

Mr. Speaker: Wherever the answer is not satisfactory, we can have a discussion later on; on some motion or something, we can certainly have a discussion. One more supplementary is not going to solve the problem any way. Qn. 2.

Repatriation of Dr. Dharma Teja

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- *2. Shri S. M. Banerjee:
 Shri Hem Barua:
 Shri Surendranath Dwivedy:
 Shri Madhu Limaye:
 Shri Atal Bihari Vajpayee:
 Shri Bal Raj Madhok:
 Shri Siddheshwar Prasad:
 Shri R. S. Vidyarthi:
 Shri Ram Kishan Gupta:
 Shri Indrajit Gupta:
 Shri Vasudevvan Nair:
 Shri C. Janardhanan:
 Shri K. Anandhan:
 Shri Vishwanatha Menon:
 Shri Umaanath:
 Shri K. M. Abraham:
 Shri C. K. Bhattacharyya:
 Shri Baburao Patil:
 Shri K. N. Pandey:

Will the Minister of External Affairs be pleased to state:

(a) whether Government have received any communication from the U.S. authorities regarding the repatriation of Dr. Dharma Teja at present in U.S.A.;

(b) if so, the nature thereof; and

(c) the further steps Government propose to take to bring Dr. Dharma Teja back from that country?

The Deputy Minister in the Ministry of External Affairs (Shri Surendra Pal Singh): (a) No, Sir.

(b) Does not arise.

(c) The Proceedings in India against Dr. and Mrs. Teja in connection with their extradition have been completed and action is now being taken for institution of extradition proceedings against them in New York.

Shri S. M. Banerjee: May I know whether it is a fact that action has not been taken so expeditiously in this matter because Dr. Teja has got influence on some of the Cabinet Ministers including the Prime Minister, and if so, what positive steps Government contemplate to take to confiscate his property in India so that he could come back?

Shri Surendra Pal Singh: It is not correct to say that no action has been taken by the Government of India. In fact, we have taken action. Extradition proceedings have been instituted against him. As regards his property etc. I have no information about that.

Shri S. M. Banerjee: I would like to know whether it is a fact that Dr. Dharma Teja has got a huge amount of money in the foreign banks abroad and that is one of the reasons why he is not keen on coming back to India at all, and if so, what steps Government would like to take to freeze his money in the foreign banks and get it back.

Shri Surendra Pal Singh: These extradition proceedings have been instituted against him for this very purpose. If we succeed in this case and succeed in getting him back to India, he will have to come back here and face the trial and he will have to defend himself against the charges levelled against him. If ultimately we succeed, a way will be found for making recovery from his various assets all over the world.

Shri S. M. Banerjee: My question has not been answered. My question is whether he has money in the foreign banks and whether Government have any knowledge of that. Does the hon. Minister accept that or not?

Shri Surendra Pal Singh: I have no information about that; I have no information about his assets in the foreign banks. This question may be addressed to the Ministry concerned.

Shri Hem Barua: Is it a fact that the original exit out of this country of

Dr. Dharma Teja was made possible by certain members in the Indian administration who feared that if he were prosecuted here, he might make some disclosures disturbing to the existence of these members in the administration? I want to know how far it is a fact?

Shri Surendra Pal Singh: It is not proper on the part of the hon. Member to cast aspersions on the conduct of Government officials. I do not know the circumstances in which he managed to go out of the country. But certainly the members of the Government or the officials were not a party to it.

डा० राज बनोहर लोहिया : घडरल महोदय, मेरा ब्यवस्था का प्रश्न है।

श्री मधु सिन्घे : क्या यह बात सही नहीं है कि पिछले साल मई और जून में धर्म तेजा माहव वहां आए थे, होटल इन्टरकॉन्टिनेंटल में रहे और बराबर पाटियां देते रहे, लेकिन उनके खिलाफ रपट होने के बावजूद उनको इस लिए गिरफ्तार नहीं किया गया कि प्रधान मंत्री के एक रिश्तेदार ने सरकार के साथ बात-चीत कर के धर्म तेजा माहव के लिए वेफे कान्बेट नय किया था, अर्थात् अगर यह भारत में घायने, तो उन को गिरफ्तार नहीं किया जायेगा ?

Shri Surendra Pal Singh: My difficulty in answering this question is that my Ministry is only concerned with the question of extradition. As regards all that had happened in the past, I have not got the information with me, and I cannot give any information to the House in this regard.

