

[Shri H. M. Patel]

That was by an officer of the bank who was then dealing with the matter and this had been discovered from certain notings in another file which exists. I said that the file can be reconstructed. I will explain that point first. All that can be reconstructed is whatever papers will be in the Branch office which used to write to the Regional office on this matter. The papers in the Branch Office exist. Similarly, whatever reports etc would go for sanction and so on to the Central office from the Regional Office would be available so that all the relevant papers in so far as the sanctions etc. are concerned would be available.

SHRI JYOTIRMOY BOSU: Cheques and slips won't be available.

SHRI H. M. PATEL: What will not be available is certainly the kind of things that you have mentioned, that is to say, the notings in the Regional Office in dealing with applications for loans etc. Those would be in that missing file only. I did not quite understand what was the suggestion of hon. Member.

SHRI JYOTIRMOY BOSU: After discussions were held and after a decision was taken, the noting were got corrected from upstairs.

SHRI H. M. PATEL: I would like to confine myself to the relevant points by 're-constructing' of the file. I only meant certain essential papers relating to loans, relating to sanctions and relating to re-payments. All these can be found either from the Central office or from the branch office.

SHRI JYOTIRMOY BOSU: From 1974 to 1977 what were you doing.

SHRI H. M. PATEL: I never intervened or interjected when Mr. Jyotirmoy Bosu spoke. I would request him to let me say. Whatever I want to say. After I have spoken, if the Speaker permits he can speak.

MR. SPEAKER: He would not get a chance. That is why he is interrupting.

SHRI H. M. PATEL: This file concerned one loan and one guarantee and that loan has been paid, and the guarantee also has been discharged. The file is missing. That part is correct. As it so happens, it has no relevance on other outstandings of Maruti Ltd. in regard to the figures that were mentioned by the hon. Member, i.e. so far as the Central Bank is concerned they have an outstanding loan of Rs. 21-odd lakhs; and it is fully covered

by machinery etc. which have been hypothecated against it. So I think as far as the bank is concerned, there is nothing more that the bank can do in regard to the missing file. He asks also whether this was a file which figured in the list of files and list of papers that were moved from one office to the other. But as I said, the missing of the file was discovered in May, 1974. (Interruptions) that is a point I cannot answer. These are the facts as reported to me, that the report was made in May, 1974. Beyond that I cannot say. So far as Mr. Kalra is concerned, it is a fact that he was transferred recently to Hyderabad two months ago. Mr. Kalra was the chief development officer in the regional office. This is all the information that I have. Whether he was associated with anybody, I cannot say.

SHRI JYOTIRMOY BOSU: On a point of order. He has not clarified, nor given a satisfactory reply to the question why a file which was missing in May 1974 was not reported till 1977. Let him clear that; my allegations will be met.

MR. SPEAKER: It is not a point of order. The question is not answered; that is all.

SHRI H. M. PATEL: I have answered. It is an answer which I cannot give, because even the bank is not in a position to give. And my source of information is the bank. At this point of time, it is not possible. An enquiry is going on.

MR. SPEAKER: Mr. Mani Ram Bagri is not here. Mr. Yuvaraj is not here. Mr. Anant Dave is not here. We will now go to the next item. Mr. Sathé.

SHRI JYOTIRMOY BOSU (Diamond Harbour): I have also given a notice under rule 377. I will keep a watch on those who are being allowed to raise it.

MR. SPEAKER: So many members have given notice. You cannot raise it unless I call you.

SHRI JYOTIRMOY BOSU: I will wait till I am called.

MR. SPEAKER: No, I cannot call you.

11:20 hrs.

STATEMENT RE ALLEGED INCIDENT AT PALAM AIRPORT ON 1-7-77 RELATING TO SHRI SANJAY GANDHI AND HIS WIFE.

