

जो उस वक्त ट्रांसपोर्ट मंत्री थे, जब यह मामला आया था, और इस वक्त खाद्य मंत्री हैं। मैं जानना चाहता हूँ कि क्या बजह है कि इस मवाल का जवाब काबीना के गृह मंत्री नहीं देते हैं। पिछली बार श्री गोविन्द मेनन ने जवाब दिया था और आज शिन्दे साहब जवाब दे रहे हैं, जिनकी इसके बारे में कोई व्यक्तिगत जानकारी नहीं है . . . . .

**Mr. Speaker:** You want them to come; those who have been defeated in the elections?

**श्री मधु लिमये :** नहीं, अध्यक्ष महोदय। लेकिन पिछली बार जगजीवन राम जी ने स्वयं यह घोषणा किया था कि वे स्वयं इसकी जगह से जांच करेंगे, लेकिन जब जवाब देने का मौका आया है तो शिन्दे साहब जवाब दे रहे हैं। इनको इस सम्बन्धी बहुत सारी बातों की जानकारी नहीं है। एक घण्टे में यह मामला चल रहा है, हम सम्भ्रिता से मवान उठाते हैं, लेकिन इस तरह का व्यवहार हमारे माघ सरकार की तरफ से चल रहा है।

**Shri S. M. Banerjee:** Sir, regarding this question, I fully support my hon. friend, Shri Madhu Limaye.

**Mr. Speaker:** He does not need your support.

**Shri S. M. Banerjee:** Sir, I support his contention because in this particular case two Cabinet Ministers were involved.

**Mr. Speaker:** Order, order. What is all this? It has nothing to do with that. They are defeated and gone.

**श्री मधु लिमये :** मैं उनकी नहीं कह रहा हूँ। मैं जगजीवन राम जी के बारे में कह रहा हूँ। जो हार गये हैं, वे कैसे आयेगे।

**Mr. Speaker:** I have heard Shri Limaye. Shri Jagjivan Ram is not here. Does he want an answer to his question or not?

**श्री मधु लिमये :** उत्तर तो मैं चाहता हूँ, लेकिन बाद में आप उनसे कहिये कि इस तरह से नहीं करना चाहिये।

**Mr. Speaker:** Shri Jagjivan Ram is not here. If he were there we could have asked him to answer the question because he is the Minister of Food.

**श्री मधु लिमये :** मैं शिन्दे साहब के सर्वेधानिक अधिकार या कानूनी अधिकार पर नहीं बोल रहा हूँ, मैं तो यह कह रहा हूँ कि यह उचित होता कि खुद वे इसका जवाब देते।

**Mr. Speaker:** Shall I ask him to answer the question or not?

**श्री मधु लिमये :** जवाब तो चाहिये।

**श्री क० न० सिद्धारी :** अध्यक्ष महोदय, मग फाइन्ट आफ फाइंडर है। यह सबको मालूम है कि इस मामले में कैसे चल रहा है, कांटे में कैसे चलने के कारण यह मामला गद-जुडिस है, इसलिये इसका यहाँ पर नहीं लेना चाहिये।

**श्री मधु लिमये :** इसका उगने काई सम्बन्ध नहीं है, यह प्रश्न तो केवल जानकारी प्राप्त करने के लिये है।

**Mr. Speaker:** There is no point of order. The Question may be answered.

**Apeejay Shipping Co.**

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\*753. **Shri Madhu Limaye:**  
**Dr. Ram Manohar Lohia:**  
**Shri S. M. Joshi:**  
**Shri Sidheshwar Prasad:**  
**Shri Ram Kishan Gupta:**  
**Shri George Fernandes:**  
**Shri S. M. Banerjee:**

Will the Minister of Food and Agriculture be pleased to refer to the reply given to Starred Question No. 24 on the 28th March, 1967 regarding Apeejay Shipping Co. and state:

(a) whether Government have since examined the matter relating to

attempted cheating by the Apeejay Shipping Co. in respect of rice imports from Burma;

(b) the results of the inquiry;

(c) whether a black-listing order has since been issued against this Company; and

(d) if not, the reasons therefor?

The Minister of State in the Ministry of Food, Agriculture, Community Development and Cooperation (Shri Annasahib Shinde): (a) Yes, Sir.

