Hit Nidhi* is a trust of the *National Herald*. It is nothing private. It has nothing to do with the family of anybody. It is the *National Herald's* trust.

**Shri Kapur Singh:** Why should we go into it? The matter is already before Justice Das. Let him decide.

**Mr. Speaker:** He will decide whether it is properly utilised.

**श्री किशन पटनायक :** वह तो कैरों के बारे में करेंगे। जो कमिशन है उसका फ़ैसला सिर्फ़ कैरों साहब के बारे में होगा।

**अध्यक्ष महोदय :** अगर कैरों साहब का फ़ैसला वह करेंगे तो निधि का फ़ैसला तो हम लोगों को नहीं करना है।

**श्री किशन पटनायक :** निधि का फ़ैसला त्यागी जी करेंगे, जिन्होंने सूली की बात कही है।

**Dr. M. S. Aney (Nagpur):** I am really surprised to see that some very respectable and honourable Members of the Congress Party have opposed this Bill. However, I am glad to find that none has given better reasons for supporting the Bill than my hon. friend Shri Tyagi himself. He has

given the best arguments for upholding a measure of this kind. All that he said was: set up any authority for eradicating corruption, but it must be well thought out. That is all that he said. This Bill, by itself, is not sufficient to do any substantial justice to it.

My first reply to him is this. If there is an assurance given, if he succeeds in persuading the Minister to bring forward a comprehensive Bill which is better than the present one, we shall all join in asking my hon. friend Shri Kamath to withdraw his Bill.

**Shri Hari Vishnu Kamath:** I agree.

**Shri Tyagi:** Withdraw.

**Shri Hari Vishnu Kamath:** Not now.

**Shri Tyagi:** I assure you some measures will be taken.

**Shri Hari Vishnu Kamath:** You are not in the Government unfortunately, you are not a Minister now. You may however become one tomorrow.

**Dr. M. S. Aney:** Secondly, in my own way I shall try to give some reasons for supporting this measure, meagre as it is.

This measure, in the first place, is intended to apply only to Ministers and not to other persons. Ministers and all public persons claim that they are servants of the people, and this measure is only to apply to and enforce obedience of the Ministers to some of the rules that have already been framed by the Government of India for regulating the conduct of public servants. By accepting ministership, we place ourselves in a position of supervising them and enforcing obedience of public servants to those rules. My contention is that he who submits to the rules himself has a moral right to claim obedience to those rules from his subordinates. Hannibal said that he who is the best soldier and obeys his superior officer

[Dr. M. S. Aney]

best can ultimately become the best commander. So, if our Ministers do not follow the rules themselves, they will not succeed in getting proper obedience to the rules from their subordinates.

Secondly, if a better Bill comes it is good. I also admit that this is a meagre measure.

अकर्णाद् मन्द कर्णम् श्रेयः :

If I do not have an aeroplane, it does not mean that I should not use a bullock-cart now. When the aeroplane is available, the bullock-cart will disappear altogether we can rely on that. From that point of view, we can consider this Bill. There has been an expression of the feeling of the people in general on this Bill that something should be done to have proper check on the enforcement of rules to eradicate corruption and that can be done only by those who have got the responsibility to enforce obedience to such rules themselves setting an example. Ministers are from the Congress; there may be Ministers from other parties also. In Sanskrit they say:

महाजनो येन गतः स पत्या

That is to say, people follow the lines that the leaders show. So it is the duty of Ministers who are leaders, to set good examples to the rest, to accept the obligations laid down by rules. There should be better arrangements so that the atmosphere may be cleansed. In the present circumstances, this is a small measure. So, the Congress Members may consent to this Bill or persuade the Treasury Benches to come out with a better measure on this point.

**Shri Kapur Singh:** Mr. Speaker, although I am in sympathy with this Bill wholly and entirely, I had no intention of speaking till my hon. friend, Shri Tyagi, stood up to give the worst reasoned opposition and the best reasoned support to this Bill. Tyagiji has tried to make out two or

three points. To miss specific notice of them would be a pity. He has said in support of this Bill that the principle of this Bill is excellent. It is unexceptionable. He has also added that no one could conceivably take exception to it. He has also said that the corrupt practices in this country have increased manifold since the Britishers left this country, and that this disease has permeated into almost all spheres of our civic life. These are the two best arguments that could be advanced by anybody in support of this Bill. But he adds that this Bill should not be supported for two other reasons. The first reason which he has given is that the ruling party has been ruined, has been let down, and has been put into many difficulties because of one deficiency in the political life of this country. That deficiency is that the Opposition is not only inefficient but that it is also very weak.

