

12.31 hrs.

APPROPRIATION RAILWAYS BILL

The Minister of Railways (Shri H. C. Dasappa): Sir, I beg to move that the Bill to authorise payment and appropriation of certain sums from and out of the Consolidated Fund of India for the service of the financial year 1964-65 for the purposes of Railways, be taken into consideration.

Mr. Speaker: The question is:

"That the Bill to authorise payment and appropriation of certain sums from and out of the Consolidated Fund of India for the service of the financial year 1964-65 for the purposes of Railways, be taken into consideration."

The motion was adopted.

Mr. Speaker: The question is:

"That Clauses 1, 2, 3, the Schedule, the Enacting Formula and the Long Title stand part of the Bill."

The motion was adopted.

Clauses 1, 2, 3, the Schedule, the Enacting Formula and the Long Title were added to the Bill.

Shri Dasappa: I move that the Bill be passed.

Mr. Speaker: The question is:

"That the Bill be passed."

The motion was adopted.

12.32 hrs.

STATEMENT RE: DELHI STATE CENTRAL CO-OPERATIVE STORES' DEALINGS IN GUR—contd.

Shri A. K. Sen: Sir, may I crave your indulgence and correct a little thing that I have said with regard to the question put by Mr. Lohia. I find from the records that there were hangabad): Truth is welcome.

Shri Hari Vishnu Kamath (Hoshingabad): Truth is welcome.

डा० राम मनोहर लोहिया (फर्रुखाबाद):

शाबास ।

Shri A. K. Sen: I do not think I shall ever be charged with suppressing anything. I find that there were at one time charges levelled everywhere about falsification of accounts.

Shri Nath Pai (Rajapur): Not everywhere, but by the Superintendent of Police who investigated the case to the Delhi Administration. Not everywhere; we are not concerned with bazaar rumours.

Shri A. K. Sen: No entries and no documents were, in fact, placed before the Ministry to examine, to prove, whether any entries or any documents were falsified or manipulated or not. Therefore, in the absence of any such entries or any documents being produced and any proof being laid as to whether they are falsified or not, it is not possible to give any opinion. (Interruption).

Shri S. M. Banerjee (Kanpur): It is a very serious matter.

Mr. Speaker: This means that this aspect of the question also as to whether the charge of falsification of accounts had been substantiated or not had been referred to the Law Ministry for its advice.

Shri A. K. Sen: No documents were referred. (Interruptions). I can assure the hon. Members that so far as I am concerned, I shall not keep anything back, any relevant facts, from the House. That is why I volunteered myself....

Shri Nath Pai: I want a clarification. Last time the question was raised in the same words, specifically quoting the sections of the Indian Penal Code. We had asked whether there were any charges which the police can prefer against five individuals apart from the three originals and then the Food Minister said that he did not know anything. The charges were 477A, 20B and 34. As a leading advocate, he should know it. We have not used the word. I will use it; the falsification of accounts

was one of them. And this is a report of the investigating police authority to the Delhi Administration.

Shri A. K. Sen: I am not going to discuss what the investigation report says. The hon. Member perhaps has more information than myself.

Shri Nath Pai: Yes, we do have.

Shri A. K. Sen: I can only say what our Ministry is concerned with because I am not making a statement on behalf of the investigating officer. (*Interruptions*). No entries and no documents alleged to have been fabricated or falsified had been placed before us.

Shri Surendranath Dwivedy (Kendrapara): But the Ministry did not ask for them.

Mr. Speaker: Let us first hear the hon. Minister. The hon. Law Minister will kindly agree that these are two different questions. One is whether a reference was actually made to the Law Ministry by the Delhi Police on these charges of falsification of accounts and the charge under section 120B of the I.P.C. And what was the opinion that the Law Ministry gave? The hon. Law Minister had first observed that there were no charges of falsification of accounts or other such things....

Shri A. K. Sen: They were not referred to the Law Ministry.

Mr. Speaker: I agree that they were not referred to the Law Ministry. But, now, the hon. Minister finds from the papers that the question had been referred to the Law Ministry whether any offence under these sections also had been committed. Now, the hon. Minister gives the reasons why the Law Ministry came to the conclusion that there was no proof about the falsification of accounts and about the charge of conspiracy, because no documents had been given to the Law Ministry on which they could base

any other opinion. That is the position.

Shri Hari Vishnu Kamath: Did the Law Ministry call for those relevant documents at all?

Shri Ranga: It was a duty on the part of the Law Ministry to have called for those documents saying 'You have made these references, but you have not submitted any documents. Have you any documents in your possession? If you have them, please send them on to us'.