**SHRI VASANT SATHE (Akola) :** I would request the hon. Home Minister to clarify the situation relating to an unfortunate incident that took place yesterday. Let me at the outset say that while raising this matter I am not in any manner whatsoever, trying to defend shri Sanjay Gandhi or anybody else in the matter relating to which enquiry commissions have already been set up. They will take their own course. But, as far as I know, there is no order in any of the anticipatory bail that have been granted to shri Sanjay Gandhi that he should not move out of Delhi. The hon. Home Minister can clarify if there is any such order. If this information is correct, then, like any other citizen, under our constitutional rights, which have now been restored. (Interruptions) I am supporting you. I am taking the very stand which you are taking. I compliment the Janta Government for ending the 20-month period and for having brought about the restoration of freedom of the press, freedom of the individual, liberty and the constitutional rights. How I am saying under that very system, which you have restored, every citizen has a right to movement. Unfortunately, yesterday I believe that an officer in her enthusiasm, misdirected enthusiasm, thought it fit to detain shri Sanjay Gandhi and his wife. They were standing in the queue after having been cleared, after boarding cargo and after security clearance, waiting for the bus, which would take them to the aeroplane. At that point they were called and the security officer thought these persons must be kept till she gets further clarification from above, and she did it. When he asked for the reason, she said that the reasons would be given to the appropriate authority. They waited there. They asked for permission to phone his counsel. That was not given, this is contained in the complaint which shri Sanjay Gandhi has lodged with the officer concerned. He then phoned from the office of the Indian Airlines to his counsel. I am stating only what is mentioned in the complaint. Is there any instruction, or was there any instruction, from the Government that shri Sanjay Gandhi or Shrimati Menaka should not leave Delhi, or go anywhere in the country?

**SHRI JYOTIRMOY BOSU :** Sir, on a point of order.

**SHRI VASANT SATHE :** I am not yielding.

**SHRI JYOTIRMOY BOSU :** Sir, I want to raise a point of order.

**MR. SPEAKER :** When he raises a point of order, I must hear him; whether there is any point or not, I should hear him.

**SHRI JYOTIRMOY BOSU :** (Diamond Harbour) : He give a written notice under rule 377 to you yesterday, you in your wisdom made mention of it before the House and said that he could speak and the Home Minister would reply. I would like to know whether all that he is saying is given in the written note to you and whether he is not going far away from it. All that he is saying has come in the press this morning.

**MR. SPEAKER :** Did you give me in writing all that you said in your speech on which you took 15 minutes? I said I would admit it under rule 377. Yesterday itself he wanted to raise it, but I told him that I could not allow it because if anybody sends me a chit and I allow it, it becomes a bad precedent. Tomorrow somebody will send another chit. It must be regularly included. I did not expect the hon. Home Minister to make a statement because it is not necessary under rule 377. I only gave him permission to raise it, but the hon. Home Minister has been good enough to look into the matter and also *suo motu* wanted to make a statement even without his raising it. Because of my commitment yesterday, I have allowed it to be raised.

Now, put the question and be done with it, so that he can answer.

**THE PRIME MINISTER (SHRI MORARJI DESAI) :** I did not want to interrupt the hon. Member, but in all such matters even relating to Calling Attention Notice, should our time be taken in giving explanations which are not called for? If you allow it, I cannot object to it, and that is which I did not say anything, but for the guidance of Members, is it not necessary to lay down certain procedure so that in future it applies to everybody equally?

**MR. SPEAKER :** The guidance is there quite clear. Yesterday and day before yesterday Calling Attention took more than one hour. Five Members took 15 minutes each. According to the rules, after the hon. Minister gives the reply, a clarification may be asked, but then in the name of clarification, 15 minutes are taken with preliminary observations etc. If the House helps me, I can control it. The rules are very clear. But what is the use? If one shouts and the other shouts in return, the Chair is made helpless in these matters. If only we take a decision that clarification may be asked, but no speech can be made after the reply of the hon. Minister, it will be very useful. We will save one full hour every day. All that I have done is to regulate it.