Since Shri Tyagi spoke in chaste Urdu and I also know his high literary tastes, and so I would merely reply to him by quoting a verse from Ghalib to the effect that

मुझे हर बात में कहते हो तुम किहू तू क्या है  
तुम्हीं कहो कि यह अन्दाजे गुफ्तगू क्या है ?

For the benefit of those who are not conversant with Urdu, I would say that this verse means that every time my beloved retorts "thou art this, thou art that," I would beseech my beloved to judge for himself or herself, as to what manner of talk is this.

**Shri Tyagi:**

गालियों में भी बूतों के है मजा,  
इक हुनर ऐब भी है उन के लिए

अध्यक्ष महोदय : क्या यह मुशायरा है ?

**Shri Kapur Singh:** If Shri Tyagi thinks that I am trying to abuse him, to him my reply would be:

जो नाज़नी कहे से बुरा मानते हो तुम,  
मेरी तरफ़ तो देखिये मैं नाज़नी सही !

The other point which he has made, is that this Bill should not be supported because although its principle is unexceptionable, yet, it is not exhaustive enough, this Bill does not provide for enough deterrents, this Bill does not provide for penalties, this Bill does not take into account the fact that the type of situation which it intends to meet can only be met by very drastic punishment. Shri Tyagi spoke about public hangings and such types of horrifying penalties which he himself would like to be imposed. To this, my reply is:

इस सादगी पे कौन न मर जाये ऐ खुदा,  
 लड़ते हैं और हाथ में तलवार भी नहीं ।

**Mr. Speaker:** Is that all?

**Shri Kapur Singh:** If I may translate this into English for the benefit of those who do not know Urdu . . . (*Interruption*).

**Mr. Speaker:** Then Shri Tyagi would be provoked to give a reply.

**Shri Kapur Singh:** I would be in a position to give a reply to Shri Tyagi, on each occasion and everytime.

**Mr. Speaker:** But I have no time. The hon. Minister.

**Shri Kapur Singh:** Sir, I support the Bill and thank you.

16.48 hrs.

**The Minister of Finance (Shri T. T. Krishnamachari):** Mr. Speaker, Sir, my hon. friend Shri Kamath has got almost a quality which cannot be imitated, namely, of bringing back to life the past. 15 years ago, in the same premises, he along with another lamented friend, as he himself admitted, tried to import into the Constitution the major provisions of this Bill. He quoted in his opening speech the reply given by Dr. Ambedkar. But I do not think he fully quoted him. Dr. Ambedkar said:

"In my judgment, if you want to make this clause effective, then and there must be three provisions: one is a declaration at the outset; the second is declaration at the end of quitting of office; the third, responsibility for explaining how the assets have come to be so abnormal. And fourthly, declaring that to be an offence, followed up by penalty or a fine.

It might still be possible, that notwithstanding this amendment, for the Minister to arrange a transfer of the assets during the period in such a manner that nobody might be able to see what he has done and therefore the provision is useless."

Therefore, the fact that he had anticipated certain circumstances that he thinks now prevail—which he thinks prevailed at the time of the framing of the Constitution—does not add any validity to his claim that this Bill must be accepted by the House.

It has been said that this Bill is innocuous and unexceptionable. I do not think so. I am afraid that so far as the operation of the Constitution is concerned, it is governed by certain conventions. When I speak here on behalf of the Government, I am not speaking on behalf of the Government of the day; I am not speaking on behalf of the party that is in power. I am speaking in regard to the upholding of parliamentary conventions by a Government that is responsible to Parliament. It cannot function by devising fetters which are imperfect and expect those fetters ultimately to be effective.