(b) Government have decided, after obtaining legal advice, to initiate criminal proceedings for attempting to cheat the Government, against the employee of the company who issued the instructions.

(c) and (d). In the light of the decision to prosecute the concerned employee of the company, Government is proceeding with the necessary formal steps for taking action against the company.

श्री मधु लिखड़े : अध्यक्ष महोदय, ब्लैक-लिस्टिंग के प्रोसीक्यूशन का कोई सम्बन्ध नहीं है। यह तो सरकार के अधिकार में आता है। मैंने अपने प्रश्न के (बी) भाग में यह पूछा था :—

“(c) whether a black-listing order has since been issued against this Company; and”.

Shri Annasahib Shinde: Formal departmental action can include possibly blacklisting.

श्री मधु लिखड़े : अध्यक्ष महोदय, इनको माफ़मात नहीं है। ब्लैक-लिस्टिंग सरकारी अधिकार के मातहत है, इसका मुकदमे से, प्रासीक्यूशन से कोई सम्बन्ध नहीं है, इसलिये मैं कह रहा था ...

Mr. Speaker: The question is whether a blacklisting order has since been issued. The Minister can say either “yes” or “no”. If it is done, it is done; if it is not done, it is not done. He can clearly say that.

Shri Annasahib Shinde: For taking any other action we are advised by the Law Ministry that we have to take certain steps before we can do that.

Shri George Fernandes: What are they?

श्री मधु लिखड़े : कभी अध्यक्ष महोदय ऐसा ही सकता है कि कानून के अनुसार मुकदमा नहीं हो सकता है, लेकिन ब्लैक-लिस्टिंग तो बट कर ही सकते हैं।

The Minister of Transport and Shipping (Dr. V. K. R. V. Rao): The position is this. So far no blacklisting order has been issued against the company. As soon as we got the information from the Food Ministry that cheating has been done and that they are going to launch a prosecution, we wanted to take action against M/s. Surendra Overseas Limited. But, as the hon. Member is probably aware, the Ministry of Iron and Steel had issued instructions, I think last year, to blacklist this company in regard to its own transactions. Then a stay order was obtained from the Calcutta High Court, and that order has not yet been vacated. Therefore, if we take any action immediately on our own we will be committing, so I am told. . . .

Shri Kanwar Lal Gupta rose—

Dr. V. K. R. V. Rao: Just a minute. I am not a lawyer. Unlike my hon. friend, Shri Kanwar Lal Gupta, unfortunately, I am not a student of law. I have to proceed on the basis of the advice given by the law officers of the Government. We are advised that we have to issue a notice to the company to show cause why action should not be taken against them. Also, before this show-cause notice is given, we will have to inform the Calcutta High Court. Otherwise, the Transport Minister, if not the who's Government of India, may find themselves committing contempt of court. So, this is the position. I want to assure the hon. Member that we are

already taking action. We have informed the Food Ministry that all the necessary formal action will be taken. We want to do whatever ought to be done in this connection according to the law.

श्री जयू लिवये : प्रीन ए एवाइंट प्राफ़ धाइट, सर । मैंने अभी तक एक भी सवाल नहीं पूछा । उन्होंने सदन को गलत जानकारी दी है व गुमनाह किया है । पहले स्टील मिनिस्टर साहब ने जो ब्लैक लिस्ट में रखा वह किमी दूसरे मामले को लेकर था । यह बर्मा से जो चावल मंगाया गया और उसमें जो खोरी हुई उसको लेकर है । इसलिए, यह दो विषय भ्रमण हैं । इसलिए कौन इन के कानून मंत्री इनको सलाह देने वाले हैं मुझे पता नहीं । मैं आपसे पूछना चाहता हूँ कि क्या एटार्नी जनरल से आपने पूछा है, सॉलिसिटर जनरल गुले साहब से पूछा है, यदि पूछा है तो उनकी जो सलाह है वह सदन के मामले में क्या है । यह दो विषय बिल्कुल भ्रमण हैं, दो कारण बिल्कुल भ्रमण हैं इसलिए कलकत्ता हाईकोर्ट का मवाल नहीं है । अब मैं आपका प्रश्न पूछना हूँ । पिछली बार जब मैंने इसके बारे में सवाल पूछा था कि माननीय सचिव डा० राम मनोहर लॉहिया के द्वारा कम्पनी ने जो परिपत्र जारी किया था खोरी करने के सम्बन्ध में जब वह मन्त्र पटल पर रखा तो मैंने एक सवाल दिया या तीसरी लोक-सभा के प्रतिम भव में कि क्या यह पत्र सही है और उसके बारे में आपने कोई कार्यवाही की या नहीं तो मुझे यह जवाब मिला :