In addition to the Calling Attention, they raise questions. Mr. Sathe yesterday said he would like to raise it in the Zero

(Mr. Speaker)  
 Hour. I was wondering where the Zero Hour was in addition to the Short Notice Question and the Calling Attention. The feeling is there that there is a zero Hour and that any body can raise anything after the Question Hour. That I have controlled. Nobody is all wed to raise anything unless it is specifically allowed. The other thing that I have to control is the time taken in asking for clarifications after the hon. Minister's reply to the Calling Attention. Each Member takes 15 minutes.

**SHRI JYOTIRMOY BOSU** : Today only 15 minutes were taken.

**MR. SPEAKER** : The other Members are not there. If the other Members were there, it would take one hour. Therefore, if the hon. Members help me, I can easily control it. (*Interruptions*)

**THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H. M. PATEL)** : You have clarified the position in regard to Calling Attention. Mr. Sathe has raised it under Rule 377. I think, under that rule, there can be a print and not a speech and the explanation on that point would be given by the Minister. So far as the Member is concerned, he should not make a speech but only raise a point.

श्री बलबल शर्मा (गुरदासपुर) : मैं आपस एक स्पष्टीकरण चाता हूँ। आपने किसी कॉलिंग एटेंशन के ऊपर प्रश्न करने की अनुमति दी। इस पर कोई आपत्ति नहीं कर सकता है। इसका एक इतिहास है। सदन में सैकड़ों लोग ऐसे बैठे हैं जो उन्नीस महीने तक डिटेन्शन में रहे हैं। बाघे घंटे के डिटेन्शन के सवाल को उठा कर अगर आप उस पर प्रश्न करने की अनुमति देते हैं तो हमारे जख्मों पर क्या नमक छिड़कना नहीं होगा और दो लाख लोग जो जेलों में रहे हैं उनके बावों पर नमक छिड़कना नहीं होगा। मैं समझता हूँ कि हमारे जख्मों पर नमक छिड़का जा रहा है।

**MR. SPEAKER** : Yesterday itself when he came from the airport, he was so excited as if something very serious had happened and he wanted to raise it. I prevented the scene yesterday itself and took the assistance of the Leader of the Opposition and he told me that he

had seen it. So, whatever the print is, will you kindly conclude now or allow the Home Minister to make a statement?

**SHRI VASANT SATHE** : Let the Home Minister make a statement.

**THE MINISTER OF HOME AFFAIRS (SHRI CHARAN SINGH)** : Sir, Yesterday Shri V. P. Sathe had a right to raise in the House the matter of an alleged incident at the Palam Airport relating to Shri Sanjay Gandhi and his wife and you had desired that I should make a statement on the subject after ascertaining the facts.

Shri Sanjay Gandhi and his wife Smt. Menaka Gandhi had made reservations on Indian Airlines Flight No. 181 for Bombay scheduled to depart at 9.25 A.M. yesterday. They reported at the Security Counter at the Delhi Airport a little before 9 A.M. and were subjected to usual security checks. Since Shri Sanjay Gandhi was travelling for the first time by air from Delhi Airport after in-pounding of his passport and suspension of his pilot's licence, the Inspector-in-Charge at the Security Counter thought it appropriate to bring the matter to the notice of his superior, the Deputy Superintendent of Police on duty. Shri Sanjay Gandhi and Smt. Menaka Gandhi were requested by the Security Staff on duty to wait for some time before boarding the plane. After consulting their superiors, the security staff informed Shri Sanjay Gandhi and Smt. Menaka Gandhi about 15 minutes later that they could board the plane. The boarding into the aircraft was still in progress and it had not taken off. But Shri Sanjay Gandhi and Smt. Menaka Gandhi refused to take the flight. The aircraft left at 9.40 A.M. Shri Sanjay Gandhi, instead of boarding the plane, summoned his legal advisers at the home of his friends and prepared a complaint with their help and handed the same over to the Deputy Superintendent of Police on duty.