The basic thing that would prevent Ministers from misbehaving is to accept certain conventions that they will themselves disclose their assets, if they want to, to their chiefs and they will not hide anything. In fact, in a different type of democracy like the United States, where the Ministers who are appointed are responsible to the President, though the legislature



[Shri T. T. Krishnamachari]  
 confirms their appointment, it is a convention that they divest themselves of all assets which create a certain amount of interest for them as owners of those assets in governmental policies. One of the recent instances has been a person called Mr. Charles Wilson, who was Defence Minister before Mr. McNamara, who divested himself of his assets in General Motors and suffered a great loss by paying capital gains tax. I believe Mr. McNamara himself was associated with four companies and he divested himself of his assets in these companies. That is the convention that is observed there in the United States.

In this country, so far as we are concerned, maybe barring certain exceptions, no tycoon has become a minister. So, people who come to the Ministry are not people with assets of any considerable character. It may be that in many cases, supposing a Minister says, "I am prepared to disclose my assets since I became a Minister from year to year." Suppose the assets are higher, then you blame him and accuse him of having taken bribe. Suppose the assets are less, are we to make good those assets? That does not follow. I am afraid in many cases Ministers who came into power with certain medium quantum of assets have gone out of it without even those assets.

Therefore, if legislation is framed with regard to ministers only and they are asked to make a periodical disclosure of their assets to Parliament, and questions are raised on everyone of them, I do not think any Government or any Ministry can work on that basis. Only a *sanyasin* can be a minister and even he can have no attachments. It becomes very, very difficult if you make it legally necessary for him to speak about everything that he possesses. This position has been very fully dealt with in Jennings's Cabinet Government in regard to the conventions that obtain in England—whether a person who has an interest in a solicitors' firm before he becomes Attorney-General, should

divest himself of that interest or whether a man who has a partnership should give it up completely, transfer it to his wife perhaps and become a minister. In England, the conventions are different. I would like to recall to this House the case of the bank rate enquiry in 1957-58 when two directors of the Bank of England were accused of having used their information or permitted certain concerns in which they were interested to sell shares and security before the announcement of this bank rate, having the knowledge that the bank rate was going to be raised and therefore, it was alleged they had leaked out information. Chief Justice Parker who held the enquiry felt that if the director, who at 5 o'clock knew that the bank rate was going to be enhanced, who presided over the meeting of the Royal Exchange Insurance Society that night and allowed certain shares and security to be sold, had done otherwise and if he had told them "don't sell these securities because I have some knowledge", he would have committed an indiscreet act. It is very difficult for us yet to hope that there will be conventions of that type of a man who knew the information and at the same time he had to be in the invidious position of having permitted certain sales to be made which were colourable to be held free of all guilt. That kind of thing has not happened in our society. Therefore, it is public opinion, ultimately, that must govern the conduct of ministers.

A reference was made to the party arrangement by which we are asked to disclose our assets to the party chiefs. Some people did object to it—not the people who are rich but the people who are poor. Nevertheless, we do disclose our assets at the time we stand for election. We do disclose our assets at the time we become ministers, and it is always possible for the chief to call for accounts from us. We do it also at the time we go back. These are matters of party convention and cannot be really laid down by legislation or made the subject matter of discussion by the Opposition.

Take the very simple instance of ministers' travelling allowance. My hon. friend on my right gave certain figures and they looked terrific. When I looked into them I found that they were all expenses given to another branch of the Government—the Railways or, perhaps, in some cases even to the Aviation Department. In some cases expenditure has been incurred in hiring aeroplanes. Probably, my colleague the Home Minister and myself would be guilty of very heavy expenditure during the last two or three months because we have been using planes pretty freely. But it is all a book adjustment from one branch of the Government to another. I can also tell them that for travel by plane we are given an allowance of Rs. 30 a day if one stays for a full day and night. If I happen to go to Kanpur, stay for the night and come back in the morning I am given only Rs. 15. If I come back the same night I am given nothing. Therefore, on the Rs. 30, so tied up, I do not think we can build palaces. Well, you may ask: "Why do you travel?" That is a different matter. Their travelling is not for their gain. It may be for their pleasure, it may be waste of time; that is a different question altogether. This question of revealing the travelling allowances does not indicate extravagance on the part of the ministers or perquisites by them. That is the erroneous impression which the hon. Member has.