श्री मधु सिन्घे : प्रधान मंत्री इस के बारे में सूचना दें।

Shri Banga: After all Government is a continuing thing. If he has not got the information with him, he should be prepared to get the information and supply it to the House.

The Prime Minister and Minister of Atomic Energy (Shri Indira Gandhi): I merely want to say that no relative of mine was involved.

श्री मधु सिन्घे : सवाल यह है कि वेफे कान्बेट दिया जा या नहीं। इस के बारे में प्रधान मंत्री "न" कहें। "इन्वाल्बमेंट" का क्या मतलब है ?

श्रीमती इन्दिरा गान्धी : वही मतलब है।

Shri Tenneti Viswanatham: May I know what specific steps were taken in regard to the extradition of Dr. Dharma Teja? What specific steps were taken, and from what time to what time?

Shri Surendra Pal Singh: We launched proceedings against Dr. Dharma Teja in a court in Delhi, and evidence has been recorded. The record of the case, fully authenticated by the US Embassy in Delhi, has been sent to America, and we are going to institute extradition proceedings in New York against Dr. Dharma Teja, and we are very hopeful that as a result of that we shall be able to get him back to India.

Shri Surendranath Dwivedy: Is it a fact that Dr. Dharma Teja had with him multiple passports? Do Government know anything about it?

Shri Surendra Pal Singh: I have no information. We issued to him only one passport and I think that has been cancelled.

Shri Nath Pal: Before I ask my question, may I request Shri Chagla to make a serious effort to limit evasion and prevarication to the minimum if he cannot altogether avoid them?

I will take up the question of Shri Hem Barua and put it slightly differently because no satisfactory reply was given. The case of Dr. Dharma Teja was coming before this House during your distinguished stewardship of that portfolio. When you were the Minister in charge, this House was alerted to the possibility that Dr. Teja

might give the slip to the country and get away, and then we were informed that Dr. Teja was abroad. Then questions were being asked about his activities and his association with some very eminent persons in the administration of this country. Is there not sufficient justification, therefore, to believe that his exist from India was deliberately connived at, acquiesced in or facilitated by certain interested parties because of the fear that if he was put in the dock, he might name persons and might give out certain details which would have proved extremely damaging to the administration in an election year?

Shri Jyotirmoy Basu: Like in the case of Haridas Mundhra.

The Minister of External Affairs (Shri M. C. Chagla): I repudiate that charge as absolutely false. This is borne out by the fact that the External Affairs Ministry has taken every possible action to see that Dr. Teja comes back to this country and faces the charges which are levelled against him.

Shri Hem Barua: That was not the point.

Shri Nath Pal: He is doing precisely what I requested him not to.

Shri Hem Barua: We seek your protection. He is master of evasion.

श्री मधु लिखते : अध्यक्ष महोदय, व्यवस्था का प्रश्न है। माननीय सदस्य ने धर्म तेजा के चले जाने के बारे में पूछा था। क्या प्रश्न है और क्या जवाब है। कोई जवाब खाना चाहिए।

Shri M. C. Chagla: It is absolutely false. (श्री मधु लिखते : क्या फाल्स है ?) I will tell him what is false. The falsity relates to the charge made by Shri Nath Pal, and I am surprised that it should have been made by so responsible a Member as Shri Nath Pal.

श्री मधु लिखते : तो फिर वह चाय कैसे गए ?

Shri M. C. Chagla: He said that some members of the Government were anxious that he should leave India because if he remained here, he would make some disclosures prejudicing some members of the Government and Government itself.

Shri Nath Pal: Nobody connived at it?

Shri M. C. Chagla: It is absolutely false.

Shri Nath Pal: How did he go?

Shri M. C. Chagla: People leave this country.

Shri Umanath: About the delay in the extradition proceedings, the situation has become worse. Are Government aware that this Dr. Dharma Teja has floated a new shipping company in America in which the collaborators are the Jayanti Shipping Company's former agents in Japan? If so, have Government investigated whether the previous swindled money of the Jayanti Shipping Company has anything to do with the fact of the floatation of the new shipping company in America? If so, what action have Government taken to see that that thing is prevented and extradition proceedings are made swifter?

Shri M. C. Chagla: All the affairs of Dr. Teja are being investigated....

Shri Umanath: This particular thing?

Shri M. C. Chagla: I do not know about the details. They fall within the purview of my hon. friend, the Minister of Transport. I can assure this House that all the affairs of Dr. Teja will be investigated, investigated in full, and wherever he is found to have gone wrong or committed any offence under Indian law, he will be prosecuted.