The security staff are well within their rights to delay the clearance of any passenger in case of any doubt. I am informed that no harassment was caused either to Shri Sanjay Gandhi or Smt. Menaka Gandhi, apart from the inconvenience in being asked to wait for a while.

**SHRI SHYAMNANDAN MISHRA** : (Begusarai) : On a point of order, Sir. (*Interruptions*) Arising out of this, before you proceed to another item I have a point of order.

**SOME HON. MEMBERS** rose

**MR. SPEAKER** : If so many of you stand up and begin shouting, how to get on with the House? That is an inefficiency.

If he wants to raise a point of order, whatever it may be, I have to hear him. When he says, a point of order, it may be order, disorder or anything, I must hear him. A senior Member like Mr. Shyamandan Mishra will, naturally, be raising some sensible point. Therefore, I have to hear him. In the meanwhile, Others may wait. Let me hear one by one.

**SHRISHYAMNANDAN MISHRA :** The hon. Home Minister was pleased to state in his statement that Yesterday the hon. Member, Mr. Sathe, wanted to raise a matter under Rule 377 and that you were pleased to remark that the Home Minister should make a statement thereon. Now, my first point of order is this. During the last session, when I had raised a matter under Rule 377 the hon. Minister of Law was pleased to make a statement and when he was on the point of making a statement, there was a lot of furore created from that side and you did not permit the Minister to make a statement. This is an important matter because it concerns our right and the right of the Minister to make a statement. Last time, there was a lot of furore raised and, ultimately, probably the Chair thought, to buy peace, as the Chair sometimes says, not to permit the Minister to make a statement thereon. Now, the hon. Home Minister's statement is quite clear on this point that he made a statement in response to your remark that he should come forward with a statement on the point raised by the hon. Member, Mr. Sathe. My first point is, whether the Chair is in order, in keeping with the Chair's previous order, that he should have asked the Minister to make a statement on a point raised under Rule 377.

My second point of order is, whether in case such an incident occurs involving a private citizen at any airport, you would permit any hon. Member to raise the matter.

My third point is, whether you would have required of the Home Minister or you should have permitted the Home Minister to come forward even *suo motu* with a statement on this subject because it concerns the right of the Members.

**MR. SPEAKER :** A very pertinent point. Yesterday, when they wanted to raise it, I told them that there was absolutely no Minister here and it was no use raising a point when there was nobody else even to take notice of it.

**AN HON. MEMBER :** You were there.

**MR. SPEAKER :** The Speaker cannot answer. I belong to the whole House.

**SHRI DINEN BHATTACHARYA :** (Serampore) You did not allow me to raise a very important matter yesterday. A worker was killed in Faridabad. There was a demonstration in front of the house of the Home Minister. You did not allow us to raise it. But you allowed this thing.

**MR. SPEAKER :** Even now the complaint is that every day Mr. Jyotirmoy Bosu gets a chance. You just now heard it. Therefore, the Speaker is in an unenviable position. Yesterday, under Rule 377, when I received it, I sent it to the Minister. I have to, because the Speaker can only function with the help of both the sides. The Minister may or may not make a statement. They say that I am too indulgent to Mr. Jyotirmoy Bosu, that everyday he has Calling Attention or short Notice Question or some question or something. The whole House feels that way. Mr. Dinan Bhattacharya is not satisfied. He wants all the time either for himself or for Mr. Jyotirmoy Bosu and nobody else....

**SHRI DINEN BHATTACHARYA :** I object to these remarks. Why are you using such terms? I wanted to raise a very important matter in the House yesterday. But you did not allow. (Interruptions)

**MR. SPEAKER :** Will you kindly sit down now? It may not be in the interest of the whole House, it may not be in the interest of the whole country, but anything about Mr. Sanjay or Mrs. Indira Gandhi, the Congress friends may feel, is important. Whether you like it or not this side of the House may like it. (Interruptions) Do not create further trouble now. Yesterday I felt about it, but they were so excited that they took the help of the Opposition Leader, Luckily, Mr. Chavan was there. I could take his assistance but Mr. Chavan also told me that he had seen it. That means that with the permission of the Leader of the Opposition that letter was sent to me, and, at least, with the help of the Leader of the Opposition I could postpone it for tomorrow and today instead of a scene being created yesterday itself.