In the circumstances, it will be nothing if you just put down by a legislative Act that the ministers should divulge their assets from year to year, and even at the end when they leave they should divulge their assets. As Dr. Ambedkar put it, a dishonest minister can find many ways of putting away the money that he earns, if he does earn at all. Therefore, what Dr. Ambedkar said that day, remains true today. You cannot check this kind of thing, if anything happens, by means of a legislative enactment. It can be checked by means of the Opposition showing a little more under-

standing, by taking out only those genuine cases where there is a plausible deviation from the correct path, not taking everything that comes in their way. You should not take everything that comes in the papers. You may say that I have accepted hospitality from such and such a person. It is true. But what is hospitality? When I am on an election tour I am being given a cup of coffee or a cup of tea wherever I go. Do you mean to say that that is a hospitality for which I am going to give them something else? When I see that man again I am very pleased that that person gave me coffee at twelve o'clock. Naturally my inclination is that that man is friendly to me. In fact, in Jennings in his book to which I have referred earlier, treats the period of election separately. He says that for hospitality enjoyed at the time of election you have to have a different code altogether.

Therefore, these things cannot be controlled by legislation. When I say that I would not be in a position to accept the Bill on behalf of the Government, I do not say it for this Ministry, I do not say it for Shri Jawaharlal's Government, I do not say it on behalf of the Congress Party, but I say it on behalf of the conventions by which this Parliament should be governed and by which this country should be governed. It cannot be done by legislative checks of this nature.

#### 17.00 hrs.

It can only be done by a very sound public opinion which like Chief Justice Parker can distinguish what is wrong and what is right and uphold the right thing when it is done. People sometimes say there is colourable suspicion. I do not think they say that in England. They do not. Their public conscience is far more mature than ours. So, they see to it that Ministers did the proper thing not by legislation of that sort. Therefore, to my regret, I have to oppose this Bill.

**Shri Hari Vishnu Kamath:** Mr. Speaker, I am grateful to all my col-

[Shri Hari Vishnu Kamath]

leagues on both sides of the House who have participated in the discussion on this Bill. I am particularly grateful to those Congress Party colleagues of mine who have supported the Bill outright, to those also who, like Shri Tyagi, have supported it in part and opposed it in part and, last but not the least, to the hon. Minister, particularly because enunciation by a person in his position, by one who six years ago quitted office after the unsavoury Mundhra scandal is certainly valuable. I have listened to his enunciation with the utmost respect, the respect that it deserves, but I am left wholly and totally unconvinced that there is no case for a legislation of this kind.

I have in my possession the assertion by the President of the Republic himself on the last Republic Day, a message to the nation in which he clearly pin-pointed and focussed public attention on this matter of corruption. Here are the words which he uttered on that solemn occasion which, I am sure, he would have included in his Address which he was not able to deliver this year. Here is the relevant part of the text of the address:

“ . . . if faith is to be preserved in the principles of democracy, corruption has to be eliminated in our public life. It would be well to recognise that the tolerance of our society for weak, inefficient and unclean administration is not unlimited. . . . .

Here, from all sides of the House has come this admission that there is corruption today. Who but the Home Minister himself has been going about the country crying from house-tops, from his own constituency, from Delhi, from all over the country that there is corruption? They have woken up now to the problem of corruption and they want to deal with it. Is this not the first step that they should take? I agree with Shri Tyagi that it is insufficient. I agree with Bapuji Aney that it is meagre. But I say in the

words of Mahatma Gandhi, one step is enough for me *pahla kadam*—this is the first step.

If the Government had assured me, as Shri Tyagi has already stated, or was heard to say, that the Government accepts the principle of the Bill, when the President himself has accepted it, has agreed to the principle, if the Minister had endorsed the principle of eliminating corruption in regard to Ministers, since he has such a record in and outside the House, if he had come forward with this declaration, this statement “Yes, we agree with the principle of the Bill”, I may have been satisfied. Dr. Ambedkar's view was referred to in this connection. I wish he had read that entire speech. He had accepted the principle of what I have said. But he had said that it was insufficient, it was inadequate. I myself admit it is inadequate. But I wanted to test the *bona fides*, the earnestness, the sincerity of the Government as to how far they were willing to go.