"I have seen the document. It was received in the Food Department in April 1962. It was duly examined and dealt with."

यह जवाब है । अब यह कहते हैं कि ब्लैक लिस्टिंग आर्डर आज तक उनके खिलाफ जारी नहीं किया गया है, और इतना सब हुंमामा होने के बाद—पिछली बार जब आश्वासन मिला—तब अब जाकर कानूनी

कार्यवाही की बात पहली बार इस सदन में आई है । अध्यक्ष महोदय, इस बात को लेकर मुझे इस तरीके की तकनीक मिलनी पड़ी है और मेरे ऊपर पाटिल साहब, ने एक मुकद्दमा भी दायर किया है । अब सारी बातें खुल कर सामने आ रही हैं । क्या यह सदन मुझे कोई संरक्षण नहीं देने वाला है ? अध्यक्ष महोदय, यह दो साल से इस मामले को लेकर हम लॉग सड़ रहे हैं । मैं यह जानना चाहता हूँ कि यह जब आपने उत्तर दिया : "It was duly examined and dealt with." उस वक्त पाटिल साहब खाल मंत्री थे । उस वक्त आपने यह जवाब दिया था : "It was duly examined and dealt with." तब आपने क्या कार्यवाही की थी ? न प्रासीक्यूशन किया न ब्लैकलिस्टिंग आर्डर जारी किया बिल्कुल दूसरी एक चीज को लेकर 63 में ब्लैक लिस्टिंग हुआ तब ट्रांसपोर्ट मंत्रालय ने कहा कि इनके ऊपर, जहाजरानी कम्पनी के ऊपर ब्लैक लिस्टिंग नहीं किया जाय उसका लेकर पिछले मानसून मव में बड़ी बढ़िया कार्यवाही यहाँ पर हुई है । विशेषाधिकार का मवाल भी आया फिर पब्लिक एकाऊंट्स कमिटी ने अपनी विशेष रिपोर्ट भी दी मैं यह जानना चाहता हूँ कि It was duly examined से मतलब क्या है ?

Mr. Speaker: You have taken so long. During the question hour you cannot have a discussion. This matter you can raise in so many other forms but not during question time.

श्री जयू लिवये : अध्यक्ष महोदय, मैं आपका बिल्कुल समय नहीं लेना चाहता, लेकिन जब इस तरीके की बातों का छिपाने की कार्यवाही होती है, it was duly examined and dealt with ऐसा बेमतलब उत्तर आता है, तब आप बतलाइये कि कौनसा रास्ता हमारे पास है ? लगातार तीन साल से यह मामला चल रहा है और अगर हब लॉग सवाल नहीं देते तो क्या यह सब

बाते बाहर आ सकती थीं ? हम तों जनता की सेवा कर रहे हैं ।

Mr. Speaker: That is true.

श्री मधु लिमये : मेरे प्रश्न का जवाब प्राये । इसका मतलब क्या है : It was duly examined and deal with.  
हमका उत्तर मंत्री चाहिए ।

Mr. Speaker: Now at least you may sit down. You have taken 10 or 15 minutes. If you get a proper answer, well and good; if you do not get it, there are other methods of redress. You can ask for a debate or something else. If you put a question I can ask the Minister to reply and if the reply is not satisfactory, there are other methods of redress. Then there are bigger methods of redress. If everything else has failed, the Constitution has provided so many methods. The Chair cannot help you.

Shri Annasaheb Shinde: After the copy of this letter was received in the Ministry, immediately messages were sent to various ports saying that officers should take precautions so that less deliveries do not take place. Even at that time we did not take it that this letter was not genuine. The hon. Member may not be satisfied with my answer but action was taken in the sense to see that this company should not be in a position to defraud Government. I think, at that time due precautions were taken so that the quantities which were expected to be delivered by the ships were delivered to various ports.