Even today, I sent all the papers which I got, to the Ministers, some of them are short Notice Questions. They said, "No, we are not in a position to answer them". It does not mean that they must answer them immediately. No body has the power to compel the Minister to answer any point. If Mr. Charan Singh, the Home Minister had no information he could have said, No, the Speaker or Mr. Mishra has no power under the rules to compel

[Mr. Speaker]

the Minister to answer it. Therefore, he was good enough to write to the Secretariat because it was an incident which has happened very near. The hon. Minister got the information and was good enough to reply. It is not necessary that the Minister should reply. (Interruptions) May be that you and I cannot understand this matter, but they understand it in a different way. That is the difficulty. (Interruptions).

SHRI JYOTIRMOY BOSU : The People are trying to run away from the country. The people are running away from the country. Mr. Kamal Nath was trying to run away from the country. Mr. Chawala was caught when he was boarding the aircraft. Mr. Sanjay was trying to run away. What does Bombay paper say ? CIA is arranging these things. What was my notice ? I would like that to be replied to. I would like to know whether adequate precaution has been taken to prevent those who are anti-democratic, anti social and corrupt from fleeing the country. I would like to have a categorical statement on this ?

MR. SPEAKER : Yes, let him make a statement. I have no objection. I will be glad. Therefore, I would say that there is one point before us.

श्री ब्रज बोल्लर सिंह (बाराणसी) : अध्यक्ष महोदय, कल राहुण गांधी बीमार पड़ जायेंगे, तो क्या स्वास्थ्य मंत्री जी से बयान मांगेंगे ?

MR. SPEAKER : But I hope my friends on this side will not be....

स्वास्थ्य और परिवार कल्याण मंत्री (श्री राज नारायण) : भ्रगर भ्राप नहीं मांगेंगे तो मैं स्वयं रिकवैस्ट कहूंगा कि मुझे बयान देने की अनुमति दी जाये (Interruptions)

11.42 hours

#### RE. EXECUTION OF NAXALITE GIRLS

SHRI SAMAR GUHA (Contd) : Sir, I have given you a notice under rule 377 and also a notice for Calling Attention in regard to a very urgent matter. A girl of 18 is going to be executed.

MR. SPEAKER : I will explain it.

SHRI SAMAR GUHA : Please allow me.

MR. SPEAKER : No, please. I am not permitting you. If you want to raise.....

SHRI SAMAR GUHA : I am not raising any question. (Interruptions).

MR. SPEAKER : Before you raise any question. Please allow me to explain.

SHRI SAMAR GUHA : I am raising a very sensitive issue.

MR. SPEAKER : No please.

SHRI SAMAR GUHA : I beg of you.

MR. SPEAKER : I also beg of you. Kindly hear me first.

SHRI SAMAR GUHA : There are certain things. (Interruptions).

A girl of 18 is going to be executed on the 18th July. I have given you a notice regarding Calling Attention. I have also given you a notice under 377. Mrs. Renu Mukherjee and Mohina Dhak are going to be executed and the people are perturbed in the whole of West Bengal and all over the country. I have given you a notice regarding Calling Attention. I have also given you notice under 377. (Interruptions) What I expect is that you will allow me to make a statement. It is the usual practice.

MR. SPEAKER : Will you also allow me to explain ?

SHRI SAMAR GHUA : I am concluding. I would like to know whether I would be permitted or not. I have given you prior information. I know with full sense of responsibility that I should not create any disturbance in this House being in the Ruling Party, but here I have to do it.

MR. SPEAKER : Today, at 10.15 A.M. or something like that, when I came to the room. I saw it. I too read it in the paper that two girls are going to be hanged and the Minister of Bengal has gone and seen them in the jail, and he has come and discussed that two