**The Minister of Works, Housing and Rehabilitation (Shri Mehr Chand Khanna):** *Ha, ha.*

**Shri Hari Vishnu Kamath:** He need not say *ha, ha*, The Public Workers Minister says *ha, ha*. We know what is going on in the PWD. If they had come forward with this, I for one and, I am sure, my Congress colleagues who, in their heart of hearts, want to deal with corruption and eradicate it would have supported that step because they are sincere men, they are good men. There are some who are not so good, but there are good Members in the Congress Party who want to deal with this very ruthlessly, as I have said in the statement of objects and reasons.

May I, Sir, complete what the President said on that occasion? He said:—

“It would be well to recognise that the tolerance of our society for weak, inefficient and unclean administration is not unlimited. If

social evils such as black marketing, corruption and nepotism are not effectively dealt with, there is the danger that the idealistic patriotism of public-spirited youth might in frustration seek other outlets."

Another Minister who graced the Treasury Benches some ten or twelve years ago recently wrote a very fine article—I mean, Kaka Saheb Gadgil (Shri N. V. Gadgil). "Let us be serious" was the caption of the article. It was syndicated and reproduced in several papers. He speaks, I suppose, from personal experience.

**Shri Ranga (Chittoor):** He was in charge of the Central Public Works Department.

**Shri Hari Vishnu Kamath:** Here is what he said in that article captioned "Let us be serious". He said that there are blackmarketers and merchants who covertly and overtly make payments to Congress Party Members including Ministers—I repeat, including Ministers. He was a Minister, he must know.

**Shri Raghunath Singh (Varanasi):** When was the article written? Was he a Minister at that time?

**Shri Hari Vishnu Kamath:** On the 10th January. After Bhubaneswar.

**Shri Raghunath Singh:** He was not a Minister then.

**Shri Ranga:** He was a Governor at one time.

**Shri Hari Vishnu Kamath:** Very recently the Chief Justice of India, Shri Gajendragadkar, has said in another article:—

"It is not only the existence of corruption in high places of power that constitutes a menace to democracy and the rule of law, but the feeling of the common man".

that there is corruption at the high places of power which is a menace to the rule of law.

It is patent after the statement made by the hon. Finance Minister today that the Government as a whole does not take the problem of corruption seriously and want to deal with it effectively. They give the lie here, if I may use that word, to the campaign against corruption launched by the hon. Home Minister. There is an apparent division in the Cabinet. The Government, the rest of them do not take it seriously; my hon. friend, Shri Nanda, takes it seriously and earnestly but not the Ministers arrayed on the Benches in front of me. I am sorry to say that. I am sorry to say that the Treasury Benches here are proving treacherous to the ideal placed before them by their own colleague, Shri Gulzari Lal Nanda. I hope, even now better counsel will prevail and even now on the advice of Shri Tyagi, who moved over for a minute to the side of the hon. Finance Minister—I hope, they will take counsel—tomorrow or the day after the Government will decide to bring forward a Bill which will deal with the problem of corruption at the political level and that a beginning will be made with Ministers, those who are in positions of power.

**Shri Tyagi:** May I inform the hon. Member that I had a talk with the hon. Home Minister? He has some plans to control. He is going that way. I am sorry, he is not here; otherwise, he would make an official statement.

**Shri Bade (Khargone):** He wants two years.

**Shri Hari Vishnu Kamath:** I am sorry that my hon. friend, Shri Mahavir Tyagi, is not a Minister today. He was one—I wish, he would be one shortly—but today, as it is, unfortunately for me and for the House he is not a Minister and I cannot take his statement as an authentic state-

[Shri Hari Vishnu Kamath] ment coming from the Government. If the hon. Finance Minister had said what Shri Tyagi says, I might have considered it.

**Shri Tyagi:** Not a legislative measure.

**Shri Hari Vishnu Kamath:** The hon. Finance Minister has not said anything of the sort. I would, therefore, reiterate with all the emphasis at my command what I said on the day I moved for the consideration of the Bill in this House and plead with this House that what applies to the Central Government employees, the rules and regulations which are embodied so far as they are concerned, which have been formulated and which have been enforced so far as they are concerned, should *a fortiori*, not merely *ipso facto* but *a fortiori*, with stronger reason, apply to these Ministers for whom there are no built-in-checks or deterrents which exist for Central Government employees. If they do not set the example, the Ministers who are in the highest position of power, to the nation, then how will the common man follow, as Aney Babu has said:

महाजनः येन गतः स पत्यः

the Gita also says:

यद्यदाचरति श्रेष्ठस्तत्तदेवेतरो जनः

What is the example set by the best is followed by the common man.