श्री मधु लिमये : मेरा दूसरा प्रश्न यह है कि श्रीजें शिपिंग कंपनी को लाइसेंस किस ने दिया ? उस वक्त ट्रान्सपोर्ट मंत्री कौन थे और जहाज प्रादि खरीदने के लिए उन के लिए विशेषी मुद्रा का कोटा भी किस ने दिलवाया इस के बारे में मैं तफसील चाहता हूँ ?

Shri Annasaheb Shinde: First of all, this question will have to be addressed to the Transport Ministry.

श्री मधु लिमये : ट्रान्सपोर्ट मिनिस्टर बैठें हुए हैं ।

Shri Annasaheb Shinde: Even if I have to answer it, I will require notice.

Dr. V. K. R. V. Rao: I will have to get the facts to answer the question as to who the Transport Minister was and how the licence was given. I have no information on that at present. With regard to the point that was raised by the hon. Member, Shri Madhu Limaye, we were told that this was a composite company, but we propose to go before the court exactly using the argument that he has made, namely, that this business and this transaction are entirely separate and, therefore, we should be permitted to take action.

श्री सिद्धेश्वर प्रसाध : मैं यह जानना चाहता हूँ कि सरकार के सामने जब यह बात प्रागई कि कंपनी ने धोका दिया तो उस के बाद डम कंपनी के विरुद्ध सरकार ने क्या कार्यवाही की और क्या सरकार ने इस बात की जांच की है कि वस्तुतः इस कंपनी के धोका देने की वजह से सरकार को कितना नुकसान हुआ ?

Shri Annasaheb Shinde: During the last session the Minister of Food and Agriculture assured the House that we shall examine the entire position; because it was considered to be a legal matter, on the basis of advice given by the Law Ministry we shall take action. Now we have been advised that criminal prosecution can be launched. That is why in the main answer I have said that criminal prosecution is being launched.

श्री सिद्धेश्वर प्रसाध : मंत्री महीदय, ने मेरे इस प्रश्न का जवाब नहीं दिया कि सरकार को नुकसान कितना हुआ ?

Shri Annasaheb Shinde: We are going to launch prosecution for attempt to cheat, because my information is that they have not actually

succeeded in cheating the Government unless the contrary comes to our notice.

**श्री जार्ज करनेन्डीज :** इस कम्पनी के बारे में एक पहला प्रश्न पूछने में आया था उस के व्यवहार के बारे में और उसके टैक्स के बारे में। अब अध्यक्ष महोदय, यह सारे सदन को और सारे मुल्क को जानकारी है कि श्री जगजीवनराम और श्री स्वर्णसिंह इन दोनों के ही धार्मिकता से भ्रमीचन्द प्यारेलाल कम्पनी अपने काम को चलाती रही है और यह चीज अध्यक्ष महोदय बहुत ही महत्व रखती है चूँकि मंत्री महोदय ने इसने इस सदन में, फाइनेंस मिनिस्टर ने इस सदन में जवाब देते हुए उस प्रश्न का उस वक्त यह कहा था कि 51-52 से ले कर 53-54 तक इस कम्पनी ने 9 लाख रुपये का सालाना टैक्स भरा मगर 1954-55 से ले कर 1958-59 तक के जो आइडें फॉर्नेस मिनिस्टर ने यहाँ रखें उन में यह मान्य पड़ा कि उन के टैक्स भरने का जो काम था वह मुश्किल से सवा या डेढ़ लाख रुपये सालाना था। आगे जब इसपर एक प्रश्न पूछा गया तब बतलाया गया कि करीब 1 करोड़ रुपये का टैक्स इस कम्पनी ने नहीं भरा। जी एसिसमेंट हुआ था वह एकन-पार्टी हुआ था। आगे चल कर इनकम टैक्स डिपार्टमेंट ने यह तय किया कि इस कम्पनी को 75 लाख ०० टैक्स के रूप में देना चाहिये। मैं पूछना चाहता हूँ कि क्या बजह है... (व्यवधान) मैंने सिर्फ उन मंत्रियों का नाम लिया है, औरों का नहीं लिया है, आप क्यों चिन्तित हैं ?