Shri Indrajit Gupta: Only during the last session in reply to a question, the hon. Minister of External Affairs

assured this House that Government had satisfied itself that unlike in the case of the extradition agreement between our country and France at the time when Dr. Teja was residing in France, under the present agreement between our country and the USA regarding extradition, there would be no delay in getting him back. A little while ago the Deputy Minister said if we succeed, 'if we succeed in these proceedings'. So there seems to be some element of doubt existing in the mind of Government. What are the difficulties and obstacles standing in the way of Government being certain of or being able to succeed in these extradition proceedings?

Shri M. C. Chagla: I am familiar with law's delays, I should be; but I assure this House that if you look at the record, we have carried on these proceedings with great expedition. Prosecution was launched, evidence was led, affidavits were received from foreign embassies. The magistrate has held that there is a *prima facie* case, we have got these papers authenticated, and we have flown them to the United States, for starting extradition proceedings. What my colleague said is that we are subject to the American law. In our eyes, the case is *Prima facie* proved, but the United States has to be satisfied that what we say is an offence, is an offence in their law, which would justify extradition. I cannot speculate upon what the United States court would do. I hope the United States court will take the same view of the gravity of Dr. Teja's offence as our court has taken.

Shri Bai Raj Madhok: The hon. Minister has taken shelter behind the extradition law of America. May I know whether, when Dr. Teja was allowed to go out of India, certain officers connived at his running away from the country or not? Just now Mr. Chagla said it is false to say that some officers may be involved. May we know whether Government is prepared to institute an inquiry

into the circumstances in which Dr. Teja was allowed to go out of the country?

Shri M. C. Chagla: Dr. Teja had a valid Indian passport. Like any other citizen, he had a right to come into India and go out of India. As soon as we found something about his activities which were criminal, the passport was impounded, but before that, about his movements, as I said, he was a free Indian citizen to come to India and to go out of India, but if we find that there is anything suspicious about his leaving India, we will certainly look into it.

Shri Nath Pal: I must register a protest. Mr. Chagla's reply shows a total contempt for the intelligence of the members of this House. He says Dr. Teja was, like any other Indian citizen, free to come into India and go out of India. Was he like any other Indian? Does any other Indian get a loan of Rs. 20 crores on a capital of Rs. 2 crores? Has any other Indian become the subject matter of questions like him? What is this kind of reply? This is nothing but insulting Parliament. How do you allow this insult to go on?

Shri Bai Raj Madhok: I asked a specific question whether they are prepared to institute an inquiry into the circumstances of Dr. Teja's escape. I want a specific answer to this question. (Interruptions).

Shri Filoo Mody: The External Affairs Minister has emphatically denied that anybody in the Government had anything to do with Dr. Teja's escape from India. To me it is inconceivable that Dr. Teja could have done the things that he has done in this country without the connivance of somebody in the Government, and I would go further and say that his escape from the country must have been with the connivance of the Government, because after the bubble had burst, it was evident to the meanest intellect that Dr. Teja would skip the

country, yet nothing was done to stop him from doing so. What is this ridiculous answer that as a free citizen of this country he was allowed the freedom of coming and going anywhere, whereas other free citizens are not afforded such facilities? Therefore, I would like to ask the Minister whether it is true or not that Dr. Teja had become a security risk to the Government, and therefore it was very convenient to have him escape?

Shri M. C. Chagla: The allegation is absolutely false. I do not see what purpose is served by making these wild allegations which have absolutely no basis. Anybody can get up in this House and say that with the connivance of the Government officials Dr. Teja escaped, but is there any basis for this allegation?

Shri Ranga: Mr. hon. friend the Foreign Minister is doing injustice to this House. He does not give a straight answer to the question put by Mr. Madhok. Are they prepared to institute an enquiry? That is exactly the burden of the question put by hon. friend Mr. Piloo Mody. He simply goes on saying: I deny this and I deny that. What is the use of denying each other like this? Are you prepared to institute an independent enquiry . . . (Interruptions).

Shri M. C. Chagla: May I make the position clear? For most of the time Dr. Teja was not staying in India and then he went away when no proceedings were pending against him and no charges were framed against him. Therefore, he could not be prevented from leaving India if he so desired. When we had a case against him, he was not in India; he was abroad . . . (Interruptions.)

Mr. Speaker: Order, order. I have called Shri Mukerjee.