Mr. Speaker: Now, hon. Members have got a provocation since that statement has been made and certain things have been revealed. Now, it is for them to take up the matter as to whether they can have a discussion in any other form.

Shri S. M. Banerjee: May I make a submission? The matter has even been referred to the Solicitor-General.

डा० राम मनोहर लोहिया : अध्यक्ष महोदय, मैं सिर्फ एक वाक्य पढ़ कर सुनाये देता हूँ जोकि दिल्ली की पुलिस ने विधि मंत्री को भेजा है और वह वाक्य यह है। वैसे तो मुझे यह हिन्दुस्तानी में पढ़ना चाहिए था लेकिन विधि मंत्री जी के लिए मैं उसे अंग्रेजी में पढ़ देता हूँ :—

"In fixing the above rates...."

An Hon. Member: The hon. Member's accent is very good. (*Interruptions*).

डा० राम मनोहर लोहिया : मैं अंग्रेजी नहीं पढ़ रहा हूँ

अध्यक्ष महोदय : अगर कभी कोई गुनाह हो भी जाय तो उसको माफ़ कर देना चाहिए।

डा० राम मनोहर लोहिया : अगर एक गुनाह करने की आज्ञा मुझे आप देते हैं तो मैं इसे पढ़ कर सुनाये देता हूँ।

[डा० राम मनोहर लोहिया]

"In fixing the above rates, the Directorate allowed Rs. 400 which was claimed by the Store as loading charges at Muzaffarnagar station. It is now being alleged that the above amount was paid to the railway staff as illegal gratification and not for the loading purpose."

यह जो चीज है यह ब्रह्म प्रकाश जी ने खुद यहां इस सदन में कहा था कि उन्होंने घूस दी है। यह विधि मंत्री को भी मालूम है। यह बिलकुल साफ़ बात है कि हिसाब में गड़बड़ी की गई है। घूस दी गई है, ली गई है। चारों तरफ़ मामला बिगड़ा है। अध्यक्ष महोदय, अगर कहें तो मैं उन को अभी यह लाभ कागज़ दिये देता हूँ।

अध्यक्ष महोदय : मुझे उसकी जरूरत नहीं है।

Shri A. K. Sen: If that is given to me, I shall examine it.

Mr. Speaker: The hon. Member may pass it on to the hon. Law Minister.

Shri Nath Pai: He has the document already with him.

डा० राम मनोहर लोहिया : वह तो उनको देने से कोई विशेष लाभ नहीं होगा। भलबत्ता अगर आप चाहें तो मैं आप को दे सकता हूँ। उन को देने से तो कोई विशेष लाभ होने वाला नहीं है।

अध्यक्ष महोदय : डा० साहब जानते हैं कि मैं इस को रख कर अपने बल्के में इस से क्या फ़ायदा उठाऊंगा। उस अधिकारी को जिसके पास अधिकार हो उसको अगर वे दें तो यह चल सकता है, उसके पास जाने से इस पर कुछ कार्यवाही हो सकती है लेकिन मेरे पास अगर वह चाहते हैं कि यह बतौर डा० साहब की तरफ़ से एक बख़्शीस की तरह से मेरी जेब में पड़ा रहे तो मैं इसे रखने के लिए तैयार हूँ।

डा० राम मनोहर लोहिया : मेरी पहुंच तो ख़ाली आप तक है और आप पर मुझे पूरा विश्वास है। उन को देने से कोई फ़ायदा नहीं है। उन पर मुझे विश्वास नहीं है।

Shri Nath Pai: Only one question remains. What was important about these sections which necessitated the asking for the special opinion of the Solicitor-General? What was the justification for a reference to the Solicitor-General about these ordinary sections of the I.P.C.?

Mr. Speaker: No more questions on this just now. I have called Shri A. K. Gopalan to speak on the General Budget already.

Shri Nath Pai: These are the most ordinary sections of the IPC. Where was the need for a reference to the Solicitor-General?

12.40 hrs.

GENERAL BUDGET—GENERAL DISCUSSION

Mr. Speaker: We shall now take up the General Discussion on the General Budget for which 20 hours have been allotted.

Shri A. K. Gopalan.

Shri A. K. Gopalan (Kasergod): Mr. Speaker, we have before us the budget proposals, the Finance Minister's speech as well as the Finance Bill. First of all, before dealing with the budget proposals, I have to say what is the essence of the budget proposals.

This is a very clever budget and a very dangerous budget. It is not a blunt budget as that of last year. Tremendous capacity to manoeuvre has been displayed to create an illusion in the minds of the people. There are big words, about curbing monopoly as well as ending concentration. The reintroduction of the expenditure