**Mr. Speaker:** I am helpless. You are not asking a question. You are making a speech.

**श्री जार्ज करनेन्डीज :** उन सब लोगों को बोलने की कोई आवश्यकता नहीं है। मेरा प्रश्न यह है...

**Mr. Speaker:** You go ahead. May I request Shri Fernandes to complete his speech?

**श्री जार्ज करनेन्डीज :** अध्यक्ष महोदय, आप मुझे माफ करें। मेरा प्रश्न केवल यह है कि क्या बजह है कि इस कम्पनी से तमाम मंजालों के द्वारा, फाइनेंस मिनिस्ट्री से ले कर ट्रांसपोर्ट और फूड मिनिस्ट्री तक, इस तरह का व्यवहार किया जाता है कि कोई भी अपराध बह करे, उस की कोई सजा नहीं दी जाती ?

**Shri Anasahib Shinde:** I can only assure the House that on our part there will be no attempt to shelter anybody. As far as the facts mentioned by the hon. Member regarding tax evasion are concerned, they may be passed on to the Finance Ministry.

**Shri S. M. Banerjee:** This particular company is one of the companies of the Aminchand Peareylal group and it has been alleged in this House—I do not know whether rightly or wrongly—(Interruption).

**एक माननीय सदस्य :** इतना समझा सवाल ?

**श्री स० जो० बनर्जी :** अभी समझा नहीं हुआ। इस की क्या बात करते हैं। मैं समझा करना चाहता हूँ आप को I want to know whether it is a fact apart from this particular rice deal in which it is wrongly or rightly said ex-Cabinet Ministers were involved and one of the existing Cabinet Ministers is also involved, whether it is also a fact that when the hon. Food Minister was the Railway Minister, under his regime, the ex-Chairman of the Railway Board, Sardar Karnal Singh, sold huge quantities of scrap iron at a fantastically low price to this particular firm; also, whether the Food Minister, when he was the Railway Minister, or the Transport Minister, all these ministers are involved? In view of these allegations, wrong or right, will a CBI probe be necessary in this case?

**Shri Anasahib Shinde:** How does this arise out of this question?

श्री जयु लियवे : अध्यक्ष महोदय, उत्तर तो दिनबादये इतने एलियेगण्ड हो गये हैं। क्या उन की जांच होगी।

Mr. Speaker: How can he answer the allegations?

श्री जयु लियवे : वह पूछ रहे हैं कि सेंट्रल ब्यूरो आफ इन्वेस्टिगेशन के द्वारा जांच होगी या नहीं।

Mr. Speaker: He can give any information that you want.

Shri S. M. Banerjee: I only want an answer to the first part. I am only interested in knowing whether in view of the gravity of the allegations levelled by us or outside a CBI probe is absolutely necessary or not and whether they are prepared for it.

Shri Annasahib Shinde: As far as I can say with all these limitations, prosecution is being launched. Naturally, on investigation, or otherwise more facts are brought to our notice, it can be considered.

श्री कंबर लाल गुप्त : मंत्री महोदय ने यह कहा है कि इस में एन्वारी हुई है। मैं मंत्री महोदय से जानना चाहता हूँ कि इस एन्वारी के डिटेल्स क्या हैं और क्या वह एन्वारी रिपोर्ट सदन पटल पर रखेंगे? उन्होंने कौन-कौन सी धाराओं के अन्दर उन का चालान किया है?

Shri Annasahib Shinde: The present case, as I have already mentioned, would be under Sections 420 and 511 of the Indian Penal Code.

श्री कंबर लाल गुप्त : अध्यक्ष महोदय, मैंने पूछा था कि डिटेल्स आफ एन्वारी क्या हैं।

Shri Annasahib Shinde: There was no inquiry made. If the hon. Member will kindly recollect, the entire controversy centered round a letter written by the management of the Company to the Masters of the ships that they should have empty gunny

bags in the receipt and that, if there are any shortages, they can use empty bags, etc. In order to make up the shortages. That letter was sent by an Attache of our Embassy in Burma to the Food Department. It is on that basis that the entire controversy had risen. The Law Ministry has advised us that this amounts to cheating the Government and, therefore, prosecution should be launched against this firm.