Sir, today why is there this enervating climate and this vicious climate of corruption in the country? It is because the fountainhead of corruption is here in the Government, in the Council of Ministers. Until that fountainhead of corruption, that cesspool, the stinking pool of corruption is eliminated from the public life of the country, all the efforts, the attempts of Shri Gulzarilal Nanda, as his colleague the Congress tycoon, Shri Patnaik, said in Bhubaneswar will come to naught. Let them tackle..... (*Interruption*). He is a tycoon, I know. I know him much better than you. He was in

the Constitution House as a neighbour of mine 14 years ago. I know him much better than anyone of them does. All the efforts....

**Mr. Speaker:** Because he knows him, therefore, he has the right to say just a big capitalist, not a term of abuse.

**Shri Hari Vishnu Kamath:** Tycoons is just a big capitalist, not a term of abuse.

I for one would, therefore, pray that the efforts that Shri Gulzarilal Nanda is putting forth so earnestly... (*Interruption*). But in Bhubaneswar, to his very face, Shri Patnaik said, "You cannot and you will not be able to end corruption. I challenge you." That is the word in the papers, "I challenge you to end corruption." Perhaps, as the Chief Minister, he knows the technique of corruption. Therefore, with the knowledge of how the corrupt people behave and conduct themselves, he perhaps said that, challenging the Minister to end this evil of corruption.

I, therefore, even at this time of the day—we are sitting beyond 5 o'clock today—would request and earnestly plead with those Congress colleagues of mine who supported the motion and many of them, a majority of them, in the hearts of hearts support the motion, to vote for it. I am sure if no whip goes about, either the Chief Whip or the Deputy Whip, if not whipped already, if there is unfettered voting in the House, I am sure in my hearts of hearts that this Bill will be passed with an overwhelming majority. I, therefore, move that the Bill.....

**The Minister of Parliamentary Affairs (Shri Satya Narayan Sinha):** He is my very old friend. He has a great faith and respect for Hindu shastras and saints. I will simply ask him to turn searchlight within.

**Shri Hari Vishnu Kamath:** Sir, I will finish in half a minute. Because he has made this statement, let me say this. I said that his evil must

be dealt with at the political level. That means that all politicians, all Members of Parliament, must be on the same footing. But this is the first step, as Mahatma Gandhi said, "One step is enough for me."—*Pehla Kadam*. I would, therefore, request him not to issue a whip.....

**The Minister of State in the Ministry of Food and Agriculture (Dr. Ram Subhag Singh):** There is no whip.

**Shri Hari Vishnu Kamath:** With these words, I commend the Bill to the House.

**Mr. Speaker:** The question is:

"That the Bill to provide for the periodical disclosure of assets of Ministers, be taken into consideration."

Those in favour may kindly say 'Aye'.

**Some Hon. Members:** Aye.

**Mr. Speaker:** Those against may kindly say 'No'.

**Several Hon. Members:** No.

**Mr. Speaker:** The 'Noes' have it, the....

**Shri Hari Vishnu Kamath:** The 'Ayes' have it.

**Mr. Speaker:** All right. Let the lobbies be cleared.

**Shri Hari Vishnu Kamath:** May I make a request, Sir? It is 5 o'clock and the Members have not been told that there will be voting. There is a convention. It might be put off till the next day.

**Mr. Speaker:** The hon. Member himself takes the objection to such a convention. What should I do?

**Shri Hari Vishnu Kamath:** I mean division in the House.

**Mr. Speaker:** Convention is there that from 1 P.M. to 2.30 P.M. there ought not be any voting.

**Shri Hari Vishnu Kamath:** That has been smashed now. This convention has not been there. Last time, I remember, about the Goa Bill.....

**Mr. Speaker:** There is a convention.

**Shri Hari Vishnu Kamath:** It can be put off to the next day.

In the last session, on the Goa Bill . . .

**Mr. Speaker:** For 15 days it will have to be put off.

**Shri Hari Vishnu Kamath:** It does not matter. Members have not been told about it. I would invite your attention to the fact that . . .