Shri M. N. Mukerjee: I can understand Mr. Chagla's concern to protect the reputation for innocence which his

Ministry has got. But I want the Minister to make this clear to the House: how is it that the Government admits Mr. Madhu Limaye's question in regard to Dr. Dharma Teja having been here in this country because he had got something like a safe conduct assurance from some quarters in the Government? That is not contradicted. He happened to be here. In regard to the charges against Dr. Dharma Teja, these charges have been here for umpteen months now. How is it that the Government now comes forward with an innocent declaration that legal proceedings which are necessarily very long and protracted proceedings for extradition, have been instituted and we are awaiting the good pleasure of the American Government in that regard? How does the Government explain that since the time when all kinds of the most grave charges against Dr. Dharma Teja were made in the House and outside, Dr. Dharma Teja could come and go out with impunity and how is it that extradition proceedings had been taken only very recently with results so disastrous to the country? In view of that, why is not the Government ready to give an assurance regarding an investigation into the entire position?

Shri M. C. Chagla: I think I have given an assurance. If we find that any officer was privy to Dr. Teja escaping justice or that any officer is colluding with him, we will certainly take action.

An hon. Member: How do you find it without investigation? We want an enquiry to find that out.

Shri M. C. Chagla: If necessary an enquiry will be instituted.

डा० राज कर्पोर जोडिया : सभस
सहोदय, सबसे पहिले तो मंत्री सहोदय को
इत सचन से कमा बाचकी बाहिए कि कर्पोर
दिल्ली की सदासत के मुकदमे की सच बाचकी
दुवाने का मुकदमा सदा । सची सच किनी
सच की की सच बाचकी दुवाने की सच बाचकी

इस सरकार ने नहीं की है, इस का खानी, करने का इरादा है और आप ने देखा होगा कि इस सदन में बार बार हम सबों का ऐसे इस्तेमाल हुआ है कि बिना हम लोगों को एक शब्द ही जाय कि जैसे बापसो बुलाने की कार्यवाही चालू हो गई है। चालू नहीं हुई। खानी खानी दिल्ली की अखिल में कार्यवाही है जिस को हरमिज बापसो बुलाना एक्सट्रे-डीयन नहीं कहा जा सकता। अब यह गई अमेरिका की कार्यवाही तो अमेरिका में हमें तेजा साहब कई महीने पहले गिरफ्तार हुए थे और विस्कुम साक अन्तर्राष्ट्रीय तौरों के अनुसार यह तय है कि जो कुछ एक देश के और दूसरे देश के विस्कुम सामान्य हैं जैसे जानी बस्तबस्त करके क्या करना, अमानत में अमानत करना, जैसे एक कंपनी के अधिकारी और बेयरन होने पर भी फिर उस की कार्यवाहियों पर कमीशन लेना, यह सब अघराज सारे संसार के हैं, खानी वहां उन को 420 कहा जाता है, बाबद अमेरिका में कहा जाता होगा 380 लेकिन यह सब एक ही अघराज हैं। ऐसी अवस्था ने जहां कहीं देश बापसो बुलाने की कार्यवाही होती है, उस में एक-दो दिन से ज्यादा नहीं लगा करता। जिस दिन हमें तेजा साहब गिरफ्तार हुए थे उसी दिन भारत सरकार अघर बापस बुलाने की कार्यवाही अघरीका से कर लेती, तो अघरीका अमानत और उन को वहां पर लेज लेती। इस सरकार ने जान-बूझ कर कार्यवाही नहीं की।

यै जानना चाहता हूँ कि इतने महीने बीत जाने पर भी इस सरकार ने किसी भी तरह की कोई कार्यवाही किसी भी विदेशी अमानत में बापस बुलाने की नहीं की, अब यह कैसे कह सकते हैं कि अत्याचरों की कार्यवाही की जा रही है? अपने इस तयार के साथ मैं अपने प्रार्थना करता हूँ कि आप अत्याचरों के भी महीने के अगत सबों का इस्तेमाल करने के लिये।

श्री M. C. Chagla: I have already answered the question.

डा० राज मनोहर मोहिवा : ये क्या बोले, साहब ?

Mr. Speaker: He has answered that; he has no further information to add.