श्री कंबर लाल गुप्त : जो सेक्टर आपने दिया उस पर एन्वारी हुई। मैं पूछना चाहता हूँ कि जिस प्रफसर ने एन्वारी की है उस की फार्मिडिज क्या है इस में बहुत सा घोटाला हुआ है, अध्यक्ष महोदय मंत्री महोदय बतलाना नहीं चाहते।

Mr. Speaker: He has explained at length. Shri H. N. Mukerjee.

Shri H. N. Mukerjee: In view of the long and continued mal-practices perpetrated by this firm which have been discussed in this House and are reverberating all over the country since last year, may I know how is it that Government is taking such a lackadaisical attitude in this matter and is hesitating even to blacklist this particular firm in regard to the transactions by Government only taking shelter behind certain legal advices said to have been given by somebody or the other?

Shri Annasahib Shinde: May I assure the hon. Member that we are not interested in shielding the Company? In such matters, we have to be guided. . . .

Shri Banga: You are shielding it.

Shri Annasahib Shinde: That is not my view; that may be your view.

Shri Banga: It is not only my view but it is everybody's view. The Ministers are involved.

Shri Annasahib Shinde: In such matters, we have to be guided by the advice of the Law Ministry. I do not think I can act beyond the advice.

given to us by the Law Ministry. We are taking active steps to proceed with the matter.

**Famine Declaration in Bihar**

\*754. Shri Sradhakur Supakar:  
Shri Lladhar Kotaki:  
Shri N. R. Laskar:

Will the Minister of Food and Agriculture be pleased to state:

(a) whether the declaration of famine by the Bihar Government in seven District of the State has made any material difference either to the relief work or the Centre's share for running them;

(b) if not, the reasons therefor; and

(c) whether the declaration of amine has further worsened the position in affected districts of Bihar?

The Minister of State in the Ministry of Food, Agriculture, Community Development and Cooperation (Shri Annasahib Shinde): (a) to (c). The declaration of famine does not imply the assumption by Government of any new responsibility for combating distress. It is a recognition that that distress, for the alleviation of which the State Government have already adopted various measures, has assumed proportions which require a widening of ameliorative measures, a more ample provision of funds and consequently more detailed and more frequent reports on the situation. The declaration does not affect the pattern of Central financial assistance to the State.

The declaration of famine by the State Government in certain areas of Bihar was accompanied by an intensification of relief measures. The situation in the affected areas is now under control.

Shri Sradhakur Supakar: May I know what actual amount of drought relief was offered to seven districts of the State before the actual declara-

tion of famine and how it has gone up after the declaration of famine? I want these figures.

Shri Annasahib Shinde: I can give figures for the whole of Bihar but not for particular districts as such. For instance, Rs. 56 crores have been advanced so far to the Bihar Government for undertaking various activities including loans, etc. The main break-up of this would be as follows:

A drinking water scheme estimated to cost about Rs. 507 lakhs has been approved; a cattle protection scheme estimated to cost about Rs. 7 crores has been approved; a sum of Rs. 29.75 crores has been granted as loans and grants in order to assist relief expenditure: loans have been granted for various programmes, that is, minor irrigation programme—Rs. 2.7 crores; rural electrification programme—Rs. 6 crores; drinking water scheme—Rs. 1 crore; extension of water courses under major and minor projects—Rs. 0.30 crores. In addition, short-term loans for seeds, fertilisers and pesticides amounting to Rs. 1549 crores have been given. Though according to the general pattern 50 per cent is supposed to be the contribution by the State Government, we have rendered hundred per cent assistance to the Bihar Government.

Shri Sradhakur Supakar: I am afraid I could not make my question very clear. I wanted to know what was the relief given to the people before the declaration of famine and how does it compare with the relief given to the people after the declaration of famine. I want the comparative figures.

Shri Annasahib Shinde: The same relief measures were intensified. The entire planning for meeting the situation was made and it was intensified.

Shri D. N. Tiwary: By what percentage?

Shri Sradhakur Supakar: By what proportion?

Shri Annasahib Shinde: Percentage, etc., I cannot say.