**Mr. Speaker:** It is just the same.

**Shri Hari Vishnu Kamath:** As the Speaker, as the custodian of the rights, I would appeal to you. About the Goa Bill, the Deputy Whip wanted to put it to the House and then I pointed it out and that was put off till the next day. It happened last year.

**Mr. Speaker:** I think that that was something relating to the Constitution.

**Shri Hari Vishnu Kamath:** It was a Bill by Government. That was also the consideration stage. My hon. friend Dr. L. M. Singhvi pointed it out the next day, and you upheld it. It was pointed out, and we objected to that.

**Mr. Speaker:** If the House desires, I would not stand in the way.

**Shri Hari Vishnu Kamath:** The members of my party and also the Communist Members asked me when the voting would take place, and I did not know whether it would be voted upon today.

**Shri Tyagi:** Now, only the formality of voting is there. There is no question of any discussions now.

**Shri Hari Vishnu Kamath:** Because Members could not know that it would be voted upon today, they are not present here now. My hon. colleague Shri Nath Pai wanted to vote, and there are also other Members from my party who wanted to vote. They are not here. They did not know that the voting would take place today.

**Mr. Speaker:** The hon. Member might have enquired from me.

**Shri Hari Vishnu Kamath:** After five o'clock, usually, no Bill is voted upon, and there is no division of the House. The House does not divide after 5 p.m.

**Shri Raghunath Singh:** It was my hon. friend who asked for a division.

**Mr. Speaker:** There is no hard and fast rule. Normally, I go by the wishes of the House. Now, because a majority of the Members are of the opinion that the voting should take place today, I am helpless in the matter.

**Shri Hari Vishnu Kamath:** At least the convention should be observed.

**Shri Bhagwat Jha Azad:** There was the convention that quorum was not counted between 1 p.m. and 2-30 p.m., but my hon. friend broke that convention.

**Mr. Speaker:** Let the Lobby be cleared.

**Shri Hari Vishnu Kamath:** I would appeal to you to be fair to the Opposition. I would appeal to your good sense.

**Mr. Speaker:** If there was any possibility of a different result, certainly, I would not put this motion to vote now, but the result would be the same, because there would be a

larger number on the Government side also.

**Shri Hari Vishnu Kamath:** But numbers always count. With us, the numbers always count.

**Mr. Speaker:** The proportion would remain the same.

**Shri Hari Vishnu Kamath:** It would not remain the same, because there will be more numbers on our side. Only the voting is to be put off.

**Shri Ranga:** The point is that we do not have any Members at all on our side in sufficient numbers.

**Shri Satya Narayan Sinha:** From our side also, a large number of Members are absent.

**Shri Ranga:** The way in which my hon. friend has dealt with this does not redound to his credit.

**Shri Surendranath Dwivedy:** The voting might be postponed. They don't lose anything by it.

**Shri Bade:** The hon. Minister of Parliamentary Affairs should be fair to us and he should agree to postponement of the voting. I do not know why he opposes the postponement of the voting.

**Mr. Speaker:** I can do it with the consent of the House. If the majority of the Members wants that the voting might take place today, I am helpless in the matter.

**Shri Ranga:** Even now, it is not too late.

**Shri Surendranath Dwivedy:** You do not lose anything by postponing voting. (*Interruptions*).

**Mr. Speaker:** I hope hon. Members would allow me to put the question.

The question is:

"That the Bill to provide for the periodical disclosure of assets

17.22 hrs.

of Ministers, be taken into con- The Lok Sabha divided: Ayes 22  
sideration". Noes 88.

Division No. 5]

AYES

[17.22 hrs.