डा० राज मनोहर मोहिवा : फिर मेरा आपसे मतलब है, उन से मतलब नहीं है। अत्यंत महोदय, जब आप अहमदाबादी मंत्री थे, तब आपने स्वयं ऐसे अघराज गिनाये थे जो मैंने अपनी बतलाये हैं—जैसे अमानत में अमानत, जानी दस्ताबत कर के पैसा लेना, बेयरन होते हुए कमीशन निकालना—ये सब थे अघराज हैं जो कि सारे संसार के अघराज हैं। इसलिये मैं आपसे प्रार्थना करता हूँ कि यदि मंत्री महोदय ने जवाब देने से इन्कार किया है, इसलिये आप इस सदन की कार्यवाही बँटावें कि मंत्री महोदय के इन्कार के पीछे क्या रहस्य है ?

Mr. Speaker: I think it can be debated at greater length later on. I think this is a point which cannot be clarified through supplementaries alone.

श्री S. M. Bamerjee: You can appoint a Committee.

Mr. Speaker: I do not think I can undertake that responsibility. Now, I am the Speaker; I am not a Minister. My hon. friend seems to forget it. I have a lot of information with me, but I cannot answer the questions here. I am not expected to answer the questions. I have to be in the Chair, not on the Treasury Benches.

श्री जयु सिन्घे : पाकिस्तान में प्रोब हो सकता है, पाकिस्तान में प्रोब हो सकता है।

Mr. Speaker: I think the hon. Member can take some other opportunity for getting this clarified. I do not know how he can do it; we can discuss it when we meet at 4.30 and see how we can deal with such things. But supplementaries are not going to elicit better information. We shall

discuss it at 4.30 We have now only five minutes left. I now go to Question No. 3.

Purchase of Islands in the Indian Ocean by the British Government

*3. Shri Surendranath Dwivedy:

Shri Hem Barua:

Shri Ramachandra Veerappa:

Shri Ebrahim Sulaiman Sali

Shri D. C. Sharma:

Shri Mohammad Ismail:

Shri Umanath:

Shri B. K. Modak:

Shri Ganesh Ghosh:

Shri Bhagaban Das:

Shri Mohan Swarup:

Shri M. Rampure:

Shri Bibhuti Mishra:

Shri K. N. Tiwary:

Shri N. K. Sanghi:

Shri George Fernandes:

Shri J. H. Patel:

Shri Madhu Limaye:

Shri Sidheshwar Prasad:

Shri Ram Kishan Gupta:

Shri Indrajit Gupta:

Shri Yashpal Singh:

Shri S. M. Banerjee:

Dr. Ram Manohar Lohia:

Shri R. S. Vidyarthi:

Shri Kanwar Lal Gupta:

Shri N. S. Sharma:

Shri Sharda Nand:

Shri A. B. Vajpayee:

Shri Brij Bhushan Lal:

Shri Bukam Chand

Kashwal:

Shri Ram Singh Aiyarwal:

Shri Y. A. Prasad:

Shri Hem Raj:

Shri C. K. Bhattacharyya:

Shri H. N. Mukerjee:

Shri S. Supakar:

Shri Manibhai J. Patel:

Shri Samar Guha:

Will the Minister of External Affairs be pleased to state:

(a) whether it is a fact that U.K. is going ahead with her proposal to purchase certain Islands in the Indian Ocean and proposes to establish certain transit bases there conjointly with U.S.A.; and

(b) if so, whether this fact has been brought to the notice of the U.N. as promised by him during the last Session?

The Minister of External Affairs (Shri M. C. Chagla): (a) Yes, Sir.

(b) The matter was recently considered by a Sub-Committee of the U.N. Committee of 24. The following recommendations have been made:

"(i) The Administering Power should once again be called upon to respect the territorial integrity of Mauritius and Seychelles and to return to these territories the islands detached from them.

(ii) The Special Committee should urge the Administering power to refrain from any military activity in the territories, especially in the islands detached from Mauritius and Seychelles. Such activity would constitute an act of hostility against the people of Africa and Asia and in fact to International peace and security."

Shri Surendranath Dwivedy: May I know whether the Government of India at any stage was consulted when the U.K. Government wanted to purchase these islands and whether they mentioned which are the islands they are going to purchase? Also, when they made the request did they give a solemn assurance that these places would never be utilised for military purposes?

The Deputy Minister in the Ministry of External Affairs (Shri Surendra Paj Singh): I do not know whether the Government of India was actually informed, but when we came to know about it through newspaper reports and when we got in touch with the U.K. Government, in response to that they informed us that they had this intention of purchasing the islands, but they told us categorically that there was no intention on the part of the U.K. Government or America for that matter to establish any military bases as such on those islands; they told us that they only propose to use