Alvares, Shri Peter  
Aney, Dr. M. S.  
Bade, Shri  
Berwa, Shri Onkar Lal  
Diveedi, Shri Surendra  
Gupta, Shri Kashi Ram  
Jha, Shri Yogendra  
Kamath, Shri Hari Vishnu

Kapur Singh, Shri  
Mahato, Shri Bhajahari  
Marandi, Shri  
Pattnayak, Shri Kishen  
Pottekkatt, Shri  
Ranga, Shri  
Singh, Shri Y. D.  
Shastri, Shri Prakash Vir

Swamy, Shri Sivamurthi  
Swell, Shri  
Tan Singh, Shri  
Utiya, Shri  
Vishram Prasad, Shri  
Yashpal Singh, Shri

NOES

Alagesan, Shri  
Alva, Shri A. S.  
Azad, Shri Bhagwat Jha  
Barkatski, Shrimati Renuka  
Barupal, Shri P. L.  
Basant Kunwari, Shrimati  
Bassora, Shri  
Basumatari, Shri  
Besra, Shri  
Bhakt Darshan, Shri  
Chitrabhan Singh, Shri  
Chitrabekhar, Shrimati  
Chandriki, Shri  
Chavan, Shri D. R.  
Chavda, Shrimati  
Chuni Lal, Shri  
Daljit Singh, Shri  
Das, Shri N. T.  
Dasappa, Shri  
Dass, Shri C.  
Dighe, Shri  
Guota, Shri Shiv Charan  
Hajarnavis, Shri  
Jadhav, Shri Tulsidas  
Jamunadevi, Shrimati  
Jyotishi, Shri J. P.  
Kamble, Shri  
Khan, Shri Osman Ali  
Khan, Shri Shah Nawaz

Khandas Shri Mehr Chand  
Kisan Veer, Shri  
Koujalgi, Shri H. V.  
Krishnamachari, Shri T. T.  
Kureel, Shri B. N.  
Lakshmikanthamma, Shrimati  
Lalit Sen, Shri  
Laskar, Shri N. R.  
Malhotra, Shri Inder J.  
Mantri, Shri  
Maruthiah, Shri  
Mishra, Shri Bibhuti  
Mishra, Shri Bibudhendra  
Mohanty, Shri G.  
More, Shri K. L.  
Nanda, Shri  
Niranjan Lal, Shri  
Pant, Shri K. C.  
Patel, Shri P. R.  
Patil, Shri J. S.  
Patil, Shri T. A.  
Pattabhi Raman, Shri C. R.  
Prabhakar, Shri Naval  
Pratap Singh, Shri  
Raghunath Singh, Shri  
Raghuramajah, Shri  
Rai, Shrimati Sahodrabai  
Rajdeo Singh, Shri  
Raju, Shri D. B.

Ram Subhag Singh, Dr.  
Ramakrishnan, Shri P. R.  
Ramaswamy, Shri S. V.  
Rane, Shri  
Rao, Dr. K. L.  
Rao, Shri Muthyal  
Saha, Dr. S. K.  
Samanta, Shri S. C.  
Saraf, Shri Sham Lal  
Sarua, Shri A. T.  
Satyabhama Devi, Shrimati  
Sham Nath, Shri  
Sharma, Shri D. C.  
Shashi Ranjan, Shri  
Shree Narayan Das, Shri  
Singh, Shri R. P.  
Singha, Shri G. K.  
Sinha, Shri Satya Narayan  
Sonavane, Shri  
Swaran Singh, Shri  
Tantia, Shri Rameshwar  
Thevar, Shri V.  
Tiwary, Shri R. S.  
Tyagi, Shri  
Valvi, Shri  
Varma, Shri Ravindra  
Virbhadra Singh, Shri  
Wadiwa, Shri  
Yadab, Shri N. P.  
Yadava, Shri B. P.

The motion was negatived.

Shri Hari Vishnu Kamath: It is an ignominious day, a shameful day.

17.22 hrs.

DELHI PANCHAYAT RAJ (AMENDMENT) BILL

श्री नवल प्रभाकर (दिल्ली-करोल बाग) :  
अध्यक्ष महोदय, मैं प्रस्ताव करता हूँ :

"कि दिल्ली पंचायत राज एक्ट, १९५४  
में प्रागे संशोधन करने वाले बिल पर विचार  
किया जाय । "

मेरा पंचायत राज (संशोधन) विधेयक है वह एक आवश्यक विधेयक है दिल्ली के लिये, विशेषकर दिल्ली के गावों के लिये। जिस दिल्ली पंचायत राज अधिनियम को संशोधित करने के लिये मैं यह विधेयक लाया हूँ वह सन् १९५४ के अन्दर दिल्ली विधान सभा के अन्दर आया था। उस समय उस में कुछ कमियाँ और खामियाँ रह गई थीं। सन्